

**SELDOVIA
PLANNING COMMISSION**

Wednesday
August 7, 2019



REGULAR MEETING
6:00pm
MULTI-PURPOSE ROOM

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AGENDA FOR THE SELDOVIA PLANNING COMMISSION
REGULAR MEETING
MULTI-PURPOSE ROOM
Wednesday
August 7, 2019
6:00PM

FORSBERG CARLUCCIO GRUBER BATES
--

Swearing in of New Planning Commission Member

- A. Call to order;
- B. Roll Call;
- C. Approval of the Agenda;
- D. Approval of Minutes from May 01, 2019
- E. Public Comments Regarding Items Not on the Agenda;
- F. Public Hearings, Prior Notice;
- G. Consideration of Site Plans;
 - 1. Building Permit Reconsideration- Cole
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
 - 2. Consideration of Replat Seldovia Island 2019 and Vacation of Backer's Island Lane
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
 - 3. Consideration of Rezoning Lots 2, 3, and 4 of Block 13 Waterfront Resubdivison No 1
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
 - 4. Building Application Permit- Update and Review
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
- H. Commission Business:
- I. Staff Reports:
 - 1. There have been four approved building permits to date this year. One building permit was for a new residence.
- J. Informational Items Not Requiring Action:
- K. Comments of the Public:
- L. Comments of the Commission:
- M. Next Meeting: Regular scheduled meeting, September 4, 2019
- N. Adjournment:

***If you require special assistance to attend the meeting,
Please, notify the City Office 24 hours in advance of the meeting and arrangements will be made.**

Seldovia
Planning Commission
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August 7, 2019

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**MINUTES FROM THE SELDOVIA PLANNING COMMISSION
REGULAR MEETING
MULTI-PURPOSE ROOM
Wednesday
May 1, 2019
7:00PM**

BATES FORSBERG CARLUCCIO

- A. Call to order; MEETING CALLED TO ORDER 7:03PM BY COMMISSIONER CARLUCCIO
- B. Roll Call; IN ATTENDANCE; BATES, FORSBERG, and CARLUCCIO
- C. Approval of the Agenda;
BATES/FORSBERG MOVED TO APPROVE THE AGENDA
NO OBJECTION/ MOTION CARRIED
- D. Approval of Minutes from April 03, 2019
BATES/FORSBERG MOVED TO APPROVE
NO OBJECTION/ MOTION CARRIED
- E. Public Comments Regarding Items Not on the Agenda;
CARLUCCIO called for public comment and none was offered.
- F. Public Hearings, Prior Notice; None
- G. Consideration of Site Plans;
 - 1. Building Application Permit- Update and Review
 - A. Presentation by Staff or Commission
CLERK GEAGEL- Presented the updated building permit application including the work time limits and the amending the building permit ordinance to include the language from the previous meeting and asked for the commission's guidance on how long a permit would be valid.
 - B. Public Presentation or Hearing
 - C. Commission Discussion
CARLUCCIO- Spoke to what a completion date could entail and spoke in support of a one year to start clause and a completion date of two years for the exterior shell. She suggested having a workshop on building permits.
CM CAMERON- Spoke to including a building completion date that would hold the permittee accountable and require them to have a full plan with a start and an end. She suggested defining and setting parameters for what completing and starting projects were.
BATES- Spoke in support of a two-year completion date with the caveat that the permittee could go to the city manager for an extension.
FORSBERG- Discussed that if an extension permit was not approved then the permittee could apply for another building permit.
 - D. Action/Disposition

THE PLANNING COMMISSION DIRECTED THE CITY CLERK TO INSERT A TWO-YEAR COMPLETION DATE AND BRING BACK TO THE NEXT PLANNING MEETING

- 2. Discussion- Title 18 Land Use Matrix- Residential and Commercial Uses
 - A. Presentation by Staff or Commission
CLERK GEAGEL- Presented an update Title 18 Land Use Matrix for residential and commercial uses and a list of questions pertaining to those uses. She discussed the process for updating the code through ordinance once the matrix was finished.

B. Public Presentation or Hearing

C. Commission Discussion

CARLUCCIO- Spoke to the questions presented and discussed home occupations being allowed in the residential district. She commented that she liked some of the definitions from Kenai. She discussed that parking was always an issue and that conditional uses had to have certain parameters, if all the conditions were met then they had to be granted. She spoke in support of updating Title 18 uses, using the matrix as a tool.

BATES- Discussed all the nonpermitted uses at the airport. He spoke to the questions presented, home occupations being work presented by or for a member of the family, and retail being part of home occupations. He spoke in support of more than five units being permitted in residential special multifamily and garage private being permitted in residential and a conditional use in any additional zones.

CM CAMERON- Discussed the City of Kenai's home occupation definition, the residential special multifamily district filling a great need in the community, parking in town, and her appreciation for conditional uses.

D. Action/Disposition

NO ACTION TAKEN AT THIS TIME

H. Commission Business:

1. Bylaws Revision- Time Change

BATES- Discussed that the next meeting would start at six.

BATES/FORSBERG MOVED TO APPROVE

NO OBJECTION/ MOTION CARRIED

REVISED BY-LAWS APPROVED

I. Staff Reports:

CLERK GEAGEL- Letter of interest for joining the planning commission was given to the city from person of the community and will be discussed at the May 13th council meeting.

J. Informational Items Not Requiring Action:

CARLUCCIO- Discussed as a borough plat sub-committee, with six members out of the 13 members in the borough planning commission, that a plat from Seldovia was presented and she recused herself because of her vote on the Seldovia Planning Commission. The vote passed and later in the planning commission meeting the vacation for Valhalla came up and she was allowed to vote because it was legislative and not judicial. The planning commission can advise the vacation, the city council has the final authority, whereas the planning commission had the final authority in the plat, which is why she recused herself.

K. Comments of the Public:

CARLUCCIO called for public comment and none was offered.

L. Comments of the Commission:

FORSBERG- Learn something new every day.

BATES- We have a lot of work to do.

CARLUCCIO- She inquired about the budget being done and beginning work on Commercial Marine again. She thanked everyone for coming, attending, and their points of view. Everyone's comments were really good.

CM- Discussed that the budget had been presented to council and was introduced at the last meeting and would be discussed at the next meeting.

M. Next Meeting: Regular scheduled meeting, June 5, 2019

N. Adjournment:

CARLUCCIO CALLED FOR ADJOURNMENT

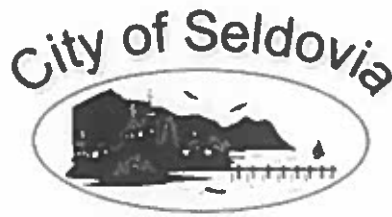
BATES/FORSBERG MOVED TO ADJOURN
CARLUCCIO SO ORDERED AT 8:28 PM

I certify the above represents accurate minutes of City of Seldovia Planning and Zoning Commission meeting of May 01, 2019.

Heidi Geagel, City Clerk

Approved by Commission _____

DRAFT



www.cityofseldovia.com

P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: citymanager@cityofseldovia.com

June 17, 2019

Justin Cole
3370 Justin Ct.
Homer, Alaska 99663

Michael Warburton
3500 Crittenden Drive
Homer, Alaska 99603

Mr. Cole and Mr. Warburton,

This letter is in response to Mr. Cole's letter dated May 29, 2019 regarding the following property located on 221 Inlet Street in Seldovia, Alaska.

KPB Parcel ID 19201310

Legal Description:

T 8S R 14W SEC 31 SEWARD MERIDIAN SL 0001771 TOWNSITE OF SELDOVIA USS 1771
LOT 9 BLK 3 THAT PORTION THEREOF AS PER W/D 14 @ 124

Details of this letter will provide an account of the details of the building application submitted on September 11, 2018 as well as the findings of the denial of the building application, as well as the existing position that is still held by our office regarding the non-conforming status of the new construction of the deck at 221 Inlet Street, Seldovia, Alaska.

The findings of the September 11, 2018 building application were as following:

Fixing all weather wood top deck, replacing stairs and railings and bottom deck.

Bottom and top deck setbacks are 6' from the north border.

Deck setback is the required 20' from the west border

Top deck is pre-existing

3 parking spaces are available.

Inlet Street is a 15' Right of Way; it is also the ROW adjacent to the property in question. According to Seldovia Municipal Code, the Waterfront Commercial Residential District requires a setback of five feet from all rights of way and the requested building permit application dated

September 11, 2018 does not meet that requirement. When physically inspecting Inlet Street, the measurements from the north side of Inlet Street across to the property line of 221 Inlet Street measured sixteen (16) feet. This is well under the required setback distance required per SMC 18.40.070.

18.40.070 Building Setback. In the WCR District, building setback requirements shall be as follows:

A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;

B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;

C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

In our May 21st meeting, it was contended by you and your letter dated May 8, 2019, that the construction was a replacement of the old decks that were there previously and "the structure on lot 9, block 3 is a nonconformity structure. In which case, a building permit is not required to repair the existing decks (per code 18.84 City of Seldovia)."

Both Heidi Geagel, our city clerk and myself challenged this reasoning, stating that while the decks previously built were non-conforming, that under SMC 18.84.040 Nonconforming Uses:

18.84.040 Nonconforming Uses. Nonconforming uses are subject to the following provisions:

A. No structure shall be altered except as permitted in this zoning code.

B. Nonconforming uses shall not be extended to occupy any land outside nonconforming structures.

C. When a nonconforming use is discontinued for 1 (one) year, the use shall not thereafter be permitted except in conformance with the regulations of this zoning code.

D. When a nonconforming structure is destroyed, all associated nonconforming uses shall be deemed terminated.

E. The nonconformity shall not be moved to any other portion of the lot or the parcel.

The property at 221 Inlet Street has been vacant for well over one year prior to your ownership as SMC 18.84.040(c) provides. In addition to this point, SMC 18.84.040(D) provides that once a nonconforming structure is destroyed, all associated nonconforming uses shall be deemed terminated. As you indicated, the former nonconforming deck was destroyed previously and replaced by you; thus, violating SMC 18.84.040.

As we also discussed in our May 21st meeting, while the option of applying for a variance to mitigate the issue may exist, per SMC 18.76.010 Intent. "A variance may be granted to provide relief when a literal enforcement of this zoning code would deprive a property owner of the reasonable use of his property."

However, SMC 18.76.020 Conditions Precedent to Granting a Variance also states, "C. Other nonconforming land use or structures within the district shall not be considered grounds for granting a variance."

With all of these elements as presented, it is our continued position to decline your building permit application as submitted, and request that the portion of the deck on the north side of the 221 Inlet Street property to be removed.

If you feel that these conclusions are incorrect, you have the ability to file a grievance under SMC 18.90.

18.90.010 Intent. The purpose of this chapter is to create a starting point of a process to be used by the public to bring forth lot line, roadway, right-of-way, easement or physical property issues to City leaders while providing for a tracking mechanism and written documentation of any subsequent actions that might have an effect on the subject issue.

18.90.020 Application. The application for Lot Lines, Roadways, Rights of Way, Easement and Physical Property Issue shall be filed with the City Office.

18.90.030 Procedure. Procedures shall be as follows:

A. If the application is in order, it will then be forwarded to City Council and/or Planning and Zoning for consideration.

B. All required documents per the application shall be submitted as a single package.

18.90.040 Time Limitations. A. Applications received the Thursday prior to a Council or Planning & Zoning meeting will be held until the next meeting date.

