

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for a Conditional Use)
Permit by: LLOYD AND BETTY HANKS) ORDER
Case Number 49-99)

1. NATURE OF THE REQUEST

The applicant has applied to establish Kennel for 14 dogs on 16 acres zoned EFU. This request was heard by the hearings officer September 3 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 5807 Airway Dr, TA 3909-13-1700

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.
- d. That the dogs in question are very small.
- e. That there will be no liquid disposal of wastes.

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 in a dry removal fashion and sent to a landfill not just buried and that this disposal 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 18 dogs on the site without further permits.
- 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.

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- e. That this permit runs with the owner, not the land and is personal to Lloyd and Betty Hanks.

Dated this September 10, 1999


Joan-Mare 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 9/15/99, at 11:59 a.m.
In Vol. M99 Page 36814
Linda Smith,
County Clerk Fee \$ NF