



Agenda

Appeal Board of Adjustment

Tuesday, February 11,
2025

4:30 PM

Longview Council Chambers

1. **HYBRID MEETING DETAILS**

25-0060 Please click the link to join the webinar: <https://us02web.zoom.us/j/81922908550>
Webinar ID: 819 2290 8550
Or Telephone: (253) 205 0468; or (253) 215 8782; or (346) 248 7799

2. **CALL TO ORDER**

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

25-0061 MINUTES FROM JANUARY 14, 2025

5. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

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

7. **PUBLIC HEARINGS**

25-0066 ABA 2025-1 SPECIAL PROPERTY USE PERMIT (SPU) IN ACCORDANCE WITH LMC 19.12.050 & LMC 19.20.020 FOR BIG LEAF MONTESSORI TO UTILIZE A PORTION OF TRINITY LUTHERAN CHURCH BUILDING IN THE R-1 RESIDENTIAL DISTRICT AS A NEW SITE FOR THEIR ELEMENTARY SCHOOL CAMPUS.

RECOMMENDED ACTION:

MOTION TO GRANT APPROVAL FOR SPECIAL PROPERTY USE ABA2025-1 BY BIG LEAF MONTESSORI BASED ON THE FINDINGS AND CONCLUSIONS AND SUBJECT TO THE CONDITIONS IN THE STAFF REPORT DATED FEBRUARY 5TH 2025.

25-0067 ABA 2025-2 SPECIAL PROPERTY USE PERMIT (SPU) IN ACCORDANCE WITH LMC 19.12.050 & LMC 19.22.025 FOR CONSTRUCTION OF A 1,160 SQUARE FEET ACCESSORY DWELLING UNIT (ADU) AT 3339 PENNSYLVANIA St

RECOMMENDED ACTION:

MOTION TO GRANT APPROVAL FOR SPECIAL PROPERTY USE ABA2025-2 BY JAMES AND DANA REDMILL BASED ON THE FINDINGS AND CONCLUSIONS AND SUBJECT TO THE CONDITIONS IN THE STAFF REPORT DATED FEBRUARY 5TH 2025.

25-0068 ABA 2025-3 VARIANCE REQUEST IN ACCORDANCE WITH LMC 19.12.140 & LMC 16.48.020 FROM THE MAXIMUM ALLOWED FENCE HEIGHT OF 3 FEET AND PROPOSING A 6 FEET FENCES AT THE NW CORNER OF 1569 ALABAMA ST.

RECOMMENDED ACTION:

MOTION TO GRANT APPROVAL FOR VARIANCE REQUEST ABA2025-3 BY JUSTIN

**URBAN-PRIME CONSTRUCTION BASED ON THE FINDINGS AND CONCLUSIONS AND
SUBJECT TO THE CONDITIONS IN THE STAFF REPORT DATED FEBRUARY 5TH 2025.**

8. OTHER BUSINESS

25-0062 SET PUBLIC HEARINGS ON MARCH 11, 2025, IF NEEDED.

RECOMMENDED ACTION:

MOTION TO SET PUBLIC HEARINGS ON MARCH 11, 2025.

9. ADJOURNMENT



Minutes

Agenda

Appeal Board of Adjustment

Tuesday, January 14,
2025

4:30 PM

Longview Council Chambers

1. **HYBRID MEETING DETAILS**

25-0021 Please click the link to join the webinar: <https://us02web.zoom.us/j/81922908550>
Webinar ID: 819 2290 8550
Or Telephone: (253) 205 0468; or (253) 215 8782; or (346) 248 7799

2. **CALL TO ORDER**

The meeting was called to order at 4:31 pm.

3. **ROLL CALL**

*In attendance: Mark Backstrom, Chair; Roger Peters, Vice Chair; Dan Petersen; Steven Dahl; Arthur Chang
Staff: Nick Little, Community Development Director; Irene Rutikanga, Planner; Sam Barham, City Engineer; Nancy Vandehey, Admin Assistant*

4. **APPROVAL OF MINUTES**

25-0022 **MINUTES FROM DECEMBER 10, 2024**

*The minutes were not attached to the agenda packet, so they were given to the board in hard copy at the beginning of the meeting.
The minutes were approved as presented. This passed unanimously.*

5. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

None.

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

Irene Rutikanga read the Declaration and there was no objections.

7. **PUBLIC HEARINGS**

25-0023 **ABA 2024-9 FOR A SIGN VARIANCE AT 2614 OCEAN BEACH HIGHWAY FOR
NORTHLAKE BAPTIST CHURCH.**

RECOMMENDED ACTION:

**MOTION TO GRANT APPROVAL OF ABA 2024-9 THE VARIANCE FOR NORTHLAKE
BAPTIST CHURCH TO ERECT AN EMC SIGN WHICH EXCEEDS THE SQUARE FOOT
REQUIRED BY LMC 19.22.040 SUBJECT TO CONDITIONS LISTED IN STAFF REPORT.**

Due to a potential conflict, Chair Mark Backstrom recused himself from this item and left the room. Roger Peters, Vice Chair, led the meeting for this item.
Irene Rutikanga shared a presentation. He discussed citizen communications that he had prior to the meeting.
There was a discussion on sight distance.

The public hearing opened at 4:50 pm.
Josh Wenzek, Youth Pastor, spoke in favor.
Ramona Leber, spoke about a concern.
Brad Fisher, spoke in favor.
The public hearing closed at 5:00 pm.

There was a discussion of accidents at the location. LMC 19.22 was presented for board to review.

Steve Dahl, seconded by Dan Petersen, made motion to grant approval of ABA 2024-9 the variance for Northlake Baptist Church to erect a 64.4 sf EMC sign which exceeds the 30 sf required by LMC 19.22.040 subject to conditions: 1) EMC shall be completely turned off between 9 pm to 6 am (academic use); and 2) EMC shall incorporate photocell/light sensors, with automatic dimming technology that appropriately adjusts to ambient light conditions. This passed unanimously.

8. **OTHER BUSINESS**

25-0024 SET PUBLIC HEARINGS ON FEBRUARY 11, 2025 TO HEAR:

- **ABA 2025-1 - Special Property Use for Big Leaf Montessori school site in the R-1 Residential District at 2021 Washington Way**
- **ABA 2025-2 - Special Property Use for a detached ADU at 3341 Pennsylvania St**
- **ABA 2025-3 - Variance request to allow for a 6 ft fence on 1569 Alabama St**

RECOMMENDED ACTION:

MOTION TO SET PUBLIC HEARINGS ON FEBRUARY 11, 2025.

Irene Rutikanga briefly spoke on the upcoming items for public hearings.

Steve Dahl, seconded by Roger Peters, made a motion to set public hearings on February 11, 2025. This passed unanimously.

Nick Little addressed the legislative changes that he plans to bring to Council on January 23rd.

Nancy Vandehey asked the board about elections of Chair and Vice Chair.

Steve Dahl, seconded by Dan Petersen, made a motion for the year of 2025 to keep the existing Chair and Vice Chair. This passed unanimously.

Bylaws to be brought to the board with clarification in March.

9. **ADJOURNMENT**

The meeting was adjourned at 5:18 pm.



City of Longview

Agenda Summary

ABA 2025-1 SPECIAL PROPERTY USE PERMIT (SPU) IN ACCORDANCE WITH LMC 19.12.050 & LMC 19.20.020 FOR BIG LEAF MONTESSORI TO UTILIZE A PORTION OF TRINITY LUTHERAN CHURCH BUILDING IN THE R-1 RESIDENTIAL DISTRICT AS A NEW SITE FOR THEIR ELEMENTARY SCHOOL CAMPUS.

RECOMMENDED ACTION:

MOTION TO GRANT APPROVAL FOR SPECIAL PROPERTY USE ABA2025-1 BY BIG LEAF MONTESSORI BASED ON THE FINDINGS AND CONCLUSIONS AND SUBJECT TO THE CONDITIONS IN THE STAFF REPORT DATED FEBRUARY 5TH 2025.

Attachments:

1. Staff Report
2. Exhibit A Special Property Use Permit Application
3. Exhibit B Notice to Neighbors
4. Exhibit C Aerial image
5. Exhibit D Legal Notice of Public Hearing
6. Exhibit E Project Narrative
7. Exhibit F Traffic Plan



**STAFF REPORT
to the
LONGVIEW APPEAL BOARD OF ADJUSTMENT**

PRESENTED BY: Irene Rutikanga, Planner

HEARING DATE: February 11th , 2025

APPLICATION NO.: ABA 2025-1

APPLICANT: Alicia Jackson- Big Leaf Montessori

PROPERTY OWNER: Trinity Lutheran Church

REQUEST: Special Property Use permit (SPU) in accordance with LMC 19.12.050 & LMC 19.20.020 for Big Leaf Montessori to utilize portion of Trinity Lutheran Church building in the R-1 residential District as a new site for their elementary school campus.

LOCATION: 2021 Washington Way. Parcel number involved: 01328.

ASSOCIATED CASES: N/A

ZONING DISTRICT: R-1 Residential District

BACKGROUND AND PROPOSAL

Big Leaf Montessori is proposing to rent out a portion of Trinity Lutheran church at 2021 Washington Way 20th Ave, Longview, WA 98632 and use a portion of the site as their new elementary school campus. Big leaf Montessori is a private school, and their new site location is in the R-1 Residential District. Private schools are allowed in the R-1 Residential District under a Special Property Use. Students and staff will be on campus Monday-Friday between 7 AM and 5 PM with most church activities held in the evenings and weekends. The proposed site is already equipped with classrooms previously utilized for Sunday school instruction and the school is estimating 25 enrolled students and with a maximum enrollment of 50 students

Neighboring land-uses include:
North – multifamily residences .
South – single family residences.
East – single family residences.
West – single family residences.

The Comprehensive Plan classification for the site is Low Density Residential.

In accordance with LMC §19.12.090(1), written notice of the public hearing for the Special Property Use Permit petition was mailed to the applicant and to the owners of all properties adjacent to or abutting this proposal on January 28th, 2024. [Exhibit B].

The property was posted with a notice of public hearing announcing the proposed special property use application. Legal notice of the public hearing appeared in the Longview Daily News. No comments have been provided as of the date of this report.

SEPA DETERMINATION

Not required.

CRITICAL AREA ORDINANCE REQUIREMENTS

None.

APPLICABLE CODE SECTIONS

Section 19.20.020-1 and 19.12.050(2) of the Longview Municipal Code (LMC) requires the land use proposed to receive approval via a public hearing process, and the issuance of a Special Property Use Permit by the Appeal Board of Adjustment.

