

## BEFORE THE HEARINGS OFFICER

## KLAMATH COUNTY, OREGON

In the Matter of Request for )  
Variance 78-44 for ) Klamath County Planning  
Anton J. Steinbock ) FINDINGS OF FACT AND ORDER

A Hearing was held in this matter at Klamath Falls, Oregon, on October 11, 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 Pat Harris.

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, Klamath County Assessor's map of the subject property

Klamath County Exhibit D, 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

1 following findings of fact:

2 FINDINGS OF FACT:

3 1. There are exceptional and extraordinary circum-  
4 stances which apply to the applicant's property that do not apply  
5 to other property owners in the area, in that the cement pad  
6 already exists.

7 2. The granting of the Variance is necessary for the  
8 preservation of the applicant's right to complete the carport  
9 for the storage of his camper.

10 3. No one testified in opposition to the Variance,  
11 and there was no evidence that the granting of this Variance  
12 would in any way be detrimental to the public health, safety  
13 and welfare.

14 4. The requested variance is a minimum variance which  
15 will alleviate the hardship.

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

19 6. The granting of this variance is consistent with  
20 the goals of the LCDC.

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

23 That the real property described as the  
24

25 "parcel of land approximately 90 feet by  
26 129 feet or approximately 11,610 square  
27 feet in size, generally located on the  
28 south side of Onyx Avenue, approximately  
310 feet west of Hope Street and approxi-  
mately 301 feet north of Denver Avenue  
and more particularly described as Tax  
Lot 3200, Lot 34 of Summers Lane Homes,  
Klamath County, Oregon"

24058

1 is hereby granted a Variance in accordance with the terms of  
2 the Klamath County Zoning Ordinance No. 17 and henceforth the  
3 setback for the side property line shall be from five (5) feet  
4 to six (6) inches.

5 Entered at Klamath Falls, Oregon, this 23<sup>rd</sup> day of  
6 October, 1978.

7 KLAMATH COUNTY HEARINGS DIVISION

8 By *W. D. Milne*  
9 Hearings Officer

10  
11  
12  
13 STATE OF OREGON; COUNTY OF KLAMATH; ss.

14 Filed for record at request of Klamath County

15 this 26th day of October A. D. 1978 at 10:22 o'clock A.M., on  
16 duly recorded in Vol. M78, of Deeds on Page 24056

17 Wm D. MILNE, County Cl.

18 *Wm D. Milne*

19 No Fee

20 *Commissioner Journal*