



**PLANNING COMMISSION STAFF REPORT
CONDITIONAL USE PERMIT USE2023 0012
HEARING DATE: DECEMBER 12,2023**

(907) 586-0715

CDD_Admin@juneau.gov

www.juneau.org/community-development

155 Heritage Way • Juneau, AK 99801

DATE: December 1, 2023
TO: Michael LeVine, Chair, Planning Commission
BY: Emily Suarez, Planner II *Emily Suarez*
THROUGH: Jill Maclean, Director, AICP

PROPOSAL: Applicant requests a Conditional Use Permit for a new single-family dwelling with accessory apartment on a substandard lot.

STAFF RECOMMENDATION: Approval.

KEY CONSIDERATIONS FOR REVIEW:

- The lot is certified nonconforming for lot size and lot width.
- Accessory apartment on substandard lot requires an approved Conditional Use Permit [49.25.510(k)(2)(E)(ii)(a)].
- For major development, the Hillside Endorsement application shall be reviewed by the Commission.
- Proposal complies with adopted plans, which contain policies promoting in-fill housing development.

GENERAL INFORMATION	
Property Owner	Douglas Eckland; Cherry Eckland
Applicant	Douglas Eckland
Property Address	5 th Street
Legal Description	DOUGLAS TOWNSITE BL 48 LT 52
Parcel Number	2D040T480452
Zoning	D5
Land Use Designation	ULDR (Urban Low Density Residential)
Lot Size	5,850 square feet
Water/Sewer	CBJ Public
Access	5 th Street
Existing Land Use	Vacant
Associated Applications	BLD2018-318; BLD2023-573; NCC2023-36

ALTERNATIVE ACTIONS:

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

ASSEMBLY ACTION REQUIRED:

Assembly action is not required for this permit.

STANDARD OF REVIEW:

- Quasi-judicial decision
- Requires five (5) affirmative votes for approval.
- Code Provisions:
 - 49.15.330
 - 49.25.510(k)
 - 49.70.210(b)
 - 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.

Fostering excellence in development for this generation and the next.

SITE FEATURES AND ZONING



SURROUNDING ZONING AND LAND USES	
North (ROW)	5 th Street
South (D5)	Alley
East (D5)	Single-family dwelling
West (D5)	Single-family dwelling

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

BACKGROUND INFORMATION

Project Description – The applicant requests a Conditional Use Permit for the construction of a new single-family dwelling with an accessory apartment on a substandard lot in D5 zoning district.

Applicant obtained the required Nonconforming Certification for substandard lot (**Attachment D**). According to CBJ 49.25.510(k)(2)(E)(ii)(a), an accessory apartment on a substandard lot may be permissible with an approved Conditional Use Permit.

The first floor of the proposed structure will have an approximate area of 1,600 square feet (40ft. by 40ft.). The accessory apartment will have an area of 544 square feet, and the remaining space will be a two (2) car garage. The single-family dwelling will be located on the second floor, and it will have an area of 2,000 square feet (50ft. by 40ft.).

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

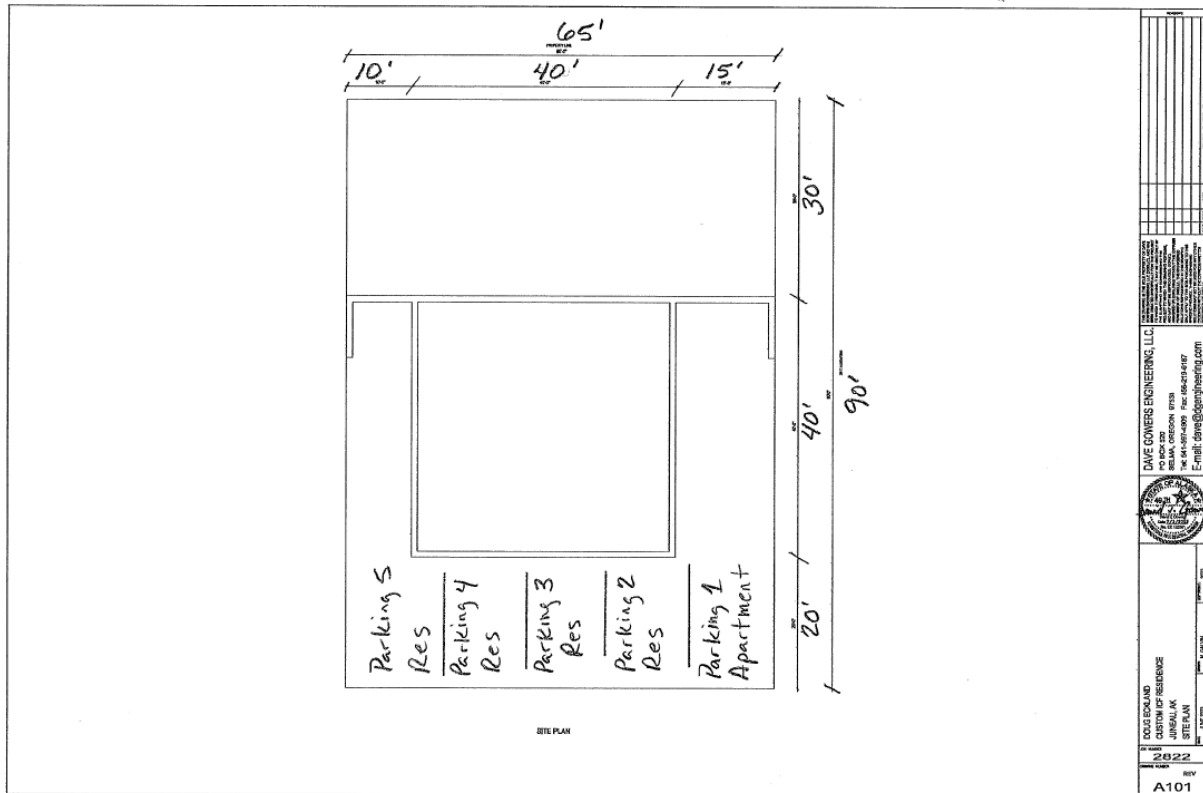
Item	Summary
Lot	The lot was created as part of the Douglas Townsite Addition in 1936.
Nonconforming Certificate	The lot is certified nonconforming for lot size and lot width (NCC2023 0036).
Grading Permit	Grading permit issued for future single-family dwelling (BLD2018-318).
Building Permit	Building permit issued prior to Conditional Use Permit (BLD2023-573).

ZONING REQUIREMENTS

Standard		Requirement	Existing	Proposed	Code Reference
Lot	Size	7,000 SF	5,850 SF	No change	CBJ 49.25.400
	Width	70 feet	65 feet	No change	CBJ 49.25.400
Setbacks	Front (N)	20 feet	Vacant	10 feet*	CBJ 49.25.400
	Rear (S)	20 feet	Vacant	30 feet	CBJ 49.25.400
	Side (E/W)	5 feet	Vacant	0 feet*	CBJ 49.25.400
	Street Side	13 feet	N/A	N/A	CBJ 49.25.400
Lot Coverage Maximum		50%	Vacant	~28%	CBJ 49.25.400
Vegetative Cover Minimum		20%	Vacant	~33%	CBJ 49.50.300
Height	Permissible	35 feet	Vacant	< 35 feet	CBJ 49.25.400
	Accessory	25 feet	Vacant	< 25 feet	CBJ 49.25.400
Maximum Dwelling Units (5/Acre)		1	Vacant	1	CBJ 49.25.500
Use		Residential	Vacant	Residential	CBJ 49.25.300
Parking		2 per dwelling	Vacant	6	CBJ 49.40.210

*See setback reductions section.

SITE PLAN



ANALYSIS

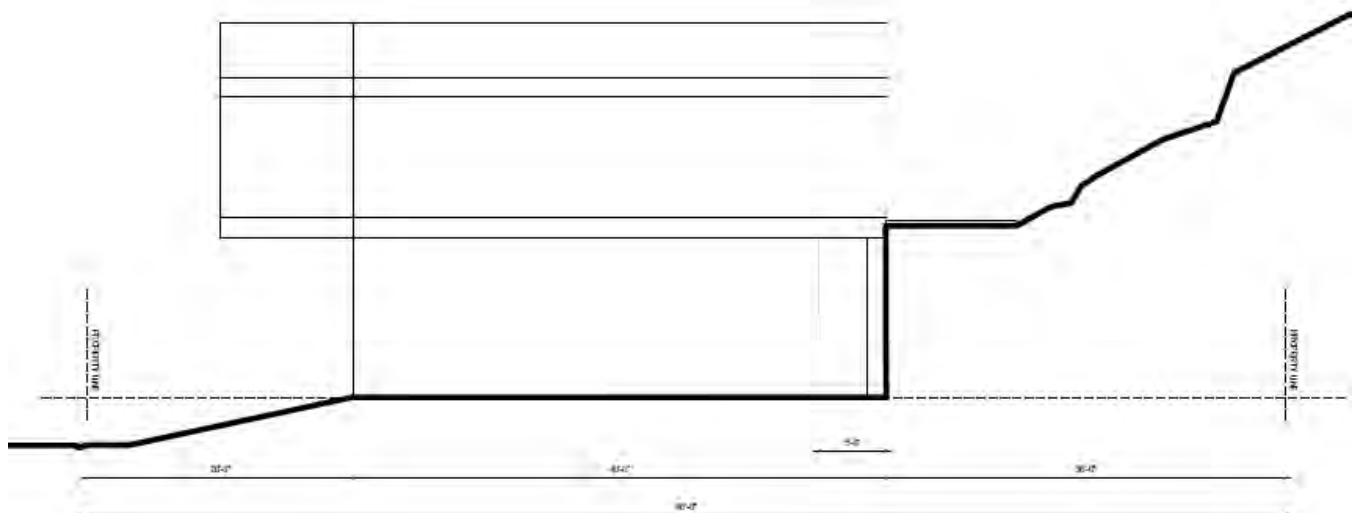
Project Site – Per NCC2023 0036, the lot is certified nonconforming for lot size and lot width. In 2018, the applicant obtained a grading permit BLD2018-318 for lot preparation for a new single-family dwelling. At the time of the application, the lot did not have city water or sewer connection. The applicant obtained a Right-of-way permit ROW2023-91 for the installation of a new 2-inch water service and a 4-inch sanitary sewer service (**Attachment G**).

According to 2013 Lidar Contours, the lot has a slope of approximately 29%. Per 49.70.210(a), a Hillside Endorsement is required for the removal of vegetative cover, excavation, or creation of slopes that exceed 18%. The Geotech Memo from November 1, 2023, addresses the existing soil conditions and provides mitigating measures on soil stabilization for disturbed slopes (**Attachment F**).

Condition: None

Project Design – The proposed development is for the construction of a new single-family dwelling with an accessory apartment. The accessory apartment will be approximately 544 square feet, and it will be located on the first floor adjacent to the two (2) car garage. The accessory apartment is a one-bedroom one bathroom with a combined kitchen and living area. A separate entrance from the primary dwelling unit will be located on the west side of the property.

The primary dwelling unit will be located on the second floor, and it will have 50 feet by 40 feet footprint. The 10-foot second story overhang extends into the required front yard setback. The overhang does not comply with setback requirements of 49.25.400. However, setbacks for a new building may be reduced per 49.25.430(4)(K).



Condition: None

Setback Reductions – The 10-foot second story overhang extends into the required front yard setback. Additionally, the retaining wall will extend five (5) feet onto the side yard setbacks. However, a new building may

have a front yard setback equal to the average front yard setback of the three closest adjacent buildings. The average calculation shall be made using one building per lot, and in no instance shall the required setback be less than half that required or ten feet, whichever is greater [49.25.430(4)(K)].

Address	Source	Setback	
209 St. Ann's Ave	As-Built Survey	Front	2 feet
404 Treadwell St.	As-Built Survey	Front	16.7 feet
223 5 th St.	As-Built Survey	Front	3.38 feet
Average setback			7.36 feet

Setback	D5 Standard	Standard Code Reduction	Description	Code Reference
Front	20 feet	10 feet	Lot may get a reduced front yard setback by averaging the setbacks of three (3) closest adjacent properties.	49.25.430(4)(K)



Condition: None.

Traffic – According to 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). Traffic generated by a single-family dwelling and an accessory apartment is expected to be minimal.

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

Condition: None

Vehicle Parking & Circulation – According to 49.40.210, the single-family dwelling requires two (2) off- street parking spaces and the accessory apartment requires one (1) off-street parking space. The proposed development will provide a two (2) car garage and additional off-street parking spaces. Per 49.40.225(a), a standard parking space must be at least 8.5 feet by 17 feet.

Per 49.40.235(b)(6), back-out parking is allowed for a single-family with or without accessory uses located in a residential zoning district. If the commission determines that back-out parking would not interfere with public health and safety, back-out parking onto the right-of-way may be permissible.

Use	Unit/Total Sq. Ft.	Spaces Required	Total Spaces
Single-family dwelling	1	2	2
Accessory Apartment	1	1	1
Total Parking Requirement:			3
Off-Street Loading Spaces Required:			0
ADA Accessible Spaces Required:			0

Condition: None

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

Condition: None

Lighting – No exterior lighting is proposed. This will be verified during the building permit review.

Condition: None

Vegetative Cover & Landscaping – The hillside area of the lot satisfies the 20% minimum vegetative cover that is required. Also, the Geotech Memo addresses stability of the disturbed slopes and recommends applying CBJ's standard seed mixture (or similar grass seed and topsoil) to the slopes once grading for the lot is complete.

Condition: None

Habitat – The lot does not have any known habitats regulated by the land use code.

Condition: None

Drainage and Snow Storage – According to the Geotechnical Memo, a drainage swale and an area drain are planned behind the retaining wall to capture surface runoff and direct it into CBJ's storm drain system. Also, a perforated wall drain will be installed to collect groundwater into the storm drain system.

Condition: None

Historic District – The lot is not within a designated historic district.

Condition: None

Hazard Zones - The lot is not within a mapped hazard zone.

Condition: None

Public Health, Safety, and Welfare – No information has been submitted that suggests the proposed single-family dwelling and accessory apartment will materially endanger the public health, safety, and welfare.

Condition: None

Property Value or Neighborhood Harmony – No information has been submitted that suggests the proposed single-family dwelling and accessory apartment will substantially decrease property values or be out of harmony with the neighboring properties.

Condition: None

AGENCY REVIEW

CDD conducted an agency review comment period between November 02, 2023 - November 09, 2023. Agency review comments can be found in Attachment C.

Agency	Summary
Capital City Fire & Rescue	No concerns about this proposal.
Building Division	No comments submitted.
General Engineering	No comments submitted.

PUBLIC COMMENTS

CDD conducted a public comment period between November 03, 2023 and November 20, 2023. 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 (**Attachment B**). No Public comments were submitted at the time of writing this staff 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
2013 Comprehensive Plan	3	20	Policy 3.2	Promotes compact development within the urban service area (in-fill development) to ensure efficient utilization of land resources and to facilitate cost effective provisions of the 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 Urban Low Density Residential land use designations. This land use designation allows single-family dwellings with accessory apartments.
2016 Housing Action Plan	2	35	Production Targets	Creates additional housing, which advances the City's goal of increasing housing stock in the market.

FINDINGS

Conditional Use Permit Criteria – Per CBJ 49.15.330, 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 required.

