

Return Address: Richard Hart  
P.O. Box 312  
North Bonneville, WA 98639

Skamania County  
**Department of Planning and  
Community Development**

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-3900 FAX 509 427-3907

**Administrative Decision**

**APPLICANT:** Richard Hart (Hart Farms Short Plat)

**PROPERTY OWNER:** Richard Hart

**FILE NO.:** NSA-07-70

**PROJECT:** This decision approves a land division (Short Plat) of a 27.89-acre parcel into 4 lots of 5.21 acres, 5.69 acres, 5.21 acres and 11.78 acres.

**LOCATION:** 241 Butler Loop Road, Skamania; Section 34 of T2N, Range 6E, W.M. and identified as Skamania County Tax Lot #02-06-34-1-0-0490-00.

**LEGAL:** Please see attached Page 7 for copy of legal description.

**ZONING:** General Management Area-Residential (R-5).

**DECISION:** Based upon the record and the Staff Report, the application by Richard Hart, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved.**

Although the proposed development is approved, it may not be buildable due to inadequate soils for septic and/or lack of potable water. These issues are under the jurisdiction of Skamania County's Building Division and the Skamania County Health Department.

Skamania County Planning and Community Development  
File: NSA-07-70 (Hart Farms Short Plat) Administrative Decision  
Page 2

Approval of this request does not exempt the applicant or successors in interest from compliance with all other applicable local, state, and federal laws.

#### CONDITIONS OF APPROVAL:

The following conditions are required to ensure that the subject request is consistent with Skamania County Code Title 22. **This document, outlining the conditions of approval, must be recorded by the applicant in the deed records of the Skamania County Auditor** in order to ensure notice of the conditions of approval to successors in interest. SCC §22.06.120(C)(2).

- 1) As per SCC §22.06.120(C)(2), this Administrative Decision **SHALL BE RECORDED** by the applicant in the County deed records prior to commencement of the approved project.
- 2) All developments shall be consistent with the enclosed site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval. (See attached)
- 3) No grading or ground disturbing activity is approved by this application other than grading associated with the construction of Back Country Road (pvt). All graded areas shall be reseeded with native vegetation prior to final inspection by the Planning Department.
- 4) Lots 3 and 4 shall only be accessed off of Back Country Road (pvt) and not off of Woodard Creek Road.
- 5) A note shall be placed on the final short plat mylar that generally reads as follows:

No buildings or structures shall be hereafter erected, altered or enlarged on lands lying within this land division, except as allowed by the Columbia River Gorge National Scenic Area Ordinance.
- 6) A note shall be placed on the final short plat mylar that generally reads as follows:

No land disturbing activities shall occur on the lands contained within this land division without prior approval consistent with the Columbia River Gorge National Scenic Area Ordinance.
- 7) Future development will be required to meet the following setbacks unless greater setbacks are required by review of the individual development proposals on each lot.
  - a) Front Yard: forty-five (45) feet from the centerline of the street or road or fifteen (15) feet from the front property line, whichever is greater.
  - b) Side Yard: five (5) feet
  - c) Rear yard: fifteen (15) feet.

Skamania County Planning and Community Development  
File: NSA-07-70 (Hart Farms Short Plat) Administrative Decision  
Page 3

- 8) The following procedures shall be affected when cultural resources are discovered during construction activities:
- a) **Halt Construction.** All construction activities within 100 feet of the discovered cultural resource shall cease. The cultural resources shall remain as found; further disturbance is prohibited.
  - b) **Notification.** The project applicant shall notify the Administrator and the Gorge Commission within twenty-four (24) hours of the discovery. If the cultural resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within twenty-four (24) hours.
  - c) **Survey and Evaluations.** The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the DAHP. (See Revised Code of Washington 27.53) It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the provisions in Section 22.22.030 of this Chapter. Based upon the survey and evaluation report and any written comments, the Administrator shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.
  - d) **Mitigation Plan.** Mitigation plans shall be prepared according to the information, consultation and report provisions contained in Section 22.22.050 of this Chapter. Construction activities may recommence when conditions in the mitigation plan have been executed.
- 9) The following procedures shall be affected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones or teeth, with or without attendant burial artifacts.
- a) **Halt of Activities.** All survey, excavation and construction activities shall cease.
  - b) **Notification.** Local law enforcement officials, the Administrator, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
  - c) **Inspection.** The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/ historic or modern. Representatives of the Indian tribal governments shall be contacted immediately and have an opportunity to monitor the inspection.
  - d) **Jurisdiction.** If the remains are modern, the appropriate law enforcement official shall assume jurisdiction and the cultural resource protection process may conclude.

