



CITY AND BOROUGH OF SITKA

Meeting Agenda - Final

Planning Commission

Wednesday, March 4, 2020

7:00 PM

Harrigan Centennial Hall

I. **CALL TO ORDER AND ROLL CALL**

II. **CONSIDERATION OF THE AGENDA**

III **CONSIDERATION OF THE MINUTES**

A [PM 20-04](#) Approve the February 19, 2020 meeting minutes

Attachments: [03-Feb 19 2020 DRAFT](#)

IV. **PERSONS TO BE HEARD**

(Public participation on any item off the agenda. All public testimony is not to exceed 3 minutes for any individual, unless the Chair imposes other time constraints at the beginning of the agenda item.)

V. **PLANNING DIRECTOR'S REPORT**

VI. **REPORTS**

B [MISC 20-03](#) Special Report on 4951 Halibut Point Road

Attachments: [4951 Halibut Point Road Special Report](#)

VII. **THE EVENING BUSINESS**

- C** [CUP 20-02](#) Public hearing and consideration of a conditional use permit for a short term rental located at 468 Katlian Street in the R-1 single family and duplex residential district. The property is also known as Lot 105, BIHA 2 Subdivision, USS 2542. The request is filed by Judith Kell. The owner of record is Judith Howard (Kell).

Attachments: [CUP-20 Kell 468 Katlian STR Staff Report](#)
[CUP-20 Kell 468 Katlian STR Density Map](#)
[CUP-20 Kell 468 Katlian STR - Floor Plan](#)
[CUP-20 Kell 468 Katlian STR Photos](#)
[CUP-20 Kell 468 Katlian STR - Plat](#)
[CUP 20-02 468 Katlian STR Public Comment](#)
[CUP 20-02 468 Katlian STR Application](#)
[CUP 20-02 468 Katlian STR Renter Handout](#)

- D** [P 20- 01](#) Public hearing and consideration of a conceptual plat for a lot merger for three lots on Middle Island to result in one lot in the Large Island zoning district. The properties are also known as Lots 3, 4, and 5, Block 1, Middle Island Subdivision. The applicant is Michael Coady. The owner of record is Michael Coady.

Attachments: [P 20-01 Coady Middle Island Lot Merger_ Staff Report](#)
[P 20-01 Coady Middle Island Lot Merger_ Aerial](#)
[P 20-01 Coady Middle Island Lot Merger_ Current Plat](#)
[P 20-01 Coady Middle Island Lot Merger_ Conceptual Plat](#)
[P 20-01 Coady Middle Island Lot Merger_ Applicant Materials](#)

- E** [VAR 20-03](#) Public hearing and consideration of a variance for a substandard lot at Shotgun Alley, located in the SFLD single-family low density zoning district. The property is also known as a portion of Lot 14, USS 3557. The applicant is the State of Alaska Department of Natural Resources Division of Mining, Land, and Water and North57 Surveying. The owner of record is the State of Alaska.

Attachments: [V 20-03 SoA Platting Variance Shotgun Alley_ Staff Report](#)
[V 20-03 SoA Platting Variance Shotgun Alley_ Aerial](#)
[V 20-03 SoA Platting Variance Shotgun Alley_ Preliminary Plat](#)
[V 20-03 SoA Platting Variance Shotgun Alley_ Applicant Materials](#)

- F** [P 20- 02](#) Public hearing and consideration of a preliminary plat for a minor subdivision to result in two lots at Shotgun Alley, located in the SFLD single-family low density zoning district. The property is also known as Lot 14, USS 3557. The applicant is the State of Alaska Department of Natural Resources Division of Mining, Land, and Water and North57 Surveying. The owner of record is the State of Alaska.

Attachments: [P 20-02 SoA Shotgun Alley Subdivision Staff Report](#)
[P 20-02 SoA Shotgun Alley Subdivision Aerial](#)
[P 20-02 SoA Shotgun Alley Subdivision Preliminary Plat](#)
[P 20-02 SoA Shotgun Alley Subdivision Applicant Materials](#)

- G** [VAR 20-04](#) Public hearing and consideration of a platting variance to create 2 substandard lots at 746 Alice Loop in the WD waterfront zoning district. The property is also known as Lot 2 Charlie Joseph Subdivision. The request is filed by Kris Karsunky. The owner of record is Jay Stevens.

Attachments: [V 20-04 Karsunky 746 Alice Platting Variance Staff Report](#)
[V 20-04 Karsunky 746 Alice Platting Variance Aerial](#)
[V 20-04 Karsunky 746 Alice Platting Variance Proposed Plat](#)
[V 20-04 Karsunky 746 Alice Platting Variance Buildable Area Diagram](#)
[V 20-04 Karsunky 746 Alice Platting Variance Applicant Materials](#)
[V 20-04 Karsunky 746 Alice Platting Variance Public Comment](#)

VIII. ADJOURNMENT

NOTE: More information on these agenda items can be found at <https://sitka.legistar.com/Calendar.aspx> or by contacting the Planning Office at 100 Lincoln Street. Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to planning@cityofsitka.org, or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish:



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Wednesday, February 19, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Stacy Mudry, Darrell Windsor, Richard Wein

Absent: Randy Hughey, Victor Weaver

Staff: Amy Ainslie, Andy Corak

Public: Larry Trani, Brooks Areson, Cameo Padilla, Henry Colt

Chair Spivey called the meeting to order at 7:00.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

- a [PM 20-03](#) Approve the February 5, 2020 meeting minutes

Attachments: [02-Feb 05 2020 DRAFT](#)

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie reported attendance at the local landslide warning system meeting held by Sitka Sound Science Center, and stated that she was requesting a special presentation for the commission. Ainslie stated that there was no new state information to report regarding the landslide mapping system. The commission requested any available information or contacts with the state in order to expedite/advance the mapping process. Ainslie reported on her attendance of the American Planning Association's recent meeting in Anchorage, and noted the annual Short Term Rental report had come due. Chair Spivey requested a list of non-respondents. Ainslie stated this would be provided at the next meeting, and noted that the community short term rental survey garnered about 20 responses at that time. Ainslie notified the commission that the Tiny Houses amendment was returning for a 3rd 1st reading at the following assembly meeting, and that the amendment was changed by removing language about construction standards. Ainslie stated the No Name Mountain community survey was distributed, and would be advertised once the short term rental survey period closed. The No Name Mountain consultant meeting was not yet scheduled. Ainslie noted that Planning obtained drone footage of the area in question. Windsor requested the contract price for the consultants, Ainslie responded with the not to exceed price of \$165,000, and target price of \$150,000.

VI. REPORTS

VII. THE EVENING BUSINESS**P 20- 01**

Public hearing and consideration of a conceptual plat for a lot merger for three lots on Middle Island to result in one lot in the Large Island zoning district. The properties are also known as Lots 3, 4, and 5, Block 1, Middle Island Subdivision. The applicant is Michael Coady. The owner of record is Michael Coady.

Attachments:

[P 20-01 Coady Middle Island Lot Merger_ Staff Report](#)

[P 20-01 Coady Middle Island Lot Merger_ Aerial](#)

[P 20-01 Coady Middle Island Lot Merger_ Current Plat](#)

[P 20-01 Coady Middle Island Lot Merger_ Conceptual Plat](#)

[P 20-01 Coady Middle Island Lot Merger_ Applicant Materials](#)

The applicant attempted to appear telephonically, but was not present on the line when he was called.

M-Windsor/S-Mudry motion to postpone until next meeting passed 3-0 by voice vote.

CUP 20-01

Public hearing and consideration of a conditional use permit for a short-term rental aboard the F/V Equinox located at T3-08 of Eliason Harbor in the Public Lands zoning district. The property is also known as a portion of ATS 1496. The request is filed by Cameo Padilla. The owners of record are Cameo Padilla and Brooks Areson.

Attachments:

[CUP 20-01 FV Equinox Padilla STR_ Staff Report](#)

[CUP 20-01 FV Equinox Padilla STR_ Aerial](#)

[CUP 20-01 FV Equinox Padilla STR_ Vessel Layout](#)

[CUP 20-01 FV Equinox Padilla STR_ Photos](#)

[CUP 20-01 FV Equinox Padilla STR_ Renter Handout](#)

[CUP 20-01 FV Equinox Padilla STR_ Applicant Materials & Inspection Reports](#)

Ainslie provided a brief explanation of the short term rental system in Sitka harbors, noting that only two were allowed per harbor, and only ten were allowed city-wide. The permit did not run with the vessel, stall, or owner, so that the permit did not transfer at sale. Ainslie noted that a dockside Coast Guard inspection was required for short term rentals on boats, in order to ensure safety in lieu of a building inspection. Additionally, boats were required to register as a liveaboard with the harbor system, and Ports and Harbors had to approve the vessel before it could apply for a short term rental permit.

The applicants were approved for a short term rental aboard the F/V Morning Glass in 2018, and purchased the F/V Equinox, for which they needed a new short term rental permit. Ainslie noted that the Equinox passed a Coast Guard inspection, was located in Eliason Harbor, and had a maximum of 6 guests, and described the vessel based on thorough documentation provided by the applicant. Ainslie noted the responsible history of the applicants. Staff recommended approval.

The applicants, Areson and Padilla, were present. Windsor asked for an explanation of the waste water pump out system on the boat, Padilla explained the Coast Guard approved process.

M-Windsor/S-Mudry moved to approve a conditional use permit for a short-term rental aboard the F/V Equinox located at T3-08 of Eliason Harbor in the Public Lands zoning district. The property was also known as a portion of ATS 1496. The request was filed by Cameo Padilla. The owners of record were Cameo Padilla and Brooks Areson. Motion passed 3-0 by voice vote.

M-Windsor/S-Mudry moved to adopt the findings as listed in the staff report. Motion passed 3-0 by voice vote.

CUP 20-02

Public hearing and consideration of a conditional use permit for a short term rental located at 468 Katlian Street in the R-1 single family and duplex residential district. The property is also known as Lot 105, BIHA 2 Subdivision, USS 2542. The request is filed by Judith Kell. The owner of record is Judith Howard (Kell).

Attachments: [CUP-20 Kell 468 Katlian STR Staff Report](#)
[CUP-20 Kell 468 Katlian STR Density Map](#)
[CUP-20 Kell 468 Katlian STR - Floor Plan](#)
[CUP-20 Kell 468 Katlian STR Photos](#)
[CUP-20 Kell 468 Katlian STR - Plat](#)
[CUP 20-02 468 Katlian STR Public Comment](#)
[CUP 20-02 468 Katlian STR Application](#)
[CUP 20-02 468 Katlian STR Renter Handout](#)

This item was pulled prior to the meeting. No action was taken.

VAR 20-02

Public hearing and consideration of a variance to increase maximum building coverage above 50% and a reduction in front, side, and rear setbacks at 3603 Halibut Point Road in the R-1 MH Single-Family/Duplex/Manufactured Home zoning district. The property is also known as Lot 1, Yannikos Subdivision. The request is filed by Larry Trani and Ann Walter. The owners of record are Larry Trani and Ann Walter.

Attachments: [VAR 20-02 Traini 3603 HPR Staff Report](#)
[VAR 20-02 Trani 3603 HPR Variance Aerial](#)
[VAR 20-02 Trani 3603 HPR Variance Site & Floor Plans](#)
[VAR 20-02 Trani 3603 HPR Variance Plat](#)
[VAR 20-02 Trani 3603 HPR Variance Photos](#)
[VAR 20-02 Trani 3603 HPR Variance Applicant Materials](#)

Ainslie described the applicant's variance request, detailing restrictions on height, setbacks, and building coverage, and how the request pertained to the code. Ainslie noted the 30 inch-above-grade height threshold for setbacks, and noted that the applicant's structure footprint was only 52% lot coverage, and the 70% coverage requested was due to eave overhangs. Ainslie described the side setback, and noted that this was due to the garage foundation on the north side of the lot, and attempts to

align the home with the garage foundation. Ainslie detailed the front setback, and noted Halibut Point Road was platted much wider than it was built, resulting in space between the platted property line and the actual asphalt. The rear setback was adjacent to tidelands, and Ainslie noted that code potentially allowed for development without setbacks abutting tidelands, but code was inconsistent. Ainslie observed the main reasons for setback requirements were for fire separation, buffer between neighbors, and ingress/egress, none of which were pertinent to the variance request. Staff recommended approval for side and rear setback reductions. Staff recommendation was neutral for front setback reduction and maximum building lot coverage.

Applicant Larry Trani was present. He stated he understood the 30 inch height threshold for coverage, but did not want to add fill to reduce the height above grade of the deck. Randy Hitchcock provided public comment, and stated that the house next door was a great example of a high lot coverage structure. Trani noted the neighboring property was constructed against the rear setback, and stated that it was common for waterfront properties in this neighborhood.

M-Windsor/S-Mudry moved to approve a variance to increase maximum building coverage above 50% and a reduction in front, side, and rear setbacks at 3603 Halibut Point Road in the R-1 MH Single-Family/Duplex/Manufactured Home zoning district. The property was also known as Lot 1, Yannikos Subdivision. The request was filed by Larry Trani and Ann Walter. The owners of record were Larry Trani and Ann Walter. Motion passed 3-0 by voice vote.

M-Windsor/S-Mudry moved to approve the findings as listed in the staff report. Motion passed 3-0 by voice vote.

