

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

NOTICE OF HEARING

September 2, 2025

Anita Ensley Trustee The Anita Ensley Revocable Trust 14400 SE Fairoaks Ave Milwaukie, OR 97267

RE:: County of Clackamas v. Anita Ensley Trustee of the Anita Ensley Revocable

Trust

File: V0008224

Hearing Date: September 23, 2025

Time: This hearing will begin at 10:30 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 Kimberly Benthin, Code Compliance Specialist for Clackamas County at (503) 742-4457, 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 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 evidence that a violation exists or existed. Either party may, at their own expense, obtain an attorney, to represent that 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 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 a continuing order. The Hearings Officer 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

- <u>5. Right to Recess.</u> If, during the course of the hearing, the 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 proceedings 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.
- **<u>6. Right to Appeal.</u>** 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 Hearing Officer Code, and Oregon Revised Statute 34.010-34.100. If appeal is taken, the 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 nitagramma@yahoo.com and Bill@bearprinting.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 Kimberly Benthin at 503-742-4457 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 <u>before</u> your scheduled start time, please call 503-830-9960 for assistance.

Zoom invite

Topic: Code Enforcement Hearing - Anita Ensley - V0008224 - Sept 23 - 10:30 am

Join from PC, Mac, iPad, or Android:

https://clackamascounty.zoom.us/j/81632738955?pwd=F7uvow1huEtBR9Up1KcDcLbTQWtY0h.1 Passcode:582538

Phone one-tap:

- +13462487799,,81632738955#,,,,*582538# US (Houston)
- +14086380968,,81632738955#,,,,*582538# US (San Jose)

Join via audio:

- +1 346 248 7799 US (Houston)
- +1 408 638 0968 US (San Jose)
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 719 359 4580 US



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

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150 Beavercreek Road | Oregon City, OR 97045

- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +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)
- +1 305 224 1968 US

Webinar ID: 816 3273 8955

Passcode: 582538

International numbers available: https://clackamascounty.zoom.us/u/kcs33c3NI9

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: 816 3273 8955

Passcode: 582538

SIP: 81632738955@zoomcrc.com

Passcode: 582538

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.

ILE 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 (Manderin)

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 MỬNG! 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 <u>www.clackamas.us/transportation/nondiscrimination</u>을 참조하거나 이메일 <u>JKauppi@clackamas.us</u>, 또는 전화 503-742-4452번으로 연락 주십시오.

BEFORE THE COMPLIANCE HEARINGS OFFICER For COUNTY OF CLACKAMAS

CLACKAMAS COUNTY,

File No: V0008224

Petitioner,

٧.

ANITA ENSLEY, Trustee of the Anita Ensley Revocable Trust

Respondent.

COMPLAINT AND REQUEST FOR HEARING

I, Kimberly Benthin, Code Enforcement Specialist for Clackamas County, allege the following:

1.

Respondent's mailing address is: 14400 SE Fairoaks Ave, Milwaukie, OR 97267.

2.

The Respondent owns and occupies the address or location of the violations of law alleged in this Complaint 14400 SE Fairoaks Ave, Milwaukie, OR 97267, also known as T2S, R1E, Section 11AB, Tax Lots 02701 and 02703, and is located in Clackamas County, Oregon. The property is zoned Urban Low Density Residential Section 315 R-10 and is the location of violations asserted by the County.

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File No. V0008224

3.

On or about the 17th day of July, 2024, and on or about the 12th day of June,

2025, the Respondent violated the following laws, in the following ways:

Respondent violated Title 12 and 13 of the Clackamas County Code Zoning and

Development Ordinance Section 315 and 847 by allowing an occupied recreational

vehicle to remain on the subject property without land use authorization.

This violation is a Priority 2 violation pursuant to the Clackamas County Violation

Priorities.

4.

On or about the 17th day of July, 2024, and on or about the 10th day of June,

2025, the Respondent violated the following laws, in the following ways:

Respondent violated Chapter 9.02 of the Clackamas County Code Application and

Enforcement of the Clackamas County Building Code by allowing an occupied

recreational vehicle to remain on the subject property without code compliant and

permitted utilities.

This violation is a Priority 1 violation pursuant to the Clackamas County Violation

Priorities.

The Department initiating this procedure is the Code Enforcement Section of the

Department of Transportation and Development.

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File No. V0008224

5.

Notice of the violation was given to Respondent in the following manner: Notice of Violation dated July 17, 2024 and Administrative Citation #2400082-1 dated June 12, 2025. A copy of the notice documents are attached to this Complaint as Exhibits F and U respectively, 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:

- Pursuant to Clackamas County Code Section 2.07.090, ordering
 Respondent to immediately abate the violations and bring the property at issue into compliance with all laws, and permanently enjoining Respondent from violating these laws in the future;
- 2. Pursuant to Clackamas County Code Section 2.07.090, imposing a civil penalty against Respondent for each violation, within the range established by the Board of County Commissioners. Said range for the Title 2 Priority Zoning and Development Ordinance violation being \$500.00 to \$2,500.00 per occurrence as provided by Appendix B to the Clackamas County Code;
- Pursuant to Clackamas County Code Section 2.07.090, ordering
 Respondent to pay an administrative compliance fee as provided by Appendix A to the
 Clackamas County Code; and

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File No. V0008224

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

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

DATED THIS 2nd day of September, 2025.

Kimberly Benthin

Code Enforcement Specialist

For Clackamas County

CLACKAMAS COUNTY.

Petitioner. File No.: V0008224

٧.

ANITA ENSLEY, Trustee of the Anita Ensley Revocable Trust,

STATEMENT OF PROOF

Respondent.

History of Events and Exhibits:

March 14, 2024 Clackamas County Code Enforcement received a complaint of an Exhibit: A, B, C

occupied recreational vehicle and an accumulation of waste.

March 25, 2024 Correspondence was mailed to the Respondent requesting she contact

Exhibit: D Clackamas County Code Enforcement.

April 1, 2024 Respondent and her son Bill Ensley met with Code Enforcement

> Specialist (CES) Jennifer Kauppi in the lobby of the Development Services Building. Respondent explained that her son Drew lives in the Recreational Vehicle for more than 30 days in a calendar year and helps her out. The accumulation of vehicles and miscellaneous debris is a collection of some of Drew's items and some of the Respondents late

husband's.

June 13, 2024 CES Kimberly Benthin performed an inspection and found what Exhibit: E

appeared to be an occupied Recreational Vehicle and an accumulation

of debris.

July 17, 2024 A Notice of Violation was mailed to the Respondent by first class mail Exhibit: F and a copy was emailed to the Respondent's son, Bill Ensley. The

notice provided a deadline of August 19, 2024 to abate the violations of the solid waste accumulation and the occupied recreational vehicle. The

August 5, 2024 Senior Code Enforcement Specialist (SCES) Andrea Hall met with

Respondent in the Clackamas County Development Services lobby. The Respondent provided an update on progress of abating the

violations. The RV needs repair then it can be licensed. Respondent will

be moving the RV next to the house. Respondent requested an

extension to the deadline due to her age and high temperatures. SCES

to the deadline. October 1, 2024 Respondent sent an email to CES Benthin regarding her progress with Exhibit: G her plumbing contractor. October 2, 2024 The Notice of Violation was emailed to the Respondent and also mailed Exhibit: H first class mail with information of the new rules adopted by Clackamas County for the occupied recreational vehicle. A deadline of November 4, 2025 was provided to submit the land use application. October 7, 2024 The Violation Notice mailed first class mail was returned due to insufficient address and re-mailed to the Respondent on October 7, 2024. October 22, 2024 Respondent sent email with picture of contract with plumbing contractor. Exhibit: I October 30, 2024 CES Benthin responded to the Respondent's email noting that the Planning Division had been contacted by the plumbing contractor. Exhibit: J November 21, 2024 Respondent and CES Benthin had a phone conversation. Respondent had been ill and was concerned about Administrative Compliance Fee letter. Additionally, was concerned that she has paid \$16,000 to her plumbing contractor and they had not yet submitted paperwork she had filled out. Respondent said she would follow up with her plumbing contractor. CES Benthin stated if she hadn't heard from the Respondent she would check back in after Thanksgiving. December 18, 2024 CES Benthin sent an email to the Respondent asking for an update on Exhibit: K the status of submittals. Emails were exchanged between the Respondent and Bill Ensley regarding the status of the submittals through December 19th. December 19, 2024 CES Benthin checked with the Building Department and the Planning Exhibit: L Department and found no submittals have occurred. December 19, 2024 Bill Ensley emailed CES Benthin and provided documents from the Exhibit: M plumbing contractor, to show they have been working with someone. December 19, 2024 Bill Ensley emailed CES Benthin and provides documents that he stated he had submitted for land use application. Exhibit: N

Hall explained she should contact CES Benthin regarding an extension

December 20, 2024 Bree Perkins, (plumbing contractor) submitted the land use application Exhibit: O for an RV as a second dwelling. Land Use application Z0517-24 was opened. The Notice of Incomplete Submittal was mailed. The deadline for December 23, 2024 Exhibit: P submittal of missing information was February 18, 2025. February 26, 2025 CES Benthin sent an email to the Respondent requesting an update Exhibit: Q due to the voided land use application. February 26, 2025 CES Benthin emailed Planner Max del Hierro for clarification regarding the application. The Planner explained that the information required to Exhibit: R make the application complete was not submitted. April 24, 2025 The documents for the lot of record research was submitted on March Exhibit: S 11. 2025. The decision for the lot of record #ZINFO0082-25 was issued on April 24th. It was determined that tax lot 2701 and 2703 are each separate lots of record. June 11, 2025 CES Benthin reached out by email to the Respondent for an update on Exhibit: T progress to abate the violation. June 12, 2025 Citation #2400082-1 was issued for the Priority 2 zoning violation and priority 1 building code violation for the occupied recreational vehicle Exhibit: U sent via first class mail. The first class mail was not returned. This citation has not been paid. Although the recreational Vehicle is in violation of unpermitted utilities or the lack of, The County is going to waive the Building Code violation fees at this time. The Plumbing contractor contacted CES Benthin by email regarding the June 24, 2025 Exhibit: V actions being taken to abate the violation. July 2, 2025 Respondent sent a letter explaining actions taken to abate the violation. Exhibit: W July 31, 2025 County received a request for hearing from the Respondent. Exhibit: X

September 2, 2025 The County referred this matter to the Code Enforcement Hearings Officer.

If the Hearings Officer affirms the County's position that a violation of an unauthorized occupied recreational vehicle exists on the subject property, the County would request a Continuing Order be issued requiring the Respondent to submit the application and accompanying paperwork to gain authorization for using the recreational vehicle as a second dwelling not later than 30 days of the Continuing Order. If the Respondent is successful in obtaining approval, the County would request that all conditions are met within 45 days of the date of Decision.

The County will submit a Post Hearing Status Report. The report will be sent to the Compliance Hearings Officer and to the Respondent. The report may include the following recommendations:

- Payment of Citation No. 2400082-1 for \$400.00 for the priority 2 violation of the Zoning and Development Ordinance.
- Assessment of a civil penalty between \$500.00 and \$2,500.00 for the priority 2 Zoning and Development Ordinance for date cited.
- Assessment of an administrative compliance fee calculated at the rate of \$75 per month starting July 2024 through June 2025, subtotaling \$900.00.
- Assessment of an administrative compliance fee calculated at the rate of \$100 per month starting July, 2025 through date of abatement. As of today's date the fee subtotals \$200.00.
- If the violations are not abated the County may request authorization for further enforcement action including to proceed to Circuit Court.
- The County requests the Hearing's Officer to permanently enjoin the Respondent from violating these laws in the future.
- If the Compliance Hearings Officer imposes penalties, fines and fees. The County would also ask the Hearings Officer to order reimbursement for any expense the County incurs in collection of those monies, per Clackamas County Code Chapter 2.07.090(6)

AFTER RECORDING RETURN TO:

Gary M. St. Louis 1606 SE Glenwood Street

Portland, Oregon 97202

Milwaukie, Oregon 97267

UNTIL A CHANGE IS REQUESTED ALL TAX STATEMENTS SHALL BE SENT TO: Anita Ensley 14400 SE Fairoaks Avenue

Clackamas County Official Records Sherry Hall, County Clerk

2018-024573

\$58.00

04/23/2018 10:44:05 AM

Cnt=1 Stn=9 COUNTER1 \$10.00 \$16.00 \$22.00 \$10.00

STATUTORY WARRANTY DEED

ANITA ENSLEY, 14400 SE Fairoaks Avenue, Milwaukie, Oregon 97267, Grantor, conveys and 14400 SE Fairoaks Avenue, Milwaukie, Oregon 97267, Grantee, the following described real property free of encumbrances except as specifically set forth herein: 21E11AB02701 00269701

WORK AFTER CORR

POST TO: 21E11AB02703 00269729

PARCEL I: 72-37695

Real property situated in the County of Clackamas, State of Oregon, described as: A part of the North half. Lot 26. Oak Grove, Clackamas County, Oregon, described as follows: Beginning at the Northwest corner of said Lot 26; thence East along the North line of said Lot 26 a distance of 315 feet, more or less, to the Northwest corner of that tract conveyed to Truda K. Doane by deed recorded in Book 176, Page 272, Deed Records of Clackamas County, Oregon; thence South along the West line of said Doane tract and its Southerly extension 170 feet to the South line of the North half of said Lot 26; thence West along said South line 315 feet, more or less, to the intersection of said South line with the East line of Fair Oaks Avenue; thence North 170 feet to the point of beginning.

21E02DC04500 00184455 PARCEL II:

KAC

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

Part of the West one-half of Tract 23, Oak Grove, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southwest corner of said Tract 23; thence East along the West line thereof a distance of 160.0 feet; thence North a distance of 75 feet; thence West a distance of 160.0 feet to the West line of said Tract 23; thence South along said West line 75 feet to the point of beginning.

Said property is free from encumbrances except covenants, conditions, restrictions, and easements of record.

The true consideration for this conveyance is NONE. This transfer is made for estate planning purposes.

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: April 20, 2018.

ANITA ENSLEY

STATE OF OREGON

ss.

County of Multnomah

This instrument was acknowledged before me on ANITA ENSLEY.

April 20

2018, by

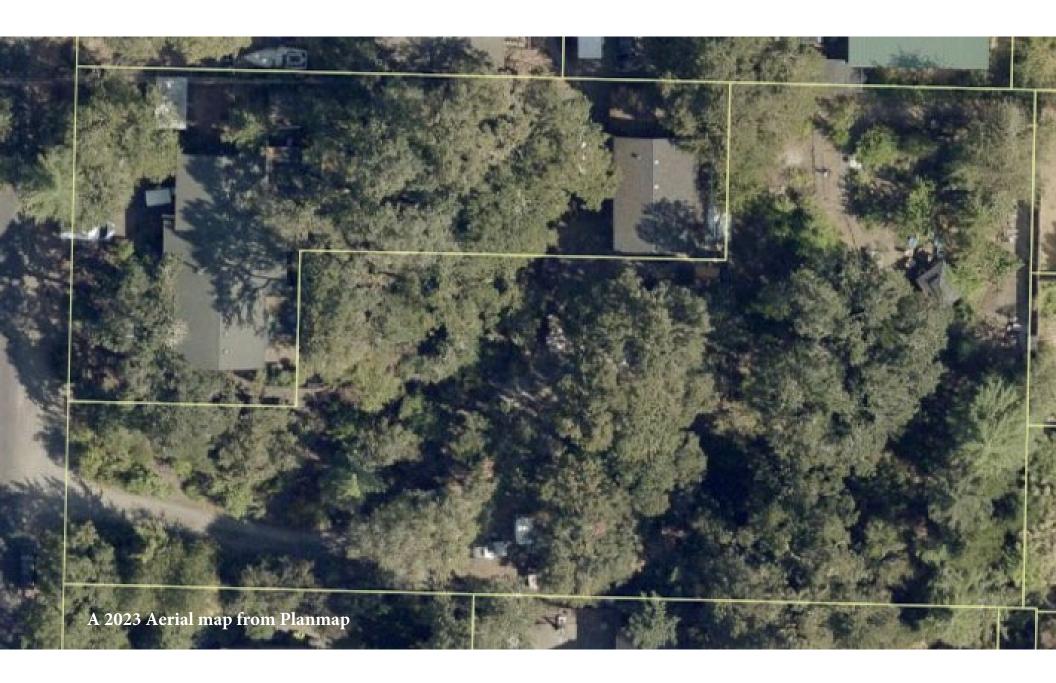
OFFICIAL STAMP
GARY M ST LOUIS
NOTARY PUBLIC-OREGON
COMMISSION NO. 932228

MY COMMISSION EXPIRES SEPTEMBER 15, 2018

Notary Public for Oregon

My Commission Expires

ijrevtrust2018ensleydeedin041718





Property Account Summary

Barcode

Account Number 0026970	1 Property Address	14400 SE FAIROAKS AVE , MILWAUKIE, OR
		97267

General Information	
Alternate Property #	21E11AB02701
Property Description	51 OAK GROVE PT BLK 26
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	012-057
Remarks	

Tax Rate	
Description	Rate
Total Rate	18.7391

Property Characteristics			
Neighborhood	15271: North Clackamas 100, 101		
Land Class Category	101: Residential land improved		
Building Class Category	14: Single family res, class 4		
Year Built	1975		
Change property ratio	1XX		

