

City and Borough of Wrangell, Alaska

Special Planning and Zoning Meeting and Public Hearing Notice

THE WRANGELL PLANNING AND ZONING COMMISSION WILL HOLD A SPECIAL MEETING AND PUBLIC HEARING ON THURSDAY, AUGUST 1, 2013 AT 5:30 P.M. AT CITY HALL. THE FOLLOWING PUBLIC HEARING WILL BE HELD AT THE MEETING:

1. Variance permit application for a variance to the WMC 20.52.060 Noise standard requirements allowing 24 hour work shifts installing guardrails on the Zimovia Highway Repavement Project from Institute Creek to McCormacks Creek, requested by Road Runner Fence Company.

This request is available for public review and inspection at Wrangell City Hall.

KSTK: please announce thru 8/1/13

GCI: please run thru 8/1/13

Posted in the Wrangell Sentinel on July 25, 2013 and August 1, 2013.

City and Borough of Wrangell, Alaska

Date: June 7, 2013

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Variance permit application for a variance to the WMC 20.52.060 Noise standard requirements allowing 24 hour work shifts installing guardrails on the Zimovia Highway Repavement Project from Institute Creek to McCormacks Creek, requested by Road Runner Fence Company.

Background: State Department of Transportation has a contract with SECON to repave Zimovia Highway. Roadrunner Fencing is a subcontractor to reinstall the guardrails.

Review Criteria:

Chapter 20.52: Lot Standards:
Chapter 20.72: Variance Permits

Findings:

The Highway project is supposed to be completed by September 15, 2013. Roadrunner Fencing is to begin work on August 1 reinstalling guardrails. Most of the work occurs beyond 6 mile Zimovia, but there is some work between 6 Mile and town at the beginning of the project. They will be reinstalling approximately 11,000 feet of guardrail and are requesting to be able to work 24 hours per day. They have indicated that they would avoid working adjacent to residential areas from 10pm until 7am.

WMC20.52.060 Noise establishes acceptable hours for industrial activities adjacent to residential development as well as a decibel level at the property line.

Roadrunner Fencing has established that normal documented decibel levels for driving the guardrail posts usually do not exceed 80 dBa.

This public hearing was noticed by posting, radio, scanner and publishing in the newspaper.

A Variance application must meet four criteria:

1. Exceptional Physical Circumstances: The Highway stretches 13 miles from Bennet Street to McCormacks Creek. Most of the guardrails are usually along the very steep slopes of the highway, or over the creeks. Piling driven from 6 to 11 feet will need to be installed to hold the railings.

2. Strict application would result in practical difficulties. Strict application would require a longer period for the work to be done. SECON is just now completing the paving from the former mill site to McCormack's Creek so Roadrunner was not able to start their portion of the project until now. The overall contract is for completion by September 15.
3. That the granting of the variance will not result in prejudice to others, or be detrimental to public health, safety or welfare: The granting of the variance will actually be a safety benefit to the public by allowing work in the areas away from residential development during low usage periods, without having to hold up traffic or risk injury to crews.
4. Granting of the variance is not contrary to the Wrangell Comprehensive Plan approved June 22, 2010.

Recommendation:

Staff recommends approval of the request to work 24 hours installing guardrails, with the condition that crews avoid working adjacent to residential development between 10:00pm and 7:00am to minimize noise and disruption of sleep.



Road Runner Fence Co Inc.
P.O. Box 672207
Chugiak, AK 99567
907-688-7623 Phone
907-688-7625 Fax
rrfence@gmail.com

City of Wrangell
Planning & Zoning

RE: Zimovia Pavement Rehabilitation

24 Hour Shift Request for Variance

To Whom It May Concern:

Roadrunner Fence is the guardrail subcontractor on the above reference project. We will be installing approximately 11,000 feet of guardrail on this project. In order to maximize our efficiency and minimize the impact on the traveling public, we would like to work 24 hours a day. This project runs from approximately Bennet Street to end of the pavement. Currently the guardrail does not begin until Institute Creek, with a large majority of it from approximately Mile 6.5 to Mile 8 and then from approximately Mile 9 to Mile 10.3. There is also some work at Pat Creek and at McCormick Creek.

As our schedule is based on Secon's schedule it is hard to determine when we will be working in certain areas. In area's where there is residential occupancy, we would not work from 10 pm to 7 am.

Noise levels for driving guardrail posts are based on several factors, like soil type and aggregate size, but normal documented noise levels do not exceed 80 dBA.

Let me thank-you in advance for your consideration on this.

