



## NOTICE OF RESET HEARING

May 13, 2025

Thomas and Jessica Dwyre  
John Polk  
8540 SE 307<sup>th</sup> Ave  
Gresham, OR 97080

Thomas and Jessica Dwyre  
John Polk  
298 Lofty Ln  
North Salt Lake, UT 84054

**RE::** County of Clackamas v. Thomas and Jessica Dwyre and John Polk

**File:** V0044724

**Hearing Date:** ~~June 12, 2025~~ **June 24, 2025**

**Time:** **This hearing will begin at 11:30 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 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 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 20<sup>th</sup> Street, #D-5**  
**Bellevue, WA 98007**
5. **Right to Recess.** If, during the course of the hearing, Respondent or the County requests a recess or postponement, or additional time to present crucial evidence, the Hearings Officer may allow a continuance of the hearing for good cause. The Respondent may also request that the proceeding be continued after the end of the hearing if the Respondent determines that additional evidence should be brought to the attention of the Hearings Officer.
6. **Right to Appeal.** The Final Order of the Hearings Officer shall set forth the right of the respondent to appeal any adverse Order. Appeal may be taken pursuant to Section 2.07.130 of the Clackamas County Hearings Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, appellant is responsible for all costs of appeal including preparation of transcript.



**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. A Zoom invite has been sent to joedwyre@gmail.com. A copy of the link is provided below. Once you have joined the meeting, please allow the moderator to promote you to a panelist. **Closed captioning is available for the zoom platform upon request.**

If you would like to present evidence at the Hearing please email or mail your evidence to Code Enforcement at 150 Beavercreek Rd, Oregon City, Oregon 97045, **no later than 4 working days prior to the hearing**. Staff will number your evidence for the hearing and provide the numbered documents to the Hearings Officer and send them back to you for reference.

If you are unable to participate in a hearing through the Zoom platform please contact 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. **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

Topic: Code Enforcement Hearing - Thomas & Jessica Dwyre, John Polk - V0044724 - June 12, 2025 - 10:30 am -

Join from PC, Mac, iPad, or Android:

<https://clackamascounty.zoom.us/j/88474067164?pwd=dbl3kEe4yyph1U7tzRyCCep62l0Ffx.1>

Passcode:735618

Phone one-tap:

+12532050468,,88474067164#,,,,\*735618# US

+12532158782,,88474067164#,,,,\*735618# US (Tacoma)

Join via audio:

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)



**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

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+1 408 638 0968 US (San Jose)  
+1 669 444 9171 US  
+1 669 900 6833 US (San Jose)  
+1 719 359 4580 US  
+1 305 224 1968 US  
+1 309 205 3325 US  
+1 312 626 6799 US (Chicago)  
+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)

Webinar ID: 884 7406 7164

Passcode: 735618

International numbers available: <https://clackamascounty.zoom.us/j/88474067164>

Join from an H.323/SIP room system:

H.323:

144.195.19.161 (US West)  
206.247.11.121 (US East)  
115.114.131.7 (India Mumbai)  
115.114.115.7 (India Hyderabad)  
159.124.15.191 (Amsterdam Netherlands)  
159.124.47.249 (Germany)  
159.124.104.213 (Australia Sydney)  
159.124.74.212 (Australia Melbourne)  
170.114.180.219 (Singapore)  
64.211.144.160 (Brazil)  
159.124.132.243 (Mexico)  
159.124.168.213 (Canada Toronto)  
159.124.196.25 (Canada Vancouver)  
170.114.194.163 (Japan Tokyo)  
147.124.100.25 (Japan Osaka)

Meeting ID: 884 7406 7164

Passcode: 735618

SIP: [88474067164@zoomcrc.com](mailto:88474067164@zoomcrc.com)

Passcode: 735618

## Department of Transportation and Development

### **Nondiscrimination Policy:**

The Department of Transportation and Development is committed to non-discrimination. For more information go to: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), email [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) or call (503) 742-4452.

**¡LE DAMOS LA BIENVENIDA!** Spanish

El Departamento de Transporte y Desarrollo está comprometido con la no discriminación. Para obtener más información, visite: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), envíe un correo electrónico a [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) o llame al 503-742-4452.

**ДОБРО ПОЖАЛОВАТЬ!** Russian

Департамент транспорта и развития инфраструктуры стремится к соблюдению политики недопущения дискриминации. Для получения дополнительной информации посетите веб-сайт: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), отправьте письмо на адрес эл. почты [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) или позвоните по телефону 503-742-4452.

**欢迎!** Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)，发送电子邮件至 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) 或致电 503-742-4452。

**CHÀO MỪNG!** Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng:

[www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination), gửi email đến [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us) hoặc gọi điện thoại theo số 503-742-4452.

**환영합니다.** Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination)을 참조하거나 이메일 [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us), 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER  
for  
COUNTY OF CLACKAMAS

COUNTY OF CLACKAMAS,

Petitioner,

v.

THOMAS AND JESSICA DWYRE,  
JOHN POLK,

Respondents.

File No: V0044724

COMPLAINT AND REQUEST FOR HEARING

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

1.

Respondent's mailing address is: 8540 SE 307<sup>th</sup> Ave., Gresham, OR 97080.

2.

The Respondent(s) own/owns or occupies the address or location of the violation(s) of law alleged in this Complaint is 8540 SE 307<sup>th</sup> Ave., Gresham, OR 97080 also known as T1S, R4E, Section 29B, Tax Lot 00105, and is located in Clackamas County, Oregon. The property is zoned RRFF5 and is the location of violation(s) asserted by the County.

3.

