



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Planning Commission Regular Meeting

Tuesday, August 10, 2021

12:00 PM

Assembly Chambers

1. Call to Order

2. Roll Call

3. Acceptance of Agenda

4. Approval of Minutes

1. Meeting Minutes from June 8th, 2021.

5. Public Comments

Public comments are welcome on matters not appearing on the Public Hearing or Consent Calendar but are within the Borough's jurisdiction. Persons wishing to speak should come forward and state their name and address. Issues raised may be referred to staff and, if action by the Commission is needed, may be scheduled for a future meeting.

6. Consent Calendar

1. Acceptance and scheduling of an application from Dave Ohmer for a conditional use permit for a rock quarry/borrow operation at 521 Mitkof Hwy (PID: 01-114-500).

7. Public Hearing Items

1. Consideration of an application from Kathi Riemer for a variance from the rear and side yard setback requirements to allow for two sheds with 1' of the property lines at 313 Cornelius Rd. (PID: 01-031-584).
2. Consideration of an application from Dave Ohmer for a variance from the front yard setback requirement to allow for construction of a single-family residence within 15' of the property line at 613 Sandy Beach Rd. (PID: 01-004-010).
3. Consideration of an application from James & Sonja Whitethorn for a variance from the side yard setback requirement to allow for an existing single-family residence within 6.3' of the property line at 101 Mill Rd. (PID: 01-031-502).

8. Non-Agenda Items

1. Commissioner Comments
2. Staff Comments

3. The next regularly scheduled meeting is Tuesday, September 14th, 2021 at 12:00pm.

9. Adjournment



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Planning Commission Regular Meeting

Tuesday, June 08, 2021

12:00 PM

Via Zoom

The meeting is open to the public. To attend via **ZOOM**, please contact Karen Malcom at 907-772-4430.

1. Call to Order

The meeting was called to order at 12:00PM

2. Roll Call

PRESENT

Commission Chair Chris Fry
Commission Secretary Sally Dwyer
Commissioner Nancy Strand
Commissioner Jim Floyd

ABSENT

Commission Vice-Chair Richard Burke
Commissioner Heather O'Neil

3. Acceptance of Agenda

The agenda was approved as presented.

Motion made by Commission Secretary Dwyer, Seconded by Commissioner Floyd.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand,
Commissioner Floyd

4. Approval of Minutes

The minutes from 5/11/2021 meeting were approved as submitted.

Motion made by Commission Secretary Dwyer, Seconded by Commissioner Floyd.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand,
Commissioner Floyd

1. Minutes of the Planning Commission of May 11, 2021.

5. Public Comments

None

6. Consent Calendar

None

7. Public Hearing Items

A. Consideration of an application from Mike Schwartz for a conditional use permit for a home occupation (hair salon) at 313 Sandy Beach Rd (PID: 01-003-119).

Kay Schwartz attended. Ms. Schwartz stated that the CUP did not require new construction at the home. There may be some plumbing work needed and they would pull a plumbing permit.

The Schwartz CUP was approved unanimously.

Motion made by Commission Secretary Dwyer, Seconded by Commissioner Strand.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand, Commissioner Floyd

B. Review of applications from Ryan Littleton and John & Rebecca Fortna and David & Marlene Cushing requesting to purchase borough-owned property located at 306 Sandy Beach Rd. (PID: 01-003-521).

John Fortna, Leo Luczak, Joyce Bergmann attended.

Leo Luczak spoke on behalf of the Fortna's and Cushing's, giving a history of property on Sandy Beach Road. Mr. Luczak noted that there is a large drainage on the lot making it difficult to develop and likely requiring a Army Corps of Engineers permit.

Discussion.

The applications to purchase 306 Sandy Beach Road were approved for recommendation to the Assembly.

Motion made by Commissioner Floyd, Seconded by Commission Secretary Dwyer.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand, Commissioner Floyd

C. Review of an application from AP&T Wireless requesting a 20' wide utility easement at 419 Sandy Beach Rd. (PID: 01-003-139).

Jason Custer, Ryan Wopschall and Brent Akers attended on behalf of AP&T. Mr. Custer read a statement outlining the scope of the project into the record.

The application from AP&T was approved for recommendation to the Assembly.

Motion made by Commissioner Floyd, Seconded by Commission Secretary Dwyer.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand,
Commissioner Floyd

8. Non-Agenda Items

- 1. Commissioner Comments

None

- 2. Staff Comments

Director Cabrera spoke in regards to the in-person meetings issue. There will need to be four Commissioners in attendance in the Assembly Chambers to have a meeting, although there may not be any agenda items for the next meeting.

Members Fry, Dwyer, Strand and Floyd all stated they would be available for the July meeting.

- 3. The next regularly scheduled meeting is July 13, 2021 at 12:00pm via Zoom

9. Adjournment

Motion made by Commissioner Floyd, Seconded by Commission Secretary Dwyer.
Voting Yea: Commission Chair Fry, Commission Secretary Dwyer, Commissioner Strand,
Commissioner Floyd

The meeting was adjourned at 12:30PM.

Chair Chris Fry

Date:



**PETERSBURG BOROUGH
CONDITIONAL USE APPLICATION**

CODE TO:	110.000.404110
BASE FEE:	\$50.00
PUBLIC NOTICE FEE:	\$70.00
TOTAL:	\$120.00
CHECK NO. or CC:	# 1575

DATE RECEIVED: RECEIVED BY:

APPLICANT/AGENT	LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Dave N. Ohmer	NAME Dave N. Ohmer
MAILING ADDRESS P.O. Box 13	MAILING ADDRESS P.O.Box 13
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP Petersburg AK 99833
PHONE 907 518 0313	PHONE 907 518 0313
EMAIL	EMAIL

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION:
Lot K: U.S. Survey 2463 S15 T59S R79E

PARCEL ID: 0111450	ZONE: RR	OVERLAY:
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CURRENT USE OF PROPERTY: Dormant rock quarry currently used for storage containers	LOT SIZE: 4.73 acres
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PROPOSED USE OF PROPERTY (IF DIFFERENT):
Reactivate removal of rock from the site for further development of property.

