MEMORANDUM

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

DATE: August 27, 2014

TO: Board of Adjustment

FROM: Eric Feldt, Planner II, CFM
Community Development Department

FILE NO.s: VAR2014 0017 & VAR2014 0018

PROPOSAL: A Variance to reduce the side yard setback of adjoining lots for a new covered parking deck; and a Variance to reduce the front yard setback from 10' to 0' for a new covered parking deck.

GENERAL INFORMATION

Applicant:	Aniakchak, Inc.
Property Owners:	William Heumann and Jan Van Dort
Property Addresses:	11435 &11445 Glacier Hwy
Legal Descriptions:	USS 1504 FR
Parcel Code Numbers:	4-B23-010-5-007-0 & 4-B23-010-5-008-0
Combined Site Size:	1.2 Acres (52,638 Square Feet)
Comprehensive Plan Future Land Use Designation:	Marine/ Mixed Use (M/ MU)
Zoning:	Waterfront Commercial (WC)
Utilities:	Public Water & Sewer
Access:	Glacier Highway
Existing Land Use:	Vacant (Recently approved 15-plex Condominium) & Bay View Apt.
Surrounding Land Use:	North - Hot Bite, USCG; LC; Glacier Hwy South - Vacant; LC; Glacier Hwy East - Residential; D-5; Glacier Hwy West - Auke Bay

VICINITY MAP

ATTACHMENTS

Attachment	A	Old Project Design
Attachment	B	New Project Design
Attachment	C	Applicant's Narrative

PROJECT DESCRIPTION

The applicant wants to construct a large covered parking deck for a new condominium complex (Cannery Cove) and the existing Bay View Apartment facility in Auke Bay. These housing developments are on different but adjoining lots and under common ownership.

The parking deck is designed up to the Glacier Hwy right-of-way and crosses the common property line between the two housing facilities. The roof over the deck requires the approval of two Variances:

1) VAR2014 0017 (Side Yard Setback): To allow the roof over the parking deck to cross the shared property line, the applicant filed a variance to reduce both side yard setbacks from 5 feet to 0 feet and from 10' to 0'. Staff notes with the approval of VAR2013 0024, the side yard setback at 11435 Glacier Hwy was reduced from 10' to 5'; the other lot has a 10' side yard setback.

2) VAR2014 0018 (Front Yard Setback): To allow the roof to be built up to the front lot line, the applicant filed a variance to reduce the front yard setback from 10 feet to 0 feet (11435 Glacier Hwy).

Since both Variances are for the same structure, both are addressed in this report. Also, both Variances are addressed separately under the Findings and Recommendation sections.

BACKGROUND

In January 2014, the Planning Commission granted the applicant the following permits to build a condominium complex (Cannery Cove) and covered parking deck at 11435 Glacier Highway:

- Conditional Use permit (USE2013 0037): 15-unit condominium "Cannery Cove",
- Variance (VAR2013 0024) : Reduction of both side yard setbacks from 10 feet to 5 feet, and
- Variance (VAR2013 0025): Increased the allowed maximum height from 35 feet to 50 feet. Staff notes that the approval of these Variances was primarily due to the unique features of the site, steep slopes and a high risk flood zone.

Once those permits were approved, the applicant had discussions with DOT/PF about installing a new driveway for Cannery Cove. DOT/ PF encouraged the applicant to use the existing Bay View apartment driveway as a safer route. This driveway wasn't part of the approved Conditional Use permit. The applicant decided it was best to have a shared driveway through the Bay View site. Therefore, the applicant's proposal would replace the gravel-surfaced parking lot at the Bay View site with a covered parking deck.

An existing Bay View building close to Glacier Highway will be demolished rebuilt elsewhere on the Bay View site. This building and future grading work for the covered parking deck can be seen in Figure 1.

Since the date of this memorandum, the applicant has decreased the number of units at the Cannery Cove condominium from 15 to 13 by increasing the number of bedrooms for specific units at the request of perspective buyers. The building size has not changed. The parking requirement decreases from 26 spaces to 24.25. The 16-space parking requirement for the 16-unit Bay View Apartments will not change with the subject Variances since the applicant will re-locate the demolished building elsewhere on the site.

ANALYSIS

The two Variances are to allow a roof to be built into the side and front yard setbacks. See Figure 1. The purpose of setbacks is to provide a minimum distance between buildings that will lower fire hazards, preserve the movement of light, air, and drainage, and to ensure a clear line-of-sight for vehicles (along a ROW). Reducing the setback can reduce or lower the function of these elements.

The difference between the previous (Attachment A) and proposed parking deck (Attachment B) designs is substantial. The size increases from 107’ wide to 200’wide and from 95’ deep to approximately 60’ deep; the height of the roof stayed the same.

