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KLAMATH COUNTY PLANNING COMMISSION
In and For the County of Klamath, State of Oregon

IN THE MATTER OF APPLICATION
FOR AN ADMINISTRATIVE ZONE
CORRECTION NO. 77-5
BY JOHN LYNCH

O R D E R

THIS MATTER having come on before the Klamath County Planning Department upon the application by John Lynch for an Administrative Zone Correction No. 77-5, 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 the N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 39, Range 8, East of the Willamette Meridian, Klamath County, Oregon, 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 the N $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 39, Range 8, East of the Willamette Meridian, Klamath County, Oregon.
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 on 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. The land in question is 18.5 acres in size, 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 the A (Light Agricultural) zone of Klamath County Ordinance No. 17.
6. A site visit, conducted by a member of the Planning Department Staff revealed the primary use of the property as Light Agricultural.

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.

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2. Prior to December 7, 1972, the land in question was actually used as Agriculture 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. 77-5, submitted by John Lynch 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 the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, Township 39, Range 8, East of the Willamette Meridian, Klamath County, Oregon, 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 July 18, 1977, this ORDER shall become permanent.

DONE AND DATED THIS 17th DAY OF June, 1977.

Peter M. Wall
Interim Planning Director

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

By Robert D. Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of KLAMATH COUNTY PLANNING DIRECTOR

this 9th day of AUGUST A. D. 1977 at 9:43 o'clock AM., and

duly recorded in Vol. M77, of DEEDS on Page 14331

NO FEE

W. D. MILNE, County Clerk

Hazel D. May