



NOTICE OF HEARING

January 30, 2023

Amanda Finney
22095 SE Lagene St
Damascus, OR 97089

RE:: County of Clackamas v. Amanda Finney
File: V0028821

Hearing Date: February 28, 2023

Time: This item will not begin before 1:00 pm 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 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 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. **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.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

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 amandabloom@hotmail.com. Please contact Jennifer Kauppi 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 JKauppi@clackamas.us or 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 **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.

¡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, 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 (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，发送电子邮件至 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, 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 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.

AMANDA FINNEY,

Respondent,

File No: V0028821

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 22095 SE Lagene St., Damascus, OR 97089

2.

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

22095 SE Lagene St., Damascus, OR 97089 also known as T1S, R3E, Section 33D, Tax Lot 01915,
and is located in Clackamas County, Oregon.

3.

On or about the 27th day of December, 2021 the Respondent violated the following
laws, in the following ways:

- a. Respondent violated the Clackamas County Building Code, Section 9.02.040 by failing to obtain approved permits and approved final inspections for an addition to a single family residence. 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 #2100288-1 in the amount of \$100.00 was mailed via first class mail on December 27, 2021. A copy of the notice document is attached to this Complaint as Exhibit E, 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
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 30th day of January, 2023.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

AMANDA FINNEY,

Respondent.

File No.: V0028821

STATEMENT OF PROOF

History of Events and Exhibits:

- July 14, 2021 Clackamas County received a complaint regarding an addition to a single family residence without permits.
- July 19, 2021
Exhibit A Correspondence was sent to the Respondent regarding the alleged building code violation.
- July 19, 2021
Exhibit B Research of County records found the original applications for the addition to the single family residence B0134099 and E0236499. The owner at that time was Harvey Mantei. In 2020, Mr. Mantei listed the house for sale. Mr. Mantei submitted a new application to complete the addition that was done without approved final inspections, this is permit B0172420 and replaced B0134099. B0172420 was not issued and the house sold in 2020.
- August 5, 2021 Code Enforcement Specialist Michael Barnes spoke with Ryan Finney. Ryan stated that his wife Amanda Finney had purchased the home less than a year ago from her father Harvey Mantei.
- August 9, 2021
Exhibit C Correspondence was sent to the Respondent with a deadline of October 9, 2021 to abate the building code violation.
- November 8, 2021
Exhibit D Permit B0652921 was submitted to the County for review. Permit Technician Kelsi McNall emailed the Respondent to inform her that the application was submitted as an accessory structure not an addition to a single family residence. Permit B0652921 would be voided and the Respondent was asked to resubmit the application.
- December 27, 2021
Exhibit E I reviewed County records and found that a new permit for the addition had not been submitted. Citation 2100288-1 for \$100.00 for the Priority 1 Building Code violation was issued. The citation was sent first class mail and was not returned. The citation remains unpaid.

February 11, 2022 Exhibit F	A review of County records found permit B0095822 was submitted to the County for the addition to the single family residence.
August 1, 2022	The Respondent contacted Building Official Matt Rozzell regarding the permit submittal. Mr. Rozzell was going to have County staff review the information that was submitted to determine if there was enough information to proceed with plan review.
November 3, 2022 Exhibit G	Clackamas County Structural Engineer Andy Anderson emailed the Respondent and Zed Design requesting additional information in order to review the plans.
January 25, 2023 Exhibit H	I emailed Andy Anderson to inquire if the information that he had requested was received. As of January 25, 2023 the information had not been submitted to County staff.
January 30, 2023	This matter was referred to the Hearings Officer.
February 6, 2023 Exhibit I	The Respondent received the Notice of Hearing and contacted Andy Anderson regarding what information was missing in order to proceed with plan review. Andy reiterated that although the County had what appeared to be as built plans, the drawings still needed to be signed and stamped by a registered engineer from Oregon. In addition, accompanying structural calculations are also required.

