

Return Address: William Fosburg  
61 Cedar Grove Lane  
Washougal, WA, 98671

Doc # 2004155038  
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Date: 11/02/2004 09:04A  
Filed by: WILLIAM FOSBURG  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$25.00

## 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:** William Fosburg

**FILE NO.:** NSA-04-50

**PROJECT:** Construct an accessory building (24' X 60') and associated utilities.

**LOCATION:** 12.07 acres at 61 Cedar Grove Lane in Skamania County; Section 6 of Township 1N, Range 6E, W.M. and identified as Skamania County Tax Lot #01-06-06-0-0306-00, <sup>PS</sup>

**LEGAL:** See attached page 7.

**ZONING:** Special Management Area zoned Forest.

**DECISION:** Based upon the record and the Staff Report, the application by William Fosburg, 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 first page of the recorded Administrative Decision must 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) Only the grading which is necessary for site development (building pads and utilities) is permitted.
- 5) All disturbed areas shall be re-seeded with native vegetation mix prior to final inspection by the Planning Department.
- 6) 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.
- 7) The structure shall not exceed 28 feet from the top of the footer set at existing grade or 26 feet if a slab foundation is used.
- 8) The exterior of the structure shall be composed of non-reflective material or materials with low reflectivity.
- 9) The applicant submit a dark earth-tone color sample to the Department prior to issuance of a Building Permit
- 10) Samples of the roofing material shall be submitted to the Planning Department for approval prior to the issuance of a building permit. If metal roofing and siding materials are used, the materials shall be re-painted a dark earth-tone to reduce reflectivity.
- 11) 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. Seasonal lighting displays shall be permitted on a temporary basis, not to exceed three months.

- 12) 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 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 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 27 day of October, 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.

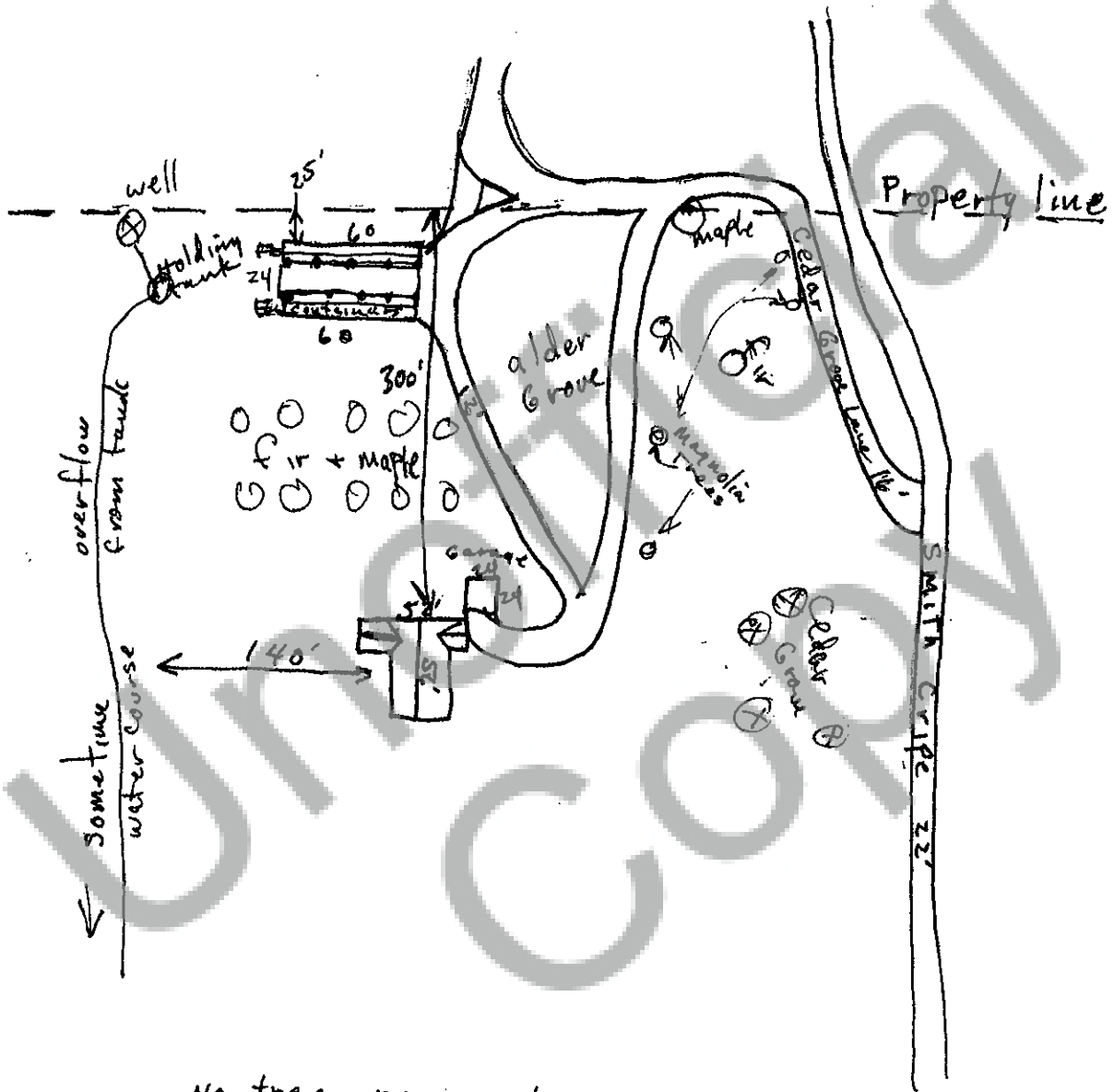
A copy of the Decision was sent to the following:

