

Principles of the Unalaska Planning Commission

1. The Position: In any community, the position of Planning Commissioner is a highly respected and honored one.
2. The Job: The job of Planning Commissioner is to serve the public, as representatives of the City Council and to the best of their ability, in ensuring sound planning and growth management in Unalaska. All decisions of the Planning Commission should be based on sound planning principles and practices, and not on the personal opinion of individual Planning Commissioners. Once the Planning Commission makes a recommendation to the City Council, the job of the Planning Commissioners and Planning Commission is over, in terms of that particular action.
3. Integrity: Planning Commissioners are appointed by City Council. The actions, behavior, and comportment of each Planning Commissioner reflect not only on that Planning Commissioner's integrity – but also on the integrity of the City Council and of the entire City government.
4. Collaboration: An individual Planning Commissioner is not a “lone wolf,” but is part of a collective body. As such, each Planning Commissioner is expected to act in a collaborative manner with his and her fellow Planning Commissioners.
5. Respect Each Other: While it is understandable to sometimes disagree with your fellow Planning Commissioners on issues brought before the body, and appropriate to publically vocalize that disagreement during Planning Commission meetings, a Planning Commissioner should always respect the opinion of their fellow Commissioners and treat each other with respect.
6. Majority Rules: It is important to remember that, at the end of the day, the majority rules. So, after each action is brought before the body, discussed, and voted upon, Planning Commissioners must accept and respect the rule of the majority – even if the ruling was counter to an individual Commissioner's position.
7. Respect Staff: A Planning Commissioner should respect the opinion of City Planning Staff, whether the Planning Commissioner agrees with staff or not. Planning Staff Members are professionals who are employed to serve not only the Planning Commission and general public, but the City Council.
8. The Las Vegas Rule: What comes before the Planning Commission must stay before the Planning Commission. This means there can be no outside negotiating with petitioners or with the public regarding applications brought before the Commission. And, all discussions – pro or con – concerning a petition before the Planning Commission, must take place solely within Planning Commission meetings.
9. Respect Applicants and Public: Each Planning Commissioner must always show professionalism and respect for applicants and the general public – regardless of the position held by that Planning Commissioner or by the Planning Commission.
10. Upholding the Principles: Any member of the Planning Commission who finds that he or she cannot uphold and abide by the above principles should resign from the Commission.

CONDUCTING A PUBLIC HEARING

The following is the sequence of events that is followed by the City of Unalaska Planning Commission and Platting Board in conducting a Public Hearing before the body.

1. The Public Hearing is opened by the Chair of the Planning Commission/Platting Board who reads from the agenda.
2. Any Ex-Parte questions or Commission member involvement are raised. If a Commission member(s) is excused, this is the proper time.
3. Presentation by the staff. This is a short summary of the application, explanation of any maps, plats, exhibits, and code standards that might apply to the application. New written information not in the board packet is provided at this time.
4. Presentation by the applicant. The applicant bears the responsibility for making the case or argument before the Commission. This is the time for Board members to ask questions of the applicant. Attempts to “negotiate” with the applicant should be conducted at this step (Step 4), while the public hearing is still open.
5. Public Testimony. This includes those who are opposed to the application, and also the public in general.
6. Rebuttal by the applicant. Final questions of all parties by the Commission.
7. The Chair closes the Public Hearing and Commission deliberations begin. Once the hearing is closed, DO NOT REOPEN unless absolutely necessary. Questions of staff, the applicant, and the public are acceptable but uninitiated testimony is not. Attempts to “negotiate” with the applicant should be conducted at Step 4, not after the public hearing is closed.
8. Commission discusses or debates the application. A motion must be made, with a second, and then final discussion. If a motion falls, an amendment(s) could be made to further or facilitate Commission final action. After “final action” is taken, reconsideration is possible per 8.04.060(G).

**DON'T BEND THE RULES FOR ONE, UNLESS YOU CHANGE THE RULES
FOR ALL.**

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION & PLATTING BOARD
AGENDA/PUBLIC NOTICE
COUNCIL CHAMBERS
September 19, 2013
7:00 P.M.**

The purpose of the meeting will be to consider matters brought to the attention of the Planning Commission & Platting Board and will include the following. The typical process for discussing an item is as follows:

1. Staff presentation,
2. Applicant presentation,
3. Public comments,
4. Motion/discussion/vote.

1. CALL TO ORDER

2. REVISIONS TO THE AGENDA

3. APPEARANCE REQUESTS

4. ANNOUNCEMENTS

5. MINUTES

- Regular Meeting August 8, 2013

Public Hearing Action Items:

6. Preliminary Plat of Unalaska Tideland Survey (UTS) 103, Tract A-1 and A-2, a 6.37 acre subdivision of the recently created UTS 103, Tract A located in Captains Bay. (*Owner: City of Unalaska; Applicant: OSI; Property ID: TBD – Original ATS 1452 is 09-06-250*)
7. Conditional Use Permit allowing for a Single Family Residential Unit in a General Commercial Zoning District on Lot 3, Block 4, USS 1992, in Unalaska Townsite located at 17 4th Street. (*Owner/ Applicant: Tim Moyer; Property ID: 03-07-510*)
8. A 10-Foot Variance allowing for 10-foot side and rear yard setbacks on Lot 3, Block 4, USS 1992, in Unalaska Townsite located at 17 4th Street. (*Owner/ Applicant: Tim Moyer; Property ID: 03-07-510*)
9. A 7.5-Foot Variance allowing for a 2.5-foot front yard setback on Tract B1, Little South America Subdivision, Number 2, Plat 2010-10 located on Henry Swanson Drive. (*Owner: Rick Miller, Ounalashka Corporation; Applicant: Lisa Tran, Sea Aleutian Seafoods; Property ID: 04-08-180*)

Regular Meeting: *No items.*

Worksession: *No items.*

9. OTHER BUSINESS

10. ADJOURNMENT

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION
Regular Meeting
CHAIR AGENDA
September 19, 2013
CITY COUNCIL CHAMBERS, CITY HALL
7:00 P.M.**

Call to Order: State time for the record.

Roll Call: Ask for a roll call.

Additions to Agenda: Ask staff.

Appearance Requests: Ask if anyone has requested to appear.

Minutes: Minutes from the public hearing and regular meeting held on August 8, 2013

1. Open the Commission discussion by calling for a motion to approve.
2. Call for a second to the motion.
3. Commission discussion.
4. Close the Commission discussion.
5. Vote.

Announcements/Public Input: Any subject.

Public Hearing:

1. Public Hearing to review the Preliminary Plat of Unalaska Tideland Survey (UTS) 103, Tract A-1 and A-2, a 6.37 acre subdivision of the recently created UTS 103, Tract A located in Captains Bay.
 - a. Open the Public Hearing.
 - b. Chair calls for potential Ex Parte Communications and potential Conflicts of Interest from Commissioners.
 - c. Staff Presentation.
 - d. Ask if Commissioners have any questions of staff.
 - e. Applicant Presentation.
 - f. Ask if Commissioners have any questions for the applicant.
 - g. Public Testimony. (Ask person to state name for the record.)
 - h. Ask if Commissioners have any questions of the public.
 - i. Close the Public Hearing.
 - j. Open the Commission discussion by calling for a motion to approve Resolution **2013-14**
 - k. Call for a second to the motion.
 - l. Commission discussion.
 - m. Close the Commission discussion.
 - n. Vote on the Resolution.
 - o. Close the public hearing and call for a motion to move into a regular meeting.
 - p. Ask for a second.
 - q. Call for a vote by consensus ("all in favor of adjourning into a regular meeting, say aye").

2. Public Hearing to review the Conditional Use Permit allowing for a Single Family Residential Unit in a General Commercial Zoning District on Lot 3, Block 4, USS 1992, in Unalaska Townsite located at 17 4th Street.
 - a. Open the Public Hearing.
 - b. Chair calls for potential Ex Parte Communications and potential Conflicts of Interest from Commissioners.
 - c. Staff Presentation.
 - d. Ask if Commissioners have any questions of staff.
 - e. Applicant Presentation.
 - f. Ask if Commissioners have any questions for the applicant.
 - g. Public Testimony. (Ask person to state name for the record.)
 - h. Ask if Commissioners have any questions of the public.
 - i. Close the Public Hearing.
 - j. Open the Commission discussion by calling for a motion to approve Resolution **2013-15**
 - k. Call for a second to the motion.
 - l. Commission discussion.
 - m. Close the Commission discussion.
 - n. Vote on the Resolution.
 - o. Close the public hearing and call for a motion to move into a regular meeting.
 - p. Ask for a second.
 - q. Call for a vote by consensus ("all in favor of adjourning into a regular meeting, say aye").
3. Public Hearing to review a 10-Foot Variance allowing for 10-foot side and rear yard setbacks on Lot 3, Block 4, USS 1992, in Unalaska Townsite located at 17 4th Street.
 - a. Open the Public Hearing.
 - b. Chair calls for potential Ex Parte Communications and potential Conflicts of Interest from Commissioners.
 - c. Staff Presentation.
 - d. Ask if Commissioners have any questions of staff.
 - e. Applicant Presentation.
 - f. Ask if Commissioners have any questions for the applicant.
 - g. Public Testimony. (Ask person to state name for the record.)
 - h. Ask if Commissioners have any questions of the public.
 - i. Close the Public Hearing.
 - j. Open the Commission discussion by calling for a motion to approve Resolution **2013-16**
 - k. Call for a second to the motion.
 - l. Commission discussion.
 - m. Close the Commission discussion.
 - n. Vote on the Resolution.
 - o. Close the public hearing and call for a motion to move into a regular meeting.
 - p. Ask for a second.
 - q. Call for a vote by consensus ("all in favor of adjourning into a regular meeting, say aye").

4. Public Hearing to review a 7.5-Foot Variance allowing for a 2.5-foot front yard setback on Tract B1, Little South America Subdivision, Number 2, Plat 2010-10 located on Henry Swanson Drive.
 - a. Open the Public Hearing.
 - b. Chair calls for potential Ex Parte Communications and potential Conflicts of Interest from Commissioners.
 - c. Staff Presentation.
 - d. Ask if Commissioners have any questions of staff.
 - e. Applicant Presentation.
 - f. Ask if Commissioners have any questions for the applicant.
 - g. Public Testimony. (Ask person to state name for the record.)
 - h. Ask if Commissioners have any questions of the public.
 - i. Close the Public Hearing.
 - j. Open the Commission discussion by calling for a motion to approve Resolution **2013-17**
 - k. Call for a second to the motion.
 - l. Commission discussion.
 - m. Close the Commission discussion.
 - n. Vote on the Resolution.
 - o. Close the public hearing and call for a motion to move into a regular meeting.
 - p. Ask for a second.
 - q. Call for a vote by consensus ("all in favor of adjourning into a regular meeting, say aye").

Regular Meeting: No items.

Work Session: No items.

Other Business: No items.

Adjournment: State time for the record.

Chair Help Sheet

Approval of Minutes Steps:

1. Open the Commission discussion by calling for a motion to approve.
2. Call for a second to the motion.
3. Commission discussion.
4. Close the Commission discussion.
5. Vote.

Public Hearing Steps:

1. Open the Public Hearing.
2. Chair calls for potential Ex Parte Communications and potential Conflicts of Interest from Commissioners.
3. Staff Presentation.
4. Ask if Commissioners have any questions of staff.
5. Applicant Presentation.
6. Ask if Commissioners have any questions for the applicant.
7. Public Testimony. (Ask person to state name for the record.)
8. Ask if Commissioners have any questions of the public.
9. Close the Public Hearing.
10. Open the Commission discussion by calling for a motion to approve Resolution 2013-xx.
11. Call for a second to the motion.
12. Commission discussion.
13. Close the Commission discussion.
14. Vote.

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION MINUTES
Thursday, August 8, 2013
CITY COUNCIL CHAMBERS, CITY HALL
7:00 P.M.**

1. Call to Order:

Chair Chris Bobbitt called the meeting to order at 7:01 P.M.

Staff Present:

Erin Reinders, AICP, Planning Director
Anthony Grande, Planning Administrator

Roll Call:

Commissioners present:

Chris Bobbitt
Peter Sturdivant
Vicki Williams

Commissioners absent:

Steven Gregory
Doanh Tran

2. Revisions to the Agenda:

None

3. Appearance Requests:

None

4. Minutes:

Peter Sturdivant moved to approve the minutes from the July 25, 2013 meeting. There was a second. Chair Bobbitt called for a discussion or comments on the minutes. There being no comments, Chair Bobbitt called for a vote and the motion to approve the minutes was unanimous (3-0). The minutes for the July 25, 2013 meeting were adopted.

5. Announcements: None

PUBLIC HEARING ACTION ITEMS:

- 6. Conditional Use Permit allowing for a Non-Permanent Containerized Bunkhouse on Track A, Base of Spit Subdivision, Plat 82-4 located on Ballyhoo road.**

Chair Bobbitt opened the public hearing and called for any ex parte communication or conflicts of interest to be disclosed. Hearing none, the Chair called for staff presentation.

