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BOOK 254 PAGE 201

Return Address: Paul and Linda Willis
P.O. Box 112
North Bonneville, WA 98639

FILED
SKAMANIA
BY *Paul Willis*

Nov 12 4 18 PM '03

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J. MICHAEL J. PISON

**Skamania County
Department of Planning and
Community Development**

Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
509 427-9458 FAX 509 427-4839

Director's Decision

APPLICANT: Paul and Linda Willis

FILE NO.: NSA-99-12

PROJECT: Single-family residence and accessory building along with a temporary residence while constructing the permanent home.

LOCATION: South of Franz Road, west of Duncan Creek Road, in Skamania; Section 33 of T2N, R6E, W.M., and identified as Skamania County Tax Lot # 2-6-33-1301.

ZONING: General Management Area, Small Woodland (F-3).

DECISION: Based upon the entire record before the Director, including particularly the Staff Report, the application by Paul and Linda Willis, 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 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) 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.
- 7) Telephone and power supply shall be underground.
- 8) Roofs of structures should be made of fire-resistant materials, such as metal, fiberglass shingle or tile. Roof materials such as cedar shake and shingle should not be used.
- 9) Any chimney or stovepipe on any structure for use with a woodstove 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.
- 10) 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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- 11) 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.
- 12) Prior to issuance of the occupancy permit for the dwelling, the Department shall conduct a review of the development to assure compliance with the above conditions.
- 13) Applicants shall be required to sign and record with the County Auditor's office, a declaration stating they are aware that adjacent and nearby operators are entitled to carry on accepted forest practices on lands designated F-1, F-2, and F-3 prior to issuance of any building permits.
- 14) Within 30 days of receiving occupancy for the permanent home, the applicants shall remove the mobile home entirely from the property or decommission the mobile home as a residence such that all kitchen facilities are to be disconnected from the temporary residence. The County Building Inspector shall assure that all modifications to the mobile home to de-commission it as a residence are completed in accordance with all State and County Building Codes.
- 15) The proposed accessory building shall maintain front yard setbacks of 45 feet from the centerline of a public or private road or 15 feet from the front lot line, whichever is greater, 5 foot side yard setbacks and 15 foot rear yard setbacks.
- 16) All structures shall not exceed 30 feet in height from the top of the footer at existing grade.
- 17) Existing trees between 50 and 250 feet from the proposed development shall be retained and maintained in a healthy condition. The existing trees within the 50 foot fire break mentioned in Condition # 2, shall be retained and limbed of dead and low (less than 8 feet) branches if the spacing requirements of 15 feet between the crowns can be met. Dead or dying trees shall be replaced with the same species of trees in approximately the same location. All other existing trees on the subject property shall be managed consistent with the forest management plan submitted by the applicants.
- 18) The proposed development shall be finished in non-reflective materials of dark, earth-tone colors. Prior to issuance of a building permit, the applicant shall be required to submit color samples to the Department to verify consistency with the above criterion.
- 19) 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 shall be hooded and shielded so as to have a luminary with less than a 90 degree cutoff.
- 20) The applicant shall be required to submit a grading plan if more than 100 cubic yards of grading will occur.

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- 21) All cut banks or fill slopes shall be re-seeded with native vegetation prior to issuance of an occupancy permit for the residence.
- 22) Compliance with specific approval conditions to achieve visual subordination shall occur prior to the issuance of an occupancy permit.
- 23) 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 17th day of SEPTEMBER 1999, at Stevenson, Washington.

Harpreet K. Sandhu by mjm
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.

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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 10/7/99. 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

re: [illegible]

EXHIBIT 'A'

A tract of land in the Northwest Quarter of the Southwest Quarter of Section 33, Township 2 North, Range 6 East of Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 33;

THENCE North 0°30'23" East, 250.39 feet along the West line of said Northwest Quarter to a point at the centerline of the Bonneville Power Administration Easement;

THENCE North 72°05'02" East, 653.62 feet along the centerline of said Bonneville Power Administration Easement;

THENCE North 0°30'23" East, 302.98 feet parallel with said West line of said Northwest Quarter to a point on the South right-of-way line of Franz Road;

THENCE North 80°51'01" East, 60.86 feet along said South line of said Franz Road to the start of a 720 foot radius curve to the right which the chord bears North 89°33'38" East, 218.07 feet;

THENCE along said curve 218.91 feet;

THENCE continuing along said South right-of-way of said Franz Road the following described courses;

THENCE South 81°43'45" East, 80.39 feet to the start of a 810.00 foot radius curve to the left which the chord bears North 81°29'53" East, 467.50 feet;

THENCE along said curve 474.24 feet;

THENCE North 64°43'30" East, 22.40 feet; Said point being the Northerly point of that line established by Quit Claim Deed recorded in Book 169, Page 12, Skamania County Records;

THENCE South 01°06'48" West, 851.86 feet parallel with the East line of said Northwest Quarter to a point on the South line of the Northeast Quarter of said Southwest Quarter; Said point also being the Southerly point of that line established in said Quit Claim Deed; Said point bears South 89°15'25" East, 114.00 feet from the Southeast corner of said Northwest Quarter;

THENCE North 89°15'25" West, 1,450.72 feet along the South line of said Northeast Quarter and also being along the South line of said Northwest Quarter to the POINT OF BEGINNING.

