

Planning Commission Staff Report & Finding of Fact

Meeting Date: 10/10/2023

APPLICANT/AGENT:

Vickie Sokol

OWNER(S), IF DIFFERENT:

LEGAL DESCRIPTION:

Lot 1A, Block 53, USS 1252

LOT AREA:

10,000 sf

LOCATION:

100 N 3rd ST

SURROUNDING ZONING:

North: Single-family Residential (SFR)

South: Single-family Residential (SFR)

East: Single-family Residential (SFR)

West: Commercial-1 (C1)

ZONING:

Single-family Residential (SFR)

PID:

01-007-375

PREVIOUS ACTIONS:

1991 – Variance from setback granted for covered deck.

2013 – Lots 1 & 2 consolidated

APPLICATION SUBMISSION DATE:

9/8/2023

RECOMMENDATION:

Approve

I. APPLICANT REQUEST:

Applicant is requesting a variance to allow for construction of an addition within the required yard setback.

II. APPLICABLE CODES:

19.20 SINGLE FAMILY RESIDENTIAL DISTRICT

19.80 VARIANCE

III. FINDING:

- a. The subject property exceeds the minimum lot size for the district.
- b. The surrounding area is a well-established residential neighborhood.
- c. The subject property is located on a corner lot although the Gjoa St right-of-way remains undeveloped.
- d. The subject property has an existing residential structure and detached garage. The total floor area of existing structures is approximately 2600 sf,
- e. In 1991, the commission granted a variance to allow construction of an enclosed deck within 6' of the side yard property line along the Gjoa St right-of-way, however according to the as-built submitted by the applicant, the covered deck is 5' from the property line.
- f. The 1991 variance was granted because the Planning Commission was unable to meet for lack of quorum for over two months and therefore unable to hold a public hearing within the time constraints required by code. The community development director/building official at that time granted the variance under his own authority, which is unusual.

IV. PUBLIC NOTICE

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The borough provided public notice consistent with 19.80.040. Notice was mailed by first class mail to the owner of record of the property within a distance of six hundred feet of the exterior boundary of the property that is the subject of the application.

V. APPLICATION REVIEW

The application is classified as a request for a variance from the yard setback requirement.

a. ZONING DISTRICT STANDARDS

Minimum Standards for Zoning District and Use			
	Requirement	Subject Property	Analysis
Minimum Lot Size	8,000 sf	10,000	Conforms
Minimum Road Frontage	80 ft	100 ft	Conforms
Front Yard Setback (3rd ST)	20 ft	20.7 ft	Conforms
Side Yard Setback (Gjoa ST)	20 ft	5 ft	Variance Granted - 1991
Rear Yard Setback	10 ft	18.7 ft	Conforms
Side Yard Setback	10 ft	13.5	Conforms
Max. Height	3 stories, not to exceed 30 ft	2 story	Conforms
Max Lot Coverage	35%	28%	Conforms
Fire Code Separation	n/a		
Off-street Parking	2 spaces	Garage	Conforms

b. Variance Criteria – Per 19.72.020, the Planning Commission must find all three of the following conditions to exist to grant the variance.

1. 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.

Yes No

REASON: The dwelling was constructed in 1925 prior to adoption of minimum lot size and yard setback requirements; however, through a lot consolidation, the subject property now exceeds the minimum lot size required and is larger than many lots in the surrounding neighborhood.

However, it appears city staff erroneously granted a variance without a public hearing or approval of the planning commission in 1991 that allowed construction of an enclosed deck to within 6' of the property line. A building permit was issued, and the enclosed deck was constructed 5' from the property line.

The circumstances applicable to this property are unusual and the applicant's request is reasonable given how the property has been developed.

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

Yes No

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REASON: The application of the setback requirement would prevent the homeowner from constructing the addition at their preferred location and placing the addition on the other side of the house may be more costly and/or inconvenient.

3. 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.

Yes No

REASON: It is unlikely that portion of the Gjoa St ROW will be developed and encroaching along this setback has no impact on neighbors. The proposed development will meet all other setbacks and maximum lot coverage requirements. The applicant proposes to follow the existing building line.

