

BEFORE THE KLAMATH COUNTY HEARINGS OFFICER

In the Matter of the Application of)

RICHARD TAKACS,)

CUP 28-94)

ORDER GRANTING CONDITIONAL)
USE PERMIT)

1. Nature of the application: This is an application for a conditional use permit to establish and agricultural supplies and service store on land zoned EFU-C.

2. Name of the applicant: Richard Takacs

3. Legal Description of affected land:

S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{2}$ and SW $\frac{1}{4}$ of Lot 14 and Lot 20, all in Section 15, T. 41 S, R 11 EWM, Klamath County, Oregon.

4. Applicable standards and review criteria: Article 54.040.

5. Statement of facts:

a. The applicant's use will be to establish a store to provide parts to agricultural users for tractors, pickups, trucks and other vehicles. Incidental, non-farm sales may also occur. The use will have virtually no adverse impact on surrounding farm operations. The applicant currently leases a building across the State Line Road in California and this application will allow him to locate the business in the State of Oregon on property of his own.

b. The site is generally flat ground located in an area predominately utilized for farms and farm related activity. Immediately to the east of the property is a potato shed. Other commercial uses exist between the proposed site and Highway 39 including a tire store. Utilities are available as well as necessary public services in the form of fire protection from the Merrill Fire Department.

c. The surrounding area is predominately farm land and the vast majority of the property where the proposed use is to be located is also utilized for farming purpose, which will continue to be the case.

6. The evidence presented supports the approval of the application in that farm supplies for vehicles are necessary for the efficient and cost effective operation of farms. Having such a supply store near the farms reduces the cost to the farmer. The proposed use will include a building to house the supply store and this will have no significant adverse

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impact on the livability, value or appropriate development of abutting properties and the surrounding area. Likewise, this use will not result in any change in accepted farm practices nor will it significantly increase the cost of accepted farm practices on surrounding land devoted to farm use.

7. Based upon the foregoing, the hearings officer concludes that the application is in compliance with the policies of the Comprehensive Plan and in conformance with all required standards and criteria of this code and, therefore, the application is approved subject to the provisions of Article 44.050.

Dated this 5th day of May, 1994.

Michael L. Brant
Michael Brant, Hearings Officer

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 11th day
of May A.D., 19 94 at 2:06 o'clock P M., and duly recorded in Vol. M94
of Deeds on Page 14893.

FEE none

Return: Commissioners Journal

Evelyn Biehn • County Clerk
By Pauline M. Mendenhall