



**PLANNING COMMISSION STAFF REPORT  
CONDITIONAL USE PERMIT USE2024 0005  
HEARING DATE: MAY 14, 2024**

(907) 586-0715

CDD\_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

**DATE:** May 6, 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 430 square foot (sq. ft.) accessory dwelling unit on top of an existing garage in a D18 zoning district.

**STAFF RECOMMENDATION:** Approval with conditions

**KEY CONSIDERATIONS FOR REVIEW:**

- This ADU will be constructed on top of an existing structure which complies with infill housing development policies in the Comprehensive Plan.
- This property is certified nonconforming for setbacks (NCC2021 0065), and the addition of the ADU will not aggravate the nonconforming situations.
- A Parking Waiver has been requested.

GENERAL INFORMATION	
<b>Property Owner</b>	Caitlin Stern; Jessica Barker
<b>Applicant</b>	Caitlin Stern; Jessica Barker
<b>Property Address</b>	114 Sixth Street
<b>Legal Description</b>	JUNEAU TOWNSITE BL 29 LT 2
<b>Parcel Number</b>	1C060A290030
<b>Zoning</b>	D18 (Multi-Family)
<b>Land Use Designation</b>	Medium Density Residential (MDR)
<b>Lot Size</b>	5,000 sq. ft.
<b>Water/Sewer</b>	City & Borough of Juneau
<b>Access</b>	Sixth Street
<b>Existing Land Use</b>	Residential
<b>Associated Applications</b>	PWP2024 0001

**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:**

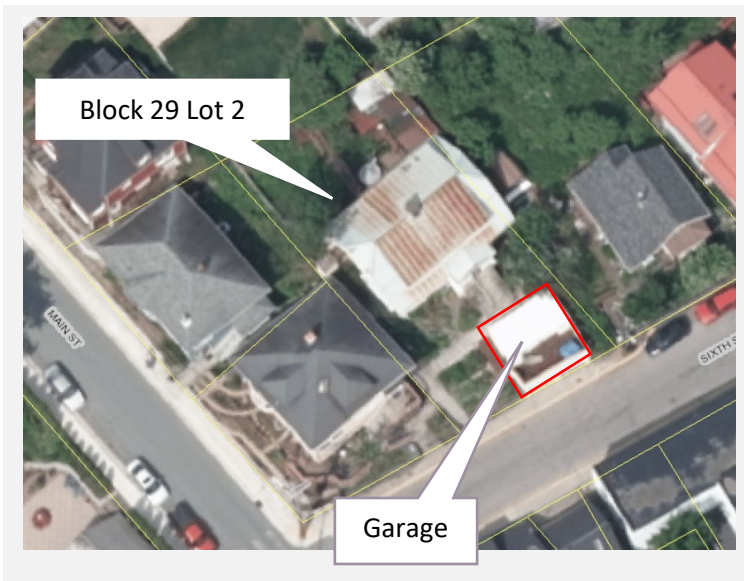
Assembly action is not required for this permit.

**STANDARD OF REVIEW:**

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval
- Code Provisions:
  - 49.15.330
  - 49.25.430(4)(m)
  - 49.25.510
  - 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 (D18)	Residential
South (MU)	Residential
East (D18)	Residential
West (D10)	Residential

SITE FEATURES	
Anadromous	No
Flood Zone	No
Hazard	No
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Mining & Exploration Surface Activities Exclusion District; Urban/Rural Mining District; Downtown Juneau Alternative Development Overlay District

**BACKGROUND INFORMATION**

**Project Description** – The applicants request a Conditional Use Permit (CUP) to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage in a D18 zoning district (Attachment A).

According to CBJ 49.25.510(k)(2)(G)(ii), efficiency or one-bedroom accessory apartments under 600 sq. ft. are allowed in a multi-family zoning district, if the primary use of the lot is a single-family dwelling, with a Conditional Use Permit. In conjunction with this permit, the applicants have also applied for a Parking Waiver to waive one (1) required parking space for the ADU (PWP2024 0001).



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

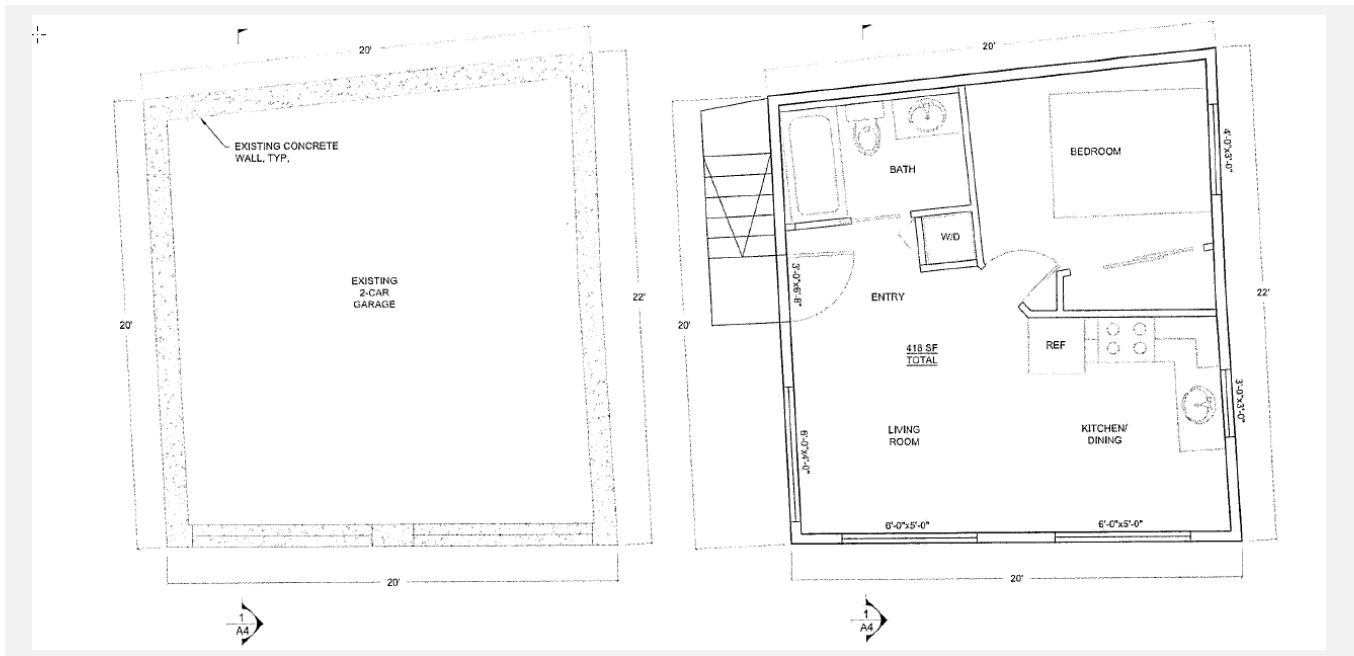
Year	Item	Summary
1914	Plat	Juneau Townsite plat of the original Block 29, Lot 2 (Attachment B).
1914	Assessor Record	Date that the structure was built (Attachment C).
1927	Sanborn Map	Shows the primary dwelling structure existed in its current footprint and location prior to zoning being adopted in Juneau (Attachment D).
2009	Building Permit	Detached greenhouse over garage (Attachment E).
2012	As-Built Survey	Shows footprints of existing structures (Attachment F).
2013	CUP	USE2013 0016 after-the-fact CUP for greenhouse over garage. Establishes that the garage was constructed in the 1950s, prior to zoning (Attachment G).
2021	NCC	Nonconforming certification (NCC2021 0065) for setbacks (Attachment H).
2021	Warranty Deed	Transfer of ownership from Putman-Homme to Stern-Baker (Attachment I).
2023	PAC Report	Preapplication conference report for ADU over garage and parking waiver (Attachment A).

**ZONING REQUIREMENTS**

Standard		Requirement	Existing	Code Reference
<b>Lot</b>	Size	5,000 sq. ft.	5,000 sq. ft.	CBJ 49.25.400
	Width	50 ft.	50 ft.	CBJ 49.25.400
<b>Setbacks</b>	Front	20 ft.	<b>0 ft*</b>	CBJ 49.25.400
	Rear	10 ft.	50 ft.	CBJ 49.25.400
	Side (E)	5 ft.	<b>2.71 ft*</b> house / <b>4.69 ft.*</b> garage	CBJ 49.25.400
	Side (W)	5 ft.	~9 ft.	CBJ 49.25.400
	Street Side	N/A	N/A	CBJ 49.25.400
	<b>Lot Coverage Maximum</b>		50%	~37%
<b>Vegetative Cover Minimum</b>		30%	~32%	CBJ 49.50.300
<b>Height</b>	Permissible	35 ft.	2-story with daylight basement	CBJ 49.25.400
	Accessory	25 ft.	2-story	CBJ 49.25.400
<b>Maximum Dwelling Units (18/Acre)</b>		1	1	CBJ 49.25.500
<b>Use</b>		Residential	Residential	CBJ 49.50.300
<b>Parking</b>		2- SFD, 1 ADU	2	CBJ 49.40.210(a)

\*Certified nonconforming (NCC2021 0065).

**FLOOR PLAN**



**ANALYSIS**

**Project Site** – The lot is located in the northern area of the Juneau Townsite historic district just off of Main Street and contains a two-story, single-family dwelling with a daylight basement built on a steep lot with a slope of approximately 31%. The 2-car garage is directly adjacent to the sidewalk on the southeast corner of the lot. The structures were built prior to zoning requirements and are certified nonconforming for setbacks (Attachment H).

**Project Design** – The proposed one bedroom accessory apartment measures approximately 430 sq. ft. and will have one (1) bathroom, and a combined kitchen/living area. The ADU will be located on top of the existing 2-car garage and will not aggravate the existing nonconforming yard setback situation. The preexisting greenhouse (Attachment E) will be removed and replaced with the ADU.

**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	9.52
Accessory Apartment	1	6.65	6.65
<b>Total ADTs:</b>			<b>16.17</b>

**Vehicle Parking & Circulation** –According to CBJ 49.40.210(a), one (1) additional off-street parking space is required for the proposed accessory apartment. The applicants have applied for a parking waiver of one (1) off-street parking space (PWP2024-0001). In their application, the applicants explained that they only utilize one (1) of the spaces in the 2-car garage, and the second space would be designated for the occupant of the ADU. If the Parking Waiver is not granted, the accessory apartment cannot be constructed due to the unavailability of on-site parking. Parking is discussed further in the staff report for PWP2024-0001.

**Condition: Prior to issuance of a building permit, the applicants must have a parking waiver approved by the Commission or comply with current parking requirements.**

**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-minute walking distance from the property. The 2013 Comprehensive Plan promotes *Transit Oriented Development*, and allows for higher residential densities within a five to ten minute walking distance to public transit service.

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

**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.

**Vegetative Cover & Landscaping** – A minimum of 30 percent vegetative cover is required in the D18 zoning district. 2013 GIS Aerial Imagery indicate that this requirement is met, and the accessory apartment will not expand the existing footprint of the garage.

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

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

**Hazard Zones** -The lot is not located within a mapped hazard area.

**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.

**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 D18 multi-family zoning district and is surrounded by residential uses. Compact, in-fill development is generally in character with the higher density residential neighborhood and is encouraged in the 2013 Comprehensive Plan.

**AGENCY REVIEW**

CDD conducted an agency review comment period between April 2, 2024, and April 22, 2024, and received the following responses:

Agency	Summary
Alaska Electric Light and Power	More specific measurements are needed to verify the separation between the finished elevation of the proposed ADU and the adjacent utility conductor.
Building Division	No comment submitted.
General Engineering	No comment submitted.
Capital City Fire and Rescue	No concerns.

**Condition: Prior to the issuance of a building permit, finalized plans for the accessory apartment demonstrating compliance with utility setbacks must be submitted to CDD.**

**PUBLIC COMMENTS**

CDD conducted a public comment period between April 5, 2024, and April 22, 2024. Public notice was mailed to property owners within 500 feet of the proposed development. A public notice sign was also posted on-site two weeks prior to the scheduled hearing. No public comment was submitted at the time of writing this report.

**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
<b>2013 Comprehensive Plan</b>	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.

PLAN	Chapter	Page No.	Item	Summary
2016 Housing Action Plan	2	35	Production Targets	Creates additional housing, which advances the City's goal of increasing housing stock.

**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 on top of an existing, certified nonconforming detached accessory structure. The use is listed at CBJ 49.25.300, Section 1.130 for the D18 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 condition, the proposed development will comply with Title 49, including parking, lighting, and vegetative cover requirements.

**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 D18 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 D18 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 and Housing Action 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 and the 2016 Housing Action 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 on a certified nonconforming structure in a D18 zoning district.

The approval is subject to the following conditions:

1. Prior to issuance of a building permit for the accessory apartment, the applicants must have a parking waiver approved by the Commission or comply with parking requirements.
2. **Prior to the issuance of a building permit, finalized plans for the accessory apartment demonstrating compliance with utility setbacks must be submitted to CDD.**

**STAFF REPORT ATTACHMENTS**

<b>Item</b>	<b>Description</b>
<b>Attachment A</b>	<i>Application Packet</i>
<b>Attachment B</b>	<i>1914 Plat of Juneau Townsite</i>
<b>Attachment C</b>	<i>Assessor's Records</i>
<b>Attachment D</b>	<i>1927 Juneau Sanborn Map</i>
<b>Attachment E</b>	<i>2009 Building Permit for detached greenhouse</i>
<b>Attachment F</b>	<i>2012 As-built Survey</i>
<b>Attachment G</b>	<i>2013 Conditional Use Permit for greenhouse (after-the-fact)</i>
<b>Attachment H</b>	<i>2021 Nonconforming Certification</i>
<b>Attachment I</b>	<i>2021 Warranty Deed- Transfer to current owners</i>
<b>Attachment J</b>	<i>Abutters Notice and Public Notice Sign Photo</i>
<b>Attachment K</b>	<i>Agency Comments</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	114 6th St, Juneau, AK 99801
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot)	Lot 2, Block 29, Juneau Townsite
Parcel Number(s)	1C060A290030
<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	Jessica Barker & Caitlin Stern
Contact Person	Jessica Barker
Mailing Address	114 6th St, Juneau, AK 99801
E-mail Address	jessiebarker@gmail.com, caitlin.stern@gmail.com
Phone Number(s)	907-419-0663 907-713-7458
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.	
_____ Landowner/Lessee (Printed Name)	Jessica Barker Landowner Title (e.g.: Landowner, Lessee)
X _____ Landowner/Lessee (Signature)	30 Jan 2024 Date
_____ Landowner/Lessee (Printed Name)	Caitlin Stern Landowner Title (e.g.: Landowner, Lessee)
X _____ Landowner/Lessee (Signature)	30 Jan 2024 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	
Applicant (Printed Name)	If same as LANDOWNER, write "SAME" SAME
Mailing Address	Contact Person
E-mail Address	Phone Number(s)
X _____ Applicant's Signature	_____ Date of Application

To be completed by Applicant

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

Intake Initials

*PC*

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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

Case Number	Date Received
USE24-005	2/13/24



# 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.**

To be completed by Applicant

**PROJECT SUMMARY**

Construct 430 sq ft accessory dwelling unit on top of existing garage.

**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: USE 1.130, Single-Family Detached with an Accessory Apartment.

**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 5000 square feet    Total Area of Existing Structure(s) 2322 square feet  
 Total Area of Proposed Structure(s) 430 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**

*If this is a modification or extension include:*

**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

- 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)

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

ALLOWABLE/CONDITIONAL USE FEES				
	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>350.00</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50.00</u>			
Pub. Not. Sign Deposit	\$ <u>100.00</u>			
Total Fee	\$ <u>500.00</u>			

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>USE 24-005</u>	<u>2/13/24</u>

## **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](mailto: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.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

### **Allowable/conditional use permit application**

The current use of the land/building is a “greenhouse” on top of the existing garage. This was constructed by the previous property owners, and consists of a single room with electric heating plus a deck with wooden siding. The greenhouse is not used by the current property owners due to rot in the floor and a lack of plumbing.

This application is to remove the greenhouse and construct an accessory dwelling unit in the same space, with heating and plumbing. It would be a standalone unit with a kitchen and bathroom, suitable for long-term rental. This proposed use complies with the Comprehensive Plan.

### **Parking waiver application**

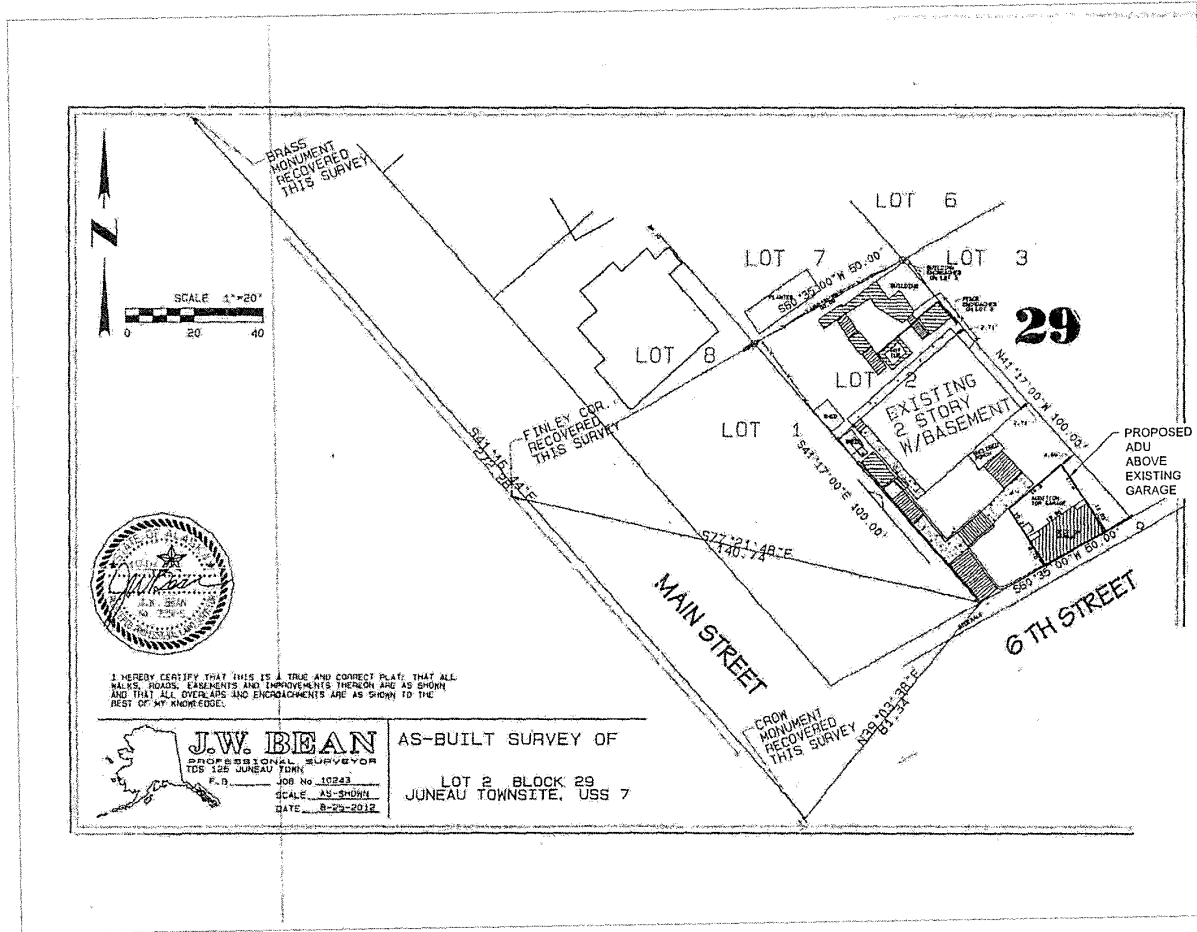
We request a parking waiver for the 430 sq ft accessory dwelling unit being proposed at 114 6<sup>th</sup> St downtown. The property currently has 2 parking spaces, of which we (the property owners) only use 1. In fact we are currently letting this second space to our neighbors at 128 6<sup>th</sup> St. These tenants also do not use the space to park a vehicle. This means that there is currently an available parking space that we would assign to the ADU. Using this space would result in more benefits and fewer detriments to the community and neighboring area than using up more land to create an extra parking space.

The above paragraph demonstrates how the proposed waiver meets items 1, 3 and 4 of the Parking Waiver Application. Regarding item 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.

### *Landowners:*

Jessica Barker  
[jessiebarker@gmail.com](mailto:jessiebarker@gmail.com)  
907-419-0663

Caitlin Stern  
[caitlin.stern@gmail.com](mailto:caitlin.stern@gmail.com)  
907-713-7458



**PROPERTY INFORMATION:**  
**PROJECT TYPE:** ADU ADDITION ON EXISTING GARAGE  
**OWNERS:** JESSICA BARKER & CAITLIN STERN  
**SITE ADDRESS:** 114 SIXTH STREET,  
 JUNEAU, AK 99801  
**LEGAL DESCRIPTION:** LOT 2, BLOCK 29, JUNEAU TOWNSITE  
**ZONING:** D18  
**SQUARE FOOTAGE OF ADU ADDITION:** 418 SF



JUNEAU, ALASKA  
 907-635-1433  
 TIMBERLINE  
 ENGINEERING  
 @OUTLOOK.COM

1" ACTUAL  
 IF THE ABOVE DIMENSIONS DOES NOT  
 BEARING TRUE, PLEASE CONTACT THE  
 SURVEYOR FOR A CORRECTED SET OF  
 PLANS.

PRELIMINARY  
 BARKER-STERN ADU  
 114 SIXTH STREET  
 JUNEAU, AK

BEST TITLE  
 SITE PLAN  
 & PROJECT  
 INFORMATION

DATE: 11 JG

PROJECT #

**A1**

SCALE AS NOTED  
 DATE 10/17/2023

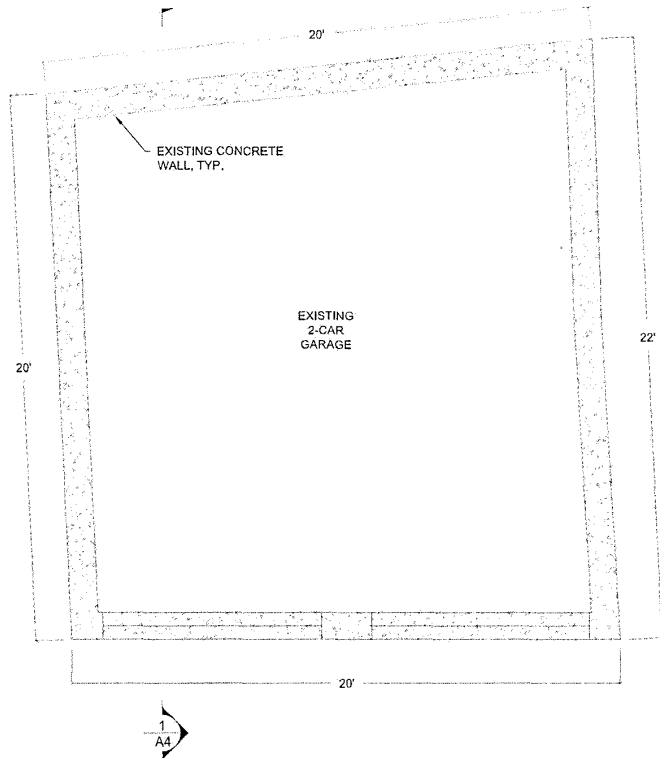
FULL SIZE: 11"x17"

- SHEET INDEX:**
- A1 SITE PLAN & PROJECT INFORMATION
  - A2 FLOOR PLAN & NOTES
  - A3 ELEVATIONS
  - A4 BUILDING SECTION

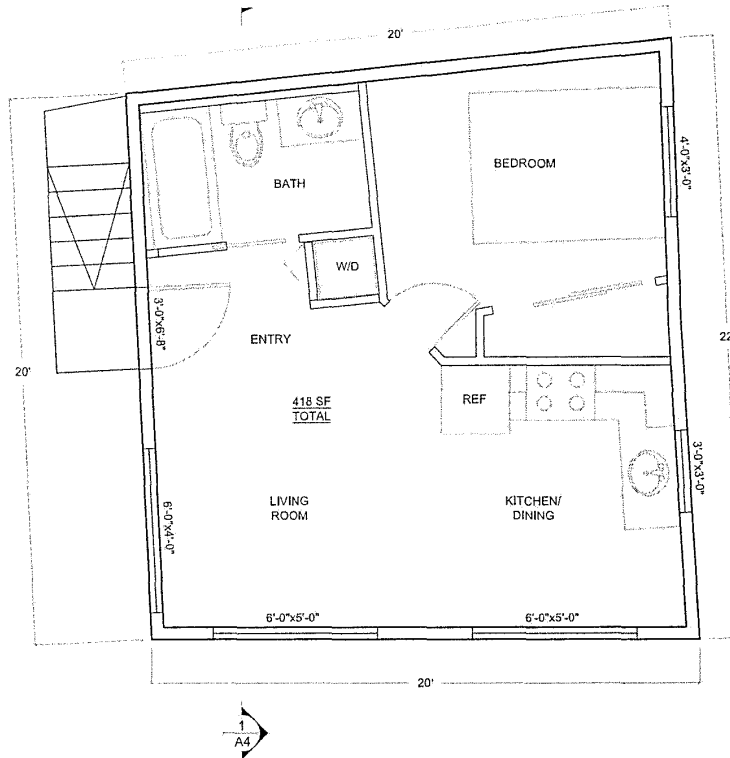
1 SITE PLAN  
 1/32" = 1'-0"

**CONSTRUCTION NOTES:**

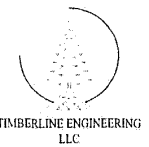
1. ALL WORK PERFORMED, AND MATERIALS USED, SHALL COMPLY WITH ALL APPLICABLE LOCAL AND STATE CODES, ORDINANCES AND REGULATIONS, ALL MANUFACTURER'S SPECIFICATIONS, AND ACCEPTED ENGINEERING AND CONSTRUCTION PRACTICES.
2. PROVIDE MAXIMUM 1/2" ELEVATION CHANGE FROM TOP OF DOOR THRESHOLDS TO EXTERIOR WALKING SURFACES.
3. ALL ROOF PENETRATIONS SHALL EXTEND ABOVE THE ROOF SURFACE A MINIMUM OF 24" EXCEPT FOR FIREPLACE FLUES, WHICH SHALL EXTEND 3-FEET ABOVE THE HIGH POINT OF ROOF PENETRATION, AND AT LEAST 2-FEET HIGHER THAN ANY PORTION OF THE ROOF WITHIN 10-FEET MEASURED HORIZONTALLY.
4. ALL EXTERIOR GLAZING SHALL BE 1-INCH THICK CLEAR LOW-E COATED INSULATED GLASS WITH THERMAL BREAK.
5. ROOF AREAS OF ENCLOSED RAFTER SPACES MUST BE VENTILATED. THE MINIMUM REQUIRED AREA OF THE VENTS IS  $\frac{1}{160}$  OF THE AREA TO BE VENTILATED.



1 EXISTING GARAGE/BASEMENT PLAN  
1/4" = 1'-0"



2 1ST FLOOR PLAN  
1/4" = 1'-0"



TIMBERLINE ENGINEERING  
LLC

JUNEAU, ALASKA  
907-635-1433  
TIMBERLINE  
ENGINEERING  
@OUTLOOK.COM

1" ACTUAL

BE THE ABOVE DIMENSIONS DOES NOT  
GUARANTEE THE EXACT POSITION OF THE  
STRUCTURE AND SHALL BEEN VALIDATED BY THE  
OWNER. ALL DIMENSIONS ARE IN FEET AND INCHES.

PRELIMINARY  
BARKER-STERN ADU

114 SIXTH STREET  
JUNEAU, AK

SHEET TITLE  
FLOOR PLAN  
& NOTES

REV. 11 JG

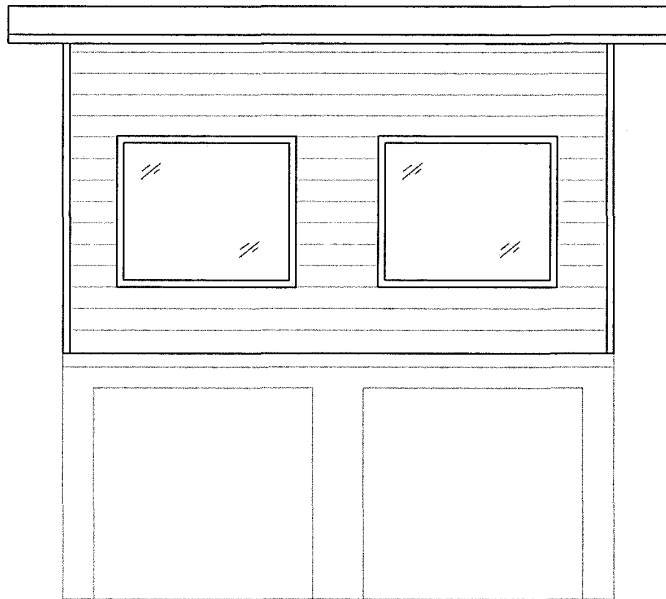
SHEET #

A2

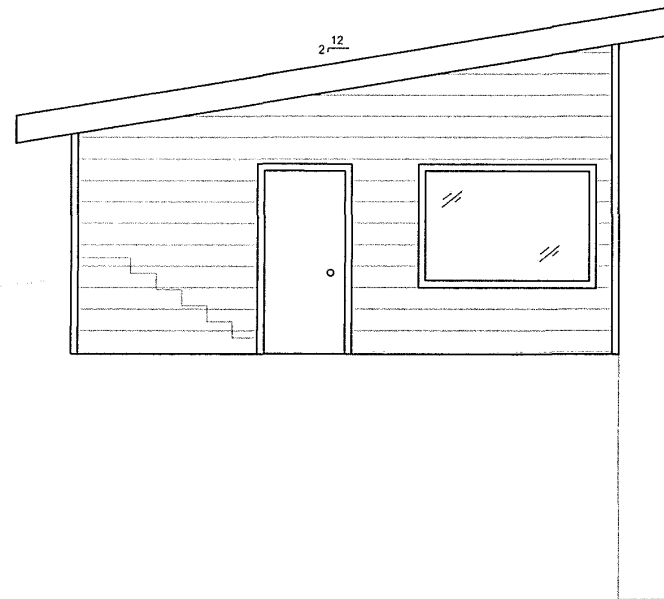
SCALE AS NOTED

DATE 10/17/2023

FULL SIZE: 11"x17"



1 - FRONT ELEVATION  
1/4" = 1'-0"



2 - LEFT ELEVATION  
1/4" = 1'-0"

TIMBERLINE ENGINEERING  
LLC

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907-635-1433  
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ENGINEERING  
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1" ACTUAL

IF THE ABOVE DIMENSIONS DO NOT  
INCLUDE THE AREA TO BE COVERED, THE  
REQUIREMENTS WILL BE AS CALLED  
FOR.

PRELIMINARY  
BARKER-STERN ADU

114 SIXTH STREET  
JUNEAU, AK

SHEET TITLE	
ELEVATIONS	
DATE	JG
SHEET #	
A3	
SCALE	AS NOTED
DATE	10/17/2023

FULL SIZE: 11"x17"

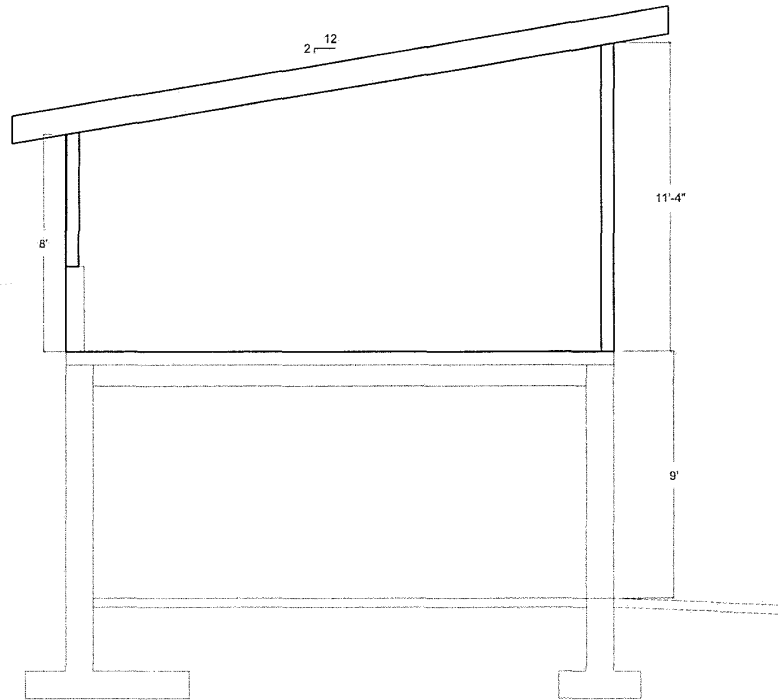
**ROOF:**  
 METAL ROOFING  
 GRACE ICE & WATER SHIELD  
 19/32" PLYWOOD OR OSB SHTG.

BCI RAFTERS @ 24" O.C.

GUTTER & DOWNSPOUT  
 HOLD-DOWN BLOCKING FOR  
 EAVE VENTS OR DRILL HOLES  
 BUG-SCREEN AT VENTS

**WALLS:**  
 2x6 STUDS @ 16" O.C.  
 15/32" PLYWOOD OR OSB SHTG.

**FLOORS:**  
 EXISTING CONCRETE FLOOR DECK



BUILDING SECTION  
 1/4" = 1'-0"

TIMBERLINE ENGINEERING  
 LLC

JUNEAU, ALASKA  
 907-635-1433  
 TIMBERLINE  
 ENGINEERING  
 @OUTLOOK.COM

1" ACTUAL

THIS DRAWING IS A PRELIMINARY DESIGN AND DOES NOT REPRESENT A CONTRACT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY DELAYS OR COSTS INCURRED BY THE CLIENT.

