

# MEMORANDUM

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

**DATE:** November 17, 2011

**TO:** Board of Adjustment

**FROM:** Beth McKibben, Planner *BMC*  
Community Development Department

**FILE NO.:** VAR20110024

**PROPOSAL:** Variance to minimum lot size for lots fronting on a minor arterial and to the requirement for a common access point for a future proposal of a four lot subdivision.

## GENERAL INFORMATION

**Applicant:** Linda Orr

**Property Owner:** Square Knot Development

**Property Address:** 3915 North Douglas Hwy

**Legal Description:** USS 1361 Tract IV Lot 3

**Parcel Code Number:** 6-D06-0-105-005-0

**Site Size:** 4.23 acres

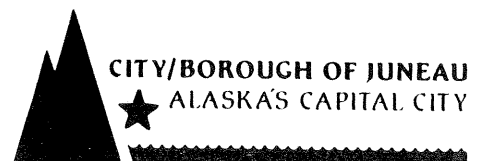
**Zoning:** D-18

**Utilities:** City water & sewer

**Access:** North Douglas Highway

**Existing Land Use:** Church and single family

**Surrounding Land Use:** Northeast - (D3) Single-family/duplex  
Northwest - (D3) Single-family/duplex (D18) vacant  
Southeast - (D3) Single-family/duplex (D18) vacant  
Southwest - (D3) Single-family/duplex (D18) vacant



## **ATTACHMENTS**

Attachment A - Draft subdivision plat  
Attachment B - CBJ Roadway Classification Map D  
Attachment C - Page 1 of 6 AkDOT Driveway and Approach Road Permit  
Attachment D - AkDOT Functional Classification Update Project Map Downtown Juneau  
Attachment E - Topographic Map showing 10 foot contour lines over aerial photo  
Attachment F - Excerpts from August 2009 Traffic Impact Analysis, North Douglas Hwy Rezone  
Attachment G - Email from Ron King, CBJ Engineer  
Attachment H - Email from Sheila Good, AkDOT Right-of-way Agent  
Attachment I - Supplemental information from applicants

## **PROJECT DESCRIPTION**

The applicant would like to subdivide the 4.23 acre site into four lots (attachment A). Lot 1 would be 5,434.5 square feet in area, and front on North Douglas Highway. Planned access for this lot will be from an internal road/driveway on Lot 4. Lot 2 would be 5,371 square feet in area, front on N. Douglas Highway, and have a shared hammerhead driveway from N. Douglas Highway. Lot 3 would be 6,359 square feet in area, front on N. Douglas Highway, and share the hammerhead driveway with Lot 2. Lot 4 will be the remainder of the parcel, approximately 4 acres. It has an already developed access to the highway.

The applicant intends to sell lots 1-3 in order to finance future development of lot 4.

## **BACKGROUND**

This parcel was recently rezoned from D-3 to D-18. Staff and the Planning Commission had recommended the rezone have a condition of no new driveways, but that condition was not included in the Assembly decision. The site was developed with a church many years ago. The building has not been used as a church for some time. A small single family home was recently built on what may become Lot 3. This small single family home would have to be relocated in order to comply with the minimum setback requirements if the subdivision is platted as proposed.

## **ANALYSIS**

CBJ§49.40.105 adopts roadway classification maps A-D. This site is found on map D (attachment B). North Douglas Highway is classified as a minor arterial on this map.

CBJ§49.40.130(b) establishes the criteria for when land involving frontage on a minor arterial street may be subdivided so as to allow access directly onto the minor arterial street. All of the following

conditions must be met to allow such a subdivision:

- (1) All of the resulting lots must meet the D-1 zoning district lot area standards;
- (2) All the lots must share a common access point and no additional lots may be added;
- (3) A parking area of sufficient size to provide minimum parking and maneuvering to prevent back out parking must be provided;
- (4) An easement, plat note or other acceptable assurance must be provided showing the access will be maintained by the owners;
- (5) The proposed subdivision must meet all other applicable CBJ subdivision standards.

The applicant is seeking a variance to CBJ§49.40.130(b)(1)-(5). The D-1 lot size standard is 36,000 square feet; minimum lot width and depth are 150 feet. Proposed lots 1, 2 and 3 are well below the 36,000 square foot size as well as the lot width and depth standards. The lots do meet the dimensional standards for the D-18 zone. The applicant also wishes to add a shared driveway for proposed lots 2 and 3. Lot 1 will use the existing access through Lot 4.

The applicant has obtained a driveway and approach permit from AkDOT (attachment C is page 1 of 6-full permit is found in application materials). The Alaska Department of Transportation (AkDOT) recently updated their functional classification maps and now classifies North Douglas Highway as an urban collector (attachment D). This means that currently AkDOT and CBJ have classified North Douglas Highway differently.

Attachment E shows the topographic lines over the aerial photo of the site. Staff has visited the site and verified there are some topographic constraints that will make use of the existing access challenging for proposed lots 2 and 3. It does appear that from a practical perspective a driveway could be installed off the existing driveway behind (farther from N. Douglas Hwy) the existing cabin. However, staff recognizes that may not be practical, especially if a right-of-way is created around the existing driveway.

CBJ commissioned a Traffic Impact Analysis (TIA) prior to evaluating the rezoning request. The TIA Study Area (figure 1) evaluated potential future traffic impacts along the North Douglas Highway from the roundabout to just passed Nelson Creek. The TIA notes future driveways and access roads will be subject to the AkDOT permitting process. However, the TIA recommends that access points for new developments should be aggregated to the extent possible, and access roads should be spaced at least one quarter mile from adjacent access roads. (See attachment F).

Page 215 of the 2008 Comprehensive Plan discusses the North Douglas Highway. The plan states the highway is a two-lane, paved minor arterial roadway with no sidewalk, separated pedestrian pathway, or bicycle lane that is operated and maintained by AkDOT. The plan further notes the road serves as a local access residential street with over 500 private driveways accessing directly onto the road. The plan says that this creates dangers to the local users and those passing through to recreational destinations.

This site was one of five considered for rezoning adjacent to the North Douglas Highway. The total area of the rezone was 125 acres. All of the areas were rezoned to the D-18 district. AkDOT may have recently downgraded the functional classification of North Douglas Highway, however, CBJ staff anticipates that as this area is developed the AkDOT functional classification will again become an "arterial".

Staff solicited comments from several State and CBJ agencies. Only the CBJ Engineer, Ron King responded with concerns (attachment G). He states the most reasonable access in terms of traffic management and safety is the existing driveway. Access to North Douglas Highway should be from a single access point. He notes that the applicant did not submit topographic information to support the variance request and is concerned the motivation is financial. He does not support more than one access driveway for the proposed subdivision. Attachment H is an email from Shelia Good, AkDOT. Her comments support the addition of the shared driveway for proposed lots 2 and 3.

### **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.***

The relaxation applied for will give substantial relief to the property owners in that the lot could be subdivided into four lots and an additional driveway accessing North Douglas Highway could be built. The variance will allow for lots that are similar in size and scale to a few of the surrounding lots, which already have access to the highway.

**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 Title 49 is to ensure that growth and development is in accord with the values of Juneau residents; to identify and secure the beneficial impacts of growth while minimizing negative impacts; to ensure that future growth is of appropriate type, design, and location; to provide adequate open space for light and air; and to recognize the economic value of land and encourage its proper and beneficial use.

Based on the recommendations of the 2009 Traffic Impact Analysis (attachment F) and the discussion in the 2008 Comprehensive Plan about North Douglas Highway, adding new driveways to the North Douglas Highway will have a negative impact on the public health and safety. Furthermore, the approval of the variance as requested would violate the intent of CBJ§49.05.100 (4) to promote public health, safety and welfare, as implemented by CBJ§49.40.130(b) to limit access driveways on arterial roads; therefore, the intent of this title would not be observed.

**This criterion is not met.**

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

The applicant has received a Driveway and Approach Road permit from AkDOT. Assuming that AkDOT evaluated the safety of allowing a new driveway to be shared by two lots, the authorization of the variance will not injure nearby property. North Douglas Highway relatively straight and level in this section and sight distance is adequate.

**This criterion is met.**

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

The proposed subdivision is in the D-18 zoning district and will not create lots smaller than minimum lot size. The proposed subdivision does not authorize uses of the future lots. Future uses of the lots will be required to comply with the Table of Permissible Uses for the D-18 district.

**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;***

The existing, un-subdivided lot has a developed access, and the lot does not need to be further subdivided in order to be used for D-18 uses or densities.

**No.** Sub-criterion 5(A) 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;***

The neighborhood is made up of a variety of residential lots. A few of the neighboring developments are on lots similar in size; however the majority of the surrounding lots are larger than those proposed. Anticipated development on the future lots is expected to be

similar to the surrounding area. Compliance with the existing standard would prevent the installation of an additional driveway on North Douglas Highway, which is an amenity enjoyed by neighboring properties.

If the subdivision is platted as proposed, one structure will have to be relocated in order to comply with the minimum setback requirements.

**Yes.** Sub-criterion 5(B) is met.

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

As noted earlier, topography makes accessing the existing access in the interior of the lot challenging from the proposed lots 2 and 3. It is possible to modify/extend the existing driveway and access all proposed lots from one driveway.

