

Return Address: Richard Robson
33516 SE 34th Street
Washougal, WA, 98671

Doc # 2004152146
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Date: 03/02/2004 09:29A
Filed by: RICHARD ROBSON
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$27.00

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/OWNER: Richard Robson

FILE NO.: NSA-03-56

PROJECT: Construct a 1,996 square foot dwelling w/ attached garage, driveway, and associated utilities. Additionally, convert an existing house into farm labor housing in conjunction with an existing agricultural enterprise on the parcel.

LOCATION: 162.58 acres at 462 Belle Center Road in Skamania County; Section 17 of Township 1N, Range 5E, W.M. and identified as Skamania County Tax Lot #01-05-17-0-0-0100-00

LEGAL: See attached page 10.9 RR

ZONING: Special Management Area zoned Agriculture (AG).

DECISION: Based upon the record and the Staff Report, the application by Richard Robson, 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 Skamania County 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:

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) 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. A copy of the recorded deed shall be submitted to the Planning Department prior to issuance of a building permit.
- 2) 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.
- 3) 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 30 feet from the front property line, whichever is greater, **Side yard:** 20 feet, **Rear yard:** 25 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.
- 4) If the applicant wishes to cultivate any new areas it will require a new application and approval from the Planning Department.
- 5) If the agricultural operations are to cease the labor housing shall be decommissioned within 30 days. The labor housing shall never be rented out or occupied by persons not involved with agricultural activities on the parcel.
- 6) Only the grading which is necessary for site development (building pads, driveway and utilities) is permitted.
- 7) All disturbed areas shall be re-seeded with native vegetation mix prior to final inspection by the Planning Department.
- 8) 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) or safety purposes.
- 9) The applicant shall submit earth-tone color samples for the dwelling and roof to the Planning Department for approval prior to issuance of a building permit.
- 10) The applicant shall comply with all conditions for VQO of partial retention, prior to final inspection by the Building Department. The applicant shall coordinate all inspections with the Building

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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 approval an occupancy permit will not be issued until compliance with all conditions of approval, including visual subordination criteria, has been verified.

- 11) 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.
- 12) The conditions in accordance with the United States Forest Service (USFS) recorded easement are stated in a letter dated January 12, 2004 from Daniel Harkenrider, Columbia River Gorge National Scenic Area Manager. The USFS conditions shall be adopted as conditions of this approval.
- 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 30 day of January, 2004, at Stevenson, Washington.


Patrick Johnson, 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)(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

The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

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.

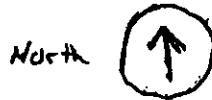
A copy of the Decision was sent to the following:

Skamania County Building Department
Skamania County Assessor's Office

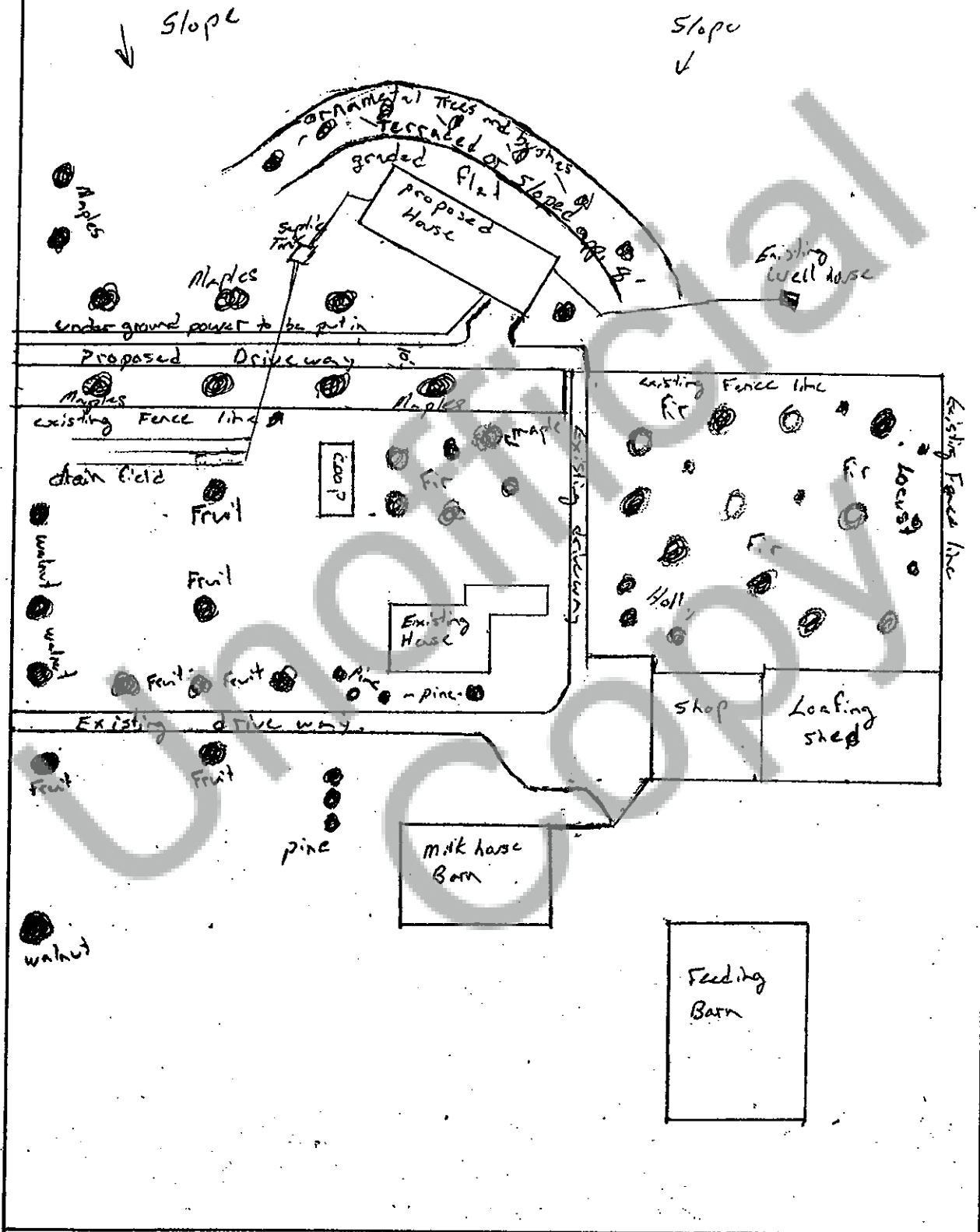
A copy of this Decision, including the Staff Report, was sent to the following:

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
Dee Caputo, CTED

All trees, bushes and shrubs north of the existing fence line will be planted by the owners.



Scale $\frac{1}{4}$ inch = 16.3 Feet





File Code: 5440-2

Date: January 5, 2004

Patrick Johnson
Skamania County Department of Planning and
Community Development
Box 790
Stevenson, WA 98648

Re: Abbuehl/Robson Conservation Easement

Dear Patrick:

I am responding to the County with regard to Robert Robson's Land Use Application for development on his property located at 462 Belle Center Rd, in Skamania County. The property is in the Columbia River Gorge National Scenic Area, Special Management Area. The Forest Service holds an Easement Deed (January 29, 1990) that requires approval of any development on the parcel by the Forest Service.

According to the application, they are proposing:

- 1) To convert existing house into farm laborer house.
- 2) Build a new owner residence house of 1996 square feet in new location.

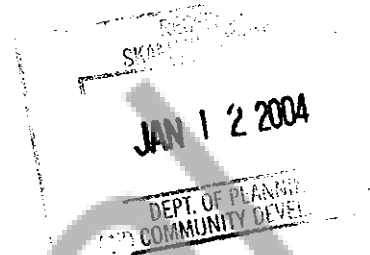
The Forest Service easement requires development be compatible with conservation of scenic, cultural, recreation and natural resources. In making this compatibility determination, the Forest Service uses the Special Management standards from the Scenic Area Management Plan and Land Use Ordinances.

This easement also requires that all uses shall conform to County zoning ordinances. Skamania County decisions will affect the allowed location of new structures, materials, screening, colors and other aspects of the proposals. The County may or may not approve the siting proposed in the Robson application.

It is our understanding that the County may consider the approval of the new home site to be North of the existing home, the least visible area for the site. If the County approves the new home at the site approximately 300 feet North of the existing home and approves of the existing home to remain in the current location and changed to farm labor housing the Forest Service will grant approval with Conditions for the Robson proposal per the following:

Approval Conditions

1. New 1996 square ft. home to be located approximately 300 ft. of existing home as per attached site plan.



2. Exterior materials

- a. Siding – lap siding made of wood or a hardy plank type, earth-tone in color.
- b. Roof – non-reflective metal roofing, earth-tone in color.
- c. Samples of all colors and materials must be submitted to the Forest Service for approval prior to construction.
- d. Landscaping – no trees will be removed from the building site area.
- e. Maples shall be planted along the proposed driveway and to the west of the proposed structure including ornamental trees and bushes to the north of the proposed house.
- f. Retain grove of mature trees between existing and proposed structures.

In addition to the above conditions, the following General Conditions apply to any development.

General Conditions

- 1) Staking of trees, showing location, to be approved by the Forest Service.
- 2) Trees to be fully branched and in healthy condition at planting
- 3) Trees to be maintained in healthy, fully branched condition and sufficiently tall to screen 2/3's of the height of structures as viewed from key viewing areas
- 4) Trees to be guyed for wind protection
- 5) Outdoor lights to be shielded to cast downward light pattern minimizing off-site light dispersion
- 6) Occupant of farm labor/management housing to be working as farm labor employee on the parcel

If any development is proposed at sites other than those described in the Land Use Application, plans will need to be submitted to the Forest Service for review and approval.

Please call Charlotte Kiser of our office if you have any questions regarding the conditions described in this letter.

Sincerely,



DANIEL T. HARKENRIDER
Area Manager

Exhibit A

That portion of Sections 8 and 17, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, described as follows:

The South half of the South half of the Southwest quarter of the Southeast quarter of Section 8, the Northeast quarter of Section 17, and that portion of the Southeast quarter of Section 17, conveyed to Karl Abbuehl, by Superior Court Case No. 5360.

EXCEPT from the above described property the following described parcels:

PARCEL I

A tract of land in the Northwest quarter of the Northeast quarter of Section 17, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at a point 436 feet North of the Northwest corner of the Southwest quarter of the Northeast quarter of said Section 17; thence North 560 feet; thence East 506 feet; thence South 560 feet; thence West 506 feet to the Point of Beginning.

PARCEL II

A parcel of land located in the Northwest quarter of the Northeast quarter of Section 17, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, described as follows:

COMMENCING at a point 436 feet North of the Northwest corner of the Southwest quarter of the Northeast quarter of said Section 17, and running thence East 506 feet to the True Point of Beginning of the parcel herein described, which point is the Southeast corner of that parcel deeded by Edward W. Mortenson to Roger E. Mortenson and Penny K. Mortenson by deed recorded March 5, 1986, in Book 100, page 490; thence South 32 feet; thence West 232 feet; thence North 32 feet to the South line of the said Mortenson property; thence East along the South line of the Mortenson property 232 feet to the True Point of Beginning.