



**PLANNING COMMISSION
NOTICE OF DECISION**

Date: June 17, 2002

File No.: USE2002-00011

Lawrence Powers
2090 Fritz Cove Rd.
Juneau, AK 99801

Application For: A Conditional Use permit for a 600 square foot accessory apartment at 2090 Fritz Cove Road.

Legal Description: USS 1510 TR 3

Parcel Code No.: 4-B18-0-101-012-0

Hearing Date: June 11th, 2002

The Planning Commission, at its regular public meeting, accepted the analysis and findings listed in the attached memorandum dated May 21, 2002, with the exception of findings regarding Public Health and Safety (#4) and Neighborhood Harmony (#5) as listed below and denied the Conditional Use permit application for an accessory apartment.

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

Yes. Based on information presented at the hearing, the Planning Commission found the project would materially endanger public health or safety. The Commission indicated that public health and safety had not been protected by the approved septic system as it was installed without an engineered design. Likewise, the Commission found grading and drainage work performed on the lot was done in an improper manner.

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

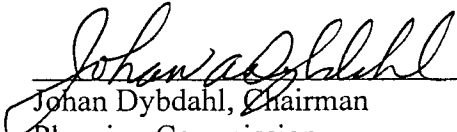
Yes. Based on information presented at the hearing, the Planning Commission found the garage/apartment building was not in harmony with the neighborhood, as few lots contain multiple dwelling units in separate structures. Also regarding neighborhood harmony, the Commission found it could not grant an accessory apartment permit without the existence of a primary residence, established by the issuance of a Certificate of Occupancy.

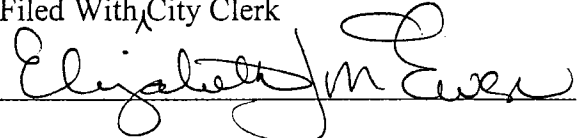
Further, the Commission noted the following building code issue: applicant may need to upgrade the lot's waterline size before approval of an accessory apartment permit.

Attachments: May 21, 2002 memorandum from Monique Wheeler, Community Development to the CBJ Planning Commission regarding USE2002-00011.

This Notice of Decision constitutes a final decision of the CBJ Planning Commission. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (c).

Project Planner: 
Monique Wheeler, Planner


Johan Dybdahl, Chairman
Planning Commission

Deputy
Filed With City Clerk

June 18, 2002

cc: Plan Review

NOTE: The Americans with Disabilities Act (ADA) is a federal civil rights law that may affect this development project. ADA regulations have access requirements above and beyond CBJ - adopted regulations. Owners and designers are responsible for compliance with ADA. Contact an ADA - trained architect or other ADA trained personnel with questions about the ADA: Department of Justice (202) 272-5434, or fax (202) 272-5447, NW Disability Business Technical Center 1 (800) 949-4232, or fax (360) 438-3208.