

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA

October 10, 2013

7:00pm

Agenda

A. CALL TO ORDER/ROLL CALL

B. ELECTION OF CHAIR AND VICE CHAIR

C. AMENDMENTS TO THE AGENDA

D. APPROVAL OF MINUTES: May 9, 2013, July 11, 2013, Special Meeting August 1, 2013 and September 12, 2013.

E. PERSONS TO BE HEARD

F. CORRESPONDENCE

G. OLD BUSINESS

H. NEW BUSINESS

1. Final plat approval of Senna Subdivision, a subdivision of Lot 37, Block 2, Wrangell Island West Subdivision, creating Lots 37A and 37B, zoned Rural Residential1, requested by Arnold and Alice Bakke.
- Pub Hrg 2. Variance application for a side yard setback reduction on a corner lot for a 10' X 20' wood shed Lot 1A. Block 19, USS 1119, zoned Single Family Residential, requested by Don and Dana VanSlyke.
- Pub Hrg 3. Conditional use application for a home daycare on Lot E, Block 3, USS Mork Subdivision II, zoned Single Family Residential, requested by Jayme Howell.

I. PUBLIC COMMENT

J. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

K. ADJOURNMENT

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

May 9, 2013
7:00pm

Agenda

A. CALL TO ORDER/ROLL CALL

Chairman Terri Henson called the regular meeting of the Wrangell Planning and Zoning Commission to order at 7:00 pm on May 9, 2013 in the Wrangell Borough Assembly Chambers. Commissioners' Kipha Valvoda, Betty Keegan, Rudy Briskar, Stan Schnell attended. Recording Secretary, Lavonne Klinke was present and Zoning Administrator, Carol Rushmore was absent.

B. AMENDMENTS TO THE AGENDA

C. APPROVAL OF MINUTES: Regular Meeting of April 11, 2013

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

1. Memo from John Taylor regarding resignation from the Commission.

F. OLD BUSINESS

1. Outdoor Wood Boilers (defer)

G. NEW BUSINESS

1. Request for Vacation of a portion of "A" Street, located between Lots 1 and 8, Block 1, USS 1593 owned by Frank Warfel; and Lot 16B, Biastoch Resubdivision, owned by Charles and Valerie Biastoch and Lot 38, Block 13, USS 1119, zoned Single Family residential, owned by the City and Borough of Wrangell, requested by Frank Warfel.

Open Public Hearing

Richard Kaer, 319 Ocean View Drive, Wrangell. Kaer family has owned the back property since 1937 and is not in favor of more vacation of streets and properties until utilities and other items are addressed since this is going through City property. Mr. Kaer also mentions Meridian Street needs to be considered. Water and Sewer service for this area is going to be a difficult issue.

Frank Warfel agrees with Richard but is wanting to get the ball rolling on this issue. Mr. Warfel's neighbors were granted a 15' vacation previously and it is not wide enough to do a road through this area.

Public Hearing Closed

Commissioner Schnell move to deny the Request for Vacation of a portion of "A" Street, located between Lots 1 and 8, Block 1, USS 1593 owned by Frank Warfel; and Lot 16B, Biastoch Resubdivision, owned by Charles and Valerie Biastoch and Lot 38, Block 13, USS 1119, zoned Single Family residential, owned by the City and Borough of Wrangell, requested by Frank Warfel.

Commissioner Keegan calls a point of order and asks that the motion needs to follow the wording of the request, and Commissioner Schnell placed it in the negative. Chairperson Henson agrees and states the motion and then can be voted down in the poll vote.

Commissioner Schnell withdraws his original motion and motions to approve the Request for Vacation of a portion of "A" Street, located between Lots 1 and 8, Block 1, USS 1593 owned by Frank Warfel; and Lot 16B, Biastoch Resubdivision, owned by Charles and Valerie Biastoch and Lot 38, Block 13, USS 1119, zoned Single Family residential, owned by the City and Borough of Wrangell, requested by Frank Warfel, seconded by Briskar.

Motion fails with Keegan and Valvoda in favor, Briskar, Schnell and Henson opposed

2. Request for Vacation of a portion of Cassiar Street where it intersects with "A" Street and adjacent to Lots 36-38, Block 13 USS 1119, zoned Single Family Residential, owned by the City and Borough of Wrangell, requested by Frank Warfel.

