

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for a)
Conditional Use Permit for)

GALLAND HENSLEY)

) CONDITIONAL USE PERMIT
) NO. 6-94
) VC 45-94
)

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on August 5, 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 Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter. The applicant did not appear. A representative of the Fire Department and three neighbors appeared in opposition to the application.

FINDINGS OF FACT

1. The applicant is requesting a Conditional Use Permit for the purpose of establishing an automobile repair business as a home occupation situated at 10619 Needle Dam Road, a dead end road extending north from Highway 66. The property is T.A. 3907-36D-3400 and is a portion of the NE 1/4 SE 1/4 S36, T 39 S, R 7 EWM.
2. The property is zoned R-1.
3. The access road is inadequate to accomodate the motor vehicle traffic which can be expected to be generated by a commercial operation.

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4. The location, size, design, and operating characteristics of the proposed use would create an unreasonable risk of fire danger to the properties in the area. 5. The applicant has been and continues to be in violation of the Klamath County Land Development Code.

CONCLUSION

There is no reasonable basis upon which to grant the permit which the applicant is requesting.

ORDER

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

The Klamath County Code Enforcement Officer is hereby directed to proceed with the Code enforcement.

DATED THIS 15th day of August, 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.

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FEE none
Commissioners Journal
By Evelyn Biehn County Clerk
Pauline Mullendore