



NOTICE OF HEARING

July 31, 2023

Roy & Susan Sandidge
18573 S Ferguson Rd.
Oregon City, OR 97045

RE:: County of Clackamas v. Roy & Susan Sandidge
File: V0037019

Hearing Date: August 22, 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 Diane Bautista, Code Compliance Specialist for Clackamas County at (503) 742-4459, should you have any questions about the violation(s) in the **Complaint**. Do not call the Compliance Hearings Officer.

Enclosures

CC: Carl Cox -Compliance Hearings Officer

STATEMENT OF RIGHTS

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

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



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

If you would like to present evidence at the Hearing please email or mail your evidence to Diane Bautista at 150 Beavercreek 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 Diane Bautista at 503-742-4459 **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/84815960385?pwd=UVRqc3I3c0txV1c1dEhJOGMxNUUrZz09>

Passcode: 387009

Or One tap mobile:

+16699006833,,84815960385# US (San Jose)

+17193594580,,84815960385# US

Or join by phone:

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

US: +1 669 900 6833 or +1 719 359 4580 or +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 +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 876 9923

Webinar ID: 848 1596 0385

Department of Transportation and Development

Nondiscrimination Policy:

The Department of Transportation and Development is committed to non-discrimination. For more information go to:

www.clackamas.us/transportation/nondiscrimination, email JKauppi@clackamas.us or call (503) 742-4452.

¡LE DAMOS LA BIENVENIDA! Spanish

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

ДОБРО ПОЖАЛОВАТЬ! Russian

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

欢迎! Chinese (Mandarin)

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

CHÀO MỪNG! Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

www.clackamas.us/transportation/nondiscrimination, gửi email đến JKauppi@clackamas.us hoặc gọi điện thoại theo số 503-742-4452.

환영합니다. Korean

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

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

COUNTY OF CLACKAMAS,

Petitioner,

v.

ROY SANDIDGE and,
SUSAN SANDIDGE

Respondents.

File No: V0037019

COMPLAINT AND REQUEST FOR HEARING

I, Diane Bautista, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's place of residence is: 18573 S. Ferguson Rd., Oregon City, OR 97045.

2.

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

18573 S. Ferguson Rd., Oregon City, OR 97045, also known as T3S, R2E, Section 02B, Tax Lot 02100, and is located in Clackamas County, Oregon.

3.

On or about the 5th day of July, 2023 Respondents violated the following laws, in the following ways:

- a. Respondents violated the Clackamas County Excavation and Grading Code, Chapter 9.03 by failing to obtain required grading permit for fill placed on site. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violations was given to Respondents in the following manner: Citation and Complaint #1900370 in the amount of \$500.00 was mailed via first class mail on July 5, 2023. A copy of the notice document is attached to this Complaint as Exhibit I, 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 an Excavation and Grading, Chapter 9.03 Priority 1 violation being \$750.00 to \$3,500.00 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 28th day of July, 2023.



Diane Bautista
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

ROY SANDIDGE and,
SUSAN SANDIDGE

Respondents.

File No.: V0037019

STATEMENT OF PROOF

History of Events and Exhibits:

July 8, 2019	Clackamas County received a complaint regarding more than 30 dump trucks of dirt being placed in the backyard.
July 10, 2019 Exhibit A	Building inspector Matt VanLoon conducted a site inspection, photographed the subject property and determined a grading permit was required.
July 11, 2019 Exhibit B	Correspondence was sent to the Respondents with a deadline of August 11, 2019 to obtain a grading permit.
August 20, 2019 Exhibit C	I received an email from Soils Permit Technician Shelby Wonsley regarding a meeting she had with Respondent Roy Sandidge. Ms. Wonsley stated that the fill had been placed over the septic system and could not be permitted. She said he would need to remove the fill or relocate his septic system.
September 26, 2019 Exhibit D	I called Mr. Sandidge and let him know that I would be forwarding the email that I received from Soils Supervisor Erik Englebert on September 25 th regarding potentially moving the dirt to the other side of the property.
2020 - 2021 Exhibit E	From August of 2020 through April 2021 I contacted the Respondents via email regarding abatement of the grading violation.
March 31, 2022 Exhibit F	Building inspector Luke Johnson conducted a site visit and the fill had not been removed and the property remained in violation.
April 4, 2022 Exhibit G	I responded to an email from the Respondents and said I would extend the deadline until July 1, 2022 but if the violation was not abated a citation would be issued and the administrative fees would not be waived.
August 18, 2022 Exhibit H	Respondents applied for grading application G0002722.

