

VARIANCE APPLICATION

(APPLICANT PLEASE FILL IN SHADED AREAS AS A MINIMUM)

Project Number	Project Name	Case Number 2013 VAR 20130005	Hearing Date	Date Received 2/14/13																				
VARIANCE TYPE: <input type="checkbox"/> Setback <input type="checkbox"/> Height <input type="checkbox"/> Bulk <input checked="" type="checkbox"/> Other (Describe) Side width																								
DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE: VDS Subdivision of one site with Duplex into two zero lot line properties. Proposed sites are narrower at the front of improvements than 60' and S. side yard setback is only 8' when 10' is required.																								
PREVIOUS VARIANCE APPLICATIONS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date of Filing: _____ Variance from which standards: <input type="checkbox"/> Setback <input type="checkbox"/> Height <input type="checkbox"/> Bulk <input type="checkbox"/> Other (Describe) _____ Was variance granted? <input type="checkbox"/> Yes <input type="checkbox"/> No																								
EXISTING USE OF LAND OR BUILDING(S): Duplex																								
PROPOSED USE OF LAND OR BUILDING(S): two zero lot																								
UTILITIES AVAILABLE WATER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site																								
PROPOSED SETBACKS (If variance changes setbacks): Front _____ ft. Rear _____ ft. Side _____ ft. Other _____ ft.																								
UNIQUE CHARACTERISTICS OF LAND OR BUILDING (Difference from other properties in the area): Coastal or corner with a physical feature of limited frontage																								
WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER? Lot will not meet dimensional requirements for front lot width																								
WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED? a grant in variance would result in two affordable housing units.																								
REVIEW APPROVALS <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"></td> <td style="width: 50%; border: none; text-align: center;"><u> </u> <u> </u></td> </tr> <tr> <td style="border: none;">Buildings</td> <td style="border: none;">_____</td> </tr> <tr> <td style="border: none;">Engineering</td> <td style="border: none;">_____</td> </tr> <tr> <td style="border: none;">Planning</td> <td style="border: none;">_____</td> </tr> </table>			<u> </u> <u> </u>	Buildings	_____	Engineering	_____	Planning	_____	VARIANCE FEES <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"></td> <td style="width: 25%; border: none; text-align: center;"><u> </u> <u> </u> <u> </u> <u> </u></td> <td style="width: 25%; border: none;"></td> </tr> <tr> <td style="border: none;">Application Fees</td> <td style="border: none;">\$</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Adjustment</td> <td style="border: none;">\$</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Total Fee</td> <td style="border: none;">\$400.00</td> <td style="border: none;">CDD03307 2/14/13</td> </tr> </table>				<u> </u> <u> </u> <u> </u> <u> </u>		Application Fees	\$		Adjustment	\$		Total Fee	\$400.00	CDD03307 2/14/13
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Total Fee	\$400.00	CDD03307 2/14/13																						

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number: VAR20130005 CITY and BOROUGH of JUNEAU Date Received: 2/14/13

Project Name (City Staff to Assign Name): _____

Project Description: Side by Side duplex, propose to split into two zero lot homes

PROPERTY LOCATION

Street Address: 9135-7 Parkwood Dr City/Zip: Juneau 99901

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): Riverwood Pk A Lot 43

Assessor's Parcel Number(s): SR 210160130

LANDOWNER/ LESSEE

Property Owner's Name: Scott & Jill Lingle Contact Person: Scott Work Phone: 723-4121

Mailing Address: PO Box 35026 Home Phone: 787-2838 Fax Number: _____

E-mail Address: scott@lingle.net Other Contact Phone Number(s): _____

INFORMATION

LANDOWNER/ LESSEE CONSENT ***Required for Planning Permits, not needed on Building/Engineering Permits***

I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.

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.

X Scott Lingle Landowner/Lessee Signature Date: 2/13/13

X Jill Lingle Landowner/Lessee Signature Date: 2-13-13

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.

