



NOTICE OF HEARING

July 19, 2023

Thomas Hutton
54290 E Alder Heights
Sandy, OR 97055

RE:: County of Clackamas v. Thomas Hutton
File: V0022622

Hearing Date: September 26, 2023

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 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 TOMHUTTON21@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 or 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact Jennifer Kauppi at 503-742-4759 **within 3 calendar days of receipt of the Notice of Hearing**.

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

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

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

Please click this URL to join.

<https://clackamascounty.zoom.us/j/83388929510?pwd=aDk1VXc2ckdxQXBwVVRlY2lvbVJlQT09>

Passcode: 963208

Or One tap mobile:

+13462487799,,83388929510# US (Houston)

+14086380968,,83388929510# 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 +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 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

Webinar ID: 833 8892 9510

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

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ДОБРО ПОЖАЛОВАТЬ! Russian

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欢迎! Chinese (Mandarin)

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CHÀO MỪNG! Vietnamese

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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.

THOMAS HUTTON,

Respondent.

File No: V0022622

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 54290 E Alder Heights, Sandy, OR 97055.

2.

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

No situs also known as T2S, R6E, Section 20CC, Tax Lot 01002, and is located in Clackamas County, Oregon.

3.

On or about the 13th day of June, 2023 the Respondent violated the following laws, in the following ways:

- a. Respondent violated the Clackamas County Zoning and Development Ordinance, Section 316.03(A) by failing to establish a primary use on the subject property for the accessory structures and personal items on the subject property. This violation is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.

- b. Respondent violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved permits and approved final inspections for the accessory structures built without permits. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violations was given to Respondent in the following manner: Administrative Citation #2200226 in the amount of \$700.00 was mailed via first class mail on June 14, 2023. A copy of the notice document is attached to this Complaint as Exhibit J, 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 Zoning and Development Ordinance Priority 4 violation being

\$100.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code. Said range for a Building Code Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code.

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

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

and

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

DATED THIS 17 day of July, 2023.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

THOMAS HUTTON

Respondent.

File No.: V0022622

STATEMENT OF PROOF

History of Events and Exhibits:

- June 3, 2022 Clackamas County received a complaint regarding accessory structures built without permits and converted to habitable space and a tow truck business operating without land use approval.
- June 6, 2022 Correspondence was sent to the Respondent regarding the alleged violations. Exhibit A The correspondence was sent to the mailing address on file and was returned to the County as having no mail receptacle and no forwarding address.
- June 14, 2022 I conducted a site inspection in order post the correspondence to the Exhibit B property. I observed several vehicles, a large trailer and a tow truck onsite. I posted the correspondence to the gate.
- June 21, 2022 I received a phone call from the Respondent after the neighbor whose gate I Exhibit C posted the letter to gave the correspondence to the Respondent. The Respondent stated that he was not living in the accessory structure. He uses a generator for electrical and has a water tank on site that he draws water from. The accessory structures are being used a storage of his personal belongings and no business is operating from this location. The Respondent also provided me an email address and good mailing address for future correspondence. That mailing address is PO Box 1596, Sandy, OR 97055. I told the Respondent that I would research the permit history of the property to determine the next steps.
- June 21, 2022 I researched the permit history and tax assessor records. The tax assessor Exhibit C records show that the dwelling on the subject property had been removed. I found no permit history for the accessory structure.
- June 30, 2022 I emailed the Respondent to let him know what I found from my research Exhibit D and what the next steps for abating the violation would be.
- July 12, 2022 I conducted a site inspection on the subject property. The Respondent did Exhibit E not meet me on site to determine if the accessory structure was not being lived in. I took photos of the outside of the property. Several cars, miscellaneous debris and what appears to be a new carport area were found on site.

July 19, 2022
Exhibit F
Myself and Building Inspector Robert Fix met with the Respondent onsite. I confirmed that the accessory structure was not being lived in. There was a camper onsite, however, that was in a stored condition. I explained to the Respondent that he would have to establish a primary use on the subject property first. Once the primary use was established, he would then have to permit the accessory structure.

November 7, 2022
Exhibit G
Correspondence was sent to the Respondent with a deadline of May 7, 2023 to abate the violation. The correspondence was sent to the mailing address on file and the address that was provided by the Respondent. The correspondence was not returned to the County.

