

**CLARK COUNTY  
STAFF REPORT**

**DEPARTMENT:** Community Development

**DATE:** November 24, 2015

**REQUEST:** The applicant is requesting a Plat Alteration approval to modify the slope setback on lot 2 of the recorded short plat.

The site is located on 5.01 acres in the R-5 zone district. Only lot 2 is affected.

**CHECK ONE:**                     Consent                     CAO

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**BACKGROUND**

The site was granted preliminary approval for 2 lots in August 2006 under PLD2006-00020. The final plat, FLD2007-00006, was recorded on June 29, 2007.

The recorded plat shows a varied slope buffer that was a minimum of 48 feet from the top of the slope. The new property owner of lot 2 has had a geotechnical analysis completed on the site that has determined that a 25 foot setback is sufficient to enable structures to be safe.

In order to rectify this problem, a plat alteration is needed. Preliminary review and approval of the plat alteration was accomplished under PLD2015-00019. To finalize this plat alteration, the applicant is required to record a "Declaration Amending Short Plat" with the County Auditor. As required by RCW 58.217.215, signature of the legislative body is required on this document prior to recording. Deputy Prosecuting Attorney Chris Horne has reviewed, approved, and signed the Declaration for this plat alteration.

**COMMUNITY OUTREACH**

With the preliminary plat alteration application, notice was mailed to the applicant, property owners within the short plat, property owners within 500 feet of the plat, and the Ridgefield Junction Neighborhood Association. No comments were received.

**BUDGET AND POLICY IMPLICATIONS**

None

**FISCAL IMPACTS**

Yes (see attached form)                     No



*man  
OK  
N*

AFTER RECORDING MAIL TO:

Name Mark & Joyce Vierck

Address 2163 S 31<sup>st</sup> Ct

City, State, Zip Ridgefield, WA 98642

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Serial #: 216251005  
Sec-T-R: NE ¼ of the NE ¼ of Section 31, T4N, R1E  
Project: Gerald Hinton Short Plat, Plat Alteration PLD2015-00019

*CD 15-66*

DECLARATION AMENDING LOT 2 GERALD HINTON SHORT PLAT  
SHORT PLAT BOOK 03, PAGE 774

We, Mark and Joyce Vierck, the owners of certain real property in Clark County, Washington, legally described therein below (hereinafter "Site"), pursuant to RCW 58.17.215 and CCC 40.540, which, under specific circumstances, allows Clark County to approve alterations to recorded plats, file this declaration to accomplish that end.

RECITALS:

Whereas, Mark and Joyce Vierck are the owners of property, part of a plat recorded under Auditor's File Number 4344590 Short Plat Book 3 at Page 774, the Site, which legal description is set forth in Exhibit A attached hereto; and:

Whereas, the owners have sought to amend the recorded plat to modify the building set back line for Lot 2 to have a 25 foot setback from the top of the slope based on a geotechnical analysis by Geotechnical and Environmental Services Inc. dated December 12, 2014, and

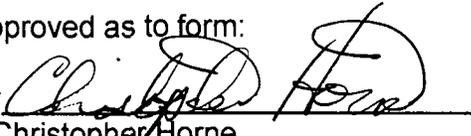
Whereas, this document is required to satisfy the conditions of approval, RCW 58.17.215 and; now, therefore,

1. The undersigned owners declare that they are the sole and exclusive owners of the real property, described in Exhibit A, that is affected by the plat alteration. The plat is recorded in Book 3 Page 774, records of Clark County, Washington.
2. That approved plat to be amended is shown on Exhibit B;
3. A revised drawing of the approved alteration is attached hereto and incorporated herein as Exhibit C.
4. The final plat is only amended as set forth above and in all other aspects are unaffected by the document. A copy of this declaration shall be filed with the Clark County Auditor so as to appear in the chain of title of the affected parcels.

Dated this 12<sup>th</sup> day of November, 2015.

Approved as to form:

By

  
Christopher Horne  
Deputy Prosecuting Attorney

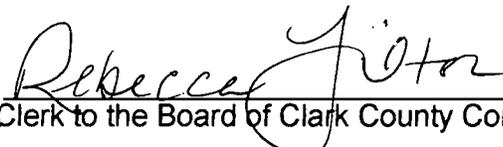
County Commissioners

Approved and accepted by the Board of County Commissioners, Clark County, Washington, this 24<sup>th</sup> day of November, 2015.



