



## NOTICE OF HEARING

June 27, 2024

John and Geraldine Johnson Trustee  
42400 SE Oral Hull Rd  
Sandy, OR 97055

**RE::** County of Clackamas v. John and Geraldine Johnson Trustee  
**File:** V0029622

**Hearing Date:** July 23, 2024

**Time:** This item will not begin before 12:30 pm 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 or 503-348-4692, 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 20<sup>th</sup> 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 [jonger@verizon.com](mailto:jonger@verizon.com), a copy of the link is provided below.

If you would like to present evidence at the Hearing please email [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) or mail your evidence to Jennifer Kauppi at 150 Beaver Creek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

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

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

**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/82615012424?pwd=QtTY4bJ9NULQbTE0hFdcPjTSN2JRIZ.1>

Passcode: 800960

Or One tap mobile:

+12532050468,,82615012424#,,,,\*800960# US

+12532158782,,82615012424#,,,,\*800960# US (Tacoma)

Or join by phone:

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

US: +1 253 205 0468 or +1 253 215 8782 or +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 +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 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

Webinar ID: 826 1501 2424

Passcode: 800960

International numbers available: <https://clackamascounty.zoom.us/j/kcvLyDj8zl>

Or an H.323/SIP room system:



**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

H.323:

- 162.255.37.11 (US West)
- 162.255.36.11 (US East)
- 115.114.131.7 (India Mumbai)
- 115.114.115.7 (India Hyderabad)
- 213.19.144.110 (Amsterdam Netherlands)
- 213.244.140.110 (Germany)
- 103.122.166.55 (Australia Sydney)
- 103.122.167.55 (Australia Melbourne)
- 149.137.40.110 (Singapore)
- 64.211.144.160 (Brazil)
- 159.124.132.243 (Mexico)
- 159.124.168.213 (Canada Toronto)
- 65.39.152.160 (Canada Vancouver)
- 207.226.132.110 (Japan Tokyo)
- 149.137.24.110 (Japan Osaka)

Webinar ID: 826 1501 2424

Passcode: 800960

SIP: [82615012424@zoomcrc.com](mailto:82615012424@zoomcrc.com)

Passcode: 800960

## 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](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), envíe un correo electrónico a [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), отправьте письмо на адрес эл. почты [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto: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/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto: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.

JOHN AND GERALDINE JOHNSON  
TRUSTEE,

Respondents.

File No: V0029622

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 151, Sandy, OR 97055.

2.

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

42400 SE Oral Hull Rd., Sandy, OR 97055 also known as T2S, R5E, Section 17, Tax Lot 04500,  
and is located in Clackamas County, Oregon.

3.

On or about the 3rd day of August, 2022 and on or about the 22nd day of June,  
2023 the Respondents violated the following law, in the following ways:

- a. Respondents violated the Clackamas County Zoning and Development Ordinance,  
Section 1204.04(C)(a) by failing to meet the conditions of approval for land use decision  
Z0519-22. This violation is a Priority 2 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: Notice of Violation Administrative mailed on August 3, 2022 and Citation #2200296-1 in the amount of \$400.00 was mailed via first class mail on June 22, 2023. A copy of the notice document is attached to this Complaint as Exhibit B and Exhibit E, and incorporated by this reference.

6.

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

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

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;
2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Zoning and Development Code Priority 2 violation being \$400.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code
3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

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

and

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

DATED THIS 31 day of June 13, 2024



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Jennifer Kauppi  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY



COUNTY OF CLACKAMAS,

Petitioner,

JOHN AND GERALDINE JOHNSON  
TRUSTEE

Respondents.

File No.: V0029622

STATEMENT OF PROOF

History of Events and Exhibits:

