

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
KLAMATH COUNTY**

**IN THE MATTER OF THE APPEAL OF VC 18-89, FOR CHERNABAEFF  
ALLEGING AN AUTOMOBILE WRECKING YARD WAS ESTABLISHED**

**1. NATURE OF THE CASE:**

The referenced case was heard by the Klamath County Land Use Hearings Officer on AUGUST 19, 1994. An ORDER finding the use of the property an automobile wrecking yard was entered AUGUST 31, 1994. The respondent, through his representative, Robert Masterson, entered appeal of this decision by notice dated SEPTEMBER 8, 1994. A hearing on this appeal was heard by the Board of County Commissioners OCTOBER 25, 1994.

The appeal was heard pursuant to the procedure set out in Article 33 of the Klamath County Land Development Code.

**2. THOSE WHO PARTICIPATED:**

Appellants representative argued in behalf of the appeal. The Planning Department was represented by Kim Lundahl, Senior Planner. Karen Burg, Administrative Secretary, was the recording secretary. Members of the Board who heard the appeal were: Wes Sine, and F. Jean Elzner.

**3. CASE DESCRIPTION:**

The respondents use of his 2.34 acre property zoned Forestry Range, east of Wocus Rd., north end, as an automobile wrecking yard was found a violation of the Land Development Code by Hearings Officer Brant. An Order was entered requiring the respondent to "remove or cause to be removed to a legal location all ... wrecked, inoperable unlicensed vehicles, vehicle parts, scrap metal and debris." The property is described as T.A. 3809-6C-1900.

The appellants argued the Hearings Officer did not consider all of the information in the record that was pertinent to the case and argued the points of appeal set out in statement entered September 14, 1994.

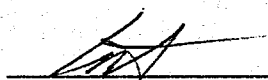
**4. FINDINGS:**


The Board finds the Order of the Hearings Officer, based on testimony received via the transcript of the August 19 hearing, previously filed evidence and staff presentation is correct in that an automobile wrecking yard as defined by the Code has been established.

## 5. ORDER:

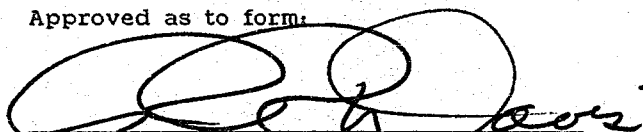
The Board of Commissioners, therefore, UPHOLDS the Hearings Officer Order entered August 31, 1994 and ORDERS the compliance date reset to DECEMBER 1, 1994.

DATED this 8<sup>th</sup> day of Nov, 1994

  
Wes Sine, Chairman

  
F. Jean Elzner, Commissioner

Approved as to form:

  
Reginald R. Davis, County Counsel

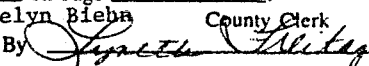
## APPEAL RIGHTS

This decision may be appealed to the Land Use Board of Appeals within 21 days of the date of mailing. Please contact the Planning Department for information as to this procedure. Failure to file an appeal within the allowed timeframe may affect your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 10th day  
of Nov. A.D., 19 94 at 10:21 o'clock A M., and duly recorded in Vol. M94  
of Deeds on Page 34691

FEE NO FEE

Commissioners Journal By  Evelyn Biehn County Clerk