



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 18-07
Proposal: Request for reduction in the front setback from 20 feet to 10 feet for construction of a covered deck
Applicant: Andrew Callistini
Owner: Andrew and Donna Callistini
Location: 106 Naomi Kanosh Lane
Legal: Lot 14 Ashaak Subdivision
Zone: R-2 MHP
Size: 8029 square feet
Parcel ID: 18573014
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing
Access: Naomi Kanosh Lane

KEY POINTS AND CONCERNS:

- Proposal is to construct covered deck within front setback
- Neighborhood harmony:
 - Sitka General Code requires a 20 foot front setback
- Existing constraints:
 - Primary structure is already developed
 - Front setbacks and 10 foot utility easement on three sides

RECOMMENDATION:

Approve the variance request for the reduction in the front setback from 20 feet to 10 feet for the construction of a covered deck at 106 Naomi Kanosh Lane.

ATTACHMENTS

Attachment A: Applicant Attachments

Attachment B: Staff Attachments

BACKGROUND

The existing lot at 106 Naomi Kanosh Lane was created in 2000 through the Ashaak Subdivision. A house and two temporary structures (carport and greenhouse) are present on the lot. Greenhouse appears to encroach on the front setback. No variances on record for this property. Development of lot 14 is challenged by front setbacks and 10 foot utility easements on three sides.

PROJECT DESCRIPTION

The proposal is for a 20 foot by 14 foot covered deck to be constructed on the easterly side of the existing house. Proposed structure would encroach upon the 20 foot front setback by 10 feet.¹ Because of the existing 10 foot utility easement along the property line, the proposed structure could not be any deeper than requested, even with a variance.

ANALYSIS

Project / Site: The lot is 8029 square feet, exceeding the R-2 MHP minimum square footage of 8000 square feet. The lot accesses from Naomi Kanosh Lane, as do other properties in the subdivision. The property also has a frontage along Indian River Road, the frontage on which the proposed covered deck would be placed. The lot is bounded on three sides by 10 foot wide utility easements. The lot was legally platted in 2000. The majority of the lot is flat and developed as a single-family property. Proposed deck would not abut private property but the municipal right-of-way.

Zone: R-2 MHP: Intent. This zone is intended to provide for primarily for single-family and multiple-family residences at moderately high densities.²

Traffic: Properties in the subdivision access from Naomi Kanosh Lane and do not have access from Indian River Road. Location of proposed structure would be away from the intersection of Indian River Road and Naomi Kanosh Lane and would not impact motorist and pedestrian visibility.

Parking: Proposal does not increase parking requirements nor does it remove existing parking spaces. No concerns.

Noise: Reduced setbacks have the potential to increase noise by decreasing the buffer between

¹ SGC Table 22.20-1

² Section 22.16.060—R-2 MHP District

structures. In this case, the proposed deck would abut a public right-of-way, not other residential properties. A deck of less than 30 inches in height could be constructed without a variance and generate the same amount of noise, but this proposal requires a variance because of the roof. No concerns.

Public Health or Safety: Proposal will not negatively impact motorist and pedestrian visibility.

Habitat: No known wetlands on the property.

Property Value or Neighborhood Harmony: Variances are a deviation from code, and result in an inconsistency between this property and nearby properties. The addition of a covered deck could improve property values.

Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience.

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

1) I move to approve the variance request for 106 Naomi Kanosh Lane in the R-2 MHP district. The request is for the reduction in the front setback from 20 feet to 10 feet for the construction of a covered porch. The property is also known as Lot 14 Ashaak Subdivision. The request is filed by Andrew Callistini. The owners of record are Andrew and Donna Callistini.

2) I move to adopt and approve the required findings for major structures or expansions. Before any variance is granted, it shall be shown:³

- a) That there are special circumstances to the intended use that do not apply generally to the other properties, *here, the lot is constrained by 10 foot utility easements and front setbacks on three sides;*
- b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *here, the economical development of a covered deck;*
- 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, *here, placement of the deck will avoid utility easements;*
- d) That the granting of such will not adversely affect the Comprehensive Plan: *specifically, the variance is in line with Comprehensive Plan Section 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner which maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations,"* by allowing for the cost-effective development of a covered deck while preserving the integrity of existing utility easements and maintaining sight lines for motorists.

