

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a)	
Conditional Use Permit by)	
)	
)	CUP 5-95
CITY OF KLAMATH FALLS,)	
)	ORDER
Applicant.)	
_____)	

This matter came before Neal G. Buchanan, Hearings Officer for Klamath County, Oregon, on March 3, 1995, in the Klamath County Museum 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. The Klamath County Planning Department was represented by Mr. Kim Lundahl, and the recording secretary was Ms. Karen Burg. Exhibits received included the following:

- A. Staff Report
- B. Assessor's map
- C. Site Plan
- D. Klamath County Fire Department memo dated
February 6, 1995

The applicant was represented by Doug Adkins of Adkins Consulting Engineers, who offered testimony.

FINDINGS OF FACT

The applicant requests a Conditional Use Permit to allow construction of a well house and 1,000,000 gallon water reservoir on approximately .64 acres. Included in the request is a request for permission to construct a six (6) foot high chainlink fence around the entire property perimeter. The well house is to be a

masonry and woodframe structure. The use complies with policies of the Comprehensive Plan. The use is in conformance with all other required standards and criteria of the Code. The location, size, design, and operating characteristics of the proposed use will not have a significant adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area, in light of the conditions imposed by the Order set forth hereinafter.

CONCLUSIONS OF LAW

Applicant's request for a Conditional Use Permit complies with the policies of the Comprehensive Plan, and is in conformance with all other required standards and criteria of the Code. Further, the location, size, design and operating characteristics of the proposed use will not have a significant adverse impact on the livability, value or appropriate development of the abutting properties and the surrounding area. The Conditional Use Permit should thus be granted, with the conditions as set forth hereinafter.

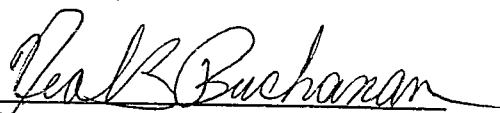
ORDER

IT IS HEREBY ORDERED that the requested Conditional Use Permit is granted, subject to the specific conditions set forth as follows:

1. The applicant will construct a six (6) foot high chainlink fence around the entire property perimeter, and maintain the same in good condition;
2. The facilities will be painted (or a similar coating applied) so as to blend with the environment;

3. The reservoir tank is to be recessed into the hill so as to minimize view obstruction, and landscaped so as to minimize view impact.

Dated this 15 day of March, 1995.


NEAL G. BUCHANAN
Hearings Officer

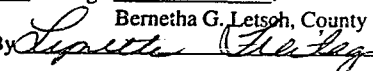
NOTICE OF APPEAL RIGHTS

You are hereby notified that this Order may be appealed to the Klamath County Board of Commissioners by filing with the Klamath County Planning Department a notice of appeal as set out in Section 33.040 of the Klamath County Land Development Code, together with the fee required within seven (7) days of the mailing date of this Order. Failure to file a notice of appeal within the time provided will result in the loss of your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 17th day
of March A.D., 19 95 at 10:43 o'clock A M., and duly recorded in Vol. M95
of Deeds on Page 5976.

FEE NONE RETURN: Commissioners Journal

By  Bernetha G. Letson, County Clerk