

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:

JOSEPH A. CUNA

Respondent

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ORDER VIOLATION # 14-98

1. NATURE OF THE ASSERTED VIOLATION

Respondent is alleged to have been camping as defined by Article 11, in addition Respondent is alleged to have installed a manufactured dwelling without a permit, and to be living in said manufactured dwelling.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this violation is Joan-Marie Michelsen. The Respondent failed to appear. The planning department was represented by Kim Lundahl. The recording secretary Karen Burg.

3. LOCATION OF PROPERTY INVOLVED

The property is located at 26205 Moccasin Ln., east of Klamath Forest Estates and North of the Sprague River.

4. EVIDENCE RECEIVED

All evidence consisted of the oral testimony given May 1, 1998 and the attached exhibit A.

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. The respondent did appear and gave testimony.
- b. Respondent admitted to living in the subject manufactured dwelling for some time now, but alleged mitigating factors.
- c. Respondent applied for a 6 month permit to store an unoccupied manufactured dwelling on the subject premises in May of 1996.
- d. Storage permits do not allow occupancy.

- e. The Storage permit has expired by its terms.
- f. Respondent has been living illegally in the subject premises for some time.
- g. Respondent has failed to apply for the proper permits.
- h. Respondent has been camping as defined by the County LDC on the subject property.

6. ORDER

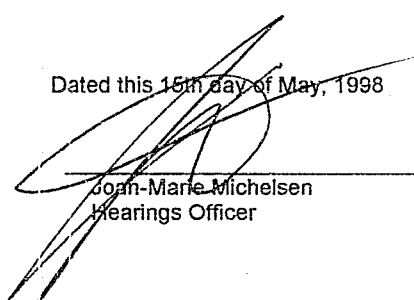
THEREFORE, IT IS HEREBY ORDERED THAT:

The hearings officer finds that as a matter of law the Respondent is in violation of the Klamath County Land Development Code.

The Respondent is ordered to cease camping or otherwise living in or about the subject premises effective immediately.

The respondent has until July 1, 1998 to either remove the subject manufactured dwelling and ALL associated materials on the premises or to apply for and receive the appropriate permits necessary to occupy the premises.

Dated this 15th day of May, 1998


Joan-Marie Michelsen
Hearings Officer

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 15th day
of May A.D., 19 98 at 3:32 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 16748.

Return: Commissioners Journal

FEE No Fee

By Bernetha G. Letsch, County Clerk
