

Return Address: Kerry M. Yule
P.O. Box 174
Washougal, WA 98671

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: Kerry M. Yule

PROPERTY OWNER: Kerry M. Yule

FILE NO.: NSA-10-23

PROJECT: Replace a single-family home that was destroyed by fire with another single-family home in the same location with a larger footprint. The old house was approximately 84' x 35'. The new house will be built on the same foundation as the old house but includes a 17' x 52' additional area on the back side of the house. The 17' x 52' addition to the house will utilize the existing foundation for a shed that was also lost in the fire. The application includes approval of two already constructed sheds in close proximity to the house; one is 12' x 16' the other is 8' x 8' and is temporary until home construction begins. The project also includes the installation of a new on-site septic system.

LOCATION: 922 Belle Center Road, Section 8 of T1N, R5 E, W.M., and identified as Skamania County Tax Lot #01-05-08-0-0-1401-00.

LEGAL: See attached page(s) 10.

Skamania County Community Development Department
File: NSA-10-23 (Yule) Administrative Decision
Page 2

ZONING: Special Management Area – Forest (F).

DECISION: Based upon the record and the Staff Report, the application Kerry M. Yule, 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. **North Side/Left Side yard:** 20 feet. **South Side/Right 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 is granted for the southern property line for the purposes of reconstructing the house on the existing foundation. The **southern property line/right side yard** setback shall be 1.7 feet. The eaves/roof overhang in the southwest corner of the home

Skamania County Community Development Department
File: NSA-10-23 (Yule) Administrative Decision
Page 3

shall not extend beyond the existing foundation. The Lawson Surveying wood hubs with lath, one located on either side of the home on the southern property line, shall be maintained until the final occupancy permit is issued for the home.

- 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 structures shall be painted earth-tone colors found at the specific site. The colors, Frontier Blend for siding and the dark brown roofing sample are approved. If the applicant chooses to paint a different color or install a different roof, those colors will require prior approval by the Community Development Department before application or installation.
- 7) The building permit shall be reviewed for consistency as a single dwelling unit. In order to qualify as a single dwelling unit, the home shall only have one kitchen.
- 8) The applicant shall sign a declaration of use prior to the issuance of the Building Permit, declaring that the use of the structure is for a single dwelling unit only and that no additional dwelling units will be created in the future.
- 9) 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.
- 10) It has been recommended by the Confederated Tribes and Bands of the Yakama Nation that a monitor be on site during 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.
- 11) 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

Skamania County Community Development Department
File: NSA-10-23 (Yule) Administrative Decision
Page 4

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 execute.
- 12) 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

**Skamania County Community Development Department
File: NSA-10-23 (Yule) Administrative Decision
Page 5**

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 20th day of September, 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.

Skamania County Community Development Department
File: NSA-10-23 (Yule) Administrative Decision
Page 6

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

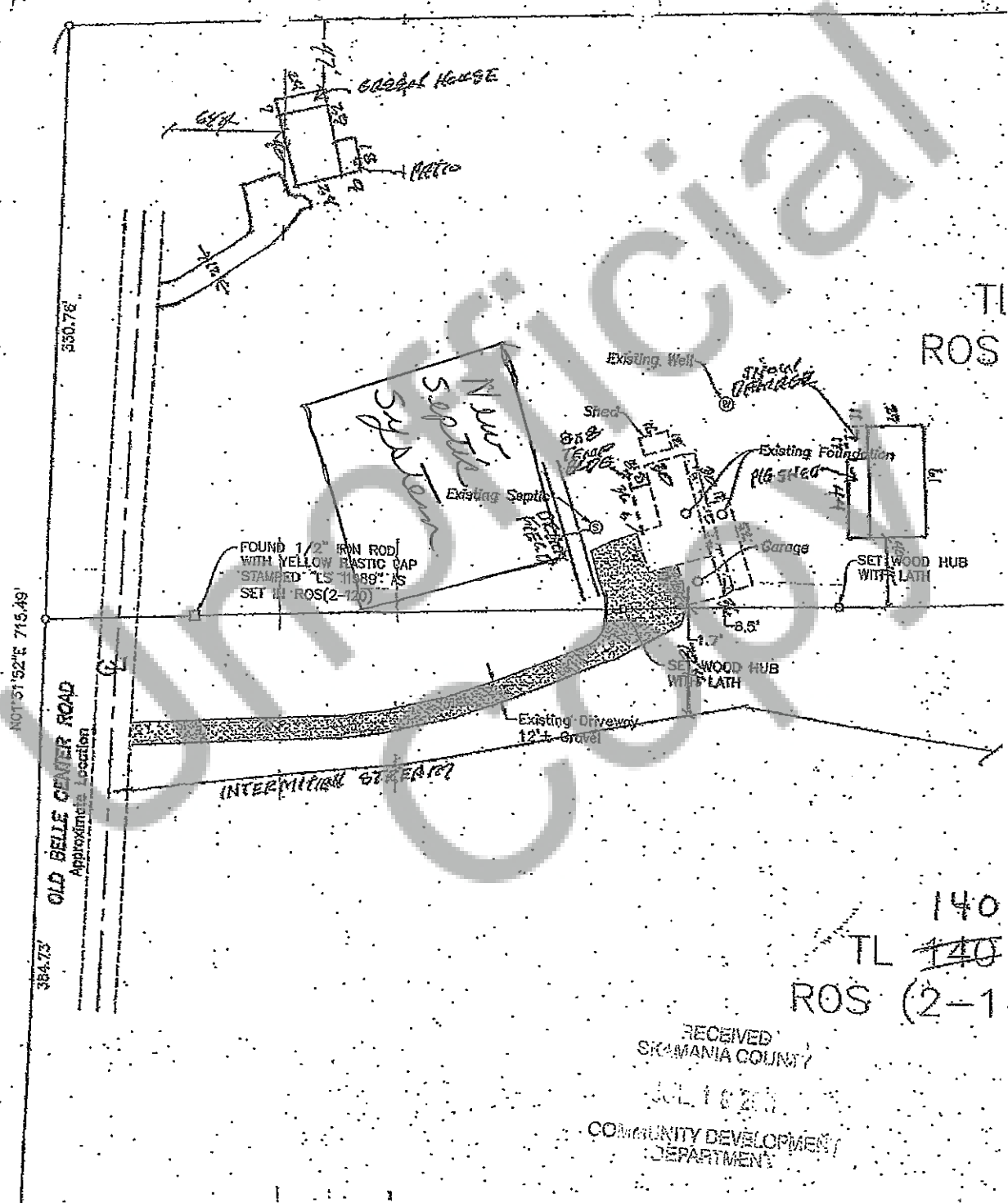
Department of Archaeology and Historic Preservation

