



## NOTICE OF HEARING

September 28, 2023

Pacific NW Construction & Development  
Inc.  
16869 SW 65<sup>th</sup> Ave. Unit 290  
Lake Oswego, OR 97035

**RE::** County of Clackamas v. Pacific NW Construction & Development  
**File:** V0050021

**Hearing Date:** October 24, 2023

**Time:** This item will not begin before 11:30am 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 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 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/82422763140?pwd=T3JtL0gvNG95TVE3M0ZkZmN2OHVyQT09>

Passcode: 436487

Or One tap mobile:

+14086380968,,82422763140# US (San Jose)

+16694449171,,82422763140# US

Or join by phone:

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

US: +1 408 638 0968 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000

Webinar ID: 824 2276 3140

## 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.

PACIFIC NW CONSTRUCTION &  
DEVELOPMENT INC,

Respondent.

File No: V0050021

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 16869 SW 65<sup>th</sup> Ave., Unit 290, Lake Oswego, OR  
97035.

2.

The address or location of the violation(s) of law alleged in this Complaint is:  
15959 S. Holmes Rd., Molalla, OR 97038, also known as T5S, R2E, Section 03A, Tax Lot 01700,  
and is located in Clackamas County, Oregon.

3.

On or about the 11th day of August, 2022 Respondent violated the following laws,  
in the following ways:

- a. Respondent violated the Clackamas County Building Code, Title 9.02 by failing to obtain required permits and final approved inspections for a remodel and addition to a single-family residence and the construction of an accessory structure. This violation is a

Priority 1 violation pursuant to the Clackamas County Violation Priorities.

- b. Respondent violated the Clackamas County Zoning and Development Ordinance, Title 12, by grading and removing vegetation in a Floodplain and River and Stream Conservation Area without land use approval. 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 violations was given to Respondent in the following manner: Citation and Complaint #2100500-1 in the amount of \$1,500.00 was mailed via first class mail on August 15, 2022. 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 Respondent to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;

2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code Title 9.02 Priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code; and Said range for a Zoning Ordinance Title 12 Priority 2 violation being \$500.00 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 Respondent to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

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

and

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

DATED THIS 27th day of September 2023.



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**Diane Bautista**  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

PACIFIC NW CONSTRUCTION &  
DEVELOPMENT INC,

Respondent.

File No.: V0050021

STATEMENT OF PROOF

History of Events and Exhibits:

December 3, 2021	Clackamas County received a complaint regarding an addition and remodel to a single-family dwelling and the construction of an accessory structure.
December 3, 2021 Exhibit A	County staff conducted research on the internet regarding listing information as well as Tax and Assessors information on file with the County.
December 8, 2021 Exhibit B	Correspondence was sent to the Respondent and Registered Agent regarding potential building code violations.
December 20, 2021 Exhibit C	Building Inspector Matt VanLoon conducted a site inspection and confirmed the addition of a front porch, electrical, mechanical and a new accessory structure.
December 20, 2021 Exhibit D	Correspondence was sent to the Respondent and Registered Agent with a deadline of January 20, 2022 to abate the building code violations. Notice sent to Registered Agent at 17040 Pilkington Rd. returned due to insufficient address - I re-checked the address and sent to Pilkington Rd., Suite 200. Notice sent to Suite 200 was not returned.
January 20, 2022	I received a call from John Donaldson who stated he had built a 22 x 20 ft shop (440 sq. feet) which does have a heat pump. I explained that he would need to get building, mechanical and electrical permits for this structure.
February 2, 2022 Exhibit E	Building Inspector Matt VanLoon conducted a site inspection and met with John Donaldson and Michael DeBlasi with the Oregon Department of State Lands on site. DSL has noted nothing is required from their agency. Building Inspector Matt VanLoon confirmed grading that had been done in two locations that has pushed soils near the waterway. The dwelling itself is in violation as openings have been moved/ added. There is new mechanical systems including furnace, heat pump and fireplace. The owner stated that he had also added a bathroom.

February 2, 2022 Exhibit F	County Planner Melissa Lord sent me an email regarding land use requirements to abate the zoning violation.
February 2, 2022 Exhibit G	Correspondence was sent to the Respondent at the address on file with the tax assessor, the principal place of business and PO Box 765. A copy was also mailed to the registered agent with a deadline of March 2, 2022 to abate the zoning violation. Violation Notice sent to PO Box 765 was returned.
April 4, 2022 Exhibit H	I received an email from the Respondent in regards to an email I had sent requesting a valid PO Box and an update in regards to obtaining the required permits.
August 15, 2022 Exhibit I	A review of the County Permits showed that no building or land use applications had been received and Citation 2100500-1 was issued for \$1,500.00 for the building and zoning code violations. Citation was sent to the Respondent at the address on file with the tax assessor, the principal place of business and PO Box 1027. A copy was also mailed to the registered agent. Citation sent to PO Box 1027 was returned. This citation remains unpaid.
September 19, 2023 Exhibit J	A review of the County Permits showed that the Respondent received final approved inspections for a septic tank connection and a 200 amp circuit for the septic pump system. Permit B0231222 for a new furnace and A/C was submitted on April 12, 2022 however no inspections have been done and this permit expired on October 9, 2022.
September 27, 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 Respondent be ordered to bring the property into compliance with the Clackamas County Building Code and the Clackamas County Zoning and Development Ordinance within 30 days of the Continuing Order.
  - Obtain required permits for the remodel and addition to the single-family residence and the accessory structure and respond to all requests for additional plan review information within ten days of you being notified by Building Codes. Final approved inspections be obtained not later than 45 days of the date of receipt of your approved permits.
  - Submit complete Floodplain Development and River and Stream Conservation Area Land Use applications. Respond to all requests for additional information within ten days of you being notified by Planning. Complete all Conditions of Approval within 60 days of Land Use approval.



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 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 August 11, 2022.
- The imposition of civil penalties for the Zoning Violation of up to \$2,500.00 for date cited August 11, 2022.
- Payment for Citation 2100500-1 for \$1,500.00 issued on August 15, 2022.
- The administrative compliance fee to be imposed from December 2021 until the violation is abated. As of this report the total amount due is \$1,575.00.
- 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.

CODE NO.

ACCT. NO.

PROPERTY CLASS

MAP NO. 5 2E 3 A 1700

PROPERTY ADDRESS:

