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BOOK 236 PAGE 844

Return Address: David and Deby Brown
PO Box 36
North Bonneville, WA 98639

FILED
SKAMANIA COUNTY
JASON DIXON

FEB 5 5 01 PM '03

J. MICHAEL J. JASON

Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9453 FAX 509 427-8288

Administrative Decision

APPLICANT: David and Deby Brown

FILE NO.: NSA-01-05

PROJECT: Construction of a single family residence and clearing of brush.

LOCATION: On Brier Road; Section 7 of T1N, R5E, W.M. and identified as Skamania County Tax lot #1-5-7-100.

LEGAL DESCRIPTION: See page 5.

ZONING: General Management Area-Small Scale Agriculture (Ag-2).

DECISION: Based upon the entire record before the Director, including particularly the Staff Report, the application by David and Deby Brown, 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) All cut banks and fill slopes shall be re-seeded with native vegetation prior to the issuance of an occupancy permit for the home.
- 3) Dark and either natural or earth-tone color samples shall be submitted and approved by this Department prior to the issuance of any building permits. Color samples shall include colors for siding, trim, window frames, roof, doors, gutters and downspouts.
- 4) 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.
- 5) Prior to issuance of a building permit, the applicant shall notify the Planning Department in writing whether grading will exceed 100 cubic yards. A grading plan shall be submitted if grading will exceed 100 cubic yards. See Staff Report for specific requirements of the grading plan, if necessary.
- 6) All trees along the southern property line shall be retained, as well as all trees not within the area the applicant has requested to clear.
- 7) The applicant shall re-seed the area cleared of brush with native vegetation.
- 8) All of the above conditions relating to visual subordination shall be satisfied prior to the issuance of an occupancy permit for the home as there are not any special conditions that would require additional time to achieve compliance.
- 9) Front yard setbacks shall be 30 feet from the front lot line or 50 feet from the centerline of a public or private road whichever is greater and rear yard setbacks shall be 25 feet.
- 10) The setback from the southern property line shall be 20 feet. The setback from the northern property line shall be 20 feet if the applicant chooses to leave or plant a continuous row of trees

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between the proposed development and the northern property line. If the applicant chooses not to leave or plant the row of trees then the setback from the northern property line shall be 100 feet.

- 11) The applicant shall maintain a 50 foot buffer on either side of the intermittent stream which runs through the northeast section of the property.
- 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.
 - c) Survey and Evaluations. The Gorge Commission shall arrange for the cultural resources survey.

Dated and Signed this 11 day of May, 2001, 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 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

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the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648, on or before May 31, 2001.
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



LAWSON
Surveying & Engineering, Inc.
JOHN G. LAWSON, P.E., PLS

- Land Development Services
- Land Surveying
- Professional Engineering

1st Ridge Business Park Bldg. 2, Suite 280 11800 N.E. 95th Street Vancouver, WA 98682 (206) 256-8008

**SMYSER
LEGAL DESCRIPTION
TRACT 2**

As Surveyed By Lawson Surveying & Engineering

BEGINNING at the Northeast corner of the South half of the Northeast quarter of the Northeast quarter of Section 7, Township 1 North, Range 5 East Willamette Meridian, said point bears South $01^{\circ}40'41''$ West, 639.32 feet from the Northeast corner of said Northeast one quarter;

THENCE North $88^{\circ}40'46''$ West, 1324.39 feet;

THENCE North $77^{\circ}35'36''$ West, 70.67 feet;

THENCE South $19^{\circ}29'09''$ East, 47.00 feet;

THENCE South $37^{\circ}47'09''$ East, 89.01 feet to a point on the West line of said South one half;

THENCE South $01^{\circ}31'51''$ West, along said West line 564.84 feet to the Southwest corner of said South one half;

THENCE South $88^{\circ}27'36''$ East, along the South line of said South one half 1318.81 feet to the Southeast corner of said South one half;

THENCE North $01^{\circ}40'41''$ East, along the East line of said South one half 669.32 feet to the POINT OF BEGINNING.

Contains 20.30 acres.

TOGETHER with and subject to an easement for ingress, egress, and utilities described as follows:

BEGINNING at a point on the West line of the East half of the Northeast one quarter of Section 7, Township 1 North, Range 5 East, said point bears South $01^{\circ}31'51''$ West, 422.00 feet from the Northwest corner of said East one half;

THENCE South $31^{\circ}31'51''$ West, 140.00 feet; Date 10/1/99 Gary H. Martin, Skamania County Assessor Parcel # 1-5-7-100

THENCE South $03^{\circ}05'51''$ West, 119.00 feet;

THENCE South $19^{\circ}29'09''$ East, 47.00 feet;

THENCE South $37^{\circ}47'09''$ East, 89.01 feet to a point on said West line of said East one half;