Finding: Yes. The application contains the information necessary to conduct a full review of the proposal. The application submittal by the applicant, including the appropriate fees substantially conforms to the requirements of CBJ 49.15.

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

Analysis: The application is for a single-family dwelling with an accessory apartment in a D5 zoning district. The use is listed at CBJ 49.25.300, Section 1.130.

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: The proposed development complies with the requirements for a single-family dwelling with an accessory apartment on a substandard lot.

Finding: Yes. The proposed development will comply with Title 49, including parking, lighting, vegetative cover, and setbacks.

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

Analysis: No further analysis required.

Finding: No. There is no evidence to suggest that the proposed development, in a D5 zoning district, will materially endanger the public health or safety.

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

Analysis: No further analysis required.

Finding: No. There is no evidence to suggest that the proposed development, in a D5 zoning district will substantially decrease the value or be out of harmony with the property in the neighboring area.

6. Will the proposed development be in general conformity with the Land Use Plan, Thoroughfare Plan, or other officially adopted plans?

Analysis: No further analysis required.

Finding: Yes. The proposed development will be in general conformity with the 2013 Comprehensive Plan and 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 a single-family dwelling with an accessory apartment in a D5 zoning district.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	Abutters Notice and Public Notice Sign Photo
Attachment C	Agency Comments
Attachment D	Nonconforming Certification NCC2023 0036
Attachment E	Grading permit BLD2018-318
Attachment F	Hillside Endorsement
Attachment G	Right-of-Way permit for water & sewer connection

BLD23-573



DEVELOPMENT PERMIT APPLICATION

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

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 213 5th st Douglas Alaska 99824 Building Permit 23-573		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) douglas township site 48, lot 52		
	Parcel Number(s) 2D040T480542 452		
	<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 Douglas, Cherry Eckland	Contact Person Doug	
	Mailing Address 215 5th st Douglas AK 99824	Phone Number(s) 9077234035	
	E-mail Address dougaseckland@gmail.com		
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
Douglas Eckland owner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) x 8/9/2023 Landowner/Lessee (Signature) Date			
Cherry Eckland owner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) x 8/9/2023 Landowner/Lessee (Signature) Date			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT			
Applicant (Printed Name) Same		Contact Person	
Mailing Address	Phone Number(s)		
E-mail Address			
X		Date of Application	

DEPARTMENT USE ONLY BELOW THIS LINE

Intake Initials

FHC IMG

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

USE 23-012

Date Received

8.10.2023

Attachment A - Application Packet

BLD23-573



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

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

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

PROJECT SUMMARY

Eckland residence BP# 23-573 Building New single family with attached garage and apartment
544sq ft

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☒ Accessory Apartment – Accessory Apartment Application (AAP)

☐ Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: _____

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____

☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 5850 square feet

Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) 3200 square feet

EXTERNAL LIGHTING

Existing to remain

☐ No

☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed

☐ No

☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

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

If this is a modification or extension include:

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

☒ Plans including:

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

DEPARTMENT USE ONLY BELOW THIS LINE

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ 350			
Admin. of Guarantee	\$			
Adjustment	\$			
Pub. Not. Sign Fee	\$ 50			
Pub. Not. Sign Deposit	\$ 100			
Total Fee	\$ 500.00			

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 at 586-0770.

Case Number AAP23-08	Date Received 8/10/23
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Attachment A - Application Packet

USE23-012


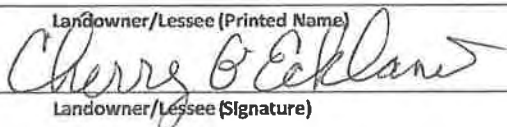
To be completed by Applicant

BLO23-573



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 213 5th st Douglas Alaska 99824 Building Permit 23-573	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) douglas township site 48, lot 52	
Parcel Number(s) 2D040T480542-452	
<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 Douglas, Cherry Eckland	Contact Person Doug
Mailing Address 215 5th st Douglas AK 99824	Phone Number(s) 9077234035
E-mail Address dougaseckland@gmail.com	
LANDOWNER/ LESSEE CONSENT	
Required for Planning Permits, not needed on Building/ Engineering Permits.	
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:	
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.	
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.	
Douglas Eckland owner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) x  8/9/2023 Landowner/Lessee (Signature) Date	
Cherry Eckland owner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) x  8/9/2023 Landowner/Lessee (Signature) Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.	
APPLICANT	
If same as LANDOWNER, write "SAME"	
Applicant (Printed Name) Same	Contact Person
Mailing Address	Phone Number(s)
E-mail Address	
X _____ Applicant's Signature Date of Application	

To be completed by Applicant

-DEPARTMENT USE ONLY BELOW THIS LINE-

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Attachment A - Application Packet

Case Number

AAP23-08

Intake Initials

FHC IMG

Date Received

8/10/2023



CITY AND BOROUGH OF
JUNEAU
ALASKA'S CAPITAL CITY
COMMUNITY DEVELOPMENT

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

To be completed by Applicant	PROJECT SUMMARY: <u>Doug Eckland</u> Building a single family home with an attached garage and an apartment. The lot is nonconforming and all paperwork is into the permit center. The apartment is under the 600 sq ft requirement 544 sq ft one bedroom, kitchen and bath with a small living area. <u>BP# 23-573</u>	
	ACCESSORY APARTMENT DESIGN <div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input checked="" type="radio"/> Attached to or Within a Single-Family Dwelling <input type="radio"/> Within a Two-Unit Common-Wall Dwelling </div> <div style="width: 48%;"> <input type="radio"/> Associated With a Detached Garage <input type="radio"/> Not Affiliated with Another Structure (Stand alone) </div> </div>	
	AREA OF APARTMENT Net Floor Area <u>544</u> square feet Areas common to more than one dwelling unit including entry ways, furnace rooms, laundry rooms, and interior stairways are not be included in the computation of net floor area.	
	PARKING Existing Spaces <u>1</u> Total Proposed Spaces <u>1</u>	
	(Parking dimensions must be a minimum of 8.5' X 17', and each parking space must be drawn to scale on the site plan.)	

-DEPARTMENT USE ONLY BELOW THIS LINE

SITE INFORMATION		<u>UTILITIES AVAILABLE</u>		
ZONING DISTRICT _____	WATER: <input type="checkbox"/> Public <input type="checkbox"/> On Site			
MINIMUM LOT SIZE (49.25.400) _____	SEWER: <input type="checkbox"/> Public <input type="checkbox"/> On Site			
ACTUAL LOT SIZE _____				
Permitting Process: <input type="checkbox"/> Departmental Review <input type="checkbox"/> Planning Commission				
<input type="checkbox"/> Pre-Application Conference held <input type="checkbox"/> Narrative and Pre-App notes attached				
Fees (Departmental Approval)	Fees	Check No.	Receipt No.	Date
Application Fees	<u>See Building Permit</u>			
Fees (Conditional Use Permit)				
Application Fee	\$ _____			
Public Notice Sign Fee	\$ _____			
Public Notice Sign Deposit	\$ _____			
Total	\$ _____			

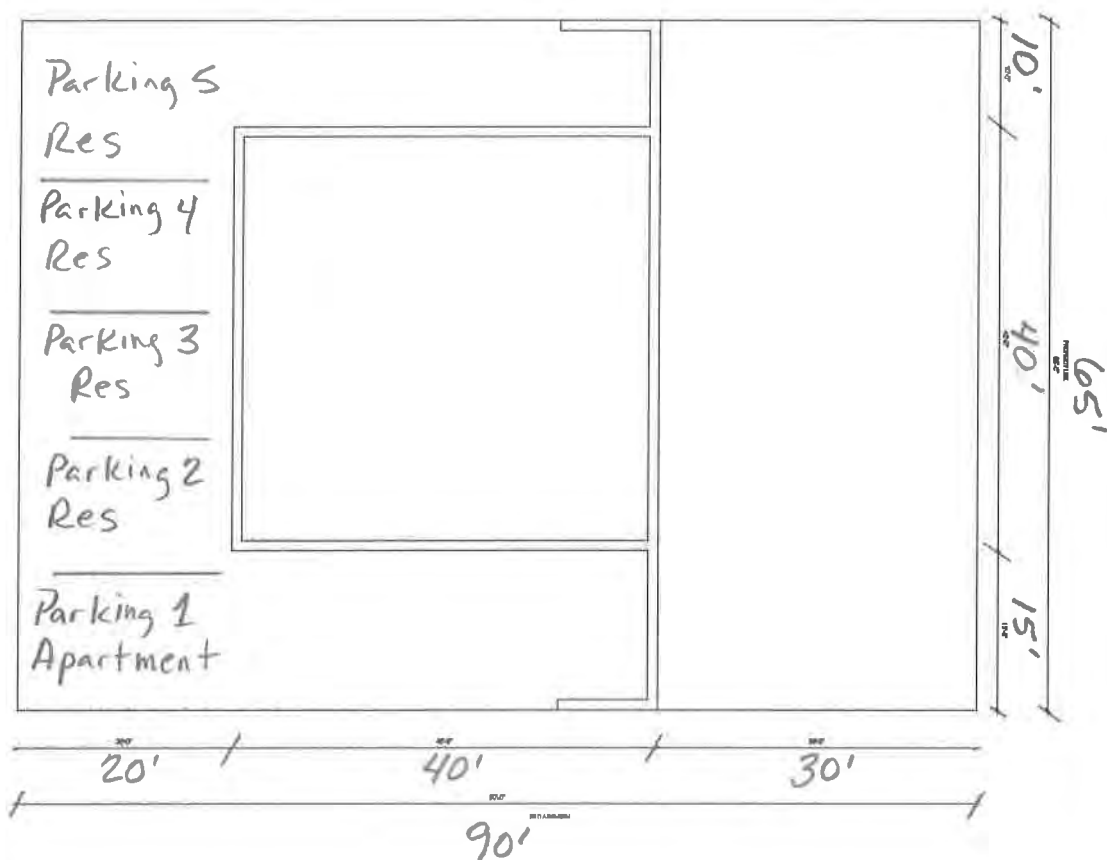
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Case Number	Date Received
AAP23-08	8/10/23

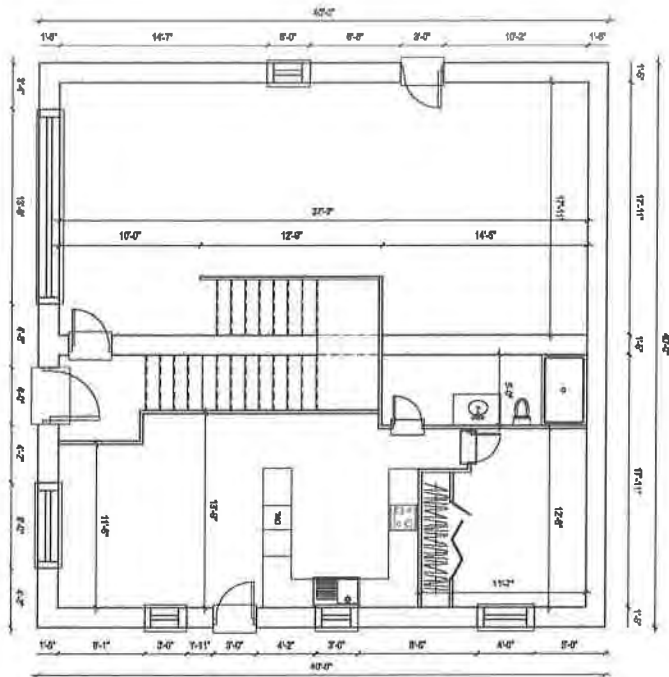
Attachment A - Application Packet

BP# 23-573

SITE PLAN

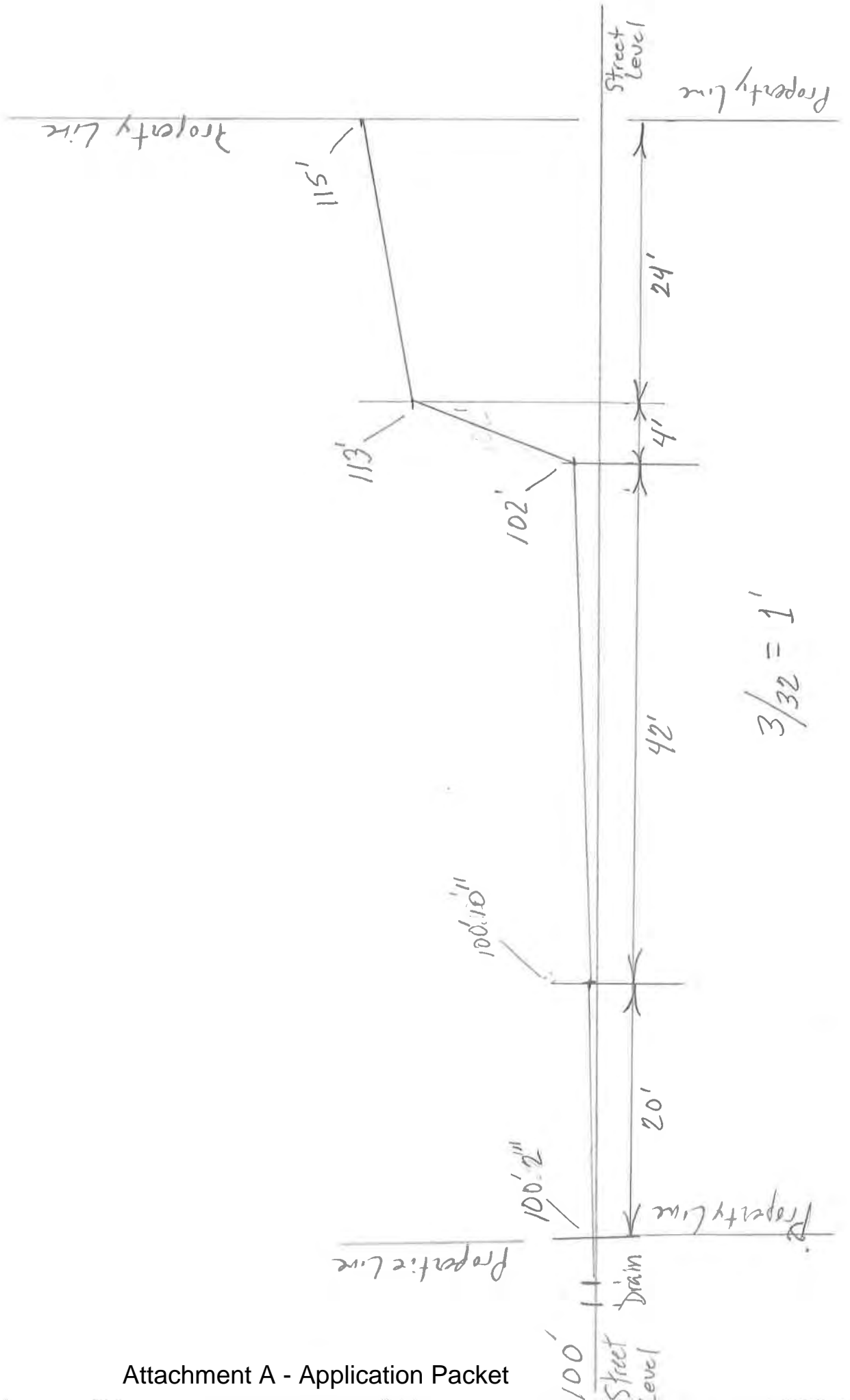


Apartment
Parking 1



First Floor
Apartment
544 sq.ft.

