



CITY AND BOROUGH OF SITKA

Meeting Agenda - Final

Planning Commission

Wednesday, September 2, 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 20-14](#) Approve the August 5, 2020 minutes.

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

VII. THE EVENING BUSINESS

B [CUP 20-13](#) Public hearing and consideration of a conditional use permit for an accessory dwelling unit at 3407 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home district. The property is also known as Lot 10, Subdivision of Lot 1A, USS 2752. The request is filed by Todd and Julie White. The owners of record are Todd and Julie White.

C [VAR 20-09](#) Public hearing and consideration of a variance to reduce the front setback from 14 feet to 1 foot and the rear setback from 8 feet to 0 feet at 3407 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home district. The property is also known as Lot 10, Subdivision of Lot 1A, USS 2752. The request is filed by Todd and Julie White. The owners of record are Todd and Julie White.

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 or emailed to planning@cityofsitka.org. Teleconference options can be found at <https://www.cityofsitka.com/government/departments/planning/index.html>. Those with questions may call (907) 747-1814.

Publish:



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Wednesday, August 5, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Darrell Windsor, Stacy Mudry, Kevin Knox (Assembly Liaison)
Absent: Randy Hughey
Staff: Amy Ainslie (Planning Director), Ben Mejia (Planner I)
Public: Caroline Storm, Chris McGraw, Richard Wein, Davey Lubin, Robb Garni, Maegan Bosak, Greg McIntyre, Krystina Scheller, Erik de Jong, Frances Brann, Ariadne Will (Sitka Sentinel)

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

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

M-Windsor/S-Mudry moved to approve the July 15, 2020 minutes. Motion passed 3-0 by voice vote.

A [PM 20-13](#) Approve the July 15, 2020 minutes.

Attachments: [12-July 15 2020 DRAFT](#)

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Planning Director Amy Ainslie began her report by introducing Ben Mejia as the new Planner I. She informed the Commission of the Planning Department's move to the second floor in the Public Works suite along with the Assessing Department. Ainslie reminded the Commission that they were at a bare quorum and that all items would need a unanimous vote from the Commission in order to move forward.

Ainslie reported that the Request for Information (RFI) submissions regarding 4951 Halibut Point Road, a 17 acre water-front parcel identified in the No Name Mountain master plan as the Harbor Point parcel, would remain open until August 21st.

Ainslie reported that the Planning Department was working on two Requests for Proposals (RFP's), the sale and development of Tract A11 Whitcomb Heights subdivision (commonly referred to as the Benchlands) on Kramer Avenue and a potential lease of property on Harbor Mountain Bypass Road for cell tower site development, both of which had been previously reviewed by the Commission, were scheduled to go before the Assembly for approval to publish the RFP's on August 11, 2020.

Spivey asked for an update on the vacancy for the Planning Commission. Ainslie responded that she had not received any applications yet but continued to advertise.

VI. REPORTS

VII. THE EVENING BUSINESS

B [P 20- 03](#)

Public hearing and consideration of a final plat for minor subdivision to result in four lots at 601 Alice Loop in the Waterfront District. The property is also known as Lots 1 and 2, Dr. Walter Soboleff Subdivision. The request is filed by Shee Atika Holdings Alice Island, LLC. The owner of record is Shee Atika Holdings Alice Island, LLC.

Attachments: [P 20-03 Shee Atika 601 Alice Loop Subdivision Staff Report](#)
[P 20-03 Shee Atika 601 Alice Loop Minor Subdivision Aerial](#)
[P 20-03 Shee Atika 601 Alice Loop Minor Subdivision Current Plat](#)
[P 20-03 Shee Atika 601 Alice Loop Subdivision Proposed Plat](#)
[P 20-03 Shee Atika 601 Alice Loop Minor Subdivision Photos](#)
[P 20-03 Shee Atika 601 Alice Loop Minor Subdivision Applicant Materials](#)

Ainslie described the property and reminded the Commission that the preliminary plat was reviewed and approved by the Commission on July 1st.

Ainslie reported that the action before the Commission was to create a four lot minor subdivision from a two lot subdivision that separated the Sealing Cove Business Center to its own lot, the review process of the previous subdivision was in late 2019. The current platting made adjustments to the boundary lines of Lot 1, now referred to as Lot 1A, to accommodate new access and utility easements but otherwise left Lot 1A relatively unchanged. The more substantial changes in the proposed subdivision were in Lot 2, now subdivided into Lot 2A at 31,494 sq ft., Lot 2B at 21,038 sq. ft., and Lot 2C at 26,367 sq ft.

Ainslie reported that access and utility was provided by an easement from Alice Loop. The utilities previously in place to facilitate neighboring development was to remain in place. This new subdivision was intended by the applicant to enable development for multifamily properties. Ainslie noted that all lots met minimum standards for the Waterfront zone that it was in. Staff believed the area was well suited to development. Ainslie stated that all the lots met the minimum standards for the Waterfront zoning district, the lots were flat with water frontage, and had access to municipally developed and maintained right of way and utilities. Staff recommended approval on the item.

Windsor asked for whether all lots had waterfront access. Ainslie clarified that three of the lots did, and Lot 2A had only minimal waterfront access at the northeast corner.

Caroline Storm represented the applicant, Shee Atika Holdings Alice Island LLC, and was present telephonically. Storm stated that she had nothing further to add. Having no questions from the Commission, the applicant was excused.

M-Windsor/S-Mudry moved to approve the final plat for a minor subdivision to result in four lots at 601 Alice Loop in the Waterfront zoning district subject to the attached conditions of approval. The property was also known as Lots 1 and 2, Dr. Walter Soboleff Subdivision. The request was filed by Shee Atika Holdings Alice Island, LLC. The owner of record was Shee Atika Holdings Alice Island, LLC. 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.

C [P 20- 04](#)

Public hearing and consideration of a final plat for a lot merger for the properties at 4513 and 4521 Halibut Point Road in the C-2 general commercial mobile home district. The properties are also known as Lot A, HPM Subdivision and Lot 55, USS 3475. The request is filed by Chris McGraw. The owner of record is Sitka Dock Company, LLC.

Attachments: [P 20-04 McGraw-Sitka Dock Company Lot Merger 4513 & 4521 HPR Staff Report](#)
[P 20-04 McGraw-Sitka Dock Company Lot Merger 4513 & 4521 HPR Aerial](#)
[P 20-04 McGraw-Sitka Dock Company Lot Merger 4513 & 4521 HPR Current Plat](#)
[P 20-04 McGraw-Sitka Dock Company Lot Merger 4513 & 4521 HPR Proposed Plat](#)
[P 20-04 McGraw-Sitka Dock Company Lot Merger 4513 & 4521 HPR Site Plan](#)
[P 20-04 McGraw-Sitka Dock Company Lot Merger 4513 & 4521 HPR Photos](#)
[P 20-04 McGraw-Sitka Dock Company Lot Merger 4513 & 4521 HPR Applicant Materials](#)

Ainslie provided clarification on the Code requirement for lot mergers. She stated that Title 21 required that replats and plat modifications produce a final plat to the same standard as minor and major subdivision plats, however, Ainslie noted that no concept or preliminary plat review was required by Code. Ainslie described the current use of the two lots being merged as a cruise ship dock. She stated that both lots were large and had access to Halibut Point Road. A merger would result in 162,723 sq.ft. lot. The request was made in order to allow for more flexibility for structure placement for the expansion of the cruise ship dock. Ainslie reported that the request was in keeping with the aims of the Comprehensive Plan's objective to support cruise and heritage tourism. Staff recommended approval.

Spivey told the Commission that his employer had an agreement with the applicant and the associated property but that he did not and would not receive any compensation regarding the outcome of their decision. Windsor and Mudry said they did not see any issue.

The applicant, Chris McGraw, was present. McGraw told the Commission that the lot merger was to allow for the placement of a bus shelter that could not otherwise be placed due to existing setbacks. Having no further questions, the Commission excused the applicant.

M-Mudry/S-Windsor moved to approve the final plat for a lot merger of 4513

and 4521 Halibut Point Road in the C-2 general commercial mobile home district. The properties were also known as Lot A, HPM Subdivision and Lot 55, USS 3475. The request was filed by Chris McGraw. The owner of record was Sitka Dock Company, LLC. Motion passed by 3-0 voice vote.

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

D [MISC 20-14](#)

Discussion/Direction from the Commission regarding a zoning determination of a proposed lot merger at 207 Shotgun Alley and 2116 Sawmill Creek Road in the single-family low density zoning district and single-family, duplex, or manufactured home low density district (respectively). The properties are also known as Lot 4, Cedars Subdivision and Lot 27, USS 3302. The request is filed by Krystina Scheller. The owners of record are Barth Hamberg, Frances Brann, and Krystina Scheller.

Attachments: [MISC 20-14 Zoning Determination for Potential Lot Merger Staff Memo](#)
[MISC 20-14 Zoning Determination for Potential Lot Merger Aerial](#)
[MISC 20-14 Zoning Determination for Potential Lot Merger Zoning Map](#)
[MISC 20-14 Zoning Determination for Potential Lot Merger Proposed Plat](#)

Ainslie explained that this item was linked to the following item, P 20-05, and guidance from the Commission was needed on how the zoning district should be redrawn in the process of the lot merger.

Ainslie described the two lots. The property at 207 Shotgun Alley, Lot 4 of Cedars Subdivision, was a mostly undeveloped and wooded area though some earthwork and clearing had been done to place a building pad. Access was granted by means of an easement through Lot 3. 207 Shotgun Alley was within the Single-family low density (SFLD) zone. Ainslie described the property at 2116 Sawmill Creek Road as developed, with two structures which included a single-family home with a Conditional Use Permit for a short term rental and a garage that contained a dwelling unit. The 2116 Sawmill Creek Road property was within the R-1 single-family, duplex, and manufactured home low density district (R1LDMH). Ainslie noted factors for the Commission to consider as they made their determination. Ainslie explained that due to the existing uses of each lot, by zoning the lot resulting from the merger to SFLD, a nonconforming use would be created because the property at 2116 Sawmill Creek Road contained two dwelling units and a short-term rental. Ainslie indicated that no issue of nonconformity would occur if the lot were to be determined as R1LDMH. Ainslie also mentioned the scale of change that would result from incorporating 207 Shotgun Alley to R1LDMH would be smaller than the change if 2116 Sawmill Creek Road were incorporated to SFLD due to their relative sizes.

Ainslie noted that no disturbance to the surrounding neighborhood was anticipated however an R1LDMH designation provided more conditional uses than SFLD so a possibility for future disturbance should be taken into consideration. Ainslie identified the possibility that a zoning change may encourage other property owners in the SFLD zone to pursue R1LDMH zoning for their own properties, although she acknowledged that they would still be subject to public processes and review. The staff recommended that the zoning designation of R1LDMH would be the best fit.

Windsor asked for clarification on the difference between SFLD and R1LDMH. Ainslie

explained that both zoning districts were Low Density, which necessitated a minimum lot size of 15,000 sq. ft. The zone of R1 LDMH allowed single family, duplex, and multifamily residential uses while SF zone only permitted a single family residential use.

The applicant, Krystina Scheller, was present. She expressed that the intent was to protect the trees that abutted her property that the current owner of Lot 4, Barth Hamburg, had wanted to cut down. Having no further questions, the Commission excused the applicant.

Dr. Richard Wein, expressed his support, having heard the applicant's desire to preserve the tranquility of her property. Davey Lubin, the owner of 215 Shotgun Alley which was below the subject subdivision supported the proposed arrangement. They had been concerned about Hamberg's desire to develop the property and were happy that the arrangement would preserve the wooded area above their property. Robb Garni, co-owner of 209 and 211 Shotgun Alley, spoke in support of the lot merger, as it would protect the viewshed of his properties.

Ainslie read additional written public comments. One was from David Moore who voiced his full support. Davey Lubin had written in support and requested deed covenants on the plat of Cedars Subdivision to also be referenced on the plat of the lot merger to prevent confusion or future attempts to further subdivide Cedars Subdivision or any of the lots that may result from it. Gale Brownell expressed concern about protecting a stream that ran through the 207 Shotgun Alley property.

M-Windsor/S-Mudry moved to recommend that a lot resulting from a lot merger between 207 Shotgun Alley and 2116 Sawmill Creek Road should be zoned as R-1 LDMH. Motion passed by 3-0 voice vote.

