

## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2015-52 on second and final reading.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## MEMORANDUM

**To:** Mark Gorman, Municipal Administrator  
Mayor McConnell and Members of the Assembly

**From:** Maegan Bosak, Planning and Community Development Director *NB*  
Michael Scarcelli, Senior Planner

**Subject:** Ordinance 2015-52 Zoning Map Amendment for Robert Juranich at Tract M and Common Area of Galankin Island, US Survey 3555.

**Date:** October 16, 2015

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The Planning Commission is recommending approval of a zoning map amendment, as a condition of a subdivision replat, to rezone Tract M of U.S. Survey 3555 from GI (General Island) to LI (Large Island). The Planning Commission's recommendation was made during their October 6, 2015 meeting on a 5-0 vote.

The 12,607 square foot parcel is located near the middle of Galankin Island, on the northern shore side. This parcel has been called Hacienda Island and at one point was disconnected from Galankin Island and therefore was zoned GI. Tract M is now connected with Galankin Island, which is zoned LI.

The rezoning would create uniform zoning on Galankin Island, which satisfies the intent of the comprehensive plan, zoning code, and creates harmony among existing Galankin Island uses and lots.

The Comprehensive Plan states under section 2.4.5, "To encourage logical growth and development adjacent to existing services and facilities and to discourage discontinuous, leapfrog development and zoning and section 2.4.19.B, "Rezoning may be considered in areas where excessive need exists for conditional uses, variances and/or relief from existing requirements."

The LI Large Island zoning district: "is intended to replace the open rural low density district. Its goals include protecting the residential character of the larger subdivided islands. It is intended to cover islands such Middle Island, Long Island, and Galankin. Islands with seven lots or more may be included in this zone. An objective of this zone is to have developments

swerved by access easements built to a defined standard and to have potential moorage areas defined.”<sup>1</sup>

The Planning Department Staff recommend this Zoning Map Amendment. There were no public comments received against, but there was neighbor support for the change.

**RECOMMENDED ACTION:** Approve the ordinance.

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<sup>1</sup> § 22.16.135 LI Large Island District.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-52

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING THE OFFICIAL SITKA ZONING MAP TO REZONE TRACT M OF U.S. SURVEY 3555 FROM GI (GENERAL ISLAND) TO LI (LARGE ISLAND).

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. SEVERABILITY. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. PURPOSE. The purpose of this ordinance is to expand the LI Large Island district from the northerly side in the middle of Galankin Island to include TRACT M OF U.S. Survey 3555. The rezoning is consistent with the goals and policies of the 2007 Sitka Comprehensive Plan and Title 22, section 22.16.135 (Large Island District).

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the official zoning map is amended to rezone Tract M OF U.S. Survey 3555 from GI (General Island) to LI (Large Island) district.

Appendix A is attached showcasing zoning map amendment.

5. EFFECTIVE DATE. This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 10th day of November, 2015.

Mim McConnell, Mayor

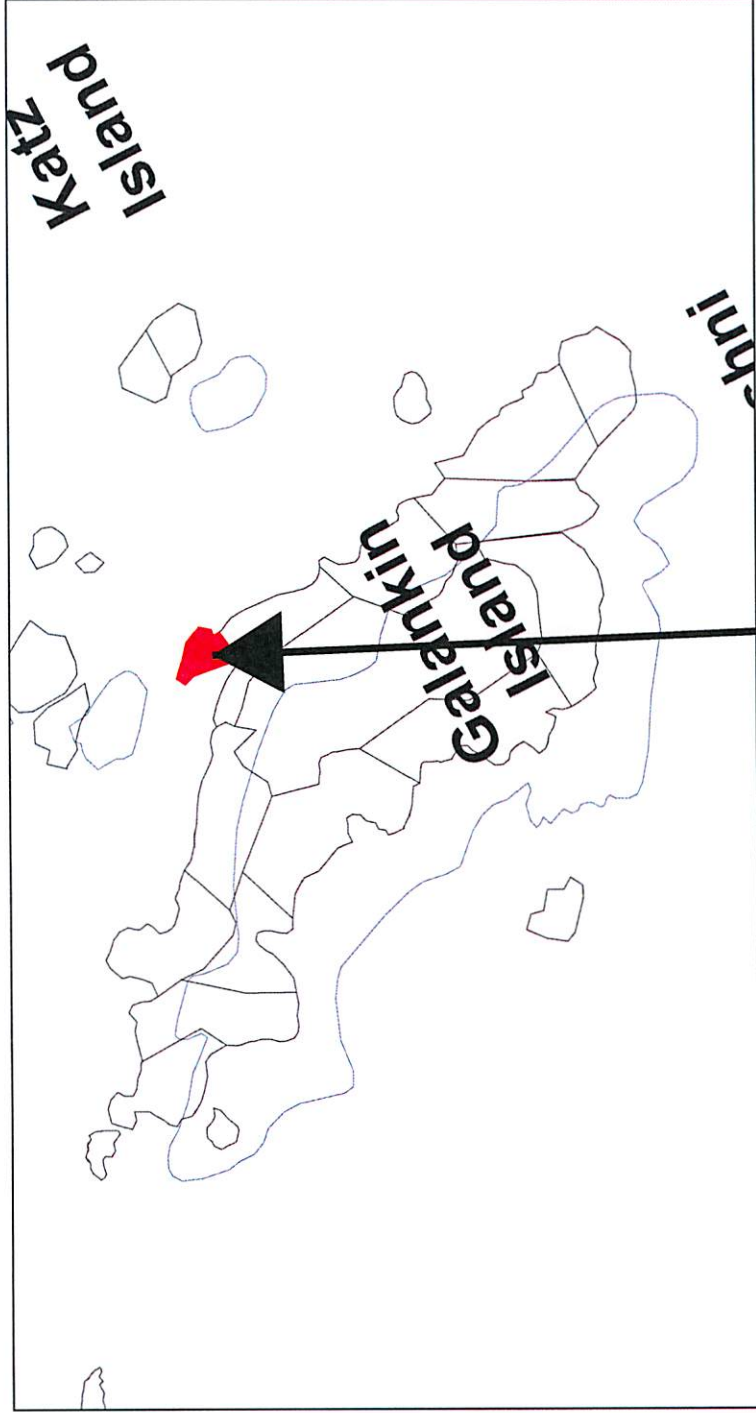
ATTEST:

Sara Peterson, CMC
Municipal Clerk









**Robert Juranich**

Zoning Map Amendment Request

Galankin Island - Tract M of U.S. Survey 3555





©MainstreetGIS

**Robert Juranich**  
Zoning Map Amendment  
*Tract M of Galankin Island, USS 3555*



BOX 1849 SITKA, ALASKA 99835  
PHONE: (907) 747-6700  
EMAIL: onelli@geonet.net

**SURVEYING AND ENGINEERING**

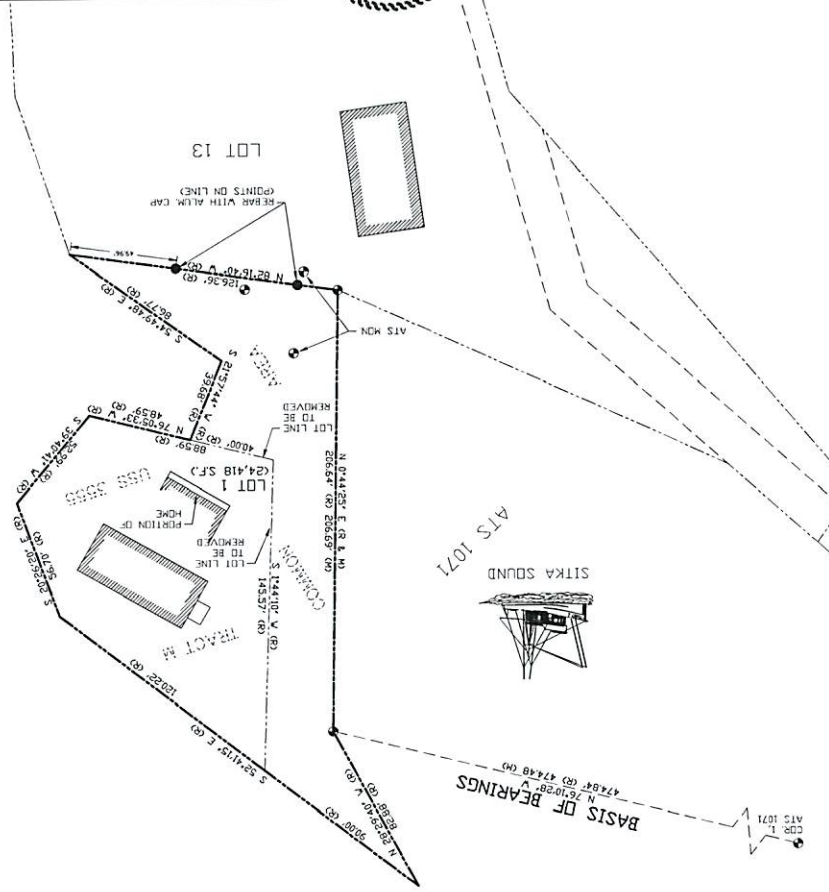
O'NEILL

BY	DATE	REVISIONS
		RECORD OF REVISIONS
		DESCRIPTION OF CHANGE

**Robert Juranich**  
Zoning Map Amendment  
Galankin Island - Tract M of U.S Survey 3555

DESIGNED BY: J. DRILL  
DRAWN BY: J. DRILL  
CHECKED BY: \_\_\_\_\_

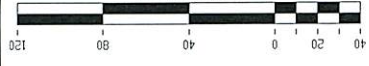
FOR THE CITY OF SITKA, ALASKA, I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR LICENSED IN THE STATE OF ALASKA AND THAT IN THIS CONNECTION I HAVE COMPLIED WITH THE REQUIREMENTS OF THE PROFESSIONAL SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND LAND RECORDS.



TRACT M US SURVEY 3555 AND THE ADJACENT COMMON AREA, GALANKIN ISLAND SUBDIVISION (PLAT NO. 82-43)  
CLIENT: BOB JURANICH

**JURANICH SUBDIVISION**

PRELIMINARY

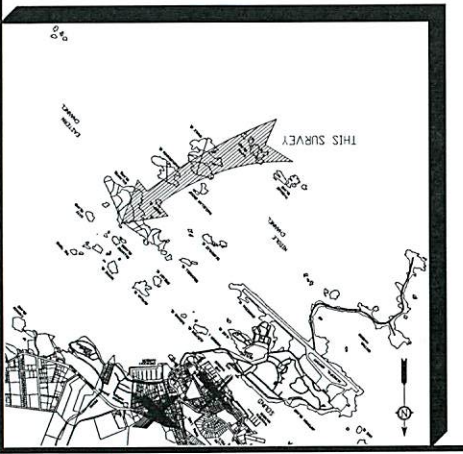


**NOTES:**

- THE PURPOSE OF THIS PLAT IS TO COMBINE TRACT M, US SURVEY 3555, WITH ADJACENT GALANKIN ISLAND SUBDIVISION COMMON AREA.
- THE BOUNDARY OF TRACT M IS PER THE GALANKIN ISLAND SUBDIVISION PLAT NO. 82-43, SITKA, ALASKA RECORDING DISTRICT - BY PHIL DAVIS.
- PER THE GALANKIN ISLAND SUBDIVISION PLAT, TRACT M OF US SURVEY 3555 HAS AN EASEMENT FOR ACCESS AND UTILITIES TO THE DOCK ACROSS LOTS 11, 13 AND ADJACENT COMMON AREA.

