

Planning Commission Report & Finding of Fact

Meeting Date: 11/12/2024

APPLICANT/AGENT:

John & Miriam Swanson

OWNER(S), IF DIFFERENT:

Petersburg Borough

LEGAL DESCRIPTION:

Ramona St ROW

PERMIT AREA:

650 sf

LOCATION:

Ramona St ROW

SURROUNDING ZONING:

North: Single-family Residential (SF)

South: Single-family Residential (SF)

East: Single-family Residential (SF)

West: --

ZONING:

--

PID:

-

EXISTING STRUCTURES:

Pump Station #4

APPLICATION SUBMISSION DATE:

9/17/2024

RECOMMENDATION:

Approve with Conditions

I. APPLICANT REQUEST

Applicant is requesting a special use permit to construct a driveway on a portion of the Ramona ST ROW located near 1400 N NORDIC DR.

II. APPLICABLE CODES

19.76 SPECIAL USE PERMIT

III. FINDING

- a. The surrounding area is an established residential neighborhood, but the Ramon St ROW is undeveloped.
- b. The Ramona St ROW has an existing pump station that will be partially dismantled during reconstruction.
- c. The proposed driveway would provide better, safer access to the Swanson's residence.

IV. PUBLIC NOTICE

The borough provided public notice consistent with PMC 19.76.060. 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 special use permit for a driveway on a portion of a borough-owned right of way.

- a. Floodplain management – The subject property is not located within a special flood hazard area subject to PMC 17.14.

b. Special Use Permit Criteria – Impact, if any, this proposed activity would have on the proposed site and on surrounding properties.

Both Public Works and Power & Light support the SUP and do not foresee any negative impact to the pump station's future operation.

It is unlikely the SUP will impact any surrounding properties. The Swanson Subdivision is pending and will vacate the remainder of the Ramona St ROW between N Nordic DR and Valkyrie ST. The proposed driveway terminates on the Swanson property.

VI. ACTION

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

- a. The application meets the conditions for a special use permit and the commission recommends approval. The Commission recommends the SUP not be issued until the pending Swanson Subdivision plat is recorded and the Pump Station #4 project is completed.
- b. The applicant should be made aware that any special use permit approved by the borough assembly shall expire unless the privilege granted is utilized within one year after the granting of the special use permit. Any permittee holding an un-expired permit may apply for an extension of the time. The borough assembly may extend the time for action by the permittee for a period not exceeding one year upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.
- c. The applicant should be made aware that the borough assembly may, in writing, suspend or revoke the special use permit whenever the permit is issued in error or based on incorrect information supplied, or in violation of any ordinance or regulation or any provisions of this code.

VII. EXHIBITS

- A. Planning Commission Packet
 - a. Staff Report
 - b. Applicant materials
 - c. Vicinity & Detail Maps
 - d. Public Hearing Mailout
 - e. Comments from K. Hagerman & C. Cotta

ATTACHMENT A: Planning Commission Meeting Packet

Planning Commission Staff Report & Finding of Fact

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VI. ACTION

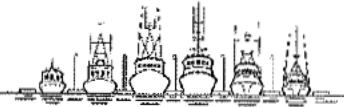
Proposed motion: I move to recommend to the Borough Assembly to approve the application from John & Miriam Swanson for a special use permit for a driveway on the Ramona St ROW along with findings as presented.

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

- a. The application meets the conditions for a special use permit and the commission recommends approval. The Commission recommends the SUP not be issued until the pending Swanson Subdivision plat is recorded and the Pump Station #4 project is completed.
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- D. Comments from K. Hagerman & C. Cotta

