

# MEMORANDUM

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

**DATE:** July 18, 2005  
**TO:** Planning Commission  
**FROM:** Teri Camery, Planner  
Community Development Department  
**FILE NO.:** USE2005-00033 - Conditional Use

**PROPOSAL:** A Conditional Use permit for the addition of a dormer to the second floor of a house with legally non-conforming setbacks. A pitched roof will be added over the existing flat roof and over the new dormer area.

## GENERAL INFORMATION

**Applicant:** Gregory Beck & Shari Paul  
**Property Owner:** Gregory Beck & Shari Paul  
**Property Address:** 713 W. 12<sup>th</sup> Street  
**Legal Description:** Casey Shattuck BL 227 LT 3  
**Parcel Code Number:** 1-C06-0-C27-002-0  
**Site Size:** 3,600 square feet  
**Zoning:** Light Commercial  
**Utilities:** CBJ Water and Sewer  
**Access:** W. 12<sup>th</sup> St.  
**Existing Land Use:** Residential  
**Surrounding Land Use:** North - W. 12<sup>th</sup>, Light Commercial  
South - Alley/residence in Light Commercial  
East - Residence in Light Commercial  
West - Residence in D-5 Residential



## **PROJECT DESCRIPTION**

The applicant requests a Conditional Use permit for the development of second floor dormer and bathroom on a lot with pre-existing non-conforming setbacks. A pitched roof will be added over an existing flat roof and over the new dormer area.

The lot has a legally non-conforming setback of 3.6 feet on the northeast side, where 10 feet are required in the Light Commercial zone. Other setbacks meet code requirements. The second story addition to this non-conforming building requires a Conditional Use permit, per CBJ Code §49.25.430 (4) (L), which reads:

*The commission, through the conditional use permit process, may allow the addition of a second or third story atop an existing enclosed structure which projects into a required yard setback if the structure is either lawfully non-conforming or if a variance was previously granted for the structure. The commission may deny such request if it finds that the addition would result in excessive blockage of views, excessive restriction of light and air, or other deleterious impacts.*

## **ANALYSIS**

**Project Site** – The residence is in the Light Commercial Zone, bordering the D-5 residential zone on the east side. The lot is 3,600 square feet, where 2,000sf is required in the LC zone. There are no outstanding or unusual features of the site.

**Project Design** – The home currently has a second floor dormer on the west side of the home. The proposed project would add a bathroom and new dormer on the east side of the home and add a pitched roof over the existing flat roof on both sides. The CBJ Building Division has reviewed the project and has no concerns with the development, including the work on the side of the home with the 3.6-foot side yard setback.

**Blockage of Views** – The residences immediately to the east and west of the proposed project will be most affected by the proposal. The second floors of these residences already face directly into the proposed development; i.e. any views toward this direction are already blocked by the home. The proposed re-roof and dormer will not block any views that are not already blocked. The Carson-Dorn business office is across the street from the home to the north, and will not be affected by the change. The home to the south is across the alley and some distance back into the yard; views from this home will not be affected.

**Restriction of Light and Air, and other Deleterious Impacts-** Staff sees no evidence that the proposed development will cause significant restriction of light and air or other impacts.

**Juneau Coastal Management Program** - The project does not affect habitat; no enforceable policies of the JCMP apply.

## **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 submittal by the applicant, including the appropriate fees, substantially conforms to the requirements of CBJ Chapter 49.15.

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

**Yes.** The TPU allows a single-family dwelling in this zoning district. The proposed use is specifically allowed with a Conditional Use permit, per CBJ Code 49.25.430(4)(L).

***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 July 15 and 25 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.** No evidence indicates that the proposed development will materially endanger the public health or safety.

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

**No.** Per the staff analysis, the proposed development will not adversely block views or be out of harmony with property in the area.

