

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: January 6, 2017

From: PCDD Staff

To: Planning Commission

Re: CU 16-39 Conditional Use Permit for ADU with Variance at 312 Eliason Loop

GENERAL INFORMATION

Applicant: Mike and Taylor Vieira

Property Owner: Mike and Taylor Vieira

Property Address: 312 Eliason Loop

Legal Description: Lot 2 Block 6 Hillside Subdivision

Parcel ID Number: 30647029

Size of Existing Lot: 12,484 square feet

Zoning: R-1

Existing Land Use: Single family

Utilities: Full city services

Access: Eliason Loop

Surrounding Land Use: Residential, Undeveloped

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: Zoning Map

Attachment D: Flood Zone Map

Attachment E: Parcel Pictures

Attachment F: Subdivision Plat

Attachment G: Site Plan/Floor Plan Proposal

Attachment H: Application

Attachment I: Comments

Providing for today...preparing for tomorrow

Attachment J: Mailing List

Attachment K: Proof of Payment

Attachment L: Proof of Ownership

BACKGROUND

312 Eliason Loop was created through the Hillside Subdivision. The lot currently has a single-family home. Surrounding properties are residential and undeveloped.

PROJECT DESCRIPTION

The variance request is for the reduction of the front setback from 20 feet to 12 feet for the construction of an accessory dwelling unit. Accessory dwelling units require conditional use permits if variances are required. The proposed accessory dwelling unit would be on the downhill front of the property. The ADU will be a maximum of 800 square feet. Exact plans have not been submitted, as the owner must excavate before he can see what is buildable.

The lot has two front setbacks and steep topography, both which constrain development. The current home is on the uphill front of the property. The property is 12,484 square feet. The unit would be used to house long-term residents.

Zoning Code

Pursuant to Section 22.20.160, an ADU must seek a CUP if there is a variance on the property. The proposal is connected with V-16-26 that sought a variance from setbacks. Therefore, to move this proposal forward, the ADU would need to be conditionally approved.

C. Accessory Dwelling Unit Requirements.

1. ~~An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP.~~ An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance.
2. ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.
3. ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.
4. The ADU must be located on the same parcel as the primary dwelling unit.
5. Only one ADU is allowed per parcel.
6. Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU.
7. ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.
8. ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.
9. If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.
10. Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.
11. The maximum size of an ADU shall be eight hundred square feet.
12. The following parking requirements are applicable for ADUs:

- a. As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit.
 - b. Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties.
 - c. On-street parking is prohibited.
 - d. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.
13. All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met.
14. Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements.
- D. Conditional use permits may be sought if the above requirements cannot be met. Conditional use permit must be in conformance with Chapter 22.24.
(Ord. 15-08 § 4 (part), 2015; Ord. 13-14A § 4 (part), 2013.)

ANALYSIS

1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.¹

- a. **Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:** An additional dwelling unit could generate additional traffic and parking demand.
- b. **Amount of noise to be generated and its impacts on surrounding land use:** An additional dwelling unit could generate additional noise.
- c. **Odors to be generated by the use and their impacts:** No additional odors.
- d. **Hours of operation:** Year-round residential use.
- e. **Location along a major or collector street:** Eliason Loop
- f. **Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** No concerns.
- g. **Effects on vehicular and pedestrian safety:** Not identified.
- h. **Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Same ability as if home was built in center of lot.
- i. **Logic of the internal traffic layout:** Parking is available adjacent to both dwelling units.
- j. **Effects of signage on nearby uses:** No proposed signage.
- k. **Presence of existing or proposed buffers on the site or immediately adjacent the site:** Setbacks are reduced, which impacts buffers.
- l. **Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** Conforms to Comprehensive Plan: SGC identifies that ADUs are consistent with Comprehensive Plan sections 2.2.15, 2.2.16, 2.4.8A, 2.5.1B, 2.5.11, and 2.10.3B, which all encourage a mix of single family and multi-family housing types to encourage access to affordable housing options, which small

¹ § 22.24.010.E

homes and accessory dwelling units would encourage.

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:²

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;

² § 22.30.160.C – Required Findings for Conditional Use Permits
CUP 16-39 Staff Report for January 6, 2017

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.

Conclusion on Findings: That the proposed conditional use as conditioned would not be detrimental to the public's health, safety, or welfare; that the conditions of approval have satisfactorily mitigated any potential harm or impact to the surrounding land uses and properties; and that the required findings have been met as the proposal complies with SGC and Comprehensive Plan sections regarding ADUs and variances, and affordable housing while protecting the character of the neighborhood and the public's health, safety, and welfare.

RECOMMENDATION

It is recommended that the Planning Commission adopt the staff analysis and suggested findings, and grant the conditional use permit for the development of an accessory dwelling unit.

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

- 1) I move to adopt and approve the required findings for conditional use permits for accessory dwelling units as discussed in the staff report.
- 2) I move to approve a conditional use permit request for 312 Eliason Loop subject to conditions of approval. The request is for the construction of an accessory dwelling unit requiring a variance. The property is also known as Lot 2 Block 6 Hillside Subdivision. The request is filed by Mike and Taylor Vieira. The owners of record are Mike and Taylor Vieira.
 - a. Conditions of Approval:
 - i. Applicant specifically acknowledges and shall follow all applicable development standards and zoning regulations such as required parking and height limits for structures (25 feet or the height of the principal structure, whichever is less);
 - ii. ADU shall be no greater than 800 square feet, comply with setbacks as proposed on site and approved by variance, and shall meet all applicable building codes regarding dwelling units.





City & Borough of Sitka, Alaska

Selected Parcel: 312 ELIASON ID: 30647029

Printed 12/28/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

50 m
100 ft



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.