LMC § 19.12.050 Power of Board – Special Property Use

1. Recognizing that there are certain uses of property that may or may not be detrimental to the public health, safety, morals and general welfare, depending upon the facts in each particular case, a limited power to issue special permits for such uses is vested, by special mention in this title, in the board.
2. The board shall have an exercise original jurisdiction in receiving, granting or denying all applications for such special property uses as are provided for in this title and shall have the power to place in such permits, conditions or limitations in its judgment required to secure adequate protection to the zone or locality in which such use is to be permitted. No special permit shall be issued by the board until after public hearing, as hereinafter provided, and until after the building official has found that all other provisions of this code, with which compliance is required, have been fulfilled.
3. No such special property use permit shall be granted by the board unless it finds:

(a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare;

(b) In making such determination the board shall be guided by the following considerations and standards:

- (i) That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity,
- (ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic,
- (iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment,
- (iv) That adequate off-street parking will be provided to prevent congestion of public streets [LMC 19.12.050].

LMC §19.12.120 Special Property Use Permits – Time Limitation

Whenever the board by its decision authorizes the issuance of a permit for a special property use, if such building permit and/or occupancy permit is not obtained by the applicant within six months from the date of the board's decision, the board's decision shall cease to be effective.

STAFF ANALYSIS

In reviewing LMC §19.12.050, which contains the criteria that shall guide the Board during their review of this petition, staff finds the following:

- (i) *That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity.*

The portion of Trinity Lutheran Church that is being rented out for the Montessori elementary school site use will not be detrimental to the character and use of the adjoining buildings and those in the vicinity. The proposed space is being used for Sunday School, a use that is similar to the elementary school use proposed by Big Leaf Montessori

- (ii) *That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic.*

Based on the size of the anticipated number of 25 enrolled students and a maximum enrollment of 50 students, the school is not expected to generate a significant traffic impact greater than currently being generated.

The use does not appear to create a hazard in the immediate area for pedestrian or vehicular traffic. The city engineer reviewed the proposed traffic plan and determined there are no concerns for vehicular and pedestrian traffic.

Students will be driven to school by parents as Big Leaf Montessori is a private school. The roads are developed to city standards to accommodate vehicular traffic, and there are sidewalks on both 20th Ave and Washington Way for pedestrian travel. A crosswalk is located at the intersection of 20th Ave and Washington Way to facilitate pedestrian crossing.

- (iii) *That adequate ingress and egress will be available for fire and other vehicular emergency equipment.*

Adequate Ingress and egress currently serving the church is available for fire and other vehicular emergency equipment on Washington Way and 21ST Ave.

- (iv) *That adequate off-street parking will be provided to prevent congestion of public streets.*

Per LMC 19.78.100, Private Elementary Schools must provide one parking space for each employee and faculty member. Big Leaf Montessori anticipates having 3-6 staff members on the premises daily and, therefore, would have to provide a maximum of 6 parking spaces. Big Leaf Montessori school will utilize the church parking, which is adequate to accommodate the required parking spaces.

LMC §19.12.050 also requires the Board to adopt the following finding if granting the Special Property Use Permit:

- (a) *That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare.*

With the necessary infrastructure in the area such as sidewalks, street crossing, adequate parking and stop signs and no proposed changes to the existing structure, the proposed use should not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals, and general welfare.

Additionally, the city fire marshal conducted an inspection of the site to ensure it was adequate to accommodate the proposed use. During his inspection, the fire marshal expressed no concerns about the site's ability to accommodate the intended use; however, he provided conditions of approval that Big Leaf Montessori must fulfill as they operate the site.

STAFF DISCUSSION

The city's Building Official and Fire Marshall have reviewed the Special Use Application for 2021 Washington Way and have expressed no concerns.

As of this writing, staff have not received any written comments regarding this proposal as a result of the notice of public hearing that was mailed to all adjoining or adjacent property owners, the public notice posting, or legal ads published in the newspaper.

Overall, the proposed use appears to be generally similar to the Sunday school use currently being utilized by the church and thus does not present a compatibility issue. Additionally, based on the anticipated number of students enrolled, the use will not generate significant traffic impact that would cause a hazard to the surrounding uses.

STAFF FINDINGS

1. The use for which such permit is sought for is similar to one of the current uses of the property in terms of characteristics and will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals, and general welfare.
2. There is existing infrastructure to serve vehicular and pedestrian traffic without causing a hazard to the surrounding uses.
3. The R-1 District (LMC19.20) permits the proposed use subject to a granting of a Special Property Use Permit by the Longview Appeal Board of Adjustment.
4. The use provides adequate ingress and egress for fire and other vehicular emergency equipment.
5. There is adequate parking to serve the proposed use.

CONDITIONS OF APPROVAL:

1. The existing fire sprinkler system in the facility must remain in service and maintained as required.
2. Should the number of students and staff exceed 50, a fire alarm system will be required for the areas utilized by the school
3. Install combination smoke / carbon monoxide alarms in areas to be used by the school.
4. Emergency lighting to be upgraded in those areas needing additional (or replacement) units

RECOMMENDATION

Motion to grant approval for Special Property Use ABA 2025-1 by Big Leaf Montessori based on the findings and conclusions and subject to the conditions in the staff report dated February 5th, 2025

1. EXHIBITS

- A. Special Property Use Permit Application
- B. Notice to Neighbors
- C. Aerial Image
- D. Legal Notice of Public Hearing
- E. Project Narrative
- F. Traffic Plan

Staff Report Date: Wednesday, February 05, 2025



Permit/Plan Review Application

Building/Plumbing/Mechanical/Fire Life Safety

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

All Applicable Blanks Must Be Filled In. Use INK OR TYPE – DO NOT USE PENCIL

PROPERTY INFORMATION

Project Address: <u>2021 Washington Way</u>	Suite #	Parcel #: <u>01328</u>
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APPLICANT INFORMATION (info for person signing application)

Applicant/Authorized Agent: <u>Alicia Jackson</u>	Email Address: <u>bigleafmontessori@gmail.com</u>
Mailing Address: <u>1428 22nd Ave.</u>	City: <u>Longview</u> State: <u>WA</u> Zip: <u>98632</u>
Daytime Phone: <u>(360) 200-8976</u>	Cell/Alternate Phone: <u>360-430-5578</u>

PROJECT PROPERTY OWNER INFORMATION

Property Owner: <u>Trinity Lutheran</u>	Email Address: _____
Mailing Address: <u>2021 Washington Way</u>	City: <u>LV</u> State: <u>WA</u> Zip: <u>98632</u>
Daytime Phone: <u>(360) 423-6750</u>	Cell/Alternate Phone: _____

CONTRACTOR INFORMATION OR OWNER AS CONTRACTOR—Note licensed contractor's info or state if owner is to do work.

Contractor's Name or Owner: <u>Trinity Lutheran</u>	Email Address: _____		
Mailing Address: <u>see above</u>	City: _____ State: _____ Zip: _____		
Daytime Phone: ()	Cell/Alternate Phone: ()		
City Business License #	UBI#	State Contractor License #	Exp. Date:

TYPE OF PERMIT - Check the type or types of permits you are applying for: N/A at this time

- | | | |
|--------------------------------------|--|---|
| ☐ RESIDENTIAL | ☐ Building | ☐ FIRE/LIFE SAFETY |
| ☐ COMMERCIAL | ☐ *Plumbing # fixtures _____ | ☐ Fire Sprinkler |
| | ☐ Mechanical # of units _____ | ☐ Fire Alarm |
| | | ☐ Other |

*Plumbing permits cannot be issued to general contractors. Contact Washington Labor and Industries for electrical permitting.

DETAILED DESCRIPTION OF PROJECT (Details/specifics about what you want to build, plumb, install, etc.)

<u>applying for special property use for new school site</u>		
Water Provided By: City of LV ☒ PUD _____ Other _____	Sewage Disposal: City of LV ☒ BHSD _____ Septic _____	
Will any work be done in the public right-of-way: (circle one) YES ☐ NO ☒	# sets of plans submitted: _____	

PROJECT INFORMATION

Valuation of Complete Project (Pre- Tax) \$	Square Footage:	Number of Stories:
Amount of Cubic Yards of Grading/Filling Associated with Project:		# New/added Parking Spaces:
Existing Amount (sq ft) of Impervious Surface:	New Amount:	Total Amount:

I hereby certify that I have read and examined this application and know the same to be true, accurate and complete under penalty of perjury by the laws of the State of Washington.

APPLICANT'S
SIGNATURE

Alicia Jackson

PRINTED NAME

Alicia Jackson

DATE

12-11-24

Special Property Use Permit Application to the Appeal Board of Adjustment

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

Special Property Use Permit Application To the Appeal Board of Adjustment

LMC 19.12

Case Number: _____

Related Case Number: _____

THIS SECTION FOR OFFICE USE ONLY:

APPLICATION AND AUTHORIZING SIGNATURES

Each current property owner of record must sign the application or provide a letter authorizing an agent or representative to act on his or her behalf.

I hereby apply for the Special Property Use Permit as described in this application and certify that the information provided is accurate. I further certify that I am authorized to make the application and that there are no covenants, conditions, or restrictions that may limit or prohibit the Special Property Use Permit requested.

Property Owner: Trinity Lutheran Church Phone: 360-423-6750
(Print All Information)

Mailing Address: 2021 Washington Way Fax: _____
(Street or PO Box)

City: Longview State: WA Zip: 98632

Property Owner: _____ Phone: _____

Mailing Address: _____ Fax: _____
(Street or PO Box)

City: _____ State: _____ Zip: _____

Applicant: Alicia Jackson Phone: 360-200-8976
(Print All Information)

Mailing Address: 1428 22nd Ave Email: bigleafmontessori@gmail.com
(Street or PO Box)

City: Longview State: WA Zip: 98632

Relationship to Property Owner: lessee

BASIC INFORMATION ABOUT THE SITE AND PROPOSAL (attach additional pages if necessary)

Briefly describe the proposed project (land use) and/or type of business you wish to conduct: _____

see attached pages

Address of Property: 2021 Washington Way Parcel No. 01328

Comprehensive Plan Designation: _____ Zoning District: _____

Current Use of Property: Assembly-702

Gross land area of the site to be developed: 0 Square Feet _____ Acres

Net land area (gross land area minus land dedicated for public purposes): _____

Describe any existing structures on the site: Church, 9,914 sq. ft.

Number and surface type of all existing driveways at the site: 2, concrete + asphalt

Number, type and dimensions of existing signage at the site: 2, one wood, one electronic reader board

Describe signage proposed for the land use requested: 1, a banner approx. 4ft x 6ft. staked into ground

Existing zoning and land uses of adjacent properties (including across the street, if applicable):

North: 446 Current Land Uses: parking

South: _____ Current Land Uses: Residential

East: _____ Current Land Uses: Residential

West: _____ Current Land Uses: Residential

Describe any Critical Areas identified on or located within 300 feet of the site: None

Describe any private wells, septic tanks, drain fields, etc. located on the site: _____

BASIC INFORMATION ABOUT THE SITE AND PROPOSAL (CONT'D)

Proposed hours of operation: 7:00 am - 5:00 pm, Monday - Friday

Describe how parking will be accommodated for the proposed use: see attached pages.

