

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

NOTICE OF HEARING

September 21, 2022

Linda Raab 19219 S Neil Rd Estacada, OR 97023

RE:: County of Clackamas v. Linda Raab

File: V0014122

Hearing Date: October 25, 2022

Time: This item will not begin before 10:30 am however it may begin later

depending on the length of preceding items.

Location: Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

- 1. Notice of Rights;
- 2. Copy of Exhibits which have been submitted by the County

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default.**

You can access the complete hearing packet at https://www.clackamas.us/codeenforcement/hearings

You may contact Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, should you have any questions about the violation(s) in the **Complaint.** Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

- 1. Prior to the Hearing. You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
- 2. Procedure. The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
- 3. Record of Proceedings. An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
- 4. Hearings Officer. The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings Officers Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

Carl Cox Attorney at Law 14725 NE 20th Street, #D-5 Bellevue, WA 98007

- 5. <u>Right to Recess</u>. If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
- 6. <u>Right to Appeal</u>. The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



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150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. We have sent you the Zoom invite to lindaraab4051@gmail.com. Please contact Diane Bautista if you are unable to find the email.

If you would like to present evidence at the Hearing please email or mail your evidence to DianeBau@clackamas.us or 150 Beavercreek Rd, Oregon City, Oregon 97045, no later than 4 work days prior to the hearing. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Diane Bautista at 503-742-4459 within 3 calendar days of receipt of the notice of hearing packet.

If you do not know how to use Zoom, please Google "how to use Zoom" and there are many interactive guides on the internet.

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, **please call 503-348-4692** for assistance.

*Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to: www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

ILE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

добро пожаловать! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Manderin)

交通和发展部致力于实现非歧视。如需了解更多信息,请访问 www.clackamas.us/transportation/nondiscrimination, 发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỬNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 [Kauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER for the CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLAC	CKAMAS,			
	Petitioner,	File No:	V0014122	
v.				
LINDA RAAB,				
	Respondent.			
		COMPLAI	NT AND REQUEST FOR HEA	RING

I, Diane Bautista, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's place of residence is: 19219 S. Neil Rd., Estacada, OR 97023.

2.

The location of the violation(s) of law alleged in this Complaint is Legal Description T3S, R3E, Section 10BD, Tax Lot 00600, and is located in Clackamas County, Oregon.

3.

On or about the 17th day of August, 2022 Respondent violated the following laws, in the following ways:

a. Respondent violated the Clackamas County Zoning and Development Ordinance, Title
 12, by having an occupied recreational vehicle without land use approval. This violation is a Priority 2 violation pursuant to the Clackamas County Violation Priorities.

Page 1 of 3 – COMPLAINT AND REQUEST FOR HEARING File No. $\,$ V0014122

b. Respondent violated the Clackamas County Building Code, Title 9.02 by converting a storage structure into habitable space without permits. This violation is a Priority 1

violation pursuant to the Clackamas County Violation Priorities.

c. Respondent violated the Clackamas County Zoning and Development Ordinance, Title

12, by having multiple dwellings without land use approval. This violation is a Priority 2

violation pursuant to the Clackamas County Violation Priorities.

4.

The Department initiating this procedure is the Code Enforcement Section of the Department of Transportation and Development.

5.

Notice of the violations was given to Respondent in the following manner: Citation and Complaint #2200141-1 in the amount of \$1,300.00 was mailed via first class mail on August 17, 2022. A copy of the notice document is attached to this Complaint as Exhibit F, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter.

Petitioner seeks an Order from the Hearings Officer granting the following relief:

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to

immediately abate the violations and bring the property at issue into compliance with all laws, and

permanently enjoining Respondent from violating these laws in the future;

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File No. V0014122

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty

against Respondent for each violation, within the range established by the Board of County

Commissioners. Said range for a Building Code Title 9.02 Priority 1 violation being \$750.00 to

\$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code; and said

range for a Zoning Ordinance Title 12 Priority 2 violation being \$500.00 to \$2,500.00 per

occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay

an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to

reimburse the County for any expense the County may incur in collection of any penalties, fines or

fees that may be imposed:

and

4.

5. Ordering any other relief deemed reasonably necessary to correct the violations.

DATED THIS 12th day of September, 2022.

Diane Bautista

Code Enforcement Specialist

FOR CLACKAMAS COUNTY

Page 3 of 3 – COMPLAINT AND REQUEST FOR HEARING File No. V0014122

COUNTY OF CLACKAMAS,

Petitioner, File No.: V0014122

v.