July 5, 2023
Exhibit I

A review of County permits showed Grading Permit G0002722 had not been issued and no inspections had been obtained. Citation 1900370 was issued for \$500.00 and was sent via first class mail. This citation was not returned to the County. This citation remains unpaid.

July 27, 2023
Exhibit J

I reviewed County program Development Direct which showed items remain unresolved since October 2022 for permit G0002722.

July 28, 2023

The County referred this matter to the Code Enforcement Hearings Officer.

If the Compliance Hearings Officer affirms the County's position by a preponderance of the evidence, 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 Clackamas County Excavation and Grading Code.
 - Submit requested information listed in Exhibit J for grading permit G0002722 within 30 days of the Continuing Order. Respond to requests for additional information within 10 days of being notified. Receive final approved inspections not later than 45 days of the date of receipt of your approved permit. **Or;**
 - Remove the fill to an authorized location within 30 days of the Continuing Order and schedule a site inspection to confirm.

Code Enforcement to confirm compliance of the above items and the County will submit a Post Hearing Status Report. The Report will be sent to the Compliance Hearings Officer and to the Respondents.

- The report may include the following recommendations:
 - The imposition of civil penalties for the Excavation and Grading Code Violation of up to \$3,500.00 for date cited July 5, 2023.
 - Payment for Citation 1900370 for \$500.00.
 - The administrative compliance fee to be imposed from August 2019 until the violation is abated. As of this report the total amount due is \$3,600.00.

- 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.

Clackamas County

150 Beaver Creek Rd
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

Location:

18573 S FERGUSON RD OREGON CITY OR 97045

Inspection Date:

Wed, 10 Jul 2019

Record Type:

Code Enforcement - Violation

Record ID:

V0037019

Inspection Type:

410 Other/Misc

Inspector:

Matt VanLoon

Inspector Phone:

503-347-8299

Inspector Email:

MVanLoon@clackamas.us

Result:

In Violation

Submit Time:

Wed, 10 Jul 2019 2:55:PM

Comments:

No contact made with resident pictures taken from neighbors driveway. Fill appears to be at least 4 feet deep at neighbors driveway.



118157A







July 11, 2019

Susan Sandidge
18573 S. Ferguson Road
Oregon City, OR 97045

**SUBJECT: Violation of the Clackamas County Excavation and Grading Code,
Title 9.03.030**

SITE ADDRESS: 18573 S. Ferguson Rd., Oregon City, OR 97045

LEGAL DESCRIPTION: T3S, R2E, Section 02B, Tax Lot 02100

This letter is in follow up to a site inspection that occurred on July 10, 2019 regarding the fill dirt that has been brought onto the above referenced property without benefit of permits and inspections. This is a violation of Chapter 9.03.030 of the Clackamas County Code as it pertains to the Application and Enforcement of the Clackamas County Excavation and Grading Code.

In order to abate the violations, refer to the requirements of Title 9.03.100 as it pertains to the placement of fill. Please submit the building permit application(s), technically complete plans and appropriate fee(s) not later than **August 11, 2019**. The permit must be picked up within ten days of being notified. Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of the permit being issued.

- For more information regarding Title 9.03 of the Clackamas County Code which addresses grading, visit <https://www.clackamas.us/code>

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

You may also stop by the Planning, Building 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 and 8:00 a.m. to 3:00 p.m. on Fridays.

If you have any questions my direct telephone number is 503-742-4459 and my email is dianebau@clackamas.us

ITEMS INCLUDED IN THIS PACKET

1. Violation Letter
2. Required Notice of Fines and Penalties
3. Grading Permit Application / Submittal Requirements

A handwritten signature in blue ink that reads "Diane Bautista". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Diane Bautista
Code Enforcement Specialist
Clackamas County Code Enforcement

REQUIRED NOTICE OF FINES AND PENALTIES

It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. Failure to resolve those violations may result in one or more of the following: (1) a citation and fine, (2) assessment of a \$75 per month administrative compliance fee, and (3) referral of this matter to the County Code Enforcement Hearings Officer.

Clackamas County Code provides for fine amounts of up to \$500 and additional civil penalties 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 Code Enforcement Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.

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.

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 Road.

Also, be advised that non-compliance with a Hearing 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.

Finally, recurrence of abated violations may result in the issuance of a citation without prior notice.

