



## NOTICE OF RESET HEARING

May 9, 2023

Dane Fitch  
4084 NE 5<sup>th</sup> Dr.  
Gresham, OR 97030

**RE::** County of Clackamas v. Dane Fitch  
**File:** V0015422

**Hearing Date:** June 27, 2023

**Time:** This item will not begin before 10:30am 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 Complaint and Request for Hearing

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 Jennifer Kauppi, Code Compliance Specialist for Clackamas County at (503) 742-4759, 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 Officer's 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 20<sup>th</sup> Street, #D-5**  
**Bellevue, WA 98007**
5. **Right to Recess.** 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. **Right to Appeal.** 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.



You must have access to the internet or to a telephone line to use the Zoom platform. Please contact Jennifer Kauppi to receive either the link or the phone number with password in order to attend the hearing.

If you would like to present evidence at the Hearing please email or mail your evidence to [Jkauppi@clackamas.us](mailto:Jkauppi@clackamas.us) or to 150 Beaver Creek 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 Jennifer Kauppi at 503-742-4759 or [jkauppi@clackamas.us](mailto:jkauppi@clackamas.us) 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 503-830-9960 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](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) or call (503) 742-4452.

### **¡LE 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](http://www.clackamas.us/transportation/nondiscrimination), envíe un correo electrónico a [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) o llame al 503-742-4452.

### **ДОБРО ПОЖАЛОВАТЬ!** Russian

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### **欢迎!** Chinese (Mandarin)

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](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) 或致电 503-742-4452。

### **CHÀO MỪNG!** 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](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto: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/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us), 또는 전화 503-742-4452번으로 연락 주십시오.

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

DANE FITCH,

Respondent.

File No: V0015422

COMPLAINT AND REQUEST FOR HEARING

I, Jennifer Kauppi, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's mailing address is: 4084 NE 5<sup>th</sup> Drive, Gresham, OR 97030.

2.

The address or location of the violation(s) of law alleged in this Complaint is:

58226 E Marmot Road., Sandy, OR 97055 also known as T2S, R6E, Section 22BC, Tax Lot 01400,  
and is located in Clackamas County, Oregon.

3.

On or about the 30<sup>th</sup> day of March, 2023 the Respondent violated the following law,  
in the following way:

- a. Respondent violated the Clackamas County Building Code, Chapter 9.02 by failing to obtain approved permits and approved final inspection for an addition to a single family residence. This violation is a Priority 1 violation pursuant to the Clackamas County

Violation Priorities.

- b. Respondent violated the Clackamas County Building Code, Chapter 9.02 by failing to obtain approved permits and approved final inspection for the addition of a bathroom in a single family residence. This violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.
- c. Respondent violated the Clackamas County Building Code, Chapter 9.02 by failing to obtain approved permits and approved final inspection for the conversion of a detached garage into habitable space. This violation is a Priority 1 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 violation was given to Respondent in the following manner: Administrative Citation #2200154 in the amount of \$1,200.00 was mailed via first class mail on March 30, 2023. A copy of the notice document is attached to this Complaint as Exhibit H, 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 violation and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;

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 Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code. Said range for a Building Code Priority 4 violation being \$250.00 to \$1,000.00 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;

4. 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

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

DATED THIS 1 day of May, 2023.

*Jennifer Kauppi*

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Jennifer Kauppi  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

DANE FITCH,

Respondent.

File No.: V0015422

STATEMENT OF PROOF

History of Events and Exhibits:

April 4, 2022	Clackamas County received a complaint regarding a conversion of a garage into habitable space and addition to a single family residence without permits.
April 6, 2022 Exhibit A	Correspondence was sent to the owner at the time regarding the alleged violation.
April 6, 2022 Exhibit B	I reviewed an online Airbnb ad, previous listing of the property and permit records. I confirmed the detached garage had been turned into a bunk room. The single family residence had an addition done and a closet had been converted into a bedroom.
May 25, 2022	I reviewed County records and found that the property had been sold. All previous fines and fees were voided.
June 6, 2022 Exhibit C	Correspondence was sent to Rhapsody Real Estate LLC with a copy to Dane Fitch Registered Agent with a deadline of July 5, 2022 to abate the violation.
June 27, 2022 Exhibit D	A review of County records found that the property had been transferred to Dane Fitch who is the Registered Agent for Rhapsody Real Estate LLC. I discussed the transfer of ownership with County Counsel. It was determined that because Dane Fitch was noticed as the Registered Agent in the correspondence sent on June 6, 2022 he was properly noticed of the violation and I could proceed with enforcement without having to re-notice the Respondent.
July 6, 2022 Exhibit E	Permit B0419022 was submitted to the County for review, however, the drawings were incomplete. In addition, a separate permit would need to be submitted for the conversation of the detached garage into habitable space.
October 19, 2022 Exhibit F	Permit B0647122 was submitted for the garage conversion to habitable space. At the time of this submittal, permit B0419022 was still incomplete.



December 12, 2022  
Exhibit G

I received an email from Justin Leithem who is the contact person for permits B0419022 and B0647122. He provided an update on the status of the additional information that was required to be submitted for plan review. This email is part of a longer email string showing the progression of the County requesting an update on the progress of permits.

March 30, 2023  
Exhibit H

I reviewed County records and found permit B0419022 and B0647122 had not been issued. Citation 2200154 for \$1,200.00 was issued for the Priority 1 and 4 violation on the single family residence and the Priority 1 violation on the detached garage. The citation was sent first class mail and was not returned. This citation remains unpaid.

May 1, 2023

I referred this matter to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code, Title 9.02.040 exists, 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 Building Code within 30 days of the date of the Order by submitting all required information to continue plan review and the 2<sup>nd</sup> story deck and respond within 10 days with additional plan review requests. Permits to be paid for within 10 days of being notified they are ready to be issued. Obtain all required inspections including approved final inspections within 60 days of permits being issued.
- Code Enforcement to confirm compliance of the above item 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 Building Code violation of up to \$3,000.00 for date cited March 30, 2023.
- Payment for Citation No. 2200154 issued on March 30, 2023 for \$1,200.00.
- The administrative compliance fee to be imposed from June, 2022 until the violation is abated. As of this report the total is \$825.00
- 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.



April 6, 2022

Gregory Management LLC  
58226 E Marmot Rd  
Sandy, OR 97055

Michael Gregory - Registered Agent  
19235 SE Debora Dr  
Damascus, OR 97089

**Subject: Alleged Violation of the Building Code, Chapter 9.02.040 of the Clackamas County Code**

Site Address: 58226 E Marmot Rd., Sandy, OR 97055  
Legal Description: T2S, R6E, Section 22BC, Tax Lot 01400

It has come to the attention of Clackamas County Code Enforcement that a two story addition, remodel to a single family residence with additional bedrooms and bathroom and a conversion of a detached garage into habitable space may have been built without the benefit of permits.

This may constitute a violation of the Building Code, Chapter 9.02.040 Clackamas County Code.

Please contact Jennifer Kauppi, Code Enforcement within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)

Telephone number is 503-742-4759

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오.