July 25, 2022	Clackamas County received a complaint regarding two occupied recreational vehicles on the subject property.
July 25, 2022 Exhibit A	Correspondence was sent to the Respondents regarding the alleged violation.
July 29, 2022	John contacted me by phone to discuss the correspondence he received in the mail. John confirmed that there were two occupied recreational vehicles on the property.
August 3, 2022 Exhibit B	Correspondence was sent to the Respondents with a deadline of September 15, 2022 to abate the Zoning and Development Ordinance violation. If the land use was approved, the Respondents had 30 days to meet the conditions of approval.
August 29, 2022	John called me to provide an update regarding the violation. One of the recreational vehicles had been removed from the property. John wanted to apply for a Temporary for Care permit for the remaining occupied recreational vehicle.
October 31, 2022 Exhibit C	Z0519-22 was applied for the Temporary for Care permit. On December 12, 2022 Z0519-22 was approved by the County.
January 25, 2023 Exhibit D	I reviewed County records and found that the Conditions of Approval requiring the Respondent to submit a Septic Authorization had not been completed. Correspondence was mailed to the Respondents with a deadline of February 25, 2023 to abate the violation.
May 23, 2023	I reviewed County records and found no Septic Authorization had been submitted. Citation 2200296 was issued on May 23, 2023 in the amount of \$500.00 for the Priority 2 Zoning and Development Ordinance violation. This citation was sent first class mail and was not returned. After reviewing the Citation during the preparation of this hearing packet, it was determined staff cited the Priority 2 violation as a Priority 1 violation. Citation 2200296 was voided.

June 22, 2023  
Exhibit E Citation 2200296-1 was issued for \$400.00 for the Priority 2 Zoning and Development Ordinance violation. The citation was sent first class mail and was not returned to the County. This citation remains unpaid.

July 13, 2023  
Exhibit F John contacted me to ask what was required in order to abate the violation. I mailed John a copy of the original information that was sent to him on March 31, 2023 by Kristi Bruck in the Septic Department. I also included a copy of the LUCS and Septic Authorization Notice.

November 16, 2023  
Exhibit G Septic permit ST051823 was issued in order to connect the approved recreational vehicle to the septic system in order to meet the conditions of approval.

December 12, 2023  
Exhibit H I emailed the septic contractor to ask for an update on when the septic connection for the hardship would be completed. The contractor indicated that Mr. Johnson had paid for the material

June 11, 2024  
Exhibit I I emailed the Septic department to determine if ST051823 had received an inspection for this permit. Per the Septic department, no inspections had been obtained.

June 13, 2024 This matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Zoning and Development Ordinance Title 12, Section 1204.04(C)(1) exists, the County may request a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Zoning and Development Ordinance within 30 days of the date of the Order by obtaining an approved final inspection for septic permit ST051823.
- Code Enforcement to confirm compliance of the above item and the County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondents.
- The report may include the following recommendations:
- The imposition of civil penalties for the Zoning and Development Ordinance violation of up to \$2,500.00 for date cited June 22, 2023.
- Payment for Citation No. 2200296-1 issued on June 22, 2023 for \$400.00.
- The administrative compliance fee calculated at \$75.00 per month from August, 2022 totals \$1,650.00. The County is requesting a reduction of Administrative Compliance Fees in the amount of \$450.00 for a total amount due of \$1,200.00. This is a reasonable estimate of the cost of this enforcement matter.
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.



July 25, 2022

John and Geraldine Johnson Trustee  
PO Box 151  
Sandy, OR 97055

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

Site Address: 42400 SE Oral Hull Rd., Sandy, OR 97055  
Legal Description: T2S, R5E, Section17, Tax Lot 04500

It has come to the attention of Clackamas County Code Enforcement that unauthorized occupied recreational vehicles may exist on the above referenced property.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 316 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](mailto: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

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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](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto: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](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) hoặc gọi điện thoại theo số 503-742-4452.

**환영합니다.** Korean

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August 3, 2022

John and Geraldine Johnson Trustee  
PO Box 151  
Sandy, OR 97055

**SUBJECT: Violation of Clackamas County Zoning and Development Ordinance,  
Title 12, Section 316.03 (A)**

**SITE ADDRESS:** 42400 SE Oral Hull Rd., Sandy, OR 97055

**LEGAL DESCRIPTION:** T2S, R5E, Section 17, Tax Lot 04500

**VIOLATION:** V0029622

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

- Unauthorized occupied recreational vehicles

### **VIOLATIONS & HOW TO RESOLVE**

I spoke with you on July 29<sup>th</sup> regarding the alleged violation of the unauthorized occupied recreational vehicles. You confirmed during that conversation that there are currently two occupied recreational vehicles on the subject property. You had also expressed that a temporary for care for one of the recreational vehicles may be an option for you. Unauthorized occupied recreational vehicles constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 316.03 (A). In order to abate the violation, you must complete one of the following **no later than September 15, 2022**:

### **Occupied Recreational Vehicles**

- You must submit a completed land use application and pay the application fee for a Temporary Dwelling for Care permit.
  - If approved, you will have 30 days from the date of the land use decision to meet the conditions of approval, including but not limited to obtaining approved permits and approved final inspections for any required utility hookups for the placement of the recreational vehicle.
- The recreational that does not belong to you must be removed from the subject property **no later than September 15, 2022**.

