

MEMORANDUM

CITY/BOROUGH OF JUNEAU
155 South Seward Street, Juneau, Alaska 99801

DATE: October 7, 2011

TO: Board of Adjustment

FROM: Kelly Keenan, Planner *KK*
Community Development Department

FILE NO.: VAR2011 0022

PROPOSAL: A variance request to reduce the side yard setback on two lots, allowing for construction of a common walkway.

GENERAL INFORMATION

Applicants: Paul Douglas and
Peter Argenti

Property Owners: Paul Douglas and
Peter Argenti

Property Addresses: 3014 Foster Avenue and
3018 Foster Avenue

Legal Descriptions: Channel Heights II Block C Lot 3 and
Channel Heights II Block C Lot 2

Parcel Code Numbers: 1-D05-0-L29-012-0 and
1-D05-0-L29-013-0

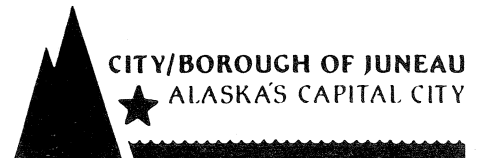
Site Sizes: 8,764 sq ft and
9,000 sq ft

Zoning: D-5

Utilities: CBJ Water and Sewer

Access: Foster Avenue

Existing Land Use: Residential



Surrounding Land Use: Northwest	-	D-5; residential
Southwest	-	D-5; residential
Southeast	-	D-5; Foster Avenue, residential
Northeast	-	D-5; residential

ATTACHMENTS

Attachment A – Vicinity Map
Attachment B – Site Plan
Attachment C – Site Photo
Attachment D – Proposed Location of Common Walkway
Attachment E – Easement for Walkway and Pedestrian Access

PROJECT DESCRIPTION

The applicants are requesting a variance to the side yard setback from the property line between their two lots, allowing for construction of a common walkway. If the requested variance is granted, the walkway would be three feet in width and would encroach 1.5 feet onto each property.

BACKGROUND

This variance request concerns two lots located on Foster Avenue, southeast of the Foster/Fairbanks intersection (see Attachment A). Both lots are zoned D-5, as are all the surrounding properties. Lot 2, the northern of the two lots, is currently occupied by a single-family dwelling with a basement apartment (constructed 1986). Lot 3, the southern of the two lots, was vacant until late July, 2011, when a building permit was issued for a new single-family dwelling with a lower floor accessory apartment (BLD2011 0351, AAP2011 0005). The owner of Lot 3 also has an approved variance reducing the front yard setback on the property from 20 feet to 17 feet (VAR2011 0012).

Before construction of the home on Lot 3 began, a concrete walkway providing access to the lower floor apartment in the house on Lot 2, as well as the back yard of the house, existed partially over the boundary between lots 2 and 3 (see Attachment B). That walkway was removed to allow for grading and construction associated with the foundation on Lot 3.

According to plans submitted by the applicants, the dwelling on Lot 2 is setback seven feet from the boundary between Lots 2 and 3. Similarly, the dwelling under construction on Lot 3 has been designed to be setback five feet from the boundary between Lots 2 and 3 (see Attachment B).

Structures on lots in D-5 zones are subject to a minimum five foot setback from side lot lines. Walkways are allowed in required side yard setbacks, but may be no closer than three feet to a side or rear lot line, per CBJ§49.25.430(4)(C)(i):

Unenclosed balconies, connecting deck stairways, walkways, ramps and landings with or without roofs, may extend to the front lot line or street side lot lines provided the structure does not exceed five feet in internal width exclusive of support structure and is no closer than three feet to a side or rear lot line.

Due to changes in topography at the southeast side of Lot 2, and due to the existence of stairs and a landing providing access to a door on the southeast side of the structure on Lot 2 (see Attachment C), the owner of Lot 2 would be unable to rebuild a three-foot walkway entirely on his own property while meeting the above Title 49 requirements without significant site design changes. Similarly, the owner of Lot 3 is unable to construct a three-foot walkway that meets the required three foot setback, due to the design and location of his new house currently under construction.

Therefore, in an effort to resolve the walkway issues on both properties, the applicants have made this variance request jointly in order to provide both properties with safe and adequate access to their respective back yards and lower floor apartments. The applicants are proposing construction of a shared pedestrian walkway along the boundary between the two lots. The walkway would be three feet wide and would encroach 1.5 feet onto each lot (see Attachment D). If approved, this variance request would only apply to the shared walkway, and would have no affect on the minimum side yard setbacks for structures on the two subject lots.

The applicants have already recorded an easement for the proposed walkway and pedestrian access. That easement is provided as Attachment E.

ANALYSIS

Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

- 1. That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.***

In order to comply with the Title 49 requirement of a three foot side yard setback for walkways, the applicants would both need to make significant modifications to the layouts of their respective properties. In addition, the requested variance will allow the two property owners to construct a safe

walkway, three feet in width. Staff has observed that many properties in the neighborhood have three-foot wide walkways providing access to back yards or back decks. In consideration of the above analysis, this criterion **is met**.

