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BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:

BEAR/WOLFF

Respondent

ORDER VIOLATION # 73-98

1. NATURE OF THE ASSERTED VIOLATION

Respondent is alleged to have been camping as defined by Article 11.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this violation is Joan-Marie Michelsen. The planning department was represented by Kim Lundahl. The recording secretary was Karen Burg. The respondent did appear and offer testimony.

3. LOCATION OF PROPERTY INVOLVED

The property is located at Lot 23 Blk 14, Meadowlark Ln, DFFE #1, Bly Mountain

4. EVIDENCE RECEIVED

All evidence consisted of the oral testimony and the staff report.

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. Respondent has been living on the premises without proper sanitation.
- b. Respondent was informed of the hearing date and told that they needed to apply for the proper permits or come to the hearing.
- c. Respondent has been camping and building un-permitted structures on the subject property.

1. 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.

If Respondent continues to live on the property then Respondent is ordered to obtain a temporary approved method of sewage disposal in the form of a portable sanitary toilet and to contract with the supplier to regularly service such. Respondent must vacate the premises until it is installed. It is up to the Respondent to decide if it is better to vacate or get a porta-potty.

If Respondents choose to remain on the property they must apply for either the Placement Permit or a temporary use permit by January 15, 1998. If respondent decides to apply for a temporary use permit then the final permit must be applied for by 4-15-1998. The final permit must be finished and

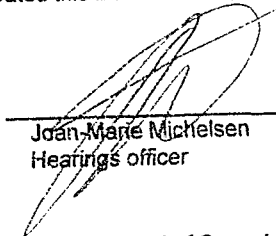
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either approved or denied by August 15 1998, 1999. If respondent decides to vacate the property then the appropriate permits must be applied for, and obtained, before anyone starts living there again.

The respondent has been advised that they can not transfer a TUP from one address to another but they can stay at one and work on the other.

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 this order is not complied with.

Dated this December 23, 1998


Joan 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.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 28th day
of December A.D., 19 98 at 1:56 o'clock P. M., and duly recorded in Vol. M98
of Deeds on Page 47305

By Bernetha G. Letsch, County Clerk
Kathleen Kozz

FEE No Fee