

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA

March 10, 2016

7:00 pm

Agenda

A. CALL TO ORDER/ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. APPROVAL OF MINUTES: December 10, 2015; January 14, 2016

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

- 1) Letter from Rosemary Ruoff to Planning and Zoning Commission and response from Zoning Administrator Carol Rushmore

F. OLD BUSINESS

- 1) Entitlement Land discussion

G. NEW BUSINESS

- 1) Variance application request for a reduction in side yard setback to 1 foot for an accessible ramp on Lot H, Block 3, Mork Subdivision, zoned Single Family Residential, requested by Alaska Community Development Corporation, owned by Bart Churchill.
- 2) Request for a Contract Zone from Commercial to Single Family Residential on Lot 7B, Block 2, USS 1119, zoned Commercial, requested by Sarah and Andrew Scambler, owned by Clifford White.
- 3) Conditional Use application request for a day care on Lot 8B, Mitchell-Buhler Replat, zoned Waterfront Development, requested by April Diane Larsson, owned by DB AK Enterprises, LLC.
- 4) Appeal of Zoning Administrators denial of a building permit for a residential structure on Lot C, Phillips/Bloom/Christian Replat, zoned Multi-Family, requested by applicant Lloyd Ward, owned by William and Michelle Bloom.
- 5) Discussion of Zoning Issues regarding Marijuana.
- 6) Updates regarding the Institute Property Master Plan and Mill Property Feasibility Study.
- 7) Update regarding utility easement on the Bakeburg Preliminary Plat

H. PUBLIC COMMENT

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

J. ADJOURNMENT

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES

January 14, 2016

7:00 pm

A. CALL TO ORDER/ROLL CALL

Chairperson Don McConachie called the regular meeting of the Wrangell Planning and Zoning Commission to order at 7:00 pm on January 14, 2016 in the Wrangell Borough Assembly Chambers. Commissioners' Duke Mitchell, Jim Shoemaker, April Hutchinson were present. Commissioner Henson was absent.

Recording Secretary Lavonne Klinke and Zoning Administrator Carol Rushmore were also present.

B. AMENDMENTS TO THE AGENDA

None

C. APPROVAL OF MINUTES: Special Meeting December 23, 2015

Shoemaker approves as presented the minutes of December 23, 2015.

Hutchinson 2nds, all approved.

D. PERSONS TO BE HEARD

E. CORRESPONDENCE none

F. OLD BUSINESS none

G. NEW BUSINESS

1. Vacation request for side and back yard setbacks for trailers and house within the Bakeburg Trailer park, on the proposed Lot A and Lot B of the proposed Bakeburg Subdivision, (within USS 2589) zoned Rural Residential I, requested by Jerry and Judy Bakeburg; and

2. Preliminary Plat review of the Bakeburg Subdivision, a subdivision of a portion of Lot 17, USS 2589, creating Lot A and Lot B, zoned Rural Residential I, requested by Jerry and Judy Bakeburg.

Staff states that items G1 & G2 can be in one public hearing as it pertains to the same subject lot.

OPEN PUBLIC HEARING

Judith Bakeburg, 5.5 mile Shoemaker Loop Road, is here to answer questions if they should arise. Commissioner Mitchell asks if these are their existing properties and buildings. Mrs. Bakeburg states they are trying to get refinancing but the trailer park is considered Commercial so the house has to be separate.

CLOSE PUBLIC HEARING.

Mitchell moves to approve the Vacation request for side and back yard setbacks for trailers and house within the Bakeburg Trailer park, on the proposed Lot A and Lot B of the proposed Bakeburg Subdivision, (within USS 2589) zoned Rural Residential I, requested by Jerry and Judy Bakeburg with the following:

1. A back yard setback of the house on Proposed Lot A to be 3 feet from the back property line.
2. A setback to the 10 foot external boundary requirement for trailer parks of only 3 feet for the trailer on the south side of the property.
3. A setback to the 10 foot external boundary requirement for trailer parks of only 2 feet for the trailer on the north side of the property.

Hutchinson 2nds.

Motion passes by unanimous vote.

Mitchell moves to approve the Preliminary Plat review of the Bakeburg Subdivision, a subdivision of a portion of Lot 17, USS 2589, creating Lot A and Lot B, zoned Rural Residential I, requested by Jerry and Judy Bakeburg, with Staff recommendations of:

1. Private easements through proposed Lot B for all sewer, water and electrical Utilities that service the residence on proposed Lot A
2. An access/utility easement 30 feet wide to access proposed Lot A
3. Public utility easement for the City's electrical distribution line along The Loop Road frontage.
4. A public/private utility easement for the Force Sewer Main to the lift Station and electrical panel
5. Modification to Plat Note 3
6. The recording of an access easement maintenance agreement for the access easement to proposed lot A

Hutchinson seconds.

Shoemaker asks about the access to lift station and electrical panel. Currently City maintains the sewer main, but it is unclear who actually owns the line. Public Works requested the easement. Shoemaker believes City could work under a maintenance agreement. If put in an easement, could require the containers to be moved off easement.

Shoemaker explains to Bakeburgs that if the easement is placed across the property, it could limit the ability of the Bakeburgs to use a portion of the area. Staff indicates that if it is the City's main, an easement is necessary to protect that access and in future development, the line could get lost if not under an easement.

The utility easement is a guarantee that main remains and is serviced should the park area be sold to a third party. Not sure if it is a City service or Private System.

Shoemaker amends the motion to delete recommendation #4 (A public/private utility easement for the Force Sewer Main to the lift Station and electrical panel) and incorporate into recommendation #6 (The recording of an access easement maintenance agreement for the access easement to proposed lot A) a clause allowing public works access to the lift station and panel.

Hutchinson seconds.

Amendment passes by unanimous vote. Original Motion passes by unanimous vote,

3. Discussion of Zoning of Entitlement Lands and other remote areas of the Borough: Zaremba/St. John's Bay

Zaremba: Mineral claims has nothing to do with the land selection. It is a Forest Service road and dock, and have informed the City that this dock will not have public use for this dock for landowners.

City will need to place a community dock along shoreline. City will need to provide access to the properties, and a boat launch, the bay does dry out when tide is low.

State has logged most of this parcel.

White area on map is wetlands, gently sloped area and forest area, great views.

McConachie is lobbying for residential areas, waterfront and high level view lots, travel along the two roads that are accessible, lower road and upper road.

WHAT ARE Not shown is a state roads, but are closed off, City would have to open up these roads.

