

KLAMATH COUNTY PLANNING COMMISSION

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE REQUEST)
FOR VARIANCE NO. 80-29 TO REDUCE)
YARD DEPTH FOR HELEN BECKIUS,)
APPLICANT)

O R D E R

THIS MATTER having come on for hearing upon the application of Helen Beckius for a Variance No. 80-16 for lot width by the Klamath County Planning Commission on real property described as Township 38, Range 9, Section 35, Tax Lot 9100, Klamath County, Oregon. Public hearing having been heard by the Klamath County Planning Commission on January 27, 1981, wherefrom the testimony, reports, and information produced at the hearing by the applicant, members of the Planning Department Staff and other persons in attendance, the Planning Commission approved Variance No. 80-16 for lot depth from 100 feet to 80 feet.

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

FINDINGS OF FACT:

1. The Planning Commission found that there are exceptional and extraordinary circumstances in granting this variance in that the lot has two existing houses and in order to create split of lot and meet the property development standards, lot depth needs to be 80 feet.
2. The Planning Commission found that there are existing houses on the parcel which is the trend in the area.
3. The Planning Commission found that the request will not change the existing circumstances and is not injurious or in any

1 way effecting the health and welfare of the area.

2 4. The Planning Commission found that the testimony is
3 also that this is the minimum variance requested available under
4 the ordinance with Conclusions of Law as follows.

5 5. The Planning Commission found notification was sent to
6 surrounding property owners, concerned agencies, and the Herald
7 and News, and the City of Klamath Falls.

8 6. The Planning Commission found the use is consistent
9 with the Urban Density Comprehensive Land Use Plan designation.

10 7. The Planning Commission found that small economic bene-
11 fits to the owner of the land are possible.

12 8. The Planning Commission found site has a full range of
13 public utilities and services.

14 9. The Planning Commission found that both residences on
15 the site have good access to the rest of the Klamath Falls area.

16 10. The Planning Commission found the site lies within the
17 Klamath Falls Urban area.

18 CONCLUSIONS OF LAW:

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

22 2. A variance is necessary for the preservation and enjoy-
23 ment of a substantial property right of the applicant which right
24 is possessed by other property owners under like conditions in the
25 same vicinity and zone.

26 3. The granting of the requested variance will not be
27 materially detrimental to the public health, safety, convenience
28 and welfare or injurious to the property improvements in the same

vicinity and zone in which the property affected is located and will not be contrary to the intent of this ordinance.

4. The Variance requested is the minimum variance from the provisions and standards of this regulation which will alleviate the hardship.

NOW, THEREFORE, it is hereby ordered that the application for Variance No. 80-29 for lot depth from 100 feet to 80 feet on a parcel of land zoned RD 5,000 (Single-Family Residential) for Helen Beckius on the subject property is hereby approved.

DONE AND DATED THIS 7th DAY OF April, 1981.

Chairman

[Signature]
Vice-Chairman

[Signature]
Member

[Signature]
Member

[Signature]
Member

[Signature]
Member

Member

Member

Member

APPROVED AS TO FORM:
Boivin & Boivin

By [Signature]

Return
Commissioners Journal

VARIANCE NO. 80-29
Page -3-

State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

14th day of April A.D., 1981 at 1:32 o'clock P M., and duly recorded in

Vol 181 of Deeds on page 6678.

EVELYN BIEHN
COUNTY CLERK

Fee \$ No Fee

By [Signature] deputy