

## BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Request for ) VARIANCE NO. 2-89  
a Variance for GAYLE STICKLEN. ) FINDINGS OF FACT, CONCLUSIONS  
 ) OF LAW AND DECISION

This matter came before William M. Ganong, the Hearings Officer of Klamath County, Oregon, on May 14, 1989 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 Applicant Gayle Sticklen was present and represented herself. 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. Gayle Sticklen applied for a variance from the standards of Klamath County Land Development Code Section 84.001 so that she can place two single wide mobile homes on Klamath County tax lot 3809-35DB-4000. Said lot contains approximately 39,125 square feet, zoned RS and is located inside the Klamath Falls Urban growth boundary.
2. Klamath County LDC §84.001(E) provides that mobile homes placed on individual lots or parcels inside the Klamath Falls Urban Growth boundary shall:
  - a. be manufactured after June 15, 1976;
  - b. be not less than 20 feet in width and contain not less than 800 square feet; and
  - c. the said 800 square feet standard can be reduced to 500 square feet by Administrative variance.

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3. At the hearing the Applicant testified that the mobile homes which she intends to place on the subject property were manufactured in 1965 and 1967 respectively and are currently located in mobile home parks located inside the urban growth boundary. The plot plan submitted by the Applicant shows that the mobile homes are 600 square feet and 500 square feet in size, but nothing submitted by the Applicant disclosed the age of the mobile homes.

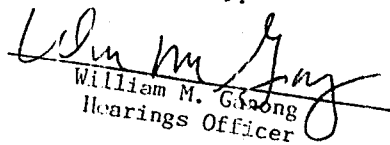
4. The mobile homes are not permitted non-conforming structures because they are located in mobile home parks. The above said requirements of LDC §84.001(E) do not apply to mobile home parks. The standards for mobile home parks are set forth in LDC §84.002. Said standards are not as restrictive as the standards for individual lots and parcels and the subject mobile homes appear to comply with the standards for mobile home parks.

ORDER

The Applicant's application for the subject variance does not contain adequate information (the age of the subject mobile homes) to put the Planning Department or public on notice that the Applicant needs a variance from the standards of LDC §84.001(E)(1) as well as §84.001(E)(2) and (3).

Therefore, the Applicant is directed to amend her application for a Variance to fully describe the mobile homes which the applicant intends to place on the subject property. The Planning Department shall then give Notice as required by the Code to affected public agencies and landowners of the amendments to the application and this matter shall come back before the Hearings Officer for a public hearing on the request for a Variance from LDC §84.001(E).

DATED this 17th day of May, 1989.

  
William M. Gibson  
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 the 19th day  
of May A.D., 19 89 at 3:11 o'clock P.M., and duly recorded in Vol. M89  
of Deeds on Page 8721  
Evelyn Biehn . County Clerk  
By Daniel M. Mendenhall

FEE none

Return: Commissioners Journal