

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for
conditional use permit by

RICH MCINTYRE and KAREN GREENE

) Conditional Use Permit
) Case No. 73-93
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This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on December 3, 1993, in the Klamath County Planning Department Conference 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. Rich McIntyre was present. The Klamath County Planning Department was represented by Mr. Kim Lundahl and the recording secretary was Ms. Karen Burg. Testimony was received from Rich McIntyre and from Mary Jane Brown Danforth. Based upon the evaluation of the testimony and consideration of the evidence received, the hearings officer makes the following findings of fact and conclusions and makes the following decision.

FINDINGS OF FACT

The applicants request a conditional use permit to allow construction of a worker residence in conjunction with Crystal Creek Lodge. The subject property is located at 38625 West Side Road, Crystal Creek Lodge, Klamath Falls, Oregon. The subject property is situated in a portion of sec. 35, T 34S R 6E. Willamette Meridian, Klamath County, Oregon, and is further described as tax account 3406-35BA-100. The subject property is accessed by a gravel private easement and is zoned commercial. The applicants have recently purchased the subject property and wish to

establish a 620 square foot cottage as a worker residence in conjunction with the Crystal Creek Lodge, which is expected to be a fishing lodge. The proposed residence will be established in close proximity to the existing commercial use which is approximately 6 miles north of Rocky Point on the West Side Road. That there exists on the subject property private family gravesites where ancestors of Mary Jane Brown Danforth are buried. The applicants and Mary Jane Brown Danforth have agreed to cooperate in identifying the location of the gravesites, fencing the area, and establishing a marker or markers. Article 51.630 (G) of the Klamath County Comprehensive Land Development Code provides the authority for granting the requested conditional use permit.

CONCLUSION

There is no reasonable basis upon which to deny the requested conditional use permit.

ORDER

It is hereby ordered that the requested conditional use permit 73-93 is granted, subject to the following conditions.

1. The applicants shall cooperate with Mary Jane Brown Danforth in identifying the gravesites, fencing the gravesites, and establishing a marker.
2. Final clearance for the use must be obtained from the Environmental Health Services Division and the Klamath County Building Department within two years.

DATED THIS 16th day of December, 1993.


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 17th day
of Dec. A.D., 19 93 at 3:36 o'clock P.M., and duly recorded in Vol. M93
of Deeds on Page 33806

FEE none

Evelyn Biehn County Clerk

By Quilene Millardore