



REGULAR PLANNING COMMISSION AGENDA

January 09, 2024 at 7:00 PM

Assembly Chambers/Zoom Webinar

<https://juneau.zoom.us/j/87008048239> or 1-253-215-8782 Webinar ID: 870 0804 8239

A. LAND ACKNOWLEDGEMENT

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land, and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

B. ROLL CALL

C. REQUEST FOR AGENDA CHANGES AND APPROVAL OF AGENDA

D. APPROVAL OF MINUTES

E. BRIEF REVIEW OF THE RULES FOR PUBLIC PARTICIPATION

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

G. ITEMS FOR RECONSIDERATION

H. CONSENT AGENDA

I. UNFINISHED BUSINESS

J. REGULAR AGENDA

- 1. VAR2023 0003:** Applicant requests a Non-Administrative Variance for rear yard setback reduction from 25 feet to 20.77 feet. - **APPROVED AS AMENDED; POWERS ST GRANTED A VARIANCE TO REDUCE THE SETBACK FOR THE BUNGALOW STRUCTURE**

Applicant: Dan Miller

Location: Powers Street

DIRECTOR'S REPORT

The Applicant requests a variance for a newly-constructed structure, which was built without the required setback verification from a surveyor, a building permit for the final structure, or permits for utility connection. The property has no unusual conditions that would create hardship, so there is no hardship to tailor a variance to.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **DENY** the requested Non-Administrative Variance.

K. OTHER BUSINESS

L. STAFF REPORTS

M. COMMITTEE REPORTS

N. LIAISON REPORT

O. CONTINUATION OF PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

P. PLANNING COMMISSION COMMENTS AND QUESTIONS

Q. EXECUTIVE SESSION

R. SUPPLEMENTAL MATERIALS

[2.](#) Additional Materials Packet

S. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.gov.



Planning Commission

(907) 586-0715

PC_Comments@juneau.gov

www.juneau.org/community-development/planning-commission

155 Heritage Way • Juneau, AK 99801

**PLANNING COMMISSION
NOTICE OF DECISION**

Date: January 10, 2024
File No.: VAR2023 0003

Dan Miller
PO Box 32098
Juneau, AK 99801
dmiller@gci.net

Proposal: Applicant requests a Non-Administrative Variance for rear yard setback reduction from 25 feet to 20.77 feet.

Property Address: 5025 Powers Street

Legal Description: USS 1796 ROSS LT 2A

Parcel Code No.: 4B2901000021

Hearing Date: January 9, 2024

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated January 2, 2024, and approved the Variance to be conducted as described in the application materials, and with modifications to staff report findings as follows:

A. Enforcement of the ordinance would create an undue hardship resulting from the unusual or special conditions of the property.

Analysis: ~~“Hardship” is the inability to use land similarly to neighboring properties. The building permit proposal illustrated that the rear setback was attainable.~~

Unusual or special conditions were improper staking carried through survey, construction, and inspection. The unfortunate events that lead to incorrect placing of the bungalow building are completely unusual such that special considerations are necessary to alleviate undue hardship. The situation that the CBJ and the builder are in is due to circumstances that are so unusual that they are unexplainable, completely inadvertent, and wholly accidental. There is no benefit the owner would gain by purposefully encroaching into the setback; only

Dan Miller
 File No: VAR2023 0003
 January 10, 2024
 Page 2 of 3

hardship, uncertainty, and financial duress. Therefore, the condition of this requirement is met.

Finding: This criterion has ~~not~~ been met.

B. The unusual or special conditions of the property are not caused by the person seeking the Variance.

Analysis: ~~The lot has no unusual or special conditions. The Applicant's narrative acknowledges human error creating the need for the variance.~~

~~While another contractor may have executed the error, the Applicant is responsible for the site [CBJ 19.01.105.3(12)]:~~

~~The application shall provide the contractor's name and Alaska contractor's license number of the contractor who will be responsible for the work or, alternately, establish that the work may lawfully be performed by the owner, an unlicensed contractor, or both, and identify the person or persons who shall in such case be responsible for the work.~~

The need for the variance was not caused by the owner or applicant.

Finding: This criterion has ~~not~~ been met.

D. The grant of the Variance is narrowly tailored to relieve the hardship.

Analysis: No further analysis required.

Finding: This criterion has ~~not~~ been met.

Attachment: January 2, 2024, memorandum from Irene Gallion, Community Development, to the CBJ Planning Commission regarding VAR2023 0003.

Additional Materials: Comment from Capital City Fire and Rescue.

This Notice of Decision does not authorize construction activity. Prior to starting any development project, it is the applicant's responsibility to obtain the required building permits.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ 01.50.030. Appeals must be filed by 4:30 p.m. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ 01.50.030(c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ 49.20.120).

Dan Miller
File No: VAR2023 0003
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Effective Date: The permit is effective upon approval by the Planning Commission, January 9, 2024.

Expiration Date: The permit will expire 18 months after the effective date, or June 9, 2026, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

mandy cole

Mandy Cole, Chair
Planning Commission

1/17/24

Date

Lily Hagerup

Filed With City Clerk

1/17/24

Date

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA-trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



PLANNING COMMISSION STAFF REPORT
VARIANCE VAR2023 0003
HEARING DATE: JANUARY 9, 2024

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: January 2, 2024

TO: Mandy Cole, Acting Chair, Planning Commission

BY: Irene Gallion, Senior Planner; and
Ilsa Lund, Planner I

THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Applicant requests a Non-Administrative Variance for rear yard setback reduction from 25 feet to 20.77 feet.

STAFF RECOMMENDATION: Denial

KEY CONSIDERATIONS FOR REVIEW:

- The Applicant was issued a “foundation only” building permit.
- The foundation setback verification form was not signed or stamped by a licensed surveyor.
- Utility connection was unpermitted.
- Neither a Temporary Certificate of Occupancy nor a Certificate of Occupancy have been issued. The structure is currently occupied.
- The Applicant was also the Building Permit Applicant and is responsible for the development per CBJ 19.01.105.3(12).

INFORMATION	
Property Owner	Ivonne Fernandez; Rose Fernandez
Applicant	Dan Miller
Property Address	5025 Powers St.
Legal Description	USS 1796 ROSS LT 2A
Parcel Number	4B2901000021
Zoning	D3: Single-family/ duplex
Lot Size	6,555 square feet
Water/Sewer	CBJ
Access	Powers Street
Existing Land Use	Residence constructed, no Cert. of Occupancy
Associated Applications	BLD2021 0703

ALTERNATIVE ACTIONS:

1. **Approve:** Approve the permit and adopt new findings for items 1-2 below that support the approval. Approval may require conditions.
2. **Continue:** To a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - CBJ 19.01.105.3(12)
 - CBJ 19.01.105
 - CBJ 49.20.240
 - CBJ 49.20.250(b)
 - CBJ 49.25.400
 - CBJ 49.25.430
 - CBJ 49.65.600
 - CBJ 49.80

The Commission shall hear and decide the case per CBJ 49.20.240. The Planning Commission shall hear all Variance requests except Administrative Variances, and shall either approve, conditionally approve, modify or deny the request based on the criteria in section CBJ 49.20.250(b).

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES

North (D5)	Mendenhall Loop Road
South (D3)	Residential
East (D3)	Powers Street
West (D3)	Residence

SITE FEATURES

Anadromous	No
Flood Zone	No, Pannel 02110C 1238E
Hazard	None mapped
Hillside	No
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Mining Exclusion, RV Park Area

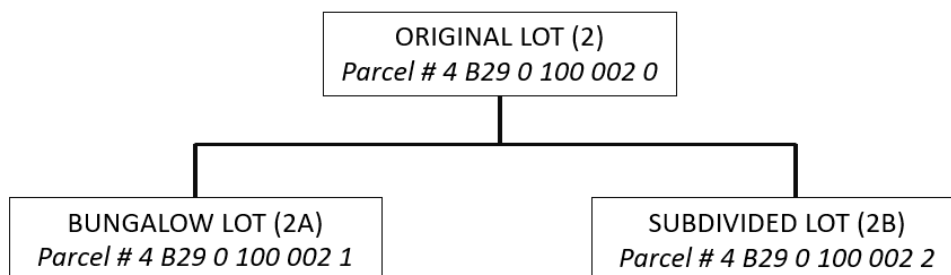
BACKGROUND INFORMATION

Project Description – The Applicant is requesting an after-the-fact variance for a newly constructed bungalow structure 4.23 feet into the rear yard setback (**Attachment A**).

Background –

The table below summarizes relevant history and development of the lot.

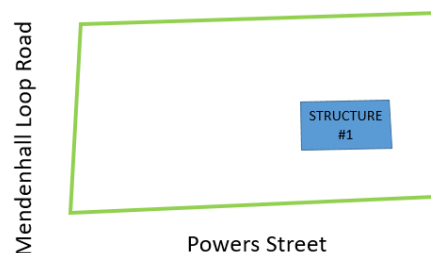
The relevant history includes a bungalow lot subdivision, which is relevant to the details of the development. Below is the lot genealogy. Lot abbreviations shown will be used throughout the analysis.



Item	Lot	Date	Summary
Plat 523	Lot 2	1968	Lot platted.
INQ2002-00076	Lot 2	2002	Address assignment for new single-family dwelling.

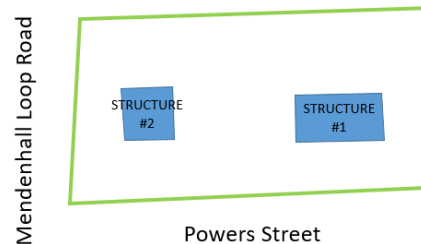
BLD2002-0208	Lot 2	5/2002	New single-family with garage.
As-built	Lot 2	9/2002	For BLD2002-0208.
PAC2019 0020	Lot 2	4/2019	Bungalow subdivision query (Attachment B).
PAC2021 0026	Lot 2	4/2021	Bungalow subdivision query. Unable due to lot depth (Attachment C).
ORD2021-28	Lot 2	8/2021	Lot depth repealed as a minimum dimensional standard. Other dimensional standards in D3 zoning remain the same.
BLD2021 0703	Lot 2	12/2021	Foundation only permit. No utility connections. This permit was transferred from Lot 2 to Lot 2A (Attachment D).
Plat 2022-20	Lot 2A, 2B	8/1/2022	New lots platted. Lot 2A is a bungalow lot (Attachment E).
BLD2022 0580	Lot 2B	10/3/2022	Detached garage with accessory apartment on “future” lot 2B (Attachment F).
ROW2022 0049	Lot 2A	10/13/2022	Installation of (1) 1" domestic water service, consisting of SDR-7 High Density Polyethylene pipe, (HDPE) and (1) 4" PVC sewer service located within the Powers Street right-of-way. Note that installation of the utility stub-outs in a right-of-way, or bonding for those services, is a condition of subdivision.
	Lot 2A	3/2023	Director notified of an 11-foot rear setback encroachment. Director required a new survey from a different surveyor. Rear setback encroachment reduced to 4.23 feet.

In reviewing the detailed timeline, a simplified summary of permitted structures is helpful. Originally, the parent lot (Lot 2) had one single-family structure (Structure #1 below):



Lot 2

The Applicant received a “foundation only” permit for an accessory apartment (Structure #2, below).

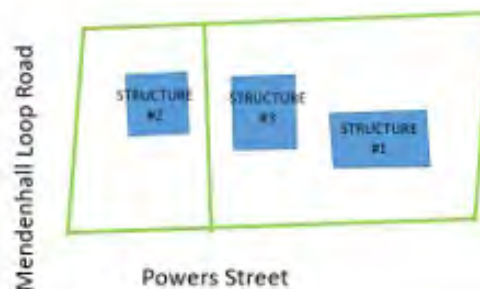


Lot 2

The intent was that the lot would be subdivided in the future. The eventual accessory apartment would become the primary residential structure – a bungalow structure on a bungalow lot.

The subdivision was approved. Structure #2 (formerly accessory apartment now a bungalow structure) was now on its own bungalow lot.

A third structure was permitted (Structure #3). Structure #3 is an accessory apartment to the original single-family structure (Structure #1).



Lot 2A and Lot 2B

Structure #2 on Lot 2A is the subject of this variance. Concerns:

- Required setback is 25 feet; existing setback is 20.77 feet.
- A foundation only permit was issued.
- Residential structure was unpermitted.
- Utility hook-up was unpermitted.
- Temporary Certificate of Occupancy has not been issued. Structure is occupied as of the date of this staff report.

The timeline below adds detail to the simplified summary of permitted structures.

Detailed Timeline:

April 3, 2019

The Applicant came in for a pre-application bungalow subdivision of Lot 2. Notes omitted the issue of lot depth (**Attachment B**). While the proposed dividing lot line was 100 feet, the trapezoidal lot actually had a depth of 99 feet. At that time CBJ still had code requiring a minimum lot depth of 100 feet.



April 14, 2021

The Applicant came in for a pre-application bungalow subdivision with the same proposal (**Attachment C**). Notes say in Item 2 (c) (underlined):

Note that the lot depth on the proposed plat is less than 100 feet. Lot depth means the average distance measured from the front lot line to the rear lot line.

At that time the submitted materials showed a lot line commensurate with lot depth, at 99.27 feet. The applicant later resubmitted the original subdivision indicated above. The lot line was slanted to be 100 feet long, but the lot depth remained 99.27 feet.



October 25, 2021

Yard	Required setback – D3	Proposed setback from subdivided lot lines
Front (W)	25 feet	25 feet
Rear (E)	25 feet	38 feet
Streetside (N)	17 feet	20 feet
Side (S)	10 feet	10 feet



Because the structure was proposed three (3) feet from the side setback (assuming eventual subdivision), a foundation setback verification required a surveyor statement of setback compliance, or a stamped surveyor's as-built.

A permit was issued for "New Bungalow Foundation for future lot no utility connections at this time," (**Attachment D**).

To hasten development, a "foundation only" permit may be issued. A developer is expected to update the building permit when structures are constructed. Permit fees are based on proposed construction, so an update to the building permit is required to update (increase) the fees.

The Structure #2 foundation could have been repurposed as an accessory apartment if the subdivision was not recorded.

June 19, 2022

Applicant applied for a bungalow subdivision of the lot (Lot 2 MIP2021 0016).

August 2, 2022

The plat recording the subdivision of Lot 2 into Lot 2A and 2B was recorded (**Attachment E**).



August 17, 2022

Applicant applied for a “Detached garage with accessory apartment on future lot 2B.” (**Attachment F**, and aqua box in graphic below). The proposed structure was more than three feet from any setback, so the foundation setback form included less precise options for verification.

The site plan submitted for BLD2022 0580 appears to be an as-built for the development. The site plan includes hand-written dimensions for Structure #3’s setbacks. Structure #2 is shown 37.3 feet from the rear lot line.

Comparing the proposal in BLD2022 0580 to the eventual correct as-built, the red line shows where Structure #2 was constructed. Note the relative position of the Structure #2 proposed and actual locations relative to Structure #3 (aqua box).



March 2023

The Applicant advised the Director that the bungalow structure (Structure #2) on Lot 2A is 11 feet into the rear yard setback (revised to 4.23 feet after survey).

Construction of the residential structure was unpermitted.

People are living in the structure on the date of this staff report.

Neither a Temporary Certificate of Occupancy nor a Certificate of Occupancy have been issued to date.

ANALYSIS

Project Site – Contours from 2013 LiDAR show a 1-2 foot variation across Lot 2, yielding a slope of less than four percent in the steepest areas. Conditions are similar for lots on Powers Street. Eventually Lot 2A was partially cleared, with perimeter trees.

The image below shows one-foot contours:



Setback Requirements – The applicant requests a Non-Administrative Variance to reduce the rear setback.

Standard		Requirement	Existing	Requested	Code Reference
Setbacks	Front (west)	25	48 ^A	--	CBJ 49.25.400
	Rear (east)	25	20.77	20.77	CBJ 49.25.400
	Side (south)	10	10.44 ^B	--	CBJ 49.25.400
	Street Side	17	22 ^A	--	CBJ 49.25.400

A: Scaled from as-built provided with application.

B: The side yard deck is 4.11 feet from the side lot line. The width of the deck is scaled at approximately eight feet.

The side deck is omitted from construction plans. The scaled As-Built indicates the deck is approximately eight feet wide, with double doors exiting onto the deck.

The deck is uncovered. An uncovered deck extending no more than 30 inches above grade may be no closer than three feet to a side lot line [49.25.430(4)(D)].

VARIANCE STANDARDS

Pursuant to CBJ 49.20.200, a Non-Administrative Variance may be granted to provide an applicant relief from the requirements of this Title 49, the Land Use Code. A Variance is prohibited from varying any requirement or regulation of Title 49 concerning the use of land or structures, housing density, lot size, requirements in CBJ Chapter 49.35 (Public and Private Improvements), or requirements in CBJ Chapter 49.65 (Specified Use Provisions).

Per CBJ 49.20.250(b), a Non-Administrative Variance may be granted to provide an applicant relief from requirements of this title after the prescribed hearing and after the Planning Commission has determined that:

A. Enforcement of the ordinance would create an undue hardship resulting from the unusual or special conditions of the property.

Analysis: “Hardship” is the inability to use land similarly to neighboring properties. The building permit proposal illustrated that the rear setback was attainable.

Finding: This criterion has **not** been met.

B. The unusual or special conditions of the property are not caused by the person seeking the Variance.

Analysis: The lot has no unusual or special conditions. The Applicant’s narrative acknowledges human error creating the need for the variance.

While another contractor may have executed the error, the Applicant is responsible for the site [CBJ 19.01.105.3(12)]:

The application shall provide the contractor's name and Alaska contractor's license number of the contractor who will be responsible for the work or, alternately, establish that the work may lawfully be performed by the owner, an unlicensed contractor, or both, and identify the person or persons who shall in such case be responsible for the work.

Finding: This criterion has **not** been met.

C. The grant of the Variance is not detrimental to public health, safety, or welfare.

Analysis: The reduced rear yard setback may improve corner visibility from Power Street onto Mendenhall Loop Road. Mendenhall Loop Road is a collector with Alaska Department of Transportation and Public Facilities data indicating an Average Annual Daily Traffic of 2,830 in 2022.

Finding: This criterion has been met.

D. The grant of the Variance is narrowly tailored to relieve the hardship.

Analysis: There is no hardship to tailor the variance to. While the request is specific to the setback encroachment, the lot can be developed without a setback encroachment in order to function similarly to neighboring properties.

Finding: This criterion has **not** been met.

Pursuant to CBJ 49.20.260, the Planning Commission may attach to a Non-Administrative Variance conditions regarding the location, character, and other features of the proposed structure or uses as it finds necessary to carry out the intent of this title and to protect the public interest.

Condition: None recommended.

AGENCY REVIEW

CDD conducted an agency review comment period between December 18, 2023, and December 28, 2023. Agency review comments can be found in **Attachment G**.

Agency	Summary
Building Division	No comments submitted.
Capital City Fire & Rescue	No comments submitted.
General Engineering	Recommends variance approval. A CO shall not be issued until fees and penalties for illegal water/sewer connection are paid.

PUBLIC COMMENTS

In accordance with 49.20.230(b) public notice was mailed to property owners within 500 feet of the lot (**Attachment H**). A public notice sign was posted on-site two weeks prior to the hearing (**Attachment I**), and ads were placed in the Juneau Empire.

No public comments were received at the time of this report.

FINDINGS

1. Is the application for the requested Variance complete?

Analysis: No additional analysis required.

Finding: **Yes.** The application for the required Variance is complete.

2. Does the Variance as requested meet the criteria of CBJ Section 49.20.250(b)(1), Non-Administrative Variances?

Analysis: As discussed above,

- The request does not meet the “hardship” threshold.

- The lot does not have unusual or special conditions.
- The request cannot be narrowly tailored to a nonexistent hardship.

