



**PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2024 0017
HEARING DATE: NOVEMBER 12, 2024**

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: November 4, 2024
TO: Mandy Cole, Chair, Planning Commission
BY: Ilsa Lund, Planner I *Ilsa Lund*
THROUGH: Jill Lawhorne, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit to construct a 600 square foot (sq. ft.) accessory apartment on the ground level of an existing single-family dwelling in a D5 zoning district.

STAFF RECOMMENDATION: Approval with conditions

KEY CONSIDERATIONS FOR REVIEW:

- This accessory apartment will be constructed within the ground floor of an existing single-family dwelling.
- This property is certified nonconforming for setbacks, lot size, and parking (NCC2024-0025).
- Constructing the accessory apartment within the existing single-family dwelling will not aggravate the nonconforming setbacks, lot coverage, or vegetative coverage situations.
- A Parking Waiver has been requested and is recommended for approval (PWP2024-0004).

GENERAL INFORMATION	
Property Owner	Thomas W Fletcher
Applicant	Thomas Fletcher
Property Address	529 Kennedy Street
Legal Description	JUNEAU TOWNSITE BL 120 LT 8 FR
Parcel Number	1C040A200110
Zoning	D5 (Single-Family)
Land Use Designation	Medium Density Residential - Single Family Detached (MDR/SF)
Lot Size	1,631 sq. ft./ 0.0374 acre
Water/Sewer	City/ City
Access	Kennedy Street
Existing Land Use	Residential
Associated Applications	NCC2024 0025, PWP2024 0004

ALTERNATIVE ACTIONS:

1. **Amend:** require additional conditions, or delete or modify the recommended conditions.
2. **Deny:** deny the permit and adopt new findings for items 1-6 below that support the denial.
3. **Continue:** to a future meeting date if determined that additional information or analysis is needed to make a decision, or if additional testimony is warranted.

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
 - 49.15.330
 - 49.25.510(k)(2)(E)
 - 49.80

The Commission shall hear and decide the case per 49.15.330(a) Conditional Use Permit. A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedures is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (D5)	Single-Family Dwelling
South (D5)	Kennedy St. Right-of-Way
East (D5)	Single- Family Dwelling
West (D5)	Single- Family Dwelling

SITE FEATURES	
Anadromous	None
Flood Zone	No, 02110C1567E
Hazard	None
Hillside	Yes, 22% slope
Wetlands	None
Parking District	No
Historic District	No
Overlay Districts	Mining & Exploration Surface Activities Exclusion District, Urban/Rural Mining District Map, Alternative Development Overlay District (ADOD)

BACKGROUND INFORMATION

Project Description – The applicant requests a Conditional Use Permit (CUP) to construct a 600 sq. ft. accessory apartment within the ground floor of an existing single-family dwelling in a D5 zoning district (Attachment A).

According to CBJ 49.25.510(k)(2)(E), the commission may approve efficiency or one-bedroom accessory apartments not exceeding 600 sq. ft. on a substandard lot with a Conditional Use Permit. In conjunction with this permit, the applicant has also applied for a Parking Waiver to waive one (1) required parking space for the accessory apartment (PWP2024-0004).

Background – The table below summarizes relevant history for the lot and proposed development. Please note, over the years, this same property has been identified as 525, 529, and 531 Kennedy Street.

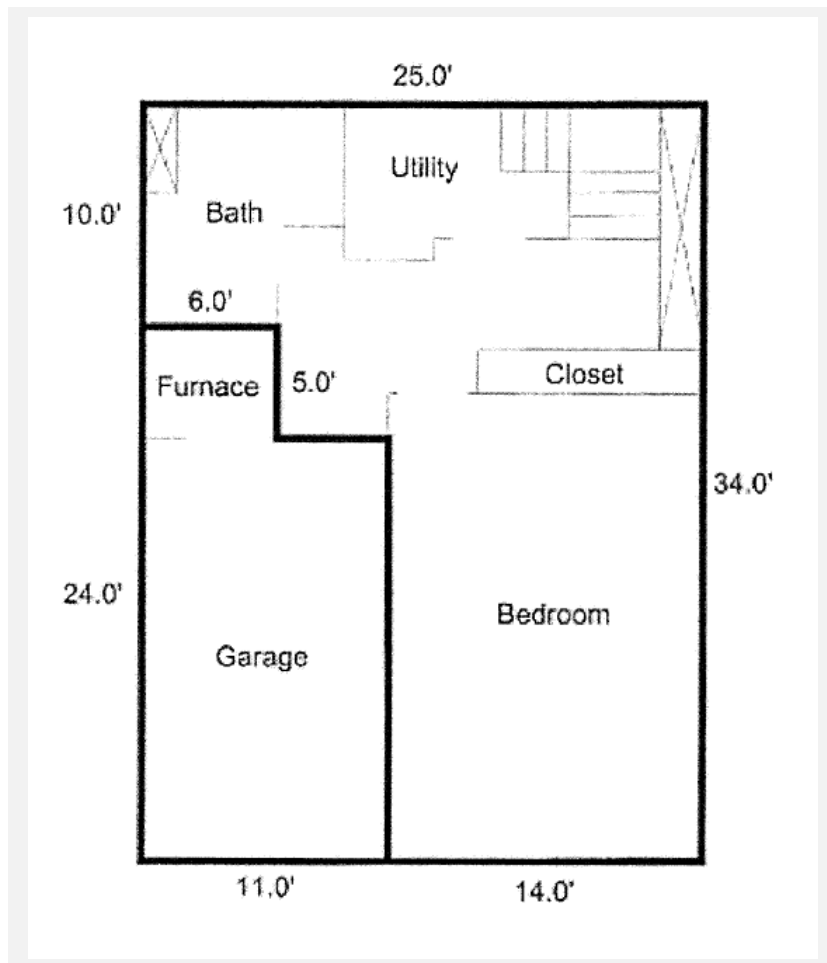
Date	Item	Summary
1892	Plat	Plat of Juneau Townsite (Attachment B).
1914	Tax Map	Sanborn Map showing the single family dwelling at its current location under address "531 Kennedy St." (Attachment C).
1941	Tax Map	Sanborn Map lists address as "529 Kennedy St." (Attachment D).
1980	Assessor's Records	Records indicate that the top half-story of the single-family dwelling was being used as an apartment (Attachment E).
1981	Assessor's Records	Records indicate that the single-family dwelling with accessory apartment was converted into a duplex (Attachment F).
1986	Inventory	CBJ Inventory of Starr Hill Miner's Houses (Attachment G).
1996	Assessor's Records	Records indicate that the second dwelling was removed and the structure was converted back into a single-family dwelling (Attachment H).
2013	Easement	Easement Agreement for encroachments between 523 and 529 Kennedy St. (Attachment I).
2024	Nonconforming Certification	Certified nonconforming for lot, structure, and parking (Attachment J).

ZONING REQUIREMENTS

Items in bold are certified nonconforming under NCC2024-0025.

Standard		Requirement (D5)	Existing	Code Reference
Lot	Size	7,000 sq. ft.	1,631 sq. ft.	49.25.400
	Width	70 ft.	33.333 ft.	49.25.400
Setbacks	Front	20 ft.	0 ft.	49.25.400
	Rear	20 ft.	0 ft.	49.25.400
	Side	5 ft.	-2.69 ft. (SE), -1.19 (NW)	49.25.400
	Street Side	13 ft.	N/A	49.25.400
Lot Coverage Maximum		50 %	~100%	49.25.400
Vegetative Cover Minimum		20	~0%	49.50.300
Height	Permissible	35 ft.	2-story	49.25.400
	Accessory	25 ft.	N/A	49.25.400
Maximum Dwelling Units (5/Acre)		One (1) single-family dwelling; One (1) accessory apartment	One (1) single-family dwelling	49.25.500
Use		Residential	Residential	49.25.300
Parking		Two (2) spaces	Zero (0) spaces	49.40.210(a)

SITE PLAN



ANALYSIS

Project Site – This property is located on Starr Hill. This single-family dwelling was constructed around 1913 on Block 120 Lot 8 with two (2) other houses. The property owner of Lot 8 sold individual dwellings and the lot was split into thirds.

Project Design – The applicant proposes to convert the ground level of the single-family dwelling into a 600 square foot efficiency-style accessory apartment with a combined living area and bedroom, a kitchen, and a bathroom. Because the accessory apartment will be located within the footprint of the existing structure, the nonconforming situations will not be aggravated in accordance with CBJ 49.30.400.

Traffic – According to CBJ 49.40.300(a)(2) a traffic impact analysis is not required; the proposed development is anticipated to generate less than 250 Average Daily Trips (ADTs). Additional traffic generated by the accessory apartment is expected to be minimal, and is not expected to be out of character with the existing neighborhood.

Use	Total Sq. Ft.	Trips Generated	Total Trips
Single-family dwelling	1	9.52	9.52
Accessory Apartment	1	6.65	6.65
Total ADTs:			16.17

Condition: N/A

Vehicle Parking & Circulation – The lot is located outside of the Town Center Parking Area (TCPA) and the No Parking Required Area (NPRA) per CBJ 49.40.200. According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for this proposed accessory apartment. Nonconforming lot coverage prevents off-street parking from being provided on-site. If the parking waiver (PWP2024-0004) is not granted, the accessory

apartment cannot be constructed due to the unavailability of on-site parking, and per CBJ 49.40.200(k)(1), the space must be located on the same lot.

Condition: Prior to issuance of a building permit, the applicants must demonstrate that the parking requirements are met.

Noise – Noise is not anticipated to be out of character with the existing residential neighborhood.

Condition: N/A

Lighting - According to CBJ 49.40.230(d), exterior lighting fixtures shall be “full cutoff” design. If new lighting is proposed, design will be verified during the building permit review process; however, no new lighting is proposed.

Condition: N/A

Vegetative Cover & Landscaping – This lot is certified nonconforming for vegetative coverage (NCC2024-0025).

Condition: N/A

Habitat - There are no known habitats governed by the Title 49 land use code on the lot.

Condition: N/A

Drainage and Snow Storage – Any proposed grading or changes to drainage will be reviewed through the building permit review process.

Condition: N/A

Historic District – This lot is not located within the Juneau Downtown Historic District.

Condition: N/A

Hazard Zones - The lot is classified as having a low hazard designation for avalanche and landslides.

Condition: N/A

Public Health, Safety, and Welfare – There is no evidence to suggest that the proposed development, with the appropriate conditions, will materially endanger the public health, safety, and welfare.

Condition: N/A

Property Value or Neighborhood Harmony – There is no evidence to suggest that the proposed development will be out of character with the existing neighborhood, or that it would reduce property values of neighboring properties. The lot is in a D5 single-family zoning district and is surrounded by residential uses.

Condition: N/A

AGENCY REVIEW

CDD conducted an agency review comment period between October 16 and October 28, 2024. Agency review comments can be found in Attachment K.

Agency	Summary
General Engineering	No comment received.
Streets Department	No comment received.
Building Division	No comment received.
Capital Fire Department	No concerns.

PUBLIC COMMENTS

CDD conducted a public comment period between October 17 and November 8, 2024. Public notice was mailed to property owners within 500 feet of the subject parcel (Attachment L). A public notice sign was also posted on-site two weeks prior to the scheduled hearing (Attachment M). No public comments were submitted at time of writing this staff report.

CONFORMITY WITH ADOPTED PLANS

The proposed development is in general conformity with the 2013 Comprehensive Plan, and the 2015 Juneau Economic Development Plan.

PLAN	Chapter	Page No.	Item	Summary
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact urban development within the designated urban service area to ensure efficient utilization of land resources and to facilitate cost effective provisions of community services and facilities.
	4	37	Policy 4.2	Facilitates the provision of an adequate supply of various housing types and sizes to accommodate present and future housing needs for all economic groups.
	11	147	Land Use Designation	Complies with the <i>Medium Density Residential – Single Family</i> land use designation; this land use designation allows single-family dwellings with accessory apartments.
2015 Juneau Economic Development Plan	A-6	118	2	Downtown Juneau generates the highest property tax return per acre.

FINDINGS

Conditional Use Permit Criteria – 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 Conditional Use Permit complete?*

Analysis: No further analysis needed.

Finding: Yes. The application contains the information necessary to conduct a full review of the proposed development. 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?*

Analysis: The application is for an accessory apartment within the ground floor of an existing, certified nonconforming single-family dwelling. The use is listed at CBJ 49.25.300, Section 1.130 for the D5 zoning district.

Finding: Yes. The requested permit is appropriate according to the Table of Permissible Uses.

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

Analysis: No further analysis needed.

Finding: Yes. With the recommended conditions, the proposed development will comply with Title 49.

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

Analysis: No further analysis needed.

Finding: No. There is no evidence to suggest that, with the recommended condition, the requested accessory apartment, in a D5 zoning district, will materially endanger the public health or safety.

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

Analysis: No further analysis is needed.

Finding: No. There is no evidence to suggest that, with the recommended condition, the requested accessory apartment, in a D5 zoning district will substantially decrease the value or be out of harmony with the 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?*

Analysis: Policies in the Comprehensive Plan call for compact, in-fill development within the Urban Service Boundary. Staff finds the proposed development is in general conformity with the land use designation identified in the Comprehensive Plan.

Finding: Yes. The proposed accessory apartment, with the recommended condition, will be in general conformity with the 2013 Comprehensive Plan.

RECOMMENDATION

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested Conditional Use Permit. The permit would allow the development of an accessory apartment within a certified nonconforming structure in a D5 zoning district.

The approval is subject to the following condition:

- Prior to issuance of a building permit, the applicants must demonstrate that the parking requirements are met.**

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	<i>Application Packet</i>
Attachment B	<i>1892 Plat of Juneau Townsite</i>
Attachment C	<i>1914 Sanborn Map</i>
Attachment D	<i>1941 Sanborn Map</i>
Attachment E	<i>Assessor's Records indicating existence of apartment</i>
Attachment F	<i>Assessor's Records indicating conversion to duplex</i>
Attachment G	<i>1986 CBJ Inventory of Starr Hill Miner's Houses (excerpt)</i>
Attachment H	<i>Assessor's Records indicating conversion back to single-family dwelling</i>
Attachment I	<i>2013 Easement Agreement</i>
Attachment J	<i>Nonconforming Certification NCC2024-0025</i>
Attachment K	<i>Agency Comments</i>
Attachment L	<i>Abutters Notice</i>
Attachment M	<i>Public Notice Sign Photo</i>



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

PROPERTY LOCATION					
Physical Address 529 Kennedy Street. Juneau Alaska 99801					
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Residential D5					
Parcel Number(s) 1C040A200110					
<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____					
LANDOWNER/ LESSEE					
Property Owner Thomas Fletcher	Contact Person Thomas Fletcher				
Mailing Address 529 Kennedy St.	Phone Number(s) 907.209.7131				
E-mail Address tfletch40@gmail.com					
LANDOWNER/ LESSEE CONSENT					
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.					
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.					
<table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;"><u>Thomas Fletcher</u></td> <td style="width:50%; border: none;"><u>Landowner</u></td> </tr> <tr> <td style="border: none;">Landowner/Lessee (Printed Name)</td> <td style="border: none;">Title (e.g.: Landowner, Lessee)</td> </tr> </table>		<u>Thomas Fletcher</u>	<u>Landowner</u>	Landowner/Lessee (Printed Name)	Title (e.g.: Landowner, Lessee)
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X _____	_____				
Landowner/Lessee (Signature)	Date				
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.					
APPLICANT If same as LANDOWNER, write "SAME"					
Applicant (Printed Name) Same	Contact Person _____				
Mailing Address _____	Phone Number(s) _____				
E-mail Address _____					
<table style="width:100%; border: none;"> <tr> <td style="width:60%; border: none;">X _____</td> <td style="width:40%; border: none;">_____</td> </tr> <tr> <td style="border: none;">Applicant's Signature</td> <td style="border: none;">Date of Application</td> </tr> </table>		X _____	_____	Applicant's Signature	Date of Application
X _____	_____				
Applicant's Signature	Date of Application				

To be completed by Applicant

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials 	
Case Number USE24-017	Date Received 8/9/24



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

PROJECT SUMMARY

ADU Project at 529 Kennedy St.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- Accessory Apartment – Accessory Apartment Application (AAP)
 - Use Listed in 49.25.300 – Table of Permissible Uses (USE)
- Table of Permissible Uses Category: _____

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL? YES – Case # _____ NO

UTILITIES PROPOSED WATER: Public On Site SEWER: Public On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 1,631 sq. ft. _____ square feet Total Area of Existing Structure(s) 1904 _____ square feet
 Total Area of Proposed Structure(s) 600 _____ 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

