



NOTICE OF HEARING

January 23, 2024

Ortice Harper
15852 SE Tallina Dr.
Damascus, OR 97089

RE:: County of Clackamas v. Ortice Harper
File: V0028823

Hearing Date: February 13, 2024

Time: This item will not begin before 12:30pm 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 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.



You must have access to the internet or to a telephone line to use the Zoom platform, a copy of the link is provided below.

If you would like to present evidence at the Hearing please email or mail your evidence to Jennifer Kauppi at 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working 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**.

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.

Zoom invite

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clackamascounty.zoom.us/j/81367760862?pwd=Undxbkt4ZEpgSnpnT2Eva2hhRzhpdz09>

Passcode: 611709

Or One tap mobile:

+16694449171,,81367760862# US

+16699006833,,81367760862# US (San Jose)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000

Webinar ID: 813 6776 0862

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

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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，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.

ORTICE HARPER

Respondent.

File No: V0028823

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 15852 SE Tallina Dr., Damascus, OR 97089.

2.

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

15852 SE Tallina Dr., Damascus, OR 97089 also known as T2S, R2E, Section 13AA, Tax Lot 06314, and is located in Clackamas County, Oregon.

3.

On or about the 14th day of December, 2023 the Respondent violated the following law, in the following way:

- a. Respondent violated the Clackamas County Building Code, Title 9.02.040 by failing to obtain approved permits and approved final inspections for a garage conversion to habitable space and a patio cover built without permits. 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 #2300288 in the amount of \$500.00 was mailed via first class mail on December 14, 2023. 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 violation.

DATED THIS 22 day of January 2024.



Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

ORTICE HARPER

Respondent.

File No.: V0028823

STATEMENT OF PROOF

History of Events and Exhibits:

- September 13, 2023 Clackamas County received a complaint regarding a garage converted into habitable space and operating a dog breeding business without land use approval. The letter also noted an alleged solid waste violation, however, this was added in error to the letter.
- September 25, 2023 Correspondence was sent to the Respondent regarding the alleged violations. Exhibit A The alleged letter was dated on September 21, 2023, however, it was not mailed until September 25, 2023. The date the letter was mailed was not updated before it was sent.
- September 28, 2023 I conducted research of the subject property. I found before and after Exhibit B photos of the house showing that the garage had been infilled. In addition, a large patio cover had been built. A review of County records indicated that no permits had been submitted for the garage or patio cover. I could find no evidence of a business operating onsite.
- October 9, 2023 A Notice of Violation was mailed to the Respondent with a deadline of Exhibit C November 9, 2023 to abate the Building Code violation.
- October 25, 2023 I received a phone call from Kelly Miller who is a general contractor. Mr. Miller stated that the Respondent asked him to contact me regarding the violation letter that the Respondent received. Mr. Miller did not know what the garage was converted into and he would need to find out in order to submit the proper permits. The patio cover would need to be removed as it has been built onto the neighboring lot and would not meet the 3 foot setback on the property if the Respondent tried to reduce the size of the structure.
- November 3, 2023 Architect Patti Buser was contacted by the Respondent to assist on what Exhibit D plans would need to be submitted to the County.

November 22, 2023 I spoke with the Respondent regarding the violation. The Respondent stated that Patti was going to help him gather the information for the garage conversion into a bonus room. I explained to the Respondent that a separate demolition permit would need to be submitted for the removal of the patio cover.

December 14, 2023 Exhibit E A review of County records found no permits had been submitted for the patio cover or garage conversion. Citation 2300288 for \$500.00 for the Priority 1 Building Code violation was mailed first class mail. The citation was not returned and remains unpaid.

