

**AGENDA FOR THE REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
FOR THE CITY OF THORNE BAY
WEBEX ONLINE MEETING.
Monday, November 2, 2020
6:00PM Meeting**

Meeting Information

Meeting link:

<https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=mfd35bcd67180408ed069a73805454203>

Meeting Code: 126 600 0838

Password: JHuvTdYU663 (54888398 from phones and video systems)

1. CALL TO ORDER:
2. ROLL CALL:
3. APPROVAL OF AGENDA:
4. CHAIRMAN COMMENTS:
5. PUBLIC COMMENTS:
6. COMMISSION COMMENTS:
7. PUBLIC HEARING CONDITIONAL USE PERMIT:
 - A. **SISD CUP PERMIT 20-08-27-01**: Approving Conditional Use Permit Application No 20-08-27-01, SISD, for the purpose of permitting the operation of a pre-school, magnet school, and/or as a site for additional education programs

APPLICANT / PUBLIC TESTIMONY:

- i. Applicant Introduction:
 - ii. Public Testimony:
 - iii. Applicant Rebuttal:
-

COMMISSION ANSWERS FOR CRITERIA FOR APPROVAL 17.04.043 (b)

- i. Criteria for approval #'s 1 - 11:
-

- B. **MICK FLETCHER CUP PERMIT 20-09-14-01**: Approving Conditional Use Permit Application No 20-09-14-01, to Mick Fletcher, for the purpose of permitting a rooster on Residential/Commercial III Zoned Property

APPLICANT / PUBLIC TESTIMONY:

- i. Applicant Introduction:
 - ii. Public Testimony:
 - iii. Applicant Rebuttal:
-

COMMISSION ANSWERS FOR CRITERIA FOR APPROVAL 17.04.043 (b)

- i. Criteria for approval #'s 1 - 11:
-

8. NEW BUSINESS:

A. Discussion and Action Item:

- a. **Resolution 20-11-02-01-PZ**: Approving the Conditional Use Permit Application No. 20-08-27-01, for SISD-Permitting pre-school, magnet school, and/or as a site for additional education programs in Residential/Commercial II Zoned Property.
- b. **Resolution 20-11-02-02-PZ**: Approving the Conditional Use Permit Application No. 20-09-14-01, for Mick Fletcher-Permitting a rooster on Residential/Commercial III Zoned Property.

9. PUBLIC COMMENTS:

10. COMMISSION COMMENTS:

11. ADJOURNMENT:

**This is a PUBLIC Meeting!
HELD VIA WEBEX ONLINE**

**Please call City Hall 828-3380 for
questions regarding the Cisco Webex
Conferencing Line: [www.thornebay-
ak.gov](http://www.thornebay-ak.gov)**

**The public is invited AND
encouraged to attend this REMOTE
meeting**

More ways to join

Join by video system

Dial 1266000838@webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Join by phone

+1-408-418-9388 United States Toll

Access code: 126 600 0838

[Global call-in numbers](#)

October 16, 2020

POSTING STATEMENT:

CITY HALL, FOREST SERVICE, The Port, Riptide, the Harbor, KRBD, and online at www.thornebay-ak.gov



CITY OF THORNE BAY

SALES TAX

Thorne Bay, AK 999109

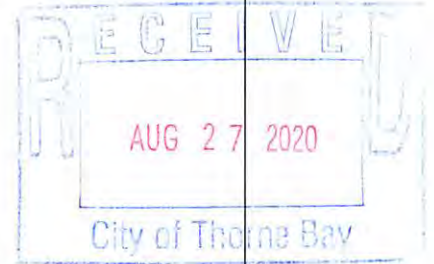
PHONE: (907) 828-3380 FAX: (907) 828-3374 E-MAIL: cityclerk@thornebay-ak.gov

**CONDITIONAL USE PERMIT APPLICATION
INSTRUCTIONS CITY OF THORNE BAY**

Forms are available in the City Clerk's Office at City Hall, 120 Freeman Drive, or on the City website at www.thornebay-ak.gov/forms.

Schedule an appointment with the Planning Official (907) 828-3380.