PRELIMINARY  
 BARKER-STERN ADU

114 SIXTH STREET  
 JUNEAU, AK

SHEET TITLE:  
 BUILDING  
 SECTION

DATE: JG

SHEET #  
 A4

SCALE: AS NOTED  
 DATE: 10/17/2023

FULL SIZE: 11"x17"





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

## Stern / Barker Accessory Apartment Conditional Use Permit and Parking Waiver

Case Number: PAC2023 0052  
 Applicant: Kara Sepel  
 Property Owner: Caitlin Stern and Jessica Barker  
 Property Address: 114 Sixth Street  
 Parcel Code Number: 1C060A290030  
 Site Size: 4,893 square feet  
 Zoning: D18 (Multi-Family Residential)  
 Existing Land Use: Residential

Conference Date: November 29, 2023  
 Report Issued: 12/12/2023

**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
Caitlin Stern	Applicant	<a href="mailto:Caitlin.stern@gmail.com">Caitlin.stern@gmail.com</a>
Jessie Barker	Applicant	<a href="mailto:jessiebarker@gmail.com">jessiebarker@gmail.com</a>
Kara Sepel	Applicant	<a href="mailto:Karasepel.interiordesign@gmail.com">Karasepel.interiordesign@gmail.com</a>
Jennifer Shields	Planning	<a href="mailto:Jennifer.Shields@juneau.gov">Jennifer.Shields@juneau.gov</a>
Charlie Ford	Building	<a href="mailto:Charlie.Ford@juneau.gov">Charlie.Ford@juneau.gov</a>
David Sevdy	Permit Tech	<a href="mailto:David.Sevdy@juneau.gov">David.Sevdy@juneau.gov</a>

## Conference Summary

### Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

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 lot currently contains a single-family dwelling, a detached, 2-story accessory structure in the front (lower-level 400 square foot garage and 200 square foot upper-level greenhouse), and a detached accessory structure (sauna) in the rear. The applicant would like to **convert and expand** the upper-level greenhouse into an approximately 400 square foot accessory apartment, matching the existing size of the lower-level garage.

### Planning Division

1. **Zoning** – The property is zoned D18 (Multi-Family Residential) and is located within the Alternative Development Overlay District (ADOD). The lot is 5,000 square feet and meets the D18 zoning district minimum lot size requirement of 5,000 square feet.
2. **Table of Permissible Uses – Proposed:** USE 1.130, Single-Family Detached with an Accessory Apartment.  
*Per CBJ 49.25.510(k)(2)(G)(i): “Multifamily dwelling and accessory apartment approval. Unless authorized by this section, an accessory apartment is prohibited in multifamily, commercial, and mixed-use zoning districts. The Director may approve a 49.25.300.1.300 accessory apartment application if all the requirements of this section and the following are met: (a) The application is for an efficiency, or one-bedroom unit that does not exceed 600 square feet in net floor area, is on a lot that exceeds the minimum lot size, and the primary use of the lot is a single-family dwelling.”*
3. **Subdivision** – N/A
4. **Setbacks** –
  - D18 setbacks: Front – 20 feet; Rear – 10 feet; Sides – 5 feet.
  - ADOD setbacks: All sides, 3 feet.
  - Nonconforming Structures per NCC2021-0065:
    - Zero-foot front yard setback for the garage
    - 4.69-foot east side yard setback for the garage
    - 2.71-foot east side yard setback for the dwelling
  - Additional Stories:
    - Per CBJ 49.25.430(4)M: “Additional stories. The Commission, through the Conditional Use Permit process, may allow the addition of a second or third story atop or below an existing enclosed structure which projects into a required yard setback if the structure is either nonconforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the structure, with the addition, would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.”
    - Per USE2013-0016, an after-the-fact Conditional Use Permit was approved for a 200 square foot greenhouse that encroached \*10 feet 3 inches into the 20-foot front yard setback\* (correct measurements) and 3 inches into the 5-foot side yard setback.
    - The proposed accessory structure would be 400 square feet and encroach 20-feet into the 20-foot front yard setback and 3 inches into the 5-foot side yard setback, doubling both the size and setback encroachment of the upper-level.
    - **A new Conditional Use Permit Application is required (see attached code and applications).**
5. **Height** – Maximum height allowed for an accessory structure in the D18 zoning district is 25 feet.

6. **Access** – Sixth Street.
7. **Parking & Circulation** – CBJ 49.40.210 requires two off-street parking spaces for a single-family dwelling unit. Back-out parking may be allowed in residential zoning districts per 49.40.230(b)(7)(A). The existing garage includes two off-street parking spaces.  

An accessory apartment would require one additional parking space on the property. Since topography is likely a constraint, per CBJ 49.40.220, **a Parking Waiver Application for the addition of an accessory apartment will be required (see attached code and applications).**
8. **Lot Coverage** – Maximum of 50% allowed. Per NCC2021-0065, existing lot coverage is 37%. The proposed upper-level accessory apartment would not increase lot coverage.
9. **Vegetative Coverage** – Minimum of 30% required. Per NCC2021-0065, existing vegetative cover is 32%. The proposed upper-level accessory apartment would not decrease vegetative cover.
10. **Lighting** – Exterior lighting shall be designed and located to minimize off-site glare.
11. **Noise** – N/A
12. **Flood** – N/A
13. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – A Hillside Endorsement may be required prior to issuance of a Building Permit for the proposed accessory apartment if construction involves excavation of any slope in excess of 18% or the creation of a new slope in excess of 18% for a vertical distance of at least 5 feet.
14. **Wetlands** – N/A
15. **Habitat** – No anadromous waterbodies are on the subject parcel, or within 50 feet.
16. **Plat or Covenant Restrictions** – N/A
17. **Traffic** – N/A
18. **Nonconforming situations** – A Nonconforming Certificate (NCC2021-0065) for the property was issued on September 3, 2021.

#### **Building Division**

19. **Building** – Building staff will comment during the plan review for a building permit.
20. **Outstanding Permits** – BLD2009-00103 – Construction of a detached green house. Modified 5/29/2012 for structural changes to roof

#### **General Engineering/Public Works**

21. **Engineering** – N/A
22. **Drainage** – N/A
23. **Utilities** – (water, power, sewer, etc.) Additional dwelling units may trigger additional utility assessment or requirement for water meter installation. General Engineering will review during building permit application and review.

#### **Fire Marshal**

24. **Fire Items/Access** – N/A

#### **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. Development Permit Application (one for each of the applications listed below)
2. Conditional Use Permit Application
3. Parking Waiver Application (submit concurrently with the Conditional Use Permit Application)

### 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.

### Exceptions to Submittal Requirements

Submittal requirements that staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. N/A

### 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.

1. Development Permit Application: N/A
2. Conditional Use Permit (USE): \$350
3. Public Notice Sign: \$150 (with \$100 refundable if the sign is returned by the Monday after the Planning Commission meeting).
4. Parking Waiver (PWP): \$320 (reduced due to major development)

For informational handouts with submittal requirements for development applications, please visit our website at [www.juneau.org/community-development](http://www.juneau.org/community-development).

### Submit your Completed Application

You may submit your application(s) online via email to [permits@juneau.gov](mailto: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](http://www.juneau.org/community-development)

Attachments:

CBJ 49.15.330 Conditional Use Permits  
CBJ 49.40.220 Parking Waivers  
Development Permit Application (DPA)  
Conditional Use Permit Application (USE)  
Parking Waiver Application (PWP)

# MAP OF JUNEAU ALASKA

1914



WETTRICK and WILHELM  
Civil and Mining Engineers

Channel

1914-2

Attachment B - 1914 Plat of Juneau Townsite



## Assessor's Database

### Current Owner

CAITLIN STERN & JESSICA BARKER

114 SIXTH ST, JUNEAU AK 99801

**Parcel #:** 1C060A290030 ([Map](#))

**Address:** 114 SIXTH ST

**Legal Desc. 1:** JUNEAU

**Legal Desc. 2:**

TOWNSITE BL 29 LT 2

**Building PV:** \$526900.00

**Total PV:** \$690400.00

**Prev. Owner:** VANCE F

**Site Value:** \$163500.00

PUTMAN

**Use Code:** Residential

**Exempt:** No Data

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

**Tax Year:** 2024

**No. of Units:** 001

**Year Built:** 1914

**Gross Liv. Area:** 001922 sqft

**Garage:** No

**Garage Area:** 000000

**Lot Size:** 4893.00

**Last Trans:** 20211015

**City Water:** Yes

**City Sewer:** Yes

**Exempt Land:** 0

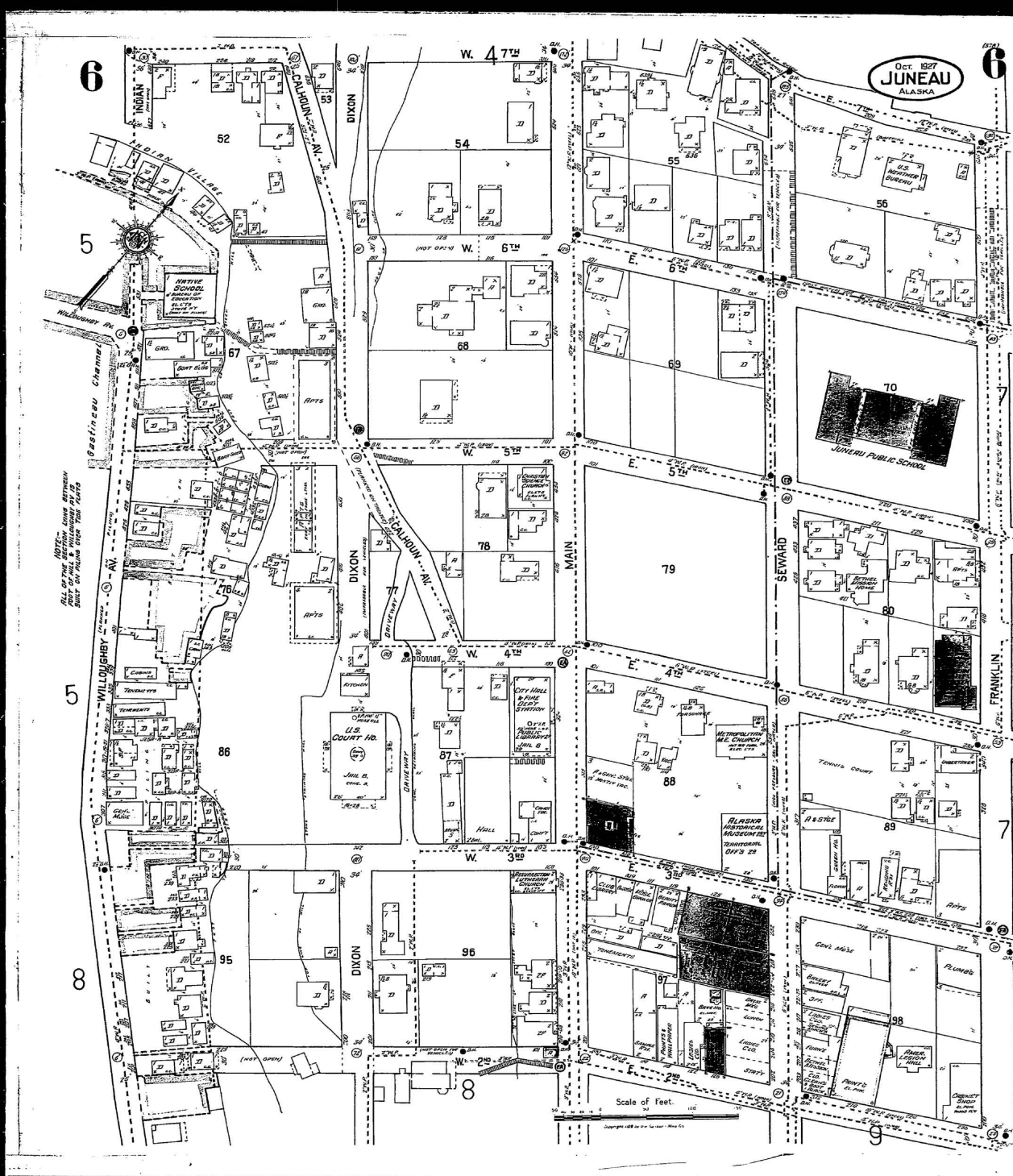
**Exempt Building:** 0

**Exempt Total:** 0

**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

NOTE: Lines between  
 blocks on this map are  
 drawn on the basis of  
 the 1927 field survey.

Scale of Feet.



**The Sanborn Library, LLC**

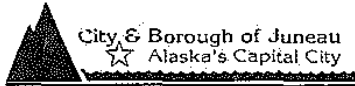
This Sanborn® Map is a certified copy produced by Environmental Data Resources, Inc. under arrangement with The Sanborn Library, LLC. Information on this Sanborn® Map is derived from Sanborn field surveys conducted in:

Copyright © 1927 The Sanborn Library, LLC AMV  
 Year EDR Research Associate

Reproduction in whole or in part of any map of The Sanborn Library, LLC may be prohibited without prior written permission from The Sanborn Library, LLC.

Attachment D - 1927 Juneau Sanborn Map





# BUILDING PERMIT

Permit No.  
BLD2009-00103

\*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 faxed notification.

The Online Building Inspection Request Form is at: [www.juneau.org/permits/inspect\\_request.php](http://www.juneau.org/permits/inspect_request.php).

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

Call before 7:30 AM for same day inspections.

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: 114 SIXTH ST	Issued Date: 06/07/2012
Permit Number: BLD2009-00103	Parcel No: 1C060A290030
Project Description: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.	

Parcel Information : JUNEAU TOWNSITE BL 29 LT 2

Setbacks:	Zone: D18:	Firm Zone: C
Front: 10.00 Ft SE	Side 1: 5.00 Ft NE	
Rear: 10.00 Ft NW	Side 2: 5.00 Ft NW	
Street Side:		
Comments: Front lot line is inferior edge of sidewalk. Front yard setback reduced to 10 ft per CBJ 49.25.430(4)(K). OK		

Owner:

VANCE F PUTMAN  
KIMBERLY A HOMME  
PO BOX 020473  
JUNEAU AK 99802-0473

Applicant:

FATE PUTMAN  
PO BOX 020473  
JUNEAU AK 99802

Fee Type	Date	Receipt	Amount Paid
BLD- Bldg Permit Fee	03/18/2009	10000	\$40.92
BLD- Res Plan Review	03/18/2009	10000	\$20.46
BLD- Addl Plan Review Fee	06/07/2012	00176	\$27.00
Total Fees Paid:			\$88.38

Valuation for Permit Fee Calculations:		
S.F.	Type	Amount
		0.00
Total Valuation:		\$1,238.40

**Project Conditions and Holds:**

Custom Condition no holds or warn - Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required - Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification - Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

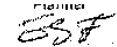
Approved Plans On Site - CBJ approved plans must be on site and available to the inspector. Inspections will not be performed and additional fees may apply if approved plans are not available to the inspectors.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.

B-Setback Verification	B-Foundation, Forms and Reinforcing Steel	B-Framing
B-Rough Electrical	B-Building Final	E-Grading/Drainage

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](mailto:permits@ci.juneau.ak.us)  
 Web Site: [www.juneau.org/permits](http://www.juneau.org/permits)

# Staff Review Sheet



Permit Intak Initials: JE

FIRE ZONE ENG WAT SEW ARCH STRUC PLUM MECH ELEC ACCESS SPEC/NSP

5/29/2012

Case No: **BLD2009-00103**

Site Address: **114 SIXTH ST**

Parcel No: **1C060A290030**

Desc: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.

Residential                                                                                      
 Singl                                                                                      
 New Dwelling Units:       0        
 FCC Code:       438       Existing Dwelling Units:       1        
 Type of Construction:        Occupancy Class:       U        
 Sprinkler Substitute for Type A Construction: YES NO  
 Sprinkler System: FULL PARTIAL NONE Required: YES NO  
 Alarm System: FULL PARTIAL NONE Required: YES NO  
 Code Edition:       2006 IRC       Code Review by:       MES       Date:       6-5-12      

Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
0.00			
			1,238.40
Total Valuation:			<b>\$1,238.40</b>

<p><b>LAND USE</b></p> <p>ZONE/UNITS <u>      D18 / 1      </u>                  WETLAND <u>      /      </u>                  FLOOD ELEV <u>      /      </u>                  FIRM ZONE <u>      C      </u>                  FIRM MAP <u>      700 B      </u>                  LOT SIZE <u>      4,893 SF      </u>  <u>      0.1 ACRES      </u></p> <p>SETBACKS</p> <p>Front <u>      10      </u> SE                  Rear <u>      10      </u> NW                  Side <u>      5      </u> NE                  Other <u>      /      </u></p> <p>PARKING <u>      /      </u>                  ANADROMOUS <u>      /      </u>                  EAGLES NEST <u>      /      </u></p>	<p><b>ENGINEERING/PUB WORKS</b></p> <p>Dwelling Units: <u>      </u>                  CITY WATER:                  Permit #: <u>      </u>                  Use: <u>      </u>                  Assessment: <u>      </u>                  Service Size: <u>      </u>                  Line Size: <u>      </u>                  CITY SEWER:                  Permit #: <u>      </u>                  Use: <u>      </u>                  Assessment: <u>      </u>                  Fixture Units: <u>      </u></p>	<p><b>PLAN REVIEW APPROVALS</b></p> <p style="text-align: center;">Initials     Date</p> <p><u>      /      </u> Fire</p> <p><u>      BF 5/30/12      </u> Zoning</p> <p><u>      </u> Engineering</p> <p><u>      </u> Water</p> <p><u>      </u> Sewer</p> <p><u>      MES 6-5-12      </u> Architectural</p> <p><u>      MES 6-5-12      </u> Structural</p> <p><u>      </u> Plumbing</p> <p><u>      </u> Mechanical</p> <p><u>      </u> Electrical</p> <p><u>      </u> Access</p> <p><u>      </u> Spcl Insp Form</p>	<p><b>PERMIT ISSUANCE FEES</b></p> <p><u>      </u> Grading Plan Review Fee \$  <u>      </u> Adjusted Plan Review Fee \$  <u>      </u> Fast Track Fee \$  <u>      </u> Early Start Fee \$  <u>      </u> Building Permit Fee \$  <u>      </u> Water Assessment Fee \$  <u>      </u> Sewer Assessment Fee \$  <u>      </u> Sewer Inspection Fee \$  <u>      </u> Grading Permit Fee \$  <u>      </u> Driveway Permit Fee \$  <u>      </u> Bond for \$  <u>      </u> Other \$                  Total Issuance Fees \$</p>
---	---	---	---

1,238.40  
 ) (5)

<p><b>LAND USE PERMITS</b></p>	<p><b>WATER CONNECTION PERMITS</b></p> <p>I hereby acknowledge receipt of a <u>      </u> inch meter yoke.</p> <p>X <u>      </u></p> <p>Date <u>      </u></p>	<p><b>APPROVED FOR ISSUANCE</b></p> <p style="text-align: center;"><u>      </u> Signature</p> <p style="text-align: center;"><u>      6-5-12      </u> Date</p>	<p><b>PERMIT ISSUANCE PAYMENTS</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <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>	Date	Receipt	Check	Amount				\$				\$				\$
Date	Receipt	Check	Amount																
			\$																
			\$																
			\$																

**Parcel Tags:**

CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)

      Continue zoning conditions from previous building permit BLD09-10



Application Date: March 18, 2009

# 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: **BLD2009-00103**

Case Description: Construction of a detached greenhouse. Modified 05/29/2012 for structural changes to roof.

Site Address: **114 SIXTH ST**

Check No. of Existing Dwelling Units:

Parcel No: **1C060A290030**

No. of New Dwelling Units:

Legal Description: JUNEAU TOWNSITE BL 29 LT 2

No. of Removed Dwelling Units:

**Applicant :** FATE PUTMAN  
PO BOX 020473  
JUNEAU AK. 99802:

PH1 586-2761

**Owner:** VANCE F. PUTMAN  
KIMBERLY A HOMME  
PO BOX 020473  
JUNEAU AK 99802-0473

**Contractor:** OWNER/BUILDER

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

### Valuation for Permit Fee Calculations:

S.F.	Type	Rate	Amount
		0.00	
Total Valuation:			1,238.40
			\$1,238.40

### Associated Cases:

None.

### Parcel Tags:

### Notes and Conditions:

Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Asbuilt Survey Required before final inspection approval.

Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.

Applicant's Signature  
(Owner, Contractor or Authorized Agent)

Date

*J. L. B...*  
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: 588-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us  
Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS



# BUILDING PERMIT

Permit No.  
**BLD2009-00103**  
Proj #: BLD2009-00103

\* 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 faxed notification.

The Online Building Inspection Request Form is at: [www.juneau.org/permits/inspect\\_request.php](http://www.juneau.org/permits/inspect_request.php).

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

Call before 7:30 AM for same day inspections.

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:	114 SIXTH ST	Issued Date:	4/3/2009
Permit Number:	BLD2009-00103	Parcel No.:	1C060A290030
Project Description:	PUTNAM GREENHOUSE Construction of a detached greenhouse.		

Parcel Identification:	JUNEAU TOWNSITE BL 29 LT 2
------------------------	----------------------------

Setbacks:	Zone: D18	Firm Zone: C
Front: 10 Ft. SE	Side 1: 5 Ft. NE	
Rear: 10 Ft. NW	Side 2: 5 Ft. NW	
Comments: Front lot line is interior edge of sidewalk. Front yard setback reduced to 10 ft per CBJ 49.25.430(4)(c), OK		

Owner: VANCE F PUTMAN	Applicant: FATE PUTMAN
Address:	Address: PO BOX 20473
City: JUNEAU, AK 99802	City: JUNEAU, AK 99802

Fee Type	Date	Receipt	Amount Paid	Valuation for Permit Fee Calculations:	
1 Permit Fee	3/18/2009	27331	40.92	BUILDING PERMIT UTIL - Greenhouse	1,238.40
1 Residential Plan Revie	3/18/2009	27331	20.46	Total Valuation:	1,238.40
Total Fees Paid:			61.38		

Project Conditions and Holds:
1 Asbuilt Survey Required before final inspection approval.
2 Foundation Setback Verification (yellow form) must be on site when pour inspection or placement of other foundation systems occurs.
3 Framing and anchoring of structure must be per approved engineered plans, any changes or modification to plans must be approved by project engineer in writing.

Inspections Required: Call for inspection before covering or concealing any of the work described below. Inspections may be combined.					
100	Insp - Setbacks	105	Foundation Setback form	115	Insp - Stemwalls/Form/Rebar
140	Insp - Rough Framing	150	Insp - Rough Electrical	260	Insp - Grading/Drainage
800	Insp - Residential Final				

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](mailto:permits@ci.juneau.ak.us)

# Staff Review Sheet

Planner

Permit Intake Initials: *UJF*

FIRE ZONE ENG WAT SEW ARCH STRUC PLUM MECH ELEC ACCESS SPEC/INSP

3/18/2009

Project Name: **PUTNAM GREENHOUSE**

Case No: **BLD2009-00103**

Site Address: **114 SIXTH ST**

Parcel No: **1C060A290030**

Desc: Construction of a greenhouse.

Residential ADD SF New Dwelling Units: 0  
 FCC Code: 438 Existing Dwelling Units: 1  
 Type of Construction: \_\_\_\_\_ Occupancy Class: U  
 Sprinkler Substitute for Type A Construction: YES NO  
 Sprinkler System: FULL PARTIAL NONE Required: YES NO  
 Alarm System: FULL PARTIAL NONE Required: YES NO  
 Code Edition: 2003 RPL/700 Code Review by: TJS Date: 4/3/09

**Fees Assessed at Application:**

Fee Type	Amount
1 Permit Fee	40.92
1 Residential Plan Review	20.46
<b>Total Fees:</b>	<b>61.38</b>

**Valuation at Application:**

S.F.	Type	Rate	Amount
120	UTIL - Greenhouse	10.32	1,238.40
<b>Total Valuation:</b>			<b>1,238.40</b>

**Fees Paid at Application:**

Date Paid	Receipt	Check	Paid
3/18/2009	27331	281	61.38
1 Permit Fee			40.92
1 Residential Plan Review			20.46
<b>Total Fees Paid:</b>			<b>61.38</b>

**LAND USE**

ZONE/UNITS D18/1  
 WETLAND Unknown  
 FLOOD ELEV \_\_\_\_\_  
 FIRM ZONE C  
 FIRM MAP \_\_\_\_\_  
 LOT SIZE 4,893 SF  
0.1 ACRES  
 SETBACKS  
 Front 20' 10"  
 Rear 10  
 Side 5  
 Other 5  
 PARKING 12  
 ANADROMOUS /  
 EAGLES NEST /

**ENGINEERING/PUB WORKS**

CITY WATER Units: \_\_\_\_\_  
 Case No: \_\_\_\_\_  
 Service Size: \_\_\_\_\_  
 Fire Line Size: \_\_\_\_\_  
 Metered: \_\_\_\_\_  
 Extended Pmt #: \_\_\_\_\_  
 CITY SEWER Units: \_\_\_\_\_  
 Case No: \_\_\_\_\_  
 Bond Case No: \_\_\_\_\_  
 Other Case No: \_\_\_\_\_  
 ADEC Sewer No: \_\_\_\_\_

**PLAN REVIEW APPROVALS**

	Initials	Date
Fire		
<input checked="" type="checkbox"/> Zoning	<u>ESG</u>	<u>3/23/09</u>
<input checked="" type="checkbox"/> Engineering	<u>MJM</u>	<u>3/20/09</u>
Water		
Sewer		
<input checked="" type="checkbox"/> Architectural	<u>JJS</u>	<u>4/3/09</u>
<input checked="" type="checkbox"/> Structural	<u>JJS</u>	<u>4/3/09</u>
Plumbing		
Mechanical		
Electrical		
Access		
Spcl Insp Form		

**PERMIT ISSUANCE FEES**

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>	\$

**LAND USE PERMITS**

**WATER CONNECTION PERMITS**

I hereby acknowledge receipt of \_\_\_\_\_  
 a \_\_\_\_\_ inch meter yoke.  
 X \_\_\_\_\_  
 Date \_\_\_\_\_

**APPROVED FOR ISSUANCE**

*[Signature]*  
 Signature: \_\_\_\_\_  
 Date: 4/3/09

**PERMIT ISSUANCE PAYMENTS**

Date	Receipt	Check	Amount
			\$
			\$
			\$

**PARCEL TAGS:**

This property (or structure) has been identified in the Draft Historic Preservation Plan of Dec 1997 as a historic resource which may require documentation prior to demolition. See Title 19.01.102.8.2.

**CONDITIONS AND HOLDS ON PERMIT: (Continued on back of sheet)**

- As-Built Survey Required
- Foundation Setback Verification



Application Date: March 18, 2009

# 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.

Project Name: PUTNAM GREENHOUSE

Case No: BLD2009-00103

Project No: BLD2009-00103

Case Description: Construction of a greenhouse.

Site Address: 114 SIXTH ST

Check No. of Existing Dwelling Units: 1

Parcel No: 1C060A290030

No. of New Dwelling Units: 0

Legal Description: JUNEAU TOWNSITE BL 29 LT 2

Applicant: FATE PUTMAN  
Address: PO BOX 20473  
City: JUNEAU, AK 99802

PH1 586-2761

Owner: VANCE F PUTMAN  
Address: PO BOX 020473  
City: JUNEAU, AK 99802  
PH1 20040305

Contractor: OWNER/BUILDER

### Valuation for Permit Fee Calculations:

Description	S.F	Type	Amount
BUILDING PERMIT	120	UTIL - Greenhouse	1,238.40
Total Valuation:			1,238.40

### Permit Fees Paid at Application:

Fee Type	Date Paid	Receipt	Check or Credit #	Amount Paid
1 Permit Fee	3/18/2009	27331	281	40.92
1 Residential Plan Review	3/18/2009	27331	281	20.46
Total Fees Paid:				61.38

### Associated Cases:

None.

### Parcel Tags:

This property (or structure) has been identified in the Draft Historic Preservation Plan of Dec 1997 as a historic resource which may require documentation prior to demolition. See Title 19.01.102.6.2.

### Notes and Conditions:

Applicant's Signature  
(Owner, Contractor or Authorized Agent)

3/18/09

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.

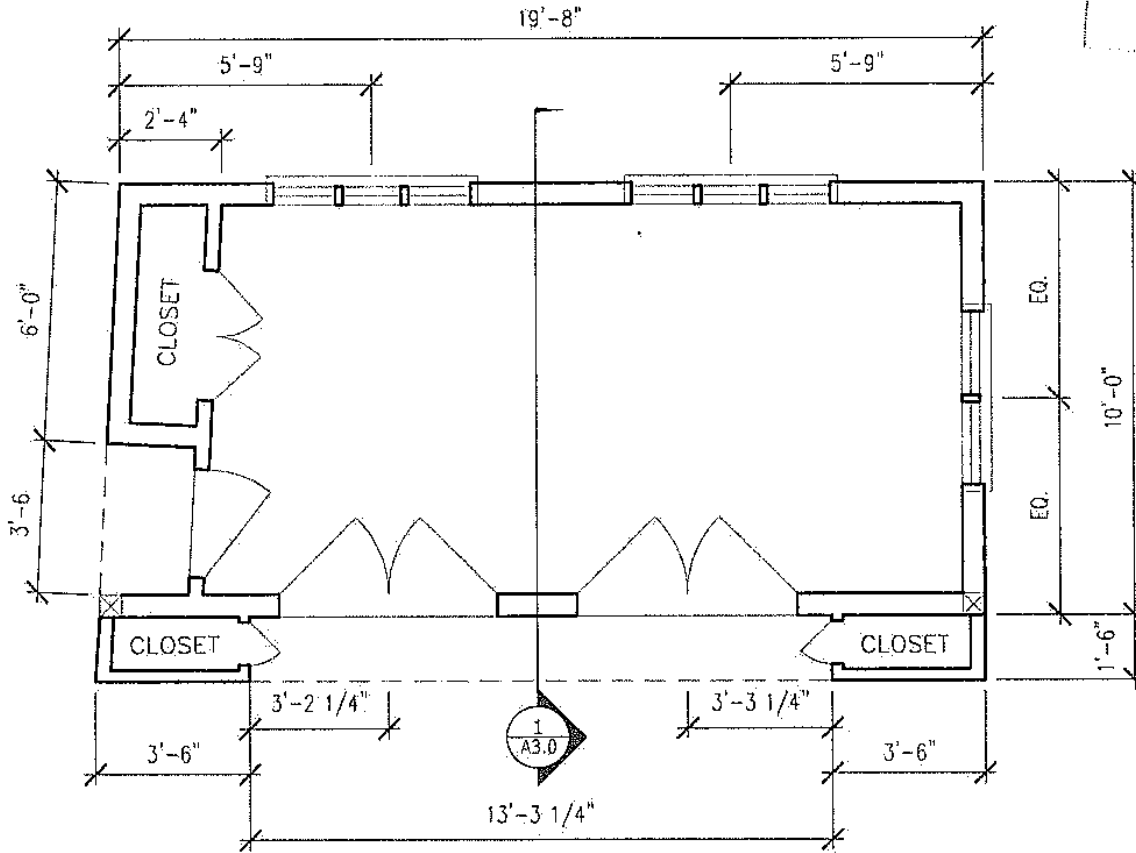
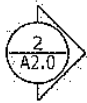
JUNEAU PERMIT CENTER - 230 S. Franklin Street - 4th Floor, Marine View Center - Mail: 155 S. Seward Street, Juneau, AK 99801  
Phone: 586-0770 - FAX: 586-3365 - Inspection Requests: 586-1703 - Email: permits@ci.juneau.ak.us  
Web Page: HTTP://WWW.JUNEAU.ORG/PERMITS

BOP 2009-0903

RECEIVED  
MAY 29 2012  
PERMIT CENTER/CDD

Plans approved as noted  
inspections will not be  
performed without (HP)  
approved plan on site.  
MFS 6-5-12

RECEIVED  
MAY 29 2012  
PERMIT CENTER/CDD



1 FLOOR PLAN  
1/4" = 1'



North Wind  
Architects LLC  
10A 2ND ST.  
JUNEAU, AK 99801  
PH #907.536.6150  
FX #907.536.6181  
WWW.NORTHWINDARCH.COM

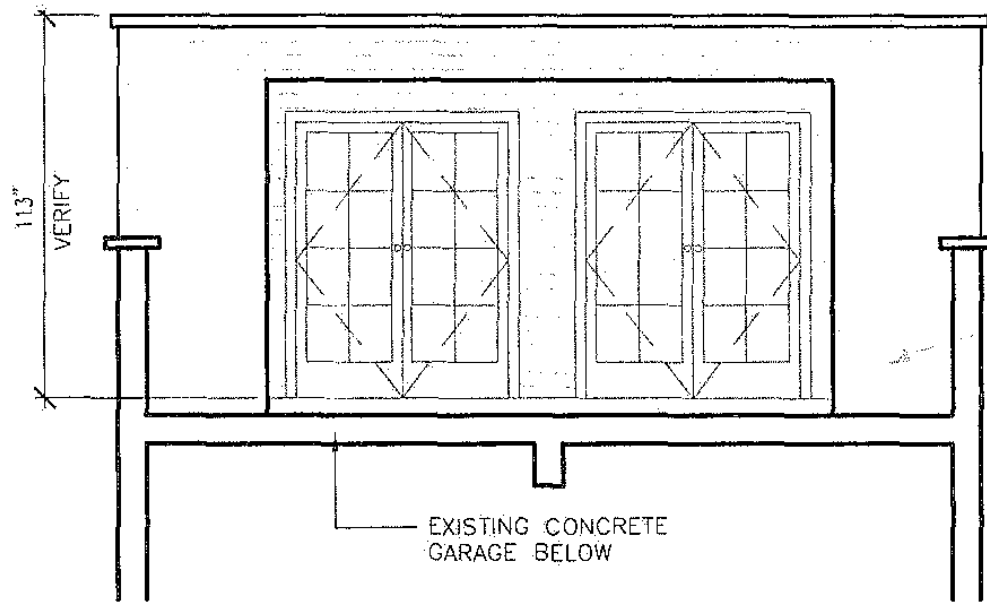
PUTMAN GREENHOUSE

114 SIXTH STREET  
JUNEAU, ALASKA 99801

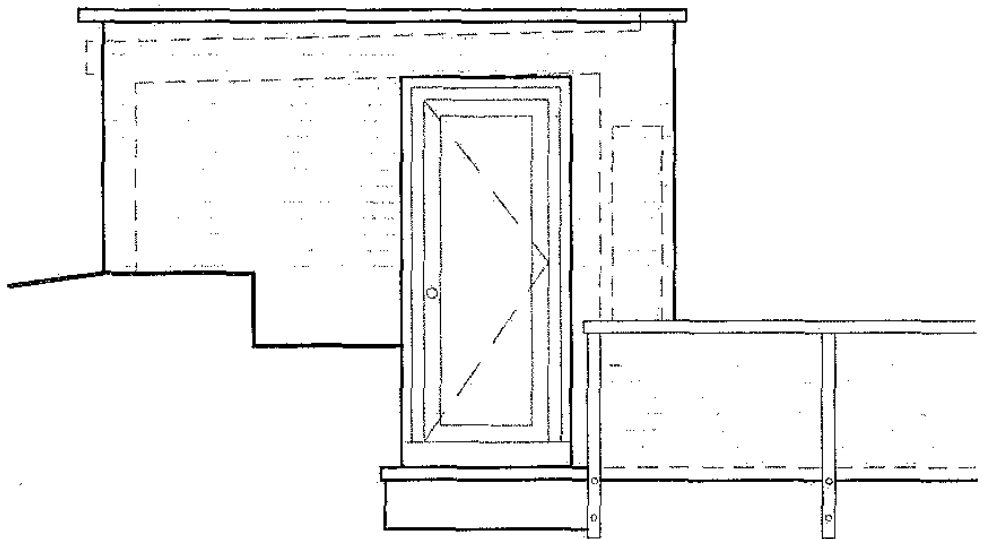
PLANS

DATE	3-12-10
BY	SMH
CHECKED BY	FKD
SCALE	

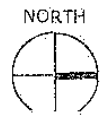
A1.0



① EAST ELEVATION  
1/4" = 1'



② NORTH ELEVATION  
1/4" = 1'



RECEIVED  
MAY 20 2010  
COUNTY CENTER/ODD

PAID 100.00  
4 GUARDIAN PER  
2006 F.R.C.

