



NOTICE OF HEARING

October 11, 2023

Lost Shelter Lots LLC
1130 SW Maplecrest Dr.
Portland, OR 97219

RE:: County of Clackamas v. Lost Shelter Lots LLC
File: V0001523

Hearing Date: November 9, 2023

Time: This item will not begin before 10:00am 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 VinceCor41@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 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/85672320302?pwd=SDdGNlpVSFNmMnVVaG5tNnhzTVA2QT09>

Passcode: 479129

Or One tap mobile:

+16699006833,,85672320302# US (San Jose)

+17193594580,,85672320302# 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 +1 312 626 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 or +1 305 224 1968 or +1 309 205 3325

Webinar ID: 856 7232 0302

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.

LOST SHELTER LOTS LLC,

Respondent.

File No: V0001523

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 1130 SW Maplecrest Dr., Portland, OR 97219.

2.

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

67284 E Lost Shelter Rd., Rhododendron, OR 97049 also known as T2S, R7E, Section 32AC, Tax Lot 04600, and is located in Clackamas County, Oregon.

3.

On or about the 11th day of September, 2023 the Respondent violated the following law, in the following way:

- a. Respondent violated the Clackamas County Building Code, Chapter 9.02 by failing to obtain approved permits and approved final inspections for the remodel and addition to a single family residence. 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 violation was given to Respondent in the following manner: Administrative Citation #2300015 in the amount of \$500.00 was mailed via first class mail on September 11, 2023. A copy of the notice document is attached to this Complaint as 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 Respondent to immediately abate the violation 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 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 violation.

DATED THIS 11 day of October, 2023.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

LOST SHELTER LOTS LLC

Respondent.

File No.: V0001523

STATEMENT OF PROOF

History of Events and Exhibits:

- | | |
|---------------------------------|--|
| January 9, 2023 | Clackamas County received a complaint regarding an addition to a single family residence without permits. |
| January 10, 2023
Exhibit A | Building inspector Robert Fix conducted a site inspection and found the property to be in violation of the building code. A stop work order was posted on the property. |
| January 11, 2023
Exhibit B | Correspondence was sent to the Respondent with a deadline of February 25, 2023 to abate the violation. |
| May 6, 2023
Exhibit C | Permit B0247523 was submitted for the remodel and addition of the single family residence. |
| August 8, 2023
Exhibit D | The Respondents contractor received the plan review comments for the corrections or requirements that need to be submitted for permit B0247523. |
| September 11, 2023
Exhibit E | I reviewed the County records and found that no additional information had been submitted to the County in order to continue with plan review. Citation 2300015 was issued for \$500.00 for the Priority 1 Building Code violation. The citation was sent first class mail to the owner and a copy was sent to the Registered Agent. The citation was not returned to the County and remains unpaid. |
| October 11, 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 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 Building Code within 45 days of the date of the Order by submitting all required information in order to complete plan review. The Respondent to respond to additional plan review comments within 10 days of being notified and once permits are ready to be issued, payment shall be made within 10 days of notification. Obtain all required inspections including approved final inspections within 90 days of permits being issued.
- 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 September 11, 2023.
- Payment for Citation No. 2300015 issued on September 11, 2023 for \$500.00.
- The administrative compliance fee to be imposed from January, 2023 until the violation is abated. As of this report the total is \$675.00.
- 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.













Clackamas County

150 Beaver Creek Rd
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

Location:

67284 E LOST SHELTER RD RHODODENDRON OR 97049

Inspection Date:

Tue, 10 Jan 2023

Record Type:

Code Enforcement - Violation

Record ID:

V0001523

Inspection Type:

270 Miscellaneous/Consultation

Inspector:

Robert Fix

Inspector Phone:

503-519-1661

Inspector Email:

rfix@clackamas.us

Result:

In Violation

Submit Time:

Tue, 10 Jan 2023 1:26:PM

Comments:

This building is in violation. This building will need an engineer, sign off on new footings that were poured underneath the house new calculations per footings underneath the house the house has been gutted, plumbing electrical permits, and mechanical permits. Will all be needed and a building permit will be needed structural calculations on new porch will be needed. Looks like they have added some square footage the building is close to the bank. A site Plan should be a evaluated during submission of new plans. Stop work order has been placed on this building. No work shall continue till permits have been issued building contractor was on site at the time of the investigation. pictures were sent to Jennifer K



January 11, 2023

Lost Shelter Lots LLC
1130 SW Maplecrest Dr
Portland, OR 97219

Nez Hallett - Registered Agent
1130 SW Maplecrest Dr
Portland, OR 97219

Vince Cortese
1985 NW 5th St
Gresham, OR 97030

SUBJECT: Violation of the Clackamas County Building Code, Title 9.02.040 (B),(C),(D),(E)

VIOLATION: V0001523

SITE ADDRESS: 67284 E Lost Shelter Rd., Rhododendron, OR 97049

LEGAL DESCRIPTION: T2S, R7E, Section 32AC, Tax Lot 04600

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

Addition and remodel to a single family residence without permits

VIOLATIONS & HOW TO RESOLVE

On January 10, 2023 a site inspection at the above reference property was conducted. That inspection found that an addition and remodel to a single family residence was being performed with approved permits. Building Inspector Robert Fix posted a Stop Work Order on the property until such time that permits have been issued. The addition and remodel to the single family residence including structural, electrical, plumbing and mechanical without approved permits constitutes a violation of Clackamas County Code Title 9.02.040 (B),(C),(D),(E). In order to abate the violation(s), you must complete the following **no later than February 25, 2023**:

Addition and remodel to the single family residence

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s).
 - All requests for additional information in order to complete 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 for the work that has been done without permits not later than 45 days of the date of receipt of your approved permit(s).

*****Please note – all permits are required to receive final approved inspections. Failure to do so will result in additional enforcement.*****

CONTACT INFORMATION

Building – If you have questions concerning permitting requirements your contacts in the building permit will be:

Shirley Cass-Crosby – 503-742-4758 – scasscrosby@clackamas.us

Tom Moreland – 503-742-4722 – tmoreland@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 and 8:00 a.m. Our office is closed to the public on Fridays, however, all staff are available by phone or email.

If you have any questions my direct telephone number is 503-742-4759 and my email is jkauppi@clackamas.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.

Clackamas County Official Records
Sherry Hall, County Clerk

2022-056738

10/26/2022 01:08:01 PM

D-D Cnt=1 Stn=4 MELISSA
\$15.00 \$16.00 \$10.00 \$62.00

\$103.00

Grantor
Nez C. Hallett, III 1130 SW Maplecrest Dr Portland, OR 97219
Grantee
Lost Shelter Lots LLC 1130 SW Maplecrest Dr Portland, OR 97219
After recording return to
Hoerschelmann Dietz PLLC 1143 MLK Jr Way #145 Seattle, WA 98122
Until requested, all tax statements shall be sent to
Lost Shelter Lots LLC 1130 SW Maplecrest Dr Portland, OR 97219

Reserved for Recorder's Use

STATUTORY BARGAIN AND SALE DEED

Nez C. Hallett, III, Grantor, conveys to:

Lost Shelter Lots LLC, an Oregon limited liability company, Grantee, the following described real property:

PARCEL I: **27E32AC04900** **00732354**

All of Lots 1-6, 9, and 34-42, Block 6 and Lots 1 and 2, Block 7, MT. HOOD WILDWOOD ANNEX, in the County of Clackamas and State of Oregon.

PARCEL II: **27E32AC04600** **00732345**

Lots 7 and 8, Block 6, MT. HOOD WILDWOOD ANNEX, in the County of Clackamas and State of Oregon.


APN: 00732345, 00732354

The true consideration for this conveyance is \$0.00.

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 26th day of October, 2022.

Signature: 
Nez C. Hallett, III

State of Oregon,
County of Multnomah) ss.

- See Attached Notarial Certificate -

This record was acknowledged before me on _____, 2022 by Nez C. Hallett, III.

