

Return Address: Kenneth & Phyllis Bethune  
PO Box 1142  
Gusto, CA 91743

**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:** Kenneth & Phyllis Bethune

**FILE NO.:** NSA-14-42

**DESCRIPTION:** Construction of a new single-family dwelling and two accessory structures, improvements to an existing road, and installation of an on-site septic system and other associated utilities.

**LOCATION:** 1804 Duncan Creek Rd, Skamania and identified as Skamania County Parcel #02-06-28-0-0-1005-00.

**LEGAL:** See attached page 7.

**ZONING:** General Management Area – Small Woodland (F-3) and  
General Management Area – Residential (R-10)

**DECISION:** Based upon the record and the Staff Report, the applicant's proposal, described above, is found to be consistent with SCC Title 22 and is hereby **APPROVED** subject to the conditions set forth below.

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.

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### 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.
3. A variance to the 200 ft. forest setback for dwellings, required under SCC 22.14.050(B), is granted. The single-family dwelling may be located within the 200 ft. forest setback but outside of the minimum lot line setbacks and required water resource buffers.
4. 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.
5. The development shall comply with the following fire safety provisions:
  - a. All buildings shall be surrounded by a maintained fuel break of fifty (50) feet. Irrigated or fire resistant vegetation may be planted within the fuel break, including green lawns and low shrubs (less than twenty-four (24) inches in height). Trees should be placed greater than fifteen (15) feet between the crowns and pruned to remove dead and low (less than eight (8) feet) branches. Accumulated leaves, needles and other dead vegetation shall be removed from beneath trees.
  - b. Hazardous fuels shall be removed within the fuel break area.
  - c. Buildings with plumbed water systems shall install at least one (1) standpipe at a minimum of fifty (50) feet from the structure(s).
  - d. A pond, stream, tank or sump with storage of not less than 1,000 gallons, or a well or water system capable of delivering twenty (20) gallons per minute shall be provided. If a well pump is located on-site, the electrical service shall be separate from the dwelling.
  - e. Access drives shall be constructed to a minimum of twelve (12) feet in width and not exceed a finished grade of twelve percent (12%). Turnouts shall be provided at a minimum of every 500 feet. Access drives shall be maintained to a level that is passable to fire equipment. However, variances to road provisions may be made after consultation with the local fire marshal and the Washington State Department of Natural Resources.
  - f. Within one (1) year of the occupancy of a dwelling, the Administrator shall conduct a review of the development to assure compliance with these this section.
  - g. Telephone and power supply shall be underground whenever possible.
  - h. Roofs of structures should be made of fire-resistant materials, such as fiberglass shingle or tile. Roof materials such as cedar shake and shingle should not be used.

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- i. Any chimney or stovepipe on any structure for use with a wood stove or fireplace should be screened with no coarser than a quarter (1/4) inch mesh metal screen that is noncombustible and corrosion resistant and should be equipped with a spark arrestor.
  - j. All structural projections such as balconies, decks and roof gables should be built with fire resistant materials equivalent to that specified in the Uniform Building code.
  - k. Attic openings, soffit vents, foundation louvers or other ventilation openings on dwellings and accessory structures should be screened with no coarser than a quarter (1/4) inch mesh metal screen that is noncombustible and corrosion resistant.
6. The property owner shall prepare, sign and record, in the Skamania County Auditor's Office, a declaration stating that "the owners, successors, heirs, and assigns of the subject parcel are aware that adjacent and nearby operators are entitled to carry on accepted farm and forest practices on lands classified as F-1, F-2, F-3, Ag-1 and Ag-2."
7. Only that grading which is necessary for site development (building pads, utilities, etc.) is permitted. No grading activities or placement of excavated materials shall occur within the required 100 ft. water resource buffers of the onsite streams. All graded areas shall be re-seeded with native vegetation prior to final inspection by the Community Development Department.
8. 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.
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 Community Development inspection line at 509-427-3922 or by emailing [permitcenter@co.skamania.wa.us](mailto:permitcenter@co.skamania.wa.us).
10. The exterior of the proposed structures shall be dark earth-tone in color. The exterior includes, but is not limited to, sides, doors, garage doors, decks, gutters, roofs and trim. The following colors submitted by the applicant or their equivalents are consistent with this condition and are hereby approved:
  - Body – B-13 (Scenic Resources Implementation Handbook Recommended Colors)
  - Trim – A-3 (Scenic Resources Implementation Handbook Recommended Colors)
  - Roof – Owens Corning "Teak" or "Driftwood"
 Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
11. The exterior of buildings shall be composed of nonreflective materials with low reflectivity. The proposed materials including wood or fiber cement siding and architectural composite shingles are consistent with this requirement.
12. All exterior lighting shall be hooded or shielded at a 90° angle. Hoods/shields should be made of a non-reflective, opaque material, which does not allow light to pass through.