LINDA RAAB,

Respondent. STATEMENT OF PROOF

History of Events and Exhibits:

March 30, 2022	Clackamas County received a complaint regarding an occupied recreational vehicle and an accessory structure converted to habitable space.
March 30, 2022 Exhibit A	I researched County records and confirmed Linda Raab as the legal owner.
March 30, 2022 Exhibits B	I researched the County permit system and found two prior violations for the conversion of the storage building to habitable space in 2000 and 2003.
April 20, 2022 Exhibit C	I conducted a site inspection and confirmed the occupied recreational vehicle and the conversion of the original residence from storage to habitable space.
May 9, 2022 Exhibit D	Correspondence was sent to the Respondent with a deadline of June 9, 2022 to abate the zoning and building code violations.
August 8, 2022 Exhibit E	I sent email correspondence to the Respondent advising that I would conduct a site inspection to confirm the use of the structure and that no applications had been received for the occupied recreational vehicle and that the deadline had passed and a citation was ready to be issued.
August 17, 2022 Exhibit F	Citation 2200141-1 was issued for \$1,300.00 for the zoning and building code violations and was sent via first class mail. Citation mailed first class mail was not returned. Citation has not been paid.
August 17, 2022 Exhibit G	Respondent submitted a building application to convert the storage building to a guest house. Building permit B0520422
August 24, 2022 Exhibit H	Respondent submitted a land use application for a Temporary for Care Permit for the recreational vehicle. Zoning File Z0406-22. This application was deemed incomplete on September 2, 2022
August 29, 2022 Exhibit I	Respondent requested a hearing to dispute the use of the storage building.

September 12, 2022 The County referred this matter to the Code Enforcement Hearings Officer.

If the Compliance Hearings Officer affirms the County's position by a preponderance of the evidence, the County may request a Continuing Order in this matter recommending the following:

- The Respondent be ordered to bring the property into compliance with the Clackamas County Zoning and Development Ordinance within 15 days of the date of the Continuing Order by providing Planning with the required information to process the Temporary for Care Permit. If the information is not provided the recreational vehicle be vacated and placed into a stored condition until land use approval is obtained and scheduling a site inspection to confirm.
- The Respondent be ordered to bring the property into compliance with the Clackamas County Building Code by obtaining the required permits to convert the accessory structure back to storage within 30 days or obtain required permits for a guest house within 60 days of the date of the Continuing Order and receive final approved inspections within 45 days of the permits being issued.
- Code Enforcement to confirm compliance of the above items and the County will submit a
 post hearing status report. The report will be sent to the Compliance Hearings Officer and
 to the Respondent.
- The report may include the following recommendations:
- The imposition of civil penalties for the Zoning and Development Ordinance violations of up to \$2,500.00 for date cited August 17, 2022.
- The imposition of civil penalties for the Building Code violations of up to \$1,000.00 for date cited August 17, 2022.
- Payment for Citation No. 2200141-1 issued on August 17, 2022 for \$1,300.00.
- The administrative compliance fee to be imposed from June 2022 until the violation is abated. As of this report the total is \$300.00.
- The County requests the Hearings Officer to permanently prohibit the respondent from violating this law in the future.
- If the Respondent fails to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.



After recording return to: Linda A. Raab 19219 S Neil Road Estacada, OR 97023

Until a change is requested all tax statements shall be sent to the following address: Linda A. Raab 19219 S Neil Road Estacada, OR 97023

File No.: 7000-2333857 (MC) Date: October 14, 2014

THIS SPACE RESERVED FOR RECORDER'S II	LISE	2'5)FR	JBL	RECC	F∩R	RESERVED	SPACE	THIS
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Clackamas County Official Records Sherry Hall, County Clerk 2014-057688

11/10/2014 09:45:12 AM

D-D Cnt=1 Stn=8 CINDY \$10.00 \$16.00 \$10.00 \$22.00

\$58.00

STATUTORY WARRANTY DEED

James Cochell, Successor Trustee of the Raab Family Trust, Grantor, conveys and warrants to **Linda A. Raab**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as

follows:

33E10BD00600

00910820

Lot 19, CEDARHURST NO. 2, in the County of Clackamas and State of Oregon.

Subject to:

- 1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.
- 2. Property taxes for 2014-2015 which buyer agrees to assume and pay.

The true consideration for this conveyance is **\$82,967.73**. (Here comply with requirements of ORS 93.030)

bb

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 6 day of November, 2014.

James Cochell, Successor Trustee of the Raab Family Trust

James Cochell, Successor Trustee

STATE OF Oregon))ss.

