

Return Address: Ken and Caroline Elliott  
PO Box 224  
Underwood, WA 98651

## 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/  
PROPERTY  
OWNER:**

Ken and Caroline Elliott

**FILE NO.:**

NSA-09-04

**PROJECT:**

Application to construct a single-family dwelling (approximately 1,632 sq. ft. footprint) with attached open sided carport (approximately 720 sq. ft.), detached garage (approximately 20'x20'x24'), detached shop (approximately 40'x24'x24'), garden tool shed (approximately 10'x12'x12'), perimeter lodgepole fence along the north and east property lines, garden area with fence, temporary use of an RV during construction, driveway and associated utilities.

**LOCATION:**

Sooter Road, Underwood; Section 22 of T3N, R105E, W.M. and is identified as Skamania County Tax Lot Number 03-10-22-4-1-0201-00.

**LEGAL:**

Lot 2 of the R Sooter Short Plat, recorded on January 30, 1987 Book 3, Page 113.

**ZONING:**

General Management Area – Residential 2 (R-2).

**DECISION:**

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

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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 Environmental Health Division.

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) The combined footprint of all accessory buildings on the subject parcel shall not exceed 1,500 square feet and that the height of any individual accessory building shall not exceed a height of 24 feet.
- 5) The height of the single-family dwelling shall not exceed 28 feet from top of footing to roof peak.

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- 6) The accessory buildings shall not accommodate a cooking area or kitchen. Community Development staff shall conduct a site visit to confirm that the proposed accessory buildings do not include a kitchen or cooking area prior to signing off on the certificate of occupancy and/or final inspection.
- 7) Within 30 days of the issuance of an occupancy permit for the single-family dwelling, the RV shall not be used as a residential structure on the property and shall be stored unhooked for utilities.
- 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 Community Development Department.
- 9) 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 in height at planting. Limbing or topping of screening trees is prohibited.
- 10) The applicant and/or future owner shall retain the existing screening trees located on the subject parcel to provide screening from KVAs and maintain visual subordination, except for site development or safety purposes.
- 11) The applicants and/or future owner shall plant eight screening trees along the south property line (along Sooter Road) in the area identified on the site plan. The screening trees shall be at least five feet in height at the time of planting and shall reach a mature height of at least 15 feet or more.
  - a. The eight screening trees shall be planted according to the guidelines in the "Recommended Plants for Screening" brochure for properties in the Rural Residential landscape setting (see attached). The screening trees shall be planted prior to final inspection by the Community Development Department.
  - b. At least half (1/2) of any trees planted for screening purposes shall be species native to the setting or commonly found in the area.
  - c. At least half (1/2) of any trees planted for screening purposes shall be coniferous to provide winter screening.
- 12) The exterior of the proposed buildings 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 stucco siding, cedar trim and asphalt composition shingle roofing. These materials are approved for use. Metal roofing is not approved for use.
- 13) The windows on the southern and eastern elevation of the single-family dwelling shall have a visible light reflectivity rating of 11%-15%. The applicant shall submit the window

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manufacturer's specification sheet to the Community Development Department so the rating may be verified prior to issuance of a building permit.

- 14) 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. Existing lights on the structure to be converted to an agricultural building shall be required to meet this condition (See attached Lighting Brochure)
- 15) The exterior of all proposed structures shall be dark earth-tone in color. The exterior includes, but is not limited to, sides, doors, decks, gutters, roofs, garage doors and trim.

The following material colors submitted by the applicant are consistent with this condition and are hereby approved: stucco siding and trim painted dark browns (C13, C14, C15) and roofing – Pabco asphalt composition in Mocha. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction. The applicant shall submit final brand name specific color samples to the Community Development Department prior to signing off on building permits.

- 16) Except as is necessary for site development or safety purposes, the existing tree cover shall be retained.
- 17) The applicant shall plant 15 new native trees for wildlife purposes (replacement ratio of 5:1), to replace those three ponderosa pine trees proposed to be removed from the property as part of site development. Screening trees may count towards the total number or wildlife trees that are required to be planted.
- 18) 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.
- 19) 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.
- 20) The following procedures shall be effected when cultural resources are discovered during construction activities:

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- 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.

21) 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.

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Dated and Signed this 14 day of May, 2009, at Stevenson, Washington.