- LEGEND**
- PRIMARY CONTROL MONUMENT RECOVERED (BRASS CAP)
  - SECONDARY MONUMENT (SET)
  - SECONDARY MONUMENT (RECOVERED)
  - RECORDED DATA
  - COMPUTED DATA
  - MEASURED DATA

VICINITY MAP  
SCALE 1"=1,000'



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT WE ARE THE PROPRIETORS WITH OUR FULL CONSENT AND THAT WE HEREBY AFFIRM THIS PLAN OF SUBDIVISION WITH OUR FULL CONSENT AND APPROVAL TO BE RECORDED IN THE OFFICE OF THE CITY AND BOROUGH OF SITKA, ALASKA, AND THAT WE STIPULATE TO THE SAME WITHIN PLAT AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

TO BE KNOWN TO BE THE IDENTICAL INDIVIDUALS MENTIONED AND WHO EXECUTED THE INSTRUMENT AND DEEDS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE: \_\_\_\_\_ OWNER: \_\_\_\_\_ (SIGNATURE)  
DATE: \_\_\_\_\_ OWNER: \_\_\_\_\_ (SIGNATURE)  
DATE: \_\_\_\_\_ OWNER: \_\_\_\_\_ (SIGNATURE)

CITY AND BOROUGH CLERK: \_\_\_\_\_  
WATER: \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY THE ASSEMBLY**

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY.

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ AT SITKA, ALASKA.

FINANCE DIRECTOR  
CITY & BOROUGH OF SITKA

**CERTIFICATE OF PAYMENT OF TAXES**

(FIRST JUDICIAL DISTRICT)  
STATE OF ALASKA

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSessor FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS ON THE TAX RECORDS OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS

**CERTIFICATE OF APPROVAL BY THE BOARD**

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLANNING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. \_\_\_\_\_ AND THAT THE PLAT SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE \_\_\_\_\_  
CHAIRMAN, PLANNING BOARD

**CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT**

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF SITKA ARE PAID IN FULL.

DATE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ AT SITKA, ALASKA.

FINANCE DIRECTOR  
CITY & BOROUGH OF SITKA

**CERTIFICATE OF REVISIONS**

BY \_\_\_\_\_ DATE \_\_\_\_\_ REVISIONS \_\_\_\_\_  
DESCRIPTION OF CHANGE





**Robert Juranich**

Zoning Map Amendment Request  
*Galankin Island - Tract M of U.S. Survey 3555*





**Robert Juranich**

Zoning Map Amendment Request  
Galankin Island - Tract M of U.S. Survey 3555



CITY AND BOROUGH OF SITKA  
PLANNING DEPARTMENT  
ZONE CHANGE APPLICATION

ZONE MAP AMENDMENT FEE	\$100.00
ZONE TEXT AMENDMENT FEE	\$100.00
Plus current city sales tax	

Applicant's Name: ROBERT JURANICH  
Phone Number: 253-709-1439  
Mailing Address: 500 LINCOLN ST., R-3 SITKA, AK 99835  
Applicant's Signature: [Signature] Date Submitted 9-22-2015

Provide information or data, as necessary, to fully outline the reasons and justifications for the request. Attach additional sheets as necessary.

- For official map amendments, the application shall contain:
1. A legal description of each subject property along with the owner's name, address, and contact person for each subject property;
  2. An analysis showing the public benefit of the proposed amendment;
  3. An analysis showing the proposal's consistency with the Comprehensive Plan;
  4. A map of the area to be rezoned.

LIST SPECIFIC REQUEST: TO CHANGE THE ZONE DESIGNATION OF RE-PLATED TRACT M FROM G.I TO LI.

EXPLANATION OF REQUEST: THE ACQUISITION OF THE "COMMON AREA" AND COMBINING IT WITH TRACT M, "HACIENDA IS", CREATES A PARCEL WITH 2 ZONE DESIGNATIONS. IT IS REQUESTED THAT THE NEW COMBINE PARCEL BE ZONED LI.

After the application and supporting materials has been determined to be complete by the Planning Office, the request will be placed on the next available Planning Commission agenda.



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Date: September 24, 2015

From: Michael Scarcelli, Senior Planner

To: Planning Commission

Re: ZMA 15-07 Zoning Map Amendment of Tract M on Galankin Island to LI

### GENERAL INFORMATION

Applicant: Robert Juranich  
500 Lincoln Street, B3  
Sitka, AK 99835

Property Owner: Same as above

Property Address: see below

Legal Description: Tract M & Common Area  
of US Survey 3555 of Galankin  
Island Subdivision

Parcel ID Number: 49013000 and 49097000

Size of Existing Lot: Tract M: 12,607 sq. ft.; Common Area: 11,811 sq. ft.; total 24,418 sq. ft.

