

PROJECT BACKGROUND:

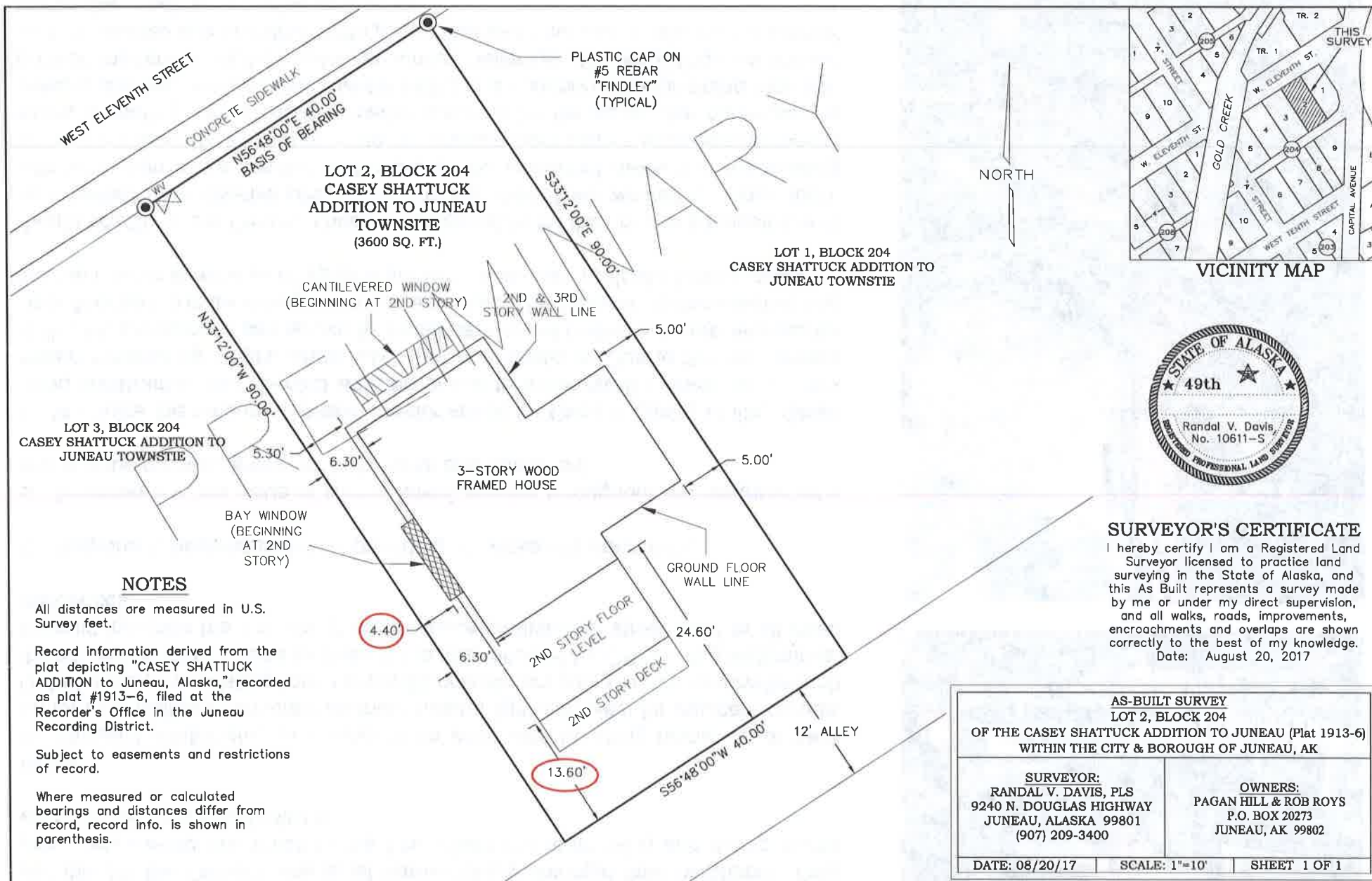
-Site is a small infill lot, 40' x 90', on the NE of West 11th Street. The narrowness of the lot created multiple design opportunities. In response, the most important variable for the Owners was to sit harmoniously amongst their neighbors. They previously owned the house to the SW, where the main living and dining rooms windows face the small infill lot.

