

36250

Vol. 77 Page 17343

BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance 77-30 for) Klamath County Planning
John Hall, Applicant) FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on September 15, 1977, pursuant to notice given in conformity with Ordinance No. 35, Klamath County, before Klamath County Hearings Officer, Del Parks. The applicant was represented by Warren Lough. The Klamath County Planning Department was represented by Carl Shuck and Wayne Sorensen. 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 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, Affidavit of Publication

Applicant's Exhibit 1, Plot Plan

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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 circumstances due to the part-
6 icular nature of the access to the property. Since this is the only
7 section of the property involved, the circumstances would not
8 generally apply to other property within the area.

9 2. The granting of the Variance would not be materially
10 detrimental to the public health safety, convenience and welfare;
11 and no person attended the hearing in objection to the proposed
12 Variance.

13 3. There was nothing to suggest that the proposed Variance
14 would be contrary to the intent of the Ordinance.

15 4. The Variance requested is the minimum Variance to
16 eliminate the hardship to the applicant.

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

19 That real property described as the

20 "NE $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$, Township 35
21 South, Range 7 East of the
22 Willamette Meridian, Tax Lot
23 55-1, west of the city limits
of Chiloquin and north of
Blocklinger Street, Klamath
County, Oregon."

24 is hereby granted a Variance in accordance with the terms of the
25 Klamath County Zoning Ordinance No. 17 and henceforth the required
26 side yard setback will be reduced from 70 feet to 50 feet for the
27 purpose of creating an office building.
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1
2 Entered at Klamath Falls, Oregon, this 21 day
3 of September, 1977.
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KLAMATH COUNTY HEARINGS DIVISION

By John Hall
Hearings Officer



17946

Klamath County - Planning Department

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

IN THE MATTER OF)
MAILING NOTICES FOR)
Chiloquin Forest Products, Inc.)
(John Hall)

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 21st of September 1977, I did deposit in the U.S. postal system four (4) 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 21st day of

September 19 77.

Ronald B. Appelt
NOTARY PUBLIC FOR OREGON

My commission expires

6/9/81

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

17947

Copies of the attached Order for John Hall sent to the following:

Chiloquin Forest Products, Inc.
P.O. Box 435
Chiloquin, OR 97624

Board of Commissioners
Courthouse Annex
Klamath Falls, OR 97601

County Clerk's Office
Courthouse
Klamath Falls, OR 97601

Assessor'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 26th day of SEPTEMBER A. D. 1977 at 11:06 o'clock AM and
fully recorded in Vol. M77, of DEEDS on Page 17943

NO FEE

Wm D. MILNE, County

By Hayden Drazin