



City of Longview

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

Minutes

Agenda

Appeal Board of Adjustment

Tuesday, March 12, 2019

4:30 PM

Longview Council Chambers

1. **CALL TO ORDER**

Chairman Backstrom called the regular meeting of the Longview Appeal Board of Adjustments to order at 4:30 p.m. in the City Hall Council Chambers, 1525 Broadway, Longview, WA.

Present: Chairman Mark Backstrom, Vice Chairman Roger Peters, Tracy Goldsmith,
Absent: Dan Petersen, Steven Dahl

Staff Present: Adam Trimble, Planner; Sean Kelly, Assistant City Attorney; John Brickey, Community Development Director/Building Official; and Jeff Cameron, Public Works Director.
Absent: Nancy Vandehey, Administrative Assistant

2. **APPROVAL OF MINUTES**

19-00049 MINUTES FROM REGULAR APPEAL BOARD OF ADJUSTMENT MEETING ON DECEMBER 11, 2018.

A motion was made by Roger Peters, seconded by Tracy Goldsmith, that the minutes be accepted and approved.

3. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

3.1 Oral Communications

No oral communications were received.

3.2 Written Communications

No written communications were received.

4. **DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARANCE OF FAIRNESS**

The Declaration of Ex-Parte Communications and Appearance of Fairness Doctrine was read into the record by Adam Trimble and there was no comments from the audience.

5. **PUBLIC HEARINGS**

19-00048 ABA 2019-1 REQUEST FOR A FENCE WAIVER TO ALLOW A PRIVATE FENCE TO ENCROACH INTO UNIMPROVED RIGHT-OF-WAY BEHIND 1238 BALTIMORE STREET AND 1222 BALTIMORE STREET

Adam Trimble presented the staff report, which included the following findings and recommendations:

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

-Granting a waiver of the fencing requirements will not 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 and vehicles from entering the property where heavy equipment may be operated.

Staff recommends the appeal board of adjustment make a motion to approve the fence waiver subject to the following conditions:

-The applicant shall call for a utility locate prior to starting work.

-Fence posts may not be located on top of the City water or sewer lines and must maintain 5' of separation.

-The fence shall be built within the 'underlying fee' area of the property or; the fence may be built in the unimproved Right of Way in a location that is approved in writing by all affected property owners and the City of Longview.

-The City of Longview and any authorized agent shall not be held responsible nor liable for damage to, or destruction of, any structures built within the right-of-way in the course of routine or emergency access to the right-of-way in question.

-The property owner shall be responsible for all costs associated with removal, disposal, and replacement of any structures built within the right-of-way at such time that the unimproved ROW is improved.

Staff and the Board reviewed the aerial photo attachments. There was a discussion about the unimproved ROW, utilities within the ROW, and clarifying the affected property owners.

There was no audience participation.

A motion was made by Roger Peters, seconded by Tracy Goldsmith, that a fence waiver be granted as written and recommended by staff. The motion passed unanimously.

6. OTHER BUSINESS

No other business at this time.

7. ADJOURNMENT

With no further business to discuss, the meeting of the Appeal Board of Adjustments was adjourned at 5:00 pm.