

142112

BOOK 213 PAGE 883

Return Address: Terry Schulz  
1802 Duncan Creek, Road  
Skamania, WA 98648

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY *Terry Schulz*

AUG 23 4 49 PM '01  
*G. Bartels*  
AUDITOR  
GARY H. OLSON

Skamania County  
Department of Planning and  
Community Development

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-9451 FAX 509 427-8288

Administrative Decision

**APPLICANT:** Terry Schulz  
**FILE NO.:** NSA-01-28  
**PROJECT:** Construct Equipment Storage and Turnaround Areas  
**LOCATION:** 1802 Duncan Creek Road in Skamania; Section 28 of T2N, Range 6E, W.M. and identified as Skamania County Tax Lot #2-6-28-1004 & 1000  
**LEGAL:** See attached Page 511  
**ZONING:** General Management Area - Small Woodland Forest (F-3)  
**DECISION:** Based upon the Staff Report, the application by Terry Schulz, 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.

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

Skamania County Planning and Community Development  
File: NSA-01-28 Administrative Decision  
Page 2

**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) Setbacks (including roof/ eaves, decks/ porches) for all structures shall be as follows: Front yard: 50 feet from the centerline of the street or road or 30 feet from the front property line, whichever is greater, Side yard: 20 feet, Rear yard: 25 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.
- 3) The 100 foot buffer from Duncan Creek shall be maintained in a natural condition.
- 4) Grading shall be limited to that which is necessary. Graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department.
- 5) If over 100 cubic yards will be received/moved for this development on slopes between 10-30%, a grading plan in compliance with the requirements in §22.10.020(B)20(a-b) listed below, shall be submitted to the Planning Department, prior to issuance of a fill permit. If under 100 cubic yards will be moved, then that applicant shall indicate so, in writing, to the Planning Department prior to issuance of a permit.
  - a) A map of the site, prepared at a scale of one inch equals 200 feet (1:2,400) or a scale providing greater detail, with contour intervals of at least five feet, including:
    - i) Existing and proposed final grades.
    - ii) Location of all areas to be graded, with cut banks and fill slopes delineated.
    - iii) Estimated dimensions of graded areas.
  - b) A narrative description of the proposed grading activity, including:
    - i) Its purpose.
    - ii) An estimate of the total volume of material to be moved.
    - iii) The height of all cut banks and fill slopes.
    - iv) Provisions to be used for compactions, drainage, and stabilization of graded areas. Preparation of this information by a licensed engineer or engineering geologist is recommended.

Skamania County Planning and Community Development  
File: NSA-01-28 Administrative Decision  
Page 3

- v) A description of plant materials used to re-vegetate exposed slopes and banks, including the species, number, size and location of plants, and a description of irrigation provisions or other measures necessary to ensure the survival of plantings.
  - vi) A description of any other interim or permanent erosion control measures to be used.
- 6) No trees are indicated for removal and none are permitted.
- 7) Vegetation within 30 feet of the edge of each development site, stretching from the northeast edge of the sites to the southwestern edge of each site, shall be retained and maintained. See staff additions to attached site plan.
- 8) The applicant and future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter. Dead and dying trees shall be replaced with the same species in approximately the same location.
- 9) The applicant shall call for a final inspection upon project completion, to ensure compliance with all conditions, including those for visual subordination. 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.
- 10) 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.
  - c) **Survey and Evaluations.** The Gorge Commission shall arrange for the cultural resources survey.

Dated and Signed this 16<sup>th</sup> day of July, 2001, at Stevenson, Washington.

  
Heather O'Donnell, Associate Planner

Skamania County Planning and Community Development.



Skamania County Planning and Community Development  
File: NSA-01-28 Administrative Decision  
Page 4

#### 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), this Administrative Decision **SHALL BE RECORDED** in the County deed records prior to commencement of the approved project.

As per SCC §22.06.050(C)(5), 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

This Administrative Decision 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 8/16/01. 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 Administrative Decision or any amendments thereto.

