

KETCHIKAN GATEWAY BOROUGH

Planning Commission/Platting Board Meeting Minutes

8/11/2020

The regular meeting of the Ketchikan Gateway Borough Planning Commission/Platting Board was called to order at 6:00 p.m., Tuesday, August 11, 2020, by Chair Sharli Arntzen, and the roll was called.

CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

PRESENT: Sharli Arntzen, Jacquie Meck, Licha Kelley-King, Michael Medford, David Deal and Jos Govaars.

ABSENT: Joseph Mainardi

STAFF PRESENT: Planning Director Richard Harney, Planner Jonathan Lappin, Planner Alethea Johnson, and Platting/ Zoning Clerk, Jeremy Weber

PRESENTATION OF MINUTES - Meeting Minutes of July 14, 2020

M/S Deal/ Meck moved to approve the Meeting Minutes of July 14, 2020 as presented.

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Kelley-King, Medford, Deal and Meck

MOTION DECLARED CARRIED

SPECIAL ORDERS – ANNUAL ORGANIZATIONAL MEETING

M/S Deal/ Meck to elect Commissioner Mainardi as Vice Chair

YES: Arntzen, Govaars, Kelley-King, Medford, Deal and Meck

MOTION DECLARED CARRIED

M/S Deal/ Meck to elect Commissioner Arntzen as Chair

YES: Govaars, Kelley-King, Medford, Deal and Meck

MOTION DECLARED CARRIED

M/S Medford/ Govaars to elect Commissioner Medford and Commissioner Govaars to the Code and Planning Committee

YES: Arntzen, Govaars, Kelley-King, Medford, Deal and Meck

MOTION DECLARED CARRIED

Request from Ketchikan Historic Commission for appointment of a Planning Commissioner

M/S Deal/Medford moved to appointment Commissioner Deal to the Ketchikan Historic Commission

YES: Arntzen, Govaars, Kelley-King, Medford, Deal and Meck

MOTION DECLARED CARRIED

Request from Creek Street Historic Review Board for appointment of a Planning Commissioner

M/S Kelley-King/Deal moved to appointment Commissioner Kelley-King to the Creek Street Historic Review Board

Upon roll call the vote on the MOTION was:

YES: Arntzen, Govaars, Kelley-King, Medford, Deal and Meck

MOTION DECLARED CARRIED

CORRESPONDENCE –

A. Letter of non-objection from Tom and Jaime Carlin to Case 20-046

PERSONS TO BE HEARD

A member of the public spoke on topics outside of the Planning Commission jurisdiction.

UNFINISHED BUSINESS/ PUBLIC HEARINGS - None

NEW BUSINESS/PUBLIC HEARINGS

Chair Arntzen described the procedures for public hearings and appeals of decisions of the Planning Commission/Platting Board. She then read the agenda published on August 7, 2020 into the record.

Case 20-038 is a request for a variance to allow two accessory structures to remain and to encroach into the front and side yard setbacks on Lot 20F-1B, U.S. Survey 2802, K.R.D.; located at 11993 Enright Lane, Ketchikan Gateway Borough.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The structures were built by a previous owner without a zoning permit.
- The applicant discovered the encroachments while applying for a variance to build a new garage on the property.

Planner Johnson explained that the footprint was less than 120 square feet of at the base of the structure; however, the structures' eaves surpassed a one-foot overhang. This requires the determination of square footage to be based off the roof footprint, which exceeded the 120 square feet requirement for accessory structure that do not require zoning permits.

The Applicant Fred Burk was in attendance for questions.

M/S Medford/Deal to adopt Resolution 4257 A

Upon roll call the vote on the MOTION was:

YES: Meck, Govaars, Kelly-King, Medford, Deal, and Arntzen

MOTION DECLARED CARRIED

Case 20-041 is a request for a variance to allow an existing residence and attached accessory deck to remain and encroach into the front yard setback on Lot 52, U.S. Survey 3152, K.R.D.; located at 40 South Point Higgins Road, Ketchikan Gateway Borough.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The applicant discovered the existing encroachments while applying for a deck addition.

