

# Planning Commission Staff Report

Meeting date: August 14, 2018

**TO: Planning Commission**

**FROM:** Liz Cabrera, Community & Economic Development Director  
Joe Bertagnoli, Building Official

**Subject: Variance Application – Parcel 01-006-100**  
**St Catherine of Siena Catholic Church**

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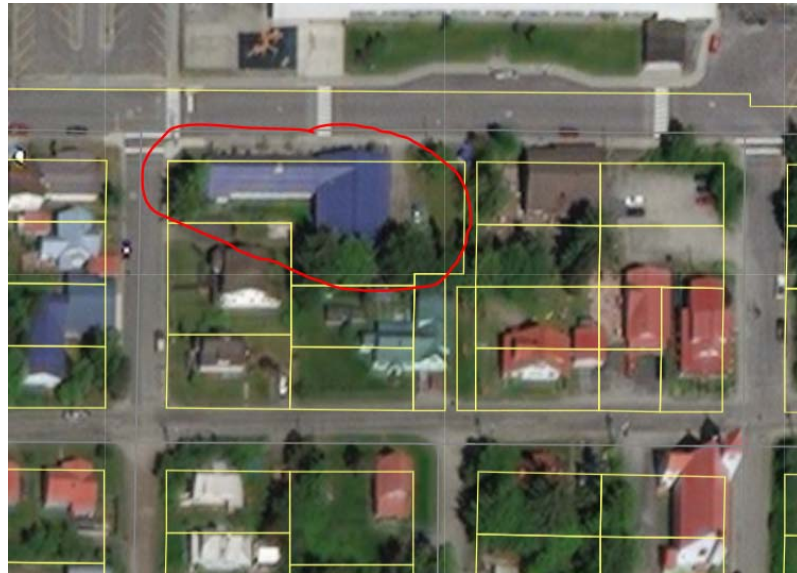
## **Recommendation:**

**Approve** a variance from the 20' front-yard setback requirement along Dolphin St. to allow the construction of a covered ramp.

**Deny** a variance from the 20' front-yard setback requirement along N 3<sup>rd</sup> St to allow construction of a cover over existing stairway.

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

1. An application for variance and fees was submitted by St. Catherine of Siena Catholic Church (applicant) on July 5, 2018.
2. Applicant is requesting a variance from the 20' front yard setback requirements at 306 N. 3<sup>rd</sup> ST on both the Dolphin St side and the N 3<sup>rd</sup> ST side of the property.
3. Subject parcel is 18,850 sq. ft. The zoning district for the area is single-family residential. Maximum lot coverage allowed is 35% or 6,597 sq. ft.
4. Existing lot coverage is approximately 5,914 sf. The planned cover for the grotto would add an additional 470 sf for a total of 6,384 sf. The proposed structures applied under this variance are for approximately 215 sf (ramp) for lot coverage of 6,599 sf, and 162 sf (front steps) for total of 6,769 sf. or 36% of lot area. Allowing all proposed development would necessitate a variance from the maximum lot coverage requirement.
5. Parcels to the North, and East are zoned Public Use. Parcels to the East are zoned single-family residential. Parcels to the West are zoned commercial-1.
6. Applicant has received four variances for the property, most recently on March 6, 2018 to allow the applicant to construct an open-sided, roofed structure to protect the existing grotto. The variance allows the structure to be 6.5' from the side yard property line and 2.5' from the Dolphin St. front yard property line.



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7. Hearing notices were mailed to property owners within 600 feet of the subject parcel on July 27, 2018.

8. On August 14, 2018, a duly noticed public hearing was held by the Petersburg Planning & Zoning Commission. The Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

**Based on the preceding findings of fact, the Petersburg Planning & Zoning Commission makes the following determinations:**

**The request is consistent with the stated purpose of a variance permit.**

**1. There are exceptional physical circumstances applicable to the property which does not apply generally to the other properties in the same zone.**

The applicant's lot is over 18,000 sq. ft., which makes it quite large by Single Family Residential standards. The applicant has ample use of the property as evidenced by the extent of existing structures.

