



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

MEMORANDUM

To: Chair Spivey and Planning Commission

From: Amy Ainslie, Planning Director

Date: April 1, 2022

Subject: V 22-10 – Platting Variance for Utilities

P 22-01 is a request to subdivide Lot 1, JPJL Subdivision located at 525 Kramer Avenue into two lots through a minor subdivision action. The applicant, Michael Tisher, has been developing this area since 2019, working in concert with neighboring property owners, CBS, and other regulatory agencies to bring new residential lots to market. Mr. Tisher subdivided his property into five lots through a hybrid minor subdivision (Tisher Subdivision), and the neighboring property subdivided their large lot into two (JPJL Subdivision); the northern-most lot (Lot 1) was designed to be a part of the Tisher Subdivision “neighborhood”, as they share access and utilities. Mr. Tisher now owns Lot 1, JPJL and wishes to subdivide it into two lots.

Mr. Tisher has worked diligently with CBS staff as well as other regulatory agencies to ensure that the utility infrastructure will be more than adequate for the proposed residential demand, with capacity to add additional lots in the future. An 8” diameter, gravity flow sewer line down to the Halibut Point Road main was installed which is CBS standard for a major subdivision and it was approved by DEC. During the platting process for Tisher Subdivision, a drainage study and plan was developed by a licensed engineer and accepted by CBS engineering. Mr. Tisher has also incurred the expense of installing buried electric lines to the area, connecting to services on Halibut Point Road. A CBS water line was installed in Kramer Avenue, but terminated around Emmons Street. Mr. Tisher extended the water line to his subdivision, and also moved the gate to allow vehicular access up to, but not past, his subdivision.

Currently, Lot 1 JPJL is served via these private utilities. Subdivision of this lot would add one additional lot to the system. This would bring the total number of lots served by this system to seven. SGC 21.40.030B states “...No more than four lots shall be served by private utility easements”, necessitating this platting variance.

SGC 21.48.010 Requirements for Platting Variances

A variance from the requirements of this title may be granted only if the planning commission finds that:

- A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
- B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.

Tying into the private utility system is the most plausible means of developing the area. The lot is not suited to a large right-of-way through which to extend public facilities – the topographic challenges alone would make this extremely difficult. Further, municipal resources are limited; the expansion of utility systems for private residential development have not been budgeted or prioritized. Building and platting rights-of-way as required for a major subdivision in this area would be cost and space prohibitive, making the development of the land far less feasible.

Due to these considerations, staff finds that the granting of this platting variance will not be detrimental to public safety, welfare, or be injurious to adjacent property owners and in fact better enables development of vacant adjacent properties. Staff finds that the halt of municipal development in the area warrants special consideration, and that strict application of the limitations for connections to private utilities would result in an undue burden. The request is also consistent with Comprehensive Plan housing goals to “expand the range, affordability, and quality of housing Sitka while maintaining attractive, livable neighborhoods.”

Attachments:

Attachment A: Preliminary Plat

Attachment B: Applicant Materials

Recommended Motions:

1. “I move to approve the platting variance to connect more than four properties to a private utility system at 525 Kramer Avenue in the R-1 MH single-family, duplex, and manufactured home district. The property is also known as Lot 1, JPJL Subdivision. The request is filed by Michael Tisher. The owner of record is Michael Tisher.”
2. “I move to adopt the required findings for platting variances.”
 - A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
 - B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.