

Step 1

I MOVE TO convene as the Board of Adjustment*.

***22.10.060 Board of adjustment.**

The assembly of the city and borough shall function as the board of adjustment with the authority to:

- A. Consider appeals of variances or conditional use permits.
- B. Hear appeals of administrative approvals or denials.

Step 2

Hearing procedures per SGC 22.10.180 and 22.10.170(B)(2)

- A. Staff presentation, including submittal of any administrative reports. Members of the hearing body may ask questions of the staff. (10 minutes)
- B. Appellant presentation, including submittal of any materials. Members of the hearing body may ask questions of the appellant. (10 minutes)
- C. Testimony or comments by the public germane to the matter. Questions directed to the staff or the appellant shall be posed by the chair at its discretion. (3 minutes per individual)
- D. Rebuttal, response or clarifying statements by the staff and the appellant. (5 minutes)
- E. Appellant response or clarifying statement. (5 minutes)
- F. The evidentiary portion of the public hearing shall be closed and the hearing body shall deliberate on the matter before it.

Step 3

POSSIBLE MOTIONS

I MOVE TO grant the appeal; or

I MOVE TO deny the appeal; or

I MOVE TO remand for further proceedings.

See detailed motion sheet on next page.

Step 4

I MOVE TO reconvene as the Assembly in regular session.

		Main Motions (Step 1)	Findings Motions (Step 2)
Motions to grant the appeal & variance	Approve as recommended in the staff report	I move to grant the appeal and approve the zoning variance for increased height of a telecommunications tower at 112 and 116 Nancy Court in the R-1 - Single-Family/Duplex Residential District subject to the attached conditions of approval as listed in the April 2, 2025 staff report. The property is also known as Lots 1 and 2, Briggs Subdivision. The request is filed by Richard Peterson for Tlingit & Haida, Tidal Network. The owner of record is James Penrose.	<p>Either:</p> <p>I move to adopt the findings of fact as listed in the April 2, 2025, staff report.</p> <p>OR</p> <p>I move to postpone the adoption of findings of fact related to the granting of this appeal and the zoning variance to the June 24, 2025 regular Assembly meeting, the date of which shall constitute the date of final decision.</p>
	Approve with additional conditions	I move to grant the appeal and approve the zoning variance for increased height of a telecommunications tower at 112 and 116 Nancy Court in the R-1 - Single-Family/Duplex Residential District subject to the attached conditions of approval as listed in the April 2, 2025 staff report, and with the additional condition(s) of _____. The property is also known as Lots 1 and 2, Briggs Subdivision. The request is filed by Richard Peterson for Tlingit & Haida, Tidal Network. The owner of record is James Penrose.	
	Approve with modifications	I move to grant the appeal and approve the zoning variance for increased height of a telecommunications tower at 112 and 116 Nancy Court in the R-1 - Single-Family/Duplex Residential District subject to the attached conditions of approval as listed in the April 2, 2025 staff report, and with the modification(s) to the request of _____. The property is also known as Lots 1 and 2, Briggs Subdivision. The request is filed by Richard Peterson for Tlingit & Haida, Tidal Network. The owner of record is James Penrose.	
Motions to deny the appeal & variance	Deny	I move to deny the appeal and deny the zoning variance for increased height of a telecommunications tower at 112 and 116 Nancy Court in the R-1 - Single-Family/Duplex Residential District. The property is also known as Lots 1 and 2, Briggs Subdivision. The request is filed by Richard Peterson for Tlingit & Haida, Tidal Network. The owner of record is James Penrose.	<p>Either:</p> <p>I move to adopt the findings of fact as made by the Planning Commission on April 16, 2025.</p> <p>OR</p> <p>I move to postpone the adoption of findings of fact related to the denial of this appeal and the zoning variance to the June 24, 2025 regular Assembly meeting, the date of which shall constitute the date of final decision.</p>
	Deny with prejudice	I move to deny, with prejudice, the appeal and deny the zoning variance for increased height of a telecommunications tower at 112 and 116 Nancy Court in the R-1 - Single-Family/Duplex Residential District. The property is also known as Lots 1 and 2, Briggs Subdivision. The request is filed by Richard Peterson for Tlingit & Haida, Tidal Network. The owner of record is James Penrose.	
Motions to remand for further proceedings	Remand to a future Assembly meeting	I move to remand this matter to the (date) regular Assembly meeting, and request that additional information regarding _____ be provided for that hearing.	No findings motion needed.
	Remand back to the Planning Commission	I move to remand this matter to the Planning Commission with additional considerations made for _____.	
	Remand to another body	I move to remand this matter to _____ to provide the Assembly with a recommendation regarding _____ so that the board of adjustment may reconvene with this additional information at a future date.	