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BOOK 226 PAGE 444

Return Address: Paul Huber  
11151 Cook-Underwood Road  
Underwood, WA 98651

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY *Paul Huber*

JUL 12 9 41 AM '02

*Placy*  
AUDITOR

J. MICHAEL GARVISON

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

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-9458 FAX 509 427-8281

**Administrative Decision**

**APPLICANT:** Paul Huber

**FILE NO.:** NSA-01-06

**PROJECT:** Agricultural Labor Housing.

**LOCATION:** 11151 Cook-Underwood Road; Section 21 of T3N, R10E, W.M. and identified as Skamania County Tax Lot #03-10-21-3-0-0400.

**LEGAL DESCRIPTION:** See page five.

**ZONING:** General Management Area-Large Scale Agriculture (Ag-1).

**DECISION:** Based upon the entire record, including particularly the Preliminary Staff Report, the application by Paul Huber, 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.

Exp. 10-08  
Order 10-  
10-08  
10-08  
10-08



Skamania County Planning and Community Development  
File: NSA-01-06 (Huber) 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, 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 §22.06.050(C)(2).


- 1) All developments shall be consistent with the final 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 portion of the two eastern most rows of pear trees running from the northern most edge of the northern housing unit to 20' south of the southern housing unit shall be retained. If the applicant chooses to discontinue the pear orchard and remove the trees then those pear trees which must be retained shall be replaced with an equal number of screening trees, at least half of which shall be native to the setting or commonly found in the area and at least one quarter shall be coniferous to provide winter screening.
- 3) Of the two agricultural labor housing units, only one shall be a full-time residence. The other shall be seasonal, not to be occupied for more than nine months out of the year.
- 4) In the event that the need for agricultural labor housing no longer exists, the subject housing shall be removed.
- 5) All cut banks and fill slopes shall be re-seeded with native vegetation prior to the issuance of an occupancy permit or prior to final inspection for the labor housing.
- 6) Prior to the issuance of a Building Permit, the applicant shall submit dark and either natural or earth-tone colors samples for the exterior of the proposed labor housing to the Planning Department for approval. The green color sample for the roof that was submitted by the applicant has been approved. If the applicant would like to use this color for the roof they must notify the planning department of this prior to issuance of a building permit.
- 7) The exteriors, including roof materials, of the two agricultural labor housing units shall be composed of non-reflective material or materials with low reflectivity. If the applicant chooses to use a metal roof, they must first submit samples to the Planning Department which show that the metal has been treated in such a way as to make it low or none reflective.
- 8) Exterior lighting shall be directed downward and sited, hooded and shielded such that it is not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective, opaque materials. Opaque means that it does not allow light to pass through the shield or hood. All lights should be hooded and shielded so as to have a luminary with less than a 90 degree cutoff.



Skamania County Planning and Community Development  
File: NSA-01-06 (Huber) Administrative Decision  
Page 3

- 9) Where feasible, vegetative landscaping shall retain the open character of existing pastures and fields.
- 10) All of the above conditions relating to visual subordination shall be satisfied prior to final inspection or issuance of an occupancy permit as there are not any special conditions that would require additional time to achieve compliance.
- 11) Property line setbacks shall be: Front yard - 50 feet from the centerline of the street or road or 30 feet from the property line, whichever is greater; Side yard - 20 feet; Rear yard - 25 feet. All structures, except fences, including eaves, awnings and overhangs should be required to meet these setbacks. Setbacks are established from property lines, not fence lines. If any question arises regarding the location of the property lines, the applicant shall be required to hire a professional land surveyor to locate the property lines and mark them with temporary staking prior to a building permit being issued. Staking must remain during construction and all building inspections.
- 12) A 150' agricultural setback shall be applied from the northern and eastern property lines. Therefore, all development shall be setback a minimum of 150' from the northern and eastern property lines.
- 13) 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 21<sup>st</sup> day of June, 2002, at Stevenson, Washington.

  
Steve Grichel, Associate Planner  
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.



Skamania County Planning and Community Development  
File: NSA-01-06 (Huber) Administrative Decision  
Page 4

As per SCC §22.06.050(C)(2), this Administrative Decision shall be recorded, by the applicant, in the County deed records prior to commencement of the approved project.

As per SCC §22.06.050(C)(5), this 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 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. 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

BOOK 166 PAGE 959  
BOOK 226 PAGE 448

EXHIBIT "A"

The West Half of the Northwest Quarter of the Southwest Quarter and all that portion of the North Half of the Southwest Quarter of the Southwest Quarter lying Northerly of the County Road (Underwood-Willard Highway) all in Section 21, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

EXCEPTING THEREFROM the following:

1. Beginning at an iron pipe at the Northwest corner of the Southwest Quarter of the Southwest Quarter of the said Section 21; thence East 217 feet; thence North 35.25 feet; thence East 150 feet; thence South 202 feet to the North line of the right of way of said county road; thence Westerly along the North line of said road 391.75 feet to intersection with the West line of the said Section 21; thence North 202 feet to the point of beginning.
2. That portion conveyed to Skamania County by instrument recorded January 17, 1972 in Book 63, Page 670, Skamania County Deed Records.

88.2

Cary M. Marsh, Skamania County Auditor  
Date 7-7-97 Parcel # 3-10-31-3-703  
C/M



