



NOTICE RESET OF HEARING

December 8, 2022

Douglas and Eada Pegar Trustee
PO Box 563
Brightwood, OR 97011

RE:: County of Clackamas v. Douglas and Eada Pegar Trustee
File: V0050521

Hearing Date: January 10, 2023

Time: This item will not begin before 1:30 pm 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.

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



NOTICE OF HEARING

November 7, 2022

Douglas and Eada Pegar Trustee
PO Box 563
Brightwood, OR 97011

RE:: County of Clackamas v. Douglas and Eada Pegar Trustee
File: V0050521

Hearing Date: December 7, 2022

Time: This item will not begin before 10:00 am 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 Exhibits which have been submitted by the County

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>

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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 Officers 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.



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

You must have access to the internet or to a telephone line to use the Zoom platform. We have sent you the Zoom invite to doupegar75@gmail.com. Please contact Jennifer Kauppi if you are unable to find the email.

If you would like to present evidence at the Hearing please email or mail your evidence to JKauppi@clackamas.us or 150 Beaver creek Rd, Oregon City, Oregon 97045, no later than 4 work 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 packet.**

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 503-348-4692 for assistance.

**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, 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.

DOUGLAS AND EADA PEGAR TRUSTEE,

Respondents.

File No: V0050521

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: PO Box 563, Brightwood, OR 97011.

2.

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

60183 E Sleepy Hollow Dr, Sandy, OR 97055 also known as T2S, R6E, Section 23CB, Tax Lot 01500, and is located in Clackamas County, Oregon.

3.

On or about the 22nd day of April, 2022 the Respondents violated the following law, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Section 9.02.040 by failing to obtain approved permits and approved final inspections for a commercial building converted to a single family residence without permits. This violation is a Priority 1 violation pursuant to the Clackamas County Violation Priorities.

4.

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

5.

Notice of the violation was given to Respondents in the following manner: Administrative Citation #2100505-1 in the amount of \$100.00 was mailed via first class mail on April 25, 2022. A copy of the notice document is attached to this Complaint as Exhibit F, and incorporated by this reference.

6.

Based on these allegations, petitioner requests that a hearing be set in this matter. Petitioner seeks an Order from the Hearings Officer granting the following relief:

1. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondents from violating these laws in the future;
2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondents for each violation, within the range established by the Board of County Commissioners. Said range for a Building Code priority 1 violation being \$750.00 to \$1,000.00 per occurrence as provided by Appendix B to the Clackamas County Code.
3. Pursuant to Clackamas County Code Section 2.07.090, ordering Respondents to pay an administrative compliance fee as provided by Appendix A to the Clackamas County Code;

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

and

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

DATED THIS 7 day of November, 2022.

Jennifer Kauppi

Jennifer Kauppi
Code Enforcement Specialist
FOR CLACKAMAS COUNTY

COUNTY OF CLACKAMAS,
Petitioner,
DOUGLAS AND EADA PEGAR TRUSTEE,
Respondents.

File No.: V0050521

STATEMENT OF PROOF

History of Events and Exhibits:

December 9, 2021	Clackamas County received a complaint regarding a cabin built without permits and an accessory structure converted to habitable space.
December 9, 2021 Exhibit A	Correspondence was sent to the Respondents regarding the alleged Building Code violation.
December 9, 2021 Exhibit B	I conducted research online and found the listing photos of the cabin.
December 20, 2021	I spoke with the Respondent Douglas Pegar. Douglas stated the agricultural exempt building is storage only and that he and his wife just recently purchased the cabin.
December 20, 2021 Exhibit C	I researched County records and found permit B0122215 indicates the agricultural exemption was approved. There were no electrical permits issued for the accessory structure or cabin.
December 21, 2021 Exhibit D	Correspondence was sent to the Respondents with a deadline of January 21, 2022 to abate the Building Code violation.
February 22, 2022 Exhibit E	Douglas came into the County to discuss his options for the cabin. Land use research found that the structure was used as a clubhouse for Mountain Air Miniature Golf Course that previously operated from this location.
April 25, 2022 Exhibit F	I researched County records and found no permits had been applied for. Citation 2100505-1 for \$100.00 was issued for the priority 1 Building Code violation. The citation was sent first class mail and was not returned. The citation remains unpaid.

If the Compliance Hearings Officer affirms the County's position by a preponderance of the evidence, the County may request a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Building Code within 60 days of the date of the Order by submitting a building permit application and technically complete plans for the conversion of the clubhouse into a single family residence and respond to all requests for additional plan review information within 10 days of being notified. Complete all required inspections and receive approved final inspections within 60 days of the permits being issued for the single family residence and electrical to the accessory structure. Code Enforcement will conducted a site inspection to confirm the accessory structure has not been converted into habitable space.
- Code Enforcement to confirm compliance of the above item and the County will submit a post hearing status report. The report will be sent to the Compliance Hearings Officer and to the Respondents.
- 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 April 22, 2022 for a total amount due of \$1,000.00.
- Payment for Citation No. 2100505-1 issued on April 25, 2022 for \$100.00 for a total amount due of \$100.00.
- The administrative compliance fee to be imposed from December 21, 2021 until the violation is abated. As of this report the total is \$750.00
- The County requests the Hearings Officer to permanently prohibit the Respondents from violating this law in the future.
- If the Respondents fail to comply with the Hearings Officer's Continuing Order the County will request the Hearings Officer to issue a Final Order and will also request the Hearings Officer to authorize the County further enforcement action including to proceed to Circuit Court.