January 22, 2024 I referred this matter to the Code Enforcement 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 by completing the following.
 - Within 15 days of the date of the Order, submit a complete demolition permit application for the removal of the patio cover.
 - Within 30 days of the date of the Order by submitting a building permit application(s), appropriate fees(s) and all construction documents of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the Building code and relevant laws for the garage conversion.
 - Respond to requests for clarification or additional information for plan review from permitting staff within 10 days of receiving such request.
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes in order to prevent delay of the issuance of permits.
 - 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) for the garage conversion and patio cover removal.
- Code Enforcement to confirm compliance of the above items and the County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent.
- The report may include the following recommendations:
- The imposition of civil penalties for the Building Code violation of up to \$1,000.00 for date cited December 14, 2023.
- Payment for Citation No. 2300288 issued on December 14, 2023 for \$500.00.
- The administrative compliance fee to be imposed from October 2023 until the violation is abated. As of this report the total is \$225.00.
- 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.



September 21, 2023

Ortice Harper
15852 SE Tallina Dr
Damascus, OR 97089

Subject: Alleged Violations of the Zoning and Development Ordinance, Title 12, Section 315, Building Codes, Chapter 9.01.100 and 9.02.040 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code

Site Address: 15852 SE Tallina Dr
Legal Description: T2S, R2E, Section 13AA, Tax Lot 06314

It has come to the attention of Clackamas County Code Enforcement that a garage may have been converted to a habitable space without the benefit of permits and there may also be a dog breeding business operating from the above referenced property without land use approval.

In addition, there may be an accumulation of solid waste on the above referenced property.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 315, Building Codes, Chapters 9.01.100 and 9.02.040 and the Solid Waste Code, Title 10.03.060 of the Clackamas County Code.

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

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4759

**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.*

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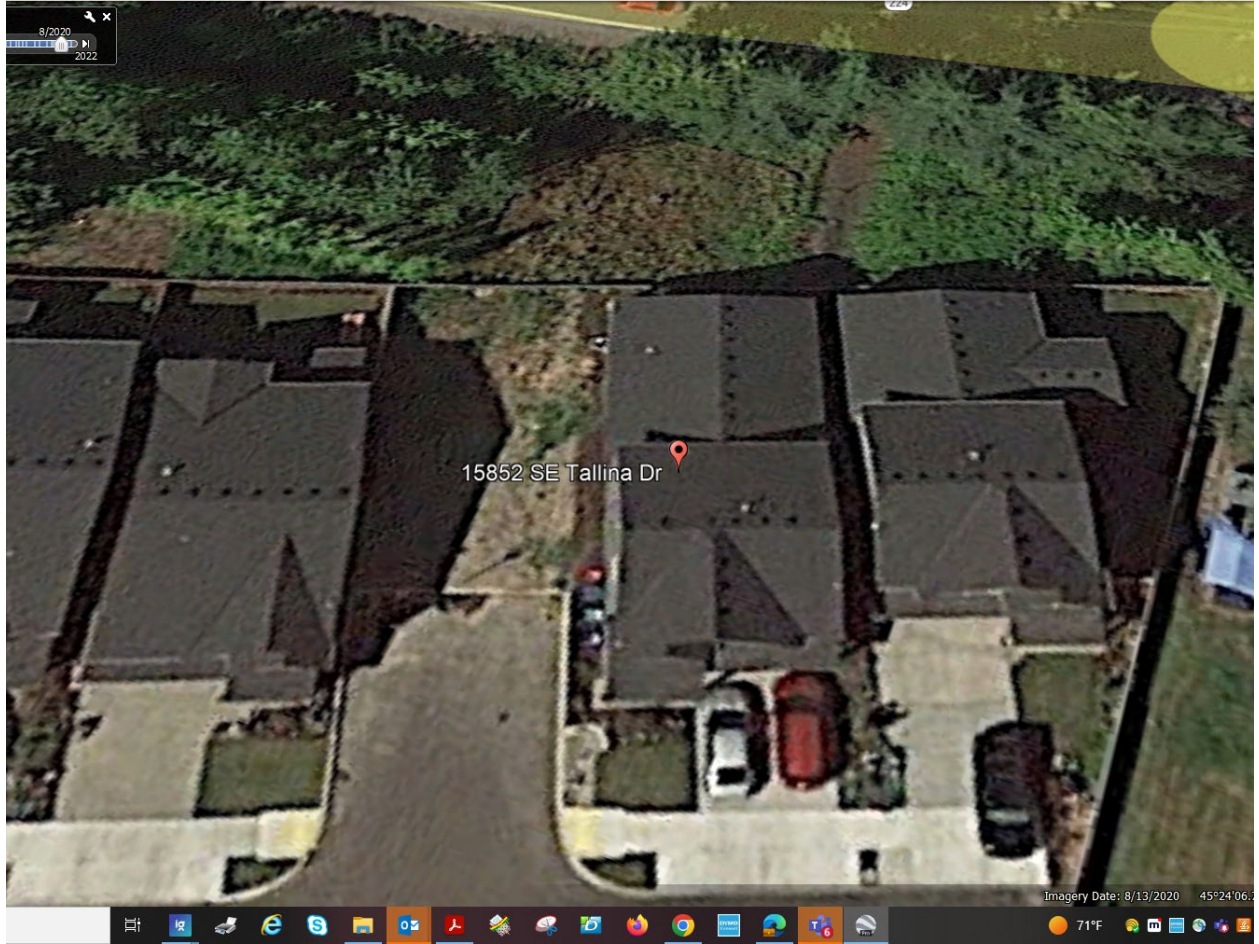
CHÀO MỪNG! Vietnamese

