

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: November 8, 2012
TO: Board of Adjustment
FROM: Laura A. Boyce, AICP, Planner
Community Development Department



FILE NO.: VAR2012 0025

PROPOSAL: Variance to D-1 zone standards for minimum lot depth, width, area, front and side setbacks, and combined access to roadway to allow a two-lot subdivision.

GENERAL INFORMATION

Applicant: Lenart C Cedar Revocable Trust
Property Owner: Lenart C Cedar Revocable Trust
Property Address: 17105 & 17125 Glacier Highway
Legal Description: Lena Cove Unit 3 & 4 (Sunshine Subdivision Lot 51B)
Parcel Code Numbers: 8-B34-0-102-001-3 and 001-4
Site Size: 10,471 square feet
Comprehensive Plan Future Land Use Designation: RDR (Rural Dispersed Residential)
Zoning: D-1 (Single-family, one dwelling unit per 36,000 sq. ft.)
Utilities: City Water & Marine Outfall & On Lot Waste Water
Access: Glacier Highway
Existing Land Use: Two residential homes
Surrounding Land Use:
North - D-1, Duplex & Single-family Residential
South - D-1, Single-family Residential, Favorite Channel
East - D-1, Single-family Residential, Glacier Highway
West - Lena Cove, Favorite Channel



ATTACHMENTS

Attachment A	Location Map
Attachment B	Application Materials
Attachment C	Public Notice
Attachment D	Map of Lot Sizes in the Vicinity

PROJECT DESCRIPTION

The applicant requests a variance to lot width, depth, area, and front and side setback requirements in the D-1 zone district, as well as the requirement to provide a combined access to an arterial, in order to subdivide Sunshine Subdivision Lot 51B into two lots along Glacier Highway on Lena Cove. There are two existing homes on the current parcel. The applicant wishes to subdivide so that each home would be located on its own lot. Currently, the two homes are set up as condo units (each home is its own condo unit, for a total of two condo units) so that separate ownership of each home can occur while having shared ownership of the common property (Condo Plat #81-33). Subdivision of the property would allow for individual ownership for each of the two homes on individually owned lots in fee-simple ownership.

CBJ 49.40.130(b) states that lots fronting on minor arterials may be subdivided but are required to meet D-1 zoning requirements for lot size and combined access to roadways:

Land involving frontage directly along a minor arterial street may be subdivided so as to allow access directly onto the minor arterial street provided all of the following conditions are met:

- (1) All of the resulting lots must comply with the D-1 zoning district lot area standards;*
- (2) All of the lots must share a common access point and no additional lots may be added;*
- (3) The owner or the developer, as appropriate, must construct a parking area of sufficient size to provide a minimum parking and maneuvering area to prevent back-out parking;*
- (4) The owner or the developer, as appropriate, must provide assurance in the form of an easement, plat note, or other form acceptable to the City and Borough, that the required access will be maintained by the property owners, and*
- (5) The proposed subdivision must meet all other applicable City and Borough subdivision standards and requirements.*

BACKGROUND

When this lot was created in 1969 through the subdivision and variance processes, the property was zoned R-12 which required a minimum 12,000 square foot lot. The intent of the R-12 Residential District was *to provide and preserve land for families who desire to live in low density areas and where smaller lots would tend to be detrimental to the area. Principal uses permitted include single*

family and duplex dwelling units. Accessory uses permitted include a guest house. Dimensional standards include a 12,000 square foot minimum lot, 110 feet in width and 100 feet in depth. Maximum lot coverage is 25%, maximum height is 35 feet, front and rear yard setbacks are 25 feet, the side yard setback is 10 feet. No setback is required from shoreline properties.

In 1969, Variance case VR-5-69 was approved. This was a variance request for a reduction in the R-12 zoning standards to permit the subdivision of two existing lots (lots 51 and 52, U.S.S. 3267) into a three lot subdivision. The specific variance requests were as follows:

- To reduce the 12,000 minimum lot size to 9,860.19 square feet for Lot 51A and to 10,470.96 for Lot 51B (the subject parcel of this application); and
- To reduce the minimum 100 foot lot depth to 87 feet for Lot 52A, 82 feet for Lot 51A, and 65 feet for Lot 51B (the subject parcel of this application).

In 1974, Variance case VR-18-74 was approved. This was a variance request to reduce the required front yard setback of 25 feet in the R-12 zone district to 15 feet for a swimming pool addition (a separate structure from the main dwelling unit).

The pool building was built in 1974 and converted to a single-family residence in 1976, according to the staff report for VR-14-90 (detailed further below). Accessory guest houses were allowed in the R-12 zone district during this time period and staff speculates that this structure was allowed as a guest house at that time.

In 1987, the property was rezoned to D-1 from R-12, increasing the minimum lot size from 12,000 square feet to 36,000 square feet. When this change occurred, the two residential units on the lot became nonconforming uses as well as the lot being nonconforming with D-1 district standards.

In 1990, Variance case VR-14-90 was approved. This was a variance request to reduce the front yard setback in the D-1 zone district from 25 feet to 16 feet to allow the construction of a 789 square foot second-story addition to the main residential dwelling.

Earlier this year, the applicant attempted to obtain a variance to subdivide the lot (VAR2012 0005) which is the same as the current variance request. At the time, the Land Use Code included a provision that only one nonconforming structure on the property could be rebuilt if the buildings were damaged in any way that exceeded 75% of the cost of replacement. Due to this Code requirement, it was determined that if the variance were granted to allow the subdivision, this would cause an increase in density, which the Board of Adjustment is not allowed to grant (CBJ 49.20.250(b)) (TMI2012 0003). Since that time, the Land Use Code has been amended to modify this provision. Both homes can now be rebuilt in the event of damage and would not be considered an increase in density. Since increasing density is no longer an issue, the Applicant has applied again for the requested variance.

The 2008 Comprehensive Plan designates this property as Rural Dispersed Residential (RDR) and the lot is located outside of the Urban Service Boundary. RDR is described as: *lands characterized*

by dispersed, very low density development not provided with municipal water or sewer. Densities are intended to permit one dwelling unit per acre or larger lot sizes, based on existing platting or the capability of the land to accommodate on-site septic systems and wells. Uses may also include small-scale, visitor-oriented, seasonal recreational facilities (page 162).