B. Variances, Conditional Use Permits, or easements, are possible actions the Council or Planning Commission could require to resolve your issue. Those documents require a minimum of 30 business days to process, and fees apply. (Ord. 16-07)

Enclosed is a "Lot lines, Roadways, Rights of Way, Easement, and Physical Property Issues" application. Please read and submit the completed application package to our offices for consideration. Once the application and required documents are submitted, our clerk will be in contact with you regarding scheduling and when the item will be addressed at the Planning and Zoning meeting.

Thank you for your understanding and continued resolve to address this issue.

Kind Regards,

Cassidi Cameron

Cassidi Cameron
City Manager





May 8, 2019

City of Seldovia
ATTN: Cassidi Cameron, City Manager
Box B
Seldovia, AK 99663

RE: Decks on lot 09, block 3

Dear Ms. Cameron,

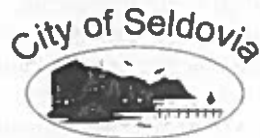
After review of the City of Seldovia code of ordinances, it appears the structures (decks) were existing prior to adoption of zoning code 18.84 (adopted May 27, 1998). Therefore, the structure on lot 9, block 3 is a nonconformity structure. In which case, a building permit is not required to repair the existing decks (per code 18.84 City of Seldovia).

I have stopped by your office several times to discuss this matter with you and share numerous pictures that were taken of the structures (decks) before any repairs were done. I will be in Seldovia the week of May 20th – May 24th and would appreciate a time to meet with you concerning this matter. You may reach me at 907-299-6177.

Sincerely,

A handwritten signature in black ink that reads "Justin Cole". The signature is written in a cursive style with a large, sweeping initial "J".

Justin Cole



www.cityofseldovia.com

P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: cityclerk@cityofseldovia.com

May 01, 2019

Michael Warburton
3500 Crittenden Dr
Homer, AK 99603

Justin Cole
33730 Justin Ct
Homer, Alaska 99603

Dear Mr. Cole:

Notice was sent October 6, 2018 and on February 13, 2019 that your building permit for **Lot 09, Block 3 That Portion Thereof as per W/D 14 @ 124** was denied based on insufficient setbacks or setback information.

The Waterfront Commercial Residential District requires a setback of five feet from all rights-of-way and the requested building permit to build a top and bottom deck does not meet that requirement.

Per SMC 18.40.070 **Building Setback**. In the WCR District, building setback requirements shall be as follows:

- A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;
- B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;
- C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

A variance for the decks(s) has not been received and/or the deck(s) have not been removed, as previously discussed.

There is a \$500.00 penalty for failure to obtain a building/site development permit for new structure or alteration, along with a fifty-dollar late fee in addition to the regular building permit application fee, and/or a daily fee of ten dollars will be levied for each day that a building permit is not on file at the City Office.

Per SMC 17.04.020 **Building Permits**.

17.04.020 Building Permits. A. Required. No person shall make any exterior structural change in or addition to any building, or construct any new building or structure, exempting unattached structures of one hundred square feet or less, within the city without first securing a building permit. Decks and docks to be constructed into a body of water or intertidal zone shall

require a Seldovia building permit and all applicable permits Violation of this section shall be subject to the fine listed in the fine schedule in Section 1.08.040 of this Code. A form is available at the city office if an individual questions whether or not a building permit is required. A verbal response from city staff or individual Seldovia Planning and Zoning Commission members to build without a permit is not acceptable. A written response containing reasons why the individual is exempt from building permit requirements must be obtained from the official who interprets the code. (Ord. 16-06; Ord. 17-06)

B. Application Fee. Upon receipt of a one hundred dollar fee (\$100.00), a permit application shall be issued by the City Clerk. If the plan or description of the proposed construction is approved by the Seldovia Planning Commission, or the City Manager, and would not violate any ordinance or regulation of the City or any governmental agency, a building permit will be issued. If a building permit is denied and the applicant re-submits the application with changes to Planning Commission, the one hundred dollar (\$100) application fee must be paid again. For other than houses; workshops, garages and sheds under 400 square feet; pay the fee of fifty dollars (\$50) for the building permit. No fee is required for 100 square feet or less. (Ord. 97-5 Sec. 2 (part), 1997: prior code Sec. 5.020; Ord 10-05 Sec 1, 2010)

C. Late Fees. If construction and/or development requiring a building permit, (as defined in part A of this section), commences before obtaining a building permit, a fifty-dollar late fee will be charged in addition to the regular building permit application fee, and/or a daily fee of ten dollars will be levied for each day that a building permit is not on file at the City Office. The City Manager or appointed staff shall determine the late fee.

D. Time Limit for Commencement. If the project has not commenced within one year of the permit issue date, the permit becomes null and void and a new building permit must be applied for.(Prior code Sec. 5.020; Ord. 89-13; Ord. 97-05; Ord. 00-07)

A \$500.00 penalty followed by a fifty-dollar late fee has been applied to your account, and will be followed by a levy of ten dollars a day until the issue is resolved.

For further information please stop by the city office or call (907) 234-7643.

Sincerely,

Cassidi Cameron
City Manager



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: citymanager@cityofseldovia.com

February 13, 2019

Michael Warburton
3500 Crittenden Dr
Homer, AK 99603

Justin Cole
33730 Justin Ct
Homer, Alaska 99603

Dear Mr. Cole:

Notice was sent October 6, 2018 that your building permit for **Lot 09, Block 3 That Portion Thereof as per W/D 14 @ 124** was denied based on insufficient setbacks or setback information.

The Waterfront Commercial Residential District requires a setback of five feet from all rights-of-way and the requested building permit to build a top and bottom deck does not meet that requirement.

Per **SMC 18.40.070 Building Setback**. In the WCR District, building setback requirements shall be as follows:

- A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;
- B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;
- C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

The City of Seldovia has not received a response to the denial; a variance for the decks(s) has not been received and/or the deck(s) have not been removed.

Per **SMC 17.04.020 Building Permits. (C)**

C. **Late Fees.** If construction and/or development requiring a building permit, (as defined in part A of this section), commences before obtaining a building permit, a fifty-dollar late fee will be charged in addition to the regular building permit application fee, and/or a daily fee of ten dollars will be levied for each day that a building permit is not on file at the City Office. The City Manager or appointed staff shall determine the late fee.

Please respond to this denial with in thirty days of receipt or a fifty-dollar late fee will be applied followed by a levy of ten dollars a day until the issue is resolved.

For further information please stop by the city office or call (907) 234-7643.

Sincerely,

Cassidi Cameron
City Manager



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: citymanager@cityofseldovia.com

October 06, 2018

Michael Warburton
3500 Crittenden Dr
Homer, AK 99603

Justin Cole
33730 Justin Ct
Homer, Alaska 99603

Dear Mr. Cole:

After review of your building permit for **Lot 09, Block 3 That Portion Thereof as per W/D 14 @ 124** it has been denied based on insufficient setbacks or setback information.

The Waterfront Commercial Residential District requires a setback of five feet from all rights-of-way and the requested building permit to build a top and bottom deck does not meet that requirement.

18.40.070 Building Setback. In the WCR District, building setback requirements shall be as follows:

- A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;
- B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to $\frac{1}{2}$ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;
- C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)

A variance for the deck(s) may be requested from the Planning Commission from the legal property owner(s) and I have enclosed the form along with this letter for your review, otherwise the deck(s) must be removed immediately to avoid further financial penalty (SMC 17.04.020).

Please stop by the office or call for further information (907) 234-7643.

Sincerely,

Cassidi Cameron
City Manager



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
 Phone: (907) 234-7643, Fax: (907) 234-7430
 Email: cityclerk@cityofseldovia.com

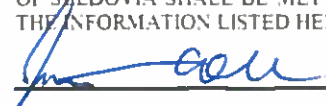
BUILDING PERMIT APPLICATION (A)

FEE: \$100.00

FEE: \$50.00 for buildings under 400 square feet, no fee for buildings under 100 square feet

JOB ADDRESS: 221 Inlet Street			
LEGAL DESCRIPTION:	LOT NUMBER	BLOCK	TRACT
19201310	9	3	T 85 R
OWNER:	MAILING ADDRESS	PHONE NUMBER	
Justin Cole	33730 Justinct Home AK 99603	907-299-6177	
CONTRACTOR:	MAILING ADDRESS	PHONE NUMBER	LICENSE NUMBER
self			
USE OF BUILDING:	ZONING OF LOT:		
House	Waterfront com/RCS		
CLASS OF WORK:	NEW	ADDITION	<u>ALTERATION</u> REPAIR MOVE REMOVE
DESCRIBE WORK: Fixing All weather wood on Deck replacing water Dancer 2 post replaing stairs & railings			
VALUATION OF WORK: To make it safe To use Deck & Entry/Exit of House			

CONSTRUCTION MATERIAL: All weather wood	SIZE OF BUILDING, TOTAL SQ. FT. (including building overhang): 410
NO. OF STORIES: TWO	NO. OF DWELLING UNITS: one
NO. OF OFF-STREET PARKING SPACES: 3	CONSTRUCTION START DATE: Already Aug-21

I HEREBY CERTIFY THAT ALL BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY AND FIRE CODES OF THE CITY OF SELDOVIA SHALL BE MET BY THIS CONSTRUCTION AND THAT THE INFORMATION LISTED HERE IS CORRECT.  SIGNATURE	DATE 9-11-18 DATE	FOR CITY USE ONLY DATE REC: _____ RECEIPT NO: _____ RECEIVED BY: _____ APPROVED: _____ DENIED: _____ DATE: _____ SITE PLAN NO: _____ FEE AMT: _____

**City of Seldovia
Building Permit Application Review Checklist**

- Item Waterfront
1. This project is in an area zoned: Com/RCS
 2. The use of this project is: Viewing/Entry/Exit
 - 2a. This is a *Permitted Use* in this zone: yes no¹ Off Home
 3. The *Lot Size* of this project is: 410 square feet
 4. This project will bring the total *Lot Coverage* to: 75 %
 5. The number of *Parking and/or Loading Spaces* is: 3
 6. The *Building Setback* of this project is: ~~0 FT~~ 6 FT
 7. The *Building Height* of this project is: ~~6 FT~~ 5 FT
 8. Does this project meet the required building code *Performance Standards*?
 yes no² not applicable
 9. Does this project meet the *Visibility at Access Points and Intersections* requirement? yes no³ not applicable
 10. Does this project meet any *Special Requirements*?
 yes no⁴ not applicable
 11. The permit package being submitted includes the required drawings.
 yes no

Applicant Initial	Planning & Zoning Review
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
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<i>[Signature]</i>	

¹ If you answered No to question 2a, STOP. Do not complete your application until you have reviewed the relevant zoning ordinance sections concerning conditional use, variances and contract zoning.

² If you answered No to question 8. STOP. Do not complete your application until you have reviewed the Performance Standards requirements in the relevant zoning ordinance sections.

³ If you answered No to question 9, STOP. Do not complete your application until you have reviewed the Visibility at Access Points and Intersections requirements in the relevant zoning ordinance sections.

⁴ If you answered No to question 10. STOP. Do not complete your application until you have reviewed the Special Requirements paragraph in the relevant zoning ordinance sections.

