



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## **Planning and Community Development Department**

### **AGENDA ITEM**

Case No: CUP 20-10  
Proposal: Request for an Accessory Dwelling Unit (ADU)  
Applicant: Adrienne Wilber  
Owner: Charles E. Wilber and Melanie C. Kabler Revocable Trust  
Location: 707 Etolin Street  
Legal: Lot 22, Block 14, Sitka Townsite, USS 1474 Tract A  
Zone: R-1 single-family and duplex residential  
Size: 8,146 square feet  
Parcel ID: 1-1930-000  
Existing Use: Residential  
Adjacent Use: Single-family and duplex housing  
Utilities: Existing  
Access: Etolin Street

### **KEY POINTS AND CONCERNS**

- Neighborhood is residential, including single-family and duplex dwellings.
- ADUs are a conditional use in the R-1 zone if any one of the requirements in SGC 22.20.160(C) are not met.
- The ADU would be built where an existing shed is placed.
- Building of ADU is consistent with Comprehensive Plan goals H1.1a and H1.1e

### **RECOMMENDATION**

Staff recommends that the Planning Commission approve the accessory dwelling unit at 707 Etolin Street subject to the recommended conditions of approval.

## **BACKGROUND**

Project location is on an 8,146 square foot lot in a developed, residential neighborhood. The lot has a single-family home on it. While narrow (~50' wide), the lot has adequate depth to support the placement of an ADU. There is a shed on the property where the applicant would like to build the ADU. Due to the narrowness of the lot and the desire to utilize the existing driveway and shop site, the applicant is requesting a 2' variance for the eaves of the ADU to extend into the side setback adjacent to 705 Etolin Street. The need for this variance necessitated a conditional use permit for the ADU. If this CUP is granted by the Commission, the Planning Director will grant the applicant a 2' administrative variance in accordance with the site plans presented in this CUP application.

## **PROJECT DESCRIPTION**

The current structure in place is a shed. The applicant would like to utilize this building space to construct an ADA accessible ADU. The proposed ADU is a single story, ~600 square feet in size, and contains an open/studio layout with one bathroom. The entrance into the ADU is on the (east) side of the structure.

The applicant is requesting a 2' variance (reducing the setback from 5' to 3') for an overhang on the west side of the property. This allows the structure to use the building site previously utilized for the shed, utilize the existing driveway without more expansion/development, keep the entrance to the ADU on the east side of the structure (as rear or side entrances are preferred for ADUs per the zoning code), maintain lawn space, and retain vegetative buffers on the south (rear) of the property.

For the R-1 zone, a conditional use permit is only required for ADUs if any one (or more) of the requirements listed in SGC 22.20.160(C). Below is an analysis of the requirements met, or not met by the proposal. The only requirements this proposal does not meet is #3 and #14 which are both related to the side setback variance requested by the applicant.

The way the requirements are written in the zoning code is such that if the requirements are not met, a conditional use permit is needed per SGC 22.20.160(D) which states "*Conditional use permits may be sought if the above requirements cannot be met. Conditional use permit must be in conformance with Chapter 22.24.*" Therefore, not meeting the listed requirements is not automatic grounds to deny an ADU proposal, but may be used as a factor in determining whether to grant the conditional use permit.

1. *An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance.* Property is served via a public ROW, Etolin Street. However, the narrowness and rough condition of the street are well known.

2. *ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.* Staff is unaware at this time of any plans to use the ADU for short-term rentals. Such use would require a separate action (conditional use permit) through this commission.
3. *ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.* Provided plans for the applicant indicate that the proposed ADU will meet maximum height requirements (no greater than 25'), the lot coverage with the existing house and ADU would be ~17%, and most of the structure is within the setback. However, the applicant is requesting a 2' variance on the west side of the property for the overhang.
4. *The ADU must be located on the same parcel as the primary dwelling unit.* Proposed ADU is on the same parcel.
5. *Only one ADU is allowed per parcel.* Only one ADU proposed.
6. *Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU.* ADU is to be a conventionally built (stick-built) structure. Applicant would be required to obtain a building permit for the structure.
7. *ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.* Staff is aware of only one existing dwelling unit on the property.
8. *ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.* Will be reviewed during building permit process; plan per elevation views is to build an attractive structure that blends in with the appearance of existing structures in the neighborhood.
9. *If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.* Entrance is planned for the east side of the ADU.
10. *Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.* N/A, no external stairs proposed.
11. *The maximum size of an ADU shall be eight hundred square feet.* Unit is expected to be slightly over 600 square feet (approx. 604 square feet).

