

Planning Commission Report

TO: Borough Assembly
FROM: Planning Commission
Subject: Tidelands Purchase – Parcel 01-010-050 & 01-010-051
Charles & Diane Christensen

PER 16.12.080, THE PETERSBURG PLANNING COMMISSION MAKES THE FOLLOWING RECOMMENDATIONS AND REPORT TO THE BOROUGH ASSEMBLY:

RECOMMENDATION: Planning Commission recommends sale of the tidelands.

A. BACKGROUND

1. An application for land exchange and fees was submitted by Charles and Diane Christensen (applicant) on May 11, 2018.
2. Purchase two tidelands lots (01-001-562, 01-007-565) at 17 Hammer Slough St.
3. Currently, the Christensen's have a valid conditional use permit issued in 1988 for the awning that extends over these tideland parcels.
4. The application was forwarded to the Planning Commission on September 24, 2018.

B. DESCRIPTION OF PROPERTY

1. Tideland parcels are owned by the Petersburg Borough. The combined area of the parcels is approximately 2,667 sf.
2. The parcels have direct access to Hammer Slough St.
3. The zoning district for subject parcels is Commercial-3. The surrounding area is well developed with primarily residential structures. Public utilities are located on the property.
4. Zoning on surrounding parcels: Commercial-3. Parcels to the south are Single-Family Residential.
5. Subject parcel has an existing awning, which is owned by the applicant, and extends out from the adjacent dwelling.
6. Subject parcel also has an overhead guy line supporting electrical line across Hammer Slough. The guy line needs to remain and should be noted in any action.

C. ASSESSED VALUES OF THE PROPERTIES

01-007-562 IS \$3,700

01-007-565 IS \$600

Total assessed value is \$4,300.

D. BENEFIT OF SALE VS LEASING

Approximate annual property tax for the subject parcels would be: \$45.53 (FY2019)

Approximate tidelands lease for these properties would be \$430/year, plus a nominal amount of property tax charged on possessory interest of the property.

E. PUBLIC PURPOSE

Borough departments reviewed the application for purchase and did not note any reason to retain the property in public ownership.

Planning Commission Report

There is an existing electric guy wire that runs over the property. PMP&L recommends including a statement in any lease/deed allowing for the guy wire to remain as it supports the Hammer Slough electrical line. Email from K. Hagerman attached.

F. **PLANS FOR DEVELOPMENT**

The applicant has an active conditional use permit for an awning. There is also a small float located on or adjacent to the subject property.

Applicant did not include any additional plans for development for the property beyond a desire to consolidate it with their adjacent lots.

Debra Thompson

From: Karl Hagerman
Sent: Tuesday, August 14, 2018 1:36 PM
To: Debra Thompson; Chris Cotta; Liz Cabrera
Cc: Joe Bertagnoli; Karen Malcom; Stephen Giesbrecht
Subject: RE: Applications to purchase land

Debbie,

Sorry to have not gotten back to you on these.

I don't have a problem with the Thynes request from a utility standpoint. The surrounding areas on Wrangell Avenue and on Valkyrie and Lake Streets are well defined as far as Borough utilities are concerned. The loss of this right of way should not impact service in this area and retention of it should not be required to provide services in the future. The City/Borough has effectively built around this unplatted right of way. With right of way, it always seems to come back to a policy decision by the Assembly and/or P&Z. It is easy to give up platted right of way, and nearly impossible to get it back if the municipality needs it 50 years from now. In my experience it has been difficult for residents to be successful with a request to purchase ROW simply because the Borough doesn't know if it will be needed in the future and it is usually prudent to retain it for Borough use.

I also don't have a problem with the Christensen request, although I would like some mention of continuing with the allowance for the current overhead electrical guy that crosses their property and is needed to support the Hammer Slough electrical line. I don't know if the purchase makes much of a difference on the overhead guy issue since they own all of the surrounding property, but a simple mention that Power and Light would like to retain that span into the future would be appreciated.

Hope this helps.

Karl Hagerman
Utility Director
Petersburg Borough
PO Box 329
Petersburg, Alaska 99833
Phone 907-772-4203
Direct Line 907-772-5421
Fax 907-772-9287

From: Debra Thompson
Sent: Tuesday, August 14, 2018 12:24 PM
To: Karl Hagerman <khagerman@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>; Liz Cabrera <lcabrera@petersburgak.gov>
Cc: Joe Bertagnoli <jbertagnoli@petersburgak.gov>; Karen Malcom <kmalcom@petersburgak.gov>; Stephen Giesbrecht <sgiesbrecht@petersburgak.gov>
Subject: RE: Applications to purchase land

Hello? I have not heard from anyone on these applications. Do I assume there is no heartburn over them moving forward in the process?

Dear Planning Commission,

11-8-18

I am advising the committee to reject the Christensens' request to purchase 2 lots from the Petersburg Borough, for a couple of reasons.

The land that the Christensens would like to purchase has historically been used as neighborhood access to the slough. This is a historical Petersburg area, and not all houses have road access, so having access to the water via this land is a useful option for some folks. This is also the only access point to the slough at low tide for anyone who wants to enjoy the slough by foot, which I would highly recommend if you haven't done so yet. If the Christensens were to own this property, the neighborhood would no longer have this point of access to the water or their homes.

If you were to decide to take a walk up the slough at low tide, you will undoubtedly notice the garbage in the slough. Rusty pieces of metal, plastic, plumbing pipes, and ceramics are everywhere. But you don't have to go down into the slough to see the 3 derelict "floats" or "docks" that are falling apart and being allowed to float away down the slough. These all belong to the Christensens and have been abandoned for several years on Borough property, on the lots being considered to sell as well as the property on the other side of the Christensens' lot. If this is any indication of their behavior as property owners, then it is not in the neighborhood or Borough's best interest to sell these lots to them.