VIII. ADJOURNMENT



4951 Halibut Point Road

A portion of Lot 1, USS 3670

Assembly Special Report
February 25, 2020

Agenda



Overview and description of area



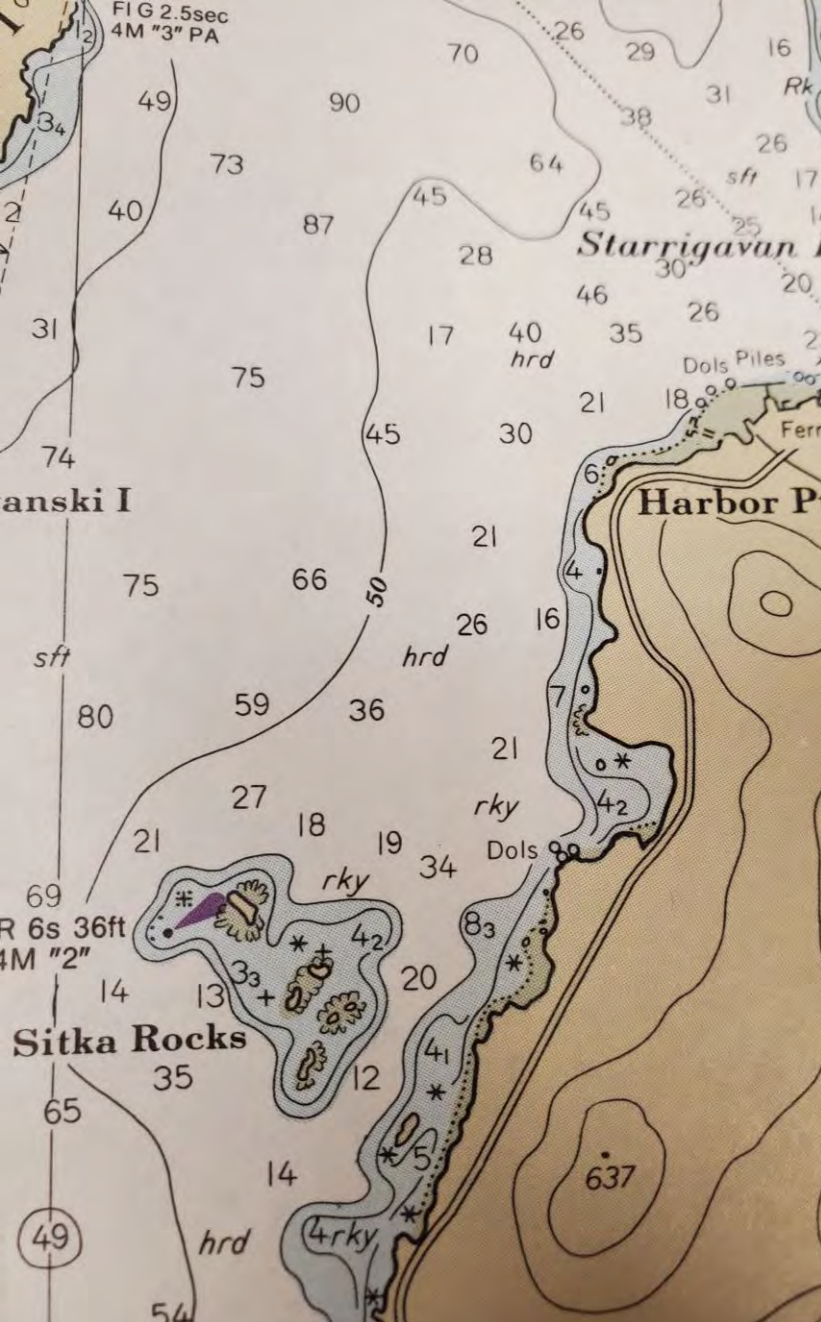
History and patent restrictions



Current zoning



Utility infrastructure



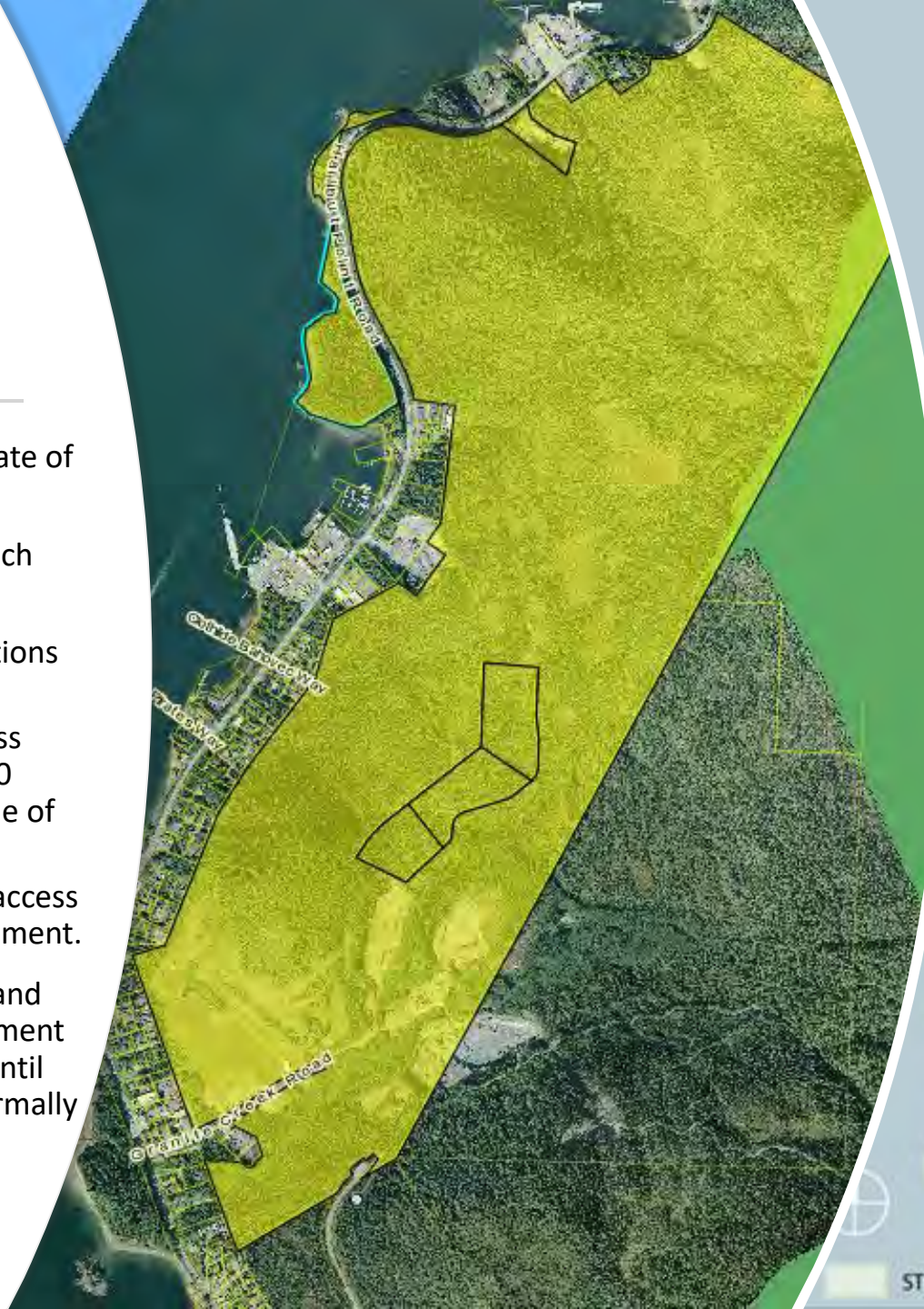
Overview and Description

- ~17.18 acres
- Waterfront
- Wooded
- Relatively level topography
- Deep water access
- Unique in municipal holdings
- Valuable for recreational, residential, or commercial/industrial use
- Not surveyed for cultural/historical/archeological resources
- Why now: Land swap discussion, Master Plan



History and Patent Restrictions

- Transferred to CBS July 21, 1988 via State of Alaska Patent No. 9743.
- CBS selected all of Lot 1, USS 3670 which conveyed 801.14 acres.
- The patent had two provisions/restrictions that are applicable to 4951 HPR:
 - 1. A 100 foot perpetual public access easement 50 feet shoreward and 50 seaward of the mean high water line of Sitka Sound
 - 2. A 50 foot wide perpetual public access easement to access the above easement.
- These easements are to be identified and subject to a covenant that no development or conveyance can occur on the land until CBS has platted the easements and formally notified the State.





Current Zoning

- Currently zoned as R-1: Single family and duplex residential district
- R-1 often used as a “holding” designation
- Adjacent to Industrial and Commercial-2 zones
- Rezone possibilities: C-2, Industrial, Waterfront
- Spot zoning concerns

Utilities

- Electric

- 3 phase distribution power line runs along HPR
- Service voltage transformers would be needed to supply power to property
- Cost ranges with intended use: As low as \$5k for limited residential use, \$100k+ for underground power distribution system and communications facilities for higher demand commercial/industrial use

- Water

- Water is on upland/outbound lane of highway
- Extension would need to cross highway

- Sewer

- Sewer ends at 4802 HPR
- Extension would need to cross highway





City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 20-02
Proposal: Request for short-term rental at 468 Katlian Street
Applicant: Judith Kell
Owner: Judith Howard (Kell)
Location: 468 Katlian Street
Legal: Lot 1, BIHA 2 Subdivision, USS 2542
Zone: R-1 single-family and duplex residential district
Size: 3,152 square feet
Parcel ID: 16640105
Existing Use: Residential
Adjacent Use: Single-family housing
Utilities: Existing
Access: Katlian Street

KEY POINTS AND CONCERNS

- Neighborhood appears to be mixed use residential and waterfront commercial, including single-family and multi-family dwellings, marine retail, and fish processing.
- The short-term rental is in a standalone structure housing one dwelling unit.
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding this specific proposal and STRs at large.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 468 Katlian Street subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

This request is for a conditional use permit for short-term rental (STR) for a unit of a single dwelling unit building. The owner intends to have the units available for short term rental year round.

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:

Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is parking on-site, namely space for at least two cars. This meets the Sitka General Code requirement to afford space for two vehicles per dwelling unit.

b. Amount of noise to be generated and its impacts on surrounding land use: Short term rentals have the potential to create noise from transient guests. Professional management will be a point of contact for issues/complaints.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: The proposal is to book rentals during the summer.

e. Location along a major or collector street: Access from Katlian Street.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Property is immediately adjacent to, and is accessed directly off Katlian Street. There is no access to other streets from the property.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal increase in traffic.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Residence has reasonable access off Katlian Street. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: The rental unit is a 2 bedroom, 1.5 bath single family residence without shared common spaces.

¹ § 22.24.010.E

j. Effects of signage on nearby uses: No signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Natural buffers of bushes and trees are on the site, as well as buffering due to elevation.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: An STR can help support the existing and growing tourism industry by providing transient guests with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. STRs also increase the affordability of housing for owners by offsetting housing costs with rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing.

m. Other criteria that surface through public comments or planning commission review: Not applicable at this time.

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 468 Katlian Street subject to the recommended conditions of approval.

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ATTACHMENTS

Attachment A: Floor plan
Attachment B: Photos
Attachment C: Plat
Attachment D: STR Density
Attachment E: Public Comment
Attachment F: Application
Attachment G: Renter Handout

CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2021, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
6. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
7. To mitigate the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
12. The property owner shall communicate to renters that a violation of these conditions of approval will be grounds for eviction of the short-term renters.
13. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Motions in favor of approval

- 1) I move to approve the conditional use permit for a short-term rental at 468 Katlian Street in the R-1 single family and duplex residential zoning district, subject to the attached conditions of approval. The property is also known as Lot 1, BIHA 2 Subdivision, USS 2542. The request is filed by Judith Kell. The owner of record is Judith Howard.
- 2) I move to adopt and approve the required findings for conditional use permits. The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²

1. **...The granting of the proposed conditional use permit will not:**

- a. **Be detrimental to the public health, safety, and general welfare; *specifically, conditions of approval require responsible management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.***
 - b. **Adversely affect the established character of the surrounding vicinity; *specifically, the rental makes use of an already developed single-family home with attached rentals with owner-managers monitoring the property.***
 - c. **Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located; *specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and parking.***
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; *specifically, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.***
 3. **All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.***

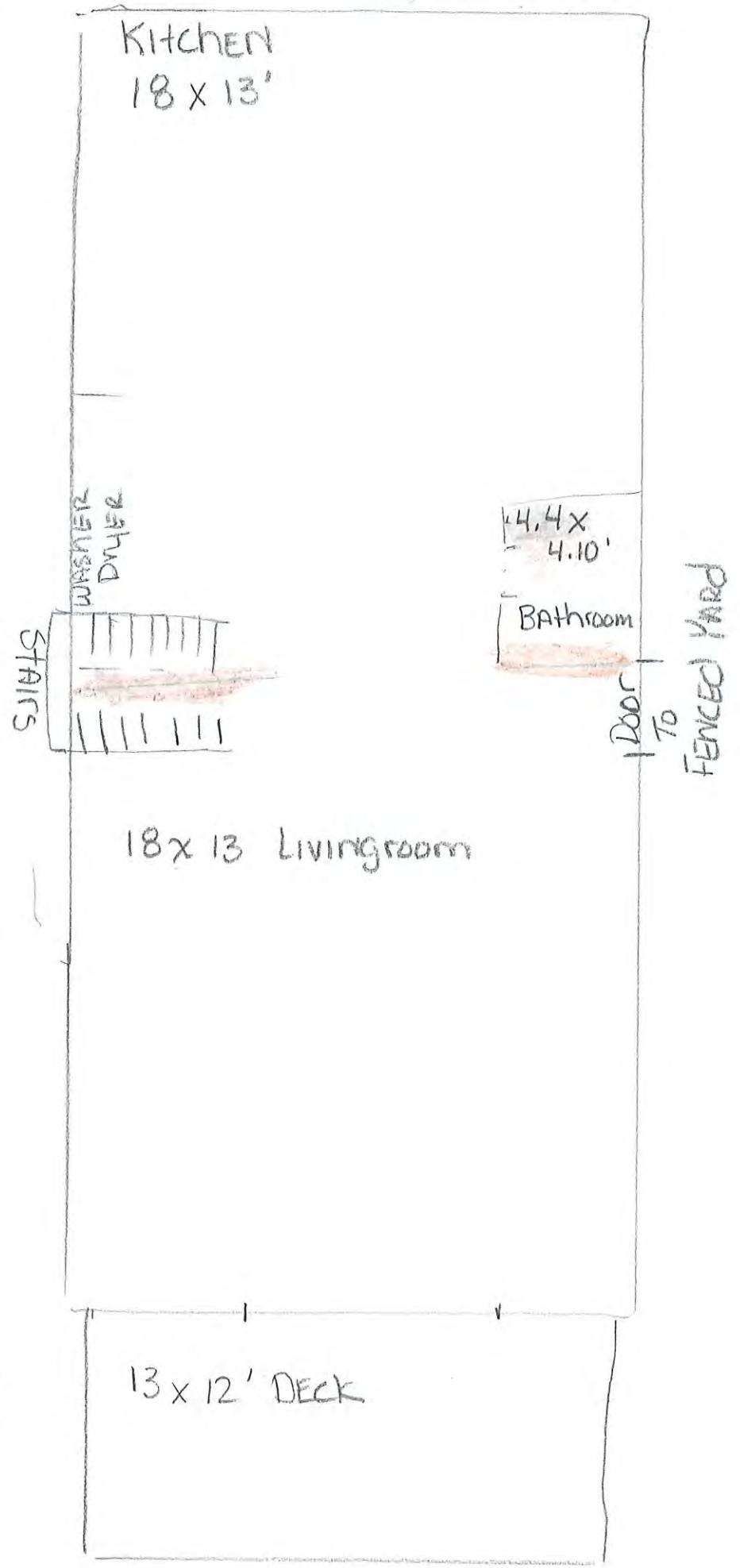
² §22.30.160(C)—Required Findings for Conditional Use Permits



