

Return Address: Nathan Ziegler
31 Memory Lane
Underwood, WA 98651

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

Modified Administrative Decision

(Condition of Approval #4 has been replaced. The old language appears as strike out, the new language appears underlined. All other Conditions of Approval remain the same.)

APPLICANT: Nathan Ziegler

PROPERTY OWNER: Andy Von Flotow for Hood River Equities, LLC.

FILE NO.: NSA-10-35

PROJECT: To construct a retaining wall to retain Cook-Underwood Rd. dirt and debris from landing onto the subject parcel. To remove 16' x 36' addition on the existing single-family dwelling, and reconstruct the foundation and addition while updating the house with a new roof. To shape below the house (terrace the back yard) to remove future fire danger and to add a 56' x 10' deck to south of the house.

LOCATION: 11102 Cook-Underwood Road, Underwood, Section 21 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-21-3-0-0900-00.

LEGAL: See attached page(s) 8.

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ZONING: General Management Area- Large-Scale Agriculture (Ag-1) and Open Space (OS), the proposed development is taking place in the Large-Scale Agriculture (Ag-1) zone only.

DECISION: Based upon the record and the Staff Report, the application Noel Lee, 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:** 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) A variance shall be granted to the front yard setback in order to allow for the retaining walls to be constructed. All portions of the retaining walls shall be outside of the

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Skamania County road right-of-way, which is 60 feet in width, or 30 feet from the centerline of Cook Underwood Road. In accordance with Condition number three, the southern edge of this right-of-way shall be located and staked by a Professional Land Surveyor licensed to practice in the state of Washington.

- 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) Planted vegetation shall be maintained to ensure survival.
- 7) The applicant shall plant three (3) screening trees south of the dwelling along the bluff line. The applicant shall follow the recommended planting guideline (from the Scenic Resources Implementation Handbook), in regards to the species (including fire resistance), mature size, planting size height, and spacing recommendations. The trees shall be at least 3-5 feet tall from the top of root wad at time of planting to ensure the proposed development meets the applicable scenic standard.
- 8) At least half two of the trees required to be planted for screening purposes shall be species native to the setting or commonly found in the area.
- 9) At least half two of the trees required to be planted for screening purposes shall be coniferous to provide winter screening
- 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.
- 11) The rocks for the retaining walls and the support of the backyard terraces shall be dark earth tone in color.
- 12) The house is allowed to match the existing house colors. If the applicant chooses to change the colors then the structure shall be dark earth tone in color. Proposed color changes shall be submitted to the Community Development Department for approval. The proposed Pabco Weatherwood roofing sample is approved.
- 13) The windows shall be either grey or bronze over low E glass with less than 11% exterior visible light reflectivity rating.
- 14) The building materials shall be non-reflective or low reflective materials. The proposed composite roofing meets this condition of approval.
- 15) 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.

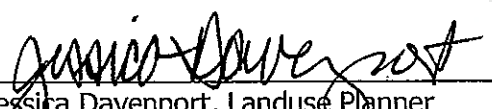
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- 16) Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.
- 17) The applicant shall meet all conditions of approval enacted to achieve visual subordination 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.
- 18) 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.
- 19) 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.

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- 20) 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 29th day of MARCH, 2011, at Stevenson, Washington.



Jessica Davenport, Landuse 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.

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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.

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.

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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:

Andy Von Flotow

Persons submitting written comments in a timely manner

Yakama Indian Nation

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of the Warm Springs (electronic)

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 Washington Department of Commerce – Paul Johnson (electronic)