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

**Yes.** The project is in conformity with adopted plans.

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

**Not applicable.** The project does not affect habitat; no enforceable policies of the JCMP apply.

**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 development of a second floor dormer and new pitched roof.

# DEVELOPMENT PERMIT APPLICATION

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

Project Number	<b>CITY and BOROUGH of JUNEAU</b>	Date Received: <b>6/13/05</b>
Project Name (City Staff to assign name)	<b>Beck Dormer / Reroof</b>	

PROJECT / APPLICANT INFORMATION

Project Description <b>ADDING A SMALL DORMER TO AN EXISTING SECOND FLOOR THE DORMER AREA WILL BE A SMALL BATHROOM. RE-ROOFING THE EXISTING ROOF. A PITCHED ROOF WILL BE ADDED OVER AN EXISTING FLAT ROOF AND DORMER AREA</b>			
PROPERTY LOCATION			
Street Address <b>713 W. 12th St.</b>		City/Zip <b>99801</b>	
Subdivision (if known) <b>Cary-Shatuck</b>	Survey (if known)	Block/Tract (if known) <b>221</b>	Lot (if known) <b>3</b>
Assessor's Parcel Number (if known) <b>106600270020</b>			
LANDOWNER / LESSEE			
Property Owner's Name <b>Gregory G Beck + Shari Paul</b>		Contact Person <b>Greg Beck</b>	Work Phone No. <b>463-1779</b>
Mailing Address <b>713 W. Twelfth St</b>		Home Phone No. <b>586-2038</b>	FAX No.
LANDOWNER/LESSEE CONSENT (Required for Planning permits not needed on Building/Engineer permits)		INITIAL ALL THAT MAY APPLY	
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.		APPLICATION TYPE	OWNER'S INITIALS
X <u>[Signature]</u> <u>6-13-05</u> Landowner/Lessee Signature Date		ALLOWABLE USE	<b>GB</b>
X _____ Landowner/Lessee Signature Date		CONDITIONAL USE	
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.		VARIANCE	
APPLICANT (If same as OWNER, write "SAME" and sign and date at X below)		DESIGN REVIEW	
Applicant's Name <b>SAME</b>		SUBDIVISION	
Mailing Address		OTHER _____	
X <u>[Signature]</u> Applicant's Signature			
			X <u>6-13-05</u> Date of Application

(OFFICE USE ONLY BELOW THIS LINE)

STAFF APPROVALS

C K	PERMIT TYPE	SIGN	DATE RECEIVED	APPLICATION NO.	C K	PERMIT TYPE	DATE RECEIVED	APPLICATION NO.
	ALLOWABLE USE APPROVAL					WATER PERMIT		
X	CONDITIONAL USE APPROVAL	X	6/13/05	USE05-33		SEWER PERMIT		
	VARIANCE					GRADING PERMIT		
	DESIGN REVIEW APPROVAL					DRIVEWAY PERMIT		
	SUBDIVISION					RIGHT-OF-WAY PERMIT		
	STREET VACATION					PUB. FAC. TRANSMISS. & EXCAV. PERMIT		
	SIGN APPROVAL (LOCATED IN HISTORIC DISTRICT?) <input type="checkbox"/> YES <input type="checkbox"/> NO					OTHER - (Describe)		
	BUILDING PERMIT					Permit Intake Initials	<b>GPC</b>	

Zone	Total Lot Area	Required Setbacks Front _____ Back _____ Side _____ Other _____
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COMMENTS:

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# ~~ALLOWABLE~~/CONDITIONAL USE APPLICATION

(APPLICANT PLEASE FILL IN "APPLICANT INFORMATION" AT TOP OF PAGE)

Project Number	Project Name <i>Bedroom/Reroof</i>	Case Number <i>USE 2005-00033</i>	Date Received <i>6/13/05</i>
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**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.

*ADDING A SMALL DORMER TO AN EXISTING SECOND FLOOR. THE DORMER AREA WILL BE A SMALL BATHROOM. RE-ROOFING THE EXISTING ROOF. A PITCHED ROOF WILL BE ADDED OVER AN EXISTING FLAT ROOF AND OVER THE NEW DORMER AREA*

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

EXISTING USE OF LAND AND/OR BUILDING(S):  
*SINGLE FAMILY HOME FOR RESIDENTIAL LIVING*

PROPOSED USE OF LAND AND/OR BUILDING(S):  
*SAME AS ABOVE*

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

SITE DIMENSIONS:  
Width *40* ft. Depth *90* ft. Total Area *3600* square feet

DIMENSIONS OF STRUCTURE: (Outside Dimensions)  
Length *32'6"* ft. Width *40'6"* ft. Height *18* ft. Total Area *845* square feet

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.

