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Return Address: Robert & Melissa Wittenberg
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Carson, WA 98610

FILED FOR RECORD
SKAMANIA CO. WASH.
BY Robert Wittenberg

JUN 7 3 40 PM '02

Amos
AUDITOR

J. MICHAEL GARVISON

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

Administrative Decision

APPLICANT: Robert & Melissa Wittenberg

FILE NO.: NSA-02-06

PROJECT: Construct a single-family residence (2566 sq. ft., one story on top of a daylight basement with deck) over an existing excavated area with an attached garage, underground utilities, septic system and driveway

LOCATION: On Ashley Drive off of Kollock-Knapp in Underwood; Section 20 of T3N, Range 10E, W.M. and identified as Lot 4, Block 3 of Underwood Crest Block, Skamania County Tax Lot #3-10-20-1-4-116

LEGAL: Lot 4 Block 3 Underwood Crest

ZONING: General Management Area zoned Residential (R-5)

DECISION: Based upon the record and the Staff Report, the application by Robert & Melissa Wittenberg, 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 Southwest Washington Health Department.

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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 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 §22.06.050(C)(2).

- 1) 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.
- 2) Setbacks (including roof/ eaves, decks/ porches and overhangs) for all structures shall be as follows: Front yard: 45 feet from the centerline of the street or road or 15 feet from the front property line, whichever is greater, Side yard: 5 feet, Rear yard: 45 feet from the centerline of the street or road or 15 feet from the rear property line, whichever is greater. Determination of the property line location is the responsibility of the applicant and must be confirmed by a surveyor if the property boundary is in question.
- 2) The house shall not exceed 28 feet in height from the top of the footer at existing grade. Also, no more than 18 feet of the structure shall be above the grade of Ashley Drive.
- 3) Any excavation fill shall be utilized to backfill around the daylight basement, with at least 50% of the basement covered, or taken off site. No fill materials shall be side cast to the south of the home site. Any excess materials taken off site shall not be distributed into lands in the National Scenic Area, Critical Areas or Shorelines without first obtaining approval from the Planning Department.
- 4) All existing trees shall be retained and maintained in a healthy condition. Dead or dying trees shall be replaced in kind and place.
- 5) The applicant shall be required to plant a continuous row of screening trees just south of the proposed drain field and along the eastern property line. All required screening trees shall be planted at 12 foot centers and be at least six feet tall at the time of planting, not including root wad. The required trees must be staggered in an alternating pattern to create a more natural appearance. At least half of these trees shall be species native to the setting (i.e. pine, oak and fir) as listed on the "coniferous woodland" setting on the Native Plants list attached to the staff report, and half shall be coniferous to provide winter screening. The tree plantings for wildlife habitat (Oregon white oak, Big leaf maple, and hazel) discussed in condition #7 may also be incorporated into the planting pattern for deciduous screening trees. Limbing or topping of the planted trees is prohibited, and dead or dying trees shall be replaced in kind and place.
- 6) The exterior of all proposed buildings shall be dark and either natural or earth-toned colors and composed of non-reflective materials or materials with low reflectivity, such as low gloss paints or

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stains. Prior to issuance of a building permit, the applicant shall provide the Department with color samples of the roof, siding, trim, doors and deck, to verify consistency with this condition.

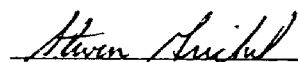
- 7) Exterior lighting shall be directed downward and sited, hooded and shielded such that it is not highly visible from key viewing areas. Shielding and hooding materials shall be composed of non-reflective opaque materials, which do not allow light to pass through. All lights shall be hooded and shielded so as to have a luminary with less than a 90-degree cutoff. See the *Zoning News* article attached to the staff report.
- 8) To provide blacktail deer habitat, 42 plantings must be installed of a mixed variety including Oregon white oak, Big leaf maple, dogwood (any species), hazel, Redstem ceanothus, snowberry, elderberry, serviceberry, and trailing blackberry. The plantings must be installed during the planting season and properly maintained to ensure establishment. The required plantings shall be spread out throughout the undeveloped portions of the property.
- 9) Graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department. The drain field shall be re-seeded with a 50/50 mix of grass and white clover.
- 10) To ensure compliance with these conditions, the screening plantings, the habitat plantings and the re-seeding shall be completed prior to issuance of an occupancy permit for the house.
- 11) Although no fencing is applied for or approved through this Decision, the applicant is notified for future reference that the NSA fencing criterion, stated on page (15-16) of the staff report, would be required.
- 12) The applicant shall comply with all conditions for visual subordination, prior to final inspection by the Building Department. The applicant shall coordinate all inspections with the Building Department. Planning Department staff should be able to conduct a final inspection site visit within four business days from the time of calling for the inspection. Final inspection will not be issued until compliance with all conditions of approval, including visual subordination criteria, has been verified.
- 13) The Planning Department will conduct at least two site visits during construction. 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 Department at 509-427-9484.
- 14) 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

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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 3rd day of June, 2002, at Stevenson, Washington.


Steve Grichel, Associate Planner
Skamania County Planning and Community Development.

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), this Administrative Decision **SHALL BE RECORDED** by the applicant in the County deed records prior to commencement of the approved project.

As per SCC §22.06.050(C)(5), this Administrative Decision 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

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 Board of Adjustment, P.O. Box 790, Stevenson, WA 98648. Notice of Appeal forms are available at the Planning Department Office and must be accompanied by a \$500.00 nonrefundable filing fee.

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 Department
Skamania County Assessor's Office

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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

SITE PLAN

Scale: 1 Inch = 25 feet

