

Planning Commission Report

Meeting date: April 9, 2019

TO: Borough Assembly

FROM: Planning Commission

Subject: Special Use Permit for Carl & Marilyn Haaland

Summary: Applicant is requesting a special use permit to construct and maintain a driveway on the Neptune ROW. The driveway would provide access to the backyard at 605 South Nordic Drive

Recommendation: Recommend Assembly approve with conditions

The Petersburg Planning & Zoning Commission makes the following findings of fact:

1. Proposed project is located on the Neptune Street Right-of-Way. The parcel is zoned Single-Family Residential.

2. Parcels to the South West and East are primarily zoned SFR, while parcels to the North are zoned industrial. Existing development on adjacent properties is primarily residential.

3. Review of the application by Public Works Director: It doesn't appear that there are any water/sewer lines under the subject area, except for an abandoned AC water main. Public Works doesn't have any objections to the special use permit, however it appears that the fill will be an overlay. As such, it is not anything we would consider accepting as a street surface later on, since it is obviously light duty and not being constructed to Borough standards. I don't see any need to use that area as a street in the near future, so that shouldn't be much of an issue. However, I would not refer to the area as "abandoned" as stated on the permit form. "Undeveloped" would probably be more appropriate.

4. Review of the application by Utility Department Director: There is an abandoned water line in that right of way that is of no concern and no other utility issues that I'm aware of that would prevent the use of this property as a driveway.

5. A Notice of Public Hearing was mailed to all property owners within 600 feet of the subject parcel on March 26, 2019.

6. At the public hearing, the Planning Commission considered and reviewed applicant materials, testimony, and staff comments. There were no public comments received at the meeting.



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Determinations Based on Findings of Fact:

A. The proposal is found to be of a beneficial nature to the community;

The proposal allows for fill and maintenance of an existing right-of-way.

B. Adjacent and surrounding properties will not be adversely impacted;

The project is occurring on platted right-of-way. Any potential drainage or other concerns should be addressed during project planning and in consultation with Public Works.

C. Specific Conditions

Based on recommendations from Community Development staff, the following conditions should be included in the permit:

1. Permittee shall provide copy of Army Corps of Engineers permit prior to filling any wetlands at the site, if deemed necessary by the Corps.
2. Permittee understands that if a developer decides to develop property in the vicinity, the developer will be required to supply a public roadway and utilities to serve their prospective lots, as required under municipal code. This would likely obliterate the applicant's driveway fill and the applicant should expect no reimbursement for any portion of their driveway that may be removed as part of permanent road/utility construction.
3. Permittee shall consult with Public Works Director prior to construction.

PAID

**PETERSBURG BOROUGH
LAND USE APPLICATION**
**MAR 08 2019
FINANCE DEPT**
CODE TO: **110.000.404110**BASE FEE: **\$50.00**PUBLIC NOTICE FEE: **\$70.00**TOTAL: **\$120.00**DATE RECEIVED: **3/5/19**RECEIVED BY: **[Signature]**

CHECK NO. or CC:

APPLICANT/AGENT

NAME

CARL HAALAND

MAILING ADDRESS

PO Box 864

CITY/STATE/ZIP

Petersburg AK 99833

PHONE

907-650-7289

EMAIL

cahrancher@gmail.com**LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)**

NAME

Petersburg Borough

MAILING ADDRESS

CITY/STATE/ZIP

PHONE

EMAIL

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION:

Extension of Neptune St east of Surf ST.

PARCEL ID:

ZONE:

OVERLAY:

Not Applicable

CURRENT USE OF PROPERTY:

ABANDONED By Borough

LOT SIZE:

PROPOSED USE OF PROPERTY (IF DIFFERENT):

**access to rear of property and
DRIVE way to rear of property - gravel overlay**SEPTIC SYSTEM: Is there a septic system on the property? ☐ YES ☒ NOWhat is current or planned system? ☐ Municipal ☐ DEC-approved on-site systemWATER SOURCE: ☒ Municipal ☐ Cistern/Roof Collection ☐ Well

LEGAL ACCESS TO LOT(S) (Street Name):

SURF ST**TYPE OF APPLICATION & BASE FEE**☐ 19.80 Variance (\$100).☐ 19.72 Conditional Use Permit (\$50).☐ 19.72 Home Occupation CUP (\$50)☒ 19.76 Special Use Permit (\$50)☐ 19.84 Zoning Change (\$100)☐ 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)☐ 18.20 Minor Subdivision/18.24 Preliminary Plat (\$75 + \$10 per lot)☐ 18.24 Final Plat (\$25 per lot)**SUBMITTALS:**

Please submit additional information as required for specific permit. See specific application for more information.

SIGNATURE(S):

Applicant(s):

Carl Haaland

Date:

3/5/2019

Owner(s):

Date:

Date:

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY: LOT 6 AND A PORTION OF LOT 3 OF BLOCK 205 OF THE BUSCHMANN ADDITION SUBDIVISION OF U.S. SURVEY 283

PETERSBURG RECORDING DISTRICT AND THAT THE IMPROVEMENTS SITUATED THEREON ARE WITHIN THE PROPERTY LINES AND DO NOT OVERLAP OR ENROACH ON THE PROPERTY OR ADJACENT THEREON, THAT NO ENCROACHMENTS ON PROPERTY LINES ADJACENT THERETO ENROACH ON THE PROPERTY LINES OF THE BUSCHMANN ADDITION SUBDIVISION OF U.S. SURVEY 283, THAT THERE ARE NO ROADWAYS, TRANSMISSION LINES OR OTHER USABLE EASEMENTS ON SAID PROPERTY EXCEPT AS INDICATED HEREON.

