



Board of Adjustment  
Regular Meeting  
October 27, 2011

*Minutes were approved on December 14, 2011*

**Call To Order:**

Chair Groff called the meeting to order at 7:00 p.m.

**Roll Call:**

Board Member Jeff Groff  
Board Member Robert Guetter  
Board Member Kris Henriksen  
Board Member Matthew Larvick  
Board Member Matthew McBride

**Staff Present:**

Phil Bourquin, Community Development Director  
Jan Coppola, Administrative Assistant  
Shawn MacPherson, City Attorney  
Kathy Marlowe, Planner  
Randy Miller, Fire Marshal

**Introduction of Board of Adjustment Members, Matthew Larvick and Matthew McBride:**

Chair Groff introduced and welcomed the new board members. Matthew McBride will be filling Shannon Turk's unexpired term that ends on December 31, 2015. Matthew Larvick will be filling Travis Monteith's unexpired term that ends on December 31, 2013.

**Approval of Minutes from the August 25, 2011, Board of Adjustment Meeting:**

It was moved by Board Member Henriksen and seconded by Board Member Guetter to approve the minutes from the August 25, 2011, Board of Adjustment Meeting as written. The motion carried.

**City Attorney's Presentation on Policies, Procedures and Regulations:**

Shawn MacPherson, City Attorney, briefly summarized the August 18, 2011, Memorandum written by David Schultz, Assistant City Attorney. Mr. MacPherson's presentation touched upon the following highlights entitled: the Applicable Municipal Codes; the Appearance of Fairness Doctrine; the Standards of Evidence; the Municipal Code of Ethics; the Violations of Code of Ethics; and Parliamentary Procedures. Mr. MacPherson noted that as a quasi-judicial body it is important to base any decision that denies an application on facts and conclusions of law.

In response to Board Member Groff's inquiry, Mr. MacPherson explained the "rule of necessity" procedure.

In conclusion, Mr. MacPherson affirmed that City staff and the City Attorney's office were available to answer any questions.

**Appeal of the International Fire Code (IFC) Requirement for the Address at 1520 NW Lacamas Drive:**

Mr. MacPherson clarified for the record that this proceeding is an appeal of an IFC requirement, not a public hearing. He then gave an overview of the applicable Camas Municipal Codes (CMC), IFC's and the procedures that the Board will follow for hearing the appeal.

The appeal began at 7:12 p.m.

**Testifying on behalf of the appellant:**

- Aaron Hoffmans, 18915 SE 40<sup>th</sup> Street, Vancouver, WA 98683
- Peter Gecho, 1325 NW 10<sup>th</sup> Street, Camas, WA 98607

The Board of Adjustment considered the following exhibits that were submitted into the record on behalf of the appellant:

- National Fire Protection Agency (NFPA) *U.S. Home Structure Fires* as "Exhibit 4"
- Email from Brian Stroh, ProCircus Technologies, Inc., as "Exhibit 5"

**Testifying on behalf of the City of Camas:**

- Randy Miller, City of Camas Fire Marshal

The Board of Adjustment considered the following exhibits that were submitted into the record on behalf of the City of Camas:

- October 27, 2011, Board of Adjustment Agenda packet as "Exhibit 1"
- Email from Brian Smith, City of Camas Plans Examiner to Randy Miller, as "Exhibit 2"
- 2009 International Fire Code Commentary, page 33-7, as "Exhibit 3"

Mr. MacPherson explained that the 2009 IFC, Section 108, *Board of Appeals* is the applicable criteria that the Board of Adjustment will use in deliberation and in reaching a final decision to grant or deny the appeal.

The Board began discussion and deliberations at 7:52 p.m.

**Decision:**

It was moved by Board Member McBride and seconded by Board Member Henriksen to deny the appeal of the IFC requirement that requires the installation of residential fire sprinklers at 1520 NW Lacamas Drive on the basis that the Fire Marshal correctly applied the applicable code.

After discussion of the motion, the Board Members concurred that the Fire Marshal correctly applied the IFC requirement.

Chair Groff asked and there were no further deliberations or discussion of the motion.

A roll call vote was taken and the Board of Adjustment unanimously passed the motion.

Mr. MacPherson stated that the next step is for the Board to adopt an appropriate written decision and have it approved at the next Board of Adjustment Meeting.

The meeting recessed at 8:02 p.m. for a ten-minute break. The meeting reconvened at 8:12 p.m.

**Public Hearing to Consider a Major Variance Request to the Setbacks for the Address at 4650 NE Everett Drive (File No. MajVar11-02):**

Chair Groff opened the public hearing at 8:12 p.m.

Kathy Marlowe, Planner, gave a brief overview of the application and summarized the September 8, 2011, *Vicky Lynes-Long and Dan Long Major Variance Staff Report*.

Ms. Marlowe submitted into the record a letter dated October 24, 2011, from Richard and Julia Boer as "Exhibit 1". Ms. Marlowe highlighted the location of the property on an aerial photo and outlined the applicable criteria in CMC 18.45.030 *Criteria for granting a variance*.

Ms. Marlowe relayed staff's recommendation that the Board proceed with the public hearing and approve the application due to the special circumstances relating the shape of the subject property. Discussion ensued.

Chair Groff asked and there were no questions or comments.

**Vicky Lynes-Long and Dan Long, 4650 NE Everett Drive, Camas:**

The Longs testified in support of the application and referred to the aerial photo to expound upon the necessity for the major variance.

Vicky Long responded to questions from the Board.

Phil Bourquin, Community Development Director, discussed and noted that there does not appear to be any significant topographical differences in regards to granting the major variance.

Mr. Bourquin inquired and Ms. Long confirmed that she and Mr. Long are in agreement with the conditions proposed in the staff report with the exception that a variance of 18 feet on the east side of the property (NE Garfield Street) be granted.

Questions were asked and clarifications were made.

The public testimony portion of the hearing was opened at 8:26 p.m.

**Tim Yader, 4712 NE Everett Drive, Camas:**

Mr. Yader testified in support of the application.

The public testimony portion of the hearing closed at 8:28 p.m., as there was no further public testimony.

Discussion ensued regarding the proposed conditions of approval.

**Decision:**

It was moved by Board Member Groff and seconded by Board Member Henriksen to approve the major variance application for the address at 4650 NE Everett Drive (File No. MajVar11-02) with the conditions of approval as set forth in the staff report with the modification to allow a variance of 18 feet along the east side of the property on NE Garfield Street.

Mr. Bourquin inquired and Chair Groff clarified for the record that the motion is to grant the variance of 20 feet along the west property line (NE Everett Drive) and to grant the variance of 18 feet along the east property line (NE Garfield Street).

Chair Groff asked and there were no further deliberations or discussion of the motion.

The motion carried unanimously by roll call vote.

**Adjournment:** Chair Groff adjourned the Board of Adjustment meeting at 8:29 p.m.