There are no physical circumstances applicable to the property, but the property is located on a corner and subject to 20' setbacks along the Dolphin St and Third St. property lines.

**2. The strict application of the provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.**

The existing accessible ramp along Dolphin St. encroached into the right-of-way. The applicant removed the existing ramp and reconstructed it so it sits within the property line. The ramp as currently constructed does not require a variance. The variance is only required for the ramp to be covered.

The ramp provides wheelchair access to the front door of the church; it is not practical to relocate the church entrance. Relocating the ramp to the other side of the church likely would still require variances from the front and side yard setback requirement and have a greater impact on the adjacent property.

**2. That the granting of the variance will not result in material damage or hardship or prejudice to other properties in the vicinity nor be detrimental to the public health, safety, or welfare.**

Covering the ramp does not present any negative impact to other properties or public health, safety, or welfare.

Covering the front steps would restrict site views from the neighbor's home, which sits further back on its lot in keeping with established setbacks. The proposed structure would block views to the north. This would be a negative impact to the adjacent property owner. (Photo: View from school parking lot.)



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Chair, Planning Commission

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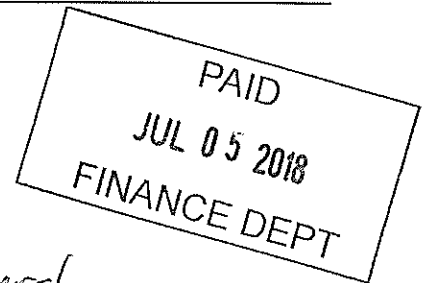
Secretary, Planning Commission

Date Received 7/5/18 : Received By SSJ : Fee \$170.00

Planning Commission Public Hearing Date \_\_\_\_\_ : Approved \_\_\_\_\_ : Denied \_\_\_\_\_

**FOR OFFICE USE ONLY**

**APPLICATION FOR VARIANCE  
PETERSBURG BOROUGH  
PLANNING AND ZONING  
P.O. BOX 329  
PETERSBURG, ALASKA 99833**



Applicant(s): St Catherine of Siena Catholic Church

**Description: (use additional paper if necessary)**

Legal description of the area requested for the variance: Tract C, 18,850 SF  
Lot 4, Lot 5 + Lot 6

Lot(s) size of the petition area: 5000 sf.

Existing zoning of the petition area: \_\_\_\_\_

Current zoning requirements that cannot be met (setbacks, height, etc.): walkways  
to church extend to property line.

**Application information: (use additional paper if necessary)**

Explain details of proposed development: Propose to construct two  
covered walkways leading into the church main  
entrance

Explain schedule of timing of development program:

Summer construction

**Documents required:**

- SITE PLAN – Attach a copy of a plan, drawn to scale, showing the site location, dimensions, and location of the existing and proposed buildings.
- ELEVATIONS PLAN – Attach a plan and profile of the proposed building and/or additions.
- OTHER DOCUMENTS PROVIDED – IF ANY (List) Subdivision Plat,  
Location of walkways to be covered, photos.

Note: The variance provision is designed to allow the Planning Commission to adjust the regulations of this title in special cases where unusual physical features of the particular parcel would make a strict application of the regulations unreasonable. Under no circumstances shall a variance be granted to permit the use of land or structure which is not otherwise permitted in the zone involved. Rezoning is the only legal means of changing permitted uses of land or buildings.

(CONTINUED ON OTHER SIDE)



**Conditions of approval as required in Petersburg Municipal Code 19.80.050:****(Note that all three conditions must be satisfied in order to qualify for a variance.)**

1. Explain the exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone.

Main entrance walkway leading into the church was constructed in the early 1960's and has been uncovered. Second entrance was constructed in 1990 and was a handicapped access ramp located on city property. A new access ramp was constructed on June 27, 2018 and is now on church property. Old ramp was removed. The church would like to construct roof over the walkways. Covering the walkways will require a variance due to their location and connection to the city property.

2. Explain how the strict application of these provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.

During periods of the winter months, snow and ice removal has always created conditions which creates safety issue access for the general church attendees, but especially for the elderly and the disabled.

