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BOOK 211 PAGE 55

Return Address: Mark Wharry
2300 SW Hoffman Avenue
Portland, OR 97201

FILED FOR RECORD
SKAMANIA CO. WASH
BY *Mark Wharry*
JUN 12 2 27 PM '01
G. B. Smith
AUDITOR
GARY M. OLSON

Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9458 FAX 509 427-8288

Director's Decision

APPLICANT: Mark Wharry

FILE NO.: NSA-00-31

PROJECT: Construct a 2-Story Single Family Residence, Garage and Barn with New and Existing Cultivation

LOCATION: Ausplund Road off of Cook-Underwood Road; Section 19 of T3N, Range 10E, W.M. and identified as Skamania County Tax Lot #3-10-19-800.

LEGAL: See attached Page 5.

ZONING: General Management Area, Large Scale Agriculture (AG-1)

DECISION: Based upon the entire record before the Director, including particularly the Staff Report, the application by Mark Wharry, described above, subject to the conditions set forth in this Decision, is found to be consistent with Title 22 SCC 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 Department and the Washington State Health District.

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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 Title 22. This document, outlining the conditions of approval, must be recorded in the deed records of the Skamania County Auditor in order to ensure notice of the conditions of approval to successors in interest. SCC §22.06.050(C)(2).

- 1) 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.
- 2) The subject request is approved but includes a phased implementation. Phase I development, as listed below, is hereby approved and tasks outlined therein may commence subject to all other conditions and restrictions set out herein. Phase II, as listed below, may only commence after full compliance with the additional conditions contained below is verified by Planning Staff in addition to all other conditions and restrictions set out herein.

Phase I development: Construction of a 30' x 50' x 30' high barn for agricultural uses.
Field preparation and planting of 4 acres of grapes.

Phase II development: Construction of a single family home for the agricultural operation's owner/operator. Home to be two stories, 2500 square feet and include a rap-a-round porch.

The building permit for Phase II development shall not be issued nor authorized until after the four (4) acres of Pinot Gris grapes have been planted. Said four (4) acres shall contain 2,904 plants at a spacing of 10' rows and 6' centers within each row. Only after this planting is completed will the single family home be approved for construction. All trellising for the grape plants shall be in place prior to the Planning Department signing off on the Occupancy Permit for the single family residence.

- 3) This application only approves the cultivation and planting of 4 acres of Pinot Gris grapes set out in Exhibit A attached to the Staff Report. Future plantings will require a new application.
- 4) Setbacks (including roof/ eaves, decks/ porches) for all structures shall be as follows: For the front, 45 feet from the front lot line or 15 feet from the center of Ausplund Road, whichever is greater. From the north, 250 feet. From the west, 900 feet. From the south, 720 feet. Determination of the property line location is the responsibility of the applicant and must be confirmed by a surveyor if the property boundary is in question.

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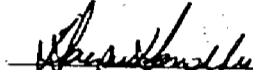
- 5) Grading for the house, barn and garage shall be kept to a minimum. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department. If over 100 cubic yards will be moved, a grading plan shall be submitted to the Planning Department.
- 6) Only non-reflective materials shall be used such as wood and low-gloss paints or stains.
- 7) All exterior lighting shall be hooded or shielded at a 90° angle, in accordance with the "Zoning News" article attached to the Staff Report. Hoods/shields shall be made of non-reflective opaque material which does not allow light to pass through.
- 8) The applicant and future owners shall retain and maintain 5 rows of orchard trees adjacent to Cook-Underwood Road and 5 rows of orchard trees adjacent to the house, garage and barn. Said trees shall extend 100 feet east and 100 feet west of the development site, or to the property line if less than 100 feet from the development site.
- 9) The applicant and future owners shall be responsible for the proper maintenance and survival of all required vegetation in this Decision. Dead and dying trees shall be replaced by the same species in approximately the same location.
- 10) The applicant shall comply with all conditions for visual subordination, prior to final inspection by the Building Department. The applicant shall coordinate all inspections with the Building Department. Planning Department staff should be able to conduct a final inspection site visit within four business days from the time of calling for the inspection. An occupancy permit will not be issued until compliance with all conditions of approval, including visual subordination criteria, have been verified.
- 11) The Planning Department will conduct at least two site visits during construction. One will be to verify the location of the house as stated by this approval. Another will be conducted after all foundation excavation has been completed but prior to the applicant framing up the footers. Each inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Building Department at 509-427-9484.
- 12) The following procedures shall be effected 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 Planning Department and the Gorge Commission within 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 24 hours.

