



# 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 18-14  
Proposal: Request for reduction in the side setback from 8 feet to 0 feet for placement of a greenhouse  
Applicant: Dorothy Orbison  
Owner: Dean and Dorothy Orbison Community Property Trust  
Location: 613 Lake Street  
Legal: Lot 2, Sitka Broadcasters Subdivision  
Zone: R-1  
Size: 13,837 square feet  
Parcel ID: 1-7726-000  
Existing Use: Residential  
Adjacent Use: Residential  
Utilities: Existing  
Access: Lake Street

### **KEY POINTS AND CONCERNS:**

- Proposal is for placement of a greenhouse
- Neighborhood harmony:
  - Sitka General Code requires a 8 foot side setback
- Existing constraints:
  - Swan Lake Area Meriting Special Attention (AMSA) limits development within 50 ft of Swan Lake thereby decreasing lot space for accessory structures and enjoyment of property.

### **RECOMMENDATION:**

Approve the variance request for the reduction in the side setback from 8 feet to 0 feet for the placement of a greenhouse at 613 Lake Street.

## **ATTACHMENTS**

Attachment A: Applicant Attachments

Attachment B: Staff Attachments

## **BACKGROUND**

The existing lot at 613 Lake Street was platted in 1980 as part of the Sitka Broadcasters Subdivision. A single-family home is currently being constructed on the property. No variances currently exist on the property. Adjacent property owners are CBS with the continuation of Arrowhead Street on the northwest side and Sitka Radio Center (KIFW) on the other. The other side of Lake Street has many residential properties.

## **PROJECT DESCRIPTION**

The proposal is for the reduction in the side setback from 8 feet to 0 feet for the placement of a permanent greenhouse on a foundation. Sitka General Code requires 8 foot side setbacks in the R-1 zone.<sup>1</sup>

A unique feature of this property is that it is part of the Swan Lake Area Meriting Special Attention (AMSA) placing unique setbacks on the distances from any structures to the lake. The purpose is to protect the recreational area as well as habitat for waterfowl, fish, etc. The AMSA seeks a 50 ft setback from the lake thereby limiting the useable space of the lot for accessory structures.

## **ANALYSIS**

**Project / Site:** The lot is 13,837 square feet, exceeding the R-1 minimum square footage of 8,000 square feet. The lot is accessed directly off of Lake Street. There is a new single-family home being constructed on the property. Foliage and a drainage ditch buffer the house from the house on the adjacent lot.

**Zone: R-1:** Intent. This zone is intended to provide for primarily for single-family and duplex residential.<sup>2</sup>

**Traffic:** Proposed structure is situated away from the road and would not increase traffic to the property.

**Parking:** Proposal does not increase parking requirements nor does it remove existing parking spaces. No concerns.

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

<sup>2</sup> Section 22.16.035—R-1 District

**Noise:** Reduced setbacks have the potential to increase noise by decreasing the buffer between structures. In this case, the accessory structure will not include living space so no impact to noise is anticipated.

**Public Health or Safety:** Proposal will not substantially reduce the neighbor's access to light and air. No concerns.

**Habitat:** Project is proposed in the current location to reduce any impacts on the AMSA.

**Property Value or Neighborhood Harmony:** Variances are a deviation from code, and result in an inconsistency between this property and nearby properties. The addition of a greenhouse could improve property values.

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

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

1) I move to approve the variance request for 613 Lake Street in the R-1 district. The request is for the reduction in the side setback from 8 feet to 0 feet for the placement of a permanent greenhouse. The property is also known as Lot 2 Sitka Broadcasters Subdivision. The request is filed by Dorothy Orbison. The owner of record is Dean and Dorothy Orbison Community Property Trust.

2) I move to adopt and approve the required findings for minor expansions, small structures, fences, and signs. Before any variance is granted, it shall be shown:<sup>3</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; *specifically that the greenhouse is an accessory structure not providing living space and will have extremely light impact.*
- b) The granting of the variance is not injurious to nearby properties or improvements; *specifically the adjacent property owner has no objection to the variance.*
- c) The granting of the variance furthers an appropriate use of the property; *specifically the placement of the accessory structure when a large portion of the lot is restricted due to the AMSA.*

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<sup>3</sup> Section 22.30.160(D)(2)—Required Findings for Minor Variances