ANALYSIS

When this lot was created in 1969, the zoning district at that time – R-12 – required a minimum lot size of 12,000 square feet with a minimum width of 110 feet and a depth of 100 feet. The three lots in the Sunshine Subdivision received a variance, VR-5-69, to lot depth in order to create the three lots, two of which were smaller than the district standard of 12,000 square feet. The applicant proposes to create two lots of 5,235.5 square feet each from the existing 10,471 square foot subject parcel. A variance is desired because, according to the Table of Dimensional Standards for the D-1 zone district, the minimum lot size in the D-1 zone district requires a minimum of 36,000 square feet. The subject parcel is a nonconforming lot at 10,471 square feet, which is only 29% of the minimum lot size required for the district; however, there are two single-family homes on the parcel which requires a minimum of a 72,000 square foot lot, which is 14.5% of the required lot size. The requested lot sizes of 5,235.5 square feet would be 14.5% of the D-1 minimum lot size if the variance is granted. Additionally, the minimum lot width required is 150 square feet. The proposed width for each lot is 73 feet, which is 48.6% of the required minimum width. Lot depth is also required at a minimum of 150 feet, one lot would be 75 feet in depth (50% of the required minimum depth) and 59 feet (39% of the required minimum depth).

If this variance is granted, the lot size percentage would remain the same at 14.5% since one single-family home will be placed on a 5,235.5 square foot lot where a 36,000 square foot lot is required. No new development is proposed on the properties. The existing setbacks would remain the same as they are now, which is less than what is required for D-1 zone district front and side setbacks. The northern most structure is approximately one foot from the side property line and has been that way since at least 1981 when the condos were platted. The front setbacks of 16' and 15' respectively, received previous variances for approval. The existing building locations and the setbacks are not being changed with this proposal.

CBJ 49.40.130(b) also requires that lots subdivided along minor arterials provide shared access to the roadway. These two existing homes both have separate garage structures and parking pads that have been permitted in the right-of-way for many years. DOT and the City approved these structures with previous permits. There is adequate room for vehicles to pull out and turn prior to entering Glacier Highway. This situation will not change with this proposed subdivision. No new safety issues are being created with this proposed subdivision.

Approval of this variance would not result in any visible changes to the property; only a property line is being created between the two structures. Staff is recommending a condition that would limit further dwelling units being added to the properties. A plat note and a deed restriction are recommended that would state that no additional dwellings, including accessory apartments, can be added to the properties.

Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

- 1. That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.***

The requested variance would provide the applicant with substantial relief because currently, the owner has had difficulty selling the property with two homes on it; financing options aren't readily available for this condominium ownership situation. By the granting of this variance, the applicant will be able to subdivide the property and therefore be able to sell each home on its own lot in a fee-simple ownership scenario rather than the condominium situation it is currently in. Although the existing 10,471 square foot lot would be equally subdivided into two 5,235.5 square foot lots, which are smaller than many lots in the area. However, the property located immediately to the south is a 6,989 square foot lot with one single-family home which is generally similar in size as the proposed lots (less than 10% difference in size). Please see Attachment D which illustrates that many parcels in the vicinity are less than the required D-1 lot area minimum of 36,000 square feet.

Yes. In consideration of the above analysis, this criterion is **met**.

- 2. That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.***

The requirement for lots fronting on minor arterial roadways to share access as well as be designed to the D-1 zone district area standards is an issue of safety. By requiring larger sized lots and shared driveways, traffic can be regulated to limit access onto these higher traveled roadways. However, these two homes with their separate parking pads and garages have existed on the property for many years and were last reviewed in 1998. The Department of Transportation reviewed and approved these driveway permits years ago, along with the City to approve the garage structures. The existing parking situation will not change with this proposed subdivision. Additionally, each parking area has adequate space for vehicles to turn-around so vehicles aren't backing up into the right-of-way. If this variance is approved, this proposed subdivision would not be changing the current parking configuration which has been reviewed and approved previously by the City as well as DOT.

Yes. In consideration of the above analysis, this criterion is **met**.

3. *That the authorization of the Variance will not injure nearby property.*

If this variance is approved, the subdivision will only be creating a legal property line between the two homes. No additional development is proposed. To ensure that additional development doesn't take place that would add density to the area, staff is recommending a condition that a deed restriction and a subdivision plat note be included that limits any additional dwellings, such as an accessory apartment, from being approved. Since the dwelling units (homes) currently exist on the property along with the two separate garages and parking pads, nothing will be changing on the property. The appearance of the property to the neighborhood is that these two homes are on their own separate parcels already; nothing visually is changing on the property.

Yes. In consideration of the above analysis, this criterion is **met**.

4. *That the Variance does not authorize uses not allowed in the district involved.*

Currently, there are two single-family homes on this 10,471 square foot property, which is 14.5% of the required lot size of 72,000 square feet for two homes on a D-1 zoned lot. If this variance is granted, two lots of 5,235.5 square feet will be created resulting in one single family home on each lot, which would also be 14.5% of the lot size required for one single family home on a D-1 lot. Both of these uses are allowed in the D-1 zone district.

In the City and Borough of Juneau, any lot by right can have a single-family home built on it. Staff recommends a condition that would limit any further dwellings being added to the subdivided parcels. This would ensure that only one dwelling would remain on each of the created lots.

YES. Based on the above analysis, this criterion is **met**.

5. *That compliance with the existing standards would:*

(A) *Unreasonably prevent the owner from using the property for a permissible principal use;*

Two single-family homes are currently on the subject parcel. Although the Table of Dimensional Standards requires a minimum lot size of 72,000 square feet for two single-family homes, these are allowed uses in the zone district. The intended use of the property, which would be one dwelling on each of the created lots, is also a permissible principal use allowed in the D-1 zone district. Compliance with the existing standards would not unreasonable prevent the owner from using the property for a principal use.

No. Based upon the above analysis, this sub-criterion is **not met**.

- (B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;***

Although this area is now zoned D-1 which requires a minimum lot size of 36,000 square feet, the area was originally zoned R-12 and developed with lot sizes much smaller than the current required lot size (See Attachment D for an illustration of this). Currently, lots range in size from 6,989 square feet up to the required 36,000 square feet and larger. The subject parcel is 10,471 square feet with two single-family homes on it. If subdivided, two 5,235.5 square foot lots would be created which are only 7.5% smaller than the smallest lot in the area. As stated previously, no new development is proposed on the parcels.

