

Return Address:  
Mark B. Wharry  
2300 SW Hoffman  
Portland, OR 97201

Doc # 2005156098  
Page 1 of 7  
Date: 02/01/2005 04:46P  
Filed by: MARK WHARRY  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$25.00

**Department of Planning and  
Community Development**

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-9458 FAX 509 427-8868

**Letter Amendment #1 to Administrative Decision NSA-00-31**

**APPLICANT:** Mark Wharry

**OWNER:** Mark Wharry

**FILE NO:** Amendment to NSA-00-31 recorded June 12, 2001 in Book 211 at Page 55 under Auditor's File No. 141369. *pl*

**LEGAL:** Attached

**PROJECT:** Single-family residence, garage, barn, new vineyard planting of 4 acres and related infrastructure

**LOCATION:** West side of Ausplund Road off of Cook Underwood Road; Section 19 of Township 3,N, Range 10E, W.M. and identified as Skamania County Assessor's Tax Lot #03-10-19-00-0800-00.

**ZONING:** General Management Area, Large Scale Agriculture (Ag-1).

December 27, 2004

Dear Mark,

This letter signifies our approval of your request for a letter amendment to the above referenced Administrative Decision issued by this office on January 11, 2001. This request is more of a clarification than a change from the original approval. Below, I have set out the items that you have

requested to be clarified.

1. The house will be placed approximately 70' north of the short rows of the vineyard. This conforms to the basic original sketch, but the dimension was not specifically called out on the sketch.
2. The house will be placed approximately 50' east of the first long vineyard row. The original sketch showed a dimension of 30'. This additional distance is desired for clearance from agricultural activities. This does not significantly alter the siting of the house on the property.
3. The configuration of the house has been modified to a final design footprint that is changed from the original conceptual sketch. This is a result of a more detailed set of house plans. However, the general size and shape do conform to the dimensions of the original approval. Also, you have changed the location of the detached garage from the east side of the home to the north side. If anything, this makes the garage less visible, although the home is fully screened by the orchard from Cook-Underwood Road.
4. Per the original sketch in the Director's Decision, the height of the house is limited to 30' (measured from the lowest existing adjacent grade to the highest roof peak). The Decision stated this height for the barn, but did not specifically state it for the house. However, the site plan dimensions became binding as stated in Condition #1 of the Director's Decision.

I have enclosed your revised site plan and elevation drawings that are **hereby approved**. As part of my review, I checked your file for information showing that your application is still active. Your file contains detailed annual reports verifying that you have spent in excess of \$2,000 each year since the application was approved. As such, this application is still active and you are still entitled to get a building permit for the home so long as all of the applicable conditions of approval have been met. Key to this issue is Condition #2 which specifies that 4 acres of grapes needs to be planted prior to issuance of the building permit. In addition, we need your final color samples.

In order to verify compliance with Condition #2 of the Director's Decision, I conducted a site visit to complete a status check on your agricultural operation on December 13 and 21, 2004. I observed the number of rows, plant spacing, trellis pole spacing and mortality rate. Generally the plants appear to be in a healthy condition and you reported a harvest of 5 tons in 2004, which is good considering the young age of the vines. It appears that you have been working on replacing the dead and dying vines. In general, you have approximately 2% loss of vines, which is consistent with the amount of vines you have planted over the 2,904 that were required by Condition #2.

You have planted 66 rows with 52 rows being 300' in length and 14 rows being 156' in length. At a vine spacing of 6', this results in a total of 2,964 vines. Therefore, you are eligible for a building permit to build your single family home as you have met the \$40,000 income test including the

vineyard, orchard and alfalfa.

Pursuant to SCC §22.06.080(B), a change or alteration to an approved action, if determined to be minor, may be "deemed consistent with the provisions of this Title and the findings and conclusions on the original application." The proposed request constitutes a minor change or clarification; therefore, the **original decision shall be amended** as set out above and as shown on the attached site plan and elevation drawing.