Figure 1: Proposed covered parking deck for Cannery Cove and Bay View properties will be approx. from standing point of picture to excavator. The Bay View building that will be removed is shown on the left of photograph. Picture taken by CDD staff on 8/19/2014.

After the applicant completed a more thorough soil analysis, removed vegetation and surveyed elevations, it was found that the building's location was needed to be brought closer to the ROW. This resulted in less space for the parking area. Also, by using the Bay View driveway, the parking lot is reached from the side of the lot and is lower in elevation. This results in the roof being lower and lessening blockage of views from houses across Glacier Highway. The applicant stayed with the idea of covering the whole parking deck but also extended it onto the Bay View site. Since the roof crosses the property line, the applicant filed VAR2014 0017. With the narrower parking area, the roof now encroaches into the front yard setback (VAR2014 0018). Reasons for each variance are discussed in the following paragraphs.

Side Yard Setback encroachment (VAR2014 0017)

The applicant intends to keep both lots separate because of the difference in ownership and use. The Bay View complex consists of apartments and the Cannery Cove complex will be condominiums. The use of the common parking deck will be managed between the tenants of the condominium and land owner of Bay View (Aniakchak, Inc.).

This Variance is needed for the roof over the parking deck; the deck is exempt from setbacks per 49.25.430(4)(I) *Parking Decks*. Without approval of this Variance, the applicant would need to have the roof be designed with a 20-foot gap (10-foot setback on each side of the common lot line). This

gap would defeat the purpose of a covered parking area. Other options may include: build a covered parking deck on one lot and an uncovered deck on the other, have an uncovered parking deck on both lots, etc. The applicant's most preferred option is to provide covered parking for both sites.

In the submitted narrative, the applicant indicates that the Cannery Cove site is designed with accessible features for elderly and people with limited mobility. Having a covered parking lot will better serve this population, according to the applicant.

Front Yard Setback encroachment (VAR2014 0018)

As noted earlier, the steep hillside of the Cannery Cove site and flood zone line pushes the development towards Glacier Highway. The slope can be seen in Figure 2. The parking deck is allowed to be installed up to the front lot line (ROW line), per 49.25.430(4)(I), but the roof must adhere to the 10-foot yard setbacks. The eave of the roof may encroach 40" or 3' 4" into this setback. This results in 6' 8" of exposed, open area of some parked cars.

The design of the parking lot is rectangular and runs parallel with the Cannery Cove building. See Attachment A. The front lot line, however, runs at a diagonal angle to the parking lot which causes part of the roof to encroach into the front yard setback. Complying with the front yard setback will result in the roof covering only part of parked vehicles in the southeastern corner of the parking deck. Therefore, parts of the cars would be covered in snow, be open to the weather, and would likely be least preferred to be used by the tenants during the winter.

Figure 2: Looking downhill on the Cannery Cove site toward CBJ Statter Harbor/ Auke Bay. Foundations of an old house can be seen in the center of the picture; this is the location of the future Cannery Cove condominium. Picture taken by CDD staff on 8/19/2014.

AGENCY COMMENT

As stated earlier, DOT/PF prefers the development of the Cannery Cove to use the existing driveway from the Bay View property for better traffic safety. For this and other reasons, the covered parking deck was re-designed up to the DOT/PF ROW line. Staff solicited comments from DOT/ PF, who did not object to the proposal. Their primary concern was to ensure that no structure is built in the ROW and that all water/ snow run off from this project does not enter the ROW. CBJ staff notes that both subject properties slope down to the water so future drainage paths for the project would likely be downhill towards the water.

PUBLIC COMMENT

Staff received a phone call from the land owner immediately north of Bay View indicating that they had no objection to this project or the Variances, so long as snow and water drainage does not cross onto their property. Staff notes that during the approval of USE2013 0037, VAR2013 0024 & VAR2013 0025, the management of drainage was an issue and was addressed through a condition of approval. Staff recommends that same condition be placed on the subject Variances.

As of the date of this memorandum, no other public comments on the project have been received.

OUTCOMES

There are many outcomes that may result from the approval of one or none of the Variances. Staff has listed some outcomes below.

1) Approval of both Variances

Under this outcome, the applicant's design as proposed is approved. Staff would recommend a condition of approval addressing DOT/ PF's concerns ensuring that no structure may be installed or overhanging into the ROW and all water runoff and snow storage is properly managed on site. Also, staff would recommend another condition that addresses shared maintenance of the parking deck and roof between the two properties and an access easement across the Bay View site for the Cannery Cove development.

