

Return Address: Lee and Paula Montgomery
P.O. Box 113
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

Administrative Decision

APPLICANT: Lee and Paula Montgomery

PROPERTY OWNER: Lee and Paula Montgomery

FILE NO.: NSA-11-25

PROJECT: To add a deck (approximately 780 square feet in size) to the east side of an existing house.

LOCATION: 302 Wagamont Lane, Underwood, Section 17 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-17-4-0-0100-00.

LEGAL: Attached page(s) 7.

ZONING: General Management Area- Commercial Forest (F-1).

DECISION: Based upon the record and the Staff Report, the application Lee and Paula Montgomery, 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) 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.
- 5) Planted vegetation shall be maintained to ensure survival.
- 6) The proposed deck shall be composed on non-reflective materials or materials with low reflectivity.

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- 7) 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.
- 8) The exterior of the proposed deck, including support structure, shall be dark earth tone in color. The dark brown sample submitted by the applicant is approved. Any proposed changes to this color shall be submitted for review by the Community Development Department prior to construction.
- 9) The applicant, and future owners, shall retain a minimum of five existing trees, at a minimum of 15 feet in height, screening the deck to the east and southeast aspects, regardless of tree removal authorized through Department of Natural Resources Forest Practice permit. At least three of the five trees shall be coniferous for winter screening. No limbing or topping of screening trees shall occur. Dead or dying trees shall be replaced in kind.
- 10) 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.
- 11) 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.
- 12) 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.
- 13) 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

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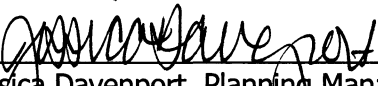
resources are prehistoric or otherwise associated with Native Americans, the project applicant shall also notify the Indian tribal governments within twenty-four (24) hours.

- 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.
- 14) 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

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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 15th day of September, 2011, at Stevenson, Washington.



Jessica Davenport, Planning Manager
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 (electronic)
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)
Department of Fish and Wildlife (electronic)

Transamerica Title Insurance Co

A Service of Transamerica Corporation
71947

REGISTERED
INDEXED: DIR
INDIRECT: NO
RECORDED: NO
COMPARED: NO
MAILED 3-19-70

BOOK 61 PAGE 545

THIS SPACE RESERVED FOR RECORD. USE:
STATE OF WASHINGTON } ss
COUNTY OF SKAMANIA }
I HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT OF WRITING, FILED BY
[Signature]
OF Skamania Co
AT 9:35 AM Mar 16 19 70
WAS RECORDED IN BOOK 61
OF Reed AT PAGE 545
RECORDS OF SKAMANIA COUNTY, WASH.
[Signature]
COUNTY AUDITOR

Filed for Record at Request of
Name Mr. & Mrs. Lee G. Montgomery
Address Box 212, White Salmon,
City and State Washington 98672

Statutory Warranty Deed

Form 467- 1-REV
71947

THE GRANTOR WILBUR L. TRACY and MARY ELLEN E. TRACY, his wife,
for and in consideration of Ten Dollars and other valuable consideration
in hand paid, conveys and warrants to LEE G. MONTGOMERY and PAULA B. MONTGOMERY, his wife,
the following described real estate, situated in the County of Skamania, State of Washington:
The South half of the South half of the Northeast quarter of the Southeast quarter, and the North half of the Southeast quarter of the Southeast quarter, and the North half of the North half of the South half of the Southeast quarter of the Southeast quarter, all in Section 17, Township 3 North, Range 10 East of the Willamette Meridian.
SUBJECT TO: Easements and rights of way of record.

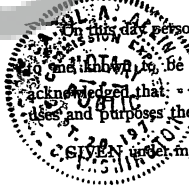
No. 27
TRANSACTION EXCISE TAX
MAR 16 1970
Amount Paid 6.00
[Signature]
Skamania County Treasurer
By _____



Dated this 13th day of March, 19 70.

