

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

JANUARY 7, 2003

The meeting was called to order at 9:00 a.m. by Chairperson Wesley Johnson. Attendance: Cmmr. Dist. 1, Herb Baze; Cmmr. Dist. 2, Wesley Johnson; Cmmr. Dist. 3, Jayni Kamin.

APPROVAL OF MINUTES

There were no minutes for approval.

C O R R E S P O N D E N C E

PLANNING ADVISORY COMMITTEE

Applications received from Mark Drain, Kurt Kingman, Gale McGrath, Rick Coleman and Ross Gallagher for the Planning Advisory Committee.

B U S I N E S S

ELECTION OF CHAIRPERSON FOR 2003

Cmmr. Kamin/Johnson moved and seconded to appoint Herb Baze as Chairperson for 2003. Motion carried unanimously. B-aye; J-aye; H-aye.

OPEN FORUM FOR CITIZEN INPUT

There was no public comment.

ADOPTION OF AGENDA

Cmmr. Johnson/Kamin moved and seconded to adopt the agenda as presented. Motion carried unanimously. B-aye; J-aye; H-aye.

APPROVAL OF CONSENT AGENDA

- 9.1 Approval to replace vehicle #128 lost by theft from the Landfill.
- 9.2 Approval to replace vehicle #204 for the Department of Utilities/Waste Management. This will be funded by sewer and water funds.
- 9.3 Appoint Mark Drain to the Planning Advisory Committee

Chairperson Herb Baze presented Consent Agenda items 9.1 through 9.3 as listed above.

Cmmr. Johnson/Kamin moved and seconded to adopt the consent agenda, items 9.1 through 9.3 as presented. Motion carried unanimously. B-aye; J-aye; H-aye.

RECESS

The Board recessed for 20 minutes.

10. 1 PUBLIC HEARING TO ESTABLISH SPEED LIMITS ON ALL/PORIONS OF THE FOLLOWING ROADS: BEEVILLE ROAD, EELLS HILL ROAD, MASON LAKE ESTATES ROAD, ANTHONY ROAD.

Jerry Hauth, Public Works Director, presented the staff report. Public Works has evaluated the speed limit requirements and is making recommendations for the following roads: Beeville Road, mp 0.00 - 2.70, 40 mph; Eells Hill Road, mp 0.00 - 2.30, 35 mph; Mason Lake Estates Rd, mp 0.00 - 0.69, 35 mph; Anthony Road, 0.00 - 2.20 & 2.21 - 2.24, 35 mph. Mr. Hauth briefly described how the ball banks analysis determines a recommended speed limit.

There was no public comment.

Cmmr. Kamin/Johnson moved and seconded to authorize the speed limit changes on the four Mason County roads as presented and adopt Resolution 01-03. Motion carried unanimously. B-aye; J-aye; H-aye. (Exhibit A)

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10.2 PUBLIC HEARING – CONTINUED FROM DECEMBER 10, 2002. REVIEW OF AN AFTER-THE-FACT SHORELINE CONDITIONAL USE VARIANCE PERMIT APPLICATION BY SCOTT WOODWARD FOR TWO 6FT HIGH CHAIN LINK FENCES WITH PRIVACY SLATS ON EASTERLY AND WESTERLY PROPERTY LINES OF APPLICANTS SHORELINE LOT

Cmmr. Kamin excused herself from this hearing for appearance of fairness. She is related to the neighboring property owner.

Pam Bennett-Cumming presented a recap of the staff report. This review is the result of an enforcement on site. The after-the-fact shoreline conditional use/variance request by Scott Woodward is to retain two 6ft chain link fences with privacy slats at easterly and westerly property lines and extending approximately 10 feet into Lake Isabella. Staff recommends denial based on inconsistency with Shoreline Master Program Residential Development Chapter and Variance Chapter criteria. The Planning Advisory Committee voted unanimously to recommend denial of the project.

Argal Oberquell, representative for applicants, gave a document titled "Applicant's Memorandum to Commissioners" to the Board. He stated this fence replaced an existing barbed wire fence. The intent of the fence is to keep the applicant's dog on their property. He believes that even if the slats were removed or the fence lowered, it would not improve the view because trees and shrubs located along the fenceline on both Woodward's property and the neighbor's property would obstruct the neighbor's view. Mr. Oberquell reviewed several photos of the site with the Board. He pointed out they believe there are other permit violations on the lake that are being ignored. The applicant believes the fence does not violate the Shoreline Master Program because they do not believe it substantially blocks the Kamin's view of the Lake. They believe nothing would be gained nor harmed by leaving the fence as it is.

Cmmr. Baze asked Pam Bennett-Cumming to address the vegetation vs. the fence issue.

The Board recessed.

Pam Bennett-Cumming, Planner, explained the staff review was relating to the fence only. She stated vegetation on the shoreline is a complicated issue. In response to Mr. Oberquell's concern of other alleged permit violations on Lake Isabella, staff has provided Mr. Oberquell with a letter and blank complaint forms because staff would need specific information to investigate any complaints. She is not aware of any complaints being received.

Cmmr. Baze stated he understands this action was brought forward because of a complaint by the neighbor.

Pam Bennett-Cumming replied that a complaint was filed with the Planning Department, the Enforcement Planner investigated and it went before the Hearings Examiner and an Order was issued.

Cmmr. Baze asked about the 30" height guideline relative to the siteline.

There was discussion about the age of the houses.

Cmmr. Baze asked if the vegetation denies sight, what difference does the fence make.

Pam Bennett-Cumming answered that staff focused on the fence because that is what the Hearings Examiner Order talked about. She stressed that vegetation on the shoreline is a complicated issue. To comply with the Order, the applicants had the choice of either removing the fence, or applying for the variance. This went before the Hearings Examiner as an enforcement issue pertaining to the fence.

Cmmr. Baze asked if she believes anybody's view is obstructed because of the fence.

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Ms. Bennett-Cumming stated she believes the fence does obstruct the view. She stated it was viewed on-site from around the property, they were looking at it as an outside viewer would.

Mr. Oberquell pointed out that if staff had asked to access the applicant's property, it would have been granted.

Cmmr. Johnson referred to the variance criteria. He asked if the criteria are considered separate from the vegetation that is there, or are they considered separate as their own feature.

Ms. Bennett-Cumming answered that the fence is what was specifically considered. It is required in the SMP that all criteria be met. She pointed out the applicant does have other choices available on their property to meet their needs for dog containment and privacy.

Chair Baze closed the public testimony. He would like additional information.

Cmmr. Johnson would like clarification on the criteria established for granting a variance and the presence of the vegetation.

Cmmr. Johnson/Baze moved and seconded to continue the hearing to February 4, 2003 at 9:30 a.m. Motion carried unanimously. B-aye; J-aye; H-aye.

OTHER BUSINESS (DEPARTMENT HEADS AND ELECTED OFFICIALS)

There was no other business.

ADMINISTRATION

There was no Administration business.

ADJOURNMENT

The meeting adjourned at 10:38 a.m.

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Herb Baze, Chairperson

ATTEST:

Wesley E. Johnson, Commissioner

Rebecca S. Rogers, Clerk of the Board

Jayni L. Kamin, Commissioner