

MEMORANDUM

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

DATE: November 21, 2012

TO: Board of Adjustment

FROM: Crystal Hitchings, Planner *CHH*
Community Development Department

FILE NO.: VAR2012 0023

PROPOSAL: A variance to reduce the front yard setback from 11 feet to 5 feet in order to construct a 2nd story entry deck.

GENERAL INFORMATION

Applicants: Vince McElmurry and Anna Latham

Property Owner: Vince McElmurry and Anna Latham

Property Address: 209 Saint Ann's Avenue

Legal Description: Douglas Townsite Block 48 Lot 6

Parcel Code Number: 2-D04-0-T48-023-0

Site Size: 4,604 square feet

Zoning: D5, single-family and duplex residential

Utilities: public sewer and water

Access: St. Ann's Avenue

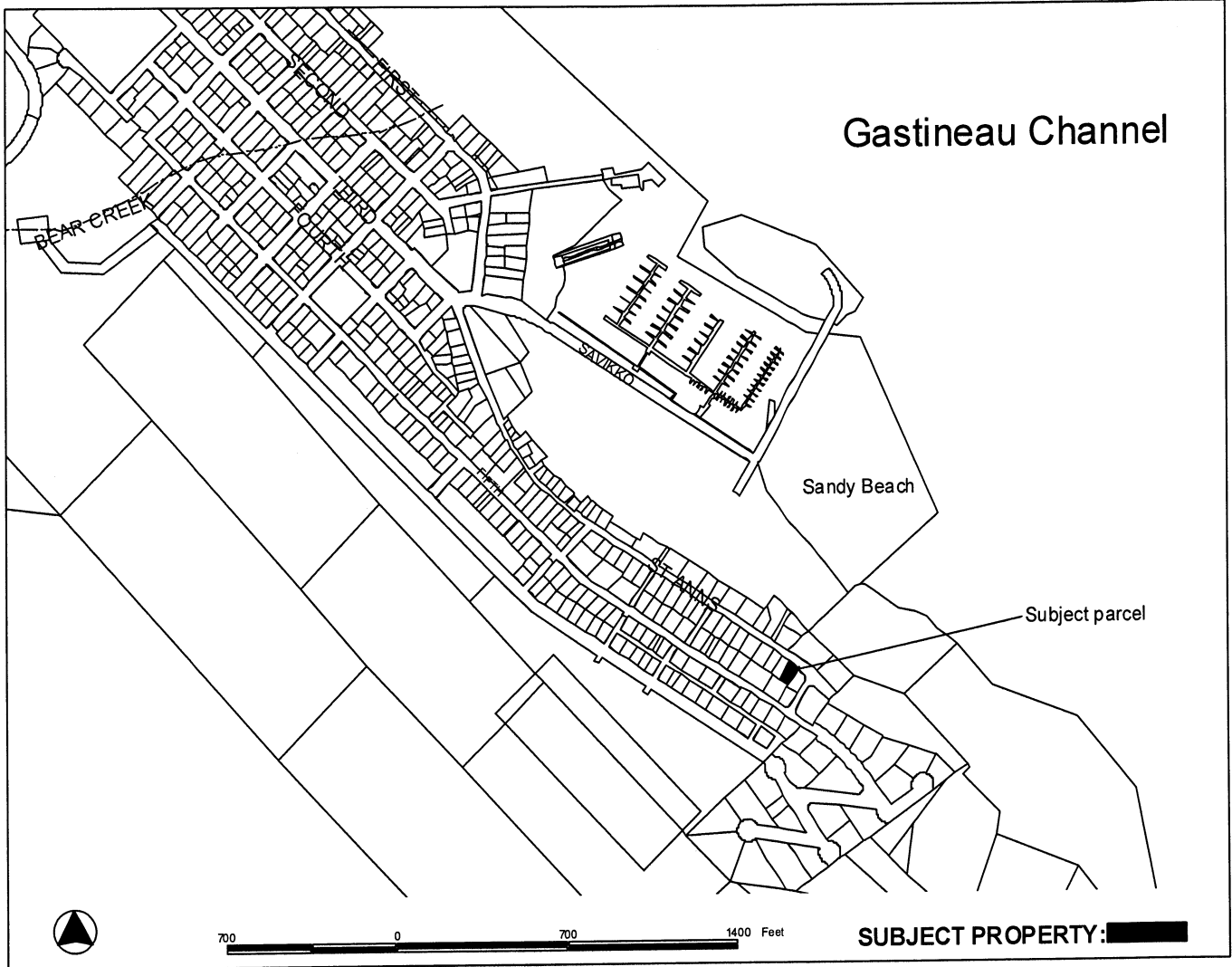
Existing Land Use: single-family residential

Surrounding Land Use:

North	-	D5 residential
South	-	D5 residential
East	-	St. Ann's Avenue, D5 residential
West	-	D5 residential



NOTICE OF PUBLIC HEARING



SUBJECT PROPERTY: [REDACTED]

PROPOSAL: Variance to reduce the front yard setback from 11 feet to 5 feet in order to construct a 2nd story deck.

FILE NO: VAR20120023 TO: Adjacent Property Owners HEARING DATE: November 27, 2012 HEARING TIME: 7:00 PM PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	APPLICANT: Anna Latham; Vince McElmurry
	Property PCN: 2D040T480230 Owner(s): Anna Latham & Vince McElmurry Size: 4604 sqft Zoned: D5 Site Address: 209 ST ANN'S AVE Accessed via: ST ANN'S AVE

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 Crystal Hitchings at 586-0756 or email: crystal_hitchings@ci.juneau.ak.us