ALL REQUIRED DOCUMENTS ATTACHED

Narrative including:

- Current use of land or building(s)
- Description of project, project site, circulation, traffic etc.
- Proposed use of land or building(s)
- How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

- Notice of Decision and case number
- Justification for the modification or extension
- Application submitted at least 30 days before expiration date

Plans including:

- Site plan
- Floor plan(s)
- Elevation view of existing and proposed buildings
- Proposed vegetative cover
- Existing and proposed parking areas and proposed traffic circulation
- Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

To be completed by Applicant

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
Application Fees	\$ 350 ⁰⁰			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ 150 ⁰⁰			
Pub. Not. Sign Deposit	\$ _____			
Total Fee	\$ _____			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
USE24-017	8/9/24

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

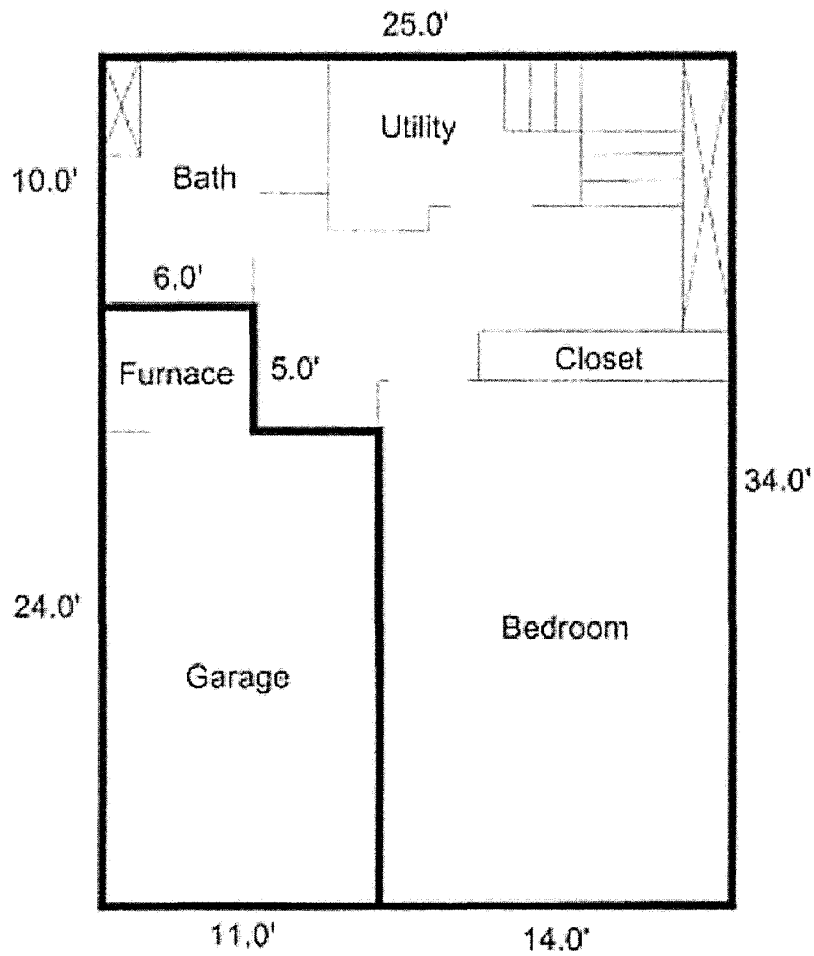
Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED





(907) 586-0715
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 155 Heritage Way • Juneau, AK 99801

Starr Hill ADU

Case Number: PAC2024 0024
 Applicant: Thomas Fletcher
 Property Owner: Thomas W Fletcher
 Property Address: 529 Kennedy St.
 Parcel Code Number: 1C040A200110
 Site Size: 1,631 sq. ft.
 Zoning: D5
 Existing Land Use: Residential

Conference Date: May 15, 2024
 Report Issued: May 22, 2024

DISCLAIMER: Pre-application conferences are conducted for the purpose of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Tom Fletcher	Applicant	TFletch40@gmail.com
Ilsa Lund	Planning	Ilsa.Lund@juneau.gov
Jay Larson	Planning	Jason.Larson@juneau.gov
Jeff Hedges	Building	Jeffrey.Hedges@juneau.gov
Bridget LaPenter	General Engineering	Bridget.LaPenter@juneau.gov
Sydney Hawkins	Permit Center	Sydney.Hawkins@juneau.gov

Revised 5/07/2021

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Conference Summary

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Project Overview

The applicant would like to convert the lowest level of an existing single-family dwelling into an accessory apartment. The property is located on Starr Hill and is part of the original Juneau Townsite. The property will need to be certified nonconforming for lot, parking, and structure before development can proceed; however, most of the required applications can be applied for concurrently.

Applying for the Accessory Apartment Grant must be done concurrently with the Building Permit application. This will take place during the second round of application submissions (see below for details).

Please note: In accordance with CBJ 49.25.510(k)(2)(A), the accessory apartment cannot exceed 600 sq. ft.

Planning Division

1. Zoning – D5
2. **Table of Permissible Uses** – Accessory apartment allowable with a Conditional Use Permit (CUP) according to the TPU.

		RR	D-1	D-3	D-5
1.000	Residential				
1.100	Single-family dwellings				
1.110	Single-family detached, one dwelling per lot	1	1	1	1
1.120	Single-family detached, two dwellings per lot	1	1	1	
1.130	Single-family detached, accessory apartment ^X	1, 3	1, 3	1, 3	1, 3
1.140	Single-family detached, two dwellings per lot, accessory apartments ^X	1, 3	1, 3	1, 3	

X. Special requirements apply to accessory apartment applications. See CBJ § 49.25.510(k).

3. **Subdivision** – N/A, undersized lot with structure exceeding allowable lot coverage would not allow for a subdivision.
4. **Setbacks** – Required setbacks for D5 are: 20 ft. front, 20 ft. rear, 5 ft. side. Existing setbacks are mere inches. It’s hard to tell exactly because the as-built survey is illegible. In this are of town, the lots were essentially created around the existing structures. Because the single-family dwelling was built at a slight angle, the north and south corners of the building encroach slightly over the property lines. The structure will need to be certified nonconforming for setbacks before Planning Commission review of the CUP.
5. **Height** – A maximum building height of 35 ft. is allowable.
6. **Access** – Kennedy St.
7. **Parking & Circulation** – This property is located outside of the downtown parking area. The lot will need to be certified nonconforming for the two (2) required parking spaces for a single-family dwelling, and a parking waiver permit (PWP) will be required for the proposed accessory dwelling.

8. **Lot Coverage** – Maximum allowable lot coverage for D5 is 50%. Since the lot was created around the existing structure, maximum coverage is exceeded at close to 100%. This will be certified nonconforming.
9. **Vegetative Coverage** – The single-family dwelling covers most of the lot, so the minimum vegetative coverage (20%) is not met. This will be certified during the nonconforming review process.
10. **Lighting** – Full cutoff lighting fixtures are required. *Full cutoff lighting fixture* means a lighting fixture with a flat lens that eliminates or minimizes direct glare and does not cast light upward or to the side. Full cutoff lighting fixtures are mounted with the lens in a horizontal position. The bulb is shielded on all sides and the top by an opaque housing.
11. **Noise** – N/A
12. **Flood** – N/A
13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – None mapped.



14. **Wetlands** – None.
15. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
16. **Plat or Covenant Restrictions** – None.
17. **Traffic** – This development is expected to have minimal impact on traffic.
18. **Nonconforming situations** – A Nonconforming Certificate (for lot, structures, and parking) is required prior to the issuance of a building permit or land use permit

Building Division

19. **Building** – Items to consider: Fire and sound separation, access to electrical overcurrent protection, added plumbing fixtures, egress from sleeping area, smoke and carbon monoxide detection.
20. **Outstanding Permits** – BLD20230875 – Heat pump installation. Needs final inspection.

General Engineering/Public Works

21. **Engineering** – N/A
22. **Drainage** – N/A
23. **Utilities** – (water, power, sewer, etc.) **WATER**. An additional dwelling unit will require a metered water service. Should the increased number of fixtures require increasing the water service size per the building

department, the applicant is invited to pursue engineering analysis by an Alaska-licensed mechanical engineer or hire a licensed, bonded and insured contractor to increase the water line size. Increasing the water line size will require a new water assessment (fee), and a refundable performance bond.
SEWER. A 4" sewer line should be sufficient for the additional dwelling unit.

Fire Marshal

24. **Fire Items/Access** – No concerns.

Other Applicable Agency Review

25. N/A

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

- 1. Round 1 of Applications
 - a. Nonconforming Certification Review (NCC) ✓
 - b. Conditional Use Permit (CUP) ✓
 - c. Parking Waiver Permit (PWP) ✓
- 2. Round 2 of Applications (contingent on CUP and PWP approval)
 - a. Accessory Apartment
 - b. Accessory Apartment Grant Application
 - c. Building Permit

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

- 1. A copy of this pre-application conference report ✓
- 2. Project narrative
- 3. Floor plan with square footage measurements ~~att~~ ✓
- 4. Waterline information sheet w/ BLD

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

Round 1 Submission		
Case/ Fee Type	Fee amount (\$)	Notes
Nonconforming Certification Review (NCC)	0.00	Waived when submitted in conjunction with a major development permit application.
Conditional Use Permit (USE or CUP)	350.00	Class I use in accordance with CBJ

Pre-Application Conference Final Report

		49.85.100(3)(A)(iii).
Parking Waiver Permit (PWP)	320.00	\$400 reduced by 20% in accordance with CBJ 49.85.100(21).
Public Notice Sign	150.00	\$100 refundable deposit
	820.00	

Round 2 Submission		
Case/ Fee Type	Fee amount (\$)	Notes
Accessory Apartment	0.00	
Accessory Apartment Grant Application	0.00	
Building Permit	?	Based on the overall cost estimate for the development.
	?	

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.gov
OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

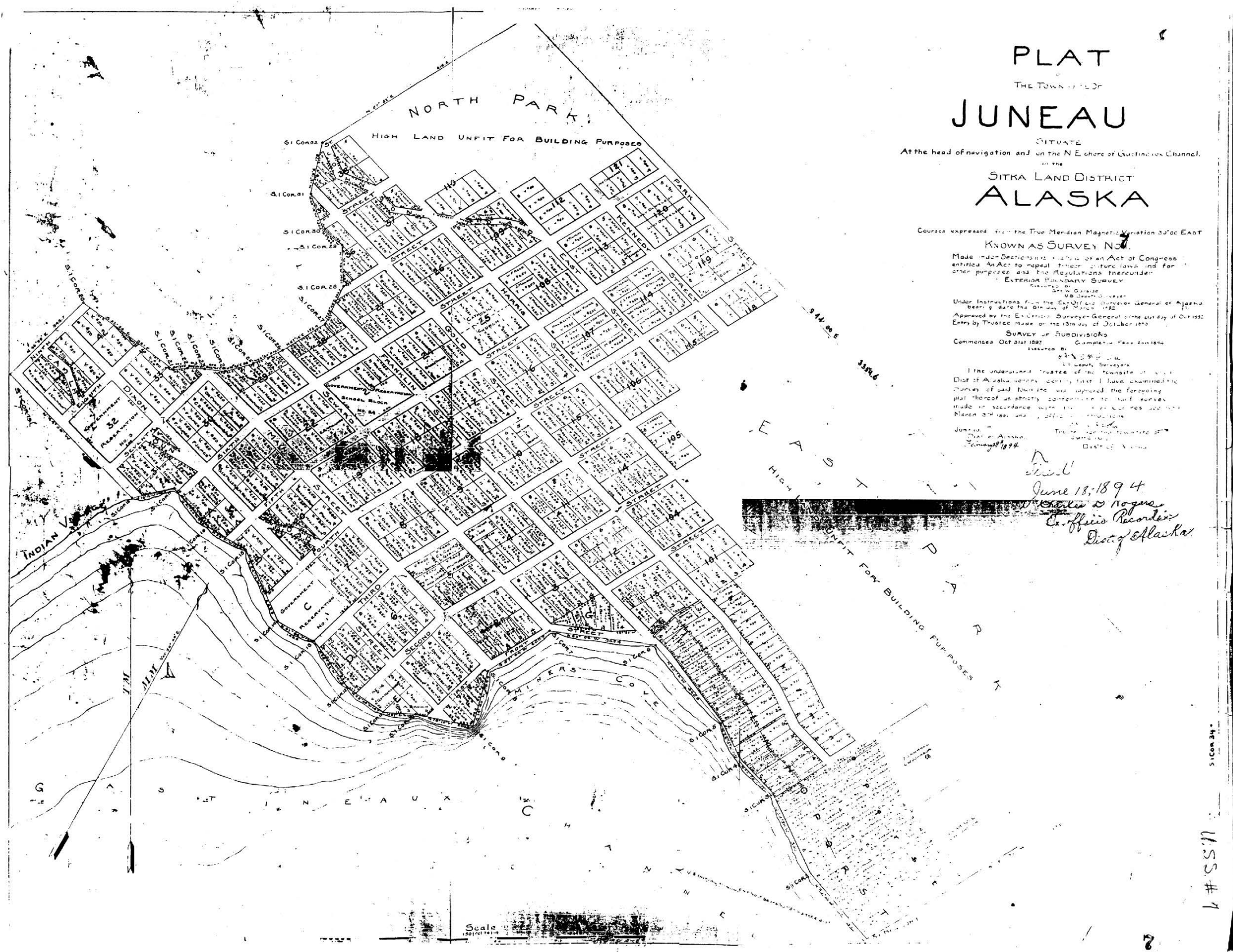
Phone: (907) 586-0715
Web: www.juneau.org/community-development

Attachments:

- 49.15.330 – if a Conditional Use Permit
- 49.25.510(k)- Accessory apartments
- 49.30.110-270- Nonconforming Situations
- 49.35.410(c)- Residential wastewater- property owner responsibility
- 49.40.220- Parking reductions

Applications:

- Development Permit Application
- Conditional Use Permit Application
- Nonconforming Certification Application
- Parking Waiver Application
- Accessory Apartment Application
- Accessory Dwelling Unit Grant Application



Attachment B - 1892 Plat of Juneau Townsite



Attachment C - 1914 Sanborn Map



TAX MAP
NO. 7.
CITY OF JUNEAU.
 Scale - 1 inch = 50 feet
 City Engineer

YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
79		7100	53,900	61,000	
80		7100	57,900	65,000	
81		11400	59,900	71,300	Chg to Duplex
1982		12600	65,800	78,400	
1983		14800	70,600	85,400	
1984		17300	75,300	92,600	

REMARKS: 11-21-80 Va floor used as Apt. - New Duplex Lk.
 Sold S/A \$90,000

PLACE PICTURE HERE

BUILDING AREA CALCULATION

SKETCH OF PROPERTY: 1C040A200110

Parcel No 1C040A200110

Property Address 529 Kennedy Street

City

Owner

Client

Attachment E - Assessor's Records indicating existence of apartment

YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
1979		7100	53,900	61,000	
80		7100	52,900	60,000	
81		11,900	59,900	71,300	Chg to Duplex
1982		12,600	65,800	78,400	
1983		14,800	70,600	85,400	
1984		17,300	75,300	92,600	

REMARKS: 11-21-80 1/2 floor used as Apt. - New Duplex Bldg.
 Sold 5/15/80 \$90,000

PLACE PICTURE HERE

BUILDING AREA PARTICIPATION

SKETCH OF PROPERTY: 1C040A200110

Parcel No 1C040A200110

Property Address 529 Kennedy Street

City

Owner

Client

Attachment F - Assessor's Records indicating conversion to duplex

INVENTORY OF HISTORIC SITES AND STRUCTURES
City and Borough of Juneau

AHRS#: JUN-311

CBJ #: C-31

HISTORIC NAME: Fries/Mine Workers House II.

DATE(S): c. 1914, but prior to May 22, 1914.

LOCATION: 525 Kennedy Street

LOT/BLOCK #: Lot FR-8, Block 120 Juneau Townsite

DESCRIPTION: 1-1/2 story, wood frame structure; gable roof with composition shingles; wood shakes exterior, double-hung window, open porch, glazed porch, two decks, risers, garage, partial basement, concrete foundation.

SIGNIFICANCE: One of the row of houses known as the C. W. Fries cottages, probably built for miners. The lot or a portion thereof was owned by E. R. Jaeger from 1908-1927. He established the Alaska Steam Laundry, and built and owned many residential and commercial buildings in Juneau. Jaeger served on the Juneau City Council for several terms.

SOURCES: 17B, 5/22/1914, Vol. IV, No. 474; 17B, 7/8/1937, Vol. L, No. 7530.

