



NOTICE OF HEARING

February 6, 2025

Duane E Stroupe Trustee
24800 NE Boones Ferry Rd.
Aurora, OR 97002

RE:: County of Clackamas v. Duane E Stroupe Trustee
File: V0025221

Hearing Date: March 11, 2025

Time: This item will not begin before 10:00am however it may begin later depending on the length of preceding items.

Location: Hearing will be held by virtual Zoom meeting. Please see attached information regarding the process for the Zoom meeting.

Enclosed you will find the following:

1. Notice of Rights
2. Copy of Complaint and Request for Hearing

You **must** appear at the time set forth in this Notice of Hearing or the relief requested in the **Complaint** may be **granted against you by default**.

You can access the complete hearing packet at <https://www.clackamas.us/codeenforcement/hearings>

You may contact Shane Potter Code Compliance Specialist for Clackamas County at (503) 742-4465, 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 Shane Potter 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 Shane Potter at 503-742-4465 **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. **When joining the webinar please accept the request to join as a panelist.**

If you experience difficulties connecting to the Zoom hearing **before** your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Join via audio:

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

Webinar ID: 872 2062 7380

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,

FILE NO(S): V0025221

Petitioner,

v.

DUANE E STROUPE TRUSTEE,

Respondent.

COMPLAINT AND REQUEST FOR HEARING

I Shane Potter, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondents' mailing address is: 24800 NE Boones Ferry Rd., Aurora, OR 97002.

2.

The address or location of the violation(s) of law alleged in this complaint is: 20424 SW Stafford Rd., Tualatin, OR 97062, also known as T2S, R1, Section 29A, Tax Lot 01300, and is located in Clackamas County, Oregon.

3.

On or about the 8th day of September, 2021, and on or about the 27th day of October, 2021, the Respondent violated the following laws, in the following ways:

Title 12 of the Clackamas County Zoning and Development Ordinance (ZDO) Code Section 316.03. The property is zoned Rural Residential Farm Forest 5 Acre (RRFF-5). 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 of the Department of Transportation and Development.

5.

Notice of the violation was given to Respondent in the following manner:
Violation notice dated September 8, 2021 and Citation and Complaint #2100252-1 on October 27, 2021. A copy of the notice documents are attached to this Complaint as Exhibits B and D, 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 Commissions. Said range for a Priority 2 for a Zoning and Development Ordinance 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; and

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.

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

DATED THIS 8th day of October, 2024

A handwritten signature in black ink that reads "Shane Potter". The signature is written in a cursive, flowing style.

Shane Potter
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,

Petitioner,

v.

DUANE E STROUPE TRUSTEE,

Respondent.

