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09-24-93P01:56 RCVD

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BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the violation/
citation of

JERRY SAVAGE

) VIOLATION/CITATION
) NO. VC 39-93
)
)
)
)

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on September 17, 1993, in the County Commissioners' Hearing Room in Klamath Falls, Oregon. The hearing was held pursuant to notice given in conformity with the Klamath County Land Development Code and related statutes and ordinances. The Klamath County Planning Department was represented by Mr. Kim Lundahl and the recording secretary was Ms. Karen Burg. Respondent Jerry Savage and Dixie Savage were present. Jerry Savage, Dixie Savage and numerous neighbors testified and exhibits were received.

FINDINGS OF FACT

Respondent obtained a non-forest conditional use permit no. 54-92 in 1992. Respondent's property is generally located east of Bly Mountain cutoff, 1/2 mile south of Keno Springs Road. Respondent was charged with having moved a collection of trucks, trailers, bus, cement mixer, and other personal property onto the premises, and that the condition of said personal property constituted fleet storage, scrap operations, and a vehicle wrecking yard.

One truck is registered and licensed in the State of Oregon and is operated on public roads as well as upon respondent's private property. The other vehicles are operated only on respondent's property and are not required to be registered and

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licensed unless and until said vehicles are to be operated on public roads. All motor vehicles are in operating condition. Respondent has not been and is not presently operating a commercial enterprise upon his real property. A loaded trailer was tipped over when a neighbor backed into it. Due to the weather and ground conditions, the spill could not be cleaned up until weather improved and the ground dried. Respondent has been cleaning up the property and attempting to organize the vehicles and equipment in such a manner that they will not be unsightly.

CONCLUSION OF LAW

Respondent is not operating fleet storage, scrap operations, or a vehicle wrecking yard as those operations are defined in the code.

ORDER

Violation/Citation No. VC 39-93 is dismissed.

DATED THIS 22nd day of September, 1993.

Michael L. Brant
Michael L. Brant
Hearings Officer

KLAMATH COUNTY LAND DEVELOPMENT CODE SECTION 24.060 PROVIDES:

"An Order of the Hearings Officer may be appealed to the Board of County Commissioners within seven (7) days of its mailing as set forth in Article 33."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____
of _____ Sept. _____ A.D., 19 93 at 1:56 o'clock P _____ the 24th day
of _____ Deeds _____ on Page 24726 M93

FEE \$No Fee

Evelyn Biehn County Clerk

By Sandra M. Muelken