



**PLANNING COMMISSION STAFF REPORT  
PARKING WAIVER PWP2023 0002  
HEARING DATE: MAY 9, 2023**

(907) 586-0715

CDD\_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

**DATE:** April 24, 2023  
**TO:** Michael LeVine, Chair, Planning Commission  
**BY:** Jennifer Shields, Planner II *Jennifer L. Shields*  
**THROUGH:** Jill Maclean, Director, AICP

**PROPOSAL:** Parking Waiver to waive one (1) required parking space for an accessory apartment.

**STAFF RECOMMENDATION:** Approval

**KEY CONSIDERATIONS FOR REVIEW:**

- The lot is located outside of the Town Center Parking Area (TCPA).
- The lot and structure received a Nonconforming Certification for off-street parking.
- The lot is unable to accommodate on-site parking.
- Public transportation is within a three (3)-minute walking distance.
- The proposal complies with adopted plans, which contain policies promoting in-fill housing development.

**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:
  - 49.30.270
  - 49.40.210
  - 49.40.220
  - 49.80

GENERAL INFORMATION	
<b>Property Owner</b>	Jake and Bridget LaPenter
<b>Applicant</b>	Jake and Bridget LaPenter
<b>Property Address</b>	312 Sixth Street
<b>Legal Description</b>	JUNEAU TOWNSITE BL 27 LT 2 FR
<b>Parcel Number</b>	1C040A270020
<b>Zoning</b>	D18 (Multi-Family)
<b>Land Use Designation</b>	MDR (Medium Density Residential)
<b>Lot Size</b>	1,696 square feet
<b>Water/Sewer</b>	Public water and public sewer
<b>Access</b>	Sixth Street
<b>Existing Land Use</b>	Residential
<b>Associated Applications</b>	USE2023-0005

*The Commission shall hear and decide the case per CBJ 49.40.220(a) PARKING WAIVERS. The required number of parking spaces required by this chapter may be reduced if the requirements of this section are met. The determination of whether the parking requirements of this chapter are satisfied, with or without conditions, and deemed necessary for consistency with this title, must be made by the director in the case of minor development; the commission in the case of major development; and the commission if the application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.*

**SITE FEATURES AND ZONING**



SURROUNDING ZONING AND LAND USES	
North (D18)	Residential
South (D18)	Residential
East (D18)	Residential
West (D18)	Residential

SITE FEATURES	
Anadromous	No
Flood Zone	No
Hazard	No
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Alternative Development Overlay District

**BACKGROUND INFORMATION**

**Project Description** – The applicant requests a Parking Waiver to waive one (1) required parking space for an accessory apartment on a substandard lot in a D18 zoning district (Attachment A). This application is associated with Conditional Use Permit application USE2023-0005. The accessory apartment will measure approximately 383 square feet and will be located within the basement of an existing Single-Family Dwelling.

**Background** - The table below summarizes relevant history for the lot and proposed development.

Year	Item	Summary
1894	Plat	Juneau Townsite plat of the original Block 27, Lot 2 (Attachment B).
1912	Assessor Record	Date that the structure was built (Attachment C).
1927	Sanborn Map	Shows the structure existed in its current footprint and location prior to zoning being adopted in Juneau (Attachment D).
1955	Easements	Easements for ingress and egress along both sides of the original Block 27, Lot 2 (Attachment E).
1984	Lot Sketch	Drawing showing the lot in relation to the other fractions of the original Block 27, Lot 2 (Attachment F).
2021	Nonconforming Certificate	NCC21-66 issued for nonconforming lot size and coverage, yard setbacks, and off-street parking (Attachment G).
2022	Building Permit	BLD22-746 for roof repairs and dormer extension for additional living space on the second floor (Attachment H).
2022	Pre-Application Conference	PAC22-60 held to discuss Accessory Apartment Conditional Use Permit and Parking Waiver process with applicants (Attachment A).

**SITE PLAN**



**Project Site** – The lot is located in the northern area of the Juneau Townsite historic district and contains a two-story, Single-Family dwelling with a basement built on a steep lot. The structure was built prior to zoning requirements and is Certified Nonconforming for lot size, lot coverage, front yard setback, rear yard setback, side yard setback, and off-street parking requirements (Attachment G). The structure is currently under construction for roof repairs and extending the dormers for additional living space (Attachment H).

**Project Design** – The proposed efficiency accessory apartment measures approximately 383 square feet and will have one (1) bathroom, a combined kitchen/living/sleeping area, and a mechanical room. The accessory apartment will be located within the unfinished basement of the structure and will not aggravate the existing nonconforming lot and yard setback situations.

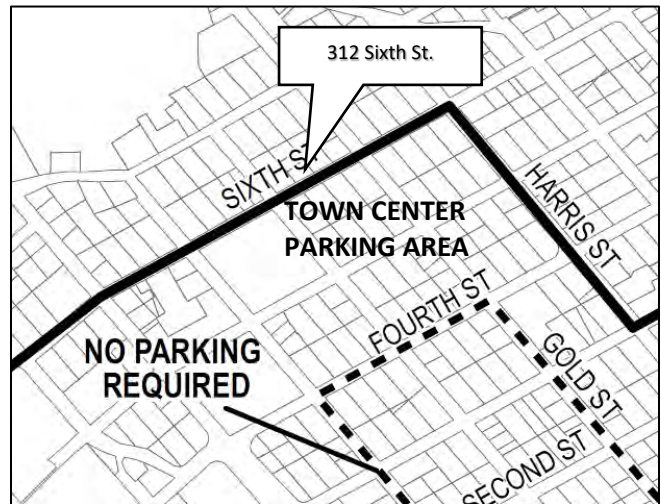


**Traffic** – According to CBJ 49.40.300(a)(2) a traffic impact analysis is not required; the proposed development is anticipated to generate less than 250 Average Daily Trips (ADTs). Additional traffic generated by the accessory apartment is expected to be minimal, and is not expected to be out of character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

Use	Per Unit	Trips Generated	Total Trips
Single-Family dwelling	1	9.52 per unit	9.52
Accessory Apartment	1	6.65 per unit	6.65
<b>Total ADTs:</b>			<b>16.17</b>

**Vehicle Parking & Circulation** – Due to the steepness of the lot, a four (4)-foot high retaining wall spans the majority of the lot’s frontage. In addition, the structure covers approximately 67% of the lot. Both of these conditions prevent off-street parking from being provided on-site. The existing Single-Family dwelling is Certified Nonconforming for zero (0) off-street parking spaces (Attachment G).

According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for the proposed accessory apartment. If the Parking Waiver is not granted, the accessory apartment cannot be constructed due to the unavailability of on-site parking.



According to CBJ 49.30.400, nonconforming situations may not be aggravated. Issuance of a parking waiver is an acceptable exception process, and, if granted, would not be considered an aggravation to the existing nonconforming parking situation according to CBJ 49.30.270(b).

The lot is located outside of the Town Center Parking Area (TCPA), an area which does not require parking for accessory apartments.

Use	Total Sq. Ft.	Spaces Required	Total Spaces
Accessory apartment	383	1	1
<b>Total Parking Requirement:</b>			<b>1</b>
<b>Off-Street Loading Spaces Required:</b>			<b>0</b>
<b>ADA Accessible Spaces Required:</b>			<b>0</b>

**Impacts to Nearby On-street Parking** – On-street parking is not allowed within certain segments of Sixth Street, although it is allowed on the side of the street directly in front of the proposed accessory apartment. On April 11, 2023, staff performed a site visit to evaluate on-street parking in the area and found multiple parking spaces available within a one block radius along Sixth Street and Gold Street. Waiving one (1) off-street parking space should not have a significant impact on nearby on-street parking.



Looking east on Sixth Street.



Looking west on Sixth Street.

**Non-motorized Transportation** – The lot is within a ¼ mile walking distance from downtown. The Sixth Street Right-Of-Way is approximately 30 feet wide, with sidewalks provided on both sides of the street. The downtown area and surrounding neighborhoods are identified as a walkable area with provisions for pedestrians.

**Proximity to Transit** – The closest bus stop is within 700 feet on Fourth Street, an approximately three (3)-minute walking distance from the property. The 2013 Comprehensive Plan promotes *Transit Oriented Development*, and allows for higher residential densities within a five (5) to ten (10)-minute walking distance to Public Transit Service.

**Public Health or Safety** – There is no information to suggest that waiving one (1) parking space for the proposed development will materially endanger the public health, safety, or welfare.

**Property Value or Neighborhood Harmony** – There is no information to suggest that waiving one (1) parking space for the proposed development will negatively affect property value or be out of character with the existing neighborhood.

**AGENCY REVIEW**

CDD conducted an agency review comment period between March 30, 2023 and April 7, 2023.

Agency	Summary
CBJ General Engineering	No comments submitted.
CBJ Building Department	No comments submitted.
CBJ Fire Department	No comments submitted.

**PUBLIC COMMENTS**

CDD conducted a public comment period between March 30, 2023 and April 17, 2023. Public notice was mailed to property owners within 500 feet of the proposed development (Attachment I). A public notice sign was also posted on-site two (2) weeks prior to the scheduled hearing (Attachment J). Public comments submitted at the time of writing this staff report can be found in Attachment K and are summarized below.

Name	Summary
Joshua S. Adams	Support: Downtown Juneau needs more housing; off-street parking should not be required in order to protect the environment from car-centric urban planning.

**CONFORMITY WITH ADOPTED PLANS**

The proposed development is in general conformity with the 2013 Comprehensive Plan and the 2016 Housing Action 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.
2016 Housing Action Plan	2	35	Production Targets	Creates additional housing, which advances the City’s goal of increasing housing stock.