³ Section 22.30.160(D)(1)—Required Findings for Major Variances

Attachment A

Applicant Materials



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

RECEIVED APR 19 2018

- 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: ASKING FOR VARIANCE TO

CONSTRUCT A COVERED DECK THAT ENCLOSED

ON ZONING REASONING,

STRUCTURE: 20' WIDE X 14' DEEP INCLUDING FEE W/ 10' SETBACK

PROPERTY INFORMATION:

CURRENT ZONING: R2MHP PROPOSED ZONING (if applicable): _____

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

APPLICANT INFORMATION:

PROPERTY OWNER: ANDREW & DONNA CALLISTINI

PROPERTY OWNER ADDRESS: 106 NAOMI KANOSH LN.

STREET ADDRESS OF PROPERTY: SAME

APPLICANT'S NAME: ANDREW CALLISTINI

MAILING ADDRESS: 106 NAOMI KANOSH LN.

EMAIL ADDRESS: CALLISTINI@GMAIL.COM DAYTIME PHONE: 747-5494-957-0067 cell

PROPERTY LEGAL DESCRIPTION:

TAX ID: 18573014 LOT: 14 BLOCK: _____ TRACT: _____

SUBDIVISION: ASHRAK US SURVEY: _____

CALLISTINI
Last Name

APRIL 19, 2018
Date Submitted

106 NAOMI KANOSH LN.
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.

ANDREW CALISTINI

Owner

APRIL 19, 2018

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

CALISTINI

Last Name

APRIL 19, 2018

Date Submitted

Project Address



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

RECEIVED APR 19 2018

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.

ENCROACHES ON LOT ZONING BORDER FOR
THIS PARTICULAR LOT

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

- TRAFFIC ☒
- PARKING ☒
- NOISE ☒
- PUBLIC HEALTH AND SAFETY ☒
- HABITAT ☒
- PROPERTY VALUE/NEIGHBORHOOD HARMONY ☐
- COMPREHENSIVE PLAN ☐

CAUSTINE
Last Name

APRIL 19, 2018
Date Submitted

106 NADAI KANOSH LN
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, _____

THERE ARE THREE "FRONTS" TO THIS PROPERTY WITH A 20' NO. BUILD ZONE FOR EACH FRONT.
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, _____

