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Klamath County - Planning Department

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

ADMINISTRATIVE ZONE CORRECTION
No. 76-26

DATE May 19, 1977

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. 76-26.

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 June 20, 1977.

The appeal procedure involves writing a letter to the Planning Department in which you state "I appeal Administrative Zone Correction No. 76-26 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. Jones
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. 76-26)
BY THEODORE CHAPMAN)

O R D E R

THIS MATTER having come on before the Klamath County Planning Department upon the application by Theodore Chapman for an Administrative Zone Correction No. 76-26, 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 A (Light Agricultural) zone, a description of the real property referred to in said application being all of Lot 2, Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described on 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 all of Lot 2, Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described on 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 A (Light Agricultural).
3. The part of Klamath County affected by the application was zoned December 7, 1972.
4. The Comprehensive Land Use Plan for said property designates the applicant's land as Suburban Density which is not compatible with the Agricultural Forestry zone.
5. According to Tax Assesments on file at the Klamath County Assessor's Office, the applicant's land was classified as a residential dwelling prior to adoption of the Klamath County Zoning Ordinance No. 17.
6. The land in question is 1.04 acres, which is substandard in lot area for the designated Agricultural Forestry zone, but meets the minimum lot area of one acre, described by Article 31, Section 31.005, Property Development Standards for A (Light Agricultural) of Klamath County Ordinance No. 17.

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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 (Light Agricultural) 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.
4. The proper zone district for the use lawfully existing prior to December 7, 1972, is A (Light Agricultural).
5. The proper land use designation on applicant's property is Agricultural.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application No. 76-26, submitted by Theodore Chapman, requesting a zone correction from AF (Agricultural Forestry) zone to A (Light Agricultural) zone; a description of the real property referred to in said application being all of Lot 2, Section 31, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described on 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 correction. Unless an appeal is filed prior to June 20, 1977, this ORDER shall become permanent.

DONE AND DATED THIS 19th DAY OF May, 1977.

Archie W. Sorenson
Klamath County Planning Director

APPROVED AS TO FORM:
Boivin, Boivin & Aspell
County Legal Counsel

By Bradford H. Aspell

EXHIBIT A

Administrative Zone Correction No. 76-26
Theodore Chapman

Beginning at a point on the westerly line of the County Road, formerly the Dallas-California Highway, from which angle point No. 7 in the meander line of said Section 21, Township 37 South, Range 9 East of the Willamette Meridian, Klamath County, herein, as established by Fred Mensch, U. S. Cadastral Engineer, in November, 1916, north $19^{\circ} 18'$, East 237.45 feet and north $16^{\circ} 37'$, East 932.2 feet; thence $81^{\circ} 37'$ from said point of beginning, south $19^{\circ} 08'$ west 133.25 feet; thence north $81^{\circ} 27'$, west 312.1 feet; thence north $30^{\circ} 12'$, east 191.0 feet; thence south $72^{\circ} 08'$ - 269.2 feet to the point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY PLANNING DIRECTOR
this 20th day of MAY A. D. 1977 at 9:41 o'clock A. M. and
duly recorded in Vol. M 77, of DEEDS on Page 8806
FEE NONE

Wm D. MILNE, County Clerk

Hazel Drake