

**CITY OF CRAIG
PLANNING COMMISSION**

Staff Report
January 25, 2019

Applicant: Chris Piburn

Requested Action: Conditional Use Permit

Location: Lot 3B2, Tract B, USS 2327

Zoning: Residential – High Density

Surrounding Uses: North: Residential – High Density
West: ROW/Marine Industrial
South: Residential – High Density
East: Residential – High Density

Analysis

Mr. Piburn owns Lot 3B2 and is in the process of constructing a 2 story single family home on the lot. Mr. Piburn is proposing to place a section of the deck connected to the entrance stairs within the sideyard setback. In 2015 the Craig City Council approved a change to the land development code that allows stairs and landings to be constructed in the setback with a conditional use.

The applicant proposes to build decks on the first and second floor that would extend into the setback. The house is skewed to the property line to allow for easier entrance into the garage from the existing driveway.

The applicant is requesting an encroachment of up to about 4 feet into the setback on the southern edge of the property. This property line is adjacent to another Residential – High Density lot that only has an accessory structure (greenhouse) on it at this time.

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 Coastal Management Program, 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 are met. The commission should discuss the extent of the term “landing” before approving Criteria 1. Criteria 14 can be met at the conclusion of the public hearing. There may be additional public comments on this issue at the hearing on January 31st.

Recommendation

That the planning commission adopt Resolution 586-19-PC granting a CUP to Chris Piburn to construct stairs and landings within the 10’ setback on a Lot 3B2, Tract B, USS 2327 subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;
2. that all parking will be off-street.;
3. 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.

CITY OF CRAIG
PLANNING COMMISSION
RESOLUTION 586-19-PC

GRANTING A CONDITIONAL USE PERMIT TO MR. CHRIS PIBURN TO CONSTRUCT STAIRS AND LANDINGS WITHIN THE 10' SETBACK ON LOT 3B2, TRACT B, USS 2327

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.
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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 Chris Piburn a Conditional Use Permit to construct stairs and landings within the 10' setback on Lot 3B2, Tract B, USS 2327, subject to the following conditions:

1. that the conditional use permit is not transferable to another individual or location;
2. that all parking will be off-street.;
3. 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.

Approved this 31st day of January, 2019.

Chairman Sharilyn Zellhuber

Brian Templin, City Planner

Published on *Craig* (<https://www.craigak.com>)

[Home](#) > [Conditional Use Permit Application](#) > [Webform results](#) > Submission #2

Submission information

Form: [Conditional Use Permit Application](#) [1]
Submitted by Visitor (not verified)
Wed, 01/09/2019 - 1:58pm
64.186.115.2

Applicant's Name

Chris Piburn

Applicant's Address

PO BOX 1273

Applicant's Telephone Number

9074010155

Applicant's Email Address

chrispiburn@rmketchikan.com

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

Lot 3b-2 Plat 2013-09

Subdivision Name

P&E Subdivision

Lot Size

8498

Township and Range

Craig

Describe in detail the conditional use requested.

I would like to install my new deck slightly over the existing setback line to accommodate the skew I have had to put on our proposed house in order to make it into the door of the garage.

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

[piburn_lot_design_-_encroachment_request.pdf](#) [2]

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

N/A

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

N/A

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

N/A

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

Residential, Marine Industrial.

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

2 story shed roof 28x40 residential

What utilities are needed?

N/A

What roads will provide access?

West Hamilton Drive

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

Yes, it will not be out of the ordinary and hardly noticeable intrusion.

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

N/A

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

2 car garage for a 2 bedroom house.

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.