May 2, 2023
Exhibit H
I conducted a site inspection. The property was in the same condition with the addition of some screening placed in front to try and block the view.

May 11, 2023
Exhibit I
Correspondence was sent to the Respondent with a deadline of June 11, 2023 to abate the Building Code and Zoning and Development Ordinance violations. The correspondence was sent first class mail to the mailing address on file and to the address provided by the Respondent. The correspondence was not returned to the County.

June 14, 2023
Exhibit J
I reviewed County records and found no permits had been submitted for a primary residence or the accessory structure. Citation 2200226 was issued for \$500.00 for the Priority 1 Building Code violation and \$200.00 for the Priority 4 Zoning and Development Ordinance violation for a total of \$700.00. The citation was sent first class mail to the mailing address on file and a copy was sent to the mailing address that was provided by the Respondent and I emailed a copy to the Respondent. The citation was not returned to the County and remains unpaid.

July 14, 2023
I reviewed County records and found no permits had been submitted to the County for a primary residence or the accessory structure.

July 17, 2023
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, Section 316.03(A) 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 Zoning and Development Ordinance and Building Code within 45 days of the date of the Order by submitting technically complete plans for a primary residence and the accessory structure onsite. All requests for additional plan review information must be responded to within 10 days of notification. The primary residence permits and accessory structure must be paid for within 10 days of being notified that the permit is ready to be issued. The primary residence must receive approved final inspections including a certificate of occupancy within 6 months of permits being issued. Once there is a legally established primary dwelling, the Respondent will have another 6 months to complete the required inspections on the accessory structure including an approved final inspection. All vehicles and miscellaneous debris that is currently being stored outside must be removed from the subject property within 30 days of the date of the order until such time as a primary use is legally established.

OR

- Submit a complete demolition permit application for the removal of the accessory structure(s) on site within 30 days of the date of the order. All requests for additional plan review information must be responded to within 10 days of notification and the demolition permit to be paid for within 10 days of being notified the permit is ready to be issued. All vehicles, miscellaneous debris, trailers, tools, vehicle parts and the debris from the accessory structure that is being demolished must be removed from the subject property within 60 days of the demolition permit being issued. Code Enforcement to confirm the removal of the accessory structure and all solid waste from the subject property.
- Code Enforcement to confirm compliance of the above item and the County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent.
- The report may include the following recommendations:
- The imposition of civil penalties for the Building Code violation of up to \$1,000.00 for date cited June 14, 2023
- The imposition of civil penalties for the Zoning and Development Ordinance violation of up to \$1,000.00 for date cited June 14, 2023.
- Payment for Citation No. 2200226 issued on June 14, 2023 for \$700.00.
- The administrative compliance fee to be imposed from November, 2022 until the violation is abated. As of this report the total is \$600.00.
- 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.



June 6, 2022

Thomas Hutton
54290 E Alder Heights
Sandy, OR 97055

**Subject: Alleged Violations of the Zoning and Development Ordinance,
Title 12, Section 316 and the Building Code, Chapter 9.02.040
of the Clackamas County Code**

Site Address: No Situs - E Alder Heights Dr
Legal Description: T2S, R6E, Section 20CC, Tax Lot 01002

It has come to the attention of Clackamas County Code Enforcement that a commercial business may be operating from the above referenced property without land use approval. In addition, an accessory buildings may have been constructed without the benefit of permits and converted into habitable space.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 316 and the Building Code, Chapter 9.02.040 of the Clackamas County Code.

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

E-mail address is JKauppi@clackamas.us

Telephone number is 503-742-4759

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

Department of Transportation and Development

Nondiscrimination Policy:

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DEVELOPMENT SERVICES BUILDING
CODE ENFORCEMENT DIVISION
150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

9705586707 R004

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



US POSTAGE MPITNEY BOWES



ZIP 97045 \$ 000.42⁶
02 1W
0001404531 JUN 06 2022

nma

Thomas Hutton
54290 E Alder Heights
Sandy, OR 97055

NIXIE 971 DE 1 0006/12/22

RETURN TO SENDER
NO MAIL RECEIPTABLE
UNABLE TO FORWARD

BC: 97045430250 *1579-06509-12-19

NMR

~~CMEN585 97055 2~~

~~999 20116 20116 2049~~



June 6, 2022

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54290 E Alder Heights
Sandy, OR 97055

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54290 E Alder Heights Dr, Sandy, OR 97055

\$206,640

Redfin Estimate

—

Beds

—

Baths

1.24

Acres (Lot)



Off Market

This home last sold for \$210,000 on Jan 28, 2022.

