MEMORANDUM

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

DATE: July 9, 2014

TO: Board of Adjustment

FROM: Sarah Bronstein, Planner
Community Development Department

FILE NO.: VAR2014 0011

PROPOSAL: Variance to reduce the front yard setback in the Industrial zone for the construction of storage units.

GENERAL INFORMATION

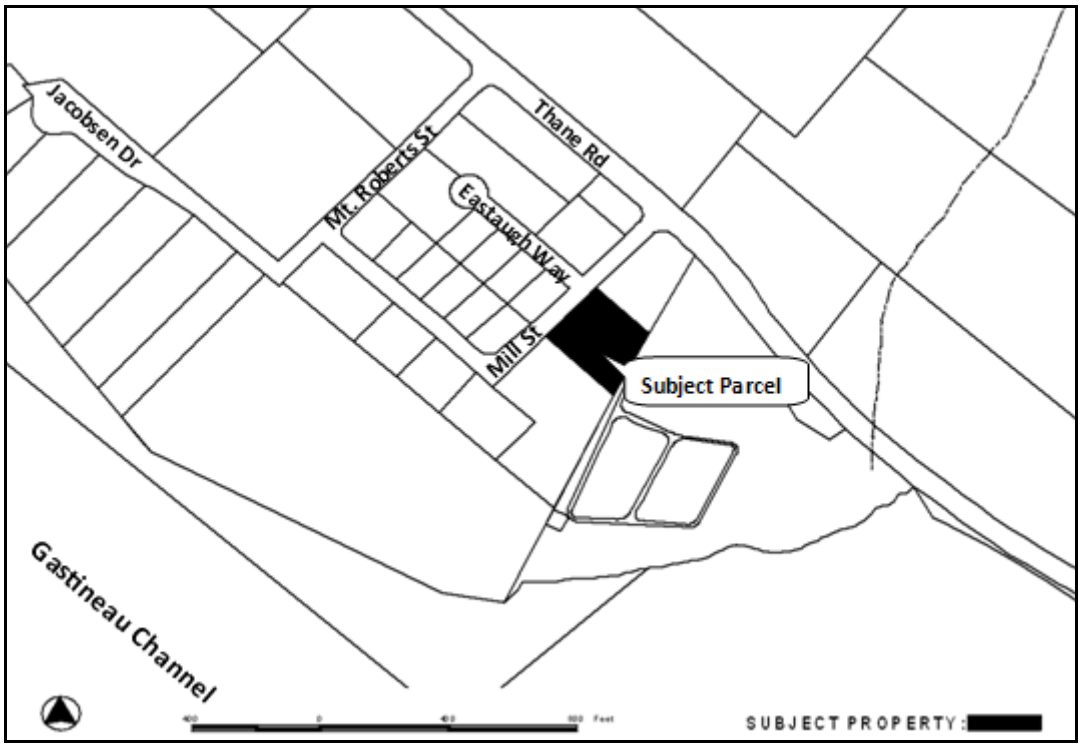
Applicant:	North Pacific Erectors
Property Owner:	JNY, LLC
Property Address:	Mill Street
Legal Description:	Alaska Juneau IV-II Block A Lot 2
Parcel Code Number:	1-C11-0-K15-002-0
Site Size:	1.39 Acres
Comprehensive Plan Future Land Use Designation:	Heavy Industrial
Zoning:	Industrial
Utilities:	City water and sewer
Access:	Mill Street
Existing Land Use:	Vacant

Surrounding Land Use:

North	- Industrial (I), offices
South	- Industrial (I), offices
East	- Industrial (I), City sewage treatment plant
West	- Mill Street, Industrial (I), offices/storage

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

VICINITY MAP



ATTACHMENTS

Attachment A: Development Permit Application
Attachment B: Narrative
Attachment C: Abutters Notice
Attachment D: Revised As-built
Attachment E: Revised narrative

PROJECT DESCRIPTION

The applicant wishes to construct two 11 unit storage buildings on Mill Street. The applicant has ordered 22 pre-fabricated storage units which do not fit within the lot setbacks. One building will encroach 6 feet into the 10 foot front yard setback once constructed. The applicant has applied for a Variance to reduce the front yard setback from 10 feet to 4 feet.

BACKGROUND

The lot in question is located on Mill Street, and is bordered to the north, south and west by office buildings, and to the east by the CBJ Sewage Treatment Plant. The property is encumbered by a 15 foot wide public utility easement along the rear lot line, which is currently used by GCI for

underground cables (see Attachment C). A second 15 foot utility easement along the city land to the east contains the city's 30' sewage treatment pipe serving downtown Juneau and Douglas.