Yes. Based upon the above analysis, this sub-criterion is **met**.

- (C) *Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;***

There isn't any new development proposed on the subject parcel. The request is to create a property line between the two existing homes so that each home can be sold on its own parcel in fee-simple ownership. Staff recommends a condition limiting further dwellings on the properties, if the variance is approved. Because the property is already developed with no new development proposed, this sub-criterion isn't applicable.

N/A. Based on the above analysis, this sub-criterion is **not applicable**.

or

- (D) *Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.***

The subject parcel is nonconforming due to lot size and use in the current D-1 zone district. As stated previously, two single-family homes on one D-1 zoned parcel requires a minimum of 72,000 square feet of lot area. The currently lot size is 14.5% of what is required. If this variance is granted, each single-family home will be located on its own parcel with a lot size of 5,235.5 square feet; this will also be 14.5% of the required lot area of 36,000 square feet for single-family homes on D-1 zoned parcels. In this case, the percentage of lot area isn't changing for the use associated with the parcel size. Although there are preexisting nonconformities on the subject parcel, the grant of the variance would not result in a net decrease in overall compliance with the Land Use Code; the situation will remain the same.

Yes. Based on the above analysis, this sub-criterion is **met**.

Yes. Since sub-criteria B and D are met, criterion 5 **is met**.

6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.*

By the granting of this variance, these two homes would be able to be sold on separate lots, in fee-simple ownership which is generally viewed as superior to shared ownership. Currently, these two homes are set up as two condominiums which share the common grounds. Current financing rules make it more difficult for owners to buy in this scenario. More financing options are available for traditional homes in fee-simple ownership scenarios, which is generally viewed as a benefit since it provides greater chances of home ownership in a community. No detriments have been identified.

YES. Based on the above analysis, this criterion **is met**.

FINDINGS

1. *Is the application for the requested Variance complete?*

Yes. We find the application contains the information necessary to conduct full review of the proposed request. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

2. *Will the proposed development comply with the Juneau Coastal Management Programs?*

Not applicable. Based on the above analysis, the grant of this variance is not related to the goals of the Juneau Coastal Management Program.

3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

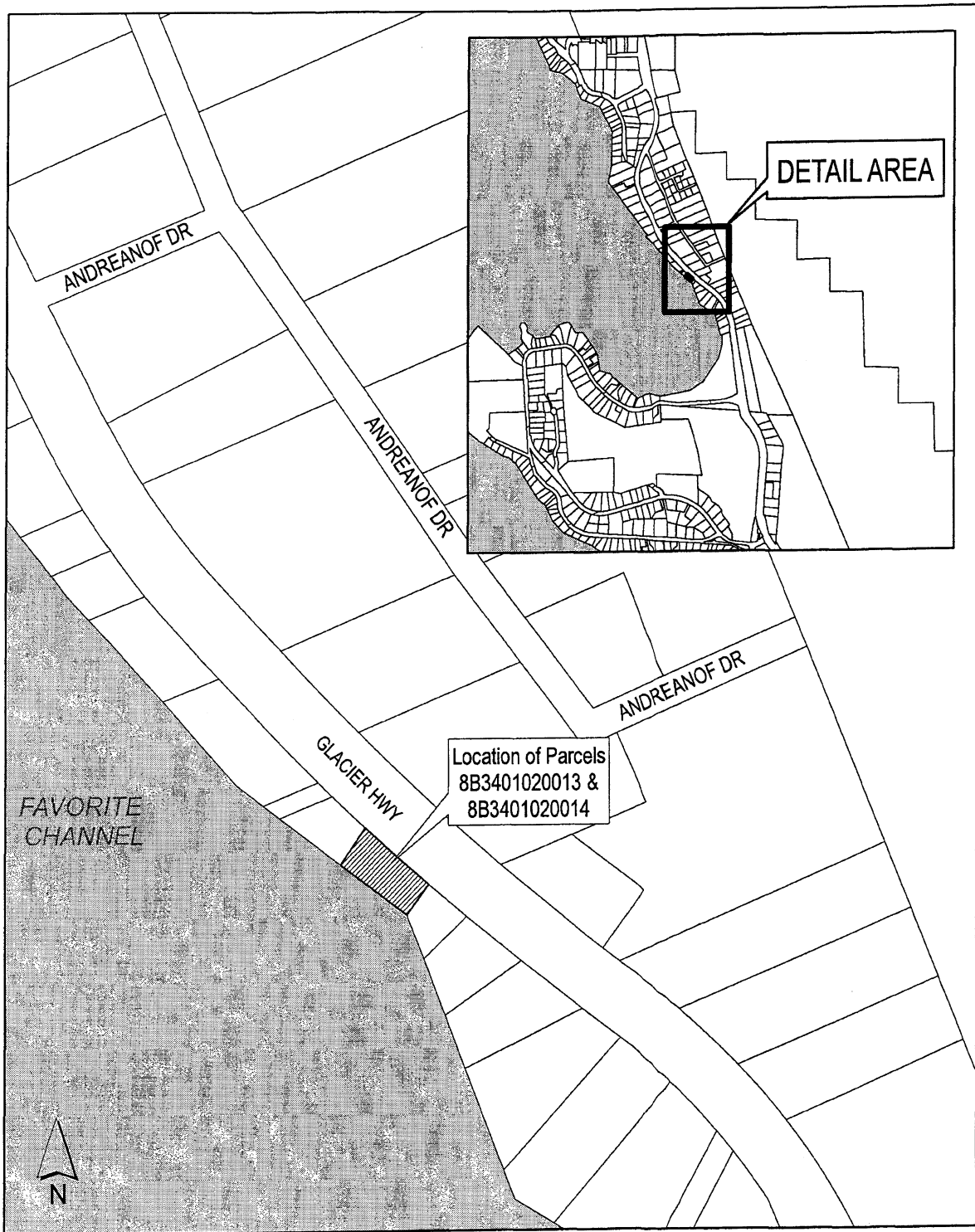
Yes. Based on the above analysis, this variance request meets the criteria for Grounds for Variances.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and **approve** the requested Variance, VAR2012 0025. The Variance permit would allow for a reduction

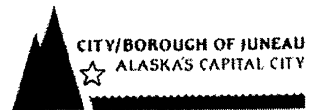
to the required D-1 zone district minimum standards for lot depth, width, area, front and side setbacks, and combined access to lots on fronting on minor arterials to allow a two-lot subdivision.

