

Return Address: Grant and Joan Geisler
771 Butler Loop Road
Skamania, WA 98648

Doc # 2007165693
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Date: 04/12/2007 02:05P
Filed by: GRANT A GEISLER
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$38.00

**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/
PROPERTY
OWNER:**

Grant and Joan Geisler

FILE NO.:

NSA-06-43

PROJECT:

Application for a Home Occupation to allow the resident to use one room in the existing house for massage therapy and facial treatments, and one room as a Bed and Breakfast for guest lodging. The applicant may need to upgrade the septic system in the future, so this application will include possible ground disturbance due to septic system upgrades. No other construction or alterations to the existing structure is proposed.

LOCATION:

771 Butler Loop Road, Skamania; Section 35 of T2N, R6E, W.M. and identified as Skamania County Tax Lot #02-06-35-0-0-0400-00.

LEGAL:

Lot 1 of the Kelly Short Plat recorded in Skamania County Auditor's Office on May 20, 1993 in Book 3, Page 224.

ZONING:

General Management Area- Residential (R-5).

DECISION:

Based upon the record and the Staff Report, the application by Grant and Joan Geisler, 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 §22.06.120(C)(2).

- 1) As per SCC §22.06.120(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.
- 4) The Home Occupation may employ only residents of the home.
- 5) No more than twenty-five percent (25%) of the total actual living space of the dwelling may be utilized for the home occupations.
- 6) There shall be no outside, visible evidence of the home occupations, including outside storage. Exterior structural alterations to the residence shall not be permitted under this application.
- 7) No retail sales may occur on the premises, except incidental sales at lodging establishments authorized in this chapter.
- 8) Guests may not occupy the Bed and Breakfast guest lodging facility for more than fourteen (14) consecutive days.
- 9) The Bed and Breakfast guest lodging allows for one (1) non-animated, non-illuminated sign not exceeding four (4) square feet in area, which may be permitted on the structure (dwelling) or within the yard containing the structure. The massage therapy home occupation allows for one (1) non-

animated, non-illuminated sign, not exceeding two square feet in area, which may be permitted on the subject structure or within the yard containing the home occupation.

- 10) Parking areas not associated with residential use shall be screened from key viewing areas.
- 11) 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.
- 12) The applicant and/or future owner shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter.
- 13) The applicant shall be required to retain the existing mature trees which screen the proposed guest parking spot from key viewing areas to the west and south aspects, except as is necessary for fire or safety purposes.
- 14) The existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
- 15) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Planning Department. The applicant is to coordinate all inspections with the Planning Department. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.
- 16) The Planning Department shall conduct a site visit for Final Inspection to ensure that the applicant is in compliance with the conditions of approval. The inspection may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Planning Department at (509) 427-3900.
- 17) 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 Administrator and the Gorge Commission within twenty-four (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 twenty-four (24) hours.
 - c) Survey and Evaluations. The Gorge Commission shall survey the cultural resources after obtaining written permission from the landowner and appropriate permits from the DAHP. (See Revised Code of Washington 27.53) It shall gather enough information to evaluate the significance of the cultural resources. The survey and evaluation shall be documented in a report that generally follows the provisions in Section 22.22.030 of this Chapter.

Based upon the survey and evaluation report and any written comments, the Administrator shall make a final decision on whether the resources are significant. Construction activities may recommence if the cultural resources are not significant.

- d) Mitigation Plan. Mitigation plans shall be prepared according to the information, consultation and report provisions contained in Section 22.22.050 of this Chapter. Construction activities may recommence when conditions in the mitigation plan have been executed.
- 18) The following procedures shall be effected when human remains are discovered during a cultural resource survey or during construction. Human remains means articulated or disarticulated human skeletal remains, bones or teeth, with or without attendant burial artifacts.
- a) Halt of Activities. All survey, excavation and construction activities shall cease.
 - b) Notification. Local law enforcement officials, the Administrator, the Gorge Commission, and the Indian tribal governments shall be contacted immediately.
 - c) Inspection. The county coroner, or appropriate official, shall inspect the remains at the project site and determine if they are prehistoric/ historic or modern. Representatives of the Indian tribal governments shall be contacted immediately and have an opportunity to monitor the inspection.
 - d) Jurisdiction. If the remains are modern, the appropriate law enforcement official shall assume jurisdiction and the cultural resource protection process may conclude.
 - e) Treatment. The procedures set out in RCW 27.44 and 68.05 shall generally be implemented if the remains are prehistoric/ historic. If human remains will be reinterred or preserved in their original position, a mitigation plan shall be prepared in accordance with the consultation and report requirements set out in Section 22.22.050 of this Chapter. The mitigation plan shall accommodate the cultural and religious concerns of Native Americans. The cultural resource protection process may conclude when conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 27 day of October, 2006, at Stevenson, Washington.



Nicole Hollatz, 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 §22.06.150(A), 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 \$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 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
Cowlitz Indian Tribe
Department of Archaeology and Historic Preservation
Columbia River Gorge Commission
U.S. Forest Service - NSA Office
Board of County Commissioners
Skamania County Health Department
State of Washington Department of Community Trade and Economic Development – Dee Caputo
Department of Fish and Wildlife



SCALE: ONE SQUARE = TWO FEET

OFFICE (#1) W- $7\frac{1}{2}'$, L- $11\frac{1}{2}'$, H- $7\frac{1}{2}'$

BED (#2) W- $9\frac{1}{2}'$, L- $12'$, H- $7\frac{1}{2}'$

