

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

Date: April 10, 2013

File No.: VAR2013 0007

NorthWind Architects, LLC  
Attn: James Bibb  
126 Seward  
Juneau, AK 99801

Application For: A Variance to reduce the rear yard setback from 20' to 10' for construction of a single-family dwelling

Legal Description: Casey Shattuck Block 212 Lot 8

Property Address: 540 W Eighth Street

Parcel Code No.: 1-C06-0-C12-005-0

Hearing Date: April 9, 2013

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 4, 2013 and approved the Variance for a reduction of the 20-foot rear-yard setback to 10 feet for construction of a single-family dwelling, as described in the project description and project drawings submitted with the application. The Planning Commission amended staff's analysis findings as follows:

Variance Criteria One is met because the relaxation applied for would give substantial relief to the property owner, consistent with justice to other property owners, because sub-standard setbacks are common throughout the Casey Shattuck neighborhood.

Variance Criteria Five-B is met because compliance with the standards would unreasonably prevent the owner from using the property in a manner consistent with the scale, amenities, appearance or features of existing development in the neighborhood of the subject property, because sub-standard setbacks are common throughout the Casey Shattuck neighborhood.


Therefore the Variance as requested meets the criteria of Section 49.20.250, Grounds for Variances, because it meets Criteria one, two, three, four, five, and six.

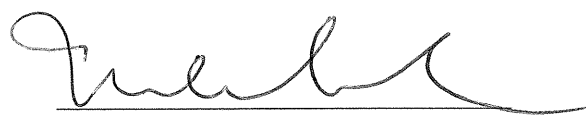
Attachment: April 4, 2013 memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR2013 0007

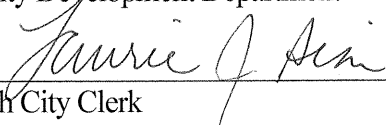
This Notice of Decision does not authorize construction activity. Prior to starting any development project, it is the applicant's responsibility to obtain the required building permits.

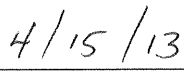
This Notice of Decision constitutes a final decision of the CBJ Board of Adjustment. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (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, April 9, 2013  
Expiration Date: The permit will expire 18 months after the effective date, or October 9, 2014 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:   
Teri Camery, Senior Planner  
Community Development Department

  
Michael Satre, Chair  
Planning Commission

  
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.