

BEFORE THE HEARINGS OFFICER KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use Permit by)
)
) CUP 96-97
)
) ORDER
RAY WEST and RATHBONE,)
)
Applicant.)
_____)

A. NATURE OF THE REQUEST:

The applicant wishes to establish a 22 Unit Mobile Home Park facility (with associated manager quarters and shower/laundry) on approximately 5.2 acres zoned RCR (Rural Community Residential). The request was heard by the Hearings Officer on February 20, 1998, pursuant to Ordinance 44. The request was reviewed for conformity with Land Development Code Articles 51.030 and 44.030. The matter had been previously heard by Hearings Officer Michael Brant and denied. The applicants appealed the decision to the Board of County Commissioners, who remanded the matter back to the Hearings Officer for further review. The matter was originally scheduled for hearing February 6, 1998, and continued until February 20, 1998.

B. NAMES OF THOSE WHO PARTICIPATED:

The Hearings Officer in review of this application was Neal G. Buchanan. The applicant appeared and offered testimony in support of the application. The Planning Department was represented by Kim Lundahl, and the recording secretary was Karen Burg.

C. PROPERTY LOCATION:

The property under consideration is generally located South of Highway 140 in or near the Bly town site, on the Northwest corner of Keno Springs Road and Henwas Street, Bly, Klamath County, Oregon. The legal description is Lot 1, Block 7, BLEY-WAS #1, Tax Account #3714-3DB-200.

D. RELEVANT FACTS:

The property has an implementing zone of RCR (Rural Community Residential). The parcel to be developed is approximately 5.2 acres in size. The planned facility is to utilize a portion of the total property for establishment of the Mobile Home Park, with a portion of the property reserved for subsequent development (which such future development is not dealt with by this Order).

E. EVIDENCE RECEIVED:

Received were the Staff Report and Application with attachments and Exhibits A through J.

F. FINDINGS:

The Hearings Officer finds with reference to this application that:

1. Timely notice of the application and hearing has been provided by the Klamath County Planning Department to appropriate surrounding landowners and to those agencies of concern.
2. The use appears to be in conformance with policies of the Comprehensive Plan.
3. The use appears to be in conformance with all other required Standards and criteria of the Code.
4. The property is located in Klamath County, but is within close proximity to the Bly town site. The town of Bly has required, as a pre-condition to the providing of sewer services that the RV dump tank be pretreated.
5. The property is bounded to the south by Henwas Street, and to the West by Keno Springs Road.
6. The proposed RV park would include 22 spaces for RV's with associated provision for a managers quarters and a laundry/shower facility. An on site manager will most likely be provided.
7. The project will be served by city water and city sewer. Each system presently has sufficient capacity to meet the needs of the proposed use and will not be adversely affected. Electrical service is available from Pacific Power and Light. Fire protection will be provided by the Bly Fire Department. Police protection will be provided by the Klamath County Sheriff's Department.
8. Access to the property will be provided to the property from either Keno Springs Road or Henwas Street. The site plan review process will aid in this determination. It appears that the proposal will not have a significant adverse traffic related impact on the abutting properties or surrounding areas.

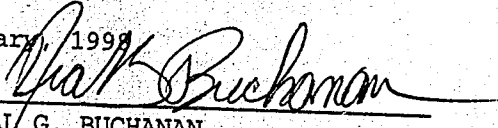
G. ORDER:

Therefore, it is ordered that the request of Ray West and Rathbone for CUP 96-97 is approved, subject to the following conditions:

1. The applicants shall comply with the provisions of Article 41 regarding the Site Plan Review process.

2. This CUP will expire two years from the date below unless a development permit is obtained or an extension is approved by the Planning Director.

DATED this 20th day of February, 1998


NEAL G. BUCHANAN
Hearings Officer

NOTICE OF APPEAL RIGHTS

You are hereby notified this application may be appealed to the Klamath County Board of Commissioners by filing with the Klamath County Planning Department a Notice of Appeal as set out in Section 33 of the Klamath County Land Development Code, together with the fee required within SEVEN DAYS following the mailing date of this order.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Hearings Officer the 23rd day
of February A.D., 19 98 at 1:39 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 5785

Return: Commissioners Journal

By Bernetha G. Leisch, County Clerk


FEE No Fee