Open Public Hearing

Mr. Warfel feels that Cassiar Street and A Street go hand in hand, no comment.

Richard Kaer 319 Ocean View Drive, Wrangell AK, on the street where Angerman's are and Eddie Pat Churchill's former home that a road could be possibly have punched through this area, this would be the least expensive way to put a road through. Commissioner Briskar believes that this is Native land and once this is sold or transferred that it loses it' Native designation. Kaer suggests that the City should look at this option for future expansion.

Close Public Hearing

Briskar moves to approve Request for Vacation of a portion of Cassiar Street where it intersects with "A" Street and adjacent to Lots 36-38, Block 13 USS 1119, zoned Single Family Residential, owned by the City and Borough of Wrangell, requested by Frank Warfel. Schnell seconds.

Motion fails with Valvoda in favor, Briskar, Schnell, Keegan and Henson opposed.

3. Request for Vacation of "C" Street, located between Grave Street right-of-way and Lot 4A, Block 2, USS 1593, zoned Single Family Residential, requested by Holly and Clay Hammer.

Open Public Hearing
Close Public Hearing

Schnell moves to approve Request for Vacation of "C" Street, located between Grave Street right-of-way and Lot 4A, Block 2, USS 1593, zoned Single Family Residential, requested by Holly and Clay Hammer.

Keegan states that she is voting the way she will due to the idea of "buying some time" with regards to the prior agenda requests and the wait to see what happens with Evergreen Avenue, Schnell states he feels the same way.

Motion fails with Valvoda in favor and Schnell, Keegan, Briskar and Henson opposed.

H. PUBLIC COMMENT

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

Schnell move to approve that Commissioner Keegan be appointed as Vice Chair, Henson 2nd's All approved.

J. ADJOURNMENT 7:30 pm

Terri Henson, Chairperson

Lavonne Klinke, Recording Secretary

City and Borough of Wrangell

Agenda H1

Date: October 7, 2013

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re. Final plat approval of Senna Subdivision, a subdivision of Lot 37, Block 2, Wrangell Island West Subdivision, creating Lots 37A and 37B, zoned Rural Residential1, requested by Arnold and Alice Bakke.

Back ground and Findings: The applicant is dividing a single parcel in half to create two new parcels. The 30 foot access driveway and utility easement is centered on the mutual property line. The new lots will be 1 and 1.2 acres.

Recommendation: Staff recommends approval of the final plat and forwarding to the Assembly for approval and recording.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____
 ARNOLD E. BAKKE

NOTARY'S ACKNOWLEDGMENT

U.S. OF AMERICA
 STATE OF ALASKA
 CITY AND BOROUGH OF WRANGELL

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA

MY COMMISSION EXPIRES _____

**CERTIFICATE STATE OF ALASKA
 (FIRST JUDICIAL DISTRICT)ss**

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF WRANGELL, HEREBY CERTIFY, THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF WRANGELL, IN THE NAME OF _____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE AUGUST 15, 20____ DATED THIS _____ DAY OF _____

ASSESSOR CITY AND BOROUGH OF WRANGELL

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT RESOLUTION NO. _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, WRANGELL, ALASKA.

DATE _____
 CHAIRMAN, PLANNING COMMISSION

SECRETARY

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, WRANGELL, ALASKA.