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

\\Fs2sys\Odonnell\DO\West\Schutz\Innaround\01-28.doc

EXHIBIT 1

TRACT 4 (21.02 ACRES):

A portion of the Northwest quarter of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 28, Township 2 North, Range 6 East, Skamania County, Washington, described as follows:

BEGINNING at an iron pipe with brass cap marking the quarter corner between Section 28 and 33; thence North  $00^{\circ} 55' 04''$  East, 1309.30 feet to the Southwest corner of the Northwest quarter of the Southeast quarter of Section 28 as shown in the "Mac Donald Short Plat" as recorded in Book 3 of Short Plats, page 253, Skamania County Auditor's Records; thence South  $88^{\circ} 53' 21''$  East, along the South line of the Northwest quarter of the Southeast quarter as shown in Short Plat 3-253, for a distance of 973.00 feet to a 5/8 inch iron rod as set in a 1999 "Hagedorn, Inc. Survey" and the TRUE POINT OF BEGINNING; thence, leaving said South line, and following the centerline of a 60-foot road easement, North  $59^{\circ} 00' 00''$  East, 165.00 feet; thence along the arc of a 50 foot radius curve to the left, through a central angle of  $92^{\circ} 00' 00''$ , for an arc distance of 80.29 feet; thence North  $33^{\circ} 00' 00''$  West, 25.00 feet; thence, leaving said easement centerline, North  $88^{\circ} 22' 10''$  East, 865.41 feet to a 5/8 inch iron rod (1999 "Hagedorn, Inc. Survey"); thence South  $02^{\circ} 18' 51''$  East, 1533.18 feet to a 5/8 inch iron rod (1999 "Hagedorn, Inc. Survey") on the South line of the Southeast quarter of Section 28 at a point that bears North  $88^{\circ} 51' 45''$  West, 550.00 feet from the Southeast corner of Section 28; thence North  $88^{\circ} 51' 45''$  West, 440.00 feet to the Southeast corner of the "Nichols tract" as described in Book 143 of Deeds, page 470, Skamania County Auditor's Records; thence North  $00^{\circ} 48' 20''$  East, 655.03 feet to a 5/8 inch iron rod (1999 "Hagedorn, Inc. Survey") at the Northeast corner of the "Nichols tract"; thence North  $88^{\circ} 52' 33''$  West, 316.94 feet to the Northwest corner of said "Nichols tract"; thence North  $00^{\circ} 51' 42''$  East, 654.95 feet to the Northeast corner of the Southwest quarter of the Southeast quarter of Section 28; thence North  $88^{\circ} 53' 21''$  West, 333.29 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH a 30-foot non-exclusive easement for ingress, egress, and utilities as described in Book 186 of Deeds, page 262, more particularly described as follows:

BEGINNING at a point in the center of the Duncan Creek Road that bears South  $62^{\circ} 52' 11''$  East, 176.68 feet from the Northwest corner of the Southwest quarter of the Southeast quarter of Section 28; thence North  $72^{\circ} 00' 00''$  East, 44.93 feet; thence along the arc of a 200 foot radius curve to the right, through a central angle of  $21^{\circ} 00' 00''$ , for an arc distance of 73.30 feet; thence South  $87^{\circ} 00' 00''$  East, 40.00 feet; thence along the arc of a 250 foot radius curve to the left, through a central angle of  $27^{\circ} 00' 00''$ , for an arc distance of 117.81 feet; thence North  $66^{\circ} 00' 00''$  East, 70.00 feet to the North line of the Southwest quarter of the Southeast quarter of Section 28 at a point that bears South  $88^{\circ} 53' 21''$  East, 491.00 feet from the Northwest corner of the Southwest quarter of the Southeast quarter of Section 28 and the terminus of said easement centerline. (the sidelines of said easement to be extended or shortened so as to terminate on the North line of the Southwest quarter of the Southeast quarter of Section 28).

EXCEPT any portion lying within the Duncan Creek County Road.

TOGETHER WITH a 30-foot non-exclusive easement for ingress, egress, and utilities, the South line of which is described as follows:

BEGINNING at a point on the South line of the Northwest quarter of the Southeast quarter of Section 28 that is South  $88^{\circ} 53' 21''$  East, 455.00 feet from the Southwest corner thereof; thence South  $88^{\circ} 53' 21''$  East, along the South line of the Northwest quarter of the Southeast quarter of Section 28, for a distance of 518.00 feet to the terminus of the South easement line to be described:



TOGETHER WITH AND SUBJECT TO a 60-foot non-exclusive easement for ingress, egress, and utilities, the centerline of which is described as follows:

BEGINNING at an iron pipe with brass cap marking the quarter corner between Section 28 and 33; thence North  $00^{\circ} 55' 04''$  East, 1309.30 feet to the Southwest corner of the Northwest quarter of the Southeast quarter of Section 28 as shown in the "Mac Donald Short Plat" as recorded in Book 3 of Short Plats, page 253, Skamania County Auditor's Records; thence South  $88^{\circ} 53' 21''$  East, along the South line of the Northwest quarter of the Southeast quarter as shown in Short Plat 3-253, for a distance of 973.00 feet to a 5/8 inch iron rod as set in a 1999 "Hagedorn, Inc. Survey" and the TRUE POINT OF BEGINNING of the easement centerline to be described; thence, leaving said South line, and following the centerline of a 60-foot road easement, North  $59^{\circ} 00' 00''$  East, 165.00 feet; thence along the arc of a 50 foot radius curve to the left, through a central angle of  $92^{\circ} 00' 00''$ , for an arc distance of 80.29 feet; thence North  $33^{\circ} 00' 00''$  West, 25.00 feet; thence along the arc of a 100 foot radius curve to the right, through a central angle of  $36^{\circ} 00' 00''$ , for an arc distance of 62.83 feet; thence North  $03^{\circ} 00' 00''$  East, 75.00 feet; thence along the arc of a 150 foot radius curve to the left, through a central angle of  $37^{\circ} 00' 00''$ , for an arc distance of 96.87 feet; thence North  $34^{\circ} 00' 00''$  West, 65.00 feet; thence along the arc of a 70 foot radius curve to the right, through a central angle of  $48^{\circ} 00' 00''$ , for an arc distance of 58.64 feet; thence North  $14^{\circ} 00' 00''$  East, 35.00 feet; thence along the arc of a 100 foot radius curve to the left, through a central angle of  $53^{\circ} 00' 00''$ , for an arc distance of 92.50 feet; thence North  $39^{\circ} 00' 00''$  West, 40.00 feet; thence along the arc of a 35 foot radius curve to the right, through a central angle of  $200^{\circ} 00' 00''$ , for an arc distance of 122.17 feet; thence South  $19^{\circ} 00' 00''$  East, 30.00 feet; thence along the arc of a 300 foot radius curve to the left, through a central angle of  $19^{\circ} 00' 00''$ , for an arc distance of 99.48 feet; thence South  $38^{\circ} 00' 00''$  East, 140.00 feet to the terminus of said 60 foot easement centerline at a point hereinafter called point "A".

TOGETHER WITH and SUBJECT TO a 20-foot license for access, the centerline of which is described as follows:

BEGINNING at point "A", above described; thence South  $34^{\circ} 00' 00''$  East, 785.00 feet; thence along the arc of a 330 foot radius curve to the right, through a central angle of  $32^{\circ} 00' 00''$ , for an arc distance of 184.31 feet; thence South  $02^{\circ} 00' 00''$  East, 50.00 feet; thence along the arc of a 200 foot radius curve to the left, through a central angle of  $35^{\circ} 00' 00''$ , for an arc distance of 122.17 feet; thence South  $37^{\circ} 00' 00''$  East, 35.00 feet; thence along the arc of a 200 foot radius curve to the left, through a central angle of  $18^{\circ} 00' 00''$ , for an arc distance of 55.85 feet; thence South  $53^{\circ} 00' 00''$  East, 25.00 feet; thence along the arc of a 700 foot radius curve to the right, through a central angle of  $10^{\circ} 00' 00''$ , for an arc distance of 122.17 feet; thence South  $43^{\circ} 00' 00''$  East, 90.79 feet; thence along the arc of a 156.95 foot radius curve to the left, through a central angle of  $23^{\circ} 00' 00''$ , for an arc distance of 83.00 feet to the terminus of said "License centerline" at a point on the East line of the above described tract that bears North  $88^{\circ} 51' 45''$  West, 550.00 feet and North  $02^{\circ} 18' 51''$  West, 550.00 feet from the Southeast corner of Section 28. (The sidelines of said 20-foot license shall be extended or shortened so as to terminate on the East line of the above described tract).