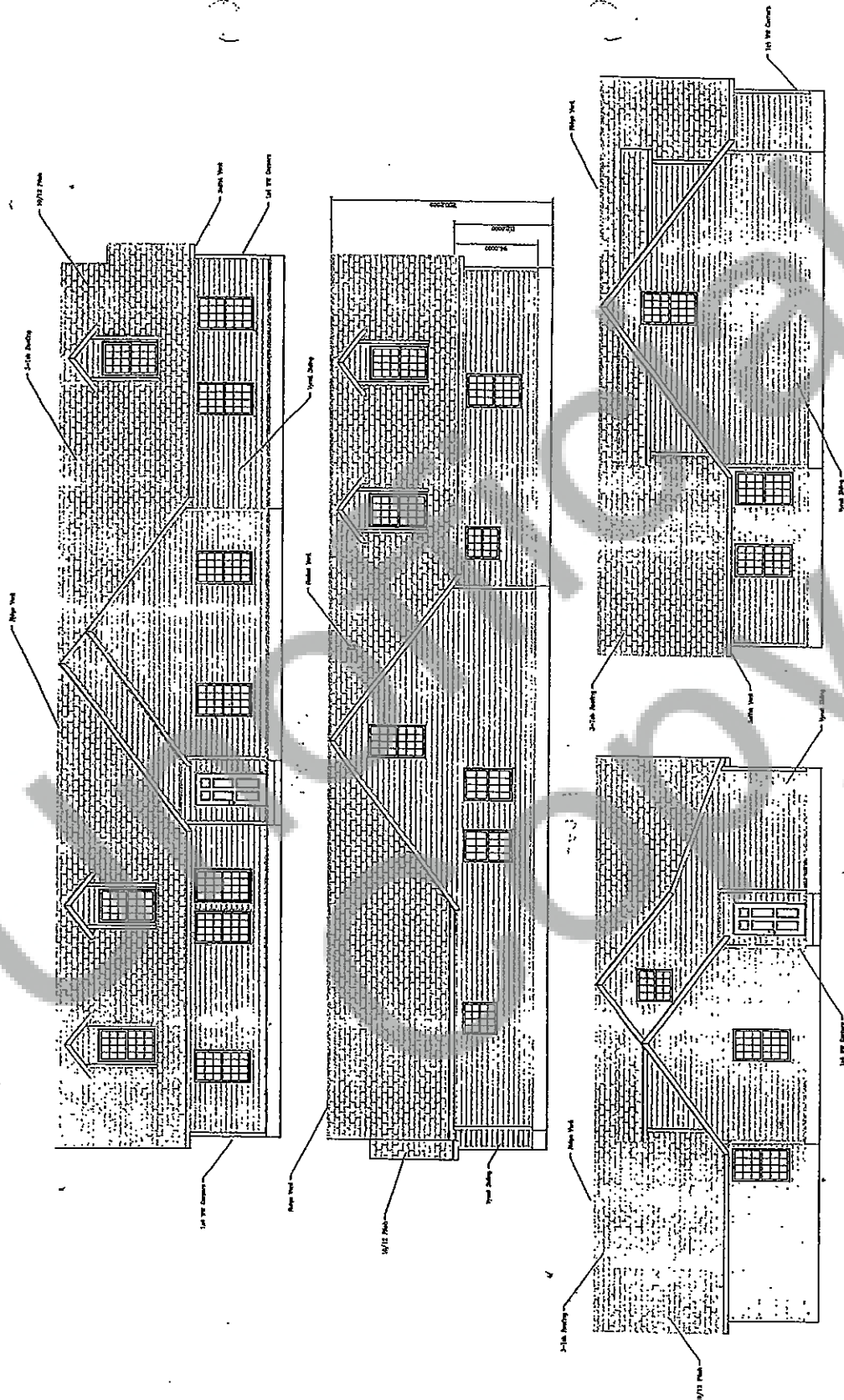
Columbia River Gorge Commission (electronic)

U.S. Forest Service - NSA Office (electronic)

Board of County Commissioners (electronic)

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





PARCEL 1

The North 330 feet of the following described property:

The North half of the Southwest quarter of the Southeast quarter and the North half of the South half of the Southwest quarter of the Southeast quarter of Section 8, Township 1 North, Range 5 East of the Willamette Meridian.

SUBJECT TO easements and rights of way for public roads and electric power transmission lines over and across said property.