

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for)
a Variance for RON TREASURE and) VARIANCE NO. 4-88
JOY TREASURE.) FINDINGS OF FACT, CONCLUSIONS
OF LAW AND DECISION

This matter came before William M. Ganong, the Hearings Officer of Klamath County, Oregon, on June 2, 1988 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. The Applicants were present and represented themselves. 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 924 square feet on a lot zoned RS and located inside the Klamath Falls urban growth boundary.
2. The subject lot is located on Austin Street and north of Laverne Avenue and is Klamath County Assessor's tax lot No. 3909-10BD-1701.
3. There is a single wide mobile home located across Austin Street and one double wide mobile home located adjacent to the subject property.
4. The Applicants have owned the subject mobile home for 3 years and desire to place it on the subject property.
5. There is ample room on the subject lot to place the mobile home with adequate access and in a safe manner. The Applicants intend to place a permanent roof over the mobile home and add a large garage to the property.

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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

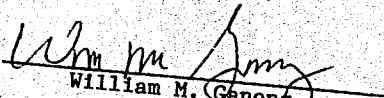
The following Findings of Facts and Conclusions are made concerning the review criteria set forth in Section 43.003 of the Land Development Code:

1. The literal enforcement of the Code in this situation would result in unnecessary hardship and no public benefit. The Applicants own 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 Applicants desire to place this mobile home 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 Applicants maintain the subject mobile home and lot in an orderly and clean condition.

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 Applicants shall 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 22nd day of June, 1988.


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
 of June A.D., 19 88 at 9:07 o'clock A.M., and duly recorded in Vol. M88,
 of Deeds on Page 9960.

FEE None

Evelyn Biehn, County Clerk

By Quilene Mullendore