



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM:

Case No: VAR 17-07
Proposal: Request for reduction in front setback from 20 feet to 10 feet for construction of carport at 205 Crabapple Drive
Applicant: Aaron and Emily Routon
Owner: Aaron and Emily Routon
Location: 205 Crabapple Drive
Legal: Lot 23 Lakeview Heights Subdivision
Zone: R-1 single family and duplex residential district
Size: 9126 square feet
Parcel ID: 1-4110-000
Existing Use: Residential
Adjacent Use: Residential
Utilities: Full city services
Access: Crabapple Drive to Halibut Point Road

KEY POINTS AND CONCERNS:

- Neighborhood harmony: consider consistency with zoning requirements and neighboring properties, presence/absence of extenuating circumstances
- Public safety: impacts to views of pedestrians and motorists

RECOMMENDATION:

Staff recommends that the Planning Commission find VAR 17-07 to be inconsistent with Sitka General Code Title 22 and the required findings and to deny the variance request for a reduction in the front setback from 20 feet to 10 feet at 205 Crabapple Drive.

ATTACHMENTS

Attachment A: Vicinity Map
Attachment B: Aerial Vicinity Map
Attachment C: Zoning Map
Attachment D: Site Plan
Attachment E: Floor Plan
Attachment F: Subdivision Plat

Attachment G: Parcel Pictures
Attachment H: Application
Attachment I: Flood Zone Map
Attachment J: Mailing List
Attachment K: Proof of Payment
Attachment L: Warranty Deed

BACKGROUND

Lakeview Heights Subdivision was recorded in 1984, resulting in the creation of this lot. The property currently includes a single-family residence. Surrounding lots are residential in use.

PROJECT DESCRIPTION

The variance request is for the reduction of the front setback from 20 feet to 10 feet for the expansion of an existing single-family residential structure with carport. Setbacks are measured from property lines to eaves, gutters, and drip lines.

The applicant proposes to build a single-story 37 foot by 54 foot expansion to an existing house with carport. The proposed addition would add a two-stall carport, a bonus room, a bathroom, and one bedroom. The existing house is approximately 25 feet by 46 feet. The addition would result in a 34.4% lot coverage, which is less than the 35% maximum.

On January 17, 2017, the applicant received a variance for the reduction of the front setback from 20 to 10 feet and the side setback from 8 to 6 feet. Afterward, the applicant determined that he needed to amend his plans.

ANALYSIS

Project / Site: The lot is primarily flat. The property is small and constrained by two front setbacks. This property is approximately 1000 square feet above the minimum lot size. A house and attached carport exist on the property.

The project has gone before the Historic Preservation Commission.

Zone: R-1: Intent. This zone is intended to provide for primarily for single-family and duplex residences at moderate densities.¹

¹Section 22.16.040—R-1 District

Traffic: The proposal does not include a change in use. No change in traffic expected.

Parking: The property has the two required parking spaces for a single-family residence.

Noise: Land use will not change. No increased noise expected.

Public Health or Safety: Proposed carport should not impede the views of motorists and pedestrians.

Habitat: No concerns for habitat.

Property Value or Neighborhood Harmony: The expansion of an existing home and addition of a carport would be an improvement to the property. A variance from required development standards could create neighborhood disharmony.

Conformity with Comprehensive Plan: The proposed variance for the reduction of the front setback from 20 feet to 10 feet does not conform to the 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 allowing for an exception from codified development standards when not necessary.

Alaska Statute 29.40.040(b)3 states that a variance may not be granted solely to relieve financial hardship or inconvenience.

FINDINGS²

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, *here, that the lot is relatively flat and has space available on the side and rear for additional development;*
- 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, *here, the development of covered parking could be developed with a different configuration not requiring a variance of this degree;*

² Section 22.30.160(D)(1)—Required Findings for Major Variances

- 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, that the open carport would minimize view impacts to pedestrians and motorists;* and
- d) That the granting of such will not adversely affect the Comprehensive Plan: *specifically, the variance is in line with 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 allowing for an exception from codified development standards when not necessary.

RECOMMENDATION

It is recommended that the Planning Commission adopt the staff's analysis and suggested findings, and deny the variance for the reduction of the front setback from 20 feet to 10 feet for the expansion of a house and construction of a carport.

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 deny a variance request for 205 Crabapple Drive. The variance is for the reduction of the front setback from 20 feet to 10 feet for the expansion of a house and construction of a carport subject to the condition that the carport will not be enclosed in the future. The property is also known as Lot 23 Lakeview Heights Subdivision. The request is filed by Aaron and Emily Routon. The owners of record are Aaron and Emily Routon.



