


MEMORANDUM

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

DATE: October 31, 2011

TO: Board of Adjustment

FROM: Eric Feldt, Planner II, CFM 
Community Development Department

FILE NO.: VAR2011-0023

PROPOSAL: A Variance to allow a triplex to be built within the street side yard setback from Douglas Highway.

GENERAL INFORMATION

Applicant: David Blommer

Property Owner: Roscoe Bicknell

Property Address: Creek Street

Legal Description: Lot 7 Hamdy Acres

Parcel Code Number: 2-D05-0-B03-007-0

Site Size: 7,510 sq ft (0.17 Acres)

Zoning: D-18

Utilities: City Water & Sewer

Access: Creek Street

Existing Land Use: Vacant

Surrounding Land Use: North - D-18; Lawson Creek
South - D-18; 4-plex Multifamily; Creek Street
East - D-18; Douglas Highway ROW & Multifamily; Douglas Hwy
West - D-18; 4-plex Multifamily; Creek Street

ATTACHMENTS

Attachment A	Vicinity Map
Attachment B	Site Plan
Attachment C	Building Plans
Attachment D	Topographic Plan
Attachment E	Site Photographs taken 10/21/11
Attachment F	Project Narrative

PROJECT DESCRIPTION

The applicant seeks a variance to build a triplex 5 feet away from the Douglas Highway right-of-way (ROW) instead of the required 13-foot street side yard setback. Due to the steep topography and the 50-foot streamside setback from Lawson Creek, the amount of flat, buildable land is limited. The site is identified in Attachment A, and the location and exterior designs of the triplex are shown in Attachments B & C. Contours of the site are shown under Attachment D.

BACKGROUND

Creek Street is a short dead-end, gravel road having several multifamily buildings flanking its sides. The subject site is located at the northern corner of Douglas Highway and Creek Street. This vacant site has been accumulating litter and junk vehicles over the years. Pictures of the site are provided under Attachment E.

Creek Street and adjacent streets are located in high density zoning districts, and the built environment reflects this, as well as high automobile traffic. This traffic frequently adds to congestion along Douglas Highway. Multimodal transportation facilities exist along Douglas Highway, near Creek Street, such as sidewalks, bicycle shoulders, and Capital Transit bus stops. Future development along the Douglas Highway corridor does not have to rely on personal automobiles for transportation into downtown Juneau or beyond.

ANALYSIS

The applicant seeks to maximize the density allowed on the site as permitted in the D-18 district with a triplex. This building will have similar façade elements as a townhome with individual entrances facing the street. The density will be similar to existing multifamily buildings in the neighborhood.

As proposed the triplex will encroach 8 feet into the 13-foot street side yard setback from Douglas Highway ROW. No parts of the building will be in the ROW. The roof eaves along this side of the building will project 2.5 feet from the building, leaving a distance of 2.5 feet to the ROW line. Encroachment into the street side yard setback is the only non-compliant element of the project.

Buildings must comply with yard setbacks to preserve the movement of light, air, on-site drainage, line-of-sight along driveways, fire separations between buildings, etc. Driveways are typically constructed within the front or street side yard setbacks. These two setbacks tend to be fairly large to provide open views of on-coming vehicles and pedestrians along the road. The following are the required yard setbacks on the site:

- Front yard: 20 feet (along Creek Street ROW)
- Street Side Yard: 13 feet (along Douglas Highway ROW)
- Side Yard: 5 feet (Southeast property line)
- Rear Yard: 10 feet (opposite of Front yard)
- Streamside Yard: 50 feet (measured from Lawson Creek into the site; along Rear yard)

Since the front yard setback can only be met along Creek Street with the proposed footprint, the street side yard setback will be measured from Douglas Highway ROW. Staff notes that applicants may choose which ROW to dedicate as the front and the street side yard. These setback areas are identified on the site plan.

Roof eaves are allowed to encroach into yard setback 4 inches per foot of setback, according to the Land Use Code. Using the 13-foot street side yard setback distance, the roof eave may encroach 52 inches (4 x 13) or 4 feet 4 inches without a variance, leaving a remaining distance of 8 feet 8 inches to the ROW. As proposed the roof eave will encroach 10 feet 6 inches; therefore, the eaves will be covered by the subject variance. The Code also allows carports and garages to encroach into yard setbacks if it can meet specific findings, such as topography making construction a hardship. The carports shown in the attached plans and the existing topography satisfy these findings.

A patio and deck are designed along the subject wall that will encroach into the setback. These structures are shown in attachment C. Though in specific circumstances the Land Use Code allows these types of structures to encroach into yard setbacks, in this case they will also be beyond the allowance and will be covered in the subject variance.

The applicant indicates in the attached narrative (Attachment F) that a narrower building that complies with the 13-foot street side yard setback will be insufficient for a triplex. Further, the distance between the eastern side of the proposed building and the edge of pavement of Douglas Highway is approximately 65 feet. Thus, traffic on the highway would not be close to the triplex and the setback would feel more like 65 feet, not 5 feet. Staff notes that yard setbacks are measured from the ROW line, not edge of pavement or sidewalk. However, in this case, due to the topography there is a significant distance between the edge of the building and traveling vehicles.

Staff notes that the applicant may redesign the height of the building to three stories to narrow the overall width of the building. The maximum height limit in the D-18 district is 35 feet. The height of the building is designed at approximately 24 feet. Though additional heights are permitted, views from an adjacent dwelling may be reduced.

Staff requested comments from the Alaska Department of Transportation (DOT) since the triplex would be built near their ROW. At the date of this memorandum, staff had not received any comments from this department.

Since the proposed building will be so close to the property line, staff is recommending a condition of approval requiring an as-built survey prior to a Certificate of Occupancy.

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.***

Relaxing the 13-foot street side yard setback to 5 feet would give substantial relief to the owner of the property as it would enable the site to be developed with a 2-story triplex instead of a 3-story triplex or duplex if the relaxation was less or none at all.

The applicant believes that constructing a triplex is more consistent with justice to other property owners in the neighborhood than a duplex because all other development is denser than a duplex. Further, other multifamily buildings along Creek Street do not have the topographic challenges limiting the buildable area forcing encroachments into yard setbacks. Therefore, constructing a triplex would be more consistent with justice to other high density development in the neighborhood. 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.***

As stated earlier, the intent of yard setbacks is to preserve the movement of light, air, on-site drainage, line-of-sight along driveways, fire separations between buildings, etc. Reducing the street side yard setback along Douglas Highway ROW from 13 feet to 5 feet will not infringe on the movement of vehicles, line-of-site for driveway egress/ ingress, drainage, or the movement of light and air. Therefore, this criterion is met.

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

The encroached yard setback is near Douglas Highway ROW, and the distance to the travel way from the proposed building is 65 feet. Therefore, nearby property will not be injured with the approval of this variance. This criterion is met.

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

The proposed triplex is permitted on the site based on lot size and zoning. Therefore, 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;*

Denying this application would still allow the applicant to construct a 3-story triplex, duplex or single family dwelling. Therefore, this 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;*

Denying this variance would still allow the applicant to build a 3-story triplex multifamily building that would be consistent with existing development in the neighborhood. Therefore, this criterion is not met.