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 by submitting or having their professional submit the information requested by Andy Anderson to the County. The Respondent shall be required to respond to all requests for additional plan review information within 10 days of being notified. Permits must be paid for within 10 days of being notified with all required inspections including approved final inspections to be completed within 60 days of the 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 \$1,000.00 for date cited December 27, 2021.
- Payment for Citation No. 2100288-1 issued on December 27, 2021 for \$100.00.
- The administrative compliance fee to be imposed from August, 2021 until the violation is abated. As of this report the total is \$1,275.00.
- 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.



July 19, 2021

Amanda Finney
22095 SE Lagene St
Damascus, OR 97089

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

Site Address: 22095 SE Lagene St, Damascus OR 97089
Legal Description: T1S, R3E, Section 33D, Tax Lot 01915

It has come to the attention of Clackamas County Code Enforcement that a detached garage that was later attached to the single family residence 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 Michael Barnes, Code Enforcement Specialist, within ten (10) days of the date of this letter in order to discuss this matter.

E-mail address is MBarnes@clackamas.us

Telephone number is 503-742-4759

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오.

AFTER RECORDING RETURN TO:

Phillip D. Conklin
PO Box 131
Waldport, OR 97394

TAX STATEMENT

Amanda Finney
22095 SE Lagnene St.
Damascus OR 97089

Clackamas County Official Records
Sherry Hall, County Clerk

2020-101496



\$98.00

12/01/2020 11:11:35 AM

D-D Cnt=1 Stn=9 COUNTER1
\$10.00 \$16.00 \$62.00 \$10.00

DEED OF PERSONAL REPRESENTATIVE

Phillip D. Conklin, the duly appointed, qualified, and acting personal representative of the Estate of Harvey L. Mantei, deceased, Clackamas County probate case #19PB06389, Grantor, conveys to Amanda Finney, Grantee, all right, title, and interest in and to the following described real property situated in Clackamas County, Oregon:

See Attached Exhibit A

The true and actual consideration for this conveyance was \$0.00 (Estate Distribution).

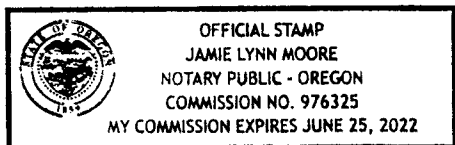
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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: 11/23, 2020. Estate of Harvey L. Mantei

Phillip D. Conklin, Personal Representative

STATE OF Oregon)
County of Lincoln) ss.

This instrument was acknowledged before me on this November 23, 2020, by Phillip D. Conklin, personal representative of the Estate of Harvey L. Mantei.



James Lynn Moore
Notary Public for Oregon

EXHIBIT A

13E33D 01915 00143124

Portions of Lot 1, of the duly recorded platt of "Alman Addition" situated in the Southeast one-quarter of Section 33, Township 1 South, Range 3 East of the Willamette Meridian in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the northwest corner of said Lot 1; thence N. 89° 50' 40" E. along the north line of said plat, a distance of 164.00 feet; thence S. 1° 27' 47" W. parallel with the west line of said Lot 1, a distance of 364.98 feet to a point in the north line of Lagene Street; thence S. 89°50'40" W. along said north line a distance of 164.00 feet to the Southwest corner of said Lot 1; thence N. 1° 27' 47" E. along the west line of said Lot 1, a distance of 364.98 feet to the point of beginning, containing an area of 1.37 acres.

Deed Reference: 80-31512

2



CLACKAMAS COUNTY, OREGON

Department of Transportation & Development
 Building Services Division
 902 Abernethy Road, Oregon City, Oregon 97045
 Office Phone: (503) 655-8521
 Fax Line: (503) 650-3019
 Inspection Line: (503) 557-6330

Permit No: **B0134099**
 Type: Single Family Resident'l
 Status: APPROVED
 Situs Addr: 22095 SE LAGENE ST
 Description:

Applied: Apr 08, 1999
 Approved: Jun 01, 1999
 Final:
 To Expire: Nov 28, 1999
 Class: 434

ADDITION/CONNECT SFR TO GARAGE

Location:
 Parcel No: 13E33D 01915
 Printed: Jun 01, 1999 11:05
 Valuation: 36,664.30