Goals:

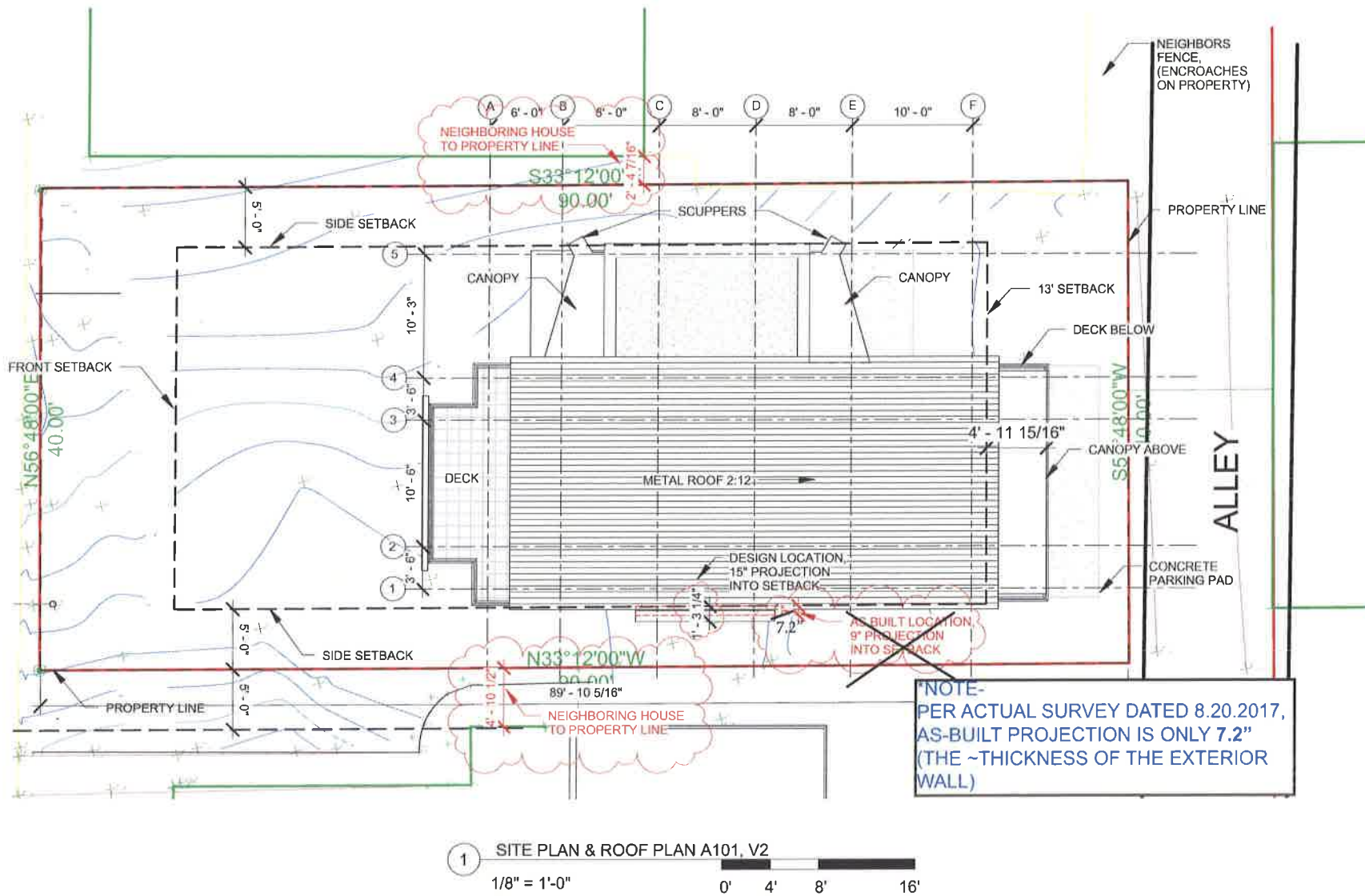
1. Respect relationship to neighbors on each side by siting home as far back on lot as possible to ensure maximum natural light and view for adjacent homes. Unfortunately the existing house to the SE was always going to lose its view through the lot. By siting the house as close to the alley allowed by, CBJ zoning restrictions, it would increase the amount of green space available at street level to all three residences.
2. Respond to housing deficit by providing an accessory apartment.
3. Acknowledge the issue of limited street parking throughout the neighborhood and provide on-site parking for both home and apartment.
4. Maximize the amount of livable interior space for Owners quality of life. Given siting constraints, and coupled with the desire to maximize the green space, this meant maximizing height, within CBJ zoning restrictions. Due to the narrowness of the lot, providing a bay alcove to install permanent built-in furniture allowed for clear floor space in the dining room and art studio. The Owners wanted creative and flexible interior spaces so all spaces are interconnected vertically & horizontally.

