

In the matter of the request

of MRS. JOYCE KING

CONDITIONAL USE PERMIT
CUP NO. 34-92

This matter came before Neil D. Smith, Hearings Officer for Klamath County, Oregon on 28 June 1991 in the County Commissioners' Meeting Room in Klamath Falls Oregon. The Klamath County Planning Department was represented by Mr. Carl Shuck, Planning Director the recording secretary was Ms. Karen Burg. The Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter.

The Hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related Statutes and Ordinances. The applicant for the above referenced Conditional Use Permit, was present and testified. Witness information was received and found to be in favor of the permit.

There two letters signed by 8 families people and a Mr. Ronald C. Brown who testified against the petition whose testimony was taken and considered in this matter.

FINDINGS OF FACT

1. Those property descriptions and application information contained in exhibit A are hereby made a part of the record and by this reference incorporated herein as findings of fact.

2. The Applicant's requested Conditional Use Permit is permitted in this zone.

3. The creation of this proposed enterprise will conform to all requirements consistent with Section 51.330(B) of the LAND DEVELOPMENT CODE in all its respects except that there is an apparent dispute as to the size of the lot. One authority (the plat map) shows 1.97 acres while the Slough Irrigation District assessment shows 2.34 acres. In any event, using the smaller number means that there is only 1048 square feet missing which is easily made in a survey of a plat such as this.

4. There was opposition to this application both in the hearing and by mail.

5. The overriding concern expressed by those who sub-

KLAMATH COUNTY LAND DEVELOPMENT CODE SECTION 24.007 PROVIDES:

" An Order of the Hearings Officer shall be final unless appealed within seven (7) days of its mailing by a party having standing in accordance with the procedures set forth in Chapter 3, Article 33 of this Code"

mitted their objections was the fear that their property values would decline, yet exhibit H clearly states that the property valuation had increased while there are other mobile homes in the area.

6. Mrs. Joyce King stated that she was going to occupy the mobile home on a part time basis while her son lived in the home which she and her late husband occupied. She will not permit the premises to be rented or occupied by anyone except her self.

7. Mr. Ronald C. Brown who resides directly across the road from this proposed mobile home expressed strong reservations regarding sight pollution since this structure is directly in front of his front window. He did say that appropriate landscaping would mitigate his concerns to a large degree.

8. Mrs. Joyce King will be absent for long periods while she pursues missionary work.

CONCLUSIONS

This use is permitted in this area and there are other mobile homes in the immediate area. The photographic exhibits show a clean and well maintained area.

Mrs. Joyce King will attractively landscape the area surrounding her mobile home and it will be occupied by her only.

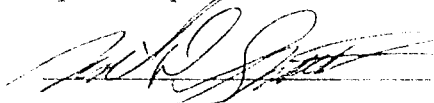
The apparent shortage in area of 03 acre is diminimus and should not effect this decision.

ORDER

Based upon the findings herein the Conditional Use Permit number NO. Is granted under the following conditions:

1. All sanitary and site location permits will be procured PRIOR to the placement of the mobile Home.
2. The mobile home will be occupied only by Mrs. Joyce King and in the event of her death or relocation said mobile home will be removed within 30 days.
3. This Conditional Use Permit is personal to Mrs. Joyce King only and does NOT run with the land.

DATED this 15th day of May 1992



Neil D. Smith, Hearings Officer

PAGE 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 20th day of May A.D., 19 92 at 12:51 o'clock A.M., and duly recorded in Vol. M22, of Deeds on Page 10947.

FEE none

Evelyn Biehn, County Clerk

By Evelyn Biehn

Return: Commissioners Journal