15959 Holmes Rd  
Molalla, Ore

DEED 614-813

MCCALLY CARL T  
& LEAH M  
RT 2 BOX 422A  
MOLALLA ORE  
TL 4-2 & 12

7.60  
3.37  
3.26

97038

BUILT	1964	COST \$	RENT \$
REMODELED	19	COST \$	
SOLD	19	AMT. \$	
SOLD	19	AMT. \$	
SOLD	19	AMT. \$	
SOLD	19	AMT. \$	

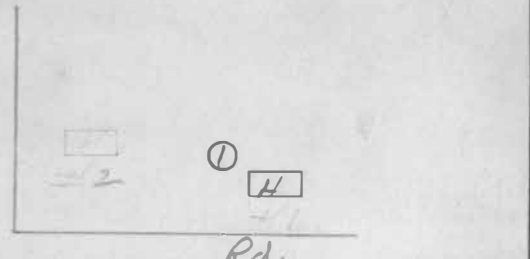
INTERIOR INSPECTED

YEAR	71	78	85	92		
YES	WRS	WRS	WRS	WRS		
NO			WRS	NH		

APPR.	DATE	DWELLING UNITS	UNIT AREA	TOTAL AREA	STORIES
4/1	11/19/71	2 3 4	SQ. FT.	1200 SQ. FT.	1 1 1/2 2
KL3	5/26/77	FOUNDATION	CONC BLK BRICK STONE FRAME WD BLK		
BP	11/19/84	EXTERIOR	DBL SGL BOX SIDING: BEVEL RUSTIC VERT B&B SHAKE: WD ASB COMPO SHGL STUCCO BRICK: VEN SOLID 1 1 1/2 2 STY STONE CONC BLK: PT FUR'D STUCCO		
ym	10/31/91	ROOF	GAB HIP FLAT PITCH: LOW AVG STEEP SHINGLES: WD COMPO ALUM SHAKES: LT MED HVY BUILT-UP R. RFG. BAR TILE EXP BM		
ZONING		RESIDENTIAL	1ST FLOOR	DBL SGL PLY WD H. WD FIR CONC TILE CARPET LINO	
		MULTI-FAMILY	PARTITIONS	RMS: LIV DIN FAM KIT UTIL HALL BATH GAR DEN PLASTER DRYWALL COMPO CLD&PA T&G PLYWOOD	
		COMMERCIAL	OTHER INTERIOR CONST.	TRIM: FIR H. WD PANELING: CLASS: BUILT-INS: FIR H. WD METAL CAB TOPS: PLASTIC LINO APPLIANCES: ELECT GAS OVEN RANGE DISHWASHER WOOD FAN QUAL: F. A. G.	
		INDUSTRIAL	LIGHTING	CLASS: LOW VOLT INTERCOM	
AREA IMPROVEMENTS		PLUMBING	CLASS:	1 LAVATORY 1 STALL SHOWER 1 SINK 1 FULL BATH WATER ONLY TOILET SHOWER DOOR LAUNDRY FAC 1/2 BATH BATHTUB WATER HEATER	
SIDEWALKS		HEATING	CLASS:	FURNACE: FA GRAY FL W OIL GAS HARD FUEL ELEC.: W UNITS BASEBD GL PANEL CABLE: CLG FL H.W.:BASEBD CONVEC RAD: FL CLG STOVE CHIMNEY TOTAL AREA HEATED: SQ. FT. S	
CURBS		FIREPLACE	CLASS:	1 STY 2 STY SGL BKD STKD CIR NO HEARTH: PLAIN ELAB. WSH/F NONE FULL 3/4 1/2 1/4 X UNFIN FIN SQ. FT. DAYLIGHT:	
STREET		BASEMENT	CLASS:	WALLS: CONC BLK FL: CONC WOOD CEIL: PLS DRYWALL COMP PLYWOOD WALL CVR: FUR'D PLS DRYWALL COMP WD FLR CVR: ASPH TILE CORK LINO RMS: PLAY BR BATH LNDRY GAR NO. RMS. HEAT: SQ. FT.	
WATER		ATTIC OR UPPER STORIES	CLASS:	NONE 3/4 1/2 1/4 X UNFIN FIN: PLS DRYWALL COMP CLD& PA FLR: DBL SGL FIR H. WD ASPH TILE VINYL LINO CARPET LINO SUBFLOOR ONLY RMS: BR BATH HALL NO. RMS. HEAT: SQ. FT.	
SEWERS		SPECIAL	PORCH:	WD FR CONC	
ELECTRICITY		RATING:	PHYS COND. P F A G	FUNC. UTIL. P F A G	APPEARANCE P F A G

REMARKS:

PLOT PLAN:



# BUILDING DIAGRAM



30 12.00 #

40

## GARAGE AND OUTBUILDINGS

## LAND DESCRIPTION

GARAGE CLASS ATT. DET. BSMT. 1/4 1/3 1/2 3/4 BLT.	DESCRIPTION					DIMEN- SIONS	SQ. FT. AREA	NO.	SOIL TYPE	LAND CLASS	DIMENSIONS OR ACRES
	FOUND	FLOOR	ROOF	WALLS	MISC.						
						X		1			
						X				#5	1.00
1	GP'S	NV	W	R	L	72 X 72	144	2		3	2.26 <del>2.39</del>
2						X		3			1.00
3						X		4			
4						X		5			
5						X		6			
6						X		7			
7						X		8			
8						X		9			

INCREMENTS TO LAND:

TOTAL ACRES	D	3.26 <del>3.39</del>
APPRaiser	GA	DATE 9/8/71
APPRaiser	M	DATE 11/2/77
APPRaiser	RS	DATE 11/9/84
APPRaiser		DATE / /

ADMINISTRATIVE INFORMATION

PARCEL NUMBER  
01086130  
Parent Parcel Number

Property Address  
15959 S HOLMES RD, MOLALLA, OR, 97038, USA

Neighborhood  
12204 MOLALLA RURAL NORTH 400 ~ 641

Property Class  
401 401 Rural Tract Improved

TAXING DISTRICT INFORMATION

Jurisdiction 003  
Area 001

OWNERSHIP

ROGERS IRWIN W JR & PATRICIA D  
15125 S MACKSBURG RD, MOLALLA, OR, 97038, US

Section 03 Township 5S Range 2E Quarter A TAX LOT  
01700

Tax ID 52E03A 01700

TRANSFER OF OWNERSHIP

Date

07/01/1989

Printed 08/08/2000 Card No. 1 of 1

Doc #: 89-33215  
\$50000

# AGRICULTURAL

## VALUATION RECORD

Assessment Year	01/01/1999	01/01/2000	Worksheet
Reason for Change		Reval	
VALUATION	L 87810	87060	87060
Market Value	B 56830	44490	51170
	T 144640	131550	138230
VALUATION	L 87810	87060	87060
M5 Value	B 56830	44490	51170
	T 144640	131550	138230

Site Description

Topography:

Public Utilities:

Street or Road:

Neighborhood:

Zoning:

Legal Acres: 1 23 RURAL ACRES  
0.0000 2 42 OSD

## LAND DATA AND CALCULATIONS

Rating Soil ID	Measured Acreage	Table	Prod. Factor -or- Depth Factor	Base Rate	Adjusted Rate	Extended Value	Influence Factor	Value
Actual Frontage	Effective Frontage	Effective Depth	-or- Square Feet					
	3.2600		1.00	16100.00	16100.00	52490 1	35% L -1%	70150
				24400.00	24400.00	24400 L	-1% 4 -30%	16910

MSFT: Misc. Features  
APPL Units: 1 Unit Price: 150.00  
MOR: Note of Record: R01  
ALLOCATED W/ 1702 ALSO 1701

### Supplemental Cards

MEASURED ACREAGE 3.2600

### FARMLAND COMPUTATIONS

#### Parcel Acreage

- 81 Legal Drain NV [-]
- 82 Public Roads NV [-]
- 83 UT Towers NV [-]
- 9 Homesite(s) [-]

TOTAL ACRES FARMLAND

TRUE TAX VALUE

### Supplemental Cards

TRUE TAX VALUE

87060

Measured Acreage  
Average True Tax Value/Acre

TRUE TAX VALUE FARMLAND

Classified Land Total

Homesite(s) Value (+)

Supplemental Cards  
TOTAL LAND VALUE

87060

## IMPROVEMENT DATA

## PHYSICAL CHARACTERISTICS

Style: 41 Houses built 1960 to 1969  
Occupancy: Single family

Story Height: 1.0  
Finished Area: 1200  
Attic: None  
Basement: None

**ROOFING**  
Material: Asphalt shingles  
Type: Gable  
Framing: Std for class  
Pitch: Not available

**FLOORING**  
Sub and joists 1.0  
Carpet 1.0

## EXTERIOR COVER

**INTERIOR FINISH**  
Drywall 1.0

**ACCOMMODATIONS**  
Finished Rooms 3  
Bedrooms 3

## HEATING AND AIR CONDITIONING

Primary Heat: Forced hot air  
Lower Full Part  
/Bsm 1 Upper Upper

## PLUMBING

3 Fixt. Baths 1 3  
TOTAL 3

## REMODELING AND MODERNIZATION

Amount Date

Construction	Base Area	Finished		Value
		Floor Area	Sq Ft	
1 Wood frame w/sh	1200	1.0	1200	34400

