

**CITY AND BOROUGH OF SITKA  
Planning Commission  
Minutes of Meeting  
November 3, 2015**

**Present:** Chris Spivey (Chair), Darrell Windsor (Vice-Chair), Tamie Parker Song (Member), Debra Pohlman (Member), Michael Scarcelli (Senior Planner), Samantha Pierson (Planner I)

**Absent:** Randy Hughey (Member)

**Members of the Public:** James Steinson, Jeremy Twaddle, Forrest Dodson

Chair Spivey called the meeting to order at 7:02 p.m.

**Roll Call:**

**PRESENT:** 4 – Spivey, Windsor, Parker Song, Pohlman

**Consideration of the Minutes from the October 20, 2015 meeting:**

**MOTION: M/S POHLMAN/WINDSOR** moved to approve the meeting minutes for October 20, 2015.

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

**Consideration of the Agenda:**

Chair Spivey requested that item A be moved to the end of the agenda, as the applicant was not yet present. Commissioners agreed to the change.

**The evening business:**

**VARIANCE REQUEST  
200 PRICE STREET, TRACT 1A of MOUNTAINVIEW PHASE 2 SUBDIVISION  
JEREMY TWADDLE**

*Public hearing and consideration of a variance request filed by Jeremy Twaddle at 200 Price Street. The variance request is for a reduction of the rear setback from 10 to 5 feet for the construction of a building. The property is also known as Tract 1A of Mountainview Phase 2 Subdivision. The request is filed by Jeremy Twaddle. The owner of record is Mountain View Estates, LLC.*

Chair Spivey offered to recuse himself due to his professional relationship with Mr. Twaddle. He stated that he did not have financial interest in this application, and that he could act in an unbiased manner. The other Commissioners agreed that he could participate.

**STAFF REPORT:** Scarcelli reviewed the request and recapped the variance that was approved for this lot at the August 5, 2015 meeting. The lot has two front setbacks and two rear setbacks.

The request is to reduce the southerly rear setback from 10 feet for 5 feet. The proposed use is permitted in the C-2 zone, although residential properties surround the property to the south and east. Scarcelli recommended a modified variance from 10 feet to 8 feet. Additionally, he recommended that the variance be conditioned upon limiting ingress and egress to Price Street and providing screening for all storage and parking areas.

**APPLICANT:** Jeremy Twaddle stated that he needed the 5 foot setback reduction to provide adequate access to the proposed building. He stated that his plan has been to limit access to Price Street. He stated that this building will strictly be a storage building, so he does not view it to be a fire hazard. Twaddle stated that the geography of the Molly Lane properties provides natural screening. He stated that his business will need to back boats into the building, so ample access is important. Twaddle stated that his company owns 180 Price Street, so the building would not be encroaching on another property owner's lot. Twaddle stated that if the variance is not granted, he will pursue a boundary line adjustment.

**COMMISSIONER DELIBERATION:** Pohlman expressed concern that the proposed building could limit light access to the trailer court. Spivey stated that if the variance is not granted, Twaddle will likely pursue a boundary line adjustment. Spivey stated concern that if the entrance is narrowed on Price Street due to a variance denial, vehicles could be brought through the trailer court. Windsor asked what the difference would be between 5 feet and 8 feet, in regard to the comprehensive plan. Scarcelli stated that variances are intended to adjust requirements for properties with intrinsic constraints, while this property is primarily limited by the applicant's design. Parker Song asked why relocating the building would not solve the need for access. Windsor stated that he views the setback in question as a side setback.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S WINDSOR/POHLMAN** moved to approve the following findings:

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, *specifically the double front setbacks;*
  - b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *specifically, providing for appropriate placement of a building on a lot with two rear setbacks while also conditioning access to Price Street, which serves the enjoyment of all properties;*
  - c) That 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, *specifically, conditions of approval would negate negative impact to adjacent parcels;* and
  - d) That the granting of such a variance will not adversely affect the Comprehensive Plan, *specifically 2.5.2 To encourage commercial and industrial developments of a*

*quality that does not adversely impact any adjacent recreational and residential areas, due the conditions limiting ingress and egress to Price Street and required screening.*

**ACTION:** Motion **PASSED 3-0** on a voice vote.

**MOTION: M/S WINDSOR/POHLMAN** moved to approve a variance request filed by Jeremy Twaddle at 200 Price Street. The variance request is for a reduction of the rear setback from 10 to 5 feet for the construction of a building. The approval is conditioned upon: 1) The approval to limit ingress and egress to Price Street; and 2) Provide for screening of all storage and parking areas. The property is also known as Tract 1A of Mountainview Phase 2 Subdivision. The request is filed by Jeremy Twaddle. The owner of record is Mountain View Estates, LLC.

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

#### **VARIANCE REQUEST**

**234 KOGWANTON, LOT 125, BLOCK 2, BIHA SUBDIVISION NO. 1, U.S. SURVEY 2542  
JAMES STEINSON**

*Public hearing and consideration of a variance request filed by James Steinson at 234 Kogwanton Street. The variance request is for a reduction in the side setback from 5 to 0 feet and for a reduction in the front setback from 20 to 15 feet for the construction of stairs and railings. The property is also known as Lot 125, Block 2, BIHA Subdivision No. 1, U.S. Survey 2542. The request is filed by James Steinson. The owners of record are Mark and Heidi Nance.*

Chair Spivey offered to recuse himself due to his professional relationship with Mr. Steinson. He stated that he did not have financial interest in this application, and that he could act in an unbiased manner. The other Commissioners agreed that he could participate.

