

Return Address: Darwin and Sherry Cook
10 Remington Run
San Antonio, TX 78258

Doc # 2008168918
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Date: 2/7/2008 10:49A
Filed by: DARWIN & SHERRY COOK
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$50.00

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:**

Darwin and Sherry Cook

FILE NO.:

NSA-07-51

PROJECT:

Application to install a 2,088 sq. ft. manufactured home, an accessory shed (approximately 12'x16'), driveway and associated utilities.

LOCATION:

81 Wagga Lane, West Beacon Highlands Road, Skamania; Section 26 of T2N, Range 6E, W.M. and identified as Skamania County Tax Lot #02-06-26-3-0-0300-00.

LEGAL:

See attached page 8-9.

ZONING:

General Management Area-Residential (R-10).

DECISION:

Based upon the record and the Staff Report, the application by Darwin and Sherry Cook, 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. 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) The project applicants and/or future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter.
- 6) The applicant shall be required to retain the existing trees located to the south, south-southeast of the proposed development, that screen the development from key viewing areas. The applicant shall retain the existing screening trees on the subject property in a healthy condition. Dead or dying trees shall be replaced with the same species in the same location. No screening trees shall be topped or limbed.
- 7) The structure shall be composed of nonreflective materials or materials with low reflectivity.
- 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.

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of Skamania County
SKAMANIA COUNTY AUDITOR
J MICHAEL SMITH
Fee: \$88.00

- 9) The exteriors of the proposed structures shall be dark earth-tone in color, such as the approved siding color submitted to the Planning Department (Artisan Brown). The proposed siding color of 'Fortress Stone' has been denied, and the applicant shall be required to submit a new dark earth-tone color siding sample to the Planning Department prior to issuance of a building permit.
- 10) 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.
- 11) No development or removal of vegetation shall occur within the 50-foot water resource buffer off of the non-fishbearing stream that is located along the eastern property line of the subject parcel.
- 12) 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.
- 13) 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.
- 14) 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.

- 15) 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 January, 2008, 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 Hearing Examiner, 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