Occupancy: 0007
 Entered By: LT
 Insp Area: 4
 # Units: 000 # Bldgs: 000

APPLICANT MANTEI HARVEY LESTER
 , 22095 SE LAGENE ST, BORING OR 97009
 OWNER MANTEI HARVEY LESTER
 , 22095 SE LAGENE ST, BORING OR 97009

Water Supply.....:	Req Erosion Plan.....:	N	
Sewage Disposal.....:	Flex Lot.....:		
Sep Tank Cap...(gls):	Plot Plan Setbacks (ft) N:		S:
	E:		W:
Drainfield Dist.....:	Proposed Solar Ht.(ft):		
Lines Total Lth.(ft):	Avg Building Ht...(ft):		
Distance Between.....:	Zone/File #.....:		

Soil Comments:
 Plan Comments:

Building Fees :	\$224.50	Planning Fees.....:	\$.00
Mechanical Fees:	\$22.00	Driveway/Entrance Fees.:	\$.00
Plan Check Fees:	\$151.43	N Clack Park SDC Fees :	\$.00
State Surcharge:	\$12.33	Transportation SDC Fees:	\$.00
Total Bldg Fees:	\$410.26	Sunnyside Village Fees.:	\$.00
** Total Fees.....:		\$410.26	
** Total Payments.....:		\$410.26	
** Balance Due.....:		\$.00	



CLACKAMAS COUNTY, OREGON

Department of Transportation & Development
Building Services Division
902 Abernethy Road, Oregon City, Oregon 97045
Office Phone: (503) 655-8521
Fax Line: (503) 650-3019
Inspection Line: (503) 557-6330

2236499

B134099

Permit No: E0236499
Type: Electrical
Status: APPROVED
Situs Addr: 22095 SE LAGENE ST
Description:

Applied: Apr 08, 1999
Approved: Jun 01, 1999
Final:
To Expire: Nov 28, 1999

sfr add

Location:
Parcel No: 13E33D 01915
Printed: Jun 01, 1999 11:06
Contact Ph: 0

Insp. Area:
Entered By:

APPLICANT MANTEI HARVEY LESTER
, 22095 SE LAGENE ST, BORING OR 97009
OWNER MANTEI HARVEY LESTER
, 22095 SE LAGENE ST, BORING OR 97009

SFR/DUP 1st Unit (SqFt): Addt'l Unit:
Manuf Dwell: Type: 0
Circuits w/Service: Service/Feeder
1st Circ w/o Service: 1 0 - 200 amps:
..each addt'l: 201 - 400 amps:
401 - 600 amps:
Multi-Fam 0-1000 sqft: 601 - 1000 amps:
addt'l 500 sqft: 1000+ amps:
Reconnect Only: N Temp Srv/Fdr: amps:
Special Insp (hrs):
Low Energy:
Misc: Type: 0

Inspection Fees.....: \$.00
Plan Check Fees.....: \$.00
Permit Fees.....: \$40.00
State Surcharge.....: \$2.00
** Total Fees.....: \$42.00
** Total Payments.....: \$42.00
** Balance Due.....: \$.00

1. NOTE: A HOMEOWNER MAY DO HIS/HER OWN ELECTRICAL WORK ONLY IF THE STRUCTURE IS NOT INTENDED FOR RENT, SALE OR LEASE AS PER ORS 479.540.



Permit #: **B0172420** Applied: **04/17/2020**
 Type: New / Residential Approved:
 Status: Expired Final:
 Valuation: \$88,347.20 Expiration:
 Address: 22095 SE LAGENE ST DAMASCUS, OR 97089

Applicant: BULL RUN ELECTRIC INC (503) 668-4800
 Owner: MANTEI HARVEY LESTER
 Contractor:

Certificate of Occupancy Required:

Parcel: 13E33D 01915 Class: 101-NSFR
 Entered By: SHIRLEYC Occupancy: R-3 SFR/Duplex Type
 Units: V-B
 Insp Area: Bldgs:
 Printed: 01/27/2023 Violation:

Description: **EPR - ADDITION TO HOUSE AND THEN ADDING ATTACHED GARAGETO
 ADDITION (PERMITS FROM 1992 & 1999 NEVER TAKEN CARE OF AND
 WORK STARTED)**

Conditions: CONTRACTOR NOT ASSOCIATED WITH THIS PROJECT - Contractor on original application is not associated with this project and is not sure why they were added to the application. See email in docs.
 EXPIRED - Expiration Letter emailed to original applicant. 5/20/2021
 expired permits - Expired permits associated with this address need renewed and finalized prior to final inspection of this permit.