  
**NorthWind**  
 Architects L.L.C.  
 119A 2ND ST.  
 JUNEAU, AK 99801  
 PH #907.586.6150  
 FX #907.555.6181  
 WWW.NORTHWINDARCH.COM

**PUTMAN GREENHOUSE**

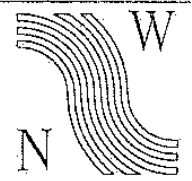
114 SIXTH STREET  
JUNEAU, ALASKA 99801

NO. OF SHEETS  
ELEVATIONS

DATE	3-12-10
DESIGNER	SMB
PREPARED BY	FKD
CHECKED BY	

A2.0





NorthWind Architects LLC

119A 2nd St.  
Juneau, AK 99801  
PH #907.586.6150  
FX #907.586.6181  
WWW.NORTHWINDARCH.COM

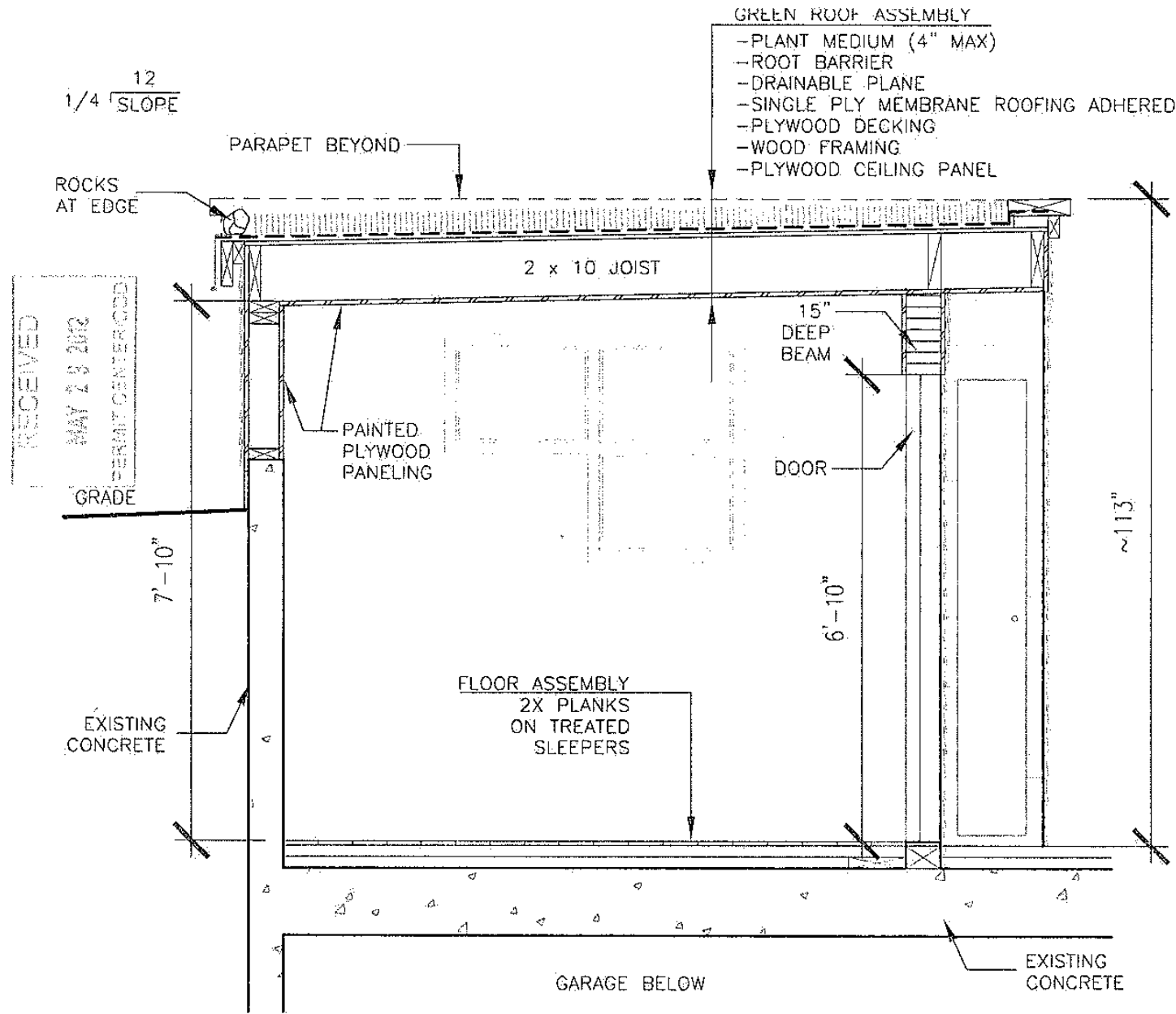
PUTMAN GREENHOUSE

114 SIXTH STREET  
JUNEAU, ALASKA 99801

SECTION

DATE 3-12-10  
DRAWN BY SAM  
CHECKED BY EKD

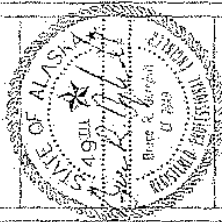
A3.0



1 SECTION  
1/2" = 1'



**ENGINEERING**  
**BRUCE R. BERRYLL P.E.**  
 Civil & Structural Engineer  
 600 West 7th St.  
 Juneau, AK 99801  
 Phone: 586-5011  
 Fax: 586-5077  
 Cell: 907-586-5077  
 Email: bberryll@bruceberryll.com



1. MARKET 105E  
 1. MARKET 105E  
 1. MARKET 105E

FUTMAN GREENHOUSE  
 114 SIXTH STREET  
 JUNEAU, ALASKA

PROOF FRAMING PLAN  
 & SHEARWALLS, BELOW

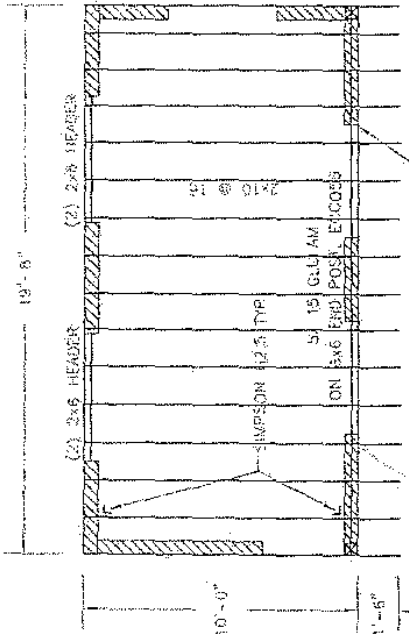
**FUTMAN GREENHOUSE  
 CONSTRUCTION NOTES**

1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 6. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 7. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 8. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 9. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 10. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.

**FRAMING:**  
 1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 6. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 7. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 8. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 9. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 10. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.

**GENERAL:**  
 1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 6. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 7. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 8. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 9. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 10. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.

**CONCRETE:**  
 1. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.  
 2. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.  
 3. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 4. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 5. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 6. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 7. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 8. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.  
 9. ALL DIMENSIONS SHALL BE TO CENTER UNLESS OTHERWISE NOTED.  
 10. ALL DIMENSIONS SHALL BE TO SURFACE UNLESS OTHERWISE NOTED.



SHEARWALL, BELOW  
 1 1/2 x 6" EPOXY AS @ 45" O.C.,  
 AND WITHIN 6" OF PANEL ENDS  
 TO EXISTING CONCRETE WITH 2" X 2" X 1/2" WAGNUT  
 15/32" COX ONE SIDE OF 2x6 STUDS.  
 LAP PLYWOOD OVER COMMON DUMPER STUD  
 NAIL 8d @ 6" O.C.

**ROOF FRAMING PLAN**

RECEIVED  
JUL 28 2012  
PERMIT CENTER, CDD

Putman Greenhouse

114 E 6th St.

Juneau, AK

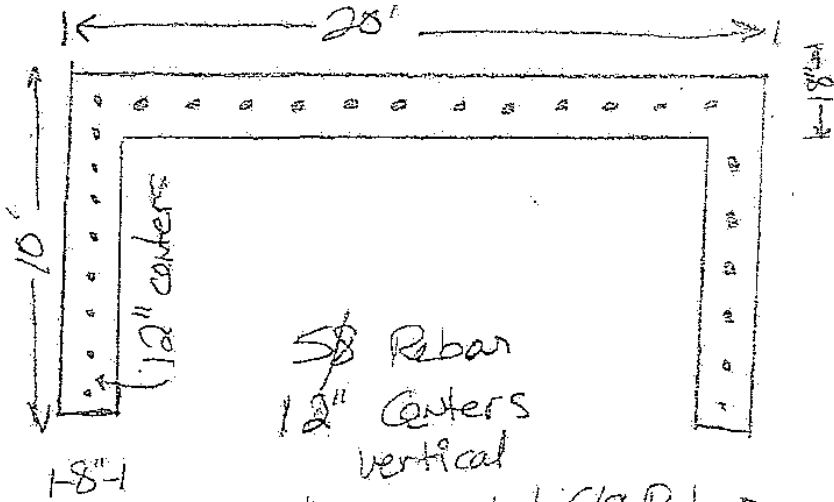
321-0773

Fate Putman

### Foundation Drawing

TOP View

20 July 2012



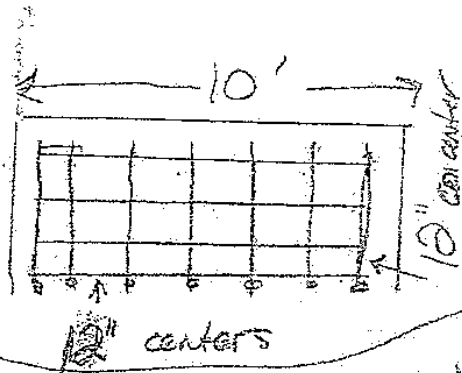
RECORD DRAWING BY FATE PUTMAN

Side view

West wall

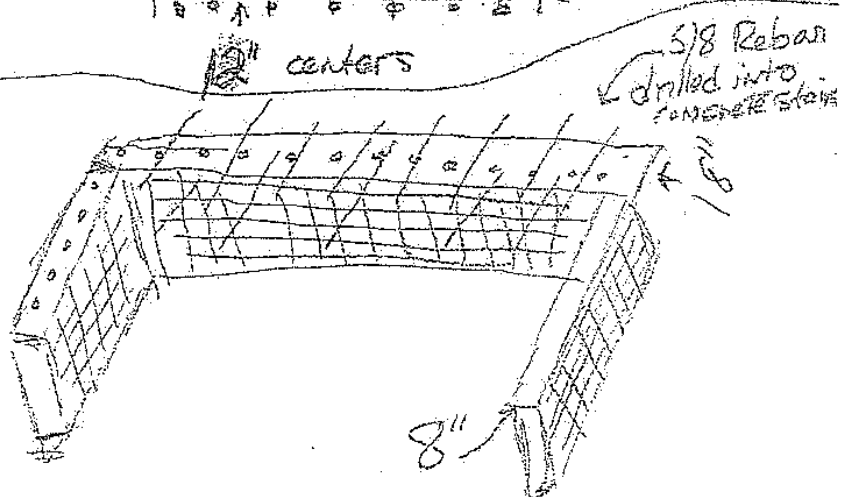
Steel interior

Rebar 5/8



Front View

Rebar 5/8





SCALE 1"=20'

0 20 40

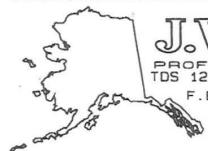
BRASS MONUMENT RECOVERED THIS SURVEY

FINLEY COR. RECOVERED THIS SURVEY

CROW MONUMENT RECOVERED THIS SURVEY



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.

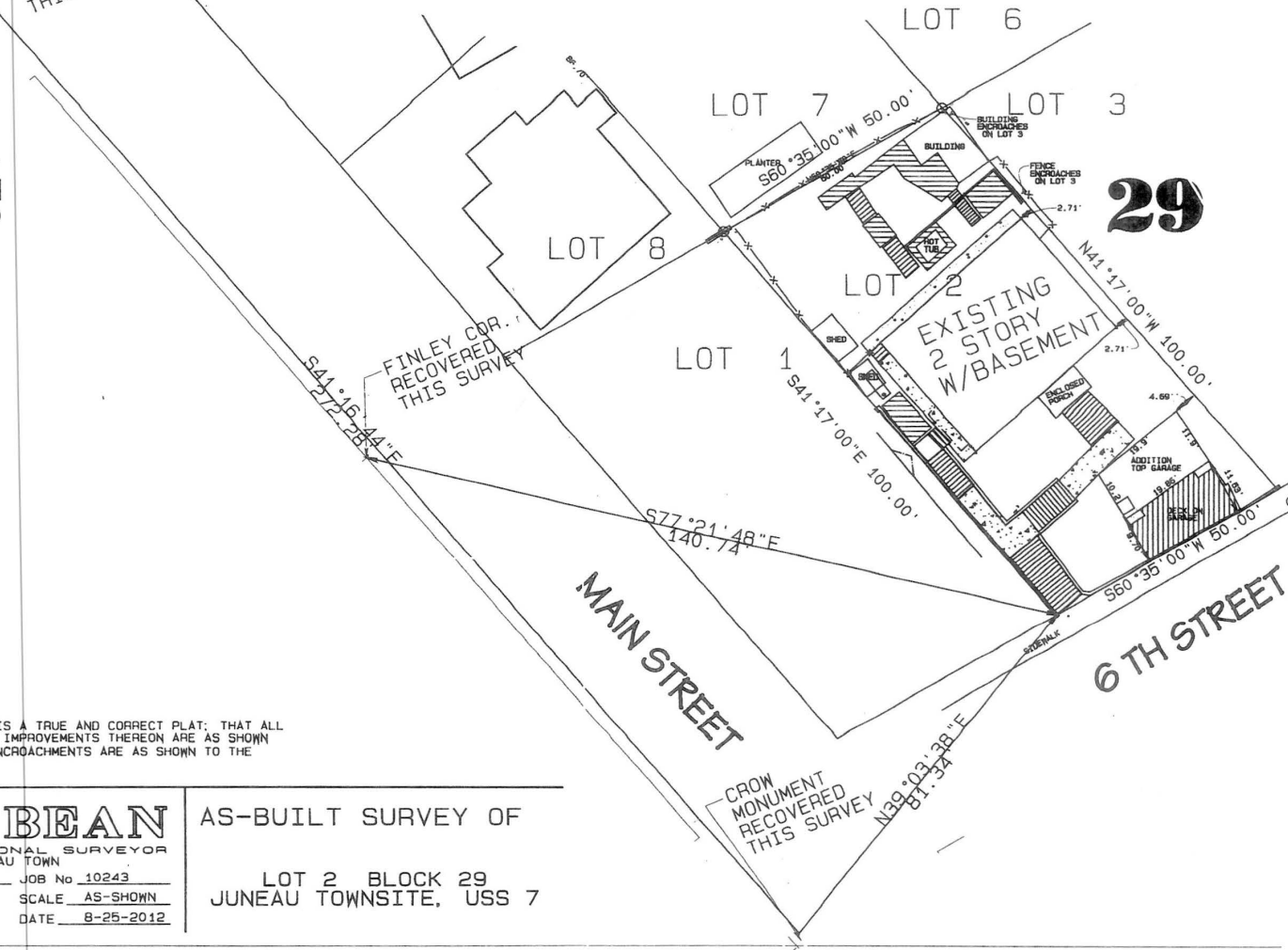


**J.W. BEAN**  
PROFESSIONAL SURVEYOR  
TDS 125 JUNEAU TOWN

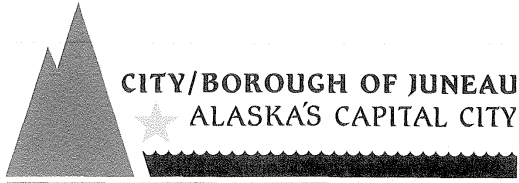
F.B. \_\_\_\_\_ JOB No. 10243  
SCALE AS-SHOWN  
DATE 8-25-2012

AS-BUILT SURVEY OF

LOT 2 BLOCK 29  
JUNEAU TOWNSITE, USS 7



**29**



**PLANNING COMMISSION  
NOTICE OF DECISION**

Date: October 23, 2013  
File No.: USE2013 0016

Vance F Putman  
PO Box 20473  
Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Application For: An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

Legal Description: Juneau Townsite Block 29 Lot 2  
Property Address: 114 Sixth Street  
Parcel Code No.: 1-C06-0-A29-003-0  
Hearing Date: October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

Attachments: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Commission, October 22, 2013  
Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

155 So. Seward Street, Juneau, Alaska 99801-1397

Vance F Putman  
File No.: USE2013 0016  
October 23, 2013  
Page 2 of 2

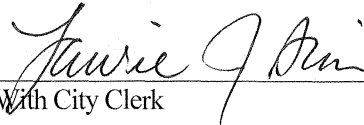
Project Planner:



Teri Camery, Senior Planner  
Community Development Department



Michael Satre, Chair  
Planning Commission



Filed With City Clerk

10/25/13

Date

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.

# MEMORANDUM

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

**DATE:** October 15, 2013

**TO:** Planning Commission

**FROM:** Teri Camery, Senior Planner  
Community Development Department

**FILE NO.:** USE2013 0016

**PROPOSAL:** An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

## GENERAL INFORMATION

Applicant: Vance F Putman

Property Owner: Vance F Putman

Property Address: 114 Sixth Street

Legal Description: Juneau Townsite Block 29 Lot 2

Parcel Code Number: 1-C06-0-A29-003-0

Site Size: 4,893 square feet

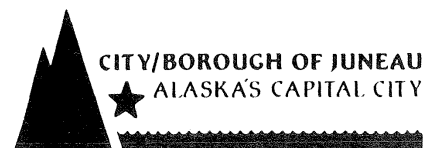
Comprehensive Plan  
Land Use Designation: Medium Density Residential

Zoning: D-18

Utilities: CBJ Water and Sewer

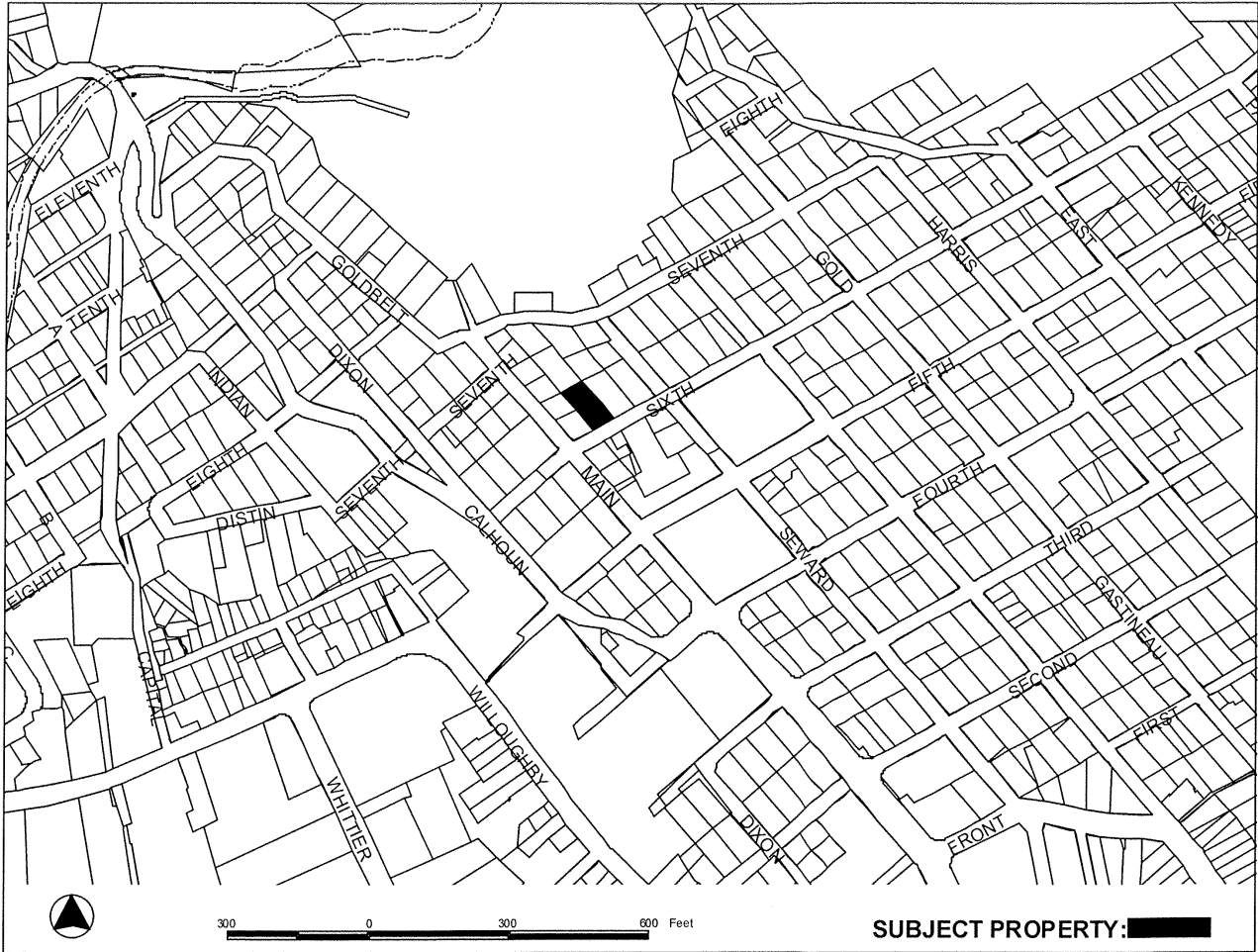
Access: Sixth Street

Existing Land Use: single-family dwelling



Surrounding Land Use:	North	-	D-18 Residential
	South	-	Sixth Street; D-18 Residential
	East	-	D-18 Residential
	West	-	D-18 Residential

Vicinity Map





### **ATTACHMENTS**

- Attachment 1 Development Permit Application
- Attachment 2 Conditional Use Permit Application
- Attachment 3 Project Narrative
- Attachment 4 Survey
- Attachment 5 Building Permit plans
- Attachment 6 Applicant photos
- Attachment 7 Project elevation

### **PROJECT DESCRIPTION**

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot front-yard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero foot-setback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the as-built survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

### **BACKGROUND**

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

## **ANALYSIS**

### **Project Site and Design -**

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

### **Public Health or Safety –**

No evidence indicates that the proposed development will negatively impact public health or safety.

### **Property Value or Neighborhood Harmony -**

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

### **Conformity with Adopted Plans -**

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

***Policy 10.3** [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.*

***Policy 10.4** [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.*

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

## **FINDINGS**

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

1. Whether the application is complete;

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

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

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

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

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

***1. Is the application for the requested conditional use permit complete?***

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

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

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 49.25.300.1.110 for the D-18 zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

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

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development 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?***

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

**Yes.** The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

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

Not applicable.

**RECOMMENDATION**

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

( Conditional Use )  
**DEVELOPMENT PERMIT APPLICATION**

Project Number	<b>CITY and BOROUGH of JUNEAU</b>	Date Received: <u>5/2/13</u>
Project Name (City Staff to Assign Name)		

<b>PROJECT / APPLICANT INFORMATION</b>	Project Description <u>As-built survey of new structure discovered 3" encroachment into CBS sidewalk setback</u>		
	<b>PROPERTY LOCATION</b>		
	Street Address <u>114 E 6th Street</u>	City/Zip <u>Juneau 99801</u>	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) <u>USS7 Juneau Townsite Block 29 Lot 2</u>		
	Assessor's Parcel Number(s) <u>1 CO6A2900300</u>		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner's Name <u>V. Fate Putman and Kimberly Homme</u>	Contact Person: <u>E. Putman</u>	Work Phone: <u>321-0773</u>
	Mailing Address <u>Box 20473 Juneau 99802</u>	Home Phone: <u>321-0773</u>	Fax Number:
	E-mail Address <u>fateputman@gmail.com</u>	Other Contact Phone Number(s): <u>463-4975 (M)</u>	
	<b>LANDOWNER/ LESSEE CONSENT</b> <small>****Required for Planning Permits, not needed on Building/ Engineering Permits****</small>		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.  <input checked="" type="checkbox"/> <u>V. Fate Putman</u> <span style="float: right;"><u>4/29/2013</u></span> Landowner/Lessee Signature <span style="float: right;">Date</span> <input checked="" type="checkbox"/> <u>Kimberly Homme</u> <span style="float: right;"><u>4/29/2013</u></span> Landowner/Lessee Signature <span style="float: right;">Date</span>			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
<b>APPLICANT</b> <small>If the same as OWNER, write "SAME" and sign and date at X below</small>			
Applicant's Name <u>same</u>	Contact Person:	Work Phone:	
Mailing Address <u>same</u>	Home Phone:	Fax Number:	
E-mail Address <u>same</u>	Other Contact Phone Number(s):		
<input checked="" type="checkbox"/> <u>V. Fate Putman</u> <span style="float: right;"><u>4/29/2013</u></span> Applicant's Signature <span style="float: right;">Date of Application</span>			

OFFICE USE ONLY BELOW THIS LINE

Staff Initials	Permit Type	Sign	Date Received	Application Number(s)
<input checked="" type="checkbox"/>	Building/Grading Permit			
	City/State Project Review and City Land Action			
	Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
	Mining Case (Small, Large, Rural, Extraction, Exploration)			
	Sign Approval (If more than one, fill in all applicable permit #'s)			
	Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
<input checked="" type="checkbox"/>	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)		<u>5/2/13</u>	<u>use 13-016</u>
	Variance Case (De Minimis and all other Variance case types)			
	Wetlands Permits			
	Zone Change Application			
	Other (Describe)			

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

Comments: \_\_\_\_\_

**Attachment 1**

Permit Intake Initials  
**ESF**

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS  
 REFORMS/2010 Applications Revised November 2009

# ~~ALLOWABLE~~/CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>USE 13-016</i>	Date Received <i>5/21/13</i>
----------------	------------------------------	----------------------------------	---------------------------------

### TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- Accessory Apartment\*\*\* (AAP)     Driveway in Right-of-Way (ADW)  
 Use Listed in §49.25.300 (USE)  
 (Table of Permissible Uses)

Please list the Table of Permissible Uses Category: \_\_\_\_\_

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

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

*As-built survey discovered 3" encroachment into CBT sidewalk setback. Greenhouse constructed 9' 9" back on one corner rather than 10'.*

### IS THIS A MODIFICATION OF AN EXISTING APPROVAL?

NO     YES - Case # \_\_\_\_\_

### CURRENT USE OF LAND OR BUILDING(S):

*New structure is a recreation room, built on top of 1950 poured concrete garage. Rec. room is 9' above sidewalk and 9' 9" back.*

### PROPOSED USE OF LAND OR BUILDING(S):

*recreation room and garage.*

### UTILITIES PROPOSED:

WATER:     Public     On Site

SEWER:     Public     On Site

### SITE AND BUILDING SPECIFICS:

Total Area of Lot *5000* square feet    Total Area of Existing Structure(s) \_\_\_\_\_ square feet

Total Area of Proposed Structure(s) *200* square feet

### EXTERNAL LIGHTING:

*see attached*

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

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

### PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:

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

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

### ALLOWABLE/CONDITIONAL USE FEES

Fees	Check No.	Receipt	Date
Application Fees	\$ <i>350.00</i>	_____	_____
Admin. of Guarantee	\$ _____	_____	_____
Adjustment	\$ _____	_____	_____
Pub. Not. Sign Fee	\$ <i>50.00</i>	_____	_____
Pub. Not. Sign Deposit	\$ <i>100.00</i>	_____	_____
<b>Total Fee</b>	\$ <i>500.00</i>	<i>212</i>	<i>CD#3604 5/21/13</i>

**NOTE: MUST BE ACCOMPANIED**

**Attachment 2**

**RMIT APPLICATION FORM**

## **Conditional Use Permit application – Narrative and Attachments**

### **Putman/Homme 114 E. 6th Street : CU Application Addendum**

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6<sup>th</sup> Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

#### **NE Corner of greenhouse**

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

#### **Property Values and Neighborhood Harmony**

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

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not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- A. As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan – attached Easement Agreement by east neighbor, also for related variance, attached
- B. There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- D. There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

Exterior Lighting: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

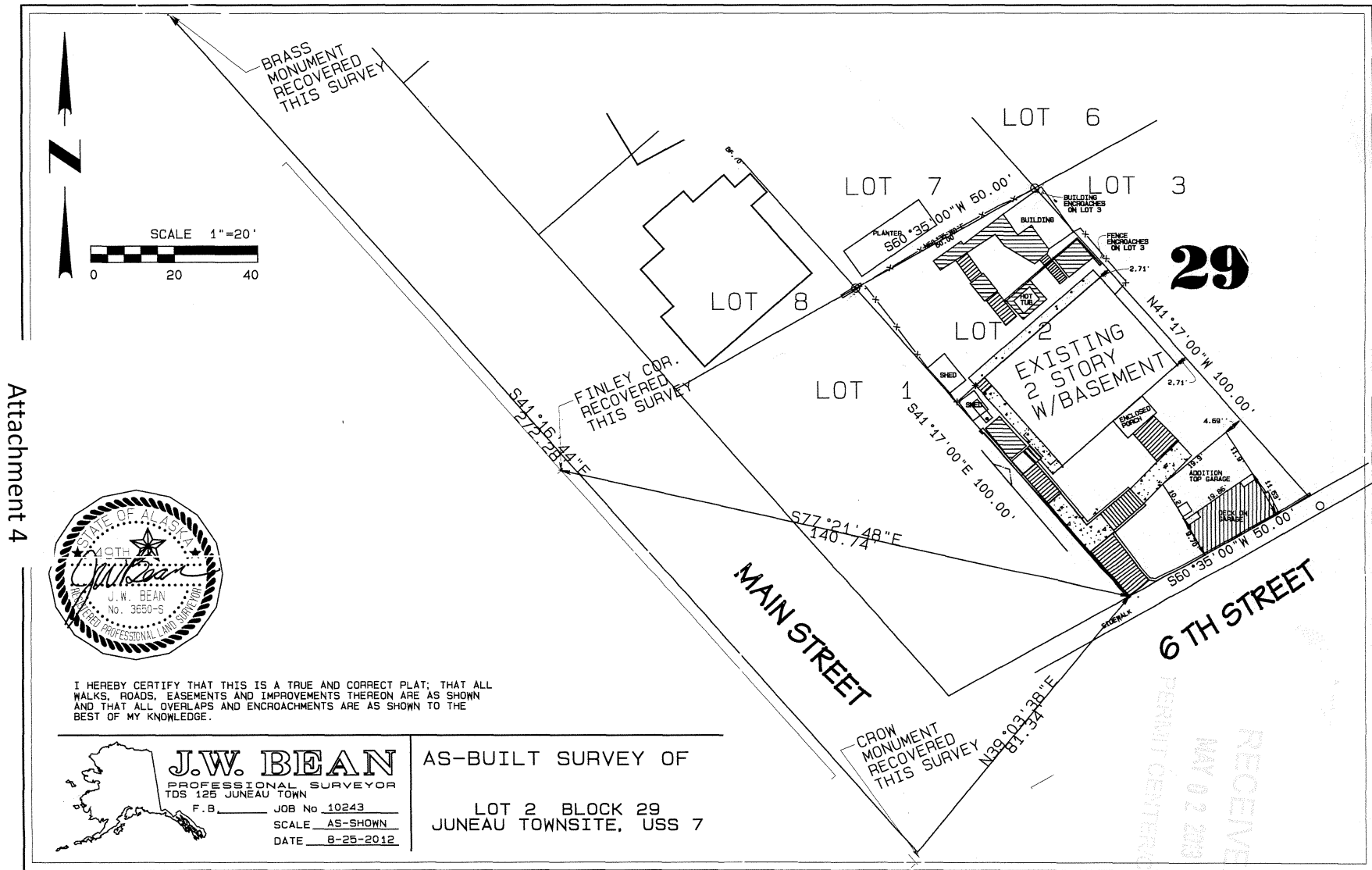
A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6<sup>th</sup> Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.

F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.