County of Clackamas)

OFFICIAL SEAL

MARILEE COHEN

NOTARY PUBLIC - OREGON

COMMISSION NO. 461481

MY COMMISSION EXPIRES OCTOBER 08, 2015

Notary Public for Oregon

My commission expires: 10 8-2015

File No.: 7000-2333857 (MC)

Violation Community Environment Section

Inspector/Area: DF 7

Violation No: V0760-00

Sub Types: MD

Type: V-Z Zoning Violation

Resolu	ition:				
ocation:	19219 S NEIL RD		Parce	el No: 33E1	DBD 00600
	RAAB ELEANOR J TRUSTEE 19219 S NEIL RD ESTACADA OR	Owner: Mail Add:			ree
Phone:	97023	Phone:	97023		
ross Refe Name: Assoc: ail Add:	erence Names	Name: Assoc: _ Mail Add:			
Phone:		_ _ Phone:			
Sub Type	es Open Date Int	Clos	e Date	Days	Int
MD	<u> </u>	12-	7-00	137-	-MO
Final Da	e: 07/24/2000 te:12/07/10 By: D.Fl. Old SFR converted b S	forage.	Ent By	y:	
upport S	taff Only Tickle:07/23/200	00 1st Cont:	12/07/02	lien Rec	:00/00/00
	Open:07/24/200				

Status: PENDING EXHIBIT B - PAGE 1 OF 5

SEQUENCE OF EVENTS AND HISTORY OF VIOLATION:

12/5/00 Researched Bldg Records	
· Microfilm SRT-401-87 for seption	repair.
· nothing in cood files	
0	
12/6 105pm DF on site hoft card in door.	
Old SPR & not occupied. Is open to v	iew: Can see that
interior is being gotted (much of sheetroe	ck off. Storelover
+ Fricke have been remained	
12/7 DE rec'd call from Linda Raab, El	eanois dauntes
U31-4051. They do not intend to	re-occupy.
Will likely be boarding up window:	S (took them out
bk leated.) Will only use for 12/7 DE placed Notice on BO9611097.	personal storage
12/7 DE placed Notice on BO961697.	placed note
in permit file as well.	
· · · · · · · · · · · · · · · · · · ·	
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Violation Community Environment Section

Violation No:				Inspector/Area: SM 7	
Type:	V-Z Zoning	Violation			
				Priority:	
				Mediate:	
Description:	STORAGE BLI	OG OCCUPIED	AS 2ND SFR	iviediate.	
2 compared.		o occorred	715 2115 5110		
Resolution:				Med Code:	
Location:	19219 S NEIL	RD CLAC		Parcel No: 33E10BD-00600	
77' 1					
Violator:	VOR / TRUSTE	•	Owner:	ELEANIOD L'EDLICTEE	
19219 S NEIL	RD			ELEANOR J TRUSTEE NEIL RD	
ESTACADA (ADA, OR 97023	
Phone:				631-4051	
Cross Refere	nce Names			·	
Name:			•	Name:	
Association:				ciation:	· · · · · ·
Mail Address:			Mail A	ddress:	<u> </u>
Phone:	/2. 47.		-	Dhana	
rnone.	-631-4051		-	Phone:	
	Sub Types	Open Date	Close Date	Days Int	
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Oper	Date: 02/20/20	003	125,000		
Орсі	1 Date. 02/20/20				
Fina	l Date: 9-8-	03 B	y: Jour	Entered By: NANCYD	
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Explai	nation: <u>30</u> :	211203	issuro Ju	Chamer of Occurs	سدد۷.
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First A	~/ I/ I/ / I/ / I	Vio Comp		Refer to CC:	
v er	rified:	Refer to	o HU:	HO Final Order:	

SEQUENCE OF EVENTS AND HISTORY OF VIOLATION:

5/8/03 DF on site. Spote of Lenda Raab who is living in
old house. Woodstore going, structure has been
male habitable again. Fridge + stove re-installed.
Advised Linda that, as she was previously advised,
only one house allowed. Old house was to remain
Storage only. Advised that following required:
By June 30 - Vacate structure and obtain either
Change of Occ for permanent conversore to
Storage or fruest house (if feasible).
By July 31 - work completed 6/ Final impector
m permit.
5/19 Certifield Der.
6-26 Applied for B0211203 (Conversion to Storage Bldg) E6315303 (Remove 220 power)
E6315303 (Remove 220 power)
9-9-03 Consacres ELEANOT. And Expusives That
- ECREN KRESTENSON has Sieves The Certifico
Maic. Do not Know This Person aus
- Norsony Got the Citation.
LINDA RAAB
P.O. Box 805
Nome Alaska 99762
BOZIIZO3 ISSUED FOR CONVENSION OF OCIO HOME
to Storage. Now have Comprisere.

















DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 Beavercreek Road | Oregon City, OR 97045

May 9, 2022

Linda Raab 19219 S. Neil Road Estacada, OR 97023

SUBJECT: Violation of the Clackamas County Zoning and Development

Ordinance, Title 12, Section 316.03(A) and the Clackamas County

Building Code, Title 9.02.040 (B), (C), (D) and (E)

VIOLATION: V0014122

SITE ADDRESS: 19219 S. Neil Rd., Estacada, OR 97023 LEGAL DESCRIPTION: T3S, R3E, Section 10BD, Tax Lot 00600

This letter serves as notice of violations of the Clackamas County Code. The violations include:

- Multiple dwellings without land use approval
- Accessory structure converted to habitable space without permits
- Occupied recreational vehicle