NOTICE: In accordance with ORS 455.355, the disposal of thermostats that contain mercury shall be in accordance with programs established by thermostat manufacturers, their representative or distributor, or by delivery to sites that will ensure that the mercury does not become part of the solid waste stream or wastewater.

NOTICE: The County in its review and approval of this application is not authorizing any activity that may result in a violation of the federal Endangered Species Act (EAS). You are specifically put on notice that it is your responsibility to determine whether activities undertaken pursuant to an approval result in conflict with the provisions of the ESA. It is further your responsibility to ensure that all activities taken pursuant to an approval are designed, constructed and maintained in a manner that does not violate the ESA or any other applicable federal, state or local law.

Any Transportation or Park System Development Charge decision made by the Department may be appealed to the County TSDC Hearings Officer by filing a written request with the Department within 14 days of the final decision. The fee is \$500.00.



August 09, 2021

File # V0028821

Amanda Finney
22095 SE Lagene St
Damascus, OR 97089

Subject: Violations of the Clackamas County Building Code 9.02.040 (A & E) structural, (C) plumbing, (D) electric

Site Address: 22095 SE Lagene St, Damascus OR 97089
Legal Description: T1S, R3E, Section 33D, Tax Lot 01915

In response to a complaint alleging a detached garage was built without permits, permit history was searched and confirmed there are expired permits for this edition. You are in violation of Chapter 9.02.040 of the Clackamas County Code.

In order to abate the building code violations, please utilize one of the following options **not later than October 09, 2021**:

- Submit the building permit application(s), electrical permit, plumbing permit, and technically complete plans and appropriate fee(s)
 - The permit 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:**
- Obtain a demolition permit for the structure(s).
 - Remove all associated debris from the demolition not later than 45 days of the date of the permit.

Building/Permits- Permit Technician Shirley scasscrosby@clackamas.us
bldservice@clackamas.us or 503-742-4240.

Code Enforcement- (503) 742-4759. MBarnes@clackamas.us

Michael Barnes
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.
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.



Permit #: B0652921

Applied: 11/08/2021

Type: Accessory Structure / Residential
Status: Void
Valuation: \$0.00
Address: 22095 SE LAGENE ST DAMASCUS, OR 97089

Approved:
Final:
Expiration:

Applicant: Ryan Finney (971) 274-9412

Owner:

Contractor:

Certificate of Occupancy Required:

Parcel: 13E33D 01915
Entered By:
Insp Area:
Printed: 01/27/2023
Description:
Class:
Occupancy:
Units: Bldgs:
Violation:

Conditions: WRONG PERMIT TYPE APPLIED FOR - SUBMITTED INCORRECTLY - THIS SHOULD BE AN ADDITION NOT AN ACCESSORY STRUCTURE. APPLICANT HAS BEEN NOTIFIED VIA THE DISCUSS FEATURE TO RESUBMIT AS ADDITION

NOTICE: In accordance with ORS 455.355, the disposal of thermostats that contain mercury shall be in accordance with programs established by thermostat manufacturers, their representative or distributor, or by delivery to sites that will ensure that the mercury does not become part of the solid waste stream or wastewater.

NOTICE: The County in its review and approval of this application is not authorizing any activity that may result in a violation of the federal Endangered Species Act (EAS). You are specifically put on notice that it is your responsibility to determine whether activities undertaken pursuant to an approval result in conflict with the provisions of the ESA. It is further your responsibility to ensure that all activities taken pursuant to an approval are designed, constructed and maintained in a manner that does not violate the ESA or any other applicable federal, state or local law.