**No.** Sub-criterion 5(C) 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.***

There are no pre-existing nonconformities on this lot. Therefore, this sub-criterion is not applicable.

**Not Applicable.**

**Yes.** Criterion 5 is met because sub-criteria 5(B) is met.

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

No evidence has been presented showing that the granting of this variance will result in benefits to the neighborhood. Another access driveway to North Douglas Highway will reduce public safety in the neighborhood; therefore, granting of the variance will create detriments to the neighborhood. Adding driveways to the North Douglas Highway is addressed in the 2008 Comprehensive Plan, and recommended against in the TIA commissioned to evaluate rezoning North Douglas.

**No.** This criterion is not 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?***

**Not Applicable.** According to the previous analysis, the JCMP does not apply to the development

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

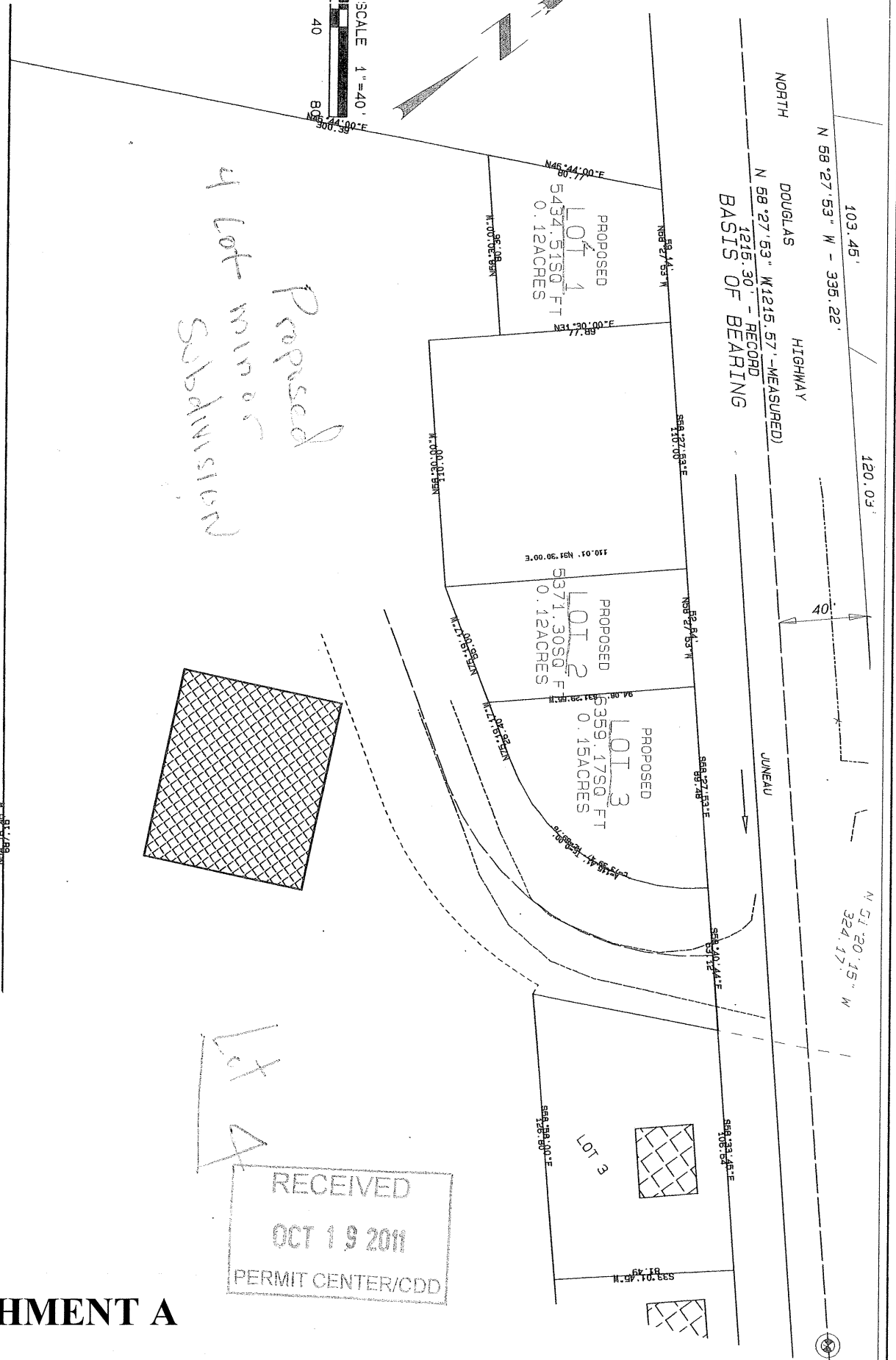
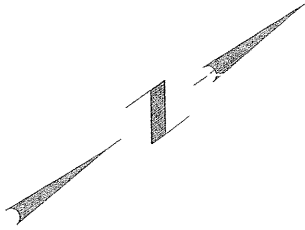
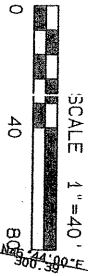
**No.** Criteria 2 and 6 are not met.

## **RECOMMENDATION**

The requested variance does not meet the variance criteria; therefore, Staff recommends the Board of Adjustment adopt the Director's analysis and findings and deny the requested variance permit.

Should the Planning Commission decide to amend the findings and grant the variance staff recommends the following conditions:

1. The plat shall contain a note limiting access to the subdivision to two driveways as shown in the applicant's proposal.
2. The driveway shared by Lots 2 and 3 shall be designed with sufficient area to provide the required minimum parking and to provide sufficient maneuvering so as to prevent back out parking.
3. Prior to recording the subdivision, the residence on proposed Lot 3 shall be relocated to comply with minimum setback requirements, or receive a variance.



RECEIVED  
OCT 19 2011  
PERMIT CENTER/CDD



A vertical scale bar with markings at 1000, 0, and 1000 Feet.

Highway Classifications

ARTERIAL

MINOR ARTERIAL

COLLECTOR



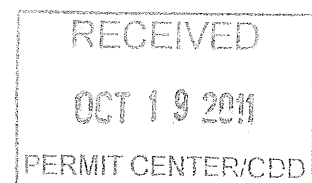
**State of Alaska**  
**Department of Transportation and Public Facilities**

**Driveway and Approach Road  
 Permit**

This permit allows the permittee to construct and maintain a driveway or approach road within a State owned highway Right of Way.

|   |   |
|---|---|
| <input checked="checked" type="checkbox"/> Residential/Private <input type="checkbox"/> Commercial <input type="checkbox"/> Government Agency   |   |
| Applicant:  | Square Knot Development                             |
| Mailing Address:  | 849 Riverside Ave.<br>Mancos, CO 81328              |
| Contact Name:   | Frank Tuthill                                       |
| E-mail Address:   | chiptuthill@yahoo.com                               |
| Phone:  | (970) 739-9989      Fax: _____                      |
| Driveway or Approach Road location (highway, subdivision, legal description milepost, etc.)<br>Common drive for two adjacent lots. Single access to ROW. Will be recorded on land records. See sketch dated 5/19/2011 |   |
| Proposed or Existing:<br><br>PROPOSED   | Anticipated Completion Date:<br><br>09/30/2011      |
| Number of lots served:<br><br>2   | Max. number of vehicles in any 1 hour:<br><br>2     |
| Zoning Designation:<br><br>D-18   | Proposed Land Use:<br><br>Single family residential |