SEPTIC SYSTEM: Is there a septic system on the property YES NO
What is current or planned system? Municipal DEC-approved on-site

WATER SOURCE: Municipal Cistern/Roof Collection Well

LEGAL ACCESS TO LOT(S) (Street Name):
Butterfly Lane egress from Mitkof Highway at approximately 5.3 mile permitted in the 1960's.

TYPE OF APPLICATION

- Home Occupation. Please include copy of current Sales Tax Registration Application
- Residential Use in Industrial District
- Other: Removal of insitu rock my means of a backhoe and hydraulic driven hammer and/or rubber tired front end loader and highway rated trucks.

Submittals

Please submit site plan. For home occupation permits, please include a site plan showing location and size of area to be used for the home occupation (including storage). and location and size of area available for off-street parking.

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): *Dave N. Ohmer* Date: 6/14/21

Owner(s): *Dave N. Ohmer* Date: 6/14/21

19.72 CONDITIONAL USE APPLICATION

Applicant(s): Dave N. Ohmer

Address or PID: P.O.Box 13

Project Summary:

The existing quarry site located on Lot K was developed in the 1960's. Rock removal has not occurred at this site for the past two decades. It is now my intention to remove additional rock from the site for development of properties within the Borough and to improve properties owned by me.

Conditions of approval as required in Petersburg Municipal Code 19.72.020:

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

1. The commission shall consider the suitability of the property, the character of the surrounding property and the economic and aesthetic effects of the proposed use upon the property and the neighboring property. The use will be permitted if it is in harmony with the general purpose and intent of this title and where the use will be in keeping with the uses generally authorized for the zone in which the use is to take place.

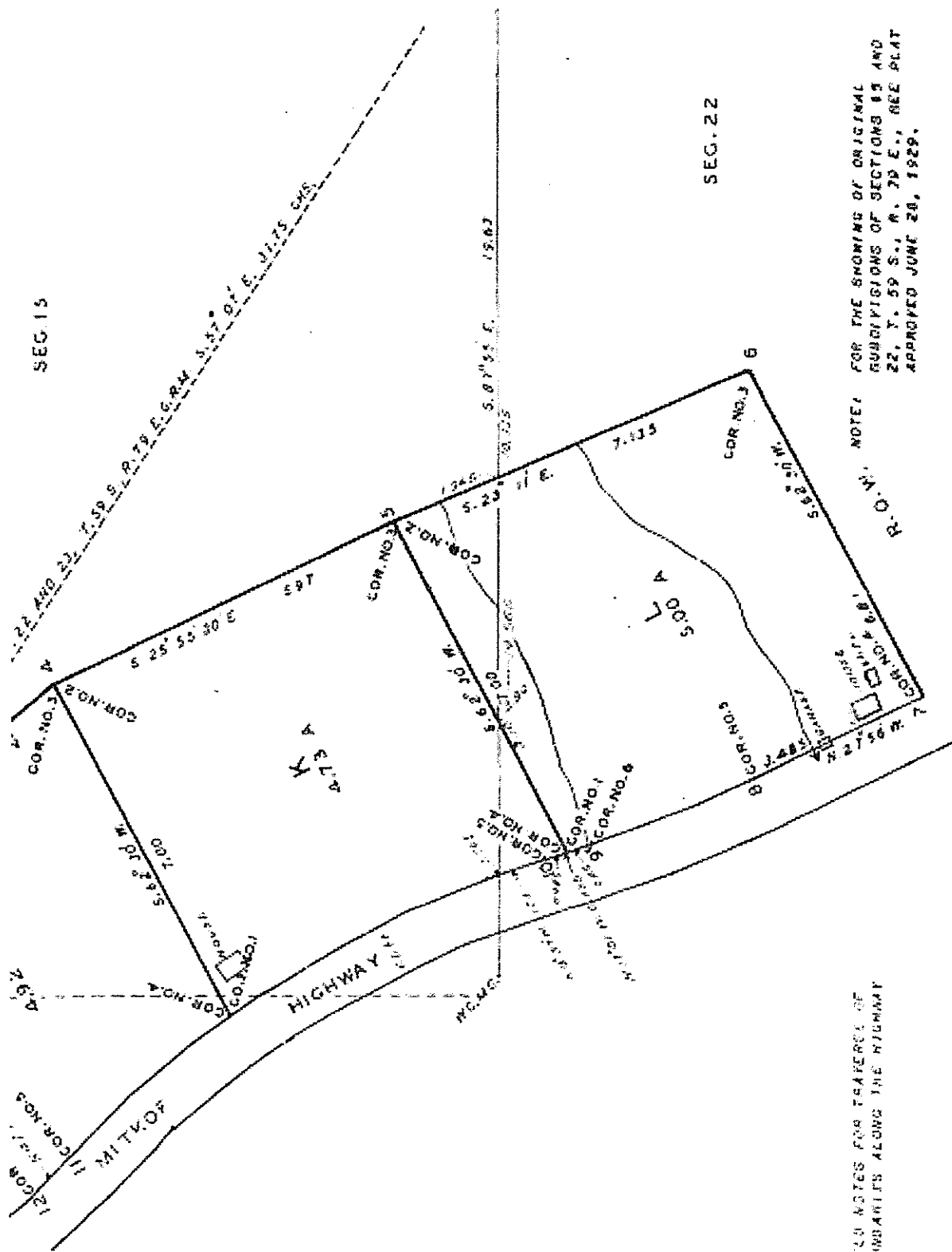
The pit is off the road, completely concealed from view by neighbors or people driving by. Rural Residential zoning specifically states that a permitted conditional use is for Rock Quarry/borrow operations. No blasting planned.