3. State why the granting of the variance will not result in material damage or hardship or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.

The proposed covered roof structures will not materially impact any adjacent property as can be noted on the attached plan. The roof covers would end at the side walks. They will improve the safe access to the church entrance

I hereby affirm that the above information is true and correct to the best of my knowledge. I also affirm that I am the true and legal property owner or authorized agent thereof for the property subject herein.

Dmkoenigs  
Signature of Applicant

6.3.2018

Date

Fr Steve Greeley  
Signature of the Owner(s) (If different than above)

06-05-2018

Date

Dolphin St.  
Street Address

P.O. Box 508  
Mailing Address

Petersburg  
City

AK  
State

99833  
Zip Code

907-518-1993  
Telephone



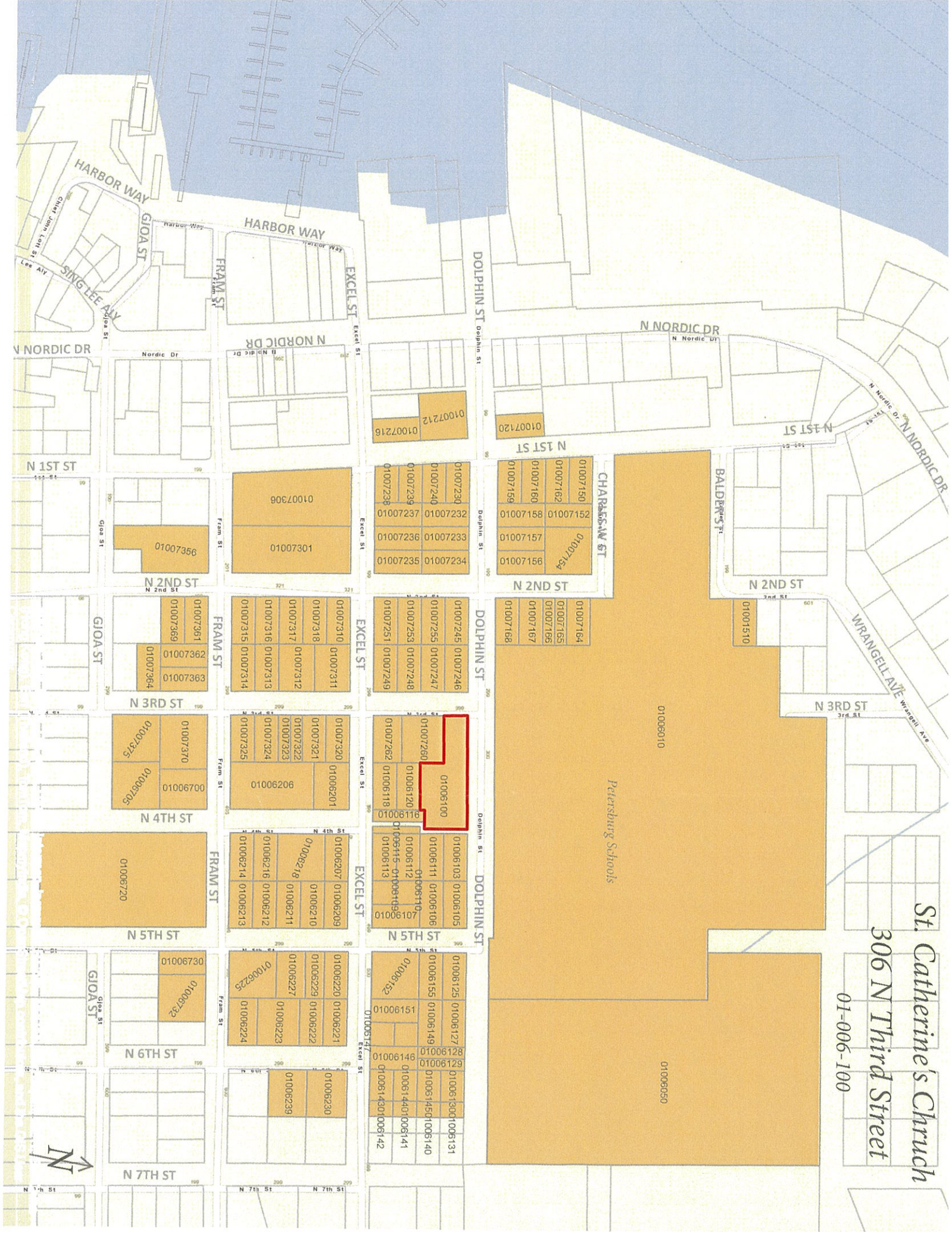
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St. Catherine's Church

