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BEFORE THE PLANNING COMMISSION

Vol. 186 Page 17211

KLAMATH COUNTY, OREGON

In the Matter of Request for)
Variance 2-86 for Cascade) Klamath County Planning
Estates, Tract 1247) Findings of Fact and Order

This matter came on for hearing before the Klamath County Planning Commission on July 29, 1986, in the Klamath County Commissioners' Hearing Room. Applicant was present. The Klamath County Planning Department was represented by Roy Huberd and Carl Shuck.

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

- Klamath County Exhibit A, Staff Report
 - Klamath County Exhibit B, Subdivision Map
 - Klamath County Exhibit C, Assessor's Map
 - Klamath County Exhibit D, Letter from Highway Division
- 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 19 of Township 25, Range 8, Klamath County, Oregon.
2. The applicant requested a variance from the provisions of Section 71.022 and Section 71.010, i.e., a variance for setbacks as they occur, block length, and a variance on road standards for existing roads within existing subdivision.
3. Subdivision roads to be improved with native material with adequate drainage and the road is to be 16 feet wide.
4. The difficulty or hardship arises from the property's

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1 topography and shape and improvements which result in a greater
2 private expense than public benefit of strict enforcement.

3 5. The condition causing the difficulty was not created by
4 the applicant.

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

9 CONCLUSIONS OF LAW:

10 1. This request for a variance on the subject property
11 meets the applicable Klamath County Development Code criteria
12 and policies governing such.

13 2. This request for a variance is consistent with, and
14 complies with, all applicable Statewide Planning Goals and Review
15 Criteria.

16 3. This request for a variance is deemed applicable to
17 protect the public health, safety, and welfare of the citizens
18 of Klamath County.

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2 THEREFORE, it is hereby ordered that this request for a **17213**
3 variance is granted.
4 Done and dated this 23rd Day of September, 1986.
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6 KLAMATH COUNTY PLANNING COMMISSION
7
8 John Monfore, Chairman
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10 Ned Livingston, Vice Chairman
11
12 Paul R Zech
13 Paul Zech, Member
14
15 Jon C Elliott
16 Jon Elliott, Member
17
18 Susan Crismon
19 Susan Crismon, Member
20
21 Fran Gorham
22 Fran Gorham, Member
23
24 Mildred Brooks
25 Mildred Brooks, Member
26
27
28

22 APPROVED AS TO FORM:

23 Robert D. Boivin
24 Robert D. Boivin, County Legal Counsel
25
26
27
28

Steve Sherman, Member

Georgia Dehlinger

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of September A.D. 19 86 at 3:04 o'clock P. M., and duly recorded in Vol. _____ day
of _____ Deeds on Page 17211 M86

FEE NONE

Return: Commissioners' Journal

By Evelyn Biehn, County Clerk
Tom Smith