

Planning Commission Staff Report

Meeting date: February 12, 2019

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

**Subject: Variance Application – Parcel 01-011-076
Brad & Sharon Hunter**

RECOMMENDATIONS: Approve an application from Brad and Sharon Hunter for a variance from the side and front yard setback requirements to construct a 660 sf garage 5 feet from the side property line and 10 feet from the front property line at 913C Sandy Beach Rd. (PID: 01-004-158). All building elements, including eaves, to be 5' from property line.

The Petersburg Planning & Zoning Commission makes the following findings of fact:

1. An application and fees was submitted by Brad and Sharon Hunter (applicants) on January 4, 2019.
2. Applicants are requesting a variance from the side and front yard setback requirements to allow construction of a 600 sf garage.
3. The subject parcel is zoned Single-Family Residential and has an existing dwelling. Surrounding property is also zoned single-family residential and is a well-established neighborhood. Water, sewer, and electric are available.
4. The subject parcel is 12,703 sf and meets minimum lot size standards for the zoning district. Max lot coverage for the district is 35% or 4,406 sf.



Based on the preceding findings of fact, the Petersburg Planning & Zoning Commission makes the following determinations:

1. **There are exceptional physical circumstances applicable to the property which does not apply generally to the other properties in the same zone.**

The subject parcel was created as result of a subdivision approved by the Planning Commission in the early-1980s.

The subject parcel has an irregular shape and is subject to a very wide ROW easement across

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the front portion of the lot limiting the location of an accessory garage.

2. The strict application of the provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.

Proposed garage is modest in size in comparison to other accessory structures in the neighborhood. Other suitable locations on the property would require additional fill onto the beach and could impede views from neighboring homes.

3. That the granting of the variance will not result in material damage or hardship or prejudice to other properties in the vicinity nor be detrimental to the public health, safety, or welfare.

Maintaining a 5' setback for all building elements will ensure adequate space between the structure and the adjoining property.

The garage opening is not oriented directly to the street and the garage allows for moving trailered boats completely off the street before backing into the garage; both improve public safety at the location.

Chair, Planning Commission

Secretary, Planning Commission

PETERSBURG BOROUGH LAND USE APPLICATION		CODE TO:	110.000.404110	100. 11053650
		BASE FEE:		
		PUBLIC NOTICE FEE:	\$70.00	
		TOTAL:		
DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:		

APPLICANT/AGENT	LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Sharon and Brad Hunter	NAME
MAILING ADDRESS POB 1603	MAILING ADDRESS
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP
PHONE 772-3658	PHONE
EMAIL	EMAIL

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION:
913C Sandy Beach Rd

PARCEL ID: 01-004-158	ZONE: SF	OVERLAY: Not Applicable
CURRENT USE OF PROPERTY: Residence		LOT SIZE:
PROPOSED USE OF PROPERTY (IF DIFFERENT):		

SEPTIC SYSTEM: Is there a septic system on the property? ☐ YES ☒ NO
 What is current or planned system? ☒ Municipal ☐ DEC-approved on-site system

WATER SOURCE: ☒ Municipal ☐ Cistern/Roof Collection ☐ Well

LEGAL ACCESS TO LOT(S) (Street Name): **Sandy Beach Rd.**

TYPE OF APPLICATION & BASE FEE

☒ 19.80 Variance (\$100).

☐ 19.72 Conditional Use Permit (\$50).

☐ 19.72 Home Occupation CUP (\$50)

☐ 19.76 Special Use Permit (\$50)

☐ 19.84 Zoning Change (\$100)

☐ 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)

☐ 18.20 Minor Subdivision/18.24 Preliminary Plat (\$75 + \$10 per lot)

☐ 18.24 Final Plat (\$25 per lot)

SUBMITTALS:

Please submit additional information as required for specific permit. See specific application for more information.

SIGNATURE(S):

Applicant(s):	Date: _____
Owner(s):	Date: 1-4-2019
	Date: 1-4-2019

19.80 VARIANCE APPLICATION
(SUBMIT WITH LAND USE APPLICATION & SITE PLAN)

Applicant(s): Sharon & Brad Hunter

Address or PID: 913C Sandy Beach Rd.