PARK

LAKEVIEW DRIVE

CRABAPPLE DR

LAKEVIEW DRIVE

HALIBUT POINT ROAD

MARINE STREET

1-5410-000
L-17
801
BLATCHLEY
MIDDLE
SCHOOL



City & Borough of Sitka, Alaska

Selected Parcel: 205 CRABAPPLE ID: 14110000

Printed 12/19/2016 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



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City & Borough of Sitka, Alaska

Selected Parcel: 205 CRABAPPLE ID: 14110000

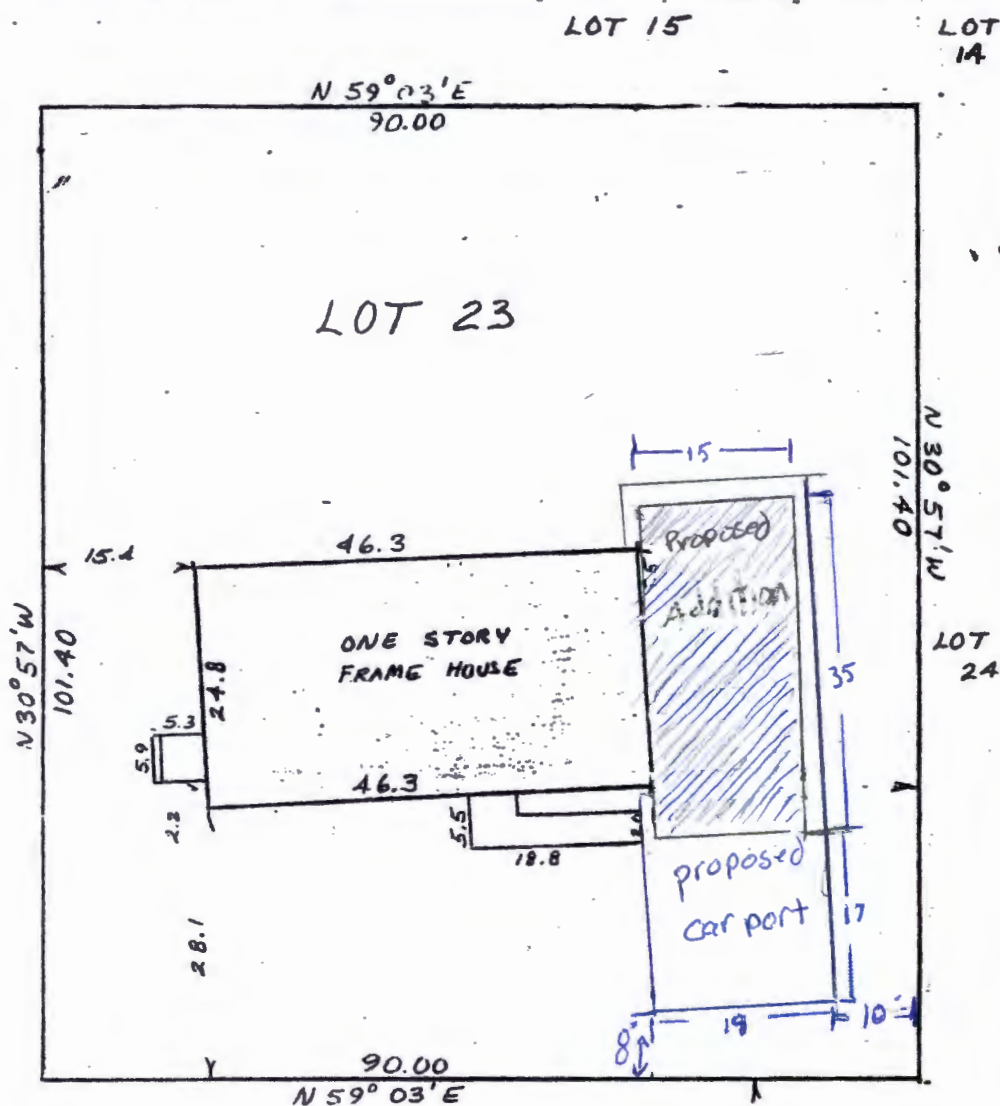
Printed 3/16/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

50 m
100 ft



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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CRABAPPLE DRIVE

SCALE

$$l' = 20'$$

I, NOEL F. STRAGIER, BEING A REGISTERED
LAND SURVEYOR IN THE STATE OF ALASKA,
HAVING INSPECTED LOT 23, LAKEVIEW
HEIGHTS, HEREBY CERTIFY THAT
THE IMPROVEMENTS LOCATED THEREON LIE WHOLLY
WITHIN THE PROPERTY LINES AND THAT IMPROVEMENTS
ON ADJACENT PROPERTIES DO NOT ENCROACH UPON
THE SUBJECT PROPERTY.

