

**CITY OF KALAMA PLANNING COMMISSION
PUBLIC HEARING
JULY 13, 2015**

OPENING

Hearing Examiner Sarah Koss opened the public hearing at 1:07 p.m. Present were City Planner Matt Buchanan, City Administrator Adam Smee, Public Works Superintendent Kelly Rasmussen, and acting Planning Commission Secretary Sue Seay. Members in the audience are listed on the sign-in sheet. Hearing Examiner Sarah Koss explained that the purpose of the public hearing was to hear testimony. There are two variance requests being addressed this afternoon.

117 Rocky Meadow Drive

A variance has been requested by Mr. Jim Lee and Synergy Resources, LLC to reduce the front yard setback from 20 feet to 10 feet due to a large rock formation at the rear of the property. The property is zoned R-3. Section 17.52.202 of the Kalama Municipal Code outlines the conditions for granting a variance.

A. The variance shall not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located. City Planner Buchanan indicated the applicant meets this criteria and granting of the variance would not constitute a grant of special privilege.

B. 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. Planner Buchanan indicated the subject property is impacted by a large rock formation which is located on the northwest corner of the lot. Requiring 20-foot setbacks along the front property line limits the owner's ability to construct even a modest-sized home and fits within the buildable area of the lot. Removing the rock formation would impose a substantial cost burden to the owner. Reducing the front yard setback to 10 feet permits for the construction of a modest-sized residence, which is consistent with uses, rights and privileges permitted to other properties in the vicinity. Planner Buchanan indicated the applicant's request for variance meets the special circumstances criteria.

C. 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. Planner Buchanan indicated granting a variance will allow the residence to be located in a practical and feasible manner. Allowing the 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 located. The applicant did not

**CITY OF KALAMA PLANNING COMMISSION
PUBLIC HEARING
JULY 13, 2015**

create the hardship and the proposed reduced front yard setback of the lot is the more appropriate remedy given the environmental constraints.

Planner Buchanan recommended approval of the variance.

In accordance with Kalama Municipal Code 2.34.130A, Hearing Examiner Koss asked Planner Buchanan how the request complies with the Comprehensive Plan. Planner Buchanan indicated it meets the General Land Use Goal #2 by promoting new residential development that is appropriate in type and density considering existing land use patterns, capacities of public facilities, natural characteristics of the land and the general public interest. It meets the General Land Use Goal #3 to actively plan and guide anticipated growth by seeking full utilization of existing land. The variance request meets General Land Use Policy #5, to promote in-fill development of residential and commercial land within existing developed areas. The Urban Growth Goal #4, limit urban sprawl by promoting dense residential development where the terrain and infrastructure allows, is also met. In addition, it meets Housing Policy #1, encourage new housing on vacant land within the city limits to utilize streets and urban services already in place.

Hearing Examiner Koss asked the applicant if he wanted to testify. Applicant Lee indicated he agreed with everything outlined by the planner. Hearing Examiner Koss verified that the surrounding properties are all R-3. Planner Buchanan indicated when the preliminary plat was approved it was stipulated the properties must comply with R-1 standards.

The rock formation is 1870 sq. ft. Applicant Lee indicated that it would require blasting and excavating. The nearest existing residence is 60 feet away. Public Works Superintendent Rasmussen indicated there is a sewer easement northwest of the formation and it would be affected if blasted. Citizen Janice Brown, who lives in the subdivision, would not like to see the "pretty rock" being blasted.

Hearing Examiner Koss closed the public hearing for 117 Rocky Meadow Drive.

409 Rocky Meadow Drive

A variance has been requested by Mr. Jim Lee and Synergy Resources, LLC to reduce the front yard setback from 20 feet to 5 feet due to a potential wetland area near the rear of the property. The wetland area has not yet been classified by the Department of Ecology. In addition, a cul-de-sac was built instead of a through street which further reduced the lot size. There is a rock wall that separates the buildable lot area from the potential wetland. Planner Buchanan reviewed the conditions for granting a variance.

