

**CITY OF CRAIG  
PLANNING COMMISSION**

Staff Report  
January 25, 2019

Applicant: Henry Woudenberg

Requested Action: Conditional Use Permit – B&B in a Residential Zone

Location: Lot 1 Timpe Subdivision (1411 Hamilton Drive)

Lot Size: 25,541 SF

Zoning: High Density Residential

Surrounding Uses: North: ROW/Public  
West: ROW/High Density Residential  
South: Port Bagial  
East: Port Bagial

**Analysis**

Henry Woudenberg has applied to the City of Craig planning commission for a conditional use permit to operate a Bed and Breakfast in a High Density Residential Zone, located at 1411 Hamilton Drive (Lot 1 Timpe Subdivision). The applicant proposes to operate up to two rooms in an existing structure for a Bed and Breakfast.

Staff has reviewed the application and siteplan that were submitted and has the following comments:

1. The site has ample off street parking for this use.
2. Mr. Woudenberg describes the existing structure as a 2 bedroom, two bath home and states that not more than two bedrooms would be rented at a time. As the commission is likely aware B&Bs in Craig are an owner occupied use. Rental of all rooms in a given house would constitute a lodge for residential use, which was removed from the list of permitted or conditional uses by the planning commission several years ago and is thereby prohibited.
3. Mr. Woudenbergs application says that “Mr. Woudenberg has a family member that resides in the home.” Again, the requirement for a B&B in Craig is that the structure is owner occupied and operated. The planning commission has discussed this issue for previous permits and has determined that the person operating the B&B must be a recorded owner of the property.

I have notified Mr. Woudenberg by email of comments 2 and 3. The commission should discuss these comments at the public hearing and when considering the conditional use permit. To address the ownership issue see proposed condition 2. I have also changed condition 4 to read “one room” to reflect that one room should be reserved for the owner.

I have attached a copy of the application and site plan for the commission.

Per 18.06.002 of the LDC, the following criteria shall be met before a conditional use permit may be issued:

1. That the proposal is consistent with the Craig Comprehensive Plan, the Craig Municipal Code, and other applicable ordinances.
2. That the proposed use is conditionally permitted in the zone.
3. That the proposed use is compatible with other existing or proposed uses in the area affected by the proposal.
4. That the proposed use would not create noise, odor, smoke, dust, or other objectionable pollutants creating impacts on surrounding areas.
5. That the proposed use would not affect the health and safety of persons or property.
6. That the location, size, design and operating characteristics will mitigate conflicting uses.
7. That unsightliness, building height, or structural incompatibility would not significantly affect surrounding areas or the designated viewshed.
8. That the proposal would not have a significant detrimental effect on property values in the area.
9. That all utilities required by the proposed use are adequate or will be made adequate by the applicant at no additional expense to the city and will not interfere with utility capacity to serve other areas of the city.
10. That access is adequate to serve the additional volume and type of traffic generated and would not threaten health and safety by significantly altering traffic volumes and patterns.
11. That adequate off-street parking is provided. (See Chapter 18.14, Parking.)
12. That the proposed use would not degrade land, air, water, or habitat quality.
13. That the proposed use will not interfere with the efficiency of, the planned expansion of, or access to water dependent or water related uses unless: 1) there is a documented public need for the proposed use, 2) no alternative site, and 3) the public good will be served better by the proposed use than by the water dependent or water related use.
14. That other relevant objections made evident at the public hearing are addressed.
15. That the proposed use and development do not disturb trees or shrubs which are designated for habitat or resource protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations unless a plan is approved which will mitigate potential adverse impacts.

Criteria 2-13 and 15 of this section appear to be met on the face of the application.

Depending on the discussion and any additional information from the applicant condition 1 may or may not be met since a plain reading of the application questions the owner/occupant requirement. The commission should discuss Criteria 14 at the public hearing on October 11, 2018.

Further conditions for a bed and breakfast are (Chapter 18.16):

1. An owner-occupied structure.
2. Three or fewer rental rooms.
3. Maximum length of stay of thirty (30) days.
4. The residential character of the neighborhood is retained.

Conditions 2 - 4 appear to be met on the face of the application. Condition 1 may be met after discussion by the commission.

