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BOOK 226 PAGE 911

Return Address: Able Paz  
PO Box 42432  
Portland, OR 97242

FILED FOR RECORD  
SKAMANIA CO WASH  
BY *Able Paz*

JUL 26 11 38 AM '02

*J. Garvison*  
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:

*A. Able*  
Able Paz

FILE NO.:

NSA-01-58

PROJECT:

Single family dwelling, accessory structure and 6' foot wooden fence.

LOCATION:

North end of Duncan Creek Road; Section 28 of T2N, R6E, W.M. and identified as Skamania County Tax Lot #02-06-28-0-0-0400.

LEGAL  
DESCRIPTION:

See page six.

ZONING:

General Management Area-Small Woodland (F-3).

DECISION:

Based upon the entire record, including particularly the Staff Report, the application by Able Paz, 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.



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**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 Planning Department shall conduct a review of the development to assure compliance with conditions 2-12.
- 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.
- 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.



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- 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) The dwelling shall be limited in height to 35'.
- 14) The dwelling must be setback 200 feet from all property lines.
- 15) A 100' undisturbed buffer shall be maintained along Duncan Creek.
- 16) *under* 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.
- 17) *assessor* 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.
- 18) Property line setbacks shall be: Front yard - 50 feet from the centerline of the street or road or 20 feet from the property line, whichever is greater; Side yard - 20 feet; Rear yard - 20 feet. All structures, except fences, including eaves, awnings and overhangs should be required to meet these setbacks.
- 19) 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.



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Dated and Signed this 5<sup>th</sup> day of July, 2002, at Stevenson, Washington.

Steve Grichel  
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

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



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U.S. Forest Service - NSA Office  
Board of County Commissioners

**PARCEL "B" (WEST OF DUNCAN CREEK):**

A portion of the Northwest quarter of the Northwest quarter of Section 28 and the Northeast quarter of the Northeast quarter of Section 29, Township 2 North, Range 6 East, Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at the Northeast corner of Section 29; thence South, along the East line of the Northeast quarter of the Northeast quarter of Section 29, for a distance of 425.00 feet, said point being the Northeast corner of Parcel "I" of the "Paz tract" as described in Book 194 of Deeds, page 477, Skamania County Auditor's Records; thence West, along the North line of Parcel "I", to the center of Duncan Creek and the TRUE POINT OF BEGINNING; thence Southeasterly, following the center of Duncan Creek, 700 feet, more or less, to the South line of another "Paz tract" as described in Book 186 of Deeds, page 879; thence West, along said South line, 600 feet, more or less, to the centerline of Duncan Creek Road; thence Northwesterly, along said centerline, 581 feet, more or less, to the Northwest corner of the second "Paz tract"; thence East, along the North line thereof, 30 feet, more or less, to the East right-of-way line of Duncan Creek Road and the Southwest corner of Parcel "III" of the first described "Paz tract"; thence Northwesterly, along said right-of-way line, 75 feet, more or less, to the Northwest corner of Parcel "III"; thence East, along the North line of Parcel "III" 600 feet, more or less, to the TRUE POINT OF BEGINNING.

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