

Return Address: Richard Kornbrath and Janis Biskis
PO Box 247
Underwood, WA 98651

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:**

Richard Kornbrath and Janis Biskis

FILE NO.:

NSA-08-02

PROJECT:

Application to construct a 20'x12'x12' accessory shed with a 5'x20' overhang roof on the subject parcel.

LOCATION:

342 Lacock-Kelchner Road, Underwood; Section 15 of T3N, R10E, W.M. and identified as Skamania County Tax Lot #03-10-15-0-0-1003-00.

LEGAL:

See attached page 9.

ZONING:

General Management Area – Small-Woodland (F-3)/Commercial Forest (F-1).

DECISION:

Based upon the record and the Staff Report, the application by Richard Kornbrath and Janis Biskis, 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.

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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) The Fire Safety Guidelines as stated in Section 22.14.050(A) shall be conditions of approval:
 - 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.
 - c. 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 this section.
 - g. Telephone and power supply shall be underground whenever possible.

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- 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 combined footprints of all accessory buildings on the parcel shall not exceed 2,500 square feet in area.
 - 6) 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.
 - 7) The project applicants and/or future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter.
 - 8) The applicant shall be required to retain the on-site screening trees within 200 feet of the proposed accessory shed 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.
 - 9) The exterior of the proposed dwelling shall be composed of non-reflective materials or materials with low reflectivity. The exterior includes, but is not limited to, sides, doors, windows, decks, gutters, roofs, and trim. The applicant has proposed board and batten siding and architectural shingle roofing. The applicant is approved to use board and batten siding and architectural shingle roofing.
 - 10) 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. If the applicant decides to install outdoor lights, information showing the location and design of the lights shall first be submitted for review and approved by the Planning Department
 - 11) The exterior of the proposed structure shall be dark earth-tone in color. The exterior includes, but is not limited to, sides, doors, decks, gutters, roofs and trim.

The following colors submitted by the applicant are consistent with this condition and are hereby approved: exterior walls – “Fairview Taupe” (Benjamin Moore, HC-85); trim – “Polished Slate” (Benjamin Moore, 3B#713) – and roofing Pabco Brown Architectural shingles. Any proposed changes to these colors shall be submitted for review by the Planning Department prior to construction.

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- 12) 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.
- 13) No development or removal of vegetation shall occur within the 100-foot buffer off the fish-bearing stream located on the property, south of the proposed development.
- 14) 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.
- 15) 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 excavation has been completed. 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.
- 16) 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.
- 17) 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.

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- 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 3 day of June, 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.

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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

NOTES:
Bodies of water: NOV
Removal of Vegetation: NOV
MOVING > 100 YRS of soil: NOV
NO OUTSIDE LIGHTS
2.4 ACRE PARCEL