CERTIFICATE OF OWNERSHIP AND DEDICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

Shane Clark W. Wingard
DATE: _____ OWNER: _____
President of Wingard Development, Inc.

NOTARY'S ACKNOWLEDGMENT

LO OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA
THIS IS TO CERTIFY THAT ON THIS 11th DAY OF May, 2006, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Clark W. Wingard, President of Wingard Development, Inc.

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTES THE WITHIN PLAT AND, he, ACKNOWLEDGED TO ME THAT he IS THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SET FORTH.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND DATE FIRST HEREIN WRITTEN.
Clark W. Wingard
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES 7-1-07

**CERTIFICATE OF PAYMENT OF TAXES
(STATE OF ALASKA)
(FIRST JUDICIAL DISTRICT)**

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF Wingard Development, Inc.

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS ARE IN FAVOR OF THE CITY & BOROUGH OF SITKA AND PAID IN FULL. THAT CURRENT TAXES FOR THE YEAR OR YEARS WILL BE DUE ON OR BEFORE Aug. 31, 2006.

DATED THIS 11th DAY OF May, 2006, AT SITKA, ALASKA.

Shane Clark W. Wingard
ASSISTANT CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 10-16, DATED May 11, 2006, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

Shane Clark W. Wingard
PLATING BOARD

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY, ALL RECORDED IN MINUTE BOOK 10-16, PAGE 1, DATED May 11, 2006, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATED THIS 11th DAY OF May, 2006, AT SITKA, ALASKA.

Shane Clark W. Wingard
CITY AND BOROUGH CLERK

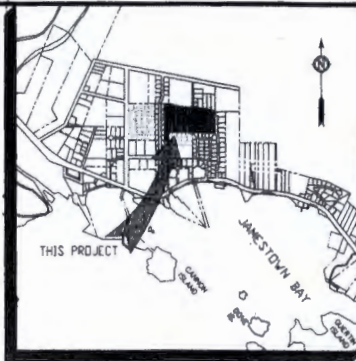
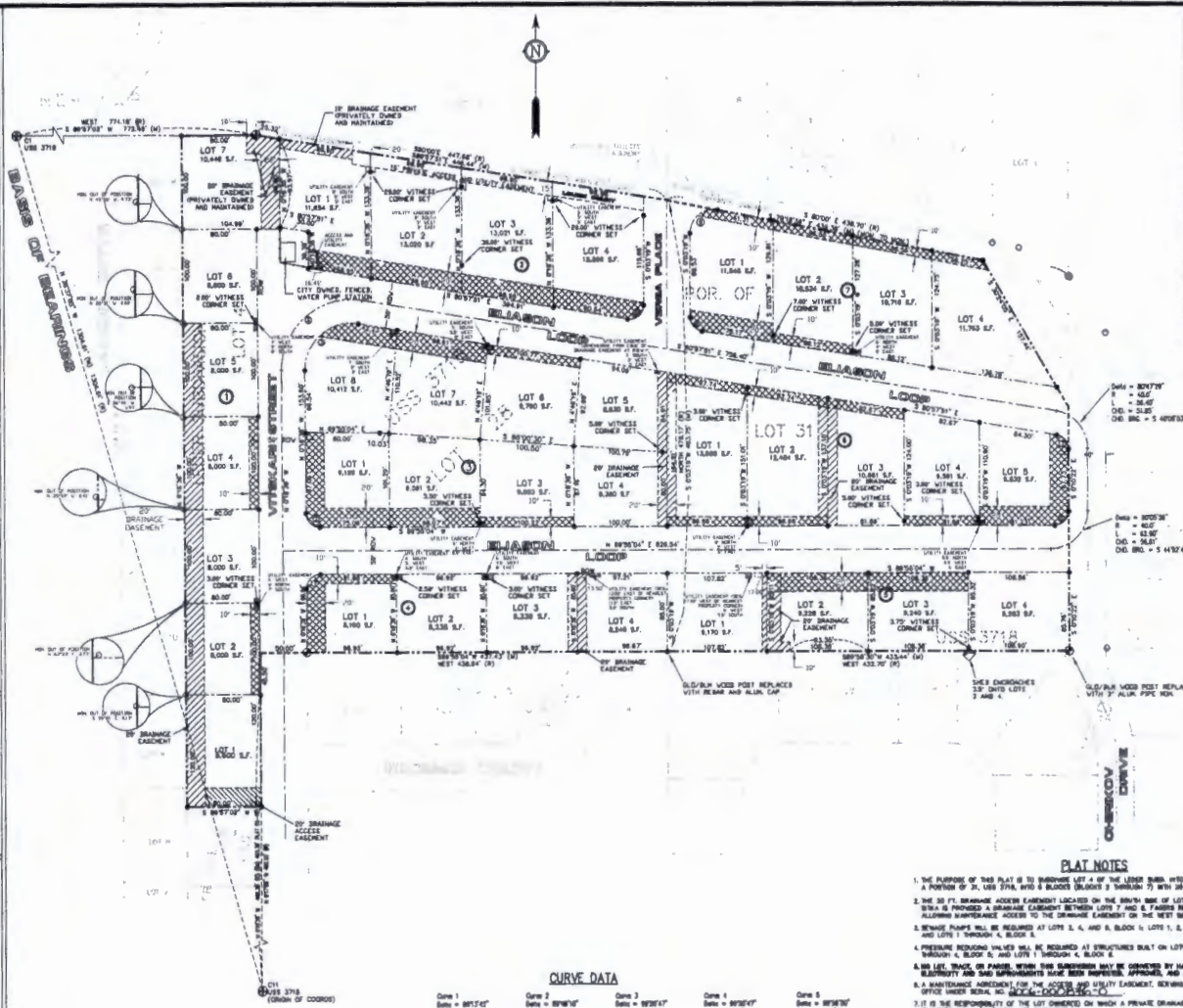
CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

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 THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF Wingard Development, Inc.

