

# *City and Borough of Wrangell, Alaska*

## WRANGELL PLANNING AND ZONING COMMISSION

November 10, 2016

7:00 pm

### Agenda

#### A. CALL TO ORDER/ROLL CALL

#### B. AMENDMENTS TO THE AGENDA

#### C. APPROVAL OF MINUTES: September 8, 2016; October 13, 2016

#### D. PERSONS TO BE HEARD

#### E. CORRESPONDENCE

#### F. OLD BUSINESS

1. Request to purchase Borough owned tidelands adjacent to zoned Waterfront Development, requested by Ruth Stough
2. Non traditional Housing issues: Cottage Houses, Tiny Houses, Yurts, stick built trailer type houses

#### G. NEW BUSINESS

1. Request from Trident Seafoods Corporation to purchase the Belt Freezer property and building.
- Pub Hrg 2. Variance application for a back yard and side yard setback reduction for a cabin on Lot 1-B2, GIHP Resubdivision, zoned Single Family Residential, requested by Charles and Pam Haubrich. (DEFERRAL requested by applicant as he will be out of town for medical)
3. Discussion of Etolin Ave lots for Sale

#### H. PUBLIC COMMENT

#### I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

#### J. ADJOURNMENT

# *City and Borough of Wrangell*

## AGENDA F-1

Date: November 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request to purchase filled City tidelands in the unsubdivided portion of Lot 15, Block 12A, USS 1119 adjacent to Lots 1-5, Block 12A USS 1119 which the applicant owns and are zoned Waterfront Development, requested by Ruth Stough, Stough Family Trust, tidelands owned by the City and Borough of Wrangell

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**Background:** The Stough Family Trust is requesting to purchase filled tidelands waterward of the uplands and tidelands that they own adjacent to the ferry terminal. The Tidelands are currently owned by the City and Borough of Wrangell. There is a barge ramp at the north end of the tideland area which is utilized by the applicant.

In July 2015, Mr. Woodbury requested to purchase tidelands adjacent to this filled area. That request was denied in part because Mr. Woodbury's proposal could prohibit access to the barge ramp area of the filled tidelands. Mr. Woodbury and the Stough's were to try and work out a solution to provide access to both properties.

**Findings:** This was placed on the Planning and Zoning Commission agenda for the September meeting by an Amendment to the Agenda. The request had come in the day before the meeting and Staff had not had a chance to review it properly. At the October meeting, there was some minimal discussion, but a site visit had been requested with the Port Commission so the discussion in detail was deferred. While the request seems like a logical request, there are potential access issues for the Stough's and Mr. Woodbury associated with selling these tidelands. Added to this the rights and concerns of the Alaska Marine Highway several options should be considered.

The Port Commission reviewed the request at their October meeting but held off on a recommendation because of access concerns. We do not have current aerial photos showing the extent of the new fill adjacent to the Stough's property. The Port Commission wanted a site visit and Greg Meissner and I discussed having a joint site visit with both property owners present in order to discuss various options eliminate access conflicts. Unfortunately the site visit was not able to happen due to everyone's travel schedules. The Port Commission will be reviewing this on the November 9<sup>th</sup>.

Primary concern is to conserve the access to both properties. Should the Borough sell the tidelands, the ability to provide some sort of assurance of fair use of the tidelands between land owners is lost. However, it makes sense that the filled tidelands should be purchased by the upland owner as they are the only ones that have access to the property. Some options include and we are considering others:

- 1) Tideland lease, such that shared tideland access for both barge ramps is provided for in the lease

- 2) Sell the tidelands. Allow for public bid process.
- 3) Sell the tidelands and revisit Woodbury request to purchase tidelands in front of his property – perhaps only 30 feet of the 60 foot width to preserve access by both parties.
- 4) Deny the sale

The Planning and Zoning Commission is making a recommendation to the Assembly.

# CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 100 feet  
Date: 9/7/2016

## Public Map

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.  
PROPERTY LINES ARE APPROXIMATE.



# MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** Kim Lane  
Borough Clerk

**SUBJECT:** Request to purchase City Tidelands

**DATE:** September 7, 2016

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I have received a request from Ruth Stough to purchase City Tidelands. Specifically adjacent to their property which is Block 12a, Lots 1-5. Please consider the sale at your next regular meeting and respond with any concerns or approval to move forward.

encl: Request from Ruth Stough


City and Borough of Wrangell

September 7, 2016

This letter is to request the purchase, from the City, the tidelands portion adjacent to the properties we own in Block 12A, Lots 1-5. The tidelands area that is the city's is land-locked, with access to it only through our property. It is an area that was overfilled into city tidelands when the property was developed and we would like to square up our property.

We look forward to hearing from you.

