



# Haines Borough Planning Commission Regular Meeting Agenda

## COMMISSIONERS:

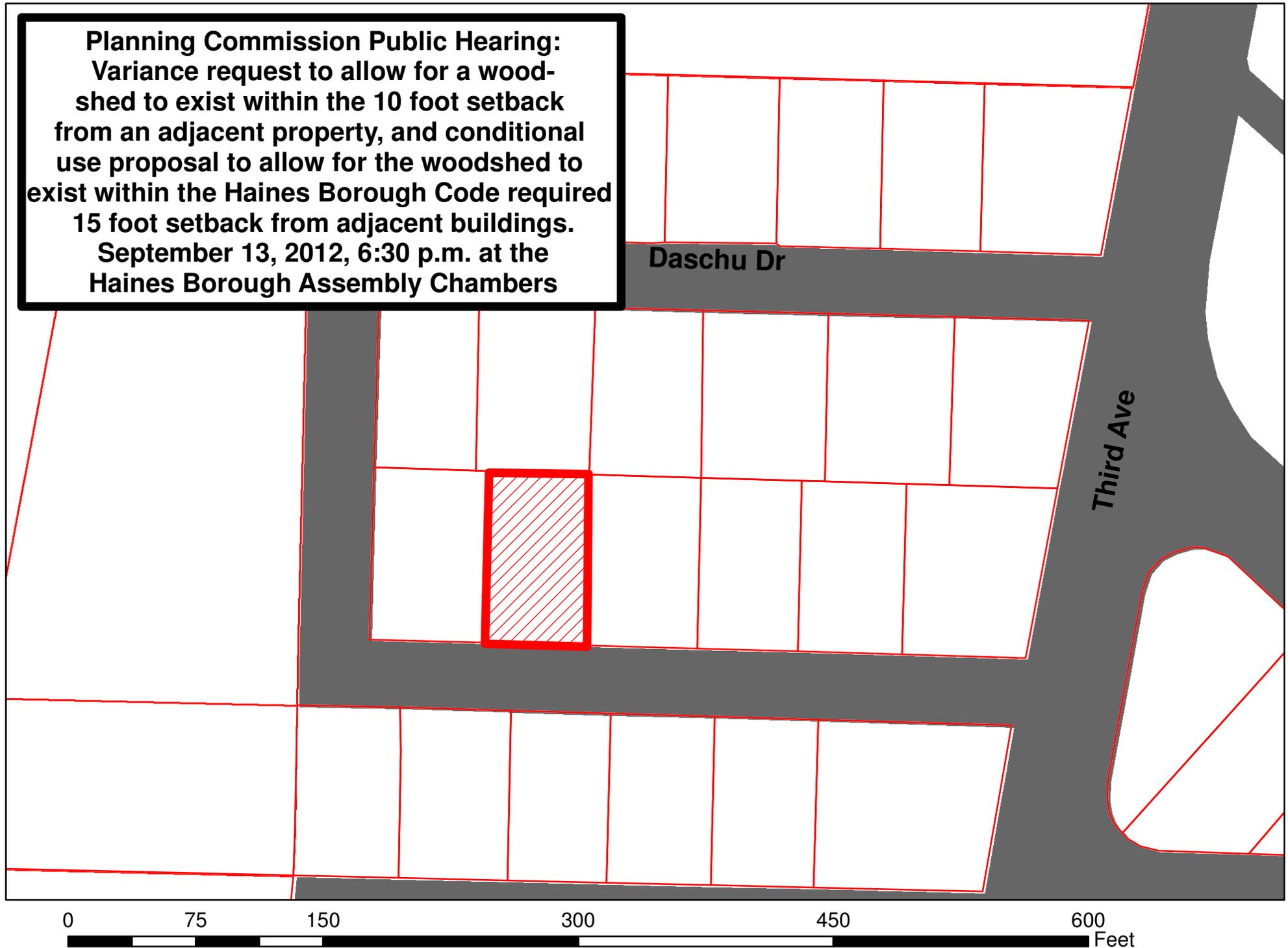
ROB GOLDBERG, CHAIR  
LEE HEINMILLER, VICE-CHAIR  
ROBERT VENABLES  
ROBERT MILLER  
ANDY HEDDEN  
DON TURNER III  
DANIEL GONCE

Thursday, September 13, 2012 - 6:30 p.m.