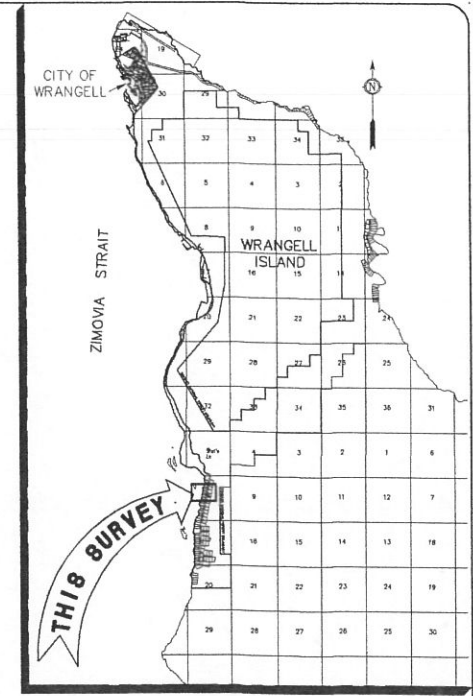
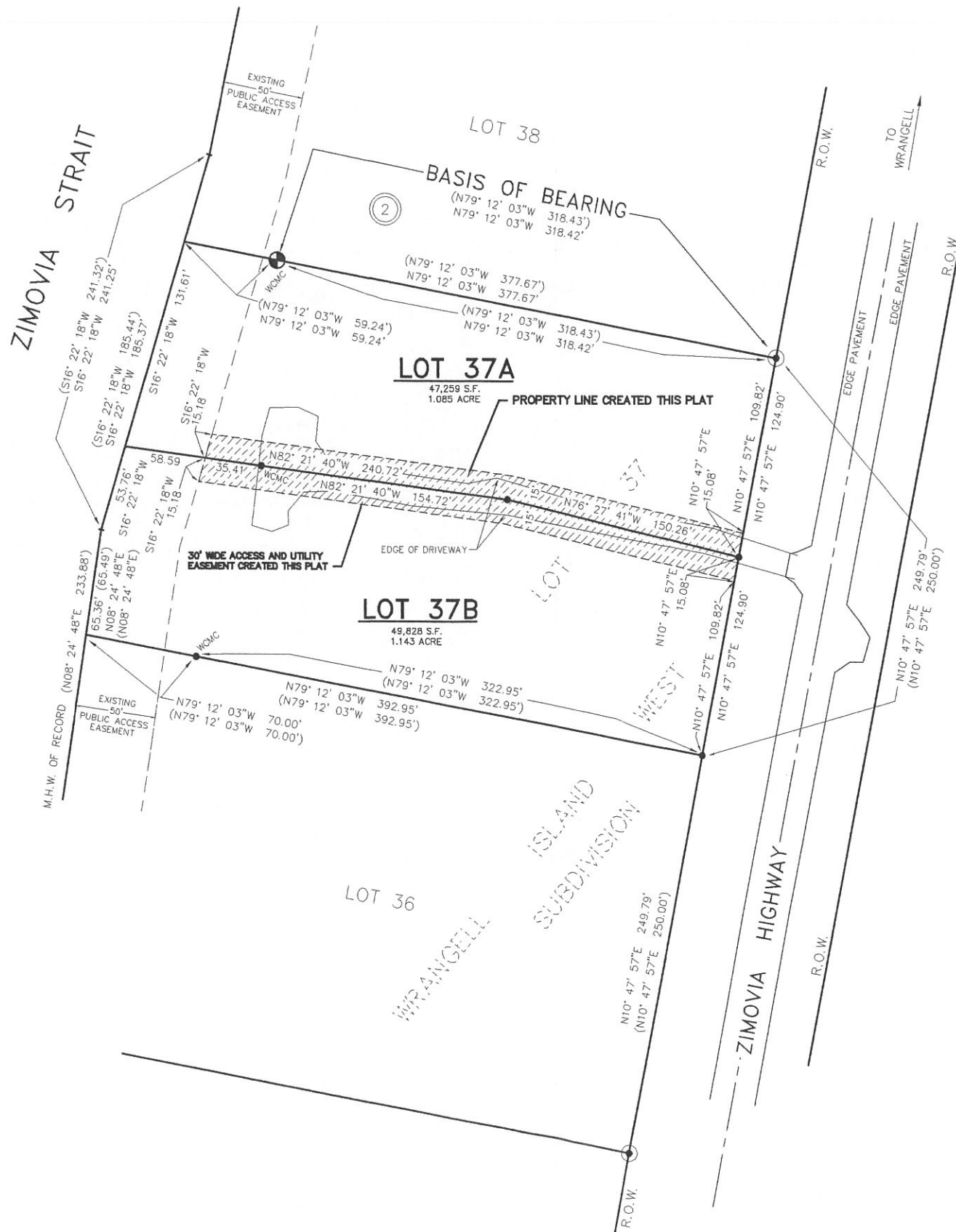
DATE _____
 ATTEST: _____
 MAYOR, CITY AND BOROUGH OF WRANGELL