Staff explained that the applicant had contacted the Planning Department about the possibility of locating several bunkhouses on their property to serve as housing for their employees. Staff said that bunkhouses are permitted by right in a Marine Dependent Industrial District and the applicant did state in their application that they intend to use the bunkhouses in the foreseeable future. However, because connexes are portable and temporary in nature but the code states that only permanent bunkhouses are permitted, staff decided the best route would be through a conditional use permit. As we all know a conditional use application will have to go through a public hearing to get all the feedback from the community and also to allow the Planning Commission to make certain that the conditional use application meet the tests of code, meet the goals of the Comprehensive Plan, consistent with the surrounding use and would not have a permanent negative impact on the area. Code also allows for certain conditions to be added safeguarding the interest of the community. The conditions for approval states that all the conditions in the building permit are met. All of these conditions are written in the Resolution that is pending Planning Commission's approval.

Staff informed the Commissioners that letters were sent out to adjacent landowners requesting for comments but Planning has not received any feedback. Staff also informed the Commissioners that Doanh Tran who couldn't make it tonight submitted her comments for consideration.

Ms. Williams asked how the containers were going to be tied down. Chris Pugmire said that they are going to work hand in hand with an Engineer to do Stability Analysis and the preferred option is to place concrete pads at each corner of the containers and in addition to that anchors will be embedded in the ground and the containers will be attached to these anchors. The size of these anchors will be determined by the Stability Analysis that is necessary to withstand the conditions in the area. He further stated that there are attachments in between that secure the containers together.

Before any other questions were asked Chair Bobbitt inquired from the applicant if he would like to make a presentation. Mr. Pugmire said that the staff report in the meeting packet pretty much summarizes all their intentions.

Mr. Sturdivant stated that he has a lot more questions but after conferring with Staff agreed that these were more directed to other city departments.

At this point Chair Bobbitt asked if there were any public comments. Hearing none, Chair Bobbitt closed the Public Hearing and called for a motion to approve Resolutions 2013-13. Ms. Williams moved to approve Resolution 2013-13. There was a second.

Commission Discussion:

The discussion focused primarily on the temporary nature of the housing and they would want to see a permanent structure as stated in code. But they also acknowledge that housing in that area is needed and the proposed bunkhouses are better quality than what is there now.

Chair Bobbitt asked if there were any other questions from the Commissioners. Hearing none, Chair Bobbitt called for a vote and the motion passed unanimously (3-0). The motion carried and Resolutions 2013-13 was adopted.

REGULAR MEETING: None

OTHER BUSINESS

- Staff informed the Commissioners that there will be a Planning Commission meeting on September 19, 2013.
- Staff informed that Commission that Planning has not received word from the American Planning Association regarding their Land Use Plan visit.
- Staff asked the Commissioners to keep thinking about training ideas that they would like and how often they would want to have it.

ADJOURNMENT

Chair Bobbitt adjourned the meeting at 7:20 P.M.

PASSED AND APPROVED THIS _____ DAY OF _____ 2013 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.

Chris Bobbitt
Chair

Date

Erin Reinders, AICP
Recording Secretary

Date

Prepared by Veronica De Castro and Erin Reinders, Planning Department

OFFSHORE SYSTEMS INC, PRELIMINARY PLAT

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2013-14**

**A RESOLUTUION APPROVING PRELIMINARY PLAT OF UNALASKA TIDELANDS
SURVEY (UTS) 103 TRACTS A-1 AND A-2, A REPLAT OF UTS 103, PLAT NO. 2013-13,
LOCATED IN CAPTAINS BAY, ALEUTIAN ISLANDS RECORDING DISTRICT.**

Project Information	
Land Owner	City of Unalaska
Applicant	OSI
Location	Captains Bay
Property Identification	08-04-300
Application Type	Preliminary Plat
Project Description	The purpose to subdivide Tract A into two leasable tideland lots. OSI has requested to lease Tract A-1 and is the project applicant.
Zoning	Developable Tideland
Exhibits	Draft Resolution 2013-14, Preliminary Plat of UTS 103 Tracts A-1 and A-2, Parent Plat 2013-13, and Aerial imagery from GeoBlade
Staff Recommendation	Approval with Conditions as identified in Resolution 2013-14

BACKGROUND

Jeff Savage of OSI has applied to lease tidelands in Captains Bay, adjacent to their existing operations. These tidelands include Tract A-1, which is a subdivision of UTS 103 Tract A created by recently recorded Parent Plat 2013-13, which subdivided ATS 1452. As part of that tideland lease application process, Mr. Savage is required to submit a Tideland Subdivision Plat delineating the property they plan to lease.

OSI is in the process of obtaining other necessary permits from agencies such as the US Army Corps of Engineers to construct a dock and warehouse, identified on the preliminary plat. This is a required step in the tideland leasing process for the City. Building permits for proposed improvements are required to be obtained from the City of Unalaska Department of Public Works prior to construction.

The preliminary plat indicates proposed development to be located outside of City owned tidelands in State waters. The City of Unalaska plans to request the acquisition of these tidelands.

The tidelands impacted by this plat are within Captains Bay, with much of the associated uplands served by a privately maintained road. The publicly-maintained portion of Captains Bay Road stops before OSI. No public utilities exist within 300 feet of the areas included within this Preliminary Plat at this time.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.08 (Platting and Subdivision), the City of Unalaska Department of Planning, in concert with the Development Review Team, have reviewed the preliminary plat and have identified the need for various edits, additions or deletions, and clarifications. These revisions are particularly related to clarifying plat notes and final plat requirements.

Staff recommends conditional approval of the preliminary plat for the UTS 103 Tract A, with conditions to be met before acceptance of the Preliminary Plat and/or submission of the Final Plat, as outlined on Resolution 2013-14.

City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2013-14

**A RESOLUTUION APPROVING PRELIMINARY PLAT OF UNALASKA TIDELANDS
SURVEY (UTS) 103 TRACTS A-1 AND A-2, A REPLAT OF UTS 103, PLAT NO. 2013-13,
LOCATED IN CAPTAINS BAY, ALEUTIAN ISLANDS RECORDING DISTRICT.**

WHEREAS, Title 8 UCO §8.08.060 sets forth the procedures for the subdivision and platting of tideland and provides that the Planning Commission shall act as the Platting Authority; and

WHEREAS, the owner of UTS 103 Tract A (08-04-300) is the City of Unalaska; and

WHEREAS, the applicant for a tidelands lease, with the permission of landowner, desires to subdivide the aforementioned property for the purpose of creating new tidelands lease areas in accordance with City Manager Regulations identified in Title 7 UCO §7.12.010; and

WHEREAS, the City of Unalaska Department of Planning, Department of Public Works, and Department of Public Utilities staff has reviewed the proposed plat and have requested revisions as described below; and

WHEREAS, notices were posted and mailed in accordance with Title 8, UCO §8.08.020(F); and

WHEREAS, the City of Unalaska Planning Commission held a public hearing on September 19, 2013 to consider this platting action and to hear testimony of the public and City Staff; and

NOW THEREFORE BE IT RESOLVED, the Platting Authority approves the preliminary plat of the UTS 103 Tracts A-1 and A-2, with the following conditions of approval in accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.08 (Platting and Subdivision):

1. References to the parent plat shall be updated to read: Plat Number 2013-13.
2. A note shall be added that development represented on the plat is proposed by a tideland lease applicant and is not a City of Unalaska project.
3. The acreage and bearings shall be provided for the boundary of the area identified as “additional tidelands required.”
4. Surveyor shall set one new primary monument as indicated and provide coordinates in NAD 83 Alaska State Plane Zone 10, U.S. foot.
5. The details of the caps near the C3 and C2 labels shall be clarified.
6. A closure report shall be submitted.
7. Electronic versions of the final plat details formats allowing for incorporation into the City’s CADD and GIS programs shall be provided to the Department of Planning at the time of mylar submittal.

Upon the correction of the aforementioned deficiencies, the applicant shall submit a corrected preliminary plat to the Department of Planning for review and concurrence before proceeding to final plat. This conditional plat approval becomes effective if there are no appeals within ten (10) working days after the Planning Commission action and shall remain in effect for one year.

**PASSED AND APPROVED THIS _____ DAY OF _____ 2013, BY THE PLATTING
BOARD OF THE CITY OF UNALASKA, ALASKA.**

Chris Bobbitt
Chair

Erin Reinders, AICP
Secretary

UTS 103 Tracts A-1 & A-2

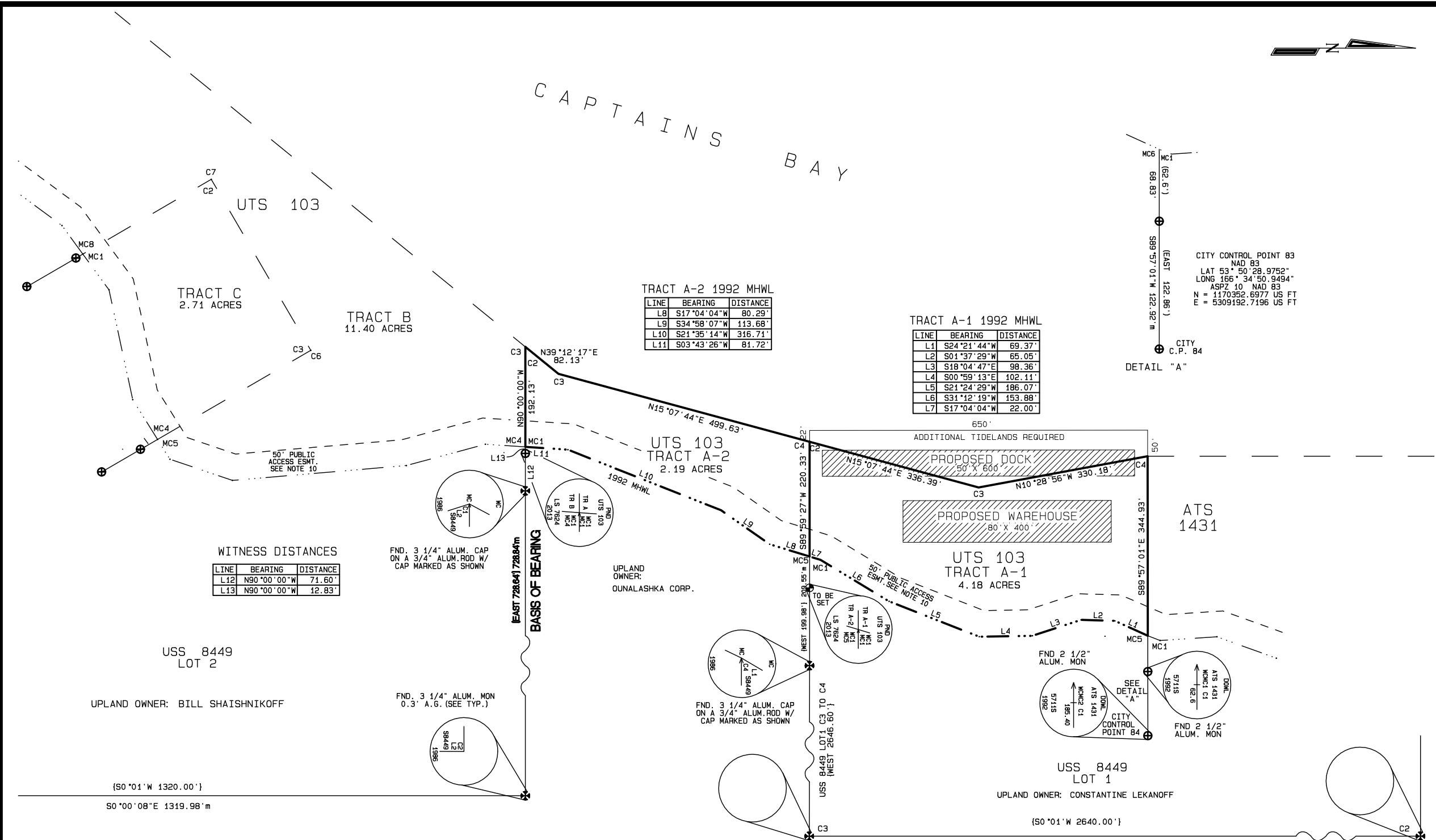


484 ft



The City of Unalaska uses the most current and complete data available. However, GIS data and product accuracy may vary. GIS data and products may be developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being created or revised, etc. The City of Unalaska reserves the right to correct, update, modify, or replace, GIS products without notification. The City of Unalaska cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. Using GIS data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may neither assert any proprietary rights to this information nor represent it to anyone as other than City Government-produced information. The City of Unalaska shall not be liable for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.