Assembly Chambers, 213 Haines Hwy.

1. **CALL TO ORDER / PLEDGE TO THE FLAG**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES:** August 9, 2012
5. **PUBLIC COMMENTS** [Items not scheduled for public hearing]
6. **CHAIRMAN'S REPORT**
7. **STAFF REPORT**
8. **PUBLIC HEARINGS:**
  - A. **Marilyn Taylor – Building Separation Conditional Use Proposal:** Marilyn Taylor has applied for a conditional use permit to allow for a woodshed to exist six feet into the Haines Borough Code required 15 foot building separation from adjacent structures.  
**Possible motion:** Approve the Taylor building separation conditional use proposal to allow for a woodshed to exist six feet into the Haines Borough Code required 15 foot building separation from adjacent buildings.
  - B. **Marilyn Taylor – Setback Variance Request:** Marilyn Taylor has applied for a variance to allow for a woodshed to exist within the 10 foot setback from an adjacent property.  
**Possible motion:** Approve the Taylor variance request to allow a woodshed to exist within the 10 foot setback from an adjacent property
9. **UNFINISHED BUSINESS:** None
10. **NEW BUSINESS:**
  - A. **Historic District/Building Review:** None
  - B. **Haines Borough Code Amendments:** None
  - C. **Project Updates:** None
  - D. **Other New Business:**
    1. **Downtown Parking:** This discussion is on the agenda to follow up a request brought before the Planning Commission at the July 12<sup>th</sup> meeting by Mike Ward.
    2. **Federal Priorities Committee PC Representative:** A Federal Priorities Committee being created to set priorities for Haines Borough in seeking federal funding for projects will have one seat to be represented by the Planning Commission. **Possible motion:** Recommend XXX to represent the Planning Commission on the Federal Priorities Committee.
11. **COMMISSION COMMENTS:**
12. **CORRESPONDENCE:** None
13. **SCHEDULE MEETING DATES**
  - A. **Regular Meeting** – Thursday, October 11, 6:30 p.m.
14. **ADJOURNMENT**

**Planning Commission Public Hearing:  
Variance request to allow for a woodshed to exist within the 10 foot setback from an adjacent property, and conditional use proposal to allow for the woodshed to exist within the Haines Borough Code required 15 foot setback from adjacent buildings.  
September 13, 2012, 6:30 p.m. at the Haines Borough Assembly Chambers**





# Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827

Telephone: (907) 766-2231 \* Fax: (907) 766-2716

## APPLICATION FOR CONDITIONAL USE PERMIT

Permit#: \_\_\_\_\_

Date: \_\_\_\_\_

Use this form for use approval by the Planning Commission for conditional uses.

I. Property Owner*	Owner's Agents (If Any)
Name: <i>MARILYN T. TAYLOR</i>	Name:
Mailing Address: <i>P.O. BOX 1512</i>	Mailing Address:
Contact Phone: Day Night <i>907 766-2215</i>	Contact Phone: Day Night
Fax:	Fax:
E-mail: <i>marlyn@aptalaska.net</i>	E-mail:

II. Property Information
Size of Property: <i>6,000 SQ. FT.</i>
Property Tax #: <i>SENIOR EXEMPT</i>
Street Address: <i>77 DELSHU DR.</i>
Legal Description: Lot (s) <u><i>5</i></u> Block <u><i>B</i></u> Subdivision <u><i>DASCHU Isthmus Sub.</i></u> <u><i>OR</i></u> <u><i>WITHIN USS 735</i></u>
Parcel/Tract _____ Section _____ Township _____ Range _____
[Attach additional page if necessary.]