December 9, 2021

Douglas Pegar Trustee
PO Box 563
Brightwood, OR 97011

**Subject: Alleged Violations of the Zoning and Development Ordinance,
Title 12, Section 316 and the Building Code, Chapter 9.02.040
of the Clackamas County Code**

Site Address: 60183 E Sleepy Hollow Dr, Sandy OR 97055
Legal Description: T2S, R6E, Section 23CB, Tax Lot 01500

It has come to the attention of Clackamas County Code Enforcement that a residence may have been built and an accessory structure converted to habitable space without the benefit of permits. In addition, there may be multiple dwellings on the above referenced property without land use approval.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 316 and the Building Code, Chapter 9.02.040 of the Clackamas County Code.

Please contact Jennifer Kauppi, Code Enforcement within ten (10) days of the date of this letter in order to discuss this matter.
E-mail address is JKauppi@clackamas.us
Telephone number is 503-742-4452

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2021



2021



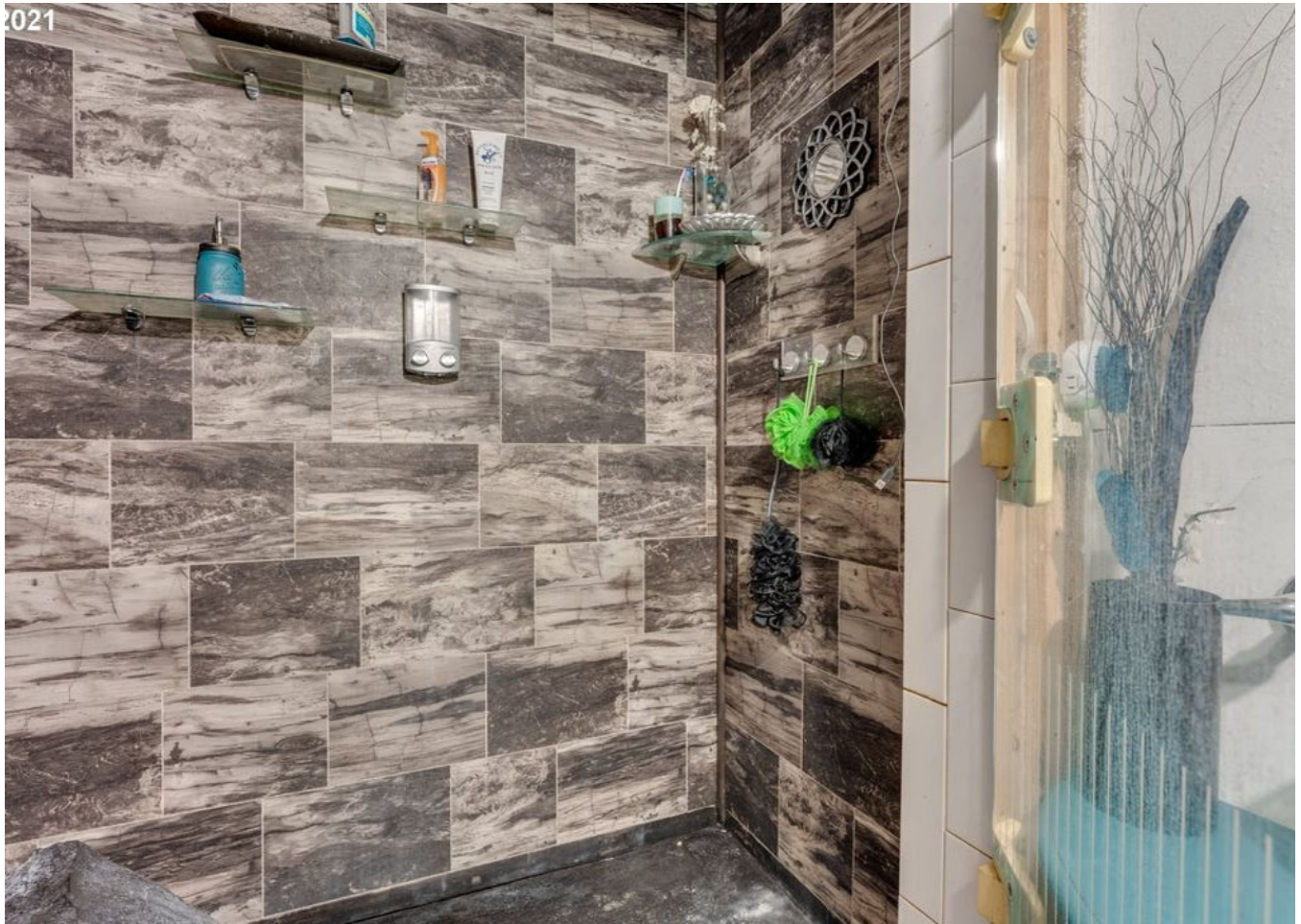
2021



2021



2021



2021



2021



2021



2021



2021



Clackamas County
Department of Transportation & Development - Building Codes Division
150 Beavercreek Road, Oregon City, OR 97045
www.clackamas.us

Record ID: B0122215
Type: Accessory Structure / Residential
Status: Issued
Valuation: \$0.00
Address: 60183 E SLEEPY HOLLOW DR SANDY, OR 97055

Applied: 04/01/2015
Approved:
Final:
Expiration: 9/28/2015

Applicant: PAGE JUSTIN
Owner: PAGE JUSTIN
Contractor:

Certificate of Occupancy Required:

Parcel: 26E23CB01500
Entered By: LORIS
Insp Area:
Printed: 04/01/2015
Description: AGRICULTURAL EXEMPTION-GROW AND SELL RARE AND EXOTIC TREES,FARM EQUIPMENT STORAGE
Conditions:

Class:
Occupancy:
Units
Bldgs:
Violation:

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

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

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

SFR/Dup 1st Unit(sqft):

Additional Unit(sqft):

Total Fees:

Total Payments:

Balance Due:

\$0.00

Our goal is to provide you with excellent service. If you would like to discuss your experience with us, contact Diane Gissel at 503 742-4339, dianeq@co.clackamas.or.us or simply fill out our online survey at <https://www.surveymonkey.com/s/cccustomersurvey>

P. 503.742.4240 F. 503.742.4741 WWW.CLACKAMAS.US
Inspection Request Line: 503.742.4720

EXHIBIT C _ 1 OF 4

Office Phone: (503) 742-4400 • Fax Line: (503) 742-4741 • Inspection Line: (503) 742-4720

Application for Agricultural or Forestry Use Building / Equine Facility Exemption

Please provide:

A site plan showing the location and dimensions of all existing structures and the proposed exempt structure

And one of the following:

- County Assessor's Farm Deferral
- IRS Schedule F (with social security number obscured)
- Other proof showing farming or forestry activity (ie. receipt of payments for product)

A building permit is not required for buildings, structures or equine facilities located on a farm or forest use zone if the structure is used exclusively for the operation of the farm, the preparation and storage of forest products or in the operation of an equine facility. Any electrical, plumbing and mechanical work is NOT exempt from code and requires a permit. The following definitions apply:

Farm: Is the land used for the primary purpose of obtaining a profit in money by raising, harvesting, and selling of crops or forest products: feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur bearing animals or honeybees; dairying and the sale of dairy products; animal husbandry; preparation and storage of the produce raised on the farm for human use and animal use and disposal by marketing or otherwise; or any other agricultural, forestry or horticultural use.

Agricultural/Forest Use Building: Is a structure located on a farm or forest operation and used in the operation of such farm or forestry use for all the uses listed above; and storage, maintenance or repair of farm or forestry machinery and equipment.

Equine Facility: Is a building located on a farm and used by the farm owner or the public for stabling or training of equines; riding lessons and training clinics in which not more than 10 persons are present at any one time.

A FARM AGRICULTURAL BUILDING, FOREST USE BUILDING, AND EQUINE FACILITY DOES NOT INCLUDE:

- A dwelling;
- A structure used for a purpose other than growing plants in which 10 or more persons are present at any one time;
- A structure regulated by the State Fire Marshal pursuant to ORS 476;
- A structure used by the public; or
- A structure subject to sections 4001 to 4127, title 42, United State Code (the National Flood Insurance Act of 1968) as amended, and regulations promulgated there under. (ORS 455.315)

AGRICULTURAL BUILDINGS FORESTRY USE BUILDINGS AND EQUINE FACILITIES WILL BE ALLOWED WITHOUT A BUILDING PERMIT IN AREAS ZONED RA-1, RA-2, RRFF-5, FF-10, EFU, TBR, AG/FOREST AND FU-10.

An agricultural, forest use or equine facility building is to be built on the property located at:

60183 e Sleepy Hollow PR
26E23CB01500 T. 28 R. 6E Sec 23CB TL 1500

and will be used exclusively for farm, forestry or equine use. The proposed structure meets the above definition, and is therefore exempt from the building permit process. I understand this exemption does not exclude me from obtaining all other applicable permits and that I may not convert a forest use building authorized here to another use.

Justin Page _____ 503-724-1449 _____
 Print Name Phone
 2924 NE 88th PL, Portland OR 97220
 Address City State Zip
 Owners Signature _____ Date 7/1/2015

Statement of Use

Agricultural or forestry use Buildings and Equine Facilities

It is important that you provide a detailed description of how this building will be used. This information will ensure compliance with land use laws and determine whether or not the building qualifies as an exempt structure. It is essential that your description is as complete as possible.

Please describe the type of farming, equine or forest operation on the property: utilize existing
fore & exotic trees to grow & sell to the public

Please describe in detail what will be placed in the building (i.e., equipment, feed, etc):
the structure is to provide dry, clean, storage for all
new & reclaimed farming supplies.

Please initial applicable statements below:

Initials:

I understand that the structure may not be used for personal storage, storage of vehicles other than farm vehicles (i.e., boats, cars, RVs, etc) and may only be used for a farm activity.

JP

I understand this exemption does not apply to plumbing, electrical and mechanical work and permits are required. Plumbing Electrical Mechanical

Agricultural Buildings

I understand this building can only be used to store items used in the farm/ag operation. Any use other than farm-related will nullify this exemption causing permits to be required.

JP

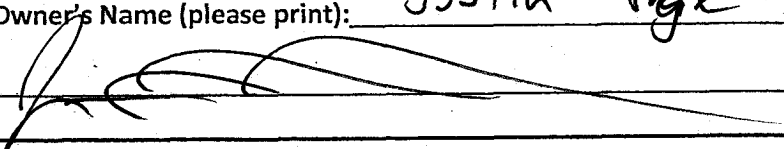
Forestry Use

I understand this building can only be used to store items used in the forestry operation. I understand that exempt forest use structures cannot be converted to any other use in the future.

Equine Facilities

I understand the building can only be used for stabling and/or training of equines. Riding lessons and training clinics shall have no more than 10 persons present in the building at one time.