AHRS#: JUN-310

CBJ #: C-32

HISTORIC NAME: Fries/Mine Workers House III.

DATE(S): c. 1914, but prior to May 22, 1914.

LOCATION: 523 Kennedy Street

LOT/BLOCK #: Lot FR-8 Block 120 Juneau Townsite

DESCRIPTION: 1-1/2 story, wood frame structure; gable roof with composition shingles; aluminum siding, two decks, risers, partial basement, concrete foundation.

SIGNIFICANCE: One of the row of houses known as the C. W. Fries cottages, probably built for miners. The lot or a portion thereof was owned by E. R. Jaeger from 1908-1927. He established the Alaska Steam Laundry, and built and owned many residential and commercial buildings in Juneau. Jaeger served on the Juneau City Council for several terms.

SOURCES: 17B, 5/22/1914, Vol. IV, No 474; 17B, 7/8/1937, Vol. L, No. 7530.

Appraiser & Date

94 Appeal

1996

Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost
4.33	① 1142 #	47 42	54154					
	② 378 #	28 45	10754					
2a	③ 858 #	10 85	9309					
2c	Fin. ④ 192	16 75	3216					
6D 6F	# + # D/W	195 620	815					
6h	X-KIT.		1400					
8P	WOODSTOVE		1275					
9a	②-3-5: X	1810	3620					
9b	KIT. SINK		385					
11B	Gar. 212 #	4 45	943					
12c	Deck 350 #	7 55	2643					
12a	CP 74 #	10 05	744					

Total Replacement Cost

89258

87472

Cost Conversion Factor

Adjusted Replacement Cost

Effective Age/Depreciation

45

49092

12
50% Inc.
Remodel In progress
1.51

Total Depreciation

Final Net Condition

Principal Building Total + 1.5068

64153

66042

Other Buildings

Total Building Appraisal

Total Building Apprais

82156

**EASEMENT AGREEMENT**

2101011

This agreement is entered into this 01 day of November, 2013, by and between James W. Greenough and Carol C. Greenough, individually and as Trustees of the James and Carol Greenough Family Trust Agreement dated October 3, 2008, whose address is 9965 Southwest Jurgens Lane, Tualatin, Oregon, (the "Greenoughs") and Thomas W. Fletcher, a married man, whose address is 529 Kennedy Street, Juneau, Alaska ("Fletcher").

The Greenoughs are the owners of certain real property in the Juneau Recording District, First Judicial District, State of Alaska, described as:

The Southeasterly One-Third (1/3) of Lot Eight (8), Block 120, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska.

referred to herein as "523 Kennedy Street."

Fletcher is the owner of certain adjacent real property in Juneau Recording District, First Judicial District, State of Alaska, described as:

A tract of land in Lot 8, Block 120, Townsite of Juneau, described as:
BEGIN at the South corner of said lot, run thence Northwesterly along the Southwesterly line of said lot 33.333 feet to the true point of beginning; thence continuing Northwesterly 33.333 feet; thence Northeasterly, parallel with the Southeasterly line of said lot, 50.00 feet to the Northeasterly line of said lot; thence Southeasterly along said Northeasterly line, 33.333 feet; thence Southwesterly, parallel with the Southeasterly line of said lot, 50.00 feet to the true point of beginning.

referred to herein as "529 Kennedy Street."

WHEREAS, the Greenoughs have recently obtained an "as-built" survey, incorporated by reference and attached to this Agreement as Attachment A, indicating that a certain part of the home at 523 Kennedy Street encroaches onto 529 Kennedy Street, and a certain part of the deck and concrete of the home at 529 Kennedy Street encroaches onto 523 Kennedy Street.

WHEREAS, the Greenoughs and Fletcher desire, in neighborly fashion, to accommodate these encroachments and prevent any disputes between them or their successors in the future;

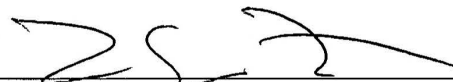
WHEREAS, the Greenoughs and Fletcher desire to grant mutual easements, the one to the other, to bind themselves and their successors-in-interest to the properties, to accommodate

these encroachments, and also each to allow the other access to their respective properties in order to maintain and repair the portions of the other's structures that encroach;

NOW, THEREFORE, in consideration of the mutual easements each grants to the other, the Greenoughs and Fletcher agree as follows:

1. Fletcher hereby grants a perpetual right and easement to the Greenoughs for the encroachment by the home at 523 Kennedy St. onto the property at 529 Kennedy Street as shown in Attachment A. This easement includes the right to access the property at 529 Kennedy Street as reasonably necessary to maintain, repair and improve the encroachment.
2. The Greenoughs hereby grant a perpetual right and easement to Fletcher for the encroachment by the deck and concrete of the home at 529 Kennedy St. onto the property at 523 Kennedy Street as shown in Attachment A. This easement includes the right to access the property at 523 Kennedy Street as reasonably necessary to maintain, repair and improve the encroachment.
3. The easements granted in Paragraphs 1 and 2 shall run with the land and continue perpetually.
4. These easements are limited to the size and dimensions of the encroachments shown in Attachment A. The parties may repair and improve the quality of the encroaching structures but they may not increase the physical dimensions of the encroachments.
5. This agreement constitutes the entire agreement of the parties regarding these easements. No oral agreements not incorporated into this document exist. Changes to this agreement shall be valid only if made in writing, signed by the parties to this agreement or their successors-in-interest to the properties bound by these easements, and recorded in the Juneau Recording District, First Judicial District, State of Alaska. The laws of the State of Alaska shall govern this agreement.
7. This agreement may be executed in two or more counterparts, each of which when executed shall be deemed an original but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first above written.


Thomas Fletcher



2 of 5

2013-007889-0

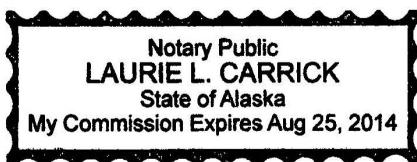
ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT)

ss:

THIS CERTIFIES that on this 25 day of November, 2013, before me, a Notary Public in and for the State of Alaska, personally appeared Thomas Fletcher ~~and Amy Fletcher~~ ^{TC}, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and who acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.



Laurie L. Carrick
Notary Public for Alaska

Carol Greenough

James Greenough

ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT)

ss:

THIS CERTIFIES that on this ____ day of November, 2013, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared James W. Greenough and Carol C. Greenough, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and after being first duly sworn according to law, stated to me under oath that they are the sole Trustees of the James and Carol Greenough Family Trust Agreement dated October 3, 2008, and that as such they are authorized to execute the foregoing instrument on behalf of the Trust and did execute the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.

Notary Public for Alaska

Return to: Lael Harrison, Faulkner Banfield PC, 8420 Airport Blvd. Ste. 101, Juneau, AK 99801



3 of 5

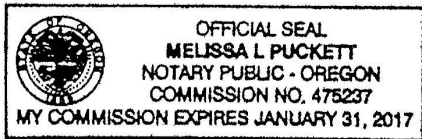
2013-007889-0

ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT) ss:

THIS CERTIFIES that on this _____ day of _____, 2013, before me, a Notary Public in and for the State of Alaska, personally appeared Thomas Fletcher and Amy Fletcher, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and who acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.



Notary Public for Alaska

Carol Greenough

James Greenough

ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT) ss:

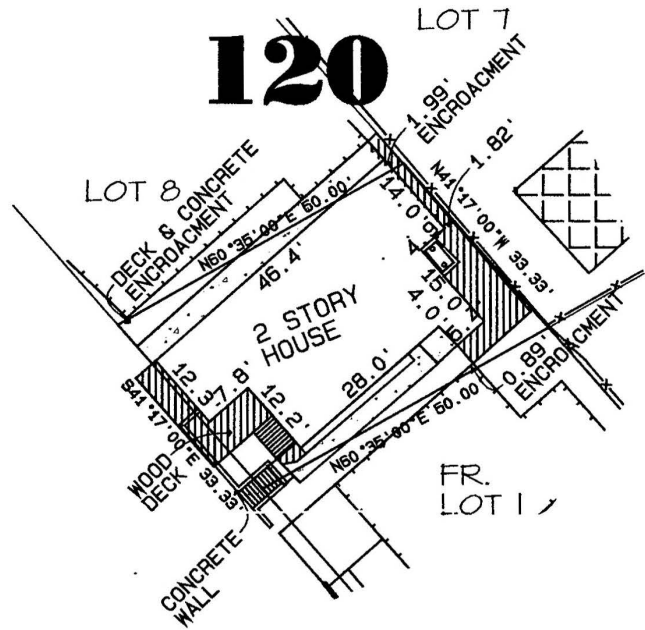
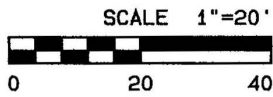
THIS CERTIFIES that on this 21 day of November, 2013, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared James W. Greenough and Carol C. Greenough, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and after being first duly sworn according to law, stated to me under oath that they are the sole Trustees of the James and Carol Greenough Family Trust Agreement dated October 3, 2008, and that as such they are authorized to execute the foregoing instrument on behalf of the Trust and did execute the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.

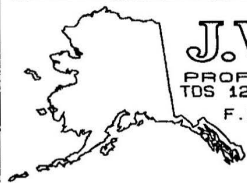
Notary Public for Alaska
oregon

Return to: Lael Harrison, Faulkner Banfield PC, 8420 Airport Blvd. Ste. 101, Juneau, AK 99801





I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT PLAT; THAT ALL WALKS, ROADS, EASEMENTS AND IMPROVEMENTS THEREON ARE AS SHOWN AND THAT ALL OVERLAPS AND ENCROACHMENTS ARE AS SHOWN TO THE BEST OF MY KNOWLEDGE.



J.W. BEAN
PROFESSIONAL SURVEYOR
TDS 125 JUNEAU TOWN
F.B. _____ JOB No. 13258
SCALE AS-SHOWN
DATE 10-02-2013

AS-BUILT SURVEY OF
NORTHEAST 1/3
LOT 1, BLOCK 120
JUNEAU TOWNSITE, USS 7



5 of 5

2013-007889-0



(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

NONCONFORMING CERTIFICATE

Date: November 1, 2024
File No.: NCC2024 0025

Thomas Fletcher
529 Kennedy Street
Juneau, AK 99801
tfletch40@gmail.com

Proposal: A Nonconforming Situation Review for lot, structure, and parking.

Property Address: 529 Kennedy Street
Property Legal Description: JUNEAU TOWNSITE BL 120 LT 8 FR
Property Parcel Code No.: 1C040A200110

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated November 1, 2024, and has found the following situations on the lot to be certified nonconforming to the Title 49 Land Use Code of the City and Borough of Juneau:

- Nonconforming Structures (CBJ 49.30.250):
 - Front yard setback of zero (0) feet
 - Rear yard setback of zero (0) feet
 - Side yard (NW) setback of -1.9 feet
 - Side yard (SE) setback of -2.69 feet
 - Vegetative cover of ~0%
- Nonconforming Lots (CBJ 49.30.260):
 - Lot size of 1,631 square feet
 - Lot width of 33.3333 feet
 - Lot coverage of ~100%
- Nonconforming Parking (CBJ 49.30.270):
 - Number of off-street parking spaces

This Nonconforming Certificate applies to the nonconforming situations stated above. The nonconforming rights provided herein may be relinquished under certain circumstances provided under the CBJ Title 49 Land Use Code. It is the responsibility of the owner or agent of the owner to ensure that all development on the lot is in compliance with this certification and the CBJ Title 49 Land Use Code.

CBJ 49.30.215: Accidental damage or destruction. *Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.*

Thomas Fletcher
File No.: NCC2024 0025
November 1, 2024
Page 2 of 2

This Nonconforming Certificate constitutes a final decision of the Director of Community Development. Appeals must be brought to the CBJ Planning Commission in accordance with CBJ 49.20.110. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed.

If you have any questions regarding your project or anticipate any changes to your plans, please call the Community Development Department at (907) 586-0715.

Project Planner: *Ilsa Lund*
Ilsa Lund, Planner I
Community Development Department

Scott Ciambor, Planning Manager, for
Jill Lawhorne, Director, AICP
Community Development Department

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.



**DIRECTOR'S REVIEW STAFF REPORT
NONCONFORMING CERTIFICATION
NCC2024 0025**

(907) 586-0715
CDD_Admin@juneau.gov
www.juneau.org/community-development
155 Heritage Way • Juneau, AK 99801

DATE: November 1, 2024
TO: Jill Lawhorne, AICP | Director
BY: Ilsa Lund, Planner I *Ilsa Lund*

PROPOSAL: A Nonconforming Situation Review for lot, structure, and parking.

KEY CONSIDERATIONS FOR REVIEW:

- The single-family dwelling was constructed circa 1913 before zoning was established in Juneau.
- The lot area is less than the required minimum for the zoning district.
- There is a single-car garage on site, but the footprint of the single-family dwelling takes up the majority of the lot, so accommodating additional parking is not feasible.

GENERAL INFORMATION	
Property Owner	Thomas W Fletcher
Applicant	Thomas Fletcher
Property Address	529 Kennedy Street
Legal Description	JUNEAU TOWNSITE BL 120 LT 8 FR
Parcel Number	1C040A200110
Zoning	D5 (Single-Family)
Lot Size	1,631 sq. ft./ 0.0374 acre
Water/Sewer	City/ City
Access	Kennedy Street
Existing Land Use	Residential
Associated Applications	USE2024 0017, PWP2024 0004

STAFF RECOMMENDATION:

Staff recommends the following situations receive Nonconforming Certification:

- Nonconforming Structures (CBJ 49.30.250)
- Nonconforming Lots (CBJ 49.30.260)
- Nonconforming Parking (CBJ 49.30.270)

ABANDONMENT:

If a nonconforming situation is deemed to be abandoned by the Director, the decision may be reconsidered in accordance with CBJ 49.30.220. After reconsideration is reviewed, an appeal may be filed in accordance with CBJ 49.20.110.

NONCOMPLIANCE:

If a situation fails to be certified as nonconforming, an appeal of this decision may be filed in accordance with CBJ 49.20.110.

- N/A

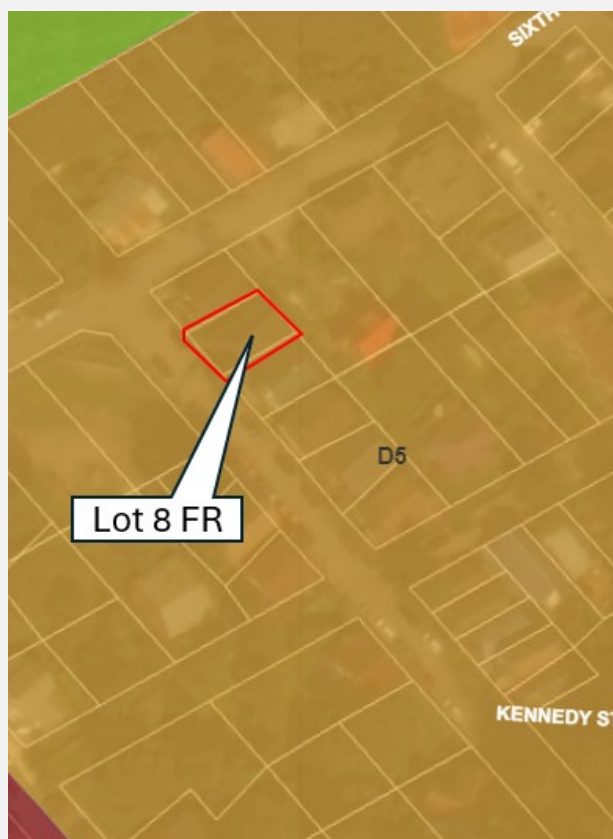
CBJ 49.30.215: Accidental damage or destruction. Structures receiving a nonconforming certification may have the right to reconstruct a nonconforming structure per CBJ Chapter 49.30.

Fostering excellence in development for this generation and the next.

