



NOTICE OF RESET HEARING

December 3, 2024

Jeffrey & Kelly Kansala
59585 E Sleepy Hollow Dr.
Sandy, OR 97055

RE:: County of Clackamas v. Jeffrey & Kelly Kansala
File: V0000224

Hearing Date: January 28, 2025

Time: This item will not begin before 10:00am 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 Zoom invite has been sent to jkansala@gmail.com 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. **When joining the webinar please accept the request to join as a panelist.**

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/87529999429?pwd=YUPfaArSHLGhw4D75srTPb0V224PyV.1>

Passcode: 214001

Or One tap mobile:

+13462487799,,87529999429# US (Houston)

+14086380968,,87529999429# US (San Jose)

Or join by phone:

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

US: +1 346 248 7799 or +1 408 638 0968 or +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 +1 564 217 2000 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

Webinar ID: 875 2999 9429

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.

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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.

JEFFREY AND KELLY KANSALA,

Respondents.

File No: V0000224

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 59585 E Sleepy Hollow Dr., Sandy, OR 97055.

2.

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

59585 E Sleepy Hollow Dr., Sandy, OR 97055 also known as T2S, R6E, Section 22BB, Tax Lot 00300, and is located in Clackamas County, Oregon.

3.

On or about the 18th day of January, 2024 and on the 23rd day of May, 2024 the Respondents violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Zoning and Development Ordinance, Title 12, Section 703.04 for construction within the Floodplain Management District without land use approval. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

On or about the 18th day of January, 2024 and on the 23rd day of May, 2024 the Respondents violated the following laws in the following ways:

- b. Respondents violated the Clackamas County Building Code, Chapter 9.02.040 for construction of a single family residence and patio cover without approved 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 violations was given to Respondents in the following manner:

Violation Notice and Citation and Complaint 2400002 in the amount of \$500.00 was mailed via first class mail on May 23, 2024. A copy of the notice document is attached to this Complaint as Exhibit D and F, and incorporated by this reference.

6.

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

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

1. Pursuant to Clackamas County Code Section 2.07.090, ordering 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 Zoning and Development Ordinance violation Priority 1 being \$750.00 to \$3,500.00 per occurrence and said range for a Building Code violation Priority 1 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 20 day of November, 2024.



Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

JEFFREY AND KELLY KANSALA

Respondents.

File No.: V0000224

STATEMENT OF PROOF

History of Events and Exhibits:

- January 3, 2024 Clackamas County received a complaint regarding a single-family residence built without permits.
- January 4, 2024
Exhibit A Correspondence was sent to the Respondents regarding the alleged violation.
- January 4, 2024
Exhibit B I conducted research of the subject property. Aerial imagines of the property indicate between 2018 and 2021 the residence was built. Online postings from the Respondent confirmed that a residence with an attached shop was completed. In addition, a large stand alone patio cover with electrical next to the river was also constructed. I also found Urban Kitchen Builders and Wintersteen Farms LLC were both operating from this location. I found no land use approval for either business.
- January 11, 2024
Exhibit C In response to an email that I sent the Respondents, Jeff Kansala confirmed the violations on the property.
- January 18, 2024
Exhibit D A Notice of Violation was sent to the Respondents regarding the Building Code and Zoning and Development Ordinance Violations.
- January 22, 2024 Jeff came into the County offices and met with me and planner Melissa Lord to discuss the land use requirements for the patio cover that was built next to the river and the two businesses onsite. It was determined that the patio cover, concrete and electrical will have to be removed as it was built within the Floodway. Winterseen Farms LLC would not require land use approval, however, Urban Details will. The home would have to be legalized first before applying for land use.
- January 23, 2024
Exhibit E An updated Notice of Violation was mailed to the Respondents regarding the removal of the cover. A deadline date of February 18, 2024 was provided.

May 23, 2024 I reviewed the County permitting system. B0554524 for the residence was submitted to the County on April 24, 2024, however, the permit application was still in an incomplete status. Permit B0207624 was submitted for the demolition of the patio cover on February 22, 2024. The Respondent was notified on April 4, 2024 that payment was due for the permit, however, the permit remained unpaid.