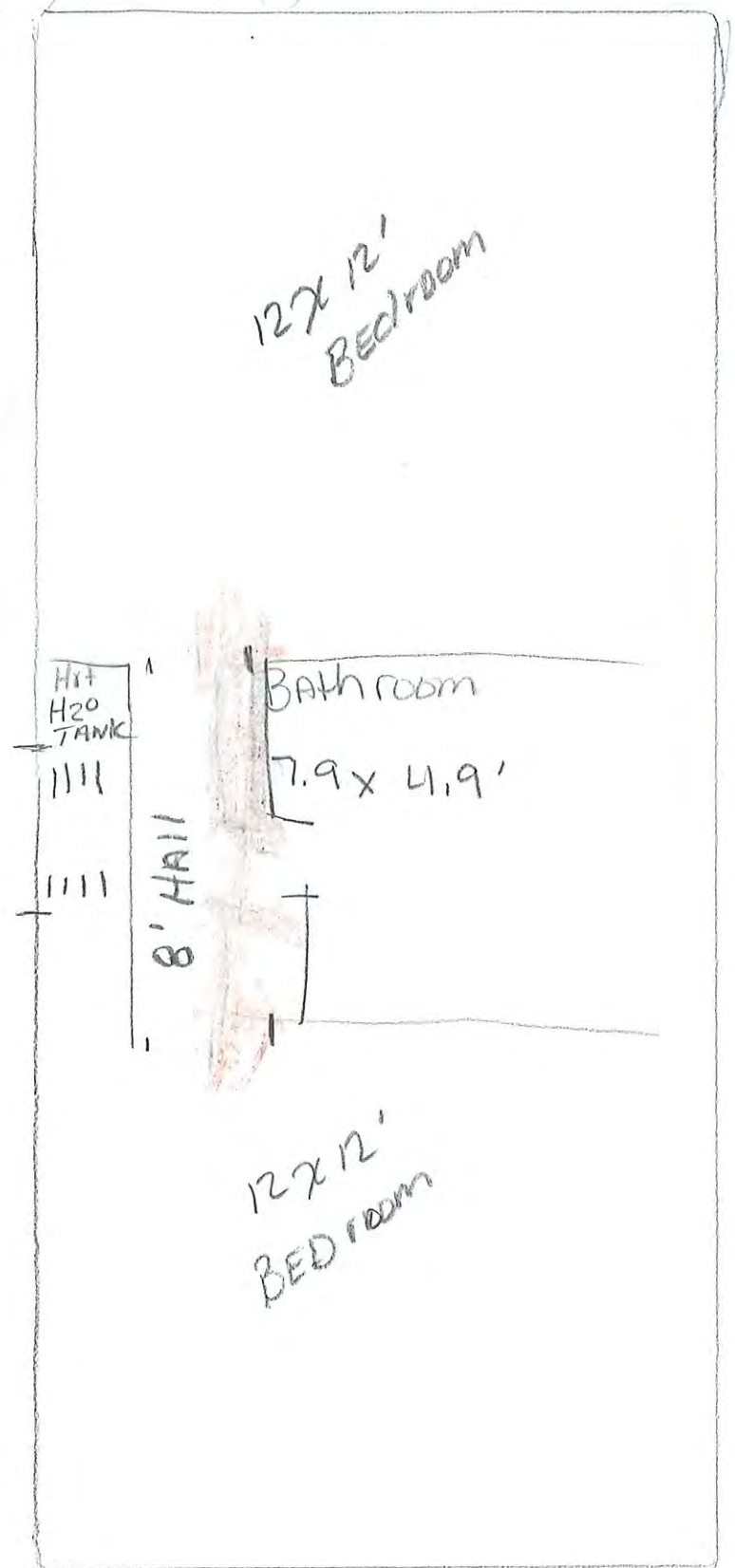
SITKA TRIBES OF ALASKA

23

1st Floor



Second Floor



KATHLAN STREET

468 Katlian Street



CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA, AND THAT THE PLAT IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA, AND THAT THE PLAT IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA.

May 26, 1987 Dan Koo/C

RE: APPROVED
Daniel Turner

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA, AND THAT THE PLAT IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA, AND THAT THE PLAT IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA.

87-15 4-20-87

5/10/87 Harold Stahler

RE: APPROVED
Daniel Turner



CERTIFICATE

STATE OF ALASKA

1ST JUDICIAL DISTRICT

I, THE UNDERSIGNED, BEING A JUDICIAL OFFICER AND A MEMBER OF THE JUDICIAL BRANCH OF THE STATE OF ALASKA, DO HEREBY CERTIFY THAT THE SUBDIVISION IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA, AND THAT THE PLAT IS IN ACCORDANCE WITH THE CITY AND BOROUGH OF SITKA, ALASKA.

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CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DEDICATED HEREIN AND THAT I HEREBY ADAPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL PUBLIC STREETS, ALLEYS, MAIL ROADS, AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED.

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LEGEND

- ACCESS & UTILITY EASEMENTS
- EXISTING LOT LINES
- NEW LOT LINES OVER EXISTING LOT LINES
- NEW LOT LINES
- CENTERLINE KATLIAN STREET
- BLOCK NUMBER
- EXISTING LOT
- LOT CORNER SET THIS SURVEY

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM THE SURVEYOR OF THE PROPERTY SHOWN AND DEDICATED HEREIN AND THAT I HEREBY ADAPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND DEDICATE ALL PUBLIC STREETS, ALLEYS, MAIL ROADS, AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED.

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5/10/87



NOTES:

- THE BASIS OF BEARING FOR THIS SURVEY IS THE CALCULATED BEARING OF S 48°00'33" E 1701.69 FEET MEASURED IN THE FIELD AS 1700.82 FEET, BETWEEN MONC NO. 11, WHICH IS A BRASS-CAPPED MONUMENT ON 3" IRON PIPE LOCATED ON THE SOUTH SIDE OF KATLIAN STREET, AND U.S.H.L.M. NO. 1, A CHISELLED CROSS ON A LARGE BEDROCK OUTCROP NORTHEAST OF LOT 1, BLOCK 1, AS SHOWN ON U.S.S. 2542 A & B.
- CERTAIN LOTS WITHIN THIS SUBDIVISION WERE CREATED TO ELIMINATE AN ENCROACHMENT OF A BUILDING FROM AN ADJACENT LOT. THESE LOTS ARE GENERALLY DESIGNATED BY THE LOT NUMBER OF THE ADJACENT LOT FOLLOWED BY THE LETTER A & LOT 51A. THE NEWLY CREATED LOTS WILL BE DEEDED TO THE ADJACENT LOTS ACCORDING TO THE TABULATION INDICATED IN TABLE NO. 1.
- ALL HOUSING UNITS SHALL BE RESTRICTED TO SINGLE FAMILY USE.
- THE EASEMENTS LOCATED WITHIN CERTAIN LOTS ARE CREATED FOR ACCESS TO AND FROM ADJACENT LOTS AND FOR THE MAINTENANCE OF THE UTILITIES LOCATED WITHIN THE EASEMENT. THESE UTILITIES WILL BE MAINTAINED BY THE CITY AND BOROUGH OF SITKA.

BARANOF HOUSING AUTHORITY SUBDIVISION NO. 2 SUBDIVIDES THE FOLLOWING LOTS OF U.S.S. 2542 A & B, AS SHOWN HEREIN:

BLOCK	LOT
1	17
2	51
3	17
4	51
5	17
6	51
7	17
8	51
9	17
10	51
11	17
12	51
13	17
14	51
15	17
16	51
17	17
18	51
19	17
20	51
21	17
22	51
23	17
24	51
25	17
26	51
27	17
28	51
29	17
30	51
31	17
32	51
33	17
34	51
35	17
36	51
37	17
38	51
39	17
40	51
41	17
42	51
43	17
44	51
45	17
46	51
47	17
48	51
49	17
50	51

TABLE NO. 1	
ENCROACHMENT ELIMINATION	
LOT NO.	TO BE DEEDED TO
17A	LOT 17, BLOCK 3
51A	LOT 51, BLOCK 2

RECORDED - FILED
SITKA
JUNE 3 87
P
CITY ENGINEER
304 Main St.
SITKA, AK 99835

BARANOF HOUSING AUTHORITY SUBDIVISION NO. 2

A SUBDIVISION OF CERTAIN LOTS WITHIN U.S.S. 2542 A & B, SITKA INDIAN VILLAGE
SCALE: 1" = 20'
DATE: APRIL 1987
DRAWN BY: CAJ
PREPARED FOR: MARTIN CONSTRUCTION
3061 NORTH DOUGLAS
JUNEAU, ALASKA 99801



Andy Corak

From: Terrence Littlefield <tlittlefield0020@gmail.com>
Sent: Monday, February 10, 2020 4:14 PM
To: Planning Department
Subject: CUP 20-02 468 Katlian St - Kell STR hearing

What is the parking requirement for a Short Term Rental? This property has one parking spot that is used by a family vehicle. The other family vehicle parks in the driveway to the STA Building.

I believe the closest public parking is in front of the Sitka Tribe Healing House at 429 Katlian St., Property ID 168300001.



CITY AND BOROUGH OF SITKA
 PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 SUPPLEMENTAL APPLICATION FORM
 CONDITIONAL USE PERMIT

APPLICATION FOR

- ☐ MARIJUANA ENTERPRISE
☒ SHORT-TERM RENTAL OR BED AND BREAKFAST
☐ OTHER: _____

CRITERIA TO DETERMINE IMPACT – SGC 22.24.010(E) (Please address each item in regard to your proposal)

- Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:

typical Residential traffic

- Amount of noise to be generated and its impacts on surrounding land use: I Anticipate

Average Normal Residential noise.

- Odors to be generated by the use and their impacts: I Anticipate Normal average
odors as its a residential Dwelling.

- Hours of operation: Average activity from residential
Dwelling.

- Location along a major or collector street: Average house in neighborhood
Drive way off KATHIAN main road.

- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: Well Defined sidewalks, roads & paths
to & from store to town & groceries.

- Effects on vehicular and pedestrian safety: No change in use from
Residential to Renters use.

KEIL

Last Name

Date Submitted

468 Kathian St

Project Address

- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Same 3
EASY ACCESS, House Address # visible.
- Logic of the internal traffic layout: Drive way 3 Property clearly
marked.
- Effects of signage on nearby uses: minimal to none.
- Presence of existing or proposed buffers on the site or immediately adjacent the site: matured
shrubs present.
- Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan (CITE SPECIFIC SECTION AND EXPLAIN): ED 6.5
Support growth of Sitka Independent, Cruise - related
3 heritage tourism.
- Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc.): _____

REQUIRED FINDINGS (SGC 22.30.160(C):

1. ...The granting of the proposed conditional use permit will not:

a. Be detrimental to the public health, safety, and general welfare because The rental will be similar to residential surroundings.;

b. Adversely affect the established character of the surrounding vicinity, because would affect the surrounding neighborhood, because it look like; nor abus.

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, because, Because Rental will be Professionally managed.;

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, specifically,

conforms to Comprehensive Plan Section ED 6.5 which states Support growth of Sitka's independent, cruise-related heritage tourism

because the proposal providing housing to visitors;

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and

enforced, because property will be professionally managed.

ANY ADDITIONAL COMMENTS _____

Applicant _____

Date _____

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

GENERAL APPLICATION FORM

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐

VARIANCE

☒

CONDITIONAL USE

☐

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Seeking approval to turn my small 2 bedroom 1.5 bath house into a short term summer rental.

PROPERTY INFORMATION:

CURRENT ZONING: residential PROPOSED ZONING (if applicable): _____

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

APPLICANT INFORMATION:

PROPERTY OWNER: Judith L. Howard

PROPERTY OWNER ADDRESS: 468 Katlian Street Sitka, AK 99835

STREET ADDRESS OF PROPERTY: 468 Katlian Street Sitka, AK 99835

APPLICANT'S NAME: Judith L. Kell

MAILING ADDRESS: 468 Katlian Street Sitka, AK 99835

EMAIL ADDRESS: Judithbiha@yahoo.com DAYTIME PHONE: 907-738-4089

PROPERTY LEGAL DESCRIPTION:

TAX ID: 16640105 LOT: _____ BLOCK: _____ TRACT: _____

SUBDIVISION: BHA2 US SURVEY: USS 2542

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:**For All Applications:**

- ☒ Completed General Application form
- ☐ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☒ Renter Informational Handout (directions to rental, garbage instructions, etc.)

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 understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. 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.

Judith L. Kell

Owner

Date

Owner

Date

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

Last Name

Date Submitted

Project Address

Welcome to _____! Please make yourself at home in _____! We hope you had good travels to our beautiful sea side community and glad you are with us.

INTERNET:

You can log onto _____. Password_____.

TRASH:

Because of bears, we need to be cautious about how we empty trash into cans, be sure to double bag fish or smelly items.(trash can needs to be moved out from fence out about 3 feet for pick-up Tuesday mornings.)

RECYCLING:

Recycling bin is located in pantry for plastics, glass and metals.

AMENITIES:

Grocery Stores are approximately 10-15 min walk North (AC Lakeside Grocery 705 Halibut Point Road). Or 15 min walking south (Market Center 210 Baranof St).

Restaurant, Longliner is across the street at 485 Katlian, and Mean Queen Totem Square is located 201 Katlian, just 10 min walk towards town.

Alaska Native hand-made items such as Sea Otter Pillows on the hide-a-bed couch are available for purchase, 14x14 for \$300.00, if they are missing will be added to your bill. Also available by Special order are Sea Otter Headbands, excellent for cold winters \$250.00 and Sea Otter Fingerless Gloves \$350.00.

If there is anything else you might need, please contact our property Manager Candace Rutledge, at 907-738-2207 and we are always checking our AirBnB messages as well.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM:

Case No: P 20-01
Proposal: Conceptual review of a Lot Merger
Applicant: Michael Coady
Owner: Michael Coady
Location: Middle Island
Legal: Lots 3, 4, and 5, Block 1, Middle Island Subdivision
Zone: LI – Large island district
Size: Current: Lot 3: 1.82 acres, Lot 4: .89 acres, Lot 5: 1.29 acres
Proposed: 4.00 acres
Parcel ID: 4-920-1003, 4-920-1004, 4-920-005
Existing Use: Lodge
Adjacent Use: Recreational residential, undeveloped
Utilities: Private utilities
Access: Water

KEY POINTS AND CONCERNS:

1. The applicant owns all three lots in question and is functionally utilizing the properties for a single purpose (lodge – granted through conditional use). Lot merger allows applicant to use lot more flexibly for structure placement.
2. That the proposed replat complies with the Sitka General Code Titles 21 and 22 by moving the property toward code conformance; one of the existing lots is substandard for the district.
3. Platting of lots as single lot should not change impact on neighborhood outside of current use.

RECOMMENDATION:

Staff recommends approval of the conceptual lot merger for Lots 3, 4 and 5, Block 1, Middle Island Subdivision.

ATTACHMENTS:

Attachment A: Aerial

Attachment B: Current Plat

Attachment C: Conceptual Plat

Attachment D: Applicant Materials

BACKGROUND

This property consists of three lots held between a common owner, Michael Coady. Mr. Coady purchased the lots in order to run a lodge operation utilizing all three lots. A conditional use permit was granted to Mr. Coady by the Planning Commission in December of 2017 for this use. An outstanding condition of approval at the time was for Mr. Coady to resolve the encroachment of a structure on the State's public access easement, which Mr. Coady has since completed. Mr. Coady continues to work in good faith with the Building and Planning Departments on his development of the lots.

PROJECT DESCRIPTION

This request is to replat the three lots into one lot. Mr. Coady is functionally using all three lots as a single unit to run the lodge operation, as recognized by the fact that the conditional use permit spans all three lots. SGC 22.20 outlines the development standards for the Large Island (LI) district. In island zones, including LI, there is a required 15 ft. setback along common property lines. The merging of these three lots provides the owner more flexibility to develop the area without as many restrictions regarding setbacks and encroachments over the property lines.