Variance Requested:

☒ Setback Requirement

☐ Building Height

☐ Other:

☐ Max. Lot Coverage

☐ Fence Height

Conditions of approval as required in Petersburg Municipal Code 19.80.050:
(Note that all three conditions must be satisfied in order to qualify for a variance.)

1. What is the exceptional physical circumstance or condition affecting this property?

☐ Substandard Lot Area

☒ Easements/ROW

☐ Stream/Drainage

☒ Steep/Unstable Slope

☒ Odd Lot Shape

☐ Nonconforming
Structure

☒ OTHER (Please Specify):

Driveway location

2. Explain the exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone.

See attached addendum.

3. Explain how the strict application of these provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.

See attached addendum.

4. State why the granting of the variance will not result in material damage or hardship or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.

See attached addendum.

Addendum to Variance Application for Brad and Sharon Hunter, 913C Sandy Beach Rd.

Dec. 26, 2018

2. Explain the exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone.

- One factor is the extraordinary rhomboid shape of the lot, resulting in two opposite corners that are very narrow and limit space available for building placement. The impact of this can be seen in the site plan, the back of the garage is parallel to the side lot line, but even with the proposed shorter setbacks, on the street side one corner of the garage will be 32 feet from the road frontage r-o-w but the other corner is only 10 feet. If we had to use the standard setback, the back corner would be even more than 32 feet.

As a further example of how the total area of this lot is not available for building construction due to the rhomboid shape, the southeast corner of the lot is located on the beach in the center of the view from the Duvall house picture window. This eliminates a fair portion of the lot from construction, further emphasizing the need for the variance allowance in the opposite corner.

- The steep slope and excessive fill required are exceptional physical circumstances not applicable to most properties in the area.
-
- The Right-Of-Way from the edge of the pavement to our property line is 35', which is a deeper than some parts of town. The ROW limits our options on an already limited lot.
- There are no sensible alternative locations available; the only other space would be to move the building further towards Frederick Sound, but the excessive fill that would be required due to the dropping elevation, combined with the angled property line, make this an unattractive alternative. This option would also move the building closer to the neighbor's house.
-

There are very limited locations for a garage to be constructed on this small lot. This is due to a combination of the steep slope towards the water, the rhomboid lot shape, and the depth of the R-O-W.

3. Explain how the strict application of the provisions of this title would result in practical difficulties or unnecessary pecuniary hardships.

Our intent is to construct a pull through driveway. This will enable us to pull our boat trailer fully onto our property, and then back into the garage. This will negate the need to back the trailer while on the public street. In order to have the minimum radius needed for a pull through driveway, we need to locate the garage with the proposed 5 feet setback along the side lot line.

