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Vol. 11 Page 9239

Klamath County - Planning Department

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

ADMINISTRATIVE ZONE CORRECTIONNo. 76-6, Gray for CharltonDATE April 26, 1977**N O T I C E**

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 a disapproval ORDER for an Administrative Zone Correction No. 76-6.

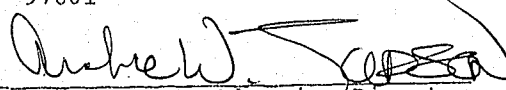
The enclosed ORDER provisionally disapproves the request for correction from the RA (Residential Agricultural) zone to the C-5 (Commercial Highway) zone.

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 May 27, 1977.

The appeal procedure involves writing a letter to the Planning Department in which you state "I appeal Administrative Zone Correction No. 76-6 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


Klamath County Planning Director

77 MAY 27 1977

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. 76-6)
GRAY FOR CHARLTON)

O R D E R

THIS MATTER having come on before the Klamath County Planning Department upon the application by Naomi Agnes Charlton for an Administrative Zone Correction No. 76-6, 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-5 (Commercial Highway) zone, a description of the real property referred to in said application being all of tract 89 and the west 30 feet of tracts 87 and 88 in Pleasant Home Tracts No. 2, Klamath County, Oregon, 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 all of tract 89 and the west 30 feet of tracts 87 and 88 in Pleasant Home Tracts No. 2, Klamath County, Oregon.
2. The land in question is currently zoned RA (Residential Agricultural) and the requested zone correction is for C-5 (Commercial Highway).
3. The part of Klamath County affected by the application was zoned on December 7, 1972.
4. The Comprehensive Land Use Plan for said property designates the applicant's land as Urban Density, which is not compatible with the C-5 (Commercial Highway) zone.
5. A site visit, conducted by a member of the Planning Department Staff, revealed the primary use of the property is Residential.
6. The applicant requests a C-5 (Commercial Highway) zone along Miller Street. Miller Street, from Homedale Street to Wiard Street, reflects Residential zoning.
7. The land in question, illustrated by photo, Exhibit B, on file at the Klamath County Planning Department, indicates no visible identification sign designating the applicant's commercial use.

ORDER:

ADMINISTRATIVE ZONE CORRECTION 76-6
Gray for Charlton
Page 2 of 2

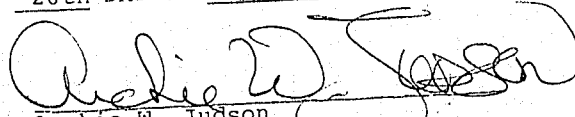
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Based upon the above findings of fact, the following conclusions of law are set forth:

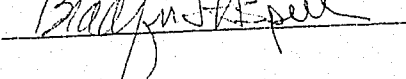
1. The land in question was zoned correctly.
2. Prior to December 7, 1972, the land in question was actually used for Residential-Agricultural purposes and such use existed lawfully.
3. Land Use studies conducted prior to the adoption of the Land Use Plan and Zoning Ordinance correctly identified the applicant's use of his land.
4. The proper zone district for the use lawfully existing prior to December 7, 1972, is RA (Residential Agricultural).
5. The proper land use designation on applicant's property is Suburban Density.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 76-6, submitted by Naomi Agnes Charlton requesting a zone correction from RA (Residential Agricultural) zone to C-5 (Commercial Highway) zone; a description of the real property being all of tract 89 and the west 30 feet of tracts 87 and 88 in Pleasant Home Tracts No. 2, Klamath County, Oregon is hereby provisionally disapproved. Unless an appeal is filed prior to May 27, 1977, this ORDER shall become permanent.

DONE AND DATED THIS 26th DAY OF April, 1977.


Archie W. Judson
Klamath County Planning Director

APPROVED AS TO FORM:
Boivin, Boivin & Aspell
County Legal Counsel

By 

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County Planning Dept
this 27th day of MAY A. D. 1977 at 10:20 o'clock AM, and
 duly recorded in Vol. M77 of DEEDS on page 9239
NO FEE \$X

W. D. MILNE, County Clerk