E [P 20-05](#)

Public hearing and consideration of a final plat for a lot merger of the properties at 207 Shotgun Alley and 2116 Sawmill Creek Road in the single-family low density zoning district and single-family, duplex, or manufactured home low density district (respectively). The properties are also known as Lot 4, Cedars Subdivision and Lot 27, USS 3302. The request is filed by Krystina Scheller. The owners of record are Barth Hamberg, Frances Brann, and Krystina Scheller.

Attachments: [P 20-05 Lot Merger 207 Shotgun & 2116 SMC Staff Report](#)
[P 20-05 Lot Merger 207 Shotgun & 2116 SMC Aerial](#)
[P 20-05 Lot Merger 207 Shotgun & 2116 SMC Zoning Map](#)
[P 20-05 Lot Merger 207 Shotgun & 2116 SMC Current Plats](#)
[P 20-05 Lot Merger 207 Shotgun & 2116 SMC Proposed Plat](#)
[P 20-05 Lot Merger 207 Shotgun & 2116 SMC Applicant Materials](#)
[P 20-05 Lot Merger 207 Shotgun & 2116 SMC Public Comments](#)

Ainslie reported that both owners were amenable to the sale and the lot merger. Ainslie contextualized the access easements for the sites and stated that by merging lots and terminating easement access to Lot 4, the action would serve to simplify the easements in the neighborhood. Ainslie noted that as the merger would not result in increased use, traffic was not expected to be changed. The resulting lot size would be well over minimum requirements. Staff recommended approval.

The applicant, Krystina Scheller, was present. The Commission had no further questions and excused the applicant.

Windsor asked if the lot merger would remain valid if the sale did not occur. Ainslie clarified that the lot merger would be recorded after the sale and that the validity of the lot merger rested with the particular applicant who pursued it.

M-Mudry/S-Windsor moved to approve the final plat for a lot merger of 207 Shotgun Alley and 2116 Sawmill Creek Road subject to the conditions of approval. The zoning of the lot created through this merger, once recorded, shall be R-1 LDMH (single-family, duplex, or manufactured home low density zoning district). The properties were also known as Lot 4, Cedars Subdivision and Lot 27, USS 3302. The request was filed by Krystina Scheller. The owners of record were Barth Hamberg, Frances Brann, and Krystina Scheller. Motion passed by 3-0 voice vote.

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

F [P 20- 06](#)

Public hearing and consideration of a final plat for a lot merger of the properties at 1235 Seward Avenue, 201 and 219 Tongass Drive in the public lands district. The properties are also known as Lots 6, 11A, and 11B USS 1496. The request is filed by Southeast Alaska Regional Health Consortium (SEARHC). The owner of record is Southeast Alaska Regional Health Consortium (SEARHC).

Attachments: [P 20-06 SEARHC Lot Merger 1235 Seward Ave 201 & 219 Tongass Staff Report](#)
[P 20-06 SEARHC Lot Merger 1235 Seward Ave 201 & 219 Tongass Aerial](#)
[P 20-06 SEARHC Lot Merger 1235 Seward Ave 201 & 219 Tongass Current Plat](#)
[P 20-06 SEARHC Lot Merger 1235 Seward Ave 201 & 219 Tongass Proposed Plat](#)
[P 20-06 SEARHC Lot Merger 1235 Seward Ave 201 & 219 Tongass Photos](#)
[P 20-06 SEARHC Lot Merger 1235 Seward Ave 201 & 219 Tongass Applicant Materials](#)

Spivey asked if his father's employment to the applicant would be considered an issue. Ainslie explained that employment alone, particularly of an extended family member, was not generally considered an issue. She clarified that unless a specific action would result in the financial gain or other compensation, it was not considered a conflict of interest. Ainslie then described the location. Ainslie noted that Lots 6 and 11A were developed with office buildings and parking lots while 11B was not developed and mostly wooded. Ainslie described the lots as mostly flat. The purpose of the merger request was to allow the applicant flexibility in the placement of a hospital. The land was in the Public zoning district. Staff recommended approval.

Present were Maegan Bosak, Director of Marketing and Communications and Greg McIntyre, Projects Manager, who represented South East Alaska Health Consortium (SEARHC). Bosak stated that she had no disagreements with Ainslie's staff report and reiterated the purpose of the merger in facilitating placement of a hospital. From the public, Wein asked if the site contamination mitigation had been completed. McIntyre

responded that the land was formerly a military base that resulted in widespread contamination of the site and the contamination mitigation would be a constant part of the process. He explained that any water or soil touched or moved needed to be managed for contamination. He noted that they were hoping to have core sampling conducted in the Fall.

M-Mudry/S-Windsor moved to approve the final plat for a lot merger of 1235 Seward Avenue, 201 Tongass Drive and 219 Tongass Drive in the public lands district. The properties were also known as Lots 6, 11A, and 11B USS 1496. The request was filed by Southeast Alaska Regional Health Consortium. The owner of record was Southeast Alaska Regional Health Consortium. Motion passed by 3-0 voice vote.

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

G [CUP 20-12](#)

Public hearing and consideration of a conditional use permit for a hospital in the public lands district at 1235 Seward Avenue, 201, 219, and 222 Tongass Drive. The properties are also known as Lots 6, 7, 11A, and 11B USS 1496. The request is filed by Southeast Alaska Regional Health Consortium (SEARHC). The owner of record is Southeast Alaska Regional Health Consortium (SEARHC).

Attachments: [CUP 20-12 SEARHC Hospital 1235 Seward Ave 201 219 222 Tongass Staff Report](#)
[CuP 20-12 SEARHC Hospital 1235 Seward Ave 201 219 222 Tongass Aerial](#)
[CUP 20-12 SEARHC Hospital 1235 Seward Ave 201 219 222 Tongass Plat](#)
[CuP 20-12 SEARHC Hospital 1235 Seward Ave 201 219 222 Tongass Photos](#)
[CuP 20-12 SEARHC Hospital 1235 Seward Ave 201 219 222 Tongass Applicant Materials](#)

Ainslie reported that, as hospitals were a conditional use in the public lands district, the applicant requested a conditional use permit. In the absence of a definition in the Sitka General Code, Ainslie provided a definition from the American Planning Association's Glossary of Zoning, Development and Planning Terms which described a hospital complex as one or more buildings, at least one of which provides physical and mental health services, in-patient or overnight accommodations, and medical or surgical care of the sick or injured. Hospital complexes also include the accessory uses of cafeterias, nursing homes, extended care, physical therapy, exercise facilities, employee and/or temporary housing, gift shops, pharmacies, dental care, optometry care, child care, etc. Ainslie felt that this was an appropriate definition to use for the conditional use permit and uses allowed under it given SEARHC's current use of the property and typical hospital uses in Sitka. Ainslie identified this as a suitable use for the site and in keeping with adjacent uses. Ainslie provided support for this use from the Comprehensive Plan's objective to bolster the healthcare industry, establish Sitka as a regional healthcare hub and support economic and job growth. Ainslie told the Commission that the applicant, SEARHC, wanted assurance that they would be able to obtain a CUP before substantial investment in design and therefore had not provided a site plan or concept plan at this stage in their application. Ainslie clarified that review and approval of the site plan by the Commission was one of the conditions of approval along with estimated number of employees and number of beds. Staff recommended

approval.

Spivey asked if the applicant would be locked into a particular employment number. Ainslie clarified that the estimated employment number was for use to interpret parking needs and potential impact to traffic flow and not a cap on growth.

Windsor asked why no site plan was provided. Ainslie responded that the applicant was at the early stages of design and wanted to ensure a hospital could be built on the land before significant investment was expended. Spivey expanded on Ainslie's point that cost in developing a plan for a building of this size was likely expensive.

Maegan Bosak and Greg McIntyre were present as representatives of the applicant. Bosak stated that she and Ainslie had discussed at length whether a CUP was needed as the hospital use had already been established in that area, with the ultimate decision that it was indeed needed. She reiterated that SEARHC wanted to be certain that use was approved prior to investment. She noted that she fully expected to come back with a concept plan and said that the hospital would be built to LEEDS Gold standard. Bosak remarked that the growth of SEARHC, and what it would mean for Sitka, was in keeping with Comprehensive Plan.

From the public, Wein expressed confusion that the Commission could be asked to decide on a conditional use permit without knowing the details. He stated that costs were scalable and that a smaller project with less design cost might be a barrier to a less wealthy applicant. He asked if this would establish precedent for other applicants to no longer provide a site plan with their application. Mudry and Windsor expressed their concern that no site plan was made available. Spivey noted that there would be other opportunities to review the site plan going forward and that requiring a site plan at this stage may not be the final site plan as the applicant progressed in the development process.

The Commission asked the applicants back. McIntyre responded that they were in a peculiar situation due to requirements from Indian Health Services (IHS). McIntyre stated that IHS funding and standards would shape the scale of their development. Bosak added that the conditional use permit could not go into effect until the conditions were met, thereby necessitating the review and approval of the site plan before construction. Windsor asked what the applicant would do if approval was not granted. Bosak responded that they would have to start the process over again. Ainslie clarified that the planning department would not sign off on a foundation permit until conditions of approval were met.

Wein asked if IHS would approve the 300 million dollar investment without a site plan. McIntyre explained that IHS determined the necessary square footage for each hospital use (such as labor and delivery, ICU, etc.) to satisfy the population size; IHS would not review and approve the site plan. The Commission excused the applicant.

Spivey reiterated that the Commission would have another chance to review the site plan, and that he understood why it was necessary to stage out the approvals in this case. Ultimately, Commissioners agreed that they wanted the new hospital project to move forward and for SEARHC to meet its commitment to the community.

M-Mudry/S-Windsor moved to approve the conditional use permit application a hospital in the public lands district at 1235 Seward Avenue, 201 Tongass Drive, 219 Tongass Drive, and 222 Tongass drive subject to the attached conditions of approval. The properties were also known as Lots 6, 7, 11A, and 11B USS 1496. The request was filed by Southeast Alaska Regional Health Consortium. The

owner of record was Southeast Alaska Regional Health Consortium. Motion passed by 3-0 voice vote.

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

VIII. ADJOURNMENT

Seeing no objection, Chair Spivey adjourned the meeting at 8:26 PM.



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 20-13
Proposal: Request for an Accessory Dwelling Unit (ADU)
Applicant: Todd and Julie White
Owner: Todd and Julie White
Location: 3407 Halibut Point Road
Legal: Lot 10, Subdivision of Lot 1A, USS 2752
Zone: R-1MH single-family, duplex, and manufactured home zoning district
Size: 7,223 square feet
Parcel ID: 2-5604-005
Existing Use: Residential
Adjacent Use: Single-family and duplex housing
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Neighborhood is residential, including single-family, duplexes, and manufactured homes
- ADUs are a conditional use in the R-1MH zone
- The primary house and ADU are both new construction projects
- Both the house and ADU are requesting variances for setback reductions, see VAR 20-09 for more information
- Building of ADU is consistent with Comprehensive Plan goals H1.1a and H1.1e

RECOMMENDATION

Staff recommends that the Planning Commission approve the accessory dwelling unit at 3407 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND

Project location is on a 7,223 square foot lot in a developed, residential neighborhood. The lot has a single-family home on it currently that is in disrepair – current structure will be demolished and a new home and ADU built. While wide (~190' wide), the lot lacks depth to support the placement of new structures without variances. It is for this reason that front and rear setback reductions are requested. Details of the variances can be found under case file VAR 20-09.

The applicants also have an active application with the Planning Department to adjust the northern boundary line of their property to shift it approximately 11 feet north. This will alleviate the need for a variance on this side of the property, as they will be 5' from the new property line. Finalizing the boundary line adjustment via recording of the plat is a condition of approval prior to Planning Department approval of the foundation permit.

Halibut Point Road is platted to be 45' from the centerline of the road to the front property line of the property in question. The front property line is approximately 28' from the edge of the pavement.

PROJECT DESCRIPTION

The applicant would like to build a single-family home and an ADU on this property to meet the multi-generational needs of their family. The proposed ADU is a single story dwelling unit with two bedrooms and 1.5 bathrooms, approximately 792 square feet of living space. There is also a one car garage with 275 square feet. The entrance is on the front (east) of the structure.