There is still a 500 to 1000 foot swath of timber along some of the shoreline. Alcan is currently logging in the area, what is the interest in the possibility to have them clear these areas?

Revenue from timber sales be used to develop lots.

Commission leaning towards a residential, recreation, waterfront area logging to facilitate further residential development. Staff will put a spreadsheet together to prioritizing areas, and will revisit the area. Economic has suggested residential, commercial, logging,

H. PUBLIC COMMENT none

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

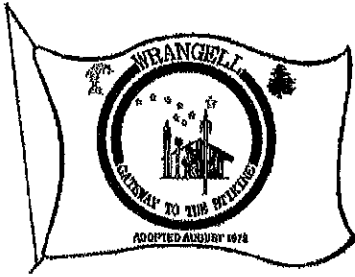
None

J. ADJOURNMENT 7:53 pm

Terri Henson, Chairperson

Lavonne Klinke, Secretary

DRAFT



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381
Wrangell, AK 99929 FAX (907)-874-3952
www.wrangell.com

March 2, 2016

Rosemary Ruoff
PO Box 1342
Wrangell, AK 99929

Dear Rosemary:

I received a copy of the letter that you sent to the Planning and Zoning Commission from several of the Commissioners. I told them that I would respond to you and copy them on my response. These questions appear to be the same that you were asking of Lavonne and I when I was out of town, and I am sorry if there is still confusion. I will put my answers in writing this time and hopefully this will help.

The lot in question I believe is Lot 10, Block 9, USS 1119 currently owned by Terri McGee. The lot is approximately 36' by 71', is 2488.8 square feet and zoned Single Family Residential.

Currently the minimum lot size in the Single Family District is 5000 square feet per the Wrangell Municipal Code 20.52.090 Density- Minimum Lot Size. Because this is an existing lot, per WMC 20.64 Nonconforming Uses, the lot is considered a Nonconforming Lot, where the size of the lot is smaller than the minimum permitted, because it existed prior to the adoption of the ordinance. I am attaching a copy of the Code Chapter to this letter for your reference.

WMC 20.64.030 (A) Nonconforming Lots of Record, states that "in any zone which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this title, a single-family dwelling and customary accessory buildings may be erected.....". The same sections says that "Variance of yard requirements and of other development requirements, except as specified in the subsection, shall be obtained only through action of the Commission as provided in WMC 20.68.010" Variance. In other words, a single family home may be constructed on a non-conforming lot in the Single Family District, if you meet the other code requirements, such as setbacks, height, lot coverage etc, or you obtain a Variance permit from the Planning and Zoning Commission.

The structure on the lot is a non-conforming structure per WMC 20.64.010 (B)(2) because the structure fails to meet yard and coverage requirements. WMC 20.64.040 Nonconforming uses of Structures provides the guidance should a structure be destroyed or removed. The existing structure may not be enlarged or altered to increase its nonconformity. And if the structure is destroyed (fire, demolition) to more than 50% of its replacement cost, any reconstruction must conform with the development standards such as setbacks, height, lot coverage etc unless you obtain a variance from the Planning and Zoning Commission.

To answer your questions specifically, based on the Code and the above comments:

- 1) If the house is taken down, can you rebuild using existing footprint? Would you be restricted to current day setbacks?

Answer: You may be able to rebuild using the existing foot print or other design, but the Commission would need to approve through a variance permit the setbacks of the house to the property lines. Because they know this is a nonconforming lot and know that a residential structure is permitted, I believe the Commission will work with you on reducing the setback requirements, but they will need to approve your site plan and proposal for the new house and approve a variance permit. Normal Setback requirements in the Single Family District is 5 feet on the sides and 20 feet front and back.

- 2) If the house is taken down, would you be restricted to current day setbacks?

Answer: Yes, but you can apply for a Variance Permit to reduce the setbacks. Same answer as #1

- 3) If the Lot were empty, are both stick built and modular acceptable?

Answer: Yes. WMC 20.16.020 (A) allows for modular and manufactured housing. Mobile Homes and trailers, however, would require a conditional use permit and are restricted by date.

- 4) Do you have two options, Repair existing home or level and rebuild new?

Answer: I suppose those are your two options. But review answer to question 1 and comments above regarding what the Wrangell Municipal Code spells out for nonconforming lots and structures.

I hope the above responses answer your questions adequately. Please do not hesitate to call if you have additional questions.

Sincerely,



Carol Rushmore
Economic Development Director

w/ copy of Nonconforming Code

2/18/16

Rosemary Ruoff
P.O. Box 1033
Beach Haven, NJ 08008
609-492-2474

Rosemary Ruoff
P.O. Box 1342
Wrangell, AK 99929
609-492-2474

I am Dennis Eastaugh's widow.

I am Scott Eastaugh's mother.

for 20 years

I operated Homestead Natural Foods ^{north end of town} across from Stough's

I live in Evergreen Park (formerly Stough's), site 15
old section, near road, white camper, black truck
weather permitting, a big American flag

Terri Henson

Attention: Zoning & Planning Commissioners
Subject: Irene Ingle's old house on Fort St, near post office

Question
Is this accurate?

I am considering making a bid on the above, & I'm short on time
Two options: repair it or level it & build new in its place

The lot is tiny, only 36' deep. ^{very important}

Question

If I were to take it down, could I rebuild, using existing ^{footprint?}

Question

If I were to take it down, would I be restricted to
current day set backs, which might confine me
to a small new shed in the middle of the lot?

Question

Are both acceptable? two options: stick build or modular ^{Perhaps not enough room to maneuver.}

I ask these questions because of the happy memories I have
of the area near Irene's house when I first arrived 40+ years
ago. I'm looking to drop anchor here again.

I have pressing matters to deal with back in New Jersey &
cannot wait until your next meeting on March 10.

Please advise.
Thank you.

Rosemary Ruoff

City and Borough of Wrangell, Alaska

Agenda G1

Date: March 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Variance application request for a reduction in side yard setback to 1 foot for an accessible ramp on Lot H, Block 3, Mork Subdivision, zoned Single Family Residential, requested by Alaska Community Development Corporation, owned by Bart Churchill.

Back ground: The applicant is building a new ADA accessible ramp on the side of the residence.

Review Criteria: Single Family District: Chapter 20.16
Standards: Chapter 20.52
Variance: Chapter 20.52.72

Findings:

The applicant is seeking to construct an ADA accessible ramp on their resident. The Alaska Community Development Corporation has received funding to make accessible improvements for Mr. Churchill.