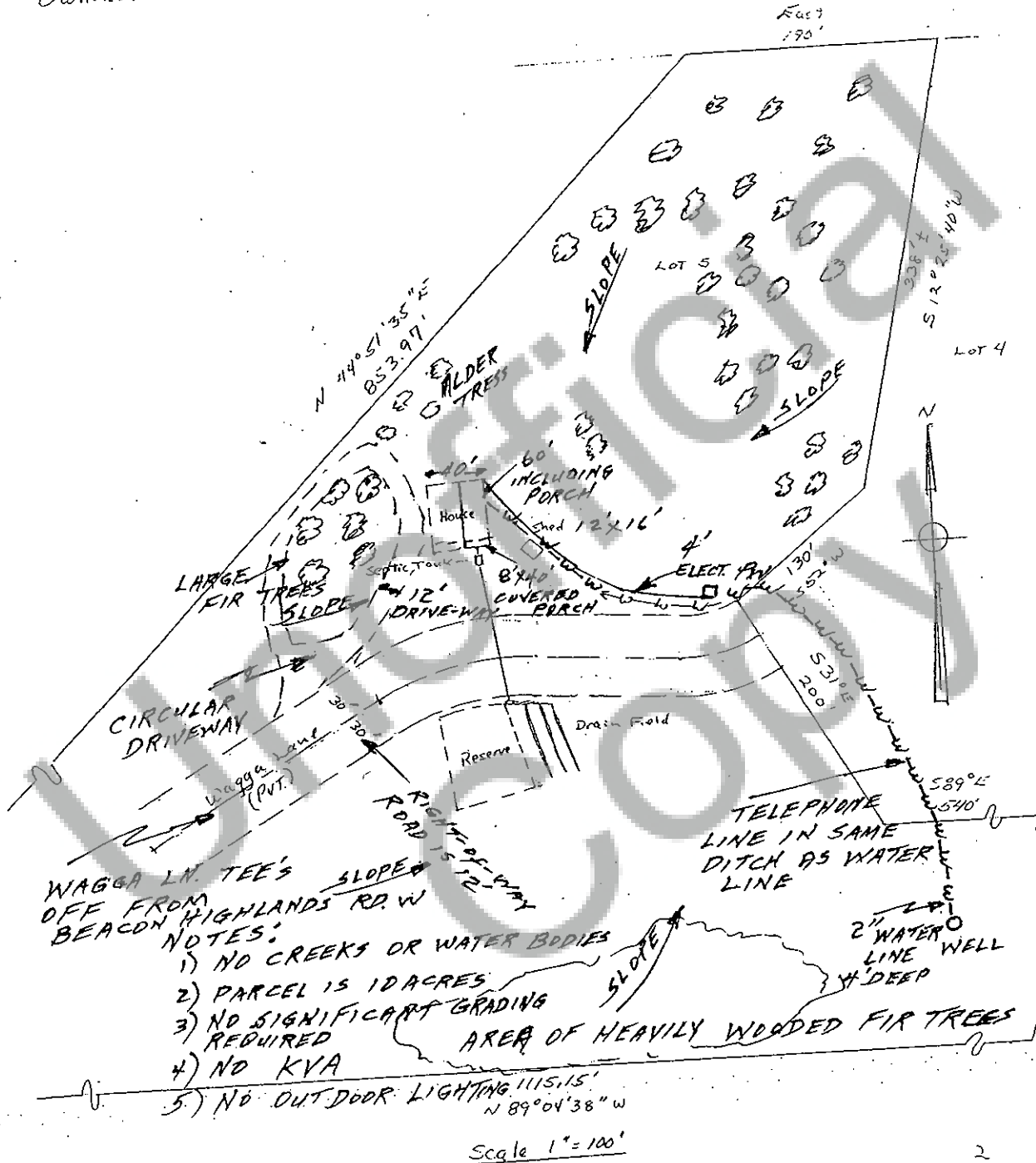
U.S. Forest Service - NSA Office

Board of County Commissioners

State of Washington Department of Community Trade and Economic Development -- Dee Caputo