For the R-1MH zone a conditional use permit is required for ADUs regardless of whether it meets the requirements listed in SGC 22.20.160(C). Below is an analysis of the requirements met, or not met by the proposal. The only requirements this proposal does not meet is #3, #9, #11 (depending on interpretation), and #14.

The way the requirements are written in the zoning code is such that if the requirements are not met, a conditional use permit is needed per SGC 22.20.160(D) which states “*Conditional use permits may be sought if the above requirements cannot be met. Conditional use permit must be in conformance with Chapter 22.24.*” Therefore, not meeting the listed requirements is not automatic grounds to deny an ADU proposal, but may be used as a factor in determining whether to grant the conditional use permit.

1. *An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance.* Property is served via a public ROW maintained by the State of Alaska, Halibut Point Road.

2. *ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.* Staff is unaware at this time of any plans to use the ADU for short-term rentals. Such use would require a separate action (conditional use permit) through this commission.
3. *ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.* Provided plans for the applicant indicate that the proposed ADU will meet maximum height requirements (no greater than 25'), the lot coverage with the existing house and ADU would be ~38.8% with the current lot configuration and will go down to ~35.6% post recording of the boundary line adjustment. However, the applicant is requesting variances for the front and rear setbacks.
4. *The ADU must be located on the same parcel as the primary dwelling unit.* Proposed ADU is on the same parcel.
5. *Only one ADU is allowed per parcel.* Only one ADU proposed.
6. *Mobile homes, travel trailers and recreational vehicles shall not be used as an ADU.* ADU is to be a conventionally built (stick-built) structure. Applicant will be required to obtain a building permit for the structure.
7. *ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.* Plans submitted to staff indicate that new structures to be built include a single family home and an ADU with one dwelling unit.
8. *ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of a single-family property.* Elevation plans submitted show that buildings shall be of similar design and appearance.
9. *If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.* Entrance is planned for the front of the structure.
10. *Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.* N/A, no external stairs proposed.
11. *The maximum size of an ADU shall be eight hundred square feet.* Living space of ADU is anticipated to be 792 square feet. However, this is also a one car, attached garage which adds 275

square feet for a total of 1,067 square feet. The zoning code is unclear whether garages contribute to the total size of the ADU.

12. The following parking requirements are applicable for ADUs:

a. As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the primary dwelling unit. Parking is identified on the site plan.

b. Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties. Parking is identified on side setback and on interior of lot.

c. On-street parking is prohibited. Parking may take place on identified ROW as is customary in the neighborhood. However, parking plan identifies off-street parking requirements are met.

d. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts. N/A, no curb on the street.

13. *All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met. N/A – subdivision not proposed at this time.*

14. *Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements. A variance is requested for the front setback to be reduced from 14' to 1' and the rear setback to be reduced from 8' to 0'.*

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:

Traffic is expected to increase – likely by one to two cars. Halibut Point Road is designed for heavy use, as it is a state highway. The addition of an ADU is not out of line with allowed uses of the R-1 MH zone (i.e. the ADU does not generate any additional traffic than an allowed duplex would create).

¹ § 22.24.010.E

b. Amount of noise to be generated and its impacts on surrounding land use: Noise generated should be in-line with normal residential use.

c. Odors to be generated by the use and their impacts: Odor generated should be in-line with normal residential use. Garbage shall be disposed of in municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: Available year round

e. Location along a major or collector street: Halibut Point Road

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Cut through traffic unlikely as property can only has vehicular access from Halibut Point Road.

g. Effects on vehicular and pedestrian safety: No significant changes expected, increase in traffic should be 1 to 2 vehicles.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Change from the current ability of emergency services personnel to access the site is not anticipated to change.

i. Logic of the internal traffic layout: Single story dwelling unit with two bedrooms and 1.5 bathrooms, one car attached garage.

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 being waterfront.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: Expansion of ADUs in Sitka directly supports two Comprehensive Plan Objectives, H1.1a “allow, encourage, and promote ADUs by right in more zones” and H1.1e “encourage higher density”.

m. Other criteria that surface through public comments or planning commission review: None at this time.

RECOMMENDATION

Staff recommends that the Planning Commission approve the accessory dwelling unit at 3407 Halibut Point Road subject to the recommended conditions of approval.

ATTACHMENTS

- Attachment A: Aerial
- Attachment B: Site & Parking Plan
- Attachment C: ADU Elevation & Floor Plan
- Attachment D: Primary Home Elevation & Floor Plan
- Attachment E: Current Plat
- Attachment F: Proposed BLA Plat
- Attachment G: ROW Survey
- Attachment H: Photos
- Attachment I: Applicant Materials

POSSIBLE MOTIONS

- 1) **“I move to approve the conditional use permit for an accessory dwelling unit at 3407 Halibut Point Road in the R-1MH single-family, duplex, and manufactured home district subject to the attached conditions of approval. The property is also known as Lot 10, Subdivision of Lot 1A, USS 2752. The request is filed by Todd and Julie White. The owners of record are Todd and Julie White.**

Conditions of Approval:

- a. Approval of ADU is specific to the site plan included in this application. Any substantial or significant change to the plans would require a new site plan review and approval from the Planning Commission.
- b. The applicant shall successfully obtain a variance from the Planning Commission for the front and rear setback reductions requested in the site plan.
- c. The new plat for the boundary line adjustment shall be recorded with the State of Alaska’s Office of the Recorder prior to Planning Department approval of the foundation permit.

- 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

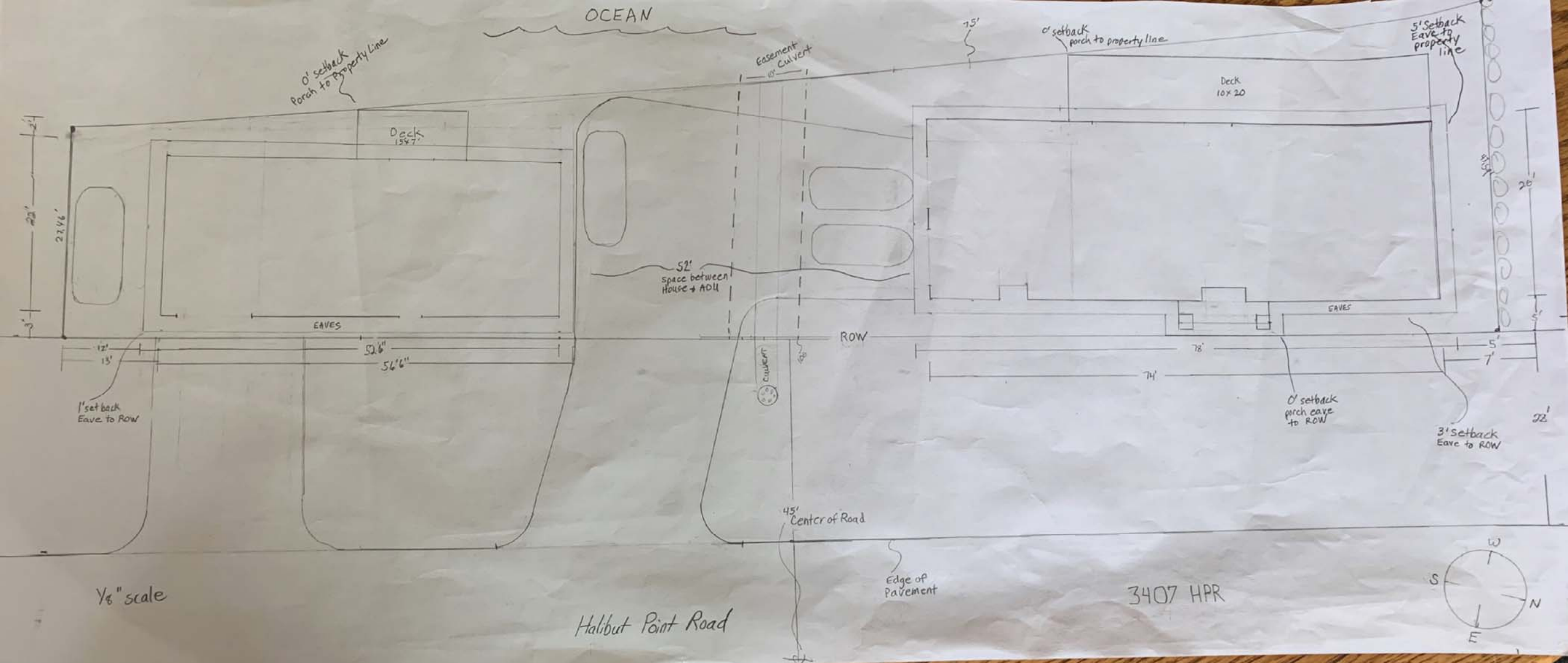
1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made

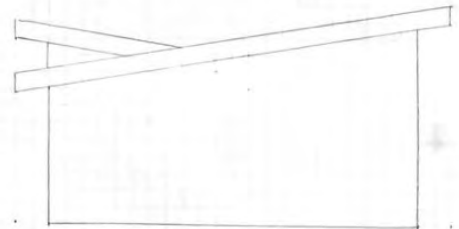
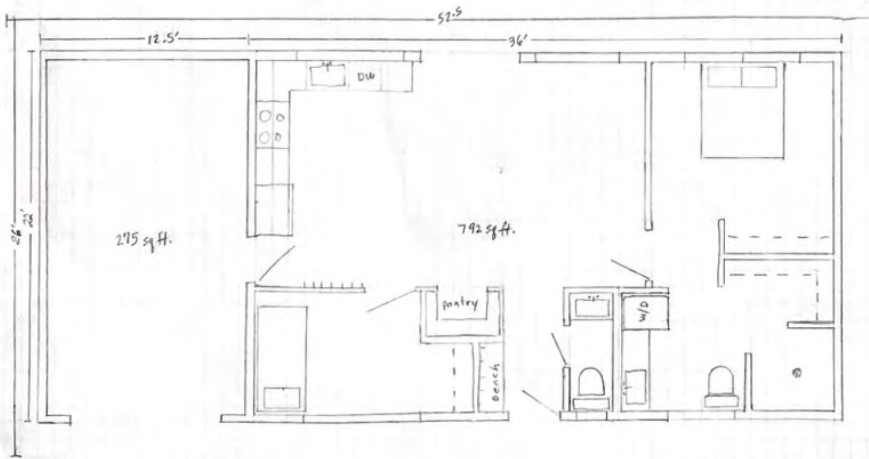
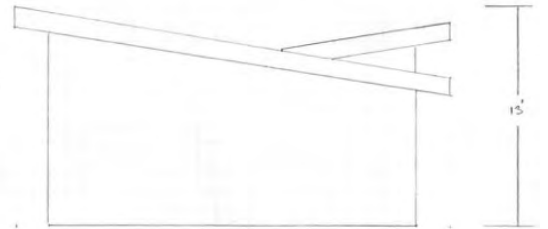
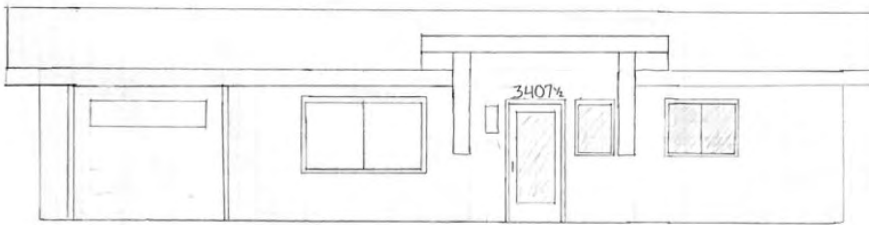
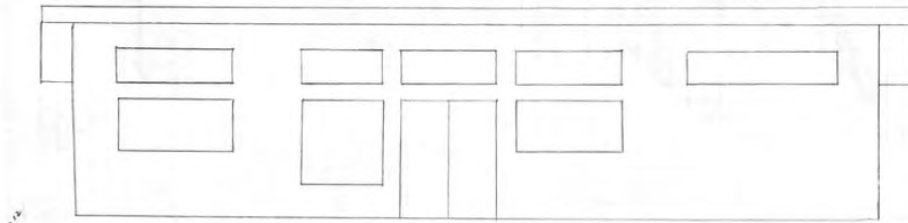
² §22.30.160(C)—Required Findings for Conditional Use Permits

