

Return Address: Steve Wisenbaker  
Steve Wisenbaker Architects  
300 Tamal Plaza, Suite 200  
Corte Madera, CA 94925

Skamania County  
**Community Development Department**

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-3900 FAX 866 266-1534

**Administrative Decision**

**APPLICANT:** Steve Wisenbaker

**PROPERTY OWNER:** Steve & Meryl Wisenbaker

**FILE NO.:** NSA-10-02

**PROJECT:** To construct a new 25' x 60' x 24' (height) barn to store equipment for the purpose of maintaining the forest property.

**LOCATION:** 201 Overlook Road, Underwood, Section 21 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-21-1-0-1500-00.

**LEGAL:** See page(s) 8.

**ZONING:** General Management Area- Small Woodland (F-3) (OS).

**DECISION:** Based upon the record and the Staff Report, the application Steve Wisenbaker, 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 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.
- 4) The barn shall be setback at least 40 feet from the east property line as indicated by the site plan. The barn shall be setback at a minimum of 200 feet from all other property lines.
- 5) The Fire Safety Guidelines as stated in Section 22.14.050(A) shall be conditions of approval:
  - a. All buildings shall be surrounded by a maintained fuel break of fifty (50) feet. Irrigated or fire resistant vegetation may be planted within the fuel break,

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- including green lawns and low shrubs (less than twenty-four (24) inches in height). Trees should be placed greater than fifteen (15) feet between the crowns and pruned to remove dead and low (less than eight (8) feet) branches. Accumulated leaves, needles and other dead vegetation shall be removed from beneath trees.
- b. Hazardous fuels shall be removed within the fuel break area.
  - c. Buildings with plumbed water systems shall install at least one (1) standpipe at a minimum of fifty (50) feet from the structure(s).
  - d. A pond, stream, tank or sump with storage of not less than 1,000 gallons, or a well or water system capable of delivering twenty (20) gallons per minute shall be provided. If a well pump is located on-site, the electrical service shall be separate from the dwelling.
  - e. Access drives shall be constructed to a minimum of twelve (12) feet in width and not exceed a finished grade of twelve percent (12%). Turnouts shall be provided at a minimum of every 500 feet. Access drives shall be maintained to a level that is passable to fire equipment. However, variances to road provisions may be made after consultation with the local fire marshal and the Washington State Department of Natural Resources.
  - f. Within one (1) year of the occupancy of a dwelling, the Administrator shall conduct a review of the development to assure compliance with this section.
  - g. Telephone and power supply shall be underground whenever possible.
  - h. Roofs of structures should be made of fire-resistant materials, such as fiberglass, shingle, or tile. Roof materials such as cedar shake and shingle should not be used.
  - i. Any chimney or stovepipe on any structure for use with a wood stove or fireplace should be screened with no coarser than a quarter (1/4) inch mesh metal screen that is noncombustible and corrosion resistant and should be equipped with a spark arrestor.
  - j. All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the Uniform Building code.
  - k. Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than a quarter (1/4) inch mesh metal screen that is noncombustible and corrosion resistant.
- 6) 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.
- 7) Planted vegetation shall be maintained to ensure survival.
- 8) The barn shall not exceed a height of 24 feet as measured from top of footer to roof peak, and the structure shall be limited to a maximum of 1,500 square feet footprint.

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- 9) All existing trees screening the proposed accessory structure from KVAs as marked on the site plan shall be retained, except as is necessary for site development or safety purposes, or within the 50-foot fuel break.
- 10) The proposed structure shall be composed of nonreflective materials or materials with low reflectivity.
- 11) 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.
- 12) The exterior of the proposed structure 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: for the barn siding and trim –Dum Edwards #DEA 182 Encore Teal, matching the existing house and detached garage; and roofing – black/gray composition roofing. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
- 13) The existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
- 14) Except as necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained.
- 15) 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.
- 16) 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.
- 17) The following procedures shall be effected when cultural resources are discovered during construction activities:

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- 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.
- 18) 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.
  - e. **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.
  - f. **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 16<sup>th</sup> day of June, 2010, 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.

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## 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 and mailing lists are available at the Community Development Department and must be accompanied by a \$1,300.00 nonrefundable-filing fee and a Certificate of Mailing.

The final determination of the Environmental Threshold Determination related to this underlying government action can be appealed to a court of competent jurisdiction, along with the underlying government action, only by the parties with standing to the Environmental Threshold Determination. If the underlying government action was exempt from SEPA review, this section does not apply.

## 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 (electronic)  
 State of Washington Department of Commerce – Paul Johnson (electronic)  
 Department of Fish and Wildlife

Richard H. Stewart  
c/o Fred F. Wehrle, Esq.  
606 So. Hill Street  
Los Angeles, California  
90014

STATE OF CALIFORNIA	INSTRUMENT	DATE	RECORDED	INDEXED	FILED

SPACE ABOVE THIS LINE FOR RECORDER'S USE  
**BOOK 43 PAGE 539**

DOCUMENTARY TRANSFER TAX  
COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,  
OR COMPUTED ON FULL VALUE LESS LIENS AND  
ENCUMBRANCES REMAINING AT TIME OF SALE.

Signature of Declarant or Agent Submitting Tax. Form Name

No consideration - Transfer from Wife to Husband

### Quitclaim Deed

74214 THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

BETTY ELJANE STEWART, a married woman

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to

RICHARD H. STEWART, a married man, as his sole and separate

property

the following described real property in the county of Skamania

State of Washington:

All that portion of the South Half of the Southwest Quarter of the Northeast Quarter of Section 21, Township 3 North, Range 10 East, lying southeasterly of the county road known and designated as the Underwood-Willard Highway, containing 13.24 acres, more or less.