The applicant wishes to construct 22 storage units to be used as boat condos or business incubator units. The 22 pre-fabricated units have already been purchased. Initial site plans showed all units fitting within the setbacks without disturbing the easement. However, further research revealed that the southern portion of the lot was prohibitively steep for construction, pushing the footprint of the building north.

With the building footprint shifted to the north, a corner of the building then encroached into the easement along the rear lot line. The applicant inquired with the city about the possibility of vacating a portion of the easement to allow for the building. However, the CBJ Department of Law determined that the vacation of a public easement requires proof that the vacation will benefit the public good. The legal standard for proving the benefit to the public good is extremely high, and would be difficult, if not impossible, for an individual applicant to achieve. Because the building could not encroach into the easement at the rear of the property, planning staff suggested that the applicant either redesign the building to fit within the setbacks, or apply for a Variance to the front yard setback. The applicant has applied for a Variance to reduce the front yard setback.

The applicant initially requested a reduction of the front yard setback from 10 feet to 7 feet on June 12th (see Attachment A). However, in the course of the building permit intake process, the applicant modified the encroaching building to include a 6 foot by 3 foot cement vault containing a water backflow testing device, a feature required by the building code. This modification necessitated an increase in the setback variance by three additional feet to accommodate the vault. The applicant submitted a modified application on July 1st requesting a reduction of the front yard setback from 10 feet to 4 feet (See Attachments D and E).

ANALYSIS

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.***

Because the applicant has already invested in a specific number of pre-fabricated units which will not fit on the site without a setback Variance, the approval of the Variance would provide substantial financial relief. The Variance is also consistent with other Variances that have been granted to industrial buildings in Juneau. Other setback Variances have reduced setbacks in the Industrial zone as low as zero feet (ex: VAR2005-00065). Therefore, a Variance of the front yard setback from 10 feet to 4 feet would provide substantial relief, and would be consistent with justice to other property owners.

Yes. Criterion 1 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.

CBJ §49.05.100 states that the intent of Title 49 is to "*ensure that future growth is of the appropriate type, design and location…*" and "*to provide adequate open space for light and air.*" A Variance to the front yard setback from 10 feet to 4 feet would not compromise the intent of Title 49 on this particular lot. The existence of the 15 foot utility easement along the rear lot line provides an additional 5 feet of space above and beyond the 10 foot rear yard setback required in the Industrial zone.

Additionally, the utility easement provides an important public health and safety service to the community by maintaining access to current and future utilities. The applicant has chosen to shift their proposed building footprint into the front yard setback rather than try to vacate a portion of this public easement.

Lastly, the intent of setbacks is to preserve neighbors' access to light and air. This is considered less important in Industrial areas, where buildings are typically warehouses constructed with few or no windows, and residences are limited to caretaker units. This is the reason why setbacks are smaller in the Industrial zone than in residential zones.

Therefore, the requested Variance to the front yard setback preserves the intent of Title 49 and does not negatively impact public health and safety.

Yes. Criterion 2 is met.

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

The subject property abuts the CBJ Sewage Treatment Plant to the rear and two office buildings on either side. There is no evidence that approval of this variance would negatively impact those neighbors. No neighbors have submitted comments or concerns about the requested variance.

Yes. Criterion 3 is met.

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

The Variance does not change the proposed use of the site. The applicant has proposed the construction of 22 boat condo storage units, which are allowed in the Industrial zone according to the Table of Permissible Uses, 49.25.300, use category 10.210.

Yes. Criterion 4 is met.

5. That compliance with the existing standards would:

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

To deny the Variance would not prevent the applicant from implementing the proposed use of the lot. The applicant could still construct 21 of the 22 units as proposed. The 22nd unit would require significant re-engineering in order to comply with the setback, as the unit is pre-fabricated and cannot easily be modified.

No. Sub-criterion A 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;

The applicant could eliminate one of the units or engineer a modification to the structure to be in compliance with the front yard setback. Such a structure would still be consistent with other structures in the neighborhood.

No. Sub-criterion B is not met.

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

The applicant's property is subject to unique geological and platted features that make compliance with the setbacks difficult. Although shifting the building footprint to the south would bring the building into compliance with setbacks without encroaching into the utility easement, a sloping grade on the southern portion of the lot would dramatically increase the cost of construction. As previously mentioned, a partial vacation of the public easement at the rear of the property would be difficult and time consuming. A Variance to the front yard setback is the most expedient and cost-effective means for the applicant to construct their proposed project.

