BEFORE THE HEARINGS OFFICER WOL. 79 Page 2931	3 /
BEFORE THE INTERPOLATION OREGON	
BEFORE THE KLAMATH COUNTY, OREGON	
Planning planning	
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2 In the Matter (20-28, for James) FINDINGS OF	
2 In the Matter Of James) 3 Variance No. 79-28, for James) yariance No. 79-28, for James)	
Il applicant	
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7 Oregon, ordinance No. 35, Klama was present	han
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7 Oregon, on October 10, 13. 8 ity with Ordinance No. 35, Klamath County, below 11 ity with Ordinance No. 35, Klamath County, below 12 ity with Ordinance No. 35, Klamath County was present. 9 Hearings Officer, Jim Spindor. The applicant was represented by Jonat Was represented by Jonat Reporter was Barbara Thomson. 10 Chudnoff. The Hearings Reporter was Barbara Thomson. 11 Chudnoff. The Hearings Reporter was presented on behalf of the Department was presented by Jonat	and
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17 a part of the record: Klamath County Exhibit A, the Staff Report Klamath County Exhibit B, photos of subject processing the Exhibit C, Klamath County Assembly Exhibit C, Klamath County C, Cou	coperty
18 Klamath County Exhibit B, photos	ssor's Map
19 Klamath County Exhibit C, Klamath	
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Applicant's Exhibit No. Applicant's Exhibit No. The hearing was then closed, and based upon was then closed, and based upon the hearing was then closed, and based upon the hearing, the Hearings Officer made submitted at the hearing, the Hearings Officer made submitted at the hearing, the Hearings Officer made submitted at the hearing.	ungtance
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26 FINDINGS are exceptional and thich do not	generally appro-
25 Findings FINDINGS OF FACT: 1. There are exceptional and extraordinary 1. There are exceptional and extraordinary 27 which apply to the property involved which do not only 28 which apply to the property involved which apply	
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to other property in the vicinity, in that the only portion of the applicant's property on which an addition of the nature contemplated can be placed requires the granting of this variance.

- 2. The granting of this variance is necessary for the preservation and enjoyment of the applicant's right to make full use of his property, a right which is possessed by other property owners in the vicinity.
- 3. If this variance is not granted, undue hardship will be caused to the owner.
- 4. No one testified in opposition to the variance, and there was no evidence that there would be any detrimental effect to the public health, safety, or welfare, or any detrimental effect to abutting property owners.
- 5. The requested variance is the minimum variance which will alleviate the hardship due to the size of the applicant's property and the placement of the present residence thereon.
- 6. The granting of this variance will not allow use of the property for a purpose which is not authorized within the zone within which the property is located.
- 7. The granting of this variance is consistent with the goals of the L.C.D.C.

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

That real property described as the

"parcel of land approximately 1/2 acre in size generally located approximately 170 feet west of Jennie Drive and north of Leach Drive, in the community of Midland, and more particularly described as Lot 8 of Midland Hills Estates, Township 40, Range 8, Section 1, being Tax Lot 2900, Klamath County, Oregon"

VAR. 79-28 Page -2-

is hereby granted a variance in accordance with the terms of the Klamath County Zoning Ordinance No. 35, and, henceforth, the side yard setback from 10 feet to 6 feet is hereby granted in the RA (Residential Agricultural) zone. Entered at Klamath Falls, Oregon, this 18 day of <u>Necember</u>, 1979. KLAMATH COUNTY HEARINGS DIVISION CATE OF OREGON; COUNTY OF KLAMATH; . Filed for record at request of Klamath County this 21st day of December A D. 1979 at :50 clock M., and *uly recorded in Vol. _____M7,90f ____ . Reeds _____ on Page29313 WED. MILNE, County Clare No Fee 3

VAR. 79-28 Page -3-