(FOR OFFICIAL USE ONLY)

CLACKAMAS COUNTY PUBLIC WORKS

902 ABERNETHY RD., OREGON CITY, OREGON 97045

Permit No. 875-76

Occupancy I

Plan Check No. C-4602-76

Type of Building 5N

Construction Cost 22600

Single Family X

Permit Fee 104.00

Multi Family (no \_\_\_\_\_)

State Surcharge 3.12

Commercial \_\_\_\_\_

Plan Check Fee 52.00

Industrial \_\_\_\_\_

Total Fee 159.12

Other \_\_\_\_\_

Less Prepaid 38.00

Amount Due 121.12

Receipt No. \_\_\_\_\_

# BUILDING PERMIT APPLICATION

413041  
413059

Permit Received By nct Date 4-5-76

Project Location (Address) Garden Drive 58226 E. Marmot Rd

Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Tax Lot 1400 & 1401 Section 22B Township 2S Range 6E

Lot Size 37,260 (SqFt) Building Area 816 (SqFt) Basement Area NONE (SqFt) Garage Area NONE (SqFt)

Stories ONE Bedrooms TWO Water Source WELL Sewage Disposal SEPTIC TANK & DRAIN FIELD

Estimated Cost of Labor and Material 14,000.00

Four (4) copies of a plot plan drawn to scale on 8 1/2" x 14" paper must be submitted with each permit and must show: Property lines and dimensions - proposed and existing structures - location of well and/or water service lines - location of septic tank and drainfield and/or sewer lines - proposed location of raindrains and method of disposal - location of driveways, patio slab, parking area and walkways - contour or ground elevation at property corners - proposed main floor and garage floor elevations - proposed setbacks from all property lines.

Plans and specifications made by WOOD PANEL STRUCTURES INC accompany this application

Owners Name GEORGE ENTENMANN Builders Name GEORGE ENTENMANN

Address 16630 SE WASHINGTON Address 16630 SE WASHINGTON

City PORTLAND State ORE. City PORTLAND State ORE.

Phone 253-8188 Zip 97233 Phone 253-8188 Zip 97233

Valid Homebuilders Registration No. \_\_\_\_\_

I agree to build according to the above description, accompanying plans and specifications, the State of Oregon Structural Specialty Code, and to the conditions set forth below.

Applicant George Al Entenmann

### Sewage Disposal Requirements

Septic Tank Capacity 750 Gallons. Drainfield (Equal X or Serial \_\_\_\_\_) Distribution.

Total Length of Lines 150 Ft. Number of Lines 4 Distance Between Lines 10 Ft.

Comments: 4-40' Lines 24" deep max. 100' min from wells, stream & River.

\* Note. May be within 100 year flood plain

### Development Construction Requirements

Curbs \_\_\_\_\_ Street Pavement \_\_\_\_\_ Sidewalks \_\_\_\_\_ Storm Drainage \_\_\_\_\_

Comments: \_\_\_\_\_

Planning: \_\_\_\_\_

Zoning: RR

Subdivision: \_\_\_\_\_

Development Construction	Sewage Disposal	Plans Checked	Planning Dept.	Permit Issued
<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	and Approved	Approved	
By <u>LM</u>	By <u>Paul Brim</u>	By <u>JDC</u>	<u>4-29-76</u>	By <u>nct</u>
Date <u>5-4-76</u>	Date <u>4-7-76</u>	Date <u>4-27-76</u>	by <u>WJR</u>	Date <u>5-5-76</u>

To Be Filled In by Applicant (Print or Type)

To Be Filled In by Applicant (Print or Type)

(FOR OFFICIAL USE ONLY)

(FOR OFFICIAL USE ONLY)

APPLICATION APPROVED

BY David

DATE 6-16-76

# PLUMBING PERMIT

Permit is hereby issued to (repair, alter, install) Plumbing Pipes, Fixtures or Sewers, according to plans and specifications and descriptions as given below:

PERMIT NO. P-804-76  
Receipt No. 8668  
FEE FOR PERMIT 35.50

**APPLICANT MUST FILL IN FROM HERE DOWN IN INK OR INDELIBLE PENCIL**

Application is hereby made to install Plumbing Pipes or Fixtures according to plans and specifications and description as given below:

Location-Number and Street Tax Lots 1400 & 1401 - SW 1/4 - Sec 22 T, 25, R 6E BLDG. PERMIT NO. 875-76

Lot \_\_\_\_\_ Block \_\_\_\_\_ Addition \_\_\_\_\_

Name and Address of Owner GEORGE H. ENTENMANN 16630 S.E. WASH - PORTLAND, OR

Name and Address of Plumber \_\_\_\_\_

Building (Old or New) NEW Height in Stories 1 Occupied as HOME

### SCHEDULE OF WORK

FIXTURES	NUMBER			FIXTURES	NUMBER			FIXTURES	NUMBER		
	New	Move	Replace		New	Move	Replace		New	Move	Replace
4.00 Water Closet	1			Water Service 4.50	1			Fountains			
Shower Bath				Connections, Sewer				Air Conditioner			
3.00 Bath Tub	1			Connections, Cesspool				Urinals			
3.00 Basins	1			Connections, Septic Tank 7.50	1			Sinks, Bar			
Auto. Dishwasher				Floor Drain				Sinks, Service			
3.00 Sink, Kitchen	1			Area Drain				Sewer Ejectors			
Disposal				Rain Drains 4.50				Refrigerator			
Laundry Trays				Catch-Basins, Yard				Dental Chairs			
3.00 Auto. Clothes Washer	1			Catch-Basins, Garage				Fire Sprinkler Heads			
3.00 Hot Water Tank	1			Development Tanks				Lawn Sprinkler Heads			

Other Fixtures:

REMARKS:

SEPTIC TANK OR CESSPOOL PERMITS MUST BE SECURED BEFORE A COVER INSPECTION WILL BE MADE.

*X add 376 to total*

IMPORTANT!—Plumbing shall not be installed in any building, (either new or altered or repaired), except as shown or designated on the corresponding building plans as filed with, or required by, the Building Department in accordance with the provisions of the Building Code.

I agree to install the plumbing system according to this description, plans and specifications and the Plumbing Code of Clackamas County.

I AM THE LEGAL OWNER OF THE ABOVE LOCATION AND WILL PERSONALLY DO ALL THE PLUMBING WORK CONTAINED IN THIS APPLICATION.

(signed) George H. Entenmann

Plumbing Firm \_\_\_\_\_

Supervisor \_\_\_\_\_

© 2021



© 2021





013005  
729567

2 6 E 22 B C 01400  
KEY 709567 CODE 046040

SITUS.

2 6 E 22 B C 01400

58226 E Marmot Rd  
Sandy

ACRES .93

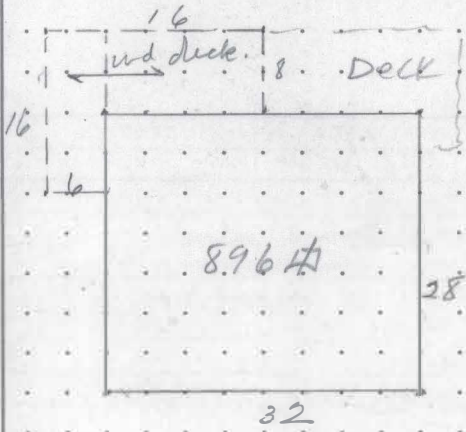
2011317606909

Land	Bldg.	Year	Maint.	Year	Appr.
Class		Built	Area	Appr.	No.