Zoning: Waterfront  Single Residential  Rural Residential  Significant Structures Area   
 Rural Mixed Use  Multiple Residential  Heavy Industrial  Waterfront Industrial  Commercial   
 Industrial Light Commercial  Recreational  Mud Bay Zoning District  Lutak Zoning District  General Use

III. Description of Work			
Type of Application (Check all that apply)	Project Description (Check all that apply)	Water Supply Existing or Proposed	Sewage Disposal Existing or Proposed
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial _____sq. ft. _____seating capacity if eating/ drinking establishment	<input type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Accessory Structure <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input checked="" type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input checked="" type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____
Valuation of Work:			

Current use of adjacent properties:

*single family dwellings*

Attach the following documents to the permit application:

Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Required)

Pre-application Conference Date: *Sept. 13, 2012*

Prior to submission of an application, the developer shall meet with the manager for the purpose of discussing the site, the proposed development and the conditional use permit procedure. The manager shall discuss these matters with the developer with special attention to policies and approval criteria that may pose problems or constraints on the site or the proposed development activity and policies or approval criteria that may create opportunities for the developer.

APPLICATION

Please provide a written narrative explaining how your project will meet the following requirements. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers.

Describe what safeguards are being provided (i.e. setbacks or buffers) to meet the condition.

*The wood shed will hold fire wood only to be used by me during cold weather. It is to be located on my half of the setback, which is 15 feet between houses.*

2. Explain how the development of the use is such that the value of the adjoining property will not be significantly impaired.

*There was a woodshed there before, a bigger one partially on Hays' half of the setback. This shed will be on my half only & is smaller.*

3. Explain how the size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use.

*There are 9 feet between the shed & Hays' house. Fire chief Bagdby told me there is room enough to drag fire hoses down the incline if necessary. Fire vehicles would never have to go down the incline, he said.*

4. Describe how or why the specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses.

almost every Deishe Dr. resident has some kind of a wood shed to store wood to use for heating these houses in winter. oil costs too much. It will be a smaller wood shed than the previous one.

5. Explain how the granting of the conditional use will not be harmful to the public safety, health or welfare.

It will be on my property and hold wood only.

6. Describe the safeguards that will be provided so that the use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams.

There is no stream near. It's a small wood shed 35½ feet from Deishe Dr., ending 9½ ft. short of my oil tarp, well within my property boundaries.

#### IV. FEE

A non-refundable fee of \$150 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

#### NOTICE

Per HBC 18.50.040, Comments received from property owners impacted by the proposed development will be considered and given their due weight. Additionally, the Planning Commission may impose one or more of the following conditions:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.

**V. CERTIFICATION**

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property and that the use will comply with all required conditions and specifications, will be located where proposed and when developed, will be operated according to the plan as submitted. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska <sup>AKA</sup> and the Haines Borough. I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.

