

STAFF REPORT

CASE NO. AND HEARING DATE: Variance 8-92-Plan Dir Rev 10-28-92

APPLICANT: Edmond Gonzales Sr.  
4809 Summers Ln  
Klamath Falls, Oreg 97603

REQUEST: Applicant requesting a variance to reduce to reduce side yard from 10 feet on east side down to 1 foot, for corner lot.

AUTHORITY: Section 43.030 of Article 43 and Section 51.740 D.  
and Section 62.050 B,3

PROJECT LOCATION: Site located at South east corner of Summers Ln and Bartlett St.

LEGAL DESCRIPTION: Located in portion of section 14 of TS 39, R 9, Tax Lot 3200.

ACCESS: Bartlett St. a paved street.

S.C.S. Class: N/A

TIMBER SITE RATE: N/A

UTILITIES:

WATER: City Of K-Falls

SEWER: South Suburban Sanitary Dist.

FIRE DIST: KCFD #1

POWER: PP&L

EXHIBITS:

- A. Staff Report
- B. Assessor Map
- C. Plot Plan

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to surrounding property owners as well as to Agencies of concern. No comments received to date concerning application.  
A Variance shall be granted only upon finding by the review authority that it satisfies the following criteria:

- A. That the literal enforcement of this Code would result in practical difficulty or unnecessary hardship. The difficulty or hardship may arise from the property's size, shape or topography, from the location of lawfully existing buildings and improvements, or from personal circumstances which would result in a greater expense than public benefit of strict enforcement.



B. That the condition causing the difficulty was not created by the applicant.

C. That the granting of the Variance will not be detrimental to the public health, safety and welfare or to the use and enjoyment of adjacent properties and will not be contrary to the intent of this code

# RECOMMENDATION:

Order:  
In review of the application and request it appears that the use is allowed by zone and would not be a detriment to the area.

In review of the request for variance, the condition is due to the lay of the house and the only space available for carport is on the north side of the existing building.

By not allowing this variance, this would result in an unnecessary hardship to the applicant if not allowed to place carport next to existing house.

All exhibits and other contents of this file have been incorporated into this review for decision.

Planning Director, based on the findings and conclusions of the staff report and information supplied by applicant finds in favor of the applicant and therefore grants variance.

Dated this 28th day of October 1992

Carl Shuck  
Carl Shuck, Planning Director

Klamath County Land Development Code provides that this decision may be appealed no later than 7 days following mailing of this decision.  
Appeal information may be obtained at the Klamath County Planning Dept.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 10th day  
of Nov. A.D., 19 92 at 10:28 o'clock AM., and duly recorded in Vol. M92  
of Deeds on Page 26567.  
Evelyn Biehn County Clerk  
By Pauline M. Mendenhall

FEE none

Return: Commissioners Journal