

# MEMORANDUM

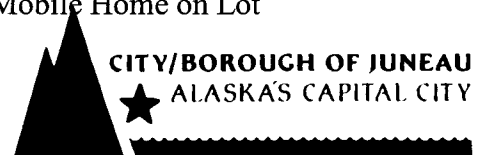
CITY/BOROUGH OF JUNEAU  
155 South Seward Street, Juneau, Alaska 99801

**DATE:** April 17, 2005  
**TO:** Planning Commission  
**FROM:** Ben Lyman, Planner  
Community Development Department  
**FILE NO. :** USE2005-00012 Conditional Use

**PROPOSAL:** A Conditional Use Permit for a 520 square foot mobile home to be attached to a garage and to be allowed as an Accessory Apartment to a proposed new single-family dwelling.

## GENERAL INFORMATION

Applicant: John S. and Catherine J. Sweeny  
Property Owner: John S. and Catherine J. Sweeny  
Property Address: 8175 Threadneedle St.  
Legal Description: Golden Nugget Subdivision, Block G, Lot 7  
Parcel Code Number: 5-B24-0-142-014-0  
Site Size: 20,038 Square Feet  
Zoning: D-5, Single-family and Duplex  
Utilities: CBJ Water & Sewer  
Access: Threadneedle St.  
Existing Land Use: Mobile Home on Lot  
Surrounding Land Use: North - Single-Family Residence, Mobile Home on Lot  
South - Threadneedle St., Mobile Home on Lot, Common Wall Dwellings  
East - Mobile Home on Lot, Duplex  
West - Single-Family Residence, Mobile Home on Lot



## **ATTACHMENTS**

Attachment A: Site Plan, USE2005-00012  
Attachment B: Assessor's Photo  
Attachment C: USE2005-00012 Project Narrative, Dated March 16, 2005  
Attachment D: Site Plan, Building Permit No. 9672

## **PROJECT DESCRIPTION**

The applicant requests a Conditional Use permit for use of an existing mobile home on the subject property as an accessory apartment. Use of the mobile home as an accessory apartment will require conversion of the existing carport into a garage, and will allow a single-family residence to be constructed on the subject property. See Attachment A for the proposed site plan.

## **BACKGROUND**

A pre-application meeting was held on March 15, 2005 for this project. City and Borough of Juneau staff in attendance included the Building Official and representatives of the Planning Division and General Engineering. Issues discussed at the meeting included building code compliance and utility connections.

## **ANALYSIS**

**Project Site** – The project site is densely forested, but does not have wetlands or other habitat issues. The site is outside of mapped flood zones and other mapped hazard areas.

**Project Design** – The project design is a straightforward conversion of an existing carport into a garage—the use of the existing mobile home would not change, but it would be considered an accessory apartment for purposes of permitting the construction of a single-family residence on the subject parcel.

There appears to be an error shown in the project site plan (Attachment A) in the distance between Threadneedle St. and the front of the existing mobile home. Attachment D, the site plan for building permit no. 9672, shows this distance as 20', while Attachment A shows it as 30'. The distance appears to be closer to 20' than to 30', as shown in Attachment B, a photo of the existing mobile home. The required front yard setback in this zoning district is 20', and compliance with this setback will be required under any building permit issued for conversion of the existing carport into a garage.

Because of the shape of the lot and the existing structure's orientation on the lot, the carport/garage is farther from the front property line than is the mobile home, and it appears that the required setback will be met without the need for a variance.

**Traffic** – The parcel is within the D-5, single-family and duplex zoning district. The lot is more than large enough for a duplex to be permitted on the lot, and an accessory apartment that was attached to the primary dwelling would be allowed through the departmental review process. No additional traffic will be associated with this project than would be with any other allowable configuration of two dwelling units on the lot.