2. *That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.*

The intent of side yard setback requirements is to preserve space for the movement of light and air, for privacy, and for adequate fire separation. Given that the requested variance applies to a grade-level walkway and does not affect the setbacks for structures, and that the variance is being requested jointly by the two owners of the affected properties, staff finds that the relief can be granted in observance of the intent of Title 49. In addition, staff received no objections to the requested variance from CBJ Fire, Building or General Engineering Departments. In consideration of the above analysis, this criterion **is met**.

3. *That the authorization of the Variance will not injure nearby property.*

Because this variance request concerns the boundary between two properties owned by the applicants, it is highly unlikely that the authorization of the variance would affect other property in any way. In addition, as of the date of this memorandum, staff has received no objection to the requested variance from other nearby property owners. In consideration of the above analysis, this criterion **is met**.

4. *That the Variance does not authorize uses not allowed in the district involved.*

The two lots in question are being utilized for single-family dwellings with lower floor apartments. These are allowable uses in a D-5 zone. In consideration of the above analysis, this criterion **is met**.

5. *That compliance with the existing standards would:*

(A) *Unreasonably prevent the owner from using the property for a permissible principal use;*

Compliance with the existing standards would not necessarily prevent the owners from utilizing the subject properties for the purpose of single-family dwellings, which is permissible principal use in a D-5 zone. In consideration of the above analysis, this sub-criterion is **not met**.

(B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;*

Single-family dwellings are the most prevalent use of land in the neighborhood surrounding the subject lots. Compliance with the existing standards would not necessarily prevent the owners

from using their properties for the purpose of single-family dwellings consistent with existing neighborhood development. In consideration of the above analysis, this sub-criterion is **not met**.

(C) Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;

The difficulties associated with access to the lower floor apartments and back yards on the two subject properties are related to the existing construction on Lot 2 and the previous encroachment of a walkway over the boundary between Lots 2 and 3. While both lots are characterized by a steep drop in elevation from front to back, this physical feature is not necessarily related to the burden of constructing walkways in compliance with the existing Title 49 standards. In consideration of the above analysis, this sub-criterion is **not met**.

or

(D) Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.

As discussed previously, the walkway serving the lower floor apartment and backyard on Lot 2 was nonconforming because it was previously constructed partially across the boundary between Lot 2 and Lot 3. The proposed new common walkway, already eased, would improve and clarify access to the apartments and back yards of both lots and would not result in a decrease in overall compliance with CBJ codes. Additionally, the requested variance would not authorize a reduction in side yard setback requirements for structures on either lot. In consideration of the above analysis, this sub-criterion is **met**.

6. That a grant of the Variance would result in more benefits than detriments to the neighborhood.

The grant of this variance would result in a clear and legal walkway for both affected properties. The benefit of reducing confusion over access through a voluntary agreement between two property owners outweighs the potential detriments, which are minimal considering that this variance request involves the boundary line between the two properties owned by the applicants. In consideration of the above analysis, this criterion is **met**.

FINDINGS

1. Is the application for the requested Variance complete?

Yes. We find the application contains the information necessary to conduct a full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

2. *Will the proposed development comply with the Juneau Coastal Management Program?*

Not applicable. Staff finds that no provisions of the Juneau Coastal Management Program apply to the proposed development.

3. *Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?*

Yes. Based on the analysis above, staff finds that the proposal does meet the CBJ§49.20.250, Grounds for Variances.

RECOMMENDATION



Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and approve the requested variance, VAR2011 0022. The Variance permit would allow for construction of a common walkway along the boundary between two lots. The walkway would be three feet in width and would encroach 1.5 feet onto each property.