VIOLATIONS & HOW TO RESOLVE

Multiple Dwellings without Land Use Approval or Permits

Multiple dwellings are a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A). The subject property is zoned Rural Residential Farm Forest (RRFF-5). On this site currently only one residential dwelling is allowed unless land use approval is obtained. The original residence on this site was to be converted to storage but continues to be used as habitable space without required permits this constitutes a violation of Clackamas County Building Code Title 9.02.040 (B), (C), (D), and (E). You must abate the violation by completing the following **no later than June 9, 2022:**

 Convert the original single family residence back to storage by obtaining required permits including building, plumbing, mechanical and electrical. Obtain permits to decommission all unauthorized appliances including, but not limited to, laundry and kitchen appliances which includes the washer and dryer, stove, oven, microwave and any other cooking appliances and obtain permits for all work done without permits that is allowed to remain.

- Submit applicable building, electrical, plumbing and mechanical permit applications, technically complete plans and appropriate fee(s).
 - o The permits must be picked up within ten days of being notified.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued, or;
- Demolish the structure and dispose of the debris in an approved disposal site and schedule a site inspection to confirm the structures have been removed.

Occupied Recreational Vehicle

An occupied recreational vehicle constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03 (A). In order to abate the violation, you must complete one of the following **no later than June 9, 2022:**

- You must remove the recreational vehicle from your property until such time you
 obtain proper land use approval and permits, this use will not be allowed, or;
- If the recreational vehicle is operable, currently licensed and registered to the
 person residing on the subject property, it may remain in stored condition. If you
 wish to store it on site please provide evidence it meets these conditions and
 schedule a site inspection to confirm.

CONTACT INFORMATION

Building – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at bldservice@clackamas.us.

Planning – If you have questions concerning land use requirements please contact the Land Use and Planning Department at 503-742-4500 or on-line at ZoningInfo@clackamas.us.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 9:00 a.m. to 3:00 p.m. Monday through Thursday.

If you have any questions my direct telephone number is 503-742-4459 and my email is dianebau@clackamas.or.us.

ITEMS INCLUDED IN THIS PACKET

- 1. Violation Letter
- 2. Required Notice of Fines and Penalties

Diane Bautista

Code Enforcement Specialist Clackamas County Code Enforcement

Important Notices

- Administrative Compliance Fees. It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.
- 2. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
- 3. Request for a Hearing: If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beavercreek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
- 4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
- 5. Voluntary Compliance: Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
- 6. Non-Compliance may result in a lien upon your property: Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
- 7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
- 8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.

Bautista, Diane

From: Bautista, Diane

 Sent:
 Monday, August 8, 2022 3:41 PM

 To:
 'lindaraab4051@gmail.com'

 Subject:
 19219 S. Neil Road - V0014122

Good afternoon,

This file has been open since March and a citation is ready to be issued. I would be happy to come out this Wednesday, August 10th to inspect the accessory structure to verify this is being used as storage. I also do not see that any land use application has been received to authorize the occupied recreational vehicle.

Please let me know if we can meet on site this Wednesday. The recreational vehicle will need to be removed until land use is granted.

Thank you.



Diane Bautista Code Enforcement Specialist Clackamas County Code Enforcement dianebau@clackamas.us

(503) 742-4459

150 Beavercreek Road, Oregon City, OR 97045

Office Hours: 6:30 a.m. to 4:00 p.m.

Were you happy with the service you received today?



Follow Clackamas County: Facebook | Twitter | YouTube | Nextdoor

Permits are accepted online, for more information on this process please refer to the County's website at https://www.clackamas.us/building.

Development Direct is here!! We're excited to launch Development Direct -- our new one-stop digital services hub for Building Codes and Development Engineering. Click here to learn more.





Citation No. 2200141-1

Case No. V0014122

ADMINISTRATIVE CITATION

Date Issued: August 17, 2022

Name and Address of Person(s) Cited:

Name: Linda Raab

Mailing Address: 19219 S. Neil Road City, State, Zip: Estacada, OR 97023

Date Violation(s) Confirmed: On the 17th day of August, 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 19219 S. Neil Rd., Estacada, OR 97023

Legal Description: T3S, R3E Section 10BD, Tax Lot(s) 00600

Law(s) Violated:

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (B), (C), (D) and (E)

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03(A)

Description of the violation(s):

1) Multiple Dwellings without land use approval

Maximum Civil Penalty \$2,500.00 Fine \$400.00

2) Storage building converted to habitable space without permits

Maximum Civil Penalty \$1,000.00 Fine \$500.00

3) Occupied recreational vehicle without land use approval

Maximum Civil Penalty \$2,500.00 Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,300.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Diane Bautista Date: August 17, 2022

Telephone No.: 503-742-4459 Department Initiating Enforcement Action: Code Enforcement

EXHIBIT F - PAGE 1 OF 2

PLEASE READ CAREFULLY!

