



# City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

*Coast Guard City, USA*

## Memorandum

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

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

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

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

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

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

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

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

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

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

**Attachments:**

Attachment A: Aerial

Attachment B: Preliminary Plat

Attachment C: Applicant Materials

**Recommended Motions:**

1. “I move to approve the platting variance to create a substandard lot on Shotgun Alley, a portion of Lot 14, US Survey 3557. The request is filed by the State of Alaska Department of Natural Resources, Division of Mining, Land, and Water and North57 Surveying. The owner of record is the State of Alaska.”
2. “I move to adopt the required findings for platting variances.”
  - A. The granting of the platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property.
  - B. The tract to be subdivided is of such unusual size and shape or topographical conditions that the strict application of the requirements of this title will result in undue and substantial hardship to the owner of the property.