Thank you for your consideration, Ruth Johnson

Please find attached 3 pictures and references to some applicable Borough ordinances.

"Litter" is garbage, refuse, rubbish and rubble as defined in [section 14.12.010](#), and all other waste material, including cigarette and cigar butts and any other smoking paraphernalia which, if thrown or deposited as herein prohibited, tends to create a danger or nuisance to public health, safety and welfare.

([Ord. No. 2013-18, § 3, 12-16-2013](#); [Ord. No. 2016-08](#), § 4, 7-18-2016)

9.12.020 - Prohibited—Public places.



No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the borough, except in applicable public refuse or recycling receptacles, in authorized private receptacles for collection, or in disposal areas designated by the borough.

([Ord. No. 2013-18, § 3, 12-16-2013](#))

14.12.050 - Unlawful disposal of refuse designated.



- A. It is unlawful for any person within the borough to deposit refuse, which may be offensive, noxious or dangerous to the public health, or recyclables on any private property, public ground, alley, street or areaway, or on any other public place within the borough limits where it may become unsightly, dangerous or offensive to the public health.

9.12.040 - Prohibited—Lakes and waters.



No person shall throw or deposit litter in any lake, stream, creek, ocean or any other body of fresh or salt water within the borough.

([Ord. No. 2013-18, § 3, 12-16-2013](#))

9.12.060 - Prohibited—Vacant lots.



No person shall throw or deposit litter on any open or vacant private property within the borough whether owned by such person or not.

([Ord. No. 2013-18, § 3, 12-16-2013](#))

9.16.030 - Unlawful; enumeration.



- A. It is unlawful for any person to create, permit or maintain the existence of any nuisance.
- B. Nuisances include, but are not limited to, the following:
 - 1. The deposit, existence or presence in or on any premises of any accumulation of garbage, refuse, manure or animal or vegetable matter which produces a foul, decaying, malodorous or offensive odor, or which serves or constitutes a potential breeding ground or harborage for insects or rodents;
 - 2. The deposit, existence or presence in or on any premises of any human excrement or waste;
 - 3. Attractive nuisances dangerous to children in the form of abandoned buildings, abandoned or broken equipment, hazardous pools or ponds or excavations, neglected machinery or abandoned refrigerators, freezers, or other major appliance;
 - 4. The keeping or maintenance in any area on private property, which is clearly visible from a public street, sidewalk, park or other public area, any accumulation, collection or untidy storage of junk, salvage, or trash, including discarded or unused items, or any condition determined to be unhealthy by a code enforcement officer, or an unsightly condition after written complaint from three or more residents within the neighborhood or general vicinity of the condition;
 - 5. Any building or structure set up, erected, built, moved or maintained or any use of property contrary to the provisions of [Title 19](#).







Petersburg Borough, Alaska
Application to Lease or Purchase Real Property

(\$100.00 non-refundable filing fee required)

Form must be completed in its entirety to be considered



Date of Application: 5/11/2018

Lease or Purchase Request?
(circle appropriate choice)

Parcel ID # of Subject Property: 01-007-562 & 01-007-565

Proposed term of lease: _____
(total years)

T127+T128 Section 27 Township 58S Range 79E
Legal Description of Property

Commercial 3
Current Zoning of Property

See attached SM

Applicant Name: Charles L Christensen & Dianne E

Applicant Mailing Address: P.O. Box 824
PSC Ak 99833

1. If the complete parcel described above is not being requested for lease/purchase, identify the size of the parcel to be acquired in square feet Whole lots 2667 sq ft.

2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the city and any other information you feel should be considered. (attached additional sheet if necessary)

Lots T-127+ T128 are very small lots between my lots
T126A and T130 - T129 that has a conditional use
permit since 1988 for a float and a canopy I would
like to purchase city lots and consolidate into all
small lots into one lot

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

Wally McDonald
Jamir Eddie
Richard Kito

Dave Ohmer
Westre

5. Are there any existing permits or leases covering any part of the land applied for?

☒ Yes ☐ No (☐ Lease ☒ Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee: Charles I Christensen permit

1808 Canopy and float

6. What local, state or federal permits are required for the proposed use? (list all)

None

7. If applicant is a corporation, provide the following information:

A. Name, address and place of incorporation: _____

B. Is the corporation qualified to do business in Alaska?: ☐ Yes ☐ No

C. Name and address of resident agent: _____

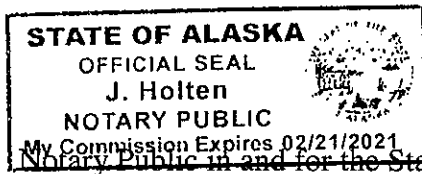
NOTICE TO APPLICANT(s):

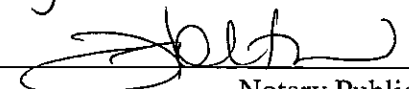
Applicant will be required to deposit with the Borough a sum of money sufficient to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application. Applicant will be notified by the Borough Clerk of the amount of deposit required and when the deposit must be paid.

I hereby certify that I have received and reviewed a copy of Petersburg Code Chapters 16.04; 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.


Applicant/Applicant's Representative

Subscribed and sworn to before me this 11th day of May, 2018:




Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: 02.21.2021

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY:
LOT T-126A OF THE HAMMER SLOUGH STREET PARTIAL VACATION PLAT, PLAT NO. 97-11

PETERSBURG RECORDING DISTRICT AND THAT THE IMPROVEMENTS SITUATED THEREON ARE WITHIN THE PROPERTY LINES AND DO NOT OVERLAP OR ENCRUCH ON THE PROPERTY ADJACENT THERETO. THAT NO IMPROVEMENTS ON PROPERTY LYING ADJACENT THERETO ENCRUCH ON THE PREMISES IN QUESTION AND THAT THERE ARE NO ROADWAYS, TRANSMISSION LINES OR OTHER VISIBLE EASEMENTS ON SAID PROPERTY EXCEPT AS INDICATED HEREON.