Planner Johnson stated that the variance is exclusively for a portion of the deck. The house does encroach, but the house was considered a non-conforming structure that did not require a variance.

Director Harney stated that if the State wished for the structure that was constructed within the right-of-way to be removed, the property owner could apply for a permit through the

state. He reminded the commission that the right-of-way falls under the State's jurisdiction.

Applicant Orvel Houck was not in attendance for questions.

M/S Deal/Govaars to adopt Resolution 4258 A

Upon roll call the vote on the MOTION was:

YES: Govaars, Meck, Kelley-King, Arntzen, Medford, and Deal

MOTION DECLARED CARRIED

Case 20-042 is a request for a variance to allow an existing garage to remain and encroach into the side yard setback on Lot 65, U.S. Survey 2402, K.R.D.; located at 5834 South Tongass Highway, Ketchikan Gateway Borough.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- The garage was built by a previous owner. The applicant was notified of the encroachment after they submitted an as-built survey with an application for a subdivision.

Planner Johnson clarified that the variance was for the garage and that the house was consider a non-conforming structure and does not require a variance to address the encroachment.

The Applicant Seth Marrs was not in attendance for questions.

M/S Medford/Deal to adopt Resolution 4259 A

Upon roll call the vote on the MOTION was:

YES: Meck, Kelley-King, Govaars, Medford, Deal, and Arntzen

MOTION DECLARED CARRIED

Case 20-043 is a request for preliminary plat with a subdivision variance to create two lots from Lot 65, U.S. Survey 2402, K.R.D.; located at 5834 & 5842 South Tongass Highway, Ketchikan Gateway Borough; filed by Gary & Christina Zaugg and Seth Marrs & Jennifer Williams on 6/30/2020.

Chair Arntzen stated that Christina Zaugg (the applicant) was a licensee in her real estate business and Arntzen was found not to have a conflict of interest.

Planner Johnson summarized the written staff report, in which staff recommended approval.

- Lot 65 was split by deeds recorded without approval of the local platting authority in the 1970's. The applicants seek a plat to legally subdivide their properties.
- A subdivision variance is required because the proposed lots do not satisfy the minimum width for lots within the Low Density Residential (RL) zone.

Planner Johnson stated for Commissioner Govaars that if the two lots were rezoned to medium density, they would not be require a subdivision variance, because of the size of the lots.

Director Harney explained that many of the older properties out north and out south would require subdivision variances in their current form due to the amount of deed splits throughout the community.

Planner Johnson clarified that the two lots are technically only one lot, due to the illegal deed split and the two single family residences would not conform to zoning codes.

Planner Johnson clarified that the structures shown on the as-built have been granted variances were built within non conforming times and enjoy non-conformity.

The Applicants Christina Zaugg and Seth Marrs were not in attendance for questions.

M/S Deal/Medford to adopt Resolution 4260 A for a preliminary plat

Upon roll call the vote on the MOTION was:

YES: Meck, Kelley-King, Govaars, Medford, Deal, and Arntzen

MOTION DECLARED CARRIED

M/S Deal/Medford to adopt Resolution 4263 A for a subdivision variance

Upon roll call the vote on the MOTION was:

YES: Meck, Kelley-King, Govaars, Medford, Deal, and Arntzen

MOTION DECLARED CARRIED

WITHDRAWN by Applicant - Case 20-044 is a request for a conditional use permit for an existing detached accessory dwelling and a variance to allow the structure

to remain and encroach into the side yard setback on Lot 27-A-2, U.S. Survey 2808, K.R.D.; located at 13988 North Tongass Highway, Ketchikan Gateway Borough.

- No objections to not hearing the case.

WITHDRAWN by Applicant - Case 20-034 is a request for a Rezone Lot 4A, White Rock Estates Subdivision Phase 2, Plat 2012-11, from Future Development (FD) to Planned Unit Development (PUD); Behind 700 Block D-1 Loop Road, Ketchikan Gateway Borough.

