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Vol. 1998 Page 42166

CONDITIONAL USE PERMIT

HEARINGS OFFICER REVIEW/DISPOSITION

APPLICATION NO./REVIEW DATE: CUP 88-98

H.O. Hearing: 11-6-98

APPLICANT/REPRESENTATIVE: **Ramon and Teresa DOMINGUEZ**

P.O. Box 11.

Dairy, OR 97625

CUP to establish pre '76 mobilehome (^{double}~~single~~) on property zoned R-1 as conditionally permitted per LDC section 51.330 K.

LOCATION: west of Spoonbill Dr., 300' south of Hwy 140E.

LEGAL DESCRIPTION: Lot 8, Blk 29, KFFE #2 3811 - 5A - 1300

ACCESS: existing roadnet

ZONE/PLAN: R-1/Rural

UTILITIES:

EXHIBITS:

WATER: Well

FIRE: KCFD #5

a. Site Plan

d. Additional Conds.

ELECTRIC: Pacific

SEWER: Septic

b. EHS memo

e. Assessor Map

c. Shelby letter 10-15-98

f. Churchill Ltr 10-21-98

NARRATIVE AND RECOMMENDATION: The applicant wishes to establish a pre'76 mobilehome on property zoned for rural use on Bly Mtn... Notification was sent out to interested agencies and adjacent property owners and **ONE NEGATIVE RESPONSE** was received. Consideration of this application is allowed per Article 51.330 K and Article 44 of the Code. Staff recommends Hearings Officer approval subject to Code requirements for manufactured home placement as established by Environmental Health Services, and Building Department, subject to the following.

1. A placement permit must be obtained/approved within two years of the date set out below or this permit is null and void; and 2. Additional Conditions, Exhibit d.

DISPOSITION: APPROVED this 16 day of **NOVEMBER, 1998**


Joan-Marie Michelsen, Hearings Officer

NOTICE OF APPEAL RIGHTS:

You are hereby notified this decision may be appealed to the Klamath County Board of County Commissioners by filing with the Planning Department a notice of appeal together with the required fee within SEVEN days following the date of mailing of this decision.

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the application by:
 RAMON AND TERESA DOMINGUEZ

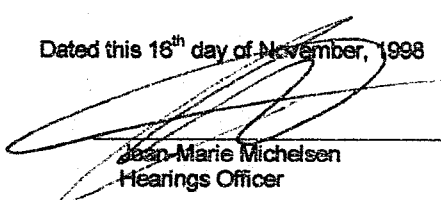
)
) ORDER
) CASE NUMBER 88-98
)

ORDER

Therefore, it is hereby ordered that the applicants request to develop a pre-1976 Mobilehome 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 complies fully with fire safety and other siting standards of the Land Use Code as set out in Article 69 of the LDC.
- c. That the applicant receive approval for and develop an on-site well or other source of water consistent with LDC 55.06(C)(4).
- d. The applicant will fully reside the trailer including trim by June of 1999.
- e. The applicant will build front and rear decks with a total of no Less than 400 square feet by July 1999. The decks may be of whatever configuration the applicant chooses and may be larger than required.
- f. The applicant will landscape the property including some sort of shrubs or trees which will tend to screen the trailer some from the road.
- g. The applicant is forbidden to occupy the location until the manufactured dwelling is approved for occupancy by the County Building Department. If any of the above deadlines are not met this permit will lapse immediately and the trailer will not be legal for occupation.

Dated this 18th day of November, 1998


 Jean-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.

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 18th day
 of Nov A.D., 19 98 at 2:04 o'clock P M., and duly recorded in Vol. MQ8
 of Deeds on Page 42166

FEE none Ret: Commissioners Journal

By Bernetha G. Letsch, County Clerk
Kathleen Rosa