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

Scale 1" = 100'

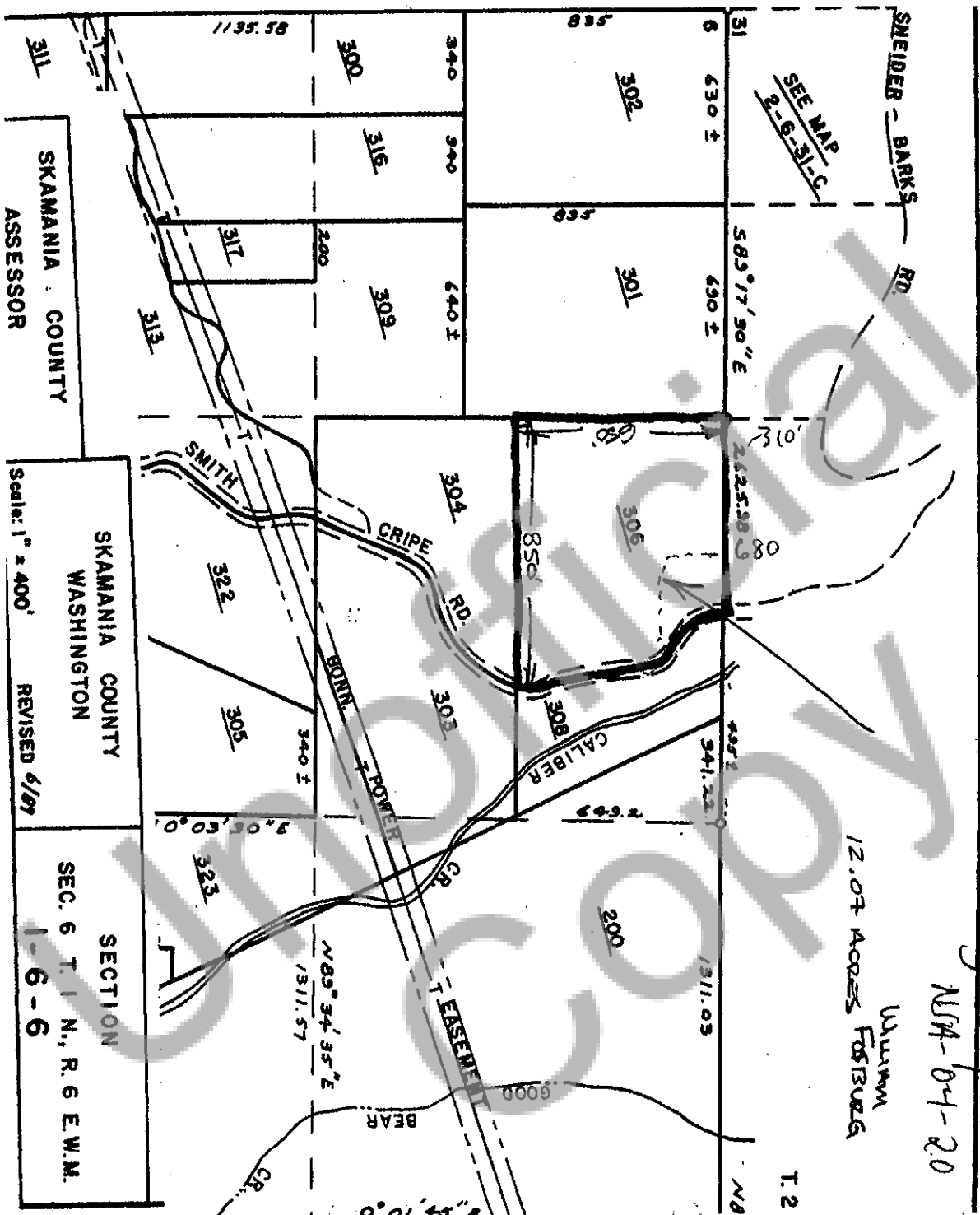


No tree removal

Vicinity 1 map

NSA-04-20

12.07 ACRES FORBURN



86192

## STATUTORY WARRANTY DEED

The Grantor, FIRST INDEPENDENT BANK, Trustee for Eugene F. Lackey and F. Pearl Lackey, husband and wife, for and in consideration of value received in hand paid, conveys and warrants to WILLIAM S. POSBURG and ROBERTA A. POSBURG, husband and wife, the following described real estate, situated in the County of Skamania, State of Washington:

The North Half of the North Half of the Northwest Quarter (N $\frac{1}{2}$  N $\frac{1}{2}$  NW $\frac{1}{4}$ ) of Section 6, Township 1 North, Range 6 E. W. M., EXCEPT the west 1,320 feet thereof, AND EXCEPT that portion thereof lying easterly of the center of County Road No. 1009 designated as the Smith-Gripe Road.

This deed is given in fulfillment of that certain real estate contract between Dean Vogt and Lois Vogt, his wife, and William Proksel and Lucille Proksel, his wife, as Sellers, and Robert W. Kanna and Vannette M. Kanna, his wife, as Purchasers, on which excise tax was paid under receipt #695 on May 26, 1971. Contract was assigned under Purchaser's Assignment of Contract and Deed between Robert W. Kanna and Vannette M. Kanna, his wife, and William S. Posburg and Roberta A. Posburg, husband and wife, recorded on June 14, 1971, under Records of Skamania