

Return Address: NATHAN ZIEGLER  
31 MEMORY LN  
UNDERWOOD, WA 98651

## 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:** Nathan Ziegler, on behalf of Dan Wilson

**FILE NO.:** NSA-16-20

**DESCRIPTION:** Replace a single-family dwelling destroyed in an April 2016 fire.

**LOCATION:** 122 Ziegler Road, Underwood and identified as Skamania County Parcel #03-10-16-0-0-1580-00.

**LEGAL:** See attached page 6.

**ZONING:** General Management Area – Residential (R-5) and  
General Management Area – Large-scale Agricultural (Ag-1)

**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.

Skamania County Community Development Department  
NSA-16-20 (Ziegler) Administrative Decision  
Page 2

### 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. 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. The applicant shall plant a continuous vegetative screen along the west property line adjacent to the neighboring vineyard and in the location indicated on the approved site plan. Trees shall be at least six (6) feet high when planted and reach an ultimate height of at least fifteen (15) feet. The vegetative screening must completely planted during the first phase of development and maintained in good condition.
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. Project applicants shall be responsible for the proper maintenance and survival of any planted vegetation required.
7. 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.
8. The Community Development Department will conduct at least two site visits during construction, one siting inspection to verify the staked location of the structures prior to any ground disturbance taking place; 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.

Skamania County Community Development Department  
NSA-16-20 (Ziegler) Administrative Decision  
Page 3

9. The applicant shall plant four trees to screen the west side of the replacement dwelling. The location of these trees is indicated on the approved site plan and they may be part of the plantings required for the agricultural buffer.
10. Landscaping shall be installed as soon as practicable, and prior to project completion. Applicants and successors in interest for the subject parcel are responsible for the proper maintenance and survival of planted vegetation, and replacement of such vegetation that does not survive.
11. The exterior of the proposed structure 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 are consistent with this condition and are hereby approved:  
Exterior, except for roof: HardiePlank HL10 – Chestnut Brown  
Roof: Pabco – Weathered Wood  
Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
12. The exterior of buildings on lands seen from key viewing areas shall be composed of nonreflective materials or materials with low reflectivity. The proposed materials including HardiePlank, architectural composite shingles, Cedar, and Douglas Fir satisfy this requirement.
13. All windows on the east elevation of the home shall have a visible light reflectivity rating less than 11%.
14. 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.
15. The existing tree cover shall be retained as much as possible, except as is necessary for site development, safety purposes or as part of forest management practices.
16. Except as is necessary for site development or safety purposes, the existing tree cover screening the development from key viewing areas shall be retained.
17. At least half (½) of any trees planted for screening purposes shall be species native to the setting or commonly found in the area. At least half (½) of any trees planted for screening purposes shall be coniferous to provide winter screening.
18. 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.

Skamania County Community Development Department  
NSA-16-20 (Ziegler) Administrative Decision  
Page 4

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.

19. 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 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 21<sup>st</sup> day of November, 2016, at Stevenson, Washington.



Alan Peters, Planner  
Planning Division

Skamania County Community Development Department  
NSA-16-20 (Ziegler) Administrative Decision  
Page 5

**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

NSA-16-20 (Ziegler)

