

**VARIANCE STAFF REPORT/DISPOSITION**

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**APPLICATION NO./AGENDA DATE:** VAR 8-99

PD Review 5-26-99

**APPLICANT/REPRESENTATIVE:**

**David PETERSEN**  
36770 Modoc Point Rd.  
Chiloquin, OR 97624

**REQUEST:** to vary KCLDC requirement to for rear yard setback from Agency Lake to be reduced from 100' to 47' to allow addition of an 18' x 18' sunroom.

**LOCATION:** 36770 Modoc Point Rd., T.A. 3507-7BA-900

**ZONING:** R-1

**UTILITIES:**

**WATER+SEPTIC:** On-site

**FIRE:** C/AL RFPD

**ELECTRIC:** Pacific Power

**EXHIBITS:**

- a. site plan
- b. application
- c. EHS memo 5-5-99
- d.

**NARRATIVE AND RECOMMENDATION:**

The applicant requests approval for variance to the required setbacks to allow construction of an Attached sunroom to the rear of an existing home on Agency Lake.

Notice was sent out to 5 property owners and 6 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.