Vicinity Map



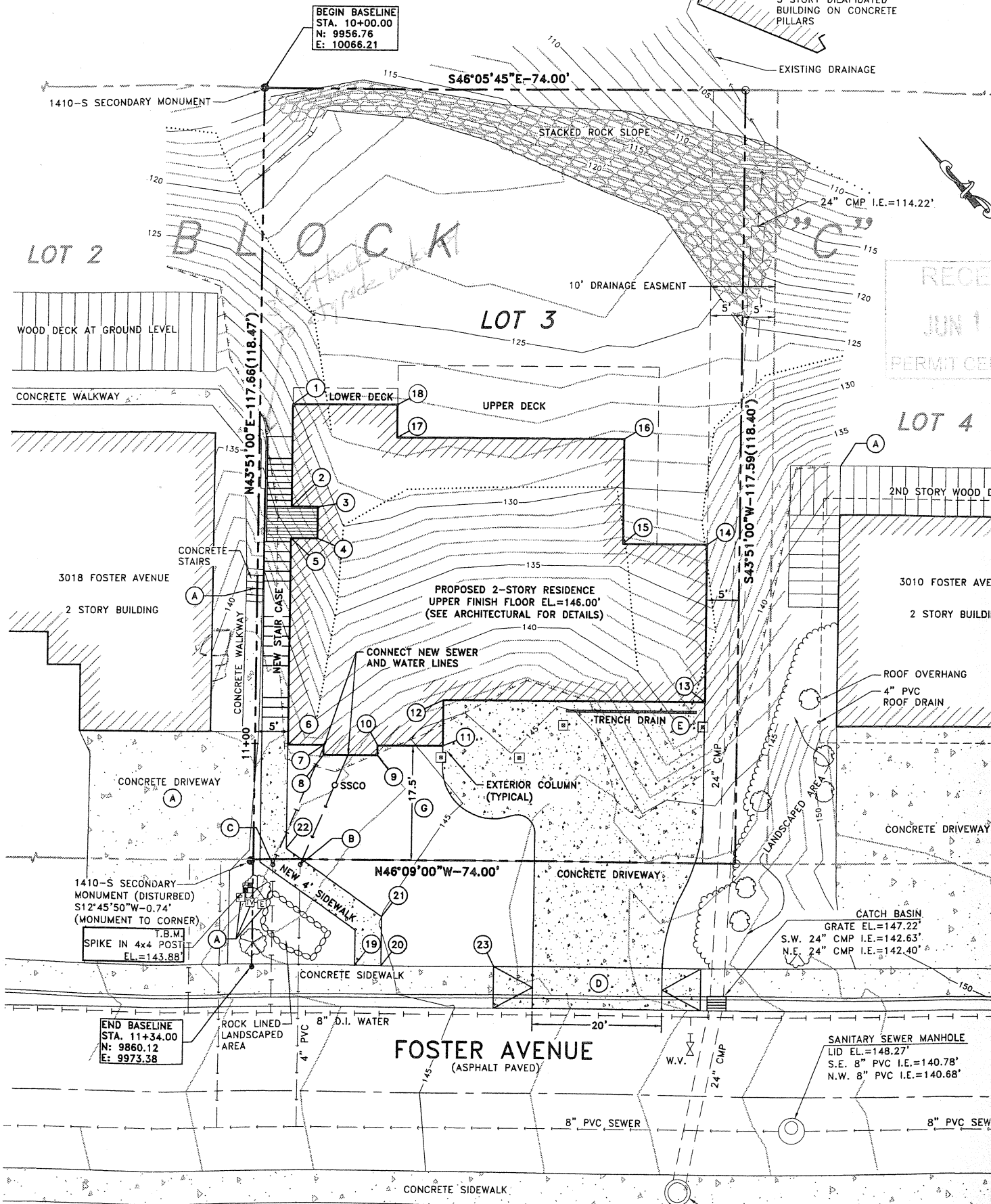
Copyright (C) 2006 CBJ / GIS

0 363ft

-  Lot 2
-  Lot 3

3 STORY DILAPIDATED
BUILDING ON CONCRETE
PILLARS

RECEIVED
JUN 17
PERMIT



BEGIN BASELINE
STA. 10+00.00
N: 9956.76
E: 10066.21

S46°05'45"E-74.00'

1410-S SECONDARY MONUMENT

EXISTING DRAINAGE

LOT 2

B L O C K

LOT 3

"C"

LOT 4

WOOD DECK AT GROUND LEVEL

CONCRETE WALKWAY

LOWER DECK

UPPER DECK

3018 FOSTER AVENUE

2 STORY BUILDING

PROPOSED 2-STORY RESIDENCE
UPPER FINISH FLOOR EL.=146.00'
(SEE ARCHITECTURAL FOR DETAILS)

CONNECT NEW SEWER
AND WATER LINES

TRENCH DRAIN

EXTERIOR COLUMN
(TYPICAL)

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

1410-S SECONDARY
MONUMENT (DISTURBED)
S12°45'50"W-0.74'
(MONUMENT TO CORNER)
T.B.M.1
SPIKE IN 4x4 POST
EL.=143.88'

N46°09'00"W-74.00'

CONCRETE SIDEWALK

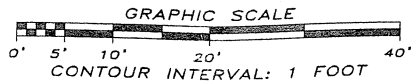
FOSTER AVENUE
(ASPHALT PAVED)

CATCH BASIN
GRATE EL.=147.22'
S.W. 24" CMP I.E.=142.63'
N.E. 24" CMP I.E.=142.40'

END BASELINE
STA. 11+34.00
N: 9860.12
E: 9973.38

SANITARY SEWER MANHOLE
LID EL.=148.27'
S.E. 8" PVC I.E.=140.78'
N.W. 8" PVC I.E.=140.68'

