

57181

Vol. 1798 Page 14115**FOREST DWELLING - LOT OF RECORD
ADMINISTRATIVE REVIEW/DISPOSITION**APPLICANT: CUP 18-98 - **CHEYNE**

HO Hearing: 4-17-98

REQUEST: To establish a "FOREST DWELLING" on 105 acres zoned Forestry Range. The predominant land use is found to be Forestry, hence the provisions of Article 54 apply. This is a **LOT OF RECORD** application. This dwelling will be a manufactured dwelling and will be the only residence on this tract. Property Size is 105 acres.

LOCATION: west side of Klamath Hills.

LEGAL DESCRIPTION: E 1/2 W 1/2 Sec. 27, T 40S R 9E. T.A. 4009-27-200.

ZONE/PLAN: Forestry Range

DEFERRAL: NO

UTILITIES: WATER: Well FIRE: KCFD #1
SEWER: Septic ELECTRIC: Pacific Power

NARRATIVE AND RECOMMENDATION: The applicant wishes to establish a FOREST DWELLING. No resource use has been made of the subject property. The property encompasses 105 acres and is found NOT TO BE HIGH VALUE FARMLAND. As the ownership predates January 1, 1985, LOT OF RECORD provisions apply.

DISPOSITION: APPROVAL

Based on the attached findings, the residence applied for is necessary to the primary use of the property, forestry. The applicant supplied information documenting this dwelling can be considered via the LOT OF RECORD criteria. This application and request is found to comply with the review criteria as set forth in the Klamath County Land Development Code Article 55, adopted in response to HB 3661, and conditioned on the following:

1. *Clearances for the dwelling must be obtained within two years of the date below.*
2. All conditions stated in the attached Exhibit A.

DATED this 27 day of April 1998

Hearings Officer

NOTICE: An Order of the Hearings Officer may be appealed to the Board of County Commissioners within seven days of its execution per the procedures set out in Article 33.

98 APR 28 P3:10

14116

ORDER BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use
Permit by: Scott and Janine Cheyne

)
) ORDER Case # CUP 18-98
)
)

1. Therefore, it is hereby ordered that the applicants request to develop a lot of record forest dwelling is approved subject to the following conditions:
 - a. That approval is obtained for on-site sewage disposal and that the applicant provides proof of clearance from the Environmental Health Services Division and Building department within two (2) years following the date of this order, or obtain an extension of time, or this approval will be void.
 - b. That the applicant files a restrictive covenant with the county clerk prohibiting the permit grantee and successors in interest from dividing the property or filing any complaint of any type or kind concerning the presently accepted resource management practices and farming uses that may occur on nearby lands devoted to commercial or other resource use.
 - c. That the applicant complies fully with fire safety and other siting standards of the Land Use Code as set out in Article 69 of the LDC.
 - d. That the applicant receive approval for and develop an on-site well or other source of water consistent with LDC 55.06(C)(4).
 - e. The applicant is permitted to build a manufactured dwelling which will be the only permitted residence on the tract.
 - f. This acreage will not be subdivided, or further built up.

Dated this 24th day of April,
1998

Joan Marie Michelsen
Hearings Officer

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 28th day
of April A.D., 19 98 at 3:10 o'clock P.M., and duly recorded in Vol. M98
of Deeds on Page 14115.

FEE No Fee

By Bernetha G. Letsch, County Clerk
Ketallun Roaa