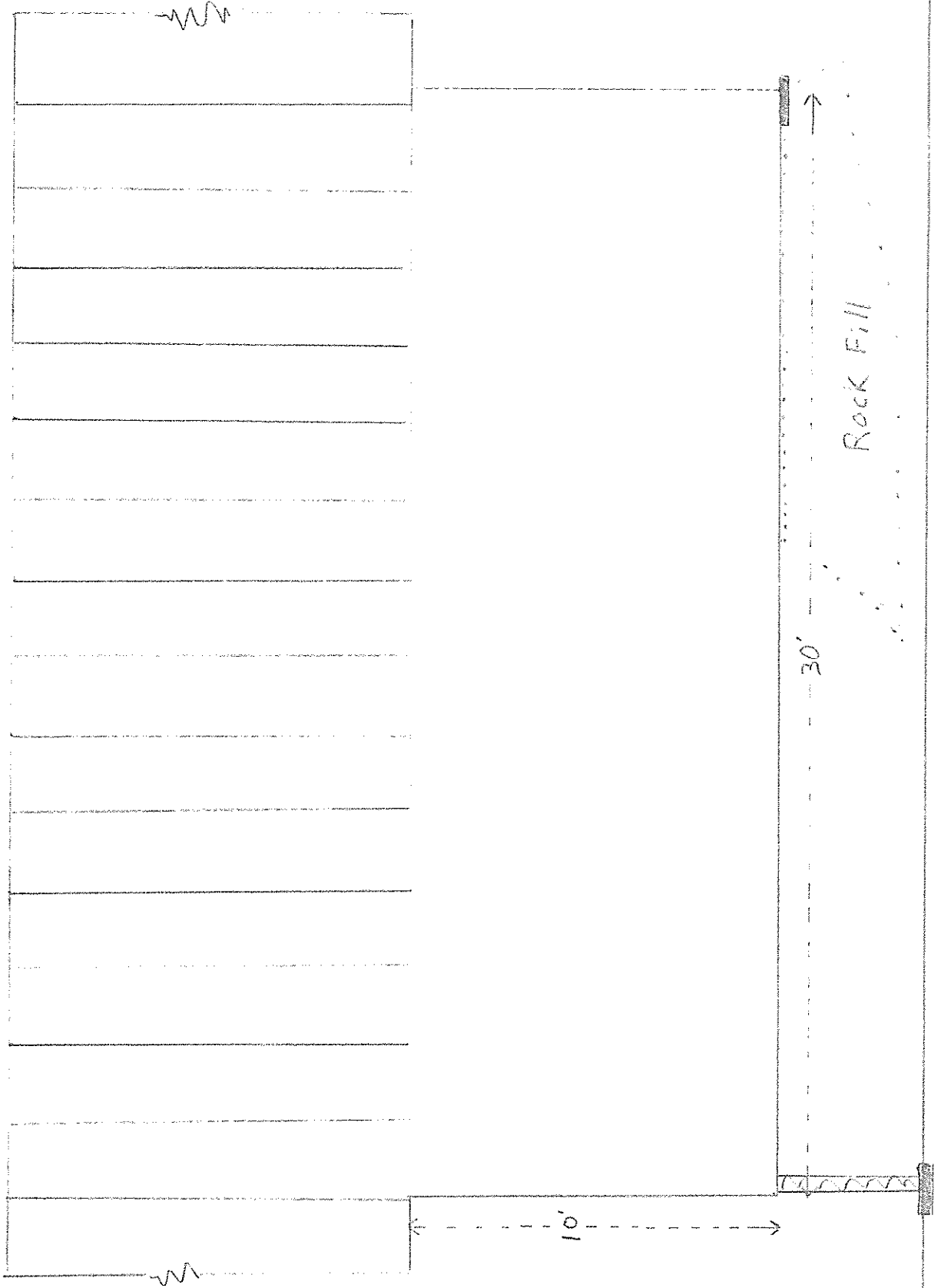
Locating the building further towards the water will result in excessive fill, meaning we will have unnecessary pecuniary impacts to the cost of the project.

The variance will not result in snow/rain shedding onto a public sidewalk or street nor the neighbor's property; variance does not alter vision clearance on street corners and it will not prevent neighboring property owner from developing their property.

4. State why the granting of the variance will not result in material damage or hardship or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.

- As stated above, this proposal will improve public safety by allowing for our boat trailer to be pulled completely off of the public road before backing into the parking space. Currently we have to back the trailer from Sandy Beach Road, temporarily impeding passing traffic.
- The building will be screened by trees from road, and will not be seen from viewing windows of neighbor's homes since they face the opposite direction. We will plant trees on the north side of the building to provide for more vegetation screening.
- The building will be designed to be visually appealing, be built of materials good quality materials, and painted a color that blends into the landscape.