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13. Except as necessary for construction of access roads, building pads, leach fields, etc., the existing tree cover screening the development from key viewing areas shall be retained.
14. Best management practices shall be employed during development of any improvements to the roadway. Areas disturbed during construction will be rehabilitated to the maximum extent practicable.
15. Any improvements to the existing road/driveway shall not intrude any further into the buffer of Duncan Creek.
16. All natural vegetation shall be retained to the greatest extent practicable, including aquatic and riparian vegetation.
17. Temporary and permanent control measures shall be applied to minimize erosion and sedimentation when riparian areas are disturbed, including slope netting, berms and ditches, tree protection, sediment barriers, infiltration systems and culverts.
18. The single-family dwelling and accessory structures are to remain outside of the required 100 ft. buffers of the onsite streams as measured from the ordinary high water marks.
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.
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

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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 4<sup>th</sup> day of May, 2016, at Stevenson, Washington.



Alan Peters, Planner  
Planning Division

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**NOTE:**

Any new development 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.**

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.

**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  
U.S. Forest Service - NSA Office  
Board of County Commissioners  
State of Washington Department of Commerce – Paul Johnson  
Department of Fish and Wildlife



## Legal Description

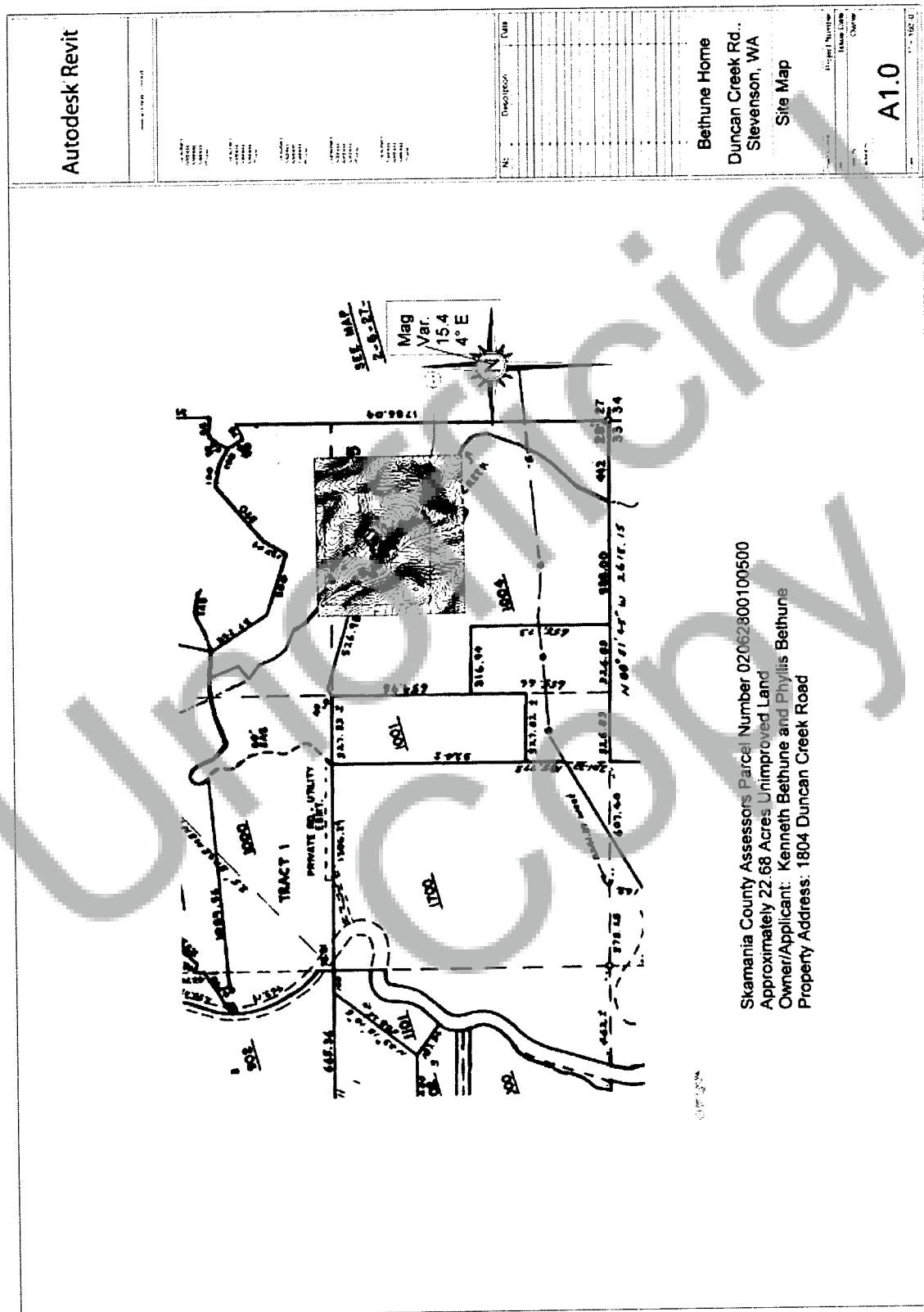
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**A portion of the East half of the Southeast quarter of Section 28, Township 2 North, Range 6 East, Skamania County, Washington, described as follows:**

