


MEMORANDUM

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

DATE: May 20, 2013

TO: Planning Commission

FROM: Eric Feldt, Planner 
Community Development Department

FILE NO.: AAP2013 0006

PROPOSAL: An Accessory Apartment on a property having a substandard lot size.

GENERAL INFORMATION

Applicant: Brian Thatcher

Property Owner: Brian Thatcher

Property Address: 9360 View Drive

Legal Description: Lot 14 Nunatak Terrace II

Parcel Code Number: 4-B29-0-111-014-0

Site Size: 35,955 square feet or 0.8254 acres

Comprehensive Plan Future Land Use Designation: Urban/ Low Residential Density (ULRD)

Zoning: D-1

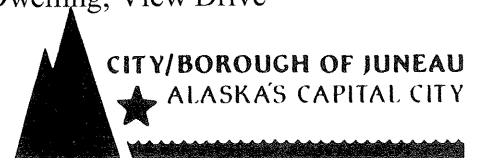
Utilities: Public Water & Sewer

Access: View Drive

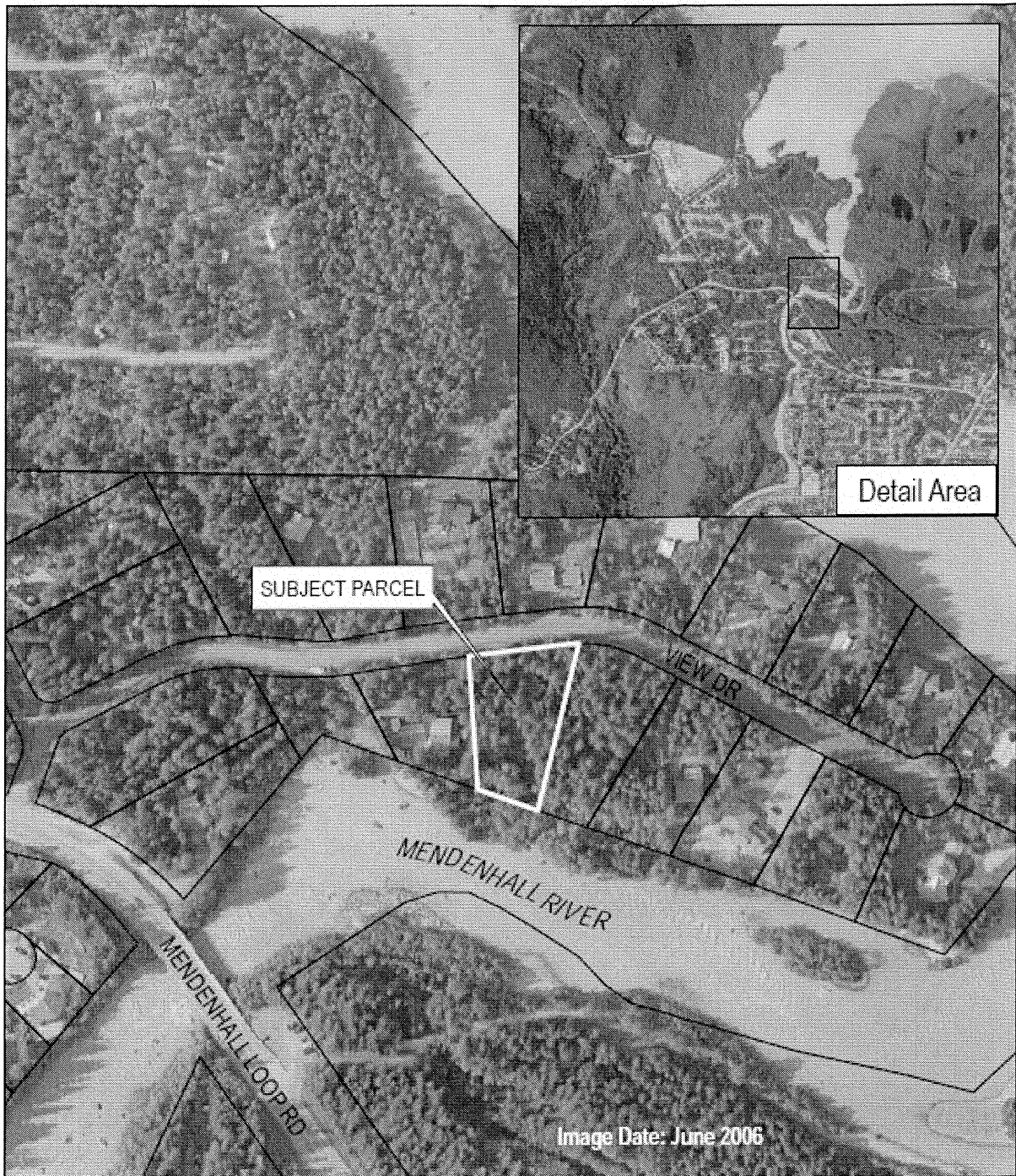
Existing Land Use: Vacant

Surrounding Land Use:

North	-	D-1; Single Family with Apt. Dwelling; View Drive
South	-	Mendenhall River
East	-	D-1; Single Family Dwelling; View Drive
West	-	D-1; Single Family Dwelling; View Drive



Vicinity Map



9360 VIEW DR
VICINITY

Map created: May 20th, 2013

0 125 250 Feet



ATTACHMENTS

Attachment	A	Site Plan
Attachment	B	Floor Plan
Attachment	C	1976 Subdivision Plat
Attachment	D	Public Comments

PROJECT DESCRIPTION

The applicant requests a Conditional Use permit for a proposed accessory apartment on View Drive, located in the northern part of the Mendenhall Valley. See Vicinity Map. This apartment will be accessory to a future detached house on the same property. The detached house will be reviewed through a Building permit, separate from the Conditional Use permit. A site plan and floor plans of the apartment are provided in Attachments A & B, respectively.

Because the lot size is less than what is required of the zoning district, a Conditional Use permit is required. According to CBJ §49.25.510 (d)(2)(G), if an accessory apartment is proposed on a property that does not contain at least the minimum lot area as the underlying zoning district it shall require an approved Conditional Use permit. The subject property is in a D-1 district with a 36,000 square foot minimum lot size; the property contains only 35,955 square feet. Therefore, the apartment requires a Conditional Use permit requirement.

BACKGROUND

The subject parcel and adjacent properties along View Drive were platted in 1976. See Attachment C. Seven of the fifteen privately-held parcels along View Drive meet or exceed the D-1 minimum lot size. Therefore, seven accessory apartments can be permitted outright, while the remaining eight would require a Conditional Use permit because the lots are smaller than 36,000 square feet. The property across the street from the subject lot contains an apartment and the rest of the neighborhood contains single-family homes.

Prior to a code change several years ago, accessory apartments were not allowed on lots of substandard lot size. Due to the need for additional housing and flexible housing sizes, the Land Use code was changed to allow accessory apartments on lots of substandard lot size with an approved Conditional Use permit. Through the Conditional Use permitting process the Planning Commission may deny the accessory apartment or approve it with conditions to ensure it does not disrupt neighborhood harmony or lower property values.

