

**Municipality
of
Anchorage**



*P.O. Box 390
Girdwood, Alaska 99587
<http://www.muni.org/gbos>*

Ethan Berkowitz, Mayor

*GIRDWOOD VALLEY SERVICE AREA BOARD OF SUPERVISORS
Jerry Fox & Robert Snitzer, Co-Chairs
Eryn Boone, Mike Edgington, Christina Hendrickson*

**Resolution 2019-04
Of the Girdwood Board of Supervisors
RESOLUTION OF SUPPORT
FOR A VARIANCE FROM AMC 21.07.020B.9. AT 119 STOWE DRIVE**

WHEREAS, the existing subject property was built partially within the current twenty five foot stream setback in 1978 prior to the adoption of R11 zoning, and associated stream setbacks, and as such, is a legally non-conforming dwelling granted grandfather rights to that location; and,

WHEREAS, the property is prone to flooding from Stowe Drive, and the stream, when snow clearing operations fill the ditch and stream, due to its low elevation with respect to the road; and,

WHEREAS, the homeowners desire to remove the existing legally non-conforming structure, concrete pad and driveway from the stream setback, mitigate the currently impacted area in the setback with permeable earthwork and landscaping, thereby improving the fish-bearing waterway by improving natural drainage and decreasing the amount of impermeable soils and surfaces in the setback; and

WHEREAS, the owners propose to build a new home entirely outside of the stream setback, and the current design elevates the driveway and house above the flood prone area which requires a building pad and rock retaining wall, no closer to the stream then the existing improvements, 12'-4" into the required stream setback; and

WHEREAS, the removal of the existing non-conforming structure and replacement of it outside of the stream setback with only a landscaped building pad and retaining rock within the stream setback is positive for the property owner, for drainage from the road, and improves the stream; and

WHEREAS, under the newly adopted MOA stream setback ordinance, projects such as this which remove existing legally non-conforming grandfathered properties, the owners have the right to rebuild within the footprint of the existing structure and the applicant has chosen not to exercise this right; and

WHEREAS, during discussions with the MOA's watershed manager and testimony regarding the newly adopted stream setback requirements, projects such as this which remove existing non-conforming grandfathered properties and improve the stream embankment and drainage, should be viewed positively in their requests for variance for limited encroachment compared to the significant environmental impact of the existing property; and

WHEREAS, the Girdwood Land Use Committee has reviewed and discussed this application for dimensional variance, and has recommended to the Girdwood Board of Supervisors to write this Resolution of Support by a vote of 9 in favor, 0 opposed, and 1 abstaining at their March 11, 2019 regular meeting.

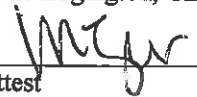
THEREFORE, the Girdwood Board of Supervisors resolves to support the dimensional variance request to allow a newly constructed elevated building pad's retaining wall and fill to encroach into the required 25' stream setback at 119 Stowe Road.

PASSED AND APPROVED by a vote of 3 to 0 this 18th day of March, 2019.



Mike Edgington, GBOS Land Use Supervisor

3/18/19
Date



Attest

3/18/19
Date