



NOTICE OF HEARING

December 9, 2024

Daniel & Emily Zuniga
16031 SE Johnson Rd.
Clackamas, OR 97015

RE:: County of Clackamas v. Daniel & Emily Zuniga
File: V0045022

Hearing Date: January 9, 2025

Time: This item will not begin before 10:30am 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 Kimberly Benthin, Code Compliance Specialist for Clackamas County at (503) 742-4457, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

1. **Prior to the Hearing.** You have the right to make the following requests:
 - (A) You can request the opportunity to review public records and to talk to County staff about the violations or request a subpoena for that purpose if the County does not allow you to do so.
 - (B) You can request that the Hearings Officer postpone the hearing for good cause by writing the Hearings Officer at least 7 calendar days prior to the scheduled hearing date.
 - (C) You can request that the Hearings Officer decide the matter based exclusively on written materials from the parties or conduct the hearing by phone.
2. **Procedure.** The hearing will be governed by general rules of procedure designed to allow you to hear and confront the evidence against you, and for you to present evidence favorable to you. You are not required to present any evidence, the burden is on the County to establish by a preponderance of the evidence that a violation exists, or existed. Either party may, at their own expense, obtain an attorney to represent them at the hearing. If you wish to be represented by an attorney they need only notify the County and the Hearings Officer in writing of their intent to appear on your behalf. The County will present evidence first, and then you may question that evidence. You may then present your own evidence, if you wish, and the County may question your evidence. Testimony by witnesses is evidence. The Hearings Officer may inquire into any facts that are relevant to the hearing and may question the parties or witnesses about the case. Evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their serious affairs shall be admissible.
3. **Record of Proceedings.** An audio record will be made of the proceedings when a hearing is conducted. The audio record is available through the Clackamas County Code Enforcement Section and is available to you upon request.
4. **Hearings Officer.** The Hearings Officer is an independent contractor paid by the County to conduct hearings and render decisions. He/she is not a County employee. His/her function is to preside over the hearing, make a record of proceedings, consider admissible evidence, and interpret and apply the law. After the hearing is closed the Hearings Officer will enter written findings of fact, conclusions of law, and any Order deemed proper. If a violation is proven, then the Order may include civil penalties, fines, administrative fees, or may require the respondent to take certain actions, or refrain from certain actions. An Order issued by the Hearings Officer may be a Final Order or Continuing Order. The Hearings Officer's Order is the final decision of the County, and may be appealed pursuant to Oregon law. The Hearings Officer for Clackamas County is:

Carl Cox
Attorney at Law
14725 NE 20th Street, #D-5
Bellevue, WA 98007
5. **Right to Recess.** If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
6. **Right to Appeal.** The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



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

If you would like to present evidence at the Hearing please email or mail your evidence to Kimberly Benthin 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 Kimberly Benthin at 503-742-4457 **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 PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/85147541778?pwd=oQv7au17l1aFiB5Lxco9Ea5bPQLRhe.1>

Passcode:220359

Phone one-tap:

+13462487799,,85147541778# US (Houston)

+14086380968,,85147541778# US (San Jose)

Join via audio:

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

Webinar ID: 851 4754 1778

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
CLACKAMAS COUNTY BOARD OF COMMISSIONERS

COUNTY OF CLACKAMAS,

Petitioner,

v.

DANIEL E and EMILY M ZUNIGA

Respondents.

File No: V0045022

COMPLAINT AND REQUEST FOR HEARING

I, Kimberly Benthin, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondents mailing address is: 16031 SE Johnson Rd., Clackamas, OR 97015.

2.

The address or location of the violation(s) of law alleged in this Complaint is: 16031 SE Johnson Rd., Clackamas, OR 97015 also known as T2S, R2E, Section 09CC, Tax Lot 02200, and located in Clackamas County, Oregon.

3.

On or about the 30th day of November, 2022, AND on or about the 12th day of January, 2023, the Respondents violated the following laws, in the following ways:

Respondents violated Title 9.02 of the Clackamas County Code Building Code Section 10.03.060 (A,B,C) by constructing an unpermitted carport, and failing to obtain all inspections and permits for the pole building. This violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.

4.

The Department initiating this procedure is the Code Enforcement Section of the Department of Transportation and Development.

5.