If this Variance is not met, the applicant will not be able to construct one of the pre-fabricated units, which has already been ordered and spoken for. This would impose a significant financial burden on the applicant.

Yes. Sub-criterion C is met.

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.

No. Sub-criterion D does not apply.

Yes. Criterion 5(C) is met.

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

The benefit to the neighborhood of the Variance outweighs any negative impact of the building's proximity to the street. The proximity of the building to the street may serve as a traffic calming measure, further improving neighborhood safety. No evidence has been presented indicating any detriments to the neighborhood from the proposed Variance.

Yes. Criterion 6 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 operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

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

N/A

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

Yes. Based on the analysis above, staff finds that the Variance meets the criteria of CBJ

49.20.250, *Grounds for Variances.* Criteria 1, 2, 3, 4, 5C and 6 are all met.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested Variance, VAR2014 0011.

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		VAR20140011	6/12/14

TO BE COMPLETED BY THE APPLICANT

TYPE OF VARIANCE REQUESTED:

- ☐ Variance to the Sign Standard (VSG)
- ☐ Variance to Dimensional Standards (VDS)
- ☐ Variance to Habitat Setbacks (VHB)
- ☐ Variance to Parking Requirements (VPK)
- ☑ Variance to Setback Requirements (VSB)

DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE:
Project consists of two steel buildings. Building 1 (closest to the water) footprint will require a three foot variance from the front property line. Request is to reduce setback from 10 foot to 7 foot. See enclosed drawing.

Previous Variance Applications? ☐ YES ☑ NO Date of Filing: _____

Previous Case Number(s): _____

Was the Variance Granted? ☐ YES ☐ NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): _____

UTILITIES AVAILABLE: WATER: ☑ Public ☐ On Site SEWER: ☑ Public ☐ On Site

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?
Blue print of the two steel buildings is attached. The application for a three foot variance is being made to accommodate the building foot print. There is a public utility easement at the back of the lot which will not allow an encroachment.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?
Fewer units would be allowed to be built or redesign the building to reduce the size of the end unit. A reduced size will impact the financially viability of the project because of requiring one unit to be a reduced size.

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.

VARIANCE FEES

	Fees	Check No.	Receipt	Date
Application Fees	$400.00			6/12/14
Adjustment	$			
Total Fee	$400.00	8767	CDD534	6/12/14

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number VAR20140011	CITY and BOROUGH of JUNEAU	Date Received: 6/12/14
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION

Project Description
ENCLOSED STORAGE UNITS located on the Rock Dump. 22 individually owned and managed through a condo association.

PROPERTY LOCATION

Street Address	City/Zip
0 Mill Street,	Juneau, AK 99801

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): ALASKA JUNEAU IV-II BL A L-2

Assessor's Parcel Number(s): 1C110K150020

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
JNY LLC	Errol Champion	907 723 4816
Mailing Address	**Home Phone:**	**Fax Number:**
508 West 2nd Avenue 3rd Floor	Same	907 789 8460
E-mail Address	**Other Contact Phone Number(s):**	
errolchampion@me.com	N/A	

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 J – S. Wh — Landowner/Lessee Signature — June 12, 2014 — 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 If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name	Contact Person:	Work Phone:
North Pacific Erectors	Errol Champion	907 723 4816
Mailing Address	**Home Phone:**	**Fax Number:**
0024748, Douglas, Alaska 99824	Same	907 789 8460
E-mail Address	**Other Contact Phone Number(s):**	
errolchampion@me.com	N/A	

X J – S. Wh — Applicant's Signature — June 12, 2014 — Date of Application

---OFFICE USE ONLY BELOW THIS LINE---

STAFF APPROVALS

✓	Permit Type	***SIGN	Date Received	Application Number(s)
	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)			
✓	Variance Case (De Minimis and all other Variance case types)	■	6/12/14	VAR20140011
	Wetlands Permits			
	Zone Change Application			
	Other (Describe) _____			

***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials: BME

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

Attachment A

Variance Application Instructions

Application: An application for a Variance will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

Forms: A completed Variance Application and Development Permit Application form. The "land owner or lessee consent" signature is mandatory for all landowners on the Development Permit Application form.

Fees: The fee for a Variance Application is $400.00. If the application is in conjunction with a major development permit a separate fee shall not be required. Any development, work or use done without a permit issued will be subject to double fees. All fees are subject to change.

Project Description: A detailed letter or narrative describing the hardship and/or practical difficulties that is the result of an extraordinary situation or unique physical feature affecting a specific parcel of land or structure. **Also include how the proposed project meets the variance criteria listed on the attached sheet.**

Plans: A site plan, drawn to scale, is required for all Variance Applications. The site plan should include the following information:

A. The location of existing and proposed structures (i.e. buildings, fences, signs, parking areas, etc.); and
B. The location of existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.).