Marilyn J. Taylor  
Owner or Agent

8-20-2012  
Date

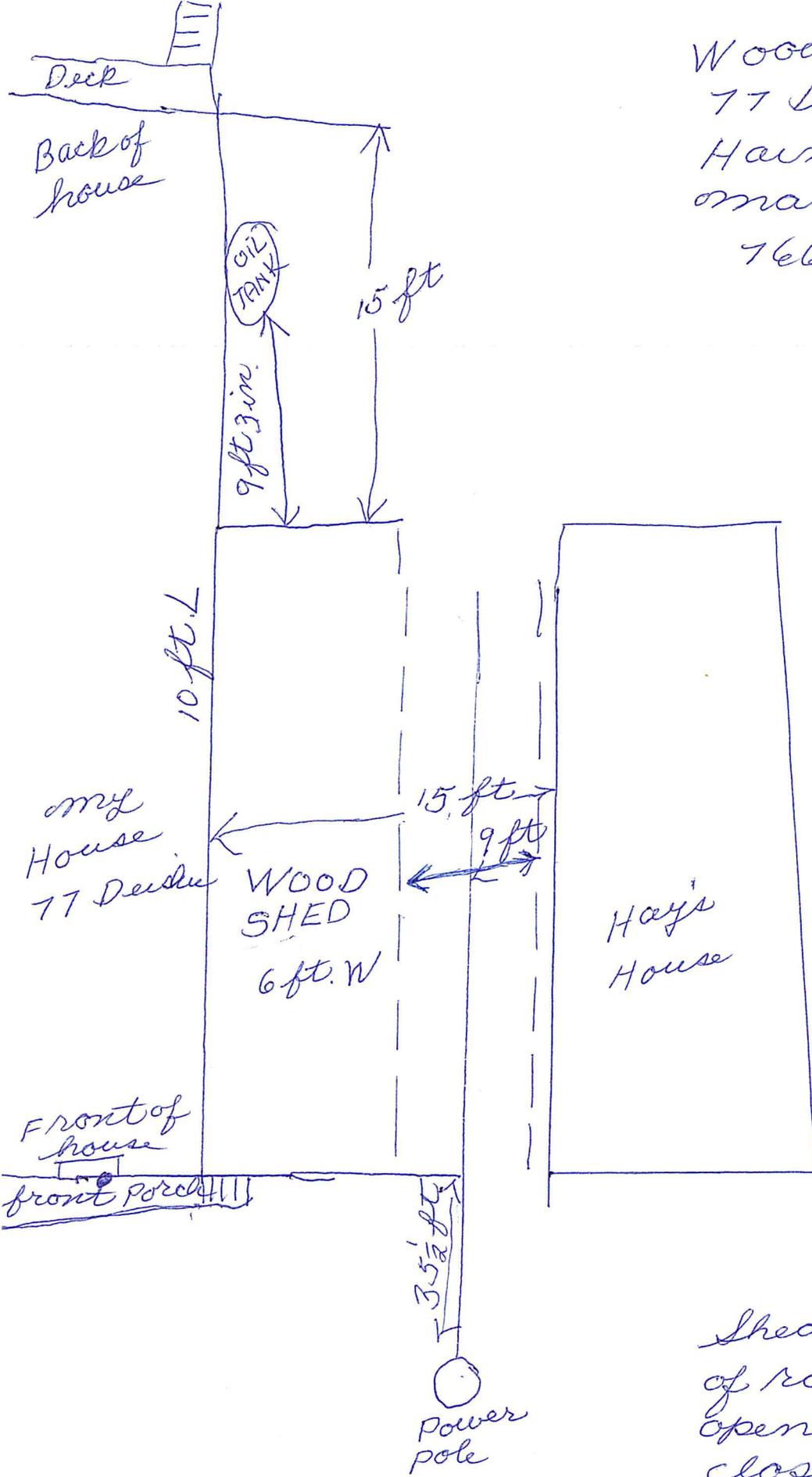
PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

Office Use Only Below This Line

<input checked="" type="checkbox"/> Applicant Notified Application is Complete and Accepted <u>9/4/12</u> <u>phone conversation</u> <small>(Date) (Notified via) (Initials)</small>					
Non-Refundable Permit Fee \$ <u>50.00</u>		Information/Documentation Req'd Rec'd			
Receipt No. _____		<input type="checkbox"/> State Fire Marshal			
Received By: <u>Steve Ritinger</u>		<input type="checkbox"/> State DEC			
Date: <u>7/5/12</u> *\$100 balance pending.		<input checked="" type="checkbox"/> Variance/Conditional Use Permit			
<input type="checkbox"/> Sign Permit					
Zoning <u>SR</u>	Bldg. Height <u>9 feet</u>	Lot Coverage % _____	Const. Type <u>2x4' Framing</u>	Occupancy _____	# Stories _____
This application meets all applicable Borough policies and a permit is issued, conditional on the <b>substantial completion of construction within two</b> years and the following special requirements:					
Planning Commission Chair: _____			Date: _____		