County, Wash. in Book 62 of Deeds at Page 962; excise tax paid under receipt #725 on June 15, 1971. Deed and Seller's Assignment of Real Estate Contract dated September 28, 1972 between Dean Vogt and Lois Vogt, husband and wife, and William Proksel and Lucille Proksel, husband and wife, and Eugene F. Lackey and F. Pearl Lackey, husband and wife, was recorded on October 2, 1972 in Book 64 of Deeds at Page 942, Records of Skamania County, Wash. Subsequently interest of Eugene F. Lackey and F. Pearl Lackey was transferred to Grantor above named by Seller's Assignment of Deed and Contract, recorded on November 24, 1973, as Document No. 61430, Book 70 of Deeds, Page 45. Excise Tax Receipt No. 3076.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officer this 5th day of April, 1978.



FIRST INDEPENDENT BANK

By [Signature]  
Assistant Trust Officer

STATE OF WASHINGTON

COUNTY OF CLATSOP

On this 5th day of April, 1978, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Maxine M. Young, to me known to be the Assistant Trust Officer of First Independent Bank, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that she is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.

5725

TRANSACTION EXCISE TAX

APR 25 1978

Amount Paid \$ 7.50

Skamania County, Wash.  
By [Signature] Clerk

[Signature]  
Notary Public in and for the State of Washington, residing at Vancouver.

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