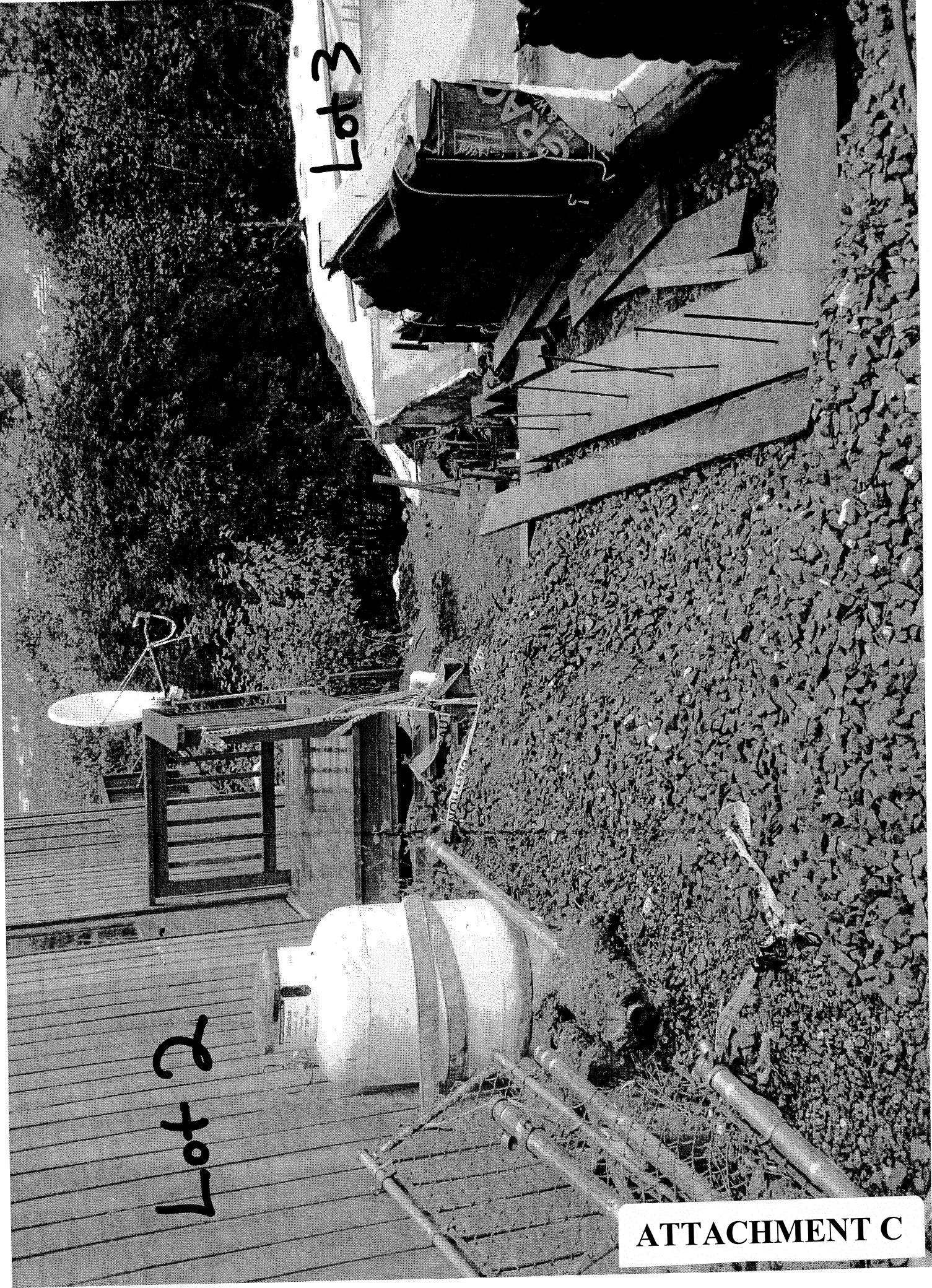
STORM DRAIN MANHOLE
LID EL.=147.57'
S.W. 24" CMP I.E.=143.62'
N.E. 24" CMP I.E.=143.52'



