

Planning Commission Staff Report & Finding of Fact

Meeting Date: 2/14/2024

APPLICANT/AGENT:

WESS BAGULEY

OWNER(S), IF DIFFERENT:

n/a

LEGAL DESCRIPTION:

LOT 7, BLK 282 SEVERSON ADDITION

LOT AREA:

8,800 SQ FT

LOCATION:

606 RAMBLER ST

SURROUNDING ZONING:

North: Single-family Residential (SF)

South: Single-family Residential (SF)

East: Single-family Residential (SF)

West: Single-family Residential (SF)

ZONING:

Single-family Residential (SF)

PID:

01-010-324

EXISTING STRUCTURES:

Single-family home

APPLICATION SUBMISSION DATE:

1/8/2024

RECOMMENDATION:

Deny

I. APPLICANT REQUEST:

Applicant is requesting a variance from the side and rear yard setback requirements to allow for construction of a 176 sf shed 6' from the side yard and 8.5' from the rear yard property lines at 606 Rambler St.

II. APPLICABLE CODES:

19.20 SINGLE FAMILY RESIDENTIAL DISTRICT

19.60.060 EXITS, EAVES, AND ACCESSORY BUILDINGS

19.80 VARIANCE

III. FINDING:

- a. The surrounding area is a well-established residential neighborhood.
- b. The subject property has an existing residential structure.
- c. The total floor area of existing structures is 2,327 Sq Ft.
- d. Municipal code allows sheds and similar structures less than 120 sf to encroach into the rear yard setback, but not into the side yard setback.
- e. The applicant proposes to construct a 176 sf shed on piling placed by the previous owner. The piling was placed within the side and rear yard setbacks.

IV. PUBLIC NOTICE

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 side and rear yard setback requirements.

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a. ZONING DISTRICT STANDARDS

Minimum Standards for Zoning District and Use			
	Requirement	Subject Property	Analysis
Minimum Lot Size	8,000 sf	8,800 sf	Conforms
Minimum Road Frontage	80 ft	88 ft	Conforms
Front Yard	20 ft	--	Conforms
Rear Yard	20 ft	8.5 ft	Variance requested
Side Yard	10 ft	6 ft	Variance requested
Max. Height	3 stories, not to exceed 30 ft		Conforms
Max Lot Coverage	35%	28%	Conforms
Fire Code Separation	n/a		
Off-street Parking			
	Dwelling	2 spaces	Conforms
Max Height Fence	6 feet		--

b. Variance Criteria – The planning commission must find all three of the following conditions to exist in order to grant the variance:

A. 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 subject property meets minimum lot size and is a standard shape. It has no unique physical circumstances or conditions that prevent development in conformance with the code.

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

YES NO REASON: The lot is level, filled, and there is adequate space to construct a shed.

C. 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: The proposed shed's eaves would extend to 5 ft. from the side yard property line. If the commission decides to grant the variance, a condition should be applied that no part of the structure be within 5 ft of the property line. This would be consistent with past variances and ensure adequate separation for fire safety.

VI. ACTION

Proposed motion: I move to approve the application for a variance from the yard setback requirements to allow for construction of a 176 sf shed within 6 ft of the side property line and 8 ft of the rear property line with no part of structure, including eaves, being any closer than 5 ft from the property.

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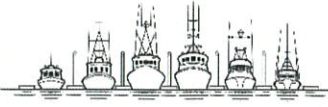
Based on the preceding findings of fact, the Petersburg Planning Commission makes the following determination:

- a. The application does not meet the criteria outlined in Title 19.80 for a variance.
- b. The subject property meets minimum lot size and is a standard shape. It has no unique physical circumstances or conditions that prevent development in conformance with the code.
- c. The lot is level, filled, and there is adequate space to construct a shed.
- d. The proposed shed's eaves would extend to within 5 ft of the side yard property line. If the commission decides to grant the variance, a condition should be applied that no part of the structure be within 5 ft of the property line. This would be consistent with past variances and ensure adequate separation for fire safety.