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WITNESS DISTANCES

LINE	BEARING	DISTANCE
L12	N90°00'00"W	71.60'
L13	N90°00'00"W	12.83'

TRACT A-2 1992 MHWL

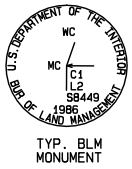
LINE	BEARING	DISTANCE
L8	S17°04'04"W	80.29'
L9	S34°58'07"W	113.68'
L10	S21°35'14"W	316.71'
L11	S03°43'26"W	81.72'

TRACT A-1 1992 MHWL

LINE	BEARING	DISTANCE
L1	S24°21'44"W	69.37'
L2	S01°37'29"W	65.05'
L3	S18°04'47"E	98.36'
L4	S00°59'13"E	102.11'
L5	S21°24'29"W	186.07'
L6	S31°12'19"W	153.88'
L7	S17°04'04"W	22.00'

CITY CONTROL POINT 83
NAD 83
LAT 53° 50' 28.9752"
LONG 166° 34' 50.9494"
ASPT 10 NAD 83
N = 1170352.6977 US FT
E = 5309192.7196 US FT

CITY
C.P. 84
DETAIL "A"



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS DRAWING REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA.

DATE _____ REGISTRATION NO. LS 7624

REGISTERED LAND SURVEYOR

LEGEND

- ✱ FOUND BLM 3 1/4" AL. MONUMENT
- ⊕ FOUND MONUMENT
- ⦿ SET 3 1/4" ALUMINUM MONUMENT
- () RECORD INFORMATION ATS NO. 1452
- { } RECORD INFORMATION US SURVEY NO. 8449
- m MEASURED DIMENSION
- c COMPUTED DIMENSION

NOTES:

- ALL RECORD INFORMATION SHOWN IS FROM THE PLAT OF UNALASKA TIDELAND SURVEY No. 103 (P 2013-XX), AND THE BUREAU OF LAND MANAGEMENT PLAT OF US SURVEY 8449 FILED APRIL 7, 1988 (SEE NOTE 2).
- BASIS OF BEARING FOR THIS SURVEY IS EAST AND IS BASED ON THE FOUND MONUMENTS FOR THE NORTH BOUNDARY OF LOT 2, US SURVEY 8449 AS SHOWN ON THE BUREAU OF LAND MANAGEMENT PLAT FILED APRIL 7, 1988.
- VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW = 0.00')
- BASIS OF VERTICAL DATUM FOR THIS SURVEY IS FROM THE N.O.A.A. BENCH MARK "No. 20 1974" ELEVATION 15.50' MLLW (SEE NOTE 3). THE BENCH MARK IS SET VERTICALLY IN THE EASTERN CORNER OF THE ALYESKA BUNK HOUSE. FOR ADDITIONAL INFORMATION REFER TO THE PUBLISHED BENCH MARK SHEET FOR STATION 9462620 UNALASKA.
- NO LOCATION OF THE UNDERGROUND UTILITIES WAS PERFORMED FOR THIS PLAT.
- AS OF THE DATE OF SURVEY, ALL PUBLIC UTILITIES ARE PRESUMED TO BE LOCATED WITHIN THE RIGHT-OF-WAY OR HAVE DEDICATED EASEMENTS PROVIDED AND THE RIGHT-OF-WAYS ENCOMPASS THE TRAVELWAYS.
- NO ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION APPROVAL REQUIRED FOR THIS PLAT ACTION.
- DEVELOPERS MAY NOT ALTER EXISTING NATURAL DRAINAGE WITHOUT PROVIDING ALTERNATIVES AND/OR DRAINAGE EASEMENT.
- FIELD SURVEY PERFORMED SEPTEMBER XX - XX, 2013.
- ALL EASEMENTS FROM A FIXED POINT TO NAVIGABLE OR PUBLIC WATERS EXTEND TO THE WATER LINE, EXTENDING OR SHORTENING AS THE WATER ADVANCES OR RECEDES.
- UTS 103, TRACTS A-1 AND A-2 ARE ZONED DEVELOPABLE TIDELANDS.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE ALL RIGHT OF WAYS AND PUBLIC AREAS TO THE PUBLIC, AND EASEMENTS TO THE USE SHOWN.

CHRIS HLADICK, CITY MANAGER
CITY OF UNALASKA
P.O. BOX 610
UNALASKA, AK 99685

NOTARY ACKNOWLEDGMENT FOR CITY OF UNALASKA.

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 2013.

NOTARY PUBLIC MY COMMISSION EXPIRES

TAX CERTIFICATE

I HEREBY ACKNOWLEDGE THAT NO TAX PAYMENT IS CURRENTLY DUE THE PROPERTY SHOWN HEREON.

TAX OFFICIAL, CITY OF UNALASKA DATE

CITY APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE CITY OF UNALASKA, SAID PLAT HAS BEEN APPROVED BY THE CITY OF UNALASKA, ALASKA

CITY CLERK DATE

CHAIR OF THE PLATTING BOARD DATE

NOTARY ACKNOWLEDGMENT FOR

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 2013.

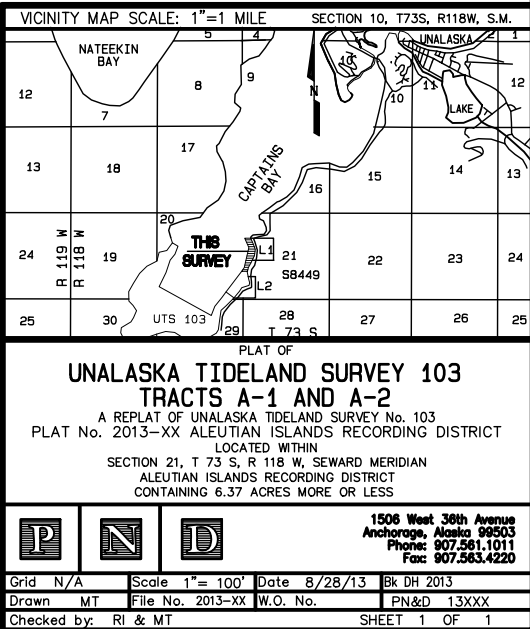
NOTARY PUBLIC MY COMMISSION EXPIRES

NOTARY ACKNOWLEDGMENT FOR

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____ 2013.

NOTARY PUBLIC MY COMMISSION EXPIRES

PRELIMINARY



UNALASKA TIDELAND SURVEY 103 TRACTS A-1 AND A-2

A REPLAT OF UNALASKA TIDELAND SURVEY No. 103
PLAT No. 2013-XX ALEUTIAN ISLANDS RECORDING DISTRICT
LOCATED WITHIN
SECTION 21, T 73 S, R 118 W, SEWARD MERIDIAN
ALEUTIAN ISLANDS RECORDING DISTRICT
CONTAINING 6.37 ACRES MORE OR LESS

1506 West 38th Avenue
Anchorage, Alaska 99503
Phone: 907.561.1011
Fax: 907.563.4220

Grid N/A Scale 1"= 100' Date 8/28/13 Bk DH 2013
Drawn MT File No. 2013-XX W.O. No. PN&D 13XXX
Checked by: RI & MT SHEET 1 OF 1

TIM MOYER
CONDITIONAL USE PERMIT APPLICATION

**City of Unalaska, Alaska
Planning Commission/Platting Board
Staff Report**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A SINGLE
FAMILY HOME ON LOT 3 BLOCK 4, USS 1992, ALEUTIAN ISLANDS RECORDING DISTRICT,
LOCATED AT 17 N 4TH STREET**

Project Information	
Land Owner	Timothy Moyer
Applicant	Timothy Moyer
Location	17 N 4 th Street on Lot 3 Block 4 of USS 1992
Property Identification	03-07-510
Application Type	Conditional Use Permit
Project Description	A request to allow for the construction of an additional single family home at the site of an existing mixed use structure containing a residential unit and taxi dispatch center.
Zoning	General Commercial
Exhibits	Draft Resolution 2013-15, Conditional Use Permit Application and Supplemental Material, Location Map
Staff Recommendation	Approval of Resolution 2013-15 with associated conditions

PLAN GUIDANCE

1. Housing was identified as a community need in the 2009 Community Visions for the Future: Unalaska 2010-2020 visioning document as part of the Comprehensive Planning process.
2. Goal #9 of the Unalaska Housing Plan is to ensure that zoning and all regulatory and permit processes support the redevelopment of in-fill lots and new subdivisions for new housing development.
3. Goal #4 of the Unalaska Housing Plan is to preserve and improve the condition and stability of existing housing throughout the city.

CODE REQUIREMENTS

1. According to UCO §8.12.070 (A), the General Commercial District is intended to provide primarily for the general retail sales, service, and repair activities of the community. It is also to provide locations for professional offices, certain commercial/lighter industrial and warehousing offices, and structures that are not dependent on direct access to a waterbody.
2. According to UCO §8.12.070(D)(17), the General Commercial District allows residential dwelling units as a conditional use.
3. In regards to nonconforming uses and structures, UCO §8.12.180(B) states that any alteration of a nonconforming structure or extension/expansion of a nonconforming use must meet the requirements of the code. Thus, new structures must always be permitted uses or obtain conditional use permits.
4. UCO §8.12.200(C) states that at a public hearing, the Planning Commission is to determine that the conditional meets the following three tests and may apply site or development conditions, pursuant to UCO §8.12.200(D)(2), in order to ensure that the three tests are met.
 1. Furthers the goals and objectives of the Comprehensive Development Plan; and
 2. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district; and
 3. Will not have a permanent negative impact substantially greater than anticipated from permitted development within the district.

BACKGROUND

1. Applicant submitted a building permit for the construction of a single family home on the property at 17 N 4th street, which currently contains a single family home that is also used as a commercial office for the applicant's taxicab business.
2. The current single family home, which houses the applicant and his family, is a World War Two cabana that is in deteriorating condition beyond repair.
3. The current single family home is listed as a nonconforming use of record, as it was used residentially prior to the property being zoned General Commercial. The expansion of the nonconforming use to an additional structure requires a conditional use permit, pursuant to §8.12.180(B).
4. The Comprehensive Plan calls for increasing the housing supply in the city and also preserving and improving the condition of existing housing within the city. Approval of this conditional use application supports both goals.
5. The surrounding area is mostly residential in nature with some retail/service commercial activity. The proposed single family residential home is compatible with the surrounding uses.
6. The result of this development will be two structures on the property, but the applicant has indicated plans to use the new structure as a replacement and eventually demolish the old one.

FINDINGS

The purpose of the conditional use permit is to allow for a specific use to be examined on a case-by-case basis with consideration to the uniqueness of the situation and public testimony. The Planning Commission is to approve the request when it finds that the three-part test is satisfied, described as follows.

1. The proposed development associated with this conditional use application furthers the objectives of the Comprehensive Plan by providing additional housing and improving the quality of housing. By replacing the old cabana house with a newer, higher quality house, this development will improve the quality of the housing stock of the city.
2. The proposed development associated with this conditional use application is compatible with the surrounding land uses and neighborhood character, as they are substantially similar in function and appearance.
3. In order to ensure that the proposed development associated with this conditional use application will not have any substantial negative impact on the community, the applicant is reminded that a building permit shall be obtained from City Department of Public Works and all other related requests identified in that process shall be addressed. This has been added as a condition of approval in Resolution 2013-15.

Therefore, staff finds that the conditional use application meets all three parts of the test.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends that the Planning Commission approve the conditional use request with the associated condition of approval identified in Resolution 2013-15.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2013-15**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A SINGLE
FAMILY HOME ON LOT 3 BLOCK 4, USS 1992, ALEUTIAN ISLANDS RECORDING DISTRICT,
LOCATED AT 17 N 4TH STREET**

WHEREAS, UCO §8.12.200 sets forth the procedures for the taking action on a conditional use application; and

WHEREAS, the applicant, Timothy Moyer, is currently the owner of the property at Lot 3 Block 4, USS 1992 (03-07-510); and

WHEREAS, the subject property is zoned General Commercial; and

WHEREAS, the applicant has proposed to construct a single family home on the subject property in order to replace the existing home on the same property with a higher quality structure; and

WHEREAS, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the request; and

WHEREAS, the creation of additional housing and improving the quality of housing is desirable from the standpoint of public interest; and

WHEREAS, notices of the public hearing were posted and mailed; and

WHEREAS, the City of Unalaska Planning Commission held a public hearing on September 19, 2013 to consider this request and to hear testimony of the public, and

WHEREAS, the Planning Commission reviewed the application and finds that this conditional use request for a single family home set forth in UCO §8.12.200(C):

1. Furthers the goals and objectives of the Comprehensive Plan;
2. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district; and
3. Will not have a permanent negative impact substantially greater than anticipated from permitted development within the district.

THEREFORE BE IT RESOLVED, that the Planning Commission approves the conditional use for a single family home on Lot 3 Block 4 of USS 1992 at 17 N 4th Street with the following condition of approval:

1. The required building permit shall be obtained from City Department of Public Works and all other related requests identified in that process shall be addressed.

This resolution becomes effective if there are no appeals within ten (10) working days from the decision date, as outlined in UCO §8.12.200(E).

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2013, BY THE
PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Chris Bobbitt, Chair

Erin Reinders, AICP, Secretary

APPLICATION FOR VARIANCE/CONDITIONAL USE
CITY OF UNALASKA, ALASKA

received
9/3/13

DATE: 9/3/13 FEE: 50 PERMIT NO.: _____

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title Sections 8.12.200 UCO (Conditional Use) and 8.12.210 UCO (Variance).