About This Home

Huge 2200 sq ft shop building. Cement floors, 1.24 acres. Property is tiered, has buildable spots and with approved septic system. Bring in a manufactured home or build. Views of the area, winter sports, outdoor activities, secluded. Property is located off hwy 26 with road access from Alder Heights.

Listed by Grant Baker · Century 21 Northstar

Redfin checked: [5 minutes ago](#) (May 5, 2023 at 2:23pm) · Source: RMLS #21296529 [RMLS](#)

Bought with Darlene Walczyk · Walczyk Associates Realty

© 2021



© 2021



© 2021



© 2021



BUILDING DIAGRAM

TORN
DOWN
DM



2-2



ADMINISTRATIVE INFORMATION

PARCEL NUMBER
00707079
Parent Parcel Number

OWNERSHIP

DOTSON RONALD STEVEN
54276 E ALDER HEIGHTS RD, SANDY, OR, 97055,

Tax ID 26E20CC01002

TRANSFER OF OWNERSHIP

Printed 07/18/2000 Card No. 1 of 1

Date

Property Address
NO SITUS, ADDRESS, OR, USA

490 ALDER CRK SUMMER HMS PT LT 81

Neighborhood
16051 SANDY EAST TO ALDERCRK 100,101

Property Class
100 100 Residential Land Only

TAXING DISTRICT INFORMATION

Jurisdiction 003
Area 001

RESIDENTIAL

VALUATION RECORD

Assessment Year 01/01/1999 01/01/2000

Reason for Change

Reval

VALUATION	L	35890	37170
0	B	0	0
	T	35890	37170
VALUATION	L	35890	37170
0	B	0	0
	T	35890	37170

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres:
0.0000

23 RURAL ACRES

Rating Measured Table Prod. Factor
Soil ID Acreage -or-
-or- -or- Depth Factor
Actual Effective Effective -or-
Frontage Frontage Depth Square Feet

LAND DATA AND CALCULATIONS

Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
5000.00	5000.00	5850 1	721% 4 -40% L 29%	37170

NOR: Note of Record
E = TOPO ADJ RE -EVALUATE IF DEVELOPED

37170

Supplemental Cards
TOTAL LAND VALUE

37170

Kauppi, Jennifer

From: Kauppi, Jennifer
Sent: Thursday, June 30, 2022 12:51 PM
To: 'TOMHUTTON21@GMAIL.COM'
Subject: v0022622 - E Alder Heights

Importance: High

Tom,

After further review of the property, the following is what will need to occur.

The accessory structure on the property has no permit history. In addition, there is no primary residence on the property. The report was that there is a pop up camper on the site in addition the accessory structure may have been converted to habitable space. From our discussion on the phone, a person cannot live in a camper on the property or inside an unpermitted accessory structure. In order to abate the following, the following will have to occur.

1. I will conduct a site inspection of the property including the inside of the accessory structure to verify there is no habitable use inside the structure nor is there camping occurring on the property.
2. Before you can address the accessory structure, you will be required to establish a primary residence on the property. I can provide you some time to figure out what you would like to do for the residence. That timeframe will probably be around 6 months.
3. From 6 mo- 1 yr you will be required to move forward with either placement of a manufactured home or stick built home.

I have scheduled the site visit for Tuesday July 12th. I know this is a lot of information and I would be happy to discuss this further with you.

