

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:

P. BROWNING/REALVEST

Respondent

ORDER Violation # 111-98

1. NATURE OF THE ASSERTED PROBLEM

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

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this violation is Joan-Marie Micheisen. The Respondent, Versluis appeared and offered testimony. The planning department was represented by Kim Lundahl. The recording secretary was Kevin Nobel.

3. LOCATION OF PROPERTY INVOLVED

The property is located at lot 12 Blk 11 KFFE#1, 14955 Sparrow Dr. Bly Mtn. 3711-160-900

4. EVIDENCE RECEIVED

All evidence consisted of the oral and written testimony given in the proceedings and the staff report.

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. Respondent has been camping and living in un-permitted structures on the subject property.
- b. That the Respondents and/or occupants of the land have not responded to numerous requests by the department.
- c. That there are a number of unlicensed dogs on the premises.
- d. That the current situation is unsafe and unsanitary.
- e. That the Respondents or others have at least intermittently occupied the property.
- f. That Respondents are trying to sell the land.
- g. That there is an accumulation of building material on the property

6. ORDER

THEREFORE, IT IS HEREBY ORDERED THAT:

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

The enforcement officer is directed to cite the Respondents to Personally appear in the Wood River Justice Court with bail to be set by the court but to be no less than \$750 if this order is not complied with.

99 JAN 29 P2:22

3487

The Respondents are ordered to cease camping and to remove all un-permitted structures and personal property no later than April 20, 1999. That respondents may avoid this deadline if the premises are not occupied and progress is being made to legally install a structure.

If the premises are to be occupied then a proper TUP must be applied for and obtained prior to occupancy.

Respondents shall have a new septic system completed and apply for a placement or building permit(s) from the County by August 15, 1999, and shall have the structure completely installed to code by August 31, 1999 if this is not done then Respondent shall have all debris removed by that date, even if a TUP was granted.

Dated this January 26, 1999

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:

Filed for record at request of Klamath County the 29th day
of January A.D. 1999 at 2:22 o'clock P. M., and duly recorded in Vol. M99
of Deeds on Page 3486

Return: Commissioners Journal

Linda Smith, County Clerk

FEE

No Fee

by Kathleen Boon