File No.: V0025221

STATEMENT OF PROOF

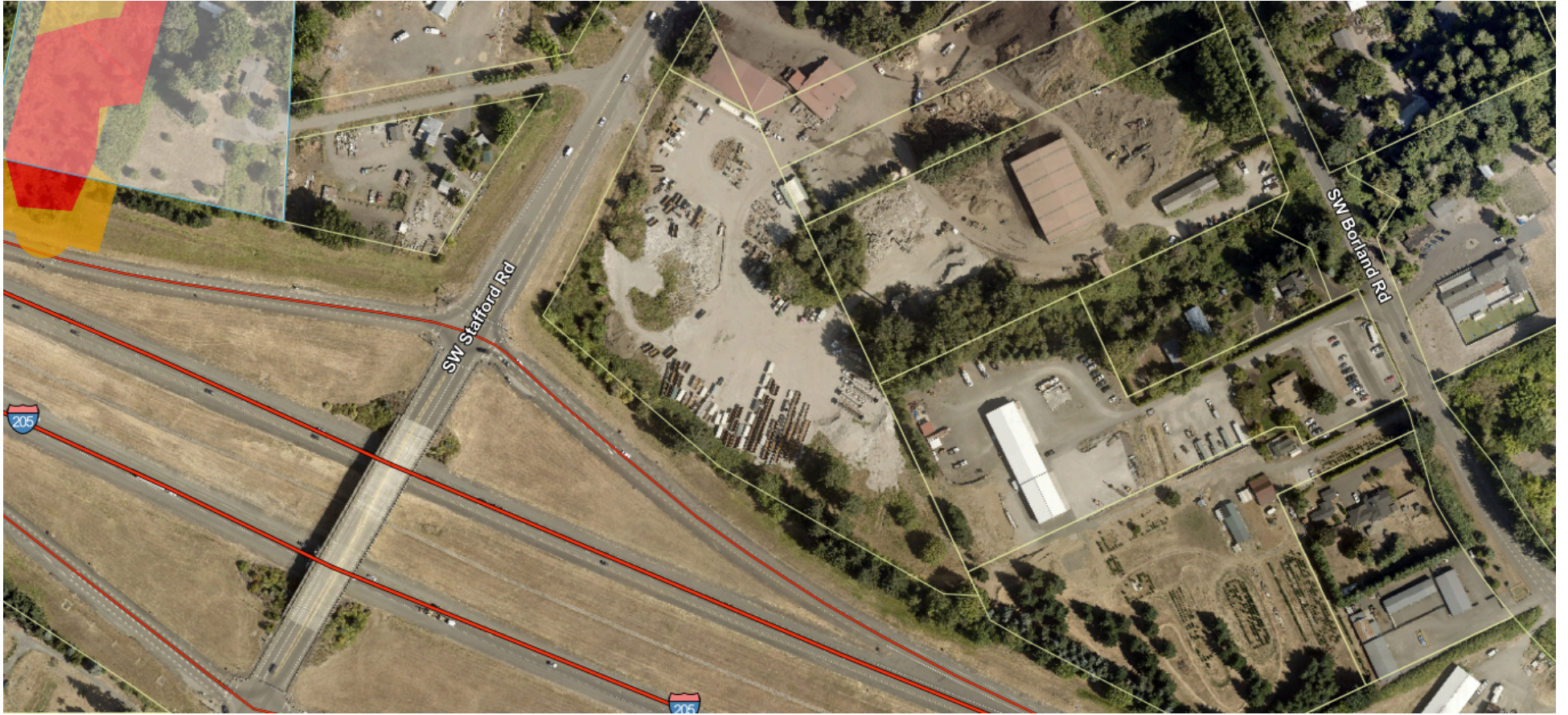
History of Events and Exhibits:

- Exhibit A Respondent's mailing address is: 24800 NE Boones Ferry Rd., Aurora, OR 97002. Respondents' own property located at 20424 SW Stafford Rd., Tualatin, OR 97062, also known as T2S, R1E, Section 29A Tax Lot 01300, located within Clackamas County. The parcel is zoned Rural Residential Farm Forest 5 Acre (RRFF-5). Exhibit A Page 1 is the resource map showing there are no mapped Special Districts. Exhibit A Page 2 is an aerial photo from 2018, page 3 is an aerial photo from 2022 and page 4 is an aerial photo from August 2024.
- June 17 & 22, 2021 Clackamas County received complaints regarding a business operating on site without land use approval.
- June 23, 2021 Research with Planning and Zoning shows tax lot 01300 was not part of the original land use approval on adjacent lots and would require land use review in order to be used for commercial/industrial purposes.
- September 8, 2021 Exhibit B Code Enforcement Specialist (CES) Shane Potter sent a violation notice to the Respondent concerning a zoning violation on the property, specifically operating a rock crushing, storage and heavy equipment storage without land use approval. The violation notice contains detailed descriptions of the violations, and requirement for abatement by no later than October 8, 2021. The violation notice included required notices of fines and penalties. The mailed notice was not returned.
- October 11, 2021 Exhibit C CES Potter performed site visit. During the visit there is rock and other material along with vehicles being used on this lot.