Eckland Residence
 Property Elevations
 8-10-23
 BP# 23-573



BP# 23-573

8-7-23

To the Juneau Permitting Office,

This letter is for seeking a NCC due to the small lot size about 5850 sq ft on 213 5th st. I am submitting this NCC to build a single family home with an attached garage and an apartment.

This is a proposal to build a single-family home and attached apartment on lot, Douglas Township Site 48 Lot 52. I am going to add the address to this lot 213 A/B 5th st. The lot is 65 feet across the street side and back and 90 feet across the sides. The footprint of the home is 40 feet by 40 feet set back 20 feet from the street side of property line. The sides are outside of the 5 foot set back. There will be retaining walls on both sides of the home, at the back, to the side property lines. The hillside will be dug out and the second floor will be level with the back door. The first floor will have a garage, an entry to the single family on the second floor, and an apartment that will be accessed on the side. The apartment area on the first floor is approximately 544 sq feet with a single bedroom and bath. The second floor will be 50'x40' and overhang the front of the home. This will be an unsupported overhang with a 12 foot clearance. The home will have a total of 5 parking spots. There are two drains that are already in place from the street. On the east side there is an eight inch drain and the west side has a six inch. The runoff from the property will be connected to them. There is no water or sewer to the lot and I will work with the city to put them in. The electric and phone lines are across the street and will be brought in over the road to the home.

Thank You

Doug Eckland

215 5th st

Douglas, Ak 99824

907 723 4035

dougaseckland@gmail.com



(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/community-development
 155 S. Seward Street • Juneau, AK 99801

Case name

Case Number: PAC2023 0009
 Applicant: Doug Eckland
 Property Owner: Cherry, and Doug Eckland
 Property Address: Douglas Township Site 48, Lot 52
 Parcel Code Number: 2D040T480452
 Site Size: 5,850square feet; .1343 acres
 Zoning: D5 Single Family
 Existing Land Use: Vacant Lot

Conference Date: 15 June 2023

Report Issued: 24 June 2023

DISCLAIMER: Pre-application conferences are conducted for purposes 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
Doug Eckland	Applicant	dougaseckland@gmail.com
David Matthew Peterson	Planning	David.Peterson@juneau.gov
	Building	xxx.xxx@juneau.gov
	General Engineering	eric.vogel@juneau.gov
David Sevdy	Permitting	David.Sevdy@juneau.gov

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

Applicant is seeking to build a single family home with an attached apartment on lot: Douglas Township Site 48 Lot 52.

Per 49.25.510(k)(2)(E)(ii)(a) – Unless otherwise provided, the accessory apartment shall be a one-bedroom or efficiency unit not exceeding 600 square feet in net floor area.

Lot coverage, and vegetative coverage requirements must still be met.

NOTE: Common areas such as entryways, furnace rooms, laundry rooms, and interior stairways shall not be included in the computation of the net floor area for the accessory apartment.

Conditional Use Permit required due to the lot being less than the minimum lot size. Will require Commission approval. 49.25.510(k)(2)(E)(ii)(a)

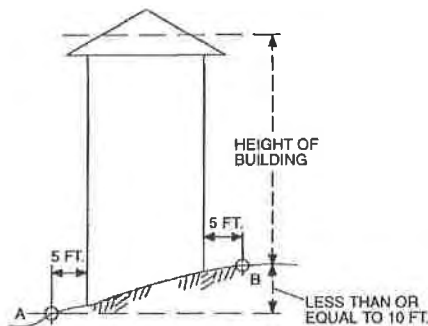
Commission Standards:

- (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) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- 49.15.330(g)(15)

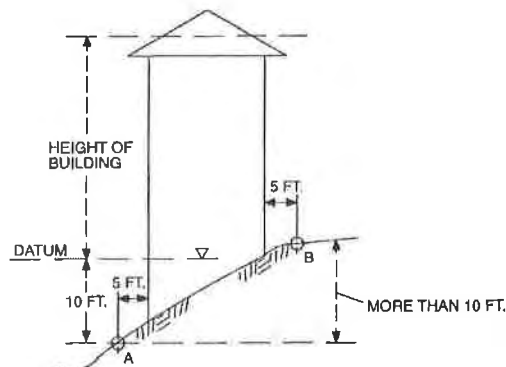
Planning Division

1. **Zoning** – D5 single family – 2 dwellings per lot. Minimum lot size - 7,000 square foot. Note: Lot is undersized for D5 zone, at 5,850 square feet. A Non-Conforming Certificate will be required prior to approval of Building Permit can be issued.
2. **Subdivision** – N/A
3. **Setbacks** – Front (NE) – 20'; Rear (SW) – 20'; Side (SE & NW) – 5'. (ref. 49.25.430)
 - a. 49.25.430(4)(A) – Architectural Features and roof eaves may project into a required yard four inches for each foot of yard setback required but no closer than two feet to the side and rear lot lines.
 - b. 49.25.430(4)(B) – Bay windows, garden windows, chimney and ventilation shafts, and other similar enclosed structures that do not increase the buildings floor area may project four feet into any required yard provided that the maximum length of the projection along the building does not exceed fifteen lineal feet for any one yard.
 - c. 49.25.430(4)(E) - Unenclosed first story porches or decks, with or without roof, and with or without non-sight obscuring safety rails less than 44 inches in height, may project no more than six feet into any yard setback, provided, however, such projection is no closer than five feet to a lot line. Eaves may project a maximum of three feet from these structures.

- d. 49.25.430(4)(F) – If the natural gradient of a sloping lot, from front to rear, exceeds 25 percent, the front yard setback shall not be less than the established yard of a dwelling, not including, accessory structures, such as garages and storage buildings, which occupies an adjoining lot.
 - e. 49.25.430(4)(H) – Carports and garages. A minimum setback of five feet from any property line shall apply to carports and garages in any residential zoning district if: (i) The topography of the lot makes construction a hardship.
 - f. 49.25.430(4)(J) – If the lot width is less than required, the corresponding side, street side, or rear setbacks may be reduced to the same percentage that the lot width bears to the zoning district requirements.
 - g. 49.25.430(4)(K) – A new building may have a front yard setbacks equal to the average front yard setback of the three closest adjacent buildings.
4. **Height** – Permissible – 35'; Accessory/Bungalow – 25'. When building on a slope: The height of a building is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be whichever of the following yields the greater height of building: (1) The highest point within a horizontal distance of five feet from the exterior wall of the building, when such point is not more than ten feet above the lowest point within said five-foot radius. (2) An elevation ten feet higher than the lowest point, when the highest point described in subsection (b)(1) of this section is more than ten feet above the lowest point.



For SI: 1 foot = 304.8 mm.



DETERMINATION OF BUILDING HEIGHT IN FEET

- 5. **Access** – Lot has direct access to 5th St.
- 6. **Parking & Circulation**– 2 spaces per each dwelling unit. 1 for an accessory apartment.
- 7. **Lot Coverage** – Permissible/Conditional – 50%
- 8. **Vegetative Coverage** – 20% minimum.
- 9. **Lighting** – N/A
- 10. **Noise** – Per 42.20.095(c) - It is unlawful to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or similar heavy construction equipment, before 7:00 a.m. or after 10:00 p.m., Monday through Friday, or before 9:00 a.m. or after 10:00 p.m., Saturday and Sunday,
- 11. **Flood** – N/A per panel 02110C1569E eff. 9/18/2020
- 12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – If slopes on the lot exceed 18%, a Hillside Endorsement will be required prior to issuance of a Building Permit for the future residential structure based upon CBJ 49.70.200 (see attached).

13. **Wetlands** – No recorded wetlands present in CBJ records. If wetlands are discovered on parts of the proposed development, special regulations may apply.
14. **Habitat** – (Eagle – remind applicant to check with Feds; Riparian, etc.) – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
15. **Plat or Covenant Restrictions** – N/A
16. **Traffic** – N/A
17. **Nonconforming situations** – N/A

Building Division

18. **Building** –
19. **Outstanding Permits** – BLD20150240 Grading Permit, BLD20150178 New Single Family

General Engineering/Public Works

20. **Engineering** – The submission materials shall include a site Grading Plan. This plan shall call out all slopes and their angle ratios (2:1) retaining walls or structures shall be called out. Retaining structures over 4 feet tall (including buried components) shall be engineered. A two foot minimum setback for grading shall (typically) be utilized. See figure 19.12.100.2 below.

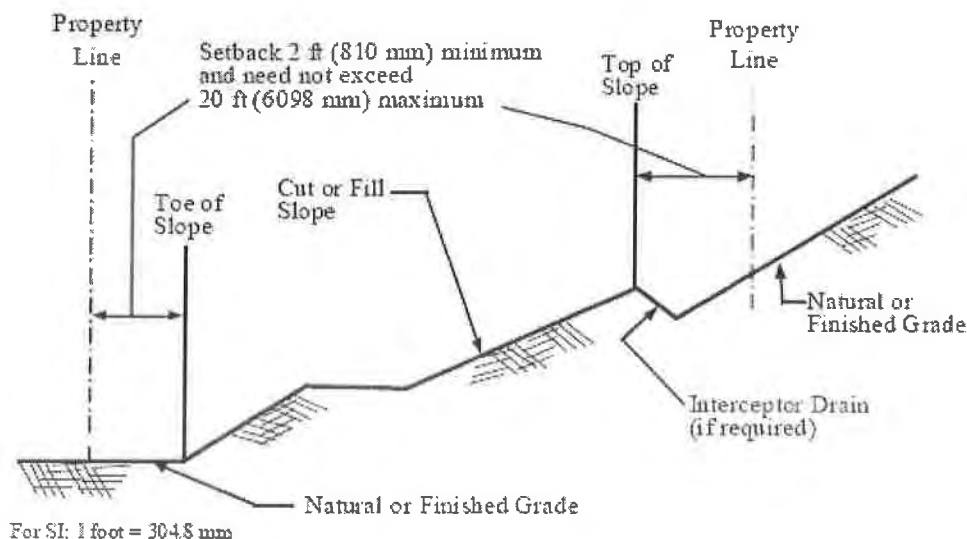


Figure 19.12.100.1 Setback Dimensions

Please see the Grading plan checklist and CBJ code 19.12.100.2 Earth Retention for more information.

21. **Drainage** – The Grading Plan shall also include drainage details such as surface water flow as well as drainage structures: culverts catch basins or swales. Please see the Grading plan checklist for more information.
22. **Utilities** – (water, power, sewer, etc.) The proposed attached apartment requires a water meter. A permit is required for water and sewer connections. Utilities shall be shown on a Utility Site Plan in the submitted permit materials. Power by others.

Fire Marshal

23. Fire Items/Access –

Other Applicable Agency Review

24. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...

25.

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 (DPA)
2. Building Permit Application (BPA)
3. Accessory Apartment Application (AAP)
4. Non-Conforming Certificate (NCC)

Additional Submittal Requirements

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

1. A copy of this pre-application conference report.
2. A site plan indicating
 - a. Parking
 - b. Topography
 - c. Setbacks
 - d. Proposed building footprint.

Exceptions to Submittal Requirements

Submittal requirements 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. (Add any items required with the forms that are not applicable to the Conditional Use application)
- 2.

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. Building permit fees are based on a the total valuation of the project. (see attachment "Fees")
2. Non-Conforming Certificate – No fee associated with NCC when submitted with any other permit.
3. Conditional Use: Accessory Apartment Application Fee - \$350.00 for Class I use.

4. Public Notice Sign \$150.00. Note- \$100.00 is refundable if sign is returned by the Monday after the meeting.

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

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.gov

OR in person with payment made to:

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

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

1. 49.25.400 – Minimum Dimensional Standards
2. 49.25.420 – Measuring Building Height
3. 49.25.510 – Special Density Consideration – (Accessory Apartment Standards)
4. 49.40.210 – Parking Requirements
5. Article II – Hillside Development
6. Fees

Article IV. Dimensional Standards

49.25.400 MINIMUM DIMENSIONAL STANDARDS. There is adopted the table of minimum dimensional standards, Table 49.25.400. Minimum dimensional standards for all zoning districts shall be according to the table of minimum dimensional standards, subject to the limitations of the following sections and as otherwise specifically noted in the special area or use sections, Chapters 49.60 and 49.65. (Serial No. 98-20 § 2 (Exh. A), 1998; Serial No. 98-09 § 5 (Exh. B), 1998; Serial No. 89-32 § 2, 1989; Serial No. 87-49 § 2 (part), 1987).

49.25.420 HEIGHT OF BUILDING. (a) The height of a building is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. Roofs with slopes greater than 75 percent shall be regarded as walls. The height of a stepped or terraced building is the height of the highest segment thereof.

(b) The reference datum shall be whichever of the following yields the greater height of building:

(1) The highest point within a horizontal distance of 5 feet from the exterior wall of the building when such point is not more than 10 feet above the lowest point within said 5-foot radius.

(2) An elevation 10 feet higher than the lowest grade when the highest point described in paragraph (1) of this subsection is more than 10 feet above the lowest point.

(c) Exceptions.

(1) Height limitations stipulated in this section shall not apply to tanks, church spires, belfries, cupolas, monuments, fire and hose towers, chimneys, flagpoles, masts, aerials, antennae, telecommunication and electrical transmission towers and other similar structures or facilities.

(2) Height calculations shall disregard any fill or construction which the director finds to have no significant purpose other than elevating the reference datum. In reaching such finding, the director shall consider only those architectural, structural, safety, aesthetic, access or other purposes claimed by the developer and supported by reasonable evidence. (Serial No. 99-26 § 2, 2000; Serial No. 87-49 § 2 (part), 1987).

49.25.510 SPECIAL DENSITY CONSIDERATIONS. (a) Fractions of Units. If a density calculation results in fractions of dwelling units allowable, such fractions shall be rounded to the nearest whole number.

(a) Factors Precluding Maximum Density. The number of units allowed by Section 49.25.500 is a maximum, achievement of which may be prevented by other factors, including topography, dimensional standards or dedication requirements.

(b) Subdivision Rights-of-way. In calculating the number of dwelling units and thereby the number of lots allowed within a proposed single-family subdivision, any proposed rights-of-way shall be included in the total square footage of the parcel. In multifamily subdivisions, rights-of-way shall not be so included.

(c) Mobile Home Subdivisions. Mobile home subdivisions shall meet the density requirements of the zoning district in which they are located, regardless of the lot size allowed.

(d) Two-Unit Dwellings.

- Duplexes. The minimum lot size for a duplex dwelling shall be at least 150 percent of the square footage required for a single-family dwelling in the same zoning district.

- Accessory apartments. The Director may, through the department approval process, allow an accessory apartment to be constructed or maintained in a dwelling unit if all of the requirements of this subsection (2) are met. No person shall construct or maintain an accessory apartment except in accordance with a permit issued under this subsection.

- The accessory apartment shall be a one bedroom or efficiency unit not exceeding 600 square feet in net floor area, or such other area as may be approved through the procedure for variances other than de minimis. Areas common to more than one dwelling unit, including entry ways, furnace rooms, laundry rooms, and interior stairways shall not be included in the computation of net floor area.

