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BEFORE THE HEARINGS OFFICER
KLAMATH COUNTY, OREGON

In the Matter of Violation 5-86)
Evaline Stevenson)

Klamath County Planning
Findings of Fact and Order

86 JUL 7 PM 12 32

A hearing was held on this matter on March 20, 1986, pursuant to notice given in conformity with Ordinance No. 45.2, Klamath County, before the Klamath County Hearings Officer, Jim Spindor. The applicant was present. The Klamath County Planning Department was represented by Kim Lundahl. The Hearings Reporter was Janet Libercajt.

Evidence was presented on behalf of the Department and on behalf of the applicant. There was one adjacent property owner present.

The following exhibits were offered, received, and made a part of the record:

- Klamath County Exhibit A, Staff Report
- Klamath County Exhibit B, Survey Map
- Klamath County Exhibit C, Assessor's Map
- Klamath County Exhibit D, Letter from property owner
- Klamath County Exhibit E, Letter to Arthur Beddoe.
- Klamath County Exhibit F, Letter from Mrs. Hughes
- Klamath County Exhibit G, Pictures

The hearing was then closed, and based upon the evidence submitted at the hearing, the Hearings Officer made the following Conclusions of Law:

CONCLUSIONS OF LAW:

1. Evaline Stevenson is in violation of the Klamath County

1 Land Development Code Section 62.004(2), for erecting and main-
2 taining a building within the required five (5) foot minimum
3 side yard setback.

4 2. Ms. Stevenson shall conform her use of the property in
5 question to the Klamath County Land Development Code Section
6 62.004(2) within 60 days of the date of this order.

7 FINDINGS OF FACT:

8 Evaline Stevenson has been found in violation of the Klamath
9 County Land Development Code, based on the following Findings
10 of Fact:

11 1. The property in question is north of Hager Way, 200 feet
12 west of State Highway 39. The property is approximately 60 feet
13 by 180 feet and rectangular in shape. It is zoned IH (High
14 Density Residential).

15 2. The property has an out building within the required
16 5 foot minimum side yard setback. See Section 62.004(2) of the
17 Klamath County Land Development Code.

18 3. This matter was brought to the attention of the Planning
19 Department by next door neighbors, George and Verna Kohler, who
20 state they are having problems obtaining insurance due to the
21 placement of the building in question.

22 4. Notice of this hearing was sent to the surrounding
23 property owners, to concerned public agencies, and published in
24 the Herald and News, the Klamath Falls newspaper.

25 5. The respondent was given the necessary warnings and then
26 cited before the Hearings Officer.

27 6. The respondent had no argument that the building in
28 question is in violation of the Klamath County Land Development

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1 Code, and she agreed to comply with the Order of the Hearings
2 Officer.

3 The Hearings Officer, based on the foregoing Findings of
4 Fact, accordingly orders as follows:

5 That real property described as

6 "Being north of Hager Way, 200 feet west of State Highway 39,
7 7413 Hager Way, and more particularly described as Lot 8,
8 Hager Acres, Tax Account No. 3909-12DA-200, Klamath
9 Klamath County, Oregon,"

10 is hereby ordered to conform her use of the property in question
11 to the Klamath County Land Development Code Section 62.004(2)
12 within sixty (60) days of the date of this Order.

13 Entered at Klamath Falls, Oregon, this 3rd Day of
14 July, 1986.

15 KLAMATH COUNTY HEARINGS DIVISION

16 *Jim Spindor*
17 Jim Spindor, Hearings Officer
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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of July A.D., 19 86 at 12:32 o'clock P M., and duly recorded in Vol. M86
of Deeds on Page 11863

FEE NONE

Return: Commissioner's Journal

By Evelyn Biehn, County Clerk
Evelyn Biehn

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