

Return Address: James and Leann Hulburt
322 Butler Loop Road
Stevenson, WA 98648

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: James and Leann Hulburt

PROPERTY OWNER: Leann Hulburt

FILE NO.: NSA-11-21

PROJECT: To remove the existing house and barn and replace with a new single-family dwelling (47' x 42') with a daylight basement and with a 42' x 10' deck, detached garage/shop (24' x 36'), on-site septic system, and associated utilities, and to temporarily live in an RV during construction. The existing septic system will be abandoned. Application also includes a boundary line adjustment due to an encroachment issue.

LOCATION: The property is located at 322 Butler Loop Road, Skamania; Section 34 of T2N, R6 E, W.M., and identified as Skamania County Tax Lot #02-06-34-1-0-1300-00 & the second parcel, affected by this application but only for the purposes of the Boundary Line Adjustment, is located at 311 Butler Loop Road, Skamania; Section 34 of T2N, R6E, W.M. and is identified as Skamania County Tax Lot #02-06-34-1-0-1200-00.

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LEGAL: See attached page(s) 15.

ZONING: General Management Area - Residential (R-5).

DECISION: Based upon the record and the Staff Report, the application by James and Leann Hulburt, 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 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:** 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.

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- 4) This Administrative Decision allows for the temporary use of an RV while the home is being constructed. The RV shall be disconnected from utilities and no longer used as a dwelling unit within 30 days of issuance of the Certificate of Occupancy Permit for the new home.
- 5) This Administrative Decision allows for the construction of a new detached garage/shop. The existing barn on the property shall be removed prior to the issuance of the building permit for the new garage/shop, in order to meet size limitations. The height of the garage/shop shall not exceed 24' as measured from the top of footer to roof peak.
- 6) Only that grading which is necessary for site development (building pads, utilities, etc.) is permitted. All cuts, fills and graded areas shall be re-seeded with native vegetation prior to final inspection by the Community Development Department.
- 7) Existing trees along the eastern and southern property lines shall be retained for screening purposes. These trees shall not be limbed-up or topped-off. Dead and dying trees shall be replaced in kind and in place.
- 8) New screening trees shall be planted along the eastern and southern property lines. These trees shall be interplanted within the existing trees in such a manner so as to create no more than 20 feet of spacing between trees as viewed in a north/south alignment for the eastern property line and an east/west alignment for the southern property line. Screening trees shall be staggered in a manner so as to be natural in appearance. Acceptable screening trees are listed in the Recommended Plant List found in the Building in the Scenic Area Handbook.
- 9) The screening trees to be planted shall be a minimum of 3 feet tall, from top of root wad, at the time of planting. All trees shall be planted prior to final inspection for Occupancy of the home and final inspection for the shop.
- 10) 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.
- 11) 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 structure shall be dark earth-tone in color. The exterior includes, but is not limited to, sides, doors, garage doors, decks, gutters, roofs and trim. The following colors submitted by the applicant are consistent with this condition and are hereby approved: for the exterior walls –Olympic Pine, for the accent – Woody Thyme and roofing – composition shingle with brown/tan/black granules. The proposed Plymouth Beige trim color does not meet the dark earthtone requirement and is denied. The applicant may use one of the approved colors listed above or submit a new trim color for review. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.

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- 13) Planted vegetation shall be maintained to ensure survival. Replacement of such vegetation that does not survive is required.
- 14) The height of the dwelling shall not exceed 28 feet in height, as measured from top of grade to roof peak, on the rear elevation, and 20 feet from the top of natural grade to roof peak on the front elevation.
- 15) The structures shall be composed of nonreflective materials or materials with low reflectivity. Proposed changes to approved materials shall be submitted for review by the Community Development Department prior to construction.
- 16) 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.
- 17) 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.
- 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 509-427-3922.
- 20) It has been recommended by the Confederated Tribes and Bands of the Yakama Nation that a professional archaeologist monitor all ground disturbances associated with this project. Skamania County Community Development recommends, but does not require, that the property owners obtain a professional archaeologist for monitoring. The Yakama Nation may be able to provide this service, and can be contacted at (509) 865-5121.
- 21) 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.
- 22) 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

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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 25th day of August, 2011, at Stevenson, Washington.