 PETERSBURG BOROUGH SPECIAL USE PERMIT APPLICATION		CODE TO:	110.000.404110
		BASE FEE:	\$50.00
		PUBLIC NOTICE FEE:	\$70.00
		TOTAL:	\$120.00
DATE RECEIVED:		RECEIVED BY:	CHECK NO. or CC:
APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)	
NAME <i>John and Miriam Swanson</i>		NAME	
MAILING ADDRESS [REDACTED]		MAILING ADDRESS	
CITY/STATE/ZIP <i>Petersburg, AK 99833</i>		CITY/STATE/ZIP	
PHONE [REDACTED]		PHONE	
EMAIL [REDACTED]		EMAIL	
PROPERTY INFORMATION			
PHYSICAL ADDRESS or LEGAL DESCRIPTION: <i>Romona Street right of way on North Nordic</i>			
PARCEL ID: —	ZONE: —	OVERLAY:	
CURRENT USE OF PROPERTY: <i>pump station #4</i>		LOT SIZE:	
PROPOSED USE OF PROPERTY (IF DIFFERENT): <i>drive way — approx. 650 square feet</i>			
WASTEWATER SYSTEM: Is there a wastewater 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): <i>N. Nordic Drive</i>			
TYPE OF APPLICATION			
☒ Use of Borough Right-of-Way.			
☐ Other:			
SUBMITTALS:			
Please submit site plan of the area you will be developing/using and additional information as required below.			
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): <i>John Swanson</i> <i>Miriam Swanson</i>		Date: <i>9-17-2024</i>	
Owner(s):		Date:	
Owner(s):		Date:	

19.76 SPECIAL USE APPLICATION

(SUBMIT WITH SITE PLAN)

Applicant(s): John Swanson and Miriam Swanson

Address or PID: _____

Project Summary: we have a narrow existing driveway that we would like to widen for safer access.

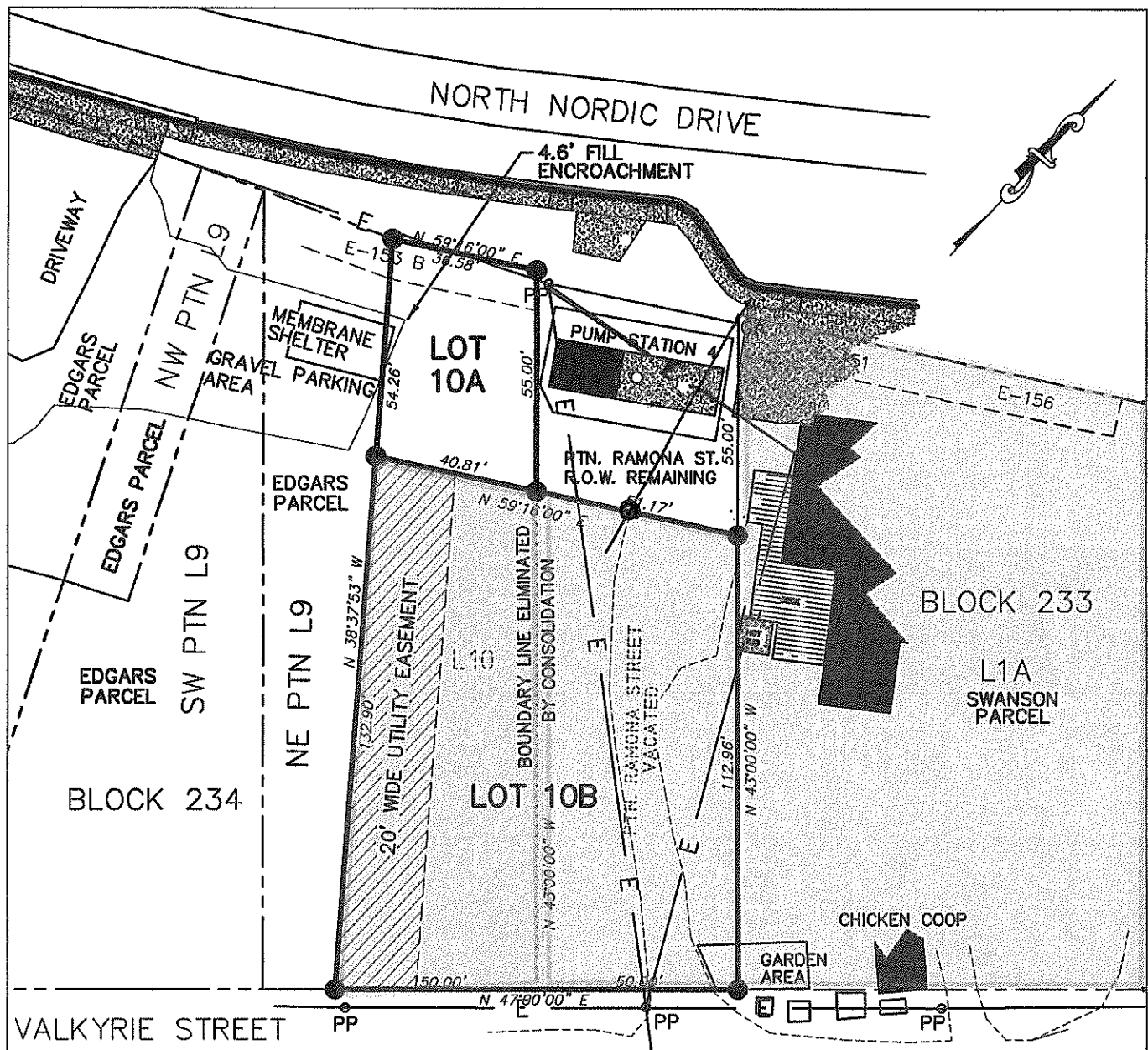
Conditions of approval as required in Petersburg Municipal Code 19.76.020:

