

145458

BOOK 227 PAGE 355

Return Address: Lee & Jennifer Duggins
19020 S. Mattoon Road
Estacada, OR 97023

FILED FOR RECORD
SKAMANIA COUNTY
BY *Michael Allen*
Aug 2 12 28 PM '02
Lowry
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

Director's Decision

Sup. 11-02	<input checked="" type="checkbox"/>
Adm. 11-02	<input checked="" type="checkbox"/>
Eng. 11-02	<input checked="" type="checkbox"/>
Env. 11-02	<input checked="" type="checkbox"/>
Fin. 11-02	<input checked="" type="checkbox"/>
Gen. 11-02	<input checked="" type="checkbox"/>

APPLICANT: Jennifer and Lee Duggins

FILE NO.: NSA-00-40

PROJECT: Construct Single Family Residence with Associated Septic, Driveway and Fencing

LOCATION: Lot 2 of the Paul Short Plat off of Cooper Avenue in Underwood; Section 22 of T3N, Range 10E, W.M. and identified as Skamania County Tax Lot #3-10-22-1-1-199

LEGAL: Lot #2 of the Paul Short Plat recorded in Book 3, Page 351 at the Skamania County Auditor's Office.

ZONING: General Management Area-Residential 5 Zone (R-5).

DECISION: Based upon the entire record before the Director, including particularly the Staff Report, the application by Jennifer and Lee Duggins, 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.

Skamania County Planning and Community Development
File: NSA-00-40 Director's Decision
Page 2

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 developments shall be consistent with the enclosed site plans, unless modified by the following conditions of approval. Site plan #1 is from the 4/24/98 Amended Wildlife Management Plan prepared as part of the land division which created the subject parcel. Site plan #2 was submitted by the applicants. If modified, the site plans shall be consistent with the conditions of approval.
- 2) An additional revised site plan, including distances and a detailed tree survey, shall be submitted to the Planning Department for approval, prior to issuance of a building permit. The site plan shall indicate specific distances between all structures, trees and lot lines.
- 3) Consultation with a professional wildlife biologist is required for any tree removal. Trees to be removed shall be tagged and the detailed tree survey submitted to the Planning Department, prior to issuance of a building permit, placement permit or approach permit. The location of all proposed activities shall be marked on the ground, at the building site. The applicants should contact the Washington Department of Natural Resources to acquire the relevant permits regarding the timber harvest associated with the site development.
- 4) All development, including the fencing and new road construction, shall be located at Choice #2 (within the eastern most 240 feet of the Lot #2 building site), indicated as fig.1 on the Amended Wildlife Management Plan site Plan from 4/24/98. Note that no development shall occur any further south than the existing dirt road. Development is prohibited outside of the building site indicated on the 4/24/98 site plan.
- 5) Setbacks (including roof/ eaves, decks/ porches) from the northern property line shall be 5 feet, and from the eastern property line shall be 45 feet from the center of the road and 15 feet from the front lot line. 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.
- 6) All fencing shall comply with guidelines i.-iv., below:
 - i) The top wire shall not be more than 42 inches high to make it easier for deer to jump over the fence.
 - ii) The distance between the top two wires shall be at least 10 inches to make it easier for deer to free themselves if they become entangled.

\\Fs2\sys\Odonnell\DD\East\Duggins00-40.doc

Skamania County Planning and Community Development
File: NSA-00-40 Director's Decision
Page 3

- iii) The bottom wire shall be at least 16 inches above the ground to allow fawns to crawl under the fence. It should consist of smooth wire because barbs often injure animals as they crawl under fences.
- iv) Stays or braces placed between strands of wire shall be positioned between fence posts where deer are most likely to cross. Stays create a more rigid fence, which allows deer a better chance to wiggle free if their hind legs become caught between the top two wires.
- 7) The use of barbed wire and woven wire fences shall be permitted only if the applicant clearly demonstrates that such a fence is absolutely necessary.
- 8) Exterior color samples for all structures shall be submitted to the Planning Department for approval, prior to issuance of a building permit.
- 9) All vegetation/tree cover, except that which is necessary for site development as indicated on the tree survey and in Condition #3 above, shall be retained and maintained by the applicant and future owners. Dead and dying trees shall be replaced with the same species in approximately the same location.
- 10) All proposed development shall be consistent with the unrecorded Amended 4/24/98 site plan attached here, and with both the Wildlife Management Plan recorded in Book 190, Page 688 and the Amended Wildlife Management Plan recorded in Book 190, Page 704 at the Skamania County Auditor's Office.
- 11) The applicant shall comply with all conditions for visual subordination, prior to final inspection by the Building Department. The applicant shall also contact the Building Department to request a final inspection. Planning staff should conduct a final inspection site visit within four business days from the time of calling for the inspection. An occupancy permit will not be issued until compliance with all conditions of approval, including visual subordination criteria have been verified.
- 12) The Planning Department will conduct at least two site visits during construction. One will be to verify the location of the house as stated by this approval. Another will be conducted after all foundation excavation has been completed but prior to the applicant framing up the footers. 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 509-427-9458.
- 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.