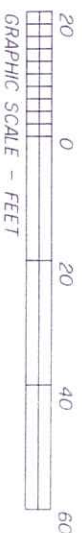
DATED AT PETERSBURG, ALASKA THIS 17TH DAY OF JUNE 1997



Rick G. Braun
Rick G. Braun, L.S.

AS-BUILT SURVEY
OF LOT T-126A
OF THE HAMMER SLOUGH STREET
PARTIAL VACATION PLAT
PLAT NO. 97-11
PETERSBURG RECORDING DISTRICT

CLIENT: CHARLEY CHRISTENSEN
P.O. BOX 824
PETERSBURG, AK 99833



SURVEYOR

RICK G. BRAUN, L.S.

P.O. BOX 211, PETERSBURG AK 99833
PH (907) 772-3986

SURVEY COMPLETED 6/17/97

PROJECT # CH3797 DRAWN BY R.B.

LEGEND

- RICK G. BRAUN, L.S. SECONDARY MONUMENT
1 1/2" ALCAP ON 5/8" REBAR MONUMENT

Dave Ohmer
01-007-485
2012-000924-0

T-176
T-175
1990-000943-0
Kitty Richard

01-007-563
Christensen
1979-000893-0

01-007-567
Westre
2013-000820-0
T-132

T-130

01-007-562
PSGB
T-128
CAMPY PERMITTED IN T-127 & T-128
UNDER CONDITIONAL USE PERMIT
APPROVED 12/13/88

01-007-564
Christensen
1979-000893-0
T-129
01-007-566
Westre
2013-000820-0
T-131

01-007-565
PSGB
T-127
01-007-566
Westre
2013-000820-0
T-131

01-007-561
Christensen
1979-000893-0
1997-000548-0
4627 S.F.