2. Exits and entrances and off-street parking for the conditional use shall be located to prevent traffic hazards or congestion on public streets.

An existing road into the property provides an easy ingress/egress with over 100yrs views in both directions for traffic

3. In addition to the conditions of subsections (A) and (B) of this section, schools, governmental and civic buildings and other public uses shall meet the following condition: The proposed location of the use and size and character of the site shall facilitate maximum benefit and service to the public.

Use of this rock will be beneficial to my own development plans as well as local friends who are needing rock for their projects.



NOTE: FOR THE SHOWING OF ORIGINAL SUBDIVISIONS OF SECTIONS 15 AND 22, T. 59 S., R. 7D E., SEE PLAT APPROVED JUNE 20, 1929.

SEE NOTES FOR TRAFFIC OF VEHICLES ALONG THE HIGHWAY

RECEIVED
JUN 08 2021
PETERSBURG BOROUGH

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:	# 1009

DATE RECEIVED: _____ RECEIVED BY: _____

APPLICANT/AGENT	LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Kathi Riemer	NAME
MAILING ADDRESS P.O. Box 1752	MAILING ADDRESS
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP
PHONE 907-518-1328	PHONE
EMAIL riemerK@hotmail.com	EMAIL

PROPERTY INFORMATION
PHYSICAL ADDRESS or LEGAL DESCRIPTION:
Lot 15A *Cornelius Road*

PARCEL ID: _____ ZONE: SF OVERLAY: _____

CURRENT USE OF PROPERTY: Home/Business LOT SIZE: 13950

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):
Cornelius

- TYPE OF VARIANCE REQUESTED**
- Yard Setback
 - Maximum Lot Coverage
 - Building Height
 - Fence Height
 - Other:

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): *Kathi Riemer* Date: *6-7-21*

Owner(s): _____ Date: _____

19.80 VARIANCE APPLICATION

(SUBMIT WITH SITE PLAN)

Applicant(s): Kathi Riemer

Address or PID: Lot 15A - Cornelius

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):

Changes to zoning may be the reason for current structures being in place.

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.

Prior to 1985, Cornelius Road was ^{not zoned} zoned commercial. In 1985, the zoning changed to residential, with existing structures being grandfathered in to the new zoning plan.

In 2021, I purchased the property with existing buildings in place. I was unaware that the two sheds didn't meet the setback requirements because the property was zoned residential. If you drive up Cornelius, you will understand why I was mistaken. It is a hodgepodge of multi family dwellings, single family dwellings and commercial warehouses. *Please see other side*

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

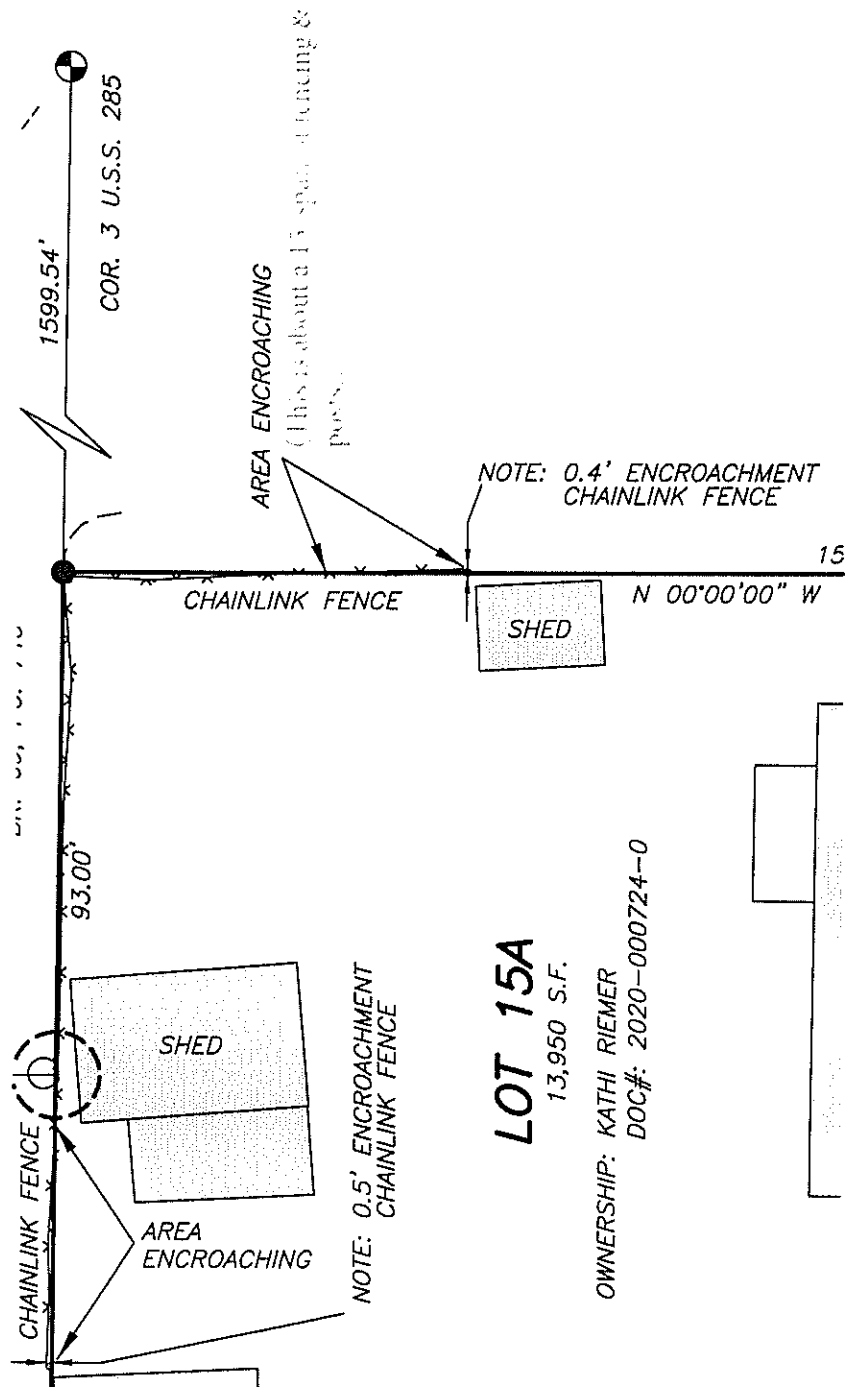
If you do not allow a variance for these structures they will have to be torn down or moved. This presents a fiscal hardship.