(Note that all regulations and requirements of Title 19 must be satisfied in order to qualify for a special use permit.)

1. The Borough Assembly may issue the permit if the request, as approved by the Planning Commission, is found to be of beneficial nature to the community and that adjacent and surrounding property will not be adversely impacted. The surrounding property will not be adversely impacted by this SUP and there will be better access to lot 10B

There are instances when the private sector needs to use borough property for uses other than what the property was initially intended for. An example would be to use a platted, but undeveloped, right-of-way for private access to private property. This SUP would allow for better access to

Explain how your application meets these conditions: lots 10B and Lot 1A
see above



PRELIMINARY PLAN LOT 10 CONSOLIDATION SUBDIVISION

A CONSOLIDATION & SUBDIVISION OF
LOT 10, BLOCK 234 OF U.S.S. 1252 AND
OF A VACATED PORTION OF RAMONA STREET R.O.W.
INTO LOTS 10A AND 10B
PETERSBURG RECORDING DISTRICT

NOTE:

THIS PLAN ASSUMES PRIOR APPROVAL OF THE
PARITAL VACATION OF RAMONA STREET.

EXISTING LOT 10 IS OWNED BY SWANSON.

AREA SUMMARY:

PTN. RAMONA VACATED & ABSORBED
INTO LOT 10B = 5,920 S.F.
PTN. LOT 10 TO LOT 10B = 5,782 S.F.
PTN. LOT 10 TO LOT 10A = 2,080 S.F.
BOROUGH TOTAL = 2,080 S.F.
SWANSON TOTAL = 11,702 S.F.
RAMONA R.O.W. REMAINING = 2,750 S.F.



