

BEFORE THE HEARINGS OFFICER

87898

KLAMATH COUNTY, OREGON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

In the Matter of Request for)
Variance No. 80-14 for)
Bruce Wolfrum, 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 subject property
- Klamath County Exhibit C, Klamath County Assessor's Map of subject property
- Applicant's Exhibit No. 1, Plot Plan
- Applicant's Exhibit No. 2, letter from Dean Stogsdill

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:

80 AUG 7 PM 2 08

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

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

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

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

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

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

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

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

26 That real property described as the
27 "parcel of land approximately 9,700 square
28 in size, generally located southeast of the
intersection of Madison Street and Cheyne

14690

Avenue, and more particularly described as
being in Section 1, Township 39, Range 9,
Tax Lot 1700, Klamath County, Oregon"

is hereby granted a variance in accordance with the terms of
the Klamath County Zoning Ordinance No. 35, and, henceforth will
be allowed to reduce the side yard and rear yard setbacks on the
west and south sides of the property to zero (0) feet in the
RD 10,000 (Single Family Residential) zone.

Entered at Klamath Falls, Oregon, this 13 day of
August, 1980.

KLAMATH COUNTY HEARINGS DIVISION

BY Do Spindler
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 2:08 o'clock P M., an

tuly recorded in Vol. M80, of Deeds on Page 14688

Wm D. MILNE, County Clerk

By Suzanne M. Gletsch

No Fee \$

Commissioners Journal