SITE FEATURES AND ZONING



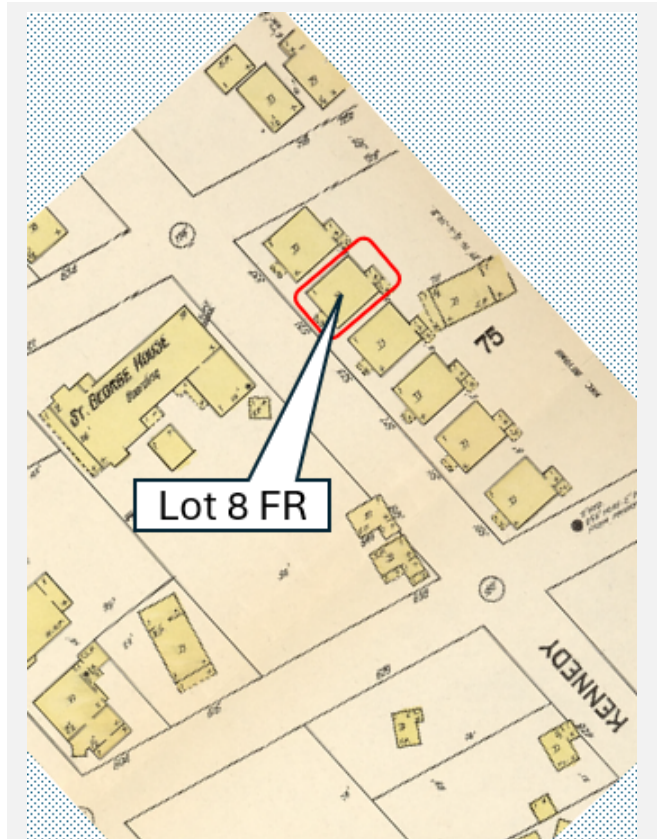
CURRENT ZONING MAP



SURROUNDING ZONING AND LAND USES	
North (D5)	Single-Family Dwelling
South (D5)	Kennedy St. Right-of-Way
East (D5)	Single-Family Dwelling
West (D5)	Single-Family Dwelling

SITE FEATURES	
Anadromous	None
Flood Zone	No, 02110C1567E
Hazard	None
Hillside	Yes, 22% slope
Wetlands	None
Parking District	No
Historic District	No
Overlay Districts	Mining & Exploration Surface Activities Exclusion District, Urban/Rural Mining District Map, Alternative Development Overlay District (ADOD)

ZONING AT TIME OF ESTABLISHMENT



ZONING HISTORY

Year	Zoning District	Summary
1913	N/A	This single-family dwelling was constructed around 1913 on Block 120 Lot 8 with two (2) other houses. The property owner of Lot 8 sold individual dwellings and the lot was split into thirds.
1956	R-2	<p>In 1956, the lot and surrounding area was zoned R-2.</p> <ul style="list-style-type: none"> Minimum lot size: 3,600 square feet Minimum lot width: 40 feet Maximum lot coverage: 60% Maximum height: 30 feet Minimum front yard setback: 15 feet Minimum rear yard setback: 10 feet Minimum side yard setback: 5 feet Minimum street-side yard setback: 10 ft. <p>One (1) off-street parking space per dwelling unit.</p> <p>The use was conforming for parking. The dwelling was conforming for height. The lot became nonconforming for size, width, and coverage. The dwelling became nonconforming for front, side, and rear yard setbacks.</p>
1969	RMM	<p>In 1969, the lot and surrounding area was rezoned RMM (Medium Density) Multi-Family Residential.</p> <ul style="list-style-type: none"> Minimum lot size: 4,800 square feet Minimum lot width: 40 feet Minimum lot depth*: 90 ft. Maximum lot coverage: 60% Maximum height: 60 feet Minimum front yard setback: 15 feet Minimum rear yard setback: 10 feet Minimum side yard setback: 6 feet Minimum street-side yard setback: 15 ft. <p>One (1) off-street parking space per dwelling unit.</p> <p>The use remained conforming for parking. The dwelling remained conforming for height. The lot remained nonconforming for size, width, and coverage. The dwelling remained nonconforming for front, side, and rear yard setbacks. The lot became nonconforming for depth*.</p>
1974	RM	<p>In 1974, the lot and surrounding area was rezoned RM (Garden Apartment) Multi-Family District.</p> <ul style="list-style-type: none"> Minimum lot size: 5,400 square feet Minimum lot width: 60 feet Minimum lot depth*: 90 ft. Maximum lot coverage: 40%

Year	Zoning District	Summary
		<p>Maximum height: 35 feet Minimum front yard setback: 20 feet Minimum rear yard setback: 20 feet Minimum side yard setback: 5 feet Minimum street-side yard setback: 15 ft. One (1) off-street parking space per dwelling unit.</p> <p>The use remained conforming for parking. The dwelling remained conforming for height. The lot remained nonconforming for size, width, coverage, and depth*. The dwelling remained nonconforming for front, side, and rear yard setbacks.</p>
1987	D5	<p>In 1987, the lot and surrounding area was rezoned D5. Assessor’s records indicate that this residential structure was being used as a duplex at this time.</p> <p>Minimum lot size: 10,500 square feet Minimum lot width: 70 feet Minimum lot depth*: 85 ft. Maximum lot coverage: 50% Maximum height: 35 feet Minimum front yard setback: 20 feet Minimum rear yard setback: 20 feet Minimum side yard setback: 5 feet Minimum street-side yard setback: 20 ft. Minimum vegetative coverage: 20% Two (2) off-street parking spaces per dwelling unit.</p> <p>The dwelling remained conforming for height. The use became nonconforming for parking. The lot remained nonconforming for size, width, coverage, and depth*. The dwelling remained nonconforming for front, side, and rear yard setbacks.</p>
1996	D5	<p>In 1996, Assessor’s records indicate that the duplex was converted back into a single-family dwelling.</p> <p>Minimum lot size: 7,000 square feet Minimum lot width: 70 feet Minimum lot depth*: 85 ft. Maximum lot coverage: 50% Maximum height: 35 feet Minimum front yard setback: 20 feet Minimum rear yard setback: 20 feet Minimum side yard setback: 5 feet Minimum street-side yard setback: 20 ft. Minimum vegetative coverage: 20%</p>

Year	Zoning District	Summary
		Two (2) off-street parking spaces per dwelling unit. The dwelling remained conforming for height. The lot remained nonconforming for size, width, coverage, and depth*. The dwelling remained nonconforming for front, side, and rear yard setbacks. The use remained nonconforming for parking.
2021	*All zoning districts – lot depth repealed	On August 23, 2021, the CBJ Assembly adopted Ordinance 2021-28, repealing lot depth as a minimum dimensional standard. Other dimensional standards for D5 remain the same.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Situation Review for lot, structure, and parking (Attachment A). The lot was platted in 1892 as part of the Juneau Townsite and the structure was constructed in 1913.

INFORMATION REVIEWED

Year	Type	Summary
1892	Plat	Plat of Juneau Townsite (Attachment B).
1914	Sanborn Map	Tax Map showing the single family dwelling at its current location under address “531 Kennedy St.” (Attachment C).
1927	Sanborn Map	Tax Map indicates the addition of a deck to the front of the house (Attachment C).
1941	Sanborn Map	1941 Tax Map lists address as “529 Kennedy St.” (Attachment C).
1970	Assessor’s Records	First notation of an extra kitchen indicating multiple dwellings within the structure (Attachment D).
1980	Assessor’s Records	Notation: “11-21-80 ½ floor used as Apt.-non Duplex” (Attachment D) Extra kitchen indicated in table.
1986	Inventory	CBJ Inventory of Starr Hill Miner’s Houses (Attachment E).
1996	Assessor’s Records	Property undergoing major remodel. Second dwelling unit removed (Attachment D).
2013	Easement	2013 Easement Agreement for encroachments between 523 and 529 Kennedy St. (Attachment F).

ANALYSIS

Zoning District Comparison Table – The table below lists the required standards for the D5 zoning district compared to the lot. A description of these situations is provided in the following sections. Items bolded do not meet current requirements.

Standard		Requirement	Existing	Code Reference
Lot	Size	7,000 sq. ft.	1,631 sq. ft.	CBJ 49.25.400
	Width	70 ft.	33.333 ft.	CBJ 49.25.400
Setbacks	Front	20 ft.	0 ft.	CBJ 49.25.400
	Rear	20 ft.	0 ft.	CBJ 49.25.400

	Side (NW)	5 ft.	-1.19 ft.	CBJ 49.25.400
	Side (SE)	5 ft.	-2.69 ft.	CBJ 49.25.400
	Street Side	13 ft.	N/A	CBJ 49.25.400
Lot Coverage		50%	~100%	CBJ 49.25.400
Height	Permissible	35 ft.	2-story	CBJ 49.25.400
	Accessory	25 ft.	N/A	CBJ 49.25.400
Maximum Dwelling Units		One (1) single-family dwelling; One (1) accessory apartment	One (1) single-family dwelling	CBJ 49.25.500
Use		Residential	Residential	CBJ 49.25.300
Vegetative Cover		20%	~0%	CBJ 49.50.300
Parking		Two (2) spaces	One (1) space	CBJ 49.40.210(a)

Minimum Lot Requirements – The lot was originally platted before zoning, three (3) single-family dwellings were constructed, and then the lot was divided into thirds.

Finding: Staff finds the lot nonconforming for lot size and lot width.

Minimum Setback Requirements – The single-family dwelling was constructed in 1913 prior to zoning. The dwelling has a setback of zero (0) feet.

Finding: Staff finds the structure nonconforming for setbacks.

Lot Coverage – The dwelling covers approximately 100 percent of the lot.

Finding: Staff finds the lot nonconforming for lot coverage.

Structure Height – The dwelling is two (2) stories.

Finding: Staff finds the structure conforming for height.

Residential Density – There is only one dwelling on this lot.

Finding: Staff finds the lot conforming for residential density.

Use – The use of the lot is residential.

Finding: Staff finds the lot conforming for use.

Vegetative Cover – Because the structure covers approximately 100 percent of the lot, vegetative coverage is approximately zero (0) percent.

Finding: Staff finds the lot nonconforming for vegetative cover.

Parking – CBJ 49.40.210 requires two (2) off-street parking spaces. Back-out parking may be allowed for single-family dwellings in residential zoning districts per CBJ 49.40.235(b)(6)(A). This single-family dwelling has a single car garage.

Finding: Staff finds the use nonconforming for number of off-street parking spaces.

NONCOMPLIANT SITUATIONS

CBJ 49.30.310(j) Failure of a situation to qualify for nonconforming certification. If a situation does not qualify for or is denied nonconforming certification, it is noncompliant and the property is subject to enforcement actions consistent with this title.

No information has been found to suggest noncompliant situations exist on the lot.

ABANDONMENT

CBJ 49.30.220(b) Abandonment of a nonconforming situation. A nonconforming situation is abandoned if any of the following events occur:

- (1) The owner indicates in writing that the nonconforming situation is being permanently discontinued;
- (2) The nonconforming situation is damaged, destroyed, removed or demolished intentionally by the owner or intentionally by an authorized agent of the owner;
- (3) The nonconforming structure is moved;
- (4) The owner takes action consistent with an intent to abandon the nonconforming situation;
- (5) The structure(s) associated with the nonconforming situation has been vacant for 365 consecutive days;
- (6) Except for a structure with a nonconforming residential density, the nonconforming use has ceased and not substantially resumed for 365 consecutive days; or
- (7) A structure with a nonconforming residential density has been unoccupied for 1095 consecutive days.

No information has been submitted to suggest the nonconforming situations on the lot have been abandoned.

FINDINGS

1. Was the nonconforming situation allowed, or not prohibited by law, when it was established?

Analysis: The lot was platted and the dwelling was constructed before zoning was established in Juneau.

Finding: Yes. The nonconforming situation was allowed, or not prohibited by law, when established.

2. Has the nonconforming situation been abandoned?

Analysis: Staff finds that none of the above-listed abandonment events have taken place.

Finding: No. The nonconforming situations have not been abandoned.

RECOMMENDATION

Staff recommends that the Director adopt the analysis and findings, and find the following situations on the lot to be NONCONFORMING to the Title 49 Land Use Code and issue a Nonconforming Certification for the following situations:

Thomas Fletcher
File No: NCC2024 0025
November 1, 2024
Page 8 of 8

- Nonconforming Structures (CBJ 49.30.250):
 - Front yard setback of zero (0) feet
 - Rear yard setback of zero (0) feet
 - Side yard (NW) setback of -1.19 feet
 - Side yard (SE) setback of -2.69 feet
 - Vegetative cover of ~0%
- Nonconforming Lots (CBJ 49.30.260):
 - Lot size of 1,631 square feet
 - Lot width of 33.3333 feet
 - Lot coverage of ~100%
- Nonconforming Parking (CBJ 49.30.270):
 - Number of off-street parking spaces

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1892 Plat of Juneau Townsite
Attachment C	Sanborn Maps
Attachment D	Assessor's File
Attachment E	1986 CBJ Inventory of Starr Hill Miner's Houses
Attachment F	2013 Easement Agreement



DEVELOPMENT PERMIT APPLICATION

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 529 Kennedy Street. Juneau Alaska 99801		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Residential D5		
	Parcel Number(s) 1C040A200110		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	LANDOWNER/ LESSEE		
	Property Owner Thomas Fletcher	Contact Person Thomas Fletcher	
	Mailing Address 529 Kennedy St.	Phone Number(s) 907.209.7131	
	E-mail Address tfletch40@gmail.com		
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits.			
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
Thomas Fletcher		Landowner	
Landowner/Lessee (Printed Name)		Title (e.g.: Landowner, Lessee)	
X _____	6/03/2024	Date	
Landowner/Lessee (Signature)		Date	
_____		_____	
Landowner/Lessee (Printed Name)		Title (e.g.: Landowner, Lessee)	
X _____	_____	Date	
Landowner/Lessee (Signature)		Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) Same	Contact Person _____		
Mailing Address _____	Phone Number(s) _____		
E-mail Address _____			
X _____		_____	
Applicant's Signature		Date of Application	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials 	8/9/24
Case Number NCC24-025	Date Received 8/9/24



APPLICATION FOR A NONCONFORMING CERTIFICATION REVIEW

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

TYPE OF NONCONFORMING SITUATION (CHECK ALL THAT MAY APPLY)

- USE
 STRUCTURE
 DENSITY
 PARKING
 LOT

Is this property for sale: YES NO
 If yes, what is the projected closing date?

Have you submitted a narrative that fully explains the above listed nonconforming situations? YES NO

The narrative should explain the nature of the nonconforming situation(s). Be specific, state past and present uses of the building, property, etc.

List all relevant information being submitted. Include this material and an as-built or site plan with the application.

Relevant information to show that the *situation was allowed when established* may include: building or land use permits, recorded plats, zoning codes or maps, dated photographs.

Situation	Type of Documentation
Non Conforming set-backs	As Built for 529 Kennedy

Relevant information to show that the *situation was maintained over time* may include: business licenses, dated photographs, insurance records and maps, utility bills, property tax records, business license, telephone listing, advertisement in dated publications, leases.

Maintained Situation	Type of Documentation

NOTE: If an as-built survey is not submitted, the Community Development Department may not be able to issue a Nonconforming Certificate for setbacks. As-built surveys should show the property in its current condition.

ALL REQUIRED MATERIALS ATTACHED

- Complete Application (Per CBJ 49.30.310)
- Narrative
 - As-built survey or similar document
 - Documentation
 - Fees

NONCONFORMING CERTIFICATION REVIEW FEES:

Fees	Check No.	Receipt	Date
Application Fees	\$ <u> </u>		
Admin. of Guarantee	\$ <u> </u>		
Adjustment	\$ <u> </u>		
Total Fee	\$ <u> </u>		

NONE

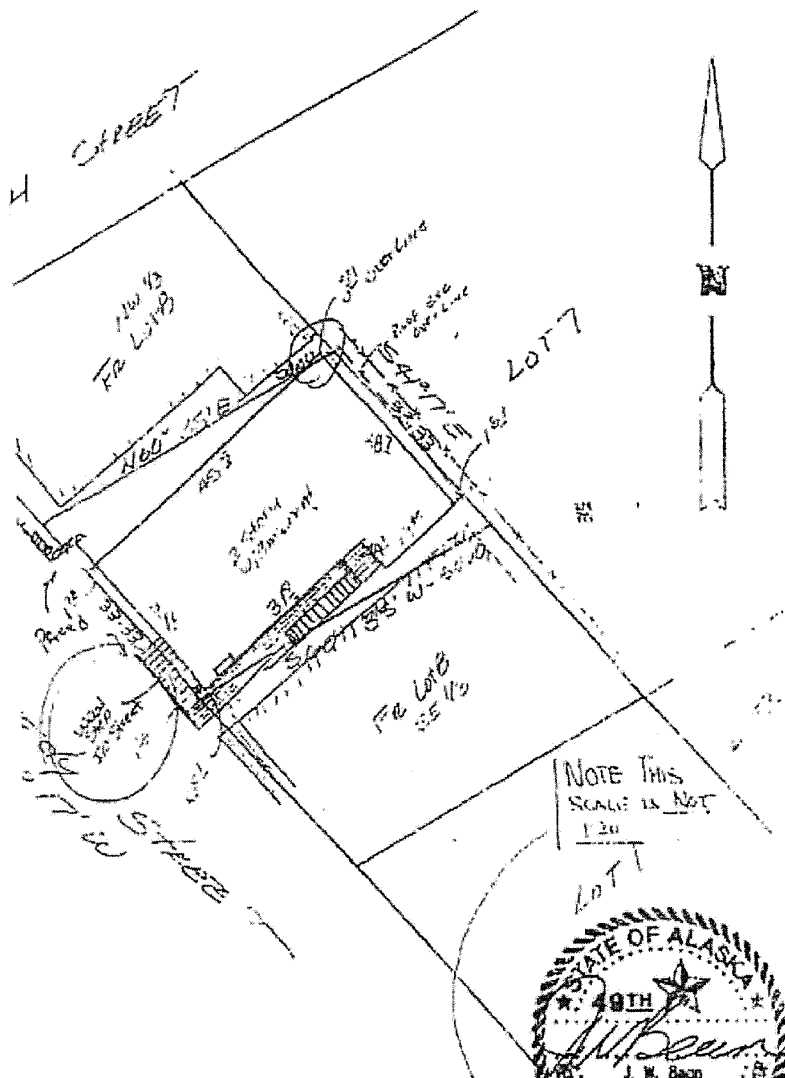
This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

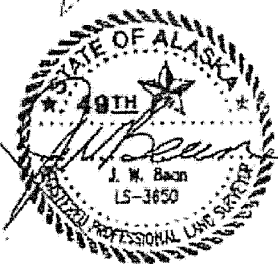
For assistance filling out this form, contact the Permit Center 907-586-0770.

