

'98 JUL 13 P1:31

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use)

Permit by: Peny and Paulette Welker)

ORDER of CONTINUANCE CUP 75-97

1. NATURE OF THE REQUEST

The applicants have applied to establish a golf course on 400 acres zoned NR. This request was heard by the hearings officer June 5, 1998. The request was reviewed for conformance with Klamath County Land Development Code.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this application is Joan-Marie Michelsen. The applicant appeared and offered testimony. The planning department was represented. The recording secretary is Karen Burg. The applicants were represented by Mike Spencer.

3. MATERIALS CONSIDERED

All evidence submitted by the applicant and located in the Staff Report was considered as was the oral testimony, the traffic study, and the transcript of the previous proceedings.

4. FINDINGS

The Hearings officer FINDS AS FOLLOWS:

- a. The development of this type of structure is not included in the permitted uses for this zoning, however the LDC permits golf courses conditionally.
- b. Previously the applicant was told to obtain a traffic impact study. The applicant was further instructed that this study was to contain a number of elements which are not present in the study submitted. The element of particular concern to the hearings officer is cumulative future impacts.
- c. The applicant has provided inadequate information about projected trips per day for this development and the capacity of the proposed development.

5. ORDER

Therefore, it is hereby ordered that the applicant's request for a conditional use permit is continued until the applicant provides an adequate transportation study including the following:

- a. an assessment of the cumulative impacts of this development in both phases and after the build out of the Running Y, projected increased general use for the effected transportation routes, and the zoned PUD which is near the proposed project.
- b. The new impact study will either use ODT's projected traffic trips per day or shall justify the departure.

Dated this 1st day of July, 1998

Joan Marie Michelsen
Hearings Officer

NOTICE OF APPEAL RIGHTS

Your 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 (7) following the mailing date of this order.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 13th day
of July A.D., 19 98 at 1:31 o'clock A M., and duly recorded in Vol. M98
of Deeds on Page 24995.

Bernetha G. Letsch, County Clerk

FEE None

By Danine Mullendor