

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request of)

JAMES DREW)

) CONDITIONAL USE PERMIT

) NO. CUP 7-95

This matter came before Michael L. Brant, Hearings officer for Klamath County, Oregon, on April 21, 1995 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. Carl Shuck 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 report prepared by staff was read and contents thereof were received in evidence. Exhibits A through Z and AA were received. Applicant was represented by attorney Robert Boivin. Based upon the consideration of the evidence received, the hearings officer makes the following FINDINGS OF FACT, CONCLUSIONS and ORDER.

FINDINGS OF FACT

1. The Applicant is requesting a Conditional Use Permit in order to develop approximately 13.66 acres into a manufactured home park that would have a maximum of 98 spaces.
2. The subject property is located on the east end of Winter Avenue on the site commonly known as the Shasta Drive-In Theatre. The legal description is a portion of Section 11 T39S R9EWM, TL 6100. The property is zoned CG (General Commercial).
3. Authority for the proposed conditional use permit is found

in LDC Section 52.430 Article 52.4 and Section 44.030 Article 44.

4. The property is adequate in size and shape to facilitate the conditional use requested.

5. The subject property is properly related to streets and roads and to other public facilities to adequately serve the conditional use. The county roads and streets are adequate to safely accommodate the increased traffic flow which can reasonably be expected to be generated by the proposed use. The traffic volume will probably be less than the traffic volume generated by the theatre.

6. The proposed use will not have a significant adverse affect on the appropriate use and development of adjacent properties.

CONCLUSION

The proposed use complies with the Policies of the Comprehensive Plan and is in conformance with all other standards and criteria of the Code.

ORDER

The conditional use requested is approved subject to the following conditions:

A. The applicant shall comply with the requirements of the Water Department of the City of Klamath Falls.

B. The applicant shall comply with the requirements of the

Uniform Fire Code and provide an acceptable egress from the site to be approved by the Klamath County Fire District No. 1.

DATED this 8th day of May, 1995.

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 11th day
of May A.D., 19 95 at 2:50 o'clock P M., and duly recorded in Vol. M95
of Deeds on Page 12252.

Bernetha G. Letsch, County Clerk

FEE None

By Annette Mueller