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Return Address: AT&T Wireless/ Realcom Assoc.
208 SW Stark #602
Portland, OR 97204

Paul Slotemaker/Real Com

SEP 29 11 10 AM '03
J. Hermann
J. HERRMANN

RECORDER'S NOTE:
NOT AN ORIGINAL DOCUMENT

Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9458 FAX 509 427-8218

Administrative Decision

APPLICANT: AT&T Wireless/RealCom
FILE NO.: NSA-02-37
PROJECT: Removal of an existing antenna and addition of 4 new panel antennas on existing 100' tower—no extension of height or ground disturbance proposed.
LOCATION: Off Scoggins Road, Underwood Mountain; Section 17 of T3N, Range 10E, W.M. and identified as Skamania County Tax Lot #03-10-17-4-0-0400-00.
LEGAL: See attached Page 5.
ZONING: General Management Area-Commercial Forest (F-1).
DECISION: Based upon the record and the Staff Report, the application by AT&T Wireless/RealCom, described above, subject to the conditions set forth in this Decision, is found to be consistent with SCC Title 22 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 Code 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. (See attached)
- 2) Property line setbacks shall be: Front yard - 45 feet from the centerline of the street or road or 15 feet from the property line, whichever is greater; Side yard - 5 feet; Rear yard - 15 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.
- 3) The development should comply with the following fire safety guidelines:
 - e) Access drives shall be constructed to a minimum of 12 feet in width and not exceed a grade of 12 percent. Turnouts shall be provided at a minimum of every 500 feet. Access drives shall be maintained to a level that is passable to fire equipment.
Variances to road provisions may be made after consultation with the local rural fire district and the Washington State Department of Natural Resources.
 - g) Telephone and power supply shall be underground whenever possible.
- 4) Any new additions to the exterior of the proposed structure not mentioned in this application or any extension in height shall require a new application.
- 5) All existing trees on the subject parcel shall be retained and only those trees necessary for site development or safety purposes may be removed.
- 6) The exterior of the proposed structure shall be composed of non-reflective material or materials with low reflectivity.
- 7) Additions to the tower may be the same dark brown color as the tower.
- 8) New illumination on the tower or its components is not permitted.
- 9) All conditions to achieve visual subordination shall be completed prior to a final inspection by the Planning Department.

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- 10) The Planning Department will conduct at least one site visit 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.
- 11) 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 November, 2002, at Stevenson, Washington.

Stacey Borland
Stacey Borland, Associate Planner
Skamania County Planning and Community Development.

NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, 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 and all attached exhibits, **SHALL BE RECORDED** by the owners 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.

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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
Office of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
State of Washington Office of Community Development

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LEED RECORD 31
SHAMANA COUNTY, WASHINGTON

1-1-1947 1-1-1947 1-1-1947 1-1-1947 1-1-1947 1-1-1947 1-1-1947 1-1-1947 1-1-1947 1-1-1947

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P:2-2

\$1.65 VBIK and \$1.35 State Maps affixed and cancelled "Shamania Co. Abst. & Title Co., 12/11/47".

Filed for record December 11, 1947 at 11-25 a.m. by S. C. Sly.

John H. Sullivan
Shamania County Auditor

P37360

Kenneth E. Lutz et ux to State of Washington

WARRANTY DEED

IN THE MATTER OF THE STATE HIGHWAY DEPARTMENT STATEWIDE RADIO COMMUNICATION SYSTEM
KNOW ALL MEN BY THESE PRESENTS, that the Grantor Kenneth E. Lutz and Catherine G. Lutz, husband and wife, for and in consideration of the sum of Ten (\$10.00) and No/100 Dollars, and other considerations in hand paid, the receipt whereof is hereby acknowledged, hereby convey and warrant to the State of Washington, the following described real estate situated in Shamania County, in the State of Washington, to-wit:

A rectangular tract of land situated in the East half of the Southwest quarter of Section 17, Township 3 North, Range 10 East, T.M. and described as follows:

Beginning at the corner which is shown to the Northwest corner of the Northeast quarter of Section 20 and the Southwest quarter of Section 17, said sections being in Township 3 North, Range 10 East, T.M., thence North 1002.5 feet to the true point of beginning; thence West 208.7 feet, thence North 208.7 feet, thence East 208.7 feet, thence South 208.7 feet to the true point of beginning.

the lands being herein conveyed contain a total area of 1.0 acre more or less, the specific details concerning all of which are to be found within that certain map of definite location now of record and on file in the office of the Director of Highways at Olympia and bearing date of approval May 6, 1947. Revised September 30, 1947.

