

Return Address: Fosburg Enterprises
61 Cedar Grove Lane
Washougal, WA 98671

Doc # 2007166545
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Date: 06/19/2007 08:33A
Filed by: FOSBURG ENTERPRISES
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$37.00

**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: Fosburg Enterprises

PROPERTY OWNER: Richard Miller

FILE NO.: NSA-07-24

PROJECT: To remove one small window and replace it with a new door (approximately 6'x6'8") on an existing single-family dwelling.

LOCATION: 131 Sooter Road, Underwood, Section 22 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-22-1-4-1100-00.

LEGAL: See attached page 6.

ZONING: General Management Area- Residential (R-1).

DECISION: Based upon the record and the Expedited Review Process Staff Report, the application by Fosburg Enterprises, 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 (SCC) 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 Section 22.06.120(C)(2).

- 1) As per SCC Section 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) The applicant must 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. The Planning Department shall conduct a final inspection after all work has been completed. 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.
- 4) The following procedures shall be effected when cultural resources are discovered during construction activities:
 - a) Halt Of 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 survey the cultural resources after obtaining written permission from the landowner and appropriate permits from 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.
- 5) 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 the opportunity to monitor the inspection.
 - d) **Jurisdiction.** If the remains are modern, the appropriate law enforcement officials 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 the conditions set forth in Section 22.22.050(C) of this Chapter are met and the mitigation plan is executed.

Dated and Signed this 4 day of May, 2007, 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 Section 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. Any person shall be allowed to appeal a decision issued under the expedited review process. To appeal this decision, a written Notice of Appeal form must be filed 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 this Decision, including the Staff Report, was sent to the following:

500' adjacent property owners and persons requesting a notice of decision
Yakama Indian Nation
Cowlitz Indian Tribe
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Nez Perce Tribe
Department 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
Skamania County Building Division

SITE PLAN:

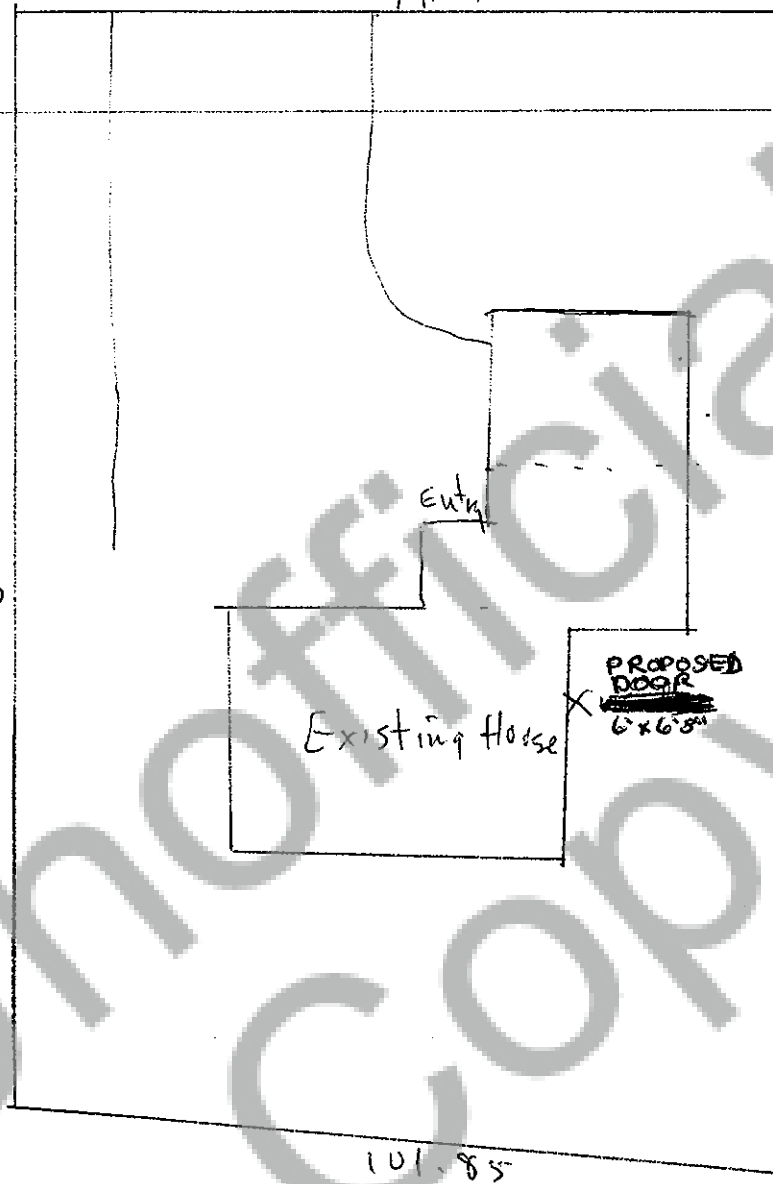
North:



Scale: _____ inches = _____ feet

99.96'

142.33'



101.85'

Bodies of water or watercourses on property: yes _____ no X

I will be removing on-site plants, trees, or other vegetation: yes _____ no X

-If yes to either please indicate location of vegetation removal or watercourses.

I will be moving more than 100 cubic yards of soil: yes _____ no X

Additional pages must have 1" margins

Site plan must be completed in ink.

NOTICE: This is a proposed site plan, it may be revised as required to be in compliance with the Columbia River Gorge National Scenic Area.

Lot 4 of SOOTER TRACTS, according to the official Plat thereof, on file and of record at Page 138 of Book 'A' of Plats, in the County of Skamania, State of Washington.

Gary H. Martin, Skamania County Assessor
Date 11/15/04 Parcel # 3-10-221-4-1200
G.S.

DUC #00793165545
Parent #6