VI. ACTION

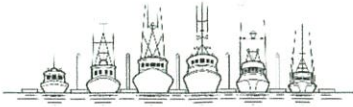
Proposed motion: I move to approve the application for a variance from the yard setback requirement to allow for construction of a 160-sf addition 5' from the side property line at 100 N 3rd Street.

Based on the preceding findings of fact, the Petersburg Planning Commission makes the following determination:

a. The application does not meet the criteria outlined in Title 19.80 for a variance.

EXHIBITS

- A. Applicant materials
- B. Vicinity & Detail Maps
- C. Public Hearing Mailout



**PETERSBURG BOROUGH
VARIANCE APPLICATION**

CODE TO:	110.000.404110
BASE FEE:	\$100.00
PUBLIC NOTICE FEE:	\$70.00
TOTAL:	\$170.00
CHECK NO. or CC:	#2400

DATE RECEIVED: _____ RECEIVED BY: _____

APPLICANT/AGENT	LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME <i>VICKIE SOKOL</i>	NAME
MAILING ADDRESS <i>PO Box 964</i>	MAILING ADDRESS
CITY/STATE/ZIP <i>Petersburg AK 99833</i>	CITY/STATE/ZIP
PHONE <i>(L) 541-217-5586 (H) 772-3210</i>	PHONE
EMAIL <i>violets@gci.net</i>	EMAIL

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION:
100 N 3rd Street

PARCEL ID: *01-007-375* ZONE: *SF* OVERLAY:

CURRENT USE OF PROPERTY: *Residential* LOT SIZE: *1- 5000*
2- 5000

PROPOSED USE OF PROPERTY (IF DIFFERENT):

SEPTIC SYSTEM: Is there a septic system on the property? YES NO

What is current or planned system? Municipal DEC-approved on-site system

WATER SOURCE: Municipal Cistern/Roof Collection Well

LEGAL ACCESS TO LOT(S) (Street Name): *North 3rd Street*

TYPE OF VARIANCE REQUESTED

- Yard Setback
- Maximum Lot Coverage
- Building Height
- Fence Height
- Other: *Lot 1 - Constructing a bedroom behind covered porch area -*

SUBMITTALS:

Please include a site plan of your proposed development.

SIGNATURE(S):

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

Applicant(s): *Vickie Sokol* Date: *9.8.23*

Owner(s): _____ Date: _____

19.80 VARIANCE APPLICATION

(SUBMIT WITH SITE PLAN)

Applicant(s): Vickie Sokol

Address or PID: 100 N 3rd Street

Conditions of approval as required in Petersburg Municipal Code 19.80.050: (Note that all three conditions must be satisfied in order to qualify for a variance.)

1. What is the exceptional physical circumstance or condition affecting this property?

- Substandard Lot Area Easements/ROW Stream/Drainage
 Steep/Unstable Slope Odd Lot Shape Nonconforming Structure
 OTHER (Please Specify):

2. Explain the 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.

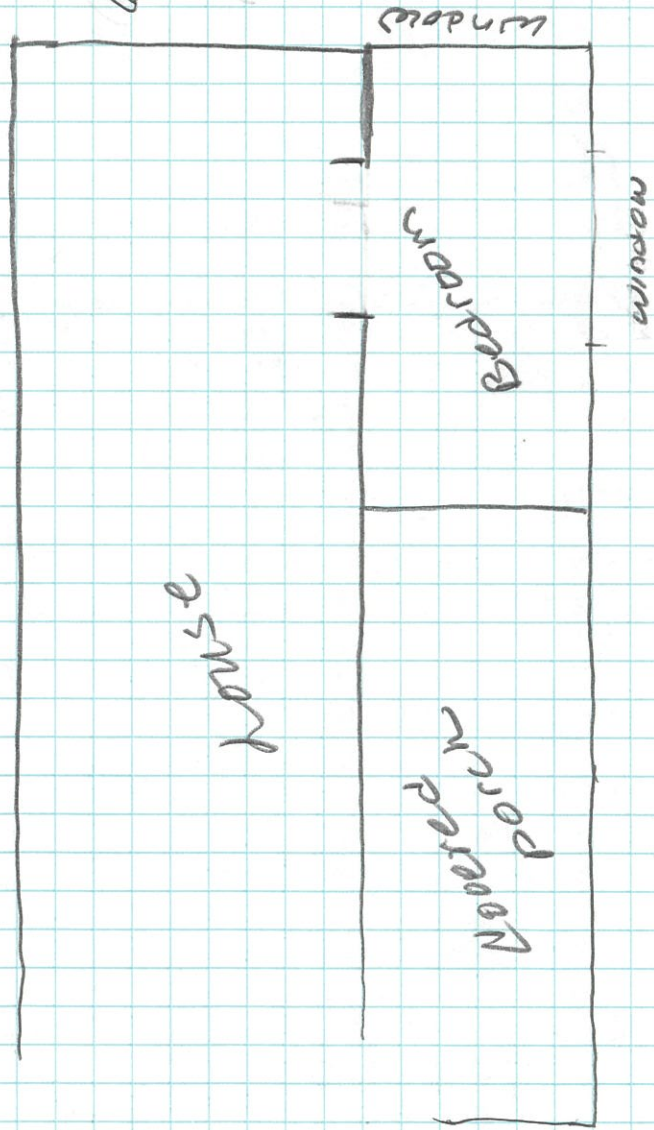
Existing home is 85+ yrs old
sitting on a concrete foundation
which is 16 ft 5" away from
end of property line

