

Application for Dimensional Variance

Municipality of Anchorage
 Planning Department
 PO Box 196650
 Anchorage, AK 99519-6650



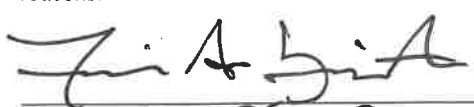
PETITIONER*		PETITIONER REPRESENTATIVE (if any)	
Name (last name first) Smith, Travis		Name (last name first)	
Mailing Address 7745 Sand Lake Road		Mailing Address	
Anchorage, AK 99502			
Contact Phone – Day 907-903-0440	Evening 907-903-0440	Contact Phone – Day	Evening
E-mail trav@nosev.com		E-mail	

*Report additional petitioners or disclose other co-owners on supplemental form. Failure to divulge other beneficial interest owners may delay processing of this application.

PROPERTY INFORMATION		
Property Tax # (000-000-00-000): 075-063-85-000		
Site Street Address: 185 Barren Avenue		
Current legal description: (use additional sheet if necessary) Glacier View Estates Lot 1		
Zoning: R-101	Acreage: 0.3179	Grid #: SE 4914

PETITIONING FOR
exception for intrusion of northeast corner of existing building into 10' rear yard setback (reduced from 15 feet to 10 feet using footnote 2 of table 21.09-5). Please note that the total square footage of the intrusion is 15 square feet, and that the maximum amount of the intrusion is 2'-5".

I hereby certify that (I am)/(I have been authorized to act for) owner of the property described above and that I am petitioning for variance in conformance with Title 21 of the Anchorage Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the variance. I understand that the burden of evidence to show compliance with the variance standards rests with me, the applicant. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff or the Zoning Board of Examiners and Appeals for administrative reasons.


6/9/2025
 Signature Owner Representative Date
(Representatives must provide written proof of authorization)

Travis Smith
 Print Name

Accepted by: FM	Poster & Affidavit: 1 + a Affidavit	Fee: \$710	Case Number: 2025-0092	Meeting Date: ZBEA: 08/14/2025
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CODE CITATIONS

AMC 21. 09.060, table 21.09-5, rear yard setback dimensional standard

AMC 21.

RECENT REGULATORY INFORMATION (Events that have occurred in last 5 years for all or portion of site)

- Rezoning - Case Number: _____
- Preliminary Plat Final Plat - Case Number(s): _____
- Conditional Use - Case Number(s): _____
- Zoning variance - Case Number(s): _____
- Land Use Enforcement Action for _____
- Building or Land Use Permit for **R18-2569**
- Wetland permit: Army Corps of Engineers Municipality of Anchorage

APPLICATION REQUIREMENTS

(One of each applicable item is required for initial submittal. additional copies are required after initial submittal)

- 1 copy required: Signed application (original)
- 14 copies required: Signed application (copies)
- Variance narrative, addressing:
 - The need for the variance, including when the need for the variance was discovered
 - The effect of granting the variance
 - An analysis of how the proposal meets the variance standards below
- As-built survey showing existing conditions, to scale (no more than 2 years old)
- Proposed plot plan or site plan, to scale (new construction)
- Topographic map of site
- Photographs

(Additional information may be required.)

VARIANCE STANDARDS

The Zoning Board of Examiners and Appeals may only grant a variance if the Board finds that **all** of the following 8 standards are substantially met. Each standard must have a response in as much detail as it takes to explain how your property's condition satisfies the standard. The burden of proof rests with you.

- a. There exist exceptional or extraordinary physical circumstances of the subject property including, but not limited to, streams, wetlands, or slope, and those circumstances are not applicable to other land in the same zoning district;
- b. Because of these physical circumstances, the strict application of the code creates an exceptional or undue hardship upon the property owner, and would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance;
- c. The hardship is not self-imposed, special conditions and circumstances do not result from the actions of the applicant, and such conditions and circumstances do not merely constitute inconvenience;
- d. The variance, if granted, will not adversely affect the use of adjacent property as permitted under this code;
- e. The variance, if granted, does not change the character of the zoning district where the property is located, is in keeping with the intent of the code, and does not permit a use not otherwise permitted in the district in which the property lies;
- f. The variance, if granted, does not adversely affect the health, safety, and welfare of the people of the municipality;
- g. Persons with disabilities are provided with access as required by the Americans with Disabilities Act (ADA) and reasonable accommodation; and
- h. The variance granted is the minimum variance that will make possible a reasonable use of the land.