Driveway Specifications



# DOT&PF Functional Classification Update Project

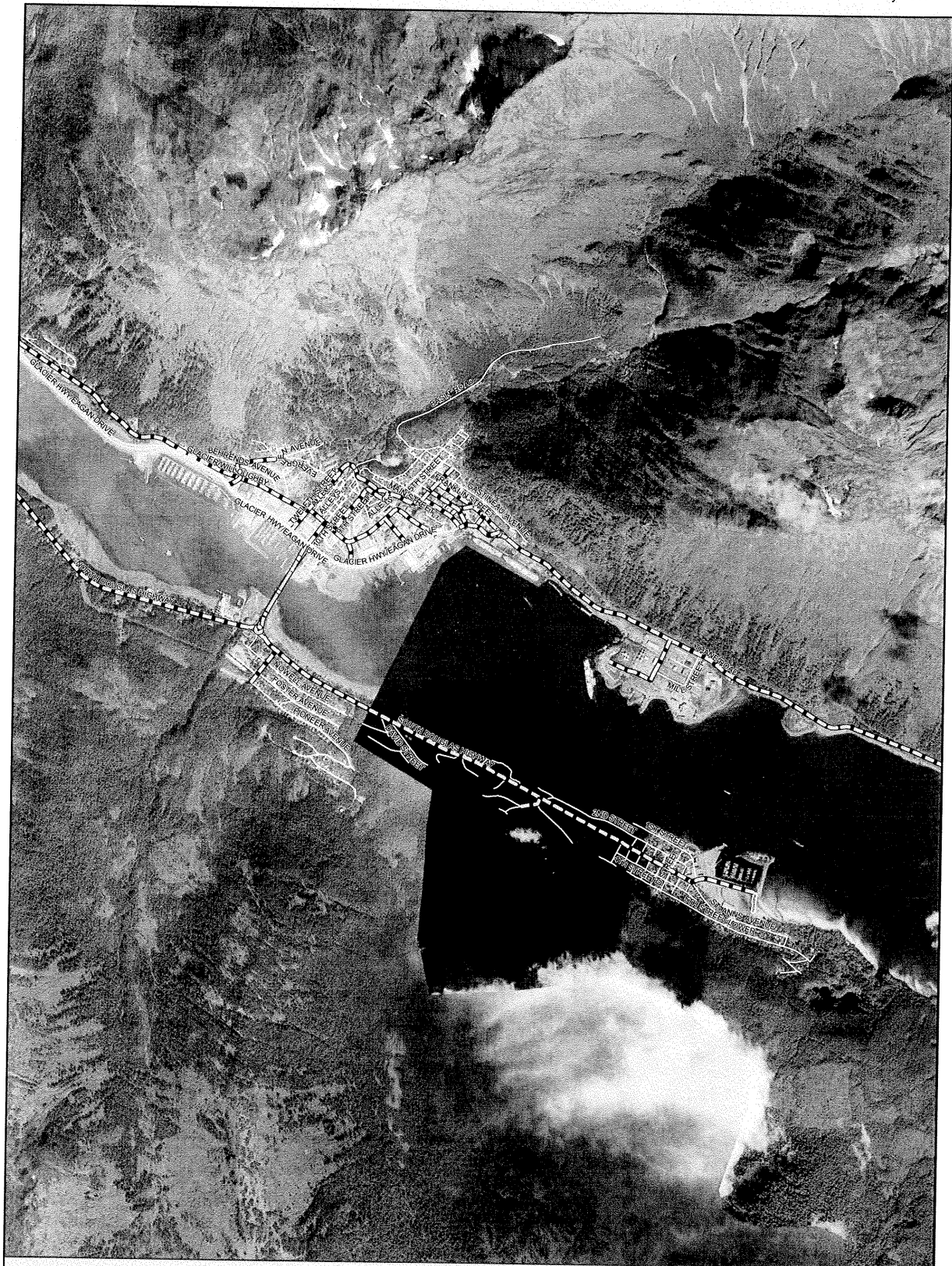
Southeast Region

## Downtown Juneau

Final Functional Classification

Juneau/Ketchikan Mapbook 1

February 2011



### Functional Classification

LOCAL ROADS

- RURAL MINOR COLLECTOR
- RURAL MAJOR COLLECTOR
- RURAL MINOR ARTERIAL
- RURAL PRINCIPAL ARTERIAL
- RURAL INTERSTATE

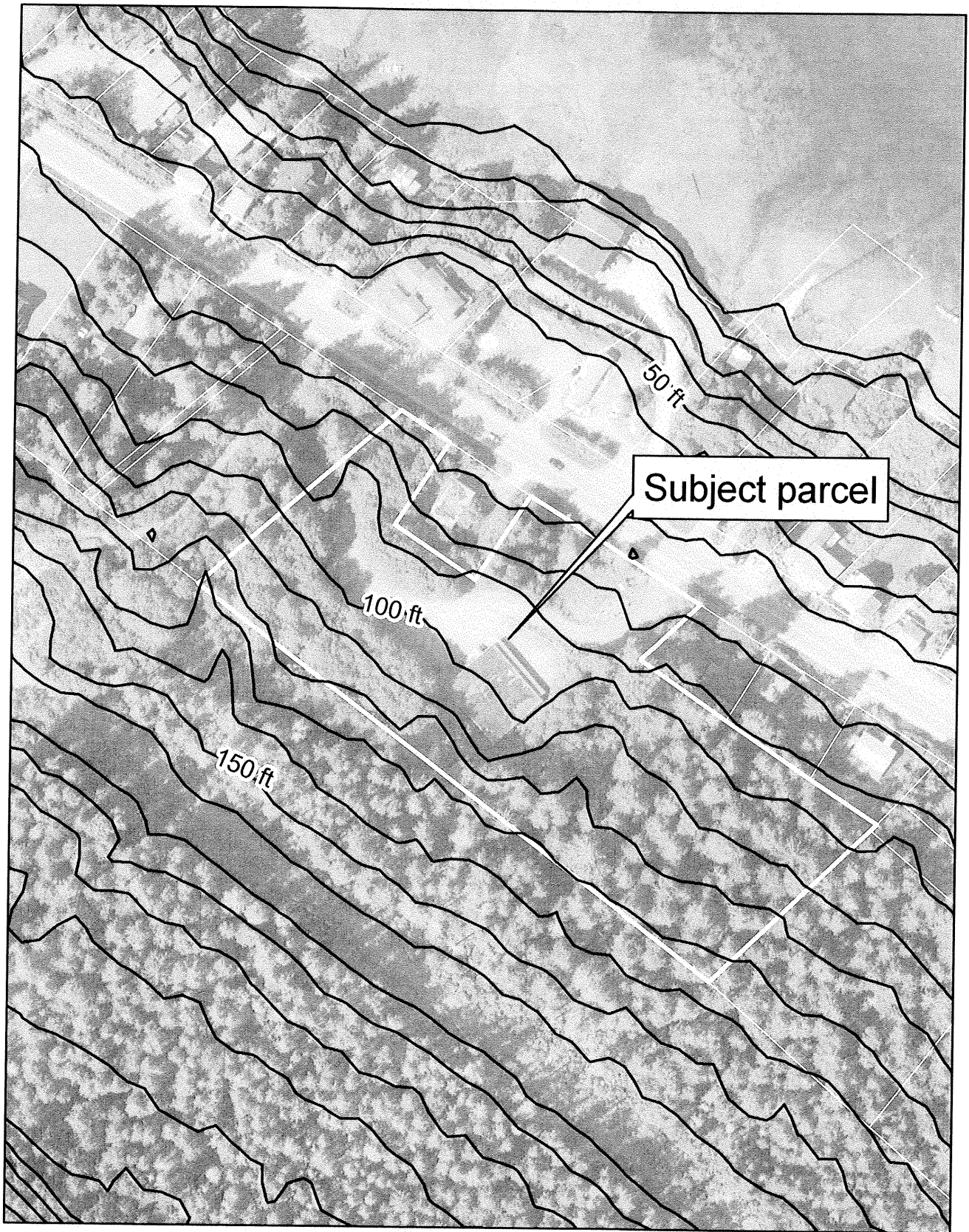
- URBAN COLLECTOR
- URBAN MINOR ARTERIAL
- URBAN PRINCIPAL ARTERIAL
- URBAN INTERSTATE
- FERRY ROUTES

2,400 Feet

Data Sources:  
ADOT DataPort 1/13/09  
GINA Imagery  
DCCED Profiles  
KSC 1000000000

N

ATTACHMENT D



Aerial photo taken June 2006

0 50 100 200 300 400 Feet



-NOT A SURVEY-  
Property lines are approximate  
Contour lines at 10 ft intervals

**ATTACHMENT E**



**CITY AND BOROUGH OF JUNEAU**  
**TRAFFIC IMPACT ANALYSIS**  
**NORTH DOUGLAS HIGHWAY REZONE**  
**Juneau, Alaska**

August 2009

*Prepared for:*  
City and Borough of Juneau  
155 S Seward Street  
Juneau, Alaska 99801

*Prepared by:*  
**USKH**  
SHARED VISION. UNIFIED APPROACH.  
3031 Clinton Drive  
Juneau, Alaska 99801  
Phone (907) 790-2901  
Fax (907) 790-3901

USKH WO# 978801

**ATTACHMENT F**

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## SUMMARY

The City and Borough of Juneau is anticipating the re-zoning of land along North Douglas Highway. The re-zoning is allowed under the 2008 update of the City and Borough of Juneau Comprehensive Plan. The City and Borough of Juneau is extending the sanitary sewer system along North Douglas Highway, which removes a significant impediment to development. Housing growth is expected to include both the development of vacant land and subdivision of existing, developed parcels.

This Traffic Impact Analysis includes estimates of projected growth along this corridor and the analysis of impacts to traffic conditions at the Douglas roundabout and at the Egan Drive and 10<sup>th</sup> Street intersection. Level of service and capacity at these intersections will be negatively impacted by development along North Douglas Highway. The rezoning action will not generate traffic, but as development occurs over time, capacity improvements will eventually be required to meet minimum traffic standards.

### 3.4 Access Road Intersections

The access road schemes for future development along the NDH corridor have not been established at this time. Driveways and access roads connecting to NDH will be subject to the DOT&PF driveway permit process. In general, access points for new developments should be aggregated to the extent feasible, and access roads should be spaced at least one quarter mile from adjacent access roads.

The need for auxiliary lanes at access road intersections will depend on the traffic demands at the intersection, both turning onto the access road and continuing through the intersection on NDH. The following figures from NCHRP 457 give guidance on what traffic thresholds justify adding auxiliary turn bays onto NDH. Figure 7 applies for left-turn lanes and Figure 8 is applicable to right-turn lanes. It will be the responsibility of the developer to determine what, if any, auxiliary lanes are necessary on the access roads.

