



NOTICE OF HEARING

December 29, 2022

Edward J. Peters
PO Box 202
Brightwood, OR 97011

RE:: County of Clackamas v. Edward J. Peters
File: V0036922

Hearing Date: January 24, 2023

Time: This item will not begin before 11:00 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.



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

If you would like to present evidence at the Hearing please email or mail your evidence to JKauppi@clackamas.us 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 or JKauppi@clackamas.us within **3 calendar days** of receipt of the notice of hearing packet.

If you do not know how to use Zoom, please Google "how to use Zoom" and there are many interactive guides on the internet.

If you experience difficulties connecting to the Zoom hearing before your scheduled start time, please call 503-348-4692 for assistance.

**Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that a \$75.00 monthly Administrative Compliance Fee will be assessed if a violation has been determined and has not been abated. When a property owner works cooperatively with the County to resolve a confirmed code violation, the County may waive all or part of that fee.*

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to: www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: www.clackamas.us/transportation/nondiscrimination, envíe un correo electrónico a JKauppi@clackamas.us o llame al 503-742-4452.

ДОБРО ПОЖАЛОВАТЬ! Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: www.clackamas.us/transportation/nondiscrimination, отправьте письмо на адрес эл. почты JKauppi@clackamas.us или позвоните по телефону 503-742-4452.

欢迎! Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 www.clackamas.us/transportation/nondiscrimination，发送电子邮件至 JKauppi@clackamas.us 或致电 503-742-4452。

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng: www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination을 참조하거나 이메일 JKauppi@clackamas.us, 또는 전화 503-742-4452번으로 연락 주십시오.

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

EDWARD J. PETERS,

Respondent,

File No: V0036922

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: PO Box 202, Brightwood, OR 97011.

2.

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

No Situs also known as T2S, R7E, Section 32AC, Tax Lot 03900, and is located in Clackamas County, Oregon.

3.

On or about the 18th day of October, 2022 the Respondent violated the following laws, in the following ways:

- a. Respondent violated the Clackamas County Solid Waste and Waste Management Code, Chapter 10.03 by accumulating inoperable and/or non-currently licensed vehicles and non-putrescible waste. This violation is a Priority 3 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 Respondent in the following manner: Administrative Citation #2200369 in the amount of \$300.00 was mailed via first class mail on October 18, 2022. A copy of the notice document is attached to this Complaint as Exhibit 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 Respondent to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;
2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Solid Waste and Waste Management Code Priority 3 violation being \$250.00 to \$1,500.00 per occurrence as provided by Appendix B to the Clackamas County Code.
3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

4. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to reimburse the County for any expense the County may incur in collection of any penalties, fines or fees that may be imposed:

and

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

DATED THIS 29th day of December, 2022.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

EDWARD J. PETERS,

Respondent.

File No.: V0036922

STATEMENT OF PROOF

History of Events and Exhibits:

- April 3, 2017 Clackamas County received a complaint regarding an accumulation of solid waste onsite.
- May 31, 2021 I conducted a site inspection on the property. I confirmed a Solid Waste and Waste Management Code violation by observing inoperable or non-currently licensed vehicles and miscellaneous debris. In addition, an occupied recreational was present.
- Exhibit A
- September 9, 2022 I reviewed the original complaint from 2017, previous inspection photos and what was currently occurring on the property. There is an accessory structure onsite, however, there is no legally established single family residence on the property. Only the solid waste violation was addressed in the 2017 file and not the accessory building without a primary use. All fines and fees prior to September 9, 2022 were voided and a new code enforcement file opened.
- Exhibit B
- September 12, 2022 Correspondence was sent the Respondent with a deadline of October 12, 2022 to abate the Solid Waste and Waste Management Code and November 12, 2022 to abate the Zoning and Development Ordinance violations.
- Exhibit C
- September 20, 2022 The County has had no contact with the Respondent so I posted the violation notice on the subject property.
- Exhibit D
- October 18, 2022 I conducted a site inspection. The recreational vehicle was removed from the subject property, however, the solid waste remained onsite.
- Exhibit E
- October 18, 2022 Citation 2200369 was issued for the Priority 3 Solid Waste and Waste Management Code violation. The citation was posted to the subject property and was also mailed first class mail. The first class mail was not returned and this citation remains unpaid.
- Exhibit F

November 15, 2022
Exhibit G

I conducted a site inspection. The recreational vehicle remained gone, however, the solid waste remained on site. A review of County records was done before the site inspection occurred and found no permits had been applied for to establish a single family residence or to remove the accessory structure.