**FINDINGS**

**Parking Waiver Criteria** - Per CBJ 49.40.210(d)(6) the Director makes the following findings on the proposed Parking Waiver:

**1. Will granting the waiver result in more benefits than detriments to the community as a whole as identified by the Comprehensive Plan?**

**Analysis:** The 2013 Comprehensive Plan and the 2016 Housing Action plan identify the need for compact, in-fill development within the urban service area. The proposal will provide one additional dwelling unit to Juneau’s housing market. The Comprehensive Plan promotes *Transit Oriented Development*, and this proposal could encourage the use of public transportation.

**Finding: Yes.** Granting the requested parking waiver will result in more benefits than detriments to the community as a whole, as identified in the 2013 Comprehensive Plan and the 2016 Housing Action Plan.

**2. Is the development located within the Town Center Parking Area or the No Parking Area Required?**

**Analysis:** No further analysis is required.

**Finding: No.** The subject lot is located outside of the Town Center Parking Area.

**3. Will granting the waiver result in adverse impacts to property in the neighboring area?**

**Analysis:** Available on-street parking spaces that meet parking dimensional standards are located within a 500 foot radius from the property. Public transportation is located within a ¼ mile walking distance from the property.

**Finding: No.** There is no evidence to suggest that granting the requested waiver will result in adverse impacts to neighboring properties.

**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 granting the requested waiver will materially endanger the public health or safety.

**RECOMMENDATION**

Staff recommends the Planning Commission adopt the Director's analysis and findings and APPROVE the requested parking waiver. The permit would waive one (1) parking space for the proposed accessory apartment.


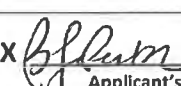
**STAFF REPORT ATTACHMENTS**

Item	Description
Attachment A	Application Packet
Attachment B	1894 Juneau Townsite Plat
Attachment C	Assessor's Record
Attachment D	1927 Sanborn Map
Attachment E	1955 Warranty Deed
Attachment F	1984 Drawing of Tracts I, II, and III
Attachment G	2021 Nonconforming Certificate NCC21-66
Attachment H	2022 Building Permit BLD22-746
Attachment I	Abutters Notice
Attachment J	Public Notice Sign Photo
Attachment K	Public Comments



# 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.**

<b>PROPERTY LOCATION</b>	
Physical Address <b>312 6th Street</b>	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <b>Juneau Townsite BL 27 LT 2 FR</b>	
Parcel Number(s) <b>1C040A270020</b>	
<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 <b>N/A</b>	
<b>LANDOWNER/ LESSEE</b>	
Property Owner <b>Bridget LaPenter; Jake LaPenter</b>	Contact Person <b>Bridget LaPenter</b>
Mailing Address <b>320 W 8th St, Juneau, AK 99801</b>	Phone Number(s) <b>(907) 500-4170 Bridget (907) 500-4148 Jake</b>
E-mail Address <b>bridget.lapenter@gmail.com ; modernalaskabuilders@gmail.com</b>	
<b>LANDOWNER/ LESSEE CONSENT</b>	
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.	
<b>Bridget LaPenter</b> <u>Landowner</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)	
X 	<b>12-25-22</b> Date
<b>Jake LaPenter</b> <u>Landowner</u> Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)	
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.	
<b>APPLICANT</b> <span style="float: right;">If same as LANDOWNER, write "SAME"</span>	
Applicant (Printed Name) <b>SAME</b>	Contact Person
Mailing Address	Phone Number(s)
E-mail Address	
X 	<b>1-10-23</b> Date of Application
Applicant's Signature	

To be completed by Applicant

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

Intake Initials  
**JLS**

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

Case Number <b>PWP23-002</b>	Date Received <b>3-20-23</b>
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For assistance filling out this form, contact the Permit Center at 586-0770.

**Attachment A - Application Packet**





# PARKING WAIVER 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.**

To be completed by Applicant

**PROJECT SUMMARY** Addition of a one bedroom, one bath apartment under 600 sq ft to the basement of an existing house located at 312 6th Street in Downtown, Juneau

**TYPE OF PARKING WAIVER REQUESTED** (check one)

**MINOR DEVELOPMENT**  Parking Waiver Departmental Review (PWD)      **MAJOR DEVELOPMENT**  Parking Waiver Planning Commission Review (PWP)

**DEVELOPMENT FOR WHICH THE PARKING IS REQUIRED** (check one)

Existing       Proposed – Related Case Number: PAC2022 0060

**NUMBER OF REQUIRED PARKING SPACES PER CBJ 49.40.210(A)**

For Residential Uses: 1 spaces       For Non-Residential Uses: \_\_\_\_\_ spaces

**NUMBER OF PARKING SPACES THAT WILL BE PROVIDED**

For Residential Uses: 0 spaces       For Non-Residential Uses: 0 spaces

**ALL REQUIRED MATERIALS ATTACHED**

Complete application per CBJ 49.15 and CBJ 49.40.210(d)(6)

Narrative including:

Why the parking waiver is being requested?

How the requested waiver meets items 1-4 on page 2

DEPARTMENT USE ONLY BELOW THIS LINE

PARKING WAIVER FEES			
Residential Spaces	<u>1</u>	Non-Residential Spaces	_____
Residential Fee	<u>\$ 320.00</u>	Non-Residential Fee	\$ _____
Total Residential	<u>\$ 320.00</u>	Total Non-Residential	\$ _____
Total Fee		<u>\$ 320.00</u>	* reduced, major dev. <sup>CUP =</sup>

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
<u>PWP23-002</u>	<u>3-20-23</u>

### **Parking Waiver Information**

Parking waivers are outlined in CBJ 49.40.210(d)(6)

Parking Waivers are pursuant to 49.40.210(d) Exceptions (6) Parking Waivers. The required number of non-accessible parking spaces required by this section may be reduced if the requirements of this subsection are met. The determination of whether these requirements are met, with or without conditions, deemed necessary for consistency with this title, shall be made by the Director of the Community Development Department in the case of minor development; the Planning Commission in the case of major development; and the Planning Commission if the application relates to a series of applications for minor developments that, taken together, constitute major development, as determined by the director.

Any waiver granted under this subsection shall be in writing and shall include the following required findings and any conditions, such as public amenities, imposed by the director or commission that are consistent with the purpose of this title:

- (1) The granting of the waiver would result in more benefits than detriments to the community as a whole as identified by the comprehensive plan;
  - (2) The development is located outside of the PD-1 parking district, PD-2 parking district, and Downtown Fee in Lieu of Parking District Map areas;
  - (3) Granting the waiver will not result in adverse impacts to property in the neighboring area; and
  - (4) The waiver will not materially endanger public health, safety, or welfare.
- Applications for parking waivers shall be on a form specified by the director and shall be accompanied by a one-time fee of \$400. If the application is filed in conjunction with a major development permit, the fee shall be reduced by 20 percent.
  - The director shall mail notice of any complete parking waiver application to the owners of record of all property located within a 250 foot radius of the site seeking the waiver. If the parking waiver application is filed in conjunction with a major development permit, notice of both applications shall be made concurrently in accordance with CBJ 49.15.230.

Approved parking waivers shall expire upon a change in use.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

## Parking Waiver Application - Narrative

Address: 312 6<sup>th</sup> Street, Juneau, AK 99801

Parcel No.: 1C040A270020

Related Case No.: PAC2022 0060

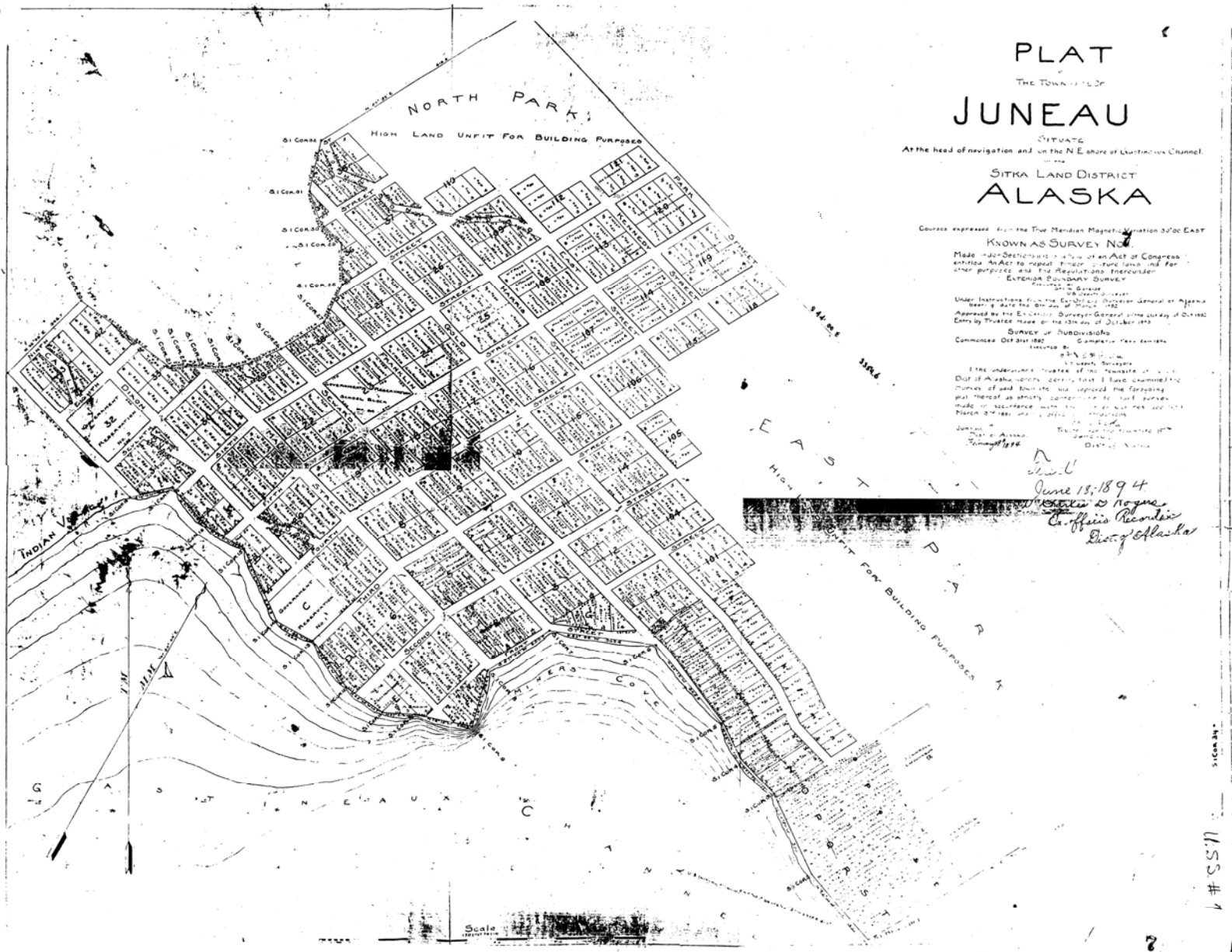
This parking waiver is requested because the house located at 312 6<sup>th</sup> Street is located above a CBJ retaining wall with no reasonable means of adding a parking space on the property. In addition, the property is located just outside the "Town Center Parking Area" boundary where no parking would be required for an accessory apartment.