Related Properties

No Related Properties Found

Parties			
Role	Percent	Name	Address
Veteran	100	ENSLEY ANITA	14400 SE FAIROAKS AVE, MILWAUKIE, OR 97267
Taxpayer	100	ENSLEY ANITA TRUSTEE	14400 SE FAIROAKS AVE, MILWAUKIE, OR 97267
Tax Service Co.	100	CORELOGIC TAX SERVICES	UNKNOWN, MILWAUKIE, OR 00000
Owner	100	ENSLEY ANITA TRUSTEE	14400 SE FAIROAKS AVE, MILWAUKIE, OR 97267
Mortgage Company	100	MERCURY MORTGAGE CORP	MORTGAGE CO MAILING, UNKNOWN,

Property Values

Value Type	Tax Year 2023	Tax Year 2022	Tax Year 2021	Tax Year 2020	Tax Year 2019
AVR Total	\$374,280	\$363,379	\$352,796	\$342,521	\$332,545
Exempt	\$29,753	\$28,886	\$28,045	\$27,228	\$26,435
TVR Total	\$344,527	\$334,493	\$324,751	\$315,293	\$306,110
Real Mkt Land	\$308,158	\$296,684	\$255,706	\$230,299	\$219,645
Real Mkt Bldg	\$436,160	\$424,650	\$367,190	\$334,140	\$318,840
Real Mkt Total	\$744,318	\$721,334	\$622,896	\$564,439	\$538,485
M5 Mkt Land	\$308,158	\$296,684	\$255,706	\$230,299	\$219,645
M5 Mkt Bldg	\$436,160	\$424,650	\$367,190	\$334,140	\$318,840
M5 SAV					
SAVL (MAV Use Portion)					
MAV (Market Portion)	\$374,280	\$363,379	\$352,796	\$342,521	\$332,545
Mkt Exception					
AV Exception					

Active Exemptions

Veteran Service Connected

Events			
Effective Date	Entry Date- Time	Туре	Remarks
04/23/2018	05/03/2018 15:47:00	Recording Processed	Property Transfer Filing No.: 333762, Warranty Deed, Recording No.: 2018-024573 04/23/2018 by HALLEYWUN
04/23/2018	05/03/2018 15:47:00	Taxpayer Changed	Property Transfer Filing No.: 333762 04/23/2018 by HALLEYWUN
03/26/2018	04/23/2018 08:16:00	Recording Processed	Property Transfer Filing No.: 332672, Death Certificate, Recording No.: 2018-018565 03/26/2018 by LESLIESOS
03/26/2018	04/23/2018 08:16:00	Taxpayer Changed	Property Transfer Filing No.: 332672 03/26/2018 by LESLIESOS
07/01/1999	07/01/1999 12:00:00	Ownership at Conversion	Conversion deed: 72-37695, , \$ 0

Tax Balance

Installments Payable							
Tax Year	Category	TCA/District	Charged	Minimum	Balance Due Due Dat	е	
No Records	Found						

Installments Payable/Paid for Tax Year(Enter 4-digit Year, then Click-Here): 2023

Receipts					
Date	Receipt No.	Amount Applied to	Total Amount	Receipt Total	Change
			Exhibit C	Page 2	of 3

		Parcel	Due		
11/13/2023 00:00:00	<u>5434615</u>	\$6,503.13	\$6,503.13	\$6,308.04	\$0.00
11/10/2022 00:00:00	<u>5249327</u>	\$6,153.67	\$6,153.67	\$5,969.06	\$0.00
11/08/2021 00:00:00	<u>5065414</u>	\$5,928.57	\$5,928.57	\$5,750.71	\$0.00
11/12/2020 00:00:00	<u>4867497</u>	\$5,741.25	\$5,741.25	\$5,569.01	\$0.00
11/15/2019 00:00:00	4698419	\$5,658.81	\$5,658.81	\$5,489.05	\$0.00

Sales Histo	ry							
Sale Date	Entry Date	Recording Date	Recording Number		Excise Number	Deed Type	Grantee(Buyer)	Other Parcels
04/20/2018	05/03/2018	04/23/2018	2018- 024573	\$0.00	333762		ENSLEY ANITA TRUSTEE	No
03/26/2018	04/23/2018	03/26/2018	2018- 018565	\$0.00	332672		ENSLEY ANITA	No

Property Details							
Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
2188	0 X 0	1975	45	1.0	3	2	1



DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 Beavercreek Road | Oregon City, OR 97045

March 25, 2024

Ensley Anita Trustee 14400 SE Fairoaks Ave., Milwaukie, OR 97267

Subject: Alleged Violations of the Zoning and Development Ordinance,

Title 12, Section 315 of the Clackamas County Code

Site Address: No Situs SE Fairoaks Ave., Milwaukie, OR 97267

Legal Description: T2S, R1E, Section 11AB, Tax Lot 02703

It has come to the attention of Clackamas County Code Enforcement that an unauthorized occupied recreational vehicle may exist on the above referenced property.

This may constitute a violation of the Zoning and Development Ordinance, Title 12, Section 315 of the Clackamas County Code.

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

E-mail address is kimben@clackamas.us Telephone number is 503-742-4457

*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.

ILE 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.

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.

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.

CHÀO MỬNG! 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.

환영합니다. Korean

운송개발부는 차별 금지를 위해 모든 노력을 기울이고 있습니다. 자세한 내용은 홈페이지 www.clackamas.us/transportation/nondiscrimination.









DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045

Violation File: V0008224

July 17, 2024

Anita Ensley, Trustee 14400 SE Fairoaks Ave Milwaukie. OR 97267

Subject: **Violations of the Clackamas County**

Solid Waste and Waste Management Code Chapter 10.03

And the Clackamas County Zoning and Development Ordinance

Section 315

Site Address: 14400 SE Fairoaks Ave., Milwaukie, OR 97267 (TL 2701)

Legal Description: T2S, R1E, Section 11AB, Tax Lot 02703

Clackamas County Code Enforcement Section received a complaint regarding an occupied recreational vehicle, and an accumulation of waste on the above referenced property.

Recently an inspection occurred and found inoperable vehicles, solid waste and the occupied recreational vehicle on the vacant tax lot next to tax lot 2701, which appears to be in violation of the Clackamas County Code.

Please abate vehicle violations of the Solid Waste and Wastes Management Code, by utilizing the following options for all inoperable and/or not currently licensed vehicles which includes motorcycles, boats and/or boat trailers, and/or motor-homes, travel trailers, recreational vehicles etc., no later than August 19, 2024:

- 1. Remove the inoperable and/or not currently licensed vehicles from the subject property, and/or,
- 2. Render the inoperable and/or not currently licensed vehicles, operable and licensed. (Please note that vehicles stored on site that are not licensed to persons currently residing on the subject property may be a separate violation of the Zoning and Development Ordinance), and/or,
- 3. Place the inoperable and/or not currently licensed vehicles inside a structure permitted for such use, and/or,
- 4. Screen no more than two vehicles from view of the road and surrounding properties, in accordance with the minimum screening requirements of the code (see Chapter 10.03.060(C) enclosed).

Please abate all remaining violations of the Solid Waste and Wastes Management Code, by removing all solid waste (see definition enclosed) by one or a combination of the following options: **no later than August 19, 2024:**

1. Remove all putrescible waste, solid waste, car parts, and trash to an authorized disposal facility.

Or:

 Screen or store all articles of solid waste you wish to keep in accordance with the minimum screening requirements of the code (see Chapter 10.03.060 (C) excerpt enclosed).

An accumulation of solid waste causes a condition of unsightliness and may be a safety and health hazard, therefore, violates the Clackamas County Code, Chapter 10.03 Solid Waste and Wastes Management. It is important to note that covering solid waste with a tarp or tarp-like structure does not remove the items from violation, and all putrescible waste must be stored in a rodent-proof container with a tight-fitting lid and removed to an authorized disposal facility a minimum of once every seven (7) days.

The recreational vehicle is being maintained as a dwelling on the subject property without proper authorization from the Clackamas County Planning and Zoning Division. Your property is located in an Urban Low Density Residential R-15 (Section 315) zone classification. Currently, occupying a recreational vehicle without proper permit approval **is not allowed**. It is believed that the County may soon adopt an ordinance that will allow occupied recreational vehicles to be placed on residential properties with conditions. The conditions will include but not limited to permitted electrical, water and sewer service. The ordinance will also require that only one recreational vehicle per lot of record shall be allowed for use as a second dwelling. The lot of record on which the recreational vehicle may be sited shall contain one, and only one, detached single-family dwelling, manufactured dwelling, or prefabricated structure. Additionally, all wastewater must be discharged in a manner consistent with Oregon DEQ rules. Discharge of wastewater to the ground surface or to an unapproved system is a violation of OAR 340-071-0130(2).

At this time the occupied recreational vehicle is not on a lot of record with an existing primary dwelling. Therefore it is in violation and cannot remain on site.

Please abate the violation of the occupied recreational vehicle by utilizing <u>one of the following</u> options **no later than August 19, 2024:**

- Remove the recreational vehicle from the property.
- Cease occupying the recreational vehicle and place in a stored condition. If the
 recreational vehicle is operable, currently licensed and registered to persons
 currently residing on the subject property, it may remain in a stored condition. If
 you wish to store it on site please provide evidence it meets these conditions and
 schedule a site inspection to confirm. It must be stored on the same lot as the
 dwelling (Tax Lot 2701).
- Move the occupied recreational vehicle to Tax Lot 2701. Enforcement will be suspended until such time as the County makes a determination on the ordinance to allow the occupation of the recreational vehicle. If you choose this

- option you will have 30 days from the day the ordinance is in effect to meet all of the conditions – including utilities. If the ordinance is not approved you will have 30 days to bring the property into compliance.
- There may be another option if you meet the requirements for an occupied recreational vehicle on site. You may contact the Planning and Zoning Division to explore options to gain authorization.

If you have any questions concerning land use permit requirements, please contact the Planning and Zoning Division at 503-742-4500, ZoningInfo@clackamas.us. Or, you may stop by our offices at 150 Beavercreek Road, Development Services Building, Oregon City. The lobby hours are open between the hours of 8:00 a.m. and 4:00 p.m. Monday through Thursday.

You may also visit the County's offices at 150 Beavercreek Road, Development Services Building, Oregon City. The lobby hours are open between the hours of 8 a.m. to 4 p.m., Monday – Thursday. The building is closed to the public on Fridays; however, our services are available online, by phone or by email. It is recommended that you check the Clackamas County webpage for hours of operation before visiting.

If you have any questions for me, you may contact me at 503-742-4457 and my email is kimben@clackamas.us.

Kimberly Benthin

Code Enforcement Specialist

Code Enforcement Section

Enclosure

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 Beavercreek 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.

Clackamas County Code Chapter 10.03 Solid Waste and Wastes Management (The code in its entirety can be found on the Clackamas County website)

Excerpts:

10.03.060 Solid Waste or Wastes Accumulation Prohibited

- "A. Except as provided in subsection D of this Section, no person shall store, collect, maintain, or display on private property, solid waste or wastes or recyclable material that is offensive or hazardous to the health and safety of the public, or which creates offensive odors, or a condition of unsightliness. Storage, collection, maintenance, or display of solid waste or wastes in violation of this Section shall be considered to be a public nuisance which may be abated as provided in 10.03.070 of this chapter.
- B. In addition to the provisions of subsection A, the following conditions or actions are also specifically identified as creating a public nuisance under this chapter:
 - 1. Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes for purposes of keeping it out of sight from the road or surrounding properties.
 - 2. Placing a tarp, plastic, cloth, or similar screening apparatus over or around solid waste or wastes that is stored in a utility trailer, pickup truck, semi-trailer or similar device for purposes of keeping it out of sight from the road or surrounding properties.
 - 3. Constructing a tire fence for any purpose.
 - 4. Storing waste tires except as permitted pursuant to OAR Chapter 340.
 - 5. Storing putrescible waste, whether it is visible or not visible from the road or adjacent properties, that is not kept in a rodent proof container with a tight fitting lid, and not removed from the property to an authorized disposal facility within seven (7) days.
 - Composting which causes offensive odors, or creates a health hazard, or which is capable of attracting or providing food for potential disease carriers such as birds, rodents, flies and other vectors.
 - 7. Storing, collecting, maintaining, or displaying any licensed or unlicensed special vehicle or equipment that is immobile, inoperable, partially dismantled or dismantled, dilapidated, or fire damaged and is visible from the road or surrounding properties.
 - 8. Storing, collecting, maintaining, or displaying a mobile home or trailer house, which is dilapidated or partially dismantled, or fire damaged, and is visible from the road or surrounding properties.
 - 9. Storing, collecting, maintaining or displaying: residential, commercial and industrial appliances, equipment and furniture; vehicle parts; tires; scrap metal, or any other useless, unwanted or discarded material, or other similar non-putrescible solid waste or wastes, that is visible from the road or surrounding properties.
 - 10. Storing, collecting, maintaining or displaying any antique, classic, race car or collectible vehicle that is inoperable and is visible from the road or surrounding properties.
 - 11. Storing any inoperable vehicle or vehicles unless said vehicle or vehicles are housed within a permitted structure or development, except up to two vehicles per premise may be stored behind a sight-obscuring screen, in accordance with 10.03.060 C, and shall not be visible from the road or surrounding properties. For purposes of this Subsection 11, two or more contiguous tax lots that are under common ownership shall be considered one premises.
 - 12. When commercial, industrial, multi-family or residential developments that use a compactor or compactors for on-site waste management, do not keep the areas around the compactor free of solid waste and debris, and washed down on a regular basis.
- C. Any sight obscuring screen used to abate a solid waste nuisance shall consist of one of the following options:
 - 1. Construct a wood fence unpainted or painted with neutral or earth tone colors of which the upright posts shall consist of a decay resistive material a minimum of four (4) inches in diameter and anchored a minimum of two (2) feet below ground level. There shall be a maximum post separation of eight (8) feet. The railings shall be a minimum of 2-inch by 4-inch lumber with the 4-inch side attached vertically to the posts. The attached vertical or horizontal fence boards shall be set with a maximum separation of 1/4 inch.

- 2. Construct a metal fence consisting of chain link or woven fabric with metal upright posts anchored a minimum of two (2) feet below ground level with metal railings and connectors. Water and insect resistive wood or plastic slats shall be inserted in the chain link or woven fabric, with a maximum separation of 3/8 inch between slats.
- Construct a combination fence consisting of metal sheeting attached to wood framing as
 defined in Section C 1 above, or durable metal framing, which is painted a neutral or earth
 tone color.
- Construct a wall consisting of solid material, built of concrete, masonry, brick, stone or other similar materials or combinations thereof.
- 5. Construct an earthen berm consisting of dirt, soil, sand, clay or any combination thereof and shall be planted with grass and/or ornamental plantings and shall be maintained at all times.
- 6. Plant a hedge consisting of evergreen plantings or other ornamental plantings a minimum of six (6) feet in height, planted not more than two (2) feet on center and which is maintained at all times.

In addition to the minimum fencing requirements, wood, metal, masonry fences or combination thereof greater than six (6) feet in height are subject to County review pursuant to the Oregon State Uniform Building Code, and all earthen berms are subject to County review pursuant to the County's Grading and Excavation Chapter.

For purposes of this chapter, no sight obscuring screen shall be located, placed, constructed or installed contrary to the Clackamas County Zoning and Development Ordinance."

10.03.030 Definitions

"(32). INOPERABLE VEHICLE for the purpose of the Nuisance Abatement provisions of this chapter, shall mean a vehicle designed for use on a public highway which has been left on public or private property thirty (30) days or more and is not currently licensed, or not in operating condition, or which has been extensively damaged, vandalized or stripped, including, but not limited to, missing wheels, tires, motor or transmission. An inoperable vehicle shall not mean an unlicensed operable vehicle or vehicles, which are used on private property for the production, propagation or harvesting of agricultural products grown or raised on such lands. "

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"47. PUTRESCIBLE MATERIAL means solid waste or wastes, including: bones; meat and meat scraps; fat; grease; fish and fish scraps; food containers or products contaminated with food wastes, particles or residues; prepared vegetable and fruit food wastes or scraps; manure; feces; sewer sludge; dead animals or similar wastes which cause offensive odor or create a health hazard, or which are capable of attracting or providing food for potential "

. . .

"(58). SOLID WASTE OR WASTES shall include all putrescible and non-putrescible waste, including but not limited to, garbage; compost; organic waste; yard debris; brush and branches; land-clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; special vehicles and equipment that are immobile and/or inoperable, mobile homes or trailer houses which are dilapidated, partially dismantled or fire damaged; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials which would otherwise come within the definition of solid waste may, from time to time, have value and thus be utilized shall not remove them from the definition. "...

From: Benthin, Kim

Wednesday, July 17, 2024 1:11 PM Sent:

'Bill@Bearprinting.com' To:

Subject: 14400 SE Fairoaks Ave Violation File # V0008224

Attachments: 24-07-17 Vio LEtter V0008224.pdf

Good afternoon Bill,

Please see the attached notice for the violations at the above referenced address.

This notice is being mailed today.

If you have questions please let me know.