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

Woodshed at  
 77 Deisku DR.  
 Haines  
 Marilyn T. Taylor  
 766-2215



Shed constructed  
 of rough cut cedar.  
 open slats. no  
 closure in front.  
 metal roof; ~~7 ft 9 in.~~  
 10 ft. high next to my  
 house, slanted to



## Steve Ritzinger

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**To:** Haines Volunteer Fire Dept  
**Subject:** RE: Marilyn Taylor woodshed building separation variance request

-----Original Message-----

From: Haines Volunteer Fire Dept [<mailto:hvfd@mac.com>]  
Sent: Thursday, September 06, 2012 4:52 PM  
To: Steve Ritzinger  
Subject: Re: Marilyn Taylor woodshed building separation variance request

Greetings

The HVFD has reviewed the proposed wood shed addition. Since there is access to the back of the structure from other avenues and there is still space to travel through the separation between houses, we feel that there is adequate fire protection options for all structures.  
Thanks

Al Badgley  
HVFD Training Officer

> From: Steve Ritzinger  
> Sent: Friday, August 31, 2012 4:24 PM  
> To: 'albadgley@usa.net'; Scott Bradford  
> Cc: Brian Lemcke  
> Subject: Marilyn Taylor woodshed building separation variance request  
>  
> Gentlemen,  
>  
> Marilyn Taylor removed a woodshed that encroached onto a neighbors  
> property (at the time of her purchase) and reconstructed a smaller  
> woodshed 5 years later in the same location. (Reconstruction was  
> completed earlier this summer.) The shed is within the HBC required  
> 15 foot separation from the SFR on the adjacent property. (It is also  
> within the setback from the adjacent property.) The planning  
> commission will consider variance requests to allow the woodshed at  
> the September 13th PC meeting. The PC has followed recommendations  
> from HBVFD on such matters. Any comments that you may have would be  
> greatly appreciated. If you have any questions on the matter please  
> let me know.  
>  
> Thank you for any thoughts on the matter.  
> Steve Ritzinger  
> Haines Borough Planning and Zoning Technician  
> (907) 766-2231 Ext. 23  
> <Taylor lot.pdf><Taylor - woodshed lot diagram.pdf>

## **Chapter 18.50**

### **CONDITIONAL USE**

#### **18.50.040 Decision.**

The commission shall hold a public hearing on the conditional use permit application. The commission may adopt the manager's recommendation on each requirement unless it finds, by a preponderance of the evidence, that the manager's recommendation was in error and states its reasoning for such finding with particularity. In addition, for good cause, the commission may alter the conditions on approval or requirements for guarantees recommended by the manager.

A. Before a conditional use permit is approved, the commission must find that each of the following requirements is met:

1. The use is so located on the site as to avoid undue noise and other nuisances and dangers;
2. The development of the use is such that the value of the adjoining property will not be significantly impaired;
3. The size and scale of the use is such that existing public services and facilities are adequate to serve the proposed use;
4. The specific development scheme of the use is consistent and in harmony with the comprehensive plan and surrounding land uses;
5. The granting of the conditional use will not be harmful to the public safety, health or welfare;
6. The use will not significantly cause erosion, ground or surface water contamination or significant adverse alteration of fish habitat on any parcel adjacent to state-identified anadromous streams;
7. The use will comply with all required conditions and specifications if located where proposed and developed, and operated according to the plan as submitted and approved;
8. Comments received from property owners impacted by the proposed development have been considered and given their due weight.

If the commission finds that the development implements all relevant requirements of this title, it shall issue a conditional use permit and the conditions and requirements shall be part of the approved permit. If the development does not implement all relevant requirements, or the commission otherwise determines the development is not in compliance with this title, the commission shall deny the permit and note with particularity its reasons for the decision.

