

70.9

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. 75-64)
BY KLAMATH COUNTY)
PLANNING COMMISSION)

O R D E R

This matter having come on before the Klamath County Planning Department upon the application for an Administrative Zone Correction No. 75-64, pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from AF (Agricultural Forestry) zone to RA (Residential Agricultural) zone, a description of the real property referred to in said application being that property lying along the Green Springs Highway, in the NW $\frac{1}{4}$ Section 23, Township 39 So., Range 8 East of the Willamette Meridian, Klamath County, Oregon, and more particularly described as Tax Lots 100, 200, 201, 202, and 500 through 3000, and said application having been examined and such studies conducted as were required, the following findings of fact are set forth:

1. A description of the real property for which a zone correction is being made is that property lying along Green Springs Highway, in the NW $\frac{1}{4}$ Section 23, Township 39 So., Range 8 EWM, Klamath County, Oregon, and more particularly described as Tax Lots 100, 200, 201, 202 and 500 through 3000.
2. The land in question is currently zoned AF (Agricultural Forestry) and the zone correction is for the RA (Residential Agricultural) zone.
3. The part of Klamath County affected by the application was zoned on December 7, 1972.

ORDER:

the minim
having be
County.

minimum lot
for the sub

6
in question
Residential

Bas
conclusions o

1.
erroneously.

2.
actually used
lawfully.

3. T
prior to Decembe

4. Fo
finds that the p
agricultural use
to provide for th
zone.

NOW, THE
No. 75-64, submitte
requesting a zone c
to an RA (Residenti

4. The above-mentioned lots are not in conformance to the minimum lot standard of 20 acres in the AF zone, said lots having been created prior to the enactment of zoning in Klamath County.

5. The RA (Residential Agricultural) zone with the minimum lot size of 20,000 square feet is the appropriate zone for the subject lots.

6. The Comprehensive Land Use Plan maps show the area in question as Suburban Density which is compatible with the Residential Agricultural use.

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

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

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

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

4. For the above-recited reasons, the Planning Director finds that the property owners have a vested right in the residential-agricultural use of their property and the zone correction necessary to provide for this vested right is the RA (Residential Agricultural) zone.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-64, submitted by the Klamath County Planning Commission, requesting a zone correction from AF (Agricultural Forestry) zone to an RA (Residential Agricultural) zone, a description of the real property referred to in said application being that property

he
Es
the
assi
pert

ORDER

lying al
Township
County, O
200, 201,
approved an
zone correct
1975, this O

DON

APPROVED AS TO FO

Barth H. H. H.
County Legal Counsel

STATE OF OR
Filed for record a
this 25th day of
ly recorded in Vol.
NO FEE

ORDER: ADMIN. ZONE CORRECTION 75-64
KLAMATH COUNTY PLANNING COMMISSION
Page 3 of 3

149.7

lying along the Green Springs Highway, in the NW $\frac{1}{4}$ Section 23,
Township 39 So., Range 8 East of the Willamette Meridian, Klamath
County, Oregon, and more particularly described as Tax Lots 100,
200, 201, 202, and 500 through 3000, is hereby provisionally
approved and that the county zoning maps be corrected to show such
zone correction. Unless an appeal is filed prior to Dec. 26, 1975
1975, this ORDER shall become permanent.

DONE AND DATED THIS 24th day of November 1975.

Richard W. Sisson
Klamath County Planning Director

APPROVED AS TO FORM

Brenda H. Sisson
County Legal Counsel

STATE OF OREGON; COUNTY OF KLAMATH; ss.
Filed for record at request of KLAMATH COUNTY PLANNING DIRECTOR
this 25th day of NOVEMBER A. D. 19 75 at 3:46 o'clock P.M., and
is recorded in Vol. 14 75, of DEEDS on Page 14905
NO F.E.

By Hazel D. Nagel
V. D. M. County Clerk

75 NOV 25 PM 3 48

grantor will wa
and demands of
The true
However, the
the whole
part of the consider
In construi
changes shall be in
In Witness
if a corporate grant
order of its board of

(If executed by a corporation,
affix corporate seal)

STATE OF OREGON,
County of _____ Desc
October 11

Personally appeared the
Betty Jane
and acknowledged
ment to be
her

Notary me:
Notary Public for
My commission exp

OFFICIAL
SEAL

STATE

Betty Jane Ahern
Star Route 2, Box 42
La Pine, Oregon 97739

Kenneth D. Lee & Esther
Keasey Route Box 106
Vernonia, Oregon 97061

After recording return to:
Ahern Real