

Return Address: Mike Lindell
P.O. Box 926
Washougal, WA 98671

Skamania County Community Development Department

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-3900 FAX 509 427-3949

Administrative Decision

APPLICANT: Mike Lindell

PROPERTY OWNER: Michael and Kelly Lindell

FILE NO.: NSA-09-38

PROJECT: Barn repairs/ remodel, construction of a well house (12' x 8' x 9'6" height), and to erect barb wire/ no climb/ steel pipe cross fencing to contain livestock.

LOCATION: End of Sharleen Road, Washougal, Section 18 of T1N, R5E, W.M. and is identified as Skamania County Tax Lot Number 01-05-18-0-0-0301-00.

LEGAL: See attached page 11-12.

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

DECISION: Based upon the record and the Staff Report, the application Mike Lindell, 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

Skamania County Community Development Department
File: NSA-09-38 (Lindell) Administrative Decision
Page 2

issues are under the jurisdiction of Skamania County's Building Division and the Skamania County Environmental Health Division.

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. **The agricultural setbacks of 100' to the eastern property line and 15' to the southern property line shall be applied**
- 4) 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 Community Development Department.
- 5) Planted vegetation shall be maintained to ensure survival.
- 6) The exterior of the proposed well house shall be dark earth-tone in color. The exterior includes, but is not limited to, sides, doors, decks, gutters, roofs and trim. The following colors submitted by the applicant are consistent with this condition and are hereby approved: the black railroad ties and the black asphalt shingle for the roofing. Any

Skamania County Community Development Department
 File: NSA-09-38 (Lindell) Administrative Decision
 Page 3

proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.

- 7) The exterior of the well shed and the barn shall be composed of non-reflective materials. The proposed asphalt roofing shingles are allowed. Metal roofing is not allowed for either building.
- 8) 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.
- 9) If the applicant chooses to paint the exterior of the existing barn it shall be dark brown (Behr Dried Leaf S-H-710) with black trim (Behr Black Suede S-H-790), with black asphalt roofing. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
- 10) Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.
- 11) Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 12) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development 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.**
- 13) The Community Development 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 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.
- 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 Administrator and the Gorge Commission within twenty-four (24) hours of the discovery. If the cultural

Skamania County Community Development Department
File: NSA-09-38 (Lindell) Administrative Decision
Page 4


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.
- 15) 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

Skamania County Community Development Department
File: NSA-09-38 (Lindell) Administrative Decision
Page 5

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 21st day of September 2009, at Stevenson, Washington.


Jessica Davenport, Associate Planner
Skamania County Community Development Department

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.

EXPIRATION

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 once development has commenced the development action is discontinued for any reason for one continuous year or more.

If the development does not include a structure the permit shall expire two years after the date the land use approval was granted unless the use or development was established according to all specifications and conditions of approval in the approval. For land divisions, "established" means the final deed or plat has been recorded with the county auditor.

If the development includes a **structure** the permit shall expire when construction has not commenced within two (2) years of the date the land use approval was granted; or once the structure has been started and if the structure has not been completed within two (2) years of the date of commencement of construction the permit shall expire. Completion of the structure for this purpose means the completion of the exterior surface(s) of the structure; and compliance with all conditions of approval in the land use approval, including, but not limited to, painting of the exterior of the structure.

APPEALS

The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Skamania County Community Development Department
File: NSA-09-38 (Lindell) Administrative Decision
Page 6

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 and mailing lists are available at the Community Development Department and must be accompanied by a \$500.00 nonrefundable-filing fee and a Certificate of Mailing.