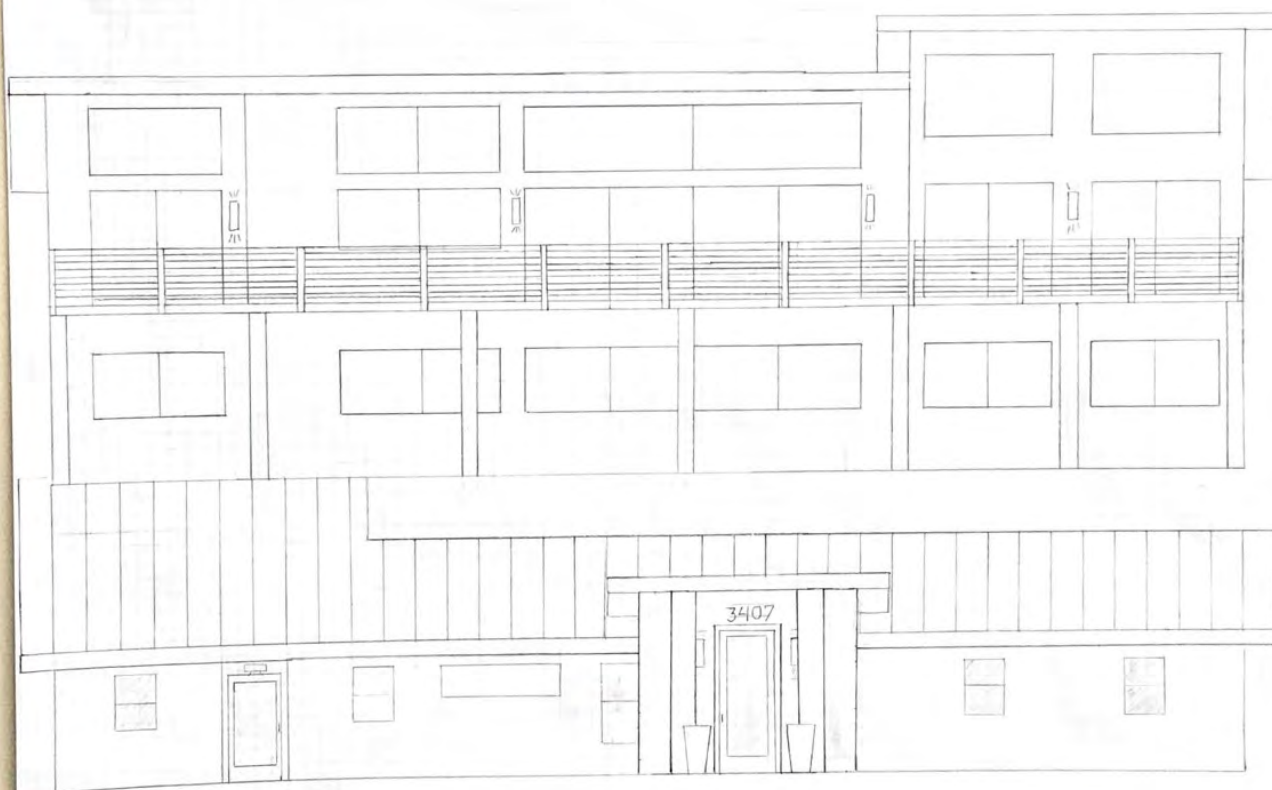
regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:

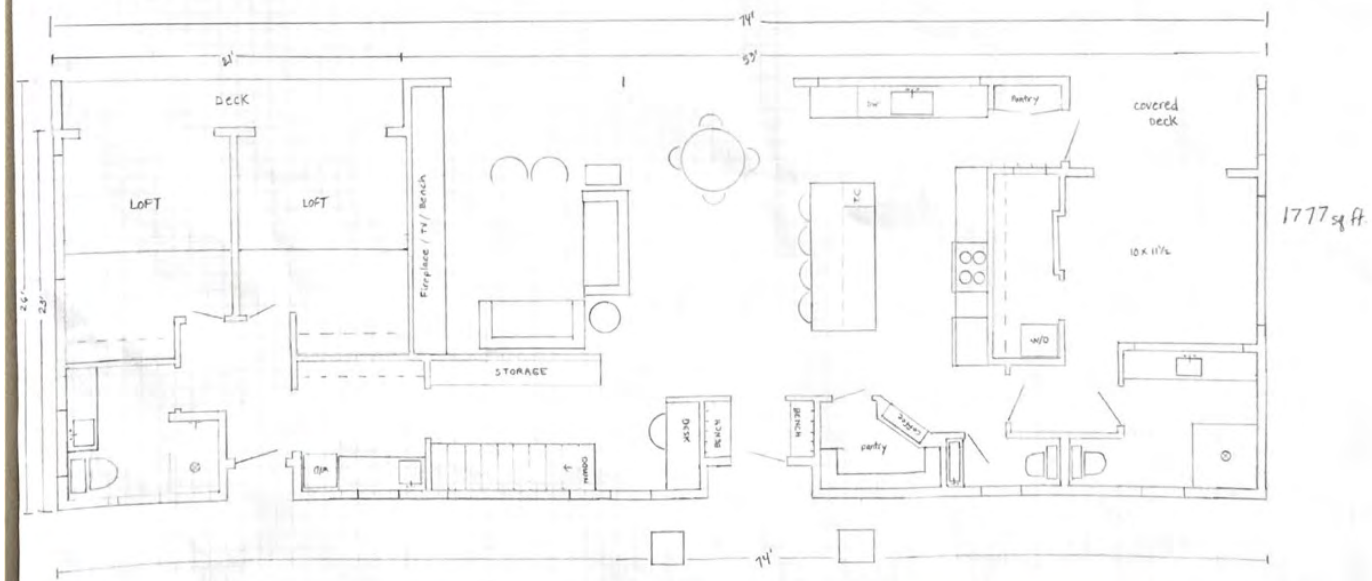
- a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives and policies of the comprehensive plan and any implementing regulation.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.











CERTIFICATE OF OWNERSHIP AND DEDICATION

UNITED STATES OF AMERICA)
STATE OF ALASKA) SS

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

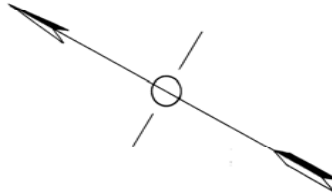
DATE June 30, 1959

WITNESS [Signature]

WITNESS M.K. Schiff

OWNER Hal Taylor

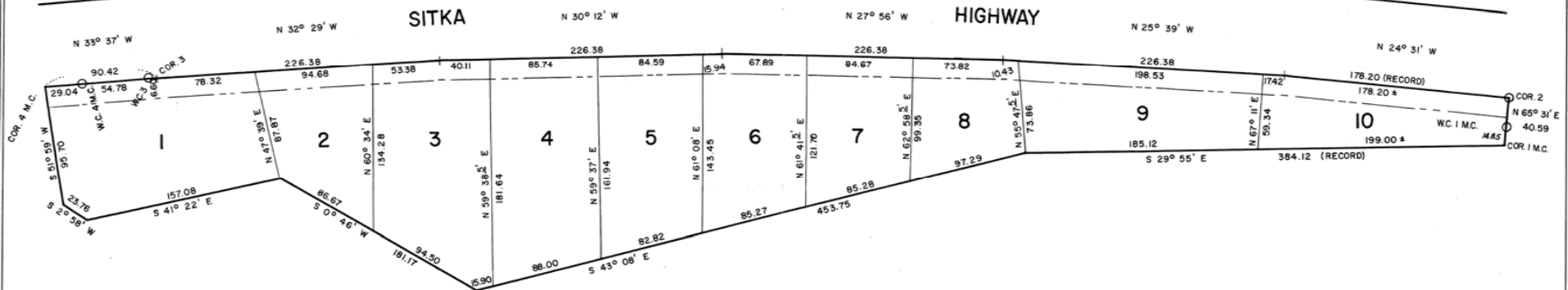
OWNER Mar Jean Taylor



THIS IS TO CERTIFY THAT ON THIS 30 DAY OF June, 1959, BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AS SUCH, PERSONALLY CAME Hal Taylor and Mar Jean Taylor, OWNER, AND THEY ACKNOWLEDGED TO ME THAT THEY SIGNED THIS PLAT FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES NOTED.

Fred M. Van Horn
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

October 26, 1960
MY COMMISSION EXPIRES

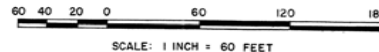


PLATTING BOARD NOT
ESTABLISHED

CERTIFICATE OF REGISTERED SURVEYOR

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE MONUMENTS SHOWN THEREOF ACTUALLY EXIST AS LOCATED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

DATE June 27, 1959 Elmer E. Anderson
REGISTERED LAND SURVEYOR



○ G.L.O. MONUMENTS
--- 17' ROW LINE FOR ROADWAY AND PUBLIC UTILITIES PURPOSES

SURVEY COMMENCED AT W.C. 3 AND RUN TO COR. 2; THENCE FROM W.C. 4 M.C. ALONG THE MEANDER LINE TO COR. 1. ALL ERROR TO BE IN LOT 10.

RECORDED AT 11:00 PM 7/1/59
VOL. 1 OF Plats
J. E. Shonetta
SITKA DISTRICT RECORDER [Signature]

SUBDIVISION LOT I-A	
U.S.S. 2752	
SITKA - ALASKA	
SURVEYED BY: E.E.A.	DATE: 6-20-59
DRAWN BY: E.E.A.	DATE: 6-27-59

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE _____ OWNER _____ (SIGNATURE) _____
DATE _____ OWNER _____ (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 ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED 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 OWNERSHIP AND DEDICATION

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

DATE _____ OWNER _____ (SIGNATURE) _____
NOTARY'S ACKNOWLEDGMENT

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 ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED 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

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, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, 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 OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE AUGUST 31, 20____ DATED THIS _____ DAY OF _____.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING 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: _____ (ALL 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 _____
20____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & 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 _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

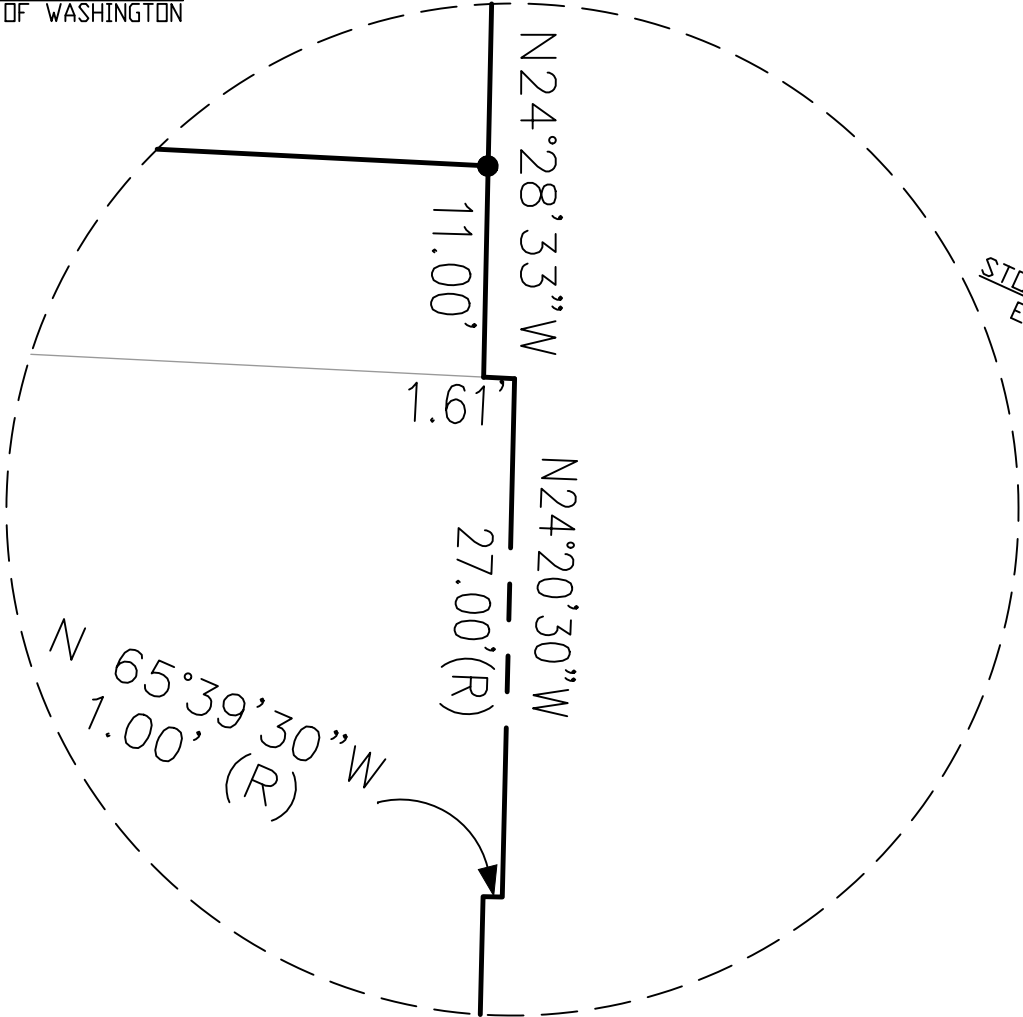
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTES.

