

2548

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. 75-14 )  
BY RUBY L. KIGER )

O R D E R

RECEIVED  
JUL 9 1975  
2:35 pm

This matter having come on before the Klamath County Planning Director upon the application for an Administrative Zone Correction No. 75-14 by RUBY L. KIGER, 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 SP-1 (Rural Residential) zone, a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, 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 attached as Exhibit A and by reference made a part hereof.
2. The land in question is currently zoned AF (Agriculture Forestry).
3. The requested zone correction is for the SP-1 (Rural Residential) zone.
4. The part of Klamath County affected by the application was zoned on December 7, 1972.
5. The Comprehensive Land Use Plan for applicant's land shows the Agriculture designation.
6. Applicant acquired subject parcel and adjacent land

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as shown on that legal instrument recorded on Klamath County Deed Records Volume 310, Page 113.

7. Applicant sold most of above-described land on July 16, 1968, as shown in that certain instrument recorded in Klamath County Deed Records Volume M75-2822.

8. Applicant's parcel is of sufficient size and use to appropriately be zoned A (Agriculture) instead of SP-1 (Rural Residential).

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

1. The land in question was zoned the Agriculture Forestry zone unintentionally and erroneously.

2. Prior to December 7, 1972, the land in question was actually used primarily as an agricultural homesite and such use existed lawfully.

3. The proper zone district for the use lawfully existing prior to December 7, 1972 is A (Agriculture) rather than the SP-1 (Rural Residential), since the latter is used primarily for recreational homesites.

4. For the above cited reasons, the Planning Director finds the zone correction necessary to provide for this vested right is the A (Agriculture) zone, and the present Agriculture designation on the Comprehensive Land Use Plan map is correct.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-14, submitted by Ruby L. Kiger, requesting a zone correction from AF (Agriculture Forestry) zone to an SP-1 (Rural Residential) zone



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is herewith altered to the A (Agriculture) zone, a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof, is hereby provisionally approved and that the County zoning maps be corrected to show such zone correction.

Unless an appeal is filed prior to this ORDER shall become permanent.

DONE AND DATED THIS 9<sup>th</sup> day of July 1975.

Pat Gordon  
Klamath County Planning Director

APPROVED AT TO FORM

Walter D. Strim  
County Legal Counsel

EXHIBIT A 75-14  
DESCRIPTION OF PROPERTY

7749  
RUBY KIGER

The following described property situate in Klamath County, Oregon:

Beginning at the Northwest corner of Lot 1, Section 20, Township 40 South, Range 10 E.W.M.; thence Easterly along the Northerly line of said Lot 1, 325' to a point; thence Southerly parallel with the Westerly line of said lot 1, 400' to a point; thence Westerly parallel with the northerly line of said Lot 1, 325' to a point on the Westerly line of said Lot 1; thence Northerly along the Westerly line of said Lot 1, 400' to the point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.  
Filed for record at request of KLAMATH COUNTY \* PLANNING DEPT  
this 9th day of JULY A. D. 1955 at 2:35 o'clock P. M., and  
duly recorded in Vol. M 75, of DEEDS on Page 7746  
NO FEE

W. D. MILNE County Clerk  
By Gazel Drazie