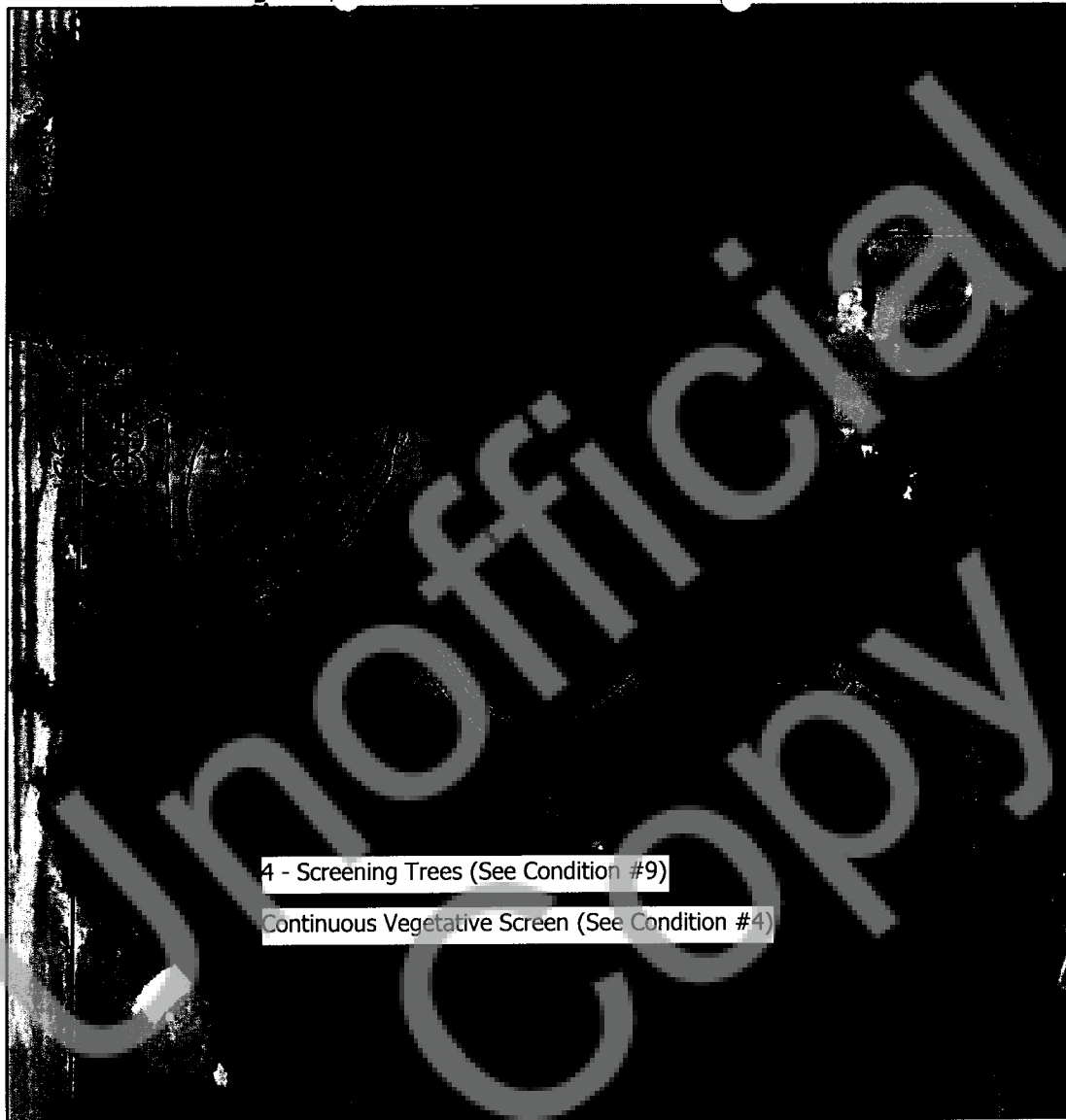
**That portion of the East Half of the Southeast Quarter of the Southeast Quarter of Section 16, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington, lying Northerly of County Road No. 3041, designated as the Cooke-Underwood Highway, described as follows:**

**Beginning at a point on the West line of said subdivision North 1,138 feet from the Southwest corner thereof; thence South 40° 45' East 167.25 feet; thence East 550.83 feet, more or less, to the East line of said Section 16; thence North along said East line 180.70 feet, more or less, to a point 128 feet South of the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 16; thence West 330 feet; thence North 128 feet to the North line of said Southwest Quarter of the Southeast Quarter; thence West along said North line 330 feet, more or less, to the Northwest corner of the East Half of the Southeast Quarter of the Southeast Quarter of said Section 16; thence South 182 feet, more or less, to the point of beginning.**

**EXCEPT that portion thereof conveyed to Skamania County for Lacock-Kelchner Road by instrument recorded February 11, 1976 in Book 70 of Deeds, Page 437, Auditor's File No. 81717, records of Skamania County, Washington.**

## Site Plan

NSA-16-20 (Ziegler)



owner Dan Wilson  
122 Ziegler Rd Underwood, WA 98651  
Parcel # 0310600158000  
7-21-16  
3.35 acres