SURVEYOR

CENTRAL SOUTHEAST SURVEYORS
P.O. BOX 533, PETERSBURG AK 99833
PH (907) 518-0075

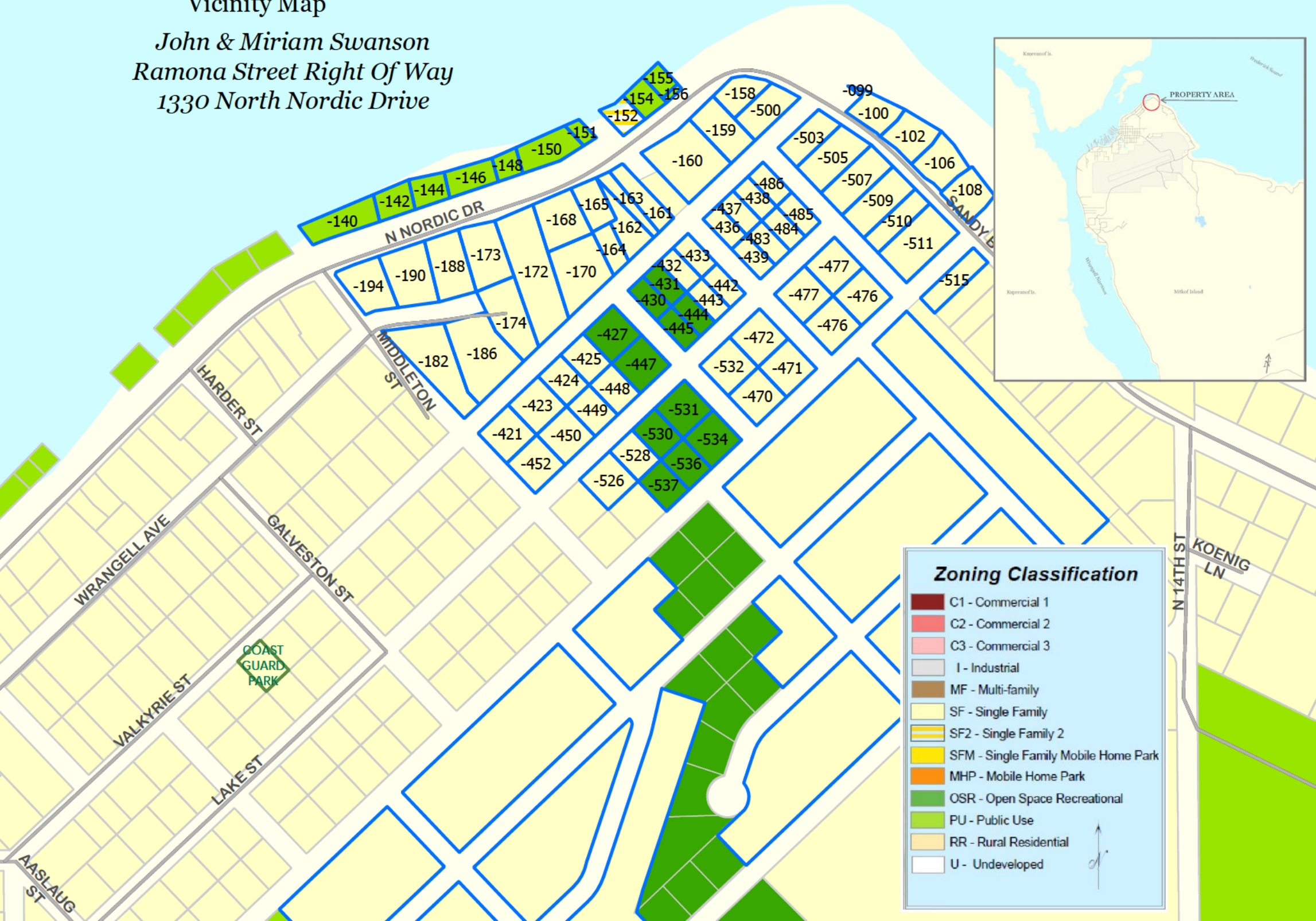
SURVEY COMPLETED 10/05/23

DRAWN BY D.C.T.

DRAWING No. LT10 BLK234 CON/SUBD 2023

Vicinity Map

John & Miriam Swanson
Ramona Street Right Of Way
1330 North Nordic Drive





October 23, 2024

**JAKOBSEN MAGNUS A JAKOBSEN PAULINE G
PO BOX 201
PETERSBURG, AK 99833-0201**

NOTICE OF SCHEDULED PUBLIC HEARINGS

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

Acceptance and scheduling of an application from John & Miriam Swanson for a special use permit to use a portion of a borough-owned ROW as a driveway at 1400 NORTH NORDIC DR.

The public hearing and consideration of the application will be held:	Tuesday, November 12th, 2024, 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