CITY CLERK

CLIENT: ARNOLD AND ALICE BAKKE
 BOX 861
 WRANGELL, ALASKA 99929

DRAWN BY: TJS
 CHECKED BY: GGS
 DATE PLATTED: SEPT 27 2013
 DATE SURVEYED: JULY-SEPT 2013
 SCALE: 1"=30'
 SURVEYOR: GREGORY G. SCHEFF
 PROJ NO.: 132736

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN SEPTEMBER 2013 A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.
 DATE _____
 GREGORY G. SCHEFF LS 6700



VICINITY MAP
 SCALE: 1/2" = 1 MILE

LEGEND

- PRIMARY ALUMINUM CAP RECOVERED IN ORIGINAL POSITION (TONER & NORDLING)
- R&M ENG.-KETCH. REBAR AND 2" ALUM. CAP SET (LS6700)
- ORIGINAL REBAR AND ALUM CAP RECOVERED IN ORIGINAL POSITION (TONER & NORDLING)
- ACCESS AND UTILITY EASEMENT AREA CREATED THIS PLAT
- DATA OF RECORD (N 79°12'03" W 324.33)
- DATA CALCULATED OR MEASURED (N 79°12'24" W 324.28)

PLAT NOTES

1. A SINGLE LINE PROPORTION WAS APPLIED ALONG THE ZIMOVIA HIGHWAY R.O.W. TO SET THE S.W. CORNER OF LOT 37B.

WRANGELL RECORDING DISTRICT

Revisions		
No.	Date	Description

R&M
 R&M ENGINEERING-KETCHIKAN, INC. Phone: (907) 225-7917
 355 Carlanna Lake Road Fax: (907) 225-3441
 Ketchikan, AK 99901

WRANGELL OFFICE Phone: (907) 874-2177
 P.O. BOX 1331 Fax: (907) 874-2187
 Wrangell, AK 99929



PROJECT:
SENNA SUBDIVISION
 THE SUBDIVISION OF LOT 37, BLOCK 2,
 WRANGELL ISLAND WEST SUBD.
 CREATING LOTS 37A AND 37B
 CITY AND BOROUGH OF WRANGELL

City and Borough of Wrangell, Alaska

Agenda H2

Date: October 7, 2013

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Variance application for a back yard setback reduction on a corner lot for a 10' X 20' wood shed Lot 1A. Block 19, USS 1119, zoned Single Family Residential, requested by Don and Dana VanSlyke

Back ground: The applicant is rebuilding a wood shed adjacent to their house on a corner lot. The previous woodshed was over the property line, and while that encroachment will be fixed, the shed is larger and higher than what is allowed without a variance within the code.

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

Findings:

The applicants are seeking a 'back' yard setback for a 10X20 foot woodshed on both back property lines to replace a previous woodshed. The setback for the proposed woodshed is less than 1 foot on the property line opposite Federal Way (approximately 6"). The original structure was encroaching into the neighbor's property. The shed will be 1 foot from the property line opposite Second Street, which is the same distance it was previously. The height of the shed will be 16.5 feet, is inline with the existing house roof and mirrors the house.

According to WMC 20.52.260, woodshed structures not exceeding width of 8 feet or height of 8 feet and 18 inches from the property line are permissible without a permit. Applicants are required to get a permit for this proposed structure, because they do not meet the maximum requirements.

The applicants' hired an individual to replace a rotten and falling down wood shed. The new woodshed started to exceed the size of the previous shed and the requirements, thus it requires a variance application.

A Variance application must meet four criteria:

1. Exceptional Physical Circumstances: The lot is on a corner lot that is a nonconforming lot size of 2823 square feet. Being a corner lot, the ordinance requires 20 foot set backs all around, holding some lots to a higher standard in the same district.
2. Strict application would result in practical difficulties: Strict application for the setbacks would not even permit a house to be constructed, much less an ancillary structure such as a woodshed. One of their alternative heat sources is wood and the applicants needed to replace a rotten structure to provide storage capacity.
3. That the granting of the variance will not result in prejudice to others, or be detrimental to public health, safety or welfare: The granting of the variance should not prejudice others in the area. The new construction replaces a rotten and collapsing woodshed with a safer structure.

