



PETERSBURG BOROUGH

APPEAL FORM - ZONING

THIS FORM IS TO BE USED ONLY FOR FILING AN APPEAL OF A DECISION BY THE
BUILDING OFFICIAL OR PLANNING COMMISSION PURSUANT TO SECTION 19.92.010 OF
THE MUNICIPAL CODE

Name of Appellant:

Bill Menish

Mailing Address:

Box 877

Psg AK

Telephone Number:

206 910 4401

Date of Action Appealed from:

Aug 23 2016

Appeal from: Planning Commission ☒ Building Official ☐

Describe below why you feel the decision was issued in error. If necessary, you may attach additional pages.

See attached pages 9-7-16

Conditional Use Permit Appeal

In response to your first point on denying my permit, you state:

“the subject parcel and surrounding area are zoned industrial and actively in use as industrial areas. Dwellings, especially rentals or vacation rentals, are incompatible with industrial uses and not in keeping with current or intended future use of the area.”

In the immediate area of my parcel, industrial zones run on both sides of the road going back a block. They run south from Surf Street to the south end of Piston and Rudder. On the water side, industrial zones go from the South Harbor to just past the cemetery. There are beach homes, upper street homes, homes with apartments/ B & B's, and retail space throughout this industrial zoning area. You say these dwellings, especially rentals or vacation rentals, are incompatible with industrial uses yet they are throughout this whole area of town. Currently all of these places are there amongst commercial/industrial businesses such as the Cold storage, the drive down dock, Petro Marine, Wikan Enterprises, Piston and Rudder, the Coast Guard, Tonka, and the ferry terminal. There are more nonindustrial buildings in this zone than industrial. Is it a perfect world? Maybe not, but this mixed use has been here a long time. Noise, as a factor, was brought up at the P and Z meeting and its impact on a residence. I am familiar with the surrounding industrial area and that it can be noisy at times. I am building with the noise factor in mind, using added insulation and using all triple pane windows. When the cold storage was built, extra insulation was put in to cut noise. All of the industrial businesses, though open year around, have busy times and slow times. It is not noisy all the time.

The permit I applied for does fit in with current uses as I have mentioned above; there are two B & B's just down from my property on the water and a home with apartments across the street, plus others in the area as well. These areas are sought after by visitors, as people enjoy seeing the boats, planes, and Petersburg Mountain from where they are staying.

“While commercial fishing will remain the dominant use and focus of waterfront facilities, the Master Plan recommends that important secondary uses, such as recreational fishing, outdoor excursions, and waterfront access, be integral to overall borough waterfront

planning.”“Changing zoning policies to be more strategic about the use of waterfront land for water-dependent uses; focusing on commercial fishing, but also including tourism and high-value residential uses” (Waterfront Master Plan).

Your executive summary objective addresses strategies for providing new services and facilities for waterfront activities such as recreation, tourism, and private commercial operations. Again it seems to me a B & B or apartment is a use that falls within these objectives. Visitors coming to Petersburg are looking for waterfront B & Bs and apartments in these secondary uses of industrial zoning. There is a need and demand for these services. I hope this enlightens all on the first denial point.

In response to your second point of denying this permit, you state: “Industrial property, especially waterfront industrial, is in limited supply in our community. The intended use should be preserved.”

710 S. Nordic was for sale for 458 days before I became the owner, so it sat there a long time. As far as intended use looking at the Waterfront Master Plan and, if you look beyond Primary to Secondary uses, my permit application falls in that perfectly. The said property, though waterfront, has limitations on use as waterfront. Unless you were to get rid of the airplane float, my property has no way to be accessed by larger boats. One, you would need to dredge, as it is tidal, so expanding harbor floats in that area is not likely. As far as moving the airplane float, I don't think will happen either. There is around 20'-25' of open water around the end of the airplane dock that skiffs have access into the area. Industrial waterfront zoning is not just about the primary users, but the other smaller secondary users as well. I think secondary is overshadowed by primary because, low impact, low profile, etc. Commercial fishing is the main economic force in this town. As a commercial fisherman myself, I support that, but tourism now has a bright future in the economy of Petersburg as well.

With all the points I am making to question the failure to approve my permit, I need to add in a point that the denial did not address. When I first planned the building, I did not have the B&B/apartment included in the drawing. Joe Bertignoli brought it to my attention once he realized I wanted to put one in. I immediately applied for a permit. The construction had been started but was by no means close to being done. The permit was submitted April 19, 2016. It took until Aug. 24, 2016 (4 months) for a quorum to meet to review my permit application. Early on, when I first applied I was told by the inspector it should not be a problem to have the permit granted. I did not intentionally try to circumnavigate planning and zoning, but did do my best to comply. Most of the planning meeting was about this issue and there was very little discussion on how it fit into the area and waterfront master plan. I was unable to attend the meeting due to other obligations. If I had been there to answer and ask questions, I think it could have made a difference on the outcome.

Thank you for your time on this matter. I think that after reading and discussing the appeal points I have made about my permit application, including the many similar uses in the area, you will agree that my permit does fit into the waterfront master plan.

Sincerely,

A handwritten signature in cursive script, reading "Bill Menish". The signature is written in dark ink and is positioned above the printed name.

Bill Menish