

Return Address: Divo
22550 Bald Peak Road
Hillsboro, OR 97123

Skamania County
Community Development Department
Building/Fire Marshal • Environmental Health • Planning
Skamania County Courthouse Annex
Post Office Box 790
Stevenson, Washington 98648
Phone: 509-427-3900 Inspections: 509-427-3922 Fax: 866-266-1534

Administrative Decision

APPLICANT: Divo

PROPERTY OWNER: Henry T. Swigert Trustee, c/o Wendy Warren

FILE NO.: NSA-10-26

PROJECT: Application to enclose approximately 600 sq. ft. of an existing deck adjoining two portions of an existing residence.

LOCATION: 82 Swigert Road, Prindle; Section 11 of T1N, R5E, W.M. and is identified as Skamania County Tax Lot Number 01-05-11-1-0-2400-00.

LEGAL: See attached page(s) 10.

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

DECISION: Based upon the record and the Staff Report, the application by Divo for the Henry T. Swigert Trust, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved as conditioned.**

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.

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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) A variance to the 100 foot setback from the Columbia River has been granted. **The proposed addition shall not intrude further into the water resource zone than the existing footprint.**
- 4) The height of the enclosed deck addition shall not exceed the height of the existing building.
- 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 Community Development 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 in height at planting. Limbing or topping of screening trees is prohibited.
- 7) Except as is necessary for site development or safety purposes, **all existing on-site tree cover, including existing tree cover screening the proposed development from key viewing areas shall be retained.**

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- 8) Vegetative landscaping shall, where feasible, retain the open character of existing pastures and fields.
- 9) The applicants and/or future owner shall retain the existing screening trees location within 100 feet of the existing structure, except as is necessary for site development or safety purposes.
- 10) The exterior of all proposed structures shall be composed of non-reflective materials or materials with low reflectivity. The exterior includes, but is not limited to, sides, doors, garage doors, windows, decks, gutters, roofs, and trim. Metal roofing painted with a dark, earth-tone non-reflective paint has been approved for the addition. Any changes to the proposed materials shall be submitted to the Community Development Department for review and approval.

All windows on the south aspect of the proposed addition shall have a visible light reflectance rating of 11% or less. The applicant shall submit the manufacturer product information sheet for the low reflective windows prior to issuance of a building permit. ✓

- 11) All new 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)
- 12) The exterior of the proposed deck enclosure addition shall the match the exterior colors of the existing structure including, but not limited to, sides, doors, garage doors, decks, gutters, roofs, pergolas, patio pavers, and trim. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
- 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 509-427-3922.
- 15) Conditions of Approval to ensure protection of the Columbia River and its buffer shall include:

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- a. The 100 foot water resource buffer for the Columbia River shall be retained in its natural condition. Where approved buffer disturbance occurs during project development, revegetation with native vegetation shall be required and shall provide and maintain habitat diversity beneficial to the fish, wildlife and native plants.
 - b. Erosion control measures and Best Management Practices shall be used during all construction activities. Temporary and permanent control measures shall be applied to minimize erosion and sedimentation, including slope netting, berms and ditches, tree protection, sediment barriers and Best Management Practices.
 - c. The applicant/owner shall contact applicable Federal and State agencies to ensure compliance with Federal and State regulations.
 - d. All natural vegetation shall be retained to the greatest extent practicable, including aquatic and riparian vegetation.
- 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 27 day of January, 2011, at Stevenson, Washington.



Nicole Hollatz, Land Use Planner
Planning Division

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.

EXPIRATION

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 once development has commenced the development action is discontinued for any reason for one continuous year or more.

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If the development does not include a structure the permit shall expire two years after the date the land use approval was granted unless the use or development was established according to all specifications and conditions of approval in the approval. For land divisions, "established" means the final deed or plat has been recorded with the county auditor.