May 23, 2024
Exhibit F Citation 240002 was issued for the Priority 1 Zoning and Development Ordinance and Priority 1 Building Code violations. The fine for the Priority 1 Zoning and Development Ordinance violation is \$500.00. The Building Code violation is not subject to a fine amount as the County is seeking civil penalties.

November 20, 2024 I reviewed the County permitting system. The demolition and electrical permit to remove the patio cover have expired without approved final inspections. The building permit for the single-family residence is in plan review status, however, the Respondent as not provided the required plan review corrections to complete plan review.

November 20, 2024 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 and Zoning and Development Ordinance Title 12, Sections 316.03 and 703.04 exists, the County is requesting a Final Order in this matter recommending the following:

- The imposition of civil penalties for the Building Code violation of up to \$2,000.00 for date cited May 23, 2024..
- The imposition of civil penalties for the Zoning and Development Ordinance violation of up to \$3,500.00 for date cited May 23, 2024.
- Payment for Citation No. 240002 issued on May 23, 2024 for \$500.00.
- The Administrative Compliance fee calculated at \$75.00 per month from January, 2024 totals \$750.00. The County is reducing the Administrative Compliance fee in the amount of \$75.00 for a total amount due of \$675.00. This is a reasonable estimate of the cost of this enforcement matter.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating these laws in the future.
- The County is requesting the Hearings Officer authorize the County further enforcement action including to proceed to Circuit Court.



January 4, 2024

Kelly & Jeffrey Kansala
25211 SE Wintersteen Rd.,
Eagle Creek, OR 97022

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

Site Address: 59585 E Sleepy Hollow Dr., Sandy, OR 97055
Legal Description: T2S, R6E, Section 22, Tax Lot 00300

It has come to the attention of Clackamas County Code Enforcement that a 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 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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www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

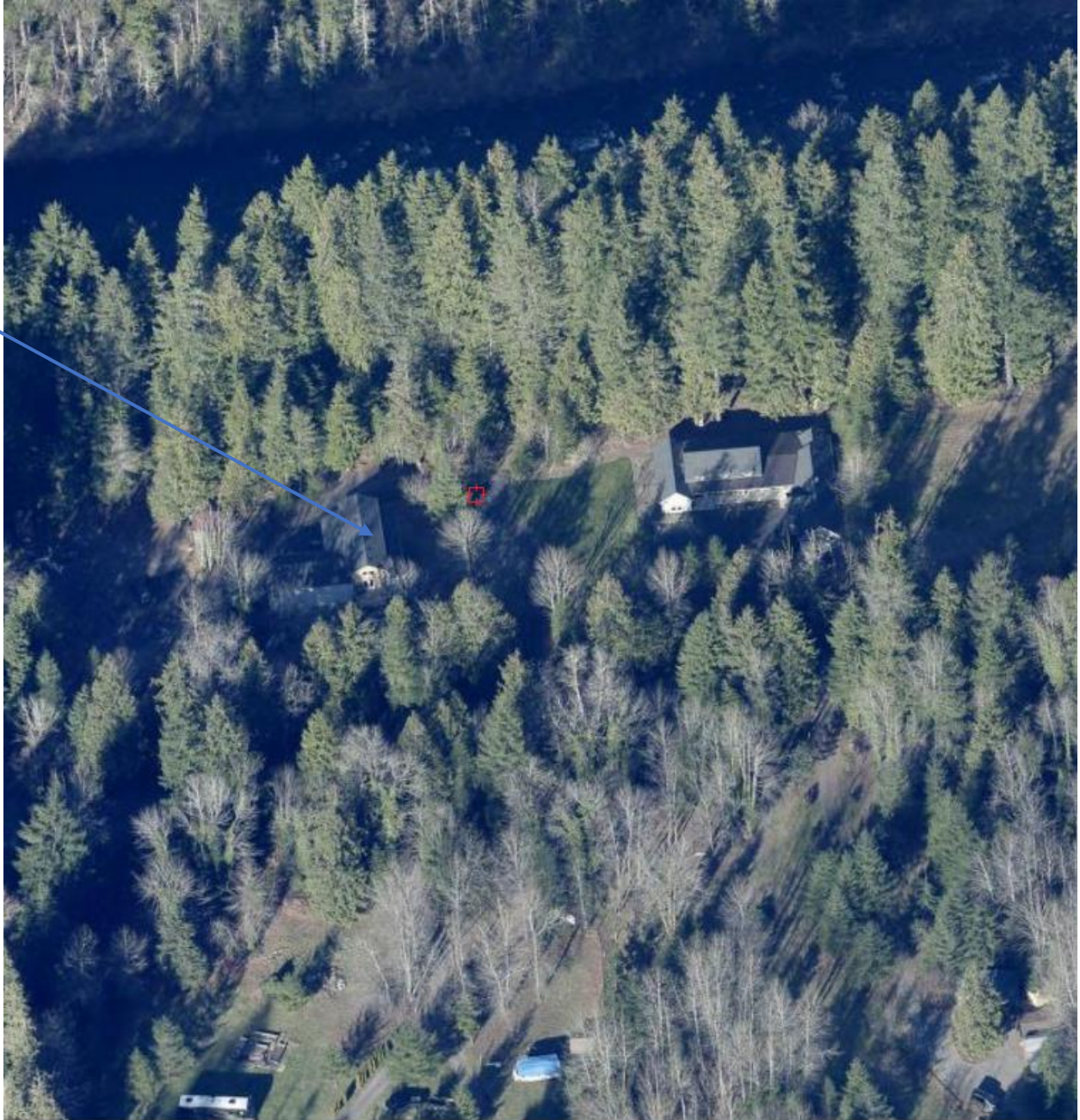
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오.