VALUATION SUMMARY OF REAL PROPERTY

Assessment Year	Total Acres	Land	Improvements	F.P. Acres	F.P.L.V.	Remarks
90	.93	33330	31130	.93		
R26E22BC01400 90T	.93	33,330	8% B 33,620			
R26E22BC01400 91T	.93	9% L 36,320	14% B 38,320			
R26E22BC01400 92T	.93	11% L 40,310	17% B 44,830			
92	.93	38940	44830	.79		
R26E22BC01400 93T	.93	11% L 43,220	11% B 49,760	FPA .79		
R26E22BC01400 94T	.93	20% L 51,860	7% B 53,240	FPA .79		
R26E22BC01400 95T	.93	14% L 59,120	14% B 60,690	FPA .79		
R26E22BC01400 96T	.93	9% L 64,440	9% B 66,150	FPA .79		
R26E22BC01400 97T	.93	15% L 74,100	20% B 79,380	FPA .79		
R26E22BC01400 99T	.93	11% L 82,250	11% B 88,110	FPA .79		
R26E22BC01400 2000	0.93	82,420	88,800	FPA 0.79		

# BUILDING DIAGRAM



**IMPROVEMENT DATA**

00709567

Property Class: 801  
58226 E MARMOT RD, SANDY, OR, 97055, USA

1 2 3

**PHYSICAL CHARACTERISTICS**

Style: 51 Houses built 1970 to 1979  
Occupancy: Single family

Story Height: 1.0  
Finished Area: 896  
Attic: None  
Basement: None

**ROOFING**  
Material: Cedar Shakes-Hvy  
Type: Gable  
Framing: Std for class  
Pitch: Not available

**FLOORING**  
Sub and joists 1.0  
Carpet 1.0

**EXTERIOR COVER**  
T 111 plywood 1.0

**INTERIOR FINISH**  
Paneling 1.0

**ACCOMMODATIONS**  
Finished Rooms 2  
Bedrooms 2

**HEATING AND AIR CONDITIONING**  
Primary Heat: Not available  
Lower Full Part  
/Bsmt 1 Upper Upper

**PLUMBING**  
3 Fixt. Baths 1 3  
TOTAL 3

**REMODELING AND MODERNIZATION**  
Amount Date

Construction	Base Area	Floor Area	Finished Area	Sq Ft	Value
1 Wood frame w/sh	896	1.0	896		39640
			896 Crawl	----	0
<b>TOTAL BASE</b>					39640
<b>Row Type Adjustment</b>					1.00%
<b>SUB-TOTAL</b>					39640
			0 Interior Finish		0
			0 Ext Lvg Units		0
			0 Basement Finish		0
			Fireplace(s)		1900
			Heating		0
			Air Condition		0
			Frame/Siding/Roof		1520
			Plumbing Fixt: 3		1360
<b>Other Features</b>					120
<b>SUB-TOTAL ONE UNIT</b>					44540
<b>SUB-TOTAL 0 UNITS</b>					44540
<b>Exterior Features</b>					
Description	Value	<b>Garages</b>			
		0 Integral			0
		0 Att Garage			0
		0 Att Carports			0
		0 Bsmt Garage			0
		<b>Ext Features</b>			0
<b>SUB-TOTAL</b>					44540
<b>Quality Class/Grade</b>					3+
<b>GRADE ADJUSTED VALUE</b>					53000

**SPECIAL FEATURES**

Description	Value
D :MISCFEAT	120
WDSTOVE	1900

**SUMMARY OF IMPROVEMENTS**

Description	Value	ID	Use	Stry Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Depr	Obsol Depr	Market RDF	% Comp	Value
D DWELL	1.00	D				3+	1976	1971	AV	0.00	Y	0.00	896	53000	31	0	85	100	58130
01 WDDK	0.00	01				4	1975	1975	AV	0.00	N	0.00	224	838	0	SV	100		1570
02 UTLSEED	0.00	02				4	1980	1980	AV	7.50	N	8.85	48	420	19	-87	100		640
03 DETGAR	0.00	03				4	1988	1988	AV	30.19	N	35.62	480	17100	11	-87	100		28460

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards

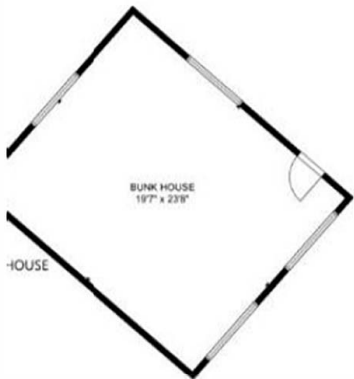
92 01/01/1990

Neigh 16208 AV

TOTAL IMPROVEMENT VALUE

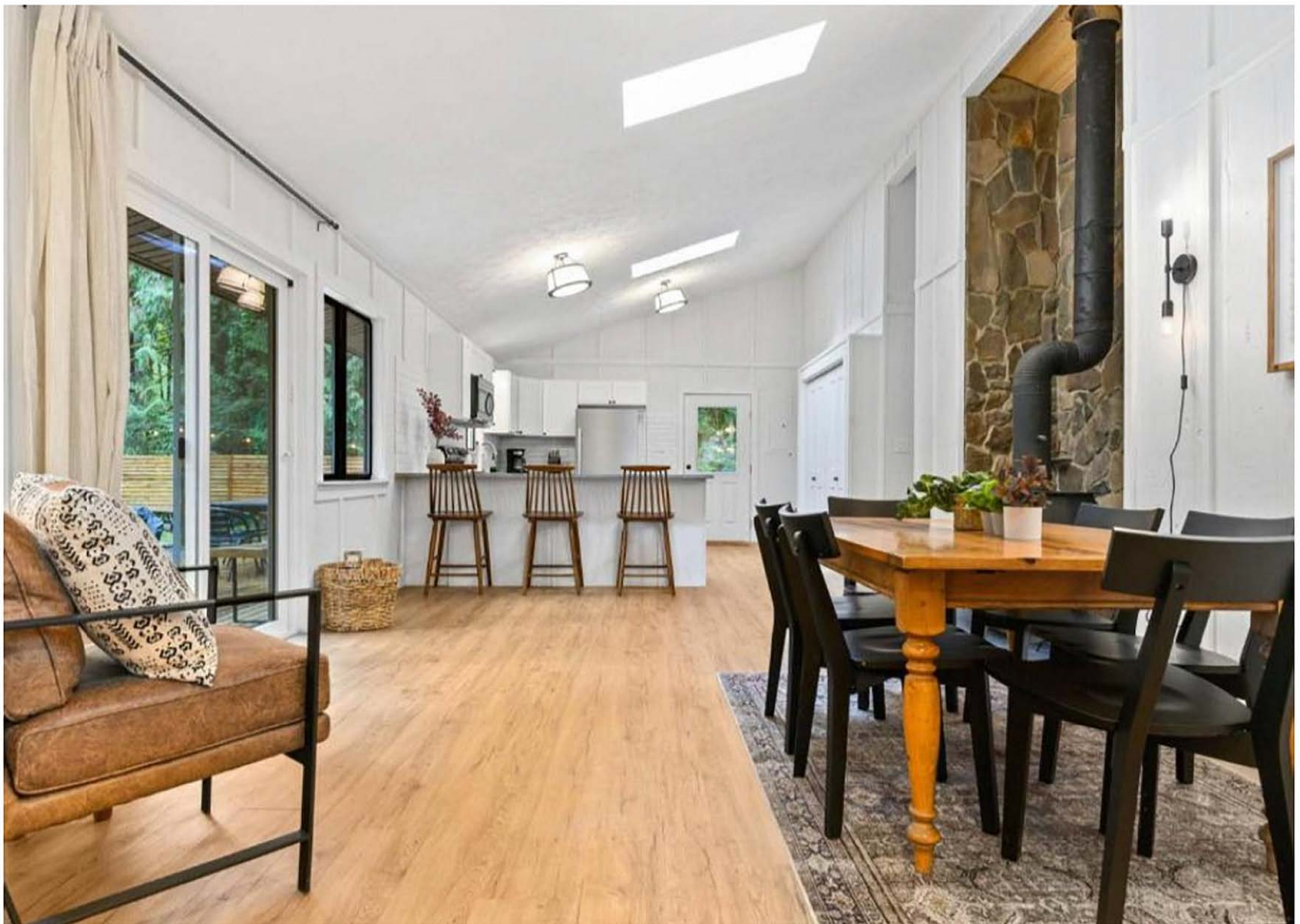
88800

EXHIBIT B \_ PAGE 7 OF 13



GROSS INTERNAL AREA  
 TOTAL: 1,852 sq ft  
 FLOOR 1: 1,372 sq ft, FLOOR 2: 480 sq ft  
 EXCLUDED AREA: BUNK HOUSE: 463 sq ft, PORCH: 105 sq ft  
 SIZE AND DIMENSIONS ARE APPROXIMATE, ACTUAL MAY VARY.