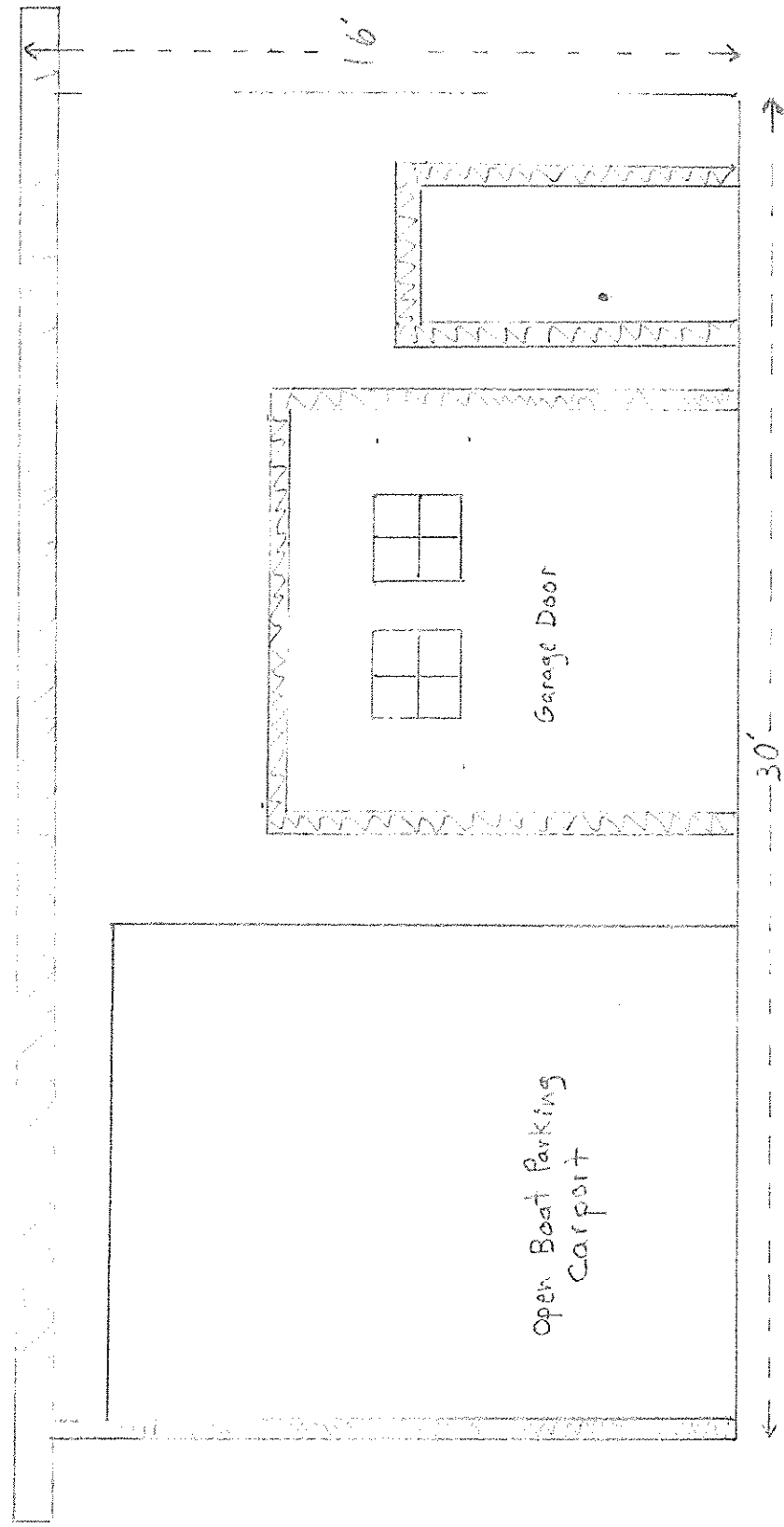
North Elevation - Back Side





22-141 50 SHEETS
22-142 100 SHEETS
22-143 200 SHEETS

South Elevation - Front Side

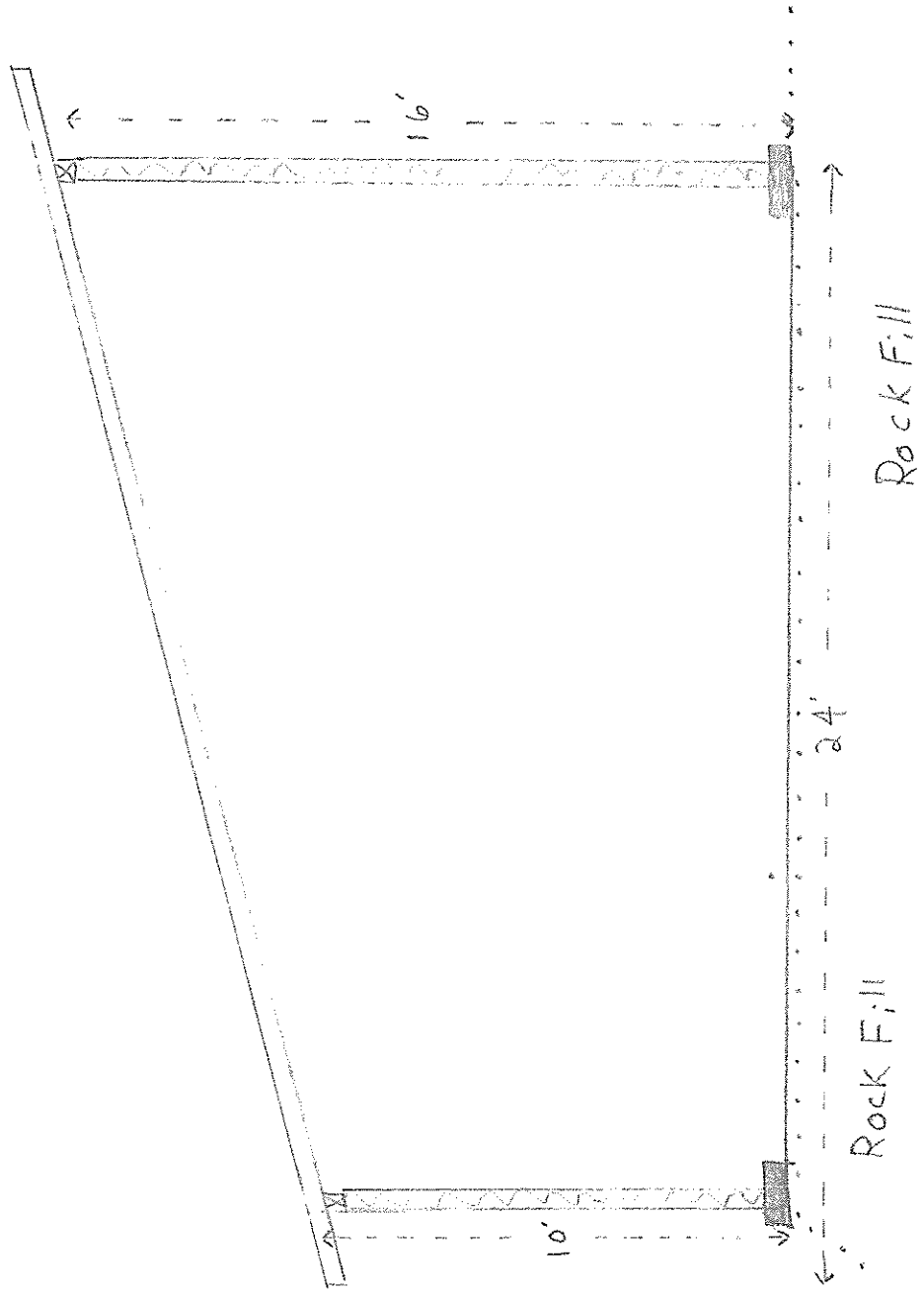