Stamp (if required):

Title of office:

My commission expires:

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

On October 26, 2012 before me, Spencer Mecina- Notary Public
(insert name and title of the officer)

personally appeared Nez.C. Hallett III
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Spencer Mecina* (Seal)





Permit #: B0247523 Applied: 05/06/2023
 Type: New / Residential Approved:
 Status: In Review Final:
 Valuation: \$55,000.00 Expiration:
 Address: 67284 E LOST SHELTER RD RHODODENDRON, OR 97049

Applicant: Mike Montgomery (503) 515-6495
 Owner: LOST SHELTER LOTS LLC
 Contractor:

Certificate of Occupancy Required:

Parcel: 27E32AC04600 Class: 434-Residential
Addition/Remodel
 Entered By: Occupancy: R-3 SFR/Duplex Type
Units: V-B
 Insp Area: 4 RMC Bldgs:
 Printed: 10/10/2023 Violation:
 Description: V0001523 Remodel of existing house, and addition of 10'x10' bed rm and new covered porch

Conditions:
 expired permits - There are expired permits associated with this address. Owner needs to work with permit staff to resolve.

NOTICE: In accordance with ORS 455.355, the disposal of thermostats that contain mercury shall be in accordance with programs established by thermostat manufacturers, their representative or distributor, or by delivery to sites that will ensure that the mercury does not become part of the solid waste stream or wastewater.

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 (ESA). 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.

Any Transportation or Park System Development Charge decision made by the Department may be appealed to the County TSDC Hearings Officer by filing a written request with the Department within 14 days of the final decision. The fee is \$500.00.

SFR/Dup 1st Unit(sqft):	Additional Unit(sqft):	
Structural Pln/FLS Rev Deposit	289	\$289.64

Plan Review - Review Comments Report

Project Name: **B0247523**

Workflow Started: **5/6/2023 10:04:34 AM**

Report Generated: **10/10/2023 08:42 AM**

REVIEW COMMENTS						
REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
1	1	Engineering Amanda Rozzell 5/10/23 3:59 PM	Comment OFF OF EXISTING DRIVEWAY. OK TO SIGN OFF.			Info Only
2	1	System Development Charges (SDC) Jodi Lagerwey 5/11/23 11:02 AM	Comment Pending planning sign-off, 2 kitchens showing on the plans.		Reviewer Response: Jodi Lagerwey - 8/3/23 11:09 AM One kitchen - remodel of existing house, no SDC's assessed. ----- Responded by: Mike Montgomery - 8/1/23 7:32 AM 004 FLOOR & FOUNDATION Only shows 1 kitchen in the proposed main floor plan	Resolved
3	1	Building Richard Carlson 6/2/23 8:47 AM	Library Comment If you have any questions regarding the plan review comments you can contact me at richardcar@clackamas.us or by phone at 503-742-4769To view the code sections referenced in your review comments click the following link for access to the Oregon codebooks: Adopted Oregon Codes Online			Info Only
4	1	Building Richard Carlson 6/2/23 8:48 AM	Comment There are no insulation callouts for the new addition. Please provide.		Reviewer Response: Richard Carlson - 8/1/23 11:06 AM Please note insulation on the plans. What is the floor and ceiling insulation? ----- Responded by: Mike Montgomery - 8/1/23 7:36 AM 004 FLOOR & FOUNDATION Show how the house was before contractor started working without permits. All sheetrock and was removed to install insulation r-21	Unresolved
5	1	Building Richard Carlson 6/2/23 9:05 AM	Comment According to the violation inspection this new deck construction is at the edge of the bank leading down to the river. Please provide an evaluation by a geotech that the footing are on stable ground and that there are no concerns.		Reviewer Response: Richard Carlson - 8/1/23 11:08 AM Deck is still shown on the site plan. Please remove. ----- Responded by: Mike Montgomery - 8/1/23 7:42 AM DECK ON THE WEST ELVATION HAS BEEN REMOVED	Unresolved