CALL DIVERSITY OF RECORDS, AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS ARE IN FAVOR OF THE CITY & BOROUGH OF SITKA AND PAID IN FULL.

DATED THIS 11th DAY OF May, 2006, AT SITKA, ALASKA.

Shane Clark W. Wingard
FINANCE DIRECTOR
CITY & BOROUGH OF SITKA



VICINITY MAP
SCALE 1"=1,000'

- LEGEND**
- ① OLD/BLM PRIMARY BRUSH CAP (RECORDED)
 - ② OLD/BLM RISK PFC REMAINS OF BRUSH CAP (RECORDED)
 - ③ ALASKAN PIPE WELLDOWN
 - ④ SECONDARY WELLDOWN (NOT)
 - ⑤ RECORDED DATA
 - ⑥ COMPILED DATA
 - ⑦ RECORDED DATA
 - ⑧ SLOPE EASEMENT
 - ⑨ UTILITY EASEMENT (ELECTRIC, TELEPHONE AND OTHERS ARE PARALLEL OR PERPENDICULAR TO A LINE, UNLESS OTHERWISE NOTED)
 - ⑩ CHAIN LINE POLE

DATA = 800'±
R = 100'
L = 100'
CHL. BNC = 5 40°00'± E

DATA = 800'±
R = 100'
L = 100'
CHL. BNC = 5 40°00'± E

PLAT NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 4 OF THE LEONER SUBD. INTO 1 BLOCK CONTAINING 7 LOTS AND TO SUBDIVIDE LOT 28 AND A PORTION OF 31, LOTS 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

CURVE DATA

Curve 1 Data = 800'± R = 100' L = 100' CHL. BNC = 5 40°00'± E	Curve 2 Data = 800'± R = 100' L = 100' CHL. BNC = 5 40°00'± E	Curve 3 Data = 800'± R = 100' L = 100' CHL. BNC = 5 40°00'± E	Curve 4 Data = 800'± R = 100' L = 100' CHL. BNC = 5 40°00'± E	Curve 5 Data = 800'± R = 100' L = 100' CHL. BNC = 5 40°00'± E
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O'NEILL
SURVEYING AND ENGINEERING

BOX 1449 SITKA, ALASKA 99585
PHONE: (907) 743-7790
FAX: (907) 743-7790
EMAIL: onell@alaska.net

BY	DATE	REV	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



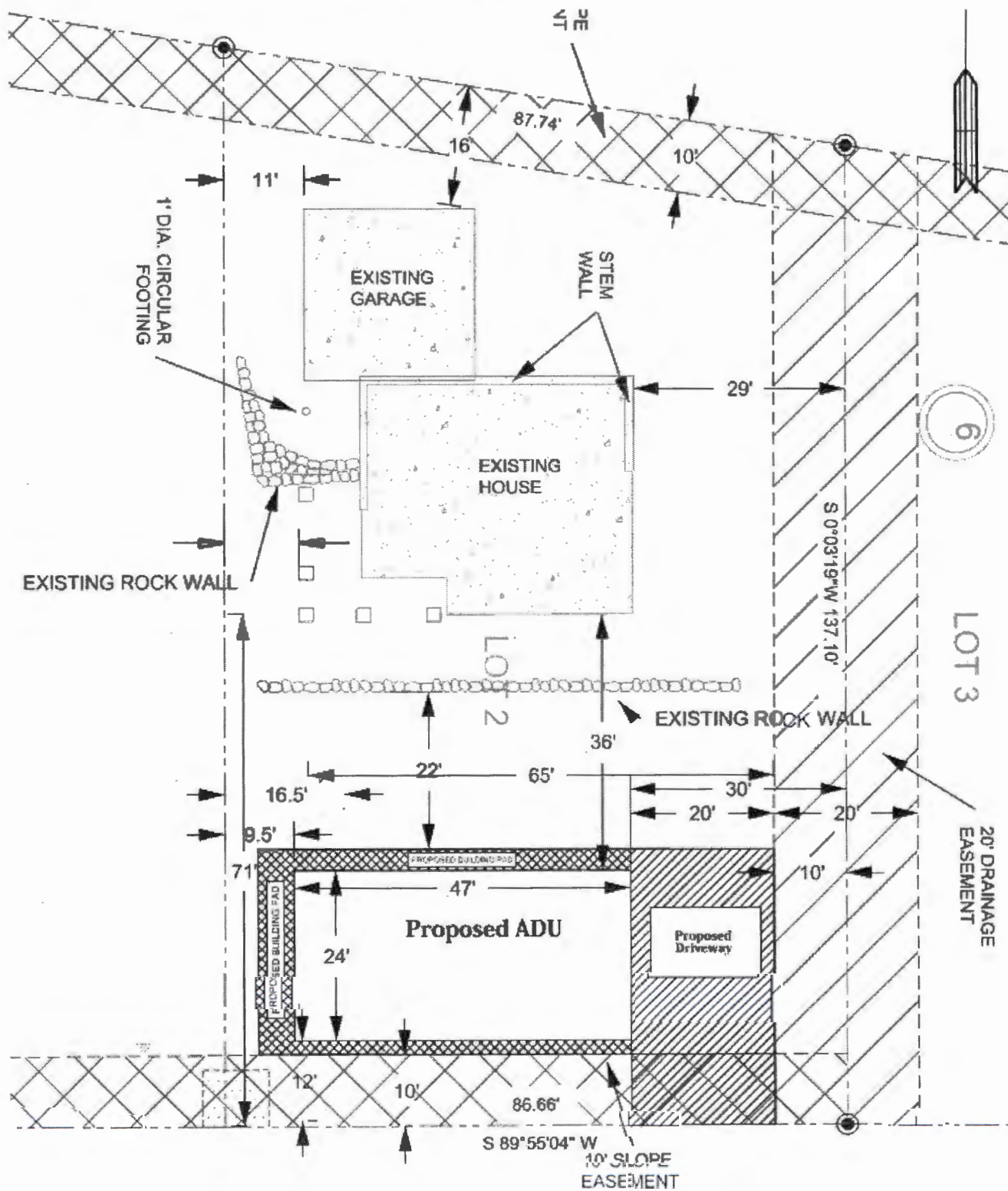
DESIGNED BY: Shane Clark W. Wingard
CHECKED BY: Shane Clark W. Wingard
DATE OF PLAT: 11 May 2006
DRAWING NAME: 030205-16-00
PROJECT NO: 30205-16-00

