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Return Address: Judy & Jerry Lucks  
421 Elk Run Road  
Skamania, WA 98648

BOOK 227 PAGE 883

FILED FOR RECORD  
SKAMANIA COUNTY WASH

R. Judy & Jerry Lucks

AUG 14 12 07 PM '02

Smoser

J. MICHAEL JOHNSON

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:** Jerry & Judy Lucks

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

**PROJECT:** Construct Detached 2-3 Car Garage, Convert Existing Garage to Shop/Gym and Replace Garage Door with Door & Windows

**LOCATION:** 421 Elk Run Road (off of Woodard Creek Road); Section 27 of T<sup>2</sup>N, Range 6E, W.M. and identified as Skamania County Tax Lot #2-6-27-4-0-100

**LEGAL:** See attached Page 5

**ZONING:** Special Management - Forest and General Management Area - Residential (R-10); (approximate boundary is east to west through the new and current garages with SMA being the area that lies to the north)

**DECISION:** Based upon the entire record before the Director, including particularly the Staff Report, the application by Judy and Jerry Lucks, 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

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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.

#### 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 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) for all structures shall be as follows: Front yard: 50 feet from the centerline of the street or road or 20 feet from the front property line, whichever is greater, Side yard: 20 feet, Rear yard: 20 feet. 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.
- 3) The new garage shall be moved a few feet (approximately 4-6 feet) further north, so that the garage is completely blocked by the existing house as seen from southwestern views.
- 4) As a condition of approval, the applicant shall use dark and either natural or earth-tone colors if the applicant chooses not to match the garage to the gray house.
- 5) Graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department.
- 6) The applicant has indicated that due to the movement of the new garage site, one or two trees to the north may have to be removed (trees to the north are not providing screening and thus their removal is permissible). As a condition of approval, the existing tree cover shall be retained, except that which is necessary for site development. Additionally, limbing or topping shall be prohibited.
- 7) The applicant and future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter. Dead and dying trees shall be replaced with the same species in approximately the same location.
- 8) 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. See "Zoning News" article attached to the Staff Report.



- 9) 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.
- 10) The Planning Department will conduct at least two site visits during construction. One to ensure the location of the garage, prior to excavation, and one after excavation but prior to installation of the footings. 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.
- 11) 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.

Dated and Signed this 2nd day of May, 2001, at Stevenson, Washington.

  
 Heather O'Donnell, 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** in the County deed records prior to commencement of the approved project.

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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 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 5/22/01. 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.

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

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Exhibit A

Lot 4 of LANDERHOLM SHORT PLAT, recorded in Short Plat in Book 3 at page 95, as recorded under Auditor's File No. 101577, lying within the North half of the Southeast quarter of Section 27, Township 2 North, Range 6 East of the Willamette Meridian, Skamania County, Washington.

ALSO the South 54.71 feet of the East 802.01 feet of the West 964.68 feet of the Southwest quarter of the Northeast quarter of Section 27, Township 2 North, Range 6 East of the Willamette Meridian, Skamania County, Washington, lying Easterly of the East edge of Elk Run Road.

EXCEPT that portion conveyed to Mary Price, et al, by deed recorded under Book 133, page 670.

SUBJECT TO AND TOGETHER WITH an easement for ingress, egress and utilities, described as follows:

BEGINNING at a point on the South line of the Northeast quarter of Section 27, Township 2 North, Range 6 East of the Willamette Meridian, Skamania County, Washington, South 89°08'43" East, 143.52 feet from the Southwest corner of said Northeast quarter of Section 27, thence North 11°00'15" West, 92.60 feet to a 175 foot radius curve to the left, the chord of which bears North 35°31'55" West, 145.30 feet; thence along said curve 149.83 feet; thence North 60°03'34" West, 238.12 feet to a 250 foot radius curve to the right the chord of which bears North 45°04'06" West, 129.34 feet; thence along said curve 130.92 feet; thence North 30°04'37" West, 33.11 feet to a 175 foot radius curve to the right, the chord of which bears North 43°41'03" West, 82.34 feet; thence along said curve 83.12 feet; thence North 7°17'29" West, 77.36 feet to a 200 foot radius curve to the right, the chord of which bears North 42°34'42" West, 101.59 feet; thence along said curve, 102.72 feet; thence North 7°51'56" West, 151.54 feet to a 150 foot radius curve to the left, the chord of which bears North 58°42'49" West, 153.83 feet; thence along said curve, 161.52 feet; thence North 9°33'42" West, 175.41 feet to a 250 foot radius curve to the left, the tangent of which bears South 73°20'59" West, 146.92 feet; thence along said curve, 149.13 feet; thence South 56°15'41" West, 131.96 feet to the center of Woodard Creek County Road.



