



NOTICE OF HEARING

December 8, 2022

Douglas & Noryne Robinson
25727 E Bright Ave
Welches, OR 97067

RE:: County of Clackamas v. Douglas & Noryne Robinson
File: V0054118

Hearing Date: January 10, 2023

Time: This item will not begin before 9:30 am however it may begin later depending on the length of preceding items.

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

Enclosed you will find the following:

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

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

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

You may contact 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 NORYNEROBINSON@GMAIL.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

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

DOUGLAS AND NORYNE
ROBINSON,

Respondents,

File No: V0054118

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 25727 E Bright Ave, Welches, OR 97067.

2.

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

25080 E Hemlock Dr, Rhododendron, OR 97049 also known as T3S, R7E, Section 03BD, Tax Lot 08001, and is located in Clackamas County, Oregon.

3.

On or about the 8th day of November, 2021 the Respondents violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Chapter 9.02 by failing to obtain approved building permits and approved final inspections for the conversion of the accessory structure into a single family residence. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

On or about the 8th day of March, 2022 the Respondents violated the following laws in the following ways:

- b. Respondents violated the Clackamas County Building Code, Chapter 9.02 by failing to obtain approved building permits and approved final inspections for the conversion of the accessory structure into 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 violations was given to Respondents in the following manner:

Administrative Citation #1800541-1 in the amount of \$100.00 was mailed via first class mail on November 8, 2021. A copy of the notice document is attached to this Complaint as Exhibit H, and incorporated by this reference.

Notice of the violations was given to Respondents in the following manner:

Administrative Citation #1800541-2 in the amount of \$500.00 was mailed via first class mail on March 8, 2022. A copy of the notice document is attached to this Complaint as Exhibit I, 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 Respondents to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;
2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents 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 Respondents 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 Respondents 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 8 day of December, 2022.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

DOUGLAS AND NORRYNE
ROBINSON,

Respondents.

File No.: V0054118

STATEMENT OF PROOF

History of Events and Exhibits:

September 5, 2018	Clackamas County received a complaint regarding an occupied accessory structure.
September 11, 2018 Exhibit A	Correspondence was sent to the Respondents regarding the alleged Building Code violation.
September 19, 2019	Code Enforcement Specialist Shane Potter received a call from Todd who stated he was the contractor that was hired by the Respondents to help complete the project inside the structure.
October 2, 2018	Code Enforcement received an additional complaint regarding an occupied recreational vehicle on the subject property.
December 19, 2018 Exhibit B	Code Enforcement staff member Mike Hamilton conducted a site inspection. Mike observed a recreational vehicle onsite that appeared to be occupied.
January 15, 2019 Exhibit C	Correspondence was sent to the Respondents with a deadline of February 15, 2019 to abate the Zoning and Development Ordinance violation.
July 23, 2020	Shane Potter spoke with Ryan in the Tax Assessors office. Ryan stated that tax lot 08003 is where the main house was located. Tax lot 08001 is where the accessory structure is located.

July 24, 2020
Exhibit D Noryne contacted Shane Potter. Noryne stated they had been renting out the shop to someone who had done the work without permits. Additionally the recreational vehicle onsite was not being occupied.

August 7, 2020
Exhibit E Building Inspector Luke Johnson met with the Respondents onsite. Luke confirmed both electrical and plumbing work had been done without permits. In addition, a building permit for the change of use from a shop to a single family residence would be required. During this inspection Luke confirmed the structure was being occupied.

September 2, 2020
Exhibit F Correspondence was sent to the Respondents with a deadline of October 2, 2020 to abate the violations.

December 4, 2020
Exhibit G Permit B0584420 was submitted for the conversion of the accessory structure into a single family residence.

November 8, 2021
Exhibit H A review of County records revealed that permit B0548820 had not been issued. Citation 1800541-1 was issued for \$100.00 for the Priority 1 Building Code violation. The citation was sent first class mail and was not returned. This citation remains unpaid.

March 8, 2022
Exhibit I A review of County records revealed that permit B0548820 had not been issued. Citation 2100156-2 was issued for \$500.00 for the Building Code violation and was sent via first class mail. The first class mail was not returned. This citation was paid.

