

20702

BEFORE THE PLANNING COMMISSION

KLAMATH COUNTY, OREGON

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1
2 IN THE MATTER OF REQUEST)
3 FOR VARIANCE NO. 23-82)
4 FOR DAVID GARRISON, APPLICANT)

O R D E R

5 A hearing was held on this matter on December 20, 1982,
6 pursuant to notice given in conformity with Ordinance No. 45,
7 Klamath County, before the Klamath County Planning Commission.
8 The applicant was present. The Klamath County Planning Department
9 was represented by Carl Shuck.

10 Evidence was presented on behalf of the Department and
11 on behalf of the applicant. For the record, there were no
12 adjacent property owners present at the hearing for the proposed
13 Variance Permit requested by the applicant.

14 The following exhibits were offered, received and made
15 a part of the record:

16 Klamath County Exhibit A, Staff Report

17 Klamath County Exhibit C, Assessor Map

18 Applicant's Exhibit No. 1, Partition Map

19 The hearing was then closed, and based upon the evidence
20 submitted at the hearing, the Planning Commission made the
21 following Findings of Fact:

22 FINDINGS OF FACT:

23 1. There are exceptional and extraordinary circum-
24 stances which apply to the property involved which do not gener-
25 ally apply to other property in the vicinity, in that there are
26 currently two residences on the applicant's property.

27 2. The granting of this Variance is necessary for the
28 preservation and enjoyment of the applicant's right to make full

1 use of his property, a right which is possessed by other property
2 owners in the vicinity. If this Variance is not granted, undue
3 hardship will be caused the owner.

4 3. There was no testimony or evidence offered against
5 the granting of this Variance, and there was no evidence
6 presented that there would be any detrimental effect to the
7 public health, safety or welfare, or any detrimental effect to
8 the abutting property owners.

9 4. The required Variance is the minimum Variance which
10 will alleviate the hardship, due to the size of the applicant's
11 property, and the placement of the present buildings thereon.

12 5. The granting of this Variance will not allow use
13 of the property for a purpose which is not authorized within the
14 zone which the property is located.

15 6. The granting of this Variance is consistent with
16 the Goals of L.C.D.C.

17 The Planning Commission, based on the foregoing Findings
18 of Fact, accordingly orders as follows:

19 That the real property described as the

20 "parcel of land generally located approximately
21 410 feet east of Pine Grove Road and north of
22 Clovis Drive, and more particularly described as
being Tax Lots 2700 and 2800 in the SE 1/4 of
Section 9, Township 39, Range 10.

23 is hereby granted a Variance in accordance with the terms of the
24 Klamath County Zoning Ordinance No. 45, and, henceforth, will
25 be allowed to reduce lot size from the one-acre minimum to .46
26 acres in size in the RR (Rural Residential) zone.

27 ENTERED AT KLAMATH FALLS, OREGON, THIS 23rd DAY OF

28 VARIANCE NO. 23-82
Page -2-

February, 1983.

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KLAMATH COUNTY PLANNING COMMISSION

Richard J. Nellipowitz
Richard Nellipowitz, Vice-Chairman

John Monfore
John Monfore, Member

Nona Hagelstein
Nona Hagelstein, Member

Georgia Dehlinger
Georgia Dehlinger, Member

Steven A. Miller
Steven Miller, Member

STATE OF OREGON, COUNTY OF KLAMATH; ss.

Filed for record .

is 23 day of Feb. A.D. 19 83 at 8:38 o'clock A.M. and
duly recorded in Vol. M83 of Deeds on Page 2778

No Fee

By Evelyn Biehn
EVELYN BIEHN, County

COMMISSIONERS JOURNAL

APPROVED AS TO FORM:
Boivin & Boivin

BY Robert D. Boivin