2) Denial of side yard setback encroachment, Approval of front yard setback encroachment

Under this outcome, the applicant must meet the 10-foot side yard setback on both sides of the shared lot line between Cannery Cove and Bay View. Staff's condition about managing drainage and structural location, and maintenance and access easements would be recommended.

3) Denial of front yard setback encroachment, Approval of side yard encroachment

Under this outcome, the applicant must meet the 10-foot front yard setback. This design would allow the applicant to cover the majority of the parking lot but leave portions of several spaces uncovered. Staff's condition about managing drainage and structure location would be recommended.

4) Denial of both Variances

Under this outcome, the applicant must meet all yard setbacks. A parking deck could still be built up

to lot lines and crossing into the Bay View site. By meeting both yard setbacks, many spaces would still be covered by a roof. The applicant may consolidate both lots into one and then be allowed to build the requested covered parking deck design without needing the two side yard setback variances.

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.

VAR2014 0017 & VAR2014 0018:
Relaxing the front yard setback and both side yard setbacks from 10 feet to 0 feet gives substantial relief to the applicant by lowering parking lot maintenance costs for the tenants and land owner, and a simpler design with a single roof and parking deck. Also, this means no snow removal issues would have to be addressed for the uncovered parking at the southeastern corner of the parking lot.

VAR2014 0017
There are other condominium complexes in the Auke Bay area that have covered parking. These structures are more similar to carports sized to cover only the parking space; the access aisle and maneuvering areas aren't covered. Staff is not aware of any parking roof structures that cross lot lines. Therefore, staff finds the encroachment into both side yard setbacks inconsistent with justice to other property owners.

VAR2014 0018
There is an old garage located at 11435 Glacier Hwy and a Bay View building that currently encroach into the front yard setback. These buildings will be replaced with the covered parking deck. Staff notes that when these two buildings are demolished, they could not be rebuilt in the same footprint without an approved variance. The new covered parking area is significantly larger than those two buildings. Therefore, staff finds the encroachment into the front yard setback inconsistent with justice to other property owners.

Neither Variance meets this criterion.

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 intent of yard setbacks is to provide a minimum setback distance between buildings that will lower fire hazards between buildings, preserve the movement of light, air, and drainage, as well as preserving a clear line-of-sight for vehicles (along a ROW). As stated earlier, staff recommends a condition of approval ensuring that the drainage from water and snow melt will be fully contained on the two subject lots.

VAR2014 0017
The reduction of both side yard setbacks to 0 feet will allow the applicant to construct one roof, instead of two roofs (one on each site). As stated earlier, the parking deck can cross the property line; the roof cannot without a variance. Therefore, with or without a roof, the space along the property line may contain an impervious surface and drainage would be directed down to the ocean.

There will be some movement of light and air between the new Cannery Cove building and Bay View apartment buildings. The movement of light and air along the shared lot line with the proposed roof would be little to none. Therefore, this does not meet the intent of the side yard setback.

VAR2014 0018
The reduction of the front yard setback from 10' to 0' will allow the proposed roof to be built up to the front property line or ROW line. Since no driveway will be constructed along the Cannery Cove building, the line-of-sight issue is not relevant. All drainage and roof overhang will be on the subject site to direct water down to the ocean, not on the ROW. DOT/ PF did not oppose this project so long as there was no effect to the ROW in front of the Cannery Cove lot. The intent of the front yard setback will be met.

VAR2014 0017 & VAR2014 0018
The public safety and welfare will be increased by using one, shared driveway with a covered parking deck. Therefore, the public safety and welfare will be preserved. Both Variances meet this criterion.

VAR2014 0017 does not meet this criterion. VAR2014 0018 meets this criterion.

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

VAR2014 0017 & VAR2014 0018
With the condition of ensuring water and snow management, the encroachment into both side yard setbacks and front yard setback will not cause off-site drainage issues. Further, the viewshed from across Glacier Highway will not be reduced because the proposed roof's peak will be approximately 8 feet, according to the applicant. Adjacent property along the waterside to the north is mixed use

with retail, office, and multifamily. The lot to the south is vacant and zoned the same as the subject lots.

Both Variances meet this criterion.

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

VAR2014 0017 & VAR2014 0018
The proposed parking deck is allowed in the Waterfront Commercial zoning district as an accessory use to the principle use (Cannery Cove condominium).

Both Variances meet this criterion.

5. That compliance with the existing standards would:

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

VAR2014 0017 & VAR2014 0018
The approval of USE2013 0037 for a15-unit multifamily building established a principle use on the lot. Therefore, denying the applicant from installing a roof into both side yard setbacks and front yard setback will not unreasonably prevent the owner from using the property for a permissible principle use. The applicant may construct an uncovered parking deck without variances to provide parking for both uses.

Neither Variance meets this criterion.