**Parking and Circulation** – There is a large discrepancy between the distances shown on the site plan (Attachment A) between the front property line and the existing structure (30') and the distance shown in the Assessor's Photo of the existing structure (Attachment B). However, Attachment B does clearly show the two required on-lot parking spaces, and additional parking spaces would be created at the time of the construction of any new residence on the lot. Back-out parking is allowed from single-family residences and duplexes.

**Noise** – No additional noise is expected to be created on the subject parcel or within the existing dwelling because of approval of its use as an accessory apartment. A second dwelling unit is allowed by right on this lot; only the configuration of the dwellings as proposed requires a Conditional Use permit.

**Lighting** – No adverse affects of lighting are expected to be created on the subject parcel or within the existing dwelling because of approval of its use as an accessory apartment. A second dwelling unit is allowed by right on this lot; only the configuration of the dwellings as proposed requires a Conditional Use permit.

**Vegetation** – The subject parcel is densely wooded, and the applicant proposes to remove only the minimum number of trees as part of their development of the subject parcel. According to the project narrative (Attachment C), the applicants "intend to keep the footprint small enough so as to leave a house that will seem to be in a natural forest," and "because of the trees [the] new house will only be visible from the back yard of one of [the property's] neighbors."

**Public Health or Safety** – There is no evidence in the record that the project as proposed has any effect on public health or safety.

**Property Value or Neighborhood Harmony** – There is no evidence in the record that the project as proposed has any effect on property value or neighborhood harmony; although the construction of a second dwelling on the lot will undoubtedly raise the value of the subject parcel itself.

**Conformity With Adopted Plans** – The subject parcel is within an area designated as an Urban/Low Density Residential area in the Comprehensive Plan. This land use designation is for "urban/suburban residential land for detached single-family units, duplex and zero-lot-line units at densities of one to six dwelling units per acre; may include mobile homes where specifically permitted." Built-out with existing and proposed dwelling units, the density on the subject parcel would be 4.347 dwelling units per acre, well within the range of appropriate densities as designated

in the Comprehensive Plan.

**Juneau Coastal Management Program** – No provisions of the JCMP apply to this project.

### **FINDINGS**

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

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

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

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

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

Per CBJ §49.15.300 (e)(1)(A thru C), Review of Director's Determinations, the Director makes the following findings on the proposed development:

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

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

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

**Yes.** The requested permit is appropriate according to the Table of Permissible Uses. The permit is listed at CBJ §49.25.300, Section 1.130, for the D-5 zoning district.

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

**Yes.** The proposed development complies with the other requirements of this chapter. Public notice of this project was provided in the April 15 and April 25, 2005 issues of the Juneau Empire's "Your Municipality" section, and a Notice of Public Hearing was mailed to all property owners within 500 feet of the subject parcel. Moreover, a Public Notice Sign was posted on the subject parcel, visible from the public right of way.

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

**No.** There is no evidence in the record that the proposed development will materially endanger the public health or safety.

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

**No.** There is no evidence in the record that the proposed development will substantially decrease the value of or be out of harmony with property in the neighboring area.

**6. *Will the proposed development not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans?***

**Yes.** There is no evidence in the record that the project will be in general nonconformity with officially adopted plans.

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

**Not applicable.**

**RECOMMENDATION**

It is recommended that the Planning Commission adopt the Director's analysis and findings and grant the requested conditional use permit. The permit would allow the consideration of the existing mobile home on the subject parcel as an accessory apartment after the existing carport is converted into a garage and all applicable building code requirements have been met for said conversion. A single-family residence could then be constructed on the lot, as shown in Attachment A.

# ALLOWABLE/CONDITIONAL USE APPLICATION

(APPLICANT PLEASE FILL IN TOP PORTION OF PAGE AFTER FIRST LINE AS A MINIMUM)

Project Number	Project Name	Case Number	Date Received
	Sweeney CU For Acces. Apt	USE 2005-00017	3/15/05

APPLICANT INFORMATION

DESCRIBE THE PROJECT FOR WHICH AN ALLOWABLE OR CONDITIONAL USE APPROVAL IS NEEDED. ATTACH A DETAILED DESCRIPTIVE LETTER ABOUT THE PROJECT DESCRIBED IN THIS APPLICATION.

