

Return Address: Charles and Sharon Jeter
671 Orchard 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

Administrative Decision

APPLICANT: Charles and Sharon Jeter

PROPERTY OWNER: Charles and Sharon Jeter

FILE NO.: NSA-12-02

PROJECT: Request to operate a day-care out of an existing home. Day-care to have less than 13 children at any one time. No new construction is proposed with this project. It is a request for a change of use within an existing single-family home.

LOCATION: 671 Orchard Lane, Underwood, Section 15 of T3N, R10E, W.M. and is identified as Skamania County Tax Lot Number 03-10-15-0-0-0204-00.

LEGAL: Lot 1 of the Ed Grove Short Plat, Recorded in Book 3 Page 197

ZONING: General Management Area- Large-Scale Agriculture (AG-1)

DECISION: Based upon the record and the Staff Report, the application by Charles and Sharon Jeter, described above, **subject to the conditions set forth in this Decision**, is found to be consistent with SCC Title 22 and **is hereby approved.**

Skamania County Community Development Department
File: NSA-12-02 (Jeter) Administrative Decision
Page 2

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) The day-care shall only employ residents of the home and no more than three outside employees.
- 4) No more than twenty-five percent (25%) of the total actual living space of the dwelling may be utilized for the day-care.
- 5) There shall be no outside, visible evidence of the day-care, including outside storage, except for usual and accustomed outside play toys such as bicycles, wagons, sand boxes, slides and jungle gyms found in the average back yard.
- 6) Exterior structural alterations to the residence for the day-care shall not be permitted. New structures shall not be constructed for the primary purpose of the day-care.
- 7) No retail sales may occur on the premises.
- 8) The applicants may utilize one non-animated, non-illuminated sign, not exceeding two square feet in area on the subject structure or within the yard containing the day-care.

Skamania County Community Development Department
File: NSA-12-02 (Jeter) Administrative Decision
Page 3

- 9) All on-site screening trees and shrubs shall be retained in order to screen the day-care drop-off area from the south and east sides of the property. Dead or dying trees and shrubs shall be replaced in kind and as near to in the same place as is practicable.
- 10) 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.
- 11) 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.

Skamania County Community Development Department
File: NSA-12-02 (Jeter) Administrative Decision
Page 4

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 20th day of March, 2012, 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.

Skamania County Community Development Department
File: NSA-12-02 (Jeter) Administrative Decision
Page 5

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
 Yakama Indian Nation
 Confederated Tribes of the Umatilla Indian Reservation
 Nez Perce Tribe
 Cowlitz Tribe
 Confederated Tribes of the Warm Springs (electronic)

Skamania County Community Development Department
File: NSA-12-02 (Jeter) Administrative Decision
Page 6

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)
Washington Department of Fish and Wildlife (electronic)
Washington Department of Natural Heritage Program (electronic)

Unofficial
Copy

***Use this template or attach a separate site plan drawing.**