Skamania County Planning and Community Development  
File: NSA-07-70 (Hart Forms Short Plat) Administrative Decision  
Page 4

- e) Treatment. The procedures set out in RCW 27.44 and 68.05 shall generally be implemented if the remains are prehistoric/ historic. If human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements set out in Section 22.22.050 of this Chapter. The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 15th day of July, 2008, at Stevenson, Washington.



Mark J. Mazzei, Senior Planner  
Skamania County Planning and Community Development.

#### NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, and additions or alterations not included in this approved site plan, will require a new application and review.

As per SCC §22.06.150(A), this Administrative Decision approving a proposed development action shall become void in two years if the development is not commenced within that period, or when the development action is discontinued for any reason for one continuous year or more.

#### APPEALS

**The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.**

This Administrative Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal form must be filed by an interested person within 20 days from the date hereof. Appeals are to be made to the Skamania County Hearings Examiner, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at the Planning Department Office and must be accompanied by a \$500.00 nonrefundable-filing fee and a certificate of mailing.

#### WARNING

On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon your Administrative Decision or any amendments thereto.

Skamania County Planning and Community Development  
File: NSA-07-70 (Hort Farms Short Plot) Administrative Decision  
Page 5

A copy of the Decision was sent to the following:

Skamania County Building Department  
Skamania County Health Department

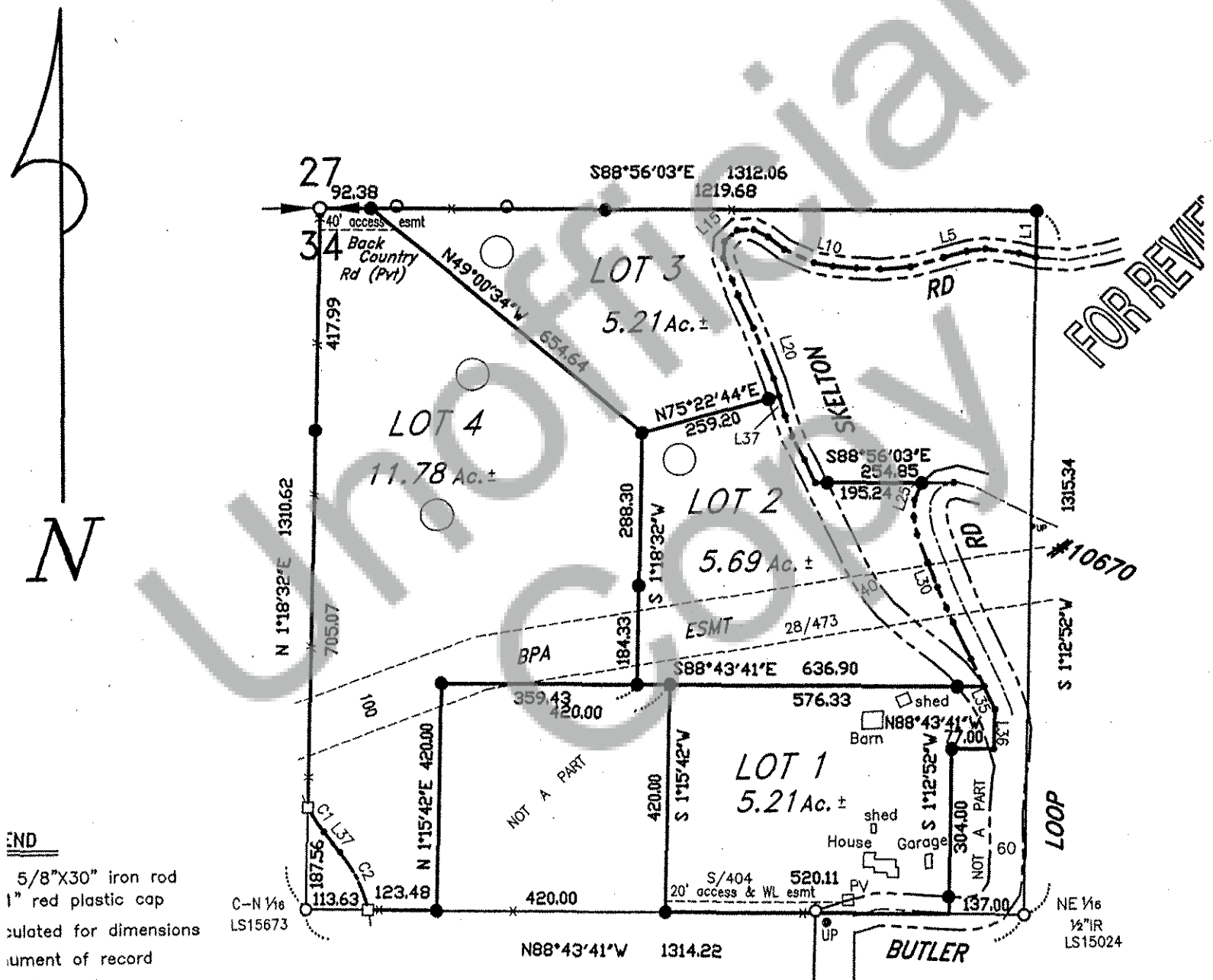
