

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 27-96
)	
TELEPHONE UTILITIES OF)	
EASTERN OREGON)	

This matter came before Neal G. Buchanan, Deputy Hearings Officer for Klamath County, Oregon, on May 3, 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 Microwave Communications Facility on .06 acres zoned Forestry. The property is located on Crescent Butte, approximately one and one half miles east of Crescent in a portion of the SE 1/4 of S29, T24S, R9EWM, T.A. 2409-29-100 and is accessed by way of a Crown Pacific Roadnet. The installation and operation of the proposed facility will improve the video and voice communications

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available to rural communities. The Crescent Water District expressed concern that the proposed use would interfere with its operation. The Applicant gave assurances by way of testimony that the operation would not effect the other uses in the area. The proposed use meets all of the criteria required by the Klamath County Land Development Code, Article 55, Section 55.050.

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 19-96 is granted upon the condition that the Applicant shall prepare and cause to be recorded in the Deed Records of Klamath County a covenant as required by the Klamath County Land Development Code, Article 55, Section 55.050 D.

Dated this 10th day of May 1996.


Neal G. Buchanan
Deputy 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 28th day
of May A.D., 19 96 at 10:33 o'clock A M., and duly recorded in Vol. M96
of Deeds on Page 15290

FEE No Fee Return: Commissioners Journal

By 
Bernetha G. Letsch, County Clerk