BEFORE THE HEARINGS OFFICER 12923
KLAMATH COUNTY, OREGON

In the Matter of Request for)

Variance No. 81-10 for)

Ed Howell, 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 respresented by Jonathan Chudnoff. The Hearings Reporter was Barbara Thomson.

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:

Elamath 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 subject property

Klamath County Exhibit D, letter from State Highway Division

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

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FINDINGS OF FACT:

There are exceptional and extraordinary circumstances which apply to the property involved which do not generally apply to other property in the vicinity, in that the applicant's property is nearly twice as large as most of the lots in the vicinity.

- The granting of the variance is necessary for the 2 preservation and enjoyment of the applicant's right to make full use of his property, a right which is possessed by other property owners in the vicinity; if this variance is not granted, undue hardship will be caused to the owner.
- No one testified in opposition to the variance and there was no evidence suggesting there would be any detrimental effects to the public health, safety or welfare or any detrimental effect to abutting property owners.
- 4. The requested variance is the minimum variance which 16 will alleviate the hardship due to the width of the applicant's 17 property.
- The variance will not allow use of the property 18 19 for a purpose which is not authorized within the zone within which the property is located.
 - The granting of this variance is consistent with 6. the goals of the L. C. D. C.

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

That real property described as the

"parcel of land generally located at the northwest corner of Highway No. 66 and Cortez Street, and more particularly described as being in the NE%, SW%, Section 7, Township 39, Range 9, Tax Lots 5,000 and

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	5,100; Klamath County, Oregon"
	is hereby granted a variance for Minor Partition No. 81-12 as
	stated hereinbelow, in accordance with the terms of Klamath
4	County Zoning Ordinance No. 35. Parcel No. 1, reduce required
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7	- 11 (1.5 CM)
8	Entered at Klamath Falls, Oregon, this 17% Day of
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12	KLAMATH COUNTY HEARINGS DIVISION
13	Do Da Lina
14	Hearings Officer
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16	
17	STATE OF ORZEON; COUNTY OF KLAMATH; ss.
18	Fled for record at request of Klamarh, County
19	this 20th day of July A.D. 1981 at 1:42 o'cleck P f.'., and
20	duly recorded in Vol. M81 of Deeds on Page 12923
21	By Derretta Antich
22	No Fee
23	
24	
2 5	Commissioner Journal
26 26	
27	BANG NEW MARKET NEW MAR 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985 - 1985
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