

142270

BOOK 214 PAGE 575

Return Address: Michael Rieger
4215 SW Stephenson Street
Portland, OR 97219

FILED FOR RECORD
SKAMANIA CO. WASH
BY *Dwight Wilderson*

SEP 10 1 14 PM '01
P. Larry
CLERK
GARY M. OLSON

Skamania County
Department of Planning and
Community Development

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

| | |
|----------|-------------------------------------|
| Received | <input checked="" type="checkbox"/> |
| Indexed | <input checked="" type="checkbox"/> |
| Filed | <input checked="" type="checkbox"/> |
| Noted | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Letter Amendment to Director's Decision NSA-98-65

APPLICANT: Mike Rieger

FILE NO.: Amendment to NSA-98-65

REFERENCE NO.: Director's Decision for NSA-98-65, recorded in Book 214 Page 567.
Auditor's file # 142269, recorded on 10th day of September, 1999-2001.
Legal Description: T2N, R6E, Section 27; Lot 2 of the Landerholm Short Plat
recorded in Book 3, Page 96.

PROJECT: Single-family residence.

LOCATION: Elk Run Road, 1/2 a mile east of Woodard Creek Road, in Skamania; Section 27 of
T2N, R6E, W.M., and identified as Skamania County Tax Lot # 2-27-4-104.

ZONING: General Management Area, Residential (R-10)

December 28, 1999

Dear Applicant:

The Planning Department issued a final Director's Decision on April 14, 1999 for the above referenced application. However, pursuant to your letters (see attached) received on October 5, 1999 and December 22,

000025

Skamania County Planning and Community Development
File: NSA-98-65 (Rieger) Amendment to Director's Decision
Page 2

1999 you have requested additional actions prior to commencement of your project. As shown on the letters, you initially requested 9 additional items to be approved. Items # 1-3 and 6 are acceptable as proposed and are consistent with the original Director's Decision. Items # 5 and 7-9 are approved conditionally as stated below.

Item # 4 will be evaluated after the winter months to determine whether these trees need to be removed for safety purposes. It appears that these trees may be holding the cut bank in place and their removal may quicken the erosion process.

This decision is based on the site visit conducted on October 13, 1999 and the site visit conducted on November 24, 1999. Item # 5 which states:

5. **Two trees will be removed for the driveway/parking area. They are red flagged and marked 5 & 6.**

The Department's concern with this request is the proposed amount of grading and filling that will occur. However, based on site conditions, only Tree # 5 shall be allowed to be removed. Tree # 6 shall be retained as no additional area should be used for parking. The area proposed for parking is on a north facing slope and visibility from Key Viewing Areas will not be an issue as extensive existing vegetation and the ridge line provides adequate screening to the east and south.

6. **Several small, misshapen, and crowded trees to the Southeast of the home site are proposed for removal. They are red-flagged and marked 7, 8, 9, 10 and 11.**

Initially we were concerned with the removal of additional trees, however, based on our site visits, it appears that visibility from Key Viewing Areas is Southwest of the approved house site. These trees are Southeast of the house site and their removal does not affect the visibility of the proposed development from Key Viewing Areas. Furthermore, it also appears from the site visit that these trees are not healthy due to the overcrowding and in the long term removing the above trees will allow the surrounding trees to thrive and continue to grow in a healthy manner. If not removed all of the trees in the immediate area may become unhealthy.

The site plan submitted for this request (see attached) is somewhat misleading as it does not show all the additional trees on site, which was the cause for our initial concern. However, as the applicant is required to submit a grading plan, which includes a landscaping plan, prior to the issuance of any building permits, all trees will be shown which will clarify the existing site conditions.

7. **Approximately 100 cubic yards of fill are needed to create a parking and construction staging area to the East of the site. Material excavated for the house basement will be used, but some fill will be trucked in prior to ground breaking.**

As shown on the site plan attached to your October 5, 1999 letter request, the fill would require the removal of two additional trees and appears to be quite extensive. Based on the site conditions a turnaround is needed due to the fairly steep driveway and limited building area. Item # 7 is acceptable with the following condition:

Skamania County Planning and Community Development
File: NSA-98-65 (Rieger) Amendment to Director's Decision
Page 3

- a) The fill area for parking shall be limited to an area sufficient to retain tree # 6 as shown on the site plan and noted in your letter request. Said fill shall not be placed nor allowed to slide within 4 feet of the trunk of the tree.