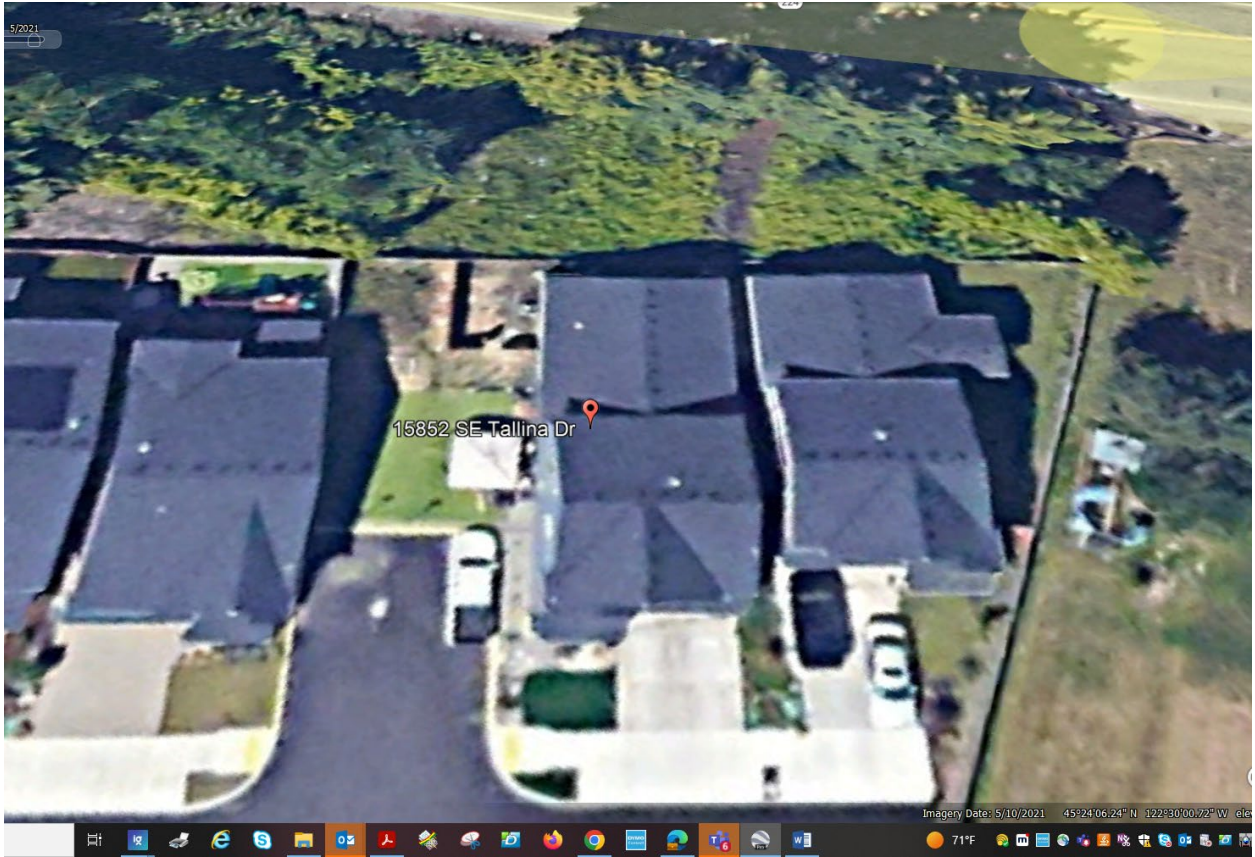
Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