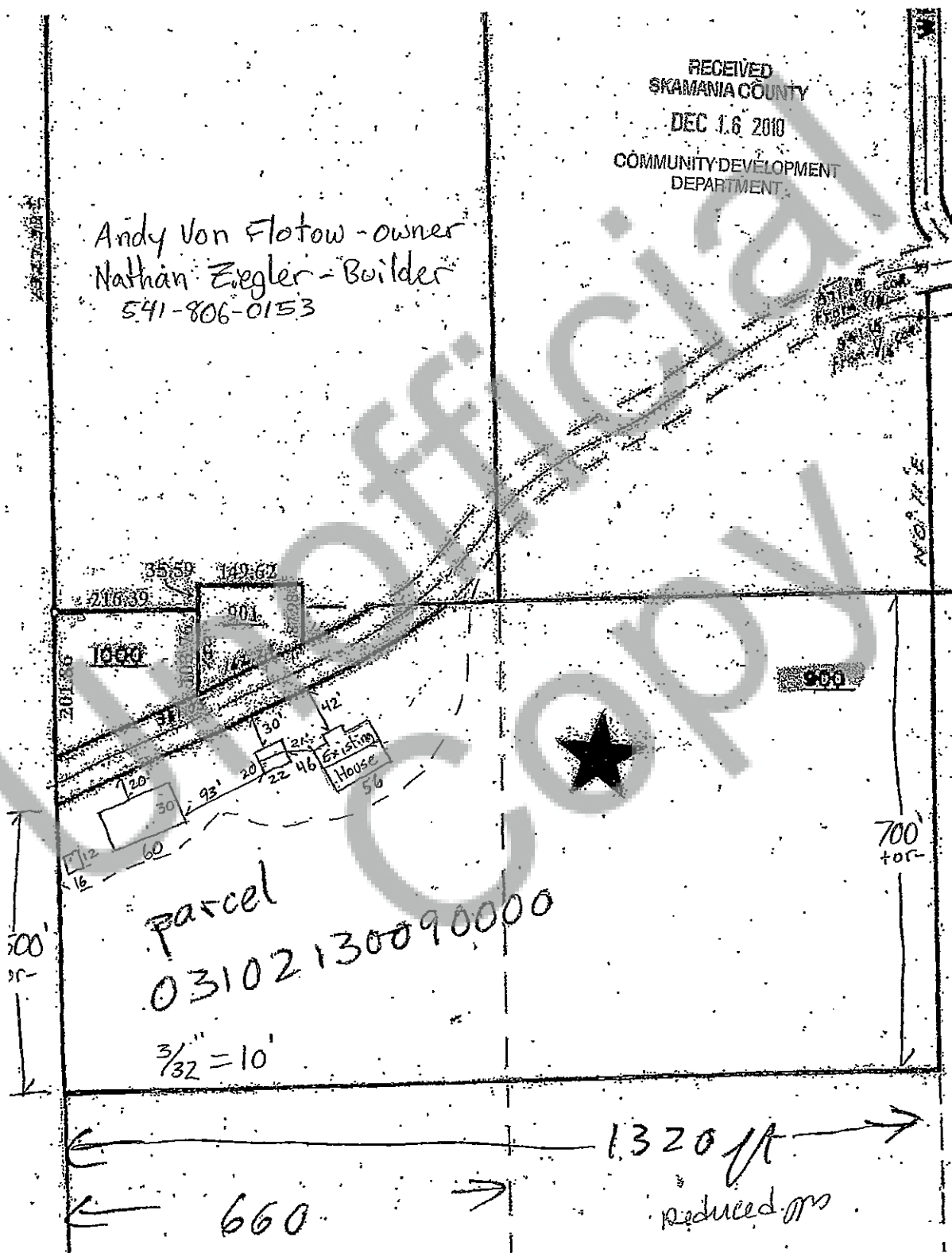
Department of Fish and Wildlife

EXHIBIT A

All that portion in the North half of the Southwest quarter of the Southwest quarter of Section 21, Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington, lying Southerly of the County Road known as Underwood-Willard highway.

Skamania County Assessor
Date 9-8-10 Parcel 3-10-21-3-900

1. Any unpaid assessments or charges, and liability for further assessments of charges by the Town of Underwood.
2. EASEMENT and the terms and conditions thereof:
Purpose: Utilities
Area Affected: Said Premises
Recorded: July 8, 1912
Auditors File No: Book N, page 635

