

BEFORE THE HEARINGS OFFICER

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance 9-86/Stevenson) Klamath County Planning
Findings of Fact and Order

A hearing was held on this matter on June 5, 1986, pursuant to notice given in conformity with Ordinance No. 45.2, Klamath County, before the Klamath County Hearings Officer, Brad Aspell. The Klamath County Planning Department was represented by Kim Lundahl. The Hearings Reporter was Janet Libercajt.

Evidence was presented on behalf of the Department and on behalf of the applicant. There were no adjacent property owners present.

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

Klamath County Exhibit A, Staff Report

Klamath County Exhibit B, Plot Plan

Klamath County Exhibit C, Assessor's Map

Klamath County Exhibit D, Comments from Env. Health Dept.

Klamath County Exhibit E, Letter from City of Klamath Falls

Klamath County Exhibit F, Letter from Env. Health Department

Klamath County Exhibit G, Letter from adjacent property owner

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. The Hearings Officer having duly called the above-entitled application on for hearing on the appointed date and time, and finding that while the case was scheduled for hearing

1 and remained open that neither the applicant, nor applicant's
 2 representative was present; nor did the applicant individually
 3 or through a representative request continuance or other stay of
 4 the hearing.

5 2. The Hearings Officer then having called for the Staff
 6 Report, and having learned from Kim Lundahl, Klamath County
 7 Planner, that by virtue of communication from State of Oregon,
 8 Department of Environmental Quality, that subsurface sewage
 9 disposal was denied, and that the Department of Environmental
 10 Quality would not approve the mobile home placement requested on
 11 the subject property, and for this reason no further planning
 12 Staff Report was made.

13 3. The Hearings Officer being fully advised in the premises
 14 hereby finds that the applicant has failed to give any evidence
 15 pursuant to Klamath County Land Development Code Section 43.003,
 16 sufficient to grant the Variance, now, therefore,

17 IT IS HEREBY ORDERED that applicant's request for Variance
 18 is hereby denied.

19 IT IS FURTHER ORDERED that the Klamath County Planning
 20 Department shall take no further application pertaining to the
 21 subject real property for a period of one (1) year from this
 22 date.

23 Dated this 16 Day of July, 1986.

24 KLAMATH COUNTY HEARINGS DIVISION

25
 26 *Bradford J. Aspell*
 27 Bradford J. Aspell
 28 Hearings Officer

VARIANCE 2-86/Stevenson
 Page 2

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 21st day
 of July A.D., 19 86 at 8:45 o'clock A M., and duly recorded in Vol. M86
 of Deeds on Page 12659.

FEE NONE

Return: Commissioner's Journal

Evelyn Biehn, County Clerk
 By *Pam Smith*