PROJECT / APPLICANT

APPLICANT If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name: Scott Lingle Contact Person: Scott Work Phone: 723-4121

Mailing Address: PO Box 35026 Home Phone: _____ Fax Number: _____

E-mail Address: scott@lingle.net Other Contact Phone Number(s): _____

X Scott Lingle Applicant's Signature Date of Application: 2/13/13

OFFICE USE ONLY BELOW THIS LINE

Permit Type	**SIGN	Date Received	Application Number(s)
<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)			
<input checked="" type="checkbox"/> Variance Case (De Minimis and all other Variance case types)		<u>2/14/13</u>	<u>VAR20130005</u>
Wetlands Permits			
Zone Change Application			
Other (Describe)			

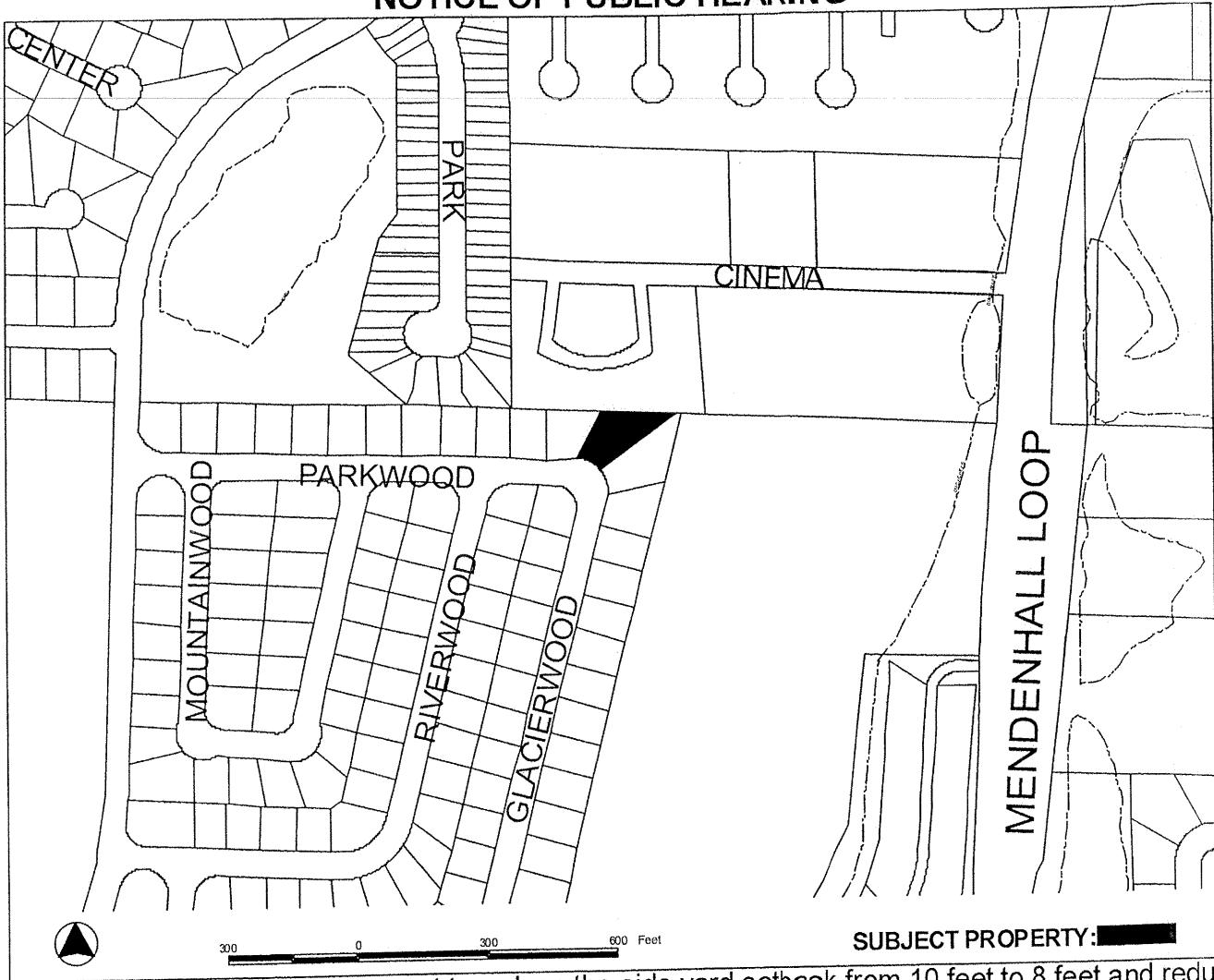
STAFF APPROVALS

Comments: _____

Public Notice Sign Form filled out and in the file.