Item # 8 states:

8. The preexisting scar to the Northwest of the home site (apparently an old borrow pit) will be blended from the driveway to the natural topography to the North.

Although in your letter, you state that the scar is Northwest of the site, your map and the phone conversation that I had with you on November 4, 1999, indicates that it is Northeast of the site. Furthermore, your follow-up letter of December 22, 1999 confirms that the scar is northeast of the site. Item # 8 is acceptable with the following conditions:

- a) Blending the scar northeast of the home site shall emulate the natural topography.
- b) No material shall be removed from this site, the action approved is entirely for smoothing and shaping the ground.

Item # 9 states:

9. Grading and smoothing for a small field in the Northeast corner of the property makes use of previously cleared land. No large trees will be removed in this area.

This request is acceptable as this action should not affect visual subordination requirements. It is on the northeast corner of the parcel and is north-facing away from Key Viewing Areas. Item # 9 is acceptable with the following condition:

- a) no material shall be removed from this site, the action approved is entirely for smoothing and shaping the ground.
- b) All tree removal shall be limited to the small alders at the edge of the road.

Items # 1, 2, 3 and 5 are consistent with the original conditions of approval, based on the site visit, appear to be mandatory in order to adequately develop the site for the approved residence, would not be detrimental to the scenic resources that your development was heavily scrutinized for and would allow you to maintain visual subordination.

Finally, as a reminder, the Director's Decision issued for the property contains a condition (# 8) which requires a grading plan be submitted if grading exceeds 100 cubic yards. Grading includes any movement of dirt which includes the placement of fill. That grading plan information is shown on Page 7 of the Staff Report and shall be completed and approved prior to the issuance of a building permit. With all of the above as well as excavation for your basement, you will be disturbing in excess of 100 cubic yards of earth. Therefore, please provide us with a grading plan.

Skamania County Planning and Community Development
File: NSA-98-65 (Rieger) Amendment to Director's Decision
Page 4

The attached letter sent by you on December 22, 1999 shows all of the above changes to the original conditions of approval and also shows the before and after contours for the grading that will occur. However, additional information is still required for the grading plan and I have attached that information (highlighted) to this letter amendment.

Pursuant to SCC §22.06.080(B), a change or alteration to an approved action, if determined to be minor by the Director, may be "deemed consistent with the provisions of this Title and the findings and conclusions on the original application." I have determined that Items #1-3 and 6 of the proposed request constitutes a minor change, therefore, the original decision shall be amended to allow the proposed development to be altered to include Items # 1-3 and 6. The original decision shall also be altered to include Items #5 and 7-9 with conditions as stated above.

As a reminder, your original decision and this letter amendment including copies of your deed, must be recorded at the County Auditor's office prior to the issuance of any building permits along with submittal of the final grading plan to be approved by our office.

If you have any further questions, please feel free to call me at (509) 427-9458.

Thank you.

Sincerely,



Kari R. Fagerness
Planner

APPEALS

This Administrative 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 1/17/00. Notice of Appeal forms are available at the Department Office.

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 Director's Decision or any amendments thereto.

cc: Skamania County Building Department
Skamania County Assessor's Office

BOOK 214 PAGE 579

Skamania County Planning and Community Development
File: NSA-98-65 (Rieger) Amendment to Director's Decision
Page 5

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

\\627sys\figerms\rieger-la.doc

REDUCED 78%

GRADING PLAN FOR nsa 98-65.
Dec 19, 1999
Revised Jan 1, 2000

GRADE 4% SLOPE TO
0% FOR LEVEL 40' BY 80'
AREA. APPROXIMATELY
50 CY DISTURBANCE
PLUS 50 CY FILL
NEEDED FOR MAXIMUM
2' FILL DEPTH.