Staff recommends approval of the lot merger from both a code administration standpoint, and a practical standpoint. One of the lots, Lot 4, is currently a non-conforming lot, as it is .89 acres which does not meet the district minimum of 1 acre. The lot merger would address this nonconformity. From a practical standpoint, the investment in the integrated infrastructure needed to run the property as a lodge means these lots would have limited marketability as individual lots, and if sold, would most likely transfer ownership together. The lot merger is therefore a recognition of the lots interconnected nature and status a single economic unit.

Generally, lot mergers or replats can be accomplished in one review with the Planning Commission with a survey document. The applicant requested a concept review of the plan prior to investing in surveying services for the area.

ANALYSIS

Project/Site: A large house structure is located on Lot 3 along with several out-buildings including the bunkhouse, 2 guest cabins, a smokehouse, shed, and garage/barn structure. Lot 4 has one guest cabin, and Lot 5 is sparsely developed.

Density: The proposed lot merger does not waive or alter any density or coverage standards for the properties, so the lot merger could not result in a denser development overall than is currently permitted. However, the lot coverage maximum is 25% of the lot as listed in SGC Table 22.20-1

Development Standards for the LI district. Therefore, denser development could occur in one area (one lot) than previously permitted, however, a total of 3.0 acres would still need to be preserved as open space.

Traffic: The replat would not change existing boat/pedestrian traffic patterns.

Parking: N/A

Noise: No concerns, as the proposed land use does not differ from the current use.

Public Health or Safety: No concerns.

Habitat: No concerns.

Property Value or Neighborhood Harmony: As the use will not change, impact to the neighborhood beyond current use is not anticipated. The properties are interdependent due to centralized lodge infrastructure, and therefore already operate as an economic unit. The proposed lot merger is a better reflection of the current use and future value of the lots.

Comprehensive Plan: The proposal supports the Comprehensive Plan Economic Development Action ED 6.5 which aims to “Support growth of Sitka’s independent, cruise-related, and heritage tourism work and enterprises” by giving the owner the ability to more flexibly and creatively develop his lodge operation while still preserving open space.

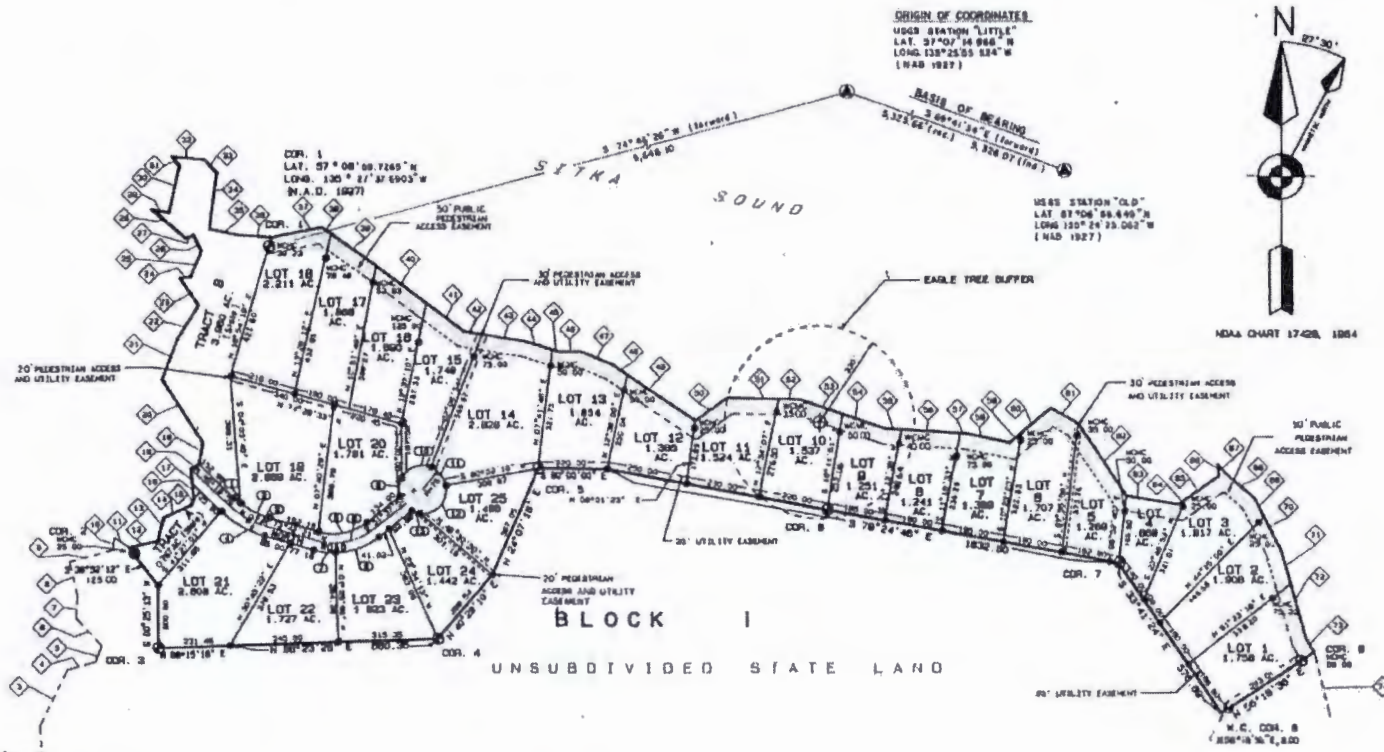
RECOMMENDED MOTIONS

- 1) I move to approve the conceptual lot merger Lots 3, 4, and 5, Block 1, Middle Island Subdivision in the LI Large Island district. The request is filed by Michael Coady. The owner of record is Michael Coady.
- 2) I move to adopt the findings as listed in the staff report.

Staff recommends the following findings:

- a. That the proposed replat complies with the Comprehensive Plan and Sitka General Code Titles 21 and 22 by moving the properties toward code conformance, and;
- b. That the replat would not be injurious to public health, safety, and welfare.





THIS PLAT



VICINITY MAP
USGS QUAD SITKA A-6, 1962
1" = 1 MILE

TABULATED A.S.L.S. 87-129 BOUNDARY
① = MEANDER COURSE

COURSE	BEARING	DISTANCE	REMARKS
1	N 30° 27' 38" E	296.95	
2	N 02° 48' 51" E	350.29	
3	N 28° 33' 54" E	203.29	
4	N 74° 28' 29" E	88.41	
5	S 01° 46' 05" E	82.86	
6	N 55° 38' 11" E	120.42	
7	N 04° 08' 46" E	89.18	
8	N 12° 48' 15" E	119.83	
9	N 75° 33' 58" E	144.33	
10	N 27° 37' 30" E	46.33	
11	S 56° 15' 25" E	84.09	
12	N 77° 08' 18" E	82.85	
13	N 14° 05' 33" E	77.85	
14	N 68° 02' 19" E	88.46	
15	N 28° 30' 54" E	138.39	
16	N 06° 45' 26" E	46.83	
17	N 08° 45' 38" E	46.89	
18	N 38° 14' 11" E	31.09	
19	N 88° 48' 28" E	88.43	
20	N 33° 41' 24" E	224.26	
21	N 71° 48' 05" E	124.43	
22	N 38° 41' 34" E	128.19	
23	N 38° 19' 08" E	124.54	
24	N 81° 52' 12" E	36.88	
25	N 22° 37' 48" E	87.39	
26	N 88° 48' 28" E	138.39	
27	N 06° 45' 26" E	46.83	
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69	N 22° 37' 48" E	87.39	
70	N 88° 48' 28" E	138.39	
71	N 06° 45' 26" E	46.83	
72	N 08° 45' 38" E	46.89	
73	N 38° 14' 11" E	31.09	
74	N 88° 48' 28" E	88.43	

BEARING TREE TABLE
MIDDLE ISLAND SUBDIVISION
A.S.L.S. 87-129
BLOCK NO. 1

BEARING	DISTANCE	REMARKS
1	N 02° 48' 51" E	350.29
2	N 28° 33' 54" E	203.29
3	N 74° 28' 29" E	88.41
4	S 01° 46' 05" E	82.86
5	N 55° 38' 11" E	120.42
6	N 04° 08' 46" E	89.18
7	N 12° 48' 15" E	119.83
8	N 75° 33' 58" E	144.33
9	N 27° 37' 30" E	46.33
10	S 56° 15' 25" E	84.09
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73	N 88° 48' 28" E	88.43
74	N 33° 41' 24" E	224.26

CURVE DATA
① = R.O.W. CURVE COURSE

CURVE	BEARING	DISTANCE	REMARKS
1	N 02° 48' 51" E	350.29	
2	N 28° 33' 54" E	203.29	
3	N 74° 28' 29" E	88.41	
4	S 01° 46' 05" E	82.86	
5	N 55° 38' 11" E	120.42	
6	N 04° 08' 46" E	89.18	
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53	N 71° 48' 05" E	124.43	
54	N 38° 41' 34" E	128.19	
55	N 38° 19' 08" E	124.54	
56	N 81° 52' 12" E	36.88	
57	N 22° 37' 48" E	87.39	
58	N 88° 48' 28" E	138.39	
59	N 06° 45' 26" E	46.83	
60	N 08° 45' 38" E	46.89	
61	N 38° 14' 11" E	31.09	
62	N 88° 48' 28" E	88.43	
63	N 33° 41' 24" E	224.26	
64	N 71° 48' 05" E	124.43	
65	N 38° 41' 34" E	128.19	
66	N 38° 19' 08" E	124.54	
67	N 81° 52' 12" E	36.88	
68	N 22° 37' 48" E	87.39	
69	N 88° 48' 28" E	138.39	
70	N 06° 45' 26" E	46.83	
71	N 08° 45' 38" E	46.89	
72	N 38° 14' 11" E	31.09	
73	N 88° 48' 28" E	88.43	
74	N 33° 41' 24" E	224.26	

LEGEND

- USGS TRIANGULATION STATION RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- SECONDARY MONUMENT SET THIS SURVEY
- WITNESS CORNER MEANDER CORNER
- WITNESS DISTANCE
- MEANDER COURSE
- CURVE DATA

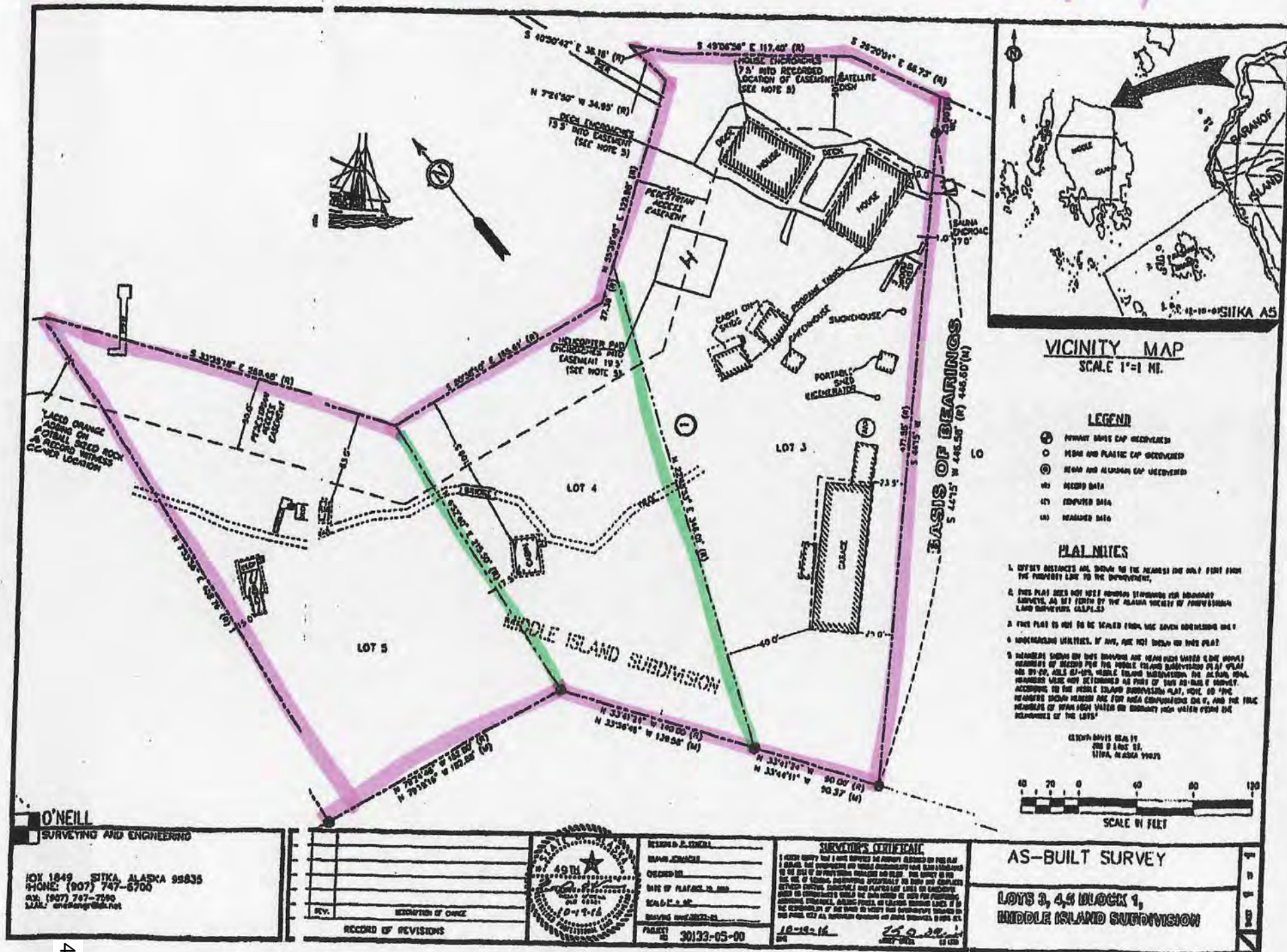
89-22
RECORDED, FILED
JULY 22, 1987
SITKA, ALASKA

AMENDED
SCALE: 1" = 1 MILE

DATE OF SURVEY: MAY 8, 1987
BY: [Signature]
STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND & WATER
ANCHORAGE, ALASKA
ASLS 87-1
MIDDLE ISLAND SUBDIVISION
SECTION 2, 6, 17, 18 & 20, T 6 S, R 12 E, S 14 E
DRAWN BY: CAJ
DATE: 8/87
APPROVAL: [Signature]
DATE: 8/87
CHECKED: H.F.S.
FILE

SITKA PLAT 89-22 88-17

GREEN lines existing property lines Pink New Property





CITY AND BOROUGH OF SITKA
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
PLAT APPLICATION

APPLICATION FOR

- ☐ MAJOR SUBDIVISION/PLANNED UNIT DEVELOPMENT
☐ MINOR SUBDIVISION/HYBRID SUBDIVISION
☒ SUBDIVISION REPLAT LOT MERGER/EASEMENT AMENDMENT
☐ BOUNDARY LINE ADJUSTMENT

ANALYSIS: *(Please address each item in regard to your proposal)*

- SITE/DIMENSIONS/TOPOGRAPHY: "TOPO" Heavily wooded. LOTS 4-5
Lot 3 - cleared.
- EXISTING UTILITIES AND UTILITY ROUTES: NA
- PROPOSED UTILITIES AND UTILITY ROUTES: NA
- ACCESS, ROADS, TRANSPORTATION, AND MOBILITY: NA
- IMPACT OF PROPOSAL ON ANY EXISTING EASEMENTS: NONE
- PUBLIC HEALTH, SAFETY, AND WELFARE: NONE
- ACCESS TO LIGHT AND AIR: NONE.

