

06-25-93P03:49 RCVD

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for a)	
Conditional Use Permit for)	CONDITIONAL USE PERMIT
ROBERT ROOK)	NO. 25-93
_____)	

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon on June 11, 1993, in the County Commissioners' Hearing 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 who also served as recording secretary. The Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter. The applicant was represented by Mrs. Debbie Rook. No objections were presented to the granting of the permit.

FINDINGS OF FACT

1. The applicant is requesting a Conditional Use Permit for the purpose of establishing a mineral resources site on 40 acres zoned for forest uses. The property is located east of Highway 97 at or near Milepost 175, and is legally described as Parcel 2, MJP 17-87 located in the SE 1/4, Township 23 South, Range 10 East of the Willamette Meridian.

2. The property is directly accessed from Highway 97.

3. The proposed use as authorized as a conditional use pursuant to Article 55, Section 55.040, of the Klamath County Land Development Code and reviewed as required by Article 44 and Article 55 of the Code.

4. The location, size, design, and operating characteristics of the proposed use will not force a significant change in or significantly increase the cost of accepted farm or forestry practices on nearby lands.

5. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

6. The proposed use is in conformance with all standards and criteria of Article 57 of this Code.

CONCLUSION

There is no logical reason to refuse this conditional use permit application.

ORDER

Based upon the findings and conclusions herein the Conditional Use Permit application is approved upon the condition that the applicant obtain the required clearance from DOGAMI prior to any activities on the property, and that the applicant record a written statement in the Deed Records of Klamath County, Oregon, which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and rules for uses authorized by this Code.

DATED THIS 23rd day of June, 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 25th day
of June A.D., 19 93 at 3:49 o'clock P.M. and duly recorded in Vol. M93
of Deeds on Page 15214.

Evelyn Biehn
By [Signature] County Clerk

FEE none

Return: Commissioners Journal