Permit Intake Initials: JKL

NOTICE OF PUBLIC HEARING



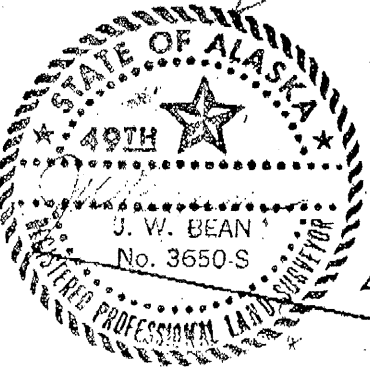
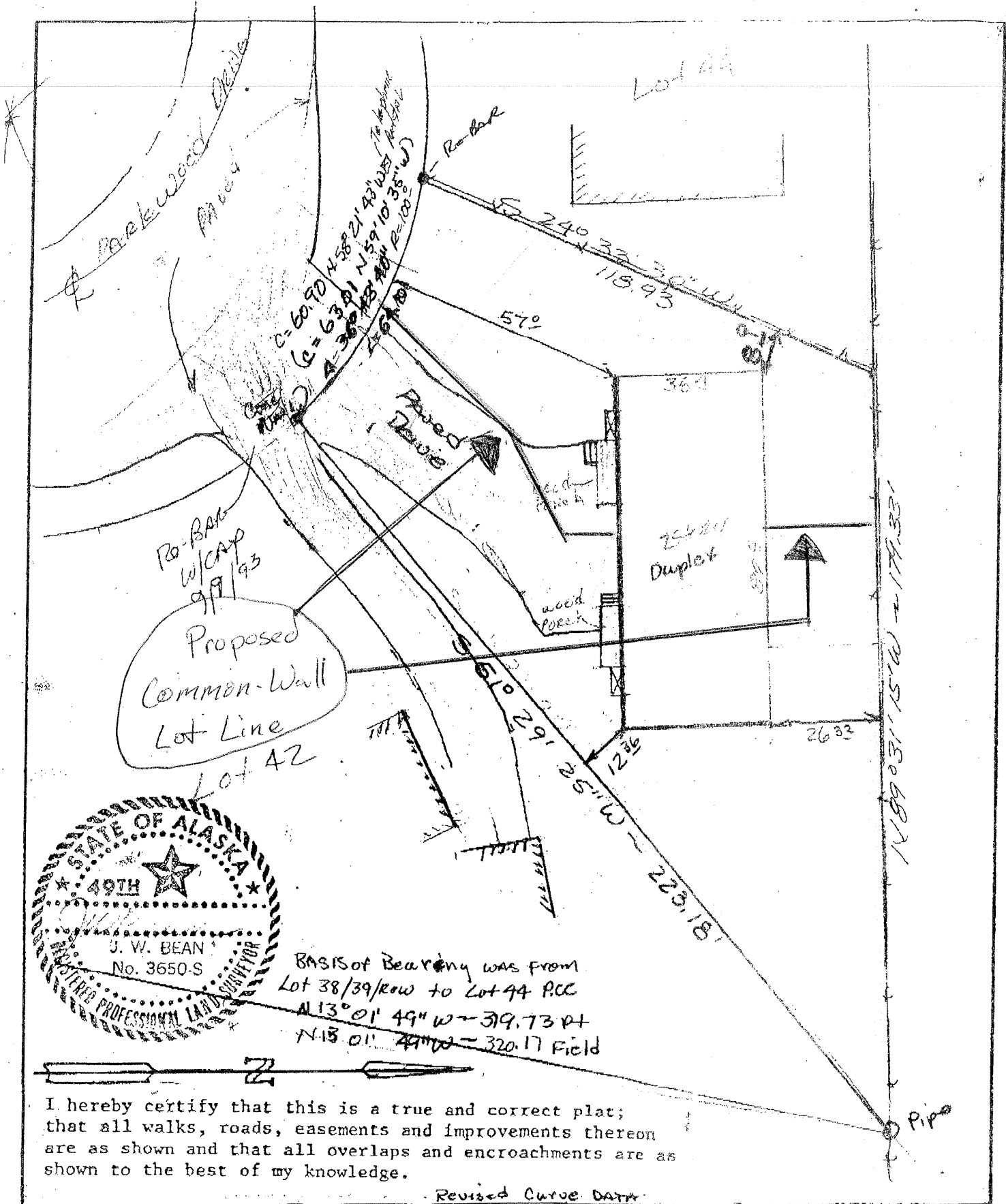
PROPOSAL: A variance request to reduce the side yard setback from 10 feet to 8 feet and reduce the minimum lot width from 60 feet to 41 feet to allow a common-wall subdivision from an existing duplex.

