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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. 75-37)
BY LARRY M. HOLTZMAN)

O R D E R

RECEIVED
11/30/75

This matter having come on before the Klamath County Planning Director upon the application by Larry M. Holtzman for an Administrative Zone Correction pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application No. 75-37 requesting a zone correction to permit the keeping of a horse in an RD 20,000 zone, a description of the real property referred to in said application being the south 80 feet of Lot 9, Block 2, Shasta View Tracts, Klamath County, Oregon, 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 the south 80 feet of Lot 9, Block 2, Shasta View Tracts, Klamath County, Oregon, and said real property being an 80 foot by 303 foot parcel of approximately 24,200 square feet in area, generally described as lying between Cherry Way and Shasta Way on the west side of Patterson Street.
2. The land in question is currently zoned RD 20,000 which permits the introduction of horses on a Conditional Use Permit basis, except for zoning corrections, to account for uses lawfully existing at the time zoning was enacted.
3. The requested zone correction is to permit the keeping of one horse upon said real property because said horse was established upon the property prior to zoning and was maintained on the property after zoning, as shown by records supplied by the applicant

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which may at reasonable times be examined in Administrative Zone Correction 75-37 folder filed in the Klamath County Planning Department office.

4. The part of Klamath County affected by the application was zoned on December 7, 1972.

Based upon the above findings of fact, the Planning Director hereby makes the following conclusions of law:

1. The land in question was zoned unintentionally and erroneously prohibiting applicant from maintaining one (1) only horse on said real property.

2. Prior to December 7, 1972, the land in question was actually used for the keeping of one (1) only horse and such use existed lawfully.

3. The proper zone district for the use lawfully existing prior to December 7, 1972, is RD 20,000 zone with a further provision promulgated by this ORDER permitting the keeping of one (1) horse existing on said real property before zoning.

4. For the above-recited reasons, the Planning Director finds the applicant has a right in the keeping of one (1) horse on said real property and that the zone correction set forth herein is necessary to provide for the protection of this substantial property right established before the enactment of zoning, and that the protection of this property right is accomplished by this ORDER and not by a change to another zone.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-37, submitted by Larry M. Holtzman, requesting a zone correction to permit the keeping of one (1) only horse in the RD 20,000 zone, a description of the real property referred to in said

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application being the south 80 feet of Lot 9, Block 2, Shasta View Tracts, Klamath County, Oregon, is hereby provisionally approved and that the county zoning maps be corrected to show such correction. Unless an appeal is filed prior to July 7, 1975, this ORDER shall become permanent.

DONE AND DATED THIS 2nd day of June 1975.

Bill Gordon
Klamath County Planning Director

APPROVED AS TO FORM
Mara Simon
County Legal Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY PLANNING DEPT
this 6th day of June 11:30 A. D. 19 75 at 11 o'clock A M., and
duly recorded in Vol. M 75, of DEEDS on Page 6305

NO FEE

Wm D. MILNE, County Clerk
By Glenn L. Brazil