

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON
IN THE MATTER OF THE REQUEST FOR
COMPREHENSIVE LAND USE PLAN AND
ZONE CHANGE 11-91 FOR NEWMAN, CREBBIN) REVIEW FOR COMPLIANCE WITH
HCCC ORDER 1-13-92

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on March 18, 1994, in the Klamath County Planning Department Conference 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. No representative of Newman and Crebbin appeared. The Klamath County Planning Department was represented by Mr. Kim Lundahl and the recording secretary was Ms. Karen Burg. The issues before the hearings officer were whether the Newman and Crebbin were in compliance with BOCC order dated 1-13-92.

FINDINGS OF FACT

NEWMAN AND CREBBIN CONSTRUCTED THE FENCE AND PLANTED THE TREES AS REQUIRED BY THE ORDER. HOWEVER THE TREES DIED. THE APPLICANT WAS ADVISED THAT THE TREES MUST BE REPLACED AND THE APPLICANT PROMISED TO COMPLY BY 12/2/93. THE APPLICANT HAS FAILED TO REPLACE THE TREES.

CONCLUSION OF INVESTIGATION

The applicant is not in compliance with the Klamath County Land Development Code although the applicant has had sufficient time to meet all requirements.

ORDERS

The applicant is hereby ordered to comply by replacing the trees by May 1, 1994. In the event that the applicant fails to so replace the trees the Planning Director shall, on May 2, 1994, file a CEUP/70 per Article 19 to reverse the plan/zone change to the original RL zone.
 Dated this 30th day of March, 1994.

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 19."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ Klamath County
 of _____ A.D. 19 94 at 10:15 o'clock A.M. and duly recorded in Vol. _____ the _____ day
 of _____ Deeds on Page 9717 M94
 EVELYN BLEHN
 County Clerk
 Return: Commissioners Journal By *Carolyn M. Henderson*