

Board of Zoning Adjustment

Staff Report

December 18, 2017



Case No.	17VARIANCE1094
Project Name	Detached Garage
Location	11705 Cedardale Road
Owner	Eric Abell
Applicant	Eric Abell
Jurisdiction	Louisville Metro
Council District	17- Glen Stuckel
Case Manager	Beth Jones, AICP, Planner II

REQUESTS

Variance to allow a structure to encroach into the required side yard setback (Land Development Code for the City of Anchorage 4.3.C.2.b.)

Location	Requirement	Request	Variance
Side yard setback	15 ft	10 ft	5 ft
Total of both side yard setbacks	45 ft	25 ft	20 ft

CASE SUMMARY / BACKGROUND

The applicant proposes to construct a detached two-vehicle garage to the west side of an existing residence. The site is an R-1 parcel within the jurisdiction of the City of Anchorage. The Anchorage Land Development Code requires a minimum side yard of 15 ft and a minimum of 45 ft for the total of both side yards (4.3.C.2.b.) The proposed garage would be located 10' at its closest point from the western side yard property line and maintain the existing 15 ft east side yard, making the side yard total 25 ft.

As the applicant has obtained the agreement of all adjoining property owners, the case may be heard as a business item.

STAFF FINDING

Staff finds that the variances requested are adequately justified and meet the standard of review.

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Board of Zoning Adjustment must determine if the proposal meets the standards for granting variances to permit a structure to encroach into the side yard setback and the total of both side yard setbacks as required by the Land Development Code of the City of Anchorage (4.3.C.2.b.).

TECHNICAL REVIEW

The submitted plan document meets technical review requirements.

INTERESTED PARTY COMMENTS

The City Administrative Officer for the City of Anchorage has submitted a letter in support of the proposal, pursuant to its approval by the Anchorage City Council at its October 9, 2017 meeting.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM THE LAND DEVELOPMENT CODE FOR THE CITY OF ANCHORAGE

8. Dimensional Variances:

The following are the criteria the Board must consider in deciding whether granting a variance is justified:

- a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone.

STAFF: The long, narrow shape of the site and the placement of the existing residence restricts the applicant's options for placement of the garage to the area being requested.

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

STAFF: Due to the design of the existing residence and its location on the site, the proposed placement of the garage is the only option available to the applicant.

- c. Such special circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulations.

STAFF: The zoning regulations from which relief is being sought were in place before the applicant proposed this development.

- d. Reasons that the variance will not adversely affect the public health, safety and welfare, and will not alter the essential character of the general vicinity and will not cause a hazard or a nuisance to the public.

STAFF: The requested reductions of side yard requirements will not deprive adjacent properties or the public right-of-way of light, air or privacy and will not cause a hazard or nuisance. The structure will be placed at a significant distance from the nearest neighboring structure, and that property owner has no objection to the proposal.

ADDITIONAL CONSIDERATIONS:

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

STAFF: The long, narrow shape of the site and the placement of the existing residence restricts the applicant's options for placement of the garage to the area being requested.

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: Due to the design of the existing residence and its location on the site, the proposed placement of the garage is the only option available to the applicant.

3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

STAFF: The zoning regulations from which relief is being sought were in place before the applicant proposed this development.

NOTIFICATION

Date	Purpose of Notice	Recipients
--	Hearing before BOZA	Not required for Business Session items

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Site Plan
4. Elevations

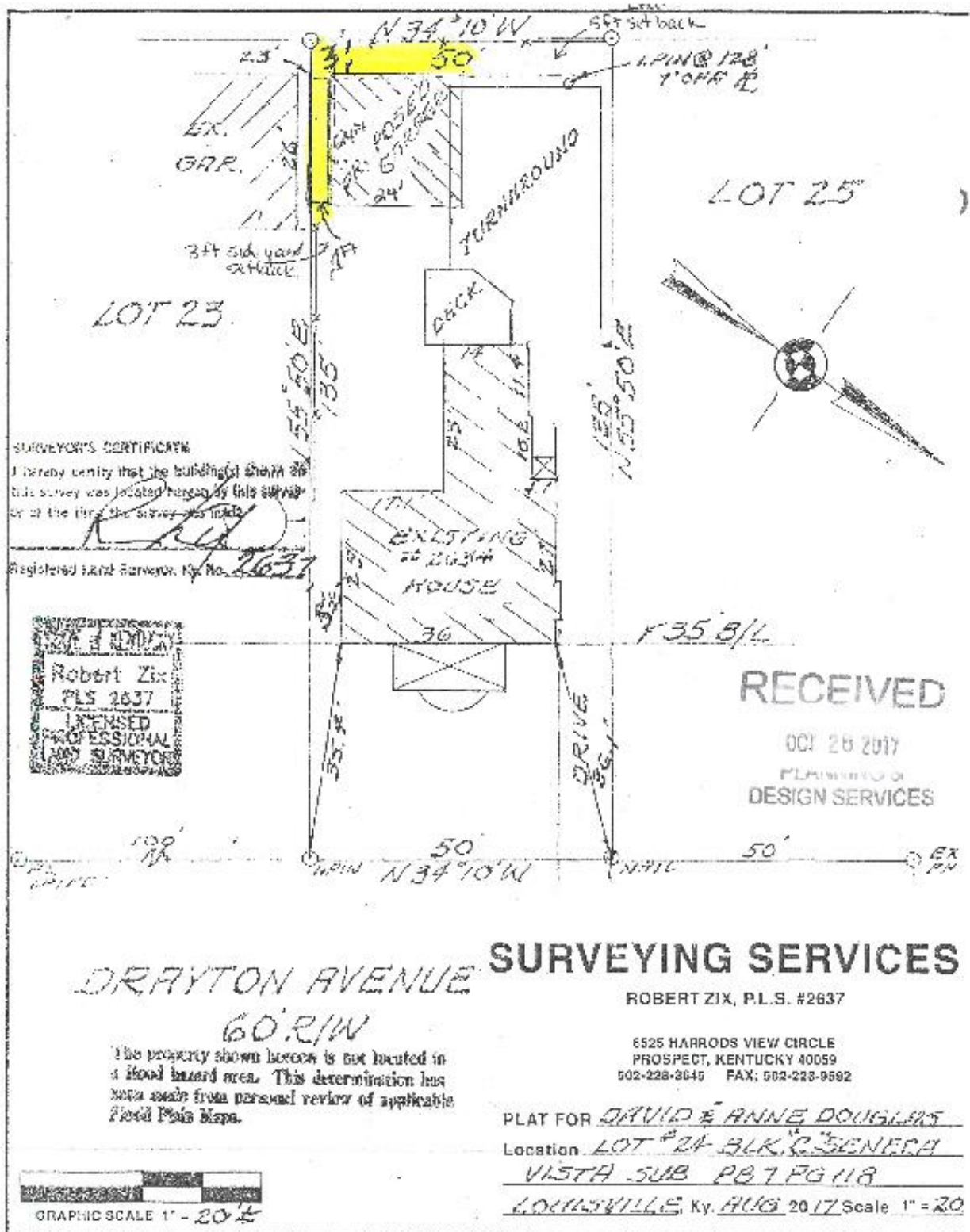
1. Zoning Map



2. Aerial Photograph



3. Site Plan



4. Elevations