Case Number	Date Received
NCC24-025	8/9/24

11559.04



NOTE THIS SCALE IS NOT 1"=20'



THIS IS A TRUE AND CORRECT PLAT, EASEMENTS, AND IMPROVEMENTS THEREON. ALL OVERLAPS AND ENCROACHMENTS ARE OF MY KNOWLEDGE.

W. BEAN
PROFESSIONAL SURVEYOR

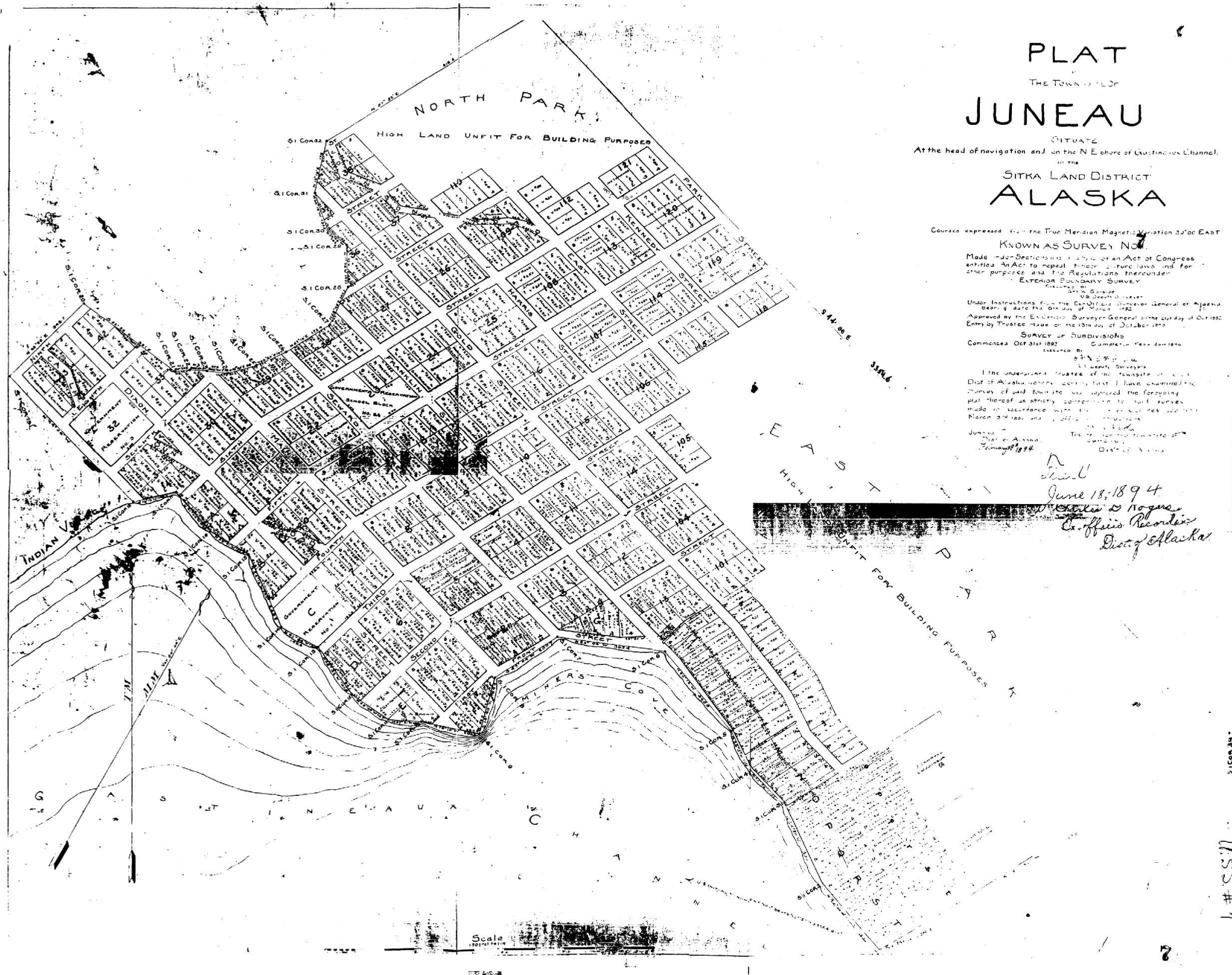
1070 ARDEN COURT
JUNEAU -- ALASKA
(907) 749-0380

SURVEYOR - PLANNER

AS-BUILT SURVEY of
Middle 1/3 OF LOT 9 Block 122

TOWNSHIP OF JUNEAU
CITY OF JUNEAU

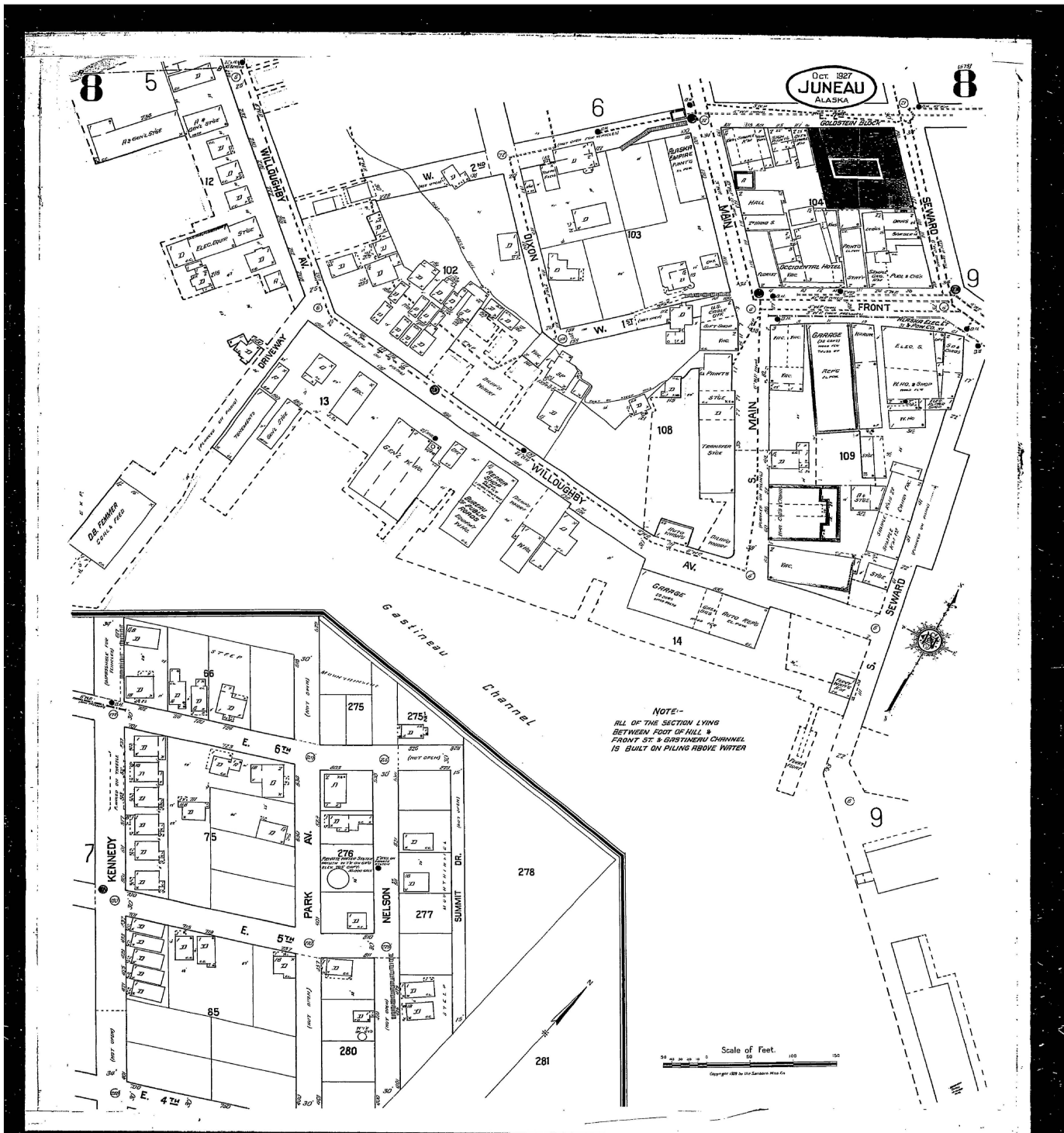
DESIGNER <i>W. Bean</i>	JOB No 11765	SCALE 1"=20'
DATE 24/5/07	DATE 5-22-07	SHEET 1 OF 1




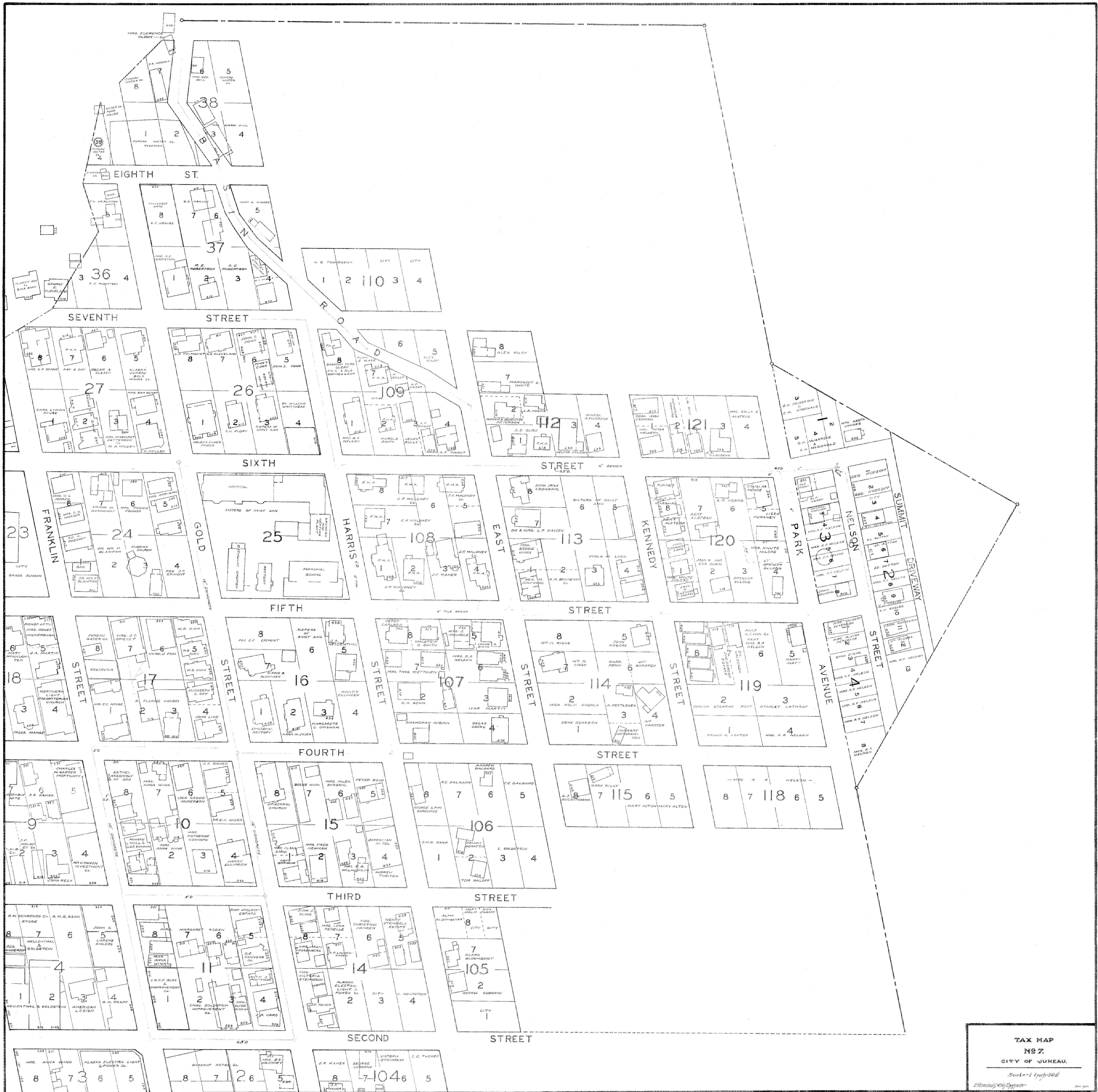
Attachment B - 1892 Plat of Juneau Townsite
Attachment J - Nonconforming Certification NCC2024-0025



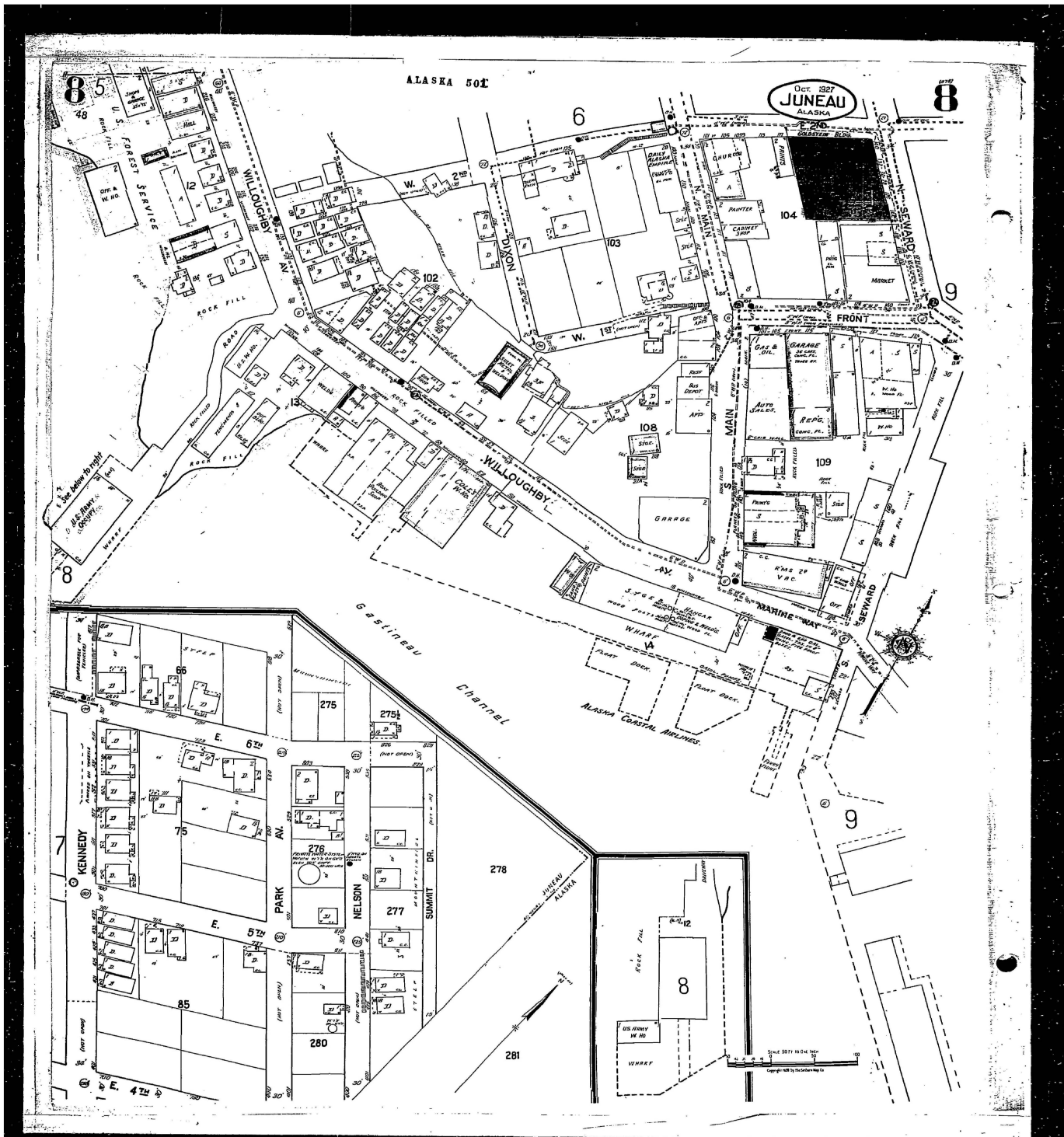
Attachment C - Sanborn Maps
Attachment J - Nonconforming Certification NCC2024-0025