You have been cited for the violations(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:

Clackamas County Code Enforcement Section

150 Beavercreek Rd.

Oregon City, OR 97045

2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

- 1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
- 2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
- 3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature:	Date:	
Address:		
	City, State, Zip	
Contact Number:	Fmail:	



Application submitted on: August 17, 2022 by LINDA RAAM

Request Name: Raab Guest Heuse

BUILDING PERMIT APPLICATION

CLACKAMAS COUNTY

Building Division

Development Services Building - 150 Beavercreek Road, Oregon City, OR 97045

- Submitter		COMP
Submitter is current user.		
The current logged in user , who is the $\bar{\rho}$	property owner, or an authorized representative of the property owner.	
First Name *	LINDA	
Last Name *	RAAB	
Email Address *	lindaraab4051@gmail.com	
- Applicant		COMI
		Com
Applicant is current user.		
	files, make payments and respond to correction requests during the applic	aniem review
Business Name		
First Name *		
Last Name *	RAAB	
Address *	19219 S NEIL RD	
City *	ESTACADA	
State *	Oregon	
Zip *	97023	
Primary Phone *	(503) 753-9020	
Additional Phone	(503) 631-4051	
Email *	lindaraab4051@gmail.com	
- Construction Point of Contact		COMF
Construction Point of Contact is cur	rrent user	
The primary person responsible for ansi	wering construction/inspection questions and who receives inspection repo	oris AFTER the permit is issued
Typically, this is a centracter		
First Name *		
Last Name *		
	(503) 753-9020	
Email *	Indaraab4051@gmail.com	
- Owner Contact		COMP
Owner is current user,		
First Name *	LINDA	
Last Name *	RAAB	
Phone *	(500) 750 0000	
Email *	(503) 753-9020	
- Additional Contacts (optional)	lindaraab4051 @gmail.com	
- Additional Contacts (optional) Additional Contacts	Inderae4051 @gmail.com Architect Designer	
- Additional Contacts (optional) Additional Contacts	lindareab4051 @gmail.com	
- Additional Contacts (optional) Additional Contacts	Indorace4051 @gmail.com Architect Designer Engineer	COME
- Additional Contacts (optional) Additional Contacts - Job Site Information and Location	Inderaab4051 @gmail.com Architect Designer Engineer	COME
Additional Contacts (optional) Additional Contacts Job Site Information and Location	Indorach4051 @gmail.com Architect Designer Engineer Job Site Address Job Site Taxiol Number	
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Additional Contacts (optional) Additional Contacts Job Site Information and Location Address Selection Street Number Street Name	Architect Designer Engineer Job Site Address Job Site Taddr Number Enter the search criteria, then click 'Lookup'. Select from available resultable. If you are looking for 9101 Saint Anthony; try searching for 91 If you are looking for Saint Anthony; try searching for: %Anthony On not include:	/Ns

Validated Address *	19219 NEIL RD ESTACADA GR 97023
Jurisdiction	Clackamas County
Suite/bldg./apt. no.	Galantia Garay
Validated Taxlot Number	200100000000
Validated TaxIot Number	33E 109 80 65 90
- Contractor	COMPLETE
Contractor Type	Licensed Contractor
	Contractor To Be Determined Owner Performing Work
Allowed for residential structures only.	
By checking below, you understand Required	and agree to this form's terms and this will be deemed equivalent of a signature in electronic form Construction Responsibilities Form
	I have read and reviewed the Construction Responsibilities Form above and attest that the scope of work outlined on this application is being made on a property not intended for sale, lease, rent, or exchange
	and which is owned by the person performing the work. The owner will be performing work on property they own, a residence that they reside in, or a residence that they will reside in. If they hire subcontractors, they will hire only subcontractors licensed with the
	Construction Contractors Board (CCB). If they change their mind and hire a general contractor, they will select a contractor who is licensed with the CCB and will immediately give the name of the contractor to the office issuing this permit.
- Type of Work	COMPLETE
Job Description	Conveiting the slatus of an accessory storage building to a guest house. No
	construction, or alterations are planned for the structure to achieve this
Monte Time	Enter the description of the work and where the work will be completed
Work Type	
Project Name or Tenant Name	Raali Guest House
Project Type *	Accessory Develong Unit
Valuation *	\$0.01 Indicate the value (rounded to the nearest dollar) of all equipment, materials, labor, overhead, and the profit for the work indicated on this application
New dwelling area in square feet *	
New covered patio area in square	0
feet * New deck area in square feet *	0
Garage area in square feet *	0
Total Number of Bedrooms	
	① Clarification for septic or egress
- Acknowledgements	COMPLETE
	Understand the review process will not begin until all required documents are uploaded in Projections, the prescreen by County is complete, and the plan review intake fee is paid
	I understand failing to contact Planning and/or failing to contact Septic (when net connected to sever) regarding project leasibility prior to submitting this building application could extend review times and even
	lead to the building permit application being rejected
	Clackamas County Planning Illivision zentre interest with 50-7-74-4-500 Planning some first worker in the country of Majoral Investment with Planning Divisions for contacts or zoning questions. Clackamas Country Planning Illivision zentre in the City of Majoral Investment Planning Divisions for contacts or zoning questions. Clackamas Country Planning Illivision zentre in City of Majoral Investment Inve
	Clackamas County Seplic Division, soilsconcern@clackamas.us or 503-742-4740
- Signature	COMPLETE
I hereby declare that I have read and u	nderstood the above, and the information contained in this application, attached schedules, attached plans and specifications, and other documents is true to the best of my knowledge.
I, being the authorized applicam 1. I have personally examin 2. I understand and against	t acknowledge that: ed and an familiar with all the information submitted in response to the questions contained in this notice, and any attachments, and attest that all information submitted is true, correct and complete; and at clicking the best above will be deemed the equivalent of a signature in electronic form.
Appt/cant: LINDA RAAB Sign	ature date 2022-08-17 11:33 AM
+ Payment Details	
T PAYMENT DETAILS	



