

History of Zoning Violation – Aaron and Katrina Miller

May 23, 2011 - sent Notice of Zoning Violation to Aaron and Katrina Miller for storing commercial fishing gear on a vacant lot that is zoned single family residential.

June 27, 2011 – the Millers apply for a conditional use permit to allow a netshed on the property.

August 22, 2011 – Planning and Zoning is notified of the violation. The commission accepts the Miller's application for a conditional use permit and schedules a public hearing for October 21, 2011. Staff sends letters of notification of public hearing to all property owners within 600 feet, posts property, places legal notification in the Petersburg Pilot and posts notices at the Finance Office, Community Development and Post Office.

October 21, 2011 – P&Z conducts public hearing and considers the request.

(from the October 21st P&Z minutes)

a. Consideration of a request from Aaron and Katrina Miller for a conditional use permit to allow the construction of a netshed on parcel 1001596.04, located at 107 Arness Heights Drive. Aaron & Katrina Miller submitted a new drawing to show the location of the proposed net shed and the fence. Discussion. Buschmann asked questions about the proposed locations of the fence and net shed. Discussion. Katrina Miller expressed her concerns about having the fence 100 feet back from Arness Heights Dr. Discussion. Findings of fact A is met because the proposed setbacks provide a physical separation from the surrounding neighbors and the fence provides an aesthetic and a safety buffer. Also, historically, the use of a net shed it is usually very intermittent. Commission agrees. Findings of fact B is met because access will be provided by a gate in the fence on the driveway and heavy use is not expected. Commission agrees. Motion offered by Ronn Buschmann, supported by Susan Thomason, to approve the conditional use permit to allow the construction of a netshed on parcel 1001596.04, located at 107 Arness Heights Drive, using drawing #1 with the following conditions: a 100' setback from the fence to the Arness Heights Drive property line, a 50' setback from the fence to lot 5, a 10' setback from the fence to lot 3, the maximum size of proposed net shed shall not exceed the footprint as described on drawing #1, with the construction of an 8' solid fence, either wood or cyclone, maintained in good condition not to be any closer than setback lines and which can be incorporated into the front wall of the net shed and the fence is optional on the back side where the lot abuts the industrial zoning. Motion passed unanimously.

July 11, 2013 – sent a Notice of Violation to the Millers as they were storing fishing gear without construction the fence or netshed that were conditions for granting the conditional use permit.

November 12, 2013 – Katrina Miller submits letter to rezone the lot. Public Hearing is scheduled for December 10, 2013.

November 20, 2013 - Staff sends letters of notification of public hearing to all property owners within 600 feet, posts property, places legal notification in the Petersburg Pilot and posts notices at the Finance Office, Community Development and Post Office.

December 10, 2013 – Public Hearing occurs;

(From the minutes of the December 10th P&Z meeting)

Consideration of a request from Aaron and Katrina Miller for a change in zoning classification from Single Family Residential to Industrial for parcel 1001596.04, located at 107 Arness Drive.

Discussed under item 8b. The members discussed the zoning request and decided Commercial Zone 2 would be more appropriate.

A motion was made by Commissioner Dave Kensinger, seconded by Commissioner Chris Fry that this Planning Item be recommended for approval. The motion carried by a vote of 7-0:

Yes: Chairperson Thomason, Vice Chair Buschmann, Commissioner Demko, Commissioner Kensinger, Commissioner Malhoit Laubhan, Commissioner Marsh and Commissioner Fry

January 14, 2014 – Borough Attorney reviews the proposed covenants and recommends rezoning with additional restrictions. Staff forwards P&Z recommendation to Assembly.