

**BOARD OF ADJUSTMENT
NOTICE OF DECISION**

Date: April 9, 2014
File No.: VAR2014 0002

John Lamb
312 Sixth Street, Unit A
Juneau, AK 99801

Application For: Variance request to replace and extend existing deck to property line.
Legal Description: Juneau Townsite Block 27 Lot 2 Fraction
Property Address: 312 Sixth Street
Parcel Code No.: 1-C04-0-A27-003-0
Hearing Date: April 8, 2014

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated April 8, 2014, and amended the findings (see below) to approve the Variance to be conducted as described in the project description and project drawings submitted with the application and with the following condition:

1. The four foot ingress/egress access easement shall be developed with a stairway or boardwalk from the southern property line to the northern property line.
2. Any portion of the deck or stairs within 3 feet of the eastern property line shall not exceed 30 inches in height in accordance with CBJ 49.25.430(4)(C)(i).

New Findings made by Board of Adjustment during hearing

1. Approving the reduction of the side yard setback to zero feet for a deck will provide for safer access along the eastern four foot wide ingress/egress easement. Conditioning the height of the deck and associated stairs, to 30 inches or less within 3 feet of the eastern property line will protect the privacy of adjacent neighbors. This will be more consistent with justice to other property owners.
2. A developed eastern ingress/egress easement with the condition that the four foot access easement be developed with a stairway or boardwalk from the southern property line to the northern property line and limited to 30 inches in height within 3 feet of the eastern property line observes the intent of Title 49 and preserves public safety and welfare.

Does the variance as requested, meet the criteria of Section 49.20.250, Grounds for Variances?

Yes. All criteria are met, therefore, the variance meets Section CBJ § 49.20.250.

John Lamb
File No: VAR2014 0002
April 9, 2014
Page 2 of 2

Attachment: March 27, memorandum from Chrissy McNally, Community Development, to the CBJ Board of Adjustment regarding VAR2014 0002.


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 8, 2014

Expiration Date: The permit will expire 18 months after the effective date, or October 8, 2015 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.

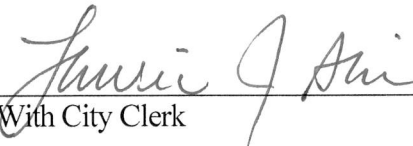
Project Planner:



Chrissy McNally, Planner
Community Development Department



Dennis Watson, Vice Chair
Planning Commission



Filed With City Clerk

4/10/14

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.