

Return Address: Eric and Jennifer Kackley  
34706 21<sup>st</sup> Ave. NW  
LaCenter, WA 98629

**Skamania County  
Community Development  
Department**

Skamania County Courthouse Annex  
Post Office Box 790  
Stevenson, Washington 98648  
509 427-3900 FAX 509 427-3907

**Administrative Decision**

**APPLICANT:** Eric and Jennifer Kackley

**PROPERTY OWNER:** Christopher Kliks

**FILE NO.:** NSA-08-52

**PROJECT:** Application to construct a single-family dwelling (approximately 2,551 sq. ft. footprint), detached garage (approximately 1,500 sq. ft.), driveway and associated utilities.

**LOCATION:** At the end of Tiny Drive off Little Road, Stevenson; Section 26 of T2N, R6E, W.M. and identified as Skamania County Tax Lot #02-06-26-4-0-1002-00.

**LEGAL:** See attached Page 10.

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

**DECISION:** Based upon the record and the Staff Report, the application by Eric and Jennifer Kackley, 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 Community Development Environmental Health Division.

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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. 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 combined footprints of all accessory buildings on the parcel shall not exceed 1,500 square feet in area and the height of any individual accessory building shall not exceed twenty-four (24) feet.
- 5) 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.
- 6) The project applicants and/or future owners shall be responsible for the proper maintenance and survival of any planted vegetation required under this chapter. Any vegetation that dies shall be replaced in-kind within the first available growing season. The only exception is that replacement trees may be the same size as that specified for new trees, which shall be at least 5 feet tall in height at planting.
- 7) The applicant shall plant five screening trees along the south property line, directly in front of the proposed development. The screening trees shall be at least five feet in height at time of planting and shall reach a mature height of fifteen feet or more. The limbing or topping of screening trees is prohibited, except for those trees within the 50-foot fuel break, which may be limbed up to no more than 8 feet. The screening trees shall be planted according to the guidelines in the "Recommended Plants for Screening" brochure for properties in the Coniferous Woodland Landscape Setting. The

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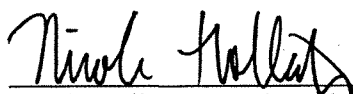
screening trees shall be planted prior to Final Inspection by the Community Development Department. At least half of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. At least half of any trees planted for screening purposes shall be coniferous to provide winter screening.

- 8) 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 masonry rock and concrete siding and trim, and Timberline shingle roofing. The application is approved to use the proposed materials.
- 9) The windows on the southern aspect of the proposed single-family dwelling shall have a visible reflectivity rating of 11%-15%.
- 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. (See attached "Lighting Brochure").
- 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: roof – Timberline shingle in black; siding – Ralph Lauren "Verde Plaza"; trim – Behr "Olive Leaf" and "Dried Leaf". Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
- 12) All existing tree cover on the parcel shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
- 13) The applicant shall meet all conditions of approval enacted to achieve visual subordination prior to final inspection by the Community Development 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.
- 14) The Community Development 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.

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- 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 15 day of January, 2009, at Stevenson, Washington.



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



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### 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 and mailing lists are available at the Planning Department Office and must be accompanied by a \$500.00 nonrefundable-filing fee and certificate of mailing.

