



20008

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# Klamath County - Planning Department

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

ADMINISTRATIVE ZONE CORRECTION  
No. 75-57DATE October 8, 1976

## N 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. 75-57.

The enclosed ORDER provisionally approves the request for correction from the AF (Agricultural Forestry) zone to the A (Light 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 11/8/76.

The appeal procedure involves writing a letter to the Planning Department in which you state "I appeal Administrative Zone Correction No. 75-57 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

Orville W. Jensen  
Klamath County Planning Director

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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. 75-57 )  
 BY EDWARD W. KISSELL )

## O R D E R

This matter having come on before the Klamath County Planning Department upon the application of EDWARD W. KISSELL for an Administrative Zone Correction No. 75-57, pursuant to Article 117, Ordinance No. 17, the same being the Klamath County Ordinance, said application requesting a zone correction from AF (Agricultural Forestry) zone to an A (Light Agriculture) 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 and further shown on that certain map marked Exhibit B, attached hereto and by reference made a part hereof, and said application having been examined and such studies conducted as were required, the following findings of fact are brought forth:

1. A description of the real property for which a zone correction is requested is attached as Exhibit A and by reference made a part hereof, and as further shown on that certain map marked Exhibit B, attached hereto and by reference made a part hereof, with Parcel No. 1 consisting of approximately 5.87 acres and Parcel No. 2 consisting of 1.03 acres, more or less.
2. The land in question is currently zoned AF (Agricultural Forestry) on Parcel 1 and Parcel 2.
3. The requested zone correction is for A (Light Agriculture).
4. The part of Klamath County affected by the application was zoned on December 7, 1972.
5. Applicant purchased the land in question on July 25, 1972, for the purpose of residential and small farm operation.



6. The Comprehensive Land Use Plan presently designates Parcel No. 1 as Agriculture, which is customarily applied in areas zoned Light Agriculture, and Parcel No. 2 as Suburban Density Residential, which is not customarily applied in areas zoned Light Agriculture.

7. Parcel size and ownership studies were not conducted prior to the adoption of zoning, which would have revealed applicant's parcel sizes.

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 Light Agriculture and such use existed lawfully.

3. The proper zone district for the use lawfully existing prior to December 7, 1972, is A (Light Agriculture) and the Land Use Plan map designation of Agriculture is proper for Parcel No. 1, but Parcel No. 2 must be corrected from Suburban Density Residential to Agriculture.

For the above recited reasons, the determination has been reached that the zone correction necessary is the A (Light Agriculture) zone and the Land Use change necessary on Parcel No. 2 is the Agriculture designation.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 75-57, submitted by EDWARD W. KISSELL, requesting a zone correction from AF (Agricultural Forestry) to A (Light Agriculture), a description of the real property referred to in said application being marked Exhibit A, attached hereto and by reference made a part hereof and further shown on that certain map marked Exhibit B,



attached hereto and by reference made a part hereof, is hereby provisionally approved and that the county zoning and land use maps be corrected to show such zone and land use corrections. Unless and appeal is filed prior to November 8, 1976, this ORDER shall become permanent.

DONE AND DATED THIS 8th day of October, 1975.

  
Klamath County Planning Director

APPROVED AS TO FORM

  
County Legal Counsel



15861

EXHIBIT A  
LEGAL DESCRIPTION  
ZONE CHANGE 75-57

EDWARD KISSELL

PARCEL 1: All that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 1, Township 39 So., Range 8 EWM, Klamath County, Oregon, lying northerly of State Highway 140, excepting therefrom any portion conveyed by Deed recorded July 1, 1960 in Book 322 at Page 357, Klamath County Deed Records.

PARCEL 2: All that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 1, Township 39 So., Range 8 EWM, lying southwesterly of a straight line running from a point on the south line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ , which point is 455 feet east of the southwest corner thereof, to a point 609 feet north of said southwesterly corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY PLANNING DIRECTOR,  
this 8th day of OCTOBER A. D. 19 76 at 9:53 o'clock A. M., and  
duly recorded in Vol. M 76, of DEEDS on Page 15857

FEE NONE

Wm D. MILNE, County Clerk

By Hazel Drazdol