

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the citation)	Violation Case No. 15-89
against I. G. NEWTON and)	FINDINGS OF FACT, CONCLUSIONS
JACKIE R. NEWTON)	OF LAW AND ORDER
)	

This matter came before Hearings Officer William M. Ganong on June 1, 1989 in the Klamath County Commissioner's Hearing Room. The Hearing was held pursuant to the Notice given in conformity with the Klamath County Land Development Code and related ordinances. The Respondents represented themselves at the Hearing. The Klamath County Planning Department was represented by Mr. J. Kim Lundahl and the Recording Secretary was Karen Burg. The Klamath County Planning Department file and all contents thereof were incorporated in the record as evidence. The County Hearings Officer, after reviewing the evidence presented, makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT:

1. The Respondents were cited by the Klamath County Planning Department on May 17, 1989 for initiating and maintaining an automobile wrecking yard as defined by LDC Section 93.005 (j) in a zone that does not permit said use and for storing a mobile home in violation of LDC Section 84.005 which prohibits the storage of a mobile home for longer than three months.
2. The subject property is described as Tax Account No. 2310-16A-1600. The subject property is zoned R-1.
3. In his testimony to the Hearings Officer, Mr. Newton admitted that there are five inoperable vehicles on the property, that there are tires, wheels and several motors located on the property and not within an enclosure as required by the code.

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4. The Newtons testified that they have purchased the 14' x 70' mobile home which has been burnt out and that they are in the process of reconstructing said mobile home and plan to move into it in the fall. They are currently residing in a 35' mobile home.

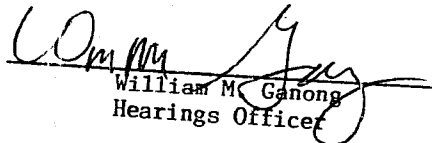
ORDER:

I. G. Newton and Jackie R. Newton are found to be in violation of the Klamath County Land Development Code for maintaining a wrecking yard as defined in LDC Section 93.005 (j) on land zoned R-1 and for storing a mobile home on said property in violation of LDC Section 84.005.

I. G. Newton and Jackie R. Newton are ordered to abate said violations on or before September 5, 1989.

In the event that the Respondents fail to bring their property into compliance with the Land Development Code by said date, or in the event that they violate the Code or the provisions of this Order after said date, then the Klamath County Planning Director is ordered to refer this matter to the Klamath County District Attorney or other proper official for further action consistent with Klamath County's Land Use Code.

Dated this 20th day of June, 1989.


William M. Canong
Hearings Officer

Klamath County Land Development Code Section 24.007 provides:

"An Order of the Hearings Officer shall be final unless appealed within ten (10) days of its mailing by a party having standing in accordance with the procedures set forth in Chapter 3, Article 33 of this Code."

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County
of June A.D., 19 89 at 3:59 o'clock PM., and duly recorded in Vol. M89
of Deeds on Page 11144

FEE none

Evelyn Biehn County Clerk

By Pauline Muckersie

Return: Commissioners Journal