- A. Verify the following:
 1. Parcel address(es),
 2. parcel number,
 3. recordable legal description and zoning classification.
- B. Discuss proposed use and why a conditional use is necessary;
- C. Review applicable section of the Municipal Code.




Complete Application.

Applications shall be signed by owner(s) of the property or agent with a signed affidavit. Complete the Application in its entirety, including necessary attachments – see Attachments.

Incomplete or illegible applications will be refused.

Submit application to the City Clerk's Office, along with cash or a check made payable to the City Of Thorne Bay in the amount of \$50.00.

Actions for CUP Process:	DATE of Hearing:
Submittal Date: 8/27/2020	
Initial Review by Planning Official: 	8/27/20
Notice Mailed to Surrounding Property Owners:	
Introduction to City Council:	
City Council Public Hearing: (FINAL HEARING)	

(attendance required of applicant or representative at Public Hearing)

Receipt and Approval:

The City Council shall review the detailed site plan, existing and proposed structures and uses, architectural plans, neighborhood uses, parking areas, driveway locations, traffic generation and circulation, drainage, sewerage and water systems and the proposed operation.



CITY OF THORNE BAY

SALES TAX

Thorne Bay, AK 999109

PHONE: (907) 828-3380 FAX: (907) 828-3374 E-MAIL: cityclerk@thornebay-ak.gov

CONDITIONAL USE PERMIT APPLICATION

Applicant (name and mailing address): Sherry Becker, Superintendent, Southeast Island School District
PO Box 19569, Thorne Bay, AK 99919

Owner of property (name and mailing address), if different than Applicant: _____
Southeast Island School District, PO Box 19569, Thorne Bay, AK 99919

Architect (name and address), if applicable: n/a

Professional Engineer (name and address), if applicable: _____
n/a

Contractor (name and address), if applicable: _____
n/a

Physical address(es) of subject parcel(s): _____
1011 Sandy Beach Road, Thorne Bay, AK 99919

Lot & Block Parcel Number(s): Lot 1, Tract E

Legal Description (must be a recordable legal description; see Requirements): _____
Lot 1, Resubdivision of Tract E, ASLS 87-5, Plat 95-47

Zoning Classification: Mixed Residential/Commercial II

A Conditional Use Permit is required per Thorne Bay Code-Chapter: 17.04.025

If the use is defined in Sec.: B.7.

Description of subject site and **CURRENT** use: 2-story house; residential use 17.04.022.A.1. - single-family house

PAGE 2
CONDITIONAL USE PERMIT APPLICATION

Description of **PROPOSED** site and operation/use (detailed plan of the proposed site):

proposed operation would be either as a school district preschool, a magnet school and/or as a site for additional educational programs

Type of Structure **PROPOSED**: no change

Number of **CURRENT** employees, if applicable: _____

residential - no employees

Number of **PROPOSED** employees, if applicable: _____

3-6

Number of **CURRENT** off-street parking spaces: _____

According to appraisal, 6 in driveway, 2 in garage, and up to 4 in carport when not used for other uses.

Number of **PROPOSED** off-street parking spaces: same

ADDITIONAL INFORMATION PERTINENT TO THE REQUEST FOR CONDITIONAL USE PERMIT:



PAGE 3
CONDITIONAL USE PERMIT APPLICATION

CERTIFICATION: I hereby certify that I am the owner of the subject parcel(s) or authorized agent and that I have read and understand the content of this application and that the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

STATE OF Alaska)
) ss
CITY OF Thorne Bay)

The undersigned, Sherry Becker, Superintendent of Southeast Island School District, being duly
(owner of subject parcel(s) for Conditional Use)

sworn, state:

1. That the undersigned is an adult resident of the City of Thorne Bay, Alaska.
(City) (State)
2. That the undersigned is a/the legal owner of the property located at:
1011 Sandy Beach Road, Thorne Bay, AK 99919.
(address of subject parcel for Conditional Use)

By signing this affidavit, the undersigned property owner authorizes the application for a conditional use permit/zoning change or amendment (circle one) for said property.