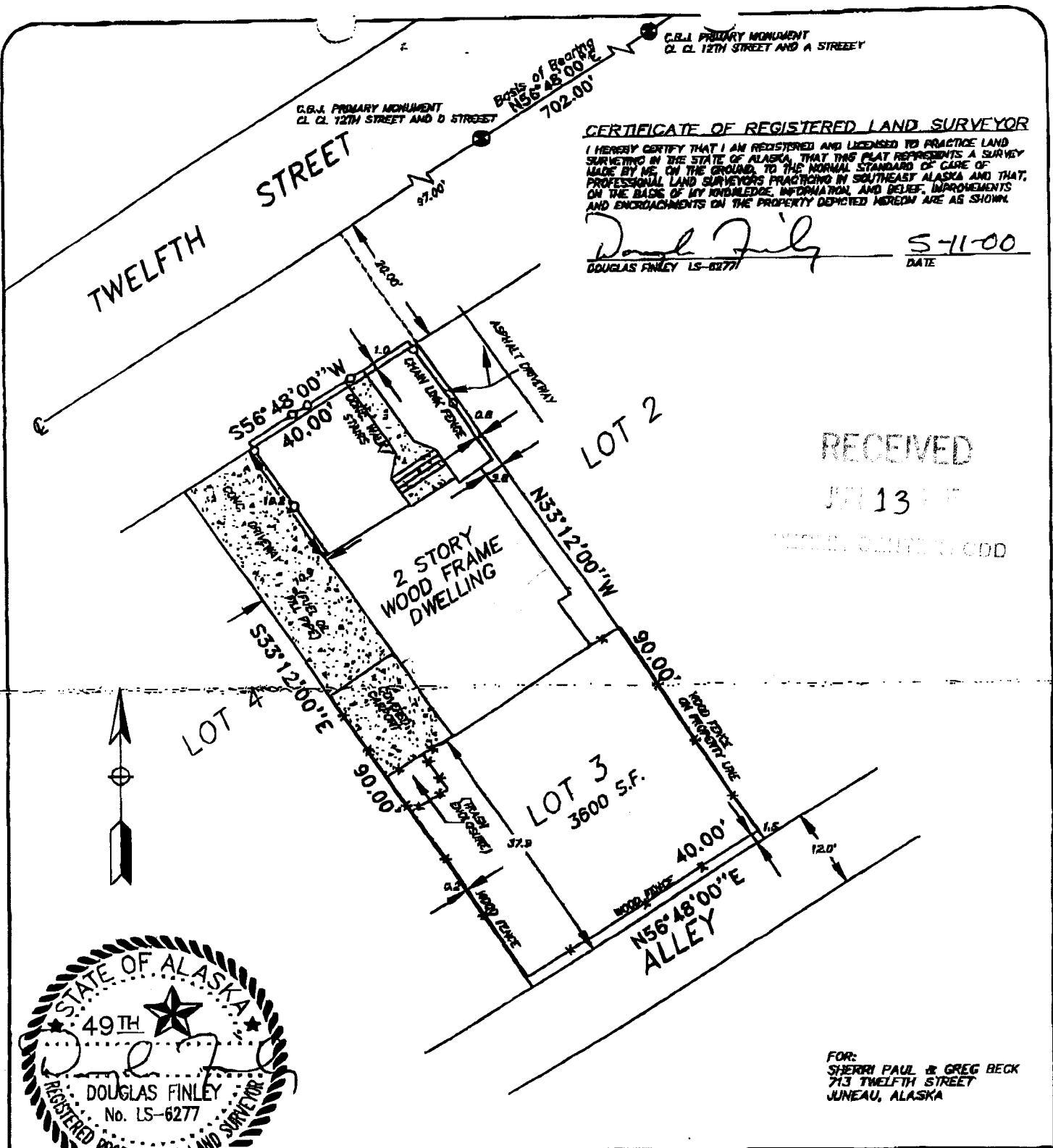
PARKING  
Existing Spaces: *Remain the same* Proposed Spaces: \_\_\_\_\_

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: <del>ALLOWABLE USE</del> / CONDITIONAL USE		TABLE OF PERMISSIBLE USES CATEGORY:	
	<u>Fees</u>	<u>Check No.</u>	<u>Receipt No.</u>
Application Fees	\$ <i>300.00</i>		
Adjustment	\$ _____		
Public Notice Sign Fee	\$ <i>50.00</i>		
Public Notice Sign Deposit	\$ <i>100.00</i>		
<b>Total Fee</b>	<b>\$ <i>450.00</i></b>	<i>4547</i>	<i>20518</i>
			<i>6/13/05</i>