Clackamas County Planning and Zoning Department of Transportation and Development

Development Services Building 150 Beavercreek Road | Oregon City, OR 97045 503-742-4500 | zoninginfo@clackamas.us www.clackamas.us/planning

NOTICE OF INCOMPLETE TYPE II OR III LAND USE APPLICATION

FILE NUMBER: Z0406-22

APPLICATION TYPE: Temporary Dwelling for Care

APPLICANT NAME: Linda Raab SITE ADDRESS: 19219 S. Neil Rd.

STAFF CONTACT: Aldo Rodriguez EMAIL: ARodriguez@clackamas.us

DATE OF APPLICATION SUBMITTAL: 8.22.2022

DATE DEEMED INCOMPLETE: 9.2.2022

DATE OF MAILING OF THIS NOTICE: 9.6.2022

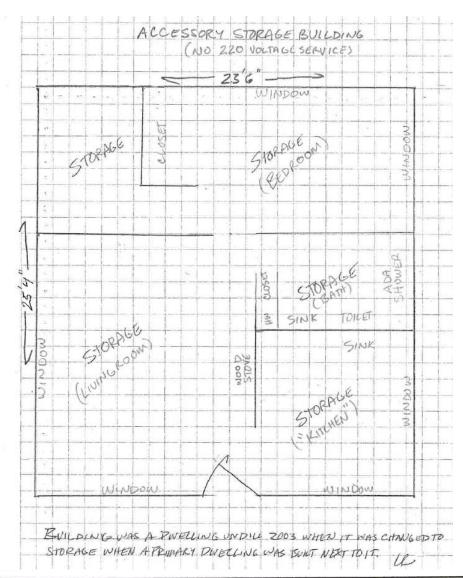
DEADLINE FOR SUBMITTAL OF MISSING INFORMATION: 2.18.2023

Your Type II or III land use application has been deemed **incomplete**. Pursuant to Subsection 1307.07(E) of the Clackamas County Zoning and Development Ordinance, your application will be void unless the missing information is submitted within 180 days of the date the application was first submitted. Upon voiding of an application, 75 percent of your application fee will be refunded, and you will need to reapply if you are still interested in obtaining this permit.

MISSING INFORMATION REQUIRED FOR A COMPLETE APPLICATION:

A. RV or Manufactured Dwelling

a. On the submitted application, the proposal describes the temporary dwelling as an RV. The application did include the floor plan of the existing dwelling. But the floor plan of the temporary dwelling was for an accessory storage building and not the proposed RV. Please provide an updated site plan that shows a floor plan of the RV.



b.

PROPOSAL

Brief description of proposal:

To allow a 70 year old woman to live on my property in her RV while I act as her caregiver.

c.

IMPORTANT

Your application will be deemed complete, if, within 180 days of the date the application was first submitted, Planning and Zoning receives one of the following:

- 1. All of the missing information; or
- 2. Some of the missing information and written notice from you (the applicant) that no other information will be provided; or
- 3. Written notice from you (the applicant) that none of the missing information will be provided.

If any one of these options is chosen within 180 days of the date of the initial submittal, approval or denial of your application will be subject to the relevant criteria in effect on the date the application was first submitted.

Your application will be considered **void** if, on the 181st day after the date the application was first submitted, you have been mailed this notice and have not provided the information requested in Options 1-3 above. In this case, no further action will be taken on your application.