Lisa Maria Roseland 08/27/2020
Notary (signature) (date)

907 828 3380 customerservice@thornebay
(telephone) (email) -ah.gov

NOTES:

- This subdivision lies within the tax authority of the City of Thorne Bay. As of the date of this plat, the City of Thorne Bay has no property tax levy.
- WASTEWATER DISPOSAL:** The Alaska Department of Environmental Conservation has reviewed plans for this subdivision's wastewater disposal and approves this subdivision for platting. All lots are approved for connection into the City of Thorne Bay water and sewer systems only. No on-site sewer systems will be permitted.

Craig L. Templin, District Manager
 D.E.C. Approving Official Title Date 2-10-95

SURVEYOR'S CERTIFICATE

I hereby certify that I am a registered professional land surveyor in the State of Alaska and that this plat is a true representation of a survey done by me or under my direct supervision, that all dimensional and relative bearings are correct and monuments are set in place as noted upon this plat.

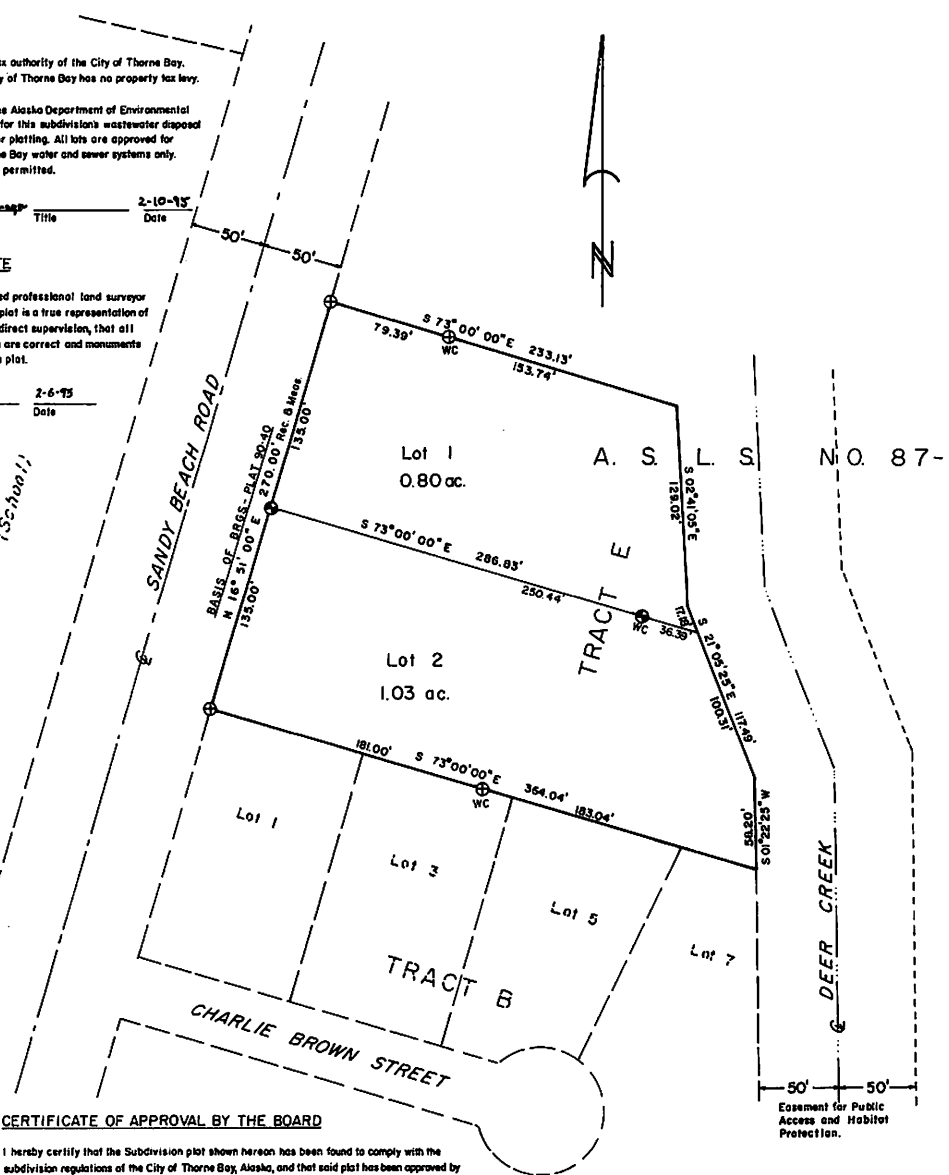
Craig L. Templin 2-6-95
 Craig L. Templin, RLS No. 3491 Date



ASLS 88-202 (School!)