DATE _____ OWNER _____ (SIGNATURE) _____
NOTARY'S ACKNOWLEDGMENT

STATE OF WASHINGTON
COUNTY OF _____
THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____
TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED 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

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON



SCALE: 1:10



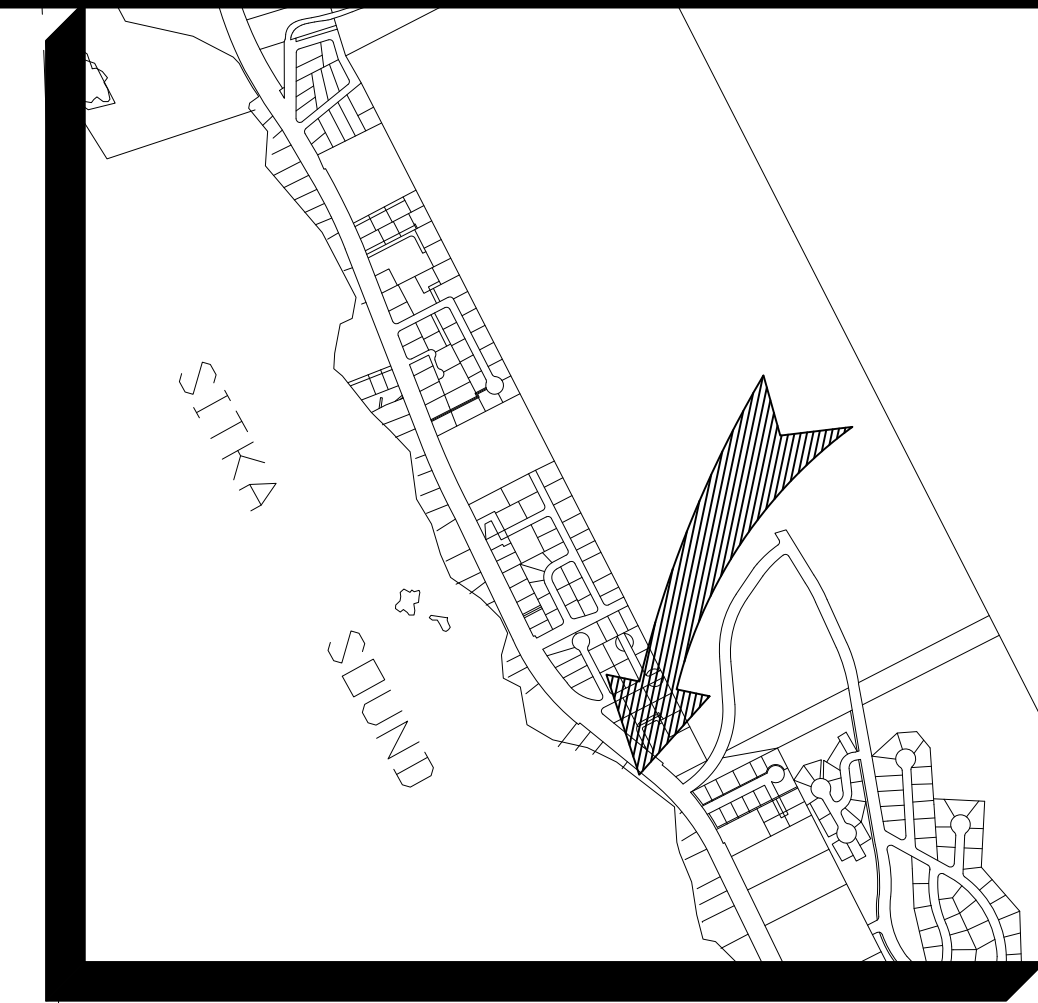
DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KD
DATE OF PLAT: AUGUST 19, 2020
SCALE: 1"= 30'
DRAWING NAME: 40242-01

PROJECT NO. 40242-01

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 O'NEILL _____ LS 13321



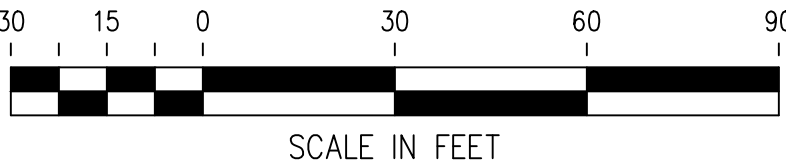
VICINITY MAP

LEGEND

- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

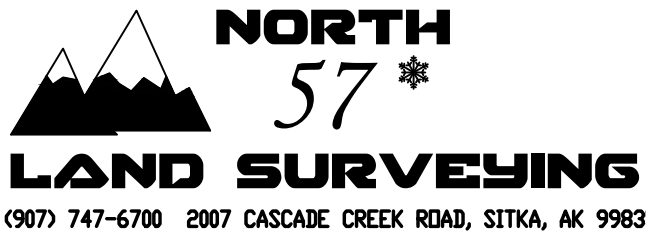
PLAT NOTES

1. THE PURPOSE OF THIS PLAT IS TO ADJUST THE PROPERTY LINE BETWEEN LOTS 9 AND 10 OF THE SUBDIVISION OF LOT 1A, CREATING A LARGER LOT FOR LOT 10.
2. THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON RECORD INFORMATION FROM THE SUBDIVISION PLAT OF LOT 1A USS 2752, PLAT NO. 7
3. THE CITY AND BOROUGH OF SITKA (CITY) SHALL BE A PARTY TO ALL ACCESS AND UTILITY EASEMENTS AND THE EASEMENTS SHALL NOT BE MODIFIED OR RELOCATED WITHOUT CITY APPROVAL.



SCALE IN FEET

SITKA RECORDING DISTRICT



(907) 747-6700 2007 CASCADE CREEK ROAD, SITKA, AK 99835

BY	DATE	REV.	DESCRIPTION OF CHANGE
RECORD OF REVISIONS			

JULIE LOT LINE ADJUSTMENT

LOTS 9 AND 10 OF THE
SUBDIVISION OF LOT 1A
U. S. SURVEY 2752 (PLAT #7)
TODD WHITE

1 OF 1 SHEET



South end – ADU site



Stringline for rear property line





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: We are requesting a variance for front and rear property lines at 3407 HPR and a conditional use for construction of two separate dwellings.

PROPERTY INFORMATION:

CURRENT ZONING: R1-MH PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): Home PROPOSED LAND USES (if changing): Home plus add'l dwelling

APPLICANT INFORMATION:

PROPERTY OWNER: Todd, Julie White

PROPERTY OWNER ADDRESS: ^{mailing} 125 Granite Crk Rd Sitka

STREET ADDRESS OF PROPERTY: 3407 HPR Sitka

APPLICANT'S NAME: Todd White

MAILING ADDRESS: 125 Granite Crk Rd Sitka AK 99835

EMAIL ADDRESS: Todwhite@hotmail.com DAYTIME PHONE: 747-3144 or 738-3145

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: 10 BLOCK: _____ TRACT: _____

SUBDIVISION: Lot 1-A US SURVEY: USS 2752

White
Last Name

Date Submitted

3407 HPR
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.

Applicant (If different than owner)

Date

Last Name

Date Submitted

Project Address

White

3407 HPR



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: Additional Use

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:
None
- Amount of noise to be generated and its impacts on surrounding land use: None
- Odors to be generated by the use and their impacts: None
- Hours of operation: N/A
- Location along a major or collector street: 3407 HPR
- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: N/A
- Effects on vehicular and pedestrian safety: None

- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: EASY ACCESS
- Logic of the internal traffic layout: Single level home, 2 bedrooms, 1 1/2 bath
- Effects of signage on nearby uses: none
- Presence of existing or proposed buffers on the site or immediately adjacent the site: Rear of property is ocean front
- 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): ADU's are encouraged in the comprehensive plan
- Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc.):

White
Last Name

Date Submitted

3407 HPR
Project Address

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 it is A

Home

b. Adversely affect the established character of the surrounding vicinity, because None

_____ ; nor

c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon

which the proposed use is to be located, because, _____

_____ ;

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 H 1.1A which states encouraging ADU's

because the proposal _____

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

enforced, because _____

ANY ADDITIONAL COMMENTS Due to property size being reduced by the recent addition of an Easement through our property we are now needing to separate mother/father-in-law unit from main home by building on each side of the Easement.

Applicant

Jules White

Date

8/14/2020

Last Name

White

Date Submitted

Project Address

3407 HPR



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM

Case No: VAR 20-09
Proposal: Reduce front setback from 14' to 1'
Reduce rear setback from 8' to 0'
Applicant: Todd and Julie White
Owner: Todd and Julie White
Location: 3407 Halibut Point Road
Legal: Lot 10, Subdivision of Lot 1A, USS 2752
Zone: R-1MH single-family, duplex, and manufactured home zoning district
Size: 7,223 square feet
Parcel ID: 2-5604-005
Existing Use: Residential
Adjacent Use: Single-family and duplex housing
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Lot is slightly above standards for minimum lot size in the zoning district, but is challenging to build on given the lack of depth on the lot
- Rationale for setbacks may not be applicable to property lines abutting tidelands
- Difference between platted right-of-way and developed right of way is substantial

RECOMMENDATION

Staff recommends that the Planning Commission approve the zoning variance for the front and rear setback reductions.

BACKGROUND/PROJECT DESCRIPTION

Project location is on a 7,223 square foot lot in a developed, residential neighborhood. The lot has a single-family home on it currently that is in disrepair – current structure will be demolished and a new home and ADU built. For information on the ADU, please see case file CUP 20-13. While wide (~190' wide), the lot lacks depth to support the placement of new structures without variances. It is for this reason that front and rear setback reductions are requested.

Halibut Point Road is platted to be 45' from the centerline of the road to the front property line of the property in question. The front property line is approximately 28' from the edge of the pavement. It is not uncommon in this area to see houses built right up to the front property line. As-built of the current structure and neighboring property are provided.

The applicants would like to keep the house as close to the front property line as possible to enable equipment access to the rear of the lot in case work on the rock seawall becomes necessary. The applicants would also like to be able to have back decks for enjoyment of the waterfrontage.

The applicants also have an active application with the Planning Department to adjust the northern boundary line of their property to shift it approximately 11 feet north. This will alleviate the need for a variance on this side of the property, as the structure will be 5' from the new property line. Finalizing the boundary line adjustment via recording of the plat is a condition of approval prior to Planning Department approval of the foundation permit.

Setbacks to tidelands are a grey area of the zoning code. Though there is a footnote to table 22.20-1 Development Standards, footnote 12, that states "*No setbacks are required from property lines of adjacent filled, intertidal, or submerged tidelands,*" this footnote is only referenced in the WD and GPIIP zones. However, the rationale behind it would seem to apply in this case. Setbacks are in place to ensure open space, distance/buffer from neighboring properties, and fire separation. These factors are not as applicable/appropriate when applied to property lines abutting tidelands.

ANALYSIS

Setback requirements

The Sitka General Code requires 14 foot front setbacks, 5/9 foot side setbacks, 8 foot rear setbacks, and maximum of 50% lot coverage in the R-1 MH zone¹.

22.20.040 Yards and setbacks.

A. Projections into Required Yards. Where yards are required as setbacks, they shall be open and unobstructed by any structure or portion of a structure from thirty inches above the general ground level of the graded lot upward.

¹ SGC Table 22.20-1

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience. A required finding for variances involving major structures or expansions in the Sitka General Code echoes this statement by stating that there must be "...special circumstances to the intended use that do not apply generally to the other properties. Special circumstances may include the shape of the parcel, 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". In this case, the dimensions of the lot, primarily the lack of depth, and location in relation to tidelands can be viewed as justifications for granting a variance.

