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BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance 77-34 for) Klamath County Planning
George Stevenson, Applicant) Findings of Fact and Order

A hearing was held in this matter at Klamath Falls, Oregon on October 19, 1977, pursuant to notice given in conformity with Ordinance No. 34, 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 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, 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. Under the law in the state of Oregon, a Variance was
6 not necessary. The effective date of the Zoning Ordinance being 1972
7 and the effective date of what is in fact now a subdivision property,
8 occurred in 1970 involving no road, therefore, a Variance was not
9 needed, but a Variance is granted, based upon those circumstances
10 that the division predated the Ordinance.

11 2. The use of the Variance is necessary for the use and
12 preservation and enjoyment of the home which exists now and has
13 existed prior to 1970.

14 3. No person testified in opposition to the proposed use
15 and there was no testimony that would indicate that it would have an
16 adverse effect on adjoining property.

17 4. The Variance is the minimum Variance in line with the
18 contour of the property in light of the canal and the highway that
19 exists and adjoins the property.

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

22 That real property described as the

23 "East ½, Northwest ¼ of Section 12,
24 Township 39 South, Range 10 East
25 Willamette Meridan, Klamath County,
Oregon"

26 is hereby granted a Variance in accordance with the terms of the
27 Klamath County Zoning Ordinance No. 17 and hencefore the required
28 lot size will be reduced from 20 acres to 8.33 acres in size for
residential purposes.

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1 Entered at Klamath Falls, Oregon, this 1 day
2 of March, 1977
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5 KLAMATH COUNTY HEARINGS DIVISION

6 By Del Smith
7 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
George Stevenson

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 *7th November 1977* did deposit in
the U.S. postal system *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 *7th* day of
November 19 *77*.

Peter M. Wap
NOTARY PUBLIC FOR OREGON

My commission expires

8-3-80

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

21700

Orders for George Stevenson for Variance 77-34, sent to the following:

George A. Stevenson
Route 2 Box 809-4
Klamath Falls, OR 97601

Board of Commissioners
Courthouse Annex
Klamath Falls, OR 97601

Assessor's Office
Courthouse Annex
Klamath Falls, OR 97601

Clerk's Office
Courthouse
Klamath Falls, OR 97601

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at _____ of _____

this 10th day of November A. D. 1977 at 9:13 o'clock A.M., or

fully recorded in Vol. M77, of Deeds on Page 21690

Wm D. MILNE, County Clerk

By: Richard S. Fitch

No Fee