Property Owner: Tim Mayer
Property Owner Address: 17 4th Street, Unalaska, AK 99685
Street Address of Property: 17 4th Street, Unalaska, AK 99685
Applicant's Name: Tim Mayer
Mailing Address: PO Box 302, Unalaska, AK 99685
Contact Name: Tim Mayer
Home Phone: 581-2129 Work Phone: 391-2129
Request for : ☒ Variance ☒ Conditional Use
Type of Request: ☒ Residential ☐ Commercial
Current Zone Designation: General Commercial

LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 03-07-510
Lot: 3 Block: 4 Tract: _____
Subdivision: _____ USS: 1992
Section(s): SM Township: 73S Range: 112N

Brief Description of Request: (attach additional information if necessary)

New Single-family residential (conditional use)
Variance: 10 foot rear setback and 10 foot side setback

ATTACH SITE PLAN (TO SCALE): Please show all existing and proposed structures, access, dimensions and parking.

PLEASE NOTE: All applications must be received fifteen (15) days prior to the next regular meeting of the Planning Commission as per Section 8.12.200(A)(2) and Section 8.12.210(B)(2) UCO. The Department of Planning will provide an examination of the City of Unalaska Real Property Tax Roll indicating that the signature of the landowner on the application form is in fact the latest owner of record. The Department of Planning will mail a notice of the public hearing to all landowners of record within 300 feet of the proposed request as shown in the City of Unalaska Real Property Tax Rolls.

ANY MATERIALS YOU WISH THE PLANNING COMMISSION TO REVIEW DURING THE SCHEDULED PUBLIC HEARING MUST BE PROVIDED TO THE DEPARTMENT OF PLANNING **ONE WEEK** PRIOR TO THE PUBLIC HEARING DATE

CERTIFICATION:

I hereby certify that (I Am) (I have been authorized to act for) the owner of the property described above and that I desire a (variance/conditional use) for this property in conformance with the Title 8, UCO and hereby dispose and say that all of the above statements are true. I am familiar with the code requirements and certify that to the best of my knowledge, belief and professional ability, that this application meets them. I understand that payment of the (variance/conditional use) fee is non-refundable and is to cover costs associated with the processing of this application and that it does not assure approval of the request.

Tim Moyn
Signature

Date SEPT 3, 2013

CITY OF UNALASKA, ALASKA

FEE: \$100-

PERMIT # 13-20

THE CITY OF UNALASKA HAS ADOPTED THE FOLLOWING CODES, WHICH ARE THE LATEST EDITIONS:

- UNIFORM BUILDING CODE
- UNIFORM PLUMBING CODE
- UNIFORM MECHANICAL CODE
- UNIFORM FIRE CODE
- NATIONAL ELECTRICAL CODE
- ONE AND TWO FAMILY C.A.B.O. CODE

INSTRUCTIONS:

- ALL APPLICATION QUESTIONS MUST BE ANSWERED COMPLETELY. WRITE "N/A" IF NO ANSWER IS NEEDED.
- SECTION 17.014.030 OF THE UNALASKA CODE OF ORDINANCES STATES: "PERMITS REQUIRED; CONSTRUCTION OR ALTERATION. UNLESS SPECIFICALLY EXEMPTED FROM THE REQUIREMENT, NO PERSON, FIRM, OR CORPORATION SHALL ERECT, CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, IMPROVE, REMOVE, CONVERT, OR DEMOLISH ANY BUILDINGS OR STRUCTURE WITHIN THE INCORPORATED AREA OF THE CITY OF UNALASKA WITHOUT FIRST OBTAINING A SEPARATE BUILDING PERMIT FOR EACH SUCH BUILDING OR STRUCTURE FROM THE PUBLIC WORKS DEPARTMENT.
- IF YOU ARE NOT THE LEGAL RECORDED OWNER, YOU MUST HAVE ATTACHMENT A FILLED OUT AND NOTARIZED. -SEE ATTACHMENT A.
- PROPERTY BOUNDARIES, IF NOT INDICATED BY PLATTING SURVEY LOT AND BLOCK DESCRIPTION, SHALL BE DESCRIBED SO AS TO ACCURATELY ESTABLISH FOR THE REVIEWER THE LOCATION OF THE PROPERTY. - SEE ATTACHMENT B.
- A FLOOR PLAN OF THE BUILDING IS REQUIRED. - SEE ATTACHMENT C.
- STATE LAWS REQUIRE A PLAN REVIEW BY THE STATE FIRE MARSHALL FOR CONSTRUCTION OF COMMERCIAL, INDUSTRIAL, OR MULTI-FAMILY RESIDENTIAL STRUCTURES (LARGER THAN TRIPLEX) PRIOR TO CONSTRUCTION. PLEASE CONTACT: STATE FIRE MARSHALL, 5700 E. TUDOR ROAD, ANCHORAGE, AK 99507. TELEPHONE: (907) 269-5604.

GENERAL INFORMATION:

DATE: AUGUST 15 2013

APPLICANT'S NAME: TIMOTHY MOYER

TELEPHONE: 391-2129 ADDRESS: 17 NORTH 4TH STREET

*RECORDED OWNER'S NAME: Same

TELEPHONE: _____ ADDRESS: _____

PHYSICAL ADDRESS: _____

**IF RECORDED OWNER IS DIFFERENT FROM APPLICANT, "ATTACHMENT A" MUST BE COMPLETED*

PROPERTY DESCRIPTION:

SUBDIVISION: USS 1992 BLOCK: 4

TAX LOT # 03-07-510 PHYSICAL ADDRESS: 17 N. 4th ST.

LOT: 3 US SURVEY: _____

TRACT: _____ LOT SIZE: _____

BUILDING TYPE AND SIZE: RESIDENTIAL SINGLE FAMILY 1,360 Sq. Feet

ZONING CLASSIFICATION: RESIDENTIAL / COMMERCIAL

PROPOSED BUILDING SETBACKS:

FRONT: N/A REAR: 10' RIGHT SIDE: 10' LEFT SIDE: 10'

TYPE OF WORK TO BE PERFORMED UNDER THIS PERMIT:

**** INDICATE WITH AN "X" ****

RESIDENTIAL:

NEW CONSTRUCTION: X
REMODEL: _____
ADDITION: _____
MOVE: _____
CHANGE OF USE
OF STRUCTURE: _____
OTHER: _____

COMMERCIAL:

NEW CONSTRUCTION: _____
REMODEL: _____
ADDITION: _____
MOVE: _____
CHANGE OF USE
OF STRUCTURE: _____
OTHER: _____

PLEASE DESCRIBE ADDITIONS OR DETAILS OF REMODELING IN FULL _____

ATTACH SEPARATE SHEET IF NECESSARY

COMPLETE "ATTACHMENT B" SITE PLAN – ATTACH COPY OF THE PLATTED LOT WITH PROPOSED BUILDING(S) OR STRUCTURE(S) SHOWN TO SCALE ALONG WITH EXISTING BUILDINGS, ACCESS TO THESE BUILDINGS AND ALL DIMENSIONAL INFORMATION.

PROVIDE "ATTACHMENT C" – BUILDING / STRUCTURE PLANS.

IF RESIDENTIAL APPLICANT SUBMIT FLOOR PLANS

IF COMMERCIAL APPLICANT SUBMIT CONSTRUCTION PLANS

PLANNING INFORMATION NEEDED:

ZONE CHANGE, VARIANCE, CONDITIONAL USE PERMIT NEEDED? NO (YES OR NO) IF YES, PLEASE STATE REQUEST IN DETAIL:

13-20

PUBLIC UTILITIES INFORMATION NEEDED:

ELECTRIC

IS MUNICIPAL ELECTRIC SERVICE DESIRED? NO (YES OR NO) IF YES, PLEASE SKETCH SERVICE ROUTING AND METER LOCATIONS DESIRED ON "ATTACHMENT B" AND FILL OUT REQUEST FOR UTILITY SERVICE. IF NO, STATE WHY BELOW UNDER COMMENTS.

WATER

IS MUNICIPAL WATER SERVICE DESIRED? NO (YES OR NO) IF YES, PLEASE SKETCH SERVICE ROUTING ON "ATTACHMENT B" AND FILL OUT REQUEST FOR UTILITY SERVICE. IF NO, STATE WHY BELOW UNDER COMMENTS.

SEWER

IS MUNICIPAL SEWER SERVICE DESIRED? NO (YES OR NO) IF YES, PLEASE SKETCH SERVICE ROUTING ON "ATTACHMENT B" AND FILL OUT REQUEST FOR UTILITY SERVICE. IF NO, STATE WHY BELOW UNDER COMMENTS.

SEPTIC SYSTEM NO (YES OR NO) IF YES, STATE OF ALASKA, DEPT. OF ENVIRONMENTAL CONSERVATION APPROVAL IS NEEDED.

DO YOU PLAN TO ABANDON A SEPTIC SYSTEM? NO (YES OR NO) IF YES, YOU MUST COMPLY WITH UNIVERSAL PLUMBING CODE (UPC) STANDARDS FOR DECOMMISSIONING SEPTIC TANKS WITHIN 30 DAYS OF HOOKING UP TO WASTEWATER SYSTEM.

I SWEAR THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND UNDERSTAND THAT PROVIDING FALSE INFORMATION MAY BE GROUNDS FOR PERMIT DISAPPROVAL OR CANCELLATION.

COMMENTS:

ELECTRIC, WATER, AND SEWER SERVICE ALREADY EXISTING.

APPLICANT'S SIGNATURE:

Tim Meyer

DATE:

August 15, 2013

REQUEST FOR UTILITY SERVICE

Permit # 13.20

PHYSICAL ADDRESS OF LOCATION TO BE SERVICED: _____

COMPLETE "ATTACHMENT B" SITE PLAN TO SHOW SERVICES REQUESTED.

Electric Utility Service Date needed by: _____

Service size needed: Commercial / Industrial _____ Residential _____

Phase: Single _____ Three _____ Voltage: 120/240 _____ 120/208 _____ 277/480 _____

Main disconnect size: _____ Amperage

Miscellaneous large appliances: _____

☐ **Water Utility Service** Date needed by: _____

Size of domestic service needed: $\frac{3}{4}$ " _____ 1" _____ 1 ½" _____ 2" _____ 4" _____ 6" _____ other: _____

Size of fire service needed: 2" _____ 4" _____ 6" _____ 8" _____ other: _____

Name of contractor: _____ Address: _____

☐ **Sewer Utility Service** Date needed by: _____

Size of service needed: 2" _____ 4" _____ 6" _____ Other _____ Type: _____ Gravity _____ Pressure _____

Name of contractor: _____ Address: _____

•• **Note: All contractors' work must be inspected by the DPU.** ••

Billing Information

Name: _____ Address: _____

Above is responsible for construction and/or inspection costs.

Name: _____ Address: _____

Above is responsible for utility usage monthly costs.

I swear that the above information is true to the best of my knowledge and understand that provided false information may be grounds for utility disapproval or cancellation.

Applicant's signature _____

Date _____

***** Electric Department Use Only *****

Billing deposit amount: _____ Construction deposit amount: _____

Approved by: _____ Lineman Chief

***** Water Department Use Only *****

Is service to be metered? Yes _____ No _____

System development charge: _____

Billing deposit amount: _____ Construction Deposit Amount: _____

Approved by: _____ Water Wastewater Operations Supervisor

***** Sewer Department Use Only *****

Billing deposit amount: _____ Construction Deposit Amount: _____

Approved by: _____ Water Wastewater Operations Supervisor

BUILDING PERMIT APPLICATION
FEE CALCULATION
WORK SHEET

Applicant TIMOTHY MOYER Date AUGUST 15, 2013

Type of Project:

☐ **A. Residential** - Single Family / Duplex / Triplex

☐ **B. Commercial**

Total Value of Residential
Construction \$ \$60,000 → 100,000

Total Value of Commercial
Construction \$ _____

(Use most recent building valuation data
from Building Standards Magazine
to find average cost per square foot.)

The Residential Permit Application Fee is determined
by the work to be covered in the Permit Application.

The Commercial Permit Application Fee is
determined by the Total Value of the
construction.

☒ New Residential Dwelling Unit, Addition
to add Second Dwelling Unit, Container Storage
Unit, Major Additions (2 or more rooms) - \$100.00

☐ \$0 - \$50,000 Valuation - \$250.00

☐ Over \$50,000 Valuation - \$400.00

☐ Minor additions (less than 2 rooms),
Re-roofing, Demolitions, Arctic Entry's
Commercial - \$25.00

After-the-Fact Building Permits

Residential

- ☐ New Residential Dwelling Unit, Addition
to add Second Dwelling Unit, Container Storage
Unit, Major Additions (More than 2 rooms) - \$200.00
- ☐ Remodel - Minor Additions of less than
2 rooms, re-roofing, and Arctic Entry's
Commercial - \$50.00

Commercial

☐ \$0 - \$50,000 Valuation - \$500.00

☐ Over \$50,000 Valuation - \$800.00

Total Permit Application Fee \$ 100.00

Building Permit No. 13-20 (Obtain from Public Works before Paying Application Fee)

(Present this page with payment to the Finance Department at City Hall after submitting application forms to the
Department of Public Works.)

Authority - Planning Commission Resolution 90-14 adopted October 25, 1990; approved by the City Council
December 13, 1990.