Chair of the Board of County Commissioners

Attested by:

  
Clerk to the Board of Clark County Commissioners

*[Handwritten signature of Mark M. Vierck]*  
Mark M. Vierck, Property Owner

*[Handwritten signature of Joyce M. Vierck]*  
Joyce M. Vierck, Property Owner

STATE OF WASHINGTON )  
                                  :SS  
COUNTY OF CLARK     )

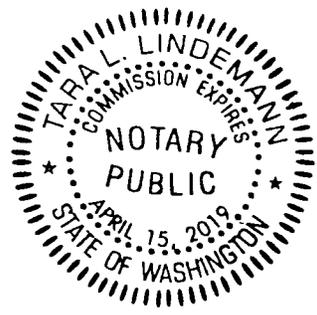
On this day personally appeared before me Mark M. Vierck and Joyce M. Vierck, known to me to be the persons that executed the within and foregoing instrument, and acknowledged said instrument to be his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he/she was authorized to execute said instrument.

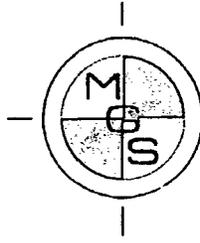
SUBSCRIBED AND SWORN TO BEFORE ME THIS 23<sup>rd</sup> DAY OF October, 2015

*[Handwritten signature of Notary Public]*

Notary Public in and for the State of Washington, residing at Clark County, therein.

My commission expires: 04/15/2019





**MINISTER-GLAESER  
SURVEYING INC.**

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*Vancouver Office – 2200 E. Evergreen Blvd., Vancouver, Washington 98661  
(360) 694-3313 (360) 694-8410 FAX  
Pasco Office – 6303 Burden Blvd. Suite E, Pasco, Washington 99301  
(509) 544-7802 (509) 544-7862 FAX*

**EXHIBIT “A”**

LOT 2 of that Short Plat recorded June 29, 2007 in Book 3 of Short Plats, Page 774, and under Auditor’s File No. 4344590, records of Clark County, Washington; being a portion of the Northeast quarter of Section 31, Township 4 North, Range 1 East of the Willamette Meridian, Clark County, Washington.

# EXHIBIT "B"

BK 3 P 774

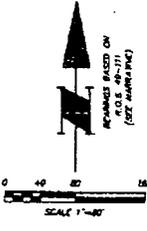
**GERALD HINTON  
SHORT PLAT**  
in the NE 1/4 NE 1/4  
SECTION 31, T4N, R1E, W.M.  
CLARK COUNTY, WA.

ASSESSOR'S PARCEL No (s) OF ORIGINAL TRACT, TAX LOT 19  
SERIAL No. 31231-000, SHORT PLAT FILE 312 2006-0001

**DEED REFERENCE**  
STATUTORY WARRANTY DEED  
NO. 423348 (10/16/2004)  
TO HINTON  
STATUTORY WARRANTY DEED  
NO. 423349 (10/16/2004)  
TO HINTON  
EASEMENT & ROAD MAINTENANCE AGREEMENT  
NO. 423350 (10/16/2004)  
CLINED & THOMPSON  
TO HINTON  
BOUNDARY LINE AGREEMENT  
NO. 423351 (10/16/2004)  
HINTON TO WILLIAMS  
WILLIAMS TO HINTON