B. The commission may alter the manager's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:

1. Development Schedule. The conditions may place a reasonable time limit on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighbors, to ensure that lots are not sold prior to substantial completion of required public improvements, or to implement other requirements.
2. Use. The conditions may restrict the use of the development to specific uses indicated in the approval.
3. Owner's Association. The conditions may require that if a developer, homeowner or merchant association is necessary or desirable to hold or maintain common property, that it be created prior to occupancy.
4. Dedications. The conditions may require conveyances of title, licenses, easements or other property interests to the public, to public utilities, or to the homeowners association. The conditions may require construction of public utilities or improvements to public standards and then dedication of public facilities to serve the development and the public.
5. Construction Guarantees. The conditions may require the posting of a bond or other surety or collateral (which may provide for partial releases) to ensure satisfactory completion of all improvements required by the commission.
6. Commitment Letter. The conditions may require a letter from a utility company or public agency legally committing it to serve the development if such service is required by the commission.
7. Covenants. The conditions may require the recording of covenants or other instruments satisfactory to the borough as necessary to ensure permit compliance by future owners or occupants.
8. Design. The conditions may require the adoption of design standards specific to the use and site.



# Haines Borough

Planning and Zoning

103 Third Ave. S., Haines, Alaska, 99827

Telephone: (907) 766-2231 \* Fax: (907) 766-2716

## APPLICATION FOR VARIANCE

Permit#: \_\_\_\_\_

Date: \_\_\_\_\_

Use this form for policy variances for: Building Density, Setbacks, Building Height & Parking Regulations

I. Property Owner*	Owner's Representative (If Any)
Name: <u>MARILYN T. TAYLOR</u>	Name:
Mailing Address: <u>P.O. BOX 1512</u>	Mailing Address:
Contact Phone: <u>Day</u> <u>Night</u> <u>907 766-2215</u>	Contact Phone: Day Night
Fax:	Fax:
E-mail: <u>marilyn@aptalaska.net</u>	E-mail:

II. Property Information
Size of Property: <u>6,000 sq. ft.</u>
Property Tax #:
Street Address: <u>77 DEISHU DR. HAINEs, AK</u>
Legal Description: Lot (s) <u>5</u> Block <u>B</u> Subdivision <u>DASCHU ISTHMUS</u> <u>OR</u> Parcel/Tract _____ Section _____ Township _____ Range _____
[Attach additional page if necessary.]
Zoning: Waterfront <input type="checkbox"/> Single Residential <input checked="" type="checkbox"/> Rural Residential <input type="checkbox"/> Significant Structures Area <input type="checkbox"/> Rural Mixed Use <input type="checkbox"/> Multiple Residential <input type="checkbox"/> Heavy Industrial <input type="checkbox"/> Waterfront Industrial <input type="checkbox"/> Commercial Industrial Light Commercial <input type="checkbox"/> Recreational <input type="checkbox"/>

III. Description of Work			
Type of Application (Check all that apply)	Project Description (Check all that apply)	Water Supply Existing or Proposed	Sewage Disposal Existing or Proposed
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial _____ sq. ft. _____ seating capacity if eating/ drinking establishment <input type="checkbox"/> Industrial <input type="checkbox"/> Church <input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Change of Use <input type="checkbox"/> Multi-Family Dwelling Total # of Units _____ <input type="checkbox"/> Cabin <input type="checkbox"/> Addition <input type="checkbox"/> Accessory Structure <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Community well <input type="checkbox"/> Private well <input checked="" type="checkbox"/> Borough Water System <input type="checkbox"/> Other _____	<input type="checkbox"/> None <input type="checkbox"/> Septic Tank <input type="checkbox"/> Holding Tank <input checked="" type="checkbox"/> Borough Sewer System <input type="checkbox"/> Pit Privy <input type="checkbox"/> Other _____
Valuation of Work:			

**IV. Variance**

Applicant seeks a variance from the following general requirement(s):  
Code Section #:

Describe the problem and the minimum variation from code necessary to resolve the problem:

*During snow season, I am unable to access firewood for my wood stove from any area other than close to the front door & next to the house, due to feet-high snow & ice drifts.*

Attach the following documents to the permit application:

- Site plan (see Attachment A) showing lot lines, bearings and distances, buildings, setbacks, streets, etc.