Authority - City of Unalaska Ordinance No. 2001-10 adopted July 10, 2001

APPLICANT Mayer, Jim

PERMIT #

FOR REVIEWING DEPARTMENTS ONLY

APPROVED

DISAPPROVED

Age Group	Percentage
18-24	10%
25-34	20%
35-44	25%
45-54	20%
55-64	15%
65-74	10%
75-84	5%
85+	5%

Figure 1. The effect of the concentration of the solution on the adsorption of the dye. The concentration of the solution was 0.01, 0.02, 0.03, 0.04, 0.05, 0.06, 0.07, 0.08, 0.09, 0.1, 0.2, 0.3, 0.4, 0.5, 0.6, 0.7, 0.8, 0.9, 1.0, 1.5, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, 9.0, 10.0, 15.0, 20.0, 30.0, 40.0, 50.0, 60.0, 70.0, 80.0, 90.0, 100.0, 150.0, 200.0, 300.0, 400.0, 500.0, 600.0, 700.0, 800.0, 900.0, 1000.0, 1500.0, 2000.0, 3000.0, 4000.0, 5000.0, 6000.0, 7000.0, 8000.0, 9000.0, 10000.0, 15000.0, 20000.0, 30000.0, 40000.0, 50000.0, 60000.0, 70000.0, 80000.0, 90000.0, 100000.0, 150000.0, 200000.0, 300000.0, 400000.0, 500000.0, 600000.0, 700000.0, 800000.0, 900000.0, 1000000.0, 1500000.0, 2000000.0, 3000000.0, 4000000.0, 5000000.0, 6000000.0, 7000000.0, 8000000.0, 9000000.0, 10000000.0, 15000000.0, 20000000.0, 30000000.0, 40000000.0, 50000000.0, 60000000.0, 70000000.0, 80000000.0, 90000000.0, 100000000.0, 150000000.0, 200000000.0, 300000000.0, 400000000.0, 500000000.0, 600000000.0, 700000000.0, 800000000.0, 900000000.0, 1000000000.0, 1500000000.0, 2000000000.0, 3000000000.0, 4000000000.0, 5000000000.0, 6000000000.0, 7000000000.0, 8000000000.0, 9000000000.0, 10000000000.0, 15000000000.0, 20000000000.0, 30000000000.0, 40000000000.0, 50000000000.0, 60000000000.0, 70000000000.0, 80000000000.0, 90000000000.0, 100000000000.0, 150000000000.0, 200000000000.0, 300000000000.0, 400000000000.0, 500000000000.0, 600000000000.0, 700000000000.0, 800000000000.0, 900000000000.0, 1000000000000.0, 1500000000000.0, 2000000000000.0, 3000000000000.0, 4000000000000.0, 5000000000000.0, 6000000000000.0, 7000000000000.0, 8000000000000.0, 9000000000000.0, 10000000000000.0, 15000000000000.0, 20000000000000.0, 30000000000000.0, 40000000000000.0, 50000000000000.0, 60000000000000.0, 70000000000000.0, 80000000000000.0, 90000000000000.0, 100000000000000.0, 150000000000000.0, 200000000000000.0, 300000000000000.0, 400000000000000.0, 500000000000000.0, 600000000000000.0, 700000000000000.0, 800000000000000.0, 900000000000000.0, 1000000000000000.0, 1500000000000000.0, 2000000000000000.0, 3000000000000000.0, 4000000000000000.0, 5000000000000000.0, 6000000000000000.0, 7000000000000000.0, 8000000000000000.0, 9000000000000000.0, 10000000000000000.0, 15000000000000000.0, 20000000000000000.0, 30000000000000000.0, 40000000000000000.0, 50000000000000000.0, 60000000000000000.0, 70000000000000000.0, 80000000000000000.0, 90000000000000000.0, 100000000000000000.0, 150000000000000000.0, 200000000000000000.0, 300000000000000000.0, 400000000000000000.0, 500000000000000000.0, 600000000000000000.0, 700000000000000000.0, 800000000000000000.0, 900000000000000000.0, 1000000000000000000.0, 1500000000000000000.0, 2000000000000000000.0, 3000000000000000000.0, 4000000000000000000.0, 5000000000000000000.0, 6000000000000000000.0, 7000000000000000000.0, 8000000000000000000.0, 9000000000000000000.0, 10000000000000000000.0, 15000000000000000000.0, 20000000000000000000.0, 30000000000000000000.0, 40000000000000000000.0, 50000000000000000000.0, 60000000000000000000.0, 70000000000000000000.0, 80000000000000000000.0, 90000000000000000000.0, 100000000000000000000.0, 150000000000000000000.0, 200000000000000000000.0, 300000000000000000000.0, 400000000000000000000.0, 500000000000000000000.0, 600000000000000000000.0, 700000000000000000000.0, 800000000000000000000.0, 900000000000000000000.0, 1000000000000000000000.0, 1500000000000000000000.0, 2000000000000000000000.0, 3000000000000000000000.0, 4000000000000000000000.0, 5000000000000000000000.0, 6000000000000000000000.0, 7000000000000000000000.0, 8000000000000000000000.0, 9000000000000000000000.0, 10000000000000000000000.0, 15000000000000000000000.0, 20000000000000000000000.0, 30000000000000000000000.0, 40000000000000000000000.0, 50000000000000000000000.0, 60000000000000000000000.0, 70000000000000000000000.0, 80000000000000000000000.0, 90000000000000000000000.0, 100000000000000000000000.0, 150000000000000000000000.0, 200000000000000000000000.0, 300000000000000000000000.0, 400000000000000000000000.0, 500000000000000000000000.0, 600000000000000000000000.0, 700000000000000000000000.0, 800000000000000000000000.0, 900000000000000000000000.0, 10000000

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

Figure 1. Schematic representation of the experimental design. The subjects were divided into two groups: the control group and the experimental group. The control group was divided into two subgroups: the control group and the experimental group. The experimental group was divided into two subgroups: the control group and the experimental group. The control group was divided into two subgroups: the control group and the experimental group. The experimental group was divided into two subgroups: the control group and the experimental group.

A horizontal number line with arrows at both ends, ranging from 0 to 100. A tick mark is placed at 25. A bracket is drawn below the line, starting at 0 and ending at 25. Below the bracket is the label "25%".

COMMENTS:This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

1" = 10'

17 NORTH 4TH STREET

ATTACHMENT
B

1" = 10'

55.25'

PARKING

PARKING

PARKING

PARKING

23'

14' 10"

16' 6"

7' 1/2"

16' 4"

EXISTING SEWER WATER

40'

OLD
HOUSE
(EXISTING)

16' 9"

98.11

92.91'

FENCE

14'

EXISTING
ELECTRIC METER

EXISTING
SEWER WATER

7' 2"

16' 6"

PROPOSED
NEW HOUSE

EXISTING SEWER

10'

20'

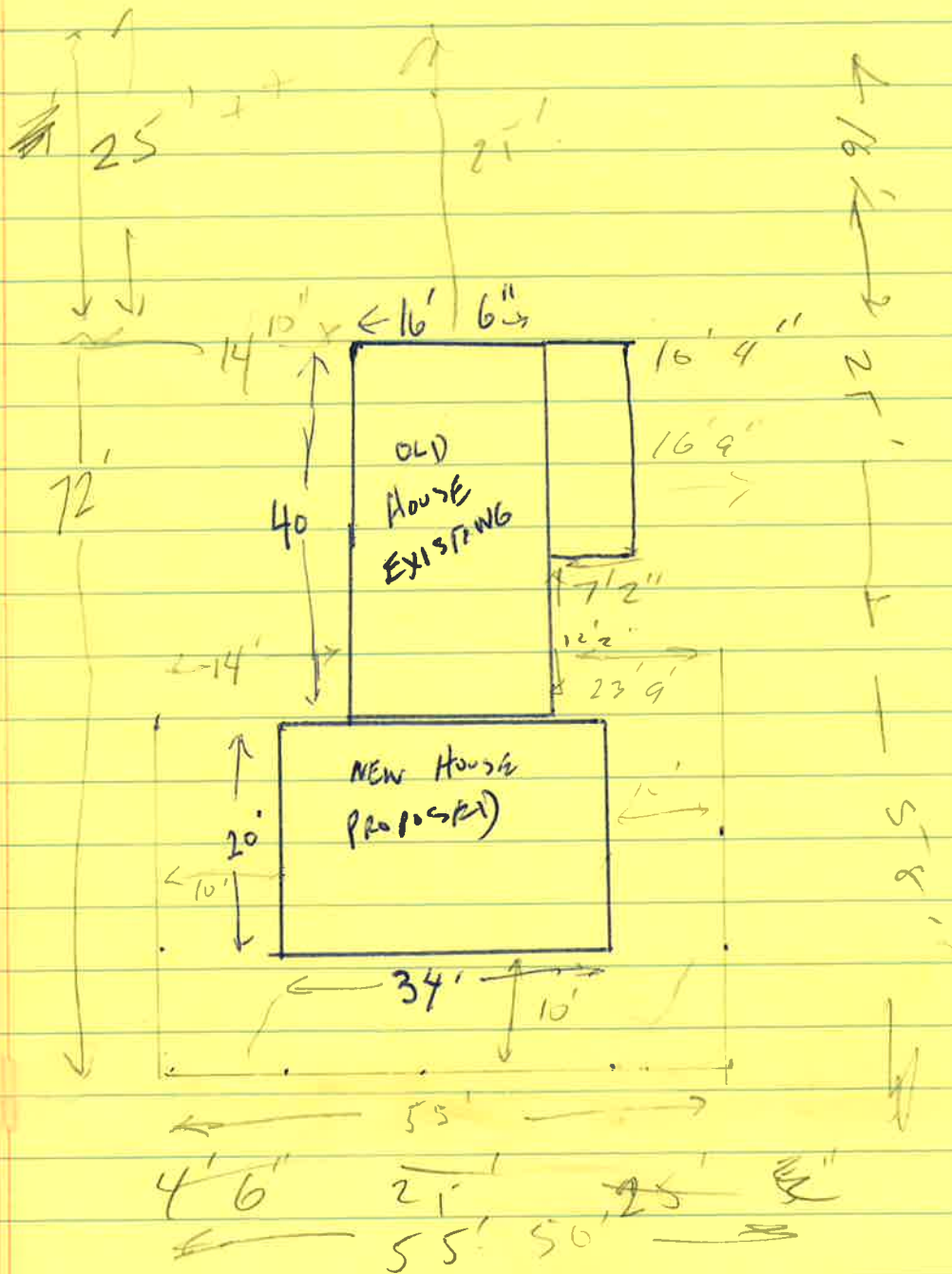
10'

34' 9"

10'

55'
FENCE

CIT MENT
B (DRAFT)



30
40

30
40

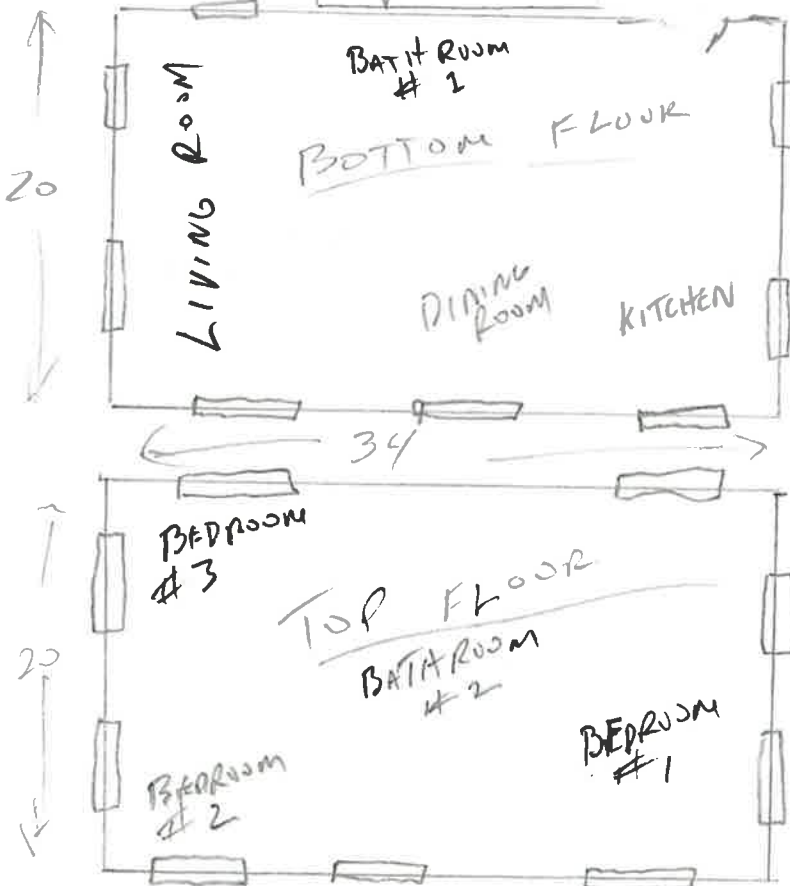
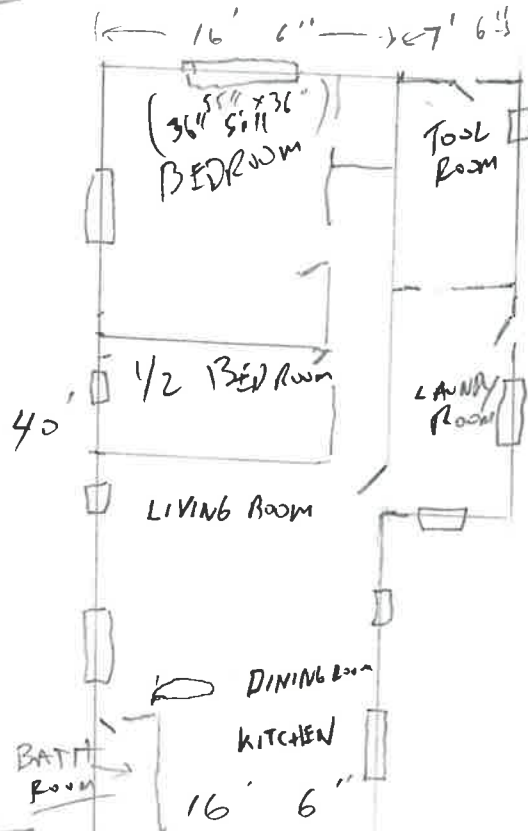
$$\begin{array}{r} 14 \\ 16 \\ \hline 30 \\ 24 \end{array}$$
$$\begin{array}{r} 16 \\ 17 \\ \hline 33 \end{array}$$

