

MASSEY SHORT TERM RENTAL

I MOVE TO approve a conditional use permit request, submitted by Ernestine Massey for a short-term rental at 111 Harbor Mt. Road as recommended by the Planning Commission and in accordance with the following findings:

1. Will not be detrimental to the public health, safety and general welfare;
 2. Will not adversely affect the established character of the surrounding vicinity, since there are no impacts on adjacent parcels;
 3. Will not be injurious to uses of the properties in the immediate area;
 4. It is compatible with the goals and objectives of the Comprehensive Plan, specifically 2.5.2.i', Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;
 5. That all conditions are present and can be monitored and enforced;
 6. It will not adversely affect public health, safety or welfare;
 7. It is supported by adequate public facilities;
 8. Applicant has met the burden of proof;
 9. This request does meet the general approval criteria 1 through 5;
 10. The Planning Commission has further reviewed the criteria for determining impacts of conditional uses under 22.24.010. Items a through l.
-



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

MEMORANDUM

To: Jim Dinley, Municipal Administrator
Mayor Westover and Members of the Assembly

From: Melissa Henshaw, Planner I *MH*

Subject: Massey Short-Term Rental, 111 Harbor Mountain Road

Date: April 3, 2012

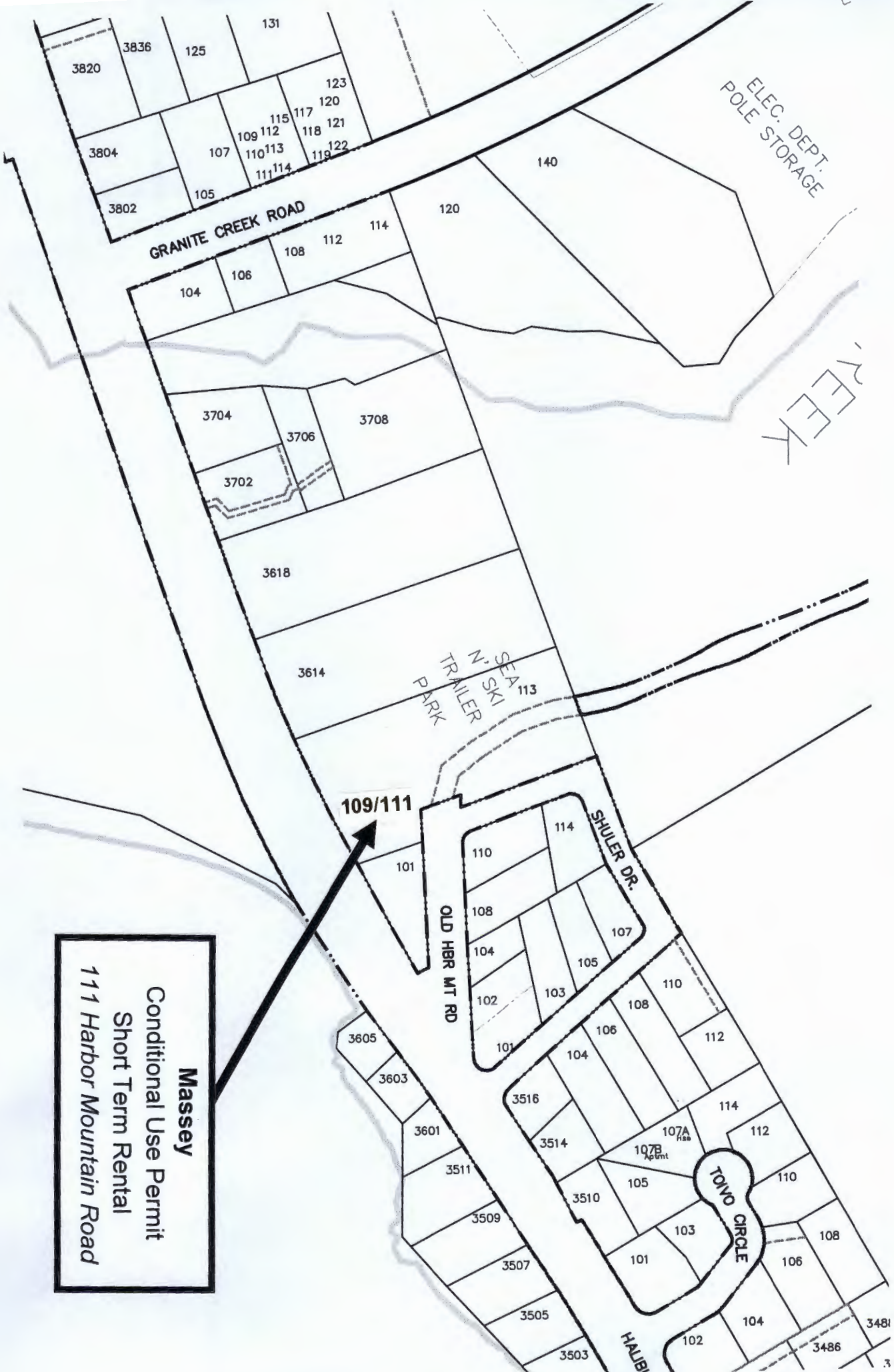
The Planning Commission is recommending approval of a permit request for operation of a short-term rental filed by Ernestine Massey. Action on this item was taken at the March 20, 2012 Planning Commission meeting. The recommendation to approve the request passed 3-0.

The applicant owns a two-story duplex on Harbor Mountain Road. This apartment is two stories with two bedrooms. The applicant has recently remodeled and updated the place after a six year renter moved out last summer. She was unable to find a long-term renter and decided to turn it into a short-term rental.