Sincerely,



Ruth Stough, trustee  
Stough Family Trust

738-7884

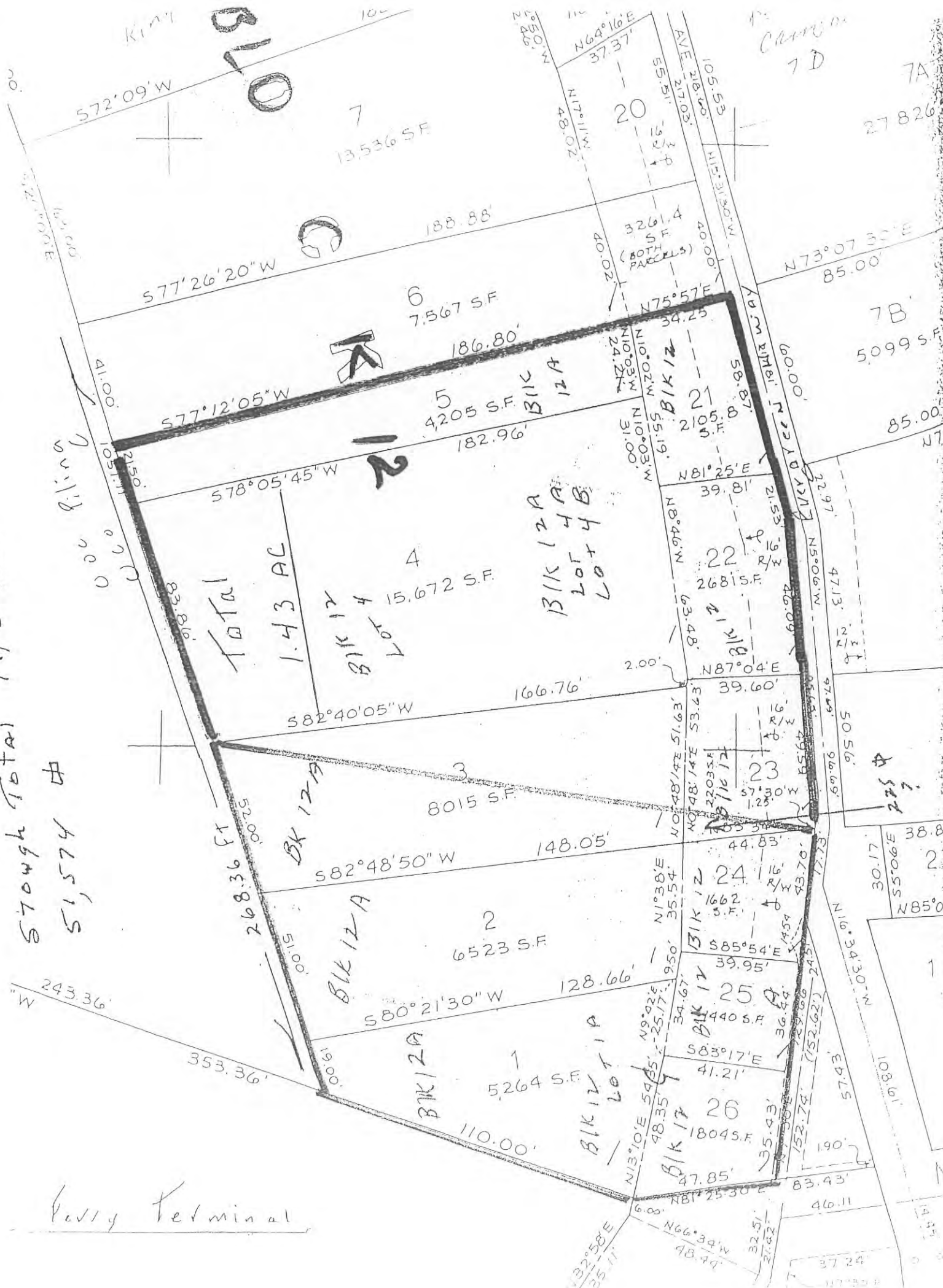
~~Box~~

rstough@ymail.com

Stough Total  
51,574

1.10 ac.

Ferry Terminal



Kim  
B1019

Carroll  
7D  
7A  
27826

7B  
5099 S.F.  
85.00

23  
57.30 S.F.  
123.30 W

24  
1662 S.F.  
585.54 E

25  
440 S.F.  
583.17 E

26  
1804 S.F.  
583.17 E

Total  
1.43 AC

Bik 12  
Lot 1  
15,672 S.F.

Bik 12A  
Lot 4A  
Lot 4B

5  
4205 S.F.  
Bik 12A

6  
7,567 S.F.

3  
8015 S.F.

2  
6523 S.F.

1  
5264 S.F.

243.36 W

353.36

572.09 W

577.26'20" W

577.12'05" W

578.05'45" W

582.40'05" W

582.48'50" W

580.21'30" W

110.00'

188.88'

186.80'

182.96'

166.76'

148.05'

128.66'

47.85'

N64°16'E  
37.37'

N17°11'W  
20.84'

N75°57'E  
34.25'

N110°02'W  
31.00'

N110°03'W  
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N103.00 W  
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N73°07'30"E  
85.00'

N81°25'E  
39.81'

N87°04'E  
39.60'

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30.17

57.43

46.11

37.24

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# *City and Borough of Wrangell, Alaska*

## Agenda F-2

Date: November 5, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Tiny Homes, Cottages, Yurts

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### **WORKSHOP at 6:30PM November 10, 2016**

This memo and information is an introductory discussion of Tiny Homes, Cottages, Yurts to identify for the Commission some of the inquiries and issues that staff are discussing, and to obtain some direction or interest for future discussions.

What has prompted this discussion?

- 1) Institute Master Plan includes a development area for tiny homes/small cottages – sharing parking, common area and reducing lot size requirements.
- 2) Inquiries by several individuals about the construction of yurts in Wrangell.
- 3) Inquiries about tiny homes (on wheels or off) and where are they permitted
- 4) Staff acknowledging changes in building options and needing further education as to zoning or building code compliance

Some basic sites for starters if you feel up to exploring these issues:

Fact Sheet from the State of Minnesota on Tiny Houses:

<http://americantinyhouseassociation.org/wp-content/uploads/2016/08/Minnesota-Tiny-House-Fact-Sheet.pdf>

By Becky Kemery, excerpt from Yurts: Living in the Round

<http://www.yurtinfo.org/yurts-and-building-codes>

<http://americantinyhouseassociation.org/>

Some of the issues include:

Temporary vs. permanent use

Accessory vs primary use

Permanent foundations

Building code requirements

Standards as to floor size, sewer/water, kitchen, toilets

There are many more valuable websites. If you find one you think provides great information, please email it to me. I am developing a list of sites and can add it to the spreadsheet.



# *City and Borough of Wrangell, Alaska*

G-1

Date: November 5, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request from Trident Seafoods Corporation to purchase the belt freezer property and building

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## **Background:**

Trident Seafoods Corporation has a contract with the City leasing the Belt Freezer building and equipment. The City receives approximately \$15,000 annually from the lease fee. The equipment is not currently used by Trident because they have better freezing equipment within their existing facility.

Borough Manager Jeff Jabusch's attached memo identifies additional information regarding an appraisal that was conducted and the Code requirement for the Borough to sell the property and building. The Commission needs to review certain factors when making their recommendation to the Assembly whether to sell the building and land to Trident Seafoods or not.

The following page summarizes the points that the Planning and Zoning Commission, along with the Economic Development Committee and Port Commission should consider in their findings and recommendation to the Assembly.

**CONSIDERATION OF TRIDENT REQUEST TO PURCHASE BELT FREEZER  
BUILDING AND LAND:**

Per Wrangell Municipal Code, to dispose of land for economic development purposes, the following, at a minimum, should be considered.

***Each Committee should address the 7 factors below when making their recommendation to the Assembly***

In determining the best interests of the borough under this section, the assembly may consider any relevant factors, which may include:

1. The desirability of the economic development project;
2. The actual or potential economic benefits to the borough, its economy and other businesses within the borough;
3. The contribution of the proponent to the economic development project in terms of money, labor, innovation, expertise, experience and otherwise;
4. The business needs of the proponent of the project in terms of integration into existing facilities and operations, stability in business planning, business commitments, and marketing;
5. Actual or potential local employment due to the economic development project;
6. Actual and potential enhancement of tax and other revenues to the borough related to the project; and
7. Existing and reasonably foreseeable land use patterns and ownership.

## Carol Rushmore

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**From:** Jeff Jabusch <manager@wrangell.com>  
**Sent:** Thursday, October 06, 2016 9:13 AM  
**To:** ecodev@wrangell.com; harborgreg@aptalaska.net  
**Subject:** Belt Freezer sale draft  
**Attachments:** Belt Freezer sale draft.docx

Greg and Carol,

Please put the attached memo on your agendas for the Port Commission, Planning and Zoning Commission and the Economic Development Committee. Trident Seafoods has offered to purchase the belt freezer building and land it sits on for the price of \$950,000. The Borough Assembly has authorized me to move this process through the necessary steps to accomplish this. One of the requirements if being sold under the disposition of land without public bid for economic reasons requires each of the boards list to discuss this per the code guidelines and provide any recommendations to the assembly. If we could get this on your November meetings, that would work great.

Let me know if you have questions.

Jeff

October 5, 2016

To: Planning and Zoning Commission  
Port Commission  
Economic Development Committee

From: Jeff Jabusch, Borough Manager

Subject: Sale of the Borough's Belt Freezer Building to Trident Seafoods

**History and Background:**

The Belt Freezer building was built in the mid-2000's with the assistance of a state grant and with some city funds. The purpose of the grant and the building was to help enhance the seafood industry. Once it was built, the facility was leased first to Wrangell Fisheries and now to Trident Seafoods. Over the last few years the facility has been used less and less for its original purpose because Trident has more efficient ways to freeze product within their own plant.