Lot 3

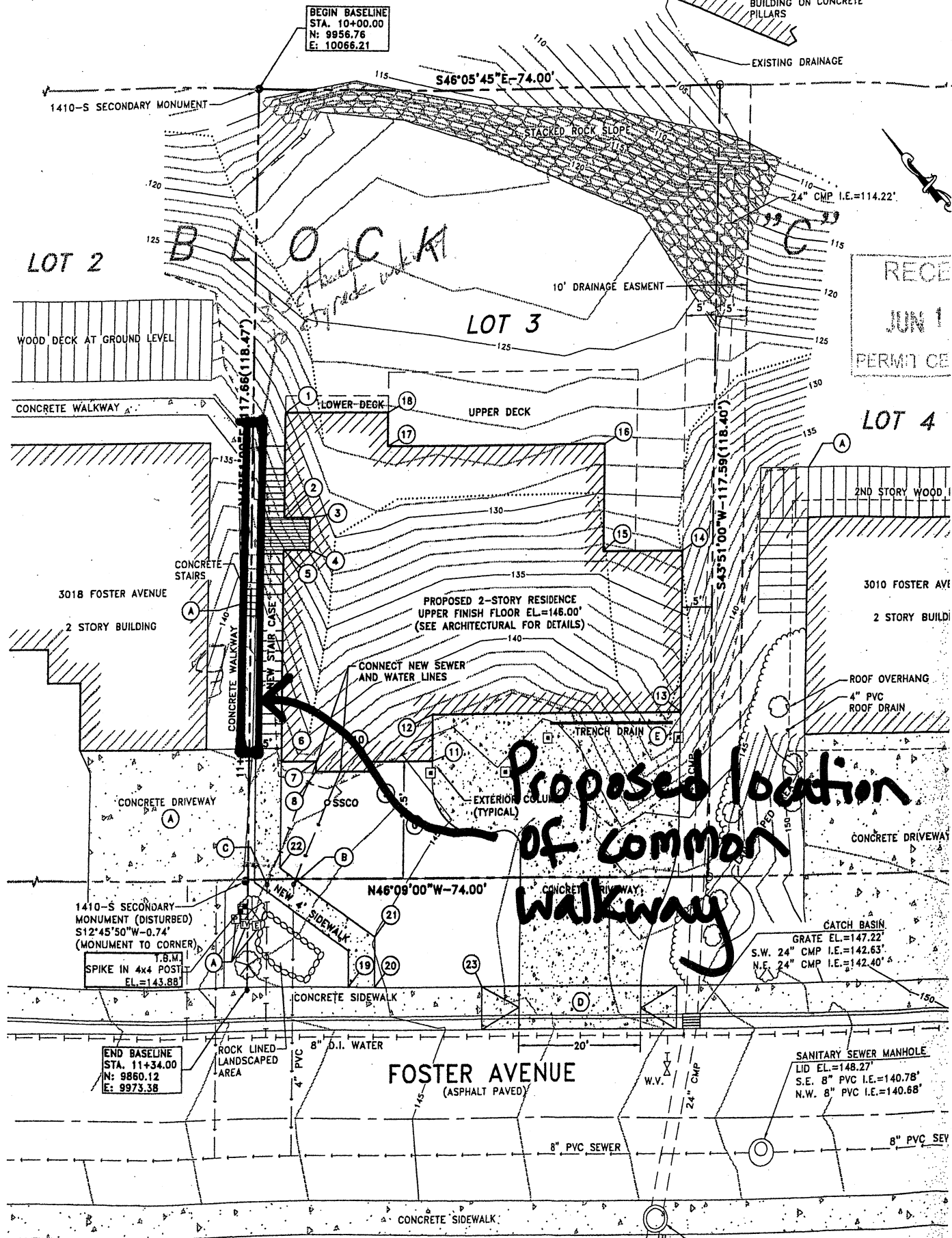
Lot 2

ATTACHMENT C



BEGIN BASELINE
STA. 10+00.00
N: 9956.76
E: 10066.21

3 STORY DILAPIDATED
BUILDING ON CONCRETE
PILLARS



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R CBJ

1410-S SECONDARY
MONUMENT (DISTURBED)
S12°45'50"W-0.74'
(MONUMENT TO CORNER)
1.8 M.
SPIKE IN 4x4 POST
EL.=143.88

END BASELINE
STA. 11+34.00
N: 9860.12
E: 9973.38



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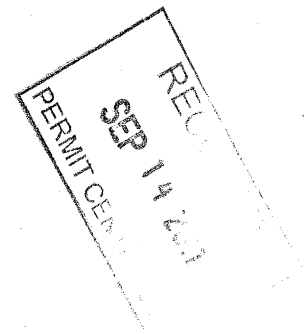
Recording Dist: 101 - Juneau
9/13/2011 1:56 PM Pages: 1 of 5



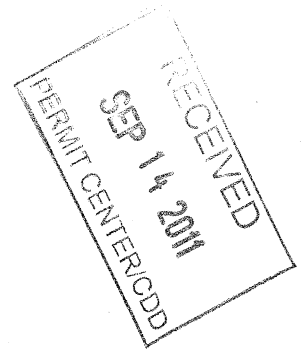
Easement for Walkway and Pedestrian Access

**Paul D. Douglas
5050 Thane Road
Juneau, Alaska 99801**

**First Judicial District
Juneau, Alaska**



Return to:
Paul Douglas
5050 Thane Road
Juneau, Alaska 99801



EASEMENT FOR WALKWAY AND PEDESTRIAN ACCESS

Agreement made this 12th day of September, 2011 between Paul D. Douglas, Trustee of the Amended and Restated Paul D. Douglas Revocable Trust Agreement dated August 9, 2010, and Successor Trustees ("Douglas"), whose address is 5050 Thane Road, Juneau, Alaska and Peter J. Argenti, whose address is 3018 Foster Avenue, Juneau, Alaska 99801 ("Argenti").

