

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use)

Permit by: Moe)

ORDER

CASE NUMBER CUP-16-99

1. NATURE OF THE REQUEST

The applicant, has applied for a permit install a second mobile home. The land in question is Zoned R-1 and is currently used for a residence. This request was heard by the hearings officer April 16, 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 failed to appear and offered no testimony beyond what was in the application. The planning department was represented by Kim Lundahl. The recording secretary was Karen Burg.

3. LOCATION OF AND OVERVIEW OF PROPERTY

Lot 2, Blk 2, Cedar Springs, TA 3908-17B-500.

4. MATERIALS CONSIDERED

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

5. FINDINGS

The Hearings officer FINDS AS FOLLOWS:

- a. The development of this type of structure is not included in the permitted uses for this.
- b. That the applicant has the burden of proof in any land use decision and therefore it is the applicants responsibility to show that the proposal meets the criteria delineated in the plan.
- c. The applicant failed to appear and offer testimony to rebut the testimony of others who did attend the hearing.
- d. There was significant concern raised about the drainage in the area.
- e. The area proposed to locate this second dwelling is not appropriate for a structure of any kind

6. ORDER

Therefore, it is hereby ordered that the applicants request to install a mobile home is denied.

Dated this 16th day of April


Joan-Marie Michelsen

Hearings Officer

NOTICE OF APPEAL RIGHTS

14754

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.

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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 14753

FEE none

Ret: Comm. Journal

Linda Smith, County Clerk
by Linda Smith