December 8, 2022 This matter was referred 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 Respondents be ordered to provide the Count within 15 days of the date of the Order by submitting the required septic information to the Septic department in order to continue with the plan review process for permit B0584420. The Respondents 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. In addition all required inspections and approved final inspections to be obtained within 60 days of the permits being issued for the conversion of the shop into a single family residence.
- 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 Respondents.
- 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 November 8, 2021 and March 8, 2022 for a total amount due of \$2,000.00.
- Payment for Citation No. 1800541-1 issued on November 8, 2021 for \$100.00.
- The administrative compliance fee to be imposed from September 2020 until the violation is abated. As of this report the total is \$2,025.00.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail 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 11, 2018

Douglas & Noryne Robinson
PO Box 1432
Sandy, OR 97055

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

Site Address: 25080 E Hemlock Dr., Rhododendron, OR 97049
Legal Description: T3S, R7E, Section 3BD, Tax Lot 8001

It has come to the attention of Clackamas County Code Enforcement that there is an occupied accessory building on the property without the benefit of permits.

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

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

E-mail address is Spotter@clackamas.us

Telephone number is 503-742-4465

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www.clackamas.us/transportation/nondiscrimination, gửi email đến swilliams@clackamas.us hoặc gọi điện thoại theo số 503-742-4696.

환영합니다. Korean

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10
20
20
20



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:
Noryne K. Killian
2103 SW 257th Ave Apt 9
Troutdale, OR 97060

Until a change is requested all tax statements shall be sent to the following address:
Noryne K. Killian
2103 SW 257th Ave Apt 9
Troutdale, OR 97060

Escrow No. 99101029
Title No. 887142

FATCO NO. 887142-FH

STATUTORY WARRANTY DEED

William P. Mansfield and Cheryl R. Mansfield^{who acquired title as Cheryl P. Mansfield**} as to an undivided one half interest and GEORGE A. CAHILL and MOLLY CAHILL, also known as MOLLY MORRELL-CAHILL, Grantor, conveys and warrants to Noryne K. Killian, an unmarried woman, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

as to the remainder
Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 32, 33, 34, 35 and 36, Block 9, MOUNT HOOD WOODLAND PARK, in the county of Clackamas and State of Oregon

This property is free of liens and encumbrances, EXCEPT: ^{**as to Lots 4-13}
THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$127,500.00 (Here comply with the requirements of ORS 93.030)

Dated this 28 day of September, 1999.

William P. Mansfield
William P. Mansfield

Cheryl R. Mansfield
Cheryl R. Mansfield

George A. Cahill
George A. Cahill

Molly Morrill-Cahill
Molly Morrill-Cahill

STATE OF OREGON
County of Clackamas

} ss. see attached

This instrument was acknowledged before me on this ___ day of September, 1999
by _____

99-095105

Notary Public for Oregon

My commission expires: _____

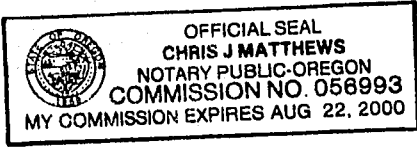
STATE OF OREGON
County of MULTNOMAH

} ss.

This instrument was acknowledged before me on this 28TH day of SEPTEMBER, 1999
by WILLIAM P. MANSFIELD AND CHERYL R. MANSFIELD

Notary Public for Oregon

My commission expires: 8.22.00



STATE OF OREGON,
County of Clackamas } ss.



BE IT REMEMBERED, That on this 28th day of September, 1999,
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within
named George A. Cahill + Molly Horrell - Cahill

known to me to be the identical individual described in and who executed the within instrument and
acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Michelle K. Kleyne
Notary Public for Oregon.
My Commission expires 1.29.01

STATE OF OREGON 99-095105
CLACKAMAS COUNTY

Received and placed in the public
records of Clackamas County

RECEIPT# AND FEE: 100854 \$40.00

DATE AND TIME: 09/30/99 03:43 PM

JOHN KAUFFMAN, COUNTY CLERK

2





January 15, 2019

Douglas G & Noryne K Robinson
PO Box 1432
Sandy, OR 97055

**SUBJECT: VIOLATION OF THE CLACKAMAS COUNTY ZONING AND DEVELOPMENT
ORDINANCE SECTION 316.030**

SITE ADDRESS: 25080 E Hemlock Dr., Rhododendron, OR 97049

LEGAL DESCRIPTION: T3S, R7E, Section 03BD, Tax Lot 08001

This letter serves as notice of a violation of the Clackamas County Code. The violation includes occupation of a recreational vehicle.