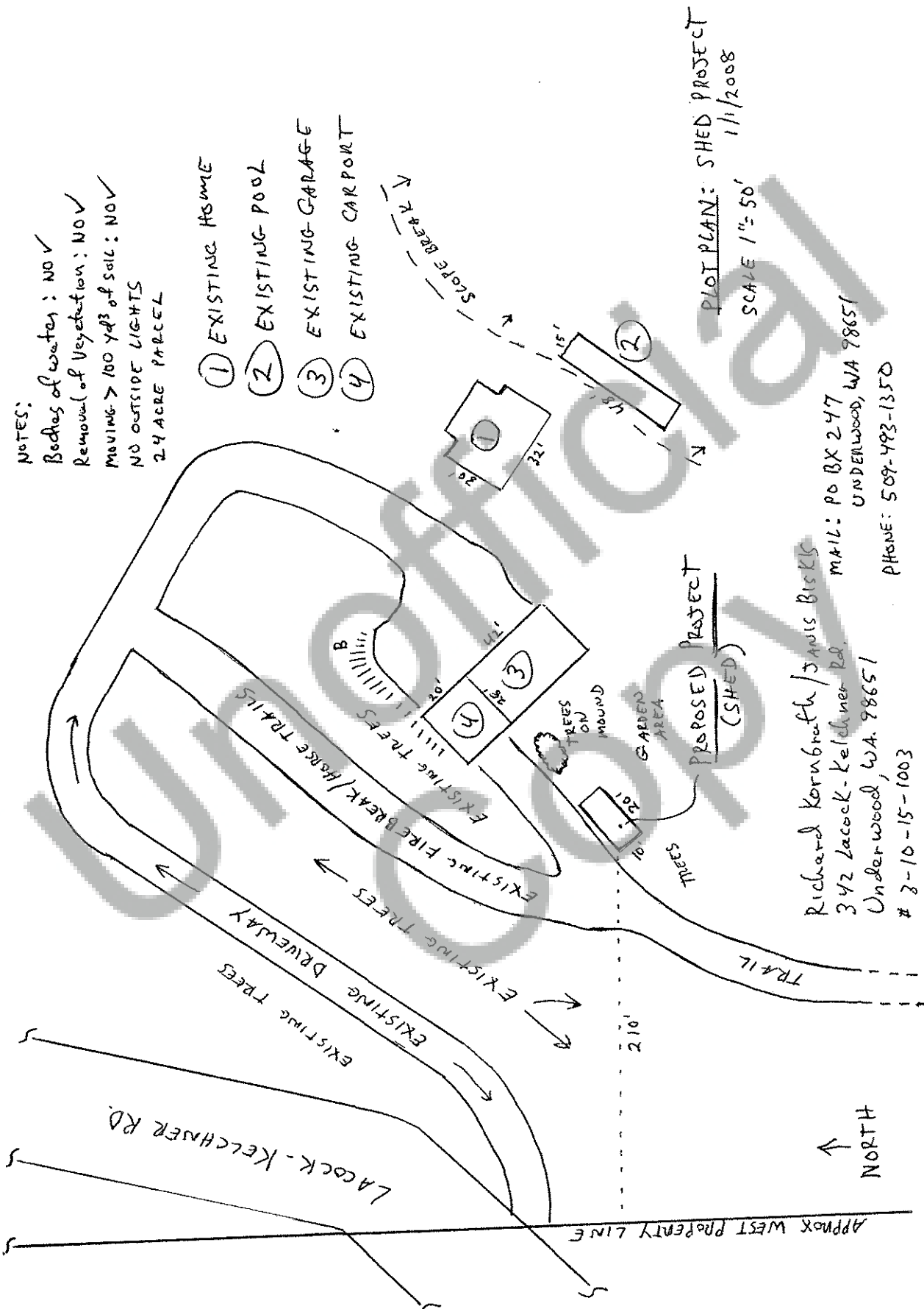
- ① EXISTING HOME
- ② EXISTING POOL
- ③ EXISTING GARAGE
- ④ EXISTING CARPORT