Aesthetics/Style: the Owners chose a modern style for their house because it best represented their creative philosophy and life style. They wanted a unique form, with open plan and a solution that captured the wonderful views over the existing houses to the S/SE, W, and N. Materials chosen were Corten steel and aluminum siding & roofing with a pilotis of cedar columns for the base. The materials are durable and low maintenance. Metal siding is a common exterior siding material, both on modern as well as historical Juneau buildings. Corten siding was chosen as it will oxidize to a beautiful matte patina that was intended to reference historical corrugated weathered mining structures.





SITE SURVEY 8.20.2017



atelier corbeau -
art & architecture
411 coleman street
juneau, ak
99801

CONSTRUCTION DOCUMENTS
HILLROYS
for
Pagan Hill & Rob Roys

1403
SHEET TITLE
SITE & ROOF
PLAN,
SETBACKS

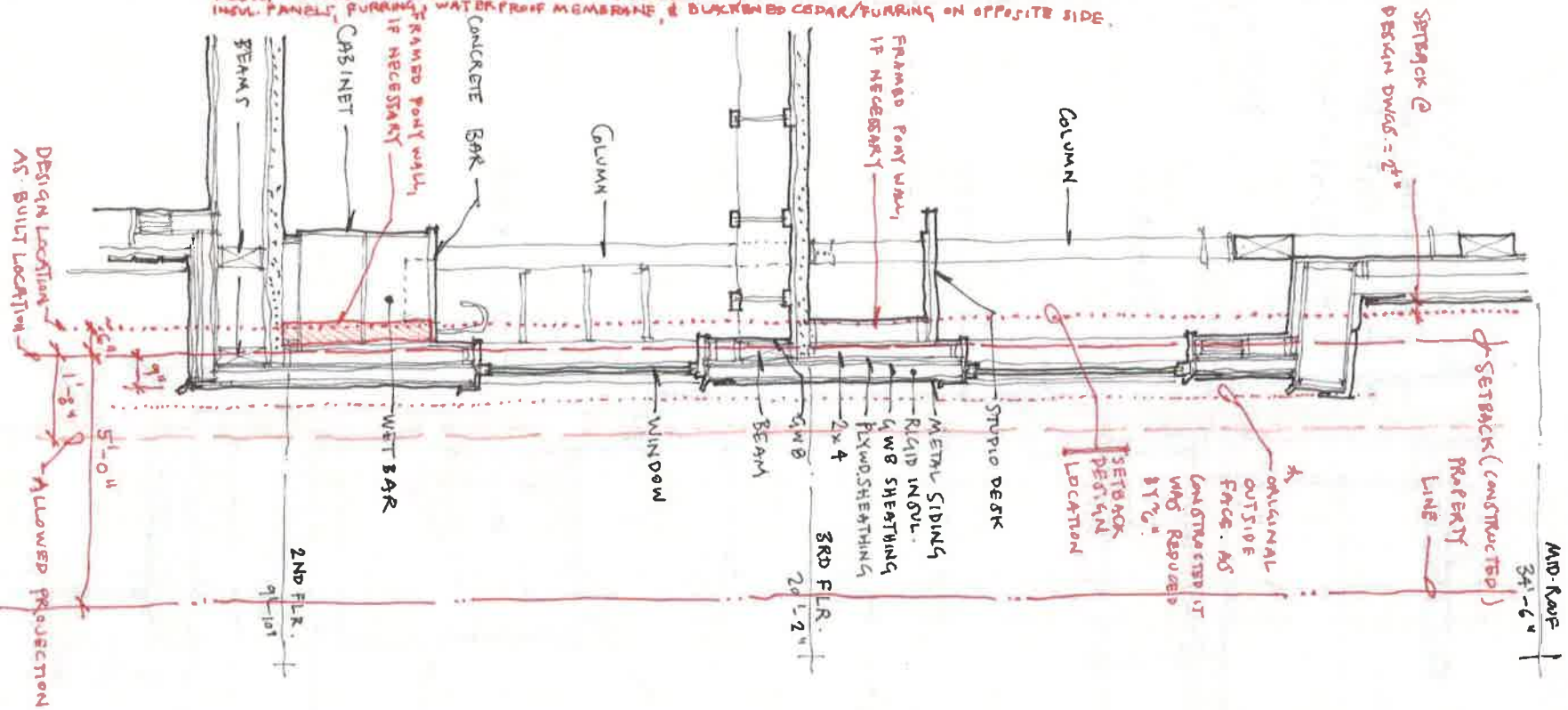
DATE: 08/16/17
DRAWN: SwW
CHECKED: JTM

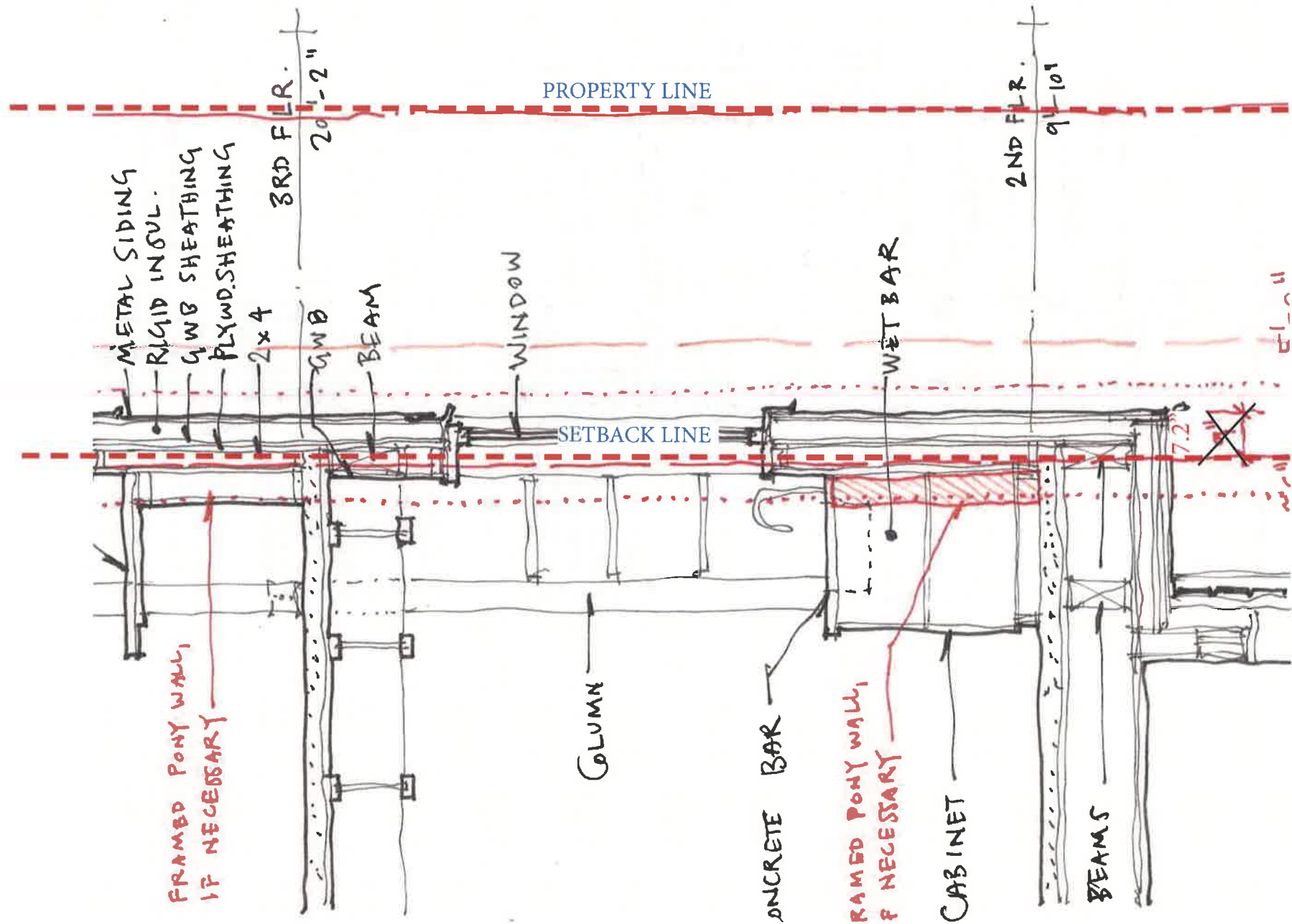
SHEET NUMBER
**A101
V2**

