

Return Address: John Walker and Sherry Busby
PO Box 532
Washougal, WA 98671

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:**

John Walker and Sherry Busby

FILE NO.:

NSA-06-37

PROJECT:

Construction of an attached garage (approximately 13'x21'x14½') onto an existing single-family dwelling, replace an existing window with a bay window, replace windows including adding a small window, install double French doors, and remove the existing pumphouse (approximately 24'x4'4"x11') on the subject property.

LOCATION:

22982 State Route 14, Washougal; Section 17 of T1N, R5E, W.M. and identified as Skamania County Tax Lot #01-05-17-0-0-1600-00.

LEGAL:

Deed recorded in Skamania County Auditor's Office on April 14, 1949 in Book 32, Page 338. *Full legal page 7*

ZONING:

Special Management Area- Public Recreation (P).

DECISION:

Based upon the record and the Staff Report, the application by John Walker and Sherry Busby, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved.**

Skamania County Planning and Community Development
 File: NSA-06-37 (Walker/Busby) Administrative Decision
 Page 2

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:** 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.
- 4) The use of plant species common to the landscape setting shall be encouraged, and the use of plant species in rows, as commonly found in the landscape setting shall also be encouraged.
- 5) The applicant and/or future owner shall be required to retain all existing trees on the property which screen the proposed development from key viewing areas, except as is necessary for site development, safety or fire purposes.
- 6) The applicant shall plant one row of approximately 6 native conifer trees, and one row of native shrubs along the east property line, to screen the development from State Route 14, as shown on the revised site plan. The applicant shall follow the recommendations provided in the attached brochure 'Recommended Plants for Screening' consistent with the Pastoral landscape setting.
- 7) The applicant shall be required to plant the two rows of native trees and shrubs prior to final inspection by the Planning Department.
- 8) The proposed additions are allowed to match the color of the existing single-family dwelling. However, if the applicant chooses to use a different color, the dark earth-tone color requirement

Skamania County Planning and Community Development
File: NCA-06-37 (Walker/Busby) Administrative Decision
Page 3

shall apply, and color and material samples shall be submitted to the Planning Department prior to issuance of a building permit.

- 9) The exterior of the proposed development shall be composed of non-reflective materials or materials with low-reflectivity.
- 10) All exterior lighting on the attached garage shall be hooded or shielded at a 90-degree angle. Hoods/shields shall be made of non-reflective, opaque material which does not allow light to pass through.
- 11) Seasonal lighting displays shall be permitted on a temporary basis, not exceeding three months.
- 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.

Skamania County Planning and Community Development
File: NSA-06-37 (Walker/Busby) Administrative Decision
Page: 4

- 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 17 day of October, 2006, at Stevenson, Washington.



Nicole Hollatz, Associate Planner
Skamania County Planning and Community Development.

NOTES

Skamania County Planning and Community Development
File: NSA-06-37 (Walker/Busby) Administrative Decision
Page: 5

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
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