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT I HAVE CONDUCTED A SURVEY OF THE HEREIN DESCRIBED LANDS IN ACCORDANCE WITH THE SURVEYING ACTS OF THE STATE OF ALASKA, AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.
Shane Clark W. Wingard
DATE: 11 May 2006
PATRICK R. O'NEILL, L.S. 4384

HILLSIDE SUBDIVISION
LOT 28 AND A PORTION OF LOT 31,
USS 3712, AND LOT 4, LEONER SUBDIVISION
CLIENT: HAYKEE, LLC

Michael & Taylor Vieira
312 Eliason Loop
Proposed ADU Variance Request
December 27, 2016

Proposed Site Plan – 312 Eliason Loop



Michael & Taylor Vieira

312 Eliason Loop

Request for Variance to Reduce Front Setback for Construction of ADU

December 27th, 2016

We reside in a single family home located at 312 Eliason Loop. The lot sits between the lower loop and upper loop and therefore has two front setback restrictions of 20' each. We would like to build an Accessory Dwelling Unit (ADU) on the downhill portion of the lot and are requesting a variance to reduce the front setback from 20' to 12' for its construction.

The ADU will be a one-bedroom unit of approximately 780 square feet to be used as a long term rental, accessed from the lower road. The ADU will have an approximately 20' x 25' driveway providing two parking spaces as shown on the attached site plan. The ADU will be a single story structure with an approximate grade to ridge height of 15 feet. The existing single family home is accessed from the uphill road. The home has a two car garage with two parking spaces in the driveway.



312 Eliason Loop – from the uphill road

The lot has a significant downhill slope. Our request for a variance is made in an effort to limit disturbance of the hillside as much as possible, reduce the retaining efforts needed and minimize the costs associated with constructing on a hillside. When building the ADU, the entirety of the cut along the width of our lot will need to have some type of retaining structure built to meet grading requirements and keep the hillside intact. We plan to construct the back wall of the ADU using Insulated Concrete Forms (ICF) to retain that portion of the slope and use rock walls built to ARC standards to retain the other portions of the slope. The further we have to build from the lower road, the higher the vertical retainage of the hillside must be. In addition, any increased distance that we can provide between structures will help to maintain the appearance of separate homes and with that the character of the neighborhood.



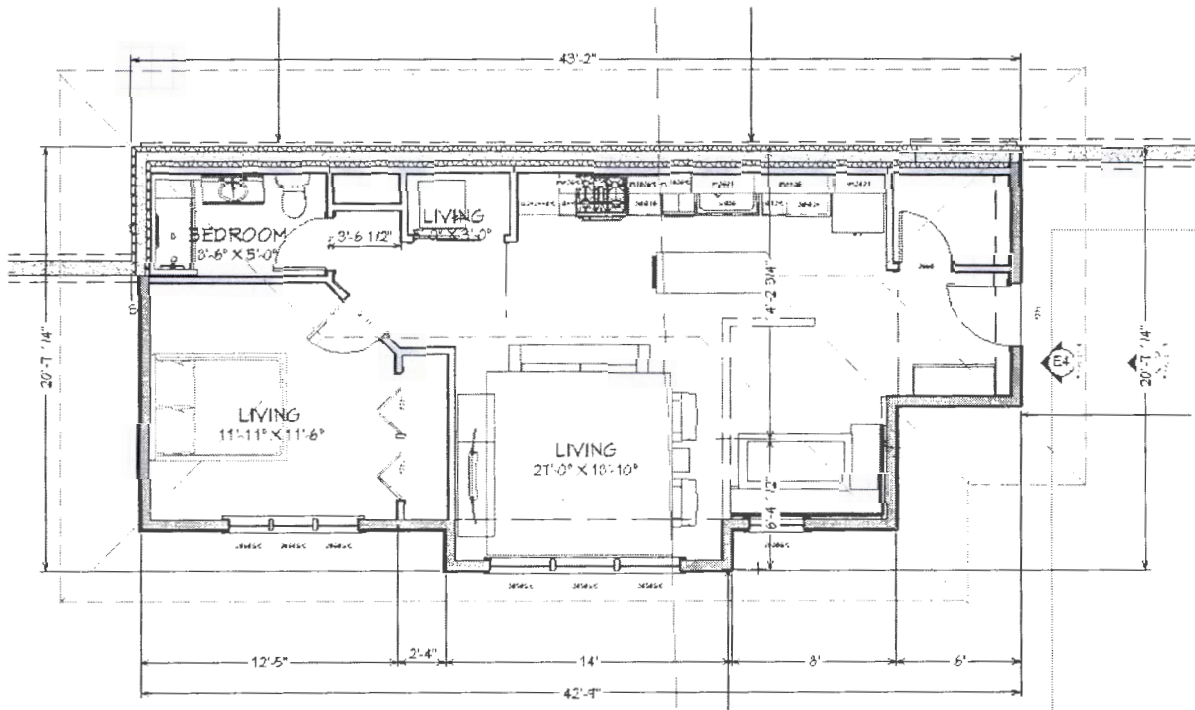
312 Eliason Loop – lower undeveloped portion of lot. Looking downhill from single family residence deck.



