



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: VAR 26-04
Proposal: Reduce front setback from 14 to eight feet
Applicant: Michael Davidson
Owner: Michael Davidson
Location: 414 Marine Street
Legal: Lot Seventeen (17), Hanlon Heights Subdivision
Zone: R-2 multifamily residential district
Size: 6,180 square feet
Parcel ID: 1-3560-000
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing
Access: Marine Street

KEY POINTS AND CONCERNS

- The proposal is to reduce the front setback requirement from 14' to 8' to facilitate the construction of front stairs.
- The property was recently redeveloped with a single-family home in the footprint of a preexisting structure.

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 front setback at 414 Marine Street from 14 to eight feet to facilitate construction of front stairs. The property is in the R-2 multifamily residential district. The property lot size is 6,180 SF and the applicant is finishing construction of a 3,354 SF single-family home. The house is constructed on the foundation of a previous structure that was demolished due to fire damage.

ANALYSIS

Setback requirements

The SGC requires 14-foot front setbacks in the R-2 multifamily residential district ¹.

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 reuse of a preexisting foundation, this area is best suited for placement of front stairs.

The placement of the front stairs was originally planned so as not to encroach into the front setback; this placement interfered with use of a shared driveway and created a safety concern. The proposed stairs are a less substantial protrusion into the front setback than previous stairs and decks extending from the original structure that has since been demolished.

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 14 to eight feet to facilitate construction of front stairs subject to the attached conditions of approval.

¹ SGC Table 22.20-1

MOTIONS TO APPROVE THE ZONING VARIANCE

- 1) I move to approve the minor zoning variance for a reduction to the front setback from fourteen to eight feet at 414 Marine Street in the R-2 multifamily residential district subject to the attached conditions of approval. The property is also known as Lot Seventeen (17), Hanlon Heights Subdivision. The request is filed by Michael Davidson. The owner of record is Michael Davidson.**

Conditions of Approval:

- a) To facilitate construction of front steps, the side setback will be decreased from 14 feet to 8 feet. 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.
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- 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 shown²:

- 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 front stairs are 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 *because the addition of front stairs is a structure that is commonly constructed on other parcels and is less invasive than previous encroachments into the front setback on the subject property.*

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