The house is approximately 2 feet from the side and front property line. The ramp would end approximately 1 feet from the property line. In the Single Family Residential District, front and back yard setbacks are 20 feet and side yard setbacks are 5 feet. The property is 7,890 square feet. The house already encroaches into the required setbacks 18 feet in the front and 3 feet on the side. The ramp is increasing the setback encroachments and requires a variance application

A Variance application must meet four criteria:

1. **Exceptional Physical Circumstances:** The lot itself does not have any exceptional physical circumstances. The house is already existing and encroaches into the setbacks approximately 18 feet in the front and 3 feet on the side. Because the house is existing, the variance would be to enlarge the existing setback encroachments. The exception circumstance is that Mr. Churchill needs the access assistance.
2. **Strict application would result in practical difficulties:** Strict application by not expanding the existing encroachment does not provide the ease of access the applicant needs to enter and leave his residence.
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 should not prejudice others in the area. The construction is a permitted use within the district and should not impact neighbors.
4. **Granting of the variance is not contrary to the Wrangell Comprehensive Plan approved June 22, 2010.**

Recommendation:

Staff recommends approval of the Variance request for an accessible ramp to end approximately 1 foot from the side property line.



Alaska Community Development Corporation

Affordable Housing • Energy Conservation • Housing Rehabilitation • Weatherization

2-8-16

RE:

Variance Request

Bart Churchill

707 Graves

Wrangell Alaska

To whom it may concern,

Proposed installation of 5x6 entry landing with a 4x10 ramp would place bottom of ramp approximately 2 feet beyond the end of the home and onto property line. Proposed ramp would meet the 1/12 slope recommendation for Americans with Disabilities Act Accessibility Guidelines.

We could shorten the ramp by two feet to have it flush with the end of the structure if the commission deems proposed ramp would be an issue. Since the structure is not parallel to the property line, this would put the end of the ramp inches closer to the property line than the structure. Our program guidelines allow ramps to be installed at greater slope if the application requires it.

Thank you for the consideration and let us know your decision.

Bryant Edwards
Assistant Housing Manager
Alaska Community Development Corporation
Senior Access Program

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 01-004-732

MORIC SUBDIVISION LOT H

Lot (s) size of the petition area _____

7890 sq ft

Existing zoning of the petition area SF

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

Proposed change that requires this variance INSTALLATION OF ENTRY LANDING AND RAMP.

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

Explain details of the proposed development _____

SEE ATTACHED

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.

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: _____

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.

BART CHURCHILL
PRINT PETITIONER'S NAME

Bart L. Churchill
SIGNATURE (S) OF THE OWNER (S) OF THE LAND IN PETITION AREA

707 GRAVES ST. WRANGELL, AK.
ADDRESS

2/2/16
DATE

305-0536
TELEPHONE

SITE PLAN 2-4-2016

SCALE \square
2.550 RFT

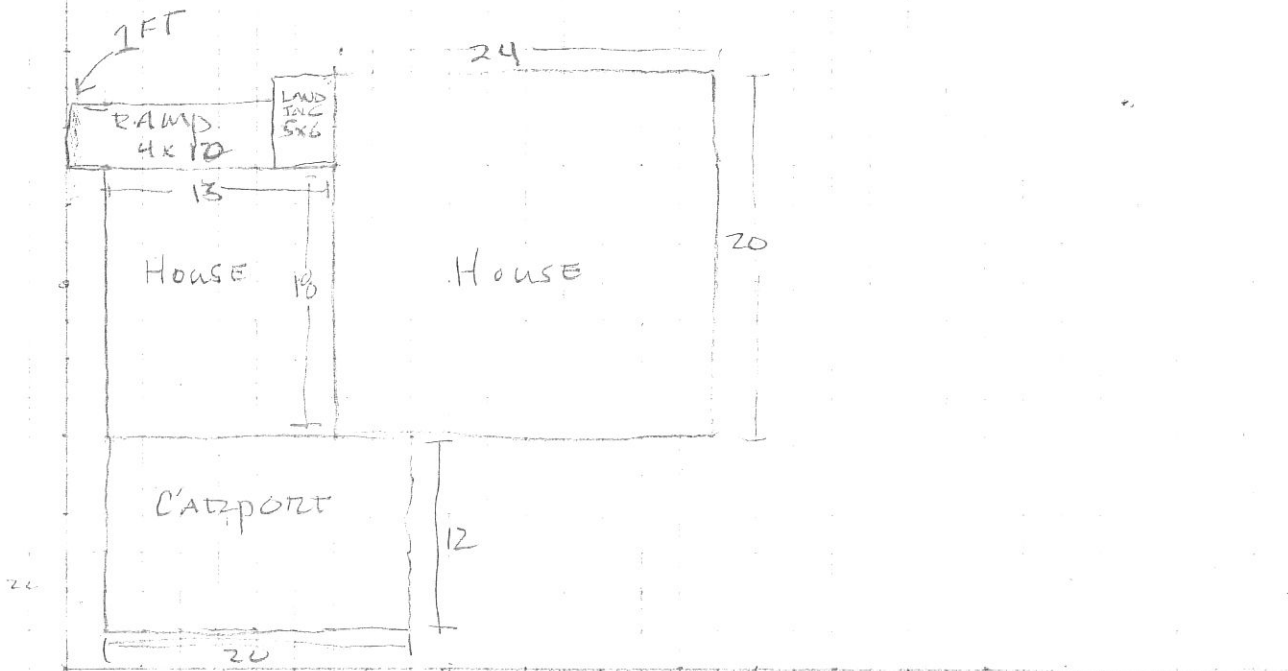


BART CHURCHILL
LEGAL DESCRIPTION
MORT SUBDIV. LOT H
ADDRESS: 767 GRAVES
WRANGELL AK 99929
PHN# 305-0536

LOT H

PROJECT:
INSTALL RAMP
6x6 ENTRY LANDING
4x12 RAMP

↑
99.7
↓



CONTACT:
BRYANT EDWARDS
907 355-1822

**City of Wrangell
Application for Building Permit**

Permit No. _____

Date Issued _____ By _____ Fee Paid _____

- New Building Electrical Plumbing Water/Sewer
 Foundation Remodeling/Repair Demolition