Accessory apartments are regulated in the Land Use code under CBJ §49.25.510(d)(2), which establishes a one-bedroom or efficiency restriction and a maximum floor area of 600 square feet. One parking space is required for an accessory apartment. Further, accessory apartments may be attached or detached from the main house located on the same property. Because of the

restrictions of the number of allowed bedrooms and size, accessory apartments are able to exist in many residential neighborhoods with little to no impacts.

The applicant plans on constructing the apartment first and a house later. If the applicant had no plans of constructing a house, the Community Development Department (CDD) would view the accessory apartment as a small house and review it through the Building permitting process only. However, since the applicant has future plans to build a house at a later time, they have applied for a Conditional Use permit now instead of later when they submit plans for the house. Therefore, if the Conditional Use permit is approved, the applicant has guaranteed approval to have the accessory apartment when they file permits for the house.

ANALYSIS

Project Site

As stated earlier, the property is located along View Drive near the Mendenhall River in the northern section of the Mendenhall Valley. View Drive is a short dead end street that provides access to approximately 15 homes. The property contains thick spruce trees, bushes, and other vegetation similar to others lots in the neighborhood. The vegetation near the front of the lot will be removed for the construction of the proposed apartment and house.

According the effective Flood Insurance Rate Map, this property is located in a Zone A flood zone of the Mendenhall River with a flood elevation of 58 feet above mean lower low water mark. This means that during a 100 year storm event, the majority of the property would be inundated and the flood waters would rise up to 58 feet. Staff notes that new draft flood maps are likely to be adopted this summer. According to the draft flood maps, only a small section of the lot closest to the river will be in a Zone A while the remaining lot will be uphill and outside of the flood zone. Details of how flood regulations affect the project are discussed further under Project Design.

The Land Use code requires development to be setback at least 50 feet from all anadromous fish streams to protect the riparian habitat. These streams are listed in the 2008 Comprehensive Plan, including the Mendenhall River. As measured from the street to the river, the property is over 220 feet long and provides adequate building space outside of the 50 foot setback.

According to the 1994 Juneau Wetlands Management Plan, there are no mapped wetlands on the site.

Project Design

Attachments A & B provide a site plan and floor plans. The accessory apartment and detached house are shown near the front half of the site, closer toward View Drive. Both structures meet the required yard setbacks of the D-1 district.

At this time, the applicant has only submitted general floor plans for the accessory apartment. The apartment will be a 60 foot x 20 foot single-story building that also contains a two-car garage. The apartment footprint within the building is only 20 feet x 20 feet = 400 square feet, well below the

maximum 600 square foot size. The apartment contains a kitchen and open living room, bathroom, and a sleeping loft above the living room. There is an exterior entry into the apartment, but no interior entry into the garage. Creating an interior entry into the garage is not allowed because the garage space would be counted towards the apartment size and will exceed 600 square feet. By having separate entryways, the garage is considered a shared space for the occupants of the apartment and house.

As stated earlier, the location of the accessory apartment and detached house are in the Zone A flood zone of Mendenhall River. Per CBJ §49.70.400, the lowest floor, including a basement, shall be elevated to or above the flood elevation. If the land is below the flood elevation, the applicant may either bring in fill to elevate the land or design the crawlspace with flood vents and have the finished floor elevated to the flood elevation. Due to the uncertainty of gaining Conditional Use permit approval, the applicant did not submit detailed foundation drawings. Staff notes if the Conditional Use permit is approved, the applicant will submit drawings of the foundation meeting the flood regulations for the Building permit. Since this submittal is required for the Building permit, staff does not find it necessary to address it as a condition of the Conditional Use permit. If the applicant submits a Building permit for the apartment and house after the new maps are adopted, neither development would be held to the flood regulations. Staff has informed the applicant of this expected flood map change.

The Land Use code also requires all development to be located at least 50 feet away from the ordinary high way mark of an anadromous stream, such as the Mendenhall River in this case. As stated earlier, the location of the accessory apartment and detached house are near the street and far away from the river's edge. Therefore, the proposed development complies with the 50 foot setback.

Traffic

Due to the restricted housing density and short street, traffic in the neighborhood is very low. Further, there are no trails or access points to the Mendenhall River along View Drive that would attract recreational users. Consequently, any new homes such accessory apartments or single-family dwellings will have a noticeable increase in traffic. Due to the one-bedroom restriction of accessory apartments, there are usually only one to two occupants and one vehicle. The house, on the other hand, is not restricted in bedrooms nor floor area. Therefore, the accessory apartment will have little impact to existing traffic. As noted earlier, seven lots along View Drive may have accessory apartments without a Conditional Use permit which would also increase traffic.

Parking and Circulation

The attached site plan shows three parking spaces in front of the accessory apartment and a separate driveway leading to the garage door. As indicated earlier, one parking space is required for the accessory apartment. Two spaces are required for a single-family house. Therefore, a total of three space are required. The garage provides two spaces and the space in front of the apartment provides three for a total of five spaces.

Noise

As noted earlier, there are typically one to two occupants of an accessory apartment. Therefore, the additional noise level from the apartment will be low. The combined resulting noise levels from the apartment and house will be similar to other properties in the neighborhood.

Public Health or Safety

As stated above, increased traffic volume will be low and will not negatively affect the public's health or safety. View Drive can accommodate emergency access vehicles to serve future development. Further, the accessory apartment and detached single family house will be reviewed through the Building permitting process to ensure compliance with building safety codes.

Habitat

As noted earlier, there are no mapped wetlands on the property; the development is beyond the 50 foot setback from Mendenhall River. Also, there are no mapped eagle nests on the lot or nearby.

Property Value or Neighborhood Harmony

With the one-bedroom restriction of accessory apartments resulting in low occupancy, vehicle trips, and noise increases, staff finds that the property values and neighborhood harmony will not be negatively affected with the approval of the accessory apartment.

Conformity with Adopted Plans

According to the 2008 Comprehensive Plan, the property is located in an Urban/ Low Density Residential land designation. This designation is defined below

Urban/Low Density Residential (ULDR). These lands are characterized by urban or suburban residential lands with detached single-family units, duplex, cottage or bungalow housing, zero lot- line dwelling units and manufactured homes on permanent foundations at densities of one to six units per acre. Any commercial development should be of a scale consistent with a single family residential neighborhood.

The ULDR definition does not specifically state apartments, accessory apartments are only allowed in low density residential district as an accessory use to a detached single family home. Therefore, since detached single-family units are allowed in the district, their accessory uses such as garages, personal workshops, etc. are also allowed.

The 2008 Comprehensive Plan states that the City & Borough residents' are suffering from a housing crisis and an inadequate supply of housing sizes, locations and prices. The Plan also speaks to high housing prices, overcrowded living conditions, and unsafe or unsanitary housing units. Though there are many housing policies of the Plan, the following are germane to the proposal:

POLICY 4.1. IT IS THE POLICY OF THE CBJ TO FACILITATE THE PROVISION AND MAINTENANCE OF SAFE, SANITARY AND AFFORDABLE HOUSING FOR ITS RESIDENTS.

POLICY 4.2. IT IS THE POLICY OF THE CBJ TO FACILITATE THE PROVISION OF AN ADEQUATE SUPPLY OF VARIOUS HOUSING TYPES AND SIZES TO ACCOMMODATE PRESENT AND FUTURE HOUSING NEEDS FOR ALL ECONOMIC GROUPS.