IT IS THE OWNER'S RESPONSIBILITY TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, COVENANTS, OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FOR ESTABLISHING BOUNDARY OR FENCE LINES.

AS-BUILT PLOT PLAN

LOT 23, LAKEVIEW
HEIGHTS

PREPARED FOR:

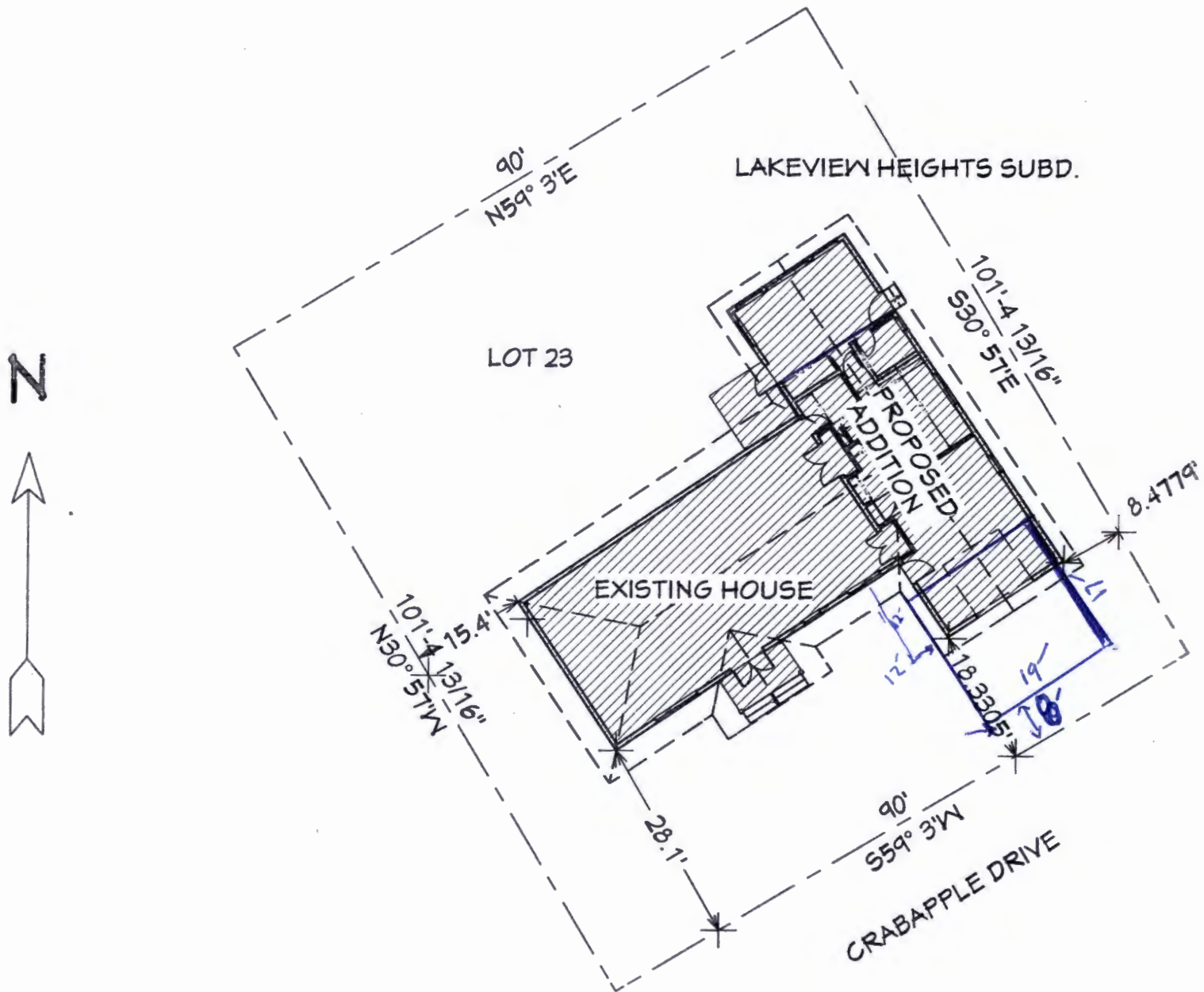
SITKA HOUSING
P.O. BOX 171
SITKA, AK. 99835

PREPARED BY:

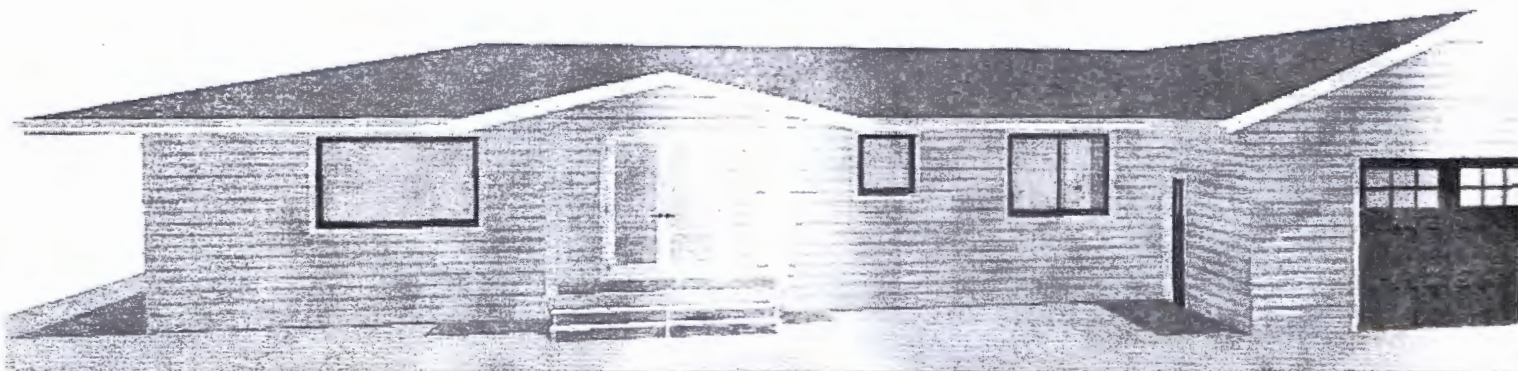
**STRAGIER
ENGINEERING SERVICES**
504 DeGROFF, SITKA, AK. 99855
(907) 747-5833

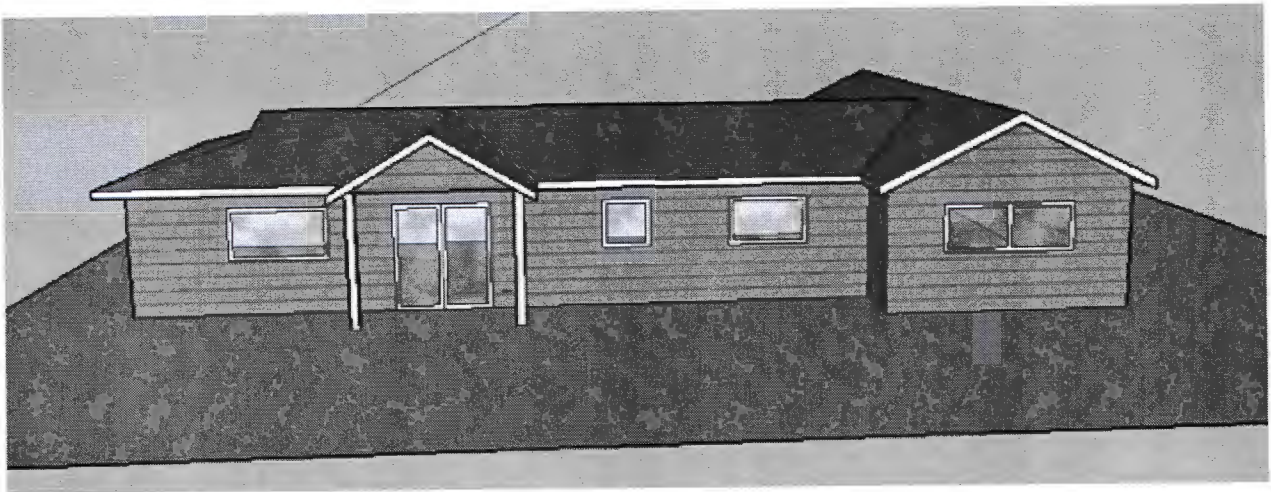
DATE:

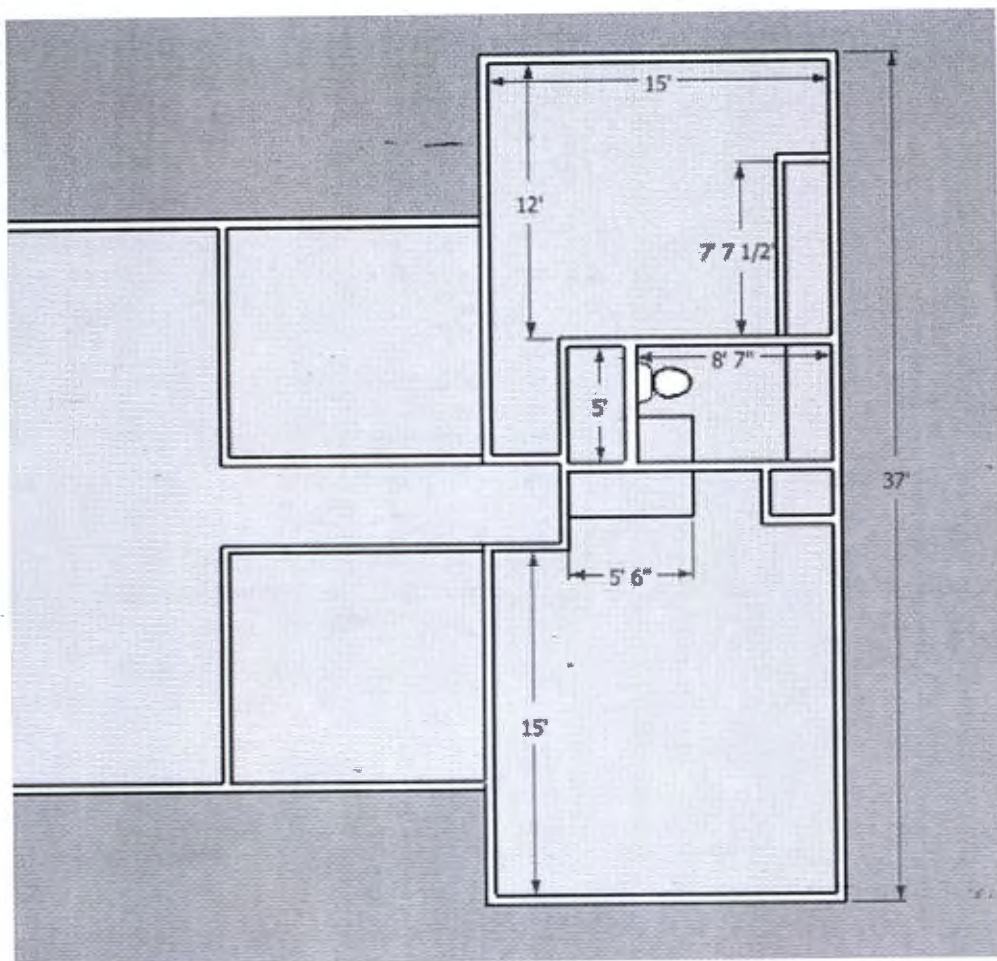
APRIL 1985



Plot plan 1" = 20 ft







LAKEVIEW HEIGHTS SUBDIVISION

Copied from original Plat with amendments to date added.

Amendments

- bearings of lines between Lots 50 and 51, 51 and 52, 11 and 12.
- bearing and distance of lines between Lots 2 and 3, 51 and 52, 58 and 59, 19 and 20.
- driveway easement on Lot 24

THIS PLAT IS BEING RECORDED IN THE SITKA RECORDING OFFICE, FIRST JUDICIAL DISTRICT, STATE OF ALASKA, SITKA, ALASKA, AS A REPLACEMENT COPY OF THE ORIGINAL WHICH CANNOT BE LOCATED.

SITKA HOUSING, INC.,

By: *John D. Ballard* Director
Current Director on Nov. 2, 1983

John D. Ballard, Director of Sitka Housing, Inc., subscribed and sworn to before me this 21st day of December, 1984, at Sitka, Alaska.

Michael M. Hays
Notary Public for State of Alaska
Residing at Sitka, Alaska
My commission expires: 11/1/87



Data from survey of Aug.-Sept. 1960
by John D. Ballard
Registered Engineer 596-E
Corrected to Aug. 25, 1961 J.D.B.

RECORDED - 11/10/84	
SITKA, ALASKA	
DATE	12/21 1984
TIME	3:45 P.M.
Registered by ERIC GREENLAW	
Address Box 117	
SITKA, AK 99835	









CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

1. Request projects at least **TWENTY-ONE (21)** days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR:

☒ VARIANCE☐ CONDITIONAL USE☐ ZONING AMENDMENT☐ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Addition + carport

PROPERTY INFORMATION:

CURRENT ZONING: R1 PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): residential PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Aaron Routen

PROPERTY OWNER ADDRESS: 205 Crabapple Dr.

STREET ADDRESS OF PROPERTY: 205 Crabapple Dr.

APPLICANT'S NAME: Aaron Routen

MAILING ADDRESS: 205 Crabapple Dr.

