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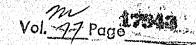
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BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

In the Matter of Request for Variance 77-30 for John Hall, Applicant

Klamath County Planning
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.

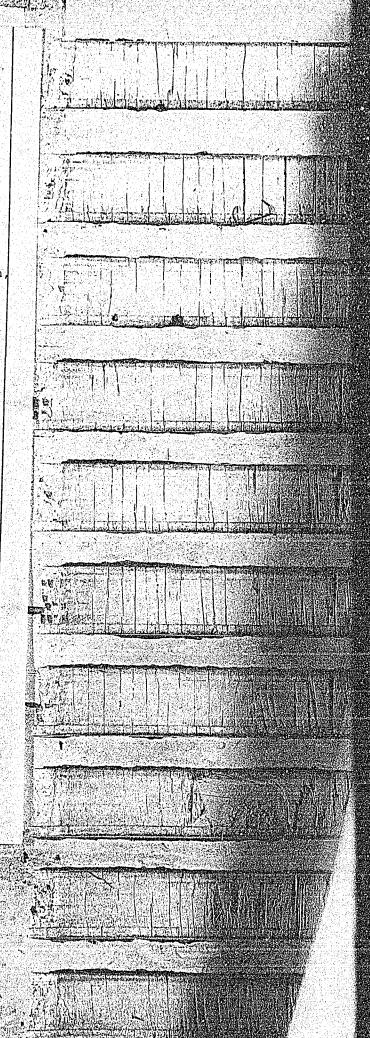
The following Exhibits were offered, received and made a part of the record:

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



Variance/John Hall Page 2

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DECT.

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

FINDINGS OF FACT:

- 1. There are exceptional circumstances due to the particular nature of the access to the property. Since this is the only section of the property involved, the circumstances would not generally apply to other property within the area.
- 2. The granting of the Variance would not be materially detrimental to the public health safety, convenience and welfare; and no person attended the hearing in objection to the proposed Variance.
- 3. There was nothing to suggest that the proposed Variance would be contrary to the intent of the Ordinance.
- 4. The Variance requested is the minimum Variance to eliminate the hardship to the applicant.

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

That real property described as the

"NE¼, NE¼, NW¼, Township 35 South, Range 7 East of the Willamette Meridian, Tax Lot 55-1, west of the city limits of Chiloquin and north of Blocklinger Street, Klamath County, Oregon."

is hereby granted a Variance in accordance with the terms of the Klamath County Zoning Ordinance No. 17 and henceforth the required side yard setback will be reduced from 70 feet to 50 feet for the purpose of creating an office building.



Variance/John Hall Page 3 Entered at Klamath Falls, Oregon, this \(\frac{\frac{1}{2}}{2}\) day KLAMATH COUNTY HEARINGS DIVISION Hearings Officer



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

AFFIDAVIT OF MAILING

STATE OF OREGON County of Klamath

I, <u>Isabel Rodriguez</u>, being first duly sworn, depose and say that I am an employee of the Klamath County Planning Department, and that on the 21 stof 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.

Donabel Lockrique

SUBSCRIBED and sworn to before me this <u>Alat</u> day of Dim her 1970

Royall & Inpult

My commission expires

6/9/8/

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

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 FATE OF OREGON; COUNTY OF KLAMATH; 55. r led for record at request of <u>KLAMATH COUNTY PLANNING</u> this 26th day of SEPTEMBER A. D. 1977 of 11;06 AM and fully recorded in Vol. M77 of DEEDS ----- or: Pag. 17943 WE D. MILNE, County BO FEE