

**BOARD OF ADJUSTMENT  
NOTICE OF DECISION**

Date: December 21, 2011

File No.: VAR20110027

CBJ Engineering  
Attn.: Michele Elfers  
155 S. Seward St.  
Juneau, AK 99801

Application For: A Variance request to the 50' streamside setback of Duck Creek for the installation of a water line and meter.

Legal Description: USS 1742

Project Area: Along Duck Creek between Glacier Highway and Cessna Drive.

Parcel Code No.: 3-B16-0-100-001-1

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 and with the following conditions:

1. The applicant shall double bag and dispose of any soil that is disturbed that contains the invasive plant knotweed.
2. The applicant shall save and reuse the vegetation within the 50' setback of Duck Creek and replace the vegetation after construction is complete.
3. The applicant shall make all efforts to connect the new water line to the water main as close to the ACS bank as possible, minimizing encroachment into the 50' setback

Attachment: December 14, 2011, memorandum from Nicole Jones, Community Development, to the CBJ Board of Adjustment regarding VAR20110027

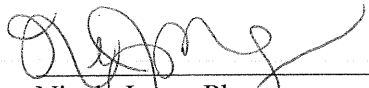
This Notice of Decision does not authorize construction activity. Prior to starting any development project, it is the applicant's responsibility to obtain the required building permits.

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).

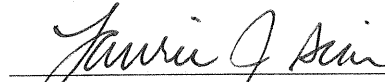
Effective Date: The permit is effective upon approval by the Board, December 20, 2011

Expiration Date: The permit will expire 18 months after the effective date, or June 20, 2013, if 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:

  
\_\_\_\_\_  
Nicole Jones, Planner  
Community Development Department

  
\_\_\_\_\_  
Maria Gladyszewski, Chair  
Planning Commission

  
\_\_\_\_\_  
Filed With City Clerk

12/21/11  
\_\_\_\_\_  
Date

cc: Plan Review  
Fred Thorsteinson, Engineering Associate Alaska Department of Transportation

**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.