**OR**

- If you choose not to apply for land use approval or land use approval is denied both unauthorized occupied recreational vehicles must be removed from the property to an authorized location and schedule a site inspection to confirm.

**CONTACT INFORMATION**

Per your request, the contact information for the Board of County Commissioners – [bcc@clackamas.us](mailto:bcc@clackamas.us) or 503-655-8581.

**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](mailto: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](mailto: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. Staff is available **by phone only** on Fridays from 8:00 a.m. to 3:00 p.m.

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



SEND TAX STATEMENTS TO AND  
AFTER RECORDING RETURN TO:  
John A. Johnson, Trustee  
Geraldine I. Johnson, Trustee  
PO Box 151  
Sandy, OR 97055

Clackamas County Official Records	<b>2017-066832</b>
Sherry Hall, County Clerk	10/02/2017 10:06:00 AM
D-D	Cnt=1 Stn=0 LESLIE
\$10.00 \$16.00 \$10.00 \$22.00	<b>\$58.00</b>

### BARGAIN AND SALE DEED

JOHN A. JOHNSON and GERALDINE I. JOHNSON, formerly known as GERALDINE WINSLOW, Grantors, convey to JOHN A. JOHNSON and GERALDINE I. JOHNSON, TRUSTEES, OR THEIR SUCCESSESOR IN TRUST, UNDER THE JOHNSON FAMILY TRUST DATED SEPTEMBER 29, 2017, Grantee, all their right, title and interest in the following described real property situated in Clackamas County, Oregon, to wit:

Tract #2 of Fly-In Estates, Clackamas County, Oregon, more fully described in Exhibit A attached hereto.

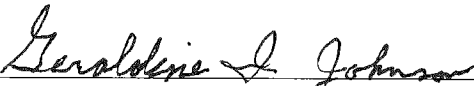
Commonly known as 42400 SE Oral Hull Road, Sandy, OR 97055

The true consideration for this conveyance is \$00.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

*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. 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 OF 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.*

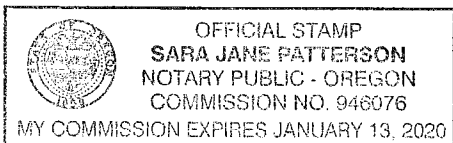
Dated 9/29/17

  
JOHN A. JOHNSON

  
GERALDINE I. JOHNSON, formerly known  
as Geraldine Winslow

STATE OF OREGON, County of Multnomah ) ss.

On Sept. 29, 2017, personally appeared the above named JOHN A. JOHNSON and GERALDINE I JOHNSON and acknowledged the foregoing instrument to be their voluntary act and deed.



  
Notary Public for Oregon

EXHIBIT A

IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON

A tract of land in the northwest one-quarter of Section 17, Township 2 South, Range 5 East, described as follows:

**25E17 04500**

**00690158**

Beginning at the northwest corner of the southwest one-quarter of the northwest one-quarter of said Section 17; thence South  $7^{\circ} 08' 50''$  East along the west line of said Section 17 and the center of the County Road 531.73 feet; thence South  $87^{\circ} 57' 30''$  East 613.11 feet to the northeast corner of the certain tract sold on contract to Robert J. Willis, Jr., et ux. recorded October 8, 1968, Fee No. 68-20679 and the true point of beginning; thence North  $2^{\circ} 04' 50''$  East 524.92 feet, more or less, to the center of the County Road; thence North  $87^{\circ} 57' 30''$  West along the center of said road 342 feet; thence South  $2^{\circ} 04' 50''$  West 524.92 feet, more or less, to a point on the north line of said Willis tract; thence South  $87^{\circ} 57' 30''$  East along the north line of said Willis tract to the true point of beginning.

EXCEPTING THEREFROM that portion lying within the boundaries of public roads.