December 22, 2022
Exhibit H

After discovering that the zoning violation of an accessory building without a primary use was not listed on the Code Enforcement priority list, I contacted Planning Director Jennifer Hughes regarding the accessory structure onsite without a primary use. Ms. Hughes stated that because the accessory structure that was lawfully established only became a zoning violation after the land division, the zoning violation would be considered a low priority violation, however, the structure cannot be used until they establish a dwelling to which it can be accessory.

December 29, 2022

The County referred this matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Solid Waste and Waste Management Code, 10.03.060(A) and (B) exists, the County may request a Continuing Order in this matter recommending the following:

- The Respondent be ordered to bring the property into compliance with the Solid Waste and Waste Management Code by removing all solid waste, including but not limited to household garbage, vehicles, appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste to an authorized disposal facility within 45 days of the date of the Order. The accessory structure onsite cannot be used for storage.
- Code Enforcement will conduct a site inspection to confirm compliance of the above items and the County will submit a post hearing status report. The report will be sent to the Compliance Hearings Officer and to the Respondent.
- The report may include the following recommendations:
- The imposition of civil penalties for the Solid Waste and Waste Management Code violation of up to \$1,500.00 for date cited October 18, 2022.
- Payment for Citation No. 2200369 issued on October 18, 2022 for \$300.00.
- The administrative compliance fee to be imposed from September, 2022 until the violation is abated. As of this report the total is \$225.00
- The County requests the Hearings Officer to permanently prohibit the Respondent from violating this law in the future.
- If the Respondent fails to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.









From: Lord, Melissa
Sent: Wednesday, July 20, 2022 8:21 AM
To: Nesbitt, Lindsey <LNesbitt@clackamas.us>; Fritzie, Martha <MFritzie@clackamas.us>
Subject: RE: Research Request - 27E32AC03900

Hi Lindsey,

There is no pre-existing LOR research in the history files, so I'm not sure that we'll be able to answer this question too quickly. My comments are in italics below each question:

1. Did the lot get divided legally or is 03902 and 03900 still considered one legal lot of record?
 - a. *LOR research required to determine this. Tax lot 3902 is made up of Lots 16 – 18, Block 5, Mt. Hood Wildwood Annex subdivision; Tax lot 3900 is made up of Lots 19 – 21, Block 5, Mt. Hood Wildwood Annex subdivision*
2. If the lot wasn't divided and just one tax lot was sold, would the garage then be considered as having a primary structure with the house on tax lot 03902 and could be used as storage w/out having to do an NCU?
 - a. *This garage was an accessory building, accessory to the primary dwelling. If the garage is on a property not in common ownership to the dwelling, then it would not be compliant with the ZDO as a personal use garage. The garage may be allowed, provided that it is serving a primary use in the RR zoning district (for example, keeping livestock (subject to ZDO 821)).*
 - b. *I don't believe that an NCU permit would determine that the garage from an illegal land transfer is a permissible NCU*
3. If the lot was divided and now there's only the garage with no primary use, based on the previous and currently zoning on the property would an NCU be available to the owner in order to use the garage as storage only?
 - a. *Similar to my remarks above, I don't think that an NCU permit is the correct process to allow an unpermitted use/something that was created from an illegal land transfer?*
 - b. *The garage use is accessory to... something... if the properties were in common ownership then we would allow the garage to remain on the adjacent lot but if the properties are owned by different people then there must be a primary use on the property (which the garage is not)*
4. Could this lot have a home or manufactured home placed on it in order to obtain the primary use?
 - a. *Yes, provided that tax lot 3900 is a lot of record, the RR zone allows for one single-family dwelling (either stick-built or manufactured home).*

Mel

From: Nesbitt, Lindsey
Sent: Tuesday, July 19, 2022 8:22 AM
To: Lord, Melissa <MLord@clackamas.us>; Fritzie, Martha <MFritzie@clackamas.us>
Subject: FW: Research Request - 27E32AC03900

From: Kauppi, Jennifer
Sent: Thursday, July 7, 2022 10:46 AM
To: ZoningInfo <ZoningInfo@clackamas.us>
Subject: Research Request - 27E32AC03900

Good Morning,

I need to submit for a research request for 27E32AC03900 – No Situs.