Describe how the proposed use will impact traffic circulation: see attached pages

To assess whether the City will need additional information and/or whether you need to obtain additional permits or applications from other departments or agencies, please answer the following questions:

Will the proposed land use:

- | | | |
|--|-----------|-------------|
| a) Require removal or demolition of any existing structure(s)? | Yes _____ | No <u>✓</u> |
| b) Affect historic structures or historically significant features? | Yes _____ | No <u>✓</u> |
| c) Require a Variance from a development standard? | Yes _____ | No <u>✓</u> |
| d) Involve fill or removal of contaminated soils or hazardous materials? | Yes _____ | No <u>✓</u> |
| e) Involve grading/fill over an existing public storm drain, sanitary sewer or water line? | Yes _____ | No <u>✓</u> |
| f) Involve land that has a slope of 15% or greater? | Yes _____ | No <u>✓</u> |
| g) Require an Environmental Checklist be submitted and reviewed under the SEPA Rules (WAC 197-11)? | Yes _____ | No <u>✓</u> |
| h) Be located within 300 feet of a shoreline? | Yes _____ | No <u>✓</u> |

If you answered yes to any of the above, please contact the Planning Division before submitting your application.

SPECIAL PROPERTY USE PERMIT REVIEW CRITERIA AND DEVELOPMENT STANDARDS

In accordance with LMC 19.12.050, the Appeal Board of Adjustment shall exercise jurisdiction in receiving, granting or denying applications for Special Property Uses. No Special Property Use Permit shall be issued by the Board until after a public hearing, and until after the Building Official has found that all other provisions of the Longview Municipal Code have been fulfilled.

Criteria reviewed by the Appeal Board of Adjustment include:

- 1) The proposed use is consistent with the intended character of the zoning district and the operating characteristics of the neighborhood.
- 2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, or that the proposal identifies acceptable mitigation measures.
- 3) The transportation system is capable of supporting the proposed land use in addition to the existing land uses in the area. Evaluation factors include street capacity and level of service, availability of off-street parking to accommodate the proposed land use, access requirements, neighborhood impacts, and pedestrian safety.
- 4) Public services for water, sanitary and storm sewer, and to ensure that fire and police protection are capable of servicing the proposed land use and the immediate area.

Criteria that the Board utilizes to review all applications is established in LMC §19.12.050.

FILING FEES:

Public Hearing Fee: Per LMC 19.06.060

SEPA Review Fee(if applicable): Per LMC 17.02.070

Total Fees: _____

Comments: _____

LONGVIEW APPEAL BOARD OF ADJUSTMENT:

Public Hearing Scheduled: Date: _____ 4:30 PM

Comments: _____

FOR STAFF USE ONLY:

- _____ Telecommunications Facility Propagation Map provided, if applicable.
- _____ Legal Description of Property.
- _____ Copy of Deed Restrictions and Restrictive Covenants (CCR's).
- _____ One copy of the property deed; and, if the applicant is not the owner, a notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.
- _____ Title Report, if applicable.
- _____ Critical Area Permit, if required.
- _____ SEPA Environmental Checklist, if required.
- _____ 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 and be prepared to respond to any questions the Appeal Board may have.
5. **Time limitation for Special Property Uses:** if such building permit and/or occupancy permit is not obtained by the applicant within six months from the date of the board's decision, the board's decision shall cease to be effective.

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.

I/we declare under penalty of the perjury laws that the information provided on this form/application is true, correct and complete.

Signature of Property Owner: *To [Signature]* *Trinity Lutheran Church Council President* Date: *12-11-24*

Signature of Property Owner: _____ Date: _____

Signature of Applicant: *Alicia Jackson* Date: *12-5-24*
(If different than property owner)



January 28, 2025

NOTICE OF PUBLIC HEARING

Longview Appeal Board of Adjustment

4:30 P.M. Tuesday, February 11th, 2025, for a ‘hybrid’ in-person or virtual meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/81922908550>

Or phone in for audio only: (253) 215 8782 or (408) 638 0968

Webinar ID: 819 2290 8550

Case No: ABA 2025-1

Applicant: Alicia Jackson- Big Leaf Montessori

Location: 2021 Washington Way, City of Longview, WA 98632

Request: **Special Property Use permit (SPU) in accordance with LMC 19.12.050 & LMC 19.20.020 for Big Leaf Montessori to utilize portion of Trinity Lutheran Church building in the R-1 residential District as a new site for their elementary school campus**

Why You Are Receiving This Notice: You own real property located adjacent to or abutting the property affected by the Special Property Use request. The Longview Municipal Code requires all property owners owning real property located adjacent to or abutting a land use proposal subject to a public hearing to be notified of the proposal and of the hearing date, place, and time. Contact: Irene Rutikanga, Planner 360-442-5083

Copies of the associated documents are available for review online at mylongview.com under ‘Agendas & Minutes’ one week in advance of the Public Hearing.

Comments: If you would like to provide comments in writing on this proposal, please submit them **no later than 4:00 p.m. Tuesday, February 11th, 2025**, to the City of Longview Community Development Department, PO Box 128, Longview, WA 98632, **ATTN: Irene Rutikanga, Planner.** For electronic comments, provide your comments along with full name, address, and contact information to irener@ci.longview.wa.us **RE: ABA 2025-1**

Public Hearing: You are invited to attend the Appeal Board of Adjustment public hearing scheduled for 4:30 P.M. Tuesday, February 11th, 2025, either in-person at Longview City Hall Council Chambers, 1525 Broadway Street, OR on the virtual meeting platform Zoom (online or phone-in).

Please contact the City Clerk’s Office at 360-442-5041 with any accessibility requests.

Location: 3339 Pennsylvania St



Notice filed by:
Irene Rutikanga, Planner
Community Development Department, City of Longview



1149

1145

1135

2110

2116

2122

2100

2111

2123

1077

2129

2135

2024

2000

2021

1108

1104

2099

2006

1123

1117

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1128

1138

1132

1128

1124

1118

1110

1952

1923

1929

1935

1153

1159

1149

1143

1139

1133

1129

1125 Unit A

1125

1119

1115

1109

1199

18th Ave

1124

1118

1114

Washington Way

Florida St

Washington Way

21st Ave

21st Ave

AFFIDAVIT OF PUBLICATION

Longview Daily News
770 11th Ave
(360) 577-2525

State of Florida, County of Broward, ss:

Stefani Beard, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Longview Daily News, published in Cowlitz county, has been approved as a Legal newspaper by order of the Superior court of the State of Washington of Cowlitz County, and that the Annexed printed copy is a true copy of the notice in the above entitled matter as it was printed in the regular entire issue of said paper and online at www.tdn.com , for publication dates as listed below, and that said newspaper was regularly distributed to its subscribers during all of said period, and that said notice was published in said paper and not in a supplement form. That the full amount of the fee charged for said forgoing publication is as listed below, and is \$3.50 per line for the first insertion and \$3.00 per line for each subsequent insertion. There is also an additional charge of \$10.00 for every additional affidavit copy over two copies.

PUBLICATION DATES: January. 28 2025

NOTICE ID: r3sJpQPZ75C5QulYyIti
PUBLISHER ID: COL-WA-100652
NOTICE NAME: ABA 2025-1
Publication Fee: \$262.48

(Signed) Stefani Beard

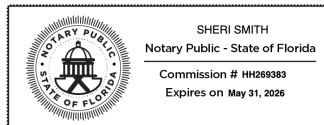
VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 01/29/2025

S. Smith

Notary Public
Notarized remotely online using communication technology via Proof.



**Notice of Public Hearing
Longview Appeal Board of
Adjustment**

4:30 P.M. Tuesday, February 11th, 2025, for a "hybrid" in-person or virtual meeting.

Join Zoom Meeting

<http://us02web.zoom.us/j/B1922908550> Or phone in for audio only: (253) 215 8782 or (408) 638 0968

Webinar ID: 819 2290 8550

Case No: ABA 2025-1

Applicant: Alicia Jackson-Big Leaf Montessori

Location: 2021 Washington Way
Request: Special Property Use permit (SPU) in accordance with LMC 19.12.050 & LMC 19.20.020 for Big Leaf Montessori to utilize portion of Trinity Lutheran Church building in the R-1 residential District as a new site for their elementary school campus.

Copies of the associated documents are available for review online at MyLongview.com under "Agendas and Minutes" one week in advance of the Public Hearing.

Comments: If you would like to provide comments in writing in this proposal, please submit them no later than 4:00 p.m. Tuesday February 11th, 2025, to the City of Longview Community Development Department, PO Box 128, Longview WA 98632, ATTN: Irene Rutikanga. For electronic comments, provide your comments along with full name, address and contact information to irener@ci.longview.wa.us RE: ABA 2025-1.

Public Hearing: You are invited to attend the Appeal Board of Adjustment public hearing scheduled for 4:30 p.m. Tuesday February 11th, 2025, either in-person at Longview City Hall Council Chambers, 1525 Broadway Street, OR on the virtual meeting platform Zoom (on-line or phone-in.)

Please contact the City Clerk's Office at 360-442-5041 with any accessibility requests.
1/28 COL-WA-100652

Proposed Use:
Big Leaf Montessori School
Elementary Campus, 25-40 students
2021 Washington Way, Trinity Lutheran Church

Big Leaf Montessori School is a private school serving the greater Longview area since 2015. We provide individualized instruction with hands-on materials in multi-age classrooms. With steady growth anticipated, our Elementary program is at capacity and we are in need of an additional Elementary campus. Trinity Lutheran Church, 2021 Washington Way, has agreed to lease their Education wing beginning in Fall of 2025.

Students and staff will be on campus Monday-Friday between 7 AM and 5 PM. With the majority of church activities held evenings and weekends we believe this arrangement will be mutually beneficial.

The proposed site is already equipped with many classrooms previously utilized for Sunday school instruction. Pending a review by Building, Fire and Health departments, we anticipate few modifications will be needed to ready the space for our students.

Although we serve children from Clark, Skamania, Lewis and Columbia counties in our school, nearly 20% of our students live within walking distance. Recent improvements by the City to neighboring crosswalks and the addition of bike lanes will allow safe routes to school.

Being a neighborhood school is important to our families, as well as our curriculum. Our Elementary students utilize nearby parks for PE and recess. Our summer program enjoys fishing at the Lake. We check out books from the Longview Public Library, attend the YMCA for swimming lessons, and more. The close proximity of the two campuses (about three blocks) will allow us to share staff and maintain a connection between our younger Primary students and Elementary students.