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

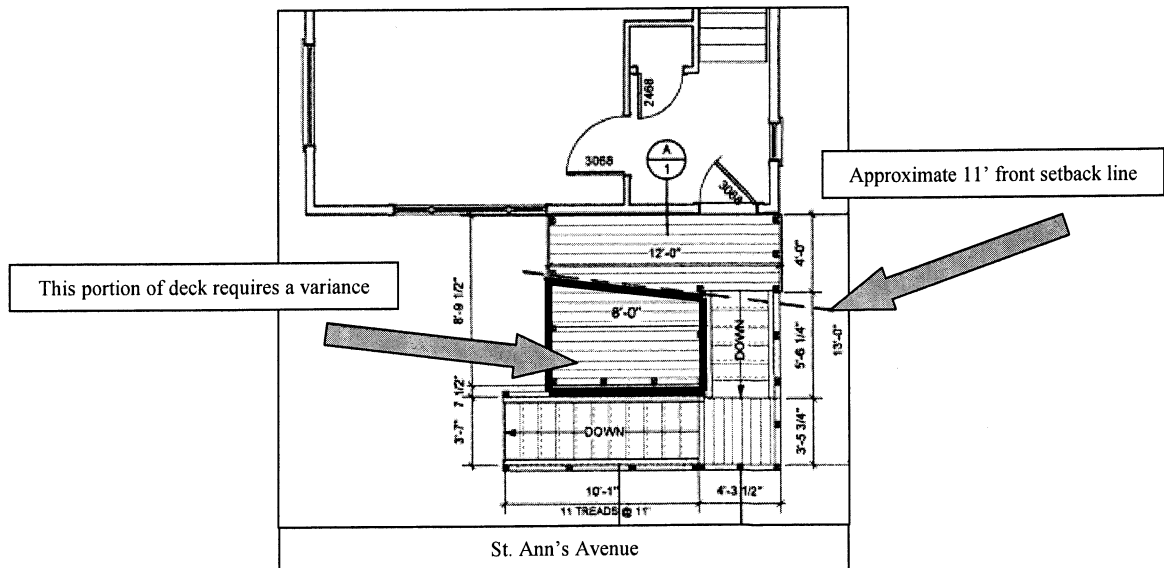
ATTACHMENTS

- Attachment A: Variance and Development Applications
- Attachment B: Applicant’s Narrative
- Attachment C: Site Plan
- Attachment D: Deck Plan and Elevation
- Attachment E: Site Photos
- Attachment F: Emailed Comments from Applicant, dated November 15 and 18, 2012
- Attachment G: Floor Plans

PROJECT DESCRIPTION

The applicant is requesting a variance to reduce the front yard setback from 11 feet to 2 feet in order to construct a 2nd story deck and stairs on a new single-family home. However, the stairs meet exception CBJ49.25.430(4)(C)(i), and a portion of the deck is behind the front setback line. The portion of the deck that does require the variance is located at approximately 5 feet from the property line. The subject site has a reduced front setback from 20 feet to 11 feet due to an average of the existing substandard setbacks in the neighborhood.

The second story of the new home is accessed by the proposed stairs and deck. The proposed access consists of a main L-shaped deck, and two sections of stairs with a landing in between. The landing and stairs are no greater than five feet in width, and meet the setback exception provided by CBJ49.25.430(4)(C)(i), which allows entry decks and stairs no wider than 5 feet internal width to be located up to the front property line. Approximately 4 feet of the depth of this deck is outside of the 11-foot setback and is also allowed without a variance. The portion of the deck that actually requires a variance is approximately 7 feet, 8 inches wide and approximately 5 feet deep, and is located approximately 5 feet from the front property line. The drawing below shows the portion of the deck that is behind the 11-foot front setback and the portion which requires the variance.



If the portion of deck requiring a variance were reduced from 7 feet, 8 inches in width to 5 feet, it would not require a variance. The applicant has stated that a smaller deck could not be constructed without the supporting posts being located in such a manner that the basement door access is impeded. However, no information has been submitted showing that various cantilever or alternative structural designs cannot work.

BACKGROUND

The previous home was demolished by the applicant and a new home was built on the same footprint. The previously existing basement was retained, but the walls were raised during construction of the new home. The previous home had main entrances on the first floor and on the second floor. The second floor was accessed by a small deck and stairway on the front of the home, facing St. Ann's Avenue, and by a large entry deck on the rear façade of the building. The new home utilizes this same general design, but the proposed front deck is larger than the pre-existing deck. The previously existing second story entry deck does appear to have met the reduced front setback, per pre-demo photographs submitted with the building permit.

The approved building plans for the new home include a note on the plans stating that the second story entry porch is not shown, with a handwritten note stating "stairs not to exceed 5' internal width". Plan review notes state that entry stairs may project to the front property line providing the structure is not more than 5 feet in internal width per CBJ49.25.430(4)(C)(i). It may or may not have been made clear to the applicant that this requirement also includes decks.

According to plans submitted by the applicant with building permit BLD2012 0530, the main living area is on the second floor and three bedrooms are located on the third floor. The first level floor is considered by the applicant to be an unfinished basement. International Residential Code (IRC) defines a story above grade as:

"Any story having its finished floor surface entirely above grade, except that a basement shall be considered as a story above grade where the finished surface of the floor above the basement is:

- 1. More than 6 feet (1829 mm) above grade plane.*
- 2. More than 6 feet (1829 mm) above the finished ground level for more than 50 percent of the total building perimeter.*
- 3. More than 12 feet (3658 mm) above the finished ground level at any point.*

In this case, the finished surface of the floor above the ground floor is more than 6 feet above the finished ground level for 100% of the total building perimeter, and therefore the "basement" is actually by definition a first story, and therefore the proposed front deck is a second story deck. The

applicant stated that city tax records had classified the ground floor of the previously existing home as a basement. However, according to CBJ49.30.500, Nonconforming Development, Reconstruction, "if a building is damaged by any change so that the cost of renewal of the damaged parts exceeds 75 percent of the cost of the replacement of the entire building, then current standards must be met for any reconstruction of that building. In the reconstruction of the new home, the height of the basement ceiling was raised, and therefore current definitions for basement and story above grade are applicable.

The applicant has asked staff to consider the exception CBJ49.25.430(4)(E), which states that *"Unenclosed first story porches or decks, with or without roof, and with or without non-sight obscuring safety rails less than 44 inches in height, may project no more than six feet into any yard setback, provided, however, such projection is no closer than five feet to a lot line. Eaves may project a maximum of three feet from these structures."*

The applicant states that the second story deck serves as a roof for a future first story concrete slab patio. However, a deck and a roof are not the same thing. A deck provides an outdoor living area and its use can have negative impacts of noise and reduction of privacy when located too close to adjacent properties. According to the IRC, a roof is defined as a system designed to provide weather protection. According to the IRC, R312.1 Guards, *"porches, balconies, ramps or raised floor surfaces located more than 30 inches (762 mm) above the floor or grade below shall have guards not less than 36 inches in height."* Roofs do not require "guards" or railings, because people are not typically walking on or otherwise using them. The proposed deck requires a railing, because it's main intent is for active use, therefore, it is a deck and cannot be considered a roof.

ANALYSIS

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 applicants state that the proposed deck is necessary to provide access to the home, and that, if

the variance is not granted, access to the main entrance to the home would not be possible, and that the main entry of the home would have to be closed off and a new entrance would have to be designed. The applicant also states that allowing the larger entry deck would provide for emergency egress.

Both primary access and emergency egress would be adequately provided by an entry deck that meets the exception provided for in CBJ49.25.430(4)(C)(i). As the above sketch shows, an adequate stairway and smaller deck are allowed without a variance. Additionally, the main living area is provided with a large exterior deck at the rear of the second floor and an entrance off that deck that leads directly into the kitchen.

Other properties in the area have existing substandard setbacks per CBJ49.25.430(4)(K), which allows a reduced setback based on an average of the three closest adjacent buildings. Some of these substandard lots contain homes which are located within even the reduced front yard setback and sometimes very close to the street. A number of entry stairs and ramps appearing to meet the 5-foot width maximum allowed by CBJ49.25.430(4)(C)(i) are located within the front setbacks along this street. A new second story deck (BLD2004-00702) and a new home with a covered front porch (BLD-0551701) were recently constructed in this neighborhood, both of which were subject to reduced setbacks, and both of which meet these setback requirements. A nearby home was recently granted a variance to the rear setback to allow an addition to an existing structure (VAR2012 0016). That lot was found to be encumbered by a City drainage way cutting off a significant portion of the site.