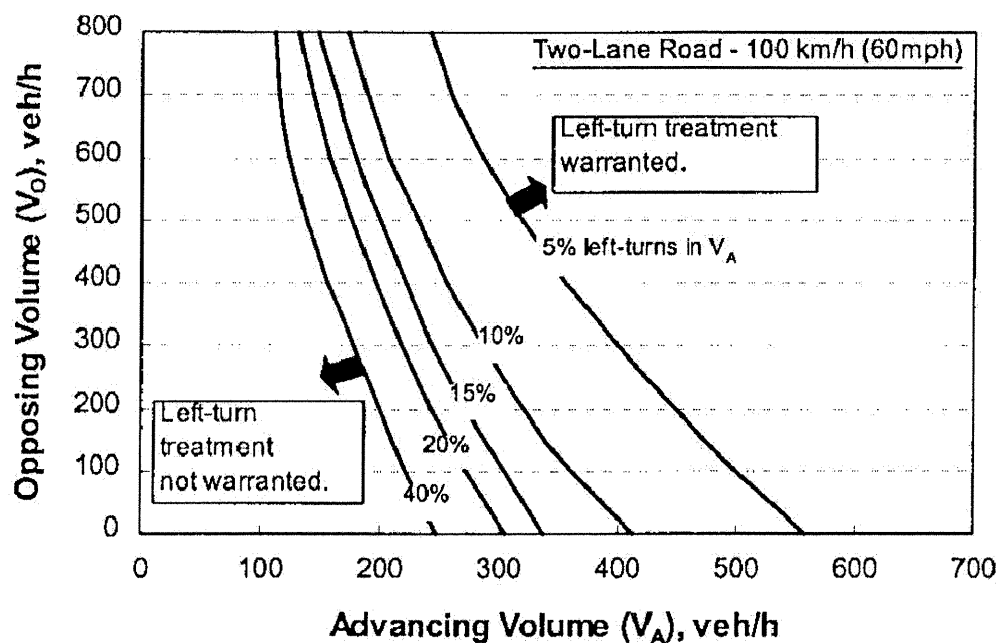


Figure 7 Left-Turn Lane Thresholds

**Beth McKibben**

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**From:** Ron King  
**Sent:** Thursday, November 03, 2011 4:09 PM  
**To:** Beth McKibben; 'ryan.scott@alaska.gov'; 'brock.tabor@alaska.gov'; Brent Fischer; 'jill.weitz@alaska.gov'; 'Epstein, David B (DOT)'; 'Good, Sheila D (DOT)'; Charlie Ford; 'Timothy, Jackie L (DFG)'; Ed Foster; Dan Jager  
**Cc:** Autumn Lowrey  
**Subject:** RE: review requested VAR 2011-00024

The most reasonable access in terms of traffic management and safety would be the gravel drive that extends into proposed Lot 4. The application does not contain information that contradicts this reasoning. Lot access to the proposed gravel drive would not require a variance. Access to North Douglas Hwy would be controlled at the single intersection. The application does not contain topographic information that disputes constructible access from the proposed gravel drive to Lots 2, 3 & 4. I am concerned that the applicant's motivation is purely financial, not sound engineering and public safety. More driveways generate a larger number of possible traffic conflicts. I recommend against this variance request.

Ron King

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**From:** Beth McKibben  
**Sent:** Wednesday, November 02, 2011 2:29 PM  
**To:** 'ryan.scott@alaska.gov'; 'brock.tabor@alaska.gov'; Brent Fischer; 'jill.weitz@alaska.gov'; 'Epstein, David B (DOT)'; 'Good, Sheila D (DOT)'; Charlie Ford; 'Timothy, Jackie L (DFG)'; Ron King; Ed Foster; Dan Jager  
**Subject:** review requested VAR 2011-00024

Please review the attached information and provide any comments/concerns you may have by November 16.

The request is for a variance to CBJ 49.40.130(b)(1) and (2)

in that the proposed lots front on a minor arterial but will not conform to the D-1 zoning district lot area standards and all of the lots will not share a common access point and that new lots are proposed.

Beth McKibben, AICP  
 Senior Planner, CDD  
 City & Borough of Juneau  
 (907)586-0465 phone  
 (907)5863365 FAX



Please consider the environment before printing this email.



**Beth McKibben**

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**From:** Good, Sheila D (DOT) [sheila.good@alaska.gov]**Sent:** Thursday, November 03, 2011 11:38 AM**To:** Beth McKibben; Scott, Ryan (DFG); Tabor, Brock N (DEC); Brent Fischer; Weitz, Jill M (DEC); Epstein, David B (DOT); Charlie Ford; Timothy, Jackie L (DFG); Ron King; Ed Foster; Dan Jager**Subject:** RE: review requested VAR 2011-00024

DOT & PF issued the joint driveway permit to proposed lots 2 and 3 based on North Douglas's Function Classification as an Urban Collector. Collectors Serves as limited through ways and provide access from adjacent property. In this respect I have no objection or concerns.

I did note that it's stated in your email that the proposed lots front on a minor arterial, not an urban collector. Collector roadways require more driveway controls than local roads and streets, but less than arterials.

Thank you for the opportunity to comment.  
Sheila Good

---

**From:** Beth McKibben [mailto:Beth\_McKibben@ci.juneau.ak.us]**Sent:** Wednesday, November 02, 2011 2:29 PM**To:** Scott, Ryan (DFG); Tabor, Brock N (DEC); Brent Fischer; Weitz, Jill M (DEC); Epstein, David B (DOT); Good, Sheila D (DOT); Charlie Ford; Timothy, Jackie L (DFG); Ron King; Ed Foster; Dan Jager**Subject:** review requested VAR 2011-00024

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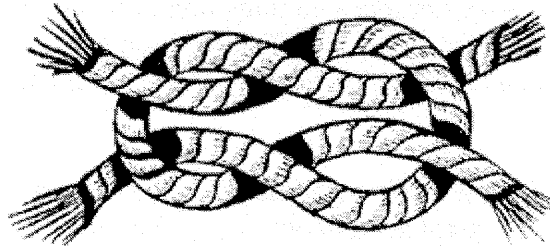
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Beth McKibben, AICP  
Senior Planner, CDD  
City & Borough of Juneau  
(907)586-0465 phone  
(907)5863365 FAX



Please consider the environment before printing this email.



Square Knot Development LLC  
15915 Glacier Highway  
Juneau Alaska 99801

Dear Commissioners,

Good evening and first let us thank you for your time in considering our variance request. We apply confident the Planning Commission will look favorably upon our request for variance to dimensional standards, but have a modicum of trepidation regarding our request for a common driveway to serve lots 3 and 2 of a proposed future minor subdivision.

This concern stems from warnings from the Planners, their words that “we don’t want a bunch of driveways built along N Douglas Highway”. When the Owners asked why? The reply was a one word reply, that being “safety”. When the Owners pointed out D.O.T. has already deemed the proposed hammerhead driveway safe, and in compliance with all visual distance requirements, Planners once again indicated safety was their major concern. At this time the Owners would like to thank the Planners for all of their hard work, time, and effort to help the Owners understand the codes, and for their direction in helping the Owners get through the permitting process.

That being said the Owners feel the Planners have switched their position as their most recent objection to the hammerhead driveway now stems from a mapping discrepancy between the State and the City. The State records N Douglas Highway as a collector, the City as a minor arterial. The planners indicated it could take the City 3 to 4 months to update their mapping to be in line with the State so at this they would not recommend granting the variance for access.

The Owners feel semantics should not play a part in the Planners decision, and the States mapping should serve the City well enough for a favorable decision. The Owners would also like to point out the Planners readiness to quote code that would deny the Owners request, and their total lack of consideration to the sections of the code that would cause the Commission to accept the Owners request. Specifically, 49.20.250 paragraph (b) subsections (1) through (6) directly apply to this variance request.

