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BEFORE THE BOARD OF COMMISSIONERS
KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPEAL OF V.C. 43-89
BY RADIANCE CHESNUT

ORDER 92-150

NATURE OF THE APPEAL:

The violation case was heard by the Land Use Hearings Officer and an Order issued June 28, 1991. The Hearings Officer found the respondent in violation of the Land Development Code (KCO #45).

The respondent posted an appeal of this disposition July 8, 1991, and the case was scheduled for hearing August 26, 1991, before the Board of Commissioners.

The above Hearing was conducted in accordance with the Klamath County Land Development Code.

The matter was continued for decision only to November 6, 1991, at the respondents request, to allow a timeframe within which to submit an application for a Forest Management Dwelling per Land Development Code Section 55.060. If this application had been submitted and approved, the violation case before the Board would have been resolved.

THOSE WHO PARTICIPATED:

Commissioners Fredricks, Kentner and Sine were present. The Planning Department position was set out by Kim Lundahl, Senior Planner. The appellant was represented by Brad Aspell, Attorney at Law, who appeared and argued in favor of the appeal.

PROPERTY DESCRIPTION:

The property involved in this violation case is described as a portion of Section 5, T 33S R 7E T.A. 3307-5-500. The subject property is zoned/planned "F/Forestry."

FINDINGS & ORDER:

The Board of County Commissioners, upon review of the record and hearing of argument, DENY the appeal of Radiance Chesnut and uphold the decision of the Hearings Officer. An application for a Forest Management Dwelling was not received.

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The Board agrees with the findings set out in the attached Order dated June 28, 1991, and direct the Order of the Hearings Officer effective as dated below.

DATED this 27th day of November, 1991

Commissioner

Harry J. Fredrick

Commissioner

Edwin W. Benton

Commissioner

[Signature]

REVIEWED

Rod Davis
Rod Davis, County Counsel

NOTICE OF APPEAL RIGHTS

This decision may be appealed to the Land Use Board of Appeals within 21 days following the date of the mailing. Contact the Klamath County Planning Department for more information regarding this procedure. Failure to do so within the 21 day period may jeopardize your right of appeal.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 3rd day
of Dec. A.D. 19 91 at 10:00 o'clock A M., and duly recorded in Vol. M91
of Deeds on Page 25204

FEE none

Evelyn Biehn - County Clerk

By Danise Mulendore

Return: Commissioners Journal

APPEAL: V.C. 43-89 CHESNUT