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



PLAT SHOWING "AS-BUILT" SURVEY <b>LOT 3, BLOCK 227</b> <b>CASEY-SHATTUCK ADDITION</b> TO THE JUNEAU, ALASKA TOWNSITE JUNEAU, ALASKA RECORDING DISTRICT		
<b>DOUGLAS FINLEY LAND SURVEYING</b> 820 6TH STREET - JUNEAU, ALASKA (807) 586-4253		
DATE: 5/10/00	DRAWN BY: DF	PROJ. No.: 88-285 A1
		SCALE: 1" = 20'
		SHEET 1 OF 1

C:\CLTWIN\PAUL.DWG

SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD

1/8



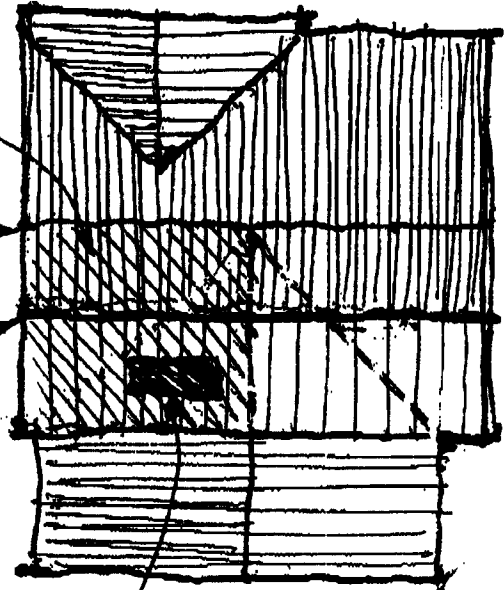
EXIST'G FLAT  
ROOF DORMER  
IN THIS AREA  
TO HAVE NEW  
PITCHED ROOF  
OVERFRAMED ATOP



EXIST'G RIDGE  
(BEING REPLACED)  
BY A BEAM  
CARRYING LAP  
JOINT OLD TO NEW

PROPOSED NEW  
RIDGE  
(AT HIGHER  
ELEVATION)