Notice of the violation was given to Respondents in the following manner: Violation notice dated November 30, 2022 and Administrative Citation #2200450-1 dated January 12, 2023. A copy of the notice documents are attached to this Complaint as Exhibits B and C respectively, 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 the Priority 4 violation being \$100.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code;

3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code; and

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:

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

DATED THIS 3rd day of December, 2024.

A handwritten signature in black ink, appearing to read 'Kimberly Benthin', is written over a light gray rectangular background.

Kimberly Benthin
Code Enforcement Specialist
For Clackamas County

COUNTY OF CLACKAMAS,

Petitioner,

v.

DANIEL E. & EMILY M. ZUNIGA

Respondents.

File No.: V0045022

STATEMENT OF PROOF

History of Events and Exhibits:

- November 15, 2022 Clackamas County received a complaint regarding a shed, and a carport attached to the shop.
- November 23, 2022 Clackamas County Building Inspector viewed the structures from
Exhibit A off site and determined the carport requires permitting and there appears to be a stove in the shop/pole building.
- November 28, 2022 Code Enforcement Specialist Kimberly Benthin researched permit history of the subject address. No permits were found for the shed, or carport. The shop/pole building permits were incomplete. The stove pipe was not permitted.
- November 30, 2022 Facts of the alleged violation were reviewed, the violation verified,
Exhibit B and Notice of Violation mailed to the Respondents via first class mail.
- January 12, 2023 The County did not receive any contact from the Respondents. A review of the building permit history revealed no permit submittals.
- January 12, 2023 Citation # 2200450-1 was issued for a priority 4 violation for the
Exhibit C unpermitted carport, expired permit for the pole building and unpermitted mechanical work. The citation was sent via first class mail, the mail was not returned. The County waives the \$200.00 fine.
- January 20, 2023 Permit Specialist Becky Bishop spoke with Respondent Daniel
Exhibit D Zuniga.
- January 25, 2023 Respondent Daniel Zuniga and Permit Specialist Bishop
Exhibit E exchanged emails regarding the steps to gain compliance through the permitting process.

- February 2, 2023
Exhibit F An aerial shows the carport remains on the property.
- July 10, 2023 Mechanical permit fee was paid and added to the pole building permit # B0183915
- July 25, 2023 The mechanical inspection occurred and passed.
- November 14, 2023
Exhibit: G An aerial photo of the property shows the carport has been taken down.
- December 11, 2023
Exhibit H CES Benthin sent the Respondent an email regarding next steps for gaining compliance.
- November 25, 2024
Exhibit I A review of permit history shows that the permit for the pole building has not had any further inspections. The electrical permit has not been submitted.
- November 26, 2024 The County prepared this file to be set for a hearing.

If the Hearings Officer affirms the County's position that a violation of the Building Code exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent to renew the structural permit, obtain an electrical permit and all required inspections not later than 45 days of the date of the Continuing Order.

The County will submit a timely 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 of up to \$1000.00
 - The administrative compliance fee to be imposed from November 2022 until the violation is abated.
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
 - The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.
 - If the Compliance Hearings Officer imposes penalties, fines and fees. The County would also ask the Hearings Officer to order reimbursement for any expense the County incurs in collection of those monies, per Clackamas County Code Chapter 2.07.090(6)

Clackamas County

150 Beaver Creek Rd
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

Location:

16031 SE JOHNSON RD CLACKAMAS OR 97015

Inspection Date:

Mon, 21 Nov 2022

Record Type:

Code Enforcement - Violation

Record ID:

V0045022

Inspection Type:

299 Building/Solar Final

Inspector:

Justin Humphrey

Inspector Phone:

503-793-5690

Inspector Email:

jhumphrey@clackamas.us

Result:

In Violation

Submit Time:

Mon, 21 Nov 2022 3:47:PM

Comments:

Structure in question is in violation. Carport appears to be 300+ sqft and is almost directly on the property line within the setback requirements. The carport is also probably too close to the pole barn on the property. R105.2

Appears there is also an unpermitted stove of some sort in the pole barn. M1301 R105.2

Pictures show the carport on the property line and it's relative size as well as the chimney coming out of the pole barn.





