



NOTICE OF HEARING

May 30, 2024

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

RE:: County of Clackamas v. Lost Shelter Lots LLC
File: V0004824

Hearing Date: June 25, 2024

Time: This item will not begin before 1:30pm 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 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/82585799199?pwd=BQV3DndcLNITZDyaFveTjF2MavZFD8.1>

Passcode: 970820

Or One tap mobile:

+17193594580,,82585799199# US

+12532050468,,82585799199# US

Or join by phone:

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

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

Webinar ID: 825 8579 9199

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: V0004824

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:

67295 E Lost Shelter Rd., Rhododendron, OR 97049 also known as T2S, R7E, Section 32AC, Tax Lot 04900, and is located in Clackamas County, Oregon.

3.

On or about the 13th day of March, 2024 and on or about the 22nd day of April, the Respondent violated the following laws, in the following ways:

- a. Respondent violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved permits and approved final inspection for an addition to a residence and a pergola. The violation for the addition to the cabin is a Priority 1 violation and the violation for the pergola is a Priority 4 violation pursuant to the Clackamas County Violation Priorities.
- b. Respondent violated the Clackamas County Zoning and Development Ordinance, Title 12, Section 704.01 for development within a River and Stream Conservation Area without land use approval. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violations was given to Respondent in the following manner:
Administrative Citation #2400048 in the amount of \$500.00 was mailed via first class mail on April 22, 2024. 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 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 Priority 1 violation being \$750.00 to \$1,000.00 per occurrence and for a Building Code Priority 4 violation being \$100.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code. Said range for a Zoning and Development Ordinance Priority 1 violation being \$750.00 to \$3,500.00 per occurrence as provided by Appendix B to the Clackamas County Code;
3. Pursuant to Clackamas County Code Section 2.07.090, ordering 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 22 day of May, 2024.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

LOST SHELTER LOTS LLC

Respondent,

File No.: V0004824

STATEMENT OF PROOF

History of Events and Exhibits:

- February 27, 2024 Clackamas County received a complaint regarding construction within the protected River and Stream Conservation Area on the subject property.
- March 8, 2024 I spoke with the complainant regarding the alleged violation. The complainant stated that a large pergola structure had been built onsite and was very close to the Sandy River bank.
- March 8, 2024 Exhibit A I conducted online research of the property. I found Redfin photos of the property when it was listed for sale in 2020. The aerial images of the property reflect that the residence had an addition to the structure. A review of County records found no permits had been approved for the addition.
- March 11, 2024 Exhibit B I conducted an inspection of the subject property. I observed a large pergola onsite and the addition the residence as noted in Exhibit A.
- March 12, 2024 Exhibit C I emailed the Planning Department regarding development within the River and Stream Conservation Area that was verified. A land use review of the development that has occurred without land use approval will be required. I also emailed Building Inspector Robert Fix regarding the pergola. Based on the photos I submitted to Robert, a building permit would be required.
- March 13, 2024 Exhibit D The Notice of Violation was mailed to the Respondent and a copy was sent to the Registered Agent with a deadline date of March 26, 2024 to speak with planning regarding the options of keeping any part of the pergola or addition on the residence. A deadline date of April 11, 2024 was given for submittal of any land use permits and building permits. I also sent a copy of the Notice of Violation to Vince Cortese's email.

April 22, 2024
Exhibit E

I reviewed County records and found no permits had been submitted for the addition to the residence or the pergola. Citation 2400048 in the amount of \$500.00 was sent first class mail to the Respondent with a copy sent to the Registered Agent and Vince Cortese. The citation was not returned and remains unpaid.

May 22, 2024

This matter was referred to the Hearings Officer

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code, Title 9.02.040 and Zoning and Development Ordinance Title 12, Section 704.01 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 and Zoning and Development Ordinance within 45 days of the date of the Order by submitting all required land use applications, technically complete building permit applications for the pergola and the addition to the single-family residence and paying the required fees for review. The Respondent must respond to all requests for additional information to complete review of any required land use applications or plan review comments for the building permit application within ten days of being notified. Permits must be paid for within ten days of being notified and an approved final inspection on all required permits shall be obtained within 60 days of permits being issued.
- Code Enforcement will 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 the unpermitted addition of the cabin of up to \$1,000.00 for date cited April 22, 2024.
- The imposition of civil penalties for the Building Code violation of the unpermitted pergola of up to \$1,000.00 for date cited April 22, 2024.
- The imposition of civil penalties for the development within the Sandy River setbacks without land use approval of up to \$3,500.00 for date cited April 22, 2024
- Payment for Citation No. 2400048 issued on April 22, 2024 for \$500.00.
- The administrative compliance fee to be imposed from March, 2024 until the violation is abated. As of this report the total is \$150.00.
- 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.





