

Return Address: Mike Lindell
9508 SE French Rd.
Vancouver, WA 98664

Doc # 2006161449
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Date: 05/05/2006 02:05P
Filed by: MIKE LINDELL
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$40.00

**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: Mike Lindell

PROPERTY OWNER: Scott Hall

FILE NO.: NSA-04-18

PROJECT: Replace an existing dwelling with a new 5,210 sq. ft. dwelling with an 83'x 40' footprint, a new 1,656 sq. ft. detached garage with a 36'x 46' footprint, utilities and driveway extension

LOCATION: 422 Sharleen Road; Section 18 of T1N, R5E, W.M. and identified as Skamania County Tax Lots #01-05-18-0-0-0301-00 & 01-05-18-0-0-0302-00. (A Boundary Line Adjustment (BLA-04-06) was approved to combine the two tax lots into one legal lot of record).

LEGAL DESCRIPTION: See attached Page 8-9.

ZONING: General Management Area - Large Scale Agriculture (Ag-1).
Was Special Management Area, now General Management Area requirements due to Section 8(o).

DECISION: Based upon the entire record, including particularly the Staff Report, the application by Mike Lindell, 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 Section 22.06.050(C)(2).

- 1) As per SCC Section 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. (See attached)
- 3) The deeds to consolidate tax lot # 01-05-18-0-0-0301-00 and #01-05-18-0-0-0302-00 into one legal lot of records shall be recorded prior to the issuance of any building permits being issued under this decision. A copy of the recorded deed shall be submitted to the Planning Department.
- 4) All structures, except fences, including eaves, awnings and overhangs shall meet the following setbacks: **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. 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. However, where Agricultural setbacks are greater as listed below, the Agricultural setbacks shall apply.
- 5) 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 as follows, and will be verified by Planning Staff prior to Final Inspection approval on the building permits:
 - a) The height of the mechanical room will be less than 7' - 0".
 - b) No second story living space above the garage.
 - c) Remove the (12' x 16') pole barn and 2 smaller shed type buildings from the parcel.

- 6) Exterior lighting shall be directed downward and sited, 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. Opaque means that it does not allow light to pass through the shield or hood. All lights should be hooded and shielded so as to have a luminary with less than a 90 degree cutoff. See Lighting Brochure attached to the Staff Report.
- 7) The applicant shall meet all conditions to achieve visual subordination prior to final inspection by the Planning Department. The applicant should coordinate all inspections with the Building Department. Final inspection sign-off will not be issued until compliance with conditions, including visual subordination criteria, has been verified.
- 8) The Planning Department shall conduct at least two site visits during construction. One will be to verify the location of the structures as stated by the Administrative Decision. Another will be conducted after all foundation excavation has been completed but prior to the applicant framing up the footers. 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.
- 9) Upon final inspection of the dwelling, the Planning Department shall verify the finished area of the daylight basement is less than 7'-0" in height.
- 10) Upon final inspection of the detached garage, the Planning Department shall verify that no kitchen exists.
- 11) A 100' agricultural setback is required for the proposed detached garage and proposed home off of the eastern property line.
- 12) The proposed dwelling and detached garage shall not exceed 25 feet in height measured from finished grade according to the final grading plan submitted March 4, 2005, except for the center 35 foot portion of the dwelling shall not exceed 35 feet from finished grade as shown on the same final grading plan.
- 13) All graded and disturbed areas are to be reseeded with a native vegetation mix prior to final inspection by the Planning Department.
- 14) The project applicant and future owners shall be responsible for the proper maintenance and survival of any vegetation required to be planted.
- 15) All existing screening trees on the subject parcel shall be retained and maintained in a healthy condition, except as necessary for site development or safety purposes, with no removal south or west of the home and garage sites of vegetation, in excess of 8" diameter at breast height (dbh). Dead and dying trees shall be replaced in kind. The Red Alder, proposed to be planted, along the driveway shall be at least 6 feet in height, not including the root ball, at time of planting.
- 16) Limbing or topping of screening trees is prohibited.