306 N Third Street

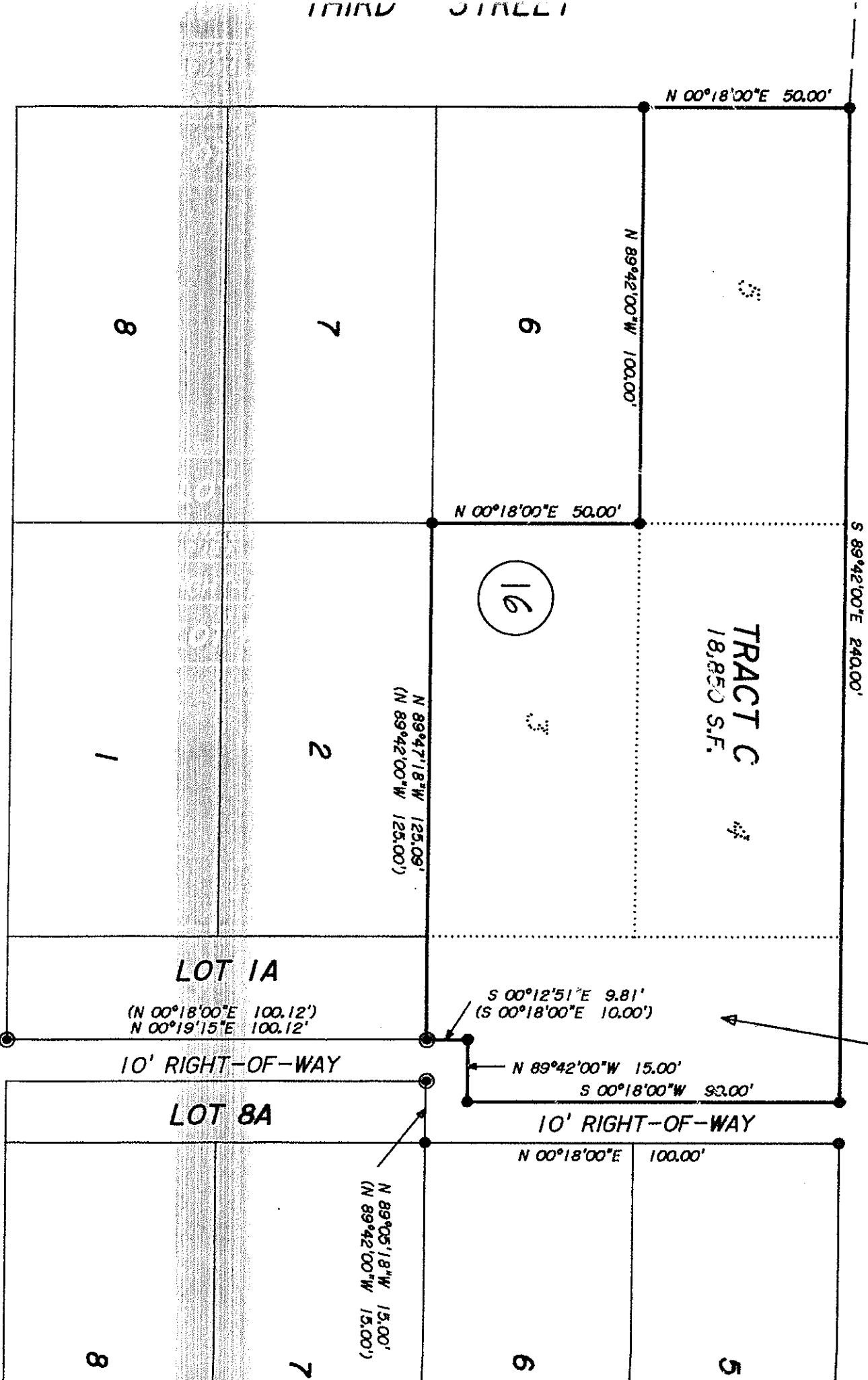
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DOLPHIN STREET