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

Due to the steep topography and streamside yard setback, compliance with yard setbacks would result in expensive construction methods and engineering. Therefore, this criterion is 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.*

There are no pre-existing nonconforming conditions on the site. Therefore, this criterion is not met.

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

The applicant indicates that the site has been used as a dumping site for junk cars and unauthorized automobile storage. Granting the variance would allow the applicant to develop the site as proposed and would reduce or eliminate junk from accumulating on the site. Therefore, granting this variance would be a benefit to the neighborhood. Therefore, 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 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 Programs?*

Yes. The development will avoid encroaching into the 50-foot streamside yard setback. No other habitat issues of the Juneau Coastal Management Program apply.

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 criteria of CBJ §49.20.250, *Grounds for Variance*.

RECOMMENDATION

Staff recommends that the Board of Adjustment adopt the Director's analysis and findings and grant the requested Variance, VAR2011-23. The Variance permit would allow for a triplex to be 5 feet from the Douglas Highway right-of-way line and eaves that will be 2.5 feet from the same line with the following condition:

1. An as-built survey shall be required to be submitted to the Community Development Department prior to the issuance of a Certificate of Occupancy.

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>226001023</i>	Date Received
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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 Triplex on a property zoned D-18. The building extends into the street sideyard setback.

Previous Variance Applications? ☐ YES ☒ NO Date of Filing: _____

Previous Case Number(s): _____

Was the Variance Granted? ☐ YES ☐ NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S): _____
The property is a corner lot so it has different setback requirements than a normal lot. The property is bordered by a stream which requires a 50' setback. The steep topography of the land makes it the land without first building a retaining wall to make the land adequate to build on.

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

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?
The site topography makes the property very difficult to build on. Being a corner lot, the additional setbacks makes it difficult to build on without the change to the street side yard setback. Without the variance, 73% of the lot is unusable because of the setbacks. With the variance, it would still have 65% unusable.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?
The site had a building designed for the property assuming a 5' setback. If the variance is not granted, the whole building would have to be completely redesigned. The size of the rental units would result in substandard units and not allow for full functionality of the use of the lot.

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.	<table> <tr> <th colspan="5">VARIANCE FEES</th> </tr> <tr> <th></th> <th>Fees</th> <th>Check No.</th> <th>Receipt</th> <th>Date</th> </tr> <tr> <td>Application Fees</td> <td>\$ <u>400.00</u></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Adjustment</td> <td>\$ _____</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total Fee</td> <td>\$ <u>400.00</u></td> <td><u>226001023</u></td> <td><u>000212</u></td> <td><u>10/19/11</u></td> </tr> </table>	VARIANCE FEES						Fees	Check No.	Receipt	Date	Application Fees	\$ <u>400.00</u>				Adjustment	\$ _____				Total Fee	\$ <u>400.00</u>	<u>226001023</u>	<u>000212</u>	<u>10/19/11</u>
VARIANCE FEES																										
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Adjustment	\$ _____																									
Total Fee	\$ <u>400.00</u>	<u>226001023</u>	<u>000212</u>	<u>10/19/11</u>																						