COADY

Last Name

1-29-20

Date Submitted

LOT 3-4-5 Block 1

Project Address

• ORDERLY AND EFFICIENT LAYOUT AND DEVELOPMENT: NA

• DESCRIBE ALL EXISTING STRUCTURES, THEIR USE, AND PROXIMITY TO PROPOSED PROPERTY LINES:

• EXISTENCE OF ANY ENCROACHMENTS: NONE

• AVAILABILITY OF REQUIRED PARKING: NA

• SUMMARY OF PROPOSED EASEMENT AGREEMENTS OR COVENANTS:

ANY ADDITIONAL COMMENTS Consolidation of lots 3-4-5 Block 1
into 1 Large lot

Michael COADY
Applicant

1-29-20
Date

COADY
Last Name

1-29-20
Date Submitted

LOT-3-4-5 Block 1
Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐

VARIANCE

☐

CONDITIONAL USE

☐

ZONING AMENDMENT

☒

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Consolidation of lots 3-4-5 Block 1
into "1" LOT

PROPERTY INFORMATION:

CURRENT ZONING: Large Island PROPOSED ZONING (if applicable): _____

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

APPLICANT INFORMATION:

PROPERTY OWNER: Michael Coady

PROPERTY OWNER ADDRESS: 251 WINDY LN Rockwell TX 75087

STREET ADDRESS OF PROPERTY: LOT 3-4-5 Block 1

APPLICANT'S NAME: Michael Coady

MAILING ADDRESS: 251 WINDY LN Rockwell TX 75087

EMAIL ADDRESS: MC Coady@yahoo.com DAYTIME PHONE: 972 989 9025

PROPERTY LEGAL DESCRIPTION:

TAX ID: 49201003 LOT: 3-4-5 BLOCK: 1 TRACT: /

SUBDIVISION: Middle Island US SURVEY: _____

Coady
Last Name

1-29-20
Date Submitted

LOT 3-4-5 Block 1
Project Address

REQUIRED INFORMATION:

For All Applications:

- ☐ Completed General Application form
- ☐ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

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 understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. 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.

Michael Coady
Owner

1-29-20
Date

Owner

Date

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.

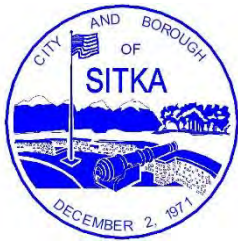
Applicant (If different than owner)

Date

Coady
Last Name

1-29-20
Date Submitted

Lot 3-4-5 Block 1
Project Address



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Chair Spivey and Planning Commission
From: Amy Ainslie, Director, Planning and Community Development
Subject: **Platting Variance VAR 20-03**
Date: February 28, 2020

Platting action P 20-02, the next item on this agenda, does three very important and valuable things:

- 1) Resolves some of the built ROW encroachment on State land
- 2) Creates a new residential lot in a desirable, developed area
- 3) Affords for legal access and utilities to a private lot

When the State of Alaska originally platted the right-of-way for Shotgun Alley, the planned route for the road did not match some of the improvements/ROW construction undertaken by nearby private property owners as well as CBS. The result is that in some places, the built ROW encroaches on State owned land and private property. The State has been working with CBS to alleviate these encroachments. In platting action P 20-02, some state land is being re-dedicated to the CBS right-of-way.

In doing so, a new residential lot will also be created (shown as Lot 2 on the preliminary plat). The zoning in this area is single-family low density (SFLD), with a minimum lot size of 15,000 square feet. The new plat, while dedicating space for the ROW, still creates a lot with 18,721 square feet. It is intended that this lot would be available for public auction in 2021 pending successful subdivision.

In exchange, the State would like to sell a parcel that was originally designated as ROW (but not developed as such), shown as Lot 1 on the preliminary plat. Given its status as a ROW, the owner of 210 Shotgun Alley, Bart Meyer, has been able to utilize the proposed Lot 1 for access and utility connections. Given this historic use of the land by Mr. Meyer, selling the lot to any other property owner would either result in 1) the stranding of 210 Shotgun Alley or 2) the permanent need for the complex entanglement of access and utility easements as shown on the preliminary plat, with no net increase in buildable space. Therefore, the best use of this land as agreed between the State, Mr. Meyer, and CBS staff is for this new lot to be created, sold to Mr. Meyer, and then incorporated as a single lot. This platting variance is the first step in reaching the best solution.

Per Alaska Division of Lands statute, only a substandard lot can be sold directly (i.e. non-competitively) to a property owner. Once this subdivision takes the place, the sale of the lot to Mr. Meyer can be executed, and Mr. Meyer will then apply for a lot merger.

The platting variance requested is therefore to allow this substandard lot to be created. The net square footage of the lot is 5,484; well below the 15,000 square foot standard for the district. A condition of approval on the preliminary plat would be a plat note explicitly stating that this lot, once subdivided, could only be sold to an adjacent property owner and would have to be attached to an adjacent lot via lot merger.

Ultimately, the granting of this platting variance would result in a clearer dedication of ROW, a new residential lot, and a larger lot within the subdivision that has owns its legal access and utility connections, all of which are benefits to the public. Staff also contends that the unique platting and development history in this area constitutes special consideration warranting a platting variance.

Further, the platting variance is consistent with the stated housing goal in the Comprehensive Plan Housing that aims to “*Expand the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods.*” This platting action enables the expansion of housing stock by opening up new residential property.

Attachments:

Attachment A: Aerial

Attachment B: Preliminary Plat

Attachment C: Applicant Materials

Recommended Motions:

1. “I move to approve the platting variance to create a substandard lot on Shotgun Alley, a portion of Lot 14, US Survey 3557. The request is filed by the State of Alaska Department of Natural Resources, Division of Mining, Land, and Water and North57 Surveying. The owner of record is the State of Alaska.”
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.



I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF MINING, LAND AND WATER AND THAT THE STATE OF ALASKA IS THE OWNER OF ASLS 2019-35, AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBE HEREON.

DATED _____ DIRECTOR, DIVISION OF MINING, LAND AND WATER

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20____
FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SURVEY PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND SAID PLAT HAS BEEN APPROVED BY THE BOARD FOR RECORDING IN THE OFFICE OF THE SITKA RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY

DATE _____

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 & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF:

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH ARE PAID IN FULL, THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE _____.

DATED THIS _____ DAY OF _____, 20____, AT SITKA, ALASKA.

ASSESSOR, CITY AND BOROUGH OF SITKA

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 AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR

CITY AND BOROUGH CLERK

NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 14 OF US SURVEY 3557 INTO TWO LOTS INCLUDING THE DEDICATION OF A PORTION TO RIGHT OF WAY.
2. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH AS 38.04.045, AS 38.05.102, GSC 839, AND ASLS 2019-35.
3. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000.
4. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS AND THE DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
5. RECORDED BEARINGS AND DISTANCES ARE SHOWN ENCLOSED IN PARENTHESES. MEASURED BEARINGS AND/OR DISTANCES ARE SHOWN WITHOUT PARENTHESES.
6. THE NATURAL MEANDERS OF THE MEAN HIGH WATER LINE FORMS THE TRUE BOUNDS OF LOT 1. THE APPROXIMATE LINE OF MEAN HIGH WATER, AS SHOWN, IS FOR AREA COMPUTATIONS ONLY.
7. MEAN HIGH WATER LINE WAS DETERMINED BY MEASUREMENTS MADE FROM TIDAL OBSERVATION.
8. THE CITY AND BOROUGH OF SITKA IS PARTY TO ALL EASEMENTS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.



REGISTERED NUMBER LS 13321

REGISTERED LAND SURVEYOR

	BEARING	DISTANCE
L1	N 57°20'10" E	4.19'
L2	N 34°56'21" E	13.84'
L3	N 03°28'27" E	25.54'
L4	N 20°43'26" E	25.29'
L5	N 40°45'00" W	26.08'
L6	N 29°56'38" E	60.36'
L7	S 29°56'38" W	19.48'
L8	N 55°22'12" W	23.94'
L9	S 35°51'00" W	20.00'
L10	S 55°22'12" E	23.64'
L11	S 29°56'38" W	33.50'

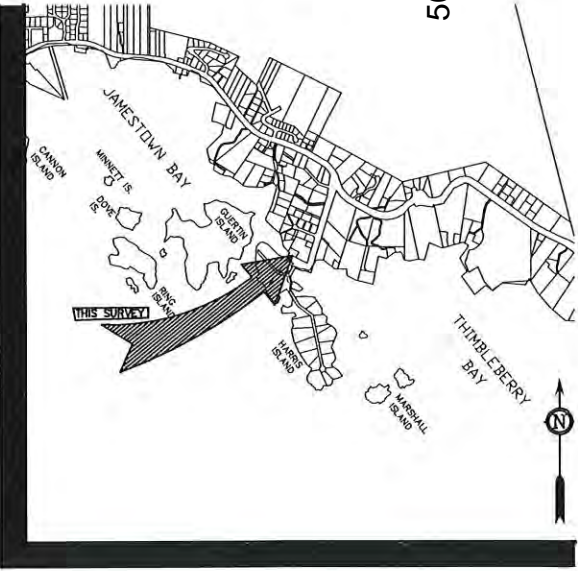
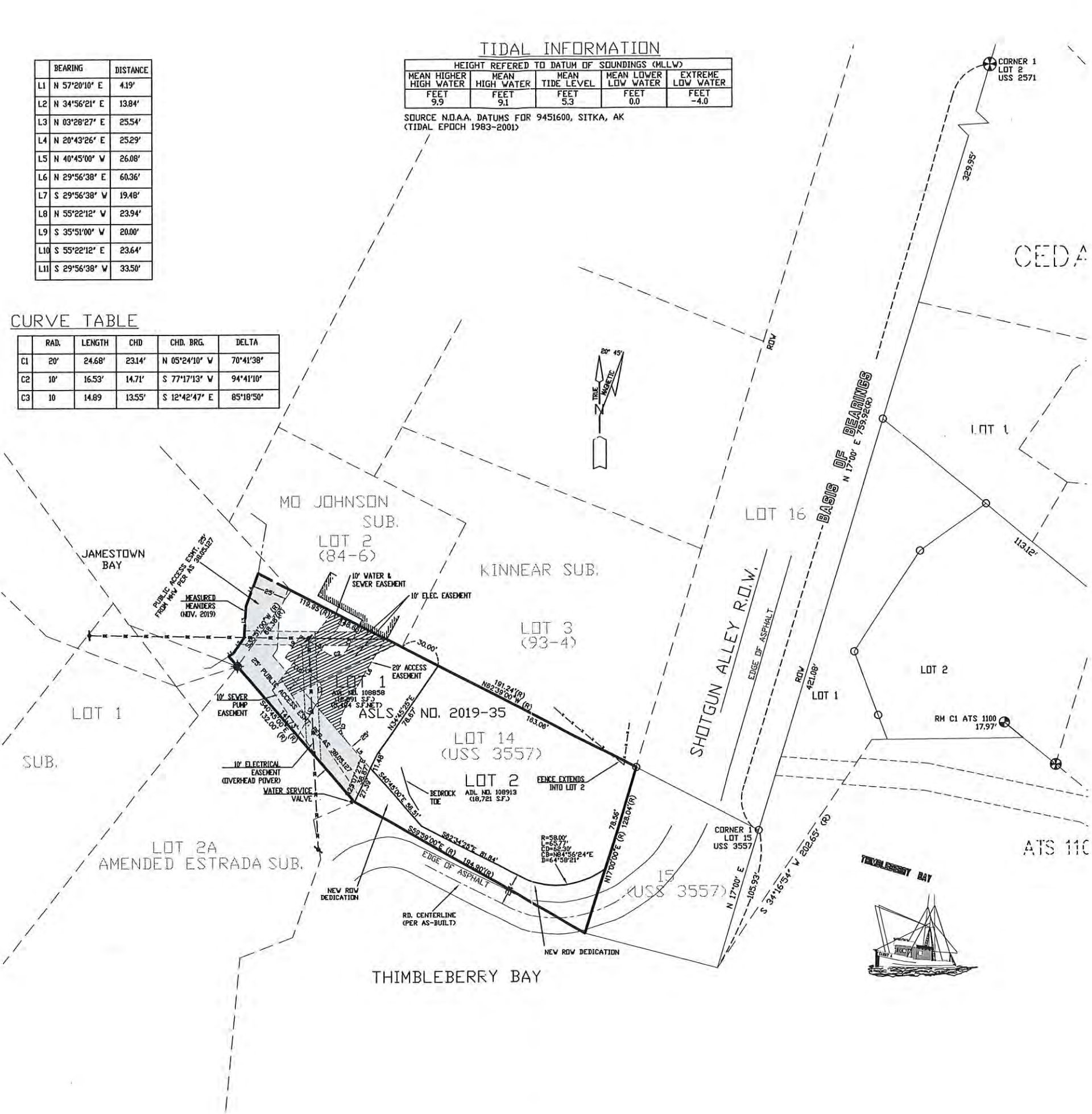
CURVE TABLE

	RAD.	LENGTH	CHD	CHD. BRG.	DELTA
C1	20°	24.68'	23.14'	N 05°24'10" W	70°41'38"
C2	10°	16.53'	14.71'	S 77°17'13" W	94°41'10"
C3	10	14.89	13.55'	S 12°42'47" E	85°18'50"

TIDAL INFORMATION

HEIGHT REFERRED TO DATUM OF SOUNDINGS (MLLW)					
MEAN HIGHER HIGH WATER	MEAN HIGH WATER	MEAN TIDE LEVEL	MEAN LOWER LOW WATER	EXTREME LOW WATER	
FEET 9.9	FEET 9.1	FEET 5.3	FEET 0.0	FEET -4.0	

SOURCE NOAA. DATUMS FOR 9451600, SITKA, AK
(TIDAL EPOCH 1983-2001)

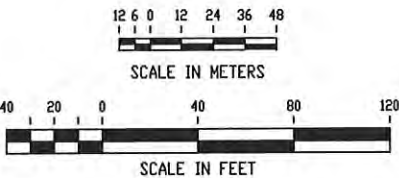


VICINITY MAP

SCALE: 1" = 1/2 MILE

LEGEND

- GLD/BLM PRIMARY MONUMENT (RECOVERED)
- PRIMARY MONUMENT (RECOVERED)
- SECONDARY MONUMENT (RECOVERED)
- PRIMARY TIDELANDS SURVEY MONUMENT (SET)
- ORIGINAL 4x4 POST MONUMENT (RECOVERED)
- UPLANDS STRUCTURE
- STATE AND CITY AND BOROUGH OF SITKA EASEMENTS
- NEW EASEMENTS SERVING LOT 2, MO JOHNSON SUB.