Brief history – The previous notes on this file stated that at one time 67401 E Lost Shelter Rd – 27E32AC03902 and 27E32AC03900 were one lot of record and had a house on the 03902 side and a garage on the 03900 side. The house and garage were built in 1973. At some point lot 27e32ac03902 was sold and the remaining lot 03900 was kept by the owner. Both of these lots are currently zoned RR.

There is no primary use on lot 03900 that has the garage on it. In order for me to provide the path to compliance I have to be sure that an NCU for the garage would even be possible.

1. Did the lot get divided legally or is 03902 and 03900 still considered one legal lot of record?
2. If the lot wasn't divided and just one tax lot was sold, would the garage then be considered as having a primary structure with the house on tax lot 03902 and could be used as storage w/out having to do an NCU?
3. If the lot was divided and now there's only the garage with no primary use, based on the previous and currently zoning on the property would an NCU be available to the owner in order to use the garage as storage only?
4. Could this lot have a home or manufactured home placed on it in order to obtain the primary use?

Thank you

Jennifer Kauppi
Code Enforcement Specialist
Clackamas County – Transportation & Development



September 12, 2022

Edward J. Peters
PO Box 202
Brightwood, OR 97011

SUBJECT: Violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A) and Solid Waste and Waste Management Code, 10.03.060 (A) and (B)

SITE ADDRESS: No Situs

LEGAL DESCRIPTION: T2S, R7E, Section 32AC, Tax Lot 03900

VIOLATION: V0036922

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

- Accessory structure without a primary use
- Accumulation of solid waste
- Unauthorized occupied recreational vehicle

VIOLATIONS & HOW TO RESOLVE

Accessory structure without a primary use

The accessory structure located on the subject property is in violation of the Land Use and Development Ordinance, Title 12, Section 316.03 (A). Because there is not a legally established primary dwelling on the property, an accessory structure would not be allowed to remain on site. In order to abate the violation, you must complete one of the following **no later than November 12, 2022**.

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

- Within 30 days of the single family residence permits being issued, please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s) for the accessory structure.
 - You must respond to all requests for additional information in order to complete plan review within 10 days of being notified.
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).
 -
- Or:**
- You may abate the violation by submitting an application to demolish the accessory structure.
 - The permit must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - You must remove debris of the demolished accessory structure to an authorized disposal facility and provide Code Enforcement with dump receipts **within 30 days** from the date the demo permit is issued.

Solid Waste

The accumulation of solid waste causes a condition of unsightliness and is a safety and health hazard and constitutes a violation of Clackamas County Code Title 10.03.060 (A) and (B). In order to abate the violations, you must complete the following **no later than October 12, 2022:**

Remove all solid waste, including but not limited to household garbage, vehicles, appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or wastes that is visible from the road or surrounding properties to an authorized disposal facility.

Occupied Recreational Vehicle

On April 19, 2022, I conducted a site inspection on the above reference property and confirmed an occupied recreational vehicle on site. An unauthorized occupied recreational vehicle constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03(A). In order to abate the violation, you must remove the recreational vehicle from your property **no later than October 12, 2022.**

CONTACT INFORMATION

Planning – If you have questions concerning land use requirements please contact the Land Use and 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 buildings are closed to the public on Friday's, however, staff is available from 8:00 a.m. to 3:00 p.m. by phone or email.

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

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
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:
Clackamas County Property Resources
150 Beaver Creek Rd.
Oregon City, OR 97045

Until a change is requested all taxes shall be sent to:
Edward Peters
64616 E. Sandy River Lane
Rhododendron, OR 97049

Clackamas County Official Records
Sherry Hall, County Clerk

2015-024370



01844739201500243700010010

\$53.00

04/28/2015 02:57:57 PM

D-D Cnt=1 Stn=9 COUNTER1
\$5.00 \$10.00 \$16.00 \$22.00

BARGAIN AND SALE DEED

CLACKAMAS COUNTY, OREGON, a political subdivision of the State of Oregon, Grantor, conveys its ownership interest to Edward J. Peters, Grantee, all its right, title and interest in that real property situated in Clackamas County, Oregon, and being described as follows:

Lot 19, 20 and 21, Block 5, MT. HOOD WILDWOOD ANNEX, in the County of Clackamas and State of Oregon.