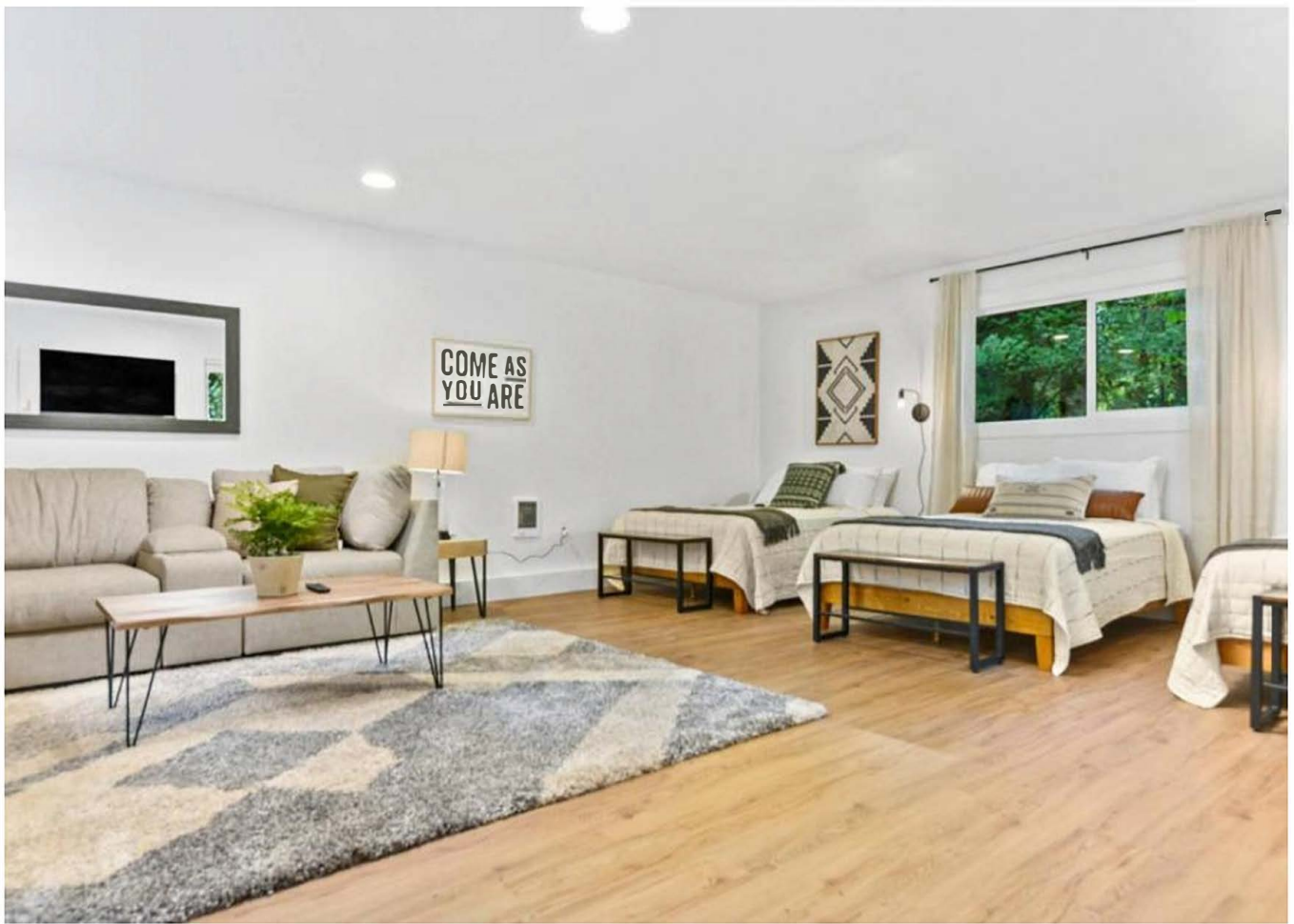














June 6, 2022

Rhapsody Real Estate LLC  
PO Box 809  
Gresham, OR 97030

Dane Fitch - Registered Agent  
4084 NE 5<sup>th</sup> Dr  
Gresham, OR 97030

**SUBJECT:** Violation of the Clackamas County Building Code, Title 9.02.040  
(B),(C),(D),(E)

**VIOLATION:** V0015422

**SITE ADDRESS:** 58226 E Marmot Rd., Sandy, OR 97055  
**LEGAL DESCRIPTION:** T2S, R6E, Section 22BC, Tax Lot 01400

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

Two-story addition and remodel to a single family residence without permits  
Conversion of a detached garage into a bunk room without permits

### **VIOLATIONS & HOW TO RESOLVE**

On April 4, 2022 Clackamas County received a complaint regarding a remodel of a single family residence and a detached garage without permits. Based on research of the listing of the property on Zillow and listing of the rental advertisement it was confirmed that the remodel of the residence and conversion of the detached garage has been done without permits. Further research indicates that the two story addition to the single family residence appears to have also been done with permits. The two-story addition, interior remodel and conversion of the detached garage without permits constitutes a violation of Clackamas County Code Title 9.02.040 (B),(C),(D),(E). In order to abate the violation(s), you must complete the following **no later than July 5th, 2022:**

### **Two-story addition, interior remodel and conversation of detached garage.**

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s). Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
  - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
  - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

## **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](mailto:bldservice@clackamas.us).

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

If you have any questions my direct telephone number is 503-742-4759 and my email is [jkauppi@clackamas.us](mailto:jkauppi@clackamas.us).

*Jennifer Kauppi*

Code Enforcement Specialist  
Clackamas County Code Enforcement

## Important Notices

1. **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 Beaver Creek Rd., Oregon City, OR 97045, or at [codeenforcement@clackamas.us](mailto: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.

Clackamas County Official Records **2022-036691**  
Sherry Hall, County Clerk  
06/24/2022 09:39:02 AM  
D-D Cnt=1 Str=9 COUNTER1  
\$15.00 \$16.00 \$10.00 \$62.00 **\$103.00**

After Recording Return to:

Dane Fitch  
4084 NE 5<sup>th</sup> Dr  
Gresham OR 97030

Send all tax statements to:

Dane Fitch  
4084 NE 5<sup>th</sup> Dr  
Gresham OR 97030

**STATUTORY BARGAIN AND SALE DEED**

Grantor, Rhapsody Real Estate LLC, conveys to Dane Fitch, Grantee, the following described real property:

SEE ATTACHED EXHIBIT "A"

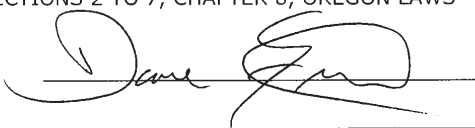
Tax Account No. 00709567,00709576

The true consideration for this conveyance is \$0.00.

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.

