



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM:

Case No: V 18-12 (Platting Variance)
Proposal: Request to divide a single lot into two lots though it does not meet existing minimum lot size standards; and increasing the number of lots utilizing the access easement from four to five.
Applicant: Adam and Kris Chinalski
Owner: Adam and Kris Chinalski
Location: 2174 Halibut Point Road
Legal: Lot 1, Wright Subdivision, Addition Two, USS 2418
Zone: R-1 MH single-family, duplex and manufactured home residential district
Size: 12,300 square feet (proposed lot size 8135 and 4159 sf)
Parcel ID: 25189001
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing
Access: Easement off of Halibut Point Road

KEY POINTS AND CONCERNS:

- Proposal is in line with proposed code changes regarding development standards that the Planning Commission recommended approval on regarding (see comparable compatibility section)
- ADU could be pursued based on approval of a conditional use permit.
- Neighborhood appears to be primarily single family housing with lots in conformance of code.
- Key negative concerns: Easement access. Easement takes up approximately 600 sf of proposed secondary lot making developable area roughly 3500 sf. Constructing within setbacks and required lot coverage ratio would be difficult. Current parking requirement of two spaces also needs to be factored in.
- Staff recommended applicant apply for platting variance prior to investing in minor subdivision survey. If approved, applicant will return to commission with survey for preliminary and final minor subdivision approval.

RECOMMENDATION:

Staff recommends that the Planning Commission deny the platting variance subject to the attached conditions of approval.

ATTACHMENTS

Attachment A: Applicant Materials

BACKGROUND/PROJECT DESCRIPTION

This proposal is to split a single lot into two lots: 1) Lot 1, approximately 8,135 sf containing the existing single-family home, and 2) Lot2, approximately 4,159 sf proposed to construct a smaller single-family residence. The platting variance also requests increasing the number of lots utilizing the access easement from four to five.

Current code requires 8,000 sf per lot and setbacks of 8 for side setbacks. Code also states that no more than four lots shall utilize a single common access road that is constructed to less than the regular municipal street standard (21.40.030). Code also references establishment of maximum access easement grade to not exceed 15% in only exceptional cases. Applicant estimates grade at 25% in steepest point.

ANALYSIS

21.48.010 Requirements for platting variances.

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

A. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property. Specifically, that this case may be injurious to adjacent property as it will add additional users to the private access easement, and create one substandard small lot in a neighborhood of properties in conformance with development standards.

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, that adjacent properties are in conformance with code provisions and this lot cannot be under existing code due to square footage requirements.

Proposed and Planning Commission Endorsed Code Changes to Development Standards

The following are proposed development code changes that the Planning Commission supported and that would support this subdivisions and platting variance:

Additional Recommended Exceptions for unique case-by-case basis:

1. Minimum lot size, Substandard Lots, and **Subdivision**. Where a legally subdivided, platted, and recorded lot existed prior to the date of this code

amendment and it does not meet existing minimum lot standards, it may be subdivided into two lots if other lots on the block, on the same street, or within the same subdivision or neighborhood have been subdivided to an equivalent, comparable sized lot(s). The burden of proving that other comparable subdivisions are compatible with a proposed lot subdivision is upon the applicant; and such a finding of **comparable compatibility** shall be made by motion or finding of the platting authority.

2. Substandard Lots and Setbacks. Where a legally subdivided, platted, and recorded lot existed prior to the date of this code amendment and it does not meet existing minimum lot standards, such as lot maybe developed for a single principal and/or conditional use so long as it meets the following setbacks.
 - a. Front Setback: 10% of lot depth, but no less than five (5) feet from the front property line(s).
 - b. Side Setback: 12% of lot width, but no less than five (5) feet from the side-property line(s).
 - c. Rear Setback: 8% of lot depth, but no less than five (5) feet from the front property line(s).

Requirements for a Minor Subdivision

A minor subdivision, even for a lot split must comply will all applicable provisions of Title 21, specifically 21.12 and 21.40. These sections will be part of the conditions of approval. Flagging and monumentation shall comply with 21.40 prior to approval of the final plat and recording, respectively.

Comprehensive Plan Guidance

The Comprehensive Plan 2030 goals, objectives, and action items within the housing chapter support higher density, smaller lots, and expanding the range of housing options as well as providing more affordable housing. This proposal would create higher density, a smaller lot, and would most likely be more affordable due to the small size compared to other single family homes in the area.

Conclusion of analysis: here the proposal is in line with some proffered and pending code changes however not all. The neighborhood would be impacted by this proposal as additional traffic would occur on the access easement.

RECOMMENDATION

It is recommended that the Planning Commission move to deny the platting variance subject to the attached conditions of approval.

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Motions to Deny the Platting Variance

- 1) I move to deny the platting variance to split a single lot into two lots at 2174 Halibut Point Road in the R-1 MH single family, duplex and manufactured home residential district. The property is known as Lot 1, Wright Subdivision, Addition Two, U.S. Survey 2418. The request is filed by Adam and Kris Chinalski. The owner of record is Adam and Kris Chinalski.
- 2) I move to adopt the findings as found in the staff report:

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- 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, that adjacent properties are in conformance with code provisions and this lot cannot be under existing code due to square footage requirements