4. Granting of the variance is not contrary to the Wrangell Comprehensive Plan approved June 22, 2010.

Recommendation:

Staff recommends approval of the Variance request for a woodshed less than 1 foot from the property line opposite Federal Way and 1 foot from the property line opposite Second Street and 16.5 feet high.

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 1A Block 9
02-010-250

Lot (s) size of the petition area 2823 sqft

Existing zoning of the petition area single family

Current zoning requirements that cannot be met (setbacks, height, etc.):
woodshed height & setback

Proposed change that requires this variance old shed rotten
building new shed with wood shed

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

Explain details of the proposed development 10x20 wood shed to
replace old shed roofline mirrors house

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: Non conforming
lot size and corner lot

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.

Don & Dana Van Slyke

PRINT PETITIONER'S NAME

Don Van Slyke Dana Van Slyke

SIGNATURE (S) OF THE OWNER (S) OF THE LAND IN PETITION AREA

PO Box 394

ADDRESS

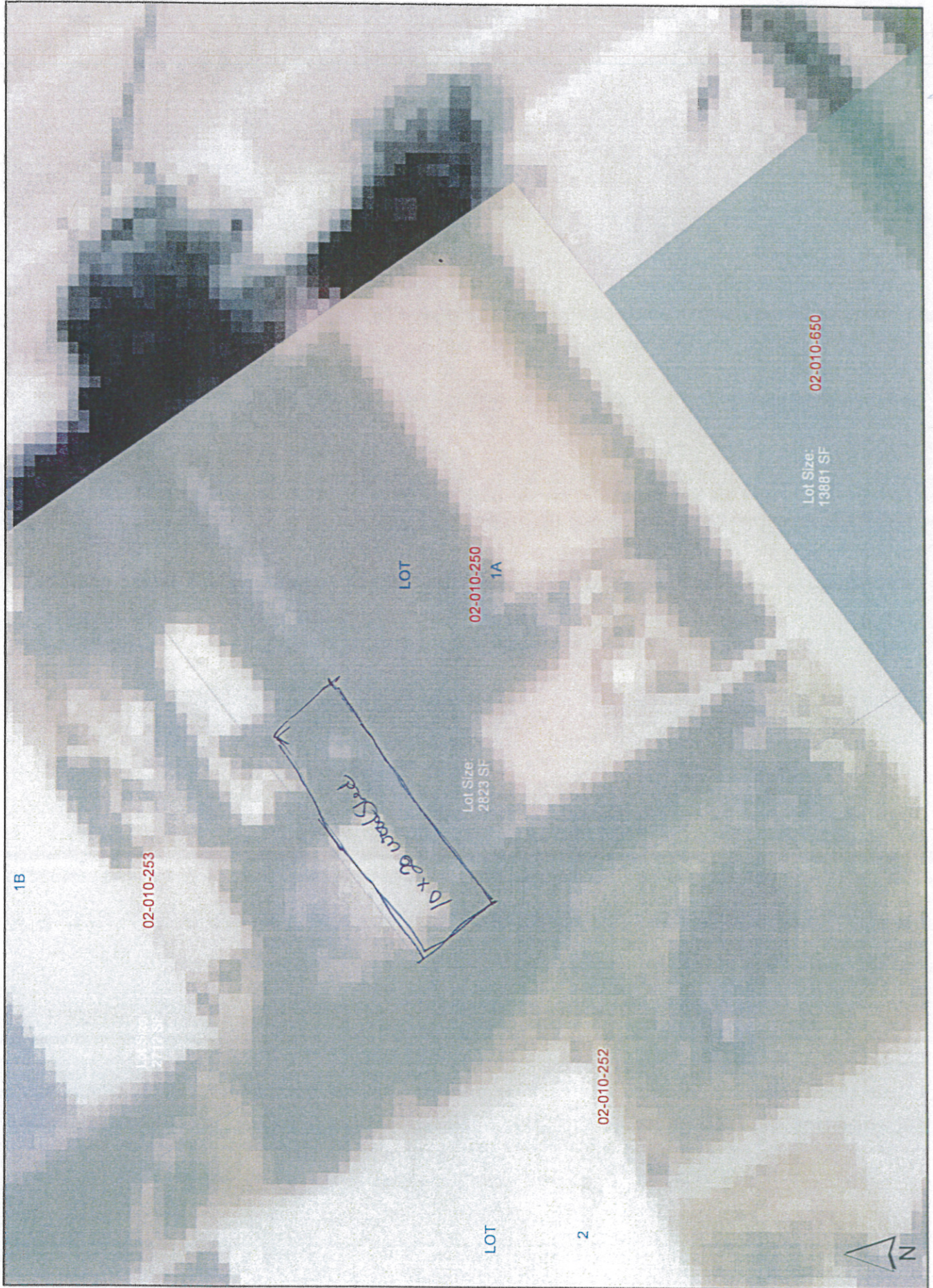
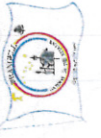
9/11/13

