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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. 75-2  
BY JOHN R. AND  
VIRGINIA A. ROBERTS

O R D E R

This matter having come on before the Klamath County Planning Director upon the application for an Administrative Zone Correction No. 75-2 by JOHN R. AND VIRGINIA A. ROBERTS, pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from RA (Residential Agricultural) zone to C-4 (Commercial Central Business District) zone, a description of the real property referred to in said application being the N½ of Lot 6, Block 3, Altamont Acres, Klamath County, Oregon, also known as 2837 Altamont Dr., Klamath Falls, Oregon, and said application having been examined and such studies conducted as were required, the following findings of fact are brought forth:

1. A description of the real property for which a zone correction is requested is the N½ Lot 6, Block 3, Altamont Acres, Klamath County, Oregon.
2. The land in question is currently zoned RA (Residential Agricultural) and the requested zone correction is for C-4 (Commercial Central Business District).
3. The part of Klamath County affected by the application was zoned on December 7, 1972.
4. John R. Roberts was licensed by the State of Oregon as a taxidermist on August 2, 1972, by License No. 2-2028527 to

conduct commercial taxidermy operations on applicant's property. Applicant conducts his business in a shop adjacent to his single family home and utilizes a 12'x14' portion of the single family home as a showroom.

5. The most westerly 125' of applicant's property is used for commercial operations and a single family residence with the remainder of the property being properly zoned RA (Residential Agricultural).

6. The Klamath County Comprehensive Land Use Plan designates applicant's property Urban Density Residential whereas it is customary to apply the General Commercial designation to C-4 zoned land.

7. Land use studies conducted prior to the adoption of zoning correctly identified applicant's taxidermy shop, but through an error or mistake, the proper zoning and Comprehensive Land Use Plan map designations were not applied.

Based upon the above findings of fact, the following conclusions of law are made:

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

2. Prior to December 7, 1972, the most westerly 125' of applicant's land was actually used as a taxidermy shop and single family residence, and such use existed lawfully.

3. The proper zone district for the use lawfully existing prior to December 7, 1972, is C-4 (Commercial Central Business District).

4. For the above recited reasons, the zone correction necessary for applicant's land is the C-4 (Commercial Central Business District), and the Comprehensive Land Use Plan map correction

ORDER: ADMIN. Z. C. 75-2  
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necessary is the General Commercial designation on the most westerly 125' of applicant's land, with the finding that the applicant's single family home is a lawful and not nonconforming use, and with the further finding that no zoning or Land Use Plan correction is required on the balance of the applicant's property

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-2, submitted by JOHN R. AND VIRGINIA A. ROBERTS, requesting a zone correction from RA (Residential Agricultural) zone to C-4 (Commercial Central Business District) zone, and a Land Use Plan correction from Urban Density Residential to General Commercial designation on the most westerly 125' of applicant's land, with the finding that the applicant's single family home is a lawful and not nonconforming use, and with the further finding that no zoning or Land Use Plan correction is required on the balance of the applicant's property, a description of the real property referred to in said application being the N $\frac{1}{2}$  Lot 6, Block 3, Altamont Acres, Klamath County, Oregon, and also known as 2837 Altamont Dr., Klamath Falls, Oregon, is hereby provisionally approved and that the county zoning and land use plan maps be corrected to show such changes. Unless an appeal is filed prior to Nov. 6, 1975, this ORDER shall become permanent.

DONE AND DATED THIS 7<sup>th</sup> day of October 1975.

*Archie W. Swanson*  
Klamath County Planning Director

APPROVED AS TO FORM  
*Robert Brinn*  
County Legal Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Filed for record at request of Klamath County Board of Commissioners  
this 7th day of OCTOBER A. D., 1975, at 2:22 o'clock PM., and duly recorded in  
Vol. N 75 of DEEDS on Page 12351  
NO FEE  
By *Hazel Dragic* WM. D. MILNE, County Clerk Deputy

Service station  
shop and street  
east of Homedale