

Return Address: Erron and Traci Cain
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Doc # 2007167722
Page 1 of 7
Date: 09/19/2007 08:56A
Filed by: ERRON CAIN
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$46.00

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: Erron and Traci Cain

PROPERTY OWNER: Erron and Traci Cain

FILE NO.: NSA-07-38

PROJECT: To replace the existing manufactured home with a new manufactured home (71' x 27' x 14' height). The existing manufactured home is proposed to be used as storage space (kitchen will be removed).

LOCATION: Located at 91 Winter Creek Road, Skamania; Section 33 of T2N, Range 6E, W.M. and identified as Skamania County Tax Lot #02-06-33-0-0-0802-00.

LEGAL: Lot 2 White Short Plat, Book 3 Page 63.

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

DECISION: Based upon the record and the Staff Report, the application by Erron and Traci Cain, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved in part and denied in part**. The project of replacing the existing manufactured home with a new manufactured home is approved. However, the applicant refused to submit approvable material samples for the roof and approvable dark earth-tone colors for the structure, therefore the materials and colors submitted are

denied. The applicant must submit approvable material and color samples prior to the issuance of a building permit. The approved samples must be used during construction, which will be verified prior to the issuance of the final inspection approval.

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. 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. **These setback distances are superseded by conditions 5 and 6.**
- 4) Fire Safety Provisions:
 - (a) All buildings shall be surrounded by a maintained fuel break of fifty (50) feet. Irrigated or fire resistant vegetation may be planted within the fuel break, including green lawns and low shrubs (less than twenty-four (24) inches in height). Trees should be placed greater than fifteen (15) feet between the crowns and pruned to remove dead and low (less than eight (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.
 - (d) Buildings with plumbed water systems shall install at least one (1) standpipe at a


- minimum of fifty (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 twenty (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 twelve (12) feet in width and not exceed a finished grade of twelve percent (12%). 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. However, variances to road provisions may be made after consultation with the local fire marshal and the Washington State Department of Natural Resources.
 - (f) Within one (1) year of the occupancy of a dwelling, the Administrator 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 a quarter (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 a quarter (1/4) inch mesh metal screen that is noncombustible and corrosion resistant.
- 5) The new manufactured home shall be 200 feet from the adjacent properties to the north, east and west.
- 6) A variance is granted in order to allow the setback from the southern property line to be 125 feet.
- 7) The cooking facilities in the existing manufactured home must be removed in order to convert it from a dwelling to an accessory structure. The Planning Department shall conduct a site visit to verify that the cooking facilities have been removed prior to issuance of the final inspection approval for the new manufactured home.
- 8) 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.
- 9) Planted vegetation shall be maintained to ensure survival.
- 10) The applicant must submit approvable material and color samples prior to the issuance of a building permit. The approved samples must be used during construction, which will be verified prior to the issuance of the final inspection approval.

- 11) The exterior of the new manufactured home shall be composed of dark earth-tone colors.
- 12) The structure shall be composed of nonreflective materials or materials with low reflectivity.
- 13) 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.
- 14) The proposed manufactured home shall not exceed 15 feet in height as measured from the top of the footer to roof peak.
- 15) Except as is necessary for construction of access roads, building pads, leach fields, fuel break, etc., the existing tree cover screening the development from key viewing areas shall be retained.
- 16) The applicant shall replant tree seedlings of species native to the area at the soon-to-be former house site, as agreed upon with the Department of Fish and Wildlife, for habitat purposes, once the existing manufactured home has been removed.
- 17) 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 Building Division. A final inspection approval will not be issued until compliance with all conditions of approval; including visual subordination criteria have been verified.
- 18) 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.
- 19) 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.
- 20) 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 28 day of August, 2007, 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 §22.06.150(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

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 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