**TD**



**NOTICE OF DECISION ON A TYPE II LAND USE PERMIT**

**Decision:** Approved with Conditions

**Permit Type:** Temporary Dwelling for Care

**File No.** Z0519-22-STC

**Proposal:** The applicant is proposing to a permit for a Temporary Dwelling for Care for the temporary placement of a 5<sup>th</sup> wheel trailer, in addition to the primary dwelling, in the provision of care to a family member. The family member, who requires care due to age-related and medical conditions, would reside in the temporary trailer/dwelling. The care providers and property owners will reside in the permanent dwelling.

**Decision Date:** December 12, 2022

**Deadline for Filing Appeal:** December 27, 2022, at 4:00 pm.

Unless appealed, this decision is effective on December 28, 2022.

**Issued By:** Clay Glasgow, Sr. Planner, ClayGla@clackamas.us

**Assessor's Map & Tax Lot(s):** T2S, R5E, Section 17, Tax Lot 4500

**Site Address:** 42400 SE Oral Hull Raod

**Applicant:** John Johnson

**Owner of Property:** same

**Zoning:** RRFF-5, Rural Residential Farm Forest

**Community Planning Organization (CPO) for Area:**

Firwood CPO; Marge Stewart, 503 668-8797

Community Planning Organizations (CPOs) are part of the county's community involvement program. They are advisory to the Board of County Commissioners, Planning Commission and Planning and Zoning Division on land use matters affecting their communities. CPOs are notified of proposed land use actions and decisions on land within their boundaries and may review these applications, provide recommendations or file appeals. If this CPO currently is inactive and you are interested in becoming involved in land use planning in your area, please contact Clackamas County Community Engagement at 503-655-8751.

2. Approval Period & Renewal: Approval of this renewal Temporary Dwelling for Care application is valid for three (3) years from the date of the final written decision. The permit may be renewed, subject to review as a Type II application pursuant to Section 1307, for a period not to exceed three (3) years. The permit may be renewed an unlimited number of times.
3. **Within 30 days of the date of this decision, the applicant shall contact the County's Septic & Onsite Wastewater Program at 503-742-4740 or [SoilsConcern@clackamas.us](mailto:SoilsConcern@clackamas.us) to apply for an Authorization Notice.** Any septic system that serves a single-family dwelling and is connected to the temporary dwelling must be reviewed every five years, in accordance with state law to ensure that the system is functioning, safe and properly maintained. The last documented Authorization
4. The temporary dwelling shall be occupied by Valari Kasop Lidia Kasop, the care provider. The permanent dwelling shall be occupied by Geraldine Johnson, the care recipient, along with John Johnson.
5. The temporary dwelling shall comply with the minimum yard depth standards for primary buildings in the RRFF-5 zoning district.
6. Utilities / Services: An exception to the utility service standards was authorized for the proposed Temporary Dwelling for Care.
7. Driveway access: The temporary dwelling shall use the same driveway entrance as the permanent dwelling.
8. Setbacks: The temporary dwelling shall comply with the primary structure setback standards of the underlying RRFF-5 zoning district.
9. Separation Distance: The temporary dwelling shall be located within 100 feet of the permanent dwelling (measured from the closest portion of each structure).
10. Deed Statement: A written statement shall be recorded in the County deed records that recognizes that the temporary dwelling approved pursuant to Subsection 1204.04 is temporary and that the temporary permit is not transferable when the property is conveyed to another party.
11. Rental Income: The temporary dwelling shall not be a source of rental income.
12. Removal / Storage: If the temporary dwelling is a manufactured dwelling or residential trailer, it shall be removed from the subject lot, parcel, or tract within 90 days of when the permit expires or the need for care ceases, whichever first occurs. An exception to this provision may be granted if a temporary manufactured dwelling is converted to a permanent dwelling. Such a conversion shall only be allowed if the temporary dwelling complies with all applicable requirements for a permanent dwelling, and if the conversion will not result in the subject lot, parcel, or tract's violating the density standards of the underlying zoning district. If the temporary dwelling is a recreational vehicle, it shall be removed from the subject lot, parcel, or tract or placed in a stored condition when the permit expires or the need for care ceases, whichever first occurs. It is a



January 25, 2023

John and Geraldine Johnson Trustee  
PO Box 151  
Sandy, OR 97055

**SUBJECT: Violation of Clackamas County Zoning and Development Ordinance,  
Title 12, Section 1204.04(C)(1)**

**SITE ADDRESS:** 42400 SE Oral Hull Rd., Sandy, OR 97055

**LEGAL DESCRIPTION:** T2S, R5E, Section 17, Tax Lot 04500

**VIOLATION:** V0029622

### **VIOLATIONS & HOW TO RESOLVE**

On December 12, 2022 Clackamas County Planning and Zoning Division approved a Temporary Dwelling for Care permit, Z0519-22 to house a caregiver for yourself.