WPG Title 16011743-AB

Grantor
Lynne Piazza who acquired title as Lynne Piazza-Vitek 18573 S Ferguson Road Oregon City, OR 97045
Grantee
Susan M. Sandidge Roy W Sandidge 18573 S Ferguson Road Oregon City, OR 97045
After recording return to
Susan M. Sandidge Roy W Sandidge 18573 S Ferguson Road Oregon City, OR 97045
Until requested, all tax statements shall be sent to
Susan M. Sandidge 18573 S Ferguson Road Oregon City, OR 97045
Tax Acct No(s): 00838320

Clackamas County Official Records Sherry Hall, County Clerk	2016-079367
	11/17/2016 02:24:47 PM
D-D Cnt=1 Stn=0 JANIS	
\$16.00 \$22.00 \$20.00 \$10.00	\$68.00

Reserved for Recorder's Use

STATUTORY WARRANTY DEED

Lynne Piazza who acquired title as Lynne Piazza-Vitek, Grantor(s) convey and warrant to Susan M. Sandidge and Roy W. Sandidge, Grantee(s), the following described real property free of encumbrances except as specifically set forth herein:

SEE ATTACHED EXHIBIT "A"

Subject to and excepting: Covenants, Conditions, Restrictions and Easements of record as of the date of this Deed, and additional Deed exceptions as shown on attached Exhibit "One", which is incorporated herein.

The true consideration for this conveyance is **\$365,000.00** (Here comply with requirements of ORS 93.030.)

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.

Executed this 10th day of November, 2016.

Lynne Piazza
Lynne Piazza

State of Oregon, County of Washington) ss.

This instrument was acknowledged before me on this 10 day of November, 2016 by Lynne Piazza.

Tessa R Walsh
Notary Public for Oregon
My commission expires 6-4-19



A part of Government Lot 4, in Section 2, Township 3 South, Range 2 East, of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point which is 649.92 feet North of the Southeast corner of said Lot 4; thence continuing North 150 feet; thence West 20 feet, more or less, to the Westerly boundary of Ferguson Road and the true point of beginning of the tract herein described; thence West, a distance of 300 feet; thence South parallel to said West boundary of said road, a distance of 125 feet; thence East, a distance of 300 feet to the said West boundary of Ferguson Road; thence North along said West line to the true point of beginning.

djs

EXHIBIT "One"

Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.

Bautista, Diane

From: Wonsley, Shelby
Sent: Tuesday, August 20, 2019 2:30 PM
To: Bautista, Diane
Cc: Englebert, Erik
Subject: V0037019 - 18573 S Ferguson Rd

Hi Diane,

This morning I had a conversation at the front counter with Roy regarding the grading violation at 18573 S Ferguson Rd. After he explained the situation to me and showed me a map of where he has placed a very large amount of dirt it became apparent that Roy has placed of fill over his entire septic system drain field. The fill dirt is not meeting setbacks to his septic system and unfortunately this is not something we can allow or permit. Roy has two options, he can remove the fill dirt he placed without permits or move his septic system. After explaining the options to him he became agitated and a verbally aggressive. I understand he is upset because both options are expensive. I told him I would email you and let you know he was at least in our lobby today trying to move forward. After today I am not sure how he is going to proceed but at least now he knows his options.

Sincerely,

Shelby Wonsley

Permit Technician
Septic & Onsite Wastewater Systems Program
Department of Transportation & Development
Clackamas County
503-742-4502

Bautista, Diane

From: Englebert, Erik
Sent: Wednesday, September 25, 2019 3:42 PM
To: Bautista, Diane
Subject: RE: 18573 S. Ferguson Road (V0037019)
Attachments: AXExport-20190925-0333-file0001.pdf

Hi Diane,

Attached is the plot plan that was submitted with the mobile home permit back in 1986. Looks like the mobile was added as a temp hardship home, and had its own system.

The records aren't great for this system, but it might be an option for a replacement system when the current one reaches the end of its lifespan. I would definitely advise him to NOT cover that second drainfield to keep it as a possible option (depending on its condition of course) as a backup for the house.

Thanks,
Erik

From: Bautista, Diane
Sent: Wednesday, September 25, 2019 10:19 AM
To: Englebert, Erik
Subject: 18573 S. Ferguson Road (V0037019)

Hi Erik,

Roy Sandidge has a grading violation for bringing in 100's of yards of fill. He was going to correct the violation by obtaining a grading permit. Unfortunately, when it was reviewed by soils he put all the fill on his sept/drain field which he cannot do. Anyway, he said that he had some questions and one of your tech's was going to have you give him a call. I just got off the phone with him and he would appreciate it if you could give him a call.