Document Format: All information that is submitted as part of an application shall be submitted in either of the following formats:

A. Electronic copies may be submitted by CD, DVD or E-mail in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf or other formats pre-approved by the Community Development Department.
B. Paper copies may not be larger than 11" X 17" (Unless a larger paper size is preapproved by the Community Development Department).

Please consult with the Community Development Department to discuss whether additional information may be required for your application. The "Planner-On-Call" can be reached by contacting the Permit Center at 586-0770 or via e-mail at Permits@ci.juneau.ak.us.

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the Variance Application request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Variance Applications must be reviewed by the Board of Adjustment. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: As part of the Variance process, all requests must be given proper public notice, which consists of the following:

Community Development Department: Will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail abutters notices to all property owners within 500-feet of the project site. A "Public Notice Sign" is not required to be posted on the site.

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.

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:*

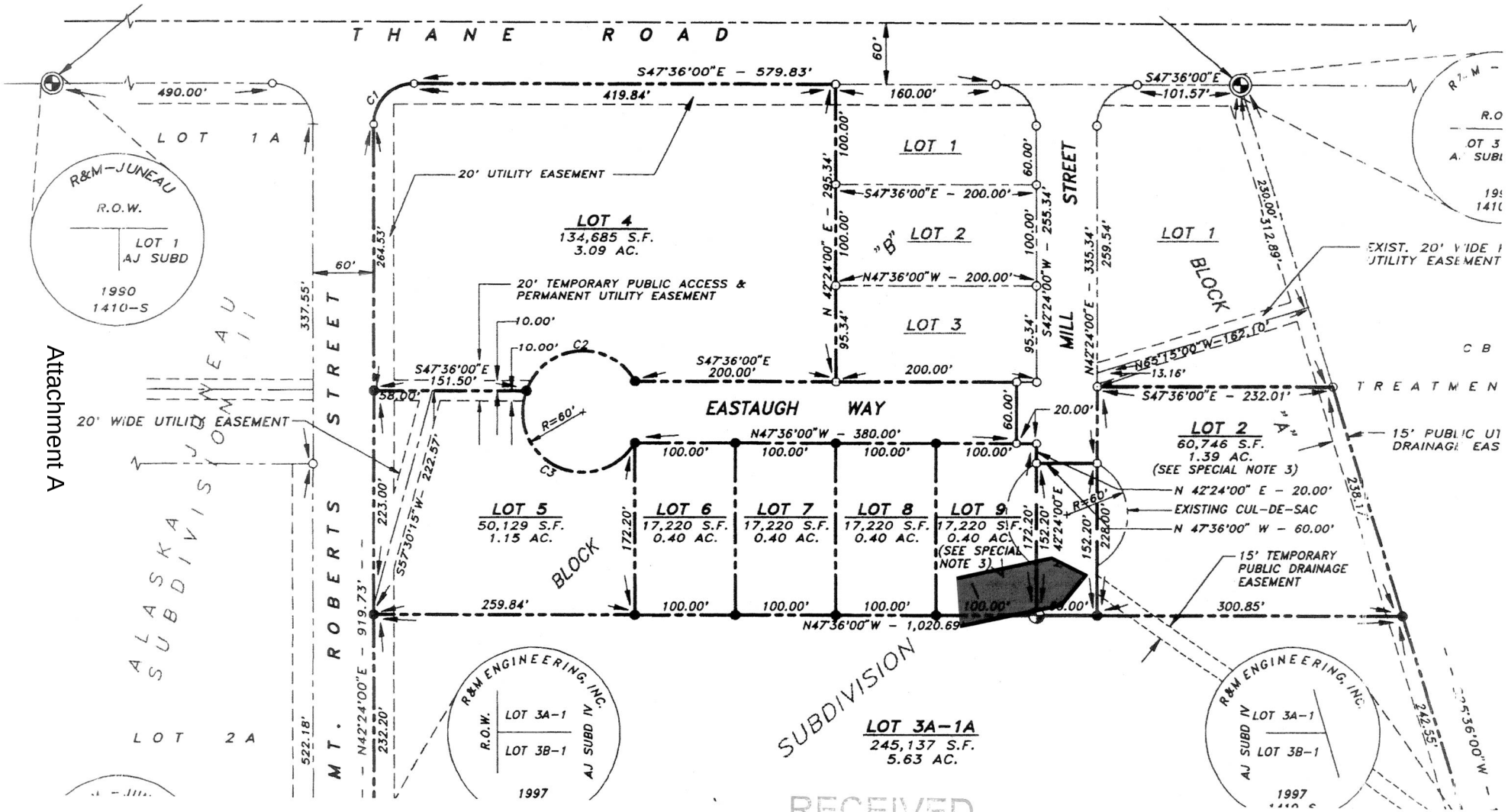
- (A) *Unreasonably prevent the owner from using the property for a permissible principal use;*
- (B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;*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