RECITALS

- A. Douglas owns certain real property described as Lot 3, Block C, a re-subdivision of Lots 1, 2 and 3, Block C, Channel Heights Subdivision II, according to Plat Number 86-58, located in the Juneau Recording District, First Judicial District, State of Alaska ("Lot 3").
- B. Argenti owns certain real property described as Lot 2, Block C, a re-subdivision of Lots 1, 2 and 3, Block C, Channel Heights Subdivision II, according to Plat Number 86-58, located in the Juneau Recording District, First Judicial District, State of Alaska ("Lot 2").
- C. Lot 3 and Lot 2 are adjoining properties.
- D. The parties wish to construct and maintain a shared pedestrian walkway along the border between their properties. The walkway is to be three feet wide, and constructed so that half of the walkway is on Lot 2 and half is on Lot 3. Accordingly, each party wishes to grant an easement to the other to allow for the shared use of the walkway and to provide access to their respective lots.

Therefore, in consideration of the payment of ten dollars and other good and valuable consideration, the parties agree as follows:


- 1. Douglas grants and conveys to Argenti a perpetual easement over and across Lot 3 for the use and benefit of Lot 2 for the purpose of constructing, maintaining and using a concrete walkway. The easement for the walkway shall consist of a one and one half

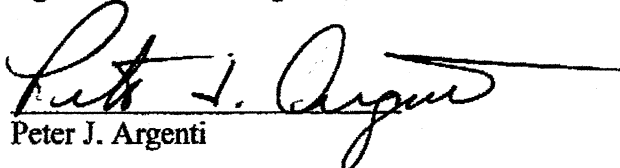


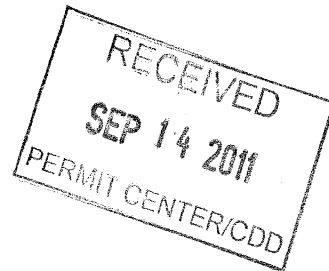
foot wide right of way across Lot 3 to permit pedestrian use, which shall include the use of carts, wheelchairs and other devices designed to assist ordinary residential and personal activities.

2. Argenti grants and conveys to Douglas a perpetual easement over and across Lot 2 for the use and benefit of Lot 3 for the purpose of constructing, maintaining and using a concrete walkway. The easement for the walkway shall consist of a one and one half foot wide right of way across Lot 2 to permit pedestrian use of the walkway, which shall include the use of carts, wheelchairs and other devices designed to assist ordinary residential and personal activities.
3. Both easements shall be co-extensive with the concrete walkway as constructed and shall be located as follows: beginning approximately twenty feet from the front lot lines of Lots 2 and 3 (along Foster Avenue) and extending in a northeasterly direction for approximately fifty feet along the border between Lots 2 and 3 to a location where the walkway provides access to the back of both lots.
4. The easement on Lot 2 burdens Lot 2 and benefits and runs with Lot 3.
5. The easement on Lot 3 burdens Lot 3 and benefits and runs with Lot 2.
6. This Agreement shall be binding on and shall inure to the benefit of the parties hereto, their heirs, successors, and assigns.
7. This Agreement may be modified only by an agreement in writing, in recordable form executed by both parties, their heirs, executors or assigns.

IN WITNESS WHEREOF, the parties have executed this Agreement at Juneau, Alaska, the date and year first above written.


Paul D. Douglas, Trustee of the Amended and Restated Paul D. Douglas Revocable Trust Agreement dated August 9, 2010


Peter J. Argenti



State of Alaska)
) ss.
First Judicial District)

On this day personally appeared before me Paul Douglas, Trustee of the Amended and Restated Paul D. Douglas Revocable Trust Agreement dated August 9, 2010, owner of Lot 3 as described in the foregoing agreement, and acknowledged that he signed the same as his free and voluntary act and deed for purposes therein mentioned.

GIVEN under my hand and official seal this 12th day of September, 2011.

NOTARY PUBLIC
Peggy A. Boman
STATE OF ALASKA
My Commission Expires 11/17/2014

Peggy A. Boman
Notary Public in and for the
State of Alaska

After recording return to:
Paul Douglas
5050 Thane Road
Juneau, Alaska 99801
24165

RECEIVED
SEP 14 2011
PERMIT CENTER/CDD



DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <i>9/14/11</i>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description <i>Reduce side yard setbacks for lots 2 & 3 for construction of a common walkway.</i>		
	PROPERTY LOCATION		
	Street Address		City/Zip
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <i>Channel Heights II BLC Lot 3 & Channel Heights II BLC Lot 2.</i>		
	Assessor's Parcel Number(s) <i>1005 02290120 & 1005 02290130</i>		
	LANDOWNER/ LESSEE		
	Property Owner's Name <i>Paul Douglas</i>	Contact Person: <i>Paul Douglas</i>	Work Phone: <i>N.A.</i>
	Mailing Address <i>5050 Thane Rd, Juneau, AK 99801</i>	Home Phone: <i>463-3042</i>	Fax Number: <i>N.A.</i>
	E-mail Address <i>pddoug@pci.net</i>	Other Contact Phone Number(s):	
	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	<i>Paul Douglas</i> Landowner/Lessee Signature	<i>08/30/11</i> Date	
X	_____ 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" and sign and date at X below			
Applicant's Name <i>Same</i>	Contact Person:	Work Phone:	
Mailing Address	Home Phone:	Fax Number:	
E-mail Address	Other Contact Phone Number(s):		
X	_____ Applicant's Signature	_____ Date of Application	