Source URL: <https://www.craigak.com/node/7474/submission/81>

Links

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

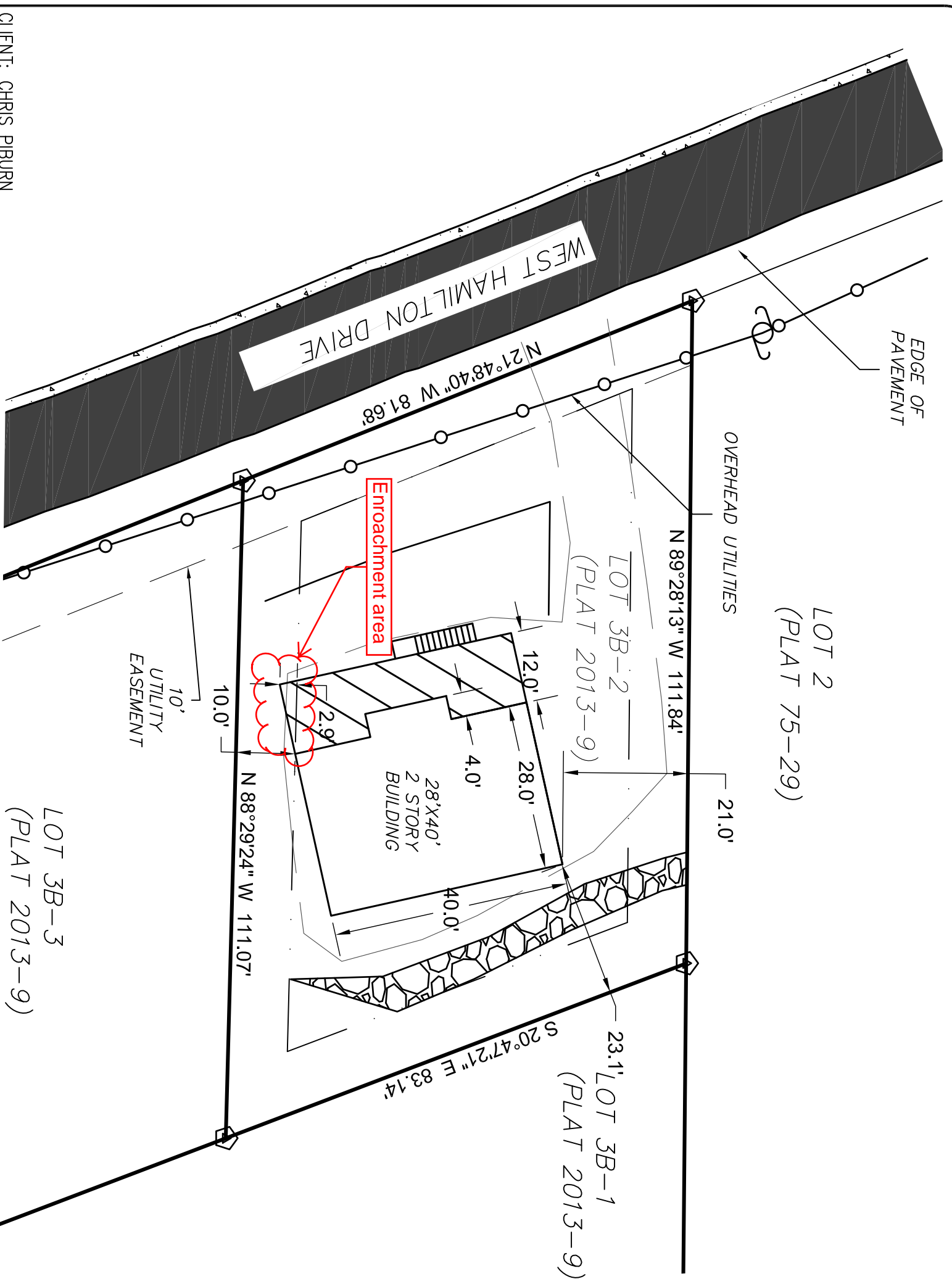
[2] https://www.craigak.com/system/files/webform/zone-change/piburn_lot_design_-_encroachment_request.pdf

LEGEND

-  3" ALUMINUM PIPE MONUMENT RECOVERED
LS 6992
-  2" ALUMINUM CAP RECOVERED
SCHEFF LS 6700
-  FIRE HYDRANT
-  SANITARY SEWER CLEANOUT
-  WATER METER PIT/CORP STOP
-  POWER POLE/SERVICE POLE
-  OVERHEAD ELECTRICAL SERVICE
-  ROW
RIGHT OF WAY
-  KR D
KETCHIKAN RECORDING DISTRICT
- N 61°56'31" E 1632.54' DATA OF RECORD (PLAT #2013-09 KR D)