It is understood and agreed that the delivery of this deed is hereby tendered and such tender kept good until revoked but that the terms and obligations hereof shall not become binding upon the State of Washington unless and until accepted and approved hereon in writing for the State of Washington, Department of Highways, by the Chief Right of Way Agent.

Dated this 21st day of October, 1947.

Accepted and approved this 11th day of November, 1947.

STATE OF WASHINGTON,
Department of Highways,
By Frank M. Storking
Right of Way Agent, Registrar

Kenneth E. Lutz
Catherine G. Lutz

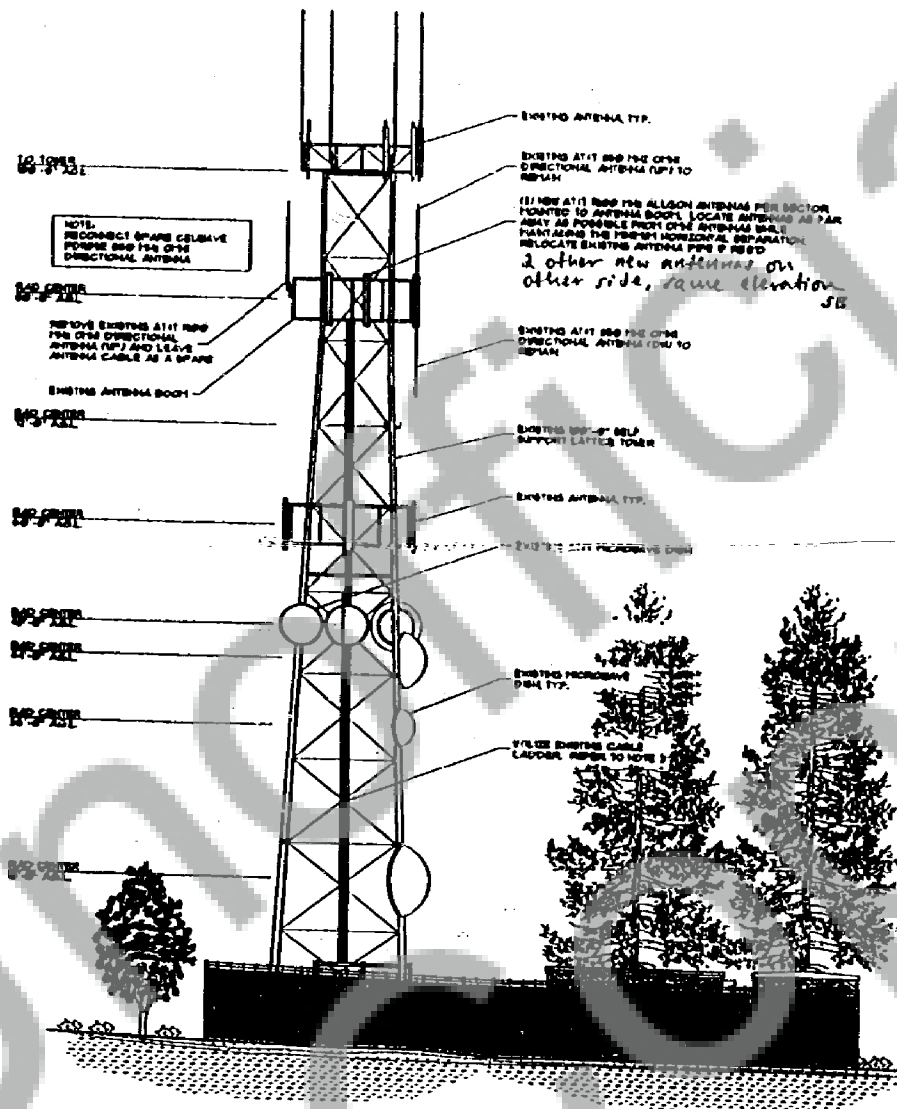
STATE OF OREGON
County of Multnomah

I, the undersigned, a notary public in and for the State of Washington, hereby certify that on this 21st day of October, 1947 personally appeared before me Kenneth E. Lutz and Catherine G. Lutz, husband and wife to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal the
day and year last above written. Notary Public in and for the State of Washington,
Residing at Pasco, Wash.

Filed for record December 18, 1947 by State of Washington.

John H. Sullivan
Shamania County Auditor.



① SOUTHWEST ELEVATION