of 13 > 10/11/2018

October 11, 2018



January 28, 2022 – Bue Arrow





WINTERSTEENFARMS
Posts

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wintersteenfarms

Jonny Houlihan · Found My Forever



*Mr & Mrs Kansala
July 22, 2023*



50 likes





Kelly Kansala

Brightwood • 3w •



This is a long shot, but has anyone seen one of our chairs floating down the Sandy River?
 The winds are crazy up here and really must have been



Add a comment...



WINTERSTEENFARMS
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wintersteenfarms *THE GIFT THAT*

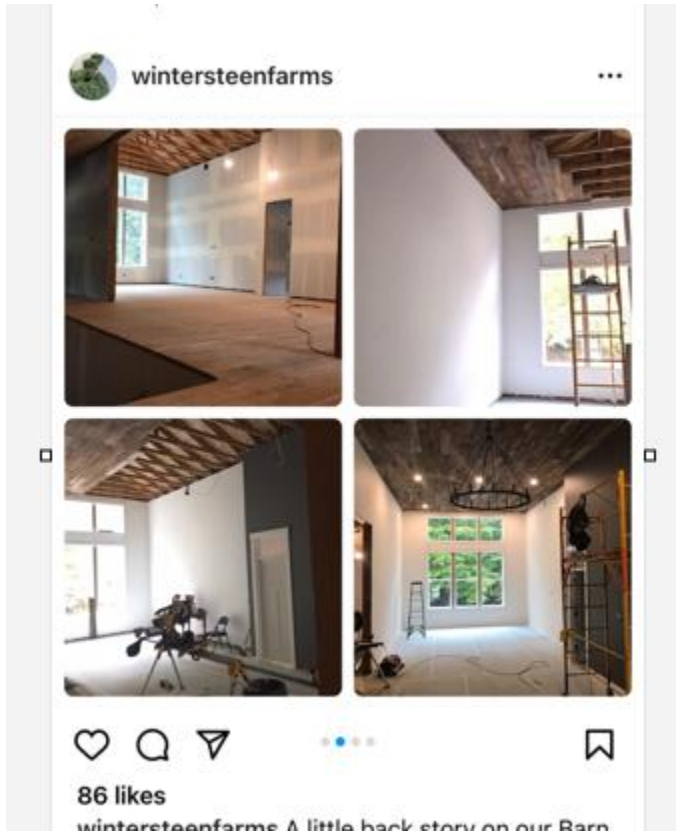
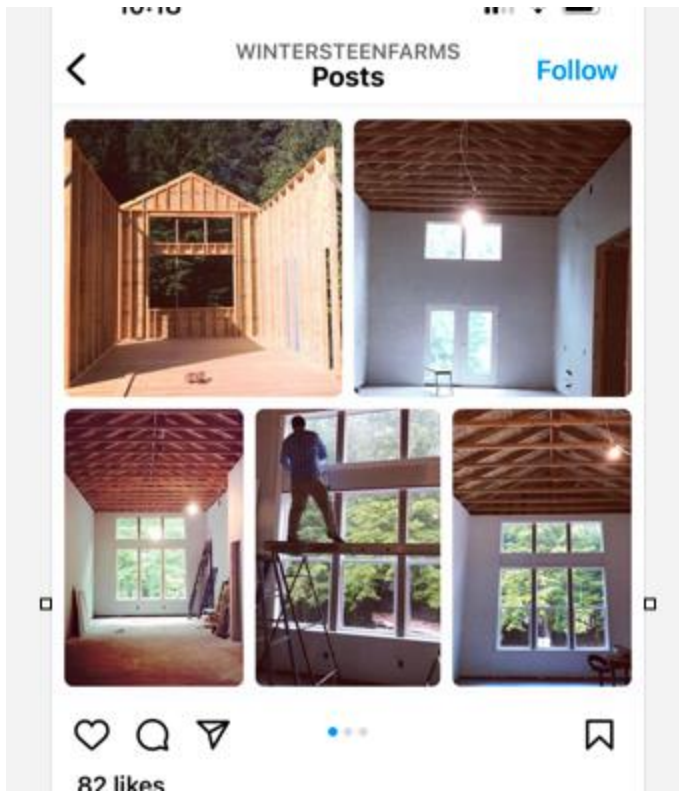
Caro Mia - These Are The Days