PRELIMINARY SITE SURVEY- NEIGHBORING RELATIONSHIPS TO PROPERTY LINES

SECTION @ BAY WINDOW V.2

NOTE: * EXT. WALLS WERE CONSTRUCTED DIFFERENTLY THAN DESIGN DWGS. CONTRACTOR ELIMINATED SEVERAL COMPONENTS: INCL. PANELS, FURRING, WATERPROOF MEMBRANE, & BUCKENED CEDAR/FURRING ON OPPOSITE SIDE.





Local Precedents



Bay Windows

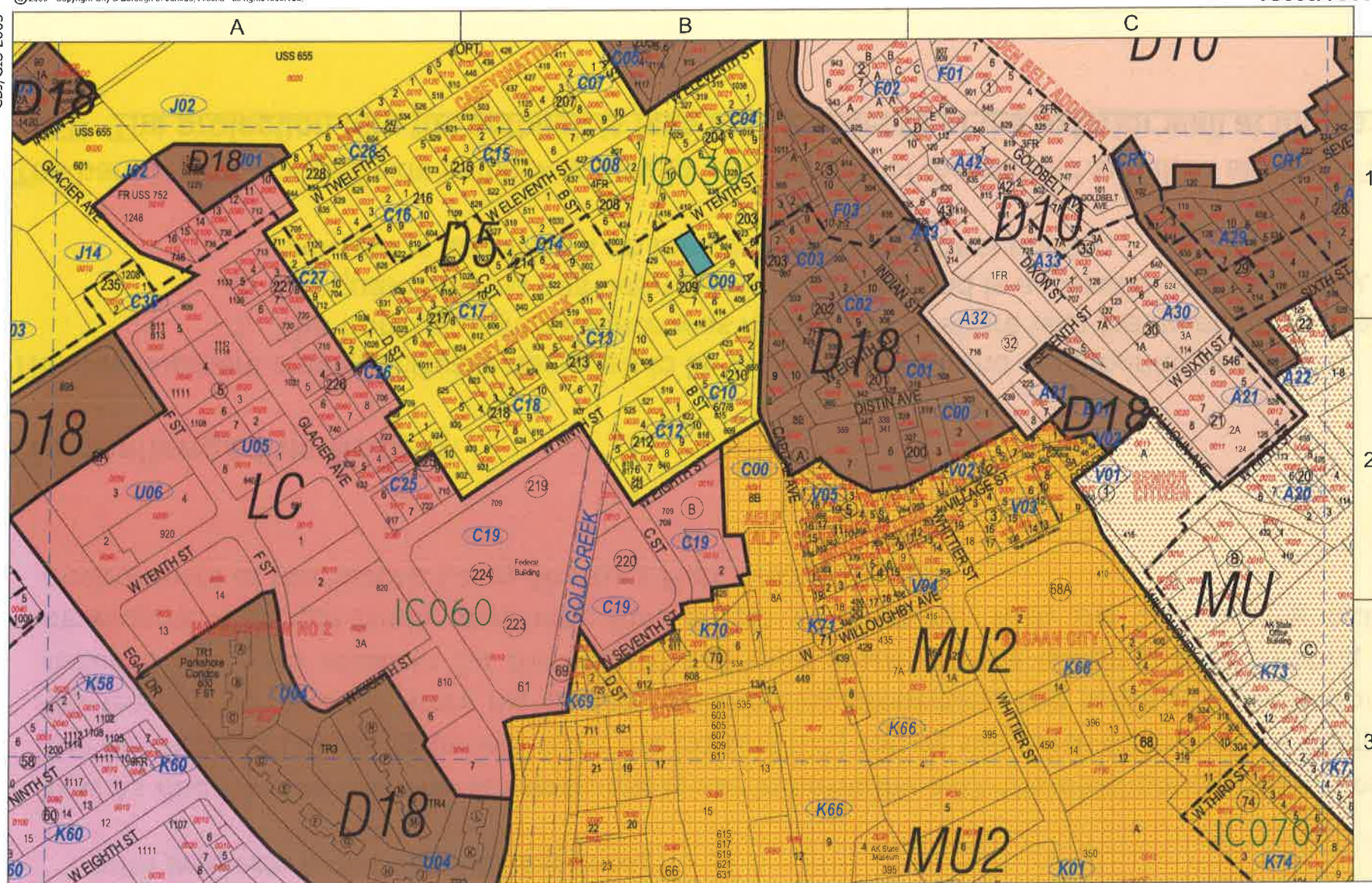


Internet Example: Permanent Built-In Bay Seating



Project Reference: Permanent Built-In Casework

Note- The owners have no intention, EVER, of pulling out their expensive custom casework.