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

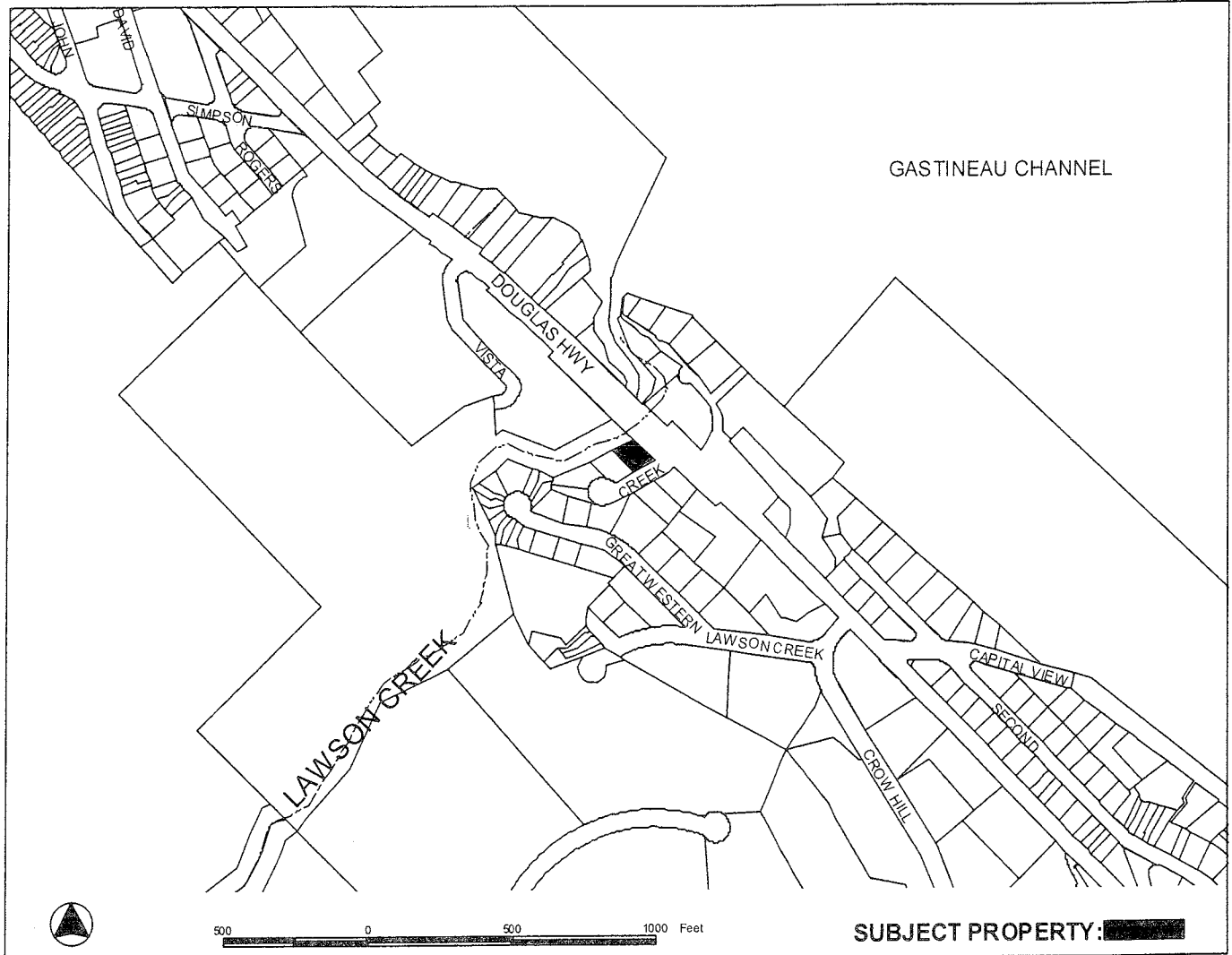
DEVELOPMENT PERMIT APPLICATION

Project Number	CITY and BOROUGH of JUNEAU	Date Received: <u>10-18-11</u>
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description Construction of Tri-plex on Creek St. This project will require a setback variance.			
	PROPERTY LOCATION			
	Street Address Creek St	City/Zip Juneau, AK 99801		
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) HAMDY ACRES L 7			
	Assessor's Parcel Number(s) 2D050B030070			
	LANDOWNER/ LESSEE			
	Property Owner's Name Roscoe Bicknell	Contact Person: Roscoe	Work Phone: 9077895727	
	Mailing Address PO Box 33517 Juneau, Ak	Home Phone:	Fax Number: 9077892644	
	E-mail Address sales@bicknellinc.com	Other Contact Phone Number(s):		
	LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****			
<p>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:</p> <p>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.</p> <p>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.</p>				
<p>X <u>[Signature]</u> Landowner/Lessee Signature <u>10-18-11</u> Date</p> <p>X _____ Landowner/Lessee Signature _____ Date</p>				
<p>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.</p>				
APPLICANT If the same as OWNER, write "SAME" and sign and date at X below				
<p>Applicant's Name David Blommer</p>			Contact Person: David	Work Phone: 9077895727
Mailing Address PO Box 33517 Juneau, AK 99803			Home Phone:	Fax Number: 9077892644
E-mail Address dblommer@bicknellinc.com			Other Contact Phone Number(s):	
<p>X <u>[Signature]</u> Applicant's Signature <u>10-19-11</u> Date of Application</p>				

STAFF APPROVALS	OFFICE USE ONLY BELOW THIS LINE				
	✓	Permit Type	**SIGN	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>10-19-11</u>	<u>VAR20110023</u>
		Wetlands Permits			
		Zone Change Application			
		Other (Describe)			
	***Public Notice Sign Form filled out and in the file.				
	<p>Comments: <u>According to narrative, variance request is to reduce the street side yard setback from 13' to 5'.</u></p>				<p>Permit Intake Initials <u>KK</u></p>

NOTICE OF PUBLIC HEARING



PROPOSAL: A Variance to allow a triplex to encroach into the 13-foot street side yard setback of Douglas Highway

FILE NO:	VAR2011 0023	APPLICANT:	DAVID BLOMMER
TO:	Adjacent Property Owners	Property PCN:	2-D05-0-B03-007-0
HEARING DATE:	November 8, 2011	Owner:	Roscoe Gibbs Bicknell IV & Sara Jo Johnson Bicknell Alaska Community Property Trust
HEARING TIME:	7:00 PM	Size:	7,510 sq ft
PLACE:	ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Zoned:	D-18
		Site Address:	Creek Street

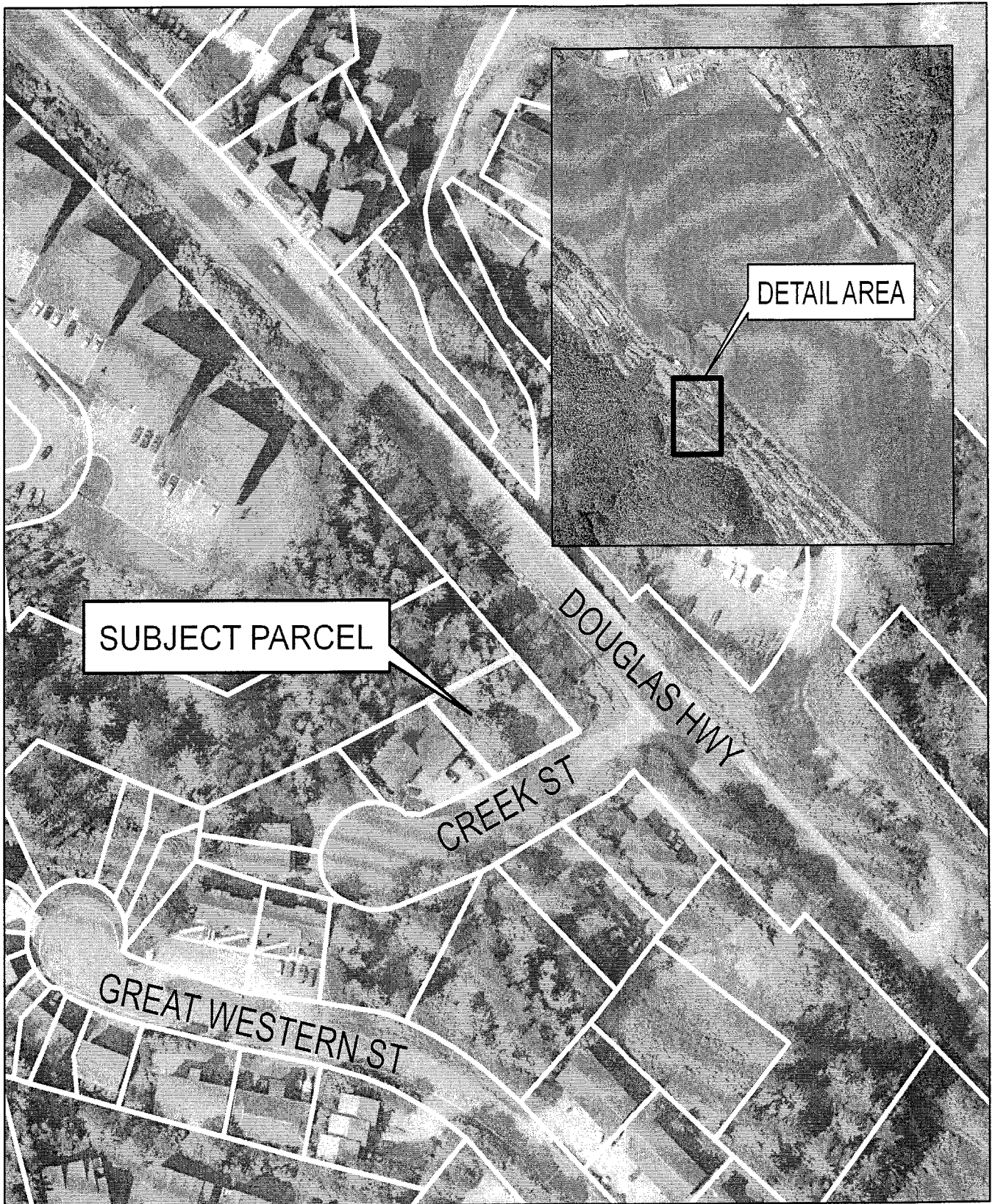
PROPERTY OWNERS PLEASE NOTE:

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 Eric Feldt at (907)586-0764 or e-mail: eric_feldt@ci.juneau.ak.us