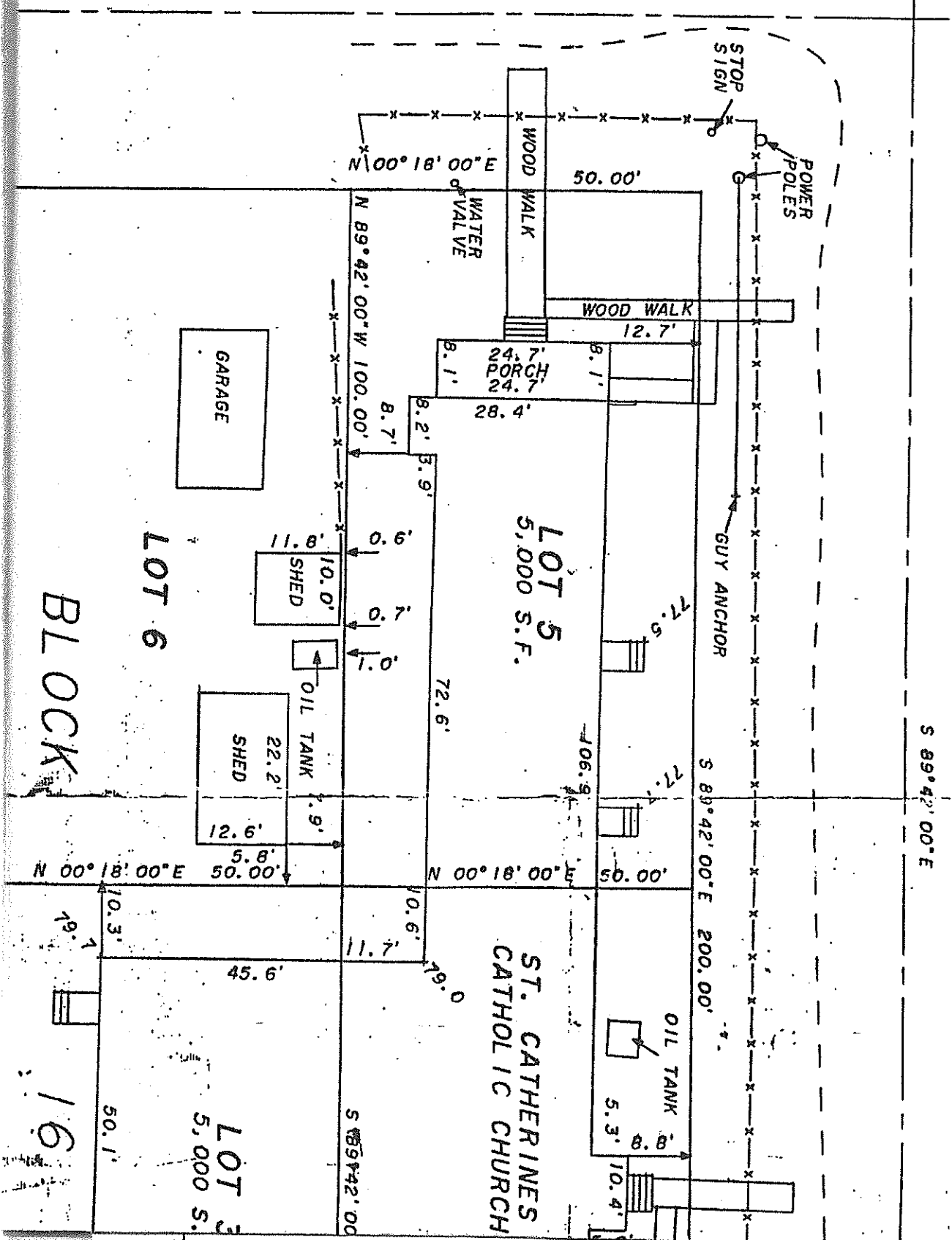
R.O.W. VACATION  
PARCEL A  
3850 S.F.