Finding: No. The requested Variance does not meet all of the criteria of CBJ Section 49.20.250(b)(1), Administrative Variances.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and **DENY** the requested Non-Administrative Variance.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	PAC2019 0020
Attachment C	PAC2021 0026
Attachment D	BLD2021 0703 – Foundation Only on 2A
Attachment E	Plat 2022-20
Attachment F	BLD2022 0580 – Detached garage on other Lot 2B
Attachment G	Agency Review
Attachment H	Public Notice for VAR2023 0003
Attachment I	Public Notice Sign posted



JUNEAU

DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 5025 Powers St		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) USS 1796 Ross LT 2A		
	Parcel Number(s) 4 B 2901000021		
	<input type="checkbox"/> This property located in the downtown historic district <input type="checkbox"/> This property located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Ivonne Fernandez	Contact Person Dan Miller	
	Mailing Address 5021 Powers St	Phone Number(s)	
	E-mail Address		
	LANDOWNER/ LESSEE CONSENT Required for Planning Permits, not needed on Building/ Engineering Permits		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X <u>Ivonne Fernandez</u> <u>11-05-23</u> Landowner/Lessee Signature Date X <u>[Signature]</u> <u>11-05-23</u> Landowner/Lessee Signature Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT If the same as OWNER, write "SAME"			
Applicant Dan Miller	Contact Person		
Mailing Address PO Box 32098	Phone Number(s)		
E-mail Address dmiller@jci.net	907-723-2298		
X <u>[Signature]</u> <u>11-5-23</u> Applicant's Signature Date of Application			

DEPARTMENT USE ONLY BELOW THIS LINE

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials JLS	Case Number VAR23-003	Date Received 11-6-23
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VARIANCE APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

**NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.
Not to be used for Administrative Variances**

To be completed by Applicant	PROJECT SUMMARY This bungalow home was constructed approx 4.5' into the rear 25' setback	
	VARIANCE REQUESTED (list CBJ Code section you are requesting a variance to) setbacks - 4.23 feet - rear	
	Previous Variance Applications? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Date of Filing: _____ Previous Case Number(s): _____ Building Permit related to <input type="checkbox"/> YES <input type="checkbox"/> NO Was the Variance Granted? <input type="checkbox"/> YES <input type="checkbox"/> NO this variance?	
	UTILITIES AVAILABLE: WATER <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site SEWER: <input checked="" type="checkbox"/> Public <input type="checkbox"/> On Site	
	ALL REQUIRED MATERIALS ATTACHED Complete application per CBJ 49.65.210 Narrative including: Any characteristics of land or building(s) or extraordinary situations that are unusual to this property or structure Why a variance would be needed for this property regardless of the owner What hardship would result if the variance is not granted Site Plan	

DEPARTMENT USE ONLY BELOW THIS LINE

VARIANCE FEES	Fees	Check No.	Receipt	Date
Application Fees	\$ 400.00			
Adjustment	\$ 150.00			
Total Fee	\$ 550.00			

public notice sign

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
VAR23-003	11-6-23

Variance Application Instructions

Variances are outlined in CBJ 49.20 article II

Application: An application for a Variance will not be accepted by the Community Development Department (CDD) until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Variance Application and Development Permit Application forms.
2. **Fees:** The fee for a Variance Application is \$400.00. If the application is in conjunction with a major development permit, the Variance fee will be reduced by 20 percent. Any development, work or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Description:** A detailed letter or narrative describing the hardship that is the result of an unusual situation or physical feature affecting a specific parcel of land or structure. **Also include how the proposed project meets the variance criteria listed on the attached sheet.**
4. **Plans:** A site plan showing the following information:
 - A. The location of existing and proposed structures (i.e. buildings, fences, signs, parking areas, etc.); and
 - B. The location of existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.).

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Please consult with the Community Development Department to discuss whether additional information may be required for your application. The "Planner-On-Call" can be reached by contacting the Community Development Department at (907) 586-0715 or via email at Permits@juneau.org.

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the Variance Application request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department will coordinate the review of this application by other agencies, as necessary. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Variance Applications must be reviewed by the Board of Adjustment. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: As part of the Variance process, all requests must be given proper public notice as outlined in 49.20.230 which consists of the following:

Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, the department will mail abutters notices to all property owners within 500-feet of the project site. A "Public Notice Sign" is required to be posted on the site by the Applicant and the Community Development Department will create the sign to be posted.

11-5-23

Narrative for setback variance application.

A couple of years ago I met a young man who was starting his own construction company, his name is Joony Munoz, he with his wife Yvonne, owns Munoz Construction. He and I share common work ethics and the desire to bring our clients the most quality and value for their projects. This resulted in working on some of our jobs together. Sometimes I'd work for him, sometimes he'd work for me. As a mentor, I helped Joony with a subdivision on a lot he lives on off of the Backloop. He had never gone through the process of subdividing before and I was glad to help. It took a year to get the subdivision done and the bungalow started, but in 2022 Joony was off and running. Per my recommendation Joony had construction stakes set by a licensed surveyor so that we could lay out the building on the lot, also per my recommendation, we set the building at least one foot extra away from the setback lines "just to be sure". I helped lay out the building initially for excavation. Joony laid out the building for the foundation and **the CBJ Inspector checked the foundation placement for the foundation setback form and approved the location before any concrete was poured.** Let me just say that the staking was sufficiently believable that it fooled all of us. The bungalow house was built and it wasn't until the as-built was done for the FINAL inspection that we discovered that the building is set too far back, being at 20.77 feet from the rear property line instead of the required 25 feet. How this error happened is completely unknown to the surveyor, me and the owners. We absolutely believed it was set with the one foot extra.

The bungalow house is built. It achieved the affordability goal that the Bungalow ordinance set out to achieve. The contractor, Munoz construction, has completed the home, he has a buyer for the home but because of the setback issue CBJ can not issue a Certificate of Occupancy. He is still paying construction loan interest on a home that is completely ready to occupy. The current construction loan interest rate is 9.5%, so saying that time is of the essence is an understatement. Juneau needs Munoz construction and cannot afford for this unfortunate occurrence to put him out of business.

Joony Munoz and I met with Jill Mclean, Charlie Ford and Scott Cambior all of CBJ CDD to discuss this difficult situation. In a nut shell we were told that the best way forward was to buy a strip of land from the neighbor. Joony asked the neighbors and they don't want to sell. I then wrote a letter to the title 49 committee offering a few thoughts and possible solutions. Two of the three possible solutions were to make some subtle changes to code, but Scott Cambior let me know that the Title 49 committee felt that changing code to provide relief for a single applicant might not be appropriate. I happen to agree with the Title 49 committee but I also believe that you may want to take a look at my proposed bungalow changes to see if it wouldn't help get a few more of these infill homes built (when you have a bit of time). In late summer, it looked like the owner was going to be open to selling the 127 sqft of land necessary to satisfy the setback. But, according to Joony, the neighbor wanted \$250,000 for the strip of land. I would just say that there is no ill will for the neighbor as it is his right to price his land according to the value to which he cherishes it.

The third solution was to just bring forward a variance application for relief of the rear setback. I believe that this is the appropriate solution and hope you will find my analysis and findings acceptable.

Submit a Non Administrative variance application.

I believe that B, C and D are pretty easy for the planning commission or the director to have suitable findings for. It is criteria A, that seems a little tougher so I will go into it more here. I believe that people tend to get hung up on unusual or special "conditions" of the property. I believe that people may tend to define the condition of the property as it's physical characteristics, such as the land being very steep or being adjacent to an important anadromous stream and I too believe that those are examples of conditions. But conditions are also the specific processes of the property that occur during a project. Synonyms for conditions using "Microsoft Word" are " circumstances, situations, settings, environments and surroundings." So certainly, the physical characteristics of a property are conditions or environments or surroundings but so too are all of the events and processes that occur on a property, these being the circumstances or the situations. Indeed, in the Variance Application Instructions supplied by CBJ, under Project description, it instructs the applicant to provide "A detailed letter or narrative describing the hardship that is the result of an unusual situation...."

In the 45 years I have been building with hundreds and hundreds of opportunities to mess it up, I have had only one situation where a setback encroachment occurred, in that case it required a "diminimus variance" (basically similar to today's administrative variance), for the one inch or so of encroachment. This Bungalow setback issue is an unprecedented request for me. I really believe that what we did to make sure of the house placement was the responsible thing to do. We did NOT just wing it. We purposefully hired a reputable professional surveyor and he provided us with staking to set the house by. We do not know if a stake ended up getting moved or removed or if it was in the wrong place. We don't know if we misunderstood what exactly was staked, but as I've said above, what we believed to be accurate was sufficiently authentic that 3 professionals (me, Joony Munoz and the CBJ inspector) all believed in its accuracy. This circumstance, or situation or condition of this property does NOT get any more unusual or unprecedented than this.

Therefore, the Findings could be as follows;

A) Enforcement of the ordinance would create an undue hardship resulting from the unusual or special conditions of the property;

The unfortunate events that led to incorrect placing of the bungalow building are completely unusual such that special consideration is necessary to alleviate the undue hardship. The situation that the builder and CBJ are in are due to circumstances that are so unusual that they are unexplainable, completely inadvertent, and wholly accidental. There is NO benefit the owner would gain by purposefully encroaching into the setback only hardship, uncertainty and financial duress. Therefore, the condition of this requirement is met.

B) The unusual or special conditions of the property are not caused by the person seeking the variance;

In reality, I submitted the building permit and a professional surveyor did the staking, so it wasn't Joony Munoz who caused the special conditions of the property. (this distinction was pointed out by CDD director Jill Mclean during our solution finding meeting) There is NO benefit the owner would gain by purposefully encroaching into the setback only hardship, uncertainty and financial duress. This condition is met.

C) The grant of the variance is not detrimental to public health, safety, or welfare;

Granting a rear setback of 20.77 feet instead of 25 feet is not detrimental to the public health, safety and welfare. This condition is met.

D) And; The grant of the variance is narrowly tailored to relieve the hardship;

It doesn't get any narrower than one hundredth of a foot, granting the 20.77 feet setback is narrowly tailoring the variance to relieve the hardship. This condition is met.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right.

Dan Miller

Building Pros Inc

NOTES

- 1) All distances are measured in U.S. Survey feet.
- 2) Record information derived from plat #2022-20, "LOT 2A AND 2B, A SUBDIVISION PLAT OF LOT 2, PLAT NO. 389, A FRACTION OF SURVEY NO. 1796," as conducted by JW BEAN. PLS, and recorded 08/01/2022 in the Juneau, Recording District, Juneau, AK
- 3) Subject to easements and restrictions of record.
- 4) Where measured or calculated bearings and distances differ from record, record info. is shown in parenthesis.
- 5) The basis of bearing for this survey is the record bearing of S61°48'30"W between the NE & NW corners of Lot 2A per the plat referenced in "2)" of these notes.

FND: 1.25" DIA. PLASTIC CAP
ON #5 REBAR, "JW BEAN,
PLS" (TYPICAL THIS SYMBOL)



SURVEYOR'S CERTIFICATE

I hereby certify I am a Registered Land Surveyor licensed to practice land surveying in the State of Alaska, and this As Built represents a survey made by me or under my direct supervision, and all walks, roads, improvements, encroachments and overlaps are shown correctly to the best of my knowledge.
Date: April 27, 2023

AS-BUILT SURVEY

OF
LOT 2A
WITHIN

PLAT # 2022-20, "A SUBDIVISION OF LOT 2, PLAT NO. 389"
WITHIN THE CITY & BOROUGH OF JUNEAU, AK

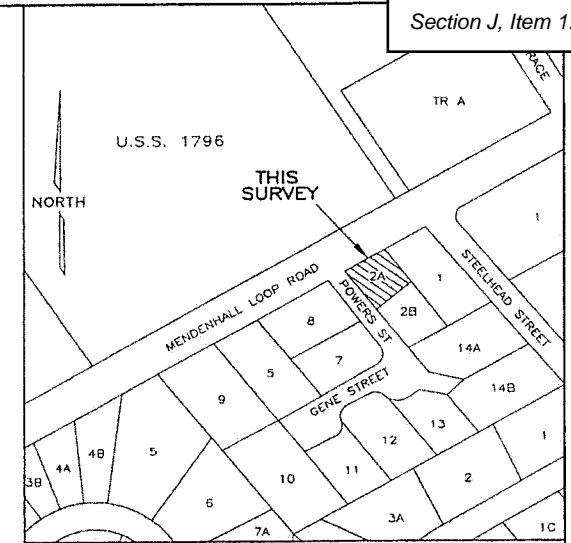
SURVEYOR:
RANDAL V. DAVIS, PLS
9240 N. DOUGLAS HIGHWAY
JUNEAU, ALASKA 99801
(907) 209-3400

OWNERS:
IVONNE & ROSE FERNANDEZ
5021 POWERS STREET
JUNEAU, AK 99801

DATE: 04/25/23

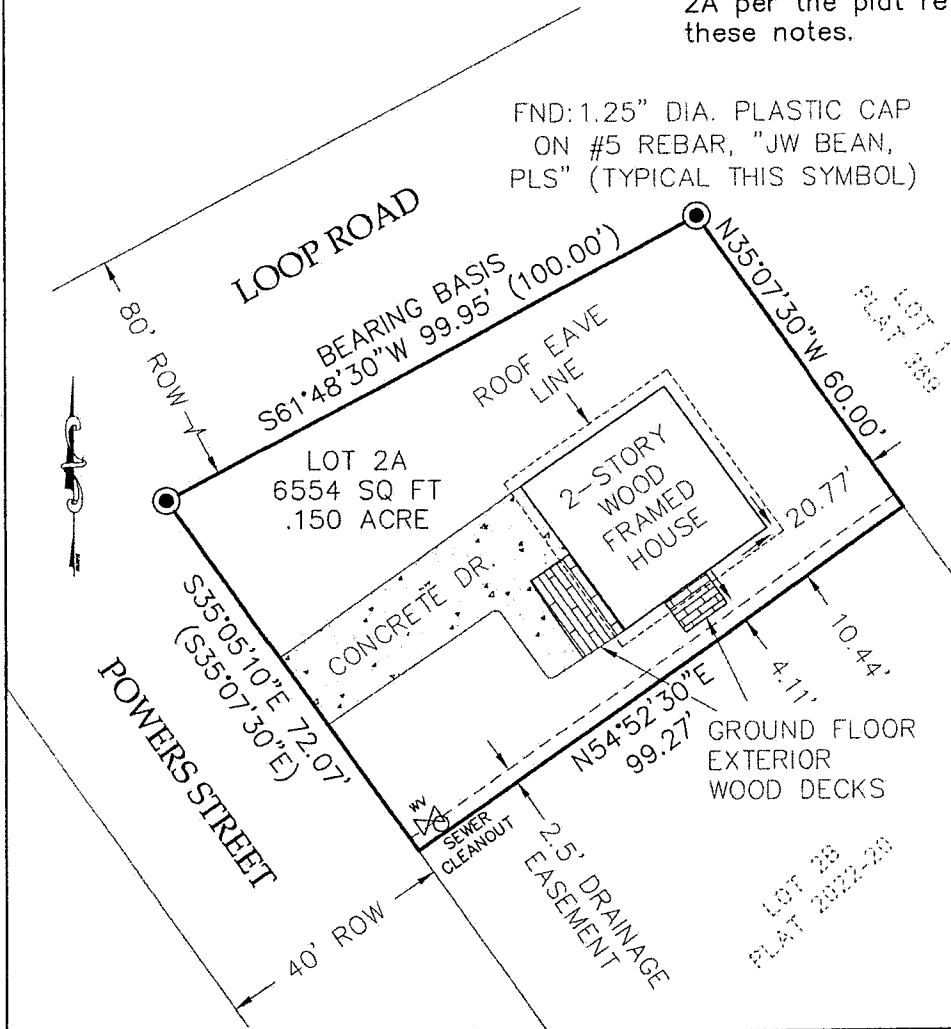
SCALE: 1"=30'

SHEET 1 OF 1



VICINITY MAP

SOURCE: CBJ GIS BASEMAP





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

Powers St minor subdivision

Case Number: PAC20190020

Applicant: Troy Mayer

Property Owner: Ivonne Fernandez

Property Address: 5021 Powers St

Parcel Code Number: 4B2901000020

Site Size: 20,000 Square Feet

Zoning: D3

Existing Land Use: Single Family Residence

Conference Date: 4/3/2019 @ 10:30 am

Report Issued: 4/9/2019

List of attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Troy Mayer	Applicant	troymayer@gmail.com northernlights@gci.net
Tim Felstead	Planning	Tim.felstead@juneau.org
Eddie Quinto	Permit Specialist	Edward.quinto@juneau.org

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Applicant has proposed a bungalow lot subdivision – one bungalow lot and one regular lot. Access would come from Powers St. Powers St is substandard by today's standards but it is a CBJ adopted and maintained street according to the 2016 streets list. No new right-of-way is required to provide access to this subdivision.

Planning Division:

1. **Zoning** – Zoned D3.

Bungalow lots have specific requirements per CBJ 49.65 Article VI. A copy of this Land Use Code citation is attached to this report.

The following note should be added to the plat:

LOT 6A IS A 'BUNGALOW LOT'. AT THE TIME OF PLAT RECORDING, STRUCTURES ON BUNGALOW LOTS WERE LIMITED TO ONE 1,000 SQUARE FOOT DETACHED SINGLE-FAMILY RESIDENCE PER LOT; OTHER DEVELOPMENT RESTRICTIONS APPLY. SEE THE CITY AND BOROUGH OF JUNEAU LAND USE CODE FOR CURRENT REGULATIONS.

Minimum lot width is for bungalow 50ft and for regular lot is 100ft.

Minimum lot depth for both lots is 100ft.

2. **Setbacks** – This is a corner lot so there is some flexibility in the setbacks.

Setbacks are as follows:

Front (Mendenhall Loop Road or Powers Street) – 25ft

Street side (whichever of Mendenhall Loop Road or Powers Street is not chosen as the front) – 17ft

Rear (Choose one of either lot line opposite the street side or front lot lines) – 25ft

Side (which ever lot line is remaining is remaining) - 10ft

The submitted plans showing the proposed building location do not meet the setbacks. Existing structures that are to remain shall be shown on an as built survey/site plan due at submission.

3. **Height** – Maximum building height is 35 ft for permissible uses and 25ft for non-permissible but accessory uses.
4. **Access** – Access shall be from Powers St. This is a substandard road but as it is accepted and maintained by CBJ, no improvements are required for this subdivision.
5. **Parking & Circulation** – each lot requires 2 parking spaces. Any future accessory apartment on the regular sized lot will require an additional parking space.
6. **Lot Coverage** – Maximum lot coverage for permissible and accessory uses is 35%.
7. **Vegetative Coverage** – Minimum vegetative coverage is 20%

8. **Lighting** – Not applicable
9. **Noise** – Not applicable
10. **Flood** – Not in flood hazard zone.
11. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – Not applicable
12. **Wetlands** – Not in CBJ mapped wetlands
13. **Habitat** – No CBJ regulated habitat are relevant to the subdivision
14. **Plat or Covenant Restrictions** – None found
15. **Traffic** – Not applicable

Building Division:

16. **Building** – Building permit required prior to grading or construction
17. **Outstanding Permits** - None

General Engineering/Public Works:

18. **Engineering** –
19. **Drainage** – Submit a drainage plan indicating how drainage from the proposed subdivision will join an established drainage. Easements must be provided on the plat for all established drainage ways or any proposed drainage ways that cross any current or future abutting property lines.
20. **Utilities** – A minimum of 1" water service and 4" sewer service will need to be installed to the property line of each newly created lot within one-year of recording of the plat. At the time of preliminary plat submittal, please submit a construction plan with for the new utilities. The plan needs to include pipe locations, sizing, and grades for sewer to indicate appropriate fall will be achieved. The construction plan can be shown on an existing as-built drawing that also includes existing features such as structures and other existing utilities.