Potential Impacts

The construction of the home structure would be an improvement to the property and the neighborhood, as it is currently under-utilized. The granting of the variance does not increase traffic, density, or other impacts beyond the residential use that was intended for the lot. Further, there is an adequate distance between the property line and Halibut Point Road such that cars could enter and exit the property with sufficient visibility. There is no adjacent property owner to be impacted by building up to a property line abutting tidelands. Therefore, staff believes potential adverse impacts to neighborhood harmony and public health and safety are minimal, and the proposal is consistent with the character of the neighborhood.

Comprehensive Plan Guidance

This proposal is consistent with one of the housing actions in the Sitka Comprehensive Plan 2030; H2.4 "encourage housing stock rehabilitation". The proposal makes practical use of an existing residential lot within the developed roads and utility system of the city, makes use of a foundation in place, and allows the applicant to build a fit-for-purpose home and ADU to meet the multi-generational needs of their family. This also furthers the goal of encouraging and promoting ADUs as stated in H1.1a of the plan. The lot in its current use/state offers little use or utility for the property owners— construction on the lot is a good use of existing, buildable land in a residential zone.

RECOMMENDATION

Staff recommends approval of the rear setback reduction. The rationale for setbacks (open space, buffering to neighbors, and fire separation), is not as appropriate or compelling for property lines abutting tidelands.

Staff also recommends approval of the front setback reduction. This structure placement is common for the area and still maintains substantial distance between the drivable surface of the road and the front of the structure.

ATTACHMENTS

- Attachment A: Aerial
- Attachment B: Site and Parking Plan
- Attachment C: ADU Elevation & Floor Plan
- Attachment D: Primary Home Elevation & Floor Plan
- Attachment E: Current Plat
- Attachment F: Proposed BLA Plat
- Attachment G: ROW Survey
- Attachment H: As-builts
- Attachment I: Photos
- Attachment J: Applicant Materials

MOTIONS TO APPROVE THE ZONING VARIANCE

- 1) **I move to approve the zoning variance for reductions in the front and rear setbacks at 3407 Halibut Point Road in the R-1MH single-family, duplex, and manufactured home district subject to the attached conditions of approval. The property is also known as Lot 10, Subdivision of Lot 1A, USS 2752. The request is filed by Todd and Julie White. The owners of record are Todd and Julie White.**

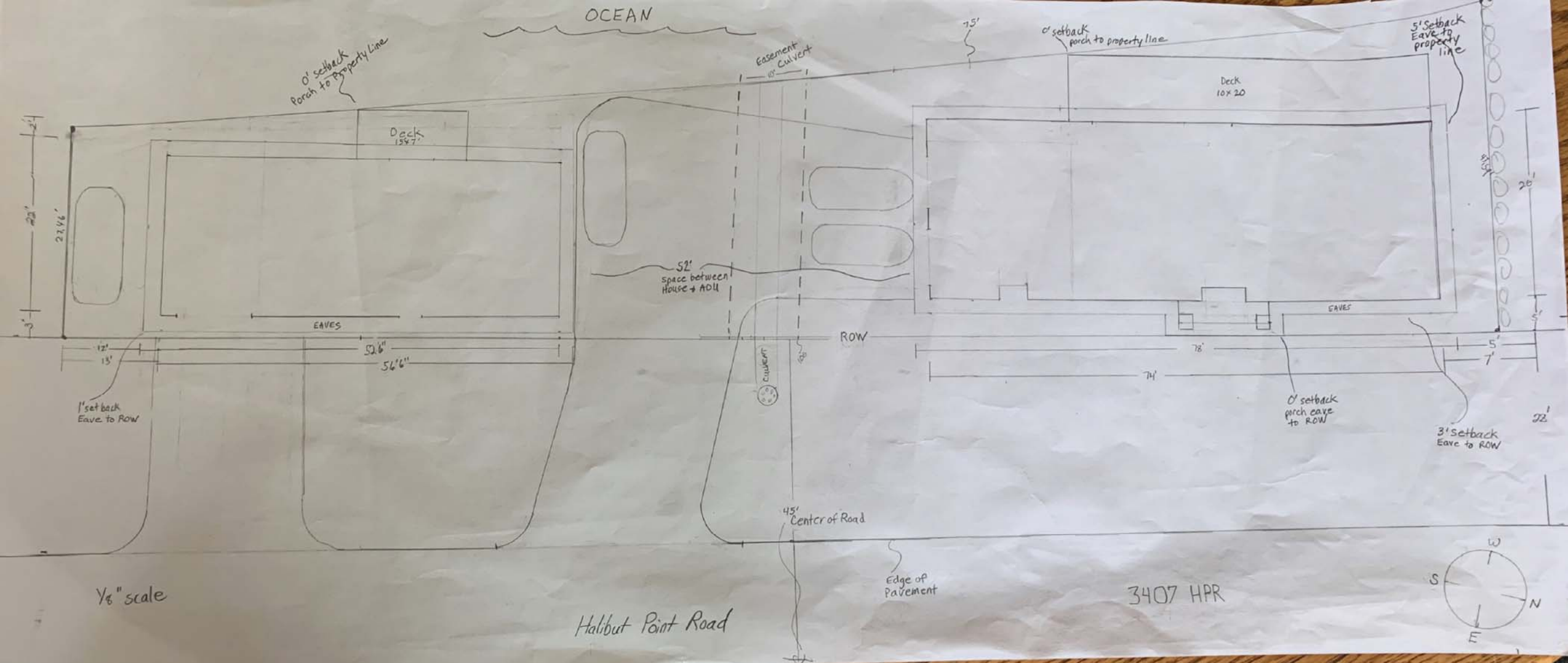
Conditions of Approval:

- a. The front (east) setback will be decreased from 14 feet to no less than 1 foot.
 - b. The rear (west) setback will be decreased from 8 feet to 0 feet.
 - c. The new plat for the boundary line adjustment shall be recorded with the State of Alaska's Office of the Recorder prior to Planning Department approval of the foundation permit.
 - d. Building plans shall remain consistent with the narrative and plans provided by the applicant for this request. Any major changes (as determined by staff) to the plan will require additional Planning Commission review.
 - e. Substantial construction progress must be made on the project within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the Planning Director if a request is filed within eleven months of the initial approval.
-
- 2) **I move to adopt and approve the required findings for variances involving major structures of expansions.** Before any variance is granted, it shall be shown²:
 - 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, 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;

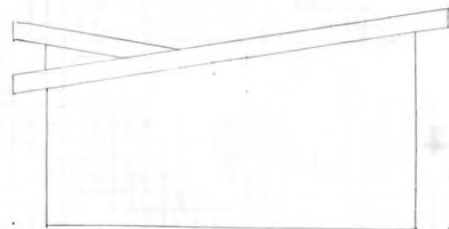
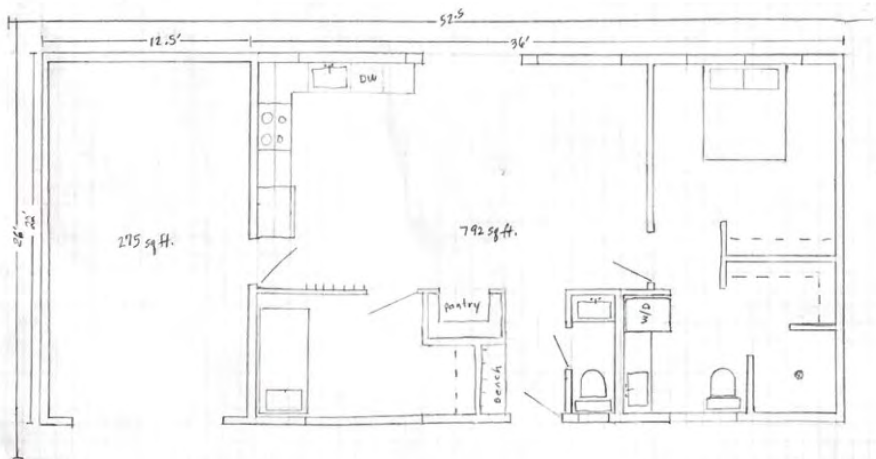
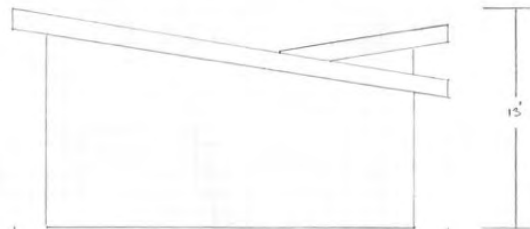
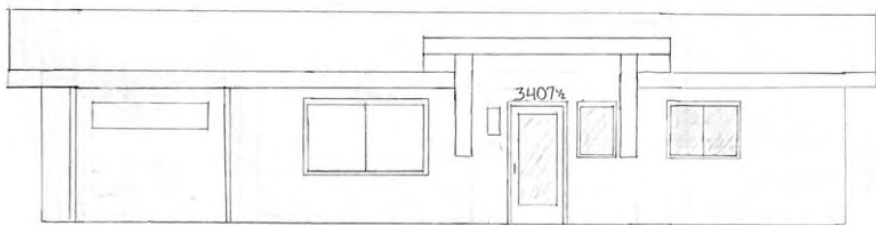
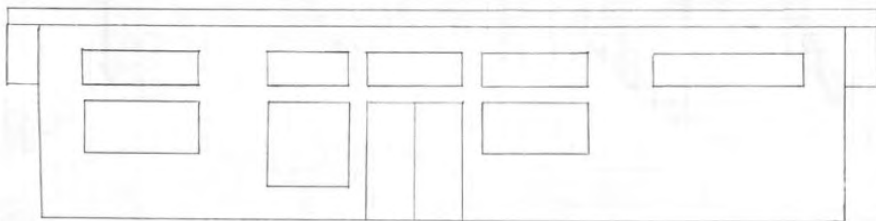
² Section 22.30.160(D)(1)—Required Findings for Major Variances

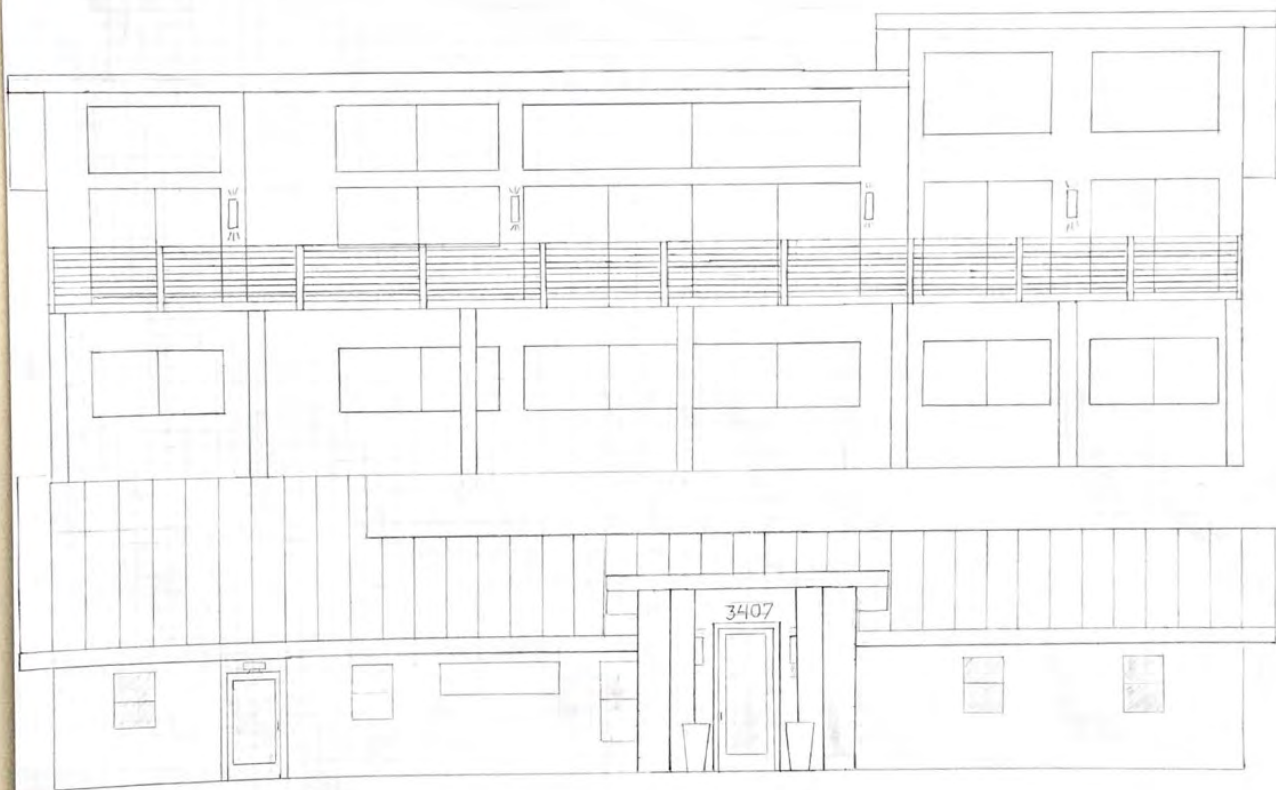
- b. The variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other properties but are denied to this parcel; such uses may include the placement of garages or the expansion of structures that are commonly constructed on other parcels in the vicinity;
- 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
- d. That the granting of such a variance will not adversely affect the Comprehensive Plan.