All of the original conditions in the Administrative Decision are still valid and shall be complied with as set out in the original decision. **This letter amendment must be recorded at the County Auditor's office.** If you have any questions, please give me a call at 509-427-9458.

Sincerely,



Mark J. Mazeski  
Senior Planner

#### APPEALS

This Administrative Decision shall be final unless reversed or modified on appeal. A written Notice of Appeal may be filed by an interested person within 20 days from the date hereof. Appeal may be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Department Office.

#### 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 Director's Decision or any amendments thereto.

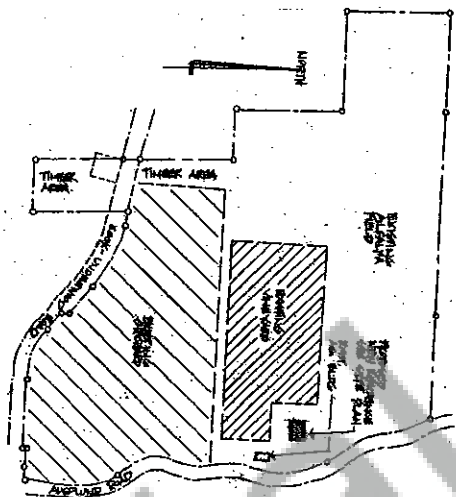
cc: Skamania County Building Department  
Skamania County Assessor's Office  
Skamania County Health Dept.  
Persons w/in 500 feet  
Yakama Indian Nation  
Confederated Tribes of the Umatilla Indian Reservation  
Confederated Tribes of the Warm Springs  
Nez Perce Tribe  
Columbia River Gorge Commission

U.S. Forest Service - NSA Office  
Board of County Commissioners  
Friends of the Columbia Gorge

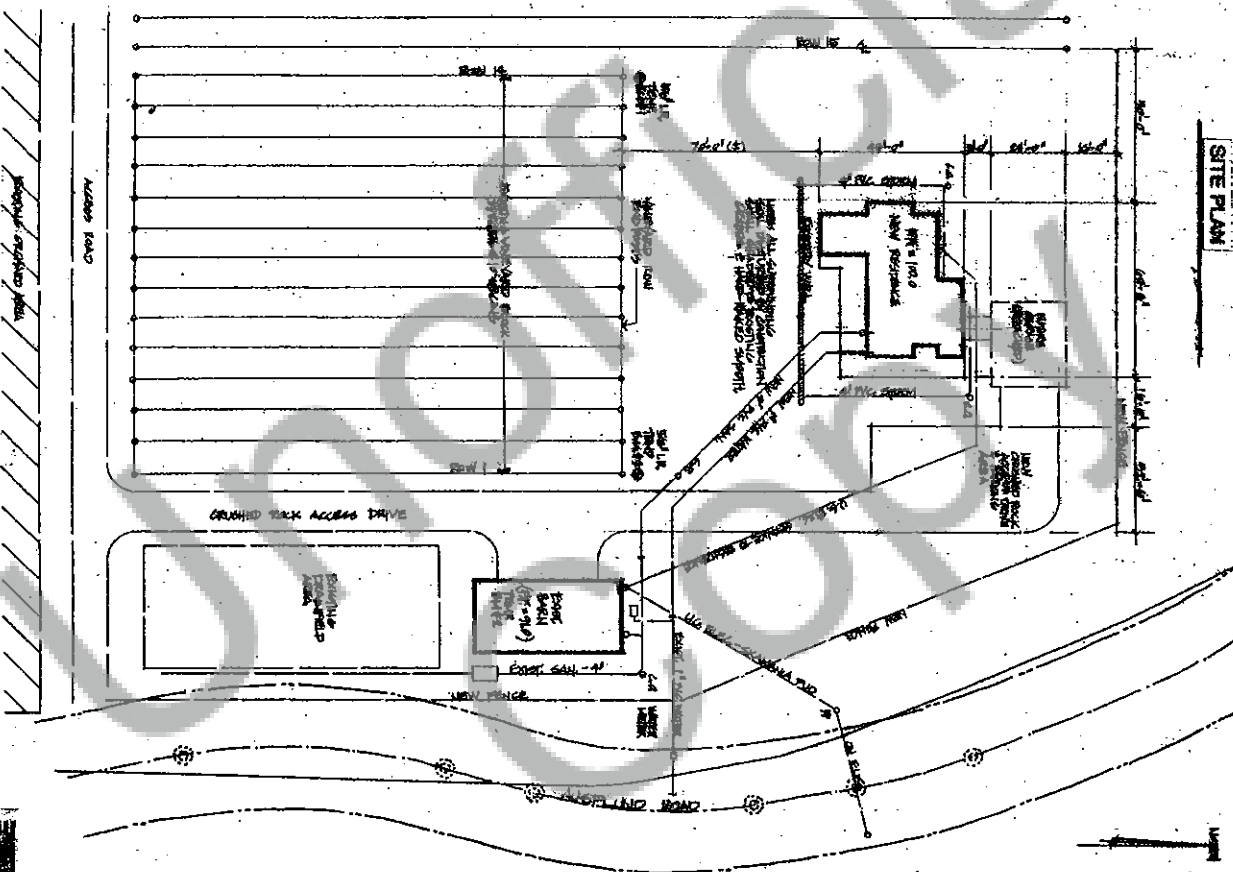
Columbia Gorge Realty, Inc.  
Office of Archaeology and Historic Preservation