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- c) Survey and Evaluations. The Gorge Commission shall arrange for the cultural resources survey.

Dated and Signed this 11th day of January, 2001, at Stevenson, Washington.


Harpreet Sandhu, Director
Skamania County Planning and Community Development.

NOTES

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

As per SCC §22.06.050(C)(2), the Director's Decision **SHALL BE RECORDED** in the County deed records prior to commencement of the approved project.

As per SCC §22.06.050(C)(5), the decision of the Director 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 decision of the Director shall be final unless reversed or modified on appeal. A written Notice of Appeal may be filed by an interested person within 20 days from the date hereof. Appeal may be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648, on or before 1/31/01. Notice of Appeal forms are available at the Department Office.

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 Director's Decision or any amendments thereto.

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A copy of the Decision was sent to the following:

Skamania County Building Department
Skamania County Assessor's Office

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
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners

LEGAL DESCRIPTION - PARCEL 03 10 19 00 0800

COPY

PARCEL I

Lot 5, EXCEPT that portion lying Easterly of Ausplund County Road (County Road #3091); all of Lot 6; the Northeast Quarter of Lot 7; the East 1/2 of Lot 11 EXCEPT that portion thereof conveyed to Skamania County for Cook-Underwood County Road by instrument dated March 11, 1975 and recorded April 1, 1975 in Book 68 of Deeds at page 620 under Auditor's File No. 78963 and EXCEPT that portion of said East 1/2 of Lot 11 lying Southerly of the South Right-of-way line of said Cook-Underwood County Road; Lot 12 EXCEPT that portion thereof conveyed to Skamania County by said Auditor's File No. 78963 above and EXCEPT that portion of said Lot 12 lying Southerly of the South right-of-way of said Cook-Underwood County Road and EXCEPT that portion of said Lot 12 lying Easterly of Ausplund County Road (County Road #3091; All in Seeley's Subdivision of the Southwest Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

PARCEL II

All that portion of the Southwest Quarter of the Southeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, lying Westerly of the County road known and designated as the Ausplund Road and Northerly of the County road known and designated as the Underwood-Willard Highway.

