

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by)

JOHN MAXWELL,)

Respondent.)

VIOLATION 112-95

MAR 21 10:54 AM '96

1. NATURE OF THE ASSERTED VIOLATION:

The Respondent is alleged to have placed a new manufactured home on 4.88 acres of property without abandoning the use of the existing residence, resulting in two residences being located on the property in violation of the R-5 zone (Section 51.220).

2. NAMES OF THOSE WHO PARTICIPATED:

The matter was heard by the Hearings Officer on February 16, 1996 and continued for further hearing to March 15, 1996. The Hearings officer in review of the violation was Neal G. Buchanan. The Respondent appeared and offered testimony. The Planning Department was represented by Kim Lundahl, and the recording secretary was Karen Burg.

3. LOCATION:

The property is generally located west of Highway 31, north of Sun Forest Estates.

4. EVIDENCE RECEIVED:

Exhibits A through C.

5. FINDINGS OF FACT:

A. The occupant of the additional mobile home is a person who may be characterized as suffering a medical hardship.

B. The occupant of the additional mobile home is not a relative as required by Section 42.030 B.

C. The respondent proposes that the premises be vacated and the additional mobile home be removed on or before August 1, 1996.

7. ORDER:

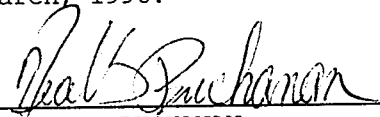
THEREFORE, IT IS ORDERED THAT:

A. The use of an additional residence on Respondent's property be abandoned and proof of electric disconnect from Mid-State

Electric be submitted to the Klamath County Planning Department on or before August 1, 1996.

B. Should the foregoing Order be violated, the enforcement officer is directed to cite the Respondent to District Court with fine set at \$1,000.00 to show cause why the provisions of the Code should not be enforced.

Dated this 18 day of March, 1996.


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 21st day
of March A.D. 19 96 at 10:54 o'clock A M., and duly recorded in Vol. M96
of Deeds on Page 7684
FEE None Commissioners Journal
By Bernetha G. Letsch County Clerk