Granting of this waiver would result in more benefits than detriments to the community, as identified by the comprehensive plan, by providing one additional housing unit within proximity to the downtown core.

The development is located outside of the Town Center Parking Area.

Granting the waiver will not result in adverse impacts to property in the neighboring area; and the waiver will not materially endanger public health, safety, or welfare.

Submitted 3/20/23



PLAT  
 THE TOWNSITE OF  
**JUNEAU**  
 SITUATE  
 At the head of navigation and on the N.E. shore of Lushington Channel  
 IN THE  
 SITKA LAND DISTRICT  
**ALASKA**

Course expressed from the True Meridian Magnetic Variation 30°00' East  
 KNOWN AS SURVEY NO. 1  
 Made under Section 2410 of an Act of Congress  
 entitled An Act to repeal former laws and for  
 other purposes and the Regulations thereunder  
 Extension Boundary Survey  
 Commenced Oct 21st 1892  
 Under instructions from the Executive Director General of Alaska  
 dated the 21st day of June 1894  
 Approved by the Executive Director General of Alaska  
 Entry by Trustee here on the 13th day of October 1894  
 Survey of Subdivisions  
 Commenced Oct 21st 1892  
 Completed May 21st 1894  
 Surveyed by  
 J. W. ...  
 The undersigned ...  
 District of Alaska

*June 13, 1894*  
*John W. ...*  
*Official Recorder*  
*Dist. of Alaska*

1155 # 1

Attachment B - 1894 Juneau Townsite plat



## Assessor's Database

### Current Owner

BRIDGET LAPENTER & JAKE LAPENTER

320 W 8TH ST, JUNEAU AK 99801

**Parcel #:** 1C040A270020 ([Map](#))

**Prev. Owner:** AK REI GROUP LLC

**Use Code:** Residential

**No. of Units:** 001

**Garage:** No

**City Water:** Yes

**Exempt Land:** 0

**Address:** 312 SIXTH ST

**Site Value:** \$139500.00

**Exempt:** No Data

**Year Built:** 1912

**Garage Area:** 000000

**City Sewer:** Yes

**Exempt Building:** 0

**Legal Desc. 1:** JUNEAU TOWNSITE

BL 27 LT 2 FR

**Building PV:** \$193300.00

**Zoning:** -Multi-Family-5,000 sq.ft.  
minimum lot size -18 units per acre

**Lot Size:** 1696.00

**Exempt Total:** 0

**Legal Desc. 2:**

**Total PV:** \$332800.00

**Tax Year:** 2023

**Gross Liv. Area:** 001118 sqft

**Last Trans:** 20220419

**Road/No Road:** Roaded

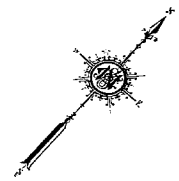
## Search the Database

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

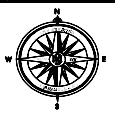
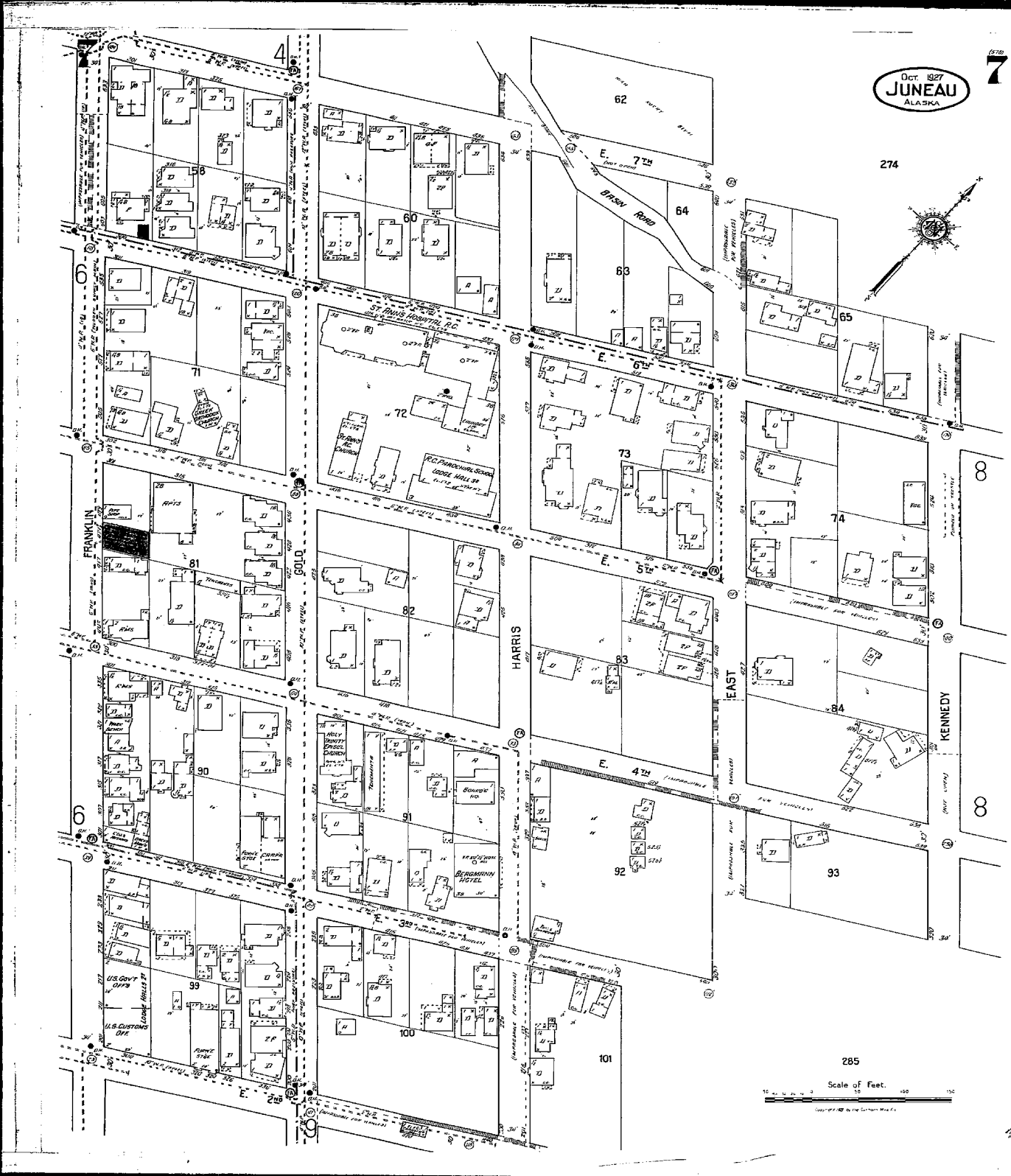
Oct. 1927  
**JUNEAU**  
ALASKA

6710  
**7**

274



285  
Scale of Feet.  
10 20 30 40 50 60 70 80 90 100 110 120 130  
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Year

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Attachment D - 1927 Sanborn Map

WARRANTY DEED  
(Alaska)

CEDRIC PERRYIN MONTGOMERY DAVIS, a single man of Seattle, Washington and TREVOR PEPYS MONTGOMERY DAVIS and CAROL B. DAVIS, husband and wife, of Juneau, Alaska, hereinafter called grantor(s), in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable considerations to them in hand paid, receipt of which is hereby acknowledged, do, by these presents, grant, bargain, sell and convey to SUE M. KENNEDY, a single woman of Juneau, Alaska, hereinafter called grantee(s), her heirs(successors) and assigns, that certain property which is described as follows:

All of that certain northwesterly fraction of Lot 2, Block 27, City of Juneau, Alaska, according to the official plat of said City on file and of record in the office of the Recorder for the Juneau Recording District, Territory of Alaska, which said fraction is more particularly described as follows, to-wit:

Commencing at the most westerly corner of Lot 2, Block 27, City of Juneau, Alaska, identical to the common corner of Lots 1, 2, 7 and 8 in said block, Corner No. 1; thence S. 41 deg. 17 min. E. 39.28 feet to Corner No. 2, a point on the common boundary between said Lots 1 and 2; thence N. 49 deg. 40 min. E. 48.93 feet to Corner No. 3, a point on the common boundary of Lots 2 and 3 in said block; thence N. 41 deg. 17 min. W. 29.81 feet to corner no. 4, common to the most northerly corner of said Lot 2; thence S. 60 deg. 35 min. W. 50.00 feet to Corner No. 1, the place of beginning; together with a perpetual right of way and easement over and upon all of the land as lies within 4 feet of the southwesterly bounda of said Lot 2, and all of the land that lies within 4 feet of the northeasterly boundary of said Lot 2, which said easements and rights-of-way are for the purpose of ingress and egress to and from the above described fraction of said Lot 2, to and from 6th Street, a public street in said City.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, unto her, the grantee(s) and to her heirs (successors) and assigns forever;

AND the grantor(s), (and) their heirs (successors), executors and administrators do, by these presents, covenant, grant and agree to and with the grantee(s), her heirs (successors) and assigns that they, the grantor(s) (and) their heirs (successors), executors and administrators, all and singular, the premises hereinabove conveyed, with said tenements, hereditaments and appurtenances, unto the grantee(s) and to her heirs (successors) and assigns, and against each and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the grantor(s) hereunto set their hand(s) and seal(s) this 28th day of February, 1955.

TREVOR PEPYS MONTGOMERY DAVIS (SEAL)  
CAROL B. DAVIS (SEAL)  
CEDRIC PERRYIN MONTGOMERY DAVIS (SEAL)

WITNESSES:  
L. L. ELWELL  
NORMA G. NISSEN

UNITED STATES OF AMERICA )  
TERRITORY OF A L A S K A ) ss.

THIS CERTIFIES that on this 28th day of February, 1955, before me, the undersigned, a Notary Public in and for the Territory of Alaska, duly commissioned and sworn, personally appeared TREVOR PEPYS MONTGOMERY DAVIS and CAROL B. DAVIS to me known and known to me to be the person(s) described in and who executed the instrument on the reverse side hereof and (individually) 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 first above written.

J. STURTEVANT  
Notary Public for Alaska. Residing at Juneau, Alaska. My commission expires March 10, 1958.

(NOTARY PUBLIC SEAL)

STATE OF WASHINGTON )  
COUNTY OF CLARK ) ss.  
CITY OF VANCOUVER )

THIS CERTIFIES that on this 24th day of February, 1955, before me, the undersigned, a Notary

BAA002

Public in and for the State of Washington duly commissioned and sworn, personally appeared CEDRIC PERRY MONTGOMERY DAVIS, to me known and known to me to be the person described in and who executed the instrument on the reverse side hereof and acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned, and further acknowledged to me that he is a single man.

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

L. L. ELWELL  
Notary Public in and for the State of Washington, County of Clark, residing at Vancouver, Washington. My commission expires February 27, 1957.

(NOTARY PUBLIC SEAL)

FILED FOR RECORD at 11:30 o'clock A.M., March 2, 1955. RECORDED IN book 48 of Deeds at pages: (255-256)

*Gordon Gray* (m)  
United States Commissioner, Ex-Officio,  
District Recorder

\*\*\*\*\*

WARRANTY DEED  
(Alaska)

MRS. JULIA A. COSTIGAN, a widow, of Juneau, Alaska, hereinafter called grantor(s), in consideration of the sum of TEN (\$10.00) DOLLARS and other valuable considerations to her in hand paid, receipt of which is hereby acknowledged, does, by these presents, grant, bargain, sell and convey to LYLE JOHNSON and HELEN JOHNSON, husband and wife, as tenants by the entirety, of Juneau, Alaska, hereinafter called grantee(s), their heirs (successors) and assigns, that certain property which is described as follows:

All that certain portion of U. S. Survey No. 1452 situated approximately one-quarter mile Northwest of the corporate limits of the City of Juneau, Alaska, more or less, bordering on Glacier Highway, particularly described as follows, to-wit: Beginning at Corner No. 1, which is identical with Corner No. 4 M.C. of Survey No. 1452; thence North 39.152 feet to Corner No. 2; thence North 45 deg. 14 min. East 69.532 feet to Corner No. 3; thence South 42 deg. 20 min. East 75 feet to Corner No. 4; thence South 45 deg. 14 min. West 102.50 feet to Corner No. 5; thence North 34 deg. 27 min. West 47.92 feet to Corner No. 1, the place of beginning, which is identical with Corner No. 4 M.C. of U. S. Survey No. 1452.

TO HAVE AND TO HOLD the same, together with all tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, unto them, the grantee(s) and to the survivor of them and to the survivor's heirs (successors) and assigns forever;

AND the grantor (and) her heirs, executors and administrators do, by these presents, covenant, grant and agree to and with the grantee(s), their heirs and assigns that she, the grantor, (and) her heirs, executors and administrators, all and singular, the premises hereinabove conveyed, with said tenements, hereditaments and appurtenances, unto the grantee(s) and to the survivor of them and to the survivor's heirs and assigns, and against each and every person or persons whomsoever lawfully claiming or to claim the same, or any part thereof, shall and will WARRANT AND FOREVER DEFEND.

IN WITNESS WHEREOF, the grantor(s) hereunto set her hand(s) and seal(s) this 23rd day of February, 1955.

WITNESSES

JULIA A. COSTIGAN (SEAL)

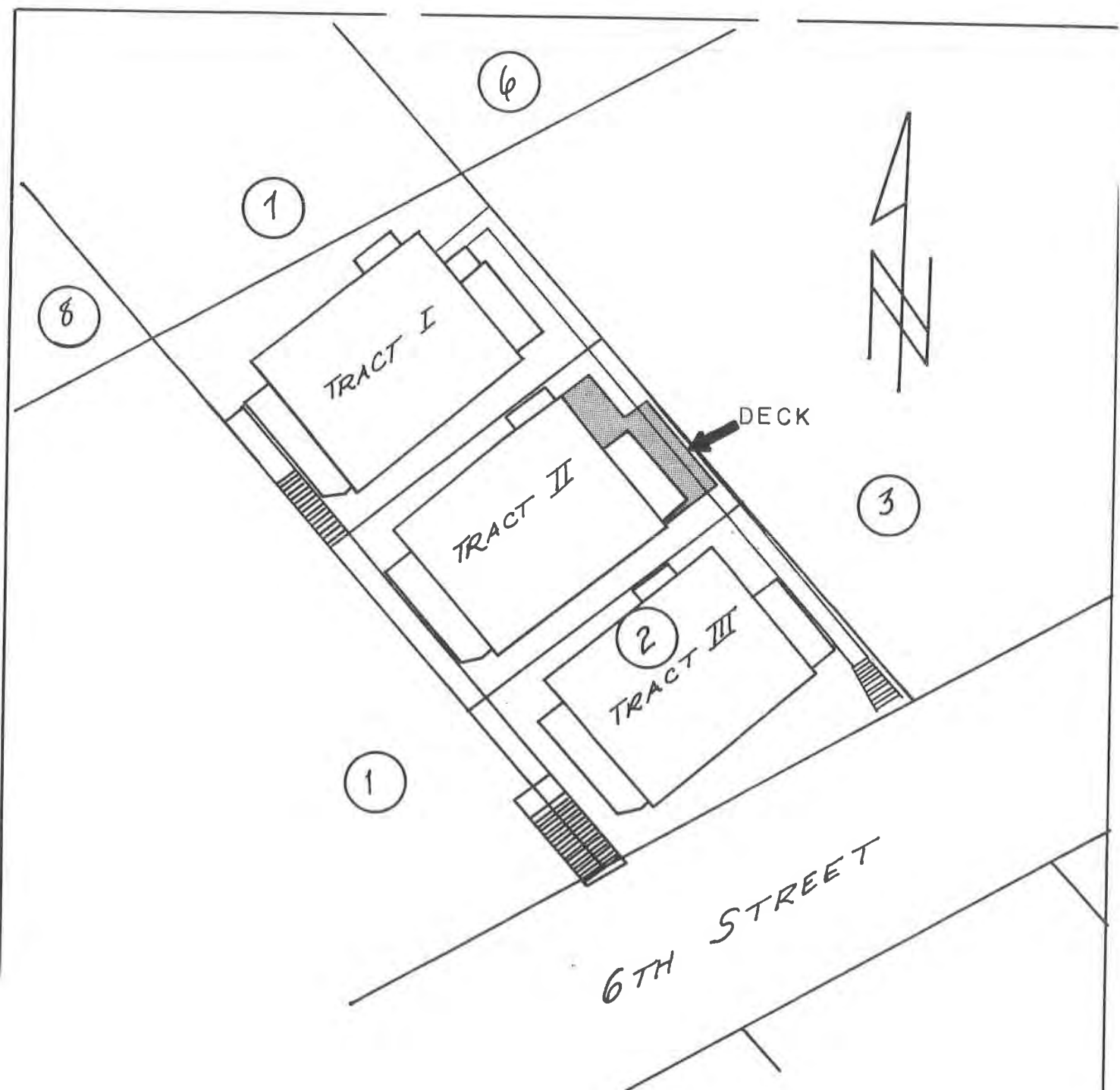
MYRTLE HUGHES

CAROL WIEDMAN

UNITED STATES OF AMERICA }  
TERRITORY OF ALASKA } ss.

