

BEFORE THE PLANNING DIRECTOR

IN THE MATTER OF REQUEST
OF VARIANCE FOR A SIDE ORDER
YARD SETBACK IN THE RS
ZONE. VARIANCE 5-91 for KEITH McCLUNG

THIS MATTER came before the Planning Director on June 26, 1991 for review and decision in accordance with Article 22, Section 22.050, Type III Review and Article 43, Section 43.030, A-B

The review was held in accordance with Klamath County Land Development Code in accordance with above Articles and all exhibits and other contents therein incorporated into this matter.

Notice was given in conformity with the Land Development Code. No comments were received at time of Order being finalized. No written testimony in opposition from adjoining property owners were received.

Based upon findings from Article 43, Section 43.030 A-B,:

A. The literal enforcement of this code would result in a hardship as there are other garages in the area as close or even on the property lines.

B. The location of the proposed variance is in an area where there will be no impact on the most affected property and also in review of the plot plan and where the existing house is, is the only area where addition to existing garage can take place.

C. The existing garage is already 2 feet 6 inches for the side property line and is adding onto an existing building where set back was created by existing garage.


D. The proposed use that being an addition onto existing garage is a permitted use by zone, which is considered an accessory building.

E. The granting of this variance will not be detrimental to the public health, safety and welfare or to the use and enjoyment of adjacent properties.

Therefore based upon the above findings and conclusions for the report of file VAR 5-91, Planning Director will grant approval of request for a side yard setback of 2 feet 6 inches in order to add onto existing garage.

CONDITION: A ONE HOUR WALL MUST BE CONSTRUCTED ON VAR SIDE.

Dated this 26th day of June 1991



Carl Shuck, Planning Director

Klamath County Land Development Code Section 22.050. C. provides that an Order by the Planning Director shall be final unless appealed within 7 days of its mailing of notification of final decision set forth in Article 33.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 27th day of June A.D., 19 91 at 4:15 o'clock PM., and duly recorded in Vol. m91, of Deeds on Page 12360.

FEE none

Evelyn Biehn . County Clerk

By Pauline Muelendore

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