

BEFORE THE HEARINGS OFFICER OF KLAMATH COUNTY, OREGON

In the Matter of the Violation by:

Betty Bell

Respondent

)
) ORDER VIOLATION # 80-98
)
)
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1. NATURE OF THE ASSERTED VIOLATION

Respondent is alleged to have been constructing and residing in 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 6 Blk. 5 Whitetail Ln, Bly Mtn.

4. EVIDENCE RECEIVED

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

5. FINDINGS OF FACT

The Hearings officer FINDS AS FOLLOWS:

- a. The respondent did appear.
- b. Respondent failed to apply for the proper permits before constructing or inhabiting the residence. The construction was of sufficient scale to require permits and inspections.
- c. That there have been excessive numbers of dogs on the premises.
- d. That the previous agreement of August 13, 1998 has not been lived up to in a number of respects.

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 either apply for and receive the proper permits and inspections or to remove the addition, it is up to the violator to decide what they want to do. This must be accomplished by August 13, 2000.

The violator shall remove the building which was formerly used as an outhouse/privy. And shall have the hole filled in a sanitary fashion.

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The violator shall be fully removed from the premises, and have all domestic or other animals and fowl out by October 20, 1999.

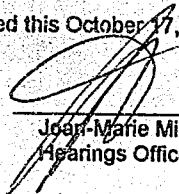
The premises shall not be occupied or rented in any way until they are properly permitted.

All of the dogs must be licensed by the appropriate agency within the next 6 months, regardless of what county they are in.

The dogs, peacock, chickens, goats and all other animals if any, will be removed by October 20, 1999. The dogs shall not be all taken to the same location nor shall they be taken to any location where it would result in that premises having over the legal number of dogs.

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. If this order is not complied with the county may abate any situation addressed by this order including the removal of the structure.

Dated this October 17, 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
Recorded 10/20/99, at 9:41 a. m.
In Vol. M99 Page 41680
Linda Smith,
County Clerk Fee\$ NC