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Return Address: Robert Nuckoles  
Elizabeth Petrick  
141 Weather Rock Road  
Underwood, WA 98651

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FILED FOR RECORD  
SKAMANIA COUNTY WASH  
BY Robert Nuckoles

DEC 18 11 46 AM '00  
W. Moser  
AUDITOR  
GARY H. OLSON

**Skamania County  
Department of Planning and  
Community Development**

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-9458 FAX 509 427-8288

**Director's Decision**

**APPLICANT:** Robert Nuckoles  
**FILE NO.:** NSA-00-32  
**PROJECT:** Single-family residence with detached garage.  
**LOCATION:** Off of Cooper Avenue, on Weather Rock Road, Lot # 9, Townsite of Underwood, Section 23, T3N, R10E, W.M., and identified as Skamania County Tax Lot # 3-10-23-2-411.  
**LEGAL DESCRIPTION:** Lot 9 of Townsite of Underwood, Book A of Plats, Page 14.  
**ZONING:** General Management Area, Residential (R-1)  
**DECISION:** Based upon the entire record before the Director, including particularly the Staff Report, the application by Robert Nuckoles, described above, subject to the conditions set forth in this Decision, is found to be consistent with Title 22 SCC 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 issues are under the jurisdiction of Skamania County's Building Department and the Washington State Health District.

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 Title 22. This document, outlining the conditions of approval, must be recorded in the deed records of the Skamania County Auditor in order to ensure notice of the conditions of approval to successors in interest. SCC §22.06.050(C)(2).


- 1) All development, especially tree removal, shall be limited to the building and driveway site (see attached site plan), with the exception of drain field construction (see condition number 2). The only trees to be cut are those that have been already marked and measured in the wildlife management plan (all trees to be removed were marked with blue dye).
- 2) A wildlife biologist shall be consulted during the construction of the drain field in order to limit and possibly eliminate the need for any additional tree removal. Any trees removed in addition to those mentioned in condition number one must be smaller than 10" DBH. Prior to final inspection, the applicant shall provide the Planning Department with a letter from the wildlife biologist who was consulted during construction of the drain field explaining the biologist's part in the process.
- 3) The property owner shall plant four to five Douglas fir seedlings in the southern end of the property. These seedlings shall be planted between the large oaks, on the north side of the oaks. The seedlings shall be planted 40 feet from each other. The property owner shall water and care for these plants, replacing them if they die.
- 4) The drain fields shall be considered core habitat and any development action within them is limited to maintaining the drain field. Any actions, such as those described in condition number 7, must be carried out only after an amendment to this plan has been reviewed and accepted.
- 5) All areas more than 15 feet from the buildings and driveways shall be designated core habitat (see condition number 2 for drain field exception) and shall be as depicted on the final site plan (attached). Core habitat shall be protected in perpetuity through recording this decision.
- 6) Core habitat, as described in the management plan, shall be left in a natural state. Unless otherwise authorized through a plan amendment, the following activities shall not occur within designated habitat areas: construction of any structure, removal, excavation, grading, or dredging of soil, sand, gravel, or other materials; dumping, discharging, or fill with any material; or the destruction or alteration of vegetation through clearing, harvesting, or intentional burning: **EXCEPT** as provided in conditions number two and seven.
- 7) Removal of downed woody material and limited tree limbing (lower 1/3 of the tree) may occur as minimally necessary to abate fire hazard, upon the written recommendation of the Skamania County Fire Marshal.

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- 8) For three years after construction the property owner shall prepare a report on the presence of squirrels and the status of the habitat on their property. This report will be sent to the Skamania County Department of Planning and Community Development and shall include:
  - Photographs of the southern, northwestern, and northeastern sections of the property, taken at approximately the same spot as photographs 1, 2, and 3 in the wildlife management plan.
  - A description of wildlife sightings made over the years, especially squirrels.
  - Condition of the planted Douglas fir trees.
  - Any significant changes in habitat and wildlife.
- 9) In addition to the wildlife concerns noted above, the property owner shall maintain a 40' undisturbed buffer around the Weather Rock.
- 10) Front yard setbacks shall be 45 feet from the centerline of a public or private road or 15 feet from the front lot line, whichever is greater. Side yard setbacks shall be 5 feet and rear yard setbacks shall be 15 feet.
- 11) Prior to issuance of a building permit, color samples shall be submitted to verify compatibility with the setting.
- 12) All new fencing shall be prohibited until such time that the applicant applies and receives approval for new fencing as it was not included in this approval.
- 13) 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 Planning Department and the Gorge Commission within 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 24 hours.
  - c) Survey and Evaluations. The Gorge Commission shall arrange for the cultural resources survey.

Dated and Signed this 21<sup>st</sup> day of November, 2000, at Stevenson, Washington.