POLICY 4.8. IT IS THE POLICY OF THE CBJ TO BALANCE THE PROTECTION AND PRESERVATION OF THE CHARACTER AND QUALITY OF LIFE OF EXISTING NEIGHBORHOODS WITHIN THE URBAN SERVICE AREA WHILE PROVIDING OPPORTUNITIES FOR A MIXTURE OF NEW HOUSING TYPES.

The proposed accessory apartment will provide an additional housing type and size that will preserve neighborhood character and quality of life. Due to the restrictions of accessory apartments, the increase in density, noise, and traffic levels will be negligible.

In addition to those housing policies, the following policies relate to the protection and preservation of sensitive habitats which are germane to the project:

POLICY 7.1. IT IS THE POLICY OF THE CBJ TO PROTECT THE REGION'S SCENIC, ENVIRONMENTAL, AND ECONOMICALLY-VALUABLE NATURAL RESOURCES FROM THE ADVERSE IMPACTS OF URBAN DEVELOPMENT. DEVELOPMENT SHALL BE CONTROLLED CAREFULLY AND, IF NECESSARY, PROHIBITED IN NATURALLY HAZARDOUS AND ECOLOGICALLY-PRODUCTIVE OR SENSITIVE AREAS.

7.1.DG1 Care should be taken when clearing land for development to maintain healthy trees and, when selecting which trees to remove, to avoid and mitigate against the effects of "blow down" when trees are removed on one property, creating new wind patterns for adjacent properties, such that mature trees on those lands are blown down by winds.

POLICY 7.3. IT IS THE POLICY OF THE CBJ TO PROTECT RIPARIAN HABITAT, INCLUDING STREAM CORRIDORS AND LAKE SHORELINES, FROM ADVERSE EFFECTS OF DEVELOPMENT AND TO PROVIDE A HIGHER LEVEL OF PROTECTION FOR NON-URBAN SHORELINES IN PUBLIC OWNERSHIP.

7.3.DG3 On privately-owned lands, require a minimum setback of 50 feet from the ordinary high-water mark of all creeks, stream corridors and lake shorelines listed in the most recently CBJ adopted ADF&G inventory of anadromous streams. This 50 foot setback is to be considered a basic or minimum setback from the water body and its riparian habitat until a biological functional analysis of the water body and adjacent habitat is conducted that identifies a specific greater or lesser setback distance appropriate to the development and functional value of the particular water body and associated riparian habitat, and an ordinance amending that setback is adopted.

The following policy addresses flood safety issues of development near floodplains.

POLICY 7.18. IT IS THE POLICY OF THE CBJ TO PROHIBIT RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL DEVELOPMENT IN FLOODWAYS, TO REGULATE DEVELOPMENT IN FLOODPLAINS, AND TO MAINTAIN A PROGRAM OF EDUCATION, ASSISTANCE, AND INFORMATION IN ORDER TO MAINTAIN ELIGIBILITY FOR THE NATIONAL FLOOD INSURANCE PROGRAM FOR THE BENEFIT OF LOCAL PROPERTY OWNERS AND THE LENDING INDUSTRY.

As noted earlier, there are no mapped wetlands on the site, the developed areas of the site will be outside of the 50 foot anadromous stream setback, and all flood regulations will be complied with.

Overall, approving the proposed accessory apartment is consistent with the 2008 Comprehensive Plan.

PUBLIC COMMENTS

Staff received a comment from a property owner along View Drive expressing their opposition to the proposal, stating that having a small apartment built prior to the house will disrupt the look of the existing housing within the neighborhood and will depreciate adjacent property values. See Attachment D. Staff notes that accessory apartments are allowed in all residential districts and are allowed to be built before the construction of the main house. Staff is not aware of any situations where adjacent property values have depreciated as a result of building an accessory apartment before building the main dwelling unit.

FINDINGS

CBJ §49.15.330 (e)(1), Review of Director's Determinations, states that the Planning Commission shall review the Director's report to consider:

1. Whether the application is complete;
2. Whether the proposed use is appropriate according to the Table of Permissible Uses; and,
3. Whether the development as proposed will comply with the other requirements of this chapter.

The Commission shall adopt the Director's determination on the three items above unless it finds, by a preponderance of the evidence, that the Director's determination was in error, and states its reasoning for each finding with particularity.

CBJ §49.15.330 (f), Commission Determinations, states that even if the Commission adopts the Director's determination, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the public hearing, that the development will more probably than not:

1. Materially endanger the public health or safety;
2. Substantially decrease the value of or be out of harmony with property in the neighboring area; or,
3. Not be in general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.

Per CBJ §49.15.330 (e) & (f), Review of Director's & Commission's Determinations, the Director makes the following findings on the proposed development:

1. Is the application for the requested Accessory Apartment permit complete?

Yes. We find the application contains the information necessary to conduct full review of the proposed operations. The application submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

2. Is the proposed use appropriate according to the Table of Permissible Uses?

Yes. The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 1.130 for the D-1 zoning district.

3. Will the proposed development comply with the other requirements of this chapter?

Yes. The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the May 17, 2013 and May 27, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners

within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

4. *Will the proposed development materially endanger the public health or safety?*

No. As stated earlier, if the proposed accessory apartment is approved, the applicant shall submit a Building permit consisting of plans complying with all applicable building safety standards as well as flood regulations. Further, View Drive can adequately accommodate emergency vehicles.

5. *Will the proposed development substantially decrease the value of or be out of harmony with property in the neighboring area?*

No. As noted earlier, having a one-bedroom and maximum 600 square foot floor area, accessory apartment has minimal impacts to existing residential neighborhoods. There is an existing apartment with a single family home across the street. The apartment will not decrease the value or be out of harmony with property in the neighboring area.

6. *Will the proposed development be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?*

Yes. As stated above, the accessory apartment is consistent with the policies of the 2008 Comprehensive Plan and complies with the Land Use code.

Per CBJ §49.70.900 (b)(3), General Provisions, the Director makes the following Juneau Coastal Management Program consistency determination:

7. *Will the proposed development comply with the Juneau Coastal Management Program?*

Yes. As indicated earlier, the project will be outside of the 50 foot anadromous stream setback, will comply with flood regulations, and therefore, comply with the Juneau Coastal Management Program.

RECOMMENDATION

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested Accessory Apartment permit. The permit would allow the development of a detached accessory apartment.

ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters) AAP 20130006	Case Number	Date Received 3/26/13
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TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

Accessory Apartment*** (AAP) Driveway in Right-of-Way (ADW)

Use Listed in §49.25.300 (USE)
(Table of Permissible Uses)

Please list the Table of Permissible Uses Category: 1.130

***An Accessory Apartment Application will also be required.

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED.