Thank you.

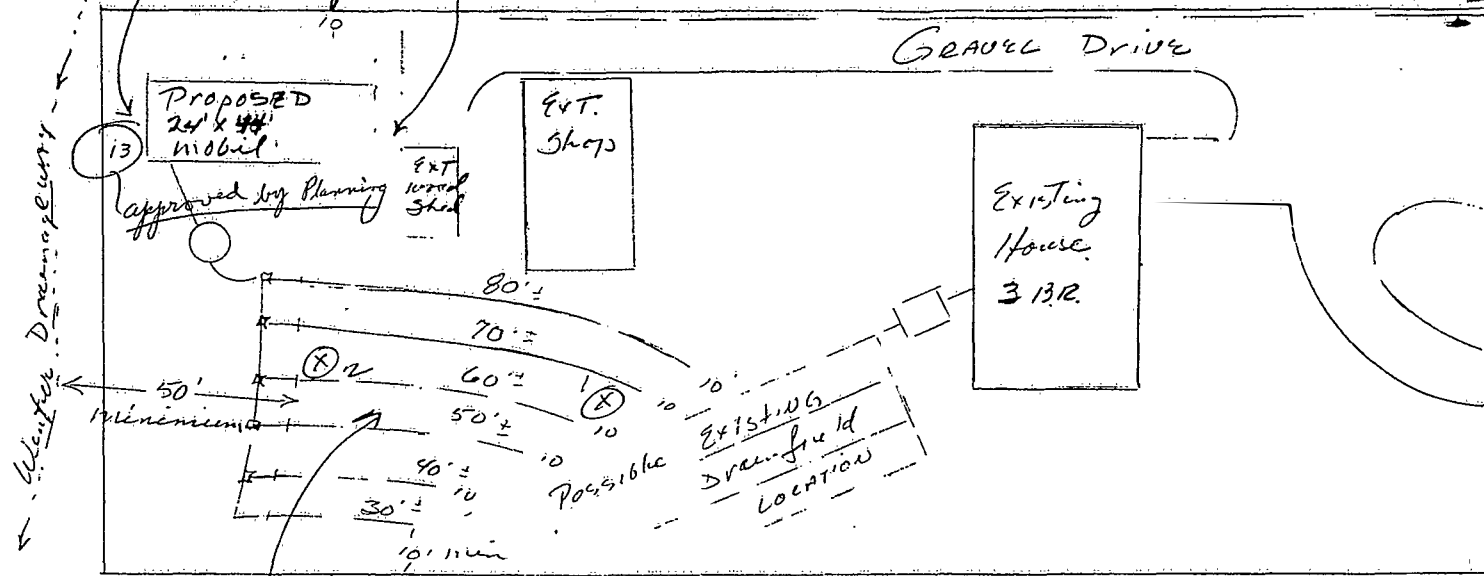
Roy Sandidge – Phone 503-522-5950

T/L 2100
 Sect 2B
 T 3S
 R 2E
 0.86 Acres

APPROVED PLOT PLAN:	
PLANNING	7-11-86
BUILDING	1/21/86 Jones
SOILS	R/L/Pls 7-14-86

MUST MEET MINIMUM SETBACKS AS INDICATED ON PLOT PLAN

Apparent Conflict
 A Variance to minimum setbacks may be required



FERGUSON ROAD

SCALE
 1" = 30'±

Seepage Trench
 Drainfields
 within the
 immediate area
 of the test pits
 only.

5/21/86
 Jones

Bautista, Diane

From: roysmailbox@frontier.com
Sent: Wednesday, April 28, 2021 9:51 AM
To: Bautista, Diane
Subject: Re: Grading Violation

I am still working on it
I have been hurt (fell off a ladder and broke 6 ribs)
plus my skid steer which I use to move the dirt is in need of repairs

***Who do you call when you need
Fully Mobile Welding Fab & Mechanical Repair,
Hydraulic Cylinder Repair &
Skid steer excavation?***



actionunlimitedwelding.com

From apartment and commercial building inspections to repairs, estimating to custom ground-up fabrication, hand tools to heavy equipment, roadside to job site, hand railings, trailer axles, iron security bars, safety and code compliance, step pads, stainless steel sinks, pool gates, and dumpster doors (just to name a few) **since 2008, Action Unlimited, LLC has been helping clients like you solve their On-Site welding needs.**

Now offering Hydraulic Cylinder rebuild service and Complete Skid Steer Excavation!

