

Return Address: Tim Fortenbury  
62 Tiny Drive  
Skamania, WA 98648

Doc # 2007167064  
Page 1 of 8  
Date: 07/30/2007 01:25P  
Filed by: TIM FORTENBURY  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
SKAMANIA COUNTY AUDITOR  
J MICHAEL GARVISON  
Fee: \$47.00

**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:** Tim Fortenbury

**PROPERTY OWNER:** Timothy and Diana Fortenbury

**FILE NO.:** NSA-06-11

**PROJECT:** To replace an existing manufactured home with a new single-family dwelling approximately 30' x 52' with a 24' x 24' attached garage, porches, rerouting existing driveway and utilities.

**LOCATION:** 62 Tiny Drive, Skamania; Section 26 of T2N, Range 6E, W.M. and identified as Skamania County Tax Lot #02-06-26-4-0-1003-00.

**LEGAL:** See attached page 8.

**ZONING:** General Management Area-Residential (R-10).

**DECISION:** Based upon the record and the Staff Report, the application by Tim Fortenbury, 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:** 45 feet from the centerline of the street or road or 15 feet from the front property line, whichever is greater. **Side yard:** 5 feet. **Rear yard:** 15 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) Except as necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained. However, the applicant may remove the cherry tree and the cedar tree as labeled to be removed on the site plan.
- 7) The structure shall be composed of nonreflective materials or materials with low reflectivity. The windows shall have a reflectivity rating of 11% or less, and no more than 50 square feet of continuous surface of unscreened glass shall be allowed on the south and east sides of the structure.
- 8) All exterior lighting shall be hooded and shielded at a 90-degree angle. Hoods/ shields shall be made of nonreflective, opaque material, which does not allow light to pass through.

- 9) The height of the single-family dwelling shall not exceed 28 feet as measured from the top of footer to the roof peak.
- 10) The exteriors of the structures shall be dark earth tone in color. the color samples submitted by the applicant, True Value Hometown (4020), True Value Virture (4021) for the trim (2"-3" wide trim), and Decra Tile Granite roofing have been approved by the Planning Department. If the applicant chooses to paint the exterior of the dwelling different colors, dark earth-tone colors shall be submitted to the Planning Department for approval prior to the issuance of a building permit.
- 11) The applicant shall replace the two trees to be removed with a 5:1 replacement ration (The applicant/ owner is required to plant at least ten trees).
- 12) The applicant shall meet the following siting criteria since the eastern most property line of the "panhandle" is adjacent to forest land:
  - a) Dwellings and accessory buildings and structures shall be set back at least 200 feet from adjacent forest properties.
  - b) Dwellings and accessory buildings and structures shall be sited so that they will have the least impact on nearby or adjoining forest operations. Clustering or locating proposed development closer to existing development on adjacent lands may minimize impacts on nearby or adjacent forest operations.
  - c) The amount of forest land used to site dwellings, accessory buildings, accessory structures, access roads and service corridors shall be minimized. This can include locating new dwellings and structures as close to existing public roads as possible, thereby minimizing the length of access roads and utility corridors; or locating the dwelling, access road, and service corridors on portions of the parcel that are least or poorly suited for forestry. Areas may not be suitable for forestry because of existing nonforest uses, adjacent dwellings, or land productivity.
  - d) Dwelling and accessory buildings and structures should be located to minimize the difficulty of gaining access to the structure in case of fire.
  - e) Narrow canyons and draws should be avoided.
  - f) Dwellings and accessory buildings and structures should be located to minimize the difficulty of gaining access to the structure in case of fire.
  - g) Dwellings and accessory buildings and structures should be located to make access roads as short and flat as possible.
- 13) The applicant shall meet all conditions of approval enacted to achieve visual subordnance prior to final inspection by the Planning Department. The applicant is to coordinate all inspections with the Building Division. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordnance criteria have been verified.
- 14) 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.

15) 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.