Daily and emergency access for the main living area is not dependent on the approval of a larger deck. Emergency access is potentially best achieved via the rear deck, which will have fewer stairs and turns. Adequate access can be provided by constructing a deck that meets zoning requirements. Therefore, the existing entrance does not need to be closed off if the variance is not granted. As noted before, if the portion of deck requiring a variance were reduced in width, most of the proposed deck could be constructed without a variance. Constructing a smaller deck area than proposed would result in lesser or similar expense, and therefore financial relief is not necessary. Other homes in the neighborhood have accomplished similar new development in recent years while still meeting reduced front yard setbacks.

No. This criterion is not 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 established in Section CBJ § 49.05.100 Purpose and Intent. The intent of Title 49 is to: implement the policies of the Comprehensive Plan; ensure that growth and development is in accord with the values of its residents; secure the benefits of growth while minimizing the negative impact; ensure that future growth is of the appropriate type; design, and location; promote public health, safety, and general welfare; provide adequate open space for light

and air, and ensure proper and beneficial use of land.

Because the proposed deck is on the street-facing façade, it does not interfere with light and air for any adjacent properties. The CBJ Engineering Department stated that they had no concerns regarding public safety due to the proximity of the proposed deck to St. Ann's Avenue because of the existing retaining wall that is located between the street and the base of the proposed deck.

Yes. This criterion is met.

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

The proposed deck is not near any other structure, and does not interfere with light, air, or views. The deck is consistent with other development in the neighborhood and is in keeping with the residential development of the site. No injuries to nearby properties are anticipated.

Yes. This criterion is met.

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

The primary use of the site is a single-family home with a second story entry stairs providing access to the residence, which is an allowed use in the residential district.

Yes. 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;*

Construction of a deck that meets the exception and front setback would provide reasonable access to the main living area and would not prevent the home or existing entry way from being used. A second entry deck is also provided at the rear of the home, with direct access to the kitchen.

No. This sub-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;*

The proposed deck is consistent with existing development in the neighborhood in that there are many existing non-conforming structures in the neighborhood. Many lots along St. Ann's Avenue are developed with buildings that are located within the standard D5 setback of 20 feet. Most of these lots, including the subject site, have a reduced setback due to the existing substandard setbacks

of the neighborhood, but many of these buildings are nonconforming despite the allowed reduction. Some of the homes appear to be built right up to the front property line. Development within these reduced setbacks includes one and two story homes.

However, new developments have been achieved in recent years that meet even these reduced front setbacks. A newer second story deck several lots to the north of the subject site meets the reduced setback for that lot of 17 feet. A newer home with a covered first story porch north of the subject site also meets the front setback. A number of entry stairs located within the front setbacks along this street appear to meet the 5-foot maximum internal width, as allowed by CBJ49.25.430(4)(C)(i). The proposed front deck can also be constructed to meet this setback exception. No variances have been granted in the area for decks that don't meet the exception.

No. This sub-criterion is not met.

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

The subject site, like many sites in the neighborhood, is undersized and little room is available for development that meets even the reduced setback requirements. However, other similar new developments on sites with reduced setbacks do meet the reduced setbacks for these sites. If the proposed deck were reduced in size, compliance with CBJ49.25.430(4)(C)(i) could be achieved, the deck could be constructed without a variance, and the only expense would be an amendment to the building plans.

No. This sub-criterion 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.*

The subject site already has a reduced front setback from 20 feet to 11 feet per CBJ49.25.430(4)(K), Existing substandard setbacks. Although there was a non-conforming house on the site, it was removed and the new structure is required to meet current setbacks. Allowing a 6-foot setback for the deck would result in a significant decrease in overall compliance with the front setback requirement of the D5 zone.

No. This sub-criterion is not met.

Criterion 5 is not met.

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

DEVELOPMENT PERMIT APPLICATION

Project Number: VAR20120023	CITY and BOROUGH of JUNEAU	Date Received: 10/8/12
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description Build front stairs and deck to provide access to main entry of house.		
	PROPERTY LOCATION		
	Street Address 209 St. Anns Ave.	City/Zip Douglas, AK 99824	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Douglas Townsite Block 48 Lot 6		
	Assessor's Parcel Number(s) 220640 T480230		
	LANDOWNER/ LESSEE		
	Property Owner's Name Vince McElmurry	Contact Person: Vince	Work Phone: 723-2996
	Mailing Address Po Box 240952 Douglas, AK 99824	Home Phone:	Fax Number:
	E-mail Address: mcelmurryva@gmail.com	Other Contact Phone Number(s): lathamanna@hotmail.com	
	LANDOWNER/ LESSEE CONSENT <small>***Required for Planning Permits, not needed on Building/Engineering Permits***</small>		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. 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.			
X	 Landowner/Lessee Signature	Date	
X	_____ Landowner/Lessee Signature	Date	
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.			
APPLICANT <small>If the same as OWNER, write "SAME" and sign and date at X below</small>			
Applicant's Name SAME	Contact Person:	Work Phone:	
Mailing Address	Home Phone:	Fax Number:	
E-mail Address	Other Contact Phone Number(s):		
X	_____ Applicant's Signature	Date of Application	

-----OFFICE USE ONLY BELOW THIS LINE-----

STAFF APPROVALS	<input checked="" type="checkbox"/>	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)			
	<input checked="" type="checkbox"/>	Variance Case (De Minimis and all other Variance case types)		10/8/12	VAR20120023
		Wetlands Permits			
	Zone Change Application				
	Other (Describe)				
<small>***Public Notice Sign Form filled out and in the file.</small>					
Comments:				Permit Intake Initials	
				CNH	

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

Revised November 2009

VARIANCE APPLICATION

Project Number VAR20120023	Project Name (15 characters)	Case Number	Date Received 10/8/12
--------------------------------------	------------------------------	-------------	---------------------------------

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:

Reduce Front setback from 11' to 2'.

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 existing foundation that the home was built on was already within 12.1' feet of the front property line.

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

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?

The homes main front entry requires stairs and deck be constructed for access.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?

There would be limited access to the main level of the home. An existing entry would have to be closed off.

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.

VARIANCE FEES

	Fees	Check No.	Receipt	Date
Application Fees	<u>400.00</u> 350.00			
Adjustment				
Total Fee	<u>400.00</u> 350.00	<u>Card</u>	<u>01505B</u>	<u>10/8/12</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT

DESCRIPTION OF ACTIVITY WHICH REQUIRES VARIANCE

I am writing this narrative to request a variance in the setback requirements of 11 feet to 2 feet for front stairs and a deck for my home located at Lot 6, Block 48, Douglas Subdivision, 209 St Anns Ave, Douglas.