CALLISTINE
Last Name

APRIL 19 2018
Date Submitted

106 NARMA KANOSH LN
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 _____

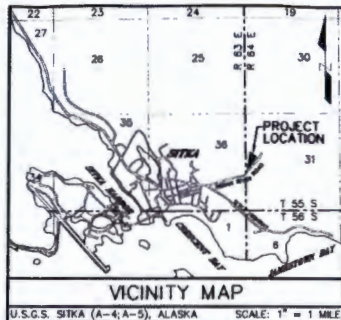
ANDREW & DENNA CALISTINA
Applicant

APRIL 19, 2018
Date

CALISTINA
Last Name

APRIL 19 2018
Date Submitted

106 NAOMI KANISH LN.
Project Address



CERTIFICATE OF PAYMENT OF TAXES

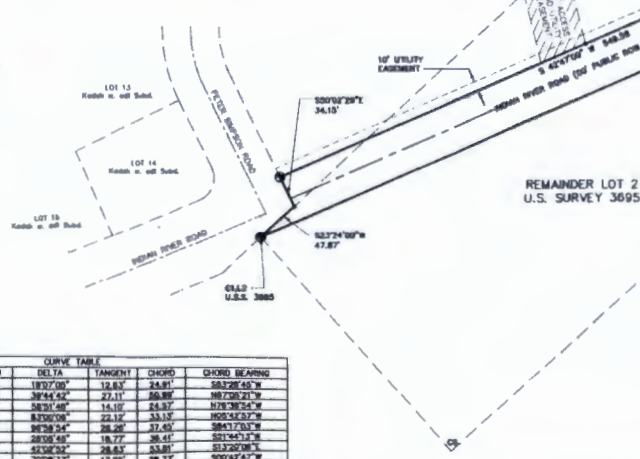
STATE OF ALASKA)
 FIRST JUDICIAL DISTRICT) SS.
 I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF City of Sitka, Alaska (ALL OWNERS ON RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL, THAT CURRENT TAXES FOR THE YEAR 2000, WILL BE DUE ON OR BEFORE 6-21-00.
 DATED THIS 24 DAY OF JUNE 2000 AT SITKA, ALASKA.
Donald C. Black, PLS
 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 AND BOROUGH OF SITKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED IN MINUTE BOOK 16 PAGE 655 DATED 5-24-00 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.
 MAYOR DATE
 CLERK DATE
 NO LOT, TRACT, OR PARCEL, WHEN THIS SUBDIVISION MAY BE CONNECTED BY THE OWNER LINES, SERVED BY ROAD, WATER, SEWER, AND ELECTRICITY AND SAID IMPROVEMENTS HAVE BEEN INSPECTED, APPROVED, AND ACCEPTED FOR MAINTENANCE BY THE CITY AND BOROUGH OF SITKA, ALASKA.

CERTIFICATION OF APPROVAL BY THE PLATTING BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT REGISTRATION NO. 21-21-00 DATED 6-21-00.
Donald C. Black, PLS
 CHAIRMAN, PLATTING BOARD
 ATTEST: DATE
 SECRETARY DATE



LEGEND

- FOUND BLM MONUMENT
- FOUND 3" ALCP
- RECORD SURVEY INFORMATION
- SET 2" ALCP
- SET 1 1/2" ALASKAN PRIMARY MONUMENT

SHEET 1 OF 2

**PLAT OF
ASHAAK SUBDIVISION**

BEING A 4,000 ACRE SUBDIVISION AND 1,380 ACRE RIGHT-OF-WAY, OWNED BY THE CITY AND BOROUGH OF SITKA AND BEING IN THE UNDIVIDED REMAINDER PORTION OF LOT 2, U.S.S. 3695, SITKA RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA, SITKA RECORDING DISTRICT, ALASKA.

