

BEFORE THE HEARINGS OFFICER  
KLAMATH COUNTY, OREGON

4 In the Matter of Request for )	Klamath County Planning
5 Variance 77-24 for )	
6 Joe Keller, Applicant )	
7 )	

FINDINGS OF FACT AND ORDER

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

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

18 The following Exhibits were offered, received and made a  
 19 part of the record:

- 20 Klamath County Exhibit A, the Staff Report
- 21 Klamath County Exhibit B, photos of the subject property
- 22 Klamath County Exhibit C, a Klamath County Assessor's map  
 23 of the subject property
- 24 Klamath County Exhibit D, a Klamath County Zoning map of  
 25 the subject property
- 26 Klamath County Exhibit E, Track 1116 map of Sunset East
- 27 Klamath County Exhibit F, Mailing notices
- 28

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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 extrodinary circumstances in  
6 that the house has already been constructed and would create an  
7 unacceptable financial burden to the applicant to require him to  
8 move the house to fulfill the intendments of the ordinance which are  
9 fulfilled essentially by the changing of the easement.

10 2. The granting of the easement is necessary for the  
11 preservation of the building without the destruction or the removal  
12 of the building.

13 3. No one testified in opposition to the Variance and  
14 there was no evidence that suggested that there would be any detri-  
15 mental affects upon the public health, safety and convenience of  
16 welfare. The requested variance of three (3) feet in light of the  
17 addition of the easement to the ground space upon the property is  
18 the minimum variance to alleviate the hardship.

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

21 That real property described as the  
22 lot 6, block 1 of Sunset East,  
23 on the southeast corner of  
24 Rosario Place and El Cerrito  
Way.

25 is hereby granted a Variance in accordance with the terms of the  
26 Klamath County Zoning Ordinance No. 17 and henceforth the rear yard  
27 setback requirement shall be reduced from 25 feet to 22 feet.  
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Entered at Klamath Falls, Oregon, this 27 day  
of July, 19 77.

KLAMATH COUNTY HEARINGS DIVISION

By *Del...*  
Hearings Officer



# Klamath County - Planning Department

13364

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

IN THE MATTER OF  
MAILING NOTICES FOR  
Joe Keller

)  
)  
)

## AFFIDAVIT OF MAILING

STATE OF OREGON  
County of Klamath

)  
)

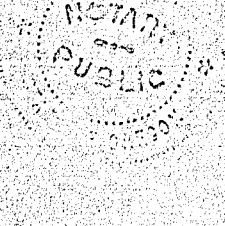
I, Isabel Rodriguez, being first duly sworn, depose and say that I am an employee of the Klamath County Planning Department, and that on the 26<sup>th</sup> of July, I did deposit in the U.S. postal system 24 copies of said MAILING NOTICE, a copy of same being attached hereto, in a sealed envelope addressed to those individuals on the mailing list attached hereto.

Isabel Rodriguez

SUBSCRIBED and sworn to before me this 26 day of July 1977.

Carl C. Shuck  
NOTARY PUBLIC FOR OREGON

My commission expires  
Aug 3 1980



WE ARE AN EQUAL OPPORTUNITY EMPLOYER

13265

MAILING NOITCES

Joe Keller  
6110 Harlan Street  
Klamath Falls, OR 97601

Assesser'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.

led for record at request of KLAMATH COUNTY PLANNING  
this 27th day of JULY A. D. 1977 at 9:03 o'clock AM., and  
uly recorded in Vol. M77, of DEEDS on Page 13361

FEE NONE

Wm D. MILNE, County Clerk  
*[Signature]*