The following permits will need to be obtained to provide utilities to the newly created lot:

- a. **CBJ right-of-way (ROW) permit**- Once the construction plan for the utilities is approved, CBJ will create the ROW permit. The permit will cover the tapping of the water and sewer mains and road restoration within the Powers Street right-of-way. Inspection fees, refundable bond amount, and conditions will be determined after review of the proposed construction plan. The extension of the utilities within the property will require further permitting and fee assessments. This process is done separately from the subdivision and typically in conjunction with the building permit application.

Fire Marshal:

21. **Fire Items/Access** – Fire access from existing street.

Other Applicable Agency Review:

22. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development permit application
2. Subdivision application including
 - a. subdivision checklist,
 - b. four 36 x 24 plats,
 - c. four combined site plan/grading/drainage plan showing existing structures, proposed building locations, driveways, utilities, proposed drainage etc.

Additional submittal requirements:

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.

Fee estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. \$450 for subdivision (\$400 for subdivision + \$25 for each resulting lot)
2. ROW Permit (work within the ROW) following preliminary plat approval:
 - a. \$10 permit fee
 - b. Inspection fees - \$60 per inspection trip or hour, will be determined at time of construction plan review
 - c. Refundable bond – will be determined at time of construction plan review. Can be paid in the form of cash, check, surety, or conveyance.
 - d. Bond fee – dependent on type of bond payment.

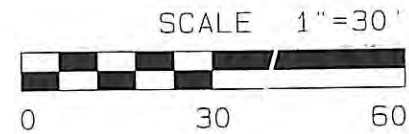
For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/cdd.

Submit your completed application

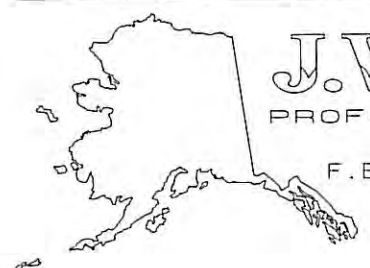
You must submit your application(s) in person with payment to:

City/Borough of Juneau
Permit Center
230 S. Franklin Street,
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715
Fax: (907) 586-4529
Web: www.juneau.org/cdd



I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT; THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS THEREON ARE AS SHOWN AND THAT ALL OVERLAPS AND ENCROACHMENTS ARE AS SHOWN TO THE BEST OF MY KNOWLEDGE.



J.W. BEAN
PROFESSIONAL SURVEYOR

F.B. 11212 JOB No 12608
SCALE AS-SHOWN
DATE 3-27-2019

PROPOSED SUBDIVISION

LOT 2, ROSS SUBD.
WITHIN USS 1796



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

Powers Street Subdivision

Case Number: PAC2021 0005

Applicant: John Bean

Property Owner: Ivonne Fernandez and Rose Fernandez

Property Address: 5021 Powers Street

Parcel Code Number: 4B2901000020

Site Size: 20,000, or 0.4591 acres

Zoning: D3

Existing Land Use: Residential

Conference Date: April 14, 2021

Report Issued: May 7, 2021

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
John Bean	Applicant	jwbean@gci.net
Irene Gallion	Planning	irene.gallion@juneau.org
	Building	
Autumn Sapp	General Engineering	Autumn.Sapp@juneau.org

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

The applicant proposes a subdivision into one regular lot and one bungalow lot.



Planning Division

1. **Zoning – D3**
2. **Minimum lot size**
 - a. Lot size:
 - i. Regular lot (2A): 12,000 square feet
 - ii. Bungalow lot (1A): 6,000 square feet, limited to a structure with 1,000 square feet of net floor area.
 - b. Lot width:
 - i. Regular lot (2A): 100 feet
 - ii. Bungalow lot (1A): 50 feet

- c. Lot depth: 100 feet. Note that the lot depth on the proposed plat is less than 100 feet. Lot depth means the average distance measured from the front lot line to the rear lot line.
3. **Setbacks** –
 - a. **Front (access on Powers Street):** 25 feet
 - b. **Rear (opposite and most distant from front):** 25 feet
 - c. **Side:** 10 feet
 - d. **Street side (along Mendenhall Loop Road):** 17 feet
4. **Height** –
 - a. **Permissible use:** 35 feet
 - b. **Conditional use:** 25 feet
5. **Access** – Powers Street. No access will be permitted onto Mendenhall Loop Road.
6. **Parking & Circulation** – Each single family home requires two off-street parking spaces. If the home on the regular lot elects to add an accessory apartment they'd need an additional space for a total of three.
7. **Lot Coverage** – 35% permissible uses and conditional uses. Current lot coverage appears to be approximately 1,414 square feet, or 11% of the proposed Lot 2A.
8. **Vegetative Coverage** – 20% required.
9. **Lighting** – Lighting should be constrained to the lot.
10. **Noise** – No exceptional noise would be expected from a residential use.
11. **Flood** – The current lot is not in a flood plain.
12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The current lot is not in a hazard zone.
13. **Wetlands** – Contact the US Army Corps of Engineers before filling wetlands. (907) 790-4490
14. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are mapped on the subject parcel, or within 50 feet.
15. **Plat or Covenant Restrictions** – The 1968 plat #523 does not have applicable restrictive notes.
Plat notes that would be required on a new plat include:
 LOT 1A IS A BUNGALOW LOT. AT THE TIME OF PLAT RECORDING, STRUCTURES ON [LOT AND BLOCK NUMBER FOR ALL BUNGALOW LOTS] WERE LIMITED TO ONE 1,000 SQUARE FOOT DETACHED SINGLE-FAMILY RESIDENCE PER LOT; OTHER DEVELOPMENT RESTRICTIONS APPLY. SEE THE CITY AND BOROUGH OF JUNEAU LAND USE CODE FOR CURRENT REGULATIONS.
 NO LOT SHALL ACCESS DIRECTLY ONTO MENDENHALL LOOP ROAD.
16. **Traffic** – A traffic study is not required, as forecasted average annual daily traffic for a single family home does not exceed 250.
17. **Nonconforming situations** – This lot may be nonconforming for lot depth. This lot will not be able to be subdivided if that is the case.
18. **Other Code Provisions:** Bungalow Construction Standards are attached, and include a limit to a structure with 1,000 square feet of net floor area. Net floor area means the total horizontal floor area included within the surrounding walls of a building or portion thereof, exclusive of vent shafts. The net floor area of a building, or portion thereof, not provided with surrounding walls shall be measured to the inside of the supporting structure.

Building Division

19. No comments at this time.

General Engineering/Public Works**20. Engineering –**

- a. **Easements:** Site plan (plat) shall include all existing (and proposed) easements for drainage, utility lines including plumbing lines, access, snow storage, trash (dumpster) storage, or any other shared use that requires crossing the property line. For plats include the width, ownership, use, and record reference of all proposed and existing easements within the subdivision and within 100 feet of the subdivision boundary.
 - b. **Driveway:** Driveway installation must follow CBJ Standard Details 103A and 104B. The standard details can be viewed here: <https://juneau.org/engineering-public-works/cbj-engineering-standards>.
21. **Drainage** – Submit a drainage plan indicating how drainage from the proposed subdivision will join an established drainage channel or structures. Easements must be provided on the plat for all established drainage ways or any proposed drainage ways that cross any current or future abutting property lines.
22. **Utilities** – (water, power, sewer, etc.) A minimum of 1” water service and 4” sewer service will need to be installed to the property line of each newly created lot within one-year of recording of the plat. At the time of preliminary plat submittal, please submit a construction plan for the new utilities. The submittals must meet current CBJ Standards and Specifications. The plan needs to include pipe locations, type, sizing, for both water and sewer and grades for sewer to indicate appropriate fall will be achieved. The construction plan can be shown on an existing as-built drawing that also includes existing features such as structures and other existing utilities.

The following permits will need to be obtained to provide utilities to the property line of the newly created lot:

- a. **CBJ right-of-way (ROW) permit-** Once the construction plan for the utilities is approved, CBJ will create the ROW permit. The permit will allow the tapping of the water and sewer mains, water and sewer service installation, and road restoration within the right-of-way. Inspection fees, refundable bond amount, and conditions will be determined after review of the proposed construction plan. The extension of the utilities within the property will require further permitting and fee assessments. This process is done separately from the subdivision and typically in conjunction with the building permit application.

Fire Marshal

23. No comments at this time.

Other Applicable Agency Review

24. Not applicable.

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application, <https://juneau.org/index.php?gf-download=2019%2F12%2FDPA.pdf&form-id=22&field-id=11&hash=81202ef96484e0b859d1c4855a6b7ae4b18cb229e8824059dbb0d96082e74d6d>
2. Subdivision and Development Plan Application, <https://juneau.org/index.php?gf-download=2019%2F12%2FSubdivision-Application.pdf&form-id=22&field-id=11&hash=8e1fd291e808b5e41fbd23b199de28010eddea6d8224524146725fcd6e68ae1f>
3. Preliminary Plat Checklist, <https://juneau.org/index.php?gf-download=2019%2F12%2FSubdivision-Preliminary-Plat-Checklist-to-accompany-application-2018.pdf&form-id=22&field-id=11&hash=5e071b7ee6068299545128db0e6a730c4faad979fef606d0384b2a76fd2f8ca5>

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.

Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. None.

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Minor Subdivision, \$450: \$400 plus \$25 for each resulting lot.
2. ROW Permit (work within the ROW):
 - a. \$10 permit fee
 - b. Inspection fees - \$60 per inspection trip or hour, will be determined at time of construction plan review
 - c. Refundable bond – will be determined at time of construction plan review. Can be paid in the form of cash, check, surety, or conveyance.
 - d. Bond fee – dependent on type of bond payment.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/cdd.

Submit your Completed Application

You must submit your application(s) in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Fax: (907) 586-4529
Web: www.juneau.org/cdd

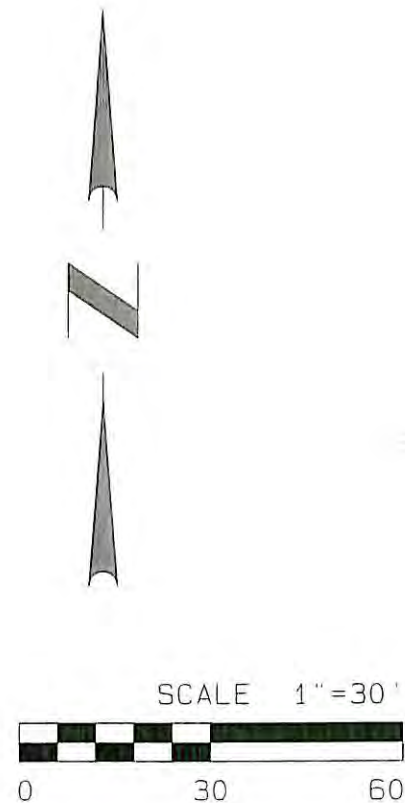
Attachments:

49.70.630 – Bungalow Construction Standards

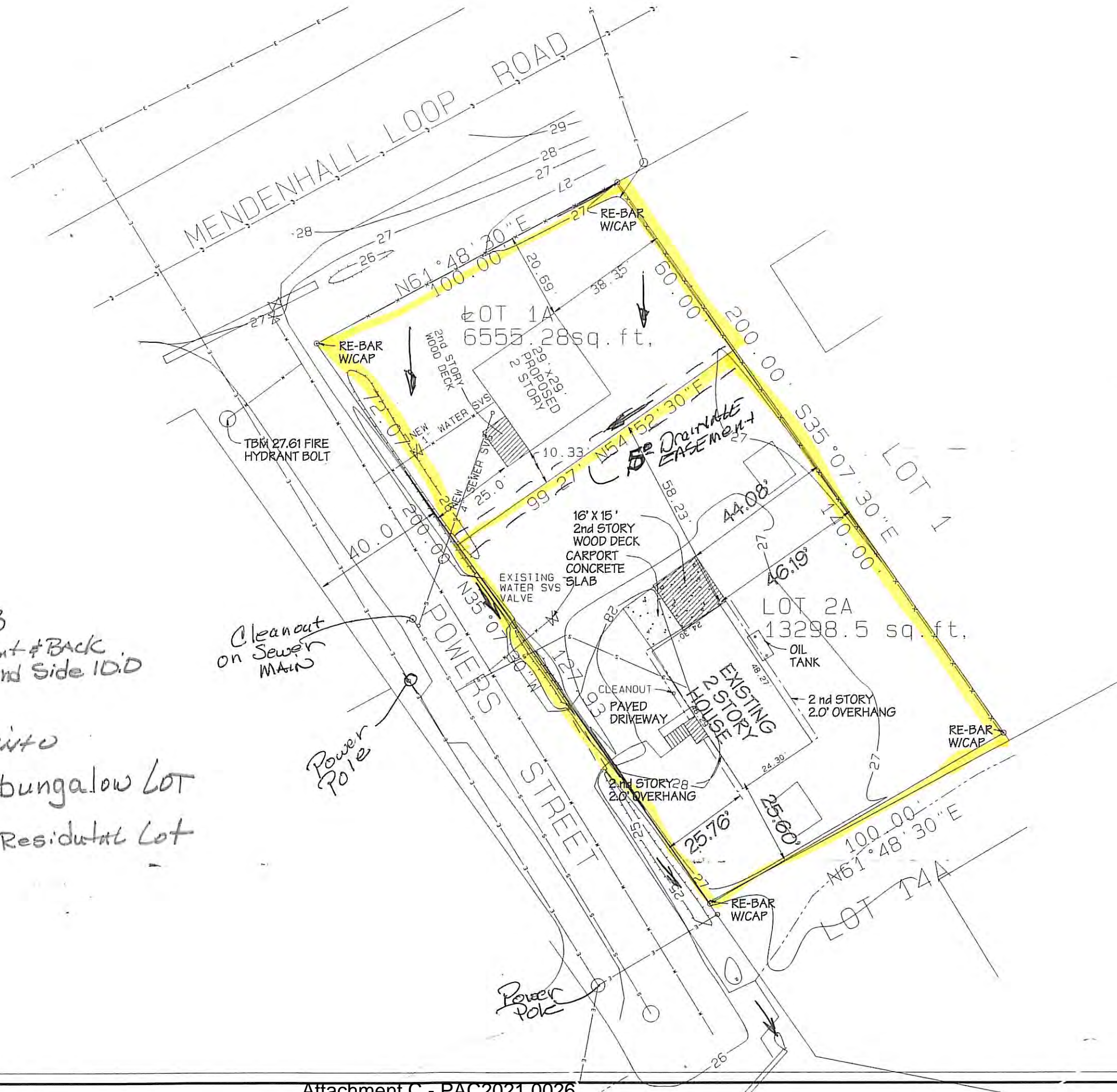
49.65.630 Construction standards.

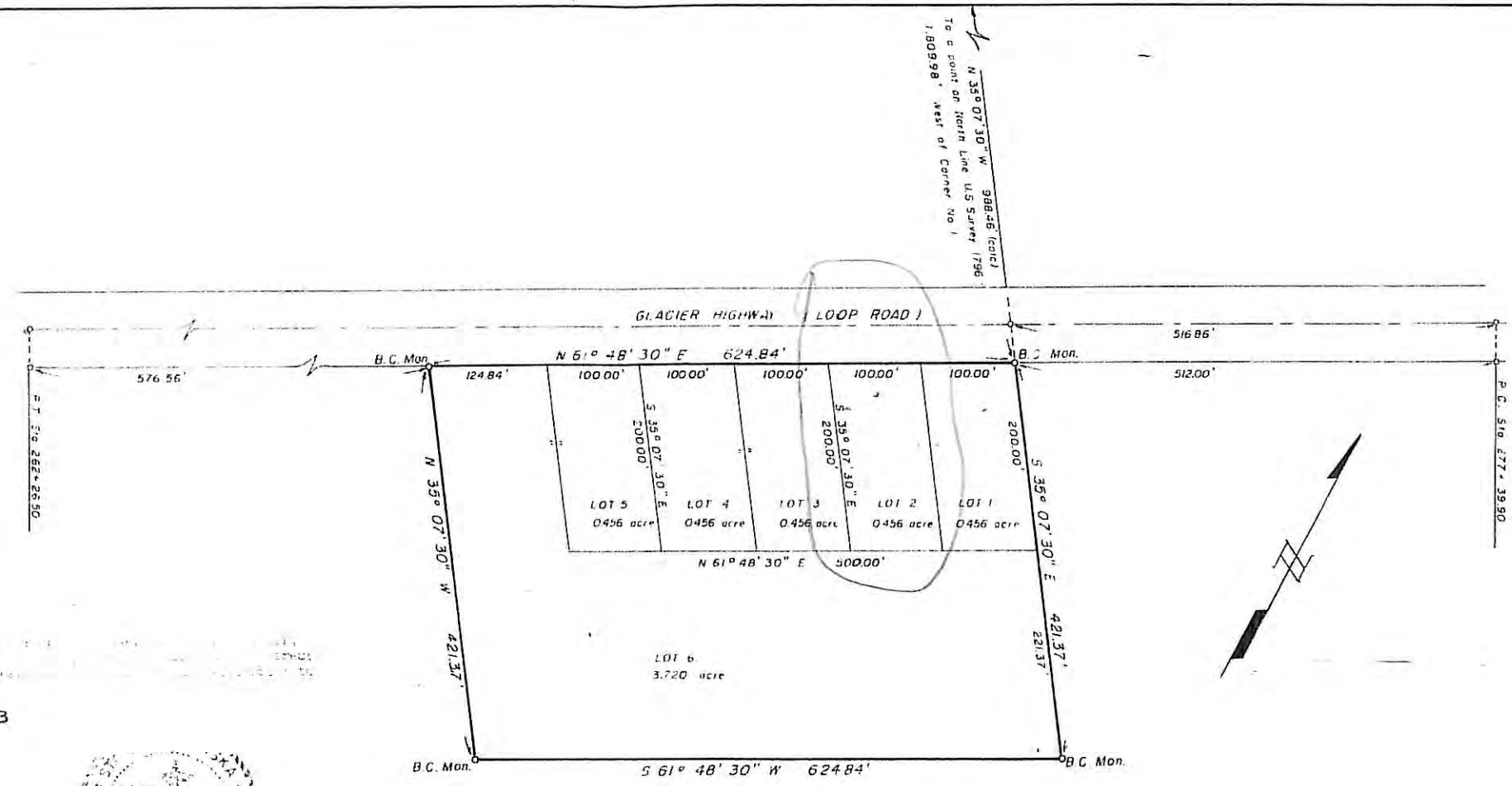
- (a) Construction on bungalow lots shall be limited to the following:
 - (1) One detached single-family dwelling with a net floor area not to exceed 1,000 square feet, and in addition, no more than 300 square feet, net floor area, of enclosed storage space such as garages, carports or sheds.
 - (2) Structures on bungalow lots shall not exceed 25 feet in height, as measured under section 49.25.420.
 - (3) Area calculations for staircases and elevators:
 - (A) Up to 100 square feet of the footprint of interior staircases and elevators shall not be counted toward the net floor area of the dwelling.
 - (B) The footprint of exterior staircases or elevators providing access to floors above the ground floor shall be counted toward the net floor area of the dwelling.
 - (4) Up to 100 square feet of a second story deck shall not be counted toward the net floor area.
 - (5) The primary entrance must be separate from the garage or carport, and where practicable, must be clearly visible from the street providing access. Where such visibility is not practicable, a pedestrian path must be provided from the street to the primary entrance.
- (b) The following dwelling types shall be prohibited on bungalow lots:
 - (1) accessory apartments
 - (2) mobile homes
 - (3) recreational vehicles
 - (4) bed and breakfast or boarding houses

(Serial No. 2007-13, § 3, 4-2-2007)



Zone D-3
Set Back 25-Front & Back
Street Side 17.0 and Side 10.0
Lot 2
Subdivided into
Lot 1A - a bungalow lot
Lot 2A - a Residential lot





July 18, 3



Witness my hand and seal this 26th day of July, 1963.