312 Eliason Loop – looking up from lower road

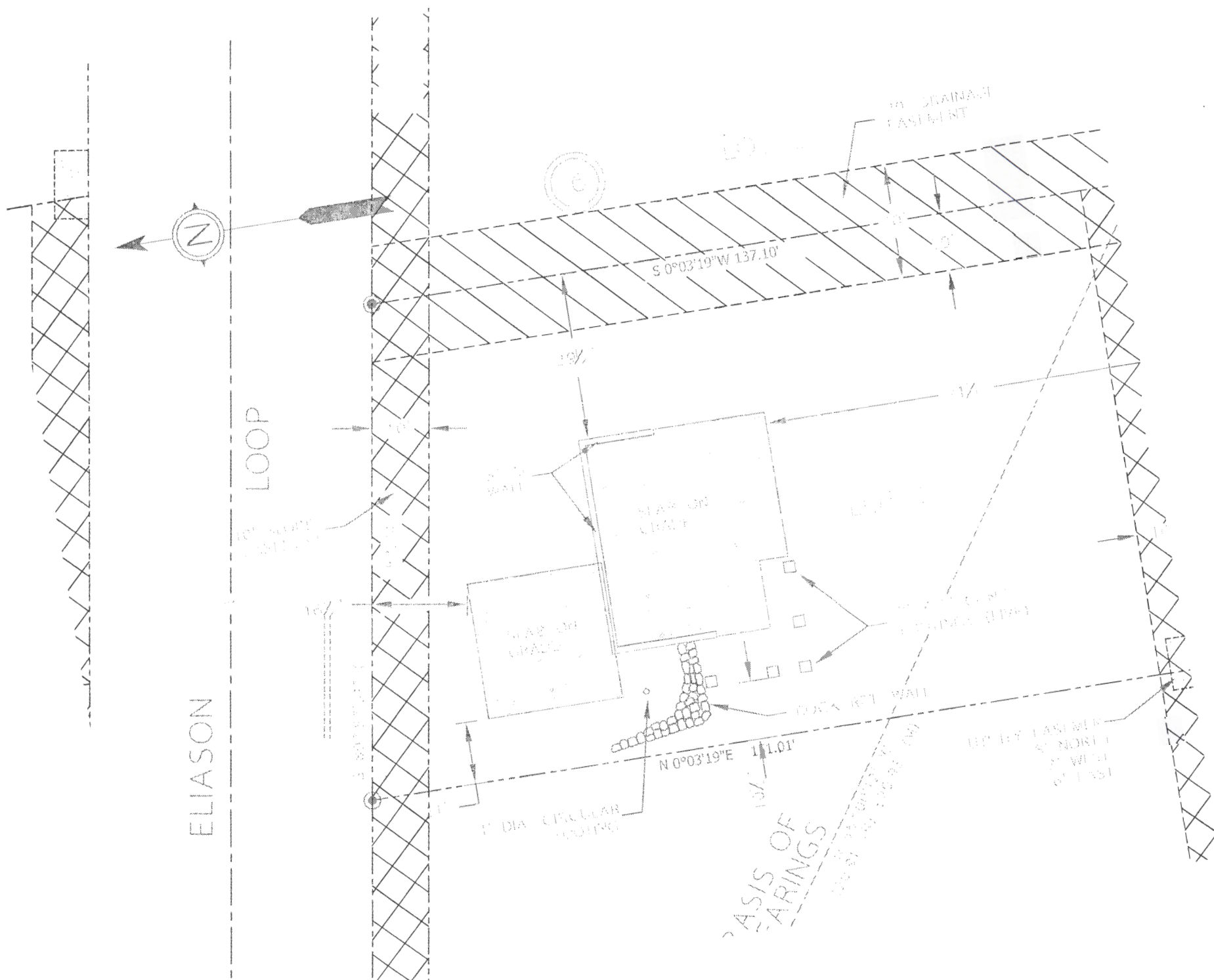


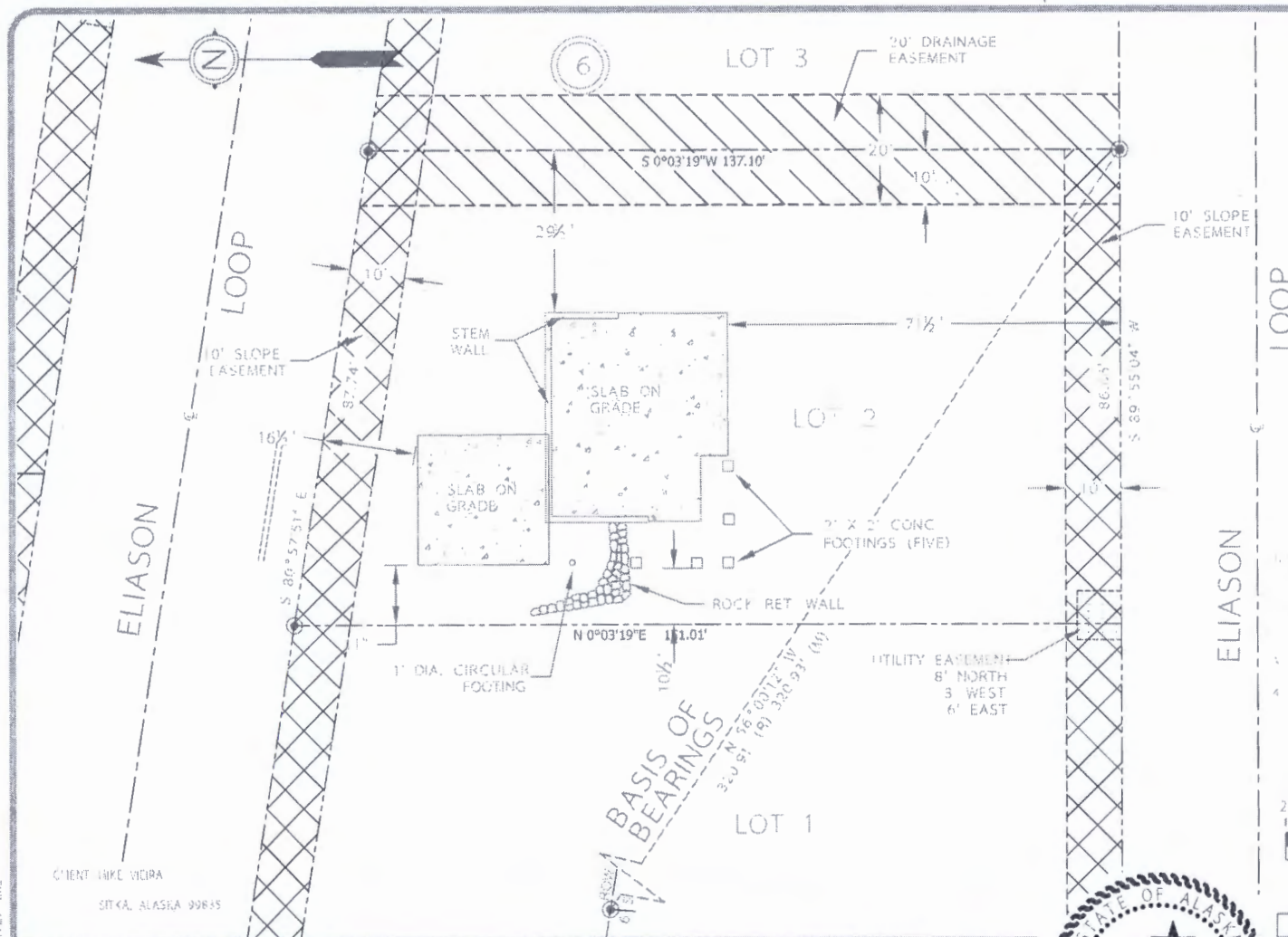
Approximate rendering of proposed ADU – plans not yet finalized



Proposed footprint of ADU – plan set has not been finalized, building permit has not been applied for at this point pending results of grading

The ADU is proposed to have an approximate footprint of 43' long by approximately 24' deep, including roof eaves. The floor plan above is a developing plan, please pay no attention room labels. We are working with a draftsman to finalize the plan based on site prep developments and the outcome of this variance request. The ADU's driveway will be to the right of the building and will be approximately 25' x 20' providing parking space off road for two vehicles – please see attached proposed site plan.



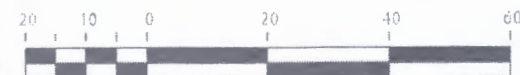


LEGEND

- PRIMARY BRASS CAP (RECOVERED)
- REBAR AND ALUMINUM CAP (RECOVERED)
- RECOVERED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

PLAT NOTES

1. EXISTING ANGLES ARE SHOWN BY BOTH ANGLE AND DISTANCE FROM THE PROPERTY LINE TO THE IMPROVEMENT.
2. THIS PLAT DOES NOT MEET MINIMUM STANDARDS FOR PRIMARY SURVEYS AS SET FORTH BY THE ALASKA SOCIETY OF PROFESSIONAL LAND SURVEYORS (ASPLS).
3. THIS PLAT IS NOT TO BE SCALE DRAWING, SEE GIVEN DIMENSIONS ONLY.
4. UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN ON THIS PLAT.



SCALE IN FEET



O'NEILL

SURVEYING AND ENGINEERING

P.O. BOX 1849 SITKA, ALASKA 99835

**FOUNDATION
AS-BUILT SURVEY
LOT 2, BLOCK 6,
HILLSIDE SUBDIVISION**

DRAWN BY: KOFALAD
CHECKED BY: KOF
DATE PLATTED: 6/16/11
DATE SURVEYED: 6/16/11
SCALE: 1" = 20'
SURVEYOR: PATRICK K. O'NEILL
PROJ. NO: 130584-24-02

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ON THIS PLAT. I DECLARE THAT IMPROVEMENTS AND VISIBLE ENCROACHMENTS HAVE BEEN ESTABLISHED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. THIS SURVEY IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING STRUCTURES AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREON BE USED FOR POSITIONING ADDITIONAL STRUCTURES, BUILDING FENCES, OR LOCATING BOUNDARY LINES. IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THAT IMPROVEMENTS SITUATED ON THIS PARCEL MEET ALL SUBDIVISION COVENANTS AND ZONING ORDINANCES. 0 CORRS. SET

DATE

PATRICK K. O'NEILL IS 6304



CITY AND BOROUGH OF SITKA
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐ VARIANCE

☒ CONDITIONAL USE

☐ ZONING AMENDMENT

☐ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST:

Request of change of front
set back from 20' to 12' for construction of ADU at
312 Eliason LP.

