

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for)
a conditional use permit by) Conditional Use Permit
) Case No. 43-94

CELLULAR ONE

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on May 27, 1994, in the Klamath County Museum 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 staff report was received. Based upon the evaluation of the staff report 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 applicant requests a conditional use permit to establish a 125 foot communications tower on Chase Mountain to accomodate microwave and cellular antennas and to construct a 12 foot by 28 foot concrete communications structure. The subject property is a 60 foot by 60 foot leased tract of land located on the summit of Chase Mountain, approximately five miles southwest of Keno, Oregon, and is a portion of the NE 1/4 Ne 1/4 S 16, T 40 S, R 7 EWM; TA 4007-0-600. The property is zoned forestry and is accessed by way of WEYCO roadnet.

Article 55.050 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 43-94 is granted, subject to the following conditions:

1. The property must be securely fence.
2. The concrete structure shall be located so as to avoid interference with the view from the existing Forest Service fire-watch tower.

DATED THIS 3rd day of June 1994.

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 7th day
of June A.D. 19 94 at 3:44 o'clock P M., and duly recorded in Vol. M94
of Deeds on Page 17853.

FEE none
Commissioners Journal

Evelyn Biehn - County Clerk

By Ruthie Miller