  
Nicole Hollatz, Associate Planner  
Skamania County Community Development Department.

#### 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 Community Development 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



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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 WA Department of Community Trade and Economic Development – Valerie Grigg-Devis  
Department of Fish and Wildlife (Anne Friesz)

# Revised site plan

50ft easement from roads  
25ft easement from property line

- (A) Single family home approx 2700sq' post and beam with straw bale
- (B) 2 car garage 2600sq'
- (C) shop + second story storage 960sq'
- (D) potting shed 120sq'
- (E) temporary RV + storage while building

Total square  
feet of buildings  
1480

- (F) future accessory structure - pole mounted solar panels - 2 site options dependent on feasibility study
- (G) septic system - 2 site options dependent on perc test

oak trees + rocky bank

x ponderosa pine

x ponderosa pine to be felled x3

with proposal to plant 15 new replacements on property

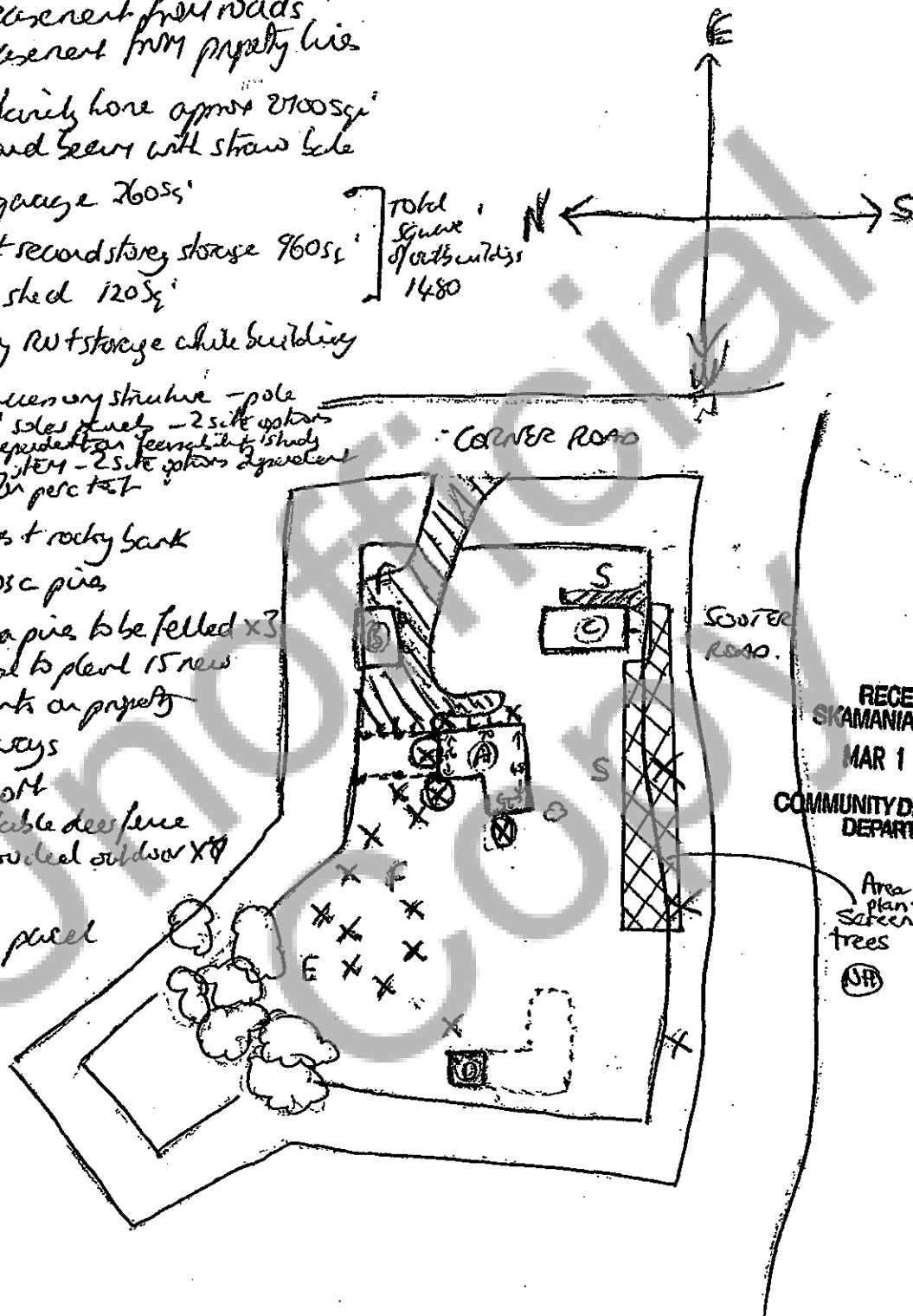
drive ways

Caport

vegetable deer fence

1/2 hrs wooded outdoor x4

1-19 acre parcel



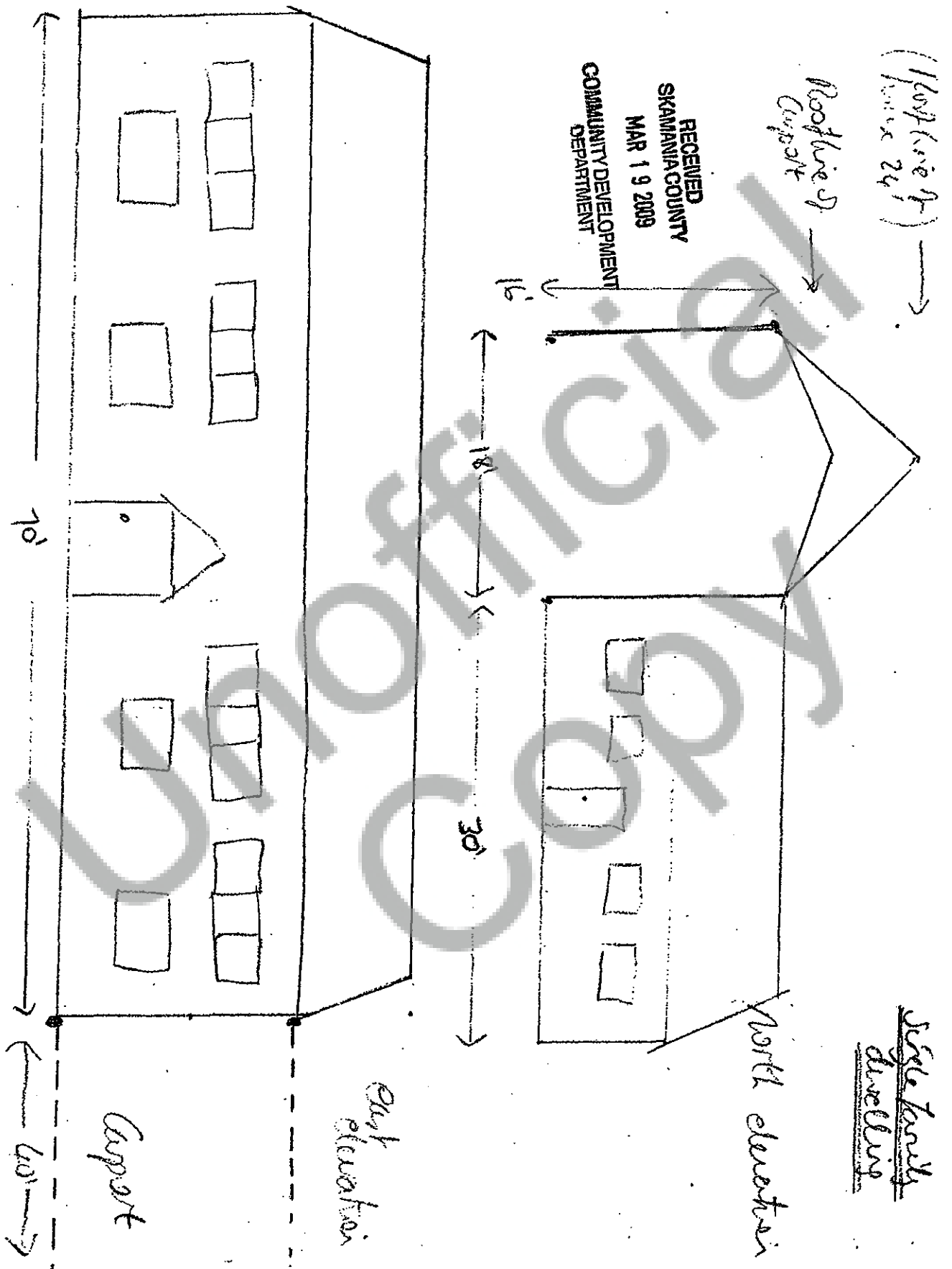
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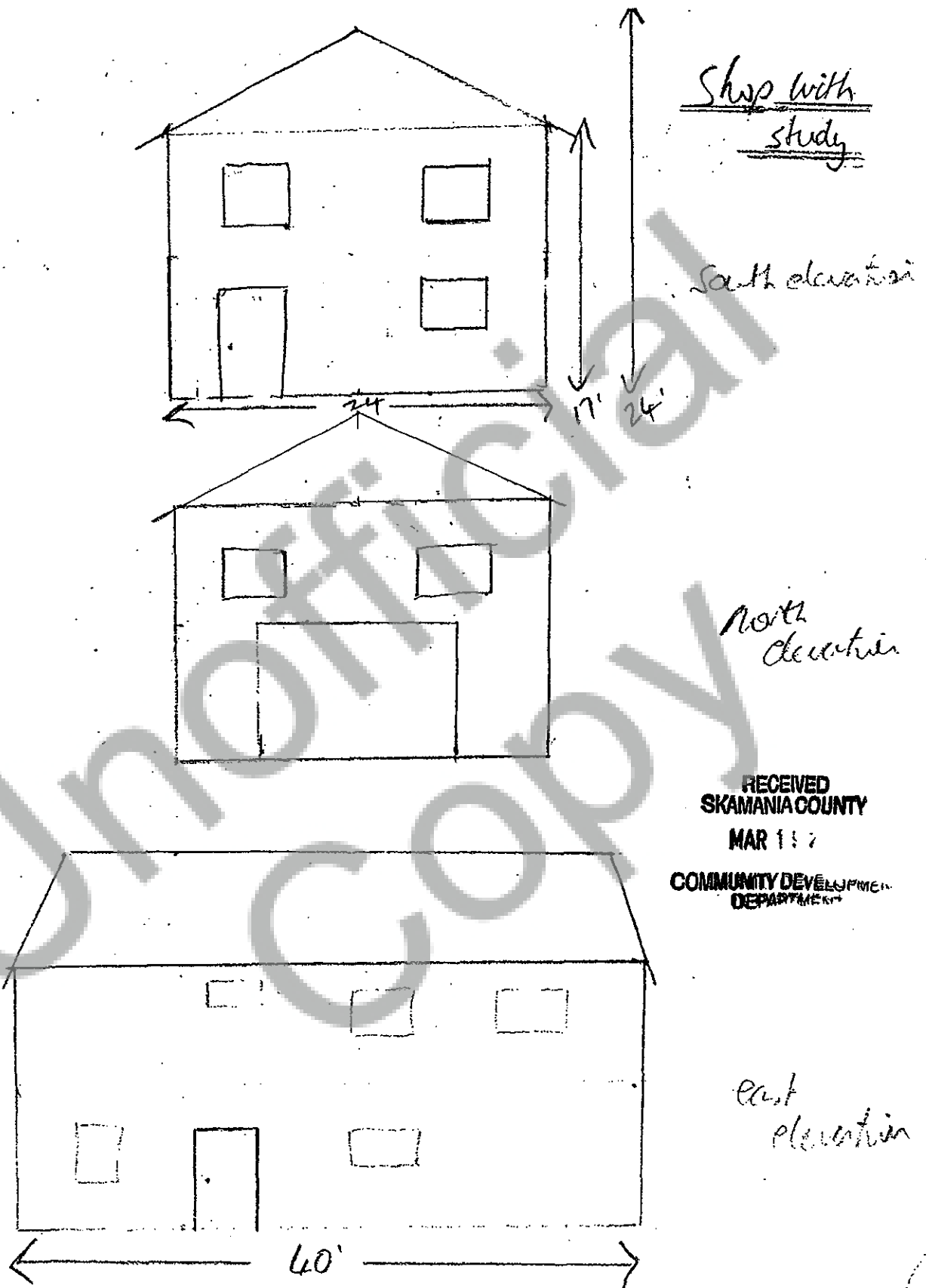
COMMUNITY DEVELOPMENT  
DEPARTMENT