LCG
 LARSEN CONSULTING GROUP
 Anchorage - Eagle River - Fairbanks

3710 Woodland Dr.
 Suite 2100
 Anchorage, AK 99517
 (907) 243-8888

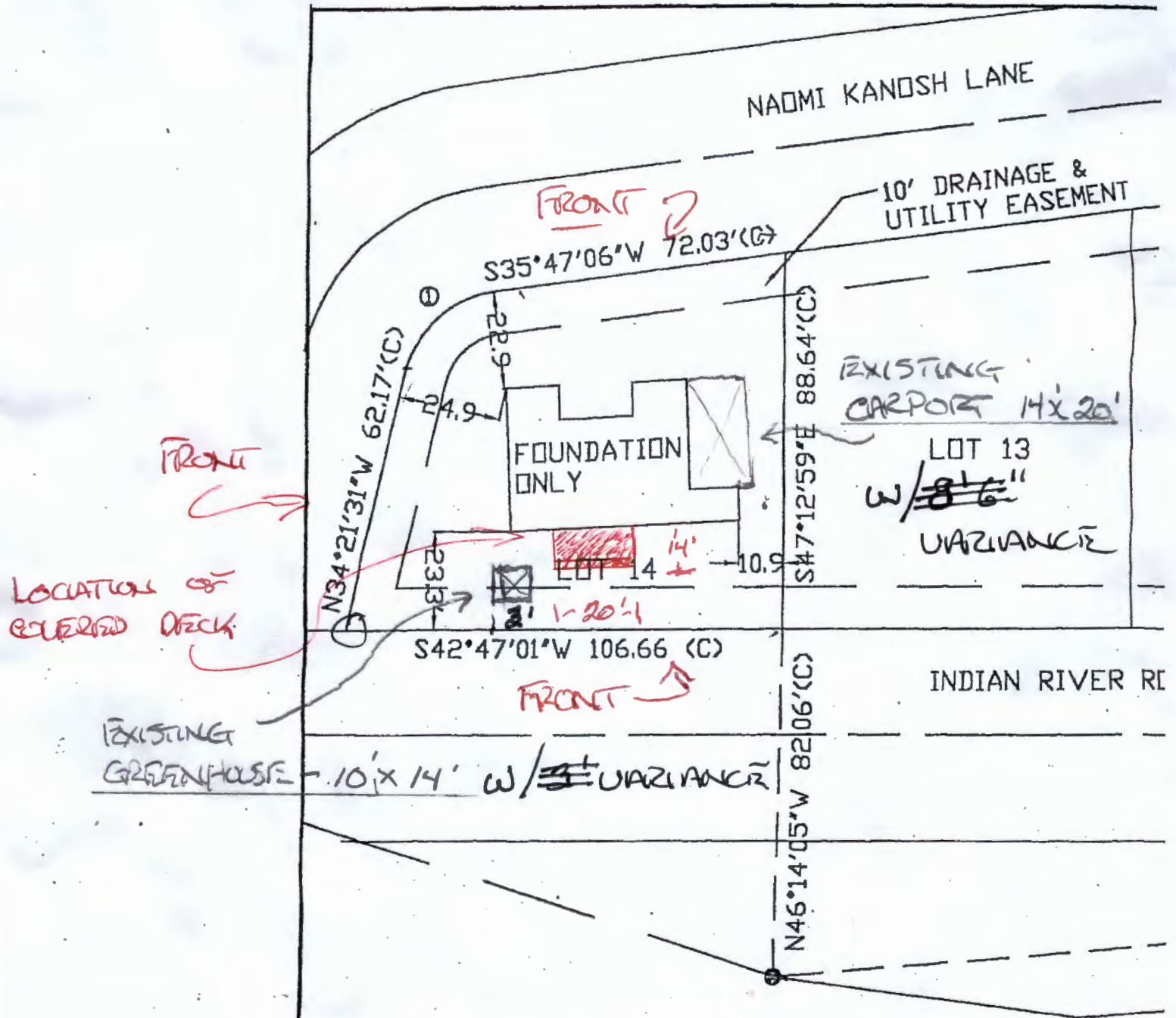
PROJECT NO.: 99187 F.B.: SRD
 DRAWN DATE: 12/1/99 SCALE: 1"=80'
 DRAWN BY: CPL CHECKED BY: DOB
 SURVEY DATE: 07/24/99 FILE NO.: -

Sitka 2000-7

F:\LANDPROJECTS\187SITKA\187_PLAT.DWG

Job Naomi Kanosh

RECEIVED APR 19 2018



SURVEYOR'S CERTIFICATE

I, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ON THIS PLAT. I DECLARE THAT IMPROVEMENTS AND VISIBLE ENCROACHMENTS HAVE BEEN ESTABLISHED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

9 Jan 2001
DATE

Wayne A. Dye
WAYNE A. DYE L.S. 5458

THIS SURVEY IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING STRUCTURES AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREON BE USED FOR POSITIONING ADDITIONAL STRUCTURES, BUILDING FENCES, OR LOCATING BOUNDARY LINES. IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THAT IMPROVEMENTS SITUATED ON THIS PARCEL MEET ALL SUBDIVISION COVENANTS AND ZONING ORDINANCES.

