

## VARIANCE STAFF REPORT/DISPOSITION

APPLICATION NO./AGENDA DATE: VAR 12-97 Planning Director Review 10-22-97

APPLICANT/REPRESENTATIVE: Wednesday's Child  
3931 Shasta Way  
Klamath Falls, OR 97603

REQUEST: Variance 12-97 to reduce rear setback from required 25 feet down to 15 feet to allow a mobile office unit to be added to the property.

LOCATION: 3931 Shasta Way.

DESCRIPTION: Portion Section 34DD, T.38S, R.9EWM, Tax Acct. 3809-34DD-5500.

ACCESS: Shasta Way ZONE/PLAN: CG/General Commercial

UTILITIES: WATER: City of Klamath Falls FIRE: KCFD No. 1

SEWER: SSSD

ELECTRIC: Pacific Power

## EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. SSSD Memo 10-2-97

## CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to 17 surrounding property owners as well as to 4 agencies of concern. No negative response was received from any of the notified parties. South Suburban Sanitary District commented that the system development fee will need to be paid on the 2nd unit. The setback will not have an impact on the District line. However, the applicant has stated there will be no water/sewer hook up to the unit.

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.

Ex A

Literal enforcement of the Code would cause unnecessary hardship because of the lot size, and location of the existing improvements and parking area. Wednesday's Child wishes to establish a 14'x66' manufactured dwelling on the northwest corner of the lot for additional space for counseling staff and clients. Wednesday's Child is a non-profit organization supporting the health, safety, and welfare of citizens of Klamath County. To require them to relocate would cause unnecessary hardship.

The condition causing the difficulty was not created by the applicant. The lot size and existing location of parking/improvements create the difficulty.

In review of this application, it would appear not to be detrimental to the adjacent properties or to the public. Seventeen surrounding property owners were notified of this request. No negative response was received from any of the notified parties.

#### 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 22nd day of October, 1997

Carl Shuck  
Carl Shuck, Planning Director

#### APPEAL RIGHTS

You are hereby notified this decision of the Planning Director may be appealed to the Klamath County Board of Commissioners by filing with the Planning Department a NOTICE OF APPEAL as set out in Article 33 of the Code, together with the required fee within SEVEN DAYS of the date of mailing of this decision. Appeals must be received by the Planning Department no later than 5:00 p.m. on the seventh day or next business day if the seventh day falls on a weekend or holiday. Failure to file a NOTICE OF APPEAL within the time provided will result in the loss of your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of Klamath County Planning the 23rd day  
of October A.D., 19 97 at 11:34 o'clock A. M., and duly recorded in Vol. M97  
of Deeds on Page 34898.

FEE No Fee

By Bernetha G. Letsch, County Clerk  
Kathleen Ross