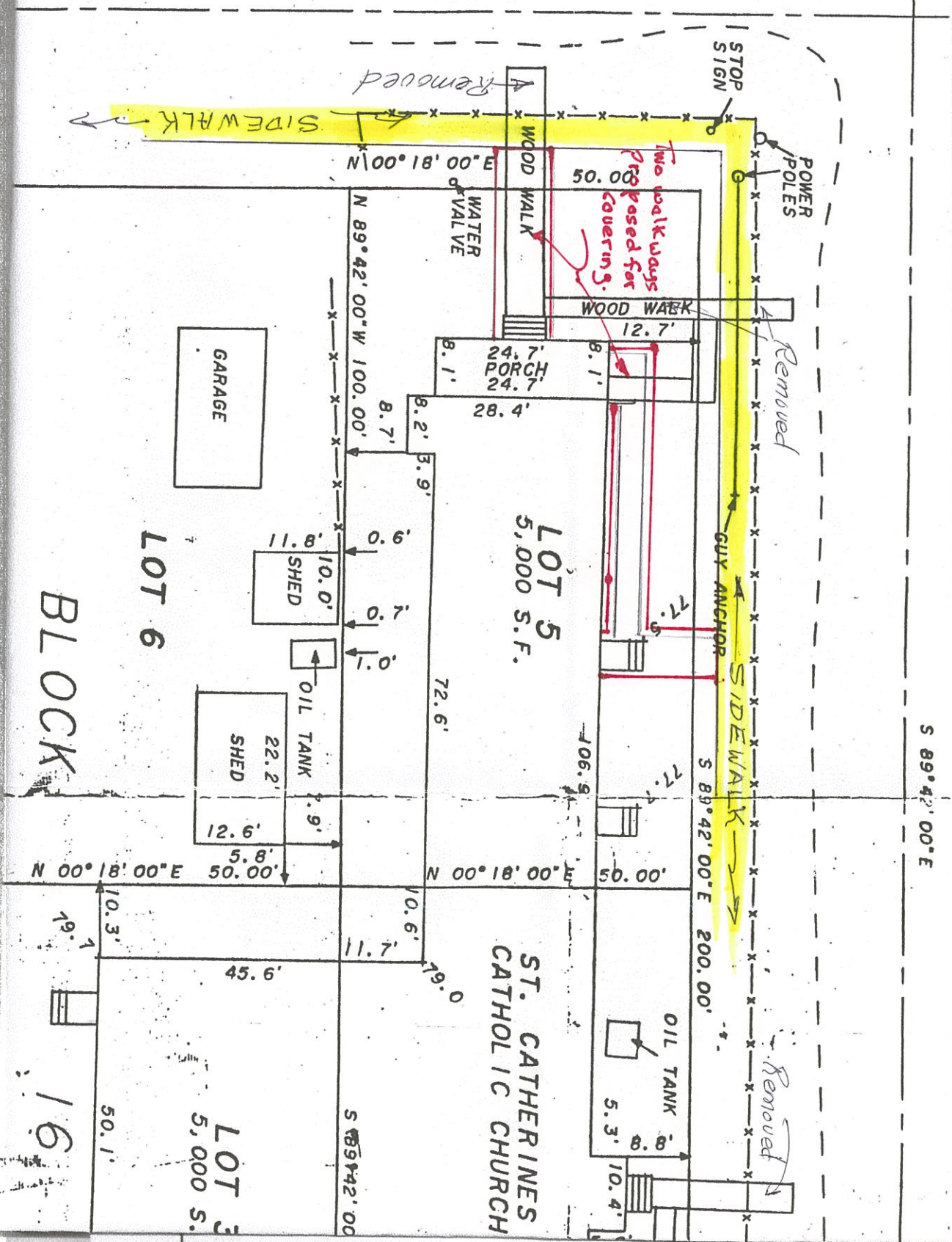


# THIRD STREET

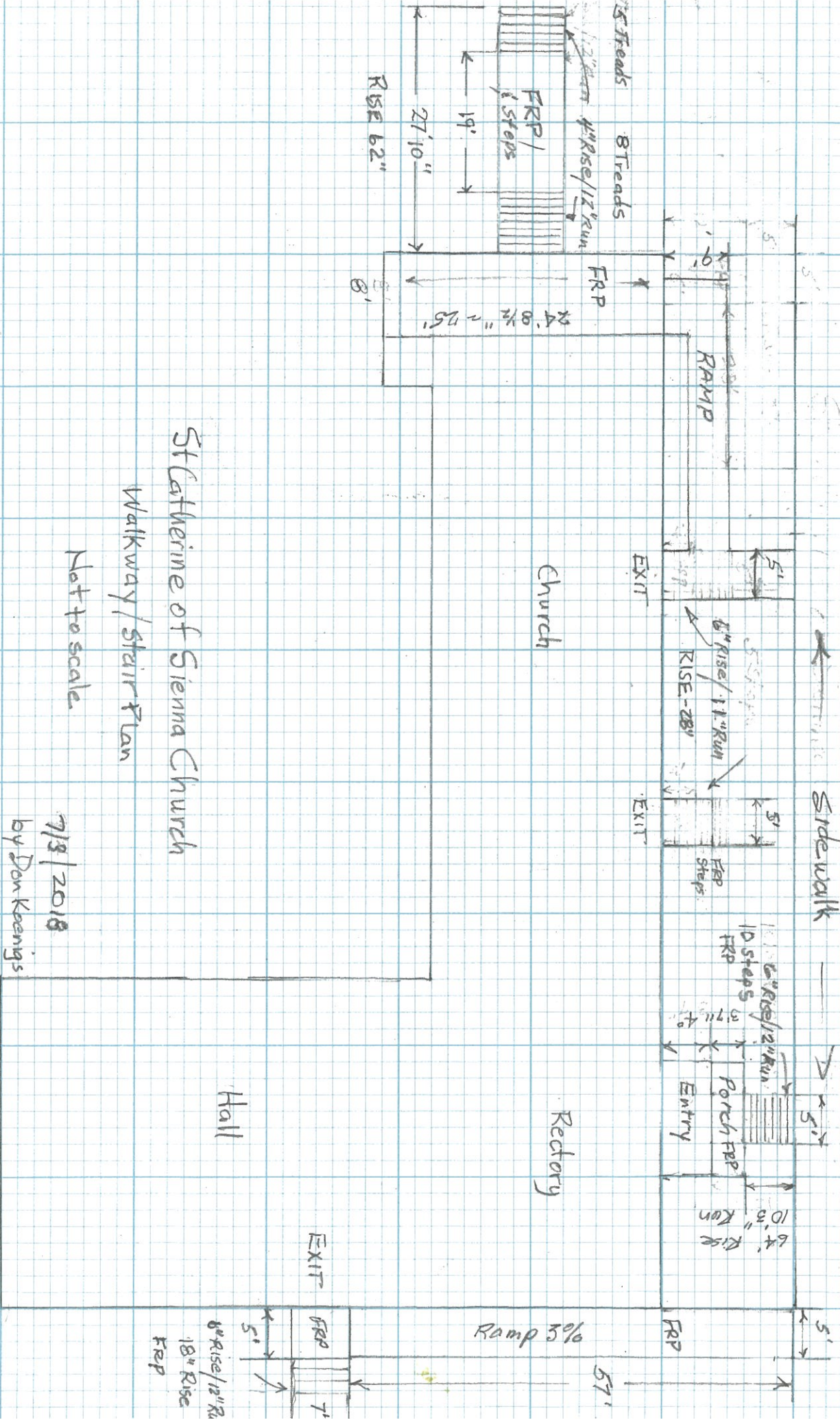
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St Catherine of Sienna Church