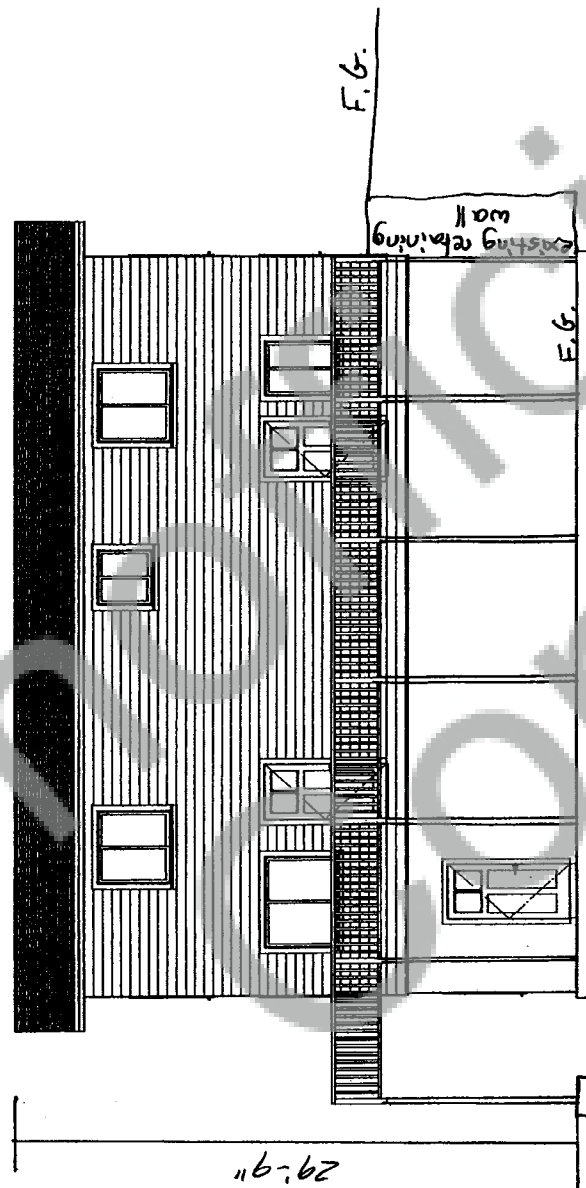
1 in = 100 ft

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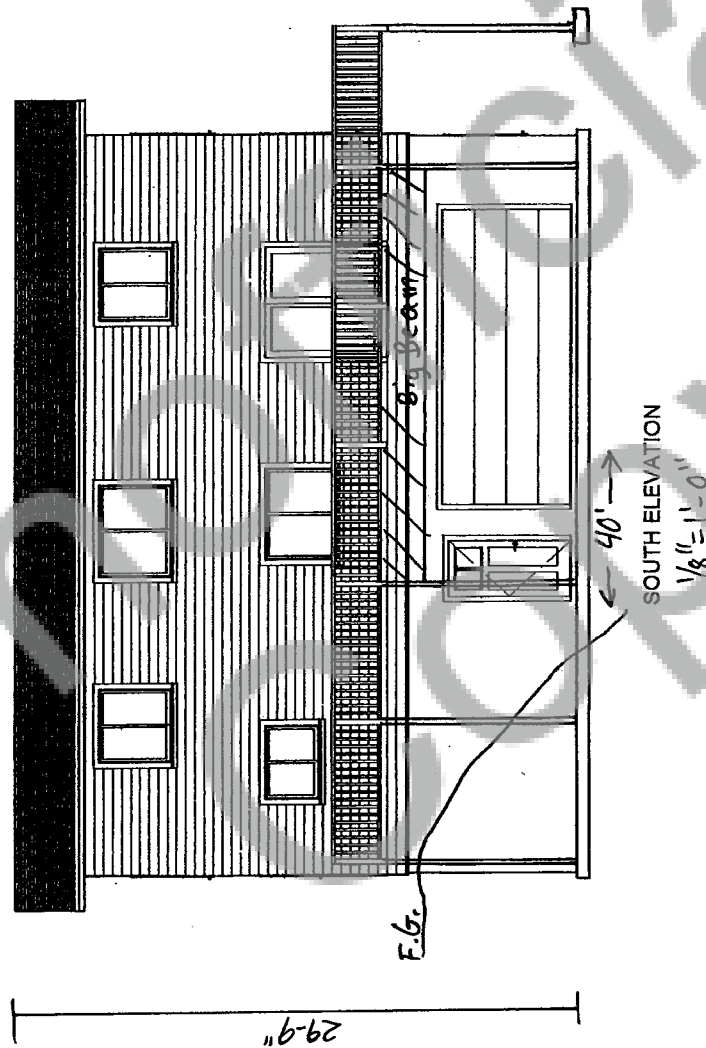
## Elevations

NSA-16-20 (Ziegler)



