

Return Address: John and Georgianna Warta  
P.O. Box 1088  
Camas, WA 98607

**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:** John and Georgianna Warta

**PROPERTY  
OWNER:** GLW Ventures, LLC.

**FILE NO.:** NSA-06-42

**PROJECT:** To construct a new 60' x 50' x 16' (height) pole barn, a 40' x 50' x 12' (height) shed with a cow feeder, a 10' x 12' x 9' (height) well house, noxious weed control and install utilities

**LOCATION:** Located at the off of Sharleen Road, Washougal; Section 18 of T1N, Range 5E, W.M. and identified as Skamania County Tax Lot # 01-05-18-0-0-0300-00, #01-05-18-0-0-0400-00 and #01-05-18-0-0-0403-00.

**LEGAL:** See attached page(s) 9-10.  
Tax Lot #01-05-18-0-0-0403-00: Lot 1 of Sharleen James Short Plat, Skamania County Auditor's Book 2 Page 65.

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

**DECISION:** Based upon the record and the Staff Report, the application by John and Georgianna Warta, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and is hereby approved.

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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.

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) 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 20 feet from the front property line, whichever is greater. **Side yard:** 20 feet. **Rear yard:** 20 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) A separate National Scenic Area application shall be submitted for review if the applicant chooses in the future to pursue additional crops such as but not limited to trees and grapes.
- 5) The applicant shall initiate the proposed agricultural use within one (1) year and have the agricultural use up and running within five (5) years in order to maintain the agricultural buildings approved in this application. If the agricultural operation ceases, the agricultural buildings shall be removed from the property.
- 6) The agricultural setback of 15 feet shall be applied to the west property line of lot. The applicant shall retain the existing trees that run along the west property line along Sharleen Road in order to maintain the buffer.
- 7) A continuous vegetative screen shall be planted as shown on the final site plan. The trees shall be at least six (6) feet height when planted and reach an ultimate height of at least fifteen (15) feet. The

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vegetation screen shall be planted along the appropriate parcel line(s), and be continuous. The vegetative screening must be completely planted during the first phase of development (prior to any building permits being issued) and maintained in good condition.

- 8) Only that grading which is necessary for site development (building pads, utilities, etc.) is permitted. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department.
- 9) Planted vegetation shall be maintained to ensure survival.
- 10) The applicant shall retain all existing trees along the southern property line of lot #403 to provide screening from the Historic Columbia River Highway Larch Mountain and maintain visual subordination.
- 11) The structures shall be composed of nonreflective materials or materials with low reflectivity. The originally proposed painted metal roofing is not allowed. The asphalt shingles are allowed and considered to be nonreflective materials.
- 12) All exterior lighting shall be hooded and shielded at a 90-degree angle. Hoods/ shields shall be made of nonreflective, opaque material, which does not allow light to pass through.
- 13) The height of the barn shall not exceed 16', the shed 12' and the well house 9' from the top of the footer to roof peak.
- 14) Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.
- 15) Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 16) The exteriors of the structures shall be dark earth tone in color, such as the approved colors submitted to the Planning Department. Yorkshire Brown (Behr #220F-7) and Mountain Elk (Behr #740D-6). The color Mojave Gold (Behr #671F-6) may only be used on the trim for the barn doors. If the applicant chooses to change the color of the structure, color samples shall be submitted to the Planning Department for approval prior to the issuance of a building permit.
- 17) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Planning Department. The applicant is to coordinate all inspections with the Building Division. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.
- 18) The Planning Department will conduct at least two site visits during construction, one to verify the location of the structures as stated by the Administrative Decision and a second to be conducted after all foundation excavation has been completed including framing footers, but prior to pouring the foundation. A site visit for Final Inspection shall also be conducted. Each inspection may take

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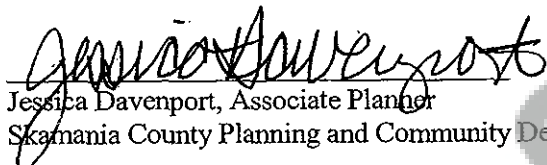
up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Building Division at 509-427-3920.

- 19) 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 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.
- 20) 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.

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- 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 20<sup>th</sup> day of December, 2007, 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.