CONCEPTUAL
PLAN OF SURVEY

DATE OF SURVEY BEGIN NOV. 2019 ENDING ///	NAME OF SURVEYOR NORTH 57 LAND SURVEYING LLC 2007 CASCADE CREEK RD SITKA, ALASKA. 99835
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING LAND & WATER ANCHORAGE, ALASKA	
ALASKA STATE LAND SURVEY NO. 2019-3	
THIMBLEBERRY BAYVIEW SUBDIVISION	
THE SUBDIVISION OF LOT 14, US SURVEY NO. 3557	
CREATING LOTS 1 & 2	
LOCATED WITHIN UNSURVEYED SECTION 5, T. 56 S., R. 64 E. COPPER RIVER MERIDIAN, ALASKA	
CONTAINING 0.26 ACRES MORE OR LESS	
CITY AND BOROUGH OF SITKA SITKA RECORDING DISTRICT	
DRAWN BY: KD	APPROVAL RECOMMENDED: _____



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐

VARIANCE

☐

CONDITIONAL USE

☐

ZONING AMENDMENT

☒

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Subdivide State owned lot 14 (USS 3557) into 2 lots. Eliminate an existing issue of access to 210 Shotgun Alley and eliminate issue of encroachment by CBS onto State owned lands with new R.O.W dedication for Shotgun Alley.

PROPERTY INFORMATION:

CURRENT ZONING: SFLD PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): None, R.O.W. PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: State of Alaska (Cliff Baker clifford.baker@alaska.gov) 907-269-8522

PROPERTY OWNER ADDRESS: 550 W. 7th Ave., Suite 650 Anchorage, AK 99501-3576

STREET ADDRESS OF PROPERTY: NHN Shotgun Alley (near 210 Shotgun Alley)

APPLICANT'S NAME: North 57 Land Surveying LLC

MAILING ADDRESS: 2007 Cascade Cr. Rd. Sitka, AK 99835

EMAIL ADDRESS: north57landsurveying@yahoo.com DAYTIME PHONE: 907-747-6700

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: 14 BLOCK: _____ TRACT: _____

SUBDIVISION: _____ US SURVEY: 3557

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

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 understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. 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

Owner

Date

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.

Theresa O'Neil
Applicant (if different than owner)
North 57 Land Surveying LLC

Jan. 21, 2020
Date

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM VARIANCE

APPLICATION FOR

- ☐ ZONING VARIANCE – MINOR EXPANSIONS, SMALL STRUCTURES, FENCES, SIGNS
- ☐ ZONING VARIANCE – MAJOR STRUCTURES OR EXPANSIONS
- ☒ PLATTING VARIANCE – WHEN SUBDIVIDING

RATIONALE - Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience. Explain why a variance is required for your project.

A lot size variance is required in this case to eliminate existing encroachments

on State owned land. The existing topography + easements + lot size do not accommodate 2 lots of adequate size for SPD zones.

POTENTIAL IMPACTS (Please address each item in regard to your proposal)

- **TRAFFIC** This really only adds one new residence and therefore additional traffic is minimal.
- **PARKING** Ideally this will have a positive impact on parking in that the owner of lot 2 Mo Johnson Subdivision will potentially have parking without encroachment.
- **NOISE** little to no impact on noise except maybe during possible development of lot 2.
- **PUBLIC HEALTH AND SAFETY** This improves public health + safety in that it eliminates existing encroachments.
- **HABITAT** lot 1 is already level and developed as a front yard and access driveway to 210 Shotgun Alley (lot 2 Mo Johnson Subdivision). Lot 2 is heavily wooded.
- **PROPERTY VALUE/NEIGHBORHOOD HARMONY** Increased property value for 210 Shotgun Alley and the development of lot 2 should increase surrounding values as well.
- **COMPREHENSIVE PLAN** Creates an additional residential lot suitable for development at little to no cost to CBS. Future development has long term benefits to CBS (taxes, utilities)

REQUIRED FINDINGS (Choose ONE applicable type and explain how your project meets these criterion):

Major Zoning Variance (Sitka General Code 22.30.160(D)1)

Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

- a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner, specifically, _____
_____;
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity, specifically, _____
_____;
- c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure, specifically, _____
_____;
- d. That the granting of such a variance will not adversely affect the comprehensive plan, specifically, (cite section and explain) _____

_____.

Minor Zoning Variance (Sitka General Code 22.30.160(D)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, specifically, _____
_____;
- 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, specifically, _____
_____.

Last Name

Date Submitted

Project Address

Platting Variance (Sitka General Code 21.48.010)

A variance from the requirements of this title may be granted only if the planning commission finds that:

- A. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property, specifically, it eliminates existing safety and welfare issues in the elimination of a land locked lot.
- 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, specifically, Lot 2 is on a steep bluff and access could only be established through the Southwest corner of the lot. This requires the lot lines to be either, where we show them or close to where we have them drawn.

ANY ADDITIONAL COMMENTS In turn it creates a substandard lot size for lot 1 even before the access easements are deducted from the overall size. The intent is for lot 2 Mo Johnson Subd. to purchase lot 1 from the State eliminating the access issue that currently exists.

B. J. O. Smith
Applicant North 57 Land Surveying LLC

Jan. 21, 2020
Date



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No: P 20-02
Proposal: Minor subdivision to result in 2 lots
Applicant: State of Alaska Department of Natural Resources, Division of Mining, Land and Water, and North57 Surveying
Owner: State of Alaska
Location: NHN Shotgun Alley
Legal Desc.: Lot 14, USS 3557
Zone: SFLD single-family low density
Size: Existing: Approx. 0.76 acres
Proposed: Lot 1 – 18,721 square feet, Lot 2 – 5,484 square feet
Existing Use: Undeveloped
Adjacent Use: Residential, undeveloped
Utilities: Shotgun Alley
Access: Shotgun Alley

KEY POINTS AND CONCERNS:

- Land is owned by the State
- This subdivision clarifies ROW placement and eases encroachment issues
- Platting variance VAR 20-03 addressed the need to create Lot 1 of this proposed subdivision as a substandard lot
- Lot 2 will be a standard-size residential lot available to the public for competitive bid
- Access via Shotgun Alley, a developed city ROW with access to utility infrastructure

RECOMMENDATION: Approve the proposed preliminary plat for a minor subdivision subject to the attached conditions.

ATTACHMENTS:

Attachment A: Aerial
Attachment B: Preliminary Plat
Attachment C: Applicant Materials

BACKGROUND: When the State of Alaska originally platted the right-of-way for Shotgun Alley, the planned route for the road did not match some of the improvements/ROW construction undertaken by nearby private property owners as well as CBS. The result is that in some places, the built ROW encroaches on State owned land and private property. The State has been working with CBS to alleviate these encroachments.

In doing so, a new residential lot will also be created (shown as Lot 2 on the preliminary plat). The zoning in this area is single-family low density (SFLD), with a minimum lot size of 15,000 square feet. The new plat, while dedicating space for the ROW, still creates a lot with 18,721 square feet. It is intended that this lot would be available for public auction in 2021 pending successful subdivision.

In exchange, the State would like to sell a parcel that was originally designated as ROW (but not developed as such), shown as Lot 1 on the preliminary plat. Given its status as a ROW, the owner of 210 Shotgun Alley, Bart Meyer, has been able to utilize the proposed Lot 1 for access and utility connections. Given this historic use of the land by Mr. Meyer, selling the lot to any other property owner would either result in 1) the stranding of 210 Shotgun Alley or 2) the permanent need for the complex entanglement of access and utility easements as shown on the preliminary plat, with no net increase in buildable space. Therefore, the best use of this land as agreed between the State, Mr. Meyer, and CBS staff is for this new lot to be created, sold to Mr. Meyer, and then incorporated as a single lot.

PROJECT DESCRIPTION:

The new subdivision will create 2 new lots. As previously described, Lot 1 has been intentionally created as a substandard lot to enable a preference sale (i.e. non-competitive sale) of the lot to an adjacent property owner (most likely Mr. Meyer). Post successful subdivision of Lot 1, Mr. Meyer will replat Lot 1 and his current lot into a single lot, removing the easements that serve his lot. However, the 25' public access easement "to and along" the shoreline will need to remain in place. Before the final plat, staff suggests that a plat note be added to state that Lot 1 can only be sold to an adjacent property owner and must attach to an adjacent lot via lot merger.

The newly created Lot 2 will be made available for residential development. City Police, Fire, Electric, Building, and Public Works departments have all weighed in that additional development of this lot is possible with existing infrastructure, and that emergency services will have no issues servicing the lot.

Working with Public Works, the State has designated space for the ROW, extending to the southeast corner of the current Lot 14 USS 3557, and 24' from the centerline of the built ROW.

Title 21

The purposes of the subdivision regulations are: to promote and protect the public, health, safety

and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying.¹

Title 22

22.16.030 SF/SFLD single-family residential and single-family low density residential districts

A. Intent.

1. The SF/SFLD districts are intended to include lands suited by topography and other natural conditions for urban development and which are provided with a full range of public utilities including sewer, water, electricity and storm drains or are intended to be provided with such utilities in the near future.
2. The SF/SFLD districts are very restrictive districts and may also be utilized as holding districts for lands which are located within the urban area but are not presently served by access or utilities until such time as a full-scale development plan can be adopted to allow a more permanent zoning district designation.
3. For the SFLD, all provisions of the SF district shall apply except that the minimum lot size shall be fifteen thousand square feet.
4. This district is intended for areas where the lack of utilities or topography makes increased density undesirable.

B. Prohibited Uses. Short-term rentals are prohibited in SF and SFLD districts.

Zoning Development Standards

The minimum lot area for the SFLD district is 15,000 square feet. Minimum lot width is 80 feet. Proposed Lot 2 meets these requirements; Lot 1 intentionally does not.

PROJECT ANALYSIS

Site: The proposed Lot 1 has been cleared for utility infrastructure and has an access driveway in place to serve 210 Shotgun Alley. The proposed Lot 2 is heavily wooded and undeveloped.

Utilities: City utilities are available to service the new Lot 2. Water and sewer mains are located beneath Shotgun Alley; lift/pumping would likely be necessary for wastewater. Electric is available with existing infrastructure; an additional pole or pad mount transformer may be necessary but can be determined by owners/developers along with CBS Electric Department.

Access, Roads, Transportation, and Mobility: Driveway permits must be obtained from CBS Public Works. Lots are otherwise accessed from a developed city ROW.

¹ SGC 21.04.020

Public, Health, Safety and Welfare: Fire and Police departments found no public safety concerns during the design review committee process.

Rec, Light, Air: Lots are located in a desirable and scenic residential neighborhood. New residential lot (Lot 2) will have ample space for building and recreational enjoyment.

Orderly and Efficient Layout and Development: The applicants have proposed a thorough plan for the area, including the alleviation of ROW encroachment, platting of Lot 1 to be structured as a preference sale to 210 Shotgun Alley such that the lot provides access and utilities across its own property, and careful consideration of access point preservation for Lot 2.

Comprehensive Plan

The proposed minor subdivision complies with Comprehensive Plan Section on Housing by “expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods.”

RECOMMENDATION

Staff recommends that the Planning Commission move to approve the proposed subdivision subject to the attached conditions and findings.

RECOMMENDED MOTIONS

- 1) **I move to approve the** preliminary plat for a minor subdivision to result in two lots at NHN Shotgun Alley in the SFLD single-family low density district subject to the attached conditions of approval. The property is also known as Lot 14, USS 3557. The request is filed by the State of Alaska Department of Natural Resources Division of Mining, Land and Water and North57 Surveying. The owner of record is the State of Alaska.

A. Conditions of Approval:

1. All utilities including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design policies including,
2. This subdivision development and the plat, prior to recording, shall comply with all applicable Sitka General Code.
3. Please note: Minor errors, corrections, and language of plat notes may be approved by planning staff that do not substantially and materially impact the nature of the subdivision.
4. All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.

5. Easement and maintenance agreements for all proposed easements shall be recorded.
6. All easement agreements will be cited via plat notes.
7. A plat note stating that Lot 2 can only be transferred to an adjacent property owner, and that Lot 2 must attach to an adjacent lot post a successful transaction should be added prior to final plat approval.

2) **I move to find that:**

- a. The preliminary plat meets its burden of proof as to access, utilities, and dimensions as proposed;
- b. The proposed minor subdivision preliminary plat complies with the Comprehensive Plan Section on Housing by “expanding the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods”;
- c. The proposed minor subdivision preliminary plat complies with the subdivision code; and
- d. The minor subdivision preliminary plat is not injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public’s health, safety and welfare.



I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF MINING, LAND AND WATER AND THAT THE STATE OF ALASKA IS THE OWNER OF ASLS 2019-35, AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBE HEREON.

DATED _____ DIRECTOR, DIVISION OF MINING, LAND AND WATER

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20____
FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SURVEY PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND SAID PLAT HAS BEEN APPROVED BY THE BOARD FOR RECORDING IN THE OFFICE OF THE SITKA RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY

DATE _____

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 & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF:

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH ARE PAID IN FULL, THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE _____.

DATED THIS _____ DAY OF _____, 20____, AT SITKA, ALASKA.

ASSESSOR, CITY AND BOROUGH OF SITKA

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 AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR

CITY AND BOROUGH CLERK

NOTES

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 14 OF US SURVEY 3557 INTO TWO LOTS INCLUDING THE DEDICATION OF A PORTION TO RIGHT OF WAY.
2. THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH AS 38.04.045, AS 38.05.102, GSC 839, AND ASLS 2019-35.
3. THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000.
4. ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS AND THE DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
5. RECORDED BEARINGS AND DISTANCES ARE SHOWN ENCLOSED IN PARENTHESES. MEASURED BEARINGS AND/OR DISTANCES ARE SHOWN WITHOUT PARENTHESES.
6. THE NATURAL MEANDERS OF THE MEAN HIGH WATER LINE FORMS THE TRUE BOUNDS OF LOT 1. THE APPROXIMATE LINE OF MEAN HIGH WATER, AS SHOWN, IS FOR AREA COMPUTATIONS ONLY.
7. MEAN HIGH WATER LINE WAS DETERMINED BY MEASUREMENTS MADE FROM TIDAL OBSERVATION.
8. THE CITY AND BOROUGH OF SITKA IS PARTY TO ALL EASEMENTS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.



