

Board of Zoning Adjustment

Staff Report

April 15, 2019



Case No: 19VARIANCE1024
Project Name: Ridge Court Variance
Location: 1501 Ridge Court
Owner(s): James & Mills Sublett
Applicant: James Sublett
Jurisdiction: City of Anchorage
Council District: 17 – Markus Winkler
Case Manager: Zach Schwager, Planner I

REQUEST

- **Variance** from Anchorage Development Code section 4.2.C.2.d to allow a structure to encroach into the required rear yard setback.

Location	Requirement	Request	Variance
Side Yard	50 ft.	39.86 ft.	10.14 ft.

CASE SUMMARY/BACKGROUND

The subject property is located in the City of Anchorage. The property currently contains a 1 ½ story single-family residence with an attached garage. The applicant proposes to construct a new attached garage. The applicant therefore requests a variance for the encroachment into the rear yard setback.

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 4.2.C.2.d to allow a structure to encroach into the required side yard setback.

TECHNICAL REVIEW

- No technical review undertaken.

INTERESTED PARTY COMMENTS

No interested party comments were received.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR VARIANCE FROM SECTION 4.2.C.2.d

- (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 subject property is large and the variance would not be required in any other zoning district according to section 9.2.Q of the City of Anchorage Development Code.

- (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 the garage is not visible from the right-of-way and the City of Anchorage will need to approve the proposal as well.

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

STAFF: The requested variance will not cause a hazard or nuisance to the public as the property is large and the garage will still be setback a significant distance from the rear property line.

- (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 property is irregular in shape and there are multiple rear property lines.

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 requested variance arises from special circumstances which do not generally apply to land in the general vicinity or the same zone as the property is irregular in shape and has multiple rear property lines.

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 not create an unnecessary hardship on the applicant because they could construct a detached garage that would meet setback requirements.

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.

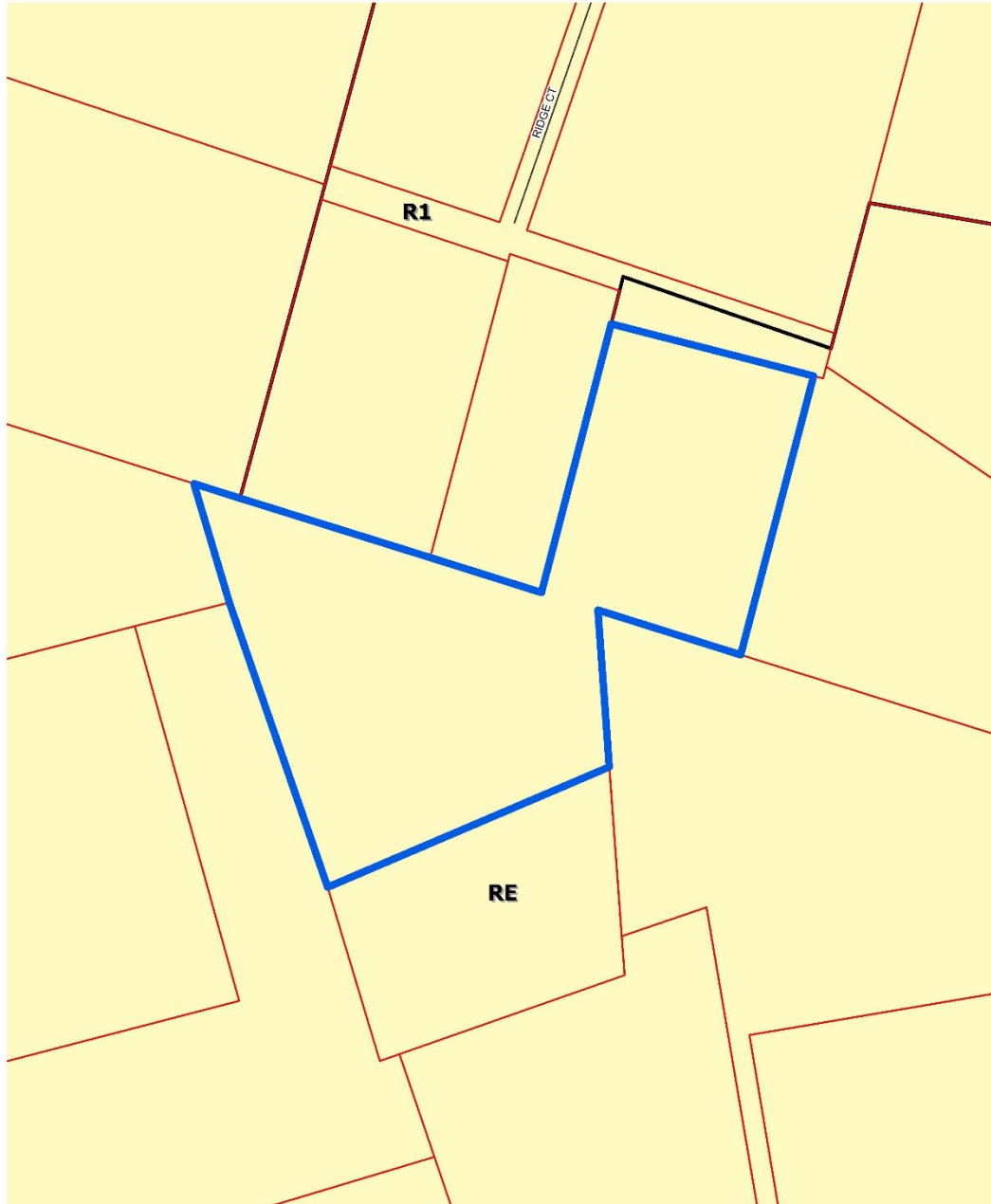
NOTIFICATION

Date	Purpose of Notice	Recipients
03/29/2019	Hearing before BOZA	Not Required for Business Session Item

