

VARIANCE STAFF REPORT/DISPOSITION**APPLICATION NO./AGENDA DATE:** VAR 15-98 Planning Director Review 9-23-98**APPLICANT/REPRESENTATIVE:** Richard Pechinko
4650 Thompson Avenue
Klamath Falls, OR 97603**REQUEST:** Variance 15-98 to reduce required side setback from 10 feet down to 3 feet to allow addition to existing home.**LOCATION:** 4650 Thompson Street, south side of Thompson Street between Hope and Gettle Streets.**DESCRIPTION:** Portion SE1/4 SW1/4 Sec.2, T.39S, R.9EWM; Tax Acct. 3909-2CD-2600.**ACCESS:** Thompson Street**ZONE/PLAN:** RS/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

CONFORMANCE WITH RELEVANT KLAMATH COUNTY POLICIES:

Notice was sent out to 43 surrounding property owners as well as to 4 agencies of concern. No negative response was received from any of the notified property owners or contacted agencies. 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. The difficulty or hardship may arise from the property's size, shape or topography, or from the location of lawfully existing buildings or improvements.
- 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.

98 SEP 23 P2:57

Literal enforcement of the Code would cause unnecessary hardship because of the location of the existing home which was built in the 1950's. To logically tie-in with the existing home, a variance is necessary. The condition causing the difficulty was not created by the applicant.

In review of this application, it would appear not to be detrimental to the adjacent properties or to the public. Forty-three surrounding property owners and four agencies were notified of this request. No response was generated from the mailed notice.


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 subject to:

1. Site plan approval in accordance with Land Development Code Article 41 within two years of the approval date set out below or the Variance approval shall expire.

Dated this 23rd day of September, 1998



 Carl Shuck, Planning Director

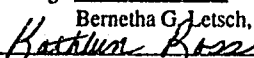
APPEAL RIGHTS

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 Planning Department the 23rd day
 of September A.D., 19 98 at 2:57 o'clock P M., and duly recorded in Vol. M98
 of Deeds on Page 34920.

FEE \$None

By  Bernetha G. Letsch, County Clerk