3. Explain how the strict application of these provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.

Adding this main level bedroom
to care for elderly parents

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

This is a main level bedroom
which will be located on the
backside of house - Could not be
construed to be detrimental to
public, health, safety or welfare
to any other properties around this house

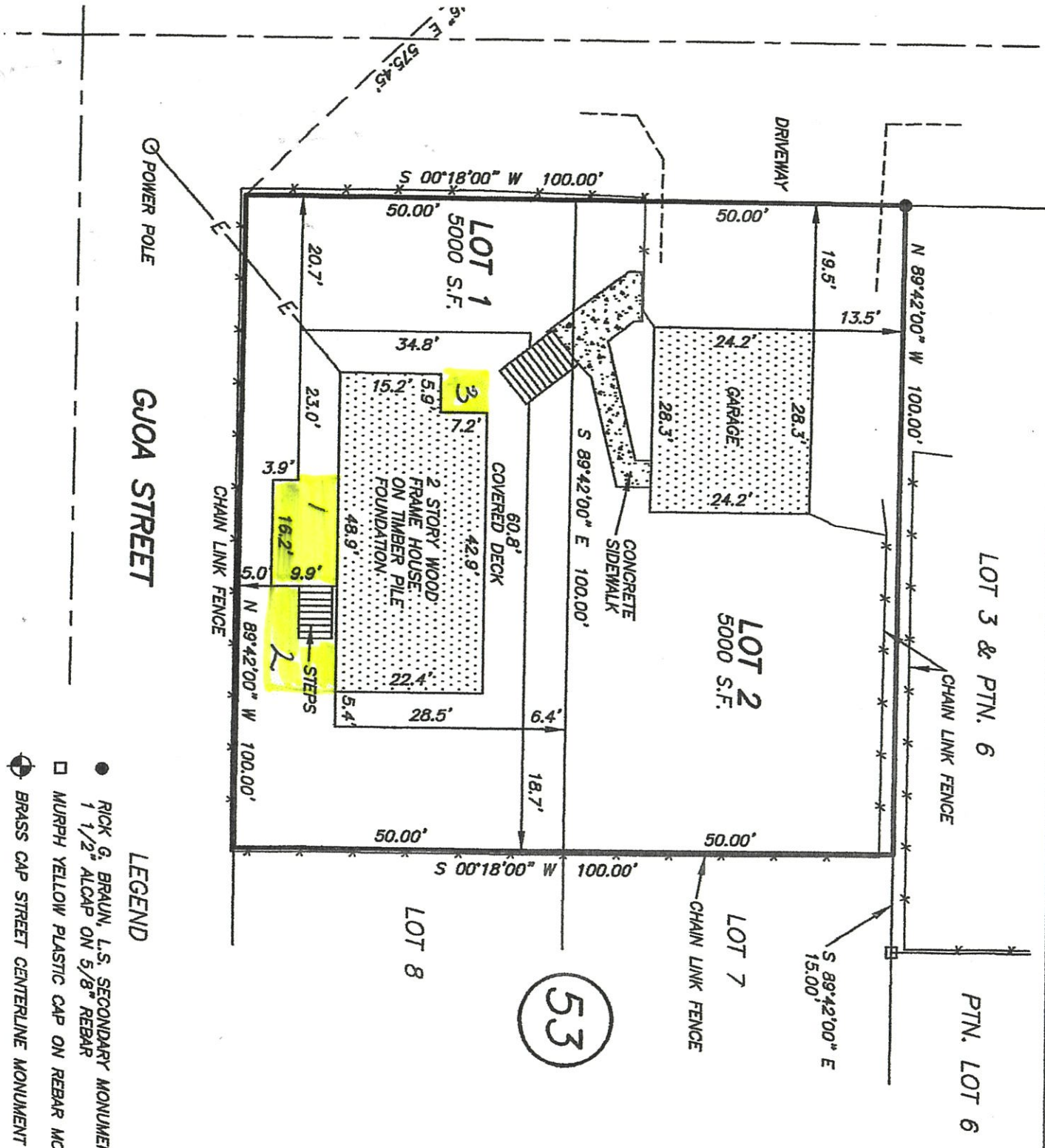


6" creosote piling
2 runs of 3

addition will be

10 x 10

2 egress windows



GUOA STREET

LEGEND

- RICK G. BRAUN, L.S. SECONDARY MONUMENT
- 1 1/2" ALCAP ON 5/8" REBAR
- MURPH YELLOW PLASTIC CAP ON REBAR MONUMENT
- BRASS CAP STREET CENTERLINE MONUMENT



AS-BUILT
OF LOTS 1 &
OF U.S. SUR
PETERSBURG REC

CLIENT: TED & VICKIE
P.O. BOX 874
PETERSBURG,



RICK

OCTOBER

I HEREBY CERTIFY THAT I HAVE FOLLOWING DESCRIBED PROPER LOTS 1 & 2 OF BLOCK 53 OF PETERSBURG RECORDING DISTRICT AND THAT THE IMPROVEMENTS ARE WITHIN THE PROPERTY LINE OVERLAP OR ENCROACH ON THE ADJACENT THERETO, THAT NO IM PROPERTY LYING ADJACENT THEM ON THE PREMISES IN QUESTION ARE NO ROADWAYS, TRANSMISSION OTHER VISIBLE EASEMENTS ON EXCEPT AS INDICATED HEREON.

SURVEYOR'S CERTI

PTN. LOT 6

LOT 3 & PTN. 6

53

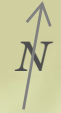
*Sokol Property
100 N 3rd Street
01-007-375*