When we moved into the Old Westside neighborhood we made a pledge to be conscientious neighbors and to make a positive impact. We are proud of the connections we have made, our many beautification projects, and improvements to block safety with our daily presence and vigilance.

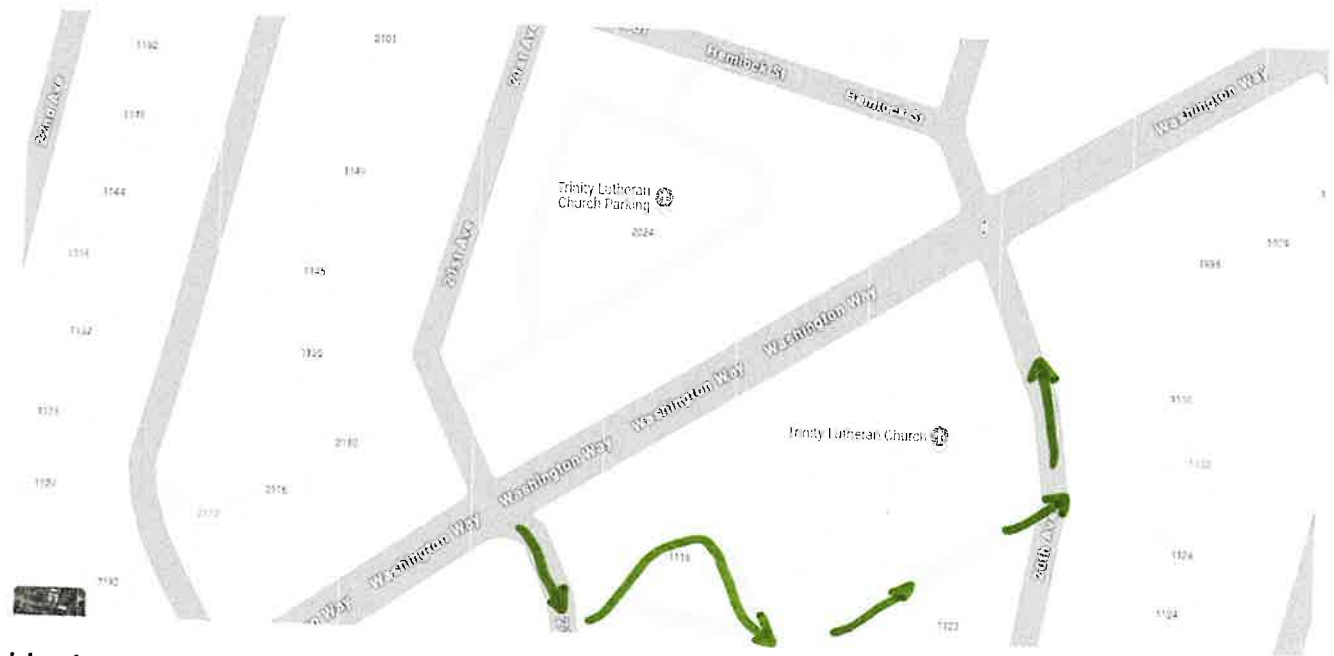
Adding our Elementary Campus will allow us to continue providing the same quality, student-led instruction we've been providing to the community for the past decade.

Big Leaf Montessori Proposed Traffic Plan Trinity Lutheran Church Fall 2025

Big Leaf Montessori is opening an Elementary campus at 2021 Washington Way in Fall 2025.

We estimate 25 enrolled students, with a maximum enrollment of 50 students.

We anticipate 70% of students will be driven to school, as we are a private school serving the greater Cowlitz County area. We plan to limit traffic congestion in the surrounding residential neighborhood as much as possible.



- Staff will park in the Trinity Lutheran Church Parking Lot, 2024 Washington Way, which has many stalls. We estimate there will be between 3-6 staff parking in this lot during school hours, 7 AM- 5 PM.
- Parents will enter from Washington Way and exit on 20th, utilizing the alley and adjacent parking lot for a drop-off loop, as shown above.
- A map of the designated route will be included in the Parent/Student Handbook. All families will be provided a copy of the handbook and this will be reviewed at parent orientations.
- Students will enter the building safely through the parking lot/alley. Students will be greeted and dismissed by Big Leaf Montessori staff to ensure students are following safety guidelines in the parking lot.



City of Longview

Agenda Summary

ABA 2025-2 SPECIAL PROPERTY USE PERMIT (SPU) IN ACCORDANCE WITH LMC 19.12.050 & LMC 19.22.025 FOR CONSTRUCTION OF A 1,160 SQUARE FEET ACCESSORY DWELLING UNIT (ADU) AT 3339 PENNSYLVANIA St

RECOMMENDED ACTION:

MOTION TO GRANT APPROVAL FOR SPECIAL PROPERTY USE ABA2025-2 BY JAMES AND DANA REDMILL BASED ON THE FINDINGS AND CONCLUSIONS AND SUBJECT TO THE CONDITIONS IN THE STAFF REPORT DATED FEBRUARY 5TH 2025.

Attachments:

1. 3339 Pennsylvania St staff report
2. Exhibit A Special Property Use Permit Application
3. Exhibit B Aerial Image
4. Exhibit C Notice to Neighbors
5. Exhibit D Site Plan
6. Exhibit E Legal Notice of Public Hearing



STAFF REPORT
to the
LONGVIEW APPEAL BOARD OF ADJUSTMENT

PRESENTED BY: Irene Rutikanga, Planner

HEARING DATE: February 11th, 2025

APPLICATION NO.: ABA 2025-2

APPLICANT: James and Dana Redmill

PROPERTY OWNER: James and Dana Redmill

REQUEST: Special Property Use permit (SPU) in accordance with LMC 19.12.050 & LMC 19.22.025 for construction of a 1,160 square feet Accessory Dwelling Unit (ADU) at 3339 Pennsylvania St.

LOCATION: 3339 Pennsylvania St. Parcel number involved: 02505.

ASSOCIATED CASES: N/A

ZONING DISTRICT: TNR- Traditional Neighborhood Residential

BACKGROUND AND PROPOSAL

The property owner of 3339 Pennsylvania St proposes to establish a detached accessory dwelling unit (ADU) on their property [Exhibit A Application and Exhibit B site aerial Image]. The lot is 12,090 Sf. The proposal is to construct a detached 1,160 sf ADU in the back of the newly constructed house. Accessory dwelling units (ADUs), are allowed in all residential zones, however, detached Accessory Dwelling Units are permitted as a Special Property Use. The unit may share utilities with the home or construct separate utilities.

As part of the permit process, the owners will be asked to sign an affidavit stating their agreement to use the property only in accordance with the requirements of 19.22.025 of the

Longview Municipal Code, which requires the owner of the property to reside in either the ADU or the principal home.

Neighboring land-uses include:

North – single family residences.

South – single family residences.

East – single family residences.

West – single family residences.

The Comprehensive Plan classification for the site is Traditional Neighborhood Residential.

In accordance with LMC §19.12.090(1), written notice of the public hearing for the Special Property Use Permit petition was mailed to the applicant and to the owners of all properties adjacent to or abutting this proposal. [Exhibit C].

The property was posted with a notice of public hearing announcing the proposed special property use application. Legal notice of the public hearing appeared in the Longview Daily News. No comments have been provided as of the date of this report.

SEPA DETERMINATION

Not required.

CRITICAL AREA ORDINANCE REQUIREMENTS

None.

APPLICABLE CODE SECTIONS

Section 19.22.025(8)(a) of the Longview Municipal Code (LMC) requires the land use proposed to receive approval via a public hearing process, and the issuance of a Special Property Use Permit by the Appeal Board of Adjustment. The specific code citations are listed below.

19.22.025 Accessory dwelling units.

(7) Standards for Detached ADUs. In the event that the appeal board of adjustment grants a special property use permit for the construction of a detached ADU (i.e., an ADU that is not added to or created within the single-family dwelling) in accordance with LMC 19.12.055, all of the provisions of this chapter shall be applicable thereto. In addition, the following provisions shall be applicable to such detached ADUs:

(a) Landscaping may be provided for the privacy and screening of adjacent properties. Tall vegetative landscaping may be required between any windows or decks facing adjacent residential properties.

(b) Two-story, detached accessory dwelling units may be designed to protect the privacy of adjacent residential uses.

(c) Detached accessory dwelling units are not permitted in townhouse, zero lot line detached housing, or attached zero lot line housing developments. (c) The lot or tract of land upon which such ADU is to be constructed has no direct access to an alley or any street other than the street upon which the single-family dwelling to which the ADU is accessory fronts.

(8) Special Property Use Hearings.

(a) All proposed detached ADUs shall require a special property use permit be granted by the appeal board of adjustment with consideration of impacts to privacy of neighboring properties. Where practical, locate and design the ADU to minimize disruption of privacy and outdoor activities on adjacent properties. Strategies to accomplish this include, but are not limited to: window staggering, entries face away, no overlooking decks, landscaping.

(b) In its consideration of an application, the board shall evaluate:

(i) Compliance with subsections (8)(a) and (b) of this section.

(ii) Window locations.

(iii) Impacts from shading of neighboring properties, specifically solar access and impacts to existing solar collection systems, photo-voltaic or solar heating.

19.12.055 Special property use – Detached accessory dwelling units (ADU).

Subject to the provisions of LMC 19.12.050, and in accordance with Chapter 19.22 LMC, the appeal board of adjustment may grant a special property use permit for the construction of a detached accessory dwelling unit (ADU). (Ord. 3122 § 9, 2010; Ord. 2591 § 3, 1995).

LMC § 19.12.050 Power of Board – Special Property Use

1. Recognizing that there are certain uses of property that may or may not be detrimental to the public health, safety, morals and general welfare, depending upon the facts in each particular case, a limited power to issue special permits for such uses is vested, by special mention in this title, in the board.
2. The board shall have an exercise original jurisdiction in receiving, granting or denying all applications for such special property uses as are provided for in this title and shall have the power to place in such permits, conditions or limitations in its judgment required to secure adequate protection to the zone or locality in which such use is to be permitted. No special permit shall be issued by the board until after public hearing, as hereinafter provided, and until after the building official has found that all other provisions of this code, with which compliance is required, have been fulfilled.

3. No such special property use permit shall be granted by the board unless it finds:
 - (a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare;
 - (b) In making such determination the board shall be guided by the following considerations and standards:
 - (i) That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity,
 - (ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic,
 - (iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment,
 - (iv) That adequate off-street parking will be provided to prevent congestion of public streets [LMC 19.12.050].