- October 27, 2021
Exhibit D
- October 3, 2024
- September 5, 2024
Exhibit E
- November 2021
through 2023
- October 3, 2024
- CES Potter issued Citation NO. 2100252 – 1 for \$75.00 for the Priority 2 Zoning and Development Ordinance violation for failing to obtain land use approval to operate a business onsite. The citation was mailed first class mail. The mail was not returned and the citation remains unpaid.
- CES Potter performed a site visit and observed material and equipment still located on the site. Aerial photos from August 2024 (Exhibit A page 4) show a lot of equipment in the back that is behind vegetation.
- CES Potter fielded several phone calls and emails with attorneys representing the Respondent. There was even a change of attorneys at one point. Throughout this process the attorneys were working on getting material ready to submit for land use. Final review shows no applications were completed and/or finalized.
- The County referred this matter to the Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of Zoning and Development Ordinance exists on the subject property, the County would request a Final Order be issued requiring the Respondent:

- Payment of Citation #2100252-1 for \$75.00.
- Imposition of civil penalties of up to \$2,500.00.
- The administrative compliance fee to be imposed from September 2021. As of the date of this report the administrative compliance fee was \$2700.00. However, due to some inactivity in the file the county is requesting a reduction of \$1,650.00 for a total administrative fee request due of \$1050.00.
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
- The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.
- The County would also ask that reimbursement be ordered for any expense the County incurs in collection of these monies.





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150 Beaver Creek Rd
 Oregon City, OR 97045
 503-655-8671

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Property Account Summary

10/26/2021

Account Number	00394852	Property Address	20424 SW STAFFORD RD , TUALATIN, OR 97062
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General Information

Alternate Property #	21E29A 01300
Property Description	187 TUALATIN MEADOWS PT LT 12
Last Sale Price	\$0.00
Last Sale Date	08/16/2016
Last Sale Excise Number	302384
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	003-004
Remarks	

Property Characteristics

Neighborhood	15874: West Linn/Lake Oswego rural all other
Land Class Category	401: Tract Land Improved
Building Class Category	13: Single family res, class 3
Year Built	1967
Change property ratio	4XX

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1248	0 X 0	1967	35	1.0	2	1	1

Parties

Role	Percent	Name	Address
Taxpayer	100	STROUPE DUANE E TRUSTEE	24800 NE BOONES FERRY RD, AURORA, OR 97002
Owner	100	STROUPE DUANE E TRUSTEE	24800 NE BOONES FERRY RD, AURORA, OR 97002

Property Values

Value Type	Tax Year 2021	Tax Year 2020	Tax Year 2019	Tax Year 2018	Tax Year 2017

AVR Total	\$412,553	\$400,537	\$388,871	\$377,545	\$366,549
Exempt					
TVR Total	\$412,553	\$400,537	\$388,871	\$377,545	\$366,549
Real Mkt Land	\$621,167	\$591,329	\$575,054	\$558,779	\$518,091
Real Mkt Bldg	\$100	\$100	\$100	\$100	\$100
Real Mkt Total	\$621,267	\$591,429	\$575,154	\$558,879	\$518,191
M5 Mkt Land	\$621,167	\$591,329	\$575,054	\$558,779	\$518,091
M5 Mkt Bldg	\$100	\$100	\$100	\$100	\$100
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$412,553	\$400,537	\$388,871	\$377,545	\$366,549
Mkt Exception					
AV Exception					

Tax Rate

Description	Rate
Total Rate	16.7424

Tax Balance

Installments Payable

Tax Year	Installment	Earliest Due Date	Principal	Interest, Penalties and Costs	Total Due	Cumulative Due	Discount	Adj Total Due
2021	1	11/15/2021	\$2,302.37	\$0.00	\$2,302.37	\$2,302.37	\$0.00	\$2,302.37
2021	2	02/15/2022	\$2,302.38	\$0.00	\$2,302.38	\$4,604.75	\$92.09	\$4,512.66
2021	3	05/15/2022	\$2,302.38	\$0.00	\$2,302.38	\$6,907.13	\$207.21	\$6,699.92

[View Detailed Statement](#)

Click for information about taxes, other charges, and recalculating tax amounts for future interest dates.