Plan Review - Review Comments Report

Project Name: **B0247523**

Workflow Started: **5/6/2023 10:04:34 AM**

Report Generated: **10/10/2023 08:42 AM**

REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
6	1	Building Richard Carlson 6/2/23 9:06 AM	Comment According to the violation inspection the cabin was gutted. Please provide a clearer scope of work and plans that reflect the whole job.		Reviewer Response: Richard Carlson - 8/1/23 11:08 AM Please provide a scope of work on the plans. ----- Responded by: Mike Montgomery - 8/1/23 7:34 AM 004 FLOOR & FOUNDATION Show how the house was before contractor started working without permits. All sheetrock and was removed to install insulation r-21	Unresolved
7	1	Building Richard Carlson 6/2/23 9:08 AM	Comment Building Codes Division Policies and Procedures POLICY NUMBER:09-02 SUBJECT:Construction without Permits CODE EDITION:2017 Oregon Residential Specialty Code ORSC 2019 Oregon Structural Specialty Code OSSC CODE SECTION:ORSC Section R105 OSSC Section 105 EFFECTIVE DATE:May 4, 2016 (SC) REVISED DATE: September 30, 2003 (Revised May 4, 2016) ISSUE:Construction completed without permit(s) and / or inspections POLICY: This shall serve as the official policy statement of the Clackamas County Building Codes Division regarding construction work that is partially or completely constructed or installed without permit(s) or inspections. This policy shall apply to all forms of construction that cannot be readily seen by a Clackamas County inspector (i.e. concrete poured without inspections; framing and any other structural component that is enclosed by gypsum wallboard and all other concealed forms of construction). Where construction work has been performed without benefit of a building plan review / permit(s) and / or inspections, plans shall be submitted showing conformance with the life safety provisions of the code and the construction shall be evaluated for structural soundness and conformance to the applicable codes by an Oregon licensed Architect or Engineer. This evaluation along with drawings of the as-built condition shall be presented to the Clackamas County Building Codes Division stamped, signed and dated by the architect or engineer. The evaluation letter accompanying the building permit application and drawings must provide the following; 1.A statement indicating the date the structure was inspected by the engineer or architect or by the engineer's or architect's authorized representative. 2.A statement that summarizes the findings and results of the inspection. 3.A copy of the structural analysis / calculations prepared and stamped by the architect or engineer that were used to determine structural adequacy. 4.A statement indicating that the structure was built in accordance with all applicable codes and in accordance with the plans submitted to the Clackamas County Building Codes Division for review. 5.If the structure is in need of repair or structural modifications to make it sound, a written summary of all work necessary to correct the deficiencies. Where roof or floor trusses are used, the manufacturer's truss details or equivalent engineering must accompany the submittal. 6.When structural repairs or		Reviewer Response: Richard Carlson - 8/1/23 11:09 AM Please hold onto the permit until you have everything. ----- Responded by: Mike Montgomery - 8/1/23 7:44 AM Property owner is working on this item	Unresolved

Plan Review - Review Comments Report

Project Name: **B0247523**

Workflow Started: **5/6/2023 10:04:34 AM**

Report Generated: **10/10/2023 08:42 AM**

			<p>modifications are required, the work shall be left open and the applicant shall call for the appropriate inspections. If the engineer of record approves any repairs or modifications a stamped letter from the engineer shall state the description of the inspection, date, approvals and denials. The building official or his designee shall review all submitted materials to determine whether or not they meet minimum criteria for acceptance and demonstrate compliance with all applicable codes and regulations. After the issuance of permits the county's inspection staff will inspect the construction that is visible and not yet covered for compliance and make determinations as to corrections that may be required in moving forward. They may also require the removal of materials that impede the visual inspections where a concern presents itself. The ultimate goal of this policy is to bring buildings that have been constructed or attached without permits into compliance with the building code. Clackamas County will look at all avenues to reasonably assert that a building has met the code criteria. A permit that is issued with the intent of bringing the construction back into compliance is just that. Any other work that is not part of the compliance issue is required to have its own permit. These additional permits shall be obtained after the compliance issue has been resolved unless deemed necessary by the Building Official. If you should have any questions regarding this policy, please call the Clackamas County Building Codes Division at (503) 742-4240.</p>			
8	1	<p>Planning County Melissa Lord 6/21/23 11:46 AM</p>	<p>Comment Development within 150 feet of the mean high water mark of the Sandy River required the review and approval of a land use permit prior to obtaining a building permit. A Principal River Conservation Area (PRCA) land use permit is required since the building addition and the covered deck/porch exceeds 120 square feet and is closer to the river. More information is provided in the Discuss tab, and has been sent by email through Development Direct on 6/21. You can contact the Planning and Zoning Division if you have questions pertaining to the PRCA permit at ZoningInfo@Clackamas.us or 503-742-4500</p>		<p>Reviewer Response: Melissa Lord - 8/7/23 3:31 PM Please see my note above - a land use permit is required.</p> <p>----- Responded by: Mike Montgomery - 8/1/23 7:42 AM DECK</p>	Unresolved
9	1	<p>Septic KRISTI BRUCK 6/21/23 2:27 PM</p>	<p>Library Comment Where is the septic system that the home is connected to? Please upload a revised site plan that includes the location of any existing/proposed septic systems.</p>		<p>Reviewer Response: KRISTI BRUCK - 8/2/23 9:36 AM Email all Authorization Notice submittal documents to SOILS CONCERN@CLACKAMAS.US.</p> <p>----- Responded by: Mike Montgomery - 8/1/23 7:31 AM Attached onsite wastewater program application</p>	Unresolved