I am constructing a home on the above parcel, which is zoned D-5, residential district. This past year I demolished the existing home on the parcel that was constructed in 1920. The home did have a deck and stairs to the main entrance facing St. Anne Street and within the required setback. I salvaged the foundation and used the foundation to construct a new home. I went through the City of Juneau building permit process to obtain the necessary permits for the home construction. Unfortunately, the plans for the front stairs and deck were left off the plans.

UNIQUE CHARACTERISTIC OF LAND OR BUILDING

The existing home foundation is approximately 12.1 feet from the property line, which is within the required 20 foot setback required by City of Juneau code.

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER

The front entrance to the new home is at the second level of the home facing St. Ann Street. The variance request is to construct the stairs and deck to provide access to the main entry of the new home.

The home is near completion and as mentioned previously, the original home's foundation was used to construct the new home. If a variance is not granted, access to the main entrance to the home will not be possible.

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED

If I was denied the variance I would have to close off the main entry of the home, and design another entrance. The redesign of the main entry to the home would both cause delays to construction and be very costly.

The variance request is consistent with the neighborhood, as there are multiple homes on St. Anns Ave that are within a few feet of the front property line. In fact it is my understanding that my adjacent neighbor's home was built over the property line and encroached onto city property until the 70's when the city vacated 4.8' of the right-of-way to remedy the situation.

I would like to ensure the board if the variance was granted it would preserve the public safety and welfare of the neighborhood, and is consistent with other structures built along St. Anns Avenue in Douglas. There is an existing retaining wall that would separate the the stairs and deck from the road. In addition the overall safety of the home would be increased by providing an additional emergency exit.

The authorization of the variance will not impact nearby properties. The stairs and deck will be built on my property in the front of the house and will not be covered, therefore no snow or rain will be directed to the adjacent properties.

The variance would not authorize any uses that are not allowed in the district. It would simply grant access to the main entry of the home.

If the variance was not granted and I had to comply with the existing standards I would be forced to close off the main entry to the home, this would unreasonably prevent me from using the a portion of the property for it's principal use.

In regard to this particular neighborhood, many homes are built very close to St. Ann's Ave. Homes along St. Anne's Avenue are within 2 to 5 feet of the right-of-way and some have decks and stairs ways within a few feet of the right-of-way.

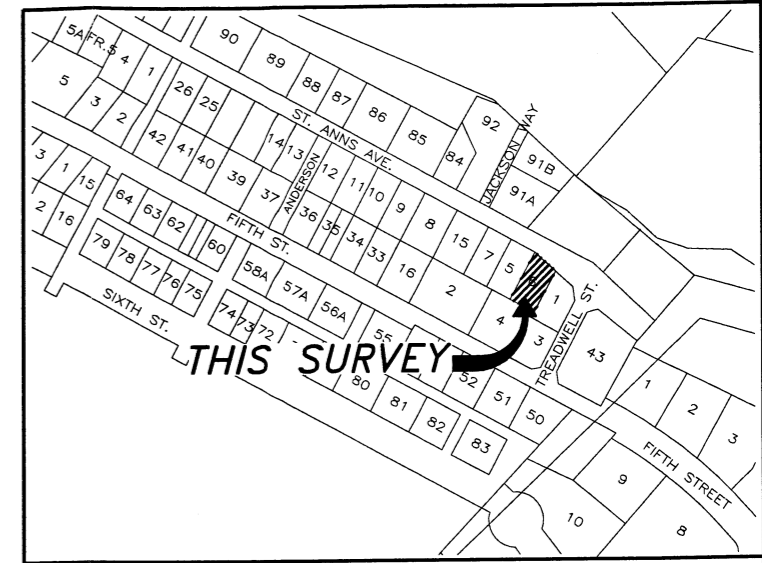
Compliance with the existing standards would be burdensome because the construction of the house is nearly complete, would cause a financial burden for the owners.

Approval of the variance would allow me to finish my home as designed and is consistent with the homes within the area.

RECEIVED
OCT 08 2012
PERMIT CENTER/CDD

INTAKE REVIEW
Gen Eng. _____
POC CH
IOC _____
Tech. CE

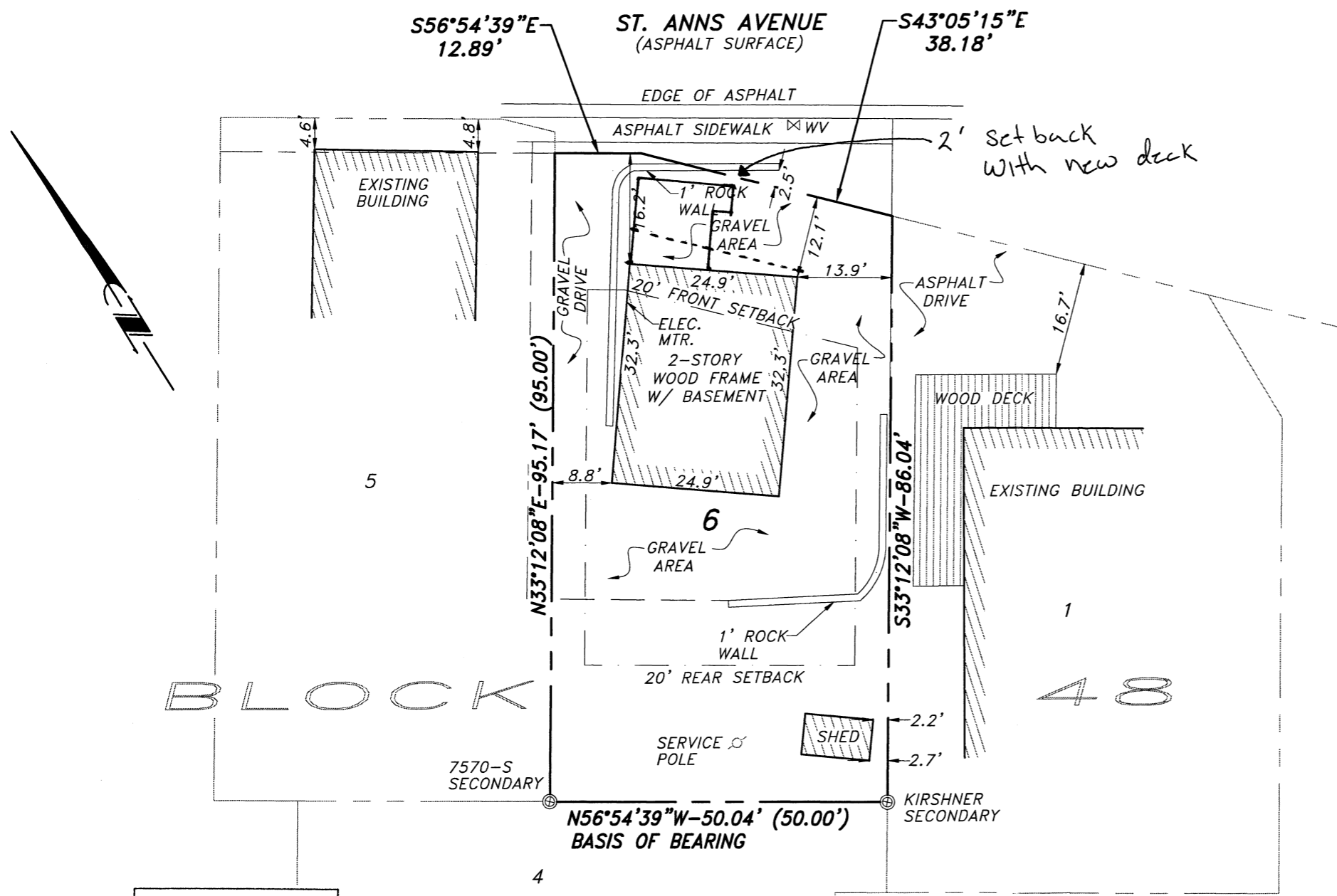
NOTE:
UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR FOR ESTABLISHING BOUNDARY OR FENCE LINES.