EXHIBITS

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

Applicant material

 <p style="text-align: center;">PETERSBURG BOROUGH VARIANCE APPLICATION</p>		CODE TO: 110.000.404110
		BASE FEE: \$100.00
		PUBLIC NOTICE FEE: \$70.00
		TOTAL: \$170.00
DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC: CL
APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME WESS G. BAGULEY		NAME
MAILING ADDRESS P.O. 766		MAILING ADDRESS
CITY/STATE/ZIP PETERSBURG / AK / 99833		CITY/STATE/ZIP
PHONE (208) 740-0886		PHONE
EMAIL Wbags21@gmail.com		EMAIL
PROPERTY INFORMATION		
PHYSICAL ADDRESS or LEGAL DESCRIPTION: 606 RAMBLER ST.		
PARCEL ID: 01010324	ZONE: 2	OVERLAY:
CURRENT USE OF PROPERTY: HOUSE / (SINGLE-FAMILY RESIDENTIAL)		LOT SIZE: 8,800 Sq.-FT
PROPOSED USE OF PROPERTY (IF DIFFERENT): 11'x16' SHED IN BACK YARD ON PILINGS		
SEPTIC SYSTEM: Is there a septic system on the property? <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO What is current or planned system? <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> DEC-approved on-site system		
WATER SOURCE: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Cistern/Roof Collection <input type="checkbox"/> Well		
LEGAL ACCESS TO LOT(S) (Street Name): RAMBLER		
TYPE OF VARIANCE REQUESTED		
<input checked="" type="checkbox"/> Yard Setback		
<input type="checkbox"/> Maximum Lot Coverage		
<input type="checkbox"/> Building Height		
<input type="checkbox"/> Fence Height		
<input checked="" type="checkbox"/> Other: 11' x 16' SHED IN BACK YARD, 8FT ON BACK FROM MY FENCE LINE / 6 FT FROM FENCE LINE ON THE SIDE.		
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): <u>Wess G. Baguley</u>		Date: <u>01/8/24</u>
Owner(s): <u>Wess G. Baguley</u>		Date: <u>01/8/24</u>

19.80 VARIANCE APPLICATION

(SUBMIT WITH SITE PLAN)

Applicant(s): WESS G. BAGULEY

Address or PID: 606 RAMBLER ST.

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): YARD SETBACK - BUILDING SHED 6 FT FROM SIDE OF SHED TO PROPERTYLINE, 8 FT FROM BACK TO PROPERTYLINE

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.

BUILDING SHED FOR TOOLS/STORAGE. BUILDING ON PILINGS THAT WERE PLACED BEFORE I MOVED IN. I FIGURED I WOULD PUT THEM TO USE FOR A SHED.

