

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Citation)
for Code Violation 37-88 to) FINDINGS OF FACT, CONCLUSIONS
ROBERT L. SMITH.) OF LAW AND ORDER

THIS MATTER came before Deputy Hearings Officer Michael C. Miller on July 6, 1989 in the Klamath County Commissioners' Hearing Room. The hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related ordinances. The applicant was not present. 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 into the record as evidence. The Deputy County Hearings Officer, after reviewing the evidence presented, makes the following Findings of Fact, Conclusions of Law and Decision:

FINDINGS OF FACT:

1. Robert L. Smith is using the subject property as an automobile wrecking yard as defined by LDC Section 93.005(J). Said use is not allowed in the R-1 zone. The use is a violation of the provisions of the Klamath County Land Development Code.

2. Robert L. Smith has previously been ordered to cease and desist from using 7004 Airway Drive as an automobile wrecking yard.

ORDER:

1. Because of the substantial compliance that Mr. Smith is attempting, this matter is continued to September 21, 1989.

2. In the event that Robert L. Smith continues his wrecking

yard activity or fails to strictly comply with the provisions of this and the prior orders, the Planning Director shall refer this matter to the Klamath County District Attorney for further enforcement proceedings as provided by the Klamath County Land Development Code.

DATED THIS 13th day of July, 1989.

Michael C. Miller
Michael C. Miller
Deputy 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."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 17th day
of July A.D., 19 89 at 4:01 o'clock P.M., and duly recorded in Vol. M89
of Deeds on Page 13045

Evelyn Biehn County Clerk
By Quinn M. Millard

FEE none
Return: Commissioners Journal