Attest: *[Signature]*
Notary Public

I, the undersigned, a Notary Public in and for the State of Alaska, hereby certify that on this 26th day of July, 1963, personally appeared before me John E. Ross to be known to be the individual described in and who executed the foregoing instrument, and acknowledged that he signed and sealed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

July 26, 1963 *[Signature]*

[Signature]
Notary Public

I, the undersigned, a Notary Public in and for the State of Alaska, hereby certify that on this 26th day of July, 1963, personally appeared before me John E. Ross to be known to be the individual described in and who executed the foregoing instrument, and acknowledged that he signed and sealed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Witness my hand and seal of office this 26th day of July, 1963.

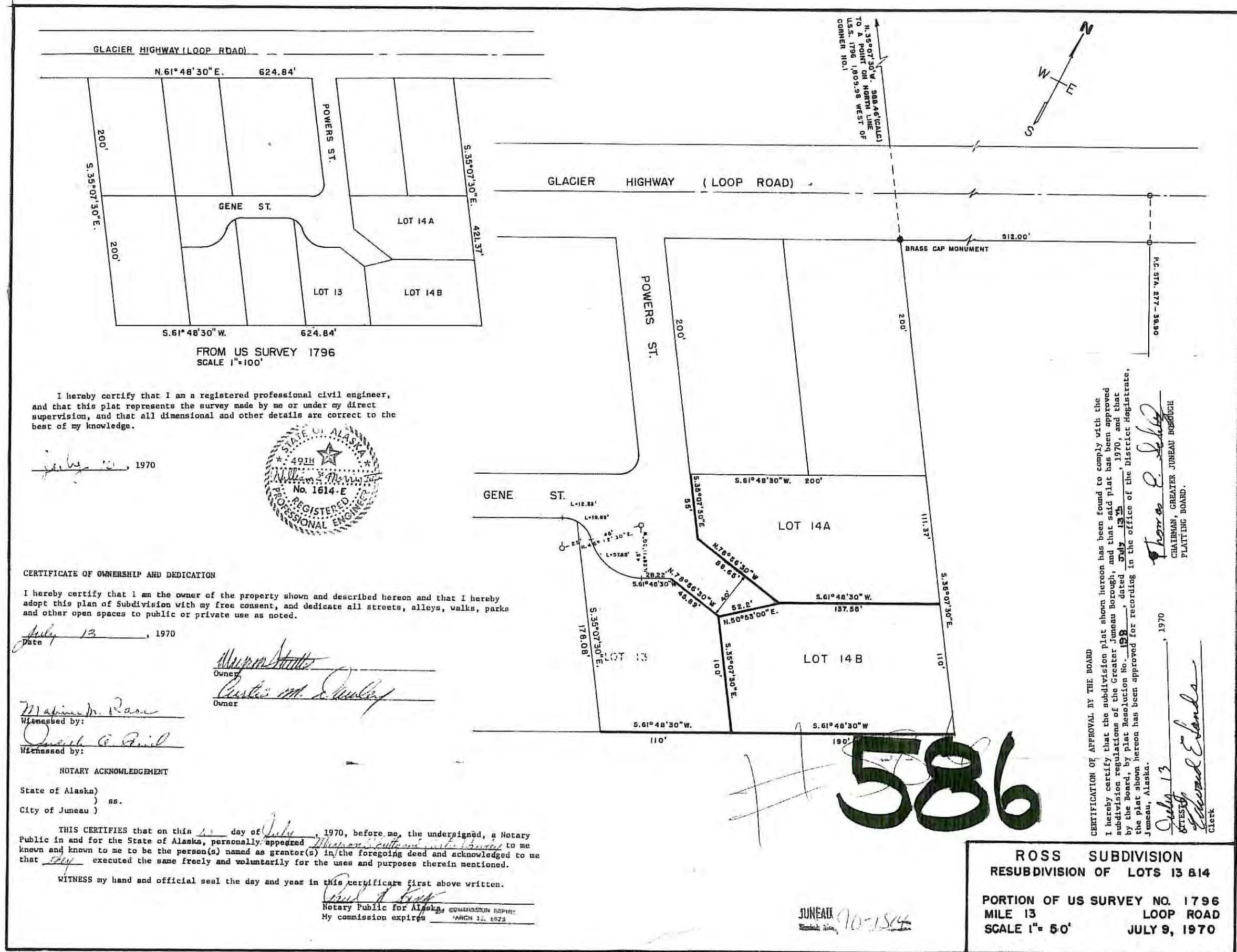
[Signature]
Notary Public

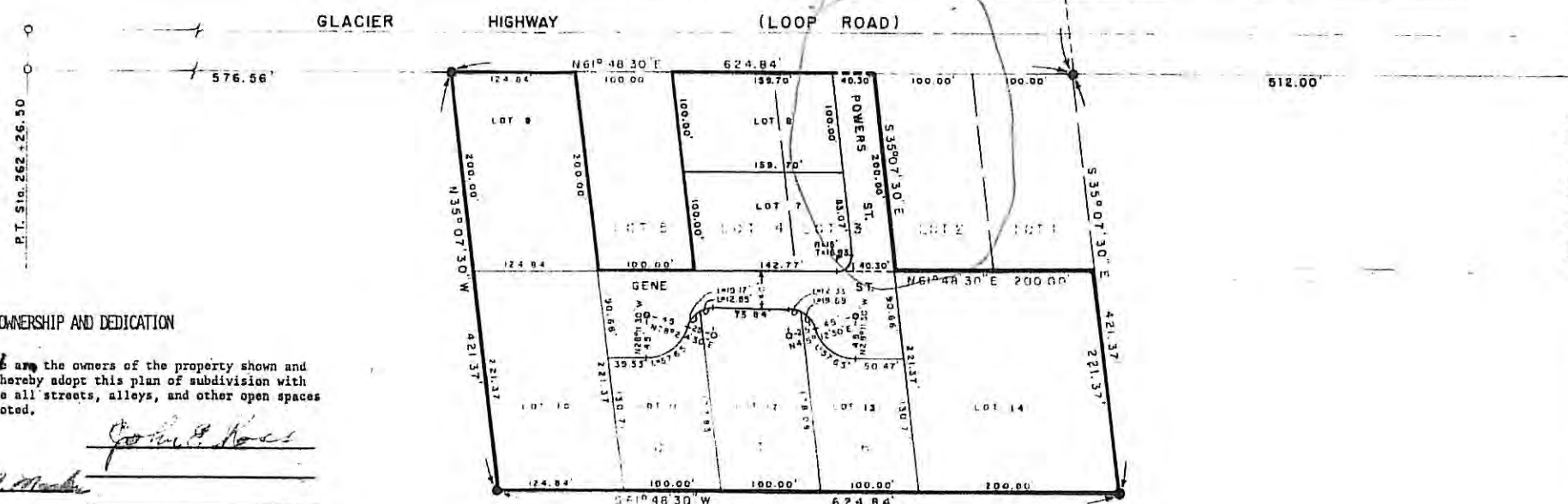
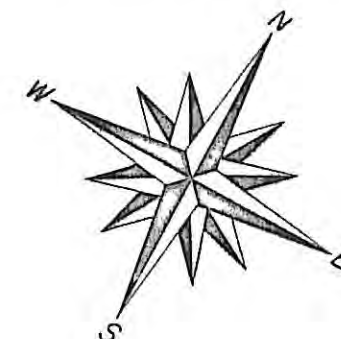
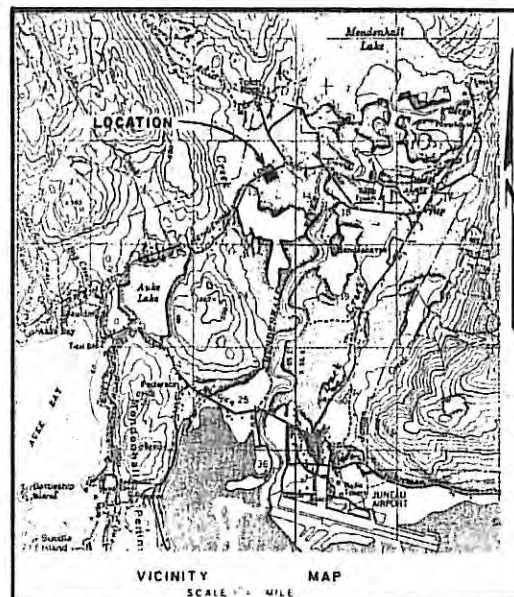
#389



SUBDIVISION OF A FRACTION OF
U. S. SURVEY No. 1796
MILE 13 LOOP ROAD
SCALE : 1" = 100'
JULY, 1963
TONER & NORDLING - REGT. ENGRS. - JUNEAU, ALASKA

July 26, 1963





CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision with our free consent, and dedicate all streets, alleys, and other open spaces to public or private use as noted.

APR. 17 1965

Witnessed by:

Juneau Recording District)) ss
STATE OF ALASKA)

On this 17th day of April, 1968, before me, the undersigned,
a Notary Public in and for the State of Alaska, residing at 606 E 8th Ave,
in said State, personally appeared John R. Rasmussen,
known to me to be the person who executed
the foregoing certificate, and acknowledged to me that when executed said
certificate freely and voluntarily for the uses and purposes therein mentioned.
In witness whereof, I have hereunto affixed my signature and official
seal this 17th day, month, and year in this certificate first above and therein
mentioned.

C. R. Ronellberg
Notary Public in and for the State
of Alaska
My commission expires: Nov. 23, 1968

CERTIFICATE OF REGISTERED ENGINEER

I hereby certify that I am a registered professional civil engineer, and that this plat represents the survey made by me or under my direct supervision, and that all dimensional and other details are correct to the best of my knowledge.

APR 17 1968

CERTIFICATE OF APPROVAL BY THE COMMISSION

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Greater Juneau Borough Planning Commission and that said plat has been approved by Plat Resolution No. 147 dated 27 May 1968 and that the plat shown hereon has been approved for recording in the office of the District Magistrate, Juneau.

Ward
Chairman

Witness: John A. Briner
Name

FR U S SURVEY NO 1796



Jun 11, 1968

LEGEND

● INDICATES BRASS CAP MONUMENT

This plat is approved on the condition that it be serviced by (a central) (an individual) sewage disposal system acceptable to the State of Alaska Department of Health and Welfare.

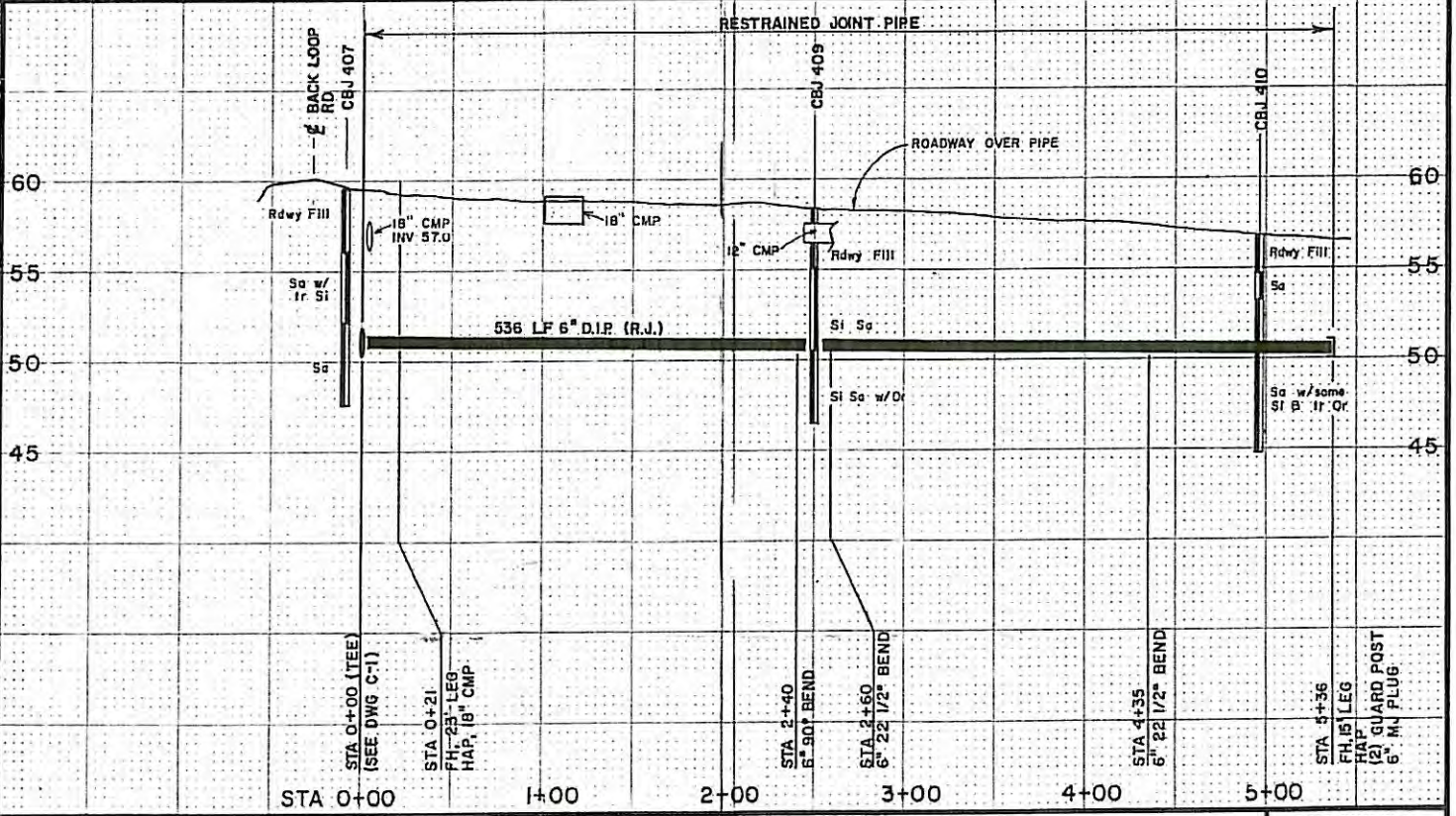
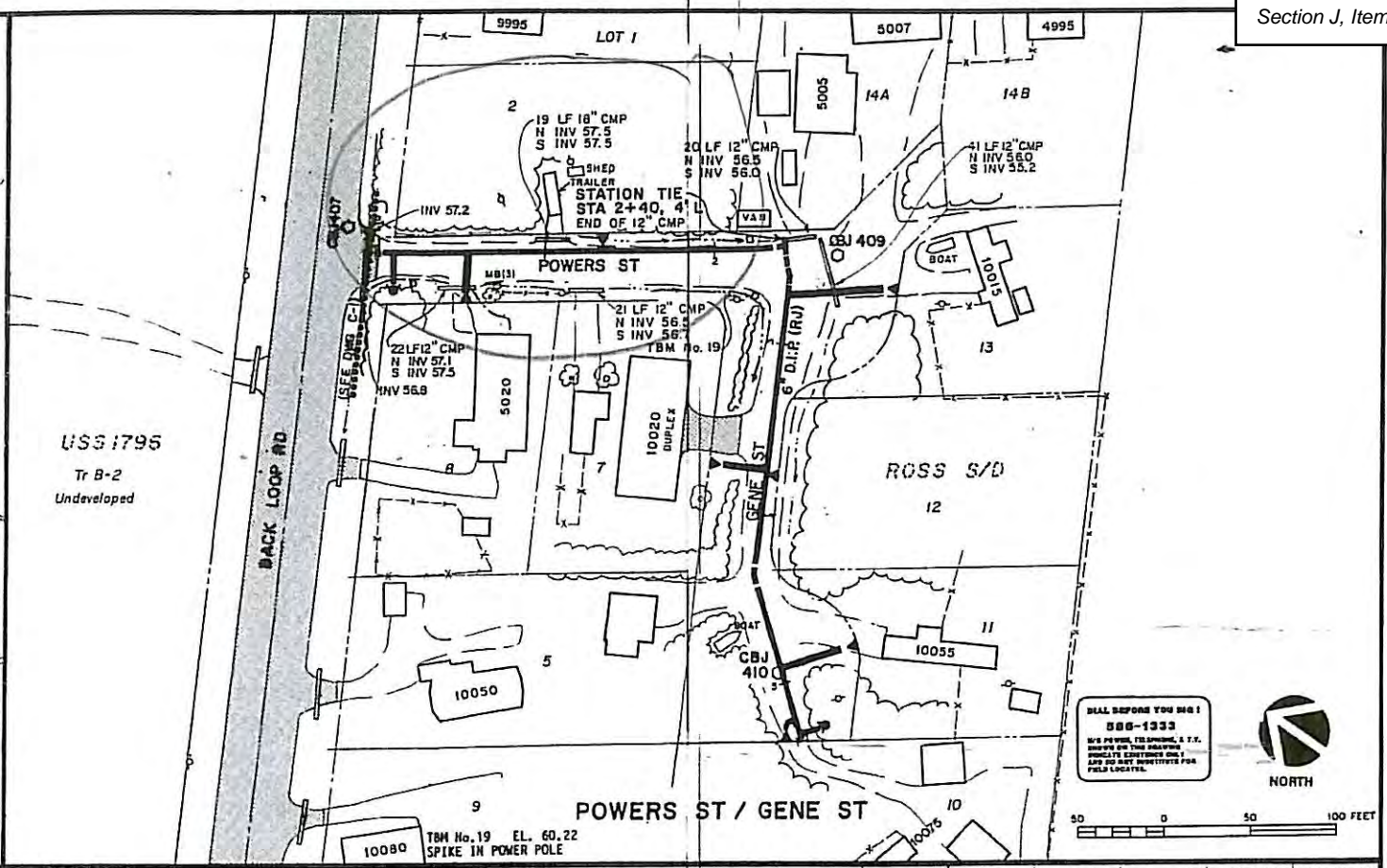
ALTING Chief Engineer 1 Feb. '63
Branch of Environmental Health (Date)

ROSS SUBDIVISION
RESUBDIVISION OF LOTS 3,4, & 6
SUBDIVISION OF A FRACTION OF
U. S. SURVEY NO. 1796
MILE 13 LOOP ROAD
SCALE 1" = 100' JAN. 9, 1968

TONER & NORDLING REG'T. ENGRS.

