

Minutes
Planning and Zoning
Public Hearing
Variance Application 17-06-22-01
Tuesday, July 18, 2017
5:00 p.m.
City hall, council chambers

1. CALL TO ORDER:

Councilmember Carlson called the meeting to order at 5:00 p.m.

In the absence of the Mayor and Vice Mayor, Councilmember Carlson was appointed to Chair meetings of the City Council and Planning Commission.

2. PLEDGE TO FLAG:

The council and audience stood for the pledge to the flag.

3. ROLL CALL:

Carlson, Edenfield, Hartwell, and Burger were present. Slayton and Gould were excused. McDonald removed himself from the Council Table, and participated as the Applicant for the Public Hearing Variance Request.

4. APPROVAL OF AGENDA:

Carlson moved to approve the agenda. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda

F/S: Carlson/Hartwell

YEAS: Burger, Carlson, Edenfield and Hartwell

NAYS: None

STATUS: Motion Passed.

5. PUBLIC COMMENTS:

There were no public comments.

6. COMMISSION COMMENTS:

There were no commission comments .

7. PUBLIC HEARING VARIANCE:

A. Public Hearing Harvey & Brenda McDonald, Variance Application, 17-06-22-01, 902 Bayview Court, Lot 2, Block 7, Thorne Bay Alaska, discussion and action item:

Carlson opened the floor for the Applicant Statement for Variance Application 17-06-22-01.

Applicant Statement:

Harvey McDonald stated he and his Wife Brenda McDonald, were applying for the Variance to permit a 2.10-ft. setback from the property lot line, where City Code requires a 5-ft. setback. McDonald stated the need for encroaching into the setback was that he and his wife were planning to build a 12' x 12' addition to the residence to be used as an apartment for them to live in once they gave the home to their son. McDonald stated the variance request was specific to the lot line that joins the neighboring lot owned by Isaac and Katie Martin, Lot 3, Block 7, Scenic View Court. McDonald stated he had spoken with the adjacent property owners about his request, and heard no objections. McDonald commented that he discussed his plan with the adjacent property owner, Isaac Martin, and he had said he did not have a problem with the request, but would have to speak with his wife Katie.

Public Testimony:

There were no comments from the Public regarding the Variance Application No. 17-06-22-01.

The City Clerk informed the Commission and Public in attendance, that she had notified the surrounding property owners by First Class Mail as required by the Municipal Code. The City Clerk stated that the adjacent property owners, Isaac and Katie Martin, were out of town when the notice was mailed, so the Clerk attempted to notify them by email on two separate occasions to be sure they were aware of the Variance Public Hearing. The Clerk informed the Commission that she had not received any comments regarding the Variance from the public.

Commission Comments:

Hartwell stated he had contacted the Martin's via telephone and notified them of the Variance Application and Public Hearing date. Hartwell stated that the Martin's informed him they were out of town and would not be able to attend the Public Hearing.

8. NEW BUSINESS:

- A. Resolution PZ-17-07-18-01, a resolution approving Variance Application No. 17-06-22-01 – for Harvey & Brenda McDonald, discussion and action item:

Carlson moved to approve Resolution PZ-17-07-18-01, approval of Variance Application No. 17-06-22-01. Hartwell seconded the motion.

The City Council, acting as the Planning Commission, reviewed the requirements for criteria for approving a variance Municipal Code 17.04.044 (A) #1 through #8:

1. That there are exceptional physical conditions or circumstances on the property or that would relate to its intended use or development that make the variance necessary;

True - Commission agrees with the Applicant's responses and finds there are physical conditions that make the variance necessary;

2. That the particular conditions or reasons that require the variance are not caused by the person requesting the variance;

True - Commission agrees with the Applicant's responses and finds the reasons that require the variance are not caused by the Applicant;

3. That the strict application of the provisions of this title would result in unnecessary hardship;

True - Commission agrees with the Applicant's responses and finds the strict application of the provisions of this title would result in unnecessary hardship;

4. That approval of the variance would not be detrimental to the health, safety and welfare of other properties in the vicinity;

True - Commission agrees with the Applicant's responses and finds the variance would not be detrimental to the health, safety and welfare of other properties in the vicinity;

5. That the variance will not allow a land use in a zone that prohibits that particular land use;

True - Commission agrees with the Applicant's responses and finds the variance will not allow a land use in a zone that prohibits that particular land use;

6. That approval of the variance is consistent with the comprehensive plan;

True - Commission agrees with the Applicant's responses and finds the variance is consistent with the comprehensive plan;

7. That the variance is not requested because of monetary considerations or inconvenience;

True - Commission agrees with the Applicant's responses and finds the variance is not requested because of monetary considerations or inconvenience;

8. That the variance request is for work yet to be performed.

True - The Applicant confirms that the variance request is for work yet to be performed.

MOTION: Move to approve Resolution PZ-17-07-18-01

F/S: Carlson/Hartwell

YEAS: Burger, Carlson, Edenfield and Hartwell

NAYS: None

STATUS: Motion Passed.

9. COMMISSION COMMENTS:

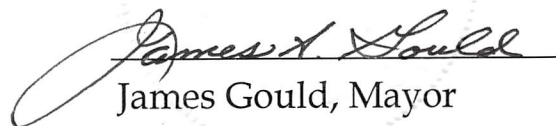
No commission comments.

10. PUBLIC COMMENTS:

McDonald thanked the council for approving his variance application. McDonald stated that approval of this variance allows for him and his wife to continue living in Thorne Bay and enjoying the community after they have given their home to their son.

11. ADJOURNMENT:

Carlson adjourned the meeting at 5:47 p.m.



James Gould, Mayor

ATTEST:



Teri Feibel, CMC