4th STREET

ATTACHMENT C

1" = 10'

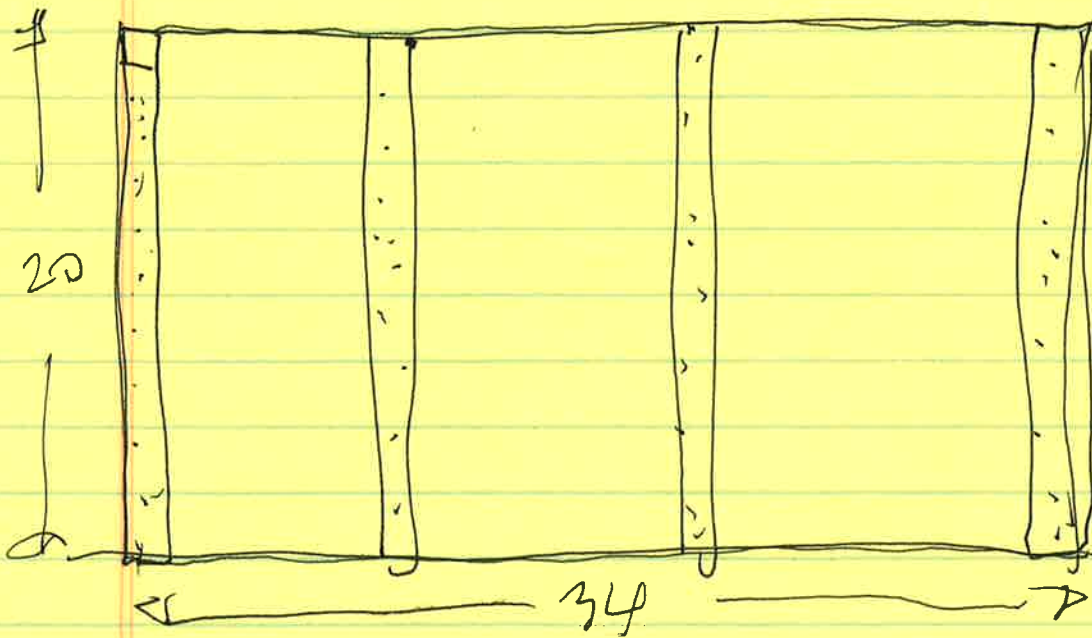
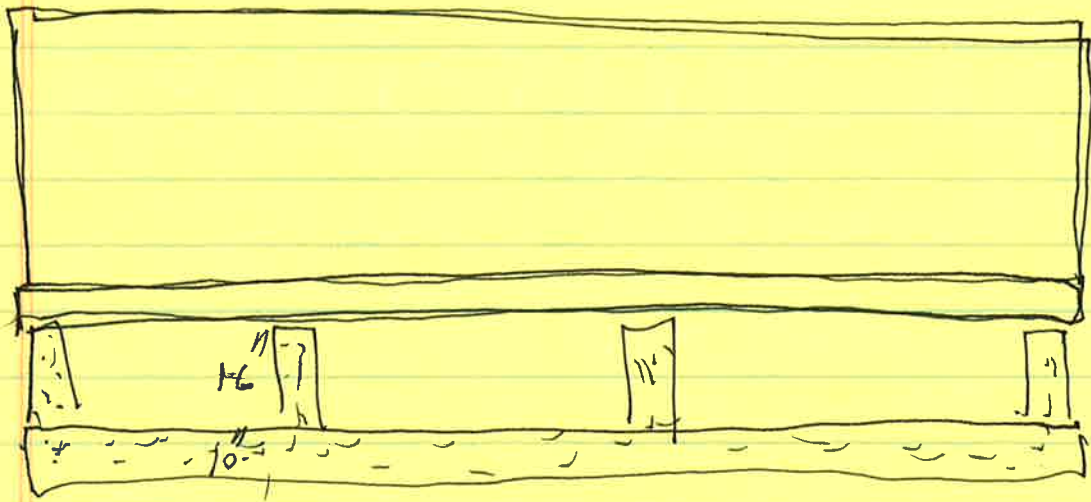
EXISTING
HOUSE



PROPOSED
HOUSE

55" x 36"
36" SILL

FOUNDATION



BROADWAY AVE.

NORTH
4th
STREET

High
School
side

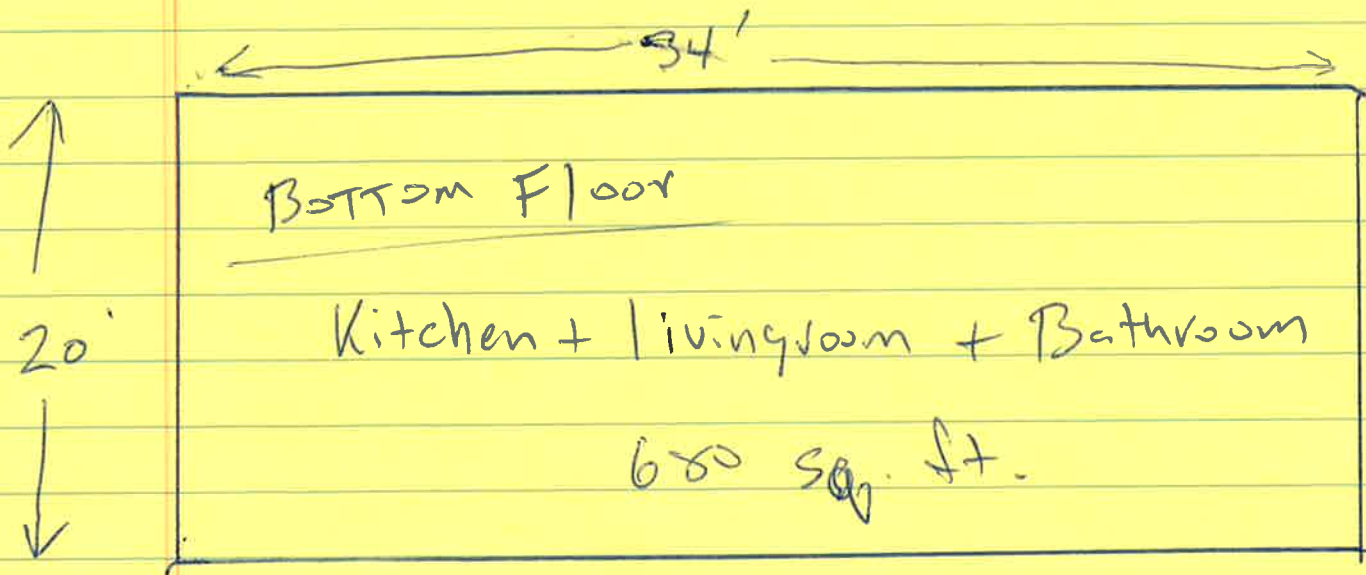
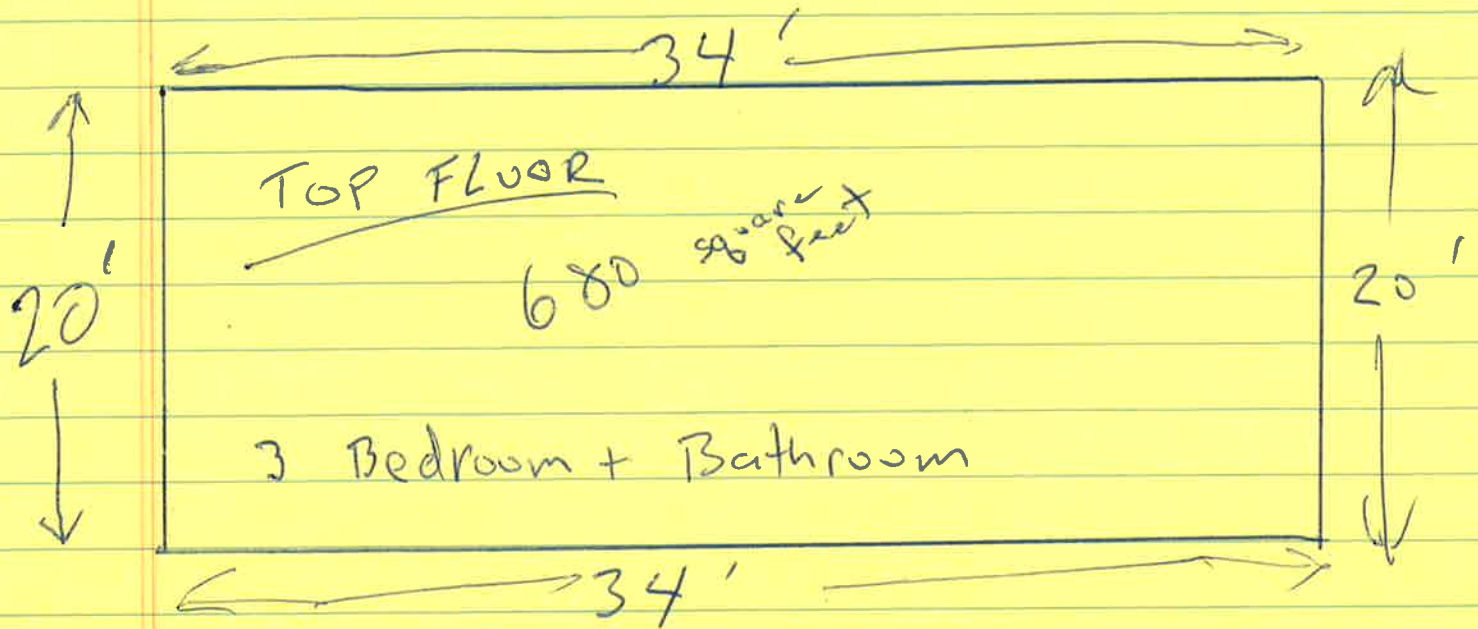
NEW
CONSTRUCTION
(PROPOSED)

OLD HOUSE
(EXISTING)