Mark J. Mazeski, 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.

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.

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.

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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

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 (electronic)

State of Washington Department of Commerce – Paul Johnson (electronic)

RECEIVED
SKAMANIA COUNTY

APR 26 2011

COMMUNITY DEVELOPMENT
DEPARTMENT

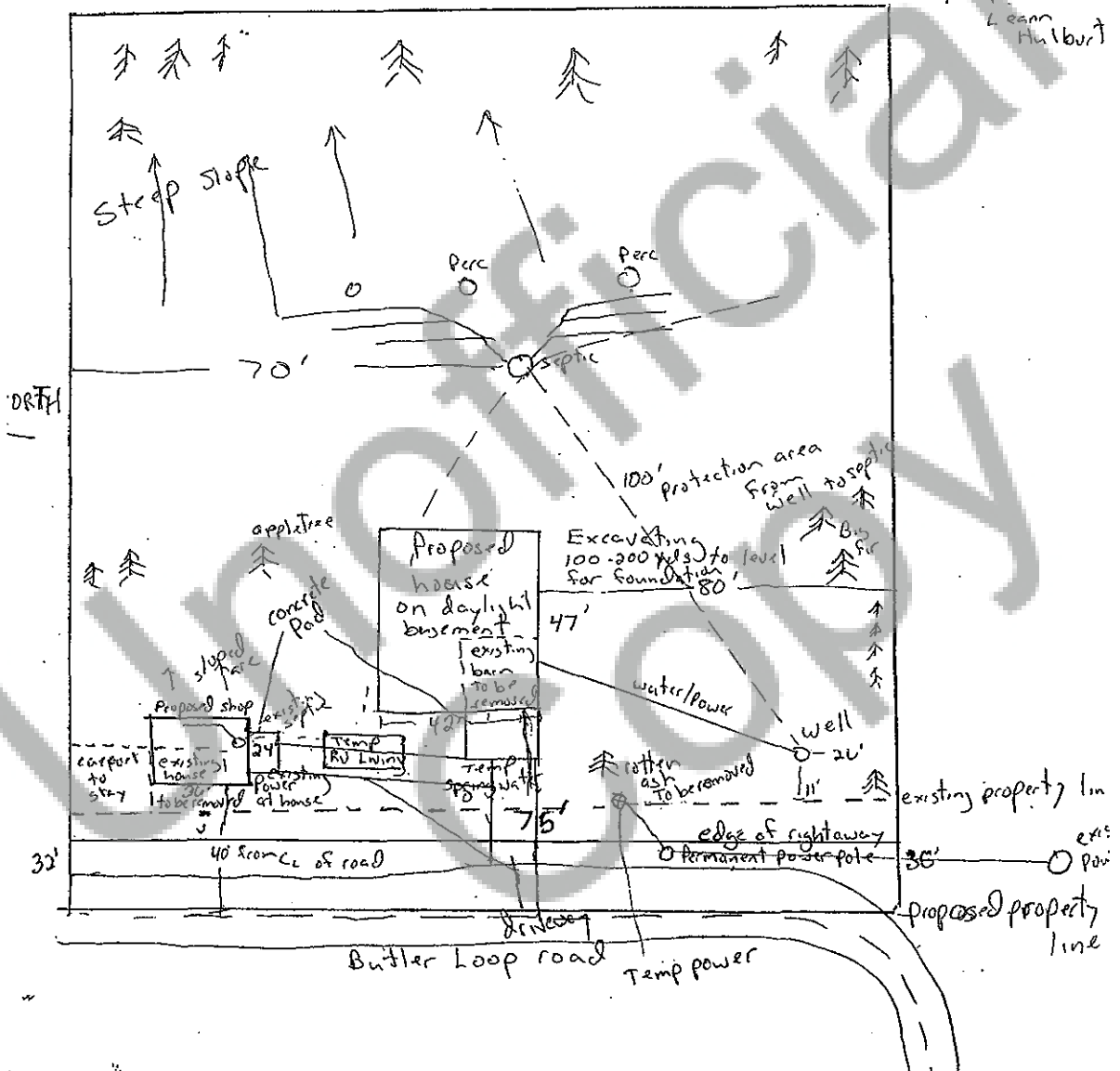
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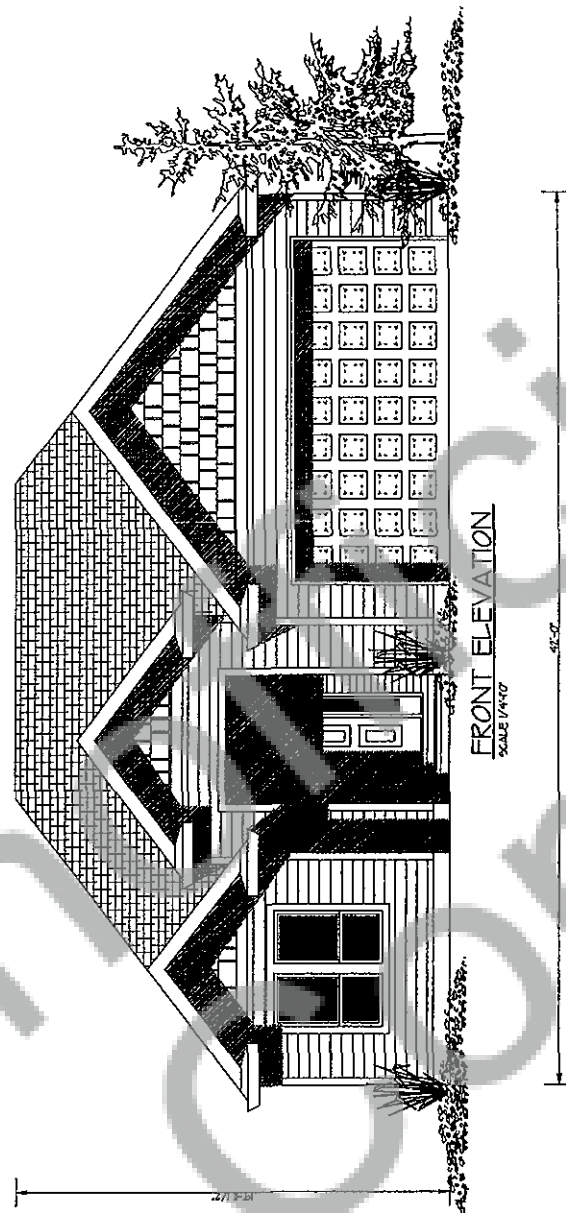
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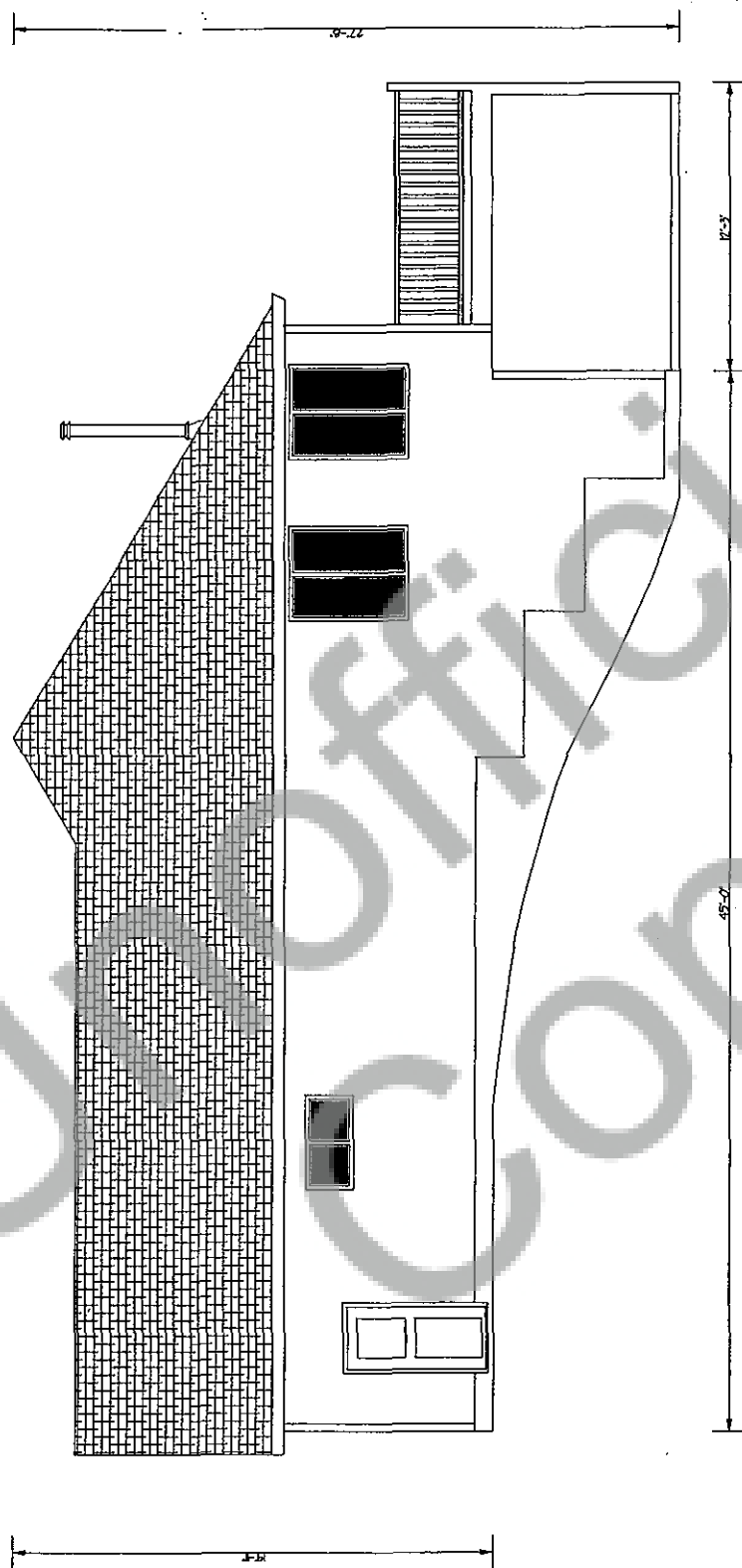
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322 Butler Loop RD
Skamania, WA 98648