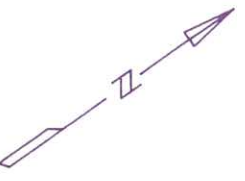
01-007-560
PSGB

0002-000644-0
2000-000010-0
Heather Island Inc
01-007-1187
T-178

LOT 4

LOT 1A

LOT 2A



COND. HAVEL
USE
PERMIT
DRIVE

0.7 ft
wide
up slough

POWER POLE

T-125

NOTE ENCROACHMENT
OF DECK INTO T-125

DECK BELOW

DECK ABOVE

ONE STORY HOUSE
OVER WAREHOUSE

BAY WINDOW

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

DECK

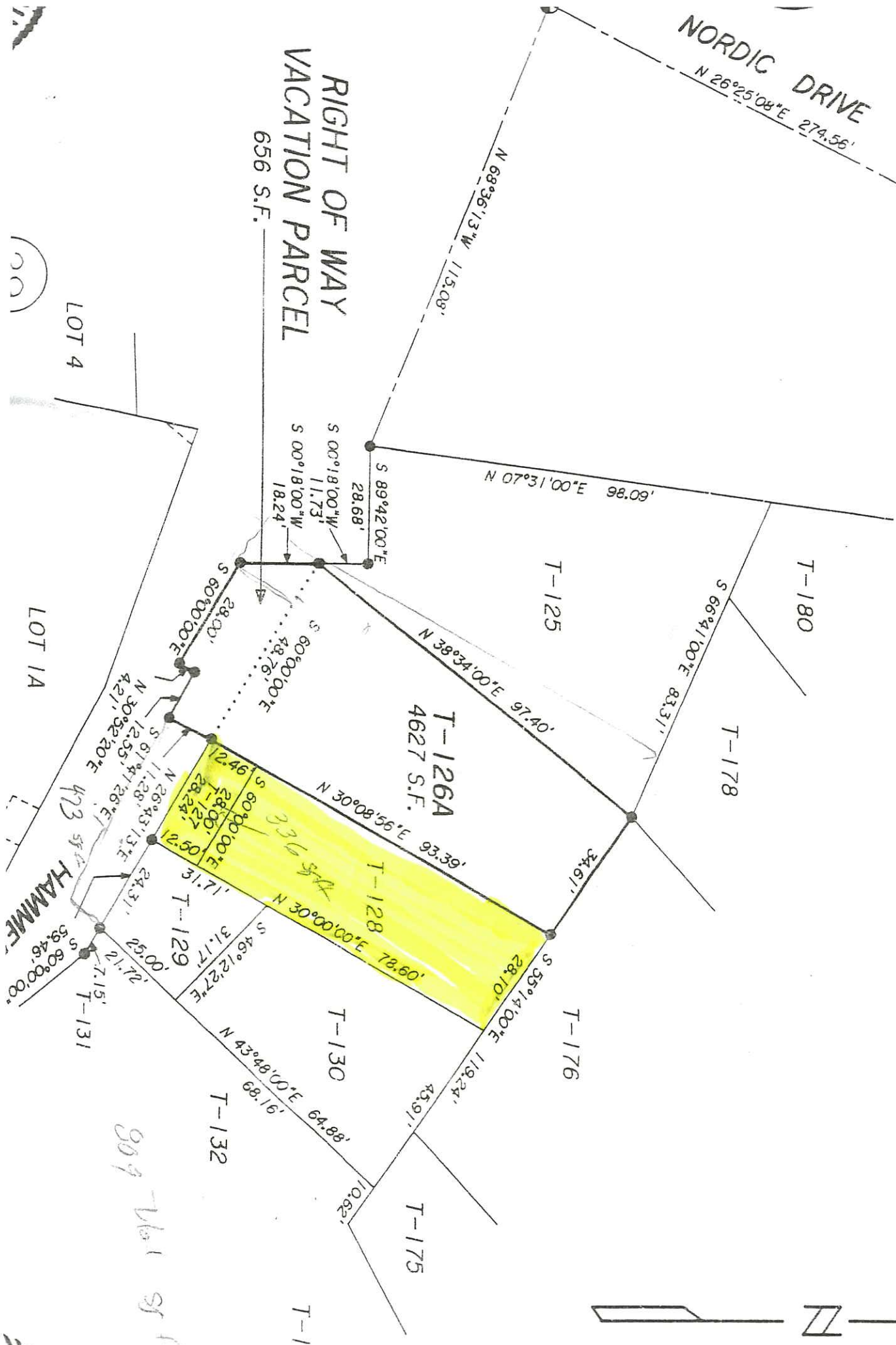
DECK

DECK

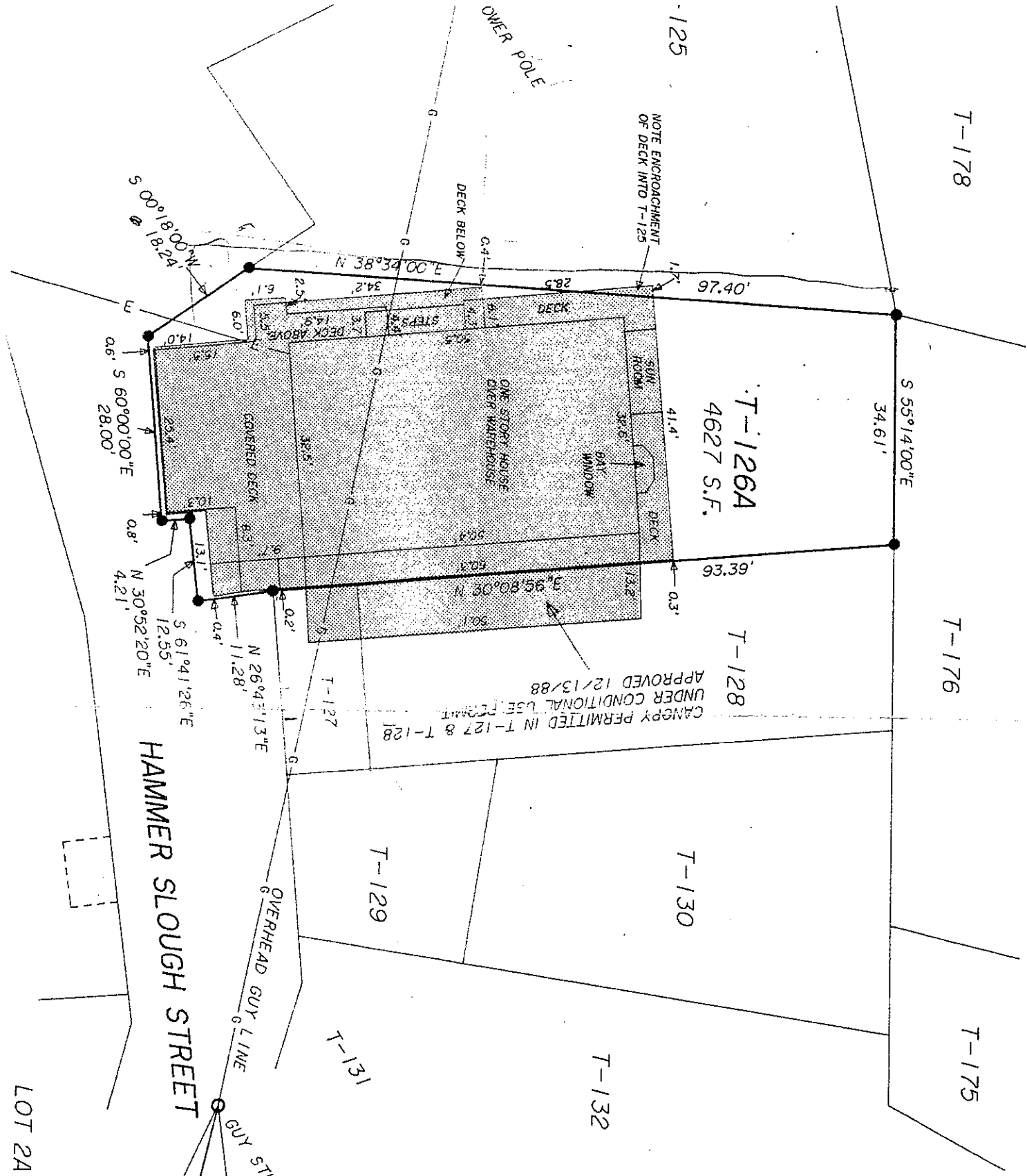
DECK

D
PROVED FOR

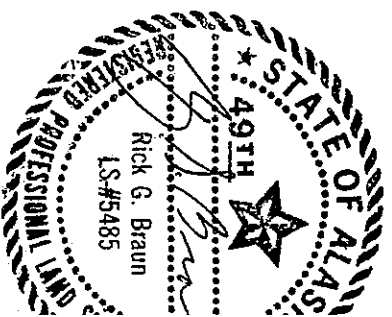
- D.O.T.P.F. STREET CENTERLINE MONUMENT
- RICK G. BRAUN, L.S. SECONDARY MONUMENT
- 1 1/2" ALCAP ON 5/8" REBAR MONUMENT



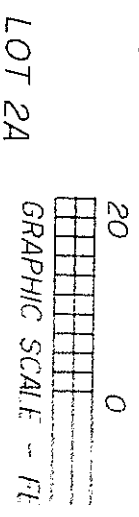
● RICK G. BRAUN, L.S. SECONDARY MONUMENT
 1 1/2" ALCAP ON 5/8" REBAR MONUMENT