- The accessory apartment shall be located:

- within a single-family dwelling located on a lot having a square footage not less than 100 percent of that required for a single-family dwelling in that zoning district but not less than 18,000 square feet in zoning districts RR and D-1;

- (ii) within a dwelling unit in a two-unit common wall development located on a lot having a square footage not less than 100 percent of that required for a detached single-family dwelling in that zoning district but not less than 18,000 square feet in zoning districts RR and D-1;

- (iii) within a dwelling unit located on a lot in Service Areas 1 or 2 which existed and met the requirements for construction of a duplex dwelling under a previous version of this code; or

(iv) The accessory apartment must be atop, beneath, or connected by a common wall of at least 15 linear feet to the principal dwelling unit, provided that in the RR, D-1, and D-3 districts only, the accessory apartment may be contained within or atop a detached garage, and provided further that in the D-5 district the accessory apartment may be contained within or atop a detached garage as authorized by the Commission through the conditional use process.

(C) A permit under this subsection (2) may be issued if the applicant establishes

that:

- (e) the development meets all setback requirements; and
- (f) the total building footprint does not exceed the maximum lot coverage

allowable under Section 49.25.400, the table of dimensional standards, or, in the case of nonconforming structures, aggravate the nonconformity; and

(iii) the development does not violate the vegetative cover requirements imposed by Section 49.50.300; or, in the case of nonconforming structures, aggravate the nonconformity; and

(3) the development meets the parking standards required by Chapter 49.40 for a residential structure containing two dwelling units; and

(4) the building is serviced by a public or community sewer system if available, and if not, by a private sewer system approved for two dwelling units; and

(5) the building complies with all requirements of Title 19, the building code;

and

(vii) the building, except as may be necessary to accommodate residents with

disabilities, has no more than one main entrance facing the street.

(d) Accessory apartment applications shall be submitted on a form provided by the Director and except as provided in subsections (E) and (F) shall be reviewed according to the department approval process. The application shall include:

- (1) a completed application form;
- (2) the application fee required by Chapter 49.85;
- (3) a site plan drawn to scale or dimensioned indicating all required parking,

minimum setbacks and entrances for both dwelling units; and

(4) a floor plan drawn to scale or dimensioned indicating both dwelling units including each room labeled as to use.

(e) The department shall provide the owners of property adjacent to the proposed accessory apartment with written notice of the application at least ten days before deciding it, and shall keep a record of all comments received within the ten day period. If any comment gives reasonable cause to believe that the proposed accessory apartment would result in significant harmful impacts, the application shall be heard through the conditional use process.

(f) Applications which do not meet all requirement imposed by this section shall be heard through the variance process.

(f) Detached Single-family Dwellings. Two detached single-family dwellings located on a single lot within the D1 and D3 zoning districts shall each meet one hundred percent of the applicable square-footage requirement.

(a) Replacement and Reconstruction of Certain Nonconforming Buildings. The replacement and reconstruction of certain nonconforming buildings in residential districts in service areas No. 1 and No. 2, with the exception of West Juneau, shall be governed in part by Section 49.30.500(b). The replacement and reconstruction of multifamily dwellings in all multifamily residential districts shall be governed in part by Section 49.30.500(c).

(b) The commission, through the conditional use permit process, may allow duplex and common wall structures on lots of less than the required size if the applicant can demonstrate that the same number of dwelling units already exist on the lot(s) or may lawfully be created on the lot(s) as a result of the nonconforming development provisions of CBJ Chapter 49.30. Applications of this provision include, but are not limited to, the following:

- Common wall subdivision lots of less than the required size may be created if the original parcel contains a common wall structure that was lawfully built and all other common wall structure requirements can be met.

- A duplex or a two unit common wall structure may be built on a pair of existing lots of record which together are less than the required size for a duplex or a two unit common wall structure, provided each of the lots could have been developed with a single-family dwelling when the lots were created.

(c) The commission, through the conditional use permit process, may approve the building of a two unit common wall structure on less than the required lot area if: the lot was legally platted prior to November 9, 1987; the subdivision or a portion thereof was designed specifically for two unit common wall structures; and sixty percent or more of the lots in the subdivision or of the portion thereof designed specifically for two unit common wall structures have been developed with two unit common wall structures. (Serial No. 2001-12 § 3, 2001; Serial No. 97-49 § 3, 1998; Serial No. 95-33 § 8 (part), 1995; Serial No. 94-07 § 4, 1994; Serial No. 91-01 § 2, 1991; Serial No. 89-33 § 2, 1989; Serial No. 87-49 § 2 (part), 1987).

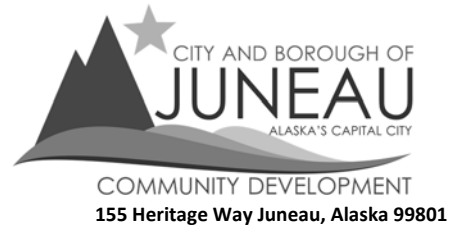
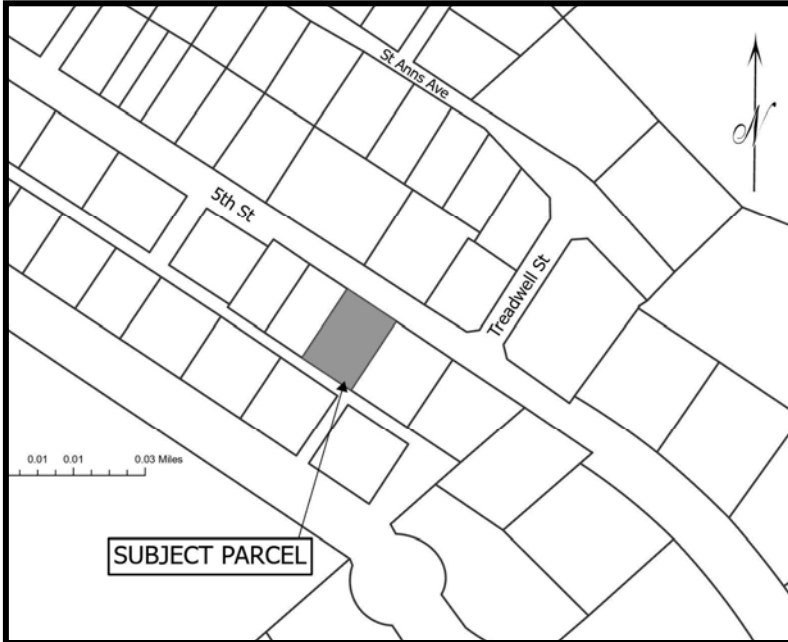
49.40.210 MINIMUM SPACE AND DIMENSIONAL STANDARDS FOR PARKING AND OFFLOADING. (a) Table of Minimum Parking Standards. The minimum number of off-street parking spaces required shall be as set forth in the following table. The number of spaces shall be calculated to the nearest whole number.

USE	SPACES REQUIRED
Single-family and duplex	2 per each dwelling unit
Multifamily units	Juneau service area (No. 1) 1.0 per one bedroom 1.5 per two bedroom 2.0 per three or four bedroom All other service areas 1.5 per one bedroom 1.75 per two bedroom 2.25 per three or four bedroom

Invitation to Comment

On a proposal to be heard by the CBJ Planning Commission

Your Community, Your Voice



TO

A Conditional Use Permit has been submitted for consideration and public hearing by the Planning Commission for **the construction of a new single-family dwelling with an accessory apartment on a substandard lot on 5th St. Douglas** in a **D5** zoning district.

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 **December 4th, 2023** at

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

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

Now through Nov. 20th

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

Nov. 21 — noon, Dec 8

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

HEARING DATE & TIME: 7:00 pm, Dec. 12, 2023

This meeting will be held in person and by remote participation. For remote participation: join the Webinar by visiting <https://juneau.zoom.us/j/81956826377> and use the Webinar ID: 819 5682 6377 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.

Dec. 13, 2023

The results of the hearing will be posted online.

FOR DETAILS OR QUESTIONS,

Phone: (907)586-0753 ext. 4131

Email: pc_comments@juneau.gov or Emily.Suarez@juneau.gov

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

Printed November 3, 2023

Case No.: **USE2023 0012**

Parcel No.: **2D040T480452**

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



Attachment B - Abutters Notice and Public Notice Sign Photo



(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: Fire
STAFF PERSON/TITLE: Daniel Jager, Fire Marshal
DATE: 11-2-2023
APPLICANT: Douglas Eckland
TYPE OF APPLICATION: USE23-12 Conditional Use Permit

PROJECT DESCRIPTION:

The proposed Conditional Use Permit is for the construction of a new single-family dwelling with an accessory apartment on a substandard lot in a D5 zoning district.

LEGAL DESCRIPTION: DOUGLAS TOWNSITE BL 48 LT 52
PARCEL NUMBER(S): 2D040T480452
PHYSICAL ADDRESS: N/A

SPECIFIC QUESTIONS FROM PLANNER:

AGENCY COMMENTS:

No fire code or fire department concerns for this project.

AGENCY COMMENTS (CONTINUED):



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

NONCONFORMING CERTIFICATE

Date: September 14, 2023
File No.: NCC2023 0036

Douglas Eckland
215 5th Street
Douglas, AK 99824

Proposal: A Nonconforming Situation Review for Lots

Property Address: 5th Street
Property Legal Description: DOUGLAS TOWNSITE BL 48 LT 52
Property Parcel Code No.: 2D040T480452

The Director of Community Development adopted the analysis and findings listed in the attached memorandum dated September 8, 2023, 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 Lots (CBJ 49.30.260):
 - Lot size of 5,850 square feet
 - Lot width of 65 feet

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.*

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:



Emily Suarez, Planner II
Community Development Department

scott ciambor, Planning Manager, for

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
NCC2023 0036**

(907) 586-0715

CDD_Admin@juneau.org

www.juneau.org/community-development

155 S. Seward Street • Juneau, AK 99801

DATE: September 14, 2023

TO: Jill Maclean, AICP | Director

BY: Emily Suarez, Planner II

PROPOSAL: A Nonconforming Situation Review for Lots

KEY CONSIDERATIONS FOR REVIEW:

- Lot was platted as part of Douglas Townsite Addition in 1936.
- Lot 52 was established prior to any zoning regulations.
- Lot is nonconforming for lot size and lot width.

STAFF RECOMMENDATION:

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

- Nonconforming Lots
(CBJ 49.30.260)

ABANDONMENT:

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

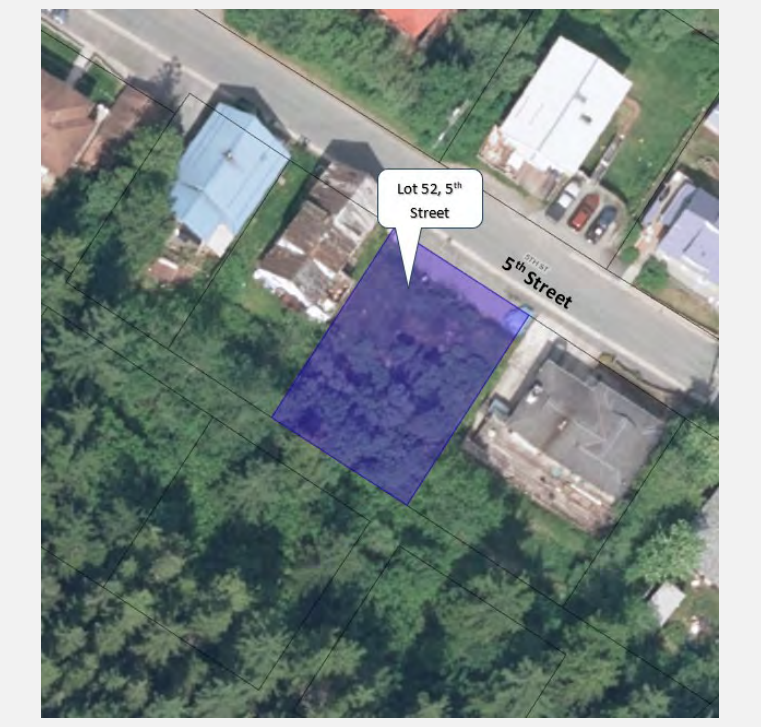
NONCOMPLIANCE:

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

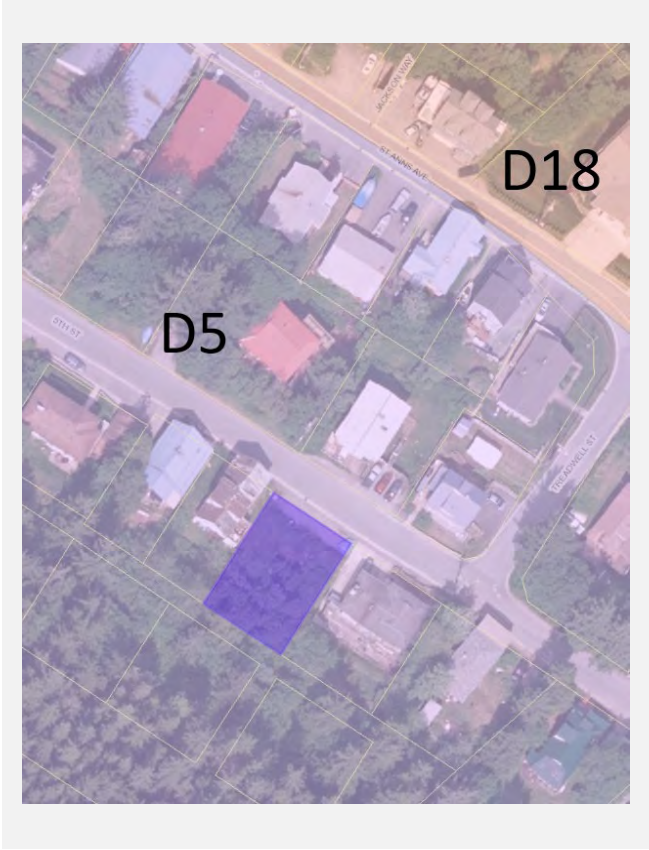
GENERAL INFORMATION	
Property Owner	Douglas Eckland; Cherry Eckland
Applicant	Douglas Eckland
Property Address	5 th Street
Legal Description	DOUGLAS TOWNSITE BL 48 LT 52
Parcel Number	2D040T480452
Zoning	D5 single-family/duplex
Lot Size	5,850 square feet
Water/Sewer	CBJ
Access	5 th Street
Existing Land Use	Vacant
Associated Applications	N/A