ACTIONS

The following is a few activities associated with this file and is not intended to illustrate all actions that have been taken on this file.

On September 5, 2018 a complaint(s) was received regarding occupying a recreational vehicle. On September 11, 2018 a letter of allegation was mailed to the respondent(s) by a member of the Clackamas County Code Enforcement staff.

During a recent site visit a recreational vehicle was identified showing it being connected to utilities and in a usable manner.

NEXT STEPS

Occupying a Recreational Vehicle

This constitutes a violation of Clackamas County Code Title 12.316.030 as it pertains to allowed uses.

You must remove the Recreational Vehicles from your property **no later than February 15, 2019** until such time you obtain proper land use approval and permits, this use will not be allowed.

If the Recreational Vehicle is operable, currently licensed and registered to the person residing in the primary structure on the subject property, it may remain in a stored condition. If you wish to store it on site please provide evidence it meets these conditions and schedule a site inspection to confirm **no later than February 15, 2019**.

WHO TO CONTACT

Code Enforcement – If you have questions concerning the solid waste complaint please feel free to contact me at 503-742-4465.

Or you may 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. and 4:00 p.m. Monday through Thursday and 8:00 a.m. to 3:00 p.m. on Fridays.

In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County.

If you have any questions my direct telephone number is 503-742-4465 and email spotter@co.clackamas.or.us.

Items Included in this Packet

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

A handwritten signature in black ink that reads "Shane Potter". The signature is written in a cursive style with a large, sweeping initial "S".

Shane Potter
Code Enforcement Specialist
Clackamas County code enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties 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 Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

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.

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 Road.

Also, be advised that non-compliance with a Hearing 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.

Finally, recurrence of abated violations may result in the issuance of a citation without prior notice.

My husband will be able to meet an inspector at the site next Tuesday, August 4th or next Thursday, August 6th around 3:30 in the afternoon. Will that work?

Thank you,
Noryne

On Fri, Jul 24, 2020 at 11:43 AM Noryne Robinson <norynerobinson@gmail.com> wrote:

Okay, we will help to get that arranged.

Thank you,
Noryne

On Fri, Jul 24, 2020 at 10:52 AM Potter, Shane <SPotter@clackamas.us> wrote:

Thanks for your information Noryne. Please let your tenant know we will need to do a site inspection by a building inspector at this structure soon.

From: Noryne Robinson <norynerobinson@gmail.com>
Sent: Friday, July 24, 2020 10:13 AM
To: Potter, Shane <SPotter@clackamas.us>; Ryan BinkowskiBurk <RBinkowskiBurk@clackamas.us>
Subject: Re: Violation # V0054118 (25080 E Hemlock Dr)

Hello Shane and Ryan,

I am hoping to get this straightened out as quickly as possible and off our plate, and I will try my best to explain to you both where we are.

My husband and I own the property at 25080 E Hemlock Dr. with the accessory structure. The cabin and associated lots with the cabin were lost in a foreclosure situation, so there is only one structure that we own. We had some back taxes owed that were just paid off and the lots that we own have been joined.

We have a contract with a tenant that has been renting to buy. In the contract, we have stated:

- Buyer shall make no alterations to the building or improvements on the premises without the prior written consent of the Owner.
- When required, all building, plumbing, mechanical, and electrical work will be done by licensed contractors and with required permits through Clackamas County. All permits must be processed through final approval.

With that said, I do not believe that has been followed. My husband will be trying to talk to the tenant today to find out what has been done and get a handle on that. I believe his intention is to turn the building into residential, but I did not know that anything had been done yet, but we will hopefully find that out soon.