27E32AC03900 00732265

The true and actual consideration being paid for this transfer stated in terms of: Seven Thousand Two Hundred and Two Dollars and 15/100 (\$7,202.15). This amount excludes any amount for liens, mortgages, contract, indebtedness, or other encumbrances existing against the above-described real property to which the property remains subject or which the purchaser agrees to pay or assume.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17 CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Date this the 22 day of April, 2015.



CLACKAMAS COUNTY
Laura Zentner
Director, Business and Community Services or Designee

State of Oregon }
County of Clackamas }

This document was acknowledged before me on 27th day of April, 2015, by Laura Zentner, Deputy Director of Business and Community Services of Clackamas County

Lisa Meurs
Notary Public for Oregon
My Commission Expires: June 5, 2016

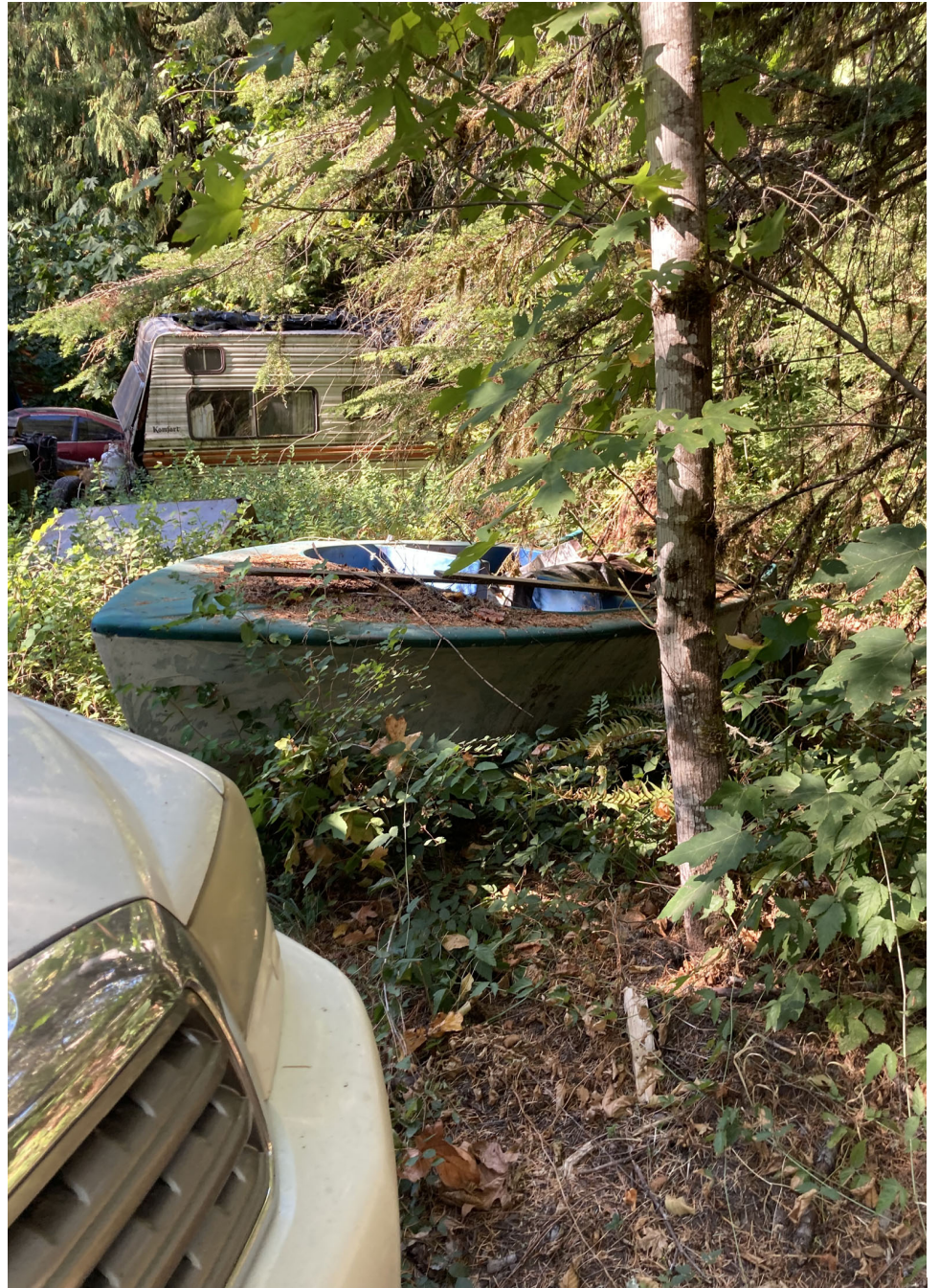
MN















Citation No. 2200369

Case No. V0036922

ADMINISTRATIVE CITATION

Date Issued: October 18, 2022

Name and Address of Person(s) Cited:

Name: Edward Peters
Mailing Address: PO Box 202
City, State, Zip: Brightwood, OR 97011

Date Violation(s) Confirmed: On the 18th day of October, 2022, 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): No Situs

Legal Description: T2S, R7E Section 32AC, Tax Lot(s) 03900

Law(s) Violated:

Chapter 10.03 of CCC Solid Waste and Waste Management, Section 10.03.060 (A), (B)

Description of the violation(s):

- 1) Accumulation of solid waste

Maximum Civil Penalty \$1,500.00 Fine \$300.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$300.00. 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: October 18, 2022
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: _____




ADMINISTRATIVE CITATION
[The following text is illegible due to blurring and reflection on the window.]









Kauppi, Jennifer

From: Hughes, Jennifer
Sent: Thursday, December 22, 2022 1:47 PM
To: Kauppi, Jennifer
Cc: Amend, Michelle
Subject: RE: No Situs - 27E32AC03900

Generally I would say that a lawfully established accessory structure that later becomes a zoning violation because of a land division that separates the primary use from the accessory use, or demolition/destruction of the primary use, should be a low priority violation. (Obviously that changes if they start using the accessory structure for commercial or residential purposes without approval.) That said, I don't feel great about county staff advising them to use the building for storage when we are aware that the structure is a zoning violation. My recommendation would be not to require the structure to be removed but to tell them it can't be used until they establish a dwelling to which it can be accessory.

