



# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## Planning and Community Development Department

### **AGENDA ITEM**

Case No: VAR 26-01  
Proposal: Reduce side setback from 15' to 1'  
Applicant: Cara Lawrie  
Owner: Cara Lawrie  
Location: 339 Wortman Loop  
Legal: Lot Nineteen-B (19-B), Buckland Subdivision  
Zone: R-1 LD Single-Family and Duplex Residential Low Density District  
Size: 11,703 Square Feet  
Parcel ID: 2-4591-000  
Existing Use: Residential  
Adjacent Use: Residential  
Utilities: Existing  
Access: Wortman Loop

### **KEY POINTS AND CONCERNS**

- The proposal is to reduce the side setback requirement from 15' to 1' to facilitate building of an 120' square foot shed
- Property is developed with a single-family home and detached garage
- The grade changes substantially at the rear of the property

### **ATTACHMENTS**

Attachment A: Aerial  
Attachment B: Plat  
Attachment C: As-built  
Attachment D: Site Plan  
Attachment E: Photos  
Attachment F: Applicant Materials

## **BACKGROUND/PROJECT DESCRIPTION**

The applicant/owner is requesting to reduce the side setback on the west side, adjacent to 337 Wortman Loop from 15' to 1' to facilitate construction of a detached 120 square foot (SF), 10-foot-high, unpowered shed for the purposes of storing firewood at 339 Wortman Loop in the R-1 LD single-family and duplex residential low density district. The property lot size is 11,703 SF and currently has a single-family home of 1,488 SF with a 766 SF detached garage.

## **ANALYSIS**

### **Setback requirements**

The SGC requires 20-foot front setbacks, 15-foot side setbacks, 20-foot rear setbacks in the R-1 LD single-family and duplex residential low density district <sup>1</sup>.

### **22.20.040 Yards and setbacks.**

- A. Projections into Required Yards. Where yards are required as setbacks, they shall be open and unobstructed by any structure or portion of a structure from thirty inches above the general ground level of the graded lot upward.**

### **Justification**

Alaska Statute 29.40.040(b)(3) states that a variance may not be granted solely to relieve financial hardship or inconvenience; the applicant must demonstrate that the variance is warranted due to a unique need/circumstance surrounding the request. Due to the existing placement of structures and the topography of the property, this area is best suited for placement of a small shed.

### **Comprehensive Plan Guidance**

This proposal is consistent with one of the land use and future growth actions in the Sitka Comprehensive Plan 2030; LU 8.2 “Amend development standards to promote affordable development including increasing height, decreasing minimum lot size and width, establishing lot and structure maximums in specific zones, and reducing parking requirements as appropriate”.

## **RECOMMENDATION**

Staff recommends approval of a reduction to the side setback from 15' to 1' to facilitate construction of a unpowered, detached shed subject to the attached conditions of approval.

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<sup>1</sup> SGC Table 22.20-1

**MOTIONS TO APPROVE THE ZONING VARIANCE**

- 1) **I move to approve the zoning variance for a reduction to the side setback from fifteen feet to one foot in the R-1 LD single-family and duplex residential low density district subject to the attached conditions of approval. The property is also known as Lot Nineteen-B (19-B), Buckland Subdivision. The request is filed by Cara Lawrie. The owner of record is Cara Lawrie.**

**Conditions of Approval:**

- a) To facilitate construction of a shed, the side setback will be decreased from 15’ feet to 1’. No encroachments over the property line are permitted.
  - b) Substantial construction progress must be made on the project within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the Planning Director if a request is filed within eleven months of the initial approval.
- 2) **I move to adopt and approve the required findings for variances involving major structures or expansions as listed in the staff report.**

**Before any variance is granted, it shall be shown<sup>2</sup>:**

- a) The municipality finds that the necessary threshold for granting this variance should be lower than thresholds for variances involving major structures or major expansions; *because a shed is a minor improvement to a property;*
- b) The granting of the variance is not injurious to nearby properties or improvements; *because the site plan preserves safe ingress/egress and visibility, and because the proposal furthers an appropriate use of the property.*
- c) The granting of the variance furthers an appropriate use of the property; *the addition of a small shed is a structure that is commonly constructed on other parcels in the vicinity and a permitted accessory use in all zones under SGC 22.16.016.*

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<sup>2</sup> Section 22.30.160(D)(2)—Required Findings for Variances Involving Minor Expansion, Small Structures, Fences, and Signs.