

147797

BOOK 238 PAGE 202

Return Address: John & Shirley Tyler
6615 Lake Drive
Grand Forks, ND 58201

FILED IN RECORD
SKAMANIA CO. WASH
BY John Tyler
FEB 28 2 19 PM '03
Amidgen
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

Reviewed	
Approved	
Revised	
Printed	
Filed	

Administrative Decision

APPLICANT: John & Shirley Tyler

FILE NO.: NSA-02-07

PROJECT: In-kind replacement of an existing mobile home and garage, plus addition of a new full basement and new driveway.

LOCATION: 421 Highland Orchard Road, Underwood; Section 19 of T3N, Range 10E, W.M. and identified as Skamania County Tax Lot #03-10-19-0-0-1000-00.

LEGAL: South half, Lot 16 of Seeley's SUB, recorded in Book A of Plats, Page 32.

DECISION: Based upon the record and the Staff Report, the application by John and Shirley Tyler, described above, subject to the conditions set forth in this Decision, is found to be consistent with SCC Title 22 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.

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:

Skamania County Planning and Community Development
File: NSA-02-07 (lyon) Administrative Decision
Page 2

The following conditions are required to ensure that the subject request is consistent with Skamania County Code 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) 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.
- 2) 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. (See attached)
- 3) The in-kind replacement dwelling and garage shall be limited to one story, with a footprint not to exceed 2500 square feet.
- 4) The height of the house shall be limited to 18 feet from existing grade to the roof peak.
- 5) A full basement may be added to the home, but a daylight basement is not allowed.
- 6) The basement windows shall be of window well type construction with no more than 1 foot showing above grade, except for the two windows located at the southeast corner of the south side of the home. The proposed covered porch will extend approximately five feet beyond the exterior wall containing these exposed windows, and will eliminate potential reflectivity problems in the southeast corner of the south side of the home.
- 7) Only that grading which is necessary for site development (building pads, access roads, leach fields, full basement) is permitted.
- 8) All disturbed areas shall be re-seeded with a native vegetation mix prior to final inspection by the Planning Department.
- 9) No excavated material is to be used to raise the existing grade on the development site.
- 10) Any excavated material shall be utilized as backfill or taken off site outside of the National Scenic Area.
- 11) The applicant needs to notify the Planning Department where the fill will be taken off site, outside the National Scenic Area, before issuance of a building permit.
- 12) The exterior of the proposed home shall be composed of non-reflective material or materials with low reflectivity.
- 13) Dark and either natural or earth-tone color samples (for the roof, siding, trim, deck and doors) of a non-reflective material or material of low reflectivity, shall be submitted to the Planning Department for approval, prior to issuance of a building permit.

- 14) 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.
- 15) Only those trees necessary for site development or safety purposes may be removed.
- 16) All existing screening trees on the subject parcel shall be retained and maintained in a healthy condition. Dead and dying trees shall be replaced in kind.
- 17) Limbing or topping of existing screening trees is prohibited.
- 18) The applicant shall comply with all conditions for visual subordination as explained in the staff report, 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. An occupancy permit will not be issued until compliance with all conditions of approval, including visual subordination criteria, has been verified.
- 19) The Planning Department will conduct at least two site visits during construction. One will be to verify the location of the structures as stated by the Administrative Decision. 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 509-427-9484.
- 20) 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 23rd day of December, 2002, at Stevenson, Washington.

Stacey Boland

Skamania County Planning and Community Development
File: NSA-12-07 (Tyler) Administrative Decision
Page 4

Stacey Borland, Associate Planner
Skamania County Planning and Community Development.

NOTES

Any new residential development, related accessory structures such as garages or workshops, fences, 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)(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

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
Office of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
State of Washington Office of Community Development

[illegible]

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