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BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for)
NON-CONFORMING USE REPLACEMENT)
LYN PINNEY) Case No.
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This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on September 20, 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 Assistant Planner 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 permit to replace four decrepit rental residential trailers with up to four larger newer, but still non-conforming units at 2047 Etna. Neighbors expressed concern about the adequacy of the size of the property to accommodate the number of units proposed and the number of people who would be occupying the premises. Also concerns related to the history of problems occurring at the location.

The applicant testified that she wants to upgrade the improvements and conditions of the property and has hired an on site manager. She further testified that she would only place as many units, up to four, as the property would reasonably accommodate without over crowding. The Applicant does not have sufficient finances to purchase conforming units.

CONCLUSION

There is no requirement that the Applicant make any changes on the property at this time. The changes proposed will be a substantial improvement.

ORDER

It is hereby ordered that the requested nonconforming replacement is approved upon condition placement of the units shall comply with setback requirements, meet reasonable fire department requirements relating to the proximity of the units to each other and to other structures. The Applicant shall comply with all requirements of the Klamath County Health, Planning and Building Departments, except the age of the units, relating to placement of manufactured homes.

Dated this 3rd day of October 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 4th day
of October A.D., 19 96 at 11:14 o'clock A. M., and duly recorded in Vol. M96,
of Deeds on Page 31564.

Bernetha G. Letsch *Kathleen Rice*
By County Clerk

FEE No Fee: Return
Commissioners Journal