PROPERTY INFORMATION:

CURRENT ZONING: R1 PROPOSED ZONING (if applicable): no change

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Michael & Taylor Vieira

PROPERTY OWNER ADDRESS: 312 Eliason LP

STREET ADDRESS OF PROPERTY: 312 Eliason LP

APPLICANT'S NAME: Michael & Taylor Vieira

MAILING ADDRESS: 312 Eliason LP

EMAIL ADDRESS: vieira.mike@gmail.com DAYTIME PHONE: 738-2285

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: 2 BLOCK: 6 TRACT: _____

SUBDIVISION: Hillside US SURVEY: _____

OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- ☐ Completed application form
- ☐ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Proof of filing fee payment
- ☐ Proof of ownership
- ☐ Copy of current plat

For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Plat Certificate from a title company
- ☐ Topographic information
- ☐ Proof of Flagging

If Pertinent to Application:

- ☐ Landscape Plan
- ☐ Drainage and Utility Plan

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner

Date

12/27/16

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner)

Date

Parcel ID: 30645001
CHARLTON CAPITAL MANAGEMENT
CHARLTON CAPITAL MANAGEMENT
4307 E. SOUTH SHORE DR, SOUTH
ERIE PA 16511

Parcel ID: 30646005
DAVID/KATHERINE INGALLINERA
INGALLINERA, DAVID, J./KATHERINE,
L.
108 KIKSADI CT
SITKA AK 99835

Parcel ID: 30647015
WILLIAM/CAROL HUGHES
HUGHES, WILLIAM, A./CAROL, A.
332 ELIASON LOOP
SITKA AK 99835

Parcel ID: 30647018
KRISTOPHR/ERICA PEARSON
PEARSON, KRISTOPHER/ERICA
P.O. BOX 2421
SITKA AK 99835-2421

Parcel ID: 30647023
DUSTIN WARD
WARD, DUSTIN
P.O. BOX 2165
SITKA AK 99835-2165

Parcel ID: 30647026
WINGERT DEVELOPMENT, INC.
WINGERT DEVELOPEMENT, INC.
~~4810 PT FOSDICK DR NW, PMB 20~~
GIG HARBOR WA 98335

Parcel ID: 30647029
MIKE/TAYLOR VIEIRA
VIEIRA, MIKE & TAYLOR
312 ELIASON LOOP
SITKA AK 99835

Parcel ID: 30647032
DAVID/KELLEY TRINCHERO
TRINCHERO, DAVID & KELLEY
P.O. BOX 177
ROSEBURG OR 97470-0177

Parcel ID: 30647110
PATRICK/TAMARA O'NEILL
O'NEILL, PATRICK/TAMARA
2309 MERGANSER DR
SITKA AK 99835

Parcel ID: 30647141
MARY MILLER
MILLER, MARY, A.
P.O. BOX 864
SITKA AK 99835-0864

Parcel ID: 30646003
ANDREW/KATHRYN EGGEN
EGGEN, ANDREW/KATHRYN
105 KIKSADI CT
SITKA AK 99835

Parcel ID: 30647010
JACOB/KATELYN YLITALO
YLITALO, JACOB & KATELYN
403 LOUISE CT
SITKA AK 99835

Parcel ID: 30647016
WINGERT DEVELOPMENT, INC.
WINGERT DEVELOPEMENT, INC.
4810 PT FOSDICK DR NW, PMB 20
GIG HARBOR WA 98335

Parcel ID: 30647021
BRENT/KARIN CUNNINGHAM
CUNNINGHAM, BRENT/KARIN
337 ELIASON LOOP
SITKA AK 99835

Parcel ID: 30647024
WINGERT DEVELOPMENT, INC.
WINGERT DEVELOPEMENT, INC.
~~4810 PT FOSDICK DR NW, PMB 20~~
GIG HARBOR WA 98335

Parcel ID: 30647027
WINGERT DEVELOPMENT, INC.
WINGERT DEVELOPEMENT, INC.
~~4810 PT FOSDICK DR NW, PMB 20~~
GIG HARBOR WA 98335

Parcel ID: 30647030
DAVID/KELLEY TRINCHERO
TRINCHERO, DAVID & KELLEY
P.O. BOX 177
ROSEBURG OR 97470-0177

Parcel ID: 30647035
HAL/CARRIE SPACKMAN
SPACKMAN, HAL & CARRIE
P.O. BOX 874
SITKA AK 99835-0874

Parcel ID: 30647111
JERROD GALANIN
GALANIN, JERROD, M.
P.O. BOX 1804
SITKA AK 99835-1804

Parcel ID: 30647330
DAVID/PJ FORD RUPP/SLACK
RUPP, DAVID & SLACK, PJ
P.O. BOX 6281
SITKA AK 99835-6281

Parcel ID: 30646004
JAMES/PAMELA MOORE LIVING
TRUST
MOORE, PAMELA & JAMES
P.O. BOX 770
HAINES AK 99827-0770

Parcel ID: 30647013
JOHN/JENNIFER DAVIS
DAVIS, JOHN/JENNIFER
336 ELIASON LOOP
SITKA AK 99835

Parcel ID: 30647017
ERNEST/PAULA SCOTT
SCOTT, ERNEST/PAULA
7395 ROUNDUP LANE NW
SILVERDALE WA 98383

Parcel ID: 30647022
BLAKE HAGERMAN
HAGERMAN, BLAKE
P.O. BOX 338
SITKA AK 99835-0338

Parcel ID: 30647025
WINGERT DEVELOPMENT, INC.
WINGERT DEVELOPEMENT, INC.
~~4810 PT FOSDICK DR NW, PMB 20~~
GIG HARBOR WA 98335

Parcel ID: 30647028
CHARLTON CAPITAL MANAGEMENT,
LP
~~CHARLTON CAPITAL MANAGEMENT,~~
LP.
4307 E. SOUTH SHORE DR
ERIE PA 16511