DATE: FEBRUARY 2019 DAY OF
NOTE: THE FIELD WORK FOR THIS SURVEY WAS COMPLETED 4/15/1995

R.G.B.
RICK G. BRAUN, L.S.



LEGEND

- ⊕ BRASS CAP STREET CENTERLINE MONUMENT
 - ALUMINUM CAP PIPE MONUMENT
 - ⊙ BRASS PLATE ON CONCRETE MONUMENT
- NOTE: WHEN RECORD DISTANCE DIFFER FROM MEASURED DISTANCES, RECORD DISTANCES ARE SHOWN IN PARENTHESES.

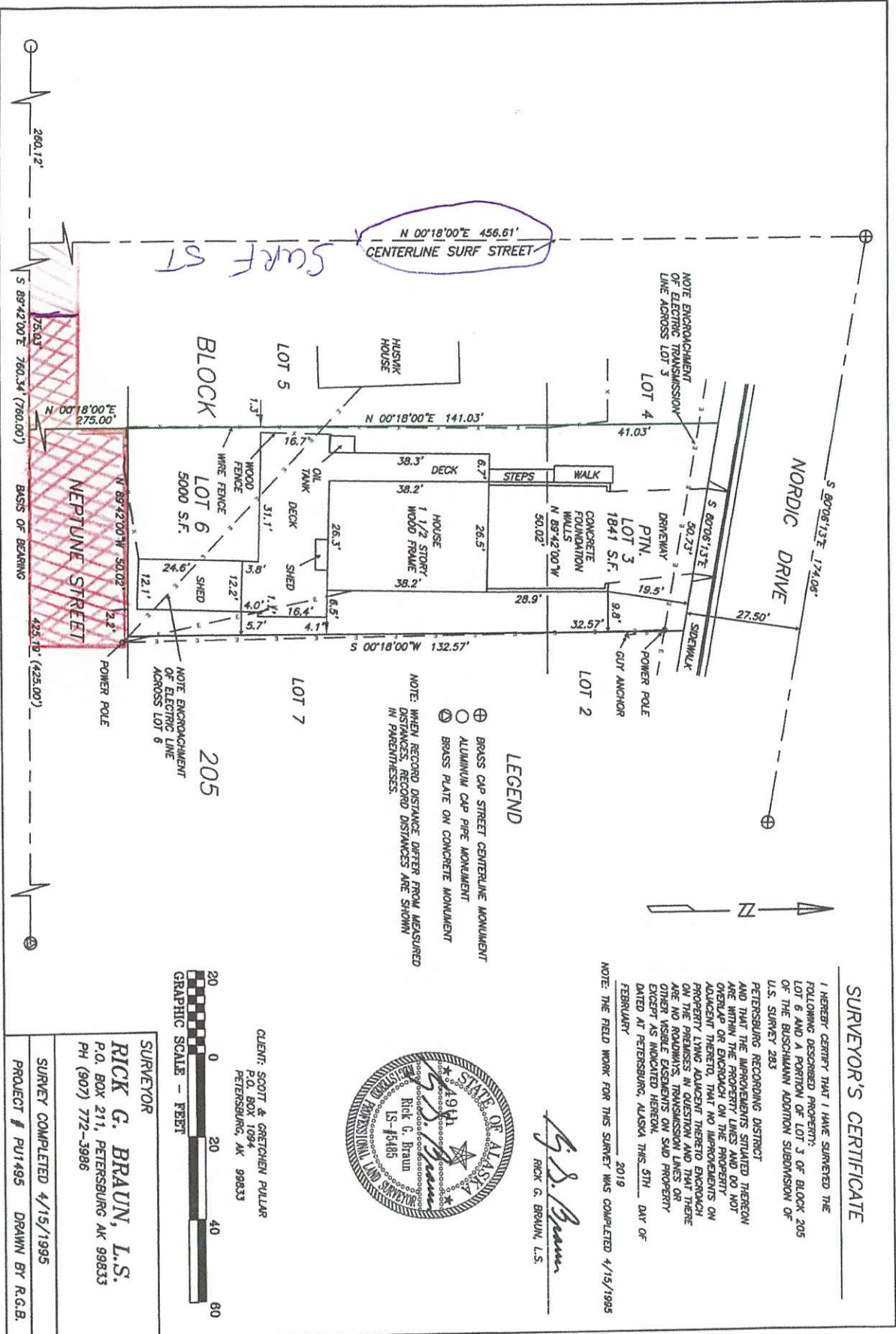


CLIENT: SCOTT & GRETCHEN PULLAR
P.O. BOX 1094
PETERSBURG, AK 99833

SURVEYOR

RICK G. BRAUN, L.S.
P.O. BOX 211, PETERSBURG AK 99833
PH (907) 772-3996

SURVEY COMPLETED 4/15/1995
PROJECT # PU1495 DRAWN BY R.G.B.



HAALAND - 605 S. NORDIC