- No objections to not hearing the case.

WITHDRAWN by Applicant - Case 20-035 is a request to Rezone Lot1, U,S, Survey 3767, Lots 1 and 2 of the Bonfire Bay Replat, and Lot 1B, Plat 2011-43 from Low Density Residential (RL) to Planned Unit Development (PUD); located at 15541, 15639, and 15651 N. Tongass Highway, Ketchikan Gateway Borough.

- No objections to not hearing the case.

Case 20-046 is a request for a Rezone Lot 4A, White Rock Estates Subdivision Phase 2, Plat 2012-11, from Future Development (FD) to Planned Unit Development (PUD); Behind 700 Block D-1 Loop Road, Ketchikan Gateway Borough.

Planner Lappin summarized the written staff report, in which staff recommended approval.

- The applicant wishes to develop the property with a mix of residential housing types that have access to communal facilities such as community gardens and a community building.

Director Harney stated that the structures would not be considered mobile buildings and if they wanted a mobile building the applicant would be required to obtain a conditional use permit.

The Applicant Trevor Sande was in attendance for questions. Mr. Sande stated that the structures would be built on conventional foundations. The common space was taken off the plan due to the tiny houses that were on the previous plan and their need for a community space.

Mr. Sande stated that the reduced plan was mostly motivated by what he can build at any given time.

Matt Nichols spoke in opposition to the PUD because of the density of the six-plexes planned for the area.

M/S Meck/Medford to adopt Resolution 4261 A

Commissioner Deal stated for the record that the development was a benefit for the communities' housing needs.

Chair Arntzen stated for the record that she appreciated the scaled down phased approach to the plan.

Upon roll call the vote on the MOTION was:

YES: Meck, Govaars, Medford, Deal, and Arntzen

NO: Kelley-King

MOTION DECLARED CARRIED

Case 20-047 is a request to Rezone Lot1, U,S, Survey 3767, Lots 1 and 2 of the Bonfire Bay Replat, and Lot 1B, Plat 2011-43 from Low Density Residential (RL) to Planned Unit Development (PUD); located at 15541, 15639, and1 5651 N. Tongass Highway, Ketchikan Gateway Borough.

Planner Lappin summarized the written staff report, in which staff recommended approval.

- The applicant wishes to develop the property with a variety of residential and commercial uses including mobile buildings, and tours.

The Applicant Trevor Sande was in attendance for questions.

Planner Lappin stated that there are two access points from the highway.

Director Harney stated that road building standards are related to the number of lots serviced by the road. Since all adjoining lots abut North Tongass road building standards are not required of the existing access.

The meeting adjourned and reconvened after a five-minute break.

Mr. Sande explained that the single family lots will not allow duplexes, also the current plat clears up several zoning issues with setbacks. Mr. Sande stated that current access was derived from the old North Tongass highway access point, located utilizing the existing base structure and that, if required, a fire engine or emergency service vehicle could navigate to reach the dock and proposed residences.

Commissioner Lappin clarified for Commissioner Deal that the commercially zoned area would require additional leases from the State of Alaska if they wanted to expand their operations.

Planner Lappin stated that the public access easement was established by Alaska statute prior to purchase of the land.

M/S Deal/Medford to adopt Resolution 4262 A

Upon roll call the vote on the MOTION was:

YES: Meck, Kelley-King, Govaars, Medford, Deal, and Arntzen

MOTION DECLARED CARRIED

CONSENT AGENDA

REGULAR BUSINESS

DIRECTOR'S REPORT

- Planning Department Statistics.
- Updated FEMA Risk Month expected soon.
- Planning Magazine article review.

COMMENTS

Commissioner Deal – Happy to see Mr. Sande move forward on his project in White Rock.

ADJOURNMENT

M/S Deal/Meck moved to adjourn.

With no objection, the meeting adjourned 8:09 p.m.



Jeremy Weber, Platting/ Zoning Clerk
Planning Commission/Platting Board



Sharli Arntzen, Chair
Planning Commission/Platting Board