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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. 75-70) O R D E R
BY AMBROSE W. FORD)

THIS MATTER having come on before the Klamath County Planning Department upon the application by AMBROSE W. FORD for an Administrative Zone Correction No. 75-70, pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Zoning Ordinance, said application requesting a zone correction from RD 10,000 (Residential Single Family) zone to A (Light Agricultural) 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 application having been examined and such studies conducted as were required, the following findings of fact and conclusions of law are made:

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 RD 10,000 (Single Family Residential) and the requested zone correction is for A (Light Agricultural), which is consistent with zoning in the area.
3. The part of Klamath County affected by the application was zoned on December 7, 1972.
4. The Comprehensive Land Use Plan for said property designates the applicant's land as Suburban Density Residential which is not compatible with the Light Agricultural zone.
5. Applicant purchased subject property, consisting of 4.95 acres, on February 15, 1962, as evidenced by Warranty Deed recorded in Klamath County Deed Records M69-10113.
6. Applicant's property is bordered by Anderson Avenue to the south and Bisbee Street and the I-C drainage canal to the west. Properties south of subject parcel are zoned RA (Residential Agricultural), A (Light Agricultural) and SP-9 (Community Recreation), and land to the west of Bisbee Street is zoned RA and A.

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Conclusions of Law:

1. The land in question was zoned unintentionally and erroneously.
2. Prior to December 7, 1972, the land in question was actually used for farming and light agricultural pursuits and such uses existed lawfully.
3. Land use studies conducted prior to the adoption of the Comprehensive Land Use Plan and Zoning Ordinance incorrectly identified the applicant's use of his land.
4. The proper zone district for the use lawfully existing prior to December 7, 1972, is A (Light Agricultural) and the proper land use designation on applicant's parcel is Agriculture.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-70, submitted by AMBROSE W. FORD, requesting a zone correction from RD 10,000 (Residential Single Family) zone to A (Light Agricultural) zone and a Comprehensive Land Use Plan map change from Suburban Density Residential to Agriculture on real property described in Exhibit A, attached hereto and by reference made a part hereof, is hereby provisionally approved and that the county zoning and land use plan maps be changed to show such corrections. Unless an appeal is filed prior to May 24, 1976, this ORDER shall become permanent.

DONE AND DATED THIS 22nd day of April, 1976.

Archie W. Swanson
Klamath County Planning Director

APPROVED AS TO FORM
Boivin and Boivin
Legal Counsel

BY

Harry J. Boivin

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EXHIBIT A

LEGAL DESCRIPTION

AD. Z.C. 75-70

AMBROSE FORD

Tract 18, Subdivision of Tracts No. 25 to 32 inclusive, together with the south 10 feet of Tracts 33 and 34 of ALTAMONT RANCH TRACTS, except that tract deeded by Arthur L. Gabrielson et ux to Walter W. French et ux, dated April 16, 1956, recorded July 16, 1956, in Volume 285 at page 61, Deed Records of Klamath County, Oregon, more particularly described as follows:

Beginning at an iron pin located at the Southeast corner of Tract 18; thence North 88°46' West 175 feet along the South boundary of Tract 18 to an iron pin; thence North 0°15' West 295.0 feet to an iron pin located on the South boundary of the irrigation canal; thence South 62°45' East 197.2 feet along the South boundary of said canal to an iron pin; thence South 0°15' East along the East boundary of said Tract 18 a distance of 208.4 feet, more or less, to the point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

For record at request of KLAMATH COUNTY PLANNING DIRECTOR
this 23rd day of April A.D. 19 76 at 8:55 o'clock A.M.

July recorded in Vol. M 76 of DEEDS on Page 5951

NO FEE

Wm D. MILNE, County Clerk

By Harold Drazin