Glacier View Estates Lot 1
185 Barren Avenue
Application for Dimensional variance
Supplemental information

Co-owner:
Helen Call Smith
7745 Sand Lake Road
Anchorage, AK 99502
907-570-6633
Helen.call.adams@gmail.com

VARIANCE NARRATIVE:

We have just recorded on this property. While looking into a remodel we noted an open building permit (R18-2569). Further research revealed the original owner left the permit open intentionally to build a free-standing main house on the property in front of the garage/ADU structure, but ultimately ran out of funds to accomplish this before selling to us. During that research we also discovered the garage/ADU structure impinged on the required 10 foot rear yard setback (per footnote 2 of AMC 21.09.060 table 21.09-5 which allows flexibility for front and rear yard setback requirements.) We will provide a 25 feet front yard setback and use that flexibility to reduce the rear yard setback requirement to 10 feet.

VARIANCE STANDARD A:

The property is bordered by wetlands to the north and west. This property is owned by the Heritage Land Bank.

VARIANCE STANDARD B:

The required 10' rear yard setback, which is intended to provide fire safety and separation between built structures, will never have a building to the north due to the wetland designation. We purchased the property understanding that if the variance is not granted the building is not in compliance zoning ordinances and would need to be modified. We are asking for an exception because removing the very small portion of the building (15 square feet) and corresponding roof overhang that sits in the rear yard set back will be an exceptional hardship since the water service to the building, the domestic hot water heater, the garage unit heater and the furnace are all located in that corner. In addition, the north wall is a bearing plane so the structural envelope will need to be re-engineered in this area. We project that removing the 15 square feet (1.15% of the footprint) plus the 40 square feet of eave (which exceeds the allowable two foot overhang in the setback) will cost in the neighborhood of \$100,000. This is 21% of the appraised value of the structure which is \$465,000.

VARIANCE STANDARD C:

We did not build this structure in the rear yard of the property. It is our understanding that the original owner created this rear-yard setback violation when they decided to rotate the building

during construction to improve the angle of the driveway to the road. They did not anticipate that the rotation would create the rear yard setback violation.

VARIANCE STANDARD D:

The rear yard of the property borders on wetlands owned by the Heritage Land Bank. The property to the north will never be developed because of the wetland designation. Granting the variance will not adversely impact the use of the adjacent property.

VARIANCE STANDARD E:

The variance proposed does not impact the character of the neighborhood, nor does it permit a use not otherwise permitted in this zone district.

VARIANCE STANDARD F:

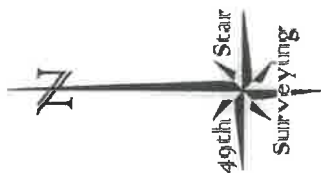
The variance proposed does not adversely affect the health, safety and welfare of the people of the municipality because the rear yard will never be bordered by another development due to the wetland designation.

VARIANCE STANDARD G:

Compliance with the ADA could be provided with a stair lift if needed in the future.