CHIMNEY TO  
BE RAISED



ROOF/SITE  
PLAN -

12th St House - Juneau AK

RECEIVED

JUN 1 2004

PERMIT CENTER CDE



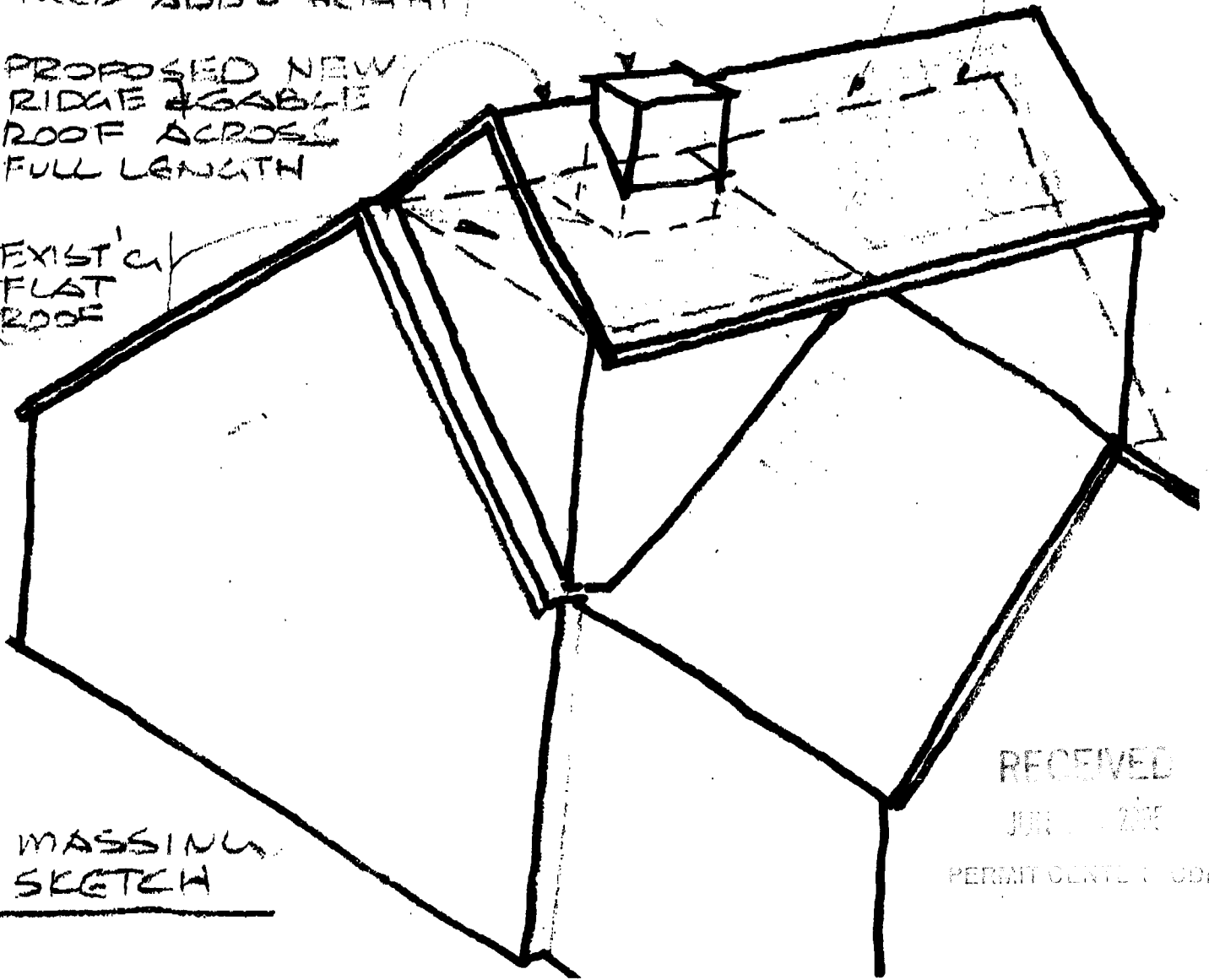
2/B

SKYLIGHTS FOR BATH & BEDROOM;  
HIGH UP & CLOSE TO RIDGE TO  
MINIMIZE LEAKAGE POTENTIAL