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

Date notice was printed: October 25, 2011



CREEK ST
VICINITY

0 125 250 Feet



Map created: 10/21/ 2011

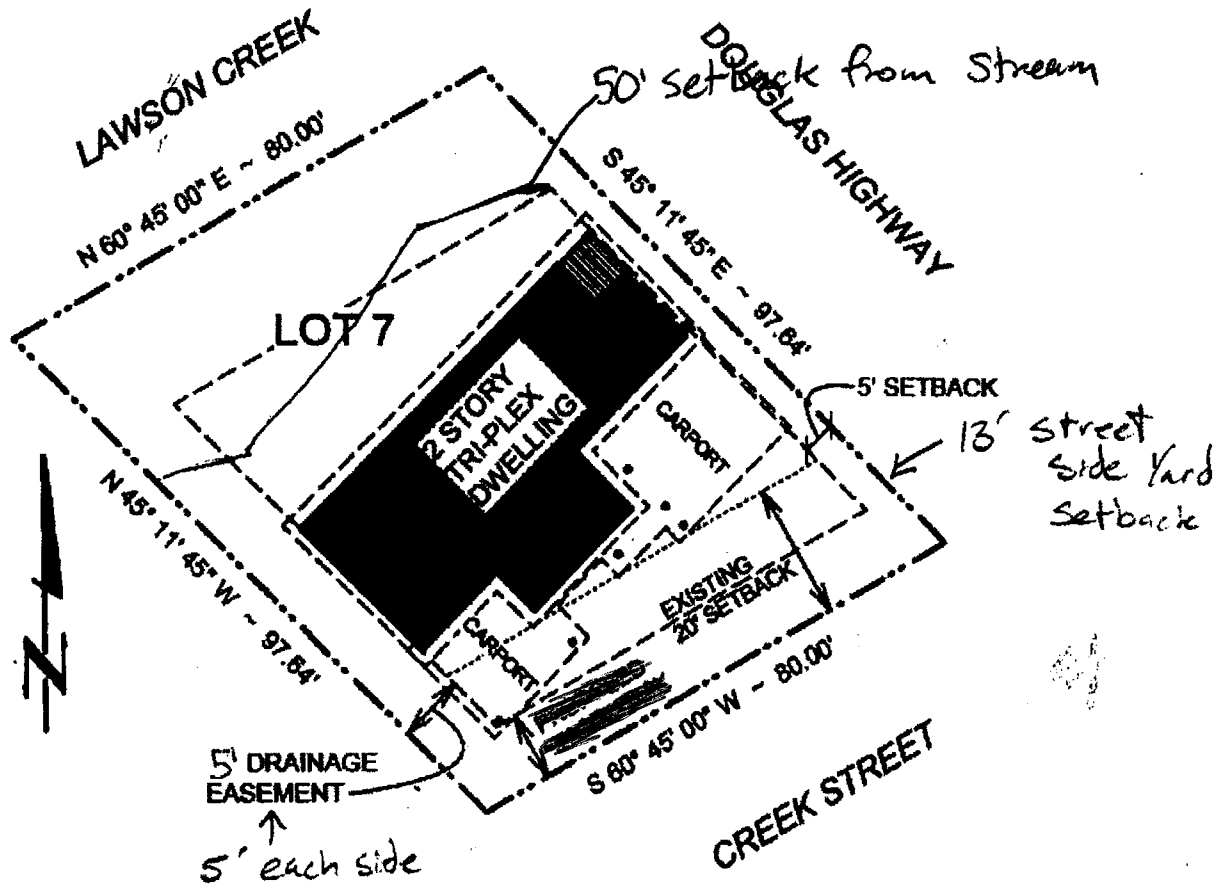


CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

ATTACHMENT A

Setbacks

20' - Front Yard (ROW)
13' - Street side Yard (ROW)



SITE PLAN

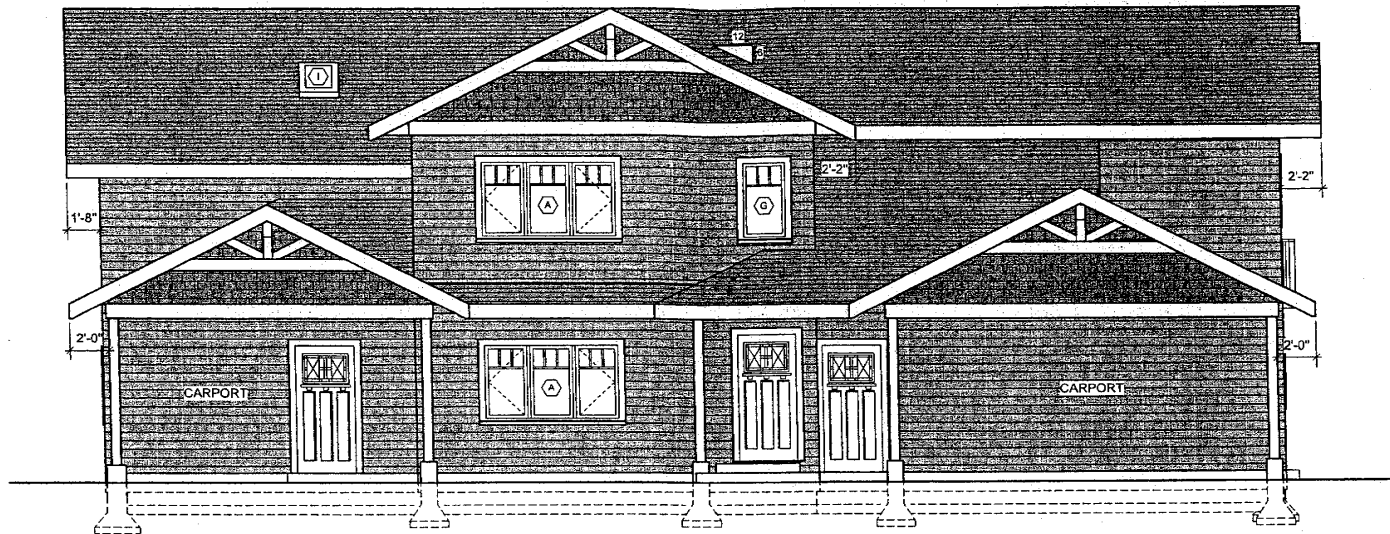
LOT 7 "HAM DY" ACRES SUBDIVISION

WITHIN TRACTS B & B2,

CROW HILL SUBDIVISION

A FRACTION OF MINERAL SURVEY 340 & 341A

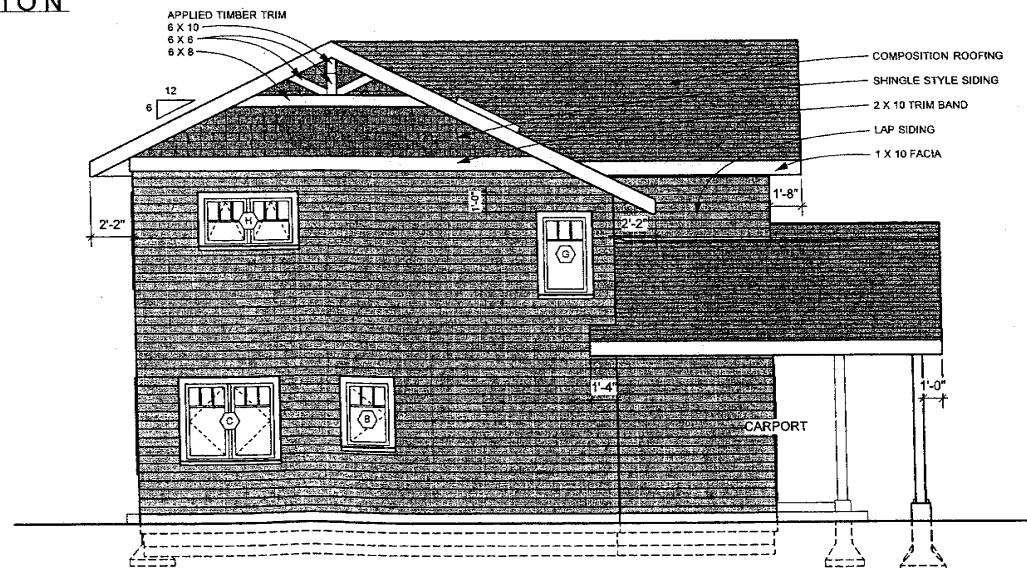
SCALE: 1" = 30'



