

93708

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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. 74-51  
BY ARTHUR AND  
CAROLYN JOHNSON

ORDER

OCT 3 3 41 PM 1974

This matter having come on for hearing upon the application of Arthur and Carolyn Johnson for a zone correction, said correction application being numbered Zone Correction 74-51 and said application having been heretofore recommended from AF (Agriculture Forestry) zone to SP-1 (Rural Residential) 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 9, 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. The applicant's property, containing less than five (5) acres, and having been used for residential purposes prior to the adoption of zoning, is surrounded by SP-1 (Rural Residential) zoned property.
2. The Land Use Study preceding the adoption of zoning had included and properly identified the use of the applicant's property but the Planning staff had not properly designated the applicant's land on the zoning map.
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 maps, and the Klamath County Planning



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Director affirmed that a mapping error had been made.

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) zone to SP-1 (Rural Residential) zone; and
2. There was a mapping error on the zoning map which, as originally adopted, should have shown the SP-1 (Rural Residential) zone on the applicant's property as described in Exhibit A attached hereto.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of Arthur and Carolyn Johnson for a zone correction on the Klamath County Zoning maps from AF (Agriculture Forestry) zone to SP-1 (Rural Residential) zone, 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 74-51 is hereby approved because of a mapping error.

DONE AND DATED THIS 8th day of October, 1974.

*James Williams*  
Chairman of the Board

*R. L. G.*  
County Commissioner

*Lloyd Giff*  
County Commissioner

Approved as to form  
*Harry D. Roivin*  
Harry D. Roivin, Legal Counsel

The  
39 South  
descri  
Be  
S., R. 6  
said Sec  
43°08' W  
Road; the  
43°08' E  
North 0°21'



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EXHIBIT A  
LEGAL DESCRIPTION  
ZONE CHANGE 74-51

The following described real property situate in Klamath County, Oregon:

A tract of land situate in the Northwest quarter of Section 31, Township 39 South, Range 8 East of the Willamette Meridian, and being more particularly described as follows:

Beginning at a point on the East line of the NW1/4 of Section 31, Twp. 39 S., R. 8 E.W.M., from which the Southeast corner of the NE1/4 of the NW1/4 of said Section 31 bears South 0°21'40" East 648.11 feet distant; thence South 43°08' West 1012.81 feet to the Northeasterly right of way of the Clover Creek Road; thence South 46°52' East along said right of way 230.3 feet; thence North 43°08' East 802.02 feet to the East line of said Northwest quarter; thence North 0°21'40" West 290.57 feet more or less to the point of beginning.

STATE OF OREGON,  
County of Klamath  
Filed for record at request of  
KLAMATH COUNTY BOARD OF COMMISSIONERS  
on the 8th day of OCTOBER A.D. 1974  
at 3:28 o'clock P.M. and duly  
recorded in H 74 of DEEDS  
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Wm J. MILNE, County Clerk  
By *Wm J. Milne* Deputy  
For 27 NOV.