On or about the 14<sup>th</sup> day of November, 2024 and on the 20<sup>th</sup> day of February, 2025 the Respondents violated the following law, in the following ways:

- a. Respondents violated the Clackamas County Building Code, Chapter 9.02.040 by failing to obtain approved permits and approved final inspections for the conversion of a pool house into an accessory dwelling unit. 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 Respondents in the following manner:

Violation Notice dated November 14, 2025 and Citation and Complaint 2400447 was mailed via first class mail on February 20, 2025. A copy of the notice document is attached to this Complaint as Exhibits C and 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 violation 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 6<sup>th</sup> day of May, 2025.



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Jennifer Kauppi  
Code Enforcement Specialist  
FOR CLACKAMAS COUNTY



COUNTY OF CLACKAMAS,

Petitioner,

THOMAS AND JESSICA DWYRE,  
JOHN POLK

Respondents.

File No.: V0044724

STATEMENT OF PROOF

History of Events and Exhibits:

October 22, 2024	Clackamas County received a complaint regarding a pool house that had been converted to an accessory dwelling unit without permits.
October 22, 2024 Exhibit A	I researched County records. The assessor's office listed the structure as a pool house in 1987. Aerial images indicate that between 2005 and 2006 an addition to the structure was completed. The RMLS listing for the property advertised the structure as a 1 bedroom, 1 bathroom guest house.
October 22, 2024 Exhibit B	Correspondence was sent to the Respondents regarding the alleged violation.
November 14, 2024 Exhibit C	A Notice of Violation was mailed to the Respondents. The correspondence was sent to the mailing address on file and a copy was sent to 298 Lofty Ln, North Salt Lake, UT 84054. In addition, I emailed a copy of the Notice of Violation to Joe Dwyre at JoeDwyre@gmail.com. The correspondence that was mailed was not returned to the County.
November 22, 2024 Exhibit D	Joe Dwyre emailed me regarding the violation. Joe stated that the structure was currently occupied by a tenant.
January 24, 2025 Exhibit E	Permit B0115725 was submitted to the County to convert the accessory dwelling unit back to a pool house. This application was deemed incomplete.
February 20, 2025 Exhibit F	I reviewed the County permitting system which indicated that permit B0115725 remained in an incomplete status. Citation 2400447 was issued for the Priority 1 Building Code violation. The citation was sent by first class mail to the mailing address on file and a copy was sent to 298 Lofty Ln, North Salt City, UT 84054. The citation was not returned to the County. The citation is not subject to a fine amount as the County is seeking civil penalties in this matter.
May 5, 2025	I reviewed County records. Permit B0115725 remains incomplete.
May 6, 2025	This matter was referred to the Hearings Officer.

If the Compliance Hearings Officer affirms the County's position that a violation of the Building Code, Title 9.02.040 exists, the County may request a Continuing Order in this matter recommending the following:

- The Respondents be ordered to bring the property into compliance with the Building Code within 20 days of the date of the Order by submitting the required information to obtain a complete application and respond to all additional plan review requests within 10 days of being notified. Respondents to obtain all required inspections including approved final inspections within 60 days of permits being issued.
- Code Enforcement to confirm compliance of the above item and the County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the 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 February 20, 2025.
- The administrative compliance fee to be imposed from November, 2024 until the violation is abated. As of this report the total is \$450.00
- 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.

Occupancy R-3  
Type of Building VN  
Single Family \_\_\_\_\_  
Multi Family (no \_\_\_\_\_  
Commercial \_\_\_\_\_  
Industrial \_\_\_\_\_  
Mech. \_\_\_\_\_  
Other Pool House

CLACKAMAS COUNTY  
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
902 ABERNETHY ROAD, OREGON CITY, OR 97045

# BUILDING PERMIT APPLICATION

Permit No. 1800-87  
Plan Check No. C-6234-87  
Valuation 12,206  
Permit Fee 92.50  
Mech. Fee \_\_\_\_\_  
State Surcharge 5% 4.63  
Plan Check Fee 60.13  
Total Fee 157.26  
Less Prepaid 60.00  
Amount Due 97.26

Serial No. \_\_\_\_\_  
Plans Accepted By [Signature] Date 8/7/87  
Application Received By [Signature] Date \_\_\_\_\_

Project Location (Address) 8540 SE 307 Gresham, Ore. 97030  
Nearest Cross Street Orient Dr

Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_  
Township 1 South Range 4 East Section 29 B Tax Lot 105  
Lot Size 7 ac. (Sq. Ft.) Building Area \_\_\_\_\_ (Sq. Ft.) Basement Area \_\_\_\_\_ (Sq. Ft.) Garage Area \_\_\_\_\_ (Sq. Ft.)  
Stories \_\_\_\_\_ Bedrooms \_\_\_\_\_ Water Source \_\_\_\_\_ Sewage Disposal \_\_\_\_\_  
Estimated Cost of Labor and Material \$7500

Plans and Specifications made by Gary Fisher accompany this application.  
Owner's Name Dr. Garry W. Cannard Builder's Name Dr. Garry W. Cannard  
Address 8540 SE 307 Address \_\_\_\_\_  
City Gresham State Oregon City \_\_\_\_\_ State \_\_\_\_\_  
Phone 663-7764 Zip 97030 Phone \_\_\_\_\_ Zip \_\_\_\_\_

I certify that I am registered under the provisions of ORS Chapter 701 and my registration is in full force and effect. I also agree to build according to the above description, accompanying plans and specifications, the State of Oregon Building Code, and to the conditions set forth below.

[Signature] APPLICANT HOMEBUILDER'S REGISTRATION NO. \_\_\_\_\_ DATE 8-6-87

I certify that I am exempt from the provisions of ORS Chapter 701. The basis for my exemption is \_\_\_\_\_

I agree to build according to the above description, accompanying plans and specifications, the State of Oregon Building Code, and to the conditions set forth below.