1. At the time of final plat, a plat note and deed restriction will be recorded stating that no additional dwellings, including accessory apartments, will be allowed on these two parcels.



-THIS IS NOT A SURVEY-
Property lines are approximate

0 125 250 500
Feet



Map created: 5/15/ 2012

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number VAR 10-025 var 12-025	Date Received 3/16/12																				
TYPE OF VARIANCE REQUESTED:																							
<input type="checkbox"/> Variance to the Sign Standard (VSG)		<input checked="" type="checkbox"/> Variance to Dimensional Standards (VDS)																					
<input type="checkbox"/> Variance to Habitat Setbacks (VHB)		<input type="checkbox"/> Variance to Parking Requirements (VPK)																					
<input type="checkbox"/> Variance to Setback Requirements (VSB)																							
DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE: Creating a subdivision with each lot having less lot area than zoning district and less lot width and has less area than required D-1 zone standards and back-out parking as required by 49.15.430(b)																							
Previous Variance Applications? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Date of Filing: _____																							
Previous Case Number(s): _____																							
Was the Variance Granted? <input type="checkbox"/> YES <input type="checkbox"/> NO																							
UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): Two water front residential dwellings with separate access and adequate building square footage for separate residences. Separate parking for 2 vehicles per residence																							
UTILITIES AVAILABLE: WATER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input type="checkbox"/> Public <input checked="" type="checkbox"/> On Site																							
WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER? To allow for purchase and sale by a single family per dwelling. Impractical as is for individual purchase/sale.																							
WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED? Inability for two owners to live on a prime water front location. Inability to be able to sell the same.																							
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">VARIANCE FEES</th> <th style="width:15%;">Fees</th> <th style="width:15%;">Check No.</th> <th style="width:15%;">Receipt</th> <th style="width:15%;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td>\$ 400.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Adjustment</td> <td>\$</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fee</td> <td>\$ 400.00</td> <td>025873</td> <td>6613976</td> <td>10/29/12</td> </tr> </tbody> </table>			VARIANCE FEES	Fees	Check No.	Receipt	Date	Application Fees	\$ 400.00				Adjustment	\$				Total Fee	\$ 400.00	025873	6613976	10/29/12
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Adjustment	\$																						
Total Fee	\$ 400.00	025873	6613976	10/29/12																			

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

Attachment B

Variance Approval Criteria


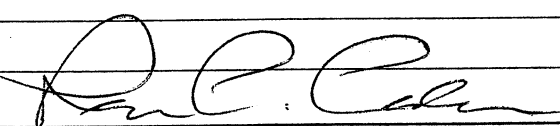
A variance may be granted after the prescribed hearing and after the Board of Adjustment has determined the following criteria are met. Include in your project narrative a detailed description about how your proposal meets each of the criteria listed below:

- (1) The relaxation applied for or a lesser relaxation specified by the board of adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners;
- (2) Relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare preserved;
- (3) The authorization of the variance will not injure nearby property;
- (4) The variance does not authorize uses not allowed in the district involved;
- (5) Compliance with the existing standards would:
 - (A) Unreasonably prevent the owner from using the property for a permissible principal use;
 - (B) Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;
 - (C) Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive; or
 - (D) Because of preexisting nonconforming conditions on the subject parcel, the grant of the variance would not result in a net decrease in overall compliance with the land use code, title 49, or the building code, title 19, or both; and
- (6) A grant of the variance would result in more benefits than detriments to the neighborhood.

PLEASE NOTE: As provided by CBJ Land Use code section on Variances (CBJ§49.20.200), a Variance may vary any requirement or regulation of this title concerning dimensional and other design standards, but NOT those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>3/16/12</u>
Project Name (City Staff to Assign Name)		
Project Description <u>Subdivision of lot with two existing homes - variance request</u>		
Street Address <u>17405 Glacier Hwy</u>		City/Zip <u>Juneau, AK 99805</u>
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>Lena Cove Unit 4</u>		
Assessor's Parcel Number(s) <u>8B3401020014</u>		
Property Owner's Name <u>Lehart C. Cedar Rev. Trust</u>	Contact Person: <u>Ken Cedar</u>	Work Phone:
Mailing Address <u>15332 S Highland Rd. Oregon City</u>	Home Phone:	Fax Number:
E-mail Address <u>lccedar@gmail.com</u>	Other Contact Phone Number(s): <u>(503) 720-2742</u>	
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.</p>		
X <u></u> Landowner/Lessee Signature		<u>2-29-12</u> Date
X _____ Landowner/Lessee Signature		_____ Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
Applicant's Name <u>SAME</u>		Contact Person: _____
Mailing Address _____		Home Phone: _____
E-mail Address _____		Other Contact Phone Number(s): _____
X <u></u> Applicant's Signature		<u>2-29-12</u> Date of Application

INFORMATION


PROJECT / APPLICANT

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS	<input checked="" type="checkbox"/>	Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
	<u>X</u>	Variance Case (De Minimis and all other Variance case types)		<u>10/29/12</u> <u>3/16/12</u>	<u>0025</u> <u>VAR 2012</u>
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
Comments: _____ _____ _____					

Variance Approval Criteria

1. The relaxation would allow for the two single-family dwellings to be sold separately and would allow separate occupancy which is consistent with adjacent properties.
2. Public safety and welfare will be unaffected in that the two houses in question have had separate occupancy for over thirty years without incident.
3. The adjacent properties will be unaffected in that they have not been negatively affected in the past thirty years. (i.e. no change in status).
4. The use of the property will be for individual dwellings consistent with the surrounding area.
5. Compliance with existing standards prevents use of the property in a manner consistent with adjacent land use and development. (i.e. single family dwellings).
6. A grant of the variance would have no detrimental effect on the neighborhood as to population density, prevailing use and esthetic value. It would therefore allow two owners the privilege of waterfront property ownership at a more reasonable price.


