

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance 78-22 and 78-21 for) Klamath County Planning
Wayne Church, Applicant) FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on June 14, 1978, 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 who stated they had 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

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

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FINDINGS OF FACT:

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2 1. There are exceptional and extraordinary circum-
3 stances in that there are residences already on the lot and
4 although the lot meets the zoning requirements in total area, it
5 is a few feet short on the width requirements.

6 2. The granting of the Variance is necessary for the
7 preservation and enjoyment of the applicant's right which is to
8 maintain the living quarters which they have on those particular
9 lots.

10 3. No one testified in opposition, and there is no
11 evidence that has been suggested that there would be any detri-
12 mental affect on the public health, safety, or welfare by grant-
13 ing this Variance.

14 4. The requested Variance is the minimum Variance which
15 would alleviate the hardship.

16 5. The Variance requested will not allow use of the
17 property for a purpose which is not authorized in the zone in
18 which the property is located.

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

21 That real property described as the

22 "two parcels of land, Lot 1 being
23 approximately .68 acres in size and
24 approximately 29,620 square feet in
25 size and Lot 2 being approximately
26 .64 acres in size or approximately
27 27,880 square feet in size, both
28 parcels situated in Tax Lot 700 in
the southerly portion, 2nd Addition
to Altamont Acres, on South Suburban
Sheet No. 1, Klamath County, Oregon"

14437

1 is hereby granted a Variance in accordance with the terms of the
2 Klamath County Zoning Ordinance No. 17 and henceforth the
3 required minimum width in an RA (Residential Agricultural) Zone
4 will be reduced on Lot 1 from 100 feet in width to 96.5 feet
5 and on Lot 2 from 100 feet in width to 92 feet.

6 Entered at Klamath Falls, Oregon, this 19th day of
7 June, 1978.

8
9 KLAMATH COUNTY HEARINGS DIVISION

10
11 By *[Signature]*
12 Hearings Officer
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IN THE MATTER OF)
)
 Variance 78-21 &)
 Variance 78-22)
 STATE OF OREGON)
)
 County of Klamath)

AFFIDAVIT OF MAILING

FOR

Wayne Church

The undersigned certifies that as an employee of the Klamath County Planning Department she served the foregoing on the parties on June 28, 1978. by depositing a copy of said Findings of Fact and Order in a sealed envelope in the United States mail at Klamath Falls, Oregon, with postage thereon fully prepaid and addressed to the said parties at their last known place of business or residence, as follows:

Wayne Church
 522 Pacific Terrace
 Klamath Falls, OR 97601

Glen Ramirez
 514 Walnut
 Klamath Falls, OR 97601

Larry Hines
 2050 South Sixth
 Klamath Falls, OR 97601

County Commissioners
 Courthouse Annex
 Klamath Falls, OR 97601

Assessor's Office
 Courthouse Annex
 Klamath Falls, OR 97601

Clerk's Office
 Courthouse
 Klamath Falls, OR 97601

Isabel Rodriguez
 Hearings Reporter

SUBSCRIBED and sworn to before me this 28th day of June, 1978.

Commissioners Journal

Mary C. Sobell
 NOTARY PUBLIC FOR THE STATE OF OREGON
 My Commission Expires:

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 5th day of July A.D., 19 78 at 4:28 o'clock P M., and duly recorded in Vol. M78, of Deeds on Page 14435.

FEE None

WM. D. MILNE, County Clerk

By Lemetha Sketch Deputy