

## BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use )

Permit by: SHELLY BORNAMANN )

ORDER

CUP Number 36-99

## 1. NATURE OF THE REQUEST

The applicant has applied to establish Kennel for 30 MINATURE dogs on 20.56 acres zoned EFU-CG. This request was heard by the hearings officer July 16 1999. The request was reviewed for conformance with Klamath County Land Deveipment 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 .

## 3. LOCATION OF PROPERTY

The property in question is located at por Sec 6, T 40S R 8E, TA 4008-6-2900

## 4. MATERIALS CONSIDERED

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

## 5. FINDINGS

The Hearings officer FINDS AS FOLLOWS:

- a. That this property is not high value farmland.
- b. That a kennel on this property will no disrupt the surrounding land uses.
- c. That the applicant may from time to time sell dogs or puppies from the site.

## 6. ORDER

Therefore, it is hereby ordered that the applicants request is approved subject to the following conditions:

- a. That the wastes from the Kennel are appropriately disposed of and result in no pollution to any waters.
- 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 have no more than 30 miniature dogs on the site without further permits.
- d. A site plan, prepared pursuant to article 41, shall be reviewed and approved by the Planning Director prior to construction.
- e. 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.

30876

- f. That all requirements of DEQ regarding wastes and water be complied with. That there not be cement runs or kennels for the dogs requiring washing without further permits and review.

Dated this July 30, 1999

  
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.

Return to Commissioner's Journal

State of Oregon, County of Klamath  
Recorded 8/02/99, at 3:44 p.m.  
In Vol. M99 Page 30875

Linda Smith,  
County Clerk

Fees 7/11 KL