

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:

Terramagra/Versluis

Respondent

ORDER Violation # 90-98

1. NATURE OF THE ASSERTED PROBLEM

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 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 15, Blk 17, KFFE #1, 13127 Nightowl, Bly Mountain.

3711-220 - 2200

4. EVIDENCE RECEIVED

All evidence consisted of the oral testimony given in both 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 a previous order in this case was entered but the Versluis may have not had notice.
- c. That the Terramagras have failed to appear or otherwise cope with this problem in any way.
- d. That the problems still exist and that the premises have been occupied in violation of the previous order.
- e. That the Versluis's are making attempts to resolve the problems with the property and need the cooperation of the Terramagras to do so.
- f. That the current situation is unsafe and unsanitary.

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 Respondent Terramagra to 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.

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The Respondent is ordered to cease camping and to remove all un-permitted structures and personal property no later than July 20, 1999. That respondents may avoid this deadline if the premises are made habitable and sanitary and a septic system is in progress by that date. If the Versluis purchase the property they shall have until August 15 to complete the septic system.

Respondents Versluis shall use and maintain a porta-potty until a proper septic system is installed.

Dated this January 29, 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: ss.

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 3490

Return: Commissioners Journal

Linda Smith, County Clerk

FEE

No Fee

by Kathleen Russell