B&H
Dec 28, 18
1" = 4'
40 Scale

← Rock Fill →



West Elevation - street side

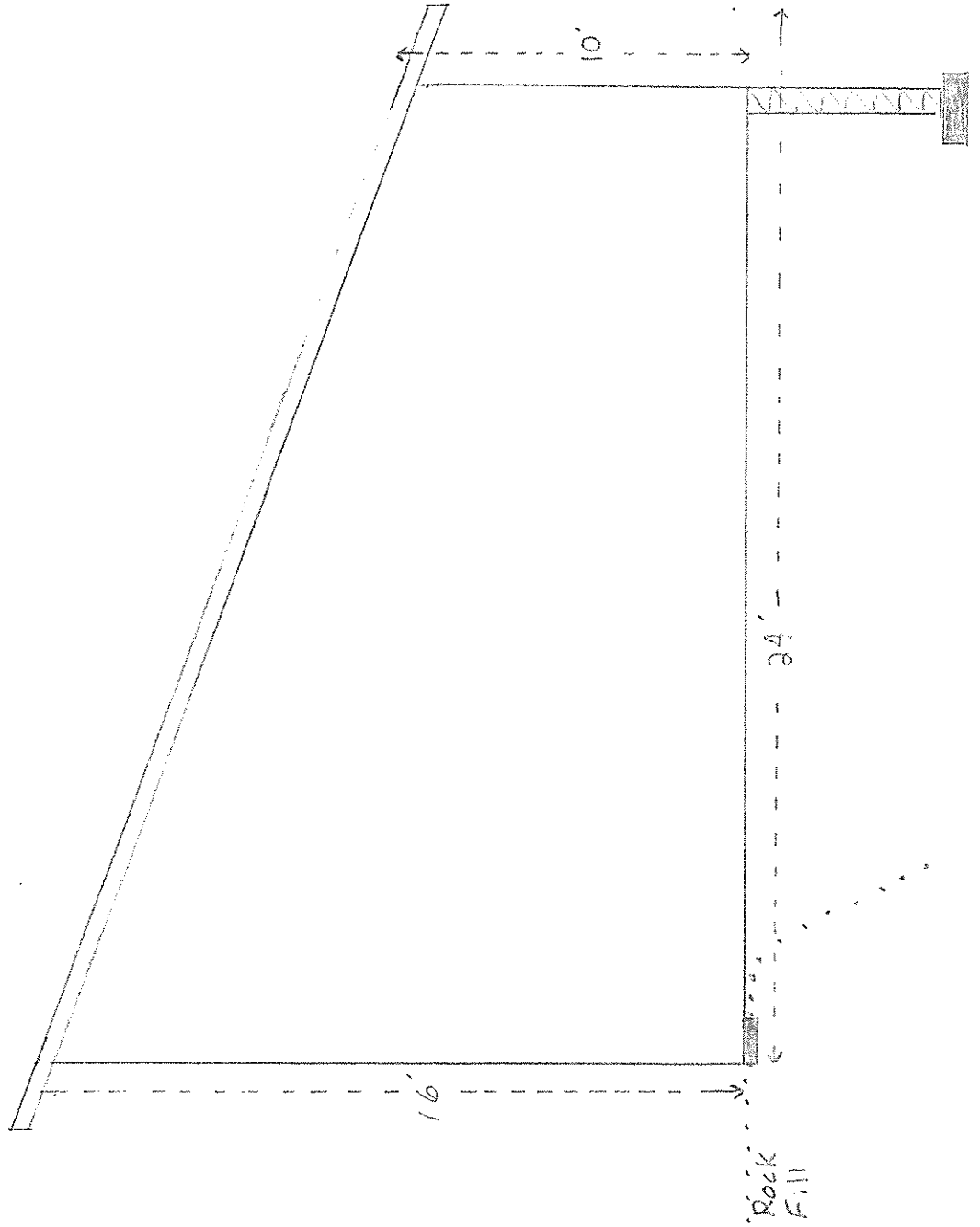


B2H
Dec 28, 18
1" = 4'
40 Scale

22-101 50 SHEETS
