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BEFORE THE HEARINGS OFFICER

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KLAMATH COUNTY, OREGON

1 In the Matter of Request for)
2 Variance No. 79-37 for Christian)
3 and Missionary Alliance Chapel of)
4 Bly, Applicant)
5)
6)
7)

Klamath County Planning
FINDINGS OF FACT AND ORDER

8 A hearing was held in this matter at Klamath Falls,
9 Oregon, on November 7, 1979, pursuant to notice given in conform-
10 ity with Ordinance No. 35, Klamath County, before Klamath County
11 Hearings Officer, Jim Spindor. The applicant was represented
12 by Edward L. Patzke. The Klamath County Planning Department was
13 represented by Jonathan Chudnoff. The Hearings Reporter was
14 Barbara Thomson.

15 Evidence was presented on behalf of the Department and
16 on behalf of the applicant. There were no adjacent property
17 owners present who stated they had objections to the proposed
18 Variance requested by the applicant.

19 The following Exhibits were offered, received, and made
20 a part of the record:

21 Klamath County Exhibit A, the Staff Report
22 Klamath County Exhibit B, photos of subject property
23 Klamath County Exhibit C, Klamath County Assessor's Map
24 of subject property
25 Applicant's Exhibit No. 1, Plot Plan

26 The hearing was then closed, and based upon the evidence
27 submitted at the hearing, the Hearings Officer made the following
28 Findings of Fact:

FINDINGS OF FACT:

1 1. There are exceptional and extraordinary circumstances
2 which apply to the property involved which do not generally apply
3 to other property in the vicinity, in that the only portion of
4 the applicant's property on which an addition of the nature
5 contemplated can be placed, requires the granting of this
6 variance.

7 2. The granting of this variance is necessary for the
8 preservation and enjoyment of the applicant's right to make full
9 use of his property, a right which is possessed by other property
10 owners in the vicinity.

11 3. If this variance is not granted undue hardship will
12 be caused to the owner.

13 4. No one testified in opposition to the variance, and
14 there was no evidence that there would be any detrimental effect
15 to the public health, safety, or welfare, or any detrimental
16 effect to abutting property owners.

17 5. The requested variance is the minimum variance which
18 will alleviate the hardship, due to the size of the applicant's
19 property and the placement of the present residence thereon.

20 6. The granting of this variance will not allow use of
21 the property for a purpose which is not authorized within the
22 zone within which the property is located.

23 7. The granting of this variance is consistent with
24 the goals of the L.C.D.C.

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

27 That real property described as the

28 "parcel of land approximately 15,200 square

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feet in size and generally located on the east side of Highway 140 and approximately 200 feet south of Stewart Street and approximately 150 feet north of Gerber Street in the town of Bly, and more particularly described as Lots 5 and 6 of Block 2 of North Bly, Township 36, Range 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, being Tax Lots 6401 and 6400, Klamath County, Oregon"

is hereby granted a Variance in accordance with the terms of the Klamath County Zoning Ordinance No. 35, and, henceforth, the rear yard setback will be reduced from 50 feet to 31 feet, and the side yard setback will be reduced from 50 feet to 12 feet in the SP-13 (Public Facilities) zone.

Entered at Klamath Falls, Oregon, this 18th day of December, 1979.

KLAMATH COUNTY HEARINGS DIVISION
BY [Signature]
Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County
this 21st day of December, A. D. 19 79 at 1:50'clock P. M., and
only recorded in Vol. 3170, of Deeds, on Page 29321

W. D. MILNE, County Clerk

By [Signature]

No Fee