**HAGEDORN, INC.**

1924 Broadway, Suite 8 • Vancouver, WA 98663  
(360) 696-4426 • (503) 293-8778 • FAX (360) 694-8834

February 22, 1999

**LEGAL DESCRIPTION  
FOR  
FRED MAC DONALD**

**TRACT 1 (23.98 ACRES):**

A portion of the Northwest quarter of the Southeast quarter and the Northeast quarter of the Southwest quarter of Section 28, Township 2 North, Range 6 East, Skamania County, Washington, described as follows:

BEGINNING at an iron pipe with brass cap marking the quarter corner between Section 28 and 33; thence North  $00^{\circ} 55' 04''$  East, 1309.30 feet to the Southwest corner of the Northwest quarter of the Southeast quarter of Section 28 as shown in the "Mac Donald Short Plat" as recorded in Book 3 of Short Plats, page 253, Skamania County Auditor's Records and the TRUE POINT OF BEGINNING; thence South  $86^{\circ} 53' 21''$  East, along the South line of the Northwest quarter of the Southeast quarter as shown in Short Plat 3-253, for a distance of 973.00 feet to a 5/8 inch iron rod as set in a 1999 "Hagedorn, Inc. Survey"; thence, leaving said South line, and following the centerline of a 60-foot road easement, North  $59^{\circ} 00' 00''$  East, 165.00 feet; thence along the arc of a 50 foot radius curve to the left, through a central angle of  $92^{\circ} 00' 00''$ , for an arc distance of 80.29 feet; thence North  $33^{\circ} 00' 00''$  West, 25.00 feet; thence along the arc of a 100 foot radius curve to the right, through a central angle of  $36^{\circ} 00' 00''$ , for an arc distance of 62.83 feet; thence North  $03^{\circ} 00' 00''$  East, 75.00 feet; thence along the arc of a 150 foot radius curve to the left, through a central angle of  $37^{\circ} 00' 00''$ , for an arc distance of 96.87 feet; thence North  $34^{\circ} 00' 00''$  West, 65.00 feet; thence along the arc of a 70 foot radius curve to the right, through a central angle of  $48^{\circ} 00' 00''$ , for an arc distance of 58.64 feet; thence North  $14^{\circ} 00' 00''$  East, 35.00 feet; thence along the arc of a 100 foot radius curve to the left, through a central angle of  $53^{\circ} 00' 00''$ , for an arc distance of 92.50 feet; thence North  $39^{\circ} 00' 00''$  West, 40.00 feet; thence along the arc of a 35 foot radius curve to the right, through a central angle of  $200^{\circ} 00' 00''$ , for an arc distance of 122.17 feet; thence South  $19^{\circ} 00' 00''$  East, 30.00 feet; thence, leaving said 60-foot road easement centerline, North  $62^{\circ} 06' 00''$  East, 200.89 feet; thence North  $30^{\circ} 00' 00''$  West, 310.00 feet; thence North  $47^{\circ} 00' 00''$  West, 130.00 feet; thence South  $48^{\circ} 00' 00''$  West, 300.00 feet; thence South  $82^{\circ} 00' 00''$  West, 550.00 feet to the most Easterly corner of the "Heffernan tract" as described in Book 142 of Deeds, page 736, Skamania County Auditor's Records; thence South  $44^{\circ} 27' 43''$  West, 253.01 feet to the most Southerly corner of the "Heffernan tract"; thence North  $65^{\circ} 13' 53''$  West, 43.13 feet to a point on the West line of the Northwest quarter of the Southeast quarter of Section 28 and the Southwest corner of the "Heffernan tract"; thence South  $00^{\circ} 55' 04''$  West, along said West line, 47.74 feet to the Northeast corner of the "Mac Donald tract" as

Fred Mac Donald  
Tract 1 (23.98 acres):  
 Page 2

described in Book 142 of Deeds, page 738, Skamania County Auditor's Records; thence, following the Northwestern line of the "Mac Donald tract", South 55° 57' 16" West, 49.75 feet; thence South 52° 33' 56" West, 53.22 feet; thence South 59° 45' 48" West, 91.57 feet; thence South 53° 54' 16" West, 41.90 feet to the centerline of Duncan Creek Road and the Northwest corner of the "Mac Donald tract"; thence, following said centerline, along the arc of a 350 foot radius curve to the left, (the radial bearing of which is South 84° 16' 09" East), through a central angle of 31° 54' 07", for an arc distance of 194.88 feet; thence South 26° 10' 16" East, 102.52 feet; thence along the arc of a 300 foot radius curve to the left, through a central angle of 25° 29' 54", for an arc distance of 133.51 feet to the West line of the Northwest quarter of the Southeast quarter of Section 28 and the Southern corner of said "Mac Donald tract"; thence South 00° 55' 04" West, 78.93 feet to the TRUE POINT OF BEGINNING.