VICINITY MAP
SOURCE: C.B.J. BOROUGH ATLAS
NOT TO SCALE

GENERAL NOTES

1. THE BASIS OF BEARING FOR THIS SURVEY WAS BETWEEN RECOVERED SECONDARY MONUMENTS FOR THE SOUTHWEST LINE OF LOT 6 AS DELINEATED ON PLAT 73-9, HAVING A RECORD BEARING OF N56°54'39"W.
2. RECORD INFORMATION DENOTED BY THIS PLAT WAS DERIVED FROM PLAT 1936-2, MAP OF DOUGLAS ADDITION TO DOUGLAS TOWNSITE ALASKA AND PLAT 73-9, ST. ANNS AVENUE DOUGLAS SERVICE DISTRICT RIGHT-OF-WAY PLAT, ON FILE IN THE JUNEAU RECORDING DISTRICT OFFICE.
3. WHERE RECORD SURVEY COURSES (BEARINGS AND/OR DISTANCES) DIFFER FROM THAT OF ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSES THE RECORD SURVEY COURSE IS SHOWN WITHIN PARENTHESIS WHILE THE ACTUAL MEASURED AND/OR COMPUTED SURVEY COURSE IS SHOWN WITHOUT PARENTHESIS.
4. WATER AND SANITARY SEWER SERVICES PROVIDED BY THE CITY & BOROUGH OF JUNEAU PUBLIC UTILITIES.
5. PROPERTY SUBJECT TO EASEMENTS OF RECORD DENOTED BY THIS SURVEY OR NOT.
6. THE SETBACKS SHOWN ARE BASED ON D-5 ZONING, PER CITY AND BOROUGH OF JUNEAU ZONING MAPS DATED JULY 5, 2006.

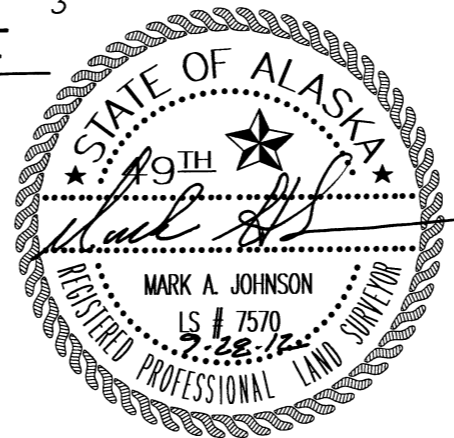


INTAKE REVIEW
Gen Eng. _____
POC CNH
ICC _____
Tech. GE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT OF LOT 6, BLOCK 48, ALASKA DOUGLAS ADDITION, WITHIN DOUGLAS TOWNSITE, AND THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS APPEARING ON THE LAND ARE AS SHOWN, AND THERE ARE NO ENCROACHMENTS OR OVERLAPS OF IMPROVEMENTS THEREON, EXCEPT AS SHOWN.

RECEIVED
OCT 08 2012
PERMIT CENTER/CDD

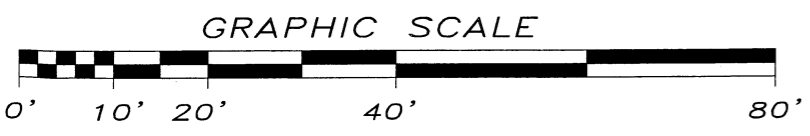


AN AS-BUILT SURVEY
OF
LOT 6, BLOCK 48
ALASKA DOUGLAS ADDITION
WITHIN DOUGLAS TOWNSITE
CITY AND BOROUGH OF JUNEAU, ALASKA
JUNEAU RECORDING DISTRICT