November 30, 2022

Violation File No.# V0045022

Daniel E. and Emily M. Zuniga
16031 SE Johnson Rd
Clackamas. OR 97015

**Subject: Violations of the Clackamas County Building Code Title 9
 Chapter 9.02.040(A,B,C,D,E)**

Site Address: 16031 SE Johnson Rd, Clackamas. OR 97015
Legal Description: T2S, R2E, Section 09CC, Tax Lot 02200

The County received a complaint regarding unpermitted carport type structure, an unpermitted shed greater than 200sqft in size and unpermitted mechanical work attached to the pipe vent in the roof of the pole building. In response to the complaint an inspector from the Building Codes Division recently conducted an inspection of the subject property.

It was confirmed that a carport type structure exists on site next to the pole building, a chimney extending from the pole building and what appears to be a shed between the property line and carport. The shed will need a permit if it does not meet the exemptions from the Building Code. Review of County records also reveals that the pole building never received all inspections including the final approved inspections. The permit # B0183915 or the pole building is now expired, you may contact the Building Division to determine if the permit can be renewed, or if a new submittal must take place. There is also no electrical permit for the pole building.

The unpermitted structures and mechanical associated with the pipe vent are violations of Chapter 9.02 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Building Code.

In order to abate the violations, please complete one of the following options for each structure **not later than January 11, 2022:**

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s) for the unpermitted structures.
 - 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). If the structure requires modifications and you need additional time for the work – please contact this office to discuss the timeline.

Or:

- Submit an application for a demolition permit. Please be advised that if you choose to remove the structure or work – you may still be required to get permits to confirm construction and utilities were removed, or remain in compliance with the codes.
 - 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).
 - Please call this office to schedule an inspection to confirm removal of structure and all debris.

Or:

- It may be that the small shed structure meets the Oregon Residential Specialty Code exemption:

R105.2 (1) Building: 1. Nonhabitable one-story detached *accessory structures*, provided that the floor area does not exceed 200 square feet and does not exceed a height of 15 feet measured from grade plane to the average height of the highest roof surface.

Please schedule an inspection to confirm the exemption standards are met and the structure is in compliance. It is important to note that electrical, plumbing and mechanical permits remain required.

The submitted permit documents will be subject to the review and approval of the Planning and Zoning Division. The construction and use must meet the requirements and standards of the zoning district applied to the subject property. If you have questions please contact: Planning and Zoning Division at 503-742-4500 or zoninginfo@clackamas.us.

Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/development-direct>. If you have questions concerning the building permit requirements or the online submittal process, please contact the Building Codes Division at 503-742-4240, or via email at bldservice@clackamas.us. You may also find information on the County's website at <https://www.clackamas.us/building>.

You may also visit the County's offices at 150 Beaver Creek Road, Development Services Building, Oregon City. The lobby hours are open between the hours of 8 a.m. to 4 p.m., Monday – Thursday. The building is closed to the public on Fridays, however,

our services are available online, by phone or by email. It is recommended that you check the Clackamas County webpage for hours of operation before visiting.

If you have any questions for me you may leave a message at 503-742-4457 and my email is kimben@clackamas.us.

A handwritten signature in black ink, appearing to read 'Kimberly Benthin', is centered on a light gray rectangular background.

Kimberly Benthin
Code Enforcement Specialist
Code Enforcement Section

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.

Department of Transportation and Development

Nondiscrimination Policy:

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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.



Citation No. 2200450-1

Case No. V0045022

ADMINISTRATIVE CITATION

Date Issued: January 12, 2023

Name and Address of Person(s) Cited:

Name: Daniel E. & Emily M. Zuniga
Mailing Address: 16031 SE Johnson Rd
City, State, Zip: Clackamas, OR 97015

Date Violation(s) Confirmed: On the 30th day of November, 2022, the person(s) cited committed or allowed to be committed, the violations of law described below, at the following address:

Address of Violation(s): 16031 SE Johnson Rd., Clackamas, OR 97015

Legal Description: T2S, R2E Section 09CC, Tax Lot 02200

Law(s) Violated

- Chapter 7.03 of Clackamas County Code, Road Use, Section
- Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (A,B,D,E)
- Chapter 9.03 of CCC Excavation and Grading, Section
- Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section

Description of the violation(s):

- 1) The carport on site does not have permits or inspections, the pole building has an expired permit that has not had all inspections including the final approved inspection and the installation of a vent pipe that appears to serve a heat source.