CHIMNEY WOULD  
NEED ADD'L HEIGHT

PROPOSED NEW  
RIDGE & GABLE  
ROOF ACROSS  
FULL LENGTH

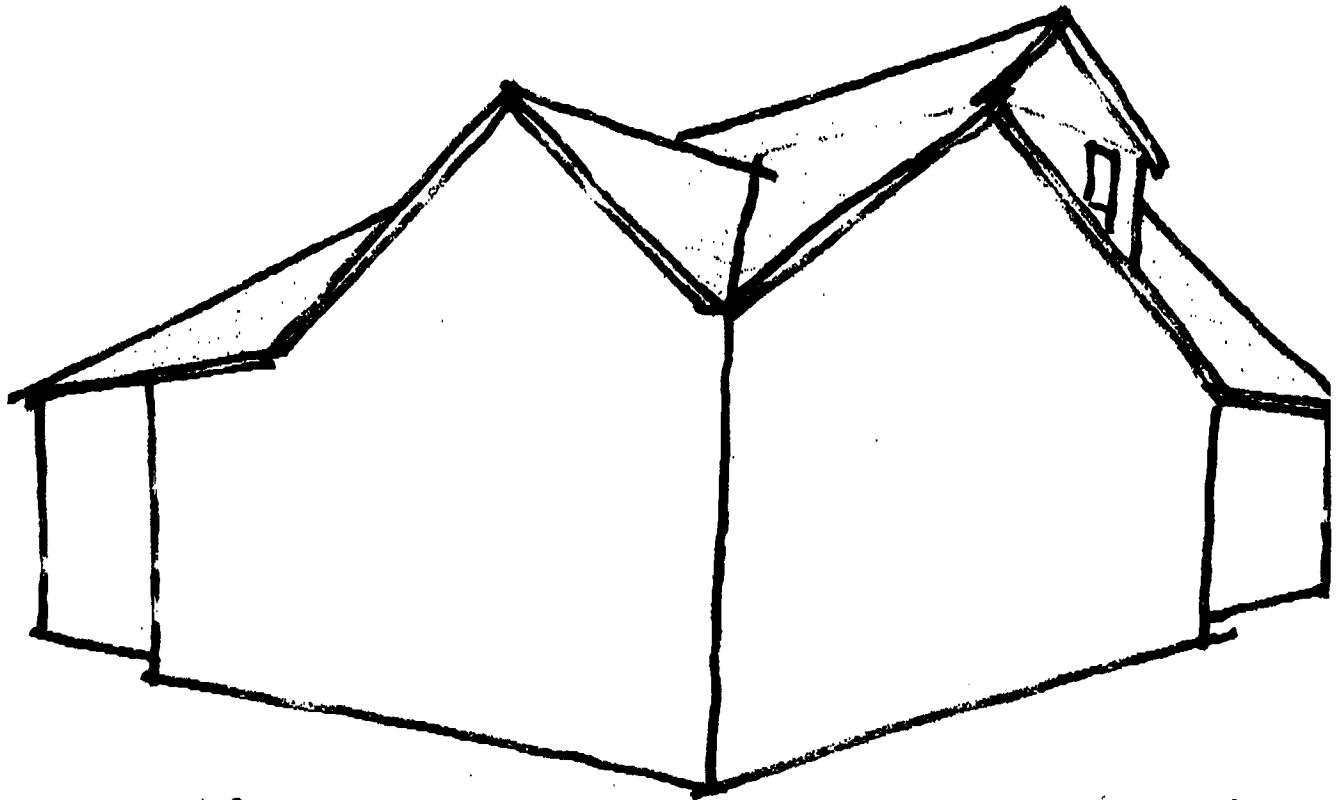
EXIST'G  
FLAT  
ROOF



MASSING  
SKETCH

D

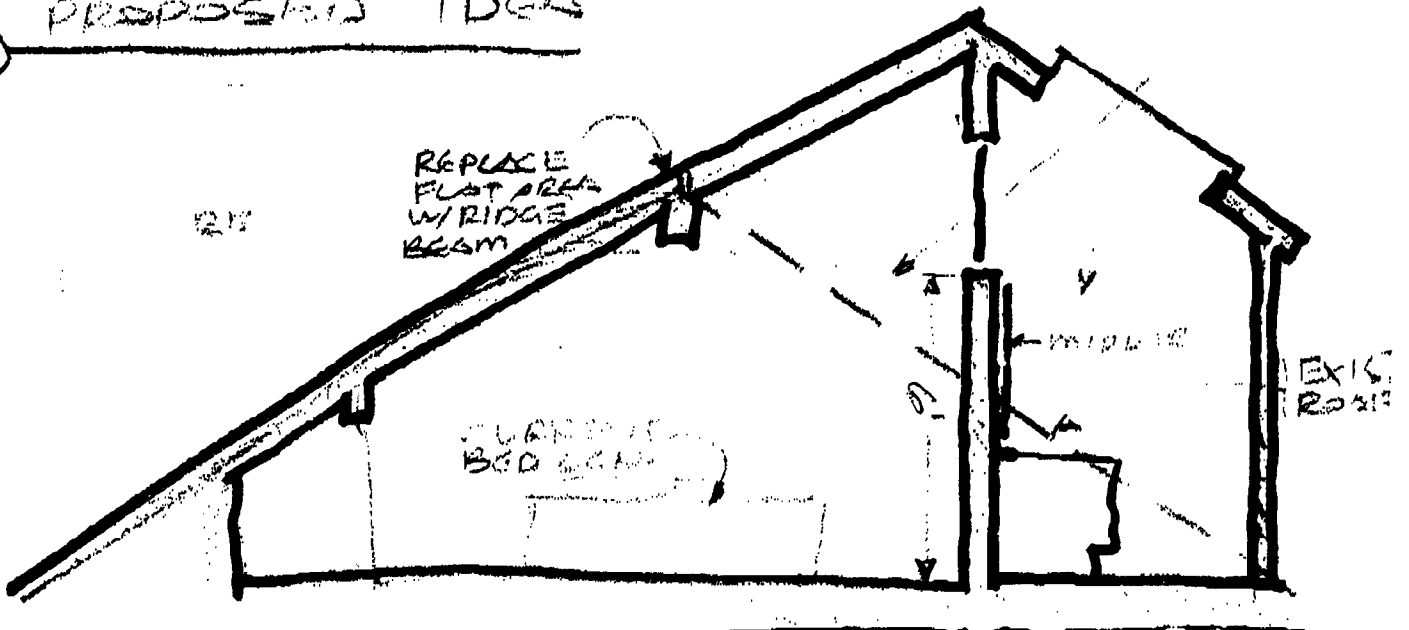
RECEIVED  
JUN 1 2004  
PERMIT CENTER - ODD