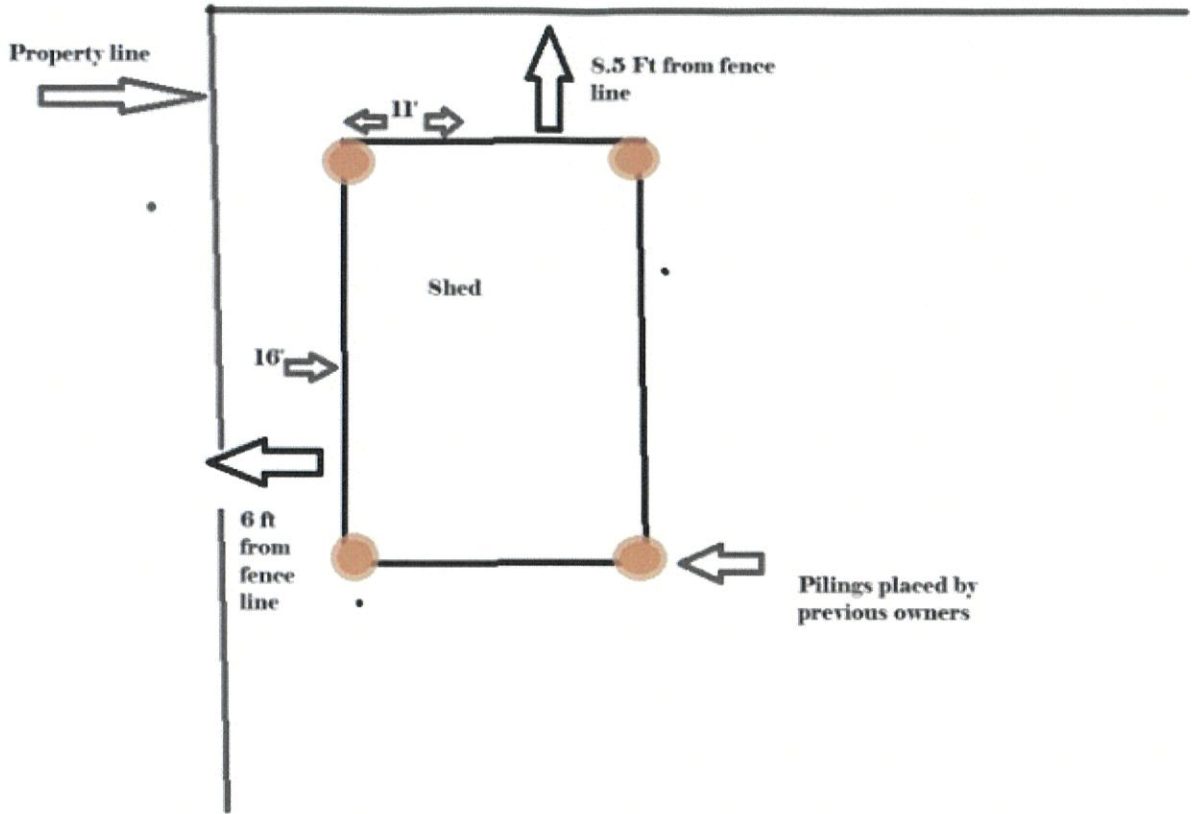
3. Explain how the strict application of these provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.