OWNER:
VINCE McELMURRY
209 ST. ANNS AVE.
DOUGLAS, ALASKA 99824
DATE: SEPT. 26, 2012

SURVEYOR:
MARK A. JOHNSON, L.S.
R&M ENGINEERING, INC.
6205 GLACIER HIGHWAY
JUNEAU, ALASKA 99801
R&M PROJ. No. 121796

SCALE: 1"=20'
SHEET 1 OF 1



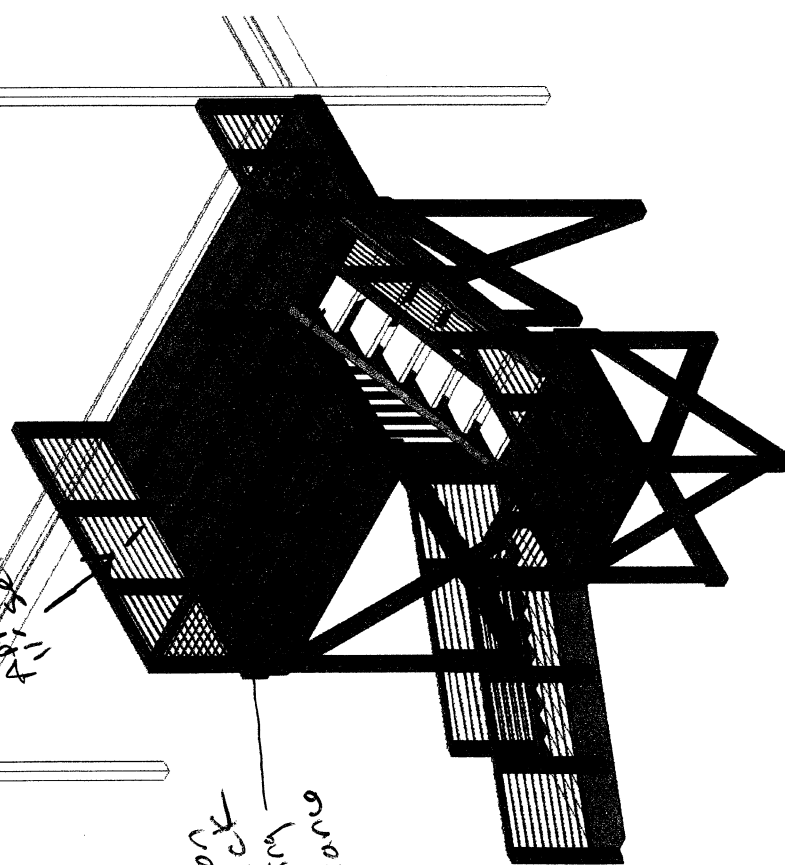
ATTACHMENT C

FILED: 2012 SEP 28 10:12 AM AT JUNEAU ALASKA

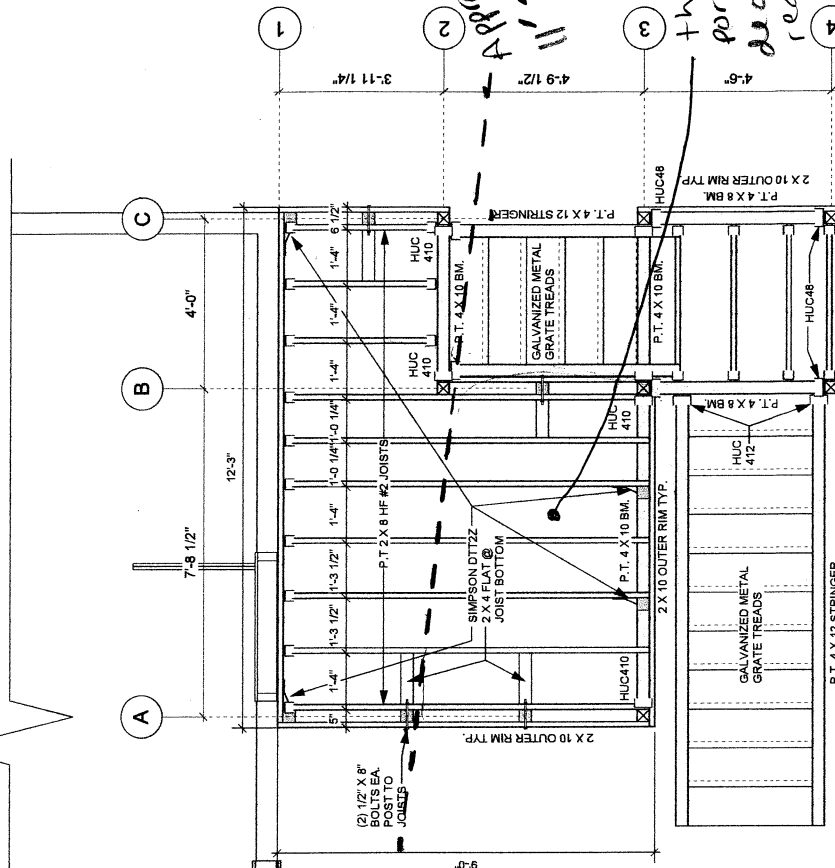
Stairs, Handrails, & Guards: To comply with 2006 IRC R311.5.

- Max. stair rise 7 3/4", min. stair tread 10".
- Provide tread nosing min. 3/4", max. 1 1/4".
- Handrail height to be min. 34", max. 38" above sloped plane @ nosing.
- Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above lowest riser of the flight.
- Handrail ends shall return to walls or shall terminate in newell posts or safety terminals.
- Provide 1 1/2" space between wall and handrail.
- Handrails with a circular cross section shall have an outside diameter of at least 1 3/4" and not greater than 2". See IRC Sec. R311.5.6.3 for non-circular handrails.
- Handrails shall be secured to the wall with a minimum of two fasteners.
- Ornamental details which do not allow the passage of a sphere 4" or more in diameter.

1 1/2" set back



various bearings on deck



Approximate 1 1/2" set back

this portion of deck requires variance

EXTEND DECK POSTS A3, B2, B3, B4, C2, C3, & C4
3" ABOVE DECK FOR HANDRAIL POST
POST B3 SUPPORTS BOTH UPPER DECK
& STAIR LANDING

A DECK FRAMING
Scale: 1/2" = 1'-0"

Latham/McElmurry
Front Porch Addition

209 St. Ann's Ave.
Douglas, Alaska

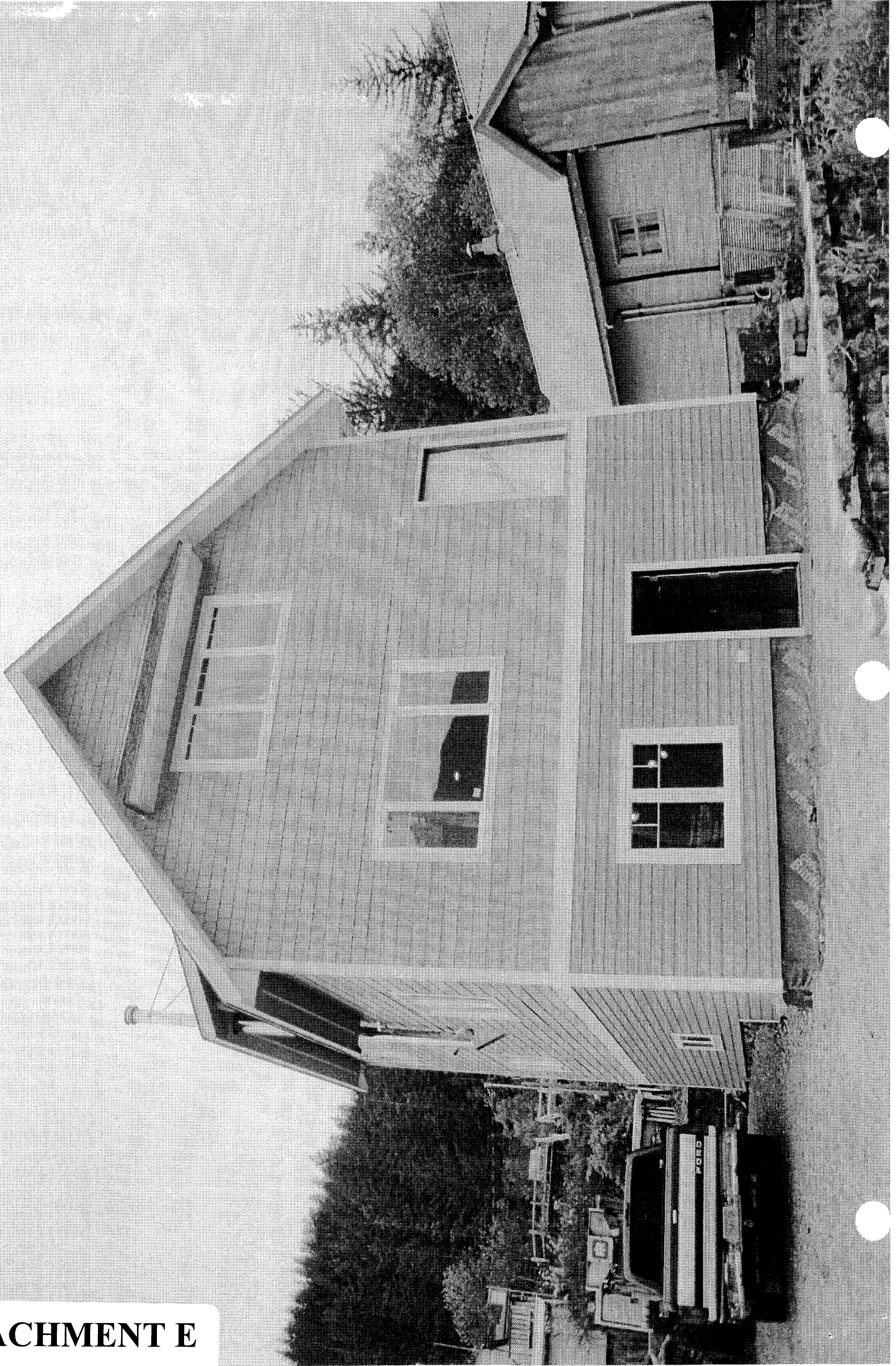
SCALE AS NOTED
DATE SEPT. 11, 2012
DRAWN BY RICK THIBODEAU
PHONE 789-2887