2- < image 1 of 19 > 02/06/2022





2023 < image 1 of 22 > 10/29/2023









Kauppi, Jennifer

From: Blessing, Ben
Sent: Tuesday, March 12, 2024 12:58 PM
To: Lord, Melissa; Kauppi, Jennifer
Subject: RE: 67295 E Lost Shelter - New Violation

Mel pretty much covered it, thanks Mel

From: Lord, Melissa <MLord@clackamas.us>
Sent: Tuesday, March 12, 2024 8:13 AM
To: Kauppi, Jennifer <JKauppi@clackamas.us>
Cc: Blessing, Ben <BBlessing@clackamas.us>
Subject: FW: 67295 E Lost Shelter - New Violation

Hi Jen,

I'm copying Ben here because he is reviewing the land use permit for this and I suspect these will be helpful for him to write his decision –

The new structure or addition cannot be closer to the river than the existing structure. Based on the photos, I think it is clear the newest structure is closer to the river than before?

He is requesting a Setback Exception pursuant to ZDO Sec. 704.05(A)(2) and so Ben has required him to provide clear evidence that the proposed reconstructed dwelling will not encroach closer than existing development that predates the Principal River Conservation Area (PRCA). This may include dated photographs, dated aerial photographs, tax records, etc.

Mel

Melissa Lord (she/her)
Senior Planner

Clackamas County Planning and Zoning Division
150 Beavercreek Road, Oregon City, OR 97045
MLord@Clackamas.us | 503-742-4504
Hours: M-F 7:30am to 5:00pm

The Planning and Zoning public service telephone line at 503-742-4500 and email account at zoninginfo@clackamas.us are staffed Monday through Thursday from 8:00 a.m. to 4:00 p.m., and the public service lobby is open Monday through Thursday from 8:00 a.m. to 4:00 p.m.

From: Kauppi, Jennifer
Sent: Tuesday, March 12, 2024 7:44 AM
To: Lord, Melissa <MLord@clackamas.us>
Subject: 67295 E Lost Shelter - New Violation

Mel,

Thanks for taking a look at this.

The first photo was taken in 2008 (for comparison)
Redfin photos show what the site looked like in 2020
The 03-11-24 photo is what has been done onsite.

The property is right on the Sandy River. The size of the structure requires permits, however, I don't know if he can even have it there.

Thank you for looking at this.

Jennifer Kauppi – Code Enforcement Specialist
Code Enforcement
Department of Transportation and Development
150 Beavercreek Rd.
Primary Phone: 503-742-4759

www.clackamas.us

Hours: M-F from 7:30 a.m. until 4:00 p.m.

Lobby hours 8:00 a.m. until 4:00 p.m. Monday – Thursday. Offices are closed to the public on Fridays.

Were you happy with the service you received today?



CLICK A SMILEY

Kauppi, Jennifer

From: Fix, Robert
Sent: Tuesday, March 12, 2024 9:00 AM
To: Kauppi, Jennifer
Subject: Re: 67295 E Lost Shelter Rd

That definitely over 200'
Definitely need a permit!!

Sent from my iPhone

On Mar 12, 2024, at 7:45 AM, Kauppi, Jennifer <JKauppi@clackamas.us> wrote:

Robert,

This is the Lost Shelter Rd property I was talking with you about today.

Based on this photo, anyway to give an estimate on the size of the structure?

Thank you

Jennifer Kauppi – Code Enforcement Specialist
Code Enforcement
Department of Transportation and Development
150 Beaver Creek Rd.
Primary Phone: 503-742-4759

www.clackamas.us

Hours: M-F from 7:30 a.m. until 4:00 p.m.

Lobby hours 8:00 a.m. until 4:00 p.m. Monday – Thursday. Offices are closed to the public on Fridays.

<image001.png>

<24-03-11 Site Inspection (7).JPG>



NOTICE OF VIOLATION

March 13, 2024

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

Nez Hallett III – 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) and Zoning and Development Ordinance, Title 12, Section 704.01

VIOLATION: V0004824

SITE ADDRESS: 67295 E Lost Shelter Rd., Rhododendron, OR 97049

LEGAL DESCRIPTION: T2S, R7E, Section 32AC, Tax Lot 04900

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

Pergola over 200 square feet built without permits
Addition to residence without permits
Development within the Sandy River setbacks without land use approval

VIOLATIONS & HOW TO RESOLVE

On February 27 2024, Clackamas County received a complaint regarding a covered structure over 200 square feet in size and built within the Sandy River setbacks without permits. I conducted a site inspection and confirmed a large pergola structure had been built on the property. I reviewed County records and found no approved building permits for the structure nor land use approval for the development by the Sandy River. During my review, I also confirmed that between March 2023 and October 2023 the residence on site had an addition added to the river side of the residence. I found no approved permits for this addition.