- 17) Only that grading which is necessary for site development (building pads, access roads, leach fields) is permitted.
- 18) Final color sample verification (**dark** natural or **dark** earth-tone colors) shall occur prior to issuance of a building permit.
- 19) The exteriors of the proposed development shall be composed of non-reflective material or materials with low reflectivity.
- 20) Water resource buffers shall be retained in their natural condition; therefore, mowing, grading, or other development within the water resource or its buffer shall be prohibited.
- 21) A re-vegetation plan shall be approved by WDFW prior to any vegetation removal or issuance of a building permit. To verify this condition of approval an approval letter from WDFW for the re-vegetation plan shall be submitted to the Planning Department, by the applicant, prior to issuance of a building permit.
- 22) 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 8th day of June, 2005, at Stevenson, Washington.



Karen A. Witherspoon, AICP, Director
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 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 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

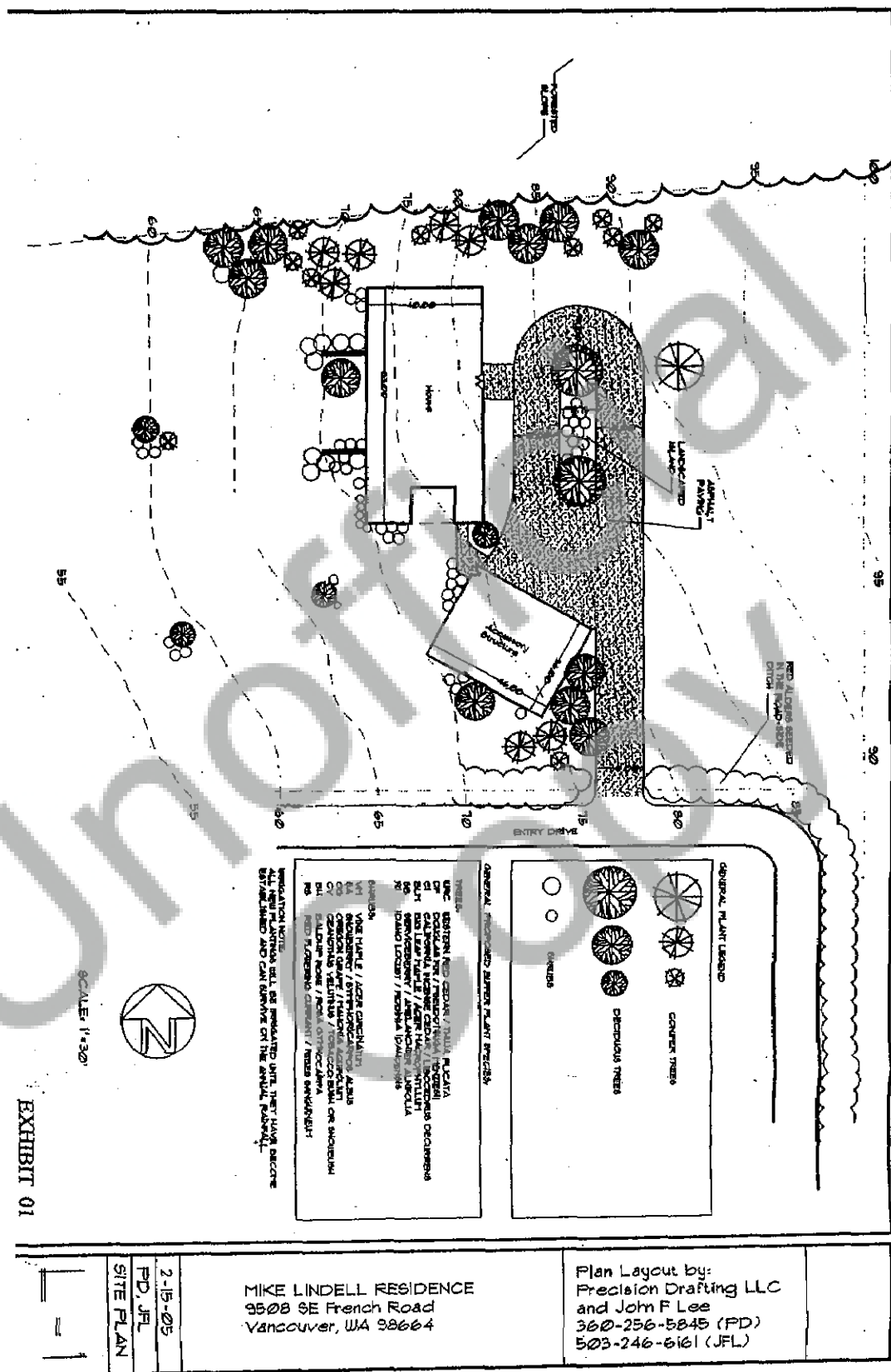
On November 30, 1998 the Columbia River Gorge Commission overturned a Skamania County Director's Decision 18 months after the 20 day appeal period had expired. You are hereby warned that you are proceeding at your own risk and Skamania County will not be liable for any damages you incur in reliance upon your Administrative Decision or any amendments thereto.