No. 1040

TRANSACTION EXCISE TAX

NOV. 26 1971

Amount Paid None

By Richard H. Stewart  
Skamania County Treasurer

Dated Oct. 21 1971

Betty Eljane Stewart  
BETTY ELJANE STEWART

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } ss  
On Oct. 21 1971 before me, the under-  
signed, a Notary Public in and for said State, personally appeared  
BETTY ELJANE STEWART

known to me  
to be the person whose name is subscribed to the within  
instrument and acknowledged that she executed the same.

WITNESS my hand and official seal.

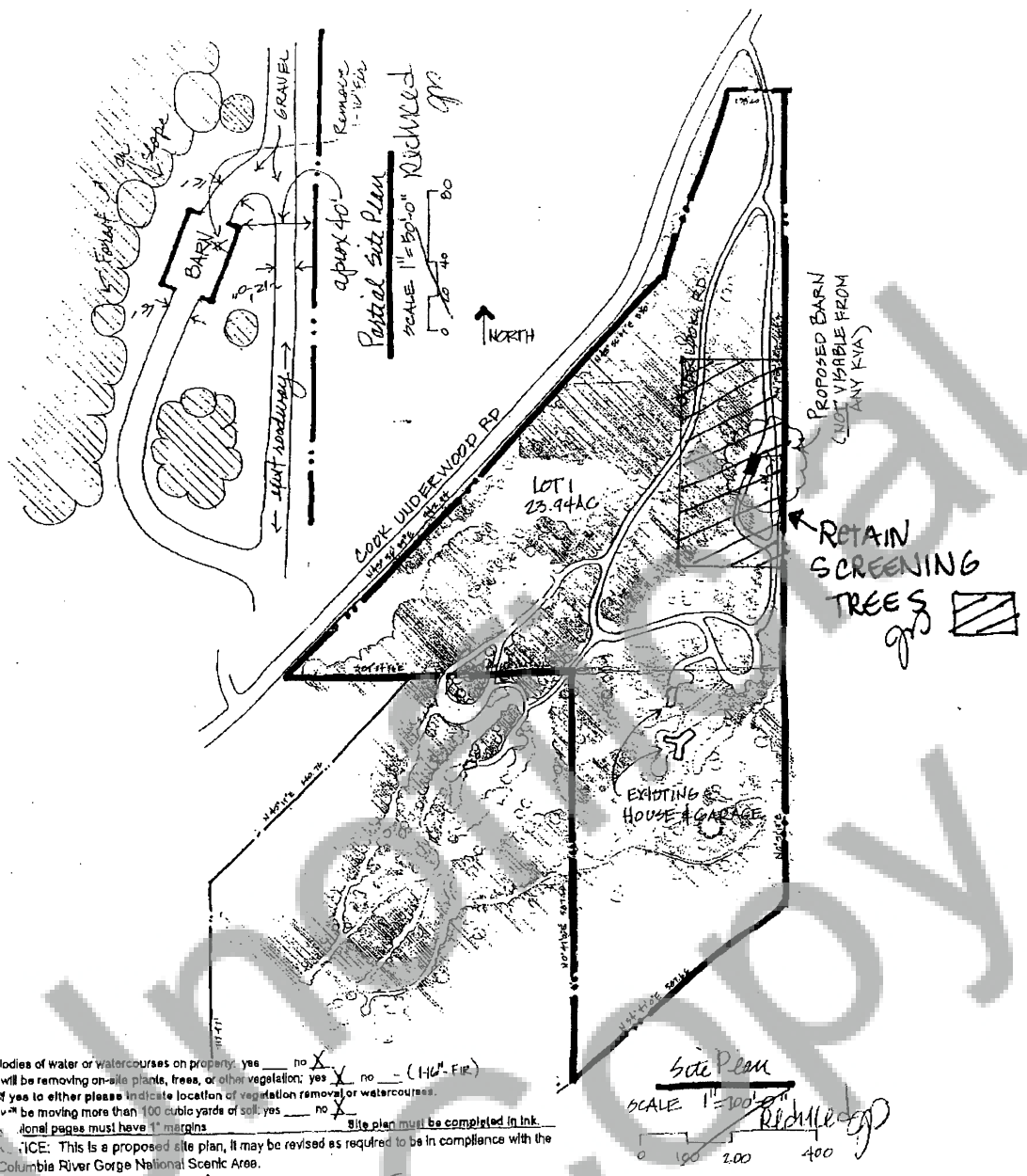
Signature Karen French

Name (Typed or Printed)  
If provided by a Corporation the Corporation Form  
of Acknowledgment must be filed.

OFFICIAL SEAL  
KAREN FRENCH  
NOTARY PUBLIC - CALIFORNIA  
PRINCIPAL OFFICE IN  
LOS ANGELES COUNTY  
My Commission Expires May 21, 1975

(This line for official notarial seal)





lot(s) of water or watercourses on property: yes ☐ no ☒ (H.W. F.R.)  
will be removing on-site plants, trees, or other vegetation: yes ☒ no ☐  
if yes to either please indicate location of vegetation removal or watercourses.  
will be moving more than 100 cubic yards of soil: yes ☐ no ☒  
Additional pages must have 1" margins. Site plan must be completed in ink.  
NOTE: This is a proposed site plan, it may be revised as required to be in compliance with the Columbia River Gorge National Scenic Area.

Wienbaker Residence - Barn BK3-175213/10 2/6/06  
@ LOT 1 of W 1/2 of E 1/2 of S 1/2 of R 10 E W. N. Skamania Co.  
@ 101 Overlook Rd.  
Scale: 1"=100'  
Impact  
North Arrow

JEVE WIENBAKER AIA  
ARCHITECTS & PLANNERS  
300 Tamm Plaza Suite 200 415-944-1020  
Cocke, Madril, Ca. 94425 944-1020

