

BEFORE THE HEARINGS OFFICER FOR KLAMATH COUNTY

In the matter of the request
for a Conditional Use Permit

Conditional Use Permit
Case No. CUP 89-97

Gary Gephart for G. R. Collins
Applicant

97 OCT 29 AM 10:27

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on October 17, 1997, 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. The Applicant appeared. Based upon the evaluation of the Staff Report and consideration of the other evidence received, the Hearings Officer makes the following findings of fact and conclusions and makes the following decision.

FINDINGS OF FACT

The Applicant wants to establish a Lot of Record forest dwelling on 5.69 acres zoned FR, Forestry/Range at Gerber Reservoir. The

subject property location is north of Ben Hall Creek, at Gerber Reservoir and is described as a portion of the SW 1/4 SE 1/4 S35, T35S, R13E. T.A. 3813-35-3501. The property is within the Bonanza/BLM Fire District and is accessed by a county road. The Timber Rate Site is poor. Authority for permitting the proposed use is Klamath County Land Development Code Article 55 (ORD 44.39).

CONCLUSION

The record reveals that the proposed use meets the criteria set out in L.D.C. Article 55, Sections 55.060 and 54.070 Article 44, Section 44.030.

ORDER

The requested Conditional Use Permit No. 89-97 is granted subject to compliance by obtaining all required permits and approvals from the Klamath County Building, Health and Planning Departments and compliance with the requirements of the Klamath County Land Development Code Article 55 Section 55.070 (C) and OAR Chapter 340 for On-Site Sewage Disposal.

Dated this 28th day of October 1997

Michael L. Brant
Michael L. Brant
Hearings Officer

KLAMATH COUNTY LAND DEVELOPMENT CODE SECTION 24.060 PROVIDES:

35593

"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 Hearings Officer the 29th day
of October A.D., 19 97 at 10:27 o'clock A.M., and duly recorded in Vol. M97
of Deeds on Page 35591

Bernetha G. Letsch, County Clerk

By Kathleen Ross

FEE No Fee