

**City and Borough of Sitka  
PLANNING AND ZONING COMMISSION  
Minutes of Meeting  
July 3, 2007**

**Present:** Don Alexander, Brian McNitt, Richard Parmelee, Larry Crews, Planning Director  
Wells Williams, Planner Sara Russell, and Secretary Maria Finkenbinder

**Absent:** Jeremy Twaddle

**Members of the Public:** Bert Stromquist, Andy Miller (Sentinel)

The Chair called the meeting to order at 7:00 pm.

**Consideration of Minutes from the June 19<sup>th</sup>, 2007 meeting:**

**MOTION:** **M/S Crews/McNitt** moved to approve the minutes from the June 19<sup>th</sup>, 2007 meeting.

**ACTION:** Motion **PASSED 4-0** on a voice vote.

The evening's business:

**MINOR SUBDIVISION – CONCEPT PLAT  
TO CREATE TWO ADDITIONAL LOTS  
TRACT B AND A PORTION OF TRACT C OF ASLS 79-4.  
NORTH BENCHLANDS  
CITY AND BOROUGH OF SITKA**

*Public hearing and consideration of a final plat for a minor subdivision to create three additional lots in Tract B and a portion of Tract C of ASLS 79-4. The properties are commonly known as the North Benchlands and are owned by the City and Borough of Sitka.*

Mr. Williams told the Board that there has been a slight modification to the plat since the June 5<sup>th</sup> meeting. Instead of a two-lot subdivision, it will be a three-lot subdivision with the third lot (33,460 square feet) bordering the properties on the backside of Bahovec Court. He explained that he was contacted by Bahovec Court property owner Valorie Nelson who expressed her concern as well as her neighbors about wanting to have the chance to purchase the land behind their respective properties for possible rear-lot expansion. Mr. Williams pointed out that Planning staff don't see the downside in trying to accommodate the neighbors' request and if the Bahovec Court property owners decide not to purchase it, it will end up merged with lot 1.

On Mr. Crews' question if the property owners would only want to buy a portion of the third lot, Mr. Williams stated that there is still value to the municipality since it would accommodate the utility path to come up to the subdivision. He also raised the possibility of a clause to set aside a portion of the parcel for utility easement.

Mr. McNitt remarked that it is a good idea for the City to work with the Bahove Court residents and reserve the options for the next round with the assumption that the parcels will be sold at market value.

**MOTION:** **M/S Crews/McNitt** moved to approve the final plat for a minor subdivision to create three additional lots in Tract B and a portion of Tract C of ASLS 79-4. The properties are commonly known as the North Benchlands and are owned by the City and Borough of Sitka.

**ACTION:** Motion **PASSED 4-0** on a voice vote.

**VARIANCE REQUEST  
REDUCTION OF FRONT SETBACK TO 15 FEET  
FOR A ROOF ALONG THE FRONT OF THE HOME  
BERT STROMQUIST  
1601 SAWMILL CREEK ROAD**

*Public hearing and consideration of a variance request for 1601 Sawmill Creek Road to reduce the front setback facing Wolff Drive to 15 feet for a roof along the front of the home. This request is filed by Bert Stromquist. The property is also known as Lot 20 of the Ted Wolff Subdivision.*

Ms. Russell briefly walked the Board through the request, pointing out that the home was originally built circa 1950, before the Zoning Code was enacted. She said the applicant is in the process of remodeling the porch on the front portion of their home – replacing the existing porch and extending it towards the east side of the home or the Wolff Drive side to cover the width of the house.

Mr. Stromquist stepped forward to explain briefly his project and clarified that no work is being done in the rear portion of the house.

Mr. McNitt raised two issues: (1) He is not sure what would be the justification for the granting of the variance. (2) It looks like the roofs are already done.

Mr. Stromquist said that they started work on the roof but quit before they reached the required setback. He explained that they have experienced water leaks and would need the roof to extend a tiny bit further on to the setback. Planning staff confirmed that the variance will just be for narrow corner of the house.

**MOTION:** **M/S Crews/Parmelee** moved to approve the variance request for 1601 Sawmill Creek Road to reduce the front setback facing Wolff Drive to 15 feet for a roof along the front of the home. This request is filed by Bert Stromquist. The property is also known as Lot 20 of the Ted Wolff Subdivision.

**ACTION:** Motion **PASSED 4-0** on a voice vote.

**MOTION:** **M/S McNitt/Crews** moved to adopt the following findings in support of the approval of the request:

- (1) That it is a minor encroachment to existing setbacks;
- (2) That there are special circumstances to the intended use that do not apply generally to the other properties, specifically the irregular shape of the lot with a width of 65 feet in the rear and less than 80 feet in front which makes it a substandard lot;
- (3) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels or public infrastructure, and
- (4) That the granting of the variance will not adversely affect the comprehensive plan.

**ACTION:** Motion **PASSED 4-0** on a voice vote.

**PLANNING DIRECTOR'S REPORT**

The Planning Director told the Board that they will have two items on next meeting's agenda: (1) Blades request, and (2) Discussion on code enforcement.

*Blades Request*

Mr. Williams informed the members that the Blades request will be back on the Board's July 17<sup>th</sup> agenda, stressing that it is important for Mr. Blades to be present at the meeting. He said Mr. Blades confirmed his attendance for the said meeting with Ms. Russell. He also told the Board that the Planning Office heard from

the City Attorney and the City Administrator who both thought that adjourning the June 19<sup>th</sup> meeting after Mr. Blades walked was premature. Both said that other members of the public who came to the meeting should have been given the full opportunity to participate. Mr. Williams said that he took full responsibility for cutting the meeting short, adding that it is a rare occurrence that an applicant walks out.

Mr. McNitt concurred with the City Attorney and City Administrator, saying that if the applicant decides to leave, it is the Board's responsibility to go ahead and vote on the request based on the information available.

#### *Code Enforcement*

Mr. Williams also told the Board that the Planning Office is monitoring a handful of properties that received complaints from neighbors. In the next meeting, he will lay the issues out for the Board to start a broad-based discussion on what it would take to build a framework for code enforcement.

#### *Rivett Requests*

In response to Mr. McNitt's query about the status of the Rivett requests, Mr. Williams said that the Assembly's action eliminated the need for Mr. Rivett to come before the Planning Commission. On the height variance, Mr. Williams related Mr. Pearson's statement during the Assembly meeting that if he gets the Assembly action that he sought, Mr. Rivett will do the project within the maximum height allowed by the Code.

#### *Mr. McNitt's Absence*

Mr. McNitt informed the Board that he will miss four consecutive meetings in August and September. Mr. Williams said that it will be strictly up to the Board to discuss.

### **PUBLIC BUSINESS FROM THE FLOOR - NONE**

#### **ADJOURNMENT**

**MOTION:**        **M/S McNitt/Crews** moved to adjourn.

**ACTION:**        Motion **PASSED 4-0** on a voice vote.

The meeting adjourned at 7:25 pm.

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Chair, Don Alexander

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Secretary, Maria Finkenbinder