JUNEAU
Serial No. 681162

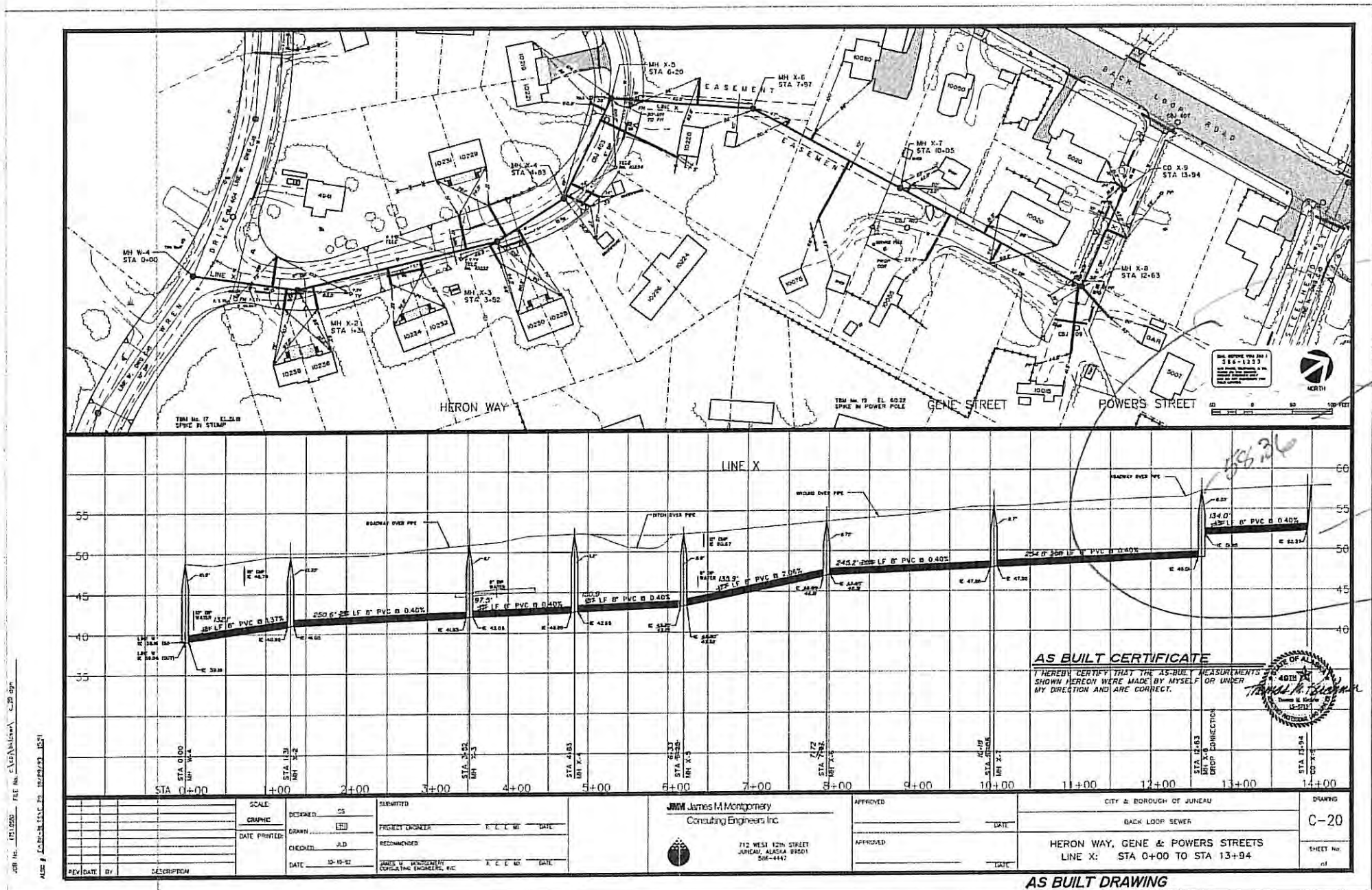
25 LF 12" CMP
N IN 55'-1
S IN 68'-4

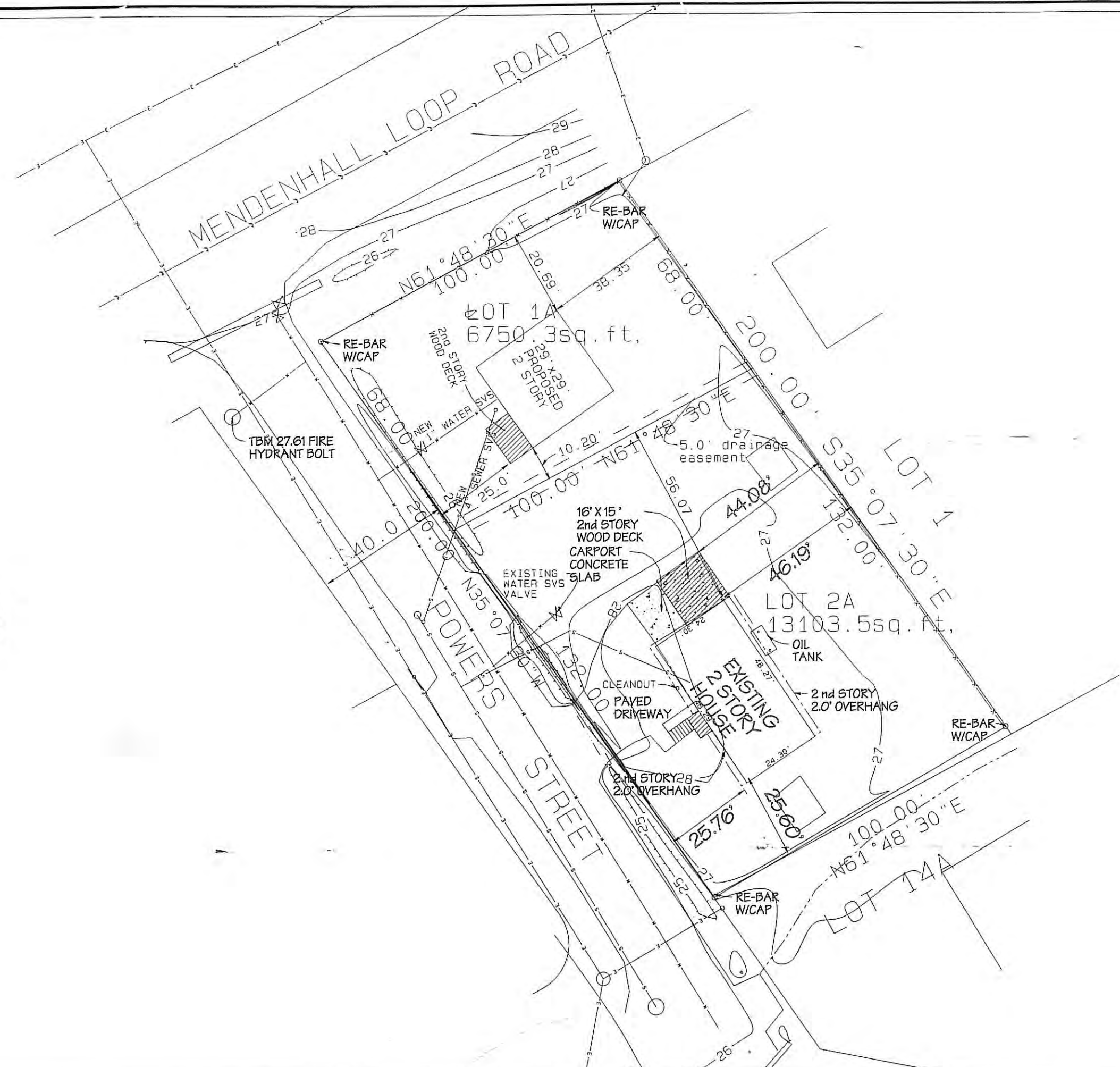
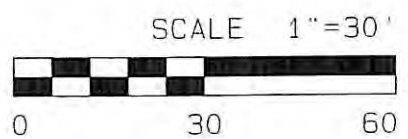


DRAWING No.
C-15

SHEET No.
20 OF 30

CSJ
FILE No. **872.0**







BUILDING PERMIT

Permit No. BLD20210703
Section J, Item 1.

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Your special attention is called to the following:

This permit is granted on the express conditions that the construction shall, in all respects, conform to the ordinances of the City and Borough of Juneau. It may be revoked at any time upon violation of any of said ordinances.

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

If plan review was required, this permit must be attached to the approved drawings. The permit, plans and record of inspections must be available on site at all times while the construction is in progress and before final inspection.

The yellow posting notice must be prominently displayed to show a permit has been issued and to assist the inspectors in location of the project. This permit becomes null and void if work or construction authorized is not commenced within one year or if work or construction is suspended or abandoned for a period of one year at any time after work has commenced.

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

Inspections

Inspections can be arranged by telephoning 586-1703 or by written or by online form or Email.

The Online Building Inspection Request Form is at: www.juneau.org/community-development/cdd-inspection-request.

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

All inspections must be requested before noon the business day prior. Same day inspections must be requested by calling 586-0770

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.

Job Address: **5021 POWERS ST**
Permit Number: **BLD20210703**
Project Description: New bungalow foundation for future lot no utility connections at this time

Issued Date : **12/02/2021**
Parcel No: **4B2901000020**

Parcel Information : USS 1796 ROSS LT 2

Setbacks: Zone: D3:
Front: 25.00 Ft. W Side 1: 10.00 Ft. S
Rear: 25.00 Ft. E Side 2: 10.00 Ft.
Street Side: 17.00 Ft. N

Comments: Proposed subsequent subdivision will create bungalow lot with structure 10 feet from bisecting lot line. Setback should be to finished side of proposed structure.

Owner :
IVONNE FERNANDEZ
ROSE FERNANDEZ
5021 POWERS ST
JUNEAU AK 99801

Applicant :
BUILDING PROS
PO BOX 32098
JUNEAU AK 99803

Fee Type	Date	Receipt	Amount Paid
BLD- Res Plan Review	10/25/2021	63522	\$524.64
BLD- Bldg Permit Fee	12/02/2021	63622	\$1,049.28
Total Fees Paid:			\$1,573.92

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
993	Residential-Single Family R	116.96	116,141.28
100	Utl & Misc-Decks	9.91	991.00
299	Utl & Misc-Private Garage	63.64	19,028.36
Total Valuation:			\$136,160.64

Project Conditions and Holds:

Approved Fasteners - Fasteners hangars and brackets used on the exterior of the building and or used with pressure-preservative or fire retardant-treated woods shall be listed and approved products for such use.

Approved Plans On Site - CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

EGRESS WINDOWS - Verify egress windows.

WATER FIXTURE COUNT - Minimum 3/4" Street Service and 1" Building Supply and branches for up to 36 fixture units. 1"=36wfu, 3/4"=19wfu, 1/2"=6wfu.

Locking Caps - Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

Shower Anti-scald Valve - Showers and tub-shower combinations shall be provided with a control valve installed at the point of use that conforms to ASSE 1016 or ASME A112.18.1/CSAB125.1.

Smoke and CO Detectors - Smoke and Carbon Monoxide detectors as required by applicable code must be operational prior to temporary occupancy and/or final inspection approval, whichever is requested first.

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Seismic Strap Wtr Heater - Water heaters shall be anchored or strapped within the upper 1/3 and lower 1/3 of its vertical dimensions.

STAMPED TRUSS DRAWINGS - Provide stamped truss detail at site.

UFER Ground - An approved UFER ground conductor must be installed and inspected per 2011 NEC article 250.52(A)(3).

Water Hammer - Building water supply systems where quick-acting valves are installed shall be provided with water hammer arrester(s) to absorb high pressures resulting from the quick closing of these valves. Water hammer arresters shall be approved mechanical devices in accordance with ASSE 1010 or PWI-WH 201 and shall be installed as close as possible to quick-acting valves.

Asbuilt Survey Required - Asbuilt Survey Required before final inspection approval. Required due to proximity to front lot line, and to confirm structure location for subsequent subdivision (proposed).

Foundation Setback Verification - Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs. Confirm that the proposed structure finished side will be at least 10 feet from the proposed bisecting lot line. Front of building proposed within three feet of front setback.

Sewer Special Condition - Water and Sewer service connections cannot be approved until Subdivision approved. At that time, separate utility connections, per the Subdivision requirements, will be required to be bonded for. Should subdivision not occur, the Developer will be required to connect the utilities to the existing services provided to the lot. This will include connecting the auxiliary building water service to the existing water service AFTER the water meter, which will be required to be installed for multiple units on a single lot.

Water Special Condition - Water and Sewer service connections cannot be approved until Subdivision approved. At that time, separate utility connections, per the Subdivision requirements, will be required to be bonded for. Should subdivision not occur, the Developer will be required to connect the utilities to the existing services provided to the lot. This will include connecting the auxiliary building water service to the existing water service AFTER the water meter, which will be required to be installed for multiple units on a single lot.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.

B-Sill Plate	B-Foundation, Forms and Reinforcing Steel	B-Temporary Power
B-Framing	B-Rough Electrical	B-Yellow Tag Electrical
B-Under Slab Utilities	B-Rough Plumbing	B-Insulation/Vapor Barrier
B-Oil & Gas Piping/Tanks	B-Vents (Bath, Dryer, Kitchen, etc.)	B-Building Final
E-Grading/Drainage	E-General Engineering Final	

Zoning Setbacks Required for Finished Building:

Front: 25.00 W Side1: 10.00 S
Rear: 25.00 E Side2: 10.00
Street Side: 17.00 N

Planner: Irene Gallion

Date: 11/3/2021

Comments: Proposed subsequent subdivision will create bungalow lot with structure 10 feet from bisecting lot line. Setback should be to finished side of proposed structure.

Foundation Setback Verification

Permit Number: BLD20210703
Project Address: 5021 POWERS ST
Assessor's Parcel No: 4B2901000020
Applicant's Name: BUILDING PROS

In accordance with CBJ 19.01.109.6.2.1, building setback lines are to be verified before inspectors can approve forms for concrete pour or placement of other foundation systems. Setbacks are measured from exterior finish materials of closest building component to property line.

**Notice: DO NOT POUR CONCRETE OR
PLACE OTHER FOUNDATION SYSTEMS**

UNTIL INSPECTOR APPROVES SETBACKS BY ONE OF THE FOLLOWING CHECKED OPTIONS:

- ☐ A. Surveyor's monument(s) / string line clearly visible at the site. If the foundation and all other building elements are clearly behind the setback line, the inspector may approve the setbacks outright or at owner/contractor's risk. If there is any question, the inspector may require that no pour or foundation placement be permitted without one of the following methods of verification. (Also see "Note" below.) OR
- ☒ B. Surveyor's Statement of Setback Compliance. (Surveyor must sign and stamp the bottom portion of this form). No pour or foundation placement is allowed until the statement is received by CBJ, regardless of risk assumed by owner or contractor. Upon receipt of statement, pour or foundation placement may be approved outright or at owner/contractor risk. (See "Note" below.) OR
- ☐ C. Stamped Surveyor's As-built Survey of Adjacent Building or Structure if setback can be verified measuring from adjacent structure. (See "Note" below. May only be used when structure is parallel with property line.) OR
- ☒ D. Stamped Surveyor's As-built Survey of Foundation or Formwork indicating setbacks, easements and other relevant information. (See "Note" below.) OR
- ☐ E. Other _____

INSPECTOR'S APPROVAL & COMMENTS:

Building corners shot in by surveyor and pinned.

JS

Inspector's Initials

11/3/2021

Date

Note: An as-built survey may still be required prior to issuance of a Certificate of Occupancy if setbacks are close enough to the building to make setback verification questionable. Example: Where the structure is less than 3' to the setback line on steep slopes or forested terrain. The purpose of the monuments and string line, surveyor's statement or foundation as-built is to give the inspector the information necessary to allow a pour or placement based on a surveyor's work, as required by CBJ ordinance and not to cause scheduling delays for the contractor. In some situations, a final as-built may be required before frame or final approval where the distance to the setback line of some element of the structure must be more exactly determined. Inspectors may require this additional as-built based on their observations in the field.

SURVEYOR'S STATEMENT OF SETBACK COMPLIANCE

I hereby certify that I am a surveyor registered to practice in the State of Alaska, and that on _____, I personally verified that the forms or foundation systems on site at: _____, Permit No: _____ are placed so that the finished building, if built to the plans as approved by CBJ, will meet the required setbacks shown above. I have reviewed the plans and zoning requirements as approved by CBJ and have accounted for all exterior finish materials, decks, cantilevers and/or other proposed building projections on the approved plans. To the best of my ability, I staked the property so that the contractor can meet all CBJ zoning requirements per CBJ Titles 19 and 49.

I heretofore affix my professional stamp, this date of _____.

Surveyor's Signed Seal Required

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Case No: **BLD20210703**

Case Description: **New bungalow for future lot**

Site Address: **5021 POWERS ST**

Check No. of Existing Dwelling Units: **1**

Parcel No: **4B2901000020**

No. of New Dwelling Units: **1**

Legal Description: **USS 1796 ROSS LT 2**

No. of Removed Dwelling Units: **0**

Applicant : **BUILDING PROS**
PO BOX 32098
JUNEAU AK 99803

e-mail: **dmiller@gci.net**

Phone: **723-2298**

PH1 **723-2298**

Owner: **IVONNE FERNANDEZ**
ROSE FERNANDEZ
5021 POWERS ST
JUNEAU AK 99801

Contractor: **BUILDING PROS**
PO BOX 32098
JUNEAU AK 99803

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

<u>S.F.</u>	<u>Type</u>	<u>Rate</u>	<u>Amount</u>
993	Residential-Single Family Resi		
100	Utl & Misc-Decks		
299	Utl & Misc-Private Garage		

Total Valuation: **\$0.00**

Associated Cases:

None.

Parcel Tags:

Notes and Conditions:

Applicant's Signature

(Owner, Contractor or Authorized Agent)

Date
Staff Acceptance

I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state or local law regulating construction or the performance of construction.

10/25/2021

Case No: **BLD20210703**

Site Address: 5021 POWERS ST

Parcel No: 4B2901000020


Desc: New bungalow for future lot

Residential NEW New Dwelling Units: 1
 FCC Code: 101 Existing Dwelling Units: 1
 Type of Construction: _____ Occupancy Class: R-3*, U
 Sprinkler Substitute for Type A Construction: YES NO
 Sprinkler System: FULL PARTIAL NONE Required: YES NO
 Alarm System: FULL PARTIAL NONE Required: YES NO
 Code Edition: 2012 IRC Code Review by: JH Date: 10/27/2021

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
993	Residential-Single Family Resi		
100	Utl & Misc-Decks		
299	Utl & Misc-Private Garage		

Total Valuation: \$0.00

LAND USE ZONE/UNITS <u>D3 / 1</u> WETLAND <u>No</u> FLOOD ELEV. <u>X</u> FIRM ZONE <u>X</u> FIRM MAP <u>02110C 1238E</u> LOT SIZE <u>20,000 SF</u> <u>0.5 ACRES</u> SETBACKS Front <u>25 see below</u> Rear <u>25</u> Side <u>10</u> Other _____ PARKING <u>4</u> ANADROMOUS <u>No</u> EAGLES NEST <u>?</u> Coverage <u>35%</u> <u>Permissible/Conditional</u> HEIGHT <u>35/25</u> <u>Permissible/Accessory</u> VEGETATION <u>20%</u> HAZARD <u>No</u>	ENGINEERING/PUB WORKS Dwelling Units: _____ CITY WATER: Permit #: <u>not connected</u> Use: _____ Assessment: _____ Service Size: _____ Line Size: _____ Meter Size: _____ CITY SEWER: Permit #: <u>not connected</u> Use: _____ Assessment: _____ Fixture Units: _____ LAND USE PERMITS ADR Case #: _____	PLAN REVIEW APPROVALS <table border="1"> <thead> <tr> <th></th> <th>Initials</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td><u>X</u> Fire</td> <td></td> <td></td> </tr> <tr> <td><u>X</u> Zoning</td> <td><u>IMG</u></td> <td><u>11/3/2021</u></td> </tr> <tr> <td><u>X</u> Engineering</td> <td><u>EJV</u></td> <td><u>11/17/2021</u></td> </tr> <tr> <td><u> </u> Water</td> <td></td> <td></td> </tr> <tr> <td><u> </u> Sewer</td> <td></td> <td></td> </tr> <tr> <td><u> </u> Architectural</td> <td><u>JH</u></td> <td><u>10/27/2021</u></td> </tr> <tr> <td><u> </u> Structural</td> <td><u>JH</u></td> <td><u>10/27/2021</u></td> </tr> <tr> <td><u> </u> Plumbing</td> <td><u>JH</u></td> <td><u>10/27/2021</u></td> </tr> <tr> <td><u> </u> Mechanical</td> <td></td> <td></td> </tr> <tr> <td><u> </u> Electrical</td> <td></td> <td></td> </tr> <tr> <td><u> </u> Access</td> <td></td> <td></td> </tr> <tr> <td><u> </u> Spcl Insp Form</td> <td></td> <td></td> </tr> </tbody> </table> APPROVED FOR ISSUANCE  Signature <u>11/18/2021</u> Date		Initials	Date	<u>X</u> Fire			<u>X</u> Zoning	<u>IMG</u>	<u>11/3/2021</u>	<u>X</u> Engineering	<u>EJV</u>	<u>11/17/2021</u>	<u> </u> Water			<u> </u> Sewer			<u> </u> Architectural	<u>JH</u>	<u>10/27/2021</u>	<u> </u> Structural	<u>JH</u>	<u>10/27/2021</u>	<u> </u> Plumbing	<u>JH</u>	<u>10/27/2021</u>	<u> </u> Mechanical			<u> </u> Electrical			<u> </u> Access			<u> </u> Spcl Insp Form			PERMIT ISSUANCE FEES <table border="1"> <tbody> <tr><td><u> </u> Grading Plan Review Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Adjusted Plan Review Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Fast Track Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Early Start Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Building Permit Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Water Assessment Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Sewer Assessment Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Sewer Inspection Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Grading Permit Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Driveway Permit Fee</td><td>\$</td><td></td></tr> <tr><td><u> </u> Bond for</td><td>\$</td><td></td></tr> <tr><td><u> </u> Other</td><td>\$</td><td></td></tr> <tr><td>Total Issuance Fees</td><td>\$</td><td></td></tr> </tbody> </table> PERMIT ISSUANCE PAYMENTS <table border="1"> <thead> <tr> <th>Date</th> <th>Receipt</th> <th>Check</th> <th>Amount</th> </tr> </thead> <tbody> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> </tbody> </table>	<u> </u> Grading Plan Review Fee	\$		<u> </u> Adjusted Plan Review Fee	\$		<u> </u> Fast Track Fee	\$		<u> </u> Early Start Fee	\$		<u> </u> Building Permit Fee	\$		<u> </u> Water Assessment Fee	\$		<u> </u> Sewer Assessment Fee	\$		<u> </u> Sewer Inspection Fee	\$		<u> </u> Grading Permit Fee	\$		<u> </u> Driveway Permit Fee	\$		<u> </u> Bond for	\$		<u> </u> Other	\$		Total Issuance Fees	\$		Date	Receipt	Check	Amount	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____
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Parcel Tags:

CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)

In the event the subdivision does not happen, this structure could be an accessory apartment to the existing home.Existing living area = 2124 square feet, existing lot 166% minimum lot size. Proposed structure 993 square feet of living.IAW 49.25.510(k)(E)(b). See PAC21-26. New structure scaled to 25 feet high.