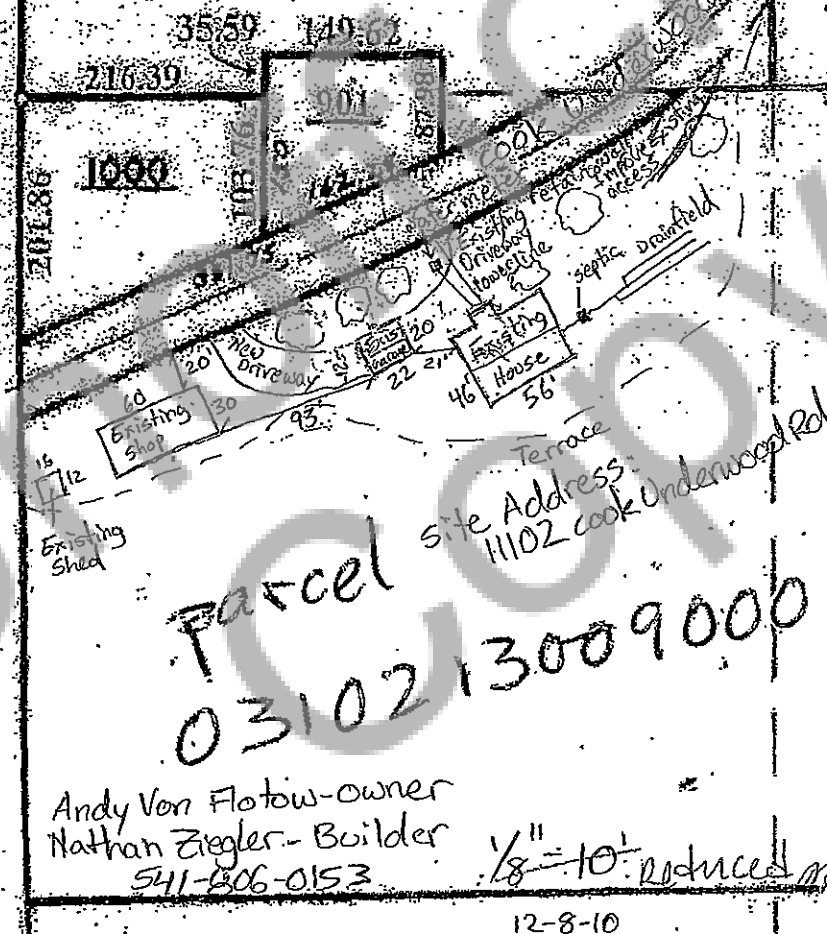


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DEPARTMENT

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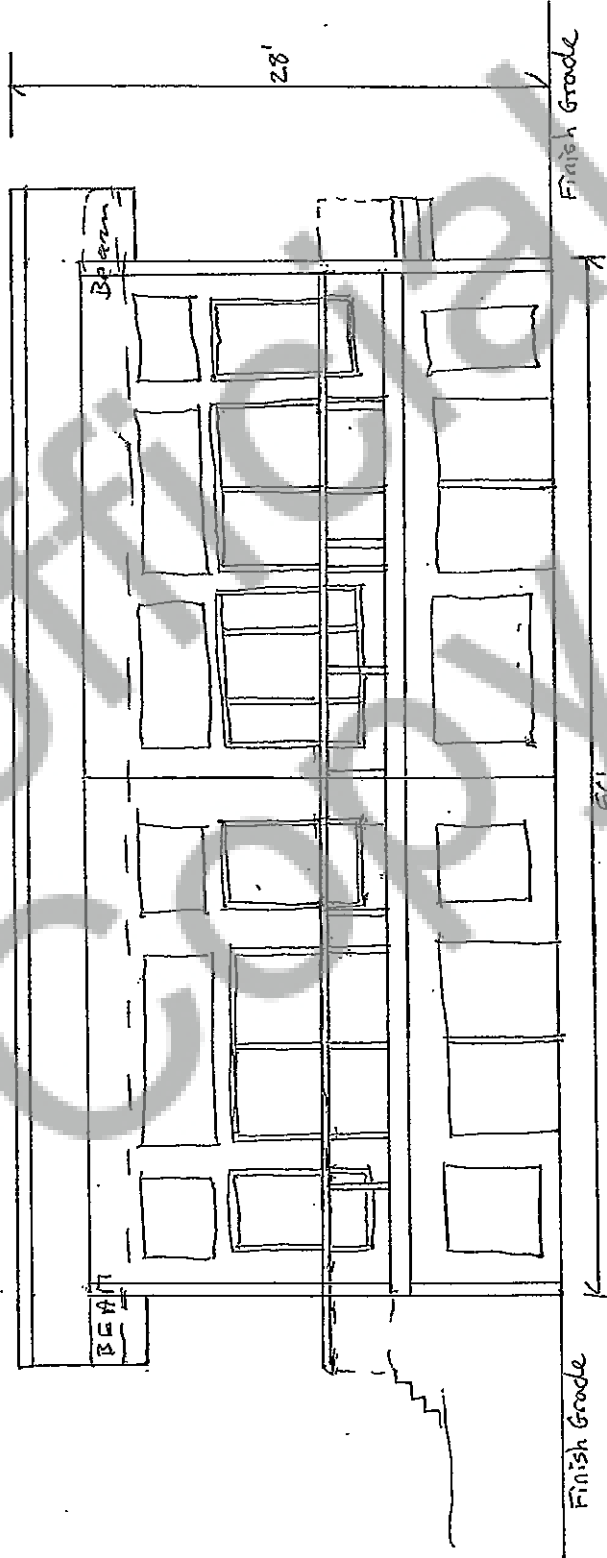
12-8-10