EMAIL ADDRESS: aaroncrouten@gmail.com DAYTIME PHONE: 738-2215

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: _____ BLOCK: _____ TRACT: _____

SUBDIVISION: _____ US SURVEY: _____

OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- ☐ Completed application form
- ☐ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Proof of filing fee payment
- ☐ Proof of ownership
- ☐ Copy of current plat

For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Plat Certificate from a title company
- ☐ Topographic information
- ☐ Proof of Flagging

If Pertinent to Application:

- ☐ Landscape Plan
- ☐ Drainage and Utility Plan

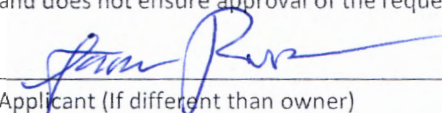
CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.


Owner

2-24-17
Date

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.


Applicant (If different than owner)

2-24-17
Date

Samantha Pierson

From: Aaron Routon <aaroncrouton@gmail.com>
Sent: Wednesday, March 15, 2017 3:06 PM
To: Samantha Pierson
Subject: Re: Variance request

Thank you for the phone call Samantha and hearing my concerns. Thank you once again for bringing it back to the group for reconsideration. Here are my main points.

- there is a 6 foot zone that is between our property line and the street. Part of this zone is part of an embankment that separates our house from the street.
- there are 4 houses past ours and there are no undeveloped lots. The existing lots up the hill do not have a lot of flat build-able land for subdividing. There aren't many people beyond where the car port would sit
- people from our neighborhood have been asking the city to help with the street and drainage for years. Two years ago some trees were taken down from the top of the hill and drainage has really been an issue. The city has never made motions before to step in and help. Considering the city deficit.. it may be a while before they could have the means to do so.
- The structure is still 10' back from the property line and if the city did want to come expand the road in the future... there would still be 10' from the front edge of the roof until the property line.
- view obstruction. Right now the carport would set 15' closer to our house than any car drives. The carport would be set back about 10 feet further from the road than some existing trees. Our plan is to leave the carport open on the sides which allow ample view through if ever needed.

Again- if possible I can have my neighbors write letters of support or show up at the meeting if needed.

Thanks for your help Samantha and if you need anything from me, please let me know,
Aaron

On Wed, Mar 15, 2017 at 11:02 AM, Aaron Routon <aaroncrouton@gmail.com> wrote:

I forgot to say that the two black gloves between the first yellow boot and the car port is approximately where the edge of the proposed carport would be. (and the support post would be closer to the house by 3-5'. Anyway- if you have any questions... feel free to contact me.

Aaron

On Wed, Mar 15, 2017 at 8:35 AM, Aaron Routon <aaroncrouton@gmail.com> wrote:

Good morning Samantha-

I also thought of another thing last night. Our property line on the street side does not go all the way to the street. There is a space of about 6' between the edge of our property and the actual edge of the pavement. The owners of the house before us paved this and so the asphalt actually connects to the street. If you come and measure from our house, you will see a zone of about 6 feet that is not a part of the street. I have included a picture. Between the two yellow boots is the 6' zone. The yellow boot closest to the house is the edge of our property, and the yellow boot further out is the edge of the pavement. Our current carport sticks out 8 feet from our house and we would like a variance to do another 7'. That allows 10 feet plus the extra 6 feet before the pavement. In addition, we would like to position the carport posts 3-5 feet in from the edge of the car port so that it makes parking easier. (our current posts are 3' from the edge of the roof. Our plan is also to have the carport open on the sides... we just don't want to have to scrape ice off our cars. Anyway- I hope this helps. I would like to talk with and hear the reasons why you guys have decided not to recommend the variance. Feel free to call and I can come down and we can talk. 738-2215

Have a good day and enjoy the snow,

Aaron



On Tue, Mar 14, 2017 at 8:10 PM, Aaron Routon <aaroncrouton@gmail.com> wrote:
I would like to talk with you and ask why you guys chose not to approve it.