LEGEND

- ⊕ Found rebar w/Alcop
- ⊙ Set rebar w/Alcop
- WC Witness Corner



CERTIFICATE OF APPROVAL BY THE BOARD

I hereby certify that the Subdivision plat shown hereon has been found to comply with the subdivision regulations of the City of Thorne Bay, Alaska, and that said plat has been approved by the Platting Board by Resolution No. 95-20-28-02 and that the plat shown hereon has been approved for recording at the Ketchikan Recording Office, Ketchikan, Alaska.

Chairman, Thorne Bay Platting Commission Date 6/21/95

Attest: Clerk, Thorne Bay Platting Commission Date 6/22/95

COUNCIL CERTIFICATE

I hereby certify that this plat conforms to Thorne Bay Council Resolution No. 95-20-28-02 Dated 6/22/95

For Thorne Bay City Council

95-47
 KETCHIKAN
 Aug 11 95
 11:52 A.
 Thorne Bay
 Blankenship

OWNER'S CERTIFICATE

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this subdivision.

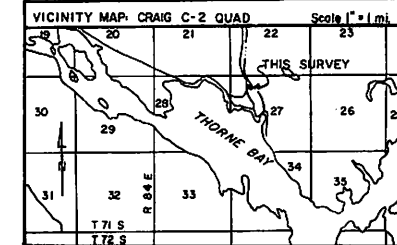
Thorne B. Blankenship Owner
 Lois Blankenship Owner
 Daniel J. Meyer Owner
 Ruth E. Strand Owner
 Larry J. Allen Owner

NOTARY'S ACKNOWLEDGEMENTS

State of Alaska 1st SS
 First Judicial District
 The foregoing instrument was acknowledged before me this 20th day of April, 1995 by Kenneth L. Blankenship, Lois Blankenship, Daniel J. Meyer, Ruth E. Strand, and Larry J. Allen.
 Notary Public in and for Alaska
 My Commission expires 12/31/98

The foregoing instrument was acknowledged before me this 11th day of August, 1995 by Dennis E. Wagoner, Edna E. Wagoner, and Linda K. Wagoner.
 Notary Public in and for Alaska
 My Commission expires 12/31/98

The foregoing instrument was acknowledged before me this _____ day of _____, 1995 by _____
 Notary Public in and for Alaska
 My Commission expires _____



PLAT OF
Lot 1 & Lot 2, Tract E, ASLS 87-5
 A RESUBDIVISION OF TRACT E, ASLS 87-5, THORNE BAY, ALASKA. CONTAINING 1.83 ACRES.

SURVEY FOR:
 KEN BLANKENSHIP
 THORNE BAY, AK.

SURVEYED BY:
 CRAIG L. TEMPLIN
 Box WWP-Whale Pass
 Ketchikan, AK. 99950
 (907) 846-5120

SCALE 1"=50' DATE -2/6/95 DRAWN BY: C.L.T.

Received 9/15/2020 Unsub





CITY OF THORNE BAY
RESOLUTION 20-11-02-01

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, APPROVING CONDITIONAL USE PERMIT APPLICATION NO 20-08-27-01, SUBMITTED BY THE SOUTHEAST ISLAND SCHOOL DISTRICT (SISD), FOR THE PURPOSE OF PERMITTING THE OPERATION OF A PRE-SCHOOL, MAGNET SCHOOL, AND/OR AS A SITE FOR ADDITIONAL EDUCATION PROGRAMS

WHEREAS, the Planning Commission performs the city-wide functions of planning, platting and zoning for the city, and to advise the chief executive officer and city council of them; and