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE			
	<input checked="" type="checkbox"/>	Permit Type	Date Received	Application Number(s)
		Building/Grading Permit		
		City/State Project Review and City Land Action		
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
		Mining Case (Small, Large, Rural, Extraction, Exploration)		
		Sign Approval (If more than one, fill in all applicable permit #'s)		
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
		Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<i>VAR 2011 0022</i>
	<input checked="" type="checkbox"/>	Variance Case (De Minimis and all other Variance case types)	<i>9/14/11</i>	<i>VAR 2011 0004</i>
		Wetlands Permits		
		Zone Change Application		
		Other (Describe)		
	***Public Notice Sign Form filled out and in the file.			
	Comments:			Permit Intake Initials <i>ROME</i>

DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>9/14/11</u>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION

Project Description: <u>Reduce side yard setbacks for lots 2 & 3 for construction of a common walkway.</u>		
PROPERTY LOCATION		
Street Address		City/Zip
Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>Channel Heights II BLC Lot 3 & Channel Heights II BLC Lot 2</u>		
Assessor's Parcel Number(s) <u>1D05 0L290120 & 1D05 0L290130</u>		
LANDOWNER/ LESSEE		
Property Owner's Name <u>Peter Argenti</u>		Contact Person: <u>Peter Argenti</u>
Mailing Address <u>3018 Foster Ave, Juneau, AK 99801</u>		Work Phone: <u>463-2146</u>
E-mail Address <u>p.j.argenti@uscg.mil</u>		Home Phone: Fax Number:
Other Contact Phone Number(s):		
LANDOWNER/LESSEE CONSENT <small>Required for Planning Permits, not needed on Building/Engineering Permits</small>		
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	_____	_____
	Landowner/Lessee Signature	Date
X	_____	_____
	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 <small>If the same as OWNER, write "SAME" and sign and date at X below</small>		
Applicant's Name <u>Same</u>		Contact Person:
Mailing Address		Work Phone:
E-mail Address		Home Phone:
		Fax Number:
		Other Contact Phone Number(s):
X	_____	_____
	Applicant's Signature	Date of Application

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS

✓	Permit Type	Status	Date Received	Application Number(s)
	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee in Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (if more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
✓	Variance Case (De Minimis and all other Variance case types)		<u>9/14/11</u>	<u>VAR 2011 6022</u> <u>VAM 2011 0004</u>
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			

***Public Notice Sign Form filed out and in the file.

Comments: <u>Signature can be found on attached easement document</u>	Permit Intake Initials <u>BM</u>
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VARIANCE APPLICATION

Project Number	Project Name (15 characters) <i>Variance to reduce side yard setbacks by 15 feet for each lot</i>	Case Number <i>VAR 20110022</i>	Date Received <i>9-14-11</i>
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TYPE OF VARIANCE REQUESTED:

<input type="checkbox"/> Variance to the Sign Standard (VSG)	<input type="checkbox"/> Variance to Dimensional Standards (VDS)
<input type="checkbox"/> Variance to Habitat Setbacks (VHB)	<input type="checkbox"/> Variance to Parking Requirements (VPK)
<input checked="" type="checkbox"/> Variance to Setback Requirements (VSB)	

DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE:
*Construction of a shared pedestrian walkway between Lot 2 and Lot 3, Block C, Channel Heights Subdivision II
 1.5 foot encroachment on each lot*

Previous Variance Applications? YES NO Date of Filing: *05/10/2011*

Previous Case Number(s): *VAR 20110012*

Was the Variance Granted? YES NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): *Both properties require external access to the accessory apartments on the lower level of the houses*

