

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:

CRISMAN

Respondent

)
) ORDER VIOLATION # 65-99
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)
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1. NATURE OF THE ASSERTED VIOLATION

Respondent is alleged to have been constructing and allowing remodeling a structure without proper permits.

2. NAMES OF PARTICIPANTS

The hearings officer reviewing this violation is Joan-Marie Michelsen. The Respondent appeared. The planning department was represented.

3. LOCATION OF PROPERTY INVOLVED

The property is located at lot 12 Blk 120, KFFE #4, TA 3811-11B-1500

4. EVIDENCE RECEIVED

All evidence consisted of the oral and written testimony, photos, and the staff report.

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. The respondent did appear, through his wife, and requested that the structure be allowed to remain on the property.
- b. Respondent failed to apply for the proper permits before beginning the construction of his residence. Since then additional remodeling was of sufficient scale to require additional permits and inspections.
- c. Some of the remodeling was done after the property was sold by respondent and he is not directly culpable for it, however he is still responsible as the landowner.
- d. The premises are unsafe for any sort of use or occupancy including that of a shed due to the construction problems.
- e. The property should not be sold until this order is complied with.

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.

Respondent is ordered to remove the structure on this location by August 16, 1999.

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The respondent is further ordered to insure that there is no electrical or water service to the property.

The respondent must insure that any area which has been having human refuse dumped or disposed of into or on it is safely covered and that whatever the department of health recommends to do to fix the human waste problem at this site be done within 60 days of this order.

The enforcement officer is directed to cite the Respondent to appear in Court with bail to be set by the court if this order is not complied with and to take any and all steps which the county deems appropriate to remove the health hazards from this property. If the county removes the structure or mitigates the human waste problem the respondent shall reimburse the county in full for its costs.

Dated this July 30, 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.

Return to Commissioner's Journal

State of Oregon, County of Klamath
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Linda Smith,
County Clerk Fee \$ n/c KL