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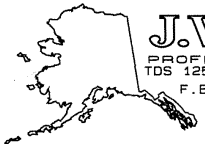
SCALE 1"=20'



**29**



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. 10243  
 SCALE AS-SHOWN  
 DATE 8-25-2012

AS-BUILT SURVEY OF  
 LOT 2 BLOCK 29  
 JUNEAU TOWNSITE, USS 7

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Attachment 4

Attachment G - 2013 Conditional Use Permit for greenhouse (after-the-fact)

**PUTMAN GREENHOUSE**

114 SIXTH STREET  
JUNEAU, ALASKA 99801

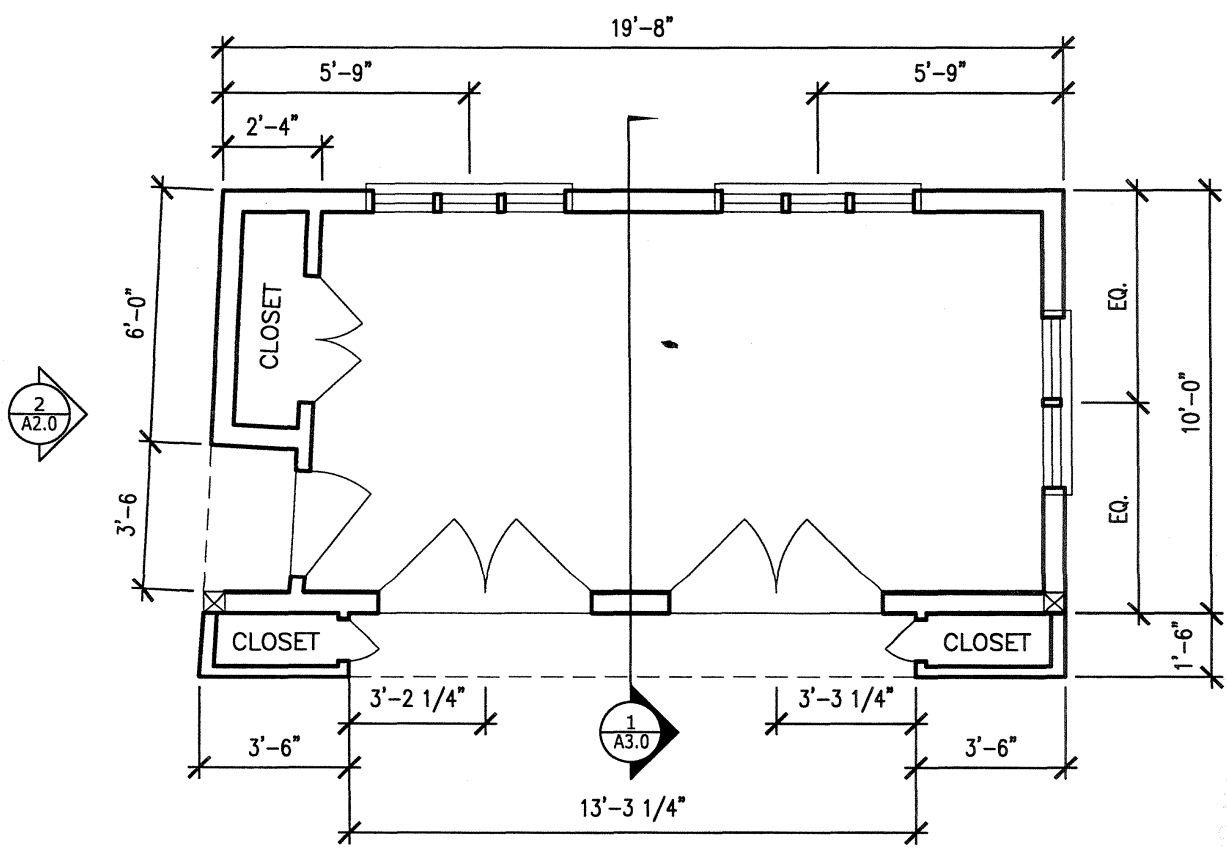
SHEET TITLE:  
PLANS

DATE: 3-12-10  
 REVISION: ....  
 CHECKED BY: SMB  
 DRAWN: FKD

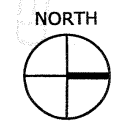
SHEET #

**A1.0**

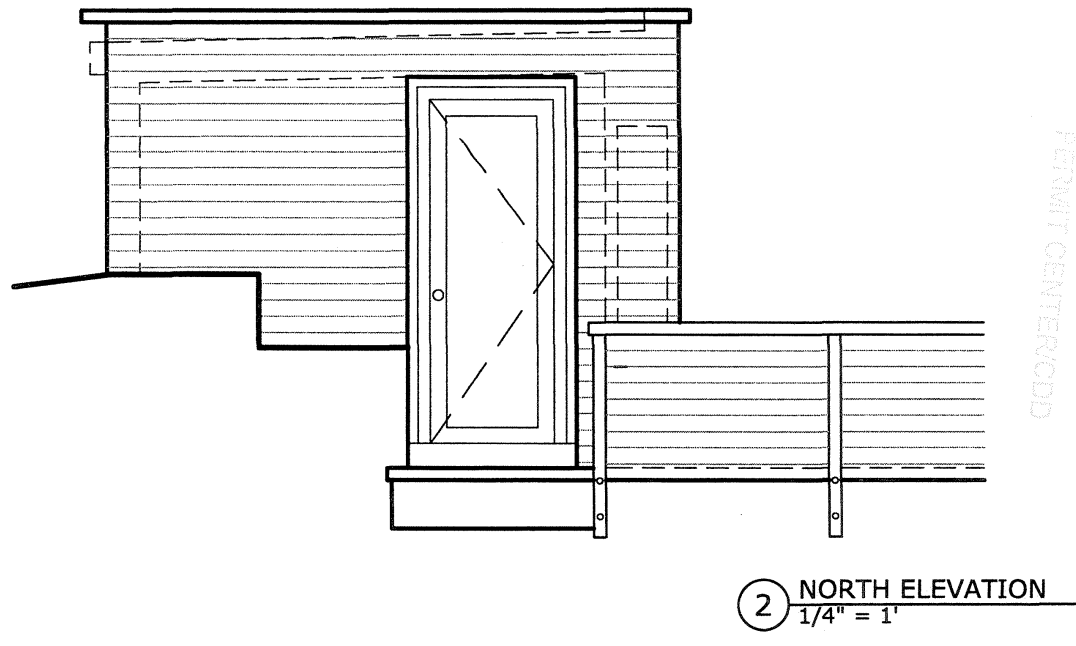
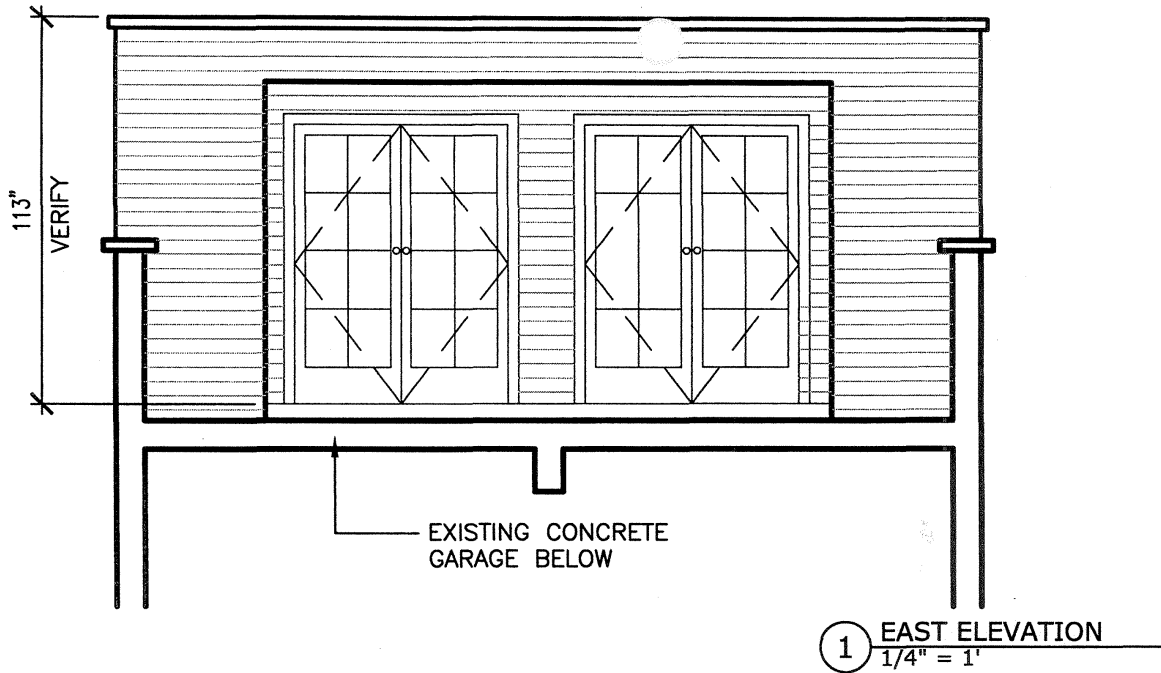
Attachment 5



1 FLOOR PLAN  
1/4" = 1'



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 PERMIT CENTER/CDD



**NorthWind Architects LLC**  
119A 2ND ST.  
JUNEAU, AK 99801  
PH #907.586.6150  
FX #907.586.6181  
WWW.NORTHWINDARCH.COM

**PUTMAN GREENHOUSE**  
114 SIXTH STREET  
JUNEAU, ALASKA 99801

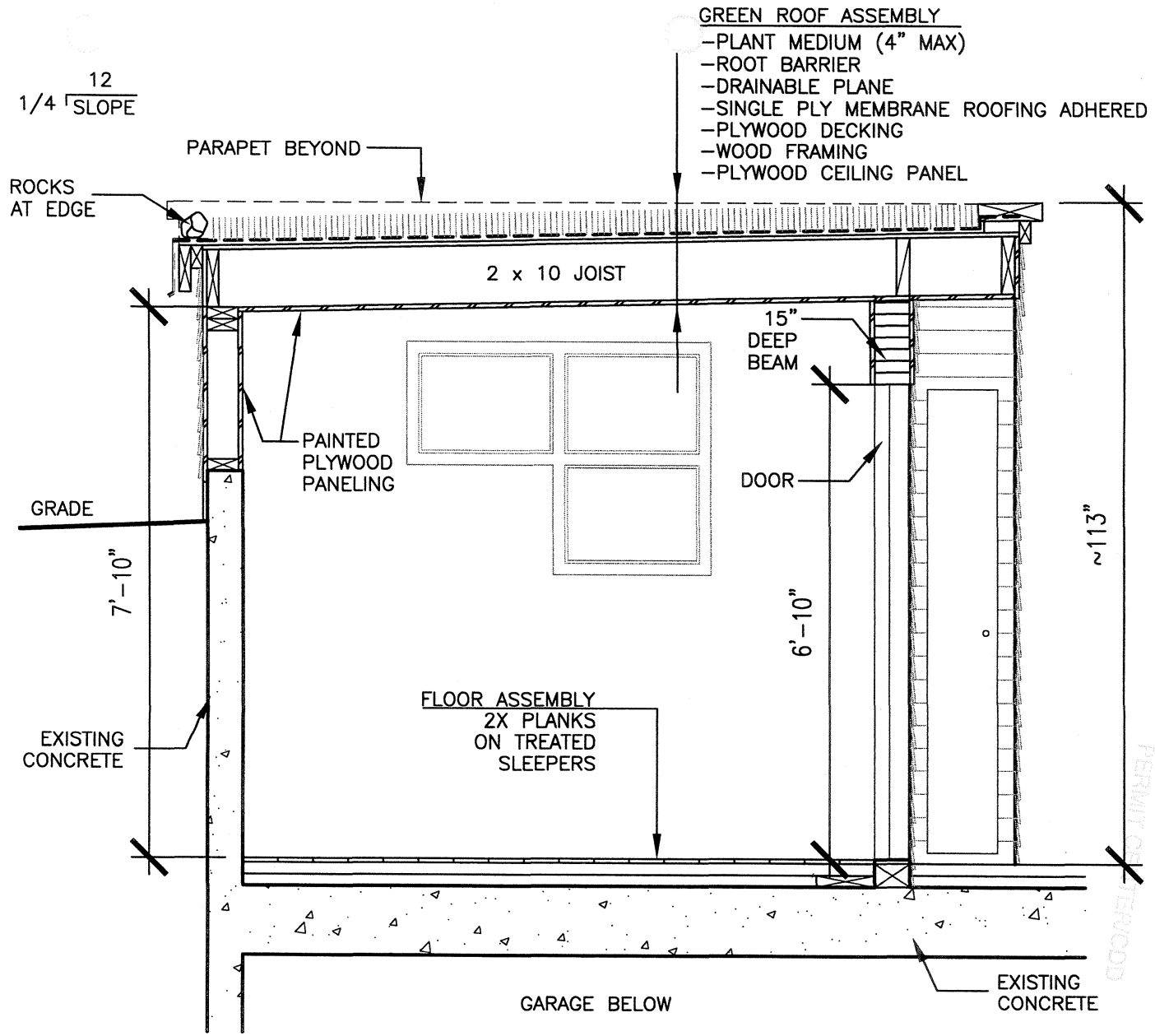
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MAY 02 2013  
PERMIT CENTER/RODD

SHEET TITLE:  
**ELEVATIONS**

DATE: 3-12-10  
REVISION: ....  
CHECKED BY: SMB  
DRAWN: FKD

SHEET #  
**A2.0**

12  
1/4 SLOPE



**NorthWind Architects LLC**  
 119A 2ND ST.  
 JUNEAU, AK 99801  
 PH #907.586.6150  
 FX #907.586.6181  
 WWW.NORTHWINDARCH.COM

**PUTMAN GREENHOUSE**

114 SIXTH STREET  
 JUNEAU, ALASKA 99801

RECEIVED  
 MAY 02 2013  
 PERMIT CENTER/CDD

SHEET TITLE:  
 SECTION

DATE: 3-12-10  
 REVISION: ....  
 CHECKED BY: SMB  
 DRAWN: FKD

SHEET #  
**A3.0**

1 SECTION  
 1/2" = 1'





**Attachment 6**



**Attachment 6**



**Attachment 6**

Attachment G - 2013 Conditional Use Permit for greenhouse (after-the-fact)

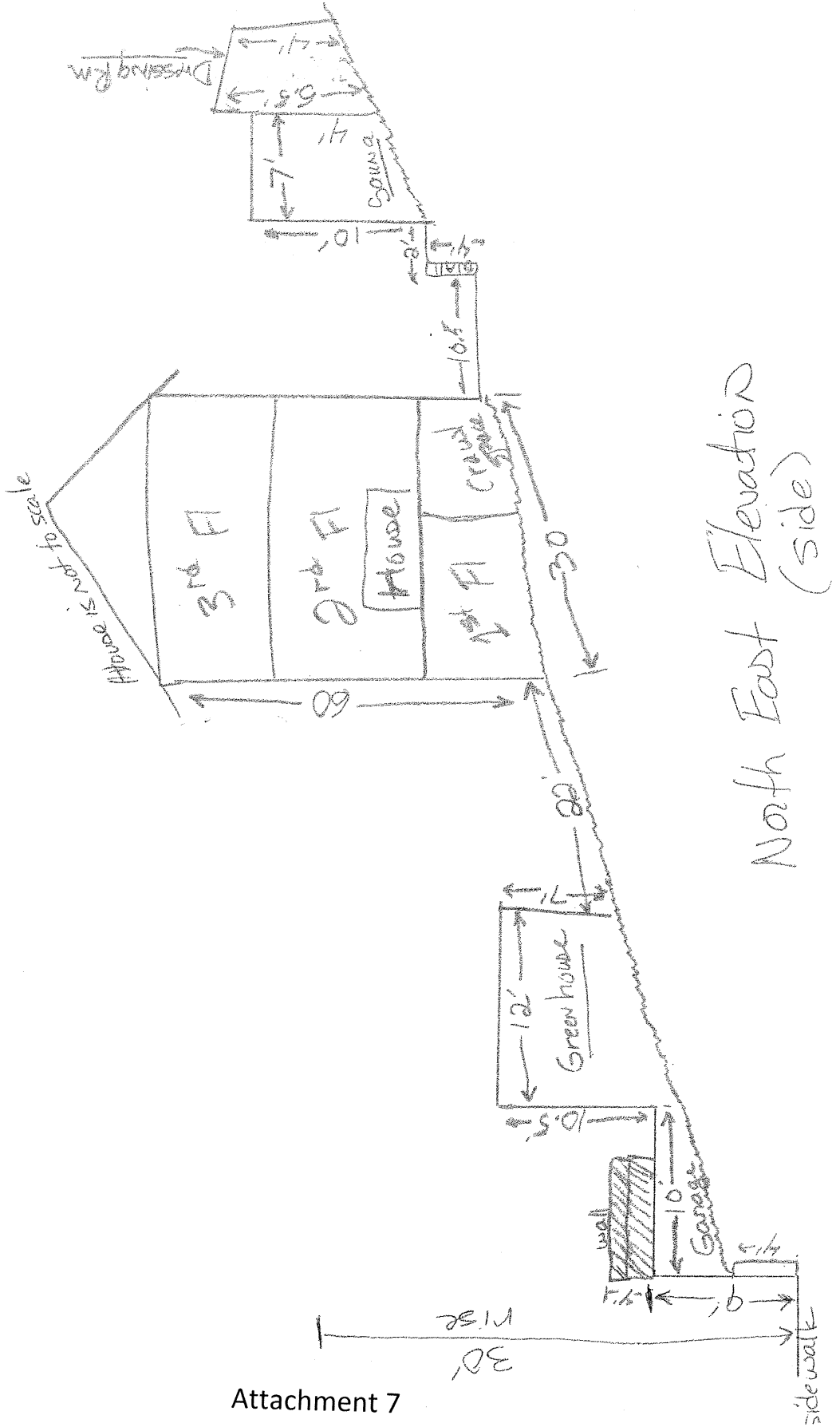


## **Attachment 6**

Attachment G - 2013 Conditional Use Permit for greenhouse (after-the-fact)



Putman Greens House / Sawa  
 (CBJ Building Permit # BLD 2013-00185)

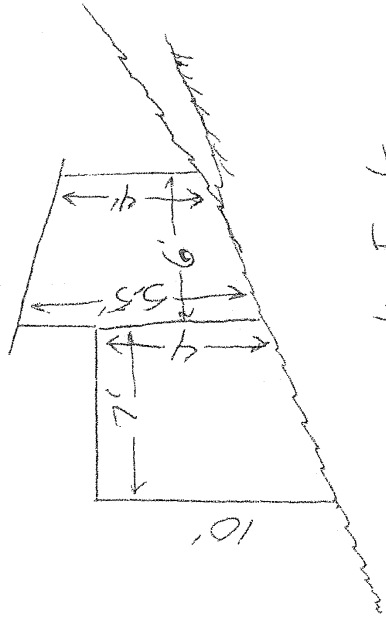


Attachment 7

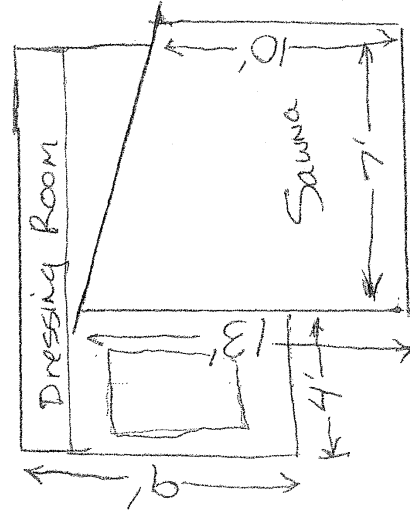
Received 11-8-12  
 via email

Putman Greenhouse/Sauna  
 (CBJ Permit # BLD 2008-04197)

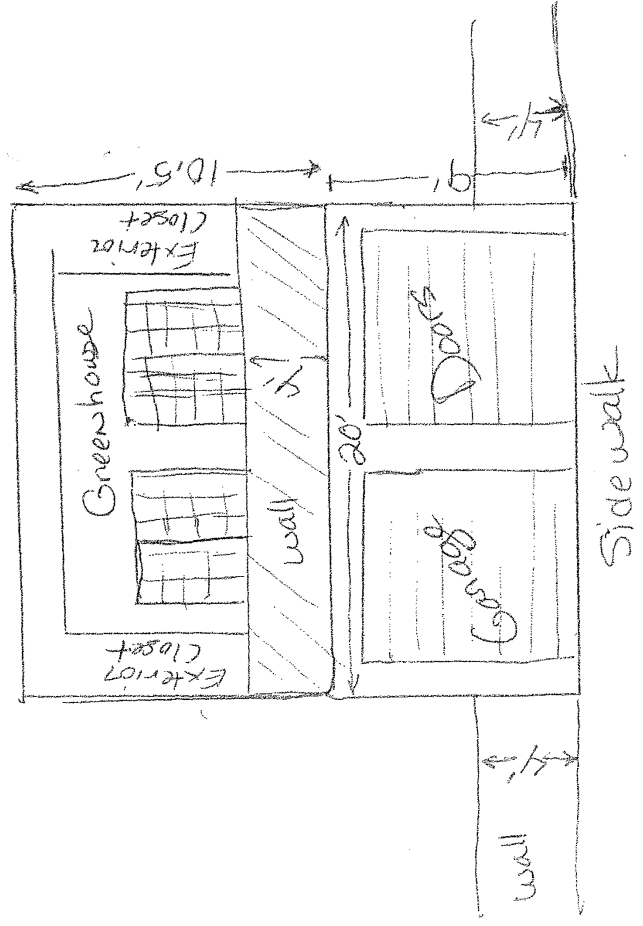
Northeast Elevation



South East Elevation



South east (Front) Elevation





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

## NONCONFORMING CERTIFICATE

**\*Revised – Noncompliant situation removed**

Date: September 3, 2021

File No.: NCC2021 0065

Kimberly Homme & Vance Fate Putman  
P.O. Box 20473  
Juneau, AK 99802

Proposal: A Nonconforming Situation Review for structures.

Property Address: 114 Sixth Street  
Property Legal Description: Juneau Townsite Block 29 Lot 2  
Property Parcel Code No.: 1C060A290030

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 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):
  - Zero foot front yard setback for the garage
  - 4.69 foot east side yard setback for the garage
  - 2.71 foot east side yard setback for the dwelling

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.

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated August 20, 2021 and has found the following situations on the lot to be noncompliant to the Title 49 Land Use Code of the City and Borough of Juneau:

- Noncompliant setbacks:
  - Two (2) sheds are noncompliant for west side yard setback requirement. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ

File No.: NCC2021 0065  
September 3, 2021  
Page 2 of 2

49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the side yard setback to zero.

- The property owners must bring the setback encroachment into compliance with the Land Use Code.

**REVISION: In response to this decision, the property removed the noncompliant sheds. Staff was sent photographs to document the sheds removal. A site visit confirmed the sheds are no longer present on the lot.**

**THE NONCOMPLIANT SITUATION HAS BEEN REMOVED.**

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 0065**

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

**DATE:** August 20, 2021  
**TO:** Jill Maclean, Director, AICP  
**BY:** Allison Eddins, Planner II *A. Eddins*  
**PROPOSAL:** A Nonconforming Situation Review for structures.

**KEY CONSIDERATIONS FOR REVIEW:**

- The residential structure was constructed in 1914, and the lot was platted in 1934, prior to the establishment of zoning.
- The garage was constructed in the 1950s, prior to the establishment of zoning.
- A greenhouse constructed on top of the garage received a Conditional Use Permit (USE2013 0016) for front and east side yard setback encroachments.
- The sauna received a Variance (VAR2013 0015) for the rear and east side yard setback encroachments.
- There are two 25 square-foot sheds encroaching into the west side yard setback. These sheds are noncompliant.

GENERAL INFORMATION	
<b>Property Owner</b>	Kimberly Homme and Vance Putman
<b>Applicant</b>	Kimberly Homme
<b>Property Address</b>	114 Sixth Street
<b>Legal Description</b>	Juneau Townsite Block 29 Lot 2
<b>Parcel Number</b>	1C060A290030
<b>Zoning</b>	D18
<b>Lot Size</b>	5,000 square feet
<b>Water/Sewer</b>	CBJ
<b>Access</b>	Sixth Street
<b>Existing Land Use</b>	Residential
<b>Associated Applications</b>	None

**STAFF RECOMMENDATION:**

**Staff recommends the following situations receive Nonconforming Certification:**

- Nonconforming Structures (49.30.250)

**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:**

- Two (2) sheds are noncompliant for setbacks.

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

**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**



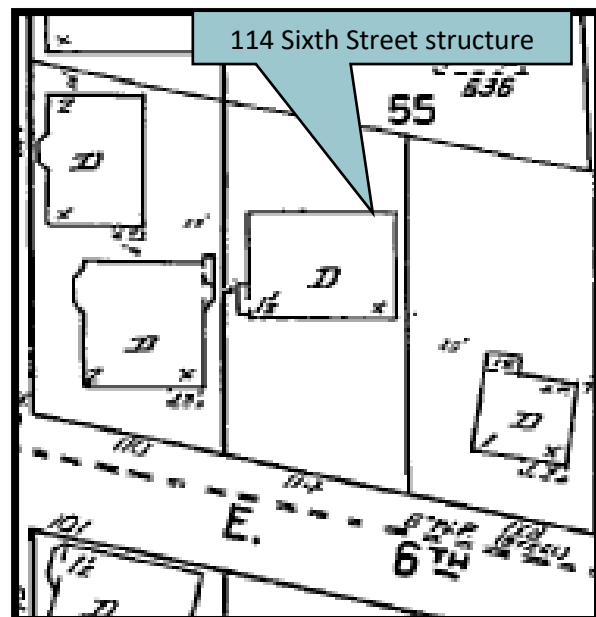
SURROUNDING ZONING AND LAND USES	
North (D18)	Residential
South (MU)	Office
East (D18)	Residential
West (D10)	Residential

SITE FEATURES	
Anadromous	None
Flood Zone	Zone X
Hazard	Low Risk Landslide Area
Hillside	No
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	Juneau ADOD

**CURRENT ZONING MAP**



**1927 Tax Map**



**ZONING HISTORY**

Year	Zoning District	Summary
1914	No Zoning	According to the CBJ Assessor's records, the dwelling was constructed in 1914 and predates zoning.
1934	No Zoning	The lot was platted in 1934 as part of the Juneau Townsite Subdivision (Plat 1934-1).
1956	R2 Residential	Zoning was established in Juneau in 1956. The lot and surrounding area was zoned R2. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet.  The dwelling became nonconforming for the east side yard setback. The garage became nonconforming for front and east side yard setbacks.
1969	RMM Multi-family	In 1969, the lot and surrounding area was rezoned to RMM. The minimum front yard setback was 15 feet; the minimum rear yard setback was 10 feet; and the minimum side yard setback was 5 feet.  The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.
1987	D18 Multi-family	In 1987, the lot and surrounding area was rezoned to D18. The minimum front yard setback became 20 feet; the minimum rear yard setback became 15 feet; and the minimum side yard setback remained at 5 feet.  The dwelling remained nonconforming for the east side yard setback, and the garage remained nonconforming for front and east side yard setbacks.

**BACKGROUND INFORMATION**

The applicant requests a Nonconforming Certification for front and east side yard setbacks. Assessor's data indicates the dwelling was constructed in 1914. The earliest reference to the dwelling was found on a 1927 tax map. The garage was first referenced in a staff report for USE2013 0016. The 2013 staff report indicates the garage was constructed in the 1950s. Although the garage was not referenced on the 1969 tax maps, the staff report determined the garage to be nonconforming for the front and east side yard setbacks.

A greenhouse was constructed above the garage prior to 2013. The greenhouse received an after-the-fact Conditional Use Permit (USE2013 0016) to allow the second-story front and east side yard setback encroachments. The Conditional Use Permit makes the greenhouse compliant for setbacks.

A sauna was constructed in the rear of the lot prior to 2013. The lot received an after-the-fact variance (VAR 2013-15) to reduce the east side and rear yard setbacks to zero feet for the construction of the sauna. This variance makes the sauna conforming for setbacks.

A 2012 as-built indicates there are two sheds, approximately 25 square feet each, on the lot. The sheds have a zero-foot setback along the west side yard. Although building permits are not required for 25 square-foot sheds without electricity, sheds are not allowed to have a zero-foot setback. CBJ 49.25.430(4)(c)(iii) allows unheated structures to encroach into setbacks as long as the structures maintain a minimum setback of three feet. The sheds are noncompliant, and the property owner must bring the noncompliant structures into compliance with the Land Use Code setback requirements.

**INFORMATION REVIEWED**

Year	Type	Summary
1927	Tax Map	Indicates the residential structure predates zoning.
1934	Plat	Plat 1934-1 to determine when lot was created.
2012	As-built	Used to determine setbacks.
2013	CDD Staff Reports	USE2013 0016 and VAR2013 0015 used to determine greenhouse and sauna conformity.
2013	Aerial Photography	2013 aerial photography used to estimate lot coverage and vegetative cover.
2013	Assessor's Photography	To estimate building height and confirm off-street parking.
2020	Assessor's Records	To verify date of construction.
2021	Site Visit	To verify lot coverage, building heights, vegetative cover and the existence of two noncompliant sheds.

**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		D18 Requirement	Existing	Code Reference
<b>Lot</b>	Size	5,000 sq. ft.	5,000 sq. ft.	49.25.400
	Width	50'	50'	49.25.400
	Depth	80'	100'	49.25.400
<b>Setbacks</b>	Front	20'	<b>0' (garage)</b> 0' (greenhouse)	49.25.400
	Rear	10'	50' (residential structure) 0' (sauna)	49.25.400
	East Side	5'	<b>2.71' (residential structure)</b> <b>4.69' (garage)</b> 4.69' (greenhouse)	49.25.400
	West Side	5' (Reduced to 3' for unheated structures)	<b>0' (Noncompliant sheds)</b>	49.25.400
<b>Lot Coverage</b>		50%	37%	49.25.400
<b>Height</b>	Permissible	35'	<35	49.25.400
	Accessory	25'	~20'	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%	32%	49.50.300
<b>Parking</b>		2	2	49.40.210(a)



**Minimum Lot Requirements** – The table above demonstrates that the lot meets the minimal lot size, lot width, and lot depth requirements for the D18 zoning district.

**Finding: Staff finds the lot conforming for lot size, lot width, and lot depth.**

**Minimum Setback Requirements** – The dwelling and the garage were built prior to the establishment of zoning. The greenhouse received a Conditional Use Permit for the front and east side yard setback encroachments. The sauna received a Variance for the rear and east side yard setback encroachments. The lot contains two sheds that are noncompliant for the west side yard setbacks.

**Finding: Staff finds the dwelling nonconforming for east side yard setbacks, and the garage nonconforming for front and east side yard setbacks.**

**Finding: Staff finds the two sheds noncompliant.**

**Lot Coverage** – Based on 2013 aerial imagery and a 2021 site visit, maximum lot coverage is not exceeded.

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

**Structure Height** – Assessor’s photos and site visit confirm that the structures do not exceed the maximum height limits.

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

**Residential Density** – The lot contains a single-family dwelling. The assessor’s database indicates one unit.

**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** – According to the GIS aerial imagery and a site visit, the minimum vegetative cover requirement is met.

**Finding: Staff finds the lot conforming for vegetative cover.**

**Parking** – CBJ 49.40.210 requires two 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). 2013 Assessor photographs indicate two off-street parking spaces within the garage, which was confirmed with a site visit.

**Finding: Staff finds the use conforming for number and type of off-street parking spaces.**

## **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.

The lot contains two non-electrified sheds approximately 25 square feet each that are noncompliant for setbacks.

**Finding: Staff finds the two shed structures noncompliant for setbacks. In order to comply with the Land Use Code, the applicant must relocate the sheds to comply with 3 foot setback requirement for unheated structures in CBJ 49.25.430(4)(C)(iii), apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.**

### **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.

### **FINDINGS**

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

**Analysis:** The dwelling and garage were constructed prior to the establishment of zoning.

**Finding: Yes. The nonconforming situation was allowed when established.**

**Analysis:** The sheds along the west side lot line encroach into the west side yard setback requirement for unheated structures. This encroachment was not approved.

**Finding: Staff finds the sheds noncompliant for setbacks.**

**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 situation on the lot to be NONCONFORMING to the Title 49 Land Use Code:

- Nonconforming structures (49.30.250):
  - Zero foot front yard setback for the garage
  - 4.69 foot east side yard setback for the garage
  - 2.71 foot east side yard setback for the dwelling

Staff recommends that the Director adopt the analysis and findings, and find the following situations NONCOMPLIANT to the Title 49 Land Use Code:

- Noncompliant setbacks:
  - Two (2) sheds are noncompliant for the west side yard setback. In order to comply with the Land Use Code, the applicant must relocate the sheds to conform to the 3 foot setback in CBJ 49.25.430(4)(C)(iii) for unheated structures, or apply for a setback reduction through the Alternative Development Overlay District, or receive an approved Variance to reduce the west side yard setback to zero.
  - The property owners must bring the setback encroachment into compliance with the Land Use Code.

**STAFF REPORT ATTACHMENTS**

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

Attachment A - Application Packet



**DEVELOPMENT PERMIT APPLICATION**

NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications.

To be completed by Applicant	<b>PROPERTY LOCATION</b>	
	Physical Address 114 Sixth Street	
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite Block 29 Lot 2	
	Parcel Number(s) 1-C06-0-A29-003-0	
	<input type="checkbox"/> This property located in the downtown historic district <input type="checkbox"/> This property located in a mapped hazard area, if so, which _____	
	<b>LANDOWNER/ LESSEE</b>	
	Property Owner Kimberly Homme/VanceFatePutman	Contact Person Kimberly Homme
	Mailing Address PO Box 20473 Juneau AK 99802	Phone Number(s) 907 321-2933
	E-mail Address Kimberly.homme@gmail.com	
	<b>LANDOWNER/ LESSEE CONSENT</b> Required for Planning Permits, not needed on Building/ Engineering Permits	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.		
X	Kimberly Homme Landowner/Lessee Signature	8/9/21 Date
X	[Signature] Landowner/Lessee Signature	8/9/21 Date
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.		
<b>APPLICANT</b> If the same as OWNER, write "SAME"		
Applicant same	Contact Person	
Mailing Address	Phone Number(s)	
E-mail Address		
X	Applicant's Signature	Date of Application

DEPARTMENT USE ONLY BELOW THIS LINE

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

NCC21-65

Intake Initials Bome
Case Number
Date Received

Attachment A - Application Packet



# 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

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
substandard lot	Plat
substandard setbacks	as-built
	CBJ File No. USE 2013 0016
	CBJ File No. YAR 2013 0015

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
used as single family home since 1914	CBJ Historic Structures Database

**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	\$ 150.00			
Admin. of Guarantee	\$			
Adjustment	\$			
Total Fee	\$ 150.00			

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
NCC 21-65	8/9/21

# Attachment A - Application Packet

## **Nonconforming Certification Application Instructions**

Nonconforming Situations is outlined in CBJ 49.30.310

**Pre-Application Conference:** A pre-application conference is **NOT** required prior to submitting an application. It is highly recommended that applicants meet with a planner to discuss the nonconforming situation(s) and necessary or appropriate documentation for submittal. Staff may have access to documentation that the applicant does not. Please contact the Permit Center at 907-586-0770 or via e-mail at [permits@juneau.org](mailto:permits@juneau.org).

**Application:** An application for a Nonconforming Certificate 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 application for Nonconforming Certificate and Development Permit Application forms.
2. **Fees:** Fee is \$150. If submitted in conjunction with a development permit, the fee is waived. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the nonconforming situation(s).

