

93 JAN 22 PM 3 15

Vol. m93 Page 1705

56726

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for a)
Conditional Use Permit for)
DELVIN LITZENBERG and LAURA)
LITZENBERG)
)
)
)

CONDITIONAL USE PERMIT
NO. 89-92

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon on January 8, 1993 in the County Commissioners' Meeting Room in Klamath Falls, Oregon. The hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related statutes and ordinances. The Klamath County Planning Department was represented by Mr. Kim Lundahl, and the recording secretary was Ms. Karen Burg. The hearing was consolidated with ZC 5-92 (which is an application by the same petitioners) for the purpose of taking evidence only. The Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter.

Delvin Litzenberg and Laura Litzenberg, the applicants, were present. The report prepared by staff was read and the contents thereof were received in evidence; Exhibit "A" (staff report), Exhibit "B" (application). Based upon the evaluation of the evidence received, the Hearings Officer makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. The applicants are requesting a Conditional Use Permit to establish an additional dwelling (manufactured home) on their 9.3

CONDITIONAL USE PERMIT NO. 89-92 Page 1

acre property.

2. The property is located east of Eighth Street at Front Street near the east limits of the city of Malin, Oregon and legally described as a Portion of the NE 1/4 SW 1/4 Section 15, Township 41 South, Range 12 East of the Willamette Meridian. Tax Lot 4112-15CA-500 and 600. The evidence revealed that the land uses to the north and south are rural residential; to the east agricultural; and to the west is the city of Malin.

3. Authority for the proposed conditional use permit is found in LDC Section 51.330 B (R-1 Zone).

4. The applicants' requested conditional use permit is not in derogation of the Klamath County Comprehensive Plan or the Land Development Code.

5. The subject property is adequate in size and shape to facilitate the use which is authorized in the R-1 Zone.

6. The property is adequately served by maintained streets and utilities and services.

7. The conditional use permit will not alter the present use of adjacent property or the character of the neighborhood.

8. Notices were sent in conformance with the Klamath County policy and there were no communications with the staff or at the hearing in opposition of this application.

CONCLUSION

There is no logical reason to refuse this conditional use permit application since it will result in no appreciable change in the present use of the property in the area.

ORDER

Based upon the findings and conclusions herein the Conditional
Use Permit application is granted.

DATED THIS 20th day of January, 1993.

Michael L. Brant

Michael L. Brant
Hearings Officer

KLAMATH COUNTY LAND DEVELOPMENT CODE SECTION 24.060 PROVIDES:

"An Order of the Hearings Officer may be appealed to the Board
of County Commissioners within seven (7) days of its mailing as set
forth in Article 33."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 22nd day
of Jan. A.D., 19 93 at 3:15 o'clock P. M., and duly recorded in Vol. M93
of Deeds on Page 1705.

FEE none

Evelyn Biehn - County Clerk

By *Evelyn Biehn*

Return: Commissioners Journal