



## Variance/Fence Waiver Application

Community Development Department ♦ 1525 Broadway, P.O. Box 128 ♦ Longview, WA 98632 ♦ 360.442.5086/Fax 360.442.5953

### Application for a Fence Waiver per the Longview Buildings and Construction Ordinance (Title 16)

LMC 16.48

Application Number: ABA 2018-3

Related Case Number(s): \_\_\_\_\_

THIS SECTION FOR OFFICE USE ONLY:

I hereby apply for a **Fence Waiver** from the following section of the Longview Municipal Code (LMC):

16.48.030 (1). The reason I am requesting a variance is because: \_\_\_\_\_

at Street: 1332 KESSLER BLVD, City of Longview, Washington.

Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_ Subdivision/Addition: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Applicant: JACKIE KELLY EVANS  
(Print All Information)

Phone: 360 430-4913

Contact Name: JACKIE EVANS

Fax: \_\_\_\_\_

Mailing Address: 1332 KESSLER BLVD  
(Street or PO Box)

City: LONGVIEW

State: WA

Zip: 98632

Is the applicant the property owner? ☒ YES ☐ NO If not, complete the following section.

Relationship to Owner: \_\_\_\_\_

Property Owner: JACKIE KELLY EVANS  
(Print All Information)

Phone: 360 430-4913

Mailing Address: 1332 KESSLER BLVD  
(Street or PO Box)

City: LONGVIEW

State: WA

Zip: 98632

**Justification:** (attach additional sheets as necessary):

- a. Describe the physical conditions and circumstances of the property (lot shape, slope, building location, easements, etc.) and how they affect the project for which the variance is being requested: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- a. Explain how the requested variance will be in harmony with the purpose and intent of the fence ordinance, will not be injurious to the neighborhood, or detrimental to the public welfare:

*Please see attached*

\_\_\_\_\_

\_\_\_\_\_

**The conditions under which the zoning board of adjustment may waive or reduce the requirements of this chapter, are as follows:** (respond if property meets the conditions)

- b. No improved alley exists at the rear of the lot of the applicant;

*See attached*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- c. or The lot of the applicant is other than rectangular in shape;

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- d. or The lot of the applicant contains more than one front yard as shown by the plat thereof;

\_\_\_\_\_

\_\_\_\_\_

- e. or The distance from the nearest property line of a corner lot to the traveled portion of the street is 11 feet or more:

\_\_\_\_\_

\_\_\_\_\_

NOTICE TO APPLICANT:

According to the Longview Municipal Code, the Appeal Board of Adjustment may authorize the granting of a variance to the Building and Construction ordinance, Title 16, where compliance with the requirements of the ordinance are impractical or impossible. No application for a variance shall be granted unless the Board finds:

- (1) The height and location of the proposed fence does not affect safety or the public welfare; taking into consideration the prevention of fires, the public health and safety and the surrounding neighborhood.
- (2) The conditions under which the zoning board of adjustment may waive or reduce the requirements of this chapter, are as follows:
  - (a) Where no improved alley exists at the rear of the lot of the applicant; or
  - (b) Where the lot of the applicant is other than rectangular in shape; or
  - (c) Where the lot of the applicant contains more than one front yard as shown by the plat thereof; or
  - (d) Where the distance from the nearest property line of a corner lot to the traveled portion of the street is 11 feet or more. (Ord. 1166 § 1, 1963).

FILING FEES:

Public Hearing Fee: ..... \$ 463.00  
Total Fees: ..... \$  
Comments: .....

LONGVIEW APPEAL BOARD OF ADJUSTMENT:

Public Hearing Scheduled: Date: ..... 4:30 PM  
Comments: .....  
.....

FOR STAFF USE:

- \_\_\_\_\_ Legal Description of Property.
- \_\_\_\_\_ Site Plan and/or building elevations, floor plans.
- \_\_\_\_\_ Copy of Deed Restrictions and Restrictive Covenants (CCR's).
- \_\_\_\_\_ Responses to the justification section addressing the nature of and reason for the variance, and information demonstrating that the requested variance conforms to the requirements contained in LMC 19.12.140.
- \_\_\_\_\_ Certificate of Appropriateness issued by the Historic Preservation Commission, if applicable.

Comments: \_\_\_\_\_

NOTES TO APPLICANT/OWNER:

1. If the Appeal Board of Adjustment or City Staff determine that additional and/or revised information is needed, and/or if other unforeseen circumstances arise, any dates outlined for processing the application may be rescheduled by the City.
2. All items shall be completed as determined by the Community Development Department prior to the application being deemed complete for processing.
3. All costs incurred by the City in reviewing this application shall be paid prior to any public hearings.
4. The applicant or authorized representative must attend the Appeal Board of Adjustment public hearing.

Comments: \_\_\_\_\_

SIGNATURES:

I/we understand that if it is determined the application is not complete, the City shall immediately reject the application and identify in writing what is needed to make the application complete for a public hearing. No public hearings will be scheduled on this application until all outstanding issues have been resolved and the application is considered complete.

I/we agree that the City of Longview staff may enter upon the subject property at any reasonable time to consider the merits of the application, to make assessments, take photographs and to post public hearing notices.

The information provided is "said to be true under penalty of perjury by the Laws of the State of Washington."

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner's Agent: \_\_\_\_\_ Date: \_\_\_\_\_  
(If different than property owner)

TO THE APPEAL BOARD OF ADJUSTMENT  
CITY OF LONGVIEW, WASHINGTON

The reason I am requesting a variance is because:

An 8'0" fence was purchased for the property at 1332 Kessler Boulevard and would be installed on the right front side of the property and to terminate at the right front side edge of the house per the site plan. We are requesting a fence be kept where the existing hedge exist, but with immediate mature laurel to replace the old hedge with the fence placed behind the laurel hedge.

Justification:

- a. Explain how the requested variance will be in harmony with the purpose and intent of the fence ordinance, will not be injurious to the neighborhood, or detrimental to the public welfare:

As shown by photos of the fence in the backyard, the same classic open fence design will also be used at the side and front of the house. The fence will be installed inside the hedge and trimmed to 8.0", replicating the look of the neighboring hedge. This would create harmony along the front to include both properties looking similar and attractive from the street. It is notable the landscaping surrounding the property has been carefully planned, planted and beautifully cared. It is hoped the front area could be improved by replacing old plantings and shrubs for a more attractive front yard. A fence would be hidden and also provide much needed security for the occupant of the home.

The conditions under which the zoning board of adjustment may waive or reduce the requirements of this chapter, are as follows:

- b. No improved alley exists at the rear of the lot of the applicant:

There is no alley way at this property. Note: The back of the yard is fenced the same as will be the side and the front of the property which will complete the total beautification of the property.

- c. The lot of the applicant is other than rectangular in shape

The lot is not a rectangular shape but other than a rectangular in shape.

- d. The lot of the applicant contains no more than one front yard as shown by the plat thereof:

The lot contains one front yard.

- e. The distance from the nearest property line of a corner lot to the traveled portion of the street is 11 feet or more.

Yes.