

2019

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

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In the Matter of Request for)
Variance No. 81-15 for)
Larry Dillon, Applicant)

KLAMATH COUNTY PLANNING
FINDINGS OF FACT AND ORDER

A hearing was held in this matter at Klamath Falls, Oregon, on May 13, 1981, 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 Barbara Thomson.

Evidence was presented on behalf of the applicant and on behalf of the Department. 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, partition map

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

1 which apply to the property involved which do not generally
2 apply to other property in the vicinity, in that the applicant's
3 property is nearly twice as large as most of the lots in the
4 vicinity.

5 2. The granting of the Variance is necessary for the
6 preservation and enjoyment of the applicant's right to make full
7 use of his property, a right which is possessed by other property
8 owners in the vicinity; if this Variance is not granted, undue
9 hardship will be caused to the owner.

10 3. No one testified in opposition to the Variance and
11 there was no evidence there would be any detrimental effects
12 to the public health, safety or welfare or any detrimental effects
13 to abutting property owners.

14 4. The requested Variance is the minimum variance which
15 will alleviate the hardship due to the width of the applicant's
16 property.

17 5. The Variance will not allow use of the property for
18 a purpose which is not authorized within the zone within which
19 the property is located.

20 6. The granting of this Variance is consistent with
21 the goals of the L. C. D. C.

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

24 That real property described as the
25 "parcel of land located at the northeast corner
26 of Summers Lane and Bartlett Street, and more
27 particularly described as being in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
28 of Section 14, Township 39, Range 9, being Tax
Lot 1100, Klamath County, Oregon"

is hereby granted a Variance in accordance with the terms of
VAR. 81-15
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1 the Klamath County Zoning Ordinance No. 35, and, henceforth,
2 will be allowed to reduce the required lot depth from 110 feet
3 to 100 feet in the RD 10,000 (Single Family Residential) zone.

4 Entered at Klamath Falls, Oregon, this 13th Day of

5 July, 1981.

6 KLAMATH COUNTY HEARINGS DIVISION

7 E. J. Dineen
8 Hearings Officer

9
10
11 STATE OF OREGON; COUNTY OF KLAMATH; ss.

12 Filed for record at request of Klamath County

13 this 14th day of July A.D. 19 81 at 2:58 o'clock P. M.

14 duly recorded in Vol. M81 of Deeds on a 12649

15 By Evelyn Biehn County Clerk

16 No Fee

17
18 COMMISSIONERS JOURNAL