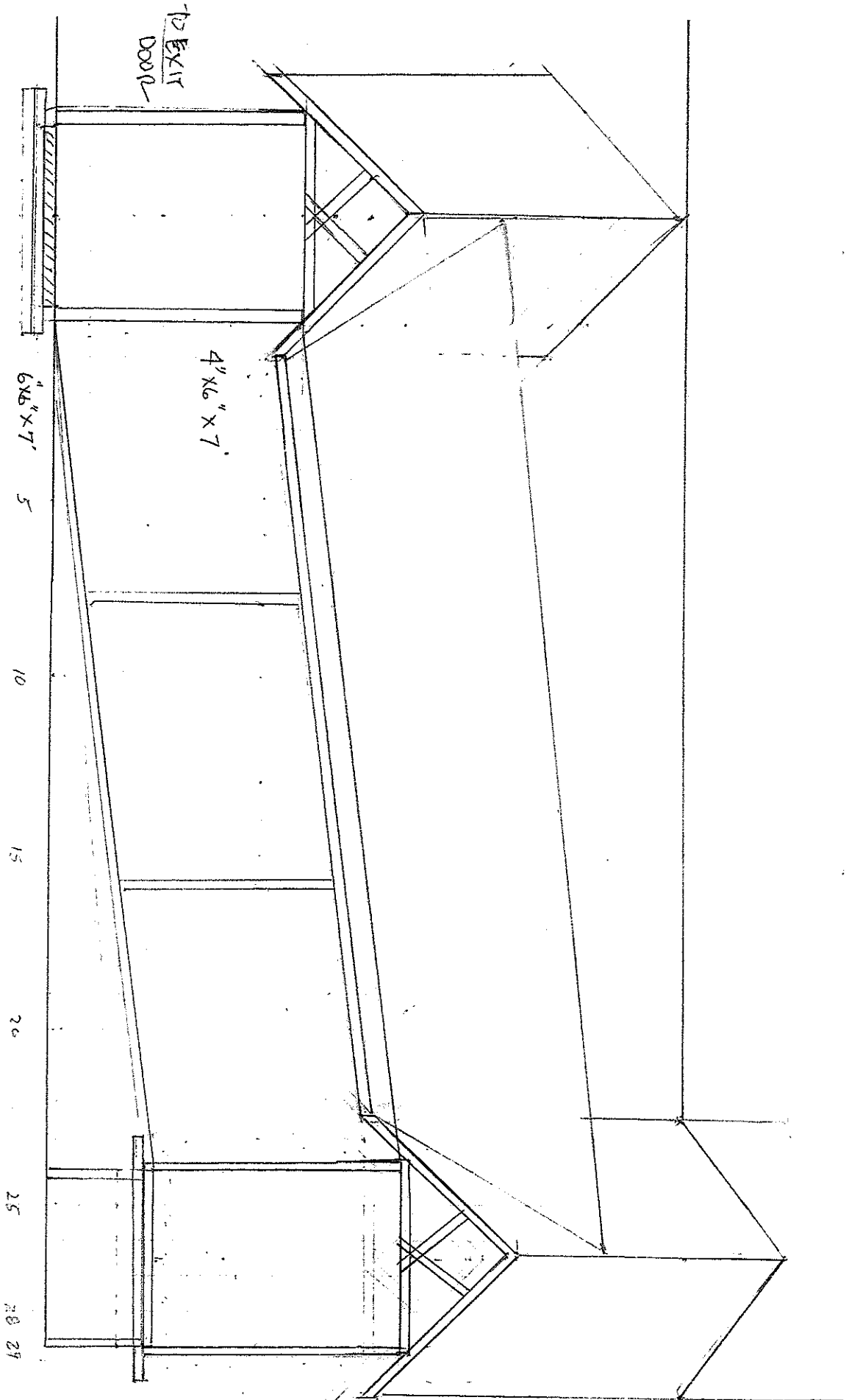
Walkway / Stair Plan

Not to scale

7/3/2018

by Don Koenigs

Contact: Fr. Steve Gallagher



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