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Klamath County - Planning Department

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

ADMINISTRATIVE ZONE CORRECTION
No. 77-2

DATE _____

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 a disapproval ORDER for an Administrative Zone Correction No. 77-2.

The enclosed ORDER provisionally disapproves the request for correction from the AF (Agricultural Forestry) zone to the MHP (Mobile Home Park) zone.

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 July 28, 1977.

The appeal procedure involves writing a letter to the Planning Department in which you state "I appeal Administrative Zone Correction No. 77-2 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

Robert M. Auel
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. 77-2
BY JAMES E. AND CORA ROGERS

O R D E R

THIS MATTER having come on before the Klamath County Planning Department upon the application by James E. and Cora Rogers for an Administrative Zone Correction No. 77-2, 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 MHP (Mobile Home Park) zone, a description of the real property referred to in said application being 7 acres more or less in the most southerly portion of lots 25 and 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 35, Range 7, 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 7 acres more or less in the most southerly portion of lots 25 and 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 35, Range 7, 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 MHP (Mobile Home Park) 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 Agricultural which is compatible with the AF (Agricultural Forestry) zone.
5. The applicant's evidence is insufficient in content to support their contention that the requested 7 acres were utilized for a mobile home park.
6. Appraisal records at the Klamath County Assessor's Office state that the mobile home park in question was abandoned prior to December 7, 1972.
7. Since the mobile home park was not used as such on December 7, 1972, as was shown by the Assessor's records the requested land use does not qualify for an administrative zone correction under Article 117, Section 117.001 of the Klamath County Ordinance No. 23.

ORDER: Administrative Zone Correction 77-2
James E. and Cora Rogers
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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 correctly.
2. Prior to December 7, 1972, the land in question was actually used for agricultural forestry purposes and that use existed lawfully.
3. Any use which was claimed as a "nonconforming" use was abandoned prior to the adoption of the Klamath County Zoning Ordinance No. 17.
4. The proper zone district for the use lawfully existing prior to December 7, 1972, is AF (Agricultural Forestry).
5. The proper Land Use Designation on applicant's property is Agricultural.

NOW, THEREFORE, IT IS HEREBY ORDERED that Application 77-2, submitted by James E. and Cora Rogers 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 7 acres more or less in the most southerly portion of lots 25 and 32, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Township 35, Range 7, East of the Willamette Meridian, Klamath County, Oregon, is hereby provisionally disapproved. Unless an appeal is filed prior to July 28, 1977, this ORDER shall become permanent.

DONE AND DATED THIS 28th DAY OF June, 1977.

Peter M. Wheeler
Interim Planning Director

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

By [Signature]

Filed for record at request of Klamath County Planning Director
this 18th day of AUGUST, A.D. 1977, at 1:46 o'clock P.M., and

duly recorded in Vol. N77, of DEEDS, on Page 15209

NO FEE

Wm D. MILNE, County Clerk

By [Signature]