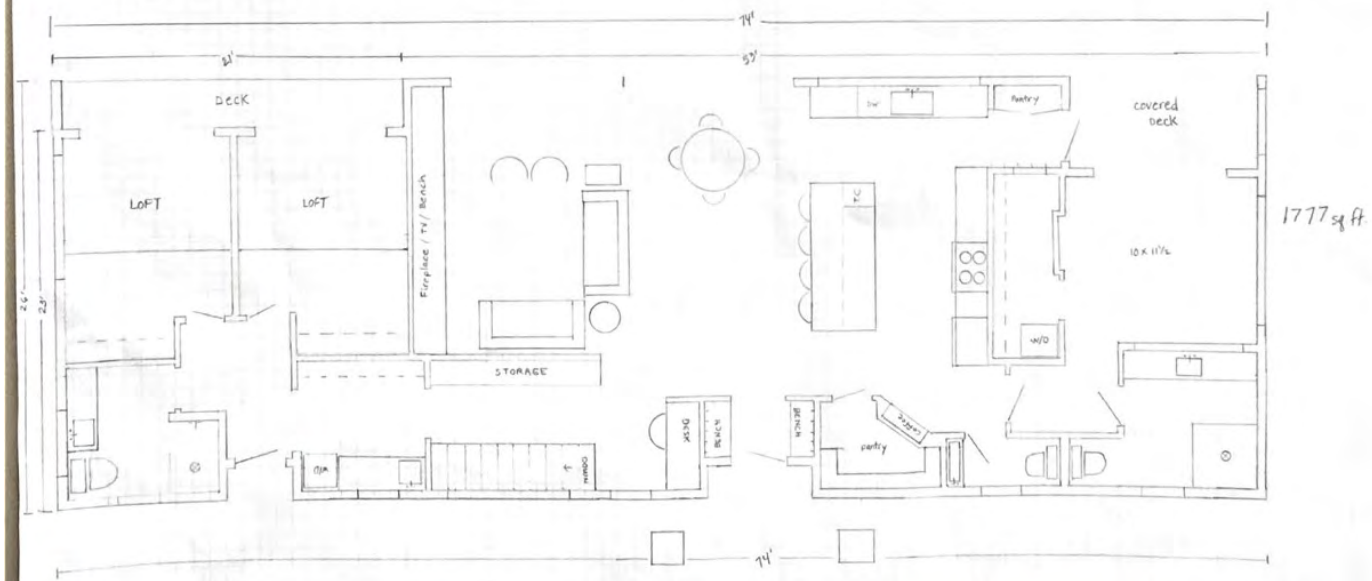




2 1/4







CERTIFICATE OF OWNERSHIP AND DEDICATION

UNITED STATES OF AMERICA)
STATE OF ALASKA) SS

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

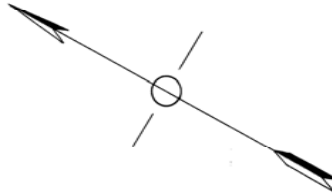
DATE June 30, 1959

WITNESS [Signature]

WITNESS M.K. Schiff

OWNER Hal Taylor

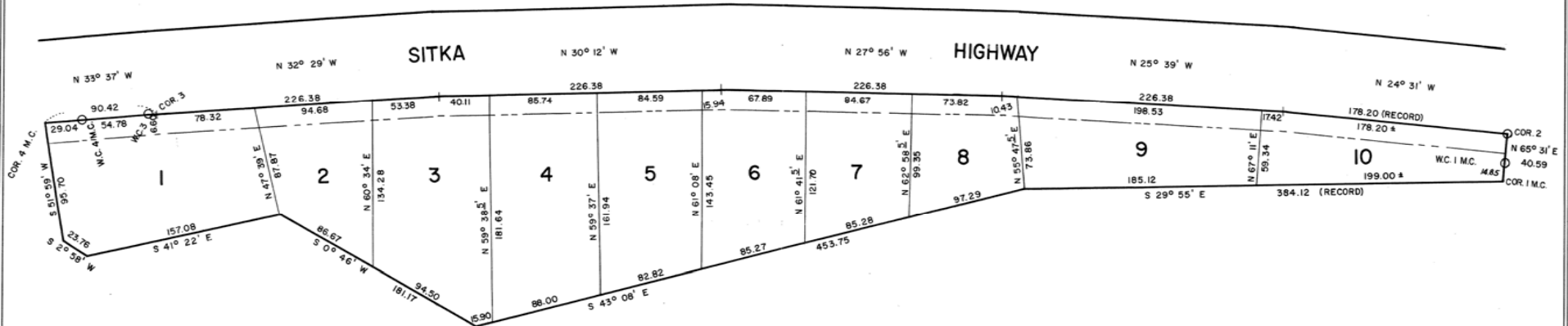
OWNER Mar Jean Taylor



THIS IS TO CERTIFY THAT ON THIS 30 DAY OF June, 1959, BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AS SUCH, PERSONALLY CAME Hal Taylor and Mar Jean Taylor, OWNER, AND THEY ACKNOWLEDGED TO ME THAT THEY SIGNED THIS PLAT FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES NOTED.

Fred M. Van Horn
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

October 26, 1960
MY COMMISSION EXPIRES

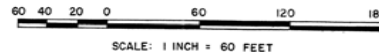


PLATTING BOARD NOT
ESTABLISHED

CERTIFICATE OF REGISTERED SURVEYOR

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE MONUMENTS SHOWN THEREOF ACTUALLY EXIST AS LOCATED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

DATE June 27, 1959 Elmer E. Anderson
REGISTERED LAND SURVEYOR



○ G.L.O. MONUMENTS
--- 17' ROW LINE FOR ROADWAY AND PUBLIC UTILITIES PURPOSES

SURVEY COMMENCED AT W.C. 3 AND RUN TO COR. 2; THENCE FROM W.C. 4 M.C. ALONG THE MEANDER LINE TO COR. 1. ALL ERROR TO BE IN LOT 10.

RECORDED AT 11:00 PM 7/1/59
VOL. 1 OF Plats
J. E. Shonetta
SITKA DISTRICT RECORDER [Signature]

SUBDIVISION LOT I-A

U.S.S. 2752

SITKA - ALASKA

SURVEYED BY: E.E.A.	DATE: 6-20-59
DRAWN BY: E.E.A.	DATE: 6-27-59

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

DATE _____ OWNER _____ (SIGNATURE) _____
DATE _____ OWNER _____ (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 ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED 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 OWNERSHIP AND DEDICATION

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

DATE _____ OWNER _____ (SIGNATURE) _____
NOTARY'S ACKNOWLEDGMENT

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 ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED 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

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, HEREBY CERTIFY THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY & BOROUGH OF SITKA, 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 OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE AUGUST 31, 20____ DATED THIS _____ DAY OF _____.

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED _____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ CHAIRMAN, PLATTING 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: _____ (ALL 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 _____
20____, AT SITKA, ALASKA.

FINANCE DIRECTOR
CITY & 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 _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

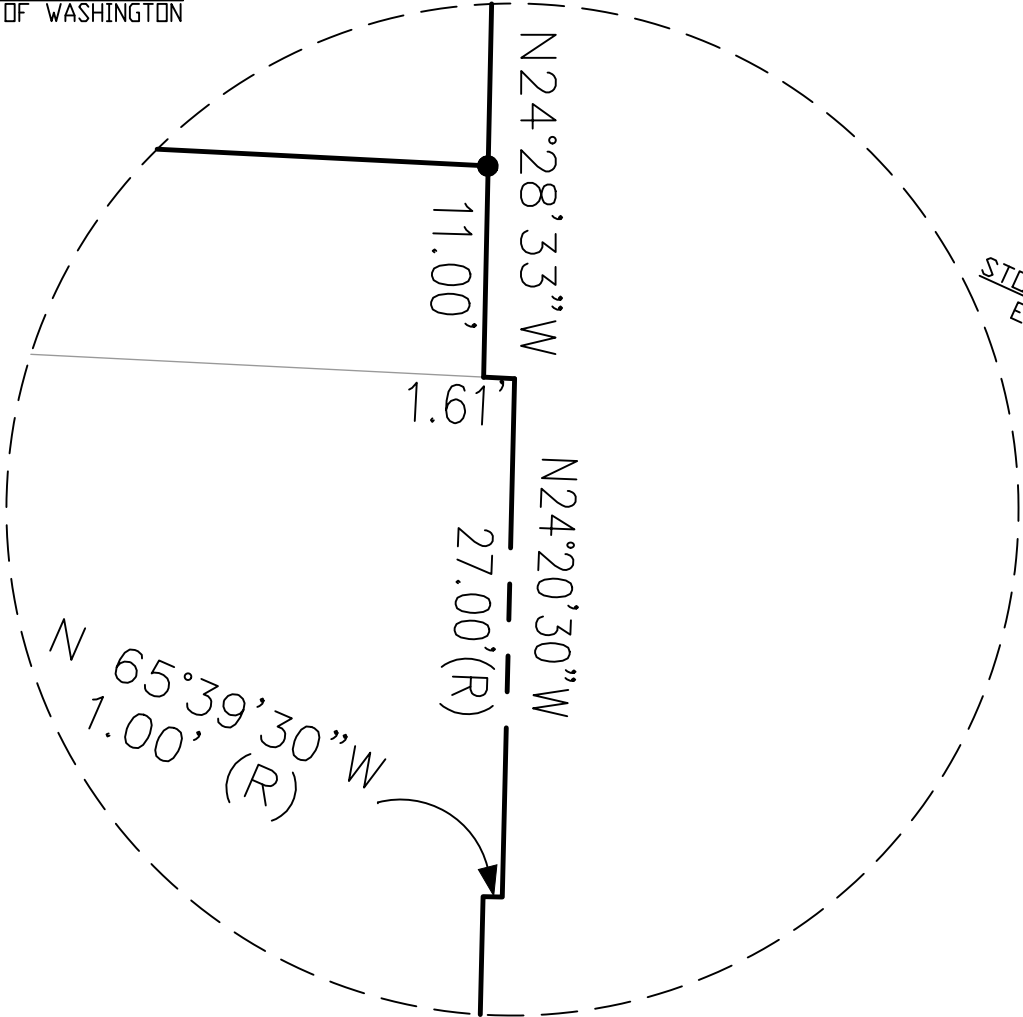
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTES.