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 Year
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TAX MAP
NO. 7
CITY OF JUNEAU.
 Scale - 1 inch = 50 feet

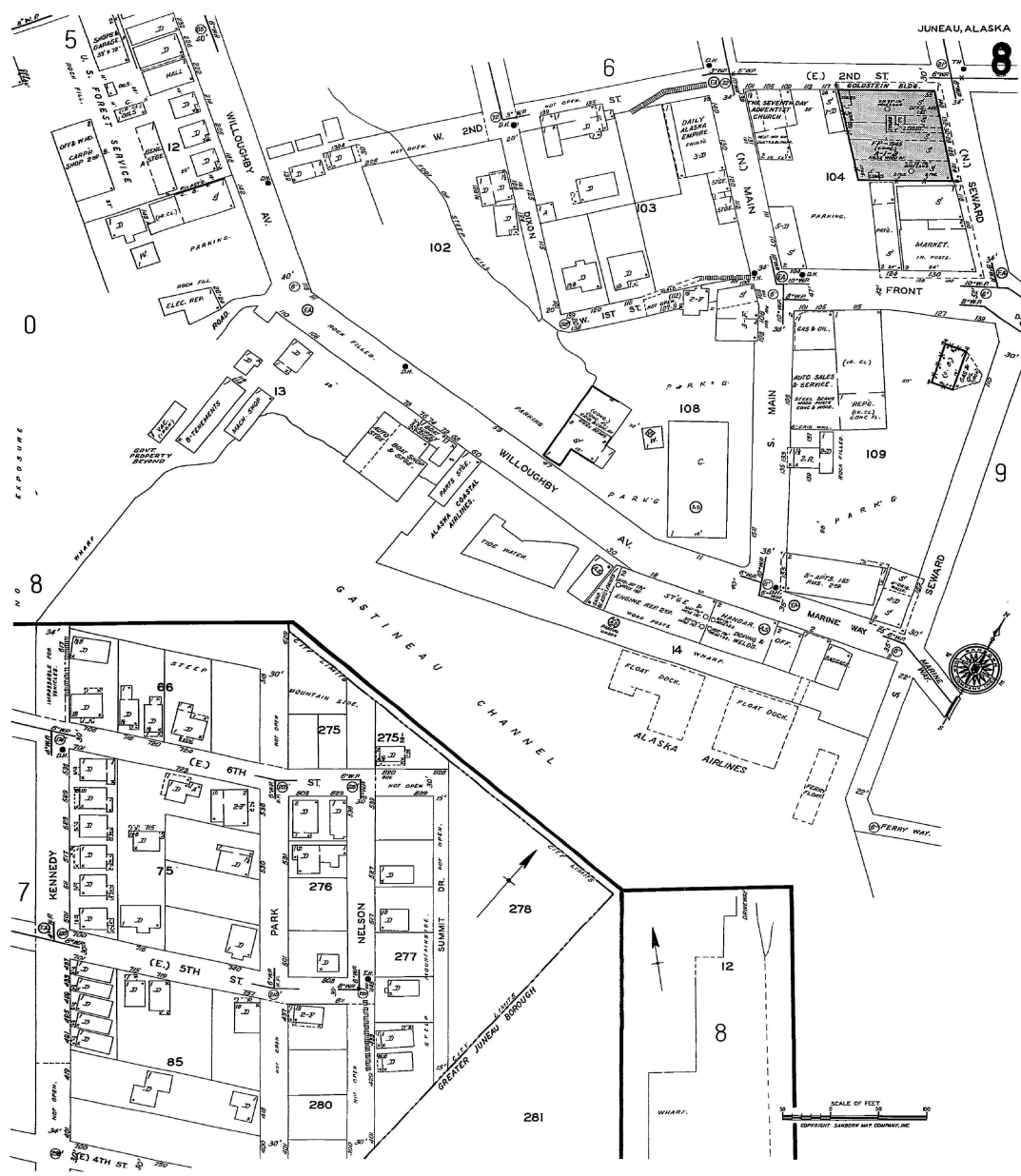



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 Year EDR Research Associate

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 Year EDR Research Associate



Assessor's Database

Current Owner

THOMAS W FLETCHER

529 KENNEDY ST, JUNEAU AK 99801

Parcel #: 1C040A200110 ([Map](#))

Address: 529 KENNEDY ST

Legal Desc. 1: JUNEAU TOWNSITE BL 120
LT 8 FR

Legal Desc. 2:

Prev. Owner: GEORGE J HARALOVICH

Site Value: \$159500.00

Building PV: \$442700.00

Total PV: \$602200.00

Use Code: Residential

Exempt: No Data

Zoning: -Single Family and Duplex -7,000
sq.ft minimum lot size-5 units per acre

Tax Year: 2024

No. of Units: 001

Year Built: 1913

Lot Size: 1631.00

Gross Liv. Area: 001904 sqft

Garage: Yes

Garage Area: 000209

Exempt Total: 0

Last Trans: 20070807

City Water: Yes

City Sewer: Yes

Road/No Road: Roaded

Exempt Land: 0

Exempt Building: 0

Search the Database

Search the database using the search box below. The field accepts any search parameter (owner's name, address, parcel number, year built, etc.).

Attachment D - Assessor's File

Physical Barriers									
Access									
Corner									
Water									
Sewer									
Paving									
Other									
TOTAL									
Net + (-)									

LAND VALUE COMPUTATIONS

APPRAISAL YEAR	19 95		19 99		20 07		19		19	
	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
BASE LOT VALUE		60,000		60,000		60,000				
Parking			OFFSTR	5000		5000				
SITE SIZE			SIZE	<5000>		<5000>				
Loc						5000				
C, G, SW						5000				
Size		70,000								
ITEM 13										
NET ADJUSTMENT										
ADJUSTED LAND VALUE						70,000				

Year	Owner	ASSESSED VALUATION			Reason for Change
		Site	Buildings	Total	
2002		70000	164400	234400	
03		70000	172700	242700	
04		80000	184800	264800	
05		100000	207000	307000	
04/07		101000	248400	349400	

REMARKS: 11-21-10 Va. Home used as Apt. - Mid-Duplex Mk.
 Sold 5/15 \$90,000

PLACE PICTURE HERE

BUILDING AREA CALCULATION

TOTAL
Net + (-)

LAND VALUE COMPUTATIONS

LOT	YEAR	19 95		19 97		19 98		19		19	
		Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
			60,000		60,000		60,000				

YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
1991		28,100	73,500	101,600	
1992		28,100	82,100	110,200	
1993		28,100	82,100	110,200	
94		28,100	90,300	118,400	
94		28,100	64,200	92,300	appeal
95		50,000	67,300	117,300	

REMARKS: 11-21-80 1/2 floor used as Apt. - New Duplex Bldg.
 Sold 5/15 @ 90,000

PLACE PICTURE HERE

BUILDING AREA CALCULATION

SKETCH OF PROPERTY: 1C040A200110

Parcel No 1C040A200110

Property Address 529 Kennedy Street

City _____

Owner _____

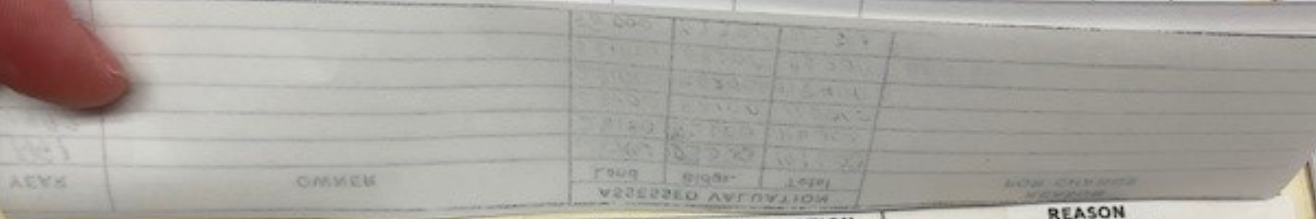
Client _____

Attachment D - Assessor's File
 Attachment J - Nonconforming Certification NCC2024-0025

ACCESS	
Corner	
Water	
Sewer	
Paving	
Other	
TOTAL	
Net + (-)	

LAND VALUE COMPUTATIONS

APPRAISAL YEAR	19 92		19 97		19 07		19		19	
	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
BASE LOT VALUE		60,000		60,000		60,000				
				5000		5000				



YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
1985		24,600	25,300	99,900	
1986		29,800	71,300	101,100	
1987		29,100	65,300	94,400	
1988	Gladys R. Tinney	29,100	59,300	88,400	
1989		28,100	59,300	87,400	
1990		28,100	66,800	94,900	

REMARKS: 11-21-80 1/2 floor used as Apt. - New Dwyler Bldg.
 Sold 5/15 @ 90,000

PLACE PICTURE HERE

BUILDING AREA CALCULATION

SKETCH OF PROPERTY: 1C040A200110

Parcel No 1C040A200110

Property Address 529 Kennedy Street

City

Owner

Attachment D - Assessor's File
 Attachment J - Nonconforming Certification NCC2024-0025

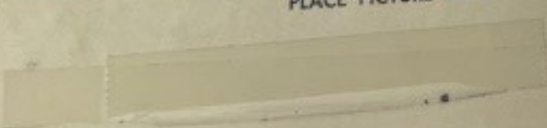
LAND VALUE COMPUTATIONS

	19 79		19 80		19 81		19 82		19 83	
	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
Land		60,000		60,000		60,000				
Buildings										
Total										

YEAR	OWNER	ASSESSED VALUATION			REASON FOR CHANGE
		Land	Bldgs.	Total	
1979		7100	53,900	61,000	
80		7200	7900	15,000	
81		11400	59,900	71,300	Chg to Duplex
1982		12600	65,800	78,400	
1983		14800	70,600	85,400	
1984		17300	75,300	92,600	

REMARKS: 11-21-80 1/2 floor used as Apt. - New Duplex Lk.
 Sold 5/85 @ 92,000

PLACE PICTURE HERE



BUILDING AREA CALCULATION

SKETCH OF PROPERTY: 1C040A200110

Parcel No 1C040A200110

Property Address 529 Kennedy Street

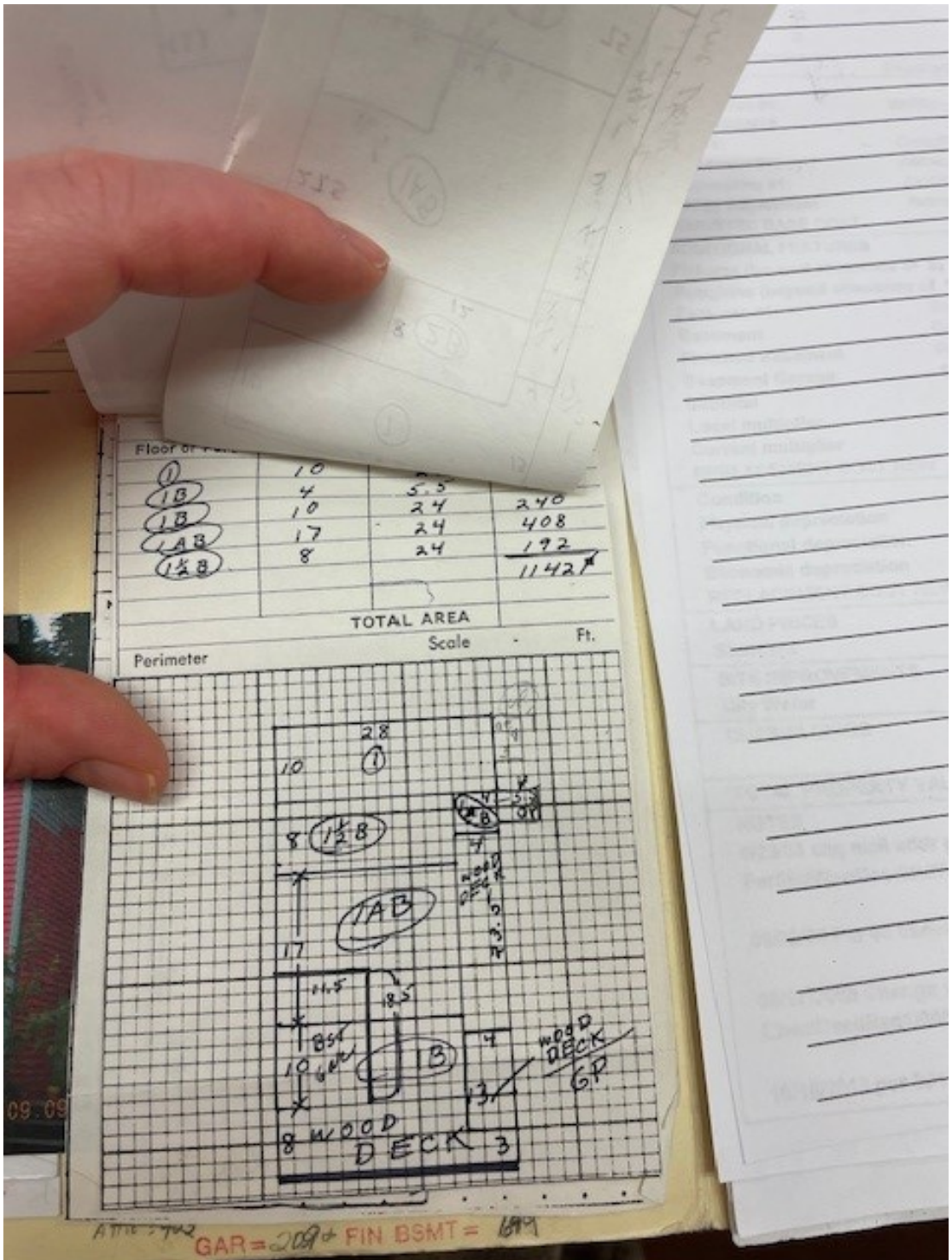
City _____

Owner _____

Client _____

Appraiser Name _____

Attachment D - Assessor's File
 Attachment J - Nonconforming Certification NCC2024-0025

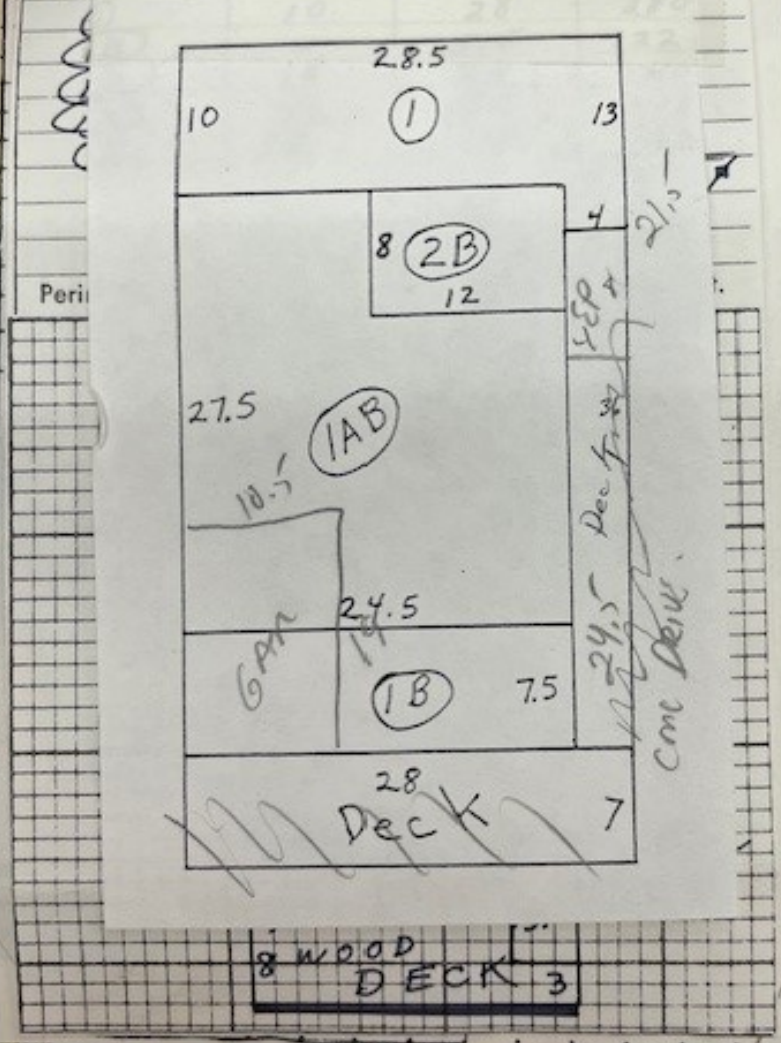


Attachment D - Assessor's File

Attachment J - Nonconforming Certification NCC2024-0025

Square Feet — Ground Area

Floor or Part	Width	Length	Area
---------------	-------	--------	------



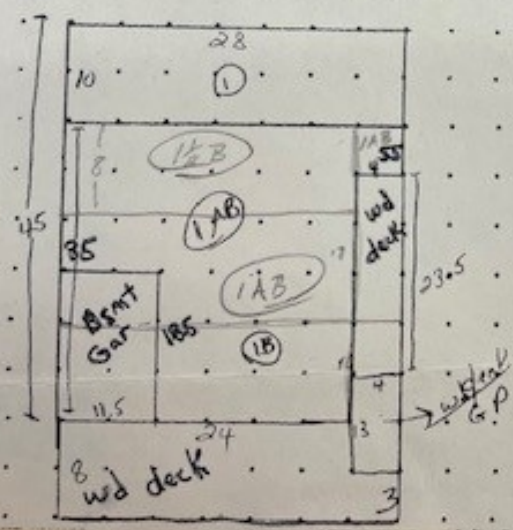
ATTN 2702
 GAR = 209 + FIN BSMT = 189

Handwritten notes and calculations at the top of the page, including a circled number 1999 and various numbers like 1145, 135, 108, 140, 130, 120.