LMC §19.12.120 Special Property Use Permits – Time Limitation

Whenever the board by its decision authorizes the issuance of a permit for a special property use, if such building permit and/or occupancy permit is not obtained by the applicant within six months from the date of the board's decision, the board's decision shall cease to be effective.

STAFF DISCUSSION

The City's Community Development and Public Works Departments have reviewed the proposed special property use permit for a detached ADU at 3339 Pennsylvania St. The property is zoned Traditional Neighborhood Residential District (TNR) and ADUs are allowed within the TNR district. The proposed ADU size fits within the 300 minimum sf, 1500 maximum sf threshold. Parking will be available via a concrete parking pad on the side of the ADU. Utilities are adequate for the proposal. Fire will require addressing at the street indicating an ADU is behind the home.

STAFF ANALYSIS

In reviewing LMC §19.12.050, which contains the criteria that shall guide the Board during their review of this petition, staff finds the following:

- (i) *That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity.*

Given the size, shape and location of the subject property, the proposed detached accessory dwelling unit meets the standards of LMC chapter 19.22.025. Additionally, the proposed ADU is a single story with similar character to the surrounding single family residential properties and will not be detrimental to the character or use of adjoining properties.

(ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic.

The Detached Accessory Dwelling Unit will be accessed via a share driveway serving existing lots and will not generate Significant pedestrian or vehicular traffic.

(iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment.

Adequate ingress and egress for fire and other emergency equipment is available. The Detached Accessory Dwelling Unit will be accessed via a 20-ft shared drive access easement approved via short plat approval, meeting the fire department's access requirement.

(iv) That adequate off-street parking will be provided to prevent congestion of public streets.

There is no on-street parking available by the applicant property. Parking for the ADU is proposed to be provided on site via concrete pad on the side of the ADU. As required by code if no on-street parking is available by the applicant property , ADU must provide one parking space.

LMC §19.12.050 also requires the Board to adopt the following finding if granting the Special Property Use Permit:

(a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare.

Adding an additional dwelling unit to a lot in a single-family neighborhood is permitted under the provision of 19.22.025, subject to requirements of the chapter.

The City's comprehensive plan section 3-26 recommends accessory dwelling units as a strategy for affordable housing and section 3-28 notes: "Accessory units are particularly suited to and affordable for elderly persons, college students, and lower income persons. Some communities allow accessory units specifically to address the needs of aging parents to be near their children", and "accessory units are often viewed as a more acceptable method of increasing density and land efficiency in single-family neighborhoods than would be the siting of a few large apartment complexes."

As of this writing, staff have not received any written comments regarding this proposal as a result of the notice of public hearing that was mailed to all adjoining or adjacent property owners, or the public notice posting, or legal ads published in the newspaper.

STAFF FINDINGS

1. Based on the size and location of the proposed ADU in a neighborhood with single family homes of similar characteristics and adequate fire ingress and egress, the proposed ADU will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals, and general welfare.

2. The Traditional Neighborhood District permits the proposed use subject to a granting of a Special Property Use Permit by the Longview Appeal Board of Adjustment.
3. The use as proposed meets the ADU criteria found in LMC §19.22.025 and the standards for residential zones under LMC 19.20.

RECOMMENDATION

Motion to grant approval for Special Property Use ABA2025-2 by James and Dana Redmill based on the findings and conclusions and subject to the conditions in the staff report dated February 5th 2025.

EXHIBITS

- A. Special Property Use Permit application
- B. Aerial Image
- C. Notice to Neighbors
- D. Site Plan
- E. Legal Notice of Public Hearing

Staff Report Date: Wednesday, February 05, 2025



Land Use Review Application

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

PROPERTY INFORMATION

Project Address: 3341 Pennsylvania St.	Suite #	Parcel #:
--	---------	-----------

APPLICANT INFORMATION (info for person signing application)

Applicant/Authorized Agent: James & Dana Redmill	Email Address: danaredmill@gmail.com
Mailing Address: P.O. Box 1235	City: Castle Rock State: WA Zip: 98611
Daytime Phone: (360) 431-5897	Cell/Alternate Phone: (360) 431-5897

PROJECT PROPERTY OWNER INFORMATION

Property Owner: James & Dana Redmill	Email Address: danaredmill@gmail.com
Mailing Address: P.O. Box 1235	City: Castle Rock State: WA Zip: 98611
Daytime Phone: (360) 431-5897	Cell/Alternate Phone: (360) 431-5897

TYPE OF PROJECT - Check the type or types of project(s) you are applying for:

- | | |
|---|---|
| ☐ Preapplication Meeting | ☐ Subdivision (Long Plat) |
| ☐ Short Subdivision | ☐ Preliminary Plat Review |
| ☐ Preliminary Plat Review | ☐ Final Plat Review |
| ☐ Final Short Plat Review | ☐ Planned Unit Development (PUD) |
| ☐ Boundary Line Adjustment | ☐ Special Property Use |
| ☐ Variance | ☐ Shorelines Permit |
| ☐ Binding Site Plan | ☐ Accessory Dwelling Unit |
| ☐ Zoning/Comp Plan Amendment | ☐ Annexation (Direct Petition) |
| ☐ Administrative Determination | ☐ Cottage Housing |
| ☐ Small Wind Energy System | ☐ Critical Areas Permit |
| ☒ Other: ADU | ☐ SEPA Review |

BRIEF DESCRIPTION OF PROJECT (Please use another sheet for more detailed description/narrative)

would like to build an ADU for our daughter to live in.		
Water Provided By: ☒ City of LV ☐ BHSD ☐ Other	Sewage Disposal: ☒ City of LV ☐ BHSD ☐ Septic	
Will any work be done in the public right-of-way?: ☐ YES ☐ NO	# New/added Parking Spaces:	

PROJECT INFORMATION

All flat, just will scrape off top soil		
Amount of Cubic Yards of Grading/Filling Associated with Project: no fill		
Existing Amount (sq ft) of Impervious Surface:	New Amount:	Total Amount:

I hereby certify that I have read and examined this application and know the same to be true, accurate and complete under penalty of perjury by the laws of the State of Washington.

APPLICANT
SIGNATURE

[Signature]

PRINTED NAME

Dana Redmill

DATE

12/3/24



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Pennsylvania St

34th Ave

Pennsylvania St



January 28, 2025

NOTICE OF PUBLIC HEARING

Longview Appeal Board of Adjustment

4:30 P.M. Tuesday, February 11th, 2025, for a ‘hybrid’ in-person or virtual meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/81922908550>

Or phone in for audio only: (253) 215 8782 or (408) 638 0968

Webinar ID: 819 2290 8550

Case No: ABA 2025-2

Applicant: James and Dana Redmill, Property Owners

Location: 3339 Pennsylvania St, City of Longview, WA 98632

Request: Special Property Use permit (SPU) in accordance with LMC 19.12.050 & LMC 19.22.025 for a 1,160 square feet Accessory Dwelling Unit (ADU) at 3339 Pennsylvania St.

Why You Are Receiving This Notice: You own real property located adjacent to or abutting the property affected by the Special Property Use request. The Longview Municipal Code requires all property owners owning real property located adjacent to or abutting a land use proposal subject to a public hearing to be notified of the proposal and of the hearing date, place, and time. Contact: Irene Rutikanga, Planner 360-442-5083

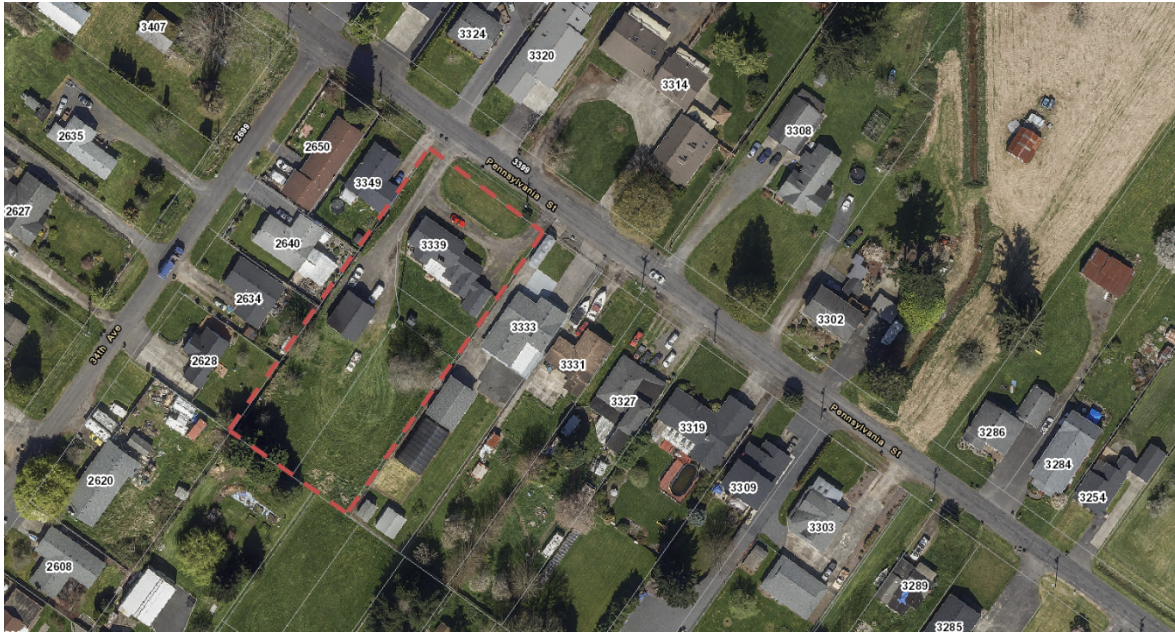
Copies of the associated documents are available for review online at mylongview.com under ‘Agendas & Minutes’ one week in advance of the Public Hearing.

Comments: If you would like to provide comments in writing on this proposal, please submit them **no later than 4:00 p.m. Tuesday, February 11th, 2025**, to the City of Longview Community Development Department, PO Box 128, Longview, WA 98632, **ATTN: Irene Rutikanga, Planner.** For electronic comments, provide your comments along with full name, address, and contact information to irener@ci.longview.wa.us **RE: ABA 2025-2**

Public Hearing: You are invited to attend the Appeal Board of Adjustment public hearing scheduled for 4:30 P.M. Tuesday, February 11th, 2025, either in-person at Longview City Hall Council Chambers, 1525 Broadway Street, OR on the virtual meeting platform Zoom (online or phone-in).

Please contact the City Clerk’s Office at 360-442-5041 with any accessibility requests.

