

Return Address: Dan Huntington
72 Patrick Lane
Washougal, WA 98671

Skamania County
Community Development Department
Building/Fire Marshal • Environmental Health • Planning
Skamania County Courthouse Annex
Post Office Box 1009
Stevenson, Washington 98648
Phone: 509-427-3900 Inspection Line: 509-427-3922

Administrative Decision

APPLICANT: Dan Huntington

PROPERTY OWNER: Jerome Manheim Credit Shelter Trust

FILE NO.: NSA-13-22

PROJECT: To remove approximately 25 sq. ft. off of the northwest corner of the existing single-family dwelling, due to a property line encroachment. The dwelling will then be one foot from the west property line.

LOCATION: 162 Archer Mountain Road, Skamania; Section 28 of T2N, R6E, W.M. and is identified as Skamania County Tax Lot Number 02-06-28-0-0-1400-00.

LEGAL: See attached page(s) 7.

ZONING: General Management Area- Residential (R-10).

DECISION: Based upon the record and the Staff Report, the application by Dan Huntington, 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-13-22 (Huntington/Manheim) 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) 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 allow for the existing single-family dwelling to be one foot from the west property line after the removal of the northwest corner of the dwelling (25 sq. ft.).
- 5) The exterior of the dwelling, after the removal of the 25 sq. ft., is allowed to match the color of the existing dwelling.
- 6) The applicant/property owner shall use non-reflective materials or materials of low reflectivity for the exterior siding of the dwelling after removal of the 25 sq. ft. The siding on the existing dwelling meets this criterion.

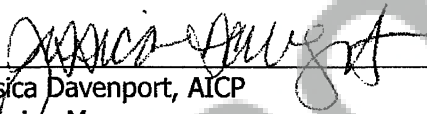
Skamania County Community Development Department
File: NSA-13-22 (Huntington/Manheim) Administrative Decision
Page 3

- 7) Only that grading which is necessary for the removal of the 25 sq. ft. of the dwelling is permitted. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Community Development Department. Planted vegetation shall be maintained to ensure survival.
- 8) The Community Development Department will conduct a site visit for Final Inspection to ensure that all conditions of approval have been met. Inspections may take up to four business days from the time of calling for the inspection. Inspections should be arranged by calling the Building Division inspection line at 509-427-3922 or by emailing permitcenter@co.skamania.wa.us.
- 9) 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.
- 10) 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.

Skamania County Community Development Department
File: NSA-13-22 (Huntington/Manheim) Administrative Decision
Page 4

- 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 26th day of November, 2013, at Stevenson, Washington.



Jessica Davenport, AICP
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

**Skamania County Community Development Department
File: NSA-13-22 (Huntington/Manheim) Administrative Decision
Page 5**

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 1009, Stevenson, WA 98648. Notice of Appeal forms and mailing lists are available at the Community Development Department and must be accompanied by a \$2,450.00 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

Skamania County Community Development Department
File: NSA-13-22 (Huntington/Manheim) Administrative Decision
Page 6

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)

Unofficial
Copy

AFN #2012181101 Recorded 07/18/2012 at 01:26 PM DocType: DEED Filed by:
KATHLEEN A. FOWZER Page: 1 of 2 Auditor Timothy O. Todd Skamania County, WA

Copy of the deed.

FILED FOR RECORD AT REQUEST OF

Kathleen A. Fowzer
Schwabe, Williamson & Wyatt
1211 SW Fifth Avenue, Suite 1900
Portland, OR 97204

REAL ESTATE EXCISE TAX

29640

JUL 18 2012

PAID *[Signature]*
Vicki Chellard, Clerk
SKAMANIA COUNTY TREASURER

Grantor: Sylvia R. Manheim, Trustee of the Jerome Henry Manheim and Sylvia R. Manheim Inter Vivos Trust dated November 6, 2008
Grantee: Sylvia R. Manheim, Trustee of the Jerome Manheim Credit Shelter Trust
Abbrev. Legal: E ½ W ½ W ½ SE SW of Sec 28
TPN: 02-06-28-0-0-1400-00

SPECIAL WARRANTY DEED

THE GRANTOR, SYLVIA R. MANHEIM, Trustee of the Jerome Henry Manheim and Sylvia R. Manheim Inter Vivos Trust dated November 6, 2008, said date being misstated in the deed recorded under Document No. 2008-171507, the actual date of the trust being June 10, 1980, as restated, (the "Trust"), grants, conveys and specially warrants to SYLVIA R. MANHEIM, Trustee of the Jerome Manheim Credit Shelter Trust, all the Trust's interest in the following described real estate, situated in the County of Skamania, State of Washington, including any interest therein which grantor may hereafter acquire:

The East half of the West half of the West half of the Southeast quarter of the Southwest quarter of Section 28, Township 2 North, Range 6 East of the Willamette Meridian, Skamania County, Washington, that is North of the now existing road.

[Stamp: Skamania County Treasurer]
Data 7-17-12 Parcel 2-6-28-0-0-1400

Subject to covenants, conditions, restrictions, easements and reservation of record. 9m

Dated this 12th day of July, 2012.

[Signature: Sylvia R. Manheim]

SYLVIA R. MANHEIM, Trustee of the Jerome Henry Manheim and Sylvia R. Manheim Inter Vivos Trust dated November 6, 2008

NOTARY ACKNOWLEDGEMENT ON THE FOLLOWING PAGE

Special Warranty Deed
PDX/112777/184120/KAF/9718317.1

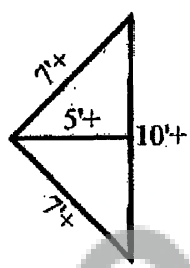
SITE PLAN

SCALE: 1"=60'

162 Archer Mountain Road
Applicant: Dan Huntington
Owner: Sylvia Manheim
Parcel number:
02062800140000

New distance from
edge of residence to
lot line: At least 1 foot

Detail of encroachment
to be removed:



A minimum of 25 square feet
will be removed from the west
corner of the house so that it
no longer encroaches on the
adjacent lot, 02062800130000.
Exterior materials, finishes and
colors will remain the same.

