

145332

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Return Address: Paul and Sally Newell  
142 Dona Road  
Underwood, WA 98651

FILED FOR RECORD  
SKAMANIA CO. WASH.  
BY *Sally Newell*

JUL 22 2 27 PM '02

*Looney*  
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 509 427-8288

Administrative Decision

FILED  
JUL 22 2 27 PM '02  
J. MICHAEL GARVISON  
AUDITOR

**APPLICANT:** Paul and Sally Newell

**FILE NO.:** NSA-01-62

**PROJECT:** Convert an existing dwelling to an agricultural structure which would also contain a produce stand, plus install a deer fence around an existing garden.

**LOCATION:** 541 Orchard Lane, in Underwood; Section 15 of T3N, R10E, W.M. and identified as Skamania County Tax Lot #03-10-15-300.

**LEGAL DESCRIPTION:** See page five.

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

**DECISION:** Based upon the entire record, including particularly the Staff Report, the application by Paul and Sally Newell, 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.

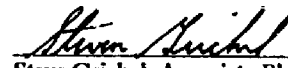
**CONDITIONS OF APPROVAL:**

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, 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) Within 90 days of the date of this Administrative Decision, the applicant shall apply with Building Department for a Change of Use permit, pay all fees, and shall remove the kitchen from the subject building. Once the kitchen is removed the applicant shall contact the Planning Department to arrange for an inspection. The applicant shall submit a copy of the approved Change of Use permit to the Planning Department.
- 3) The subject building shall not be used as a residence.
- 4) No trees shall be removed for the proposed change in use or development.
- 5) The produce stand shall only sell items grown or produced on the subject parcel or in the local region.
- 6) 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.

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Dated and Signed this 21<sup>st</sup> day of May, 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.

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



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

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NOV 19 2001

**AFTER RECORDING MAIL TO:**

Name PAUL & SALLY NEWELL

Address 142 Dona Rd

City/State Underwood, WA 98651

**Quit Claim Deed**

THE GRANTOR EARL D. STRODE AND ROBERTA J. STRODE, AS TO A LIFE ESTATE

for and in consideration of

conveys and quit claims to PAUL M. NEWELL AND SALLY A. NEWELL, HUSBAND AND WIFE

the following described real estate, situated in the County of SKAMANIA, State of Washington, together with all after acquired title of the grantor(s) therein:

The West half of the West half of the Northeast Quarter of Section 15, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

Gary H. Martin, Skamania County Assessor  
Date 11/19/01 Parcel # 3-10-15-00

Assessor's Property Tax Parcel/Account Number(s): 03-10-15-0-0-0300-00

Dated 11-16, 1901

Earl D. Strode  
EARL D. STRODE (Individual)

Robert J. Strode  
ROBERTA J. STRODE

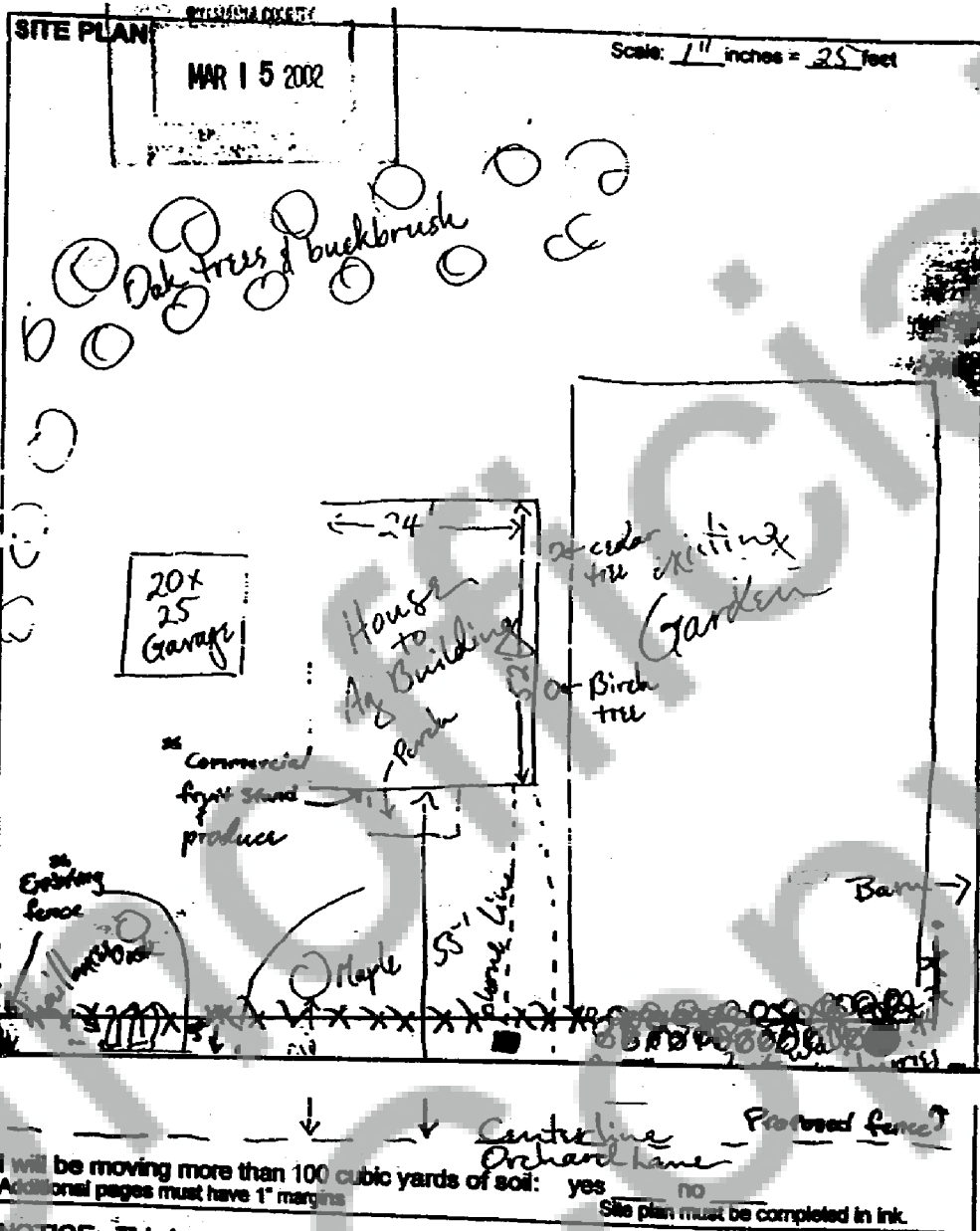
By \_\_\_\_\_  
(President)

By \_\_\_\_\_  
(Secretary)

LPB-12 (11/96)

**COPY**





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

\* Proposed fence is  
at North & B Phone,  
0, Mail Box Access.

Phone  
Post 36" H

pu Pole  
ONLY Head Point