

Return Address: Patrick and Linda McCaulley
752 Duncan Creek Road
Skamania, WA 98648

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: Patrick and Linda McCaulley

PROPERTY OWNER: Patrick and Linda McCaulley

FILE NO.: NSA-11-08

PROJECT: To construct a new 24' x 26' x 20'6" (height) detached garage with a 12' x 26' loft, and to fence the property with agricultural fencing.

LOCATION: 752 Duncan Creek Road, Skamania, Section 33 of T2N, R6E, W.M. and is identified as Skamania County Tax Lot Number 02-06-33-0-0-1000-00.

LEGAL: See attached page(s) 8.

ZONING: General Management Area- Small Woodland (F-3).

DECISION: Based upon the record and the Staff Report, the application Patrick and Linda McCaulley, 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) A variance to the 200-foot setback for siting criteria for new dwellings and new accessory buildings and structures on lands zoned Small Woodland (F-3) shall be granted in order to allow for the new dwelling.
- 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) Planted vegetation shall be maintained to ensure survival.

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- 7) The proposed detached garage shall not exceed 24 feet in height as measured from the top of footing to the roof peak.
- 8) The exterior of the proposed development shall be composed of non-reflective materials or materials with low reflectivity. The exterior includes, but is not limited to, sides, doors, windows, decks, gutters, roofs and trim.
- 9) 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: for the exterior walls – hardiplank siding painted ICI English Pinewood; trim painted brown (Canvas Back) and roofing – Owens Corning Architectural in Driftwood. Any proposed changes to these colors shall be submitted for review by the Community Development Department prior to construction.
- 10) 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.
- 11)
 - 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.
 - 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

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- 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.
- 12) The applicant and/or future owner shall retain the existing screening trees located on the subject parcel to provide screening from key viewing areas and maintain visual subordination.
 - 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) 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.
 - 15) 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.
 - 16) 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

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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.
- 17) 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 20th day of April, 2011, at Stevenson, Washington.

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Jessica Davenport, Landuse 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.

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

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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

Nez Perce Tribe

Cowlitz Tribe

Department of Archaeology and Historic Preservation

Columbia River Gorge Commission (electronic)

U.S. Forest Service - NSA Office

Board of County Commissioners (electronic)

State of Washington Department of Commerce – Paul Johnson (electronic)

Department of Fish and Wildlife (electronic)

Beginning at the quarter post on the section line which runs North and South between Sections 33 and 34, Township 2 North of Range 6 East of the Willamette Meridian, running thence West 880 feet to the Southwest corner of the tract of Earl Marble as a beginning point for this description, thence West 440 feet, thence North 757.8 feet; thence East 685 feet; thence North 76.8 feet; thence South $19^{\circ}47' N.$ 723.7 feet to the place of beginning, containing 10 acres; said land being in the Southeast quarter of the Northeast quarter of Section 33, Township 2 North Range 6 East of the Willamette Meridian. EXCEPTING that tract of land containing one acre, more or less, conveyed by the sellers herein to Edward J. Farnsworth and Pearl M. Farnsworth, husband and wife, by deed dated March 31, 1950, and recorded May 31, 1950, at page 114, Volume 33 of Deeds, records of Skamania County, Washington.