Plan Review - Review Comments Report

Project Name: **B0247523**

Workflow Started: **5/6/2023 10:04:34 AM**

Report Generated: **10/10/2023 08:42 AM**

REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
10	1	Septic KRISTI BRUCK 6/21/23 2:29 PM	Library Comment An Authorization Notice is required under DEQ rules (OAR 340-071-0205) to add bedrooms or otherwise increase the flow to a home served by an existing septic system. Before Onsite Wastewater Program staff may sign off on your Building permit application, you will need to apply for and receive an approved Authorization Notice. Information on the process and the forms necessary to apply have been uploaded to the "Clackamas Forms" folder for your convenience. Completed forms should be sent to soilsconcern@clackamas.us Questions about the process can be directed to either soilsconcern@clackamas.us or 503-742-4740		Reviewer Response: KRISTI BRUCK - 8/2/23 9:36 AM Email all Authorization Notice submittal documents to SOILS CONCERN@CLACKAMAS.US. ----- Responded by: Mike Montgomery - 8/1/23 7:31 AM Attached onsite wastewater program application	Unresolved
11	2	Septic KRISTI BRUCK 8/2/23 9:39 AM	Library Comment Please upload a revised site plan that includes the location of any existing/proposed septic systems.			Unresolved
12	2	Planning County Melissa Lord 8/7/23 3:37 PM	Comment In reviewing this application further, the Planning division will need confirmation that tax lot 4600 is a lot of record prior to signing off on a building permit. The RR zoning district does not allow ADUs, and so if tax lot 4600 is a separate lot of record, separate from tax lot 4900, this use is approvable as a single-family dwelling. You/the property owner can choose to provide the County with research determining whether this property is a lot of record, as defined in ZDO Section 202, or you can hire the County to complete this research for you. The County charges a fee of \$480 and the research takes an average of 6 to 8 weeks to complete. Alternatively, you can apply for a Nonconforming Use Verification and Alteration application, pursuant to ZDO Section 1206. The Nonconforming Use land use application is a Type II land use application that can be submitted to the County for review, in the same way the PRCA land use permit is submitted (PRCA permit describe in my previous comments; Ref #8).			Unresolved



Citation No. 2300015

Case No. V0001523

ADMINISTRATIVE CITATION

Date Issued: September 11, 2023

Name and Address of Person(s) Cited:

Name: Lost Shelter Lots LLC
Mailing Address: 1130 SW Maplecrest Dr
City, State, Zip: Portland, OR 97219

Date Violation(s) Confirmed: On the 11th day of September, 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): 67284 E Lost Shelter Dr., Rhododendron, OR 97049

Legal Description: T2S, R7E Section 32AC, Tax Lot(s) 04600

Law(s) Violated:

Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (E)

Description of the violation(s):

- 1) Failure to obtain approved permits and approved final inspections for an addition and remodel to a single family residence.

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 \$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: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: September 11, 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: _____