One of the conditions of approval required you to obtain a Septic Authorization no later than 30 days from the date of the land use approval. As of the date of this notice, the Septic Authorization has not been obtained. This constitutes a violation of Section 1204.04(C)(1) of the Clackamas County Zoning and Development Ordinance.

In order to abate the violation please complete the following **no later than February 25, 2023**.

- Please submit a technically complete application packet for an Authorization Notice and the required fee of \$355.00 to the Septic and Onsite Wastewater Program.
- Complete all required inspections no later than 30 days from the date of the approved Authorization Notice.

## **CONTACT INFORMATION**

**Septic** – If you have questions concerning Septic requirements or the application process, please contact the Septic Department at 503-742-4740 or on-line at [Soilsconcern@clackamas.us](mailto: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, Tuesday and Thursday. Staff is available **by phone or email only** on Wednesdays 8:00 am to 4:00 pm and Fridays from 8:00 a.m. to 3:00 p.m.

If you have any questions my direct telephone number is 503-742-4759 and my email is [JKauppi@Clackmas.us](mailto: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](mailto:codeenforcement@clackamas.us).
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



Citation No. 2200296-1

Case No. V0029622

# ADMINISTRATIVE CITATION UPDATED

Date Issued: June 22, 2023

**Name and Address of Person(s) Cited:**

Name: John Johnson Trustee  
Name: Geraldine Johnson Trustee  
Mailing Address: PO Box 151  
City, State, Zip: Sandy, OR 97055

Date Violation(s) Confirmed: On the 22nd 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): 42400 SE Oral Hull Rd., Sandy, OR 97055

Legal Description: T2S, R5E Section 17, Tax Lot(s) 04500

**Law(s) Violated:**

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 1204.04(C)(1)

**Description of the violation(s):**

- 1) Failure to meet the conditions of approval for land use decision Z0519-22.

Maximum Civil Penalty \$2,500.00

Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. 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 22, 2023  
Department Initiating Enforcement Action: Code Enforcement



Case No. V0029622

## **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](mailto: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: \_\_\_\_\_

## Kauppi, Jennifer

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**From:** Bruck, Kristi  
**Sent:** Friday, March 31, 2023 9:50 AM  
**To:** jonger@verizon.com  
**Cc:** Kauppi, Jennifer  
**Subject:** 42400 SE Oral Hull Rd.  
**Attachments:** LUCS - 42400 SE ORAL HULL RD.pdf; Authorization Notice\_All.pdf

Good morning,

As we discussed on the phone this morning, your next step is to apply for an Authorization Notice through our department. Please see attached guidance & documents. Let me know if you have any questions.

I have attached the following documents required for an Authorization Notice submittal:

- Information on the Authorization Notice process; this is where it states the \$355 fee.
- Application
- Existing System Evaluation Report that will need to be completed by a DEQ septic professional from one of these two lists (<https://www.oregon.gov/deq/FilterDocs/Installers.pdf> or <https://www.oregon.gov/deq/FilterDocs/MaintProviders.pdf>)
- Authorizing Representative Form, in case someone other than the property owner is going to sign the application. If you're still in the process of purchasing the property, you can have the current owner sign this form so you can sign the application, or you can have them sign the application.
- Credit Card Authorization Form. Please note the bank charges an approximately 2.75% fee on all card transaction. Payments can also be made with check or cash during lobby hours to avoid the card fee.
- The attached Land Use compatibility Statement (LUCS) will be reviewed by Clay in the Planning department. I emailed him the attached LUCS form that I completed for you.

Please email the application materials to [soilsconcern@clackamas.us](mailto:soilsconcern@clackamas.us), or you may mail them to the address shown below. Checks are made payable to Clackamas County. Make sure to include your address and/or septic permit number on your check.

Clackamas County  
Attn: Septic and Onsite Wastewater Department  
150 Beaver Creek Road  
Oregon City OR 97045.

Lobby hours are Mondays, Tuesdays & Thursdays 8am-noon & 1-4:00pm

If you have any additional questions on this process, please let me know.