WHEREAS, the Southeast Island School District submitted a Conditional Use Permit (CUP) Application to the City of Thorne Bay on August 27th, 2020, for the purpose of operating a pre-school, magnet school, and/or as a site for additional education programs, located at 1011 Sandy Beach Road; and

WHEREAS, Southeast Island School District (hereinafter referred to as “applicant”), is property owner of 1011 Sandy Beach Road, also identified by legal description as Lot 1, Re-subdivision of Track E, ASLS 87-5, Plat 95-47; and

WHEREAS, the property identified above is currently zoned as Residential Commercial II, and allows for the operation of Day care center or facility for 6 or more children; and for government and educational complexes including libraries and museums upon approval of a Conditional Use permit; as per the Thorne Bay Municipal Code Sections 17.04.025 (B) (4) & (B)(7); and

WHEREAS, the Applicant met with the City Planning Official and addressed the “Consideration in Establishing Approval” as required by the Thorne Bay Municipal Code Section 17.04.043 (A); and

WHEREAS, the Planning Official determined that a temporary authorization for use of the described property as a pre-school, magnet school, and/or as a site for additional education programs was a critical necessity for the following reasons:

1. Thorne Bay has not had a licensed or operating daycare in the Community since the declaration of the COVID Disaster Emergency in March of 2020,
2. Many of the teachers, have toddlers or infants and were unable to begin work due to the lack of childcare services or a preschool in Thorne Bay,
3. Without properly trained and certified teachers on site and in the classrooms, the Thorne Bay School would not be able to provide onsite educational services to children,

4. Without the ability of children to attend school for parents would be forced to stay home and educate their children using distance learning, causing parents to continue suffering the loss of income that is needed to support their families.

WHEREAS, the City of Thorne Bay provided written notice to the surrounding property owners of the City's intent to temporarily authorize 1011 Sandy Beach Road, as a pre-school, magnet school, and/or as a site for additional education programs, pending a Public Hearing for the approval of Conditional Use Permit No. 20-08-27-01, and requested that any and all objections to the temporary authorization be submitted to the City not later than 4pm September 24th, 2020; and

WHEREAS, as of October 1, 2020, the City had received no objection to the temporary use of the property located at 1011 Sandy Beach Road, as a pre-school, magnet school, and/or as a site for additional education programs; and

WHEREAS, the Thorne Bay Planning Commission, held a public hearing on November 2, 2020, to consider the approval of Conditional Use Permit No. 20-08-27-01, submitted by Southeast Island School District (SISD), for the purpose of permitting the operation of a pre-school, magnet school, and/or as a site for additional education programs; and

NOW, THEREFORE BE IT RESOLVED, by the Planning and Zoning Commission, that Conditional Use Permit Application 20-08-27-01-PZ, fully satisfies the requirements for approval as set forth in the Thorne Bay Municipal Code Section 17. 04.043-Conditional Use Permits, Section B-Criteria for Consideration in Establishing Approval or Denial as follows:

1. The Planning & Zoning Commission, and Planning Official, found the proposal is consistent with the Thorne Bay Municipal code and all other applicable city ordinances
2. The proposed use is an expressly permitted conditional use in the Mixed Residential/commercial II Zone
3. The requested use to operate a pre-school, magnet school, and/or as a site for additional education programs is generally compatible with other existing or proposed uses in the surrounding area, the Thorne Bay School and School District Offices currently exist in this area
4. The proposed use would not adversely affect the health, safety or welfare of persons or property in the area neighboring the proposal and the surrounding area
5. The proposed use would not have an unfavorable or detrimental effect on property or property values in the area
6. Building height, poor or decrepit construction and incompatibility would not significantly affect the surrounding area, or the view shed in the neighborhood, the use would not require new construction and complies with the height requirements as set forth in the Thorne Bay Municipal Code
7. All utilities to the proposal are adequate and do not interfere or adversely affect utility capacity in the area, the proposed expansion will address the storm water needs of the area

8. Traffic volume, type and patterns are taken into consideration and access is adequate to serve any additional traffic flow, the proposed change in use will increase traffic flow but the site currently provides adequate parking spaces and will not create congestion
9. Adequate off-street parking is provided, the proposed site for use provides parking on the premises
10. The proposed use would not degrade land, water, air or habitat quality
11. All other reasonable objections were taken into consideration by the Planning Commission, at the public hearing held November 2, 2020.

