

Doc # 2004155188  
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Date: 11/15/2004 09:00A  
Filed by: KEN ELLIOT  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$23.00

Return Address: Howard Sooter  
71 Circle Drive  
Underwood, WA 98651

## 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

**APPLICANT:** Howard Sooter

**FILE NO.:** NSA-00-41

**PROJECT:** Single-family residence with detached garage.

**LOCATION:** Off of Cooper Avenue just south of Cook-Underwood Road in Underwood:  
Section 22 of T3N, R10E, W.M., and identified as Skamania County Tax Lot # 3-  
10-22-11-189.

**LEGAL DESCRIPTION:** Lot number 1 of the Elva Sooter Subdivision, Book B, Page 59.

**ZONING:** General Management Area, Residential (R-2)

**DECISION:** Based upon the entire record before the Director, including particularly the Staff Report, the application by Howard Sooter, 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) 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.
- 3) Setbacks (including roof/eaves, decks/porches) for all structures shall be as stated on the attached site plan. 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.
- 4) Prior to issuance of a building permit or placement permit for the single-family residence, color samples shall be submitted to the Planning Department to verify compatibility with the setting. Compatibility is determined by the similarity in color, height and size to adjacent developed properties.
- 5) All trees that do not need to be removed for site development shall be retained and maintained in a healthy condition. Dead or dying trees shall be replaced in place and in kind with trees that are a minimum of six feet tall. Where tree removal is required for construction activities, favor the removal of Douglas fir and big-leaf maple over the removal of Oregon white oak.
- 6) Replant the disturbed area associated with the septic system drainfield with plants that; a) do not interfere with the function of the system, and b) provide a food source for wildlife. WDFW suggests orchard grass and white clover at a 50/50 mix.
- 7) The applicant should plant a total of 34 individual plants selected from the following list; snowberry, blue elderberry, oceanspray, serviceberry or redstem ceanothus. These plantings shall be maintained in good health at the landowners expense in perpetuity.
- 8) The above mentioned conditions shall be met prior to the issuance of an occupancy permit.
- 9) No livestock shall be raised or grazed on the subject parcel.
- 10) A wildlife biologist shall be on site during site preparation and ground disturbing activity. Prior to final inspection, the applicant shall provide the Planning Department with a letter from the wildlife

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biologist who was on site during site prep and ground disturbing activity stating what the biologist's role was during this process. At a minimum, the biologist shall decide that all ground disturbing and vegetation removal shall be conducted in such a manner as to cause the absolute least disturbance to western gray squirrel habitat while still allowing for the approved development to proceed. In addition, the biologist shall monitor for compliance with condition number five.

- 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 29 day of December, 2000, at Stevenson, Washington.

  
Mark J. Mazeski, Acting 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 Jan 19, 2001. Notice of Appeal forms are available at the Department Office.

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

