

STAFF REPORT

CASE NO. AND HEARING DATE: Variance 4-93-Plan Dir Rev 6-23-93

APPLICANT: Ricardo Rodriguez
5523 Cottage Ave.
Klamath Falls, Or 97603

REQUEST: Applicant requesting a variance to vary east side yard setback from 10' down to 5' due to configuration of lot and existing development.

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

PROJECT LOCATION: Site located north side of Cottage and approximately 400 +/- east of Homedale Rd.

LEGAL DESCRIPTION: Located in portion of Section 2 of TS 39, R 9,
Tax Lot 1100

ACCESS: Cottage 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. Assessor Map
- D. h+r Permitted 5/11/93

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 of lot.

- B. That the condition causing the difficulty was not created by the applicant.
In this case the lot is narrow and existing development prohibits the owner to add on and meet required setbacks.
- 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. The addition is a 12 x 40 and use will remain residential in nature.

RECOMMENDATION:

Order:

In review of the application it appears that the proposed addition can only be developed on east side of property because of where the existing garage and carport are located on west side. Also by meeting the required setback, this would cause an additional \$4000.00 which is not feasible to change.
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 23 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 14858
By Evelyn Biehn County Clerk
Wendy L. Biehn

FEE \$none

Return: Commissioners Journal