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 and Friday 8:00 am – 3:00 pm

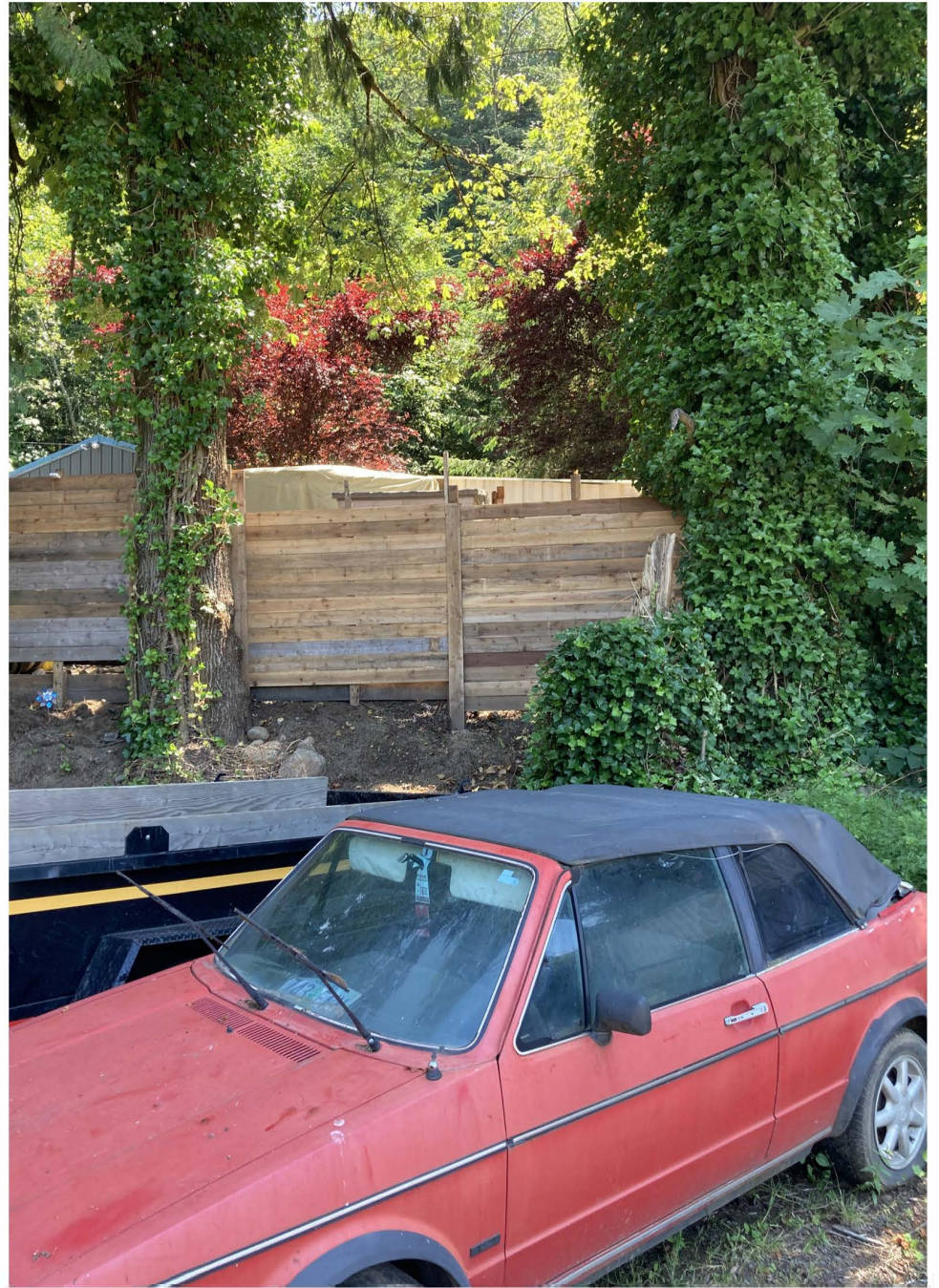
Were you happy with the service you received today?