Applicant or authorized representative, please check one of the following and return this notice to: Clackamas County Planning and Zoning, 150 Beavercreek Road, Oregon City, OR, 97045

 Prin	t Name	-		
Sigr	ned	-	Date	
	I will not be submitting the requ submitted for review and decisi		. Please accept the	e application as
	I am submitting some of the infinite information will be submitted; o	•	ed (attached) and n	o other
	I am submitting the required inf	ormation (attache	ed); or	

Clackamas County Code Enforcement
Department of Transportation and Development
150 Beavercreek Rd.
Oregon City, OR. 97045

Linda Raab 19219 S Neil Rd Estacada, OR 97023 lindaraab4051@gmail.com

August 29th, 2022

Subject: Request for Hearing with a Code Hearings Officer Regarding:

Administrative Citation No. 2200141-1

Case No. V0014122

Site Address: 19219 S. Neil Rd, Estacada, OR 97023 Legal description: T3S, R3E, Section 10BD, Tax Lot 00600

This letter is a request for a formal hearing with a Hearings Officer to discuss two issues that I am contesting, and request relief of the financial penalties associated with them:

- 1) A violation for multiple dwellings without land use approval: There is only one building on the property in which people live.
- 2) A violation for accessory structure converted to habitable space: The accessory structure is in the same condition as when I bought the property. I have done nothing to the building to change its use.

The relief requested is:

- 1) The cancelation of the 2 alleged, factually un-supported and non-existent violations mentioned above, and therefore all fines assessed with them.
- 2) I would like the citation for lack of progress to be struck down, and all monetary penalties associated with it forgiven. In my effort to get clarification on those 2 fictitious allegations, I received multiple conflicting answers to the same questions and was re-directed several times, unnecessarily delaying any progress on my part. No one took the time to explain to me exactly what I needed to do or how to do it. I was absolutely dumbfounded by the allegations and made to believe I was guilty of the violations, instead of being offered help to clear matters up, which added to my confusion. In addition, I was dealing with some severe medical issues which took more of my focus than I would have liked.

Suggested Remedy:

Discuss communication and systemic challenges with someone with the power to implement changes with public interface. Develop a visual task flow chart for people unfamiliar with the Clackamas County Building and Zoning/Planning Departments responsibilities. Have it show what departments deal with what tasks and in what situations. It should clarify the order in which things are to be done and give several examples or scenarios to help a person see what situation fits them the best. Builders, contractors, and homeowners who are actually planning projects have time to learn the system. Being blindsided with suddenly having to navigate an unfamiliar process of doing things in a short period of time is confusing and intimidating. Perhaps having a simplified and lengthened program designed to accommodate senior homeowners who are contemplating a project or accused of code violations would be helpful.

Thank you for your attention to this matter.

Linda Raab

kp.org/messagecenter

To Self-reported blood pressure, blood sugar, weight measurements

Michael J. Hayes, MD Linda Raab 09/13/2022

Hi Linda,

I suspect you're having side effects from the brain fog' is a not uncommon side effect unfortunately.

I'd cut the leave to 1/2 pill daily for 1 week, then stop it. OK to continue the suspect symptoms will improve after that.

Can you schedule a follow up with me so we can discuss next steps for

Michael J. Hayes, MD

From:Linda Raab Sent:9/13/2022 12:57 PM PDT

To:Michael J. Hayes, MD

Subject: Self-reported blood pressure, blood sugar, weight measurements

That,s the good news. The bad news is that we need to re evaluate my meds or something because I've been in a bad fog all summer since I started the new meds. It seems to have gotten worse. I've been having a lot of trouble thinking/cognitive and my memory is terrible. I'm even having trouble typing today and that is unusual for me. I don't know what's going on. My partner thinks I may have had a TMI? I have been under extreme stress lately. Please advise. Linda.

2 of 3

KAISER PERMANENTE NW

MT SCOTT MEDICAL OFFICE 9800 SE SUNNYSIDE RD CLACKAMAS OR 97015 503-813-2000

10/4/2022

To Whom it may concern:

Linda Raab 19219 S Neil Rd Estacada OR 97023

Linda is under my care as a member of Kaiser Permanente. She was started on a medication for a chronic health condition on June 22, 2022. One of the potential side effects of this medication is cognitive and executive dysfunction. This medication was stopped on September 13, 2022 due to reported side effects from Linda, including cognitive dysfunction.

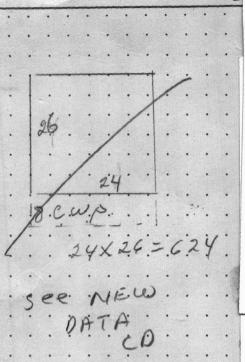
It is possible that this medication contributed to difficulties meeting deadlines during this time.

Please feel free to contact my office at the listed address if more information is needed.