Take care,

Kristi Bruck, Permit Technician  
Pronouns: she/her/hers  
Clackamas County Onsite Wastewater Systems Program  
150 Beaver Creek Rd | Oregon City OR 97045  
(503) 742-4740

Record ID: ST051823

Menu

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Search

Help

Go To

Application History (7)

Comments (0)

Showing 1-5 of 7

Status	Status Date	Action By	Comment	Updated Date	Updated By
Issued	11/16/2023	Aaron Dennis		11/16/2023	ADMIN
Ready	11/16/2023	Aaron Dennis		11/16/2023	ADMIN
In Review	11/09/2023	Aaron Dennis		11/08/2023	ADMIN
Payment Due	11/08/2023	Aaron Dennis		11/08/2023	ADMIN
Payment Verification	11/08/2023	Aaron Dennis		11/08/2023	ADMIN

## Kauppi, Jennifer

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**From:** Kauppi, Jennifer  
**Sent:** Monday, December 18, 2023 10:20 AM  
**To:** 'Eric & Mardelle Mauck'  
**Subject:** RE: 42400 SE Oral Hull - John Johnson

Excellent,

Please let me know when he's on the schedule.

Have a wonderful holiday

Jennifer

**From:** Eric & Mardelle Mauck <ericmauck@aol.com>  
**Sent:** Monday, December 18, 2023 10:18 AM  
**To:** Kauppi, Jennifer <JKauppi@clackamas.us>  
**Subject:** Re: 42400 SE Oral Hull - John Johnson

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

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**Jennifer,**

**Eric is in charge of the scheduling. He is presently out of town and expected to return by mid to end of this week. I do know we have a down-payment from Mr Johnson and have purchased the materials for this job and both the materials and our equipment is on site. It will happen now that all is in order.**

**Mardelle**

.....

In a message dated 12/18/2023 7:33:34 AM Pacific Standard Time, [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) writes:

Mardelle,

Do you have a timeline to get this completed?

Thank you

Jennifer

**From:** Eric & Mardelle Mauck <[ericmauck@aol.com](mailto:ericmauck@aol.com)>  
**Sent:** Tuesday, December 12, 2023 7:52 AM  
**To:** Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)>  
**Subject:** Re: 42400 SE Oral Hull - John Johnson

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

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**Thank you for this information!**

**Mardelle**

**All Terrain, Inc. dba Cascade Septic Tank Service**

**PO Box 877 - Boring, Oregon 97009**

**Office: 503-663-4044 / Fax: 503-663-2115**

**Web Site: [www.cascadeseptictankservice.com](http://www.cascadeseptictankservice.com)**

**[www.tekoamountainsetters.com](http://www.tekoamountainsetters.com)**

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In a message dated 12/12/2023 7:04:48 AM Pacific Standard Time, [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) writes:

Eric,

Good Morning. I know that you have been working with John Johnson at his Oral Hull property regarding the temp for care septic connection. The ST permit for the hardship was issued on November 16<sup>th</sup>. In order for Mr. John to avoid a hearing and be in compliance a plumbing permit will need to be pulled from the RV to the tank. Then both the plumbing permit and ST permit need to receive final approved inspections.

What is your timeline to get this project completed?

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](http://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

## Kauppi, Jennifer

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**From:** Septic Info  
**Sent:** Tuesday, June 11, 2024 3:48 PM  
**To:** Kauppi, Jennifer  
**Subject:** RE: ST051723 - 42400 SE Oral Hull Rd

Jennifer,

No inspections have been requested on ST051723 and ST051823

Sincerely,

**Aaron Dennis**  
**Soil Scientist, Senior**  
adennis@clackamas.us  
Cell 503-793-5011

***My work hours (office and field) are M-F 8am to 4:30pm***

Were you happy with the service you received today?



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**From:** Kauppi, Jennifer <JKauppi@clackamas.us>  
**Sent:** Tuesday, June 11, 2024 9:05 AM  
**To:** Septic Info <SepticInfo@clackamas.us>  
**Subject:** ST051723 - 42400 SE Oral Hull Rd

Hello,

Did this ST permit receive an inspection? If so – was it complete?

Thank you

Jennifer Kauppi – Code Enforcement Specialist  
Code Enforcement  
Department of Transportation and Development  
150 Beaver creek Rd.