

## BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation/Citation	)	
of	)	VIOLATION 33-97
	)	
DALE MCKENZIE,	)	
	)	
Respondent.	)	ORDER
	)	

## 1. NATURE OF THE ASSERTED VIOLATION:

Respondent is alleged to be "camping" on his property, in violation of Article 42 of the Klamath County Land Development Code.

## 2. NAMES OF THOSE WHO PARTICIPATED:

The matter was heard by the Hearings Officer August 1, 1997. The Hearings Officer in review of the violation was Neal G. Buchanan. The Respondent appeared and offered testimony. Interested persons who offered testimony were Paul Paulsen, Ed Young and Dale McKenzie. The Planning Department was represented by Kim Lundahl, and the recording secretary was Karen Burg.

## 3. LOCATION:

The property under consideration is generally located on Elk Lane in the Bly Mountain area east of Klamath Falls, Klamath County, Oregon.

## 4. FINDINGS OF FACT:

The Respondent appeared and testified that he had not applied for a Temporary Use Permit, but that he had reached an accommodation with the Planning Department, which might be included within the provisions of an Order of the Hearings Officer.

## 5. ORDER:

IT IS ORDERED that "camping" by the Respondent on Respondent's property be abandoned or alternatively brought into compliance with Article 42 (Temporary Use Permit), pursuant to the schedule as follows:

1. Respondent shall be required to apply for a Temporary Use Permit on or before September 1, 1997;
2. Respondent shall have obtained an evaluation of his proposed septic system on or before October 1, 1997; and
3. Respondent shall have completed installation of his approved septic system on or before December 1, 1997; PROVIDED, FURTHER that should the Respondent fail to comply with the

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provisions of the foregoing agreement and Order, Respondent shall be cited to appear in Wood River Justice Court with fine suggested at \$1,000.00.

Dated this 6th day of August, 1997.

Neal G. Buchanan  
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

on this 7th day of August A.D., 1997  
at 3:49 o'clock P. M. and duly recorded  
in Vol. M97 of Deeds Page 26064

Bernetha G. Letsch, County Clerk

By Kathleen Rose  
Return: Commissioners Journal Deputy.  
Fee: No Fee