

**City and Borough of Sitka
PLANNING AND ZONING COMMISSION
Minutes of Meeting
November 20, 2007**

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

Members of the Public: Pete Jones, Susan Padilla, Craig Giammona (Sitka Sentinel), Robert Woolsey (Raven Radio)

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

Consideration of Minutes from the November 6th, 2007 meeting:

MOTION: M/S Crews/Twaddle moved to approve the minutes from the November 6th, 2007 meeting.

ACTION: Motion **PASSED unanimously** on a voice vote.

The evening's business:

**FINAL PLAT
14-LOT PLANNED UNIT DEVELOPMENT
140 GRANITE CREEK ROAD
PETE JONES**

Public hearing and consideration of a final plat for a 14-lot planned unit development at 140 Granite Creek Road. The request is filed by Pete Jones. The property is also known as Lot 2 of the Lower Granite Creek Subdivision.

Mr. Williams reviewed the six plat notes that the Board approved in the previous meeting. To wit:

1. No variances shall be granted in the future from the setbacks outlined in the table above for any structure, deck, or extension above 30" in height, eaves, or, other extensions.
2. On street parking in the cul-de-sac is prohibited.
3. Access to Granite Creek Road from the north side of Lots 1 and 14 is prohibited. The lots shall use the street within the subdivision to access to and from Granite Creek Road.
4. Property owners shall be aware that the parcels and surrounding areas have public, commercial, and industrial zoning. There are heavier uses on those properties that are consistent with those zoning classifications and the number of those heavier uses may increase as those parcels continue to develop.
5. Zero lot lines may be allowed on lots 4 and 5.
6. Front setbacks for all parcels may be 18 feet with all other standards apply.

He brought up Mr. Crews' concern regarding the potential for a 10-foot setback for Lots 1 and 14 considering that Granite Creek Road is an 80-foot right of way. By Code, if 80-foot-wide ROW exists, then the required property-line to building setbacks are reduced from 20 feet to 10 feet. To maintain a clear line of sight at the intersection, he suggested adding another plat note that would require a setback of 15 feet or greater.

Mr. Jones stated that though it might present some limitations to the two lots, he did not have any objections to the proposed additional plat note.

Mr. McNitt thanked the applicant for pursuing the project and working with the Commission in meeting the standards for a planned unit development. He also cited the importance of the project to the community. Mr.

Williams similarly commended Mr. Jones for his willingness to accept suggestions from the Board, adding that the applicant has been exceptionally patient in going along with what the Board wants.

MOTION: M/S **McNitt/Twaddle** moved to approve the final plat for a 14-lot planned unit development at 140 Granite Creek Road with the recognition that plat note #6 be amended to read as: "Front setbacks for all parcels may be 18 feet, SETBACKS FROM GRANITE CREEK ROAD FOR LOTS 1 AND 14 MUST BE 15 FEET OR GREATER, and all other setbacks and standards apply."

ACTION: Motion **PASSED unanimously** on a voice vote.

Mr. Williams said that the final plat will be on the Assembly's agenda on December 11th.

**VARIANCE REQUEST
FRONT SETBACK REDUCTION TO 11 FEET
TO EXTEND CURRENT ROOF LINE
312 WORTMAN LOOP
SUSAN PADILLA**

Public hearing and consideration of a variance request filed by Susan Padilla for 312 Wortman Loop. The request is for a front setback reduction to 11 feet to extend the current roof line across the front of a house for covered areas over the main doors. The property is also known as Lot 4 Block 2, Cascade Creek Subdivision.

Ms. Russell briefly explained the request which was a reduction of the front setback to 11 feet that would allow the applicant to extend the current roof line across the front of her house and cover the areas over the main doors. She pointed out that a variance was granted in 1981 allowing the front setback to be reduced to 10 feet for the construction of the home. In 1995, the applicant replaced the existing front deck at the time and added a ramp on the front of the home to make it handicap accessible. This did not require a variance request since it was considered an allowable structure in the yard.

Responding to Mr. McNitt's query, Ms. Russell clarified that there is a foot difference between the deck's railing and the edge of the roof. The roof won't cover the entire deck.

Ms. Padilla told the Board that the roof would provide a cover over the door and portions of the deck and protect it from the elements. She also stated that the house was built on the only portion of the lot that is buildable. Mr. Williams agreed that the applicant's property is a terrain-challenged lot.

MOTION: M/S **McNitt/Crews** moved to approve the variance request filed by Susan Padilla for 312 Wortman Loop. The request is for a front setback reduction to 11 feet to extend the current roof line across the front of a house for covered areas over the main doors. The property is also known as Lot 4 Block 2, Cascade Creek Subdivision.

ACTION: Motion **PASSED unanimously** on a voice vote.

MOTION: M/S **Twaddle/Crews** moved to approve the following findings in support of the approval of the variance request:

1. The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions;
2. The granting of the variance is not injurious to nearby properties or improvements due to the large sizes of the lots on Wortman Loop, and
3. The granting of the variance furthers an appropriate use of the property by improving the deck and associated doorways.

ACTION: Motion **PASSED unanimously** on a voice vote.

**REVISED TIDELANDS PLAT
FOR ALASKA TIDELANDS SURVEY (ATS) 242
CITY AND BOROUGH OF SITKA**

Public hearing and consideration of a revised tidelands plat for ATS 242 filed by the City and Borough of Sitka. The tidelands are located seaward of 2502 Sawmill Creek Road and are currently leased.

Mr. Williams explained that this particular tidelands lease area was one of the tidelands conveyed from the State of Alaska to the City and Borough of Sitka but were recently found to be defective or not conforming to State standards. He said the current tidelands plat was revised by O'Neill Surveying in accordance with State standards. The revision increased the lease area from three acres to four acres, which would mean that the current lessee, Dr. Paul White, will have to pay more for the tidelands lease and property taxes. However, Dr. White has the option to decrease his lease area.

MOTION: M/S **McNitt/Crews** moved to approve the revised tidelands plat for ATS 242 filed by the City and Borough of Sitka. The tidelands are located seaward of 2502 Sawmill Creek Road and are currently leased.

ACTION: Motion **PASSED unanimously** on a voice vote.

PLANNING DIRECTOR'S REPORT

Mr. Williams told the Board that next meeting's agenda will include the Dove Island Conditional Use Permit applications and a conditional use permit for a deli in one of Tom Mattingly's condominium units on Smith St. He said he does not anticipate any action on the Dove Island application in the next meeting, adding that the Board needs to spend two to three meetings before making any decision. He also cautioned the members about ex-parte contact and suggested that they conduct a site visit as a group which will be advertised. He pointed out that the applicant and his lawyer have submitted what was requested from them and now have a clear application.

Mr. McNitt requested that the Dove Island documents be made available to the members in advance. In addition, he also requested to include on the Board's future agenda and packet, a letter from Sue Litman regarding recreational cabins and a copy of the City Administrator's response to the said letter.

Mr. Williams mentioned that on December 18th, the Board is slated to discuss code enforcement issues. Ms. Litman's letter would likely be part of the agenda.

ADJOURNMENT

The meeting adjourned at 7:25 pm.

Chair, Don Alexander

Secretary, Maria Finkenbinder