BE IT FINALLY RESOLVED that the Planning Commission, for the City of Thorne Bay, hereby approves Resolution No. 20-11-02-01-PZ, approving Conditional Use Permit No. 20-08-27-01, submitted by Southeast Island School District for the use/operation of the property located at 1011 Sandy Beach Road as a pre-school, magnet school, and/or as a site for additional education programs.

PASSED AND APPROVED November 2, 2020

Planning Commission Chair

ATTEST:

Teri Feibel, CMC



Conditional Use Permit Application

CUP Page 1 of 4

File Number	<u>20-09-14-01</u>	File Name:	<u>Fletcher Cup</u>
DATE RECEIVED:	<u>10-1-2020</u>	BY:	<u>L. Roselord</u>
FEE - \$50.00 - resolution 16-09-20-01			
HEARING DATE:	_____	NOTIFICATION DEADLINE:	_____

Applicant's Name: A Mick Fletcher
Address: P.O. Box 19406 Telephone No. (360) 815-4119
Applicant's Representative (if applicable) _____
Address: _____ Telephone No. _____
Subject Property Street Address: 177 Thorne bay Rd.
Legal Description: Lot: 17 Block/Tract: 7
Survey Number: _____ Lot Size: _____
Subdivision Name: _____
Township: _____ Range: _____

To help the planning commission gather facts about the proposed conditional use permit, please complete the following:

1. Describe in detail the conditional use requested: Rooster in Residential Commercial III zone, Subsection B

2. What type of chemicals, processes, machinery or equipment will be used:

None

3. What noise, odor, smoke, dust, or other pollutants could be caused by the proposal?

1 Rooster crowing

4. What types of uses are currently located within 300 feet of the exterior property boundaries?

Chicken Run and coop

5. What types and sizes of buildings, signs, storage and loading areas, screening, etc. are planned (size, height, type)?

None

6. What utilities are needed?

None

7. What roads will provide access?

None

8. What type and volume of traffic will be generated by the conditional use?

None

9. What are your parking needs and where will they be provided (indicate on the plot plan where parking is to be provided)?

None

10. Will the proposed conditional use be compatible with the neighborhood in general? Why?

YES - Very Rural neighborhood

11. Will you place structures or fill in tidal waters, streams or lakes? Yes _____ No X

12. Will you need to cross or otherwise use city owned land or resources? Yes _____ No X

The criteria by which a conditional use permit application is approved or denied is listed in 17.04.43 (B)(1-12) of the City of Thorne Bay Municipal Code.

A decision, in the form of a Resolution of the Planning Commission, may be appealed to the City Council within 30 days of the mailing of the notice of the Commission's decision. Decisions of the City Council may be appealed to Superior Court.

I (we) being duly sworn, depose and say that the foregoing statements and answers herein contained, and the information herewith submitted, are in all respects true and correct to the best of my knowledge and beliefs.

Dated this 27th day of the (month) September, year 2020

MICK Fletcher
Applicant

[Signature]
Applicant

Authorization for Thorne Bay

If the applicant listed on this application is other than the sole deed holder of the property or properties upon which the temporary use will take place, complete the following authorization to act as agent.

I (we), the undersigned, hereby certify that as deed holder(s) of record of the property or properties described above, t (we) hereby authorize the person listed as the applicant on this application to act and appeal as agent with respect to this application.