BAYVIEW AVE

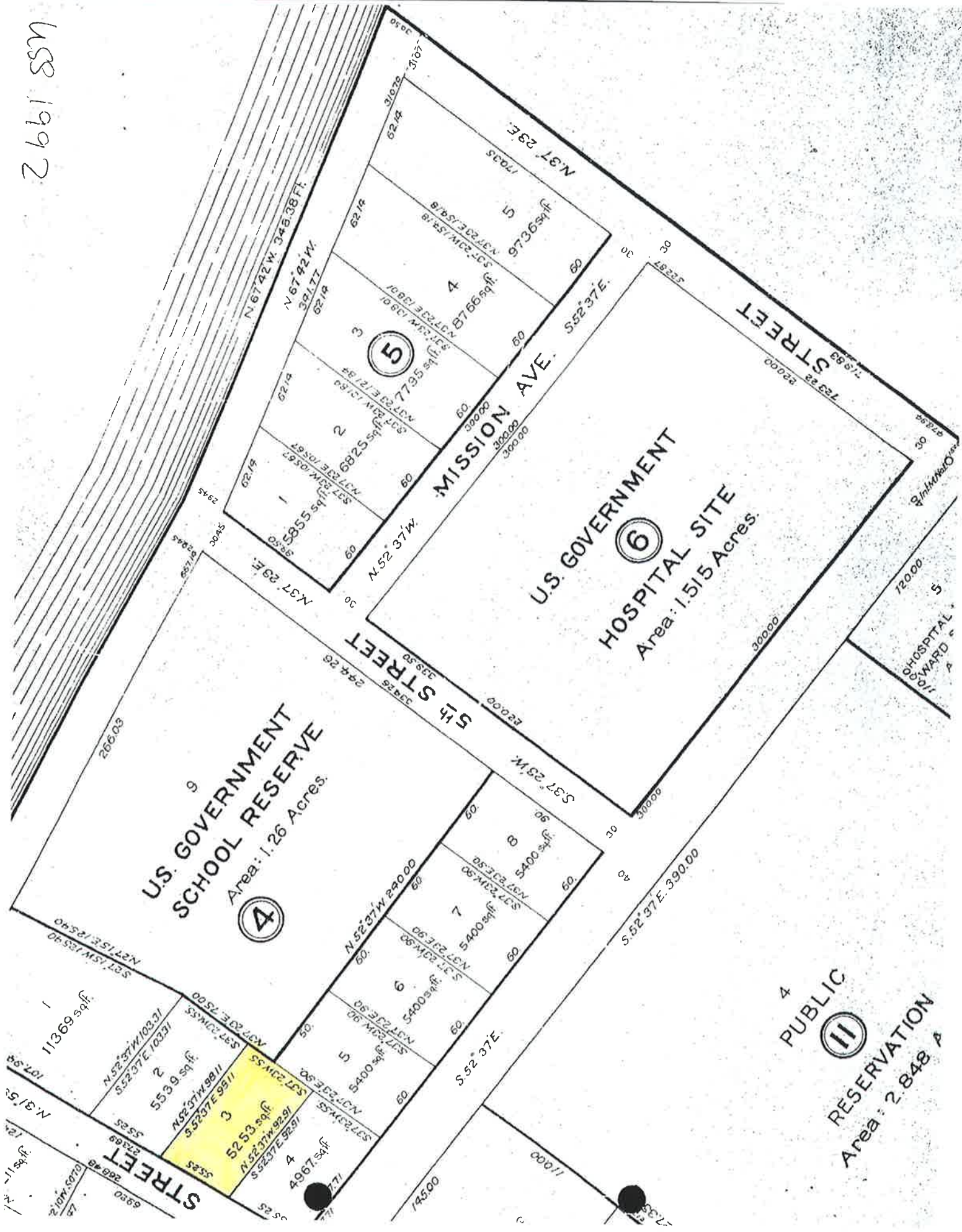
17 NORTH 4th Street
Side view Looking West

Sq. ft. 1,360



3 Bedroom
2 Bathroom

2661 SSN



17 4th Street



47 ft



The City of Unalaska uses the most current and complete data available. However, GIS data and product accuracy may vary. GIS data and products may be developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being created or revised, etc. The City of Unalaska reserves the right to correct, update, modify, or replace, GIS products without notification. The City of Unalaska cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. Using GIS data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may neither assert any proprietary rights to this information nor represent it to anyone as other than City Government-produced information. The City of Unalaska shall not be liable for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.

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TIM MOYER
VARIANCE APPLICATION

**City of Unalaska, Alaska
Planning Commission/Platting Board
Staff Report**

**A RESOLUTION APPROVING A VARIANCE FOR A REAR AND NORTH SIDE YARD
REDUCTION FROM 20 FEET TO 10 FEET TO ALLOW FOR CONSTRUCTION OF A
SINGLE FAMILY HOME ON LOT 3 BLOCK 4 OF USS 1992, ALEUTIAN ISLANDS
RECORDING DISTRICT, LOCATED AT 17 N 4TH STREET**

Project Information	
Land Owner	Timothy Moyer
Applicant	Timothy Moyer
Location	17 N 4 th Street on Lot 3 Block 4 of USS 1992
Property Identification	03-07-510
Application Type	Variance Request
Project Description	A request to allow for the construction of a single family home, with 10 foot rather than 20 foot setbacks, at the site of an existing home and business.
Zoning	General Commercial
Exhibits	Draft Resolution 2013-16, Variance Application and Supplemental Material, Location Map
Staff Recommendation	Approval of Resolution 2013-16

PLAN GUIDANCE

1. Housing was identified as a community need in the 2009 Community Visions for the Future: Unalaska 2010-2020 visioning document as part of the Comprehensive Planning process.
2. Goal #9 of the Unalaska Housing Plan is to ensure that zoning and all regulatory and permit processes support the redevelopment of in-fill lots and new subdivisions for new housing development.
3. Goal #4 of the Unalaska Housing Plan is to preserve and improve the condition and stability of existing housing throughout the city.

CODE REQUIREMENTS

1. According to §8.12.070(G), the General Commercial District requires a 10 foot side and rear yard setback, unless the property adjoins a residential district, in which case a 20 foot setback is required.
2. UCO §8.12.210 outlines the variance request and process including the following:
 - The Planning Commission, after public hearings, may vary or modify requirements of this chapter where strict application would cause an undue or unnecessary hardship.
 - Variances will be dimensional in nature and may be limited to requirements governing yards, lot dimensions and coverage, heights, and parking areas.
 - In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity, and to otherwise achieve the purpose of this chapter.
 - The Planning Commission approves an application for a variance by finding:
 - (1) *Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;*
 - (2) *That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;*

- (3) *That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and*
- (4) *That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.*

BACKGROUND AND ANALYSIS

1. Applicant submitted a building permit for the construction of a single family home on the property at 17 N 4th street, which currently contains a single family home that is also used as a commercial office for the applicant's taxicab business.
2. The current single family home, which houses the applicant and his family, is a World War Two cabana that is in deteriorating condition beyond repair.
3. The result of this development will be two structures on the property, but the applicant intends to use the new structure as a replacement and eventually demolish the old one. In order to replace the old home, the applicant must first construct a new home on the same lot, which leaves limited room for the structure.
4. The rear and north side setback requirements would be 10 feet but are 20 feet in this situation because both are adjacent to residential districts. The proposed structure would have a 10 foot setback in the rear and on the north side. Thus, a setback variance is required.
5. The side and rear setback requirement in the General Commercial district is 20 feet only when the side lot line is adjacent to a residential district, intended to prevent commercial buildings from encroaching on residential homes. In a residential district, the side setback is always 10 feet and the rear setback would be 10 feet for a lot of this size. Therefore, this single family home would conform to the code if the property were zoned Single Family/Duplex Residential.
6. The Comprehensive Plan calls for increasing the housing supply in the city and also preserving and improving the condition of existing housing within the city. Approval of this conditional use application supports both goals.
7. The surrounding area is mostly residential in nature with some retail/service commercial activity. The proposed single family residential home is compatible with the surrounding uses.

FINDINGS

The purpose of a variance is to grant relief to an applicant when a requirement causes an undue or unnecessary hardship. In order to be granted, a variance request must meet the four tests of code identified in UCO §8.12.210(E) listed above.

1. Staff finds that the granting of this variance is related to existing unique circumstances of this site with existing structures, as inherited by the applicant.
2. Staff finds that the granting of this variance is necessary to preserve the ability to develop this property substantially similar to the ability of other property owners in the same zoning district.
3. Staff finds that the granting of this variance will not adversely affect the surrounding properties or be injurious to the welfare of the community.
4. Staff finds that the granting of this variance does not conflict with the goals of the Comprehensive Plan, rather it supports the need for increased high quality housing in the city. It is also the minimum variance that would alleviate the hardship.

Therefore, staff finds that all four tests are met.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends approval of this variance and of Resolution 2013-16.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2013-16**

**A RESOLUTION APPROVING VARIANCE FOR A REAR AND SIDE YARD REDUCTION
FROM 20 FEET TO 10 FEET TO ALLOW FOR CONSTRUCTION ON LOT 3 BLOCK 4 OF
USS 1992 ALEUTIAN ISLANDS RECORDING DISTRICT AND LOCATED AT 17 N 4TH
STREET**

WHEREAS, UCO §8.12.210 sets forth the procedures and requirements for variances for dimensional requirements; and

WHEREAS, applicant, Timothy Moyer, is currently the owner of Lot 3 Block 4 of USS 1992 (03-07-510); and

WHEREAS, the subject property is zoned General Commercial; and

WHEREAS, the current rear and side yard requirements, listed in UCO §8.12.070(G), create an unnecessary hardship for the applicant to build a new single family home on the lot; and

WHEREAS, the applicant has submitted a variance request to allow for a reduction in the minimum rear and side yard from 20 feet to 10 feet in order to allow for the construction of a new home; and

WHEREAS, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the request; and

WHEREAS, the creation of additional housing and improving the quality of housing is desirable from the standpoint of public interest; and

WHEREAS, notices of the public hearing were posted and mailed; and

WHEREAS, the Planning Commission/Platting Board conducted a public hearing on September 19, 2013 in order to consider the testimony of the public; and

WHEREAS, the Planning Commission finds the Variance to be in accordance with the following tests of code:

- Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;
- That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;
- That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the

objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.

NOW THEREFORE BE IT RESOLVED, that in accordance with UCO §8.12.210, the Planning Commission grants a variance for a rear and side yard reduction from 20 feet to 10 feet to allow for construction on Lot 3 Block 4 of USS 1992 at 17 N 4th Street. This resolution becomes effective if there are no appeals within ten (10) working days from the decision date, as outlined in UCO §8.12.210(F).

PASSED AND APPROVED THIS _____ DAY OF _____, 2013, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Chris Bobbitt
Chair

Erin Reinders, AICP
Recording Secretary

**SEA ALEUTIAN SEAFOODS
VARIANCE APPLICATION**

**City of Unalaska, Alaska
Planning Commission/Platting Board
Staff Report**

A RESOLUTION APPROVING A VARIANCE FOR A FRONT YARD REDUCTION FROM 10 FEET TO 2.5 FEET TO ALLOW FOR CONSTRUCTION ON THE EXISTING FOUNDATION ON TRACT B1, LITTLE SOUTH AMERICA SUBDIVISION NO. 2, ALEUTIAN ISLANDS RECORDING DISTRICT, LOCATED AT 105/147 HENRY SWANSON DRIVE

Project Information	
Land Owner	Ounalashka Corporation, Richard Miller, CEO
Applicant	Tuyen Dinh, Sea Aleutian Seafoods
Location	105/147 Henry Swanson Drive on Tract B1 LSA Subdivision No. 2
Property Identification	04-08-180
Application Type	Variance Request
Project Description	The existing foundation, which is planned for development as a seafood packaging center, sits 2.5 feet from the lot line at one corner and 6 feet from the lot line at the other corner. The front setback requirement of 10 feet prevents the use of the foundation without a variance.
Zoning	Marine Dependent Industrial
Exhibits	Draft Resolution 2013-17, Variance Application and Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2013-17 with associated conditions

PLAN GUIDANCE

- The Unalaska Comprehensive Plan 2020 identifies a value in the economic development section of its community action agenda that includes the following:
 - Ensure the provision of adequate land area for the development of businesses and industries to strengthen and further diversify the local economy, supported by the primary action of making more land available for businesses and industries.

CODE REQUIREMENTS

- According to UCO §8.12.090(G), the Marine Dependent Industrial District requires a front yard setback of 10 feet.
- UCO §8.12.210 outlines the variance request and process including the following:
 - The Planning Commission, after public hearings, may vary or modify requirements of this chapter where strict application would cause an undue or unnecessary hardship.
 - Variances will be dimensional in nature and may be limited to requirements governing yards, lot dimensions and coverage, heights, and parking areas.
 - In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity, and to otherwise achieve the purpose of this chapter.
 - The Planning Commission approves an application for a variance by finding:
 - Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;*
 - That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;*

- (3) *That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and*
- (4) *That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.*

BACKGROUND AND ANALYSIS

1. Applicant has submitted a building permit for the construction of a seafood packaging facility at 147 Henry Swanson Drive, at the site of an existing foundation and partial structure on the same foundation at 105 Henry Swanson Drive.
2. Expansion of the structure to include the remainder of the foundation would create a corner of the building that is 2.5 feet from the lot line in the front. The existing structure is 6 feet from the lot line at the other corner, both lower than the 10 foot minimum. Although this structure and foundation is an existing nonconforming structure, its alteration requires a variance, pursuant to §8.12.180 (Nonconformity Chapter).
3. Applicant has submitted a variance request for a minimum front yard of 2.5 feet and supplemental site plan corresponding to the building permit for Sea Aleutian Seafoods' packaging plant.
4. The site at 105/147 Henry Swanson Drive has an existing foundation and structure, which are economically useful to revive or revitalize. Applicant's variance request is intended to avoid the cost of removing the foundation and building a new one, instead making use of existing site facilities.
5. Planning staff finds that the existing foundation creates an exceptional circumstance at this site, which justifies the use of a variance.
6. The surrounding land uses are marine transportation and industrial activities. Planning staff believes that none of the surrounding uses will be adversely impacted by the 2.5 foot setback. Transportation staff has been consulted in order to determine that the roadway will not be adversely impacted by the setback. City staff has expressed concern about snow shedding from the roof onto the roadway, considering the small setback and the orientation of the driving surface. This led planning staff to attach one condition of approval to mitigate the impact by eliminating the possibility of an overhanging roof.
7. The Comprehensive Plan calls for increasing the availability of land for businesses and industries as a primary action, which is supported by this variance request, as it allows for this property to be usable for an industrial purpose without the economic burden of removing the existing foundation.

FINDINGS

The purpose of a variance is to grant relief to an applicant when a requirement causes an undue or unnecessary hardship. In order to be granted, a variance request must meet the four tests of code identified in UCO Section 8.12.210(E) listed above. Staff finds that all four tests are met as follows.