(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;

VAR2014 0017 & VAR2014 0018
Denying both Variances would allow the applicant to build an uncovered parking deck across the shared lot line or build a covered/ uncovered deck on one property while meeting yard setbacks. As stated earlier, there are carports at other multifamily complexes in Auke Bay. However, staff is not aware if any cross property lines or encroach into yard setbacks.

Neither Variance meets this criterion.

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

VAR2014 0017

The redesign of the parking area was primarily caused by using the shared driveway instead of creating a new one off of the Cannery Cove site. As mentioned earlier, DOT/PF finds using the existing Bay View driveway for the Cannery Cove site is preferred for safety reasons. This is likely due to the nearby curve of Glacier Highway. The site's close proximity to the road curve is a unique feature of the site but does not directly allow a roof to cross a property line. With approved VAR2013 0024, the applicant may construct the roof 5 feet away from the shared lot line on the Cannery Cove site. Although this will increase snow management costs, it is not unreasonable expensive.

This Variance does not meet the criterion.

VAR2014 0018

The building and parking deck are located uphill near Glacier Highway because of the steep hillside and high flood risk line. The applicant has designed both structures very close to each other because of those unique features of the property. Building farther downhill will cause the building to be in the high risk velocity flood zone, which would result in more expensive construction methods and trigger flood insurance. Therefore, denying the roof over the deck to encroach up to Glacier Highway ROW line would be unnecessarily burdensome and unreasonably expensive.

This Variance meets the criterion.

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.

VAR2014 0017 & VAR2014 0018

There are no pre-existing non-conforming conditions on the parcel which would be affected by the subject Variances.

Neither Variance meets this criterion.

VAR2014 0017 does not meet any of the criteria under 5.

VAR2014 0018 meets criterion 5(C), therefore, criterion 5 is met.

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

VAR2014 0017 & VAR2014 0018
Allowing a roof over a parking deck to be built up to the front property line (ROW) and across a property lot line will enable the applicant to provide covered parking for multiple users. This will lower snow management costs and maintain the overall use of the parking lot during the winter. This will also provide for an easier environment for the elderly and handicap population. The benefits of the covered parking deck are site specific.

Neither Variance meets this criterion.

VAR2014 0017: Meets criteria 3 & 4 only.

VAR2014 0018: Meets all criteria except 1 and 6.

FINDINGS

1. Is the application for the requested Variance complete?

Yes. Staff finds 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.

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 (JCMP)?

Yes. The development complies with the JCMP.

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

No. VAR2014 0017 does not meet criteria 1, 2, 5, and 6. VAR2014 0018 does not meet criteria 1 and 6.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and deny the requested Variances, VAR2014 0017 and VAR2014 0018.

If the Planning Commission makes new findings to approve both or either Variances, staff suggests the following conditions of approval:

1) Prior to the issuance of a Building permit, the applicant shall submit a site plan, and if needed, a narrative, showing/ describing how the snow will be managed on site, including snow from the roof. If snow will be partially managed on adjacent property, the applicant shall submit a recorded easement addressing snow management.

2) Prior to the issuance of a Building permit, the applicant shall submit documentation that will ensure the foundation of the parking deck and building will not be eroded by water run-off along both side property lines.

2) For the Building permitting process, a surveyor shall verify all yard setbacks for the Foundation Setback Verification Form.

3) Prior to Final Certificate of Occupancy, the applicant shall submit an as-built survey showing the parking deck, building and roof eaves all consistent with submitted plans.

4) Prior to Final Certificate of Occupancy, the applicant shall record an access and maintenance easement and submit a copy to the CBJ. This document shall address shared maintenance of the parking deck, roof and any retaining walls that cross the shared property line. The access easement shall be delineated on the Bay View site and afforded to the owners of Cannery Cove. The easement shall also address any drainages that cross the shared lot line.

VARIANCE APPLICATION #2

Project Number	Project Name (15 characters)	Case Number	Date Received
VAR20140017			07/25/14

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:
CONSTRUCTION OF CARPORT OVER LOT LINE SERVING TWO LOTS

Previous Variance Applications? ☒ YES ☐ NO Date of Filing: 12/16/2013
Previous Case Number(s): VAR2013-0024
Was the Variance Granted? ☒ YES ☐ NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): STEEP TOPOGRAPHY FALLING TO THE SEA.

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

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?
TO MAKE IT POSSIBLE TO CONSTRUCT A CARPORT ACROSS A LOT LINE.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?
A DEVELOPMENT SERVING TWO LOTS WOULD BE COMPROMISED AS THE CARPORT WOULD BE SEPARATED AND A LARGE PORTION OF THE PARKING LOT WOULD BE UNCOVERED.

