

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. 75-36)
 BY ROBERT SMITH AND)
 NEVA K. SMITH)

O R D E R

This matter having come on before the Klamath County Planning Director upon the application by Robert Smith and Neva K. Smith for an Administrative Zone Correction No. 75-36 pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from AF (Agriculture Forestry) zone to RA (Residential Agriculture) zone, a description of the real property referred to in said application being that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 40 South, Range 10, East of the Willamette Meridian, lying southwesterly of the southwesterly line of the Southern Pacific right-of-way, 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 that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 40 South, Range 10, East of the Willamette Meridian, lying southwesterly of the southwesterly line of the Southern Pacific right-of-way, Klamath County, Oregon.
2. The land in question is currently zoned AF (Agriculture Forestry).
3. The requested zone correction is for RA (Residential Agriculture).

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2:10 pm

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

5. Joseph R. and Faye E. Cook purchased a larger parcel of land, including the land in question, for \$60,000 in January 1970 as recorded in Klamath County Deed Records VOL M70-332.

6. Subject parcel existed as a separate parcel, not contiguous with the balance of the parcel referred to in Klamath County Deed Records VOL M70-332 dated January 14, 1970.

7. The Comprehensive Land Use Plan for this area is Agriculture.

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.

2. Prior to December 7, 1972, the land in question actually existed as a separate .77 acre parcel, separated from the balance of the previous owner's land by State Highway 39.

3. The proper zone district for the use lawfully existing prior to December 7, 1972 is RA (Residential Agriculture).

4. For the above recited reasons, the Planning Director finds that the zone correction necessary is the Residential Agriculture zone and that the Comprehensive Land Use Plan should be corrected to show a Suburban Density Residential designation.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-36, submitted by Robert and Neva K. Smith, requesting a zone correction from AF (Agriculture Forestry) to RA (Residential Agriculture) zone and a Land Use Plan correction from Agriculture to Suburban Density Residential designation, a description of the real property referred to in said application being that portion

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of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 40 South, Range 10, East of the Willamette Meridian, lying southwesterly of the southwesterly line of the Southern Pacific right-of-way, Klamath County, Oregon is hereby provisionally approved and that the County zoning maps and land use plan maps be corrected to show such zone correction. Unless an appeal is filed prior to July 30, 1975, this ORDER shall become permanent.

DONE AND DATED THIS 30th day of June 1975.

Pat Gordon
Klamath County Planning Director

APPROVED AS TO FORM

Robert K. Smith
County Legal Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY PLANNING DEPT
this 30th day of JUNE A. D. 1975 at 2:10 PM o'clock M., and
duly recorded in Vol. M 75, of DEEDS on Page 7370

NO FEE

W. D. MILNE, County Clerk

W. D. Milne