

VARIANCE STAFF REPORT/DISPOSITION

APPLICATION NO./AGENDA DATE: VAR 12-99 Planning Director Review 7-28-99

APPLICANT/REPRESENTATIVE: **Ron Hamilton**
3001 Raymond Street
Klamath Falls, OR 97603

REQUEST: Variance 12-99 to vary required side setback from 15 feet down to 3 feet to allow a garage/craft room addition on the west side of the existing house.

LOCATION: 3001 Raymond Street.

LEGAL DESCRIPTION: Portion NW1/4 NW1/4 Sec.12, T.39S, R.9EWM; Tax Acct. 3909-12BB-8400.

ACCESS: Raymond Street

ZONE/PLAN: RS/Urban Residential

UTILITIES:

WATER: City of K-Falls
FIRE DIST: KCFD #1

SEWER: SSSD
POWER: Pacific Power

EXHIBITS:

- A. Staff Report
- B. Site Plan
- C. Assessor's Map
- D. SSSD Letter 7-7-99
- E. KCFD No. 1 Comments 4-1-99
- F. City of K-Falls Comments (1-6)
- G. Note from notified property owner (Schmoe)

NARRATIVE AND RECOMMENDATION:

The applicant requests approval for variance to the required setbacks to allow a garage/craft room addition on the west side of the existing home.

Notice was sent out to 16 property owners and 5 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:

Exhibit A
File # Jan 12-99

- A. That the literal enforcement of this Code would result in practical difficulty or unnecessary hardship to the owner. 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 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 size of the property and location of lawfully existing buildings/improvements. If the required setbacks are applied, the enjoyment of the property and ability to improve could be compromised.

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 29th DAY OF JULY, 1999.

J. K. 1 for CS
 Carl Shuck, Planning Director

APPEAL RIGHTS:

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

Return to Commissioner's Journal

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 Linda Smith,
 County Clerk Fee \$ 11/c KR