

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use)

Permit by: Ralph Salmon)

) ORDER

) CASE NUMBER CUP-14-99

1. NATURE OF THE REQUEST

The applicant, has applied for a permit install a mobile home. This request was heard by the hearings officer May 7 and again May 21, 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 but did submit additional materials. The planning department was represented by Kim Lundahl. The recording secretary was Karen Burg.

3. LOCATION OF AND OVERVIEW OF PROPERTY

Lot 7, Blk 8, Hight Country Ranch. TA 3541-18-500.

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 by the department. The applicant submitted materials after the record was closed in this case. These materials are not relied upon in reaching this decision, however, even if they were a part of the record the decision would be the same.

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 zoning, or any other in the county.
- 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, however, he did offer materials showing a partial sketch of his plan.
- d. The County Land Use laws require that all manufactured dwellings meet a certain code. There is no indication that the code is met in this dwelling unit.
- e. The Hearings officer is mindful that the applicant has been cooperative and helpful. The hearings officer is also mindful that this is a remote site and that the applicant is trying to build a nice looking house.
- f. There are considerations beyond the aesthetics of the house which preclude its approval.

6. ORDER

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

Dated this March 26 1999

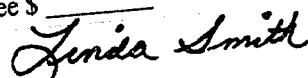
21421


Joan-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.

State of Oregon, County of Klamath
Recorded 6/01/99, at 11:31 a.m.
In Vol. M99 Page 21420
Linda Smith, County Clerk
Fee \$



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