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			
Adjustment	$			
Total Fee	$400.00	025636	CDD5529	07/25/14

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Num: VAR20140017 | CITY and BOROUGH of JUNEAU | Date Received: 07/25/14

Project Name (City Staff to Assign Name)

PROJECT / APPLICANT INFORMATION

Project Description: VARIANCE FOR CARPORT INSETBACK AREA.

PROPERTY LOCATION

Street Address: 11433 GLACIER HWY | City/Zip: JUNEAU, AK

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): #2 TRACT F&A FR USS 1504 AND ATS 725

Assessor's Parcel Number(s): 4B2301050070

LANDOWNER/ LESSEE

Property Owner's Name: WILLIAM HEUMANN JAN VAN DORT | Contact Person: EITHER | Work Phone: 321-0271

Mailing Address | Home Phone: 723-4540 | Fax Number:

E-mail Address: WHEUMANN@MSN.COM JVANDORT@GCI.NET | Other Contact Phone Number(s):

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 _____ Landowner/Lessee Signature — Date: 7/25/14

X _____ Landowner/Lessee Signature — Date: 7/25/14

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: AMABACHUK, INC | Contact Person: EITHER | Work Phone: 321-0271

Mailing Address: 6000 Thane Road Juneau, AK 99801 | Home Phone: 723-4540 | Fax Number:

E-mail Address: WHEUMANN@MSN.COM JVANDORT@GCI.NET | Other Contact Phone Number(s):

X _____ Applicant's Signature — Date of Application: 7/25/14

STAFF APPROVALS

OFFICE USE ONLY BELOW THIS LINE

✓	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)			
X	Variance Case (De Minimis and all other Variance case types)		07/25/14	VAR20140017
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			

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

Comments:

Permit Intake Initials

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

#1

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
VAR20140018			07/25/14

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:
CONSTRUCTION OF A CARPORT TO ABUT THE PROPERTY LINE ALONG A STATE HIGHWAY

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): STEEP TOPOGRAPHY FALLING to the SEA.

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

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?
To make it POSSIBLE TO CONSTRUCT A CARPORT WITHIN A SET BACK AREA

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?
A CARPORT WOULD BE CONSTRUCTED WHICH COULD NO completely COVER SEVERAL CARS.

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			
Adjustment	$			
Total Fee	$ 400.00	025636	CDD5530	07/25/14

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Num: VAR20140018	CITY and BOROUGH of JUNEAU	Date Received: 07/25/14
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION

Project Description: VARIANCE FOR CARPORT IN SETBACK AREA

PROPERTY LOCATION

Street Address: 11433 GLACIER HWY — City/Zip: JUNEAU, AK

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot): #2 TRACT F&A FR USS 1504 AND ATS 725

Assessor's Parcel Number(s): 4B2301050070

LANDOWNER/ LESSEE

Property Owner's Name	Contact Person:	Work Phone:
WILLIAM HEUMANN JAN VAN DORT	EITHER	321-0271
Mailing Address	**Home Phone:** 723-4540	**Fax Number:**
E-mail Address: WHEUMANN@MSN.COM JVANDORT@GCI.NET	**Other Contact Phone Number(s):**	

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

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

Applicant's Name	Contact Person:	Work Phone:
AMABCHUK, INC	EITHER	321-0271
Mailing Address	**Home Phone:** 723-4540	**Fax Number:**
E-mail Address: WHEUMANN@MSN.COM JVANDORT@GCI.NET	**Other Contact Phone Number(s):**	

X _____ Applicant's Signature — Date of Application: 7/25/14

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✓	Permit Type	***SIGN	Date Received	Application Number(s)
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	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
X	Variance Case (De Minimis and all other Variance case types)		07/25/14	VAR20140018
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			