Date: 4/1/2015 Owner's Name (please print): Justin Page

Signature of Owner: 

Staff Use Only

Township 2 Range 6E Section 23B Tax Lot 1500 Zone _____

Address: _____

Comments:

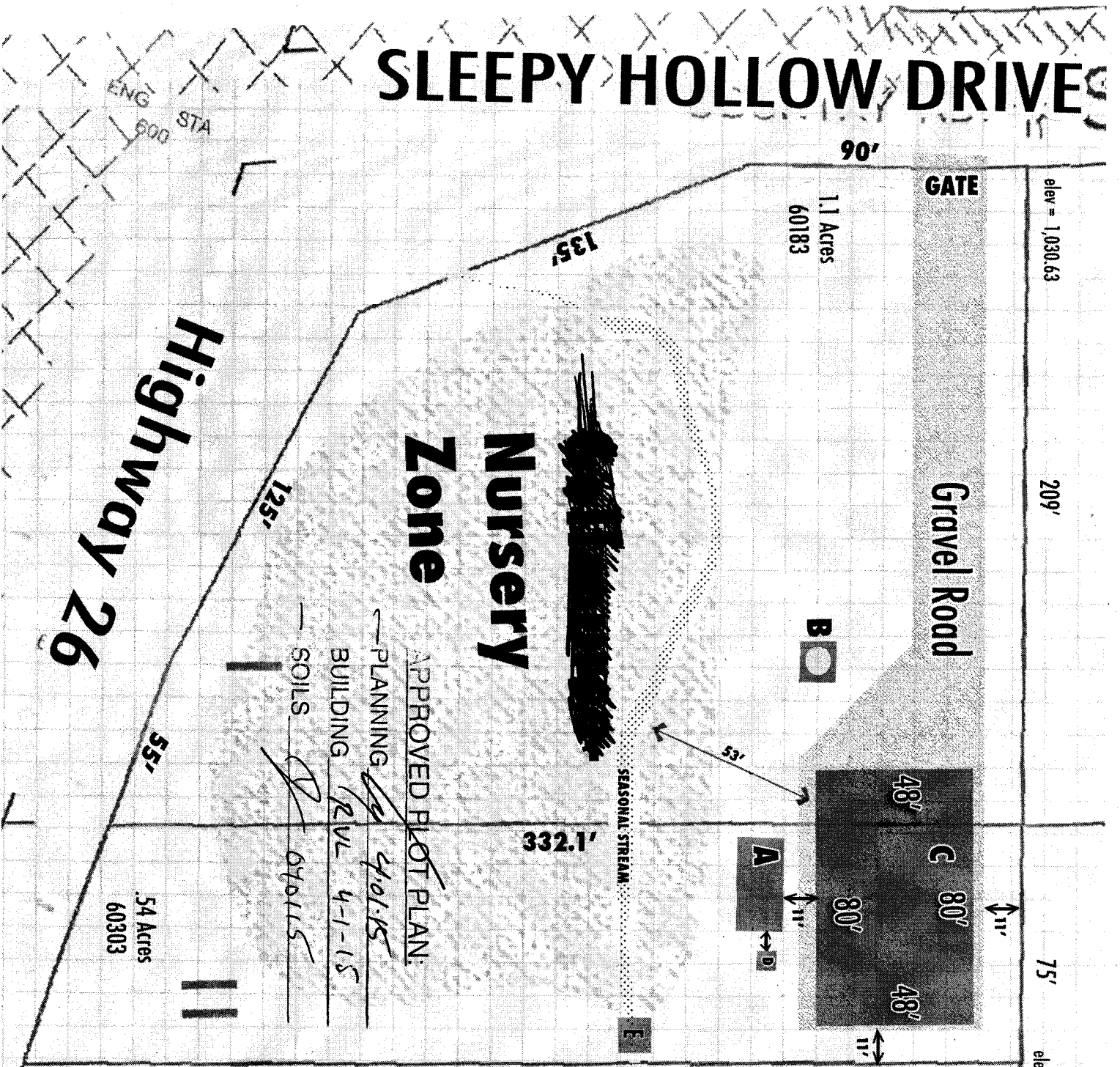
Date: 4-01-15
Planning Date
OK per RP, Building

 040115
Boils Date

Staff Initials:

RVL 4-1-15
Building EXHIBIT C_3 OF 4

SLEEPY HOLLOW DRIVE



elev = 1,030.63

209'

75'

elev = 1,029.46

647.00'

GATE

Gravel Road

1.1 Acres
60183

Highway 26

Nursery Zone

APPROVED PLOT PLAN:

PLANNING

BUILDING RVL 4-1-15

SOILS

07.01.15

54 Acres
60303

364.5 total

Justin Page
60183 E Sleepy Hollow Dr,
Sandy, OR 97055

Ref Parcel:

26E23CB01500

T. 2S

R. 6E

SEC. 23CB

TL. 1500



N
SCALE:
1" = 40'

A 26'x14' Clubhouse

B 8'x6' Well house
well is directly below

C 48'x80' Steel Barn

D Clubhouse 1.5K gallon
septic tank 10' behind

E 8'x12' Small bridge



December 21, 2021

Douglas Pagar & Eada Trustee
PO Box 563
Brightwood, OR 97011

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

VIOLATION: V0050521

SITE ADDRESS: 60183 E Sleepy Hollow Dr, Sandy OR 97055

LEGAL DESCRIPTION: T2S, R6E, Section 23CB, Tax Lot 01500

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

Electrical installed in agricultural exempt building without permits or required inspections.

Cabin built without the permits or required inspections.

VIOLATIONS & HOW TO RESOLVE

ELECTRICAL WORK IN AGRICULTURAL EXEMPT BUILDING

Electrical installed in the agricultural exempt building without the benefit of permits constitutes a violation of Clackamas County Code Title 9.02.040(D) . In order to abate the violation(s), you must complete the following **no later than January 21, 2022** :

- Please submit an electrical permit application and other required documents for the electrical work that was done in the agricultural exempt structure. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
- The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
- Please schedule all inspections so that final inspections may be obtained not later than 45 days of the date of receipt of your approved permit(s).