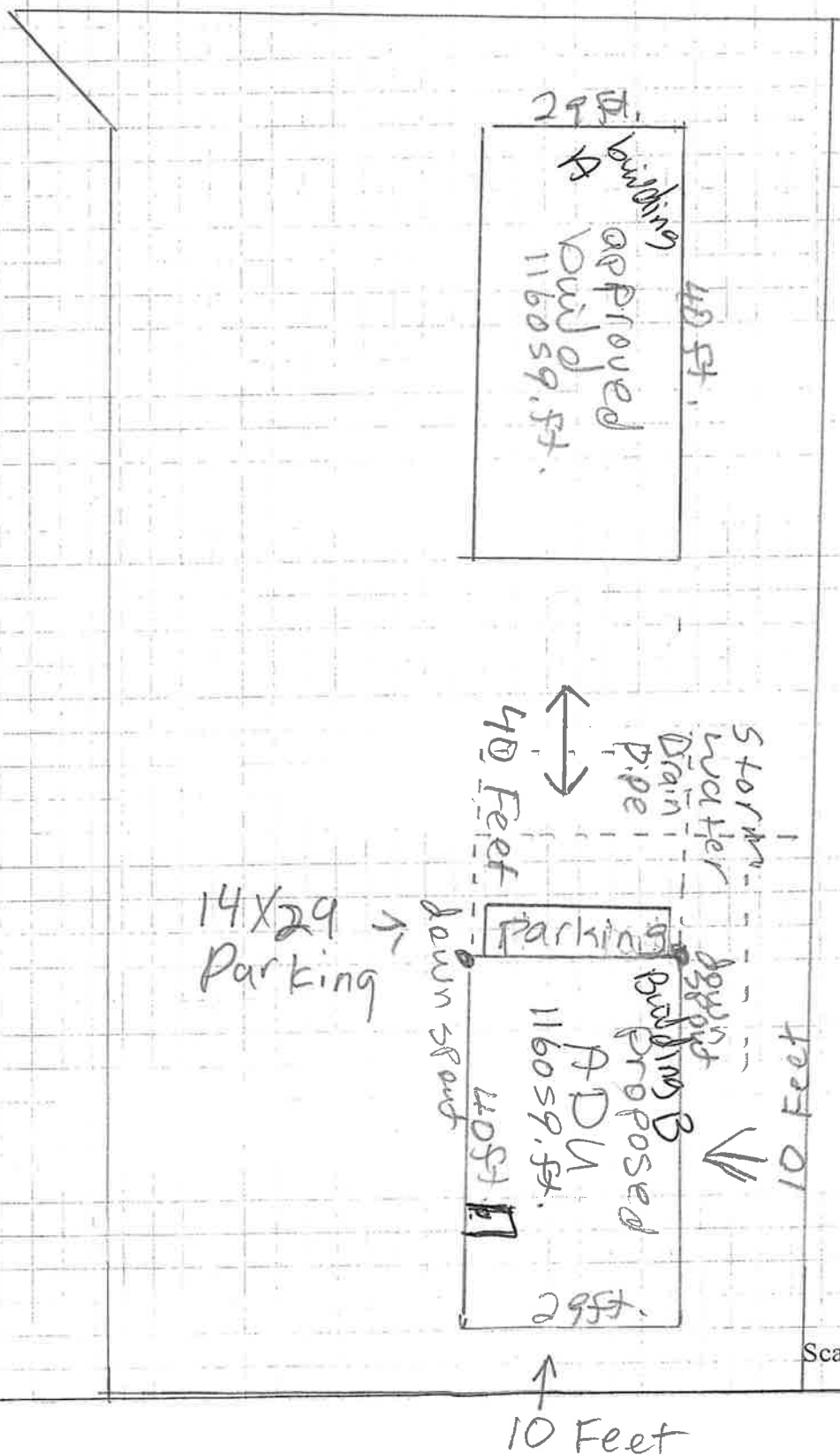
Location: 3339 Pennsylvania St



Notice filed by:
Irene Rutikanga, Planner
Community Development Department, City of Longview

Residential Plot Plan

Owner/Applicant: James & Dana Redmill Phone Number: (360) 431-5897
Project Address: 3341 Pennsylvania St. Longview, WA. 98632
Legal Descr: Lot # U#B Block # Plat Parcel #
Project Description (Examples: new house, replace/add new driveway, new sidewalk, new garage/carport, new water/sewer service, etc.):
Build ADU for our daughter



North Arrow

Scale: _____

AFFIDAVIT OF PUBLICATION

Longview Daily News
770 11th Ave
(360) 577-2525

State of Florida, County of Broward, ss:

Stefani Beard, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Longview Daily News, published in Cowlitz county, has been approved as a Legal newspaper by order of the Superior court of the State of Washington of Cowlitz County, and that the Annexed printed copy is a true copy of the notice in the above entitled matter as it was printed in the regular entire issue of said paper and online at www.tdn.com , for publication dates as listed below, and that said newspaper was regularly distributed to its subscribers during all of said period, and that said notice was published in said paper and not in a supplement form. That the full amount of the fee charged for said forgoing publication is as listed below, and is \$3.50 per line for the first insertion and \$3.00 per line for each subsequent insertion. There is also an additional charge of \$10.00 for every additional affidavit copy over two copies.

PUBLICATION DATES: January. 28 2025

NOTICE ID: dIC9IAqWoN77CNNt7fn4
PUBLISHER ID: COL-WA-100653
NOTICE NAME: ABA 2052-2
Publication Fee: \$282.60

(Signed) Stefani Beard

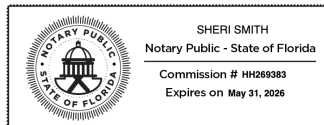
VERIFICATION

State of Florida
County of Broward

Subscribed in my presence and sworn to before me on this: 01/29/2025



Notary Public
Notarized remotely online using communication technology via Proof.

**Notice of Public Hearing
Longview Appeal Board of
Adjustment**

4:30 P.M. Tuesday, February 11th , 2025, for a "hybrid" in-person or virtual meeting.
Join Zoom Meeting

<http://us02web.zoom.us/j/B1922908550>

Or phone in for audio only: (253) 215 8782 or (408) 638 0968

Webinar ID: 819 2290 8550

Case No: ABA 2025-2

Applicant: James and Dana Redmill

Location: 3339 Pennsylvania St

Request: Special Property Use permit (SPU) in accordance with LMC 19.12.050 & LMC 19.22.025 for a 1,160 square feet Accessory Dwelling Unit (ADU) at 3339 Pennsylvania St. Copies of the associated documents are available for review online at Mylongview.com under "Agendas and Minutes" one week in advance of the Public Hearing.

Comments: If you would like to provide comments in writing in this proposal, please submit them no later than 4:00 p.m. Tuesday February 11th , 2025, to the City of Longview Community Development Department, PO Box 128, Longview WA 98632, ATTN: Irene Rutikanga. For electronic comments, provide your comments along with full name, address and contact information to irener@cl.longview.wa.us RE: ABA 2025-2.

Public Hearing: You are invited to attend the Appeal Board of Adjustment public hearing scheduled for 4:30 p.m. Tuesday February 11th, 2025, either in-person at Longview City Hall Council Chambers. 1525 Broadway Street, OR on the virtual meeting platform Zoom (on-line or phone-in.) Please contact the City Clerk's Office at 360-442-5041 with any accessibility requests.
1/28 COL-WA-100653



City of Longview

Agenda Summary

ABA 2025-3 VARIANCE REQUEST IN ACCORDANCE WITH LMC 19.12.140 & LMC 16.48.020 FROM THE MAXIMUM ALLOWED FENCE HEIGHT OF 3 FEET AND PROPOSING A 6 FEET FENCES AT THE NW CORNER OF 1569 ALABAMA ST.

RECOMMENDED ACTION:

MOTION TO GRANT APPROVAL FOR VARIANCE REQUEST ABA2025-3 BY JUSTIN URBAN-PRIME CONSTRUCTION BASED ON THE FINDINGS AND CONCLUSIONS AND SUBJECT TO THE CONDITIONS IN THE STAFF REPORT DATED FEBRUARY 5TH 2025.

Attachments:

1. Staff Report
2. Exhibit A Variance Application
3. Exhibit B Notice to Neighbors
4. Exhibit C Fence Plot Plan
5. Exhibit D Aerial Image
6. Exhibit E Legal Notice of Public Hearing



STAFF REPORT
to the
LONGVIEW APPEAL BOARD OF ADJUSTMENT

PRESENTED BY: Irene Rutikanga

HEARING DATE: February 11th, 2025

APPLICATION NO.: ABA 2025-3

APPLICANT: Justin Urban- Prime Construction

PROPERTY OWNER: Jordi Gomez

REQUEST: Request for a variance in accordance with LMC 19.12.140 & LMC 16.48.020. Applicant is requesting a variance from the maximum allowed fence height of 3 feet and proposing a 6 feet fence

LOCATION: 1569 Alabama St, City of Longview, WA 98632

ASSOCIATED CASES: None.

ZONING DISTRICT: R-1 Residential District

BACKGROUND AND PROPOSAL

The applicant proposes constructing a 6 ft fence along the Northwest side of the lot on 1569 Alabama St. The lot is developed with a newly constructed single-family home. As required by LMC 16.48.020, fences built along any front property line or in the required front yard area shall be permitted to have a maximum height of 42 inches (3ft). the applicant is seeking a variance from the maximum height required by LMC 16.48.040

Neighboring land uses include:
North – Residential.
South – Residential.
East –Residential
West – Residential.

The Comprehensive Plan classification for the property is Low Density Residential.

In accordance with LMC §19.12.090(1), written notice of the public hearing for the Variance request was mailed to the applicant and to the owners of all properties adjacent to or abutting this proposal on Thursday January 28th, 2025 [Exhibit B].

Postings and legal notices are not required for Variance requests.

SEPA DETERMINATION

A State Environmental Policy Act checklist was not required.

CRITICAL AREA ORDINANCE REQUIREMENTS

There are no mapped critical areas on the property.

APPLICABLE CODE SECTIONS

LMC 16.48.020 Height Regulated

(1) Fences built along any front property line or in the required front yard area, shall be permitted a maximum height of 42 inches above the established grade of the sidewalk.

LMC 19.12.140 Variance permits – Authority to issue.

The board may authorize the granting of variances from the zoning ordinance of the city, by the building official, where compliance therewith is impractical or impossible. No application for a variance shall be granted unless the board finds:

- (1) The variance will not constitute a grant of special privileges inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and
- (2) That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
- (3) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
- (4) The need for the variance is not the result of any action taken by the applicant. (Ord. 3122 § 10, 2010; Ord. 1620 § 1, 1973).

STAFF ANALYSIS

In reviewing LMC §19.12.140, which contains the criteria that shall guide the Board during their review of this petition, staff finds the following:

(1) The variance will not constitute a grant of special privileges inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and

The variance process ensures that each request is evaluated based on site-specific factors, such as the size of the property, the needs of the use, and the impact on surrounding properties. LMC 16.48.040 allows for fence height reduction for all uses contingent upon meeting the variance criteria; therefore, staff believes the variance will not constitute a grant of special privileges inconsistent with the limitations upon uses of other properties in the vicinity and zone.