CU for accessory apt when lot is below min lot size

IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

NO YES - Case # _____

CURRENT USE OF LAND OR BUILDING(S): Garage

PROPOSED USE OF LAND OR BUILDING(S): Garage w/ accessory apartment

UTILITIES PROPOSED:

WATER: Public On Site

SEWER: Public On Site

SITE AND BUILDING SPECIFICS:

Total Area of Lot 35955 square feet Total Area of Existing Structure(s) _____ square feet

Total Area of Proposed Structure(s) ~520 square feet

EXTERNAL LIGHTING:

Existing to remain No Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed No Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures

PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

- | | |
|---|---|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Site Plan <input checked="" type="checkbox"/> Floor Plan of proposed buildings <input type="checkbox"/> Elevation view of existing and proposed buildings <input type="checkbox"/> Proposed Vegetative Cover | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation 3 <input type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.) |
|---|---|

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.

ALLOWABLE/CONDITIONAL USE FEES

Fees	Check No.	Receipt	Date
Application Fees	\$ <u>350</u>	_____	_____
Admin. of Guarantee	\$ _____	_____	_____
Adjustment	\$ _____	_____	_____
Pub. Not. Sign Fee	\$ <u>50</u>	_____	_____
Pub. Not. Sign Deposit	\$ <u>100</u>	_____	_____
Total Fee	\$ <u>500</u>	<u>005354</u>	<u>03/26/13</u>

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

DEVELOPMENT PERMIT APPLICATION

Project Number AAP 20130006	CITY and BOROUGH of JUNEAU	Date Received: 3/26/13
Project Name (City Staff to Assign Name)		

INFORMATION

Project Description
*accessory apartment - lot below min lot size
 49.25, 510 (2) @ (10')*

PROPERTY LOCATION

Street Address _____ City/Zip _____

Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot)
Nunatak Terrace Lot 14

Assessor's Parcel Number(s)
4132901110140

LANDOWNER/ LESSEE

Property Owner's Name <i>BRIAN THACHER</i>	Contact Person: <i>BRIAN</i>	Work Phone:
Mailing Address <i>PO Box 210484 Auke Bay, AK 99821</i>	Home Phone: <i>907 209-0622</i>	Fax Number:
E-mail Address <i>akwriver@gmail.com</i>	Other Contact Phone Number(s):	

LANDOWNER/ LESSEE CONSENT ****Required for Planning Permits, not needed on Building/ Engineering Permits****

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 *[Signature]* _____ Date 3/26/13
 Landowner/Lessee Signature

X _____
 Landowner/Lessee Signature

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 If the same as OWNER, write "SAME" and sign and date at X below

Applicant's Name <i>SAME</i>	Contact Person:	Work Phone:
Mailing Address	Home Phone:	Fax Number:
E-mail Address	Other Contact Phone Number(s):	

X *[Signature]* _____ Date of Application _____
 Applicant's Signature

PROJECT / APPLICANT

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

STAFF APPROVALS

	Permit Type	**SIGN	Date Received	Application Number(s)
<input type="checkbox"/>	Building/Grading Permit			
<input type="checkbox"/>	City/State Project Review and City Land Action			
<input type="checkbox"/>	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
<input type="checkbox"/>	Mining Case (Small, Large, Rural, Extraction, Exploration)			
<input type="checkbox"/>	Sign Approval (If more than one, fill in all applicable permit #'s)			
<input type="checkbox"/>	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
<input checked="" type="checkbox"/>	Use Approval (Allowable: Conditional Cottage Housing, Mobile Home Parks, Accessory Apartment)		<i>03/26/13</i>	<i>AAP 20130006</i>
<input type="checkbox"/>	Variance Case (De Minimis and all other Variance case types)			
<input type="checkbox"/>	Wetlands Permits			
<input type="checkbox"/>	Zone Change Application			
<input type="checkbox"/>	Other (Describe)			

***Public Notice Sign Form filled out and in the file.

Comments:	Permit Intake Initials <i>JKL</i>
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May 23, 2013

To the CBJ Planning Commission:

Since purchasing the lot at 9360 View Drive, we have been facing some challenges surrounding our intended use for our new property. Our desire is to build a rental unit on the property, and to subsequently build a home for our family on the lot. We have been visiting the families in the neighborhood, introducing ourselves and addressing the concerns that they might have about our project.

The main concerns that were brought to our attention were that the small building will lessen the value of their homes, poor aesthetics, that we will be clearing trees, there won't be enough parking, and the presence of a detached rental home.

Our building plan involves building not only the detached rental house, but to immediately after, begin construction on a 3 bedroom, 3 bathroom dwelling for our family. Our intentions from the beginning have been to honor the integrity and personality of the lovely neighborhood that we are so excited to be a part of. The home and accessory apartment that we are designing will be high-end, both aesthetically and in monetary value, built to match the quality of the existing homes in the area.

We are planning to clear as many trees as is necessary to build our home on the lot. This will not be any different than what other home owners in the area have done.

Our preliminary layout for the lot exceeds CBJ requirement on setbacks for the side of the lot, and at the front of the lot. We are allowing for ample parking for our cars, and our renters' cars. We have plenty of designated parking space within our property line.

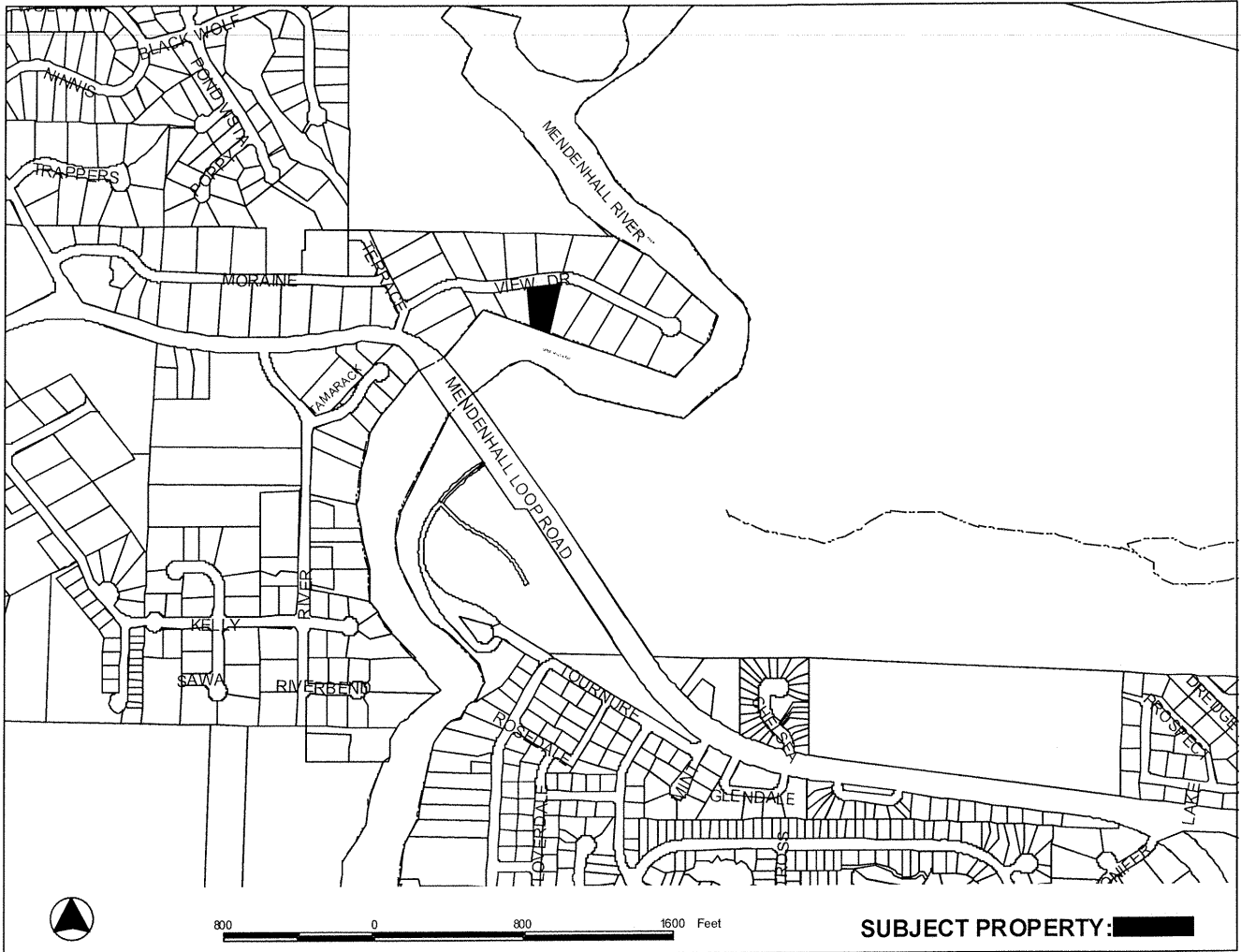
We are in full compliance with all CBJ land use codes, and will continue to meet or exceed all building construction codes as the project continues. Even though the rental unit will be detached, it will be 600 square feet or less, and it falls within CBJ requirements for an accessory apartment in a D1 zoned area.