Continued on Page 156

5. *Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?*

Yes. As discussed above, the development is not in harmony with the neighboring properties. The development chose to benefit from the existing (D5) zoning standards for maximum height (35 feet), which is a full story higher than neighboring properties, and seeks to benefit from reduced side yard setbacks for the second and third stories of the building, thus creating a development (single-family dwelling) that is not in character with the surrounding built environment of the historic Casey-Shattuck Flats neighborhood.

We challenge this finding:

The development **was** specifically designed to be in harmony with the neighboring properties:

1. The front yard/green space was maximized to share with the adjacent houses.
2. Adequate parking has been provided on-site and is accessed by a rear alley, eliminating any impact on the current limited street parking.

The benefit of a reduced side setback is only for a small part of the second and third stories: 8'W x 7.2"D. **The projection into the setback is less than the depth of the exterior wall at the bay.**

Height of Neighboring Buildings & Diminished Property Value Reference

There is an implied negative judgment with the comment “the development chose to benefit from the existing (D5) zoning standards for maximum height and seeks to benefit from a reduced side yard setback”. In design and preliminary presentations to the planning department, the designers believed they were in compliance with ALL zoning standards. In design, it was believed that the 2nd and 3rd level bay window projection was in compliance with the zoning standards for (enclosures) bay windows (CBJ 49.25.430). There was **never** an intent to ‘deliberately evade the dimensional requirements’, illustrated by the meetings that occurred with CBJ planners before submission of the construction drawings for a building permit.

Second, the statement regarding height of neighboring properties is inaccurate. There is a 3 story house 2 blocks to the south off the HillRoys. Additionally, it does not meet front yard setbacks or parking.

Lastly, there are no specific design standards in place for the Casey-Shattuck neighborhood.

...response continued

Character of Neighborhood?

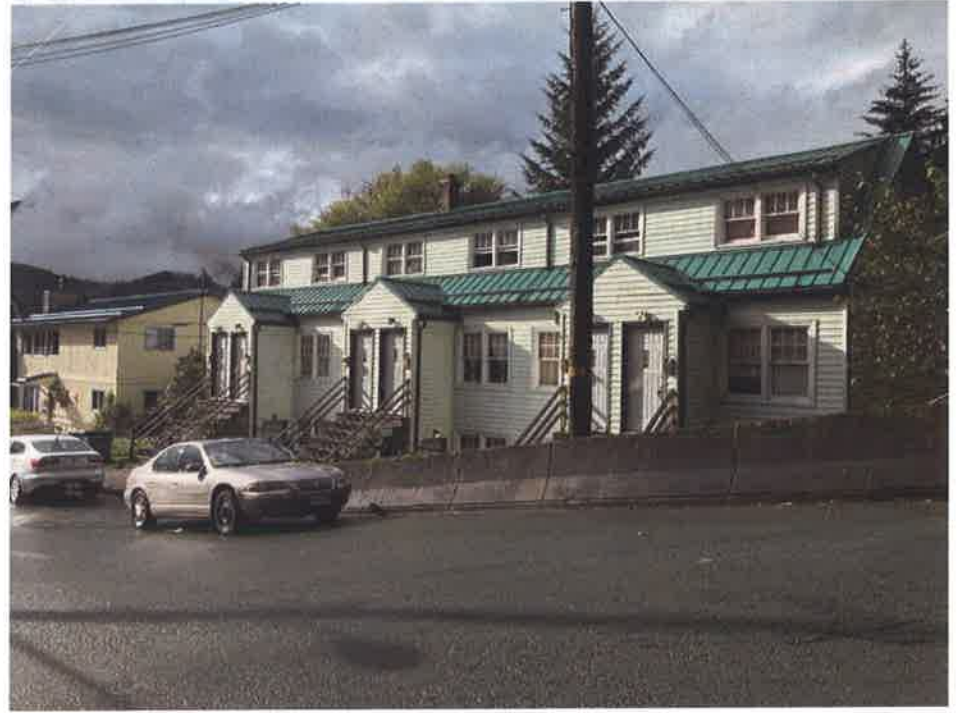
There are no design standards for this neighborhood.