PARCEL III

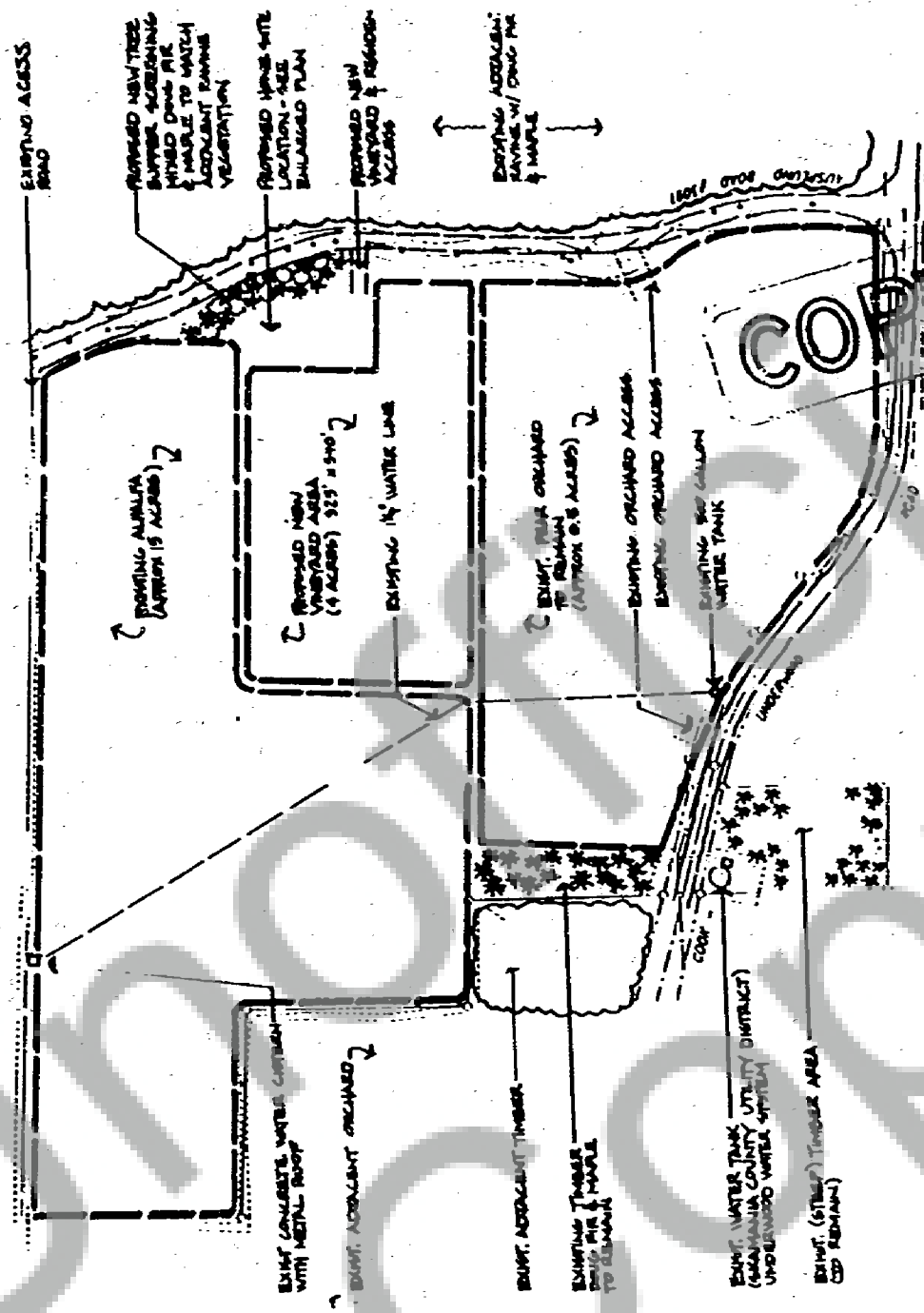
That portion of the Northwest Quarter of the Southeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, lying Westerly of the County road known and designated as the Ausplund Road.

LEGAL DESCRIPTION - PARCEL 03 10 19 00 0802

The East Half of the West Half of Lot 11 SEELEYS SUBDIVISION of the Southwest Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

EXCEPT THAT PORTION CONVEYED TO SKAMANIA COUNTY FOR COOK-UNDERWOOD COUNTY ROAD, RECORDED IN BOOK 68, PAGE 620.