INSTRUCTIONS TO APPLICANTS

Please provide the following information in the space below:

Actual lot size

Location of proposed construction

Dimensions of all buildings & proposed construction

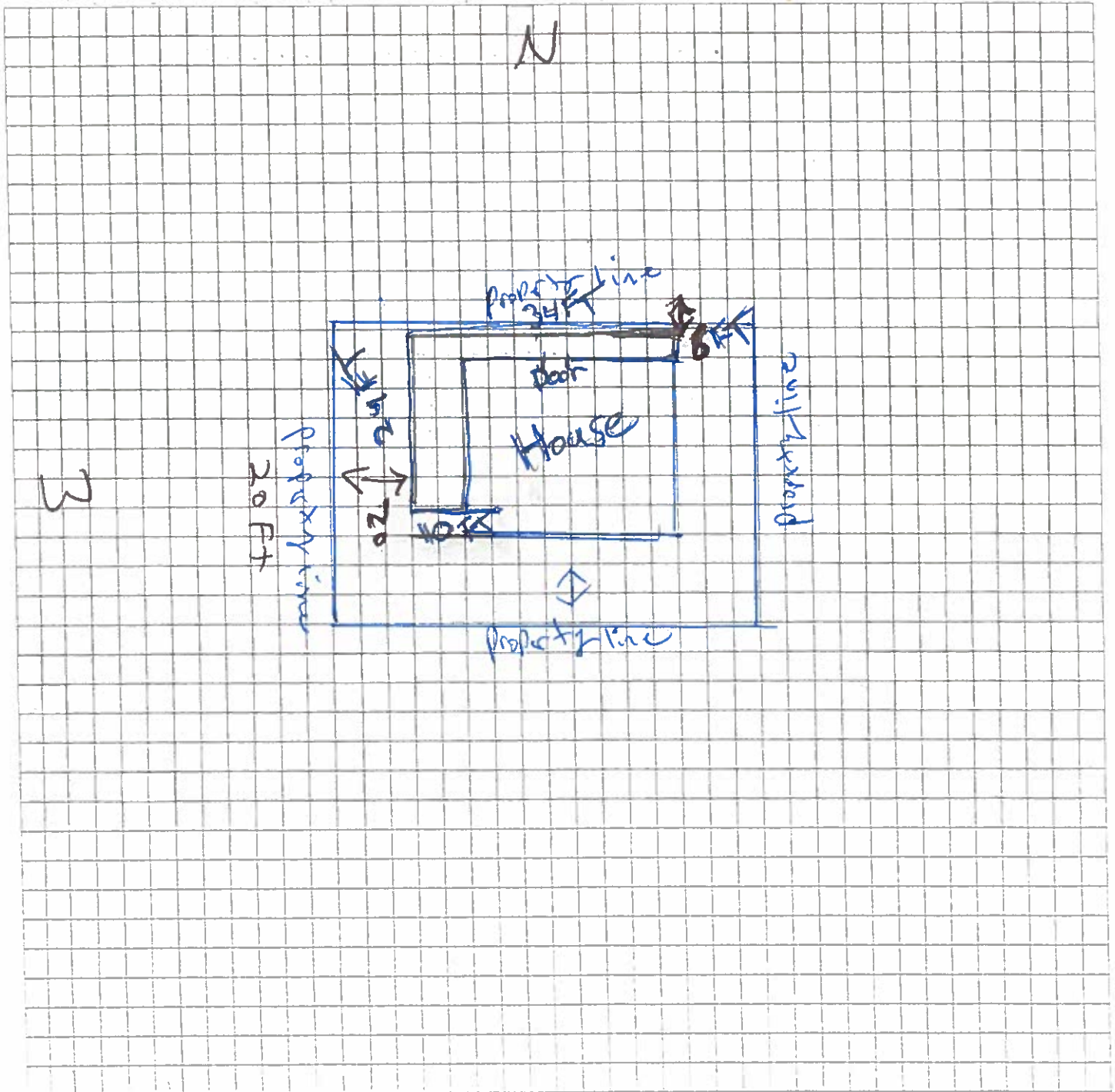
Location of existing building on site

Location of required parking spaces

Setback dimensions from all property lines

Area of site occupied by buildings: 960

Graph square are 5' x 5' or 1"=20'



City of Seldovia: Building Permit Requirement Flow Chart

Proposed Construction: New Structure

Is the proposed unattached structure larger than 100 square feet?



Will the use of the proposed structure violate the permitted uses in its zoning district?



Will the lot coverage of the proposed structure cause the total lot coverage to exceed the allowed total lot coverage in its zoning district?



No Permit Required

Proposed Construction: Change Existing Structure

Will the proposed construction change the use of the structure?



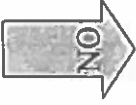
Will the proposed construction change the lot coverage of the structure (includes decks, stairways, overhangs, etc.)



Will the proposed construction change the structure's lot line setback?



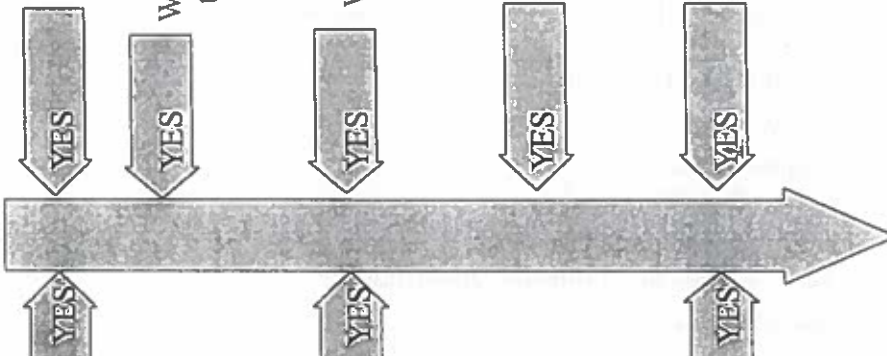
Will the proposed construction change the structure height?



Will the proposed construction change the required performance standards for the structure?



No Permit Required



YOU MUST APPLY FOR A BUILDING PERMIT

I understand the permit requirement for my proposed construction.

Owner Signature

John Cole

I authorize the above signer to build without a permit, as no permit is required.

City Official Signature

9-11-18
Date

Date



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663

Phone: (907) 234-7643, Fax: (907) 234-7430

Email: seldcity@xvz.net

BUILDING PERMIT APPLICATION

Required Drawings: The following list indicates the minimum number and type of drawings that must be submitted with your application. Failure to submit these drawings with your application may result in delays in the permit process and possible additional fees.

1. A map of the lot location in the city (Available at the City Office)
2. A lot plot showing all of the following:
 - Actual lot size and shape
 - Location of proposed construction
 - Location of required parking spaces
 - Location of existing structures on the site
 - Dimensions of structures and proposed construction
 - Setback dimensions from all property lines
3. A floor plan of the construction which clearly indicates the proposed use of the structure

Recommended Drawings: The following list depicts drawings that you may submit in order to provide additional information on the proposed construction. Furnishing these additional details may help prevent delays in processing your application.

1. Plan views of the proposed construction building showing front, side, and rear views
2. Construction details which identify the type of materials and technique of the project
3. Drawings which detail any other aspect of building code compliance



City of Seldovia

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Email: seldcity@xvz.net

Building Permit Application Frequently Asked Questions

1. **Do I need a building permit?** Title 17 of the Seldovia Municipal Code states that building permits are needed for “any exterior structural change in or addition to any building, or construction of any new building or structure, exempting unattached structures of 100 square feet or less.” anywhere within the city limits or at the airport. This includes the addition of walkways, decks, wall bump-outs, stairways, or any other modification to a structure that affects the lot coverage.
2. **Is there a building code that applies to my project?** Yes. Title 17 also establishes a building code, electrical code, plumbing code, mechanical code, building efficiency standards, and a fire prevention code that all construction within the city must meet.
3. **Will my building project be inspected?** Who will be checking up on my compliance with the codes? The city does not employ a building inspector. This is why you are required to submit your plans to Planning & Zoning for review of your code compliance. The city manager is charged with enforcement of the city ordinances, and penalties exist for violations. Your lending institution may require inspections by a certified ICBO inspector.
4. **What other city regulations does my building project have to comply with?** Title 18 of the Seldovia Municipal Code establishes the city zoning codes. These regulate location and use of all buildings within the city. It is the responsibility of the landowner to review these codes and insure that his planned project is in compliance. Copies are available in the city office.
5. **What restrictions or requirements apply to my project?** These restrictions and requirements are spelled out in Title 18. There is a Building Permit Application Checklist in your permit package that will help you review them.
6. **Will I need a survey?** No. The City of Seldovia does not require a survey, but you are responsible for siting your project accurately on your lot. You may be required to move or remove a structure that is in violation. Your lending institution may require an as-built survey.

7. **Do I need architectural drawings or blueprints?** No, you do not need professionally prepared drawings. You may prepare the required drawings yourself, so long as they cover all the specified aspects of your project. The state does have separate regulations requiring professional certified plans that apply to commercial structures, and Planning & Zoning will not consider a commercial application until state regulations are met. Your lending institution may require professional, and/or certified plans.
8. **Where can I get help with my application?** The place to start is at the city clerk's office. The clerk will provide you with an application package and information concerning building codes and zoning ordinances. You are always welcome to submit your questions to Planning & Zoning at their monthly meetings while you are still in the planning phases of your project. P&Z would far rather work with you to help you comply with the laws than to have to turn down your application.
9. **Do I have to be at the Planning & Zoning meeting when my permit application comes up for approval?** No. You should understand, however, that if Planning & Zoning has questions about your plans, approval may be delayed until the following monthly meeting for your answers. A reapplication fee may also apply. Therefore, it is in your interest to be at the meeting to offer additional comment if required.
10. **What if I'm in a hurry due to weather/materials/logistics and I have to start my project before I can get a permit?** Your building permit application should be part of your long-range construction planning. You are responsible for obtaining the permit before you begin, and penalties exist for building without it.
11. **Won't submitting this permit application raise my taxes?** No. The Borough has its own procedures for identifying new construction, and they review projects within the city annually on their own.
12. **I'm not going to fill in all the parts of the forms 'cause this is just Seldovia and you guys already know the answers. Okay?** No. Incomplete applications cannot be reviewed in a timely manner by Planning & Zoning, which will result in approval delays and may cost you a reapplication fee. It really is more efficient to fill it all in correctly the first time.



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643, Fax: (907) 234-7430
Email: selcity@xyz.net

BUILDING PERMIT CHECKLIST

If you are planning to build a new structure or to add to an existing structure, please use the following checklist to make sure your building permit meets all of the Planning and Zoning requirements.

- Have your lot surveyed to be sure you are not violating boundaries. (this is advised, not required)
- Check with the City office to be sure you know how your property is zoned and that you comply with the restrictions of that zoning. You will be responsible for meeting regulations relating to:
 1. Permitted uses or prohibited uses
 2. Performance standards
 3. Conditional use
 4. Minimum lot size and width
 5. Parking area
 6. Lot coverage
 7. Building setback
 8. Visibility at access points and intersections
 9. Building height
 10. Special requirements
- Submit a complete application, with owner's signature, for building permit with \$20.00 fee to the City Office.
- Drawings are legible and able to be photocopied. (no pencils)
- Map of lot location in the City.
- Map showing how the building will sit on the lot.