A. The variance shall not constitute a grant of special privilege inconsistent with the

**CITY OF KALAMA PLANNING COMMISSION
PUBLIC HEARING
JULY 13, 2015**

limitations upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located. City Planner Buchanan indicated the applicant meets this criteria and granting of the variance would not constitute a grant of special privilege.

B. 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. Planner Buchanan indicated the subject property is impacted by a potential wetland located in the southwest corner of the property. Requiring the 20-foot setback would not allow the builder to construct even a modest sized home. Expanding the buildable area of the lot into the potential wetland area could bring the builder in possible violation of Kalama's Critical Areas Ordinance if the wetland area became classified by the Department of Ecology. Reducing the front yard setback to 5 feet permits for the construction of a modest-sized residence which is consistent with uses, rights and privileges permitted to other properties in the vicinity and in the single family residential zone. Planner Buchanan indicated the applicant's request for variance meets the special circumstances criteria.

C. Granting of such variance may 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. However, Planner Buchanan would like a stipulation added that the proposed driveway be constructed on the side of the property in an "L" shape to allow vehicles to enter a side-loaded garage. Configuring the driveway and garage in this manner ensures that vehicles can park in the driveway without blocking the public sidewalk.

D. The hardship asserted by the applicant is not the result of the applicant's or owner's action. Planner Buchanan found that the applicant meets this criterion. The potential wetland area is part of the natural terrain of the lot and was not created by the applicant. In addition, the decision to make a cul-de-sac instead of a through street was made by the City and the original developer.

Planner Buchanan recommended approval of the variance with the added stipulation that the garage be side-loaded and an L-shaped driveway be constructed.

Hearing Examiner Koss asked Planner Buchanan how the request complies with the Comprehensive Plan. Planner Buchanan indicated it meets the General Land Use Goal #2 by promoting new residential development that is appropriate in type and density considering existing land use patterns, capacities of public facilities, natural characteristics of the land and the general public interest. It meets the General Land Use Goal #3 to

**CITY OF KALAMA PLANNING COMMISSION
PUBLIC HEARING
JULY 13, 2015**

actively plan and guide anticipated growth by seeking full utilization of existing land. In addition, it meets the General Land Use Policy #5 to promote in-fill development of residential and commercial land within existing developed areas. The variance meets Urban Growth Goal #4 to limit urban sprawl by promoting dense residential development where the terrain and infrastructure allows. The variance meets Housing Policy #1 to encourage new housing on vacant land within the city limits to utilize streets and urban services already in place.

Hearing Examiner Koss asked the applicant if he wanted to testify. Applicant Lee indicated that in addition to the potential wetland there is a rock wall which further impacts the property. Hearing Examiner Koss asked if anyone else wanted to testify.

Citizen Janet Brown, who lives next door to the subject property, wanted to know how it would look with an L-shaped driveway. Hearing Examiner Koss asked the applicant and citizen to come forward. The applicant drew in the layout of the L-shaped driveway and side-loaded garage. There was additional discussion regarding the location of the 5-foot setback and possible use of a different house design. Hearing Examiner asked for clarification of the rock wall and was told the wall drops off approximately 12 feet into the potential wetland. The wetland area has standing water and vegetation common in wetland areas. Hearing Examiner Koss then confirmed that surrounding properties are zoned R-1 and reviewed the plan showing the cul-de-sac versus a through street.

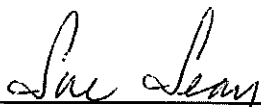
Hearing Examiner Koss asked if there was any additional testimony. No additional testimony was given so the public hearing for 409 Rocky Meadow Drive was closed.

ADJOURNMENT

Hearing Examiner Koss thanked everyone for attending and indicated a decision will be made within ten days. Copies of the report will be available within 5 days of the decision. The decision becomes final in 14 days unless appealed to the Cowlitz County Superior Court

These minutes are not verbatim. They are a general overview of what took place. An audio recording may be made available for listening upon request at City Hall during normal business hours.

Respectfully submitted,



Sue Seay, Acting Secretary