16) 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 14 day of JUNE, 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

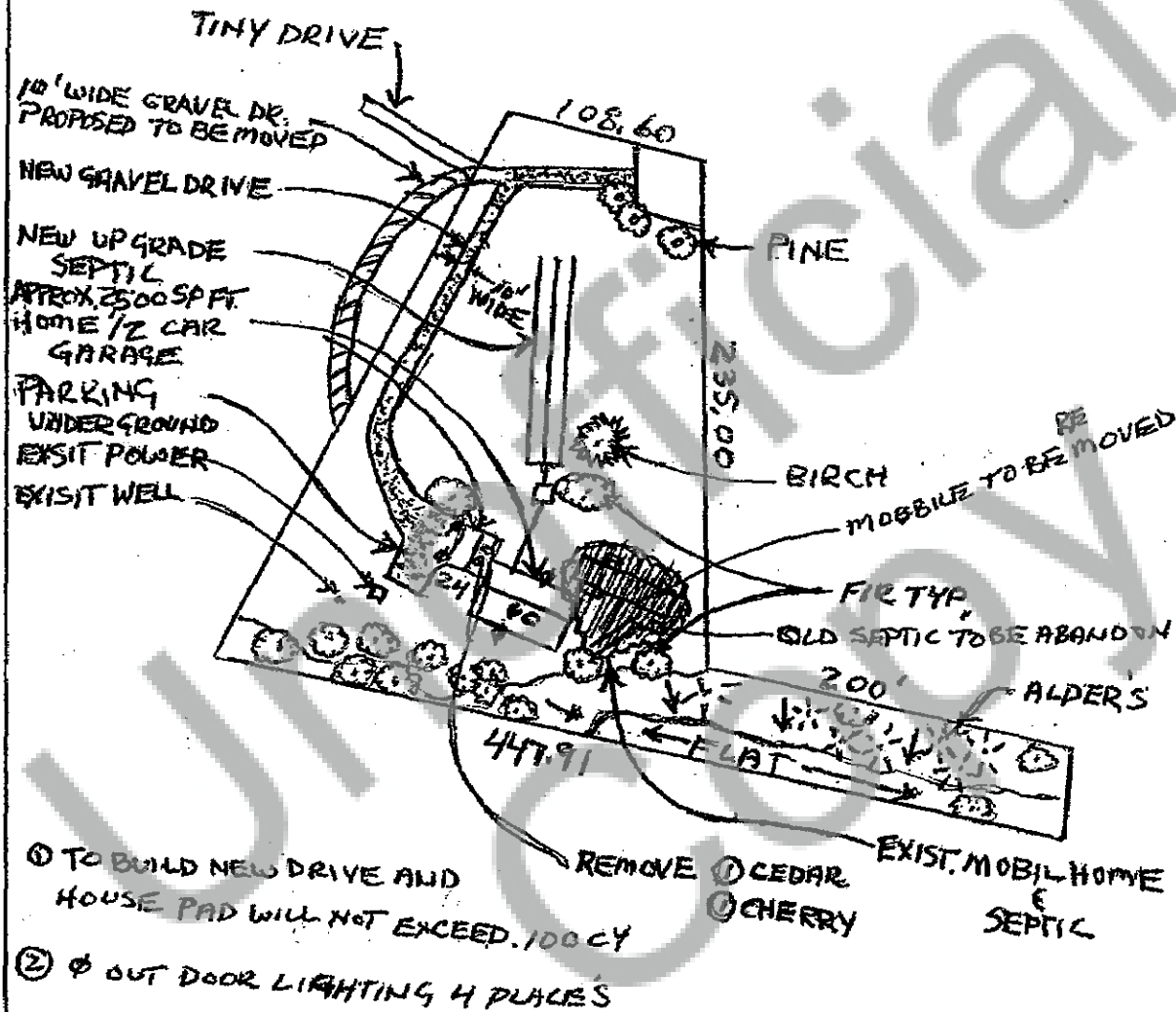
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# SITE PLAN:

North:



Scale:  $\frac{1}{4}$  inches = 25 feet



Bodies of water or watercourses on property: yes ☒ no ☐

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

-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 ☒

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.



Parcel N

A tract of land in the Southwest Quarter of the Southeast Quarter of Section 26, Township 2 North, Range 6 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Beginning at a point 62.5 feet North of the Southeast corner of the Southwest Quarter of the Southeast Quarter of said Section 26, said point being on the Northernly right of way line of State Road No. 14 as presently constructed and located; thence North along the East line of the Southwest Quarter of the Southeast Quarter of said Section 26, a distance of 424.5 feet; thence North 81 degrees 13' East 538 feet to the true point of beginning; thence North 25 degrees 14' East 312 feet; thence South 13 degrees 13' East 118 feet; thence South 02 degrees 48' West 235 feet; thence South 81 degrees East 200 feet; thence South 12 degrees 45' West 70 feet; thence North, 81 degrees 13' West 463 feet to the true point of beginning.