DATE _____ OWNER _____ (SIGNATURE) _____
NOTARY'S ACKNOWLEDGMENT

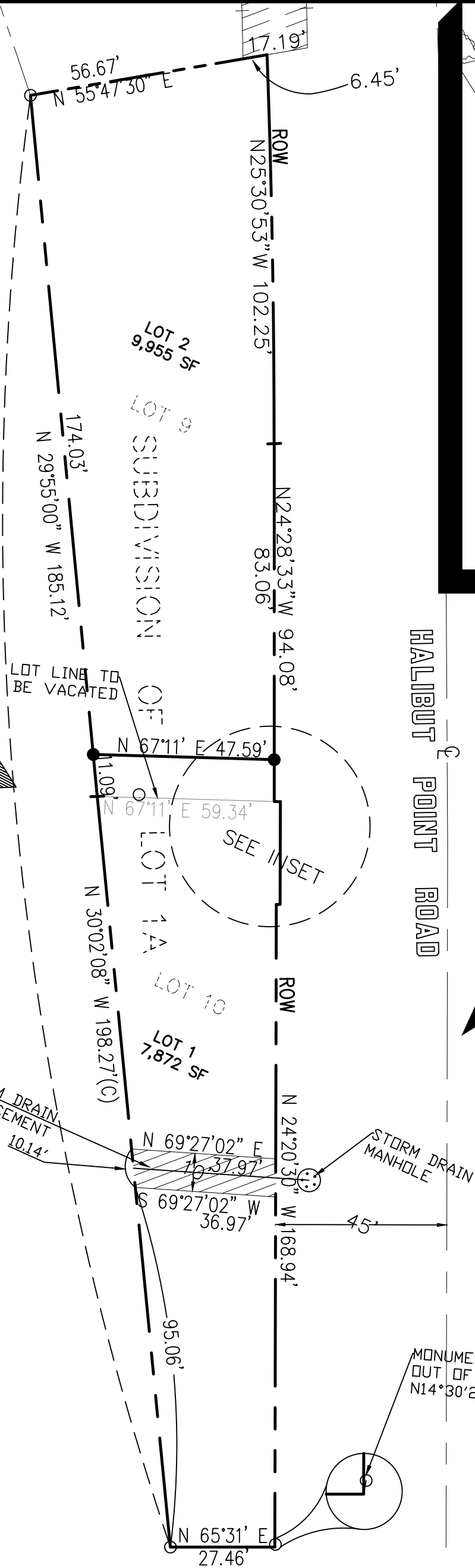
STATE OF WASHINGTON
COUNTY OF _____
THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____
TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED 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

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON



SCALE: 1:10



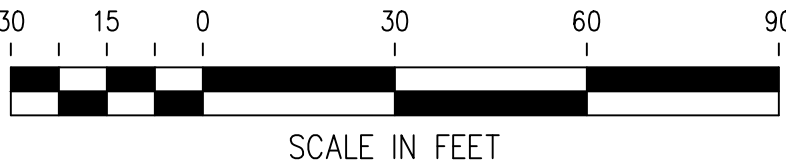
VICINITY MAP

LEGEND

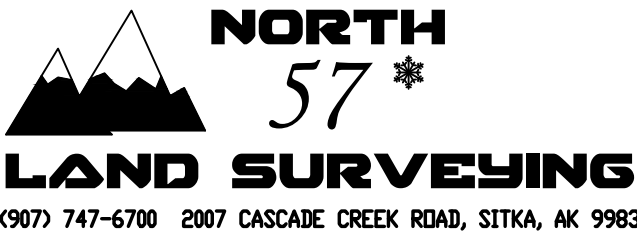
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

PLAT NOTES

1. THE PURPOSE OF THIS PLAT IS TO ADJUST THE PROPERTY LINE BETWEEN LOTS 9 AND 10 OF THE SUBDIVISION OF LOT 1A, CREATING A LARGER LOT FOR LOT 10.
2. THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON RECORD INFORMATION FROM THE SUBDIVISION PLAT OF LOT 1A USS 2752, PLAT NO. 7
3. THE CITY AND BOROUGH OF SITKA (CITY) SHALL BE A PARTY TO ALL ACCESS AND UTILITY EASEMENTS AND THE EASEMENTS SHALL NOT BE MODIFIED OR RELOCATED WITHOUT CITY APPROVAL.



SITKA RECORDING DISTRICT



BY	DATE	REV.	DESCRIPTION OF CHANGE
RECORD OF REVISIONS			

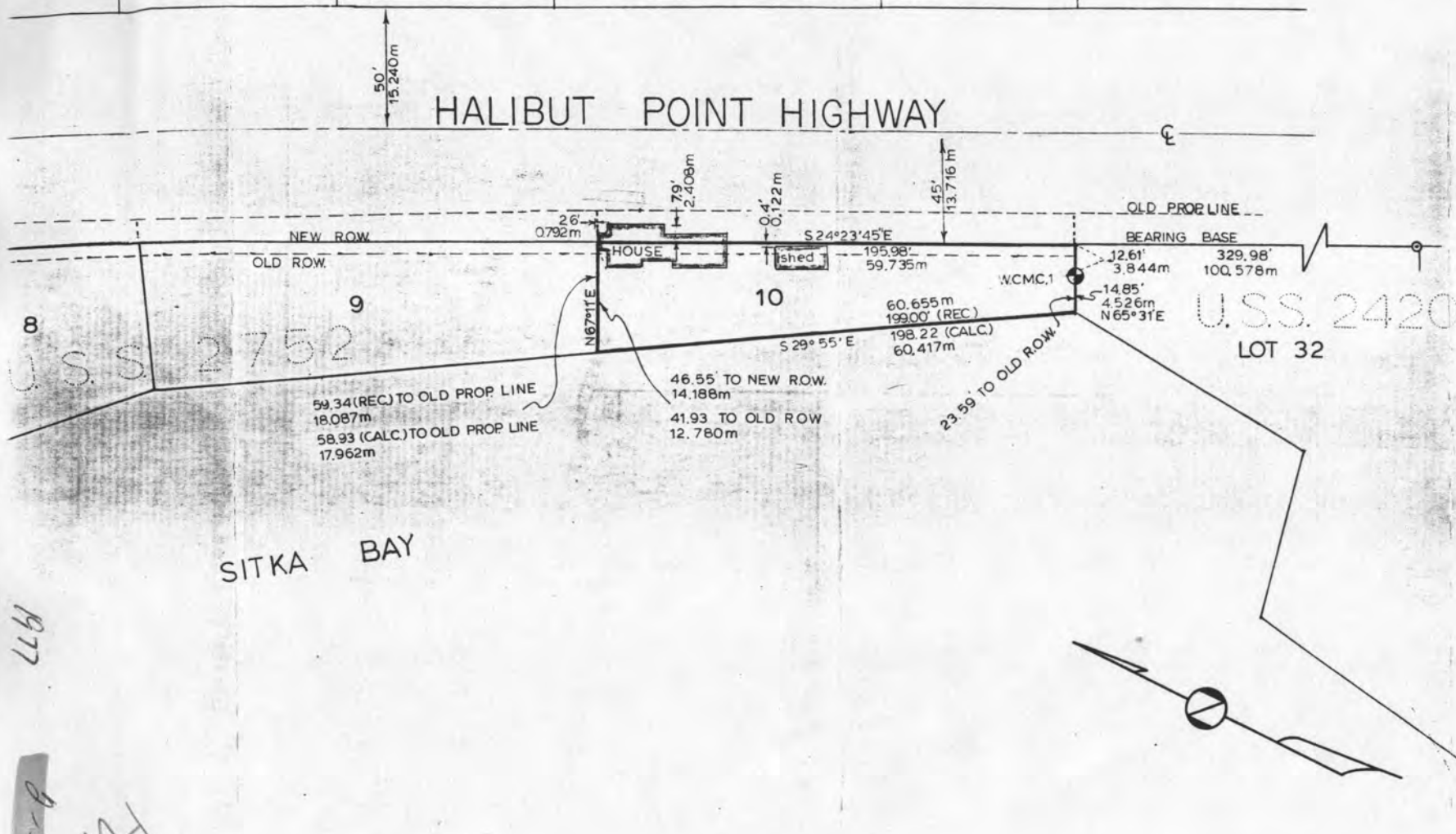


DESIGNED: K. O'NEILL
DRAWN: JCH/ACAD
CHECKED: KD
DATE OF PLAT: AUGUST 19, 2020
SCALE: 1"= 30'
DRAWING NAME: 40242-01
PROJECT NO. 40242-01

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 O'NEILL LS 13321

JULIE LOT LINE ADJUSTMENT

LOTS 9 AND 10 OF THE
SUBDIVISION OF LOT 1A
U. S. SURVEY 2752 (PLAT #7)
TODD WHITE



1977

8-5604.5-

Tarleton
Smith

LEGEND

- ⊕ BRASS CAP MON. (FOUND)
- ⊙ 1" IRON PIPE (FOUND)

SURVEYOR'S CERTIFICATE

I hereby certify that I am a registered Surveyor, licensed in the State of Alaska, and that in NOVEMBER 1977 a survey of the herein described lands was conducted under my direct supervision and that this plat is a true and

AS-BUILT

LOT 10

U.S.S. 2752

FOR: TARLETON - F. S.
BOX 1132

LOT 8



CONCRETE
PAD (TYP.)

FOUNDATION
W/ SLAB

PATENTED PROPERTY LINE

D.O.T. RIGHT OF WAY

ROAD RIGHT OF WAY ON
ORIGINAL PATENT

SITKA
SOUND

LOT 9

STEM WALL
& FOOTING

HALIBUT POINT RD.

LOT 10



I hereby certify that I have inspected the following described property: LOT 9
U.S.S. 2752 Sitka Recording District, Alaska, and that
the improvements situated thereon are within the property lines and do not en-
croach on the adjacent property, that no improvements on adjacent property
encroach on the subject property and that there are no roadways, transmission
lines or other visible easements on subject property, except as noted hereon.
It is the owner's responsibility to determine the existence of any easements,
covenants or restrictions which do not appear on the recorded subdivision plat.
Under no circumstances should any data shown hereon be used for construction
or for establishment of boundary or fence lines. Dated this 9th day of OCT.
1996. Noel F. Stragier SURVEYOR

AS-BUILT PLOT PLAN

LOT 9
U.S.S. 2752

**STRAGIER
ENGINEERING SERVICES**
504 DeGROFF ST.
SITKA, ALASKA 99835
907-747-5833

AS-BUILT PLOT PLAN
Scale 1" = 30'
Job No. 2729
Date 10-9-96
Field Book 114, PG 77

PREPARED FOR:
TODD WHITE
4802 HALIBUT POINT ROAD
SITKA, ALASKA 99835



South end – ADU site



Stringline for rear property line





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: We are requesting a variance for front and rear property lines at 3407 HPR and a conditional use for construction of two separate dwellings.

PROPERTY INFORMATION:

CURRENT ZONING: R1-MH PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): Home PROPOSED LAND USES (if changing): Home plus add'l dwelling

APPLICANT INFORMATION:

PROPERTY OWNER: Todd Julie White

PROPERTY OWNER ADDRESS: ^{mailing} 125 Granite Crk Rd Sitka

STREET ADDRESS OF PROPERTY: 3407 HPR Sitka

APPLICANT'S NAME: Todd White

MAILING ADDRESS: 125 Granite Crk Rd Sitka AK 99835

EMAIL ADDRESS: Todwhite@hotmail.com DAYTIME PHONE: 747-3144 or 738-3145

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: 10 BLOCK: _____ TRACT: _____

SUBDIVISION: Lot 1-A US SURVEY: USS 2752

White
Last Name

Date Submitted

3407 HPR
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.

Applicant (If different than owner)

Date

Last Name

Date Submitted

Project Address

White

3407 HPR

Variance Setback



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.

Due to loss of property (due to adjustment of Right of Way lines on HPR) we are requesting up to a zero set back on front & rear property lines for both dwellings. Main dwelling needs to be at zero set back on front property line for access for maintenance to seawall if needed.

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

- TRAFFIC None Parking is planned for the side of the unit. Backing in and out can be done safely.
- PARKING None
- NOISE None
- PUBLIC HEALTH AND SAFETY None
- HABITAT None
- PROPERTY VALUE/NEIGHBORHOOD HARMONY INCREASE
- COMPREHENSIVE PLAN ADU's encouraged

White
Last Name

Date Submitted

3407 HPR
Project Address

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, it is needed to keep Access to the ocean side, for Repairs as needed.
- 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, House Placement Limited lot depth
- 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, Keeps the easement clear for maintenance, keeps access for seawall maintenance.
- d. That the granting of such a variance will not adversely affect the comprehensive plan, specifically, (cite section and explain) State Right of way
Increases Residential values, housing stock, ADU development.

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, _____

White
Last Name

Date Submitted

3407 HPR
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, _____
_____.
- 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, _____
_____.

ANY ADDITIONAL COMMENTS this is ocean front property
that will need this variance, to maintain seawall.

Applicant

Julia White

Date

8/14/2020

Last Name

White

Date Submitted

Project Address

3407 HPR