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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. 75-47 ) ORDER  
BY DONALD J. AND )  
WILLA MAE JANGALA )

THIS MATTER having come on before the Klamath County Planning Department upon the application by Donald J. and Willa Mae Jangala for an Administrative Zone Correction No. 75-47, 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) to A (Light Agricultural) and said real property being described as the 2-1/2-acre portion in the northeast corner of Tax Lot 265, said Tax Lot 265 being 17-1/2 acres in area, located in Section 26, Township 39 So., Range 9 East of the Willamette Meridian, Klamath County, Oregon, and said application having been examined and such studies conducted as were required, the following findings of fact are made:

1. A description of the real property for which a zone correction is requested is the 2-1/2-acre portion in the northeast corner of Tax Lot 265, said Tax Lot 265 being 17-1/2 acres in area, located in Section 26, Township 39 So., Range 9 EWM, Klamath County, Oregon.
2. The land in question is currently zoned AF (Agricultural Forestry) and the requested correction is to A (Light Agricultural) on the 2-1/2-acre portion.
3. The applicants purchased subject property (2-1/2 acres) in April 1964 as part of a larger 17-1/2-acre parcel.
4. The part of Klamath County affected by this application was zoned on December 7, 1972.
5. The Comprehensive Land Use Plan designation for the subject property is presently Agriculture which is compatible with an agricultural zone.
6. Zoning in the area is predominately AF (Agricultural Forestry) with several small zones of A (Light Agricultural) in the vicinity.
7. Applicant is requesting a change of zone on the 2-1/2-acre parcel in order to sell the 2-1/2 acres and existing home, and

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then to place a mobile home for his own residence on the remaining 15 acres.

8. Subject parcel is a portion of a 17-1/2-acre parcel which is bounded on the north and west by city limits and airport property, on the east by Homedale Road at the intersection of Henley Road, and on the south by AF (Agricultural Forestry)-zoned property.

9. The current Airport Plan which is nearing completion urges that density around the airport remain at its present level, decrease, or not increase substantially.

10. Placing the Light Agricultural zone on the 17-1/2 acres would permit up to 17 small parcels, which would eventually increase the density near the airport.

11. If this zone correction is not approved, applicant will need to apply for a variance in minimum lot size on both the 2-1/2-acre and 15-acre parcels.

12. Applicant is primarily concerned with selling the 2-1/2 acres with the existing home and retaining the 15 acres for his own residence.

13. Applicant is agreeable to a correction on the 2-1/2-acre parcel only and retaining the AF (Agricultural Forestry) zone on his remaining 15 acres.

14. It appears that the 2-1/2-acre parcel with existing home was zoned incorrectly.

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

1. The land in question was zoned unintentionally and incorrectly.
2. The land in question, prior to December 7, 1972, was used as a light agricultural use and such use existed lawfully.
3. The proper zone district for the use lawfully existing prior to December 7, 1972, is A (Light Agricultural) zone.
4. The proper land use designation on applicant's property is Agriculture.
5. Permitting a zone correction to A (Light Agricultural) on the 2-1/2-acre parcel would not substantially increase the density of the area.

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ORDER: ADMIN. Z. C. 75-47  
D. J. & W. M. JANGALA  
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NOW, THEREFORE, it is hereby ordered that Application No. 75-47, submitted by DONALD J. AND WILLA MAE JANGALA, requesting a zone correction from AF (Agricultural Forestry) to A (Light Agricultural), a description of the real property referred to in said application being the 2-1/2-acre portion in the northeast corner of Tax Lot 265, said Tax Lot 265 being 17-1/2 acres in area, located in Section 26, Township 39 So., Range 9 East of the Willamette Meridian, Klamath County, Oregon, is hereby provisionally approved, and that the county zoning maps be changed to show such correction. Unless an appeal is filed prior to February 18, 1976, this ORDER shall become permanent.

DONE AND DATED THIS 19th day of January 1976.

Richard W. Tress  
Klamath County Planning Director

APPROVED AS TO FORM:  
Boivin and Boivin  
County Legal Counsel

By

Mark Brown

STATE OF OREGON, COUNTY OF KLAMATH, ss.

Subscribed for record at request of KLAMATH COUNTY PLANNING DIRECTOR  
this 19th day of JANUARY A.D. 1976 at 9:19 o'clock AM. and  
day recorded in Vol. N 76 of DEEDS on Page 845

NO FEE

Wm D. Miller County Clerk  
Wm D. Miller