BOOK 2 PAGE 174

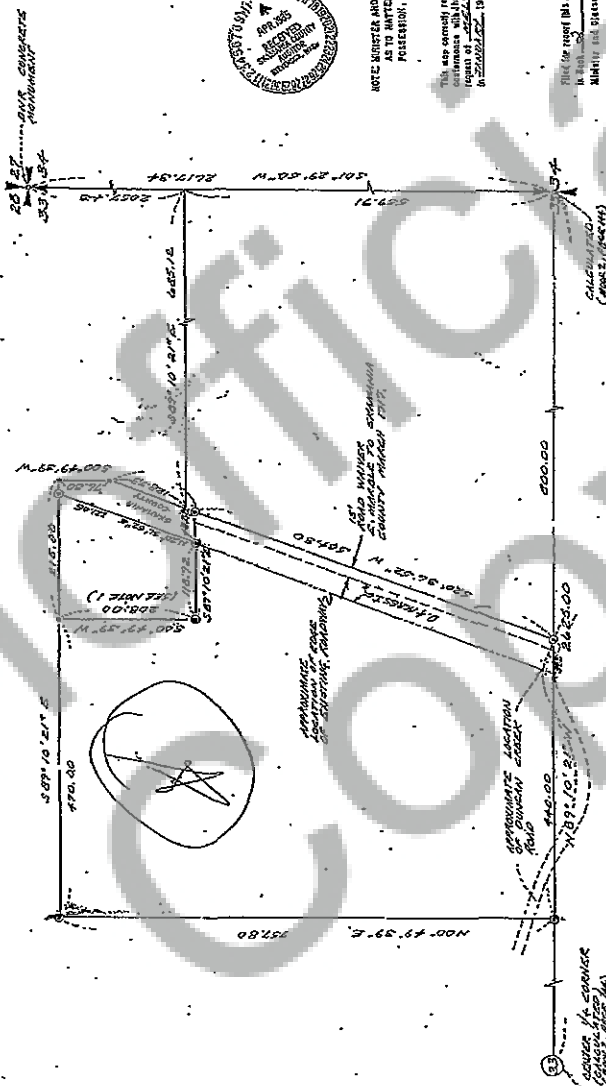
SURVEY

IN THE
NE 1/4 SECTION 33, T2N., R.6E., W.4M.,
SKAMANIA COUNTY, WASHINGTON

NOTE: ALSO RECORDED IN BOOK 21 OF DEEDS AT PAGE 58.
SHOWING THIS DIMENSION AS 300 FEET. SURVEY
RECORDED IN VOLUME 2 OF SURVEYS AT PAGE 151
WAS PREPARED ACCORDING TO THE INSTRUMENT
RECORDED IN BOOK 21 OF DEEDS AT PAGE 58.
RECORDING THIS DIMENSION TO BE 200 FEET. THIS
SURVEY IS BASED ON THE DEED AT BOOK 21,
PAGE 58.

LEGAL DESCRIPTION:
BOOK 21 OF DEEDS, PAGE 58.

DEVELOPERS PLAT ON SURVEY
RECORDED IN BOOK 2 OF SURVEYS
PAGE 144.



NOTE: MINISTER AND GLAESER SURVEYING, INC. MAKES NO WARRANTIES
AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ADVERSE
POSSESSION, ADVERSE ACQUISITION, ETC.

SURVEYOR'S CERTIFICATE

This map and plat represents a survey made by me or under my direction
in accordance with the requirements of the Surveyors' Act of the
State of Washington, Chapter 13, RCW.

Minister and Glaser Surveying, Inc.
Minister and Glaser Surveying, Inc.
2415 EAST EVERETT BLVD.
VANCOUVER, WA 98681
(206) 874-3313

AUDITOR'S CERTIFICATE

I have examined the records of the Surveyor, Minister and Glaser Surveying, Inc.,
and find the same to be correct and in accordance with the requirements of the
Surveyors' Act of the State of Washington, Chapter 13, RCW.

Minister and Glaser Surveying, Inc.
Minister and Glaser Surveying, Inc.
2415 EAST EVERETT BLVD.
VANCOUVER, WA 98681
(206) 874-3313

**MINISTER-GLAESER
SURVEYING INC.**
2415 EAST EVERETT BLVD.
VANCOUVER, WA 98681
(206) 874-3313



① INDICATES 1/4" MON ROD WITH PLATING CAP END
② INDICATES 1/2" MON ROD FOUND
SURVEY RECORDED
LANSUN AND SURVEYING
BOOK 2 PAGE 151