At this point, my husband and I would like to wash our hands of this situation, since we don't have full control over what is happening, and will be looking into closing on the property as soon as possible so

these issues will be with the new owner (currently the tenant).

This has gotten messier than I had envisioned, and I want to get this all straightened out, which might take a little time.

We will appreciate your patience as we work through getting this resolved.

Best Regards,

Noryne

On Thu, Jul 23, 2020 at 2:28 PM Potter, Shane <SPotter@clackamas.us> wrote:

Hi Noryne,

I have reviewed the file and was going over some permits. There is some question regarding work done to the accessory structure. The permits show work consistent with residential use. Also there is some confusion with the tax lots there and the buildings on each of those. In order to close the file we will need to have a building inspector come out and look at the accessory structure to make sure no building has taken place inside most notably residential work inside this structure.

There are a couple of permits in question one is a utility permit and the other is a plumbing permit both of which were denied on the inspections so I am trying to determine why they were denied.

Thank you,

Noryne Robinson

On Wed, Jul 8, 2020 at 6:34 AM Noryne Robinson
<norynerobinson@gmail.com> wrote:

Hello Shane,

Thank you so much for your quick response. We are renting our shop to someone and had to wait to make contact with him. He is using the shop to do some work, that is why the porta-potty is there. The RV is being stored and we had the slide outs put in. I hope this addresses the issues, please let me if it does not.

Thank you,

Noryne Robinson

On Fri, Jun 19, 2020 at 11:47 AM Potter, Shane <SPotter@clackamas.us>
wrote:

Hi Noryne,

On February 20, 2020 I did receive a voicemail. When I called back (on several occasions) the phone would ring several times then go dead. Based on our most recent inspection on February 7, 2020 there was an RV with slides out and a porta potty next to it. Those are signs of an occupied RV. To be stored the RV

Inspection Date	Inspection Type	Inspector	Status	Comments
8/7/2020 3:00:47 PM	270 Miscellaneous/Consultation	Luke Johnson	In Violation	<p>Date: 8/7/2020 A plumbing and electrical permit will be required for all plumbing and electrical that has been installed without a permit.</p> <p>The accessory structure is being occupied (only on weekends per customer) and will require a permit for all structural additions and change of use.</p> <p>Planning and zoning will need to be contacted to verify if the accessory structure can be converted to habitable space.</p> <p>The accessory structure was originally permitted under 25101 E Old Smokey Rd.</p> <p>Per conversation with customer, the lot was divided at some point and the accessory structure is now located at address 25080 E Hemlock Dr.</p>

September 2, 2020

VIOLATION NO: V0054118

Douglas G & Noryne K Robinson
PO Box 1432
Sandy, OR 97055

SUBJECT VIOLATION(S) OF:

1. **CLACKAMAS COUNTY ZONING AND DEVELOPMENT CODE ORDINANCE TITLE 12.316.03 – USES PERMITTED**
2. **CLACKAMAS COUNTY BUILDING CODE AND ENFORCEMENT OF THE COUNTY BUILDING CODE ORDINANCE TITLE 9.02.040**

SITE ADDRESS: 25080 E Hemlock Dr., Rhododendron, OR 97049

LEGAL DESCRIPTION: T3S, R7E, SECTION 03BD, TAX LOT 08001

ZONING: RR (Recreational Residential)

THIS LETTER SERVES AS NOTICE OF A VIOLATION OF THE CLACKAMAS COUNTY ORDINANCES. THE VIOLATIONS INCLUDE:

1. Living in an accessory building without proper planning approval and permits, and;
2. Work done without the benefit of permits and/or inspections.

On September 5, 2018 Clackamas County Code Enforcement received a complaint. A recent site inspection by a building inspector confirmed the violation exists.

The following section provides details of the violation. This section also provides options on how to address the violation. Department contact information can be found towards the end of this letter under "CONTACT INFORMATION". You may contact that department to discuss the options outlined or ask questions for other possible solutions, if they may exist. This letter may not address all violations that exist on the site and instead is intended to address those violations identified during the review and/or inspections that have occurred.