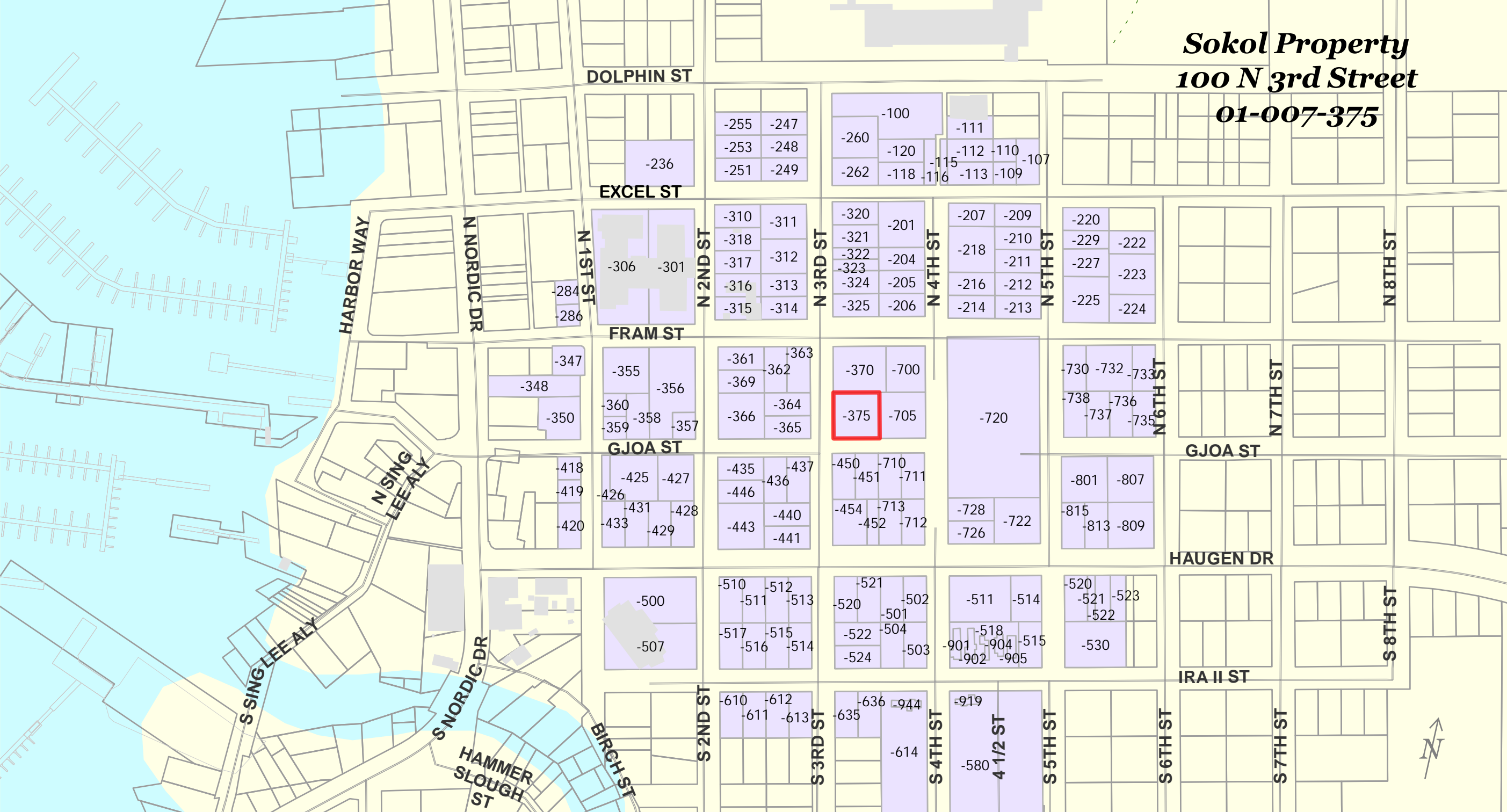
PROPERTY AREA

Petersburg James A. Johnson Airport

Airport Boundary



Sokol Property
100 N 3rd Street
01-007-375



-255 -247
-253 -248
-251 -249

-100
-260 -120 -111
-262 -118 -116 -113 -109 -107

-306 -301

-310 -311
-318 -312
-317 -312
-316 -313
-315 -314

-320 -201
-321 -201
-322 -204
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-737 -735

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-443 -440
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-454 -713
-452 -712

-728 -722
-726

-801 -807
-815 -809
-813

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-507

-510 -512 -513
-511 -513
-517 -515 -514
-516 -514

-521 -502
-520 -501
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-524 -503

-511 -514
-518 -515
-901 -904 -905
-902

-520 -523
-521 -522
-530

-610 -612 -613
-611 -613

-636 -944
-635 -614

-919
-580





September 26, 2023

**YOUNGBERG EVERETT YOUNGBERG STARLA
PO BOX 2056
PETERSBURG, AK 99833-2056**

NOTICE OF SCHEDULED PUBLIC HEARINGS

The Petersburg Borough Planning Commission has scheduled a public hearing to consider:

An application from Vicki Sokol for a variance from the side yard setback requirement to allow for construction of an addition 5’ from the property line at 100 N 3rd St (PID: 01-007-375)

The public hearing and consideration of the application will be held:	Tuesday, October 10th 2023, at 12:00 PM Assembly Chambers, Municipal Building 12 South Nordic Drive, Petersburg, Alaska.
The meeting is open to the public. To attend via ZOOM , please contact Anna Caulum at 907-772-5409.	

Interested persons desiring to present their views on the applications, either in writing or verbally, will be given the opportunity to be heard during the above-mentioned hearing. Said hearing may be continued from time to time as necessary. If the Planning Commission is unable to meet at the date and time stated above, this application will be considered at a future meeting with no further notice provided except for the general notice provided to the public.