<p>FILE NO: VAR2013 0005</p> <p>TO: Adjacent Property Owners</p> <p>HEARING DATE: May 14, 2013</p> <p>HEARING TIME: 7:00pm</p> <p>PLACE: Assembly Chambers Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p>APPLICANT: Jill Lingle; Soapy J Lingle</p> <p>Property PCN: 5-B21-0-116-013-0</p> <p>Owner(s): Jill Lingle & Soapy J Lingle</p> <p>Size: 16,100 square feet</p> <p>Zoned: D5</p> <p>Site Address: 9135 Parkwood Drive</p> <p>Accessed via: Parkwood Drive</p>
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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 Eric Feldt at Eric_Feldt@ci.juneau.ak.us or at 586-0764.



BASIS of Bearing was from
 Lot 38/39/row to Lot 44 PCC
 N 13° 01' 49" W - 319.73 ft
 N 13° 01' 49" W - 320.17 Field

I hereby certify that this is a true and correct plat;
 that all walks, roads, easements and improvements thereon
 are as shown and that all overlaps and encroachments are as
 shown to the best of my knowledge.

Revised Curve Data:

DES.	SCALE 1" = 30'
CHK.	DATE 4-8-92
F.B.	
JOB	Attachment A

J.W. BEAN
 ENGINEERS PLANNERS SURVEYORS

As-built Survey of:
 Lot 43, Block 2, Riverwood Sub.
 within U.S. 1280

Eric Feldt

From: Soapy Lingle [csoapysales@gci.net]
Sent: Monday, May 06, 2013 12:14 PM
To: Eric Feldt
Subject: RE: Variance Findings

Eric,

5. A. This site is more than large enough for ZLL and all other requirements can be met. The site is unique because it is located on a curve in the road and this has the effect of making lot frontage narrower than it otherwise would be and narrower than that of other lots in the neighborhood.

B. The configuration of the site , located on a curve and platted without enough original width but with plenty of overall area, unreasonably prevents owner from converting this duplex to a pair of Zero lot line homes.

c. As said above, there is a unique physical feature of the lot on a curve in the roadway and awkward platting that makes compliance with zoning standards outright impossible without variance.

6. The benefit enables the availability of two relatively low cost single family homes into a very restricted residential market. The neighborhood will benefit from occupancy by owner families. No detriments can be sited. AFFORDABLE HOUSING.

Soapy Lingle
723 4121
csoapysales@gci.net

From: Eric Feldt [mailto:Eric_Feldt@ci.juneau.ak.us]
Sent: Monday, May 06, 2013 11:22 AM
To: 'csoapysales@gci.net'
Subject: Variance Findings

Soapy,

I am nearly done writing the staff report for your variance. Two of the six variance findings have not been met and our department will not recommend in support of the variance unless you believe that these two findings can be met. The two findings are shown below.

5. *That 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, CBJ Title 49, or the building code, CBJ Title 19, or both.*

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

Sincerely,

Eric Feldt, Planner II, C.F.M.
Community Development Dept.
155 South Seward Street
City & Borough of Juneau, Alaska
Ph: (907) 586-0764
Fax: (907) 586-3365



Please consider the environment before printing this email.

The Truth will set you free.

Eric Feldt

From: Soapy Lingle [csoapysales@gci.net]

Sent: Monday, May 06, 2013 5:16 PM

To: Eric Feldt

Subject: additional comments

Eric,

5.

- A. Common wall development is a permissible use within D-5 zoning district, not allowing for variations within dimensional standards in situations that would not create any impacts would be unreasonable restriction on private development rights.
- B. Per the previous statement, denial of this variance would unreasonably prevent owner from subdividing this parcel in a manner which would be consistent with scale, amenities, appearance and existing pattern of the neighborhood.
- C. Due to the geometry of the subject parcel, compliance with the standards is not achievable without a variance. While this lot has more than enough area, and setbacks could be met if it was not cost prohibitive, it does not have adequate width to accommodate a common wall sub without a variance.

There is already a legally conforming two unit structure occupying this space, it is hard to imagine any potential impacts that would develop as a result of a change in land ownership.

Please consider above comments.