We only ask that this issue be judged fairly in comparison with other homes in the area, many of which already have accessory apartments, some of which are detached. Please also take into consideration the insignificant difference in size between our lot and lots that are allowed by CBJ to contain an accessory apartment. Our lot size is just 45 square feet too small to fall within the allowable use of D1 zoning with accessory apartments.

Thank you for your time and consideration in this issue,

Brian and Julie Thatcher

**REVISED NOTICE OF PUBLIC HEARING TO
REFLECT CORRECT PROPERTY OWNER**



PROPOSAL: An Accessory Apartment on a property having a substandard lot size.

FILE NO: AAP20130006	APPLICANT: Brian Thatcher
TO: Adjacent Property Owners	Property PCN: 4-B29-0-111-014-0
HEARING DATE: May 28, 2013	Owner: Brian Thatcher
HEARING TIME: 7:00 PM	Size: 35,955 Sq. Ft.
PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801	Zoned: D1
	Site Address: 9360 VIEW DR
	Accessed via: VIEW DR

PROPERTY OWNERS PLEASE NOTE:

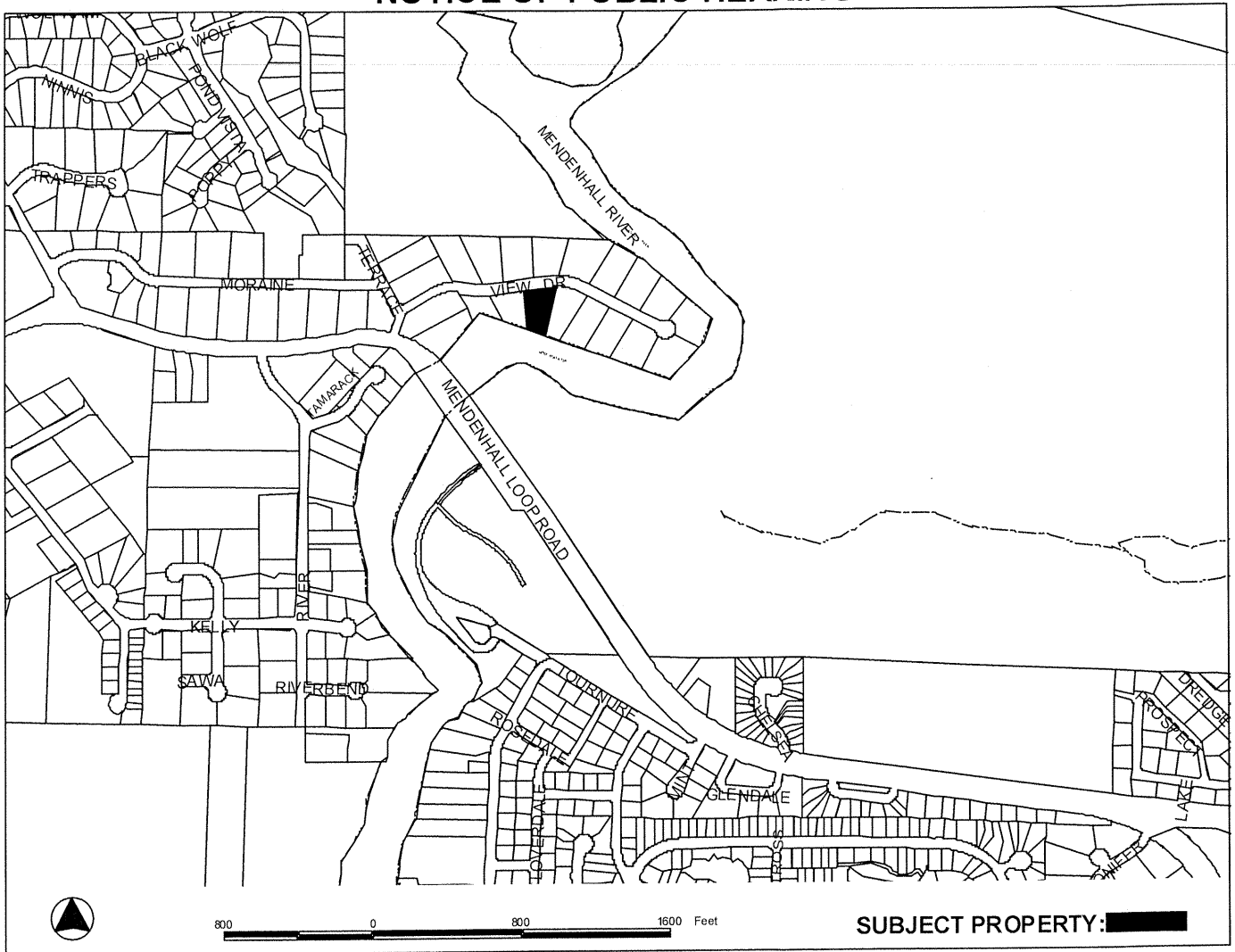
You are invited to attend this Public Hearing and present oral testimony. The Planning Commission will also consider written testimony. You are encouraged to submit written material to the Community Development Department no later than 8:30 A.M. on the Wednesday preceding the Public Hearing. Materials 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 Eric Feldt at eric_feldt@ci.juneau.ak.us or at 586-0764.

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

Date notice was printed: May 22, 2013

NOTICE OF PUBLIC HEARING



PROPOSAL: An Accessory Apartment on a property having a substandard lot size.