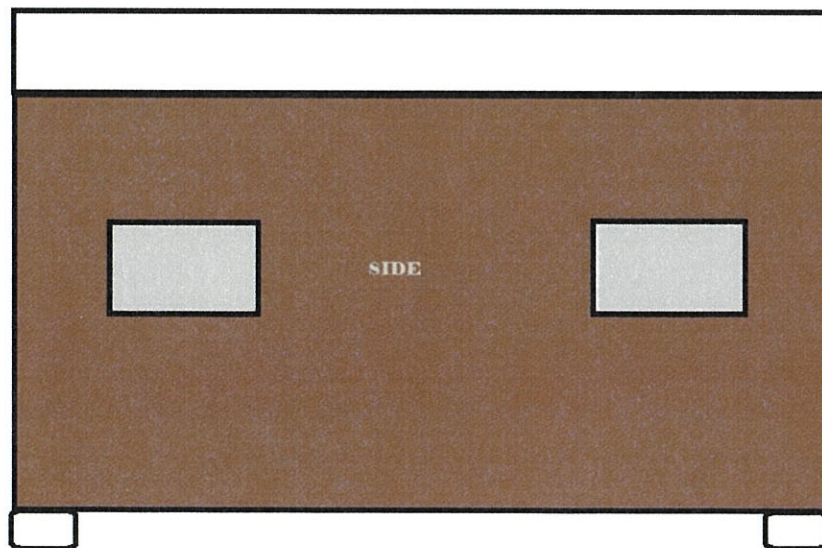
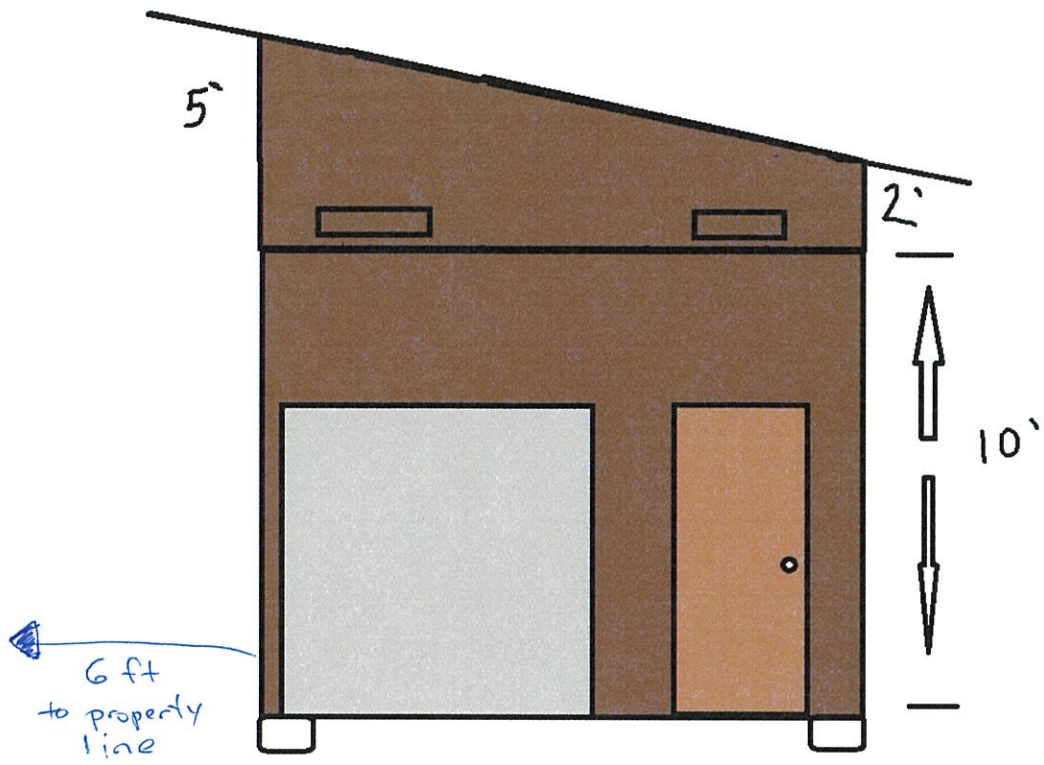
IT WOULD BE EXPENSIVE TO HAVE NEW PILINGS PLACED, I FIGURED I WOULD JUST USE WHAT WAS ALREADY PLACED

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.

SHED IS IN THE BACKYARD, NO UTILITIES IN DANGER AWAY FROM MAIN ROAD, POSES NO HARM TO PUBLIC.