DATE

874-2211

TELEPHONE

CITY OF WRANGELL, ALASKA



02-010-253

Lot Size:
2717 SF

Lot Size:
2823 SF

02-010-250

02-010-650

Lot Size:
13881 SF

02-010-252

1 inch equals 12.032406 feet

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

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 48.671945 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2013.
AERIAL PHOTO 2002.



City and Borough of Wrangell, Alaska

AGENDA H3

Date: October 7, 2013

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Conditional Use permit application for a home occupation to operate a day care business from residence on Lot E, Block 3, USS Mork Subdivision II, zoned Single Family Residential, requested by Jayme Howell.

Background: Applicants are seeking to operate a day care business in their residence.

Review Criteria:

Chapter 20.16: Single Family Residential

Chapter 20.52: Lot Standards:

Chapter 20.68: Conditional Use Permits

Findings:

Applicant is seeking to operate a day care business out of their residence on Lemieux Street. The permit approval is part of their licensing requirements with the State of Alaska. Their lot is approximately 7890 square feet.

Conditions of Approval for conditional use applications include:

1) *Minimal impacts on adjacent neighbors from noise, traffic, appearance, yards etc.* There will likely be an increase in traffic on Third Ave. during the morning hours and afternoon hours when most kids are dropped off and picked up. The impact should be of a short duration and minimal as she will only be able to have a maximum of 8 children. There could be some traffic issues due to the house being located at the end of Third Ave. without a cul de sac for turning around, however, only one other lot is located at the dead end and only three other lots are fronting Third Ave that could be affected by a minimal traffic increase.

2) *Provisions of sewer and water:* The lot is connected to City sewer and water.

3) *Entrances and off-street parking available without safety issues:* Access would be via Third Ave off of Evergreen as Grave Street is not constructed all the way to the property. The house has a driveway and area to allow a turn around into the dead end street area.

Staff recommends approval of the request subject to the following condition:

1. All state and federal permits or licensing required for Day Care are obtained from the State.
2. This permit is approved for up to 8 children. Should the applicant seek to enlarge her facility, then she should come back to the Planning and Zoning Commission to modify her conditional use permit.

CITY OF WRANGELL, ALASKA
CONDITIONAL USE APPLICATION

PLANNING AND ZONING COMMISSION
P.O. BOX 531
WRANGELL, ALASKA 99929
Application Fee: \$50

I. Applicant's Name and Address: Jayne Howell
206 Graves ST
Wrangell AK 99929-1954

Applicant's Phone Number: (907) 660 7331

II. Owners's Name and Address: Jayne & Rolland Howell
206 Graves ST
Wrangell AK 99929-1954

Owner's Phone Number: (907) 874 2481

III. Legal Description: Lot E, Block 3, U.S. Survey Mark Subd. 11
Parcel No. 01-004-728

IV. Zoning Classification: Single Family Residential

V. Specific Request: I would like to run a state licensed
in home daycare at my residence and I am
asking for a variance/permission from the city to
allow me to run a business at my home. The
maximum capacity would be 8 children. I am currently
working with the State of Ak to get my
licence but they require this before they will
issue me my licence.

VI. Site Plan shall be submitted with the application. The plan shall show existing and proposed structures, driveways, roadways, existing and proposed grading. Additional information shall be furnished upon request of the Zoning Administrator.

VII. Construction Schedule: BEGIN: _____ END: _____

SIGNATURE OF OWNER: Rolland Howell
Jayne Howell DATE: 09-20-13

SIGNATURE OF APPLICANT: Jayne Howell DATE: 09-20-13

If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons.

Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 75 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2013.
AERIAL PHOTO 2002.