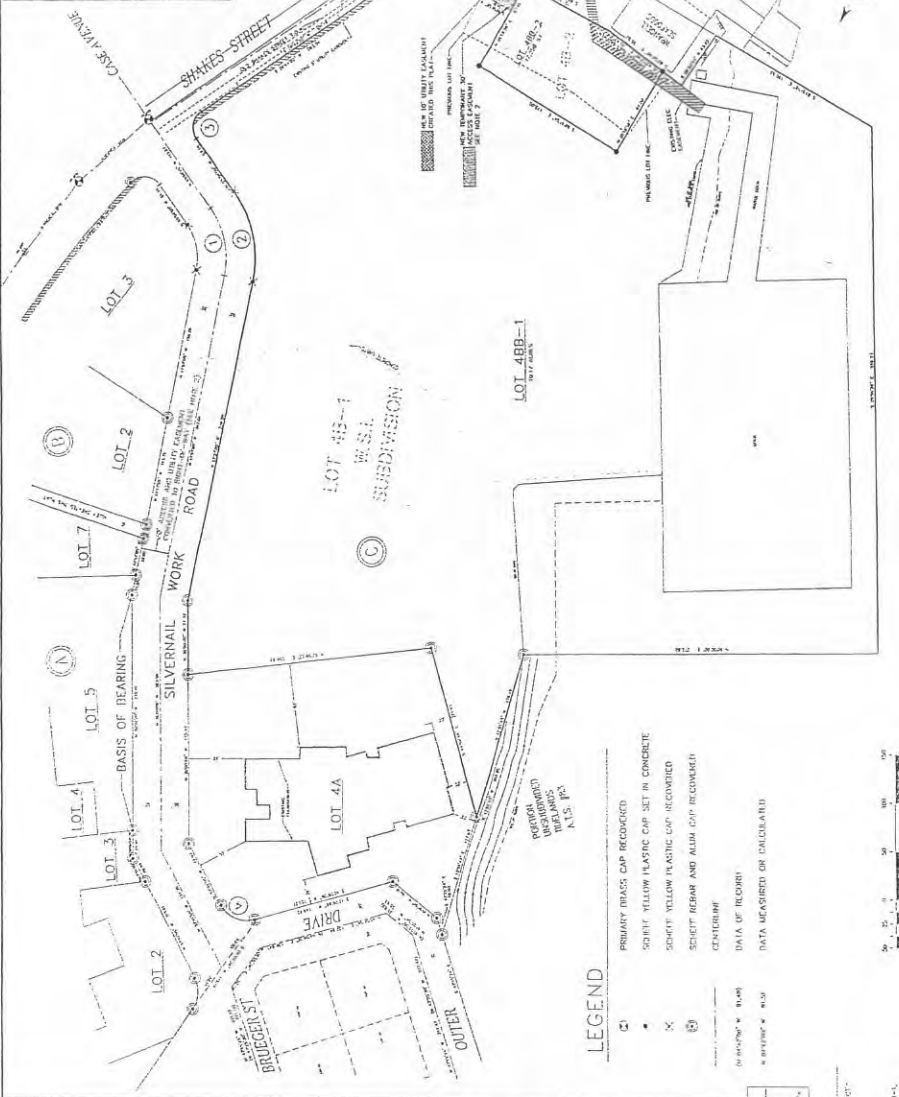
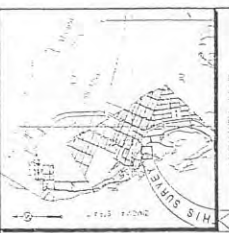
In June of 2016, Trident Seafoods presented an offer to the borough to purchase the facility at the appraisal price of \$950,000. We had a review of the independent appraisal by our own assessor and we also had the opportunity to ask the appraiser questions about the appraisal. Staff feels satisfied that we have done our due diligence and that the appraisal price is the fair market price. The Assembly authorized the borough manager to proceed with the process to sell the property to Trident Seafoods.

The Borough receives about \$15,000 per year on the current lease. The continued purpose of the facility if sold would be to enhance the Seafood industry as per the original grant. The granting agency does not have any objections about this proposed sale. The funds, if sold, would likely go to other economic development projects, although that would be for a later discussion by the assembly.

In order to sell the property to Trident Seafoods without a public bid process, we are required to adhere to Wrangell Municipal Code 16.12.012. This is titled "Disposition of real property for economic purposes". Per this section, the sale directly to Trident is allowed if the value of the land is less than \$1,000,000.

Section D of this section requires that the request be sent to the Planning and Zoning Commission, the Port Commission and the Economic Development Committee for their comments and recommendations that will then be forwarded on to the Borough Assembly for the final determination. The Borough Assembly is required to have a public hearing where all comments and public testimony is heard. Following the hearing, the assembly will decide if the sale of this property to Trident Seafoods is in the best interest of the borough. The Borough Assembly will consider the items in 1612.012 (B) below and the various comments from the boards and the public to make this decision.

*property tax info*

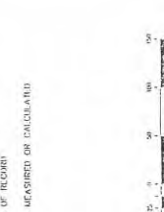


PROJECT: **W.S.I. SUBDIVISION II**  
 THE REBUDIVISION OF LOT 4B-1 AND 4B-2, BLOCK C,  
 W.S.I. SUBDIVISION, CREATING LOTS 4B-1 AND 4B-2,  
 BLOCK C  
 WYOMING, RECORDING DISTRICT  
 CLIENT: JIM WANGSHELL  
 JUN 25, 2003  
 WILMINGTON, ALASKA 99571

**GREG SCHEFF & ASSOCIATES**  
 LAND SURVEYORS  
 BOX 1331 WYOMING, ALASKA 99529  
 PHONE (907) 874-2077  
 FAX (907) 874-2987



- LEGEND**
- ① PRIMARY PEGAS CAP RECORDED
  - ② SIGHT YELLOW PLASTIC CAP SET IN CONCRETE
  - ③ SIGHT YELLOW PLASTIC CAP RECORDED
  - ④ SIGHT REBAR AND ALUM CAP RECORDED
  - ⑤ CENTERLINE
  - ⑥ DATA OF RECORD
  - ⑦ DATA ACQUIRED OR CALCULATED



**GENERAL OF SURVEY AND RECORDS**  
 I, the undersigned, being duly qualified and licensed as a Professional Land Surveyor in the State of Alaska, do hereby certify that I am a registered engineer, licensed in the State of Alaska, and that I have prepared this plan, a survey of the land shown hereon, and that this plan is a true and correct representation of the facts and conditions of said survey, and that all bearings and other data shown hereon were obtained by direct observation and measurement in the field.

**GENERAL OF SURVEY IN THE CONCORD**  
 I, the undersigned, being duly qualified and licensed as a Professional Land Surveyor in the State of Alaska, do hereby certify that I am a registered engineer, licensed in the State of Alaska, and that I have prepared this plan, a survey of the land shown hereon, and that this plan is a true and correct representation of the facts and conditions of said survey, and that all bearings and other data shown hereon were obtained by direct observation and measurement in the field.