THIS CERTIFIES that on this 23rd day of February, 1955, before me, the undersigned, a Notary Public in and for the Territory of Alaska, duly commissioned and sworn, personally appeared MRS. JULIA A. COSTIGAN to me known and known to me to be the person(s) described in and who executed the instrument on the reverse side hereof and (individually) acknowledged to me that she executed the





**VR-62-84 SMITH**

PLAT OF  
LOT 2, BLOCK 27  
JUNEAU TOWNSITE, ALA.  
SCALE: 1" = 20'

Attachment F - 1984 Drawing of Tracts I, II, and III



(907) 586-0715  
CDD\_Admin@juneau.org  
www.juneau.org/CDD  
155 S. Seward Street • Juneau, AK 99801

## NONCONFORMING CERTIFICATE

Date: September 17, 2021  
File No.: NCC2021 0066

Dain Hungelmann  
8697 Short Way  
Juneau, AK 99801

Proposal: A Nonconforming Situation Review for lot size, lot coverage, setbacks, and parking.

Property Address: 312 6<sup>th</sup> Street  
Property Legal Description: Juneau Townsite Block 27 Lot 2 FR  
Property Parcel Code No.: 1C040A270020

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated September 17, 2021 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 (49.30.250):
  - Front yard setback of 7 feet
  - Rear yard setback of 0 feet
  - Side yard setback of 0 feet
  - Lot coverage of 67 percent
- Nonconforming Lots (49.30.260):
  - Lot size of 1,696 square feet
- Nonconforming Parking (49.30.270):
  - Zero (0) 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.

File No.: NCC2021 0066

September 17, 2021

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:   
\_\_\_\_\_  
Allison Eddins, Planner II  
Community Development Department

  
\_\_\_\_\_  
Jill Maclean, 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  
NCC2021 0066**

(907) 586-0715  
CDD\_Admin@juneau.org  
www.juneau.org/CDD  
155 S. Seward Street • Juneau, AK 99801

**DATE:** September 17, 2021  
**TO:** Jill Maclean, Director, AICP  
**BY:** Allison Eddins, Planner II *A. Eddins*

**PROPOSAL:** A Nonconforming Situation Review for lot size, lot depth, setbacks, lot coverage and parking.

**KEY CONSIDERATIONS FOR REVIEW:**

- According to the CBJ Assessor's data, the structure was constructed in 1912.
- The lot was platted in 1934 with the Juneau Townsite Plat.
- The lot and the structure were created prior to the establishment of zoning.

**STAFF RECOMMENDATION:**

**Staff recommends the following situations receive**

**Nonconforming Certification:**

- Nonconforming Structures (49.30.250)
- Nonconforming Lots (49.30.260)
- Nonconforming Parking (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.

- No compliant situations have been found.

GENERAL INFORMATION	
<b>Property Owner</b>	Lillian Parduhn
<b>Applicant</b>	Dain Hungelmann
<b>Property Address</b>	312 6 <sup>th</sup> Street
<b>Legal Description</b>	Juneau Townsite Block 27 Lot 2 FR
<b>Parcel Number</b>	1C040A270020
<b>Zoning</b>	D18
<b>Lot Size</b>	1,696 square feet
<b>Water/Sewer</b>	City water and sewer
<b>Access</b>	Private staircase
<b>Existing Land Use</b>	Residential
<b>Associated Applications</b>	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.

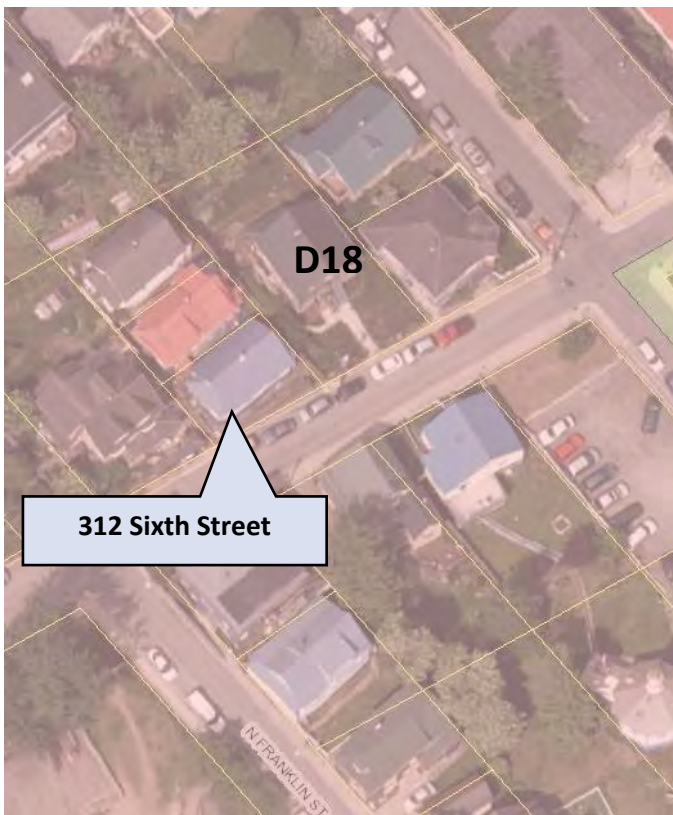
**SITE FEATURES AND ZONING**



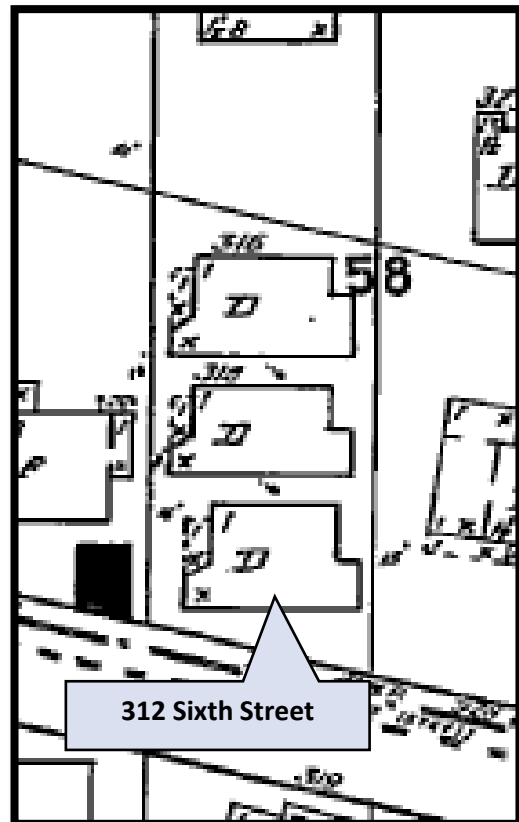
SURROUNDING ZONING AND LAND USES	
North (D18)	Single-family
South (D18)	Single-family
East (D18)	Single-family
West (D18)	Single-family

SITE FEATURES	
Anadromous	None
Flood Zone	X Area of Minimal Risk
Hazard	None Known
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	ADOD

**CURRENT ZONING MAP**



**1927 SANBORN MAP**



**ZONING HISTORY**

<b>Year</b>	<b>Zoning District</b>	<b>Summary</b>
1912	No Zoning Established	According to CBJ Assessor data, the structure was constructed in 1912, prior to the establishment of zoning.
1934	No Zoning Established	The lot was platted in 1934 prior to the establishment of zoning.
1956	R2 – Second Residence District	<p>In 1956, the lot and surrounding area was zoned R2. The minimum lot size requirement was 3,600 square feet with a minimum lot width requirement of 40 feet. There was no minimum lot depth requirement. Maximum lot coverage was 60 percent with setback requirement of 15 feet for the front lot line, 10 feet for the rear and 5 feet for side lot lines. One parking space was required.</p> <p>The lot became nonconforming for lot size. The structure became nonconforming for front, rear, and east side yard setbacks. The use became nonconforming for parking.</p>
1969	RMM – Residential Medium Density	<p>In 1969, the lot and surrounding area was rezoned RMM. The minimum lot size was 4,800 square feet with a minimum lot width requirement of 40 feet and minimum lot depth requirement of 90 feet. Maximum lot coverage, minimum setback, and parking requirements remained the same as R2.</p> <p>The rezone to RMM made the lot nonconforming for lot depth. The lot remained nonconforming for lot size. The structure remained nonconforming for front, rear, and east side yard setbacks. The use remained nonconforming for parking.</p>
1987	D18 – Multi-family Residential	<p>In 1987, the lot and surrounding area was rezoned D18. The minimum lot size requirement is 5,000 square feet with a minimum lot width requirement of 50 feet and lot depth requirement of 85 feet. Maximum lot coverage is 50% with setback requirement of 20 feet for the front lot line, 10 feet for the rear lot line, and 5 feet for side lot lines. Two parking spaces are required.</p> <p>The lot became nonconforming for lot coverage. The lot remains nonconforming for lot size. The structure remains nonconforming for front, rear, and east side yard setbacks. The use remains nonconforming for parking.</p>

**BACKGROUND INFORMATION**

The applicant requests a Nonconforming Situation Review for lot size, lot coverage, setbacks, and parking. The lot was platted in 1934, and the structure was constructed in 1912.

**INFORMATION REVIEWED**

Year	Type	Summary
1927	Sanborn Map	1927 Sanborn Map shows the structure existed in its current footprint and location prior to zoning being adopted in Juneau.
1934	Plat	Plat 1934-1 of Juneau Townsite shows the current lot size and dimensions pre-date zoning being adopted in Juneau.
2013	Aerial Photography	2013 aerial photography was used to determine vegetative cover, lot coverage and setbacks.
2019	Assessor’s Photo	Used to determine approximate building height.
2021	Site Visit	Staff conducted a site visit to confirm vegetative cover, lot coverage, approximate building height, and parking.