If the development includes a **structure** the permit shall expire when construction has not commenced within two (2) years of the date the land use approval was granted; or once the structure has been started and if the structure has not been completed within two (2) years of the date of commencement of construction the permit shall expire. Completion of the structure for this purpose means the completion of the exterior surface(s) of the structure; and compliance with all conditions of approval in the land use approval, including, but not limited to, painting of the exterior of the structure.

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 and must be accompanied by a \$1,300.00 nonrefundable-filing fee and a Certificate of Mailing.

The final determination of the Environmental Threshold Determination related to this underlying government action can be appealed to a court of competent jurisdiction, along with the underlying government action, only by the parties with standing to the Environmental Threshold Determination. If the underlying government action was exempt from SEPA review, this section does not apply.

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

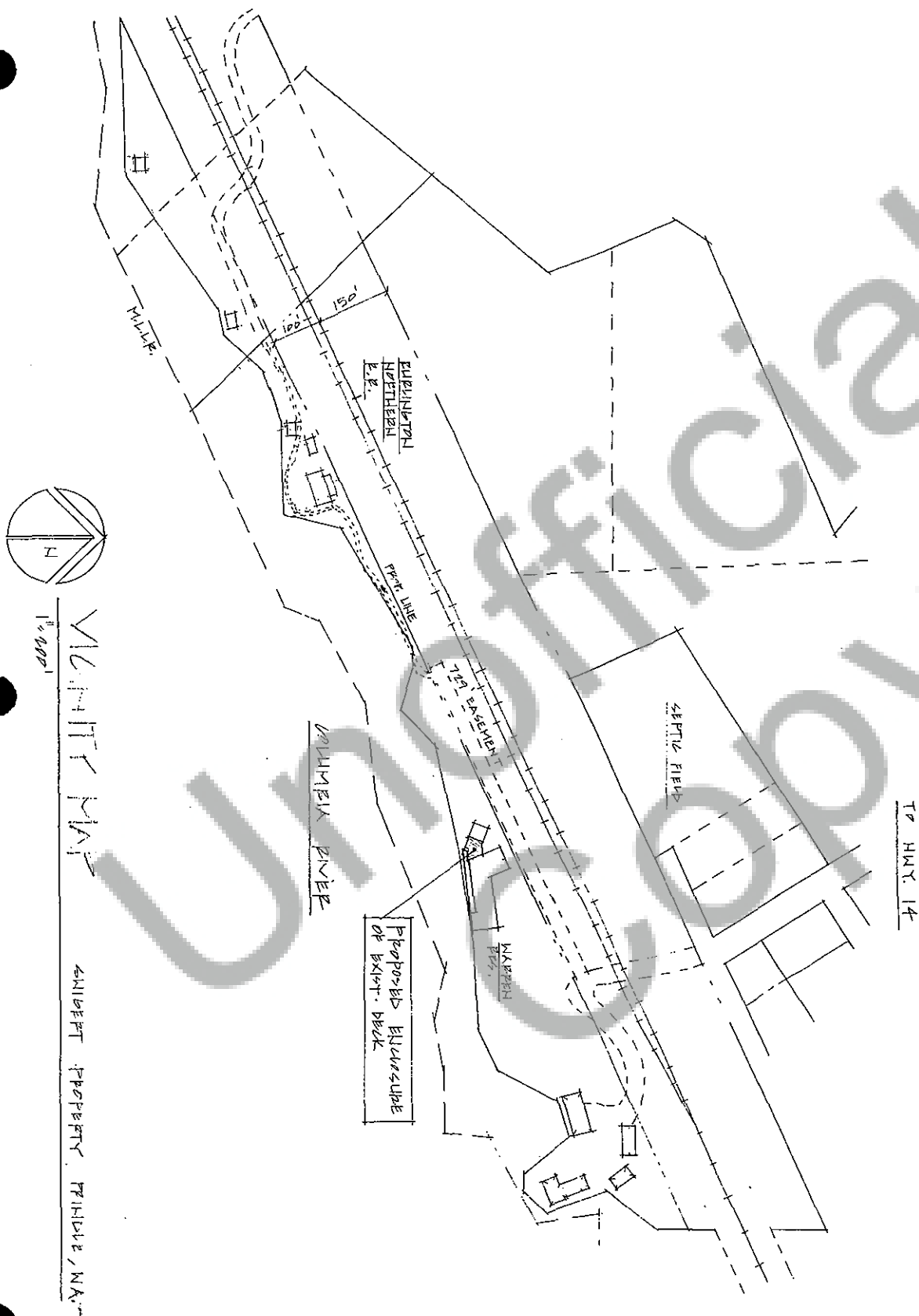
A copy of this Decision, including the Staff Report, was sent to the following:


Persons submitting written comments in a timely manner

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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 - electronic
U.S. Forest Service - NSA Office
Board of County Commissioners – electronic
State of WA Department of Commerce – electronic
Department of Fish and Wildlife

Unofficial
Copy



	
2550 SW PAUL RD TONGUE PT, OREGON 503-538-3173	
PROJECT NUMBER	10-4
DATE / REVISIONS	9.10.2019
SHEET TITLE	VICINITY MAP
SHEET NUMBER	1 of 1

RECEIVED
 SKAMANIA COUNTY
 SEP 23 2019
 COMMUNITY DEVELOPMENT
 DEPARTMENT

RECEIVED
SKAMANIA COUNTY

NOV 01 2010

COMMUNITY DEVELOPMENT
DEPARTMENT

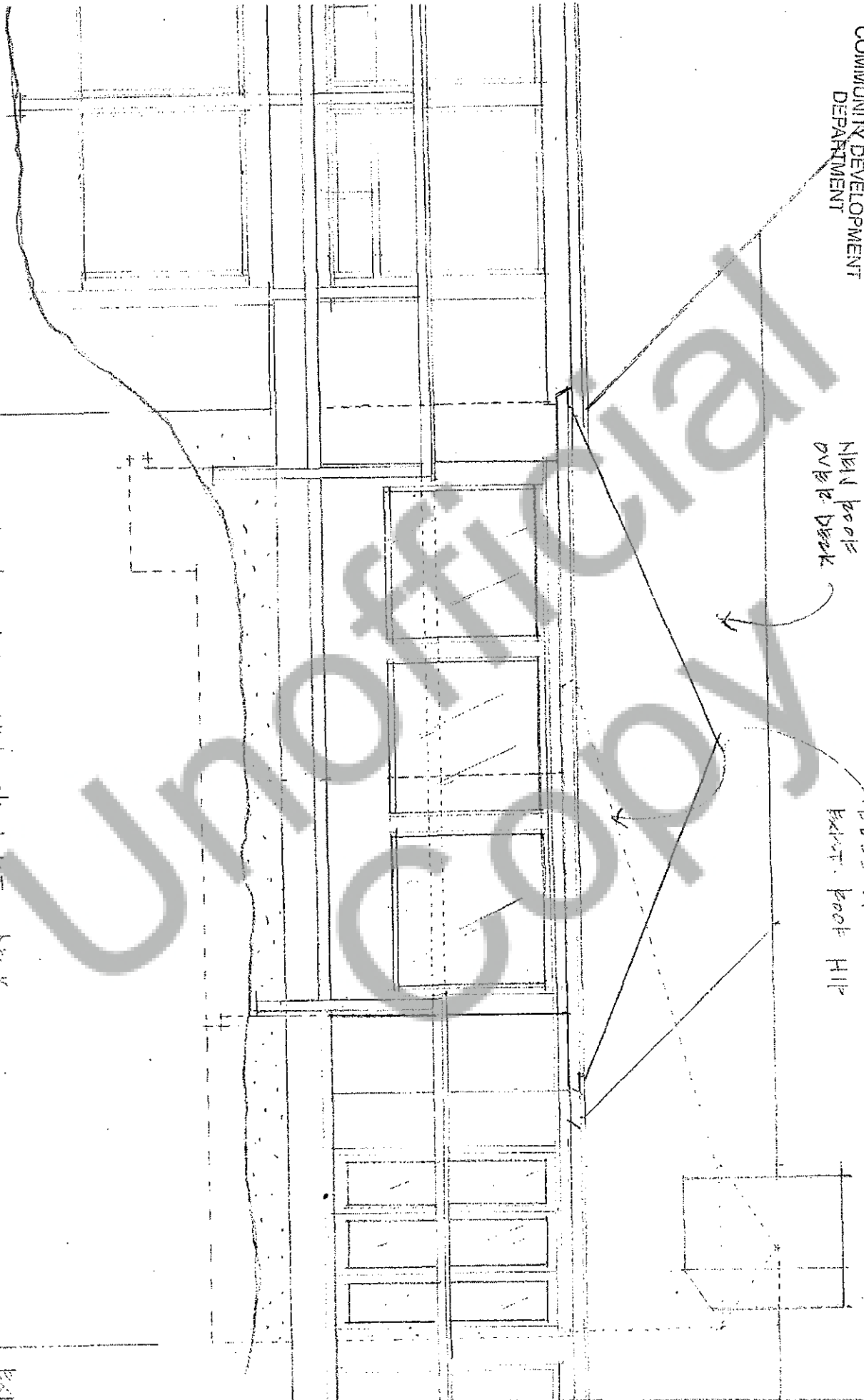
NEW POOL
OVER DECK

EXIST. OF
POOL HIP

EXIST.

PROPOSED ENCLOSURE OF EXIST. DECK

SMITH LIBRARY (PHOTOGRAPH)



RECEIVED
SKAMANIA COUNTY

SEP 23 2010

COMMUNITY DEVELOPMENT
DEPARTMENT

BNSF.01860

Prindle, Skamania County, Washington - Former Spokane, Portland & Seattle Railway Company property conveyed to Nannie Swigert Warren, Ernest C. Swigert, Henry T. Swigert, Elizabeth Swigert Snow, In Their Capacity As Trustees Under The Swigert Prindle Trust Agreement Dated January 21, 1961, As Amended

EXHIBIT "A"

The Northerly 100.0 feet of The Burlington Northern and Santa Fe Railway Company's (formerly Spokane, Portland & Seattle Railway Company) 250.0 foot wide Station Ground property at Prindle, Washington, being 150.0 feet wide on the Northerly side and 100.0 feet wide on the Southerly side of said Railway Company's Main Track centerline, as originally located and constructed upon, over and across Government Lot 4 of Section 11, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, being