UNPERMITTED CABIN

The cabin on the reference property has been built without the benefit of permits. Building without permits constitutes a violation of Clackamas County Code, Title 9.02.040 (B), (C), (D), and (E). In order to abate the violation(s), you must complete the following **no later than January 21, 2022**.

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s). Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
 - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes.
 - Please schedule all inspections 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 Land Use and Planning Department at 503-742-4500 or on-line at 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 503-742-4452 and my email is jkauppi@clackamas.us.

Jennifer Kauppi

Code Enforcement Specialist
Clackamas County Code Enforcement
503-742-4452

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.



After recording return to:
Pegar Family Trust
PO Box 563
Brightwood, OR 97011

Until a change is requested all tax
statements shall be sent to the
following address:
Pegar Family Trust
PO Box 563
Brightwood, OR 97011

File No.: 7012-3677383 (sb)
Date: February 09, 2021

THIS SPACE RESERVED FOR RECORDER'S USE

Clackamas County Official Records
Sherry Hall, County Clerk

2021-068910

07/20/2021 11:40:01 AM

D-D Cnt=1 Stn=73 LESLIE
\$15.00 \$16.00 \$10.00 \$62.00

\$103.00

STATUTORY WARRANTY DEED

Crystal Lee, Grantor, conveys and warrants to **Pegar Family Trust, Douglas Pegar and Eada Pegar as Trustees**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$210,000.00**. (Here comply with requirements of ORS 93.030)

FIRST AMERICAN 3677383-6R

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 this 19th day of July, 2021.

[Signature]
Crystal Lee

STATE OF Oregon (VAV))
County of ~~Clackamas~~ Washington)ss.

This instrument was acknowledged before me on this 19th day of July, 2021 by **Crystal Lee**.

[Signature]

Notary Public for Oregon
My commission expires: Aug 17th, 2024

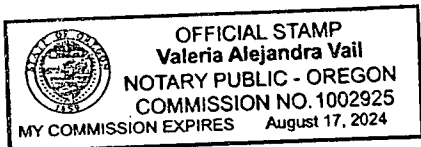


EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Clackamas, State of Oregon, described as follows:

PARCEL 1: 26E23CB01500 00711992

PART OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 23, IN TOWNSHIP 2 SOUTH, RANGE 6 EAST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, DESCRIBED AS:

BEGINNING AT A POINT ON THE WEST LINE OF SECTION 23 IN TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, 608.00 FEET SOUTH OF THE ONE-QUARTER SECTION CORNER ON THE WEST LINE OF SAID SECTION 23; THENCE EAST 20.00 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE CONTINUE EAST 209.00 FEET TO AN IRON PIPE; THENCE SOUTH 541.00 FEET TO AN IRON PIPE ON THE NORTH SIDE OF THE MT. HOOD LOOP HIGHWAY; THENCE NORTHWESTERLY ON THE NORTHERLY SIDE OF SAID HIGHWAY 220.00 FEET, MORE OR LESS, TO A POINT 20.00 FEET EAST OF THE WEST LINE OF SAID SECTION 23; THENCE NORTH 434.00 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO PORTLAND GENERAL ELECTRIC COMPANY, BY INSTRUMENT RECORDED DECEMBER 27, 1962 IN BOOK 615, PAGE 527, -1400 CLACKAMAS COUNTY DEED RECORDS.

AND FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION BY INSTRUMENT RECORDED DECEMBER 1, 1969 AS RECORDER'S FEE NO. 69-24985, AND MODIFIED BY INSTRUMENT RECORDED OCTOBER 4, 1973 AS RECORDER'S FEE NO. 73-31587, CLACKAMAS COUNTY DEED RECORDS.

PARCEL 2: 26E23CB01600 00712009

BEGINNING AT AN IRON PIPE WHICH IS 817 FEET SOUTH AND 229 FEET EAST OF THE ONE-QUARTER SECTION CORNER BETWEEN SECTIONS 22 AND 23, TOWNSHIP 2 SOUTH, RANGE 6 EAST, OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON, RUNNING THENCE SOUTH 0° 32' WEST 332.1 FEET TO AN IRON PIPE; THENCE PARALLELLING THE MT. HOOD LOOP HIGHWAY RIGHT OF WAY SOUTH 68°16' EAST 78.5 FEET TO A WOODEN STAKE; THENCE NORTH 0° 32' EAST 364.5 FEET TO A WOODEN STAKE; THENCE NORTH 88° 26' WEST 75 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION BY INSTRUMENT RECORDED DECEMBER 1, 1969 AS RECORDER'S FEE NO. 69-24985, AND MODIFIED BY INSTRUMENT RECORDED OCTOBER 4, 1973 AS RECORDER'S FEE NO. 73-31587, CLACKAMAS COUNTY DEED RECORDS.

NOTE: This legal description was created prior to January 1, 2008.



