

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. 76-17
BY JOHN RISKUS

O R D E R

76 OCT 13 AM 8 32

This matter having come on before the Klamath County Planning Department upon the application by JOHN RISKUS for an Administrative Zone Correction No. 76-17, 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 RD 3,000 (Residential Multiple Family) zone, a description of the real property referred to in said application being a portion of the E $\frac{1}{2}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 2, Township 39 South, Range 9, East of the Willamette Meridian 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 a portion of the E $\frac{1}{2}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 2, Township 39 South, Range 9, East of the Willamette Meridian.
2. The land in question is currently zoned RD 10,000 (Residential Single Family) and the requested zone correction is for RD 3,000 (Residential Multiple Family) zone.
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 Urban Density which is not compatible with the RD 3,000 zone.
5. The residential appraisal card on file with the Klamath County Assessor's Office indicates that the building was constructed in 1965 and consists of two units.
6. A site visit by the Klamath County Planning Department staff member, Peter Wall, verified that the property contains a duplex.

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

1. The land in question was zoned unintentionally and erroneously.
2. Prior to December 7, 1972, the land in question was actually used as a duplex and such use existed lawfully.
3. Land Use studies conducted prior to the adoption of the Land Use Plan and Zoning Ordinance incorrectly identified the applicant's use of his land.
5. The proper zone district for the use lawfully existing prior to December 7, 1972, is RD 3,000 (Residential Multiple Family) zone.
6. The proper land use designation on applicant's property is Residential Multiple.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 76-17, submitted by JOHN RISKUS requesting a zone correction from RD 10,000 (Residential Single Family) zone to RD 3,000 (Residential Multiple Family) zone a description of the real property referred to in said application being a portion of the E $\frac{1}{4}$, NE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 2, Township 39 South, Range 9, East of the Willamette Meridian is hereby provisionally approved and that the county zoning and land use plan maps be changed to show such correction. Unless an appeal is filed prior to November 12, 1976, this ORDER shall become permanent.

DONE AND DATED THIS 12th day of October, 1976.


Klamath County Planning Director

APPROVED AS TO FORM:
Boivin and Boivin
County Legal Counsel

By Bradford A. Boivin



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Klamath County - Planning Department

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

ADMINISTRATIVE ZONE CORRECTION
No. 76-17DATE October 12, 1976

NOTICE

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. 76-17.

The enclosed ORDER provisionally approves the request for correction from the RD 10,000 (Res. Single Family) zone to the RD 3,000 (Residential Multi Family) 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 11/12/76.

The appeal procedure involves writing a letter to the Planning Department in which you state "I appeal Administrative Zone Correction No. 76-17 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 13th day of OCTOBER A.D., 1976 at 8:32 o'clock A M., and duly recorded in Vol M 76 of DEEDS on Page 16115.

FEE NONE

WM. D. MILNE, County Clerk

By  Deputy