

BEFORE THE COLUMBIA RIVER GORGE COMMISSION

BARBARA HAIGH,)
)
 Petitioner,)
)
 v.) CRCG C94-0041-W-G-11
)
 JONATHAN DOHERTY,) DECISION
 Executive Director,)
)
 Respondent.)

1. The Columbia River Gorge Commission met on February 28, 1994, to consider the appeal of Barbara Haigh of the decision by the Director of an application to place a mobile home on a 11.52-acre parcel in Wasco County, Oregon.
2. The Commission held a contested case hearing on the appeal, pursuant to Section 10c of the Scenic Area Act, Commission rules 350-16-009 to 350-16-017 and rule 350-70. The Commission admitted as parties to the hearing the appellant; intervenor, Joseph Czerniecki; and the Director. Bob Thompson, Chair of the Commission served as Presiding Officer. Lawrence Watters presented the case for the Executive Director.
3. At the conclusion of the hearing the Commission voted to remand the application back to the Executive Director based on the following findings:
 - a. The Executive Director's approval of the use was correct.
 - b. The property owned by Joseph Czerniecki is suitable for agricultural use.
 - c. The findings of the Executive Director are insufficient to support the decision in regards to the agricultural buffer.
 - d. The decision of the Executive Director in regards to the agricultural buffer is not supported by substantial evidence in the whole record.

ORDER

IT IS HEREBY ORDERED THAT:

1. The application by Barbara Haigh is remanded back to the Executive Director.

2. The Commission adopts as its findings and conclusions of law those addressed above.....

DATED THIS 12th day of April, 1995.

FOR THE COMMISSION:



Bob Thompson
Chair

NOTICE: You are entitled to judicial review of this Final Order within 60 days from the date of this order, pursuant to section 15(b)(4) of the Scenic Area Act, P.L. 99-663.