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Filed by: SCOTT FLOREK
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$21.00

**Skamania County
Department of Planning and
Community Development**

Skamania County Courthouse Annex
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**BEFORE THE SKAMANIA COUNTY BOARD OF ADJUSTMENT
STEVENSON, WASHINGTON**

Scott Florek
P.O. Box 844
Battle Ground, WA 98604

) FINAL ORDER
) APPROVING A
) CONDITIONAL USE PERMIT
) APPLICATION NO. CU-04-03

NOTICE IS HEREBY GIVEN to the above-named Applicant that the aforesaid application to construct a single family home not in conjunction with farming nor forest management, on a parcel of land that is zoned ForAg20, and is located at the south side of the intersection of Skye Road and Doherty Road, Section 29, T2N, R5E, Tax Lot No. 02-05-29-0-0-0406-00, is approved with the following conditions: *SEE LEGAL DESCRIPTION ON PAGE # 3*

1. Direct vehicular access onto Skye Road shall be prohibited. All access to the property shall be off of Doherty Road.
2. The subject parcel is situated in a Resource Production zone classification. Such parcels are therefore subject to noise, dust, smoke, and odors resulting from harvesting, planting, fertilization, and pest control associated with usual and normal resource management practices, and as such these normal forestry and farm practices when performed in accordance with state and federal law, shall not be subject to legal action as public nuisances.

3. The homeowners are responsible to ensure that the home shall at all times comply with DNR's recommendations for safe home construction and maintenance in and near Forest Lands.
4. All chimneys shall include a spark arrester.
5. The owners shall be responsible for establishing solid waste service.
6. Any signs on the property would need to be in conformance with Skamania County Code §21.84.100.
7. The Order of the Board of Adjustment shall be recorded, by the applicant, with the deed records of the County Auditor's Office prior to the issuance of a building permit.

The action by the Board of Adjustment shall be final and conclusive, unless within the timeframe provided in RCW 36.70C, the applicant or an adverse party makes application to a court of competent jurisdiction for judicial review of the land use decision.

DATED THIS 7th day of JULY, 2004, at Stevenson, Washington.

SKAMANIA COUNTY BOARD OF ADJUSTMENT

Mark J. Mazeski
Mark Mazeski, Secretary to the Board

EXHIBIT 'A'

A parcel of property located in the Northwest Quarter of Section 29, Township 2 North, Range 5 East of the Willamette Meridian, in Skamania County, Washington, described as follows:

Commencing at the Northwest corner of said Northwest Quarter of Section 29;

Thence South $01^{\circ}21'56''$ West along the West line of said Northwest Quarter of Section 29, a distance of 1299.51 feet to Point 'A';

Thence North $89^{\circ}49'38''$ East 10.74 feet to the centerline of Skye Road as conveyed to Skamania County by Deed recorded in Book 75, Page 58, Records of Skamania County and the True Point of Beginning.

Thence North $89^{\circ}49'38''$ East 904.97 to a point which bears North $89^{\circ}49'38''$ East 915.71 feet from said Point 'A';

Thence South $23^{\circ}06'29''$ East 790.54 feet;

Thence South $62^{\circ}41'17''$ West 568.56 feet to said centerline of Skye Road;

Thence along said centerline of Skye Road the following courses:

Thence North $34^{\circ}41'00''$ West 17.50 feet to a 300.00 foot radius curve to the left;

Thence around said 300.00 foot radius curve to the left 801.73 feet;

Thence South $87^{\circ}41'19''$ West 27.85 feet to a 300.00 foot radius curve to the right;

Thence around said 300.00 foot radius curve to the right 92.58 feet;

Thence North $74^{\circ}37'47''$ West 112.65 feet to a 300.00 foot radius curve to the right;

Thence around said 300.00 foot radius curve to the right 395.01 feet;

Thence North $00^{\circ}48'43''$ East 509.14 feet to the True Point of Beginning.

EXCEPT therefrom that portion lying Westerly of the Easterly right of way line of Skye Road as conveyed to Skamania County by Deed recorded in Book 75, Page 58, Records of Skamania County.

Together with and subject to easements for access and utilities as shown by recorded Survey recorded in Book 3 of Surveys, Page 47.