PLOT PLAN: SHED PROJECT
11/1/2008

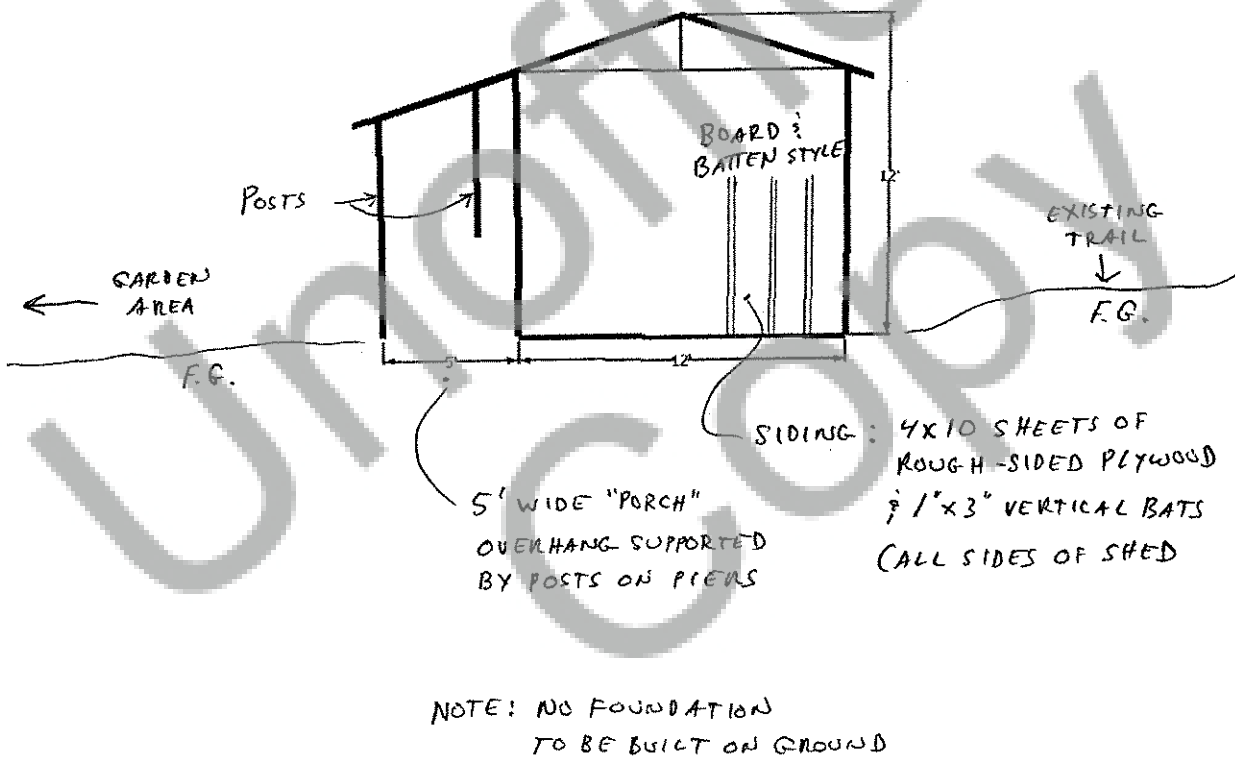
SCALE 1"=50'

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3-10-15-1003



ELEVATION DRAWINGS: SOUTH ELEVATION



Additional pages must have 1" margin.

Elevation drawings must be in ink.

01/04/1995 05:04 4933886

BELL DESIGN

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(LOT 2) TAX LOT # 3-10-15-1003

Legal Description.

A parcel of land in the West half of the Southwest Quarter of Section 15, Township 3 North, Range 10 East, Willamette Meridian, Skamania County, Washington, described as follows:

Commencing at the Point of Beginning which is on the West line of said West half of the Southwest Quarter North $01^{\circ} 03' 48''$ East 1169.28 feet from a State of Washington brass cap monumenting the Southwest corner of said section 15; thence North $01^{\circ} 03' 48''$ East along said West line a distance of 1474.57 feet to the Northwest corner of said West half of the Southwest quarter which is a Lawson brass cap; thence South $88^{\circ} 25' 24''$ East along the North line of said West half of the Southwest quarter, a distance of 731.75 feet; thence South $01^{\circ} 50' 11''$ West, a distance of 1279.71 feet to the centerline of the Skamania County Newell road easement; thence South $65^{\circ} 10' 01''$ West along said centerline, a distance of 111.93 feet to the beginning of a curve having a radius of 1130.04 feet and a central angle of $11^{\circ} 14' 58''$ and being subtended by a chord which bears South $50^{\circ} 40' 42''$ West 221.52 feet; thence southwesterly along said curve, a distance of 221.87 feet; thence leaving said centerline North $88^{\circ} 25' 24''$ West, a distance of 445.05 feet more or less to the Point of Beginning. Containing 23.75 ACRES, more or less.

Except portions of the Newell, Lacock-Kelchner, and any other unvacated Skamania County road easement that lies within this land description.