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FILED FOR RECORD

SKAMANIA CO. WASH

BY M. Scott Linden

APR 21 4 09 PM '98

GARY H. OLSON

AUDITOR

Skamania County
Department of Planning and
Community Development

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9458 FAX 509 427-4839

Director's Decision

APPLICANT: M. Scott Linden

FILE NO.: NSA-97-53

PROJECT: Additional access way

LOCATION: Located at 10652 Cook-Underwood Road, in Underwood; Section 20 of T3N, R10E, W.M., and identified as Skamania County Tax Lot #3-10-20-34-102.

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

DECISION: Based upon the entire record before the Director, including particularly the application by M. Scott Linden, described above, is found to be inconsistent with Title 22 SCC and is hereby **DENIED**.

APPLICABLE CRITERIA:

§22.10.020 - General Management Areas - Standards Governing New Developments.

- A (1) New buildings and associated roads shall be sited and designed to retain the existing topography and to reduce necessary grading to the maximum extent practicable.
- B (5) New buildings and roads shall be sited on portions of the subject property that minimize visibility from key viewing areas, unless the siting would place such development in a buffer specified for protection of water resources, sensitive plants, or sensitive wildlife sites or would conflict with provisions protecting cultural resources. In such instances, the development shall comply with these provisions maximum extent practicable.
- B (6) In siting new buildings and roads, use of existing topography and vegetation to screen such development from key viewing areas shall be given priority over other means of achieving visual subordination, such as planting new vegetation or using artificial berms

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to screen the development from key viewing areas.

- B (7) New buildings and roads shall be designed and sited to minimize grading activities and visibility of cut banks and fill slopes from key viewing areas.

This application is an after-the-fact request to construct a driveway.

REASONS FOR DENIAL:

The applicant already has an existing access way onto his property off of Cook-Underwood Road that accesses the residence and a primitive access road off of Kollock-Knapp Road. The need for yet another access way off of Cook-Underwood Road is not justified and would cause needless additional grading and loss of screening vegetation along Cook-Underwood Road. Also the submitted site plan that accompanied the Columbia River Gorge Commission Director's Decision (C93-0066-S-G11, site plan enclosed along with the approval letter) indicated that the approved barn was to be accessed off of the existing driveway. Since that route was adequate in 1992, it should be adequate today.

Cook-Underwood Road is a key viewing area. A second access way directly off of Cook-Underwood Road maximizes rather than minimizes grading activities and visibility from key viewing areas, and it should be denied.

The requested driveway does not use existing topography and vegetation to screen it from Cook-Underwood Road, a key viewing area, as it is directly off of Cook-Underwood Road. The applicant has two practical alternatives besides the placement of an additional access road off of Cook-Underwood Road.

The first alternative would be to use the existing driveway off of Cook-Underwood Road and improve it to access the barn. The applicant indicates on his submitted site plan that a dry creek area exists between the house/garage and barn area. However, the previous Gorge Commission approval does not indicate the existence of any water resources on the property and thus approved the driveway construction directly through the "dry creek area". Also, pursuant to a site visit by Kari Fagermess, staff planner, it appears that the approved access way already extends across the "dry creek area" to access the area for the barn and is currently adequate for primitive use.

The second alternative would be to improve the access way off of Kollock-Knapp Road which is better screened from Cook-Underwood Road, a key viewing area.

Since the access road has already been constructed without approval, it should be reclaimed prior to the issuance of any building permits for further development on the subject property.

Dated and Signed this 17 day of October, 1997, at Stevenson, Washington.



Harpreet Sandhu, Director
Skamania County Planning and Community Development

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APPEALS

The decision of the Director shall be final unless reversed or modified on appeal. A written Notice of Appeal may be filed by an interested person within 20 days from the date hereof. Appeal may be made to the Skamania County Board of Adjustment, P.O. Box 790, Stevenson, WA 98648, on or before 1/4/97. Notice of Appeal forms are available at the Department Office.

A copy of the Decision was sent to the following:

Skamania County Building Department
Skamania County Assessor's Office

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
Nez Perce Tribe
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners

<nsa-linden.dd>

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SITE PLAN: Scale: _____ inches = _____ feet



NATIONAL SCENIC LAND USE APPLICATION

(Additional pages must have 1" margin)

BEFORE THE SKAMANIA COUNTY BOARD OF ADJUSTMENT

Scott Linden,

Appellant,

and

Harpreet Sandhu, Director, Skamania
County Planning Department,

Appellee.

File No. NSA-97-53

FINDINGS OF FACT,
CONCLUSIONS, DECISION AND
ORDER ON APPEAL

This matter, having come on for hearing de novo on the 19th of March 1998, Appellant Scott Linden, appearing on his own behalf; and Appellee Director, Skamania County Planning Department, being represented by Staff, and the Board having duly considered the testimony and other evidence properly before it, makes the following Findings of Fact and Conclusions:

FINDINGS OF FACT

The Board finds that the driveway was pre-existing and that the improvements made to the driveway constitutes normal maintenance and repair.

CONCLUSION

The Director's Decision should be reversed.

DECISION

Based upon the record, findings of fact and conclusions, the Board of Adjustment hereby reverses the Director's Decision and approves the recent improvements as maintenance and repair.

DATED this 23rd day of March, 1998.


Mark Mazeski, Secretary to the Board

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ORDER

Based upon the foregoing Findings of Fact and Conclusions,

IT IS HEREBY ORDERED THAT:

The decision of the Director is reversed.

SKAMANIA COUNTY BOARD OF ADJUSTMENT

By:


Mark Mazeski, Secretary to the Board

APPEALS: Appeals of the Board of Adjustment must be filed with the Columbia River Gorge Commission within 30 days of the date of this Decision. Please contact the Gorge Commission for their rules of appellate procedure.