Kimberly Benthin, Code Enforcement Specialist

Clackamas County Department of Transportation and Development

Code Enforcement

150 Beavercreek Road, Oregon City, OR 97045

Primary phone: 503.742.4457

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

Lobby hours 8 a.m. to 4 p.m. Monday to Thursday

www.clackamas.us

Were you happy with the service you received today?









Follow Clackamas County: Facebook | Twitter | YouTube | Nextdoor

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Were you happy with the service you received today?









CLICK A SMILEY

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From: Anita Ensley <nitagramma@yahoo.com>
Sent: Tuesday, October 1, 2024 11:15 AM

To: Benthin, Kim

Subject: RE: Inspection Schedule

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

Hi.

I was hoping to have the beginnings of the sewer project started when you came. Talked to contractor this morning and they are trying to get permits going. I am confused as to why they are not done, since I already paid them, but waiting is hard for me. They said they were going to contact you, so hopefully they will soon.

If this week is not working for you, let me know. It is okay with me.

Thank you Anita

Yahoo Mail: Search, Organize, Conquer

On Thu, Sep 19, 2024 at 3:32 PM, Anita Ensley <nitagramma@yahoo.com> wrote:

Hi. Thank you. Oct. 3 will be good. Anita

Yahoo Mail: Search, Organize, Conquer

On Thu, Sep 19, 2024 at 3:23 PM, Benthin, Kim <KimBen@clackamas.us> wrote:

Good morning Anita,

The computer sends out notices to remind you that you have a violation and that \$75 a month fee is accruing. This fee is only imposed if you do not bring your property into compliance.

That is not the case with you – you have been voluntarily and cooperatively working with me to gain compliance.

Again, I apologize for having to reschedule.

From: Benthin, Kim

Sent: Wednesday, October 2, 2024 1:17 PM

To: 'Anita Ensley'

Subject: RE: Inspection Schedule **Attachments:** 24-10-02 Vio Ltr OTT.pdf

Anita.

I appreciate your update. Your contractor has not yet contacted me. I have attached a letter that is going out to you in the mail.

The County has a process for this that includes an application and fee. Maybe that is why your contractor hasn't completed this?

Let me know if you have any questions!

Kimberly Benthin 503-742-4457 Clackamas County

From: Anita Ensley <nitagramma@yahoo.com> **Sent:** Tuesday, October 1, 2024 11:15 AM **To:** Benthin, Kim <KimBen@clackamas.us>

Subject: RE: Inspection Schedule

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

Hi.

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Yahoo Mail: Search, Organize, Conquer

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DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 BEAVERCREEK ROAD | OREGON CITY, OR 97045 Violation File No. V0008224

October 2, 2024

Anita Ensley, Trustee 14400 SE Fairoaks Ave Milwaukie. OR 97267

Subject: Violations of Clackamas County Clackamas County Zoning and

Development Ordinance Section 315 and OAR 340-071-0130(2).

Site Address: 14400 SE Fairoaks Ave., Milwaukie, OR 97267

Legal Description: T2S, R1E, Section 11AB, Tax Lot 02701

As you know Clackamas County Code Enforcement received a complaint regarding an occupied recreational vehicle, on the above referenced property.

Recently, Clackamas County Board of Commissioners adopted new regulations for a recreational vehicle to be authorized as a second dwelling.

The subject property is located in an Urban Low Density Residential Section 315, R-10 zone classification. A Recreational Vehicle being maintained as a dwelling on the property requires authorization from the Clackamas County Planning and Zoning Division. Unauthorized occupied recreational vehicles constitutes a violation of Clackamas County Zoning and Development Ordinance, Title 12, Section 315.

It is requested that you abate the violations of the Clackamas County Zoning and Development Ordinance, by utilizing **one** of the following options **no later than November 4, 2024:**

1. Remove the occupied recreational vehicle from the property.

Or:

2. If the recreational vehicle is operable, currently licensed and registered to persons currently residing on the subject property, it may remain in a stored, unoccupied condition. If you wish to store it on site please provide evidence it meets these conditions and schedule a site inspection to confirm.

<u>Or:</u>

 Submit a complete land use application and required fees to gain authorization for the occupation of the recreational vehicle on the subject property. If authorization is successfully obtained all conditions of the approval must be met before the violation is resolved. If you choose to seek authorization for the Recreational Vehicle to be a second dwelling the requirements for this option are enclosed. It is likely you will need an electrical permit and a plumbing permit for water and sewage disposal. It is recommended that you check with your sewer service and water service provider for options and costs.

If you have any questions concerning land use permit requirements, please contact the Planning and Zoning Division at 503-742-4500 or by email at ZoningInfo@clackamas.us You may also visit the County's offices at 150 Beavercreek Road, Development Services Building, Oregon City. The lobby hours are open between the hours of 8 a.m. to 4 p.m., Monday – Thursday. The building is closed to the public on Fridays; however, our services are available online, by phone or by email. It is recommended that you check the Clackamas County webpage for hours of operation before visiting.

If you have any questions please feel free to contact me. My direct telephone number is 503-742-4457 and email kimben@co.clackamas.or.us.

Kimberly Benthin

Code Enforcement Section

Enclosures

Important Notices

- 1. Administrative Compliance Fees. It is important that you contact Code Enforcement to resolve the violations described in the enclosed letter. An administrative 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 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, 150 Beavercreek Rd., Oregon City, OR 97045, or to 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 parties to voluntarily come into compliance with the code 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 violation, the County may, in its discretion waive all or part of the \$75 per month administrative compliance fee.
- 6. **Non-compliance may result in a lien upon your property:** Fines, penalties and fees are payable upon the effective date of the final order imposing them. Such fines, penalties and fees are a debt owing to the County, pursuant to ORS 30.460, and may be collected in the same manner as any other debt. If fines, penalties, and fees 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.



FREQUENTLY ASKED QUESTIONS

Expanding Housing Options in Unincorporated Clackamas County: Using an RV as a Second Dwelling

Effective **September 3, 2024**, the use of a **recreational vehicle (RV)** as a second dwelling is allowed on some residential properties.

Why did the county change the rules to allow RVs to be used as second dwellings?

The Oregon Legislature passed a law in 2023, Senate Bill (SB) 1013, that gave counties the option of allowing RVs as second dwellings on certain properties. In light of the pressing need for additional housing, the Clackamas County Board of Commissioners chose to take advantage of this opportunity.

Did the county change my zoning?

No. The new regulations did not change anyone's zoning designation; they simply added another housing option in certain existing zones.

What is the definition of an RV?

An RV is a titled vehicle, with or without motive power, that is designed for human occupancy, has a total floor area of 400 square feet or less when it is set up, and has not been rendered structurally immobile. RVs include, but are not limited to, park trailers, travel trailers, pick-up campers, motor homes, fifth wheel trailers, and camping and tent trailers.



Where can RVs be permitted as a second dwelling?

Only in certain residential zones in unincorporated Clackamas County (outside city limits):

Urban low density residential zones:

R-5 through R-30, VR-4/5, and VR-5/7

Other single-family residential zones **unless** the property is in an urban reserve or within the urban growth boundaries of Barlow, Canby, Estacada, Molalla or Sandy:

RA-1, RA-2, RRFF-5, FF-10, RR, FU-10, HR, and MRR





Can the RV be parked on the street?

No. The RV must be on private property, with permitted water, wastewater, and electrical connections. Living in an RV parked in the right-of-way is still **not allowed** in the county.

How do I check my zoning to see if my property would qualify?

Go to <u>cmap.clackamas.us</u>, search by your address, then click on the Zoning & Development tab. For help, call Planning and Zoning at (503) 742-4500 or email zoninginfo@clackamas.us.

Revised: 09/05/24

What are the requirements for using RVs as second dwellings in these areas? The property:

- Must contain a single-family dwelling that is occupied as the property owner's primary residence. No portion of the single-family dwelling can be rented for residential tenancy.
- Cannot have any other dwelling units or a guest house.

The RV:

- Cannot be used as a short-term rental.
- Cannot be located in 100-year floodplain and floodway areas.
- Must comply with the same setbacks that apply to the primary dwelling.
- Must be at least 10 feet and no more than 100 feet from the primary dwelling.
- Must have a working toilet and sink.
- Must be connected to an onsite wastewater system or public sewer; public water service or well; and electricity. Permits must be obtained for these connections.

The property owner:

- Must provide a rental agreement between the property owner(s) and the resident(s) of the RV.
- Must receive land use approval before moving an RV onto the property for use as a dwelling.

You can find the specific requirements in **Section 847** the county's <u>Zoning & Development Ordinance</u> (<u>ZDO</u>).

How do I get approval to use an RV as a second dwelling?

- 1. **Understand the rules:** Does your zoning district allow for RVs to be used as second dwellings? Can you meet the requirements in ZDO Section 847? Contact Planning and Zoning at 503-742-4500 or zoninginfo@clackamas.us to find out whether any overlays, protected areas, or other special circumstances will affect your ability to use an RV as a second dwelling.
- 2. **Apply for land use approval:** Complete the <u>Recreational Vehicle as a Second Dwelling</u> <u>application form</u>. Submit the application and payment to Planning and Zoning in person at the Development Services Building or by email at <u>zoninginfo@clackamas.us</u>. It may take up to 6 weeks for staff to issue a decision once an application is deemed complete.
- 3. **Get permits:** After you receive land use approval, you must obtain permits for connecting the RV to electricity, potable water, and either public sewer or an on-site wastewater system. You may also need a permitted stormwater drainage connection.

How much will the permit(s) cost?

The land use application fee is **\$480**. Permit costs for utility connections are determined by whichever department or agency issues the permits. Please contact your provider for actual costs specific to your property:

Sewage disposal: Contact your sewer service provider, or the County's Septic and Onsite Wastewater Program (503-742-4740; septicinfo@clackamas.us).

Water: Contact your water service provider, or the State Water Resources Dept, if on a well (503-986-0900).

System Development Charges (SDCs) for impacts to the transportation system and/or parks: Transportation Engineering (503-742-4691; engineering@clackamas.us).

For more information, visit the Planning and Zoning project web page:

ADUs and RVs as options for secondary dwellings | Clackamas County

Revised: 09/05/24

From: Anita Ensley <nitagramma@yahoo.com>
Sent: Tuesday, October 22, 2024 10:42 AM

To: Benthin, Kim **Subject:** Re: Sewer

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

Still waiting for permits. Anita

Yahoo Mail: Search, Organize, Conquer

On Tue, Oct 22, 2024 at 10:40 AM, Anita Ensley <nitagramma@yahoo.com> wrote:

ESTIMATE

Titan Excavation & Construction 50555 SE Baty Rd Sandy, OR 97055

titan.e.c.llc@gmail.com +1 (503) 853-0501 https://titanexcavation.net Bree: 503.515.7860



Bill to

Anita Ensley 14400 SE Fairoaks Ave Portland, OR 97267

Ship to Anita Ensley

Estimate details

Estimate no.: 1185 Estimate date: 08/16/2024

Date	Product or service	Description	Qty	Rate	Amount
	Excavation	Project Mobilization	350	\$88.00	\$30.800.00
		Locate existing sewer at main lateral			
		Trench from main, along driveway to back			
		shop area up to (310 lineal ft)			
		Install 3 inch abs sewer pipe			
		Install 4- 4 inch clean outs with caps			
		Install water line in joint trench			
		Install 3 inch WYE fitting at second lot up to			
		(40 lineal ft)			
		Install separate lateral and water supply to			
		adjacent lot.			
		Install tracer wire			
		Permits included in price			

Total

\$30,800.00

Note to customer

Titan Excavation & Construction is not responsible for any damages during construction, unforeseen existing utilities, landscape, driveway/asphalt, etc.

All prices subject to change upon final job completion.
This is not a contract of agreed work unless estimate is signed by client. If work scope is subtracted or added it will be adjusted for price considerations. This estimate is subject to changes in contract requirements and specifications. Accordingly, this estimate will need to be revised if you decide not to enter a contract with us within the next 14-days.

Titan Excavation & Construction requires a 50% deposit before starting the project. CCB#236771

Accepted by Anita Ensley

Accepted date 08/26/2024

From: Anita Ensley <nitagramma@yahoo.com>
Sent: Wednesday, October 30, 2024 4:24 PM

To: Benthin, Kim Subject: RE: Sewer

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

As of now, no. I guess I have to wait. They want me to fill out some papers, so I will do that. Thanks, Anita

Yahoo Mail: Search, Organize, Conquer

On Wed, Oct 30, 2024 at 4:11 PM, Benthin, Kim <KimBen@clackamas.us> wrote:

Anita,

Thanks for the update. The contractor contacted the planning division regarding the land use application. I am guessing that is because they were told that in order to get the permits – the land use application must be completed first.

Do you have any questions on that?

Kimberly Benthin

503-742-4457

Clackamas County

From: Anita Ensley <nitagramma@yahoo.com> **Sent:** Tuesday, October 22, 2024 10:40 AM **To:** Benthin, Kim <KimBen@clackamas.us>

Subject: Sewer

From: Bill Ensley <bill@bearprinting.com>
Sent: Thursday, December 19, 2024 1:13 PM
To: Anita Ensley; Benthin, Kim; Jennifer Smolich

Subject: Re: Fw: 14400 SE Fairoaks Ave Violation File V0008224

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

Which of these permits is applicable for the land use you need?

This is the land use application process for residential, commercial and industrial development. Our most common land use applications are listed below, additional forms can be found on the Planning and Zoning webpage.

- Accessory Dwelling in Conjunction with Farm Use for a second accessory dwelling to house farm workers.
- Accessory Historic Dwelling for turning a historic dwelling in to a second accessory dwelling.
- <u>Appeal Form</u> appeal a Planning Director decision, or conditions of approval, to the Land Use Hearings Officer. Specific timelines apply; please work with our staff prior to submitting.
- <u>Conditional Use</u> request to use your property in a way that is not outright permitted in your zone. A <u>Pre-Application Conference</u> is required.
- <u>Design Review</u> review of proposed site development and structures for commercial, industrial and multifamily projects. A <u>Pre-Application Conference</u> is required.
- <u>Dwelling in Conjunction with a Farm Use on High or Low Value Farm Land</u> a single-family dwelling on Exclusive Farm Use (EFU) or Agricultural/Forest (AG/F) land when the land is currently being farmed and when a certain amount of income has been generated from the sale of crops and livestock grown/raised on the property.
- Farm Stand approval to operate a farm stand in AG/F or EFU zoning district.
- <u>Forest Dwelling</u> for lot of Record Dwelling, Forest Template Dwelling, 160 Acre Minimum Forest Dwelling, or 200 Acre Noncontiguous Dwelling on land zoned Timber District (TBR) or AG/F.
- <u>General Land Use Application</u> to request County land use approval when Planning and Zoning has no other application form for the type of request.
- Home Occupation to seek approval to use your home for your business.
- <u>Nonconforming Use</u> to request verification, restoration, replacement or a change of an existing use that does not comply with current zoning.
- Partition to split your property in to two or three lots. A Pre-Application Conference is required.
- <u>Pre-Application Conference</u> a meeting to provide project specific information on Clackamas County development policies, procedures, fees, and environmental regulations.
- <u>Property Line Adjustment</u> to relocate a common property line between two abutting lots. No new lots can be created with this application.
- <u>Subdivision</u> request to divide your property into four or more lots. A <u>Pre-Application Conference</u> is required.
- <u>Temporary Dwelling for Care</u> for a temporary manufactured dwelling or recreational vehicle to house a person who requires assistance from another person with daily activities as well as their caregiver.

- <u>Temporary Dwelling While Building</u> for a temporary second dwelling while constructing the primary residence.
- <u>Temporary Emergency Shelter</u> for a temporary manufactured dwelling or recreational vehicle to live in while constructing the primary residence.
- Time Extension to request additional time to implement an approved land use.
- <u>Variance</u> to request an exception to a dimensional standard, such as a minimum setback, that typically applies in your zone.
- <u>Vested Right Determination</u> determine whether an existing use is legal, based on the regulations that were in place when it was started/built.
- Zone Change a request to change the zone of your property. A <u>Pre-Application Conference</u> is required.

-Bill Ensley

On 12/19/2024 1:09 PM, Bill wrote:

In regards to the permitting, we will see what you find with the plumbing, I'll expect some information soon.

For the land use I'll go online and request that now.

We do not need electrical, the RV has electrical access to a fully permitted outbuilding that was completed 45 years ago.

-Bill Ensley

On 12/19/2024 1:03 PM, Bill wrote:

Hello Kim.

Full STOP.

You have officially entered Elder Abuse territory and I'm done allowing it.

My mother is an elderly, widowed military spouse and deserves the respect of her station. She is no longer 100% fully in control of her facilities at all times and you are taking advantage of her.

From this moment forward ALL communications with her MUST CC me as her estate designee.

I have personally talked with her contractor today and your department is what is holding things up. An application has been submitted and we are waiting on whatever resolution is holding it at the county.

I have zero problem making my next communication to our attorney for elder abuse if you continue to treat her this way.

Please escalate this to whomever your direct report is, I wish to have a very

detailed conversation with them.

Thank you,

-Bill Ensley

On 12/19/2024 12:57 PM, Anita Ensley wrote:

Yahoo Mail: Search, Organize, Conquer

---- Forwarded Message -----

From: "Benthin, Kim" KimBen@clackamas.us **To:** "Anita Ensley" nitagramma@yahoo.com

Sent: Thu, Dec 19, 2024 at 11:37 AM

Subject: RE: 14400 SE Fairoaks Ave Violation File V0008224

Anita

You MUST get land use approval FIRST prior to electrical and plumbing permits.

