

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. 76-12)
 BY JACK MULKEY)

O R D E R

This matter having come on before the Klamath County Planning Department upon the application by JACK MULKEY for an Administrative Zone Correction No. 76-12, pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from AF (Agricultural Forestry) zone to M-1 (Light Manufacturing Industrial) zone, a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, said application having been examined and such studies conducted as were required, the following findings of fact are set forth:

1. A description of the real property for which a zone correction is requested is marked Exhibit A, attached hereto and by reference made a part herein.
2. The land in question is currently zoned AF (Agricultural Forestry) and the requested zone correction is for M-1 (Light Manufacturing Industrial) zone.
3. The part of Klamath County affected by the application was zoned on December 7, 1972.
4. The Comprehensive Land Use Plan map for said property indicates the property is inside the city limits of Klamath Falls. The property should be shown as part of Klamath County and carry the Comprehensive Land Use Plan designation of Light Industrial.
5. A sworn affidavit submitted to the Klamath County Planning Department a copy is Marked Exhibit B and attached hereto and by reference made a part hereof, by Tony Stienbock indicating that the property has been used continuously from 1953 for airplane storage and repair.
6. A site visit was conducted by Klamath County Planning Department staff members, Carl Shuck and Pete Wall. Two buildings and several airplanes were observed on subject property.

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

1. The land in question was zoned unintentionally and erroneously.
2. Prior to December 7, 1972, the land in question was actually used for airplane storage and repair and such use existed lawfully.
3. Land Use studies conducted prior to the adoption of the Land Use Plan and Zoning Ordinance incorrectly identified the applicant's use of his land.
4. The proper zone district for the use lawfully existing prior to December 7, 1972, is M-1 (Light Manufacturing Industrial).
5. The proper land use designation on applicant's property is Light Industrial.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 76-12, submitted by JACK MULKEY requesting a zone correction from AF (Agricultural Forestry) zone to M-1 (Light Manufacturing Industrial) zone, a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part herein, is hereby provisionally approved and that the county zoning and land use plan maps be changed to show such correction. Unless an appeal is filed prior to October 25, 1976, this ORDER shall become permanent.

DONE AND DATED THIS 24th day of September, 1976.

Archie W. Sorenson
Klamath County Planning Director

APPROVED AS TO FORM:
Boivin and Boivin
County Legal Counsel

By Boudford Stapp

15053

EXHIBIT A
LEGAL DESCRIPTION
ADMINISTRATIVE ZONE CORRECTION NO. 76-12
JACK MULKEY

All of that portion of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14,
Township 39 South, Range 9 East, Willamette Meridian, lying
South and West of the Great Northern Railway Company right-
of-way, Klamath County, Oregon.

EXHIBIT B

BEFORE THE COUNTY COMMISSIONERS
FOR THE COUNTY OF KLAMATH

Application for Administrative)
Zone Change,)
JACK MULKEY,) No. Z.C. 76-12
Applicant) AFFIDAVIT

STATE OF OREGON)
County of Klamath) ss.

I, TONY STEINBOCK, being first duly sworn, depose and
say:

That I am familiar with the property owned by Jack Mulkey
and Leota Mulkey, legally described as:

All of that portion of the SW 1/4 of the
SW 1/4 of Section 14, Township 39 South,
Range 9 East, Willamette Meridian, lying
South and West of the Great Northern
Railway Company right of way, Klamath
County, Oregon.

I personally used the buildings located on said property
in 1946 for repair of airplanes and again used the buildings
between November, 1955 and May, 1956 for repair services. In
addition, between 1953 and 1955 I used the buildings for storage
of airplanes and airplane parts. To my knowledge, the buildings
and property have been used continuously from the periods set
forth above for airplane storage and repair.

Tony Steinbock
Tony Steinbock

///

LAW OFFICES
CRANE & BAILEY
325 MAIN STREET
KLAMATH FALLS, OR. 97501
(503) 884-1721

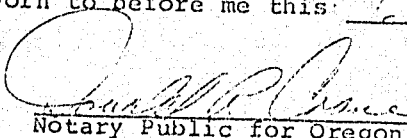
Affidavit
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PLANNING DEPT.

1 Subscribed and sworn to before me this: 6 day of
2 July, 1976.

3 
4 Notary Public for Oregon

5 My Commission expires: 6-18-77

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15056

Klamath County - Planning Department

VETERANS MEMORIAL BUILDING — 503-882-2501 — KLAMATH FALLS, OREGON 97601

ADMINISTRATIVE ZONE CORRECTION
No. 76-12DATE September 24, 1976

NOTICE

SUBJECT: Information about Administrative Zone Correction proceedings for a parcel of property that may be of interest to you.

The Klamath County Planning Department has received application and completed an approval ORDER for an Administrative Zone Correction No. 76-12.

The enclosed ORDER provisionally approves the request for correction from the AF (Agricultural Forestry) zone to the M-1 (Light Manufacturing Ind.) zone. Basically, the ORDER states that there was an error in zoning which is being recognized and corrected.

If you do not agree with this provisional ORDER, you have the right to appeal to the Klamath County Planning Commission for reconsideration. The appeal must be filed within 30 days from the date of mailing of this ORDER, or before 5:00 p.m. on 10/25/76.

The appeal procedure involves writing a letter to the Planning Department in which you state "I appeal Administrative Zone Correction No. 76-12 to the Klamath County Planning Commission." You must sign your letter and enclose a \$50 fee to cover processing costs.

If you require more information on this matter, please contact this office at 882-2501, Extension 285, or write to:

Klamath County Planning Department
Klamath County Courthouse
Klamath Falls, Oregon 97601

Archie W. Jordan
Klamath County Planning Director

I hereby certify that the within instrument was received and filed for record on the 24th day of September A.D., 19 76 at 2:11 o'clock P. M., and duly recorded in Vol. M76 of Deeds on Page 15051.

FEE \$ no fee

WM. D. MILNE, County Clerk

By *Larry A. Cole* Deputy