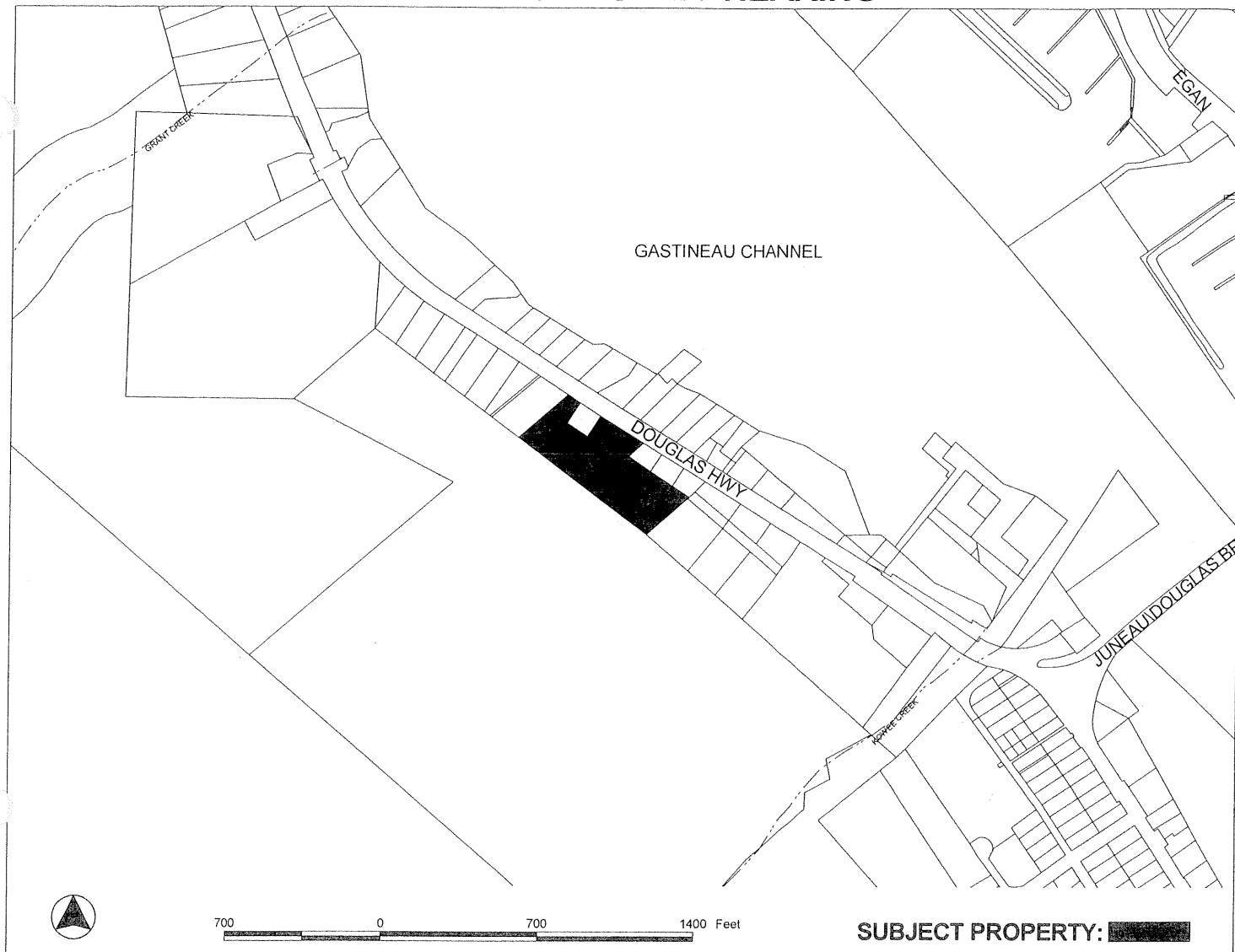
Additionally the Owners are hopeful the Commission remembers the Planners recommendation to allow the Owners property to transition to D-18 only with the stipulation no more driveways be permitted. The Commission saw the wisdom in not acting on the Planners recommendation at that time, and the Owners hope such is still the case.

The Owners are trying to build some small, affordable housing close to Downtown as our research pointed to this as being a great need in our city. The Planners graciously pointed out the Owners could grant permanent easement from proposed lot 4s' driveway to serve as access to lots 3 and 2 the Owners reject this for several reasons. The first being covered stairs would have to be built and maintained to both units, the second being elderly or infirm people would automatically be prohibited from occupying the units, and the third being the Owners believe such a configuration devalues our property.

Again we thank everyone involved in this process for their help and participation.

Gavin Denton-Owner SQD  
Donna Denton-Owner SQD  
Linda Orr-Owner SQD  
Ron Orr-Owner SQD

# NOTICE OF PUBLIC HEARING



**PROPOSAL:** Variance to minimum lot size for lots fronting on minor arterial and to the requirement for a common access point for a future proposal of a four lot subdivision.

**FILE NO:** VAR20110024

**TO:** Adjacent Property Owners

**HEARING DATE:** Nov 22, 2011

**HEARING TIME:** 7:00 PM

**PLACE:** **ASSEMBLY CHAMBERS**  
Municipal Building  
155 South Seward St  
Juneau, Alaska 99801

**APPLICANT:** SQUARE KNOT DEVELOPMENT LLC

**Property PCN:** 6-D06-0-105-005-2

**Owner(s):** SQUARE KNOT DEVELOPMENT LLC

**Size:** 4.23 acres

**Zoned:** D18

**Site Address:** 3915 N DOUGLAS HWY

**Accessed via:** N DOUGLAS HWY

## 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

BETH MCKIBBEN (907)586-0465 BETH\_MCKIBBEN@CI.JUNEAU.AK.US

Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at [www.juneau.org/plancomm](http://www.juneau.org/plancomm).

Date notice was printed: November 10, 2011

# DEVELOPMENT PERMIT APPLICATION

|   |                            |                         |
|---|----------------------------|-------------------------|
| Project Number                              | CITY and BOROUGH of JUNEAU | Date Received: 10/19/11 |
| Project Name<br>(City Staff to Assign Name) |                            |                         |

INFORMATION

PROJECT / APPLICANT

|   |                                  |                         |  |                                  |                         |  |             |             |                                      |                                |  |
|---|----------------------------------|-------------------------|--|----------------------------------|-------------------------|--|-------------|-------------|--------------------------------------|--------------------------------|--|
| <b>Project Description</b><br>Proposed minor subdivision to include four lots as shown in submittals. Three lots road frontage, a hammer head driveway to serve lots three and two.<br>lot 4 also has frontage request variance to 49.40.30.81 and B2   |                                  |                         |  |                                  |                         |  |             |             |                                      |                                |  |
| <b>PROPERTY LOCATION</b><br>Street Address<br>3915 N Douglas Highway<br>City/Zip<br>Juneau 99801<br>Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)<br>Tract 4 U.S. Survey 1361 L3<br>Assessor's Parcel Number(s)<br>6-D06-0-105-005-0   |                                  |                         |  |                                  |                         |  |             |             |                                      |                                |  |
| <b>LANDOWNER/ LESSEE</b><br><table border="1"> <tr> <td>Property Owner's Name<br/>Square Knot Development</td> <td>Contact Person:<br/>Linda or Chip</td> <td>Work Phone:<br/>209-0052</td> </tr> <tr> <td>Mailing Address<br/>15915 Glacier Highway</td> <td>Home Phone:</td> <td>Fax Number:</td> </tr> <tr> <td>E-mail Address<br/>lolife58@yahoo.com</td> <td colspan="2">Other Contact Phone Number(s):</td> </tr> </table>  |                                  |                         | Property Owner's Name<br>Square Knot Development | Contact Person:<br>Linda or Chip | Work Phone:<br>209-0052 | Mailing Address<br>15915 Glacier Highway | Home Phone: | Fax Number: | E-mail Address<br>lolife58@yahoo.com | Other Contact Phone Number(s): |  |
| Property Owner's Name<br>Square Knot Development  | Contact Person:<br>Linda or Chip | Work Phone:<br>209-0052 |  |                                  |                         |  |             |             |                                      |                                |  |
| Mailing Address<br>15915 Glacier Highway  | Home Phone:                      | Fax Number:             |  |                                  |                         |  |             |             |                                      |                                |  |
| E-mail Address<br>lolife58@yahoo.com  | Other Contact Phone Number(s):   |                         |  |                                  |                         |  |             |             |                                      |                                |  |
| <b>LANDOWNER/ LESSEE CONSENT</b> ****Required for Planning Permits, not needed on Building/ Engineering Permits****<br>I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:<br>A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.<br>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.<br>X Linda A. Orr 10/18/11 9-28-11<br>Landowner/Lessee Signature Date<br>X _____<br>Landowner/Lessee Signature Date<br>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. |                                  |                         |  |                                  |                         |  |             |             |                                      |                                |  |
| <b>APPLICANT</b> If the same as OWNER, write "SAME" and sign and date at X below<br><table border="1"> <tr> <td>Applicant's Name<br/>Linda Orr</td> <td>Contact Person:<br/>Linda</td> <td>Work Phone:<br/>209-0052</td> </tr> <tr> <td>Mailing Address<br/>2103 N Jordan Ave</td> <td>Home Phone:</td> <td>Fax Number:</td> </tr> <tr> <td>E-mail Address<br/>lolife58@yahoo.com</td> <td colspan="2">Other Contact Phone Number(s):</td> </tr> </table> X Linda A. Orr 10/18/11 9-28-11<br>Applicant's Signature Date of Application  |                                  |                         | Applicant's Name<br>Linda Orr                    | Contact Person:<br>Linda         | Work Phone:<br>209-0052 | Mailing Address<br>2103 N Jordan Ave     | Home Phone: | Fax Number: | E-mail Address<br>lolife58@yahoo.com | Other Contact Phone Number(s): |  |
| Applicant's Name<br>Linda Orr   | Contact Person:<br>Linda         | Work Phone:<br>209-0052 |  |                                  |                         |  |             |             |                                      |                                |  |
| Mailing Address<br>2103 N Jordan Ave  | Home Phone:                      | Fax Number:             |  |                                  |                         |  |             |             |                                      |                                |  |
| E-mail Address<br>lolife58@yahoo.com  | Other Contact Phone Number(s):   |                         |  |                                  |                         |  |             |             |                                      |                                |  |

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS

| 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)                                   |         | 10-19-2011    | VAR20110024           |
| Wetlands Permits   |         |               |                       |
| Zone Change Application  |         |               |                       |
| Other (Describe)   |         |               |                       |

Comments: \*\*\*Public Notice Sign Form filled out and in the file.