REGISTERED NUMBER LS 13321

REGISTERED LAND SURVEYOR

TIDAL INFORMATION

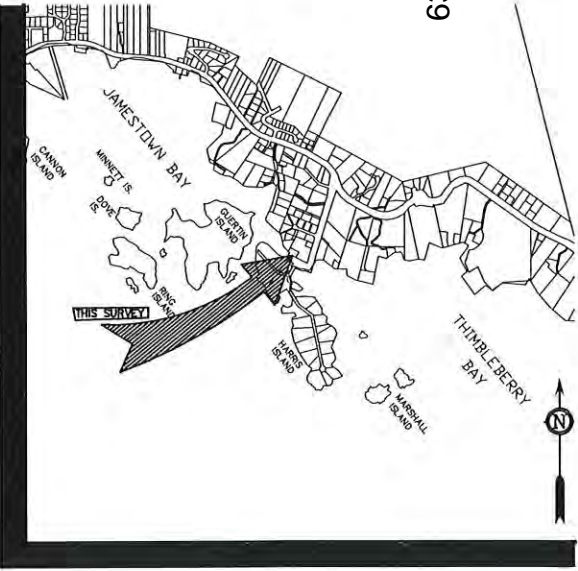
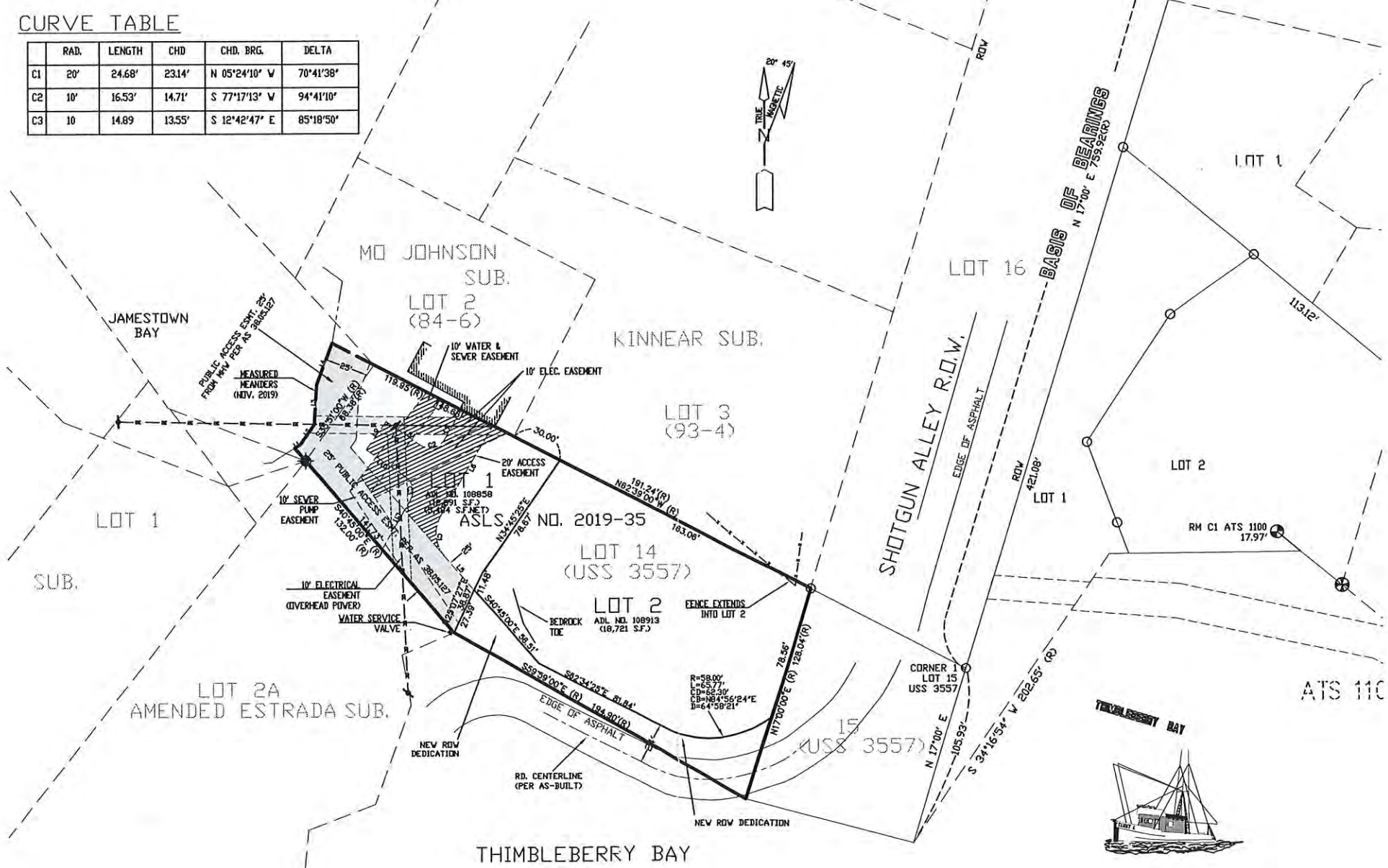
HEIGHT REFERRED TO DATUM OF SOUNDINGS (MLLW)					
MEAN HIGHER HIGH WATER	MEAN HIGH WATER	MEAN TIDE LEVEL	MEAN LOWER LOW WATER	EXTREME LOW WATER	
FEET 9.9	FEET 9.1	FEET 5.3	FEET 0.0	FEET -4.0	

SOURCE NOAA. DATUMS FOR 9451600, SITKA, AK
(TIDAL EPOCH 1983-2001)

BEARING	DISTANCE
L1 N 57°20'10" E	4.19'
L2 N 34°56'21" E	13.84'
L3 N 03°28'27" E	25.54'
L4 N 20°43'26" E	25.29'
L5 N 40°45'00" W	26.08'
L6 N 29°56'38" E	60.36'
L7 S 29°56'38" W	19.48'
L8 N 55°22'12" W	23.94'
L9 S 35°51'00" W	20.00'
L10 S 55°22'12" E	23.64'
L11 S 29°56'38" W	33.50'

CURVE TABLE

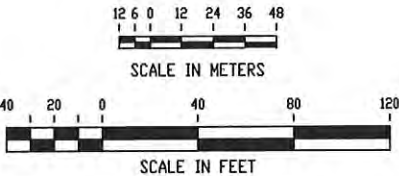
RAD.	LENGTH	CHD	CHD. BRG.	DELTA
C1 20°	24.68'	23.14'	N 05°24'10" W	70°41'38"
C2 10°	16.53'	14.71'	S 77°17'13" W	94°41'10"
C3 10	14.89	13.55'	S 12°42'47" E	85°18'50"



VICINITY MAP
SCALE: 1" = 1/2 MILE

LEGEND

- GLD/BLM PRIMARY MONUMENT (RECOVERED)
- PRIMARY MONUMENT (RECOVERED)
- SECONDARY MONUMENT (RECOVERED)
- PRIMARY TIDELANDS SURVEY MONUMENT (SET)
- ORIGINAL 4x4 POST MONUMENT (RECOVERED)
- UPLANDS STRUCTURE
- STATE AND CITY AND BOROUGH OF SITKA EASEMENTS
- NEW EASEMENTS SERVING LOT 2, MO JOHNSON SUB.



CONCEPTUAL
PLAN OF SURVEY

DATE OF SURVEY BEGIN NOV. 2019 ENDING ///	NAME OF SURVEYOR NORTH 57 LAND SURVEYING LLC 2007 CASCADE CREEK RD SITKA, ALASKA. 99835
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING LAND & WATER ANCHORAGE, ALASKA	
ALASKA STATE LAND SURVEY NO. 2019-3	
THIMBLEBERRY BAYVIEW SUBDIVISION	
THE SUBDIVISION OF LOT 14, US SURVEY NO. 3557	
CREATING LOTS 1 & 2	
LOCATED WITHIN UNSURVEYED SECTION 5, T. 56 S., R. 64 E. COPPER RIVER MERIDIAN, ALASKA	
CONTAINING 0.26 ACRES MORE OR LESS	
CITY AND BOROUGH OF SITKA SITKA RECORDING DISTRICT	
DRAWN BY: KD	APPROVAL RECOMMENDED: _____



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐

VARIANCE

☐

CONDITIONAL USE

☐

ZONING AMENDMENT

☒

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Subdivide State owned lot 14 (USS 3557) into 2 lots. Eliminate an existing issue of access to 210 Shotgun Alley and eliminate issue of encroachment by CBS onto State owned lands with new R.O.W dedication for Shotgun Alley.

PROPERTY INFORMATION:

CURRENT ZONING: SFLD PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): None, R.O.W. PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: State of Alaska (Cliff Baker clifford.baker@alaska.gov) 907-269-8522

PROPERTY OWNER ADDRESS: 550 W. 7th Ave., Suite 650 Anchorage, AK 99501-3576

STREET ADDRESS OF PROPERTY: NHN Shotgun Alley (near 210 Shotgun Alley)

APPLICANT'S NAME: North 57 Land Surveying LLC

MAILING ADDRESS: 2007 Cascade Cr. Rd. Sitka, AK 99835

EMAIL ADDRESS: north57landsurveying@yahoo.com DAYTIME PHONE: 907-747-6700

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: 14 BLOCK: _____ TRACT: _____

SUBDIVISION: _____ US SURVEY: 3557

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

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 understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. 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

Owner

Date

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.

Theresa O'Neil
Applicant (if different than owner)
North 57 Land Surveying LLC

Jan. 21, 2020
Date

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
PLAT APPLICATION

APPLICATION FOR

- ☐ MAJOR SUBDIVISION/PLANNED UNIT DEVELOPMENT
☒ MINOR SUBDIVISION/HYBRID SUBDIVISION
☐ SUBDIVISION REPLAT/LOT MERGER/EASEMENT AMENDMENT
☐ BOUNDARY LINE ADJUSTMENT

ANALYSIS: (Please address each item in regard to your proposal)

- SITE/DIMENSIONS/TOPOGRAPHY: A 284 feet x 128 feet parcel of State owned land at the bottom of Shotgun Alley. Topography varies with the west portion being waterfront and the East portion on a small bluff overlooking Thimbleberry Bay.
- EXISTING UTILITIES AND UTILITY ROUTES: Shotgun Alley has existing utilities as does a portion of this lot (what will become lot 1)
- PROPOSED UTILITIES AND UTILITY ROUTES: Some new utility easements will be developed to encompass existing utilities but no new utility lines are created.
- ACCESS, ROADS, TRANSPORTATION, AND MOBILITY: A portion of the existing CBS R.O.W. (Shotgun Alley) encroaches onto what will be parcel 2, this plat will remedy that.
- IMPACT OF PROPOSAL ON ANY EXISTING EASEMENTS: Impact is positive in that additional easements will be created where necessary.
- PUBLIC HEALTH, SAFETY, AND WELFARE: This plat eliminates multiple issues with new easements necessary for access to lot 2 Mo Johnson Subdivision.
- ACCESS TO LIGHT AND AIR: One new lot will be waterfront on Jamestown Bay (but almost entirely encompassed with necessary easements) the other will have views.

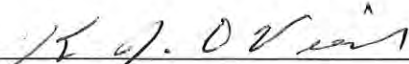
Last Name

Date Submitted

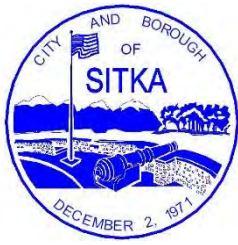
Project Address

- **ORDERLY AND EFFICIENT LAYOUT AND DEVELOPMENT:** The existing layout takes into affect the need for access to lot 2 as well as lot 2 Mo Johnson Subd. (210 Shotgun Alley)
- **DESCRIBE ALL EXISTING STRUCTURES, THEIR USE, AND PROXIMITY TO PROPOSED PROPERTY LINES:**
Although there are no existing structures on this parcel, existing structures on lot 2 Mo Johnson Subd. are partially shown to represent the need for the new access and utility easements
- **EXISTENCE OF ANY ENCROACHMENTS:** There are no existing encroachments but lot 2 Mo Johnson Subd. does not meet setback requirements
- **AVAILABILITY OF REQUIRED PARKING:** Adequate once development occurs. Existing parking without encroaching doesn't exist for lot 2 Mo Johnson Subdivision
- **SUMMARY OF PROPOSED EASEMENT AGREEMENTS OR COVENANTS:** The hope is that the owner of lot 2 Mo Johnson Subd. will purchase lot 1 and therefore no new agreements would be necessary. If that is not the case, new agreements would be drawn up for the owners of lot 1 and lot 2 Mo Johnson Subdivision.

ANY ADDITIONAL COMMENTS Although the proposed lot 1 doesn't meet minimum lot size requirements for SFLD, this subdivision is necessary to eliminate existing issues of encroachments by the City on State lands as well as access issues for the owner of 210 Shotgun Alley (lot 2 Mo Johnson Subdivision).


Applicant North 57 Land Surveying LLC

Jan 21, 2020
Date



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Memorandum

To: Chair Spivey and Planning Commission
From: Amy Ainslie, Director, Planning and Community Development
Subject: **Platting Variance VAR 20-04**
Date: February 28, 2020

On February 6, 2019, the Commission reviewed and approved a proposal for a zero lot line at 746 Alice Loop. Over the last year, the applicant and developer, Kris Karsunky, has concluded that a zero lot line is not the most desirable development for the area, and would prefer to build two, single family or duplex structures.

The minimum square footage for lots in the Waterfront District is 6,000 square feet net of access easements. Were Lot 2 of the Charlie Joseph Subdivision to be subdivided as proposed by the applicant, the resulting lots 2A and 2B would be 5,115 square feet and 5,382 square feet respectively. The applicant is therefore requesting a platting variance to create these substandard lots.

Based on lot analysis done by staff, the smaller lot sizes should not impair the ability for the developer to build single-family or duplex structures within the setbacks. Staff calculates that the proposed Lot 2B would have a buildable area of over 2,700 square feet. Lot depth, rather than width, would be the most limiting factor for design, though not insurmountable. The Waterfront District does not have a maximum coverage area other than the setback areas (14' front, 8' rear, 5'9" side setbacks), and allows for maximum structure height of 40 feet.

The granting of this variance could result in greater density than would have otherwise been possible through a zero lot line development. Per SGC 21.24.030 A (1), "*Zero lot line subdivisions shall permit side by side, one-family structures only (no duplex or more per side) and shall have a minimum of twenty-five percent of the total party wall adjoined together as the party wall.*" The applicant would be able to build duplex structures on each lot if this platting variance is approved, resulting in four potential dwelling units as opposed to two.

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.

There are various examples of lots, both planned and unplanned, that are below 6,000 square feet in size. Many of our downtown residential lots are in the 2,700 – 5,000 square foot range and are still considered highly attractive neighborhoods. The Planned Unit Development on Lillian Drive features 4,500 square foot lots, all of which have been developed and utilized for residential structures. Given the prevalence of other lots this size, 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 enables development of otherwise vacant property.

Further, Comprehensive Plan Housing Action H1.1e specifically aims to “*Encourage higher density development.*” Granting this platting variance is a less than 15% reduction in the required lot size in exchange for potentially doubling the density of the development.

Attachments:

Attachment A: Aerial
Attachment B: Proposed Plat
Attachment C: Buildable Area Diagram
Attachment D: Applicant Materials
Attachment E: Public Comment

Recommended Motions:

1. “I move to approve the platting variance to create two substandard lots at 746 Alice Loop in the WD Waterfront District. The property is also known as a Lot 2, Charlie Joseph Subdivision. The request is filed by Kris Karsunky. The owner of record is Jay Stevens.”
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.



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADAPT 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.