CLACKAMAS COUNTY, OREGON

Department of Transportation & Development
 Building Services Division
 902 Abernethy Road, Oregon City, Oregon 97045
 Office Phone: (503) 655-8521
 Fax Line: (503) 650-3019
 Inspection Line: (503) 557-6330

Permit No: B0046899
 Type: Commercial
 Status: APPROVED
 Situs Addr: 60183 E SLEEPY HOLLOW DR
 Description: MOUNTAIN AIR MINIATURE GOLF OFFICE AND RESTROOMS
 Location:
 Parcel No: 26E23CB 01500
 Printed: Jun 22, 1999 08:23
 Valuation: 17,304.00
 Applied: Feb 05, 1999
 Approved: Jun 22, 1999
 Final:
 To Expire: Dec 19, 1999
 Class: 328
 Occupancy: B
 Entered By:
 Insp Area: 4
 # Units: 000 # Bldgs: 001

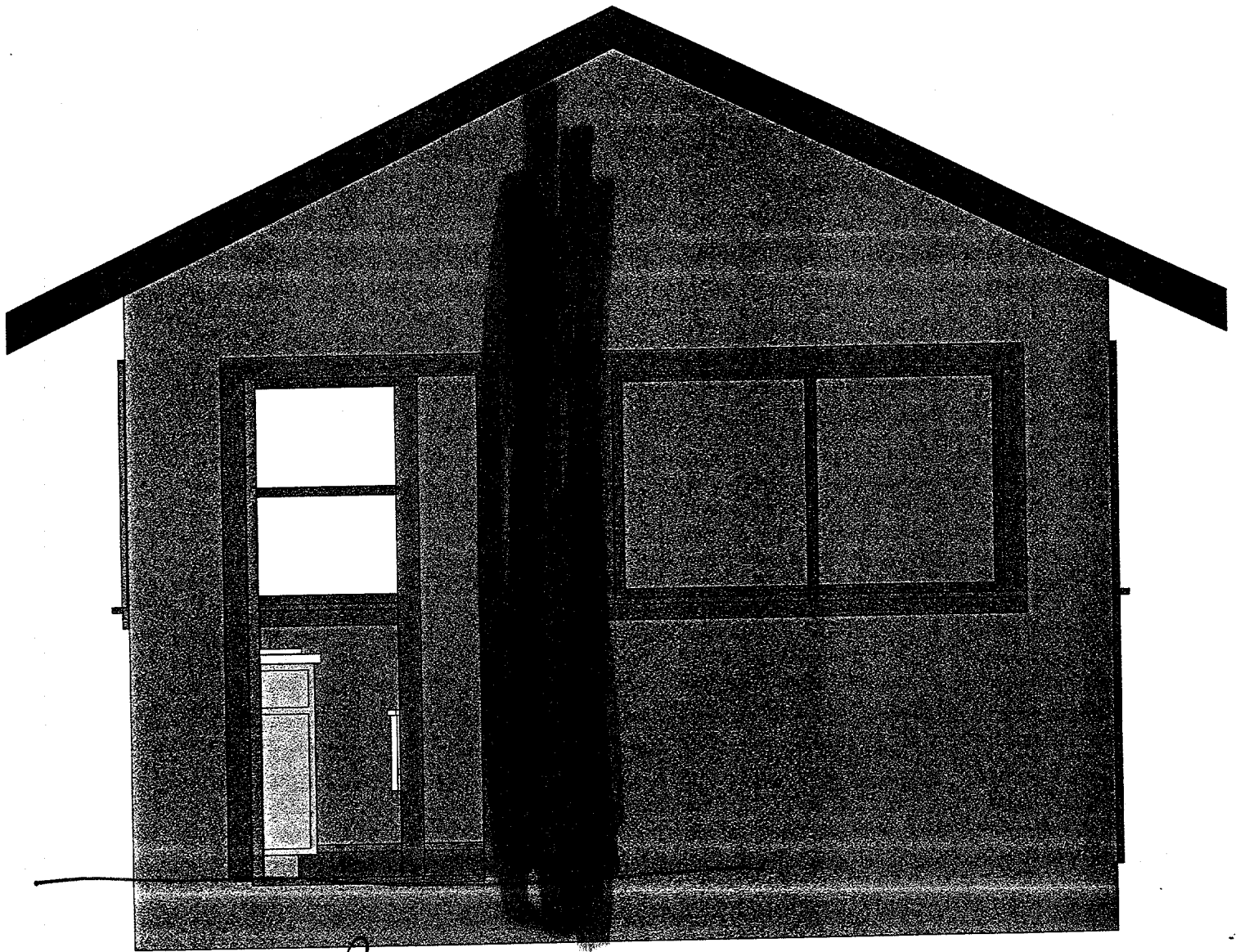
APPLICANT STILLWELL BILL S
 , 53091 E SYLVAN DR, SANDY OR 97055
 OWNER STILLWELL BILL S
 , 53091 E SYLVAN DR, SANDY OR 97055

Water Supply.....: Req Erosion Plan.....:
 Sewage Disposal.....: Flex Lot.....:
 Sep Tank Cap... (gls): Plot Plan Setbacks (ft) N: S:
 E: W:
 Drainfield Dist.....: Proposed Solar Ht. (ft):
 Lines Total Lth. (ft): No: Avg Building Ht... (ft):
 Distance Between.....: Zone/File #.....:

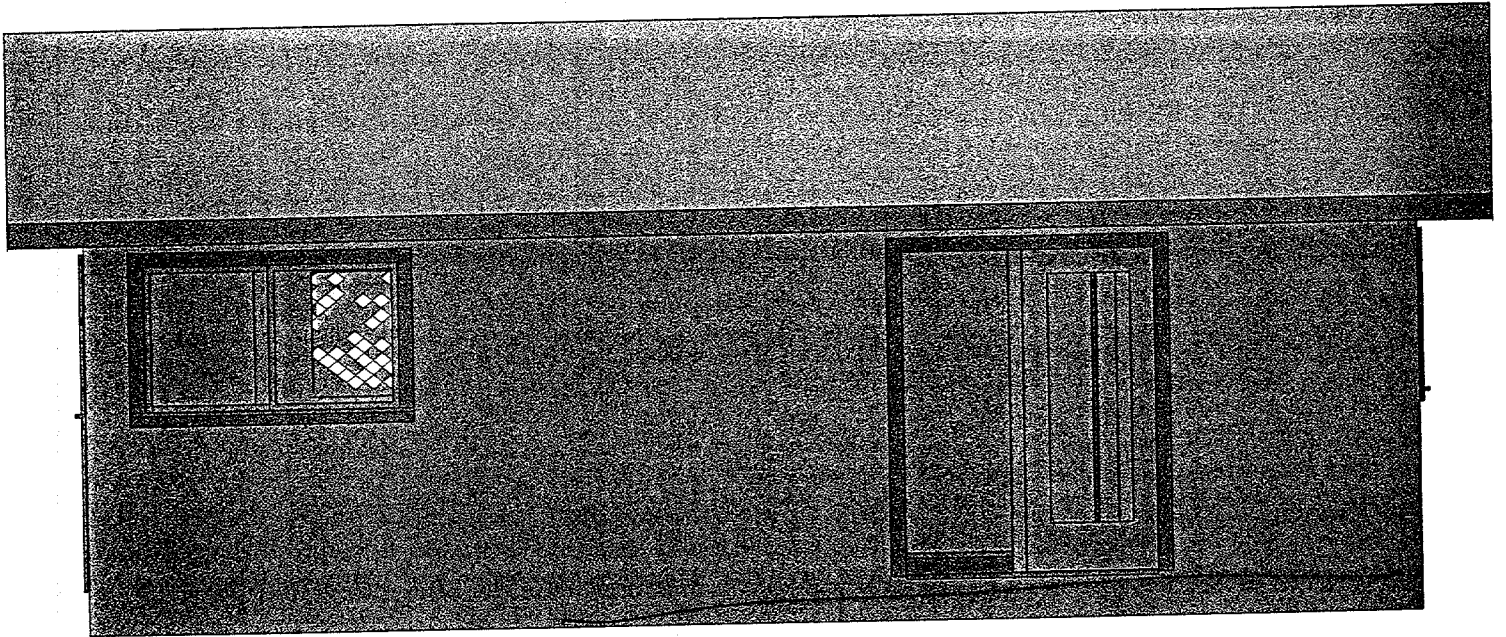
Soil Comments:
 Plan Comments:

1. approved as per Z0088-99-D.

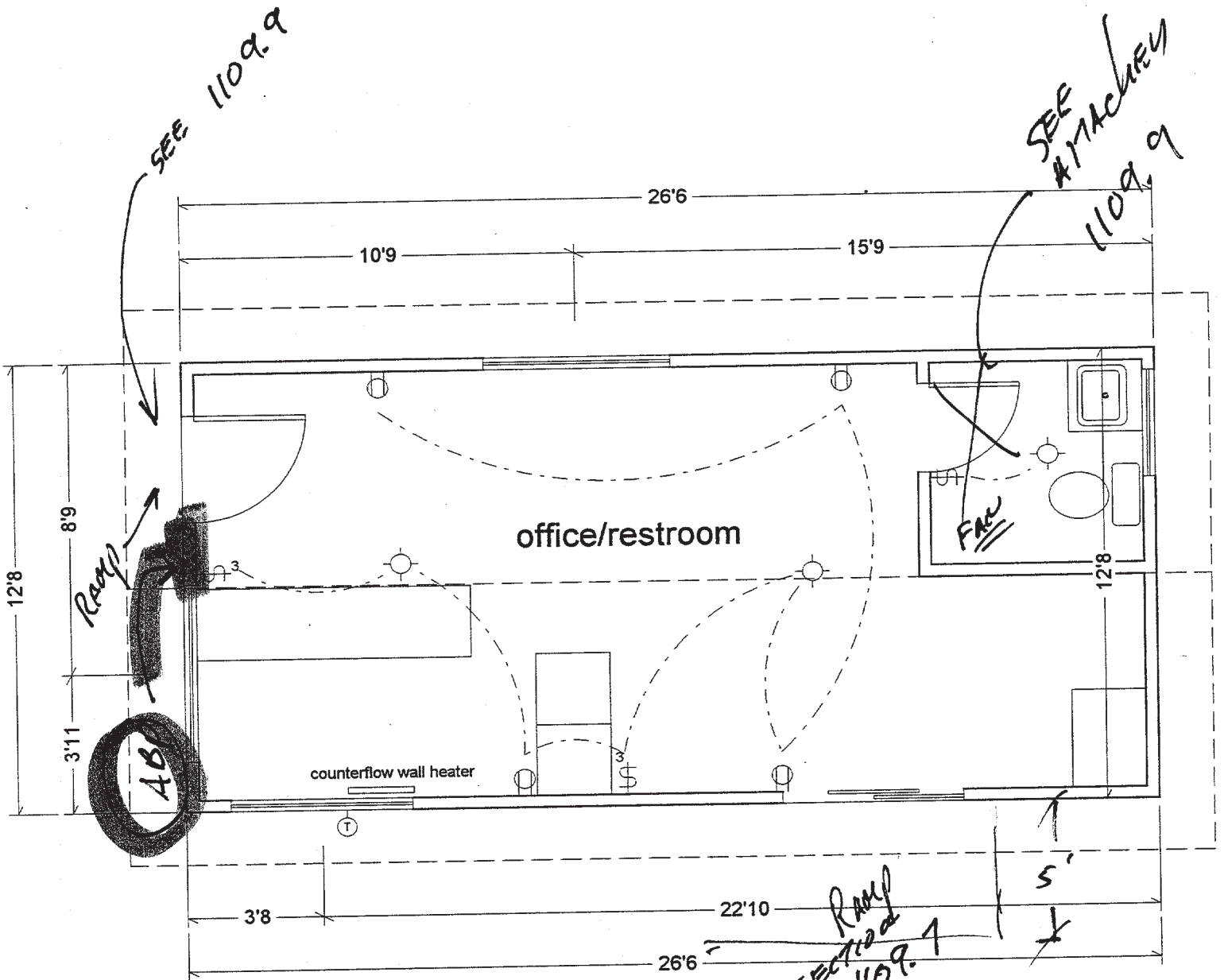
Building Fees.....:	\$128.50
Mechanical Fees.....:	\$.00
Plan Check Fees.....:	\$83.53
State Surcharge.....:	\$6.43
* Total Building Fees.....:	\$218.46
Planning Fees.....:	\$.00
Seismic Fee.....:	\$.00
N Clack Park SDC Fees.....:	\$.00
Transportation SDC Fees.....:	\$4,874.22
Sunnyside Village Fees.....:	\$.00
** Total Fees.....:	\$5,092.68
** Total Payments.....:	\$5,092.68
** Balance Due.....:	\$.00