TO SUBMIT WRITTEN COMMENTS TO THE PLANNING COMMISSION	
By Mail:	PO Box 329, Petersburg, Alaska 99833
By Email:	acaulum@petersburgak.gov
Hand-Deliver:	Petersburg Municipal Building, 12 S. Nordic Dr.

The Petersburg Municipal Code (PMC) provides for an appeal of a Planning Commission decision to the Borough Assembly by the property owner or a governmental agency, or any property owner within 600’ of the applicant property and requires that such an appeal be filed within 10 consecutive calendar days of the date the decision is made. For more information regarding appeal requirements, please see PMC Chapter 19.92.

Sincerely,

Liz Cabrera,
Community & Economic Development Department

Name1	Name2	Address1	City	State	Zip	EMAIL
CHRIST FRY		PO BOX 1440	PETERSBURG	AK	99833-1440	nwood@mac.com
HEATHER O'NEIL		PO BOX 1083	PETERSBURG	AK	99833-1083	fvogue@gci.net
SALLY DWYER		PO BOX 1788	PETERSBURG	AK	99833-1788	dwversa@gci.net
JIM FLOYD		PO BOX 281	PETERSBURG	AK	99833-0281	jim@hammerandwikan.com
JOHN JENSEN		PO BOX 681	PETERSBURG	AK	99833-0681	i.fishjensen@gmail.com
PHIL MEEKS		PO BOX 1514	PETERSBURG	AK	99833-1514	psmeeks@aptalaska.net
MARIETTA DAVIS		PO BOX 673	PETERSBURG	AK	99833-0673	mariettajoanne12@gmail.com
SOKOL VICKIE		PO BOX 964	PETERSBURG	AK	99833-0964	
ABBOTT DIANE R		PO BOX 103	PETERSBURG	AK	99833-0103	
ABBOTT THOMAS	HART ELIZABETH	PO BOX 1617	PETERSBURG	AK	99833-1617	
AIKINS DANIELLE	AIKINS STEVEN	PO BOX 1553	PETERSBURG	AK	99833-1553	
ALCOCK TARALEE		PO BOX 494	PETERSBURG	AK	99833-0494	
ANDERSON JASON C	ANDERSON JULIE E	PO BOX 1841	PETERSBURG	AK	99833-1841	
BENITZ ROBERT	BENITZ RUTH	PO BOX 298	PETERSBURG	AK	99833-0298	
BERNALDO DELILAH		PO BOX 1951	PETERSBURG	AK	99833-1951	
BOSWORTH DALE	BOSWORTH LESLEY	PO BOX 45	PETERSBURG	AK	99833-0045	
BRUMBLY PAGE	HILL KENNETH	PO BOX 1290	CORDOVA	AK	99574	
BURKE RICHARD		PO BOX 1406	PETERSBURG	AK	99833-1406	
C&C LLC		306 MAIN ST STE 326	KETCHIKAN	AK	99901	
CANTON LOGAN J	CANTON SHEENA L	PO BOX 1742	PETERSBURG	AK	99833-1742	
CHAMBER OF COMMERCE		PO BOX 649	PETERSBURG	AK	99833-0649	
COTTRELL GEORGE W		PO BOX 551	PETERSBURG	AK	99833-0551	
CRONLUND DOUGLAS		PO BOX 363	PETERSBURG	AK	99833-0363	
DAVIS CHARLES W	DAVIS TIFFANY E	PO BOX 818	PETERSBURG	AK	99833-0818	
DAVIS MARCIA		PO BOX 1678	PETERSBURG	AK	99833-1678	
DAVIS MARLEN W	DAVIS MARIETTA J	PO BOX 673	PETERSBURG	AK	99833-0673	
EASTWOOD GAYLE M		PO BOX 1185	PETERSBURG	AK	99833-1185	
