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BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for )  
Variance 79-9 for Rollie ) Klamath County Planning Department  
Knaggs, Applicant ) FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on April 11, 1979, 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 Report was Susan Baggett.

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, the Photographs  
Klamath County Exhibit C, the Assessor's Map of the Subject Property

Applicant's Exhibit No. 1, the Plot Plan

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 and extraordinary

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1 circumstances which apply to this property which do not generally  
2 apply to other property in the area, in that to have an additional  
3 living space, the only portion of the lot available would require  
4 a Variance.

5 2. The granting of this Variance is necessary for the  
6 preservation and enjoyment of the applicant's right to have full  
7 use of his property, a right which is possessed by other property  
8 owners in the area.

9 3. No one was present to testify against the granting  
10 of this Variance.

11 4. The granting of this requested Variance will not be  
12 materially detrimental to the health, safety, or welfare of the  
13 public.

14 5. This is the Variance is the minimum Variance which  
15 will alleviate the hardship.

16 6. This Variance does not allow of this property which  
17 is not allowed within the subject zone.

18 7. The granting of this Variance is consistent with  
19 the Goals of the LCDC.

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

22 That real property described as the

23 "Township 39 South, Range 9, East of the Willamette  
24 Meridian, Section 14, Lot 3, Blk 3, Tax Lot 2800,  
Klamath County, Oregon"

25 is hereby granted a Variance from 25 feet to 7 feet, in  
26 accordance with the terms of Klamath County Ordinance No. 35.

27 Entered at Klamath Falls, Oregon, this 3rd day of  
28 MAY, 1979.

KLAMATH COUNTY HEARINGS DIVISION

*[Signature]*

Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 4th day of  
May A.D., 1979 at 1:34 o'clock P M., and duly recorded in Vol. M79,  
of Deeds on Page 10187.

FEE None

WM. D. MILNE, County Clerk  
By *[Signature]* Deputy