MORE THAN ONE DWELLING UNIT ON A TAX LOT

There appears to have been a lot division at one point where the accessory structure was actually part of 25101 E. Old Smokey Rd. When the lot division occurred the accessory structure ended up on 25080 E Hemlock Dr. There is no land use approval nor building permits or septic approval for a home to be located on this lot. Having an accessory dwelling on a vacant lot and living in said dwelling unit constitutes a violation of Clackamas County Code Title 12.316.030. In order to abate this violation(s), you must complete the following **no later than October 2, 2020:**

1. Cease the occupation of the accessory structure immediately.
 - a. Obtain electrical and plumbing permits to properly cap and/or remove the utilities as required by those departments.

- b. The permitting and inspections shall follow the same timeline as those mentioned under “UNPERMITTED CONSTRUCTION”
 - c. Contact your Clackamas County Code Enforcement Specialist to schedule a site visit to ensure the violation has been properly abated, or
2. Obtain Clackamas County Planning and Septic approval for the structure to have a change of use performed that will allow the structure to be used as a residence.
 - a. You must obtain all permits as outlined in the “UNPERMITTED CONSTRUCTION” section below.

UNPERMITTED CONSTRUCTION

There has been work done to this structure that requires permits of all types. There are also permits that have been either applied for and never picked up or issued and no inspections have been completed. Performing work requiring a permit and/or inspections without obtaining said permit and completing all inspections constitutes a violation of the Clackamas County Code Title 9.02.040. To abate these violations you must complete the following **no later than October 2, 2020**:

1. Submit the building, mechanical, electrical, plumbing and septic permit applications, and technically complete plans and pay the appropriate fee(s). Planning approval must be sought as part of this process.
 - a. The permit must be picked up within ten (10) days of being notified that the permit is ready.
 - b. Schedule all inspection so that final inspections may be obtained no later than 45 days from the date of the permit being issued.

CONTACT INFORMATION

Code Enforcement Specialist – Shane Potter – If you have any other questions please feel free to contact me at 503-742-4465 or email at spotter@clackamas.us

Building Department (Permits) – If you have questions regarding the permit process and other permitting questions please call the Building Department (Permitting) at 503-742-4240 or email at bldservice@clackamas.us

Planning Department – If you have questions regarding the planning approval process or other planning related questions please call the Planning Department at 503-742-4500 or email at zoninginfo@clackamas.us

To help keep the public and staff safe during the COVID-19 pandemic, we are offering comprehensive services by phone, email and online.

In order to provide the highest level of customer service, please bring a copy of this correspondence when visiting the County. You can also review the entire code by going to:
<https://www.clackamas.us/code>

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties 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 Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

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.

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 Road.

Also, be advised that non-compliance with a Hearing 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.

Finally, recurrence of abated violations may result in the issuance of a citation without prior notice.



Permit #: B0584420 Applied: 12/04/2020
 Type: New / Residential Approved:
 Status: Plan Check Final:
 Valuation: \$63,610.32 Expiration:
 Address: 25080 E HEMLOCK DR RHODODENDRON, OR 97049

Applicant: 503-784-4457
 Owner: ROBINSON DOUGLAS G & NORRYNE K 5033511692
 Contractor:

Certificate of Occupancy Required:

Parcel: 37E03BD08000 Class: 101-NSFR
 Entered By: KRISTIG Occupancy: R-3 SFR/Duplex Type
Units: V-B
 Insp Area: 4 RMC Bldgs:
 Printed: 12/07/2022 Violation:
 Description: EPR V0054118 CONVERT EXISTING SHOP (B0296507) TO NSFR
 Conditions: ENG142 - NEW ENTRANCE FINAL INSPECTIONS - *****NEW***** Beginning July 6, 2021, Entrance (aka Driveway) Permits related to a Building Permit shall completed and approved by your Entrance Permit inspector before the Building Codes Division will grant occupancy or final approval of your Building Permit.
 NO SCHOOL DISTRICT TAX <1000 SF EXEMPTION - None
 NO SCHOOL DISTRICT TAX <1000 SF EXEMPTION
 WAITING FOR ADDITIONAL DOCS - WAITING FOR ADDITIONAL DOCS:
 PROPERTY OWNER STATEMENT WITH CORRECT SIGNATURE TYPE
 ADDN ENERGY MEASURES
 RADON

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.