EIDE MITCHELL L		PO BOX 981	PETERSBURG	AK	99833-0981	
ERICKSON BARBARA S	ERICKSON WIARD TRACY	PO BOX 1795	PETERSBURG	AK	99833-1795	
FIRST BAPTIST CHURCH		PO BOX 990	PETERSBURG	AK	99833-0990	
FLETCHER BRANDEN L		PO BOX 162	PETERSBURG	AK	99833-0162	
FREDRICKSEN NORMAN	FREDRICKSEN LYNDA	PO BOX 98	PETERSBURG	AK	99833-0098	
FREEDOM VENTURES LLC		PO BOX 1442	PETERSBURG	AK	99833-1442	
GILBERT NICHOLAS E		PO BOX 1101	PETERSBURG	AK	99833-1101	
GILBERT WENDEL	GILBERT RHODA	PO BOX 1101	PETERSBURG	AK	99833-1101	
HAGERMAN KARL	HAGERMAN ROBYN	PO BOX 2111	PETERSBURG	AK	99833-2111	
HALL KELLY J		PO BOX 18	PETERSBURG	AK	99833-0018	
HALLINGSTAD CASPER	HALLINGSTAD NICOLE	PO BOX 1496	PETERSBURG	AK	99833-1496	
HALTINER DEAN R		PO BOX 443	PETERSBURG	AK	99833-0443	
HIGGINS DONALD K HIGGINS NANCY M		PO BOX 1625	PETERSBURG	AK	99833-1625	
HINDE BENJAMIN	HINDE MARCIE	PO BOX 2099	PETERSBURG	AK	99833-2099	
HOFFMAN FAYE		PO BOX 1626	PETERSBURG	AK	99833-1626	
HOLMGRAIN RANDAL E	HOLMGRAIN SARAH	PO BOX 1975	PETERSBURG	AK	99833-1975	
KAWASHIMA GENE	KAWASHIMA JANE	PO BOX 1428	PETERSBURG	AK	99833-1428	
KORCHAK PAUL		PO BOX 1256	PETERSBURG	AK	99833-1256	
KVERNVIK RACHEL M		PO BOX 822	PETERSBURG	AK	99833-0822	
LEGGETT JIMMY	STERBA BRIAN	2505 SOUNDVIEW DR	LANGLEY	WA	98260	
LENHARD MATTHEW	LENHARD JILL	PO BOX 1404	PETERSBURG	AK	99833-1404	
LEWIS ERIC L		PO BOX 2046	PETERSBURG	AK	99833-2046	
LOPEZ JAN M		PO BOX 1601	PETERSBURG	AK	99833-1601	
LUTHERAN CHURCH		PO BOX 709	PETERSBURG	AK	99833-0709	
LUTTON THOMAS	LUTTON JANELLE	PO BOX 1913	PETERSBURG	AK	99833-1913	
MANLY AMBER	OLSON DARRYL P	PO BOX 476	PETERSBURG	AK	99833-0476	
MARTIN ROBERT W	MARTIN BECKY J	PO BOX 357	PETERSBURG	AK	99833-0357	
MARTIN TYLER J		PO BOX 2033	PETERSBURG	AK	99833-2033	
MICHAEL ERIN A		PO BOX 506	PETERSBURG	AK	99833-0506	
MOORE JOSHUA A	MOORSE VICTORIA R	PO BOX 2015	PETERSBURG	AK	99833-2015	
MORRISON CHRISTOPHER	MORRISON CHRISTINA	PO BOX 284	PETERSBURG	AK	99833-0284	
MURRAY INGRID G	MURRAY PATRICK J	PO BOX 644	PETERSBURG	AK	99833-0644	
MURRISON NANCY		PO BOX 689	PETERSBURG	AK	99833-0689	
NEWLUN NEIL	NEWLUN MARGARET	PO BOX 957	PETERSBURG	AK	99833-0957	
NICHOLSON COLLEEN		PO BOX 21202	JUNEAU	AK	99502-1202	
NILSEN MIKE L	NILSEN RAVENNA	PO BOX 1084	PETERSBURG	AK	99833-1084	
NORTHWIND APARTMENTS LLC		20740 PTARMIGAN BLVD	EAGLE RIVER	AK	99577	
OINES MARJORIE J		PO BOX 591	PETERSBURG	AK	99833-0591	
PATRICK JUSTIN		PO BOX 2101	PETERSBURG	AK	99833-2101	