Sincerely,

J. Mark Krall / Pres / Treas
(by Paula M Caywood, agent)
Road Runner Fence Co. Inc.

APPLICATION FOR VARIANCE

CITY OF WRANGELL
PLANNING AND ZONING
P.O. BOX 531
WRANGELL, AK 99929
Application Fee \$50.00

I. The undersigned hereby applies to the City of Wrangell for a variance.

II. Description: (use additional paper if necessary)

Legal description of the area requested for the variance

Zimovia Pavement Rehabilitation

Lot (s) size of the petition area

13.34 miles of ROW

Existing zoning of the petition area

N/A

Current zoning requirements that cannot be met (setbacks, height, etc.):

24 Hour work shift.

Proposed change that requires this variance

allowing 24 hour work shift.

III. Application Information: (use additional paper if necessary)

Explain details of the proposed development

improve roadway

Safety

A variance may be granted only if all four of the following conditions exist:

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.

See attached letter.

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

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.

That the granting of the variance will not be contrary to the objectives of the Comprehensive Plan.

Explain how your application meets these conditions:

allows work to be done
quicker and reduces delays
to traveling public.

Note: A variance shall not be granted because of special conditions caused by actions of the person seeking relief or for reasons of pecuniary hardship or inconvenience. A variance shall not be granted which will permit a land use in a zone in which that use is prohibited.

A schematic site plat must be attached showing the type and location of all Proposed uses on the site, and all vehicular and pedestrian circulation patterns relevant to those uses.

I hereby affirm that the above information is true and correct to the best of my knowledge. I also affirm that I am the true and legal property owner or the authorized agent thereof for the property subject herein.

Roadrunner Fence Co Inc.
PRINT PETITIONER'S NAME

Paula Caywood agent
SIGNATURE (S) OF THE OWNER (S) OF THE LAND IN PETITION AREA

PO Box 672207
ADDRESS

Chugiak, AK 99567

(Paula Caywood)

DATE

907-688-7623 office
TELEPHONE

907-862-8758 cell

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Publish: July 25 and August 1, 2013

applicable to all uses in all districts, except as where such use is permitted in the industrial district, light industrial district and remote residential mixed-use district. In the RMU districts, this section is inapplicable where multiple 55-gallon tanks of fuel or propane may be stored in safe and secure areas, with adequate ventilation, away from structures used for living quarters.

B. Permitted uses involving the design, construction, reconstruction or use of toxic material or petroleum storage facilities shall provide for the prevention and cleanup of spills and shall provide for the disposal of such materials by the owners thereof. Uses involving the design of petroleum storage facilities shall be governed by the U.S. Environmental Protection Agency, Spill Prevention, Control and Counter-Measure (SPCC) guidelines (40 CFR Section 112.3), and the National Fire Protection Association's codes for storage and loss control of oil products. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984.]

20.52.060 Noise.

The noise emanating from a premises used for industrial activities shall be muffled so as not to become objectionable due to intermittent beat, frequency or shrillness. Where the use adjoins a residential district (SF, MF, RR-1, RR-2, and RMU), the noise loudness measured at the boundary line of the premises used for industrial activities shall not exceed 90 decibels between the hours of 7:00 a.m. and 8:00 p.m. weekdays and the hours of 10:00 a.m. and 8:00 p.m. weekends and holidays, and 40 decibels at other hours. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984.]

20.52.070 Airport interference.

No use governed by this code shall create or allow the maintenance of a physical obstruction to air navigation. The Federal Aviation Administration standards governing objects affecting navigable airspace (49 CFR Part 77) shall govern all uses under this code. [Ord. 867 § 1, 2013; Ord. 462 § 6, 1984.]

20.52.080 Building height.

The purposes of building height standards are to prevent loss of life, excessive property damage, and to minimize risk of fires, by enabling firefighters to reach upper stories or roofs, and to help maintain the character of neighborhoods.

A. No structure within a single-family residential district should exceed a height of 25 feet absent a variance.

B. Church spires, water towers, elevator shafts, or smoke stacks not used for human occupancy, and cables, antennas or similar accessories, are exempt from the height requirements of this section.

C. Portions of a building may exceed 35 feet in height where 50 percent of the building's roof perimeter lies within the 35-foot height limit, from an existing grade accessible to fire suppression personnel and rescue equipment, not including perimeter areas which provide access only to portions of the building used for storage, or where all dwelling units and work spaces can be reached and evacuated through windows or balconies lying within the 35-foot height limit of borough firefighting equipment. The approval of the borough's fire chief and the zoning administrator shall be required