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**PLAT NOTES**

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. ALL BEARINGS ARE TRUE BEARINGS.
3. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
4. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.
5. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.

**DATE:** 06/25/03  
**BY:** GREG SCHEFF  
**TITLE:** SURVEYOR  
**SCALE:** AS SHOWN  
**PROJECT:** W.S.I. SUBDIVISION II  
**DATE OF PLAN:** 06/25/03  
**SCALE:** AS SHOWN

**REVISIONS:**  
 1. 06/25/03  
 2. 06/25/03  
 3. 06/25/03  
 4. 06/25/03  
 5. 06/25/03

**Questions before the boards:**

Please review Wrangell Municipal Code below and based on items 16.12.012 (B)(1 through 7) and other factors you feel relevant, provide comment back to the assembly to assist them in making a final decision.

**16.12.012 Disposition of real property for economic development purposes.**



A. In the exercise of the borough's economic development powers, the assembly may determine, in its sole discretion, that it is in the best interest of the borough to dispose of borough-owned real property, including tidelands, or any interest therein, which interest has a value of \$1,000,000 or less (as determined by the borough assessor or a qualified appraiser), without requests for proposals or sealed bid procedures and at less than fair market value.

B. In determining the best interests of the borough under this section, the assembly may consider any relevant factors, which may include:

1. The desirability of the economic development project;
2. The actual or potential economic benefits to the borough, its economy and other businesses within the borough;
3. The contribution of the proponent to the economic development project in terms of money, labor, innovation, expertise, experience and otherwise;
4. The business needs of the proponent of the project in terms of integration into existing facilities and operations, stability in business planning, business commitments, and marketing;
5. Actual or potential local employment due to the economic development project;
6. Actual and potential enhancement of tax and other revenues to the borough related to the project; and
7. Existing and reasonably foreseeable land use patterns and ownership.

C. Prior to disposal under subsection (A) of this section, the assembly shall hold a public hearing. The borough clerk shall publish notice of the public hearing in a newspaper of general circulation in the borough at least 14

days prior to the hearing. The notice shall include the date, time and place of the hearing, and general or legal description of the real property or interest, and the proposed disposition and its purpose.

D. Following the hearing, and with comments/recommendations from the port commission, the planning and zoning commission, and the economic development committee, the assembly may authorize disposition of the real property or interest therein by resolution.

E. Where the acquisition of the real property or any interest therein or the construction of a permanent improvement has been approved by the voters at an election, the disposition of such property, interest or improvement under this section by sale, trade or lease for a term exceeding five years shall be made only by authority of an ordinance ratified by a majority of the qualified voters of the borough who vote upon the question. For purposes of this subsection, the term of any such lease shall include the terms of all options to extend or renew the lease. The requirements of this subsection do not apply where the voter approval involved was in the form of authorizing the issuance of bonds to finance the acquisition of the real property or any interest therein or the construction of a permanent improvement. [Ord. 781 §§ 1, 2, 2006; Ord. 756 § 1, 2004.]

# CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 150 feet  
Date: 11/1/2016

## Public Map

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.  
PROPERTY LINES ARE APPROXIMATE.





# *City and Borough of Wrangell, Alaska*

## Agenda G2

Date: November 4, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Variance application for a back yard and side yard setback reduction for a cabin on Lot 1-B2, GIHP Resubdivision, zoned Single Family Residential, requested by Charles and Pam Haubrich. (DEFERRAL requested by applicant as he will be out of town for medical)

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**Back ground:** The applicant reconstructed an existing cabin for short term rental but encroached within the side and back yard (shoreline) setback.

Mr. Haubrich requested I hold the public hearing notice until the December 2016 meeting because of his plans to be on medical leave but I forgot to postpone and mistakenly noticed the hearing. Because the hearing was noticed, the hearing should be opened, testimony should be accepted, but then the Commission should continue the hearing until the next regularly scheduled meeting, December 8, 2016. Discussion would not occur until the December meeting.

**Review Criteria:**      Single Family District: Chapter 20.16  
                                 Standards: Chapter 20.52  
                                 Variance: Chapter 20.52.72

### **Findings:**

#### **A Variance application must meet four criteria:**

1. Exceptional Physical Circumstances:
2. Strict application would result in practical difficulties:
3. That the granting of the variance will not result in prejudice to others, or be detrimental to public health, safety or welfare:
4. Granting of the variance is not contrary to the Wrangell Comprehensive Plan approved June 22, 2010.

### **Recommendation:**

DEFER

11/7/10  
cur



11/7/14 cont



APPLICATION FOR VARIANCE

CITY OF WRANGELL  
PLANNING AND ZONING  
P.O. BOX 531  
WRANGELL, AK 99929  
Application Fee \$50.00

- I. The undersigned hereby applies to the City of Wrangell for a variance.
- II. Description: (use additional paper if necessary)

Legal description of the area requested for the variance LOT 1-B2

Lot (s) size of the petition area Approx 1 acer  
See Attached plat map

Existing zoning of the petition area Residential

Current zoning requirements that cannot be met (setbacks, height, etc.):  
CORNERS OF EVE ON BOATHOUSE ENCROACHES SETBACK

Proposed change that requires this variance Allow corner of eve  
to come within 2 ft of property line

- III. Application information: (use additional paper if necessary)

Explain details of the proposed development See Attached

A variance may be granted only if all four of the following conditions exist:

That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone.

That the strict application of the provisions of this ordinance would result in practical difficulties or unnecessary hardships.

That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.

That the granting of the variance will not be contrary to the objectives of the Comprehensive Plan.

Explain how your application meets these conditions: See Attached

Note: A variance shall not be granted because of special conditions caused by actions of the person seeking relief or for reasons of pecuniary hardship or inconvenience. A variance shall not be granted which will permit a land use in a zone in which that use is prohibited.

A schematic site plat must be attached showing the type and location of all Proposed uses on the site, and all vehicular and pedestrian circulation patterns relevant to those uses.

I hereby affirm that the above information is true and correct to the best of my knowledge. I also affirm that I am the true and legal property owner or the authorized agent thereof for the property subject herein.

CHARLES HAUBRICH PAUL HAUBRICH  
PRINT PETITIONER'S NAME

[Signature] Pam Haubrich  
SIGNATURE (S) OF THE OWNER (S) OF THE LAND IN PETITION AREA

10/5/16  
DATE

238 Berger St.  
ADDRESS

360 393 7352  
TELEPHONE

See Attached  
pgs 5 & 6

See pg 6

①

## NORTHEAST Corner

### Exceptional physical circumstances

1. Original property line was moved closer to this existing building (5 ft) thereby reducing options of egress.
- ② Original wall dimensions of building have not changed
- ③ Only change has been a 2 ft increase in the overhang to cover entrance
- ④ The NE corner of overhang encroaches to within 2 ft of property line
- ⑤ There is a 4 ft-5 ft wide drainage ditch separating the properties
- ⑥ Existing building is far below line of sight i.e. Gorgebickler's house is high up on a hill i.e. there is no obstruction of view
- ⑦ The entrance & porch face away from G. H.
- ⑧ The entire structure diverges at an angle away from the property line thus only approx 1/10 of roof corner encroaches.
- ⑨ This corner of the bathhouse is 50+ ft away from any street  
Strict application of this ordinance would require cutting of corner of roof, reframing trusses & residing all to remove 2 by 2 ft of corner of roof.