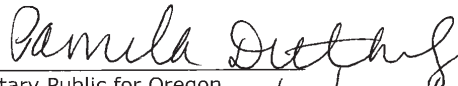
LAWYERS 147200751K

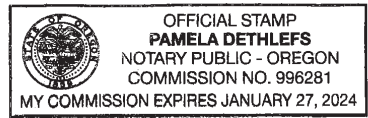
Dated 13<sup>th</sup> day of June, 2022

  
RHAPSODY REAL ESTATE, LLC

STATE OF OREGON  
COUNTY OF Multnomah

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of June, 2022, by Dane Fitch, Member of RHAPSODY REAL ESTATE

  
Notary Public for Oregon  
My commission expires 1/27/2024



**EXHIBIT "A"**  
Legal Description

PARCEL I:

**26E22BC01400 00709567**

A PART OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 6 EAST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE WHICH IS NORTH 0°35' WEST 190.35 FEET, NORTH 65°12' EAST 300.17 FEET AND NORTH 51°42' EAST, 310.00 FEET FROM THE ONE-QUARTER SECTION CORNER ON THE WEST LINE OF SAID SECTION 22; THENCE NORTH 51°42' EAST, A DISTANCE OF 88.00 FEET; THENCE SOUTHEASTERLY 205.00 FEET, MORE OR LESS, TO A POINT WHICH IS SOUTH 52°28'30" WEST, 100.00 FEET FROM THE MOST EASTERLY CORNER OF A TRACT OF LAND DESCRIBED IN CONTRACT TO OLIVER S. BATES, ET UX, RECORDED APRIL 13, 1964, FEE NO. 6053, AND RERECORDED SEPTEMBER 2, 1964, FEE NO. 15513; THENCE SOUTH 52°28'30" WEST, 100.00 FEET; THENCE NORTH 34°28'30" WEST 205.42 FEET TO THE POINT OF BEGINNING.

**pt 1400**

TOGETHER WITH THE RIGHT TO USE IN COMMON WITH OTHERS AN EASEMENT FOR INGRESS AND EGRESS DESCRIBED IN A DOCUMENT RECORDED NOVEMBER 2, 1964 IN BOOK 647, PAGE 269, DEED RECORDS.

PARCEL II:

**26E22BC01401 00709576**

PART OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE WHICH IS NORTH 0°35' WEST 190.35 FEET, NORTH 65°12' EAST 300.17 FEET AND NORTH 51°42' EAST 310.0 FEET FROM THE ONE-QUARTER SECTION CORNER ON THE WEST LINE OF SAID SECTION 22; THENCE NORTH 51°42' EAST A DISTANCE OF 88 FEET TO THE TRUE PLACE OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED; THENCE CONTINUING NORTH 51°42' EAST 88 FEET TO AN IRON PIPE; THENCE SOUTH 41°19'40" EAST 207.99 FEET TO AN IRON PIPE ON THE NORTH BANK OF THE SANDY RIVER; THENCE SOUTH 52°28'30" WEST ALONG THE NORTH BANK OF THE SANDY RIVER 100 FEET; THENCE NORTHWESTERLY 205 FEET, MORE OR. LESS, TO THE TRUE PLACE OF BEGINNING.

**pt 1401**

TOGETHER WITH THE RIGHT TO USE IN COMMON WITH OTHERS AN EASEMENT FOR INGRESS AND EGRESS AND UTILITY PURPOSES, DESCRIBED IN A DOCUMENT RECORDED OCTOBER 2, 1964 IN BOOK 647, PAGE 269, DEED RECORDS, CLACKAMAS COUNTY.

PARCEL III:

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**rest 1400  
rest 1401**

COMMENCING AT THE WEST ONE-QUARTER OF SECTION 22; THENCE NORTH 0°35' WEST, ALONG THE WEST LINE OF SAID SECTION 22, A DISTANCE OF 190.35 FEET TO A

**EXHIBIT "A"**  
Legal Description

POINT; THENCE NORTH 65°12' EAST, A DISTANCE OF 300.17 FEET TO A POINT; THENCE NORTH 51°42' EAST, A DISTANCE OF 486.00 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO GEORGE H. ENTENMANN AND JANICE K. ENTENMANN BY DEED RECORDED AUGUST 15, 1975, FEE NO. 75-225988, DEED RECORDS, CLACKAMAS COUNTY; THENCE SOUTH 41°19'40" EAST, ALONG THE EAST LINE OF SAID ENTENMANN TRACT, A DISTANCE OF 207.99 FEET TO THE SOUTHEASTERLY CORNER THEREOF, AND THE POINT OF BEGINNING OF THE TRACT HEREIN TO BE DESCRIBED; THENCE CONTINUING SOUTH 41°19'40" EAST, ALONG THE SOUTHEASTERLY EXTENSION OF SAID EASTERLY LINE, A DISTANCE OF 130 FEET, MORE OR LESS, TO THE NORTH BANK OF THE SANDY RIVER; THENCE SOUTHWESTERLY, ALONG SAID NORTH BANK, A DISTANCE OF 220 FEET, MORE OR LESS, TO A POINT IN THE SOUTHEASTERLY EXTENSION OF THE EAST LINE OF PARCEL II OF THAT CERTAIN TRACT OF LAND CONVEYED TO HARRY WILLIAM NOYES AND FAYE M. NOYES, BY DEED RECORDED APRIL 22, 1974, FEE NO. 74-10023, DEED RECORDS; THENCE NORTH 34°40'20" WEST, ALONG SAID SOUTHEASTERLY EXTENSION, A DISTANCE OF 165 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF PARCEL 2, SAID NOYES TRACT; THENCE NORTHEASTERLY TO THE POINT OF BEGINNING.



150 Beaver Creek Rd  
Oregon City, OR 97045  
503-655-8671

[Home](#)
[Help](#)
[Login](#) [Logoff](#)
[Property Search](#) > [Search Results](#) > Property Summary

## Property Account Summary

6/29/2022

Account Number	00709567	Property Address	58226 E MARMOT RD , SANDY, OR 97055
----------------	----------	------------------	-------------------------------------

### General Information

Alternate Property #	26E22BC01400
Property Description	Section 22 Township 2S Range 6E Quarter BC TAX LOT 01400
Last Sale Price	\$0.00
Last Sale Date	06/27/2022
Last Sale Excise Number	415267
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	046-040
Remarks	

### Property Characteristics

Neighborhood	16208: Sandy River mountain area 800, 801
Land Class Category	801: Recreational improved
Building Class Category	13: Single family res, class 3
Year Built	1976
Acreage	0.93
Change property ratio	8XX

### Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
896	0 X 0	1976	38	1.0	2	1	0

### Parties

Role	Percent	Name	Address
Taxpayer	100	FITCH DANE	4084 NE 5TH DR, GRESHAM, OR 97030
Owner	100	FITCH DANE	4084 NE 5TH DR, GRESHAM, OR 97030

### Property Values

Value Type	Tax Year 2021	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017
AVR Total	\$219,125	\$212,743	\$206,547	\$200,531	\$194,690
Exempt					
TVR Total	\$219,125	\$212,743	\$206,547	\$200,531	\$194,690
Real Mkt Land	\$180,742	\$161,440	\$161,440	\$145,647	\$132,487
Real Mkt Bldg	\$138,750	\$125,780	\$126,190	\$118,040	\$112,600



Real Mkt Total	\$319,492	\$287,220	\$287,630	\$263,687	\$245,087
M5 Mkt Land	\$180,742	\$161,440	\$161,440	\$145,647	\$132,487
M5 Mkt Bldg	\$138,750	\$125,780	\$126,190	\$118,040	\$112,600
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$219,125	\$212,743	\$206,547	\$200,531	\$194,690
Mkt Exception					
AV Exception					

**Tax Rate**

Description	Rate
Total Rate	14.0856

**Tax Balance**

No Charges are currently due. If you believe this is incorrect, please contact the Assessor's Office.