Convert existing carport into a garage for accessory apartment. In order to build a detached three bedroom home to the rear of the existing building.

MODIFICATION OF EXISTING APPROVAL?  No  Yes - CASE NUMBER \_\_\_\_\_

EXISTING USE OF LAND AND/OR BUILDING(S):  
residential mobile home and carport

PROPOSED USE OF LAND AND/OR BUILDING(S):  
single family home and accessory apartment with garage

UTILITIES PROPOSED WATER:  Public  On Site SEWER:  Public  On Site

SITE DIMENSIONS: ~~width 13.5 ft depth 200~~  
Width 100 ft. Depth 200 ft. Total Area 20,000 square feet

DIMENSIONS OF STRUCTURE: length 50' (Outside Dimensions) 13 1/2 ft width  
Length 50 ft. Width 10 ft. Height 8 ft. Total Area 520 square feet *Trailer*

SIGNS: Sign Approvals are a separate permit approval. Provide sign plan as an information item.

EXTERNAL LIGHTING  
Existing to remain  No  Yes - provide fixture information, illumination pattern, and location of lighting fixtures.  
Proposed  No  Yes - provide fixture information, illumination pattern, and location of lighting fixtures.

PARKING  
Existing Spaces: 4 Proposed Spaces: 6

PLEASE NOTE: INCOMPLETE APPLICATIONS MAY NOT BE SCHEDULED FOR PLANNING COMMISSION ACTION. UNACCEPTED APPLICATIONS WILL BE RETURNED TO THE APPLICANT FOR COMPLETION.

CIRCLE TYPE OF PERMIT: ALLOWABLE USE <input type="checkbox"/> <b>CONDITIONAL USE</b> <input checked="" type="checkbox"/>		TABLE OF PERMISSIBLE USES CATEGORY:		
	Fees	Check No.	Receipt No.	Date
Application Fees	\$ 300.00			
Adjustment	\$ 2.00			
Public Notice Sign Fee	\$ 50.00			
Public Notice Sign Deposit	\$ 100.00			
Total Fee	\$ 452.00	3127	19900	3/15/05

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NOTE: MUST BE ACCOMPANIED BY "DEVELOPMENT PERMIT APPLICATION" FORM WHICH HAS LAND OWNER OR LESSEE CONSENT SIGNED

# DEVELOPMENT PERMIT APPLICATION

(APPLICANT - PLEASE FILL IN THE PROJECT/APPLICANT INFORMATION)

Project Number	<b>CITY and BOROUGH of JUNEAU</b>	Date Received: <b>3/15/05</b>
Project Name (City Staff to assign name) <b>Sweeney CU for Accessory Apt</b>		

PROJECT / APPLICANT INFORMATION

Project Description **Convert existing carport into garage for accessory apartment**

**PROPERTY LOCATION**

Street Address **8175 Threadneedle St.** City / Zip **Juneau, AK 99801**

Subdivision (if known) **Golden Nugget** Survey (if known) \_\_\_\_\_ Block / Tract (if known) **G** Lot (if known) **7**

Assessor's Parcel Number (if known) **5B7401420140**

**LANDOWNER / LESSEE**

Property Owner's Name  Contact by E-Mail: **catsneys@acsalaska.net** Contact Person **John & Catherine** Work Phone No. \_\_\_\_\_

**John S. & Catherine J. Sweeney**

Mailing Address **PO Box 32691 Juneau AK 99803** Home Phone No. **907-789-2643** FAX No. \_\_\_\_\_

**LANDOWNER / LESSEE CONSENT** (Required for Planning permits not needed on Building/Engineer permits)

I am (we are) the owner(s) or Lessee of the property subject to this application and I (we) consent as follows:

A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission.

B. I (we) grant permission for officials and employees of the City and Borough of Juneau to inspect my property as needed for purposes of this application.

