

Board of Zoning Adjustment

Staff Report

August 3, 2020



Case No:	20-VARIANCE-0090
Project Name:	Meadow Lane Court Variance
Location:	2108 Meadow Lane Court
Owner/Applicant:	Dean & Frances Wilkinson
Jurisdiction:	City of Anchorage
Council District:	17 – Markus Winkler
Case Manager:	Zach Schwager, Planner I

REQUEST

- **Variance** from City of Anchorage Development Code section 4.3.C.2.a to allow a principal structure to encroach into the required front yard setback

Location	Requirement	Request	Variance
Front Yard	75 ft.	46.8 ft.	28.2 ft.

CASE SUMMARY

The subject property is located in the Meadow Lane subdivision in the City of Anchorage. It contains a one-story single-family residence. The existing principal structure encroaches into the front yard setback by 28.2 ft. The applicant is proposing a front porch addition and another addition to connect the principal structure to the detached garage, so the existing encroachment must be brought into compliance.

Staff has received signatures from all adjoining property owners approving of the proposed construction. Therefore, a public hearing is not required.

STAFF FINDING

Staff finds that the requested variance is adequately justified and meets the standard of review.

Based upon the information in the staff report, and the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting a variance established in the City of Anchorage Development Code from section 4.3.C.2.a to allow a principal structure to encroach into the required front and street side yard setbacks.

TECHNICAL REVIEW

No technical review required.

INTERESTED PARTY COMMENTS

No interested party comments were received.

RELATED CASES

None.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM TABLE 5.3.1

- (a) The requested variance will not adversely affect the public health, safety or welfare.

STAFF: The requested variance will not adversely affect the public health, safety or welfare as the structure must be constructed to comply with all building codes, including fire codes.

- (b) The requested variance will not alter the essential character of the general vicinity.

STAFF: The requested variance will not alter the essential character of the general vicinity as it is an existing condition and the proposed additions are minor in scale.

- (c) The requested variance will not cause a hazard or nuisance to the public.

STAFF: The requested variance will not adversely affect the public health, safety or welfare as the structure must be constructed to comply with all building codes, including fire codes.

- (d) The requested variance will not allow an unreasonable circumvention of the zoning regulations.

STAFF: The requested variance will not allow an unreasonable circumvention of the zoning regulations as the front yard setback will be the same as the existing conditions.

ADDITIONAL CONSIDERATIONS:

1. The requested variance does not arise from special circumstances which do not generally apply to land in the general vicinity or the same zone.

STAFF: The requested variance does arise from special circumstances which do generally apply to land in the general vicinity or the same zone as the property and surrounding properties are all irregular in shape.

2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant as the front yard setback will be the same as the existing conditions.

3. The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as the applicant is requesting the variance and has not begun construction.

VARIANCE PLAN REQUIREMENT

In accordance with LDC Section 11.5B.1.C (Requirement to Follow Approved Plan), a variance shall be approved only on the basis of the plan approved by the Board and shall be valid only for the location and area shown on the approved plan. All construction and operations must be conducted in accordance with the approved plan and conditions attached to the variance.