12. The following parking requirements are applicable for ADUs:

- a. *As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit.* Parking identified in existing driveway, parking plan depicts space for at least four cars (two for primary dwelling unit and two for ADU).
- b. *Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties.* Parking area is close to if not within side setback on the west side of the property. Fencing and ample vegetation provides screening.
- c. *On-street parking is prohibited.* N/A – parking to take place on the property.
- d. *If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.* N/A, no curb on the street.

13. *All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met.* N/A – subdivision not proposed at this time.

14. *Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements.* A variance is requested for the side setback to be reduced from 5' to 3' to accommodate the roof overhang of the ADU.

## **ANALYSIS**

### **1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.<sup>1</sup>**

**a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:** Traffic is expected to increase – likely by one car, although two additional vehicles are possible and planned for. Though Etolin Street is in rough condition, increased traffic for the ADU is not out of line with allowed uses of the R-1 zone (i.e. the ADU does not generate any additional traffic than an allowed duplex would create).

**b. Amount of noise to be generated and its impacts on surrounding land use:** Noise generated should be in-line with normal residential use.

---

<sup>1</sup> § 22.24.010.E

**c. Odors to be generated by the use and their impacts:** Odor generated should be in-line with normal residential use. Garbage shall be disposed of in municipal container and in accordance with Sitka General Code requirements.

**d. Hours of operation:** Available year round

**e. Location along a major or collector street:** Etolin Street

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario:** Cut through traffic unlikely as property can only has vehicular access from Etolin Street. Renters may need to be educated on one way route for Finn Alley which is nearby.

**g. Effects on vehicular and pedestrian safety:** No significant changes expected, increase in traffic should be 1 to 2 vehicles.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Change from the current ability of emergency services personnel to access the site is not anticipated to change.

**i. Logic of the internal traffic layout:** Single story, ADA accessible dwelling unit with open/studio layout and one bathroom.

**j. Effects of signage on nearby uses:** No signage proposed. All signs shall comply with Sitka General Code.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Natural buffers of bushes and trees are on the site, as well as depth of lot.

**l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** Expansion of ADUs in Sitka directly supports two Comprehensive Plan Objectives, H1.1a “allow, encourage, and promote ADUs by right in more zones” and H1.1e “encourage higher density”.

**m. Other criteria that surface through public comments or planning commission review:** None at this time.

## **RECOMMENDATION**

Staff recommends that the Planning Commission approve the accessory dwelling unit at 707 Etolin Street subject to the recommended conditions of approval.

.....

## **ATTACHMENTS**

- Attachment A: Aerial
- Attachment B: Site and Parking Plan
- Attachment C: Elevation View
- Attachment D: Floor Plan
- Attachment E: Plat
- Attachment F: Photos
- Attachment G: Applicant Materials

## **POSSIBLE MOTIONS**

- 1) **“I move to approve the conditional use permit for an accessory dwelling unit at 707 Etolin Street in the R-1 single-family and duplex residential district. The property is also known as Lot 22, Block 14, Sitka Townsite, USS 1474 Tract A. The request is filed by Adrienne Wilber. The owner of record is the Charles E. Wilber and Melanie C. Kabler Revocable Trust.**

Conditions of Approval:

1. Approval of ADU is specific to the site plan included in this application. Any substantial or significant change to the plans would require a new site plan review and approval from the Planning Commission.
2. The applicant shall seek an administrative variance for no more than 2’ on the west side of the property to accommodate roof overhang.

- 2) **“I move to adopt and approve the required findings for conditional use permits.”**

The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:<sup>2</sup>

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare;
  - b. Adversely affect the established character of the surrounding vicinity; nor

---

<sup>2</sup> §22.30.160(C)—Required Findings for Conditional Use Permits

- c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
- 2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation.
- 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
- 4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
- 5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
- 6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.