Maximum Civil Penalty \$1000.00 Fine \$200.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$200.00. 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: Kimberly Benthin
Telephone No.: 503-742-4457

Date: January 12, 2023
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: _____

Violation File # : V0045022

Benthin, Kim

From: Bishop, Rebecca
Sent: Friday, January 20, 2023 1:05 PM
To: Benthin, Kim
Cc: Moreland, Tom
Subject: UPDATE: FW: 16031 SE Johnson Rd V00405022

Hi Kim,

Here's a recap of my conversation at 12:24 pm today with Daniel Zuniga. Please review and let me know if I should go ahead and respond to Daniel:

1. Pole Barn:
 - I let him know the fee to renew the 2015 permit would be 190.40 which would cover two inspections. I said I would scan the approved plans and email them to him so he can have them on site for inspections.
 - A plumbing permit was pulled for the rain drains was issued and the final took place 9/29/2017
 - A fan was installed in the ceiling that activates by a thermal switch when heat is excessive. It is powered by a cord that plugs into an outlet on the wall. Note: I let him know no electrical permit was obtained for the pole barn. He said there is an interior wall that is covered and he wondered if the wall would need to be opened for inspections. I said I did not know the answer but would find out.
2. Shop:
 - He confirmed the wood stove and I let him a mechanical permit would be necessary for this work.
 - A panel & circuits were installed in the shop – I let him know about application for an electrical permit.
 - I advised him that per Kim, an investigation fee of \$85 would apply to each permit in addition to the regular cost.
3. He confirmed that he is going to disassemble & remove the metal-framed, metal-sheathed carport

I'm prepared to email him electrical and mechanical permit applications and plans for the Pole Barn.

Thank you,
Becky

From: Benthin, Kim <KimBen@clackamas.us>
Sent: Thursday, January 19, 2023 4:24 PM
To: Bishop, Rebecca <RBishop@clackamas.us>
Cc: Moreland, Tom <TMoreland@clackamas.us>
Subject: 16031 SE Johnson Rd V00405022

Becky?
You ready for this?

Residential the pole barn was not completed. Permit # B0183915 only received foundation and slab inspections. The pole barn has an unpermitted wood stove.

Benthin, Kim

Subject: FW: 16031 SE Johnson Rd
Attachments: BLANK - electrical permit.pdf; BLANK - mechanical permit.pdf; BLANK - Building Permit Application.pdf; creditcardauthorizationform.pdf

From: Bishop, Rebecca
Sent: Thursday, January 26, 2023 11:29 AM
To: 'Daniel Zúñiga' <daniel.zuniga.620@gmail.com>
Subject: RE: 16031 SE Johnson Rd

Hi Daniel,

Thank you for getting back to us. Here are some revised instructions on how to proceed:

1. Complete the mechanical permit application and indicate the wood stove and exhaust fan (please indicate an approximate size of the fan). Please have manufacturer's instructions for both of those on hand – hopefully you can google product information by using make/model number and serial number. The inspector will want to make sure the woodstove, in particular, was installed per the manufacturer's instructions and code.
2. Please complete the electrical permit for the pole barn/shop (one building) once you have determined the size of the service at the subpanel and number of circuits involved

NOTE: Investigation fees of 95.20 will apply to the mechanical and electrical permits.

3. Please complete a Building permit application to show you as the owner, and please indicate the size of the pole barn/shop in the Description of Work. The fee to re-issue this permit is \$190.40. A cc form has been attached however you can pay for all three permits by check or cash.

Thank you,

Becky Bishop
Permits Specialist

Clackamas County – Transportation & Development
Building Codes
bldservice@clackamas.us
503-742-4240
Development Services Building | 150 Beaver Creek Road | Oregon City, OR | 97045

Monday-Thursday 7:30-4:30

Beginning Wednesday, Feb. 1, 2023, the Lobby will be open only Monday, Tuesday and Thursday from 8:00-4:00 pm

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From: Daniel Zúñiga <daniel.zuniga.620@gmail.com>
Sent: Wednesday, January 25, 2023 6:50 PM
To: Bishop, Rebecca <RBishop@clackamas.us>
Subject: Re: 16031 SE Johnson Rd

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

Hi Becky,

Thank you for all of this!

I would like to move forward with the permit re-issue for the pole barn. What information will I need to have the inspector come out for that?

There is no ducting for the fan in the pole barn. It is mounted near the roof, through the wall.

