

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance 77-22 for) Klamath County Planning
Phil Doddridge, Applicant) FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on July 20, 1977, pursuant to notice given in conformity with Ordinance No. 35, Klamath County, before Klamath County Hearings Officer, Del Parks. The applicant was present. The Klamath County Planning Department was represented by Wayne Sorensen and Carl Shuck. The Hearings Reporter was Isabel Rodriguez.

Evidence was presented on behalf of the Department and on behalf of the applicant. There were no adjacent property owners present, and no one had any objections to the proposed Variance requested by the applicant.

The following Exhibits were offered, received and made a part of the records:

Klamath County Exhibit A, the Staff Report

Klamath County Exhibit B, photos of the subject property

Klamath County Exhibit C, a Klamath County Assessor's map of the subject property

Klamath County Exhibit D, a Klamath County Zoning map of the subject property

Klamath County Exhibit E, plot plan

Klamath County Exhibit F, mailing notices

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1 The hearing was then closed and based upon the evidence
2 submitted at the hearing, the Hearings Officer made the following
3 findings of fact:

4 FINDINGS OF FACT:

5 1. There are exceptional and extraordinary circumstances in
6 the existing house and adjoining neighborhood houses have a setback
7 in excess of the amount required by the ordinance so that if the
8 Variance is granted, the applicant's house or building, will still be
9 in excess of that required by the Ordinance.

10 2. The burden on the applicant to back fill would be
11 excessive economically and have no general benefit to the county of
12 Klamath, nor would it be of any particular benefit to the adjoining
13 owners and would serve merely as an additional, unneeded expense to
14 the applicant.

15 3. There was no testimony to suggest that substantiation
16 of the property or that of the public health, safety and convenience
17 of wealfare of the adjoining property would be injured nor did anyone
18 testify in objection to the application.

19 4. The Variance requested is the minimum amount to allow
20 the applicant to build the house without the additional expense in
21 light of the fact that he cannot locate his septic tank lines
22 beneath a residential dwelling according to DEQ standards.

23 The Hearings Officer, based on the foregoing Findings of
24 Fact accordingly orders as follows:

25 That real property described as the
26 property 150 feet north of Cannon
27 Street and 125 feet east of Watson
28 Street, lot 34 of Piedmont Heights

NOT
PUBLIC

13358

1 is hereby granted a Variance in accordance with the terms of the
2 Klamath County Zoning Ordinance No. 17 and henceforth the setback
3 requirements for the rear property line shall be reduced from 25
4 feet to 12 feet.

5 Entered at Klamath Falls, Oregon, this 27 day
6 of July, 1977.

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8 KLAMATH COUNTY HEARINGS DIVISION

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10 By [Signature] Hearings Officer
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Klamath County - Planning Department

COURTHOUSE — 503-882-2501, Ext. 285 — KLAMATH FALLS, OREGON 97601

IN THE MATTER OF
MAILING NOTICES FOR
Phil Doddridge

AFFIDAVIT OF MAILING

STATE OF OREGON
County of Klamath

I, Isabel Rodriguez, being first duly sworn, depose and say that I am an employee of the Klamath County Planning Department, and that on the 26th of July, I did deposit in the U.S. postal system 21 copies of said MAILING NOTICE, a copy of same being attached hereto, in a sealed envelope addressed to those individuals on the mailing list attached hereto.

Isabel Rodriguez

SUBSCRIBED and sworn to before me this 26 day of

July 19 77.

Cal C. Shunk
NOTARY PUBLIC FOR OREGON

My commission expires

Aug 3 1980

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

13060

MAILING NOTICES

Phil Doddridge
7640 Cannon
Klamath Falls, OR 97601

Assessor's Office
Courthouse Annex
Klamath Falls, OR 97601

Board of County Commissioners
Courthouse Annex
Klamath Falls, OR 97601

Clerk's Office
Courthouse Annex
Klamath Falls, OR 97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY PLANNING

this 27th day of JULY A. D. 19 77 at 9:03 o'clock A. M., or (

duly recorded in Vol. M77, of DEEDS on Page 13356

FEE \$ONE

W. D. MILNE, County Clerk

Hazel Brazil