



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: June 6, 2016

From: Samantha Pierson, Planner I

To: Planning Commission

Re: V 16-09 Variance Request for Relocation of House, Construction of Addition, and Construction of Two Covered Porches at 263 Katlian Avenue

GENERAL INFORMATION

Applicant: Forrest Dodson & Janine Holzman
Property Owner: Forrest Dodson & Janine Holzman
Property Address: 263 Katlian Avenue
Legal Description: Lot 14 Block 15, Sitka Indian Village
Parcel ID Number: 16720000
Size of Existing Lot: 4302 square feet
Zoning: Waterfront
Existing Land Use: Residential
Utilities: Full city services
Access: Katlian Avenue/ water
Surrounding Land Use: Residential, Commercial, Public

MEETING FLOW

- Report from Staff
- Applicant comes forward
- Applicant identifies him/herself – provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed - brought back to the board
- Findings
- Motion to approve

ATTACHMENTS

- Attachment A: Vicinity Map
- Attachment B: Aerial Vicinity Map
- Attachment C: Parcel Pictures
- Attachment D: Application
- Attachment E: Site Plan
- Attachment F: Subdivision Plat
- Attachment G: Zoning Map

Providing for today...preparing for tomorrow

Attachment H: Flood Zone Map
Attachment I: Mailing List
Attachment J: Deed
Attachment K: Payment

BACKGROUND

In November and December 2015, the applicants purchased a portion of city-owned tidelands adjacent to their home at 263 Katlian Avenue. The stated intent was to move the house back onto the tidelands, away from Katlian Avenue. A subdivision replat and platting variance were granted, and the plat has been recorded with the state. The applicants have now filed for a variance to development standards, as the proposed location of the home, in conjunction with proposed addition and two rear covered porches, will encroach on side setbacks.

PROJECT DESCRIPTION

The variance request is for the relocation of a house toward the rear of the property, as well as the construction of a new addition and two rear covered porches. The house currently encroaches nearly 8 inches across the northerly side property line, and is within approximately 13 feet of the front property line. The relocation of the house would result in northerly and southerly side setbacks of 2.8 feet and 3.1 feet, respectively. The relocation would also result in the home being moved out of the front setback to allow for parking. A proposed porch would go up to the property line. Staff recommends that this porch be reduced to be in line with the house.

The property is located at 263 Katlian Avenue, in the Waterfront District. The minimum front, rear, and side setbacks in the WD zone are 20 feet, 5 feet, and 10 feet, respectively.¹ Setbacks are measured from property lines to eaves, gutters, and drip lines. This property has a 0 foot rear setback, as it abuts tidelands.

ANALYSIS

Project / Site: The relocation of the home corrects the northerly property line encroachment, and moves the house out of the front setback. The relocation would result in northerly and southerly side setbacks of 2.8 feet and 3.1 feet, respectively. The home is currently existing, and the lot is narrow; thus, relocation is the best option for moving the property toward zoning conformity without demolishing the house. The property is adjacent to the city grid.

The proposal includes a new addition and two new covered porches, one of which is slated to be built within 0.3 feet of the northerly side property line. As the proposed addition and two covered porches have not yet been constructed, they should conform to development standards as much

¹ Table 22.20-1—Development Standards

as is feasible, and protect the buffer between the structure and the city grid. Staff supports a **modified variance** for the reduction of the southerly side setback from 10 feet to 3 feet, and for the reduction of the northerly side setback from **10 feet to 2.8 feet** for the relocation of an existing house, and the construction of a new addition and two new covered porches.

Zone: Waterfront District (WD) Single-family dwellings are permitted in the Waterfront District.²

Traffic: Moving the house back onto tidelands will provide better visibility for motorists.

Parking: The proposal will allow the property to create the required two parking spaces between the house and Katlian Avenue.³

Noise: This proposal would reduce noise concern by moving the structure further from the right of way.

Public Health or Safety: Relocating the house further inside property lines would create a better sight distance, increasing safety for motorists, bicyclists, and pedestrians.

Habitat: No concerns for habitat. Applicants have worked with US Army Corps of Engineers regarding tideland requirements.

Property Value or Neighborhood Harmony: Relocation and repair of the structure would be improvements to the property by creating parking and increasing building size.

Conformity with Comprehensive Plan: A **modified variance** conforms to Comprehensive Plan Section 2.4.1 which states, “To guide the orderly and efficient use of private and public land in a manner which maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations” by moving an existing structure further within property lines, contributing to increased sight distance and subsequent safety for Katlian Avenue right-of-way users.

FINDINGS⁴

D. Required Findings for Variances.

1. Required Findings for Variances Involving Major Structures or Expansions. Before any variance is granted, it shall be shown:

- a) That there are special circumstances to the intended use that do not apply generally to the other properties, *specifically, the small lot size and existing structure;*

² Section 22.16.100—WD Waterfront District

³ Section 22.20.100.G.1—Off-Street Parking Requirements

⁴ Section 22.30.160(D)(1)—Required Findings for Major Variances

- b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, *specifically, the ability to move a pre-existing structure toward code conformance*;
- c) That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels, or public infrastructure, *specifically, by relocating a structure further away from the right of way*; and
- d) That the granting of such a variance will not adversely affect the Comprehensive Plan: *specifically, the modified variance is in line with Comprehensive Plan 2.4.1, which states, "To guide the orderly and efficient use of private and public land in a manner that maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations without infringing on the rights of private landowners" by moving an existing structure further within property lines.*

RECOMMENDATION

It is recommended that the Planning Commission adopt the Planner's analysis and suggested findings, and grant a ***modified variance*** for the reduction of the southerly side setback from 10 feet to 3 feet, and for the reduction of the northerly side setback from ***10 feet to 2.8 feet*** for the relocation of an existing house, and the construction of a new addition and two new covered porches.

Recommended Motions: (two motions - read and voted upon separately)

- 1) I move to adopt and approve the required findings for major structures or expansions as discussed in the staff report.
- 2) I move to approve a ***modified*** variance request at 263 Katlian Avenue, in the Waterfront District. The variance is for the reduction of the southerly side setback from 10 feet to 3 feet, and for the reduction of the northerly side setback from ***10 feet to 2.8 feet*** for the relocation of an existing house, and the construction of a new addition and two new covered porches. The property is also known as Lot 14 Block 5 Sitka Indian Village, US Survey 2542. The request is filed by Forrest Dodson and Janine Holzman. The owners of record are Forrest Dodson and Janine Holzman.