



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 22-09 – Platting Variance for Access

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.

Currently, Lot 1 JPJL is accessed via an easement that runs through Lots 4 and 5 Tisher. This primarily serves lots 2 and 3, but is also available for use by Lot 4 (the house built on Lot 4 is oriented be accessed via this easement). While not city standard for streets, The easement is platted at 30 feet wide (10 feet wider than required for easements) and exceeds the minimum 12’ wide developed drivable surface. The subdivision of Lot 1 JPJL would add one additional lot on this easement, bringing the total to 5. SGC 21.40.030C, Access Easements, states “...No more than four lots shall utilize a single common access road that is constructed to less than the regular municipal street standard” 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.

Building this easement to municipal street standard would require a minimum 50 foot width; the lots is not suited to a large right-of-way through which to extend public facilities – the topographic challenges alone would make this extremely difficult. 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 street standards 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 allowing five lots to utilize an access easement 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.