DesignWorks
RESIDENTIAL DESIGN
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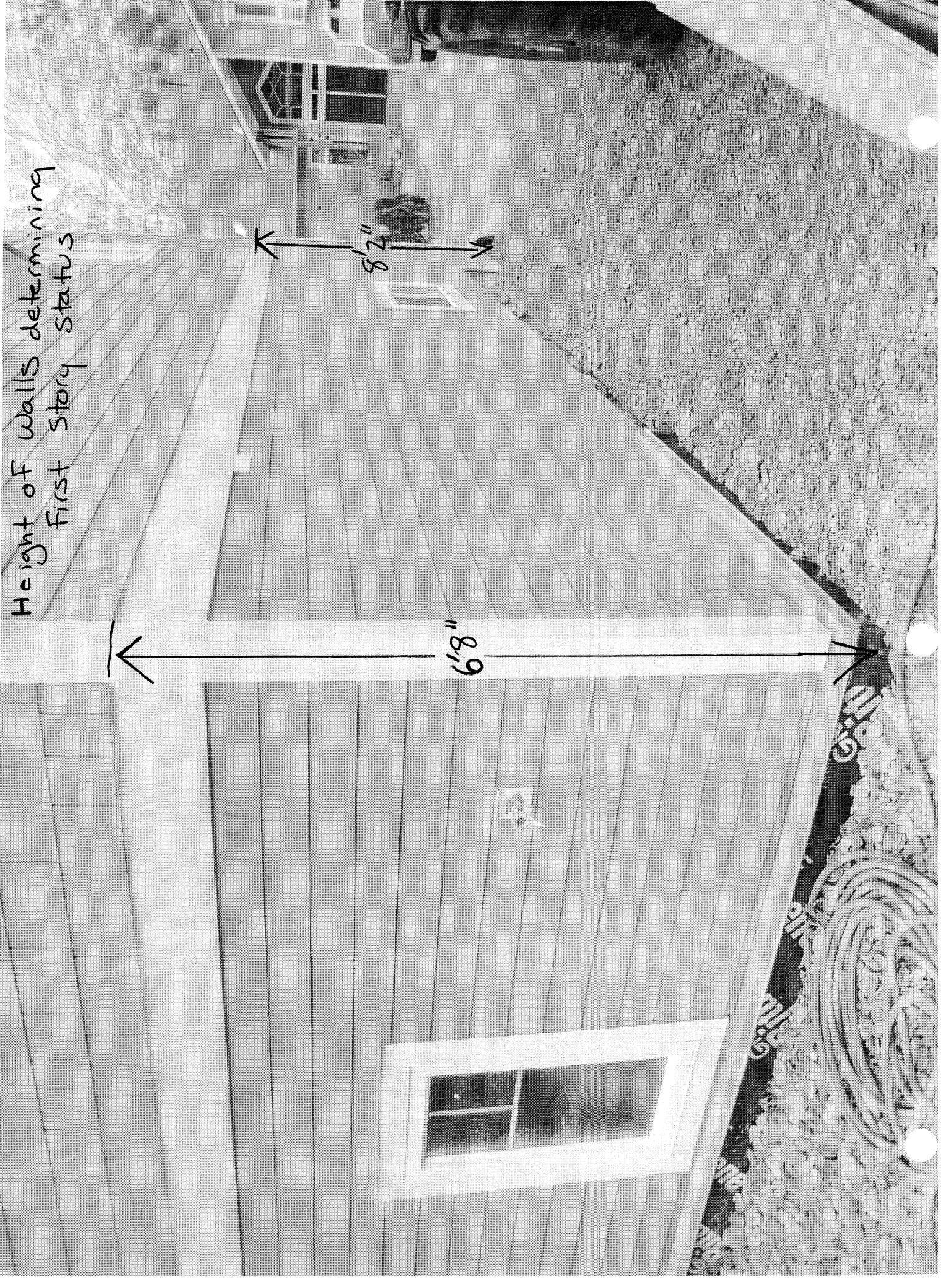
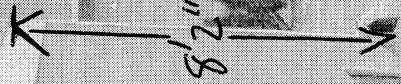
"For I know the plans I have for you", declares the Lord, "plans to prosper you and not to harm you, plans to give you hope and a future." - Jeremiah 29: 11

New home w/out decks



ATTACHMENT E

Height of walls determining
First Story Status



From: Vince McELmurry [mailto:mcelmurryva@gmail.com]
Sent: Sunday, November 18, 2012 7:46 AM
To: Crystal Hitchings
Subject: Re: first floor versus basement determination

Hi Crystal,

The wall height did change because we installed new 16" BCI's as floor joist.

I never thought of this before because I always considered the bottom floor the basement, but if you determine the bottom floor is the first floor I think it will be relevant. - It has always been my intention to pour a concrete patio/deck off of the entrance to the bottom floor, and the portion of deck that is in question was dual purpose. 1. It would provide deck space for the upper entry. 2. It would provide a roof for the bottom floor deck. So again looking at looking at CBJ49.25.430(E): First story decks with or without roofs may project no more than six feet into the setback.

Thanks
Vince

From: Vince McELmurry [mailto:mcelmurryva@gmail.com]
Sent: Thursday, November 15, 2012 9:38 AM
To: Crystal Hitchings
Cc: lathamanna@hotmail.com
Subject: Re: first floor versus basement determination

Hello Crystal,

You are welcome to stop by anytime to take measurements, do you need me to be there so you can get inside the house?