1200 Crawl ---- 0

TOTAL BASE 34400

Row Type Adjustment 1.00%  
SUB-TOTAL 34400

0 Interior Finish 0  
0 Ext Lvg Units 0  
0 Basement Finish 0  
Fireplace(s) 1900  
Heating 2220  
Air Condition 0  
Frame/Siding/Roof 0  
Plumbing Fixt: 3 830

Other Features 150

SUB-TOTAL ONE UNIT 39500

Exterior Features SUB-TOTAL 0 UNITS 39500

Description	Value	Garages	Value
0 Integral	0		0
0 Att Garage	0		0
0 Att Carports	0		0
0 Bsm Garage	0		0
Ext Features	0		0

SUB-TOTAL 39500

Quality Class/Grade 2

GRADE ADJUSTED VALUE 43060

## SPECIAL FEATURES

Description	Value
D :MISCFEAT	150
WDESTOVE	1900

## SUMMARY OF IMPROVEMENTS

Description	Value	ID	Use	Sty Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	Phys Depr	Obsol Depr	Market Adj	% Comp	Value
D :MISCFEAT	150	D	DWELL	1.00		2	1961	1961	AV	0.00	Y	0.00	1200	43060	37	0	115	100	51170
WDESTOVE	1900																		

Data Collector/Date

Appraiser/Date

Neighborhood

Supplemental Cards  
TOTAL IMPROVEMENT VALUE

51170

02 10/01/1991

Neigh 12204 AV





← Search Overview Property Details Public Facts Sale & Tax History Schools 



15959 S Holmes Rd, Molalla, OR 97038

**\$333,796**

Redfin Estimate

**3**

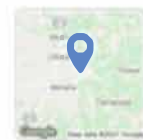
Beds

**1**

Bath

**1,200**

Sq Ft



Is th

Claim  
and ne



**Off Market**

This home last sold for \$255,000 on Jan 21, 2021.

Get a  
opinio  
state









December 8, 2021

Pacific NW Construction & Development Inc  
16869 SW 65<sup>th</sup> Ave Unit 290  
Lake Oswego, OR 97035

Daraee Hafez-Registered Agent  
17040 Pilkington Rd Ste 200  
Lake Oswego, OR 97035

**Subject: Alleged Violation of the Building Code, Chapter 9.02.040 of the Clackamas County Code**

Site Address: 15959 S Holmes Rd, Molalla OR 97038

Legal Description: T5S, R2E, Section 03A, Tax Lot 01700 & 01702

It has come to the attention of Clackamas County Code Enforcement that an addition and remodel to a single family residence and a new detached accessory structure may have been built without the benefit of permits.

This may constitute a violation of the Building Code, Chapter 9.02.040 Clackamas County Code.

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

E-mail address is [DianeBau@clackamas.us](mailto:DianeBau@clackamas.us)

Telephone number is 503-742-4459

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

## Department of Transportation and Development

### **Nondiscrimination Policy:**

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.

오.

Clackamas County Official Records  
Sherry Hall, County Clerk

**2021-033889**

04/01/2021 09:39:01 AM

D-D Cnt=1 Stn=74 MELISSA  
\$15.00 \$16.00 \$10.00 \$62.00

**\$103.00**

**UNTIL A CHANGE IS REQUESTED,  
ALL TAX STATEMENTS SHALL  
BE SENT TO:**

Pacific NW Construction & Development, Inc.  
16869 SW 65<sup>th</sup> Ave., No. 290  
Lake Oswego, OR 97035

**WHEN RECORDED RETURN TO:**

Pacific NW Construction & Development, Inc.  
16869 SW 65<sup>th</sup> Ave., No. 290  
Lake Oswego, OR 97035

~~POST 1 ACCOUNT~~

**Grantors:** Holmes Road, LLC

**Grantee:** Pacific NW Construction & Development, Inc.

**Consideration:** The consideration for this conveyance is non-monetary.

### **STATUTORY BARGAIN AND SALE DEED**

Holmes Road LLC, an Oregon limited liability company, Grantors, hereby grant, bargain, and convey to Pacific NW Construction & Development, Inc., an Oregon corporation, all of its interest in the following described real property free of encumbrances except as may currently exist on such property, commonly known as 15959 S. Holmes Road, Molalla, Clackamas County, Oregon 97038 and legally described as:

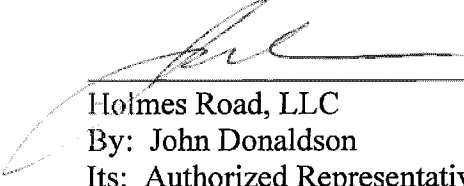
**See Exhibit A**

Situs Address: 15959 S. Holmes Road, Molalla, Oregon 97038

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.




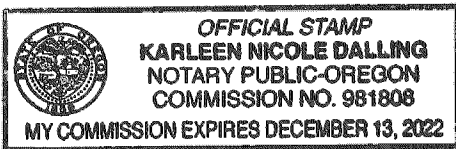
Dated March 30 2021.

  
Holmes Road, LLC  
By: John Donaldson  
Its: Authorized Representative

STATE OF OREGON )  
) ss.  
County of Clackamas )

The foregoing instrument was acknowledged before me this 30 day of March,  
20 21 by John Donaldson, in his capacity as authorized Representative of Holmes Road, LLC,  
an Oregon limited liability company.

  
Notary Public - State of Oregon  
My Commission Expires: 12.13.2022



**EXHIBIT "A"**  
Legal Description

**PARCEL I: 52E03A 01702**

**01086158**

Part of the Northeast one-quarter of Section 3, Township 5 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning on the Northeastly line of the William Vaughan Donation Land Claim, which is North 46° West a distance of 796.80 feet from the Southeast corner of said Vaughan Donation Land Claim; thence continuing North 46° West a distance of 247.60 feet to an iron pipe and the true point of beginning; thence North 28° 03' 36" East a distance of 520.60 feet to an iron pipe; thence South 46° 55' East a distance of 237.74 feet to the most Easterly corner of that tract described in Deed to Eldon B. Lake, et ux, recorded September 3, 1975 as Recorder's Fee No. 75-24983, Clackamas County Records; thence South 29° 15' West a distance of 514.60 feet, more or less, to the Northeastly line of said Vaughan Donation Land Claim; thence North 46° West along the Northeastly line of said Vaughan Donation Land Claim to the true point of beginning.

**PARCEL II: 52E03A 01700**

**01086130**

Part of the Northeast one-quarter of Section 3, Township 5 South, Range 2 East of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning on the Northeastly line of the William Vaughan Donation Land Claim which is North 46° West a distance of 771.870 feet from the Southeast corner of said Vaughan Donation Land Claim, which point is in the center of a County Road; thence North 46° West a distance of 53.45 feet to the most Southerly corner of that tract described in Deed to Eldon B. Lake, et ux, recorded September 3, 1975 as Recorder's Fee No. 75-24983, Clackamas County Records; thence North 29° 15' East a distance of 514.60 feet to the most Easterly corner of said Lake tract; thence South 46° 55' East a distance of 361 feet to the most Easterly corner of that tract described in Deed to Carl T. McCally, et ex, recorded December 12, 1962 in Book 614, Page 813, Clackamas County Deed Records; thence South 29° 15' West a distance of 289.53 feet to the center of County Road; thence North 80° 30' 25" West along the center of said County Road, a distance of 308.08 feet; thence South 47° West, a distance of 55.79 feet to the point of beginning.