[Signature] APPLICANT DATE 8-6-87

### SEWAGE DISPOSAL REQUIREMENTS:

Septic Tank Capacity \_\_\_\_\_  
Total Length of Lines \_\_\_\_\_  
Comments: \_\_\_\_\_

I HEREBY CERTIFY THAT THE ATTACHED PLAN ACCURATELY REFLECTS THE SIZE AND POSITION OF MY SEWAGE DISPOSAL SYSTEM, THAT SAID SYSTEM IS NOT FAILING THROUGH DISCHARGE TO GROUND SURFACE OR PUBLIC WATERS, AND THAT THE PROPOSED CONSTRUCTION WILL NOT INTERFERE WITH THE SAID SYSTEM.

SIGNED [Signature] DATE 8-7-87

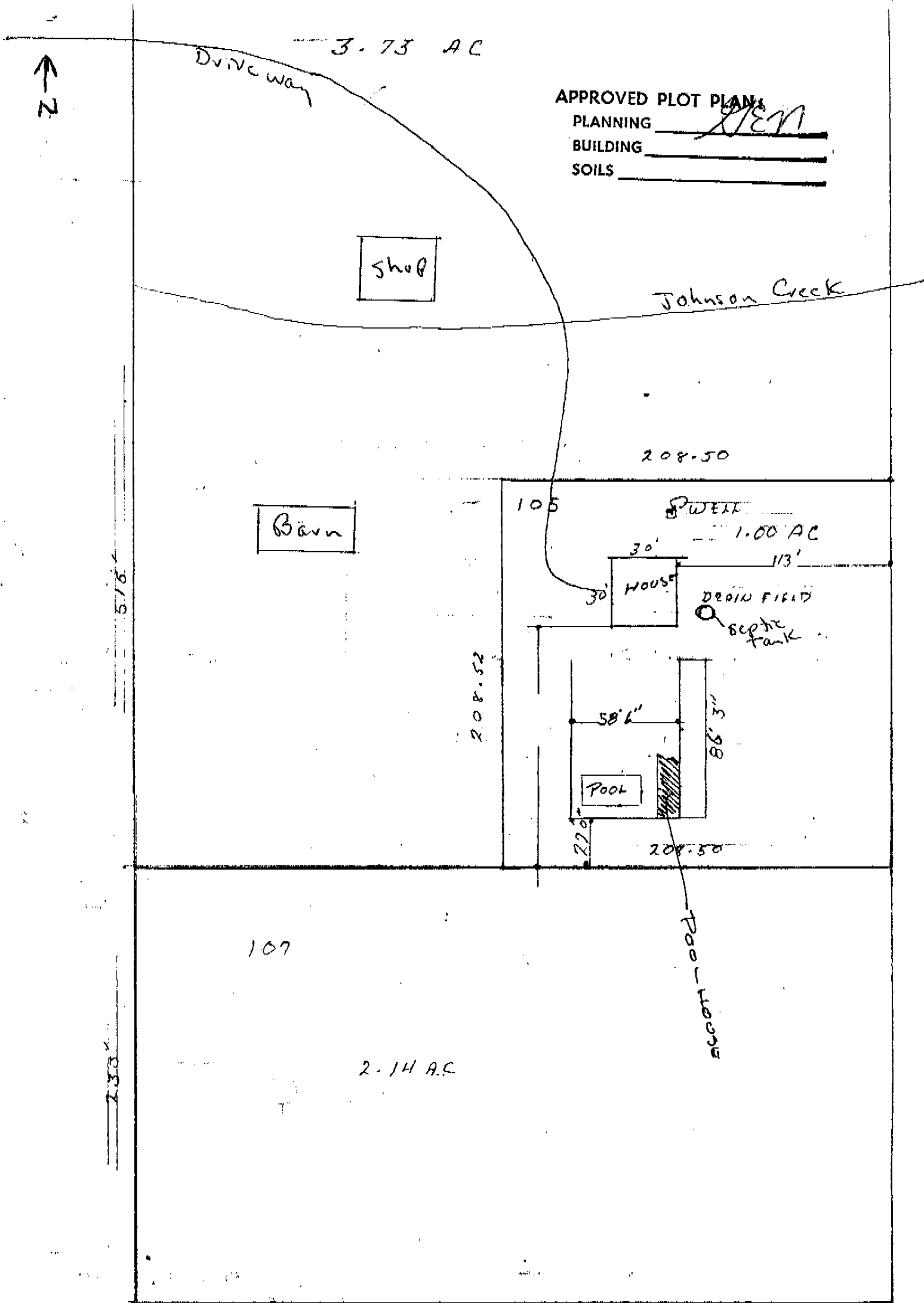
### PLANNING DEPARTMENT REQUIREMENTS:

MUST MEET MINIMUM SETBACKS  
AS INDICATED ON PLOT PLAN

Approved as accessory building.