**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:** 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. Depending on the details of the permit request, the application may require review by other City & Borough of Juneau departments. Applicants may be required to provide additional information and clarification.

---

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

## Attachment A - Application Packet

### **Narrative for Application for a Nonconforming Certification Review.**

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

The property at 114 Sixth Street has been a residential home since 1914. *The property doesn't meet current setback + lot size requirements for D18 zoning.*  
A Conditional Use Permit was granted by CBJ for the 10' x 20' greenhouse on top of a garage. The property has a non-conforming lot size and non-conforming front and side-yard setback. As a result, a conditional use permit was granted for the Greenhouse after the as-built survey was completed.

Copies of the Notice of Decision / 2013 CBJ Correspondence are attached, of which includes the as-built agreement.

A Variance was granted by CBJ to reduce the 5' side yard set back to zero and the 10' rear yard setback to zero feet for construction of a sauna in the NW corner of the property. An easement agreement exists with the adjacent property owners, Richard and Kathy Ward, and recognizes the 3 inch encroachment and allows use and maintenance of the sauna structure on the property. The encroachment was determined after the as-built survey was completed.

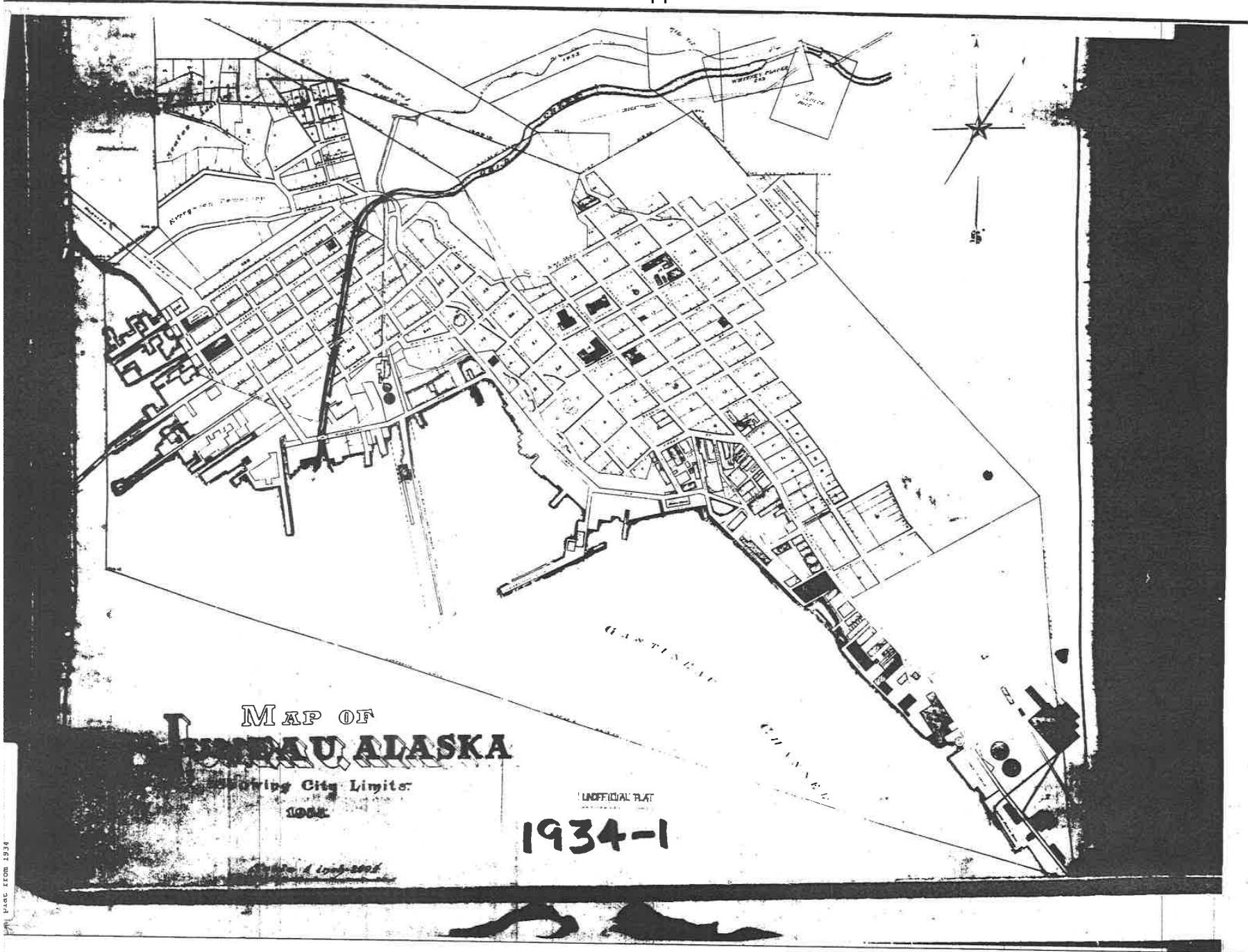
Copies of the Notice of Decision / 2013 CBJ Correspondence are included. The easement agreement is included.

*The CBJ Historic Structure Database is also a reference doc provided.*

*Thank you for your review.*

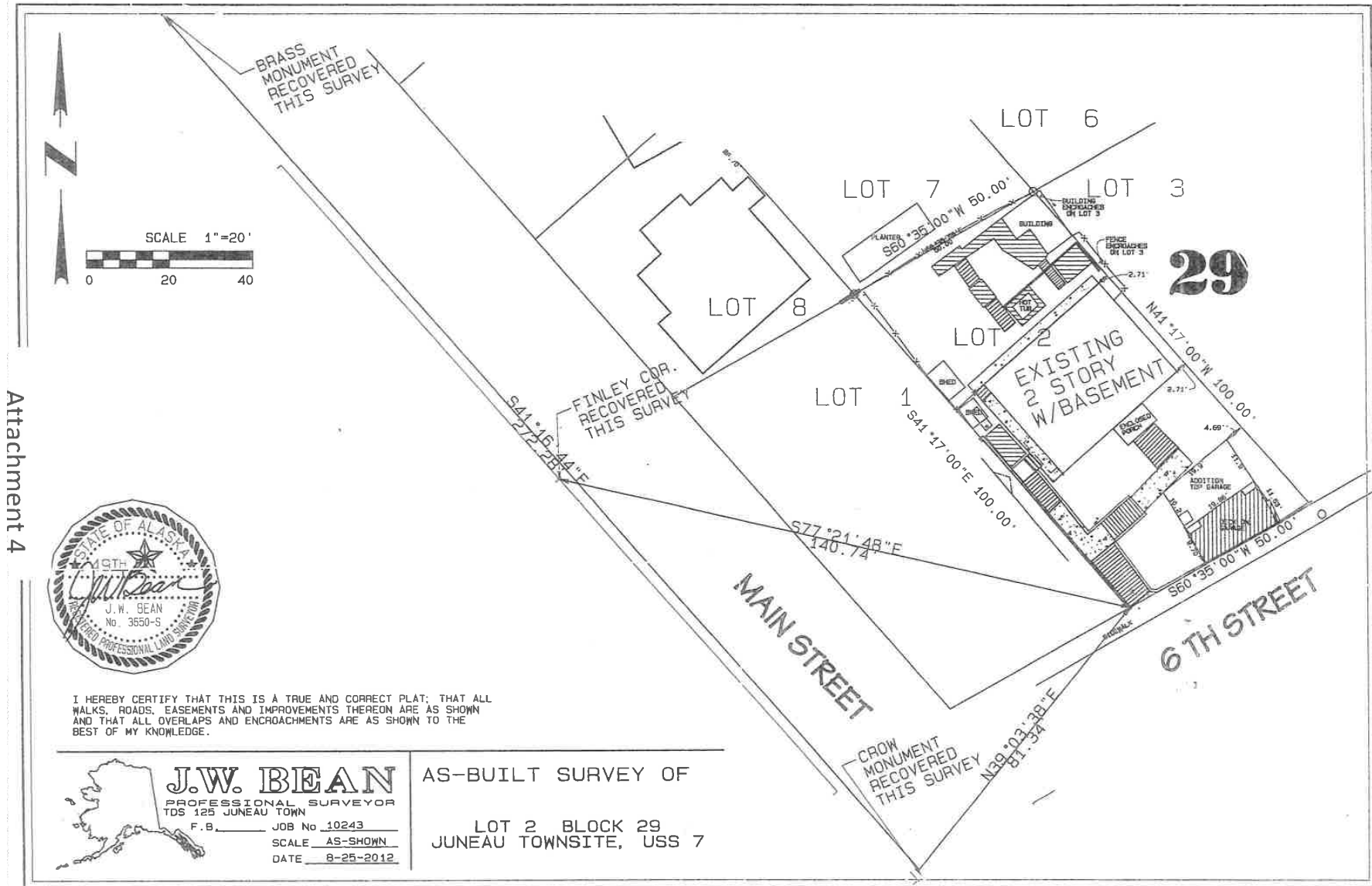
*Kimberly Horne*

*8/9/21*





Attachment A - Application Packet



Attachment 4



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. 10243  
 SCALE AS-SHOWN  
 DATE 8-25-2012

AS-BUILT SURVEY OF  
 LOT 2 BLOCK 29  
 JUNEAU TOWNSITE, USS 7

## Attachment A - Application Packet

### Willis-Davis House

**Location:** 114 6th Street

**AHRS#:** JUN-160

**CBJ#:** B-23

**Parcel#:** 1C060A290030

**Year Built:** 1915

**Architectural Style:** Other/ Juneau Folk

**Architect/Contractor:** unknown

**Historic Name:** Willis-Davis House

**Historic Period:** Territorial Gov

**Historic Integrity:** preserved

**Neighborhood:** Juneau Townsite

**Date of Local Designation:** Not Designated

**Date of National Register Designation:** Not Registered



### Additional Information

#### General Description

The house measures 29' x 36'. It is a one-and-one-half stories, wood frame structure with hip-on-gable roof form featuring a large shed dome. It has a concrete partial basement and is sided with horizontal wood lap siding. Other features include a pedimented enclosed entry porch.

#### Historical Information

The house was constructed in 1914 for J.R. Willis, collector of Customs and Vice President of the B.M. Behrends Bank. Willis served on the City Council and was Vice Mayor. From 1920 until 1935, Valorous and Grace Paine owned the house until John photographer, Trevor Davis and his wife, Carol Beery Davis bought it. It continues to be the Davis home.

#### Historic Use

residential

#### Source

Juneau Townsite Building Survey, City and Borough of Juneau, Alaska, September 1988

## Attachment A - Application Packet



### **PLANNING COMMISSION NOTICE OF DECISION**

Date: October 23, 2013

File No.: USE2013 0016

Vance F Putman  
PO Box 20473  
Juneau, AK 99802

An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

**Application For:** An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

**Legal Description:** Juneau Townsite Block 29 Lot 2

**Property Address:** 114 Sixth Street

**Parcel Code No.:** 1-C06-0-A29-003-0

**Hearing Date:** October 22, 2013

The Planning Commission, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013 and approved the project to be conducted as described in the project description and project drawings submitted with the application.

**Attachments:** October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Planning Commission regarding USE2013 0016.

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

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Planning Commission shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

**Effective Date:** The permit is effective upon approval by the Commission, October 22, 2013

**Expiration Date:** The permit will expire 18 months after the effective date, or April 22, 2015 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

155 So. Seward Street, Juneau, Alaska 99801-1397

## Attachment A - Application Packet

Vance F Putman  
File No.: USE2013 0016  
October 23, 2013  
Page 2 of 2

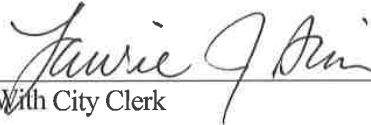
Project Planner:



Teri Camery, Senior Planner  
Community Development Department



Michael Satre, Chair  
Planning Commission



Filed With City Clerk

10/25/13

Date

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.


Attachment A - Application Packet

**MEMORANDUM**

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

**DATE:** October 15, 2013

**TO:** Planning Commission

**FROM:** Teri Camery, Senior Planner   
Community Development Department

**FILE NO.:** USE2013 0016

**PROPOSAL:** An after-the-fact Conditional Use Permit for a greenhouse constructed over a garage that encroaches 3 inches into the 10-foot front yard setback and 3 inches into the 5-foot side yard setback.

**GENERAL INFORMATION**

**Applicant:** Vance F Putman

**Property Owner:** Vance F Putman

**Property Address:** 114 Sixth Street

**Legal Description:** Juneau Townsite Block 29 Lot 2

**Parcel Code Number:** 1-C06-0-A29-003-0

**Site Size:** 4,893 square feet

**Comprehensive Plan  
Land Use Designation:** Medium Density Residential

**Zoning:** D-18

**Utilities:** CBJ Water and Sewer

**Access:** Sixth Street

**Existing Land Use:** single-family dwelling



# Attachment A - Application Packet

Surrounding Land Use:	North	-	D-18 Residential
	South	-	Sixth Street; D-18 Residential
	East	-	D-18 Residential
	West	-	D-18 Residential

## Vicinity Map



## Attachment A - Application Packet

Planning Commission  
File No.: USE2013 0016  
October 15, 2013  
Page 3 of 6

### ATTACHMENTS

Attachment 1 Development Permit Application  
Attachment 2 Conditional Use Permit Application  
Attachment 3 Project Narrative  
Attachment 4 Survey  
Attachment 5 Building Permit plans  
Attachment 6 Applicant photos  
Attachment 7 Project elevation

### PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit for after-the-fact construction of a 10' x 20' greenhouse on top of a garage. The greenhouse encroaches three inches into the 10-foot front-yard setback in the southwest corner of the structure, and three inches into the five-foot side-yard setback in the northeast corner of the structure, due the slight angle of the garage. Setback encroachments that occur at the second story elevation or higher are reviewed through the Conditional Use Permit process instead of the Variance process, per CBJ Code 49.25.430(4)(M). The structure does not qualify under code sections that allow encroachments for minor issues both because it is heated and because it is on the second floor.

The greenhouse was constructed on top of a garage that was built in the 1950s at the zero foot-setback line. The garage is a legally non-conforming structure. The greenhouse encompasses approximately half the width of the garage, very close to the 10-foot front yard setback line. The three inch encroachment at the opposite corners of the greenhouse was discovered when the as-built survey was completed (Attachment 4). In both the southwest and northeast corners of the greenhouse, the structure encroaches three inches over a linear distance of approximately two feet. Due to the angle, the three inch encroachment does not extend the full length of either side of the greenhouse.

### BACKGROUND

The lot has a legally non-conforming lot size and legally non-conforming front and side-yard setbacks. Assessor's Office records indicate that the home was built in 1914. In addition to the Conditional Use Permit, the applicant has also applied for an after-the-fact Variance for construction of a sauna in the northeast corner of the lot. Both encroachments were discovered only after the as-built survey was completed.

## Attachment A - Application Packet

Planning Commission  
File No.: USE2013 0016  
October 15, 2013  
Page 4 of 6

### ANALYSIS

#### **Project Site and Design -**

The project is located on D-18 residential lot with a substandard lot size and substandard setbacks. The lot has a 35 degree slope. Building plans for the greenhouse have been included in Attachment 5, while elevations are included in Attachment 7. Photos are included in Attachment 6. The structure has been designed to blend well with both the garage and the single-family home.

#### **Public Health or Safety –**

No evidence indicates that the proposed development will negatively impact public health or safety.

#### **Property Value or Neighborhood Harmony -**

Due to the 35 degree slope of the property as well as the very minor three inch encroachment, no evidence indicates that the development will negatively impact views, light and air, property value, or neighborhood harmony.

#### **Conformity with Adopted Plans -**

The project substantially conforms with the 2013 Juneau Comprehensive Plan, specifically Policy 10.3 and 10.4, which state:

*Policy 10.3 [It is the policy of the CBJ] to facilitate residential developments of various types and densities that are appropriately located in relation to site conditions, surrounding land uses, and capacity of public facilities and transportation systems.*

*Policy 10.4 [It is the policy of the CBJ] to minimize conflicts between residential areas and nearby recreational, commercial, or industrial uses that would generate adverse impacts to existing residential areas through appropriate land use locational decisions and regulatory measures.*

The project conforms with these measures by constructing the greenhouse on top of an existing structure in a way that blends in with other structures on the lot and has minimal visual impact on the neighborhood.

### FINDINGS

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

1. Whether the application is complete;



## Attachment A - Application Packet

Planning Commission  
File No.: USE2013 0016  
October 15, 2013  
Page 5 of 6

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

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

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

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

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

***1. Is the application for the requested conditional use permit complete?***

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

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

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 49.25.300.1.110 for the D-18 zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the October 11, 2013 and October 18, 2013 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public Right of Way.

## Attachment A - Application Packet

Planning Commission  
File No.: USE2013 0016  
October 15, 2013  
Page 6 of 6

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

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development 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?**

**No.** Based on the preceding analysis, no available evidence indicates that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area. The setback encroachment is minor and does not block views due to the steep slope in the area.

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

**Yes.** The proposed development complies with the 2013 Juneau Comprehensive Plan, specifically policies 10.3 and 10.4 regarding residential development.

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

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

Not applicable.

### RECOMMENDATION

Staff recommends that the Planning Commission adopt the Director's analysis and findings and grant the requested Conditional Use permit. The permit would allow the development of a greenhouse on top of an existing garage which would encroach three inches into the front and side yard setbacks.

Attachment A - Application Packet

( Conditional Use )

DEVELOPMENT PERMIT APPLICATION

Project Number: \_\_\_\_\_  
 Project Name: CITY and BOROUGH of JUNEAU Date Received: 5/2/13  
 (City Staff to Assign Name)

Project Description: AS-built survey of new structure discovered 3" encroachment into CBS sidewalk setback

INFORMATION

PROPERTY LOCATION:  
 Street Address: 114 E 6th Street City/Zip: Juneau 99801  
 Legal Description(s) of Parcel(s): USS7 Juneau Townsite Block 29 Lot 2  
 Assessor's Parcel Number(s): 1 CO6A2900300

LANDOWNER/LESSEE:  
 Property Owner's Name: V. Fate Putman and Kimberly Homme  
 Mailing Address: Box 20473 Juneau 99802  
 E-mail Address: fateputman@gmail.com  
 Contact Person: F. Putman Work Phone: 321-0773  
 Home Phone: 321-0773 Fax Number: \_\_\_\_\_  
 Other Contact Phone Number(s): 463-4975 (M)

LANDOWNER/LESSEE CONSENT: Required for Planning Permits and for Building/Grading Permits

I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:  
 A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.  
 B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X V. Fate Putman Landowner/Lessee Signature Date: 4/29/2013  
 X Kimberly Homme Landowner/Lessee Signature Date: 4/29/2013

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.

APPLICANT: If the same as OWNER, wife, SAME and sign and date as X below

Applicant's Name: same Contact Person: \_\_\_\_\_ Work Phone: \_\_\_\_\_  
 Mailing Address: same Home Phone: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
 E-mail Address: same Other Contact Phone Number(s): \_\_\_\_\_  
 X V. Fate Putman Applicant's Signature Date of Application: 4/29/2013

PROJECT / APPLICANT

OFFICE USE ONLY BELOW THIS LINE

STAFF APPROVALS

Permit Type	Date Received	Application Number(s)
<input checked="" type="checkbox"/> Building/Grading Permit		
City/State Project Review and City Land Action		
Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)		
Mining Case (Small, Large, Rural, Extraction, Exploration)		
Sign Approval (If more than one, fill in all applicable permit #'s)		
Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)		
<input checked="" type="checkbox"/> Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)	5/2/13	45-13-016
Variance Case (De Minimis and all other Variance case types)		
Wetlands Permits		
Zone Change Application		
Other (Describe)		

Comments: \_\_\_\_\_  
 \*\*\*Public Notice Sign Form filled out and in the file.  
 Attachment 1

Attachment A - Application Packet

~~ALLOWABLE/~~CONDITIONAL USE PERMIT APPLICATION

Project Number	Project Name (15 characters)	Case Number <i>190 R-016</i>	Date Received <i>5/21/13</i>																																			
<b>TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED</b>																																						
<input type="checkbox"/> Accessory Apartment*** (AAP) <input type="checkbox"/> Driveway in Right-of-Way (ADW) <input type="checkbox"/> Use Listed in §49.25.300 (USE) (Table of Permissible Uses)																																						
Please list the Table of Permissible Uses Category: _____																																						
***An Accessory Apartment Application will also be required.																																						
DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. <i>As-built survey discovered 3" encroachment into CBT sidewalk setback. Greenhouse constructed 9' 9" back on one corner rather than 10'.</i>																																						
IS THIS A MODIFICATION OF AN EXISTING APPROVAL? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES - Case # _____																																						
CURRENT USE OF LAND OR BUILDING(S): <i>New structure is a recreation room, built on top of 1950 poured concrete garage. Rec. room is 9' above sidewalk and 9' 9" back.</i>																																						
PROPOSED USE OF LAND OR BUILDING(S): <i>recreation room and garage.</i>																																						
UTILITIES PROPOSED:    WATER: <input type="checkbox"/> Public <input type="checkbox"/> On Site    SEWER: <input type="checkbox"/> Public <input type="checkbox"/> On Site																																						
SITE AND BUILDING SPECIFICS:																																						
Total Area of Lot <i>5000</i> square feet    Total Area of Existing Structure(s) _____ square feet																																						
Total Area of Proposed Structure(s) <i>200</i> square feet																																						
EXTERNAL LIGHTING: <i>see attached</i>																																						
Existing to remain <input type="checkbox"/> No <input type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures																																						
Proposed <input type="checkbox"/> No <input type="checkbox"/> Yes - Provide fixture information, cutoff sheets, and location of lighting fixtures																																						
<b>PROJECT NARRATIVE AND SUBMITTAL CHECKLIST:</b>																																						
<input checked="" type="checkbox"/> Site Plan <input checked="" type="checkbox"/> Existing and proposed parking areas (including dimensions) and proposed traffic circulation <input checked="" type="checkbox"/> Floor Plan of proposed buildings <input checked="" type="checkbox"/> Existing Physical Features of the site (drainage, habitat, hazard areas, etc.) <input checked="" type="checkbox"/> Elevation view of existing and proposed buildings <input checked="" type="checkbox"/> Proposed Vegetative Cover																																						
For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.  If you need any assistance filling out this form, please contact the Permit Center at 586-0770.	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>ALLOWABLE/CONDITIONAL USE FEES</th> <th>Fees</th> <th>Check No.</th> <th>Receipt</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Application Fees</td> <td><i>\$350.00</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Admin. of Guarantee</td> <td>\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Adjustment</td> <td>\$ _____</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Fee</td> <td><i>\$50.00</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Pub. Not. Sign Deposit</td> <td><i>\$100.00</i></td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td><b>Total Fee</b></td> <td><i>\$500.00</i></td> <td><i>219</i></td> <td><i>edd3609</i></td> <td><i>5/21/13</i></td> </tr> </tbody> </table>			ALLOWABLE/CONDITIONAL USE FEES	Fees	Check No.	Receipt	Date	Application Fees	<i>\$350.00</i>	_____	_____	_____	Admin. of Guarantee	\$ _____	_____	_____	_____	Adjustment	\$ _____	_____	_____	_____	Pub. Not. Sign Fee	<i>\$50.00</i>	_____	_____	_____	Pub. Not. Sign Deposit	<i>\$100.00</i>	_____	_____	_____	<b>Total Fee</b>	<i>\$500.00</i>	<i>219</i>	<i>edd3609</i>	<i>5/21/13</i>
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<b>Total Fee</b>	<i>\$500.00</i>	<i>219</i>	<i>edd3609</i>	<i>5/21/13</i>																																		

NOTE: MUST BE ACCOMPANIED

Attachment 2 PERMIT APPLICATION FORM

## Attachment A - Application Packet

### Conditional Use Permit application – Narrative and Attachments

#### Putman/Homme 114 E. 6th Street : CU Application Addendum

A 10'X 20' greenhouse structure was built on top of an existing concrete garage. (Bld. Permit # 2009-00103) The preexisting garage was constructed in approximately 1950. The concrete garage was constructed to the edge of the sidewalk on 6<sup>th</sup> Street and has been a grandfathered structure for the past 60 years.

The new greenhouse structure was built on back half of the 20'X20' garage roof. The greenhouse used the same footprint as the garage, which is slightly out of square. A subsequent as-built survey found that one corner of the new structure was not the full 10 feet back from the sidewalk edge. The SW corner of the roof eave encroaches 3 inches into the 10 foot setback. This is an overhanging eave and not part of the interior of the greenhouse building. The remainder of the greenhouse structure is behind the 10 foot setback. However, because of the overhanging eave, the SW corner of the greenhouse is 9'9" from the CBJ sidewalk.

A Conditional Use permit is required for the 3"encroachment into the 10 foot setback requirement. It is my request that this CU permit be granted to permit this encroachment. There is no impact on the public sidewalk below or any utility conflicts.

#### NE Corner of greenhouse

In addition to the overhanging eave, the As-built Survey determined that the Northeast corner of the garage/greenhouse encroaches into setback requirements with the adjoining lot. The NE corner of the garage footprint (circa 1950) extends into the side yard setback approximately 3 inches.

This encroachment occurs on the NE corner of both the garage and greenhouse structures. The remaining portion of the east side of the garage and greenhouse Structure does not protrude into the 5 foot setback. In this 20 foot span only the last five feet of the structures protrude into the setback. That is because the garage is square to the street but not square to the property line thus causing a side yard setback issue.

#### Property Values and Neighborhood Harmony

The addition and slight CBJ encroachment will not decrease the value of surrounding properties. The greenhouse was designed by Northwind Architects LLC, to have the same architectural style as the main home and preexisting Garage on the property. This blend of colors and building design allows the Greenhouse to complement the existing buildings and as a result, blends well with the neighborhood. The structure does

## Attachment A - Application Packet

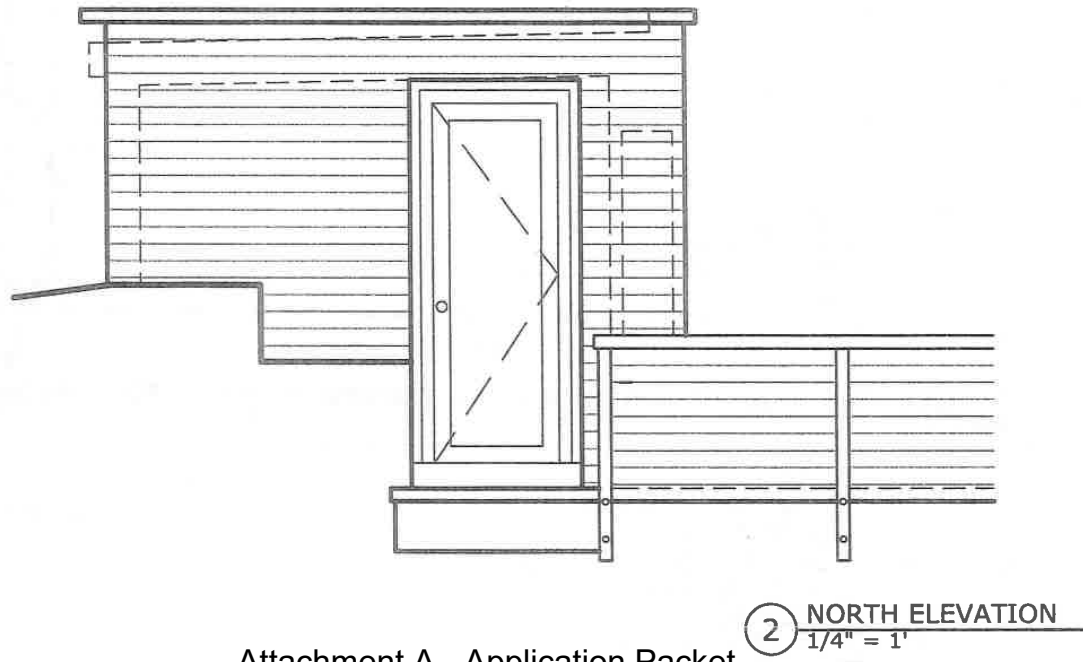
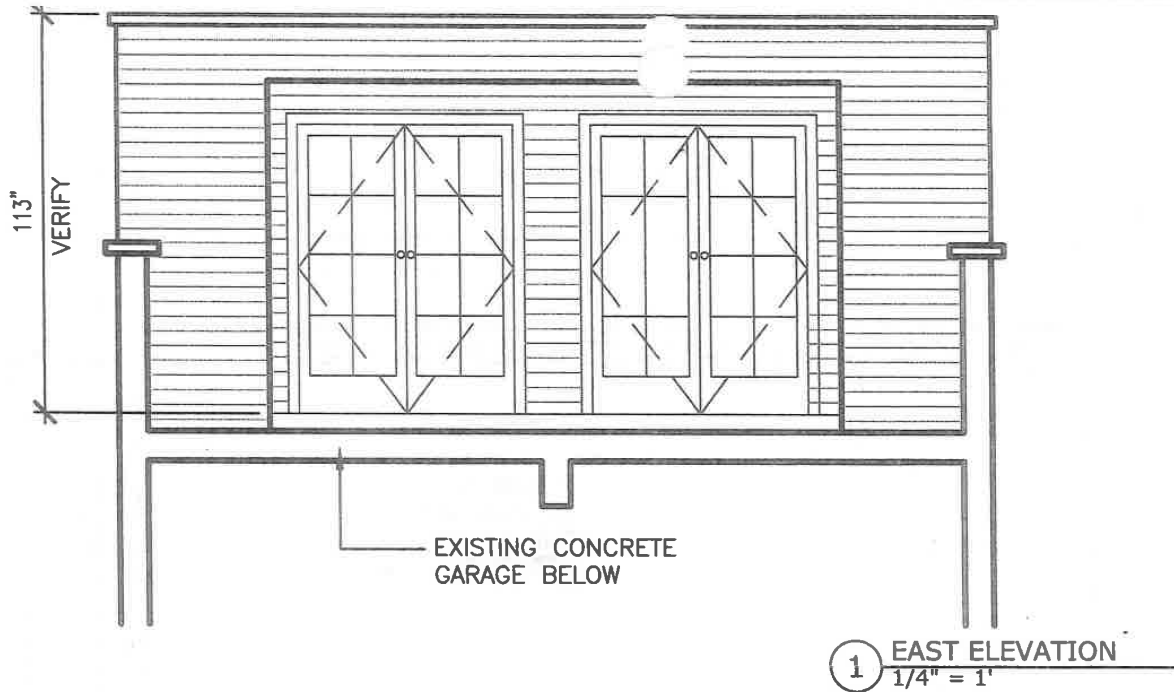
not affect any neighbor's light, air or views. (Note that the Lot 3 eastside neighbor has provided an Easement Agreement for the Variance application.)

- A. As-Built Survey, Site Plan, Elevation View, 3-page Floor Plan – attached Easement Agreement by east neighbor, also for related variance, attached
- B. There are No Parking issues with this application.
- C. There are No Traffic issues with this application.
- D. There is Lighting on the exterior of the structure. This exterior lighting is recessed up under the eaves so there is no light pollution from the structure.

Exterior Lighting: Two exterior lights were incorporated into the greenhouse structure. One light is located on the alcove ceiling above the west facing entrance. This main entrance has a single door recessed into the structure 3 feet. This door setback is to both protect the door and match the garage architecture below. Above this door on the ceiling is an entrance light, placed there to both protect the light and minimize light intrusion outside. This door entry light has achieved those desired results.

A second exterior light is on the south side of the greenhouse, under the overhanging front eave. This also protects the fixture from the weather and minimizes light intrusion. Light is confined to the front deck of the garage roof and does not shed light on 6<sup>th</sup> Street or the sidewalk below. This exterior light has achieved the desired results of both protection and light shading.

- E. Natural vegetation remains between Lot 2 and Lot 3; lilacs, Sitka Rose bushes and Hawthorn trees separate the two. This set of trees and shrubs creates a visual screen between properties and between the greenhouse and the neighbor's home on Lot 3. On the west side of the structure there is large flower garden.
- F. The property is a Steep Hillside. That presents some challenges to development of the lot. However, the steep terrain has no impact on the greenhouse structure because it was built atop the existing poured concrete garage, as the foundation.