CLICK A SMILEY

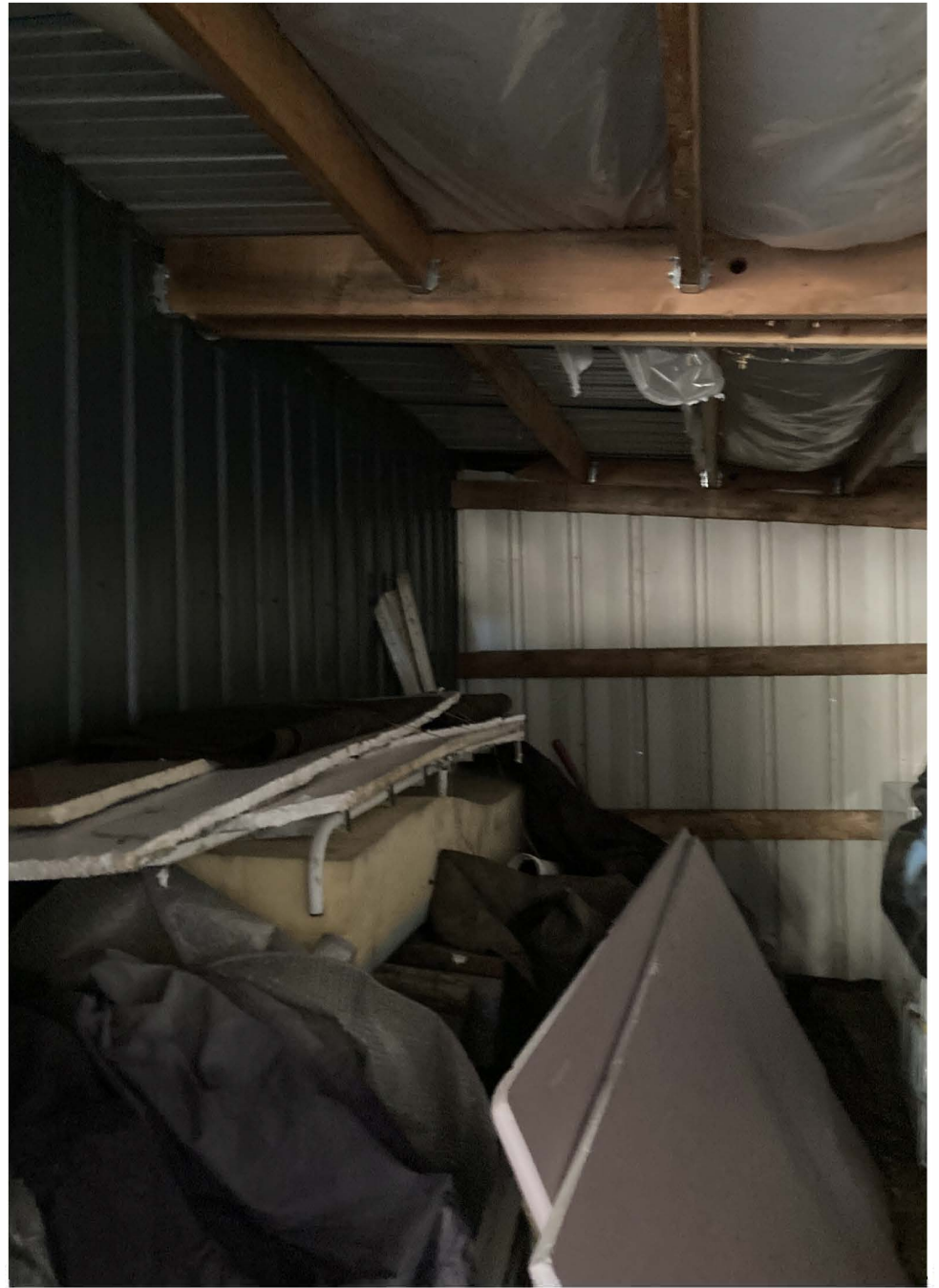




















November 7, 2022

Thomas Hutton
54290 E Alder Heights
Sandy, OR 97055

Thomas Hutton
PO Box 1596
Sandy, OR 97055

SUBJECT: Violation of Clackamas County Building Code, Title 9.02.040 (E)

SITE ADDRESS: No Situs

LEGAL DESCRIPTION: T2S, R6E, Section 20CC, Tax Lot 01002

VIOLATION: V0022622

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

- Accessory structures built without permits

VIOLATIONS & HOW TO RESOLVE

Accessory structures built without permits

The accessory structures located on the subject property were built without permits. Upon review of the property and a site visit conducted on July 19, 2022 it was also determined that there is no primary use on the subject property. Because there is not a legally established primary dwelling on the property, the accessory structures would not be allowed to remain on site. In order to abate the violation, you must complete one of the following **no later than May 7, 2023**.

