



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Date: March 15, 2016

From: Samantha Pierson, Planner I

To: Planning Commission

Re: V 15-34 Variance Request for Storage/Workshop Structure at 3802 Halibut Point Road

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### GENERAL INFORMATION

Applicant Jay Clifton

Property Owner: Sherry Clifton

Property Address: 3802 Halibut Point Road

Legal Description: Lot 5 Bahrt Subdivision

Parcel ID Number: 2564000

Size of Existing Lot: 10,664 square feet

Zoning: C-2

Existing Land Use: Residential

Utilities: Full city services

Access: Access from Hemlock Street

Surrounding Land Use: Residential, Commercial, Recreational

### 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 to approve

### ATTACHMENTS

Attachment A: Vicinity Map

Attachment B: Aerial Vicinity Map

Attachment C: Parcel Pictures

Attachment D: Application

Attachment E: Site Plan

Attachment F: Subdivision Plat

Attachment G: Zoning Map

Attachment H: Flood Zone Map

Attachment I: Mailing List

Attachment J: Proof of Payment

## **BACKGROUND**

The lot is currently developed as a residential property. Surrounding lots are residential, commercial, and recreational in use. A single-family dwelling currently exists on the lot. Due to its location on Halibut Point Road and Granite Creek Road, this lot has two front and two rear setbacks.

## **PROJECT DESCRIPTION**

The variance is for the reduction in the easterly rear setback from 10 feet to 9.25 feet and the reduction of the northerly rear setback from 10 feet to 8 feet for the construction of a storage and workshop building. The property is located at 3802 Halibut Point Road, in the C-2 District. The minimum rear setbacks in the C-2 zone are 10 feet.<sup>1</sup> Setbacks are measured from property lines to eaves, gutters, and drip lines.

The proposed structure measures 16 feet by 36 feet. The addition of this proposed structure would result in a 20% lot coverage, which is less than the 50% maximum lot coverage in the C-2 zone.

## **ANALYSIS**

**Project / Site:** This lot is constrained by two front and two rear setbacks. While the Planning Department has the authority to grant administrative setback variances for up to two feet for residentially zoned properties, it does not have such an authority for commercially zoned properties used for residential purposes.

CBS does not have an as-built survey on file for this property. In accordance with Department policy, an as-built survey will also be required if this project is approved.

**Zone: C-2:** The C-2 zone permits a single-family detached dwelling as a permitted use. Garages and sheds are permitted accessory structures.<sup>2</sup>

**Traffic:** No concerns for traffic.

**Parking:** There is enough space for parking with two spaces required per single-family dwelling unit.<sup>3</sup>

**Noise:** Minimal noise concerns beyond the construction period. Setbacks are one way to mitigate noise by creating buffer zones.

**Public Health or Safety:** No concerns for public health and safety.

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<sup>1</sup> Table 22.20-1—Development Standards

<sup>2</sup> Section 22.16.080—C-1 General Commercial District or C-2 General Commercial Mobile Home District

<sup>3</sup> Section 22.20.100.G.1—Off-Street Parking Requirements

**Habitat:** No concerns for habitat.

**Property Value or Neighborhood Harmony:** A workshop/storage structure would be an improvement to the property.

**Conformity with Comprehensive Plan:** Conforms to Comprehensive Plan Section 2.4.1 which states, “To guide the orderly and efficient use of private and public land in a manner which maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations,” specifically by allowing an outside storage structure on a lot that is constrained by dual front setbacks, while not infringing upon the light and air space of neighboring property owners.

## **FINDINGS<sup>4</sup>**

### **D. Required Findings for Variances.**

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 two rear setbacks*;
  - 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, *specifically, the ability to adequately protect tools from rain*;
  - 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, the variance is minimal*; and
  - d) That the granting of such a variance will not adversely affect the Comprehensive Plan: *specifically, it is in line with Comprehensive Plan 2.4.1, which states, “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,” specifically by allowing an outside storage structure on a lot that is constrained by dual front setbacks, while not infringing upon the light and air space of neighboring property owners.*

## **RECOMMENDATION**

It is recommended that the Planning Commission adopt the Planner’s analysis and suggested findings, and grant the variance request for the reduction in the easterly rear setback from 10 feet to 9.25 feet and the reduction of the northerly rear setback from 10 feet to 8 feet for the construction of a storage and workshop building.

### **Recommended Motions:** (two motions - read and voted upon separately)

- 1) I move to adopt and approve the required findings for major structures or expansions as

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<sup>4</sup> Section 22.30.160(D)(1)—Required Findings for Major Variances

discussed in the staff report.

- 2) I move to approve the variance request filed by Jay Clifton for 3802 Halibut Point Road. The variance is for the reduction in the easterly rear setback from 10 feet to 9.25 feet and the reduction of the northerly rear setback from 10 feet to 8 feet for the construction of a storage and workshop building. The property is also known as Lot 5 Bahrt Subdivision. The request is filed by Jay Clifton. The owner of record is Sherry Clifton.