3-8-12

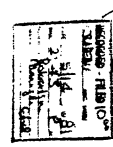
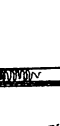
RECEIVED
OCT 28 2012
PERMIT CENTER

1. Unit 4, Lena Cove Residential Condominium Apartments according to the Declaration beginning at Book 179, Page 539 dated May 8, 1981 and Plat #81-33 as amended by that certain Amendment to Declaration dated September 9, 1981, and recorded at Book 190, Page 753-754, Juneau Recording District, First Judicial District, State of Alaska.
2. Unit 3, Lena Cove Residential Condominium Apartments according to Declaration recorded May 14, 1981 in Book 179 at Page 573, as amended by instruments recorded January 8, 1982 in Book 190 at Page 753 and July 16, 1982 in Book 198 at Page 627, and Plat 81-33, Juneau Recording District, First Judicial District, State of Alaska, together with an undivided 57% interest in the common areas.

RECEIVED

OCT 29 2012

PERMIT CENTER/CDD



	1	2	3	4
Ch. 1				
Ag. Pk	1257.30	1257.30	3188.60	1408.6
Shoregas	1145.0	1145.0	100.000	0.0
Boating	872.50	872.50	910.00	900.00

1

[illegible]

LENA COLE RESIDENTIAL CONDOMINIUM
APARTMENTS
LOT 518, LOT 519, AND A PORTION OF LOT
520, SIKESVILLE, WITHIN D.D.S. NO. 1

3. 即. 也在式外

PLAT # 31-33

Wed May 12 16:14:19 2010

AS314
Last Update: CURRENT
Real Property Inquiry
Property Information

DATE: 05/12/10

PARCEL NUMBER: 8B3401020013
CURR OWNER: CEDER_LENART_TRUST
C/O: 17105 GLACIER HWY
MAIL ADDR: JUNEAU AK ZIP: 99801
CITY/STATE: GLACIER HWY ***** HOUSE NUMBER: 17125
STREET NAME: LENA_COVE_CONDO_#3
LEGAL DESCRPTN: CEDAR_LEN & PATRICIA

PREV OWNER: CEDAR_LEN & PATRICIA
LAST TRANSFER: 96/12 (YY/MM)
TAX YEAR: 2010
SITE VALUE: 155,800.00
BLDG VALUE: 208,600.00
TOTAL VALUE: 364,400.00
* EXEMPT CODE: 000
EXMP TYPE 1: 0.00
EXMP TYPE 2: 0.00
EXMP TOT: 0.00

* USE CODE: 001
* ZONING: 001
NO UNITS: 1
YR BUILT: 1970
* STYLE: 004
BEDROOMS: 4
BATHS: 2.00
TOT ROOMS: 11
* AREA UNIT: 10471.00
TOTAL SQFT: 2348
BSMT SQFT: 0
ATTIC TYPE: 000
ATTIC SQFT: 0
GARAGE DESC: 000
GARAGE SQFT: 0

RECEIVED
OCT 29 2012
PENNAUT CENTER/CDD

(En)Find (2/18)First/Last (4)Prior (5)Next (6/22)List/Search (7)Change Key
(8)Prev Yr (10)Inquiry (11)Names (13)Taxes (14)Utility (15)Print (16)Exit

WORKSTATION 255 - USER TLU - tlu
Wed May 12 16:14:12 2010

AS314
Last Update: CURRENT Real Property Inquiry
Property Information

DATE: 05/12/10

PARCEL NUMBER: 8B3401020014
CURR OWNER: CEDER_LENART_TRUST
C/O:
MAIL ADDR: 17105 GLACIER HWY
CITY/STATE: JUNEAU AK ZIP: 99801
STREET NAME: GLACIER HWY *****
LEGAL DESCRIPTN: LENA_COVE_CONDO_#4 HOUSE NUMBER: 17105*

PREV OWNER: CEDAR LEN & PATRICIA
LAST TRANSFER: 96/12 (YY/MM)
TAX YEAR: 2010
SITE VALUE: 155,800.00 * USE CODE: 001
BLDG VALUE: 225,900.00 * ZONING: 001
TOTAL VALUE: 381,700.00 NO UNITS: 1 BSMNT SQFT: 320
* EXEMPT CODE: 000 YR BUILT: 1976 * ATTIC TYPE: 000
EXMP TYPE 1: 0.00 BEDROOMS: 2
EXMP TYPE 2: 0.00 BATHS: 2.00 * GARAGE DESC: 000
EXMP TOT: 0.00 TOT ROOMS: 5 GARAGE SQFT: 0

(En)Find (2/18)First/Last (4)Prior (5)Next (6/22)List/Search (7)Change Key
(8)Prev Yr (10)Inquiry (11)Names (13)Taxes (14)Utility (15)Print (16)Exit