Cowlitz Indian Tribe

Department of Archaeology and Historic Preservation

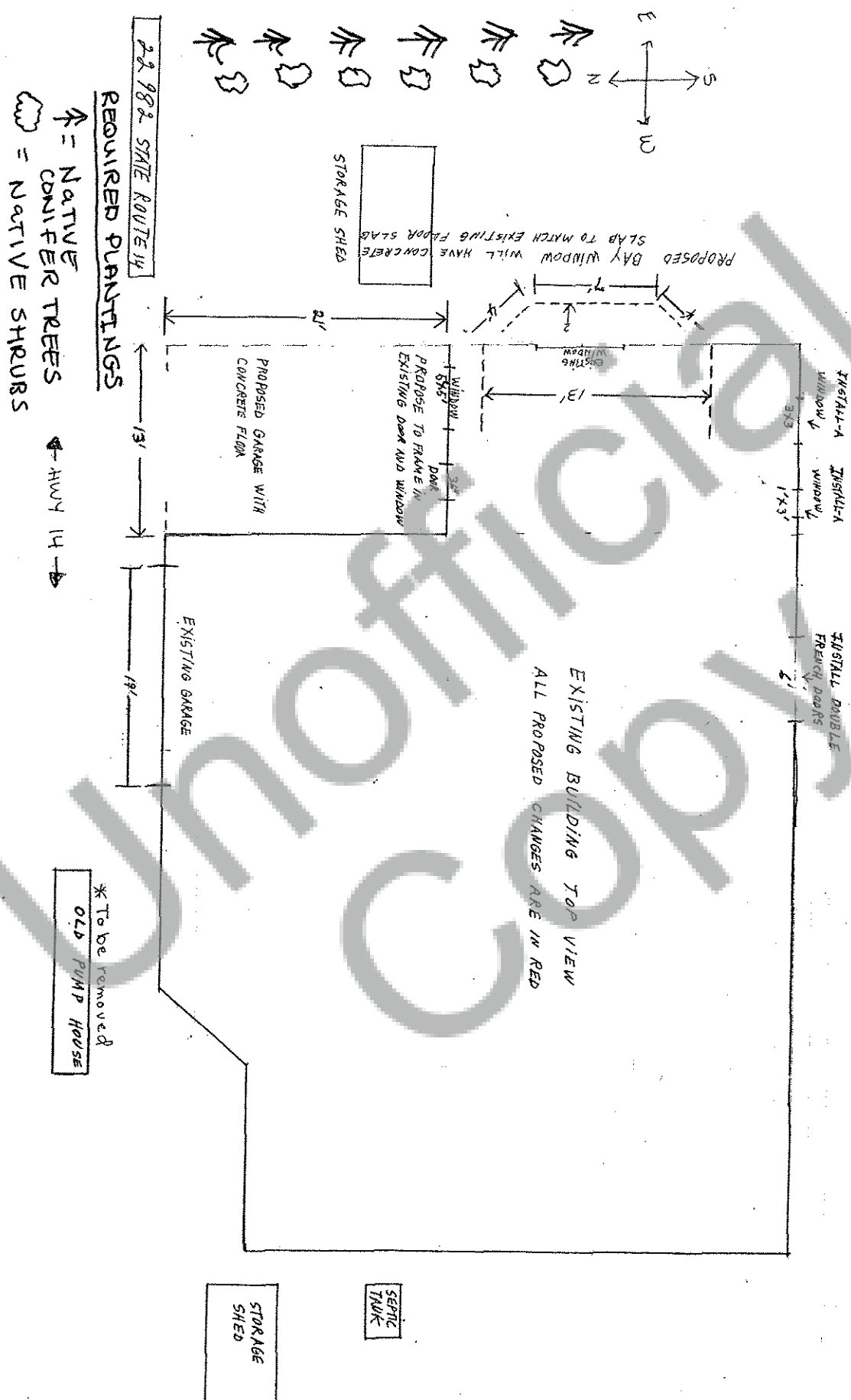
Columbia River Gorge Commission

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



After Recording Return To:

David H. Schultz
430 NE Everett Street
Camas, WA 98607

Doc # 2006161968
Page 1 of 2
Date: 06/16/2006 11:43A
Filed by: KNAPP O'DELL & MACPHERSON
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$33.00

REAL ESTATE EXCISE TAX

16035
JUN 16 2006

PAID EXEMPT
Audrey Adams Deputy
SKAMANIA COUNTY TREASURER
QUIT CLAIM DEED

Grantor: Mary Elizabeth Walker, a widow
Grantees: John H. Walker and Sherry Busby, husband and wife.
Legal Desc.: 708.6 feet East, corner of Secs 17-20, T1N, R5E, W.M.
Assessor's Tax Parcel ID #0105170016-0000

THE GRANTOR, MARY ELIZABETH WALKER, a widow, FOR LOVE AND
AFFECTION ONLY, conveys and quit claims to JOHN H. WALKER and SHERRY BUSBY,
husband and wife, all right, title and interest in and to the following described real property
including any title hereafter acquired by Grantor:

County of Skamania, State of Washington

Beginning at a point 708.6 feet East of the corner of Sections 17,
18, 19, 20, Township One (1) North, Range Five (5) East of the
Willamette Meridian; and running thence South 142.4 feet; thence
South 84°30' West 162 feet; thence North 73.45 feet, more or less,
to the South boundary of the Evergreen Highway right of way;
thence Northeasterly along the said South boundary to the point of
beginning, containing approximately .45 of an acre;

TOGETHER with an easement for the use of water from a certain
spring located 606 feet North and 90 feet East from the Southwest
corner of Section Seventeen (17), Township One (1) North, Range
Five (5) East of the Willamette Meridian, with an easement for a
¾" water line beginning at said spring and running thence South
38°27' East 616.2 feet; thence South 100 feet, more or less, to the
South line of said section, said easement to cover a strip of land not
to exceed five feet in width, of which the within described course
is the center line.

SUBJECT TO conditions and reservations contained in deed dated
September 9, 1948, executed by Mollie M. Miller, a widow, and
Lee M. Miller and Della B. Miller, husband and wife, as Grantors,
to W.C. McCall, Grantee, recorded April 14, 1949, at page 338 of
Book 32 of Deeds, records of Skamania County, Washington.

Gary H. Martin, Skamania County Assessor

Date 6-16-06 Parcel # 1-5-17-1600
AM