I just got this drawing 5 minutes ago. These drawing are more specific

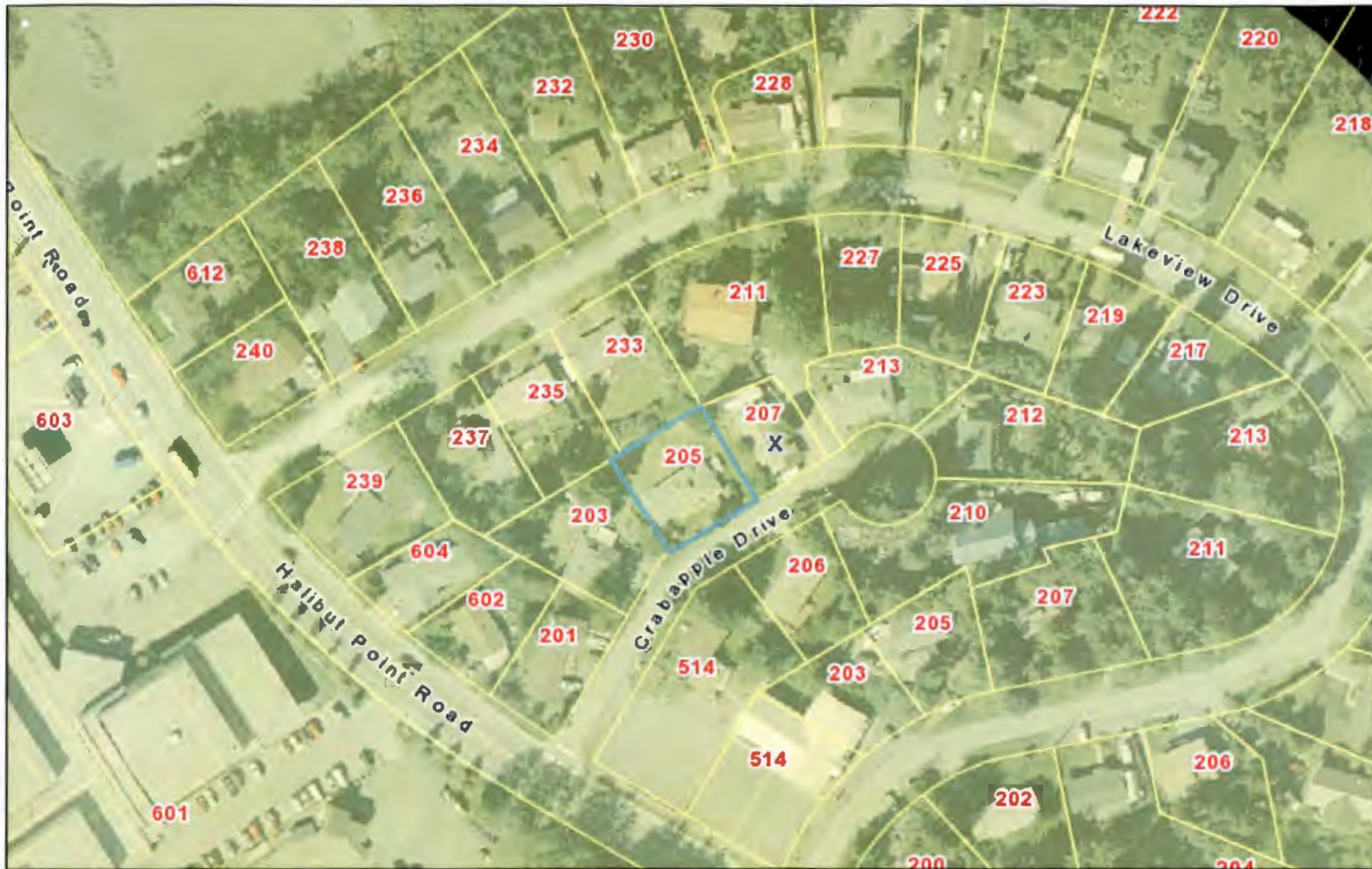
On Tue, Mar 14, 2017 at 4:53 PM, Samantha Pierson <samantha.pierson@cityofsitka.org> wrote:

Aaron,

Staff have determined that we cannot recommend approval of the variance request for the reduction of the front setback to 10 feet. The most we could recommend is a reduction from 20 feet to 15 feet, which is close to what you were already granted. The final decision is ultimately made by the Planning Commission. With this in mind, would you like to amend your plans or pull your item from the agenda? You are certainly welcome to take your original request before the Planning Commission if you wish. Please feel free to call if you'd like to discuss this further.

Sam

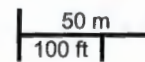
Samantha Pierson



City & Borough of Sitka, Alaska

Selected Parcel: 205 CRABAPPLE ID: 14110000

Printed 3/16/2017 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>



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Parcel ID: 14055000
JULIE BEALL
BEALL, JULIE, A.
227 LAKEVIEW DR
SITKA AK 99835