22-102 100 SHEETS
22-103 200 SHEETS



East Elevation - Water Side



B-7H
Dec 28, 18
1" = 4'
40 Scale



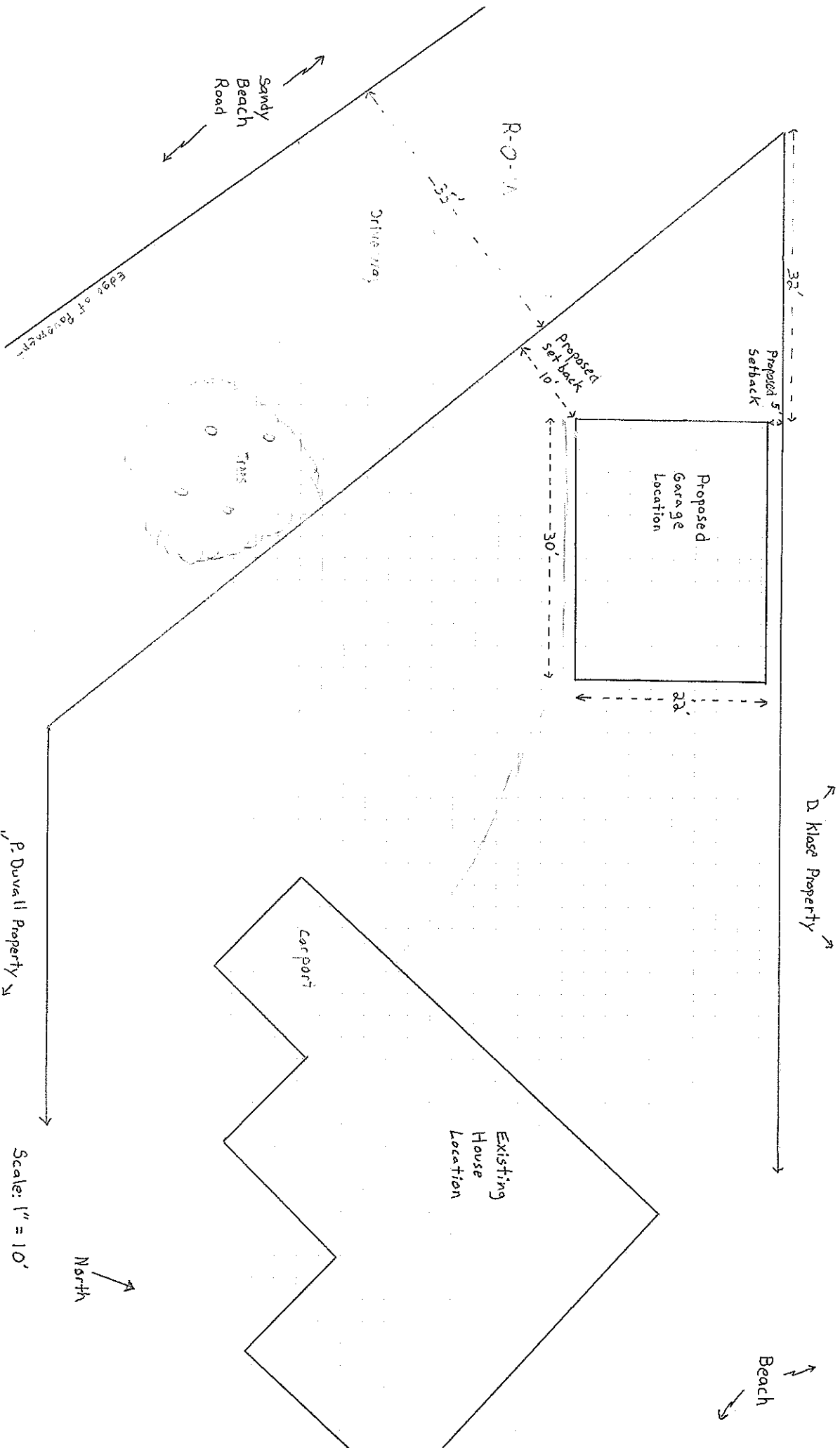
Search bar with magnifying glass icon