****IMPORTANT. Accounts with a partial payment are not reflecting the precise tax amount remaining. Please call the Assessment & Tax Office for a payoff.**

Parents

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Continued	Document Number
No Parents Found						

Children

Parcel No.	Seg/Merge No.	Status	From Date	To Date	Document Number
No Children Found					

Related Properties

No Related Properties Found

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
08/11/2016	08/16/2016 11:52:00	Taxpayer Changed	Property Transfer Filing No.: 302384 08/11/2016 by MMORRIS

08/11/2016	08/16/2016 11:52:00	Recording Processed	Property Transfer Filing No.: 302384, Bargain & Sale, Recording No.: 2016-054372 08/11/2016 by MMORRIS
03/01/2016	03/08/2016 15:36:00	Taxpayer Changed	Property Transfer Filing No.: 293408 03/01/2016 by MEKAOLS
03/01/2016	03/08/2016 15:36:00	Recording Processed	Property Transfer Filing No.: 293408, Warranty Deed, Recording No.: 2016-014165 03/01/2016 by MEKAOLS
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Warranty Deed: 99-26636, 3/1/99, \$ 0

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
11/13/2020 00:00:00	4920194	\$6,981.76	\$6,981.76	\$6,772.31	\$0.00
11/19/2019 00:00:00	4757390	\$6,644.45	\$6,644.45	\$6,445.12	\$0.00
11/07/2018 00:00:00	4475451	\$6,335.44	\$6,335.44	\$6,145.38	\$0.00
11/08/2017 00:00:00	4285324	\$6,002.54	\$6,002.54	\$5,822.46	\$0.00
11/08/2016 00:00:00	4098062	\$5,843.65	\$5,843.65	\$5,668.34	\$0.00

Sales History

Sale Date	Entry Date	Recording Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Grantor(Seller)	Grantee(Buyer)	Other Parcels
08/09/2016	08/16/2016	08/11/2016	2016-054372	\$0.00	302384		S	STROUPE DUANE E	STROUPE DUANE E TRUSTEE	No
02/19/2016	03/08/2016	03/01/2016	2016-014165	\$950,000.00	293408		S	HANSON RUTH L TRUSTEE	STROUPE DUANE E	No
07/20/2007	08/01/2007	07/30/2007	2007-065072	\$0.00	164522		X	HANSON WILLMAR H TRSTEE 1/4	HANSON WILLIAM A 25%	No

[Printable Version](#)

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Version 4.0.2.9

Grantor:
Duane E. Stroupe

Grantee:
Duane E. Stroupe, Trustee

After recording return to:
Robert E. Kabacy
Kell, Alterman & Runstein, L.L.P.
520 SW Yamhill St., Suite 600
Portland, Oregon 97204

Until a change is requested, all tax
statements shall be sent to:
Duane E. Stroupe
24800 NE Boones Ferry Rd.
Aurora, OR 97002

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that Duane E. Stroupe, hereinafter called grantor, does hereby grant, bargain, sell, and convey unto Duane E. Stroupe, Trustee or his successor Trustee(s), in the Duane E. Stroupe Revocable Living Trust U/D/T August 3, 2016, and any amendments thereto, hereinafter called grantee, all his right, title, and interest in that certain real property with the common address of 20424 SW Stafford Rd., Tualatin, situated in Clackamas County, Oregon, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference.


The consideration for this transfer is \$0; transfer to grantor's revocable living trust.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to entities and to individuals.

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.