150 Beavercreek Rd  
Oregon City, OR 97045  
503-655-8671

[Home](#)
[Help](#)
[Login](#) [Logoff](#)
[Property Search](#) > [Search Results](#) > Property Summary

## Property Account Summary

12/8/2021

Account Number	01086130	Property Address	15959 S HOLMES RD , MOLALLA, OR 97038
----------------	----------	------------------	---------------------------------------

### General Information

Alternate Property #	52E03A 01700
Property Description	Section 03 Township 5S Range 2E Quarter A TAX LOT 01700
Last Sale Price	\$0.00
Last Sale Date	04/08/2021
Last Sale Excise Number	390231
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	035-013
Remarks	

### Property Characteristics

Neighborhood	12204: Molalla rural north all other
Land Class Category	401: Tract Land Improved
Building Class Category	12: Single family res, class 2
Year Built	1961
Acreage	3.26
Change property ratio	4XX

### Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1200	0 X 0	1961	25	1.0	3	1	0

### Parties

Role	Percent	Name	Address
Taxpayer	100	PACIFIC NW CONSTRUCTION & DEVL MNT INC	16869 SW 65TH AVE UNIT 290, LAKE OSWEGO, OR 97035
Owner	100	PACIFIC NW CONSTRUCTION & DEVL MNT INC	16869 SW 65TH AVE UNIT 290, LAKE OSWEGO, OR 97035

### Property Values

Value Type	Tax Year 2021	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017
AVR Total	\$170,707	\$165,735	\$160,908	\$156,221	\$151,671
Exempt					



**Business Name Search**

[New Search](#) [Printer Friendly](#)

**Business Entity Data**

12-07-2021  
11:26

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1739742-97	DBC	ACT	OREGON	11-04-2020	11-04-2022	
<b>Entity Name</b>	PACIFIC NW CONSTRUCTION & DEVELOPMENT INC.					
<b>Foreign Name</b>						

[New Search](#) [Printer Friendly](#)

**Associated Names**

<b>Type</b>	PPB	PRINCIPAL PLACE OF BUSINESS				
<b>Addr 1</b>	660 LAKOTA LANE					
<b>Addr 2</b>						
<b>CSZ</b>	MOLALLA	OR	97038		<b>Country</b>	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

<b>Type</b>	AGT	REGISTERED AGENT		<b>Start Date</b>	11-04-2020	<b>Resign Date</b>	
<b>Name</b>	HAFEZ		DARAE				
<b>Addr 1</b>	17040 PILKINGTON ROAD						
<b>Addr 2</b>	SUITE 200						
<b>CSZ</b>	LAKE OSWEGO	OR	97035		<b>Country</b>	UNITED STATES OF AMERICA	

<b>Type</b>	MAL	MAILING ADDRESS				
<b>Addr 1</b>	16869 SW 65TH AVE # 290					
<b>Addr 2</b>						
<b>CSZ</b>	LAKE OSWEGO	OR	97035		<b>Country</b>	UNITED STATES OF AMERICA

<b>Type</b>	PRE	PRESIDENT			<b>Resign Date</b>	
<b>Name</b>	JOHN		DONALDSON			
<b>Addr 1</b>	PO BOX 765					
<b>Addr 2</b>						




<b>CSZ</b>	MOLALLA	OR	97038		<b>Country</b>	UNITED STATES OF AMERICA
<b>Type</b>	SEC	SECRETARY			<b>Resign Date</b>	
<b>Name</b>	JOHN		DONALDSON			
<b>Addr 1</b>	PO BOX 765					
<b>Addr 2</b>						
<b>CSZ</b>	MOLALLA	OR	97038		<b>Country</b>	UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#) **Name History**

<b>Business Entity Name</b>	<b>Name Type</b>	<b>Name Status</b>	<b>Start Date</b>	<b>End Date</b>
PACIFIC NW CONSTRUCTION & DEVELOPMENT INC.	EN	CUR	11-04-2020	

Please [read](#) before ordering [Copies](#).

[New Search](#) [Printer Friendly](#) **Summary History**

<b>Image Available</b>	<b>Action</b>	<b>Transaction Date</b>	<b>Effective Date</b>	<b>Status</b>	<b>Name/Agent Change</b>	<b>Dissolved By</b>
	AMENDED ANNUAL REPORT	10-08-2021		FI		
	AMNDMT TO ANNUAL RPT/INFO STATEMENT	01-20-2021		FI		
	ARTICLES OF INCORPORATION	11-04-2020		FI	Agent	

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please contact : [corporation.division@state.or.us](mailto:corporation.division@state.or.us)

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# Clackamas County

150 Beaver Creek Rd  
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

---

**Location:**

15959 S HOLMES RD MOLALLA OR 97038

**Inspection Date:**

Mon, 20 Dec 2021

**Record Type:**

Code Enforcement - Violation

**Record ID:**

V0050021

**Inspection Type:**

270 Miscellaneous/Consultation

**Inspector:**

Matt VanLoon

**Inspector Phone:**

503-347-8299

**Inspector Email:**

MVanLoon@clackamas.us

**Result:**

In Violation

**Submit Time:**

Mon, 20 Dec 2021 11:29:AM

**Comments:**

Picture of front and side of dwelling show addition of front porch cover which appears to be over 200 sq ft.

There has also been electrical and mechanical work at a minimum done.

Picture of new heat pump at side of dwelling attached to email.











December 20, 2021

Pacific NW Construction & Development Inc.  
16869 SW 65<sup>th</sup> Avenue, Unit 290  
Lake Oswego, OR 97035

Daraee Hafez  
17040 Pilkington Road  
Lake Oswego, OR 97035

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

**SITE ADDRESS:** 15959 S. Holmes Rd., Molalla, OR 97038

**LEGAL DESCRIPTION:** T5S, R2E, Section 03A, Tax Lot 01700

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

- Remodel to single family residence without permits
- Accessory structure built without permits

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

#### **Remodel to single family residence and accessory structure built without permits**

The remodel of a single family residence and the construction of an accessory structure without permits constitutes a violation of Clackamas County Code Title 9.02.40 (B), (C), (D), and (E). In order to abate the violations, please complete the following options **no later than January 20, 2022**:

- Please submit building, electrical, plumbing and mechanical permit applications, technically complete plans and appropriate fee(s).
  - The permits 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, **or**;

## **CONTACT INFORMATION**

Permits are accepted **on-line only**, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>.

**Building** - If you have any questions concerning these permit requirements or the online submittal process, please contact the Building Codes Division at 503-742-4240, via email at [bldservice@clackamas.us](mailto:bldservice@clackamas.us) or, you may stop by our offices at 150 Beaver Creek Rd., Oregon City, OR 97045, Monday through Thursday between the hours of 8:00 a.m. and 4:00 p.m. and Friday 8:00 a.m. to 3:00 p.m.

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. 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](mailto:dianebau@clackamas.us).

## **ITEMS INCLUDED IN THIS PACKET**

1. Violation Letter
2. Required Notice of Fines and Penalties



Diane Bautista  
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.

