

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation/Citation)	
of)	
)	VIOLATION 22-96
)	
CLIFF AND CLARA FOSTER,)	ORDER
)	
Respondents.)	

1. NATURE OF THE ASSERTED VIOLATION:

Respondents are alleged to have violated the Klamath County Land Development Code in two particulars, including the following:

A. Respondents are alleged to have maintained five or more dogs without a valid Conditional Use Permit; and

B. Respondents are alleged to have erected a fence over the 6' maximum allowed by the Code.

2. NAMES OF THOSE WHO PARTICIPATED:

The matter was heard by the Hearings Officer August 16, 1996. The Hearings Officer in review of the violation was Neal G. Buchanan. Witnesses who testified included Cliff Foster, Clara Foster, Ray LaMarche. The Planning Department was represented by Kim Lundahl, and the recording secretary was Karen Burg.

3. LOCATION:

The property under consideration is civilly described as 2816 Hope Street, Klamath Falls, Oregon.

4. FINDINGS OF FACT:

The Hearings Officer finds as follows:

A. The Hearings Officer finds as credible the Respondents' testimony that there are now only four dogs on premises, the fifth having been there only while its owner was in the hospital. Respondents have indicated that they will not maintain more than four dogs on the premises without first obtaining a valid Conditional Use Permit.

B. Respondents have indicated a willingness to reduce the height of the fence constructed of slab material to a height of no more than 6'.

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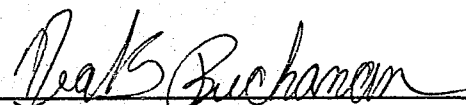
5. ORDER:

A. IT IS ORDERED that the Respondents, Cliff and Clara Foster continue cessation of the maintenance of more than four dogs on the premises without a valid Conditional Use Permit;

B. IT IS ORDERED that the Respondents, Cliff and Clara Foster make provision for the reduction in height of the existing slab fence to a height of no more than 6', such reduction in height to be accomplished on or before September 1, 1996; and

C. Should the foregoing Order be violated, the enforcement officer is directed to cite the Respondents to District Court to show cause why the provisions of the Code should not be enforced.

Dated this 20th day of August, 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 August A.D., 19 96 at 10:41 o'clock AM., and duly recorded in Vol. M96
of Deeds on Page 25795.
FEE No Fee Return: Commissioners Journal By Bernetha G. Letsch, County Clerk