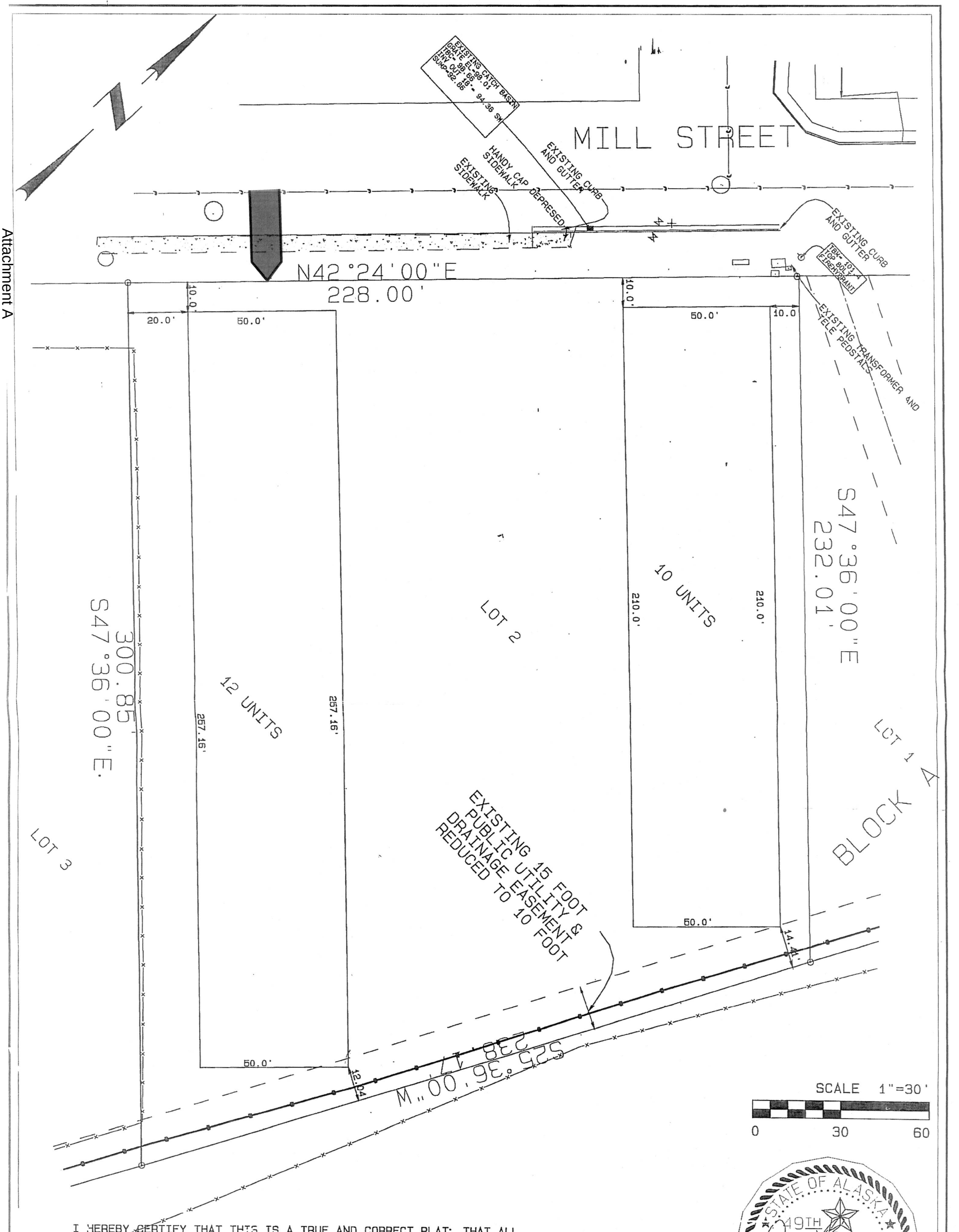
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Attachment A



Attachment A

Attachment A



SCALE 1"=30'

0 30 60

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.

STATE OF ALASKA
49TH
J.W. BEAN
No. 3650-S
REGISTERED PROFESSIONAL LAND SURVEYOR

J.W. BEAN
PROFESSIONAL SURVEYOR
TDS 125 JUNEAU TOWN
42176 TDS
P.B.