(2) That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

The applicant lot is a triangular shaped lot with a newly constructed house fronting an alleyway. The proposed fence would allow for greater privacy than would be attained with a 3-foot fence.

(3) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

Granting of the variance will not be materially detrimental to the public welfare or injurious to the surrounding properties as the fence is allowed in the area and will be subject to review under a building permit for compliance with the rest of the city regulations.

(4) The need for the variance is not the result of any action taken by the applicant.

The variance was requested prior to the applicant submitting for a permit and is not the result of any action taken by the applicant.

LMC 16.48.040 waiver or reduction of requirements

(1) The Conditions under which the appeal board of adjustment may waive or reduce the requirements of fence requirements are as follows:

- a. Where no improved alley exists at the rear of the lot of the applicant; or
 - i. There is no alley at the rear of the applicant's lot; the alley exists at the front of the lot.
- b. Where the lot of the applicant is other than rectangular in shape; or
 - i. The applicant lot is a triangular shaped lot.

- c. *Where the lot of the applicant contains more than one front yard as shown by the plat thereof; or*
 - i. The applicant lot can potentially have more than one front yard but based on the triangular shape of the lot it has no official rear yard exist.
- 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
 - i. The subject lot is not a corner lot.

STAFF FINDINGS

1. The variance will not constitute a grant of special privileges inconsistent with the limitation upon uses of other properties in the vicinity as the variance process is available to all similar uses considering site specifics.
2. Based on the shape of the lot and the orientation of the house towards the alleyway, the variance is justified by allowing for a bigger fence to provide more privacy.
3. Granting of the variance for the 6 feet fence will not be injurious nor materially detrimental to the public welfare as the fence will be required to comply with the rest of LMC16.48 standards
4. The need for a variance is not the consequence of any actions taken by the applicant.

RECOMMENDATION

Motion to grant approval for Variance request ABA2025-3 by Justin Urban- Prime Construction based on the findings and conclusions and subject to the conditions in the staff report dated February 5th 2025

EXHIBITS

- A. Variance application.
- B. Notice to Neighbors.
- C. Fence Plot Plan
- D. Aerial Image
- E. Legal Notice of Public Hearing

Staff Report Date: February 3, 2025.



Variance Application

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

Application for a Variance to the Longview Zoning Ordinance (Title 19)

LMC 19.12

Application Number: _____

Related Case Number(s): _____

THIS SECTION FOR OFFICE USE ONLY:

I hereby apply for a **Variance** to the following section of the Longview Municipal Code (LMC):

_____. The reason I am requesting a variance is because: I want To Build
A 6ft Fence along The NW SIDE OF The Lot. The
Lot only Has 3 SIDES, There ~~is~~ is Not a Clear Back

at Street: 1569 Alabama ST, City of Longview, Washington.

Lot No. Lot 1 Block No. _____ Subdivision/Addition: _____

Zoning District: _____

Applicant: Justin Urban
(Print All Information)

Phone: 360-903-
360-903-4346

Contact Name: Same

Fax: N/A

Mailing Address: PO Box 565
(Street or PO Box)

City: Brush Prairie State: WA Zip: 98606

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

Relationship to Owner: Contractor

Property Owner: Jordi Gomez
(Print All Information)

Phone: 360-627-1833

Mailing Address: Same
(Street or PO Box)

City: Same State: _____ Zip: Same

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: The lot is a Triangle Shape, with a small yard. A 6ft Fence would Give The owner Privacy.

1

- b. Describe how the conditions and circumstances are peculiar to the property, do not apply to other properties in the zoning district, and how a special privilege will not be conferred by granting of the variance: The intended side of the property is along A Service alley, and would Not impact Traffic, ~~and~~ or The Neighbors.

- c. Describe how literal interpretation of the zoning ordinance affects your rights (ability to use the property):

Because The Property only has 3 sides There is Not a Clear "Rear" Boundry. A 48" Fence would Allow Any Foot Traffic in The Alley To See in, or Have Easy access To The Property.

- d. Did any of the conditions and circumstances of the property described above result from your actions?

Yes ☐

No ☒

Explain: _____

- e. Explain how the requested variance is the minimum necessary to make reasonable use of the property:

A 6ft Fence with a Gate would Not effect Traffic or Any of The Surrounding Properties.

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

6ft Fences are Allowed Along Alley's on Neighboring Properties. A Gate would still Allow Access For Utility & Emergency Situations.

NOTICE TO APPLICANT:

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

1. The variance will not constitute a grant of special privileges inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
2. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
3. That the granting of the variance(s) requested will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

FILING FEES:

Public Hearing Fee:	\$1,087.00
SEPA Review Fee, if applicable: (DNS \$543.00/MDNS \$815.00)	\$
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.

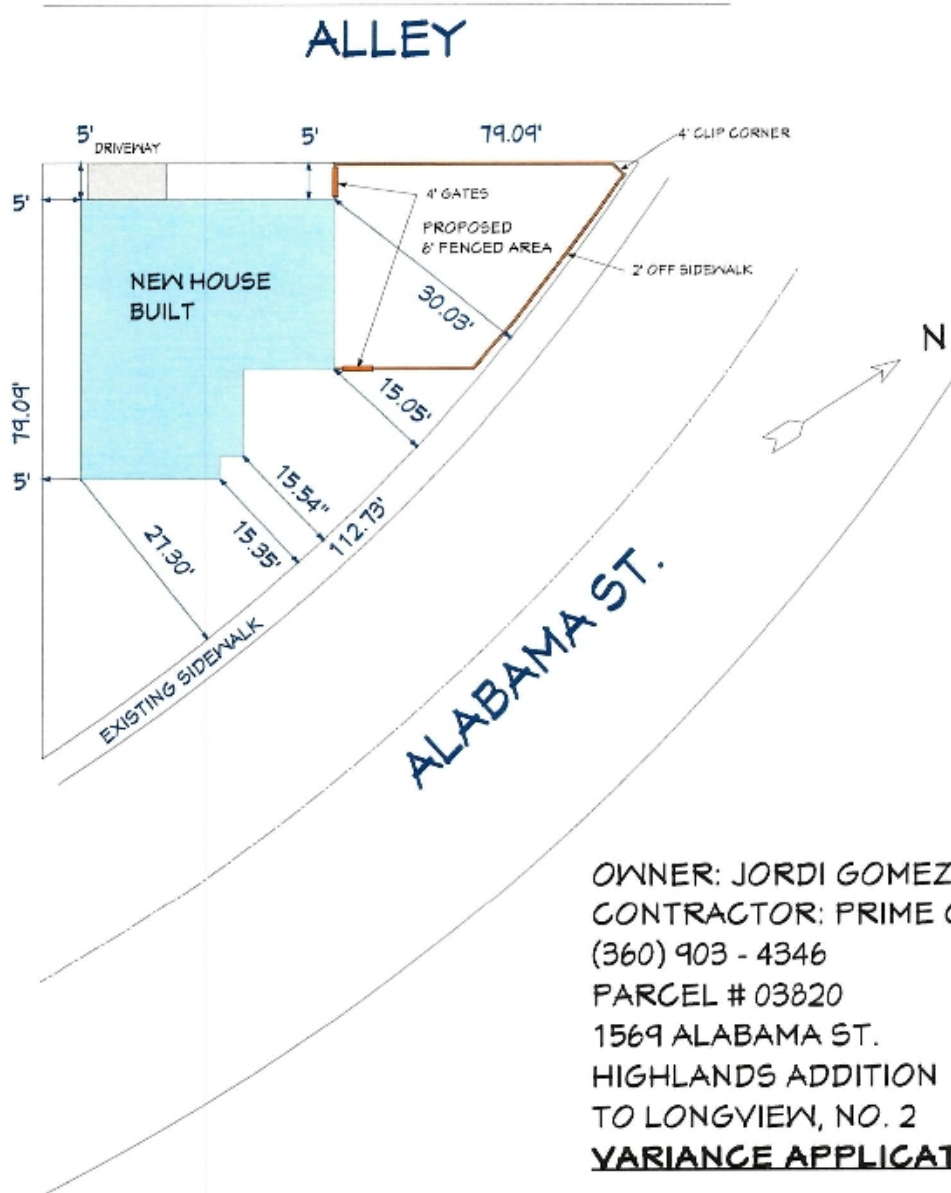
The information provided is "said to be true under penalty of perjury by the Laws of the State of Washington."

Signature of Applicant: _____ Date: 1-7-25

Signature of Property Owner: _____ Date: 1-7-25

Signature of Property Owner: _____ Date: _____

(If different than property owner)





January 28, 2025

NOTICE OF PUBLIC HEARING

Longview Appeal Board of Adjustment

4:30 P.M. Tuesday, February 11th, 2025, for a ‘hybrid’ in-person or virtual meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/81922908550>

Or phone in for audio only: (253) 215 8782 or (408) 638 0968

Webinar ID: 819 2290 8550

Case No: ABA 2025-3

Applicant: Justin Urban- Prime Construction

Location: 1569 Alabama St, City of Longview, WA 98632

Request: Request for a variance in accordance with LMC 19.12.140 & LMC 16.48.020. Applicant is requesting a variance from the maximum allowed fence height of 3 feet and proposing a 6 feet fence

Why You Are Receiving This Notice: You own real property located adjacent to or abutting the property affected by the Special Property Use request. The Longview Municipal Code requires all property owners owning real property located adjacent to or abutting a land use proposal subject to a public hearing to be notified of the proposal and of the hearing date, place, and time. Contact: Irene Rutikanga, Planner 360-442-5083

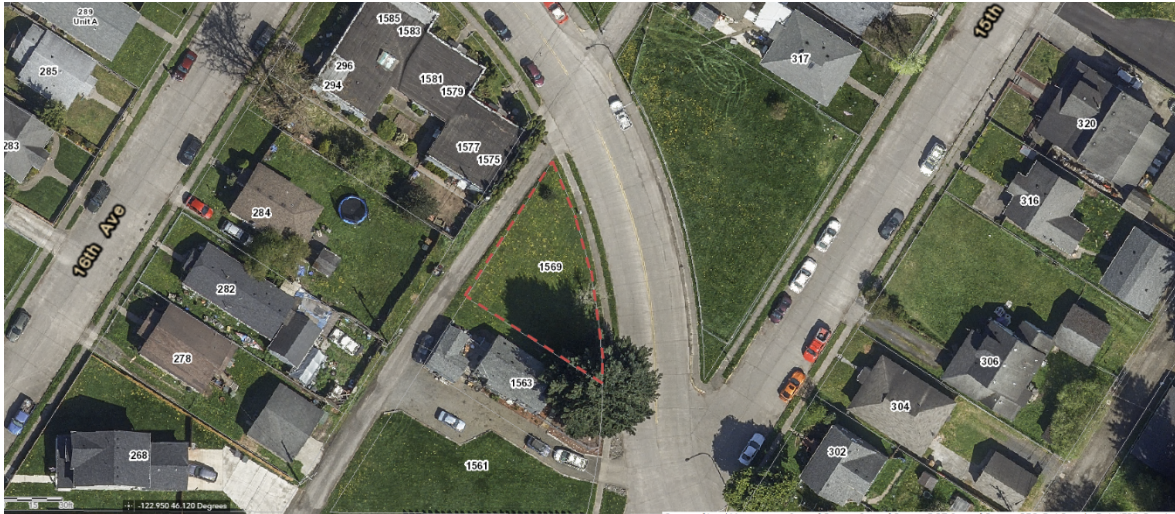
Copies of the associated documents are available for review online at mylongview.com under ‘Agendas & Minutes’ one week in advance of the Public Hearing.