Local, Experienced, Certified, Licensed, Bonded and Insured Mobile Service...

In addition, I would like your feedback as to how Action Unlimited, LLC can be added to your **Vendor list**.

Have a Great Day!

Action Unlimited LLC Is **NOW** Registered with **NETVendor!!**
and Licensed Through **METRO** Contractor's Business License Program.

CCB #198027

For More Information, Please Contact me directly:

Owner/Operator

Roy Sandidge

Cell: (503) 522-5950

or

Email: actionunlimited@frontier.com

<https://www.ActionUnlimitedWelding.com>

On Thursday, April 22, 2021, 01:50:21 PM PDT, Bautista, Diane <dianebau@clackamas.us> wrote:

Good afternoon,

I am following up on your violation file. Have you been able to remove the dirt? Please let me know the status.

Thank you.

From: roysmailbox@frontier.com <roysmailbox@frontier.com>
Sent: Monday, August 17, 2020 12:58 PM
To: Bautista, Diane <DianeBau@clackamas.us>
Subject: Re: Grading Violation

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

I am working on it and have effectively removed a portion of the dirt using a borrowed piece of equipment, but I was only able to use it temporarily... I am making progress though. I sincerely desire to be removed from the violation list/monthly warning program... but as we discussed, I am at the mercy of your system and whatever loaner equipment I can borrow.

Who do you call when you need

Fully Mobile Welding Fab & Mechanical Repair,

Hydraulic Cylinder Repair &

Skid steer excavation?

actionunlimitedwelding.com

From apartment and commercial building inspections to repairs, estimating to custom ground-up fabrication, hand tools to heavy equipment, roadside to job site, hand railings, trailer axles, iron security bars, safety and code compliance, step pads, stainless steel sinks, pool gates, and dumpster doors (just to name a few) **since 2008, Action Unlimited, LLC has been helping clients like you solve their On-Site welding needs.**

Now offering Hydraulic Cylinder rebuild service and Complete Skid Steer Excavation!

Local, Experienced, Certified, Licensed, Bonded and Insured Mobile Service...

In addition, I would like your feedback as to how Action Unlimited, LLC can be added to your **Vendor list.**

Have a Great Day!

Action Unlimited LLC Is **NOW** Registered with **NETVendor!!**

and Licensed Through **METRO** Contractor's Business License Program.

CCB #198027

For More Information, Please Contact me directly:

Owner/Operator

Roy Sandidge

Cell: (503) 522-5950

or

Email: actionunlimited@frontier.com

<https://www.ActionUnlimitedWelding.com>

On Monday, August 17, 2020, 12:46:10 PM PDT, Bautista, Diane <dianebau@clackamas.us> wrote:

Good afternoon,

I am checking in to see the status of abating your violation. Please let me know how you plan to proceed.

Thanks

Clackamas County

150 Beaver Creek Rd
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

Location:

18573 S FERGUSON RD OREGON CITY OR 97045

Inspection Date:

Thu, 31 Mar 2022

Record Type:

Code Enforcement - Violation

Record ID:

V0037019

Inspection Type:

410 Other/Misc

Inspector:

Luke Johnson

Inspector Phone:

971-235-1678

Inspector Email:

LJohnson2@clackamas.us

Result:

In Violation

Submit Time:

Thu, 31 Mar 2022 2:57:PM

Comments:

Fill has not been removed at this time.

Photos sent to D. Bautistas cell.

Bautista, Diane

From: Bautista, Diane
Sent: Monday, April 4, 2022 8:57 AM
To: 'roysmailbox@frontier.com'
Subject: RE: Grading Violation - 18573 S Ferguson Road

Good morning,

I apologize for the delay in responding to your email below. I will extend the deadline to abate this violation to July 1, 2022. As you know this violation has been open since 2019 and needs to be addressed as soon as possible. I have not issued any citations so the administrative fees of \$2,400.00 that have accrued so far and will continue to accrue can be waived if you meet this deadline. If the violation is not abated by July 1, 2022 a citation will be issued and the administrative fees will not be able to be waived.

Please make sure to meet the County Codes in regards to abatement. You may want to talk to the building department and/or the planning department in regards to the removal and the proposed placement of this fill.

