

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance No. 80-13 for)
Ronald T. Williams, Applicant)

Klamath County Planning
FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on July 9, 1980, pursuant to notice given in conformity with Ordinance No. 35, Klamath County, before the Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by Jonathan Chudnoff. The Hearings Reporter was Kathi Reyes.

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
Applicant's Exhibit No. 1, 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 circumstances

200 AUG 7 PM 2 07

1 which apply to the property involved which does not generally
2 apply to other property in the vicinity in that the applicant's
3 lot is very steep with an upward slope from Lakeshore Drive.

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

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

10 4. No one testified in opposition to the variance and
11 there was no evidence that suggested that there would be any
12 detrimental effect on the public health, safety, or welfare, or
13 any detrimental effect on abutting property owners.

14 5. The requested variance is a minimum variance which
15 will alleviate the hardship due to the placement of the present
16 residence on the site.

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

20 7. The granting of this variance is consistent with the
21 goals of the L. C. D. C.

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

24 That real property described as the
25 "parcel of land approximately 15,800 square
26 feet in size generally located southwest of
27 Lakeshore Drive approximately 400 feet north
28 of its intersection with Marina Drive, and
more particularly described as being in Section
23, Township 38, Range 8, being Tax Lot 3500,
Klamath County, Oregon"

14681

is hereby granted a variance according to the terms of the
Klamath County Zoning Ordinance No. 35, and, henceforth will
be allowed to reduce the rear yard setback from twenty-five
feet to twenty feet in the RD 10,000 (Single Family Residential)
zone.

Entered at Klamath Falls, Oregon, this 17th day of

August

, 1980.

KLAMATH COUNTY HEARINGS DIVISION

BY

Jo D. Miller

Hearings Officer

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County

this 7th day of August A. D. 1980 at 2:07 o'clock P. M., and

fully recorded in Vol. M80, of Deeds on Page 14679

Wm D. MILNE, County Clerk

By Bernetha H. Hetch

No Fee

Commissioners Journal