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KLAMATH COUNTY PLANNING COMMISSION

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE REQUEST FOR)
VARIANCE NO. 80-31 FOR LOT DEPTH)
FOR MARTHA DEAN, APPLICANT)

O R D E R

THIS MATTER having come on for hearing upon the application of Martha Dean for a Variance No. 80-31 for lot depth by the Klamath County Planning Commission on real property described as Township 39, Range 9, Section 2, Tax Lot 5100, Klamath County, Oregon.

Public hearing having been heard by the Klamath County Planning Commission on February 24, 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. 80-31 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 size was already a 80' lot in depth. Ordinance requires 100' under RD 5,000.

2. The Planning Commission found that the parcel would have a mobile home placed per a Conditional Use Permit and the mobile home does meet the setbacks of the existing ordinance.

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 Commisison found that the testimony is also
3 that this is the minimum variance requested available under the
4 ordinance.

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 front on paved county roads and have good access to the
16 rest of the Klamath Falls area.

17 10. The Planning Commission found the site lies within the
18 Klamath Falls Urban Area.

19 CONCLUSIONS OF LAW:

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

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

27 3. The granting of the requested variance will not be mater-
28 ially detrimental to the public health, safety, convenience and

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1 welfare or injurious to the property improvements in the same
2 vicinity and zone in which the property affected is located and
3 will not be contrary to the intent of this ordinance.

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

7 NOW, THEREFORE, it is hereby ordered that the application
8 for Variance No. 80-31 for lot depth from 100 feet to 80 feet on
9 a parcel of land zoned RD 5,000 (Single-Family Residential) for
10 Martha Dean on the subject property is hereby approved.

11 DONE AND DATED THIS 14th DAY OF April, 1981.

12
13 Chairman

14 [Signature]
15 Vice-Chairman

16 [Signature]
17 Member

18 [Signature]
19 Member

20 [Signature]
21 Member

22 Member

23 Member

24 Member

25 Member

26 APPROVED AS TO FORM:
27 Boivin & Boivin

28 By [Signature]

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Rec: Commissioners Journal

STATE OF OREGON; COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the
15th day of April A.D., 1981 at 10:20 o'clock A M., and duly recorded in
Vol M81 of Deeds on page 6747.

Fee \$No Fee

EVELYN BIEHN
COUNTY CLERK

By [Signature] Deputy