

## BOARD OF COUNTY COMMISSIONERS

In and For the County of Klamath, State of Oregon

In the Matter of the Application )  
for Zone Change No. 74-76 by )  
WILLIAM GRAY for CHARLES GRAY )

O R D E R

RECEIVED DEC 14 1975  
9:10 am

This matter came on for hearing upon the application of WILLIAM GRAY for CHARLES GRAY, for a Zone Change from A (Agricultural) to RA (Residential-Agricultural), by the Klamath County Planning Commission. A description of the real property referred to in the application is attached hereto marked Exhibit "A" and incorporated by reference herein. A public hearing on said application having been regularly held on December 17, 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 the Planning Department, that the application should be granted, the Board of Commissioners makes the following Findings of Fact and Conclusions of Law as required by Ordinance No. 17, the Klamath County Zoning Ordinance:

1. The applicant owns two parcels of property which are bordered and lie to the north of an easement known as Clovis Drive, and lie south of Mallory Drive, and to the east of Pine Grove Road; consisting of Parcel A, comprising 0.46 acres; and Parcel B, comprising 1.01 acres.

2. The applicant seeks a zone change on the parcel in order to allow a mobile home to remain on the property. It is not

possible to utilize this property for mobile home residential purposes under the present zone, as insufficient front yard set back exists.

3. Testimony indicates that Parcel A would be a grandfathered parcel in that a mobile home was put on the property prior to zoning. Testimony further indicates that other properties within the area are zoned RA, and that mobile homes are on adjacent properties. The number of mobile homes in the area makes the zone change consistent with the land use plan and the trend in the area. That applicant's request to keep no more than two mobile homes on the land in question will not substantially be of greater density than surrounding property.

4. The proposed change of zone will have no adverse effect upon any property or the permitted uses thereof within a 700-foot radius, including highway and rights-of-way as was evidenced by lack of adverse testimony from adjacent property owners.

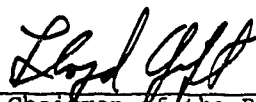
5. Testimony indicates that the slope, terrain and soil type is consistent to residential use. That permeability for septic tank use is rapid; that erosion hazards are slight.

6. The proposed change of zone is in keeping with any land use plans duly adopted and does in effect represent the highest, best and most appropriate use of the land affected.

7. The application is consistent with the Klamath County Comprehensive Land Use Plan maps and text as adopted.

NOW, THEREFORE, IT IS HEREBY ORDERED that the application of WILLIAM GRAY for CHARLES GRAY for a Change of Zone from A (Agricultural) to RA (Residential-Agricultural) for real property situated in Klamath County, Oregon, particularly described in the attachment hereto, marked Exhibit A, and incorporated by reference herein, is hereby granted and approved, subject to the following restriction: That no more than the present number of two (2) mobile homes be allowed on the two parcels.

DONE and DATED this 10<sup>th</sup> day of January, 1975.



Chairman of the Board

County Commissioner



County Commissioner

Approved as to form:



County Legal Counsel

## EXHIBIT A

## LEGAL DESCRIPTION

## ZONE CHANGE 74-64

PARCEL 1 A parcel of land situate in Section 9, Township 39 South, Range 10 E.W.M., Klamath County, Oregon being more particularly described as follows:

Commencing at a 5/8 inch iron pin marking the Southwest corner of Lot 4, Block 3 "Pine Grove Ranchettes" a duly platted and recorded sub-division; thence East along the Southerly boundary of said subdivision, 100.00 feet to the POINT OF BEGINNING for this description; thence continuing along said southerly boundary, East 100.37 feet; thence leaving said southerly boundary, South, 200.60 feet to the northerly right-of-way line of Clovis Drive; thence North 89 deg. 52'00" West along said northerly right-of-way line 100.37 feet; thence leaving said northerly right-of-way line North 200.37 feet to the point of beginning containing 0.46 acres, more or less. *PMO*

PARCEL 2 A parcel of land situate in Section 9, Township 39 South, Range 10 East W.M., Klamath County, Oregon being more particularly described as follows:

Commencing at a 5/8 inch iron pin marking the southwest corner of Lot 4, Block 3 of PINE GROVE RANCHETTES a duly platted and recorded subdivision in Klamath County, Oregon; thence East along the southerly boundary of said subdivision 200.37 feet to the POINT OF BEGINNING for this description; thence continuing along said southerly boundary East 220.00 feet; thence leaving said southerly boundary South, 201.11 feet; thence N. 89 deg. 52'00" West, 220.00 feet; thence North, 200.60 feet to the point of beginning containing 1.01 acres more or less.

SUBJECT TO: (1) easements and rights of way of record or apparent on the land; (2) 1972-73 and subsequent taxes; (3) all contracts, statutes, regulations, water rights, proceedings, taxes and assessments relating to irrigation, drainage or reclamation which may affect said land; and (4) rules, regulations and tariffs of Mallory Enterprises Public Utility and (5) conditions and restrictions shown on the recorded plat and recorded Declaration of Conditions and Restrictions of Pine Grove Ranchettes.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY BOARD OF COMMISSIONERS

this 14th day of JANUARY A. D., 1975 at 9:10 o'clock A. M., and duly recorded in

Vol. M 75, of DEEDS on Page 537

NO FEE &

WM. D. MILNE, County Clerk

By *Hazel Draz* Deputy