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Vol. 176 Page 15071

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. 76-14)
BY JOHN C. SIEMANS)

O R D E R

76 SEP 24 PM 2 34

This matter having come on before the Klamath County Planning Department upon the application by JOHN C. SIEMANS for an Administrative Zone Correction No. 76-14, 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 on Applicant's 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 are set forth:

1. A description of the real property for which a zone correction is requested is marked Applicant's Exhibit A, attached hereto and by reference made a part hereof.
2. The land in question is currently zoned AF (Agricultural Forestry) and the requested zone correction is for RA (Residential Agricultural).
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 Forestry which is not compatible with the Residential Agricultural zone.
5. The property does not meet the minimum lot size in the Agricultural Forestry zone of 20 acres and subject lot was created prior to zoning as witnessed by Tax Assessment statements from the Klamath County Assessor's Office for the years 1971-1972 and 1973-1974. These statements show the property as being 56 acres in size.
6. Article 32 (Agricultural Forestry Zone), Section 32.004, Property Development Standards, of the Klamath County Zoning Ordinance No. 17 states in part:

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The following property development standards shall apply to all land and buildings except that any lot held under separate ownership or of record on the effective date of this Ordinance which is substandard in area or dimension, may be used subject to all other standards.

7. The above mentioned provision allows use of applicant's property as a substandard lot, therefore this administrative zone correction is not necessary.

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


1. Prior to December 7, 1972, the land in question was a substandard sized lot according to the Agricultural Forestry Zone.

2. Based upon Article 32, Section 32.005 of the Klamath County Zoning Ordinance No. 17, the property can be used as a substandard sized lot because it was created prior to December 7, 1972.

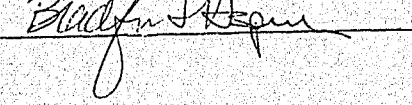
3. For the above recited reasons, the zone correction from AF (Agricultural Forestry) to RA (Residential Agricultural) is not necessary.

NOW, THEREFORE, IT IS HEREBY ORDERED that application No. 76-14, submitted by JOHN C. SIEMANS, 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 marked Applicant's Exhibit A, attached hereto, and by reference made a part hereof, is hereby provisionally disapproved with the understanding that the property may be used for purposes listed in the AF (Agricultural Forestry) zone under Article 32 of the Klamath County Zoning Ordinance No. 17. Unless an appeal is filed prior to October 25, 1976, this ORDER shall become permanent.

DONE AND DATED THIS 24th day of September, 1976.


Klamath County Planning Director

APPROVED AS TO FORM:
Boivin and Boivin
County Legal Counsel

By 

305072A

EXHIBIT A

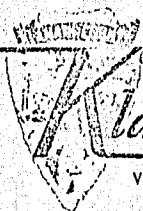
LEGAL DESCRIPTION

ADMINISTRATIVE ZONE CHANGE NO. 76-14

JOHN C. SIEMANS

A tract of land situated in Government Lot 3, Section 7, Township 35 South, Range 7 East, Willamette Meridian, Klamath County, Oregon, more particulary described as follows:

Beginning at an iron pin from which the North one quarter corner of said section 7 bears North a distance of 400.0 feet and East a distance of 319.1 feet; thence South a distance of 98.0 feet to an iron pin; thence West parallel with the North boundary of said Section 7 a distance of 261.8 feet to an iron pin on the East boundary of State Highway #427; thence North $00^{\circ}41'$ West along the East boundary of State Highway #427 a distance of 98.0 feet; thence East parallels with the North boundary of said Section 7 a distance of 263.0 feet more or less to the point of beginning.



15073

VETERANS MEMORIAL BUILDING — 503-882-2501 — KLAMATH FALLS, OREGON 97601

ADMINISTRATIVE ZONE CORRECTION
No. 76-14DATE September 24, 1976N O T I C E

SUBJECT: Information about Administrative Zone Correction proceedings for a parcel of property that may be of interest to you.

The Klamath County Planning Department has received application and completed an approval ORDER for an Administrative Zone Correction No. 76-14.

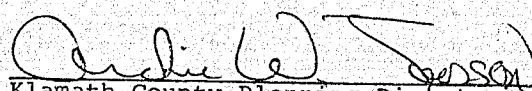
The enclosed ORDER provisionally approves the request for correction from the AF (Agricultural Forestry) zone to the RA (Residential Agricultural) zone. Basically, the ORDER states that there was an error in zoning which is being recognized and corrected.

If you do not agree with this provisional ORDER, you have the right to appeal to the Klamath County Planning Commission for reconsideration. The appeal must be filed within 30 days from the date of mailing of this ORDER, or before 5:00 p.m. on 10/25/76.

The appeal procedure involves writing a letter to the Planning Department in which you state "I appeal Administrative Zone Correction No. 76-14 to the Klamath County Planning Commission." You must sign your letter and enclose a \$50 fee to cover processing costs.

If you require more information on this matter, please contact this office at 882-2501, Extension 285, or write to:

Klamath County Planning Department
Klamath County Courthouse
Klamath Falls, Oregon 97601


Klamath County Planning Director

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 24th day of September A.D., 19 76 at 2:34 o'clock P.M., and duly recorded in Vol. M76, of Deeds on Page 15071.

FEE no fee

WM. D. MILNE, County Clerk

By  Deputy