In addition, since neither of the structures are greater than 200 square feet, a building permit was not required so while there is no record of these buildings being in place prior to 1985, it is likely they were because they were built so close to the property line.

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.

These structures have been in place for decades and have not caused an unsafe situation to occur yet. The buildings are small and enclosed within a chain link fence that surrounds three sides of the property. The buildings have a decent appearance, so are not unsightly to neighbors. Currently there are no buildings on the 2 lots that adjoin the the sides of the property that the buildings are on.

The Weaver lot, which is adjacent to our property on one side, has buildings set less than 5 feet away from the property line and they are allowed to stay because they were put in place before 1885. We purchased this property from the Weavers and it's highly likely that my buildings were set in place in the 1980's as well.



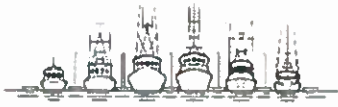
Rierner Property
113 Cornelius Road
01-031-584



Riemer Property
113 Cornelius Road
01-031-584



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Theand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



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:	#1579

DATE RECEIVED: _____ RECEIVED BY: _____

APPLICANT/AGENT	LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Dave N. Ohmer	NAME
MAILING ADDRESS PO Box 13	MAILING ADDRESS
CITY/STATE/ZIP Petersburg AK. 99883	CITY/STATE/ZIP
PHONE 907-518-0313	PHONE
EMAIL ohmer13@hotmail.com	EMAIL

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION:
613 Sandy Beach Road

PARCEL ID: 01004010 ZONE: Single Family OVERLAY:

CURRENT USE OF PROPERTY: Lot for building a new home LOT SIZE: approx 100x105

PROPOSED USE OF PROPERTY (IF DIFFERENT):
Personal Residence

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): Sandy Beach Road.

TYPE OF VARIANCE REQUESTED

- Yard Setback
- Maximum Lot Coverage
- Building Height
- Fence Height
- Other:

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): Du mel Date: 6/17/21

Owner(s): _____ Date: _____

19.80 VARIANCE APPLICATION

(SUBMIT WITH SITE PLAN)

Applicant(s): Dave N. Ohmer

Address or PID: 613 Sandy Beach Road.

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): shallow lot on the beach forcing me out into my neighbors view.

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.

Answers in attachment

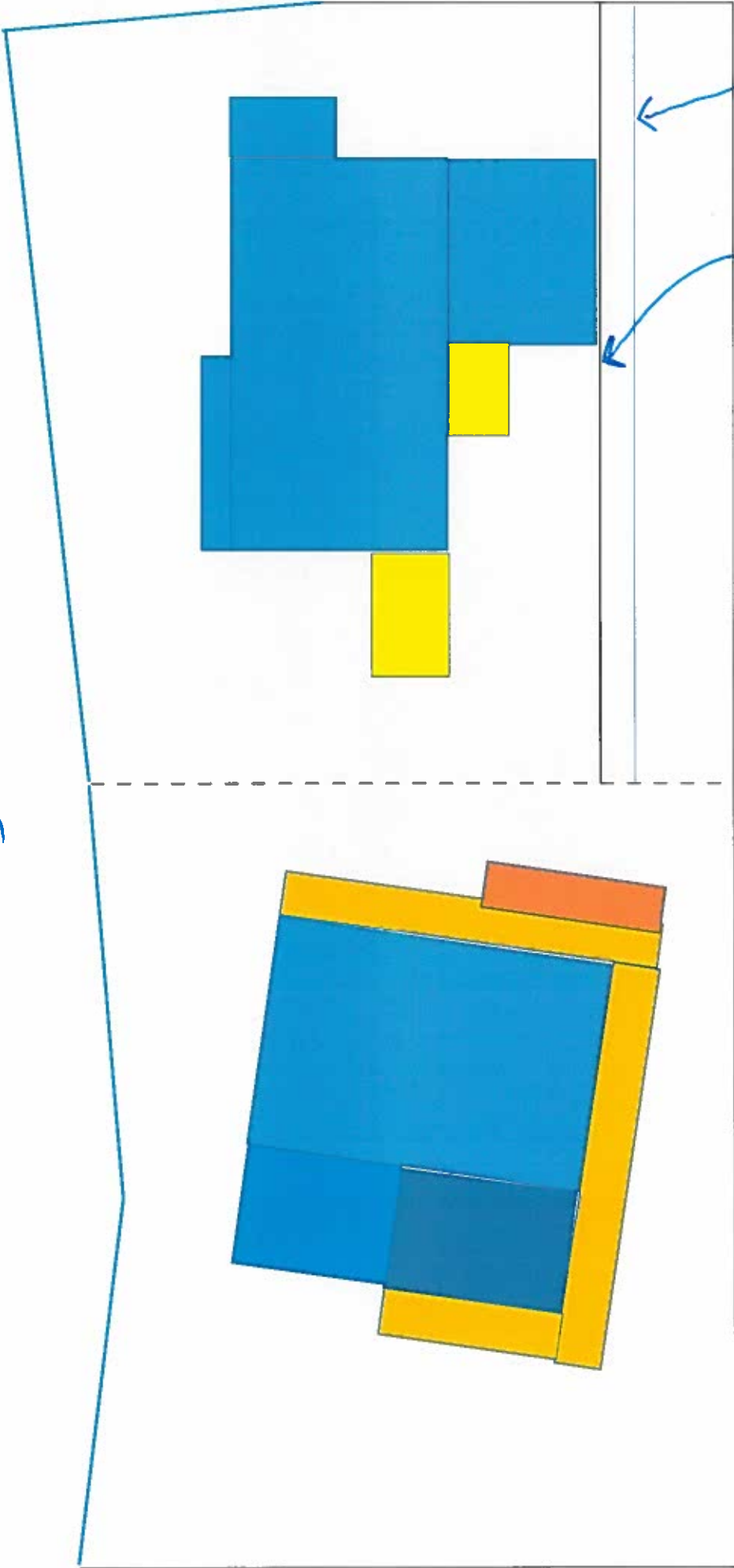
3. Explain how the strict application of these provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.