# Clackamas County

150 Beaver Creek Rd  
Oregon City, OR 97045

Tel: Inspection: 503-742-4720

---

**Location:**

15959 S HOLMES RD MOLALLA OR 97038

**Inspection Date:**

Wed, 02 Feb 2022

**Record Type:**

Code Enforcement - Violation

**Record ID:**

V0050021

**Inspection Type:**

270 Miscellaneous/Consultation

**Inspector:**

Matt VanLoon

**Inspector Phone:**

503-347-8299

**Inspector Email:**

MVanLoon@clackamas.us

**Result:**

In Violation

**Submit Time:**

Wed, 02 Feb 2022 7:09:AM

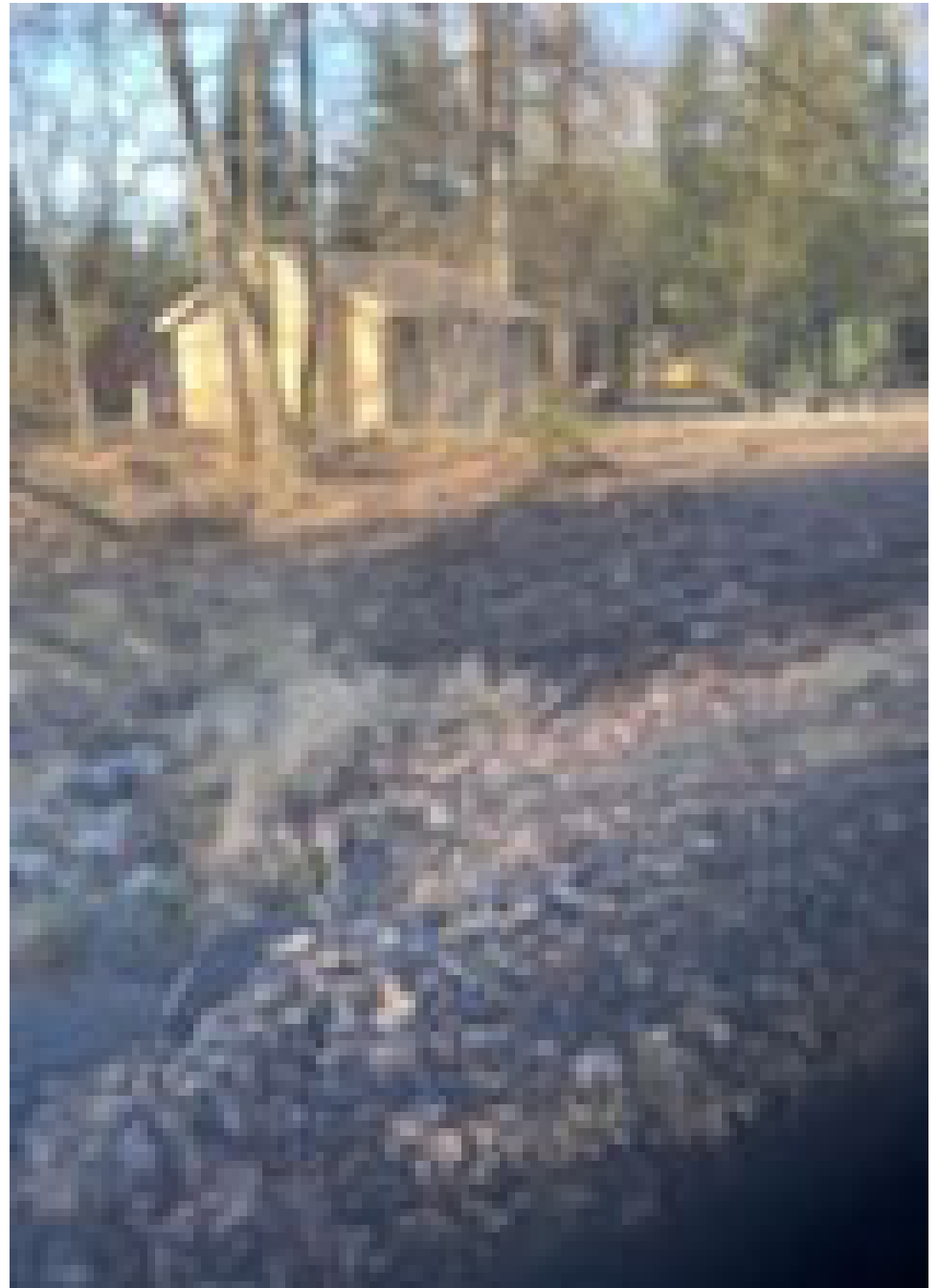
**Comments:**

Pictures have been sent by text message.

After meeting with Michael DeBlasi it does not appear that Oregon department of lands has any thing actionable on their part.

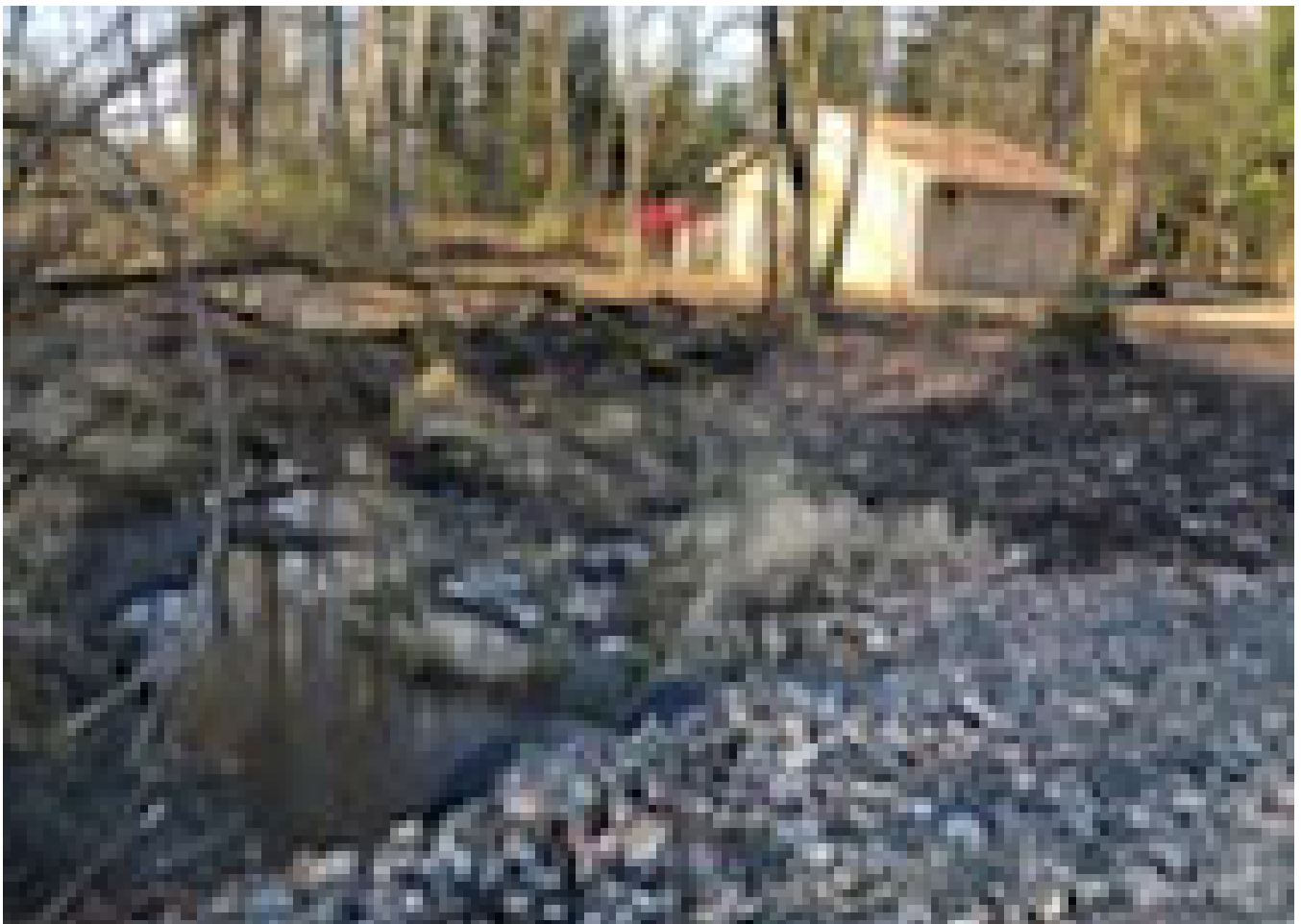
There is however grading that has been done in 2 locations that has pushed soils near the waterway. I do not know if this is an area where this is allowed.

The dwelling itself is in violation as openings have been moved/ added. There is new mechanical systems including furnace, heat pump and fireplace. The owner stated that he has added a bathroom though we grid not go inside the building. The owner asked what he needed to do and said he would start getting the drawings ready to submit for permits on the structure.