Yard Setbacks	Existing Structure	Proposed Structure
Front (W)	25	25
Rear (E)	46	38
Side (N)	58	20 (street side, 17' minimum)
Side (S)	25	10

Section J, Item 1.

49

NET FLOOR CALCULATIONS

Section J, Item 1.

MUNOZ BUNGALOW

1ST FLOOR NET = 343.9

2ND FLOOR NET = 650

TOTAL SQFT = 993.9

GARAGE SQFT NET = 299

2ND FLOOR DECK = 100 SQFT

SEE WORKSHEETS 2 & 3

Reviewed for Code Compliance

Inspections will not be performed without CBJ approved plans on site.

JH

10/27/2021

All Electrical work must comply with the requirements of the

2017 NEC Code

as modified by CBJ Title 19

All Plumbing work must comply with The requirements of the

2018 UPC Code

As modified by CBJ Title 19

Fasteners, hangers and brackets used on the exterior of a building and/or used with pressure-perservative or fire-retardant treated wood shall be listed and be approved products for such use.

Have AK engineer stamped truss details at site for framing inspection.

Attic access min 22" x 30"

Crawl access min 18" x 24"

1 of 3

723-5270

$$\text{Garage} = 13 \times 23 = 299$$

$$\text{House} = 14.5 \times 25 = 362.5$$

less interiors -18.6

$$\text{1ST FLOOR NET} = 343.9$$

WALL

$$1 = 4\frac{1}{2}" \times 3'-1" = 1.2$$

$$2 = " \times 6'-6" = 2.4$$

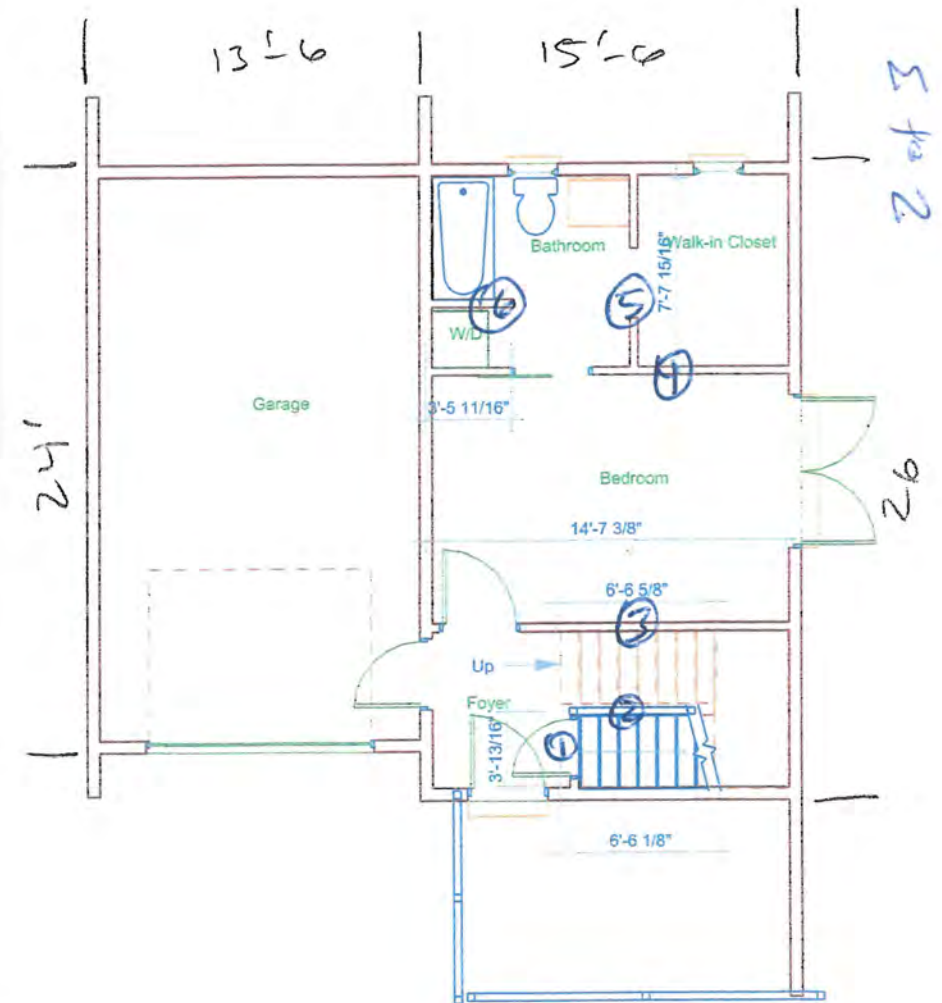
$$3 = " \times 14'-6" = 5.4$$

$$4 = " \times 14'-6" = 5.4$$

$$5 = " \times 7'-8" = 2.9$$

$$6 = " \times 3'-6" = 1.3$$

18.6



1ST FLOOR

NET FLOOR AREA CALCULATIONS

2nd Floor

$$20 \times 20 = 784$$

less 100'