Permit Intake Initials  
KK

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS

FORMS 2010 Applications

Revised November 2009

# VARIANCE APPLICATION

| Project Number  | Project Name (15 characters)   | Case Number<br><u>VAR20110024</u> | Date Received<br><u>10/19/11</u> |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
|---|--|-----------------------------------|----------------------------------|-----------------|------|-----------|---------|------|------------------|------------------|-------|-------|-------|------------|---------------|-------------|---------------|-----------------|-----------|--|--|--|--|
| <b>TYPE OF VARIANCE REQUESTED:</b><br><div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Variance to the Sign Standard (VSG)<br/> <input type="checkbox"/> Variance to Habitat Setbacks (VHB)<br/> <input type="checkbox"/> Variance to Setback Requirements (VSB)             </div> <div style="width: 45%;"> <input checked="" type="checkbox"/> Variance to Dimensional Standards (VDS)<br/> <input type="checkbox"/> Variance to Parking Requirements (VPK)             </div> </div> |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| <b>DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE:</b> <u>See pg 1</u><br><u>submittals in BIVE</u>  |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| <b>Previous Variance Applications?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <span style="float: right;">Date of Filing: _____</span><br><b>Previous Case Number(s):</b> _____<br><b>Was the Variance Granted?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO   |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| <b>UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S):</b> <u>Small affordable lots - small affordable homes - could be built -</u>  |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| <b>UTILITIES AVAILABLE:</b> <b>WATER:</b> <input type="checkbox"/> Public <input type="checkbox"/> On Site <b>SEWER:</b> <input type="checkbox"/> Public <input type="checkbox"/> On Site   |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| <b>WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?</b> <u>De-Value Property - force occupants to carry everything up and down long stairs</u>   |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| <b>WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?</b> <u>construct \$1,000 L.F. Road if not approved.</u>   |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.<br><br>If you need any assistance filling out this form, please contact the Permit Center at 586-0770.   | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">VARIANCE FEES</th> <th style="text-align: center;">Fees</th> <th style="text-align: center;">Check No.</th> <th style="text-align: center;">Receipt</th> <th style="text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td style="text-align: right;">\$ <u>400.00</u></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Adjustment</td> <td style="text-align: right;">\$ <u>400</u></td> <td><u>1025</u></td> <td><u>000276</u></td> <td><u>10/19/11</u></td> </tr> <tr> <td>Total Fee</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> |                                   |                                  | VARIANCE FEES   | Fees | Check No. | Receipt | Date | Application Fees | \$ <u>400.00</u> | _____ | _____ | _____ | Adjustment | \$ <u>400</u> | <u>1025</u> | <u>000276</u> | <u>10/19/11</u> | Total Fee |  |  |  |  |
| VARIANCE FEES   | Fees   | Check No.                         | Receipt                          | Date            |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| Application Fees  | \$ <u>400.00</u>   | _____                             | _____                            | _____           |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| Adjustment  | \$ <u>400</u>  | <u>1025</u>                       | <u>000276</u>                    | <u>10/19/11</u> |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |
| Total Fee   |  |                                   |                                  |                 |      |           |         |      |                  |                  |       |       |       |            |               |             |               |                 |           |  |  |  |  |

**NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM**

1

SKD (Square Knot Development) is requesting a variance to Title 49.40.130 (b) (1) <sup>2</sup> to permit a common driveway to N. Douglas Hwy from lots 2 & 3 where the D-1 zoning district is required ( attached below). and (b)(2)

The zoning district for lots 2 & 3 is currently D-18

#### **49.40.130 - Arterial streets.**

(a)

Except as provided in subsection (b) of this section, if a new subdivision involves frontage along an arterial street:

(1)

The plat shall note that no lots shall access directly onto the arterial; and

(2)

Access shall be provided onto an interior access street or a separate frontage made.

(b)

Land involving frontage directly along a minor arterial street may be subdivided so as to allow access directly onto the minor arterial street provided all of the following conditions are met:

(1)

All of the resulting lots must comply with the D-1 zoning district lot area standards;

(2)

All of the lots must share a common access point and no additional lots may be added;

(3)

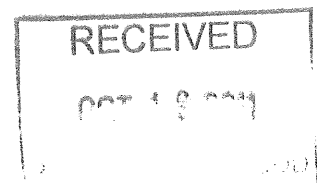
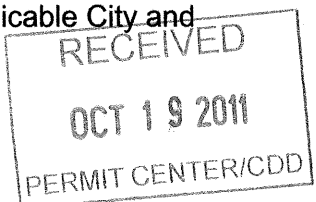
The owner or the developer, as appropriate, must construct a parking area of sufficient size to provide a minimum parking and maneuvering area to prevent back-out parking;

(4)

The owner or the developer, as appropriate, must provide assurance in the form of an easement, plat note, or other form acceptable to the City and Borough, that the required access will be maintained by the property owners; and

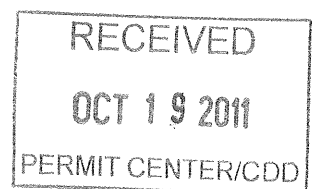
(5)

The proposed subdivision must meet all other applicable City and Borough subdivision standards and requirements.



# Variance Application Narrative letter.

- ① Square Knot Development is TRYING to build affordable housing by asking for smaller lot sizes
- ② Surrounding properties are on similar lot sizes - (8)
- ③ (C) Property is steep in areas
- ⑥ yes - Affordable housing.



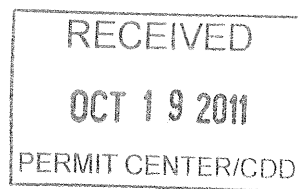


Proposed access for lot  
1 Either to be  
variance application or  
Permanent easement from

Lot 4

Lot 2+3 to share driveway  
as shown on drawings +  
Permitted by D.O.T.

Lot 4 Existing Driveway





LINE SUB

LOT 1  
 1000 ACRES  
 43,560 SQ. FT.

PORTION OF  
 TRACT IV

LOT 2  
 1000 ACRES  
 43,560 SQ. FT.

NORTH DOUGLAS HWY

LOT 1  
 (NOT PART OF  
 THIS SUBDIVISION)

PORTION OF  
 TRACT IV

LOT 3  
 1000 ACRES  
 43,560 SQ. FT.

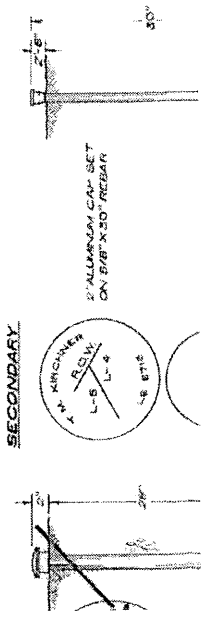
USMS 1069

EXISTING  
 4 + ACRES  
 Parcel  
 to be  
 Lot 4

RECEIVED  
 OCT 19 2011  
 PERMIT CENTER/CDD

MONUMENTS  
 AT SETTINGS

SECONDARY



SURVEYOR'S CERTIFICATE

Plot 86-44

- (NOTE: NOT ALL SYMBOLS ARE SHOWN ON PLAT)
- RECOVERED GLO MON THAT HAVE SINCE BEEN DESTROYED
  - GLO OR BLM RECOVERED MON.
  - PRIMARY MON RECOVERED THIS SURVEY
  - SECONDARY MON RECOVERED THIS SURVEY
  - SECONDARY MON WITH PLASTIC CAP SET THIS SURVEY
  - SECONDARY MON WITH ALUMINUM CAP SET THIS SURVEY
  - MON ON PIPE SET ON FOUO (AS SHOWN)
  - HIGHWAY RIGHT-OF-WAY MON RECOVERED THIS SURVEY

NORTH  
 SCALE: 1" = 50'

**CERTIFICATE OF APPROVAL OF SHORT PLAT**

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SHORT PLAT SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, DEU 48.35070 THROUGH 48.35075, AND IS APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT RECORDING OFFICE, JUNEAU, ALASKA.

DATE: 10/19/11

DIRECTOR CITY AND BOROUGH OF JUNEAU  
 PLANNING DEPARTMENT

ATTEST: *[Signature]*  
 CLERK CITY AND BOROUGH OF JUNEAU

VICINITY MAP  
 SCALE: 1" = 1/2 MI

**CORPORATE**  
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SHORT PLAT SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, DEU 48.35070 THROUGH 48.35075, AND IS APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT RECORDING OFFICE, JUNEAU, ALASKA.

**NOTARY**  
 STATE OF ALASKA  
 FIRST JUDICIAL DISTRICT  
 JUNEAU

**WITNESS**  
 CERTIFICATE

**CORPORATE**  
 I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SHORT PLAT SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, DEU 48.35070 THROUGH 48.35075, AND IS APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT RECORDING OFFICE, JUNEAU, ALASKA.