WELL

ORIGINAL CONTOURS
(BLUE)

REPAIR & SMOOTH
EXISTING
SCAR
APPROXIMATELY 100 CY
DISTURBANCE
INVOLVED.

FINAL CONTOURS
(RED)

446.32'

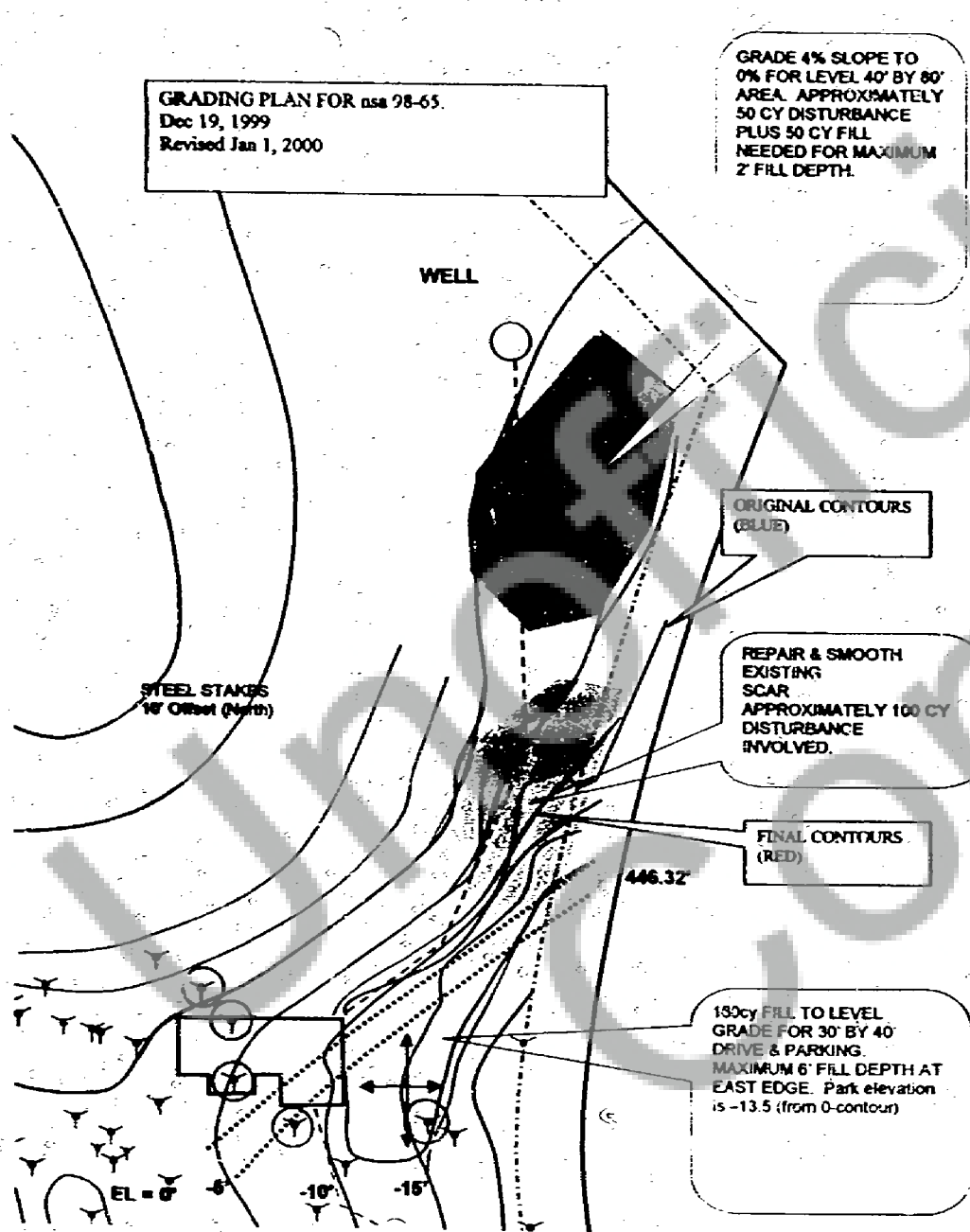
150cy FILL TO LEVEL
GRADE FOR 30' BY 40'
DRIVE & PARKING.
MAXIMUM 6' FILL DEPTH AT
EAST EDGE. Park elevation
is -13.5 (from 0-contour)