Guests will be responsible for their own meals and transportation. The applicant is able to provide ample off street parking spaces as required by code.

The Planning Office has not received any comments regarding this request.

Recommendation:
Approve the request.



Massey
 Conditional Use Permit
 Short Term Rental
 111 Harbor Mountain Road



109/111

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED AND ACTING FINANCE DIRECTOR OF THE CITY AND 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 RECORDS IN THE NAME OF:

Ernestine Massey

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.T.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS 15th DAY OF November 1996 AT SITKA, ALASKA.

Ernestine Massey
FINANCE DIRECTOR, 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 AND BOROUGH OF SITKA PLATING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. 10-22-96, DATED 11-21-96.

AND THAT THE PLAT HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE 10-22-96 Alan Bailey
CHAIRMAN

ATTEST: Edwina Barnett Simmons
SECRETARY

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 AND BOROUGH OF SITKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED IN MINUTE BOOK PAGE 102, DATED 10-22-96.

AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE 10/22/96 Bob Hillgren
MAYOR

ATTEST: _____
CLERK



CERTIFICATE

STATE OF ALASKA } SS
1ST JUDICIAL DISTRICT }

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED AND ACTING ASSESSOR FOR THE CITY AND 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:

Ernestine Massey

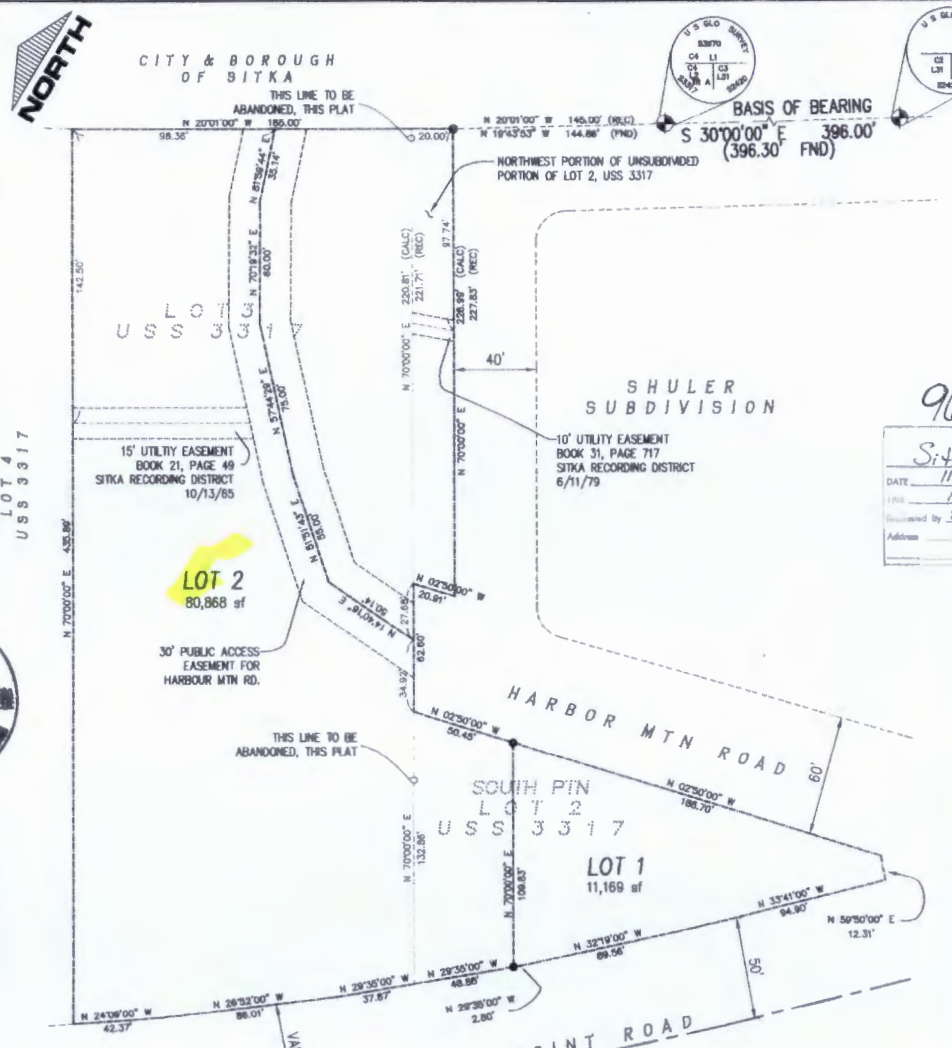
AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS IN FAVOR OF THE CITY AND BOROUGH OF SITKA, IN FULL, THAT CURRENT TAXES FOR THE YEAR 1996 WILL BE DUE ON OR BEFORE:

DATED THIS 14th DAY OF Nov. 1996 AT SITKA, ALASKA.

Rob Adams
ASSESSOR, CITY AND BOROUGH OF SITKA

PLAT NOTES

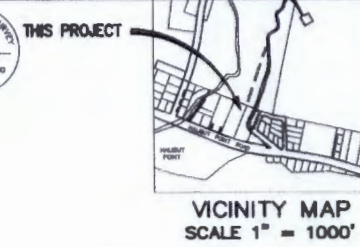
THE PURPOSE OF THIS PLAT IS TO ADJUST THE PROPERTY LINES OF LOT 3 AND THE UNSUBDIVIDED PORTION OF LOT 2, USS 3317 SOUTH OF HARBOR MTN RD., INTO THE CONFIGURATION SHOWN ON THIS PLAT.



SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THE MEASUREMENTS SHOWN THEREON ACCURATELY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.
DATE: 10/22/96
Neil F. Stragier
REGISTERED LAND SURVEYOR
NO. F. STRAGIER 3537-5



PREPARED BY:
STRAGIER ENGINEERING SERVICES, INC.
CIVIL ENGINEERING
LAND SURVEYING
504 Delwood St., Sitka, Alaska 99835 807-747-9833
Head "Buck" Stragier, P.E., R.L.S., President



96-29
Sitka REC DIST 20.00
DATE 11-21-96
FILE 1-12 P.M.
Issued by Scg B
Address _____

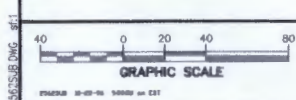
STATE OF ALASKA
NOTARY PUBLIC
EDWINA BARNETT SIMMONS
My Commission Expires Nov. 18, 1997

CERTIFICATE OF OWNERSHIP AND DEDICATION
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL PUBLIC STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.
DATE 10/22/96
Ernestine Massey
OWNER

THE NOTARY'S ACKNOWLEDGEMENT
UNITED STATES OF AMERICA } SS
STATE OF ALASKA }
CITY AND BOROUGH OF SITKA }
THIS IS TO CERTIFY THAT ON THIS 22 DAY OF October 1996 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AS SWORN, PERSONALLY APPEARED
Ernestine Massey
TO ME KNOWN TO BE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND THAT she ACKNOWLEDGED TO ME THAT she SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.
WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.
Edwina Barnett Simmons
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA.
MY COMMISSION EXPIRES 11-18-97

**LOT LINE ADJUSTMENT
LOT 3, USS 3317**

LOT LINE ADJUSTMENT OF LOT 3 AND UNSUBDIVIDED PORTION LOT 2, USS 3317
JOB NO 2893 CHECKED BY: NFS DATE: 10.21.96
DRAWN BY: PS SCALE: 1"=400'
PREPARED FOR:
ERNESTINE MASSEY
PO Box 808
SITKA, AK 99835