Ramp
4/12/10



Roof
hAanca



Windows-Milgard 36"x60" argon low E

Slider-Milgard 72" argon low E

Door 36" exterior

$$R = 13.2 \times \left(4 + \frac{6 \times 12}{2} \right) \times (26.5/2) = 132 \text{ #} / \text{ft} \times \frac{26.5}{2} = 1749 \text{ #}$$

SEE DIVISION II
ELEMENT 7
ATTACHED REQUIREMENTS

SLEEPY HOLLOW DRIVE

elev = 1,030.63

209'

75'

647.00'

elev = 1,029.46

GATE

Gravel Road

90'

1.1 Acres
60183

B

C 80' 48' 48' 80'

A D

5'

SEASONAL STREAM

11'

135'

Nursery Zone

332.1'

APPROVED PLOT PLAN:

— PLANNING *4.01.15*
— BUILDING *RVL 4-1-15*
— SOILS *07.01.15*

125'

55'

.54 Acres
60303

Highway 26

ENG STA 600

364.5 total

Justin Page
60183 E Sleepy Hollow Dr,
Sandy, OR 97055

Ref Parcel:
26E23CB01500

T. 2S
R. 6E
SEC. 23CB
TL. 1500



SCALE:
1" = 40'

- A** 26'x14' Clubhouse
- B** 8'x6' Well house
well is directly below
- C** 48'x80' Steel Barn
- D** Clubhouse 1.5K gallon
septic tank 10' behind
- E** 8'x12' Small bridge

Kauppi, Jennifer

From: Cass-Crosby, Shirley
Sent: Tuesday, February 22, 2022 3:49 PM
To: Kauppi, Jennifer
Subject: RE: 60183 E SLEEPY HOLLOW DR - OWNER COMING IN TODAY

Categories: CE SPECIALIST CASES

Hi There,

We went over what is needed and I understand he is talking to the prior owners. He understands what is needed and is going to see who or what is needed to help him move forward. I let him know I would update you with his plans, I also gave him my card. 😊

Thanks,

*Shirley Cass-Crosby
Permit Technician - Building Codes
150 Beavercreek Rd #225
Oregon City, OR 97045
503.742.4240*

Our office hours are Monday – Thursday, 9 am to 3 pm.

Coming Soon in August 2021! We're excited to launch Development Direct -- our new one-stop digital services hub for Building Codes and Development Engineering. [Click here to learn more.](#)



From: Kauppi, Jennifer <JKauppi@clackamas.us>
Sent: Tuesday, February 22, 2022 11:46 AM
To: McNall, Kelsi <KMcNall@clackamas.us>; Cass-Crosby, Shirley <scasscrosby@clackamas.us>
Subject: 60183 E SLEEPY HOLLOW DR - OWNER COMING IN TODAY
Importance: High

Kelsi/Shirley

The owner Douglas will be coming in today between 1-2 to discuss this property. He just purchased the property in 2021 and the property was sold this way.

Violation – unpermitted cabin.

The property used to be Mountain Air Miniature Golf Course. There was an office and restrooms on site, however, the office is not this structure.

I have set up a file in the S-Drive

S-Drive

DTD_Common

PERMIT TEAM – CODE ENFORCEMENT

File – 60183 E Sleepy Hollow Dr.

It appears to me that B0046899 that was a single story office for commercial office has turned into the cabin. B0122215 site plan shows the ‘clubhouse’ right next to the AG building – the ‘clubhouse’ is now the cabin.

Let me know if you have any questions.

Jennifer Kauppi

Code Enforcement Specialist

150 Beaver Creek Rd

Oregon City, OR 97045

503-742-4759

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Citation No. 2100505-1

Case No. V0050521

ADMINISTRATIVE CITATION

Date Issued: April 25, 2022

Name and Address of Person(s) Cited:

Name: Douglas Pegar Trustee
Name: Eada Pegar Trustee
Mailing Address: PO Box 563
City, State, Zip: Brightwood, OR 97011

Date Violation(s) Confirmed: On the 22nd day of April, 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): 60183 E Sleepy Hollow Dr., Sandy, OR 97055

Legal Description: T2S, R6E, Section 23CB, Tax Lot(s) 01500

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)

Description of the violation(s):

- 1) Failure to obtain permits and approved final inspections for the conversion of a commercial structure into a residential single family residence.

Maximum Civil Penalty \$1,000.00

Fine \$100.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$100.00. If you have questions regarding how to abate the violation(s) contact Clackamas County Code Enforcement at the number listed below. Please be advised a \$75 monthly administrative fee is being assessed.

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

Citation issued by: Jennifer Kauppi
Telephone No.: 503-742-4759

Date: April 25, 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.

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: _____