  
Mark J. Mazecki, Acting Director  
Skamania County Planning and Community Development.

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#### NOTES

Any new residential development, related accessory structures such as garages or workshops, and additions or alterations not included in this approved site plan, will require a new application and review.

As per SCC §22.06.050(C)(2), the Director's Decision shall be recorded in the County deed records prior to commencement of the approved project.

As per SCC §22.06.050(C)(5), the decision of the Director 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 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 Dec. 12, 2000. Notice of Appeal forms are available at the Department Office.

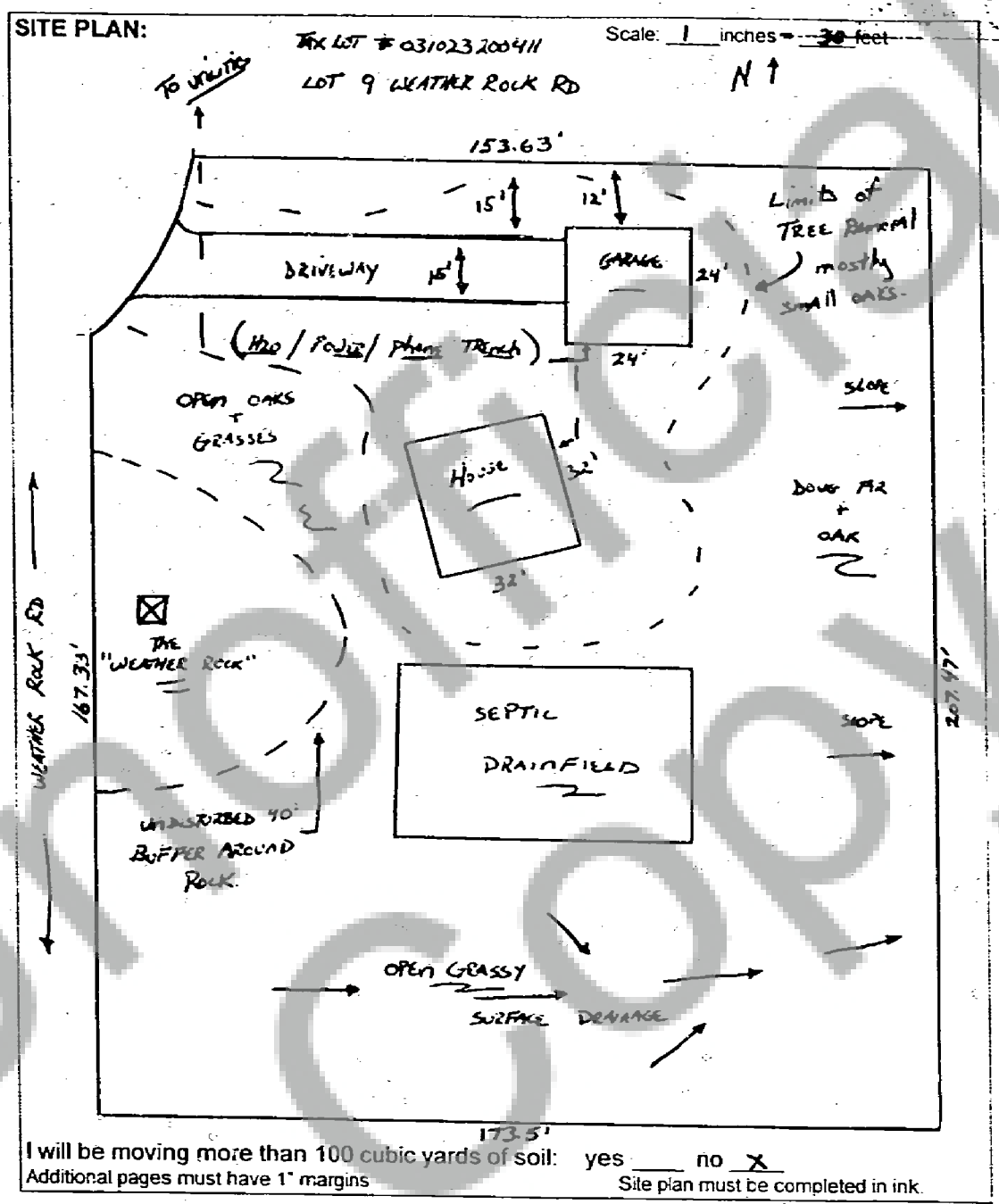
A copy of the Decision was sent to the following:

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  
Confederated Tribes of the Warm Springs  
Nez Perce Tribe  
Columbia River Gorge Commission  
U.S. Forest Service - NSA Office  
Board of County Commissioners

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NOTICE: This is an initial site plan. it may be revised throughout the application process.