  
**NorthWind**  
 Architects LLC  
 119A 2ND ST.  
 JUNEAU, AK 99801  
 PH #907.586.6150  
 FX #907.586.6181  
 WWW.NORTHWINDARCH.COM

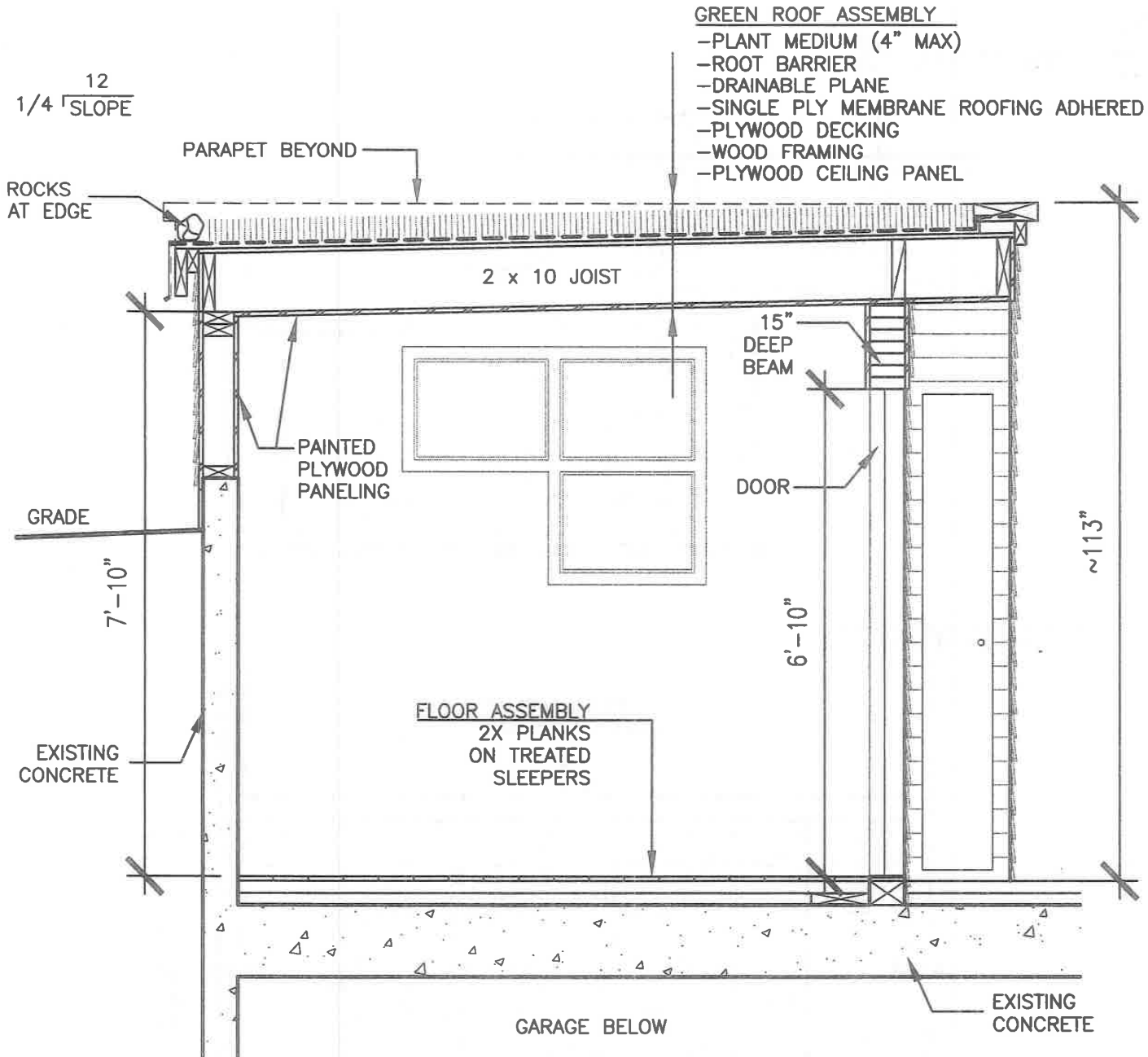
**PUTMAN GREENHOUSE**

114 SIXTH STREET  
 JUNEAU, ALASKA 99801

SHEET TITLE:  
**ELEVATIONS**

DATE: 3-12-10  
 REVISION: ....  
 CHECKED BY: SMB  
 DRAWN: FKD

SHEET #  
**A2.0**



**NorthWind Architects LLC**  
 119A 2ND ST.  
 JUNEAU, AK 99801  
 PH #907.586.6150  
 FX #907.586.6181  
 WWW.NORTHWINDARCH.COM

**PUTMAN GREENHOUSE**

114 SIXTH STREET  
 JUNEAU, ALASKA 99801

SHEET TITLE  
 SECTION

DATE: 3-12-10  
 REVISION: \*\*\*\*\*  
 CHECKED BY: SMB  
 DRAWN: FKD

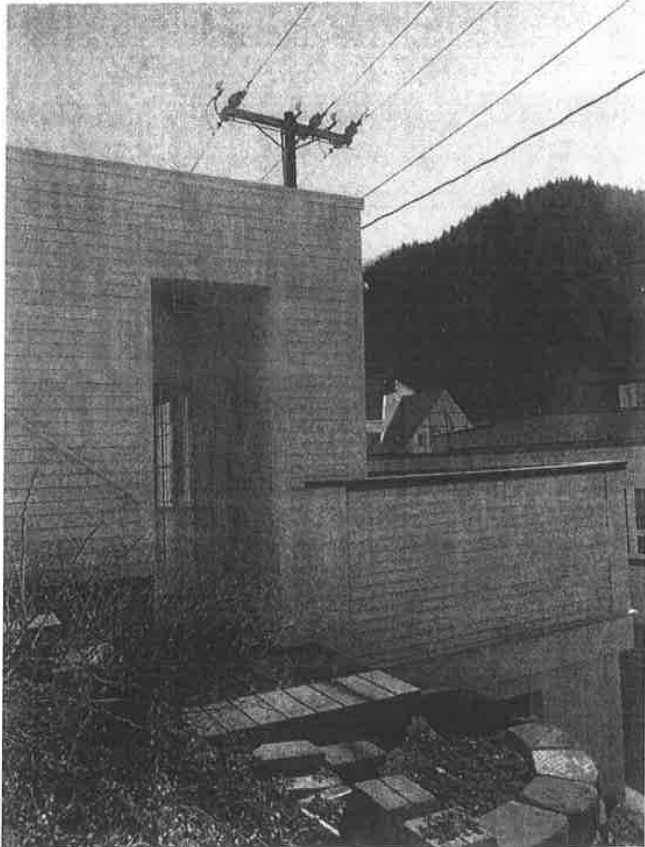
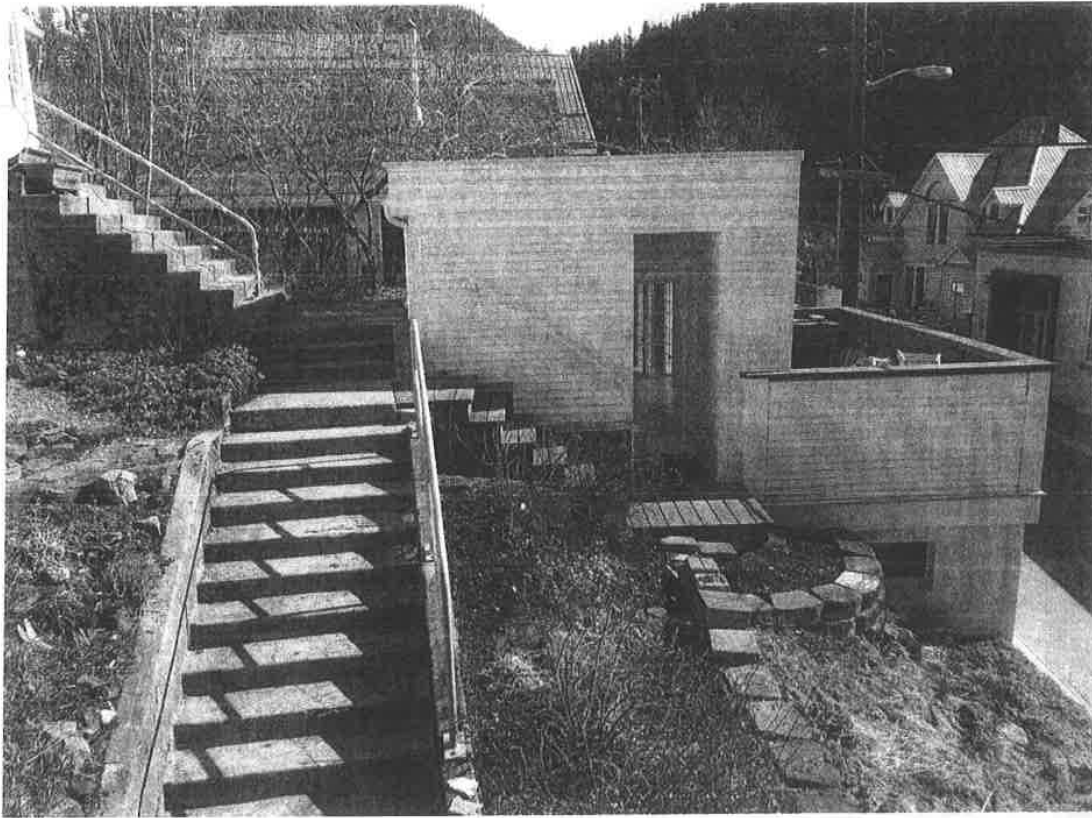
**A3.0**

1 SECTION  
 1/2" = 1'



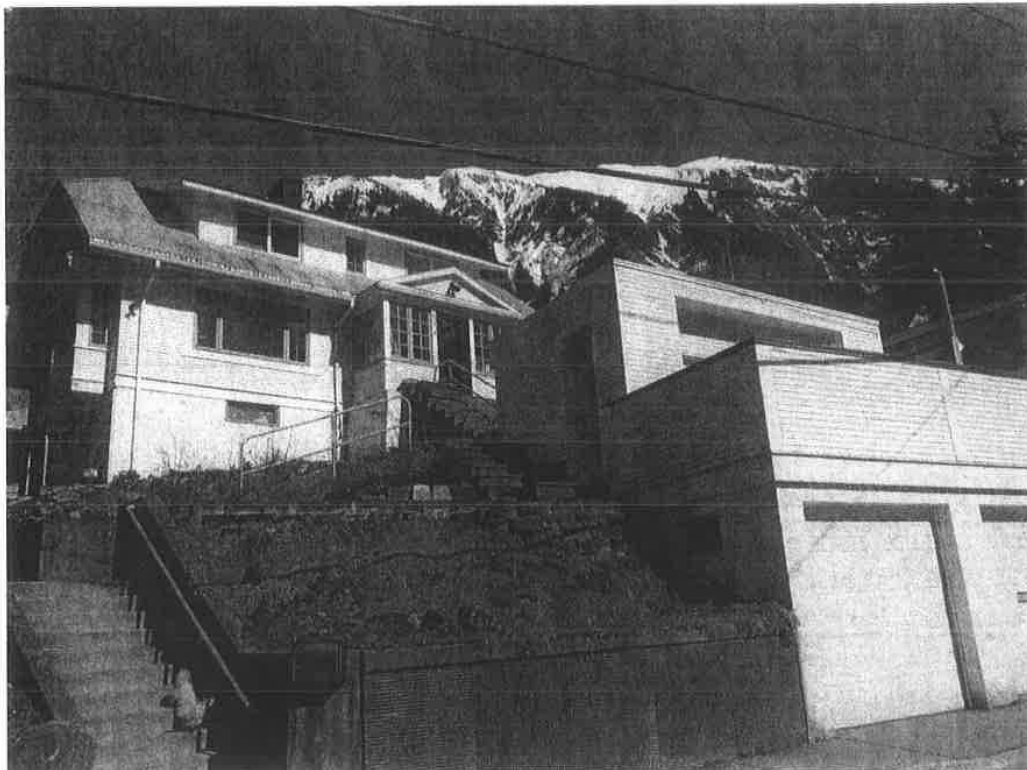
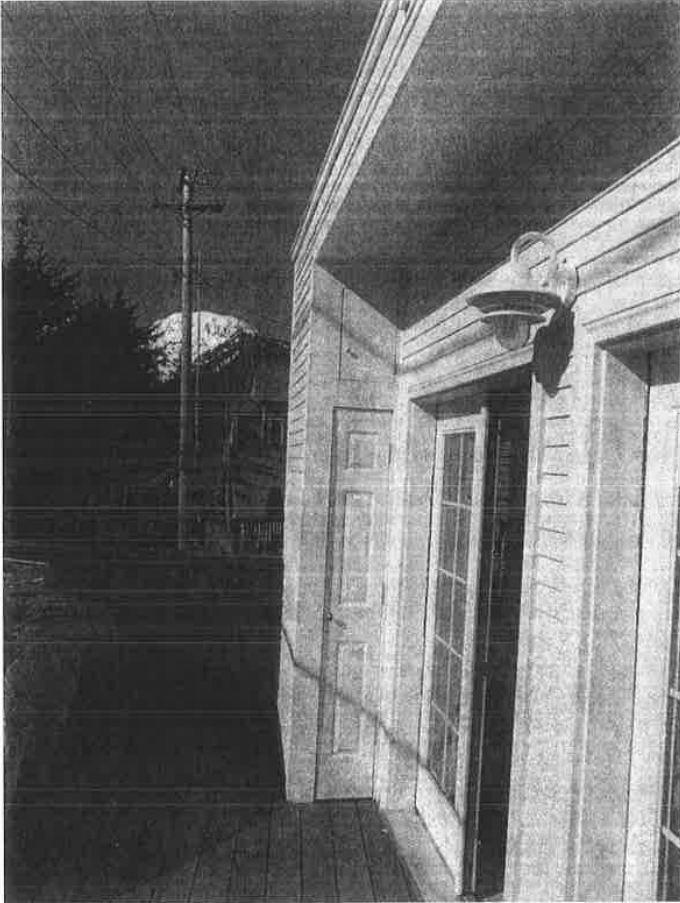


Attachment A - Application Packet



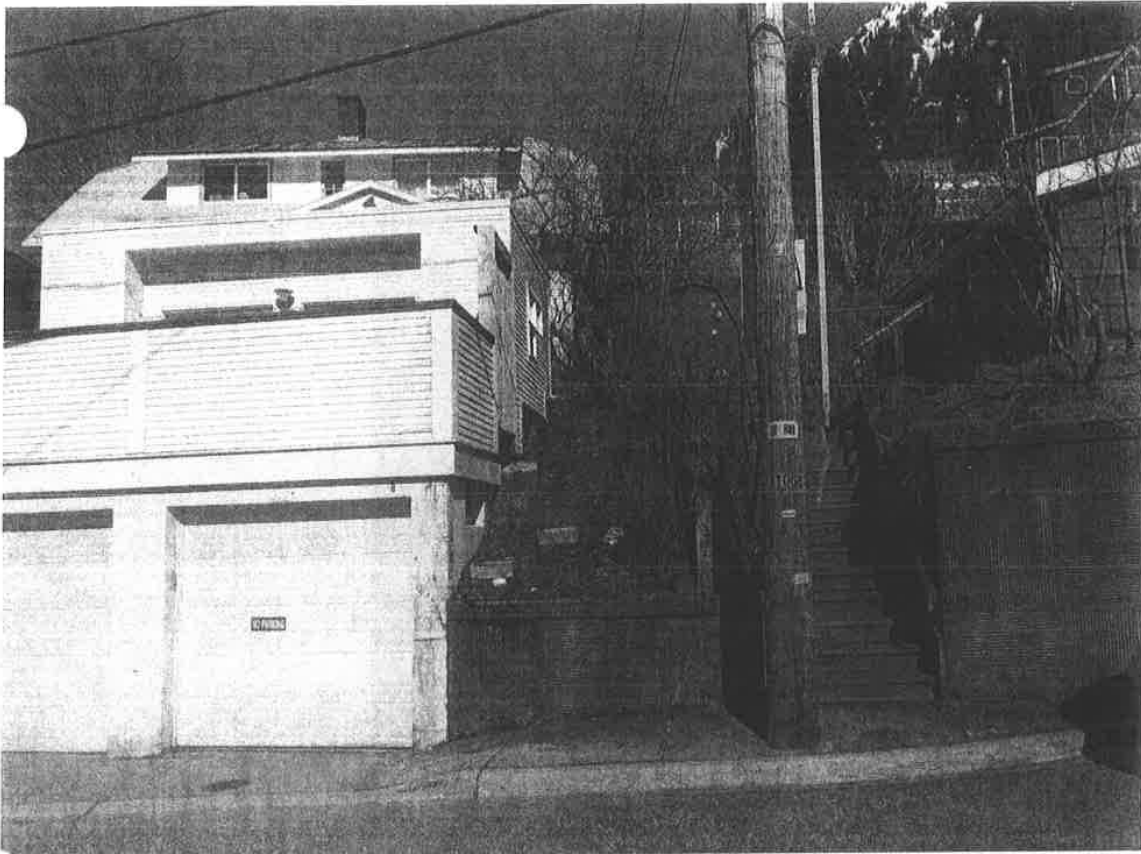
Attachment 6

Attachment A - Application Packet



Attachment 6

Attachment A - Application Packet



Attachment 6

**Attachment A - Application Packet**



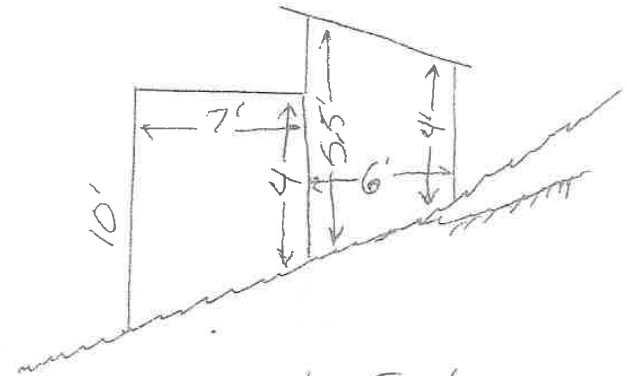
**Attachment 6**

**Attachment H - 2021 Nonconforming Certification**

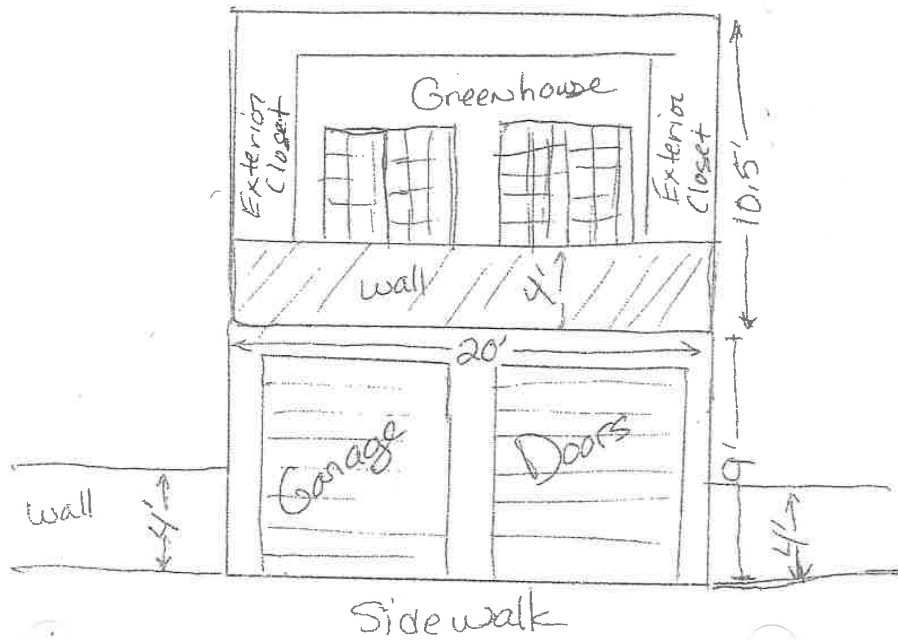
# Putman Greenhouse/Sawna (CBS Permit # BLD 2008-04153)

11/11/11  
via email

Northeast Elevation



South east (Front)  
Elevation

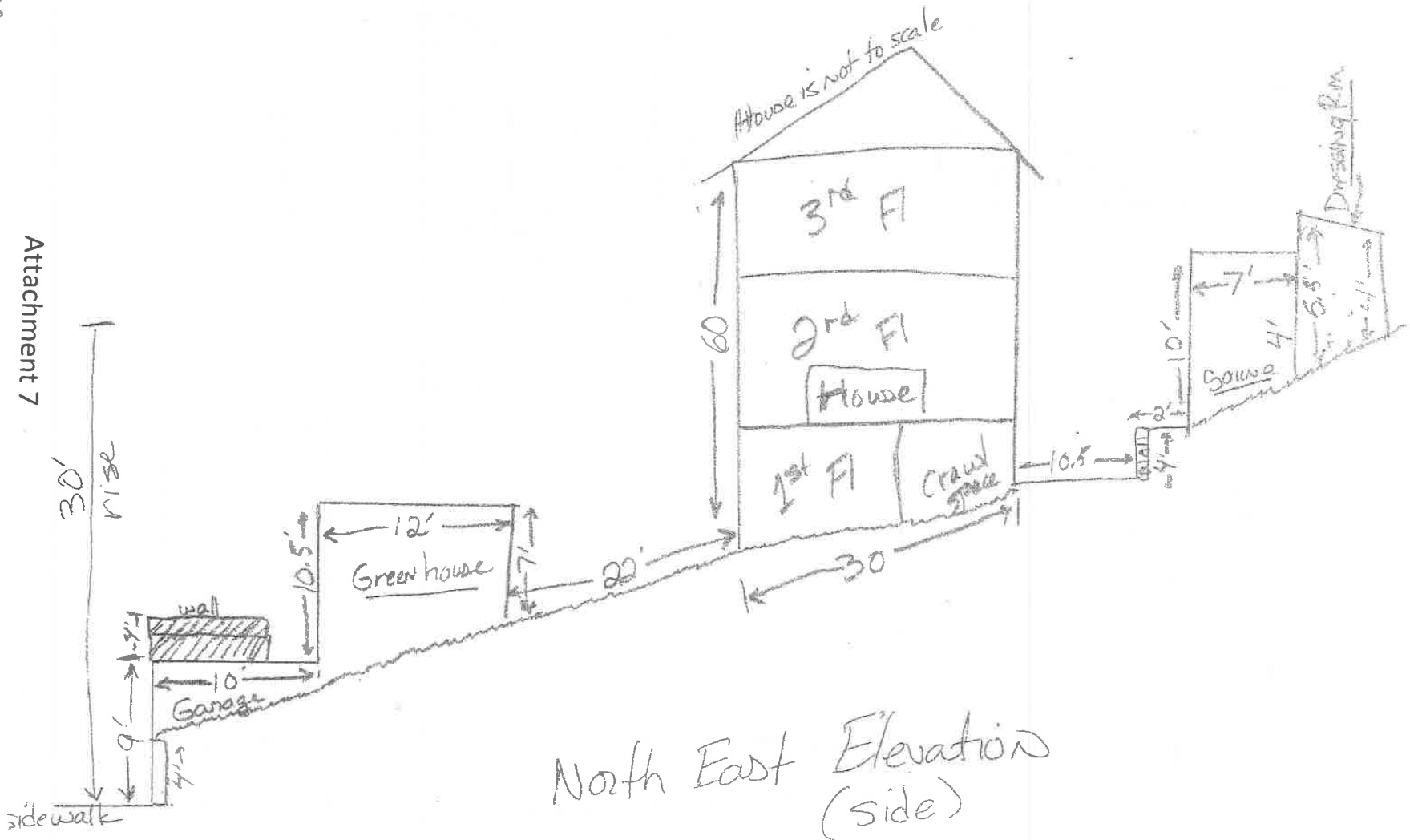


South East  
Elevation



# Putman Green House / Sauna (CBI) Building Permit # BLD 0009-00115

Received 11-8-12  
via email



North East Elevation  
(side)

## Attachment A - Application Packet



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

Date: February 6, 2013

File No.: VAR2013 0015

Vance F Putman  
PO Box 20473  
Juneau, AK 99802

Application For: An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna.

Legal Description: Juneau Townsite Block 29 Lot 2

Property Address: 114 Sixth Street

Parcel Code No.: 1-C06-0-A29-003-0

Hearing Date: October 22, 2013

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated October 15, 2013, and approved the Variance to be conducted as described in the project description and project drawings submitted with the application.

Attachment: October 15, 2013 memorandum from Teri Camery, Community Development, to the CBJ Board of Adjustment regarding VAR2013 0015

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

This Notice of Decision constitutes a final decision of the CBJ Board of Adjustment. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c). Any action by the applicant in reliance on the decision of the Board of Adjustment shall be at the risk that the decision may be reversed on appeal (CBJ §49.20.120).

Effective Date: The permit is effective upon approval by the Board, October 22, 2013

Expiration Date: The permit will expire 18 months after the effective date, or April 22, 2015 if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to the expiration date.

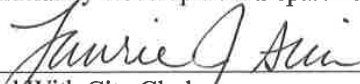
## Attachment A - Application Packet

Vance F Putman  
File No: VAR2013 0015  
October 23, 2013  
Page 2 of 2

Project Planner:

  
\_\_\_\_\_  
Teri Camery, Senior Planner  
Community Development Department

  
\_\_\_\_\_  
Michael Satre, Chair  
Planning Commission

  
\_\_\_\_\_  
Filed With City Clerk

10/25/13  
\_\_\_\_\_  
Date

cc: Plan Review

**NOTE:** The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ-adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA-trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center (800) 949-4232, or fax (360) 438-3208.



Attachment A - Application Packet

**MEMORANDUM**

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

**DATE:** October 15, 2013  
**TO:** Board of Adjustment  
**FROM:** Teri Camery, Senior Planner  
Community Development Department  
**FILE NO.:** VAR2013 0015  
**PROPOSAL:** An after-the-fact Variance to reduce the side-yard and rear-yard setbacks to zero for construction of a sauna

**GENERAL INFORMATION**

**Applicant:** Vance F Putman  
**Property Owner:** Vance F Putman  
**Property Address:** 114 Sixth Street  
**Legal Description:** Juneau Townsite Block 29 Lot 2  
**Parcel Code Number:** 1-C06-0-A29-003-0  
**Site Size:** 4,893 square feet  
**Comprehensive Plan  
Land Use Designation:** Medium Density Residential  
**Zoning:** D-18  
**Utilities:** CBJ Water and Sewer  
**Access:** Sixth Street  
**Existing Land Use:** Single-family dwelling  
**Surrounding Land Use:**  
North - D-18 Residential  
South - Sixth Street; D-18 Residential  
East - D-18 Residential  
West - D-18 Residential



# Attachment A - Application Packet

Board of Adjustment  
File No.: VAR2013 0015  
October 15, 2013  
Page 2 of 7

## Vicinity Map



## Attachment A - Application Packet

Board of Adjustment  
File No.: VAR2013 0015  
October 15, 2013  
Page 3 of 7

### ATTACHMENTS

Attachment 1 Development Permit application  
Attachment 2 Variance application  
Attachment 3 Project Narrative  
Attachment 4 Easement Agreement  
Attachment 5 Applicant photographs  
Attachment 6 Survey  
Attachment 7 Additional Building Permit detail and elevations

### PROJECT DESCRIPTION

The applicant requests an after-the-fact variance to reduce the five-foot side-yard setback to zero feet, and the 10-foot rear-yard setback to zero-four feet for construction of a sauna in the northwest corner of the lot (see survey, Attachment 6).

Because the sauna is under 120 square feet, the applicant was not required to apply for a building permit when it was first constructed, and therefore did not consider setback requirements. Approximately two years after construction, the applicant added electricity. The addition of electricity triggered the requirement for a building permit. During the building permit review, CDD requested an as-built survey to verify setbacks. The survey indicated that the structure was built to the zero setback line in the side-yard, and extended three inches into the neighboring property, and also encroached to the zero-four foot rear setback line. (The range of the encroachment is due to the angle of the property line.) The structure therefore requires a Variance.

### ANALYSIS

The applicant has provided a detailed project narrative with photographs to explain why the structure was built in the corner of the lot within the setbacks. The lot has a 35 degree slope that shows signs of active erosion. In 2008, the applicant built a buttress to prevent the retaining wall (which was built in the 1950s) from moving downslope. The buttress became the foundation of the sauna. The retaining wall was built next to an old fence, also from the 1950s, which the applicant believed was the property line, and the applicant's intention was to build eight inches from the property line. However both the fence and the original retaining wall are actually located on the adjacent lot. This combination of factors resulted in construction of the building not only at the zero foot setback, but three inches into the neighboring property. The applicant has an easement agreement with the adjacent neighbor which allows use and maintenance of the structure on the property. (Attachment 4)

The applicant discovered the encroachment only after the as-built survey was completed. The applicant states that to remove the structure, he would have to reconstruct the entire buttress foundation as well as the building itself, which could cause further soil erosion. Because of the extreme slope in this neighborhood, the encroachment will not restrict views or light in the area.

## Attachment A - Application Packet

Board of Adjustment  
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### Variance Requirements

Under CBJ §49.20.250 where hardship and practical difficulties result from an extraordinary situation or unique physical feature affecting only a specific parcel of property or structures lawfully existing thereon and render it difficult to carry out the provisions of Title 49, the Board of Adjustment may grant a Variance in harmony with the general purpose and intent of Title 49. A Variance may vary any requirement or regulation of Title 49 concerning dimensional and other design standards, but not those concerning the use of land or structures, housing density, lot coverage, or those establishing construction standards. A Variance may be granted after the prescribed hearing and after the Board of Adjustment has determined:

1. *That the relaxation applied for or a lesser relaxation specified by the Board of Adjustment would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.*

The Variance would allow the owner to retain the already-constructed sauna in the location of the lot that provides a stable foundation on the slope. The Variance is consistent with justice to other property owners, because this neighborhood has many old homes with legally non-conforming structures within setbacks.

**Staff finds that this criterion is met.**

2. *That relief can be granted in such a fashion that the intent of this title will be observed and the public safety and welfare be preserved.*

The intent of Title 49 is established in Section 49.05.100 Purpose and Intent. Those sections, which are applicable to the requested variance, are as follows:

- 1) To achieve the goals and objectives and implement the policies of the Juneau Comprehensive Plan and the coastal management program;
- 2) To ensure that future growth and development in the city and borough is in accord with the values of its residents;
- 3) To identify and secure, for present and future residences, the beneficial impacts of growth while minimizing the negative impacts;
- 4) To ensure that future growth is of the appropriate type, design, and location, and is served by a proper range of public services and facilities such as water, sewage, and electrical distribution systems, transportation, schools, parks and other public requirements, and in general to promote public health, safety and general welfare;
- 5) To provide adequate open space for light and air; and
- 6) To recognize the economic value of land and encourage its proper and beneficial use.

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The proposed Variance meets the intent of Title 49, specifically items 3, 5, and 6, by allowing construction of an accessory structure in the most appropriate location without negatively impacting open space, light, air, or views.

**Staff finds that this criterion is met.**

**3. *That the authorization of the Variance will not injure nearby property.***

No evidence indicates that authorization of the Variance will injure nearby property. The adjacent property owner has signed an easement allowing the structure to encroach three inches into the adjacent lot, and has also authorized maintenance of the structure. This neighborhood has many non-conforming structures at or near zero setback lines, and because of the steep slope, the encroachment will not affect views.

**Staff finds that this criterion is met.**

**4. *That the Variance does not authorize uses not allowed in the district involved.***

Personal-use saunas and similar structures are allowed as accessory structures in the D-18 zoning district, therefore the Variance does not authorize uses not allowed in the D-18 district.

**Staff finds that this criterion is met.**

**5. *That compliance with the existing standards would:***

**(A) *Unreasonably prevent the owner from using the property for a permissible principal use;***

The principal use in the D-18 zoning district is residential development. This use does not specifically include accessory structure such as saunas. Therefore compliance with existing standards would not unreasonably prevent the owner from using the property for a permissible principal use.

**Staff finds that this sub-criterion is met.**

**(B) *Unreasonably prevent the owner from using the property in a manner which is consistent as to scale, amenities, appearance or features, with existing development in the neighborhood of the subject property;***

Compliance with standards would unreasonably prevent the owner from using the property in a manner consistent with features of existing development in the neighborhood, because this neighborhood has many homes with legally non-conforming structures within setbacks. CBJ Assessor's Office information indicates that the applicant's home was constructed in 1914, which is common for many homes in this area.

## Attachment A - Application Packet

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**Staff finds that this sub-criterion is met.**

- (C) *Be unnecessarily burdensome because unique physical features of the property render compliance with the standards unreasonably expensive;*

The subject property and surrounding Sixth Street properties have a slope of 35 degrees, which significantly limits where buildings may be constructed on the property.

**Staff finds that this sub-criterion is met.**

*or*

- (D) *Because of preexisting nonconforming conditions on the subject parcel the grant of the Variance would not result in a net decrease in overall compliance with the Land Use Code, CBJ Title 49, or the building code, CBJ Title 19, or both.*

The subject parcel has a legally non-conforming lot size, legally non-conforming front yard-setbacks for the garage, and a legally non-conforming side-yard setback for the home. A grant of the Variance would therefore not result in a net decrease in overall compliance with the Land Use Code.

**Staff finds that this sub-criterion is met.**

**Because staff finds that sub-criterion 5B, 5C, and 5D have been met, staff finds that this criterion is met.**

6. *That a grant of the Variance would result in more benefits than detriments to the neighborhood.*

A grant of the Variance would allow the sauna to remain where it has been constructed, in the most beneficial location for the property, without causing harm to adjacent residents through restriction of light, air, or views.

**This criterion is met.**

### **FINDINGS**

1. *Is the application for the requested Variance complete?*

**Yes.** Staff finds that the application contains the information necessary to conduct 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.

## Attachment A - Application Packet

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

2. *Will the proposed development comply with the Juneau Coastal Management Programs?*

**Not applicable.**

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

**Yes.** Staff finds that the Variance meets criteria 1, 2, 3, 4, and 5.

### **RECOMMENDATION**

Based upon the proposed plan (identified in Attachments 1-7) and the findings and conclusions stated above, the Community Development Department Director recommends that the Board of Adjustment approve the request.

( Variance ) Attachment A - Application Packet  
**DEVELOPMENT PERMIT APPLICATION**

Project Number	CITY and BOROUGH of JUNEAU	Date Received: 5/2/13
Project Name (City Staff to Assign Name)		

PROJECT / APPLICANT INFORMATION	Project Description As-built survey determined sauna was built 3" over property line on NW corner.		
	PROPERTY LOCATION		
	Street Address 114 E 6th Street	City/Zip Juneau AK 99801	
	Legal Description(s) of Parcel(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Townsite Block 29 Lot 2		
	Assessor's Parcel Number(s) 1006A290030		
	LANDOWNER/ LESSEE		
	Property Owner's Name V Fate Putman and Kimberly Honne	Contact Person: F. Putman	Work Phone: 321-0773
	Mailing Address Box 204 73 Juneau 99802	Home Phone: 321-0773	Fax Number:
	E-mail Address fateputman@gmail.com	Other Contact Phone Number(s): 463-4975(w)	
	LANDOWNER/ LESSEE CONSENT <small>***Required for Planning Permits, not needed on Building/ Engineering Permits***</small>		
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.			
X	<u>[Signature]</u> Landowner/Lessee Signature	<u>4/29/2013</u> Date	
X	<u>[Signature]</u> Landowner/Lessee Signature	<u>4/29/2013</u> Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours and will attempt to contact the landowner in addition to the formal consent given above. Further, members of the Planning Commission may visit the property before the scheduled public hearing date.			
APPLICANT <small>If the same as OWNER, write 'SAME' and sign and date at X below</small>			
Applicant's Name same		Contact Person: Work Phone:	
Mailing Address same		Home Phone: Fax Number:	
E-mail Address same		Other Contact Phone Number(s):	
X	<u>[Signature]</u> Applicant's Signature	<u>4/29/2013</u> Date of Application	

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

STAFF APPROVALS	<input checked="" type="checkbox"/>	Permit Type	Design	Date Received	Application Number(s)
		Building/Grading Permit			
		City/State Project Review and City Land Action			
		Inquiry Case (Fee In Lieu, Letter of ZC, Use Not Listed)			
		Mining Case (Small, Large, Rural, Extraction, Exploration)			
		Sign Approval (If more than one, fill in all applicable permit #'s)			
		Subdivision (Minor, Major, PUD, St. Vacation, St. Name Change)			
	X	Use Approval (Allowable, Conditional, Cottage Housing, Mobile Home Parks, Accessory Apartment)			
	P	Variance Case (De Minimis and all other Variance case types)		5/2/13	VAR 13-015
		Wetlands Permits			
	Zone Change Application				
	Other (Describe)				
Comments: <span style="float: right;">***Public Notice Sign Form filled out and in the file.</span>					
				Attachment 1	
				Permit Intake Initials <u>CWT</u>	

NOTE: DEVELOPMENT PERMIT APPLICATION FORMS MUST ACCOMPANY ALL OTHER COMMUNITY DEVELOPMENT DEPARTMENT APPLICATIONS  
 I:\FORMS\2010 Applications Revised November 2009



Attachment A - Application Packet

VARIANCE APPLICATION

Project Number	Project Name (15 characters)	Case Number	Date Received
		2011-13-015	5/21/13

TYPE OF VARIANCE REQUESTED:

- |  |  |
|--|--|
| <input type="checkbox"/> Variance to the Sign Standard (VSG)               | <input type="checkbox"/> Variance to Dimensional Standards (VDS) |
| <input type="checkbox"/> Variance to Habitat Setbacks (VHB)                | <input type="checkbox"/> Variance to Parking Requirements (VPK)  |
| <input checked="" type="checkbox"/> Variance to Setback Requirements (VSB) |  |

DESCRIPTION OF ACTIVITY WHICH REQUIRES A VARIANCE:

attached

Previous Variance Applications?