2112 1000

NOV 11

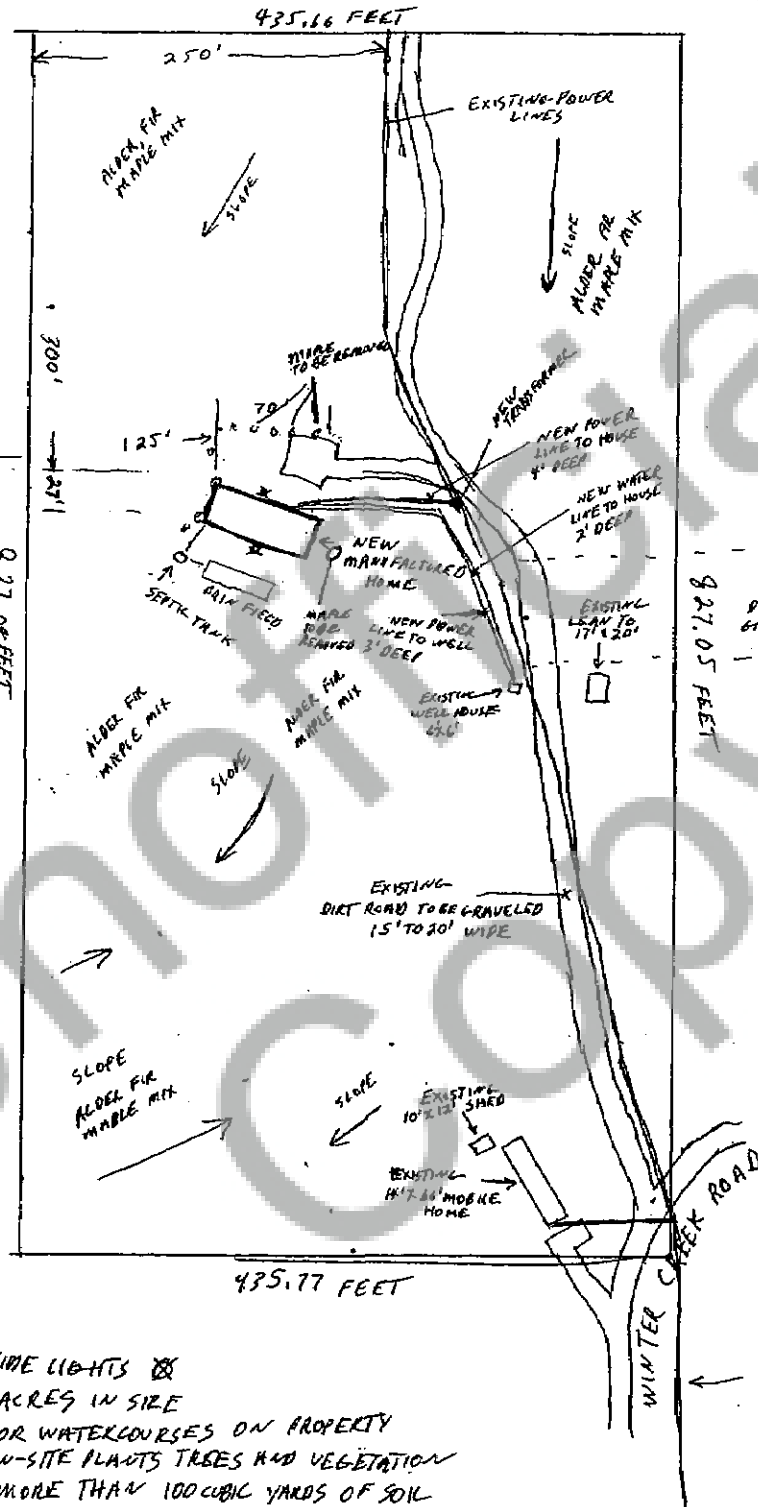


SCALE ~~1" = 100' FEET~~
Not to scale
Reduced

12 MAPLES AND
120 SMALL ALDERS
TO BE REMOVED

SOME SOIL WILL BE
REMOVED FROM HOME
SITE FOR LEVELING
2 1/2 - 3 FEET DEEP

8.27 AC FEET



ALL EXTERIOR SOIL WILL
BE DEPOSITED HERE ON
DIRT ROAD TO LESSEN
GRADE OF HILL

8.27.05 FEET

THERE IS 2 OUTSIDE LIGHTS
PARCEL IS 8.27 ACRES IN SIZE
THERE IS NO BODIES OR WATERCOURSES ON PROPERTY
I WILL BE MOVING ON-SITE PLANTS TREES AND VEGETATION
I WILL BE MOVING MORE THAN 100 CUBIC YARDS OF SOIL