STEEL STAKES
16' Offset (North)

EL = 0'

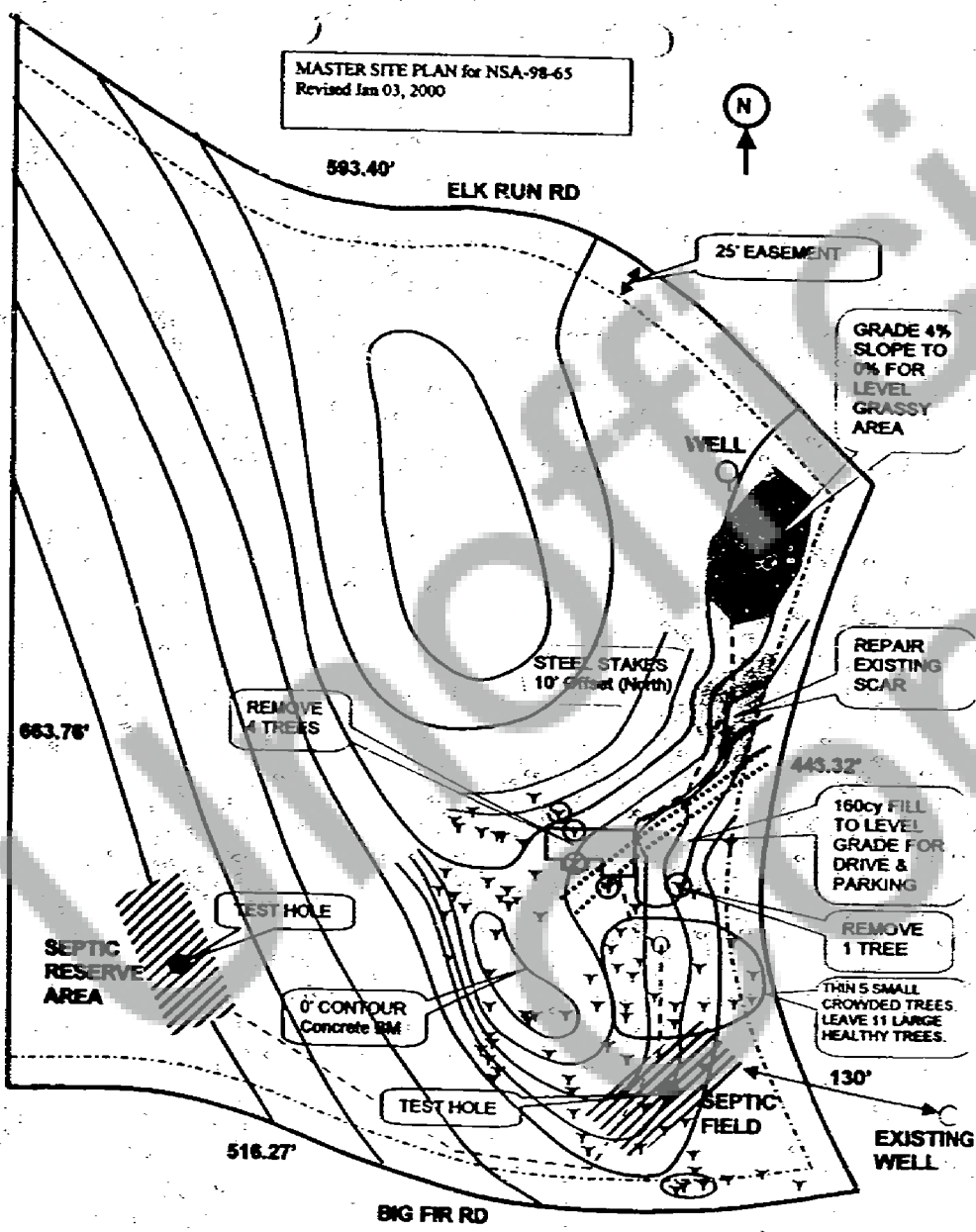
-10'