- YES  NO

Date of Filing: \_\_\_\_\_

Previous Case Number(s): \_\_\_\_\_

Was the Variance Granted?  YES  NO

UNIQUE CHARACTERISTICS OF LAND OR BUILDING(S):

attached

UTILITIES AVAILABLE:

WATER:  Public  On Site

SEWER:  Public  On Site

WHY WOULD A VARIANCE BE NEEDED FOR THIS PROPERTY REGARDLESS OF THE OWNER?

attached

WHAT HARDSHIP WOULD RESULT IF THE VARIANCE WERE NOT GRANTED?

attached

For more information regarding the permitting process and the submittals required for a complete application, please see the reverse side.

VARIANCE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ 400			
Adjustment	\$			
Total Fee	\$ 400	212	0413608	5/21/13

If you need any assistance filling out this form, please contact the Permit Center at 586-0770.

NOTE: MUST BE ACCOMPANIED BY DEVELOPMENT PERMIT APPLICATION FORM

TO BE COMPLETED BY THE APPLICANT

## Attachment A - Application Packet

**TO: Board of Adjustment**

**FR: V. Fate Putman & Kimberly Homme, owners**

**RE: CBJ Variance Request for 114 E. 6<sup>th</sup> Street, JNU**

**DATE: April 24, 2013**

### **1. Description of activity that requires a variance:**

A sauna and dressing room were built on the NE property corner because of the sloping nature of the hillside. No other reasonable means was available to stop soil erosion from occurring from the up-slope side of the property except the use of retaining walls and buttress structures. The sliding hillside from 7<sup>th</sup> Street has been a continual problem since the 1950's when the first fence and retaining walls were built. Without the retaining walls and buttress structures the soil and debris would continue to erode down the hillside.

The buttress structures were built in 2008 to prevent the 1950's retaining wall from moving further downslope during high moisture periods. These buttresses became the foundation of the sauna & dressing room. Because the sauna and dressing room use both the original retaining wall and subsequent buttress structures as a foundation, based on the 1950 fence line, these buildings encroach on the adjacent property. The encroachment is approximately 3 inches into adjacent Lot 3, according to the As-Built Survey, attached.

### **2. Unique characteristics of land or building:**

The unique characteristic of this land is the extreme slope, approximately 35 degrees. This steep slope erodes during high moisture events when the soil becomes saturated. Soil erosion normally occurs in the fall or spring, moving soil and debris such as broken glass and rusty metal down the hillside. Underneath and intermixed into the soils on this slope are layers of garbage from decades of this hillside use as a dump.

### **3. Why a variance would be needed, regardless of the owner:**

**Attachment 3**

## Attachment A - Application Packet

Because of confusion in the 1950's about property lines, initial encroachment by Lot 1 to the west may have caused subsequent encroachment when a fence and retaining wall were constructed on Lot 2 which encroached into the adjoining Lot 3 to the east. Because of the unstable hillside and sliding soils the property corner may have moved. This encroachment was only discovered after the as-built survey was completed last year. The adjoining property owner recognizes the encroachment and has submitted an Easement Agreement to permit encroachment of the adjacent property lines, attached.

### **4. What hardship would result if the variance was not granted?**

I would have to re-construct the entire buttress foundation, sauna and changing room to conform to the setback at considerable effort and expense. Removal of the buttress foundation would cause further soil erosion and sliding on this extreme slope.

### **5. How proposed project meets Variance Approval Criteria:**

- (1) The buttress foundation is an asset constructed to address a critical soil erosion condition. This buttress and sauna structure facilitates my need for property and soil protection, it adds value to the property, and produces no adverse impacts on my neighbors.
- (2) Intent of title will be observed with no issues of safety or public welfare arising, and is open for inspection by CBJ planners.
- (3) The variance will not injure or impact nearby property or owners. Because of the extreme slope, the property to the north (7<sup>th</sup> Street) is well above the roofline of the sauna. There are no visual impacts with other properties, and the eastern property owner has granted an Easement Agreement (attached).
- (4) There are no proposed uses that are not already authorized in the district, with no commercial activities or additions to zoning density.
- (5) Compliance with existing standards:
  - a) Without a variance, the buttress foundation would need to be moved at considerable expense and effort. This removal would allow the slope to slide, as it has in the past.

## Attachment A - Application Packet

- b) The buttress foundation and sauna were constructed in 2008 to blend in with the cedar fence and the 1914 main house. As such, they complement the main structure and are a basic amenity. Also, neither foundation nor sauna imposes an adverse visual profile in the neighborhood. The structure is surrounded by dense, steep undergrowth.
  - c) Because of the unique, steep slope and placement of the original 1950 retaining wall and fence, and the subsequent use of that footprint in 2008 for construction, compliance with existing setback standards would be unreasonably expensive.  
(Buttress structures are square boxes filled with soil. They are built down- slope from the retaining wall and are pressed up against the wall to prevent movement. The buttress structures are made from both concrete and treated wood and are used to support the leaning retaining walls. These buttress structures are built adjacent to where the 1950 retaining walls are located. Since the retaining walls are located on the property lines, the buttress structures are located adjacent to the retaining fence walls and in the setback.)
  - d) Because of pre-existing, non-conforming conditions relative to the retaining wall, fence, buttress foundation and sauna, granting these public and adjoining property line variances would not result in a net decrease in overall compliance with the land use code, Title 49, or the building code, Title 19, or both; and,
- (6) Granting these variances will result in no detriments to the neighborhood. In fact, this structure stops continual soil sliding and is a positive asset for all. This structure and foundation will be well-kept and maintained at all times.

Since the sauna and dressing room are already constructed on top of the Buttress Structure, a variance from the setback requirements is needed for these buildings. The adjoining, east property owner has granted an Easement Agreement that permits access to the structures for repair and maintenance, attached.

Attachment A - Application Packet

**EASEMENT AGREEMENT**

**THIS EASEMENT AGREEMENT** is made this 22<sup>nd</sup> day of October 2012, by and between Richard and Kathy Ward, (hereinafter called "Grantors"), and Fate Putman and Kimberly Homme, (hereinafter called "Grantees").

WITNESSETH:

WHEREAS, Grantee desires the use of the property of Grantor for use as an Easement to maintain the Fence and Shed Outbuilding located primarily on Lot 2, Block 29, Juneau Township and extending partially onto the Northwest corner of Lot 3, Block 29, Juneau Township; and,

WHEREAS, in consideration of \$1.00 and valuable consideration, receipt of which is hereby acknowledged, Grantors is willing to enter into an easement agreement for the use of the property subject to the terms and conditions set forth herein.

NOW, THEREFORE, the parties mutually agree as follows:

1. Grantors hereby grants Grantees an easement to use the following described property: A small section of Lot 3, Block 29, Juneau Township, located in the Northwest corner of the property, adjacent to Lot 2, Block 29, Juneau Township to a distance of two (2) to three (3) feet onto Lot 3 from the edge of the fence and structure to allow for maintenance and repair. (See attached property As-built Survey, Appendix A)
2. This Easement Agreement shall automatically cease upon abandonment, herein defined as nonuse for any six (6) consecutive months, and all interests granted herein shall revert to grantor, or its successor, upon such abandonment.
3. The rights granted to and duties assumed by Grantees under this Easement Agreement may not be assigned or delegated by Grantees without the prior written consent of Grantors. Any attempted assignment or delegation by Grantees without the prior written consent of the Grantors shall be void.
4. This Easement Agreement may be amended from time to time, as may be necessary, by mutual consent of both parties; provided, however, that no amendment to the Easement Agreement shall be effective unless in writing and signed by both parties.
5. Both parties agree that time is of the essence and that time specifications contained herein shall be strictly construed.
6. Both parties represent and warrant that they have the authority to execute this Easement Agreement.
7. All notices referred to in the Easement Agreement shall be sent to the respective parties at the address stated below:

Grantors: KDW / RW

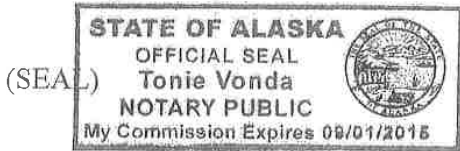
Grantees: KH / KH

Attachment 4



Attachment A - Application Packet

This is to certify that on this 22 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Katherine Ward to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that she signed it voluntarily for the purposes therein stated.



[Signature]  
NOTARY PUBLIC in and for ALASKA  
My Commission Expires: 9-01-2015

DATED this 25<sup>th</sup> day of October, 2012.

GRANTEE:

[Signature]  
VANCE FATE PUTMAN



STATE OF ALASKA )  
 ) ss.  
FIRST JUDICIAL DISTRICT)

This is to certify that on this 25 day of October, 2012, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Vance Fate Putman, to me known or proved upon adequate evidence to be the person who executed the foregoing instrument and acknowledged to me that he signed it voluntarily for the purposes therein stated.

(SEAL)

[Signature]  
NOTARY PUBLIC in and for ALASKA  
My Commission Expires: 5/29/16

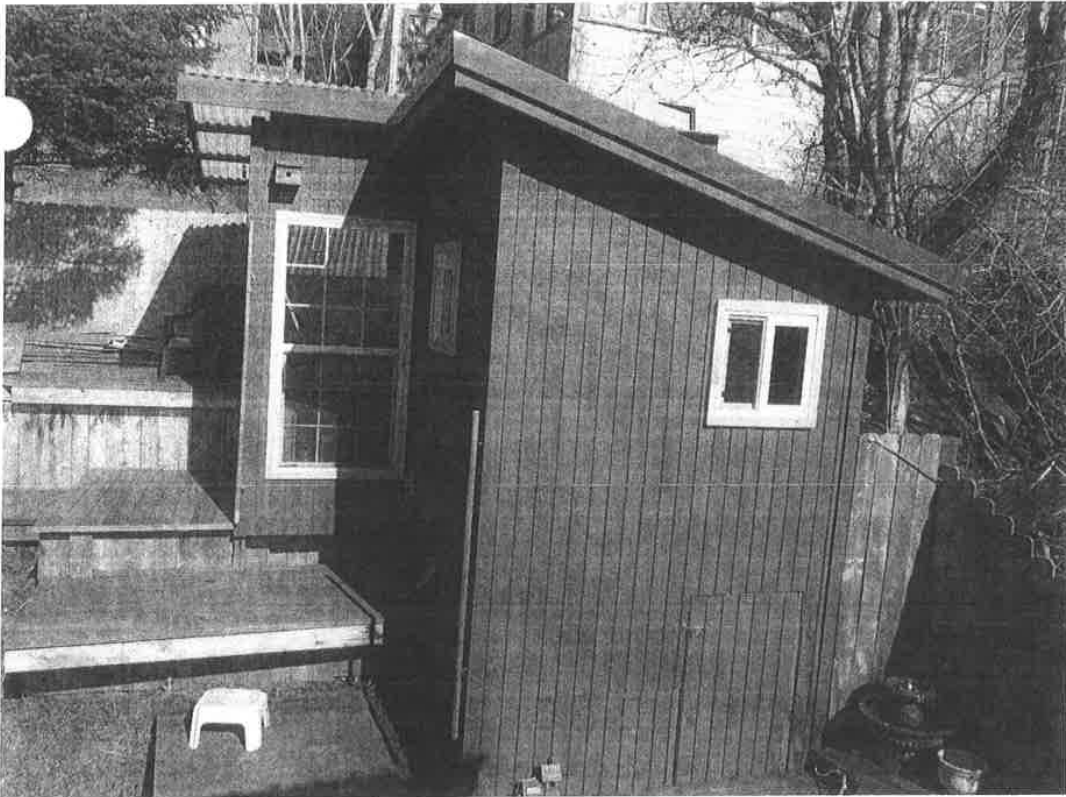
~~DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.~~

~~GRANTEE:~~



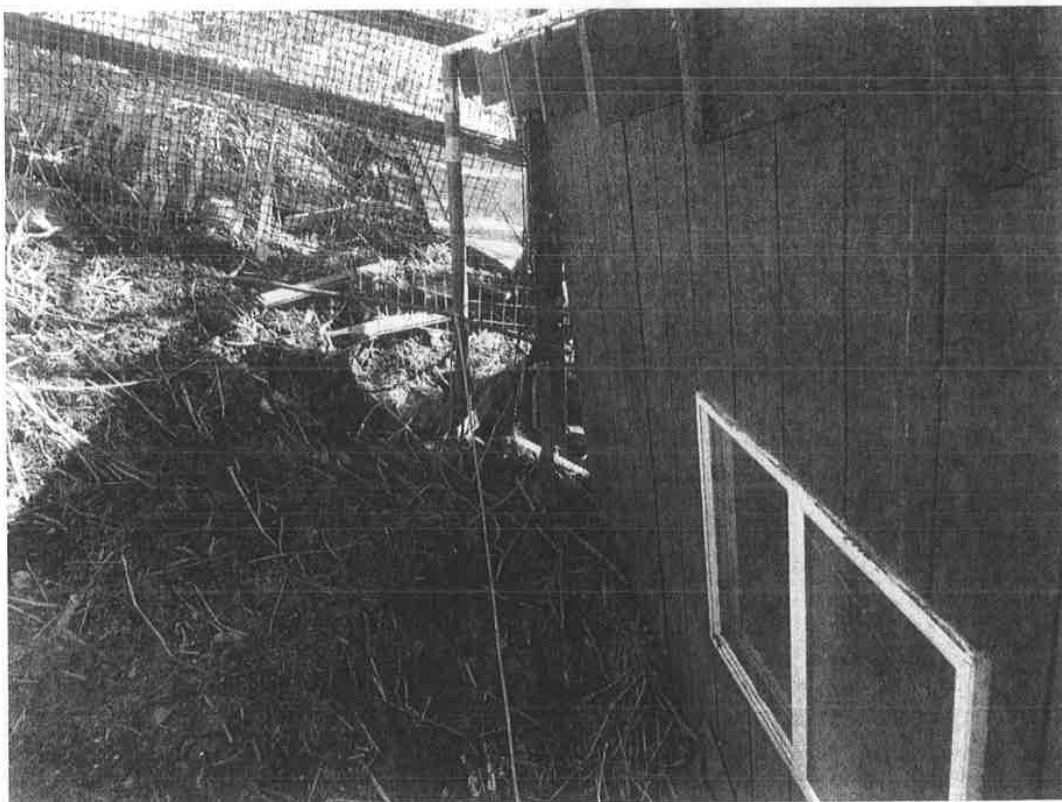
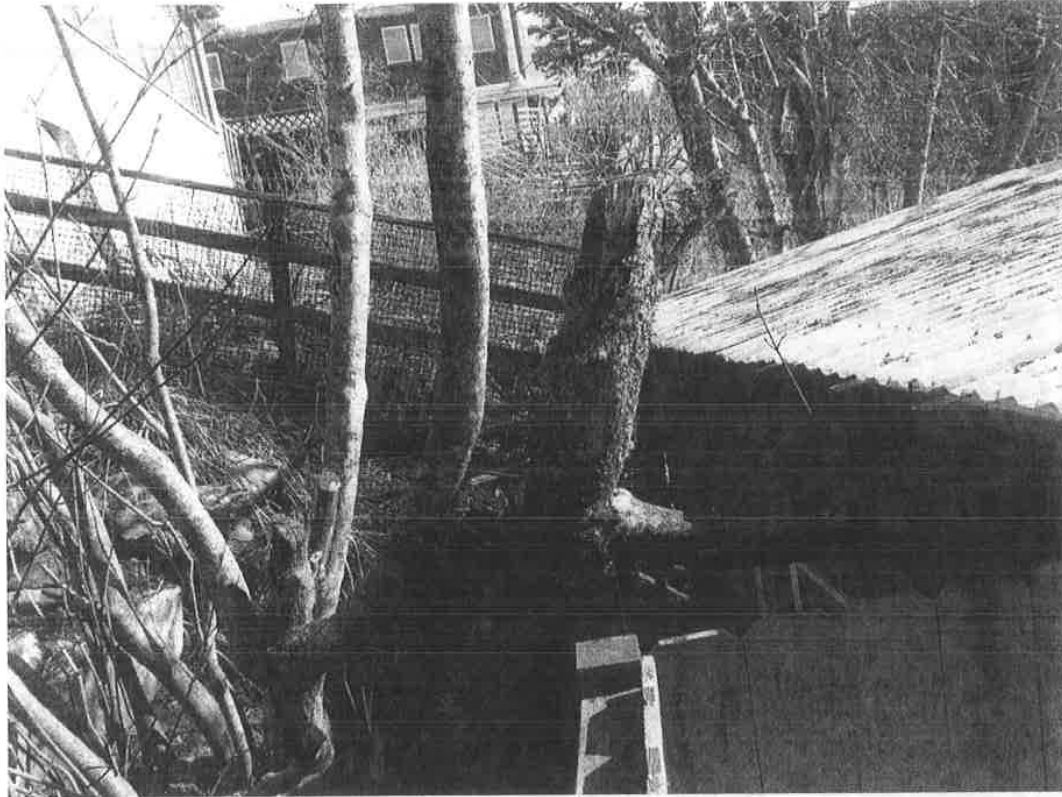


Attachment A - Application Packet



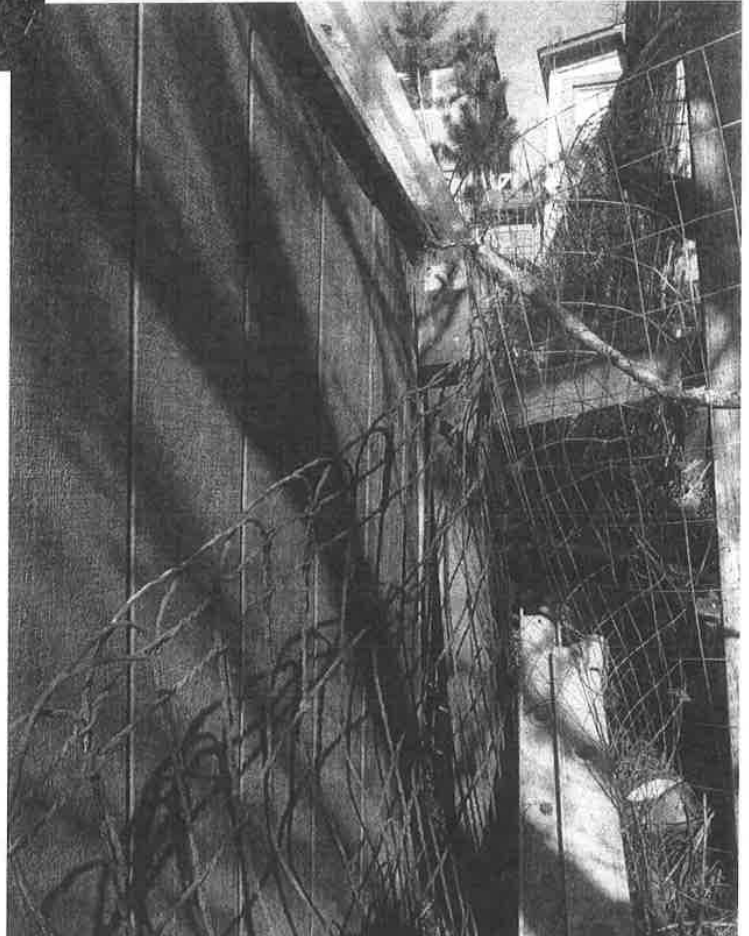
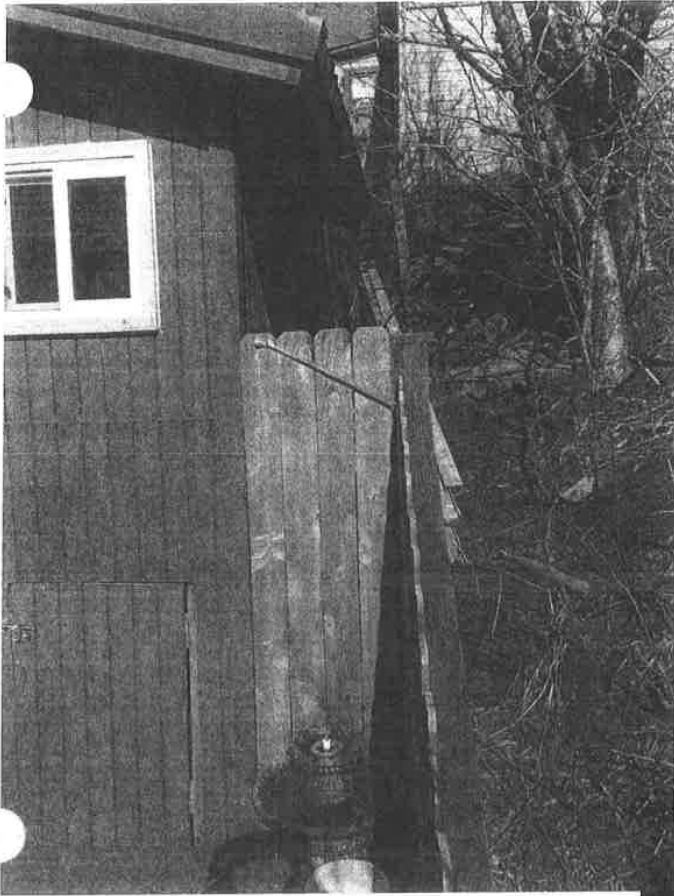
**ATTACHMENT 5**