Soapy Lingle
 CB Race Realty
 csoapysales@gci.net
 723 4121 cell
 789 8460 fax

Eric Feldt

From: Soapy Lingle [csoapysales@gci.net]
Sent: Tuesday, May 07, 2013 3:58 PM
To: Eric Feldt
Subject: RE: Variance report

Eric,

On your attachment under variance requirements you have number 2. that a grant of the variance would result in more benefits than detriments to the neighborhood. I think this is number 6. Please include following in your report. When ownership is changed from one to two owners, the maintenance obligation is also transferred. Having two owners caring for a structure and the grounds increases the likelihood that they will be maintained in a appropriate fashion. Having owners in the second unit increases the number of people who have a vested interest in the neighborhood issues.

Soapy

From: Eric Feldt [mailto:Eric_Feldt@ci.juneau.ak.us]
Sent: Tuesday, May 07, 2013 2:30 PM
To: 'Soapy Lingle'
Subject: Variance report

Soapy,

I have attached my draft report in this email. Findings 1, 5 & 6 are not met and, thus, I cannot recommend in favor of this variance I have included your emailed comments as attachments to this report. Please let me know if you have any additional comments or letters from the neighbors.

Thanks.

Eric Feldt, Planner II, C.F.M.
Community Development Dept.
155 South Seward Street
City & Borough of Juneau, Alaska
Ph: (907) 586-0764
Fax: (907) 586-3365



Please consider the environment before printing this email.

The Truth will set you free.

I am your neighbor living at 9135 Parkwood Dr. I am in the process of converting my present home from a duplex to two zero lot single family homes. If you are not in opposition of this change, please sign below. Thank you. Soapy Lingle

Date	address	name
5/7/13	9137 parkwood dr. Juneau, AK	Stephanie Price
"	9147 PARKWOOD DR	Jon Gates (AK)
5/7/13	9151 Parkwood Dr.	Tara Mendoza
5/7/13	9159 Parkwood Dr	Will + Shonda Belleng
5/7/13	9160 Parkwood Dr	John
5/7/13	9155 Parkwood Dr	David Jones
5.7.13	9163 PARKWOOD DR.	Mike Cook
5.7.13	9175 Parkwood Dr	Stephen Estroff
5.7.13	9183 PARKWOOD DR.	Allyson
5-7-13	9170 Parkwood Dr	John
5-7-13	9158 Parkwood Dr.	Anne Waste
5.7.13	3101 RIVERWOOD OVER →	Paul Swan

