



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Planning and Community Development Department

Date: June 16, 2016

From: Michael Scarcelli, Senior Planner

To: Planning Commission

Re: V 16-10 Platting Variance for 216/218 Observatory Replat

### GENERAL INFORMATION

Applicant: Karen Lucas  
Property Owner: Karen Lucas  
Property Address: 216 and 218 Observatory  
Legal Description: Frac. Portion of Lot 2 Bl. 8  
USS 1474 Tract A  
Parcel ID Number: 1-0775-000  
Size of Existing Lot: 4250 s.f. (proposed 4015)  
Zoning: SF  
Existing Land Use: Residential  
Utilities: Full city services  
Access: Access from Observatory St.  
Surrounding Land Use: Residential, some Public

### 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: Proposed Plat
- Attachment F: Current Plat

Attachment G: Zoning Map  
Attachment H: Flood Zone Map  
Attachment I: Mailing List  
Attachment J: Proof of Payment  
Attachment K: Proof of Ownership

## **BACKGROUND**

Existing lot known as 216 Observatory has been undersized and within existing setback standards since a time prior to existing and preceding zoning codes. The unique shape of property could create future ownership and parking issues. Applicant/owner owns both lots and wishes to sell one. This variance from all applicable development standards to allow her to replat her property to clarify property line in line with intended use, and to provide for access easements is the purpose of this request. Staff is in full support.

## **PROJECT DESCRIPTION**

Request to approve a variance that would allow the owner to move a boundary line along 216 Observatory to account for an existing rock wall, tree line, clean-up boundary that could impact parking in future and provide clear title. Moving of boundary line would take away 235 square feet of property. However, the full scope of the project would provide access and utility easements, which are not existing. Overall, this would alleviate and promote harmony of use among these two properties once it is sold as owner envisions. Variance is to locate the property line 9 feet from existing home as shown on the plat and reduce lot size below standard. Staff considers this a minor variance.

Section 22.24.020, Variances provide a means of altering the requirements of code where specific strict applications of the code would deprive a property of privileges enjoyed by others similarly situated due to unique constraints such as existing lot or structures.

## **ANALYSIS**

**Project / Site:** Site is substandard as it is almost 4,000 below required lot size for SF zoning. In addition, the house will be 9 feet from the property line. It currently is 9 to approximately 12 feet from front property line.

**Traffic:** Access will be improved.

**Parking:** Two spaces are required for a single-family dwelling unit.<sup>1</sup> A Condition of Approval will be to provide a plat note that requires 2 parking spaces to be provided anywhere on the site of 216 Observatory.

**Noise:** No concerns.

**Public Health or Safety:** No concerns for public health and safety. In fact, proposal will

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

potentially improve this.

**Habitat:** No concerns for habitat.

**Property Value or Neighborhood Harmony:** Project and replat would be positive step to provide for access and utility easement, rectify parking, and clean-up title.

**Conformity with Comprehensive Plan:** The proposal conforms to Comprehensive Plan Section 2.4.19 which states, “To consistently follow and enforce land use policies, codes, regulations, and decisions...” by providing access and utility easements, and clearing up property issues.

## **FINDINGS<sup>2</sup>**

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

2. Required Findings for Minor Expansions, Small Structures, Fences, and Signs.
  - a. The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions;
  - b. The granting of the variance is not injurious to nearby properties or improvements;
  - c. The granting of the variance furthers an appropriate use of the property.

## **RECOMMENDATION**

It is recommended that the Planning Commission adopt the Planner's analysis and suggested findings, and approve the requested platting variance for the creation of a substandard sized lot at 216 Observatory Street.

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

- 1) I move to adopt and approve the required findings for minor expansions as discussed in the staff report, specifically that the threshold is less for a minor expansion, that the granting of the variance would not be injurious, but supportive of nearby properties and the property in question, and would further the historical and existing use of both properties.
- 2) I move to approve the platting variance, subject to attached conditions of approval, from development standards at 216 Observatory Street, in the Single Family District. The property is also known as a fractional portion of Lot 2 Block 8 US Survey 1474 Tract A. The request is filed by Karen Lucas. The owner of record is Karen Lucas.
  - a. Condition of Approval: Plat shall note 2 parking spaces shall be provided on site of 216 Observatory.

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<sup>2</sup> Section 22.30.160(D)(2)—Required Findings for Minor Variances