Your sewer contractor is NOT working on permitting as far as the County is concerned because there is no evidence of submittal of anything. You sent me a picture of their bid that was dated August 26, 2024. And yet today, December 19, 2024 there are no permit submittals for anything! I keep reaching out to you no one has contacted me.

I am sorry you are still fighting the pneumonia – but we absolutely must get this remedied! I will not be able to delay further enforcement.

Can you get one of your sons to assist you in this process?

If the land use application submittal is not made prior to January 1, 2025 I will issue a citation and proceed with enforcement.

Kimberly Benthin

503-742-4457

Clackamas County

From: Anita Ensley <a

Subject: Re: 14400 SE Fairoaks Ave Violation File V0008224

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

I am still mostly bedridden from my bacterial pneumonia, but I have reached out to the people with sewer and they keep saying the are working on it. I am 16,000 into them at this point. That is less than half of what their bid was. Also, I have a contractor working on electric, but have not personally talked to him yet. I hope he will be filing permits soon. As far as plumbing ,that is being done with sewer as I understand. I am not able st this time to physically take care of things. Hopefully, soon I will be able to do some things on my own.

Anita

Yahoo Mail: Search, Organize, Conquer

On Wed, Dec 18, 2024 at 4:15 PM, Benthin, Kim

Anita,
I checked the record and there is no land use application submitted and not plumbing or electrical permits for the occupied Recreational vehicle.
Please advise. I cannot continue to delay enforcement without some forward progress on the permitting.
Sincerely,
Kimberly Benthin, Code Enforcement Specialist
Clackamas County Department of Transportation and Development
Code Enforcement
150 Beavercreek Road, Oregon City, OR 97045
Primary phone: 503.742.4457
Hours: M-F from 7:00 a.m. until 4:30 p.m.
Lobby hours 8 a.m. to 4 p.m. Monday to Thursday
www.clackamas.us
X
Follow Clackamas County: <u>Facebook</u> <u>Twitter</u> <u>YouTube</u> <u>Nextdoor</u>

< <u>KimBen@clackamas.us</u> > wrote:

From: Moreland, Tom

Benthin, Kim; Building Public Service To: Subject: RE: 14400 SE Fairoaks Ave

Date: Thursday, December 19, 2024 1:58:28 PM

Attachments: image001.png

Hi Kim,

We show no electrical or plumbing permits in the system for either of these tax lots at this time.

Thank you,

Tom Moreland Permit Lobby Supervisor 503-742-4240 Clackamas County Building Codes

From: Benthin, Kim <KimBen@clackamas.us> Sent: Thursday, December 19, 2024 1:26 PM

To: Building Public Service <BldService@clackamas.us>

Cc: Moreland, Tom <TMoreland@clackamas.us>

Subject: 14400 SE Fairoaks Ave

Hello Building Staff,

I have been told that a permit has been submitted for placing pipe for sewer and water service for the above address.

The contractor told the homeowner that the County is "holding it up".

The contractor is probably: Titan Excavation & Construction.

The homeowner is Anita Ensley.

It could be related to these two tax lots:

21E11AB02701 21E11AB02703

I find nothing in the record in Accela. Thanks for looking!

Sincerely

Kimberly Benthin, Code Enforcement Specialist Clackamas County Department of Transportation and Development Code Enforcement

150 Beavercreek Road, Oregon City, OR 97045

Primary phone: 503.742.4457

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

From: Thornhill, Susan

To: Benthin, Kim; Martinez, Marisol
Subject: RE: 14400 SE Fairoaks Ave

Date: Thursday, December 19, 2024 2:15:49 PM

Attachments: <u>image001.png</u>

I did a search of our emails and didn't find anything for the address, street name or last name. And you are correct, it's not in Accela. Did the contractor email it to ZoningInfo@clackamas.us? Thanks,

Susan Thornhill, Permits Specialist
Clackamas County Transportation & Development
Planning and Zoning
150 Beavercreek Road
Oregon City, Oregon 97045
503.742.4515

From: Benthin, Kim <KimBen@clackamas.us> Sent: Thursday, December 19, 2024 2:07 PM

To: Thornhill, Susan <SThornhill@clackamas.us>; Martinez, Marisol <MMartinez1@clackamas.us>

Subject: 14400 SE Fairoaks Ave

Hello Susan and Mari,

I have been told that a permit has been submitted for an occupied recreational vehicle.

The contractor told the homeowner that the County is "holding it up".

The contractor is probably: Titan Excavation & Construction. The homeowner is Anita Ensley.

It could be related to these two tax lots: 21E11AB02701 21E11AB02703

I find nothing in the record in Accela. Thanks for looking!

Sincerely

Kimberly Benthin, Code Enforcement Specialist Clackamas County Department of Transportation and Development Code Enforcement

150 Beavercreek Road, Oregon City, OR 97045

Primary phone: 503.742.4457

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

Lobby hours 8 a.m. to 4 p.m. Monday to Thursday

www.clackamas.us

From: Bill Ensley <bill@bearprinting.com>
Sent: Thursday, December 19, 2024 5:02 PM

To: Benthin, Kim

Cc: Anita Ensley; Jennifer Smolich

Subject: Re: Fw: 14400 SE Fairoaks Ave Violation File V0008224

Attachments: IMG_4724.jpeg; IMG_4725.jpeg; IMG_4726.jpeg; IMG_4727.jpeg

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

Kim,

I did not hear from you in a timely fashion and found, completed and submitted the RECREATIONAL VEHICLE AS

SECOND DWELLING permit application earlier today on my own.

Please see the screenshots attached from our contractor. It appears they have been working with someone named Ben in the permit department.

Please send me Michael Barnes email address, I will be including him on all communications with you from this point forward as I no longer trust your intentions and desire to solve the problem instead of abuse my mother.

-Bill Ensley

On 12/19/2024 4:05 PM, Benthin, Kim wrote:

Mr. Ensley,

There is no record of any recent submittal of an application by a contractor for this address to abate the current violation. I checked the record. After your email below I double checked with the Planning and Building Code Divisions (see attached emails) The County cannot be holding up an application that has not yet been submitted. If your contractor will contact me or the department they submitted the application to – perhaps we can clear this up?

The electrical service for the RV from the outbuilding may or may not be code compliant. There are three 2002 expired permits for an 'Addition to the Residence'. There is also a 2012 electrical permit for "Temp Power, Fire Repair Cleanup"- but no other related electrical permit.

In your third email you asked about the land use application. I have attached a document to this email that was included in the correspondence mailed to the owner of



Anita received and email from Kim Benthin from code enforcement stating there was no application and that she could not continue to delay enforcement without some forward progress on the permitting.

Are you able to update Kim Benthin with this information about this application being submitted?

Best regards,
Bree Perkins
Titan Excavation & Construction

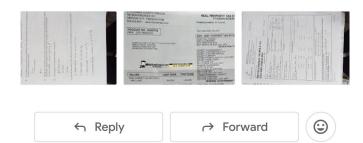
From: ZoningInfo <<u>ZoningInfo@clackamas.us</u>> Sent: Thursday, October 31, 2024 2:01 PM

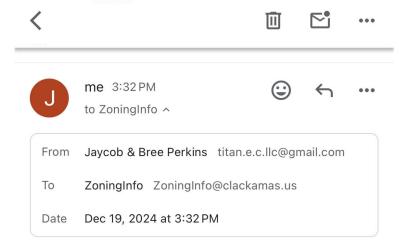
To: Jaycob & Bree Perkins < titan.e.c.llc@gmail.com >

Subject: RE: Land use approval

If the property is in a trust it needs to be signed by the proper trustee with authority for the trust. Often, that is like.... Jane Doe, trustee of the such and such trust dated 20... just an example.

000





Hello, Attached to this email is the documents that our client sent over to us for the land use application.

I had sent an email over last month with all of these same documents and it seems that they may have not been received? I sent them over on 11/4/2024.

Anita received and email from Kim Benthin from code enforcement stating there was no application and that she could not continue to delay enforcement without some forward progress on the permitting.

Are you able to update Kim Benthin with this information about this application being submitted?

Best regards,
Bree Perkins
Titan Excavation & Construction

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on 11/4/2024.

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Best regards,
Bree Perkins
Titan Excavation & Construction

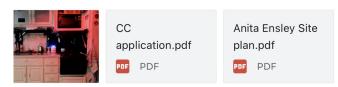
From: ZoningInfo <<u>ZoningInfo@clackamas.us</u>> Sent: Thursday, October 31, 2024 2:01 PM

To: Jaycob & Bree Perkins < titan.e.c.llc@gmail.com >

Subject: RE: Land use approval

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000







Anita received and email from Kim Benthin from code enforcement stating there was no application and that she could not continue to delay enforcement without some forward progress on the permitting.

Are you able to update Kim Benthin with this information about this application being submitted?

Best regards, Bree Perkins Titan Excavation & Construction

From: ZoningInfo <<u>ZoningInfo@clackamas.us</u>>
Sent: Thursday, October 31, 2024 2:01 PM

To: Jaycob & Bree Perkins < titan.e.c.llc@gmail.com>

Subject: RE: Land use approval

If the property is in a trust it needs to be signed by the proper trustee with authority for the trust. Often, that is like.... Jane Doe, trustee of the such and such trust dated 20... just an example.

000













From:Bill Ensley <bill@bearprinting.com>Sent:Thursday, December 19, 2024 5:18 PMTo:Benthin, Kim; Jennifer Smolich; Anita Ensley

Subject: Fwd: New Recreational Vehicle as a Second Dwelling Application; 14400 SE Fairoaks

Avenue Milwaukie, OR 97267

Attachments: Recreational Vehicle as a Second Dwelling Application.pdf; creditautform

completed.pdf; 14400 SE Fairoaks Avenue - RV Plot Map - Site Plan.pdf; bathroom.pdf;

title.pdf

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

----- Forwarded Message ------

Subject: New Recreational Vehicle as a Second Dwelling Application; 14400 SE Fairoaks Avenue Milwaukie,

OR 97267

Date:Thu, 19 Dec 2024 14:10:03 -0800 From:Bill bill@bearprinting.com To:zoninginfo@clackamas.us

Please see attached New Recreational Vehicle as a Second Dwelling Application; 14400 SE Fairoaks Avenue Milwaukie, OR 97267.

-Bill Ensley





Planning and Zoning Department of Transportation and Development

Development Services Building 150 Beavercreek Road | Oregon City, OR 97045 503-742-4500 | zoninginfo@clackamas.us www.clackamas.us/planning

STAFF	HICE		v
SIAFF	USE	UNL	. 7

Land use application for:

RECREATIONAL VEHICLE AS SECOND DWELLING

Application Fee: \$480

Staff Initials:	File Number:

APPLICANT INFORMATION						
Applicant name:			Applicant en	nail:	Appli	cant phone:
A 12 4 212			0:1		0	710
Applicant mailing a	address:		City:		State	e: ZIP:
Contact person name (if other than applicant):			Contact pers	Contact person email:		act person phone:
Contact person mailing address:			City:	City:		e: ZIP:
			PROPO	SAL		
Brief description of	f proposal:					
			SITE INFOR	MATION		
Site address:			SITE INI OK	Comprehensive Plan de	esignation:	Zoning district:
				·		
Map and tax lot #:						Land area:
	Township:	Range:	Section:	Tax Lot:		
	Township:	Range:	Section:	Tax Lot:		
	Township:	Range:	Section:	Tax Lot:		
Adjacent propertie	es under same own	ership:				
	Township:	Range:	Section:	Tax Lot:		
	Township:	Range:	Section:	Tax Lot:		
Printed names of a	all property owners:	Sig	natures of all pr	operty owners:	Date(s):	
				g with the evidence su	ubmitted, ar	e in all respects
	t to the best of n	ny knowledg	e.		l Data:	
Applicant signature	2 :				Date:	

A. Review applicable land use rules:

Turn in all of the following:

В.

This application is subject to the provisions of Section 847, *Recreational Vehicles as Second Dwellings* of the <u>Clackamas</u> County Zoning and Development Ordinance (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject property's zoning district and applicable development standards, as outlined in the ZDO.

☐ Complete application form: Respond to all the guestions and requests in this application, a	and make sure all
owners of the subject property sign the first page of this application. Applications without the	signatures of <i>all</i>
	orginature or an
property owners are incomplete.	

- Application fee: The cost of this application is \$480. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the <u>Credit Card Authorization Form</u> available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted Fee Schedule for refund policies.
- Site plan: Provide a site plan (also called a plot plan). A <u>Site Plan Sample</u> is available from the Planning and Zoning website. The site plan must be accurate and drawn to-scale on paper measuring no larger than 11 inches x 17 inches. The site plan must illustrate all of the following (when applicable):
 - Lot lines, lot/parcel numbers, and acreage/square footage of lots;
 - Contiguous properties under the same ownership;
 - All existing and proposed structures, recreational vehicle sites, fences, roads, driveways, parking areas, and easements, each with identifying labels and dimensions, as well as property lines and easements;
 - Distances between the proposed recreational vehicle to be used as a second dwelling and all existing development, driveways, easements, and property lines;
 - Significant natural features (rivers, streams, wetlands, slopes of 20% or greater, geologic hazards, mature trees or forested areas, drainage areas, etc.); and
 - Location of utilities, wells, and all onsite wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells).

Proof of residence: Provide evidence that the existing dwelling is the primary residence of one or more of the property owners. Primary residence means a dwelling in which an owner resides for at least six months in each calendar year. Evidence provided may include a valid driver's license or identification card issued by the state of Oregon; voter registration card; or other similar documents.
Title: Attach a copy of the recreational vehicle's title with the Department of Transportation.

Evidence of sink and toilet in the RV: Provide photos or other evidence demonstrating that the recreational vehicle contains a sink and toilet.

C. Answer the following questions:

1.	List all dwellings that exist currently on the subject property and identify the type of dwelling (permanent, temporary, accessory, or guest house).
2.	Is any dwelling or portion of a dwelling on the subject property rented for residential tenancy or used as a short-term rental?
	☐ Yes Please explain:
	□ No
3.	Identify the recreational vehicle type proposed for use as a second dwelling (e.g. park trailer travel trailer, pickup camper) and its total square footage in the full set-up mode:
4.	The proposed recreational vehicle is owned by:
	□ Property owner
	□ Tenant
	□ Other:
5.	Describe how each of the following services will be provided to the recreational vehicle:
	a. Sewage disposal:
	b. Water supply:
	c. Electrical supply:
	d. Stormwater drainage:

FAQs

When is a Recreational Vehicle as Second Dwelling permit required?

The Zoning and Development Ordinance (ZDO) allows the use of a recreational vehicle as a second dwelling in certain residential zones, accessory to a primary single-family dwelling. This type of use requires a Recreational Vehicle as a Second Dwelling land use permit.

What is the permit application process?

Recreational Vehicle as a Second Dwelling permits are subject to a "Type I" land use application process, as provided for in <u>Section 1307</u> of the ZDO. Public notice of Type I applications and decisions is not provided. A written decision on a Type I application is made by Planning and Zoning staff, and there is no County-level process to appeal that decision. If the application is approved, the applicant must comply with any conditions of approval identified in the decision.

What is needed for the County to approve a land use permit?

An RV as a second dwelling *may* be permitted after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

If approved, how long would the permit be valid?

The approval is valid for a period of four years from the date of the final decision. This means that all County development permits must be obtained within the four-year period, or the land use approval will expire.

How long will it take the County to make a decision about an application?

The County makes every effort to issue a decision on a Type I land use application for an RV as a Second Dwelling within 6 weeks of the date we deem the application to be complete.

If an application is submitted and then withdrawn, will a refund be given?

If a submitted Type I application is withdrawn before a decision on the application is issued, 75% of the application fee paid, or the fee paid minus \$250, whichever is less, will be refunded. No refund will be given after a decision is issued.

Who can help answer additional questions?

For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at 503-742-4500 or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.

503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод? 翻译或口译 ? | Cấn Biên dịch hoặc Phiên dịch? | 번역 또는 통역?



Anita Ensley 14400 SE Fairoaks Avenue, Milwaukie, OR 97267 Existing Structures in Brown, RV in RED



From: Martinez, Marisol

Sent: Friday, December 20, 2024 10:34 AM

To: titan.e.c.llc@gmail.com
Cc: Thornhill, Susan; Benthin, Kim

Subject: RE: Land use approval

Good Morning Bree,

We have received your application and material. I will be processing payment and assigning this to a planner before the end of the day. I will send over a copy of your receipt shortly. Kim Benthin has been CC'd on this email so she is aware of the status of progress.

Please let me know if you have any questions.

Thank you,

Mari Martinez, Permits Specialist

Clackamas County Transportation & Development
Planning and Zoning Division
150 Beavercreek Road
Oregon City, Oregon 97045
503.742.4578
My office hours are M-TH 7:30 am to 4:00 pm, F 7:00 am to 3:30 pm

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Were you happy with the service you received today?