CANOPY PERMITTED IN T-127 & T-128
 UNDER CONDITIONAL USE PERMIT
 APPROVED 12/13/88



FOLLOWING DE
 LOT T-1264 OF
 VACATION PLAT,
 PETERSBURG
 AND THAT THE
 ARE WITHIN T
 OVERLAP OR E
 ADJACENT THE
 PROPERTY LYI
 ON THE PREM
 ARE NO ROADW
 OTHER VISIBL
 EXCEPT AS IM
 DATED AT PETI
 JUNE



Date Received 11/17/88 Received by RK Planning Commission Public
Hearing Date 12/13/88 Approved 12/13/88 Denied _____
FOR OFFICE USE ONLY
*WITH CONDITIONS

APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF PETERSBURG
PLANNING AND ZONING
BOX 329
PETERSBURG, AK 99833

I. The undersigned hereby applies to the City of Petersburg for a conditional use permit.

II. Description: (use additional paper if necessary)

Legal description of the area for the conditional use permit CITY OWNED TIDELAND PLOTS T-127 + T-128
OF THE TIDELANDS ADDITION TO THE CITY OF PSG.
Lot(s) size of the petition area TOTAL AREA OF LOTS EQUALS
2583 SQ. FEET AREA FOR THIS USE EQUALS 275 SQ. FT.
Existing zoning of the petition area COMMERCIAL - 3
Type of conditional use applied for APPROVAL FOR CONSTRUCTION
OF SKIFF COVER OVER A PORTION OF CITY OWNED TIDELANDS.

III. Application information: (use additional paper if necessary)

Explain details of the proposed development ATTACHED IS A SECTION
DRAWING OF PROJECT WHICH HAS BEEN REVIEWED BY
CITY ENGINEER.
Explain schedule of timing of the development program AFTER A
BUILDING PERMIT IS ISSUED CONSTRUCTION WILL START
IMMEDIATELY.

A conditional use permit conditions of approval:

The commission shall consider the suitability of the property, the character of the surrounding property and the economic and aesthetic effects of the proposed use upon the property and the neighboring property.

The use will be permitted if it is in harmony with the general purpose and intent of this title and where the use will be in keeping with the uses generally authorized for the zone in which the use is to take place.

The commission shall require the conditional user to take those steps necessary so that the permitted conditional use will not be offensive because of injuries and noxious noise, vibrations, smoke, gas, fumes or odors or will not be hazardous to the community because danger of fire or explosion.

Explain how your application meets these conditions: AWNING IS INTENDED
TO COVER SKIFFS MOORED TO MY STRUCTURE, AND COULD BE
REMOVED IF REQUIRED BY THE CITY IF THE PROPERTY WHICH
IT EXTENDS OVER IS TO BE USED OR SOLD.

Note: In granting a conditional use permit, the commission shall state the conditions required. Any such condition must be complied with. Violation of any condition shall result in revocation of the permit and further use of the property or maintenance of any building thereon shall constitute a violation of this title, and shall be punishable accordingly.

A schematic site plat must be attached showing the type and location of all proposed uses on the site, and all vehicular and pedestrian circulation patterns relevant to those uses.

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 the authorized agent thereof for the property subject herein.