SAYS I LOVE YOU ... 🌲











wintersteenfarms



80 likes

wintersteenrarms



66 likes

wintersteenrarms I love our Barn 🍷 We moved



Business Name Search

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Business Entity Data

01-03-2024

08:38

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1980672-91	ABN	ACT		06-13-2022	06-13-2024	
Entity Name	URBAN DETAILS-KITCHEN BUILDERS					
Foreign Name						
Affidavit?	N					

[New Search](#)
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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	59585 E SLEEPY HOLLOW DR				
Addr 2					
CSZ	SANDY	OR	97055	Country	UNITED STATES OF AMERICA

The Authorized Representative address is the mailing address for this business.

Type	REP	AUTHORIZED REPRESENTATIVE	Start Date	06-13-2022	Resign Date
Name	JEFF	JAMES	KANSALA		
Addr 1	59585 E SLEEPY HOLLOW DR				
Addr 2					
CSZ	SANDY	OR	97055	Country	UNITED STATES OF AMERICA

Type	REG	REGISTRANT
Name	JEFF	J KANSALA
Addr 1	59585 E SLEEPY HOLLOW DR	
Addr 2		
CSZ	SANDY	OR 97055
Country	UNITED STATES OF AMERICA	

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Name History


Business Entity Name	Name Type	Name Status	Start Date	End Date
URBAN DETAILS-KITCHEN BUILDERS	EN	CUR	06-13-2022	

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	APPLICATION FOR REGISTRATION	06-13-2022		FI	Representative	

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Counties

Counties Filed

Clackamas, Hood River, Multnomah, Washington

Counties Not Filed (but not necessarily available)

Baker, Benton, Clatsop, Columbia, Coos, Crook, Curry, Deschutes, Douglas, Gilliam, Grant, Harney, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Wheeler, Yamhill

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Business Entity Data

01-04-2024
10:25

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
2188404-94	DLLC	ACT	OREGON	10-27-2023	10-27-2024	
Entity Name	WINTERSTEEN FARMS LLC					
Foreign Name						

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	59585 E SLEEPY HOLLOW DRIVE				
Addr 2					
CSZ	SANDY	OR	97055	Country	UNITED STATES OF AMERICA

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

Type	AGT	REGISTERED AGENT	Start Date	10-27-2023	Resign Date	
Name	KELLY	ELIZABETH	KANSALA			
Addr 1	59585 E SLEEPY HOLLOW DRIVE					
Addr 2						
CSZ	SANDY	OR	97055	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS		
Addr 1	59585 E SLEEPY HOLLOW DRIVE			
Addr 2				
CSZ	SANDY	OR	97055	Country UNITED STATES OF AMERICA

Type	MEM	MEMBER		Resign Date	
Name	KELLY	ELIZABETH	KANSALA		
Addr 1	59585 E SLEEPY HOLLOW DRIVE				
Addr 2					
CSZ	SANDY	OR	97055	Country	UNITED STATES OF AMERICA