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.

19.80 Variance Application Responses

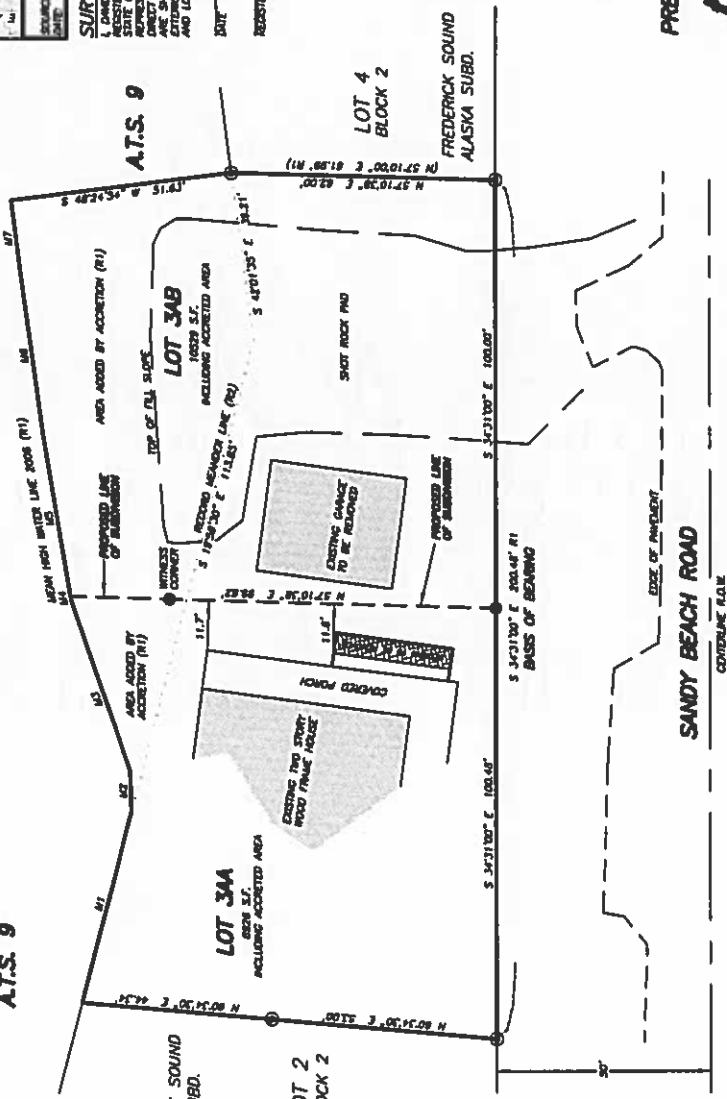
- 1) Other – The 20 ft front yard setback on my shallow beach lot, forces my planned home out into my neighbors view more than I would like. For this reason I am requesting a 5 ft reduction in the front yard setback requirement.
- 2) Both my neighbors' homes were built with outstanding views both north and south. On the new homesite I am developing, the 20 ft front yard setback, on a wide Sandy Beach Rd, forces me out into Sue Paulson's and my current home's view. My goal with this request is to minimize this as much as possible. I have altered my house plans to address this, but still am making more of an impact than I would like. Many of the homes on Sandy Beach Rd. were developed inside this 20 ft setback and my current home just to the north of this new building, was built in 1985, 10 ft from the right of way, and for 36 years there has been plenty of off-road parking and no adverse safety issues.
- 3) Building a large home with a garage on a 100 ft wide property, is not a problem. Building a home that meets the 20 ft front yard setback and also maintains, as best I can, the current views of my neighbors is a challenge.
- 4) Granting my variance request will not do material damage, create a hardship or prejudice neighboring properties, and in fact it will do the opposite on all three. My sole reason for this request is to do all I can to make this change in harmony with my neighbor's property value. I am requesting a reduction of 5 ft on the front yard setback and that will move me 5 ft out of others view. While this may seem minimal the effect at a distance is great. From Sue Paulson's house, 75 ft from my planned home, a 5 ft different will lead to 533 ft more view at a distance to Prolewy Pt and 1,771 ft more view at the distance of Sukoi Islands.

Lot Building Locations



Existing Front Yard Setback.
Requested Variance for setback

1	10	10	10	10	10	10	10	10	10
2	10	10	10	10	10	10	10	10	10
3	10	10	10	10	10	10	10	10	10
4	10	10	10	10	10	10	10	10	10
5	10	10	10	10	10	10	10	10	10
6	10	10	10	10	10	10	10	10	10
7	10	10	10	10	10	10	10	10	10
8	10	10	10	10	10	10	10	10	10
9	10	10	10	10	10	10	10	10	10
10	10	10	10	10	10	10	10	10	10



PROPERTY MAP
 SOURCE: LOSS QUANTUM/PLATT SURVEYING (P-3)
 DATE: 1980 SCALE: 1 INCH = 1 MILE

SURVEYOR'S CERTIFICATE
 I, DAVID C. THOMAS, R.L.S., CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT I HAVE CONDUCTED A DIRECT SURVEY OF THE DISTANCES AND BEARINGS SHOWN ON THIS PLAN, AND THAT ALL PERSONS WHOSE INTERESTS IN THE SURVEYED LANDS ARE KNOWN TO ME AND WHOSE INTERESTS HAVE BEEN SET AND SEALED.