EXCEPT County Roads.

TOGETHER WITH a 30-foot non-exclusive easement for ingress, egress, and utilities as described in Book 186 of Deeds, page 282, more particularly described as follows:

BEGINNING at a point in the center of the Duncan Creek Road that bears South 62° 52' 11" East, 178.88 feet from the Northwest corner of the Southwest quarter of the Southeast quarter of Section 28; thence North 72° 00' 00" East, 44.93 feet; thence along the arc of a 200 foot radius curve to the right, through a central angle of 21° 00' 00", for an arc distance of 73.30 feet; thence South 87° 00' 00" East, 40.00 feet; thence along the arc of a 250 foot radius curve to the left, through a central angle of 27° 00' 00", for an arc distance of 117.81 feet; thence North 66° 00' 00" East, 70.00 feet to the North line of the Southwest quarter of the Southeast quarter of Section 28 at a point that bears South 88° 53' 21" East, 491.00 feet from the Northwest corner of the Southwest quarter of the Southeast quarter of Section 28 and the terminus of said easement centerline. (the sidelines of said easement to be extended or shortened so as to terminate on the North line of the Southwest quarter of the Southeast quarter of Section 28).

EXCEPT any portion lying within the Duncan Creek County Road.

SUBJECT to a 30-foot non-exclusive easement for ingress, egress, and utilities, the South line of which is described as follows:

BEGINNING at a point on the South line of the Northwest quarter of the Southeast quarter of Section 28 that is South 88° 53' 21" East, 455.00 feet from the Southwest corner thereof; thence South 88° 53' 21" East, along the South line of the Northwest quarter of the Southeast quarter of Section 28, for a distance of 518.00 feet to the terminus of the South easement line to be described:



BOOK 213 PAGE 893

Fred Mac Donald  
Tract 1 (23.98 acres)  
Page 3

TOGETHER WITH AND SUBJECT TO a 60-foot non-exclusive easement for ingress, egress, and utilities, the centerline of which is described as follows:

BEGINNING at an iron pipe with brass cap marking the quarter corner between Section 28 and 33; thence North  $00^{\circ} 55' 04''$  East, 1309.30 feet to the Southwest corner of the Northwest quarter of the Southeast quarter of Section 28 as shown in the "Mac Donald Short Plat" as recorded in Book 3 of Short Plats, page 253, Skamania County Auditor's Records; thence South  $88^{\circ} 53' 21''$  East, along the South line of the Northwest quarter of the Southeast quarter as shown in Short Plat 3-253, for a distance of 973.00 feet to a 5/8 inch iron rod as set in a 1999 "Hagedorn, Inc. Survey" and the TRUE POINT OF BEGINNING of the easement centerline to be described; thence, leaving said South line, and following the centerline of a 60-foot road easement, North  $59^{\circ} 00' 00''$  East, 165.00 feet; thence along the arc of a 50 foot radius curve to the left, through a central angle of  $92^{\circ} 00' 00''$ , for an arc distance of 80.29 feet; thence North  $33^{\circ} 00' 00''$  West, 25.00 feet; thence along the arc of a 100 foot radius curve to the right, through a central angle of  $36^{\circ} 00' 00''$ , for an arc distance of 62.83 feet; thence North  $03^{\circ} 00' 00''$  East, 75.00 feet; thence along the arc of a 150 foot radius curve to the left, through a central angle of  $37^{\circ} 00' 00''$ , for an arc distance of 96.87 feet; thence North  $34^{\circ} 00' 00''$  West, 85.00 feet; thence along the arc of a 70 foot radius curve to the right, through a central angle of  $48^{\circ} 00' 00''$ , for an arc distance of 58.64 feet; thence North  $14^{\circ} 00' 00''$  East, 35.00 feet; thence along the arc of a 100 foot radius curve to the left, through a central angle of  $53^{\circ} 00' 00''$ , for an arc distance of 92.50 feet; thence North  $39^{\circ} 00' 00''$  West, 40.00 feet; thence along the arc of a 35 foot radius curve to the right, through a central angle of  $200^{\circ} 00' 00''$ , for an arc distance of 122.17 feet; thence South  $19^{\circ} 00' 00''$  East, 30.00 feet to the terminus of said 60 foot easement centerline.

LD-1999MACDONALD-1.caw



2-25-99