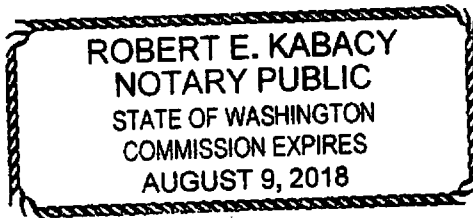
IN WITNESS WHEREOF, the grantor has executed this instrument on August 3, 2016

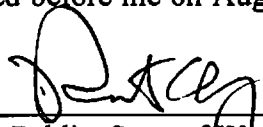


Duane E. Stroupe

STATE OF WASHINGTON)
) ss.
County of Clark)

The foregoing instrument was acknowledged before me on August 3, 2016 by Duane E. Stroupe.





Notary Public, State of Washington
My commission expires 8/9/2018

EXHIBIT A
Legal Description

21E29A 01300

00394852

Part of Lot 12, TUALATIN MEADOWS, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at a point of intersection of the Southerly line of that certain tract conveyed to Robert F. Saarinen, et ux, by deed recorded November 13, 1967, Fee No. 67-1444 and re-recorded June 16, 1970, Fee No. 70-11586, and the Easterly right of way line of that certain tract conveyed to State Highway Commission by deed recorded November 16, 1967, Fee No. 67-1693, said point being 75.00 feet opposite of engineers centerline station "SR" 28+00.50 (relocated Stafford Road); thence South 30°15'30" West along said Easterly right of way line 50.50 feet to a point 75.00 feet opposite of engineers centerline station "SR" 27+50 (relocated Stafford Road); thence South 26°10'22" West along said Easterly right of way line 350.89 feet to a point 100.00 feet opposite of engineers centerline station "SR" 24+00 (relocated Stafford Road); thence South 20°15'30" West along said Easterly right of way line 69.84 feet to the intersection of said Easterly right of way line of relocated Stafford Road with the Northerly right of way line of East Portland Freeway (I-205), said Intersection being 100.00 feet opposite of engineers centerline station "SR" 23+30.16 (relocated Stafford Road); thence South 49°31'40" East along said Northerly right of way line of East Portland Freeway (I-205) 417.19 feet to a point 210.00 feet opposite engineers centerline station "SB" 1057+00; thence South 61°22'56" East along said Northerly right of way line 442.35 feet to a point in the Southerly line of said Lot 12; thence South S8°25'42" East along said Southerly line 58.18 feet to the most Easterly corner of said Lot 12; thence North 25°57'47" West along the Easterly line of said Lot 12, 910.11 feet to the most Easterly corner of said Saarinen tract; thence North 60°30'29" West along the Southerly line of said Saarinen tract 172.33 feet to the point of beginning.



September 8, 2021

Duane E Stroupe Trustee
24800 NE Boones Ferry Rd.
Aurora, OR 97002

SUBJECT VIOLATION(S) OF:

- 1. CLACKAMAS COUNTY ZONING AND DEVELOPMENT CODE ORDINANCE
TITLE 12.316.03 – USES PERMITTED**

SITE ADDRESS: 20424 SW Stafford Rd., Tualatin, OR 97062

LEGAL DESCRIPTION: T2S, R1E, SECTION 29A, TAX LOT 01300

ZONING: RRFF-5 (Rural Residential Farm Forest 5 Acre)

**THIS LETTER SERVES AS NOTICE OF A VIOLATION OF THE
CLACKAMAS COUNTY ORDINANCES. THE VIOLATIONS INCLUDE:**

1. Operating a rock crushing, storage, and heavy equipment business on tax lot without land use approval.

Clackamas County Code Enforcement received a complaint.

The following section provides details of the violation. This section also provides options on how to address the violation. Department contact information can be found towards the end of this letter under "CONTACT INFORMATION". You may contact that department to discuss the options outlined or ask questions for other possible solutions, if they may exist. This letter may not address all violations that exist on the site and instead is intended to address those violations identified during the review and/or inspections that have occurred.