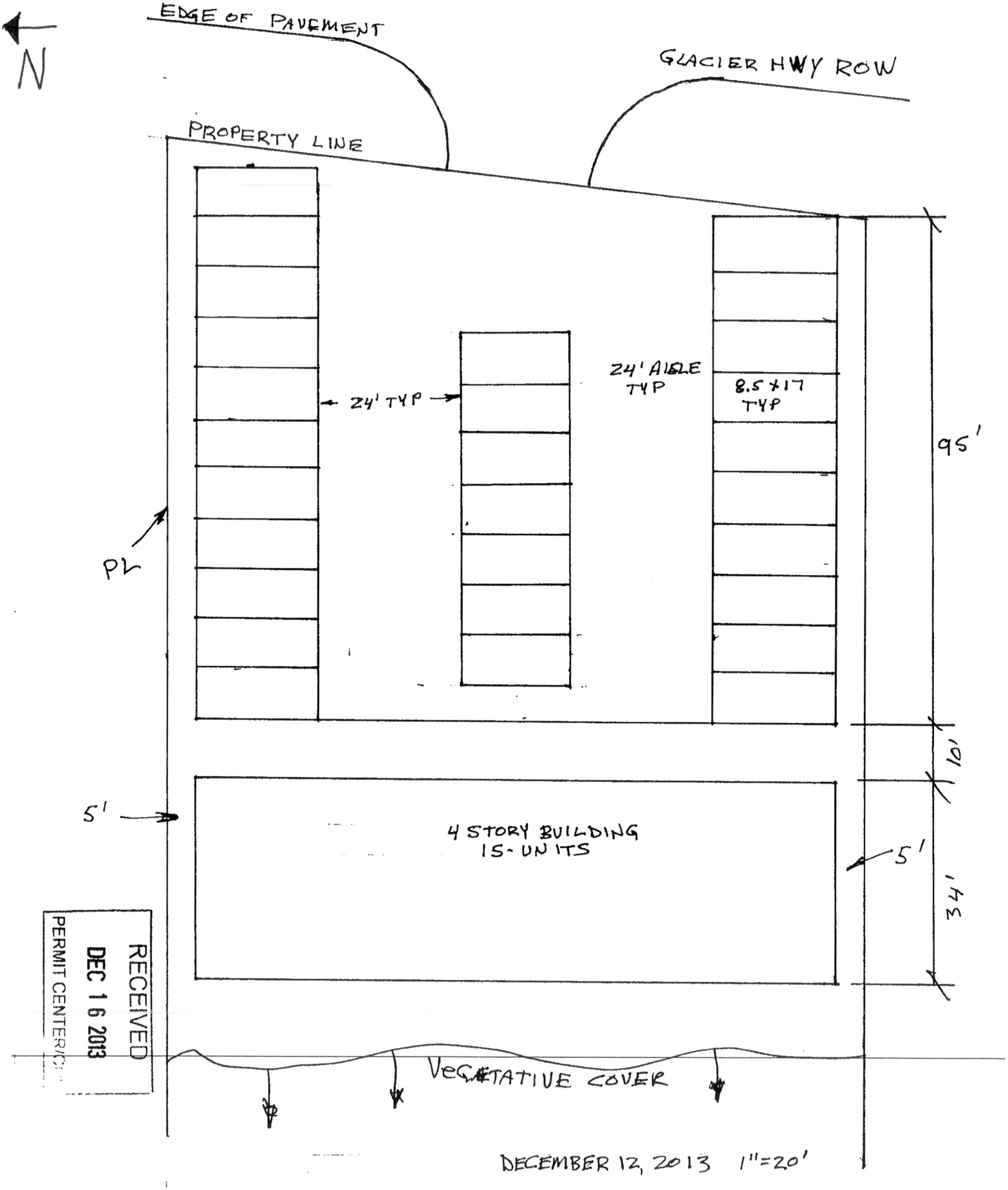
***Public Notice Sign Form filled out and in the file.

Comments:

Permit Intake Initials: ESF

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

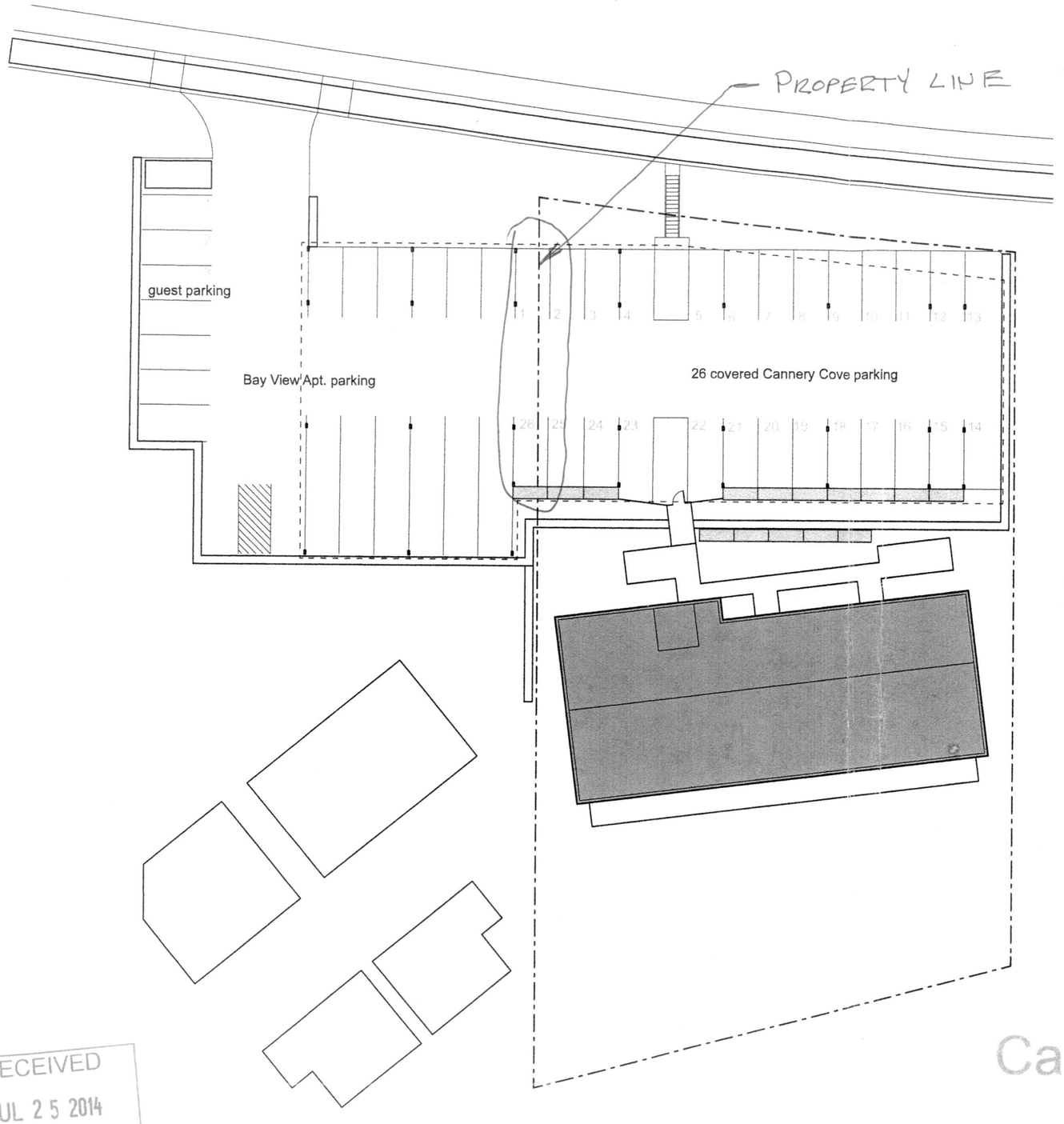
SITE PLAN



ATTACHMENT A

VAR2014-0017

#2



RECEIVED
JUL 25 2014
PERMIT CENTER/CDD

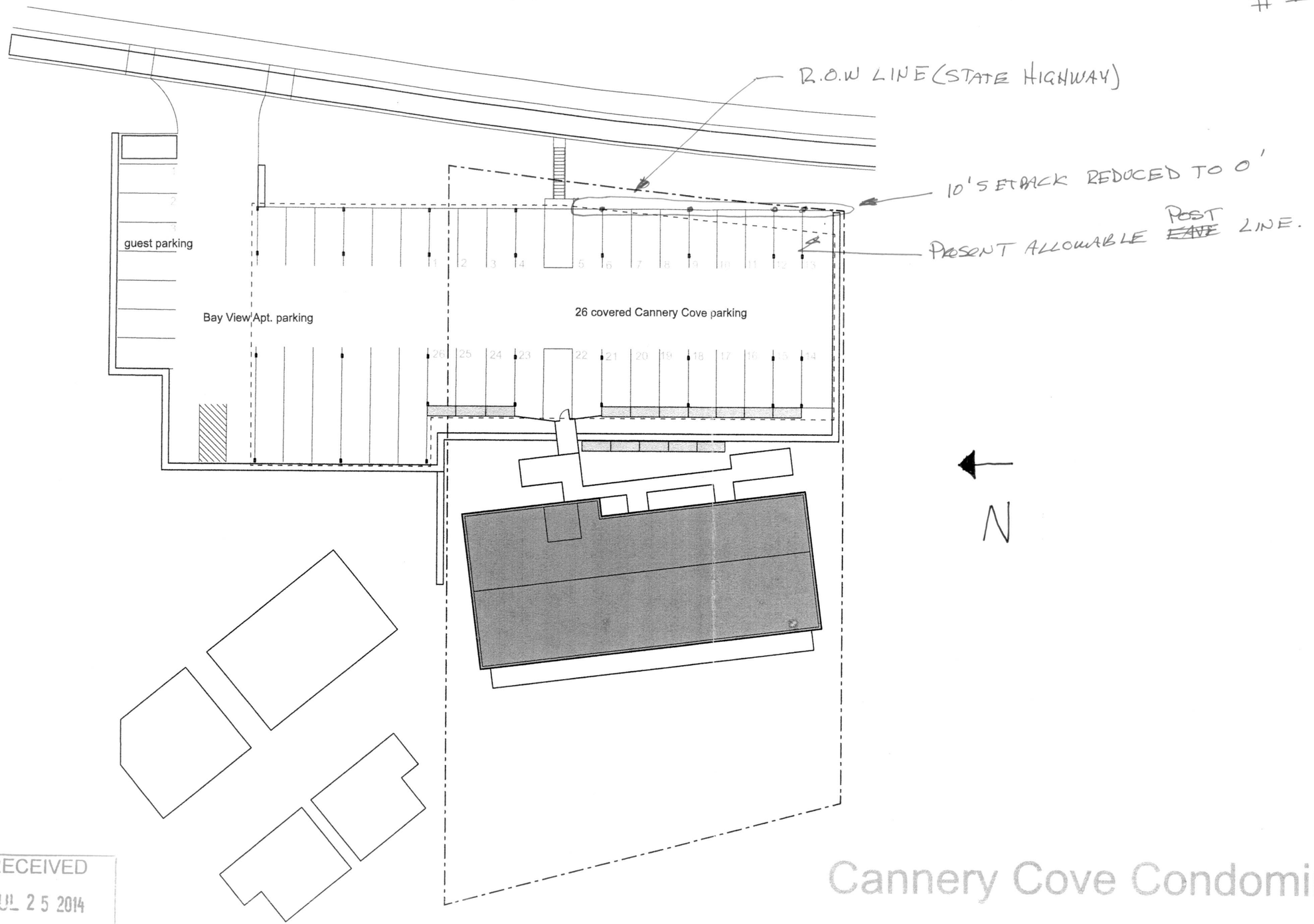
Cannery Cove Condominiums

Site Plan

ATTACHMENT B

VAR 2014-0018

#1



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Cannery Cove Condominiums

Site Plan

ATTACHMENT B

#2

Variance to Reduce a Side Yard Setback from 10' to 0' on Two Sides of a Property Line.

The reason for requesting a reduction in the side yard setback on two sides of a property line to zero feet is to allow a carport to be constructed over this area.

The purpose of this narrative is to demonstrate that the Variance Approval Criteria can be met.

1) The property owner will receive substantial relief by allowing for 100% coverage of parking spaces which are allowed to be constructed within the setback area. Coverage of the parking spaces will provide protection from the environment, which is consistent with CBJ policy and reduce the need for snow removal.
2) The property line separates 2 lots. The property owner of one lot is a 50% owner of the other lot. The other 50% owner concurs with this variance request. The construction of a carport across the property lie will does not conflict with the intent of this title and it will improve the public safety and welfare by protecting people from the weather.
3) The peak of the roof will be about 8' above the highway grade and will not obstruct the view of adjoining property owners. Because of the removal of existing structures and trees, the views will be improved.
4) The use is allowed in the district.
5) A. Since granting this variance does not result in any detriments to property owners, it is not reasonable to prevent the owner from constructing a carport in the setback area.
   B. It would be unreasonable to prevent the construction of a carport to cover the parking spaces. This is a development which primarily will serve retired people and is built to meet residential accessibility code requirements. These folks will be better served by enabling them to stay out of the weather.