DATE _____ OFFICER _____ (SIGNATURE)
DATE _____ OFFICER _____ (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____

TO BE KNOWN TO BE THE IDENTICAL INDIVIDUALS MENTIONED AND WHO EXECUTED THE VOTED PLAN AND _____, ACCORDING TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

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 & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF _____

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LAND AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE _____

DATED THIS _____ DAY OF _____, AT SITKA, ALASKA.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

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

DATE _____ CHAIRMAN, PLANNING BOARD

SECRETARY

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 _____

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

DATED THIS _____ DAY OF _____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREIN HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____, AND THAT THE PLAT SHOWN HEREIN HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ TREASURER

CITY AND BOROUGH CLERK

**NORTH 57°
LAND SURVEYING**

(907) 747-6700 215-F SMITH STREET, SITKA, AK
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835
EMAIL: north57landsurveying@yahoo.com

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS



DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KJO
DATE OF PLAT: OCT. 20, 2018 @ 10:28:20
SCALE: 1" = 20'
DRAWING NUMBER: 147-01
PROJECT
NO. 40147-01

SURVEYOR'S CERTIFICATE

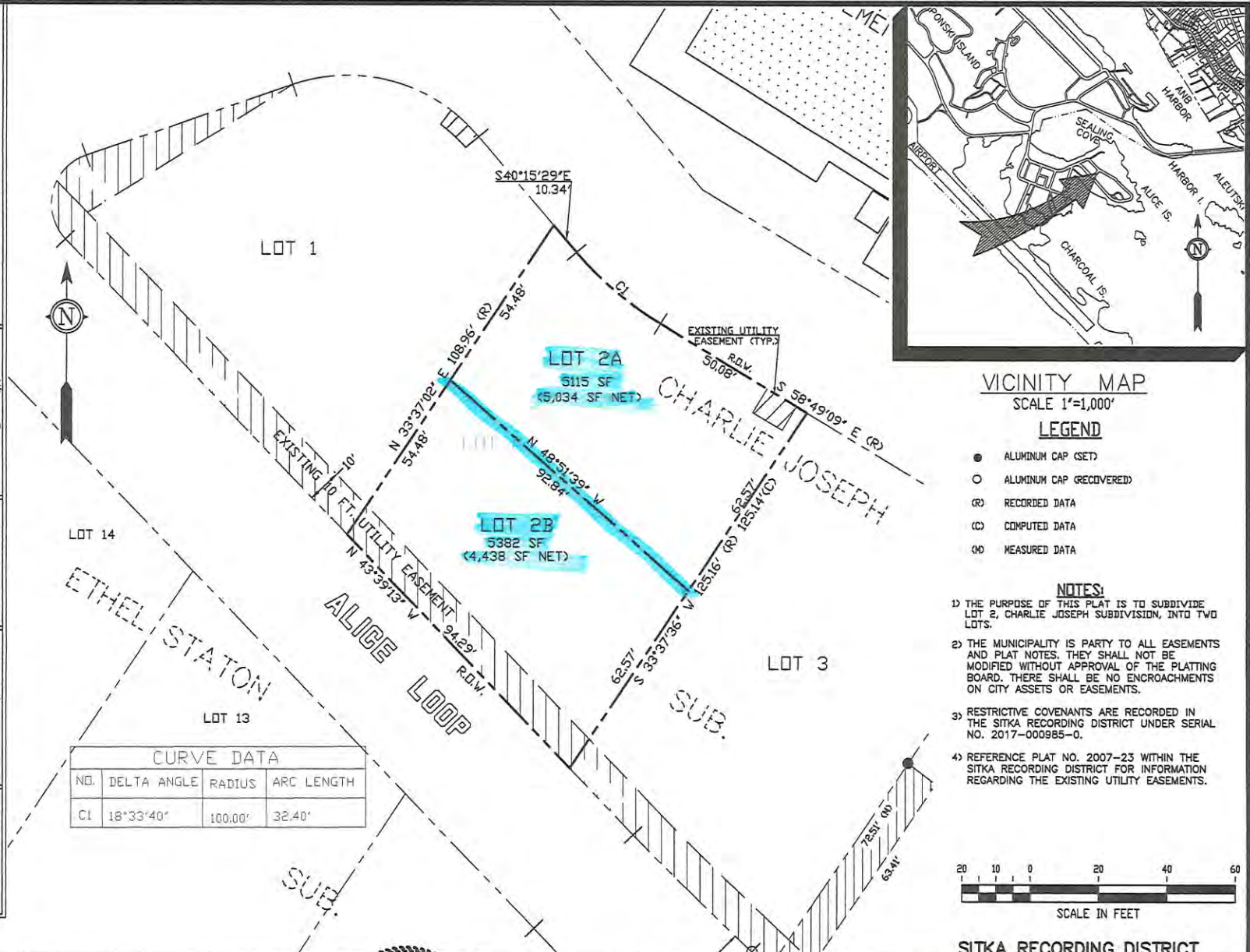
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ KELLY J. O'NEILL, LS 15521

SITKA RECORDING DISTRICT

**LOT 2 CHARLIE JOSEPH
SUBDIVISION**

CLIENT: SITKA CONSTRUCTION

**VICINITY MAP**

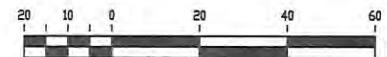
SCALE 1"=1,000'

LEGEND

- ALUMINUM CAP (SET)
- ALUMINUM CAP (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

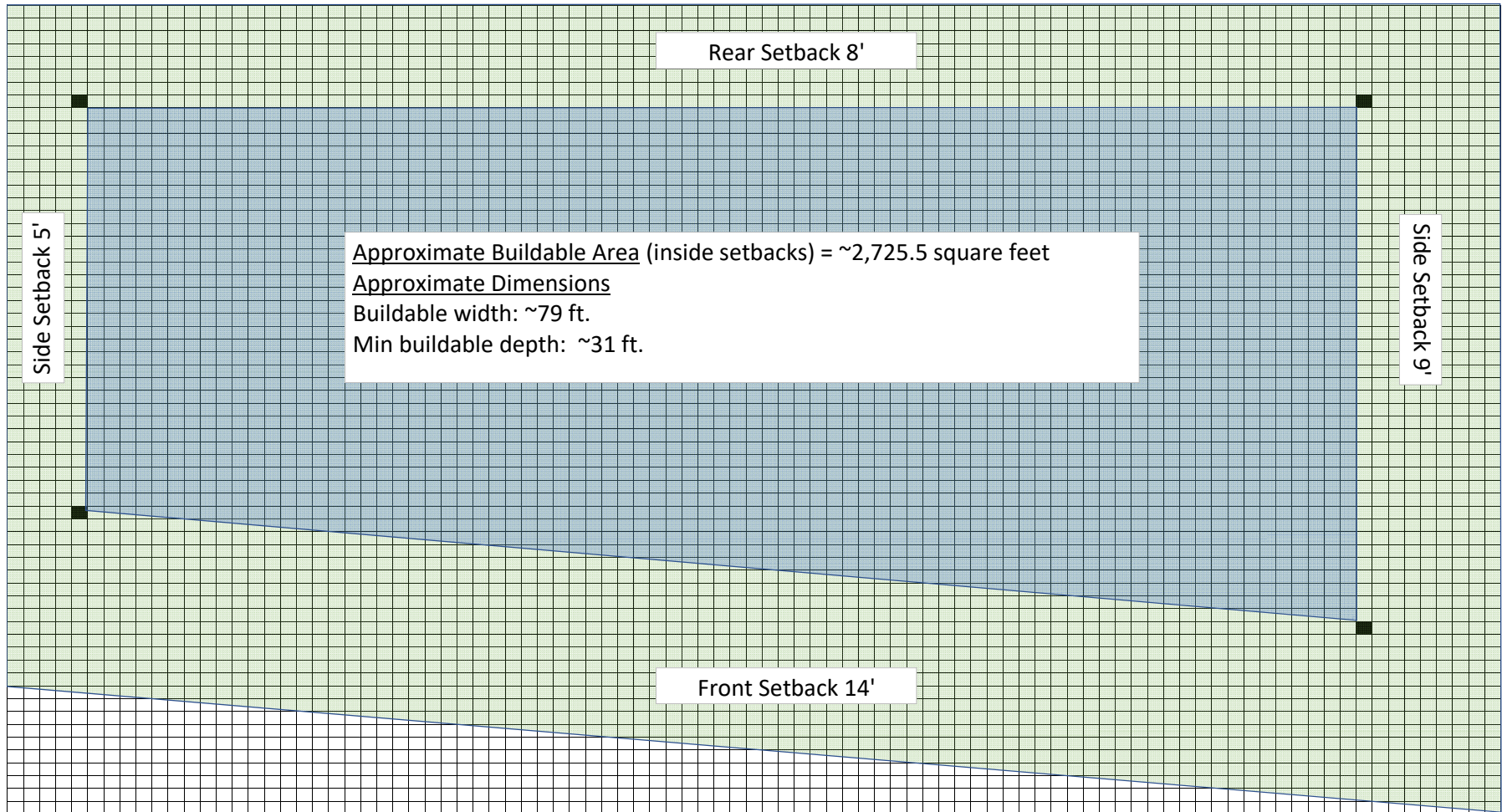
NOTES:

- 1) THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 2, CHARLIE JOSEPH SUBDIVISION, INTO TWO LOTS.
- 2) THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.
- 3) RESTRICTIVE COVENANTS ARE RECORDED IN THE SITKA RECORDING DISTRICT UNDER SERIAL NO. 2017-000985-0.
- 4) REFERENCE PLAT NO. 2007-23 WITHIN THE SITKA RECORDING DISTRICT FOR INFORMATION REGARDING THE EXISTING UTILITY EASEMENTS.



SCALE IN FEET

Total Lot Area 5,382 square feet





CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

RECEIVED FEB 19 2020

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:



VARIANCE



CONDITIONAL USE



ZONING AMENDMENT



PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST:

We would like to
subdivide lot 2 746 Alice loop into (2) equal halves.

PROPERTY INFORMATION:

CURRENT ZONING: W/D PROPOSED ZONING (if applicable): No change

CURRENT LAND USE(S): Residential - intended PROPOSED LAND USES (if changing): Residential -

APPLICANT INFORMATION:

PROPERTY OWNER: Jay W. Stevens

PROPERTY OWNER ADDRESS: 295 Martha Drive Winchester OR 97495

STREET ADDRESS OF PROPERTY: 746 Alice loop

APPLICANT'S NAME: Kris Karsvick

MAILING ADDRESS: 108 Jewells Ct. Unit E.

EMAIL ADDRESS: sitkaconstruction@gmail.com DAYTIME PHONE: 907-623-0766

PROPERTY LEGAL DESCRIPTION:

TAX ID: 19014002 LOT: 2 BLOCK: 746 Alice loop TRACT:

SUBDIVISION: CH50 US SURVEY: 3926

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Floor Plan for all structures and showing use of those structures
- ☐ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☐ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

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 understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. 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.

Jay Warren Stevens
Owner

02-19-2022
Date

[Signature]
Owner

02-19-2020
Date

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.

[Signature]
Applicant (If different than owner)

2/10/20
Date

Karinsky 746 Alice lap
Last Name Date Submitted Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM VARIANCE

APPLICATION FOR

- ☐ ZONING VARIANCE – MINOR EXPANSIONS, SMALL STRUCTURES, FENCES, SIGNS
- ☐ ZONING VARIANCE – MAJOR STRUCTURES OR EXPANSIONS
- ☐ PLATTING VARIANCE – WHEN SUBDIVIDING

- > **RATIONALE** - Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience. Explain why a variance is required for your project.

A variance is required at this time to create (2) equally sized lots out of (1) large lot.

POTENTIAL IMPACTS (Please address each item in regard to your proposal)

- > • **TRAFFIC** We do expect that with the added lot there will be the potential for a small increase in traffic - (2-3) vehicles.
- > • **PARKING** All plans should/ shall include the necessary off street parking required.
- > • **NOISE** Only typical residential noises should be expected - except during any type of construction, excavation or paving.
- > • **PUBLIC HEALTH AND SAFETY** We believe this will not hinder the ability for public safety vehicles and persons.
- > • **HABITAT** No impact on local habitat should be made
- > • **PROPERTY VALUE/NEIGHBORHOOD HARMONY** Should have no impact on neighboring properties.
- > • **COMPREHENSIVE PLAN** Our intention at this time is only to subdivide the lot - install utilities to both sides possibly.

Last Name

Date Submitted

Project Address

746 Mice loop

REQUIRED FINDINGS (Choose ONE applicable type and explain how your project meets these criterion):

Major Zoning Variance (Sitka General Code 22.30.160(D)1)

Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

- a. That there are special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, the topography of the lot, the size or dimensions of the parcels, the orientation or placement of existing structures, or other circumstances that are outside the control of the property owner, specifically, _____
_____;
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity, specifically, _____
_____;
- c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure, specifically, _____
_____;
- d. That the granting of such a variance will not adversely affect the comprehensive plan, specifically, (cite section and explain) _____

_____.

Minor Zoning Variance (Sitka General Code 22.30.160(D)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, specifically, _____
_____;
- 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, specifically, _____
_____.

➤ **Platting Variance** (Sitka General Code 21.48.010)

A variance from the requirements of this title may be granted only if the planning commission finds that:

- A. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property, specifically, - there is access to this property from the street on both sides - No hindrance -
- 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, specifically, property to be subdivided is flat and almost square - we want to create 2 equal halves.

ANY ADDITIONAL COMMENTS At this time we would only like to subdivide the lot and possibly put in utilities.

Applicant

Date

Last Name

Date Submitted

Project Address

Amy Ainslie

From: Caprice Pratt <capriceonline@hotmail.com>
Sent: Wednesday, February 26, 2020 9:08 PM
To: Planning Department
Cc: oceanfront@gci.net; Paul Haavig; Jennifer@livingsitka.com; Steven D. Atkinson; Robert Hunter; cpmorgan1@gmail.com; dolandbuilt@yahoo.com; Lynne McGowan-Brandon; gracie48@gmail.com; Travis Hudson; Ron Pratt
Subject: Alice Loop Variance Request - March 4th Meeting
Attachments: 746 Alice Loop Variance Request.pdf

Dear Planning Department,

We are in receipt of a Notice of Application and Public Hearing V 20-04 (attached) regarding a request for a variance for Lot 2 Charlie Joseph Subdivision, USS 3926 with the street address of 746 Alice Loop.

Unfortunately we will be out of town travelling to meet on first grandchild during the scheduled meeting and will not be present. However, we would like to go on record as being against this request. Although we sympathize with the owner, Jay Stevens, there are several reasons we would like to see the City and Borough of Sitka adhere to the existing minimum lot size of 6,000 sq. ft. in a Waterfront District.

The resident's of Alice Loop voiced some of their concerns at the April 12, 2018 Planning Commission meeting. At that meeting we were instructed on the law and the minimum lot size of 6,000 sq. ft. Since that request was within the legal requirements, we were told there was nothing that could be done.

With this request, however, the proposed lot sizes of 5,034 and 4,438 are significantly below the minimum lot size. Additionally, Alice Loop's roadway does not have any on-road parking associated with these center lots - i.e. the street meets the property directly at the curb with no parking lane, bike lane or sidewalks. It is also important to point out that with this winter's heavy snowfall, the passable driving area became significantly restricted because there already isn't anywhere for the city crews to push the snow out of the way and several of the lots do not yet have homes built. How much more constricted are the traffic lanes going to become when the lots are filled? Cramming one more building lot onto a street with limited parking is not going to help.

Thank you for the opportunity to comment.

Sincerely,

Ron and Caprice Pratt
753 Alice Loop Road
Sitka, AK 99835
907-738-7473