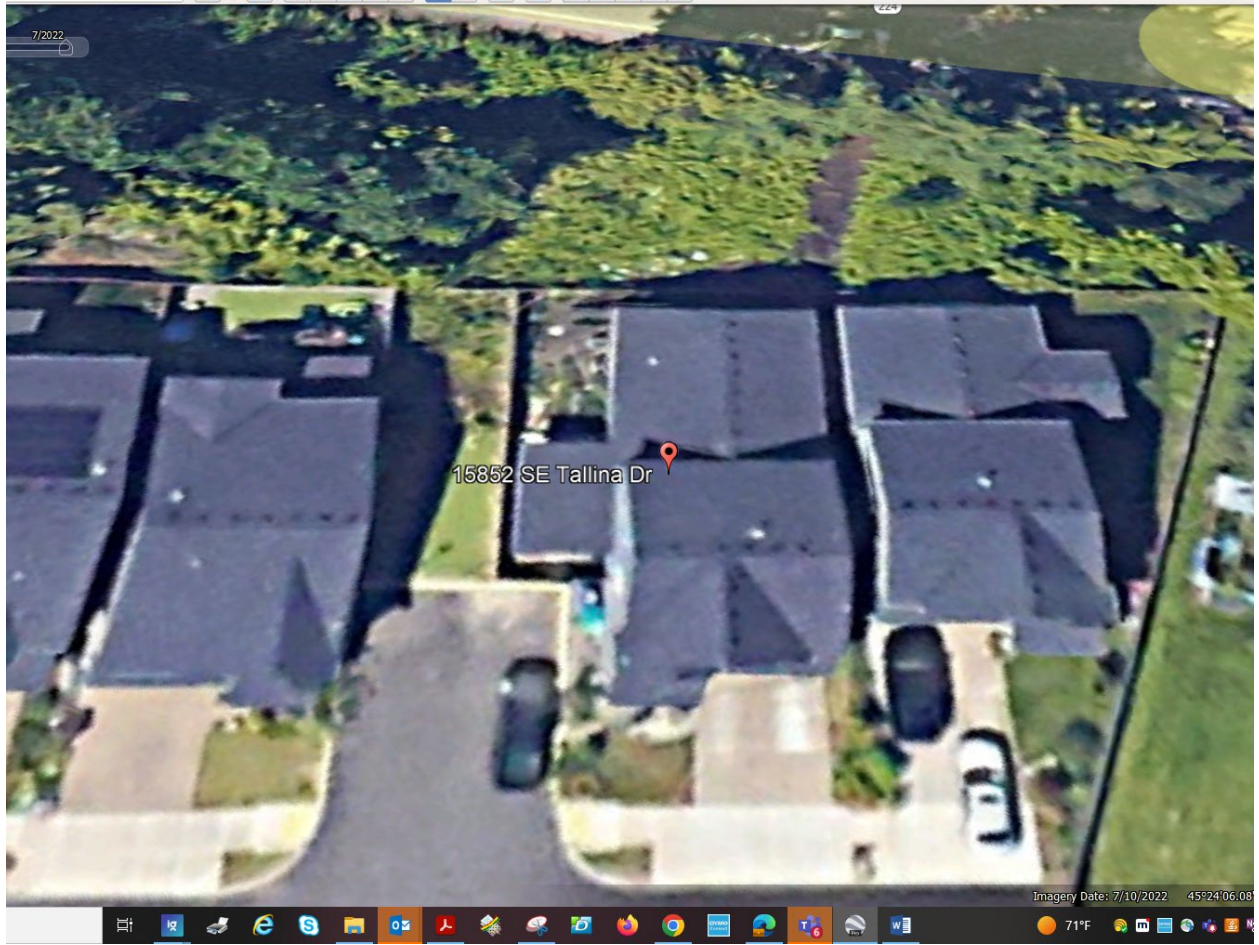
www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