VIEW FROM STREET OF PROPOSED IDEA

SOUTHERN SUNLIGHT

2



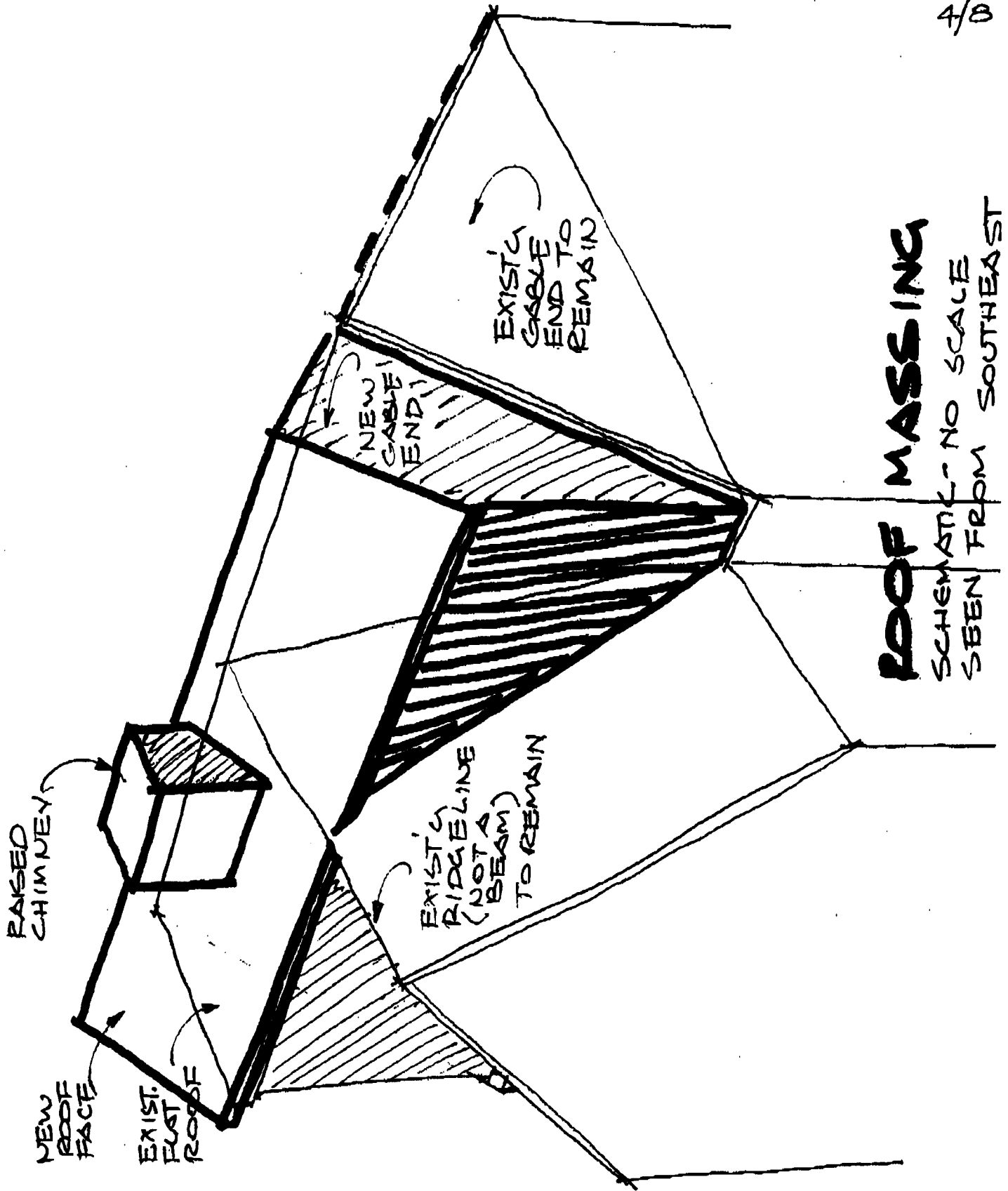
CROSS SECTION SHOWING HOW BEDROOM & BATH SHARE LIGHT FROM SKYLIGHTS

