

WHEN RECORDED RETURN TO:

Derek Girtle
5637 SW 87th Ave
Portland, OR 97225

Skamania County, WA
Total: \$205.50
MISC
Pgs=3

2023-000455

04/04/2023 12:55 PM

Request of: DEREK GIRTLE



00015629202300004550030032

Please print or type information **Washington State Recorder's Cover Sheet** (RCW 65.04)**DOCUMENT TITLE(S)** (or transaction contained therein) (all areas applicable to your document must be filled in)

Variance (VAR2023-01)

REFERENCE NUMBER(S) of Documents assigned or released:☐ Additional numbers on page ____ of document.**GRANTOR(S):**

1. Derek and Glenna Girtle 2. _____

3. _____

4. _____

☐ Additional names on page ____ of document.**GRANTEE(S):**

1. Derek and Glenna Girtle 2. _____

3. _____

4. _____

☐ Additional names on page ____ of document.**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

N/A

☐ Complete legal on page ____ of document.**Assessor's Property Tax Parcel #**

03073633011900

☐ Additional parcel numbers on page ____ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

"I am signing below and paying an additional \$50.00 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

Signature of Requesting Party

Note to Submitter: Do NOT sign above nor pay additional \$50 fee if the document meets margin/formatting requirements.



City of Stevenson Board of Adjustment

**Girtle, Tax Lot 03-07-3-3-0119-00
Granting of Variance (VAR2023-01)
3-20-2023**

Proposal

The Stevenson Board of Adjustment held a public hearing on March 1st and 20th, 2023 to consider a request from Derek and Glenna Girtle to vary the 48" maximum height standard for walls located in the front setback (SMC 1738.060). The wall is located on Tax Lot 03-07-36-3-3-0119-00, 725 NW Angel Heights Road. The proposal asks for approval of a wall with a maximum height of 80".

Findings of Fact:

1. The Board of Adjustment reviewed this application for a Variance after a public hearing on March 1st, 2022.
2. The geological history of this property creates the following special circumstances:
 - a. Bedrock is shallow on this property and was encountered at an elevation higher above the adjacent sidewalk than at similar lots elsewhere in the district and vicinity.
 - b. The property is not flat along its width. The slope of the adjacent sidewalk along the front property line is greater than that of similar lots elsewhere in the district and vicinity.
3. The proposal allows for a consistent front-yard elevation across the front property line and a manageable slope between the retaining wall and the home's foundation.

Conditions of Approval

1. Prior to final inspection of the project, the proponent shall record this variance approval with the Skamania County Auditor. A copy of the recorded document shall be provided to the City for its records.

Conclusions of Law

Based on these findings and conditions, the Board of Adjustment finds this proposal consistent with all relevant criteria and grants this variance to SMC 17.38.060.:

- a. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated;

- b. The strict application of the land use regulation is found to deprive subject property of rights and privileges enjoyed by other property in the vicinity and under identical zoning district classifications, because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings;
- c. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zoning district in which subject property is situated;
- d. The granting of the variance will not be detrimental to the purposes of the land use regulatory code from which the variance is requested, and will not conflict with the goals and policies of the comprehensive plan;
- e. The hardship creating the need for a variance is not self-imposed and that the variance requested is the minimum variance which will alleviate the hardship.