

PLANNING & ZONING COMMISSION  
RESOLUTION NO. 24-06R

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE MUNICIPALITY OF SKAGWAY, ALASKA REGARDING CONDITIONAL USE PERMIT APPLICATION NO. 2024017 FROM JAMES HIGGINS, IN THE RESIDENTIAL GENERAL ZONING DISTRICT, REQUEST TO CONVERT GARAGE TO ACCESSORY DWELLING UNIT ON LOTS 9 & 10 BLOCK 76.

WHEREAS, the property is described as Lots 9 & 10 Block 76 in the Skagway Townsite; and

WHEREAS, James Higgins applied for Conditional Use Permit, Application No. 2024017 within the Residential General Zone, Request to Convert Garage to Accessory Dwelling Unit; and

WHEREAS, the Planning & Zoning Commission held a public hearing on the conditional use request on April 11, 2024, and afforded James Higgins 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 Standards 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 per SMC 19.04.060(B)(3)(a) the requested conditional use will not protect the public health, safety, and welfare because of fire safety standards; and

WHEREAS, the Planning & Zoning Commission found that per SMC 19.04.060(B)(3)(b) the requested conditional use will not permanently or substantially injure the lawful use of the neighboring properties or uses; and

WHEREAS, the Planning & Zoning Commission found that per SMC 19.04.060(B)(3)(c) the requested conditional use will not generally be in harmony with the comprehensive plan, coastal management plan, and other officially adopted plans due to zoning regulations and setback requirements; and

WHEREAS, the Planning & Zoning Commission found that per SMC 19.04.060(B)(3)(d) the requested conditional use will not substantially decrease the value of or be out of harmony with property in the neighboring area;

NOW THEREFORE BE IT RESOLVED by the Planning & Zoning Commission of the Municipality of Skagway, Alaska that Conditional Use Permit Application No. 2024017 from James Higgins; Lots 9 & 10 Block 76, in the Residential General Zoning District is denied.

PASSED AND APPROVED on the \_\_\_th day of \_\_\_\_\_, 2024.

Vote: \_\_ Aye \_\_ Nay \_\_ Absent

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David Brena, Chair

ATTEST:

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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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