There's no recent land division for this site, but it's part of an old platted subdivision where it's common for each tax lot to include multiple platted lots. I'm assuming that at some point the same person owned this tax lot and what is now tax lot 3901 with a 1973 home on it and the violation was created when the two tax lots were conveyed separately.

Jennifer Hughes | Planning Director

Planning and Zoning | Clackamas County Department of Transportation & Development
Development Services Building | 150 Beaver Creek Road | Oregon City, OR 97045 | 503-742-4518

The Planning and Zoning public service telephone line at 503-742-4500 and email account at zoninginfo@clackamas.us are staffed Monday through Friday from 8:00 a.m. to 4:00 p.m., and the public service lobby is open Monday through Thursday from 8:00 a.m. to 4:00 p.m.

Were you happy with the service you received today?



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From: Kauppi, Jennifer <JKauppi@clackamas.us>
Sent: Monday, December 12, 2022 2:52 PM
To: Hughes, Jennifer <jenniferh@clackamas.us>
Cc: Amend, Michelle <MAmend@clackamas.us>
Subject: No Situs - 27E32AC03900

Jennifer,

The property above has an accessory structure without a primary use onsite and is currently being used as storage. The lot was divided and this particular structure was built prior to permitting. The owner has a solid waste code violation on the property which I am getting ready to take to a hearing.

Accessory structures with a primary use is not listed on our priority list for something we enforce on, however, with the violation of the solid waste I don't believe I can instruct him that he can utilize a building that really should be there.

So....the question....do you want me to enforce accessory structure w/out a primary use on this property? If not, can I give them the option of storing their personal belongings in this structure?

Please let me know what you think
Thank you

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County – Transportation & Development
Code Enforcement
JKauppi@clackamas.us
503-742-4759
150 Beaver Creek Rd
Oregon City, OR 97045
Office hours are Monday-Thursday 8:00 am – 4:00 pm

**PLEASE NOTE: Beginning Friday, August 5th our lobbies will be CLOSED on Fridays to in-person customer service. **
Staff is still available by phone from 8 am – 4 pm.

Were you happy with the service you received today?



CLICK A SMILEY