

CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY

**BOARD OF ADJUSTMENT
NOTICE OF DECISION**

Date: November 28, 2011

File No.: VAR20110024

Linda Orr
2103 N. Jordan Avenue
Juneau, AK 99801

Application For: 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.

Legal Description: USS 1361 TR IV LT 3

Property Address: 3915 N. Douglas Hwy

Parcel Code No.: 6-D06-0-105-005-0

Hearing Date: November 22, 2011

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated November 17, 2011 and amended criterion 2 and 6 to read as follows:

- 2. 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. However, the approval of the variance as requested would preserve 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, as one driveway is proposed to serve multiple properties and minimizes the total number of driveways used in the subdivision, therefore, the intent of this title would be observed.

- 6. 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. However, in this case, the applicant proposed one driveway to serve multiple properties, therefore minimizing the total number of driveways in this area for this proposed subdivision.*

The Commission approved the Variance to be conducted as described in the project description and project drawings submitted with the application and with the following conditions:

1. The plat shall contain a note limiting access to the subdivision to two driveways or one driveway and one access road 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.

Attachment: November 17, 2011, memorandum from Beth McKibben, Community Development, to the CBJ Board of Adjustment regarding VAR20110024


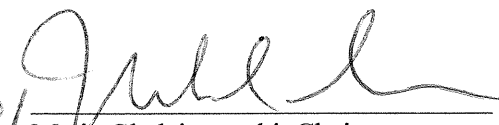
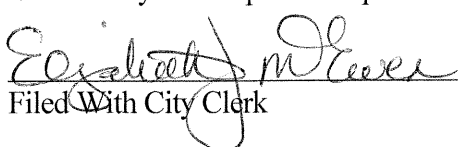
This Notice of Decision does not authorize construction or subdivision activity. Prior to starting any development project, it is the applicant's responsibility to obtain the required building permits and file appropriate plats.

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

Effective Date: The permit is effective upon approval by the Board, November 22, 2011.

Expiration Date: The permit will expire 18 months after the effective date, or May 22, 2011 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

Project Planner:

	
Beth McKibben, Planner Community Development Department	Maria Gladziszewski, Chair Planning Commission
	11/29/2011
Filed With City Clerk	Date

cc: Plan Review

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