RECORDED
05/13/2010
PERMIT CENTER

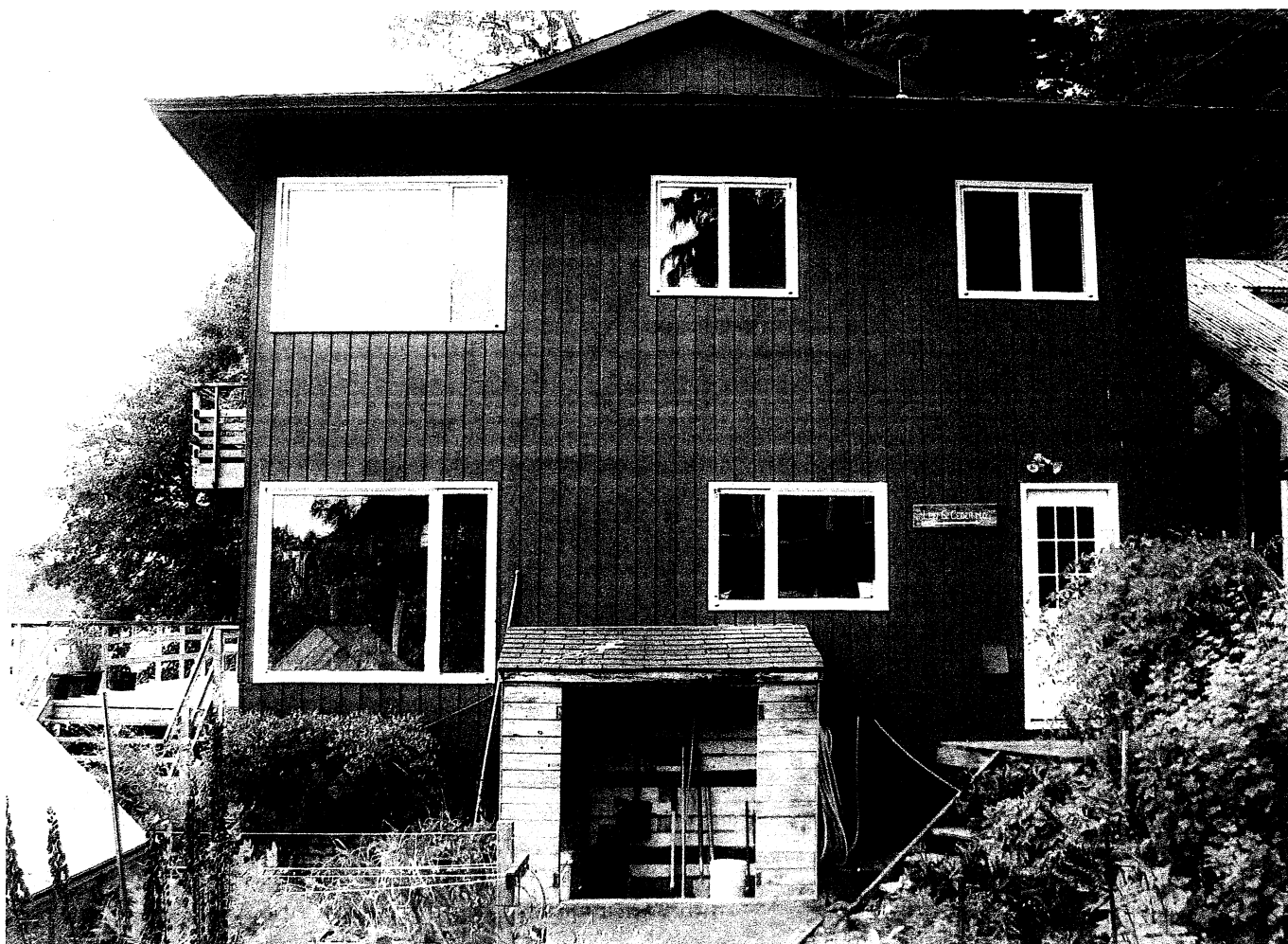


RECEIVED

OCT 2 1987

PERMUT CENTER/CDD



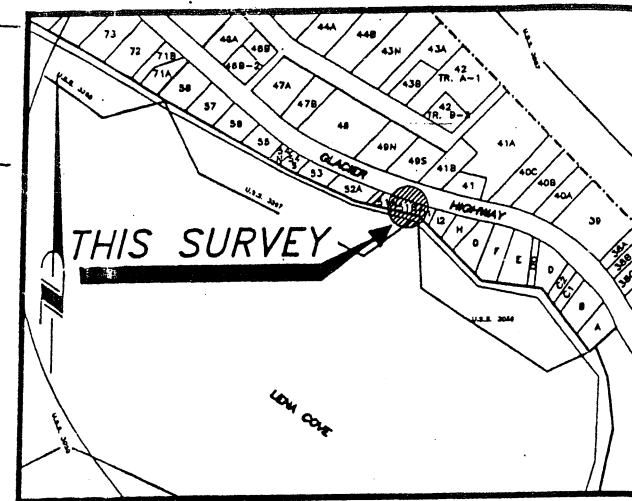
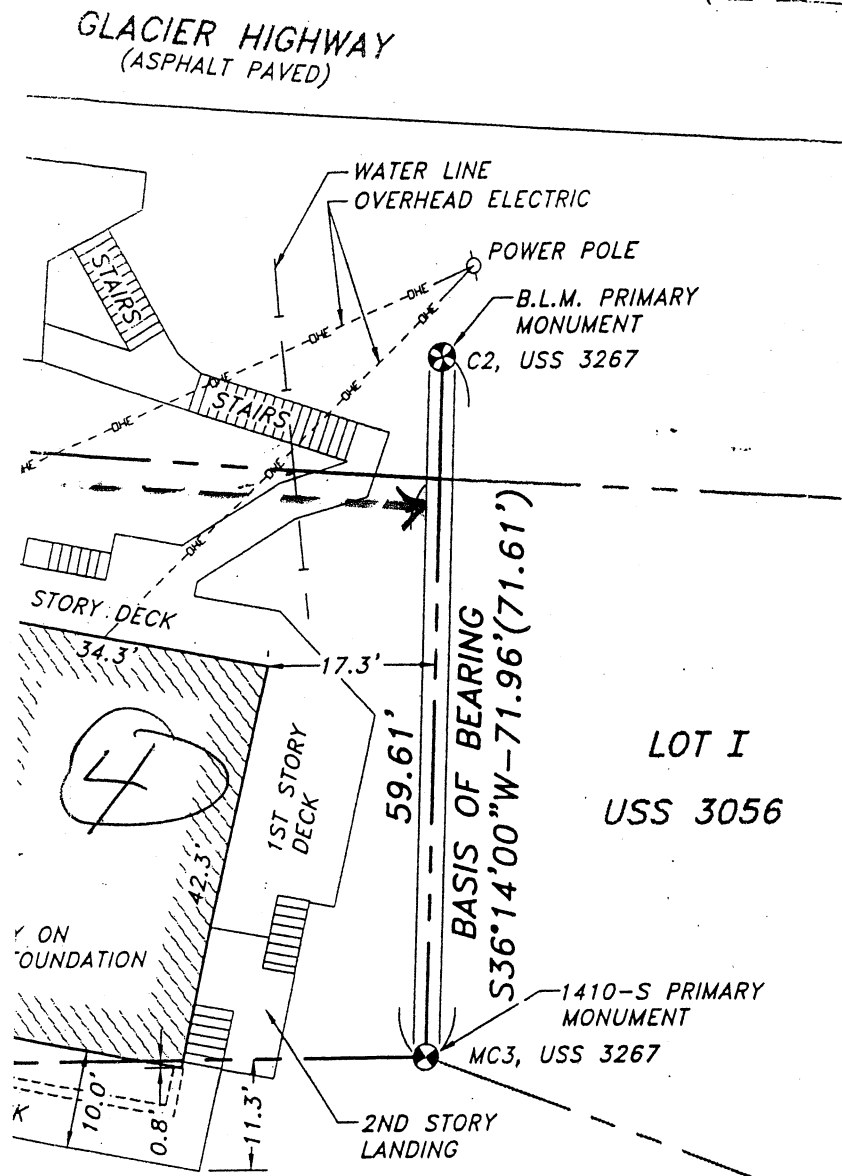
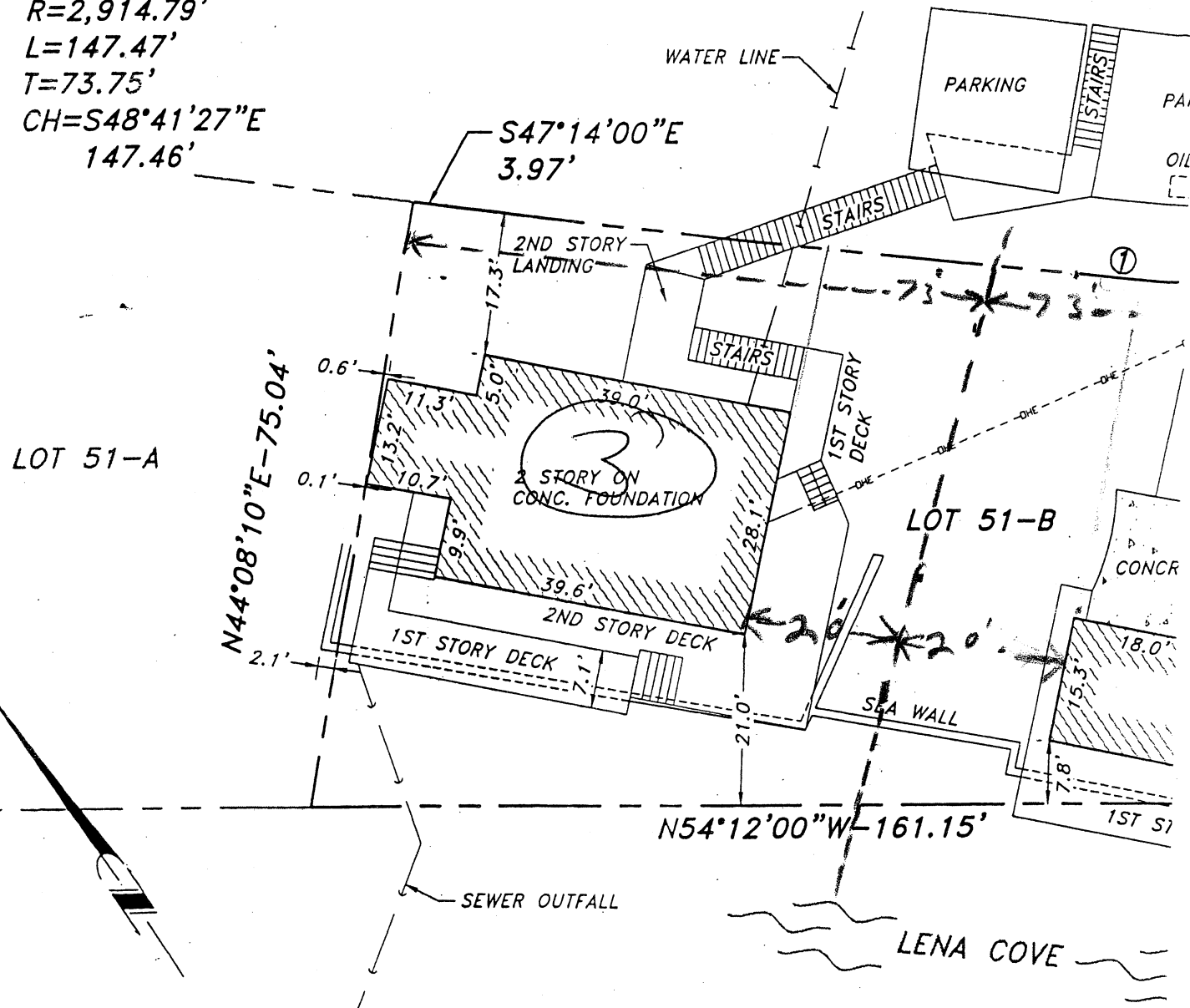




RECEIVED
OCT 25 2002
PERMIT CENTER/CITY



① CURVE DATA
 $\Delta = 02^{\circ}53'56''$
 $R = 2,914.79'$
 $L = 147.47'$
 $T = 73.75'$
 $CH = S48^{\circ}41'27''E$
 $147.46'$



VICINITY MAP

SOURCE: C.B.J. ALTAS
 SCALE: 1"=1000'±

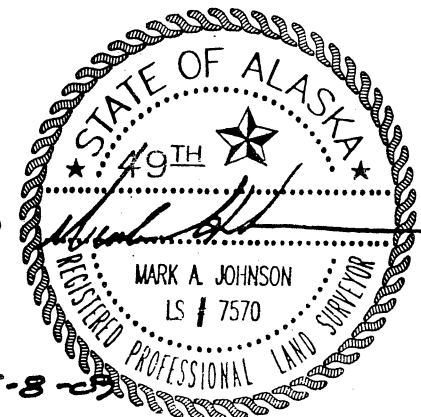
GENERAL NOTES

- 1.) THE BASIS OF BEARING FOR THIS SURVEY WAS BETWEEN RECOVERED PRIMARY MONUMENT FOR MC3, USS 3267 AND RECOVERED B.L.M. MONUMENT FOR C2, USS 3267, HAVING A RECORD BEARING OF S36°14'00"W.
- 2.) THE PLATS USED FOR THIS SURVEY WERE PLAT #538-SUNSHINE SUB. & PLAT #81-33 LENA COVE RESIDENTIAL CONDOMINIUMS ON FILE IN THE JUNEAU RECORDING DISTRICT.
- 3.) WHERE RECORD SURVEY COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM MEASURED AND/OR COMPUTED COURSES BY THIS SURVEY, RECORD SURVEY COURSE IS SHOWN IN PARENTHESIS AND THE FIELD MEASURED AND/OR COMPUTED COURSE IS SHOWN WITHOUT PARENTHESIS, THUSLY; S28°36'45"W-674.21' (S28°37'00"W-673.89').
- 4.) DOMESTIC WATER IS PROVIDED BY CITY & BOROUGH OF JUNEAU PUBLIC UTILITIES AND SANITARY SEWER DISPOSAL IS PROVIDED BY AN ON LOT TREATMENT SYSTEM.

