

**MUNICIPALITY OF ANCHORAGE
ZONING BOARD OF EXAMINERS AND APPEALS
RESOLUTION NO. 2025-009**

A RESOLUTION APPROVING A DIMENSIONAL VARIANCE FROM AMC 21.09.060 TABLE 21.09-5 TABLE OF DIMENSIONAL STANDARDS: GIRDWOOD RESIDENTIAL DISTRICTS TO ALLOW EXISTING PRIMARY SINGLE-FAMILY RESIDENCE TO ENCROACH TWO FEET (2') AND SEVEN INCHES (7") INTO THE REQUIRED 10-FOOT REAR SETBACK; GENERALLY LOCATED WEST OF BARREN AVENUE, EAST OF EGLOFF DRIVE, AND SOUTH OF ALYESKA HIGHWAY, IN GIRDWOOD.

(Case 2025-0092; Tax ID No. 075-063-85)

WHEREAS, a request was received from Travis Smith, owner, and petitioner, for a Dimensional Variance from AMC 21.09.060 Table 21.09-5 Table of Dimensional Standards: Girdwood Residential Districts to allow the existing primary single-family residence to encroach two feet (2') and seven inches (7") into the required 10-foot rear setback; generally located west of Barren Avenue, east of Egloff Drive, and south of Alyeska Highway, in Girdwood.

WHEREAS, public hearing notices were published, posted, and mailed, and a public hearing was held on August 14, 2025.

NOW THEREFORE BE IT RESOLVED, by the Anchorage Zoning Board of Examiners and Appeals that:

A. The Board makes the following findings of fact:

1. Standard A is met. The function of a setback is to provide space between adjacent properties for reasons pertaining to general health. Since the property adjacent to the variance requested is a heavily forested vacant parcel owned by HLB, the need for the setback may be excused.
2. Standard B is met. For the structure in question, the hot water heater, garage unit heater, and furnace are located in the encroaching corner of the structure, and that the north wall is a bearing plane. As such the strict application of this code creates an exceptional or undue hardship upon the property owner.
3. Standard C is met. The current owner purchased the property with the encroachment. The previous property owner built the non-compliant structure and did not close out the building permit.
4. Standard D is met. The proposed variance will not change the building envelope of the pre-existing subject structure. The variance application will close out an open building permit for the existing single-family home. HLB provided comments of non-objection to the variance and noted the requested variance does not appear to adversely affect the planned use of HLB parcel 6-036. The Planning Department did not receive any comments of objection to the granting of the variance from either the public or reviewing agencies.
5. Standard E is met. This variance does not change the character of the zoning district and does not permit a use not otherwise permitted in the gR-2 zoning district.
6. Standard F is met. This encroachment within the front setback has no known impacts on the health, safety, or welfare of the people of the municipality. The proposed variance will not change the existing building envelope and hence does not adversely affect the properties nearby.


7. Standard G is met. This standard is not applicable to single-family residential development.
8. Standard H is met. This is the minimum variance, two (2') feet and seven (7") inches, that will allow the property owner to close the corresponding building permit and use the existing single-family structure as intended.

B. The Board APPROVES the variance subject to:


1. Dimensional Variance from AMC 21.09.060 Table 21.09-5 Table of Dimensional Standards: Girdwood Residential Districts to allow the primary residence to encroach no more than two (2') feet and seven (7") inches into the required 10-foot rear setback, as shown on as-built survey dated April 3, 2025, for Lot 1, Glacier View Estates Subdivision (per Plat 2008-18); scale 1" = 30', prepared by 49th Star surveying LLC, Jeremy A. Hurst, Registered Professional Land Surveyor.
2. Within one year, record a notice of zoning action, the resolution of approval, and the final as-built with the State of Alaska Recorder's Office; and provide proof to the Planning Division.

PASSED AND APPROVED by the Anchorage Zoning Board of Examiners and Appeals on the 14th day of August, 2025.

ADOPTED by the Anchorage Zoning Board of Examiners and Appeals on this 11th day of September, 2025. This is the final decision of the Board. Any party aggrieved by this decision may file an appeal pursuant to Anchorage Municipal Code 21.03.050D.

FOR 

Melisa R.K. Babb
Secretary



Ellen McKay
Chair

(Case 2025-0092; Tax I.D. No. 075-063-85)