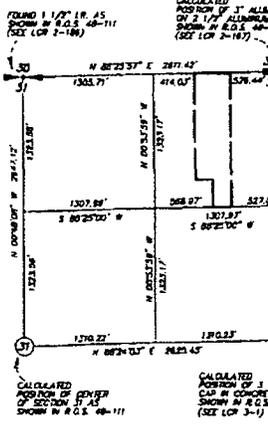
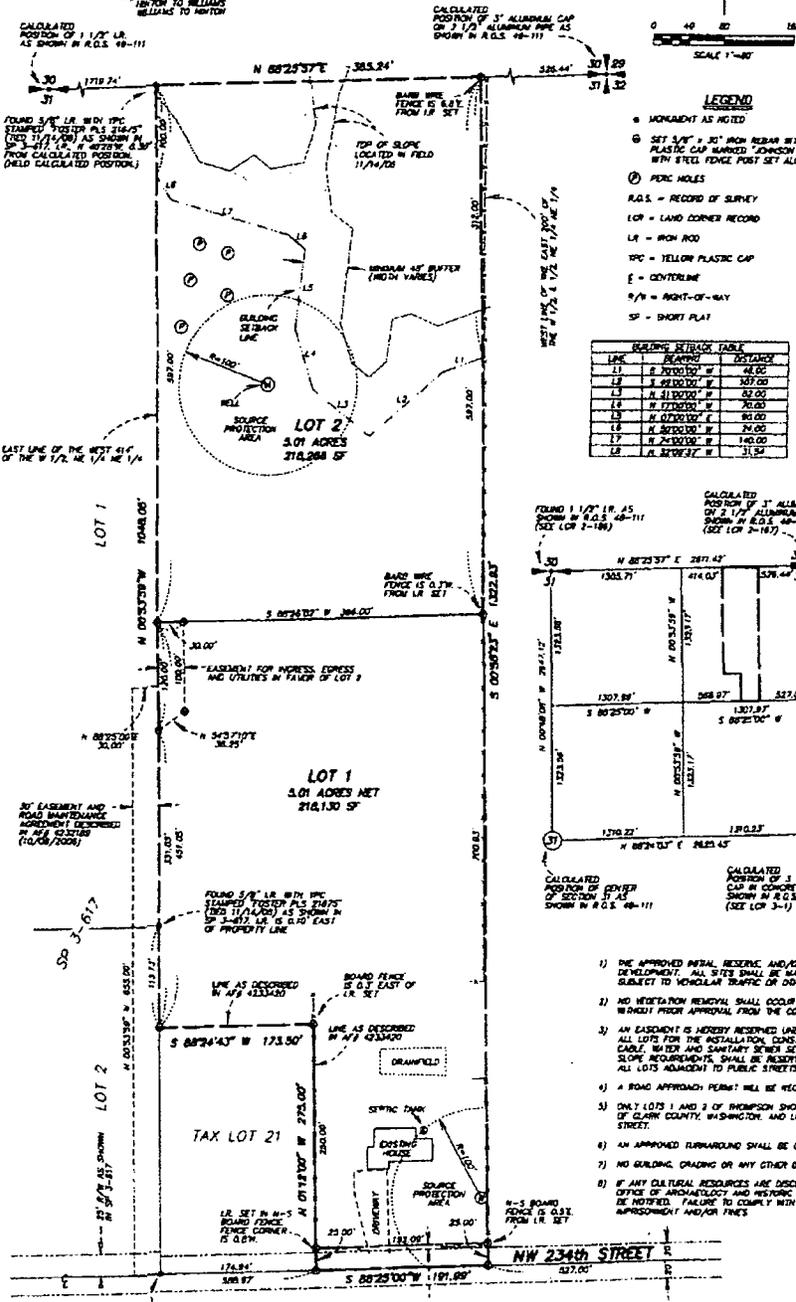
**NARRATIVE**

THE PURPOSE OF THIS SURVEY WAS TO DIVIDE THE HINTON TRACT AS SHOWN INTO TWO LOTS. CONTROL POINTS USED IN CONNECTION WITH A.C.S. 49-111 WERE RECOVERED AND VERIFIED. A NEW MONUMENT WAS THEN RUN THROUGH THE PROJECT AREA ORIGINATING AND CLOSING ON THE ABOVE DESCRIBED RECOVERED CONTROL POINTS. NEW MONUMENTS ESTABLISHED WERE SET RADIALLY FROM THE ABOVE MONUMENT, WHICH MET THE REQUIREMENTS OF WA 43-130-020. FIELD EQUIPMENT USED CONSISTED OF A 2-SECOND TOTAL STATION INSTRUMENT WITH ELECTRONIC DATA COLLECTOR.



- LEGEND**
- MONUMENT AS NOTED
  - SET 3/4" x 3/4" IRON REBAR WITH RED PLASTIC CAP MARKED JOHNSON 42445 WITH STEEL FENCE POST SET ALONGSIDE
  - IRON HOLES
  - R.G.S. = RECORD OF SURVEY
  - L.C.R. = LAND CORNER RECORD
  - IR = IRON ROD
  - TPC = YELLOW PLASTIC CAP
  - E = CENTERLINE
  - R/A = RIGHT-OF-WAY
  - SP = SHORT PLAT

LINE	BEARING	DISTANCE
1	S 89°20'00" W	48.00
2	N 89°20'00" E	337.00
3	N 89°20'00" E	52.00
4	N 89°20'00" E	70.00
5	N 89°20'00" E	80.00
6	N 89°20'00" E	25.00
7	N 89°20'00" E	140.00
8	N 89°20'00" E	31.24