Project Description Form

Address: 25080 e hemlock drive		
City: rhododendron	State: or	Zip: 97049
Tax Lot #: 1008	Permit Type: Building	
<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	
Detailed Job Description Narrative: (Building Permit Example: Remodeling bathroom to add a new walk in shower. Rebuilding new stairs at front entry and enlarging picture window in living room.) (Trade Example: Adding (1) 20amp circuit in garage for welding machine.)		
Converting an existing shop to new dwelling on property.		
Best person to contact regarding questions about this application		
Name: Kody Geertz	Phone: 5032523453	
Email:		
Best person to contact regarding County Inspector's Access to this project		
Name: jarrod burcio	Phone: 5037844457	
Email:		
1. Have you applied or are you going to apply for related permits with this project at this time, and Which types: (i.e., Electrical, Plumbing, Mechanical) <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes what type: electrical and plumbing has already been drawn just need the final		
2. Is this related to a home business? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
3. Will you be creating new bedroom(s)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes how many: 1		
4. Will you be adding habitable rooms in an existing basement? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes how many square feet:		
5. Are you installing new structural members? (i.e., beams, joists, trusses, footings, foundation) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes what type:		
6. Are you creating a separate dwelling unit? (i.e., ADU) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
7. Are you adding a kitchen? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
8. Is there a septic system on property? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
9. Are you expanding the footprint of the structure? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes how many square feet:		
10. Are you adding a new building on property? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes what type:		
You WILL need to apply for an Entrance (driveway) Permit if any of the below are marked yes: Entrance permit applications can be found here https://www.clackamas.us/engineering/forms.html		
11. Are you proposing to upgrade an existing, permitted driveway? (pave, re-pave, modify drainage, widen, etc.) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
12. Are you proposing to add a new driveway? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
13. Are you extending an existing, permitted driveway to a proposed building that is 150 feet or further away from a public road? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Engineering staff will contact you if an Entrance Permit is required:		
14. Is the first 20' of each of the property driveways paved? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
15. Are you extending an existing, permitted driveway to a proposed building that is less than 150 feet from a public road? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		



Citation No. 1800541-1

Case No. V0054118

ADMINISTRATIVE CITATION

Date Issued: November 8, 2021

Name and Address of Person(s) Cited:

Name: Douglas G Robinson
Name: Noryne K Robinson
Mailing Address: PO Box 1432
City, State, Zip: Sandy, OR 97055

Date Violation(s) Confirmed: On the 8th day of November, 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): 25080 E Hemlock Dr, Rhododendron OR 97049

Legal Description: T3S, R7E, Section 03BD, Tax Lot(s) 08001

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 occupied accessory structure

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: November 8, 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: _____



Citation No. 1800541-2

Case No. V0054118

ADMINISTRATIVE CITATION

Date Issued: March 8, 2022

Name and Address of Person(s) Cited:

Name: Douglas G Robinson
Name: Noryne K Robinson
Mailing Address: 25727 E Bright Ave
City, State, Zip: Welches, OR 97067

Date Violation(s) Confirmed: On the 8th day of November, 2021 and continues to exist on the 8th day of March 2022, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 25080 E Hemlock Dr., Rhododendron, OR 97049

Legal Description: T3S, R7E Section 03BD, Tax Lot(s) 08000

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 occupied accessory structure

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
Telephone No.: 503-742-4759

Date: March 8, 2022
Department Initiating Enforcement Action: Code Enforcement

RECEIPT

Clackamas County
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK RD.
OREGON CITY, OR 97045

Application: V0054118
Application Type: CodeEnforcement/Violation/NA/NA
Address: 25080 E HEMLOCK DR
RHODODENDRON, OR 97049

Receipt No. 1354881

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Comments	Payor
Credit Card		\$500.00	3/24/2022	JENNIFERK	NORYNE ROBINSON	NORYNE ROBINSON
		<u>\$500.00</u>				

Owner Info.: ROBINSON DOUGLAS G & NORYNE K
25727 E BRIGHT AVE
WELCHES, OR 97067

Work Description: OCCUPIED ACCESSORY BUILDING