Sincerely,

Michael J. Hayes, MD



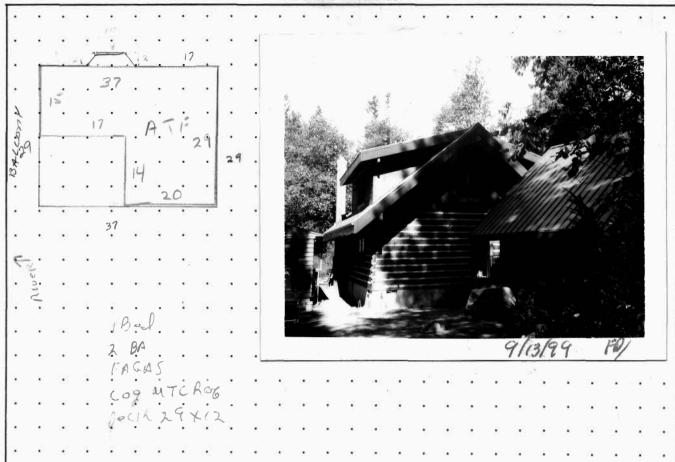




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BUILDING DIAGRAM













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⊟ Vehicle Information

Make: WINN Model:

Year: 1986

Body Style:

MH

Vehicle Id: 2GBJG31M5F

Title

Number:

1522320632

Title Issued:

Registration

11-Aug-2015

Odometer:

Plate Type: MOTOR HOME Plate Id: H975591

Status: Expired Registration Expiration:

31-Jul-2016

Length:

Weight:



Gross Vehicle Weight: Fuel Type: GASOLINE

Situs Address:

Primary Address:

19219 S NEIL RD ESTACADA OR 97023

Mailing Address:

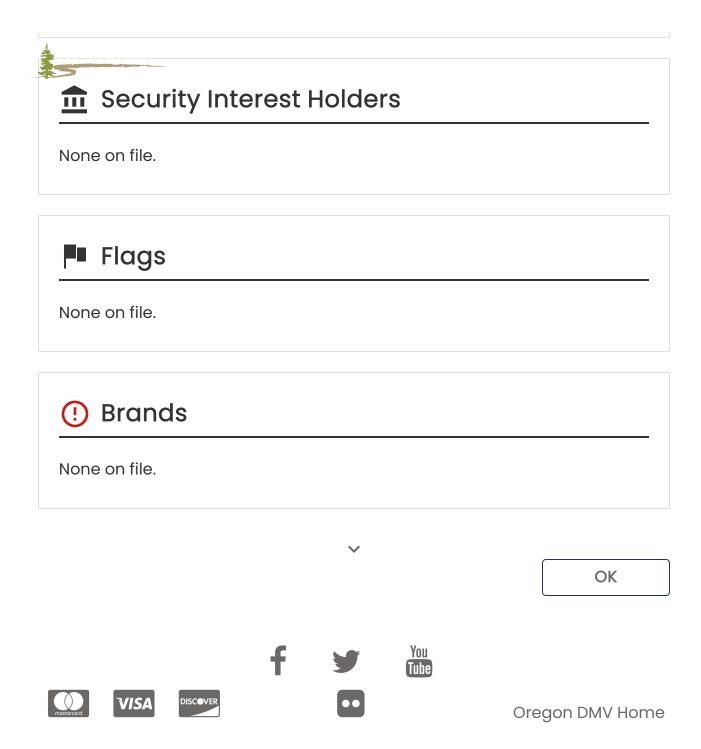
Insurance Policy
Company: Number:
PROGRESSIV 36821753

UNIVERSAL INSURANCE COMPANY Effective Termination
Date: Date:
08/04/2016 10/22/2016

Owners

Name Date of Birth

GABRIELLE, DUWOMAIISH 29-Aug-1952



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< Search

□ Vehicle Information

Make: WINN Model:

Year: 1986

Body Style:

МН

Vehicle Id: 2GBJG31M5F4 155808

Title Number:OR000409901
4

Title Issued: 23-Aug-2022

Odometer:

Plate Type: MOTOR HOME Plate Id: H975591

Registration Status: Expired Registration Expiration: 31-Jul-2016

Farm Number:

Equipment Number:

Length: 24

Weight:



Situs Address:

Primary Address:

19219 S NEIL RD ESTACADA OR 97023

Mailing Address:

Insurance Company: **SAFECO**

INSURANCE

Policy Number: P5728304

Effective Date: 10/12/2022

Termination Date:

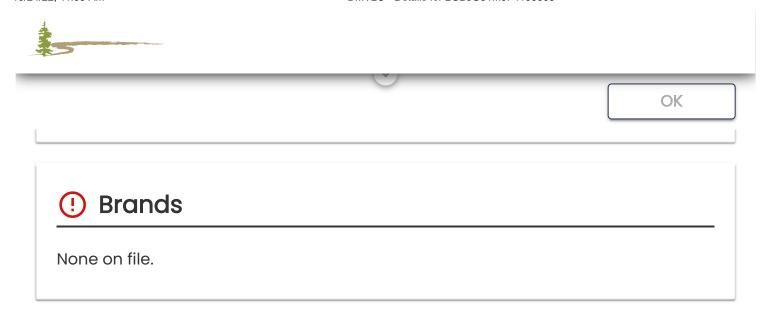
Owners

Name Date of Birth

RAAB, LINDA ANN 25-Jul-1961

n Security Interest Holders

None on file.





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