Dated this _____ day of the (month) _____, year _____

Signature (s) of deed holders: _____

Signature (s) of deed holders: _____

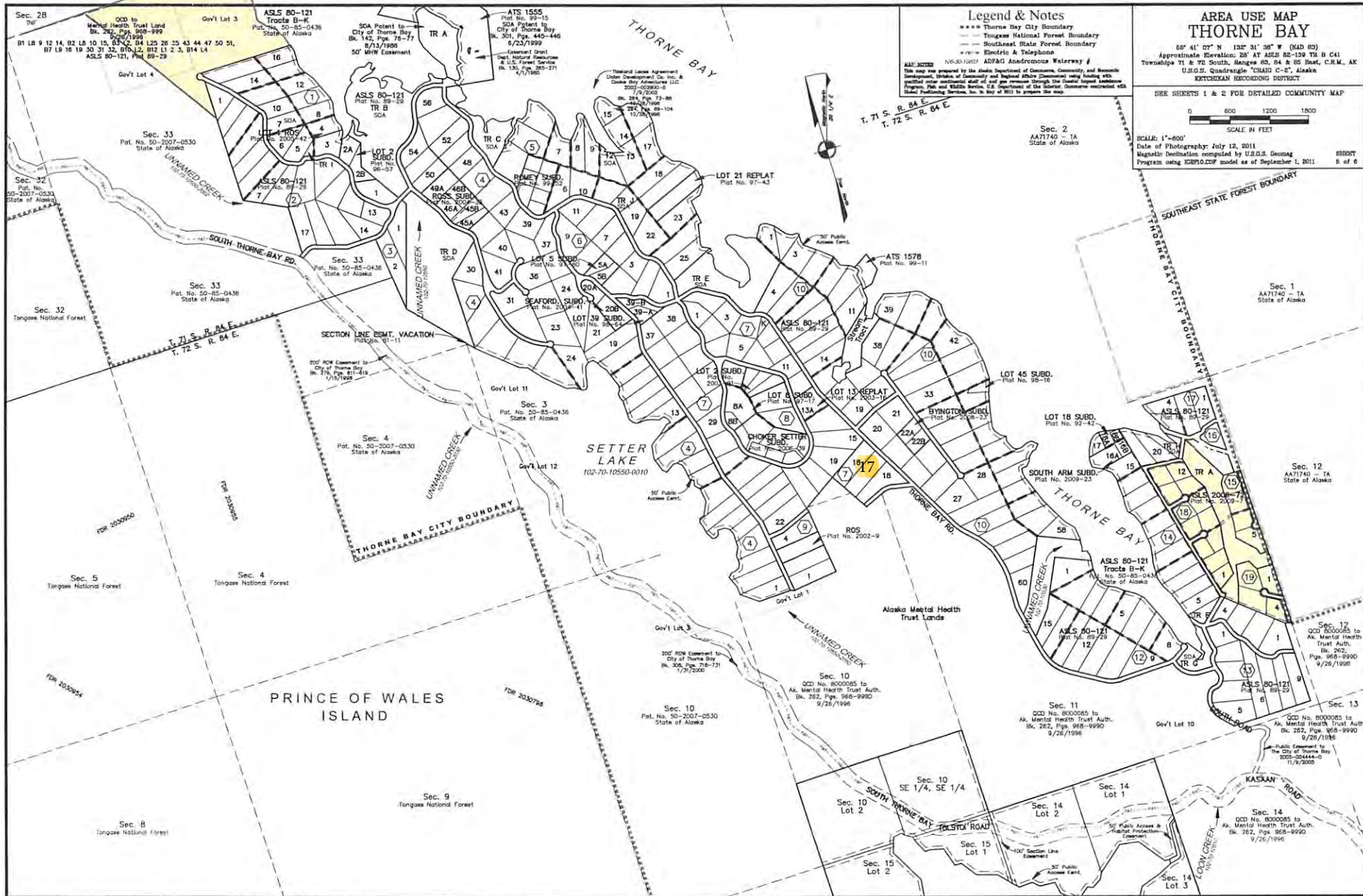
Copy of Thorne Bay Municipal Code 17.04.043 (A) through (C)(1)(b)(vi) included on next pages.

In early April we bought 15
1 day old chicks from a guy
in Maukati. He said they were
mostly hens but that he didn't
know very well how to determine
their sex. We wanted all hens
but one or maybe two Roosters.
As they grew we found that
we had 10 roosters and 5 hens.
So we determined to butcher 9
of ~~the~~ Roosters when they were
large enough. We have since done
so and are down to one rooster.
We would like to keep him so
we can breed some more hens
and he can protect our anticipated
flock of about 12 hens.

So at this point we are down
from 10 noisy roosters to only one.

