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Vol. 1485 Page 19513

BEFORE THE PLANNING COMMISSION

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance No. 19-85 for)
Washburn Enterprises, TRACT 1249)

Klamath County Planning
Findings of Fact and Order

This matter came on for hearing before the Klamath County Planning Commission on October 29, 1985, in the Klamath County Commissioner's Hearing Room. Applicant was present. The Klamath County Planning Department was represented by Klamath County Planning Department Staff. No persons appeared in opposition to the proposed Variance.

The following exhibits were offered, received, and made a part of the record: Exhibits "A" through "E".

The hearing was then closed. The Planning Commission, after reviewing the evidence, made the following decision:

FINDINGS OF FACT:

1. The property in question is located in Section 9 of Township 39, Range 8, being Lot 4, Block 1 of Washburn Park, Klamath County, Oregon.
2. The applicant requested a Variance from the provisions of Section 71.09B, a Variance for roadway improvements in urban areas.
3. The difficulty or hardship arises from the property's improvements that would result in a greater expense than the public would benefit from.
4. The condition causing the difficulty was that there were no other curbs or gutters in the same subdivision and this

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1 portion of the subdivision would be the only one with curbs and
2 gutters.

3 5. The granting of the Variance will not be detrimental
4 to the public health, safety, and welfare or to the use and
5 enjoyment of adjacent properties and will not be contrary to the
6 intent of this Code.

7 CONCLUSIONS OF LAW:

8 1. This request for a Variance on the subject property
9 meets the applicable Klamath County Development Code criteria and
10 policies governing such.

11 2. This request for a Variance is consistent with, and
12 complies with, all applicable State-wide Planning Goals and
13 review criteria.

14 3. This request for a Variance is deemed applicable to
15 protect the public health, safety and welfare of the citizens of
16 Klamath County.

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1 THEREFORE, it is hereby ordered that this request for a
2 Variance is granted.

3 Done and dated this 26th Day of November, 1985.

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5 KLAMATH COUNTY PLANNING COMMISSION

6 John Monfore
7 John Monfore, Chairman

8 Ned Livingston
9 Ned Livingston, Vice-Chairman

10
11 Jon Elliott
12 Jon Elliott, Member

13 Susan Crismon
14 Susan Crismon, Member

15
16 Georgia Dehlinger, Member

17
18 Fran Gorham
19 Fran Gorham, Member

20
21 Steve Sherman, Member

22
23 APPROVED AS TO FORM:

24 Robert D. Boivin
25 Robert D. Boivin

26
27
28 Variance 19-85
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the _____ day
of November _____ A.D., 19 85 at 3:10 o'clock P M., and duly recorded in Vol. M85
of _____ Deeds _____ on Page 19513

FEE NONE

Return: Commissioners' Journal

Evelyn Biehn,
By _____

County Clerk

Fern Smith