ZONE: RRFF-5

Development Construction <input type="checkbox"/> Approved <input type="checkbox"/> Denied By _____ Date _____	Sewage Disposal <input type="checkbox"/> Approved <input type="checkbox"/> Denied By _____ Date _____	Plans Checked and Approved By <u>[Signature]</u> Date <u>8/13/87</u>	Planning Department Approved <u>[Signature]</u> By _____ Date <u>8/17/87</u>	Permit Issued By <u>[Signature]</u> Date <u>8-17-87</u>
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Garry W. Cannard  
 8540 SE 307  
 Gresham, Ore.  
 97030

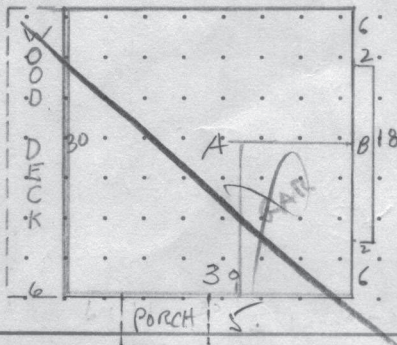
PLOT PLAN  
 T 1 SE 4 29 TAX LOT 105

Township 1  
 Range 4  
 Section 29 B  
 Tax Lot 105



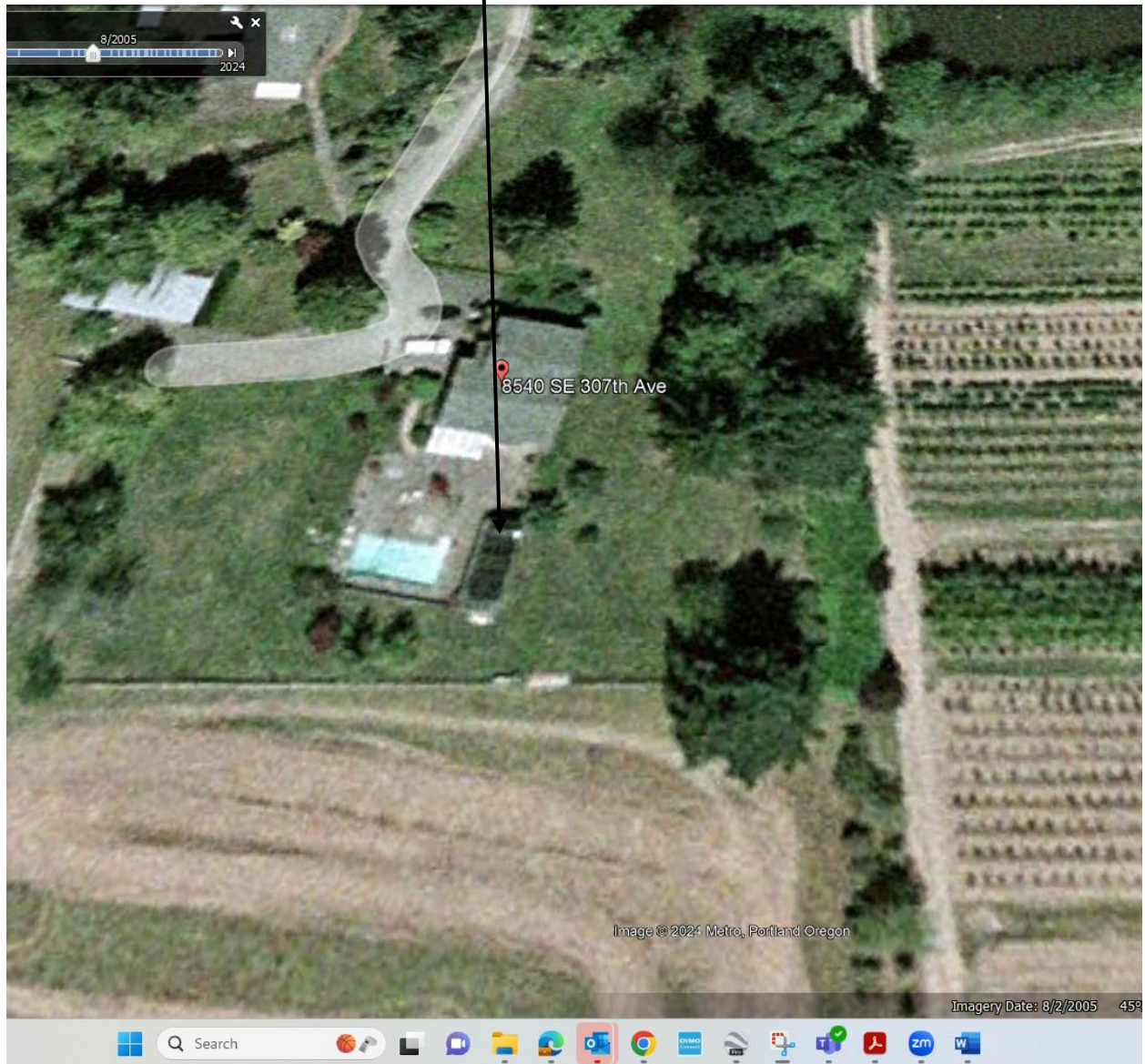
## A black and white photograph of a two-story house. The house has a dark exterior and a light-colored balcony railing. A large tree is on the right side of the house, partially obscuring it. The foreground is a gravelly area. The house has a balcony on the second floor and a porch on the first floor. The roof is dark and appears to be made of shingles. The windows are dark, possibly with curtains. The overall scene is somewhat overgrown and rustic.