Tax parcel:
02003410130000

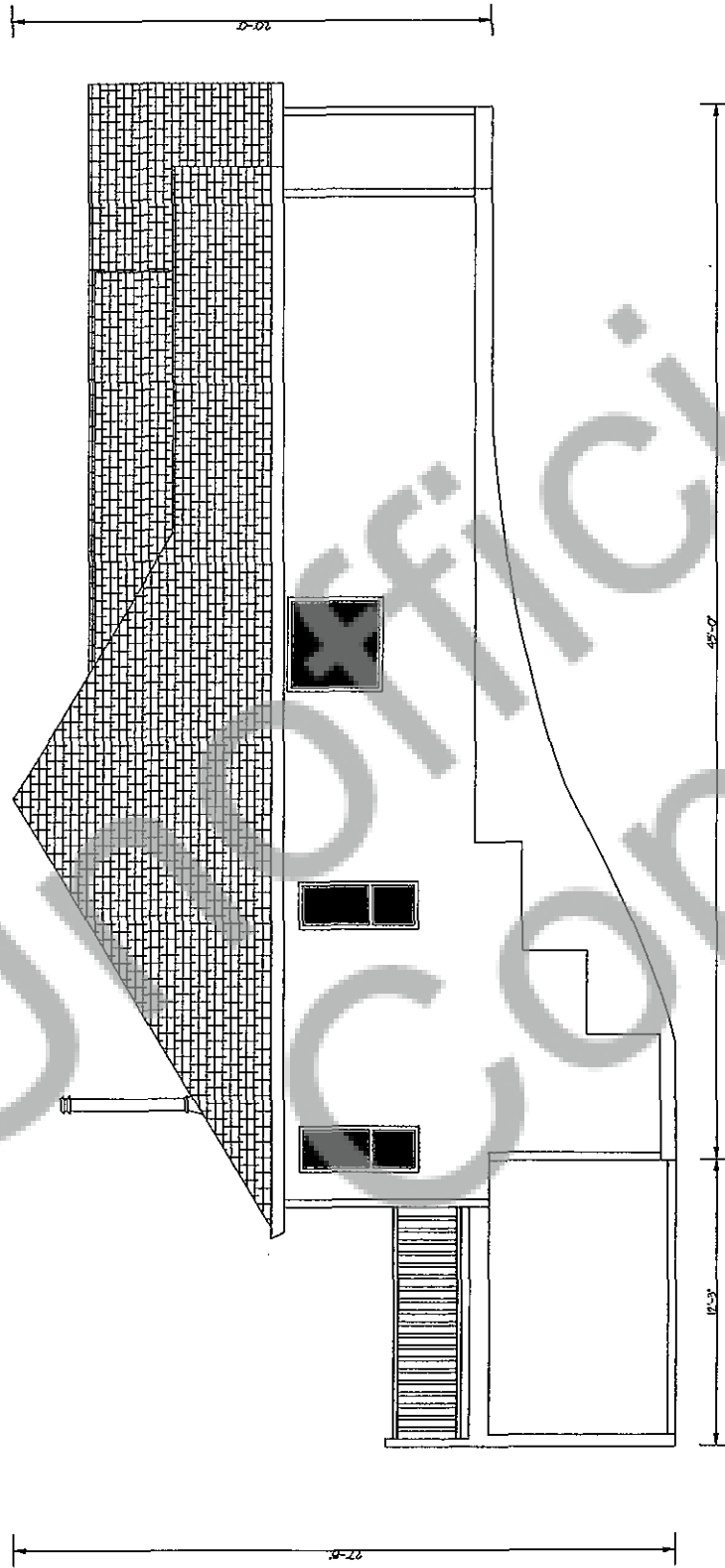
Property owner
