

IN THE MATTER OF VARIANCE CASE 7-96
FOR JIM O'CONNOR AS RELATED TO TRACT 1320

NARRATIVE:

This application came before the Planning Commission on JUNE 25, 1996 and was considered per the review criteria set out in Article 43 of the Land Development Code. The applicant requested the Planning Commission grant a variance to maximum length roadway standards as required by Sections 7.100 D of the Land Development Code. Preliminary Tract 1320, when filed, will necessarily create conditions NOT in conformance with required standards and has depicted cul-de-sac lengths of 1440 and 2940 ft +/-.

FINDINGS:

Upon consideration of the applicants testimony received, exhibits submitted and evidence entered by the Staff, the Planning Director finds for approval based on the following as applied to the review criteria in Section 43.030:

1. The literal enforcement of this code would create unnecessary hardships to the owners of this proposed tract. Parcelization would be impossible if strict compliance to the Code is required.
2. The condition was not created by the current owners, but by strict literal enforcement of Code standards.
3. The granting of this variance will only enable owners/successors the same property rights as others in Klamath County in title to properties under the same zoning classification.

ORDER:

Therefore, Variance Case 7-96 to allow the cul-de-sacs shown on approved Preliminary Tract 1320 as approved by the Planning Commission JUNE 25, 1996, is GRANTED.

Dated this 1st day of July, 1996

Carl Shuck
Carl Shuck, Secretary to the Planning Commission

APPEAL RIGHTS

You are notified this decision may be appealed to the Board of County Commissioners within seven days of the date of mailing. To insure your right to appeal contact the Planning Department immediately.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 1st day
of July A.D., 1996 at 3:40 o'clock P.M., and duly recorded in Vol. m96,
of 19555 on Page 19555

Bernetha G. Letsch, County Clerk

FILE no fee

Return: Commissioners Journal

By C. Shuck