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 Division

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

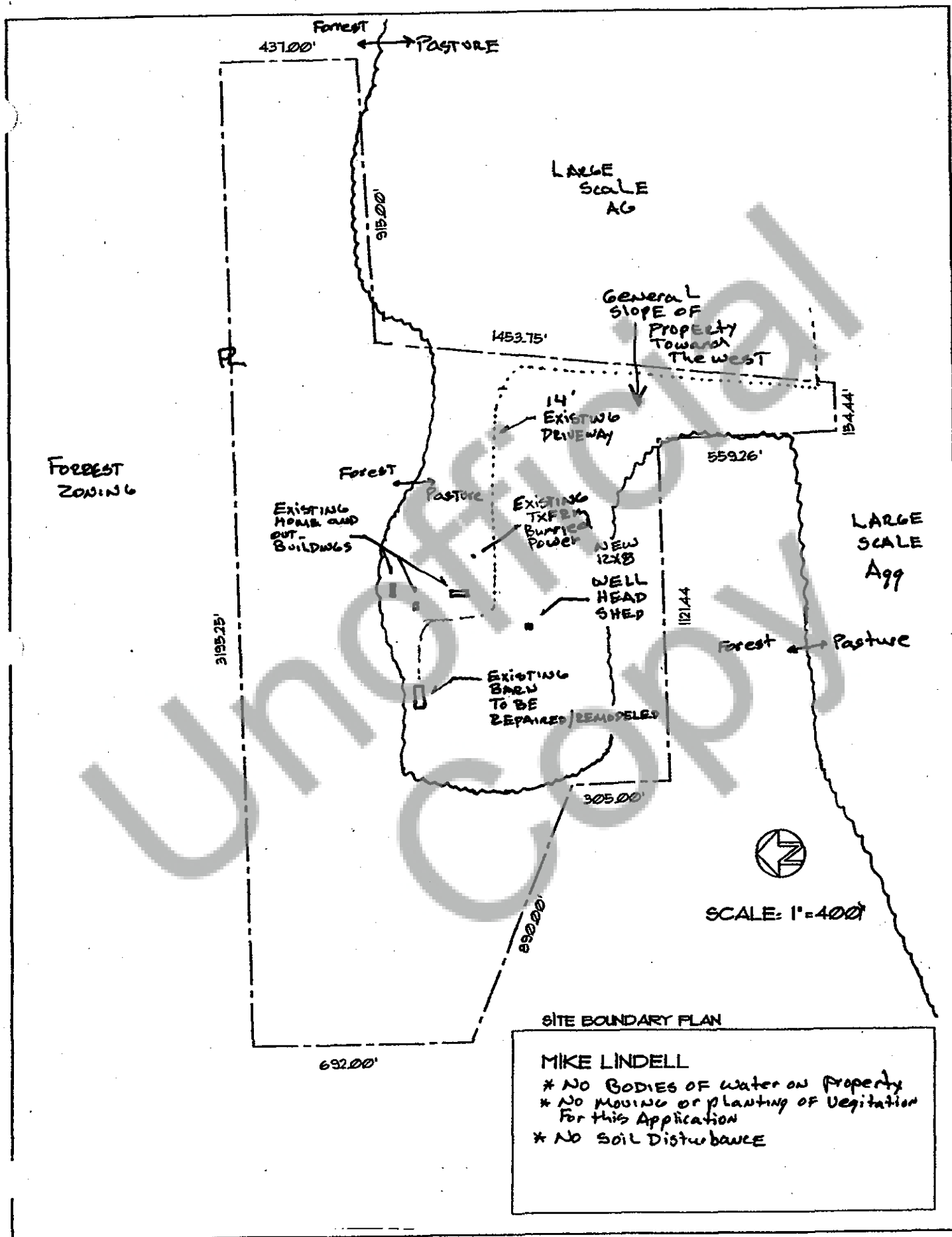
Columbia River Gorge Commission

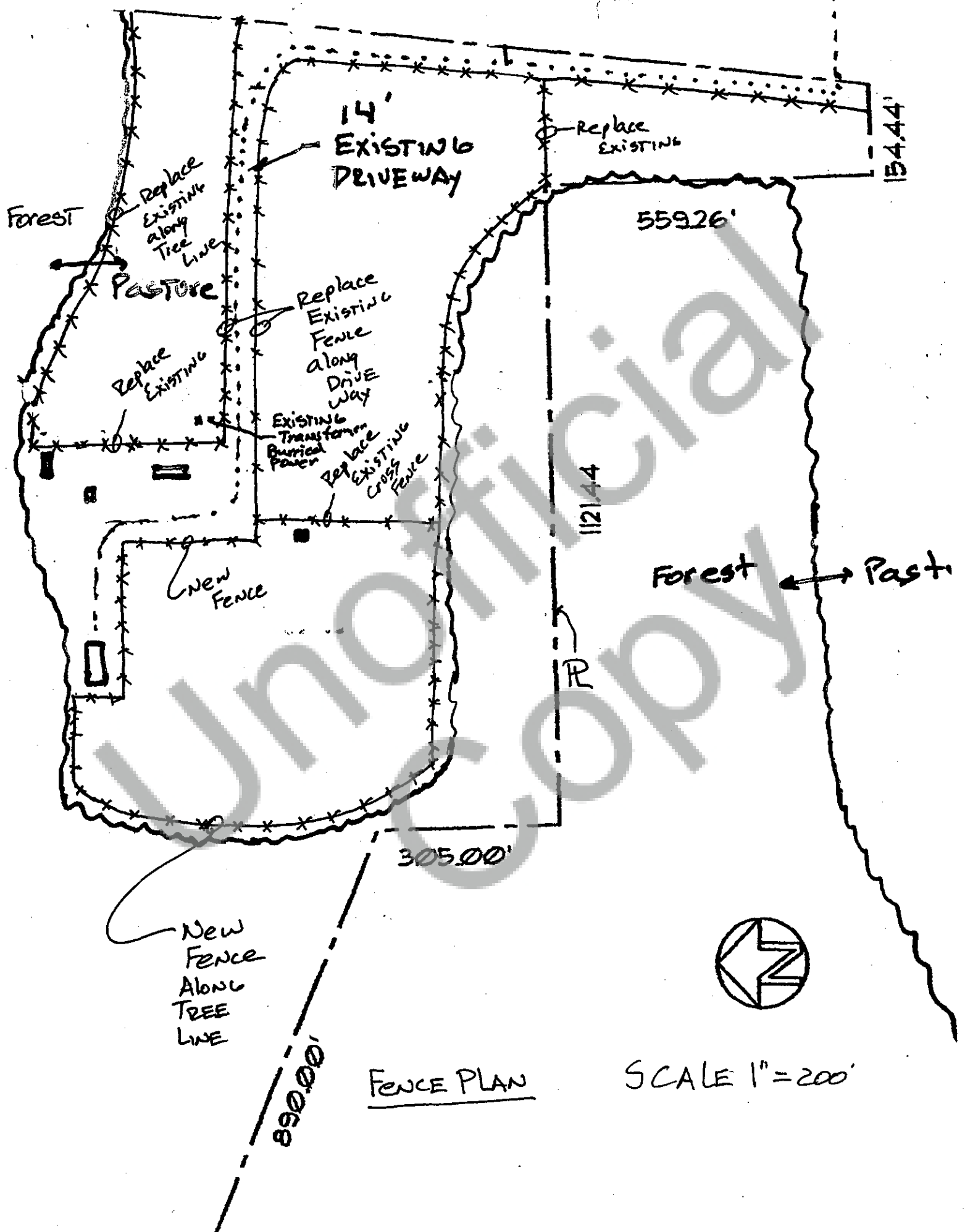
U.S. Forest Service - NSA Office

Board of County Commissioners

