

**BOARD OF ADJUSTMENT
NOTICE OF DECISION**

Date: February 28, 2007

File No.: VAR2007-00005

Baxter Bruce and Sullivan, LLC
P.O. Box 32819
Juneau, AK 99803

Application For: Variance to allow construction 310 feet from an active eagle's nest between March 1st and August 31st.

Legal Description: Professional Plaza Condo, Phase 1

Parcel Code No.: 5-B16-0-114-004-5

Hearing Date: February 27, 2007

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated February 21, 2007 and approved the Variance for construction within 310 feet of an active eagle's nest. The development is to be conducted as described in the project description and project drawing submitted with the application.

Attachment: February 21, 2007 memorandum from Greg Chaney, Community Development to the CBJ Board of Adjustment regarding VAR2007-00005.

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

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

Effective Date: The permit is effective upon approval by the Board, February 27, 2007

Expiration Date: The permit will expire 18 months after the effective date or August 27, 2008, if no Building Permit has been issued and substantial construction progress has not been made in accordance with the plans for which the development permit was authorized. Application for permit extension must be submitted thirty days prior to permit expires.

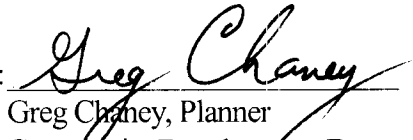
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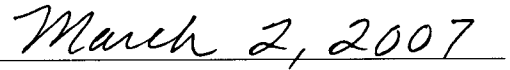
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Project Planner:


Greg Chaney, Planner
Community Development Department


Marshal Kendziorek, Chairman
Planning Commission


Filed With City Clerk


Date

cc: Plan Review

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