Clearly, every neighborhood has history.

However....

Unlike Juneau Downtown Historic District,
Casey-Shattuck Neighborhood
is not a designated Historic District

There are no design standards for this neighborhood









Neighboring single-family residence: 3 story







(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/CDD
155 S. Seward Street • Juneau, AK 99801

DATE: May 11, 2017

TO: Planning Commission

FROM: Jill Maclean, AICP Senior Planner
Community Development Department

FILE NO.: AME2017 0008 and 0009

PROPOSAL: Text amendment to revise Title 49 to create a temporary zoning overlay district for downtown Juneau and Douglas neighborhoods.

The City and Borough of Juneau Code states in CBJ 49.10.170(d) that the Commission shall make recommendations to the Assembly on all proposed amendments to this title, zonings and re-zonings, indicating compliance with the provisions of this title and the Comprehensive Plan.

The Alternative Development Overlay Districts provide the Planning Commission flexibility in addressing setbacks, lot coverage, and vegetative coverage for residential buildings within the overlay boundaries.

Provide Choices

People want variety in housing styles and size (emphasis added) and want conveniently accessible shopping, recreation, entertainment, transportation and employment. A variety of pedestrian-friendly uses creates dynamic

6. Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?

No. As discussed above, the development is in general conformity with Title 49, but the requested encroachment does not conform to the 2013 Comprehensive Plan.

We challenge this finding:

We believe the project conforms with Title 49 as well as the 2013 Comprehensive Plan.

Specific to the Comprehensive Plan:

1. The project utilizes sustainable principles in siting & density, providing an additional accessory apartment with all on-site parking.
2. It utilizes in-fill land.
3. It is energy efficient.
4. It is a compact design.
5. The foot print is small to maximize green space benefiting both the Owners and the adjacent neighbors.

We could not find any reference to bay windows or character of neighborhoods in the 2013 Comprehensive Plan.

2013 Comprehensive Plan

Further, the applicant does not meet the requirements for a de minimis variance. Per CBJ 49.20.250 Grounds for Variances (a) De minimis variance (1), a de minimis variance may be granted, *Where a minor setback infraction could be corrected only at the unreasonable expense or inconvenience the director may, after taking into account the views of the owners of adjoining property, and upon finding that the infraction was not the result of a deliberate effort to evade the dimensional requirement, grant a de minimis variance in harmony with the general purposes of this title* (emphasis added).

pg 6 of 13, P4(Staff Report)

We challenge this finding:

The encroachment into the setback is a minor infraction:

1. It is only 7.2", less than the width of the exterior wall of the bay.
(The original encroachment was ~1'-3", however, the Contractor modified the exterior bay. The changes resulted in reducing the thickness of the exterior walls.)
2. Note that the encroachment is at the bay, only, of second & third floor.
3. The 3 adjacent houses encroach at the ground level ~5', 2'-7.5" and 1.5".
4. Correction would be an unreasonable expense.

The design of the bay windows were never a deliberate effort to evade the dimensional standards. It has been noted numerous times to CBJ Planning that 2 planners reviewed the documents before submission and never raised a concern. To imply that we deliberately intended to evade dimensional standards is fallacious.

Owners meet the de minimis variance

Page 4 of 13:

Project Description: encroaches 7.2" not 9". (Confirmed w/ the recent as-built survey) This is less than the depth of the exterior wall.

Background: The narrative is missing the early start permit. Foundation and structure were approved and concrete was poured in Sept 2016

Background: The narrative is missing the Pre-app meeting with CBJ Planner on 8.24.16. Bay window was presented as an **architectural feature**, projecting into the setback 1'-6" and no concerns were raised.

Background: The narrative is missing the application meeting with another CBJ planner on 9.14.16. Once again, the bay window was presented as an **architectural feature**, projecting into the setback 1'-6" and no concerns were raised.

Page 5 of 13:

Paragraph 2: The bay was presented as an "architectural feature" to 2 CBJ planners and no concerns were raised until Tim Felstead's review. Not until Tim correctly noted that bays are part of Enclosures did the discussion turn to usable floor area.

Paragraph 3: It was always our interpretation that the built-in cabinet and desk were not part of the usable floor area.