### 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 Division

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

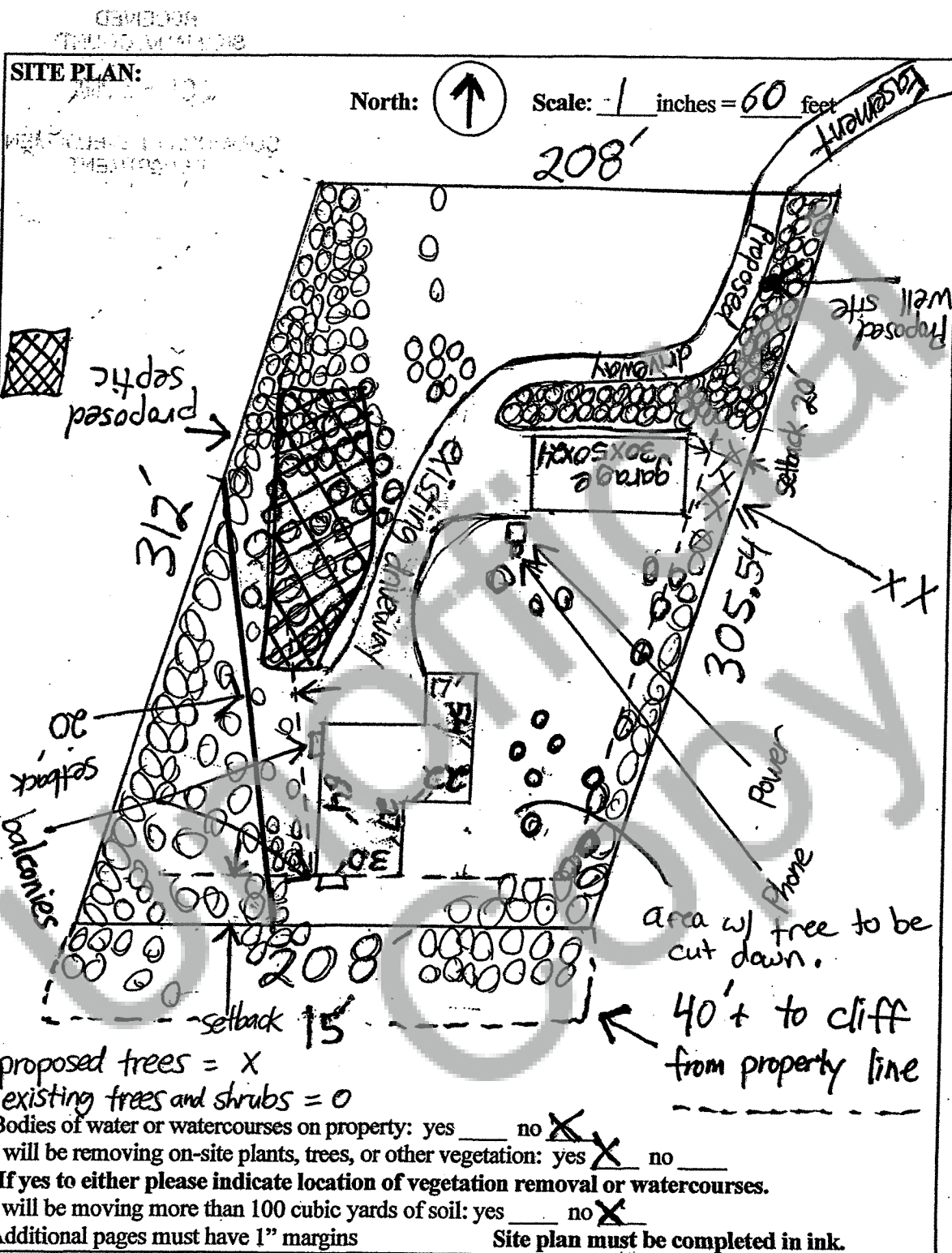
Columbia River Gorge Commission

U.S. Forest Service - NSA Office