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s) for a single family residence or manufactured home and both accessory structures. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
 - All requests for additional information regarding plan review must be responded to within 10 days of being notified.
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

*****PLEASE NOTE***** – The plans for the primary dwelling must be submitted first and issued before the accessory permits will be issued.***

Or.

- You may abate the violation by submitting an application to demolish both of the accessory structures.
 - All requests for additional information regarding plan review must be responded to within 10 days of being notified
 - 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 structures to an authorized disposal facility **within 30 days** from the date the demolition permit is issued.

******I would recommend contacting the Planning, Building and Septic departments to understand what requirements or limitations you may have on the property to establish a primary dwelling******

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.

Septic - If you have questions concerning permitting requirements please contact the septic department at 503-742-4700 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 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: (Name, Address, Zip)

Thomas A. Hutton
54290 E Alder Heights
Sandy, OR 97055

Until requested otherwise, send all tax statements to:
Same as above

GRANTOR:

Robin L. Dean
54290 E Alder Heights
Sandy, OR 97055

GRANTEE:

Thomas A. Hutton
17624 Front St NE
Hubbard, OR 97032

Clackamas County Official Records
Sherry Hall, County Clerk

2022-006071

01/28/2022 10:18:01 AM

D-D Cnt=1 Stn=7 LISA
\$10.00 \$16.00 \$10.00 \$62.00

\$98.00

FILE NO: 1446627

TAX ACCOUNT NO:

Space Above Reserved for Recorder's Use

STATUTORY WARRANTY DEED
(Individual Grantor)

Robin L. Dean, Grantor, conveys and warrants to Thomas A. Hutton, Grantee, the following described real property free of encumbrances, except as specifically set forth herein, situated in Clackamas County, State of Oregon, to wit **26E20CC01002 00707079**

Lot 81, ALDER CREEK SUMMER HOMES, in the County of Clackamas and State of Oregon.

EXCEPTING THEREFORM that tract of land conveyed to the State of Oregon, by and through its State Highway Commission by Deed recorded February 8, 1957 in Book 521, Page 663.

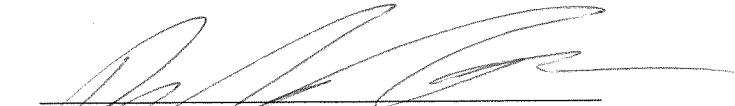
Subject to and excepting: Covenants, Conditions, Restrictions and Easements of record.

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

The true and actual consideration for this conveyance is \$210,000.00. (Here, comply with the requirements of ORS 93.030.)

STEWART TITLE 1446627

Dated this 26 day of January, 2022

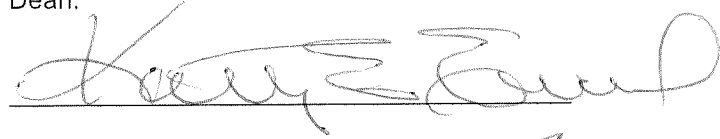


Robin L. Dean

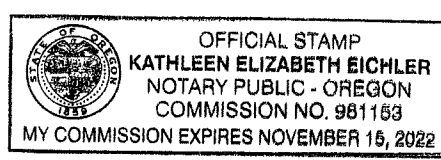
State of Oregon

County of Clatsop

This record was acknowledged before me on this 26 day of Jan, 2022 by Robin L. Dean.



Notary Public
My Commission Expires: 11/15/22











UPDATED VIOLATION NOTICE

May 11, 2023

Thomas Hutton
54290 E Alder Heights
Sandy, OR 97055

Thomas Hutton
PO Box 1596
Sandy, OR 97055

SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (E) and Zoning and Development Ordinance, Title 12, Section 316.03(A)

VIOLATION: V0022622

SITE ADDRESS: No Situs

LEGAL DESCRIPTION: T2S, R6E, Section 20CC, Tax Lot 01002

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

- Accessory structures on site without a primary use
- Accessory structures built without permits
- Storage of personal items on the subject property without a primary use

VIOLATIONS & HOW TO RESOLVE

On July 19, 2022 I met with you on the subject property to discuss the alleged violation of an occupied recreational vehicle and accessory structures built without permits. During that site visit I found the recreational vehicle on site did not appear occupied as much of the front of the recreational vehicle had been partially removed. We discussed at that time that the accessory structures on site had been built without building permits. In addition the subject property does not have an established primary residence.