Street Address 707 GRAVES ST.	UTILITIES
PROPERTY OWNER Name BART CHURCHILL Mailing Address P.O. Box 1493 City WRANGELL Telephone 305 0536	Sewer Outlet Size: _____ Water Service Size: _____
ARCHITECT/ENGINEER Name _____ Mailing Address _____ City _____ Telephone _____	PERMITS
CONTRACTOR OR OWNER/BUILDER Name ALASKA COMM. DEVEL. CORP. Mailing Address 1517 INDUSTRIAL WAY 8 City PALMER, AK. Telephone BRYANT EDWARDS 355-1822	ADEC Permit <input type="checkbox"/> Required/Copy Attached <input type="checkbox"/> Not Required Sate Driveway Permit <input type="checkbox"/> Required/Copy Attached <input type="checkbox"/> Not Required Are you Building on Tidelands /Wetlands? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Authorization Provided
LEGAL DESCRIPTION Subdivision MORK Lot No. LOT H Blk No. _____ Parcel No. _____	COST/VALUATION
	Estimated Cost of Construction * 9,000.00 Total Square Footage 82 SQF * Property values are assessed independently of this estimate
	SPECIAL INFORMATION
	SEE ATTACHED FOR OVERVIEW DIAGRAM! INSTALLING ENTRY LANDING AND RAMP TO FRONT ENTRY. 6' X 6' LANDING 12' X 4' RAMP

FOUNDATION SPECIFICATIONS

Material	Exterior		Piers
	Size	Space	Span
Width of Top			
Width of Bottom			
Depth in Ground			
Plate (Sill)			
Joists (1st Floor)			
Joists (2nd Floor)			
Joists (Clg.)			
Studs (Ext.)			
Roof Rafters			
Bearing Walls			
Other			

COVERINGS	INSULATION R-VALUE	
	Required	Proposed
Ext. Walls	Roof	
	Walls	
Int. Walls	Floor	
	Basement Slab	
Roof	Basement Walls	

FLUES

Fireplace	Fir. Furnace	Other
Furnace	<input type="checkbox"/> Hot Water <input type="checkbox"/> Steam	<input type="checkbox"/> Oil
Kitchen	<input type="checkbox"/> Hot Air <input type="checkbox"/> Electric	<input type="checkbox"/> Gas

INSPECTIONS REQUIRED

- Footing/Foundation (Before Pouring) Rough Plumbing
 Foundation /Wall (Before Pouring) Insulation
 Frame Other _____
 Rough Electrical Final

ZONING INFORMATION

Current Zoning _____
 Proposed Use _____
 No. of Units upon Completion _____
 Area of Lot _____
 Height of Building _____
 Are there any utility easements on this property? Yes No

	Required Setbacks	Proposed Setbacks
Front	_____	_____
Back	_____	_____
Side	_____	_____
Side	_____	_____

Zoning Administration
 Approval _____ Date _____

WORK NOT MENTIONED IS NOT COVERED IN THIS PERMIT
 I hereby acknowledge that I have read this application and swear that the above information is correct. I understand that I am responsible for being aware of and in compliance with all state laws and the codes and ordinances of the City of Wrangell applicable to building construction. I understand that I am responsible for arranging all required inspections. If construction is not in compliance with applicable laws and regulations, the City of Wrangell may issue a stop work order and, if necessary, withhold utility service until I come into compliance. The City of Wrangell will not issue a Certificate of Occupancy until all required inspections have been completed.

Signature of Owner **x Bart L. Churchill**
 Applicant **BART CHURCHILL**
 Date **x 2/2/16**

Copies - White: Building Inspector, Yellow: Electrical Inspector, Pink: Owner

City and Borough of Wrangell

Agenda Items G2

Date: March 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request for a Contract Zone from Commercial to Single Family Residential on Lot 7B, Block 2, USS 1119, zoned Commercial, requested by Sarah and Andrew Scambler, owned by Clifford White.

Background:

The Scamblers are seeking to buy the building/property behind AICS dental clinic and adjacent to Olga Norris residence to be used as a residence. The Planning and Zoning Commission is making a recommendation to the Assembly.

Review Criteria:

Commercial District	WMC 20.44
Single Family Residential District	WMC 20.16
Contract Zoning	WMC 20.77
Amendment	WMC 20.76

Findings:

The property that the Scamblers are seeking to purchase and remodel for their residence is a commercial structure. The entire block that the house is located in (see attached map) from Church Street to Cow Alley is zoned commercial even though all the structures north of Cow Alley in the immediate area are residential. Once the residential use of a property ceases, the subsequent uses must conform the zoning code. The property previously was in use for commercial activities, meeting the zoning code.

In the Commercial District, residential uses are permitted on the second floor. The Scamblers are proposing as primary use of the property, residential, which is not currently permitted in the Commercial District as a primary use. They needed either to request a zone change or the contract zone. A zone change would permanently change the commercial lot to a residential lot, but surrounded by commercially zoned properties, it may not be the best use of the property from a long term planning aspect. The applicants have decided to request a Contract Zone to allow specifically for a Single Family Residential Use for the entire structure. Should they cease the residential use, it would convert back to its

2. Findings as to the effect which the proposed change would have on property owners in the area of proposed boundary changes, including changes in traffic flow, population, density, off-street parking, sewer and water services. The proposed residential use should not affect traffic, utilities, population or density. There is very little off street parking for the residence so there could be additional vehicles parking on the McKinnon Street, Church Street or Front Street. The Contract Zone can specify no vehicles other than cars are to be parked on-street by the residents of the structure.

3. Recommendation as to the approval or disapproval of the change. The Planning and Zoning Commission recommends to the Borough Assembly approval of the contract zone changing the zone to Single Family Residential for the proposed use solely as a single family residential structure, with the following condition placed on the Contract Zone:

- 1) Due to the limited off-street parking space for the residence, the landowners are not allowed to park anything other than their personal cars/truck vehicles in the street, subject to any parking restrictions for the roadway. No boats, trailers, RV's 4wheelers or other vehicles are permitted to be parked by the residents on McKinnon, Front Street or Church Street. Off-street parking should be used for their personal cars/trucks, not secondary vehicles.



DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY. PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2013. AERIAL PHOTO 2002.



1 inch = 50,507.709 feet

February 18, 2016

To Whom It May Concern:

We are requesting a contract zone from commercial to single-family residential for Lot 7B, Block 2 (109 McKinnon St.). We are planning to buy the property to use as our primary residence and as a possible rental property in the future. We are requesting a contract zone rather than requesting that the entire zone be changed back to single-family residential. It is currently zoned as commercial, however the majority of landowners in this zone use their property as single-family residential.