Attachment A - Application Packet



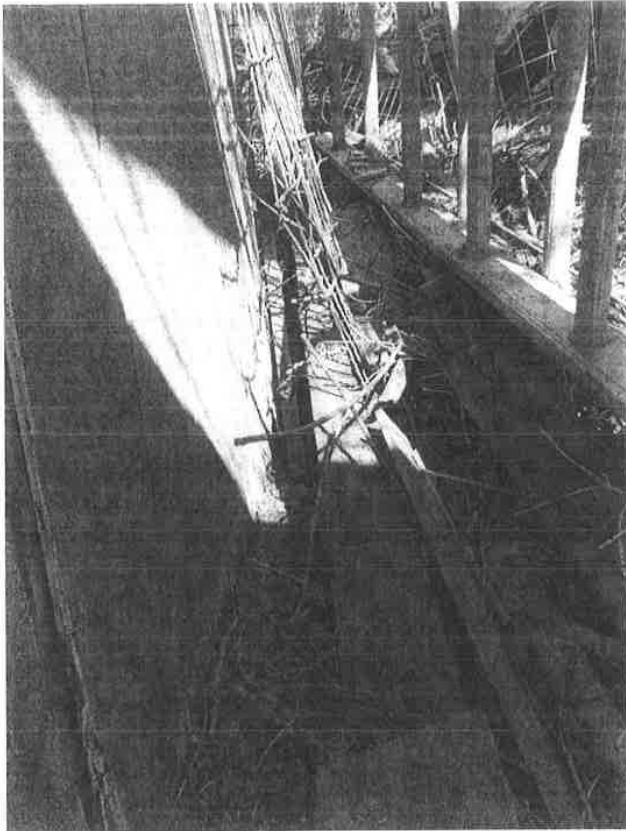
ATTACHMENT 5

Attachment A - Application Packet



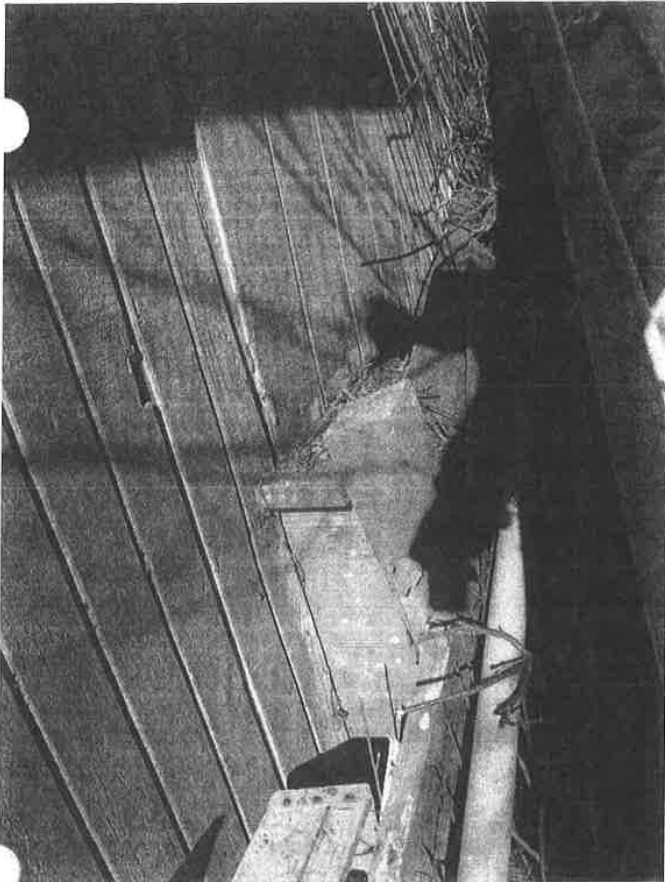
ATTACHMENT 5

Attachment A - Application Packet



**ATTACHMENT 5**

Attachment A - Application Packet



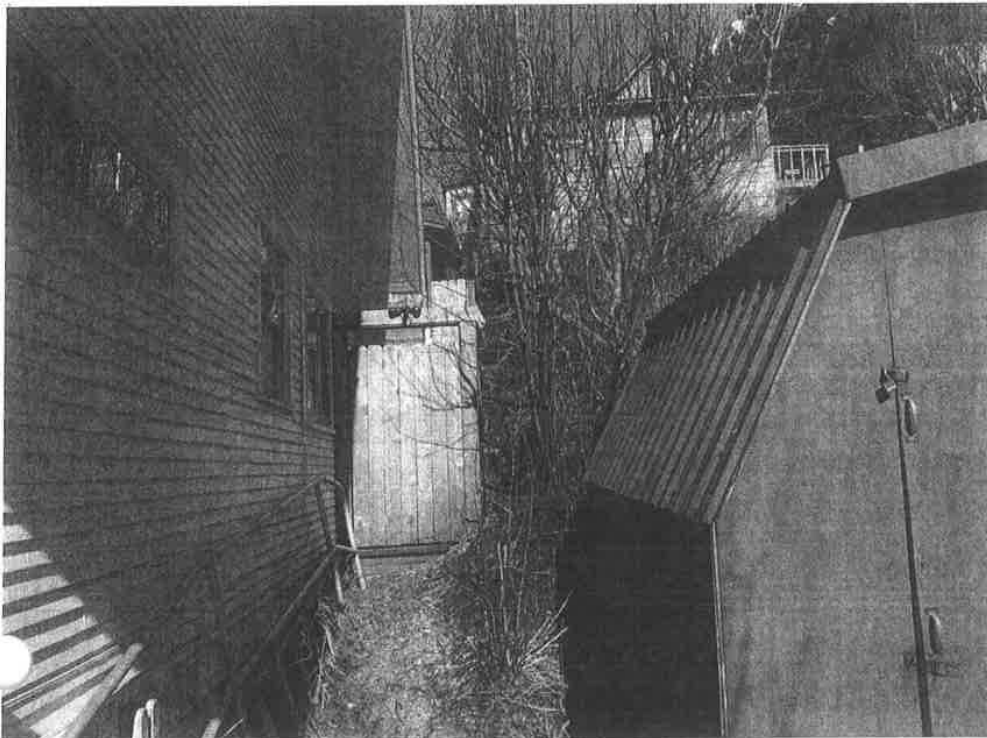
**ATTACHMENT 5**

Attachment A - Application Packet



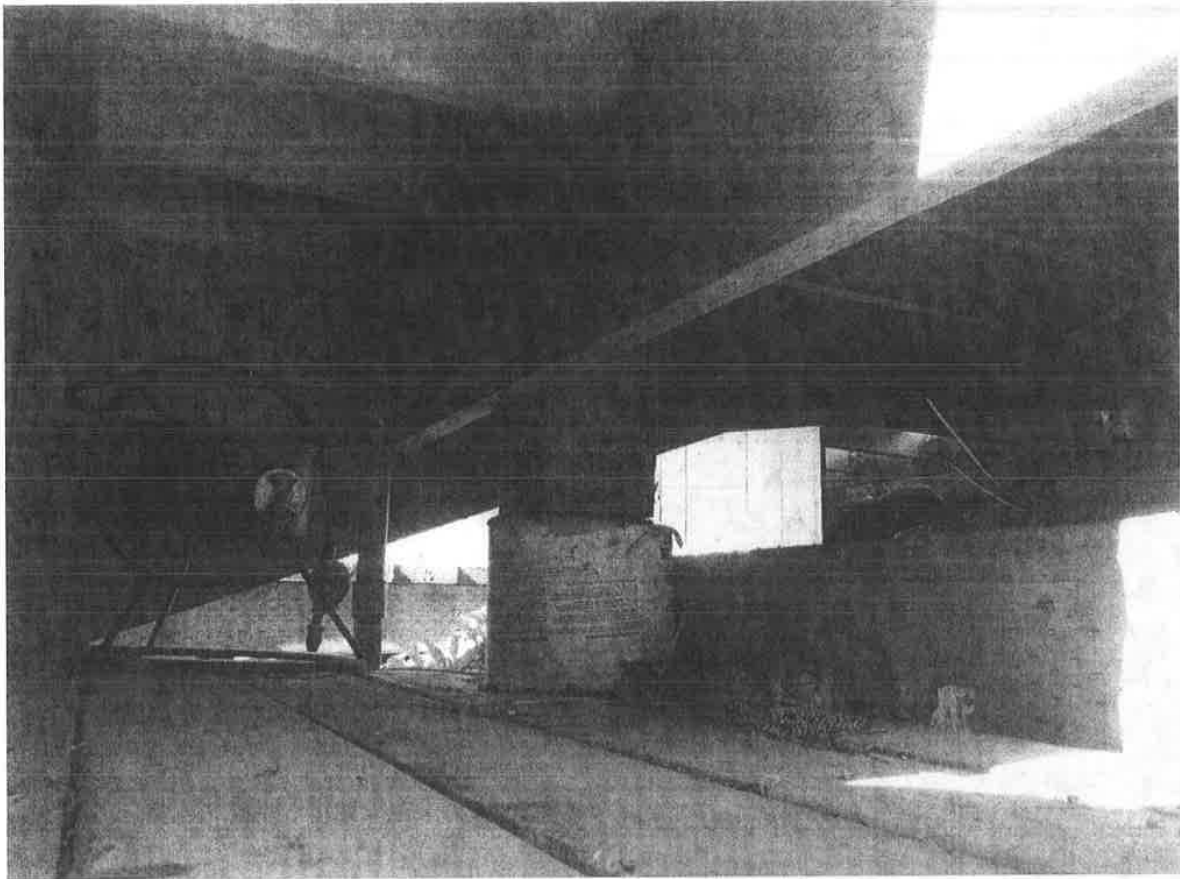
**ATTACHMENT 5**

Attachment A - Application Packet



**ATTACHMENT 5**

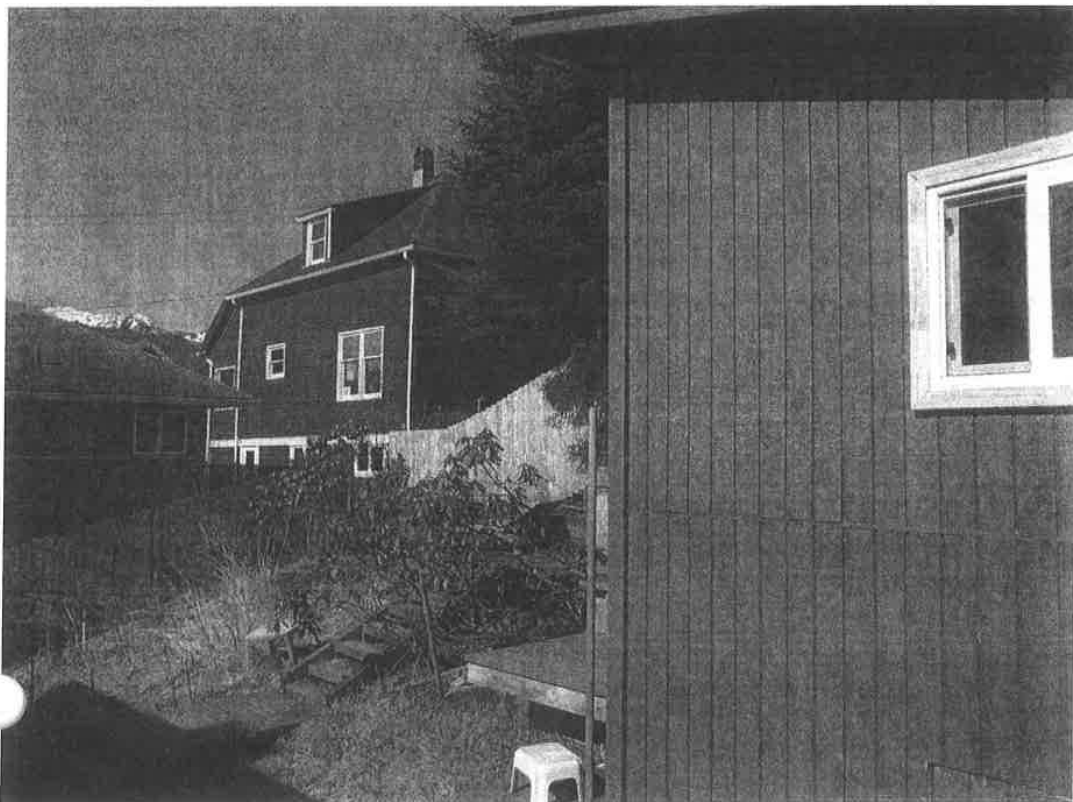
Attachment A - Application Packet



**ATTACHMENT 5**

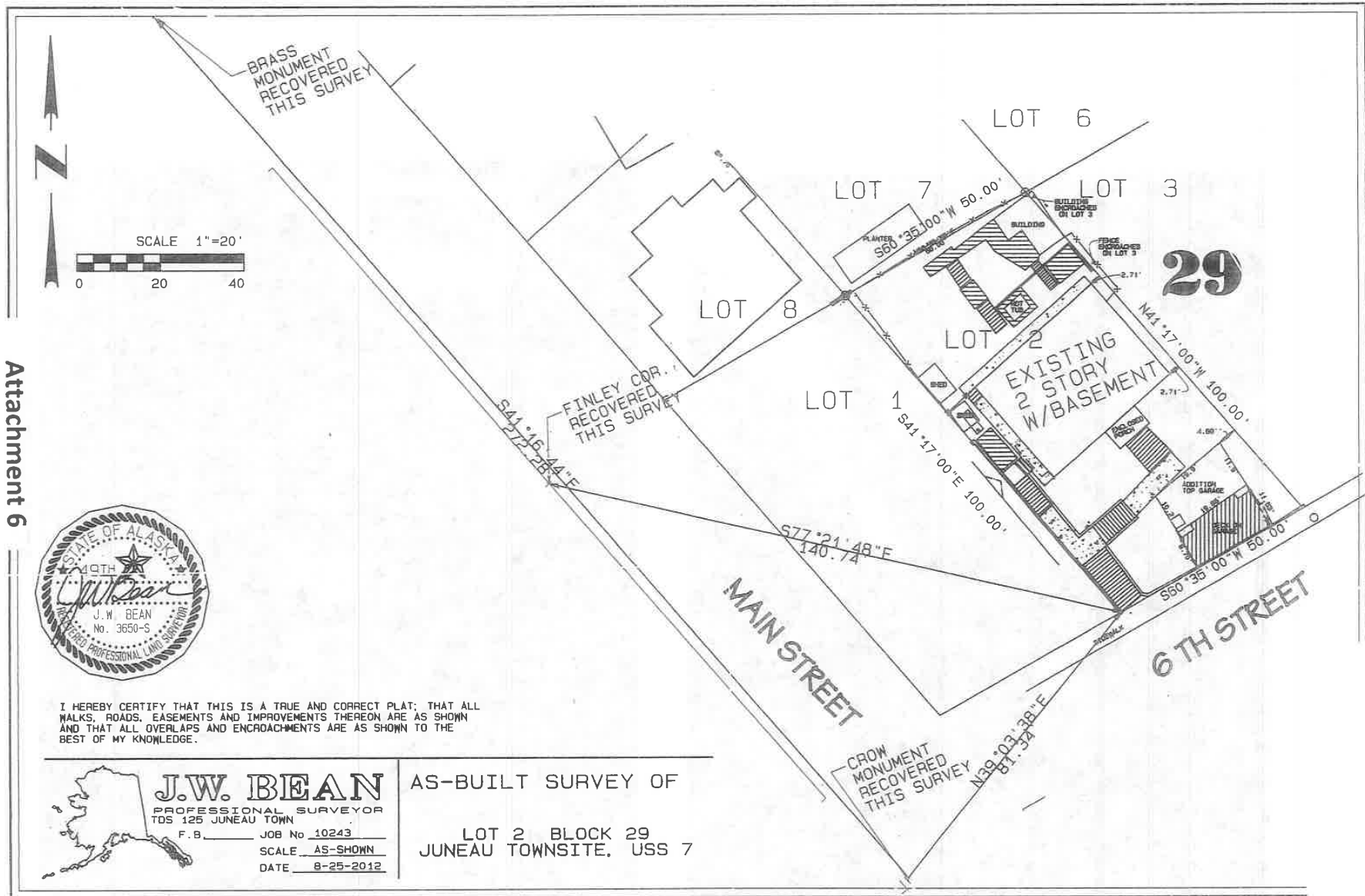


Attachment A - Application Packet



**ATTACHMENT 5**

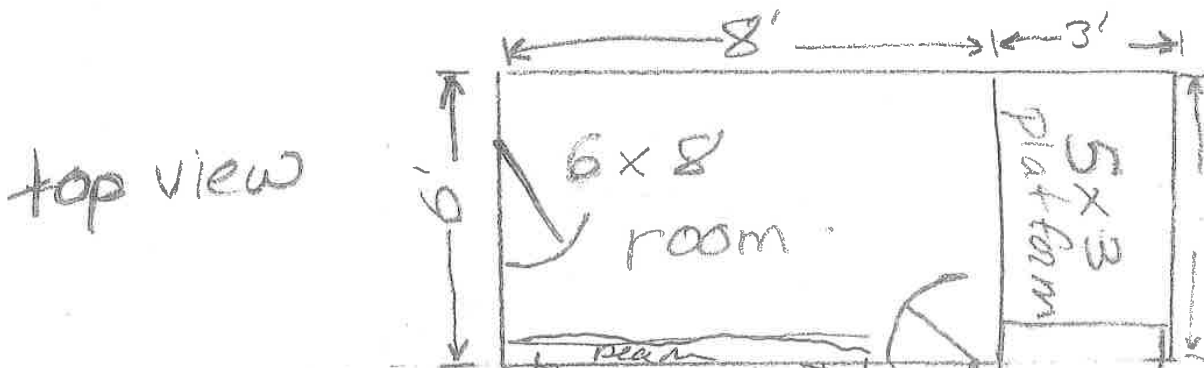
Attachment A - Application Packet



# Putman Building Plans

114 E 6th St  
Juneau, AK

(Accessory Structure  
Detailed building Plans)



Rafters 2x8/16" centers

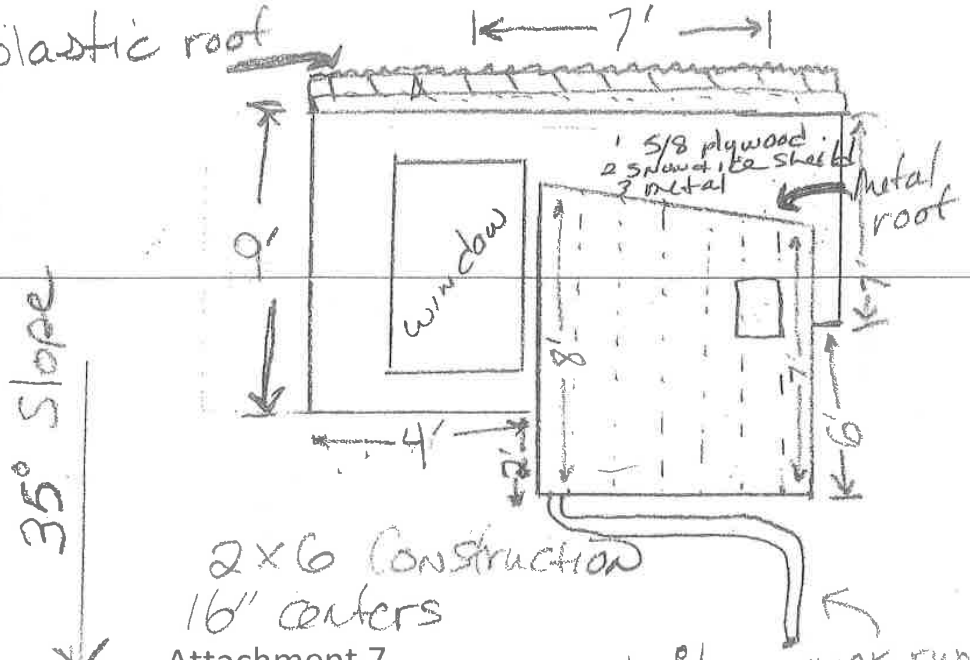
Headers 2x6x8

Foundation 4x4 w/ concrete  
3' deep 1/2 rebar support

Humans brackets

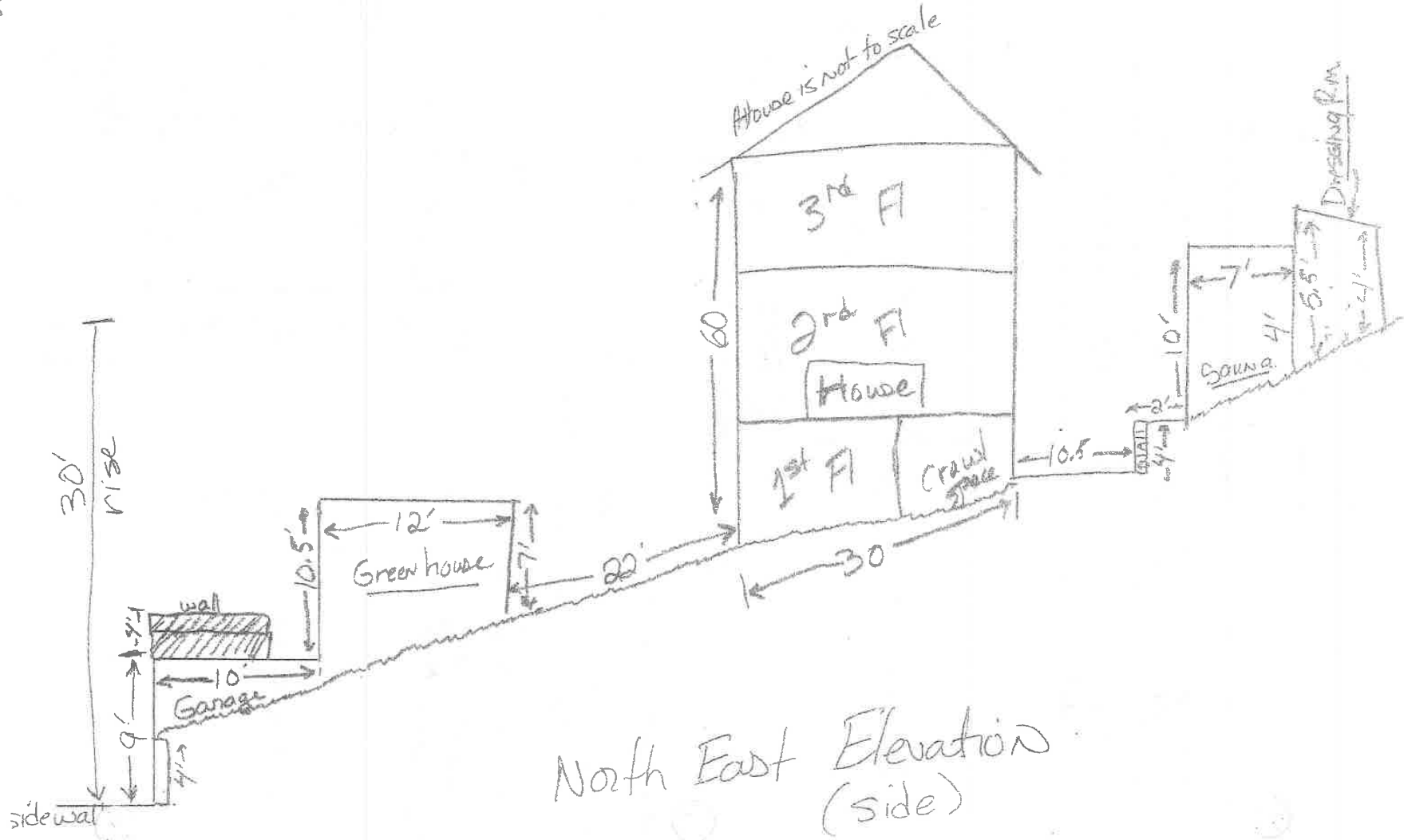
Plumber strap  
(Foundation to Rafter) plastic roof

side view



# Putman Green House / Sauna (CBJ) Building Permit # BLD-0009-001057

received via email

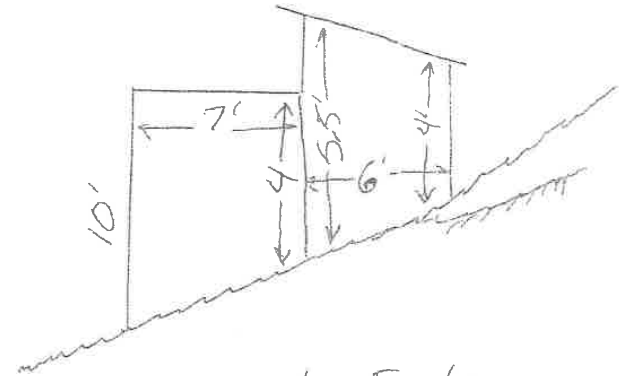


North East Elevation  
(side)

Putman Greenhouse/Sawna  
(CBS Permit # BLD 2008-04157)

via email

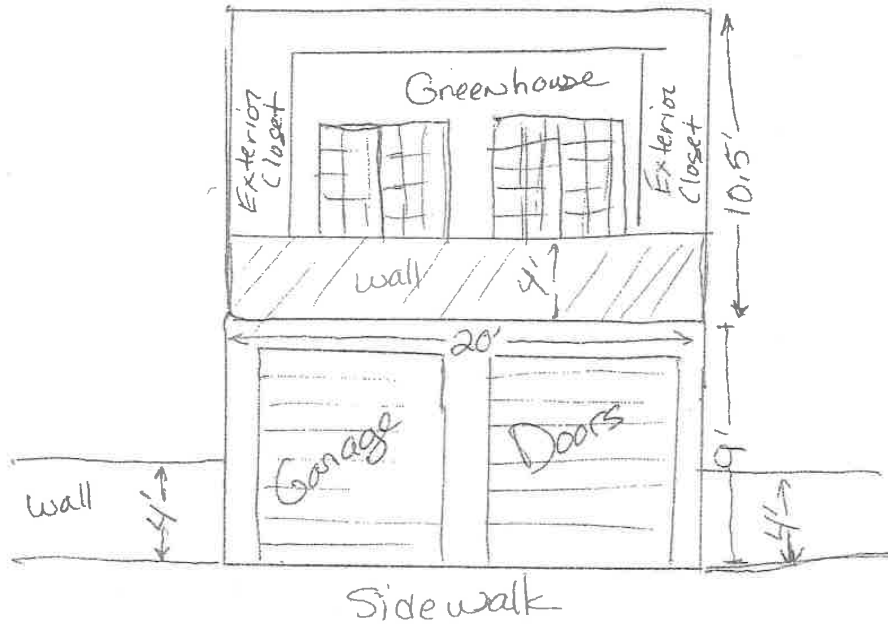
Northeast Elevation



South East Elevation



South east (Front)  
Elevation





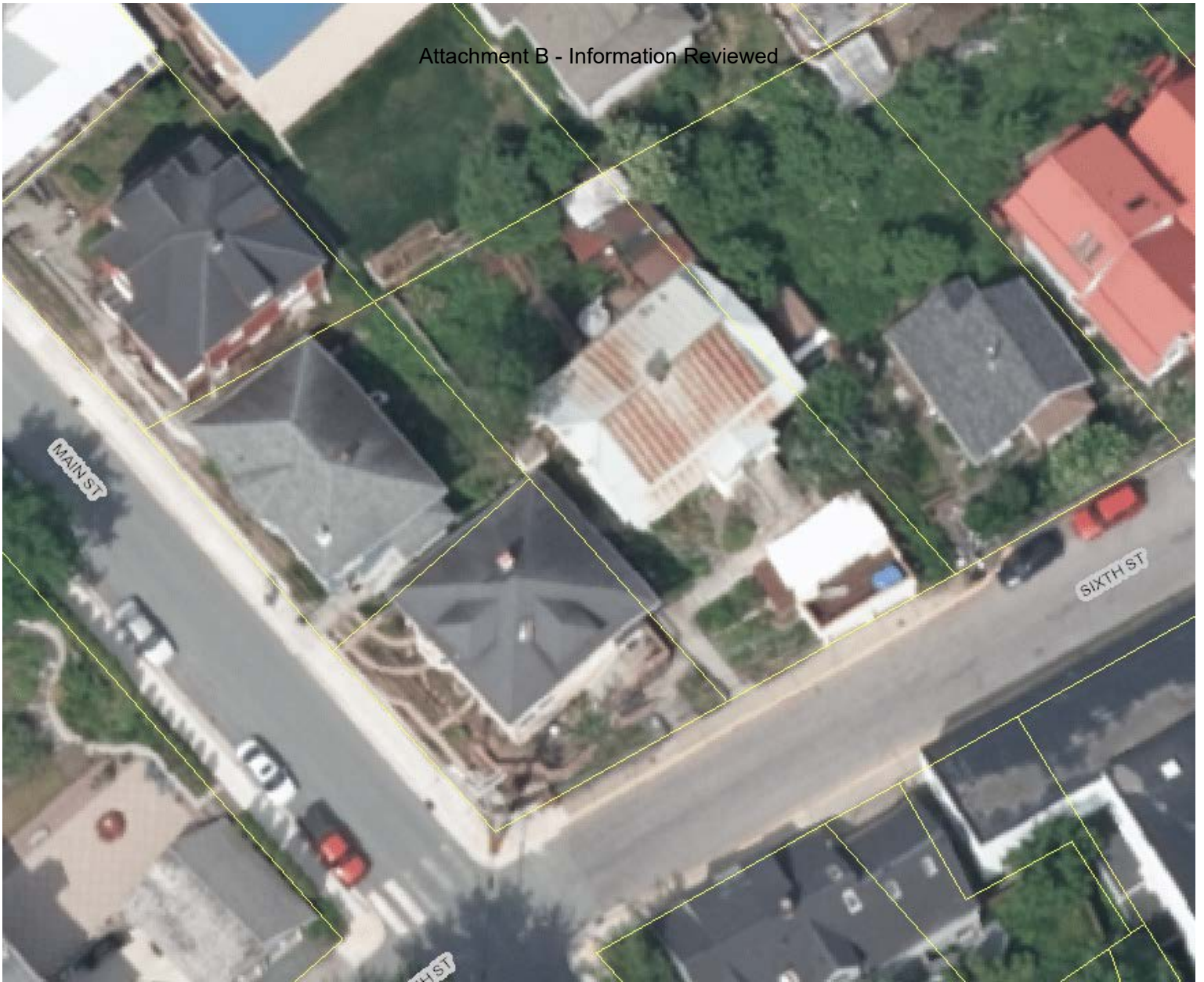
H - 2021 Nonconforming

Attachment B - Information Reviewed



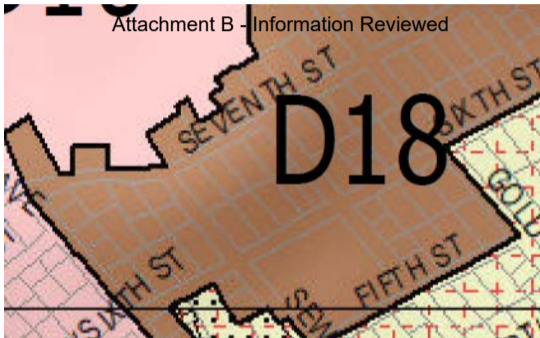
Attachment H - 2021 Nonconforming Certification

Attachment B - Information Reviewed



Attachment H - 2021 Nonconforming Certification





Attachment H - 2021 Nonconforming Certification

A  
L  
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S  
K  
A

**2021-006436-0**

Recording Dist: 101 - Juneau

10/15/2021 10:43 AM Pages: 1 of 2



AFTER RECORDING, RETURN TO:

Caitlin Stern  
Jessica Barker  
114 6th Street  
Juneau, AK 99801

AETIA 62984

WARRANTY DEED  
**A.S. 34.15.030**

The Grantors, **VANCE FATE PUTMAN and KIMBERLY A. HOMME, husband and wife**, whose address is PO Box 20473, Juneau, AK 99802, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, convey and warrant to **CAITLIN STERN and JESSICA BARKER, a married couple, as tenants by the entirety with full right of survivorship**, Grantees, whose mailing address is 114 6th Street, Juneau, AK 99801, the following-described real estate:

**Lot 2, Block 29, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska.**

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

WARRANTY DEED  
A4350\9594\Warranty Deed

Page 1

DATED this 14<sup>th</sup> day of October, 2021

GRANTORS:

[Signature]  
VANCE FATE PUTMAN

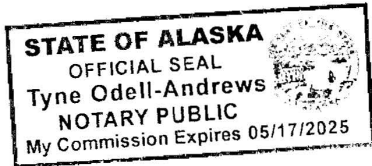
[Signature]  
KIMBERLY A. HOMME

STATE OF ALASKA            )  
  )  
FIRST JUDICIAL DISTRICT    )    ss.

THIS IS TO CERTIFY that on this 14 day of October, 2021, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared **VANCE FATE PUTMAN and KIMBERLY A. HOMME**.

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

[Signature]  
Notary Public in and for Alaska  
My Commission Expires: 5/17/25





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

**COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

**DEPARTMENT:** AEL&P T&D  
**STAFF PERSON/TITLE:** Darrell Wetherall VP OF T&D  
**DATE:** 4/8/2024  
**APPLICANT:** Jessica Barker & Caitlin Stern  
**TYPE OF APPLICATION:** Conditional Use (CUP) and Parking Waiver (PWP)

**PROJECT DESCRIPTION:**

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

**LEGAL DESCRIPTION:** JUENAU TOWNSITE BL 29 LT 2  
**PARCEL NUMBER(S):** 1C060A290030  
**PHYSICAL ADDRESS:** 114 Sixth St.

**SPECIFIC QUESTIONS FROM PLANNER:**

None.

**AGENCY COMMENTS:**

Line crew measured the distance from sidewalk elevation to the phase conductor on the crossarm of the pole at approximately 37'. Note that at any given point along the building the distance could vary slightly due to sag in the conductor, changes in elevation of the sidewalk due to grade or driveway apron, etc. Using the front face of the garage, the conductor is about 1' back from the front face (or overhangs the roof by 12").

An architectural drawing was not provided showing the accessory apartment, how close to the conductor the new roof line would be, etc.

There are several codes or regulations that could come into play here. OSHA requires that contractors maintain a safe work zone and clearance from energized lines. In addition there are minimum NESC clearances that will need to be maintained.

Without additional information, it is not clear whether a setback would allow for safe construction or be required to maintain necessary clearances from the line.

From: [Darrell Wetherall](mailto:Darrell.Wetherall@aejp.com)  
To: [Ilsa Lund](mailto:Ilsa.Lund@juneau.gov)  
Cc: [Jill Lawhorne](mailto:Jill.Lawhorne@juneau.gov)  
Subject: RE: \*\* EXTERNAL \*\* Agency comment request- USE2024 0005  
Date: Wednesday, May 1, 2024 10:51:12 AM  
Attachments: [102](#), [103](#), [104](#), [105](#)

**EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS**

It does not appear to violate NESC code and we don't have an easement that has language that would prohibit construction underneath. So unless there is something more in CBJ ordinance or state law, I'm not sure I can challenge this.

I don't necessarily like the idea because of how close construction will be taking place to energized lines, but that is really on the contractor, not AELP. We don't like when wires are over buildings, but it's not expressly prohibited. So while I always will have concerns over this kind of thing, I don't think I have a legal means of objecting. I know it's a bit nuanced of a response. I just don't want to accept any liability by giving the utilities blessing.

Thanks,  
Darrell

From: Ilsa Lund <[Ilsa.Lund@juneau.gov](mailto:Ilsa.Lund@juneau.gov)>  
Sent: Tuesday, April 30, 2024 8:55 AM  
To: Darrell Wetherall <[Darrell.Wetherall@aejp.com](mailto:Darrell.Wetherall@aejp.com)>  
Cc: Jill Lawhorne <[Jill.Lawhorne@juneau.gov](mailto:Jill.Lawhorne@juneau.gov)>  
Subject: RE: \*\* EXTERNAL \*\* Agency comment request- USE2024 0005

Good morning!

I received a response from the owner of 114 Sixth Street regarding the clearance between the conductors and the height of the proposed Accessory Dwelling Unit built on the front property line. See below. Please let us know if you have any further concerns regarding this development.

Here's the follow-up info as requested below (from Jacob Graves, Timberline Engineering, and David Leggett, Leggett Handyman Services). Please let us know if you have any questions or anything else is needed.

We confirmed that the top of the roof won't be readily accessible, so the required clearance would be 12.5'. Based on the height of the existing concrete structure that will be built off of, the maximum height of the roof off of the sidewalk is ~22'-4". AEL&P's height measurement to the powerline was 37', so that should give ~14.7' clearance. We are assuming the lines required to have this clearance are the three primary conductors at the top of the power poles.

Kind regards,

**Ilsa Lund** | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, Marine View Building

Contact of visit the Permit Center on the 4<sup>th</sup> floor for an in-person meeting. 907-568-0715

Office: 907.586.0753 ext. 4128



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From: Darrell Wetherall <[Darrell.Wetherall@aejp.com](mailto:Darrell.Wetherall@aejp.com)>  
Sent: Tuesday, April 9, 2024 12:22 PM  
To: Ilsa Lund <[Ilsa.Lund@juneau.gov](mailto:Ilsa.Lund@juneau.gov)>  
Subject: RE: \*\* EXTERNAL \*\* Agency comment request- USE2024 0005

**EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS**

Code requires a minimum of 12.5' clearance over a roof line not readily accessible by people. It jumps up to 14.5' if readily accessible. It's difficult to tell from the drawing and images sent, but there does appear to be a walkway and handrails directly adjacent to the rear roof line, so does that make the roof accessible? Can they just step over the rail and hop onto the roof? If so, that would dictate a 14.5' clearance.

Based on the information that you provided, it appears the framing is 20'4" at the face with somewhere between 4" and 6" of additional elevation gain for the overhang, so let's just call it 21'.

With a measured elevation of 37' on the primary conductor and potential variances in methodology described previously, it appears there is up to 16' separation. To get more accuracy you would probably need to get a surveyor or civil engineer to get a profile measurement of the entire conductor along the entire roof line to see how much it deviates from the single point measurement.



From: Ilsa Lund <[Ilsa.Lund@juneau.gov](mailto:Ilsa.Lund@juneau.gov)>  
Sent: Tuesday, April 9, 2024 8:58 AM  
To: Darrell Wetherall <[Darrell.Wetherall@aejp.com](mailto:Darrell.Wetherall@aejp.com)>  
Subject: RE: \*\* EXTERNAL \*\* Agency comment request- USE2024 0005

Good morning, Darrell.

Thank you for your response and the updated contact information. I removed Eric from our agency contact list when the email I sent was returned, and I'll be sure to add Quincy to the list.

Attached is the application including architectural plans submitted by the applicant. Apologies for not including this earlier. It looks like they want a slanted roof with the higher part on the street side for an added height of 11' 4" for a total of 20' 4" (see page 8 of the attachment).

## Attachment J - Abutters Notice and Public Notice Sign Photo

Please let me know if you need anything else.  
Kind regards,

**Ilsa Lund** | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 3<sup>rd</sup> Floor-Marine View Building  
Office: 907.586.0753 ext. 4128



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---

**From:** Darrell Wetherall <[Darrell.Wetherall@aelp.com](mailto:Darrell.Wetherall@aelp.com)>  
**Sent:** Monday, April 8, 2024 3:00 PM  
**To:** Ilsa Lund <[Ilsa.Lund@juneau.gov](mailto:Ilsa.Lund@juneau.gov)>  
**Subject:** RE: \*\* EXTERNAL \*\* Agency comment request- USE2024 0005

**EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS**

Hi Ilsa,

Note that Eric Eriksen is no longer with AEL&P. I took over for Eric when he departed. I have a newer electrical engineer in my department now named [Quincy.Judson@aelp.com](mailto:Quincy.Judson@aelp.com)

You can cc: him on future requests like this.

Unfortunately, there just isn't enough information in this request to provide a good answer. Generally speaking we don't like folks building under the lines or too close that makes replacement of poles and wire problematic so we would prefer to see set backs from the lines everywhere. This probably came at a time in Juneau's history where space was tight and things just got really compacted together. I'm guessing there are encroachments into ROW, missing easements, etc. We don't necessarily want to prevent folks from utilizing their property if it can be done in a way to maintain code and allow for maintenance, but you also have to think about worker safety. Ladders, roofing, etc. We've already had two contacts in the last year where structures were allowed to be built too close. Far enough to meet code, but too close to allow for worker safety.

Did the provide elevations?

---

**From:** Ilsa Lund <[Ilsa.Lund@juneau.gov](mailto:Ilsa.Lund@juneau.gov)>  
**Sent:** Wednesday, April 3, 2024 9:06 AM  
**To:** Darrell Wetherall <[Darrell.Wetherall@aelp.com](mailto:Darrell.Wetherall@aelp.com)>; [eric.eriksen@aelp.com](mailto:eric.eriksen@aelp.com)  
**Subject:** \*\* EXTERNAL \*\* Agency comment request- USE2024 0005

Good morning,

The Community Development Department (CDD) has received an application to erect an accessory dwelling unit (ADU) at 114 Sixth St. in the Juneau Townsite.

I'm reaching out to AEL&P specifically because the property has received nonconforming certification for zero (0) foot front yard setbacks for their garage, atop which they are wanting to build the ADU. I've included a picture of the existing structure in relation to the overhead utility lines.

The Director of CDD is wondering if a condition of the approval of the application should be a setback from the property line for the proposed second story of the structure so as not to interfere with the utility lines. I've attached an Agency Comment form for your use.

Please let me know if you have any questions. Otherwise I look forward to receiving your feedback.

Kind regards,

**Ilsa Lund** | Planner I

Community Development Department | City & Borough of Juneau, AK

Location: 230 S. Franklin Street, 3<sup>rd</sup> Floor-Marine View Building  
Office: 907.586.0753 ext. 4128



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CDD\_Admin@juneau.gov  
www.juneau.org/community-development  
155 Heritage Way • Juneau, AK 99801

**COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT**

**DEPARTMENT:** CCFR  
**STAFF PERSON/TITLE:** Theresa Ross, Fire Marshal  
**DATE:** 04/02/2024  
**APPLICANT:** Jessica Barker & Caitlin Stern  
**TYPE OF APPLICATION:** Conditional Use (CUP) and Parking Waiver (PWP)

**PROJECT DESCRIPTION:**

The applicants are requesting a CUP to construct a 430 sq. ft. accessory dwelling unit (ADU) on top of an existing garage. They are also requesting a PWP for the required one (1) parking space for the ADU. They say they already have two (2) off-street parking spaces and only use one (1).

**LEGAL DESCRIPTION:** JUENAU TOWNSITE BL 29 LT 2  
**PARCEL NUMBER(S):** 1C060A290030  
**PHYSICAL ADDRESS:** 114 Sixth St.

**SPECIFIC QUESTIONS FROM PLANNER:**

None.

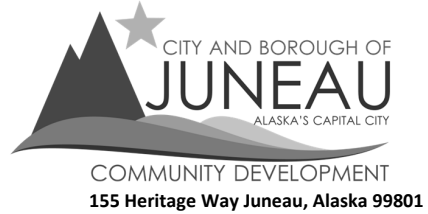
**AGENCY COMMENTS:**

No concerns from the fire department.

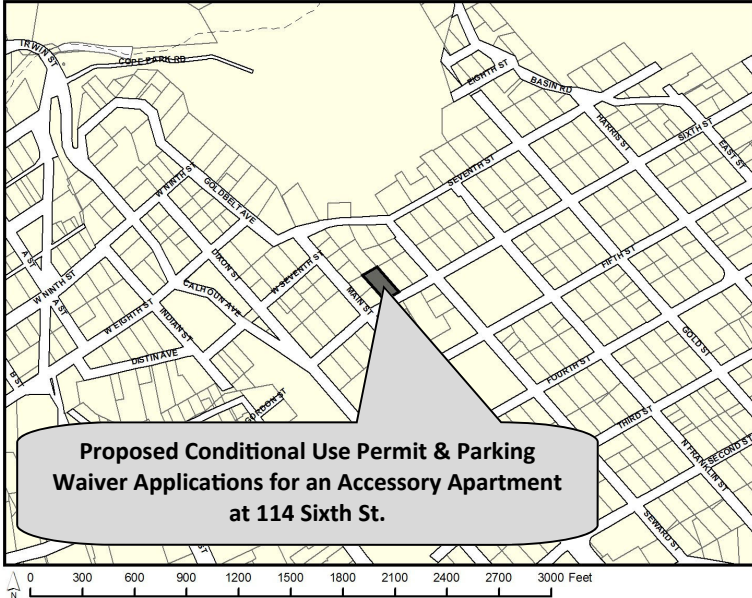
# Invitation to Comment

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 114 Sixth Street** 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 6, 2024** at

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

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

**Now through April 22**

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

**April 23 — noon, May 10**

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

**HEARING DATE & TIME: 7:00 pm, May 14, 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/86939674618> and use the Webinar ID: 869 3967 4618 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.

**May 15**

The results of the hearing will be posted online.

#### FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4128

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

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

**Case No.: USE2024 0005 & PWP2024 0001**

**Parcel No.: 1C060A290030**

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





Attachment K - Agency Comments

**From:** [Jessie Barker](#)  
**To:** [Ilsa Lund](#)  
**Cc:** [Caitlin Stern](#)  
**Subject:** Re: Your Public Notice Sign Is Ready!  
**Date:** Friday, April 26, 2024 3:48:51 PM  
**Attachments:** [image002.png](#)

---

**EXTERNAL E-MAIL: BE CAUTIOUS WHEN OPENING FILES OR FOLLOWING LINKS**

Hi Ilsa,

Please see the attached sign.

Best,  
Jessie

On Wednesday, April 24, 2024, Ilsa Lund <[Ilsa.Lund@juneau.gov](mailto:Ilsa.Lund@juneau.gov)> wrote:

Good afternoon!

The public notice sign for your cases USE2024 0005 and PWP2024 0001 is in the permit center, ready for pick-up. The Permit Center is on the 4<sup>th</sup> floor of the Marine View Building at 230 S. Franklin St. You already paid the sign fee when you submitted your application, so all you need to do is pick it up and install it. It needs to be posted by **April 29, 2024**. It must be visible from the right-of-way.

Please email a picture of the posted sign. The email will be used to date stamp the posting.

Let me know if you have any questions.

Kind regards,

**Ilsa Lund** | Planner I

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

Location: 230 S. Franklin Street, Marine View Building

Contact or visit the Permit Center on the 4<sup>th</sup> floor for an in-person meeting. 907-568-0715

Office: 907.586.0753 ext. 4128



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