



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION

- 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:

Requesting variance to allow for zero rear lot setback in one corner on waterfront side of

1401 Halibut Point Road, and about 3.5' into the setback on the other corner, to be able to position new home

closer to the waterfront side of the lot and to provide for sufficient room for vehicle turnarounds in driveway.

PROPERTY INFORMATION:

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

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

APPLICANT INFORMATION:

PROPERTY OWNER: John T Hardwick and Ral T West

PROPERTY OWNER ADDRESS: 107A Toivo Circle, Sitka, 99835

STREET ADDRESS OF PROPERTY: 1401 Halibut Point Road, Sitka, AK 999835

APPLICANT'S NAME: John Hardwick and Ral West

MAILING ADDRESS: 107A Toivo Circle, Sitka, 99835

EMAIL ADDRESS: ralwest@me.co DAYTIME PHONE: 907-738-1066 or
jth0502@me.com 738-4656

Hardwick

6-30-21

1401 Halibut Point

Last Name

Date Submitted

Project Address

REQUIRED SUPPLEMENTAL 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
- ☒ Proof of filing fee payment receipt in planning office
- ☐ Other: _____

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

6-30-21

Date



Owner

6-30-21

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

Hardwick

6-30-21

1401 Halibut Point Road

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT SUPPLEMENTAL APPLICATION FORM VARIANCE

APPLICATION FOR

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

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

We are planning to build our permanent home on this property. It is a waterfront property and we naturally want to take full advantage of the ability to enjoy the access to the waterfront as well as the views afforded from the property. The views as well as the southern light will be obstructed if the house is placed further back from the waterfront side (rear lot line). For this reason, we are asking if we can move the house further toward the waterfront, making it a zero setback in just one corner of the lot.


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

- TRAFFIC none
- PARKING none
- NOISE none
- PUBLIC HEALTH AND SAFETY none
- HABITAT none
- PROPERTY VALUE/NEIGHBORHOOD HARMONY This home will enhance the values of all properties around it, and will harmonize beautifully with the existing structures in the area. There will be no deleterious affect on the properties around it.
- COMPREHENSIVE PLAN See attached home plans and site plan

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. Explain the special circumstances:*
This lot is a long, narrow lot abutting the tidelands on the rear lot side. The topography of the neighboring lots is such that the placement of the home 8' back from the rear lot line obscures some views as well as southern light (on the lot 5 side). Additionally, we are finding it difficult to have enough room for cars to make the turnaround in the driveway due to a stand of tall old growth trees that we do not want to cut down. We also cannot let the driveway go into the wetlands part of the lot, thus limiting the space for the vehicle turnaround. Additionally, that portion of Lot 5 that is adjacent to the zero lot setback is not developable due to wetlands.
- 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. Explain the use/ enjoyment this variance enables:*
Allowing the zero rear lot setback in one corner of the lot will allow better light for the home, as well as better views, and will assist in allowing enough room for cars to make the turnaround in circular driveway, thus enhancing the utility of the home. There are no structures or existing properties that would be impacted by this placement of the home.
- c. *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. Initial Here* 

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. My request should be considered a minor zoning variance because:* _____
- b. *The granting of the variance furthers an appropriate use of the property. Explain the use or enjoyment this variance enables:* _____
- c. *The granting of the variance is not injurious to nearby properties or improvements. Initial Here* _____

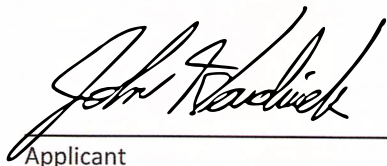

Platting Variance (Sitka General Code 21.48.010)

- a. A variance from the requirements of this title may be granted only if the planning commission finds that 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. **Explain the conditions of the lot that warrant a variance:** _____

- b. The granting of a platting variance will not be detrimental to the public safety, or welfare, or injurious to adjacent property. **Initial Here** _____

ANY ADDITIONAL COMMENTS _____

We are cooperating with our neighbor at Lot 1, Kris Pearson, to ensure that we have mutual privacy and access to waterfront.

 
Applicant

6-30-21
Date

Hardwick
Last Name

6-30-21
Date Submitted

Halibut Point Road
Project Address

General Application

Brief Description:

Requesting variance to allow for zero rear lot setback in one corner on waterfront side of 1401 Halibut Point Road, and about 3.5' into the setback on the other corner, to be able to position new home closer to the waterfront side of the lot and to provide for sufficient room for vehicle turnarounds in driveway.

Variance Application

Rationale:

We are planning to build our permanent home on this property. It is a waterfront property and we naturally want to take full advantage of the ability to enjoy the access to the waterfront as well as the views afforded from the property. The views as well as the southern light will be obstructed if the house is placed further back from the waterfront side (rear lot line). For this reason, we are asking if we can move the house further toward the waterfront, making it a zero setback in just one corner of the lot.

Property Value

This home will enhance the values of all properties around it, and will harmonize beautifully with the existing structures in the area. There will be no deleterious affect on the properties around it.

Findings

a.

This lot is a long, narrow lot abutting the tidelands on the rear lot side. The topography of the neighboring lots is such that the placement of the home 8' back from the rear lot line obscures some views as well as southern light (on the lot 5 side). Additionally, we are finding it difficult to have enough room for cars to make the turnaround in the driveway due to a stand of tall old growth trees that we do not want to cut down. We also cannot let the driveway go into the wetlands part of the lot, thus limiting the space for the vehicle turnaround. Additionally, that portion of Lot 5 that is adjacent to the zero lot setback is not developable due to wetlands.

b.

Allowing the zero rear lot setback in one corner of the lot will allow better light for the home, as well as better views, and will assist in allowing enough room for cars to make the turnaround in circular driveway, thus enhancing the utility of the home. There are no structures or existing properties that would be impacted by this placement of the home