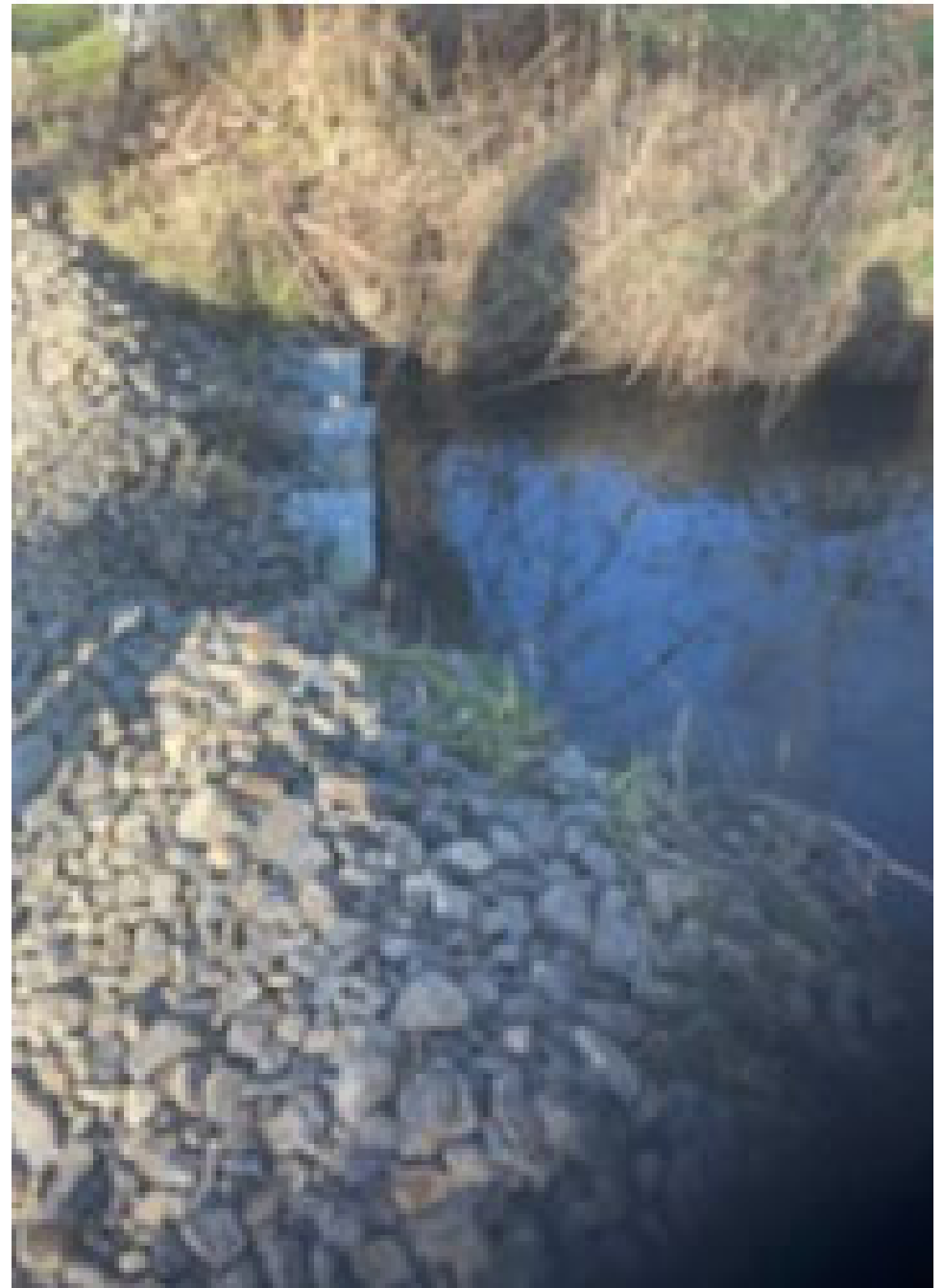


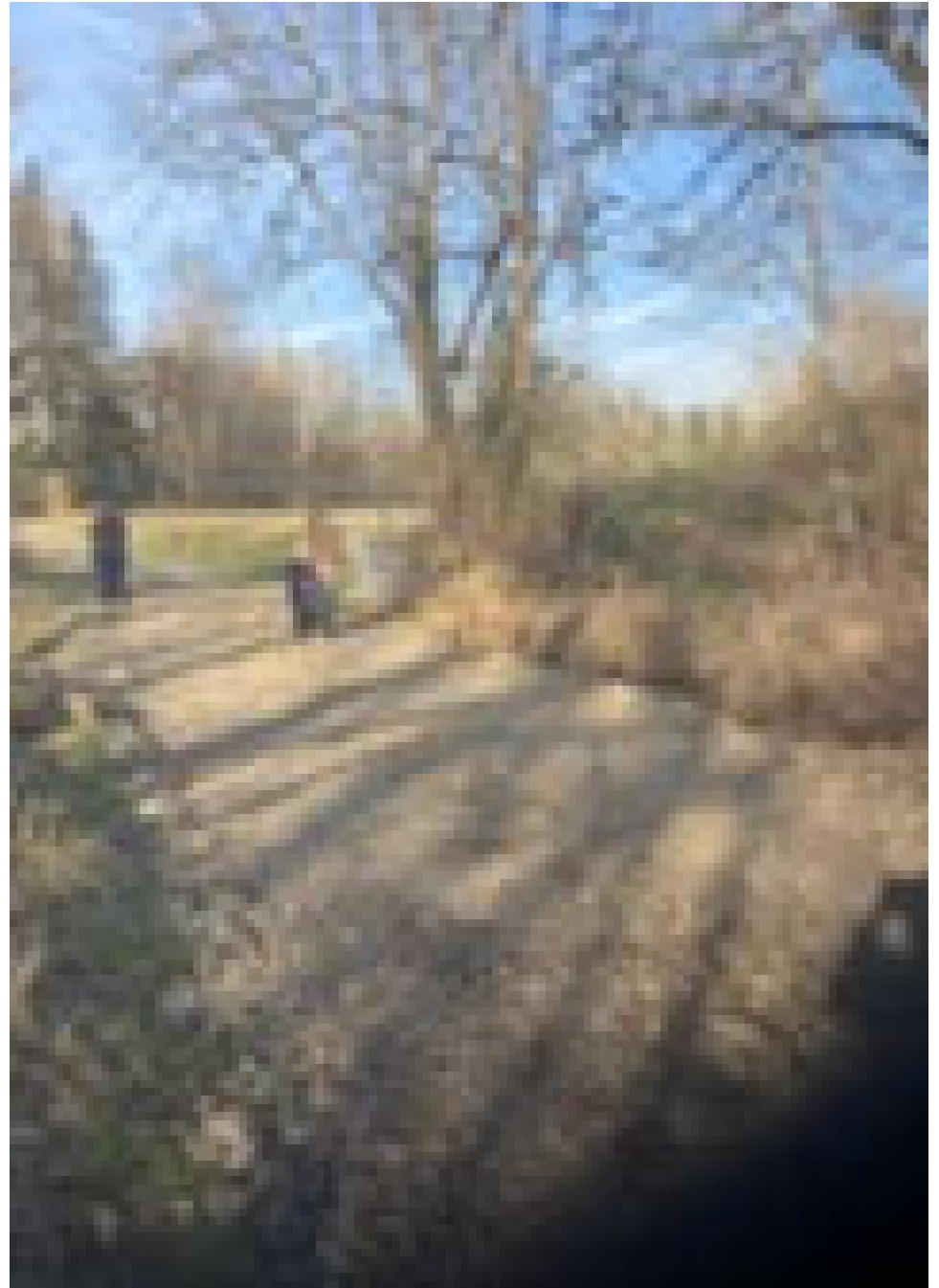




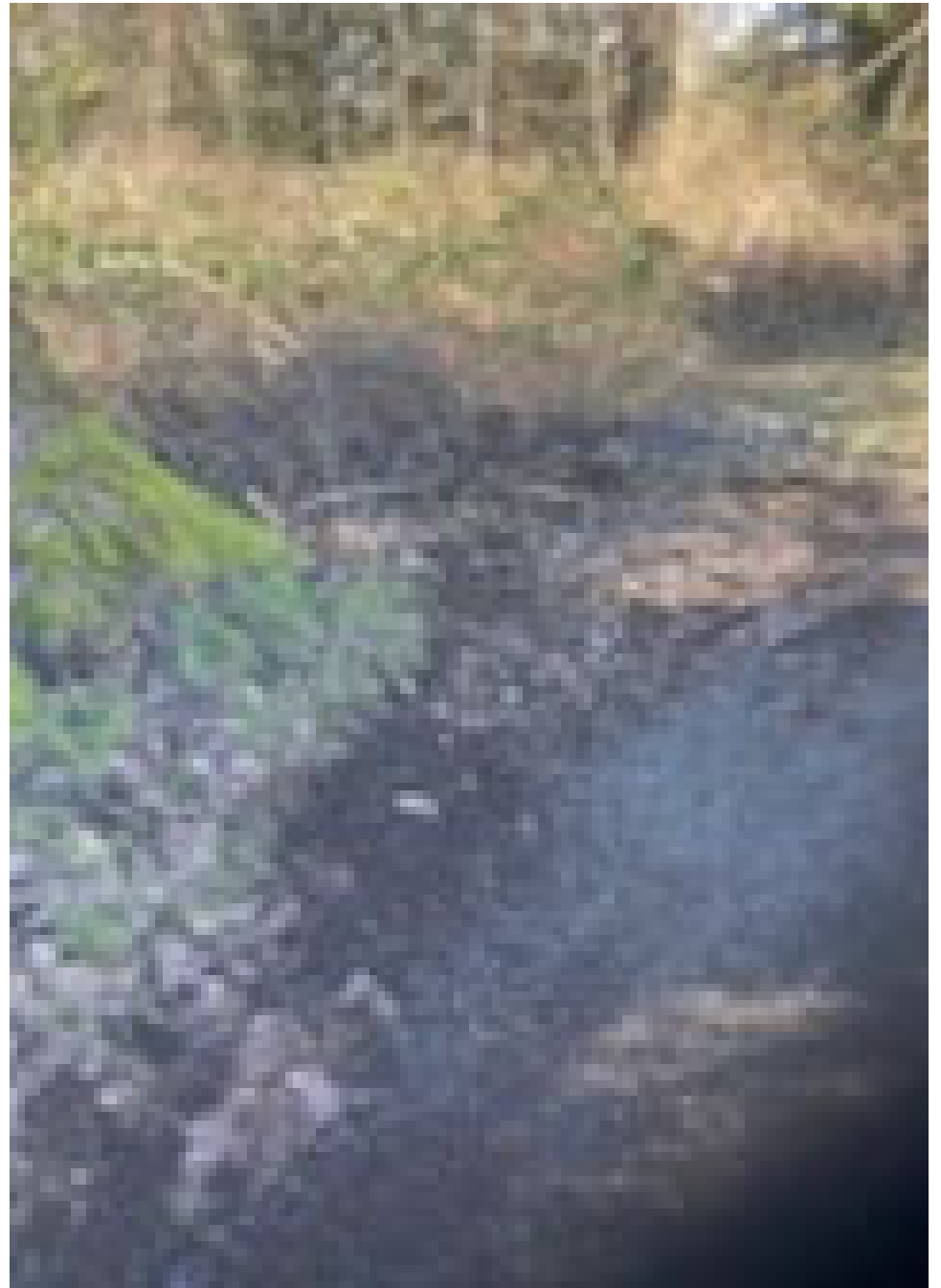














## Bautista, Diane

---

**From:** Lord, Melissa on behalf of ZoningInfo  
**Sent:** Wednesday, February 2, 2022 12:54 PM  
**To:** Bautista, Diane  
**Cc:** Morris, Robert  
**Subject:** RE: 15959 S. Holmes Road

Hi Diane,

The stream that runs to the south of this property is classified as a "large" RSCA stream, subject to ZDO [Section 704](#). Section 704 applies to land that is located within 100 feet of the mean high water line of the stream. Any development within 100 feet of the high water mark of the stream would require a Stream Conservation Area land use permit.

*"Development: Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or any other activity which results in the removal of substantial amounts of vegetation or in the alteration of natural site characteristics"*

In addition, the property is within the floodplain as noted in the previous email you got from planning. Again, any development (including grading) in the floodplain requires a Floodplain Development Permit.

So, to correct the violation for grading on the property they will need:

- Application form for Floodplain Development Permit:  
<https://dochub.clackamas.us/documents/drupal/492875ab-d090-4863-87a6-953f7fa19250>
  - o Relevant ZDO [Section 703](#)
- Application form for Stream Conservation Area permit:  
<https://dochub.clackamas.us/documents/drupal/34bcb0c0-11a1-4922-9fd1-040ebfcd0e44>
  - o Relevant ZDO [Section 704](#)

Please let me know if you have additional questions,

Mel

**Melissa Lord** | Planner I

Clackamas County Planning and Zoning Division | 150 Beaver Creek Road | Oregon City, OR 97045

*We are offering comprehensive services by phone, email and online. The Planning and Zoning Division public service/permits lobby is open Monday through Thursday from 8:00 a.m. to 4:00 p.m. The public service telephone line at 503-742-4500 and email account at [zoninginfo@clackamas.us](mailto:zoninginfo@clackamas.us) are staffed Monday through Thursday from 8:00 a.m. to 4:00 p.m. and Friday from 8:00 a.m. to 3:00 p.m.*

---

**From:** Bautista, Diane  
**Sent:** Wednesday, February 2, 2022 11:29 AM  
**To:** ZoningInfo <ZoningInfo@clackamas.us>; Morris, Robert <RMorris@clackamas.us>  
**Subject:** 15959 S. Holmes Road

Good morning planning,

Building inspector Matt VanLoon was on site last Friday and took the attached pictures. Planning had responded to me on January 20, 2022 "Yes, property is in the floodplain. Floodplain development permit will be required for any development. This will likely ultimately require elevating any new structure. The hydric soils comment



