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Doc # 2008169250
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Date: 3/13/2008 03:55P
Filed by: WYERS & HASKELL PC
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of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$48.00

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

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 509 427-3907

Administrative Decision

APPLICANT: Shelhorse Trust

PROPERTY OWNER: Shelhorse Trust

FILE NO.: NSA-08-05

PROJECT: After-the-fact application for the removal of the existing foundation of the single-family dwelling destroyed in the Underwood Fire.

LOCATION: 32 Gosnell Road, Underwood; Section 21 of T3N, Range 10E, W.M. and identified as Skamania County Tax Lot #03-10-21-3-0-0701-00.

LEGAL: See attached page 7.

ZONING: General Management Area-Residential (R-5).

DECISION: Based upon the record and the Staff Report, the application by Shelhorse Trust, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 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 Division and the Skamania County Health Department.

2015/2/2 14:10:00
cc: client 2/25/08

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 Code 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 §22.06.120(C)(2).

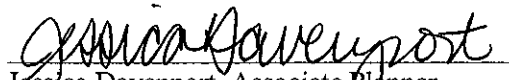
- 1) As per SCC §22.06.120(C)(2), this Administrative Decision **SHALL BE RECORDED** by the applicant in the County deed records prior to commencement of the approved project.
- 2) All developments shall be consistent with the enclosed site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval. (See attached)
- 3) Information for future applications: All structures, except fences, including eaves, awnings and overhangs shall meet the following setbacks: **Front yard:** 45 feet from the centerline of the street or road or 15 feet from the front property line, whichever is greater. **Side yard:** 5 feet. **Rear yard:** 15 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.
- 4) All graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department. Planted vegetation shall be maintained to ensure survival.
- 5) The Planning Department will conduct one site visit for Final Inspection. All conditions of approval shall be met prior to final inspection. The inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Planning Department at 509-427-3900.
- 6) 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 Administrator and the Gorge Commission within twenty-four (24) hours of the discovery. If the cultural resources are

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prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within twenty-four (24) hours.

- c) **Survey and Evaluations.** The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the DAHP. (See Revised Code of Washington 27.53) It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the provisions in Section 22.22.030 of this Chapter. Based upon the survey and evaluation report and any written comments, the Administrator shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.
 - d) **Mitigation Plan.** Mitigation plans shall be prepared according to the information, consultation and report provisions contained in Section 22.22.050 of this Chapter. Construction activities may recommence when conditions in the mitigation plan have been executed.
- 7) The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones or teeth, with or without attendant burial artifacts.
- a) **Halt of Activities.** All survey, excavation and construction activities shall cease.
 - b) **Notification.** Local law enforcement officials, the Administrator, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
 - c) **Inspection.** The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/ historic or modern. Representatives of the Indian tribal governments shall be contacted immediately and have an opportunity to monitor the inspection.
 - d) **Jurisdiction.** If the remains are modern, the appropriate law enforcement official shall assume jurisdiction and the cultural resource protection process may conclude.
 - e) **Treatment.** The procedures set out in RCW 27.44 and 68.05 shall generally be implemented if the remains are prehistoric/ historic. If human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements set out in Section 22.22.050 of this Chapter. The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 22ND day of February, 2008, at Stevenson, Washington.


Jessica Davenport, Associate Planner
Skamania County Planning and Community Development.

NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, and additions or alterations not included in this approved site plan, will require a new application and review.

As per SCC §22.06.150(A), 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 Hearing Examiner, 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 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

Cowlitz Tribe

Department of Archaeology and Historic Preservation

Columbia River Gorge Commission

U.S. Forest Service - NSA Office

Board of County Commissioners

State of Washington Department of Community Trade and Economic Development – Dee Caputo

Department of Fish and Wildlife

Unofficial
Copy

PO Box 6
Underwood, WA 98651

Jan 7 4 21 PM '97
GARY
AUDITOR
GARY M. OLSON

127070

BOOK 161 PAGE 738

BARGAIN AND SALE DEED

Aurabelle M. Shelhorse grants and conveys to Aurabelle Maryann Shelhorse, Trustee of the Aurabelle Maryann Shelhorse Revocable Living Trust, the following described real property situated in the County of Skamania, State of Washington:

All of Lot 3, and the easterly 40 feet of Lot 4 of GOSNELL VIEW TRACTS according to the official plat thereof on file and of record at page 129 of Book 2 of Plats, Records of Skamania County, Washington; and

All that portion of the South Half of the Northeast Quarter of the Southwest Quarter of Section 21, Township 3 North, Range 10 S. N. M. lying southerly of said plat, westerly of a line extending south 10° 26' west from the southeast corner of the said Lot 3, and easterly of a line extending south 10° 26' west from the southwesterly corner of the easterly 40 feet of the said Lot 4.

SUBJECT TO easements and restrictive covenants of record.

The true and actual consideration for this conveyance is not expressed in terms of money. This conveyance is made for estate planning purposes only.

DATED this 8 day of November, 1996.

Aurabelle Maryann Shelhorse
Aurabelle Maryann Shelhorse

STATE OF OREGON)
County of Hood River) ss.

SUBSCRIBED AND SWORN to before me this 8 day of November, 1996, by Aurabelle Maryann Shelhorse.

Chad Owen Jansen
Notary Public for Oregon
My Commission Expires: Dec 11, 1999



18537
REAL ESTATE FEESE TAX

Signature
Subscribed by
Notary
Filed

JAN 8 1997
PAID exempt
SKAMANIA COUNTY TREASURER