SEE NEW Building  
DIAGRAM

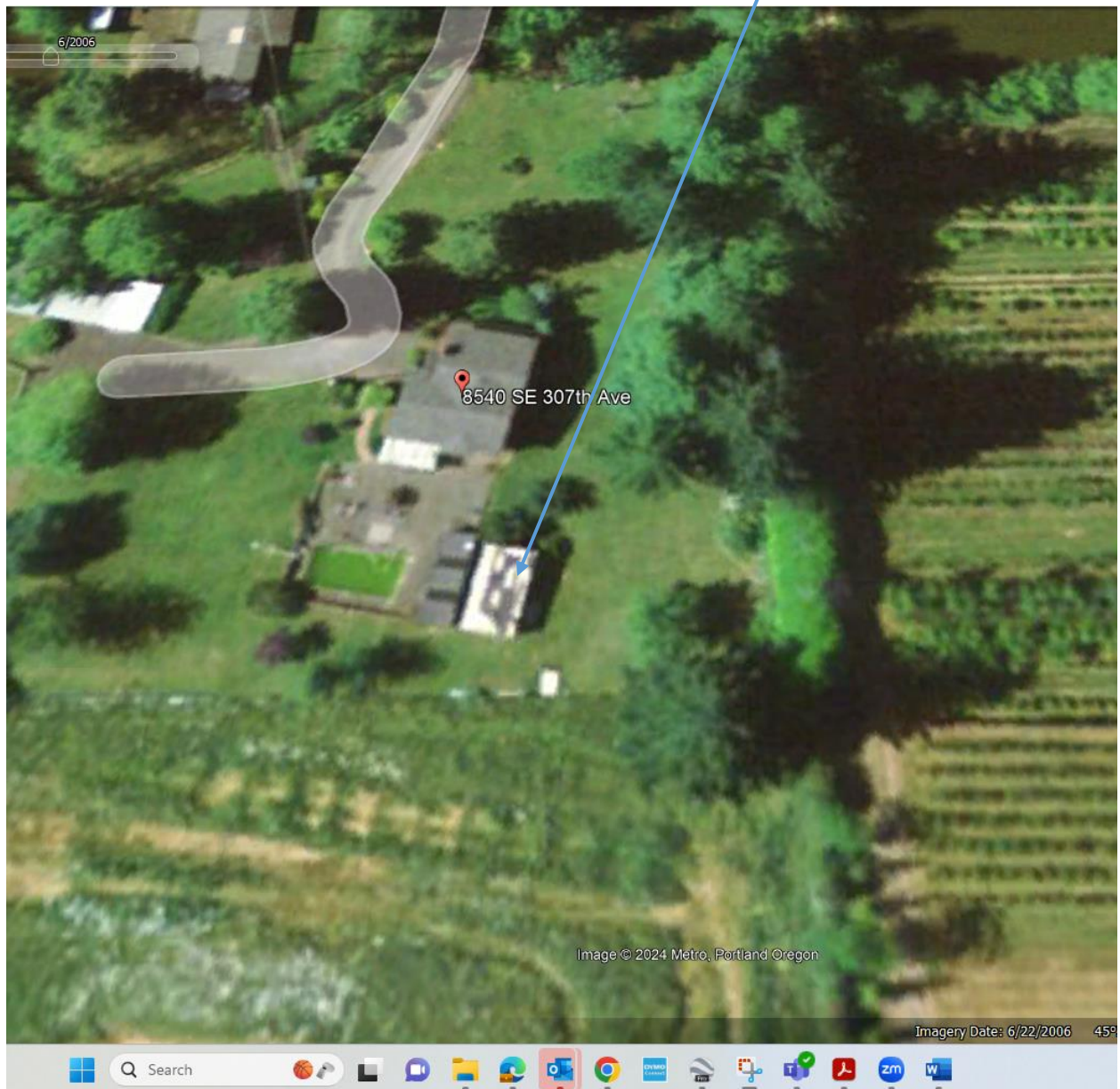


12-22 87





Original Pool House



Add on – 6-22-2006



● LAST SOLD ON SEP 30, 2009 FOR \$470,000

8540 SE 307th Ave, Gresham, OR 97080



**\$959,042**

Redfin Estimate

**4**

Beds

**3.5**

Baths

**3,098**

Sq Ft

## Is this your home?

Track this home's value and nearby sales activity

I own 8540 SE 307th Ave

## About this home

Here is your opportunity! This Home also includes a 1 Bdrm, 1 bath guest house, one of a kind property, inground pool, creek, pond. 1585 sf shop, great for horses, nursery stock, irrigated and landscaped. Endless Possibilities! Gorgeous peaceful setting! You won't be disappointed when you see this exceptional home and property! Subject to 3rd party approval-short sale

Show less ^

🏠 Single-family

🏠 \$310 Redfin Estimate per sq ft

📅 1974

🚗 2 car garage

🌳 6.97 acres

🏠 144 - Gresham, Sandy, Troutdale, Corbett

Listed by Jason Shuler • John L. Scott Sandy









**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

October 22, 2024

Thomas & Jessica Dwyre  
John Polk  
8540 SE 307<sup>th</sup> Ave  
Gresham, OR 97080

Thomas & Jessica Dwyre  
John Polk  
1345 Vineyard Dr  
Bountiful, UT 84010

**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:           8540 SE 307<sup>th</sup> Ave., Gresham, OR 97080

Legal Description:    T1S, R4E, Section 29B, Tax Lot 00105 & 00110

It has come to the attention of Clackamas County Code Enforcement that there may be multiple dwellings on the above reference property without land use approval or approved building permits.

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 Specialist, within ten (10) days of the date of this letter in order to discuss this matter.

Email address is [JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)

Telephone number is 503-742-4759

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

## Department of Transportation and Development

### **Nondiscrimination Policy:**

The Department of Transportation and Development is committed to non-discrimination. For more information go to: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination).

### **¡LE DAMOS LA BIENVENIDA!** Spanish

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### **ДОБРО ПОЖАЛОВАТЬ!** Russian

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### **欢迎!** Chinese (Mandarin)

交通和发展部致力于实现非歧视。如需了解更多信息，请访问 [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination).

### **CHÀO MỪNG!** Vietnamese

Bộ Vận Tải và Phát Triển cam kết thực thi chính sách không phân biệt đối xử. Để biết thêm thông tin, vui lòng truy cập trang mạng: [www.clackamas.us/transportation/nondiscrimination](http://www.clackamas.us/transportation/nondiscrimination).

