

(907) 747-3750 Fax: (907) 747-3750

264 Katlian Street

specklaw@ptialaska.net

City and Borough of Sitka
100 Lincoln Street
Sitka, AK 99835

July 9, 2015

RE: Notice of Violation and Order to Correct

101 Lance Drive

Attention Municipal Clerk:


I am the attorney-in-fact for Ms. Shirley Burkhart. This letter will serve as an appeal to the Notice of Violation dated July 1, 2015.

Ms. Burkhart is celebrating her 80th birthday, and is quite distressed to be receiving this confusing and unfounded correspondence regarding her property.

The Notice of Violation states that a conditional use permit is required for manufacturing of fabricated metal products, industrial and commercial machinery, heavy machinery and equipment. While that may be the case, there is no commercial activity of this type on the property. While Ms. Burkhart's family occasionally uses the property for his or her own personal benefit, there is no commercial manufacturing taking place and thus there is no basis for a conditional use permit, let alone a fine for this activity.

Please update the City Records to reflect this fact and further remove the unfounded fine for violation.

Sincerely,



Brita Speck

cc: Burkhart



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

July 1, 2015

Shirley Burkhart
1613 Sawmill Creek Road
Sitka, AK 99835

COPY

**RE: NOTICE OF VIOLATION AND ORDER TO CORRECT
ZONING VIOLATION: 101 LANCE DRIVE, SITKA, ALASKA**

Dear Ms. Burkhart,

As you have been previously notified, the use of the property at 101 Lance Drive appears to be in violation of CBS Code Title 22 Zoning District Regulations.

Fabricated metal products or Industrial and commercial machinery or Heavy machinery and equipment all require a conditional use permit in the commercial (C-1) zone per CBS Table 22.16.015-5 Manufacturing/Storage Uses.

DATE OF OFFENSE: July 1, 2015

PROPERTY OWNER: Shirley Burkhart

FINE: \$500

The fine is due and payable immediately, checks payable to City and Borough of Sitka, Planning Dept., see note other below.

APPEAL: Any person having record title or legal interest in this property may appeal this notice and order in writing. Every appeal to the planning commission shall be filed with the municipal clerk within ten (10) days of the date of the recommendation or decision of the matter being appealed. Appeals of enforcement actions by the administrator shall be made directly to the assembly.

OTHER: Fine may be suspended if complete application for conditional use permit for fabricated metal products/ Industrial and commercial machinery/ Heavy machinery and equipment is received by the Planning Department no later than noon on July 7, 2015, scheduling public hearing for consideration on July 21, 2015.

Thank you,

Maegan Bosak
Planning and Community Development Department
City and Borough of Sitka
907-747-1824

Cc: Municipal Attorney Robin Koutchak
Municipal Administrator Mark Gorman