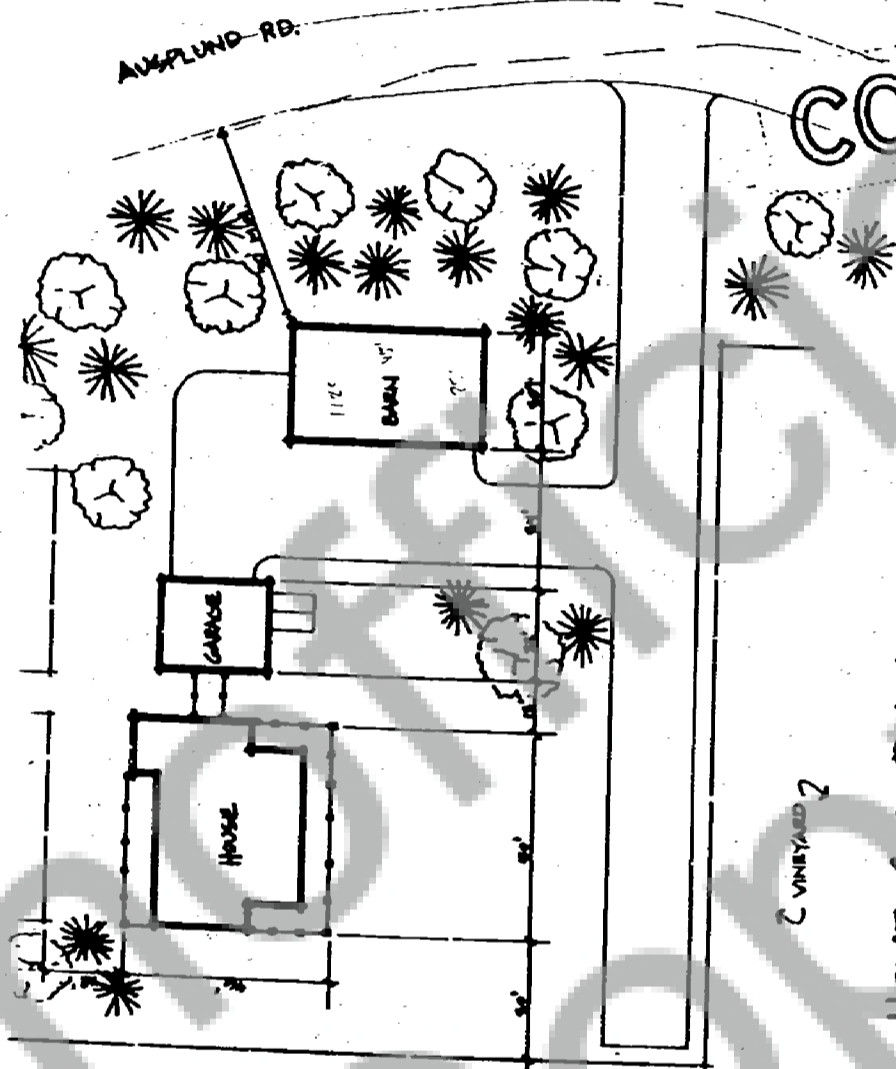
ALSO EXCEPT THAT PORTION CONVEYED TO SKAMANIA COUNTY BY INSTRUMENT RECORDED IN BOOK 188, PAGE 190.



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SITE PLAN:

Scale: 1 inches = 40 feet



NOTE: THIS DRAWING IS PRELIMINARY AND IS INTENDED FOR GENERAL LAND USE REVIEW PURPOSES ONLY. FURTHER REVISIONS AND ADJUSTMENT IN LAYOUT MAY BE NECESSARY DURING THE DETAILED DESIGN PHASE.

HOME SITE PLAN

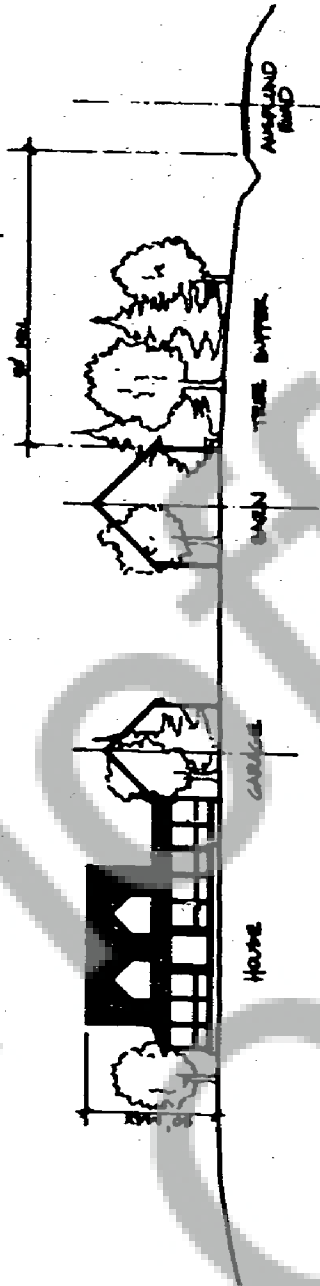
I will be moving more than 100 cubic yards of soil: yes ☐ no ☐
 Additional pages must have 1" margins
 Site plan must be completed in ink.

NOTICE: This is an initial site plan, it may be revised throughout the application process.

ELEVATION DRAWINGS:

Scale: 1 inch = 40 feet

COPY



SITE ELEVATION

NOTE: THIS DRAWING IS PRELIMINARY AND IS
INTENDED FOR GENERAL LAND USE REVIEW
PURPOSES ONLY. FURTHER REVISIONS AND
ADJUSTMENTS MAY BE NECESSARY
DURING THE DETAILED DESIGN PHASE.



Additional pages must have 1" margin.

Elevation drawings must be in ink.