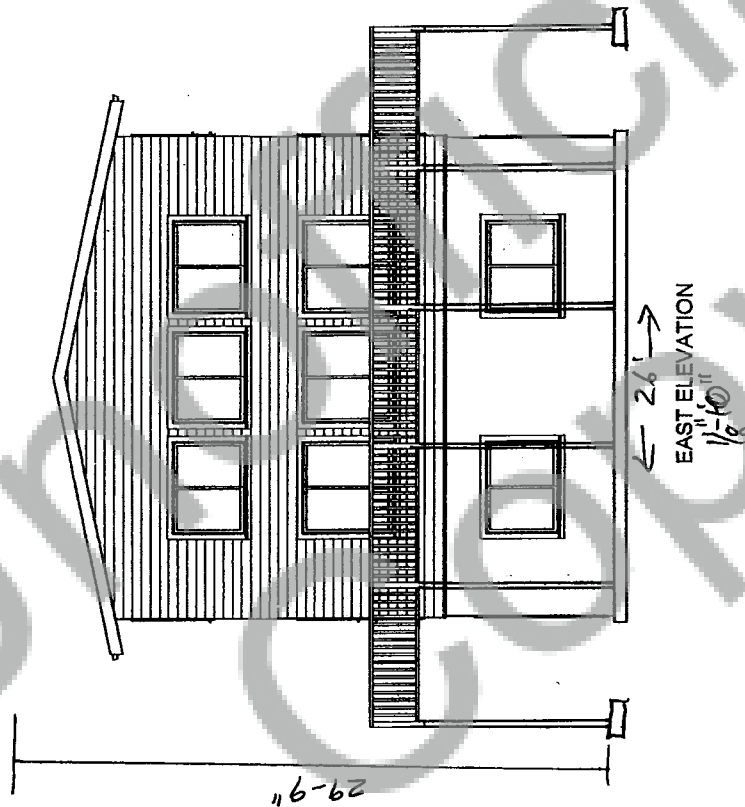
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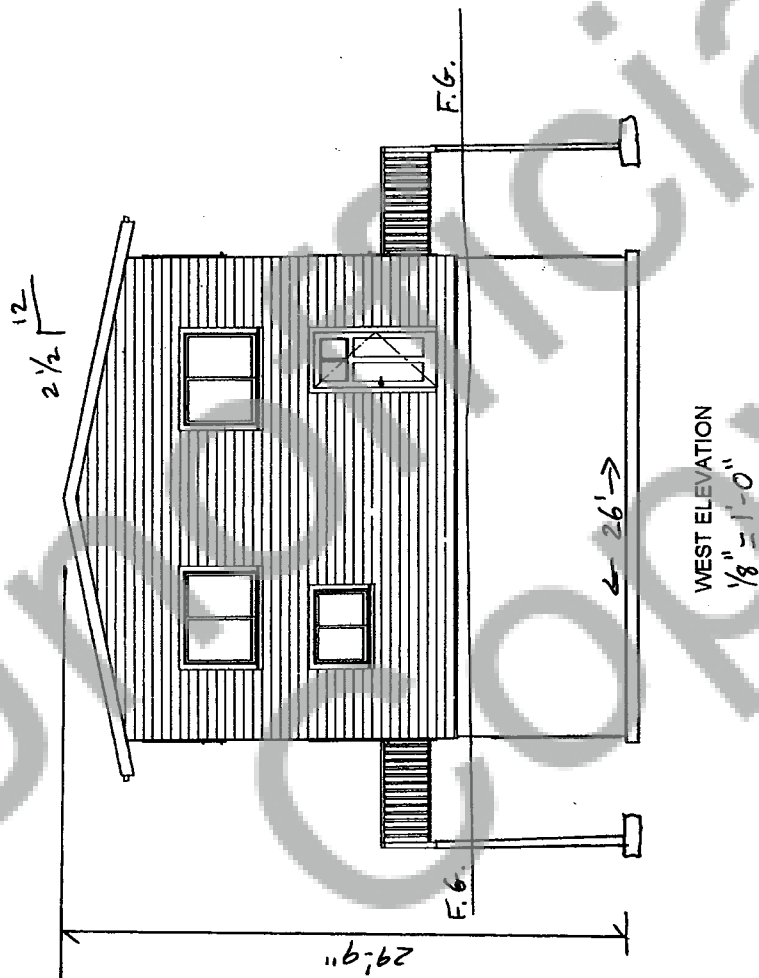
## Elevations

NSA-16-20 (Ziegler)



## Elevations

NSA-16-20 (Ziegler)



Dan Wilson home