5-7-13

7144 Parkwood Dr
Arlington, VA

Jensen

5-7-13

3110 Glenwood Dr
Cary, NC

Jensen

5-7-13

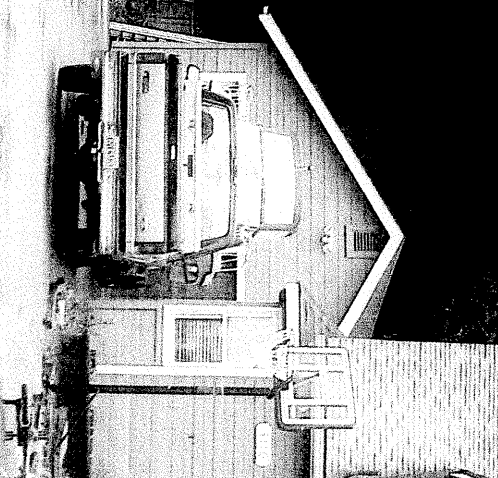
3090 Glenwood Dr
Jensen, AK

5-7-13

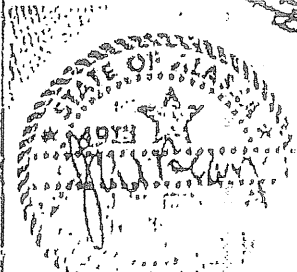
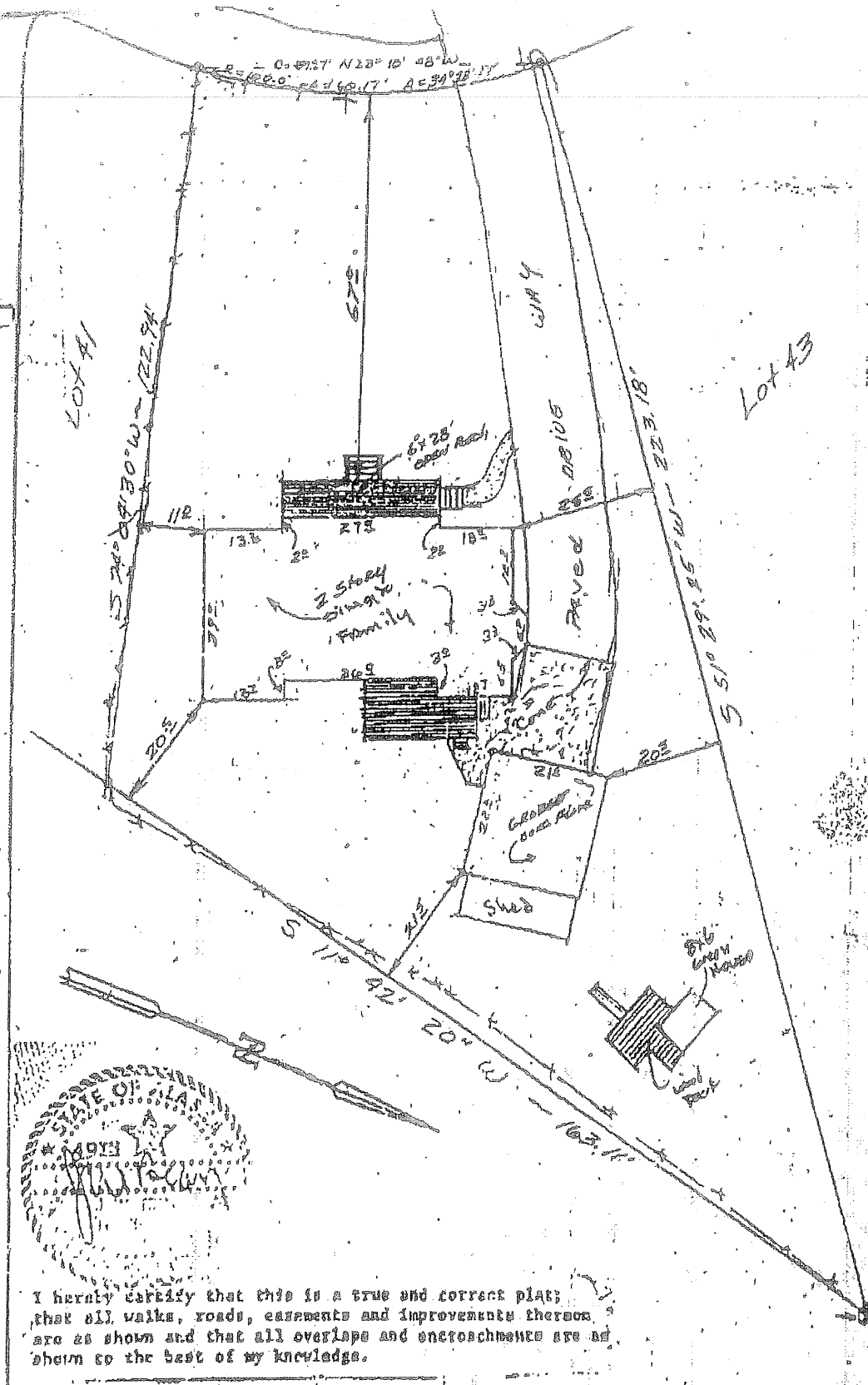
3080 Glenwood Dr
Jensen, AK

[Signature]