Please let me know if you have any questions.

Thank you.

From: roysmailbox@frontier.com <roysmailbox@frontier.com>
Sent: Thursday, March 31, 2022 9:46 AM
To: Bautista, Diane <DianeBau@clackamas.us>
Subject: Re: Grading Violation

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

Hi Diane

I have not been avoiding this issue, however, as I mentioned before, I did have some issues with my equipment, but didn't have the money to fix it. The good news is that recently I was able to fix it and I have made significant progress by moving a lot of the dirt and now that the weather is clearing up (drying out) I will have the dirt moved this spring/early summer or as soon as possible without getting my skid steer stuck in the mud like it does whenever the ground is too wet.

So... if you can give me a little more time it will be done.

Please let me know how much time I can have and what the process is... it has been a tough year for me all around, and one of my main goals is to solve this issue permanently and I am in that process now.

Thanks for your help and patience in this matter



Permit #: G0002722 Applied: 08/18/2022
 Type: Grading / Grading Approved:
 Status: In Review Final:
 Valuation: \$0.00 Expiration:
 Address: 18573 S FERGUSON RD OREGON CITY, OR 97045

Applicant: Roy Sandidge (503) 522-5950
 Owner: SANDIDGE SUSAN M
 Contractor: PROPERTY OWNER DOING WORK

Certificate of Occupancy Required:

Parcel: 32E02B 02100 Class:
 Entered By: Occupancy:
 Insp Area: Units: Bldgs:
 Printed: 07/27/2023 Violation:
 Description: V0037019 DELIVER AND SPREAD FILL DIRT TO LEVEL THE PROPERTY
 Conditions:

NOTICE: The County in its review and approval of this application is not authorizing any activity that may result in a violation of the federal Endangered Species Act (EAS). You are specifically put on notice that it is your responsibility to determine whether activities undertaken pursuant to an approval result in conflict with the provisions of the ESA. It is further your responsibility to ensure that all activities taken pursuant to an approval are designed, constructed and maintained in a manner that does not violate the ESA or any other applicable federal, state or local law.

SFR/Dup 1st Unit(sqft):	Additional Unit(sqft):	
Grading Pln Rev Deposit	187	\$187.85
Grading Plan Check	1	\$187.85
Grading Permit	500	\$289.00
Total Fees:		\$664.70
Total Payments:		\$187.85
Balance Due:		\$476.85

Our goal is to provide you with excellent service. If you would like to discuss your experience with us, contact one of our Customer Service Specialists at 503-742-4400, dtdcustomerinfo@clackamas.us or simply fill out our online survey at <https://www.surveymonkey.com/s/cccustomersurvey>



Citation No. 1900370

Case No. V0037019

ADMINISTRATIVE CITATION

Date Issued: July 5, 2023

Name and Address of Person(s) Cited:

Name: Roy Sandidge
Name: Susan Sandidge
Mailing Address: 18573 S. Ferguson Road
City, State, Zip: Oregon City, OR 97045

Date Violation(s) Confirmed: On the 5th day of July, 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): 18573 S. Ferguson Rd., Oregon City, OR 97045

Legal Description: T3S, R2E Section 02B, Tax Lot(s) 02100

Law(s) Violated:

Chapter 9.03 of CCC Excavation and Grading, Section 9.03.030

Description of the violation(s):

- 1) Failure to obtain a grading permit for fill placed on site

Maximum Civil Penalty \$3,500.00

Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$500.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Diane Bautista
Telephone No.: 503-742-4459

Date: July 5, 2023
Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

You have been cited for the violation(s) of law stated on the front of this form. You MUST exercise ONE of the following options within fifteen calendar days of the date of this citation.

If you fail to exercise one of these options within fifteen calendar days of the citation date, the County may request a hearing before the Code Enforcement Hearings Officer following which you may be ordered to pay the maximum civil penalty and abate the violation.

Options:

- 1. Abate the violation and pay the fine. Sign the statement of Understanding below and deliver or mail this form, together with a check or money order payable to Clackamas County in the amount of the fine to:
 Clackamas County Code Enforcement Section
 150 Beaver Creek Rd.
 Oregon City, OR 97045
- 2. Request a hearing in writing. You may request a hearing to contest the violation(s) alleged. A written request for a hearing must be mailed to Clackamas County at the address listed above or sent to codeenforcement@clackamas.us.

