

APPLICATION NO./AGENDA DATE: VAR 7-98

PD Review 7-22-98

APPLICANT/REPRESENTATIVE:

Harold K. PICKRELL
12277 Mallory Dr..
Klamath Falls, OR 97603

REQUEST: to vary KCLDC requirements to allow cul de sac length of 1000' vs the 700' maximum allowed by KCLDC Sec. 71.100 D.

LOCATION: 12277 Mallory Dr., Pine Grove

ZONING: R-1

UTILITIES:

WATER+SEPTIC individual systems

FIRE: KCFD #1

ELECTRIC: Pacific Power

EXHIBITS:

- a. staff report
- b. application package and exhibits
- c. KCFD #1 memo 7-7-98

NARRATIVE AND RECOMMENDATION:

The applicant requests approval to exceed the maximum cul-de-sac length to allow for the eventual subdivision of 30.65 acres into 12 rural residential lots.

Notice was sent out to 13 property owners and three agencies. 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

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intent of this Code.

Literal enforcement of the Code would cause unnecessary hardship because of the existing configuration of the property (see proposed preliminary tract). Eight new homes would be fronting the extended cul-de-sac.

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.

KCFD #1 indicates no opposition so long as there is sufficient turn-around area at the north end.

Staff recommends the Director approve the request conditioned on:

1. Preliminary Subdivision Approval shall be obtained within two years of the date set out below or this approval shall be void.

DISPOSITION; APPROVED THIS 22nd DAY OF JULY, 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 Planning the 22nd day
of July A.D., 19 98 at 2:47 o'clock P. M., and duly recorded in Vol. M98,
of Deeds on Page 26737.
Return: Commissioners Journal By Bernetha G. Letsch, County Clerk
Kurtum Resa

FEE No Fee