

## 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. 75-25 )  
BY WILLIAM R. AND )  
HELEN SEGESSER )

## O R D E R

This matter having come on before the Klamath County Planning Director upon the application of William R. and Helen Segesser for an Administrative Zone Correction pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from F (Forestry) zone to SP-1 (Rural Residential) zone, a description of the real property referred to in said application being shown on Exhibit A, attached hereto and by reference made a part hereof, and said Planning Director having examined the application, and conducted other such studies as may be required, the Planning Director hereby makes the following Findings of Fact:

1. A description of the real property for which a zone correction is requested is a 2.65-acre parcel lying on the south-east corner of Highway 66 and Hamaker Mountain Road, and more particularly described as shown on Exhibit A, attached hereto and by reference made a part hereof.
2. The land in question is currently zoned F (Forestry) and the Comprehensive Land Use Plan designation on Map No. 7 for this property is Forestry.
3. The requested zone correction is for SP-1 (Rural Residential) and the correct Comprehensive Land Use Plan designation is Recreation Residential.
4. The part of Klamath County affected by the application was zoned on December 7, 1972.

MAY 23 1975

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For [signature]

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5. William R. and Helen Segesser purchased the land in question for rural residential purposes.

6. The applicant purchased said real property on February 25, 1964 as shown by that certain deed number Vol. M61, Page 549, Klamath County Deed Records.

7. There were on April 29, 1975 no visible improvements on the applicant's land.

8. By my own knowledge, there was no research into lot ownership records in the area of the applicant's land prior to the adoption of the Klamath County Comprehensive Land Use Plan, or zoning on December 7, 1972, which would have disclosed applicant's ownership of said land.

Based upon the above Findings of Fact, the Planning Director hereby makes the following Conclusions of Law:

1. The land in question was zoned F (Forestry) unintentionally and erroneously.

2. Prior to December 7, 1972, the land in question was lawfully owned for the intended rural residential purposes and the proper Comprehensive Land Use Plan designation for this use is Recreation Residential.

3. The proper zone district for the use lawfully existing prior to December 7, 1972, is SP-1 (Rural Residential).

NOW, THEREFORE, IT IS HEREBY ORDERED that application for Administrative Zone Correction No. 75-25, submitted by William R. and Helen Segesser, requesting a zone correction from F (Forestry) zone to SP-1 (Rural Residential) zone, a description of the real property referred to in said application being shown on Exhibit A, attached hereto and by reference made a part hereof, and a Comprehensive Land Use Plan change in designation zone from



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Forestry to Recreation Residential on applicant's land on Map No. 7, is hereby provisionally approved and that the county zoning maps be corrected to show such zone correction. Unless an appeal is filed prior to June 23, 1975 this ORDER shall become permanent.

DONE AND DATED THIS 22<sup>nd</sup> day of May 1975.

APPROVED AS TO FORM

  
County Legal Counsel

  
Klamath County Planning Director

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WILLIAM R. & HELEN SEGESSER

EXHIBIT A

LEGAL DESCRIPTION

ADMIN. ZONE CORRECTION NO. 75-25

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

That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 1, Township 40 So., Range 7 East of the Willamette Meridian, South of the Klamath Falls-Ashland Highway, more particularly described as follows:

The SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 1, Township 40 So., Range 7 EWM, lying south of the Ashland-Klamath Falls Highway, and excepting a strip of land approximately 165.2 feet wide east and west, off the east side of said property as described in deed from R. A. Broyles to A. A. Whitlach, recorded in Deed Volume 77, Page 487, Klamath County Deed Records, Klamath County, Oregon.

The above-described real property was surveyed in August 1971 by Dortch-Gresdel and Associates, Surveying and Engineering, Klamath Falls, Oregon.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY PLANNING DIRECTOR  
this 23rd day of May 1975 at 3:00 o'clock PM, and  
duly recorded in Vol. M 75, of DEEDS on Page 573C.

NO FEE \$X

W. D. MILNE, County Clerk

By *Hazel Drazil*