**ANALYSIS**

**Zoning District Comparison Table** – The table below lists the required standards for the D18 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
<b>Lot</b>	Size	5,000 square feet	<b>1,696 square feet</b>	49.25.400
	Width	50'	50'	49.25.400
<b>Setbacks</b>	Front	20'	<b>7'</b>	49.25.400
	Rear	10'	<b>0'</b>	49.25.400
	East Side	5'	<b>0'</b>	49.25.400
	West Side	5'	7'	49.25.400
	Street Side	13'	<b>N/A</b>	49.25.400
<b>Lot Coverage</b>		50%	<b>67%</b>	49.25.400
<b>Height</b>	Permissible	35'	~30'	49.25.400
	Accessory	25'	N/A	49.25.400
<b>Maximum Dwelling Units</b>		1	1	49.25.500
<b>Use</b>		Residential	Residential	49.25.300
<b>Vegetative Cover</b>		30%	37%	49.50.300
<b>Parking</b>		2	<b>0</b>	49.40.210(a)

**Minimum Lot Requirements** – The table and information above demonstrate that the lot is nonconforming for lot size. The lot was platted in 1934 prior to zoning requirements.

**Finding: Staff finds the lot nonconforming for lot size.**

**Minimum Setback Requirements** – The table and information above demonstrate that the structure is nonconforming for front yard, rear yard, and east side yard setbacks. The structure was constructed in 1912 prior to the establishment of zoning.

**Finding: Staff finds the structure nonconforming for setbacks. The structure may become conforming for setbacks through the Alternative Development Overlay District permit process (CBJ 49.70.1200).**

**Lot Coverage** – The lot exceeds the maximum allowed lot coverage. The lot and structure pre-date zoning requirements.

**Finding: Staff finds the lot nonconforming for lot coverage.**

**Structure Height** – Assessor's photos and a site visit confirmed the structure meets the maximum height requirements for permissible and accessory structures in the D18 zoning district.

**Finding: Staff finds the structure conforming for height.**

**Residential Density** – According to Assessor's and CDD records, the lot contains one single-family dwelling.

**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** – 2013 aerial photography shows approximately 37% of the lot is maintained with live vegetation. A recent site visit confirmed this.

**Finding: Staff finds the lot conforming 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 49.40.230(b)(7)(A). The structure is located on a steep lot and is only accessible by a private staircase. There is no off-street parking provided.

**Finding: Staff finds the use nonconforming for number of off-street parking spaces. The use may become conforming for parking through the Parking Waiver permitting process [CBJ 49.40.210 (d) (6)].**

#### **NONCOMPLIANT SITUATIONS**

*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**

**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.

**Finding: Staff finds none of the above events have taken place and the nonconforming situations are not deemed abandoned.**

**FINDINGS**

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

**Analysis:** The lot, structure, and residential use were created prior to the establishment of zoning.

**Finding: Yes. The nonconforming situations were allowed, or not prohibited by law, when they were established.**

**2. Has the nonconforming situation been abandoned?**

**Analysis:** No information has been submitted that suggests the nonconforming situations have been abandoned.

**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:

- Nonconforming Structures (49.30.250):
  - Front yard setback of 7 feet
  - Rear yard setback of 0 feet
  - Side yard setback of 0 feet
  - Lot coverage of 67 percent
- Nonconforming Lots (49.30.260):
  - Lot size of 1,696 square feet
- Nonconforming Parking (49.30.270):
  - Zero (0) off-street parking spaces

**STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A</b>	Application Packet
<b>Attachment B</b>	Information Reviewed



# BUILDING PERMIT

Permit No.  
BLD20220746

\* NOTE: "Building Permit" is a generic term which includes Building Safety Inspection, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

### Your special attention is called to the following:

This permit is granted on the express conditions that the construction shall, in all respects, conform to the ordinances of the City and Borough of Juneau. It may be revoked at any time upon violation of any of said ordinances.

The granting of this permit does not authorize the violation of any federal, state or local law regulating construction for the violation of the terms of any deed or covenant or any zoning or other regulation.

If plan review was required, this permit must be attached to the approved drawings. The permit, plans and record of inspections must be available on site at all times while the construction is in progress and before final inspection.

The yellow posting notice must be prominently displayed to show a permit has been issued and to assist the inspectors in location of the project. This permit becomes null and void if work or construction authorized is not commenced within one year or if work or construction is suspended or abandoned for a period of one year at any time after work has commenced.

Note: City Ordinances REQUIRE a Final Inspection be approved for every Building Permit.

### Inspections

Inspections can be arranged by telephoning **586-1703** or by written or by online form or Email.

The Online Building Inspection Request Form is at: [www.juneau.org/community-development/cdd-inspection-request](http://www.juneau.org/community-development/cdd-inspection-request).

Work shall not proceed until the inspector has approved the various stages of construction. An approved Final Inspection is required.

All inspections must be requested before noon the business day prior. Same day inspections must be requested by calling 586-0770

Please provide the following information: 1 Permit Number, 2 Address, 3 Type of Inspection, 4 Date and Time and 5 Contact Name and Phone Number.

Job Address: <b>312 SIXTH ST</b>	Issued Date : <b>11/29/2022</b>
Permit Number: <b>BLD20220746</b>	Parcel No: <b>1C040A270020</b>
Project Description: <b>Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space</b>	

Parcel Information : JUNEAU TOWNSITE BL 27 LT 2 FR

Setbacks:	Zone: D18:	
	Front: 20.00 Ft.	Side 1: 5.00 Ft.
	Rear: 10.00 Ft.	Side 2: 5.00 Ft.
	Street Side:	
Comments: See NCC21-66 for nonconforming setbacks.		

Owner :	<b>BRIDGET LAPENTER JAKE LAPENTER 320 W 8TH ST JUNEAU AK 99801</b>
---------	--

Applicant :	<b>MODERN ALASKA BUILDERS LLC 312 SIXTH ST JUNEAU AK 99801</b>
-------------	--

Fee Type	Date	Receipt	Amount Paid
BLD- Bldg Permit Fee	10/26/2022	66193	\$0.01
BLD- Bldg Permit Fee	11/28/2022	66258	\$1,146.29
BLD- Bldg Permit Fee	11/28/2022	66259	\$32.34
BLD- Res Plan Review	10/26/2022	66193	\$573.15
BLD- Res Plan Review	11/28/2022	66259	\$16.17
Total Fees Paid:			<b>\$1,767.96</b>

Valuation for Permit Fee Calculations:			
S.F.	Type	Rate	Amount
0	Residential-Single Family R	116.96	0.00
			165,000.00
Total Valuation:			<b>\$165,000.00</b>

Project Conditions and Holds:

**Approved Plans On Site** - CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

**EGRESS WINDOWS** - Verify egress windows.

**WATER FIXTURE COUNT** - Minimum 3/4" Street Service and 3/4" Building Supply and branches for up to 20 fixture units. 3/4"=20wfu, 1/2"=7wfu.

**Intersystem Bonding** - For building final provide an Intersystem Bonding Termination Device at new and replaced electrical services as required by NEC article 250.94

**Locking Caps** - Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

**Shower Anti-scald Valve** - Showers and tub-shower combinations shall be provided with a control valve installed at the point of use that conforms to ASSE 1016/ ASME A112.1016/CSAB125.16 or ASME A112.18.1/CSA B125.1.

**Smoke and CO Detectors** - Smoke and Carbon Monoxide detectors as required by applicable code must be operational prior to temporary occupancy and/ or final inspection approval, whichever is requested first.

**JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801**  
 Phone: 586-0770 - FAX: 586-4529 - Inspection Requests: 586-1703, [Inspections@Juneau.org](mailto:Inspections@Juneau.org) - Questions, Email: [permits@juneau.org](mailto:permits@juneau.org)  
 Web Site: [www.juneau.org/community-development](http://www.juneau.org/community-development)



# BUILDING PERMIT APPLICATION

**NOTE: THIS IS NOT A BUILDING PERMIT**

\* NOTE: "Building Permit" is a generic term which includes Building Safety Inspections, Grading Permits, and permits for Electrical, Plumbing and Mechanical work.

Case No: **BLD20220746**

Case Description: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Site Address: **312 SIXTH ST**

Check No. of Existing Dwelling Units:

Parcel No: 1C040A270020

No. of New Dwelling Units:

Legal Description: JUNEAU TOWNSITE BL 27 LT 2 FR

No. of Removed Dwelling Units:

**Applicant :** MODERN ALASKA BUILDERS LLC  
312 SIXTH ST  
JUNEAU AK 99801

e-mail: modernalaskabuilders@gmail.com

PRI 907-500-4148

**Owner:** BRIDGET LAPENTER  
JAKE LAPENTER  
320 W 8TH ST  
JUNEAU AK 99801

**Contractor:** MODERN ALASKA BUILDERS LLC  
312 SIXTH ST  
JUNEAU AK 99801

PH: \_\_\_\_\_ FAX \_\_\_\_\_

**Valuation for Permit Fee Calculations:**

<u>S.F.</u>	<u>Type</u>	<u>Rate</u>	<u>Amount</u>
0	Residential-Single Family Resi	116.96	0.00
			165,000.00
Total Valuation:			\$165,000.00

**Associated Cases:**

None.

**Parcel Tags:**

12/5/05 KJB. See attached document DEED 20051129.

**Notes and Conditions:**

Applicant will modify permit or apply for a new permit for basement work to add accessory apartment if approved by Planning Commission

CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

Verify egress windows.