Skamania County Planning and Community Development
File: NSA-00-40 Director's Decision
Page 4

- 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 15 day of NOV., 2000, at Stevenson, Washington.

Mark P. Mayashi, Acting Director
Harpreet Sandhu, Director
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), 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 12/5/00. 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.

Skamania County Planning and Community Development
File: NSA-00-40 Director's Decision
Page 5

A copy of the Decision was sent to the following:

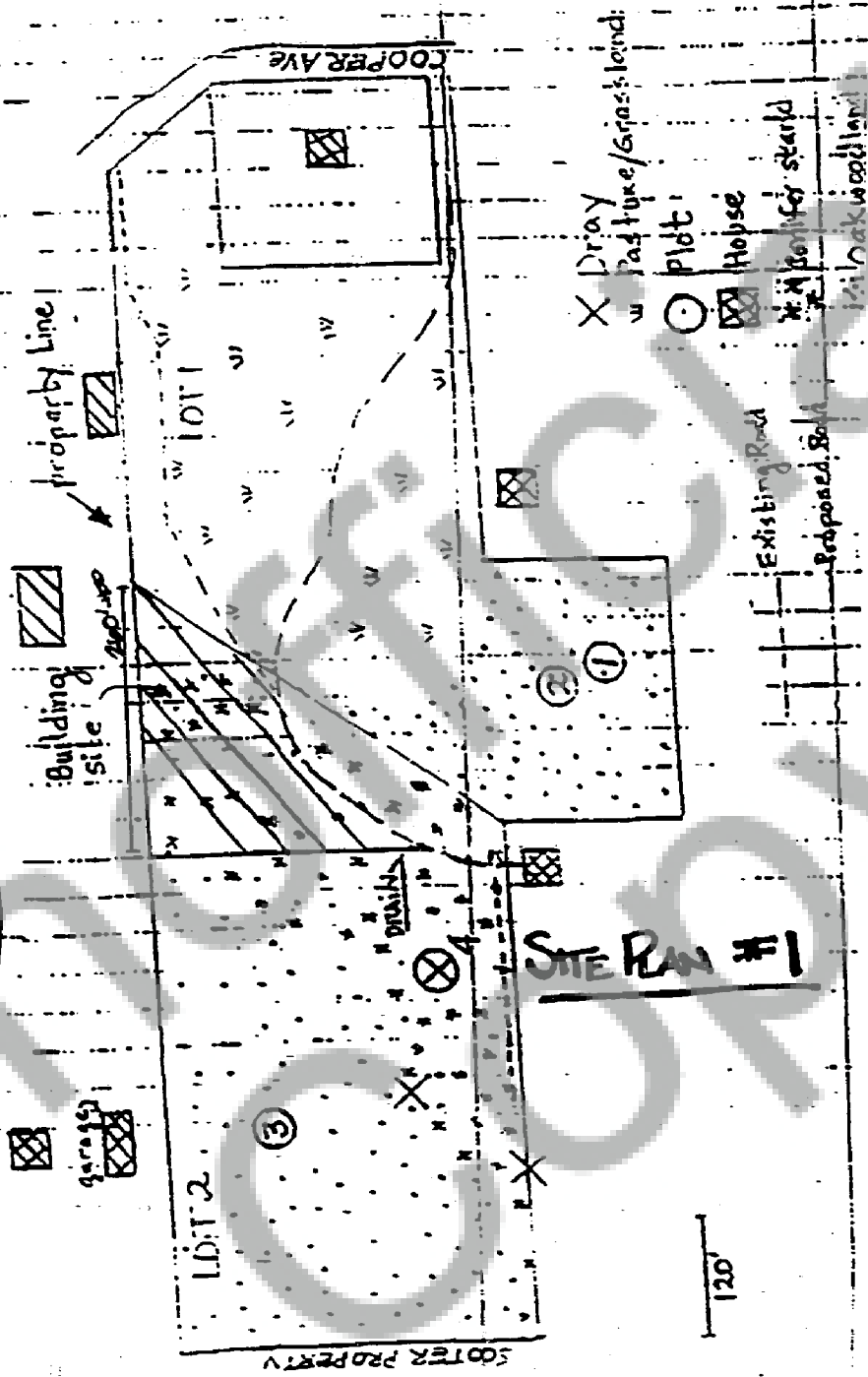
Skamania County Building Department
Skamania County Assessor's Office

