



# City of Longview

1525 Broadway  
Longview, WA 98632  
www.ci.longview.wa.us

## Minutes

### Appeal Board of Adjustment

*Chairman Mark Backstrom  
Tracy Goldsmith  
Roger Peters  
Don Rodman  
Rex Whiteaker*

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Tuesday, October 13, 2015

4:30 PM

Longview Council Chambers

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#### 1. Call To Order

**Present:** Chairmain Mark Backstron, Vice Chair Don Rodman, Roger Peters, Tracy Goldsmith

**Excused:** Rex Whiteaker

**Staff present:** Adam Trimble, Planner; Steve Langdon, Planning Manager; Steve Shuman, Acting City Attorney; John Brickey, Community Development Director/Building Official; Craig Bozarth, City Engineer; and Nancy Vandehey, Administrative Assistant.

#### 2. Approval of Minutes

MINUTES OF THE AUGUST 11, 2015 APPEAL BOARD OF ADJUSTMENT MEETING

**Attachments:** [MINUTES OF THE AUGUST 11, 2015 APPEAL BOARD OF ADJUSTMENT MEETING](#)

The minutes of the August 11, 2015 meeting were accepted and approved.

#### 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.

*No oral communicaitons were received.*

##### 3.2 Written Communications.

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

*No written communications were received.*

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

*Mr. Trimble read the Declaration of Ex-Parte Communications and Appearance of Fairness into the record. No comments were received from the audience.*

#### **5. Public Hearings**

REQUEST FOR A FENCE WAIVER FROM THE FENCING REQUIREMENTS UNDER CHAPTER 16.48 OF THE LONGVIEW MUNICIPAL CODE.

Recommended Action: Motion to adopt the findings of the staff report and deny the application for a fence waiver at 302 Douglas Street.

**Attachments:**     [ABA 2015-6 Staff Report for 302 Douglas \(fence Variance\)](#)  
                              [EXHIBIT A application](#)  
                              [EXHIBIT B photos](#)  
                              [EXHIBIT C Notice to Adjacent Property Owners ABA 2015-6](#)

*Mr. Trimble presented the staff report, which included the following findings and recommendations:*

- The lot of the applicant is other than rectangular in shape and meets criteria (b) to apply for a waiver or reduction of the fencing requirements.*
- Granting a waiver of the fencing requirements will negatively affect safety and the public welfare, taking into consideration the prevention of fires, the public health and safety and the surrounding neighborhood. The fence as proposed will prevent pedestrians from passing each other comfortably without running up against a wall, reduce the space for bicycle handlebars to occupy when travelling on the sidewalk, reduce the sight distance for drivers pulling out of the alley and insert an obstruction into a right-of-way used by utility providers.*

*Staff recommends that the Appeal Board of Adjustment deny this request for a fence waiver due to the potential to negatively affect public safety and welfare and the safety of the surrounding neighborhood at 302 Douglas Street.*

*Demetrius Pye, applicant, stated public safety and trying to make the fence symmetrical as his primary reasons for fence waiver request. He does not live in Longview and was unaware that he would need a permit to place a fence.*

*Members of the board discussed location of the fence in relation to the property line, the probability of the location of a previous fence and the liability of allowing the fence waiver as requested.*

**A motion was made by Don Rodman, which was seconded by Roger Peters, deny this request for a fence waiver at 302 Douglas St. due to the potential to negatively affect public safety and welfare and the safety of the surrounding neighborhood, according to the recommendation and findings within the staff report. The motion carried unanimously.**

**6. Other Business**

**7. Adjournment**

*With no further business to discuss, the regular meeting of the Appeal Board of Adjustment adjourned at 5:03 p.m.*

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*Nancy Vandehey, Administrative Assistant*