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BOOK 255 PAGE 166

Return Address: Terry Steeves
1202 Woodard Creek Rd.
Skamania, WA 98648

FILED
SKAMANIA
BY Terry Steeves

Dec 5 4 22 PM '03

W. H. MOORE

J. HIGDON, CLERK

**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

**REVISED
Director's Administrative Decision**

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(All deleted text will have a ~~strike through~~.)

APPLICANT: Terry Steeves

**PROPERTY
OWNER:** Terry Steeves

FILE NO.: NSA-98-06

REFERENCE NO.: Director's Decision for NSA-98-06, recorded in Book 194, Page 114, Auditor's file # 136528, and 1st Letter Amendment to NSA-98-06, recorded in Book 194, Page 119 both recorded on the 12th day of October 1999, and 2nd Letter Amendment to NSA-98-06, recorded in Book 200, Page 815, Auditor's file # 138598, recorded on the 14th day of July 2000, and 3rd Letter Amendment to NSA-98-06, recorded in Book _____, Page _____, Auditor's file # _____, recorded on the _____ day of _____.

PROJECT: Single-family residence, accessory building, electrical service and cleanup

LOCATION: Approximately 1 mile up Woodard Creek Road off of SR-14, in Skamania; Section 27 of T2N, R6E, W.M., and identified as Skamania County Tax Lot # #2-6-27-3-102: 02-06-27-3-0-0102-00.

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LEGAL: Lot 2 of the Tucker Survey recorded in Book 1, Page 82.

ZONING: General Management Area, Residential (R-10)

DECISION: Based upon the entire record before the Director, including particularly the Staff Report, the application by Terry Steeves, 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 Skamania County Health District 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:

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) As per SCC §22.06.050(C)(2), this Revised Administrative Decision shall be recorded by the applicant in the County deed records prior to commencement of the approved project. A copy of the first page of the recorded Administrative Decision must be submitted to the Planning Department prior to issuance of a building permit.
- 1) 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.
- 2) 3) ~~Front yard setbacks shall be 45 feet from the centerline of a public or private road or 15 feet from the front lot line, whichever is greater. Side yard setbacks shall be 5 feet and rear yard setbacks shall be 15 feet.~~

All structures, except fences, including eaves, awnings and overhangs shall meet the following setbacks: **Front yard:** 50 feet from the centerline of the street or road or 30 feet from the front property line, whichever is greater. **Side yard:** 20 feet. **Rear yard:** 25 feet. Setbacks are established from property lines, not fence lines. If any question arises regarding the location of the property lines, the applicant shall be required to hire a professional land surveyor to locate the property lines and mark them with temporary staking prior to a building permit being issued. Staking must remain during construction and all building inspections.

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- 3) 4) The primitive access road off of Tucker Road North is **DENIED** for residential purposes and should be blocked to prevent unauthorized access. If the applicants plan to continue use of that access road for forest management then the Department of Natural Resources has jurisdiction over its construction and maintenance and all other conditions that were placed on the forest practices permit for roads.

- 4) 5) ~~All existing vegetation screening the development from key viewing areas shall be retained except that which needs to be removed for construction of access roads, building pads, leach fields, etc. All dead or dying trees shall be replaced in kind and place.~~

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.

- 5) 6) A required continuous row of background six-foot-tall screening trees shall be planted at ~~no less than~~ on 15 foot centers and be at least 6' tall as measured from the ground to the top of the tree, after planting to help blend ~~to screen the proposed development as seen from~~ key viewing areas. ~~At least half of the trees shall be native to the setting and half shall be coniferous to provide winter screening.~~ Staggering the required background screening trees may be allowed to create a more natural appearance. The required background screening trees shall be planted ~~no further than~~ at least 50 feet from the home site. See Page 5 of the Staff Report for further details.

- 6) 7) All existing and new cut banks or fill areas shall be re-seeded with native vegetation to minimize visibility.

- 7) 8) ~~The exterior of the proposed building shall be finished in nonreflective materials of dark, earth-tone colors. Prior to issuance of a building permit, applicant shall be required to submit color samples to the Department.~~

The exteriors of the proposed development shall be composed of non-reflective material or materials with low reflectivity.

- 8) 9) 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 nonreflective, opaque materials. All lights shall be hooded and shielded so as to have a luminary with less than a 90 degree cutoff.

- 9) 10) ~~A grading plan shall be submitted if more than 100 cubic yards of grading will occur.~~

Only that grading which is necessary for site development (building pad) is permitted.

- 10) 11) ~~Prior to issuance of an occupancy permit for the home, all conditions to achieve visual subordination shall be completed.~~

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The applicant shall meet all conditions to achieve visual subordination prior to final inspection by the Planning Department. The applicant should coordinate all inspections with the Building Department. Final inspection will not be complete until compliance with all conditions, including the visual subordination criteria, has been verified.

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.

- 12) A 100 foot undisturbed setback buffer from the stream and pond on the subject property shall be maintained.
- 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.
 - 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.
- 14) The two structures in violation must be reviewed and resolved prior to issuance of a building permit for the proposed garage.
- 15) No further Letter Amendments will be allowed for any activities permitted under NSA file no. NSA-98-06. A new application and approval is required for any other changes, alterations, or additions. Additionally, you will need to clarify your building permit status with the Skamania County Building Department for all structures on your property.
- 16) The Planning Department shall conduct a site visit to confirm that the garage does not accommodate a cooking area or kitchen, prior to issuance of final inspection. The garage may not be rented out or sub-leased as a separate dwelling unit.
- 17) The proposed garage shall not exceed 26' from the top of the footer set at or below existing grade or 24' from slab set at or below existing grade for a slab on grade foundation.

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- 18) The project applicant and future owners shall be responsible for the proper maintenance and survival of any vegetation required to be planted.
- 19) Limbing or topping of existing screening trees is prohibited.
- 20) At least half of the screening trees shall be species native to the setting. Such species include Douglas fir, grand fir, western red cedar, western hemlock, big leaf maple, vine maple, red alder, ponderosa pine, Oregon white oak and various native willows (for riparian areas).
- 21) At least half of the screening trees shall be coniferous to provide winter screening.
- 22) The garage shall be composed of dark and either natural or earth-tone exterior colors. Color samples for the roof, siding, trim, and doors must be submitted to the Planning Department for approval prior to issuance of a building permit.
- 23) Due to the violation that occurred on-site, a three (3) year monitoring plan is to be implemented, beginning with the issuance of final inspection on the garage. At least once a year, for three years, Planning Department staff will monitor activities on this property to ensure compliance and that no further violations occur.

Dated and Signed this 13th day of November, 1998 2003, at Stevenson, Washington.

Stacey Borland
Harpreet Sandhu, Director Stacey Borland, 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), 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

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The This 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 _____.

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 Revised Decision, including the Revised 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
Skamania County Prosecuting Attorney
Skamania County Building Department
Skamania County Assessor's Office
Skamania County Health Department
Office of Archaeology and Historic Preservation
Friends of the Columbia Gorge
Columbia Gorge United
Gorge Realty, Inc.
Department of Fish and Wildlife
US Army Corps of Engineers
Persons within 500 feet of property

