



**BOARD OF ADJUSTMENT
NOTICE OF DECISION**

Date: July 28, 2011

File No.: VAR20110016

Eric Forst
278 South Franklin Street
Juneau, AK 99801

Application For: A variance request to eliminate the 5% vegetative cover requirement for the Red Dog Saloon in the Mixed Use (MU) zone district.

Legal Description: Tidelands Addition Block L 82 Lot 5 FR

Property Address: 278 South Franklin Street

Parcel Code No.: 1-C07-0-K82-004-0

Hearing Date: July 26, 2011

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated July 21, 2011 and approved the Variance to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. Prior to issuance of a Certificate of Occupancy or temporary Certificate of Occupancy, CBJ Community Development staff shall verify that the development substantially conforms with the plans and narrative submitted with the application.
2. In lieu of vegetative cover, it shall be the obligation of the owner to establish and maintain no less than six vegetated hanging baskets along the canopies on the exterior of the building between the months of May through September.
3. All roof downdrains are to be directed into appropriate CBJ storm drains as required by the CBJ Engineering Department.

Attachment: July 21, 2011, memorandum from Laura A. Boyce, Community Development, to the CBJ Board of Adjustment regarding VAR20110016

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 Board of Adjustment. 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 Board of Adjustment shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Board, July 26, 2011

Expiration Date: The permit will expire 18 months after the effective date, or January 26, 2013, 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.

Project Planner: 
Laura A. Boyce, AICP, Planner
Community Development Department


Maria Gladziszewski, Chair
Planning Commission


Filed With City Clerk

7/28/2011
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.