

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:

BLANTON AND COOPER

Respondent

)  
) ORDER VIOLATION # 101-98  
)  
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)

1. NATURE OF THE ASSERTED VIOLATION

Respondent is alleged to have been maintaining an auto wrecking yard, kennel and camping as defined by the LDC article 11 on property not zoned for such.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this violation is Joan-Marie Michelsen. The Respondents did appear. The planning department was represented by Carl Shuck. The recording secretary was Karen Burg.

3. LOCATION OF PROPERTY INVOLVED

On the east side of Gale Rd. North of East Langel Valley road on lot 300. 3912-35-300

4. EVIDENCE RECEIVED

All evidence consisted of the oral testimony, the staff report and the attached exhibits.

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. The respondents appeared.
- b. The respondent Cooper denied that the dogs ran loose, that there were abandoned vehicles on the property and generally that there was any problem.
- c. The property is owned by Mr. Blanton, and rented by the Coopers. There is no record of this location being approved for a residence of any type. It is Mr. Blanton's responsibility to insure that if he is renting a dwelling unit it is legal for occupation.
- d. Ms. Cooper stated that they had 13 dogs, that they did discharge fire arms on the property, and that not all the cars were insured.

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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 Respondents are ordered to cease using the property to store more than one inoperable vehicle and to remove all remaining inoperable vehicles in excess of this limit by December 1, 1998. Both the Coopers and the Blantons shall remove all inoperable vehicles and shall cause any vehicles which are not street legal to be removed or put inside a garage or shed. Mr. Blanton shall remove any which belong to him or his relations, and the Coopers shall remove those which belong to them or their relations

The respondent shall apply for all required permits or vacate the premises by December 1, 1998. This includes but is not necessarily limited to a permit to construct a dwelling on the property and to construct a kennel. Mr. Blanton is responsible for applying for the dwelling permit and the Coopers for the kennel permit.

In the meantime Respondents shall provide bi-weekly reports to the planning department of the status of the property. This shall continue until either the permits are applied for or the property is vacated whichever comes first.

The Coopers shall remove all trash and debris from their portion of the premises by December 15, 1998.

The enforcement officer is directed to cite the Respondent to appear in the Wood River Justice Court with bail to be set by the court if the problems is not remedied within the timelines set

Dated this 16th day of November, 1998

*[Signature]*  
Joari-Marie Michelsen  
Hearings Officer

NOTICE OF APPEAL RIGHTS

You are hereby notified this application 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 33.004 of the Klamath County Land Development Code together with the fee required within SEVEN DAYS (7) following the mailing date of this order.

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County  
of Nov A.D., 19 98 at 2:04 o'clock P M., and duly recorded in Vol. M98 day  
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FEE none Ret: Commissioners Journal

By Bernetha G. Letsch County Clerk  
*[Signature]*