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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 89-95

DAN MILLER

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 convert an existing gas station into a residence in conjunction with the Big Mountain Cafe in Chemult, Oregon per KCLDC Section 52.830F. The property is zoned CT/Commercial. The project location is west of Highway 97 at 3rd Street, Lots 1-9, Block 5 Chemult, T.A. 2708-21CB-900,1000, 1100 and 1101. Access is directly from Highway 97. The new 2 bedroom dwelling will replace the dwelling presently located in a portion of the restaurant structure.

The proposed use meets all of the conditional use criteria and requirements of the Klamath County Land Development Code Article 52.

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 89-95 is granted.

DATED THIS 5th day of 1996.

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 9th day
of Jan A.D., 19 96 at 2:23 o'clock P M., and duly recorded in Vol. M96
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FEE none RETURN: Commissioners Journal

By Bernetha G. Letsch County Clerk