

APPLICATION NO./AGENDA DATE: VAR 11-98

PD Review 8-26-98

APPLICANT/REPRESENTATIVE:

Fred ELSNAU Const.
52320 Huntington Rd.
LaPine, OR 97739

REQUEST: to vary KCLDC requirement to allow front yard setback to be reduced from 25' to 17' (Sec. 62.040) and reduce streetside setback from 25' to 20' for two proposed mini-warehouse units on 0.32 acres.

LOCATION: NE corner of Ward St. and Hwy 97N, central Crescent. **ZONING:** CT

UTILITIES:

WATER+SEPTIC: NR

FIRE: Crescent

ELECTRIC: Mid-State Elec.

EXHIBITS:

- a. staff report
- b. application

c. ODOT letter 8-10-98

d. KCPW memo 8-11-98

e. KCB D - A. BARKS 8/6/98

f. Assessor's map

g. SITE PLAN

NARRATIVE AND RECOMMENDATION:

The applicant requests approval for variance to the required front and streetside setbacks to allow construction of two mini-warehouse facilities in Crescent.

Notice was sent out to 23 property owners and four 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 to the use and enjoyment of adjacent properties and will not be contrary to the intent of this Code.

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P 1:44

Literal enforcement of the Code would cause unnecessary hardship because of the location of existing property lines as reduced from the original Crescent Town lots. If the required setbacks are applied, the property would be practically unbuildable.

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. Adherence to the development standards of ODOT and KCPW will be demonstrated.

DISPOSITION; APPROVED THIS 26th DAY OF AUGUST, 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.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

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Filed for record at request of Klamath County the 26th day
of August A.D., 1998 at 1:44 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 31390.

Return: Commissioners Journal

Bernetha G. Latsch, County Clerk

FEE No Fee

By Kathleen Kross