**CLARK COUNTY HEALTH DEPARTMENT**  
THIS SHORT PLAT IS APPROVED IN GENERAL ON THE ALL LAND-USE MUST COMPLY WITH THE RULES & REGULATIONS IN EFFECT AT THE TIME OF IMPLEMENTATION AND/OR PERMIT APPLICATION. AN APPROVED MUNICIPAL PUBLIC UTILITY SUPPLY SYSTEM IS REQUIRED.  
IF AN APPROVED PUBLIC UTILITY SUPPLY SYSTEM IS REQUIRED, LOTS IN THIS PLAT MAY BE SERVED BY INDIVIDUAL BUILT SYSTEMS, SUBJECT TO HEALTH DEPARTMENT APPROVAL.  
IF AN APPROVED PUBLIC UTILITY SYSTEM IS REQUIRED, LOTS IN THIS PLAT MAY BE SERVED BY INDIVIDUAL ON-SITE SEWAGE SYSTEMS, SUBJECT TO HEALTH DEPARTMENT APPROVAL.

*Carla C. Sandoz, P.E.* 6-28-07  
CLARK COUNTY HEALTH OFFICER DATE

**COUNTY PLANNING DIRECTOR**  
APPROVED *Mitchell V. Carter* 6-28-07  
PLANNING DIRECTOR DATE

**PUBLIC WORKS**  
APPROVED *Sharon L. Schaefer* 6-29-07  
CLARK COUNTY ENGINEER DATE

**ASSESSOR**  
THIS PLAT MEETS THE REQUIREMENTS OF R.C.M. 3617.170 LANS OF WASHINGTON TO BE KNOWN AS SHORT PLAT NO. 19 IN THE COUNTY OF CLARK, STATE OF WASHINGTON.  
*Jessica S. Hamilton* 6-29-07  
CLARK COUNTY ASSESSOR DATE

**AUDITOR**  
FILED FOR RECORD THIS 29 DAY OF June 2007  
IN BOOK 3 OF SHORT PLATS AT PAGE 774 AT THE REQUEST OF GERALD HINTON  
4344590  
*Debra K. Williams* 6/29/07  
CLARK COUNTY CLERK DATE

**COUNTY COMMISSIONER**  
APPROVED AND ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF CLARK, STATE OF WASHINGTON, THIS 29 DAY OF June 2007.  
*Sharon L. Schaefer* 6/29/07  
CLERK OF THE BOARD CLERK TO THE BOARD

**SURVEYOR'S CERTIFICATE**  
THIS MAP IS A TRUE AND CORRECT REPRESENTATION OF LANDS ACTUALLY SURVEYED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROVISIONS OF R.C.M. 3617 LANS OF WASHINGTON.