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

SITE FEATURES AND ZONING



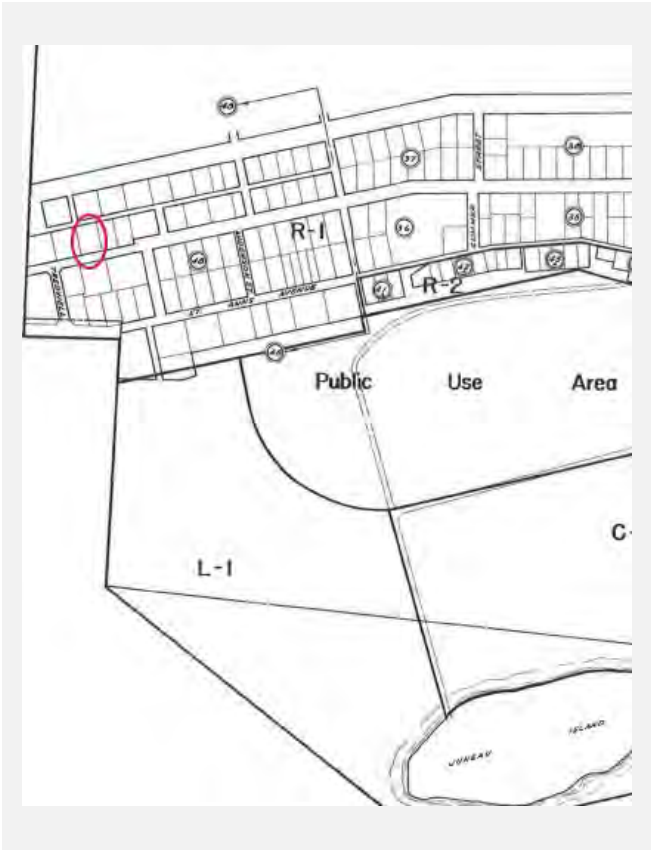
CURRENT ZONING MAP



SURROUNDING ZONING AND LAND USES	
North (ROW)	5 th Street
South (D5)	Vacant
East (D5)	Single-family dwelling
West (D5)	Single-family dwelling

SITE FEATURES	
Anadromous	No
Flood Zone	None mapped
Hazard	None mapped
Hillside	Yes
Wetlands	No
Parking District	No
Historic District	No
Overlay Districts	No

PLAT AT TIME OF ESTABLISHMENT



ZONING HISTORY

Year	Zoning District	Summary
1936	N/A	Lot 52 was platted as part of Douglas Townsite Addition #1936-2
1961	R1 Residential	<p>In 1961, the lot and surrounding area was zoned R1. The R-1 zoning district required 5,000 square foot minimum lot size, 50-foot minimum lot width, and 80-foot minimum lot depth. Required front and rear setbacks were 20 feet, and 5 feet side yard setback. One (1) off-street parking space per dwelling unit.</p> <p>Lot was conforming for lot size and lot width.</p>
1969	R5 Residential	<p>In 1969, the lot and surrounding area was rezoned R5. The R-5 zoning district required 5,000 square foot minimum lot size, 50-foot minimum lot width, and 80-foot minimum lot depth. Required front setback was 20 feet, 15 feet rear yard setback, and 5 feet side yard setback. One (1) off-street parking space per dwelling unit.</p> <p>Lot was conforming for lot size and lot width.</p>
1987	D5 Residential	<p>In 1987, the lot and surrounding area was rezoned to D5. The D5 zoning district requires a 7,000 square foot minimum lot size, 70-foot minimum lot width, and 85-foot minimum lot depth*. Required front and rear setbacks are 20 feet, and 5 feet for side yard setback. Two (2) off-street parking spaces are required per dwelling unit.</p> <p>The lot became nonconforming for lot size and lot width.</p>
2021	*All zoning districts – lot depth repealed	On August 23, 2021, the CBJ Assembly adopted Ordinance 2021-28, repealing lot depth as a minimum dimensional standard. Other dimensional standards for D5 remain the same.

BACKGROUND INFORMATION

The applicant requests a Nonconforming Situation Review for lots. Lot 52 was platted as part of the Douglas Townsite Addition in 1936. The lot is currently vacant, and the applicant would like to develop a single-family dwelling with an accessory apartment. Any future development will need to comply with current zoning regulations.

INFORMATION REVIEWED

Year	Type	Summary
1914	Sanborn Map	Douglas Sanborn Map (Attachment B)
1936	Plat	Douglas Townsite Addition Plat #1936-2 (Attachment C)
1954	Plat	Douglas Townsite Plat #1954-1 (Attachment D)
2013	Aerial Imagery	To estimate vegetative cover (Attachment E)
2014	Warrant Deed	To verify ownership of the lot (Attachment F)
2019	Assessor's Photo	To verify lot is vacant (Attachment G)
2023	Assessor's Database	To verify property information (Attachment H)

ANALYSIS

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

Standard		Requirement	Existing	Code Reference
Lot	Size	7,000 square feet	5,850 square feet	CBJ 49.25.400
	Width	70 feet	~65	CBJ 49.25.400
Setbacks	Front	20 feet	N/A	CBJ 49.25.400
	Rear	20 feet	N/A	CBJ 49.25.400
	Side	5 feet	N/A	CBJ 49.25.400
	Side	5 feet	N/A	CBJ 49.25.400
	Street Side	13 feet	N/A	CBJ 49.25.400
Lot Coverage		50%	0%	CBJ 49.25.400
Height	Permissible	35 feet	N/A	CBJ 49.25.400
	Accessory	25 feet	N/A	CBJ 49.25.400
Maximum Dwelling Units		1	0	CBJ 49.25.500
Use		Residential	Vacant	CBJ 49.25.300
Vegetative Cover		20%	~95%	CBJ 49.50.300
Parking		2 per dwelling unit	0	CBJ 49.40.210(a)

Minimum Lot Requirements – Lot 52 was established prior to zoning regulations.

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

Minimum Setback Requirements – The lot is currently vacant. Any future development will need to comply with current zoning requirements.

Finding: N/A

Lot Coverage – The lot is currently vacant. Any future development will need to comply with current zoning requirements.

Finding: N/A

Structure Height – The lot is currently vacant. Any future development will need to comply with current zoning requirements.

Finding: N/A

Residential Density – The lot is currently vacant. Any future development will need to comply with current zoning requirements.

Finding: N/A

Use – The lot is currently vacant and there are no uses associated with this property. Any future development will need to comply with current zoning requirements.

Finding: N/A

Vegetative Cover – 2013 GIS imagery shows that the lot exceeds the minimum vegetative cover required for D5 zoning district. Any future development will need to comply with current zoning requirements.

Finding: Staff finds the lot conforming for vegetative cover.

Parking – CBJ 49.40.210 requires two (2) off-street parking spaces. Back-out parking may be allowed for single-family dwellings in residential zoning districts per CBJ 49.40.235(b)(6)(A). Any future development will need to comply with current zoning requirements.

Finding: N/A

NONCOMPLIANT SITUATIONS

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

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

ABANDONMENT

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

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

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

FINDINGS

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

Analysis: Lot 52 was platted as part of Douglas Townsite Addition in 1936 prior to zoning regulations.

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

2. Has the nonconforming situation been abandoned?

Analysis: No further analysis is needed.

Finding: No. The nonconforming situation has not been abandoned.

RECOMMENDATION

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

- Nonconforming Lots (CBJ 49.30.260):
 - Lot size of 5,850 square feet.
 - Lot width of 65 feet.

STAFF REPORT ATTACHMENTS

Item	Description
Attachment A	Application Packet
Attachment B	1914 Sanborn Map
Attachment C	1936 Douglas Townsite Addition Plat #1936-2
Attachment D	1954 Douglas Townsite Plat #1954-1
Attachment E	2013 Aerial Imagery
Attachment F	2014 Warrant Deed
Attachment G	2019 Assessor's Photo
Attachment H	2023 Assessor's Database

23573 BPH



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 213 5Th St Douglas Alaska 99824	
Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Douglas Township Site 48, Lot 52	
Parcel Number(s) 2D040T480452	
<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 Douglas & Cherry Eckland	Contact Person Douglas Eckland
Mailing Address 215 5th St Douglas Alaska 99824	Phone Number(s) 9077234035
E-mail Address dougaseckland@gmail.com	
LANDOWNER/ LESSEE CONSENT	
Required for Planning Permits, not needed on Building/ Engineering Permits.	
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.	
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows:	
A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.	
B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.	
Douglas Eckland Owner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) x Date 8-7-23 Landowner/Lessee (Signature)	
Cherry Eckland Owner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) x Date 8/7/23 Landowner/Lessee (Signature)	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.	
APPLICANT	
If same as LANDOWNER, write "SAME"	
Applicant (Printed Name) Douglas Eckland	Contact Person
Mailing Address 215 5th St Douglas AK 99824	Phone Number(s)
E-mail Address dougaseckland@gmail.com	
x	Date of Application

To be completed by Applicant

DEPARTMENT USE ONLY BELOW THIS LINE

Intake Initials

EPS

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

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

Case Number

NCC23-036

Date Received

8/8/2023



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
Vacant lot smaller than required for D5	US Survey

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

Maintained Situation	Type of Documentation

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

ALL REQUIRED MATERIALS ATTACHED

☒ Complete Application (Per CBJ 49.30.310)

- ☒ Narrative
- ☒ As-built survey or similar document
- ☒ Documentation
- ☒ Fees

NONCONFORMING CERTIFICATION REVIEW FEES:

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>0</u>	FEES INCLUDED w/ 86023-573		
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Total Fee	\$ <u>0</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
907-586-0770.

Case Number	Date Received
NCC23-036	8/8/2023

BP# 23-573

8-7-23

To the Juneau Permitting Office,

This is a proposal to build a single-family home and attached apartment on lot, Douglas Township Site 48 Lot 52. I am going to add the address to this lot 213 A/B 5th st. The lot is 65 feet across the street side and back and 90 feet across the sides. The footprint of the home is 40 feet by 40 feet set back 20 feet from the street side of property line. The sides are outside of the 5 foot set back. There will be retaining walls on both sides of the home, at the back, to the side property lines. The hillside will be dug out and the second floor will be level with the back door. The first floor will have a garage, an entry to the single family on the second floor, and a bedroom that will be accessed on the side. The bedroom area on the first floor is approximately 560 sq feet with a single bedroom and bath. The second floor will be 50'x40' and overhang the front of the home. This will be an unsupported overhang with a 12 foot clearance. The home will have a total of 5 parking spots. There are two drains that are already in place from the street. On the east side there is an eight inch drain and the west side has a six inch. The runoff from the property will be connected to them. There is no water or sewer to the lot and I will work with the city to put them in. The electric and phone lines are across the street and will be brought in over the road to the home.

Thank You

Doug Eckland

215 5th st

Douglas, Ak 99824

907 723 4035

dougaseckland@gmail.com

Emily Suarez

From: Doug Eckland <dougaseckland@gmail.com>
Sent: Tuesday, August 8, 2023 10:34 AM
To: Emily Suarez
Subject: Re: NCC application - BLD23-573

Good morning Emily. Could you please add to my narrative letter that I am seeking a NCC due to the small lot size on fifth Street in Douglas. The lot size is under the 7000 square-foot minimum and is almost 5400 ft.² so that is why I am submitting my NCC to build our home on fifth Street.

Thank you
Douglas Eckland

On Tue, Aug 8, 2023 at 10:23 AM Emily Suarez <Emily.Suarez@juneau.gov> wrote:

Good morning Doug,

Could you add a couple of sentences to the narrative submitted yesterday? The narrative should include that you are seeking a Nonconforming Certification Review for future development on the lot.

You can reply to this email and I will include your response with the NCC narrative application.

Thank you,

Emily Suarez | Planner II

Community Development Department | City & Borough of Juneau, AK

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

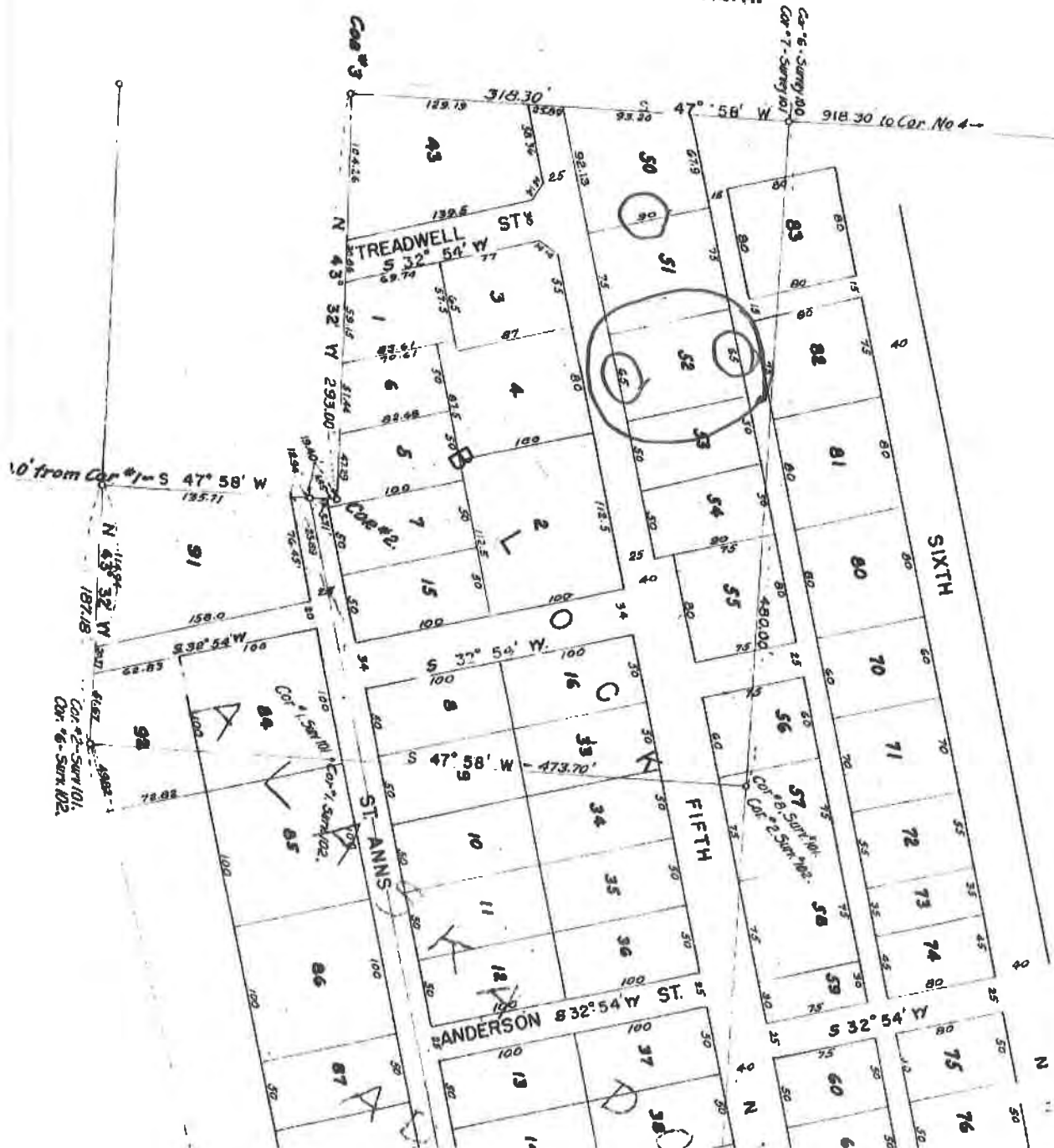
Office: 907.586.0753 ext. 4131

Email: emily.suarez@juneau.gov



BP# 23-573

U.S. SURVEY #101 - ALTA.



