

99186

Vol. 15 Page 3289

KLAMATH COUNTY PLANNING COMMISSION  
In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE )  
APPLICATION FOR AN )  
ADMINISTRATIVE ZONE )  
CORRECTION NO. 75-7 BY )  
EDWARD C. AND MARIE GRIFFITH )

## O R D E R

This matter having come on before the Klamath County Planning Director upon the application for an Administrative Zone Correction pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from an AF (Agriculture Forestry) zone to M-2 (Medium Manufacturing-Industrial) and RA (Residential Agriculture) zones, a description of the real property referred to in said application being that certain property described in Deed Volume M68, Page 9313-9314, Klamath County Deed Records attached hereto, marked Exhibit A and by reference made a part hereof, and said Planning Director having examined the application, and conducted other such studies as may be required, the Planning Director hereby makes the following findings of fact:

1. A description of the real property for which a zone correction is requested is property generally located on the west side of Oregon Highway 39, approximately 1340 feet south of the Old Midland Road, and lying immediately adjacent to the south side of the C-5 Lateral (D1), and having a width

RECEIVED  
MAR 25 1976  
9:30 am

ORDER: AD. Z.C. 75-7  
EDWARD C. AND MARIE GRIFFITH  
Page 2 of 4

3290

of 148.2 feet on Highway 39, and a depth of 277 feet, and consisting of approximately 40,500 sq.ft., or approximately .94 of an acre, said property being level and being occupied by a welding shop on the most northeasterly corner of the property, further described as having a frontage width on Highway 39 of 40 feet and a depth of 50 feet with the balance of the property being used for residential-agriculture purposes, and being occupied by one single family home and one guest home west of the welding shop, said uses being shown on that photograph taken by said Planning Director on March 14, 1975, marked Exhibit B and by reference made a part hereof.

2. The land in question is currently zoned AF (Agriculture Forestry) zone.

3. The requested zone correction is for RA (Residential Agriculture) and M-2 (Medium Manufacturing-Industrial) zones.

4. The part of Klamath County affected by the application was zoned December 7, 1972.

5. Edward C. Griffith et ux purchased the land in question for residential-agriculture and welding shop purposes in 1923.

6. Edward C. Griffith, in an interview with said Planning Director on March 14, 1975, affirmed that he has used the above-described property continuously prior to and since December 7, 1972 for residential-agriculture and welding shop purposes.

ORDER: AD. Z.C. 75-7  
EDWARD C. AND MARIE GRIFFITH  
Page 3 of 4

3291

7. Said Planning Director conducted a land use study prior to the adoption of zoning on December 7, 1972, but the study area did not extend to the applicant's property and said property was not included in said land use study.

8. The Klamath County Comprehensive Land Use Plan map No. 7 designates the applicant's land Agriculture.

9. A portion of Klamath County Assessor's map, showing the NE 1/4 Section 1, Township 40 So., Range 9 EWM, and the applicant's property shown on that map marked Exhibit C, is attached hereto and by reference made a part hereof.

Based upon the above findings of fact, the Planning Director hereby makes the following conclusions of law:

1. The land in question was zoned AF (Agriculture Forestry) unintentionally and erroneously.

2. Prior to December 7, 1972, the land in question was actually used for residential-agriculture and welding shop purposes and such uses existed lawfully.

3. The proper zone district for the use lawfully existing prior to December 7, 1972, is RA (Residential Agriculture) except for the welding shop site above described which is M-2 (Medium Manufacturing-Industrial).

4. The Comprehensive Land Use Plan, Area Map #7, should be designated Suburban Density Residential on the applicant's property except for the above-described welding shop which should



ORDER: AD. Z. C. 75-7  
EDWARD C. AND MARIE GRIFFITH  
Page 4 of 4

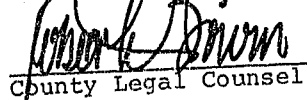
3252

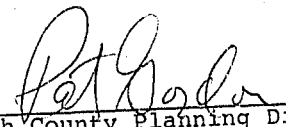
be designated Light Industrial.

NOW, THEREFORE, IT IS HEREBY ORDERED that application Administrative Zone Correction 75-7, submitted by Edward C. and Marie Griffith, requesting a zone correction from AF (Agriculture Forestry) zone to an RA (Residential Agriculture) on all of the property except an M-2 (Medium Manufacturing-Industrial) zone on the most northeasterly corner of said property with a width of 40 feet on Highway 39 and a depth of 50 feet, a description of the real property referred to in said application being that certain property described in Deed Volume M68, Page 9313-9314, Klamath County Deed Records, attached hereto, marked Exhibit A and by reference made a part hereof, and further that the Klamath County Comprehensive Land Use Plan, Area Map #7, for the above-described property be changed to Suburban Density Residential, except that portion in the most northeasterly corner with 40 feet frontage on Highway 39 and a depth of 50 feet, which shall be designated Light Industrial, is hereby provisionally approved and that the County zoning maps be corrected to show such corrections. Unless an appeal is filed prior to April 23, 1975, this ORDER shall become permanent.

DONE AND DATED this 24<sup>th</sup> day of March 1975.

APPROVED AS TO FORM

  
County Legal Counsel

  
Klamath County Planning Director