-15'



REDUCED 7870

MASTER SITE PLAN for NSA-98-65
Revised Jan 03, 2000



October 3, 1999
Kari R. Fagerness
Skamania Department of Planning
& Community Development
P.O. Box 790
Stevenson, WA 98648

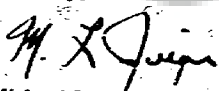
Dear Kari,

Pursuant to my scenic land use approval I am requesting approval for the following actions. Please refer to the attached map.

1. The home site is staked and all foundation wall locations are marked with paint. Two 3-foot steel reference stakes are also positioned 10 feet North of the Northwest and Northeast corners of the house.
2. A concrete monument referencing the "0-elevation contour" is located on the ridge Southwest of the site.
3. Instead of two trees, four trees must be removed to allow house construction. These trees are red-flagged and painted with numerals 1, 2, 3, & 4.
4. Remove three trees, located at the South edge of the property, which have extensive root damage and are undermined by the eroding cut above Big Fir road. These trees are likely to fall across Big Fir Road and should be removed. They are red-flagged and painted 12, 13, & 14.
5. Two trees will be removed for the driveway/parking area. They are red-flagged and marked 5 & 6.
6. Several small, misshapen, and crowded trees to the Southeast of the home site are proposed for removal. They are red-flagged and marked 7, 8, 9, 10, & 11.
7. Approximately 100 cubic yards of fill are needed to create a parking and construction staging area to the East of the site. Material excavated for the house basement will be used, but some fill will be trucked in prior to ground breaking.
8. The preexisting scar to the Northwest of the home site (apparently an old borrow pit) will be blended from the driveway to the natural topography to the North.
9. Grading and smoothing for a small field in the Northeast corner of the property makes use of previously cleared land. No large trees will be removed in this area.

Please call me if you have any questions (503) 471-4326. Thank you.

Sincerely,


Michael L. Rieger
4215 SW Stephenson St.
Portland, OR 972190

NSA-98-65

DEC 14 1999

DEPT. OF PLANNING
AND COMMUNITY DEVELOPMENT

Per our on-site meeting last month, I have modified requests

as follows.

1. The home site is staked and all foundation wall locations are marked with paint. Two 3-foot steel reference stakes are also positioned 10 feet North of the Northwest and Northeast corners of the house.
2. A concrete monument referencing the "0-elevation contour" is located on the ridge Southwest of the site.
3. Instead of two trees, four trees must be removed to allow house construction. These trees are red-flagged and painted with numerals 1, 2, 3, & 4.
4. Remove three trees, located at the South edge of the property, which have extensive root damage and are undermined by the eroding cut above Big Fir road. These trees are likely to fall across Big Fir Road and should be removed. They are red-flagged and painted 12, 13, & 14.
5. Two Oak trees will be removed for the driveway/parking area. They are red-flagged and marked 5 & 6. (Tree # 6 will remain).
6. Several small, misshapen, and crowded trees to the Southeast of the home site are proposed for removal. They are red-flagged and marked 7, 8, 9, 10, & 11.
7. Approximately 160.00 cubic yards of fill are needed to create a 30' by 40' parking and construction staging area to the East of the site. Material excavated for the house basement will be used, but some fill will be trucked in prior to ground breaking. Grade changes are shown on the attached map.
8. The preexisting scar to the Northwest of the home site (apparently an old borrow pit) will be blended from the driveway to the natural topography to the North. Approximately 100 cubic yards of material will be moved to smooth surface.
9. Grading and smoothing for a small field in the Northeast corner of the property makes use of previously cleared land. Approximately 50 cubic yards of earth will be moved and 50 cubic yards of fill will be needed to level a 40' by 80' area with an existing 4% slope. No large trees will be removed in this area. Grade changes are shown on the attached map.

Please call me if you have any questions (503) 471-4326. Thank you.

Sincerely,

BOOK 214 PAGE 583