S
URROCK
House

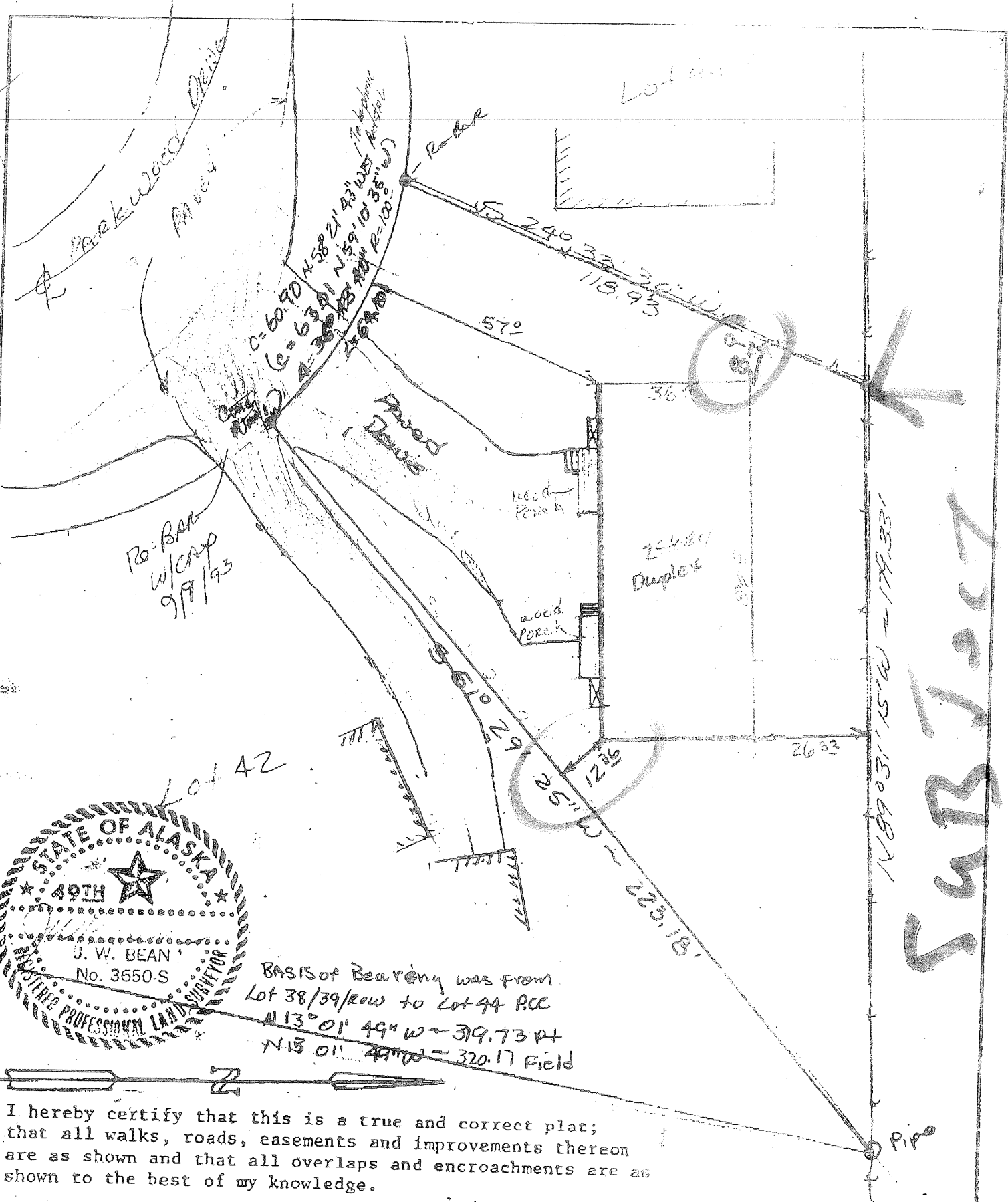


Attachment D



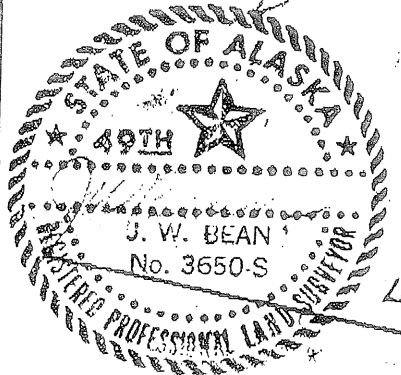
I hereby certify that this is a true and correct plat; that all walks, roads, easements and improvements thereon are as shown and that all overlaps and encroachments are as shown to the best of my knowledge.

DATE	SCALE	J.W. DEAN	AS-Built Survey of Lot 42, Block Riverwood Sub within U.S.S. 1282
BY	DAYS		
7/2/48	7-25-91		
8/1/55	1/1		



RO-BAR
W/CAP
9/7/93

Lot 42



BASIS of Bearings was from
Lot 38/39/row to Lot 44 PCC
N 13° 01' 49" W ~ 319.73 ft
N 13° 01' 49" W ~ 320.17 Field

5437207
 N 89° 03' 15" W ~ 179.33'

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that all walks, roads, easements and improvements thereon
are as shown and that all overlaps and encroachments are as
shown to the best of my knowledge.

Revised Curve Data:

DES.	SCALE 1"=30'
CNR.	DATE 4-8-92
F.B. 15/47	SHEET OF
JOB NO. 8556	

J.W. BEAN

AS-Built Survey of:
Lot 43, Block 19, Riverwood Sub.
within U.S.S. 1280



SUBJECT
House

Next door
Left