Leann Hulbur



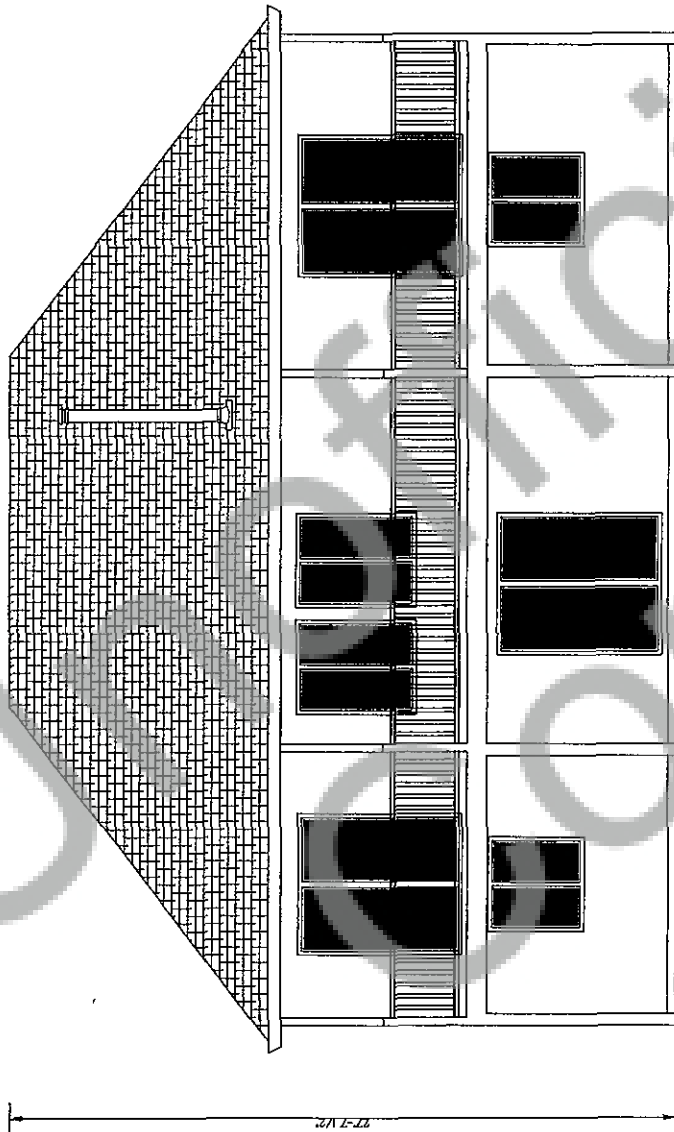




RIGHT SIDE ELEVATION
SCALE 1/8"=1'-0"