2463516.DWG - 8/11

HALIBUT POINT ROAD

DECK

109

111

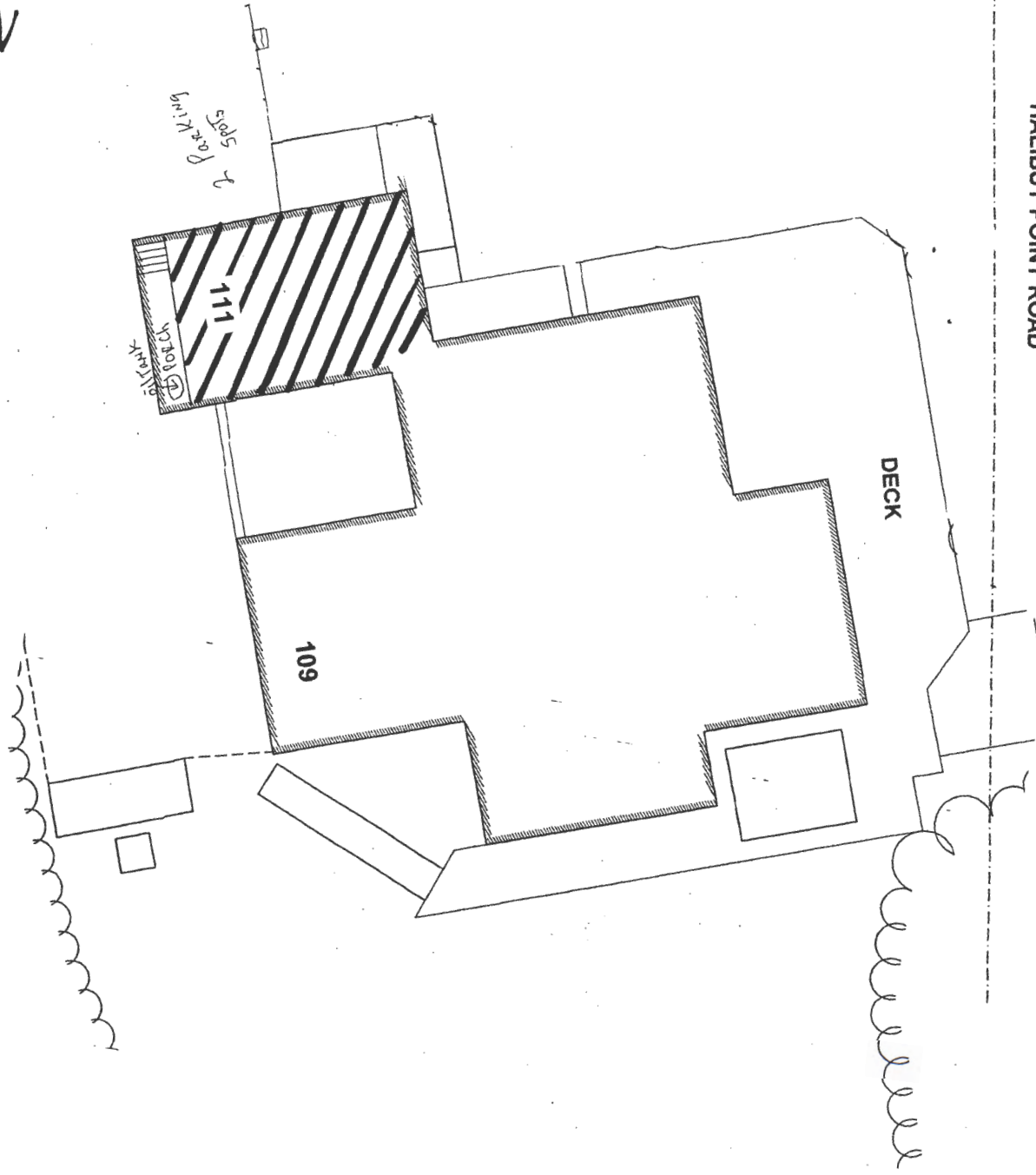
DRIVEWAY

5 spots
parking

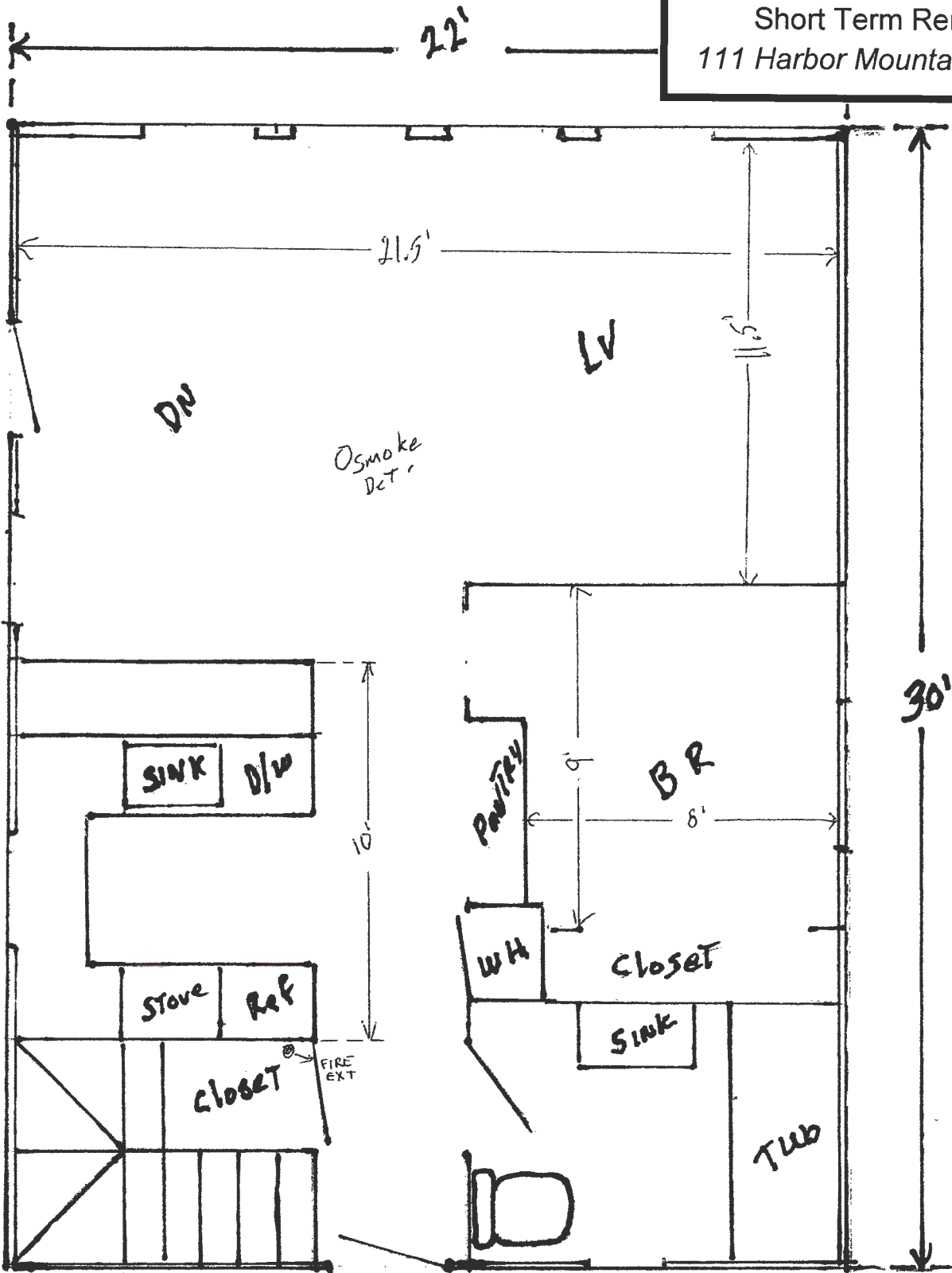
DRIVEWAY

HARBOR MOUNTAIN ROAD

DRIVEWAY

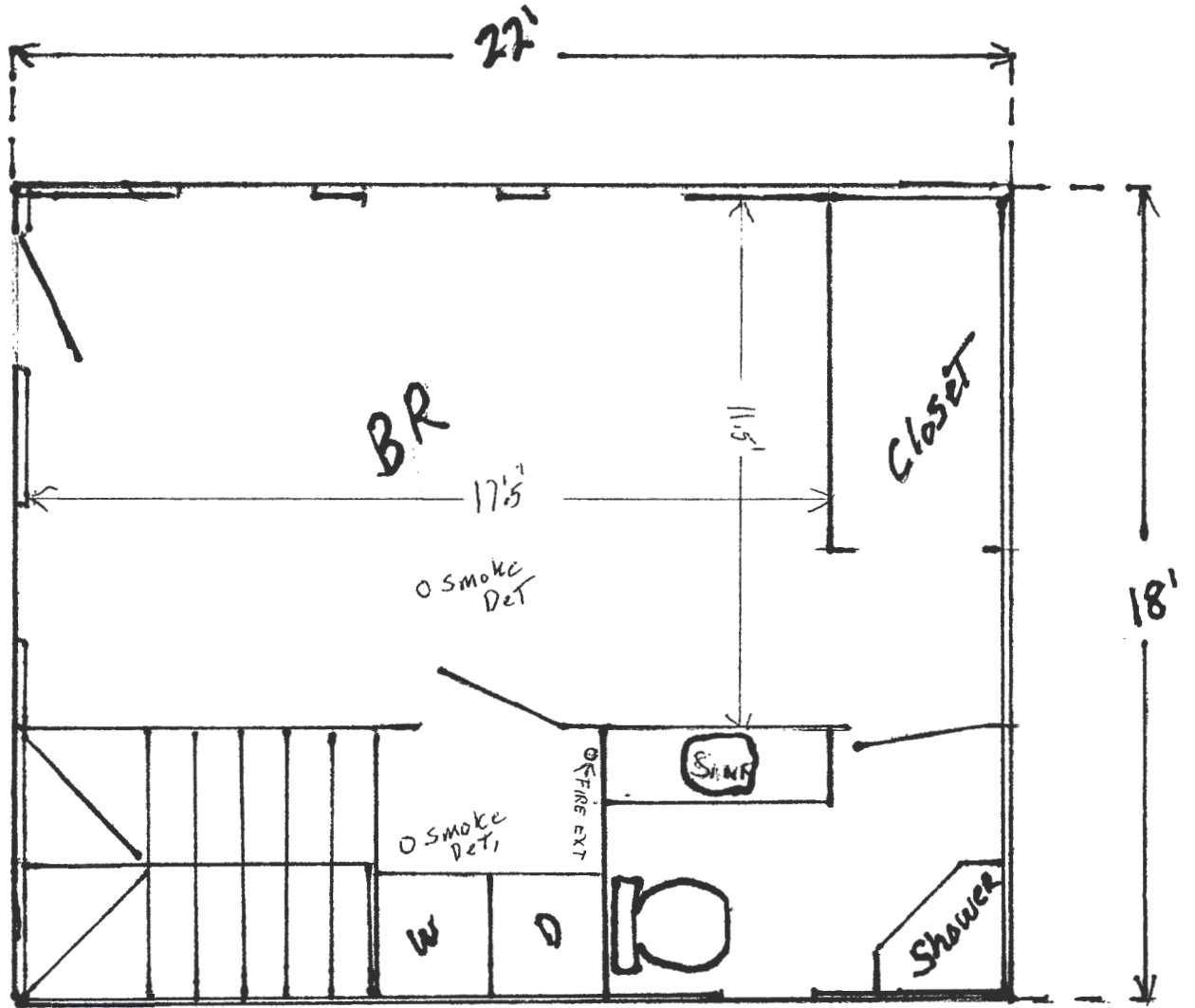


Massey
Conditional Use Permit
Short Term Rental