See pg 5

2

## Covered Front Deck facing water

- There is the possibility that the N.W. corner of the covered deck comes within 10 ft of the property line that runs along the beach, it is a small portion approx 3' x 3' of the corner of the roof due to the angle of the boat house's position

There are no structures anywhere near

When designing the porch I assumed there was a straight line property line from the shared corner w/ Chris' property to the shared corner of Gigi's property. The shared corner w/ Gigi's property extended way out into Heritage Harbor but by the corner w/ Chris' property it jogs in to meet Chris's corner (see map)

I did not think that a porch here would be an issue as historically this was a boat ramp when it was being used as a boat house

I have highlighted the two corners in question

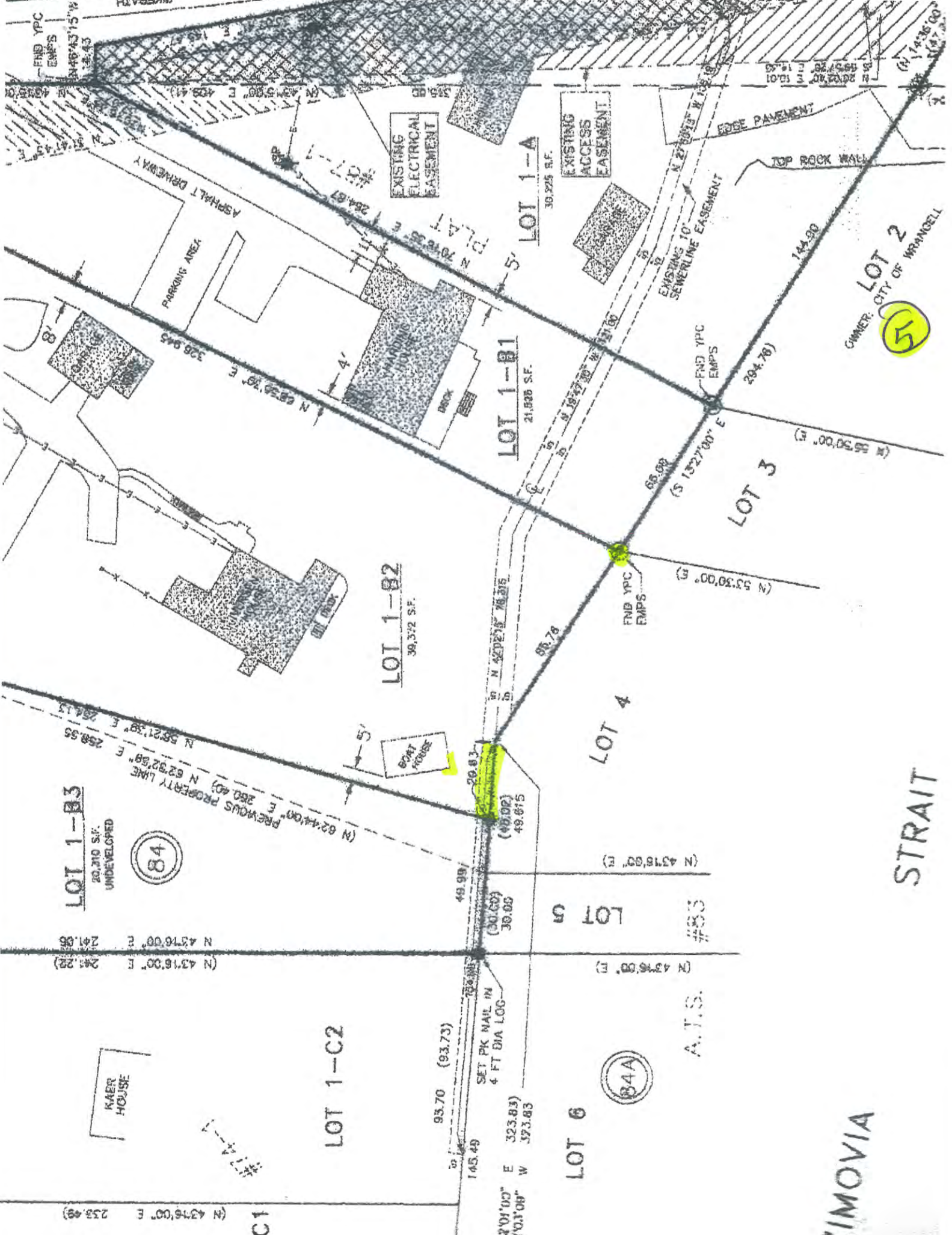
Granting the variance will not result in material damage to adjacent properties nor be detrimental to the public health safety or welfare

- ① Chris stated when we had Amber come out "I don't really care about the corner of the roof I just don't want you to rent it out."
- ② While we were building Chris & Jodie said they liked it while standing inside & said they would like to stay in it. So we thought they were OK with what we were doing.
- ③ There is a 5ft wide drainage ditch between the properties.
- ④ Chris & Jodie property & house is elevated above ours (fill) so there is no view obstruction.
- ⑤ The path and entrance are entirely on our property again separated by drainage ditch that gets as wide as 2
- ⑥ We have had family friends & 2 guests stay thru the summer there has never been a disturbance
- ⑦ The original boathouse was existing before Chris & Jodie built their house.
- ⑧ The original boathouse pilings were shifting we shored it up using Johnson Construction & put \$50,000 into restoring it.

## Comprehensive Plan

- ① We took an existing building that was start to lean, shored it up made improvements that have added value to the property instead of allowing it to fall into ruin.
- ② Prior to remodeling boat house I spent \$2,000 to hire excavator to clear out the overgrown drainage ditch improving drainage for both properties, Chris & Jodie thanked us for that.
- ③ Our guesthouse has very little traffic certainly much less than certainly much less than Chris does when he sells seafood from his shop.
- ④ Our guesthouse may have 6 clients per season (summer) much less than the RV park directly in front of Chris' property
- ⑤ We have ample parking space in our driveway





FIND YPC  
EMPS

N 46°43'15" W  
44.43

N 43°5'00" E 405.41

N 70°18'30" E 284.87

N 68°39'30" E 326.945

N 43°16'00" E 241.22

EXISTING ELECTRICAL BASEMENT

EXISTING ACCESS EASEMENT

EXISTING 10" SEWERLINE EASEMENT

TOP ROCK WALL

ASPHALT DRIVEWAY

30.225 S.F.

21,928 S.F.

30,372 S.F.

20,310 S.F. UNDEVELOPED

93.70 (93.73)

LOT 1-A

LOT 1-B1

LOT 1-B2

LOT 1-B3

LOT 1-C2

OWNER: CITY OF WPAUKCELL

LOT 3

LOT 4

LOT 5

LOT 6

EDG PAVEMENT

FIND YPC EMPS

FIND YPC EMPS

FIND YPC EMPS

SET PK NAIL IN 4 FT DIA LOG

N 27°00'15" E 135.8

N 53°30'00" E 294.78

N 53°30'00" E 294.78

N 43°16'00" E 241.06

N 43°16'00" E 241.22

N 14°36'00" W 114.7

N 53°30'00" E 294.78

N 53°30'00" E 294.78

N 43°16'00" E 241.06

N 43°16'00" E 241.22

N 53°30'00" E 294.78

N 53°30'00" E 294.78

N 53°30'00" E 294.78

N 43°16'00" E 241.06

N 43°16'00" E 241.22

STRAIT

STRAIT

STRAIT

STRAIT

STRAIT

84

5

84A

A.T.S.