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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: ZoningInfo <ZoningInfo@clackamas.us> Sent: Friday, December 20, 2024 9:26 AM

To: Martinez, Marisol < MMartinez1@clackamas.us>; Thornhill, Susan < SThornhill@clackamas.us>

Subject: FW: Land use approval

Here is another app for you

Roman Sierra, Planner I
Clackamas County Transportation & Development
Planning & Zoning
150 Beavercreek Rd.
Oregon City, OR 97045
503-742-4516
My office hours are Mon – Fri 7:30am – 4pm

www.clackamas.us

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Jaycob & Bree Perkins < titan.e.c.llc@gmail.com>

Sent: Thursday, December 19, 2024 3:32 PM **To:** ZoningInfo@clackamas.us>

Subject: Re: Land use approval

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

Hello, Attached to this email is the documents that our client sent over to us for the land use application. I had sent an email over last month with all of these same documents and it seems that they may have not been received? I sent them over on 11/4/2024.

Anita received and email from Kim Benthin from code enforcement stating there was no application and that she could not continue to delay enforcement without some forward progress on the permitting. Are you able to update Kim Benthin with this information about this application being submitted?

Best regards,
Bree Perkins
Titan Excavation & Construction

From: ZoningInfo < ZoningInfo@clackamas.us Sent: Thursday, October 31, 2024 2:01 PM

To: Jaycob & Bree Perkins < titan.e.c.llc@gmail.com >

Subject: RE: Land use approval

If the property is in a trust it needs to be signed by the proper trustee with authority for the trust. Often, that is like.... Jane Doe, trustee of the such and such trust dated 20... just an example.

Thanks.

Ben Blessing, Planner

Clackamas County Transportation & Development Customer Service Desk

150 Beavercreek Road, Oregon City, Oregon 97045

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Jaycob & Bree Perkins < titan.e.c.llc@gmail.com >

Sent: Thursday, October 31, 2024 10:28 AM **To:** ZoningInfo@clackamas.us>

Subject: Re: Land use approval

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

Hello, the homeowner has both properties in a trust and asked if she should fill out the application in the trust name or in her personal name?

Best Regards,
Bree Perkins
Titan Excavation & Construction

On Wed, Oct 30, 2024 at 9:51 AM ZoningInfo < ZoningInfo@clackamas.us > wrote: Hi Bree,

It appears that the referenced code violation is in relation to an occupied RV being present on the subject property. The permitting requirement for this from a Land Use perspective is a Type-I review (https://dochub.clackamas.us/documents/drupal/09b90d71-2ffa-4070-a115-5a2b8a2259c7), though other departments (building, septic/sewer, etc.) may each have permitting requirements as well depending on the scope of work associated with the project. As far as Planning approval goes, we cannot approve any septic/sewer work to serve the RV until the Land Use Permit linked above is approved.

Best,

Nick

Nick Hart, Planner 1
He/Him Why pronouns matter
Clackamas County
503-742-4500

The Planning and Zoning public service telephone line at 503-742-4500 and email account at <u>zoninginfo@clackamas.us</u> are staffed Monday through Thursday from 8:00 a.m. to 4:00 p.m. and Friday from 8:00 a.m. to 3:00 p.m., and the public service lobby is open Monday, Tuesday and Thursday from 8:00 a.m. to 4:00 p.m..

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Jaycob & Bree Perkins <titan.e.c.llc@gmail.com>

Sent: Wednesday, October 30, 2024 8:36 AM **To:** ZoningInfo@clackamas.us>

Subject: Land use approval

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

Good morning, We have a client who got a code violation, and we will be doing a lot improvement for her. I emailed the permitting department, and they said she will need land use approval first. The code violation number she received is V0008224. We will be doing joint sewer and water trench. We will be adding roughly 310 feet of sewer lateral, we are tying into the existing home lateral. From the font of the main home, across the front yard and up along the driveway with a Y that splits off to the second lot that is owned by the same person. From there we will run over the second lot to the structure in the back. Approx. 350ft in total. I have attached the proposed lot improvement site plan to this email for you to review. The address for the client is 14400 SE Fairoaks Ave Milwaukie OR 97267

Thank you,
Bree Perkins
Titan Excavation & Construction



Clackamas County Planning and Zoning Department of Transportation and Development

Development Services Building 150 Beavercreek Road | Oregon City, OR 97045 503-742-4500 | zoninginfo@clackamas.us www.clackamas.us/planning

NOTICE OF INCOMPLETE TYPE I LAND USE APPLICATION

FILE NUMBER: Z0517-24

APPLICATION TYPE: RV as a second dwelling

APPLICANT NAME: Anita Ensley

SITE ADDRESS: 14400 SE Fairoaks Ave, Milwaukie

STAFF CONTACT: Max del Hierro EMAIL: mdelhierro@clackamas.us

DATE OF APPLICATION SUBMITTAL: 12/20/2024

DATE OF THIS NOTICE: 12/23/24

DEADLINE FOR SUBMITTAL OF MISSING INFORMATION: 2/18/2025

Your Type I land use application has been deemed **incomplete**. Pursuant to Subsection 1307.07(D) of the Clackamas County Zoning and Development Ordinance, your application will be void unless the missing information is submitted within 60 days of the date the application was first submitted. Upon voiding of an application, 75 percent of your application fee will be refunded, and you will need to reapply if you are still interested in obtaining this permit.

MISSING INFORMATION REQUIRED FOR A COMPLETE APPLICATION:

- **A.** The RV must be within 100 feet of the primary dwelling. Update the site plan showing the distance between the two structures.
- **B.** Two applications were submitted with conflicting information. Please indicate who owns the RV.
- C. Utility connections need to be detailed in their construction. For example: a power and water pedestal will be placed near the RV pad and will be connected underground to the existing services located in the detached garage. Required plumbing and electrical trade permits will be acquired through Clackamas Building Services. The same description is needed for the sanitary sewer connection.
- **D.** The site plan that showed where the RV will be placed indicated two issues;
 - a. The RV must adhere to the setback standards of the primary zone. The RV must be a minimum of 5 feet from the side property line.
 - b. The site plan and our mapping system show the same owner owns this property and the property to the south. It is unclear if both properties

combined form one lot of record, or if they are separate lots of record. This may need to be clarified through a lot of record research request.				

From:Bill Ensley <bill@bearprinting.com>Sent:Wednesday, February 26, 2025 1:34 PMTo:Benthin, Kim; Anita Ensley; Jaycob Perkins

Subject: Re: 14400 SE Fairoaks Ave Violation File V0008224

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

We and our contractor spoke with the county to use the contractors application.

We just spoke with our contractor last week on the 20th so I'm sure they are in the process of preparing that record search.

At this point you are 100% aware that we are working with a contractor to complete the county requirements and that there are continued processes that need to be completed before everything can be brought up to code.

Your continued harassment while having all of this knowledge is completely out of line and as noted earlier, I want your manager CC'd on **ALL** communications. Why are they not CC'd now?

-Bill Ensley

On 2/26/2025 12:59 PM, Benthin, Kim wrote:

Bill,

I am aware of the items that were missing from the application and that the application was voided.

I have attached the incomplete notice, so that we are all on the same page. It is my understanding that there were two applications submitted. And the Planner asked which application to use and who should be the applicant? The attached notice was mailed to the Applicant, Anita Ensley.

What I do not know is your plan going forward?

The application was deemed incomplete on December 23, 2024. That was more than 9 weeks ago, from today's date.

As of today, the application for a legal lot of record research has not been made.

Kimberly Benthin 503-742-4457 Clackamas County

From: Bill Ensley bill@bearprinting.com>
Sent: Wednesday, February 26, 2025 12:06 PM

To: Benthin, Kim KimBen@clackamas.us; Anita Ensley kimBen@clackamas.us; Anita Anita <a

Subject: Re: 14400 SE Fairoaks Ave Violation File V0008224

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

Yes, our contractor was told they needed to do a record research request through the county to confirm if the lot was 1 or 2 lots. It's 2 tax lots however your records did not show 2 actual county lots.

We were told this could take 3-6 weeks and that we were required to do this search and then reapply.

I'm going to assume by this email that there is no record of our contractor being told this in our account? I've included them on this email to give you the exact information they were given however I've quoted them below.

Thank you,				
-Bill Ensley				
*****	*****	*****	****	****

Hello,

We have an update from the land use department on the permit application as of yesterday. **Max Del Hierro** called us and spoke with both Jaycob and myself about the application.

After updating and submitting the site plan to them multiple times, they have come back and said that the title to the RV needs to be titled and registered into Anita's name before moving forward. They said that we have to do a record research request through the county to clarify if both tax lot ID numbers are one or two separate parcels as they do not have a record of it. According to the development office that can take 6 weeks to get the research request done. The RV has to be within 100ft of the primary dwelling which would be the primary house. IF they deem it two separate parcels, he said it would be a whole different process and application to try and get the RV approved. He also informed us that they are going to require electrical to be installed as well.

I will continue to do my side of things to move forward with permits and applications. Please let me know if and when you get the RV titled in Anita's name so I can submit that to them.

Thank you,
Bree Perkins
Titan Excavation & Construction

On 2/26/2025 12:02 PM, Benthin, Kim wrote:

Z0517-24

Hello Anita and Bill,

I have noted that your land use application for authorizing the RV as a second dwelling has been voided because the application was missing information.

Can you give me an update?

Kimberly Benthin, Code Enforcement Specialist Clackamas County Department of Transportation and Development Code Enforcement

150 Beavercreek Road, Oregon City, OR 97045

Primary phone: 503.742.4457

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

Lobby hours 8 a.m. to 4 p.m. Monday to Thursday

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Were you happy with the service you received today?







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From: Del Hierro, Max

Sent: Wednesday, February 26, 2025 12:53 PM

To: Benthin, Kim

Subject: RE: 14400 SE Fairoaks Ave Z0517-24

I checked before I sent the email, they have not.

This one was strange, there were two applications submitted with conflicting info. All the conversation was with the contractor who was not listed anywhere on the application. The incomplete notice went to the homeowner and the application stalled. The contractor contacted me 3 weeks before the void date having not received any notice from the home owner.

Max del Hierro, MURP

Planner 1

He/Him/They

Transportation and Development Clackamas County Planning 150 Beavercreek Road, Oregon City

Primary: 503-742-4523

Hours: Mon - Fri, 7:30 a.m. -4 p.m.

www.clackamas.us

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Benthin, Kim <KimBen@clackamas.us>
Sent: Wednesday, February 26, 2025 12:16 PM
To: Del Hierro, Max <MDelHierro@clackamas.us>
Subject: RE: 14400 SE Fairoaks Ave Z0517-24

Thanks Max

Have they applied for a legal lot of record research request?

Kimberly Benthin 503-742-4457 Clackamas County

From: Del Hierro, Max < MDelHierro@clackamas.us > Sent: Wednesday, February 26, 2025 10:38 AM
To: Benthin, Kim < KimBen@clackamas.us > Subject: RE: 14400 SE Fairoaks Ave Z0517-24

Hi Kim.

The applicant did not provide everything needed to make the application complete. The things missing were:

- 1. The RV was not registered
- 2. The RV was proposed to be placed on the neighboring lot, it was unclear if this is a separate legal lot of record or combined with the lot with the current dwelling. It is required that the RV be placed on the same legal lot of record as the primary dwelling. I instructed the applicant to apply for a lot of record research request. Timeline is about 6 weeks.
- 3. The RV was proposed more than 100 feet from the primary dwelling.
- 4. Electrical service to the RV is required

Let me know if you have any questions.

Thanks,

Max del Hierro, MURP Planner 1

He/Him/They Transportation and Development Clackamas County Planning 150 Beavercreek Road, Oregon City Primary: 503-742-4523

Hours: Mon – Fri, 7:30 a.m. – 4 p.m.

www.clackamas.us

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

From: Benthin, Kim < KimBen@clackamas.us> Sent: Wednesday, February 26, 2025 10:11 AM To: Del Hierro, Max < MDel Hierro@clackamas.us > Subject: 14400 SE Fairoaks Ave Z0517-24

Max,

I noted that the application for the RV as a second dwelling was voided. Can you give me an update? It would help for me to know why.

Thanks,

Kimberly Benthin, Code Enforcement Specialist Clackamas County Department of Transportation and Development Code Enforcement 150 Beavercreek Road, Oregon City, OR 97045 Primary phone: 503.742.4457

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



Clackamas County Planning and Zoning Department of Transportation and Development

Development Services Building 150 Beavercreek Road | Oregon City, OR 97045 503-742-4500 | zoninginfo@clackamas.us www.clackamas.us/planning

LOT OF RECORD RESEARCH REQUEST RESPONSE

File No. ZINFO-0082-25

Response Date: 4/24/25

Response Author: Mya Ganzer, Planner 1, mganzer@clackamas.us

RESEARCH REQUESTED

Are each of the following tax lots their own separate "lot of record", as that term is defined in Clackamas County Zoning and Development Ordinance (ZDO) Section 202, *Definitions*?

Assessor's Map	Tax Lot	Approx. Acres	Lot of Record?
Township 2S Range 1E Section 11AB	2701	0.38	Yes
Township 2S Range 1E Section 11AB	2703	0.84	Yes

DEFINITION

ZDO Section 202 defines a "lot of record" as:

- A lot or parcel created by a subdivision or partition plat, as defined in ORS chapter 92, filed with the Clackamas County Surveyor and recorded with the Clackamas County Clerk;
- 2. A unit of land created by a recorded deed or recorded land sales contract and in compliance with all applicable planning, zoning, and subdivision or partition ordinances and regulations, if any, in effect on the date the deed or land sales contract was signed by the parties to the deed or contract; or
- 3. A unit of land created solely to establish a separate tax account or for mortgage purposes; that did not conform to all planning, zoning, or subdivision or partition ordinances or regulations in effect on the date it was created; and that was sold prior to September 5, 2023, under the foreclosure provisions of ORS chapter 88.

LIMITATIONS AND DISCLAIMERS

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This is not a land use decision as defined by Oregon Revised Statutes 197.015(10). Application for a formal interpretation of the ZDO may be made pursuant to ZDO 1308.

A lot of record is not necessarily eligible for development with a single-family dwelling or any other specific use. Eligibility for development is dependent on many factors, such as the applicable zoning and availability of services (e.g., water, sanitary sewer/onsite wastewater treatment).

ANALYSIS

Tax Lot 2701 and 2701 of Assessor's Map 21E11AB are separate lots of record, for the following reasons.

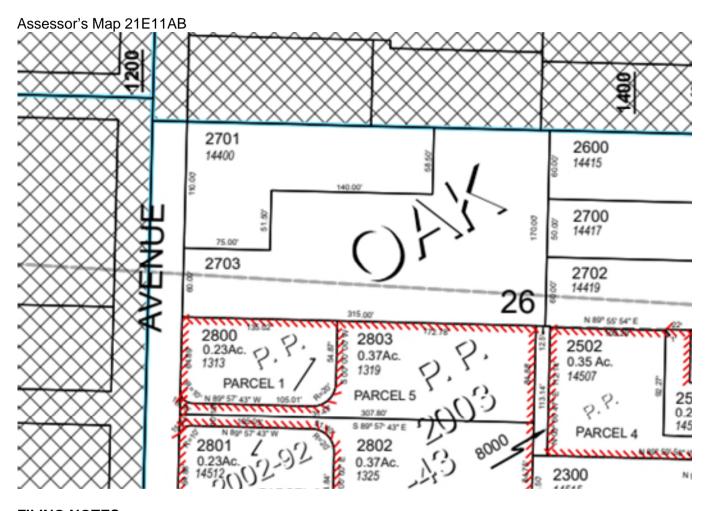
These tax lots are a portion of Lot 26 of the Map of Oak Grove Plat-051, signed in 1890. Tax lot 2701 was excluded from tax lot 2700 by deed on November 29th, 1972, recorded in deed 72-37695. This deed described what is now tax lots 2701 and 2703 and was the northwest quarter of Lot 26 in the Map of Oak Grove plat. This after effective date of initial zoning for the subject property on May 17th, 1960, but prior to the adoption of the county's first partition ordinance in 1974. A subdivision ordinance was in effect beginning on December 22, 1955, but it applied only to the division of a tract of land into four or more lots in a calendar year. In 1960, it was zoned R-10, and the unit of land would have had to have complied with the relevant zoning ordinances and regulations. In 1972, when the lot was created, it would have been approximately 54,014 square feet, well above the 10,000 square foot minimum lot size. It also met the 60-foot street frontage requirement. Setback standards and structure cannot be addressed as the current dwelling on tax lot 2701 was constructed in 1975.

Tax lot 2703 was excluded from tax lot 2701 by deed signed on December 30th, 1975. This was after the County's 1974 Partition Ordinance, and would have required County Approval. The deed references a Minor Partition File No. 33-1174-B. This is a minor partition approved by the County on July 31, 1975. While there is no partition plat, this is not referenced as a condition in the original approval. What was required is that the land be transferred or sold within one calendar year (December 31st 1975), with the file number on the recording instrument. Hence, deed 1975-38485, which references the aforementioned file number, functions as the recording instrument. This deed describes the current configuration of tax lot 2703 and records the sale of the parcel from Anita Ensley to Conley C Ensley. Hence, tax lot 2703 and 2701, in their current configurations, were created by a Minor Partition approved July 31st 1975, and met their conditions of approval. Therefore, both tax lots 2701 and 2703 were created in compliance with the relevant zoning regulations and are each separate lots of record.