**Parents**

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

**Children**

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

**Related Properties**

No Related Properties Found

**Active Exemptions**

No Exemptions Found

**Events**

Effective Date	Entry Date-Time	Type	Remarks
06/24/2022	06/27/2022 16:55:00	Taxpayer Changed	Property Transfer Filing No.: 415267 06/24/2022 by BCROWE
06/24/2022	06/27/2022 16:55:00	Recording Processed	Property Transfer Filing No.: 415267, Bargain & Sale, Recording No.: 2022-036691 06/24/2022 by BCROWE
05/06/2022	05/17/2022 13:08:00	Taxpayer Changed	Property Transfer Filing No.: 412703 05/06/2022 by SMALSOM
05/06/2022	05/17/2022 13:08:00	Recording Processed	Property Transfer Filing No.: 412703, Warranty Deed, Recording No.: 2022-026719 05/06/2022 by SMALSOM
07/01/2021	08/17/2021 10:52:00	Taxpayer Changed	Property Transfer Filing No.: 396134 07/01/2021 by CINDYSIM
07/01/2021	08/17/2021 10:52:00	Recording Processed	Property Transfer Filing No.: 396134, Warranty Deed, Recording No.: 2021-063937 07/01/2021 by CINDYSIM
07/01/2021	08/11/2021 10:35:00	Taxpayer Changed	Property Transfer Filing No.: 395888 07/01/2021 by CINDYSIM
07/01/2021	08/11/2021 10:35:00	Recording Processed	Property Transfer Filing No.: 395888, Death Certificate, Recording No.: 2021-063936 07/01/2021 by CINDYSIM
07/01/2021	08/11/2021 10:32:00	Recording Processed	Property Transfer Filing No.: 395886, Death Certificate, Recording No.: 2021-063935 07/01/2021 by CINDYSIM
09/10/2019	09/10/2019 15:17:00	The situs address has changed	by DROME
03/14/2019	03/14/2019 10:06:00	The situs address has changed	by HALLEYWUN
10/27/2006	11/29/2006 11:18:00	Taxpayer Changed	Property Transfer Filing No.: 150696 10/27/2006 by AMANDAOLS

10/27/2006	11/29/2006 11:18:00	Recording Processed	Property Transfer Filing No.: 150696, Bargain & Sale, Recording No.: 2006-099637 10/27/2006 by AMANDAOLS
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Bargain and Sale: 97-58104, 7/1/97, \$ 0

### Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
05/16/2022 13:06:00	<a href="#">5192713</a>	\$3,209.96	\$3,209.96	\$3,209.96	\$0.00
11/02/2020 00:00:00	<a href="#">4833322</a>	\$3,004.17	\$3,004.17	\$2,914.04	\$0.00
11/14/2019 00:00:00	<a href="#">4688377</a>	\$2,987.31	\$2,987.31	\$2,887.69	\$0.00
11/20/2018 00:00:00	<a href="#">4571222</a>	\$2,854.24	\$2,854.24	\$2,768.61	\$0.00
11/02/2017 00:00:00	<a href="#">4260191</a>	\$2,788.27	\$2,788.27	\$2,704.62	\$0.00

### Sales History

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcels
06/13/2022	06/27/2022	06/24/2022	2022-036691	\$0.00	415267		M	RHAPSODY REAL ESTATE LLC	FITCH DANE	No
05/04/2022	05/17/2022	05/06/2022	2022-026719	\$656,008.00	412703		X	GREGORY MANAGEMENT LLC	RHAPSODY REAL ESTATE LLC	No
07/01/2021	08/11/2021	07/01/2021	2021-063936	\$0.00	395888		X	ENTENMANN JANICE K	ENTENMANN DALENE	No
07/01/2021	08/11/2021	07/01/2021	2021-063935	\$0.00	395886		X	ENTENMANN STEVEN G	ENTENMANN JANICE K	No
06/30/2021	08/17/2021	07/01/2021	2021-063937	\$555,000.00	396134		X	ENTENMANN DALENE	GREGORY MANAGEMENT LLC	No
08/18/2006	11/29/2006	10/27/2006	2006-099637	\$1.00	150696		S	ENTENMANN JANICE K 1/2	ENTENMANN JANICE K	No

### [Printable Version](#)

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Version 4.0.2.9



## Business Name Search

[New Search](#)
[Printer Friendly](#)

## Business Entity Data

04-24-2023

11:22

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1038484-95	DLLC	ACT	OREGON	08-04-2014	08-04-2023	
Entity Name	RHAPSODY REAL ESTATE LLC					
Foreign Name						

[New Search](#)
[Printer Friendly](#)

## Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS				
Addr 1	4084 NE 5TH DR					
Addr 2						
CSZ	GRESHAM	OR	97030	Country	UNITED STATES OF AMERICA	

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	08-04-2014	Resign Date
Name	DANE	JEFFERY FITCH			
Addr 1	4084 NE 5TH DR				
Addr 2					
CSZ	GRESHAM	OR	97030	Country	UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS
Addr 1	PO BOX 809	
Addr 2		
CSZ	GRESHAM	OR 97030
Country	UNITED STATES OF AMERICA	

Type	MEM	MEMBER	Resign Date
Name	DANE	JEFFERY FITCH	
Addr 1	4084 NE 5TH DR		
Addr 2			
CSZ	GRESHAM	OR	97030
Country	UNITED STATES OF AMERICA		

[New Search](#)
[Printer Friendly](#)

## Name History

# Plan Review - Review Comments Report

Project Name: **B0419022**

Workflow Started: **7/6/2022 11:44:26 AM**

Report Generated: **04/24/2023 01:01 PM**

REVIEW COMMENTS						
REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
1		Coordinator Shirley Cass-Crosby 7/15/22 11:32 AM	Comment Unfortunately the drawings you have submitted are just that, drawings that were not approved for work that was done without permits. We are currently in 2021 ORSC code cycle and the drawings must meet that current code cycle. There was also work done without permit, that would have required inspections. You will need to get and Engineer to do the drawing for you and they will also give you supporting documentation for the drawings that you can upload into the documents. Please be sure to delete all the old drawing prior to you uploading the correct drawing once you have received them back from the engineer. I have included the one and two family checklist for you and it is uploaded into the Clackamas Forms folder for you. This is a helpful guide for you, as what is one the list is whet will need to be in the drawings. I do not see any other back up documentation as in trusses or other types of documentation that is reflected on the checklist. If you need any further assistance you are welcome to call me at 503-742-4240 or email me at scasscrosby@clackmas.us. I would suggest if you have any questions to please reach out to me before you send the task back to us.			Unresolved