WIMOVIA

1-C2

6

DEC

(N 62°44'00")

51

LOT 1-

39,372 S.F.



(93.73)

49.99

154.66

29.63

SET PK NAIL IN  
4 FT DIA LOG

(30.00)  
30.00

(48.02)  
49.615

N 42°02'15" 78

57

85.76

## Carol Rushmore

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**From:** Chris Guggenbickler <ccgugg@gci.net>  
**Sent:** Monday, November 07, 2016 8:12 AM  
**To:** ecoddev@wrangell.com; manager@wrangell.com; ccgugg@gci.net  
**Subject:** Variance Lot 1-B2, GIHP Resubdivision comments  
**Attachments:** image.jpeg; Untitled attachment 00078.txt; image.jpeg; Untitled attachment 00081.txt; image.jpeg; Untitled attachment 00084.txt; image.jpeg; Untitled attachment 00087.txt; image.jpeg; Untitled attachment 00090.txt; image.jpeg

Jeff, Carol,

Here are my comments to the City of Wrangell on the upcoming Planning and Zoning hearing.

In response to a variance request by Charles and Pam Haubich for a setback variance on lot 1-B2, GIHP Resubdivision I would like to make the Planning and Zoning Commission aware that I am adamantly opposed to this setback variance. I would like to reference a plat map by Greg Scheff & Associates, notarized on 3/1/07 that was submitted with the application for building permit by the Haubrich's. This plat map shows the original boat house 5' from the property line. On lot 1-B3 you will notice a dotted line stated (previous property line). When I purchased lot 1-B3 from Bernard and Doris Iverson (3 owners prior to the Haubrichs) a deal was agreed upon whereas I purchased additional land from the Iversons. Initially I was to purchase 20' on the beach, but due to setback requirements the line was set as shown in the plat map as it put the original beach house 5' from the property line. I paid for this land from the Iversons and also paid for the replat of this subdivision as submitted. I have also enclosed pictures of the original beach house from a couple angles as well as the new building for reference and would point out the size difference. Also included is the vague building permit as submitted and approved.

In looking at the plat map you will notice from lots 1-B2/3 that the boathouse in question sits in front of a large portion of my lot for one, and the Haubrich's lot is much larger, thus they had plenty of room to enlarge the boathouse on their own lot.

Furthermore there has been a conditional use permit issued to the Haubrich's to allow this building to be a short stay vacation rental. I would like you to be aware that I was out of town commercially fishing and unaware of this and would have also expressed disapproval. The notice for this was sent out on the first of July and the P&Z meeting was on the 14th of July. Unfortunately I was gone most all July and did not realize this had taken place until some time in August. This inclusion adds incredibly to the need for the buffer zone of a 5' setback to be enforced on a property zoned single family resident.

Not only am I stating that the building in question violates the 5' side setback, but a portion of the roof and gutter is actually on my property! Furthermore I would bring to your attention that the front setback has been encroached upon as well. It appears the front of the building is only 7' from the property line instead of 20'. The building permit issued for what was to turn a small boathouse into a family guest house is very vague, and then turned into a vacation rental less than 4 months later. Was the building inspected properly to be a commercial rental? The building permit states the correct setbacks were known, and the side setback of the previous building was shown on the plat, proving the Haubrich's understood that by enlarging the building they would be violating the setback, yet this was obviously never verified by the city inspector.

We have a process in place that should and is set up to make sure builders and property owners abide by the laws set forth for this community and this process has failed me. I feel tremendously slighted as a property owner and tax payer by the City of Wrangell and I would formally ask that the City of Wrangell enforce both side and front setbacks as soon as possible. Otherwise why should I or any others abide by your regulations!

Chris Guggenbickler

**City of Wrangell  
Application for Building Permit**

Permit No. \_\_\_\_\_

Date Issued \_\_\_\_\_ By \_\_\_\_\_ Fee Paid \_\_\_\_\_

- New Building   
  Electrical   
  Plumbing   
  Water/Sewer  
 Foundation   
  Remodeling/Repair   
  Demolition

	Street Address _____	<b>UTILITIES</b>
PROPERTY OWNER	Name <u>CHARLES &amp; PAM HAUBRICH</u>	Sewer Outlet Size: _____
	Mailing Address <u>238 Berger St.</u>	Water Service Size: _____
	City <u>WRANGELL AK 99929</u>	
	Telephone <u>360 393 7352</u>	
ARCHITECT/ENGINEER	Name _____	ADEC Permit <input type="checkbox"/> Required/Copy Attached <input type="checkbox"/> Not Requ
	Mailing Address _____	Sate Driveway Permit - <input type="checkbox"/> Required/Copy Attached <input type="checkbox"/> Not Requ
	City <u>Same</u>	Are you Building on Tidelands <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Authorization Prov /Wetlands?
	Telephone _____	
CONTRACTOR OR OWNER/BUILDER	Name <u>Same</u>	<b>COST/VALUATION</b>
	Mailing Address _____	Estimated Cost of Construction <u>7,000.00</u>
	City _____	Total Square Footage _____
	Telephone _____	* Property values are assessed independently of this estimate
LEGAL DESCRIPTION	Subdivision _____	<b>SPECIAL INFORMATION</b>
	Lot No. <u>1-B2</u> Blk No. _____	<u>Our existing house has only one full bath w/ a shower &amp; 1/2 bath w/ a toilet</u>
	Parcel No. _____	<u>We need a guest house for when family come to visit so there is another shower. The boathouse has power existing and we would like to turn it into a family guest ra</u>