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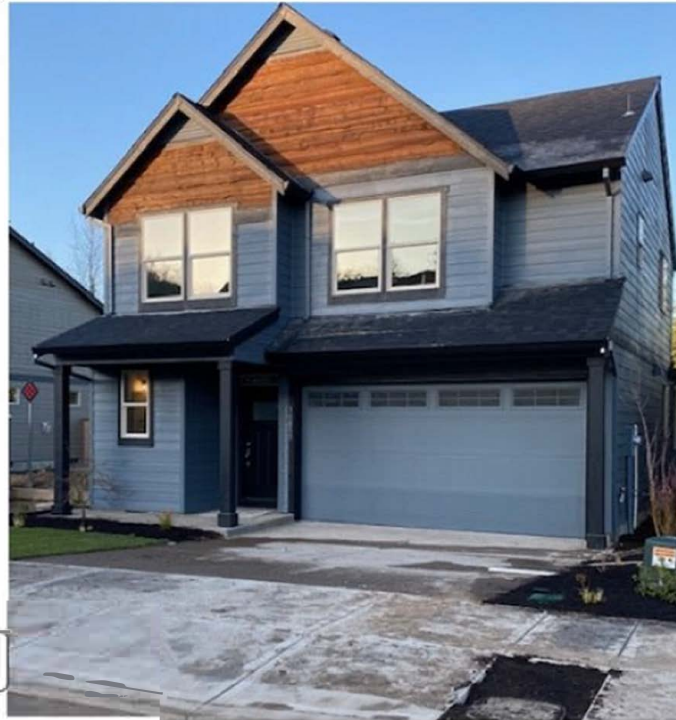


	In Care Of	Primary Address	Jurisdiction	Map Number	Taxlot Number	Parcel Number	Document
STAIN 2 HOA		No Situs	Clackamas County	22E13AA	22E13AA06320	05033862	2018-07





OFF MARKET



Street View

● LAST SOLD ON MAY 22, 2020 FOR \$470,000

15852 SE Tallina Dr. Damascus, OR 97080



Is





NOTICE OF VIOLATION

October 9, 2023

Ortice Harper
15852 SE Tallina Dr
Damascus, OR 97089

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

VIOLATION: V0028823

SITE ADDRESS: 15852 SE Tallina Dr., Damascus, OR 97089

LEGAL DESCRIPTION: T2S, R2E, Section 13AA, Tax Lot 06314

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

Patio cover built without approved permits

Garage converted into habitable space without approved permits

VIOLATIONS & HOW TO RESOLVE

On September 13, 2023 Clackamas County received a complaint regarding a patio cover and a garage converted to habitable space without approved permits. Research of the property found that the patio cover was built between 2021 and 2022. The size of the patio cover exceeds any building exemption available and has been built across the property line boundary onto another tax lot.

