

BEFORE THE HEARINGS OFFICER FOR KLAMATH COUNTY

In the matter of the request
for a Conditional Use Permit

Conditional Use Permit
Case No. CUP 90-97

R. Norfleet Edwards
Applicant

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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 requests a permit to establish an Extensive Impact Service. The service will be a crematorium for animals and

humans, with a preparation room for autopsies. The subject property is a portion of S10, T39S, R9E. T.A. 2400, Lot 17, Third Addition to Altamont Acres east of Avalon Street and approximately 435 feet south of Onyx Street.

The property is zoned IL(Light Industrial), is accessed from Avalon Street and is within the Fire District #1 and the South Side Sanitary District. The property is served by Pacific Power and with City water.

Bob Wampler appeared and testified that he was concerned that his property value would diminish if the requested use is permitted.

Other concerns raised were possible offensive emissions and increased traffic. No evidence was presented to substantiate a probability of land value decrease as a result of the proposed use. The Applicant testified that emissions will meet or exceed State and Federal DEQ standards and monitoring devices would cause the operation to shut down in the event of a failure. He further testified that the proposed use would probably generate no more traffic than six vehicles per day.

Authority for permitting the proposed use is Klamath County Land Development Code Article 53, Section 53.230A and Article 44, Section 44.030.

CONCLUSION

The record reveals that the proposed use meets the criteria set out in L.D.C. Article 53.2, Sections 53.230A and Article 44, Section 44.030.

ORDER

The requested Conditional Use Permit No. 90-97 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 Fire District #1 and the South Side Sanitary District.

Dated this 28th day of October 1997

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 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 35596.

FEE No Fee

By Bernetha G. Letsch, County Clerk
Kathleen Rosa