### **Recommendation**

That the planning commission discuss the required criteria for approval at the January 31, 2019 meeting and consider adoption of Resolution 585-19-PC granting a CUP to Henry Woudenberg to operate a Bed and Breakfast in a Residential Zone, located at 1411 Hamilton Drive (Lot 1, Timpe Subdivision) subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;
2. that the conditional use is accessory to a principal owner residential use. The owner occupying the residence during conduct of the Bed and Breakfast must be a legally recorded owner of the property. The owner occupant must be an owner of record or purchaser of record according to the system of land title recording established pursuant to AS 44.37. The city shall retain the right to ensure that a legal owner is present for at least 75% of the days that guests are in residence;
3. that all parking for personal use and customer use will be off-street.;
4. that the bed and breakfast will be limited to one room.;
5. that all sales tax due on the operations covered by this permit must be paid within 30 days of the end of the quarter that the sales were made.
6. that this conditional use permit is voidable by the City of Craig, at its sole discretion, if the applicant is unable to meet the above conditions.;
7. the conditional use permit will be reviewed by the Planning Commission 12 months after approval to ensure compliance with these provisions.

CITY OF CRAIG  
PLANNING COMMISSION  
RESOLUTION 585-19-PC

GRANTING A CONDITIONAL USE PERMIT TO HENRY WOUDENBERG TO OPERATE A BED AND BREAKFAST AT 1411 HAMILTON DRIVE, LOT 1, TIMPE SUBDIVISION

WHEREAS, the Planning Commission held a public hearing on January 31, 2019; and,

WHEREAS, public notice was given in accordance with Section 18.06.002 of the Craig Land Development Code; and,

WHEREAS, the Planning Commission finds that the specific criteria of Section 18.06.002 of the Craig Land Development Code are met as follows, subject to the conditions listed below:

1. That the proposal is consistent with the Craig Comprehensive Plan, the Craig Municipal Code, and other applicable ordinances.
2. That the proposed use is conditionally permitted in the zone.
3. That the proposed use is compatible with other existing or proposed uses in the area affected by the proposal.
4. That the proposed use would not create noise, odor, smoke, dust, or other objectionable pollutants creating impacts on surrounding areas.
5. That the proposed use would not affect the health and safety of persons or property.
6. That the location, size, design and operating characteristics will mitigate conflicting uses.
7. That unsightliness, building height, or structural incompatibility would not significantly affect surrounding areas or the designated viewshed.
8. That the proposal would not have a significant detrimental effect on property values in the area.
9. That all utilities required by the proposed use are adequate or will be made adequate by the applicant at no additional expense to the city and will not interfere with utility capacity to serve other areas of the city.
10. That access is adequate to serve the additional volume and type of traffic generated and would not threaten health and safety by significantly altering traffic volumes and patterns.
11. That adequate off-street parking is provided.
12. That the proposed use would not degrade land, air, water, or habitat quality.
13. That the proposed use will not interfere with the efficiency of, the planned expansion of, or access to water dependent or water related uses unless: 1) there is a documented public need for the proposed use, 2) no alternative site, and 3) the public good will be served better by the proposed use than by the water dependent or water related use.

14. That other relevant objections made evident at the public hearing are addressed.
15. That the proposed use and development do not disturb trees or shrubs which are designated for habitat or resource protection; wind, noise, sediment, or pollution buffers; recreation or open space; protection from natural hazards, watershed protection, or visual considerations unless a plan is approved which will mitigate potential adverse impacts.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission grants Henry Woudenberg a conditional use permit to operate a Bed and Breakfast in a Residential Zone, located at 1411 Hamilton Drive (Lot 1, Timpe Subdivision), subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;
2. that the conditional use is accessory to a principal owner residential use. The owner occupying the residence during conduct of the Bed and Breakfast must be a legally recorded owner of the property. The owner occupant must be an owner of record or purchaser of record according to the system of land title recording established pursuant to AS 44.37. The city shall retain the right to ensure that a legal owner is present for at least 75% of the days that guests are in residence.;
3. that all parking for personal use and customer use will be off-street.;
4. that the bed and breakfast will be limited to one room;
5. that all sales tax due on the operations covered by this permit must be paid within 30 days of the end of the quarter that the sales were made.
6. that this conditional use permit is voidable by the City of Craig, at its sole discretion, if the applicant is unable to meet the above conditions.;
7. the conditional use permit will be reviewed by the Planning Commission 12 months after approval to ensure compliance with these provisions.