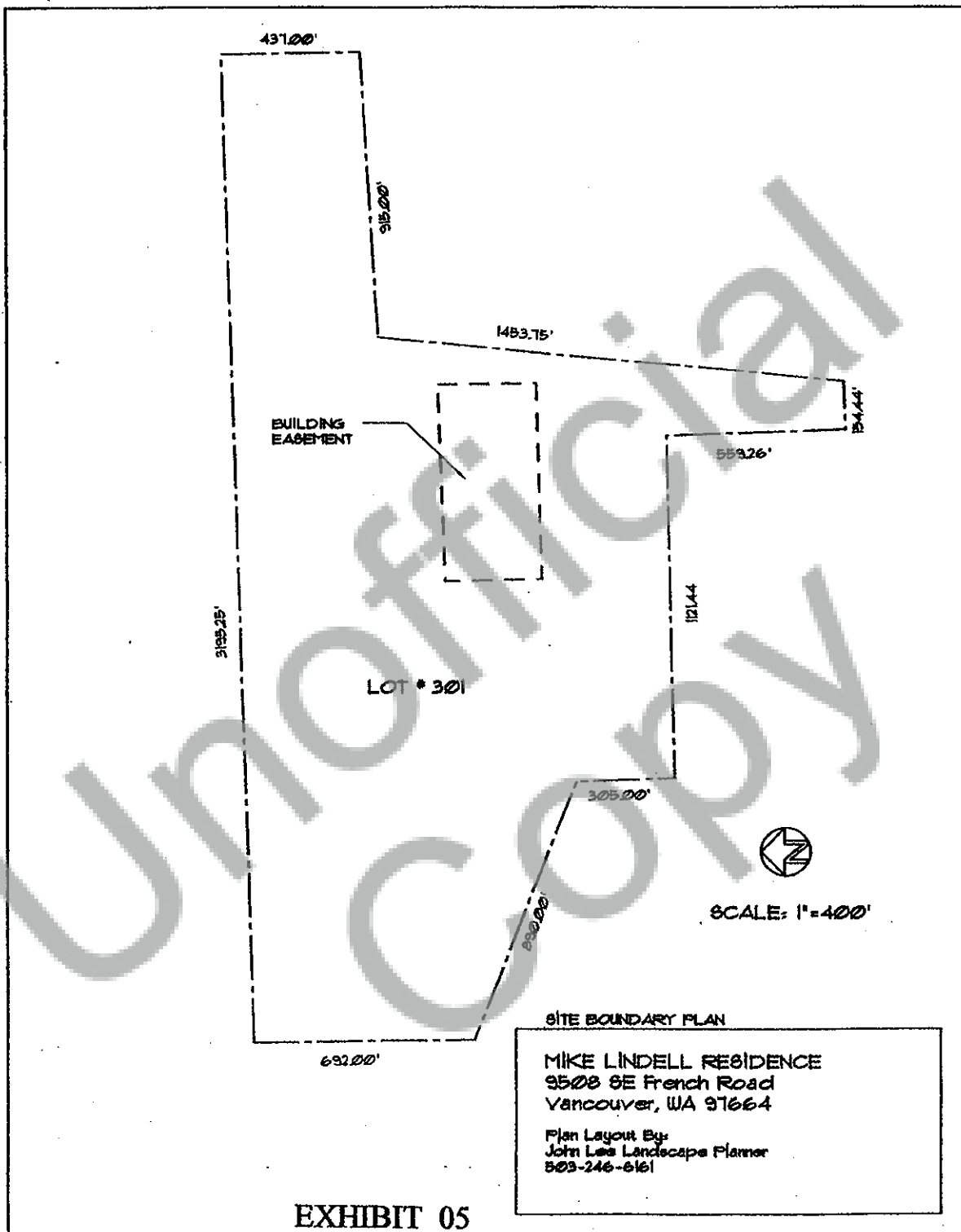
A copy of the Decision was sent to the following:

Skamania County Building Department
Skamania County Assessor's Office
Skamania County Health Department

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 - Dee Caputo
Washington State Department of Fish & Wildlife







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EXHIBIT "A" page 1 of 2
September 3, 2004

LEGAL DESCRIPTION FOR MICHAEL LINDELL

COMPOSITE OF TAX LOTS 301 AND 302:

A portion of the Southwest quarter of the Northeast quarter and the Southeast quarter of the Northwest quarter and the Northwest quarter of the Southeast quarter of Section 18, Township 1 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at the Center of Section 18; thence South $88^{\circ} 45' 02''$ East, along the South line of the North East quarter of Section 18, for a distance of 445.17 feet to the most Westerly Southwest corner of the "Hall tract", as described in Book 146 of deeds, page 979, Skamania County Records; thence continuing South $88^{\circ} 45' 02''$ East, 211.00 feet to the Northeast corner of the West half of the Northwest quarter of the Southeast quarter of Section 18; thence South $01^{\circ} 30' 22''$ West, along the East line of the West line of the West half of the Northwest quarter of the Southeast quarter of Section 18, for a distance of 559.26 feet to the most Southerly Southwest corner of the "Hall tract"; thence South $88^{\circ} 47' 04''$ East, 154.44 feet to the most Southerly Southeast corner of the "Hall tract"; thence North $08^{\circ} 35' 35''$ East, 1453.75 feet to an interior corner of the "Hall tract"; thence South $88^{\circ} 24' 53''$ East, 915.00 feet to the most Easterly Southeast corner of the "Hall tract"; thence North $01^{\circ} 32' 13''$ East, 437.00 feet to the North line of the South half of the Northeast quarter of Section 18 and the Northeast corner of the "Hall tract"; thence North $88^{\circ} 24' 53''$ West, 1459.31 feet to the Northwest corner of the "Hall tract", said point also being the Northeast corner of another "Hall tract", as described in Book 130 of Deeds, page 371, Skamania County Auditor's Records; thence continuing North $88^{\circ} 24' 53''$ West, 444 feet, more or less, to the Northeast corner of the Southwest quarter of the Northwest quarter of Section 18; thence West 1297 feet, more or less, to the Northwest corner of the Southeast quarter of the Northwest quarter of Section 18, said point being the Northwest corner of the latter "Hall tract"; thence South along the West line of the Southeast quarter of

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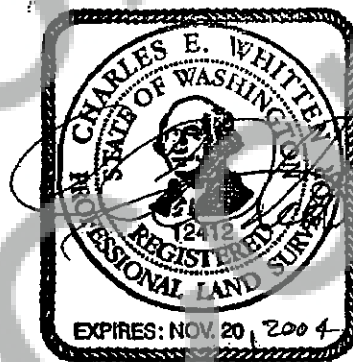
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the Northwest quarter of Section 18, for a distance of 692 feet, more or less, to a point which is 628 feet North of the Southeast corner of the Southeast quarter of the Northwest quarter of Section 18, said point also being the most Westerly Southwest corner of the latter "Hall tract"; thence Southeasterly 890 feet, more or less to an interior corner of the latter "Hall tract"; thence Southerly 305.00 feet to the most Southerly Southwest corner of the latter "Hall tract"; thence East, 465 feet, more or less to the POINT OF BEGINNING.

SUBJECT TO easements and restrictions of record.

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LD2004\Lindell-TL 301 and 302.bj



09-03-2004