

Return Address: Brian and Trisha Nichols  
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Doc # 2006161759  
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Date: 05/31/2006 12:20P  
Filed by: BRIAN & TRISHA NICHOLS  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$36.00

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

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-3900 FAX 509 427-3907

**Administrative Decision**

**APPLICANT:** Brian and Trisha Nichols

**PROPERTY OWNER:** Brian and Trisha Nichols

**FILE NO.:** NSA-05-65

**PROJECT:** To construct a two- story single-family residence (approximately 26' x 40' x 28') with an attached one-story garage (approximately 20' x 22' x 15'), driveway and associated utilities.

**LOCATION:** Located off of Woodard Creek Road, Skamania; Section 34 of Township 2N, Range 6E, W.M. and identified as Skamania County Tax Lot #02-06-34-1-0-1904-00.

**LEGAL:** Lot 3 Cloe Short Plat, Skamania County Auditor's Book 3 Page 408.

**ZONING:** General Management Area-Rural Center (RC).

**DECISION:** Based upon the record and the Staff Report, the application by Brian and Trisha Nichols, 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 Division 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 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) 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) Only that grading which is necessary for site development (building pads, utilities, etc.) is permitted. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Planning Department.
- 5) Planted vegetation shall be maintained to ensure survival.
- 6) Where feasible, the existing tree cover of species native to the region or commonly found in the area shall be retained.
- 7) All new development shall be set back 100 feet from the edge of pavement of State Route 14.
- 8) The applicants shall replant five (5) native trees and/ or shrubs as replacements for the tree and brush to be removed as part of this application.

- 9) The Planning Department will conduct at least two site visits during construction, one to verify the location of the structures as stated by the Administrative Decision and a second to be conducted after all foundation excavation has been completed including framing footers, but prior to pouring the foundation. A site visit for Final Inspection shall also be conducted. 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 Division at 509-427-3920.
- 10) 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 9<sup>th</sup> day of May, 2006, at Stevenson, Washington.

  
Jessica Davenport, 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

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 \$1,000.00 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 Department of Community Trade and Economic Development - Dee Caputo  
Department of Fish and Wildlife