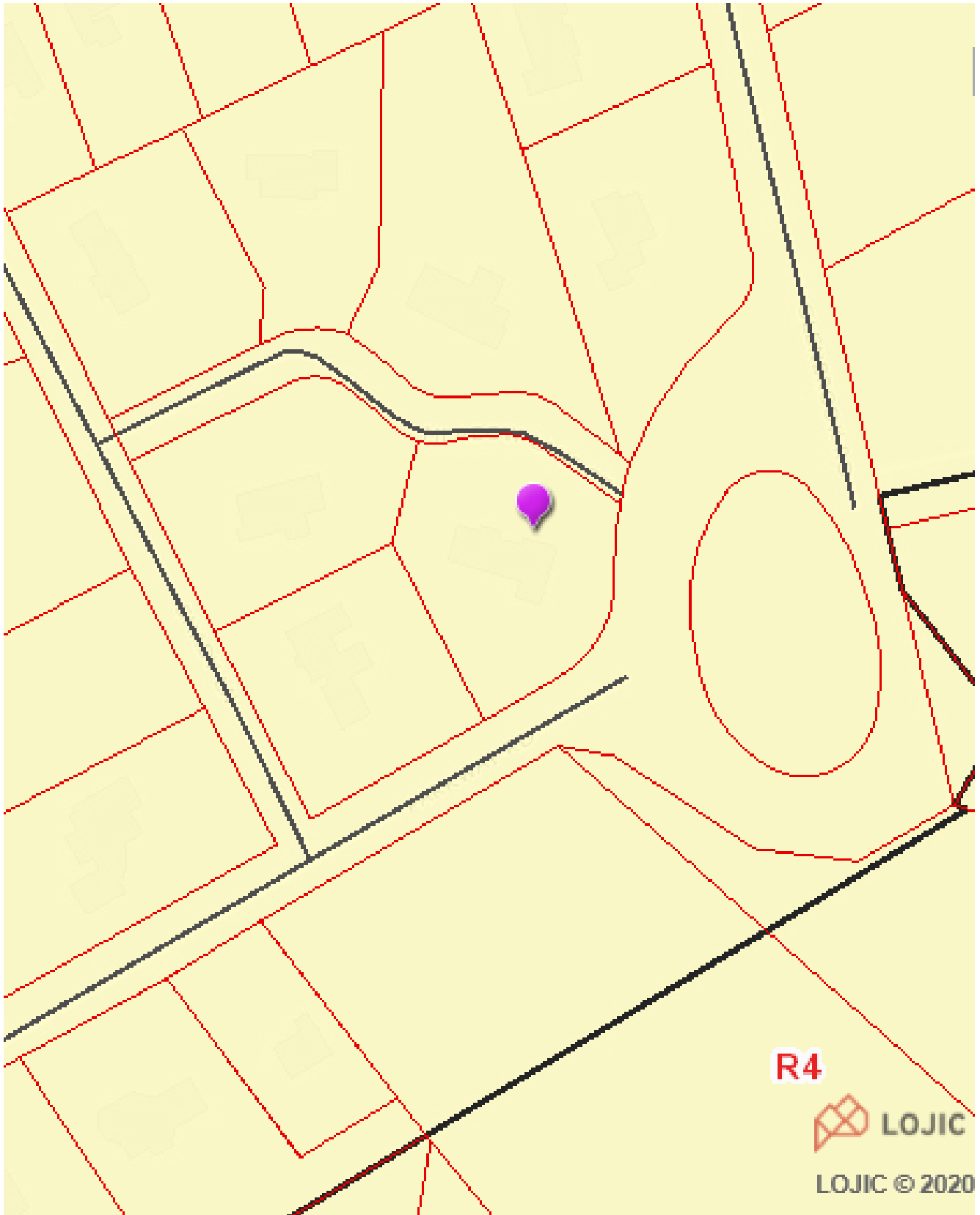
NOTIFICATION

Date	Purpose of Notice	Recipients
07/17/2020	Hearing before BOZA	Not Required for Business Session Item