X **[Signature]** **March 15 05**

X **[Signature]** **3/15/05**

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

INITIAL ALL THAT MAY APPLY	
APPLICATION TYPE	OWNER'S INITIALS
ALLOWABLE USE	
CONDITIONAL USE	<b>JS</b>
VARIANCE	
DESIGN REVIEW	
SUBDIVISION	
OTHER _____	

**APPLICANT** (If same as OWNER, write "SAME" and sign and date at X below)

Applicant's Name  Contact by E-Mail: **catsneys@acsalaska.net** Contact Person \_\_\_\_\_ Work Phone No. \_\_\_\_\_

**SAME**

Mailing Address \_\_\_\_\_ Home Phone No. \_\_\_\_\_ FAX No. \_\_\_\_\_

X **[Signature]** X **March 15 05**

Applicant's Signature Date of Application

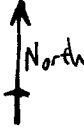
(OFFICE USE ONLY BELOW THIS LINE)

C K	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.
	ALLOWABLE USE APPROVAL					SEWER PERMIT		
	VARIANCE					GRADING PERMIT		
	DESIGN REVIEW APPROVAL					DRIVEWAY PERMIT		
	SUBDIVISION					RIGHT-OF-WAY PERMIT		
	STREET VACATION					PUB. FAC. TRANSMISS. & EXCAV. PERMIT		
	SIGN APPROVAL					OTHER - (Describe)		
	BUILDING PERMIT					Permit Intake Initials		<b>[Signature]</b>

Zone \_\_\_\_\_ Total Lot Area \_\_\_\_\_ Required Setbacks Front \_\_\_\_\_ Back \_\_\_\_\_ Side \_\_\_\_\_ Other \_\_\_\_\_

COMMENTS:

ATTACHMENT A

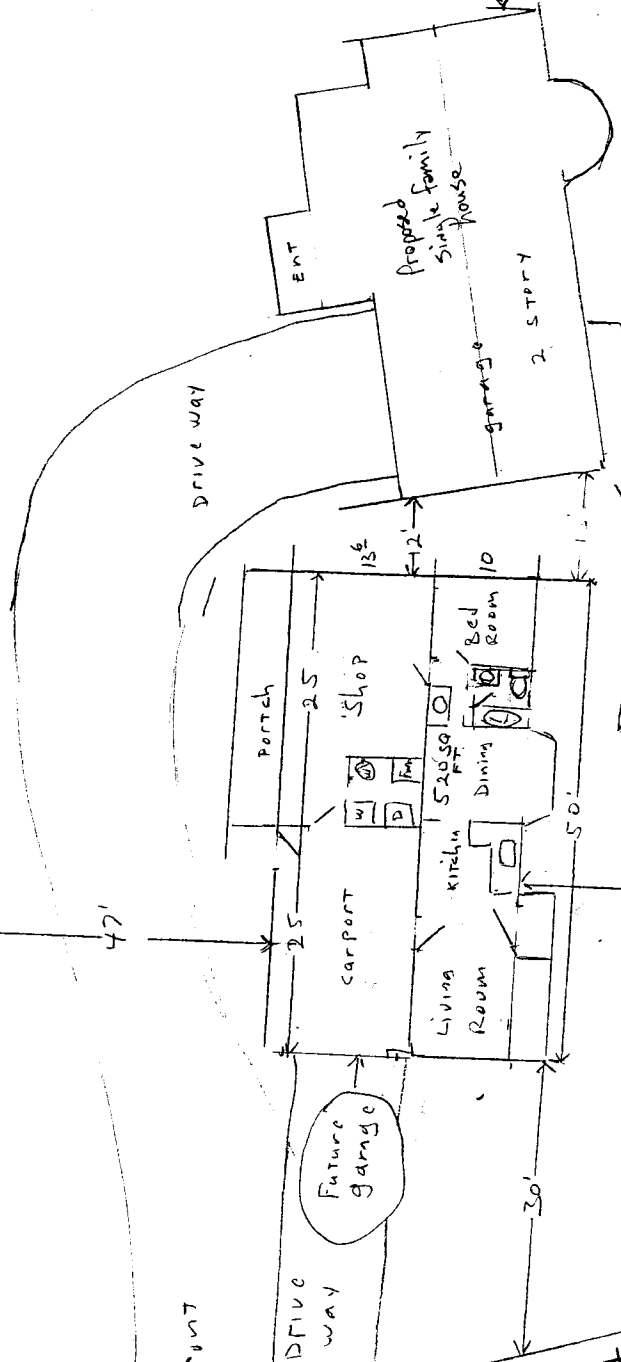


side

238.32'

side 196.86'

8175 Threadneedle



EXISTING POWER

TO SEWER

30'

30'

Threadneedle St

47'

DRIVE WAY

DRIVE WAY

Future Garage

CARPORT

porch

Shop

Living Room

Kitchen

Dining

Bed Room

10

50'

13.5

12

25

25

10

10

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10

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238.32'

side 196.86'

8175 Threadneedle

EXISTING POWER

TO SEWER

30'

30'

Threadneedle St

47'

DRIVE WAY

DRIVE WAY

Future Garage

CARPORT

porch

Shop

Living Room

Kitchen

Dining

Bed Room

10

50'

13.5

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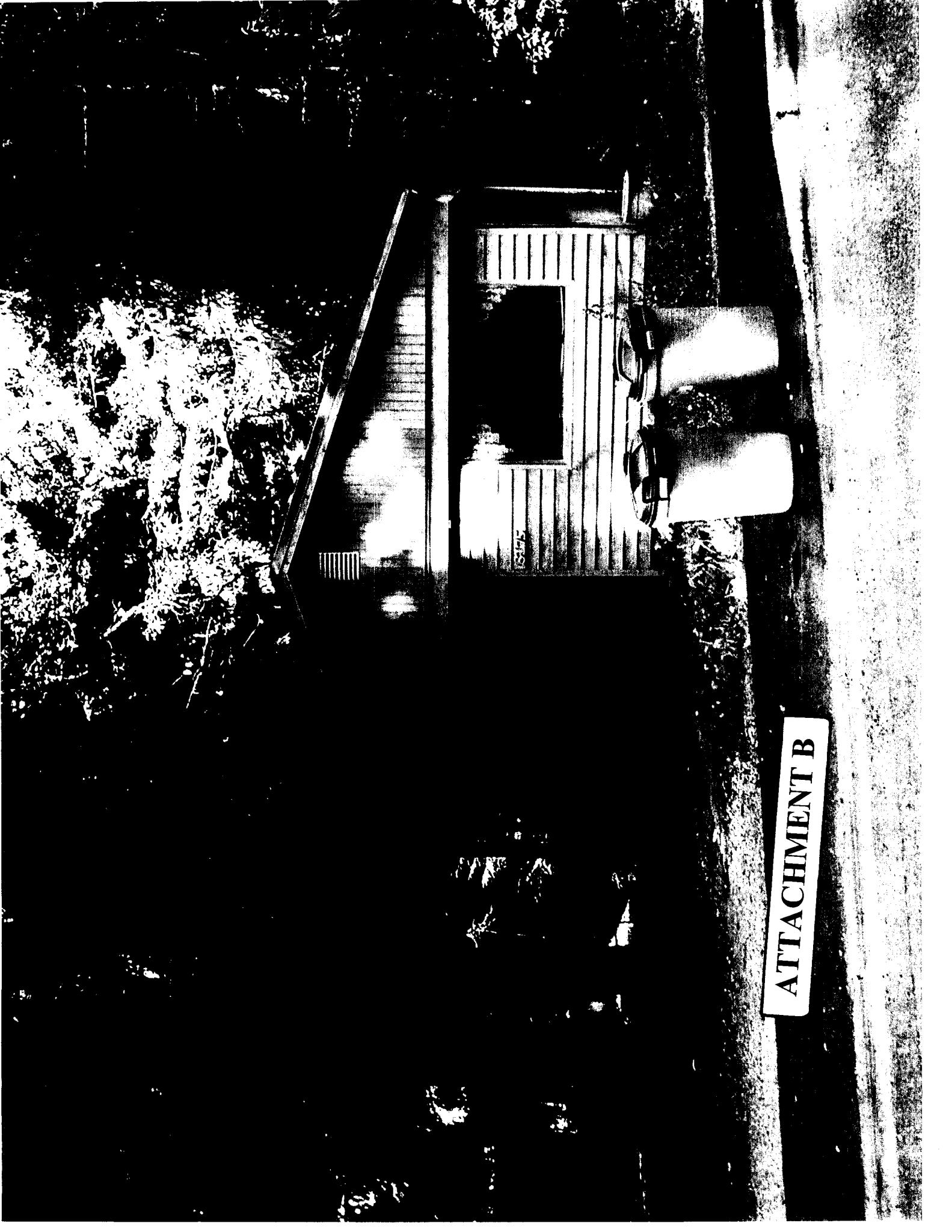
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ATTACHMENT B