DATE: _____ REGISTRATION NO. 46110300



PRELIMINARY SUBDIVISION PLAN
#13 SUBDIVISION
 A SUBDIVISION OF LOT 3A OF BLOCK 2 OF THE FREDERICK SOUND ALASKA SUBDIVISION PLAT NO. 66-38
 PETERSBURG RECORDING DISTRICT

CLIENT: DAVID OWEN
 P.O. BOX 13
 PETERSBURG, AK 99781

DATE: _____

SURVEYOR
CENTRAL SOUTHEAST SURVEYORS
 P.O. BOX 511 PETERSBURG AK 99781
 PH (907) 518-0075
 MFLS 311300
 DRAWN BY D.C.T.
 12/22/2000
 DRAWING NO. 04134300

- NOTES:**
1. THE BASIS OF BEARINGS FOR THIS SURVEY IS THE LINE BETWEEN A 2" BENCH MARK AT THE NORTHWEST CORNER OF LOT 3A AND A 2" BENCH MARK AT THE SOUTHWEST CORNER OF LOT 3A, BLOCK 2, FREDERICK SOUND ALASKA SUBDIVISION PLAT NO. 66-38. THE OCCUPIED BEARING BETWEEN THESE BENCHMARKS IS 241°10'00" E.
 2. THE ACCURACY OF THIS SURVEY IS GREATER THAN 1:10,000.
 3. ALL BEARINGS SHOWN ARE TRUE BEARINGS CORRECTED TO THE BASES OF BEARING. DISTANCES SHOWN ARE HORIZONTAL DISTANCES.
 4. WHEN MEASURED COURSES DIFFER FROM RECORDING COURSES, RECORD COURSES WILL BE SHOWN IN PARENTHESES () FOLLOWED BY THE FOLLOWING PLAT AND RECORDS USED TO SECURE THIS SURVEY:
 5. THE FOLLOWING PLAT AND RECORDS WERE USED TO SECURE THIS SURVEY:
 - (R1) R.L.S. LOT 3A OF BLOCK 2 OF THE FREDERICK SOUND ALASKA SUBDIVISION PLAT# 66-38
 - (R2) FREDERICK SOUND ALASKA SUBDIVISION PLAT# 66-38

CERTIFICATE OF APPROVAL BY THE PLATTING BOARD

I, _____, CLERK, PETERSBURG PLATTING BOARD, HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWS ACCURATE BEARINGS AND DISTANCES AND THAT SAID PLAN HAS BEEN APPROVED BY THE BOARD, AND I HAVE RECORDED THE PLAN IN THE OFFICE DISTRICT MAGISTRATE, EX OFFICIO, PETERSBURG, ALASKA.

DATE: _____

CERTIFICATE OF PAYMENT OF TAXES

STATE OF ALASKA }
 FIRST JUDICIAL DISTRICT }
 AND ACTING ASSESSOR FOR THE PETERSBURG BOROUGH DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE PETERSBURG BOROUGH, THE PROPERTY DESCRIBED HEREIN IS OWNED BY THE PARTY DESCRIBED IN THE NAME OF: _____
 AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE PETERSBURG BOROUGH ARE PAID BY THE DATE OF SETTING THIS PLAN ON FILE. THERE WILL BE NO TAX ON OR BEING DUE FOR THE YEAR _____ WILL BE PAID ON OR BEING DUE FOR THE YEAR _____.

DATE: _____ DAY OF _____ 2021
 AT PETERSBURG, ALASKA.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, _____, HEREBY CERTIFY THAT I AM THE OWNER OF _____ HEREBY ABANDON THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT. NO ROAD RIGHTS ARE DEPOSITED BY THIS PLAN. AND THAT THE SAID SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE DISTRICT MAGISTRATE, EX OFFICIO, PETERSBURG, ALASKA.