Charles L Christensen
PRINT PETITIONER'S NAME

Charles L Christensen
SIGNATURE(S) OF THE OWNER(S) OF THE LAND IN PETITION AREA

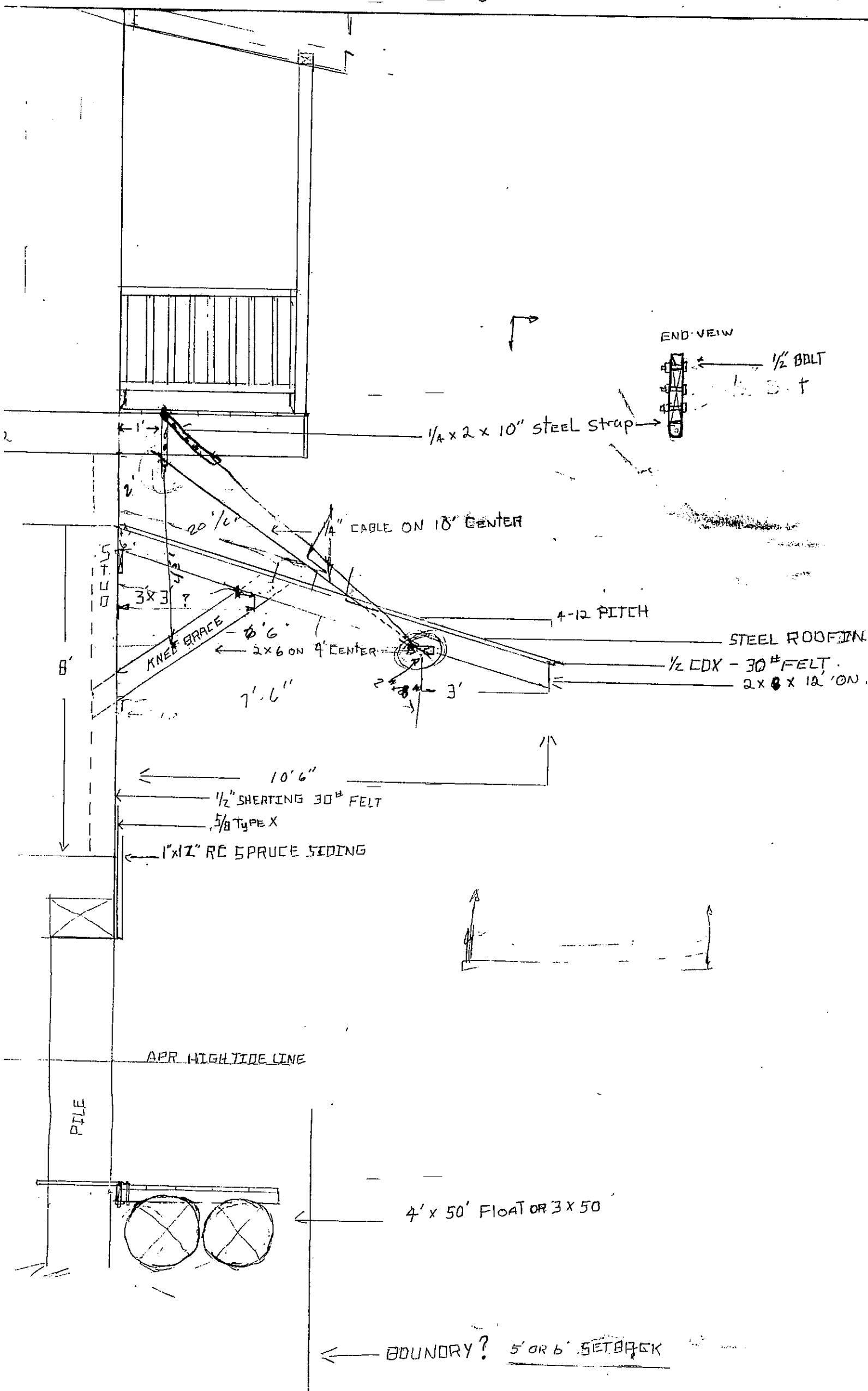
Box 824 PSG
ADDRESS

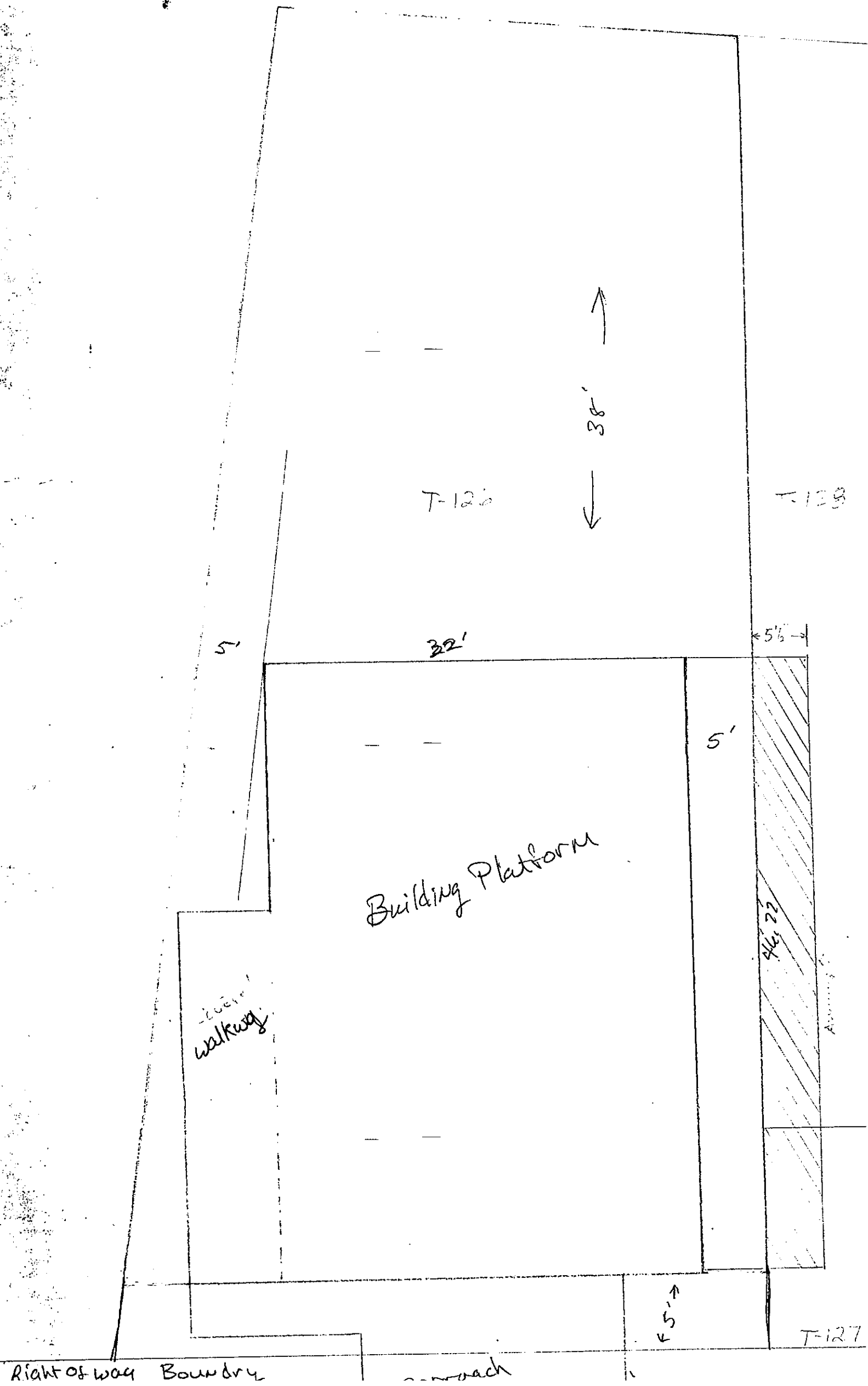
11/16/88
DATE

3634
TELEPHONE

195-400-10

CHRISTENSEN







City of Petersburg
P. O. Box 329
Petersburg, Alaska 99833

December 14, 1988

Charlie Christensen
P. O. Box 824
Petersburg, Alaska 99833

Re: Conditional Use Permit Application.

Dear Charlie:

The Planning Commission, at their meeting on December 13, 1988, approved your Conditional Use request for your proposed addition to extend over a portion of T-127 and 128.

Attached is a copy of your original application form, with the approval date noted on the top.

