

STAFF REPORT

CASE NO. AND HEARING DATE: Variance 8-95 - Planning Director Rev. 6-28-95

APPLICANT: Gary Carpenter
6641 Hilton Drive
Klamath Falls, OR 97603

REQUEST: Applicant is requesting a variance to reduce side rear setback from the required 20 feet down to 14 feet to allow an addition to their single family dwelling.

AUTHORITY: Subsections A&B of Section 43.030 of Article 43 of the Klamath County Land Development Code.

PROJECT LOCATION: The site is located at 6641 Hilton Drive, northwest corner of Hilton and Tamera Drives, Moyina.

LEGAL DESCRIPTION: Located in portion of Section 36CA of Township 38, Range 9EWM, Tax Lot 5700. Tax Acct. 3809-36CA-5700.

ACCESS: Hilton Drive

PLAN/ZONE: Urban Residential/RL

UTILITIES:

WATER: City of K-Falls

SEWER: South Suburban Sanitary Dist.

FIRE DIST: KCFD #1

POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to surrounding property owners as well as to agencies of concern. No negative response has been received from any of the notified parties.

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.
- 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.

The difficulty or hardship arises as the existing structure already sits at the required setback of 20 feet. Applicant wishes to enclose an existing deck area to become part of the house.

In review of application for variance, it would appear not to be detrimental to the adjacent properties or to the public. No negative response was received from any of the 20 surrounding property owners notified of this proposal. Applicant has indicated that the most affected property owner to the north is in support of this proposal.

RECOMMENDATION:

Order:

The Planning Director, based on the findings and conclusions of the staff report and information supplied by the applicant, hereby approves the requested Variance.

Dated this 28th day of June, 1995



Carl Shuck, Planning Director

NOTICE OF APPEAL RIGHTS

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

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 30th day of June A.D., 19 95 at 1:48 o'clock P M., and duly recorded in Vol. M95 of Deeds on Page 17144.

FEE No Fee

Bernetha G. Letsch County Clerk

By Connette Mueller