

## BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the matter of the request for )  
a conditional use permit by ) Conditional Use Permit  
Case No. CUP 93-95  
JASON TOLLESON )  
)  
)  
)  
)

This matter came before Michael L. Brant, Hearings Officer for Klamath County, Oregon, on September 20, 1996, in the Klamath County Museum Meeting 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 Assistant Planner Karen Burg. The Klamath County Planning Department file and all the exhibits and other contents therein is incorporated by this reference into this matter. The Klamath County Planning Department staff report was received. Based upon the evaluation of the staff report and consideration of the evidence received, the hearings officer makes the following findings of fact and conclusions and makes the following decision.

## FINDINGS OF FACT

The Applicant requested a conditional use permit to operate a wrecking yard. The permit was approved January 5, 1996 and an Article 41 Site Plan Review was conducted February 23, 1996. A letter of agreement was sent to the Applicant. The Applicant has failed to fulfill the requirements of the agreement but has continued to collect more wrecked vehicles. The Applicant now promised again to comply with the Code requirements.

## CONCLUSION

The Applicant is in violation notwithstanding prior promises to comply.

## ORDER

It is hereby ordered that the Applicant shall cause the property to be in compliance with the Letter of Agreement by 9:00 AM October 18, 1996. This matter is continued to 9:00 AM October 18, 1996. In the event that the property is not in compliance at said time and date the requested conditional use permit 93-95 will be voided, notice will be sent to the Oregon Department of Motor Vehicles and the Code Enforcement Officer shall cite the Applicant to appear in Klamath County District Court with appearance set for October 21, 1996. Bail to be set at \$1000.00.  
Dated this 3rd day of October 1996.

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 33."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 4th day  
of October A.D., 19 96 at 11:14 o'clock A. M., and duly recorded in Vol. M96,  
of Deeds on Page 31562.

Bernetha G. Letsch County Clerk

FEE No Fee: Return:  
Commissioners Journal

By Kathleen Ross