

60750

VARIANCE STAFF REPORT/DISPOSITION

APPLICATION NO./AGENDA DATE: VAR 4-98

PD Review 6-24-98

APPLICANT/REPRESENTATIVE:

Greg CASASSA
12905 Algoma Rd.
Klamath Falls, OR 97601

REQUEST: to vary KCLDC requirements to allow existing elevated deck (8') to be extended 24' into the required 25' sideyard setback to match existing construction.

LOCATION: 12905 Algoma Rd., 1.54 acres

ZONING: EFU-CG

UTILITIES:

WATER+SEPTIC individual systems

FIRE: KCFD #1

ELECTRIC: Pacific Power

EXHIBITS:

- a. staff report
- b. application

NARRATIVE AND RECOMMENDATION:

The applicant requests approval for variance to the required side yard setback, 25', to extend an existing deck 12' parallel to the west property line.

Notice was sent out to three property owners and one agency. No negative response was received from any of the contacted 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.

Literal enforcement of the Code would cause unnecessary hardship because of the location of the existing deck already present within one foot of the west property line. The applicant wishes to add 12' in a northerly direction, to the existing deck and parallel to the property line. The deck is about 8' in height. The location of the existing deck and lot slope dictates this request.

Review of the application does not reveal any detrimental effect to the use and enjoyment of adjacent properties. No negative response has been received to this application

Staff recommends the Director approve the request conditioned on:

1. Article 41 Site Plan Approval shall be obtained within two years of the date set out below or this approval shall be void.

DISPOSITION; APPROVED THIS 24th DAY OF JUNE, 1998

Carl Shuck

Carl Shuck, Planning Director

APPEAL RIGHTS:

This decision must be appealed to the Board of County Commissioners with seven days of the date of execution. For specifics, please contact the Planning Department at once or your right to appeal may be compromised.

2.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 24th day
of June A.D., 19 98 at 2:41 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 22072
Return: Commissioners Journal
By Bernetha G. Letsch, County Clerk
FEE No Fee