I will need to find out what service is at the subpanel in the pole barn and the number of circuits to include on the permit application, and just to clarify, the pole barn/shop is the only structure needing inspection/permits for fan, wood stove and electrical.

\$190.40 for pole barn permit re-issued

\$85.00 for the inspection fee

\$10.20 for state surcharge

I can pay this over the phone if that works.

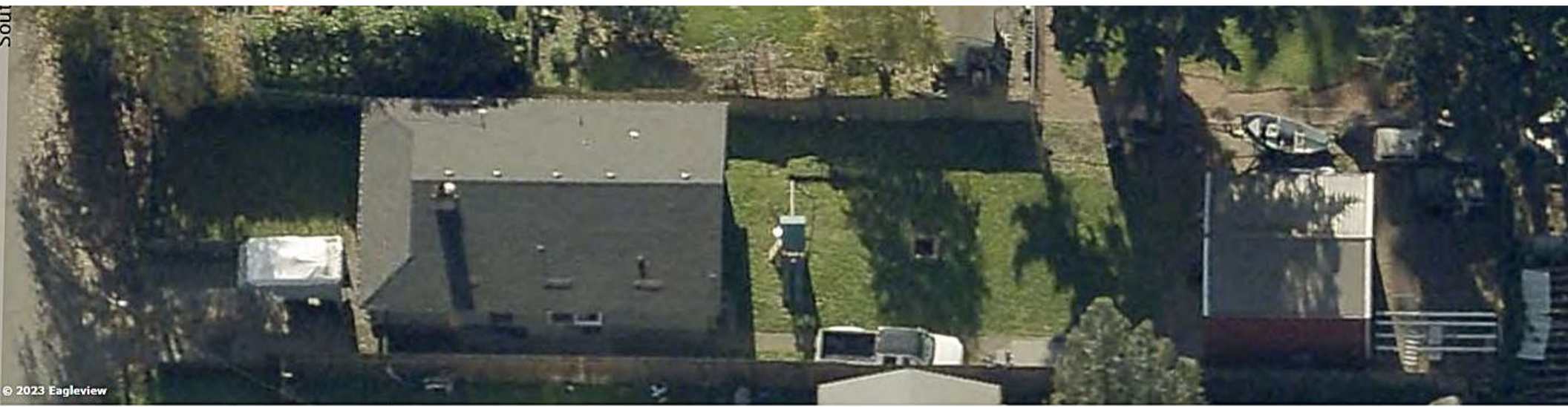
After filling out the electrical and mechanical applications, should I submit those in person or can we do it through email?

Thank you,
Daniel Zuniga

On Fri, Jan 20, 2023 at 2:48 PM Bishop, Rebecca <RBishop@clackamas.us> wrote:

Hi Daniel,





Benthin, Kim

From: Benthin, Kim
Sent: Monday, December 11, 2023 1:22 PM
To: 'Daniel Zúñiga'
Subject: 16031 SE Johnson Rd Violation File # V0045022

Daniel,

The last action to remedy the violations for this file was in July when you had a mechanical inspection.

The permit for the accessory structure has still not received all required inspections. You also have not submitted an electrical permit.

This file will be set for a hearing.

Kimberly Benthin, Code Enforcement Specialist
Clackamas County Department of Transportation and Development
Code Enforcement
150 Beaver Creek Road, Oregon City, OR 97045
Primary phone: 503.742.4457
Hours: M-F from 7:00 a.m. until 4:30 p.m.
Lobby hours 8 a.m. to 4 p.m. Monday to Thursday
www.clackamas.us

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Clackamas County
Inspection History for Record #B0183915

Applicant Name: DANIEL ZUNIGA

Work Description: SOLIS - POLE BLDG

Address: 16031 SE JOHNSON RD, CLACKAMAS, OR 97015

Inspection Date	Inspection Type	Inspector	Status	Comments
8/4/2015 1:34:42 PM	200 Footings	Robert Fix	Approved w/Conditions	Date: 8/4/2015 Remove loose soils prior to placement of concrete Maintain set back as per approved
1/29/2016 8:30:38 AM	210 Flatwork	Robert Fix	Approved	
7/25/2023 12:00:00 AM	298 Mechanical Final	Don Countryman	Approved	Lopi Answer -NT woodstove in pole barn.