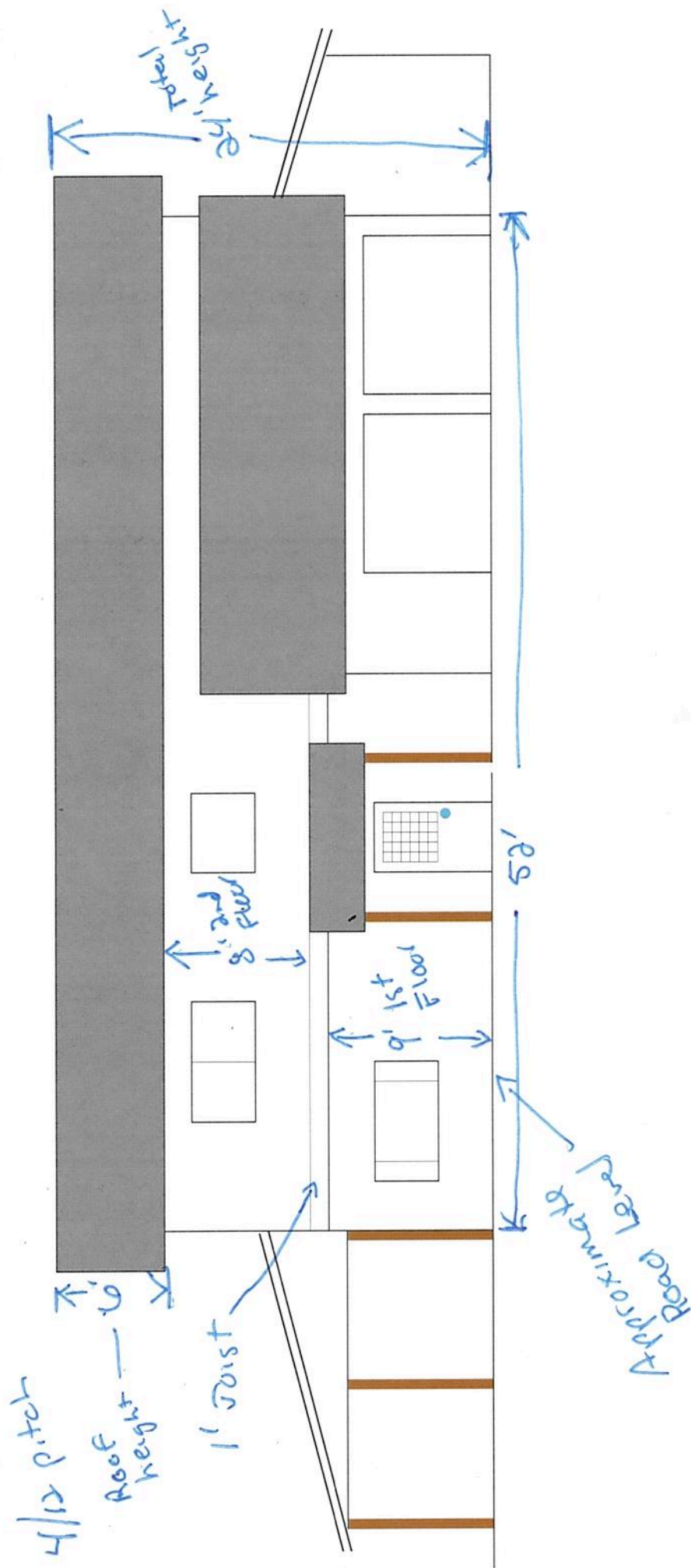
DATE: _____

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SHOWN TO ME THIS _____ DAY OF _____, 20____ BY _____

NOTARY FOR THE STATE OF ALASKA
 BY COMMISSION EXPIRES: _____

613 Sandy Beach Road New home elevations



Ohmer Property
613 Sandy Beach Road
01-004-010

PROPERTY AREA



Item 72.

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Ohmer Property
613 Sandy Beach Road
01-004-010



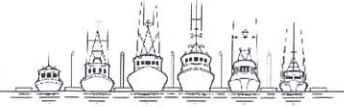
From: [Jennifer Bryner](#)
To: [Karen Malcom](#)
Subject: 613 Sandy Beach Road
Date: Saturday, August 7, 2021 4:30:15 PM

Matt and I support the request for the Ohmer home to be built within 15 feet of the property line. The setbacks from the road are excessive and the variance causes no safety concerns. The shallow lots in that area are problematic for building, and we appreciate the attention to the impact of the neighbors' views.

Thank you,

Jennifer Bryner

Sent from my iPhone



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:	# 306

DATE RECEIVED: _____ RECEIVED BY: _____

APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)	
NAME	JAMES & Sonja Whitethorn	NAME	
MAILING ADDRESS	101 Mill Rd Box 94	MAILING ADDRESS	
CITY/STATE/ZIP	Petersburg Alaska 99833	CITY/STATE/ZIP	
PHONE	760-464-1543	PHONE	
EMAIL	Kivlok4@aol.com	EMAIL	

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION: 101 Mill Rd (Lot size 14146 SF; Lot 3B subdivision Whitethorn II subd. PAR 2019-4 LSSurvey USS 285 section 4 Township T59S; Range R79E S50 110)

PARCEL ID: 01-031-502 ZONE: Ind. OVERLAY: _____

CURRENT USE OF PROPERTY: WAREHOUSE WITH WATCHMAN RPPT LOT SIZE: 14146 SF

PROPOSED USE OF PROPERTY (IF DIFFERENT): SAME

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): Mill Rd

TYPE OF VARIANCE REQUESTED

- Yard Setback
- Maximum Lot Coverage
- Building Height
- Fence Height
- Other: _____

SUBMITTALS:

Please include a site plan proposed plans.

SIGNATURE(S): [Signatures]
 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): JAMES & Sonja Whitethorn Date: 7/10/21

Owner(s): SAME Date: SAME

19.80 VARIANCE APPLICATION

(SUBMIT WITH SITE PLAN)

Applicant(s): JAMES & SOUJIA WHITBROW

Address or PID: 101 mill Rd, Box 94 Psg AK, 99853

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.