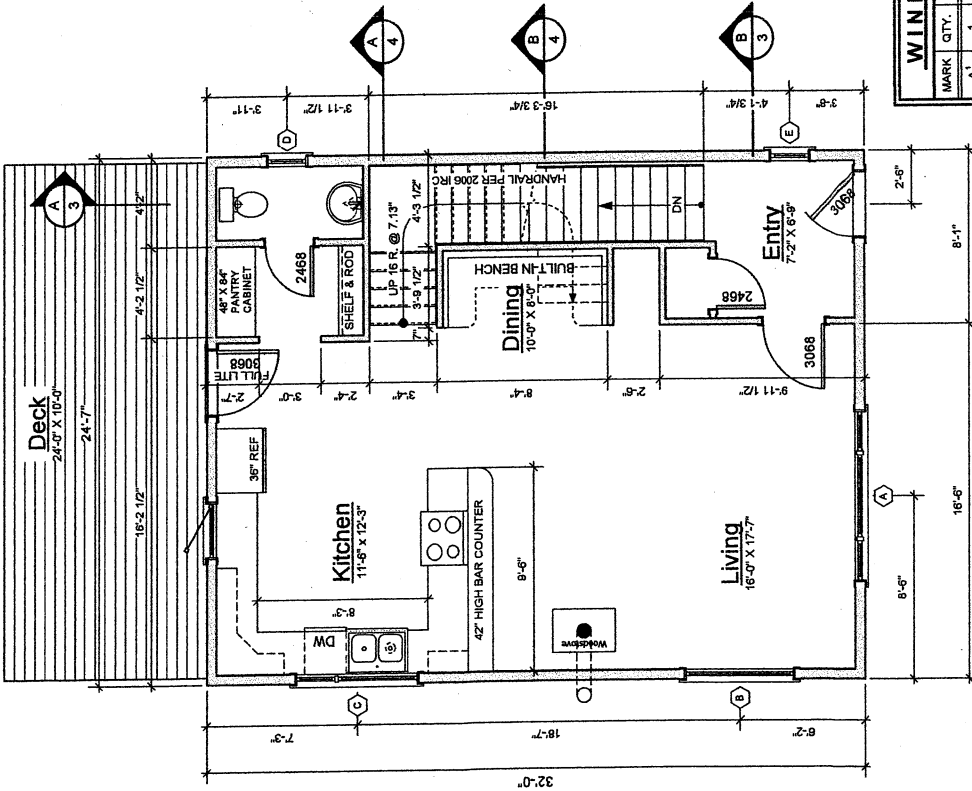
I would like to run something by you first that might save you a trip out. I looked up the old city tax records and it had the lower portion of the house classified as a basement. Since I left the foundation (lower floor) intact it should not be subject to the new building code, and therefore would remain designated as a basement. I don't have a copy of the code that was in place at the time it was designated as a basement but tax records show that the city definitely classified it as a basement.

Hopefully this helps my case.

Thanks
Vince

ATTACHMENT F

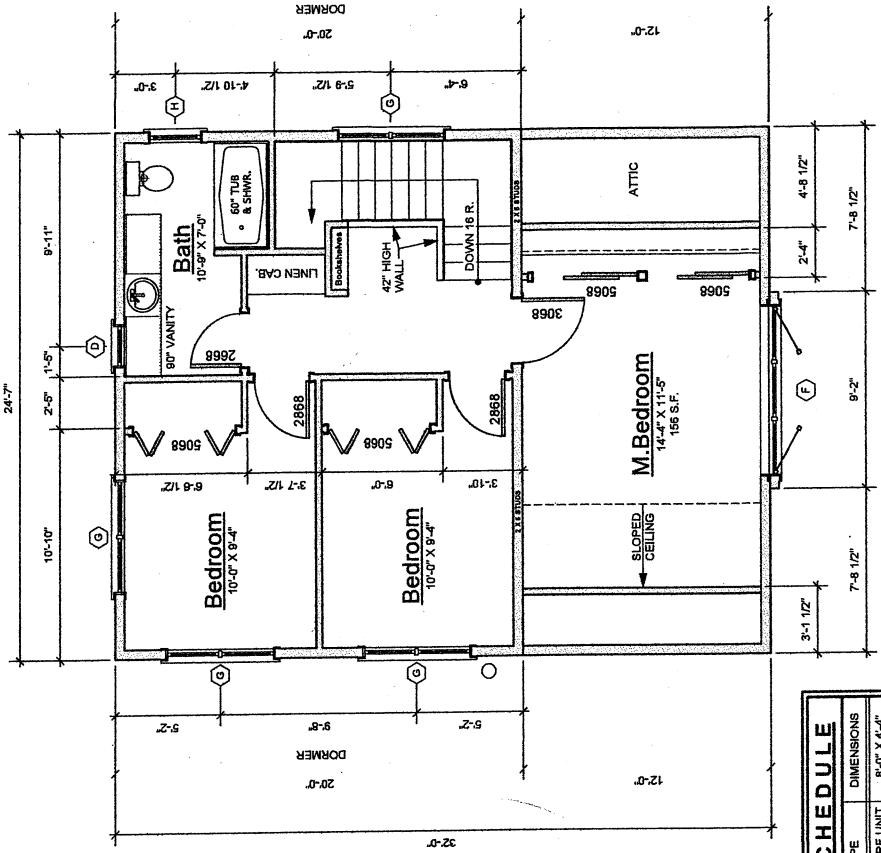
Submitted by applicant at Nov. 13 hearing



FIRST FLOOR PLAN

Scale: 1/4" = 1'-0"
 747 S.F.

DIMENSION LINES ARE TO FACE OF FRAMING
 VERIFY ALL DIMENSIONS ON SITE
 ROOM DIMENSIONS ARE NOMINAL INSIDE GYP. BD.



SECOND FLOOR PLAN

Scale: 1/4" = 1'-0"
 633 S.F.
 AREA NOTED = CEILING HEIGHT 5' HIGH AND GREATER

WINDOW SCHEDULE

MARK	QTY.	WINDOW TYPE	DIMENSIONS
A ¹	1	CASEMENT/PICTURE UNIT	8'-0" X 4'-4"
B	1	FIXED	5'-0" X 4'-0"
C ¹	1	CASEMENT/PICTURE UNIT	6'-0" X 3'-4"
D ¹	2	CASEMENT	2'-0" X 3'-4"
E	1	CASEMENT	2'-0" X 3'-4"
F	1	TRIPLE CASEMENT	8'-0" X 4'-0"
G	4	DOUBLE CASEMENT	5'-4" X 4'-0"
H ¹	1	AWNING	2'-8" X 2'-4"

1. PICTURE UNIT; (2) 2'-0" CASEMENT WITH 2'-4" PICTURE WIDTH; (3) 2'-0" CASEMENT WITH 2'-4" PICTURE WIDTH; (4) 2'-0" CASEMENT WIDTH 3. OPAQUE GLASS

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 SHEET
DesignWorks
 Residential Design
 209 St. Ann's Ave.
 Douglas, Alaska
 Latham/McElmurry
 House Remodel

DRAWN BY: RICK THIBODEAU
 P.H. ONE
 DATE: AUG. 18, 2011
 7 8 9 - 2 8 8 7
 SCALE: 1/4" = 1'-0"
 "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." - Jeremiah 29: 11