Minimum 3/4" Street Service and 3/4" Building Supply and branches for up to 20 fixture units. 3/4"=20wfu, 1/2"=7wfu.

For building final provide an Intersystem Bonding Termination Device at new and replaced electrical services as required by NEC article 250.94

Refrigerant circuit access ports located outdoors shall be fitted with locking-type tamper-resistant caps or shall be otherwise secured to prevent unauthorized access.

Showers and tub-shower combinations shall be provided with a control valve installed at the point of use that conforms to ASSE 1016/ ASME A112.1016/CSAB125.16 or ASME A112.18.1/CSA B125.1.

Smoke and Carbon Monoxide detectors as required by applicable code must be operational prior to temporary occupancy and/ or final inspection approval, whichever is requested first.

Water heaters shall be anchored in an approved manner or strapped within the upper 1/3 and lower 1/3 of its vertical dimensions.

Meter installation must be in accordance with CBJ STD 420 prior to issuance of TCO. Installation must include three 22 gauge multicolored conductors in 1/2" electrical conduit from main entrance of building to within 12" of meter register (not to exceed 100'). Allow an extra 2' of wire for meter connections. Meter must be installed with the following clearances: minimum 18" clearance above meter and minimum 12" clearance each side and below meter. Contact CBJ Utility Business Unit for meter issuance and remote readout installation, 586-0997, a minimum of 48 hours prior to meter issuance or remote readout installation.

Building water supply systems where quick-acting valves are installed shall be provided with water hammer arrester(s) to absorb high pressures resulting from the quick closing of these valves. Water hammer arresters shall be approved mechanical devices that comply with ASSE 1010 or PWI-WH 201 and shall be installed as close as possible to quick-acting valves.

\_\_\_\_\_  
**Applicant's Signature**

(Owner, Contractor or Authorized Agent)

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Staff Acceptance**

I hereby certify that I have read and examined this application and know the same to be true and correct. I further certify that all provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. I understand that the granting of a permit does not presume to give authority to violate or cancel the provisions of any other federal, state or local law regulating construction or the performance of construction.

**JUNEAU PERMIT CENTER** - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801  
Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us  
Web Page: [HTTP://WWW.JUNEAU.ORG/PERMITS](http://www.juneau.org/permits)

Case No: **BLD20220746**

Site Address: 312 SIXTH ST

Parcel No: 1C040A270020

Desc: Remodel existing basement into additional dwelling unit. Remodel upstairs. Modified on 11/28/22 to remove basement remodel and add dormer extension creating additional living space

Residential REPI New Dwelling Units: 1  
 FCC Code: 434 Existing Dwelling Units: \_\_\_\_\_  
 Type of Construction: \_\_\_\_\_ Occupancy Class: 1  
 Sprinkler Substitute for <sup>VP</sup>Type A Construction: YES NO  
 Sprinkler System: FULL PARTIAL NONE Required: YES NO  
 Alarm System: FULL PARTIAL NONE Required: YES NO  
 Code Edition: 2012 IRC Code Review by: JH Date: 11/28/2022

**Valuation for Permit Fee Calculations:**

S.F.	Type	Rate	Amount
0	Residential-Single Family Resi	116.96	0.00
<b>Total Valuation:</b>			<u>165,000.00</u>
			<b>\$165,000.00</b>

<p><b>LAND USE</b>                  ZONE/UNITS <u>D18 / 1</u>                  WETLAND <u>No</u>                  FLOOD ELEV <u>N/A</u>                  FIRM ZONE <u>N/A</u>                  FIRM MAP <u>N/A</u>                  LOT SIZE <u>1,696 SF</u>  <u>0.0 ACRES</u>                  SETBACKS                  Front <u>20' 7' nonconform</u>                  Rear <u>10' 0' nonconform</u>                  Side(E) <u>5' 0' nonconform</u>                  Other <u>5'</u>                  PARKING <u>2 0 nonconform</u>                  ANADROMOUS <u>No</u>                  EAGLES NEST <u>?</u>                  Coverage <u>50% / 50%</u>                  Permissible/Conditional                  HEIGHT <u>35' / 25'</u>                  Permissible/Accessory                  VEGETATION <u>30%</u>                  HAZARD <u>No</u></p>	<p><b>ENGINEERING/PUB WORKS</b>                  Dwelling Units: _____                  CITY WATER: _____                  Permit #: _____                  UseAssessment: _____                  Service Size: _____                  Line Size: _____                  WATER SEWER: _____                  Permit #: _____                  Use: _____                  Assessment: _____                  Fixture Units: _____</p>	<p><b>PLAN REVIEW APPROVALS</b></p> <table border="1"> <thead> <tr> <th></th> <th>Initials</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Fire</td> <td></td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/> Zoning</td> <td>JLS</td> <td>11/29/22</td> </tr> <tr> <td>Engineering</td> <td></td> <td></td> </tr> <tr> <td>Water</td> <td></td> <td></td> </tr> <tr> <td>Sewer</td> <td></td> <td></td> </tr> <tr> <td>Architectural</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td>Structural</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td>Plumbing</td> <td>JH</td> <td>11/28/2022</td> </tr> <tr> <td>Mechanical</td> <td></td> <td></td> </tr> <tr> <td>Electrical</td> <td></td> <td></td> </tr> <tr> <td>Access</td> <td></td> <td></td> </tr> <tr> <td>Spcl Insp Form</td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align:center"><b>APPROVED FOR ISSUANCE</b></p> <p style="text-align:center"><i>Jon Stearns</i>                  Signature                  11/29/2022                  Date</p>		Initials	Date	Fire			<input checked="" type="checkbox"/> Zoning	JLS	11/29/22	Engineering			Water			Sewer			Architectural	JH	11/28/2022	Structural	JH	11/28/2022	Plumbing	JH	11/28/2022	Mechanical			Electrical			Access			Spcl Insp Form			<p><b>PERMIT ISSUANCE FEES</b></p> <table border="1"> <tbody> <tr><td>Grading Plan Review Fee</td><td>\$</td></tr> <tr><td>Adjusted Plan Review Fee</td><td>\$</td></tr> <tr><td>Fast Track Fee</td><td>\$</td></tr> <tr><td>Early Start Fee</td><td>\$</td></tr> <tr><td>Building Permit Fee</td><td>\$</td></tr> <tr><td>Water Assessment Fee</td><td>\$</td></tr> <tr><td>Sewer Assessment Fee</td><td>\$</td></tr> <tr><td>Sewer Inspection Fee</td><td>\$</td></tr> <tr><td>Grading Permit Fee</td><td>\$</td></tr> <tr><td>Driveway Permit Fee</td><td>\$</td></tr> <tr><td>Bond for</td><td>\$</td></tr> <tr><td>Other</td><td>\$</td></tr> <tr><td><b>Total Issuance Fees</b></td><td><b>\$</b></td></tr> </tbody> </table> <p><b>PERMIT ISSUANCE PAYMENTS</b></p> <table border="1"> <thead> <tr> <th>Date</th> <th>Receipt</th> <th>Check</th> <th>Amount</th> </tr> </thead> <tbody> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> <tr><td>_____</td><td>_____</td><td>_____</td><td>\$ _____</td></tr> </tbody> </table>	Grading Plan Review Fee	\$	Adjusted Plan Review Fee	\$	Fast Track Fee	\$	Early Start Fee	\$	Building Permit Fee	\$	Water Assessment Fee	\$	Sewer Assessment Fee	\$	Sewer Inspection Fee	\$	Grading Permit Fee	\$	Driveway Permit Fee	\$	Bond for	\$	Other	\$	<b>Total Issuance Fees</b>	<b>\$</b>	Date	Receipt	Check	Amount	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____	_____	_____	_____	\$ _____
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**Parcel Tags:**  
 12/5/05 KJB. See attached document DEED 20051129.

- CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)
- 1) Height: Letter submitted confirming that construction will not change the roof height of the existing structure, and that the maximum roof elevation will remain the same. Note: The maximum height allowed for a structure in the D18 zoning district is 35 feet.
  - 2) Setbacks: The following note has been added to the submitted plans: "Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line."
  - 3) Accessory Apartment: No approval has been granted to construct or use an accessory apartment on the property. A Pre-Application meeting, Conditional Use Permit approval from the Planning Commission, and a Parking Waiver from the Director will all be required prior to construction or use of an accessory apartment on the property.

**From:** [Jennifer Shields](#)  
**To:** ["Modern Alaska"](#)  
**Cc:** [Nate Watts](#); [Jon Stearns](#); [Permits](#); [Adrienne Scott](#); [Charlie Ford](#); [Scott Ciambor](#); [Jill Maclean \(Jill.Maclean@juneau.org\)](#)  
**Subject:** RE: 312 6th Street - Roof Elevations  
**Date:** Tuesday, November 29, 2022 10:14:00 AM

---

Hi Bridget,

Building Permit BLD2022-0746 has been MODIFIED to remove any part of the application for an accessory apartment. Please note the following:

- 1) Height: You have submitted a letter confirming that construction will not change the roof height of the existing structure, and that the maximum roof elevation will remain the same. Note: The maximum height allowed for a structure in the D18 zoning district is 35 feet.
- 2) Setbacks: The following note has been added to the submitted plans: "Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line."
- 3) Accessory Apartment: No approval has been granted to construct or use an accessory apartment on the property. As previously noted, a Pre-Application meeting, Conditional Use Permit approval from the Planning Commission, and a Parking Waiver from the Director will all be required prior to construction or use of an accessory apartment on the property.

Based upon the above conditions, I have approved Modified Building Permit BLD2022-0746 for Zoning purposes. Please contact Edward Quinto, Permit Specialist, at (907) 586-0770 or [Edward.Quinto@juneau.org](mailto:Edward.Quinto@juneau.org) to find out the status of your Modified Building Permit application.