111 Harbor Mountain Road



DOWN STAIRS

Massey
Conditional Use Permit
Short Term Rental
111 Harbor Mountain Road



UP STAIRS



111

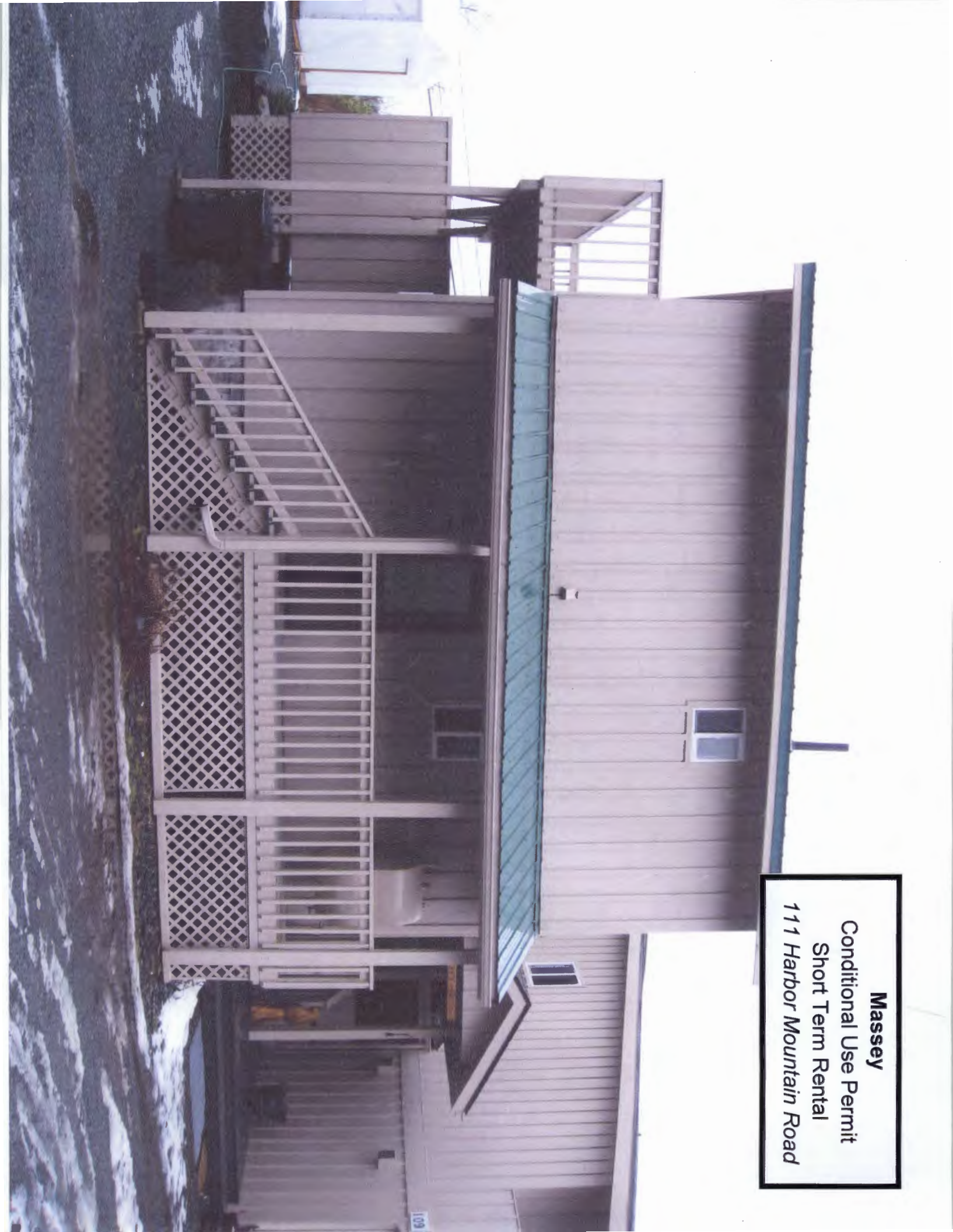
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Massey
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111 Harbor Mountain Road

