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BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

IN THE MATTER OF THE
APPLICATION FOR ZONE
CORRECTION NO. 74-54
BY JAMES FLOWERS FOR
FLOWERS BROTHERS, INC.

O R D E R

This matter having come on for hearing upon the application of James Flowers for Flowers Brothers, Inc. for a zone correction, said correction application being numbered Zone Correction 74-54 and said application having been heretofore recommended from AF (Agriculture Forestry) zone to SP-12 (Public Facilities) zone by the Klamath County Planning Commission because of a mapping error, a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, and a public hearing on said application having been regularly held on September 3, 1974, before the Board of Commissioners, and it appearing to said Board of Commissioners from the testimony, reports, and information produced at said hearing by the applicant, the Planning Commission and Planning Department, that the application should be granted, the Board of Commissioners makes the following findings of fact:

1. Flowers Brothers, Inc. had opened and operated a commercial gravel pit and rock quarry for the quarrying, processing, and sale of rock products beginning in 1967, before the adoption of county-wide zoning on December 7, 1972.
2. The Land Use Study preceding the adoption of zoning had not included the applicant's property and could not have properly designated the SP-12 zone.
3. Section 11.007 and Article 112, as amended, of Ordinance No. 17, requires that Klamath County initiate correction of mapping errors on the zoning map.

SEP 21 12 05 PM 1974

Approved as
Harry D. Butler

12541

ORDER: ZONE CORRECTION 74-54
JAMES FLOWERS
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4. The Klamath County Planning Director affirmed that a mapping error had been made on the zoning map.

Based upon the above findings of fact, the Board reaches the following conclusions of law:

1. The Planning Commission acted properly in initiating and recommending to the Board of Commissioners a correction from AF (Agriculture Forestry) to SP-12 (Public Facilities); and
2. There was a mapping error on the zoning map; and
3. That the zoning map, as originally adopted, should have shown the SP-12 zone designation on the applicant's property.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of James Flowers for Flowers Brothers, Inc. for a zone correction from AF (Agriculture Forestry) to SP-12 (Public Facilities), a particular description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, said change application being numbered Zone Correction 74-54 is hereby approved because of a mapping error.

DONE AND DATED THIS 22nd day of Sept, 1974.

Bruce D. McNamee
Chairman of the Board

R. C. Pyle
County Commissioner

Frank J. Pyle
County Commissioner

Approved as to form

Harry D. Marvin
Harry D. Marvin, Legal Counsel

JAMES FLOWERS

EXHIBIT A
LEGAL DESCRIPTION
ZONE CHANGE 74-54

12542

That property generally located 1500 feet west of the Southern Pacific Railroad and Highway 97 at a point approximately 3-1/2 miles southwesterly of where Lower Klamath Lake Highway intersects Highway 97 and more particularly described as beginning at a point which is 426.2' south and 787.7' east of the northwest corner of said Section 23, Township 40 So., Range 8 EWM, thence running south 33°57' E. 1000'; thence W. 450'; thence N. 33°57' W. 1000'; thence E. 450' to point of beginning, in Klamath County, Oregon, being 10 acres in size, more or less.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record

this 21th day of Sept. A. D. 1974 at 12:00 P. M., and
duly recorded in Vol. M-74, of Deed on Page 12540

W. D. MILNE, County Clerk

No Fee

By *[Signature]*

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