

**BOARD OF ADJUSTMENT**  
**NOTICE OF DECISION**

Date: December 21, 2011

File No.: VAR20110011

State of Alaska DOT  
6860 Glacier HWY  
Juneau, AK 99801

Application For: A Variance to widen and straighten the roadway between the North Eagle Beach Kayak Launch and Bessie Creek within 330 feet of 10 eagle nests, including potential damage to 7 nests by fly rock from blasting.

Project Location: Milepost 29.5 – Milepost 33.6, Glacier Highway

Hearing Date: December 20, 2011

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated December 14 2011, and approved the Variance to be conducted as described in the project description and project drawings submitted with the application.

Attachments: September 22 2011, memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR20110011

November 1 2011, memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR20110011

December 14 2011, memorandum from Dale Pernula, Community Development, to the CBJ Board of Adjustment regarding VAR20110011

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, December 20 2011.

Expiration Date: The permit will expire 18 months after the effective date, or June 20, 2013, if 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: *Greg Chaney*  
*for Dale Pernula*  
Dale Pernula, Planner  
Community Development Department

*Maria Gladyszewski*  
Maria Gladyszewski, Chair  
Planning Commission

*Saurie J. Akin*  
Filed With City Clerk

12/21/11  
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.