$$\text{Stairs} = 684$$

$$\text{less interiors} = -34$$

$$2^{\text{nd}} \text{ FLOOR NET} = 650$$

wall

$$1 = 4\frac{1}{2}" \times 6\text{'-}9" = 2.5$$

$$2 = " \times 3\text{'-}6" = 1.3$$

$$3 = " \times 9\text{'-}6" = 3.6$$

$$4 = " \times 8\text{'-}11" = 3.3$$

$$5 = " \times 4\text{'-}10" = 1.8$$

$$6 = " \times 2\text{'-}6" = .9$$

$$7 = " \times 3\text{'-}5" = 1.3$$

$$8 = " \times 10\text{'-}6" = 3.9$$

$$9 = " \times 8\text{'-}3" = 3.1$$

$$10 = " \times 8\text{'-}3" = 3.1$$

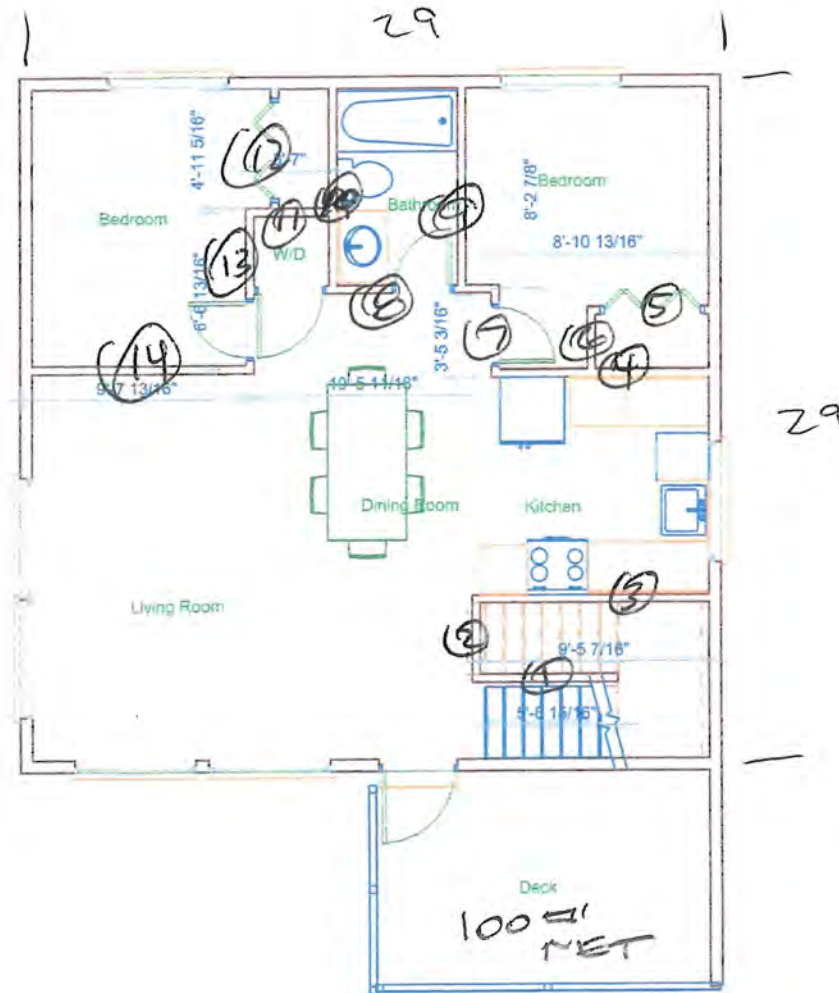
$$11 = " \times 3\text{'-}6" = 1.3$$

$$12 = " \times 4\text{'-}11" = 1.8$$

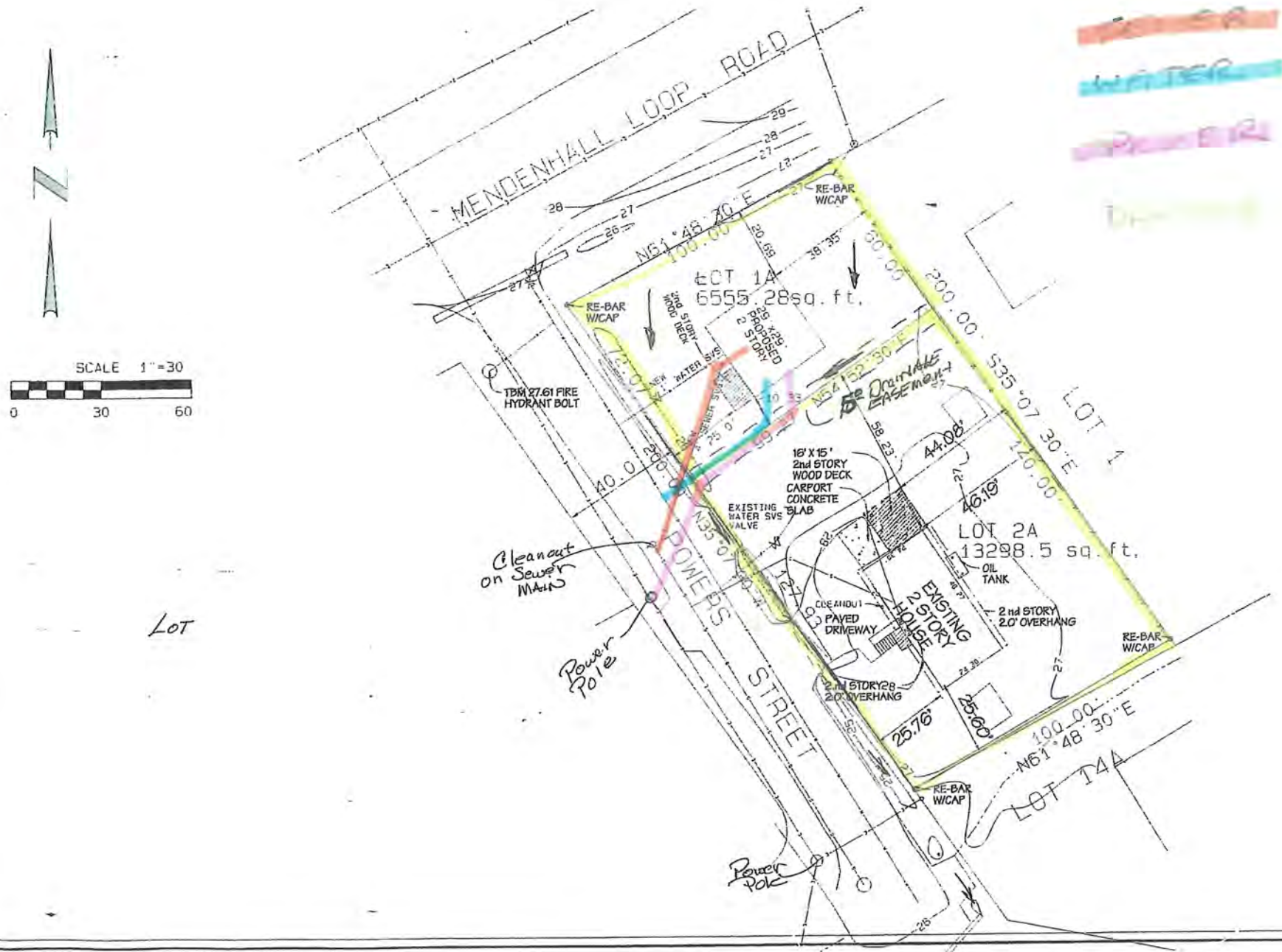
$$13 = " \times 6\text{'-}7" = 2.5$$

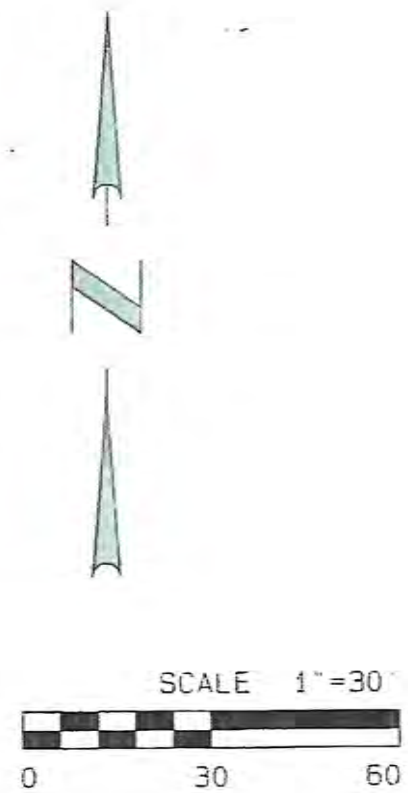
$$14 = " \times 9\text{'-}8" = 3.6$$

34

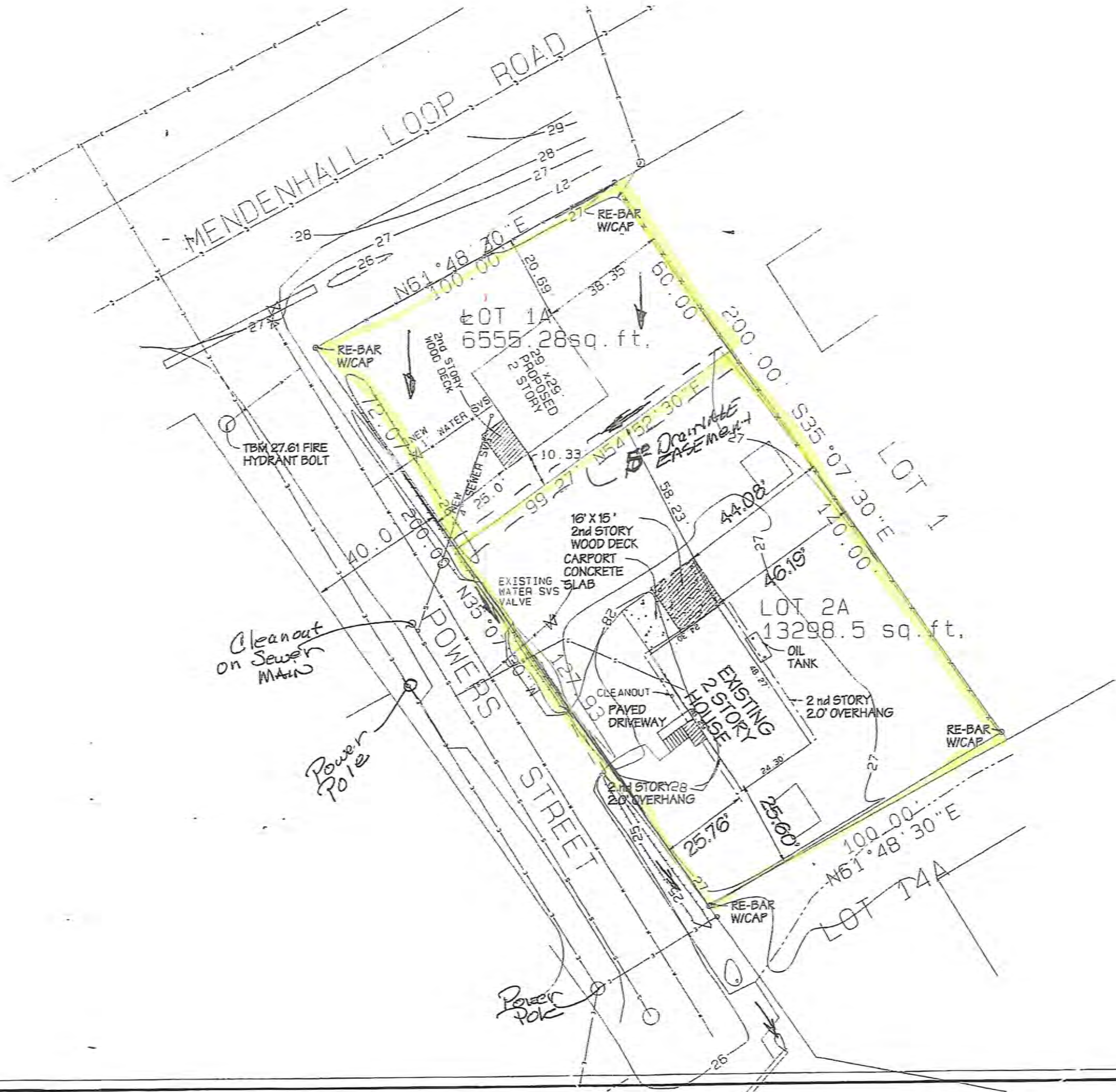
2nd FLOOR

NET FLOOR AREA CALCULATIONS

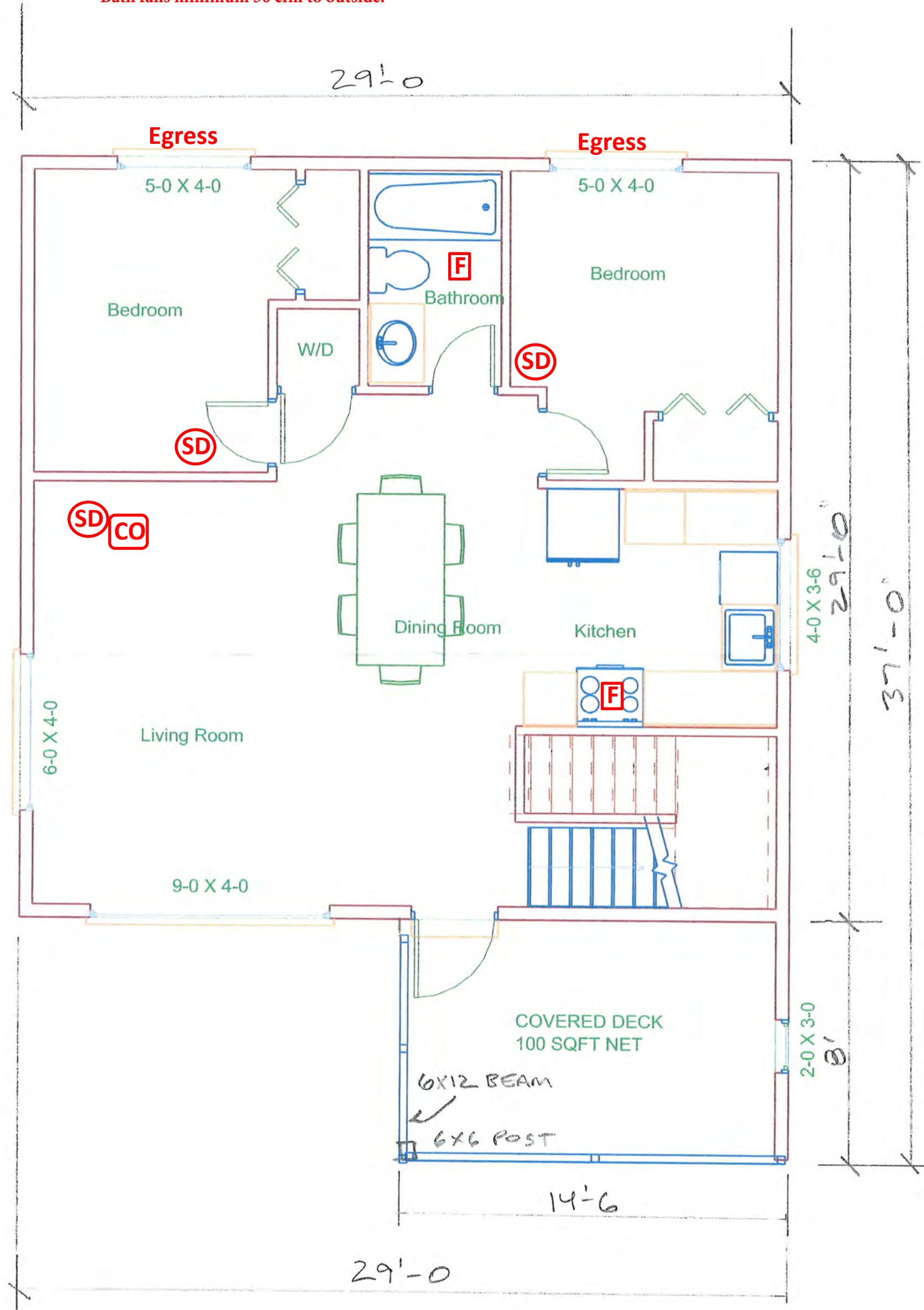




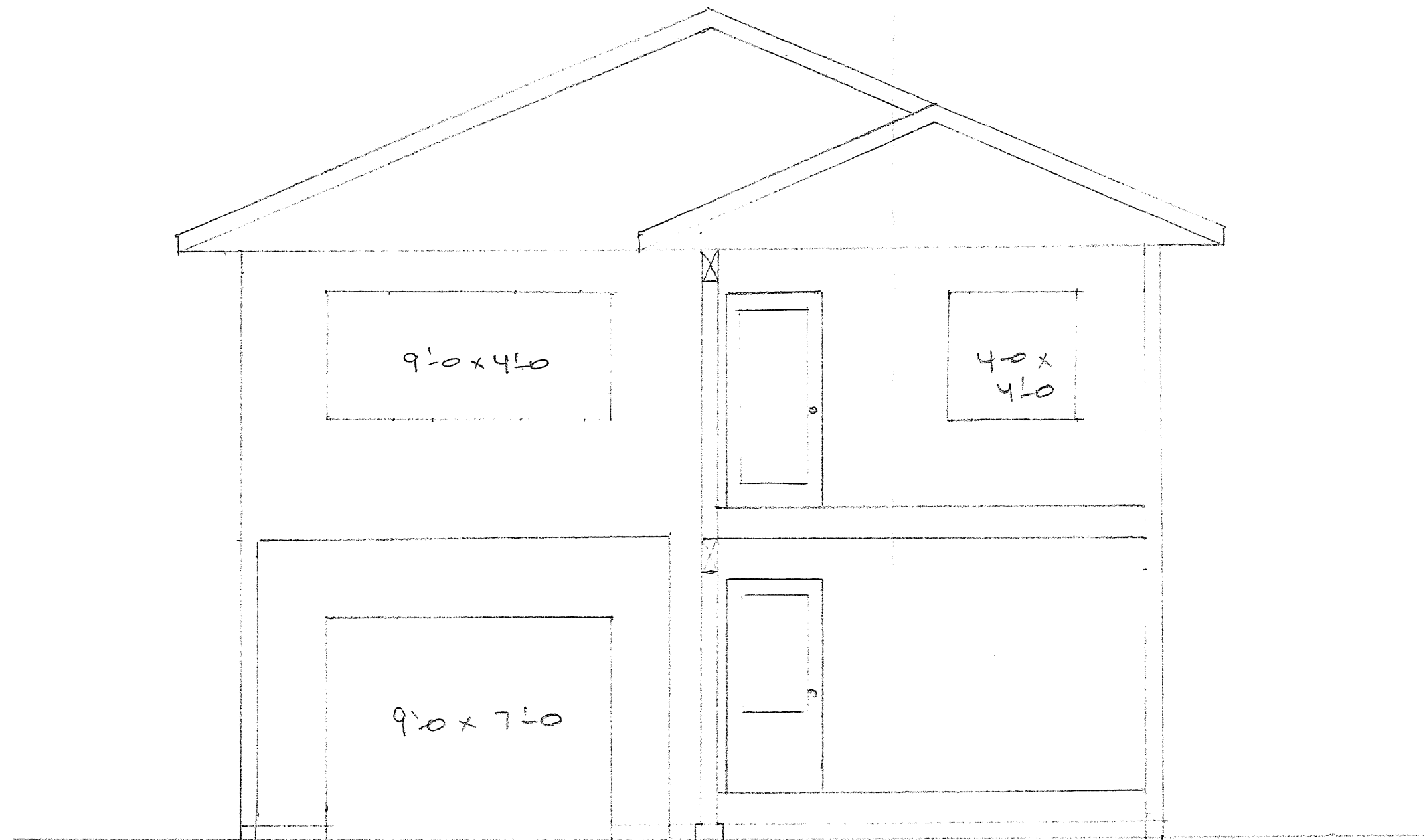
Lot



Kitchen fan minimum 100 cfm to outside.
Bath fans minimum 50 cfm to outside.

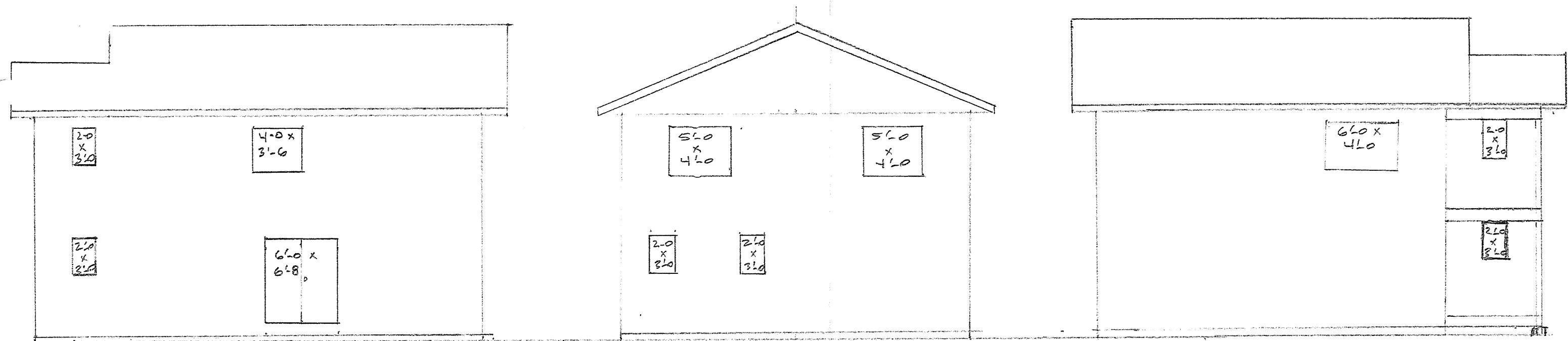


2ND FLOOR PLAN
1/4" = 1'-0"



FRONT ELEVATION
Attachment D - BLD2021 0703 - Foundation Only on 2A

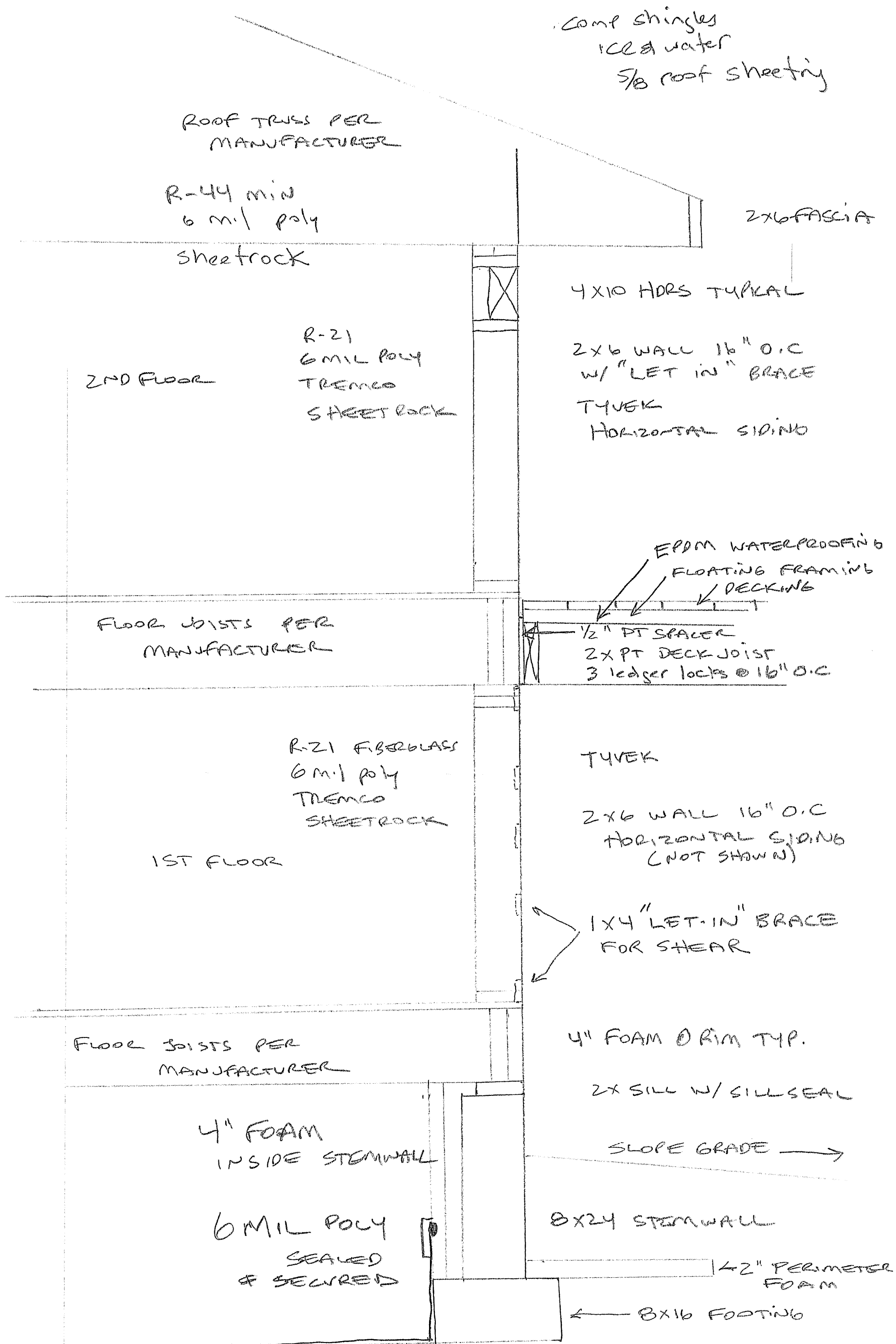
$\frac{1}{4}'' = 1'-0''$



RIGHT SIDE
 $\frac{1}{8}" = 1'-0"$

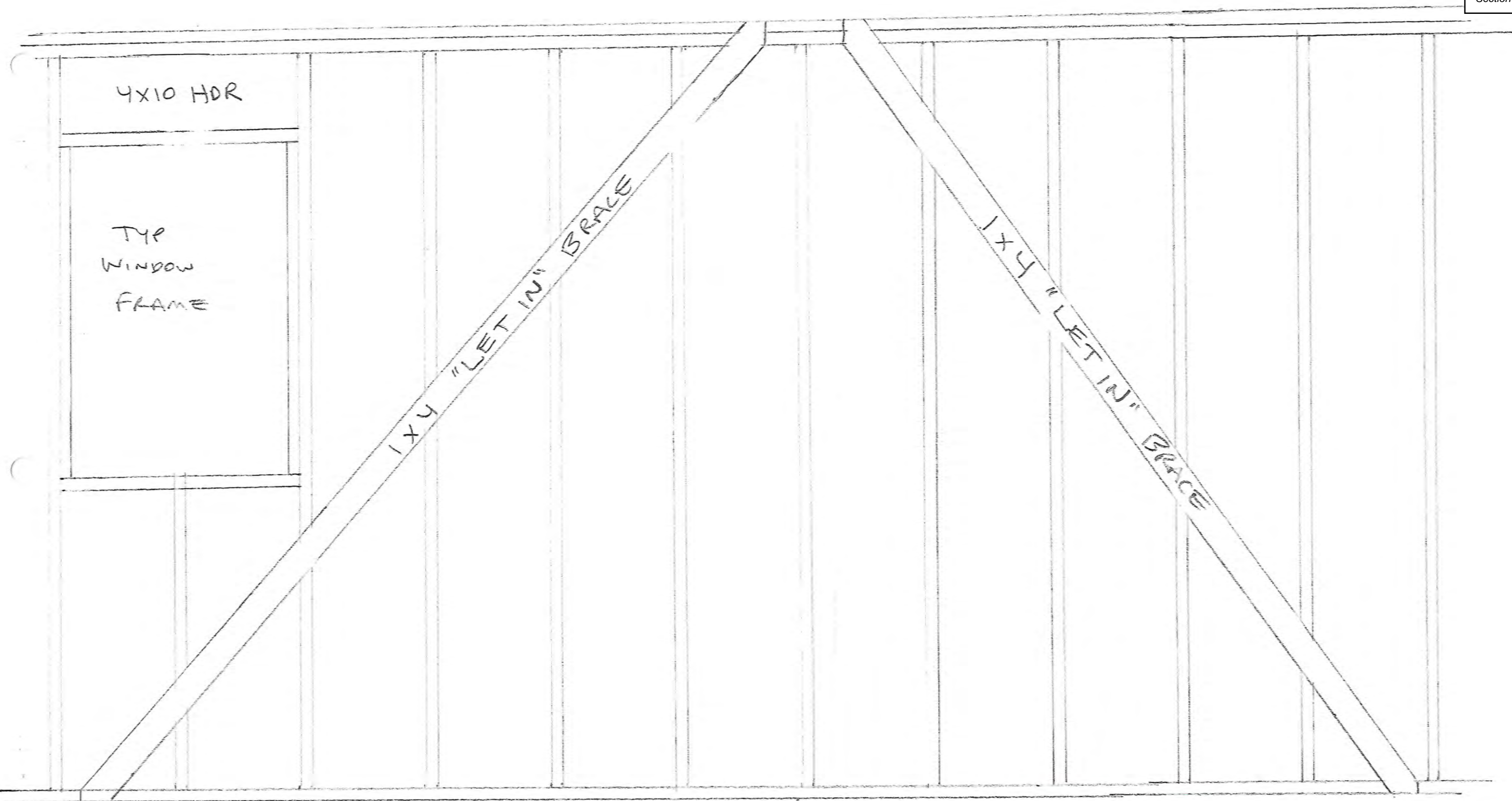
REAR
 $\frac{1}{8}" = 1'-0"$

LEFT SIDE
 $\frac{1}{8}" = 1'-0"$



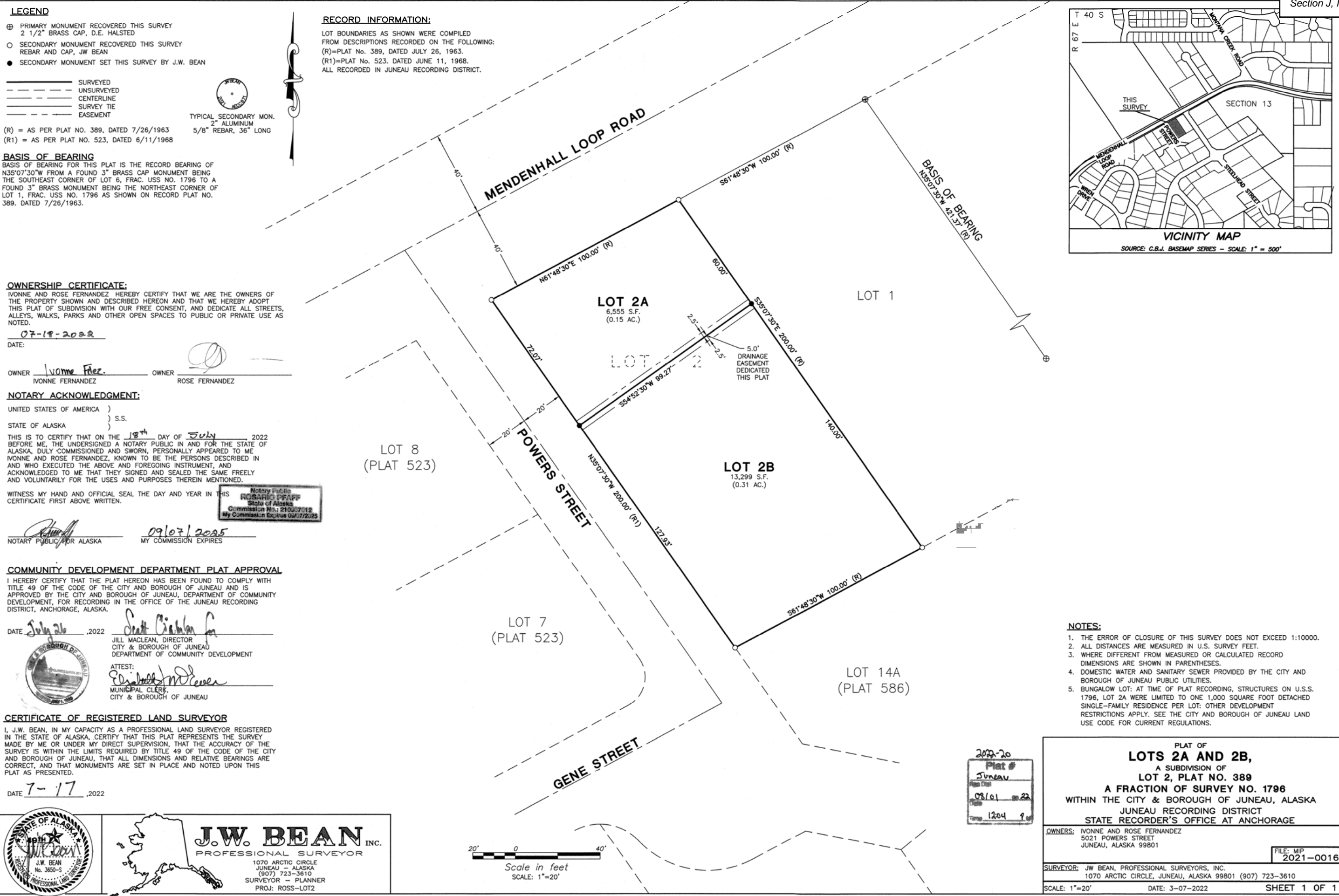
TYPICAL SECTION

1" = 1'-0"