State of Washington Department of Community Trade and Economic Development – Carrie Calleja

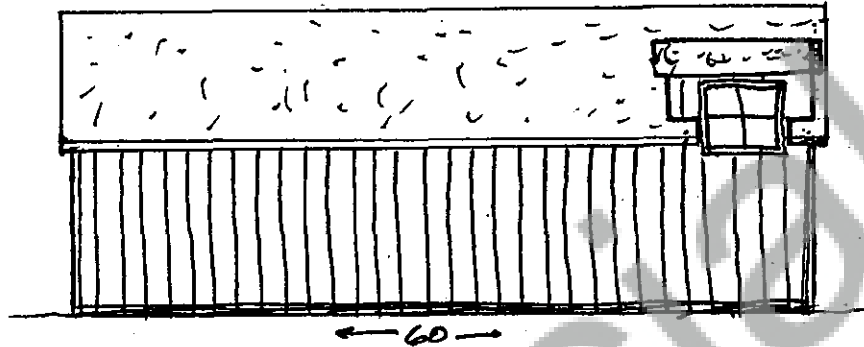
Department of Fish and Wildlife



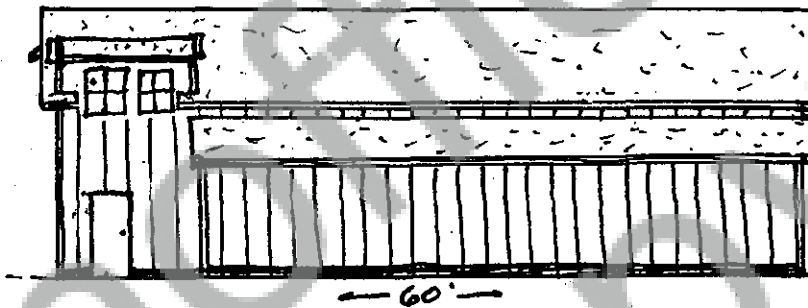


BARN

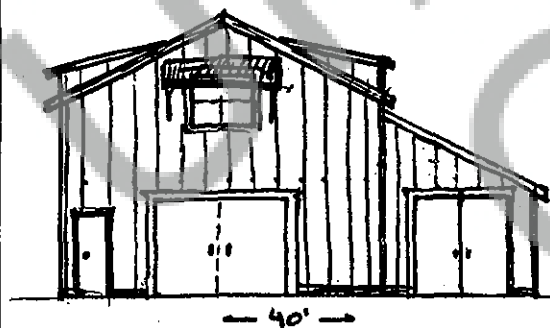
ELEVATION DRAWINGS:



SOUTH ELEVATION $\frac{1}{16}'' = 1'$

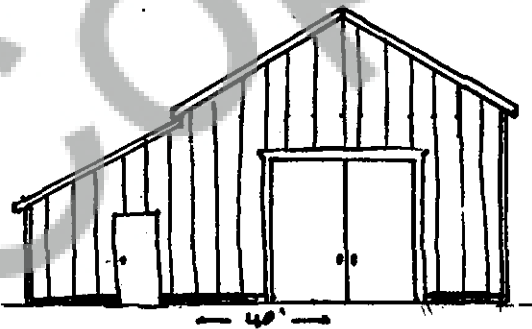


NORTH ELEVATION $\frac{1}{16}'' = 1'$



$\frac{1}{16}'' = 1'$

EAST ELEVATION



$\frac{1}{16}'' = 1'$

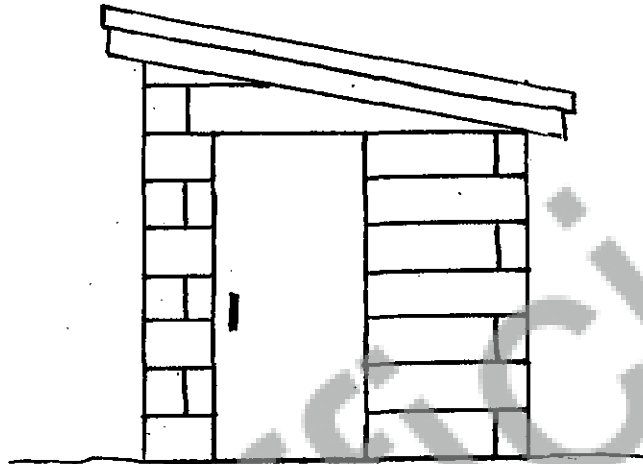
WEST ELEVATION

Additional pages must have 1" margin.

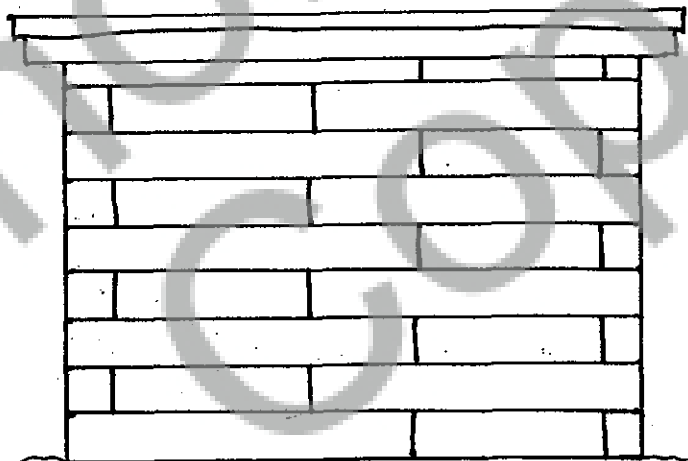
Elevation drawings must be in ink.

WELL HEAD SHED

ELEVATION DRAWINGS:



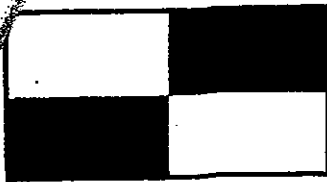
SOUTH ELEVATION $\frac{1}{4}'' = 1'$



WEST ELEVATION $\frac{1}{4}'' = 1'$

Additional pages must have 1" margin.

Elevation drawings must be in ink.



HAGEDORN, INC.

SURVEYORS AND ENGINEERS

1924 Broadway, Suite B • Vancouver, WA 98663 • (360) 696-4428 • (503) 283-6778 • Fax: (360) 694-8934 • www.hagedornse.com

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 146 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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Page 1 of 1

Legal Description for
Michael Lindell

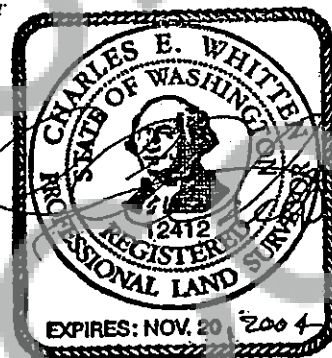
Page 2

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.

88

LD2004\Lindell-TL 301 and 302.b)



09-03-2004