Thank you for your consideration,

Sincerely,



Andrew Scambler



Sarah Scambler

RECEIVED
FEB 19 2016
WRANGELL CITY HALL

RECEIVED
FEB 24 2016
WRANGELL CITY HALL

February 18, 2016

To Whom It May Concern:

I, Clifford White, am the owner of Lot 7B, Block 2 (109 McKinnon St.). I support Andrew and Sarah Scambler's request of a contract zone from commercial to single-family residential for the aforementioned property.

Sincerely,



Clifford White

City and Borough of Wrangell

Agenda G3

Date: March 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Conditional Use application request for a day care on Lot 8B, Mitchell-Buhler Replat, zoned Waterfront Development, requested by April Diane Larsson, owned by DB AK Enterprises, LLC.

Background: The applicant is proposing to operate a day care facility in the former mill office building at 6.5 mile Zimovia Highway. She is in the process of purchasing portions of Lot 7B and Lot 8B Mitchell-Buhler Replat. A letter was written to Mr. and Mrs. Larsson in October of 2015 after concerns about a day care at the office were provided to staff.

Review Criteria: Waterfront Development District: Chapter 20.50
Standards: Chapter 20.52
Conditional Uses : Chapter 20.68

Findings: Wrangell Municipal Code 20.50.040 requires other uses not water related or dependent be permitted with a Conditional Use permit. The applicant is proposing to operate a day care facility in the former mill office building at 6.5 mile Zimovia Highway on property zoned Waterfront Development.

The Waterfront Industrial District allows industrial and commercial type uses that depend on the water. There is currently little activity occurring at the mill property itself, although Mr. Buhler is selling some of the mill land, as well as Industrial land across the street from the former mill office to interested private investors. A time line for activity by these new landowners is unknown. The building where the proposed day care facility would be located is on the highway, away from the water, so the bulk of the business activity would be located on the mill site proper. However, the current access to the site is the driveway access that is immediately adjacent to the building for the day care.

The State of Alaska manages and issues licenses for day care providers and facilities. Ms. Larsson would be required to obtain a License for a Day Care Center as the care facility is not located in her residence. The State has much stricter standards for non-residential licenses, regardless of the number of children that include Fire Marshal review, electrical codes, sprinkler system, space requirements, facility inspections, community zoning approval. At this time, Ms. Larsson has not made an application to the State for a licensed facility. Ms. Larsson has indicated that she is proposing a temporary day care facility for a limited amount of Children. According to the State, because her daycare is not in her residence, she would still need to meet all the licensing requirements for a Center.

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 250 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE, UPDATED MARCH 2013.
AERIAL PHOTO 2002.



Legend

CITY OF WRANGELL, ALASKA
CONDITIONAL USE APPLICATION

PLANNING AND ZONING COMMISSION
P.O. BOX 531
WRANGELL, ALASKA 99929
Application Fee: \$50

RECEIVED
FEB 26 2016
WRANGELL CITY HALL

I. Applicant's Name and Address: April Diane Larsson
P.O. Box 1499
Wrangell, AK
Applicant's Phone Number: 907-874-3847 (660-7069)

II. Owners's Name and Address: Dick Buhler
P.O. Box 1291
Wrangell, AK

Owner's Phone Number: 1-360-423-6178

III. Legal Description: Lot 8B, Block _____, U.S. Survey 2589
Parcel No. _____

IV. Zoning Classification: Waterfront

V. Specific Request: See Attached

VI. Site Plan shall be submitted with the application. The plan shall show existing and proposed structures, driveways, roadways, existing and proposed grading. Additional information shall be furnished upon request of the Zoning Administrator.

VII. Construction Schedule: BEGIN: _____ END: _____

SIGNATURE OF OWNER: X Dick Buhler Sr DATE: 2-25-16

SIGNATURE OF APPLICANT: April Larsson DATE: 2-25-16

If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons.

Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.

February 24, 2016

I request that a conditional use permit be accepted for a temporary Daycare establishment. As an approved childcare provider I would be caring for a limited amount of children as the only employee. This is a temporary solution, as we intend to cater to the cities future plans for the lower waterfront developments. At that time other services would be of high demand and the daycare would transform to something more suitable to its surroundings. For this reason I intend to maintain the properties current status as a Waterfront Zone while operating a small childcare facility. In addition, this site seems rather suitable for this type of operation now, as there are no other operations active in the current area.

The Cities support will be creating economic growth and a useful service to the community. Please consider my request.

April Diane Larsson

S 29°03'33" W 1050.06
(R) 366.94
(R) 366.96

SEE PLAT N
100, SHEET

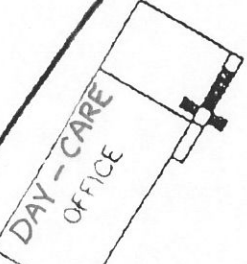
LOT 8A
69,888 S.F.
1.604 AC.

HIGHWAY

LOT 8B
37,769 S.F.
0.867 AC.

LOT 7B
56,204 S.F.
1.290 AC.

30' ACCESS AND
UTILITY EASEMENT
CREATED THIS PLAT



10' UTILITY EASEMENT
CREATED THIS PLAT

LOT 20

(C) N 71°52'31"
R.O.W

(C) 102.96

152.83

(C) N 71°52'31" W

S 21°10'18" W 173.25

(C) 395.635 (R) 397.32

(C) S 21°10'18" W 835.96
S 21°10'18" W 770.33 323.25
10'18" W

(C) 50.93
(C) S 71°55'46" E
(C) S 26°07'18" W (C) 29'25'01" E
(C) 74.22 (R) 52.80
(C) 47.30 (R) 52.02
(C) S 22°49'18" W 64.02
(C) N 68°49'42" W 85.385
(C) 67.98

2588

250.14



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381
Wrangell, AK 99929 FAX (907)-874-3952
www.wrangell.com

October 15, 2015

Leif and Diane Larsson
Box 1499
Wrangell, AK 99929

Dear Mr. and Mrs. Larsson:

It has come to my attention through several community members that you have started or are considering starting a day care in the old mill office owned by Mr. Dick Buhler located at 6.5 mile Zimovia Highway. I am not sure if you have actually opened the day care or are even still considering operating one, and therefore am sending this letter to investigate and clarify potential uses and concerns that have been expressed to me as Zoning Administrator. I have not yet found a telephone number for you or I would have called.

The City has had several discussions with Mr. Buhler and Mr. John Tullis his real estate broker regarding the mill property. This potential use for the office was brought up first during one of those discussions and both were informed that such a use would need to go to the Planning and Zoning Commission and is also subject to State licensing and review. Mr. Jeff Jabusch recently sent a letter to Mr. Buhler reiterating the same concerning the proposed use. More recently Mr. Tullis assured us that the former office building was not being considered for a day care, but two comments were received since then that a day care had opened. I am investigating potential zoning conflict.

