

2551 BEFORE THE PLANNING COMMISSION

In and For the County of Klamath, State of Oregon

In the Matter of the Application
for Variance No. 75-10 by ROBERT
BLYTH for Harriman Rural Fire
Department

ORDER

RECEIVED JUN 1 1975
2:35 pm

THIS MATTER having come on for hearing upon the application of ROBERT BLYTH for Harriman Rural Fire Department, said variance application being numbered 75-10, requesting a variance to Section 95.005 of the Klamath County Zoning Ordinance, Subsection 1, a 20 foot variance from 50 feet to 30 feet and under Section 95.005, Subsection 2, a variance from 100 feet to 91 feet on the north side of the property. A description of the real property referred to in said application is attached hereto, marked Exhibit "A" and incorporated by reference herein. A public hearing on the application was regularly held on May 27, 1975 before the Planning Commission. It appeared to the Planning Commission from the testimony, reports and information produced at the hearing that the application for variance should be granted, provided that the Board of Commissioners approves Zone Change No. 75-4 relating to the same property. The Planning Commission makes the following Findings of Fact and Conclusions of Law in compliance with Article 113, Section 113.001, Subsections 1, 2, 3 and 4 of Ordinance No. 17, the Klamath County Zoning Ordinance:

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FINDINGS OF FACT:

1. The lot described herein is the only lot available to the district for a permanent fire structure.
2. The Department of Environmental Quality requires that the building must meet septic tank system requirements. Said requirements require the building to be situated as the variance requests.
3. A parking area is a necessity and would be reduced in area if the building were situated other than where indicated on the proposed plan.

Based upon the foregoing Findings of Fact, the Planning Commission makes the following Conclusions of Law:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the same vicinity and zone;
2. A variance is necessary for the preservation and enjoyment of a substantial property right of the applicant which right is possessed by other property owners under like conditions in the same vicinity and zone;
3. The granting of the requested variance will not be materially detrimental to the public health, safety, convenience and welfare or injurious to the property improvements in the same vicinity and zone in which the property affected is located and will not be contrary to the intent of this Ordinance; and

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4. The variance requested is the minimum variance from the provisions and standards of this regulation which will alleviate the hardship.

5. The variance requested is granted provided that the Klamath County Board of Commissioners approve Zone Change No. 75-1 relating to the same property.

DONE and DATED this 9th day of July, 1975.

Thomas L. Russell
Chairman

Pat Gordon
Secretary

APPROVED:

Bradford H. Jones
County Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY - PLANNING DEPT

this 9th day of JULY A. D. 1975 at 2:35 o'clock P.M., and

duly recorded in Vol. M 75, of DEEDS on Page 7756

NO FEE

Wm D. MILNE, County Clerk

By Hazel Drazic