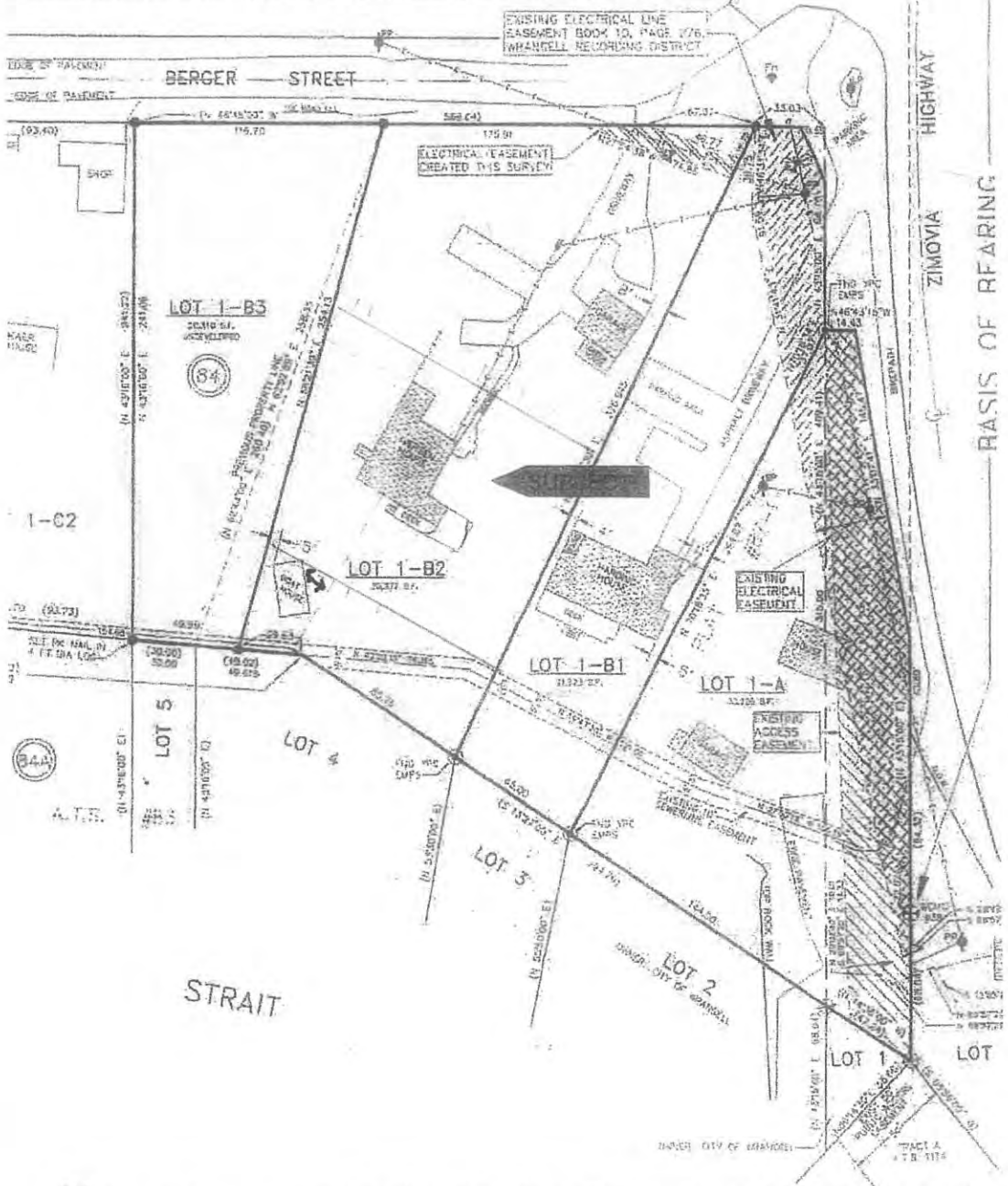
FOUNDATION SPECIFICATIONS			
Material	Exterior		Piers
	Width of Top		
Width of Bottom			
Depth in Ground			
Plate (Sill)	Size	Space	Span
Joists (1st Floor)			
Joists (2nd Floor)			
Joists (Clg.)			
Studs (Ext.)			
Roof Rafters			
Bearing Walls			
Other Deck	<u>3 sides 4'x36'</u>		

COVERINGS	INSULATION R-VALUE	
	Required	Proposed
Ext. Walls		
	Roof	
<u>Ink</u> Walls <u>1</u>	Walls <u>2x4 x12</u>	
	Floor	
Roof	Basement Slab	
	Basement Walls	

<b>ZONING INFORMATION</b>		
Current Zoning:	<u>Residential SFR</u>	
Proposed Use:	<u>FAMILY GUESTHOUSE</u>	
No. of Units upon Completion:	<u>1</u>	
Area of Lot:	<u>1 ACRE (.9)</u>	
Height of Building:	<u>Existing height ≈ 12 ft.</u>	
Are there any utility easements on this property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	Required Setbacks	Proposed Setbacks
Front	<u>20</u>	_____
Back	<u>20</u>	_____
Side	<u>5</u>	<u>5 (8)</u>
Side	_____	_____
Zoning Administration	_____	
Approval	<u>[Signature]</u> Date <u>2/4/15</u>	

NOTARIAL STATEMENT  
 I, **TIFFANY COOK**, HAVE THE SAID  
 DEED READ AND APPROVED.  
 NOTARY PUBLIC  
**TIFFANY COOK**  
 My Commission Expires **3/1/2023**

WHEN PLAT AND ACKNOWLEDGED TO BE THE SAID  
 FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES HEREBY SPECIFIED.  
 WHERE MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST  
 HEREIN WRITTEN:  
**Tiffany Cook**  
 NOTARY PUBLIC FOR THE STATE OF ALASKA  
 MY COMMISSION EXPIRES **3/1/2023**  
 STATE OF ALASKA  
 NOTARY PUBLIC  
**TIFFANY COOK**  
 My Commission Expires **3/1/2023**



THIS MAP IS IN FULL COMPLIANCE WITH THE ALASKA PLAT ACT

**GREG SCHEFF & ASSOCIATES**

PLAT MAP











*City and Borough of Wrangell, Alaska*  
93

Date: November 5, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Consideration of Etolin Avenue lots for sale

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**Background:**

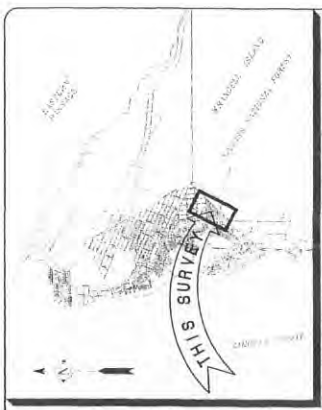
In 2014-2015, the Borough, in its efforts to try and get more land out for sale, extended utilities to lots at the end of Etolin Avenue closest to the AICS clinic. A survey was completed to mark corners, add easements and utility information and then 8 lots were put up for sale (highlighted on map) in a bid process. Only one of the lots has been sold.

When the lots were originally put up for sale, Lots 2 and 3 of Block 38 were not included on the list to be sold because a road and additional utility extensions would have been required for access and land use and the City did not have the funds.

There have been several individuals to comment that if Lot 2 and/or Lot 3 were part of the sale of Lot 1 on the corner, they would consider buying the larger sized lot. There have been many comments that 7500 sq ft is too small.

The Borough Manager is asking for comments from the Planning and Zoning Commission regarding the configuration of the sale. Should the City resubdivide and combine Lot 1 and Lot 2 or Lots 1,2 and 3 to create a larger lot accessed from Etolin Ave only. Another option would be to split Lot 3 and join half to Lots 1 and 2 and half to Lot 4 for some time in the unknown future.

Your comments and recommendation will be forwarded to the Manager and the Assembly.