March 16, 2005

Ladies and Gentlemen to whom this may concern,

**ATTACHMENT C**

My wife and I are applying for a conditional use permit in order to build a new home. The property we own is in a D-5 area and is zoned for duplex. The existing structure consists of a 10x50 trailer with a carport and new metal pitched roof over the entire structure, the interior is in nice shape. Our problem with adding on to the existing structure is that the loaning institutions consider anything attached to the existing structure will become a mobile home. It would be outside their requirements for financing.

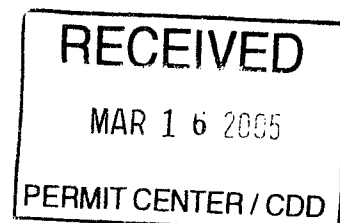
After speaking with Tim McGuire concerning our problem he suggested the possibility of converting our existing building into an accessory apartment by converting the carport into a garage. On March 15<sup>th</sup> we had a conference with a few of the CBJ members of the building department concerning this project, and we were shown the modifications necessary to meet fire standards and building code requirements.

The site for our new home is not located within the flood plain, avalanche, watershed, wetlands, ect, and will not exceed setback and vegetation requirements.

Our plan is to build a detached 1500 sq. ft., 3 bedroom home behind the existing trailer. By doing so we believe our property will be greatly enhanced and this will make the financing of this project possible.

We have lots of trees on our property and intend to keep the footprint small enough so as to leave a house that will seem to be in a natural forest.

We will get the necessary building permit and complete all necessary work on existing building so it will meet the requirements for an accessory apartment and garage. The existing trailer is 520 sq. ft., and is very nice; it actually looks like a house and not a trailer, because of this, we didn't want to tear it down.



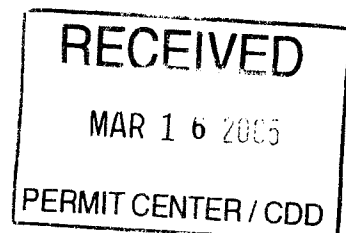
The area where the house will sit is in a glacier area and is sandy and rocky, and has not held any water since we've been here. We have about four or five parking spaces already and will add two more with the new house. From what we now understand there will be no problem hooking up to city water and sewer, Paul Beck explained how all this would probably be done.

Because of the trees our new house will only be visible from the back yard of one of our neighbors. I have been in the construction industry for many years, and have worked with CBJ with a couple of commercial buildings.

Our hope is to be a intricate part of Juneau, Alaska, a great place to live.