Department of Fish and Wildlife

Owners: Darwin & Sharon Cook



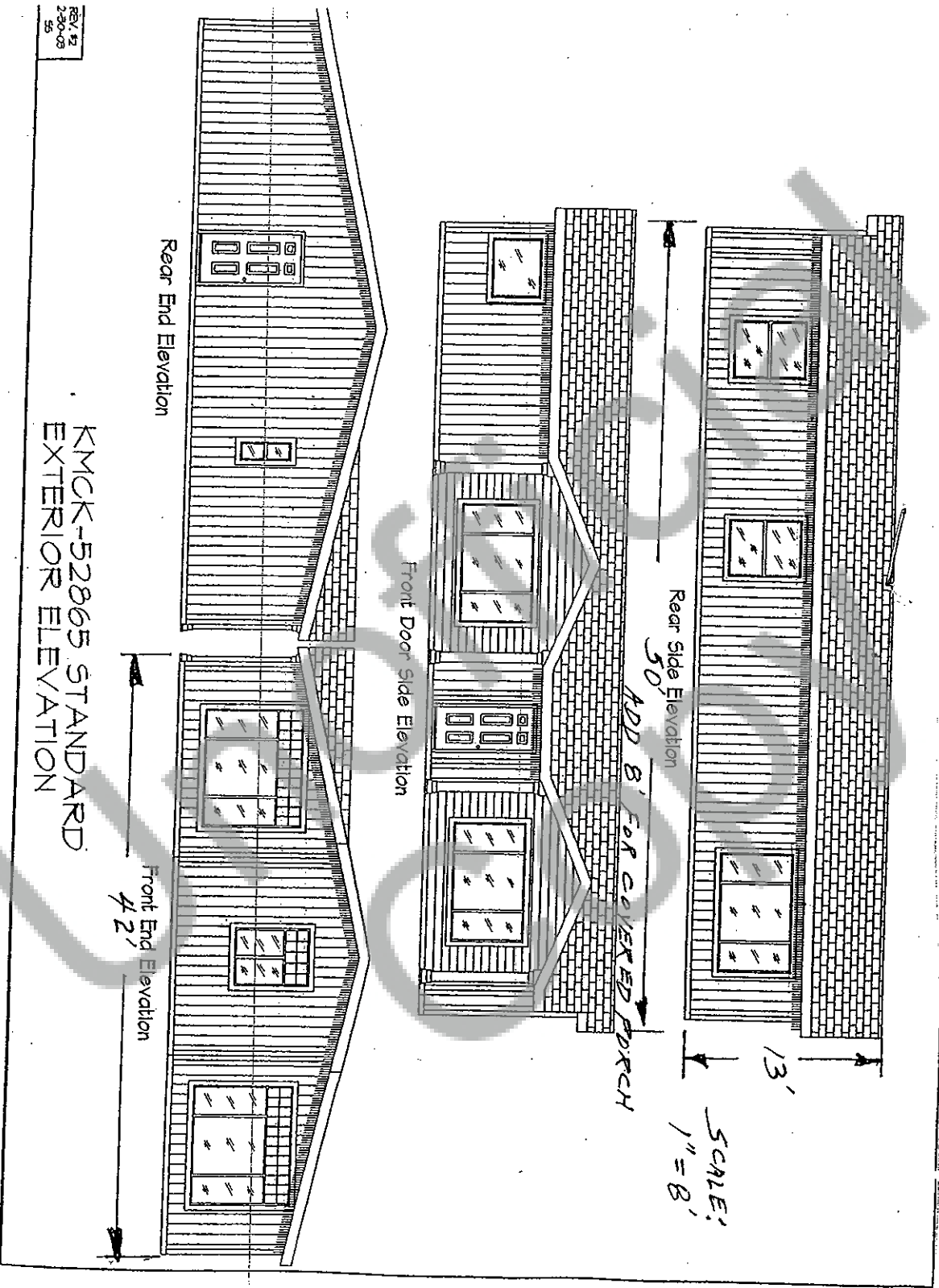




EXHIBIT A

HAGEDORN, INC.

SURVEYORS AND ENGINEERS

1924 Broadway, Suite B • Vancouver, WA 98663 • (360) 696-4428 • (503) 283-6778 • Fax: (360) 694-8934 • www.hagedornse.com

February 17, 2005

**LEGAL DESCRIPTION
FOR
DARWIN AND SHERRY COOK**

ADJUSTED TRACT 5 (10.0 ACRES):

Gary H. Martin, Skamania County Assessor

Date 4/25/05 Parcel # 26-263-300

A portion of the West half of the Southwest quarter of Section 26, and the Northeast quarter of the Southeast quarter of Section 27, Township 2 North, Range 6 East, Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at the Southeast corner of Tract 4 of "Beacon Highlands", a land division shown in Volume 1 of Surveys, page 257, Skamania County Auditor's Records, said point also being an inner corner of Tract 3 as shown thereon; thence North 89° 32' 43" West, along the South line of Tract 4, for a distance of 205.00 feet to a corner of the "Connon tract" as described in Skamania County Auditor's File No. 2005156092; thence leaving said South line, North 10° 00' 00" East, along the West line of the "Connon tract", 170.00 feet to the TRUE POINT OF BEGINNING; thence South 10° 00' 00" West, 170.00 feet to said corner of the "Connon tract"; thence North 89° 32' 43" West, 389.67 feet to the Southeast corner of Tract 5, "Beacon Highlands"; thence North 89° 04' 38" West, 725.48 feet to the Southerly Southwest corner of Tract 5; thence North 25° 08' 14" West, 7.51 feet; thence along the arc of a 350 foot radius curve to the left, through a central angle of 29° 06' 52", for an arc distance of 177.85 feet to the most Westerly corner of Tract 5; thence North 44° 51' 35" East, 853.97 feet to the Quarter Corner between Sections 26 and 27; thence East along the North line of Tract 5, for a distance of 190.00 feet; thence South 12° 25' 40" West, 338 feet, more or less, to a point that bears North 64° 14' 00" West, 600.16 feet from the TRUE POINT OF BEGINNING; thence South 52° 00' 00" West, 130.00 feet; thence South 31° 00' 00" East, 30.00 feet to a point hereinafter called Point "A"; thence continuing South 31° 00' 00" East, 170.00 feet; thence South 89° 00' 00" East, 540.00 feet to the TRUE POINT OF BEGINNING.

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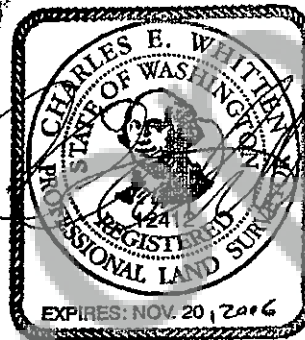
EXHIBIT A

Legal Description for
Darwin and Sherry Cook
Adjusted Tract 5 (10.0 Acres)
February 17, 2005
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SUBJECT TO a 60-foot non-exclusive easement for ingress, egress, and utilities the centerline of which is described as follows:

BEGINNING at the Southerly Southwest corner of Tract 5 of "Beacon Highlands"; thence North 02° 00' 00" West, 65.00 feet; thence along the arc of a 124.76 foot radius curve to the right, through a central angle of 62° 00' 00", for an arc distance of 135.00 feet; thence North 60° 00' 00" East, 200.00 feet; thence along the arc of a 196.44 foot radius curve to the right, through a central angle of 35° 00' 00", for an arc distance of 120.00 feet; thence South 85° 00' 00" East, 107.36 feet; thence along the arc of a 102.23 foot radius curve to the left, through a central angle of 36° 00' 00", for an arc distance of 64.23 feet to the terminus of said centerline at Point "A", above described.

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