Square Feet - Ground Area			
Floor or Part	Width	Length	Area
B-1-A	35	24	840
	4	5.5	22
	28	10	280
			1142
TOTAL AREA			

Notes:

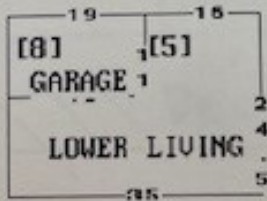
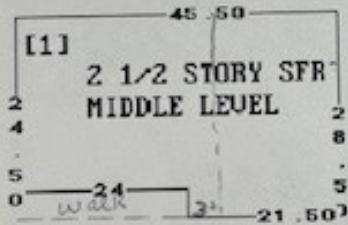
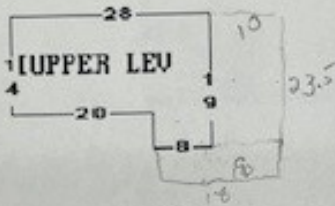
Perimeter Scale 1/4" = Ft.



Area = 423
 GAR = 209 + FIN BSMT = 1619

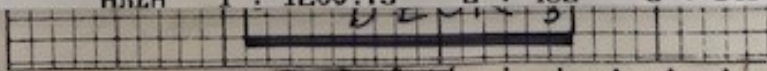
BUILDING AREA CALCULATION

SKETCH OF PROPERTY: 1C040A200110
 RECORD NUMBER: 704
 DATE PRINTED: 08-19-1998



8 : 209

AREA 1 : 1200.75 2 : 432 5 : 648.5

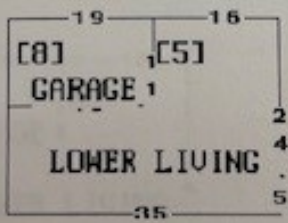
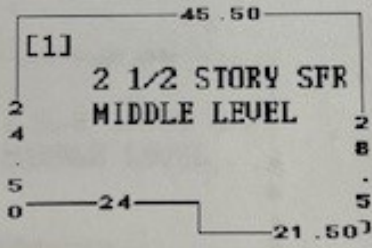
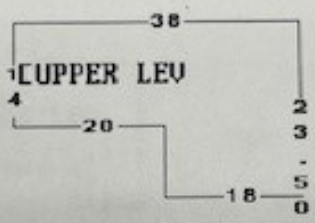


ATTN: 702 GAR = 209 + FIN BSMT = 1891

SK
RE
DA

RECORD NUMBER: 704
DATE PRINTED: 12-21-1999

STREET

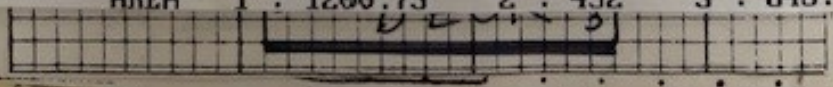


8 : 289

5 : 648.5

AREA 1 : 1200.75 2 : 783

AREA 1 : 1200.75 2 : 432 5 : 648.5



ATTN: 702

GAR = 209 + FIN BSMT = 189

Duplex 1/2

BUILDING AREA CALCULATION

SKETCH OF PROPERTY: 1C040A200110

SK
RE
DA

Parcel No 1C040A200110

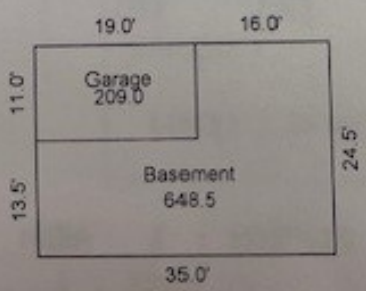
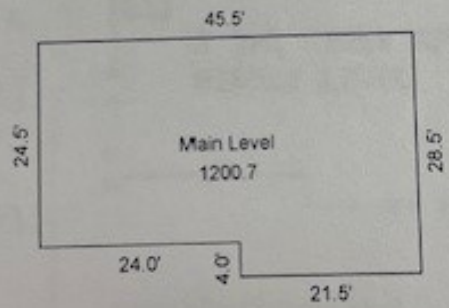
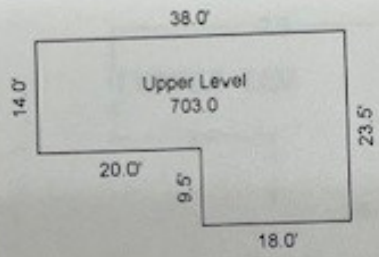
Property Address 529 Kennedy Street

City

Owner

Client

Appraiser Name



3.5

COMPUTATION

Appraiser & Date		1999		Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
5 2a	① 1201	54.92	65838								
	② 420	32.79	17208								
2a	③ 258	13.24	11746								
2c	④ 1049	16.25	10871								
9A	3 Fix GAR ⑤		4020								
12c	⑥ GAR 209	7.15	1754								
T	Total Replacement Cost		107877								
C	Cost Conversion Factor		1.15								
A	Adjusted Replacement Cost		124058								
E	Effective Age/Depreciation	6%									
T	Total Depreciation		11665								
F	Final Net Condition		11239								
P	Principal Building Total		176089								
C	Other Buildings										
T	Total Building Appraisal										

Attachment D - Assessor's File

Attachment J - Nonconforming Certification NCC2024-0025

Appraiser & Date		1997		98							
Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
5.00	① 1188 ⁺	5255	62429		62429						
	② 1255	3153	39570		39570						
6.00	H&F		195								
6.00	DW		620								
8P	WS		1485		1500						
9A	3 Fix Bath	2010	4020		4020						
11a	AS Gan 209	(1465)	(2062)		-3022						
12											
Total Replacement Cost			105257		104457						
Cost Conversion Factor											
Adjusted Replacement Cost											
Effective Age/Depreciation			1/10		7/10 + 30						
Total Depreciation			90200		1371						
Final Net Condition			157		100947						
Principal Building Total			101720								
Other Buildings											
Total Building Appraisal											

Attachment D - Assessor's File
Attachment J - Nonconforming Certification NCC2024-0025

Appraiser & Date		94 Aggrad		1996							
Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
4.33	① 1142 sq	47.42	54154								
	② 328 sq	28.45	10254								
2a	③ 858 sq	10.85	9309								
2c	Fin. ④ 142	16.25	3216								
6F	2/2	145	815								
6h	X-KIT		1400								
8P	WOODSTOVE		1275								
9a	⑤ 3-5: X	1810	3620								
9b	KIT. SINK		380								
11B	Gas. 212 sq	4.45	943								
12c	Back 322 sq	7.25	2643								
18a	CP 74 sq	10.05	744								
Total Replacement Cost			89258		87472						
Cost Conversion Factor											
Adjusted Replacement Cost											
Effective Age/Depreciation			49098		50% Inc.						
Total Depreciation					Remodel In progress						
Final Net Condition					1.51						
Principal Building Total			64153		66042						
Other Buildings											
Total Building Appraisal											
Total Building Apprais											

Attachment D - Assessor's File
Attachment J - Nonconforming Certification NCC2024-0025

Appraiser & Date		70		71		72		Unit Cost	Total	Unit Cost	Total
Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
4.66	1142					50.31	57454				
	192					30.15	5796				
22	862					13.35	11507				
20	192					18.05	1530				
6D	H4F						195				
6F	DW						620				
6E	Fan						115				
6h	X Kit						3100				
8P	FP GOOD						1275				
92	1-3 EX Bath						2010				
98	KR. SINK					7.15	425				
11B	212						21520				
12a	GP 52					24.70	1269				
12	OP 227					2.10	336				
12C	DECK 350					7.55	2643				
12S	12x12x3					33.15	398				
6J	ATT-C 408					11.35	4631				
Total Replacement Cos			93,843				92,184				
Cost Conversion Factor											
Adjusted Replacement											
Effective Age/Depreci		35/60		+10%			69,138				
Total Depreciation							+1.1				
Final Net Condition							1.08				
Principal Building Tot			66,829								
Other Buildings						7,511	82,136				
Total Building Apprais											

Attachment D - Assessor's File

Attachment J - Nonconforming Certification NCC2024-0025

Appraiser & Date		1984		1985		1986		87		1988-89		
Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	
4.66	① 1142 ✓	50.37	57,523									
	② 192 ✓	22.67	4,353									
29	83-100 862 ✓	10.25 x 123 13.35	11,508									
20	BLVD Living 192 ✓	10.05	1,930									
6D	H+F		195									
6F	DW		620									
6E	Fch		115									
6h	X Kit		300									
8P	FP 600D		1,275									
7g	1-3Fk Bath		2,010									
9B	X KIT SINK		425									
11B	216Kx 212	2.15	1,516									
12a	GP 52 ✓	24.40	1,267									
12	OH 22 ✓	16.10	332									
12c	DECK 350 ✓	7.38	2,643									
125	12 Wx 3	33.15	398									
6J	ATT. C 408	11.35	4,631									
Total Replacement Cost			93,843					93,843			93,843	
Cost Conversion Factor				1.07								
Adjusted Replacement				100,412								
Effective Age/Depreci			36	307			40/37-1		41/37-7	6944	41/35-7	68,775
Total Depreciation			25				24		26		14	
Final Net Condition			75				76		806			
Principal Building Total				75,309		75,309		71,301		65,277		59,318
Other Buildings												
Total Building Apprais												

Attachment D - Assessor's File
Attachment J - Nonconforming Certification NCC2024-0025

Appraiser & Date											
Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
4.66	① 1142					3737	38063	23.32	32063		
	② 192					11.65	2237	18.33	2559	15.00	2879
22	ES-100 862					8.86	7637		7637		
20	ES-100 812					6.65	1277		1277		
6D	H+F						130		130		
6F	DW						410		410		
6E	Fen						75		75		
6h	X Kit						1470		1470		
8P	FP GOOD						845		845		
9a	1-3FR Bath						1330		1330		
9b	X Kit SINK					4.75	1007		1007		
11B	8164+ 212					16.15	840		840		
12a	GP 52					5.00	1750		1750		
12b	OP 317						262		262		
12c	DECK 350					21.70	262		262		
12d	12 Wx 3					7.50	3060		3060		
6J	ATT.C 408						60673		60995		61535
Total Replacement Cost							130		14		151
Cost Conversion Factor							78875		25393		92918
Adjusted Replacement Cost						35/29 - 5		16/30 - 7		37/31 - 7	
Effective Age/Depreciation						24		23		24	
Total Depreciation						76		77		76	
Final Net Condition							59945		65753		70618
Principal Building Total											
Other Buildings											
Total Building Appraisal											

Attachment D - Assessor's File
Attachment J - Nonconforming Certification NCC2024-0025

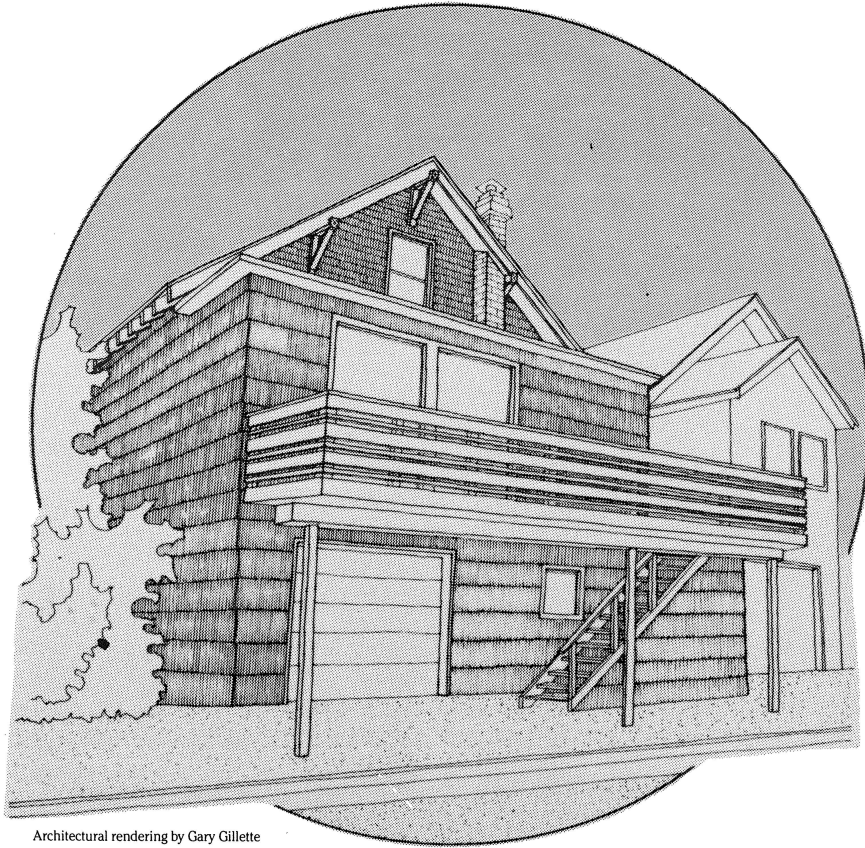
Item No.	Area or Prop.	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
4.78	D 11424	34.2	32965								
2A	Board 262	3.80	7637				7637				
2C	Bliv 192	6.45	1276				1276				
6D	H&F		130				130				
6F	D.W.		410				410				
6J	Fin. Attic ⁶²²	9.95	6189				6189				
8P	EP		700				700				
11B	B GAR 212	4.75	1007				1007				
12A	GP 524	16.15	840				840				
12	DECK 350	5.00	1750				1750				
12	2 W R 13	21.90	262				262				
6h	X Kit ^{Mar}						1470				
9a	J Fin ^{Mar}						1330				
6c	X Fan						75				
Total Replacement Cost			59166		59166						
Cost Conversion Factor			81.11		4620						
Adjusted Replacement Cost			65675		70999		70632				
Effective Age/Depreciation			33 28	34	28.5	35/29.5					
Total Depreciation - 10			18	-10	18.5	24					
Final Net Condition			32		81.5	76					
Principal Building Total			55,853		57864		60,389				
Other Buildings											
Total Building Appraisal					57864						

Attachment D - Assessor's File

Attachment J - Nonconforming Certification NCC2024-0025

JAEGER-DAUGHERTY HOUSE

525 KENNEDY STREET



Architectural rendering by Gary Gillette

Owned by Juneau businessman and entrepreneur, Ernest R. Jaeger, the house was used as rental property from 1913 to 1926. Miners W.R. Ducey, J.M. Ousby and W.L. Martin lived here as renters. The property was sold to Gustav E. Anderson, a miner, in 1926, and then to Juneau businessman, Ludwig Nelson, in 1927. Nelson, a jeweler, had his own business for a number of years which was located on South Franklin Street.