Zoning: GI/LI

Existing Land Use: Residential/Common Area

Utilities: On site – provided by Owner

Access: Common Boat Dock

Surrounding Land Use: Residential, common space, and Island residential uses

### MEETING FLOW

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Findings
- Motion of Approval for the replat



## **ATTACHMENTS**

Attachment A: Vicinity Map

Attachment B: Aerial Vicinity Map

Attachment C: Parcel Pictures

Attachment D: Application

Attachment E: Site Plan

Attachment F: Subdivision Re-Plat

Attachment G: Subdivision Plat

Attachment H: Zoning Map

Attachment I: Mailing List

Attachment J: Proof of Payment

Attachment K: Warranty Deed

## **PROJECT DESCRIPTION**

The applicant and owner of Tract M and the common owners of the adjacent parcel known as the common area requested at the September 15<sup>th</sup> Planning Commission a replat in which the center line between the two lots is to be removed to create one large lot. The new lot will be a total of 24,418 sq. ft. The Planning Commission unanimously approved the replat subject to a variance and zoning map amendment. This request has to do with the Zoning Map Amendment.

## **BACKGROUND**

The subdivision, including a variance, replat, and zoning map amendment, shall conform to the Comprehensive Plan, the official zoning map, and all requirements in the Sitka General Code Title 22, Zoning.<sup>1</sup> Specifically, land is unsuitable for development if it is found to have potential hazards such as flooding, high water table, or other features, which may be detrimental to the health, safety, or general welfare of existing and future residents; and therefore should not be developed *unless* hazards are eliminated by approved design or construction plans.<sup>2</sup>

Galankin Island is primarily zoned LI Large Island District. The portion known as Tract M is zoned GI General Island and was at one point unattached and a smaller single lot. Through unknown processes it became attached to the main body of Galankin Island. Due to vegetation and tree growth it can be reasonable to assume that this state of connection to the main island has been so for many years (see Photos). Standard lot size is 1 acre for either GI or LI zoning districts<sup>3</sup> (43,560 sq. ft.).

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<sup>1</sup> § 21.40.010

<sup>2</sup> § 21.40.010(A)(3).

<sup>3</sup> See SGC Table 22.20-1, p. 282-9.

The GI General Island zoning district: "is intended to replace the open general district. One of its goals is to protect the residential character of small subdivided islands while providing for commercial uses on small unsubdivided islands of modest size and islands containing six lots or less."<sup>4</sup>

The LI Large Island zoning district: "is intended to replace the open rural low density district. Its goals include protecting the residential character of the larger subdivided islands. It is intended to cover islands such Middle Island, Long Island, and Galankin. Islands with seven lots or more may be included in this zone. An objective of this zone is to have developments swerved by access easements built to a defined standard and to have potential moorage areas defined."<sup>5</sup>

Per the Comprehensive Plan, Islands shall comply with zoning and building codes, and zoning shall insure the long-term best use.<sup>6</sup>

Due to the split zoning, intent of zoning districts present, the Comprehensive Plan, and to best preserve the health and harmony of present and future residents, the development shall comply with Chapter 22.12 (Zoning Maps and Boundaries).

### **ANALYSIS**

**Project / Site:** The proposed lot is located in GI and LI zones. The proposal will increase the lot size to 24,418 sq. ft. Conditions of approval for the prior approved replat require uniform zoning for Galankin Island in conformity with the Comprehensive Plan and concurrent Variance request.

**Traffic:** Zoning Map Amendment will not cause any increase in boat traffic or circulation.

**Parking:** N/A

**Noise:** No concerns.

**Public Health or Safety:** No concerns.

**Habitat:** No concerns.

**Property Value or Neighborhood Harmony:** Change in zoning could have future impacts on property value, while an approved replat will have positive impacts on property value. Uniform

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<sup>4</sup> § 22.16.120 GI General Island District.

<sup>5</sup> § 22.16.135 LI Large Island District.

<sup>6</sup> §§ 2.8.2(J) and 2.8.4



zoning will create greater neighborhood harmony due to same types of allowable use. In addition, current uses that are legally nonconforming may continue.

**Comprehensive Plan:** 2.4.5 To encourage logical growth and development adjacent to existing services and facilities and to discourage discontinuous, leapfrog development and zoning.

2.4.19.B Rezoning may be considered in areas where excessive need exists for conditional uses, variances and/or relief from existing requirements.

### **RECOMMENDED FINDINGS**

1. That the granting of such zoning map amendment will not adversely affect the Comprehensive Plan, and it is consistent with *Comprehensive Plan 2.4.5 To encourage logical growth and development adjacent to existing services and facilities and to discourage discontinuous, leapfrog development and zoning; and 2.4.19.B Rezoning may be considered in areas where excessive need exists for conditional uses, variances and/or relief from existing requirements.*
2. The zoning map change is consistent with the public purpose of developing commonsense zoning.
3. The zoning map change will not result in adverse effects on public health, safety, and welfare.

### **CONCLUSION**

Therefore, due to the unique topographical history and current split zoning, the zoning map amendment will comport with Title 21, Title 22, and the Comprehensive Plan in the best interest of the public health, safety, and welfare.

### **RECOMMENDATION**

It is recommended that the Planning Commission adopt the Senior Planner's analysis and grant the zoning map amendment.