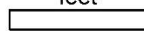
ATTACHMENTS

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

1. **Zoning Map**



1501 Ridge Court
feet



Map Created: 3/28/2019

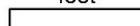


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2. Aerial Photograph



1501 Ridge Court
feet

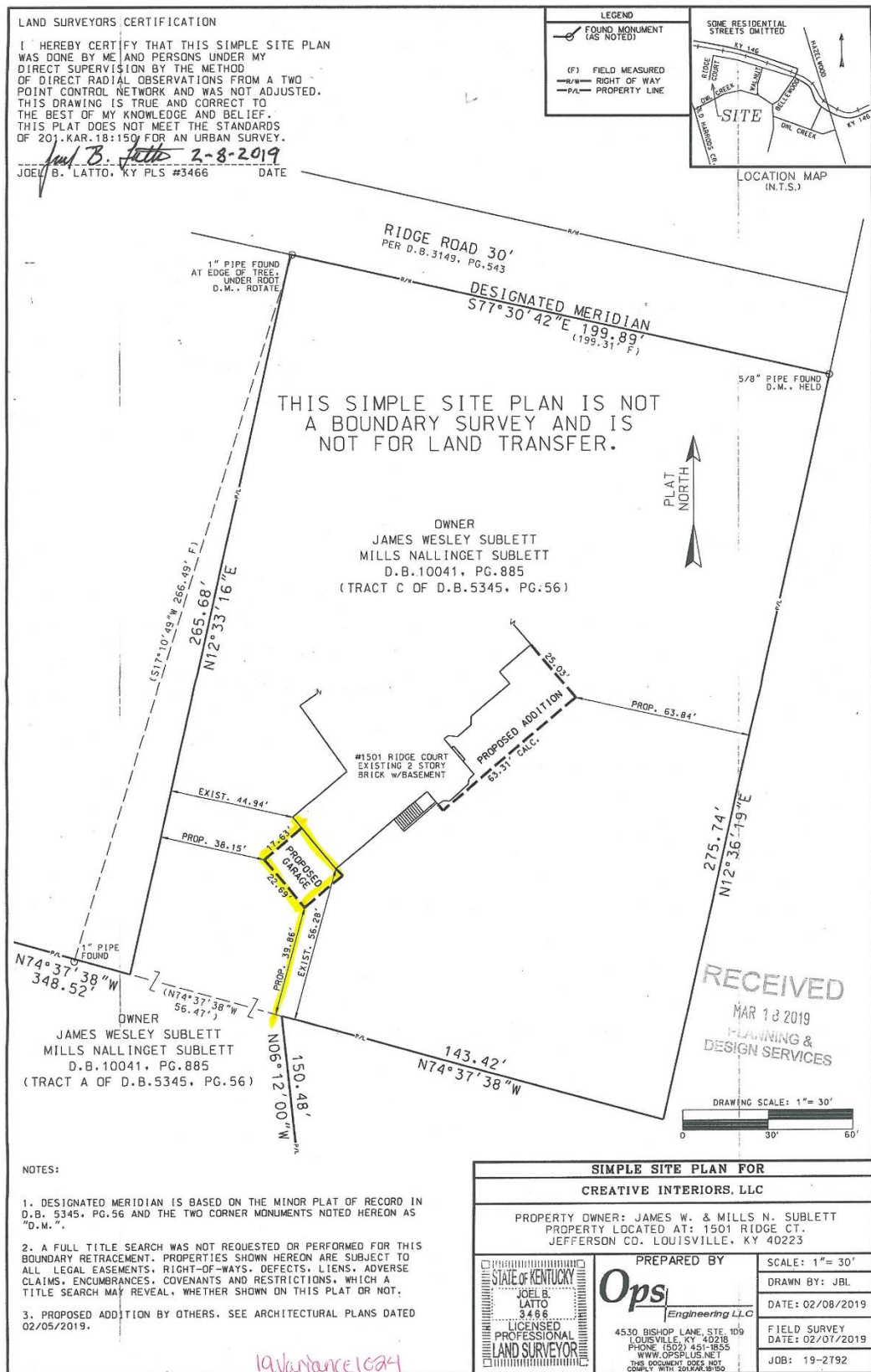


Map Created: 3/28/2019



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3. Site Plan



RECEIVED
MAR 18 2019
PLANNING &
DESIGN SERVICES



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5. **Site Photos**



The tree to the right of the existing garage will be the location of the proposed garage.



View from Ridge Court.



View looking east.



View of the rear property line from the location of the proposed garage.



View looking west.



View looking north.