

- j. As condition to this approval, a written covenant will be recorded which recognizes the rights of adjacent and nearby land owners and operators to conduct farm and forest operations consistent with currently accepted farming practices and the Forest Practices Act of Oregon.
- k. There is no dwelling presently sited on this parcel.
- l. Road access is sufficient.
- m. This property is not under forest deferral and no stocking requirements need be met.

## 6. ORDER

Therefore, it is hereby ordered that the applicant's request to develop a template 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 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.
- e. That the dwellings are sited in the South East section of the property as far from the road as is feasible as shown on the submitted materials.
- f. The applicant is strongly encouraged, but not ordered, to obtain the services of a professional forester and look at doing some minor thinning to improve the forest health.
- g. If the applicant pursues forestry uses for the property they shall leave a substantial buffer between the house and the road and shall under no circumstances clearcut or substantially clearcut the South portion of the property.

Dated this April 16, 1999

  
Jean Marie Micheisen  
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 22nd day  
of April A.D., 1999 at 9:37 o'clock A M., and duly recorded in Vol. M99  
of Deeds on Page 14747

FEE none Ret: Comm. Journal

Linda Smith, County Clerk  
by Linda Smith