February 2, 2022

Pacific NW Construction & Development Inc.  
John Donaldson  
16869 SW 65<sup>th</sup> Avenue, Unit 290  
Lake Oswego, OR 97035

**SUBJECT: Violations of Clackamas County Zoning and Development Ordinance, Title 12, Section 704.07**

**VIOATION: V0050021**

**SITE ADDRESS:** 15959 S. Holmes Rd., Molalla, OR 97035  
**LEGAL DESCRIPTION:** T5S, R2E, Section 03A, Tax Lot 01700

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

- Grading and vegetation removal in a River and Stream Conservation Area (RSCA) and Floodplain

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

#### **Grading and vegetation removal in a River and Stream Conservation Area and Floodplain**

The stream that runs to the south of this property is classified as a “large” RSCA stream, subject to ZDO Section 704. Section 704 applies to land that is located within 100 feet of the mean high water line of the stream. Any development within 100 feet of the high water mark of the stream would require a Stream Conservation Area land use permit.

“Development: Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or any other activity which results in the removal of substantial amounts of vegetation or in the alteration of natural site characteristics”

In addition, the property is within the floodplain any development (including grading) in the floodplain requires a Floodplain Development Permit.

In order to abate the violations, you must complete the following no later than March 2, 2022:

- Submit the below applications to the Planning Department:
  - Application form for Floodplain Development Permit:  
<https://dochub.clackamas.us/documents/drupal/492875ab-d090-4863-87a6-953f7fa19250>
    - Relevant ZDO Section 703
  - Application form for Stream Conservation Area permit:  
<https://dochub.clackamas.us/documents/drupal/34bcb0c0-11a1-4922-9fd1-040ebfcd0e44>
    - Relevant ZDO Section 704

### **CONTACT INFORMATION**

**Planning** – If you have questions concerning land use requirements please contact the Land Use and Planning Department at 503-742-4500 or on-line at [ZoningInfo@clackamas.us](mailto:ZoningInfo@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. 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](mailto:dianebau@clackamas.us).

### **ITEMS INCLUDED IN THIS PACKET**

1. Violation Letter
2. Required Notice of Fines and Penalties



Diane Bautista  
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.