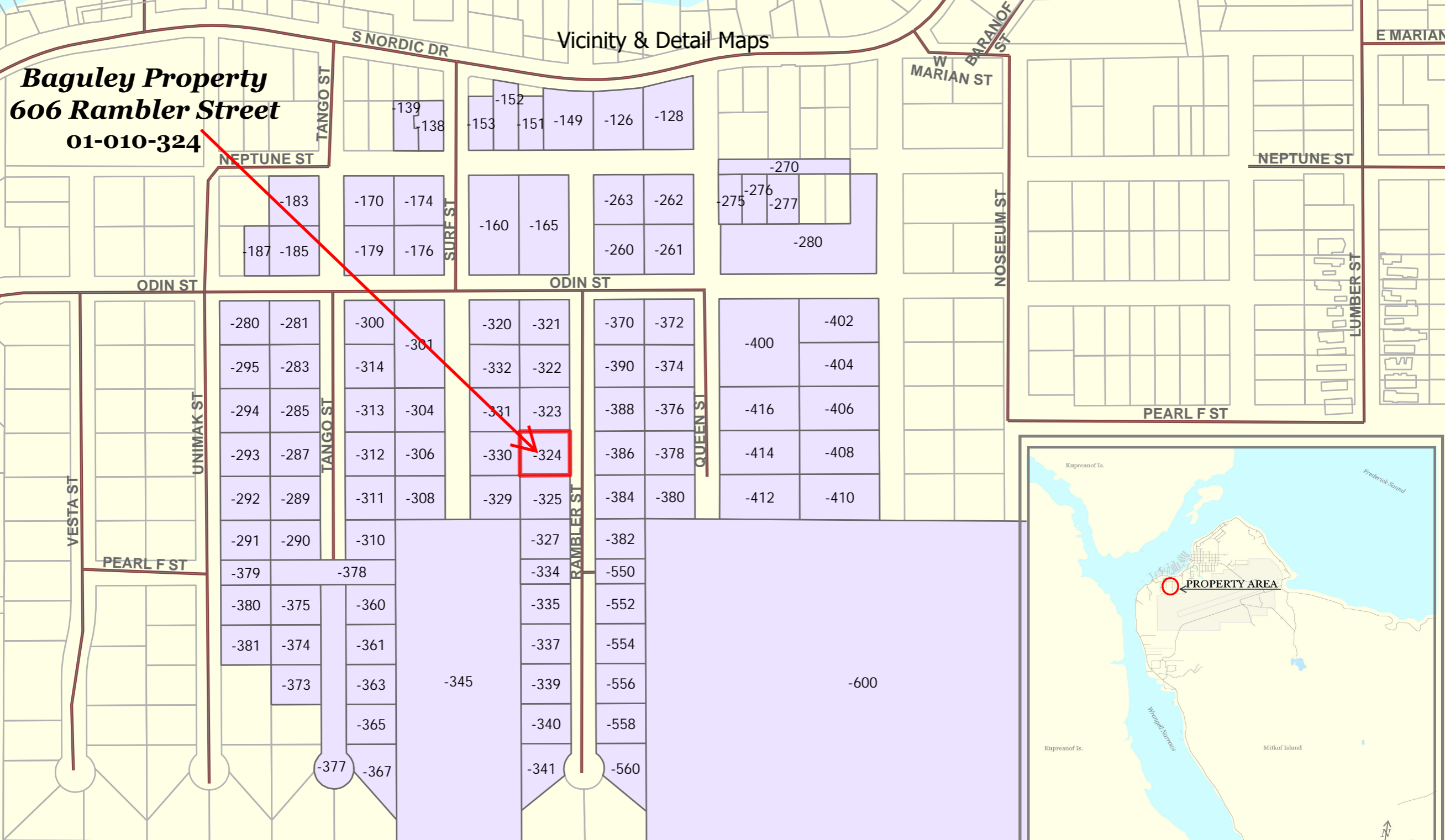






Vicinity & Detail Maps

Baguley Property
606 Rambler Street
01-010-324



Public hearing mailout

January 23, 2024



ENGELL JAMES B ENGELL JILL E
PO BOX 730
PETERSBURG, AK 99833-0614

NOTICE OF SCHEDULED PUBLIC HEARINGS

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

An application from Wess Baguley for a variance from the side and rear yard setback requirements to allow for construction of a shed 6' from the side yard and 8.5' from the rear yard property lines at 606 Rambler St (PID: 01-010-324).

The public hearing and consideration of the application will be held:	Wednesday, February 14th, 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