Finally, a time is available on 12/21 at 10:30 am to hold a Pre-Application meeting regarding the future accessory apartment. **Please contact Edward Quinto, Permit Specialist, at [Edward.Quinto@juneau.org](mailto:Edward.Quinto@juneau.org) if you would like to schedule a Pre-Application meeting on this date, or when the next available meeting time is after that.**

Take care,

**Jennifer L. Shields | Planner II**

[Community Development Department](#) | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 4<sup>th</sup> Floor Marine View Building

**Office: 907.586.0753 ext. 4139**



320 W 8<sup>th</sup> Street  
Juneau, AK 99801

November 28, 2022

City and Borough of Juneau  
Community Development Department  
155 S. Seward Street  
Juneau, AK 99801

**RE: 312 6<sup>TH</sup> STREET RENOVATION PROJECT, PARCEL NO 1C040A270020**

To Whom It May Concern,

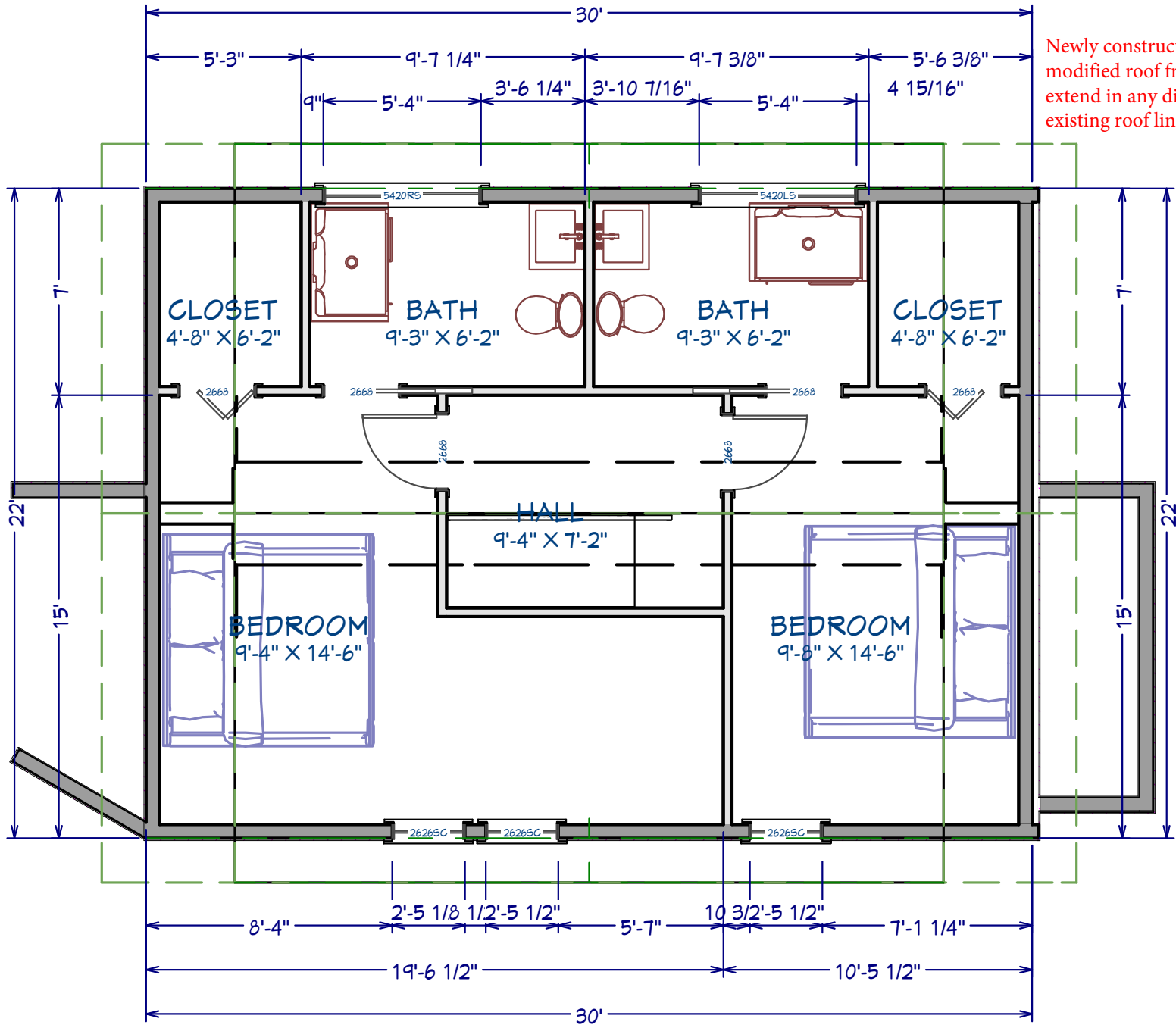
The project located at the subject property will not change the roof height of the existing structure. Maximum roof elevation will remain the same. If you have any questions, please contact me.

Thanks,

Bridget LaPenter

A handwritten signature in black ink that reads "Bridget LaPenter". The signature is written in a cursive, flowing style.





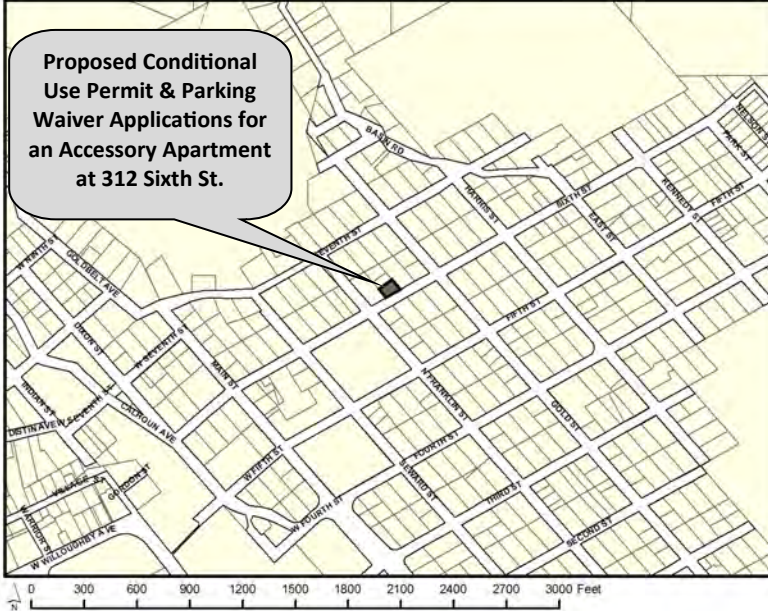
Newly constructed dormers and any modified roof framing shall not extend in any direction past the existing roof line.

**SECOND FLOOR**  
660 SQ FT

# Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission  
*Your Community, Your Voice*

Proposed Conditional Use Permit & Parking Waiver Applications for an Accessory Apartment at 312 Sixth St.



COMMUNITY DEVELOPMENT

155 S. Seward Street Juneau, Alaska 99801

TO:

An application has been submitted for consideration and public hearing by the Planning Commission for **Conditional Use Permit & Parking Waiver Applications for an Accessory Apartment at 312 Sixth St** in a **D18 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 **May 1st, 2023** at

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

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

**Now through April 17**

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

**April 18 — noon, May 5**

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

**HEARING DATE & TIME: 7:00 pm, May 9th, 2023**

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/88455226753> and use the Webinar ID: 884 5522 6753 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 S. Seward Street, Juneau, Alaska.

**May 10th**

The results of the hearing will be posted online.

#### FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4139 ♦

Email: [pc\\_comments@juneau.gov](mailto:pc_comments@juneau.gov)

Mail: Community Development, 155 S. Seward Street, Juneau AK 99801

Case No.: USE2023 0005 & PWP2023 0002

Parcel No.: 1C040A270020

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



**NOTICE** 584-0715  
CONDITIONAL USE PERMIT  
and PARKING WAIVER  
Case: 202200001 & 202200002  
Conditional use permit and parking waiver  
for an accessory structure on a residential lot  
HEARING DATE: 5/9/2023

Attachment J - Public Notice Sign Photo

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**From:** Aardvark LLC <architectureoffaith@gmail.com>  
**Sent:** Monday, April 3, 2023 10:25 PM  
**To:** PC\_Comments  
**Subject:** Conditional Use Permit and Parking Waiver for accessory Apt. 312 6th St.

Dear CBJ,

I would like to manifest my sympathies for, and approval of all designs for building permit for 312 6th St. in D18 Zone. It is necessary to get as much housing available in downtown Juneau as soon as possible. Whatever helps these people get their project going is good by me as a citizen and neighbor.

As for the parking waiver, I additionally wish to express my discontent with any ordinance that requires off-street parking in new construction of buildings or houses. The idea that we must provide parking for cars in itself creates a precedent for car-dependent living, which is neither necessary nor healthy for the commonwealth or the environment. Any law requiring off-street parking as a precondition of a building permit puts cars over people, which neither serves the community nor the planet. We need to get away from such laws that hearken back to the 20th century car-centric urban planning, where everything had to have a garage and a lawn and a white picket fence.

Cars can park on the street. It is good NOT to have extra parking because it encourages people to use the space that we have more efficiently (by walking). I would rather have park benches and trees, or even outbuildings instead of more dead space for those moveable hunks of metal and grease.

Sincerely,

Joshua S Adams  
Aardvark, LLC  
[architectureoffaith@gmail.com](mailto:architectureoffaith@gmail.com)

907-723-5866