References Consulted:

	□ Building Permits
☐ Assessor "Appraisal Jackets"	☐ Rolodex
☐ Assessor Microfiche Ledger	☐ Microfiche
□ Accela and SharePoint	☐ Other:

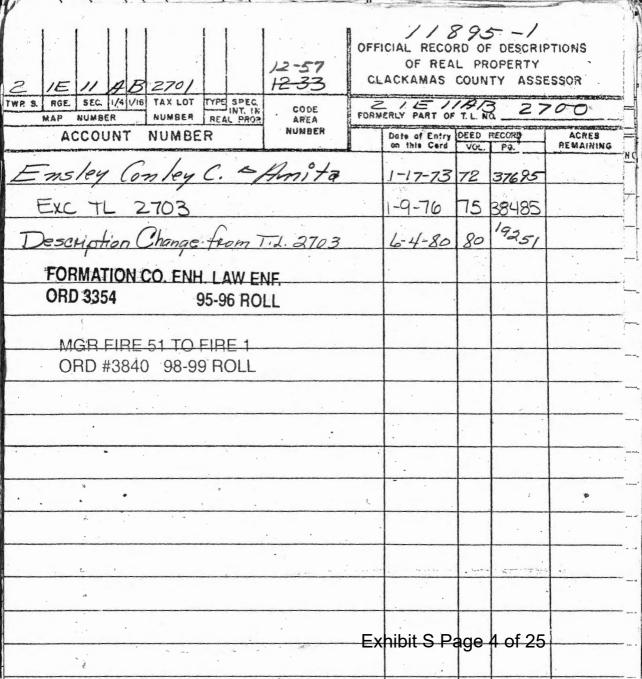
ATTACHMENT



FILING NOTES

A digital copy of this research request response has been:

- Saved in the 'ZINFO' folder on the Planning & Zoning shared drive



	WARRANTY DEED (INDIVIDUAL)
	BEULAH L. LICHTY
	, hereinafter called grantor, convey(s) to
,	CONLEY C. ENSLEY and ANITA ENSLEY, husband and wife,
ı	
1	all that real property situated in the County
	Of Clackamas State of Oregon, described as: A part of the North half, Lot 26, Oak Grove, Clackamas County, Oregon, described as follows: Beginning at the Northwest corner of said Lot 26; thence East along the North line of said Lot 26 a distance of 315 feet, more or less, to the Northwest corner of that tra
	conveyed to Truda K. Doane by deed recorded in Book 176, Page 272, Deed Record Clackamas County, Oregon; thence South along the West line of said Doane tract and its Southerly extension 170 feet to the South line of the North ha of said Lot 26; thence West along said South line 315 feet more or less, to the intersection of said South line with the East line of Fair Oaks Avenue; thence North 170 feet to the point of beginning.
	and covenant(s) that grantor is the owner of the above described property free of all encumbrances except
	Rules and regulations of the Oak Lodge Sanitary District.
0	- 1 /= // Af 1 DYOL .
	and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.
0	and will wall allo deterio the same against an persons who may lawfully claim the same, except as shown above.
	The true and actual consideration for this transfer is \$ 9,000.00
	Dated this 29th day of November 1972.
	A 1. Oil in
2	Beulan L. Lichty
'	
`	
	STATE OF OREGON, County of Clackamas) ss.
	On December 11th
	On December 11th
	instrument to be her voluntary act and deed.
7	Before me:
-	Wate P Ilhuis
11.	Notary Public for Oregon
11	My commission expires: 3/1/76
	The dollar amount should include cash plus all encumbrances existing against the property to which the
	property remains subject or which the purchaser agrees to pay or assume. ** If consideration includes other property or value, add the following: "However, the actual consideration
	consists of or includes other property or value given or promised which is part of the/the whole
	consideration." (Indicate which)
	WARRANTY DEED (INDIVIDUAL)
	Lichty
10	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
1	Factor
1	Ensley
20	After Recording Return to:
	Conley C. Engley
,	11008 N.E.>46th Street
	Vancouver, Washington
	Evhibit C Dogo E of OF
	Exhibit S Page 5 of 25

Z IE II A B 2703 TWAS RGE SEC 1/4 VIG TAX LOT TYPE SPEC. MAP NUMBER NUMBER REAL PHOSE	12-57	CL	ACKAMAS	L PR	OPERTY TY ASSE 2 270	SSOR =
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Ensley, Conley C Description Change to 7	.1.2701		6-4-80	80	19251	
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		Exh	ibit S Paç	je 6	of 25	

75< 38485

311859

33-1174-B 25-1E-11AB-2701

Exhibit S Page 8 of 25

MEMORANDUM

JOHN C. MINTYSE

WINSTON W KURTH County Engineer DAVID: J. ABRAHAM Utilities Girector

RICHARDIL DOPP Development Services Administrator

RECEIVED

AUG 6 1315

PUBLIC

ECOUNTY OF CLACKAMAS

T0:

Planning Department - Mike Cliburn

FROM:

Public Works - Carl Knee

SUBJ:

Minor Partitions No. 196-775B and 33-1174B Renewal

DATE: ·

August 5, 1975

We have reviewed these minor partitioning proposals and have the following comments or recommendations to make.

File No. 196-775B

Additional right of way should be dedicated along Cook Street to ultimately increase it to 50 feet wide. This will require a 5 foot dedication from this property.

File No. 33-1174-B Renewal

1. Please revise our previous comments on this project to read as follows:

Improve the property frontage along Fair Oaks Avenue with curb and surfacing per County Stanlards.

RICHARD L. DOPP - Development Services Administrator

Ву

CARL KNEE - Development Construction Engineer

/rn

902 ABERNETHY ROAD, OREGON CITY, OREGON 97045 (503) 655-8521

July 31, 1975

Mr. Conley R. Ensley 14829 S. E. Arista Drive Milwaukie, Oregon 97222

Dear Mr. Ensley:

Pursuant to the Clackamas County Subdivision and Partitioning Ordinance various County Departments have reviewed your proposed minor partition File No. 33-1174-B, located on Tax Lot 2701, Section LIAB, T2S, RIE, W.M., for a renewal.

The decision of the Planning Department on 30 July, 1975, was to approve the partition subject to the following conditions:

- Both parcels must meet all the requirements of the R-10 Zoning District.
- 2. Sewer and water must be supplied by Oak Lodge Districts.
- 3. Application is approved until 31 December, 1975.

All decisions made by the Planning Department may be appealed to the Board of County Commissioners within ten (10) days of the decision. Appeal forms are available in the Planning Department Office and must be filed with a twenty-five (\$25.00) dollar filing fee and received in this Office prior to 9 August, 1975.

Any further segregations or property line adjustments must be approved by the Planning Department Office for each parcel of property.

Please be advised that when a parcel in the minor partition is sold or transferred, it must conform to the map and written legal description approved by the Planning Department. Minor partitions are approved for one calendar year (1 January to 31 December). If the parcels are not sold or transferred prior to the end of the calendar year they must be refiled. Please, include the minor partition file number on the recording instrument.

U. R. S. 92.305, Subsection 6, generally requires, interalfa, that lands which are divided into four (4) or more lots or parcels whether for immediate or future sale or lease, may be required to file with the Oregon State Real Estate Division, Subdivision Section. Phone: 378-8422.

Mr. Conley R. Ensley July 31, 1975 Page -2-

Enclosed please find a copy of the approved minor partition. If you should have any questions regarding this matter, please feel free to contact this office.

Sincerely yours,

GUSTAVO M. RIVERA-Planning Director

MICHAEL A. CLIBURN Planner

MAC:cb

cc: Developmental Services; Carl Knee Soils & Sanitation; Jerry Marshall

Enclosure

low Donals

MINOR PARTITION APPLICATION

Renewal

pplication Instruc			· · · · · · · · · · · · · · · · · · ·	·	ulim dan
. Application:	the minor parti	dresses and thone tion, Indicate in buyer or option partition. The re	nterest in pr holder. Att	roperty, i.e.	property p legal
. Soils:	Unless public s be applied for	sewage is availabl and approved.	e, a soils i	vestigation	must
Maps:	description and	aps prepared illus d containing all i an and plot plan l	nformation 1	written <u>leg</u> s istéd on the	al attached
1. Use:	Check appropri	ate use box.			
	A. Possible	Building site			. *
	B. Mortgage			•	
	C. Lien		<u> </u>		•
	D. Other	•*•			
(RETURN COMPLETED	TO PLANNING DEPA	ARTMENT)		,,	•
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<u> </u>	12/20	<u> </u>	1870 H	Agista	(A)p
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or the attached mention are proposed mino	ap and described the State of Or or partition. (I ng the definition violation of the	cetion for approve in the legal description and Clackames (We) realize the on of a minor part. Subdivision and Po	eription here county requ it the record ltion without	in enclosed lations rel ling of any ; the necess	. (I mm) ative to property ary County
No minor partitio	on will be consid	dered unless accom	panied by all	required i	nformation.
		(Jonley C.	Condey.	<u>fr</u>
(5 H)			Signature of	APPLICANT (S	5)
	1.1.6		·		
File No. 33-1	174-B =	OR OFFICE USE ONLY	Receipt Date Re Rec'd b	No. $\frac{32}{7-1}$	05 5-75 D3
p	LANNING PUBLIC	HORKS SOILS	SURVEYOR	TAX DEPT.	ASSESSOR
APPROVED		Skurr		:	
			1		
DENIED			1		
REMARKS ATTACHED					<u>}</u>

MEMORANDUM

PUBLIC WORKS



COUNTY OF CLACKAMAS

RECEIVED

JUL 2 5 1975

JOHN-C. MCINTYRE

WINSTON W KURTH County Engineer DAVID J ABRAHAM

RICHARD-L. DOPP Development Services Administrator

T0:

Planning Department - Mike Cliburn

FROM:

Public Works - Carl Knee

DATE:

July 22, 1975

SUBJECT: Minor Partition #33-275-B.

Please be advised that the street and drainage improvements in Fairmont Drive serving this property have been completed.

RICHARD L. DOPP - Development Services Administrator

CARL T. KNEE - Development Services Administrator

/fh



902 ABERNETHY ROAD, OREGON CITY, OREGON 97045 (503) 655-8521

MEMORANDUM

JOHN C. MCINTYRE

WINSTON: W. KURTH County: Engineer

DAVID J. ABRAHAM Utilities Director RICHARD:L. DOPP Development Services Administrator

T0:

Planning Department - Mike Cliburn

FROM:

Public Works - Carl Knee

DATE:

November 15, 1974

SUBJECT: Minor Patition #33-1174-B - Ensley

PUBLIC WORKS

We have reviewed this minor partitioning proposal and have no comments or recommendations to make.

RICHARD L. DOPP - Development Services Administrator

KNEE - Development Construction Engineer

/fh



902: ABERNETHY ROAD, OREGON CITY, OREGON 97045 (503) 655-8521

February 25, 1975

Mr. Conley R. Ensley 14829 S.E. Arista Drive Hilwaukie, Oregon 97222

RE: Minor Partition 33-1174-B

Dear Mr. Ensley:

Pursuant to the Clackamas County Subdivision and Partitioning Ordinance the time period of one calendar year on your minor partition has expired. At this time your partition will be placed in the void file.

If you desire to renew your partition for another calendar year you may refile with another fifty (\$50) dollar application. Please, note on your renewal application any changes in the original application which would effect the County's action.

Thank you.

Sincerely yours,

GUSTAVO M. RIVERA Planning Director

MICHAEL A. CLIBURN Planner

MAC:bf

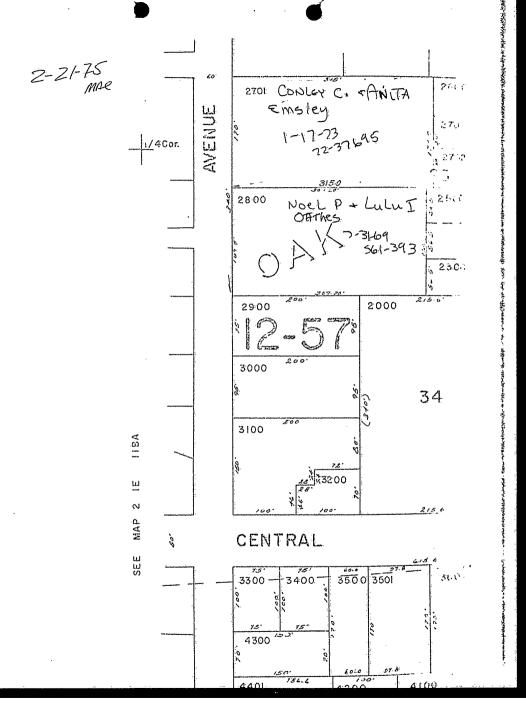


Exhibit S Page 16 of 25

November 21, 1974 Mr. Conley R. Ensley 14829 S. E. Arista Drive Milwaukie, Oregon 97222 Dear Mr. Ensley: Pursuant to the Clackamas County Subdivision and Partitioning Ordinance various County Departments have reviewed your proposed minor partition, File No. 33-1174-B, located on Tax Lot 2701, Section 11, T2S, RIE, W. M. The decision of the Planning Department on 19 November, 1974, was to approve the partition subject to the following conditions: Both parcels must meet all requirements of the R-10 Zoning District. Sewer and water must be supplied by Oak Lodge Districts. All decisions made by the Planning Department may be appealed to the Board of County Commissioners within ten (10) days of the decision. Appeal forms are available in the Planning Department Office and must be filed with a twenty-five (\$25.00) dollar filing fee and received in this Office prior to 26 November, 1974. Please be advised that when a parcel in the minor partition is sold or rease be devised that when a parcer in the minor partition is sold or transferred, it must conform to the map and written legal description approved by the Planning Department. Minor partitions are approved for one calendar year (1 January to 31 December). If the parcels are not sold or transferred prior to the end of the calendar year they must be refilled. Places in the lace of the minor partition file pure are the second or transferred prior to the end of the calendar year they must be refiled. Please, include the minor partition file number on the recording instrument.

November 21, 1974

Mr. Conley R. Ensley 14829 S. E. Arista Drive Milwaukie, Oregon 97222

Dear Mr. Ensley:

Pursuant to the Clackamas County Subdivision and Partitioning Ordinance various County Departments have reviewed your proposed minor partition, File No. 33-1174-B, located on Tax Lot 2701, Section 11, T2S, R1E, W. M.

The decision of the Planning Department on 19 November, 1974, was to approve the partition subject to the following conditions:

- Both parcels must meet all requirements of the R-10 Zoning District.
- Sewer and water must be supplied by Oak Lodge Districts.

All decisions made by the Planning Department may be appealed to the Board of County Commissioners within ten (10) days of the decision. Appeal forms are available in the Planning Department Office and must be filed with a twenty-five (\$25.00) dollar filing fee and received in this Office prior to 26 November, 1974.

Please be advised that when a parcel in the minor partition is sold or transferred, it must conform to the map and written legal description approved by the Planning Department. Minor partitions are approved for one calendar year (1 January to 31 December). If the parcels are not sold or transferred prior to the end of the calendar year they must be refiled. Please, include the minor partition file number on the recording instrument.

Mr. Conley R. Ensley November 21, 1974 Page -2-

Enclosed please find a copy of the approved minor partition. If you should have any questions regarding this matter, please feel free to contact this office.

Sincerely yours,

GUSTAVO M. RIVERA Planning Director

MICHAEL A. CLIBURN Planner

MAC:bf cc: Developmental Services; Carl Knee Soils & Sanitation; Jerry Marshall

Enclosure

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Application Instructions

1	Application	the m owner descr	names, addressinor partition, contract buy iption of partication.	. Indicate er or optic	interest in n holder. A	property,	i.e. propert
2.	Soils:	Unles be ap	s public sewag plied for and	e is availa approved.	ble, a soils	investigat	ion must.
3.	Maps:	descr	six (6) maps p iption and con e plot plan an	taining all	information	e written le listed: on:	egal the attached
4.	Üse:	Check	appropriate u	se box.			
		A	Possible Build	ing site	X		
		В. 1	Mortgage				
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	•	(Name)			(Addresses &	Phone Minhe	4 97222
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No m	inor partit	tion will b	e considered u	nless accom	panied by al	l required :	information.
					mlin C.C	Jan Just	
	Carry Comment						
					SIGNATURE OF	APPLICANT (S)
File	No.33-	174-B	FOR OFFI	CE: USE ONLY	Receipt	No. 21	41
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<u></u>		PLANNING	PUBLIC WORKS	SOILS	SURVEYOR	TAX DEPT.	ASSESSOR
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OAK GREE, CLACKAMAS COUNTY, OREG

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PARTITION I -- A PART OF THE NORTH HALF OF LOT 26, OAK GROVE CLACKAWAS COUNTY, OREGON. BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 26 (0.4 degrees North and 0.3 degrees West -- located with a 1" iron rod); Thence East 105.00' Along The NORTH LINE OF SAID LOT 26; THENCE SOUTH 58.50' PARALLEL TO THE EAST LINE OF FAIR OAKS AVENUE; THENCE WEST30.00' PARALLEL TO THE NORTH LINE OF SAID LOT 26; THENCE SOUTH 51.50' PARALLEL TO THE EAST LINE OF FAIR OAKS AVENUE; THENCE WEST 75.00' PARALLEL TO THE SOUTH LINE OF THE NORTH HALF OF SAID LOT 26, TO THE INTERSECTION OF THE EAST LINE OF FAIR OAKS AVENUE; THENCE NORTH 110.00' ALONG THE EAST LINE OF FAIR OAKS AVENUE TO THE POINT OF BEGINNING.