Name1	Name2	Address1	City	State	Zip
CHRIST FRY		PO BOX 1440	PETERSBURG	AK	99833-1440
HEATHER O'NEIL		PO BOX 1083	PETERSBURG	AK	99833-1083
SALLY DWYER		PO BOX 1788	PETERSBURG	AK	99833-1788
JIM FLOYD		PO BOX 281	PETERSBURG	AK	99833-0281
JOHN JENSEN		PO BOX 681	PETERSBURG	AK	99833-0681
PHIL MEEKS		PO BOX 1514	PETERSBURG	AK	99833-1514
MARIETTA DAVIS		PO BOX 673	PETERSBURG	AK	99833-0673
BAGULEY KAYLI	BAGULEY WESS	PO BOX 766	PETERSBURG	AK	99833-0766
ANDERSON CRAIG	ANDERSON REBECCA M	PO BOX 756	PETERSBURG	AK	99833-0756
AULBACH GARY	AULBACH KIM	PO BOX 726	PETERSBURG	AK	99833-0726
BIGGERS DANIEL		PO BOX 132	PETERSBURG	AK	99833-0132
BRAUN RICK G	BRAUN SUE A	PO BOX 211	PETERSBURG	AK	99833-0211
BROCK DRAKE		PO BOX 956	PETERSBURG	AK	99833-0956
BUSCHMANN RONN	BUSCHMANN TINA L	PO BOX 1367	PETERSBURG	AK	99833-1367
CABRAL JAIME K	CABRAL HEIDI E	PO BOX 2087	PETERSBURG	AK	99833-2087
COLE GEORGE B III	COLE DEBRA S	PO BOX 2107	PETERSBURG	AK	99833-2107
COLE KIMBERLEE		PO BOX 1908	PETERSBURG	AK	99833-1908
COTTA CARISSA R		PO BOX 615	PETERSBURG	AK	99833-0615
COTTA CHRISTOPHER W		PO BOX 1772	PETERSBURG	AK	99833-1772
CRISTINA KARNA	CRISTINA NEIL	19504 SE 324TH ST	KENT	WA	98042
CURRY JULIANNE		PO BOX 2182	PETERSBURG	AK	99833-2182
EDDY STUART D	CORRAO KATIE T	PO BOX 2085	PETERSBURG	AK	99833-2085
ENGELL JAMES B	ENGELL JILL E	PO BOX 730	PETERSBURG	AK	99833-0730
ENGL E BRADLEY	ENGL E JACQUELINE	304 DUFFEY ST	PLAINSFIELD	IN	46168
FINNEY BRANNON P		PO BOX 1755	PETERSBURG	AK	99833-1755
FLOYD JIM EDWARD	FLOYD MAUREEN KATHLEEN	PO BOX 281	PETERSBURG	AK	99833-0281
FOWLER PATRICK A		PO BOX 91	PETERSBURG	AK	99833-0091
FREDRICKSEN SCOTT	FREDRICKSEN STACEY I	PO BOX 541	PETERSBURG	AK	99833-0541
FRENTZ STEPHEN	FRENTZ MELANIE	PO BOX 66	PETERSBURG	AK	99833-0066
GILPIN LEE	GILPIN KATHLEEN	PO BOX 1511	PETERSBURG	AK	99833-1511
HAALAND CARL	HAALAND MARILYN	PO BOX 864	PETERSBURG	AK	99833-0864
HALEY JUSTIN	HALEY ATHENA	PO BOX 1488	PETERSBURG	AK	99833-1488
HANKINS AARON R	HANKINS KEELY	PO BOX 2007	PETERSBURG	AK	99833-2007
HELMS DAVID	HELMS ALEXANDREA	PO BOX 2194	PETERSBURG	AK	99833-2194
HERNANDEZ PHYLLIS H		PO BOX 969	PETERSBURG	AK	99833-0969
HONMA ALAN I	HONMA MERLITA	PO BOX 29	PETERSBURG	AK	99833-0029
HULEBAK ALICE	HULEBAK ERIC	PO BOX 632	PETERSBURG	AK	99833-0632
JOHNSON ELDON JAMES	LOHNSON DEBRA LYNN	PO BOX 1034	PETERSBURG	AK	99833-1034
KNIGHT CASEY		PO BOX 942	PETERSBURG	AK	99833-0942
LAMPE NANCY	LAMPE WILLIE	9506 N MITCHELL RD	OTIS ORCHARDS	WA	99027
LAYMEN RENEE L		PO BOX 749	PETERSBURG	AK	99833-0749
LYONS DRAKE		PO BOX 1855	PETERSBURG	AK	99833-1855