BE ADVISED:

If you choose to start building before approval of plans, you will be responsible for any corrections made by the Planning and Zoning Commission.

No structure may be occupied within the City limits that does not have proper water and sewer connections.

The Planning and Zoning Commission meets on the first Wednesday of every month. After your application is turned in, it will be reviewed at the next scheduled meeting. It is helpful to all parties involved if you are present at that meeting to answer any questions the committee might have.

It is the responsibility of the applicant/owner to ensure that these plans meet the regulations of the Uniform Building code, the National Fire Protection Agency and all other Federal, State, and Borough codes.

Commercial Addendum:

See Alaska State Fire Marshal Codes



City of Seldovia

P.O. Drawer B, Seldovia, Alaska 99663
Phone: (907) 234-7643 Fax: (907) 234-7430
Email: citymanager@cityofseldovia.com

September 4, 2018

RE: Building Permit Required

Dear Property Owner,

It has been brought to our office's attention that there is construction taking place on your property located at: 224 Inlet Street. According to Seldovia Municipal Code, a building permit needs to be on file and approved in our offices prior to the beginning of construction.

Seldovia Municipal Code States:

17.04.020 Building Permits. A. Required. No person shall make any exterior structural change in or addition to any building, or construct any new building or structure, exempting unattached structures of one hundred square feet or less, within the city without first securing a building permit. Decks and docks to be constructed into a body of water or intertidal zone shall require a Seldovia building permit and all applicable permits. Violation of this section shall be subject to the fine listed in the fine schedule in Section 1.08.040 of this Code. A form is available at the city office if an individual questions whether or not a building permit is required. A verbal response from city staff or individual Seldovia Planning and Zoning Commission members to build without a permit is not acceptable. A written response containing reasons why the individual is exempt from building permit requirements must be obtained from the official who interprets the code. (Ord. 16-06; Ord. 17-06)

B. Application Fee. Upon receipt of a one hundred dollar fee (\$100.00), a permit application shall be issued by the City Clerk. If the plan or description of the proposed construction is approved by the Seldovia Planning Commission, or the City Manager, and would not violate any ordinance or regulation of the City or any governmental agency, a building permit will be issued. If a building permit is denied and the applicant re-submits the application with changes to Planning Commission, the one hundred dollar (\$100) application fee must be paid again. For other than houses; workshops, garages and sheds under 400 square feet; pay the fee of fifty dollars (\$50) for the building permit. No fee is required for 100 square feet or less. (Ord. 97-5 Sec. 2 (part), 1997; prior code Sec. 5.020; Ord 10-05 Sec 1, 2010)

C. Late Fees. If construction and/or development requiring a building permit, (as defined in part A of this section), commences before obtaining a building permit, a fifty-dollar late fee will be charged in addition to the regular building permit application fee, and/or a daily fee of ten dollars

will be levied for each day that a building permit is not on file at the City Office. The City Manager or appointed staff shall determine the late fee.

D. Time Limit for Commencement. If the project has not commenced within one year of the permit issue date, the permit becomes null and void and a new building permit must be applied for. (Prior code Sec. 5.020; Ord. 89-13; Ord. 97-05; Ord. 00-07)

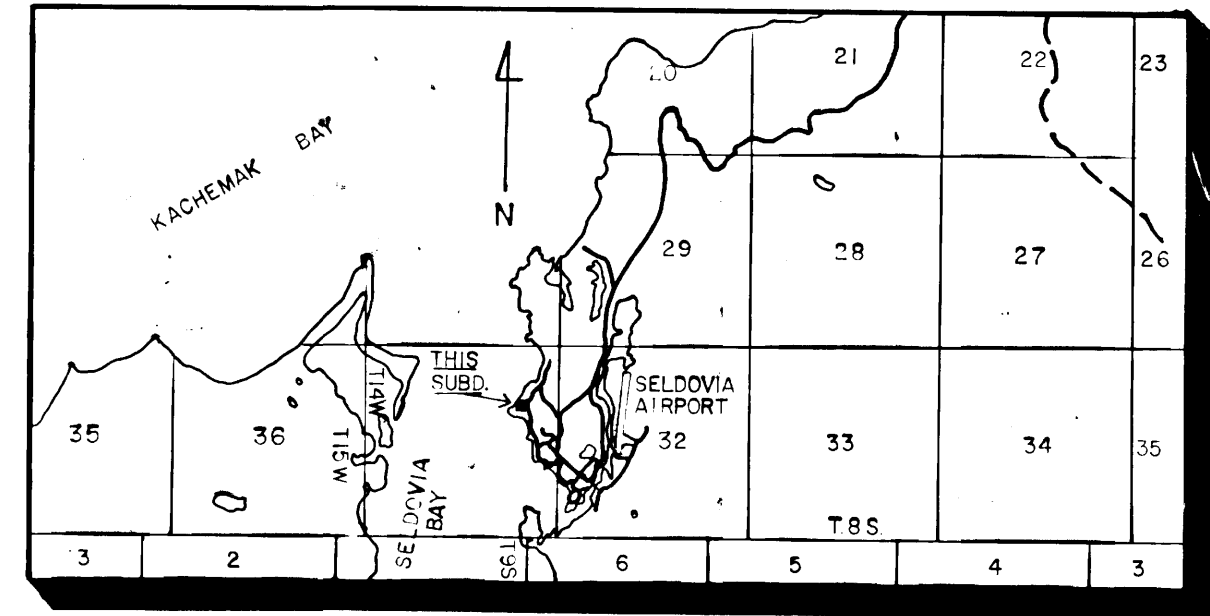
Failure to obtain a building/site development permit for new structure or alteration carries a fine of \$500.00 per occurrence.

Our Accounts Receivables has billed you for the \$50.00 late fee per SMC. Please submit a building permit application within ten days of receipt of this letter in order to avoid further penalties and fines.

Best Regards,

A handwritten signature in black ink that reads "Cassidi Cameron" with a long, sweeping horizontal flourish extending to the right.

Cassidi Cameron
City Manager



VICINITY MAP

1" = 1 MI.

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE ALL RIGHT-OF WAYS AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Gordon E. Giles Carlena Giles

GORDON AND CARLENA GILES
GENERAL DELIVERY
SELDOVIA, ALASKA

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12TH DAY OF March, 1981.

Elaine M. Giles
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 2/27/83

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF June 23, 1980.

KENAI PENINSULA BOROUGH
BY: *Jeffrey B. Tolush*
AUTHORIZED OFFICIAL

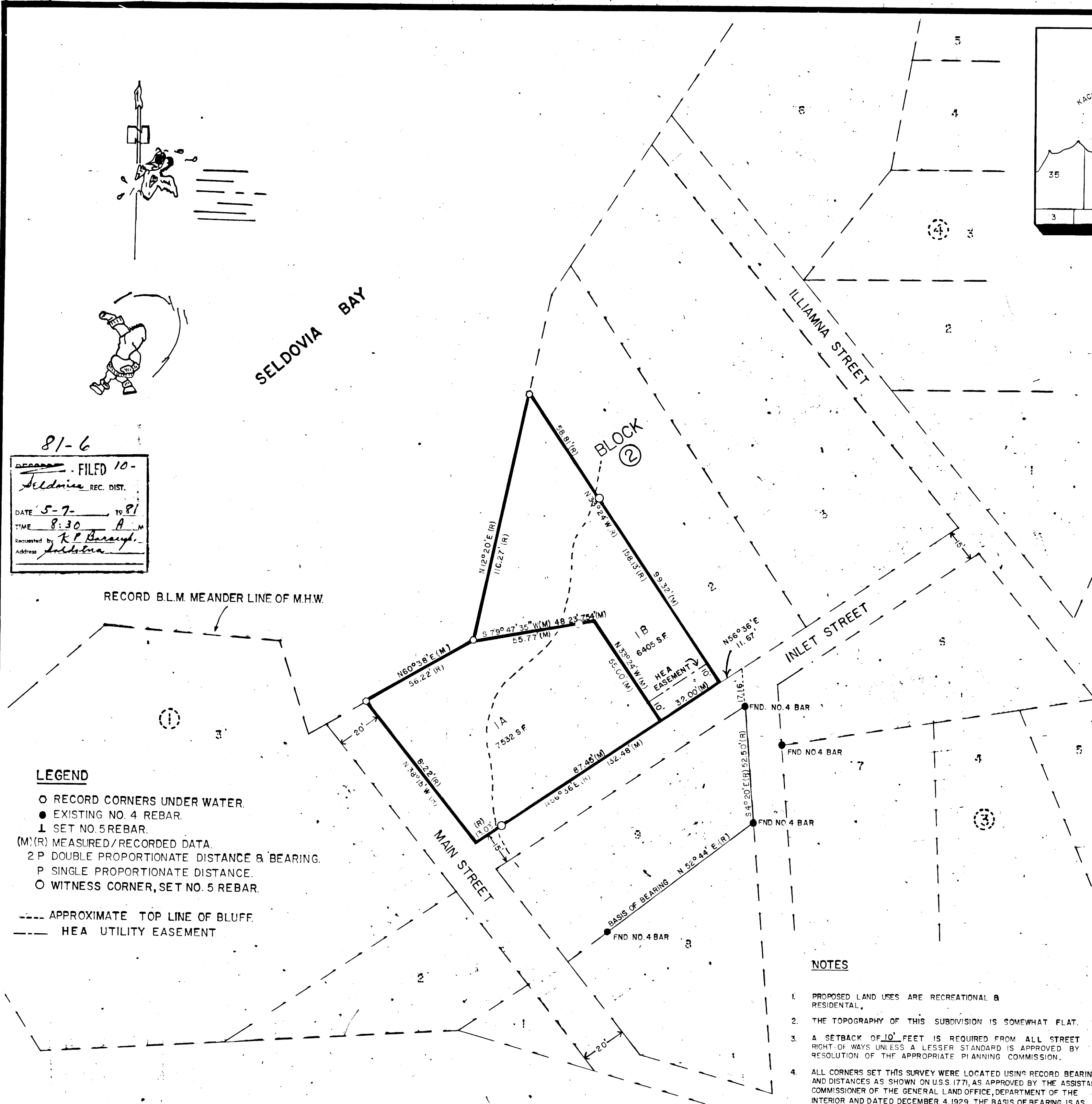


**GILES SUBDIVISION
RESUBDIVISION OF LOTS 1A & 1B,
BLOCK 2, U.S. SURVEY 1771**

LOCATED IN THE CITY OF SELDOVIA
SITUATED WITHIN THE NE 1/4, SEC. 31, T8S, R14W
CONSISTING OF 2 LOTS
CONTAINING 0.3199 AC ±

DOWLING-RICE and ASSOCIATES
P.O. BOX 1974 SOLDOTNA, ALASKA 99669
ENGINEERS 262-9011 SURVEYORS

DATE: MAY, 1980	SCALE: 1" = 30'
DRAFTED R.M.	SHEET: 1 of 1
CHECKED: R.R.	JOB NO: 79034



81-6

FILED 10-
Seldovia REC. DIST.