On November 7, 2022 correspondence was sent to you with a deadline of May 7, 2023 to submit plans to establish a primary residence on the property or to submit demolition permits to remove the accessory structures.

On May 5, 2022 I conducted a site inspection and found the accessory structures remained on the subject property. A review of County records found no permit had been submitted to establish a primary residence nor demolition permits to remove the unpermitted structures. Because there is no primary use on the property and the accessory structures were built without permits, 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 must be removed from the subject property to an authorized location. The accessory structures on site cannot be used as

storage and all items inside these structures must be removed from the property. An accessory use without a primary use, constructing accessory structures without permits and an accumulation of solid waste on the subject property without a primary use constitutes violations of Clackamas County Code Title 9.02.040 (E), Zoning and Development Ordinance, Section 316.03(A) and the Solid Waste and Waste Management Code, Title 10, Chapters 10.03.060 (A) and (B). In order to abate the violation(s), you must complete the following **no later than June 11, 2023**: Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>

Establish a Primary Use and Accessory Structures

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s) for a single family residence or manufactured home and both accessory structures. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
 - All requests for additional information regarding plan review must be responded to within 10 days of being notified.
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - Please schedule all inspections so that final inspections may be obtained not later than 60 days of the date of receipt of your approved permit(s).

*****PLEASE NOTE***** – The plans for the primary dwelling must be submitted first and issued before the accessory permits will be issued.***

Or:

- You may abate the violation by submitting an application to demolish both of the accessory structures.
 - All requests for additional information regarding plan review must be responded to within 10 days of being notified
 - 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 structures to an authorized disposal facility **within 30 days** from the date the demolition permit is issued.
 - Notify Code Enforcement to schedule a site inspection to confirm the removal of the

******I would recommend contacting the Planning, Building and Septic departments to understand what requirements or limitations you may have on the property to establish a primary dwelling******

Storage of Personal Property

- Remove all items including but not limited to all personal items, appliances, equipment and furniture; vehicles, vehicle parts; tires; scrap metal from the subject property and from inside accessory structures until such time as a primary use is legally established.

CONTACT INFORMATION

Building – If you have questions concerning permitting requirements please contact the building department at 503-742-4240 or on-line at bldservice@clackamas.us.

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.

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, Septic and Code Enforcement Offices at the Development Services Building, 150 Beavercreek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday. Our offices are 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.
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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. 2200226

Case No. V0022622

ADMINISTRATIVE CITATION

Date Issued: June 14, 2023

Name and Address of Person(s) Cited:

Name: Thomas Hutton
Mailing Address: 54290 E Alder Heights
City, State, Zip: Sandy, OR 97055

Date Violation(s) Confirmed: On the 13th day of June, 2023, the person(s) cited committed or allowed to be committed, the violation(s) of law described below, at the following address:

Address of Violation(s): No Situs

Legal Description: T2S, R6E Section 20CC, Tax Lot(s) 01002

Law(s) Violated:

- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (E)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 316.03(A)

Description of the violation(s):

- 1) Accessory structures and storage of personal items on the subject property without a primary use.

Maximum Civil Penalty \$1,000.00 Fine \$200.00

- 2) Accessory structures built without approved permits or approved final inspections.

Maximum Civil Penalty \$1,000.00 Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$700.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

I hereby certify under penalties provided by ORS 153.990 that I have reasonable grounds to and do believe that the above person(s) committed or allowed to be committed the violation(s) described on this form.

Citation issued by: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: June 14, 2023
Department Initiating Enforcement Action: Code Enforcement

Kauppi, Jennifer

From: Kauppi, Jennifer
Sent: Wednesday, June 14, 2023 9:53 AM
To: 'TOMHUTTON21@GMAIL.COM'
Subject: V0022622 - Alder Heights Violation
Attachments: 23-06-14 Citation 2200226.pdf

Tom,

Hello. Please see the attached citation that has been issued to the property. A copy of the citation is going out in the mail today to both the mailing address on file and the PO Box 1596 that you provided me.

If you have any questions, please let me know.

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.

Were you happy with the service you received today?



CLICK A SMILEY