### **환영합니다.** Korean

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**DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT**

**DEVELOPMENT SERVICES BUILDING**

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

**NOTICE OF VIOLATION**

November 14, 2024

Thomas & Jessica Dwyre  
John Polk  
8540 SE 307<sup>th</sup> Ave  
Gresham, OR 97080

Thomas & Jessica Dwyre  
John Polk  
298 Lofty Ln  
North Salt Lake, UT 84054

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

**VIOLATION:** V0044724

**SITE ADDRESS:** 8540 SE 307<sup>th</sup> Ave, Gresham, OR 97080

**LEGAL DESCRIPTION:** T1S, R4E, Section 29B, Tax Lot 00105

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

Pool house converted to an accessory dwelling unit without approved permits

**VIOLATIONS & HOW TO RESOLVE**

On October 22, 2024, Clackamas County Code Enforcement received a complaint regarding an accessory dwelling unit on the subject property that was built without approved permits. I researched the subject property and confirmed the violation exists. The structure that is currently occupied as a one-bedroom accessory dwelling unit (ADU) was permitted and approved in 1987 as a pool house only. Between 2005 and 2006 the structure was increased in size without approved permits. The addition to the structure and the conversion of the pool house to an ADU without approved permits or approved final inspections constitutes a violation of Clackamas County Code, Title 9.02.040 (B)(C)(D)(E). In order to abate the violation(s), you must complete the following **no later than January 13, 2024:**



### **Accessory Dwelling Unit**

Due to recent Zoning updates with the County, this property does meet the criteria to allow the ADU on the subject property. I have attached the qualifications and restrictions for this structure.

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s) for the ADU. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>

**\*\* PLEASE NOTE – The permit will require an architect or engineer licensed with the State of Oregon to stamp the drawings and submit calculations for the structure as part of the permit submittal. This is required at the time of submittal to be considered a complete permit application\*\***

- All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
- The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes. The electrical and plumbing trade permits need to be submitted before the building permit can be issued.
- 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).

**OR**

You can also abate the violation by returning the structure to the originally approved size and use as a pool house only.

- Please submit, or have your professional submit, the building permit application(s), technically complete plans and appropriate fee(s) to return the structure to its originally approved size and use as a pool house only with no habitable space. Permits are accepted online only, for more information on this process please refer to the County's website at <https://www.clackamas.us/building>
  - All requests for additional information in order to complete plan review must be responded to within 10 days of being notified.
  - The permit(s) must have the fee(s) paid in full within ten days of your being notified by Building Codes. The electrical and plumbing trade permits need to be submitted before the building permit can be issued to either decommission what cannot remain or permit what can remain..
  - 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](mailto: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](mailto: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](mailto:soilsconcern@clackamas.us).

**Beginning Monday, Sept. 30**, **Septic staff** will be available **by appointment only** for in-person and online meetings.

- 1-4 p.m. on Mondays (or on Tuesday, if Monday is a holiday)
- Thursdays, 8 a.m.-noon

Customers who would like to talk with Septic staff in person or on Zoom are asked to schedule an appointment in advance, in one of two ways:

- Schedule an appointment online. An online appointment scheduler, linked from the Septic webpage, is being developed by TS and is expected to be available before Sept. 30.
- Call the Septic Office at 503-742-4740

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](mailto: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](mailto:codeenforcement@clackamas.us).
4. **Potential Fines and Penalties:** The Clackamas County Code provides for Citation fine amounts of up to \$500 and additional civil penalties imposed by the Hearings Officer of up to \$3,500 for each day the County verifies the noncompliance. Fine amounts and civil penalties may be assessed for each cited violation and may be assessed separately against each named party. In addition, the Hearings Officer may order the violation to be abated by the County at the expense of the property owner(s) and responsible parties.
5. **Voluntary Compliance:** Clackamas County encourages voluntary compliance with code violations to support a safe and healthy community for all. Please note that when a property owner works cooperatively with the County to resolve a confirmed code enforcement violation, the County may in its discretion waive all or part of the \$75 per month administrative fee.
6. **Non-Compliance may result in a lien upon your property:** Fines and costs are payable upon the effective date of the final order declaring the fine and costs. Fines and costs under this Chapter are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt allowed by law. If fines or costs are not paid within 60 days after payment is ordered, the County may file and record the order for payment in the County Clerk Lien Record.
7. **Final Order may be enforced in Circuit Court:** Also, be advised that non-compliance with a Hearings Officer's Order may result in the matter being referred to County Counsel for legal action in Circuit Court which may result in additional penalties or other sanctions.
8. **Recurrences will result in additional Citations:** Finally, recurrences of abated violations may result in the issuance of a citation without prior notice.



**RECORDING COVER SHEET (Please Print or Type)**

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

*THIS SPACE RESERVED FOR USE BY  
THE COUNTY RECORDING OFFICE*

**AFTER RECORDING RETURN TO:**

Amrock

662 Woodward Avenue

Detroit, MI 48226

Clackamas County Official Records  
Sherry Hall, County Clerk**2018-061122**

10/03/2018 08:47:00 AM

D-D Cnt=1 Stn=53 CINDY  
\$15.00 \$16.00 \$10.00 \$62.00**\$103.00****1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)**

Statutory Bargain and Sale Deed

**2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160**

THOMAS J. DWYRE, a married man, and JOHN R. POLK, a single man

**3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160**THOMAS J. DWYRE and JESSICA F. DWYRE, husband and wife,  
and JOHN R. POLK, a single man**4) TRUE AND ACTUAL CONSIDERATION  
ORS 93.030(5) – Amount in dollars or other**

\$ 0.00

☐ Other**5) SEND TAX STATEMENTS TO:**

Thomas J. Dwyre, Jessica F. Dwyre,

John R. Polk

8540 SE 307th Avenue, Gresham, OR 97080

**6) SATISFACTION of ORDER or WARRANT  
ORS 205.125(1)(e)**CHECK ONE:  
(If applicable)☐

FULL

☐

PARTIAL

**7) The amount of the monetary  
obligation imposed by the order  
or warrant. ORS 205.125(1)(c)**

\$ \_\_\_\_\_

**8) If this instrument is being Re-Recorded, complete the following statement, in  
accordance with ORS 205.244: "RERECORDED AT THE REQUEST OF \_\_\_\_\_**

TO CORRECT \_\_\_\_\_

PREVIOUSLY RECORDED IN BOOK \_\_\_\_\_ AND PAGE \_\_\_\_\_, OR AS FEE  
NUMBER \_\_\_\_\_."