VIOLATION OF CONDITIONS OF APPROVAL ON LAND USE APPROVAL

S & H Logging operating, concrete grinding on site, commercial equipment stored onsite, graded property and brought fill in. There is no land use approval shown for this tax lot. Operating these businesses without the benefit of obtaining land use approval constitutes a violation of Clackamas County Ordinance Title 12.316.03. In order to abate the violation(s), you must complete the following **no later than October 8, 2021:**

1. Remove all business activities from the site and bring the parcel back to the condition that existed prior to the business operating at this site, or;
2. Obtain the proper land use approvals to operate such a business at this location, if allowed. You will want to contact Clackamas County Planning and Zoning Division at the numbers listed later in this report.
3. You must submit an application by the deadline listed above or additional time may be granted for more complex applications. You will need to communicate with the Code Specialist for any additional time allowances.

Once you submit an application the application will need to be deemed complete. An application deemed incomplete by the Clackamas County Planning and Zoning Division will allow a significant amount of time to complete the application. However due to this being a violation you will be required to submit the additional materials within 30 days of the date of the letter of an incomplete application.

CONTACT INFORMATION

Planning & Zoning Division – For land use or questions regarding the planning approval process or other planning related questions please call the Planning & Zoning Division at 503-742-4500 or email at zoninginfo@clackamas.us

Code Enforcement Specialist – Shane Potter – For all other questions please contact me at 503-742-4465 or email at spotter@clackamas.us

The departments listed above are taking applications electronically and encourage you to use this option. Please contact the department you are working with to obtain information on how to submit any documents you may need to submit for electronically.


Planning, Permitting and Code Enforcement Offices at the Development Services Building located at 150 Beaver Creek Road, Oregon City are open during the hours of: Monday through Thursday 8a.m. to 4p.m. and Friday 8a.m. to 3p.m.

If you choose to come to the Development Services Building in order to provide the highest level of customer service, please bring a copy of this correspondence. You may also review the code by going to:

<https://www.clackamas.us/code>

ITEMS INCLUDED IN THIS PACKET

- Violation Letter
- Required Notice of Fines and Penalties



Shane Potter
Code Enforcement Specialist
Clackamas County Code Enforcement

Important Notices

1. **Administrative Compliance Fees.** It is important that you contact the Code Enforcement Section to resolve the violations described in the enclosed letter. **An administration compliance fee of \$75 will now be assessed monthly until the violations are abated.**
2. **Failure to resolve those violations may result in one or more of the following:** (1) a citation and fine, and (2) referral of this matter to the County Code Enforcement Compliance Hearings Officer.
3. **Request for a Hearing:** If you dispute the existence of the violations described in the enclosed letter you may request a hearing before the Hearings Officer by sending a written request for a hearing, including your name and address to: Code Enforcement Section, 150 Beaver Creek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.













Citation No. 2100252 - 1

Case No. V0025221

ADMINISTRATIVE CITATION

Date Issued: October 27, 2021

Name and Address of Person(s) Cited:

Name: Duane E Stroupe Trustee
Mailing Address: 24800 NE Boones Ferry Rd.
City, State, Zip: Aurora, OR 97002

Date Violation(s) Confirmed: On the 22nd day of June, 2021, 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): 20424 SW Stafford Rd., Tualatin, OR 97062

Legal Description: T2S, R1E Section 29A, Tax Lot(s) 01300

Law(s) Violated

Title 12 and 13 of CCC Zoning and Development Ordinance, Section 12.316.03

Description of the violation(s):

- 1) Operating a rock crushing/grinding business, placement of commercial buildings, and storage of heavy equipment without land use approval.

Maximum Civil Penalty \$2,500.00

Fine \$75.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$75.00. 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: Shane Potter
Telephone No.: 503-742-4465

Date: October 27, 2021
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: _____