Area to  
plant  
screening  
trees

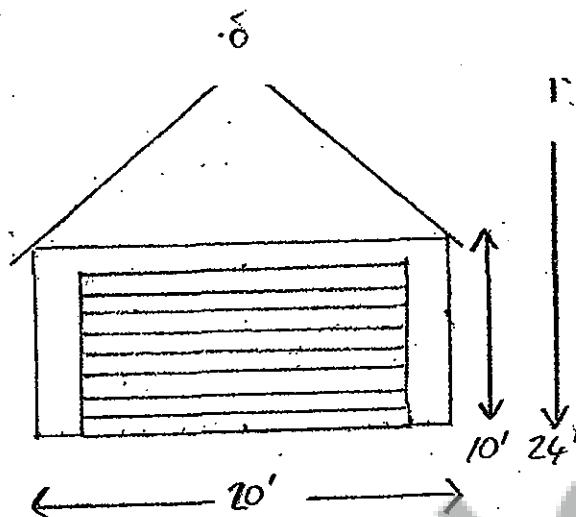
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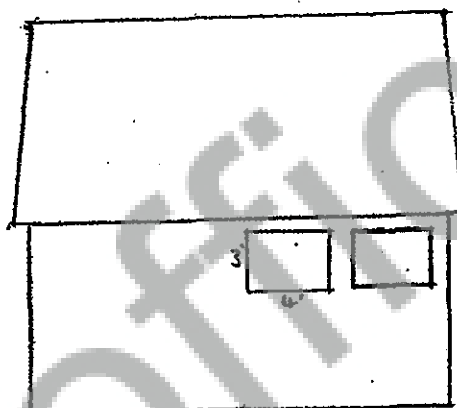
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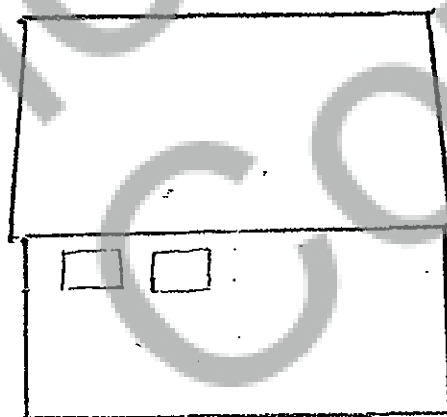
Garage

South Elevation

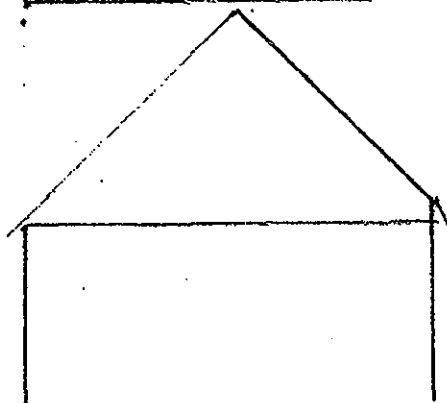
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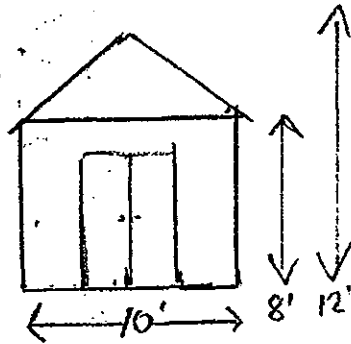
West elevation



East elevation

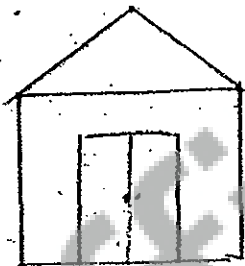


North elevation

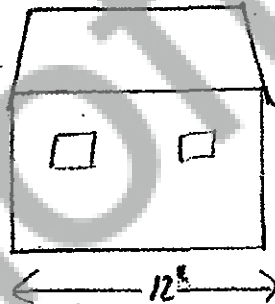


house/potting shed

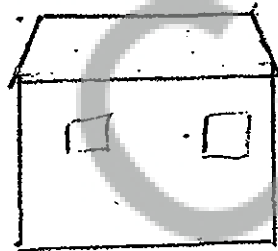
South elevation



North elevation



West elevation



East elevation

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DEPARTMENT

EXHIBIT 'A'

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 22, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Lot 2 of the RUBY SOOTER SHORT PLAT, recorded in Book 3 of Short Plats, Page 113, Skamania County Records.