JOB No 12924
SCALE AS-SHOWN
DATE 5-04-2014

SITE PLAN

PROPOSED BOAT CONDO
ON
LOT 2, BLOCK A
ALASKA JUNEAU SUBDIVISION

DATE: June 16, 2014

SUBJECT: Variance Application VAR#20140011
Additional Comments and Information

PLANS:

A. Plat maps and basic footprint for the two steel buildings was submitted with the application. Detailed drawings are available at this time upon request made to North Pacific Erectors, Attn: Karl Vandor and 364 3288. Detailed drawings will also be submitted with the building permit application.

B. The location of the two structures is shown on the plat submitted and prepared by John Bean.

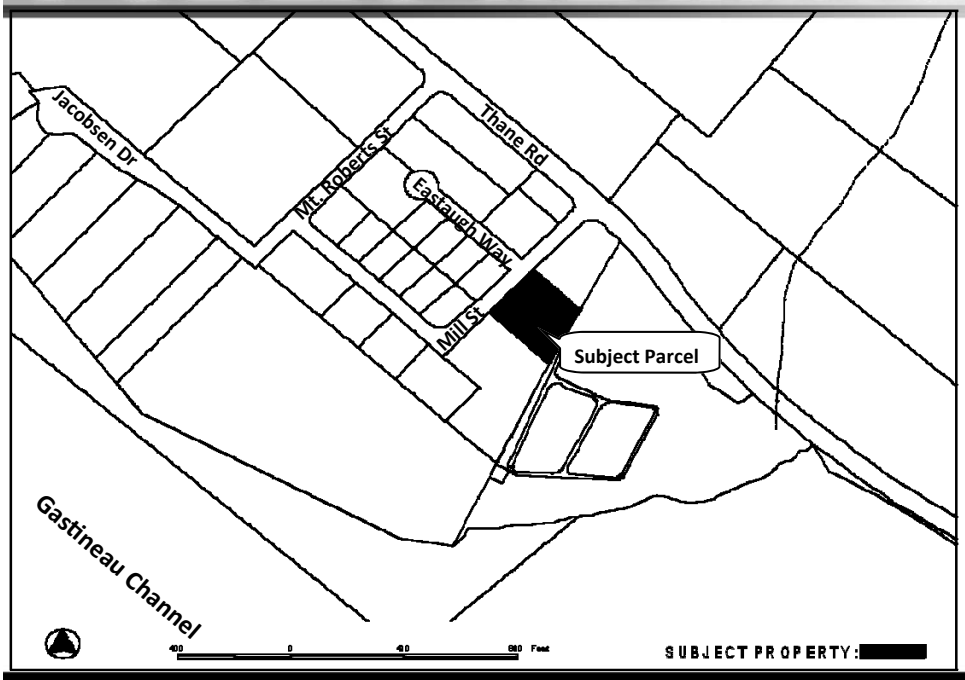
DOCUMENT FORMAT

Submitted plans comply with this requirement. Detailed building plans will also be produced and submitted per CBJ requirements.

VARIANCE APPROVAL CRITERIA

1. The plans are for two steel buildings of identical dimensions to be constructed as shown on the drawings. There will be a total of 22 storage units plus one "caretaker" quarters in one of the buildings. Building ONE is located closest to the channel. That building footprint exceeds the compliance setbacks by three feet on either the back or front side. Behind the two buildings is a 20 foot utility easement. In a pre-application conference, it was suggested that we apply for a variance to the front yard set back rather than apply for the same variance in the utility easement. If granted, the variance will not affect adjacent property owners. Emergency vehicle access will not be impacted. The variance is a key factor in allowing two same size buildings to be built with 22 identical storage units. Without the variance, one building would have to be redesigned and have different manufacturing specs.
2. There will be no compromise of public safety and welfare with the granting of this variance.
3. The granting of the variance will not injure nearby property in any manner.
4. The industrial zoning district does allow storage facilities such as being proposed to be constructed with the normal building permit application review by CBJ.
5. A) Owner would not be able to construct two identical size steel buildings and loose economic savings in design, manufacturing and construction. Further, one unit would be harder to market because of the reduced size and would impact the allocation of the owner shared operating costs.
   B) The Rock Dump area is primary warehousing, transportation services, retail/wholesale operations and fuel distribution. Building storage units would add significant value to Lot 2 and spurn more development activity with other commercial and industrial projects.
   C) The building site is flat, level fill adjacent to other commercial operations. The slope to the water ide of building ONE is at 2:1. Moving or reorienting the building footprint is very difficult. Seeking an encroachment into the utility easement is not an option according to CBJ. To make the project economics work, the two structures need to be built with identical dimensions and provide for 22 units.
   D) The owner is not aware of any preexisting nonconforming conditions on the property
6. Granting of the variance would significantly increase the property values and property tax assessor roles without any detriment to the neighborhood.