Approved this 31<sup>st</sup> day of January, 2019

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Chairman Sharilyn Zellhuber

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Brian Templin, City Planner

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[Home](#) > [Conditional Use Permit Application](#) > [Webform results](#) > Submission #1

#### Submission information

Form: [Conditional Use Permit Application](#) [1]  
Submitted by Visitor (not verified)  
Tue, 01/08/2019 - 3:02pm  
64.186.124.117

#### **Applicant's Name**

Henry Woudenberg

#### **Applicant's Address**

1411 E. Hamilton Avenue  
Craig, Alaska 99921

#### **Applicant's Representative:**

Kristi Kuhnert  
P.O. Box 963  
Craig  
(907) 401-3556

#### **Applicant's Telephone Number**

330-592-7899

#### **Applicant's Email Address**

henry.woudenberg@gmail.com

#### **Property Legal Description (Lot, Block/Tract, and Survey Number)**

Lot 1, Plat Number 2007-43

#### **Subdivision Name**

Timpe

#### **Lot Size**

25541 sf

#### **Township and Range**

#### **Describe in detail the conditional use requested.**

Mr. Woudenberg is requesting a conditional use permit to run a Bed and Breakfast out of the property. Mr. Woudenberg has a family member that resides in the home. The home is a 2 bedroom/2 bath home, and therefore would not have more than 2 bedrooms rented at a time.

#### **Site/Plot Plan showing lot lines, building locations, parking spaces, and other relevant information.**

[plot\\_lines.pdf](#) [2]

#### **What types of chemicals, processes, machinery or equipment will be used?**

Not applicable

#### **Approximately how many days per week and how many hours per day will the proposed use operate?**

Seasonal to coincide with fishing. Bed and breakfast would operate 7 days a week during the height of the season. May be operational during off season occasionally.

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

Minimal if any. The tenants would reside in an already existing home, using the resources of that residence.

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

Bed and Breakfast - Dream Catcher; and residential homes

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

There are no additional buildings, signs, storage, etc. planned at this point. Will use only existing structures.

**What utilities are needed?**

Basic utilities used for a residence, for example, power, water, sewer, propane, and heating oil.

**What roads will provide access?**

Hamilton provides direct access.

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

Yes, there is already a bed and breakfast operational two doors down, Dreamcatcher.

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

We would not anticipate high traffic impact to the road, as the home only has two (2) bedrooms.

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

Our parking needs will be accommodated by current property layout.

**Applicant's Certification**

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

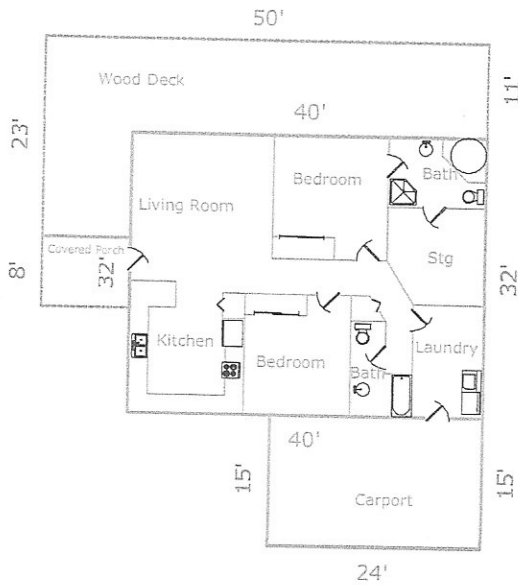
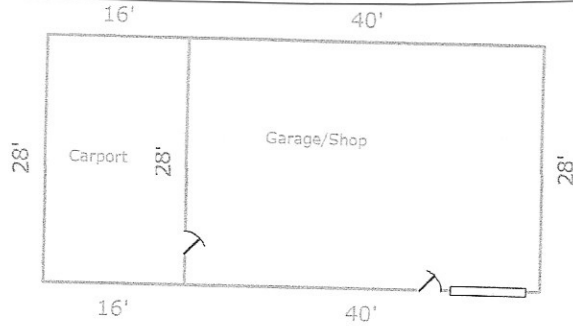
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**Source URL:** <https://www.craigak.com/node/7474/submission/80>

**Links**

[1] <https://www.craigak.com/planning/webform/conditional-use-permit-application>

[2] [https://www.craigak.com/system/files/webform/zone-change/plot\\_lines.pdf](https://www.craigak.com/system/files/webform/zone-change/plot_lines.pdf)



Sketch by Apex Sketch v5 Standard™  
 Comments:

AREA CALCULATIONS SUMMARY

Code	Description	Net Size	Net Totals
GLA1	First Floor	1280.00	1280.00
GAR	Carport	360.00	
	Garage/Shop	1120.00	1928.00
	Carport	448.00	
P/P	Covered Porch	80.00	750.00
	Wood Deck	670.00	

LIVING AREA BREAKDOWN

Breakdown	Subtotals
First Floor	1280.00
40.0 x 32.0	

Net LIVABLE Area (rounded) 1280 1 Item (rounded) 1280