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Name History


Business Entity Name	Name Type	Name Status	Start Date	End Date
WINTERSTEEN FARMS LLC	EN	CUR	10-27-2023	

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Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	10-27-2023		FI	Agent	

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Kauppi, Jennifer

From: Kauppi, Jennifer
Sent: Thursday, January 11, 2024 3:34 PM
To: 'kelly kansala'
Subject: V0000224 - 59585 E Sleepy Hollow Dr - Clackamas County Code Violation

Jeff and Kelly,

Thank you for contacting me. I would like to discuss this on the phone with you regarding the violation. I will be available until 4:00 today and then I'll be on vacation and won't be back into the office until Wednesday. Outside of the house and business there are other items that need to be addressed.

1. The County has no permit on file for a septic system. A septic evaluation was completed and approved, however, no permit. You will want to contact the soils department as soon as possible to start working through this piece. The number for Septic is 503-742-4740.
2. The large concrete patio and patio cover that have been built and according to what I found posted online is built within the Floodplain. The posting stated that it's built 20 feet from the river. The concrete and patio cover will very likely have to be completely removed. I encourage you to talk to planning first to find out if there would be a way to keep the patio and patio cover through a land use process and if that can be accomplished then you will have to permit it. The planning department number is 503-742-4450.
3. It appears there has been tree removal within 100 feet of the river. Again, this is a protected area and is subject to land use requirements for any removal or replanting.

Please note – any work done within 100 feet of the Sandy does require land use* Pathways, tree removal etc....

There is a lot going on here. Anything possible land use requirements to operate the businesses will be addressed after the structure has been legalized.

It's a lot but I am here to help guide you through this. Our offices are open Monday-Thursday 8-4. We are closed on Fridays.

Thank you
Jennifer

From: kelly kansala <kansala67@gmail.com>
Sent: Thursday, January 11, 2024 3:14 PM
To: Kauppi, Jennifer <JKauppi@clackamas.us>
Subject: Re: V0000224 - 59585 E Sleepy Hollow Dr - Clackamas County Code Violation

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

Sent from my iPhone

On Jan 10, 2024, at 9:55 AM, Kauppi, Jennifer <JKauppi@clackamas.us> wrote:

Dear Jennifer,

In regards to the structure built on our property. We bought two properties knowing that one, we would build a Spec house and sell it and the other we would keep and build our home on. The spec house took a little longer to finish, In the meantime we were living in a studio at our friend's home while we were figuring out a plan for our property. Initially, we built an Ag building, during the construction of the spec house, to store items from moving and a place for tools etc. And than things began to spiral with Covid, all our college kids having to leave school and move back "home". We scrambled and added on to the Ag building as to give our kids and us a place. Our plan always was to build our home on property, interest rates went through the roof and that plan got put on hold. We have known this "home" would be a problem without permits. We are in the process of working with an architect and engineer to get plans drawn up to go through the legal process of getting this permitted and finalized. Please let us know what steps we need to do to right the ship.

The Tiny Home is our daughter's project her and her fiancé have been working on and still are, while she finished nursing school. (She has finished nursing and will move after her residency at Providence)They do not live in it and never planned on living in it here, they are planning to move it to La Pine soon.

As far as two businesses, my wife owns Wintersteen Farms, which is a seasonal business which ships Christmas wreaths a few weeks out of the year. There is no manufacturing of any product at Sleooy Hollow Drive.

I have equipment that is used for putting together cabinets for remodel jobs and to store items needed for jobs. There are no customers ever coming to our property.

Jennifer, we would appreciate any advice you can offer to help us with this process.

Sincerely,
Jeff and Kelly Kansala

Jeff Kansala: 503-799-5688

Hello,

The County received a complaint regarding a single family residence that has been built on the subject property without permits. Further review of the property found 2 businesses may be operating on site without land use approval, a tiny home may have been placed without permits and construction and tree removal has occurred within the Sandy River setbacks An alleged letter was mailed to the mailing address on file which is 25211 SE Wintersteen Rd. It appears that this property is now owned by a different property owner.

Please contact me to discuss further.