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A copy of the Decision was sent to the following:

Skamania County Building 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

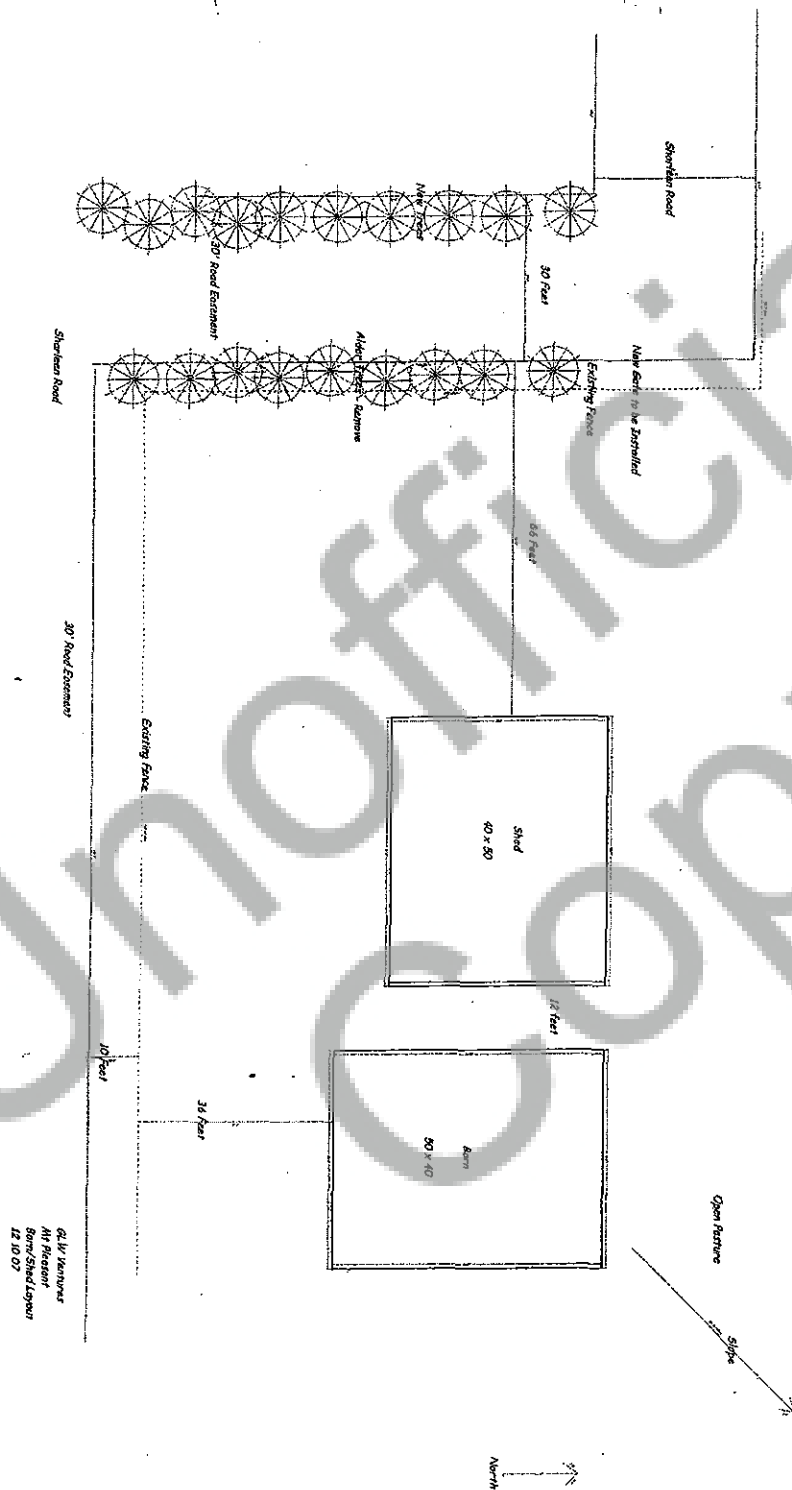
Columbia River Gorge Commission

U.S. Forest Service - NSA Office

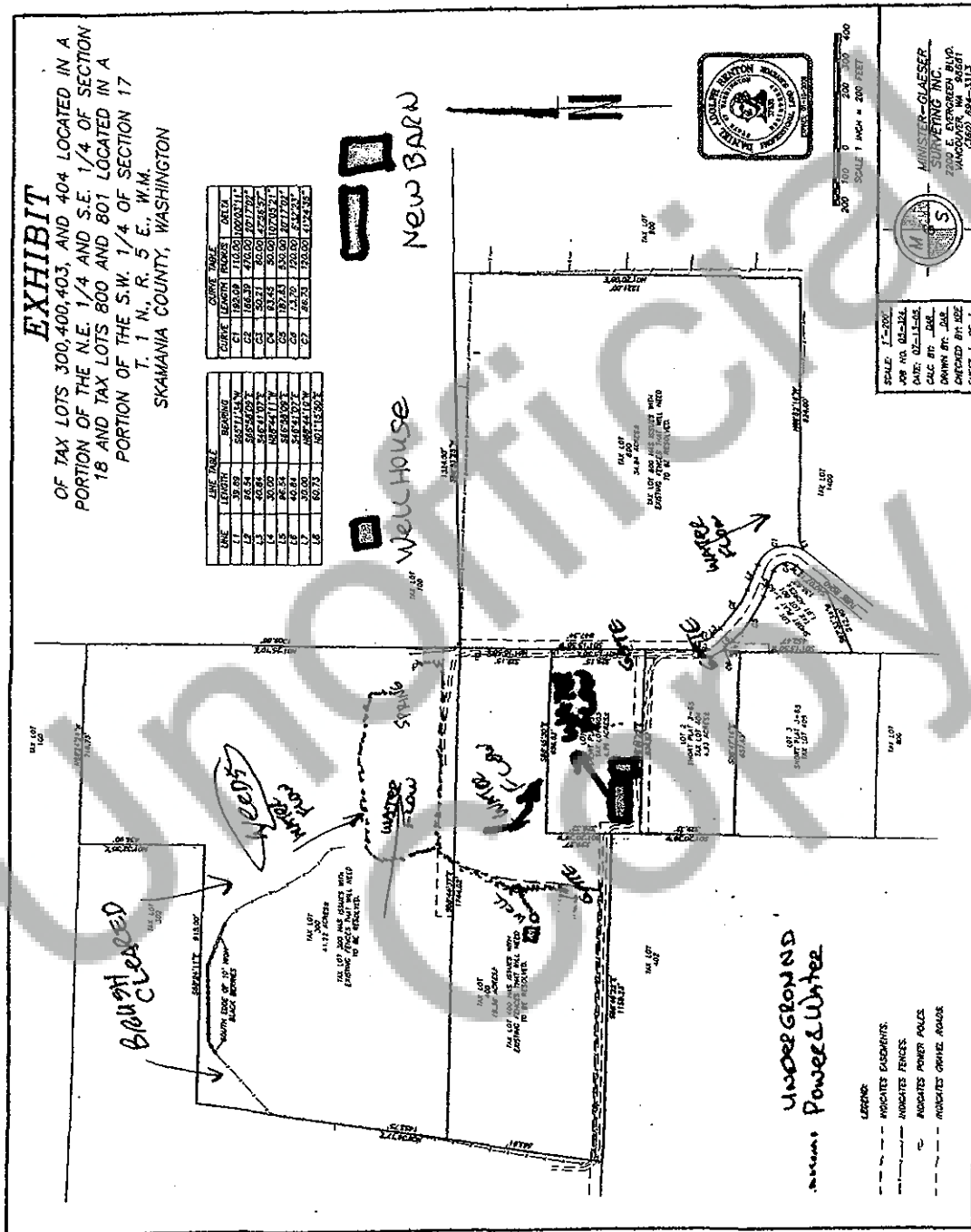
Board of County Commissioners

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

Department of Fish and Wildlife











3244  
No. 2345  
TRANSACTION EXCISE TAX

BOOK 44 PAGE 303

JAN 23 1958

Amount Paid Tax

Mrs. D. O. Olin

Skamania County Treasurer

By: *Lincoln J. Hilling*

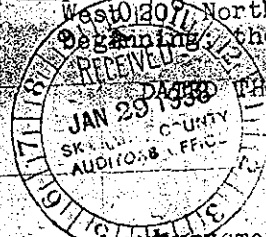
WARRANTY DEED

FOR A VALUABLE CONSIDERATION heretofore received and to be received, DOROTHY MOLINE, a single woman, hereby conveys and warrants unto PAUL R. MARTIN and VERLA M. MARTIN, husband and wife, the following described real property situated in the County of Skamania, State of Washington, to-wit:

That part of the West Half of the Southwest Quarter of Section 17, Township 1 North, Range 5 East of the Willamette Meridian, described as follows:

Commencing at the Northwest corner of the Southwest Quarter of the said Section 17; thence East 20 chains; thence South 18 $\frac{1}{2}$  chains; thence due West 14 chains; thence Southwesterly in a straight line to intersection of West boundary line of said section at a point 19 chains North of the Southwest corner of the said Section 17; thence from said point North 21 chains to the place of beginning;

ALSO: The South Half of the Northeast Quarter; the Northeast Quarter of the Southeast Quarter; the East Half of the West Half of the Southeast Quarter; the West Half of the Southeast Quarter of the Southeast Quarter, and the Southeast Quarter of the Northwest Quarter, all in Section 18, Township 1 North, Range 5 East of the Willamette Meridian, excepting therefrom the following described tract of land: Commencing at the Southwest corner of the Southeast Quarter of the Northwest Quarter of the said Section 18; thence East along the center line running East and West through the said Section 18 approximately 830 feet to a point 10 feet West of creek; thence North 305 feet; thence West 100 feet North to a point 628 feet North of the place of beginning; thence South to the place of beginning.



STATE OF WASHINGTON )

County of Clark ) ss.

On this day personally appeared before me Dorothy Moline, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal this 27th day of January, 1958.

*Paul R. Martin*  
NOTARY PUBLIC in and for the State of Washington, County of Skamania, therein



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## WARRANTY DEED

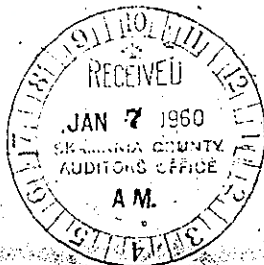
The Grantors, PAUL R. MARTIN and VERLA M. MARTIN, husband and wife, for and in consideration of the sum of Ten Dollars and other Valuable Considerations in hand paid, convey and warrant to EARL B. MARTIN and HELEN K. MARTIN, husband and wife, the following described real property located in Skamania County, State of Washington, to-wit:

That part of the West Half of the Southwest Quarter ( $W\frac{1}{2} SW\frac{1}{4}$ ) of Section 17, Township 1 North, Range 5 E. W. M., described as follows: Beginning at the northwest corner of the Southwest Quarter ( $SW\frac{1}{4}$ ) of the said Section 17; thence east 20 chains; thence south  $18\frac{1}{2}$  chains; thence due west 14 chains; thence southwesterly in a straight line to intersection of west boundary line of said section at a point 19 chains north of the southwest corner of the said Section 17; thence from said point north 21 chains to the place of beginning;

ALSO: The South Half of the Northeast Quarter ( $S\frac{1}{2} NE\frac{1}{4}$ ); the Northeast Quarter of the Southeast Quarter ( $NE\frac{1}{4} SE\frac{1}{4}$ ); the East Half of the West Half of the Southeast Quarter ( $E\frac{1}{2} W\frac{1}{2} SE\frac{1}{4}$ ); the West Half of the Southeast Quarter of the Southeast Quarter ( $W\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$ ); the north 160 feet of the East Half of the Southeast Quarter of the Southeast Quarter ( $E\frac{1}{2} SE\frac{1}{4} SE\frac{1}{4}$ ); and the Southeast Quarter of the Northwest Quarter ( $SE\frac{1}{4} NW\frac{1}{4}$ ); all in Section 18, Township 1 North, Range 5 E. W. M.; EXCEPT the following described tract of land: Beginning at the southwest corner of the Southeast Quarter of the Northwest Quarter ( $SE\frac{1}{4} NW\frac{1}{4}$ ) of the said Section 18; thence east along the center line running east and west through the said Section 18 approximately 830 feet to a point 10 feet west of creek; thence north 305 feet; thence west  $20^\circ$  north to a point 628 feet north of the place of beginning; thence south to the place of beginning;

SUBJECT TO easements and rights of way for public roads over and across the above described real property; AND SUBJECT TO easements for electric power transmission lines over and across said real property.

Dated this twelfth day of November, 1959.



*Paul R. Martin* (SEAL)

*Verla M. Martin* (SEAL)