<p>FILE NO: AAP20130006</p> <p>TO: Adjacent Property Owners</p> <p>HEARING DATE: May 28, 2013</p> <p>HEARING TIME: 7:00 PM</p> <p>PLACE: ASSEMBLY CHAMBERS Municipal Building 155 South Seward St Juneau, Alaska 99801</p>	<p>APPLICANT: Brian Thatcher</p> <p>Property PCN: 4-B29-0-111-014-0</p> <p>Owner: Thomas Donek</p> <p>Size: 35,955 Sq. Ft.</p> <p>Zoned: D1</p> <p>Site Address: 9360 VIEW DR</p> <p>Accessed via: VIEW DR</p>
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PROPERTY OWNERS PLEASE NOTE:

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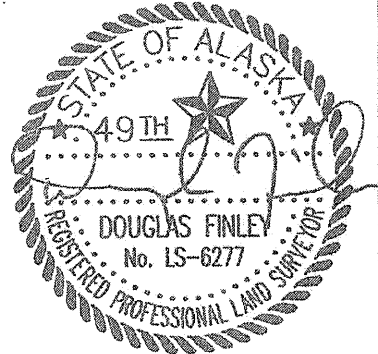
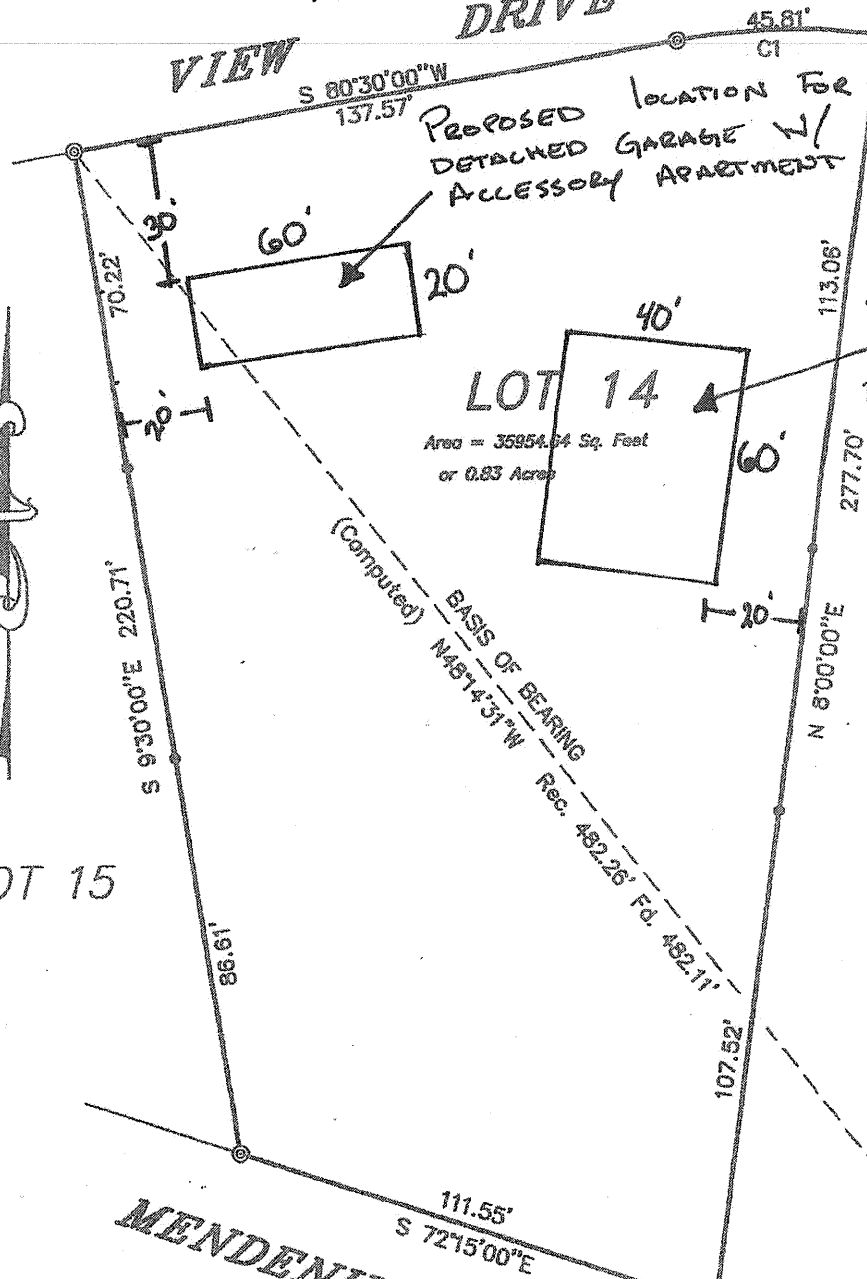
Planning Commission Agendas, Staff Reports and Meeting Results can be viewed at www.juneau.org/plancomm.

9630

VIEW DRIVE

LEGEND

- ⊙ REBAR W/ CAP LS 6277 SET THIS SURVEY
- ⊙ 5/8" REBAR W/ CAP BY TRYCK NYMAN HAYES LS 3316
- ⊕ 3" PRIMARY ALUM. CAP MON. RECOVERED THIS SURVEY SET BY LS 3316



OWNERS:
THOMAS DONEK
& CHRISTINE DONEK
9360 VIEW DR
JUNEAU, AK 99801

CERTIFICATE OF REGISTERED LAND SURVEYOR
I HEREBY CERTIFY THAT I AM REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, ON THE GROUND, TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN SOUTHEAST ALASKA AND THAT, ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF, DETAILS DEPICTED HEREON ARE TRUE AND CORRECT.

RECORD OF SURVEY PLAT
LOT 14
NUNATAK TERRACE II SUBDIVISION
LOCATED IN THE CITY & BOROUGH
OF JUNEAU, ALASKA
DATE: 7/09/07 SCALE: 1"=40'
DOUGLAS FINLEY LAND SURVEYING...JUNEAU, ALASKA