PLAT NOTES

1. OFFSET DISTANCES ARE SHOWN TO THE NEAREST FOOT FROM THE PROPERTY LINE TO THE IMPROVEMENT.
2. THIS PLAT DOES NOT MEET MINIMUM STANDARDS FOR BOUNDARY SURVEYS, AS SET FORTH BY THE ALASKA SOCIETY OF PROFESSIONAL LAND SURVEYORS. (A.S.P.L.S.)
3. THIS PLAT IS NOT TO BE SCALED FROM, USE GIVEN DIMENSIONS ONLY.
4. UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN ON THIS PLAT.
5. REFERENCE THE FOLLOWING WITHIN THE KETCHIKAN RECORDING DISTRICT -
A. PLAT #2013-9.
B. PLAT #75-29
6. RECORD DATA SHOWN IS FROM PLAT #2013-9
7. THIS COMPANY RELIED UPON TITLE REPORT # PREPARED BY ALASKA ESCROW AND TITLE INSURANCE AGENCY, INC.
8. THIS MORTGAGE LOCATION SURVEY WAS PREPARED FOR FRED HAMILTON III AND FIRST BANK. IT SHOULD ONLY BE USED FOR A SINGLE PROPERTY TRANSACTION. RE-USE OF THIS DRAWING BY THE ORIGINAL CLIENT OR BY OTHERS, FOR ADDITIONAL USES AT A LATER DATE WITHOUT EXPRESS CONSENT OF THIS SURVEYOR IS A VIOLATION OF FEDERAL COPYRIGHT LAW. UNLESS GROSS NEGLIGENCE IS DISCOVERED, THE LIABILITY EXTENT OF THIS COMPANY SHALL BE LIMITED TO THE AMOUNT OF FEES COLLECTED FOR SERVICES IN PREPARATION OF THIS PRODUCT.



CLIENT: CHRIS PIBURN
 PO BOX 1273
 CRAIG, AK. 99921

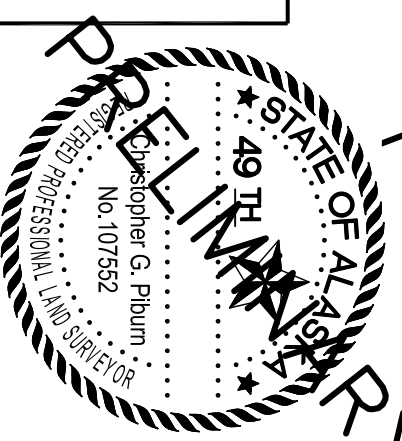
DRAWN BY: CGP
 CHECKED BY: CGP
 DATE PLATTED: DECEMBER 18, 2018
 DATE SURVEYED: JANUARY 2018
 SCALE: 1"=20'
 SURVEYOR: CP
 PROJ NO.: 182799

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ON THIS PLAT. I DECLARE THAT IMPROVEMENTS AND VISIBLE ENCROACHMENTS HAVE BEEN ESTABLISHED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. THIS SURVEY IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING STRUCTURES AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREON BE USED FOR POSITIONING ADDITIONAL STRUCTURES, BUILDING FENCES, OR LOCATING BOUNDARY LINES. IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THAT IMPROVEMENTS SITUATED ON THIS PARCEL MEET ALL SUBDIVISION COVENANTS AND ZONING ORDINANCES. 0 CORRS. SET.

DECEMBER 18, 2018

CHRISTOPHER G. PIBURN R.L.S. 107552



RS&M
 R&M ENGINEERING-KETCHIKAN, INC.
 1780 Revilla Rd, Suite 300
 Ketchikan, AK 99901
 Phone: (907) 225-7917
 Fax: (907) 225-3441
 CRAIG OFFICE
 P.O. BOX 1273
 CRAIG, AK 99921
 Phone: (907) 826-2294

PROJECT:
 AS-BUILT SURVEY
 LOT 3B-2, P&E SUBDIVISION
 PLAT 2013-09 K.R.D.
 OF TRACT B U.S.S. 2327.