1. Staff finds that the granting of this variance is related to existing unique circumstances of this site with existing structures that prevent the applicant from making economic use of the site without a variance.
2. Staff finds that the granting of this variance is necessary to preserve the ability to develop this property substantially similar to the ability of other property owners in the same zoning district.
3. To ensure that the granting of this variance will not adversely affect the surrounding properties or be injurious to the welfare of the community, a condition of approval has been added to the resolution clarifying that the variance of the setback included any portion of the building, including roof eaves and overhangs. With this condition in place, staff finds that this test of code has been met.
4. Staff finds that the granting of this variance does not conflict with the goals of the Comprehensive Plan, rather it supports the need for developable land identified in the plan. It is also the minimum variance that would alleviate the hardship.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends approval of this variance request with the associated condition of approval identified in Resolution 2013-17.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2013-17**

A RESOLUTION APPROVING VARIANCE FOR A FRONT YARD REDUCTION FROM 10 FEET TO 2.5 FEET TO ALLOW FOR CONSTRUCTION ON TRACT B1 OF LITTLE SOUTH AMERICA SUBDIVISION NO. 2, PLAT NUMBER 2010-10, ALEUTIAN ISLANDS RECORDING DISTRICT AND LOCATED AT 105/147 HENRY SWANSON DRIVE.

WHEREAS, UCO §8.12.210 sets forth the procedures and requirement for variances for platting and subdivision requirements; and

WHEREAS, Ounalashka Corporation is the owner of Tract B1 of Little South America Subdivision No. 2 (04-08-180) and has authorized Sea Aleutian Seafoods to make application for variance; and

WHEREAS, the current front yard requirement of 10 feet prevents the effective use of an existing foundation because it is only 2.5 feet from the lot line; and

WHEREAS, the applicant has submitted a variance request to allow for a front yard reduction to 2.5 feet to allow for construction on the existing foundation; and

WHEREAS, the creation of additional land for development of business and industry is desirable and in the public interest; and

WHEREAS, notices of the public hearing were posted and mailed; and

WHEREAS, the Planning Commission/Platting Board conducted a public hearing on September 19, 2013 in order to consider the testimony of the public; and

WHEREAS, the Planning Commission finds the Variance to be in accordance with the following tests of code:

- Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;
- That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;
- That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.

WHEREAS, UCO §8.12.210(A) allows the Planning Commission to attach conditions, which it finds necessary to protect the best interests of the surrounding property or vicinity, and to otherwise achieve the purpose of this chapter.

NOW THEREFORE BE IT RESOLVED, that in accordance with UCO §8.12.210, the Planning Commission grants a variance for a front yard reduction from 10 feet to 2.5 feet to allow for construction of a packaging center on Tract B1, Little South America Subdivision No. 2, at 105/147 Henry Swanson Drive with the following condition:

1. The front yard established by this variance applies to every portion of the building including those accessories defined in §8.12.170(B), which include but are not limited to steps, terraces, platforms, porches, eaves, cornices, or roof overhangs. No such aspect of the building may extend any closer than 2.5 feet from the front lot line.

This resolution becomes effective if there are no appeals within ten (10) working days from the decision date, as outlined in UCO §8.12.210(F).

PASSED AND APPROVED THIS _____ DAY OF _____, 2013, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Chris Bobbitt
Chair

Erin Reinders, AICP
Recording Secretary

APPLICATION FOR VARIANCE/CONDITIONAL USE
CITY OF UNALASKA, ALASKA

received
9/6/13

DATE: 09/05/13 FEE: \$200.00 PERMIT NO.: _____

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title Sections 8.12.200 UCO (Conditional Use) and 8.12.210 UCO (Variance).

Property Owner: Unalaska Corporation
Property Owner Address: 400 Salmon Way, Unalaska, AK 99692
Street Address of Property: 148 Henry Swanson Drive
105 Henry Swanson Drive
Applicant's Name: Tuyen Dinh, Aleutian Seafoods
Mailing Address: PO BOX 921086, Dutch Harbor, AK 99692
Contact Name: LISA TRAN
Home Phone: 907 581 6007 Work Phone: 907 359 6006
Request for : ☒ Variance ☐ Conditional Use
Type of Request: ☐ Residential ☒ Commercial
Current Zone Designation: MARINE DEPENDENT - INDUSTRIAL

LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 4-8-180
Lot: — Block: — Tract: B1
Subdivision: Little South America #2 USS: —
Section(s): — Township: — Range: —

Brief Description of Request: (attach additional information if necessary)

Set back variance for an alteration of an existing structure

ATTACH SITE PLAN (TO SCALE): Please show all existing and proposed structures, access, dimensions and parking.

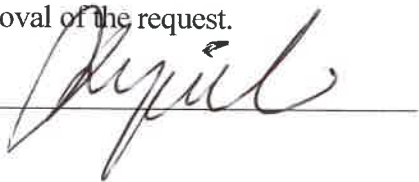
PLEASE NOTE: All applications must be received fifteen (15) days prior to the next regular meeting of the Planning Commission as per Section 8.12.200(A)(2) and Section 8.12.210(B)(2) UCO. The Department of Planning will provide an examination of the City of Unalaska Real Property Tax Roll indicating that the signature of the landowner on the application form is in fact the latest owner of record. The Department of Planning will mail a notice of the public hearing to all landowners of record within 300 feet of the proposed request as shown in the City of Unalaska Real Property Tax Rolls.

ANY MATERIALS YOU WISH THE PLANNING COMMISSION TO REVIEW DURING THE SCHEDULED PUBLIC HEARING MUST BE PROVIDED TO THE DEPARTMENT OF PLANNING ***ONE WEEK*** PRIOR TO THE PUBLIC HEARING DATE

CERTIFICATION:

I hereby certify that (I Am) (I have been authorized to act for) the owner of the property described above and that I desire a (variance/conditional use) for this property in conformance with the Title 8, UCO and hereby dispose and say that all of the above statements are true. I am familiar with the code requirements and certify that to the best of my knowledge, belief and professional ability, that this application meets them. I understand that payment of the (variance/conditional use) fee is non-refundable and is to cover costs associated with the processing of this application and that it does not assure approval of the request.

Signature

A handwritten signature in blue ink, appearing to read "Dyul", written over a horizontal line.

Date

9/6/13

ATTACHMENT 'A'

I/We, Ounalashka Corporation are the recorded owners of :

Lot _____ Block _____ Subdivision Little South America #2

Tract B1 USS _____

Section(s) _____ Township _____ Range _____

located within the City of Unalaska; and do hereby authorize _____
to make application as my/our agent for:

- ☐ Conditional Use
☒ Variance
☐ Zone Amendment

and acknowledge that I/We am/are as fully bound by the terms outlined in Title 8 UCO for the
action applied for, as though I/We made application for such action myself/ourselves.

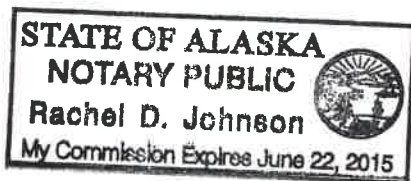
Denise M Rankin
(signature)

9/10/2013
(Date)

(signature)

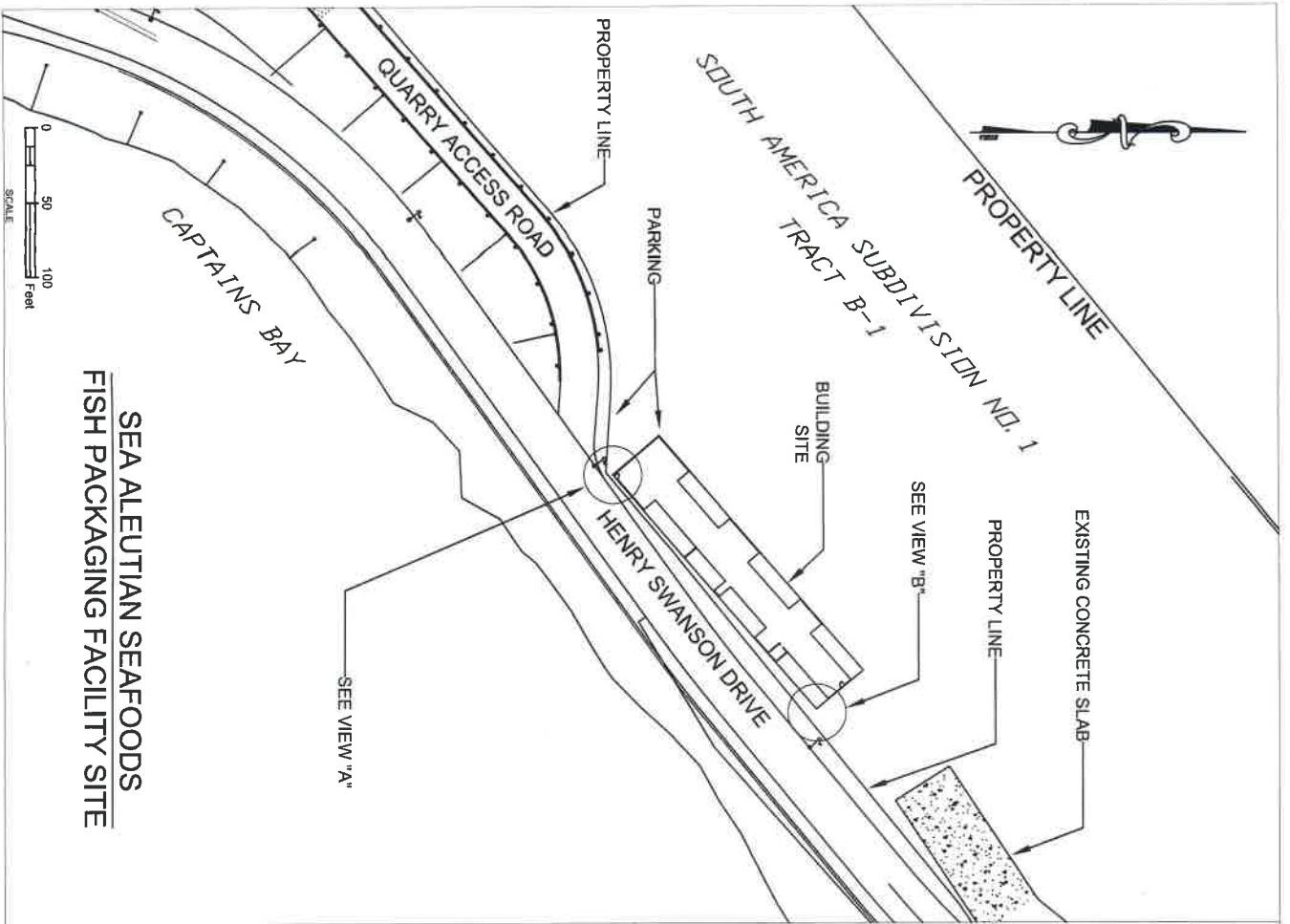
(Date)

The foregoing instrument was acknowledged before me this 10th day of September,
~~199~~ by Denise M Rankin.
2013

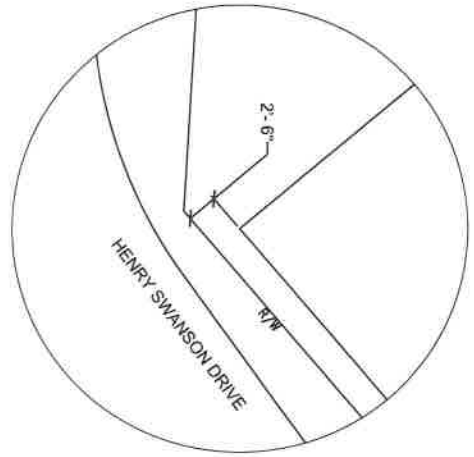


Rachel D. Johnson
NOTARY PUBLIC in and for Alaska

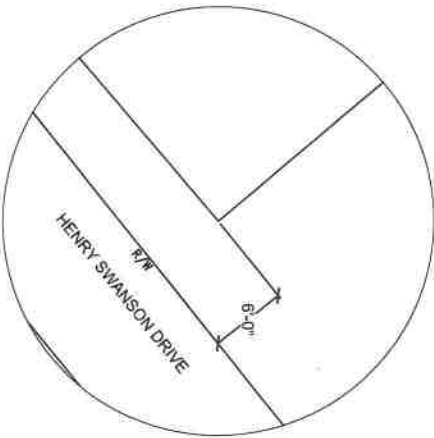
My Commission Expires: 06-22-2015



**SEA ALEUTIAN SEAFOODS
FISH PACKAGING FACILITY SITE**



VIEW "A"



VIEW "B"



DATE: 07/29/13

REV.	DATE	BY	DESCRIPTION
A	07/29/13	TZ	FOR REVIEW

TZ ENGINEERING

SEA ALEUTIAN SEAFOODS LLC

FISH PACKAGING PLANT

SITE PLAN

DESIGNED: tz SCALE: AS NOTED DATE: JULY 2013

SHEET

2 of 7

Sea Aleutian Seafoods



117 ft



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