A request for hearing must contain all of the following information:

- a. Your name and address;
- b. A copy of the citation or the Citation No. and Case No.; and,
- c. The description of the relief you are requesting.

At the hearing, an administrative fee may be assessed by the Hearings Officer in addition to civil penalty(ies) if the Hearings Officer concludes you are responsible for the violation. If a civil penalty is imposed the amount will likely exceed the fine amount on this citation.

STATEMENT OF UNDERSTANDING

I, the undersigned, do hereby acknowledge that I understand the following:

- 1. By paying the fine I admit the existence of the violation(s) alleged on this citation and my responsibility for it.
- 2. Paying the fine does not relieve me of my responsibility to correct the violation and to comply with all applicable laws.
- 3. Additional citations may be issued to me if I fail to correct the violation or violate other applicable laws.

Signature: _____ Date: _____

Address: _____
City, State, Zip

Contact Number: _____ Email: _____

Project Name: G0002722

Project Description: Building - Grading - 32E02B 02100 - 18573 S FERGUSON RD OREGON CITY - Grading

Review Comments List Date: 7/27/2023

Ref. # 3, Building, Robert Morris, 10/4/22 3:47 PM, Cycle 1, Unresolved

Comment: Where fill has been placed without the required permit and site preparation inspection approval, the areas of fill are required to be evaluated by an Oregon registered design professional (geotechnical engineer or engineering geologist) in accordance with the county's policy on construction performed within the required permit/inspections. Please submit a geotechnical evaluation report addressing the subject fill areas and compliance with the applicable requirements of Oregon Structural Specialty Code (OSSC) - Appendix J.

Ref. # 4, Building, Robert Morris, 10/4/22 3:48 PM, Cycle 1, Unresolved

Comment: Please submit revised plans which clearly convey the subject scope of work, and which demonstrate compliance with the applicable requirements of OSSC Appendix J.

Ref. # 5, Building, Robert Morris, 10/4/22 3:49 PM, Cycle 1, Unresolved

Comment: Please submit material quantity calculations as required. Alternatively, a CAD generated "cut/fill report", stamped/signed by the project's geotechnical engineer or engineering geologist, will be acceptable.

Ref. # 6, Engineering, Amanda Rozzell, 10/5/22 12:51 PM, Cycle 1, Unresolved

Comment:

PENDING PLAN REVIEWER REVIEW TO DETERMINE IF THERE IS ANY ENGINEERING REQUIREMENTS.

PLEASE REACH OUT TO ENGINEERING WITH ANY QUESTIONS. ENGINEERING@CLACKAMAS.US.

Informational Only - No Applicant Response Required

Ref. # 9, Planning County, Ben Blessing, 10/24/22 4:49 PM, Cycle 1, Unresolved

Comment: Grading is allowed so long as it is in conjunction with a primary (e.g. house) or an accessory use (e.g. garage, garden, lawn, utilities, shop, outdoor living area, etc.). Thus, please find the attached "Statement of Use" and fill out what grading is for. Please re-upload to Dev Direct. I will approve grading after we have an uploaded statement of use, assuming your proposed use is allowed. You can find the Statement of Use under "Files" and "Documents". Keep in mind, stockpiling grading spoils and fill from other sites is generally not an allowed use.

Ref. # 7, Septic, Shelby Wonsley, 10/11/22 9:33 AM, Cycle 1, Unresolved

Comment:

We do not have a record for the septic system serving the existing house to verify that the proposed building project will meet applicable setbacks to the system. Before Onsite Wastewater Program staff may be able to sign off on the Building permit application you will need to submit an Existing System Verification (ESV) report completed by a licensed septic contractor. There is an \$85 processing fee for the ESV. The ESV serves as an as-built for the existing septic system to allow us to verify all setbacks are met for the current project, and may serve as an as-built for future projects. Additional information is available on our website: <https://www.clackamas.us/septic> or by contacting us at soilsconcern@clackamas.us

A copy of the required ESV form and a Credit Card Authorization Form have been uploaded to the

Clackamas Forms folder for your convenience. Completed forms should be emailed to soilsconcern@clackamas.us

Ref. # 8, Septic, Shelby Wonsley, 10/11/22 9:35 AM, Cycle 1, Unresolved

Comment: We have a record from 1986 of a septic system installed for a manufactured home. I have uploaded this record under "Clackamas Forms". Is this septic system still on the property? If so, it looks like there are going to be conflicts with this system and the grading.