**BEGINNING** at an iron pipe with brass cap marking the quarter corner between Sections 28 and 27 as shown in the MacDonald Short Plat, as recorded in Book 3 of Short Plats, page 253, Skamania County Auditor's Records; thence South 00°48'20" West, along the East line of the Southeast quarter of Section 28, as shown in Volume 3 of Surveys, page 297, Skamania County Auditor's Records, for a distance of 330.90 feet to the intersection of the section line with the Westerly extension of the North line of Chien Tract, as described in Deed Book 172, page 103, Skamania County Auditor's Records; thence South 89°08'43" East, along the North line of said Chien Tract and its Westerly extension, 32.00 feet to the Northerly Northwest corner of a subsequent Chien Tract, as described in Deed Book 222, page 37; thence following the Westerly boundary of the latter Chien Tract, South 00°44'25" West, 394.28 feet; thence North 88°50'20" West, 32.45 feet to a point on the line between Sections 27 and 28, that bears South 00°48'20" West, 725.00 feet from the quarter corner between Sections 27 and 28; thence North 88°50'20" West, 52.55 feet; thence South 40°00'00" West, 50.00 feet; thence South 20°00'00" West, 50.00 feet to the True Point of Beginning; thence leaving the Westerly boundary of the latter Chien Tract, North 62°00'00" West, 100.00 feet; thence North 80°00'00" West, 120.00 feet; thence South 50°00'00" West, 340.00 feet; thence South 30°35'00" West, 137.09 feet to a 5/8 inch iron rod as set in Book 3 of Surveys, page 297, at the Southwest corner of Tract 3 shown thereon; thence North 70°00'00" West, 300.00 feet; thence North 32°04'44" West, 332.68 feet to a point hereinafter called Point C; thence following the centerline of a 60 foot private road and utility easement, North 86°00'00" West, 50.00 feet; thence South 80°00'00" West, 115.00 feet; thence leaving said easement centerline, South 22°00'00" East, 160.00 feet; thence South 49°00'00" West, 85.00 feet to the center of Duncan Creek; thence Southeasterly and Southwesterly, along the center of Duncan Creek, 2577 feet, more or less, to the South line of the Southeast quarter of Section 28; thence South 88°51'45" East, 402 feet, more or less, to a Department of Natural Resources concrete monument at the Southeast corner of Section 28; thence North 00°48'20" East, along the East line of the Southeast quarter of Section 28, for a distance of 1756.04 feet, to the Southwest corner of the latter Chien Tract; thence South 75°00'00" West, along the Westerly boundary of the latter Chien Tract, 75.00 feet; thence North 20°00'00" West, 80.00 feet to the True Point of Beginning.