**CITY AND BOROUGH OF SITKA  
Planning Commission  
Minutes of Meeting  
October 6, 2015**

**Present:** Chris Spivey (Chair), Darrell Windsor (Vice Chair), Richard Parmelee (Member), Randy Hughey (Member), Debra Pohlman (Member), Michael Scarcelli (Senior Planner), Samantha Pierson (Planner I)

**Absent:** None

**Members of the Public:** Paddy Hansen, Sue Litman, Kent Bovee

Chair Spivey called the meeting to order at 7:00 p.m.

**Roll Call:**

**PRESENT:** 5 – Parmelee, Spivey, Windsor, Pohlman, Hughey

**Consideration of the Minutes from the September 15, 2015 meeting:**

**MOTION: M/S POHLMAN/WINDSOR** moved to approve the meeting minutes for September 15, 2015.

**ACTION:** Motion **PASSED** unanimously **5-0** on a voice vote.

**The evening business:**

**VARIANCE REQUEST  
515 VERSTOVIA STREET  
PADDY HANSEN**

*Public hearing and consideration of a variance request filed by Paddy Hansen for 515 Verstovia Street. The variance request is for a reduction in the western rear setback from 10 to 3 feet and the northern rear setback from 10 to 6 feet for the construction of a covered patio and the construction of a porch. The property is also known as Lot 1, Block 2, Sirstad Addition #3. The request is filed by the Paddy Hansen. The owners of record are Paddy and Deena Hansen.*

Chair Spivey offered to recuse himself due to having a business relationship with Mr. Hansen. He stated that he could participate in an unbiased fashion, and the other commissioners agreed that he could participate in the proceedings.

**STAFF REPORT:** Scarcelli described the variance request and the previously approved variance for the property. The property has geographic constraints due to having two front setbacks. Scarcelli stated that an informal complaint had been received about the proposal. The northern border is shielded by foliage and a steel building. These new structures would result in the property reaching maximum building coverage as outlined by municipal code.



**APPLICANT:** Paddy Hansen stated that he had nothing to add, and that the staff report was comprehensive.

**COMMISSIONER DELIBERATION:** Commissioner Spivey clarified that the western setback request was previously approved, and that the northern setback is a new request.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S WINDSOR/HUGHEY:** moved to adopt the following findings:

1. Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:
  - a. That there are special circumstances to the intended use that do not apply generally to the other properties, specifically the irregular corner lot shape and staged development of home and garage and site situation;
  - b. The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel;
  - 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. It is in line with Comprehensive Plan 2.4.1 *To guide the orderly and efficient use of private and public land in a manner that maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations without infringing on the rights of private landowners.*

**ACTION:** Motion **PASSED unanimously 5-0** on a voice vote.

**MOTION: M/S HUGHEY/POHLMAN:** moved to approve a variance request filed by Paddy Hansen for 515 Verstovia Street. The variance request is for a reduction in the western rear setback from 10 to 3 feet and the northern rear setback from 10 to 6 feet for the construction of a covered patio and the construction of a porch. The property is also known as Lot 1, Block 2, Sirstad Addition #3. The request is filed by the Paddy Hansen. The owners of record are Paddy and Deena Hansen.

**ACTION:** Motion **PASSED unanimously 5-0** on a voice vote.

## **VARIANCE REQUEST**

**TRACT M AND IMMEDIATELY ADJACENT WESTERLY COMMON AREA OF GALANKIN ISLAND  
ROBERT JURANICH**

*Public hearing and consideration of a variance request for Tract M and immediately adjacent westerly common area of Galankin Island. The variance request would permit the creation of an*

*undersized lot. The property is also known as Tract M of U.S. Survey 3555 and adjacent common area of Galankin Island Subdivision. The request is filed by Robert Juranich. The owners of record are Robert and Marilyn Juranich and Galankin Islanders, Inc.*

**STAFF REPORT:** Scarcelli explained that this was a carryover from a replat approved on September 15 on the condition of variance and zoning map amendment approval. The proposal will create a larger lot, moving toward conformity with minimum lot requirements. The current lot is 28.9% of the minimum lot requirement, and the proposed lot will be 56% of the minimum lot requirement. The Large Island (LI) district is intended for islands such as Galankin, as specified in SGC 22.16.135. LI is intended for islands with seven or more lots.

**APPLICANT:** Sue Litman represented Mr. Juranich. She stated that nothing has changed in the plans, and that she agreed with staff analysis.

**COMMISSIONER DELIBERATION:** Windsor stated that he has spoken with three neighbors, and they have all been supportive of Juranich's proposal.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S WINDSOR/POHLMAN:** moved to adopt the following findings:

Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

- 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 parcel, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner, *specifically the initial independent nature of Tract M (Hacienda Island, 12,607 sq. ft.) and its current connected status to Galankin Island;*
- b. The variance is necessary for the preservation and enjoyment of a substantial property right of 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, *specifically, other properties on Galankin Island enjoy larger lots and this would substantially increase lot size;*
- 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, *specifically, this variance would allow an increase to lot size adding greater buffers to existing single-family home and to adjacent land-owners;* and
- d. That the granting of such a variance will not adversely affect the comprehensive plan, *specifically, will lead to moving towards conformity with development standards.*

**ACTION:** Motion **PASSED** unanimously 5-0 on a voice vote.

**MOTION: M/S HUGHEY/WINDSOR:** moved to approve a variance request filed by Robert Juranich for Tract M and immediately adjacent westerly common area of Galankin Island. The

variance request would permit the creation of an undersized lot. The property is also known as Tract M of U.S. Survey 3555 and adjacent common area of Galankin Island Subdivision. The request is filed by Robert Juranich. The owners of record are Robert and Marilyn Juranich and Galankin Islanders, Inc.