Attached:      Approved modified Site Plan  
                  Approved modified Elevation Drawing

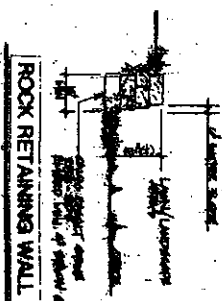
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**PROPERTY PLAN**

## Answers

[illegible]

## SITE PLAN



## ROCK RETAINING WALL

SITE PLAN	
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EAST ELEVATION

[illegible][illegible]



## LEGAL DESCRIPTION - PARCEL 03 10 19 00 0800

COPY

## PARCEL I

Lot 5, EXCEPT that portion lying Easterly of Ausplund County Road (County Road #3091); all of Lot 6; the Northeast Quarter of Lot 7; the East 1/2 of Lot 11 EXCEPT that portion thereof conveyed to Skamania County for Cook-Underwood County Road by instrument dated March 11, 1975 and recorded April 1, 1975 in Book 68 of Deeds at page 620 under Auditor's File No. 78963 and EXCEPT that portion of said East 1/2 of Lot 11 lying Southerly of the South Right-of-way line of said Cook-Underwood County Road; Lot 12 EXCEPT that portion thereof conveyed to Skamania County by said Auditor's File No. 78963 above and EXCEPT that portion of said Lot 12 lying Southerly of the South right-of-way of said Cook-Underwood County Road and EXCEPT that portion of said Lot 12 lying Easterly of Ausplund County Road (County Road #3091; All in Seeley's Subdivision of the Southwest Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

## PARCEL II

All that portion of the Southwest Quarter of the Southeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, lying Westerly of the County road known and designated as the Ausplund Road and Northerly of the County road known and designated as the Underwood-Willard Highway.

## PARCEL III

That portion of the Northwest Quarter of the Southeast Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, lying Westerly of the County road known and designated as the Ausplund Road.

## LEGAL DESCRIPTION - PARCEL 03 10 19 00 0802

The East Half of the West Half of Lot 11 SEELEYS SUBDIVISION of the Southwest Quarter of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington.

EXCEPT THAT PORTION CONVEYED TO SKAMANIA COUNTY FOR COOK-UNDERWOOD COUNTY ROAD, RECORDED IN BOOK 68, PAGE 620.

ALSO EXCEPT THAT PORTION CONVEYED TO SKAMANIA COUNTY BY INSTRUMENT RECORDED IN BOOK 188, PAGE 190.