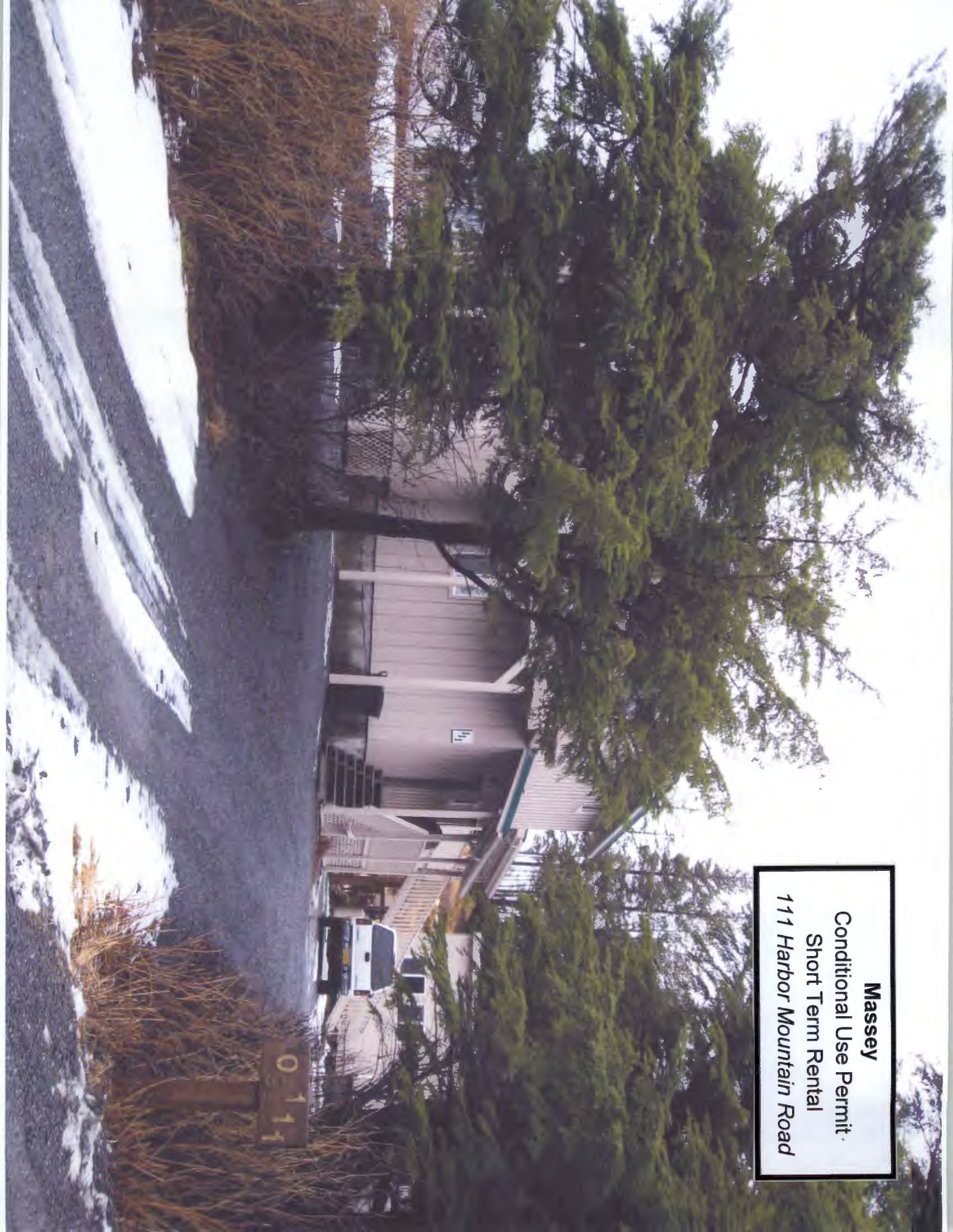
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Short Term Rental
111 Harbor Mountain Road



**City and Borough of Sitka
Planning and Zoning Commission
Draft Minutes of Meeting
March 20, 2012**

Present: Jeremy Twaddle (Chairperson), Darrell Windsor (Member), Richard Parmelee (Member), Wells Williams (Planning Director).