SOUTH ELEVATION

WINDOW SCHEDULE				
MARK	QTY.	WINDOW TYPE	DIMENSIONS	NOTES
A	6	TRIPLE CASEMENT	7'-0" X 4'-0"	1
B	1	CASEMENT	2'-4" X 3'-4"	
C	3	DOUBLE CASEMENT	4'-8" X 4'-0"	
D	2	TRIPLE CASEMENT	5'-0" X 4'-6"	1
E	2	CASEMENT	2'-4" X 4'-0"	2
F	2	HORIZONTAL SLIDER	4'-0" X 3'-4"	
G	2	FIXED	2'-4" X 4'-0"	
H	1	DOUBLE AWNING	4'-8" X 2'-6"	
I	1	SKYLIGHT	1'-10" X 3'-0"	

1. WINDOW TO MEET EGRESS REQUIREMENTS
 2. SAFETY GLAZING IS REQUIRED IN WINDOWS ADJACENT TO A DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN A 24" ARC OF THE DOOR IN A CLOSED POSITION AND WHOSE BOTTOM EDGE IS LESS THAN 60" ABOVE THE FLOOR OR WALKING SURFACE.



WEST ELEVATION

SHEET

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OF 11

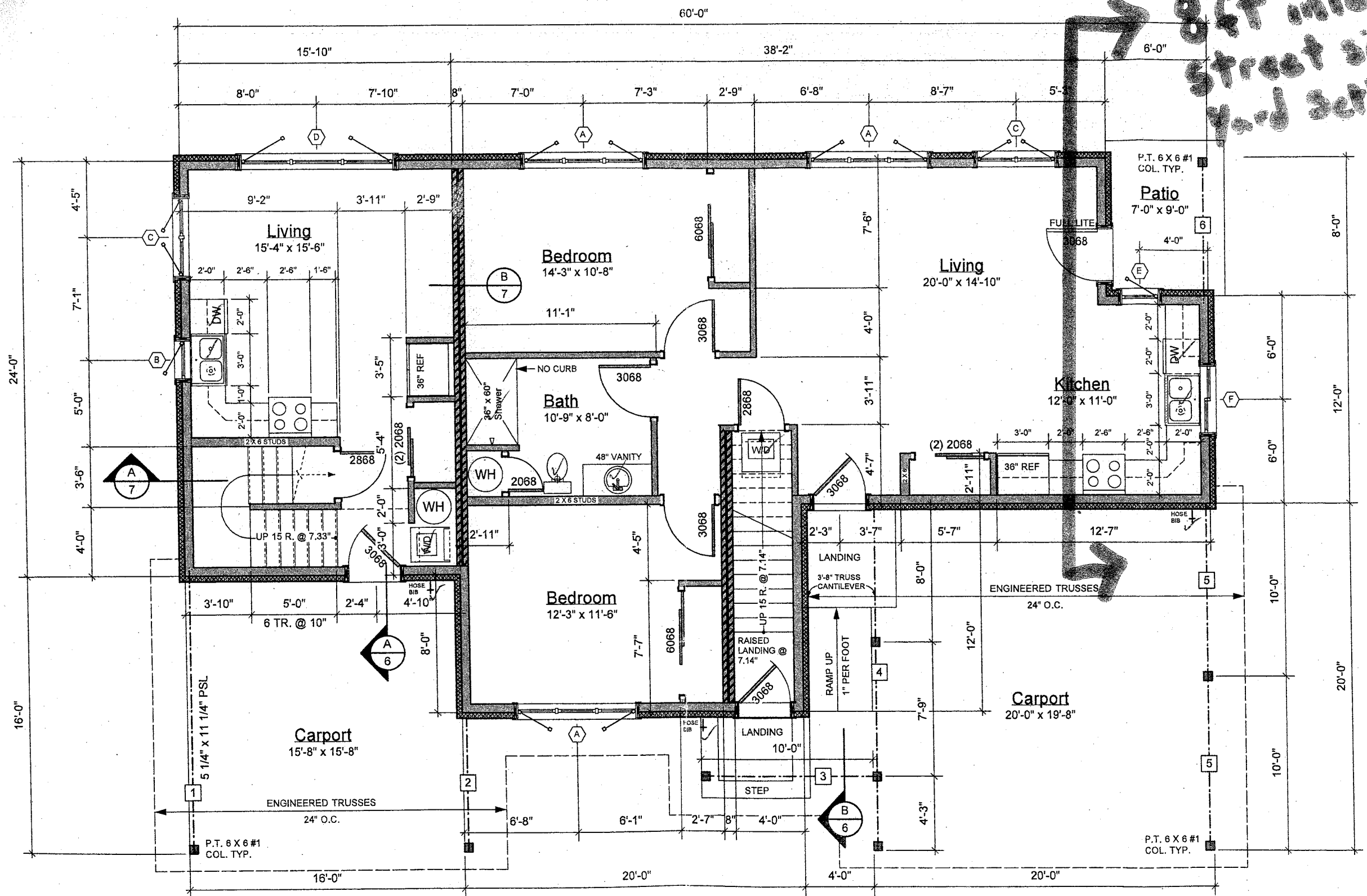
DesignWorks
 8111 S. 10th Ave.
 Suite 100
 Phoenix, AZ 85042
 Phone: 602-998-1111
 Fax: 602-998-1112

DRAWN BY
 RICK THOMPSON
 SCALE
 1/4" = 1'-0"
 DATE
 OCT. 14, 2008

Iri-Plex Plan

Bicknell Construction

ATTACHMENT C



FIRST FLOOR PLAN

UNIT A: 384 SQ. FT.
 UNIT B: 1022 SQ. FT.

DIMENSIONS ARE TO FACE OF SHTG. OR FACE OF STUD

FIRST FLOOR HEADERS

LL: 10' X 40# = 400 PLF DL: 10' X 15# = 150 PLF

3' SPAN: 2 X 8 HF#2

5' SPAN: 4 X 8 HF#2

7' SPAN: 4 X 10 HF#2

9' SPAN: 4 X 12 HF#2

ALL COLS. TO BE NO.1 OR SEL. STRUC. UNLESS NOTED
 ALL POST & BEAM CONNECTIONS TO HAVE SIMPSON AC,
 PC, OR CC CAPS OR MST STRAPS OR HD2A OR BOLTED
 ANGLES, UNLESS NOTED.

