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**CONDITIONAL USE PERMIT
HEARINGS OFFICER REVIEW/DISPOSITION**

APPLICATION NO./REVIEW DATE: CUP 92-98 H.O. Hearing: 11-20-98

APPLICANT/REPRESENTATIVE: David and Billie BEELER
7250 Wood Duck
Bonanza, OR 97623CUP to *legalize existing* pre '76 mobilehome ('72 singlewide) on property zoned R-1 as conditionally permitted per LDC section 51.330 K.

LOCATION: 7250 Wood Duck, Bly Mtn...

LEGAL DESCRIPTION: Lot 2, Blk 39, KFFE #2

ACCESS: existing roadnet ZONE/PLAN: R-1/Rural

UTILITIES:

EXHIBITS:

WATER: Well	FIRE: KCFD #5	a. Site Plan	c. Additional Conds.
ELECTRIC: Pacific	SEWER: Septic	b. EHS memo	

NARRATIVE AND RECOMMENDATION: The applicant wishes to *lawfully 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 **NO 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 c.

DISPOSITION: APPROVED this 19 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:
DAVID AND BILLIE BEELER

)
) ORDER
) CASE NUMBER 92-98
)

FINDINGS

After hearing testimony and looking at the exhibits the hearings officer finds as follows:

That the applicant has made significant progress in getting the area cleaned up and sanitary.

That the applicant still needs to continue making progress.

That given a bit of time it is the hearings officer's expectation and hope that the problems can be resolved without further orders or proceedings.

ORDER

Therefore, it is hereby ordered that the applicants request to develop a pre-1976 Mobilhome 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 all required building and placement permits or an extension of time be obtained within two (2) years following the date of this order or this approval will be void.
- c. Applicants must obtain legal sewerage and an approved septic system by May 1, 1999. In the interim if applicant can show that they have a sanitary above ground system which is being regularly serviced he may allow occupancy. Who resides there is up to the applicant, but it shall in no event be used as a rental.
- d. Applicants shall have the yard cleaned up and landscaped by June 1, 1999.
- e. The applicant shall make all reasonable efforts to have surplus building materials and supplies covered and contained by spring, 1999.

Dated this November 23, 1998


Joan-Marie Michelsen
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 (7) following the mailing date of this order.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 24th day
of November A.D., 19 98 at 3:50 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 43223

Return: Commissioners Journal

FEE No Fee

By Bernetha G. Letsch, County Clerk