C:\DWG\ST1\DONEK.DWG

Per Applicant 5/22/13

FRONT OF PROPERTY

VIEW DRIVE

DRIVEWAY

CAR PARKING



20
15' Setback

25' setback

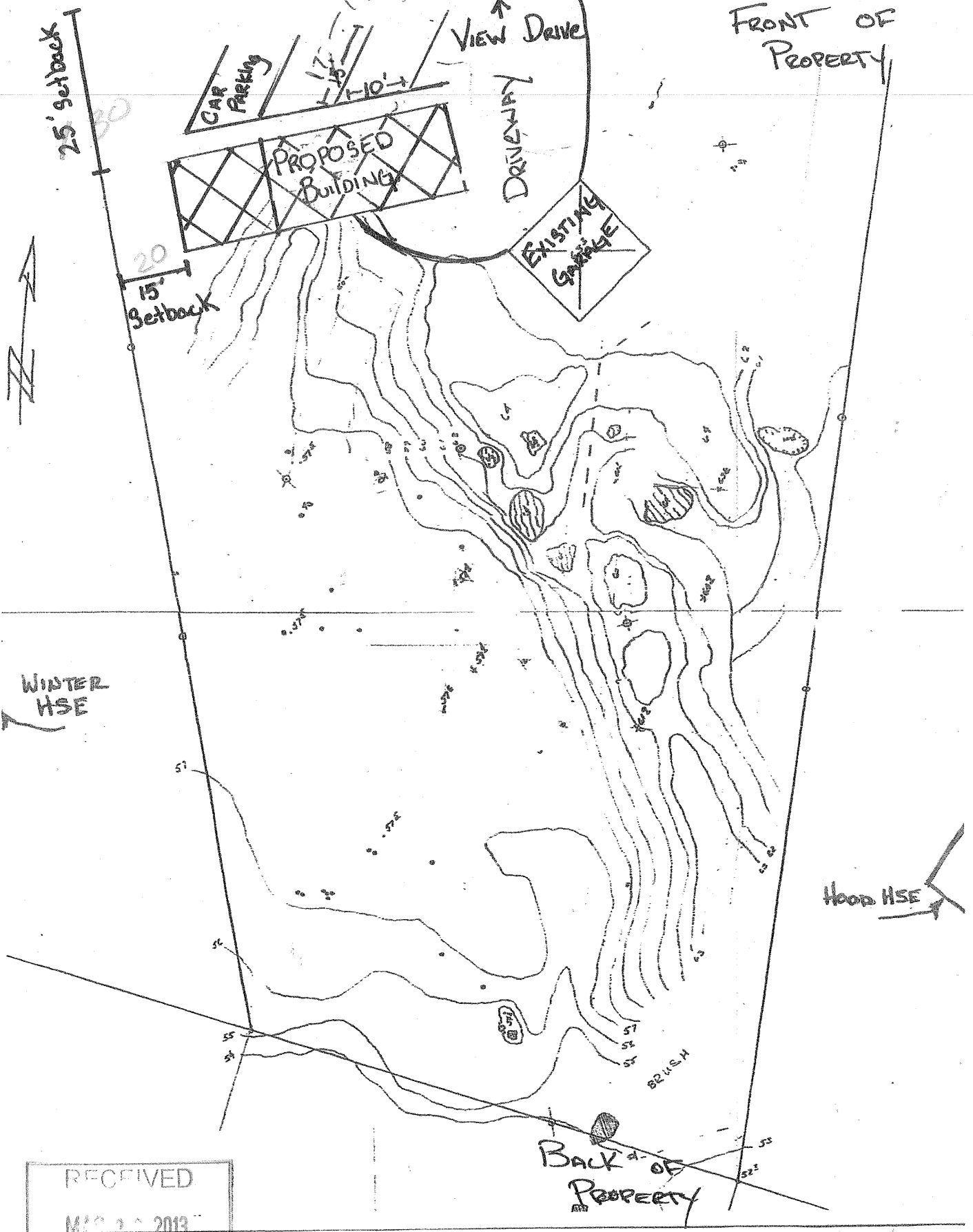


WINTER HSE

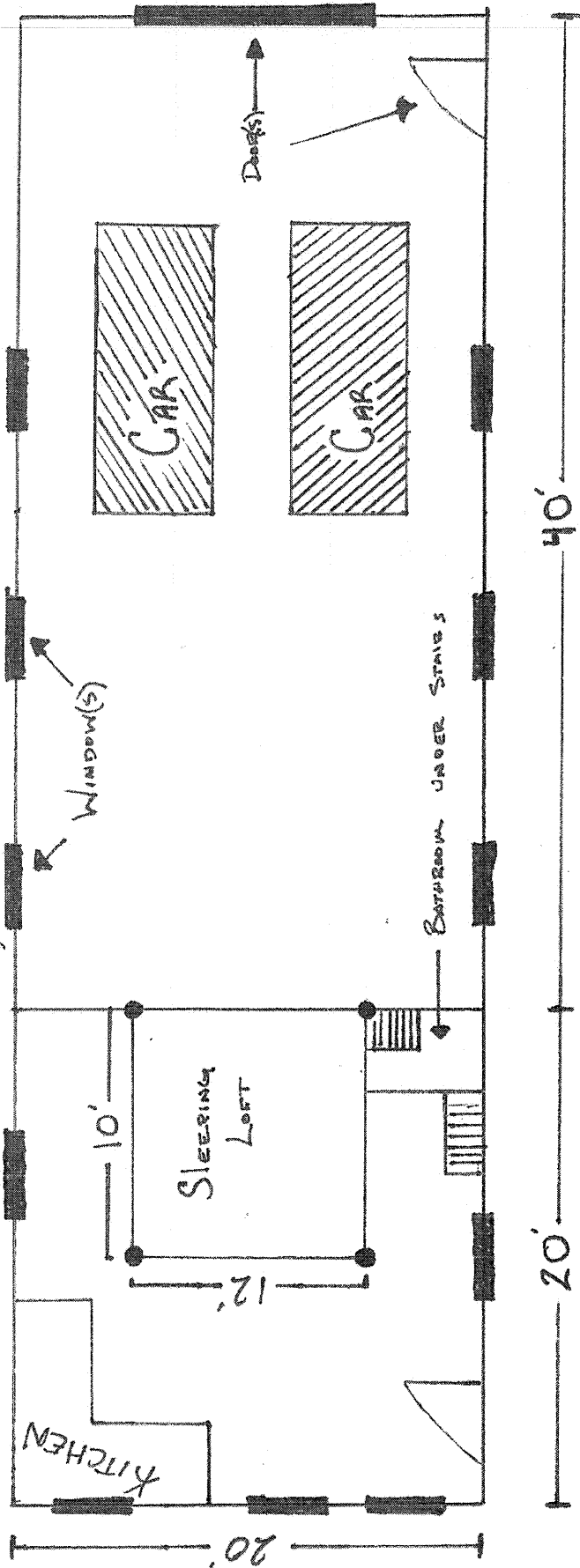
HOOD HSE

BACK OF PROPERTY

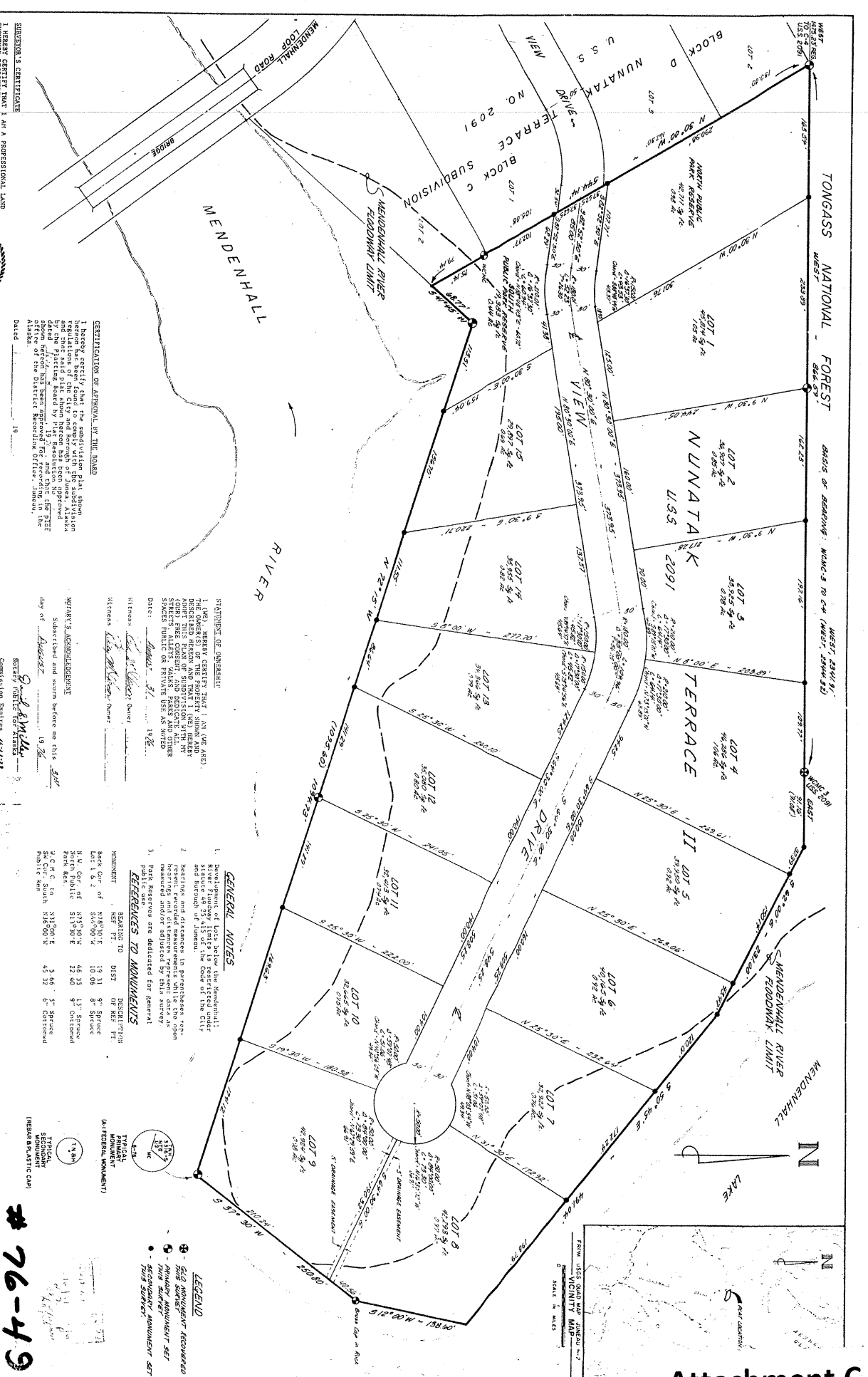
RECEIVED
MAY 22 2013
PE CDD



Attachment B



TWO CAR GARAGE WITH APARTMENT ATTACHED.
9360 VIEW DRIVE.



SURVEYOR'S CERTIFICATE

I, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, AND THAT THIS PLAT HAS BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ALL DIMENSIONS, BEARINGS, ANGLES, AND SIZES OF LOTS SHOWN ON THIS PLAT AS PRESENTED.

DATE: 19 _____ 1978

CERTIFICATION OF APPROVAL BY THE BOARD

I hereby certify that the subdivision plat shown hereon has been found to comply with the subdivision laws and ordinances of the State of Alaska, and that the same is a correct representation of the actual data furnished to me by the applicant, and that I have taken the same to the best of my ability to be in accordance with the laws of the State of Alaska.

DATE: 19 _____ 1978

_____ 19 _____ 1978
 Director, Department of Natural Resources

CITY AND BOROUGH OF JUNEAU
 PLATTING BOARD

ACCESS: _____

CITY PLATTING BOARD

STATEMENT OF GENERAL NOTES

1. DISTRICT 1, JUNEAU, ALASKA, CONSISTS OF THE Mendenhall River Floodway Limit, as shown on the attached plan, and of the lots numbered 1 through 15, as shown on the attached plan, and of the lots numbered 16 through 20, as shown on the attached plan.

2. THE DISTRICT OF THE PROPERTY SHOWN ON THIS PLAT IS DISTRICT 1, JUNEAU, ALASKA, AS DEFINED IN SECTION 14, CHAPTER 7, TITLE 18, ALASKA STATUTES.

3. THE PLAT SHOWS THE GENERAL LAYOUT OF THE PROPERTY, AND THE DIMENSIONS, BEARINGS, AND DISTANCES OF THE LOTS, AND THE DIMENSIONS, BEARINGS, AND DISTANCES OF THE EASEMENTS, AND THE DIMENSIONS, BEARINGS, AND DISTANCES OF THE STRIPS OF PUBLIC USE.

4. THE PLAT SHOWS THE DIMENSIONS, BEARINGS, AND DISTANCES OF THE STRIPS OF PUBLIC USE, AND THE DIMENSIONS, BEARINGS, AND DISTANCES OF THE STRIPS OF PRIVATE USE.

GENERAL NOTES