PARTITION LL -- A PART OF THE NORTH HALF OF LOT 26. OAK GROVE. CLACKAMAS COUNTY, OREGON. BEGINNING 105.00 EAST OF THE NORTHWEST CORNER OF SAID LOT 26 (N.W. corner, North half, Lot 26-- 0.4 degrees North and o.3 degrees West - located with a 1" iron rod); AND RUNNING EAST 210.00" ALONG THE NORTH LINE OF SAID LOT 26, INTERSECTING WITH WESTERN BOUNDRY LINE OF TRACT CONVEYED TO TRUDA K. DOANE BY DEED RECORDED IN BOOK 176, PAGE 272. DEED RECORDS OF CLACKAMAS COUNTY, OREGON; THENCE SOUTH 170.00 ALONG THE WESTERN BOUNDRY LINE OF SAID TRACT CONVEYED. TO TRUDA K. DOANE ABOVE: THENCE WEST 315.00 ALONG SOUTH LINE OF THE NORTH HALF OF SAID LOT 26, TO THE INTERSECTION OF THE EAST LINE OF FAIR OAKS AVENUE: THENCE NORTH 60.00 ALONG THE EAST LINE OF FAIR OAKS AVENUE: THENCE EAST 75.00' PARALLEL TO THE SOUTH LINE OF THE NORTH HALF OF SAID DOT 26: THENCE NORTH 51.50 PARALLEL TO THE EAST LINE OF FAIR OAKS AVENUE: THENCE EAST 30.00 PARALLEL TO THE NORTH LINE OF THE NORTH HALF OF LOT 26; THENCE NORTH 58.50 PARALLEL TO THE EAST LINE OF FAIR OAKS AVENUE AND POINT OF BEGINNING.

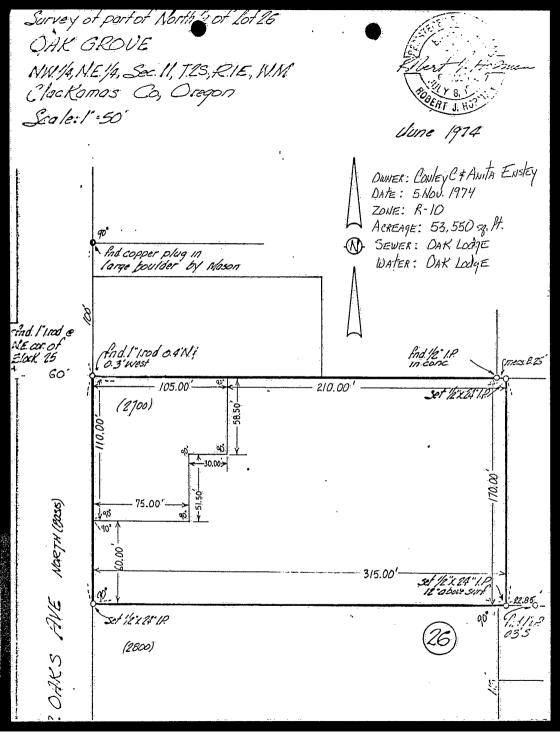
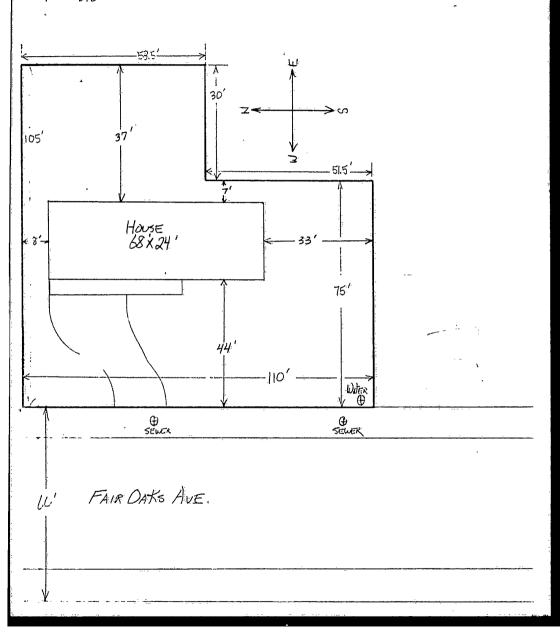
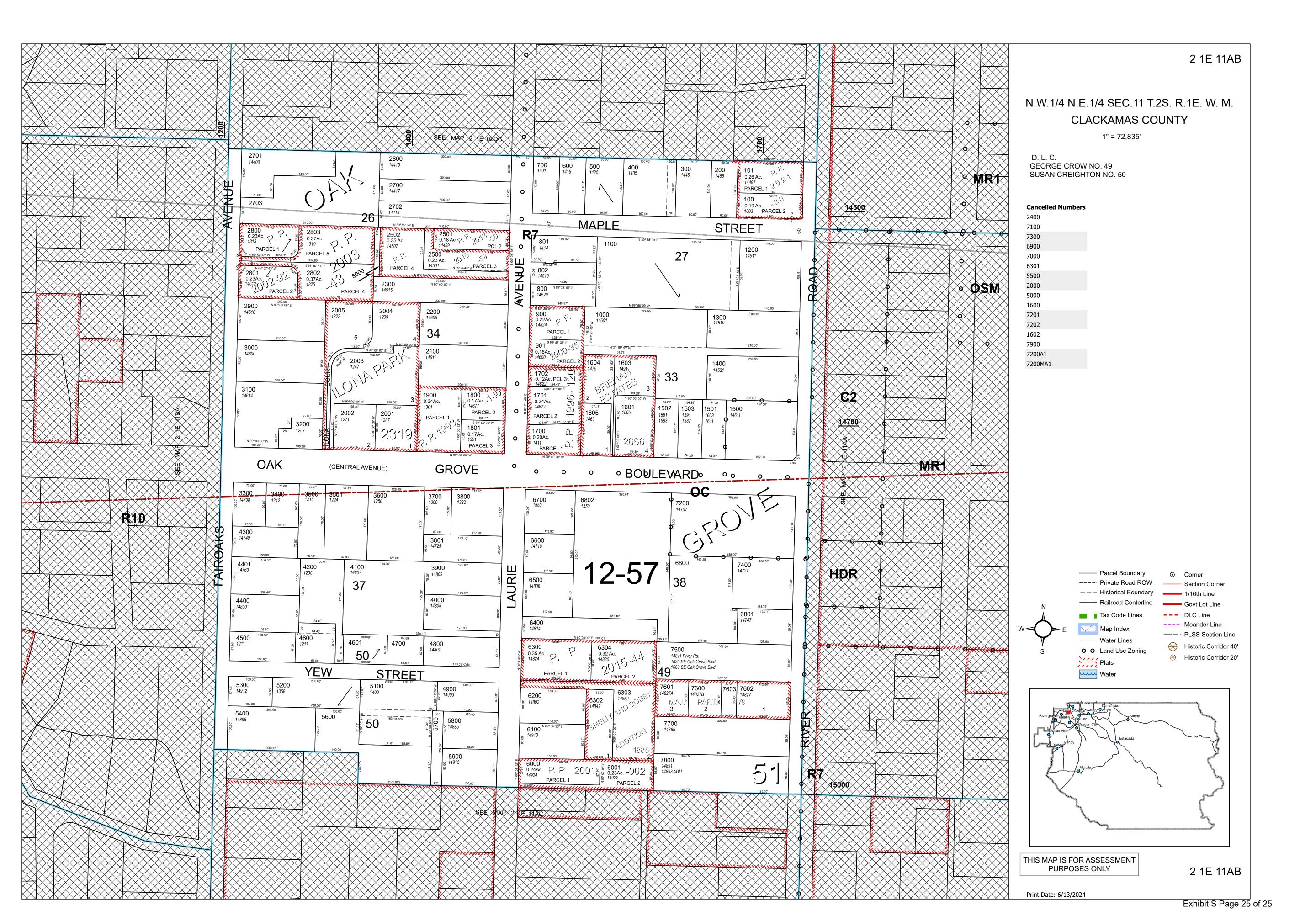


Exhibit S Page 23 of 25

PROPOSED building Site ON MINOR PARTITION I Lot Size: 10,005 sq. ft. 1"=20"





Benthin, Kim

From: Bill Ensley <bill@bearprinting.com>
Sent: Wednesday, June 11, 2025 3:00 PM

To: Benthin, Kim; Anita Ensley

Subject: Re: 14400 SE Fairoaks Ave Violation File # V0008224

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

Good afternoon Kim,

I'll respond to this email when your direct supervisor is included.

Thank you,

-Bill Ensley

On 6/11/2025 2:58 PM, Benthin, Kim wrote:

Good afternoon Ms. Ensley and Mr. Ensley,

The land use decision for the lots of record was completed April 24, 2025. The application for the occupied recreational vehicle has not been submitted.

Can you please provide an estimated date of when the application will be submitted?

Sincerely,

Kimberly Benthin, Code Enforcement Specialist Clackamas County Department of Transportation and Development Code Enforcement

150 Beavercreek Road, Oregon City, OR 97045

Primary phone: 503.742.4457

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

Lobby hours 8 a.m. to 4 p.m. Monday to Thursday

www.clackamas.us

Were you happy with the service you received today?



Follow Clackamas County: Facebook | Twitter | YouTube | Nextdoor



Citation No. 2400082-1

Case No. V0008224

ADMINISTRATIVE CITATION

Date Issued: June 12, 2025

Name and Address of Person(s) Cited:

Name: Anita Ensley

Mailing Address: 14400 SE Fairoaks Avenue, City, State, Zip: Milwaukie, OR 97267

Date Violations Confirmed: On the 10th day of June, 2025, the person cited committed or allowed to be committed, the violations of law described below, at the following address:

Address of Violations: 14400 SE Fairoaks Ave., Milwaukie, OR 97267 Legal Description: T2S, R1E Section 11AB, Tax Lots 02701

Law(s) Violated

	Chapter 7.03 of Clackamas County Code, Road Use, Section
	Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
X	Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (C, D
	Chapter 9.03 of CCC Excavation and Grading, Section
	Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C)
\times	Title 12 and 13 of CCC Zoning and Development Ordinance, Sections 315 and 847
	Other law:

Description of the violation(s):

1) The occupied recreational vehicle on site does not have code compliant and permitted utilities.

Maximum Civil Penalty \$3500.00

Fine This is not subject to fine amount.

2) The occupied recreational vehicle remains on site without land use authorization.

Maximum Civil Penalty \$2.500.00

Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. 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: Kimberly Benthin Date: June 12, 2025

Telephone No.: 503-742-4457 Department Initiating Enforcement Action: Code Enforcement

PLEASE READ CAREFULLY!

You have been cited for the violations(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 Beavercreek 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.

Date:
City, State, Zip
_ Email:

Violation File #: V0008224

Benthin, Kim

Kimberly Benthin

From: Sent: To:	Jaycob & Bree Perkins <titan.e.c.llc@gmail.com> Wednesday, June 25, 2025 2:44 PM Benthin, Kim</titan.e.c.llc@gmail.com>
Subject:	Re: Anita Ensley
corrections and Max called me that it would be 6 or more done by November 4, 2024. until February 2025, once I that noticeand again that is	abmitted the original application for land use, and it eventually came back with me and said that a lot of record research needed to be done and he specifically told be weeks once the application is processed, which we did. It would have never bee Corrections were sent out in December of 2024 and I did not get that specific not reached out to the county themselves, as we were not part of the emailing chain for when I spoke with Max about exactly what needed to be done before resubmitting cord application was submitted March 11th 2025, So I'm a bit confused on your 2024?
Thanks, Bree Perkins Titan Excavation & Constru	ction
On Wed, Jun 25, 2025 at 2:2	20 PM Benthin, Kim < <u>KimBen@clackamas.us</u> > wrote:
Good afternoon Bree,	
	update. The deadline provided to submit the land use application was nths is a substantial amount of time past the deadline.
Planner Max del Hierro.	active open land use application – you need not limit your questions solely know he was assigned to your initial application but it is now void. Anyone our questions and you can receive quick answers from <u>is</u> .
If Ms. Ensley wishes to o	ontest the citation there are instructions provided.
Sincerely,	

503-742-4457

Clackamas County

From: Jaycob & Bree Perkins <titan.e.c.llc@gmail.com>

Sent: Tuesday, June 24, 2025 2:52 PM **To:** Benthin, Kim < <u>KimBen@clackamas.us</u>>

Cc: Anita Ensley < nitagramma@yahoo.com >; Bill Ensley < bill@bearprinting.com >

Subject: Anita Ensley

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

Hello Kimberly,

My name is Bree and we are the contractors working with Anita Ensley on her code violation project. I have been working with Max Del Hierro from the beginning when I submitted the original application.

I have emailed him today as well trying to work forward on the permitting process as this is been a very challenging process. He is out of the office until tomorrow, therefore I will not get the answer I need from him until then.

I would like you to know that we have been actively working on moving forward with the permitting process. Per the discussion with Max. Anita has to have the RV titled into her name before we can resubmit the application. We had to get the lot of record research done to determine exactly where the property lines were and if they were in fact two separate parcels, which we got done. That leads us to the next hoop that we have to go through, which is having her relocate the RV to the same property as the primary dwelling per what Max has explained to me. All in which she is actively working on doing so that I can resubmit for the land use permit.

She is actively working on getting the title for the RV transferred into her name, but that will take a bit of time as it is a California title and has been misplaced. She is in contact with California DMV and has worked out a plan with them to get a new title issued. She has sent a certified mailed letter to the last known owner on the title in California, if they do not respond back to her letter, California DMV will issue a new title and mail it to Oregon for her to proceed with the title transfer process here. Once that is all said and done we can then proceed <u>again</u> with the permit application.

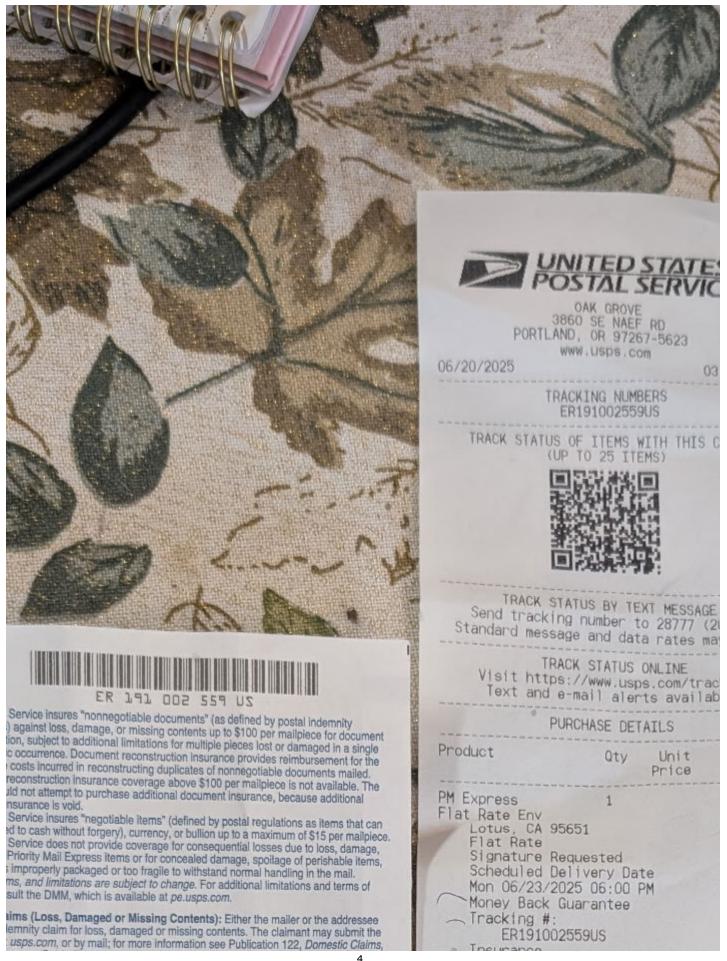
She has sent me picture proof of the certified mail receipt which I have attached for your record.

She informed me this morning that she got a letter stating she needs to pay a fine today as she is not complying with the code violation and not taking steps to fix the violation. When in fact she is doing everything she can to help move this project forward, there have been multiple hoops that we have had to go through that have not made it easy to obtain permits. She should not be fined for actively working with us and doing what Max has instructed us to do before resubmitting for permits.

If you have any questions about this process please feel free to contact me.

Thank you,
Bree Perkins
Titan Excavation & Construction

503-515-7862



PORTLAND, OR 97267 JUN 25, 2025 U.S. POSTAGE PAID S2324P504113-7 FCM LETTER Cluckonnas County losa Enforcemen \$5.58 97045 150 seeves over Red Retail RDC 99 7022 3330 0000 7032 8608 GERTIFIED WA 14400 SE Fairoaks Âve Oak Grove, OR 97267-1009 Mrs. Anita Ensley

Exhibit W Page



Citation No.

2400082-1

Case No.