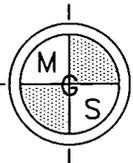
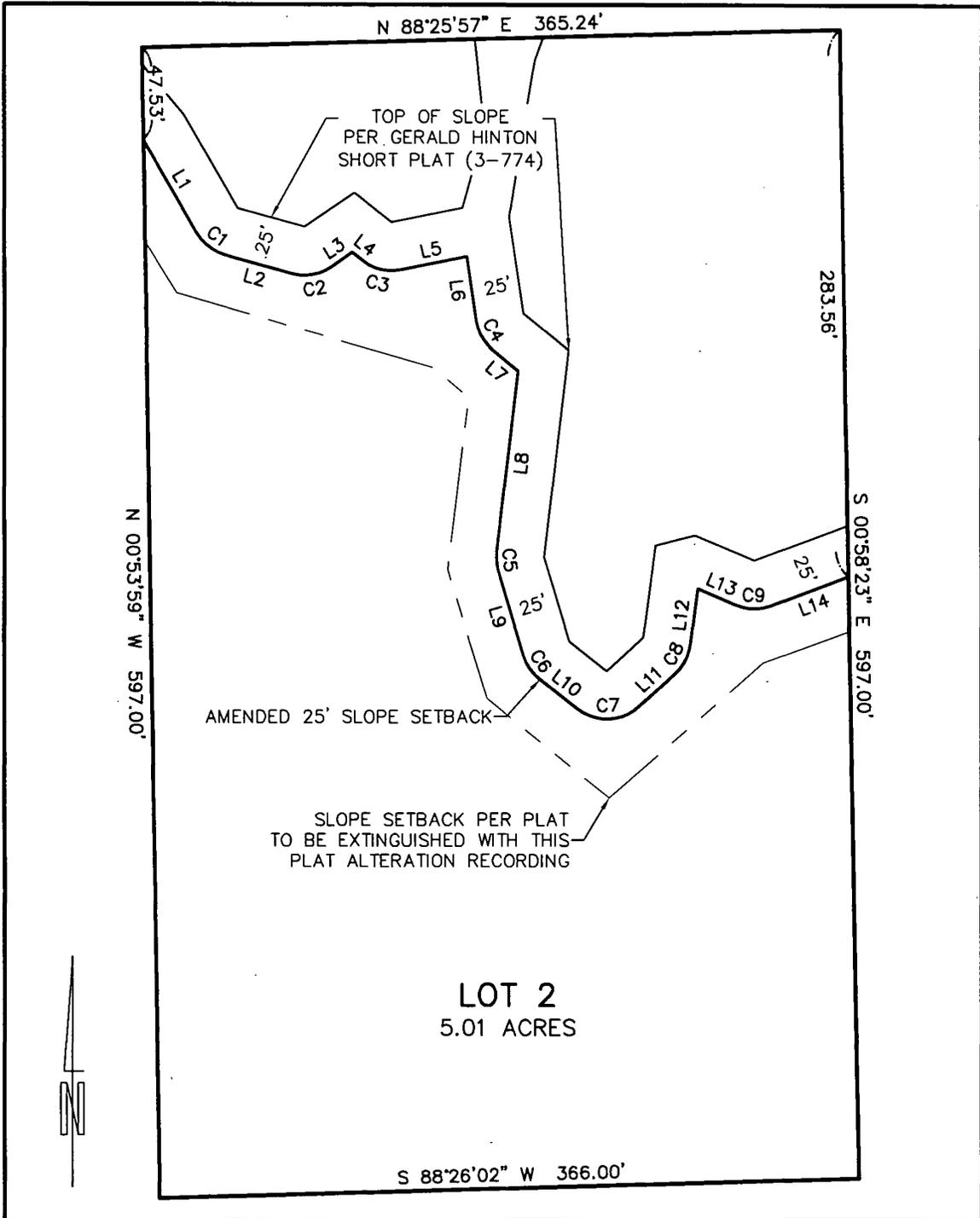
**NOTES**

- 1) THE APPROVED PITAL, RESERVE, AND/OR EXISTING SEWAGE SYSTEM SITES SHALL BE PROTECTED FROM DAMAGE DUE TO DEVELOPMENT. ALL SITES SHALL BE MAINTAINED SO THEY ARE FREE FROM ENCROACHMENT BY BUILDINGS AND NOT BE SUBJECT TO UNWARRANTED TRAFFIC OR OTHER ACTIVITY WHICH WOULD ADVERSELY AFFECT THE SITE OR SYSTEM FUNCTION.
- 2) NO WEEDATION REMOVAL SHALL OCCUR OUTSIDE OF THE DEVELOPMENT DEVELOPER SHOWN ON THE FACE OF THIS PLAT WITHOUT PRIOR APPROVAL FROM THE COUNTY PLANNING DIRECTOR.
- 3) AN EASEMENT IS HEREBY ASSIGNED UNDER AND UPON THE EXTERIOR SIX (6) FEET AT THE FRONT BOUNDARY LINES OF ALL LOTS FOR THE INSTALLATION, CONSTRUCTION, REPAIRS, OPERATION AND MAINTENANCE ELECTRIC, TELEPHONE, TV, CABLE, WATER AND SANITARY SEWER SERVICES. ALSO, A SIDEWALK (AS NECESSARY TO COMPLY WITH ALL SLOPE REQUIREMENTS) SHALL BE ASSIGNED UPON THE EXTERIOR SIX (6) FEET ALONG THE FRONT BOUNDARY LINES OF ALL LOTS ADJACENT TO PUBLIC STREETS.
- 4) A ROAD APPROACH PERMIT WILL BE REQUIRED FOR ANY ADDITIONAL ACCESSES TO NW 234th STREET.
- 5) ONLY LOTS 1 AND 2 OF THOMPSON SHORT PLAT AS RECORDED IN BOOK 3 OF SHORT PLATS, AT PAGE 817, RECORDS OF CLARK COUNTY, WASHINGTON, AND LOT 2 OF THIS PLAT MAY UTILIZE THE JOINT DRIVEWAY FOR ACCESS TO NW 234th STREET.
- 6) AN APPROVED TURNAROUND SHALL BE CONSTRUCTED AT THE END OF THE DRIVEWAY IN LOT 2.
- 7) NO BUILDING, GRADING OR ANY OTHER DEVELOPMENT IS PERMITTED BELOW THE BUILDING SETBACK LINE.
- 8) IF ANY CULTURAL RESOURCES ARE DISCOVERED IN THE COURSE OF UNDERPINNING THE DEVELOPMENT ACTIVITY, THE OFFICE OF ARCHAEOLOGY AND HISTORIC PRESERVATION IN CLARK AND CLARK COUNTY COMMUNITY DEVELOPMENT SHALL BE NOTIFIED. FAILURE TO COMPLY WITH THESE STATE REQUIREMENTS MAY CONSTITUTE A CLASS C VIOLATION, SUBJECT TO APPROPRIATION AND/OR FINES.