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

FIG. #1: TATE PARCEL

Amended 4-24-98



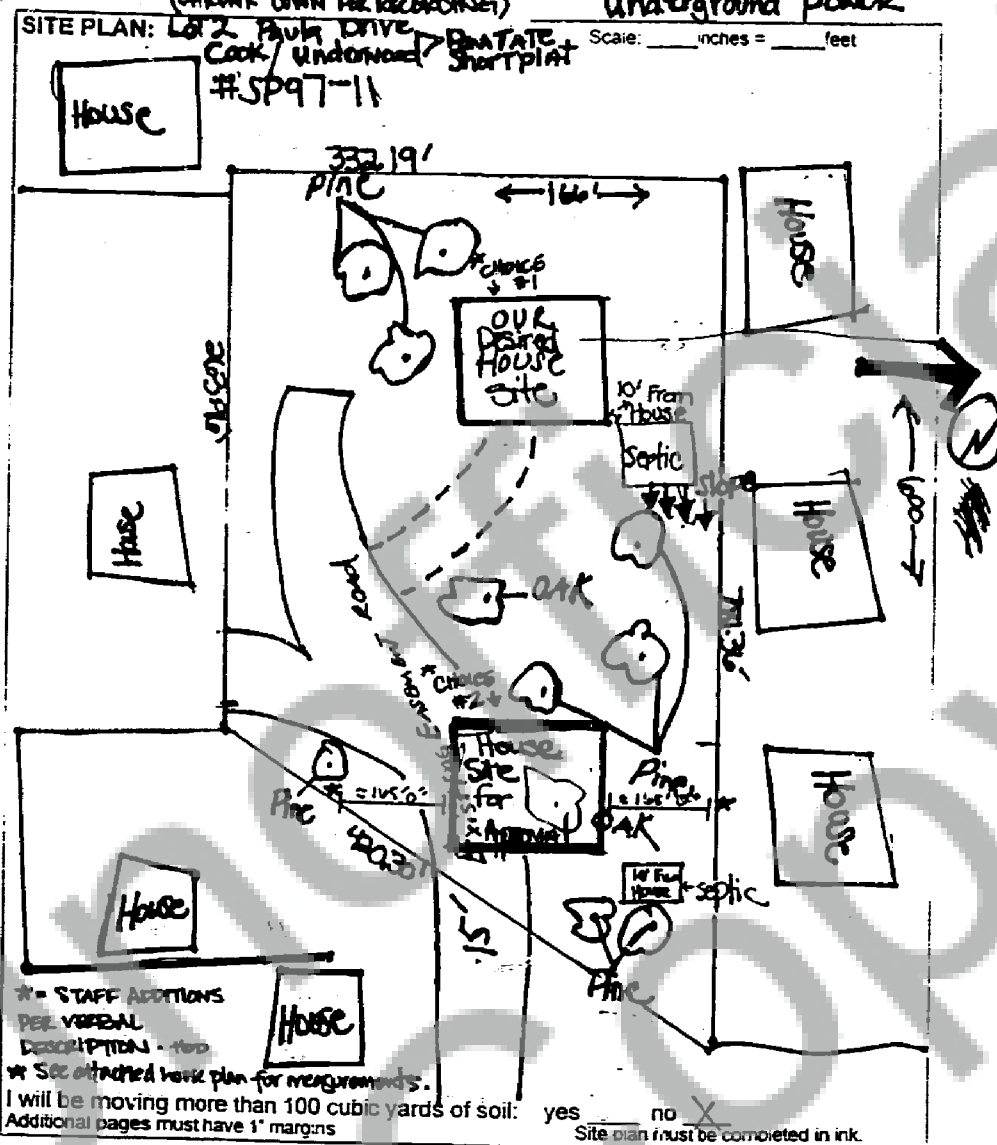
SITE PLAN #2

* (SHRUNK DOWN FOR RECORDING)

Horse = 2000 sq'
City water & Septic
Underground power

Scale: _____ inches = _____ feet

SITE PLAN: Lot 2 Park Drive
Cook/Underwood
#SP97-11
Bentate
Shortplat



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

Pine and brush would be moved underground power lines. The total surrounding of this 5 acre lot is fully developed.

NOTE: Fencing also,
preferably around the whole
lot, if not then around
the buildable site at
Choice #2. Per phone 8/18/00
HOD