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KLAMATH COUNTY PLANNING COMMISSION

28604

KLAMATH COUNTY, OREGON

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3 IN THE MATTER OF THE REQUEST FOR)
4 VARIANCE FOR LOT DEPTH FOR BASIN)
CONSTRUCTION NO. 79-19)

O R D E R

5
6 THIS MATTER having come on for hearing upon the applica-
7 tion of Basin Construction for a Variance Numbered 79-19 for lot
8 depth by the Klamath County Planning Commission on real property
9 described as Township 39, Range 9, Section 3, Tax Lot 7900,
10 Klamath County, Oregon. Public hearing having been heard by the
11 Klamath County Planning Commission on July 24, 1979, wherefrom the
12 testimony, reports and information produced at the hearing by the
13 applicant, members of the Planning Department Staff and other
14 persons in attendance, the Planning Commission approved Variance
15 No. 79-19 for lot depth from 300 feet to 102 feet.

16 The Planning Commission makes the following Findings of
17 Fact and Conclusions of Law as required by Ordinance No. 17, the
18 Klamath County Zoning Ordinance:

19 FINDINGS OF FACT:

20 1. The Planning Commission found per testimony from
21 applicant that there are extraordinary and exceptional circum-
22 stances which apply to this property because the property in
23 question faces on two streets, being Altamont Drive and Hilyard
24 Avenue, and because of this situation it is desirable to break
25 the existing lot into two pieces for better economical use.

26 2. The Planning Commission found that to the north of
27 applicant's property there is an existing lot zoned M-2 (Medium
28 Manufacturing Industrial) that has been previously divided into

1 two parcels. Those Tax Lots being 7902 and 7903 of Klamath County
2 Assessor's Map No. 3909-334.

3 3. The Planning Commission found that the Variance is
4 necessary for the preservation of the substantial property rights
5 of the applicant which is possessed by other property owners in
6 the area.

7 4. The Planning Commission found that the Variance
8 requested for lot depth from 300 feet to 102 feet is the minimum
9 variance which will alleviate the hardship and serve the best
10 economical use.

11 CONCLUSIONS OF LAW:

12 1. There are exceptional or extraordinary circumstances
13 or conditions applicable to the property involved which do not
14 apply generally to other property in the same vicinity and zone.

15 2. A variance is necessary for the preservation and
16 enjoyment of a substantial property right of the applicant which
17 right is possessed by other property owners under like conditions
18 in the same vicinity and zone.

19 3. The granting of the requested variance will not be
20 materially detrimental to the public health, safety, convenience
21 and welfare or injurious to the property improvements in the same
22 vicinity and zone in which the property affected is located and
23 will not be contrary to the intent of this Ordinance.

24 4. The variance requested is the minimum variance from
25 the provisions and standards of this regulation which will allevi-
26 ate the hardship.

27 NOW, THEREFORE, it is hereby ordered that the applica-
28 tion for Variance No. 79-19 for lot depth from 300 feet to 102

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1 feet on a parcel of land zoned M-2 (Medium Manufacturing
2 Industrial) for Basin Construction on subject property is hereby
3 approved.

4 DONE AND DATED THIS 11th DAY OF Dec 1979.

5
6 [Signature]
Chairman

7
8 [Signature]
Vice Chairman

9
10 [Signature]
Member

11
12 [Signature]
Member

13
14 [Signature]
Member

15
16 Member

17
18 Member

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20 Member

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22 Member

23 APPROVED AS TO FORM:
Boivin, Boivin, & Aspell

24 By: [Signature]

25 STATE OF OREGON; COUNTY OF KLAMATH; ss.

26 Filed for record at request of Klamath County

27 this 12th day of December A. D. 1979 at 3:31 o'clock P M., and

28 duly recorded in Vol. 479, of Deeds on Page 28604

VAR. 79-19
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Wm D. MILNE, County Clerk

By: [Signature]

No Fee