Parcel ID: 14060000
LINDA LITTEN
LITTEN, LINDA, K.
2774 OLD MILTON HWY
WALLA WALLA WA 99362-7153

Parcel ID: 14070000
GRIGORIUS/ALDO BEKERIS/BEKER
BEKERIS, GRIGORIUS/BEKER,
ALDONA
233 LAKEVIEW DR
SITKA AK 99835

Parcel ID: 14075000
NICHOLAS/MARIE TEEL
TEEL, NICHOLAS & MARIE
P.O. BOX 161
SITKA AK 99835-0161

Parcel ID: 14080000
ANNMARIE ROLES
ROLES, ANNMARIE
237 LAKEVIEW DR
SITKA AK 99835

Parcel ID: 14090000
FLORENCIO/ADELA UDDIPA
UDDIPA, FLORENCIO & ADELA
604 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 14095000
DAVID/MARY FELTS/MABALOT
FELTS, DAVID & MABALOT, MARY
602 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 14100000
THANH/NERLITA BANH REVOCABLE
LIVING TRUST
BANH, THANH/NERLITA, C.
201 CRABAPPLE DR.
SITKA AK 99835

Parcel ID: 14105000
GEORGE/KATHERIN ERICKSON
ERICKSON, GEORGE, B./KATHERINE,
M.
203 CRABAPPLE DR
SITKA AK 99835

Parcel ID: 14110000
AARON/EMILY ROUTON
ROUTON, AARON & EMILY
205 CRABAPPLE DR
SITKA AK 99835

Parcel ID: 14115000
DANI PEPPER
PEPPER, DANI, J.
207 CRABAPPLE DR
SITKA AK 99835

Parcel ID: 14120000
HELEN CUNNINGHAM
CUNNINGHAM, HELEN, J.
P.O. BOX 1035
SITKA AK 99835-1035

Parcel ID: 14130000
PHILIP/LINDA MOONEY/SPEERSTRA
MOONEY, PHILIP, W./SPEERSTRA,
LINDA
210 CRABAPPLE DR
SITKA AK 99835

Parcel ID: 14140000
SALVADOR/ADELIA AGNE
AGNE, SALVADOR, A./ADELIA, M.
P.O. BOX 1063
SITKA AK 99835-1063

Parcel ID: 14150000
FIRT BAPTIST CHURCH OF SITKA
FIRT BAPTIST CHURCH OF SITKA
514 HALIBUT POINT RD
SITKA AK 99835

P&Z Mailing
March 10, 2017

City and Borough of Sitka, AK
100 Lincoln St.
Sitka, AK 99835

Date: 02/24/2017
Receipt: 2017-00041835
Cashier: Front Counter
Received From: AARON ROUTON

BLDG - Building Permit	75.00
STI - Sales Tax 1st Quarter	3.75
Receipt Total	78.75
Total Other	78.75
Total Remitted	78.75
Total Received	78.75

Inv #: 000003 Appr Code: 051560

Total: \$ 78.75

Customer Copy

INVOICE

CITY AND BOROUGH OF SITKA

100 LINCOLN STREET, SITKA ALASKA 99835

DATE: 2/24/17

To: Aaron Routon

ACCOUNT # 100-300-320-3201.002
PLANNING & ZONING

Variance	75.00
Conditional Use Permit	
Minor Subdivision	
Major Subdivision	
Zoning Map Change	
Zoning Text Change	
Lot Merger	
Boundary Line Adjustment	
General Permit	
Appeal of Enforcement Action (Pending)	
Other	
Sales Tax	3.75
TOTAL	78.75

Thank you



File for Record at Request of:

First American Title Insurance Company

AFTER RECORDING MAIL TO:

Name: Aaron C. Routon and Emily B. Routon

Address: 205 Crabapple Street

Sitka, AK 99835

File No.: 0241-1641309 (JRN)

STATUTORY WARRANTY DEED

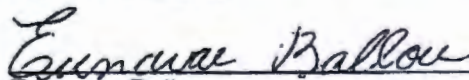
THE GRANTOR, **Donald R. Ballou and Eunavae Ballou, husband and wife**, whose mailing address is **10126 Silver St, Juneau, AK 99801**, for and in consideration of **TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid, conveys and warrants to **Aaron C. Routon and Emily B. Routon, husband and wife**, residing at **706 B Biorka St, Sitka, AK 99835**, the following described real estate, situated in the **Sitka** Recording District, **First** Judicial District, State of **Alaska**:

Lot 23, Lakeview Heights Addition to the City of Sitka, according to Plat recorded in Deed Book 11, Page 73, Records of the Sitka Recording District, First Judicial District, State of Alaska.

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

Dated: November 30, 2010.


Donald R. Ballou


Eunavae Ballou

STATE OF Alaska)
) ss.
First Judicial District)

THIS IS TO CERTIFY that on this **Thirtieth day of November, 2010**, before me the undersigned Notary Public, personally appeared **Donald R. Ballou and Eunavae Ballou**, known to me and to me known to be the individual(s) described in and who executed the foregoing instrument and he/she/they acknowledged to me that he/she/they signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Notary Public In and for Alaska
(My commission expires 07-31-2014)