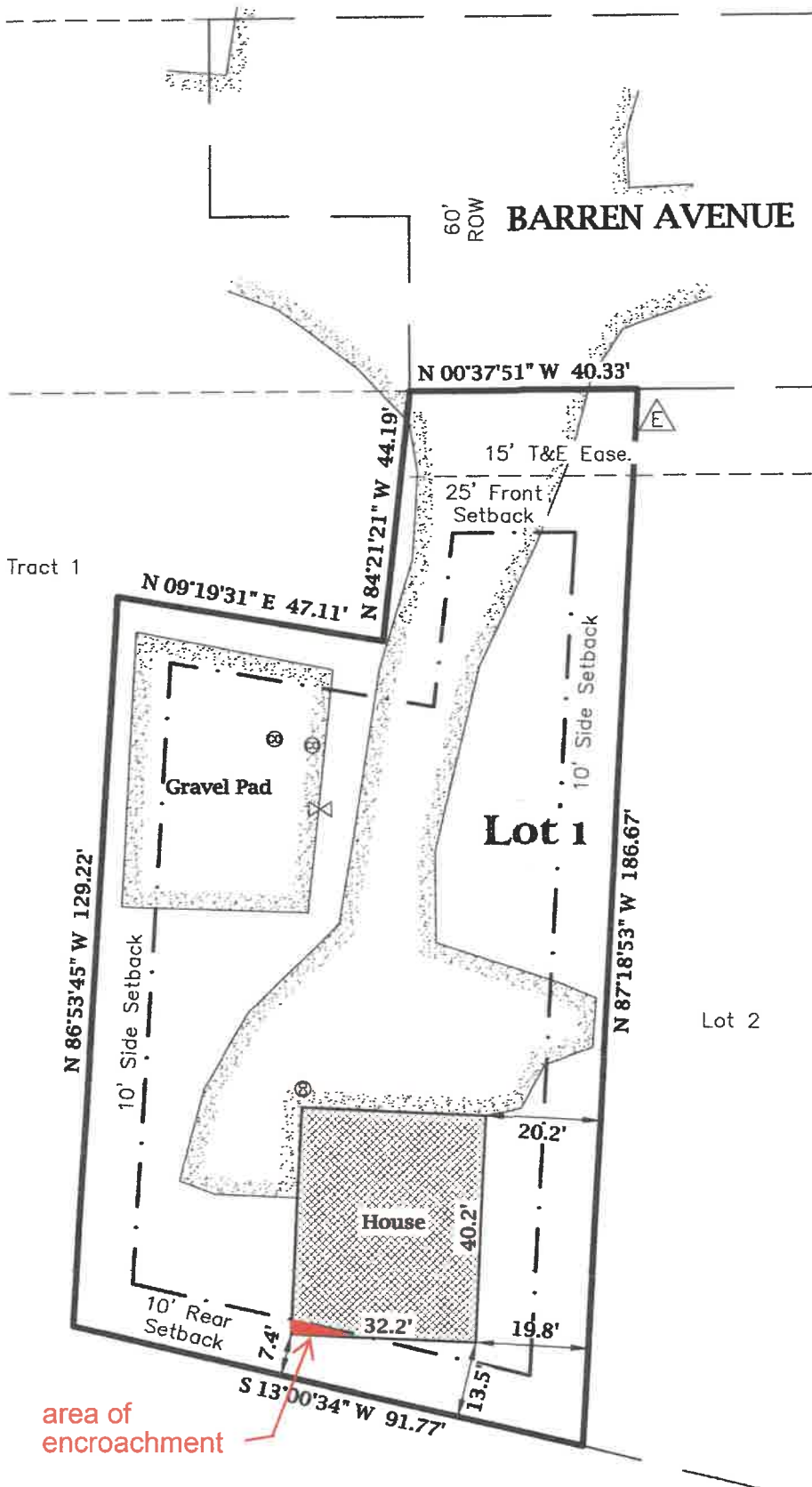
VARIANCE STANDARD H:

We believe that allowing the non-compliant 15 square feet of the existing structure and corresponding roof overhang at the rear yard setback to remain is a de minimis approach that allows the building permit to be closed and the existing structure to be used as intended.



NOTES

- All dimensions shown are grid bearings and ground distances, record boundaries are per Plat No. 2008-18.
- 49th Star has conducted a physical survey of the property and all details shown on this Asbuilt Survey are correct. Under no circumstances should any data hereon be used for construction or the establishment of property lines.
- It is the owners responsibility to determine the existence of any easements, covenants, or restrictions; no title research performed.



