

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a
Conditional Use Permit by

THEODORE NELSON,

Applicant.

CUP 13-98

ORDER

98 APR -9 P231

1. NATURE OF THE REQUEST:

The applicant wishes to establish a "worker residence" on approximately 46.69 acres of Industrial property. The request was heard by the Hearings Officer on March 20, 1998, pursuant to Ordinances 44 and 45. The request was reviewed for conformity with Land Development Code 44.030, as authorized by Section 53.430 B.

2. 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.

3. PROPERTY LOCATION:

The property under consideration is generally located on the former Loveness Millsite, North of Loveness Road and east of Malin Road, generally east of Malin, Klamath County, Oregon.

4. RELEVANT FACTS:

The property has an implementing zone of IH. The applicant lists the size of the lot or parcel as 46.69 acres. The applicant proposes to place a three bedroom two-bath worker 2 story conventional Country Victorian style home on the property.

5. EVIDENCE RECEIVED:

Received were the Staff Report and Application with attachments together with Exhibits B-C.

6. FINDINGS:

The Hearings Officer finds that worker residential utilization is a permitted conditional use pursuant to Section 53.430 B of the Code, with review to be conducted pursuant to Section 44.030. This application:

1. Complies with the policies of the Comprehensive Plan;
2. The use is in conformance with all other required standards and criteria of the Code;
3. The location, size, design and operating characteristics of the proposed use will not have a significant adverse impact on the livability, value or appropriate development of abutting properties in the surrounding area; and
4. A siting plan should be required as a condition of approval.

7. ORDER:

Therefore, it is ordered that the request of THEODORE NELSON for CUP 13-98 is approved, subject to the following conditions:

1. The applicant with Article 41 - Site Plan Review as regards placement of any improvements including the worker residence ; and
2. The applicant must provide proof of clearance from the Environmental Health Services Division and Building Department within two years following the date of this Order, or obtain an extension of time, or this approval will become null and void.

DATED this 9 day of April, 1998.

Neal G. Buchanan
NEAL G. BUCHANAN
Deputy 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 33.004 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 Planning Dept.
of April A.D., 19 98 at 2:31 o'clock P M., and duly recorded in Vol. M98
of Deeds on Page 11639

FEE None

By Bernetha G. Letsch, County Clerk
Kathleen Ross