

VARIANCE STAFF REPORT/DISPOSITION

APPLICATION NO./AGENDA DATE: VAR 11-97 Planning Director Review 10-22-97

APPLICANT/REPRESENTATIVE: Dennis and Amy Haack
6304 Harlan Drive
Klamath Falls, OR 97603

REQUEST: Variance 11-97 to reduce side setback from required 5 feet down to 1 foot to allow a carport addition to the property.

LOCATION: 6304 Harlan Drive.

DESCRIPTION: Portion Section 12CC, T.39S, R.9EWM, Tax Acct. 3909-12CC-1500.

ACCESS: Harlan Drive ZONE/PLAN: RM/Urban Residential

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
- E. KCFD No. 1 Letter 9-25-97

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to 12 surrounding property owners as well as to 5 agencies of concern. No negative response was received from any of the notified parties. South Suburban Sanitary District commented that there will not be an impact on the District line. KCFD No. 1 commented that they have no concern for this proposal.

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. Applicants wish to logically locate the carport next to the existing garage which would bring it within one foot of the side property line.

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

In review of this application, it would appear not to be detrimental to the adjacent properties or to the public. Twelve 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 34900

FEE No Fee

By Bernetha G. Leitch, County Clerk
Kerdyun Ross