

## BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation/Citation	)	
of	)	Violation/
	)	Citation 67-91
MICHAEL NERBONNE,	)	
	)	ORDER
Respondent.	)	
	)	

This matter came before Neal G. Buchanan, Hearings Officer for Klamath County, Oregon, on March 3, 1995, in the Klamath County Museum 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. The Klamath County Planning Department was represented by Mr. Kim Lundahl, and the recording secretary was Ms. Karen Burg. The respondent was served January 28, 1995, but did not appear. The hearings officer reviewed correspondence from Beverly J. Nerbonne, evidencing control of the real property by Michael Nerbonne. The staff report was received.

## FINDINGS OF FACT

The subject property is zoned EFU-CG. From the exhibits presented, it appears that Michael Nerbonne, as the party in possession of the property, is allowing an automobile wrecking yard, as defined by Article 11, to be maintained on the subject real property, which is not zoned for that use.

## CONCLUSIONS OF LAW


The applicant is in violation of the Klamath County Land Development Code. The applicant can cure the violation by taking certain actions set forth in the Order, hereinbelow.

ORDER

The applicant is in violation of the Klamath County Land Development Code. The applicant shall be required to:

1. Submit a COMPLETE listing of all inoperable, wrecked or unlicensed vehicles to the Planning Department by April 1, 1995.
2. Submit a written plan for bringing the property into compliance by April 1, 1995, demonstrating how compliance may be achieved by May 1, 1995.
3. Allow inspection of the property after May 1, 1995 to verify compliance, or be cited to appear in District Court to show cause why the Code should not be enforced with a fine set at \$1,000.00 as set out in Section 14.012 of the Land Development Code.

Dated this 15 day of March, 1995.

  
NEAL G. BUCHANAN, Hearings Officer

NOTICE OF APPEAL RIGHTS

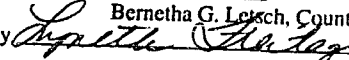
You are hereby notified that this Order may be appealed to the Klamath County Board of Commissioners by filing with the Klamath County Planning Department a notice of appeal as set out in Section 33.040 of the Klamath County Land Development Code, together with the fee required within seven (7) days of the mailing date of this Order. Failure to file a notice of appeal within the time provided will result in the loss of your right to appeal this decision.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 17th day of March A.D., 19 95 at 10:43 o'clock A M., and duly recorded in Vol. M95 of Deeds on Page 5982.

FEE NONE

RETURN: Commissioners Journal

By  Bernetha G. Leitch, County Clerk