Thank you

Mick Fletcher



Residential / Commercial III

THORNE BAY AREA USE MAP SHEET 3 1"=500' (2011 PHOTOGRAPHY)



CITY OF THORNE BAY
RESOLUTION 20-11-02-02

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, APPROVING
CONDITIONAL USE PERMIT APPLICATION NO 20-09-14-01, SUBMITTED BY THE MICK
FLETCHER, FOR THE PURPOSE OF KEEPING ROOSTERS WITHIN THE
RESIDENTIAL/COMMERCIAL III ZONED PROPERTY

WHEREAS, the Planning Commission performs the city-wide functions of planning, platting and zoning for the city, and to advise the chief executive officer and city council of them; and

WHEREAS, the Mick Fletcher submitted a Conditional Use Permit (CUP) Application to the City of Thorne Bay on September 14, 2020, for the purpose of owning and raising a rooster on his property located at 177 Thorne Bay Road, South Thorne Bay, zoned as Mixed Residential/Commercial III; and

WHEREAS, Mick Fletcher (hereinafter referred to as “applicant”), is property owner of 177 Thorne Bay Road, also identified by legal description as Lot 17, Block 7, South Thorne Bay Subdivision; and

WHEREAS, the property identified above is currently zoned as Mixed Residential/Commercial III, and allows for the keeping of roosters and other noisy livestock under a Conditional Use Permit; as per the Thorne Bay Municipal Code Sections 17.04.026 (B) & 17.04.025 (B) (3) by reference; and

WHEREAS, the Applicant met with the City Planning Official and addressed the “Consideration in Establishing Approval” as required by the Thorne Bay Municipal Code Section 17.04.043 (A); and

WHEREAS, the City of Thorne Bay provided written notice to the surrounding property owners of the Conditional Use Permit Application and Public Hearing as set forth in Thorne Bay Municipal Code Title 17.04.043 (C) (2);

WHEREAS, the Thorne Bay Planning Commission, held a public hearing on November 2, 2020, to consider the approval of Conditional Use Permit No. 20-09-14-01, submitted by Mick Fletcher (), for the purpose of permitting the owning of a rooster within Residential/Commercial III Zoned property; and

NOW, THEREFORE BE IT RESOLVED, by the Planning and Zoning Commission, that Conditional Use Permit Application 20-09-14-01-PZ, fully satisfies the requirements for approval as set forth in the Thorne Bay Municipal Code Section 17. 04.043-Conditional Use Permits, Section B-Criteria for Consideration in Establishing Approval or Denial as follows:

1. The Planning & Zoning Commission, and Planning Official, found the proposal is consistent with the Thorne Bay Municipal code and all other applicable city ordinances
2. The proposed use is an expressly permitted conditional use in the Mixed Residential/commercial III Zone
3. The use is generally compatible with other existing or proposed uses in the surrounding area
4. The proposed use would not adversely affect the health, safety or welfare of persons or property in the area neighboring the proposal and the surrounding area
5. The proposed use would not have an unfavorable or detrimental effect on property or property values in the area
6. Building height, poor or decrepit construction and incompatibility would not significantly affect the surrounding area, or the view shed in the neighborhood, the use would not require new construction
7. All utilities to the proposal are adequate. The property is not serviced by Municipal water source and does not apply to the proposed use for the Conditional Use Permit
8. Traffic volume, type and patterns are taken into consideration and access is adequate to serve any additional traffic flow, the proposed change in use will not increase traffic flow
9. Adequate off-street parking is provided
10. The proposed use would not degrade land, water, air or habitat quality
11. All other reasonable objections were taken into consideration by the Planning Commission, at the public hearing held November 2, 2020.

BE IT FINALLY RESOLVED that the Planning Commission, for the City of Thorne Bay, hereby approves Resolution No. 20-11-02-02-PZ, approving Conditional Use Permit No. 20-09-14-01, submitted by Mick Fletcher for the use/operation of the property located at 177, Thorne Bay Road, South Thorne Bay Subdivision, for keeping of roosters.

PASSED AND APPROVED November 2, 2020

Planning Commission Chair

ATTEST:

Teri Feibel, CMC