R. MCPHILL
752 DUNBAR CREEK RD
SKAMANIA, WA 98648

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Page

Surveys

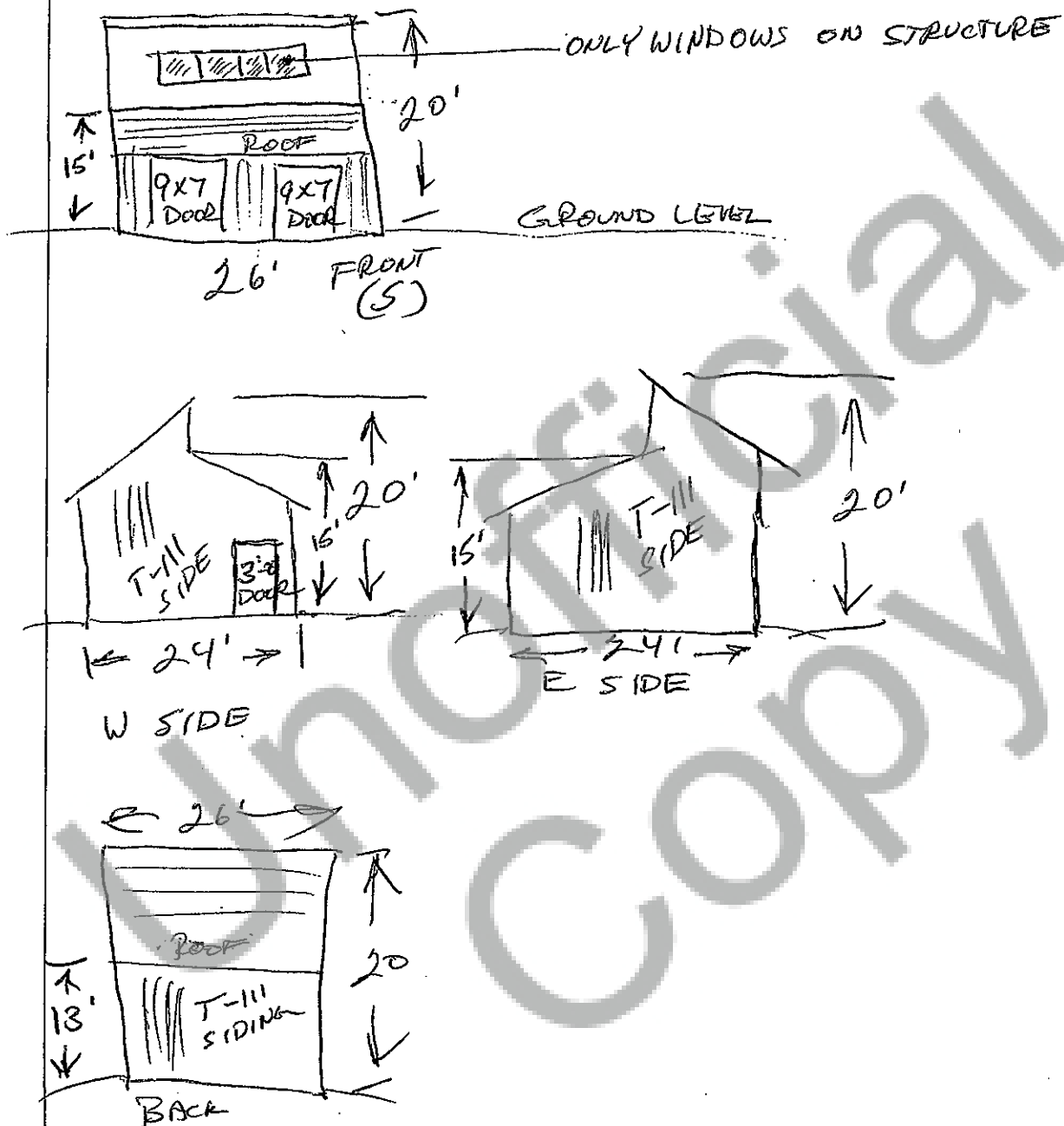
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Book

20.9

RECORDED
INDEXED
COUNTY CLERK
DEPARTMENT

ELEVATION DRAWINGS:



Additional pages must have 1" margin.

Elevation drawings must be in ink.