

ASTORIA PLANNING COMMISSION MEETING

Astoria City Hall
May 28, 2013

CALL TO ORDER:

Acting Chair Nemlowill called the meeting to order at 7:19 p.m. and proceeded to Roll Call.

INTRODUCTION OF NEW MEMBER – KERA HUBER:

ROLL CALL:

Commissioners Present: Zetty Nemlowill, Thor Norgaard, Al Tollefson, David Pearson and Kera Huber

Commissioners Excused: Vice-President Mark Cary, President McLaren Innes

Staff Present: Community Development Director Brett Estes and City Attorney Blair Henningsgaard, and Planner Rosemary Johnson.

APPROVAL OF MINUTES:

Item 3(a): April 23, 2013

Acting Chair Nemlowill asked for approval of the minutes of the April 23, 2013 meeting.

Commissioner Norgaard moved to approve the minutes of April 23, 2013; seconded by Commissioner Tollefson. Motion passed 4 to 0 to 1 with Commissioner Huber abstaining.

PUBLIC HEARINGS:

Acting Chairman Nemlowill explained the procedures governing the conduct of public hearings to the audience and advised that handouts of the substantive review criteria were available from the staff.

ITEM 5(a):

V13-06 Variance V13-06 by Stephen Lakatos from the maximum allowed 4' high fence to install a 6' fence on the north, east and west property lines of a single family dwelling at 529 35th Street in the R-2, Medium Density Residential zone.

Acting Chair Nemlowill asked if anyone objected to the jurisdiction of the Planning Commission to hear this matter at this time. There were no objections. Acting Chair Nemlowill asked if any member of the Planning Commission had a conflict of interest or any ex parte contacts to declare. There were none.

Planner Johnson reviewed the written Staff report. No correspondence has been received and Staff recommends approval of the request with standard conditions.

Commissioner Norgaard asked how far the fence would be from the unimproved alley. Planner Johnson stated the fence would be right on the property line. Page 3 of the Staff report shows the site plan and Page 4 shows the elevated deck and walkway. The fence will be very close to the elevated walkway.

Acting Chairman Nemlowill opened the public hearing and called for testimony from the Applicant.

Stephen Lakatos, 529 35th Street, explained the property has experienced an increase in vandalism. Most recently, both wooden gates and most of the decorative bamboo fencing in the backyard was kicked in. He met with Quackenbush Builders to discuss repairing the damage. Three years ago, an American Elm in his yard was

chopped down with a machete. He had planted this tree with a close friend whose wife passed away during her ninth month of pregnancy. He directed the Commission to the picture on Page 3, noting people have climbed under the east portion of the deck and spray painted the wall underneath the deck. He senses the vandalism may be increasing. The kicking in of the gates suggested that someone either entered or exited from the area below. He and his wife believe it is time for some kind of reasonable deterrent in the form of a high fence to prevent people from coming on the property.

- Additionally, children play in the front of the house, especially during the summer. The area is very steep. He distributed an illustration showing a full double deck that was in place several years ago. The Applicant hopes to restore that deck eventually. However, remnants of the deck's support structure are still exposed and pose a danger to the children playing the yard. He noted he does not live primarily at this property and does not have the ability to constantly deal with the children. The fence would mark the property lines and help prevent the children from entering the unsafe area, especially with the very steep slopes.
- The Applicant is getting close to redoing the foundation of the house. Architectural, engineering, and geotechnical surveying has been completed for a new concrete foundation. The contractor is in the process of finalizing excavation plans and obtaining permits. The property will need to be secured during that period, and once the foundation is completed, restoring the rest of the house is expected to take years. The house is in poor shape due to decades of deferred maintenance.
- A systematic 6-foot fence is necessary because a 4-foot fence in the front would not deter people from trespassing.

Acting Chair Nemlowill called for any testimony in favor of, impartial, or opposed to the application. Hearing none, she closed the public hearing and called for Commissioner comments.

Commissioner Pearson stated he supports the variance request. Other properties in the neighborhood that do not border an alley are able to build 6-foot fences, so this is not an exception beyond what already exists in the neighborhood.

Commissioner Norgaard also favored the variance, adding he likes that the Applicant is restoring the house.

Acting Chair Nemlowill said she agrees with Planner Johnson; based on topography and security, the variance makes sense.

Commissioner Pearson moved to adopt the Findings and Conclusions contained in the Staff report and approve Variance V13-06 by Stephen Lakatos from the maximum allowed 4' high fence to install a 6' fence on the north, east and west property lines of a single family dwelling at 529 35th Street in the R-2, Medium Density Residential zone, with conditions; seconded by Commissioner Norgaard Motion passed unanimously.

Planner Johnson explained the rules of appeal to the Applicant, noting that a building permit is not needed for at 6-foot fence.

Acting Chair Nemlowill read the rules appeal into the record.

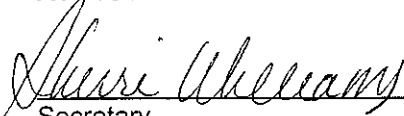
REPORTS OF OFFICERS/COMMISSIONERS:

Planner Johnson stated that the Member List of Commissioners has been updated. Any errors should be reported to Sherri Williams.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:32 p.m.

ATTEST:


Secretary

APPROVED:


Community Development Director /
Assistant City Manager