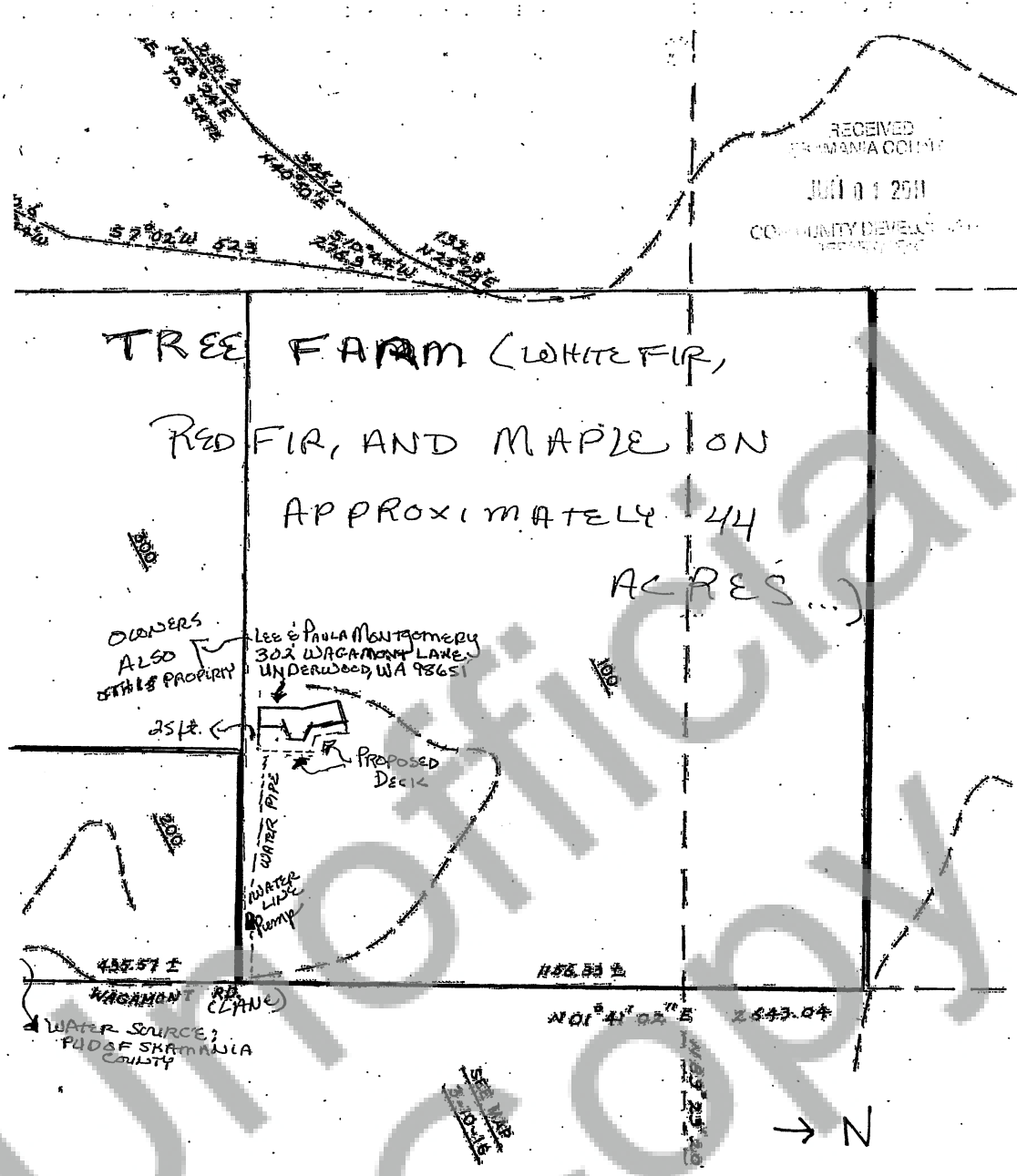
Wilbur L. Tracy (SEAL)
Wilbur L. Tracy
Mary Ellen E. Tracy (SEAL)
Mary Ellen E. Tracy

STATE OF WASHINGTON, } ss.
County of Clark



On this day personally appeared before me Wilbur L. Tracy and Mary Ellen E. Tracy, his wife,
and Paul A. Alling, to be the individuals described in and who executed the within and foregoing instrument, and
acknowledged that they signed the same as their free and voluntary act and deed, for the
uses and purposes therein mentioned.
GIVEN under my hand and official seal this 13th day of March, 19 70.
Paul A. Alling
Notary Public in and for the State of Washington,
residing at Vancouver.

LEE & PAULA MONTGOMERY
302 WAGAMONT LANE
UNDERWOOD, WA 98605-0113



LEE & PAULA MONTGOMERY
MAILING ADDRESS: P.O. BOX 113
PHYSICAL ADDRESS: 302 WAGAMONT LANE
UNDERWOOD, WA 98651-0113