   C. Because of the topography, the location on the water and the resulting Flood Plain Elevation restrictions, the use of the land is reduced by about 40%.
   D. There are not any preexisting conditions.
6) There are not any detriments to the neighborhood and there are benefits as described above.

Variance to Reduce a Front Yard Setback from 10' to 0'

The reason for requesting a reduction in the front yard setback to zero feet is to allow a carport to be constructed over this area.

The purpose of this narrative is to demonstrate that the Variance Approval Criteria can be met.

1) The property owner will receive substantial relief by allowing for 100% coverage of parking spaces which are allowed to be constructed within the setback area. Coverage of the parking spaces will provide protection from the environment, which is consistent with CBJ policy and reduce the need for snow removal.
2) The setback abuts Glacier Highway and the topography is such and the alignment is such that the carport will not obstruct the site radii for passing cars or other entrances to the highway.
3) The peak of the roof will be about 8' above the highway grade and will not obstruct the view of adjoining property owners. Because of the removal of existing structures and trees, the views will be improved.
4) The use is allowed in the district.
5) A. Since granting this variance does not result in any detriments to property owners, it is not reasonable to prevent the owner from constructing a carport in the setback area.
   B. It would be unreasonable to prevent the construction of a carport to cover the parking spaces. This is a development which primarily will serve retired people and is built to meet residential accessibility code requirements. These folks will be better served by enabling them to stay out of the weather.
   C. Because of the topography, the location on the water and the resulting Flood Plain Elevation restrictions, the use of the land is reduced by about 40%.
   D. There are not any preexisting conditions.
6) There are not ay detriments to the neighborhood and there are benefits as described above.