UTILITIES AVAILABLE: WATER: Public On Site SEWER: Public On Site

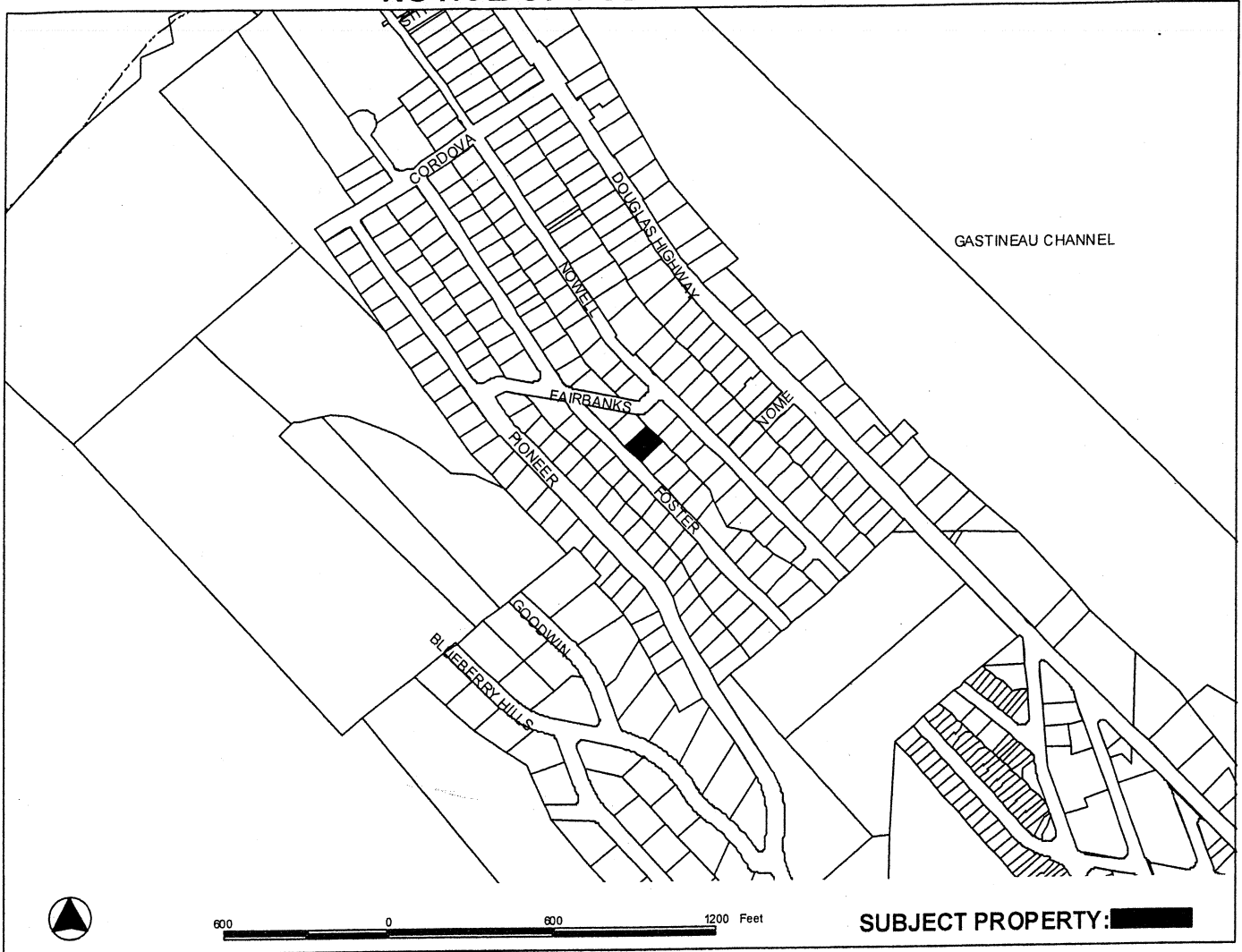
WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?
External access is required to reach the downhill lower level accessory apartment in each home. The existing walkway on Lot 2 partially intruded on Lot 3 and had to be removed during foundation construction of the new home being built on Lot 3

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?
There would be no external access to the accessory apartments in the dwellings on both Lot 2 and Lot 3

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side. If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	VARIANCE FEES				
		Fees	Check No.	Receipt	Date
	Application Fees	\$ <u>400.00</u>	_____	_____	_____
	Adjustment	\$ _____	_____	_____	_____
	Total Fee	\$ <u>400.00</u>	<u>1156</u>	<u>2023</u>	<u>9/14/11</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

NOTICE OF PUBLIC HEARING



PROPOSAL: A Variance request to reduce the side yard setback on two lots, allowing for construction of a common walkway.

<p>FILE NO: VAR2011 0022</p> <p>TO: Adjacent Property Owners</p> <p>HEARING DATE: Oct. 11, 2011</p> <p>HEARING TIME: 7:00 PM</p> <p>PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p>APPLICANT: PAUL D DOUGLAS</p> <p>Property PCN: 1-D05-0-L29-012-0</p> <p>Owner(s): Peter J Argenti</p> <p>Size: 8764 square feet</p> <p>Zoned: D5</p> <p>Site Address: 3014 FOSTER AVE</p> <p>Accessed via: FOSTER AVE</p>
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PROPERTY OWNERS PLEASE NOTE:

You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials received by this deadline are included in the information packet given to the Planning Commission a few days before the Public Hearing. Written material received after the deadline will be provided to the Planning Commission at the Public Hearing.

If you have questions, please contact

KELLY KEENAN 586-0756 KELLY_KEENAN@JUNEAU.AK.US

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.