If either of you could please call me at 874-2381 and let me know if the activity out there is a day care or another use, I can let you know what zoning process, if any, might need to be taken.

Thank you.

Sincerely,

Carol Rushmore
Zoning Administrator

Cc: Mr. Dick Buhler, owner
Mr. John Tullis, Real Estate Agent

City and Borough of Wrangell

Agenda Items G4

Date: March 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Appeal of Zoning Administrators denial of a building permit for a residential structure on Lot C, Phillips/Bloom/Christian Replat, zoned Multi-Family, requested by applicant Lloyd Ward, owned by William and Michelle Bloom.

Background:

Lloyd Ward previously was approved through the building permit review process to construct a stick-built mobile home type structure at Blooms Trailer Park built on a . There have been two applications. The more recent structure turned out to be a more permanent structure in construction, with more single family residential design features of a single family home rather than a mobile home and was considered a house by the bank upon sale. A similar request is being made again by applicant and property owner, but the Zoning Administrator has denied the building permit, citing that the construction should be required to meet requirements for single family residences and need a minimum of 5000 square feet. The applicant has appealed the Zoning Administrators decision to the Commission.

Review Criteria:

Multi Family Residential District	WMC 20.20
Standards	WMC 20.52

Findings:

The property for the proposed structure is on Lot C of the Phillips/Bloom/Christian Replat which is what is called the Bloom's trailer park. The property is zoned Multi-family.

A copy of the Wrangell Municipal Code for Mobile Home Parks is attached for your reference.

Per Wrangell Municipal Code 20.52.180 (B), a mobile home park means "any ... parcel or tract of land....intended or used for the purposes of supplying a location for more than two mobile homes....." According to subsection (C), a building permit is required for improvements and expansions of mobile homes parks by the Commission.

Subsection (D) identifies the compliance issues for mobile homes: such as construction standards, performance standards of single family residences, applicable district requirements. Subsection (E) of WMC 20.52.180 goes into much more detail regarding the site plan guidelines for mobile home parks including yard requirements (E) (1); recreational requirements (E)(2); buffers (E)(3); access to park streets (E)(4); accessory uses (E)(5); and building permits for parks and site plans (E)(6).

BLOOMS

(PANHANDLE)

Approximate
TRAILER LOTS
FOR
TAX PARCEL NUMBERING

53

52

- 51
72-510-2052
- 50
72-500-2051
- 49
72-490-2050
- 48
72-480-2049

- 47
72-470-2048
- 46
72-460-2047
- 45
72-450-2046
- 44
72-440-2045
- 43
72-430-2044
- 42
72-420-2043

- 41
72-410-2042
- 40A
72-401-2041
- 40
72-400-2040
- 39
72-390-2039
- 38
72-380-2038
- 38A
72-381-2000

- 36
72-360-2036
- 35
72-350-2035
- 34
72-340-2034
- 33
72-330-2033
- 32
72-320-2000
- 31
72-310-2031

- 30
72-300-2030
- 29
72-290-2029
- 28
72-280-2028
- 27
72-270-2027
- 26
72-260-2026
- 25
72-250-2025
- 24
72-240-2024

Laundromat

36A
72-361-2037

23
72-230-2023

- 11A
72-111-2011
- 11
72-110-2000
- 10
72-100-2010
- 9
72-090-2000
- 8A
72-081-2009
- 8
72-080-2008

- 12
72-120-2000
- 13
72-130-2013
- 14
72-140-2014
- 15
72-150-2000
- 16
72-160-2016
- 17
72-170-2000
- 18
72-180-2018
- 19
72-190-2019
- 20
72-200-2020
- 21
72-210-2021
- 22
72-220-2022

- 7
72-070-2007
- 6
72-060-2006
- 5
72-050-2005
- 4
72-040-2004
- 3
72-030-2003
- 2
72-020-2002
- 1
72-010-2001

Zimovia Highway

February 26, 2016

Transmittal Cover

Lloyd Ward

PO Box 1668

Wrangell, Alaska 99929

907 305-0999

To: City and Borough of Wrangell

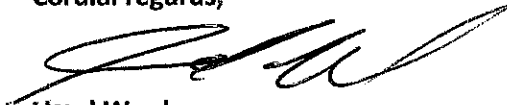
Re: Attached appeal to Planning and Zoning

RECEIVED

FEB 26 2016

WRANGELL CITY HALL

Cordial regards,



Lloyd Ward

lloydward77@hotmail.com

Alaska License 39102

February 26, 2016

Lloyd Ward
P.O. Box 1668
Wrangell, Alaska 99929
Phone 907 305-0999

City and Borough of Wrangell

Planning and Zoning Board

P.O. Box 531

Wrangell, Alaska 99929

RE: Appeal of a decision by Mrs. Rushmore regards building an on-site modular at Blooms Panhandle Trailer Court on Zimovia Highway.

Ladies and gentlemen:

Please consider the following:

- The proposed structure is not on a "fixed footing" as are all dwellings a Panhandle
- The Framing kit and structure encompasses two 40' Glu-lam beams in an event where the structure could be moved.
- Blooms will not allow any building or encroachment in between the two existing structures (other than the proposed) and support me on this on-site modular.

other than this one proposed, the distances will remain as on the attached setback drawing.

- I have the kit on hand and wish to immediately proceed along with the Boards consent.
- The dwelling is good for both panhandle and the City and Borough, evaluation is higher than other nearby dwelling.
- The proposed structure adds another customer to the City Utility.

I look forward to your favorable decision regards this new on-site modular.