NOTE: ALL EASEMENTS SHOWN WITHIN THIS PLAT ARE NON-EXCLUSIVE EASEMENTS FOR PGRESS, EGRESS AND UTILITIES

**HAGEDORN, INC.**  
1824 Broadway Vancouver, WA 98663  
Ph: (360) 896-4422 (503) 283-6778

SCALE 1"=80' CALC BY: BCJ  
DATE: 6/22/07 DRAWN BY: DS  
JOB NO: 03-251 CHECKED BY: BPT DWG NO: 03-251P SHEET 1 OF 1



PREPARED BY:  
**MINISTER-GLAESER**  
**SURVEYING INC.**  
 2200 E. EVERGREEN BLVD.  
 VANCOUVER, WA 98661  
 (360) 694-3313

**EXHIBIT "C"**  
**PLAT ALTERATION DECLARATION**  
**LOT 2, "GERALD HINTON**  
**SHORT PLAT" (03-744)**

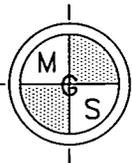
SCALE: 1"=80'  
 JOB NO. 15-249  
 DATE: 10-22-15  
 DWG FILE: 15249EX1  
 SHEET: 1 OF 2  
 DRAWN BY: CSA

### LINE TABLE

LINE	BEARING	DISTANCE
L1	S 30°15'14" E	55.54'
L2	S 74°43'01" E	36.32'
L3	N 55°55'42" E	13.39'
L4	S 52°19'51" E	6.78'
L5	N 78°43'41" E	34.91'
L6	S 08°34'53" E	33.40'
L7	S 50°52'55" E	16.76'
L8	S 06°51'47" W	94.19'
L9	S 16°46'50" E	45.75'
L10	S 51°50'36" E	24.72'
L11	N 47°46'10" E	25.76'
L12	N 07°32'30" E	28.96'
L13	S 67°00'14" E	21.49'
L14	N 69°34'49" E	43.34'

### CURVE TABLE

CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C1	25.00'	44°27'47"	19.40'	S 52°29'07" E	18.92'
C2	25.00'	49°21'17"	21.54'	N 80°36'21" E	20.88'
C3	25.00'	48°56'28"	21.35'	S 76°48'05" E	20.71'
C4	25.00'	42°18'01"	18.46'	S 29°43'54" E	18.04'
C5	25.00'	23°38'36"	10.32'	S 04°57'32" E	10.24'
C6	25.00'	35°03'46"	15.30'	S 34°18'43" E	15.06'
C7	25.00'	80°23'14"	35.08'	N 87°57'47" E	32.27'
C8	25.00'	40°13'41"	17.55'	N 27°39'20" E	17.19'
C9	25.00'	43°24'58"	18.94'	S 88°42'43" E	18.49'



PREPARED BY:  
**MINISTER-GLAESER**  
**SURVEYING INC.**  
 2200 E. EVERGREEN BLVD.  
 VANCOUVER, WA 98661  
 (360) 694-3313

**EXHIBIT "C"**  
**PLAT ALTERATION DECLARATION**  
**LOT 2, "GERALD HINTON**  
**SHORT PLAT" (03-744)**

SCALE: 1" = 80'  
 JOB NO. 15-249  
 DATE: 10-22-15  
 DWG FILE: 15249EX1  
 SHEET: 2 OF 2  
 DRAWN BY: CSA