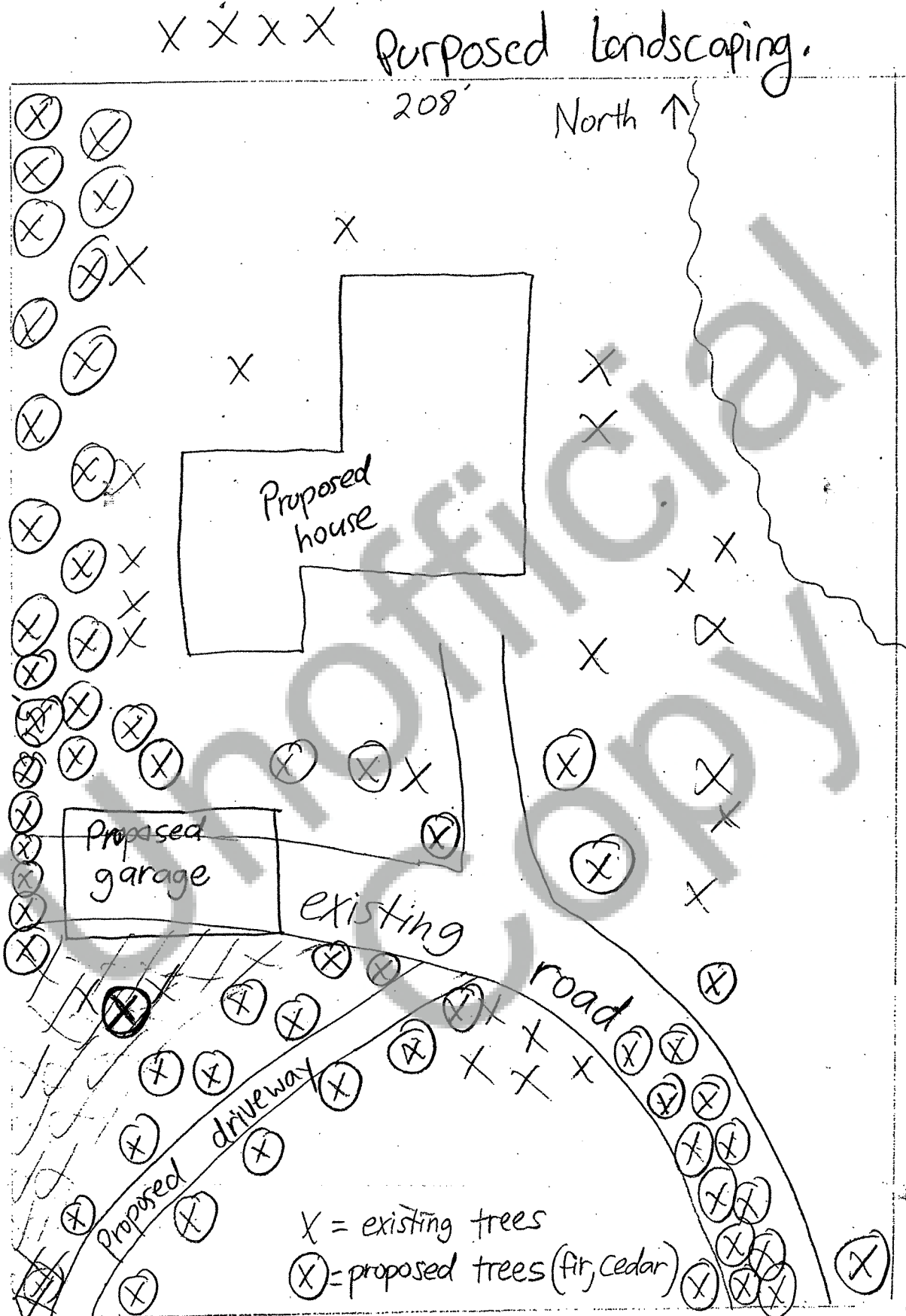
Board of County Commissioners

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

Department of Fish and Wildlife



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.