MARIFERN SAMANTHA		PO BOX 178	PETERSBURG	AK	99833-0178
MCCULLOUGH SHANNON M	BAIRD KALEB K	PO BOX 1615	PETERSBURG	AK	99833-1615
MCDONELL JOHN	MCDONELL CYNTHIA L	PO BOX 852	PETERSBURG	AK	99833-0852
MENISH PAUL J	MENISH ANGELA D	PO BOX 33	PETERSBURG	AK	99833-0033
MORRISON BARRY	MORRISON MANDY	PO BOX 495	PETERSBURG	AK	99833-0495
MORRISON CHRISTINA TRUSTEE	ARNOLD G FREDRICKSEN TRI	PO BOX 284	PETERSBURG	AK	99833-0284
MOULTON WILLIAM T	MOULTON PATRICIA	PO BOX 456	PETERSBURG	AK	99833-0456
NEWPORT RACHEL M		PO BOX 1211	PETERSBURG	AK	99833-1211
NORHEIM LADD	NORHEIM BRENDA	PO BOX 935	PETERSBURG	AK	99833-0935
O'NEIL DANIEL K O'NEIL CHERYL A	DANIEL AND CHERYL O'NEIL	PO BOX 1455	PETERSBURG	AK	99833-1455
OWENS DAVE M		PO BOX 1853	PETERSBURG	AK	99833-1853
PETERSEN KARI ANN		PO BOX 2044	PETERSBURG	AK	99833-2044
PETERSON JESSICA	PETERSON TY C	PO BOX 216	PETERSBURG	AK	99833-0216
PETRO 49 INC		PO BOX 389	SEWARD	AK	99664
PFUNDT BRYON		PO BOX 1162	PETERSBURG	AK	99833-1162
PHILLIPS AARON L		PO BOX 624	PETERSBURG	AK	99833-0624
PLEW EVA R	SALOMONE PAUL	PO BOX 413	PETERSBURG	AK	99833-0413
ROBERTS MARK S	WHITE-ROBERTS LORI	PO BOX 246	PETERSBURG	AK	99833-0246
ROSVOLD ERIC		PO BOX 1144	PETERSBURG	AK	99833-1144
ROUNDTREE DANE T		PO BOX 963	PETERSBURG	AK	99833-0963
SEVERSON GREGORY		10769 CHARNOCK RD	LOS ANGELES	CA	90034
SEVERSON JODI MARIE	SEVERSON AARON STEWART	PO BOX 507	PETERSBURG	AK	99833-0507
SEVERSON MARK J	SEVERSON KAREN L	PO BOX 1502	PETERSBURG	AK	99833-1502
SHORT BRIDEY L		PO BOX 933	PETERSBURG	AK	99833-0933
SINGSTAD LEIF G		PO BOX 904	PETERSBURG	AK	99833-0904
SKINNER KYLE B		PO BOX 853	PETERSBURG	AK	99833-0853
SMITH TERRY J	SMITH SHARON L	PO BOX 991	PETERSBURG	AK	99833-0991
STREULI CHARLES	STREULI TERESA	PO BOX 692	PETERSBURG	AK	99833-0692
TAIBER ANTHONY T	TAIBER MOLLY L	PO BOX 1861	PETERSBURG	AK	99833-1861
THOMAS NYLE D	THOMAS ELIZABETH A	PO BOX 1744	PETERSBURG	AK	99833-1744
UPPENECAMP GINA E	UPPENECAMP BRETT T	PO BOX 1914	PETERSBURG	AK	99833-1914
WAGEMAKER BRANDON	WAGEMAKER MARIA	PO BOX 1926	PETERSBURG	AK	99833-1926
WALSH THOMAS RICHARD	FINE SARAH LAUREN	PO BOX 1480	PETERSBURG	AK	99833-1480
WORHATCH ANGELA W	WORHATCH ANDREW M	PO BOX 614	PETERSBURG	AK	99833-0614
YOUNGBERG NAOMI RUTH		PO BOX 2175	PETERSBURG	AK	99833-2175

Public Comment

From: Eldon Johnson
To: [Anna Caulum](#)
Subject: 606 Rambler St Variance
Date: Thursday, January 25, 2024 3:28:44 PM

There are no other structures near the proposed location so I have no problem with the variance. I say let him do it.

Eldon Johnson
710 Rambler St