CARPORT ROOF BEAMS:

1 LL: 500 PLF DL: 150 PLF 16' SPAN: 5 1/4" X 11 1/4" PSL

2 LL: 500 PLF DL: 150 PLF 8' SPAN: 6 X 10 HF #2

3 LL: 200 PLF DL: 60 PLF 10' SPAN: 4 X 10 HF #2

4 LL: 700 PLF DL: 210 PLF 8' SPAN: 6 X 12 HF #2

5 LL: 600 PLF DL: 180 PLF 10' SPAN: 6 X 12 DF-L #2

DECK BEAM:

6 LL: 180 PLF DL: 45 PLF 8' SPAN: P.T. 4 X 8 HF #2

COMMON WALL:

International Residential Code Section R317.1 Two-Family Dwellings
 Dwelling units in two-family dwellings shall be separated from each
 other by wall and/or floor assemblies having not less than 1-hour
 fire-resistance rating when tested in accordance with ASTM E 119.
 Fire-resistance-rated floor-ceiling and wall assemblies shall extend to
 and be tight against the exterior wall, and wall assemblies shall
 extend to the underside of the roof sheathing.

SOUND TRANSMISSION - APPENDIX K, IRC

AK102.1 Airborne sound insulation for wall and floor-ceiling
 assemblies shall meet a Sound Transmission Class (STC) rating of
 45 when tested in accordance with ASTM E 90.

AK103.1 Floor/ceiling assemblies between dwelling units or between
 a dwelling unit and a public or service area within a structure shall
 have an Impact Insulation Class (IIC) rating of not less than 45 when
 tested in accordance with ASTM E 492.

SHEET

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OF 11

DesignWorks
 ARCHITECTURAL DESIGN
 1000 N. 10TH AVE.
 SUITE 100
 DENVER, CO 80202
 PHONE: 789-2897
 FAX: 789-2897

DRAWN BY
 RICK THIBODEAU
 SCALE
 1/4" = 1'-0"

DATE
 OCT. 14, 2009

Tri-Plex Plan

Bicknell Construction

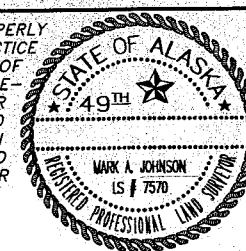
"For I know the plans I have for you", declares the Lord, "plans to prosper you and not to harm you, plans to give you hope and a future."

GENERAL NOTES

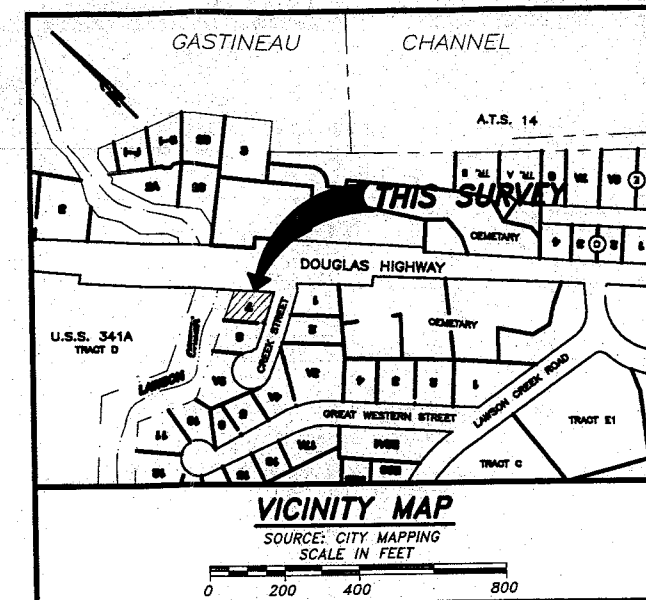
1. THE BASIS OF BEARING UTILIZED TO CONDUCT THIS SURVEY WAS BETWEEN A 1410-S SECONDARY MONUMENT FOR THE NORTHEAST CORNER OF LOT 7 AND A 3610-S SECONDARY MONUMENT FOR THE POINT-OF-CURVATURE OF LOT 9, AMENDED "HAM DY" ACRES SUBDIVISION HAVING A COMPUTED BEARING OF S35°17'15"W.
2. THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY WAS C.B.J. T.B.M. #10 (A). A SPIKE IN POWER POLE AT TOP OF HILL EAST OF LAWSON CREEK BRIDGE ON NORTH SIDE OF HIGHWAY. AT THE SOUTHWEST CORNER OF "ODD FELLOWS CEMETERY." THE ACCEPTED ELEVATION OF 101.84' IS AS REPORTED ADJUSTED TO 1975 U.S.C.&G.S. GASTINEAU CHANNEL MEAN LOWER LOW WATER (M.L.L.W.) DATUM.
4. ALL BEARINGS DENOTED ON THIS PLAT HAVE BEEN ROUNDED TO THE NEAREST 0°00'15" OF ARC.
5. WHERE RECORD SURVEY COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM MEASURED AND/OR COMPUTED COURSES BY THIS SURVEY, RECORD SURVEY COURSE IS SHOWN IN PARENTHESIS AND THE FIELD MEASURED AND/OR COMPUTED COURSE IS SHOWN WITHOUT PARENTHESIS; THUSLY; S45°13'30"E - 682.45' (682.50').
6. BURIED UTILITY LINES OR STRUCTURES SHOWN HEREON WERE DERIVED FROM DESIGN PLANS AND NO FIELD LOCATES WERE ACCOMPLISHED. THESE POSITIONS ARE APPROXIMATE ONLY AND NEED TO BE FIELD VERIFIED PRIOR TO EXCAVATION OR CONSTRUCTION ACTIVITIES BEING PERFORMED.
7. FIELD SURVEY WAS CONDUCTED BY CONVENTIONAL ON-THE-GROUND SURVEYING METHODS UTILIZING A TOPCON GTS-302 TOTAL STATION AND RANGING PRISM. ELEVATIONS WERE DETERMINED BY A COMBINATION OF TRIGONOMETRIC AND DIFFERENTIAL LEVELING METHODS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.