A copy of this Decision, including the Staff Report, was sent to the following:

Persons submitting written comments in a timely manner  
Yakama Indian Nation  
Confederated Tribes of the Umatilla Indian Reservation  
Confederated Tribes of the Warm Springs  
Nez Perce Tribe  
Cowlitz Tribe  
Department of Archaeology and Historic Preservation  
Columbia River Gorge Commission  
U.S. Forest Service - NSA Office  
Board of County Commissioners  
State of Washington Department of Community Trade and Economic Development – Valerie Grigg Davis

# HART FARMS SHORT PLAT

## in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34, T2N, R6E, W.M.

Tax Parcel No. 02-06-34-1-0-0490-00



END

5/8"X30" iron rod  
1" red plastic cap  
insulated for dimensions  
document of record  
of record  
d reference, Bk/Pg

celline  
phone vault  
ty pole  
stric line

WOODARD CREEK RD CENTERLINE

SEG	Δ	RADIUS	LENGTH	BEARING	DIST
C1	12°20'14"	250.00	53.83	S32°22'23"E	53.73
L37				S38°32'30"E	48.74
C2	27°14'37"	250.00	118.87	S25°13'18"E	117.76



BOOK 214 PAGE 707

Exhibit A

The Northwest quarter of the Northeast quarter of Section 34, Township 2 North, Range 6 East of the Willamette Meridian, Skamania County, Washington.

EXCEPT the following parcels:

1. That portion thereof lying Westerly of the centerline of Woodard Creek Road.
2. The South 420 feet of the East 420 feet of the West half of the Northwest quarter of the Northeast quarter of said Section 34.
3. That portion of the East half of the Northwest quarter of the Northeast quarter of said Section 34 lying North of the centerline of Skelton Road, EXCEPT the West 80 feet thereof.
4. That portion of the Northwest quarter of the Northeast quarter of said Section 34, lying East of the centerline of Skelton Road.
5. The East 137 feet of the South 304 feet of the Northwest quarter of the Northeast quarter of said Section 34.