Andy von H-10 Row Owner
Nathan Ziegler Builder
541-806-0153

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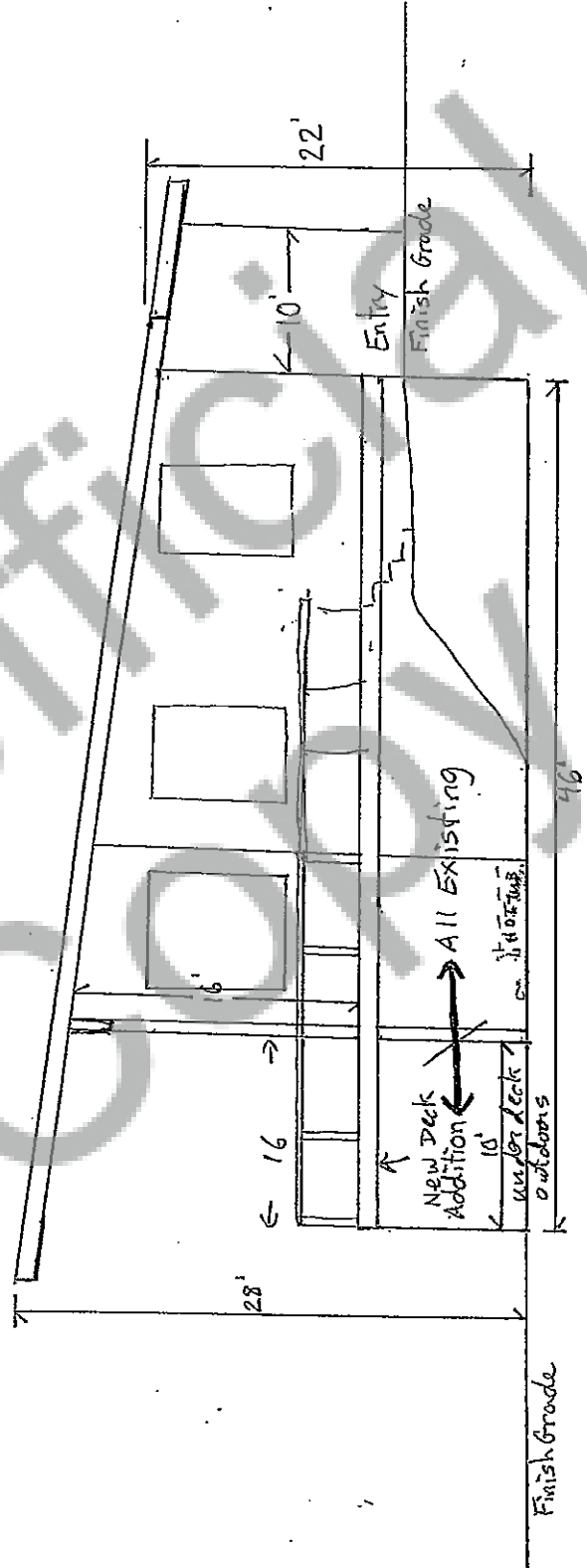
South Elevation
 $\frac{1}{8} = 1-0$ " reduced as