R & M ENGINEERING, INC.
ENGINEERS GEOLOGISTS SURVEYORS

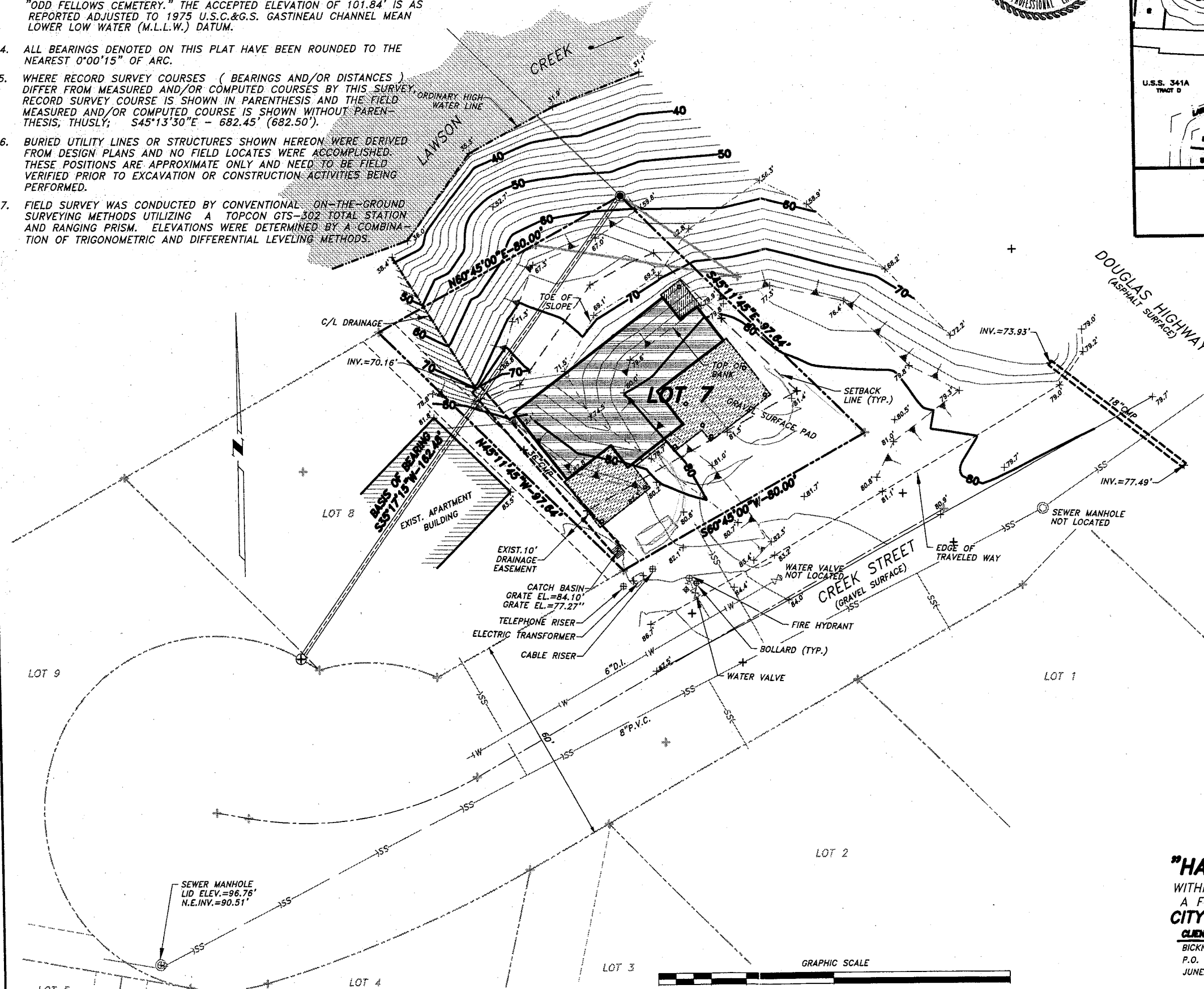


SEWER MANHOLE
LID ELEV.=76.45'
S.W. INV.=69.25'

SYMBOLS

- 3650-S SECONDARY MONUMENT (RECOVERED THIS SURVEY)
- 1410-S SECONDARY MONUMENT (RECOVERED THIS SURVEY)
- TEMPORARY BENCH MARK (T.B.M.) ESTABLISHED THIS SURVEY
- NO MONUMENT (RECOVERED OR ESTABLISHED)
- PROPERTY / BOUNDARY LINE
- CENTERLINE
- EASEMENT LINE (AS NOTED)
- SANITARY SEWER LINE
- WATER LINE
- CULVERT
- CONTOUR LINE
- SPOT ELEVATION
- MANHOLE (AS NOTED)
- WATER VALVE
- FIRE HYDRANT
- FLOW ARROW

031031814\031814T.DWG-1:20-11/5/03-12:55 P.M.-MAJ



A PLAT DENOTING
A LIMITED TOPOGRAPHIC SURVEY
OF

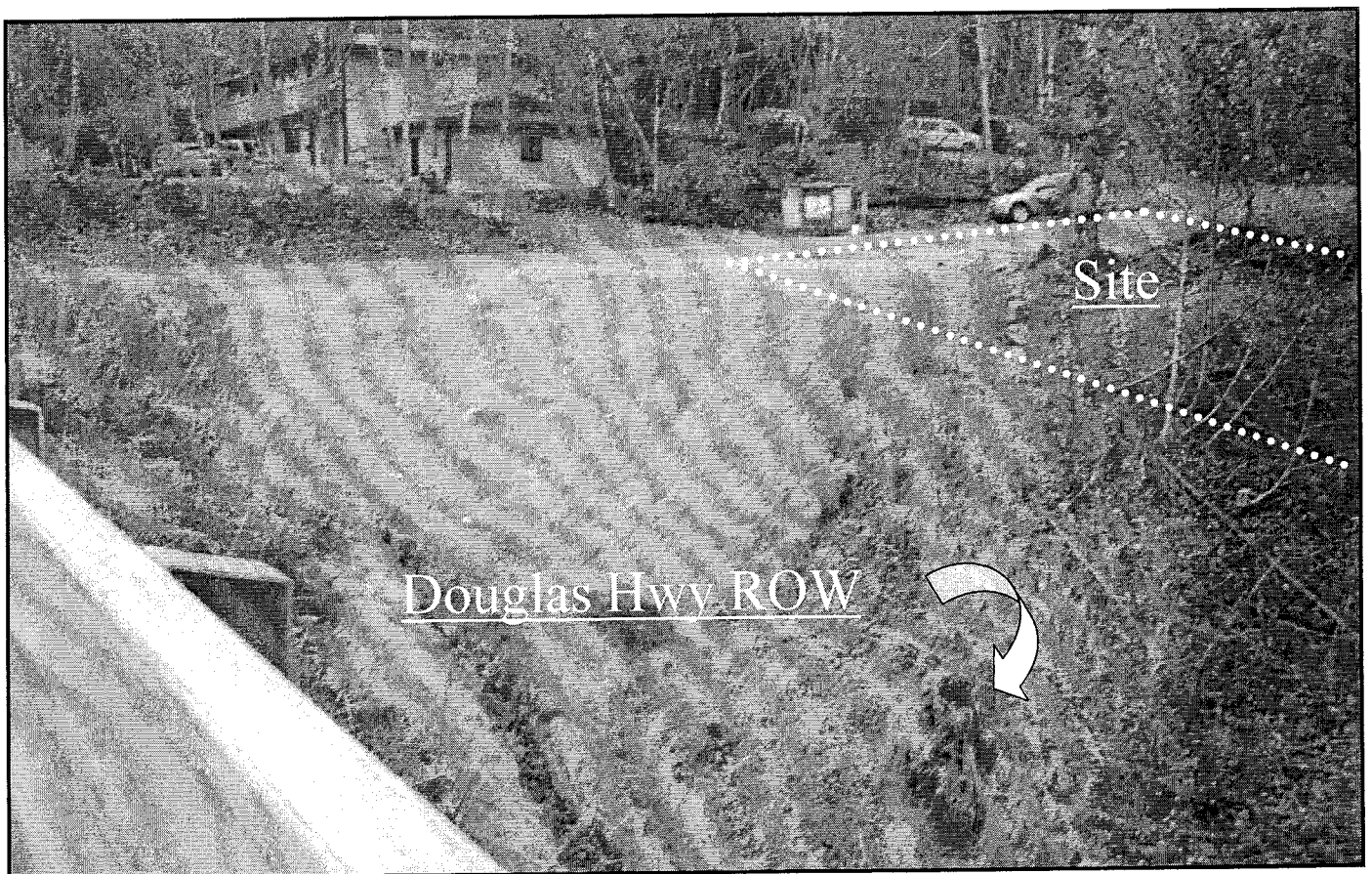
LOT 7
"HAM DY" ACRES SUBDIVISION
WITHIN TRACTS B & B2, CROW HILL SUBDIVISION
A FRACTION OF MINERAL SURVEY 340 & 341A
CITY & BOROUGH OF JUNEAU, ALASKA