Community & Economic Development

PO Box 329, Petersburg, AK 99833 – Phone (907)772-4042 Fax (907)772-3759

www.petersburgak.gov

Name1	Name2	Address1	City	State	Zip
CHRIST FRY			PETERSBURG	AK	99833-1440
HEATHER O'NEIL			PETERSBURG	AK	99833-1083
JIM FLOYD			PETERSBURG	AK	99833-0281
JOHN JENSEN			PETERSBURG	AK	99833-0681
PHIL MEEKS			PETERSBURG	AK	99833-1514
MARIETTA DAVIS			PETERSBURG	AK	99833-0673
SWANSON JOHN R	SWANSON MIRIAM M		PETERSBURG	AK	99833-1546
ALASKA STATE OF			ANCHORAGE	AK	99501-3579
ALBERG KAYLYNN			SHORELINE	WA	98177
BIGGERS PATRICIA L			PETERSBURG	AK	99833-1633
BIRCHELL CURTIS W	BIRCHELL KRISTI A		PETERSBURG	AK	99833-0012
CURRY CLYDE	CURRY JEAN		PETERSBURG	AK	99833-0572
EDDY KATIE T	EDDY STUART D		PETERSBURG	AK	99833-2085
EDGARS GORDON	EDGARS SANDRA		PETERSBURG	AK	99833-0641
EDGARS JAMES FREDERICK	JESTEL ALISA MICHELLE		PETERSBURG	AK	99833-1814
HARAI SUSAN E			PETERSBURG	AK	99833-0612
JAKOBSEN MAGNUS A	JAKOBSEN PAULINE G		PETERSBURG	AK	99833-0201
KRAVITZ MARY	KRAVITZ GARRETT		PETERSBURG	AK	99833-2073
KVERNVIK JERALD A	KVERNVIK JANICE K		PETERSBURG	AK	99833-1221
LYONS COLT H	CRAIN CAROLINE		PETERSBURG	AK	99833-0074
MARTINSEN JAMES H	MARTINSEN DONNA		PETERSBURG	AK	99833-0385
MARTINSEN JUDINE M	BISSET GEORGE J		PETERSBURG	AK	99833-2112
NILSEN MATT J	NILSEN VALAREE J		PETERSBURG	AK	99833-1463
OHMER JUDY M			PETERSBURG	AK	99833-0372
RAVEN 1 LLC			MCMINNVILLE	OR	97128
STOLPE BJORN H	STOLPE SHANNON R		PETERSBURG	AK	99833-1487
STOLPE JAMES D STOLPE TERESA G			PETERSBURG	AK	99833-1466



RE: Swanson SUP

From Karl Hagerman <khagerman@petersburgak.gov>

Date Fri 10/11/2024 10:53 AM

To Liz Cabrera <lcabrera@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>; Aaron Marohl <amarohl@petersburgak.gov>; Aaron Hankins <ahankins@petersburgak.gov>; Ryan Welde <rwelde@petersburgak.gov>; Jim Stolpe <firechief1@petersburgak.gov>

Cc Jim Holder <jholder@petersburgak.gov>

Liz,

I support this Special Use Permit application from the Swanson's. The pending work at the Borough's pump station will eliminate a portion of the existing facility roof that is closest to their home and remove a chain link fence at the site that is no longer required. This work will allow for the safe use of the Right of Way for driveway access to the Swanson's property. They have accessed their property for many years at this same location with a very narrow drive and without any impacts to the wastewater department's operations. I can appreciate their goals to improve their access, get formal approval of that access from the Borough and to continue to exist in harmony with the Borough's utility operations at the site. I recommend that this SUP be approved.

Thank you for your consideration,

Karl Hagerman
Utility Director
907-772-5421

From: Liz Cabrera <lcabrera@petersburgak.gov>

Sent: Friday, October 11, 2024 10:21 AM

To: Chris Cotta <ccotta@petersburgak.gov>; Aaron Marohl <amarohl@petersburgak.gov>; Aaron Hankins <ahankins@petersburgak.gov>; Ryan Welde <rwelde@petersburgak.gov>; Jim Stolpe <firechief1@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>

Cc: Jim Holder <jholder@petersburgak.gov>

Subject: Swanson SUP

Please let me know if you have any comments.

Thanks,
Liz

Liz Cabrera
Community Development
Petersburg Borough
PO Box 329
Petersburg AK 99833
(907) 518-0242

RE: Swanson SUP

From Chris Cotta <ccotta@petersburgak.gov>

Date Thu 10/24/2024 1:49 PM

To Liz Cabrera <lcabrera@petersburgak.gov>; Aaron Marohl <amarohl@petersburgak.gov>; Aaron Hankins <ahankins@petersburgak.gov>; Ryan Welde <rwelde@petersburgak.gov>; Jim Stolpe <firechief1@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>

Cc Jim Holder <jholder@petersburgak.gov>

Liz,

Public Works does not have any objections to the proposed fill on Borough property. However, I would like to stipulate that this work not be undertaken until after the Borough's Pump Station 4 project has been completed. The property owner should verify with Public Works that all pump station construction is complete prior to commencing any fill on Borough land. Let me know if you have any questions. Thanks,

Chris

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