In addition, the garage door has been infilled creating habitable space. The patio cover and garage conversion to habitable space without approved permits and approved final inspections 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 November 9, 2023**:

Patio Cover

Your property has a 3 foot setback to the adjacent property line boundary. The patio cover has been built without permits into the 3 foot setback and over the property line.

- Please submit, or have your professional submit, a building permit demolition application(s) to reduce the size of the patio cover to meet setback requirements of your property
 - All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
 - 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).

Garage converted to habitable space

- Please submit, or have your professional submit, a building permit application(s) and technically complete plans for the conversion of the garage into habitable space.
 - All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
 - 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

Planning – If you have questions concerning the setbacks on your property, please contact the planning department at 503-742-4500 or on-line at zoninginfo@clackamas.us.

Building – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at blbservice@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. Our office is closed to the public on Fridays.

If you have any questions my direct telephone number is 503-742-4759 and my email is jkauppi@clackamas.us.

Jennifer Kauppi

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

File No.: 20-182342

D-D Cnt=1 Stn=75 TIFFANY
\$15.00 \$16.00 \$10.00 \$62.00

\$103.00

Grantor
Taliesin Homes NW, LLC
Grantee
Ortice Harper
After recording return to
Ortice Harper 15852 SE Tallina Drive Damascus, OR 97089
Until requested, all tax statements shall be sent to
SAME AS ABOVE

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Taliesin Homes NW, LLC, an Oregon limited liability company, Grantor(s) convey and warrant to Ortice Harper, Grantee(s), the real property described in the attached Exhibit A, free of encumbrances EXCEPT covenants, conditions, restrictions, easements, and encumbrances of record as of the date hereof.

The true consideration for this conveyance is **\$470,000.00**. (Here comply with requirements of ORS 93.030)

WFG Title 20-182342-558 SS

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.

Taliesin Homes NW, LLC

By: Thomas Liesy, Managing Member

STATE OF OREGON
COUNTY OF CLACKAMAS

This instrument was acknowledged before me this 20 day of December, 2019 by Thomas Liesy, as Managing Member, of Taliesin Homes NW, LLC, on behalf of the company.



Notary Public for Oregon
My Commission Expires: 12.25.22

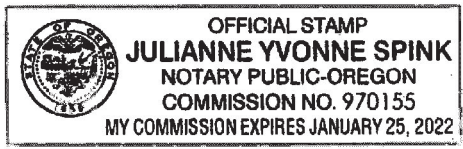


EXHIBIT "A"
LEGAL DESCRIPTION

Lot 48, Shadow Mountain 2, a subdivision recorded December 6, 2018, as Recording No. 2018-073294,
in the City of Damascus, County of Clackamas and State of Oregon.

22E13AA06314 05033856

MN

Kauppi, Jennifer

From: Kauppi, Jennifer
Sent: Monday, November 6, 2023 11:00 AM
To: 'pattibuserarchitect@gmail.com'
Cc: Donaldson, Amanda
Subject: V0028823 - 15852 SE Tallina Dr

Patti,

Hello. My name is Jennifer Kauppi and I am the Code Enforcement Specialist that is assigned to this file.

I have confirmed already that the space is being used as a bedroom and being rented out. If Mr. Harper is not wanting to use that space as a rental bedroom unit, there will be additional documentation that he will have to provide directly to me before permits can be submitted.

Please have Mr Harper call me to discuss. 503-742-4759.

Thank you

From: Donaldson, Amanda <ADonaldson@clackamas.us>
Sent: Monday, November 6, 2023 10:45 AM
To: Kauppi, Jennifer <JKauppi@clackamas.us>; Cass-Crosby, Shirley <scasscrosby@clackamas.us>
Subject: FW: V0028823 - 15852 SE Tallina Dr

I'll respond this afternoon I just wanted to give you a heads up. I need clarification on still what he can and can't do with this structure and I want to make sure I am giving them to correct information.

