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BOOK 240 PAGE 667

Return Address: Michael L. Neal, Thomas, Lucille M., and Anne M Moore
PO Box 604
Bingen, WA, 98605

FILLED RECORD
SPRING 2003
BY Michael Neal
APR 16 1 55 PM '03
J. MICHAEL J. J. J. J.
J. MICHAEL J. J. J. J.

**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

APPLICANT: Michael L. Neal, Thomas, Lucille M., and Anne M Moore

FILE NO.: NSA-02-28

PROJECT: Re-side the house with lapped cedar siding, enclose existing garage, rebuild and reduce size of existing deck, construct a deck addition, and re-roof barn.

LOCATION: 8.85 acres at 11042 Cook-Underwood Road in Skamania County, Section 20 of T3N, Range 10E, W.M. and identified as Skamania County Tax Lot #03-10-20-0-0-1600-00

LEGAL: See Page 7. As recorded @ book 123, page 378.

ZONING: General Management Area zoned Residential (S) - Open Space.

DECISION: Based upon the record and the Staff Report, the application 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 Southwest Washington Health Department.

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:

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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 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 and overhangs) for all structures shall be as follows: Front yard: 50 feet from the centerline of the street or road or 20 feet from the front property line, whichever is greater, Side yard: 20 feet, Rear yard: 20 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 south facing deck shall not protrude any further South of the existing deck. The walkway from the east portion of the deck addition shall not exceed 5 feet in width, and the east facing deck addition shall not be more than 20 feet wide. The deck addition (not including the walkway) shall not protrude past the corner of the house.
- 4) Only the grading which is necessary for site development (building pads, driveway and utilities) is permitted. No graded materials shall be placed South of the existing deck.
- 5) Only non-reflective or materials with low reflectivity are permitted for the exterior materials of the house, deck, and barn, such as wood and low-gloss paints and stains.
- 6) Any exterior lighting shall be directed downward and sided, 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, which do not allow light to pass through. See the "Zoning News" article attached to the staff report.
- 7) Dark and either natural or earth-tone exterior color samples that do not contrast noticeably with the background or surrounding landscapes, shall be submitted to the Planning Department for the re-side of the house with lapped cedar siding, garage enclosure, deck addition, and barn roofing material prior to issuance of a building permit. The additions shall be allowed to match the color of the existing structures.
- 8) All disturbed areas shall be re-seeded with native vegetation mix prior to final inspection by the Planning Department.
- 9) Five Coniferous trees shall be planted on southeast side of the deck addition (See Site Plan). The trees shall be six feet tall at time of planting and be placed no further than 12 feet on center. At least half of any trees planted shall be species native to the setting or commonly found in the area and at least half shall be coniferous to provide winter screening. The trees may be staggered to create a more natural appearance.

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- 10) The existing tree cover shall be retained as much as possible, except as is necessary for site development (i.e. building pads, drain field, access roads) safety purposes or as part of forest management practices.
- 11) The applicant and future owners are responsible for the proper maintenance and survival of the existing and planted vegetation required in conditions #8 and #9.
- 12) 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. Final inspection and an occupancy permit will not be issued until compliance with all conditions of approval, including visual subordination criteria, has been verified.
- 13) The Planning Department will conduct at least two site visits during construction. 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.
- 14) 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 7th day of October, 2002, at Stevenson, Washington.


Patrick Johnson, Associate Planner
Skamania County Planning and Community Development.

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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 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 form must be filed by an interested person within 20 days from the date hereof. Appeals are to be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Planning Department Office and must be accompanied by a \$500.00 nonrefundable filing fee.

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:

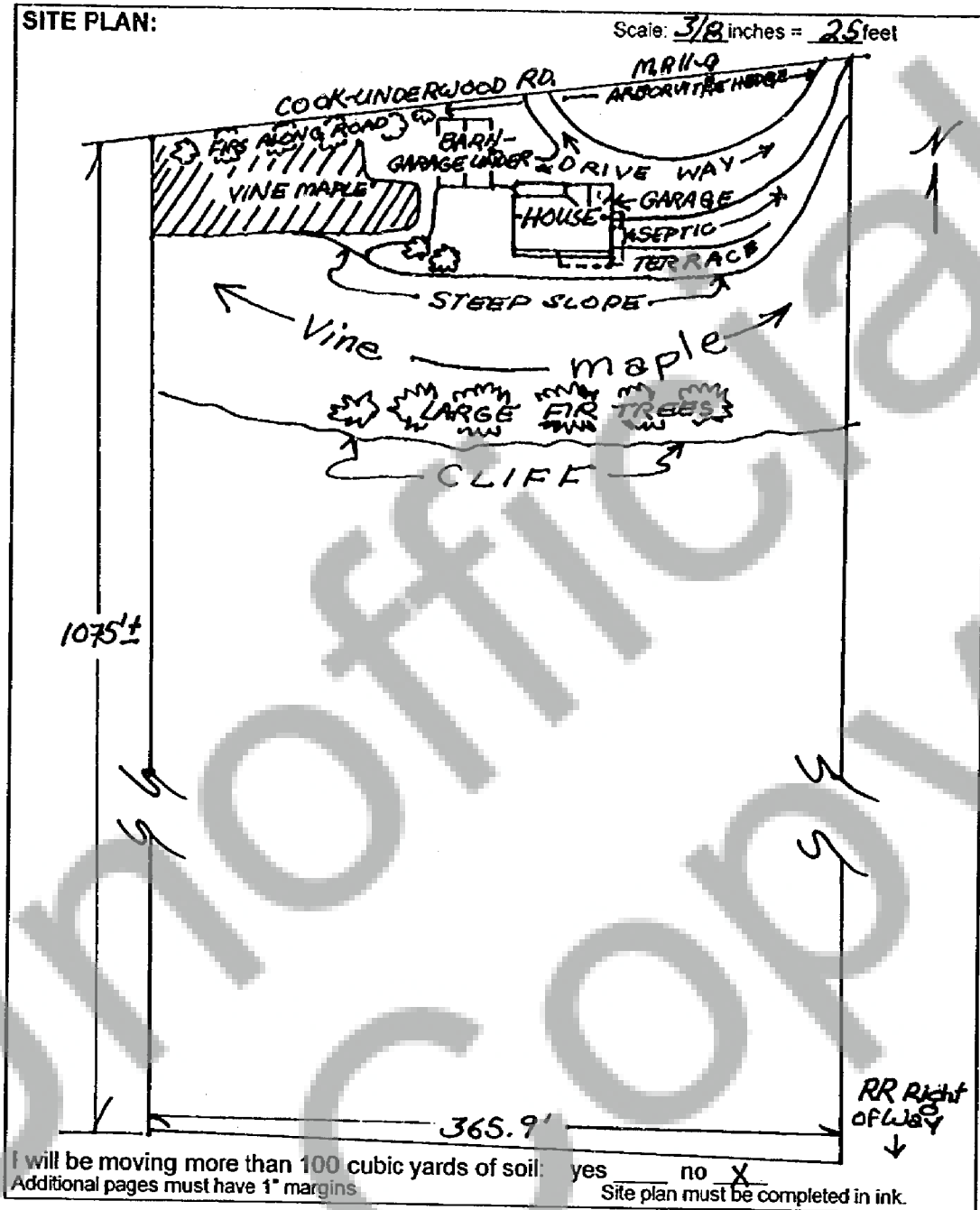
Skamania County Building Department
Skamania County Assessor's Office

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
Department of Fish and Wildlife
Washington Natural Heritage Program
Growth Management Services
Office of Archaeology and Historic Preservation

SITE PLAN:

Scale: $\frac{3}{8}$ inches = 25 feet



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

111267

AFTER RECORDING RETURN TO
L. EUGENE HANSON
ATTORNEY AT LAW
P.O. BOX 437
WHITE CENTER, WA 99770

BOOK 12 PAGE 577

BOOK 240 PAGE 672

WASAMIA COUNTY

FILED 1991 MAY 12 10 30 AM
CLERK OF COURT

The Grantor, MRS. DAY, daughter of the late FRANCES MORGAN DAY, deceased, for and in consideration of certain testimony of grantor, executed in and to the grantor, hereby, on the 11th day of May, 1991, and in full of all claims, debts, and demands, do hereby certify that the said grantor, MRS. DAY, is the sole and lawful owner of the following described property, to-wit:

That portion of the Northwest Quarter of the South of Quarter 20, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Franklin, State of Washington, described as follows:

Beginning at the Northwest corner of the said Quarter 20, thence South along the South line of the said Quarter 20, 1/4 mile, thence North parallel to the East line of the said Quarter 20, to intersection with the southerly right of way line of the County Road No. 1, thence East along the southerly right of way line of the County Road No. 1, to intersection with the East line of the said Quarter 20, 1/4 mile, thence South along the East line of the said Quarter 20, 1/4 mile, to the point of beginning, containing 160 acres, more or less.

SUBJECT TO EASEMENT FOR POWER LINES, as shown on the plat, File No. 111267.

FRANCES MORGAN DAY, died on April 21, 1991, and MRS. DAY LORE was confirmed as executrix of her last will and testament on May 3, 1991, and ever since has been and is now the duly appointed, qualified and acting executrix thereof. This deed is made pursuant to an Order No. 1, directing issuance of Letters Testamentary No. 1, and an Order No. 2, directing issuance of Letters Testamentary No. 2, both entered in the County of Franklin, State of Washington, on May 3, 1991, and an Order No. 3, directing issuance of Letters Testamentary No. 3, entered in the County of Franklin, State of Washington, on May 3, 1991, the same, along with a certified copy of Grantor's Letters Testamentary, being recorded in the County of Franklin, State of Washington, on May 3, 1991, under Auditor's File No. 111267 and No. 111268, respectively.

Dated this 11th day of May, 1991.

Mrs. Day Lore
MRS. DAY LORE, Executrix of the last will and testament
of FRANCES MORGAN DAY, Deceased.

STATE OF WASHINGTON)
County of Franklin) ss

This certifies that on the 11th day of May, 1991, personally appeared before me MRS. DAY LORE, the executrix of the last will and testament of FRANCES MORGAN DAY, deceased, who is known to me to be the individual who executed the foregoing instrument, and acknowledged same as her free act and deed for the uses and purposes therein mentioned, she acknowledging both individually and as her executrix, as such executrix.

WITNESS my hand and official seal the day and year in this certificate first above written.

14301

REAL ESTATE EXCISE TAX

MAY 1991

PAID \$143.01

COUNTY OF FRANKLIN

Notary Public for Washington

Residing at 111267

My Commission Expires 12/31/91

Printed 6

Signed 6

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Clipped & Kept in file for County of Franklin
By Day Lore 5-10-91