**STAFF REPORT:** Scarcelli reviewed the request and the expired variance approval from 2005 for the reduction in the front setback. He reviewed the required setbacks and the constraints caused by topography and lot size. He stated that parking is already limited. Scarcelli stated that current access is not safe, and safety is a prime concern.

**APPLICANT:** James Steinson stated that the porch will not encroach upon the retaining wall. Scarcelli noted a discrepancy of 1 foot between the application and the site plan. Steinson stated that he has been measuring primarily from the house, so he wanted some leeway to ensure the proposed structures were within the approved setbacks. Steinson explained that the railings are required by building code as a safety feature.

**COMMISSIONER DELIBERATION:** No deliberation.

**PUBLIC COMMENT:** No public comment.

**MOTION: M/S POHLMAN/WINDSOR** moved to approve the following findings:

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, *specifically the small lot size, the need for safe and efficient access to an existing home, and the steep slope at the front of the property;*
  - b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *specifically the ability to safely access the front entrance;*
  - c) That 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, *specifically, the structure is minimal and conditions mitigate any adverse impacts to adjacent properties;*
  - d) That the granting of such a variance will not adversely affect the Comprehensive Plan, *specifically, it is in line with Comprehensive Plan 2.4.1, which states, "To guide the orderly and efficient use of private and public land in a manner that maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations without infringing on the rights of private landowners."*

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

**MOTION: M/S POHLMAN/WINDSOR** moved to approve a variance request filed by James Steinson at 234 Kogwanton Street. The variance request is for a reduction in the side setback from 5 to 0 feet and for a reduction in the front setback from 20 to 15 feet for the construction of porch, stairs, and railings. The property is also known as Lot 125, Block 2, BIHA Subdivision No. 1, U.S. Survey 2542. The request is filed by James Steinson. The owners of record are Mark and Heidi Nance.

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

**MINOR SUBDIVISION  
263 KATLIAN STREET, LOT 14, BLOCK 5, SITKA INDIAN VILLAGE, U.S. SURVEY 2542  
FORREST DODSON AND MARY HOLZMAN**

*Public hearing and consideration of a minor subdivision request filed by Forrest Dodson and Mary Holzman for 263 Katlian Street and the adjacent tidelands. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.*

**STAFF REPORT:** Scarcelli explained this history of the request, including unanimous preliminary approvals of the proposed tideland sale by the Planning Commission on June 2, 2015 and the Assembly on June 23, 2015. The minor subdivision would involve platting tidelands that were previously unplatted. Scarcelli noted that lots along Katlian Street are small and parking can be problematic. This proposal would entail the relocation of the house back onto the tidelands, creating parking in front of the house. The proposal would move the lot toward conformity to the minimum lot requirement. Scarcelli noted that an upcoming variance application will address the lot size. Scarcelli noted that this house was built in 1904, and this proposal would allow preservation of this structure. Scarcelli stated that staff are supportive of the proposal. The proposal is in line with Comprehensive Plan sections 2.4.6, 2.6.1, and 2.6.2.

**APPLICANT:** Forrest Dodson stated that he proposes one lot, and that his wife plans to restore the house. Dodson stated that he was willing to do whatever it takes to see the project through the process.

**PUBLIC COMMENT:** No public comment.

**COMMISSIONER DELIBERATION:** Windsor asked about the subdivision process in regard to this property. Spivey replied that since the tideland portion was previously unplatted, it must be platted and joined with the current lot.

**MOTION: M/S WINDSOR/POHLMAN** moved to approve the preliminary minor subdivision request filed by Forrest Dodson and Mary Holzman for 263 Katlian Street and the adjacent tidelands. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

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

**MINOR SUBDIVISION  
213 PRICE STREET, LOT 1 OF MICK'S SUBDIVISION, U.S. SURVEY 3695  
MICHAEL TISHER**

*Public hearing and consideration of a final plat for a minor subdivision at 213 Price Street. The subdivision would create two lots. The property is also known as Lot 1 of Mick's Subdivision, U.S. Survey 3695. The request is filed by Michael Tisher. The owner of record is Michael Tisher.*

**COMMISSIONER DELIBERATION:** Commissioners noted that Mr. Tisher had not arrived to the hearing. Commissioners stated that they would prefer to have the applicant present and discussed tabling the item.

**MOTION: M/S WINDSOR/POHLMAN** moved to table the discussion.

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

**DIRECTORS REPORT:** Scarcelli reported on his recent attendance at the state historic preservation training. He stated that preservation and restoration can reap greater economic benefits than new construction. Scarcelli stated gratitude for former chair Parmelee's service, and welcomed Parker Song to the commission. He stated that the planning staff would prepare a Comprehensive Plan presentation for the December 15 meeting.

**COMMISSIONER DISCUSSION:** Chair Spivey stated that the Planning Commission should have a discussion concerning marijuana. Windsor stated that the marijuana board would be making most of the decision-making while consulting the Planning Department. Scarcelli stated that he would be able to provide assistance, particularly in regard to zoning maps.

**MOTION: M/S POHLMAN/WINDSOR** moved to adjourn at 8:13 pm.

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

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**Chris Spivey, Chair**

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**Samantha Pierson, Secretary**