

## 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. CUP 91-95  
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 EARL and SHIRLEY KERNS )  
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This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on January 5, 1996, 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 Klamath County Planning Department 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 hunt club (Sheepy Ridge Hunt Club) per KCLDC Section 54.030I as a secondary use on property zoned EFU-CG/Ag. The project location is generally south of Highway 66, east of Kerns Swamp Road from which access is obtained.

The applicant testified in favor of the permit.

The requested CUP is to validate a use which has continued

annually, uninterrupted since some time prior to 1960.

The proposed use meets all of the conditional use criteria and requirements of the Klamath County Land Development Code Article 54.

#### 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 91-95 is granted upon the following conditions:

1. Applicants shall file and obtain approval of their final site plan.
2. The Applicants shall file and record in the County Deed Records a written statement which recognizes the rights of adjacent and nearby land owners to conduct farm operations consistent with accepted farming practices and rules for uses authorized by the Klamath County Land Development Code.
3. Applicants shall comply with all requirements of the Klamath County Land Development Code including but not limited to Health Department requirements.

DATED THIS 5th day of January, 1996 .

  
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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 9th day  
of Jan A.D., 19 96 at 2:23 o'clock P M., and duly recorded in Vol. M96  
of Deeds on Page 726

FEE none

RETURN: Commissioners Journal

By

Bernetha G. Leisch, County Clerk

*[Signature]*