NOTICE OF PUBLIC HEARING



City & Borough of Juneau
Community Development Department
155 S Seward Street • Juneau, Alaska 99801

SHIP TO:

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

PROPOSAL: **Variance to reduce the front yard setback in an Industrial zone for the construction of storage units.**

File No:	**VAR2014 0011**	**Applicant: North Pacific Erectors Inc**	
To:	**Adjacent Property Owners**	**Property PCN:**	**1-C11-0-K15-002-0**
Hearing Date:	**July 22, 2014**	**Owner:**	**JNY LLC**
Hearing Time:	**7:00 PM**	**Size:**	**1.39 Acres**
Place:	**Assembly Chambers**	**Zoned:**	**Industrial**
	Municipal Building	**Site Address:**	**Mill Street**
	155 South Seward Street	**Accessed Via:**	**Thane Road**
	Juneau, Alaska 99801		

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 14 days prior to 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.

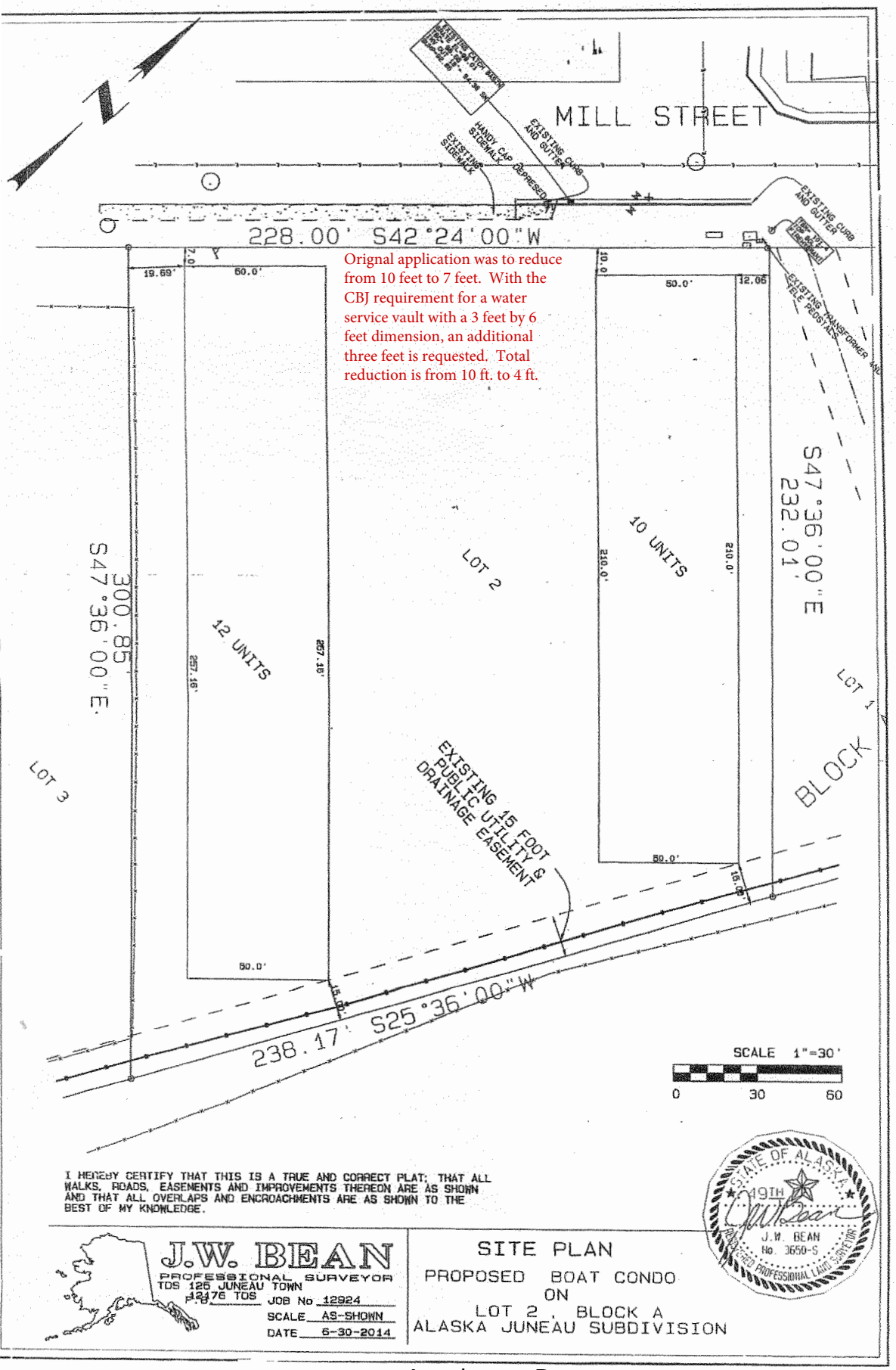
If you have questions, please contact Sarah Bronstein at sarah_bronstein@ci.juneau.ak.us or at 586-0466.