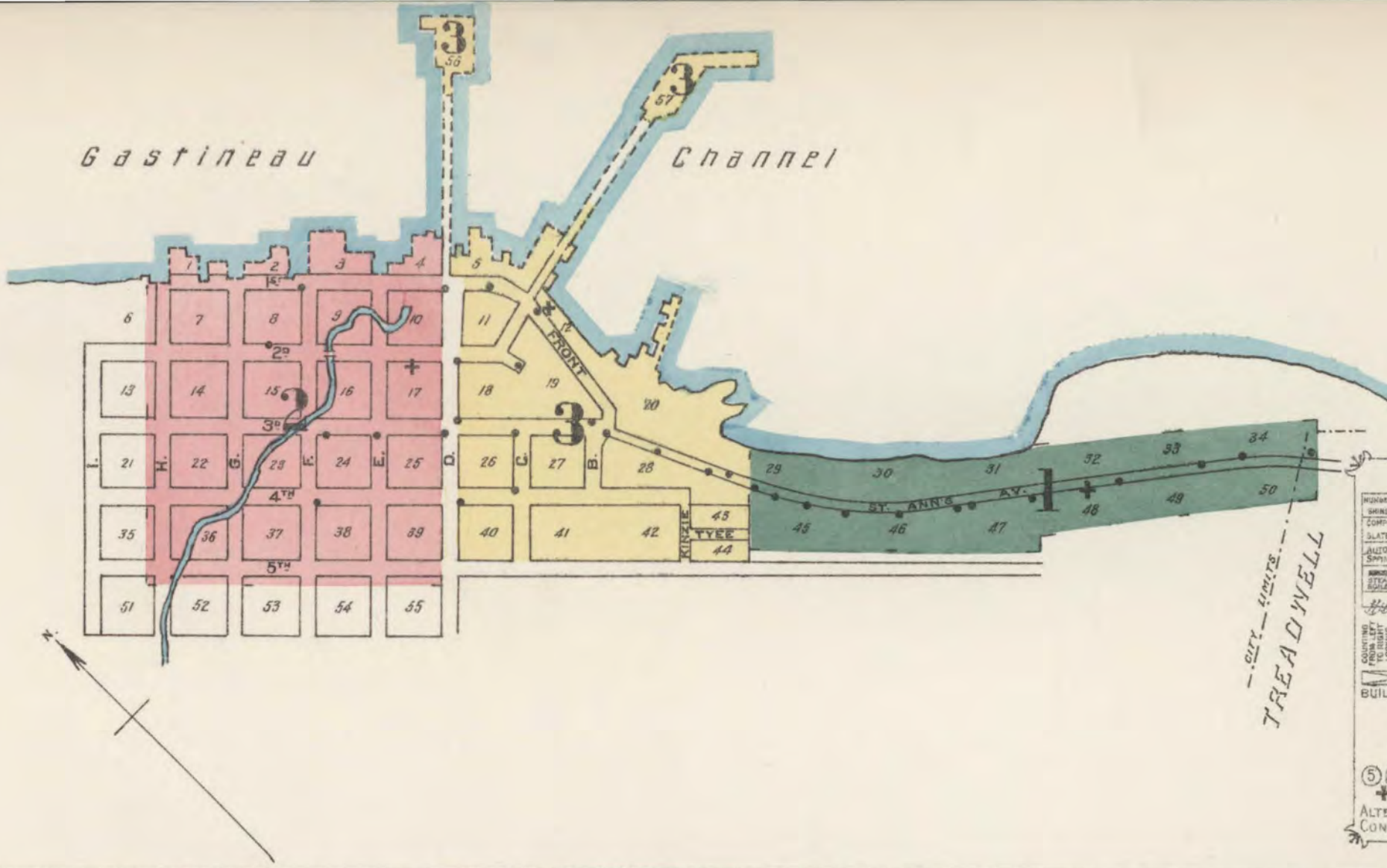


NOTE:

WATER FACILITIES: PRIVATELY OWNED. GRADIENT SYSTEM. A NUMBER OF SMALL MOUNTAIN STREAMS WITH LIGHT FLOW IN VERY COLD WEATHER, ARE CONVEYED TO 4,000 GALLON TANK ON HILLSIDE SOUTH OF TOWN, ELEVATED ABOUT 140 FEET ABOVE HIGH TIDE. THE TOWN DINK IS 12,000 GALLON TANK ELEVATED ABOUT 20 FEET ABOVE PRIVATE TANK AND IS KEPT IN RESERVE FOR FILLING THE LATTER OR DIRECT INTO MAINS. A 12,000 GALLON SALT WATER TANK IS BEING INSTALLED NEAR THE OTHER TANKS IN A 7' DEPRESSION BLASTED OUT OF SOLID ROCK AND WILL BE FILLED BY A 7" X 10" PORTLAND CEMENT PUMP RUN BY A 35 H.P. DIESEL ENGINE WHICH NOW IS USED FOR DIRECT PRESSURE. A THIRD SUPPLY IS THE 5" HIGH PRESSURE MAIN FROM TREADWELL WITH OVER 200 LBS. PRESSURE. THIS PIPE IS Laid ABOVE GROUND EAST OF ST. AND AV. AND NOT USED IN VERY COLD WEATHER, BUT WATER IS TURNED IN ON TELEPHONE CALL. THE SALT WATER SYSTEM CONNECTS WITH THIS MAIN AND HYDRANTS MARKED 25' AND ARE ON THIS SYSTEM. 12 MILES OF MAINS. 3 FRESH WATER HYDRANTS AND 11 FOR SALT WATER. PRESSURE 65 TO 70 LBS. WATER WORKS INSTALLED.

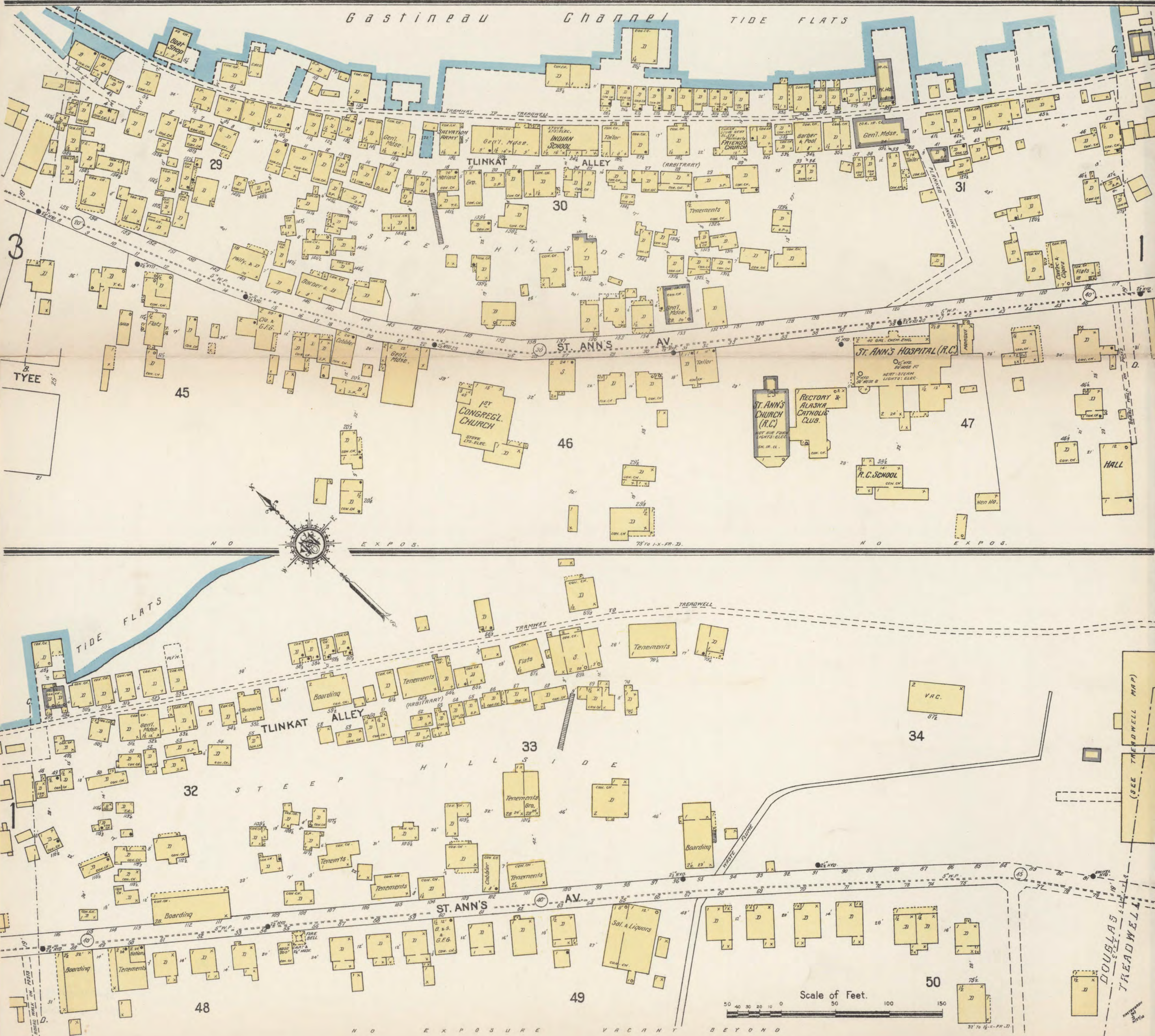
FIRE DEPT.: VOLUNTEER. CHIEF AND ASSISTANT AND ABOUT 100 MEN. 3 HOSE CARS. 3 HOSE CARS WITH ABOUT 450 HOSE EACH. 2-40 GAL. CHEMICAL ENGINES AND TWO MORE ORDERED TO BE KEPT IN CONVERTED DISTRICT ON THE BEACH (SHEET 1). 2400 HOSE IN GOOD CONDITION. 300 CHEM. HOSE. 5 FIRE ALARM BELLS. NO FIRE LIMITS.

BUSINESS BUILDINGS ARE GENERALLY OF FAIR CONSTRUCTION BUT DWELLINGS ARE BELOW AVERAGE. THE LAND COMPRISING THE TOWNSHIP PROPER (SH. 2 & 3) HAS NOT BEEN PATENTED. ON SH. 1 MOST BUILDINGS ARE ON GROUND LEASED FROM THE MINING CO. AND ARE MOSTLY OCCUPIED BY MINING MEN, LABORERS AND INDIANS. COMMON BUILDING MATERIAL IS SPRUCE. ANNUAL PRECIPITATION ABOUT 30 INCHES, LIGHTEST IN JUNE AND HEAVIEST IN OCT. AND NOV. GROUND ELEVATIONS ESTIMATED.

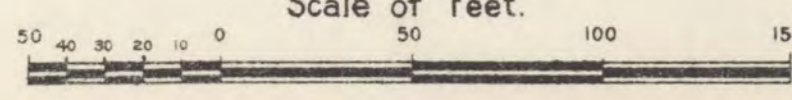


KEY

1	FIRE WALL, SH. ROOF
2	METAL CORNICE
3	FIRE WALL, SH. ROOF
4	WOOD CORNICE
5	FIRE WALL, SH. ROOF
6	FRAME PARTITION
7	OPENING WITH IRON DOOR
8	STANDARD
9	IRON DOOR
10	WINDOWS & IRON SHUTTERS
11	WINDOW 1ST STORY
12	WINDOWS 2ND & 3RD STORIES
13	2ND & 3RD
14	STABLE
15	BUILDINGS COLORED YELLOW ARE FRAME
16	BRICK
17	RED
18	BLUE
19	GRAY
20	BROWN
21	ADOBES
22	BUFF
23	FIRE PROOF
24	5' INDICATE RELATIVE HEIGHTS
25	★ FIRE STATION, AS SHOWN ON KEY MAP
26	ALTERNATE STREET NUMBERS ARE ACTUAL
27	CONSECUTIVE STREET NOS. ARE ARBITRARY



Scale of Feet.



MAP
OF
ALASKA DOUGLAS ADDITION - Block 48
TO
DOUGLAS TOWNSITE
ALASKA

SCALE: 1 INCH = 60 FT.
SURVEYED JUNE - JULY 1936

NOTE :- The bearings given on this plat are based on the bearings of Douglas Township, U. S. Survey No 1180. The bearings of U. S. Surveys Nos 100, 101 & 102 which are in conflict with the above bearings are shown in parenthesis.-

Permanent Monuments are located at points where indicated thus \diamond .-



approved by Douglas City
Council, July 1st 1986 and
ordered filed and recorded
as the official plat of survey
of the Douglas Townsite

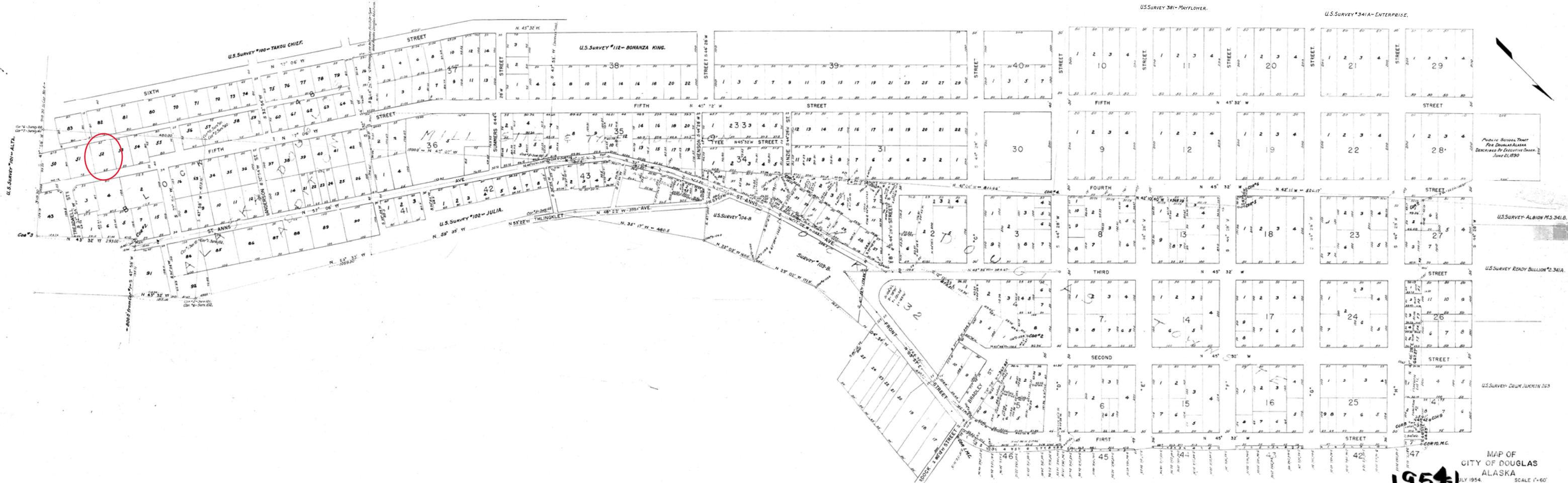
Felix Gray
City Clerk
Douglas, Alaska

U. S. SURV. NO. 100, TAKOU CHIEF

Block 48 1936-2

Filed for record July 27-1936
and filed in front pocket }
Volume 34 } seeds

Journal, Recorder



Attachment E - 2013 Aerial Imagery



Attachment D - Nonconforming Certification NCC2023 0036



The City and Borough of Juneau is not responsible and shall not be liable to the user for damages of any kind arising out of the use of data or information provided by the City and Borough of Juneau, including the installation of the data or information, its use, or the results obtained from its use. ANY DATA OR INFORMATION PROVIDED BY THE City Borough of Juneau IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Data or information provided by the City Borough of Juneau shall be used and relied upon only at the user's sole risk, and the user agrees to indemnify and hold harmless the City Borough of Juneau, its officials, officers and employees from any liability arising out of the use of the data/information provided. NOT FOR ENGINEERING PURPOSES.