132°55'00"W 56°48'29"N



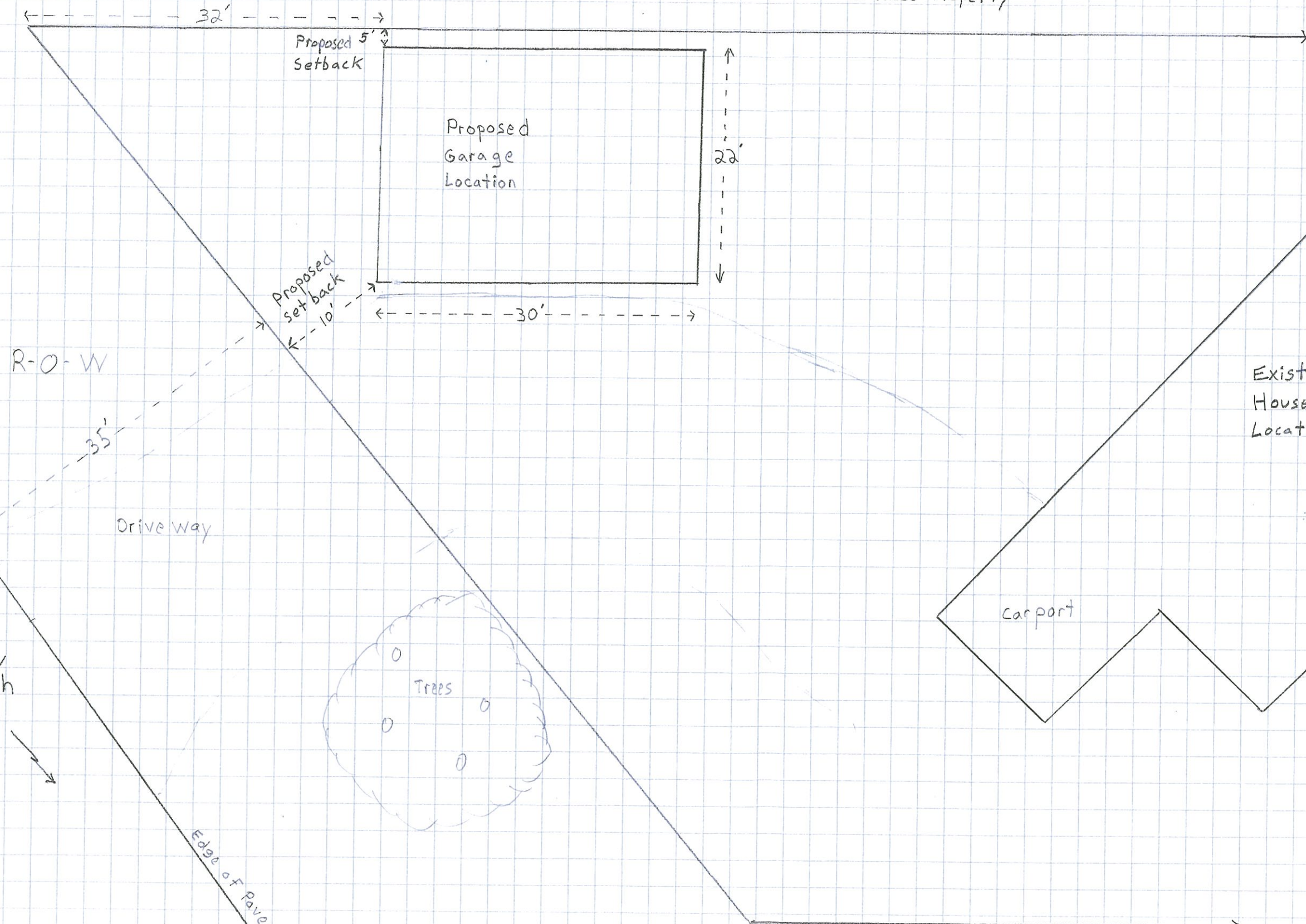
BRAD & SHARON HUNTER
913C Sandy Beach Road



BRAD & SHARON HUNTER
913C Sandy Beach Road

D. Klose Property

Beach



Existing House Location

Carport

TREES

North

Scale: 1" = 10'

P. Duvall Property

Sandy Beach Road

Edge of Pavement

R-O-W

Drive way

Proposed set back 10'

Proposed 5' Setback

Proposed Garage Location