DATE 5-7-81 TO 81
TIME 8:30 A.M.
Requested by R.P. Barrough
Address Seldovia

- LEGEND**
- RECORD CORNERS UNDER WATER.
 - EXISTING NO. 4 REBAR.
 - ⊥ SET NO. 5 REBAR.
 - (M)(R) MEASURED/RECORDED DATA.
 - 2 P DOUBLE PROPORTIONATE DISTANCE & BEARING.
 - P SINGLE PROPORTIONATE DISTANCE.
 - WITNESS CORNER, SET NO. 5 REBAR.
 - APPROXIMATE TOP LINE OF BLUFF.
 - - - HEA UTILITY EASEMENT

- NOTES**
1. PROPOSED LAND USES ARE RECREATIONAL & RESIDENTIAL.
 2. THE TOPOGRAPHY OF THIS SUBDIVISION IS SOMEWHAT FLAT.
 3. A SETBACK OF 10 FEET IS REQUIRED FROM ALL STREET RIGHT-OF WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 4. ALL CORNERS SET THIS SURVEY WERE LOCATED USING RECORD BEARINGS AND DISTANCES AS SHOWN ON U.S.S. 1771, AS APPROVED BY THE ASSISTANT COMMISSIONER OF THE GENERAL LAND OFFICE, DEPARTMENT OF THE INTERIOR AND DATED DECEMBER 4, 1929. THE BASIS OF BEARING IS AS INDICATED ON THE PLAT.

CERTIFICATE OF OWNERSHIP

I hereby certify that Precious Earth Inc. is the owner of the real property shown and described hereon, and that Precious Earth Inc. does hereby adopt this plan of subdivision, and by its free consent dedicate all public rights-of-way and grant all easements and public areas to the use shown.

Gregory W. Davis, President and Chairman
 PRECIOUS EARTH INC.
 P.O. BOX 10808
 BAKERSFIELD, CA 93389

NOTES

1. THESE LOTS ARE SUBJECT TO SELDOVIA CITY CODE.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. APPROXIMATE FLOOD ZONE DEFINITION FROM FEMA F.I.R.M COMMUNITY PANEL #020012-5045A MAY 19, 1981.
 "ZONE A"; AREA OF 100-YEAR FLOOD, BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
 "ZONE D"; AREA OF UNDETERMINED, BUT POSSIBLE FLOOD HAZARDS.
4. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20%.
5. SUBDIVISION BOUNDARY IS PER SL2007-4, ATS 219, AND U.S. SURVEY 1771, FIXED BY 1964 EARTHQUAKE.

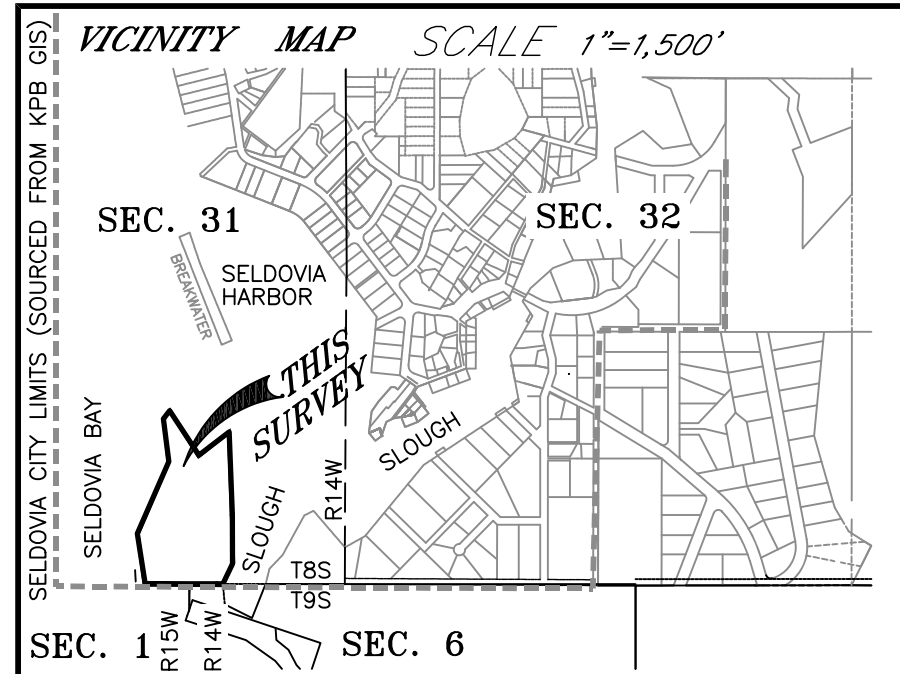
WASTEWATER NOTE

PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS, ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

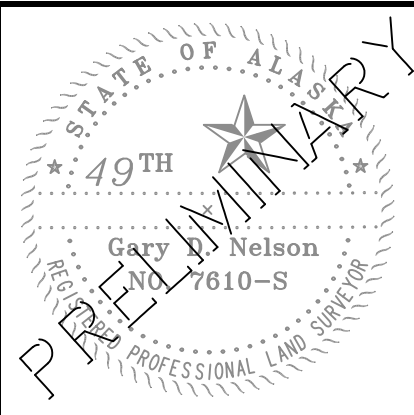
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
 KENAI PENINSULA BOROUGH

BY _____
 Authorized Official



DATE	7/31/2019
SCALE	1"=100'
JOB No.	5144
DRAWING:	5144PLAT.dwg



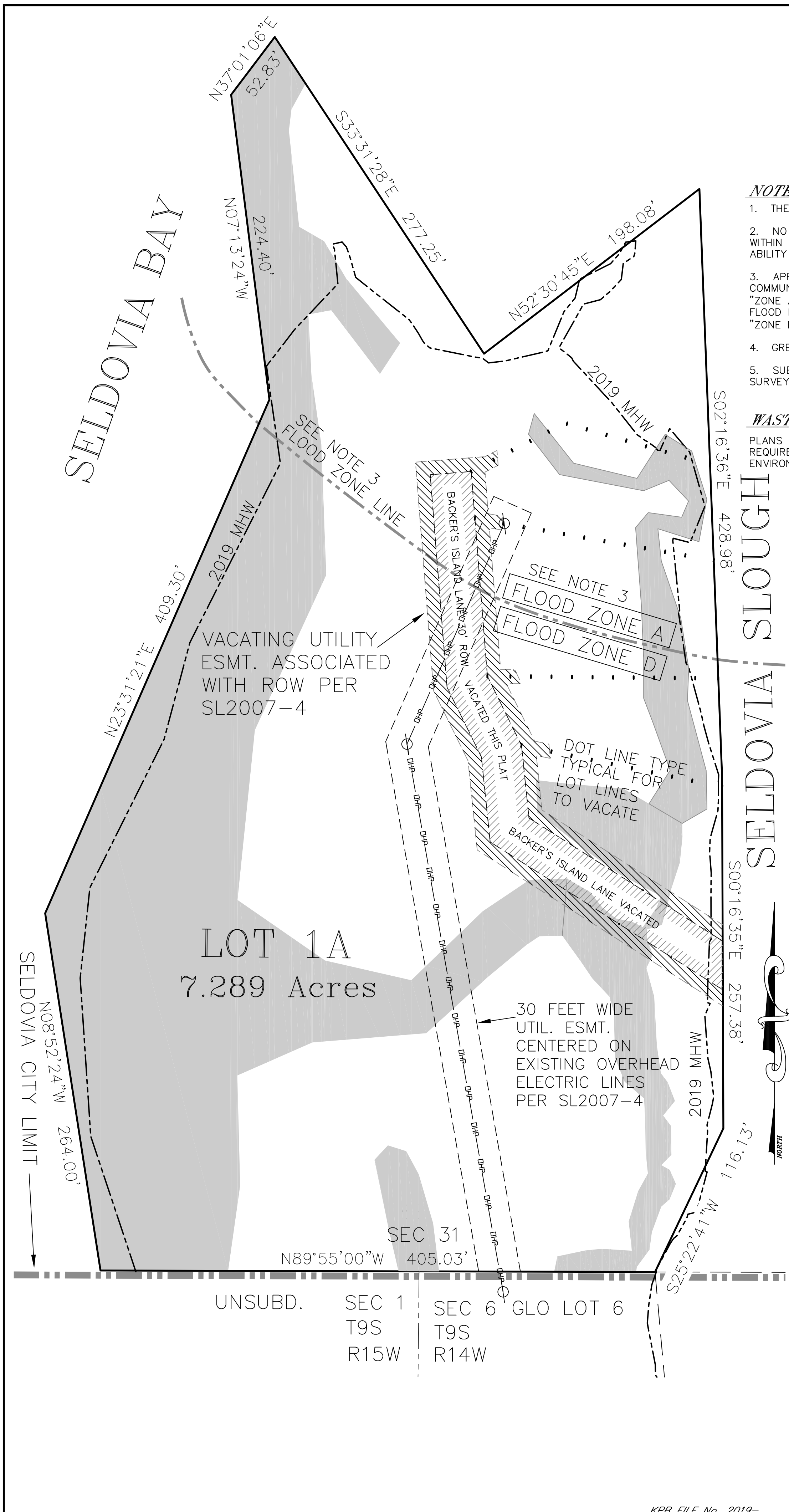
SELDOVIA ISLAND 2019

VACATING BACKER'S ISLAND LANE AND REVERTING TO ACREAGE BY VACATING LOTS 1 THROUGH 5 OF SELDOVIA ISLAND (SL2007-4), WITHIN THE SE1/4 SECTION 31, T8S, R14W, SM, CITY OF SELDOVIA, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, SELDOVIA RECORDING DISTRICT, ALASKA CONTAINING 7.289 ACRES MORE OR LESS

OWNER:
 PRECIOUS EARTH INC,
 P.O. BOX 10808,
 BAKERSFIELD, CA 93389

ABILITY SURVEYS
 GARY NELSON, PLS
 (907) 235-8440
 152 DEHEL AVE., HOMER ALASKA 99603

KPB FILE No. 2019-





**Petition to Vacate Public Right-of-Way/Easement/Platted Public Area
 Public Hearing Required**

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

- \$500 non-refundable fee to help defray costs of advertising public hearing.
 - City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
 - Name of public right-of-way proposed to be vacated is dedicated by the plat of SELDOWIA ISLAND Subdivision, filed as Plat No. 2007-4 in SELDOWIA Recording District.
 - Are there associated utility easements to be vacated? Yes No
 - Are easements in use by any utility company? If so, which company NOT USED
 - Easement for public road or right-of-way as set out in (specify type of document) _____ as recorded in Book _____ Page _____ of the _____ Recording District. (Copy of recorded document must be submitted with petition.)
 - Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way, the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed? Yes No
 Is right-of-way used by vehicles / pedestrians / other? Yes No
 Is alternative right-of-way being provided? Yes No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:
Application to construct road to the right-of-way has been denied by City, Corps of Engineers, & DNR. Therefore owner feels the right-of-way and Lots it serves are no longer feasible or desired. Surrounding water and tidelands are the only real and actual means of access to the land except for two adjoining private lands. Owner desires privacy and there is no longer a need for public access onto property.
The right-of-way does not serve any other properties, or the public for any sort of through fare, and as such does not provide access to public waters.

The petition must be signed (written signature) by owners of the majority of land fronting the right-of-way, easement, or platted public area proposed to be vacated. Each petitioner must include address and legal description of his/her property.

