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KLAMATH COUNTY PLANNING COMMISSION

In and For the County of Klamath, State of Oregon

RECEIVED JUL 9 1972

2:35 pm

IN THE MATTER OF THE  
APPLICATION FOR AN  
ADMINISTRATIVE ZONE  
CORRECTION NO. 75-28  
BY RICHARD TRACY

O R D E R

This matter having come on before the Klamath County Planning Director upon the application by RICHARD TRACY for Administrative Zone Correction No. 75-28, pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from RA (Residential Agriculture) zone to a Commercial zone, a description of the real property referred to in said application being Lot 4, Block 1, First Addition to Altamont Acres, Klamath County, Oregon, said Planning Director having examined the application and conducted such other 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 Lot 4, Block 1, First Addition to Altamont Acres, Klamath County, Oregon.
2. The land in question is currently zoned RA (Residential Agriculture).
3. The requested zone correction is for a commercial zone.
4. The part of Klamath County affected by the application was zoned on December 7, 1972.
5. Between May 31, 1972, and December 7, 1972, applicant had spent \$7500 on said real property, specifically for the construction of a 30'x60' warehouse building, as evidenced by the U. S. National Bank, Town & Country Branch, Loan #51526, a copy of which is on file in the Klamath County Planning Department.

6. Between May and December 7, 1972, applicant used said building for the purpose of warehousing his own paint contracting business equipment and supplies, as evidenced by applicant's statement dated June 30, 1975, labeled Exhibit A, attached hereto and by reference made a part hereof.

7. The Comprehensive Land Use Plan map for South Suburban Sheet #1 presently designates applicant's land as Suburban Density Residential.

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

1. The land in question was zoned unintentionally and erroneously.

2. Prior to December 7, 1972, the land in question was actually used as a warehouse for paint contracting supplies and equipment and such use existed lawfully.

3. The proper zone district for the use lawfully existing prior to December 7, 1972, is the M-1 (Light Manufacturing Industrial) zone.

4. For the above recited reasons, the Planning Director finds that the zone correction necessary to provide for this use is the M-1 zone.

5. The Comprehensive Land Use Plan designation necessary to provide for this lawful use is the Light Industrial designation.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-28, submitted by Richard Tracy, requesting a zone correction from RA (Residential Agriculture) to Commercial zone is disapproved but a change to M-1 (Light Manufacturing Industrial) on the real property described as being the Lot 4, Block 1, First Addition to Altamont Acres is hereby provisionally approved and that the County zoning maps be corrected to show such correction, and further that

ORDER: ADMIN. ZONE CORRECTION 75-28  
RICHARD TRACY  
Page 3 of 3

7754

the Comprehensive Land Use Plan map be corrected on applicant's land to show a change from Suburban Density Residential designation to the Light Industrial designation.

Unless an appeal is filed prior to this ORDER shall become permanent.

DONE AND DATED THIS 9<sup>th</sup> day of July 1975.

Pat Gordon  
Klamath County Planning Director

APPROVED AS TO FORM  
Robert D. Smith  
County Legal Counsel

7755

EXHIBIT A  
Z.C. 75-28

June 30, 1975

Memo To: Klamath County Planning Dept.

From: R. E. Tracy  
3248 Crosby  
Klamath Falls, Oregon

Subject: Additional information on ADC 75-28

Shortly after constructing the building in May of 1972, I began using the building for the storage of paint, paint supplies, ladders, walking boards, scaffolding, compressor, and other materials associated with my paint contracting business.

Because of the heavy commercial and industrial use to which I intended to put the premises, I installed a five-inch wire reinforced floor sufficient to permit tractor-trailer rigs to be run into the building. The 12' x 15' overhead door was installed for the same purpose as was the double thickness asphaltic concrete paving in the front yard.

*R. E. Tracy*  
R. E. Tracy

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KIAMATH COUNTY - PLANNING DEPT  
this 9th day of JULY A. D. 1975 at 2:35 o'clock PM., and  
duly recorded in Vol. M 75 of DEEDS on Page 7752

NO FEE

Wm D. MILNE, County Clerk

By *Hazel Shagle*