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

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

Attachment C

Date notice was printed: July 9, 2014



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STATE OF ALASKA 49TH J.W. BEAN No. 3650-S REGISTERED PROFESSIONAL LAND SURVEYOR

J.W. BEAN
PROFESSIONAL SURVEYOR
TOS 125 JUNEAU TOWN
P.O. 12476 TOS
JOB No 12924
SCALE AS-SHOWN
DATE 6-30-2014

SITE PLAN
PROPOSED BOAT CONDO
ON
LOT 2, BLOCK A
ALASKA JUNEAU SUBDIVISION

Attachment D

DATE: June 16, 2014
Amended & Updated July 1, 2014

SUBJECT: Variance Application VAR#20140011
Additional Comments and Information
BOLD TYPE IS NEW OR AMENDED LANGUAGE WITH BRACKETS

PLANS:

A. Plat maps and basic footprint for the two steel buildings was submitted with the application. Detailed drawings are available at this time upon request made to North Pacific Erectors, Attn: Karl Vandor and 364 3288. Detailed drawings will also be submitted with the building permit application**. [Revised site plan submitted with this update]**

B. The location of the two structures is shown on the plat submitted and prepared by John Bean **[and revised on June 30, 2014].**

DOCUMENT FORMAT

Submitted plans comply with this requirement. Detailed building plans will also be produced and submitted per CBJ requirements.

VARIANCE APPROVAL CRITERIA

1. The plans are for two steel buildings of ~~identical dimensions~~ **[210 feet and 257 feet]** to be constructed as shown on the drawings. There will be a total of 22 storage units plus one "caretaker" quarters in one of the buildings. Building ONE is located closest to the channel. That building footprint exceeds the compliance setbacks by three feet on either the back or front side. Behind the two buildings is a ~~20~~ [**15]** foot utility easement. In a pre-application conference, it was suggested that we apply for a variance to the front yard set back rather than apply for the same variance in the utility easement. If granted, the variance will not affect adjacent property owners. Emergency vehicle access will not be impacted. The variance is a key factor in allowing two ~~same size~~ buildings to be built with 22 identical storage units. Without the variance, one building would have to be redesigned and have different manufacturing specs.
2. There will be no compromise of public safety and welfare with the granting of this variance.
3. The granting of the variance will not injure nearby property in any manner.
4. The industrial zoning district does allow storage facilities such as being proposed to be constructed with the normal building permit application review by CBJ.
5. A) Owner would not be able to construct two ~~identical size~~ steel buildings and loose economic savings in design, manufacturing and construction. Further, one unit would be harder to market because of the reduced size and would impact the allocation of the owner shared operating costs.
   B) The Rock Dump area is primary warehousing, transportation services, retail/wholesale operations and fuel distribution. Building storage units would add significant value to Lot 2 and spurn more development activity with other commercial and industrial projects.
   C) The building site is flat, level fill adjacent to other commercial operations. The slope to the water ide of building ONE is at 2:1. Moving or reorienting the building footprint is very difficult. Seeking an encroachment into the utility easement is not an option according to CBJ. To make the project economics work, the two structures need to be built with identical dimensions and provide for 22 units.
   D) The owner is not aware of any preexisting nonconforming conditions on the property.
   [E) Our application for a CBJ building permit has been made on June 30, 2014. At that time, NNPE was advised that an exterior concrete 3 ft x 6 ft vault would be required at the front of

building ONE to accommodate the water meter, backflow prevention device and personnel access door. The saddle to access the water line is located in front of building ONE and not the other building. The CBJ required the vault be located outside any storage area. Therefore, our Variance Application must be amended to accommodate the vault footprint by an additional 3 feet. The reduction requested is for a reduction of six feet.]

6. Granting of the variance would significantly increase the property values and property tax assessor roles without any detriment to the neighborhood.