

STAFF REPORT

CASE NO. AND HEARING DATE: Variance 2-93-Plan Dir Rev 5-26-93

APPLICANT: Rogers Cabinets/Floors
1315 Alameda
Klamath Falls, Or 97603

REQUEST: Applicant requesting a variance to vary front yard setback from 25' down to 4' due to lot being long and narrow and Alameda Ave is 30' east of right-a-way.

AUTHORITY: Subsections A&B of Section 43.030 of Article 43.

PROJECT LOCATION: Site located north/east side of Alameda and west side of the East Side By-Pass.

LEGAL DESCRIPTION: Located in portion of Section 34 of TS 39.R9.TL 100.

ACCESS: Alameda Ave. 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. Site Plan
- C. Survey Map
- D. Assessor map

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to surrounding property owners as well as to those Agencies of concern.

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 arises from the property's size, and shape and location of Alameda.

- B. That the condition causing the difficulty was not created by the applicant.
In this case Alameda Ave appears to be what has caused the reason or difficulty in existing lot. (See KC Ex C. Survey Map)
- 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
In review of application for variance, it would appear not to be detrimental to the adjacent properties or public as the proposed use will allow for egress and ingress off of Alameda Ave.

RECOMMENDATION:

Order:

In review of the application it appears that Alameda Ave per the Survey Map is off and creates a difficulty on the existing lot and therefore cannot meet the required setbacks.

All exhibits and other contents of this file have been incorporated in 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 for the above requests..

Dated this 26th day of May 1993



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 Planning Dept. the 28th day of May A.D. 19 93 at 9:41 o'clock A M., and duly recorded in Vol. M93 of Deeds on Page 12227.

Evelyn Biehn County Clerk

By Annette Mueller

FEE No Fee

Return: Commissioners Journal