Amanda Donaldson, Permit Specialist

Pronouns:she/her

Clackamas County Building Codes Division

150 Beaver Creek Rd., Oregon City, OR 97045

Primary Phone: 503.742.4240

Regular work schedule is M-Th from 7:30 am until 4:30 pm

The Clackamas County Building Codes Division Operates:

Monday through Thursday, 7:30 AM to 4:30 PM

2nd and 3rd floor LOBBY HOURS are Monday - Thursday 8:00 AM to 4:00PM

The Clackamas County Department of Transportation and Development is dedicated to providing excellent customer service. Please help us to serve you better by giving us your [feedback](#). We appreciate your comments and will use them to evaluate and improve the quality of our public service.

Were you happy with the service you received today?



CLICK A SMILEY

From: Patti Buser <pattibuserarchitect@gmail.com>
Sent: Friday, November 3, 2023 4:52 PM
To: Donaldson, Amanda <ADonaldson@clackamas.us>
Cc: nolimitkarate@gmail.com
Subject: Fwd: V0028823 - 15852 SE Tallina Dr

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

RE: 15852 SE Tallina Dr.

Dear Ms. Donaldson:

I am an architect who is going to create documents Mr. Harper must submit to legalize changes he made to his garage. I am familiarizing myself with the project and have some questions that will help me fulfill your request.

1. The house was built in 2020. Does Clackamas Co. have digital original construction documents online that I could access? Mr. Harper purchased the house from the original owner and has no as-built plans.
2. Mr. Harper removed the garage door, walled in and insulated the garage opening, and added a swinging door and two windows to the new wall. He created two closets to enclose the water heater and furnace, and put wood flooring over the slab. He added no amenities, did not change the mechanical or electrical systems, and did not install framing to raise the floor. He is intending to use the finished garage as a bonus space. Must he raise the floor and rebuild the infill wall?
3. If he limits the use of the garage, can it remain constructed as is?

Best Regards,
Patti Buser

From: Donaldson, Amanda <ADonaldson@clackamas.us>
Date: Thu, Nov 2, 2023, 3:13 PM
Subject: V0028823 - 15852 SE Tallina Dr
To: everlastinghammer1@gmail.com <everlastinghammer1@gmail.com>
Cc: Kauppi, Jennifer <JKauppi@clackamas.us>

Hello Kelly,

I am working with Jennifer Kauppi in Code Enforcement to assist with permits needed to correct violation V0028823 at 15852 SE Tallina Drive.

Regarding the patio cover:

The patio cover would need to be removed, for this we would require a Demo permit. To apply for that permit you would use our online Development Direct system. We will require a site plan of the property showing the current structure and what portion of that structure that is to be removed.

Regarding the Garage Conversion:

If you are going leave this as habitable space and not convert it back to a garage you will need the following :

You will need to submit a building permit which you will also apply for in Development Direct, following the instruction that I attached to this email on what is required for converting a garage to habitable space.

Please see the attached documents for links to apply for your permit in Development Direct and please let me know if you have any questions.

Amanda Donaldson, Permit Specialist

Pronouns:she/her

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Citation No. 2300288

Case No. V0028823

ADMINISTRATIVE CITATION

Date Issued: December 14, 2023

Name and Address of Person(s) Cited:

Name: Ortice Harper
Mailing Address: 15852 SE Tallina Dr
City, State, Zip: Damascus, OR 97089

Date Violation(s) Confirmed: On the 14th day of December, 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): 15852 SE Tallina Dr., Damascus, OR 97089

Legal Description: T2S, R2E Section 13AA, Tax Lot(s) 06314

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) Patio cover and garage converted to habitable space 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 \$500.00. 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

Date: December 14, 2023

Telephone No.: 503-742-4759

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: _____