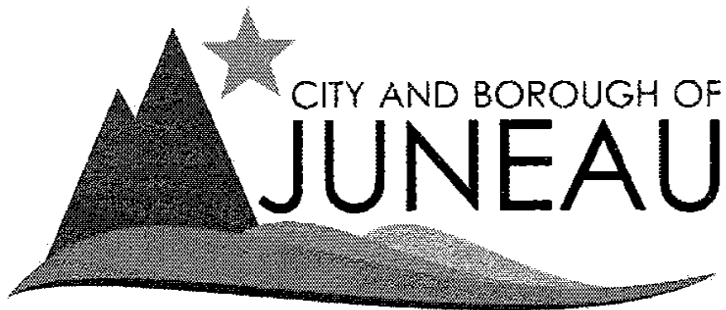


"LET IN" BRACE DETAIL
1" = 1'-0"

Changed to
plywood sheathing
CF



Attachment E - Plat 2022-20



Juneau recording district
PL 2022-20

Treasury Division
155 S Seward St
Juneau AK 99801
907.586.5215 x4907 Phone
907.586.5367 Fax

CERTIFICATION OF TAXES AND ASSESSMENTS PAID

I, the undersigned, being duly appointed, qualified Treasurer for the City and Borough of Juneau, First Judicial District, State of Alaska, do hereby certify that, according to the records of the City and Borough of Juneau, the following described real property is carried on the tax records in the name of:

Ivonne Fernandez and Rose Fernandez

Current Owner

USS 1796 ROSS LT 2

Legal Description

4B2901000020

Parcel Code Number

and that, all Real Property taxes and assessments levied by the City and Borough of Juneau against said Real Property have been paid in full. If approval is sought between January 1 and the date of levy, there is on deposit with the Treasury Department an amount sufficient to pay Real Property tax for the current year based on current available information; however, owner remains responsible for the balance of any taxes owed when billing occurs on July 1, 2022.

Angie Flick

Angie Flick

6/21/2022

Date

This Certification of Payment of Taxes is valid through December 31, 2022

BUILDING PERMIT APPLICATION

NOTE: THIS IS NOT A BUILDING PERMIT

* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Case No: **BLD20220580**

Case Description: Detached garage with accessory apartment on future lot 2B

Site Address: **5021 POWERS ST**

Check No. of Existing Dwelling Units:

Parcel No: 4B2901000020

No. of New Dwelling Units:

Legal Description: USS 1796 ROSS LT 2

No. of Removed Dwelling Units:

Applicant : BUILDING PROS
PO BOX 32098
JUNEAU AK 99803

e-mail: dmiller@gci.net

Phone: 723-2298

PH1 723-2298

Owner: IVONNE FERNANDEZ
ROSE FERNANDEZ
5021 POWERS ST
JUNEAU AK 99801

Contractor: BUILDING PROS
PO BOX 32098
JUNEAU AK 99803

PH: _____ FAX: _____

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
725	Residential-Single Family Resi	116.96	84,796.00
1,015	Utl & Misc-Private Garage	63.64	64,594.60
48	Utl & Misc-Porch	43.28	2,077.44

Total Valuation: **\$151,468.03**

Associated Cases:

None.

Parcel Tags:

Notes and Conditions:

Applicant's Signature

(Owner, Contractor or Authorized Agent)

Date

Staff Acceptance

I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state or local law regulating construction or the performance of construction.

Juneau Permit Center

Foundation Setback Verification

Permit Number: BLD20220580
 Project Address: 5021 POWERS ST
 Assessor's Parcel No: 4B2901000020
 Applicant's Name: BUILDING PROS

Zoning Setbacks Required for Finished Building:

Planner: David Peterson

Front: 25.00 Side1 : 10.00
 Rear : 25.00 Side2 : 10.00
 Street Side: 17.00

Date: 8/29/2022

Comments:

In accordance with CBJ 19.01.109.6.2.1, building setback lines are to be verified before inspectors can approve forms for concrete pour or placement of other foundation systems. Setbacks are measured from exterior finish materials of closest building component to property line.

**Notice: DO NOT POUR CONCRETE OR
 PLACE OTHER FOUNDATION SYSTEMS**

UNTIL INSPECTOR APPROVES SETBACKS BY ONE OF THE FOLLOWING CHECKED OPTIONS:

- ☒ **A. Surveyor's monument(s)** / string line clearly visible at the site. If the foundation and all other building elements are clearly behind the setback line, the inspector may approve the setbacks outright or at owner/contractor's risk. If there is any question, the inspector may require that no pour or foundation placement be permitted without one of the following methods of verification. (Also see "Note" below.) **OR**
- ☒ **B. Surveyor's Statement of Setback Compliance.** (Surveyor must sign and stamp the bottom portion of this form). No pour or foundation placement is allowed until the statement is received by CBJ, regardless of risk assumed by owner or contractor. Upon receipt of statement, pour or foundation placement may be approved outright or at owner/contractor risk. (See "Note" below.) **OR**
- ☒ **C. Stamped Surveyor's As-built Survey of Adjacent Building or Structure** if setback can be verified measuring from adjacent structure. (See "Note" below. May only be used when structure is parallel with property line.) **OR**
- ☒ **D. Stamped Surveyor's As-built Survey of Foundation** or Formwork indicating setbacks, easements and other relevant information. (See "Note" below.) **OR**
- ☒ **E. Other** Building Inspector approval.

INSPECTOR'S APPROVAL & COMMENTS:

OK to pour.

Inspector's Initials

10/20/2022

Date

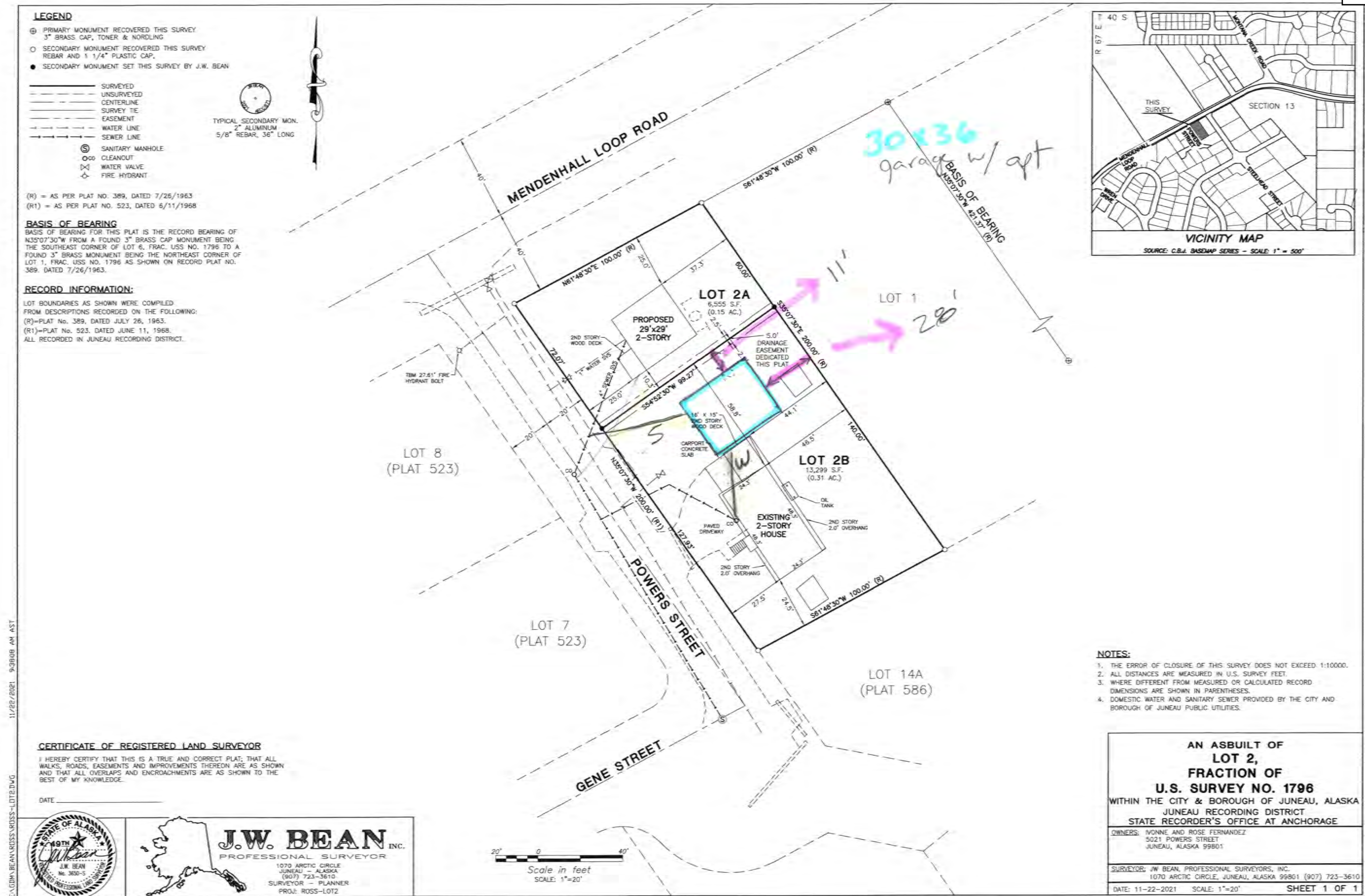
Note: An as-built survey may still be required prior to issuance of a Certificate of Occupancy if setbacks are close enough to the building to make setback verification questionable. Example: Where the structure is less than 3' to the setback line on steep slopes or forested terrain. The purpose of the monuments and string line, surveyor's statement or foundation as-built is to give the inspector the information necessary to allow a pour or placement based on a surveyor's work, as required by CBJ ordinance and not to cause scheduling delays for the contractor. In some situations, a final as-built may be required before frame or final approval where the distance to the setback line of some element of the structure must be more exactly determined. Inspectors may require this additional as-built based on their observations in the field.

SURVEYOR'S STATEMENT OF SETBACK COMPLIANCE

I hereby certify that I am a surveyor registered to practice in the State of Alaska, and that on _____, I personally verified that the forms or foundation systems on site at: _____, Permit No: _____ are placed so that the finished building, if built to the plans as approved by CBJ, will meet the required setbacks shown above. I have reviewed the plans and zoning requirements as approved by CBJ and have accounted for all exterior finish materials, decks, cantilevers and/or other proposed building projections on the approved plans. To the best of my ability, I staked the property so that the contractor can meet all CBJ zoning requirements per CBJ Titles 19 and 49.

I heretofore affix my professional stamp, this date of _____.

Surveyor's Signed Seal Required



Irene Gallion

From: Irene Gallion
Sent: Monday, December 18, 2023 1:24 PM
To: Charlie Ford; Dan Jager; General Engineering
Cc: Ilsa Lund
Subject: VAR23-03 - quick review
Attachments: 01 APP_VAR23-03.pdf; Agency Comments Form Powers Street.pdf

Hi folks,

Sorry for the quick turn but this got missed (I had a family emergency and left before it was completed). Could we have a review by end of week?

Ilsa will be finishing this one up for me, she is cc'ed on this e mail.

Thanks!

Irene Gallion | Senior Planner

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street | 4th Floor Marine View Building

Office: 907.586.0753 x4130



Fostering excellence in development for this generation and the next.

How are we doing? Provide feedback here: <https://juneau.org/community-development/how-are-we-doing>

DEPARTMENT: General Engineering
STAFF PERSON/TITLE: Bridget LaPenter, P.E. – Chief Engineer
DATE: 12-28-23
APPLICANT: Dan Miller, Building Pros
TYPE OF APPLICATION: Variance
PROJECT DESCRIPTION: Variance for rear yard setback reduction from 25 feet to 20.77 feet.

LEGAL DESCRIPTION: USS 1796 ROSS LT 2A
PARCEL NUMBER(S): 4B2901000021
PHYSICAL ADDRESS: 5025 Powers Street

SPECIFIC QUESTIONS FROM PLANNER:
Note: Owner has communicated with adjacent landowner about possibly purchasing land to correct the setback issue. *Adjacent landowner wanted \$250,000 for the strip of land. The applicant is unwilling to pay. (BL correction)*

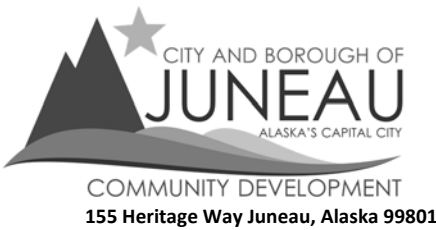
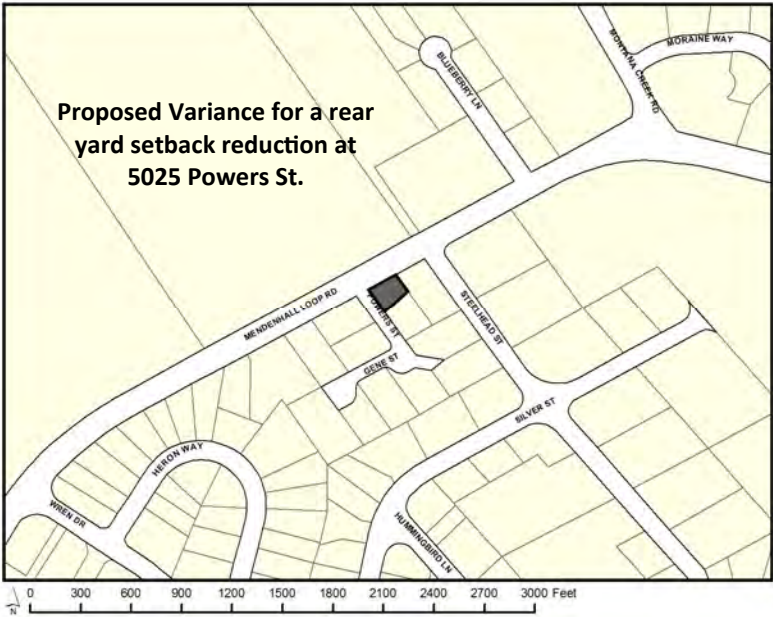
AGENCY COMMENTS:
Affordability and availability of housing is a top priority for the CBJ. **My recommendation is to approve the setback variance.**

- However, Certificate of Occupancy must not be granted until the following conditions are met:
1. Applicant must pay water and sewer assessments. CBJ will issue utility permits.
 2. Applicant must pay illegal water turn on penalty.
 3. Applicant must pay back flat rate water/sewer monthly charges to be corroborated by the Utility Billing department.
 4. Applicant must pay any other fees, expenses or penalties due as required by the code not mentioned here.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

A Non-Administrative Variance application has been submitted for consideration and public hearing by the Planning Commission for **a rear yard setback reduction from 25 feet to 20.77 feet** at **5025 Powers St.** in a **D3 zone**.

PROJECT INFORMATION:

Project Information can be found at:
<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **January 2, 2024** at
<https://juneau.org/community-development/planning-commission>
Find hearing results, meeting minutes, and more here, as well.

Now through Dec. 18, 2023	Dec. 19, 2023 — noon, Jan. 5, 2024	HEARING DATE & TIME: 7:00 pm, January 9, 2024	Jan. 10, 2024
Comments received during this period will be sent to the Planner, Irene Gallion , to be included as an attachment in the staff report.	Comments received during this period will be sent to Commissioners to read in preparation for the hearing.	This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting https://juneau.zoom.us/j/87008048239 and use the Webinar ID: 870 0804 8239 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above). You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.	The results of the hearing will be posted online.
FOR DETAILS OR QUESTIONS, Phone: (907)586-0753 ext. 4130 Email: pc_comments@juneau.gov or irene.gallion@juneau.gov Mail: Community Development, 155 Heritage Way, Juneau AK 99801			
		Case No.: VAR2023 0003 Parcel No.: 4B2901000021 CBJ Parcel Viewer: http://epv.juneau.org	



Attachment I - Public Notice Sign posted

Additional Materials

Regular Planning Commission Meeting

Assembly Chambers
7:00pm
Meeting Date: January 9, 2024

1. VAR2023 0003:

- a. Agency Comment: Jager, received 12.20.23

2. Non-Agenda Items: South Douglas Steering Committee

- a. Public Comment: Bookless, received 12.22.23



(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT: Fire
STAFF PERSON/TITLE: Daniel Jager Fire Marshal
DATE: 12-20-2023
APPLICANT: Dan Miller, Building Pros
TYPE OF APPLICATION: Variance

PROJECT DESCRIPTION:

Variance for rear yard setback reduction from 25 feet to 20.77 feet.

LEGAL DESCRIPTION: USS 1796 ROSS LT 2A
PARCEL NUMBER(S): 4B2901000021
PHYSICAL ADDRESS: 5025 Powers Street

SPECIFIC QUESTIONS FROM PLANNER:

Note: Owner has communicated with adjacent land owner about possibly purchasing land to correct the setback issue. Adjacent land owner not interested.

AGENCY COMMENTS:

There are no fire code or fire dept. concerns for this request.

AGENCY COMMENTS (CONTINUED):

From: [Carole Bookless](#)
To: [PC Comments](#)
Subject: South Douglas Steering Committee
Date: Friday, December 22, 2023 6:53:50 AM

Dear Planning Commission,

Recently, I made a presentation to the Juneau Assembly regarding the lack of meetings and the, one might say, unreasonable delay of progress of the South Douglas Steering Committee.

The South Douglas Steering Committee was impanelled in 2019 with an expected timeline of completion of 12-24 months. We are now going on 5 years. While Covid was an unforeseen delay, most of the delay is on the Planning Department. The Planning Department is on their third planner for this project due to staff turnover.

Please move this process along.

Some of our concerns include potential changes in the public's priorities in the past 5 years. I know that the effects Climate Change will have on Douglas has become more important to me but I am having a hard time getting traction with Planning to recognize it as an issue, and maybe rightly so since it was not as big an issue in 2019 before recent mudslides and torrential rains becoming worse. But that just illustrates why this needs to be brought back to the public.

Public awareness and participation was brought up at our last meeting months ago but we were told that some maps had to be completed (estimated by last June) before going to the community again. We are still waiting to see those maps.

One wonders if the delay is due to our Committee not endorsing some past priorities or ideas for Douglas, that were never popular with residents, which were "on the down low" as far as the public was concerned. (I know I was not aware of the ideas before being on the committee.) I hope that is not the case. We are striving for an open and engaging process with more public involvement.

Douglas is a unique community that can help to solve some of greater Juneau's big problems, but not at the cost of South Douglas's character and uniqueness.

Please respond and set up a meeting.

Thanks,

Carole Bookless

Douglas, AK