Also, as noted on the form, conditions to the approval do apply. The Commission has attached the following condition to the approval of the permit.

- 1) The permit shall be granted to Mr. Christensen, with the condition that, if the City should require the free and clear usage of T-127 and 128, Mr. Christensen shall remove the portion of addition which encumbers the above mentioned lots within 180 days of written notification from the City.

Please provide a copy of this letter and conditional use permit form when making application for required building permits.

If you have any further questions or comments, please call or stop by my office.

Sincerely,

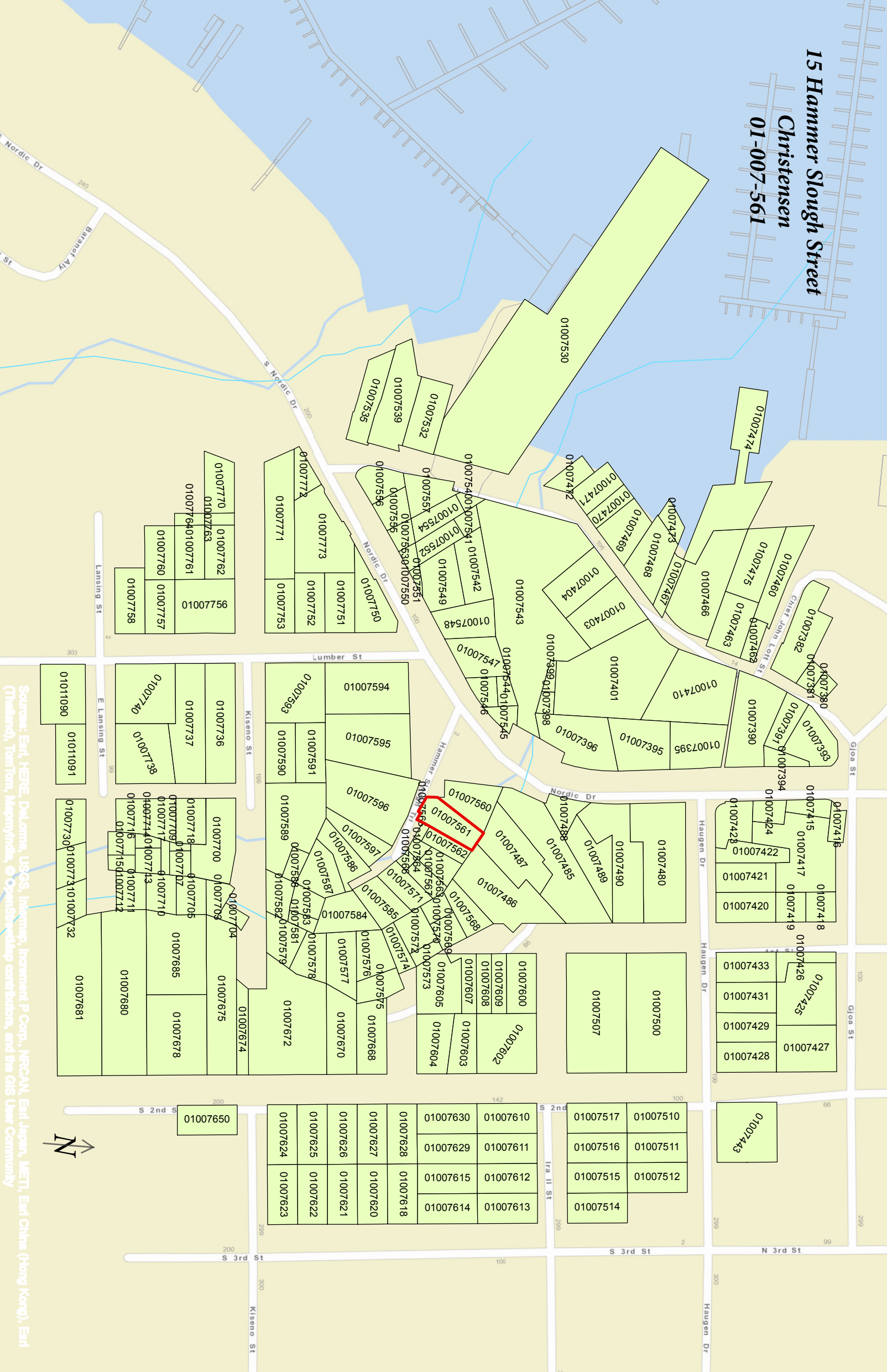
Roger Krieger

Roger Krieger, Director
Planning Department

enclosure

Q

15 Hammer Slough Street
Christensen
01-007-561



01007561

01007562

01007563

01007564

01007565

01007566

01007567

01007568

01007569

01007570

01007571

01007572

01007573

01007574

01007575

01007576

01007577

01007578

01007579

01007580

01007581

01007582

01007583

01007584

01007585

01007586

01007587

01007588

01007589

01007590

01007591

01007592

01007593

01007594

01007595

01007596

01007597

01007598

01007599

01007600

01007601

01007602

01007603

01007604

01007605

01007606

01007607

01007608

01007609

01007610

01007611

01007612

01007613

01007614

01007615

01007616

01007617

01007618

01007619

01007620

01007621

01007622

01007623

01007624

01007625

01007626

01007627

01007628

01007629

01007630

01007631

01007632

01007633

01007634

01007635

01007636

01007637

01007638

01007639

01007640

01007641

01007642

01007643

01007644

01007645

01007646

01007647

01007648

01007649

01007650

01007651

01007652

01007653

01007654

01007655

01007656

01007657

01007658

01007659

01007660

01007661

01007662

01007663

01007664

01007665

01007666

01007667

01007668

01007669

01007670

01007671

01007672

01007673

01007674

01007675

01007676

01007677

01007678

01007679

