

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for a Conditional Use Permit for

Crater Lake Realty for Miller

CUP 101-77

Applicant

97 DEC 31 A9:58

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon on December 19, 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 Ms. Karen Burg. The Klamath County Planning Department file and all exhibits and other contents therein is incorporated by this reference into this matter. The Applicants testified. James Beauchemin, representing the Oregon Parks and Recreation Department, testified.

FINDINGS OF FACT

The Applicant wishes to establish a "Template" forest dwelling in conjunction with permitted uses on 6.46 acres in the Forestry Zone north and west of Chiloquin adjacent to Collier Memorial State Park. The State of Oregon requested that the Applicant be required to maintain, as a condition of the permit, a barrier of existing natural vegetation 100' in width and contiguous along the boundary line between the Park and the subject property to serve as a screen.

The proposed use was previously approved as CUP 30-94. The proposed use meets the criteria of KCLDC Article 55.

CONCLUSION

The responsibility of creating and maintaining a screening barrier rests upon the owner desiring a screening barrier to place the barrier upon the property of the owner desiring such a barrier absent a mutual agreement between the respective owners to otherwise establish such a barrier.

There is no legal basis upon which to deny the requested Conditional Use Permit.

ORDER

The Applicants' request for CUP 101-97 is approved subject to the following condition:

Applicant shall demonstrate compliance with Article 59-Flood Hazard Overlay, prior to issuance of a development permit.

Dated this 30th day of December, 1997.

Michael L. Brant

Michael L. Brant

Hearings Officer

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Hearings Officer the 31st day
of December A.D., 19 97 at 9:58 o'clock A. M., and duly recorded in Vol. M97
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Return: Commissioners Journal

By Bernetha G. Letsch, County Clerk
Kathleen Ross

FEE

No Fee: