

Return Address: Chris Spangler
978 ~~242~~ Archer Mtn. Rd.
Skamania, WA 98648

Doc # 2006161498
Page 1 of 8
Date: 05/10/2006 01:56P
Filed by: CHRIS SPANGLER
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$39.00

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: Chris Spangler

PROPERTY OWNER: Marlys Kelly c/o Janice Hardistry

FILE NO.: NSA-04-61

PROJECT: A 2-story (main floor and daylight basement) single-family dwelling with a 2,600 sq. ft. footprint and an 800 sq. ft. daylight basement, a 1,600 sq. ft single story detached shop, driveway, and utilities.

LOCATION: Off of Archer Mtn. Road; Section 32 of T2N, R6E, W.M., and identified as Skamania County Tax Lot #02-06-32-0-0-0100-00.

LEGAL DESCRIPTION: See attached Page 7.

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

DECISION: Based upon the entire record, including particularly the Staff Report, the application by Chris Spangler, 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 Skamania County 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:

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 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. 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.
- 2) All developments shall be consistent with the enclosed site plans, unless modified by the following conditions of approval. If modified, the site plans shall be consistent with the conditions of approval. (See attached)
- 3) 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 20 feet from the front property line, whichever is greater. **Side yard:** 20 feet. **Rear yard:** 20 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.
- 4) The development should comply with the following fire safety guidelines (a)-(k):
 - a) 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.
 - b) Hazardous fuels shall be removed within the fuel break area.
 - c) Buildings with plumbed water systems shall install at least one standpipe at a minimum of 50 feet from the structure(s).
 - d) 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.

- e) 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.

Variances to road provisions may be made after consultation with the local rural fire district and the Washington State Department of Natural Resources.

- f) Within one year of the occupancy of a dwelling, the Department shall conduct a review of the development to assure compliance with these this section.
 - g) Telephone and power supply shall be underground whenever possible.
 - h) Roofs of structures should be made of fire-resistant materials, such as, fiberglass shingle or tile. Roof materials such as cedar shake and shingle should not be used.
 - i) Any chimney or stovepipe on any structure for use with a wood stove 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.
 - j) 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.
 - k) 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.
- 5) The Department shall conduct a review of the development for compliance with the above, prior to the issuance of final inspection for the home.
- 6) Prior to issuance of a building permit, the applicants shall be required to sign and record with the County Auditor's office, a declaration signed by the landowner specifying that the owners, successors, heirs and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm or forest practices on lands designated Ag-1, Ag-2, F-1, F-2 and F-3. A copy of the first page of the recorded declaration must be submitted to the Planning Department.
- 7) The applicant shall submit proof that the subject property is enrolled in the Current Use Timberland Program prior to issuance of a building permit. If the parcel cannot qualify for the tax deferred status based upon its use as forest land, a letter from the Assessor stating the above, shall be submitted to the Planning Department prior to issuance of a building permit.
- 8) The proposed dwelling shall not exceed 28' from the top of the footer set at or below existing grade, or 26' from slab if slab on grade foundation is used.

- 9) The proposed shop shall not exceed 20' from the top of the footer set at or below existing grade, or 18' from slab if slab on grade foundation is used.
- 10) All graded and disturbed areas are to be reseeded with a native vegetation mix prior to final inspection by the Planning Department.
- 11) The project applicant and future owners shall be responsible for the proper maintenance and survival of any vegetation required to be planted.
- 12) All existing screening trees on the subject parcel shall be retained and maintained in a healthy condition, with no removal south of the home and garage sites of vegetation in excess of 8" diameter at breast height (dbh). Dead and dying trees shall be replaced in kind.
- 13) Limbing or topping of screening trees is prohibited.
- 14) Only that grading which is necessary for site development (building pads, access roads, leach fields) is permitted.
- 15) The exteriors of the proposed development shall be composed of non-reflective material or materials with low reflectivity.
- 16) The proposed house and garage shall be composed of natural or earth-tone exterior colors, as approved and on file with the Planning Department. If the applicant changes the color samples, then new samples for the siding, roof, trim and doors must be submitted to the Planning Department for approval prior to issuance of a building permit.
- 17) 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. See Lighting Brochure attached to the Staff Report.
- 18) A 50' undisturbed buffer is required off of the seasonal creek on the property.
- 19) The seasonal creek buffer shall be maintained in a natural condition (i.e. no grading, no mowing, etc.), with no other development occurring within the buffer. Non-native species may be removed within the buffer area by hand removal only, so long as the buffer is kept in a natural appearance and does not appear manicured.
- 20) 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 sign-off and Occupancy will not be issued until compliance with conditions, including visual subordination criteria, has been verified.
- 21) 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.

- 22) 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 11th day of February, 2005, at Stevenson, Washington.


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)(5), this 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

The Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

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 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
Skamania County Health Department

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
Washington State Department of Fish and Wildlife

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Date: 08/04/2004 04:44P
Filed by: WOODRICH & ARCHER
Filed & Recorded in: Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fees: \$20.00

REAL ESTATE EXCISE TAX

After recording return to:
Woodrich & Archer LLP
PO Box 510
Stevenson, WA 98648

24122
AUG 5 2004
PAID *Example*
Vickie Clelland North
SKAMANIA COUNTY TREASURER

DEED OF PERSONAL REPRESENTATIVE

THE GRANTOR, Mariys Kelley, as Personal Representative of the Estate of Roger Charles Kelley, Deceased; in consideration of settlement of estate, conveys to Mariys Kelley, A Widowed Woman, the following described real estate situated in Skamania County, Washington:

The Southeast Quarter of the Southeast Quarter of the Southeast Quarter of Section 29, Township 2 North, Range 6 East of the Willamette Meridian. ALSO INCLUDING that portion of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 32, Township 2 North, Range 6 East of the Willamette Meridian, North of an existing road through the northerly portion of said Northeast Quarter of the Northeast Quarter of the Northeast Quarter of said Section 32.

ALSO SUBJECT TO an easement for road and utility purposes.

Tax Parcel No. 02-06-32-0-0-0100-00
Gary H. Martin, Skamania County Assessor
Date 8-4-04 Parcel # 2-6-32-100
ghm

Roger Charles Kelley died testate on October 15, 1999, and Mariys Kelley is the duly qualified and acting Personal Representative of the estate under Skamania County Superior Court Probate Cause No. 03-4-00015-8. This deed is given by way of distribution from the estate and is

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Site
Plan

Reduced
SB

Scale

1" = 100'

N

Proposed

House - approx. 2600 sq Feet
Shop - approx. 1600 sq Feet
well, septic, Driveway, Elec. Line

660'