**PLAT NOTES**

1. REFERENCE THE FOLLOWING WITHIN THE WRANGELL RECORDING DISTRICT:
  - A. PLAT #73-7, SUBDIVISION OF BLOCKS 29, 30 & 38, JSS 1119.
  - B. BOOK 17, PAGE 453.
  - C. PLAT #91-2, RESUBDIVISION AND STREET VACATION
  - D. PLAT #89-7, RECORD OF SURVEY, SHTAX-HEEN SUBDIVISION.
  - E. PLAT #2010-4, HEALTH CARE SUBDIVISION.
  - F. PLAT #2010-6, HEALTH CARE SUBDIVISION II.
2. REFERENCE ALASKA ESCROW AND TITLE INSURANCE AGENCY, INC. CERTIFICATE TO PLAT, ORDER #5180, VESTING THIS PROPERTY AS TO THE TOWN OF WRANGELL, AN ESTATE IN FEE SIMPLE.
3. BEDROCK WAS 1" BELOW ORIGINAL GROUND A 5/8" REBAR, 18" LENGTH, WITH A 2" ALUMINUM CAP AND PLASTIC INSERT WAS SET, DRILLED AND GROUDED INTO BEDROCK.
4. THE NEWLY CREATED OVERHEAD ELECTRICAL LINE EASEMENTS SHOWN ON THIS PLAT, REFLECT THE NEWLY PROPOSED POWER LINE TO BE INSTALLED. THE CITY AND BOROUGH OF WRANGELL WANTED TO CREATE THESE EASEMENTS PRIOR TO THE SALE OF THESE LOTS.
5. THE CITY AND BOROUGH OF WRANGELL OWNS THE SUBJECT PROPERTIES.
6. PLAT #73-7, WRANGELL RECORDING DISTRICT, IS LOCALLY KNOWN AS LEMIEUX SUBDIVISION AND IS SOMETIMES REFERRED TO BY THIS NAME.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR LICENSED IN THE STATE OF ALASKA AND HAVE DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD DATA AND THAT THE DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO THE SAID FIELD NOTES.

DATE 4-23-15

PROJ. NO. 150213

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE EASEMENTS SHOWN AND DECORATED HEREON AND UNDER THE AUTHORITY OF THE WRANGELL CITY AND BOROUGH AND HAVE SET THESE SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE 4-23-15

**NOTARY'S ACKNOWLEDGMENT**

STATE OF ALASKA  
 CITY AND BOROUGH OF WRANGELL

THIS IS TO CERTIFY THAT ON this 23rd day of April 2015, before me, the undersigned, a Notary Public in and for the State of Alaska, duly qualified and commissioned to perform the duties of my office, appeared the following persons, known to me to be the legal owners and authorized to execute the same, who put and caused to be put in my hands and before me the foregoing instrument, acknowledged to me that they executed the same for the purposes and consideration therein expressed, and the same were then read and approved by me in the presence of the said parties, and I have signed my name and the seal of my office to this certificate of ownership and dedication.

BY COMMISSION EXPIRES: 7.21.2017

**CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION**

I HEREBY CERTIFY THAT THE EASEMENT AND BOUNDARY PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION BY PLAT RECORDATION NO. 2015-16.

DATE 4-16-15

**CERTIFICATE OF APPROVAL BY THE ASSEMBLY**

I HEREBY CERTIFY THAT THE EASEMENT AND BOUNDARY PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AND THAT SAID PLAT HAS BEEN APPROVED BY THE ASSEMBLY AS RECORDED IN WRANGELL BOOK OF PLAT, DATED 3-18-15.

DATE 3-18-15

WRANGELL RECORDING DISTRICT

FILE NO. 2015-16

RECORDING DATE 4-23-15

FILE NO. 2015-16

RECORDING DATE 4-23-15

FILE NO. 2015-16

RECORDING DATE 4-23-15

CLIENT: CITY AND BOROUGH OF WRANGELL  
 BOX 531  
 WRANGELL, ALASKA 995929

# CITY AND BOROUGH OF WRANGELL

## OVER-THE-COUNTER SALE OF City Owned Lots FOR SALE

The City owned lots that are listed below were offered for sale pursuant to WMC 16.12.040 by a sealed bid process. The lots listed below did not receive any bids. The Borough Assembly approved Resolution No. 06-15-1319 on June 9, 2015 to authorize the lots to be sold over-the-counter pursuant to Wrangell Municipal Code 16.12.105, **beginning on June 22, 2015, at 9:00 a.m.**, Wrangell City Hall, 205 Brueger Street, Wrangell, Alaska 99929, on a first-come, first-serve basis, and will be sold for the minimum value.

Successful purchaser will be required to obtain any necessary federal/state permits for development of the land. These permits could include, but are not limited to Corps of Engineers wetland fill, a State water quality consistency determination, Borough building permit or other land use permits.

<u>Property Description</u>	<u>Square Footage</u>	<u>Minimum Bid Value</u>
Lot 1, Block 38 (SF)	7,501 sq. ft.	\$29,000
<del>Lot 5, Block 38 (SF)</del>	<del>15,134 sq. ft.</del>	<del>\$34,000</del> <b>SOLD</b>
Lot 6, Block 38 (SF)	15,502 sq. ft.	\$30,000
Lot 16, Block 30B (SF)	7,799 sq. ft.	\$28,000
Lot 17, Block 30B (SF)	7,769 sq. ft.	\$28,000
Lot 18, Block 30B (SF)	7,788 sq. ft.	\$28,000
Lot 19, Block 30B (SF)	7,813 sq. ft.	\$28,000
Lot 20, Block 30B (SF)	6,887 sq. ft.	\$25,000

SENTINEL  
KSTK

Please publish 06/18/2015  
Please announce 6/10 thru 06/26/2015

Posted this 10<sup>th</sup> day of June, 2015

ADDITIONAL INFORMATION:

A Certified or cashier's check or cash equal to 25 percent of the bid must accompany the bid. Personal checks will not be accepted. Purchasers may choose to pay balance by cash or execute an installment purchase agreement with the City and Borough of Wrangell.

Term of installment purchase agreement shall not exceed 15 years. Interest rate on unpaid balance will accrue at prime plus two points at time of closing. The unpaid balance shall be evidenced by a promissory note secured by a deed of trust on the property.

Note: Upon determination of the highest bidder acceptable bid, the Borough Assembly shall adopt a resolution authorizing the conveyance of the public land to the successful bidder, upon payment in full (within 20 days from bid opening) or by purchase agreement for up to 15 years.

### **IMPORTANT ADDITIONAL INFORMATION TO BIDDER!!**

Successful bidders will be required to obtain any necessary federal/state permits for development of the land. These permits could include, but are not limited to Corps of Engineers wetland fill, a State water quality consistency determination, Borough building permit or other land use permits.

Access is available to each lot by way of Etolin Street. Sewer and water mains are located within the Etolin Street right-of-way corridor, with public utilities available at each property line. The existing water service is 1" HDPE. The sewer system is a force main system. The Municipal utility shall schedule the installation of future grinder pump stations within 90 days of a request for service received from the property owner. Both water and sewer connections are required according to Wrangell Municipal Codes 15.04-Water and 15.08-Sewer. Purchaser would need to coordinate with Wrangell Public Works for connections to the utility services.

Electrical power will be available by June 1<sup>st</sup>, 2015 with electrical service to be coordinated by the purchaser through the electric department.

No subdivision of these lots shall be granted until lot is paid in full.

The City & Borough of Wrangell reserves the right to reject any and all bids.

**Attachments:**

1. Land Appraisal from Appraisal Company of Alaska (available upon request)
2. Subject Maps
3. Subject Plat

# CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 75 feet  
Date: 11/7/2016

## Public Map

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.  
PROPERTY LINES ARE APPROXIMATE.