**ACTION:** Motion **PASSED** unanimously 5-0 on a voice vote.

**ZONING MAP AMENDMENT  
CHANGE ZONING OF TRACT M OF GALANKIN ISLAND FROM GI TO LI  
ROBERT JURANICH**

*Public hearing and consideration of a zoning map amendment for Tract M and immediately adjacent westerly common area of Galankin Island. The zoning map amendment would change the zoning of Tract M from GI to LI. The property is also known as Tract M of U.S. Survey 3555 of Galankin Island Subdivision. The request is filed by Robert Juranich. The owners of record are Robert and Marilyn Juranich and Galankin Islanders, Inc.*

**STAFF REPORT:** Scarcelli explained that this was a carryover from a replat approved on September 15 on the condition of variance and zoning map amendment approval. The Juranich property has become connected to Galankin Island through natural processes. The Large Island (LI) district is intended for islands such as Galankin, as specified in SGC 22.16.135. The current zoning of this property results in discontinuous zoning. Rezoning can be considered where excessive need exists for conditional uses, variances, and/or relief from existing requirements.

**APPLICANT:** Sue Litman represented Mr. Juranich. She stated that nothing has changed in the plans, and that she agreed with staff analysis.

**COMMISSIONER DELIBERATION:** Windsor stated that he has spoken with three neighbors, and they have all been supportive of Juranich's proposal.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S WINDSOR/POHLMAN** moved to adopt the following findings:

1. That the granting of such zoning map amendment will not adversely affect the Comprehensive Plan, and it is consistent with Comprehensive Plan 2.4.5 To encourage logical growth and development adjacent to existing services and facilities and to discourage discontinuous, leapfrog development and zoning; and 2.4.19.B Rezoning may be considered in areas where excessive need exists for conditional uses, variances and/or relief from existing requirements.
2. The zoning map change is consistent with the public purpose of developing commonsense zoning.
3. The zoning map change will not result in adverse effects on public health, safety, and welfare.

**ACTION:** Motion **PASSED** unanimously 5-0 on a voice vote.



**MOTION: M/S WINDSOR/POHLMAN** moved to recommend a zoning map amendment filed by Robert Juranich for Tract M and immediately adjacent westerly common area of Galankin Island. The zoning map amendment would change the zoning of Tract M from GI to LI. The property is also known as Tract M of U.S. Survey 3555 of Galankin Island Subdivision. The request is filed by Robert Juranich. The owners of record are Robert and Marilyn Juranich and Galankin Islanders, Inc.

**ACTION:** Motion **PASSED unanimously 5-0** on a voice vote.

**CONDITIONAL USE PERMIT  
601 LINCOLN STREET, UNIT A  
KENT BOVEE**

*Public hearing and consideration of a conditional use permit for a short-term rental at 601 Lincoln Street Unit A. The property is also known as Lot 3, Block 13, Gregory Subdivision, U.S. Survey 1474. The request is filed by Kent Bovee. The owner of record is Bovee Irrevocable Children's Trust.*

**STAFF REPORT:** Scarcelli described the short-term rental request and the property's features. The property has two units. The bottom unit is a long-term rental and the top unit is intended to become a short-term rental. The short-term rental will be primarily rented during the summer, with year-round availability as necessary. No signs are proposed. The property has sufficient parking for the two units. The proposal will provide additional housing availability for seasonal visitors and will result in tax revenue.

**APPLICANT:** Kent Bovee stated that he lives downstairs, and his parents previously lived in the upstairs unit. They are now in a retirement home, so the family is seeking to rent out the unit while leaving flexibility for family to periodically stay in the unit. Bovee stated that he would apply for the tax account upon approval of the conditional use permit.

**PUBLIC COMMENT:** No public comment.

**COMMISSIONER DELIBERATION:** Commissioners stated that, having driven by the property in the past, the parking lot is capable of holding the required number of vehicles without encroaching upon the sidewalk.

**MOTION: M/S HUGHEY/POHLMAN** moved to adopt the following findings

**C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:**

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
  - 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.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors;
2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;

4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**MOTION: M/S PARMELEE/WINDSOR** moved to approve a conditional use permit for a short-term rental at 601 Lincoln Street Unit A, contingent upon the following conditions. The property is also known as Lot 3, Block 13, Gregory Subdivision, U.S. Survey 1474. The request is filed by Kent Bovee. The owner of record is Bovee Irrevocable Children's Trust.

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
7. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.
8. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**DIRECTORS REPORT:** Scarcelli shared that the Conditional Use Permit zoning text change would be going to the Assembly on October 13<sup>th</sup>. The October 20<sup>th</sup> agenda includes a conditional use permit final annual review, a variance request, and a minor subdivision. Scarcelli updated the commissioners about the status of enforcement at 101 Lance Drive. Scarcelli stated that the commission's iPads were on the way.



**COMMISSIONER DELIBERATION:** Commissioners asked if the city provides notice about upcoming conditional use permit reviews. Scarcelli stated that staff would develop a system for tracking the status of the permits. Commissioners stated concern that code violations be enforced. Hughey stated that he would be absent for the October 20<sup>th</sup> meeting.