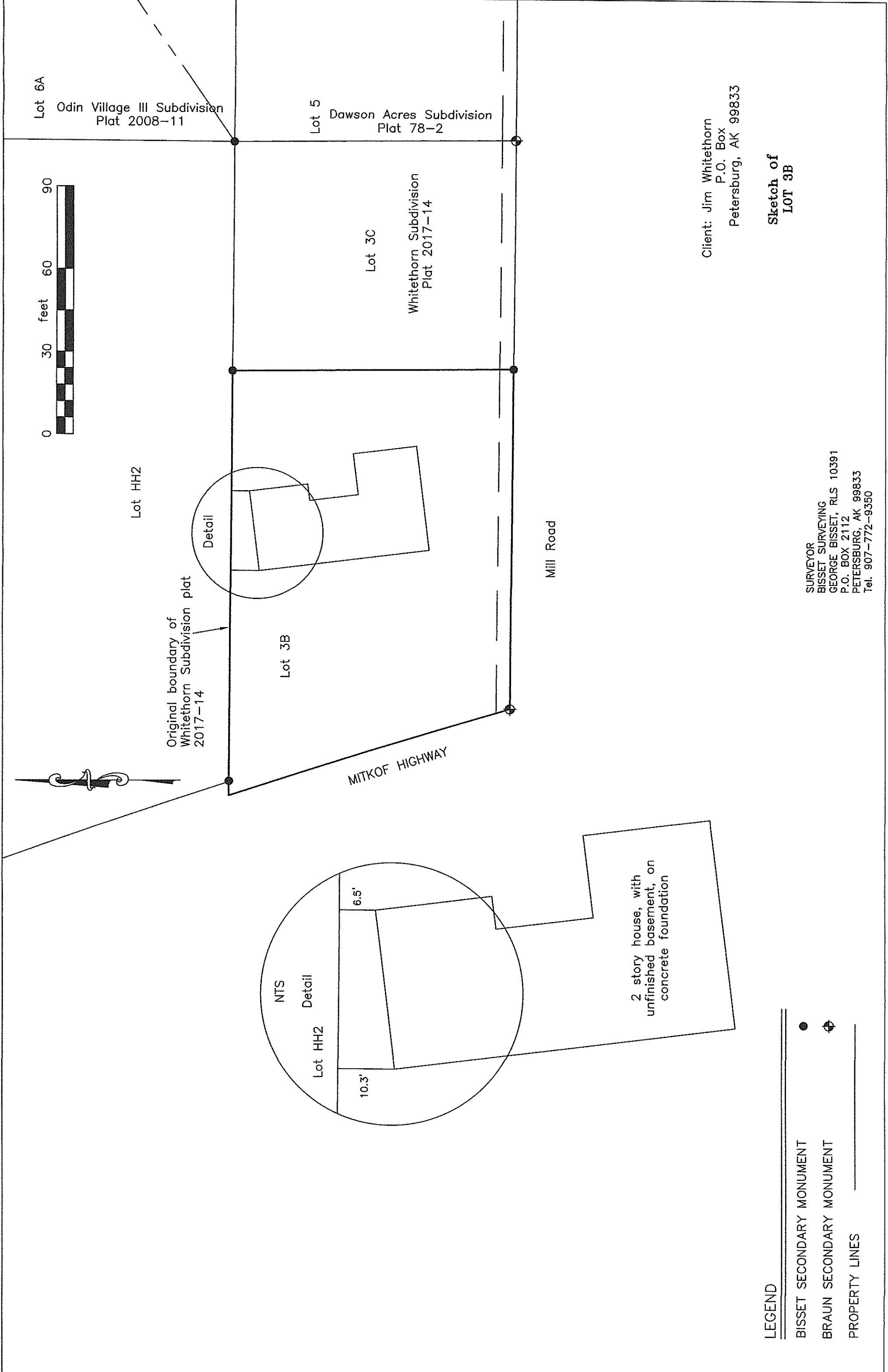
INDUSTRIAL SET BACK ON SIDE BOUNDARY.

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

FOR FUTURE SALE.

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.

PROPERTY TO THE NORTH HAS 76' FROM MY HOUSE TO MY SONS HOUSE. SAFETY FOR FIRE TRUCKS.



LEGEND

- BISSET SECONDARY MONUMENT
- ⊕ BRAUN SECONDARY MONUMENT
- _____ PROPERTY LINES

Whitethorn Property
101 Mill Road
01-031-502

AIRPORT BYPASS RD

01031270

01031355

01031350

01031375

01031395

01031402

01031404

01031406

01031408

01031476

01031474

01031502

-503

01031504

-506

-507

01031472

01031470

01031468

01031510

01031414

01031412

01031410

01031569

MILL RD

01031556

01031558

09516010

01031564

01031562

01031566

01031582

01031580

01031576

01031574

01031572

01031614

01031618

01031620

01031622

01031624

01031625

01031627

01031614

01031618

01031620

01031622

01031624

01031625

01031627

01031614

01031618

01031620

01031622

01031624

01031625

01031627

01031630

69161010

LYON RD

MITKOF HWY

ODIN LN

KINGS ROW

01030080

01030085

01030090

01031400

01031478

01031500

01031568

01031570

01031572

59161010

01031627

Karen Malcom

From: lynch1@gci.net
Sent: Monday, August 2, 2021 9:51 AM
To: Karen Malcom
Subject: Comment on Jim and Sonja Whitethorn Variance Request August 10 Planning Commission Hearing

To Petersburg Planning Commission,
RE: August 10 Public Hearing

We are in support of granting the request from Jim and Sonja Whitethorn for a variance from the side yard setback requirement for their home at 101 Mill Rd.

Thank you for consideration of our comments.

Sincerely,
Brian & Kyong Lynch
228 Mitkof Hwy
Petersburg

Date: 7-29-2021

To: Liz Cabrera
Director, Community & Economic Development

From: Gary Aulbach
Box 726
Petersburg, AK 99833

Hello Liz,

I am writing this letter in response to the application for variance by Jim and Sonja Whitethorn. I will be out of town on the date of the public hearing.

To begin, I want it to be clear that my wife and I have no problem at all with the Whitethorn's being granted this variance. I think most people would love to be able to live next door to their children and grandchildren.

My reason for writing this letter has to do more with the administrative side of constructing a building in Petersburg.

I see that in your letter you refer to the structure on this property as a single-family residence but on the variance application it is referred to as a Warehouse with watchman apartment. It is in fact a single-family residence with an unfinished garage/basement. As this building is located on an industrially zoned lot I understand why it is being called a warehouse with apartment, however, a few years back the Borough went through a very lengthy discussion with another individual in town who was doing the exact same thing and at the time the Borough gave in but said it was not going to be allowing that same practice any more. It might be a different case here because this is not waterfront industrial property and perhaps you could clear that up.

When a builder applies for a building permit a site plan must first be submitted showing where the building will be placed in accordance to the property lines. I am curious if a site plan was submitted for this project and if it showed that the building would end up being 6.3' from the property line or if it showed it being the required 10' from the line? I find it hard to believe that an experienced builder could make a 3.7' mistake when placing the foundation.

I am only bringing these points to light because I feel this could lead to more applications for variances in the future. Any builder could submit a site plan showing that the owners are in compliance with the setback but then build the building as close as they want and simply apply for the variance afterward. After all, what could happen? The Borough certainly is not going to make them tear the building down and move it 4'. Code violations like this need to be caught before any concrete is poured or pilings are driven. At that time, the owners can opt to stop and apply for a variance before construction begins or move the building lines and proceed with construction.

Thank you for your time.

Gary Aulbach