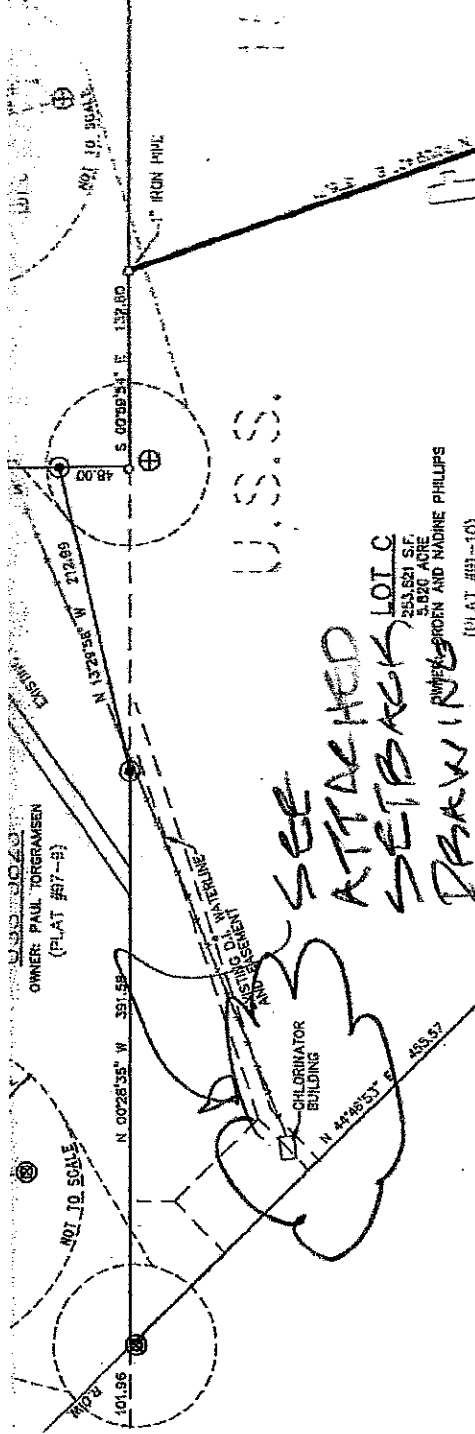
Cordial regards,



Lloyd Ward

Attachments: Setback drawing, location, elevations

DATE: A-11-86
 DRAWN BY: JLS
 CHECKED BY: JLS



SEE ATTACHED SETBACK DRAWINGS

LOT C
 253,621 S.F.
 5.820 ACRE
 OWNERS: MADRIE AND MADRIE PHILLIPS
 (PLAT #81-10)

△ SPIRAL CURVE CHORD DATA

1	N 02°05'58" E	39.79
2	N 02°44'20" E	18.575
3	N 02°44'20" E	20.755
4	N 04°01'06" E	38.88
4A	N 05°38'17" E	16.68
5	N 05°56'17" E	36.43
5A	N 05°56'17" E	21.75
6	N 08°28'49" E	37.98
7	N 25°12'59" E	18.92
8	N 27°17'53" E	38.21
9	N 29°32'15" E	38.66
10	N 31°08'14" E	39.11
11	N 32°11'55" E	58.20

⊙ SPIRAL DATA

L = 200.00
 R = 716.20
 THETA = 8°00'00"

LEGEND

- ⊕ 6.0"/6.0" BRASS CAP RECOVERED
- ⊙ PRIMARY BRASS CAP RECOVERED (DAVIS) GROUDED INTO BEDROCK
- ⊙ 5/8" REBAR AND ALUM. CAP RECOVERED (SCHEFF)
- 5/8" REBAR AND YELLOW CAP RECOVERED (DAVIS)
- 1" IRON PIPE RECOVERED
- ⊕ PRIMARY ALUM. CAP RECOVERED (MURPH)
- ⊙ SECONDARY MONUMENT RECOVERED (POOL) IRON PIPE WITH BRASS CAP
- ⊙ SECONDARY MONUMENT SET (SCHEFF) 5/8" REBAR AND ALUM. CAP

ROW SPIRAL DATA
 L = 104.41
 R = 716.20
 THETA = 8°00'00"

ZIMOVIA

ROW SPIRAL DATA
 L = 194.41
 R = 716.20
 THETA = 8°00'00"

PLAT NOTES

1. THIS REPLAT IS TO CLARIFY THE LOT LINES IN PLAT LOT A, B, C AND D. THE EXISTING DASHED PRIMER IN THIS REPLAT WERE CONFLICTING. THE LOT LINES SHOWN IN BOLD ARE AGREED UPON LOT BETWEEN THE PROPERTY OWNERS.
2. THIS REPLAT WILL CREATE LOT A, LOT B, LOT C AND LOT D.

