

87221

BEFORE THE PLANNING COMMISSION  
KLAMATH COUNTY, OREGON

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1 IN THE MATTER OF THE REQUEST FOR )  
2 VARIANCE 3-88 for K. MARK JUNGNITSCH )

ORDER

3 I. NATURE OF REQUEST

4 A public hearing was held on this application April 26, 1988,  
5 before the Klamath County Planning Commission. The request for  
6 a Variance from the 1,000 foot maximum length for a cul-de-sac  
7 allowed per Land Development Code Section 71.014 to the 1,140 feet  
8 proposed by preliminary Tract 1255 was considered pursuant to  
9 Article 43 of the Land Development Code.

10 II. NAMES OF THOSE INVOLVED

11 The applicant, K. Mark Jungnitsch was present and represented  
12 by Jack Ramey. No other parties appeared in support or in opposi-  
13 tion to this request. The Planning Department was represented by  
14 Kim Lundahl, Senior Planner. The recording secretary was Karen  
15 Burg. David Mannix, Deputy County Counsel, was present. Members  
16 of the Planning Commission who sat at this hearing were: Susan  
17 Crismon, John Monfore, Ned Livingston, Doug Everett, Fran Gorham,  
18 and John Kite.

19 III. LEGAL DESCRIPTION

20 Portion of the SW $\frac{1}{4}$  of Section 25, Township 24S, Range 8E,  
21 lying west of Crescent and south of the Crescent Lake cut-off  
22 road. Tax Acct. 2408-25C-100.

23 IV. RELEVANT FACTS

24 The Klamath County Planning Department file and all contents  
25 thereof, as well as the file for preliminary Tract 1255, and  
26 testimony received, are incorporated in this order as evidence.

27 V. RELEVANT APPROVAL CRITERIA

28 Review criteria relating to this application are set out in

93 MAY 12 PM 4 20

1 Land Development Code Article 43, sub 003:

- 2 A. That a literal enforcement of this Code would result in
- 3 practical difficulty or unnecessary hardship. The diffi-
- 4 culty or hardship may arise from the property's size,
- 5 shape or topography, from the location of lawfully
- 6 existing buildings and improvements, or from personal
- 7 circumstances which would result in greater private
- 8 expense than public benefit of strict enforcement.
- 9 B. That the condition causing the difficulty was not created
- 10 by the applicant.
- 11 C. That the granting of the Variance will not be detrimental
- 12 to the public health, safety, and welfare or to the use
- 13 and enjoyment of adjacent properties and will not be
- 14 contrary to the intent of this Code.

15 VI. FINDINGS

16 The Planning Commission found, by unanimous vote of all pre-

17 sent, the evidence submitted and testimony offered demonstrate

18 the approval criteria as set out in Section V have been satisfied.

19 VII. CONCLUSIONS

20 This application has satisfied the review criteria in that

21 correct notice was given, all relevant Comprehensive Plan Policies

22 and review criteria have been complied with.

23 VIII. ORDER

24 Therefore, it is ordered Variance 3-88 for K. Mark Jungnitsch

25 is approved.

26 DATED THIS 6th DAY OF May, 1988

27 PRESIDING OFFICER AT THE PLANNING COMMISSION

28 Susan H. Crismon

SECRETARY TO THE PLANNING COMMISSION

Carl Shuck

Approved as to Form and Content

David Mannix  
David Mannix, Deputy County Counsel

ORDER - VARIANCE 3-88

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Planning Commission the 11th day  
of May A.D., 19 88 at 4:20 o'clock p M., and duly recorded in Vol. M88  
of Deeds on Page 7422

FEE None  
By Evelyn Biehn County Clerk  
Bernetha H. Letsch