

Information

****Note: The Planning Director has submitted the following recommended actions for this item:**

Hold a public hearing, consider the testimony of the applicant, and reports from the Planning Commission and staff.

According to Sitka General Code, In order for the variance to be approved, the following findings are required:

- a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner;
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity;
- c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure;
- d. That the granting of such a variance will not adversely affect the comprehensive plan.

The Sitka General Code further states that, "The appellant shall bear the burden of proof of proving the decision was in error."