

STAFF REPORT

CASE NO. AND HEARING DATE: Variance 5-93-Plan Dir Rev 6-23-93

APPLICANT: Mark Ysen  
PO Box 7884  
Klamath Falls, Or 97601

REQUEST: Applicant requesting a variance to vary front yard setback from 25' down to 17' and rear yard setback from 25' down to 15' due to configuration of lot and proposed development.

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

PROJECT LOCATION: Site located south west corner of Ivory and Alva Ave

LEGAL DESCRIPTION: Located in portion of Section 2 of 15 39, R 9,  
Tax Lot 4700

ACCESS: Ivory 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. Site Plan
- C. Accessor Map
- D. Ltr Date 6-1-93, Philip Jensen

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to surrounding property owners as well as to 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. Also there are similar lots in area such as Tax lot 4800 to the south.

- B. That the condition causing the difficulty was not created by the applicant.  
In this case the lot is 60x80 or 4800 square feet, which makes difficult for one to develop for residential use.
- 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 is consistent with existing development in the surrounding area.

## RECOMMENDATION:

Order:

In review of the application it appears that the variance request applicable to the size of the lot, and the difficulty is not being created by the applicant. The applicant meets the side yard set back for a corner lot and therefore only requires a front yd and rear setback.

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 for the above requests..

Dated this 23rd day of June 1993

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 23rd day  
of June A.D. 19 93 at 2:54 o'clock P.M. and duly recorded in Vol. M93  
of Deeds on Page 14856  
By Evelyn Biehn County Clerk  
Dorine Williams

FEE none

Return: Commissioners Journal