**Prepared By:**  
Jessica Molligan, Esq.  
P.O. Box 16893  
Portland, OR 97292  
OR Bar ID: 001823

**Until a Change is Requested,  
Mail Tax Statements To:**  
Thomas J. Dwyre, Jessica F. Dwyre, and  
John R. Polk  
8540 SE 307th Avenue  
Gresham, OR 97080

**Return To:**  
Amrock  
662 Woodward Avenue  
Detroit, MI 48226

**Order Number:**  
64857977 - 4705483

### STATUTORY BARGAIN AND SALE DEED

**THOMAS J. DWYRE**, a married man, and **JOHN R. POLK**, a single man, Grantors, convey to **THOMAS J. DWYRE** and **JESSICA F. DWYRE**, husband and wife, and **JOHN R. POLK**, a single man, not as tenants in common but with the right of survivorship, Grantees, the following-described real property located in Clackamas County, Oregon:

Parcel I: **14E29B 00105** **00152051**

A tract of land in the Northeast One-Quarter of the Northwest One-Quarter of Section 29, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point which is South 0°22'16" East, on the north-south center line of Section 29, a distance of 306.48 feet from the North One-Quarter corner of Section 29; thence South 89°26'48" West, parallel with the north line of Section 29, a distance of 208.90 feet; thence South 0°22'16" East, 208.52 feet; thence North 89°26'48" East, parallel with the north line of Section 29, a distance of 208.90 feet; thence North 0°22'16" West, on the north-south center line of Section 29, a distance of 208.52 feet to the point of beginning.

Parcel II: **14E29B 00107** **00152079**

Part of the Northeast One-Quarter of the Northwest One-Quarter of Section 29, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the North One-Quarter corner of Section 29; thence South 0°22'16" East, 515.0 feet, which is the southeast corner of the tract of land deeded to Galen C. Fancher and Phyllis R. Fancher, recorded May 2, 1973, Recorder's Fee No. 73-13353, which is also the true point of beginning of the tract herein to be described; thence continuing South 0°22'16" East, 233 feet; thence South 89°26'48" West, parallel with the north line of Section 29, a distance of 399.91 feet to the most southerly easterly point of a tract of land under contract to Billy M. Dual and Betty J. Dual recorded April 12, 1972, Recorder's Fee No. 72-9918; thence North 0°22'16" East, 233 feet to the southwesterly line of the tract of land deeded by Recorder's Fee No. 73-13353; thence North 89°26'48" East, 399.91 feet to the true point of beginning.

Parcel III: **14E29B 00110** **00152104**

A tract of land in the Northeast One-Quarter of the Northwest One-Quarter of Section 29, Township 1 South, Range 4 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, as follows:

Beginning at the North One-Quarter corner of said Section 29; thence South 89°26'48" West, along the north line of Section 29, a distance of 399.90 feet; thence South 0°22'16" East, 515.00 feet; thence North 89°26'48" East, parallel with the north line of said Section 29, a distance of 399.90 feet; thence North 0°22'16" West, on the north-south center line of said Section 29, a distance of 515.0 feet to the point of beginning.

Together with an easement for the purposes of ingress and egress and for utility purposes over the north 16 feet of that tract of land conveyed to Floyd F. Moon, et ux, by Deed Book 689, Page 850, Deed Records, Clackamas, Oregon, said easement being perpetual in nature, and for the use and benefit of the real property described in the deeds re-recorded on September 20, 1985 as Recorder's Fee No. 85-33204 and 85-33205.

Except the following property which was deeded to Gary C. Palmquist June 9, 1973:

A tract of land in the Northeast One-Quarter of the Northwest One-Quarter of Section 29, Township 1 South, Range 4 East of the Willamette Meridian, described as follows:

Beginning at a point which is South 0°22'16" East, on the north-south center line of Section 29, a distance of 306.48 feet from the North One-Quarter corner of Section 29; thence South 89°26'48" West, parallel with the north line of Section 29, a distance of 208.90 feet; thence South 0°22'16" East, 208.52 feet; thence North 89°26'48" East, parallel with the north line of Section 29, a distance of 208.90 feet; thence North 0°22'16" West, on the north-south center line of Section 29, a distance of 208.52 feet to the point of beginning. **-105**

Being all of that certain property conveyed to THOMAS J. DWYRE, a married man, and JOHN R. POLK, a single man, from TIMOTHY A. NESSEL, by deed dated September 30, 2009, and recorded September 30, 2009, as Instrument Number 2009-068758 of the Official Records of Clackamas County, Oregon.

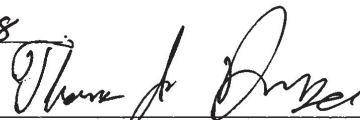

Commonly known as: 8540 SE 307th Avenue, Gresham, OR 97080

Parcel ID: 00152051

The true and actual consideration for this conveyance is: Zero Dollars (\$0.00).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.


Dated this 27<sup>th</sup> of September, 20 18.

