

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:)
JERRY CALDWELL) ORDER VIOLATION # 72-99
Respondent)

1. NATURE OF THE ASSERTED VIOLATION

Respondent is alleged to have been maintaining an excess number of dogs on property which is not zoned for such use.

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 alleged violator appeared at the hearing as did witnesses.

3. LOCATION OF PROPERTY INVOLVED

At the general location of 3339 Crest St.

4. EVIDENCE RECEIVED

All evidence consisted of the oral and written testimony provided at the hearing, materials in the file, photographs submitted by both sides, and the staff report.

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. That at the time of the complaint there was an excessive number of dogs on the property.
- b. That since that time this situation has been remedied.
- c. That there is a significant neighbor problem in the area and no party appears to be behaving fully responsibly.
- d. That the Caldwells have been appropriate in their responses and cooperative with the county.

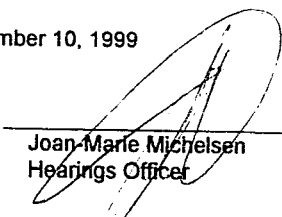
6. ORDER

THEREFORE, IT IS HEREBY ORDERED THAT:

- a. The hearings officer finds that as a matter of law the Respondent has at times been in violation of the Klamath County Land Development Code.
- b. That this problem has been remedied and it is hoped will stay that way.
- c. That no more than the permitted number of dogs be allowed on the premises in the future.

If the above conditions are not adhered to, then the enforcement officer is directed to take appropriate enforcement action.

Dated this September 10, 1999


Joan Marie Michelsen
Hearings Officer

NOTICE OF APPEAL RIGHTS

Your 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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Linda Smith,
County Clerk Fee\$ NF