Planning staff reviewed the before and after photos of the property and the area in question.

“Sec. 704.05(A)(2) only authorizes development that does not encroach closer to the river than the existing development on site.

The construction of the pergola and addition to the residence without approved permits or land use approval constitutes a violation of Clackamas County Building Code, Chapter 9.02.040 (B)(C)(D)(E) and Zoning and Development Ordinance, Title 12, Section 704.01. In order to abate the violation(s), you must complete the following **no later than the dates provided below:**

No later than March 26, 2024 - Please contact the planning department to discuss your land use options in order to keep any part of the pergola or addition to the residence.

No later than April 11, 2024:

- **Addition to cabin and pergola – For removal or permitting**
 - Please submit the required land use permits for development within the Sandy River setbacks.
 - Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s) for the pergola and addition to the cabin and all construction documents of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the Building code and relevant laws. ****Please be advised that this project may require an architect or an engineer depending on what will be allowed to remain on the property. Please contact the building department for further information based on the response from planning.****
 - 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 10 days of your being notified by Building Codes.
 - Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

CONTACT INFORMATION

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

Planning – If you have questions concerning land use requirements please contact the planning department at 503-742-4500 or on-line at zoninginfo@clackamas.us.

Septic– If you have questions concerning septic requirements please contact the septic department at 503-742-4740 or on-line at soilsconcern@clackamas.us.

You may also stop by the Planning, Permitting and Code Enforcement Offices at the Development Services Building, 150 Beaver Creek Road, Oregon City. The lobby is open between the hours of 8:00 a.m. to 4:00 p.m. Monday through Thursday. Our office is closed to the public on Fridays.

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



Code Enforcement Permit Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 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.

Kauppi, Jennifer

From: Kauppi, Jennifer
Sent: Thursday, April 18, 2024 11:03 AM
To: 'VinceCor41@gmail.com'
Subject: V0004824 - 67295 E Lost Shelter
Attachments: 24-03-13 Violation Letter.pdf

Vince,

Hello. I have not heard from you nor has planning been contacted regarding this property and the work that has been done without permits.

Please give me a call to discuss no later than Monday April 22nd.

Thank you
Jennifer

From: Kauppi, Jennifer
Sent: Wednesday, March 13, 2024 7:01 AM
To: 'VinceCor41@gmail.com' <VinceCor41@gmail.com>
Subject: V0004824 - 67295 E Lost Shelter

Vince,

Good Morning. We received a complaint regarding a covered type structure built on this property that is over 200 square feet in size and too close to the Sandy River. I did confirm the violation exists on March 11th. During my research I also found that an addition to the river side of residence was also done between March 2023 and October 2023. I did not find approved permits for the addition.

I have mailed a Notice of Violation today. I am emailing you a copy as there is a deadline date of March 27 to come in and talk to planning about what (if any) part of either the pergola or addition can remain on the property. It may be best to schedule an appointment with Ben Blessing since he is reviewing your other property at 67284 E Lost Shelter.

Thank you

Jennifer Kauppi – Code Enforcement Specialist
Code Enforcement
Department of Transportation and Development
150 Beaver Creek Rd.
Primary Phone: 503-742-4759
www.clackamas.us
Hours: M-F from 7:30 a.m. until 4:00 p.m.
Lobby hours 8:00 a.m. until 4:00 p.m. Monday – Thursday. Offices are closed to the public on Fridays.



Citation No. 2400048

Case No. V0004824

ADMINISTRATIVE CITATION

Date Issued: April 22, 2024

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 22 day of April, 2024, 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): 67295 E Lost Shelter Rd., Rhododendron, OR 97219

Legal Description: T2S, R7E Section 32AC, Tax Lot(s) 04900

Law(s) Violated:

- Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (B)(C)(D)(E)
- Title 12 and 13 of CCC Zoning and Development Ordinance, Section 704.01

Description of the violation(s):

- 1) Addition to a cabin without approved permits or approved final inspections.
Maximum Civil Penalty \$1,000.00 Fine: This is not subject to fine amount.
- 2) Pergola built without approved permits or approved final inspections.
Maximum Civil Penalty \$1,000.00 Fine: This is not subject to fine amount.
- 3) Development within the Sandy River setbacks without land use approval.
Maximum Civil Penalty \$3,500.00 Fine: \$500.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$500.00 and abating the violation. 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 Date: April 22, 2024
Telephone No.: 503-742-4759 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: _____