a portion of the same 100 foot wide strip of land described in Warranty Deed from Ernest H. Prindle, et ux to the Portland and Seattle Railway Company filed for record October 9, 1907 in Book K of Deeds, page 440 in and for said County, lying between two lines drawn parallel with and distant, respectively, 50.0 feet and 150.0 feet Northwesterly, as measured at right angles from said Main Track centerline, bounded by two lines drawn at right angles to said Main Track centerline distant, respectively, 290.0 feet and 752.0 feet Southwesterly from the East line of said Section 11, as measured along said Main Track centerline.

ALSC,

Gary H. Martin, Skamania County Assessor
Date 9/1/00 92-1520-2400
Parcel # 50-00-00-00-1300

The Southerly 50.0 feet of said Railway Company's 250.0 foot wide Station Ground property at Prindle, Washington, being 150.0 feet wide on the Northerly side and 100.0 feet wide on the Southerly side of said Railway Company's Main Track centerline, as originally located and constructed upon, over and across Government Lot 4 of Section 11, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, being a portion of the same 50 foot wide strip of land described in Warranty Deed from Ernest H. Prindle, et ux to the Portland and Seattle Railway Company filed for record October 9, 1907 in Book K of Deeds, page 440 in and for said County, lying between two lines drawn parallel with and distant, respectively, 50.0 feet and 100.0 feet Southeasterly, as measured at right angles from said Main Track centerline, bounded on the East and West by the East and West lines of said Government Lot 4.

See attached Exhibit "B" for survey of parcels
msm