**NOTARY**  
 STATE OF ALASKA  
 FIRST JUDICIAL DISTRICT  
 JUNEAU

**WITNESS**  
 CERTIFICATE

USS 569

(NO STAMPING  
 ON CAP)

MEAS 84°46'44"W 270.02'  
 BEARING OF BEARING 270.02'  
 FROM PLAT NO 62-995

USE 18\"/>



103.45'  
N 68°27'53" W - 335.22'

120.03'

N 51°20'15" W  
324.17'

NORTH  
DOUGLAS  
N 68°27'53" W 1215.57' - MEASURED  
1215.30' - RECORD

HIGHWAY  
BASIS OF BEARING

JINEAU

NSB 27°53' W  
117.00'

SSB 27°53' E  
117.00'

NSB 27°53' W  
117.00'

SSB 27°53' E  
117.00'

SSB 20°41' E  
103.12'

SSB 23°45' E  
105.24'

NAG 244°00' E  
80.77'

PROPOSED  
LOT 1  
5434.51 SQ FT  
0.12 ACRES

PROPOSED  
LOT 2  
5371.30 SQ FT  
0.12 ACRES

PROPOSED  
LOT 3  
6359.17 SQ FT  
0.15 ACRES

LOT 3

NSB 27°53' W  
117.00'

NSB 27°53' W  
117.00'

NSB 27°53' W  
117.00'

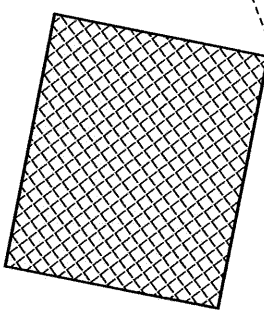
NSB 27°53' W  
117.00'

SSB 23°45' E  
105.24'

NSB 27°53' W  
117.00'



Proposed  
4 lot minor  
Subdivision



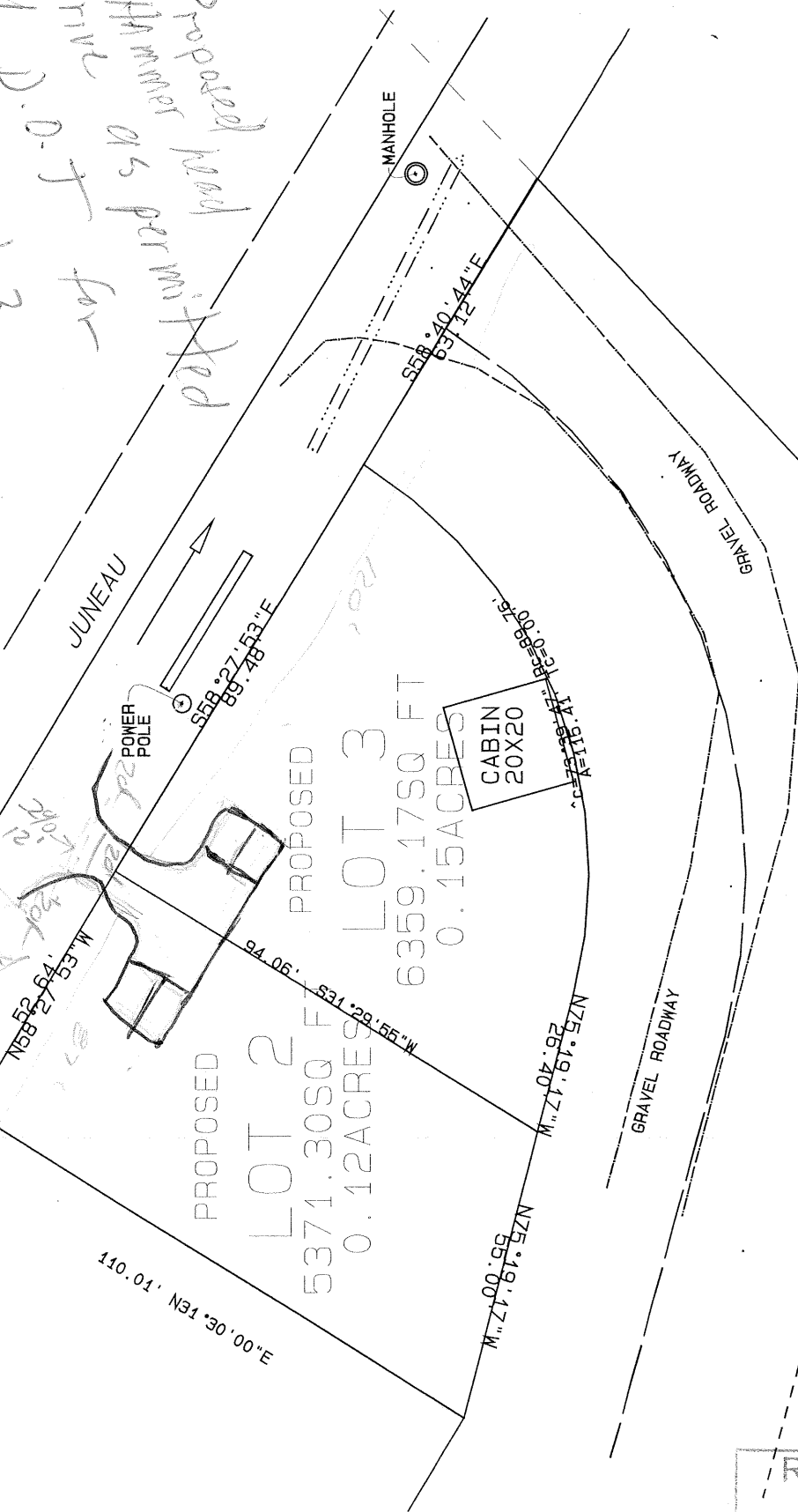
RECEIVED  
OCT 19 2011  
PERMIT CENTER/CDD

N 51°20'15" W  
324.17'

D. 2717-3315

Proposed road  
as permitted  
drive  
by D.O.T for  
lots 2 + 3

R=24' O.T.  
25.5' O.S. curb



RECEIVED  
OCT 19 2011  
PERMIT CENTER/CDD

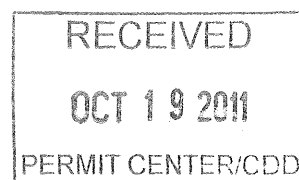
**State of Alaska**  
**Department of Transportation and Public Facilities**

**Driveway and Approach Road  
 Permit**

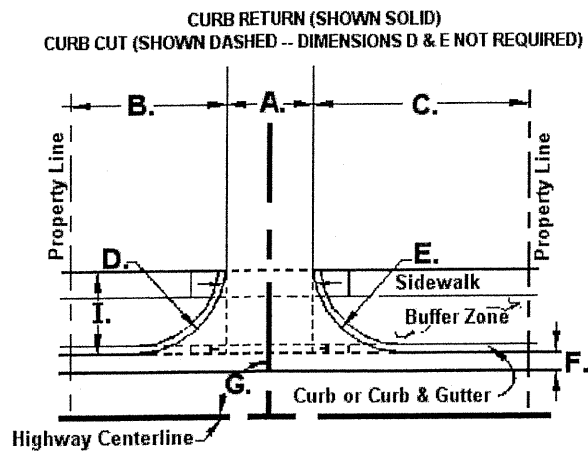
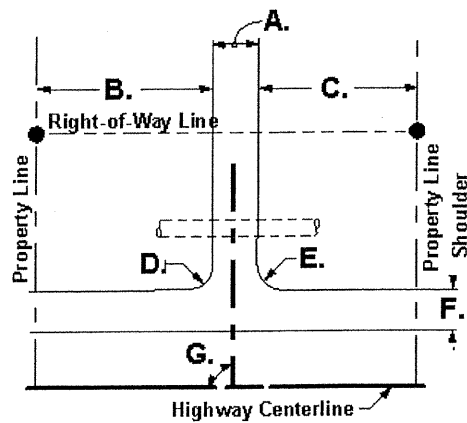
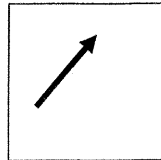
This permit allows the permittee to construct and maintain a driveway or approach road within a State owned highway Right of Way.

|   |  |
|---|--|
| <input checked="" type="checkbox"/> Residential/Private <input type="checkbox"/> Commercial <input type="checkbox"/> Government Agency  |  |
| Applicant:  | Square Knot Developement               |
| Mailing Address:  | 849 Riverside Ave.<br>Mancos, CO 81328 |
| Contact Name:   | Frank Tuthill                          |
| E-mail Address:   | chiptuthill@yahoo.com                  |
| Phone:  | (970) 739-9989      Fax: _____         |
| Driveway or Approach Road location (highway, subdivision, legal description milepost, etc.)<br>Common drive for two adjacent lots. Single access to ROW. Will be recorded on land records. See sketch dated 5/19/2011 |  |
| Proposed or Existing:   | Anticipated Completion Date:           |
| PROPOSED  | 09/30/2011                             |
| Number of lots served:  | Max. number of vehicles in any 1 hour: |
| 2   | 2                                      |
| Zoning Designation:   | Proposed Land Use:                     |
| D-18  | Single family residential              |

