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BOOK 225 PAGE 445

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FILED FOR RECORD  
SKAMANIA CO. WASH  
BY *Steve Wisenbaker*

JUN 18 3 14 PM '02

*Olson*  
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:** Steve Wisenbaker

**FILE NO.:** NSA-01-60

**PROJECT:** Single family dwelling with detached garage.

**LOCATION:** On Underwood Mt. below the intersection of Cook-Underwood and Kramer Roads; Section 21 of T3N, R10E, W.M. and identified as Skamania County Tax Lot #03-10-21-4-0-0200.

**LEGAL DESCRIPTION:** See page seven.

**ZONING:** General Management Area-Small Woodland (F-3) and Open Space, development will take place in F-3 only.

**DECISION:** Based upon the entire record, including particularly the Staff Report, the application by Steve Wisenbaker, 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.



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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 final site plan, unless modified by the following conditions of approval. If modified, the site plan shall be consistent with the conditions of approval.
- 2) All buildings shall be surrounded by a maintained fuel break of 50 feet. Irrigated or fire resistant vegetation may be planted within the fuel break, including green lawns and low shrubs (less than 24 inches in height). Trees should be placed greater than 15 feet between the crown and pruned to remove dead and low (less than 8 feet) branches. Accumulated leaves, needles and other dead vegetation shall be removed from beneath trees.
- 3) Hazardous fuels shall be removed within the fuel break area.
- 4) Buildings with plumbed water systems shall install at least one standpipe at a minimum of 50 feet from the structure(s).
- 5) A pond, stream, tank or sump with storage of not less than 1,000 gallons, or a well or water system capable of delivering 20 gallons per minute shall be provided. If a well pump is located on-site, the electrical service shall be separate from the dwelling.
- 6) Access drives shall be constructed to a minimum of 12 feet in width and not exceed a grade of 12 percent. Turnouts shall be provided at a minimum of every 500 feet. Access drives shall be maintained to a level that is passable to fire equipment.

Variances to road provisions may be made after consultation with the local rural fire district and the Washington State Department of Natural Resources.

- 7) Within one year of the occupancy of a dwelling, the Department shall conduct a review of the development to assure compliance with these this section.
- 8) Telephone and power supply shall be underground whenever possible.
- 9) Roofs of structures should be made of fire-resistant materials, such as, fiberglass shingle or tile. Roof materials such as cedar shake and shingle should not be used.



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- 10) Any chimney or stovepipe on any structure for use with a wood stove or fireplace should be screened with no coarser than 1/4 inch mesh metal screen that is noncombustible and corrosion resistant and should be equipped with a spark arrestor.
- 11) All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the Uniform Building code.
- 12) Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than 1/4 inch mesh metal screen that is noncombustible and corrosion resistant.
- 13) In order to provide better winter screening, the applicant shall plant coniferous screening trees. These trees shall be planted in two rows starting at the row of existing trees to the south east of the proposed home shown on the attached site plan and shall extend east for 150 feet. The trees shall be planted on 25 foot centers with the two rows being offset so as to fill the spaces between rows. Also, the trees shall be 6 feet tall, not counting the root wad, before final inspection/occupancy permit approval. These trees shall be planted no further than 30 feet away from the proposed home. As these trees mature, some of them shall be removed in order to keep the landowner in compliance with condition number 2, above.
- 14) The dwelling must be setback 200 feet from property lines.
- 15) All cut banks and fill slopes shall be re-seeded with native vegetation prior to the issuance of an occupancy permit or prior to final inspection.
- 16) Dark and either natural or earth-tone color samples shall be submitted and approved by this Department prior to the issuance of any building permits.
- 17) The exteriors of all new development shall be composed of non-reflective materials or material with low reflectivity.
- 18) 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. Opaque means that it does not allow light to pass through the shield or hood. All lights should be hooded and shielded so as to have a luminary with less than a 90 degree cutoff.
- 19) Except as is necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained and maintained in a healthy condition. Dead or dying trees shall be replaced with the same species and in approximately the same location.
- 20) Prior to the issuance of a building permit, the applicant shall submit the narrative portion of the grading plan to the Planning Department for approval. See the Staff Report, §22.10.020(B)(20)(b) for details.



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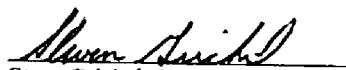
- 21) All of the above conditions relating to visual subordination shall be satisfied prior to final inspection or issuance of an occupancy permit as there are not any special conditions that would require additional time to achieve compliance.
- 22) Prior to the approval of a building permit, a declaration signed by the landowner shall be recorded in the County Auditor's records specifying that the owners, successors, heirs and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices.
- 23) The applicant shall submit proof that the subject property is enrolled in the Current Use Timberland Program prior to issuance of a building permit. If the parcel cannot qualify for the tax deferred status based upon its use as forest land, a letter from the Assessor stating the above, shall be submitted to the Planning Department prior to issuance of a building permit.
- 24) Property line setbacks shall be: Front yard - 50 feet from the centerline of the street or road or 30 feet from the property line, whichever is greater; Side yard - 20 feet; Rear yard - 25 feet. All structures, except fences, including eaves, awnings and overhangs should be required to meet these setbacks.
- 25) In order to mitigate impacts to deer and elk winter range, prior to a final inspection or the issuance an occupancy permit, 74 individual plants (7,411 / 100) selected from the following list shall be established as mitigation for deer winter-range habitat loss. These plants shall be planted during the appropriate time of year, watered, cared for and, if necessary, replaced for a period of three years. Following the initial three years, the plantings should be maintained into perpetuity.  
  
Plant choices: Oregon White Oak  
big leaf maple  
dogwood (any)  
hazel  
redstem ceanothus  
snowberry  
elderberry  
serviceberry  
trailing blackberry
- 26) In order to mitigate impacts to deer and elk winter range, prior to a final inspection or the issuance an occupancy permit, the applicant shall establish grass and clover at a 50/50 mix over the anticipated septic system drainfield.
- 27) 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.



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- 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 3<sup>rd</sup> day of January, 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 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 Decision 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. 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 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



EXHIBIT "A"

PARCEL I

A tract of land located in the Northwest Quarter of the Southeast Quarter of Section 21, Township 3 North, Range 10 East Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Beginning at a point on the North line of the Northwest Quarter of the Southeast Quarter of the said Section 21 North 89°56' East 466.7 feet from the center of the said section; thence North 89° 56' East along the quarter section line 689.3 feet; thence South 00° 21' East 711 feet, more or less, to the center line of the county road known and designated as the Hood Road; thence following the center line of said road in a Southwesterly direction to intersection with the West line of the Northwest Quarter of the Southeast Quarter of the said Section 21; thence North 00° 03' East along the quarter section line 867 feet, more or less, to a point South 00° 03' West 466.7 feet from the center of the said section, said point being the Southwest corner of a tract of land conveyed to Jerry J. Uhlik by deed dated July 20, 1954, and recorded at Page 268 of Book 18 Deeds, Records of Skamania County, Washington; thence North 45° East along said South line 657 feet more or less to the North line of the Northwest Quarter of the Southeast Quarter of said Section 21, and the point of beginning.

PARCEL II

All that portion of the following described real property lying Northerly of the bluff overlooking the Columbia River:

That portion of the Southeast Quarter of Section 21, Township 3 North, Range 10 East Willamette Meridian, more particularly described as follows:

Beginning at a point 2,640 feet North and 1,155 feet East of the quarter section corner common to Section 21 and 28, Township 3 North, Range 10 East Willamette Meridian; thence 1,484 feet East to the quarter section corner common to Sections 21 and 22, Township 3 North, Range 10 East Willamette Meridian; thence South along the East line of the said Section 21 a distance of 1,278 feet, more or less, to intersection with the Northerly right of way boundary of Highway U.S. 890 (Washington State Highway No. 8); thence along the Northerly right of way boundary of said Highway in a Southwesterly direction to a point South 00° 21' East of the point of beginning; thence North 00° 21' West to the point of beginning;

EXCEPT the Northeast Quarter of the Southeast Quarter of Section 21 and the east 164 feet of the Northwest Quarter of the Southeast Quarter, Section 21 lying south of the road formerly known as Hood Road, also the portion of Govt. Lot 2 lying north of State Hwy 14.

