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BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use)

Permit by: DIONNA REISINGER)

ORDER

Case Number 110-98

1. NATURE OF THE REQUEST

The applicant has applied to establish a Kennel for 15 dogs on 50 acres zoned EFU-C. This request was heard by the hearings officer January 6, 1999. 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 by Kim Lundahl. The recording secretary was Karen Burg.

3. LOCATION OF PROPERTY

The property in question is located at the SW corner of Crossroad and HWY 39 and is more particularly described as pr. NE 1/4 Sec. 12 T. 40S R. 9E, TA 4009-12-100.

4. MATERIALS CONSIDERED

All evidence submitted by the applicant and located in the Staff Report was considered as was the oral testimony given.

5. FINDINGS

The Hearings officer FINDS AS FOLLOWS:

- That this property is not high value farmland.
- That a kennel on this property will not disrupt the surrounding land uses.
- That the applicant may from time to time sell dogs or puppies from the site.

6. ORDER

Therefore, it is hereby ordered that the applicant's request is approved subject to the following conditions:

- That the wastes from the Kennel are appropriately disposed of and result in no pollution to any waters.
- That the applicant files a restrictive covenant with the county clerk prohibiting the permit grantee and successors in interest from dividing this 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.
- 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.
- That the applicant have no more than 20 dogs on the site without further permits.

- e. A site plan shall be reviewed and approved by the Planning Director prior to construction.
- f. 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.

Dated this January 23, 1999

Joan Marie Micholien
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 33.04 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:

Filed for record at request of Klamath County the 28th day
of January A.D. 1999 at 11:48 o'clock A.M. and duly recorded in Vol. 1499
of Court Clerk's Journal as Page 3163
Return: Commissioners' Journal Klamath County Clerk
Fee: No Fee by Patricia Brown