Thank you

Jennifer Kauppi – Code Enforcement Specialist
Code Enforcement
Department of Transportation and Development
150 Beaver creek Rd.
Primary Phone: 503-742-4759

www.clackamas.us

Hours: M-F from 7:30 a.m. until 4:00 p.m.

Lobby hours 8:00 a.m. until 4:00 p.m. Monday – Thursday. Offices are closed to the public on Fridays.



NOTICE OF VIOLATION

January 18, 2024

Jeffrey & Kelly Kansala
25211 SE Wintersteen Rd
Eagle Creek, OR 97022

Jeffrey & Kelly Kansala
59585 E Sleepy Hollow Dr
Sandy, OR 97055

SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (B)(C)(D)(E), Zoning and Development Ordinance, Title 12, Section 316.03(A), Zoning and Development Ordinance, Title 12, Section 703.04 Floodplain Management District and 704.03 River and Stream Conservation Area

VIOLATION: V0000224

SITE ADDRESS: 59585 E Sleepy Hollow Dr., Sandy, OR 97055

LEGAL DESCRIPTION: T2S, R6E, Section 22, Tax Lot 00300

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

- Single family residence built without approved permits or approved final inspections
- Patio cover built without approved permits or approved final inspections
- Construction of a concrete patio and patio cover and tree and vegetation removal within the Floodplain and River and Stream Conservation Area on the subject property
- Urban Details – Kitchen Builders and Wintersteen Farms operating from the subject property without land use approval

VIOLATIONS & HOW TO RESOLVE

On January 3, 2024, County staff received a complaint of a single family residence built without permits, businesses operating onsite without land use approval and construction of a concrete patio with patio cover and removal of trees and vegetation within the designated setbacks of the Sandy River. I spoke with Jeff regarding the alleged violations and he did confirm that the residence had been built without approved permits in addition to the concrete patio and cover. Urban Details – Kitchen Builders and Wintersteen Farms are operating from this location, however, Jeff stated that there is no manufacturing onsite and no customers come to the

property. The construction of the single family residence and the construction and tree removal within the Sandy River setbacks with permits or land use approval and businesses operating onsite without land use approval constitutes a violation of Clackamas County Code, Title 9.02.040 (B)(C)(D)(E), Zoning and Development Ordinance, Title 12, Section 316.03(A), Zoning and Development Ordinance, Title 12, Section 703.04 Floodplain Management District and 704.03 River and Stream Conservation Area. In order to abate the violation(s), you must complete the following **no later than the dates provided below**:

Single Family Residence built without permits

- Please submit, or have your professional submit, 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: ***Please note a State of Oregon licensed Architect or Engineer must stamp the drawings submitted and provide stamped calculations for the single family residence.

Please submit no later than February 18, 2024.

- All requests for additional information in order to complete plan review must be responded to within 15 days of being notified.
- The permit(s) must have the fee(s) paid in full within 10 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).

Please contact the Septic Department as soon as possible as there is no approved Septic permit for this property.

Tree and Vegetation removal and Development within the Sandy River Setbacks

Please contact the Planning Department **no later than January 31, 2024** to discuss the concrete patio and patio cover that have been built within the setback of the Sandy River in addition to the trees and vegetation that have been removed.

Based on our conversation and description of where the patio and patio cover are located, they may have been built within the Floodway. Please bring in an accurate site plan of the property or an existing conditions surveyor which could be overlain on the flood data in order to determine if the structure will be able to remain. I have attached a site plan example of the information needed. If it is determined that the structure is in the Floodway, you will be required to remove the concrete and structure in addition to submitting a full restoration plan.

If it is determined that it is not in the Floodway, you will still need to meet a setback exemption in ZDO Sec 704.05A.

Please contact me as soon as the meeting has taken place and provide me the name of the staff member that you met with in addition to the findings of that meeting.

Operating Urban Details – Kitchen Builders and Wintersteen Farms

Please contact the Planning Department **no later than January 31, 2024** to determine what land use permits will be required to operate these businesses from the subject property.

****Please note – you will first have to legalize the single family residence before you can apply for any required Home Occupation permits****

Please contact me as soon as the meeting has taken place and provide me the name of the staff member that you met with in addition to the findings of that meeting.

CONTACT INFORMATION

Planning – If you have questions concerning land use requirements 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 bldservice@clackamas.us.