Any Transportation or Park System Development Charge decision made by the Department may be appealed to the County TSDC Hearings Officer by filing a written request with the Department within 14 days of the final decision. The fee is \$500.00.

Table with 2 columns: SFR/Dup 1st Unit(sqft): and Additional Unit(sqft):. Rows include State Surcharge, Residential Structural Permit, and Residential Plan Review with associated unit counts and costs.

Please do not reply to this email.

WRONG PERMIT TYPE - ADDITION/ALTERATION SHOULD BE APPLIED FOR

NEW DISCUSSION COMMENT

Hello Ryan,

A new discussion topic and comment has been added to project: **B0652921**.

Discussion Topic: **WRONG PERMIT TYPE - ADDITION/ALTERATION SHOULD BE APPLIED FOR**

Category: **FYI**

COMMENT PARTICIPANT This permit was submitted as an accessory structure, but it is an addition to an existing SFR. You will need to resubmit under the correct permit type - Residential - Addition/Alteration. You will be able to provide the square footage of the new dwelling area as well as the garage. Please email blservice@clackamas.us with attention to Kelsi when you have resubmitted so that you don't lose your place in the prescreen review. Additionally, some corrections to your upload need to be made. Plan pages to be uploaded as individual PDFs Plan pages and site plan should follow proper naming conventions. Please review online here: <https://www.clackamas.us/development-direct> (IE 001 Site Plan, 002 Elevations, 003 Main Floor Plan, etc.). Page 4 of the plans call out Trusses. Please provide Truss Engineering and Truss Layout. These can be loaded to 'Documents' Your plan page 1 notes that this is to the 2017 code, but you have submitted under the 2021 code. Please have that revised.

There may be other corrections, but we cannot review as submitted.

Kelsi McNall

To access this project, please click on "Open Project" below.

[Open Project](#) To access this project

Please do not reply to this email.

Ryan Finney
irishlumberjackn@gmail.com

11/17/2021 10:51
AM



Citation No. 2100288-1

Case No. V0028821

ADMINISTRATIVE CITATION

Date Issued: December 27, 2021

Name and Address of Person(s) Cited:

Name: Amanda Finney
Mailing Address: 22095 SE Lagene St
City, State, Zip: Damascus, OR 97089

Date Violation(s) Confirmed: On the 27th day of December, 2021, 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): 22095 SE Lagene St, Damascus OR 97089

Legal Description: T1S, R3E, Section 33D, Tax Lot(s) 01915

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) Failure to obtain permits for an addition to a single family residence and required inspections.

Maximum Civil Penalty \$1000.00

Fine \$100.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. 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.: 503-742-4452

Date: December 27, 2021
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.

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: _____



Permit #: B0095822

Applied: 02/11/2022

Type: New / Residential

Approved:

Status: Prescreen

Final:

Valuation: \$80,912.00

Expiration:

Address: 22095 SE LAGENE ST DAMASCUS, OR 97089

Applicant: Ryan Finney (971) 274-9412

Owner: FINNEY AMANDA

Contractor:

Certificate of Occupancy Required:

Parcel: 13E33D 01915

Class: 434-Residential Addition/Remodel

Entered By:

Occupancy:

Insp Area:

Units:

Bldgs:

Printed: 01/27/2023

Violation:

Description: V0028821 ADDITION AND GARAGE

Conditions:

NOTICE: In accordance with ORS 455.355, the disposal of thermostats that contain mercury shall be in accordance with programs established by thermostat manufacturers, their representative or distributor, or by delivery to sites that will ensure that the mercury does not become part of the solid waste stream or wastewater.

NOTICE: The County in its review and approval of this application is not authorizing any activity that may result in a violation of the federal Endangered Species Act (EAS). You are specifically put on notice that it is your responsibility to determine whether activities undertaken pursuant to an approval result in conflict with the provisions of the ESA. It is further your responsibility to ensure that all activities taken pursuant to an approval are designed, constructed and maintained in a manner that does not violate the ESA or any other applicable federal, state or local law.