**CLACKAMAS COUNTY**  
**DEVELOPMENT SERVICES BUILDING**  
**DTD - CODE ENFORCEMENT**  
 150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

PORTLAND OR 972  
 PORTLAND OR 972

4 FEB 2023 PM 4L  
 3 MAR 2022 PM 5L



US POSTAGE<sup>SM</sup> PITNEY BOWES<sup>SM</sup>



ZIP 97045 \$ 000.53<sup>0</sup>  
 02 1W  
 0001404531 FEB 02 2022

*wrong  
 to Box  
 Send back  
 to sender*

John Donaldson  
 PO Box 765  
 Molalla, OR 97038

NIXIE 971 FE 1 0003/07/22  
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 NOT DELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD  
 BC: 97045430250 \*0229-06405-03-01

UTF  
 97045  
 97045430250



COPY

**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

February 2, 2022

Pacific NW Construction & Development Inc.  
John Donaldson  
16869 SW 65<sup>th</sup> Avenue, Unit 290  
Lake Oswego, OR 97035

**SUBJECT: Violations of Clackamas County Zoning and Development Ordinance, Title 12, Section 704.07**

**VIOATION: V0050021**

**SITE ADDRESS:** 15959 S. Holmes Rd., Molalla, OR 97035  
**LEGAL DESCRIPTION:** T5S, R2E, Section 03A, Tax Lot 01700

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

- Grading and vegetation removal in a River and Stream Conservation Area (RSCA) and Floodplain

**VIOLATIONS & HOW TO RESOLVE**

**Grading and vegetation removal in a River and Stream Conservation Area and Floodplain**

The stream that runs to the south of this property is classified as a "large" RSCA stream, subject to ZDO Section 704. Section 704 applies to land that is located within 100 feet of the mean high water line of the stream. Any development within 100 feet of the high water mark of the stream would require a Stream Conservation Area land use permit.

"Development: Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or any other activity which results in the removal of substantial amounts of vegetation or in the alteration of natural site characteristics"

## Bautista, Diane

---

**From:** Bautista, Diane  
**Sent:** Monday, April 4, 2022 10:04 AM  
**To:** 'John Donaldson'  
**Subject:** RE: 15959 S. Holmes Road

Good morning,

Please contact the Planning Department at 503-742-4500 or via email at [zoninginfo@clackamas.us](mailto:zoninginfo@clackamas.us) to obtain required Floodplain and River & Stream Conservation Area land use.

Thank you.

---

**From:** John Donaldson <[johnpacificnwconstruction@gmail.com](mailto:johnpacificnwconstruction@gmail.com)>  
**Sent:** Friday, April 1, 2022 5:18 AM  
**To:** Bautista, Diane <[DianeBau@clackamas.us](mailto:DianeBau@clackamas.us)>  
**Subject:** Re: 15959 S. Holmes Road

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

---

Can't find anyone to draw it  
Mailing address P.O. Box 1027 molalla or 97038

I will get permits for electric plumbing and next week

Sent from my iPhone

On Mar 31, 2022, at 2:44 PM, Bautista, Diane <[DianeBau@clackamas.us](mailto:DianeBau@clackamas.us)> wrote:

Good afternoon,

Can you please verify a correct mailing address for you. The violation letter sent to your PO Box was returned.

Also, no permits have been submitted. Please let me know how you plan to proceed.

Thank you.

*Diane Bautista*

Diane Bautista  
Clackamas County Code Enforcement  
(503) 742-4459



Citation No. 2100500-1

Case No. V0050021

# ADMINISTRATIVE CITATION

Date Issued: August 15, 2022

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

Name: Pacific NW Construction  
Name: John Donaldson  
Mailing Address: 16869 SW 65<sup>th</sup> Avenue, Unit 290  
City, State, Zip: Lake Oswego, OR 97035

Date Violation(s) Confirmed: On the 11th day of August, 2022, 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): 15959 S. Holmes Rd., Molalla, OR 97035

Legal Description: T5S, R2E Section 03A, Tax Lot(s) 01700

**Law(s) Violated:**

- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (B), (C), (D) and (E)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 704.07

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

- 1) Failure to obtain required permits for a remodel to a single family residence

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

- 2) Accessory structure built without permits

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

- 3) Grading and vegetation removal in a River and Stream Conservation Area (RSCA) and Floodplain

Maximum Civil Penalty \$2,500.00                      Fine \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$1,500.00. 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: August 15, 2022  
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](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: \_\_\_\_\_





CLACKAMAS  
COUNTY

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

NSN

RETURN SERVICE  
REQUESTED

PRESORTED  
FIRST CLASS



ZIP 97045 \$ 000.45<sup>5</sup>  
02 1W  
0001404531 AUG 15 2022

John Donaldson  
P.O. Box 1027  
Molalla, OR 97038

NIXIE 971 DE 1 0008/20/22

RETURN TO SENDER  
NO SUCH NUMBER  
UNABLE TO FORWARD

BC: 97045430250 \*0229-05911-16-20



NSN  
STUBBINS-9708934  
999 ABCDEF1234567



Citation No. 2100500-1

Case No. V0050021

# ADMINISTRATIVE CITATION

Date Issued: August 15, 2022

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

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

Date: August 15, 2022  
Department Initiating Enforcement Action: Code Enforcement

Clackamas County  
Inspection History for Record #P0214623

**Applicant Name:** PACIFIC NW CONSTRUCTION & DEVELOPMENT INC

**Work Description:** SEPTIC TANK CONNECTION

**Address:** 15959 S HOLMES RD, MOLALLA, OR 97038

Inspection Date	Inspection Type	Inspector	Status	Comments
9/19/2023 12:00:00 AM	330 Septic Connection	Michael Archer	Approved	
9/19/2023 12:00:00 AM	399 Plumbing Final	Michael Archer	Approved	

Clackamas County  
Inspection History for Record #E0514023

**Applicant Name:** JENSEN ELECTRIC LLC

**Work Description:** add (1) 20 amp circuit for septic pump system and associated wiring  
add (1) 20 amp circuit for septic uv light and associated wiring

located on back exterior wall of house

**Address:** 15959 S HOLMES RD, MOLALLA, OR 97038

Inspection Date	Inspection Type	Inspector	Status	Comments
9/19/2023 12:00:00 AM	199 Electrical Final	Douglas Boettcher	Approved	



Permit #: B0231222

Applied: 04/12/2022

Type: Residential / Mechanical

Approved:

Status: Issued

Final:

Valuation: \$0.00

Expiration: 10/9/2022

Address: 15959 S HOLMES RD MOLALLA, OR 97038

Applicant: IDEAL TEMP HEATING AND COOLING INC 5032502458

Owner: PACIFIC NW CONSTRUCTION & DEVLMT INC

Contractor: IDEAL TEMP HEATING AND COOLING INC 5032502458

Certificate of Occupancy Required:

Parcel: 52E03A 01700

Class:

Entered By:

Occupancy:

Insp Area:

Units:

Bldgs:

Printed: 09/26/2023

Violation:

Description: Install new furnace, and ac

Conditions:

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.

SFR/Dup 1st Unit(sqft):

Additional Unit(sqft):

1 & 2 Family Mechanical Minimum Permit and Reinspection Fee

55

\$55.00

Air Conditioner

1

\$18.00

Furnace

1

\$12.00

State Surcharge

1

\$10.20

Total Fees:

\$95.20

Total Payments:

\$95.20

Balance Due:

\$0.00

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](mailto:dtdcustomerinfo@clackamas.us) or simply fill out our online survey at <https://www.surveymonkey.com/s/cccustomersurvey>

Clackamas County  
Inspection History for Record #B0231222

**Applicant Name:** IDEAL TEMP HEATING AND COOLING INC

**Work Description:** Install new furnace, and ac

**Address:** 15959 S HOLMES RD, MOLALLA, OR 97038

Inspection Date	Inspection Type	Inspector	Status	Comments