

7078

Vol 75

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. 75-66
BY THE KLAMATH COUNTY
PLANNING COMMISSION

O R D E R

This matter having come on before the Klamath County Planning Director upon the application for an Administrative Zone Correction No. 75-66 submitted by the Klamath County Planning Commission, 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 - One Acre) 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 marked Exhibit A, attached hereto and by reference made a part hereof.
2. The land in question is currently zoned F (Forestry) and the requested zone correction is for SP-1 (Rural Residential - One Acre).
3. The part of Klamath County affected by the application was zoned on December 7, 1972.
4. The subject property encompasses the entire Tract No. 1076, Third Addition to Antelope Meadows, for which the final plat was filed for recordation on December 4, 1972.

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IN THE MATTER OF THE
ORDER: ADMIN
KLAMATH COUNTY
Page 2

5. one acre and the
6. applicant's property to Forestry-zoned
- Based on conclusions of law
1. The and erroneously.
2. Prior was actually used as
3. The prior to December 7, 1972
4. For the necessary is the SP-1 (Rural Residential - One Acre) zone correction, and a Recreation-Residential design property referred to in said attached hereto and by reference provisionally approved and the maps be corrected to show such filed prior to December 31, 1972 permanent.

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5. The minimum lot standard for the SP-1 zone is one acre and the subject lots meet this standard.

6. The Comprehensive Land Use Plan designation on applicant's property is Forestry which is customarily applied to Forestry-zoned land.

Based upon the above findings of fact, the following conclusions of law are set forth:

1. The land in question was zoned unintentionally and erroneously.

2. Prior to December 7, 1972, the land in question was actually used as rural recreation and such use existed lawfully.

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

4. For the above recited reasons, the zone correction necessary is the SP-1 (Rural Residential - One Acre) and the Comprehensive Land Use designation is Recreation-Residential.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-66, submitted by the Klamath County Planning Commission, requesting a zone correction from F (Forestry) to SP-1 (Rural Residential - One Acre), and a land use correction from Forestry to Recreation-Residential designation, 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 land use and zoning maps be corrected to show such change. Unless an appeal is filed prior to December 26, 1976, THIS ORDER shall become permanent.

DONE AND DATED THIS 24th day of November 1975.

Archibald W. Swanson
Klamath County Planning Director

APPROVED AS TO FORM

Bradley H. Hagan
County Legal Counsel

IN THE MATTER OF
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Planning Department
Zone Correction
No. 17, the
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EXHIBIT A
LEGAL DESCRIPTION
ZONE CHANGE 75-66

ANTELOPE MEADOWS #3

The platted Tract 1076, Third Addition to Antelope Meadows, situated in the W $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, Township 23 So., Range 10 EWM, Klamath County, Oregon, more particularly described as beginning at the initial point marked by a 2"x36" iron pipe on the west line of said Section 16, from which the West 1/4 corner of said Section 16 bears S. 00°33'41" E 341.16 feet; thence N. 00°33'41" W. along the section line 1445.82 feet; thence leaving said section line, E. 78.86 feet, N. 70°57'25" E, 193.42 feet; N. 43°56' 10" E, 289.41 feet; So. 87°34'15" E, 211.73 feet, N. 67°04'45" E. 107.89 feet, N. 29°28'15" E, 160.79 feet, N. 15°36'10" E. 134.94 feet, N. 39°52'25" E. 224.88 feet, N. 50°18'15" E. 138.57 feet, N. 88°41'58" E. 138.65 feet, to the west line of first addition to Antelope Meadows; thence S. 00°40'14" E. along the west line of first addition to Antelope Meadows 2585.95 feet to the southerly line of the NW $\frac{1}{4}$ of said Section 16; thence S 88°13'49" W. along said southerly line 302.27 feet; thence N. 310.59 feet; thence W. 992.14 feet to the point of beginning, containing 55.81 acres more or less.

STATE OF OREGON; COUNTY OF KLAMATH;
Filed for record at request of Klamath County Planning Director
this 25th day of NOVEMBER 1975 at 3:46 P.M. and
only recorded in Vol. 1475 DEEDS on Page 14902
NO FILE
By *Hazel Drayle*
County Clerk

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