Submitted By:
 Name: Clay Nelson
 Address: 152 Dehel Ave.
Homer, AK 99603

 Phone: 907-235-8440

Signature as:
 Petitioner Representative

Petitioners:
 Signature *Gregory W. Davis*
 Name Gregory W. Davis Re. Precious Earth Inc.
 Address P.O. Box 10808
Bakersfield, CA 93309

Signature _____
 Name _____
 Address _____

Owner of Lots 1 through 5, Soldovia Island

Owner of _____

Signature _____
 Name _____
 Address _____

Signature _____
 Name _____
 Address _____

Owner of _____

Owner of _____

NOTES

1. THE BASIS OF BEARING IS BETWEEN THE SW W.C.M.C. AND THE SE W.C.M.C., TRACT C, U.S. SURVEY NO. 1770.
2. THE FRONT 10' OF THE BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5' OF SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. HEA HAS BLANKET EASEMENT ACROSS TRACT C, U.S. SURVEY NO. 1770.
4. LOTS WITHIN THIS SUBDIVISION ARE LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA. DEVELOPMENT MUST COMPLY WITH CHAPTER 21.06 OF THE KENAI PENINSULA BOROUGH CODE OF ORDINANCES. A SURVEY MAY BE REQUIRED TO DETERMINE THE ELEVATION OF THE PROPERTY PRIOR TO CONSTRUCTION.
5. THERE IS AN INGRESS/EGRESS EASEMENT IN FAVOR OF THE CITY OF SELDOVIA RECORDED IN BK 6 PAGE 90 AND PAGE 94 S.R.D. THIS EASEMENT IS DESCRIBED AS HAVING A WIDTH OF 20 FEET ABOVE THE HIGHEST TIDE LEVEL AT A SUITABLE PLACE FOR MEANS OF ENTRANCE AND EGRESS FROM THE LAND SIDE OF TRACT C.
6. THERE IS AN EASEMENT FOR A BREAKWATER AND MATERIALS IN FAVOR OF THE CITY OF SELDOVIA RECORDED IN BK 6 PAGE 89 S.R.D. THIS EASEMENT IS DESCRIBED AS BEING LOCATED ON EITHER OF THE TWO NORTHERN POINTS OF TRACT C.
7. THE SELDOVIA CITY COUNCIL APPROVED A VARIANCE TO THE SETBACK REQUIREMENTS FOR THE 3' WIDE BOARDWALK DURING THEIR DECEMBER 13, 2006 MEETING.

WASTEWATER DISPOSAL:

PLANS FOR THE WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPT. OF ENVIRONMENTAL CONSERVATION.

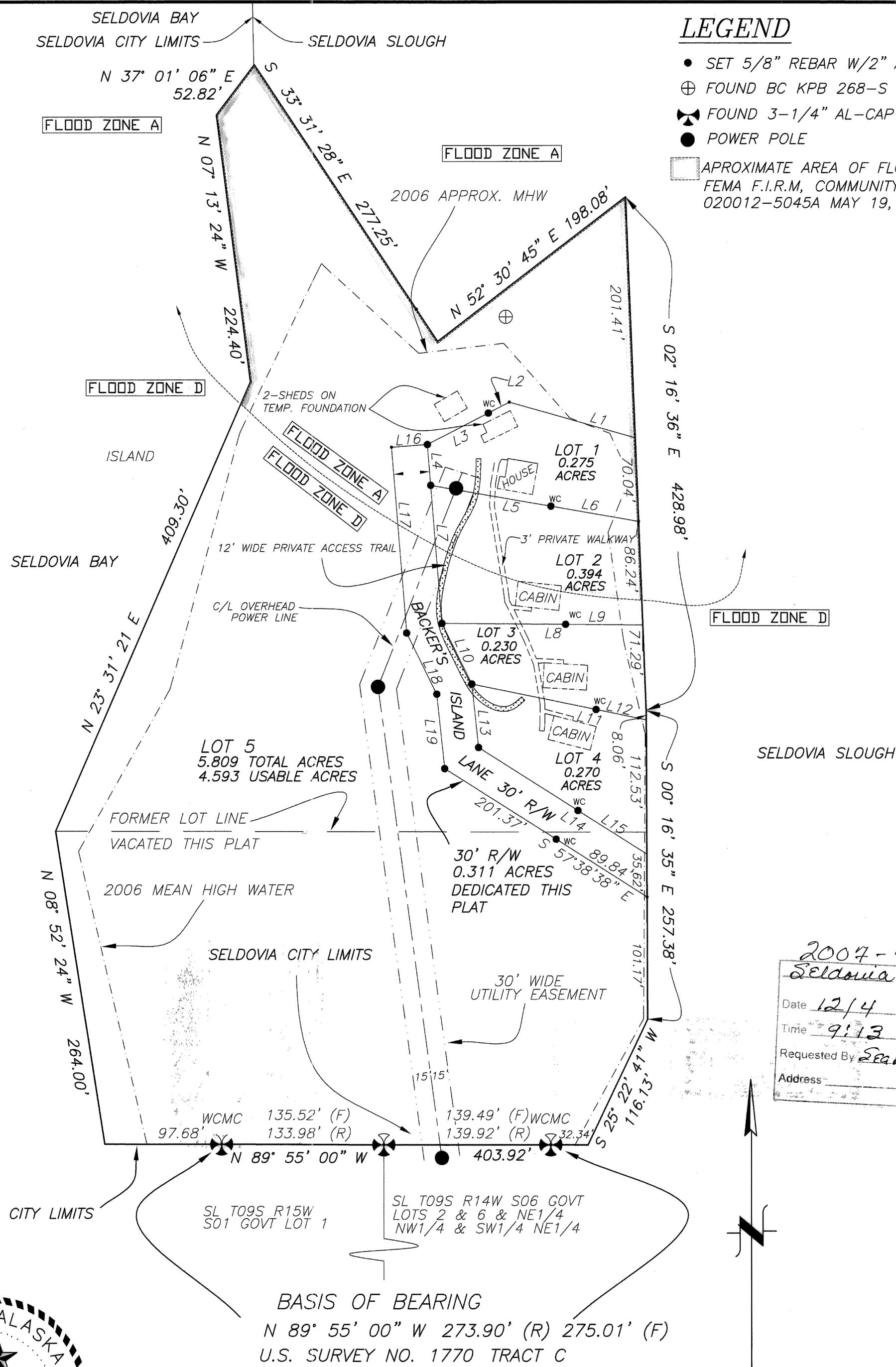
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF November 27, 2006

KENAI PENINSULA BOROUGH

BY: Maury Best
AUTHORIZED OFFICIAL

LINE	BEARING	LENGTH
L1	N 74°08'56" W	110.17'
L2	S 62°40'09" W	19.77'
L3	S 62°40'09" W	57.32'
L4	S 04°35'53" E	90.19'
L5	S 80°05'32" E	177.14'
L6	S 80°05'32" E	74.42'
L7	S 04°35'53" E	53.28'
L8	S 89°31'30" E	168.66'
L9	S 89°31'30" E	64.41'
L10	S 26°17'44" E	56.37'
L11	S 78°22'22" E	149.62'
L12	S 78°22'22" E	43.65'
L13	S 05°56'52" E	53.28'
L14	S 57°38'38" E	167.59'
L15	S 57°38'38" E	69.16'
L16	S 85°24'07" W	30.00'
L17	S 04°35'53" E	155.69'
L18	S 26°17'44" E	56.73'
L19	S 05°56'52" E	62.43'

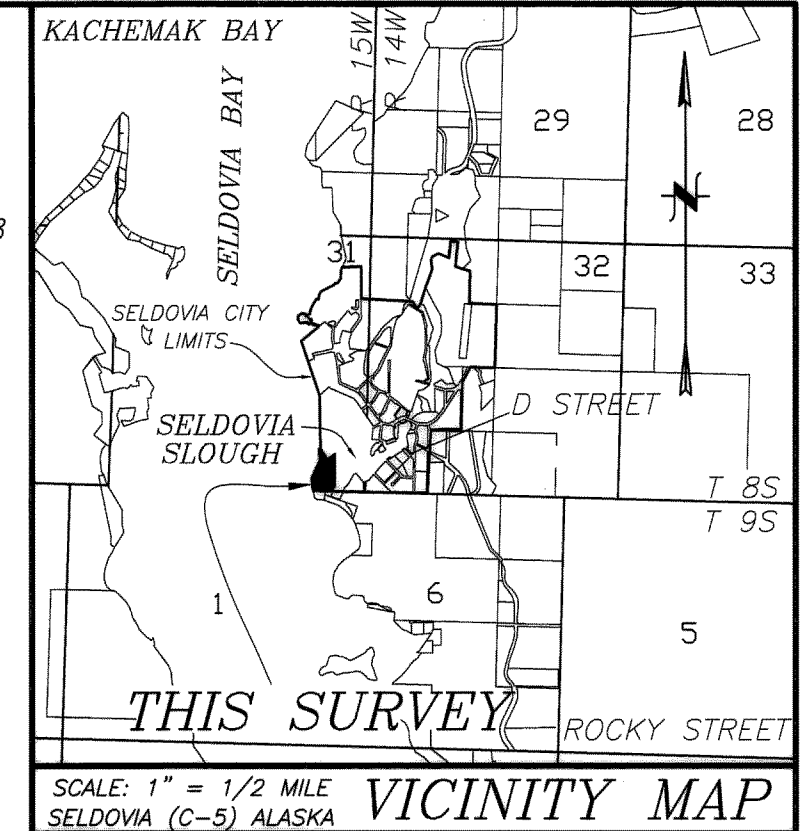


BASIS OF BEARING
N 89° 55' 00" W 273.90' (R) 275.01' (F)
U.S. SURVEY NO. 1770 TRACT C

SCALE 1" = 80'

LEGEND

- SET 5/8" REBAR W/2" AL-CAP 7968-S 2006
- ⊕ FOUND BC KPB 268-S 1984
- ⊗ FOUND 3-1/4" AL-CAP ON 2" PIPE BLM 1988
- POWER POLE
- APPROXIMATE AREA OF FLOOD HAZARD ZONE A FEMA F.I.R.M. COMMUNITY PANEL # 020012-5045A MAY 19, 1981



CERTIFICATE OF OWNERSHIP

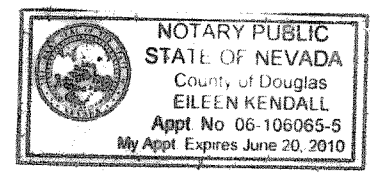
I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT I HEREBY ADOPT THIS PLAT OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

Robert Whear
ROBERT WHEAR, SIGNER FOR
SNUG HARBOR RESORT LLC
PO BOX 1707
GARDNERVILLE, NV 89410

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF 11/2, 2007.
FOR: Robert whear
NOTARY PUBLIC FOR ALASKA Douglas Co. Nevada

2007-4
Seldevia REC DIST
Date 12/4 2007
Time 9:13 A.M.
Requested By Seabright
Address _____