Andy Van Flotow Owner
 Nathan Ziegler Builder
 541-806-0153

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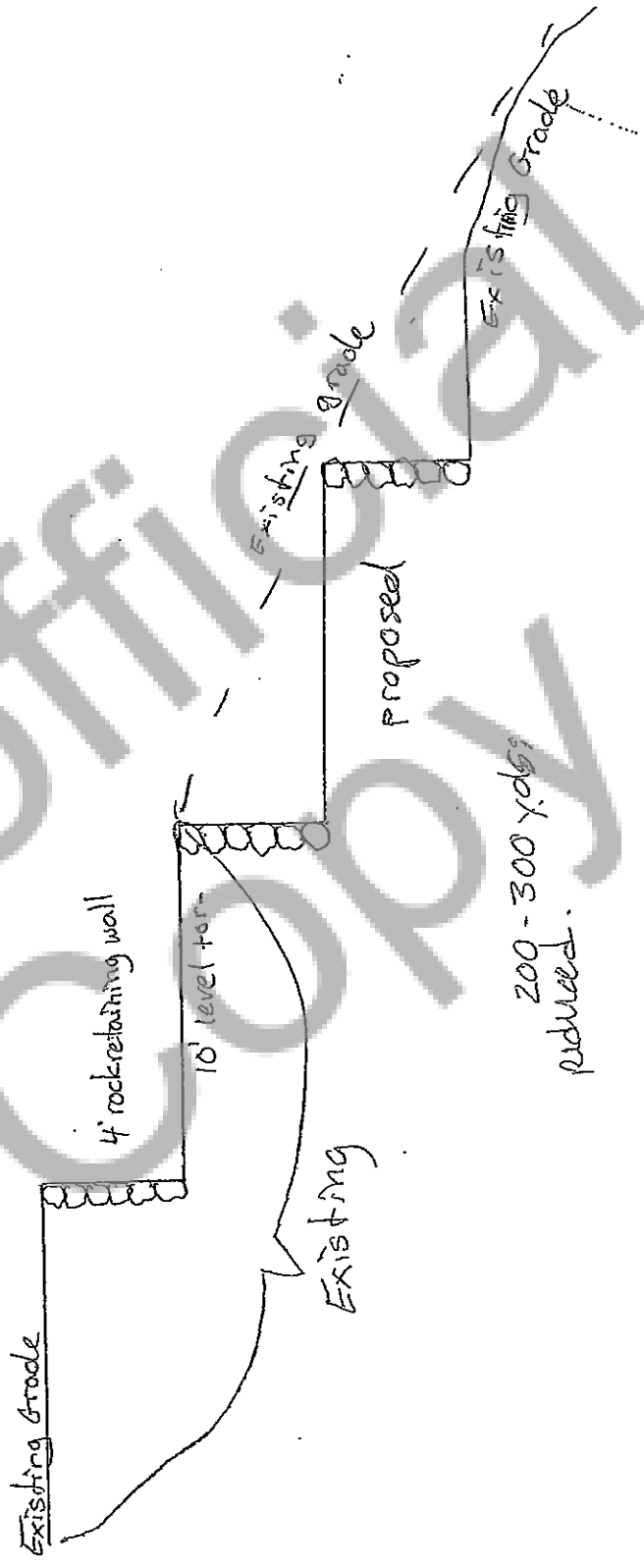


East Elevation
 1/8" = 1' - 0" Reduced

Andy Von Flotow - Owner
Nathan Ziegler - Builder
541-806-0153

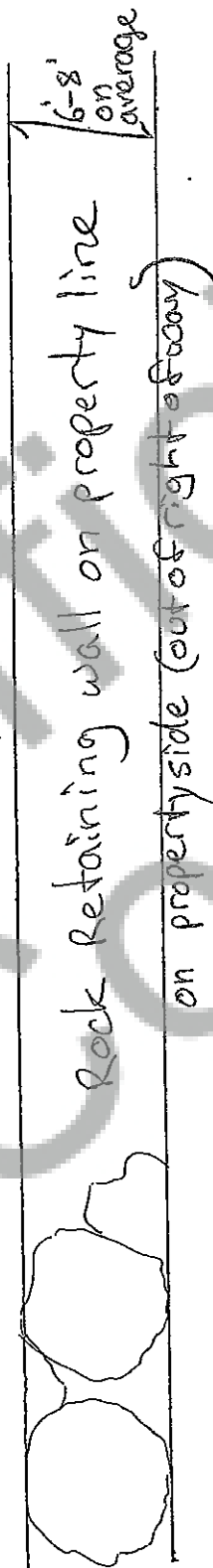
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Terrace



Retaining wall

Andy Von Flotow - owner
Nathan Ziegler - Builder
541-806-0153



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