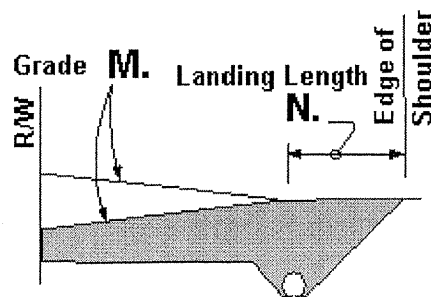
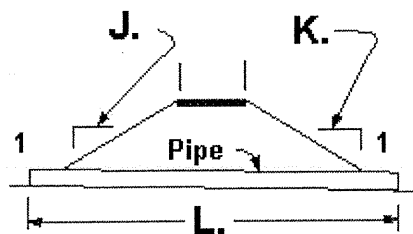
Driveway Specifications



Direction of North in relation to the drawing.



|    |                           |      |         |
|----|---------------------------|------|---------|
| A. | Driveway width            | 20   | feet    |
| B. | Left edge clearance       | 59   | feet    |
| C. | Right edge clearance      | 42   | feet    |
| D. | Left return radius        | 20   | feet    |
| E. | Right return radius       | 20   | feet    |
| F. | Shoulder width            |      | feet    |
| G. | Approach angle            | 90   | degrees |
| H. | Curb type                 | None |         |
| I. | Curb to sidewalk distance |      | feet    |



|    |                          |                             |         |
|----|--------------------------|-----------------------------|---------|
| J. | Left driveway foreslope  | 4                           | :1      |
| K. | Right driveway foreslope | 4                           | :1      |
| L. | Culvert length           | 32                          | Feet    |
| M. | Landing grade            | -2                          | Percent |
| N. | Landing length           | 12                          | Feet    |
| O. | Culvert size             | 18                          | inches  |
| P. | Culvert type             | Corrugated Metal Pipe (CMP) |         |
| Q. | Ditch depth              | 2                           | feet    |
| R. | Shoulder type            | Paved                       |         |
| S. | Pavement type            | Paved                       |         |
| T. | Driveway surface type    | Asphalt                     |         |

**Permittee upon signing this permit acknowledges and agrees to the following provisions:**

A copy of this permit must be on site during construction of the access. If any of the conditions of this permit are violated, the State reserves the right to require the removal of all activities from the area.

The Permit grants permission for driveway construction only, allowing access to and from your property onto a State maintained highway. It does not permit the following within the right of way or within that portion of a driveway that is within the right of way: (1) Parking of vehicles "for sale"; (2) Obstructions of any kind (i.e. logs, cables, fencing, etc.); (3) Advertising signs or banners/flags; (4) Parking vehicles with signs/advertising on the side.

A driveway or approach road constructed under permit within a highway right-of-way is the property of the state, but all cost and liability arising from the construction, operation, or maintenance of a driveway or approach road is at the sole expense of those lands served. The department is not obligated to change its maintenance practices to accommodate a driveway or approach road constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway or approach road within a right of way resulting from the department's activities, or activities under a permit issued under 17 AAC 15.

Permittee is responsible for adjusting or relocating the driveway or approach road without cost or liability to the department if the use or safety of the highway requires that the driveway or approach road be adjusted or relocated.

This Permit is not a property right but a temporary authorization, revocable by the State upon violation of any Permit terms or conditions, or for other reasons. All reasonable attorney's fees and costs associated with legal or enforcement actions related to the terms and conditions of this permit will be borne by the permittee.

Any survey monument or monument accessory which will be disturbed or destroyed during construction of the driveway or approach road shall be referenced prior to the disturbance and restored or replaced by a Land Surveyor licensed in the State of Alaska. The Land Surveyor must file a Monument Record in accordance with AS 34.65.040. All monument records shall be reviewed by the department prior to filing with the District Recorder.

The Permittee will obtain all necessary Federal, State, and Municipal permits and licenses required by law, pay all taxes and special assessments lawfully imposed upon the permitted area, and pay other fees and charges assessed under applicable law.

Before any filling activities take place within the right of way, or on the property adjacent to the right of way affected by this permit, please contact the U.S. Army Corps of Engineers (USACE) to see if any further authorization is necessary. Placement of fill material in waters of the U.S., including wetlands and streams, requires prior authorization in most cases. You can reach the USACE at - Anchorage: (907) 753-2712, Fax: (907) 753-5567 Toll Free 1-800-478-2712; Fairbanks: (907) 474-2166, Fax: (907) 474-2164; Juneau: (907) 790-4490, Fax: (907) 790-4499; Kenai: (907) 283-3519, Fax: (907) 283-3981. The website is <http://www.poa.usace.army.mil/reg>

A permittee shall construct and maintain a driveway or approach road in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. (17 AAC 10.020(b) If you damage any improvements within the State owned right of way, you will be responsible for returning them to their previous condition. The Department will inspect and approve the restored improvements. (17 AAC 10.065)

All signs installed in State rights of way shall be fabricated, located and installed in conformance with the Alaska Traffic Manual (ATM), Alaska Sign Design Manual (ASDS), and standard drawings and specifications. Our Traffic & Safety section shall approve all variable message signs (i.e. street name signs) prior to installation.

Permittee shall indemnify, defend and hold harmless the State, and its officers, employees, and contractors, from any and all claims or actions resulting from injury, death, loss, or damage sustained by any person or personal property resulting directly or indirectly from Permittee's use of or activities in the permitted area.

If driveway construction interferes with the public's safety and/or use of facilities within State owned right of way, you will be directed to stop work until adjustments are made.

Do not park equipment or stockpile material on the shoulder during non-working hours.

Permittee is responsible for sight distance clearing of brush and obstructions adjacent to their property.



Driveway landings must be paved from pavement edge on all paved roads unless deemed otherwise by the State.

Please contact the Department for information about acceptable driveway markers (i.e., size, materials, distance, etc.) for placement within the right of way.

The State will not change its maintenance practices to accommodate your driveway or incur additional expense to clear snow berms or other obstacles resulting from the Department's activities.

You may not push or otherwise deposit snow or ice onto a highway in a manner, or in quantities, which may constitute a hazard to snow removal equipment or other traffic.

Implement the traffic control plan and maintain traffic control devices in accordance with the Alaska Traffic Manual and any provisions and conditions noted.

All sign layouts shall conform to the Alaska Sign Design Specifications.

Fabricate special signs from engineering grade reflective sheeting on either sheet aluminum or plywood panels.

Adjust sign locations in the field to provide adequate separation from existing signs. All signs shall be visible.

Traffic control devices are not required for construction more than 2 feet behind curb, or farther than 15 feet beyond the shoulder.

Remove all traffic control devices when no longer needed.

Clean up litter or debris generated as a result of this driveway construction.

An inspection is required prior to reimbursement of your performance deposit. Please contact the Department for an inspection appointment after final construction of your driveway.


REQUIRED for ALL DRIVEWAYS:

- ☒ [ X ] Plat including notes of the placement of the driveway.
- ☒ [ X ] Site plan.
- ☒ [ X ] Proof of ownership.
- ☒ [ X ] Traffic control plan.

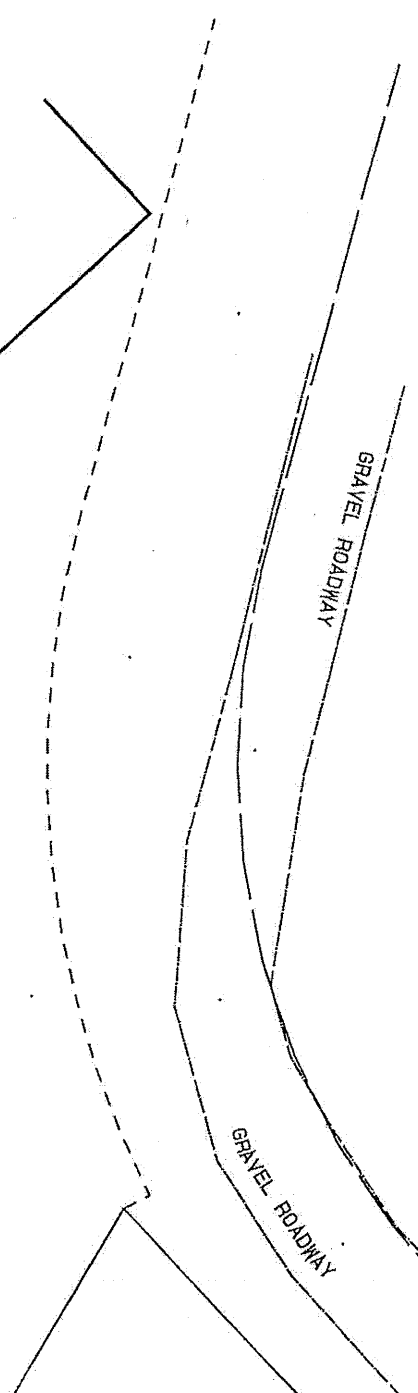
I, Frank Tuthill, acknowledge that I am acting on behalf of the above named organization with the full authority to do so. I further acknowledge and accept that Square Knot Developement shall comply with all the provisions and conditions that the Department of Transportation and Public Facilities has included as a condition of issuing this permit.

  
Permittee Signature

6-20-11  
Date

  
DOT&PF Signature

6-20-11  
Date



Proposed Driveways &amp; P.O.V. Access

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