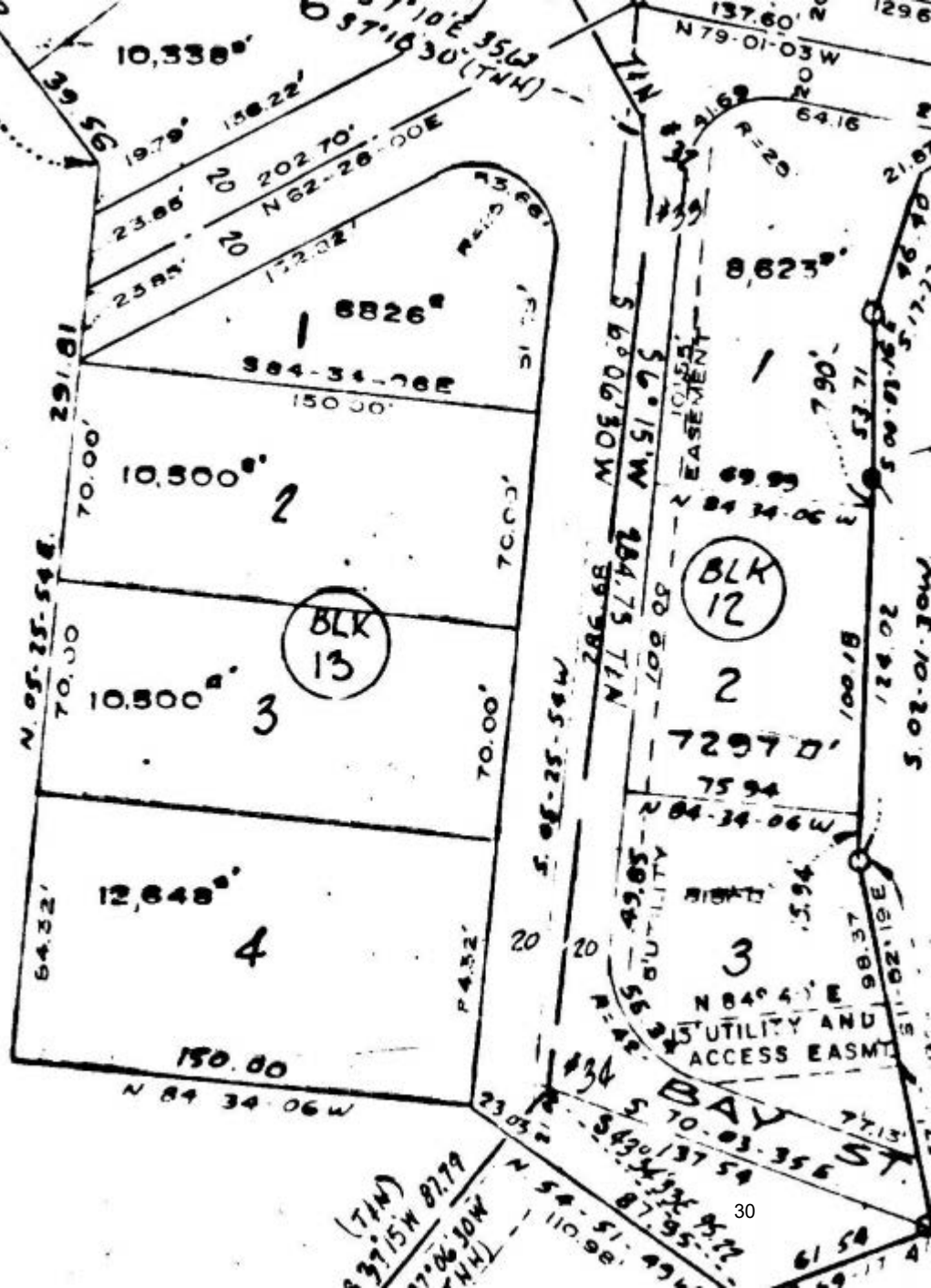


SELDOVIA RECORDING DISTRICT KPB FILE No. 2006-330

SELDOVIA ISLAND
A SUBDIVISION OF TRACT C, U.S. SURVEY NO. 1770 LYING WITHIN SELDOVIA BAY IN THE CITY OF SELDOVIA LYING WITHIN THE KENAI PENINSULA BOROUGH THIRD JUDICIAL DISTRICT, STATE OF ALASKA CONTAINING 7.289 ACRES MORE OR LESS

SEABRIGHT SURVEY+DESIGN
1044 EAST ROAD, SUITE A
HOMER ALASKA 99603
(907) 235-4247 & FAX
EMAIL: SEABRIGHT@alaska.net

DRAWN BY: J.S.	DATE: 10/26/07	SCALE: 1" = 80'
CHK BY: K.B.	JOB #06-48	SHEET 1 OF 1



10,338^{sq}

19.79° 158.22'
23.85° 202.70'
25.85° 20 N 62-28-00E
152.02'

8826^{sq}
384-34-76E
150.00'

10,500^{sq}

BLK 13

10,500^{sq}

12,648^{sq}

4

150.00
N 84 34 06 W

137.60' N
N 79-01-03 W
64.16

8,623^{sq}

69.99
84 34 06 W
79.0°
53.71
12.75

BLK 12

2

7297 D'
75.94

N 84-34-06 W
50.56' UTILITY RIGHTS
5.94
3

N 84° 4' E
34.5' UTILITY AND ACCESS EASMT.

BAY ST
77.13'
70-03-35 E

(TIN)
337.15 W 87.79
17.06 30 W
(TIN)

N 54-51-28
110.98'

Chapter 18.80 Contract Zoning

Sections:

18.80.010 Intent.

18.80.020 Procedures.

18.80.010 Intent. It is the intent of this section to provide a means of insuring that the type of land use proposed in a rezoning request is the one which occurs if the rezoning is granted. "Contract zoning" means a zoning reclassification to a less restricted use when the owner of the rezoned property, either through an agreement with the Council or a covenant in favor of the City, places restrictions on the use of the land beyond the zoning requirements generally attaching to the new district in which the property has been placed.

18.80.020 Procedures. A. A petition for contract zoning shall be submitted to the City Manager. The applicant's petition shall contain detailed information on the proposed development and use of the land. Proposed covenants, guarantees or other forms of agreement to assure the development and use of the land as proposed shall also be submitted. A time schedule for the development and use shall be included with the petition.

B. The City Manager shall present the petition to the City Planning Commission. The City Planning Commission may consider the petition upon finding that:

1. The proposed land use is beneficial to the public interest and can be developed in a manner to be compatible with development in adjacent zoning districts.

2. Existing public facilities, services and utilities can accommodate the proposed use without any detrimental effect on adjacent zoning districts.

3. Rezoning accomplished under this section does not constitute "spot zoning."

4. Unrestricted rezoning to a district ordinarily permitting the proposed use would permit other uses that would not be compatible with the adjacent land use.

C. The City Planning Commission may reject, modify or accept the applicant's proposals submitted under subsection A of this section. If the applicant agrees, in writing, to the City Commission's acceptance or modification of the

applicant's proposal, the Commission shall initiate an ordinance for amendment to the City Council. Action taken by the Commission pursuant to this section shall not be construed to limit the Commission's authority to reject or modify the applicant's proposal during the zoning ordinance amendment process.

D. The applicant may appeal a City Planning Commission action pursuant to subsection C of this section as provided in Chapter 18.92.

**CITY OF SELDOVIA
ORDINANCE 20-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA,
AMENDING SECTION 17.04.020(D) BUILDING PERMITS**

SECTION 1. CLASSIFICATION: This ordinance is permanent in nature and shall become a part of the Municipal Code of the City of Seldovia.

SECTION 2: SEVERABILITY: If any provision of this ordinance or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to another person or circumstances shall not be affected thereby.

SECTION 3. ENACTMENT: AMENDING SECTION 17.04.020(D) BUILDING PERMITS BY REMOVING LANGUAGE IN ~~STRIKEOUT~~ AND ADDING LANGUAGE IN **HIGHLIGHT** TO READ AS FOLLOWS::

17.04.020 Building Permits. A. Required. No person shall make any exterior structural change in or addition to any building, or construct any new building or structure, exempting unattached structures of one hundred square feet or less, within the city without first securing a building permit. Decks and docks to be constructed into a body of water or intertidal zone shall require a Seldovia building permit and all applicable permits Violation of this section shall be subject to the fine listed in the fine schedule in Section 1.08.040 of this Code. A form is available at the city office if an individual questions whether or not a building permit is required. A verbal response from city staff or individual Seldovia Planning and Zoning Commission members to build without a permit is not acceptable. A written response containing reasons why the individual is exempt from building permit requirements must be obtained from the official who interprets the code. (Ord. 16-06; Ord. 17-06)

B. Application Fee. Upon receipt of a one hundred dollar fee (\$100.00), a permit application shall be issued by the City Clerk. If the plan or description of the proposed construction is approved by the Seldovia Planning Commission, or the City Manager, and would not violate any ordinance or regulation of the City or any governmental agency, a building permit will be issued. If a building permit is denied and the applicant re-submits the application with changes to Planning Commission, the one hundred dollar (\$100) application fee must be paid again. For other than houses; workshops, garages and sheds under 400 square feet; pay the fee of fifty dollars (\$50) for the building permit. No fee is required for 100 square feet or less. (Ord. 97-5 Sec. 2 (part), 1997; prior code Sec. 5.020; Ord 10-05 Sec 1, 2010)

C. Late Fees. If construction and/or development requiring a building permit, (as defined in part A of this section), commences before obtaining a building permit, a fifty-dollar late fee will be charged in addition to the regular building permit application fee, and/or a daily fee of ten dollars will be levied for each day that a building permit is not on file at the City Office. The City Manager or appointed staff shall determine the late fee.

D. ~~Time Limit for Commencement~~. If the project has not commenced within one year (365 days) of the permit issue date, or if the work has stopped for a period of one year (365 days) at any time after work has commenced, the permit becomes null and void and a new building permit must be applied for. Building permits are valid for two years (760 days) from the permit issue date, projects that need longer than two years for completion must complete a new building permit or may be granted a one-year extension at the discretion of the city manager. (Prior code Sec. 5.020; Ord. 89-13; Ord. 97-05; Ord. 00-07)

SECTION 4. EFFECTIVE DATE. This ordinance becomes effective upon its adoption by the City Council.

ADOPTED by a duly constituted quorum of the City Council of the City of Seldovia, Alaska this ____ day of _____, 2019.