  
\_\_\_\_\_  
THOMAS J. DWYRE  
  
\_\_\_\_\_  
JOHN R. POLK

State of Oregon )  
 ) ss.  
County of Clackamas )

On the 27<sup>th</sup> day of September, 20 18, personally appeared before me the above-named THOMAS J. DWYRE and JOHN R. POLK, who declared the foregoing instrument to be their voluntary act and deed.



  
\_\_\_\_\_  
Notary Public - State of Oregon  
Marisa K. Phillips

**From:** [Kauppi, Jennifer](#)  
**To:** ["Joe Dwyre"](#)  
**Subject:** RE: V0044724 - 8540 SE 307th Ave  
**Date:** Monday, November 25, 2024 7:18:44 AM

---

Good Morning Joe,

I would like to talk to you on the phone about this. As the letter stated, you can have an ADU it just has to be permitted as such.

Please give me a call to discuss your options and any extensions.

Thank you

Jennifer Kauppi – Code Enforcement Specialist  
Code Enforcement  
Department of Transportation and Development  
150 Beaver Creek Rd.

Primary Phone: [503-742-4759](tel:503-742-4759)

[www.clackamas.us](http://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?



---

**From:** Joe Dwyre <[joedwyre@gmail.com](mailto:joedwyre@gmail.com)>  
**Sent:** Friday, November 22, 2024 3:42 PM  
**To:** Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)>  
**Subject:** Re: V0044724 - 8540 SE 307th Ave

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

---

Well that is terrible news. I will attempt to evict the current tenant and return the use of the pool house as uninhabitable as originally intended. I do not have any information on the plans or permits, as that was how it was when I purchased the property. My only question is to avoid the eviction process of the holidays, is there a chance to extend the

date by 30 to 60 days? It is a terrible time of year to attempt to move.

Just for future correspondence the best mail to address is 298 Lofty Ln, North Salt Lake, UT 84054.

I appreciate you time,

Joe Dwyre

On Thu, Nov 14, 2024 at 7:56 AM Kauppi, Jennifer <[JKauppi@clackamas.us](mailto:JKauppi@clackamas.us)> wrote:

Good Morning,

My name is Jennifer Kauppi and I am a Code Enforcement Specialist for Clackamas County. On October 22, 2024 our office received a complaint regarding an accessory dwelling unit on the subject property that was currently occupied without approved permits.

Correspondence was sent to the mailing address on file with the assessor's office and to an address in Utah that I located from one the adjoining properties. The correspondence that was sent to the site address was not returned, however, that mail was sent to the Utah location was returned as undeliverable.

I have confirmed the violation exists on the property. Attached is a copy of the Notice of Violation that has been placed in the mail today. Please contact me to discuss further or if you have any questions.

Thank you

Jennifer Kauppi – Code Enforcement Specialist  
Code Enforcement  
Department of Transportation and Development  
150 Beaver Creek Rd.

Primary Phone: [503-742-4759](tel:503-742-4759)

[www.clackamas.us](http://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.



# Plan Review - Review Comments Report

Project Name: **B0115725**  
Workflow Started: **1/24/2025 3:12:26 PM**  
Report Generated: **05/02/2025 01:42 PM**

REVIEW COMMENTS						
REF #	CYCLE	REVIEWED BY	TYPE	FILENAME	DISCUSSION	STATUS
1		Coordinator Amanda Donaldson 1/31/25 10:55 AM	Comment PLEASE UPDATE YOUR SITE PLAN SHOWING ALL STRUCTURES, DISTANCES AND DIMENSIONS OF THE STRUCTURES. I HAVE UPLOADED A SAMPLE SITE PLAN IN CLACKAMAS FORMS FOR YOUR CONVENIENCE.		Coordinator Response: Amanda Donaldson - 2/10/25 12:50 PM Please see the sample site plan in the Clackamas Forms folder for reference, so are not showing street, driveway, property lines, etc. Every permit needs a full site plan.  ----- Responded by: Thomas Dwyre - 2/10/25 6:11 AM Version two of the site plan is uploaded	Unresolved
2		Coordinator Amanda Donaldson 1/31/25 11:20 AM	Comment PLEASE UPLOAD A DRAWING ON HOW THE STRUCTURE WAS ATTACHED TO THE POOL HOUSE AND HOW YOU ARE GOING TO REMOVE IT SOUNDLY.		Coordinator Response: Amanda Donaldson - 2/10/25 12:51 PM Thank you for that response, but we need drawings showing that information you provided with wall details.  ----- Responded by: Thomas Dwyre - 2/10/25 6:12 AM They removed a window and made a narrow walkway. The plan is to replace the window, and replace the siding that was removed. Matching a close as possible to original.	Unresolved





Citation No. 2400447

Case No. V0044724

# ADMINISTRATIVE CITATION

Date Issued: February 20, 2025

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

Name: Thomas and Jessica Dwyre  
Name: John Polk  
Mailing Address: 8540 SE 307<sup>th</sup> Ave  
City, State, Zip: Gresham, OR 97080

Date Violation(s) Confirmed: On the 20th day of February, 2025, the person(s) cited committed or allowed to be committed, the violations(s) of law described below, at the following address:

Address of Violation(s): 8540 SE 307<sup>th</sup> Ave., Gresham, OR 97080

Legal Description: T1S, R4E Section 29B, Tax Lot(s) 00105

**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 approved permits and approved final inspections for the conversion of a pool house into an accessory dwelling unit.

Maximum Civil Penalty \$1,000.00

Fine Not subject to fine amount

You may avoid paying the civil penalty by abating the violation(s). 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: February 20, 2025  
Department Initiating Enforcement Action: Code Enforcement