V0008224

ADMINISTRATIVE CITATION

Date Issued:

June 12, 2025

Name and Address of Person(s) Cited:

Name:

Anita Ensley

Mailing Address:

14400 SE Fairoaks Avenue,

City, State, Zip:

Milwaukie, OR 97267

Date Violations Confirmed: On the 10th day of June, 2025, the person cited committed or allowed to be committed, the violations of law described below, at the following address:

Address of Violations: 14400 SE Fairoaks Ave., Milwaukie, OR 97267

Legal Description:

T2S, R1E Section 11AB, Tax Lots 02701

Law(s) Violated

Edit (5) Violated
Chapter 7.03 of Clackamas County Code, Road Use, Section
Chapter 9.01 of CCC Uniform Code for the Abatement of Dangerous Buildings, Section
Chapter 9.02 of CCC Application and Enforcement of the Clackamas County Building Code, Section 9.02.040, (C, D)
Chapter 9.03 of CCC Excavation and Grading, Section
Chapter 10.03 of CCC Solid Waste and Wastes Management, Section 10.03.060 (A,B,C)
Title 12 and 13 of CCC Zoning and Development Ordinance, Sections 315 and 847
Other law:
Description of the violetion(s)

Description of the violation(s):

1) The occupied recreational vehicle on site does not have code compliant and permitted utilities.

Maximum Civil Penalty \$3500.00

Fine This is not subject to fine amount.

2) The occupied recreational vehicle remains on site without land use authorization.

Maximum Civil Penalty \$2.500.00

Fine \$400.00

You may avoid paying the civil penalty by abating the violation(s) and paying a total fine of \$400.00. 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: Kimberly Benthin

Telephone No.: 503-742-4457

Date: June 12, 2025 Department Initiating Enforcement Action: Code Enforcement ath-code inforcement:

ante Ensly 14400 SE Fairoaks Ave mil Naukie, Die 97267

I have been trying to git all informate to planning. I have hired a contractor for sever, contacted PGE and moved motorhome. Swer Contractor-Jutan Excavation.

There have been many stumbing blocks pertaining to lots of second, motorhouse Title (california PMV), illness.

cuse: V000 8 2 2 4 citation #: 24000 82-1

Signed Anita Ensley anita Ensley June 25, 2005





U.S. POSTAGE PAID FCM LG ENV PORTLAND, OR 97267 JUL 21, 2025

Retail

S2324P504111-18

RDC 99

\$7.20

97045

C/O Planning Supervisor C/O Planning Supervisor Development Switce Blds 150 Beaver week Noach 150 Beaver week Noach 150 Beaver week Noach 150 Beaver week Noach 150 Gregon city, OK

de sent a régistère de tetter To planning en 6/25/2025.

d'an requesting a hearing.

I have tried to finish This many times. I have a contractor for Sever and electric. I paid 16,000 diposit for server and have remaining when finished.

Then me. I am almost &s years old and it is certify inte anxiety and prolonging my medical problems.

Thank you arrila Ensly Violation It V0008224

Sending forms I sent to Calfinnia PMV for motorhome that sums to be holding I hanks





DEPARTMENT OF TRANSPORTATION & DEVELOPMENT

DEVELOPMENT SERVICES BUILDING

150 Beavercreek Road | Oregon City, OR 97045

07/10/25

RECEIVED

Anita Ensley, Trustee of the Anita Ensley Revocable Trust 14400 SE FAIROAKS AVE MILWAUKIE, OR 97267

JIII 2 8 2025

Subject: N

Clackamas County

Notice of Monthly Administrative Compliance Fee Accrua lanning & Zoning Division

Site Address:

14400 SE FAIROAKS AVE

MILWAUKIE, OR 97267

Legal Description:

21E11AB02701

Violation Number:

V0008224

You are receiving this letter because there are one or more pending code violations on the above referenced property. As you have been informed in previous correspondence from the Clackamas County Code Enforcement Section, a \$100.00 per month administrative compliance fee is being imposed against you by the County. The date from which the fee will be imposed is 07/17/2024, because that is the date on which County staff verified the code violation.

This administrative compliance fee will continue to accrue monthly until the code violation has been abated. The fee amount currently owed to the County is \$825.00. This administrative compliance fee is in addition to any other fines or penalties that may be imposed through citation or Hearings Officer actions.

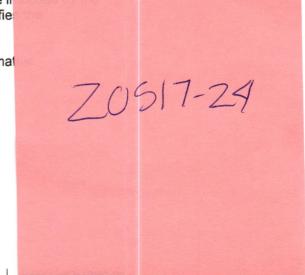
You may challenge or dispute the assessment of the administrative compliance fee by sending a written request for a hearing to:
Code Enforcement, 150 Beavercreek Rd., Oregon City, OR 97045, or at codeenforcement@clackamas.us.
Include your name and address within the written request for a hearing.

The Clackamas County Code provides for civil penalties to be in Hearings Officer of up to \$3,500 for each day the County verifie noncompliance.

We look forward to working with you in the resolution of this mat

Kim Benthin 503-742-4457 KimBen@clackamas.us

Clackamas County Code Enforcement



ath- code inforcement:

anitu Ensly 14400 SE Fairoaks Ave mil vaukie, Ose 97267

I have been trying to get all information to planning. I have hired a contractor for sever, contacted PGE and moved motor home. Sever contactor. - Jitan Sewer

There have been many stumbing blocks pertaining to lots of second, motorhome Title (california PMV), illness.

cusi: V0008224 citation #: 2400082-1

Signed Anita Ensley anita Insly June 25, 2005

 The Postal Service insures "nonnegoliable documents" (as defined by postal indemnity regulations) against loss, damage, or missing contents up of \$10 per mailpiece for document regulations, subject to additional limitations for multiple pieces lost or damaged in a single reasonable costs incurred. Document enconstruction insurance provides reimbursement for the Document reconstruction insurance coverage above \$100 per mailpiece is not available. The document insurance is void.
 The Postal Service insuras "negotiable items" (defined by postal regulations as items that can be converted to cash without forgery), currency, or bullion up to a maximum of \$15 per mailpiece.
 The Postal Service does not provide coverage for consequential losses due to loss, damage, or dealy of Priority Mail Express items or for concealed damage, spollage of postable items, coverage, tems, and limitations are subject to change. For additional limitations and terms of coverage, tems, and limitations are subject to change. For additional limitations and terms of coverage, consult the DMM, which is available at peusps.com. addressee's signature from the addressee upon delivery of the îtem by checking the "signature addressee's signature from the addressee upon delivery of the îtem by checking the "signature required" box at let ine of maling. If the Postal Service does not deliver or attempt delivery by the specified time and the maller files a valid claim for a returnd, the Postal Service will refund the postage, unless an exception applies. See Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM*) 604.9.5.5 which is available at peusps.com.

When a mailer submits a Priority Mail Express tiem requiring a signature and the Postal Service cannot deliver the item on the first attempt, the Postal Service leaves a notice for the addressee. If the addressee does not claim the item within 5 calendar days, the Postal Service returns the item to additional charge.

Insurance coverage: The Postal Service provides insurance only in accordance with postal fegulations in the DMM, which is available at peu.bssc.com. The DMM sets forth the specific types of adjudication procedures. Certain items are not insurable. The DMM consists of fearant ergolutions, and USPS personnel are not authorized to change or waive these regulations or grant exceptions. An mailer who requires information on Profinity Mail Express insurance may contact the Postal Service before submitting an item. Limitations prescribed in the DMM provide, in part, that:

UNITED STAT POSTAL SERV OAK GROVE 3860 SE NAEF RD PORTLAND, OR 97267-5623

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www.Lisps.com

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PURCHASE DETAILS

PM Express 1 Flat Rate Env Lotus, CA 95651 Flat Rate Signature Requested Scheduled Delivery Date Mon 06/23/2025 06:00 PM Money Back Guarantee Tracking #: ER191002559US Insurance Up to \$100.00 included Grand Total: Credit Card Remit Card Name: VISA
Account #: XXXXXXXXXXXXXXXXX6073
Approval #: 01136D
Transaction #: 315
AID: A0000000031010

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Note: The Postal Service does not offer money-back guarantee for military or DPO shipments detayed due to customs inspections or the item was destined for an APO/FPO/DPO that was closed on the intended day of delivery or the detay was caused by one of the situations in DMM 604.9.5.5. Consult USPS.com® or your local Post Office for information on delivery commitments and Priority Mail Express Military Service (PMEMS). For details, see DMM 703.2.6, which is available at peusps.com.

Indemnity Claims (Loss, Damaged or Missing Contents): Either the mailer or the addressee claim online at usps.com, or by mail: for more information see Publication 122, Domestic Claims, Customer Reference dude. The timelines for claims are as follows: claims for loss.—no sooner contents —immediately but no later than 60 days after the date of mailing; claims for loss—no sooner uses to the contents.—immediately but no later than 60 days from the date of mailing; claims for damage or missing damage or missing contents, also retain the 30 days from the date of mailing. Retain the original damage or missing contents, also retain the article, container, and packaging for Postal Service Return of Postage and Fees (Service Performance): if delivery of a Priority Mail Express customers may submit a return dequested. (PME) them does not metel the scheduled delivery commitment(s), online and commercial be submit a return dequested by visiting USPS, com. Retail customers may submit a besubmit and capacity of a priority with a submit a besubmit and commercial and sequence than 2 days and no later than 30 days from the date of the mailing. Extra from the date of mailing. Each tracking number can only be submitted once for all applicable returnise.

Thank you for choosing Priority Mail Express service.

Insurance coverage extends to the actual value of the contents at the time of mailing or the cost of repairs, not to exceed the insured limit for the item.

2. The Postal Service insures the contents of Priority Mail Express "merchandise" items (with "merchandise" defined by postal regulations) against loss, damage, or missing contents. The Postal Service includes coverage up to \$100 per mailpiece at no additional charge. Additional insurance for Priority Mail Express items is not available for purchases. Additional insurance for Priority Mail Express items is not available unless a signature is required.

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E	\$0.73 STotal Postage and Fees \$5.58	06/25/2025
7022	Sent To Street and Apt. No., or PO Box No. City, State, ZIP+4*	
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06/25/2025

03:45 PM

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Product Qty Unit Price Price First-Class Mail® \$0.73 Letter Oregon City, OR 97045 Weight: 0 1b 0.50 oz Estimated Delivery Date Fri 06/27/2025 \$4.85 Certified Mail® Tracking #: 70223330000070328608 Total \$5.58 Grand Total: \$5.58 \$5.58 Credit Card Remit Card Name: VISA Account #: XXXXXXXXXXXXXXXX6073 Approval #: 06212D Transaction #: 898 AID: A0000000031010 Chip AL: VISA CREDIT CHASE VISA PIN: Not Required

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All Exhibit & Page 6 of 9 stage.

I have reached out to previous owner by certified letter and have had no response even the tracking has said he received it and signed for it. I am requesting DMV Bond for this.

STATEMENT OF FACTS

Complete the appropriate section(s) in full (including vehicle description) and sign Section H.

CENSE PLATE/CF NUMBER	VEHICLE/VESSEL II	D NUMBER	YEAR/MAKE
guv308	1fcmf535702		2002 Hurricane
. STATEMENT FOR VEHI	CLE BODY CHANGE (C	WNERSHIP CERTIFICAT	E REQUIRED)
ne current market value of	the vehicle or vessel is	: \$	
hanges were made at a cost	of \$	on this date	·
his is what I changed: Che	eck all that apply:		
Unladen Weight changed b	pecause	(Public Weighmaste	r Certificate is required. Exception: Trailers
Motive Power changed from	om		
Body Type changed from	10 _	to.	
Number of Axles changed	rrom	to	
NAME STATEMENT (O	WNERSHIP CERTIFICA	TE REQUIRED)	
lease print			
] I,	and		are one and the same person
My name is misspelled.	Please correct it to:		
I am changing my name	from	to	
G. STATEMENT OF FACT	S		
the undersigned, state:			
C			
\			
H. APPLICANT'S SIGNA	TURE		
I certify (or declare) under	penalty of perjury und	er the laws of the State o	f California that the foregoing is true a
PRINTED LAST NAME	FIRST NAME	MIDDLE NAME	DAYTIME PHONE NUMBER (503) 380-6320
Ensley	Andrew	N/a	DATE
SIGNATURE X			July 21, 2025
A			



STATEMENT OF FACTS

Complete the appropriate section(s) in full (including vehicle description) and sign Section H.

A STATEMENT FOR USE TAX EXEMPTION This transfer is exempt from use tax because it is a:	LICENSE PLATE/CF NUMBER	VEHICLE/VESSEL ID NUMBER	YEAR/MAKE
This transfer is exempt from use tax because it is a: Family transfer sold between a parent, child, grandparent, grandchild, spouse, domestic partner, or siblings (if bott minors related by blood or adoption). Addition or deletion of family member (spouse, domestic partner, parent[s], son/daughter, grandparents, grandchildrer, addition or deletion of family member (spouse, domestic partner, parent[s], son/daughter, grandparents, grandchildrer, addition or deletion of family member (spouse, domestic partner, parent[s], son/daughter, grandparents, grandchildrer, addition or deletion of family member (spouse, domestic partner, parent[s], son/daughter, grandparents, grandchildrer, addition or transfer of contracts or other valuable consideration). Out order		1fcmf535702a02180	2002 Hurricane
Family transfer sold between a parent, child, grandparent, grandchild, spouse, domestic partner, or siblings (if bott minors related by blood or adoption). Addition or deletion of family member (spouse, domestic partner, parent[s], son/daughter, grandparents, grandchildn Gift (does not include vehicles traded between individuals, transfer of contracts or other valuable consideration). Court Order	A. STATEMENT FOR USE TAX EXEM	PTION	
The vehicle does not require a smog certification for transfer of ownership because: The last smog certification was obtained within the last 90 days. It is powered by:	 ☐ Family transfer sold between a parent minors related by blood or adoption). ☐ Addition or deletion of family member (☐ Gift (does not include vehicles traded to court Order ☐ Inheritance NOTE: The Use Tax Exemption cannot otherwise qualifying relative with the court of the	spouse, domestic partner, parent[s], son/o between individuals, transfer of contracts t be claimed if the vehicle/vessel being tho is engaged in the business of selling	daughter, grandparents, grandchildren). or other valuable consideration). g transferred was purchased from an
The vehicle does not require a smog certification for transfer of ownership because: The last smog certification was obtained within the last 90 days. It is powered by:			
The last smog certification was obtained within the last 90 days. It is powered by:			
The vehicle is not currently registered. It has not been driven, moved, towed, or left standing on any California highway to cause registration fees to become due. It was not transported over any California public highway or ope within California to cause off-highway fees to become due. Appropriate registration will be obtained before the veh operated. D. WINDOW DECAL FOR WHEELCHAIR LIFT OR WHEELCHAIR CARRIER Enter your Disabled Person License Plate, or Disabled Veteran License Plate, or Permanent Disabled Person Parking Pl number below: DISABLED PERSON PLATE DISABLED VETERAN PLATE PERMANENT DISABLED PERSON PLACARD The vehicle to which my Window Decal will be affixed is: LICENSE NUMBER VEHICLE MAKE VEHICLE ID NUMBER ADDRESS	It is powered by: electricity It is located outside the State of Calife It is being transferred from/between: The parent, grandparent, child, g Family Code §297) of the transfe A sole proprietorship to the propr Companies whose principal busi Lessor and lessee of vehicle, and Lessor and person who has been Individual(s) being added as regi * Does not require smog certification unle	diesel Other diesel Other diesel Other diesel Other diesel Other diesel Other diesel Other, sister, spouse, or domerce.* ieter as owner.* ness is leasing vehicles. There is no change in the lessee or operator of the lessee's operator of the vehicle for at lessered owner(s).* ess Biennial Smog is required.	age in lessee or operator.* he vehicle.* ast one year.*
Enter your Disabled Person License Plate, or Disabled Veteran License Plate, or Permanent Disabled Person Parking Planumber below: DISABLED PERSON PLATE DISABLED VETERAN PLATE PERMANENT DISABLED PERSON PLACARD The vehicle to which my Window Decal will be affixed is: LICENSE NUMBER VEHICLE MAKE VEHICLE ID NUMBER Mail to: NAME ADDRESS	The vehicle is not currently registered. highway to cause registration fees to be within California to cause off-highway fe	come due it was not transported over a	Thy Calliottila public highway of operated
Enter your Disabled Person License Plate, or Disabled Veteran License Plate, or Permanent Disabled Person Parking Planumber below: DISABLED PERSON PLATE DISABLED VETERAN PLATE PERMANENT DISABLED PERSON PLACARD The vehicle to which my Window Decal will be affixed is: LICENSE NUMBER VEHICLE MAKE VEHICLE ID NUMBER Mail to: NAME ADDRESS	D. WINDOW DECAL FOR WHEELCH	IAIR LIFT OR WHEELCHAIR CARRIER	
The vehicle to which my Window Decal will be affixed is: LICENSE NUMBER VEHICLE MAKE VEHICLE ID NUMBER Mail to: NAME ADDRESS	Enter your Disabled Person License Plate		rmanent Disabled Person Parking Placard
Mail to: NAME ADDRESS VEHICLE ID NUMBER VEHICLE ID NUMBER VEHICLE ID NUMBER VEHICLE ID NUMBER	DISABLED PERSON PLATE	DISABLED VETERAN PLATE	PERMANENT DISABLED PERSON PLACARD
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CITY STATE ZIP	ADDRESS		
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