ASBUILT SURVEY

Lot 1,
Glacier View Estates,
Girdwood, AK

LEGEND

- Electric Transformer
- Clean Out
- Water Valve

49th Star Surveying LLC

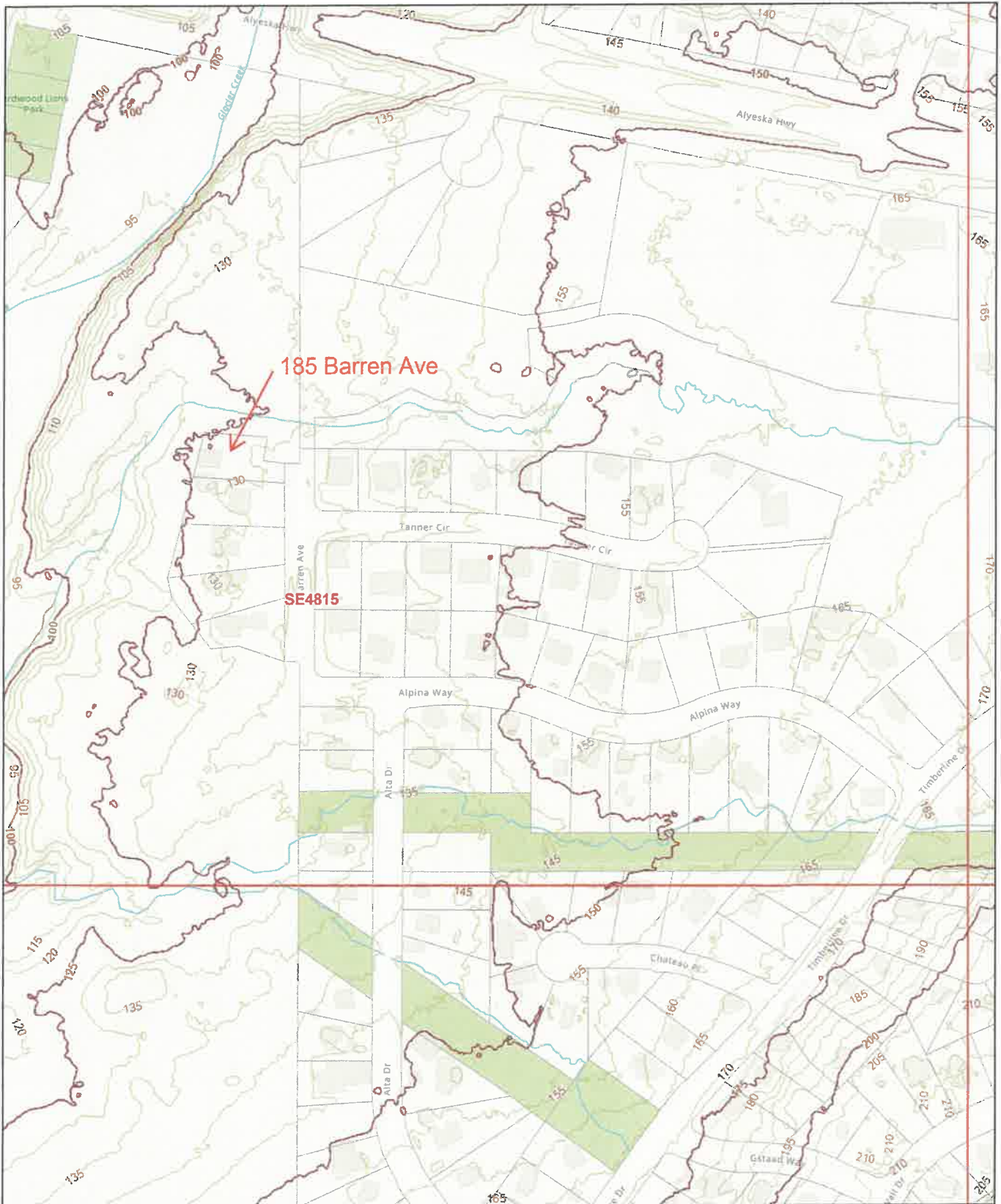
PO Box 738
Girdwood, AK 99587
(907)891-6111
Jeremy@49thStarSurveying.com

W.O. 2524 DATE: 4/3/25
SCALE: 1"=30'

185 Barren highlighted showing adjacency to wetlands



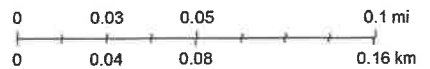
MOA MapIt!



6/5/2025, 8:49:38 AM

- Property Information
- 100 Scale Grid

1:4,514



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasstyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA,

PICTURES 185 Barren



Aerial view



South Elevation (view from driveway)



East Elevation



North Elevation



West elevation



Mechanical room showing furnace, boiler and water shutoff in northeast corner