# Plan Review - Review Comments Report

Project Name: **B0647122**

Workflow Started: **10/19/2022 10:56:34 PM**

Report Generated: **04/24/2023 01:04 PM**

REVIEW COMMENTS						
REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
1		Coordinator Shirley Cass-Crosby 10/26/22 9:01 AM	Comment Please review the Garage Conversion Handout uploaded in Clackamas Forms and update the drawings accordingly. Please email me with any questions at scasscrosby@clackamas.us .		Responded by: Elson Nguyen - 10/27/22 9:42 PM THE SPACE HAS BEEN LABELED AS "GUEST BEDROOM" AS REQUIRED	Resolved
2		Coordinator Shirley Cass-Crosby 10/28/22 7:10 AM	Comment Per my email, please make the minor correction. Once you have update the drawing to say the new requested info, I can then move it onward.		Responded by: Elson Nguyen - 10/28/22 11:28 AM REVISED PLAN HAS BEEN UPLOADED  ----- Responded by: Elson Nguyen - 10/28/22 11:16 AM EGRESS WINDOWS HAVE BEEN ADDED ON PLAN. THERE IS NO WATER HEATER AND FURNACE IS PROPOSED. WE USE WALL CADET HEATER FOR THE SPACE	Resolved
3	1	Engineering Amanda Rozzell 10/31/22 4:15 PM	Comment OFF OF EXISTING DRIVEWAY. NO PROPOSED CHANGE. OK TO SIGN OFF.			Info Only
4	1	System Development Charges (SDC) Jodi Lagerwey 11/1/22 1:15 PM	Comment Pending planning sign off to make sure this shouldn't be permitted as an ADU.			Unresolved
5	1	Septic Shelby Wonsley 11/10/22 10:09 AM	Comment An Authorization Notice is required under DEQ rules (OAR 340-071-0205) to add bedrooms or otherwise increase the flow to a home served by an existing septic system. Before Onsite Wastewater Program staff may sign off on your Building permit application, you will need to apply for and receive an approved Authorization Notice. Information on the process and the forms necessary to apply have been uploaded to the "Clackamas Forms" folder for your convenience. Completed forms should be sent to soilsconcern@clackamas.us Questions about the process can be directed to either soilsconcern@clackamas.us or 503-742-4740			Unresolved
6	1	Septic Shelby Wonsley 11/10/22 10:09 AM	Comment Please upload a revised site plan that includes the location of the septic system.			Unresolved

# Plan Review - Review Comments Report

Project Name: **B0647122**

Workflow Started: **10/19/2022 10:56:34 PM**

Report Generated: **04/24/2023 01:04 PM**

REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
7	1	Septic Shelby Wonsley 11/10/22 10:18 AM	Comment Rental listing shows a total of 4 bedrooms plus a bunk house (this garage conversion) with multiple bed spaces. Septic system needs to be sized appropriately - start with Authorization Notice. Pictures saved in S drive SitePhotos.			Info Only
8	1	Building Chris Long 11/17/22 12:25 PM	Library Comment For slab-on-grade floors, the perimeter of the floor shall be insulated. The insulation shall extend downward from the top of the slab for a minimum of 24 inches or downward to the bottom of the slab, then horizontally beneath the slab for a minimum total distance of 24 inches (Exception: For monolithic slabs, the insulation shall extend downward from the top of the slab to the bottom of the thickened edge). Please address this requirement within the plans in accordance with Section N1104.7. Please show compliance with this section within the plans.			Unresolved
9	1	Building Chris Long 11/17/22 12:27 PM	Library Comment N1101.2.3.1 Changes of use that are greater than 30% of the existing building heated floor area or more than 400 square feet in area, whichever is less, shall be required to select one measure from Table N1101.3 As this is changing an unconditioned garage to a conditioned bedroom that is greater than 400 square feet, one item will need to be selected and shown on the plans that will comply with one selected table from N1101.3 (small addition additional measures)			Unresolved
10	1	Building Chris Long 11/17/22 12:33 PM	Library Comment N1101.4 Plans and specifications shall show in sufficient detail all pertinent data and features of the building and the equipment and systems as herein governed, including but not limited to: exterior envelope component materials; R-values of insulating materials; fenestration U-factors, HVAC equipment efficiency performance and systems controls, lighting, and the other pertinent data to indicate compliance with the requirements of this chapter. Provide the fenestration U-factors for the windows that are to be installed and the model/specifications of the cadet heater to be used.			Unresolved
11	1	Building Chris Long 11/17/22 12:40 PM	Library Comment If you have any questions regarding the plan review comments you can contact me at CLong@clackamas.us or by phone at 503-742-4228 .To view the code sections referenced in your review comments click the following link for access to the Oregon codebooks: <a href="#">Adopted Oregon Codes Online</a>			Info Only

# Plan Review - Review Comments Report

Project Name: **B0647122**

Workflow Started: **10/19/2022 10:56:34 PM**

Report Generated: **04/24/2023 01:04 PM**

REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
12	1	Planning County Lizbeth Dance 11/29/22 3:57 PM	Library Comment ZDO 833 GUEST HOUSES-STANDARDS Guest houses shall comply with the following standards: A. Use: A guest house shall be used only by members of the family residing in the primary dwelling, their nonpaying guests, or their nonpaying employees who work on the premises, or for residential occupancy by one or more paying guests for a period that does not exceed 30 consecutive nights by any one person. Residential occupancy by paying guests plus occupants of the primary dwelling shall not exceed 15 persons. B. Number: Only one guest house shall be allowed per lot of record. C. Maximum Floor Area: The maximum floor area shall be 600 square feet. D. Maximum Separation Distance: The guest house shall be located within 100 feet of the primary dwelling to which it is accessory. This distance shall be measured from the closest portion of each structure. E. Facilities: Occupants of the guest house and the primary dwelling shall live together as one housekeeping unit, sharing the kitchen and laundry facilities in the primary dwelling. The guest house may include one bathroom plus one additional sink but shall not include a dishwasher, stove, oven, or other cooking appliances. F. Utilities: All public water, electric, natural gas, and sanitary sewer service for the guest house shall be extended from the primary dwelling services. No separate meters for the guest house shall be allowed. G. On-Site Wastewater Treatment Systems: A guest house shall use the same on-site wastewater treatment system as the primary dwelling except when a separate system is required by the County due to site constraints, failure of the existing system, or where the size or condition of the existing system precludes its use.			Unresolved
13	1	Planning County Lizbeth Dance 11/29/22 4:04 PM	Comment Entire property in the Flood Way - NO development in the flood way is allowed - it is unclear how this garage building was established - as residential occupancy elevation standards differ from accessory building not for occupancy standards per ZDO 703- Flood Plain Development Review. A detached accessory building cannot be just a bedroom - this established building may be able meet ZDO 833 GUEST HOUSES-STANDARDS. Please provide additional flood elevation information and revise the floor plan either removing the sleeping facility or meet the Guest House standards this may require Flood Way Development Review.			Unresolved

## Kauppi, Jennifer

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**From:** Justin Leithem <justin@irongaterealtygroup.com>  
**Sent:** Monday, December 12, 2022 3:36 PM  
**To:** Kauppi, Jennifer  
**Subject:** Re: V0015422 - 58226 E Marmot Rd - B0419022

**Warning: External email. Be cautious opening attachments and links.**

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Hey Jennifer,

We've been taking care of multiple concerns that have come up in regards to these permits. We ordered a septic system evaluation and flood certificate level inspections and are trying to tackle all of the unexpected and expensive things being added from the county. I didn't mean to leave you hanging, I thought the different branches in the county were connected a bit more.

Sent from my iPhone

On Dec 12, 2022, at 1:34 PM, Kauppi, Jennifer <JKauppi@clackamas.us> wrote:

Justin,

Hello. I am following up regarding permit B0419022. It appears the information still has not been submitted to the County for the work done to the house.

Please advise

Thank you

Jennifer

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**From:** Justin Leithem <justin@irongaterealtygroup.com>

**Sent:** Monday, September 26, 2022 8:33 AM

**To:** Kauppi, Jennifer <JKauppi@clackamas.us>

**Cc:** ELSON NGUYEN <elson.hmgrouppdx@gmail.com>

**Subject:** Re: V0015422 - 58226 E Marmot Rd

**Warning: External email. Be cautious opening attachments and links.**

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We are getting closer. The engineer is requesting dimensions for the foundation stem wall to finish up so we are working on getting a contractor out there to dig down to discover those dimensions.

Sent from my iPhone

On Sep 26, 2022, at 8:20 AM, Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)> wrote:



Good Morning,  
Please provide an update on when the plans will be expected to be completed for the both the house and the detached garage.