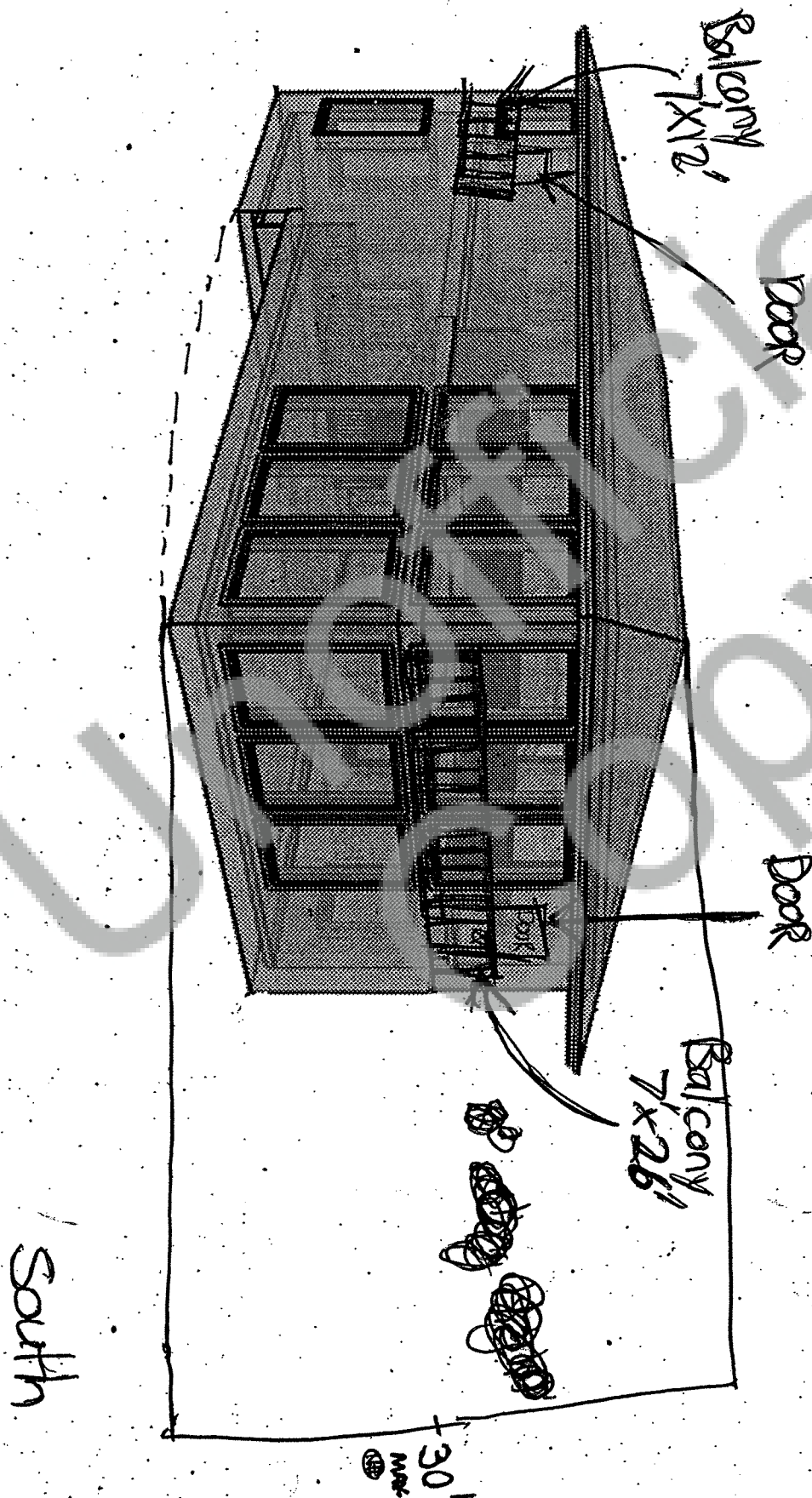


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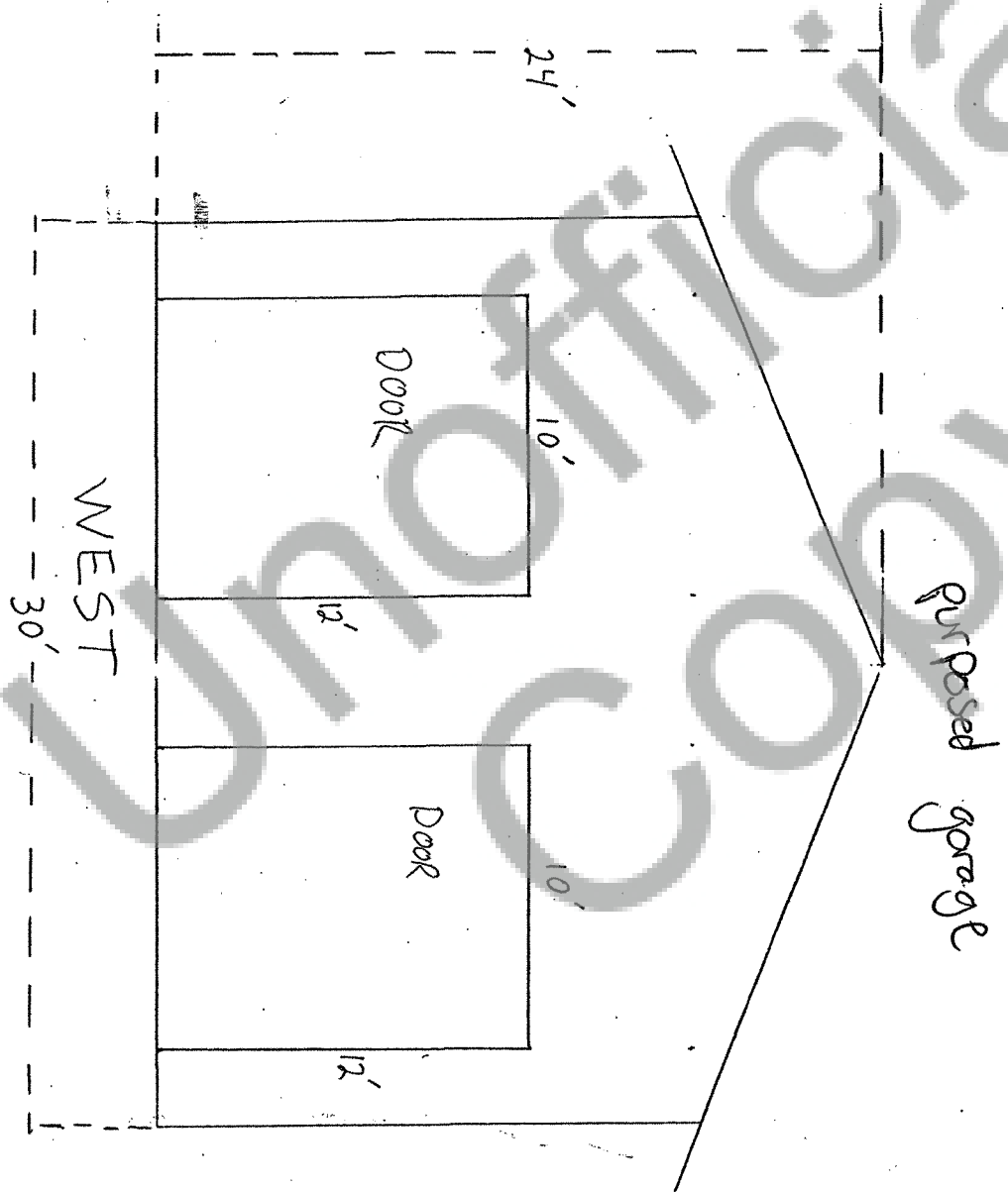
(Hackley application.)



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## EXHIBIT "A"

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 68.5 feet North of the Southeast corner of the Southwest Quarter of the Southeast Quarter of the 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 the said Section 26, a distance of 424.5 feet; thence North  $81^{\circ}13'$  West 1,010 feet, more or less, to a point South  $25^{\circ}14'$  West from the Northeast corner of the Northwest Quarter of the Southeast Quarter of the said Section 26, said point being the initial point of the tract hereby described; thence North  $25^{\circ}14'$  East 312 feet; thence South  $81^{\circ}13'$  East 208 feet; thence South  $25^{\circ}14'$  West 312 feet; thence North  $81^{\circ}13'$  West to the initial point.

TOGETHER WITH an easement and right of way for road access and utilities connecting with Little Street.

SUBJECT TO covenants, conditions, restrictions and easements of record, if any.