THENCE South $01^{\circ}31'51''$ West, along said West line 564.84 feet to the Southwest corner of the Northeast quarter of said Northeast one quarter;

THENCE South $88^{\circ}27'36''$ East, along the South line of said Northeast one quarter of said Northeast one quarter 60.00 feet;

THENCE North $01^{\circ}31'51''$ East, parallel with said West line 586.29 feet;

THENCE North $37^{\circ}47'09''$ West, 100.78 feet;

THENCE North $19^{\circ}29'09''$ West, 25.36 feet;

THENCE North $03^{\circ}05'51''$ East, 92.94 feet;

THENCE North $31^{\circ}07'36''$ East, 91.79 feet;

THENCE North $85^{\circ}01'29''$ East, 125.91 feet to the Southwest corner of that tract established in boundary line adjustment recorded in Book 135, page 260 of Deeds, Skamania County records;

THENCE South $88^{\circ}24'38''$ East, parallel with said North line of said Northeast one quarter and also along the South line of that tract established in said boundary line adjustment 30.00 feet;

THENCE North $01^{\circ}31'51''$ East, parallel with said West line of said East one half 435.60 feet to a point on the South of said Bell Center Road;

THENCE North $88^{\circ}24'38''$ West, along said South line 30.00 feet to the Northeast corner of the Waterman tract recorded in Book 66, page 532 of Deeds, Skamania County records;

THENCE South $01^{\circ}31'51''$ West, along the East line of said Waterman tract 390.00 feet to the Southeast corner thereof;

THENCE North $88^{\circ}24'38''$ West, along the South line of said Waterman tract 160.00 feet to a point on said West line of said East one half;

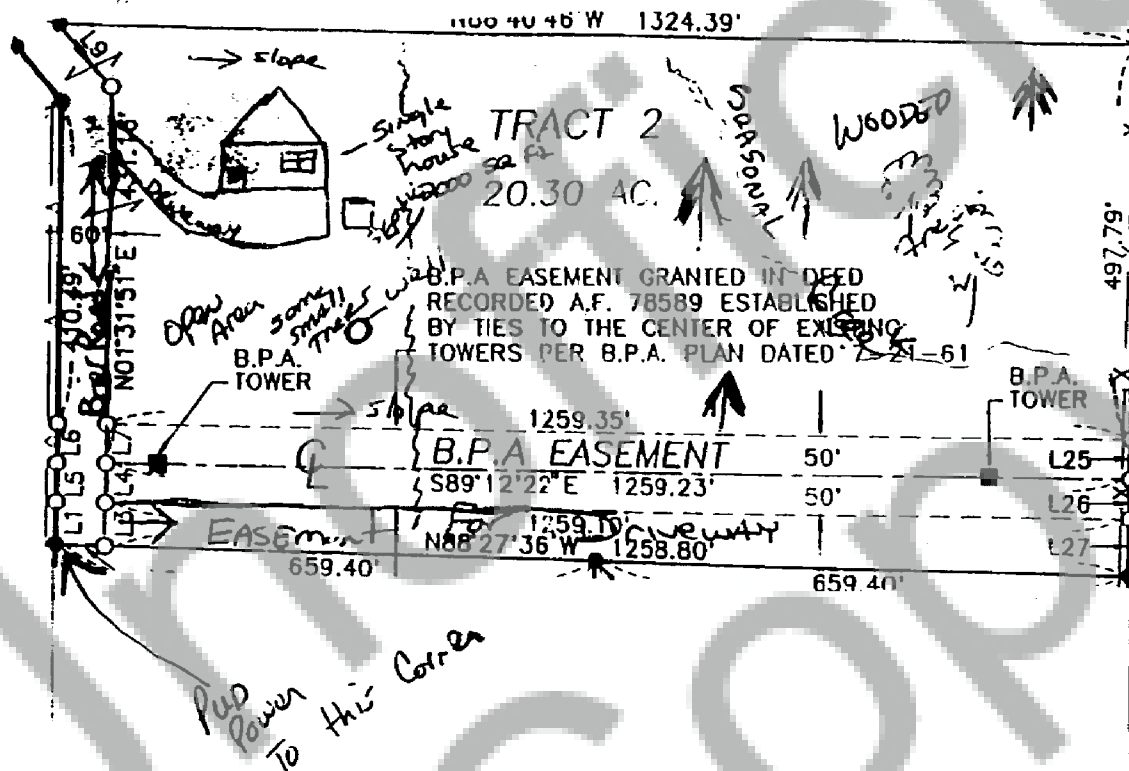
THENCE South $01^{\circ}31'51''$ West, along said West line 2.00 feet to the POINT OF BEGINNING.

SITE PLAN:

Scale: 1 inches = 200 feet

Beile Center Rd.

Brier Rd = 60' Easement
proposing removal of small
Blackburn trees from Brier
East Appx 400'



I will be moving more than 100 cubic yards of soil: yes _____ no X
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.