01007680

01007681

01007682

01007683

01007684

01007685

01007686

01007687

01007688

01007689

01007690

01007691

01007692

01007693

01007694

01007695

01007696

01007697

01007698

01007699

01007700

01007701

01007702

01007703

01007704

01007705

01007706

01007707

01007708

01007709

01007710

01007711

01007712

01007713

01007714

01007715

01007716

01007717

01007718

01007719

01007720

01007721

01007722

01007723

01007724

01007725

01007726

01007727

01007728

01007729

01007730

01007731

01007732

01007733

01007734

01007735

01007736

01007737

01007738

01007739

01007740

01007741

01007742

01007743

01007744

01007745

01007746

01007747

01007748

01007749

01007750

01007751

01007752

01007753

01007754

01007755

01007756

01007757

01007758

01007759

01007760

01007761

01007762

01007763

01007764

01007765

01007766

01007767

01007768

01007769

01007770

01007771

01007772

01007773

01007774

01007775

01007776

01007777

01007778

01007779

01007780

01007781

01007782

01007783

01007784

01007785

01007786

01007787

01007788

01007789

01007790

01007791

01007792

01007793

01007794

01007795

01007796

01007797

01007798

01007799

01007800

01007801

01007802

01007803

01007804

01007805

01007806

01007807

01007808

01007809

01007810

01007811

01007812

01007813

01007814

01007815

01007816

01007817

01007818

01007819

01007820

01007821

01007822

01007823

01007824

01007825

01007826

01007827

01007828

01007829

01007830

01007831

01007832

01007833

01007834

01007835

01007836

01007837

01007838

01007839

01007840

01007841

01007842

01007843

01007844

01007845

01007846

01007847

01007848

01007849

01007850

01007851

01007852

01007853

01007854

01007855

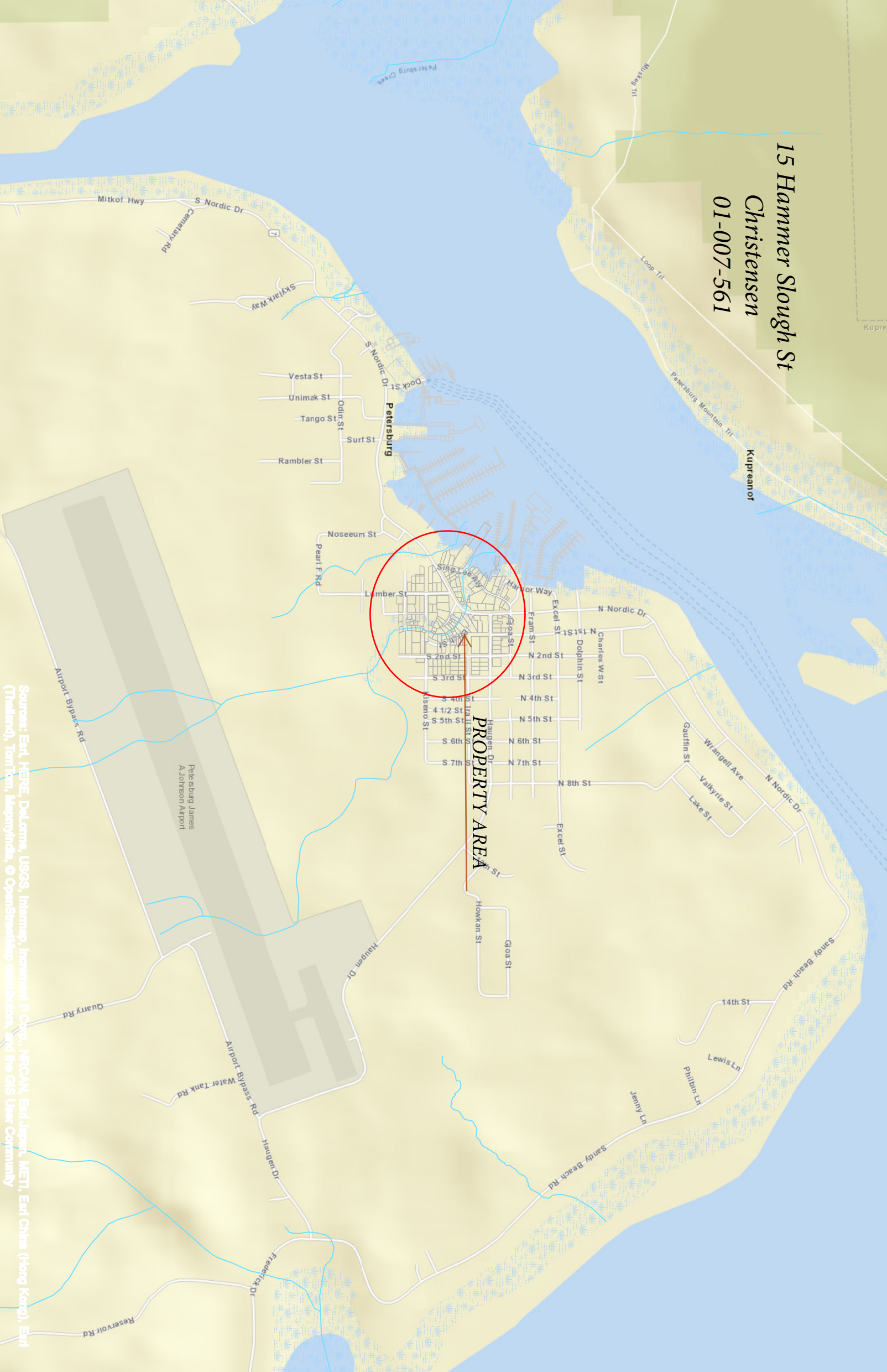
01007856

010078

15 Hammer Slough St
Christensen
01-007-561



PROPERTY AREA



Sources: Esri, HERE, DeLorme, USGS, Intermap, Increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, Mapbox, and the GIS User Community