PETERSBURG CHILDREN CENTER		PO BOX 138	PETERSBURG	AK	99833-0138	
PETERSBURG INDIAN ASSOCIATION		PO BOX 1410	PETERSBURG	AK	99833-1410	
PETERSBURG MEDICAL CENTER		PO BOX 589	PETERSBURG	AK	99833-0589	
PETERSBURG MENTAL HEALTH SERVICES		PO BOX 1309	PETERSBURG	AK	99833-1309	
PETERSBURG MOTORS INC		PO BOX 767	PETERSBURG	AK	99833-0767	
PETERSEN CODEE	PETERSEN NATALIE	PO BOX 1498	PETERSBURG	AK	99833-1498	
POTRZUSKI MIKALAI G	POTRZUSKI BRITTANY M	PO BOX 1688	PETERSBURG	AK	99833-1688	
PRESBYTERIAN CHURCH		PO BOX 712	PETERSBURG	AK	99833-0712	
QUITSLUND JOSEF M		PO BOX 668	PETERSBURG	AK	99833-0668	
ROCKWELL DEVELOPMENT LLC		9831 MAIN TREE DR	ANCHORAGE	AK	99507	
SALVATION ARMY-PETERSBURG		PO BOX 101459	ANCHORAGE	AK	99510-1459	
SCADUTO KELLY		PO BOX 127	PETERSBURG	AK	99833-0127	
SKEEK LEONARD	SKEEK LOURDES	PO BOX 742	PETERSBURG	AK	99833-0742	
SMETS MARJA	VARSAO DANIEL	PO BOX 1714	PETERSBURG	AK	99833-1714	
SMITH JEFF L	SMITH SHARON	PO BOX 1665	PETERSBURG	AK	99833-1665	
SPERL DONALD & TAUSHA	SPERL KOREN	PO BOX 1407	PETERSBURG	AK	99833-1407	
SPRAGUE RICHARD	SPRAGUE SHARON	PO BOX 567	PETERSBURG	AK	99833-0567	
ST ANDREWS EPISCOPAL CHURCH		PO BOX 1815	PETERSBURG	AK	99833-1815	
ST CATHERINE'S CHURCH		PO BOX 508	PETERSBURG	AK	99833-0508	
STRATMAN JOSEPH	RICE ALLISON	PO BOX 1736	PETERSBURG	AK	99833-1736	
SWAINSON SANDRA (SPARKY) K		PO BOX 1672	SITKA	AK	99835-1672	
TAGABAN LOLITA		PO BOX 568	PETERSBURG	AK	99833-0568	
THOMPSON FLOYD A		PO BOX 1436	PETERSBURG	AK	99833-1436	
THYNES STEPHANIE S		PO BOX 1517	PETERSBURG	AK	99833-1517	
TIDWELL JARED		PO BOX 496	PETERSBURG	AK	99833-0496	
TRIEM FRED		PO BOX 129	PETERSBURG	AK	99833-0129	
TUCCILLO MARK WILLIAM	OHMER SUSAN	PO BOX 556	PETERSBURG	AK	99833-0556	
US FOREST SERVICE		PO BOX 21628	JUNEAU	AK	99802-1628	
VALHALLA PLACE LLC		9831 MAIN TREE DR	ANCHORAGE	AK	99507	
VARSAO DANIEL J	SMETS MARJA	PO BOX 1714	PETERSBURG	AK	99833-1714	
VINSON TRACI	VINSON ANTHONY	PO BOX 461	PETERSBURG	AK	99833-0461	
WEAVER PAT ELAINE	PAT WEAVER LIVING TRUST	PO BOX 1181	PETERSBURG	AK	99833-1181	
WELDE DOUGLAS		PO BOX 875	PETERSBURG	AK	99833-0875	
WELDE RACHEL		PO BOX 1245	PETERSBURG	AK	99833-1245	
WIKAN RICHARD		PO BOX 1461	PETERSBURG	AK	99833-1461	
WOOD THOMAS		PO BOX 157	POINT BAKER	AK	99927	
YI HOY	YI YOUSIM B	PO BOX 1202	PETERSBURG	AK	99833-1202	
YIP WAMEN	YIP LANEY	PO BOX 2037	PETERSBURG	AK	99833-2037	
YOUNGBERG EVERETT	YOUNGBERG STARLA	PO BOX 2056	PETERSBURG	AK	99833-2056	