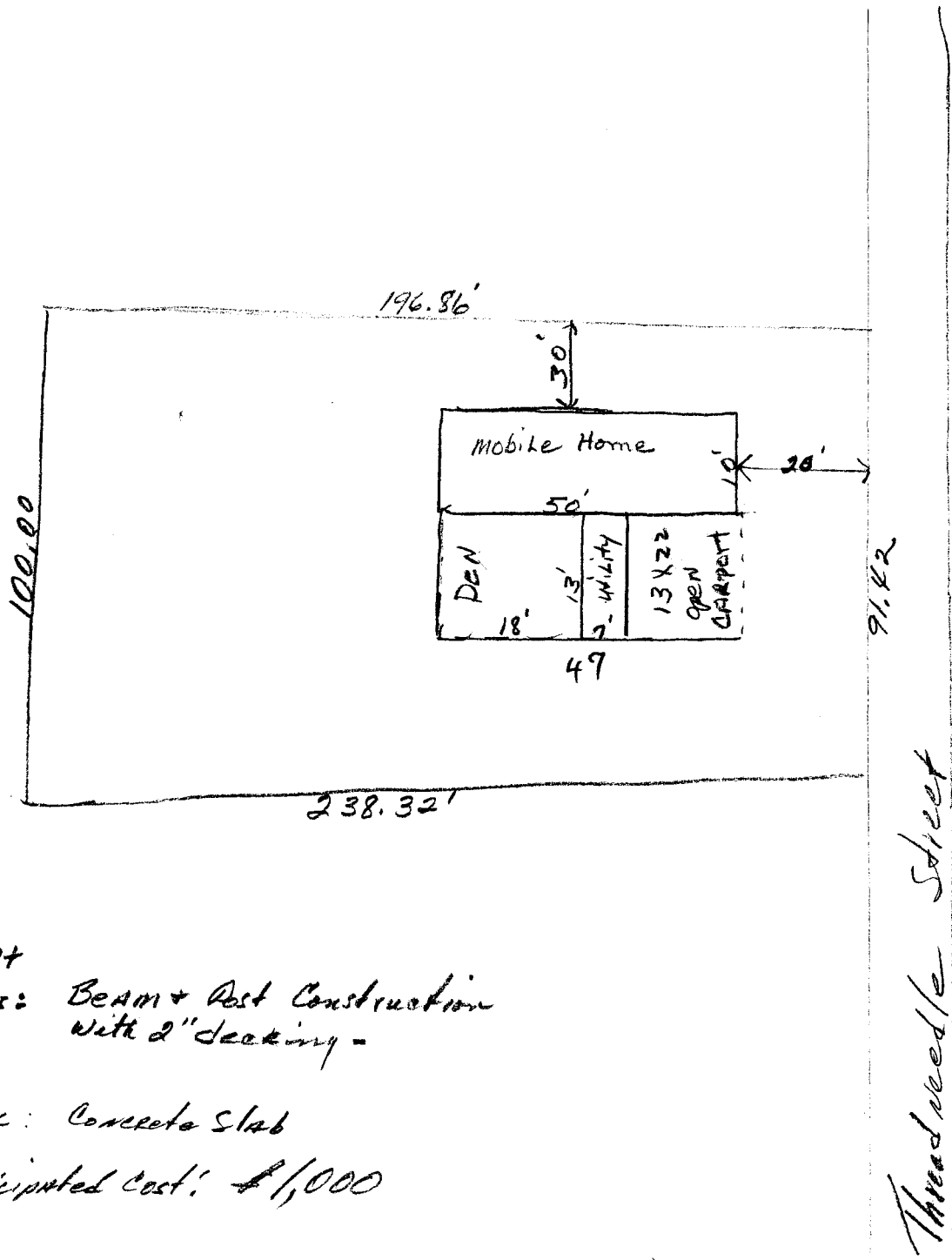
Sincerely Yours,

John and Cathie Joy Sweeney



Lot 7 Blk G USS No. 1527  
 Grid Nugget Subdivision

**ATTACHMENT D**



Site plan from Building Permit No. 9672

FLAT  
 Roof: Beam + Post Construction  
 with 2" decking -

Floor: Concrete Slab

Anticipated cost: \$1,000

(Caesote post set in concrete 3 1/2' deep)

RALPH SHEPHERD