



Minutes Appeal Board of Adjustment

Tuesday, August 12, 2014

4:30 PM

Longview Council Chambers

1. Call To Order

Don Rodman, Mark Backstrom, Roger Peters, and Tracy Goldsmith were in attendance.

2. Approval of Minutes

The minutes of the November 12, 2013 meeting were reviewed and approved.

Attachments: [MINUTES OF THE NOVEMBER 12 2013 MEETING OF THE APPEAL BOAF](#)

3. Audience Participation of Correspondence

3.1 Oral Communications

Persons in the audience may discuss business not scheduled on this agenda or any item of interest within the jurisdiction of the Appeal Board of Adjustment. This Board will listen to all communication, but in compliance with the Washington Open Public Meetings Act, will not take any action on items that are not listed on the agenda.

3.2 Written Communications.

Correspondence for the Appeal Board of Adjustment received after preparation of this agenda.

4. Declaration of Ex-Parte Communications and Appearance of Fairness Doctrine

Staff, Adam Trimble, read the declaration. No objections were heard.

5. Public Hearings

ABA 2014-1 Fence Waiver per §16.48.030 [Fences; General Requirements] of the Longview Municipal Code to allow a private fence to encroach into unimproved right-of-way of the City of Longview in the R-1 Residential District.

Attachments: [ABA 2014-1 Staff Report for 3319 Nichols Blvd \(fence Variance\) 8-6-14](#)
[ABA 2014-1 Exhibit A & B application and site plan](#)
[Exhibit C Notice to Adjacent Property Owners ABA 2014-1](#)
[Exhibit D](#)
[Exhibit E Utility responses](#)

Chairman Mark Backstrom opened the public hearing for the first application and noted that since they are related he would ask for a vote on both after the reports and testimony had been read. Staff presented the staff reports for both applications. Mr. Backstrom invited testimony from the public. Applicant Michael Trinneer testified on his application that he has been concerned about his property and has had a neighbor who attracted a criminal element which used the back alley to come and go. He would like to construct a barrier that could easily be moved, but secured. The board members discussed the application and asked the City Engineer for an opinion on whether two swinging gates would be acceptable. Mr. Bozarth said they would if a key was given to City staff.

ABA 2014-2 Fence Waiver per §16.48.030 [Fences; General Requirements] of the Longview Municipal Code to allow a private fence to encroach into unimproved right-of-way of the City of Longview in the R-1 Residential District.

Attachments: [ABA 2014-2 Staff Report for 2625 Ocean Beach Highway \(fence Variance\)](#)
[Exhibit A & B application and site plan](#)
[Exhibit C Notice to Adjacent Property Owners ABA 2014-2](#)
[Exhibit D](#)
[Exhibit E Utility responses](#)

The second hearing was opened. Mr. Ngyen, applicant, testified that he did not want a gate any longer but wanted to fence a different portion of the ROW and not block access. He noted that since staff recommended denial of his application to fence part of the ROW he would simply like a gate to access his back yard from the unimproved ROW. He feared his neighbors application would prevent him from accessing his rear yard if approved. After Mr. Ngyen's testimony Mr. Backstrom opened up board discussion. Mr. Peters noted he did not hear agreement between the parties and since their applications depended upon one another and the potential problems noted from staff with blocking the ROW he was inclined to deny both. The board concluded their discussions and Mr. Peters made a motion to deny the 1st application. the motion was seconded and received a unanimous vote. Mr. Peters made a motion to deny the second application. The motion was seconded. In discussion it was noted the applicants could re-apply if they agreed upon a plan. The motion to deny the second application passed.

6. Other Business

Selection of Vice Chairperson

The board is without a vice-chair after the resignation of Mr. Caldwell. Mr.

Backstrom requested nominations for vice-chair. Roger Peters nominated Don Rodman. Tracy Goldsmith seconded the nomination. Mr. Rodman said he would accept. The group voted unanimously.

7. Adjournment

The meeting concluded at 5:15 pm.