Paragraph 6 Dec 12: It appears the planners did not interpret the drawings correctly. The 2 story bay window was a part of the original drawings submitted and we assumed from Tim's comments that we only had to correct what was occurring in the usable floor area.

Portions of the structural frame were already in place by October. This was noted to Tim Felstead in the emails. No one from CBJ ever stopped by to view what had already occurred on site.

Paragraph 7 Dec 14: The idea that the Owner would pull out built-in cabinets was always seen as an odd argument. Why would they put money into custom built-in cabinets and then pull them out? The most important part of this exchange eluded CBJ. Architect was attempting to establish a possible solution with CBJ to present to the Owners. Once the Owners saw the solution they rejected it. The discussed solution pushed the cabinets into their already tight usable floor and was unacceptable to them.

Page 6 of 13:

Paragraph 1: Because the owner rejected the solution of moving the cabinets forward into the usable floor area, the concrete in the bays were discussed as another possible solution.

Paragraph 2: This is wrong, the equipment was always part of the cabinet. The information was only added as a clarification to show that the Owners would never pull out the cabinet, which holds a wet bar as well as the stated equipment.

Paragraph 4: The projection into the setback **is** a minor infraction. It is **only 7.2"**, **basically the width of the exterior wall of the bay.** The original projection was 1'-6", however, the Contractor chose to modify the exterior envelope of the house. The changes resulted in reducing the thickness of the walls.

Paragraph 4: The design of the bay windows were **never** a deliberate effort to evade the dimensional standards. It has been noted numerous times to CBJ Planning that 2 planners reviewed the documents before submission and never raised a concern.

Paragraph 6: To imply that the HillRoys modern house design is a McMansion illustrates how little CBJ Planning comprehends of the design of the HillRoys house. The house is ~1700 sf and the apartment is ~430 sf. Some may not like it's modern sensibility, but the Owner loves it. They are the only people the architect intended to please. If CBJ Planning wants to control subjective aesthetics they will need to institute a design standard. However, a simple walk through the complete neighborhood illustrates the wide variety of aesthetic choices made.

ISSUE & ERRORS IN STAFF REPORT

If CBJ Planning wants to control height then they need to modify their own dimensional standards. **To capriciously hold this single owner accountable for something that doesn't even exist is simply wrong.**

Page 7 of 13:

Paragraph 4: Not **all** dwellings and buildings in the neighborhood meet the one and two stories height. The height limit in this zoning area is 35'.

Paragraph 5: The "character" of siting on the lots within the neighborhood is one of numerous encroachments into setbacks and even property lines.

Page 8 of 13:

Street Side Yard Setback (alley) is **13.6'** not 10'

Side Yard Setback (west) is **4.4'** not 4.475'

The owner is seeking a reduction to the setback that is **less** than 5', reduction is **0.6'**

Page 9 of 13:

Paragraph 6: street side yard setback is **13.6'** not 10'

Paragraph 6: westerly side yard setback is **4.4'** not 4.475'

Page 10 of 13:

Paragraph 4: To state that the house is not in harmony with the neighborhood because of the encroachment of **7.2"** is either ignorant of the numerous encroachments surrounding the house or a shallow attempt to deny Alternative Development Permit. CBJ Planner Tim Felstead found that the houses within 500' of the Hill Roys encroached an average of 1'-4" into the side yard setbacks. This is more than double the **7.2"** of the bay windows.

Paragraph 6: References COMPACT URBAN DEVELOPMENT. Please note that the compact footprint of the Hill Roys was to maximize the green space in the front yard to share with the adjacent houses and to add 2 living units into downtown Juneau. Additionally, all required parking has been provided on site reducing any parking impact into the already full on-street parking.

Paragraph 7: There are no design standards in place. Who decides what is the overall character of the neighborhood?

Page 13 of 13:

Item 5: The development was designed to be in harmony with the adjacent houses. The front yard/green space was maximized to share with the adjacent houses. Adequate parking has been provided on-site, eliminating any impact on the current parking situation.

Item 5: the benefit is for only a small part of the second and third stories: 8'W x 0.6'D. **The projection into the setback is the depth of the exterior wall at the bay only.**

Item 6: Asks if the development is general conformity. The answer says No, but then goes on to state the development **is** in general conformity.

Item 6: Where in the Comprehensive Plan do they reference with a straight face encroachments in areas that have numerous encroachments?

ISSUES & ERRORS IN STAFF REPORT