NOTE:
 UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FOR ESTABLISHING BOUNDARY OR FENCE LINES.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT OF LOT 51-B, U.S. SURVEY 3267, AND THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS APPEARING ON THE LAND ARE AS SHOWN, AND THERE ARE NO ENCROACHMENTS OR OVERLAPS OF IMPROVEMENTS EXCEPT AS SHOWN.



Lot size = 10,471

Proposed subdivision → halve lot into two

Lot to be split evenly

AN AS-BUILT SURVEY
 PLAT OF

LOT 51B

WITHIN

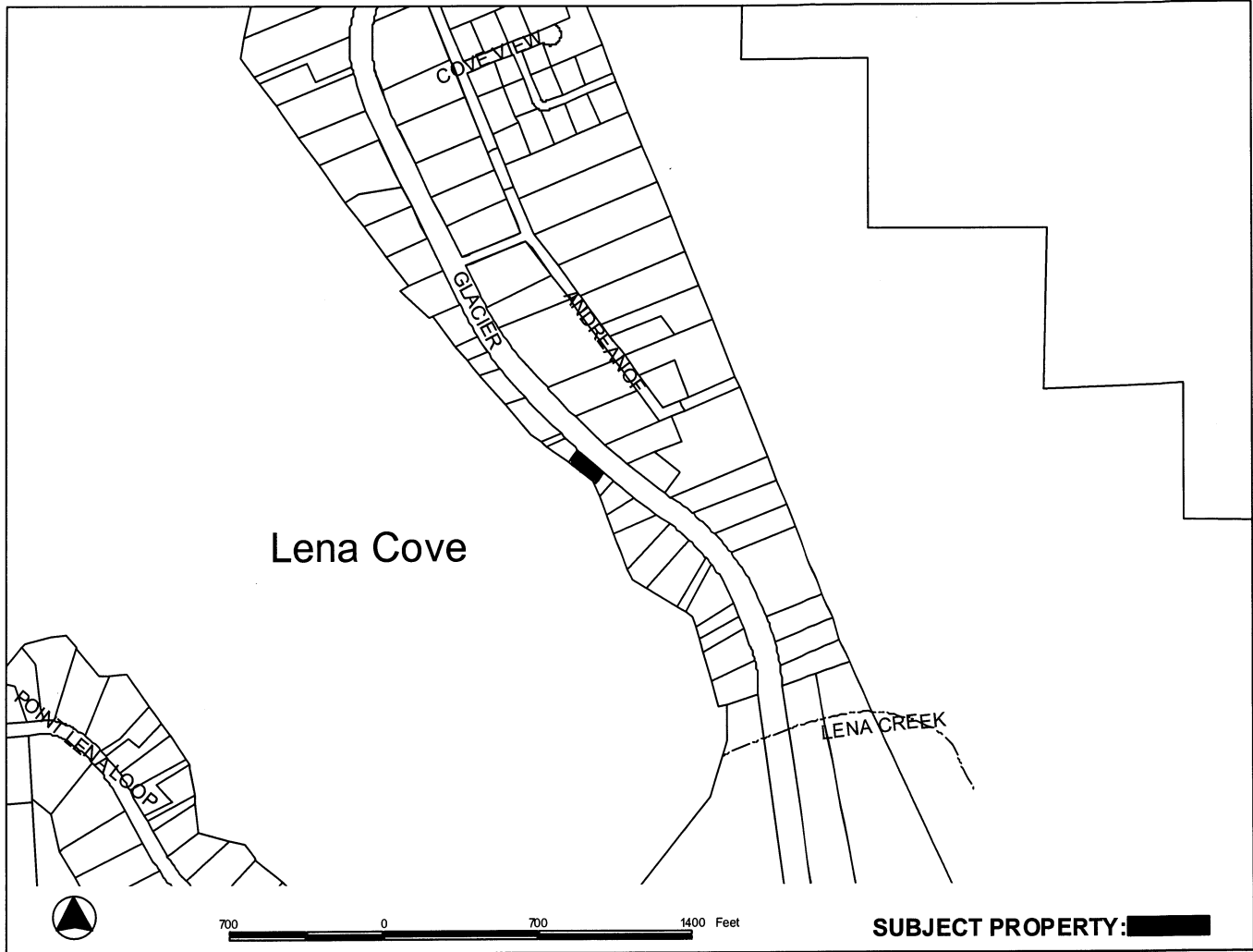
U.S. SURVEY 3267

CITY AND BOROUGH OF JUNEAU, ALASKA

DATE	SCALE	DRAWN BY	CHECKED BY	PROJECT NO.	DRAWING NO.
4/24/2009	1"= 20'	M.L.L.	C.C.	091731	1-1

FIELD SURVEY DATE: 4-16-09

NOTICE OF PUBLIC HEARING



SUBJECT PROPERTY: [REDACTED]

PROPOSAL:

Variance to D-1 zone standards for minimum lot width, depth, area, setbacks and combined access to roadway to allow a two lot subdivision.

FILE NO: VAR20120025
TO: Adjacent Property Owners
HEARING DATE: Nov 13, 2012
HEARING TIME: 7:00 PM
PLACE: **ASSEMBLY CHAMBERS**
Municipal Building
155 South Seward St
Juneau, Alaska 99801

APPLICANT: LENART C CEDER REVOCABLE TRUST
Property PCN: 8B3401020014 & 8B3401020013
Owner(s): LENART C CEDER REVOCABLE TRUST
Size: 10,471 sqft
Zoned: D1
Site Address: 17105 & 17125 Glacier Hwy
Accessed via: GLACIER HWY

PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact Laura Boyce at 586-0753 or email: laura_boyce@ci.juneau.ak.us

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

Date notice was printed: November 1, 2012

Attachment C