Thank you

Jennifer

**From:** ELSON NGUYEN <[elson.hmgrouppdx@gmail.com](mailto:elson.hmgrouppdx@gmail.com)>

**Sent:** Tuesday, August 30, 2022 9:05 PM

**To:** Justin Leithem <[leithem09@gmail.com](mailto:leithem09@gmail.com)>; Kevin Goldsmith <[kgconsultantsllc@gmail.com](mailto:kgconsultantsllc@gmail.com)>; Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)>

**Subject:** Fwd: V0015422 - 58226 E Marmot Rd

**Warning: External email. Be cautious opening attachments and links.**

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----- Forwarded message -----

**From:** Cass-Crosby, Shirley <[scasscrosby@clackamas.us](mailto:scasscrosby@clackamas.us)>

**Date:** Tue, Aug 30, 2022 at 2:25 PM

**Subject:** RE: V0015422 - 58226 E Marmot Rd

**To:** [elson.hmgrouppdx@gmail.com](mailto:elson.hmgrouppdx@gmail.com) <[elson.hmgrouppdx@gmail.com](mailto:elson.hmgrouppdx@gmail.com)>

Hi There,

There was an addition to the home by quite a bit, so this is where the engineer gets involved to evaluate the work that was done without permits. The property owner is given inspection reports that do inform what was done without permit and or there is a violation letter that is sent to the owner that states the findings. There will definitely be mechanical, electrical and plumbing for both structures, however for building I will try to break this down. The engineer on their site visit evaluates the work that the owner did without permits. They can also do a research request to see what is in the permit history verses what is potentially existing now. The research request does require a form to be filled out and there are fees for this.

In regards to the home, the second story was added without permits, so the whole second story is an issue and then the alteration to the first floor becomes an issue and so on.

There was a detached garage that was converted to living space without permits, so the overall structure will needs to be addresses based on the building now being habitable.

Please let me know if you need further explanation, as usually presenting this to you engineer is where they get involved and assist you in wither or the drawings and the engineering calcs, supported by an evaluation letter.

**Thanks,**

**Shirley Cass-Crosby**

**Permit Technician – Building Codes**

150 Beaver Creek Rd #225

Oregon City, OR 97045

503.742.4240

<image001.jpg>

**Our office hours are Monday – Thursday, 8 am to 4 pm and Friday we are closed to the public, however we are still available for phone calls and emails from 8 am to 3pm.**

Coming Soon in August 2021! 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.](#)

<image002.png>

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**From:** Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)>  
**Sent:** Friday, August 26, 2022 1:23 PM  
**To:** 'ELSON NGUYEN' <[elson.hmgrouppdx@gmail.com](mailto:elson.hmgrouppdx@gmail.com)>  
**Cc:** Justin Leithem <[leithem09@gmail.com](mailto:leithem09@gmail.com)>; Kevin Goldsmith <[kgconsultantsllc@gmail.com](mailto:kgconsultantsllc@gmail.com)>; Cass-Crosby, Shirley <[scasscrosby@clackamas.us](mailto:scasscrosby@clackamas.us)>  
**Subject:** RE: V0015422 - 58226 E Marmot Rd  
**Importance:** High

Elson,

B0419022 had been submitted but the documentation was incomplete.

I have copied Permit Technician Shirley Cass-Crosby. She will let you know next week what information you will need to supply.

\*\*\*PLEASE NOTE\*\*\* You will have to submit one set of plans for the house and another set of plans for the detached garage that has been turned into a bunk house. These will be 2 separate permits.

Thank you

Jennifer

**From:** ELSON NGUYEN <[elson.hmgrouppdx@gmail.com](mailto:elson.hmgrouppdx@gmail.com)>  
**Sent:** Friday, August 26, 2022 12:51 PM  
**To:** Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)>  
**Cc:** Justin Leithem <[leithem09@gmail.com](mailto:leithem09@gmail.com)>; Kevin Goldsmith <[kgconsultantsllc@gmail.com](mailto:kgconsultantsllc@gmail.com)>  
**Subject:** Re: V0015422 - 58226 E Marmot Rd

**Warning: External email. Be cautious opening attachments and links.**

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Hi Jennifer,

Can you please let me and my structural engineer know what we should do now to get the permit approved?

Elson

On Fri, Aug 26, 2022 at 12:40 PM ELSON NGUYEN <[elson.hmgrouppdx@gmail.com](mailto:elson.hmgrouppdx@gmail.com)> wrote:

Not sure yet.

I need to work with Justin to see if he submit the old plan for addition that we have from previous owner or we have to make a new plan set

Elson

On Fri, Aug 26, 2022 at 6:25 AM Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)> wrote:

Thank you for letting me know.

Do you have an approximate time frame?

Thank you

**From:** ELSON NGUYEN <[elson.hmgrouppdx@gmail.com](mailto:elson.hmgrouppdx@gmail.com)>  
**Sent:** Thursday, August 25, 2022 11:22 PM  
**To:** Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)>; Justin Leithem <[leithem09@gmail.com](mailto:leithem09@gmail.com)>; Kevin Goldsmith <[kgconsultantsllc@gmail.com](mailto:kgconsultantsllc@gmail.com)>  
**Subject:** V0015422 - 58226 E Marmot Rd

**Warning: External email. Be cautious opening attachments and links.**

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Hi jennifer,

My name is Elson- architect

I heard from Justin that you wanted to make sure that he had an Architect and Engineer for the project "legalize unpermitted addition and detached garage conversion"

I will take care for architectural plans and my structural engineer named Kevin Goldsmith will take care of structural plans

Elson

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Regards,



**Elson Nguyen** Founder

HM GROUP LLC

*(971) 563.2067 (Cell Phone)*

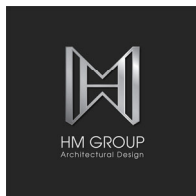
[Elson.HMgroupPDX@gmail.com](mailto:Elson.HMgroupPDX@gmail.com)

3036 SE 131st Ave

Portland, OR 97236

--

Regards,



**Elson Nguyen** Founder

HM GROUP LLC

*(971) 563.2067 (Cell Phone)*

[Elson.HMgroupPDX@gmail.com](mailto:Elson.HMgroupPDX@gmail.com)

3036 SE 131st Ave



Citation No. 2200154

Case No. V0015422

# ADMINISTRATIVE CITATION

Date Issued: March 30, 2023

**Name and Address of Person(s) Cited:**

Name: Dane Fitch  
Mailing Address: 4084 NE 5<sup>th</sup> Dr  
City, State, Zip: Gresham, OR 97030

Date Violation(s) Confirmed: On the 30th day of March, 2023, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): 58226 E Marmot Rd., Sandy, OR 97055

Legal Description: T2S, R6E Section 22BC, Tax Lot(s) 01400

**Law(s) Violated:**

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

**Description of the violation(s):**

- 1) Addition to a single family residence including electrical without approved permits or approved final inspections.  
Maximum Civil Penalty \$1,000.00                      Fine \$500.00
  
- 2) Bathroom added to single family residence without permits or approved final inspections.  
Maximum Civil Penalty \$1,000.00                      Fine \$200.00
  
- 3) Detached accessory structure converted to habitable space including electrical without approved permits or approved final inspections.  
Maximum Civil Penalty \$1,000.00                      Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,200.00. 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: Jennifer Kauppi  
Telephone No.: 503-742-4759

Date: March 30, 2023  
Department Initiating Enforcement Action: Code Enforcement

**PLEASE READ CAREFULLY!**

You have been cited for the violation(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 Beaver Creek 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](mailto: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: \_\_\_\_\_ Email: \_\_\_\_\_