Comments: If you would like to provide comments in writing on this proposal, please submit them **no later than 4:00 p.m. Tuesday, February 11th, 2025**, to the City of Longview Community Development Department, PO Box 128, Longview, WA 98632, **ATTN: Irene Rutikanga, Planner.** For electronic comments, provide your comments along with full name, address, and contact information to irener@ci.longview.wa.us **RE: ABA 2025-3**

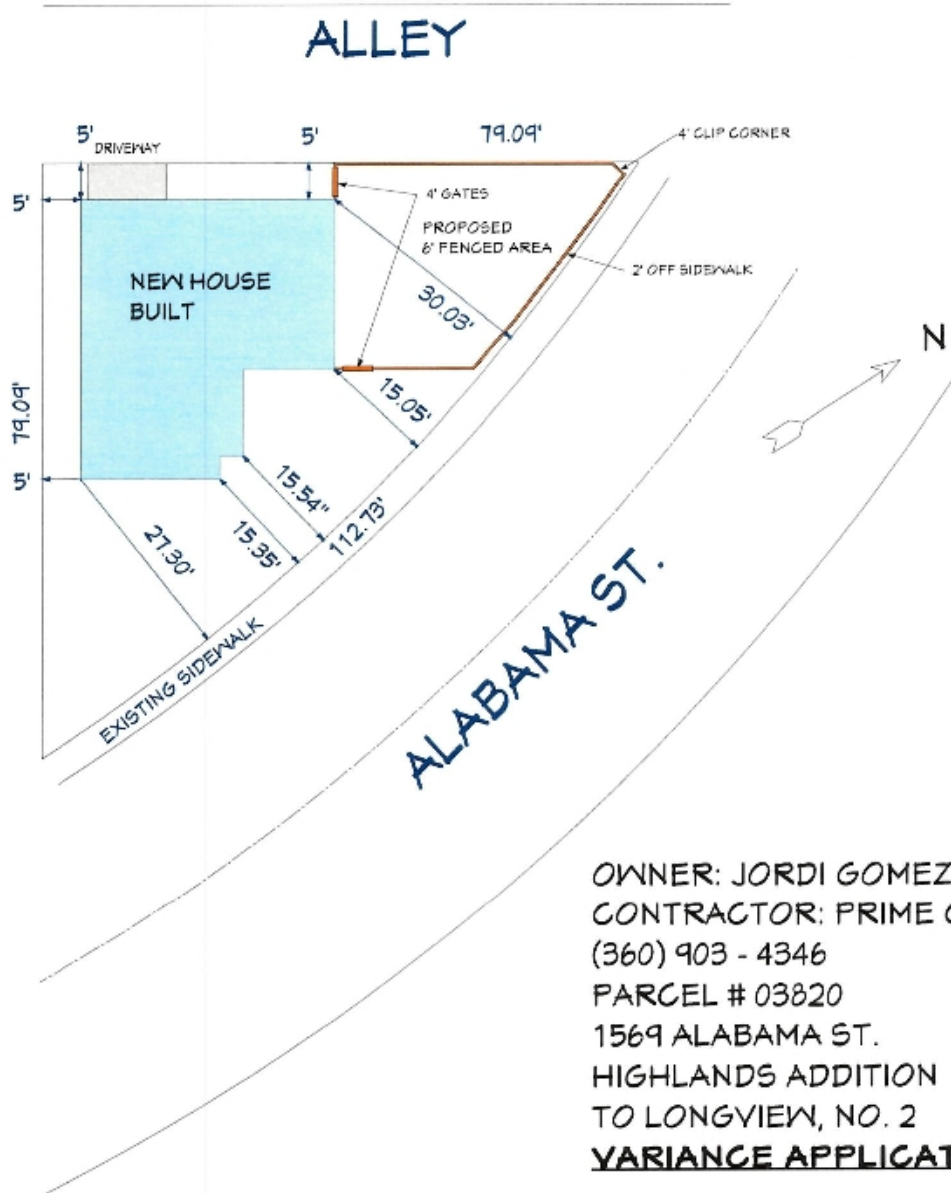
Public Hearing: You are invited to attend the Appeal Board of Adjustment public hearing scheduled for 4:30 P.M. Tuesday, February 11th, 2025, either in-person at Longview City Hall Council Chambers, 1525 Broadway Street, OR on the virtual meeting platform Zoom (online or phone-in).

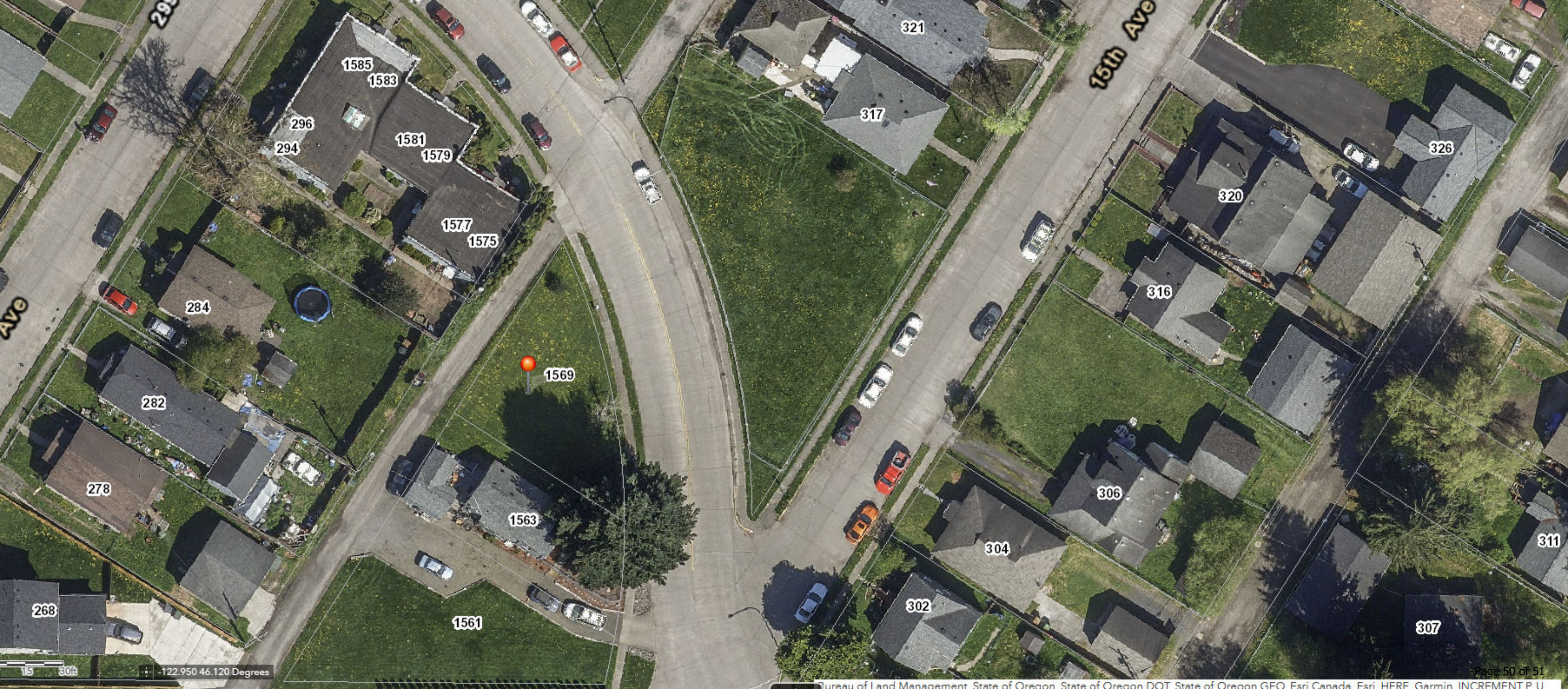
Please contact the City Clerk’s Office at 360-442-5041 with any accessibility requests.

Location: 1569 Alabama St



Notice filed by:
Irene Rutikanga, Planner
Community Development Department, City of Longview





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AFFIDAVIT OF PUBLICATION

Longview Daily News
770 11th Ave
(360) 577-2525

State of Florida, County of Broward, ss:

Rebecca Bikul, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Longview Daily News, published in Cowlitz county, has been approved as a Legal newspaper by order of the Superior court of the State of Washington of Cowlitz County, and that the Annexed printed copy is a true copy of the notice in the above entitled matter as it was printed in the regular entire issue of said paper and online at www.tdn.com , for publication dates as listed below, and that said newspaper was regularly distributed to its subscribers during all of said period, and that said notice was published in said paper and not in a supplement form. That the full amount of the fee charged for said forgoing publication is as listed below, and is \$3.50 per line for the first insertion and \$3.00 per line for each subsequent insertion. There is also an additional charge of \$10.00 for every additional affidavit copy over two copies.

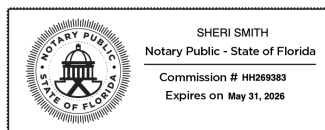
PUBLICATION DATES: January. 28 2025

NOTICE ID: aR06I70cdYilqudDliKV
PUBLISHER ID: COL-WA-100654
NOTICE NAME: ABA 2025-3
Publication Fee: \$250.40

(Signed) Rebecca Bikul

VERIFICATION

State of Florida
County of Broward



Subscribed in my presence and sworn to before me on this: 01/29/2025

S. Smith

Notary Public
Notarized remotely online using communication technology via Proof.

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Longview Appeal Board of
Adjustment**

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Location: 1569 Alabama St

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Please contact the City Clerk's Office at 360-442-5041 with any accessibility requests.
1/28 COL-WA-100654