PREAPPLICATION (Recommended)

Pre-application Conference Date: \_\_\_\_\_

At Least two (2) days before the pre-application conference, submit the following materials to the Planning and Zoning Department:

1. A copy of a plat or other legal description of the property.
2. A sketch of the property showing the features the applicant believes are relevant to the variance request.

APPLICATION

In addition to a site plan (see Attachment A), the applicant must describe how their requested variance complies with each of the following six standards listed in Section 18.80.050 of the Land Use/Development Code. You may use the space provided on this form or attach your answers. A variance may only be granted if the Planning Commission finds that these six standards are met.

1. Except in the Significant Structures Areas, the conditions upon which the variance application is based do not apply generally to properties in the zone or vicinity other than the property for which the variance is sought.

Describe how the problem stated on page one is unique to your property.

*Most of the homes on Deishur Dr. have woodsheds already built. (I did, too.) During the heavy snows, we've had here the last few years, I can't get to any wood pile, & if I do, the wood is iced in & I can't get it freed up. My house sits low. I had 5 to 10 foot drifts all over my property last yr!*

2. Explain how the conditions described above arise out of natural features inherent in the property such as shape or topographical conditions of the property or because of unusual physical surroundings, or such conditions arise out of surrounding development or conditions.

*My front yard descends as you get to the back yard. Last winter my entire back yard was inaccessible. Snow throwers were unable to go down this decent (too steep & too high & frozen snow drifts) on each side of house. Although I have a porch and back deck, I fear the decks will rot and/or cave in with a season's worth of wood stacked on them.*

3. Describe why (because of the conditions you have described) the strict application to the property of the requirements of this chapter will result in an undue, substantial hardship to the owner of the property such that no reasonable use of the property could be made.

next year when I am retired I will be unable to pay the over \$300. monthly fuel bill to heat this house by oil exclusively. I won't be able to afford to live here. I have wrou- ated beneath the house well, and my heater is reportedly very fuel- efficient, but it costs a lot to heat this house

4. Describe how or why the special conditions that require the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either.

I had a wood shed when I purchased the house. Tired of my neighbor's complaints that it was on her property, I tore it down. I've spent 3 winters trying to find a place to put my wood so I can reach it, to no avail.

5. Describe any reasons not based on costs or inconvenience you have for requesting this variance.

I wanted to apply for a variance because I was trying to please the neighbor by finding another area to stack firewood. I bought pipe wood rack holders with covers, but last year they just collapsed & were buried by snow drifts.

6. The variance can only be granted if the variance will not permit a land use in a zone in which that use is prohibited.

Explain what your property will be used for.

a badly needed covered place to store my firewood!

comment on back.

#### IV. FEE

A non-refundable fee of \$150 must accompany this application. Checks must be made payable to the HAINES BOROUGH.

I didn't know <sup>no</sup> how to  
apply for a variance for years that  
it would seem like I didn't need  
a woodshed and thus lessen my  
chances of getting ~~one~~ <sup>a variance</sup>. I also have had  
a terrible time getting anyone to  
work for me up here, a problem  
shared by most women I've talked  
to up here.

The area in front of my house was  
inaccessible this winter because of  
snow drifts.

**NOTICE**

If a property qualifies for a variance under the Haines Borough Land Use/Development Code Section 18.80.050(D), the variance granted must meet the following conditions:

1. The deviation from the requirement of this chapter that is permitted by variance may be no more than is necessary to permit a reasonable use of the lot;
2. The variance will not permit a land use that is prohibited by this chapter;
3. The variance is in keeping with the spirit and intent of this chapter and the requirements from which relief is sought;
4. The variance will not be detrimental to the public health, safety or welfare; and
5. The variance will not significantly adversely affect other property (i.e., snow will not be deposited on adjacent properties from areas such as roofs).