Members of the Public: Stephan Weatherman (Municipal Engineer), Tim Fulton, Ernestine Massey, Jackie Barmoy

Chairman Twaddle called the meeting to order at 7:00 p.m.

Consideration of the Minutes from the March 6, 2012 meeting:

MOTION: M/S Windsor/Parmelee moved to approve the meeting minutes for March 6, 2012.

ACTION: Motion **PASSED unanimously** on a voice vote.

This evening's business:

**SHORT-TERM RENTAL CONDITIONAL USE PERMIT
111 HARBOR MOUNTAIN ROAD
ERNESTINE MASSEY**

Public hearing and consideration of a short-term rental conditional use permit request at 111 Harbor Mountain Road. The request is file by Ernestine Massey. The property is also known as Lot 2 of the Lot Line Adjustment Lot 3 US Survey 3317.

Planning Director Williams provided a review of the request. The lot where the house is located is on a big parcel with the Sea and Ski Trail Park on Old Harbor Mountain Road. Planning Director walked the board through images of the house, interior and exterior, and the request to make the existing apartment into a short term rental. Chairman Twaddle asked for clarification of where exactly the apartment is and if it has its own address separate from the house which it is attached to. Planning Director clarified that it does have its own address but shares a wall with the main house making it a duplex. He stated that there haven't been any variances in the area in a number of years and rarely goes up there.

Applicant: Ernestine Massey came forward. She clarified that the corner triangle piece is a different lot and isn't part of the request. Massey explained that in 1996, the property became a long term rental and last summer a 6 year renter moved out and she remodeled and updated the apartment. She was unable to find a renter this previous winter and decided to try and turn it into a short-term. Massey explained the layout of the apartment. Chairman Twaddle wanted to clarify if it was one rental or two since it is a two story apartment with two bedrooms. Massey explained it was one apartment. Chairman Twaddle inquired about the maximum number of renters at one time. Massey says 6 but hopefully only 4 and since it is such a large lot, parking will not be an issue for anybody.

PUBLIC COMMENT: None

Planning Director went over findings and said there was no impact on the public.

MOTION: M/S PARMELEE/WINDSOR to recommend approval of a short-term rental conditional use permit at 111 Harbor Mountain Road. The request is filed by Ernestine Massey. The property is also known as Lot 2 of the Lot Line Adjustment Lot 3 US Survey 3317.

ACTION: Motion **PASSED unanimously** on a voice vote.

Staff recommended findings in support of the recommended approval.

MOTION: M/S PARMELEE/WINDSOR to approve the following findings in support of the recommended approval of the short-term conditional use:

1. The proposal is not detrimental to public health, safety, or general welfare;
2. It will not adversely affect the established character of the surrounding vicinity, since there are no impacts on adjacent parcels;
3. Will not be injurious to other uses in the area;
4. It is compatible with the Comprehensive Plan goals and policies 2.5.2l Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;
5. That all conditions are present and can be monitored and enforced;
6. It will not adversely affect public health, safety or welfare;
7. It is supported by adequate public facilities;
8. The applicant has met the burden of proof;
9. This request does meet and the Planning Commission has reviewed the general approval criteria items 1 through 5;
10. The Planning Commission has review and looked at the criteria for determining impacts with conditional uses in section 22.24.010 items a through l.

ACTION: Motion **PASSED unanimously** on a voice vote.

ADJOURNMENT

MOTION: M/S PARMELEE/WINDSOR moved to adjourn at 7:57 p.m.

ACTION: Motion **PASSED unanimously** on a voice vote.

Jererry Twaddle, Chair

Serena Wild, Secretary

Request:

Conditional use permit request for a short-term rental in a residential zone

Zoning District: R-1 MH

Front: 20 feet
Rear: 10 feet
Side: 8 feet

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
- Motions

Tonight's Motions

- A motion recommending approval is suggested
- Move to approve findings in support of recommended approval or denial

**Massey
Conditional Use Permit
Short-Term Rental
111 Harbor Mountain Road
March 20, 2012**

The location to this request is on Old Harbor Mountain Road. Headed outbound on Halibut Point Road on the mountain side is Harbor Mountain Road. It is the second house in on the left.

Before the Board on Tuesday night is a conditional use permit request for a short-term rental in a residential zoning district.

This property is a mobile home park and has a duplex on it which has been this way since the 1960's. Previously there were separate houses at 109 and 111. However, when this house at 111 was rebuilt it was turned into a duplex and is attached by several feet. The applicant informed Staff that she was only allowed to build it as a duplex once the separate house was torn down as it was in too bad of shape. 109 had been, for a period of time, a vacation rental above the garage, however the owner discontinued it and has since made it into a single family home.

Recently 111 Harbor Mountain Road has been a long-term rental, however the owner would like to change that status to a short-term rental.

This is a two bedroom two story part of a duplex which has ample parking for both units. The guests will be responsible for their own meals and transportation.

A motion recommending approval is suggested with the condition that the owner shall obtain a life safety inspection by the Building Department. Staff will propose findings for this conditional use request after the motion.