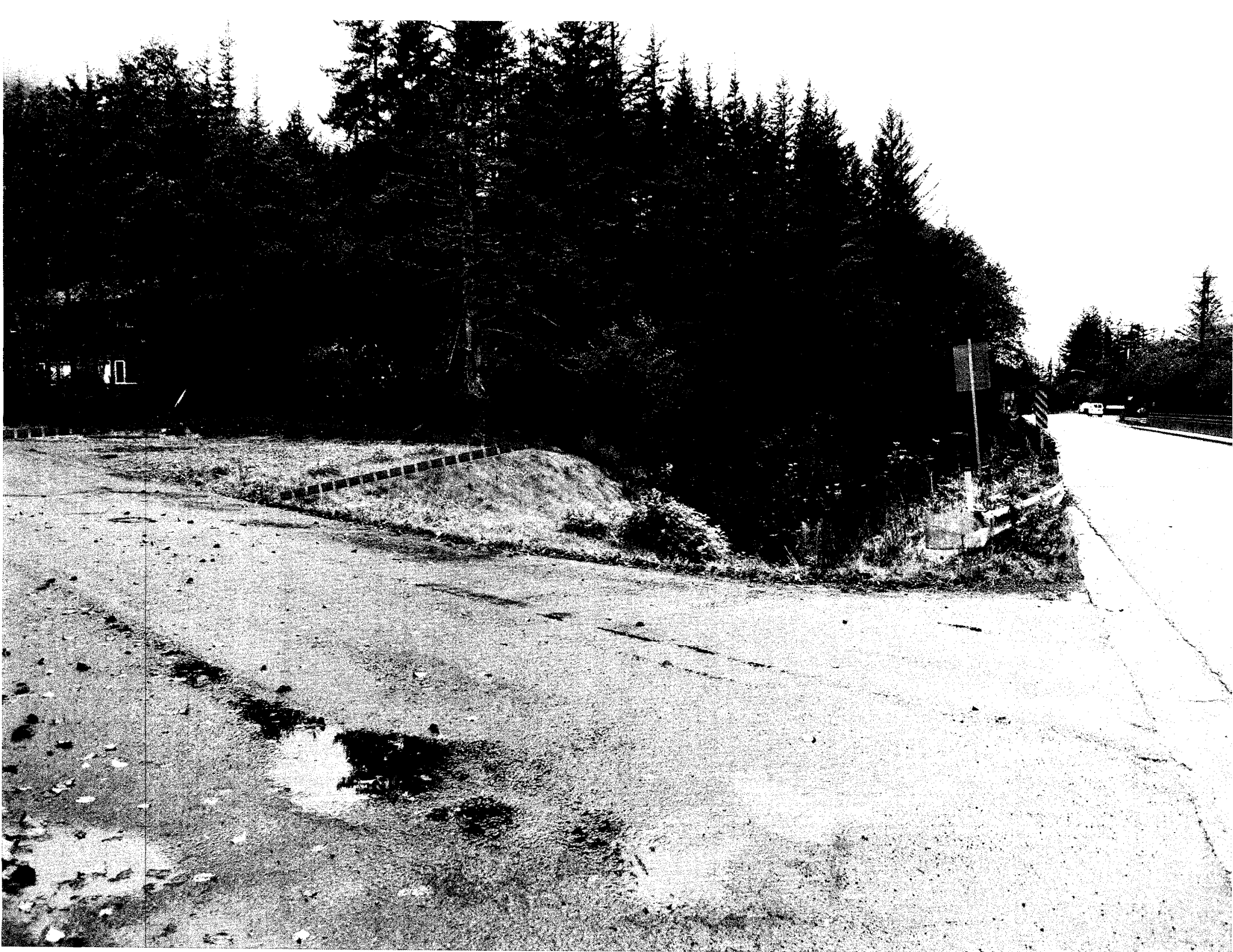
CLIENT:
BICKNELL INC.
P.O. BOX 33517
JUNEAU, ALASKA 99803

SURVEYOR:
R&M ENGINEERING, INC.
6205 GLACIER HIGHWAY
JUNEAU, ALASKA 99801

SHEET 1 OF 2

ATTACHMENT D





Bicknell Inc.
PO Box 33517
Juneau, AK 99803

Dear CBJ Staff,

We are planning to build a Triplex on Lot 7 in the Hamdy Acres subdivision. When we started the project, we had the land surveyed to show the topography of the land and the setbacks. We used this survey to have a building designed to fit on the property. To our surprise, when trying to permit the building, we found out that the street side yard setback was incorrectly shown on the survey. We have tried to move and modify the building to fit within the setbacks, but it isn't possible because of the design of the building and the tight requirements for the setbacks. Reducing the size of the building to meet the setbacks will require building a duplex not a triplex. Since the lot is so expensive to develop, building a duplex would not be cost effective. Therefore, we are applying for a variance to relax the 13' street side yard setback to a 5' setback. The following will address the criteria that must be met for a variance to be granted.

- (1) The relaxation would give substantial relief to the owner by allowing us to build the building that we have designed to fit on the lot and that would fit the return to investment ratio. If the relaxation were not granted, the building would have to be completely redesigned and a triplex would likely no longer fit and a duplex would not be cost effective. This triplex would be consistent with the style of multifamily development in the neighborhood.
- (2) The property is located on a corner lot, so it is required that it has a front yard setback and a street yard setback. This to insure that there is plenty of room from the corner so that the building does not interfere with the line of sight from the street. This is also to allow plenty of light and air to the building. Both will easily be accomplished because the property sits back 60' from Douglas Highway so it makes the actual setback of the building 65' from the road. Also, the distance from the front of the property to the edge of traveled way is 25'. This makes the actual relief to the traveled way to the carport 45'. Additionally, the carport is open which makes the front of the solid house 65' from the traveled way. These distances from the road allow more than enough line of sight from the road and plenty of light and air onto the property.
- (3) The variance would not injure nearby property because the property that adjacent to the side in question is the ROW. There is a 60' section of land between the property and the ROW so this would have no effect on the nearby property.
- (4) The variance does not allow a use that is not already allowed.
- (5) (C) Because of the site topography and the adjacent stream, 73% of the property is unusable because of the setbacks. Since the remaining portion is so small, a retaining wall will have to be constructed to maximize the potential development area. Since these costs need to be defrayed, it is necessary to build a triplex in order for the project to pencil out. Anything less will result in no development on this unused portion of land.

(6) Recently, this parcel has been used for junk car and automobile storage and has been an eyesore. It is a constant effort for the owner to keep vehicles and unauthorized dumping of trash and debris from occurring. Developing this parcel responsibly will result in an attractive building, as well as much needed housing for the community.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Blommer', with a stylized flourish at the end.

David Blommer

Bicknell Inc.

Dbommer@bicknellinc.com

907-789-5727