**PUBLIC COMMENT:** None

**MOTION:** M/S PARMELEE/POHLMAN moved to adjourn at 7:54 pm.

**ACTION:** Motion **PASSED unanimously 5-0** on a voice vote.

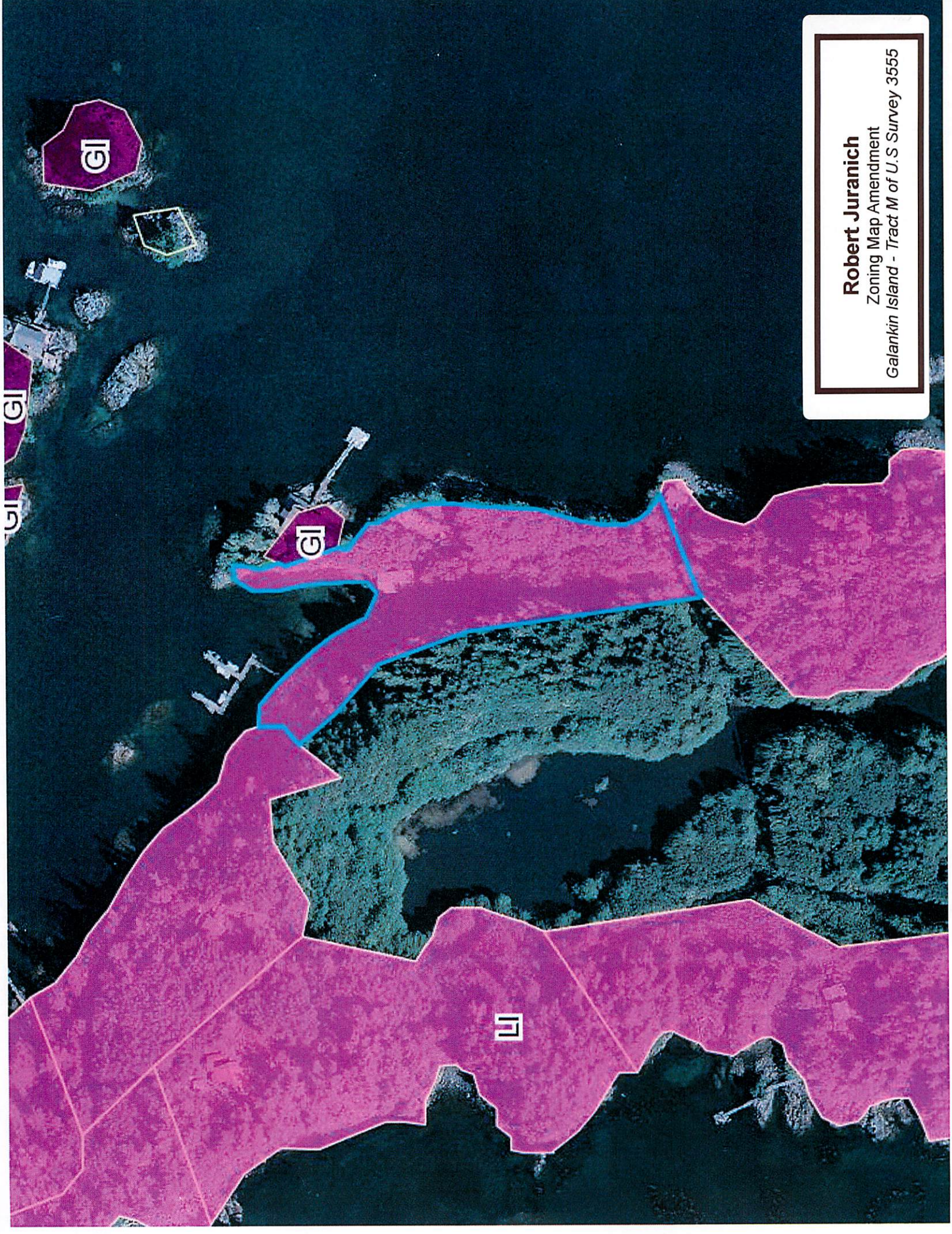
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**Chris Spivey, Chair**

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**Samantha Pierson, Secretary**





**Robert Juranich**

Zoning Map Amendment

Galankin Island - Tract M of U.S Survey 3555



CITY and Borough of SITKA, AK  
100 Lincoln St  
SITKA, AK 99585

Date: 09/22/2016  
Receipt: 2016-00015934  
Cashier: Front Counter  
Received From: ROBERT JURANICH

PLAN - Planning Permits/Zo	175.00
ning	
SIT - Sales Tax 3rd quarte	10.50
NCY	
Receipt Total	----- 185.50
Total other	185.50
Total Remitted	----- 185.50
Total Received	185.50

**Robert Juranich**  
Zoning Map Amendment Request  
Galankin Island - Tract M of U.S. Survey 3555



A  
L  
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S  
K  
A

2007-001822-0

Recording Dist: 103 - Sitka

11/26/2007 10:59 AM Pages: 1 of 2



File for Record at Request of:

AFTER RECORDING MAIL TO:

Name: Robert & Marilyn Juranich

Address: P.O. Box 54296

Redondo, WA 98054

*CC*

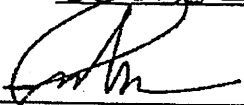
**QUIT CLAIM DEED**


~~THE GRANTOR, Donald S. Olson, who took title, as his separate estate and Robert J. Juranich and Marilyn F. Juranich, as tenants in common, whose address is P.O. Box 54296, Redondo, WA 98054, for and in consideration of \$10.00, conveys and quit claims to Robert J. Juranich and Marilyn F. Juranich, as tenants in common, whose address is P.O. Box, Redondo, WA 98054, the following described real estate, situated in the Recording District of Sitka, First Judicial District, State of Alaska:~~

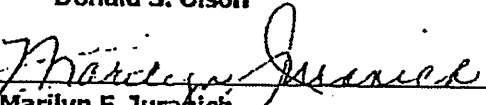
Tract M, of the GALANKIN ISLAND SUBDIVISION, within U.S. Survey 3555, according to Plat 82-43, Sitka Recording District, First Judicial District, State of Alaska.

together with all after acquired title of the Grantor(s) therein.