William Steinbach, carpenter and miner, owned the house from 1929 to 1932. The *Alaska Yukon Gazetteer and Dictionary* in 1911-1912 listed William Steinbach as jailer at the U.S. Jail. He reportedly built other structures throughout the city. John and Lena Kron Marshall, investors in local real estate and owners of the Fries-Fiorella House at 511 Kennedy, acquired the property for a time and then sold to Ray S. Day in 1948. The John Daugherty Family owned and raised a family of eight

children in the house from 1955 to 1979. Elizabeth Daugherty was a school teacher while John Daugherty worked for the Department of Revenue. The house was sold to Gladys Tinney Foris in 1979.

The Jaeger-Daugherty House has had extensive changes to its exterior. A dormer was added to one side of the upper level to create space for a small apartment with outside entry by exterior stairs. The rear porch was enclosed and a large addition placed on the back of the house. The front porch has been enlarged to run the entire length of the front of the house and enclosed. A garage on the street level has also been added. A fireplace was installed and the chimney appears on the front facade of the building and extends through the roof. The original roofing material was replaced with three-tab asphalt composition roofing. Large sliding glass doors were placed on the front addition. Original shingle siding remains and all addition work was sided to match. The roof

beam extensions are in place. The house is painted deep red with black trim.



Starr Hill boys. From left to right, Jimmy May, Chris Thomas, and Tom Daugherty. 1958-1959. Daugherty family photograph collection.

**EASEMENT AGREEMENT**

2101011

This agreement is entered into this 21 day of November, 2013, by and between James W. Greenough and Carol C. Greenough, individually and as Trustees of the James and Carol Greenough Family Trust Agreement dated October 3, 2008, whose address is 9965 Southwest Jurgens Lane, Tualatin, Oregon, (the "Greenoughs") and Thomas W. Fletcher, a married man, whose address is 529 Kennedy Street, Juneau, Alaska ("Fletcher").

The Greenoughs are the owners of certain real property in the Juneau Recording District, First Judicial District, State of Alaska, described as:

The Southeasterly One-Third (1/3) of Lot Eight (8), Block 120, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska.

referred to herein as "523 Kennedy Street."

Fletcher is the owner of certain adjacent real property in Juneau Recording District, First Judicial District, State of Alaska, described as:

A tract of land in Lot 8, Block 120, Townsite of Juneau, described as:
BEGIN at the South corner of said lot, run thence Northwesterly along the Southwesterly line of said lot 33.333 feet to the true point of beginning; thence continuing Northwesterly 33.333 feet; thence Northeasterly, parallel with the Southeasterly line of said lot, 50.00 feet to the Northeasterly line of said lot; thence Southeasterly along said Northeasterly line, 33.333 feet; thence Southwesterly, parallel with the Southeasterly line of said lot, 50.00 feet to the true point of beginning.

referred to herein as "529 Kennedy Street."

WHEREAS, the Greenoughs have recently obtained an "as-built" survey, incorporated by reference and attached to this Agreement as Attachment A, indicating that a certain part of the home at 523 Kennedy Street encroaches onto 529 Kennedy Street, and a certain part of the deck and concrete of the home at 529 Kennedy Street encroaches onto 523 Kennedy Street.

WHEREAS, the Greenoughs and Fletcher desire, in neighborly fashion, to accommodate these encroachments and prevent any disputes between them or their successors in the future;


WHEREAS, the Greenoughs and Fletcher desire to grant mutual easements, the one to the other, to bind themselves and their successors-in-interest to the properties, to accommodate

these encroachments, and also each to allow the other access to their respective properties in order to maintain and repair the portions of the other's structures that encroach;

NOW, THEREFORE, in consideration of the mutual easements each grants to the other, the Greenoughs and Fletcher agree as follows:

1. Fletcher hereby grants a perpetual right and easement to the Greenoughs for the encroachment by the home at 523 Kennedy St. onto the property at 529 Kennedy Street as shown in Attachment A. This easement includes the right to access the property at 529 Kennedy Street as reasonably necessary to maintain, repair and improve the encroachment.
2. The Greenoughs hereby grant a perpetual right and easement to Fletcher for the encroachment by the deck and concrete of the home at 529 Kennedy St. onto the property at 523 Kennedy Street as shown in Attachment A. This easement includes the right to access the property at 523 Kennedy Street as reasonably necessary to maintain, repair and improve the encroachment.
3. The easements granted in Paragraphs 1 and 2 shall run with the land and continue perpetually.
4. These easements are limited to the size and dimensions of the encroachments shown in Attachment A. The parties may repair and improve the quality of the encroaching structures but they may not increase the physical dimensions of the encroachments.
5. This agreement constitutes the entire agreement of the parties regarding these easements. No oral agreements not incorporated into this document exist. Changes to this agreement shall be valid only if made in writing, signed by the parties to this agreement or their successors-in-interest to the properties bound by these easements, and recorded in the Juneau Recording District, First Judicial District, State of Alaska. The laws of the State of Alaska shall govern this agreement.
7. This agreement may be executed in two or more counterparts, each of which when executed shall be deemed an original but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first above written.


Thomas Fletcher

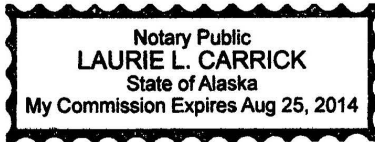


ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT) ss:

THIS CERTIFIES that on this 25 day of November, 2013, before me, a Notary Public in and for the State of Alaska, personally appeared Thomas Fletcher ~~and Amy Fletcher~~ ^{sc} Fletcher, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and who acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.



Laurie L. Carrick
Notary Public for Alaska

Carol Greenough

James Greenough

ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT) ss:

THIS CERTIFIES that on this _____ day of November, 2013, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared James W. Greenough and Carol C. Greenough, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and after being first duly sworn according to law, stated to me under oath that they are the sole Trustees of the James and Carol Greenough Family Trust Agreement dated October 3, 2008, and that as such they are authorized to execute the foregoing instrument on behalf of the Trust and did execute the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.

Notary Public for Alaska

Return to: Lael Harrison, Faulkner Banfield PC, 8420 Airport Blvd. Ste. 101, Juneau, AK 99801



3 of 5

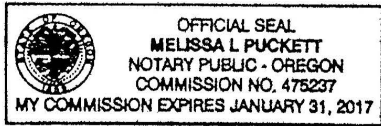
2013-007889-0

ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT) ss:

THIS CERTIFIES that on this _____ day of _____, 2013, before me, a Notary Public in and for the State of Alaska, personally appeared Thomas Fletcher and Amy Fletcher, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and who acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.



Notary Public for Alaska
Carol Greenough
Carol Greenough
James Greenough
James Greenough

ACKNOWLEDGMENT

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT) ss:

THIS CERTIFIES that on this 21 day of November, 2013, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared James W. Greenough and Carol C. Greenough, to me known and known to me to be the persons whose names are subscribed to the foregoing instrument, and after being first duly sworn according to law, stated to me under oath that they are the sole Trustees of the James and Carol Greenough Family Trust Agreement dated October 3, 2008, and that as such they are authorized to execute the foregoing instrument on behalf of the Trust and did execute the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate above written.

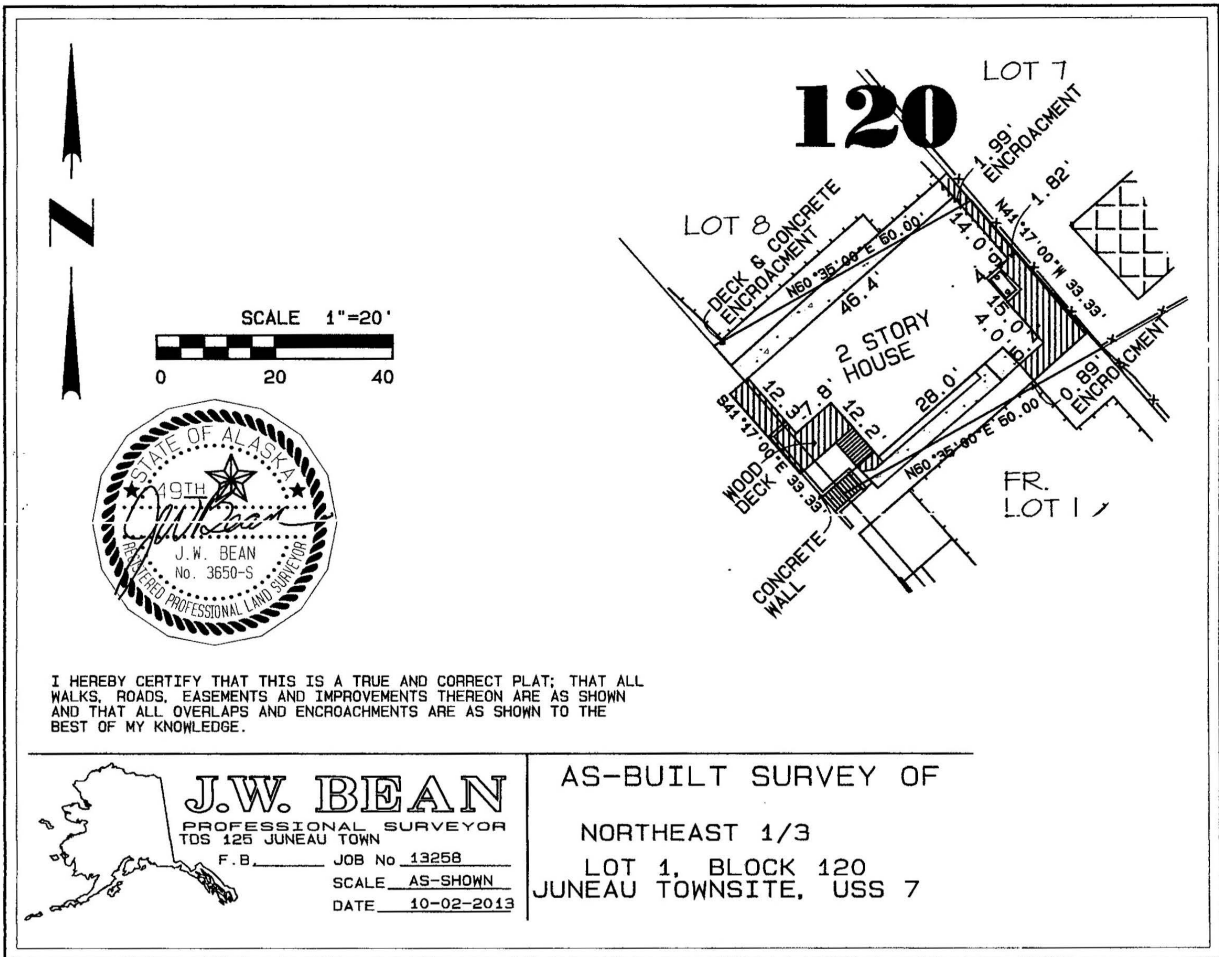
Melissa L. Puckett
Notary Public for Alaska
oreas

Return to: Lael Harrison, Faulkner Banfield PC, 8420 Airport Blvd. Ste. 101, Juneau, AK 99801



4 of 5

2013-007889-0



eRecorded Document



5 of 5

2013-007889-0

Ilsa Lund

From: Theresa Ross
Sent: Thursday, October 17, 2024 7:22 AM
To: Ilsa Lund
Subject: RE: Please provide comment- Accessory apartment conditional use and parking waiver on Starr Hill

Follow Up Flag: Follow up
Flag Status: Flagged

No concerns from fire.

Thanks,

Theresa Ross, Fire Marshal
Capital City Fire Rescue
820 Glacier Avenue
Juneau AK 99801
907-586-5322 ext. 4323
<https://www.juneau.org/fire>



From: Ilsa Lund <Ilsa.Lund@juneau.gov>
Sent: Wednesday, October 16, 2024 3:38 PM
To: Chad 'Kit' Watts <Kit.Watts@juneau.gov>; James 'Red' Langel <James.Langel@juneau.gov>; Scott Gray <Scott.Gray@juneau.gov>; Theresa Ross <Theresa.Ross@juneau.gov>; CDD Building Division <CDD.Bldg@juneau.gov>; General Engineering <General_Engineering@juneau.gov>
Subject: Please provide comment- Accessory apartment conditional use and parking waiver on Starr Hill

Hello CBJ Team,

We have received applications from the resident of 529 Kennedy St. to build an accessory apartment on the ground floor of the existing single-family dwelling (USE2024 0017), and to waive the minimum required parking for the addition of the accessory dwelling (PWP2024 0004). As part of the review process, we are circulating the application amongst CBJ departments for input that will be provided to the Planning Commission for review.

Attached is the application for the parking waiver (the same materials were submitted for both applications). You can also find information at the short-term planning web site:
<https://juneau.org/community-development/short-term-projects>

We have the case scheduled for the Planning Commission meeting on November 12. If you could provide feedback by **October 28, 2024**, that would be very helpful. I've attached an Agency Comment Form for your use.

Warm regards,

Ilsa Lund | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4th Floor Marine View Building

Office: 907.586.0753 ext. 4128

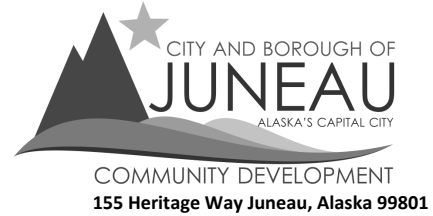
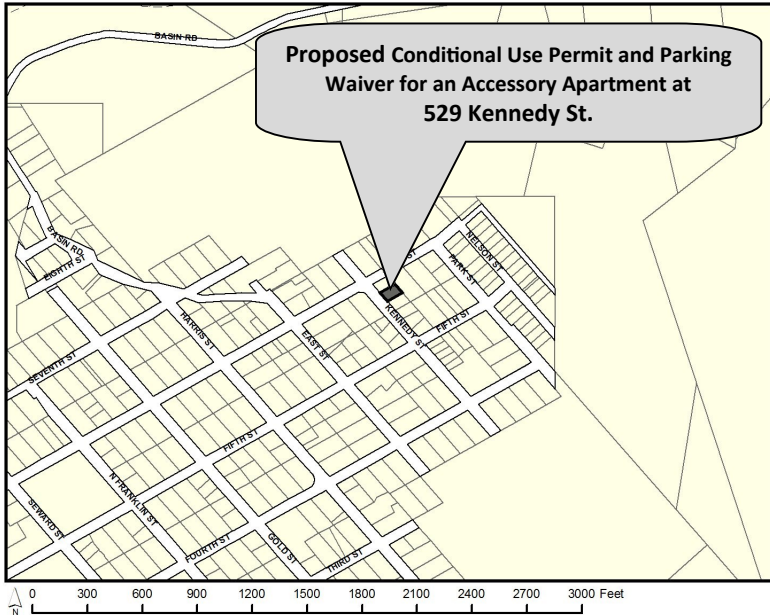


Fostering excellence in development for this generation and the next.

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

Conditional Use Permit & Parking Waiver applications have been submitted for consideration and public hearing by the Planning Commission for **an Accessory Apartment at 529 Kennedy Street** in a **D5** zone.

PROJECT INFORMATION:

Project Information can be found at:

<https://juneau.org/community-development/short-term-projects>

PLANNING COMMISSION DOCUMENTS:

Staff Report expected to be posted **November 4, 2024** at

<https://juneau.org/community-development/planning-commission>

Find hearing results, meeting minutes, and more here, as well.

Now through Oct. 21

Comments received during this period will be sent to the Planner, **Ilsa Lund**, to be included as an attachment in the staff report.

Oct. 22 — noon, Nov. 8

Comments received during this period will be sent to Commissioners to read in preparation for the hearing.

HEARING DATE & TIME: 7:00 pm, Nov. 12 2024

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/85359809226> and use the Webinar ID: 853 5980 9226 OR join by telephone, calling: 1-253-215-8782 and enter the Webinar ID (above).

You may also participate in person in City Hall Assembly Chambers, 155 Heritage Way Juneau, Alaska.

Nov. 13

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4128

Email: pc_comments@juneau.gov or ilsa.lund@juneau.gov

Mail: Community Development, 155 Heritage Way, Juneau AK 99801

Case No.: USE2024 0017 & PWP 2024 0004

Parcel No.: 1C040A200110

CBJ Parcel Viewer: <http://epv.juneau.org>

Printed October 16, 2024



Attachment M - Public Notice Sign Photo



Attachment M - Public Notice Sign Photo