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REFERENCES TO ADJACENT PLATS

REFERENCE TO	DATE	DESCRIPTION
BACK OF LOT 1	1978	19 31' 9" Splice
BACK OF LOT 2	1978	14 08' 9" Splice
BACK OF LOT 3	1978	12 20' 0" Splice
BACK OF LOT 4	1978	12 20' 0" Splice
BACK OF LOT 5	1978	12 20' 0" Splice
BACK OF LOT 6	1978	12 20' 0" Splice
BACK OF LOT 7	1978	12 20' 0" Splice
BACK OF LOT 8	1978	12 20' 0" Splice
BACK OF LOT 9	1978	12 20' 0" Splice
BACK OF LOT 10	1978	12 20' 0" Splice
BACK OF LOT 11	1978	12 20' 0" Splice
BACK OF LOT 12	1978	12 20' 0" Splice
BACK OF LOT 13	1978	12 20' 0" Splice
BACK OF LOT 14	1978	12 20' 0" Splice
BACK OF LOT 15	1978	12 20' 0" Splice
BACK OF LOT 16	1978	12 20' 0" Splice
BACK OF LOT 17	1978	12 20' 0" Splice
BACK OF LOT 18	1978	12 20' 0" Splice
BACK OF LOT 19	1978	12 20' 0" Splice
BACK OF LOT 20	1978	12 20' 0" Splice

PLAT OF
 NUNATAK TERRACE II

LOCATED WITHIN US SURVEY NO. 2391
 JUNEAU

6187.01

1 of 1

SHEET

AREA OF SUBDIVISION = 16.0 ACRES

76-49

TRUCK SHAYAN

Eric Feldt

From: Bob Winter [rwinter@alaska.com]
Sent: Monday, May 20, 2013 3:23 PM
To: Eric Feldt
Subject: public hearing on accessory apartment on property having substandard lot size

Mr Feldt,
This is to follow- up on our phone conversation on 21 May. As a long time property owner on View Drive, I am opposed to this proposal. By definition, an accessory apartment is "in addition to" a house, not a stand alone structure. By definition the apartment can be no larger than 600 square feet, 1 bedroom, 2 occupants. Most properties on view drive have garages larger than this. If Mr Thatcher desires to build a house with an accessory apartment, I have no objection, but the proposal is to build the apartment now and sometime in the future build a house, I do object to this. Once the apartment is built, there is no way to ensure that a house is ever built. This could leave the neighborhood with all large homes with a tiny apartment in the middle. This would be detrimental to property values. If I can answer any questions, please feel free to contact me.

Thank you,

Robert Winter
9370 View Drive
Juneau, AK 99801
789 0467 home
723 4096 cell

Sent from my iPad