Any Transportation or Park System Development Charge decision made by the Department may be appealed to the County TSDC Hearings Officer by filing a written request with the Department within 14 days of the final decision. The fee is \$500.00.

SFR/Dup 1st Unit(sqft):

Additional Unit(sqft):

Structural Pln/FLS Rev Deposit

365

\$365.35

Residential Plan Review

1

\$365.35

Kauppi, Jennifer

From: Anderson, Andy
Sent: Thursday, November 3, 2022 8:22 AM
To: zedstamm@gmail.com; irishlumberjackn@gmail.com
Subject: B0095822 & V0028821 - 22095 SE Lagene St, Damascus

Good morning,

For the above referenced project the construction drawings that were uploaded are not signed and stamped by an engineer registered in the state of Oregon. Structural calculations were also not provided. Please email me the structural calculations and signed/stamped construction drawings for this project. Once that information is provided I can start the review.

Regards,

Andy A. Anderson, P.E.
Structural Engineer

Clackamas County – Transportation & Development
Building Codes Division
☎ (503) 519-1162 | ✉ aanderson2@clackamas.us
Development Services Building | 150 Beaver Creek Rd | Oregon City, OR | 97045

Work Schedule: M-F from 7:30 am to 4 pm.

Were you happy with the service you received today?



CLICK A SMILEY

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Kauppi, Jennifer

From: Anderson, Andy
Sent: Wednesday, January 25, 2023 8:47 AM
To: Kauppi, Jennifer
Subject: RE: V0028821 - 22095 SE Lagene St - B0095822

Hello – I have not received any response as of this morning.

Regards,

Andy A. Anderson, P.E.
Structural Engineer

☎ (503) 519-1162 | ✉ aanderson2@clackamas.us

Work Schedule: M-F from 7:30 am to 4 pm.

From: Kauppi, Jennifer <JKauppi@clackamas.us>
Sent: Wednesday, January 25, 2023 7:31 AM
To: Anderson, Andy <AAAnderson2@clackamas.us>
Subject: FW: V0028821 - 22095 SE Lagene St - B0095822

Did you ever get a response on this?

From: Anderson, Andy <AAAnderson2@clackamas.us>
Sent: Monday, December 12, 2022 2:02 PM
To: Kauppi, Jennifer <JKauppi@clackamas.us>
Cc: Rozzell, Matthew <MRozzell@clackamas.us>
Subject: RE: V0028821 - 22095 SE Lagene St - B0095822

I emailed Zed Design and the applicant (attached), and have not heard back.

Regards,

Andy A. Anderson, P.E.
Structural Engineer

☎ (503) 519-1162 | ✉ aanderson2@clackamas.us

Work Schedule: M-F from 7:30 am to 4 pm.

From: Kauppi, Jennifer <JKauppi@clackamas.us>
Sent: Monday, December 12, 2022 1:56 PM
To: Anderson, Andy <AAAnderson2@clackamas.us>; Rozzell, Matthew <MRozzell@clackamas.us>
Subject: V0028821 - 22095 SE Lagene St - B0095822

Kauppi, Jennifer

From: Anderson, Andy
Sent: Wednesday, February 8, 2023 1:17 PM
To: Kauppi, Jennifer
Subject: V0028821 - 22095 SE Lagene St - B0095822

Hi Jennifer,

I had a phone conversation with Amanda Finney on the morning of Monday, February 6th regarding the violation at 22095 SE Lagene St. I reiterated that although we have what look like as-built construction drawings we still need the drawings to be signed and stamped by a registered engineer from Oregon. We will also need a set of accompanying structural calculations to justify the as-built drawings, which was also relayed to her. Please let me know if you need any additional information from me regarding this discussion.

Thank you,

Andy A. Anderson, P.E.
Structural Engineer

Clackamas County – Transportation & Development
Building Codes Division
☎ (503) 519-1162 | ✉ aanderson2@clackamas.us
Development Services Building | 150 Beaver Creek Rd | Oregon City, OR | 97045

Work Schedule: M-F from 7:30 am to 4 pm.