

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for)
a Variance for LAURA GALLI.)

VARIANCE NO. 21-87
FINDINGS OF FACT, CONCLUSIONS
OF LAW AND DECISION

This matter came before William M. Ganong, the Hearings Officer of Klamath County, Oregon, on November 19, 1987 in the Klamath County Commissioner's Hearing Room. The Hearing was held pursuant to Notice given in conformity with the Klamath County Land Development Code and related ordinances. Laura Galli was present and was represented by her father, Ron Galli. The Klamath County Planning Department was represented by Carl Shuck and the Recording Secretary was Karen Burg. The Klamath County Planning Department file and all contents thereof were incorporated in the record as evidence. The County Hearings Officer, after reviewing the evidence presented, makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT:

1. This application is for a variance from the mobile home siting standards of the Klamath County Land Development Code to place a single wide mobile home containing 500 square feet on a lot zoned RS and located inside the Klamath Falls urban growth boundary.
2. The subject lot is located at the intersection of Western and Hilyard Avenues and is Klamath County Assessor's tax lot No. 3910-7BB-600.
3. There are two other single wide and one double wide mobile homes located within a block of the subject property.

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4. The Applicant owns the subject mobile home and desires to place it on property owned by her father.

5. There is ample room on the subject lot to place the mobile home with adequate access and in a safe manner.

KLAMATH COUNTY LAND DEVELOPMENT CODE CRITERIA

Klamath County Land Development Code Section 43.003 sets forth the criteria which must be addressed in reviewing an application for a Variance. Klamath County Land Development Code Section 84.001 (E) provides that mobile homes located inside the Urban Growth Boundary must contain not less than 800 square feet and must be not less than 20 feet in width.

KLAMATH COUNTY CODE FINDINGS OF FACT AND CONCLUSIONS

The following Findings of Facts and Conclusions are made concerning the review criteria set forth in Section 43.003 of the Land Development Code:

1. The literal enforcement of the Code in this situation would result in unnecessary hardship and no public benefit. The Applicant owns the subject mobile home and there are similar mobile homes in the neighborhood.

2. The approval of the subject application is consistent with the intent of the Code and past practice of the County. The Applicant desires to place this mobile home on land owned by her father and in a neighborhood which has other similar mobile homes.

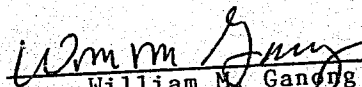
3. The granting of the Variance will not be detrimental to the public health, safety or enjoyment of adjacent properties as long as the Applicant maintains the subject mobile home and lot in an orderly and clean condition.

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ORDER

The subject application for a Variance from the mobile home siting standards of the Klamath County Land Development Code is granted. Provided, however, the Applicant must keep the mobile home and lot in an orderly and clean condition and shall comply at all times with all Klamath County ordinances, rules, codes and standards.

DATED this 2nd day of December, 1987.

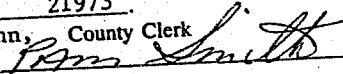

 William M. Ganong
 Hearings Officer

Klamath County Land Development Code Section 24.007 provides:

"An Order of the Hearings Officer shall be final unless appealed within ten (10) days of its mailing by a party having standing in accordance with the procedures set forth in Chapter 3, Article 33 of the Code."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County Planning Department the 8th day
 of December A.D., 19 87 at 9:26 o'clock A M., and duly recorded in Vol. M87,
 of Deeds on Page 21973.

Evelyn Biehn, County Clerk
 By 

FEE

NONE

Return: Commissioners' Journal