

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for
Variance 77-28 for
John Johnson, Applicant

Klamath County Planning
FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on August 24, 1977, pursuant to notice given in conformity with Ordinance No. 35, Klamath County, before Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by 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. 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 record:

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, Mailing notices

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

10702

FINDINGS OF FACT:

1. There exceptional circumstances in that the size and shape of the lot are peculiar to the particular area and also, there is a septic tank and the drain field already in.

2. It is necessary to grant the Variance in order that Mr. Johnson would not be deprived of a substantial property right in that he will not be able to build on the property to complete his house.

3. There was no testimony in opposition and there has been nothing to suggest that the Variance would be in anyway detrimental to the public welfare.

4. The Variance requested is the minimum that is necessary to alleviate the hardship.

5. The granting of the Variance would in no way allow the use of the property for any unauthorized use within the zone which the property is located.

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

That real property described as the

"Lot 1, Block 8, Klamath River Acres, somewhat north of the town of Keno, generally located on the west side of Riveredge Road approximately 550 feet south of Timberline Lane, approximately 1/2 mile northwesterly of the Klamath Falls-Ashland Highway, Klamath County."

is hereby granted a Variance in accordance with the terms of the Klamath County Zoning Ordinance No. 17 and henceforth the required front yard setback will be reduced from 75 feet to 69 feet for the purpose of placing a storage shed and a carport on the property.

16700

Entered at Klamath Falls, Oregon, this 7th day
of September, 1977.

KLAMATH COUNTY HEARINGS DIVISION

By [Signature]
Hearings Officer

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record at request of _____
this 8th day of September, A.D. 1977, at 2:10 o'clock P.M.
duly recorded in Vol. M77, of Deeds, on Page 16701

Wm D. MILNE, County Clerk

By [Signature]