AFTER RECORDING, RETURN TO:

Douglas Eckland
Cherry Eckland
8661 N. Douglas Hwy
Juneau, AK 99801

AETIA 45795

WARRANTY DEED
A.S. 34.15.030

The Grantors, **HOWARD F. GIBSON and JUDY T. GIBSON, husband and wife**, whose address is 8519 Rainbow Row, Juneau, AK 99801, 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 **DOUGLAS ECKLAND and CHERRY ECKLAND, husband and wife as tenants by the entirety with full rights of survivorship**, Grantee, whose mailing address is 8661 N. Douglas Hwy, Juneau, AK 99801, the following-described real estate:

Lot 52 and Lot 53, Block 48, Alaska Douglas Addition to Douglas Townsite, according to the plat approved by the council of the City of Douglas July 1, 1936, recorded July 27, 1936 and filed in the front pocket of Deed Book 34, Juneau Recording District, First Judicial District, State of Alaska

SUBJECT TO the reservations and exceptions as contained in the U.S. Patent and acts relating thereto.

WARRANTY DEED
A4350\3169\Warranty Deed

Page 1

Attachment F - 2014 Warrant Deed

DATED this 13 day of March 2014.

GRANTORS:

Howard F. Gibson
HOWARD F. GIBSON

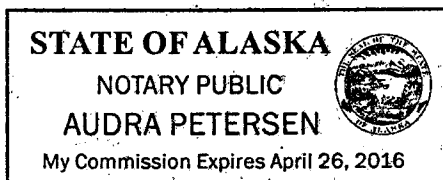
Judy T. Gibson
JUDY T. GIBSON

STATE OF ALASKA)
)
FIRST JUDICIAL DISTRICT) ss.

The foregoing instrument was acknowledged before me this March 13, 2014, by **HOWARD F. GIBSON and JUDY T. GIBSON, husband and wife.**

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

Audra Petersen
Notary Public in and for Alaska
My Commission Expires: 04/26/2016



WARRANTY DEED
A4350\3169\Warranty Deed

Page 2

Attachment F - 2014 Warrant Deed





07/19/2019 11:22



Assessor's Database

Current Owner

DOUGLAS ECKLAND & CHERRY ECKLAND

215 5TH ST, DOUGLAS AK 99824

Parcel #: 2D040T480452 ([Map](#))

Address: 0 5TH ST

Legal Desc. 1: DOUGLAS

Legal Desc. 2:

TOWNSITE BL 48 LT 52

Building PV: \$0.00

Total PV: \$137100.00

Prev. Owner: JUDY T GIBSON

Site Value: \$137100.00

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

Tax Year: 2023

Use Code: Vacant

Exempt: No Data

No. of Units: 000

Year Built: 0

Gross Liv. Area: 000000 sqft

Garage: Yes

Garage Area: 000550

Last Trans: 20140313

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.).

* 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.

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

Call before 7:00 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: 5TH ST

Permit Number: BLD20180318

Project Description: Lot prep for future single family dwelling.

Issued Date: 06/08/2018

Parcel No: 2D040T480452

Parcel Information : DOUGLAS TOWNSITE BL 48 LT 52.

Setbacks:

Zone:

Front: 20.00 Ft.

Side 1: 5.00 Ft.

Rear: 20.00 Ft.

Side 2: 5.00 Ft.

Street Side: 13.00 Ft.

Comments:

Owner:
DOUGLAS ECKLAND
CHERRY ECKLAND
215 5TH ST
DOUGLAS AK 99824

Applicant:
DOUGLAS ECKLAND
215 5TH ST
DOUGLAS AK 99824

Fee Type	Date	Receipt	Amount Paid
BLD- Grading Plan Review	05/29/2018	55115	\$40.57
BLD- Grading Permit Fee	05/29/2018	55115	\$124.00
Total Fees Paid:			\$164.57

Valuation for Permit Fee Calculations:

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

Project Conditions and Holds:

Special Condition - Call for Final Inspection once grading has been completed.

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

E-Grading/Drainage

E-Final

Staff Review Sheet

Planner

AL

Permit Intake Initials: AL

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

5/29/2018

Case No: **BLD20180318**

Site Address: 5TH ST

Parcel No: 2D040T480452

Desc: Lot prep for future single family dwelling.

Residential NEW New Dwelling Units: 0
 FCC Code: 434 Existing Dwelling Units: 0
 Type of Construction: VB Occupancy Class:
 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: 2012 IRC Code Review by: AL Date: 6/7/18

Valuation for Permit Fee Calculations:

S.F. Type Rate Amount

Total Valuation: \$0.00

LAND USE

ZONE/UNITS D5 /
 WETLAND
 FLOOD ELEV
 FIRM ZONE NA
 FIRM MAP
 LOT SIZE 5,850 SF
0.1 ACRES
 SETBACKS
 Front 20
 Rear 20
 Side 5
 Other
 PARKING
 ANADROMOUS
 EAGLES NEST
 Coverage 80% / 50%
 Permissible/Conditional
 HEIGHT
 Permissible/Accessory
 VEGETATION 40%
 HAZARD

ENGINEERING/PUB WORKS

Dwelling Units:
 CITY WATER:
 Permit #:
 Use:
 Assessment:
 Service Size:
 Line Size:
 Meter Size:
 CITY SEWER:
 Permit #:
 Use:
 Assessment:
 Fixture Units:

LAND USE PERMITS

ADR Case #:

PLAN REVIEW APPROVALS

Initials Date
 Fire
 Zoning AL 5/31
 Engineering WFM 6/6/18
 Water
 Sewer
 Architectural
 Structural
 Plumbing
 Mechanical
 Electrical
 Access
 Spcl Insp Form

APPROVED FOR ISSUANCE

Signature
AL
 Date 6/7/18

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 \$
 Total Issuance Fees \$

PERMIT ISSUANCE PAYMENTS

Date Receipt Check Amount
 \$
 \$
 \$

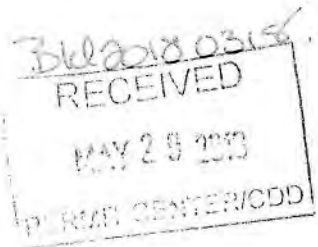
Parcel Tags:

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

CALL FOR FINAL INSPECTION WHEN COMPLETED

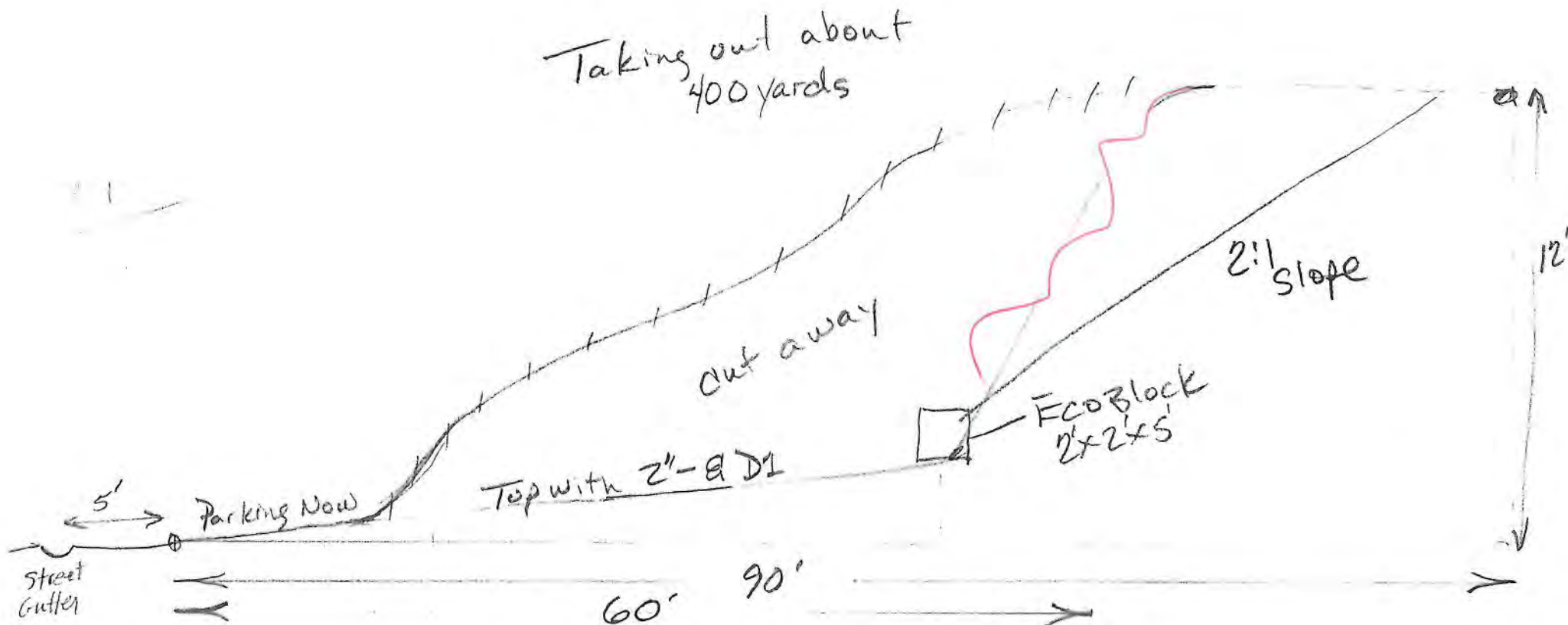
Doug Eckland
213 5th St.
Douglas, AK 99824

Not To Scale



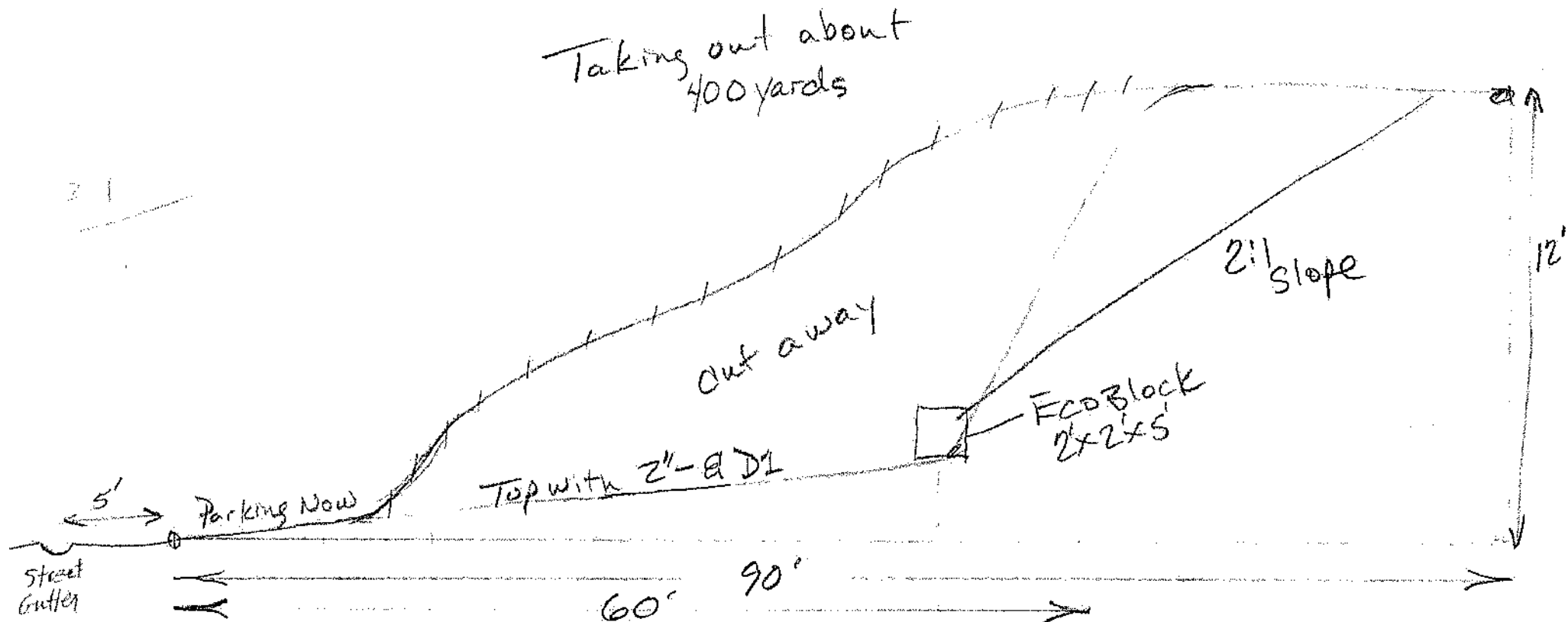
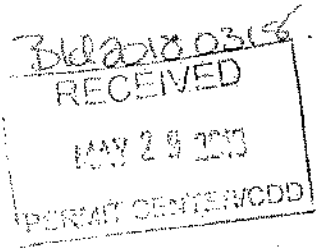
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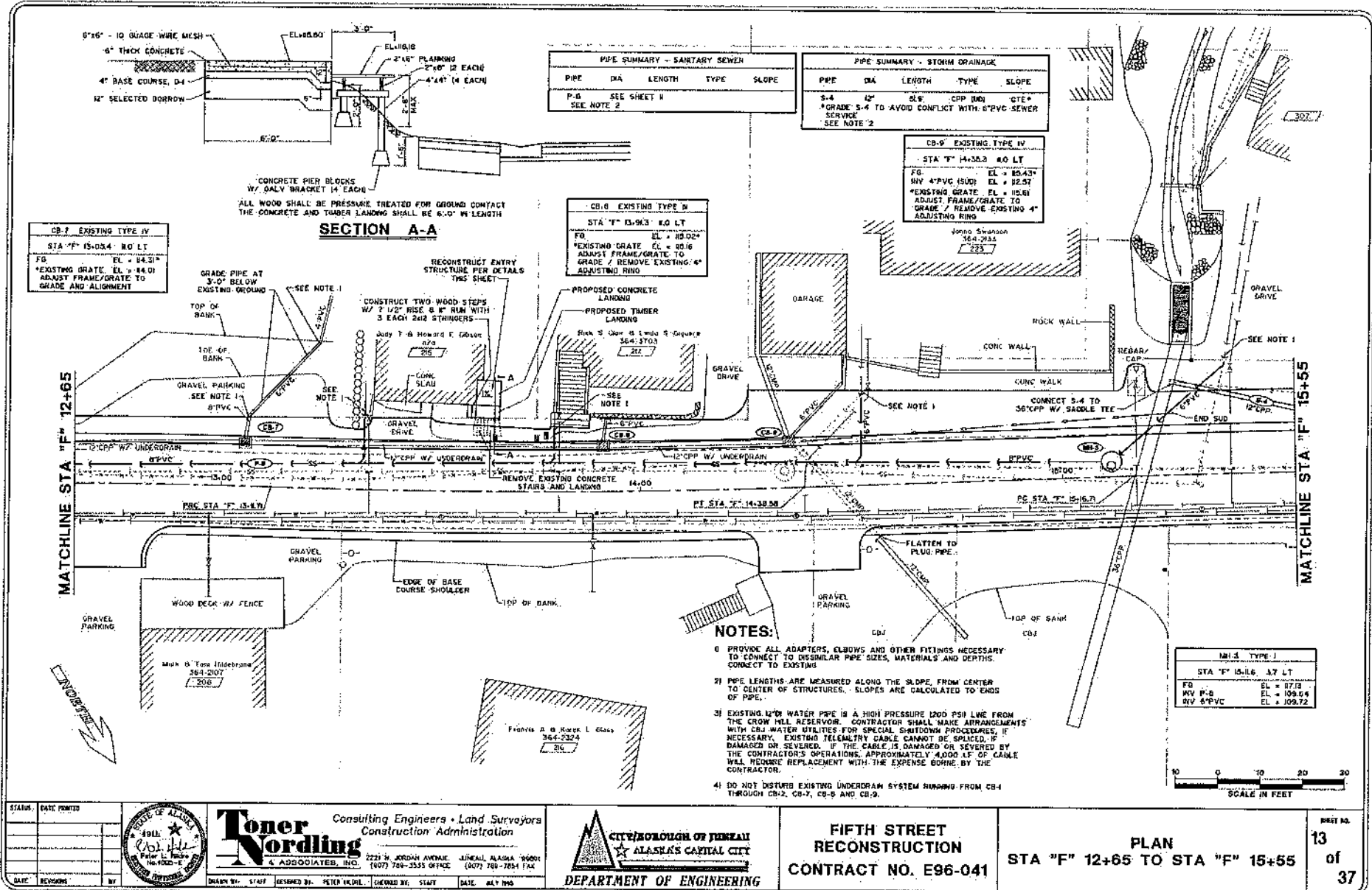
APPROVED MTRM
6/6/18