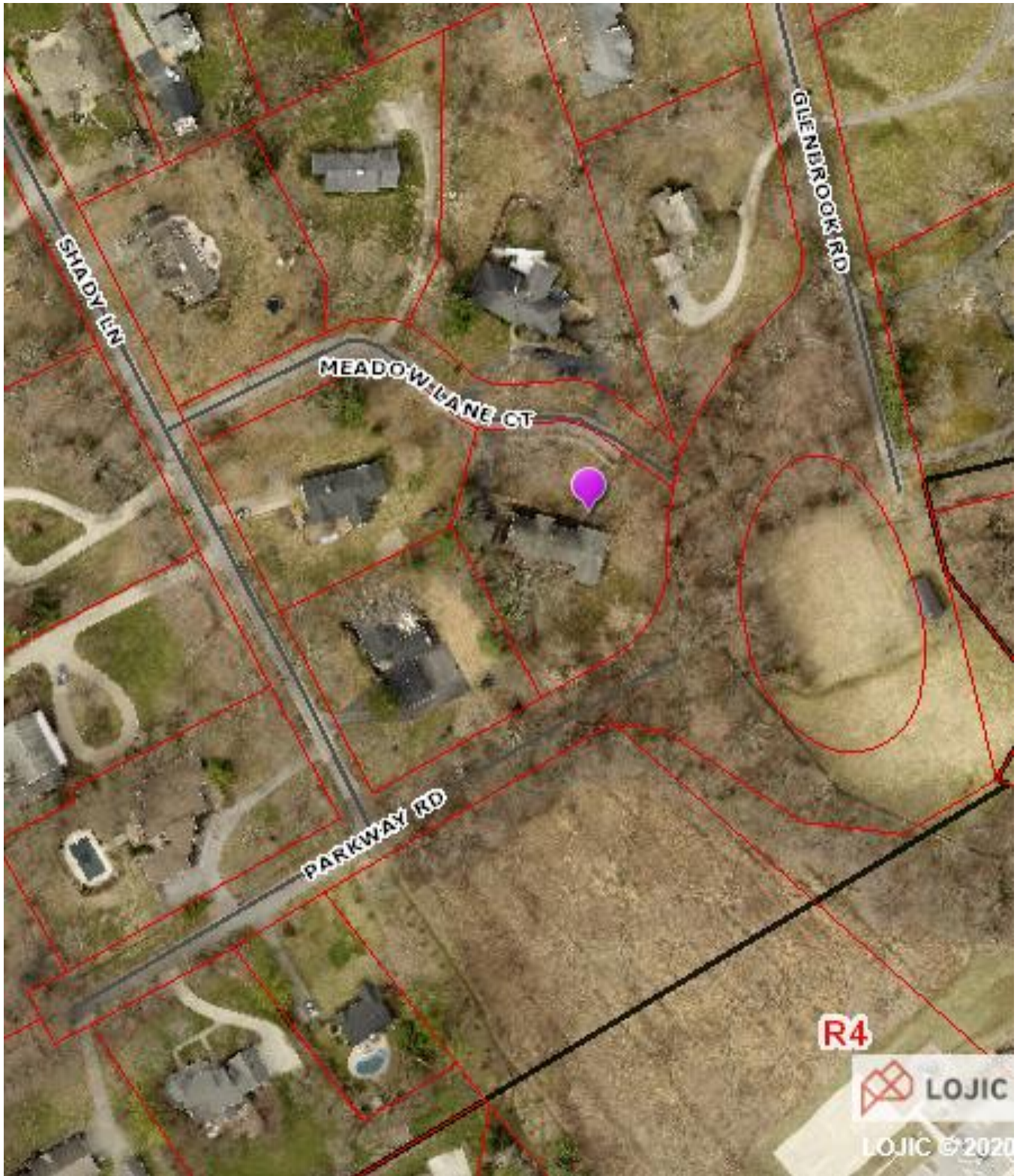
ATTACHMENTS

- 1. Zoning Map
- 2. Aerial Photograph
- 3. Site Plan
- 4. Site Photos

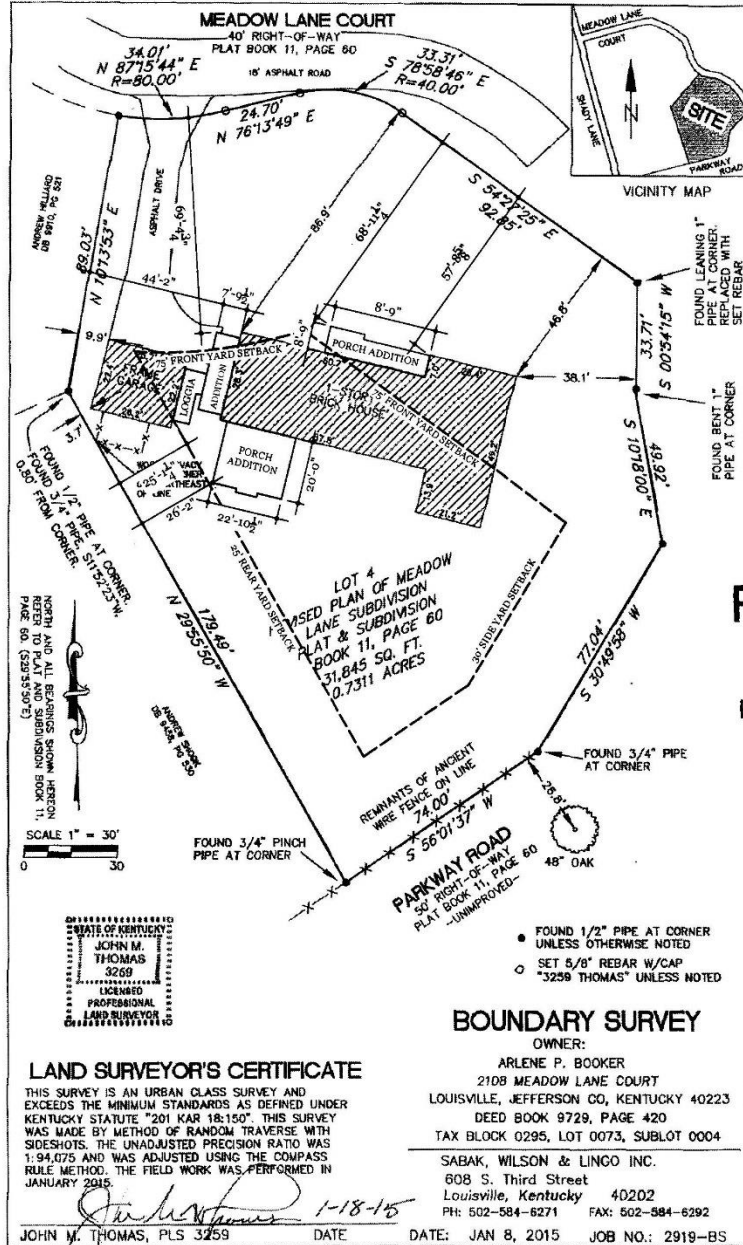
1. Zoning Map



2. Aerial Photograph



3. Site Plan



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JUL 22 2020
PLANNING & DESIGN SERVICES

—the—
Wilkinson Residence
2108 Meadow Lane Court
Louisville, KY 40223
site plan 6-3-20
TIMOTHY R. WINTERS, ARCHITECT
8009 NEW LAGRANGE ROAD, SUITE 8
LOUISVILLE, KY 40223
502-412-1310 | WWW.TIMWINTERS.COM



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4. Site Photos



Front of subject property and location of proposed addition.



Variance location.



Location of second proposed addition.