

PLANNING & ZONING COMMISSION
RESOLUTION NO. 23-07R

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE MUNICIPALITY OF SKAGWAY, ALASKA REGARDING CONDITIONAL USE PERMIT APPLICATION NO. 23-42 FROM PAUL NILS DAVIS & EARL H. STOVALL JR., IN THE RESIDENTIAL GENERAL ZONING DISTRICT, REQUEST TO OPERATE COMMERCIAL RENTAL CAR BUSINESS IN RESIDENTIAL ZONE ON LOT 5, BLOCK 29, SKAGWAY TOWNSITE.

WHEREAS, the property is described as Block 29, Lot 5, in Skagway Townsite.

WHEREAS, Paul Nils Davis and Earl H. Stovall Jr. applied for Conditional Use Permit Application No. 23-42 within the Residential-General Zone, Block 29 Lot 5; Request to Operate Commercial Rental Car Business in Residential General Zone; and

WHEREAS, the Planning & Zoning Commission held a public hearing on the conditional use request on May 11, 2023, and afforded Paul Nils Davis and Earl H. Stovall Jr. the opportunity to present evidence and otherwise be fully heard on the application; and

WHEREAS, the Planning & Zoning Commission must find all four of the conditions set out in SMC 19.04.060(B)(3) to exist in order to grant the conditional use; and

WHEREAS, the Planning & Zoning Commission found that the requested conditional use will not protect the public health, safety and welfare because commercial use is not permitted in the residential general zone; and

WHEREAS, the Planning & Zoning Commission found that the requested conditional use will permanently or substantially injure the lawful use of the neighboring properties or uses because of the addition of multiple vehicles into a residential zone for commercial use; and

WHEREAS, the Planning & Zoning Commission found that the requested conditional use will not generally be in harmony with the comprehensive plan, coastal management plan, and other officially adopted plans because it is a commercial operation in a residential general zone; and

WHEREAS, the Planning & Zoning Commission found that the requested conditional use will substantially decrease the value of or be out of harmony with property in the neighboring area because it is not zoned for commercial use;

NOW THEREFORE BE IT RESOLVED by the Planning & Zoning Commission of the Municipality of Skagway, Alaska that Conditional Use Permit Application No. 23-42 from Paul Nils Davis & Earl H. Stovall Jr.; Block 29 Lot 5 in the Residential General Zoning District is denied.

PASSED AND APPROVED on the 8th day of June, 2023.

Vote: 3 Aye 1 Nay 1 Absent


Jaimie Lawson, Chair

ATTEST:


Kathy Carr, Deputy Borough Clerk

(SEAL)



Return To:	Municipality of Skagway, P.O. Box 415, Skagway, AK 99840 Skagway Recording District, First Judicial District, State of Alaska
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