Doug Eckland
213 5th St.
Douglas, AK 99824

Not To Scale





BLD23-573

COMPLIANCE SUMMARY FOR HILLSIDE APPLICATION

49.70.240 Application.

The application shall be accompanied by the following materials, which shall be signed and stamped by a civil engineer, architect, geologist or land surveyor licensed in the State of Alaska:

- (1) A vicinity map, at a clear and legible scale, showing roads, place and street names and natural waterbodies. **Page 2.**
- (2) Site maps, showing the present condition of the site at a clear and legible scale compatible with the size of the development: **Page 2.**
- (3) The application shall include a finished proposed site plan at a clear and legible scale: **Page 4.**
- (4) The application shall include detailed engineering drawings of roads, driveways, parking areas, structural improvements for foundations, off-site stormwater runoff systems; cross sections and road elevations. **Page 4.**
- (5) A description of the source and type of any off-site fill, and the site for depositing excess fill. **N/A**
- (6) A landscaping plan, including all trees to be retained in excavation areas, all plant species and locations; temporary slope protection measures; erosion and siltation control measures; seeding or sodding materials, a planting and maintenance program; and methods of stabilization and protection of bare slopes. **Geotech memo, 3rd paragraph.**
- (7) An engineering geologic report, including a summary of the relevant surface and bedrock geology of the site, a discussion of active geologic processes with conclusions and recommendations regarding the effect of geologic factors on the proposed development; data regarding the nature, distribution and relevant parameters of existing soils, recommendations for grading procedures; design criteria for corrective measures as necessary, and recommendations covering the suitability of the site for the proposed development. **Geotech memo, page 3.**
- (8) A work schedule, by phase. **N/A to small scale project.**
- (9) Such other different or more detailed submissions as may be required.

(Serial No. 87-49, § 2, 1987; Serial No. 2015-03(c)(am), § 54, 8-31-2015)



Vicinity Map



Timberline Engineering LLC

Juneau, Alaska

907-635-1433

jagraves77@gmail.com

November 1, 2023

City & Borough of Juneau

Re: BLD23-573 – Douglas Eckland, Lot 52, Block 48, Douglas Townsite
Hillside Endorsement Geotech Memo

To Whom it May Concern,

This memo addresses the stability of the slopes located at the project site at Lot 52, 5th Street, Douglas. The site grading consisted of excavation of overburden and glacial till. The glacial till is consolidated and dry, and consists of silt, sand and gravel. A minimal amount of 2"-minus shot rock borrow was brought in to grade a foundation pad. The foundation design includes concrete foundation walls and spread footings. The southwest wall is designed to retain the hillside behind the house and it is planned to extend the retaining wall out to the property lines on each side. The concrete retaining wall design is by Dave Gowers Engineering, LLC.

A drainage swale and area drain is planned behind the retaining wall to capture surface runoff and to direct it through buried pipes to the existing CBJ storm drain system on 5th Street. A perforated wall drain will also be installed to collect groundwater into the storm drain system.

For disturbed slopes and drainage swales uphill of the retaining wall, it is recommended to provide vegetative cover to stabilize the organic soils. Apply the City & Borough of Juneau's standard seed mixture and fertilizer (or similar grass seed and topsoil) to the slopes once grading is complete.

Site grading should direct surface water away from the house foundation and towards the concrete valley gutter on 5th Street. Gutters and downspouts are also recommended to direct roof runoff away from the house. Attached is a site plan showing the proposed drainage paths.

If you have any questions, please do not hesitate to contact me.

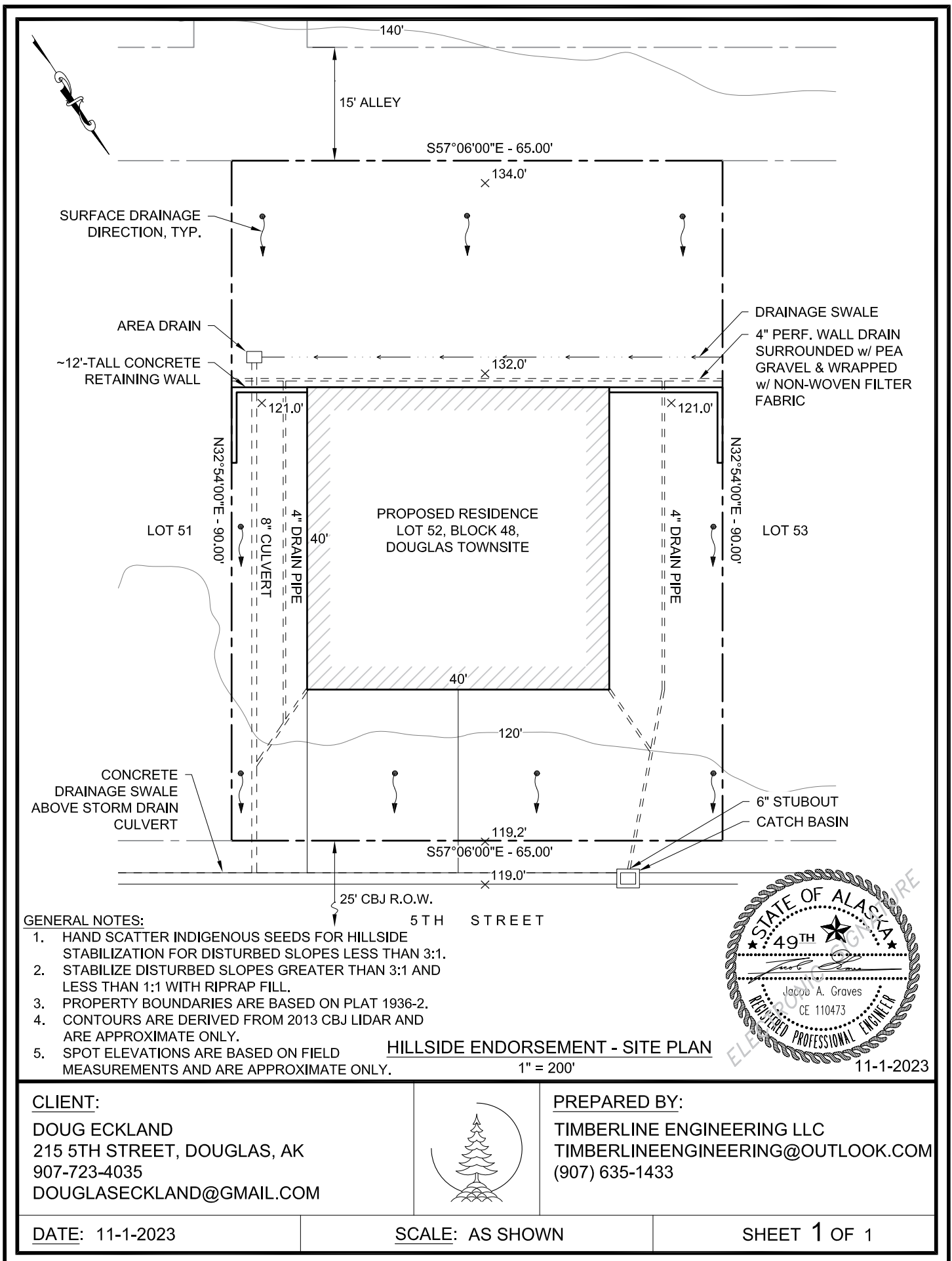
Sincerely,

Jacob Graves, P.E.

Timberline Engineering LLC
Bus. Lic. #1057118
P. Lic. #110473



11-1-2023



Right of Way Permit

Permit issued by: City and Borough of Juneau Department of Engineering 155 S. Seward Street Juneau, AK 99801	 CITY AND BOROUGH OF JUNEAU ALASKA'S CAPITAL CITY	Permit ROW ROW20230091 Office: 230 S. Franklin St. 4 th Floor Phone: 586-0499 Fax: 586-4529 Inspection Request Line: 586-1703 Website: www.juneau.org/permits
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Project Description New 2" water service and a new 4" sanitary sewer service.

Location of Project 215 5th Street Parcel No. 2D040T480452

Applicant's Name Douglas Eckland Phone (907) 723-4035

Mailing Address / City / Zip 2154 5th Street Douglas, Alaska 99824

On-Site Representative Paul Beck, CBJ Office Phone _____ Cell (907) 209-8833

STREET AND SIDEWALK USE PERMIT (Ord. 62.10)

Street Closed: ☐ Yes ☐ No Sidewalk Blocked: ☐ Yes ☐ No (if either is "Yes", attach a detour diagram and plot plan)

Parking Lane Closed: ☐ Yes ☐ No If yes, number of spaces eliminated _____

Types of Vehicles/Equipment parking: _____

Dates Needed: From _____ To _____ Times of Day: From _____ To _____

PUBLIC FACILITY TRANSMISSION & EXCAVATION PERMIT (Ord. 62.05 AND 62.40)

Estimated Cost of Work in the Public Right-of-Way: \$ Completed under CBJ Small Civil Term Contract

Type of Street Surface to be Cut: Asphalt ☒ Concrete ☐ Gravel ☐ Dirt ☐

Scope of Work: Sanitary Sewer ☒ Water Line ☒ Grading ☐ Asphalt Roads ☐ Storm Drain ☐

Other _____

Project Time Frame: From _____ To _____

DRIVEWAY CONSTRUCTION PERMIT (Ord. 62.36)

Work: New Driveway ☐ Driveway Repair ☐ Driveway Extension ☐

Material: Asphalt ☐ Concrete ☐ Gravel ☐ Headwalls ☐ Trash Rack ☐

Dimensions: Width _____ Culvert Size _____

The undersigned owner/applicant agrees to defend, indemnify, and hold harmless the City and Borough of Juneau, including its employees, with respect to any action, claim, or lawsuit arising out of or related to the installation, maintenance, or use of the right-of-way subject to this permit. This indemnification agreement applies to the fullest extent permitted by law and is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against CBJ relating to this permit. All construction shall be in accordance with City and Borough of Juneau Construction Standards and Specifications. The applicant/permittee is responsible to call 586-1333 for underground utility location prior to excavation.

This authorization may be revoked by the City upon any stoppage of work on this project over a seven (7) day duration.

Applicant Signature _____ Date _____

THIS SECTION OFFICE USE ONLY

Received By: _____ Date _____

Special Conditions of Approval: _____

Conditions (see below) 1 2 3 4 5 6 7 8 9 10

Approved _____ Date _____

PERMIT FEE	\$	ACCT # 10110240101-4420-6
INSPECTION AMOUNT	\$	ACCT # 10110240101-4420-6
INSPECTION DEPOSIT AMOUNT	\$	ACCT # 10110240101-2400 _____ - 4600
REFUNDABLE BOND AMOUNT	\$	ACCT # 10110240101-2410-0007

BOND NUMBER		RECEIPT NUMBER	
PERMIT EXPIRES ON		CHECK NUMBER	
BOND/DEPOSIT RETURNED ON		ISSUED BY	

CONDITIONS OF APPROVAL

- ① **SECURING PARKING SPACES:** It is the responsibility of the Street Use permit holder to visibly post no parking permit signs and properly block or barricade authorized parking spaces. If a problem should arise after an area has been properly posted the CBJ Police Department should be notified at 586-0600.
- ② **POSTING OF PARKING PERMITS:** A copy of the Street Use permit must be prominently displayed on the dashboard of each authorized vehicle located in the restricted parking zone or posted clearly identifying the permitted parking zone.
- ③ **SNOW REMOVAL OPERATIONS:** Street Use permit holders may be required to temporarily move vehicles from their designated parking spaces for snow removal operations. The Street Use permit holders will be contacted by the CBJ should this become necessary.
- ④ **SIDEWALK BARRICADING:** When projects involve the use of equipment or work on or over a sidewalk, a 6' high fence or "Hurricane" type, or other approved fencing method must be installed in such a manner so as to restrict pedestrian traffic from the work area. Sidewalk closed signs must be posted and must include detour route for pedestrians.
- ⑤ **TRAFFIC CONTROL PLAN:** Submit a detour and traffic control plan for approval. The Traffic Control plan shall show the location of all barricades, closure warning signs and detour signs, including work that will be within the CBJ Right-of-Way. The Traffic Control Plan shall comply with the latest revision of the MUTCD, CBJ Standard Details, and CBJ Standard Specifications.
- ⑥ **BLOCKING LANES OF TRAFFIC:** All items identified in the Traffic Control Plan must be in place prior to blocking lanes of traffic. Orange traffic cones must be placed in such a manner to shift oncoming traffic from closed lanes to open lanes. Cones must be set a minimum of 50 feet from the point where traffic is closed and be no more than 15 feet apart. If lane closure occurs on two-way streets flaggers directing traffic must be present during all times of the lane closure.
- ⑦ **FLAGGER REQUIRED:** A State of Alaska certified flagger is required during work within the designated Right of Way, outside the confines of the staging area and shall comply with the latest revision of CBJ Standard Details, and CBJ Standard Specifications.
- ⑧ **LANE CLOSURE NOTIFICATION:** All traffic lane closures require a minimum of twenty four hour advance notice to the JPD, CCFR, Capital City Transit, and general public. Notification to the public shall be by notice in the newspaper and radio in accordance with the latest revision of the CBJ Standards Details, and CBJ Standard Specifications.
- ⑨ **TRAFFIC CONTROL DEVICES:** All traffic control devices and barricades shall comply with the latest revision of the Manual of Uniform Traffic Control Devices, (MUTCD), CBJ Standard Details, and CBJ Standard Specifications.
- ⑩ **OTHER SPECIAL CONDITIONS:**
All CBJ standard specifications for civil engineering and CBJ Standard
Details applicable to this work