Parcel ID: 30647031
DAVID/KELLEY TRINCHERO
TRINCHERO, DAVID & KELLEY
P.O. BOX 177
ROSEBURG OR 97470-0177

Parcel ID: 30647036
MANDIE SMITH
SMITH, MANDIE, L.
315 ELIASON LOOP
SITKA AK 99835

Parcel ID: 30647140
AMY NELSON
NELSON, AMY
334 ELIASON LOOP
SITKA AK 99835

Parcel ID: 30647331
CLAYTON/LARISSA NELLIS
NELLIS, CLAYTON/LARISSA
602 VERSA PLACE
SITKA AK 99835

Parcel ID: 30647341
BENJAMIN/EMILY CLARK
CLARK, BENJAMIN & EMILY
309 ELIASON LP
SITKA AK 99835

Parcel ID: 30647342
SEIMEEN BLANCO
BLANCO, SEIMEEN, J.
P.O. BOX 541
SITKA AK 99835-0541

Parcel ID: 30648001
JAMES PENROSE
PENROSE, JAMES, M.
110-A CHIRIKOV ST
SITKA AK 99835

Parcel ID: 30648002
JAMES PENROSE
PENROSE, JAMES, M.
110-A CHIRIKOV ST.
SITKA AK 99835

Parcel ID: 30648003
JON/AMANDA MARTIN/GREARSON
MARTIN, JON & GREARSON, AMANDA
325-B CASCADE ST
SITKA AK 99835

Parcel ID: 30648004
WINGERT DEVELOPMENT, INC
WINGERT DEVELOPMENT, INC.
~~4810 PT FOSDICK DR NW, PMB 20~~
GIG HARBOR WA 98335

Parcel ID: 30648005
JAMES/DIANNE DUNNAVANT
DUNNAVANT, JAMES, J./DIANNE, M.
P.O. BOX 945
SITKA AK 99835-0945

Parcel ID: 30649000
DEANNA SMITH
JOHNSON (SMITH), DEANNA
1196 37TH ST.
SPRINGFIELD OR 97478

Parcel ID: 30670005
MARTY/ELIZABETH MARTIN
REVOCABLE TRUST
MARTIN TRUST, MARTY,
J./ELIZABETH, A.
P.O. BOX 437
SITKA AK 99835-0437

Parcel ID: 30670006
RODRIGO/CAROLIN RACAZA
RACAZA, RODRIGO, B./CAROLINE, R.
132 WOLFF DR.
SITKA AK 99835

Parcel ID: 30670007
DARYL/NATHALIE RICE
RICE, DARYL, D./NATHALIE, P.
P.O. BOX 1775
SITKA AK 99835-1775

Parcel ID: 30670008
ROLAND MEARS
MEARS, ROLAND, R., III
126 WOLFF DR.
SITKA AK 99835

Parcel ID: 30670009
JARED HAZEL
HAZEL, JARED
124 WOLFF DR
SITKA AK 99835

Parcel ID: 30670010
PATRICIA HOWSE
HOWSE, PATRICIA, A.
10650 SE BULL RUN RD
SANDY OR 97055

Parcel ID: 30670011
ERIC MORISKY
MORISKY, ERIC, J.
120-B WOLF DR
SITKA AK 99835

Parcel ID: 30670012
GREGORY BLANKENSHIP
BLANKENSHIP, GREGORY, V.
P.O. BOX 2393
SITKA AK 99835-2393

Parcel ID: 30671001
MICHAEL/ELLEN BAGLEY
BAGLEY, MICHAEL, L./ELLEN, C.
P.O. BOX 94
SITKA AK 99835-0094

Parcel ID: 30671006
SANDRA BEARE-SPENCER
BEARE-SPENCER, SANDRA
P.O. BOX 95
SITKA AK 99835-0095

Parcel ID: 30703000
SUSAN WARNER
WARNER, SUSAN, H.
411 7TH ST
JUNEAU AK 99801

P&Z Mailing
January 6, 2017

PAID
DEC 27 2016
CITY & BOROUGH OF SITKA

INVOICE

CITY AND BOROUGH OF SITKA

100 LINCOLN STREET, SITKA ALASKA 99835

DATE: 12/27/16

To: Mike Vieira

ACCOUNT # 100-300-320-3201.002
PLANNING & ZONING

Variance.....	75.00
Conditional Use Permit.....	100.00
Minor Subdivision.....	
Major Subdivision.....	
Zoning Map Change.....	
Zoning Text Change.....	
Lot Merger.....	
Boundary Line Adjustment.....	
General Permit.....	
Appeal of Enforcement Action (Pending).....	
Other.....	
Sales Tax.....	8.75
TOTAL.....	183.75

Thank you

CC

A
L
A
S
K
A

2010-001786-0

Recording Dist: 103 - Sitka

12/30/2010 11:50 AM Pages: 1 of 2



File for Record at Request of:

First American Title Insurance Company

AFTER RECORDING MAIL TO:

Name: Mike and Taylor Vieira

Address: 312 Eliason Loop

Sitka, AK 99835

File No.: 0241-1670786 (JRN)

STATUTORY WARRANTY DEED

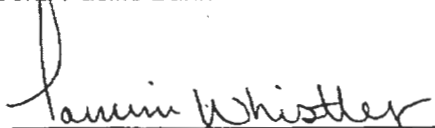
THE GRANTOR, **Alaska Pacific Bank**, whose mailing address is **2094 Jordan Avenue, Juneau, AK 99801**, for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid, conveys and warrants to **Mike Vieira and Taylor Vieira, husband and wife**, residing at **311 Eliason Loop, Sitka, AK 99835**, the following described real estate, situated in the **Sitka** Recording District, **First** Judicial District, State of **Alaska**:

Lot 2, Block 6, HILLSIDE SUBDIVISION, according to Plat 2006-11, Records of the Sitka Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

Dated: December 28th, 2010.

Alaska Pacific Bank



By: Tammi Whistler, Vice
President/Loan Services Manager

December 23, 2010