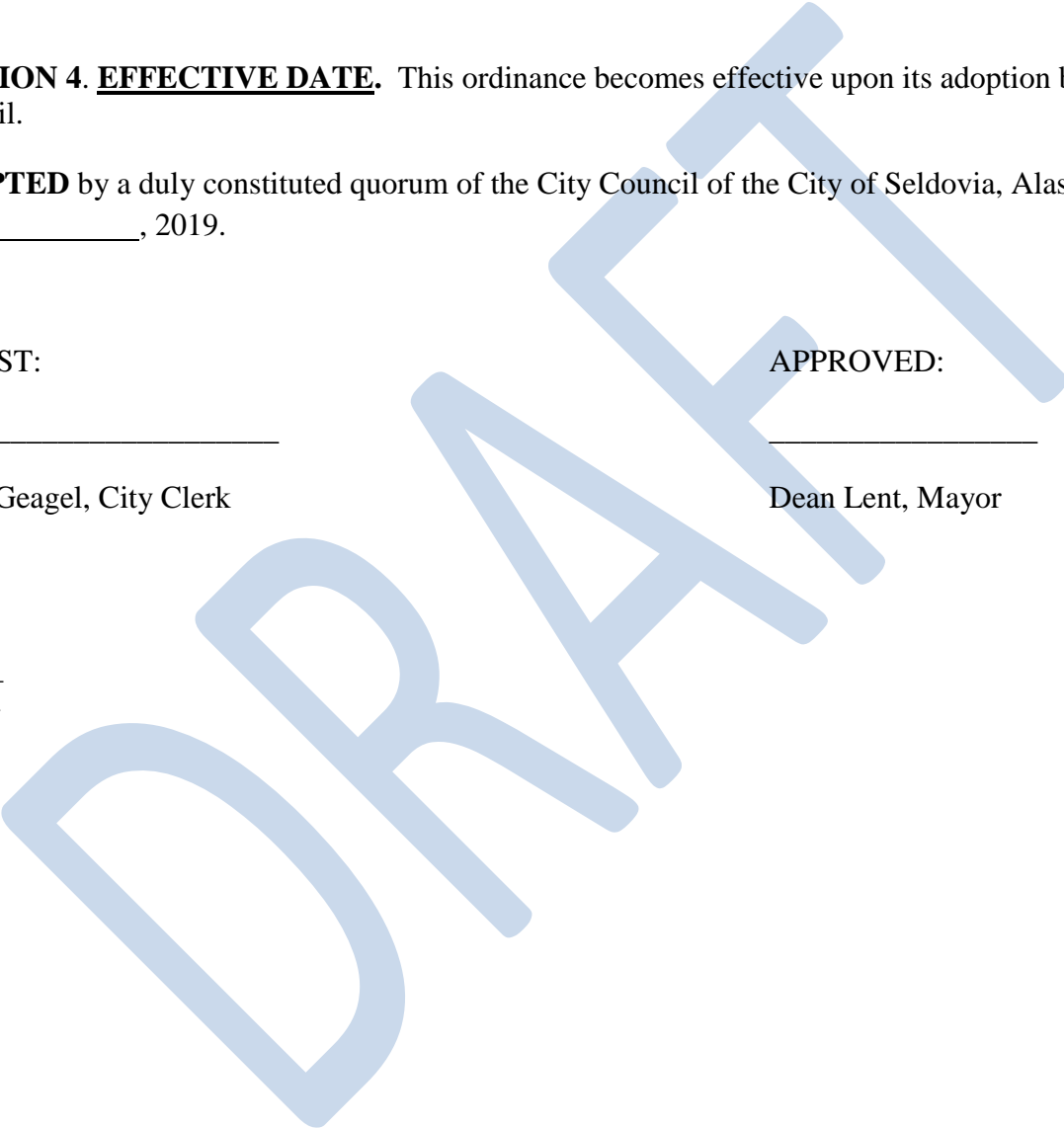
ATTEST:

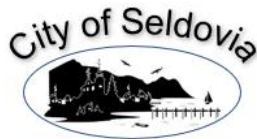
Heidi Geagel, City Clerk

APPROVED:

Dean Lent, Mayor

Vote:
Colberg-
Campbell-
Morrison-
Rojas-
Lethin-
Sweatt-





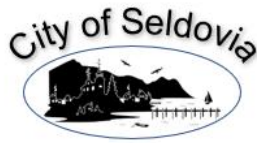
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P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: cityclerk@cityofseldovia.com

Building Permit Application Frequently Asked Questions

1. **Do I need a building permit?** Title 17 of the Seldovia Municipal Code states that building permits are needed for “any exterior structural change in or addition to any building, or construction of any new building or structure, exempting unattached structures of 100 square feet or less,” anywhere within the city limits or at the airport. This includes the addition of walkways, decks, wall bump-outs, stairways, or any other modification to a structure that affects the lot coverage.
2. **Is there a building code that applies to my project?** Yes. Title 17 also establishes a building code, electrical code, plumbing code, mechanical code, building efficiency standards, and a fire prevention code that all construction within the city must meet.
3. **Will my building project be inspected?** Who will be checking up on my compliance with the codes? The city does not employ a building inspector. This is why you are required to submit your plans to Planning & Zoning for review of your code compliance. The city manager is charged with enforcement of the city ordinances, and penalties exist for violations. Your lending institution may require inspections by a certified ICBO inspector.
4. **What other city regulations does my building project have to comply with?** Title 18 of the Seldovia Municipal Code establishes the city zoning codes. These regulate location and use of all buildings within the city. It is the responsibility of the landowner to review these codes and insure that his planned project is in compliance. Copies are available in the city office.
5. **What restrictions or requirements apply to my project?** These restrictions and requirements are spelled out in Title 18. There is a Building Permit Application Checklist in your permit package that will help you review them.
6. **Will I need a survey?** No. The City of Seldovia does not require a survey, but you are responsible for siting your project accurately on your lot. You may be required to move or remove a structure that is in violation. Your lending institution may require an as-built survey.

7. **Do I need architectural drawings or blueprints?** No, you do not need professionally prepared drawings. You may prepare the required drawings yourself, so long as they cover all the specified aspects of your project. The state does have separate regulations requiring professional certified plans that apply to commercial structures, and Planning & Zoning will not consider a commercial application until state regulations are met. Your lending institution may require professional, and/or certified plans.
8. **Where can I get help with my application?** The place to start is at the city clerk's office. The clerk will provide you with an application package and information concerning building codes and zoning ordinances. You are always welcome to submit your questions to Planning & Zoning at their monthly meetings while you are still in the planning phases of your project. P&Z would far rather work with you to help you comply with the laws than to have to turn down your application.
9. **What if I'm in a hurry due to weather/materials/logistics and I have to start my project before I can get a permit?** Your building permit application should be part of your long-range construction planning. You are responsible for obtaining the permit before you begin, and penalties exist for building without it.
10. **Won't submitting this permit application raise my taxes?** No. The Borough has its own procedures for identifying new construction, and they review projects within the city annually on their own.
11. **I'm not going to fill in all the parts of the forms 'cause this is just Seldovia and you guys already know the answers. Okay?** No. Incomplete applications cannot be reviewed in a timely manner by Planning & Zoning, which will result in approval delays and may cost you a reapplication fee. It really is more efficient to fill it all in correctly the first time.



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FOR CITY USE ONLY

DATE REC: _____ RECEIPT NO: _____
 RECEIVED BY: _____ APPROVED: _____
 DATE: _____ DENIED: _____

BUILDING PERMIT APPLICATION

FEE: \$100.00

FEE: \$50.00 for buildings under 400 square feet, no fee for buildings under 100 square feet

JOB ADDRESS:	
LEGAL DESCRIPTION:	LOT NUMBER BLOCK TRACT
OWNER:	MAILING ADDRESS PHONE NUMBER
CONTRACTOR:	MAILING ADDRESS PHONE NUMBER LICENSE NUMBER
USE OF BUILDING:	ZONING OF LOT:
CLASS OF WORK: NEW ADDITION ALTERATION REPAIR MOVE REMOVE	
DESCRIBE WORK:	
VALUATION OF WORK:	
WATER AND SEWER PERMIT: <input type="checkbox"/> YES <input type="checkbox"/> NO <i>REQUIRED IF WITHIN 200' OF PUBLIC SYSTEM</i>	
DRIVEWAY PERMIT: YES NO	
CONSTRUCTION MATERIAL:	SIZE OF BUILDING: TOTAL SQ. FT.
NO. OF STORIES:	NO. OF DWELLING UNITS:
NO. OF OFF-STREET PARKING SPACES:	CONSTRUCTION START DATE:
<p>WORK UNDER YOUR BUILDING PERMIT MUST START WITHIN 365 DAYS OF PERMIT ISSUANCE OR IT WILL EXPIRE AND A NEW PERMIT MUST BE OBTAINED. IN ORDER TO KEEP YOUR PERMIT VALID, YOUR WORK MUST CONTINUE SO THAT THERE IS NOT A LAPSE OF OVER 365 DAYS WHEN NO ON-SITE WORK IS ACCOMPLISHED. BUILDING PERMITS ARE VALID FOR TWO YEARS (760 DAYS) FROM THE PERMIT ISSUE DATE, PROJECTS THAT NEED LONGER THAN TWO YEARS FOR COMPLETION MUST COMPLETE A NEW BUILDING PERMIT OR MAY BE GRANTED A ONE-YEAR EXTENSION AT THE DISCRETION OF THE CITY MANAGER.</p> <p>I HEREBY CERTIFY THAT ALL BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, ENERGY EFFICIENCY AND FIRE CODES OF THE CITY OF SELDOVIA SHALL BE MET BY THIS CONSTRUCTION AND THAT THE INFORMATION LISTED HERE IS CORRECT.</p>	
Signature	DATE

Re

tion

City of Seldovia Building Permit Application Review Checklist

1. This project is in an area *zoned*: _____

2. The use of this project is: _____

- 2a. This is a *Permitted Use* in this zone: yes no¹

3. This project has existing water and sewer: yes no

- 3a. This project will obtain a water and sewer permit: yes no
(Per SMC 13.04.055(C) No building shall be occupied unless it is connected with a water extension and a side sewer or approved septic tank installation.)

4. The *Lot Size* of this project is: _____ square feet

5. This project will bring the total *Lot Coverage* to: _____ %

6. The number of *Parking and/or Loading Spaces* is: _____

7. A driveway permit is required for this project: yes no

8. The *Building Setback* of this project is: _____

9. The *Building Height* of this project is: _____

10. Does this project meet the required building code *Performance Standards*?
 yes no² not applicable

11. Does this project meet the *Visibility at Access Points and Intersections* requirement? yes no³ not applicable

12. Does this project meet any *Special Requirements*?
 yes no⁴ not applicable

13. The permit package being submitted includes the required drawings.
 yes no

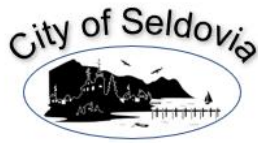
Applicant Initial	Planning & Zoning Review

¹ If you answered No to question 2a, STOP. Do not complete your application until you have reviewed the relevant zoning ordinance sections concerning conditional use, variances and contract zoning.

² If you answered No to question 10, STOP. Do not complete your application until you have reviewed the Performance Standards requirements in the relevant zoning ordinance sections.

³ If you answered No to question 3, STOP. Do not complete your application until you have reviewed the water and Sewer requirements in the relevant ordinance sections of SMC

⁴ If you answered No to question 12, STOP. Do not complete your application until you have reviewed the Special Requirements paragraph in the relevant zoning ordinance sections.



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BUILDING PERMIT APPLICATION

Required Drawings: The following list indicates the minimum number and type of drawings that must be submitted with your application. Failure to submit these drawings with your application may result in delays in the permit process and possible additional fees.

1. A map of the lot location in the city (Available at the City Office or online at <http://mapserver.borough.kenai.ak.us/kpbmapviewer>)
2. A lot plot showing all of the following:
 - Actual lot size and shape
 - Location of proposed construction
 - Location of required parking spaces
 - Location of existing structures on the site
 - Dimensions of structures and proposed construction
 - Setback dimensions from all property lines
3. A floor plan of the construction which clearly indicates the proposed use of the structure

Recommended Drawings: The following list depicts drawings that you may submit in order to provide additional information on the proposed construction. Furnishing these additional details may help prevent delays in processing your application.

1. Plan views of the proposed construction/building showing front, side, and rear views
2. Construction details which identify the type of materials and technique of the project
3. Drawings which detail any other aspect of building code compliance

INSTRUCTIONS TO APPLICANTS

Please provide the following information in the space below:

Actual lot size

Location of proposed construction

Dimensions of all buildings & proposed construction

Location of existing building on site

Location of required parking spaces

Setback dimensions from all property lines

Area of site occupied by buildings: _____

Graph square are 5' x 5' or 1"=20'