Septic – If you have questions concerning septic requirements please contact the septic department at 503-742-4740 or on-line at SoilsConcern@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 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.



After recording return to:
Jeffrey Kansala and Kelly Kansala
25211 SE Wintersteen Rd
Eagle Creek, OR 97022

Until a change is requested all tax
statements shall be sent to the
following address:
Jeffrey Kansala and Kelly Kansala
25211 SE Wintersteen Rd
Eagle Creek, OR 97022

File No.: 7072-3162600 (DJC)
Date: November 28, 2018

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records **2019-003609**
Sherry Hall, County Clerk
01/23/2019 09:50:00 AM
D-D Cnt=1 Stn=74 LESLIE
\$10.00 \$16.00 \$10.00 \$62.00 **\$98.00**

FIRST AMERICAN 3162600-25

STATUTORY WARRANTY DEED

Austin L. Walker and Michael A. Welt, as tenants in common, Grantor, conveys and warrants to **Jeffrey Kansala and Kelly Kansala as tenants by the entirety**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

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

PARCEL 1, PARTITION PLAT NO. 2014-043, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON.

26E22 00300 00708684

KAC

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$175,000.00**. (Here comply with requirements of ORS 93.030)



UPDATED NOTICE OF VIOLATION

January 18, 2024

Jeffrey & Kelly Kansala
59585 E Sleepy Hollow Dr
Sandy, OR 97055

SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (B)(C)(D)(E), Zoning and Development Ordinance, Title 12, Section 703.04 Floodplain Management District and 704.03 River and Stream Conservation Area

VIOLATION: V0000224

SITE ADDRESS: 59585 E Sleepy Hollow Dr., Sandy, OR 97055

LEGAL DESCRIPTION: T2S, R6E, Section 22, Tax Lot 00300

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

- Patio cover built without approved permits or approved final inspections
- Construction of a concrete patio and patio cover and tree and vegetation removal within the Floodplain and River and Stream Conservation Area on the subject property

VIOLATIONS & HOW TO RESOLVE

On January 22, 2024 you met with planner Melissa Lord regarding the land use issues on the property. During that meeting it was determined that due to the proximity of concrete patio and patio cover to the Sandy River there is not a pathway to permit it. The concrete patio, patio cover and the electrical will need to be demolished and all associate debris removed from the subject property. Development in this area constitutes a violation of Zoning and Development Ordinance, Title 12, Section 703.04 Floodplain Management District and 704.03 River and Stream Conservation Area. In order to abate the violation(s), you must complete the following **no later than February 18, 2024.**

Patio cover by the Sandy River

Please submit, or have your professional submit, demolition permit application(s) for the structure and electrical, appropriate fees(s) and all construction documents of sufficient clarity to indicate the location, nature and extent of the work. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>

- Respond to requests for clarification or additional information from permitting staff within 15 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).
- As stated in my email dated January 22, 2024 I do understand that weather for the demolition could potentially be a factor.

Once the removal has completed, you will need to schedule an inspection with myself to come out and inspect the area. You may be required to submit additional land use documents for replanting of the area.

CONTACT INFORMATION

Planning – If you have questions concerning land use requirements 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 bldservice@clackamas.us.

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



Citation No. 2400002

Case No. V0000224

ADMINISTRATIVE CITATION

Date Issued: May 23, 2024

Name and Address of Person(s) Cited:

Name: Jeffrey & Kelly Kansala
Mailing Address: 59585 E Sleepy Hollow Dr
City, State, Zip: Sandy, OR 97055

Date Violation(s) Confirmed: On the 23 day of May, 2024, 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): 59585 E Sleepy Hollow Dr., Sandy, OR 97055

Legal Description: T2S, R6E Section 22, Tax Lot(s) 00300

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)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03 and 703.04

Description of the violation(s):

- 1) Single family residence built without approved permits and approved final inspections.
Maximum Civil Penalty \$1,000.00 Fine: Not subject to a fine amount

- 2) Patio cover with electrical built without approved permits and approved final inspections.
Maximum Civil Penalty \$1,000.00 Fine Not subject to a fine amount

- 3) Development within the Floodplain and River and Stream Conservation Area without land use approval.
Maximum Civil Penalty \$3,500.00 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: May 23, 2024
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: _____