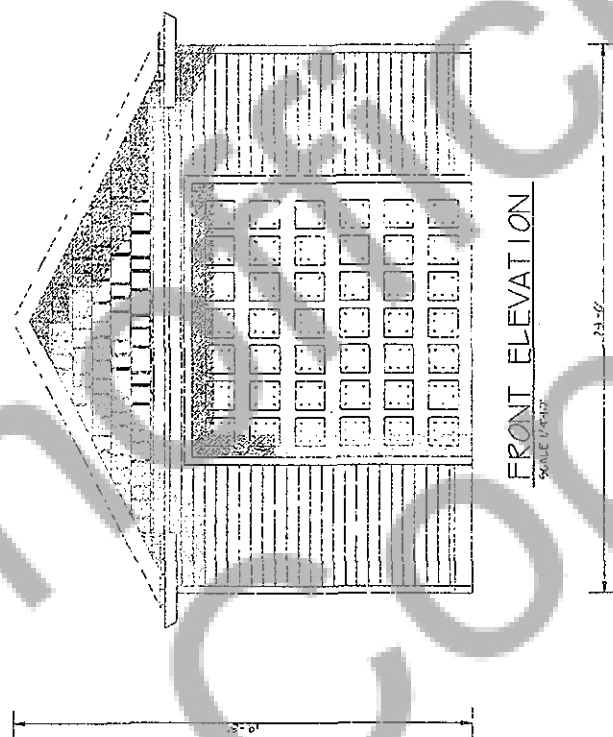


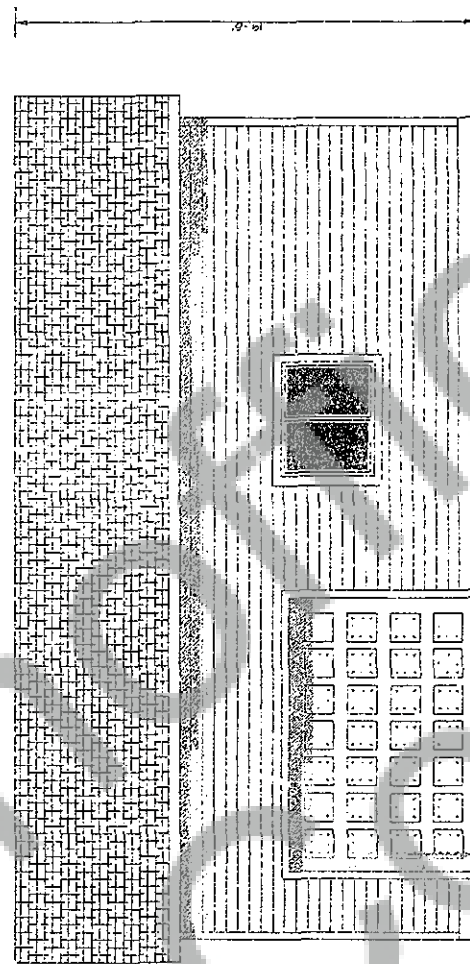
LEFT SIDE ELEVATION
SCALE 1/8"=1'-0"



REAR ELEVATION

SCALE 1/8"=1'0"





SIDE ELEVATION
SCALE 1/8"=1'-0"

AFN #2011177510 Page: 2 of 3

Commencing at the Southwest corner of the Northeast
Quarter of the Northeast Quarter of Section 34, Township
2 North, Range 6 East, W.M. Skamania County, Washington,

Registered £
Indexed, Dir S
Indirect S
Filed 11-6-87
Mailed 11-13-87

- 1 -

11650
REAL ESTATE EXCISE TAX
NOV 6 1987
PAID £
Barry J. Kneeling
SKAMANIA COUNTY TREASURER

BOOK 107 PAGE 310

and running thence North 208.71 feet; thence East 208.71
feet; thence South 208.71 feet; thence West 208.71 feet
to the point of beginning.

Skamania County Assessor
Date 11/19/2011 Parcel 2-6-34-1-1200 AUP