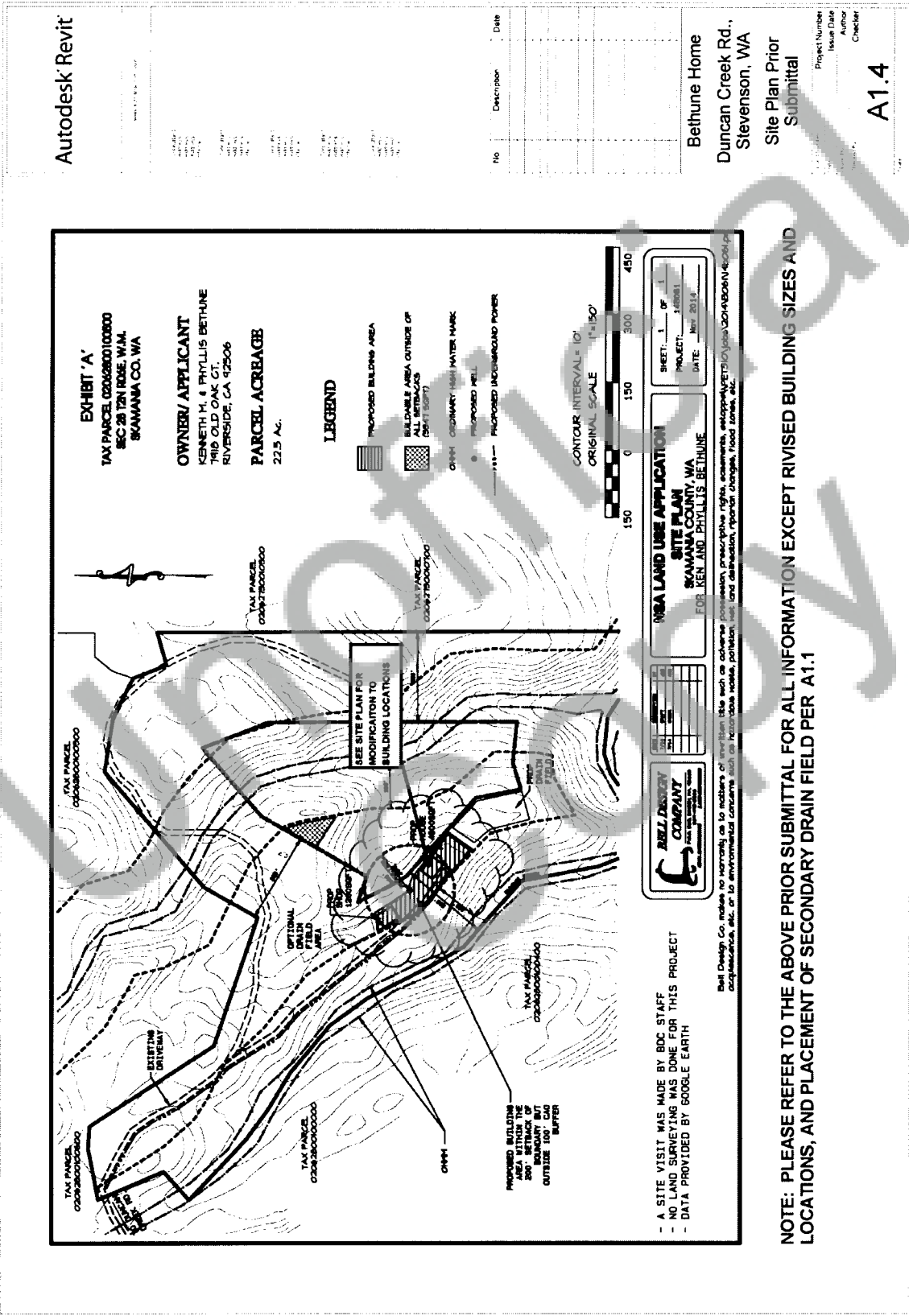
# Site Plan

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## Elevations

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The drawing consists of two architectural elevations of a building. The left elevation shows a side view of a multi-story building with a gabled roof, a central entrance with a porch, and a large window. The right elevation shows a front view of a similar building with a gabled roof, a central entrance with a porch, and a large window. The drawing is labeled 'Elevations' and 'A3.1'.