**Notice of Right to Appeal:** All decisions of the Borough Manager are appealable per HBC 18.30.050

**V. CERTIFICATION**

I hereby certify that I am the owner or duly authorized owner's agent, that I have read this application and that all information is correct. I further certify that I have read, understand and will comply with all of the provisions and permit requirements outlined hereon. I also certify that the site plan submitted is a complete and accurate plan showing any and all existing and proposed structures on the subject property. All contract work on this project will be done by a contractor holding valid licenses issued by the State of Alaska and the Haines Borough. **I am aware that if I begin construction prior to receiving permit approval, I will be assessed a \$250.00 "After-the-Fact" fee.**

\_\_\_\_\_  
Owner or Agent

\_\_\_\_\_  
Date

PROVISIONS: The applicant is advised that issuance of this permit will not relieve responsibility of the owner or owner's agents to comply with the provisions of all laws and ordinances, including federal, state and local jurisdictions, which regulate construction and performance of construction, or with any private deed restrictions.

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Office Use Only Below This Line

<input type="checkbox"/> Applicant Notified Application is Complete and Accepted <u>9/4/12</u> <u>phone conversation</u> <u>SR</u> <small>(Date) (Notified via) (Initials)</small>					
Non-Refundable Building Permit Fee \$ <u>50.00</u> Receipt No. _____ Received By: <u>Steve Ritzinger</u> Date: <u>7/5/12</u> <u>x \$100 balance pending</u>			Information/Documentation Req'd Rec'd <input type="checkbox"/> <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> <input type="checkbox"/> State DEC <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Variance/Conditional Use Permit <input type="checkbox"/> <input type="checkbox"/> Sign Permit		
Zoning <u>SR</u>	Bldg. Height <u>9 feet</u>	Lot Coverage %	Const. Type <u>2x4 Framing</u>	Occupancy <u>-</u>	# Stories <u>1</u>
This application meets all applicable Borough policies and a permit is issued, conditional on the <b>substantial completion of construction within two</b> years and the following special requirements:					
Planning Commission Chair:			Date		

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

### **18.80.050 Variance.**

A variance is the relaxation of the...setback... standards of this chapter beyond those provided for by this chapter. A variance is designed to allow the adjustment of regulations of this chapter in special cases where unusual physical features of a particular parcel involved would make a strict application of the zoning regulations unreasonable. Under no circumstances shall a variance be granted to permit a use of land or structure which is not otherwise permitted in the zone involved. The intent of the policies for which variances may be granted follows:

Setbacks: The intent of setback regulation is to allow for a certain amount of privacy and outdoor living space around a structure, promote fire safety, prevent snow depositing on adjacent properties, allow room for snow removal, promote safe conditions for off-street parking and vehicular access to public rights-of-way, and provide an adequate sight triangle for the safe approach of vehicles to intersections.

C. Variance Standards. A variance may be granted only if:

1. Except for significant structures areas, the conditions upon which the variance application is based do not apply generally to properties in the zone or vicinity other than the property for which the variance is sought; and
2. Such conditions arise out of natural features inherent in the property such as shape or topographical conditions of the property or because of unusual physical surroundings, or such conditions arise out of surrounding development or conditions; and
3. Because of such conditions the strict application to the property of the requirements of this chapter will result in an undue, substantial hardship to the owner of the property such that no reasonable use of the property could be made; and
4. The special conditions that require the variance are not caused by the person seeking the variance, a predecessor in interest, or the agent of either; and
5. The variance is not sought solely to relieve financial hardship or inconvenience; and
6. The variance will not permit a land use in a zone in which that use is prohibited.

D. Conditions on Approval. If a property qualifies for a variance under this section, the variance granted must meet the following conditions:

1. The deviation from the requirement of this chapter that is permitted by variance may be no more than is necessary to permit a reasonable use of the lot;
2. The variance will not permit a land use that is prohibited by this chapter;
3. The variance is in keeping with the spirit and intent of this chapter and the requirements from which relief is sought;
4. The variance will not be detrimental to the public health, safety or welfare; and
5. The variance will not significantly adversely affect other property (i.e., snow will not be deposited on adjacent properties from areas such as roofs).