CITY AND BOROUGH OF SITKA

PLANNING DEPARTMENT

SHORT-TERM RENTAL &

BED & BREAKFAST APPLICATION

Short-Term Rental Fee	\$100.00
Bed & Breakfast Fee	\$ 35.00
(per Guestroom)	
* plus current city sales tax *	

APPLICANT'S NAME: ERNESTINE MASSEY
 PHONE NUMBER: 747-3319
 MAILING ADDRESS: 109 - HARBOR MOUNTAIN ROAD, SITKA AK

OWNER'S NAME: _____
(If different from applicant)
 PHONE NUMBER: _____
 MAILING ADDRESS: _____

PROJECT ADDRESS: 111 - HARBOR MOUNTAIN ROAD
 LEGAL DESCRIPTION Lot: 2 Block: _____
 Subdivision: _____
 U.S. Survey: 3317 Zoning Classification: _____

State all reasons for justifying request: SEE ATTACHED LETTER

Describe how the facility will be operated, what meals will be served, and how guests will be transported. (This information may be provided on a separate sheet).
SHORT TERM RENTAL, NO MEALS, NO TRANSPORTATION

Anticipated start date: ASAP

What months of the year the facility will be in operation: YEARLY

- Drawing of the **interior** layout showing:
1. Size and location of rooms
 2. Types of facilities in the rooms
 3. Windows and exits
 4. Location of somke alarms and fire extinguishers
 5. Guestrooms specifically delineated on the plans

- Drawing of the **exterior** site plan showing:
1. Dimensions of the home
 2. How the house sits on the lot
 3. Location of parking

- Check if facility is not fully constructed at the time of the application
- Check if Life Safety Inspection has already been completed. If not, please contact the Building Department at 747-1832 to schedule an appointment. This Inspection is to certify that the residence complies with life and fire safety code aspects.

Bed and Breakfast applicants shall be aware that only limited cooking facilities such as small toaster ovens, microwaves, and refrigerators are allowed and those appliances must be outside of guestrooms.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after Planning Commission's review for the purposes of inspecting the proposed and/or approved structures.

SIGNATURE OF APPLICANT: Ernestine Massey Date: 2/27/2012

SIGNATURE OF OWNER: Ernestine Massey Date: 2/27/2012
(If different from the applicant)

Ernestine Massey
109 Harbor Mountain Road
Sitka, Alaska 99835

City & Borough of Sitka, Planning Department
Short Term Rental Application

Reasons for justifying the request for approving the home at 111 Harbor Mountain Road to be converted to a short term rental:

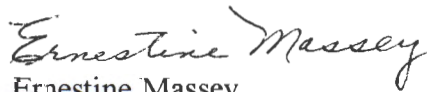
The dwelling at 111 Harbor Mountain Road has been occupied as a long term rental since receiving the state of completion certification from Sitka's building inspector October 22, 1997.

When the recent renter moved out we completed our usual thorough cleaning, repainted the interior, replaced carpet and pad, and after a period of time showing the place to prospective renters, we decided to work with Sitka Alaska Lodging\Vacation Rentals and remove ourselves from of the work of finding the perfect renters.

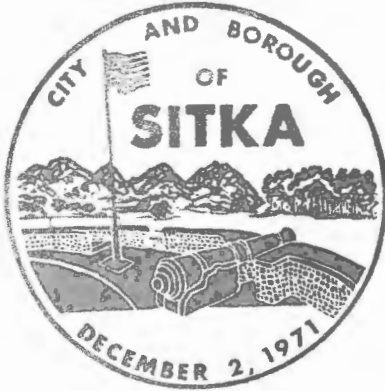
The house is in excellent condition, has a beautiful view of the ocean and Mount Edgecumbe and parking space for two vehicles. During the 14 plus years the house has been a rental, there has never been any complaint from our neighbors.

Having operated a hotel in Sitka for many years, I am looking forward to meeting and housing guests who choose Sitka for their vacation.

Sincerely,



Ernestine Massey
Owner



City and Borough of Sitka

PUBLIC SERVICES

100 Lincoln Street • Sitka, Alaska 99835

Phone (907) 747-1804

Fax (907) 747-3158

October 22, 1997

Robert Peel
P.O. Box 808
Sitka, Alaska 99835

RE: State of Completion--111 Harbor Mountain Road

Dear Mr. Peel:

This letter is to certify that the above referenced single family dwelling has successfully passed a final inspection, meets the fire and life safety requirements of the City and Borough of Sitka, and is approved for occupancy. If you or others have any questions in this matter, or if there is any other way that this office may assist you, please don't hesitate to ask.

Congratulations!

Sincerely,

Preston O'Connell
Building Inspector

cc: General File
Utilities Counter
Utilities Billing Clerk

Robert Peel/Ernestine Massey
109 Harbor Mountain Road
Sitka, AK 99835

Victoria Craddick
PO Box 1293
Sitka, AK 99835

Brian/Pamela Chinell
PO Box 283
Sitka, AK 99835

Claudia Donnally
105 Shuler Drive
Sitka, AK 99835

Erin Burkhart
107 Shuler Drive
Sitka, AK 99835

Donovan/Jane Marie Seesz
114 Harbor Mountain Road
Sitka, AK 99835

Darby/Shannon Reid
PO Box 2011
Sitka, AK 99835

Mark Reid
PO Box 1201
Sitka, AK 99835

Claude O'Dell
PO Box 616
Pelican, AK 99832

Richard/Linda Heim
PO Box 599
Sitka, AK 99835

Marguerite Lowrance
1870 West Dove Way
Amado, AZ 85645

Pauline Bergdoll
3618 Halibut Point Road
Sitka, AK 99835