Dated: October 30, 2007.

  
\_\_\_\_\_  
Donald S. Olson

  
\_\_\_\_\_  
Robert J. Juranich

  
\_\_\_\_\_  
Marilyn F. Juranich

**Robert Juranich**  
Zoning Map Amendment Request  
Galankin Island - Tract M of U.S. Survey 3555

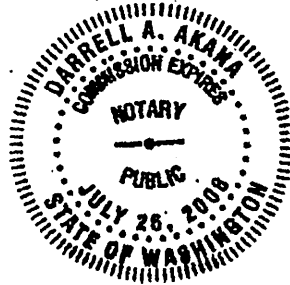
STATE OF Washington )  
 ) SS.  
Judicial District )

THIS IS TO CERTIFY that on this 11-15-07, before me the undersigned Notary Public, personally appeared **Donald S. Olson**, known to me and to me known to be the individual(s) described in and who executed the foregoing instrument and he/she/they acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

*Darrell A. Akana*

Notary Public in and for Washington  
My commission expires July 26, 2008



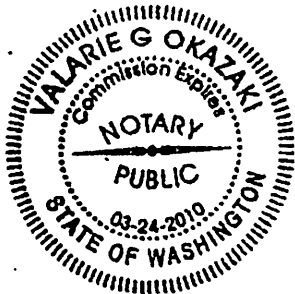
STATE OF Washinton )  
 ) SS.  
COUNTY OF King )

I certify that I know or have satisfactory evidence that **Robert J. Juranich and Marilyn F. Juranich**, is/are the person(s) who appeared before me, and said person(s) acknowledged that he/she/they signed this instrument and acknowledged it to be his/her/their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: October 30, 2007

*Valarie G Okazaki*

Notary Public in and for the State of Washington  
Residing at: Puyallup,  
My appointment expires: 3/24/2010



**Robert Juranich**  
Zoning Map Amendment Request  
Galankin Island - Tract M of U.S. Survey 3555



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Sitka Planning Commission Agenda

**Tuesday, October 6, 2015**

Held at Sealing Cove Business Center

601 Alice Loop, Sitka, Alaska

**7:00pm**

- I. CALL TO ORDER AND ROLL CALL
- II. CONSIDERATION OF THE AGENDA
- III. CONSIDERATION OF THE MINUTES FROM September 15, 2015
- IV. THE EVENING BUSINESS
  - A. Public hearing and consideration of a variance request filed by Paddy Hansen for 515 Verstovia Street. The variance request is for a reduction in the western rear setback from 10 to 3 feet and the northern rear setback from 10 to 6 feet for the construction of a covered patio and the construction of a porch. The property is also known as Lot 1, Block 2, Sirstad Addition #3. The request is filed by the Paddy Hansen. The owners of record are Paddy and Deena Hansen.
  - B. Public hearing and consideration of a variance request for Tract M and immediately adjacent westerly common area of Galankin Island. The variance request would permit the creation of an undersized lot. The property is also known as Tract M of U.S. Survey 3555 and adjacent common area of Galankin Island Subdivision. The request is filed by Robert Juranich. The owners of record are Robert and Marilyn Juranich and Galankin Islanders, Inc.
  - C. Public hearing and consideration of a zoning map amendment for Tract M and immediately adjacent westerly common area of Galankin Island. The zoning map amendment would change the zoning of Tract M from GI to LI. The property is also known as Tract M of U.S. Survey 3555 of Galankin Island Subdivision. The request is filed by Robert Juranich. The owners of record are Robert and Marilyn Juranich and Galankin Islanders, Inc.
  - D. Public hearing and consideration of a conditional use permit for a short-term rental at 601 Lincoln Street Unit A. The property is also known as Lot 3, Block 13, Gregory Subdivision, U.S. Survey 1474. The request is filed by Kent Bovee. The owner of record is Bovee Irrevocable Children's Trust.
- V. PLANNING DIRECTOR'S REPORT
- VI. PUBLIC BUSINESS FROM THE FLOOR
- VII. ADJOURNMENT

NOTE: Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to [planning.comments@cityofsitka.org](mailto:planning.comments@cityofsitka.org), or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.  
Publish: September 29 and 30.

Parcel ID: 49011000  
KENNETH/KAREN GOFF  
GOFF, KENNETH, M./KAREN, R.  
P.O. BOX 925  
SITKA AK 99835-0925

Parcel ID: 49013000  
GALANKIN ISLANDERS, INC.  
C/O JAMES STEFFEN  
GALANKIN ISLANDERS, INC.  
P.O. BOX 936  
SITKA AK 99835-0936

Parcel ID: 49097000  
ROBERT/MARILYN JURAN  
JURANICH, ROBERT/MARI  
27013 PACIFIC HWY S.  
DES MOINES WA 99198

**Robert Juranich**  
Zoning Map Amendment Request  
*Galankin Island - Tract M of U.S. Survey 3555*

**P&Z Mailing**  
**September 25, 2015**