3CH UNIT

EA TABULATION

055 SQUARE FOOTAGE

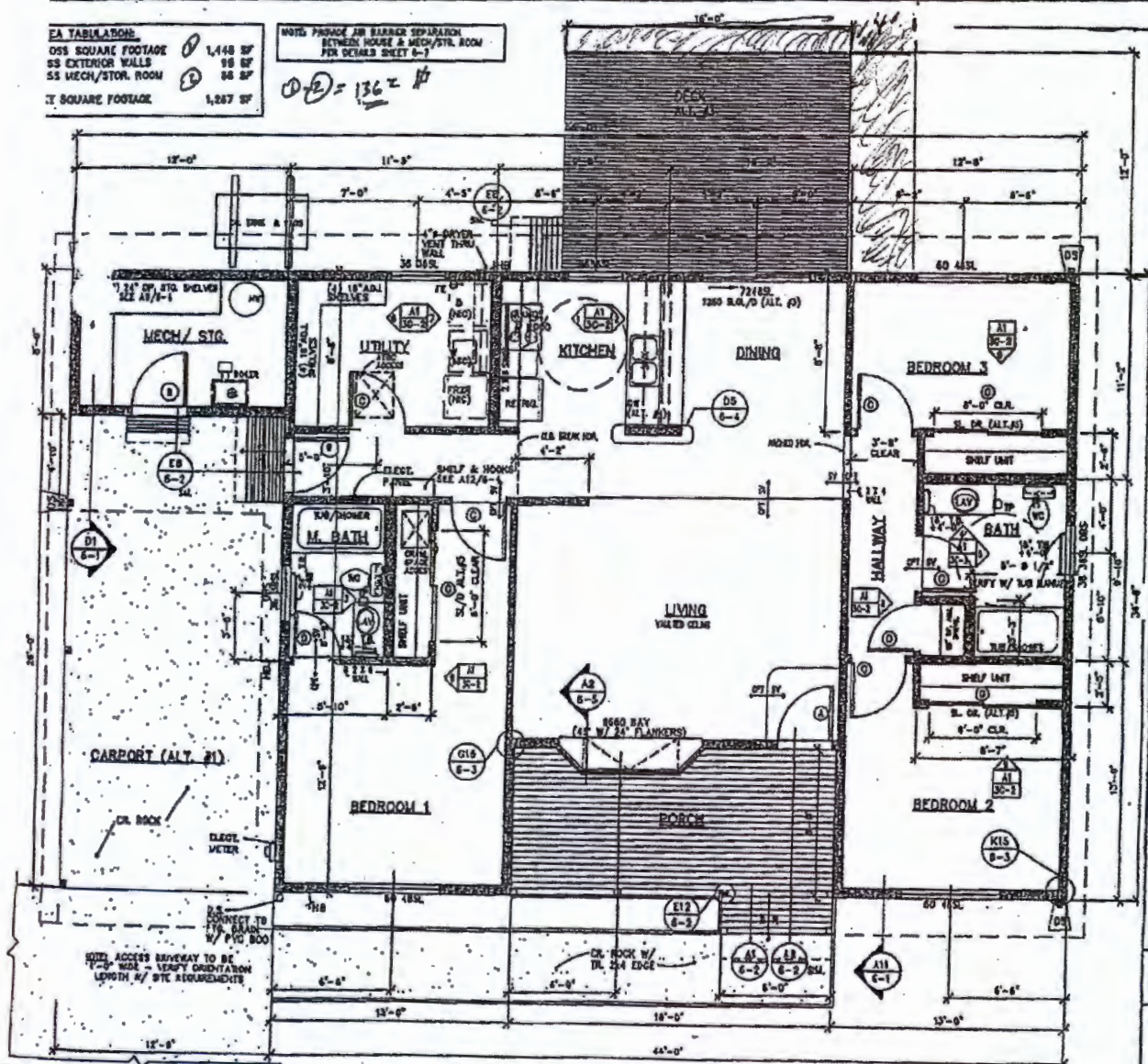
SS MECH./STOR. ROOM

3 SQUARE FOOTAGE

.....

NOTE: PROVIDE AIR BARRIER SEPARATION
BETWEEN HOUSE & MECH/STR. ROOM
PER DETAILS SHEET 6-7

①② = 1362 #



A9	FLOOR PLAN
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1/4" = 1'-0"	3CH UNIT
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TRALLO
ARCHITECTS. P.S.
1400 N. 4TH AVE. ANTIPOLO, CALIF. 94006

CUSTOM HOMES

TLINGIT-HAIDA REGIONAL HOUSING AUTHORITY
JUNEAU, ALASKA

**3CH UNIT
FLOOR PLAN
FOUNDATION PLAN
EXTERIOR ELEVATIONS**

THE

NOV. 01. 2000

97-03

$$\frac{1/4" = f' - 0"}{39.151 - 39.151}$$

3CH.-1









SPEED
LIMIT
10



Attachment B

Staff Materials



City & Borough of Sitka, Alaska

Selected Parcel: 106 Naomi Kanosh Ln ID: 18573014

Printed 4/24/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

20 m
100 ft



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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