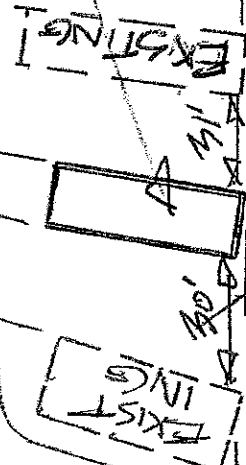
DESIGNER: JLS
 DRAWN: JLS
 CHECKED: JLS

SURVEYOR'S CERTIFICATE



LOT C U.S.S. 1518
BLOOM'S TRAILER COURT

25' 30' DRIVE

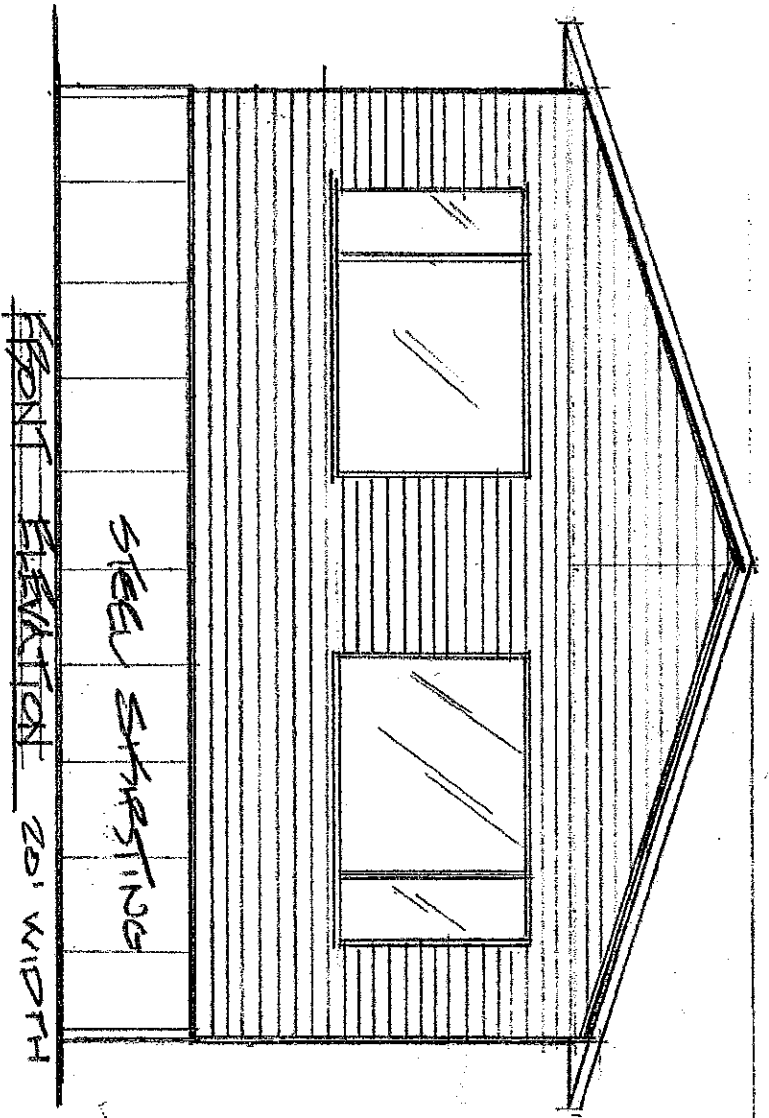


N 440' 46' 53\" E

SIMOVIA HIGHWAY

20' TYPICAL

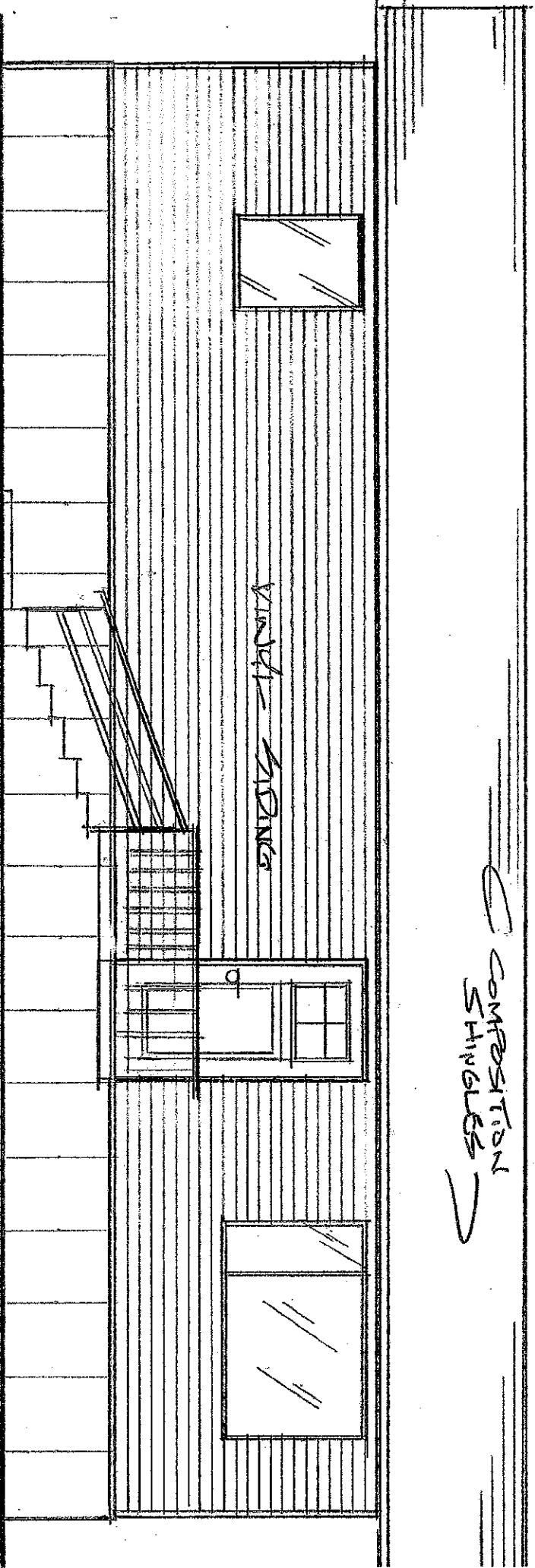
~~PROPOSED ON-SITE DRIVE~~
20' X 40'



STEEL SHINGLES

FRONT ELEVATION 20' WIDTH

COMPOSITION
SHINGLES



VINYL SIDING

SIDE ELEVATION 40' LONG



VIEW FROM ROAD



VIEW FROM HIGHWAY

February 29, 2016

Lloyd Ward
PO Box 1668
Wrangell, Alaska 99929
907 305-0999

RECEIVED
MAR 01 2016
WRANGELL CITY HALL

To: City and Borough of Wrangell

Re: Attached appeal additional information to Planning and Zoning

Photos of existing conditions predating any work of mine.

Attached;

- 1. Blooms Panhandle photos of On-site built**
- 2. Stoughs Trailer Court photos of On-site built**
- 3. Nugget Trailer Court photos of On-site Built**

Thanks for your consideration

Cordial regards,



Lloyd Ward of Ward and Company LLC

lloydward77@hotmail.com

Alaska License 39102

Attachments: 9 Photos











City and Borough of Wrangell

Agenda Items G5

Date: March 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Discussion of Zoning Issues regarding Marijuana.

Background:

Cynthia Franklin of the Marijuana Control Board presented the current state of the regulations and licensing status to the community on March 1, 2016. A copy of her slide show presentation is on the Borough's website, as well as a copy of the final approved regulations. <http://www.wrangell.com/planning/commercial-marijuana-regulations-update-wrangell>

The Planning and Zoning Commission will be reviewing the regulations for potential modifications to the Zoning Code. Currently, the zoning code is Wrangell's primary means for local permitting of a proposed marijuana business.

A map will be provided at the meeting. Right now, businesses are NOT allowed within 500 foot closest pedestrian walking distance from the entrance to a Church, or from the property line of a school or correctional facility. These restrictions limit commercial retail stores in Wrangell.

Some questions to consider:

1. Where and what zones are the 4 types of businesses currently allowed? (map will be at meeting and I will explain further some of the basic restrictions)
2. Should the Borough allow use at a retail location?
3. Should the Borough limit the hours of operation at a retail store? (current state regulations require the store to be closed between 5am and 8am)
4. Should a marijuana business be permitted through a home occupation or cottage industry permit.

City and Borough of Wrangell

Agenda Items G7

Date: March 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Update regarding the Bakeburg Preliminary Plat

At the last meeting, the Commissioners moved (in part) to include in the Flag Lot access maintenance agreement, language to allow City workers to maintain and access the Sewer main, lift station and electrical panel. It was unknown at that time if it was a City owned main or private main. After further research, it was determined that the main is the responsibility of and belongs to the City, and therefore the city requires an easement for the main and liftstation.

This has been discussed with the landowners and there is no objection. This will be a change to the final plat which should come before the Commission at your next meeting.