RECEIVED

PERMIT CENTER

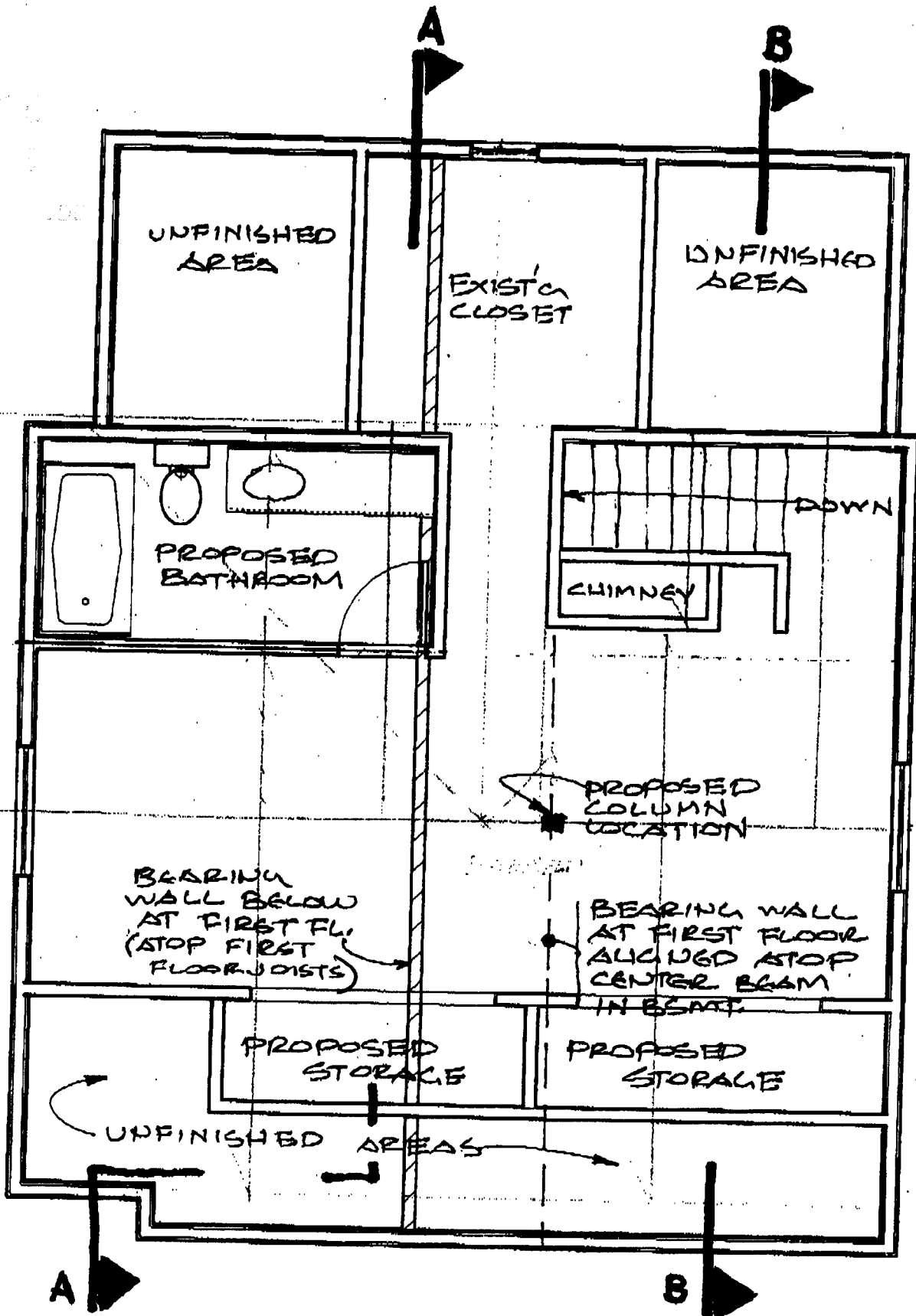
PERMIT CENTER/CDD

3



**ROOF MASSING**  
 SCHEMATIC - NO SCALE  
 SEEN FROM SOUTHEAST

PROVIDED  
 10/1/04

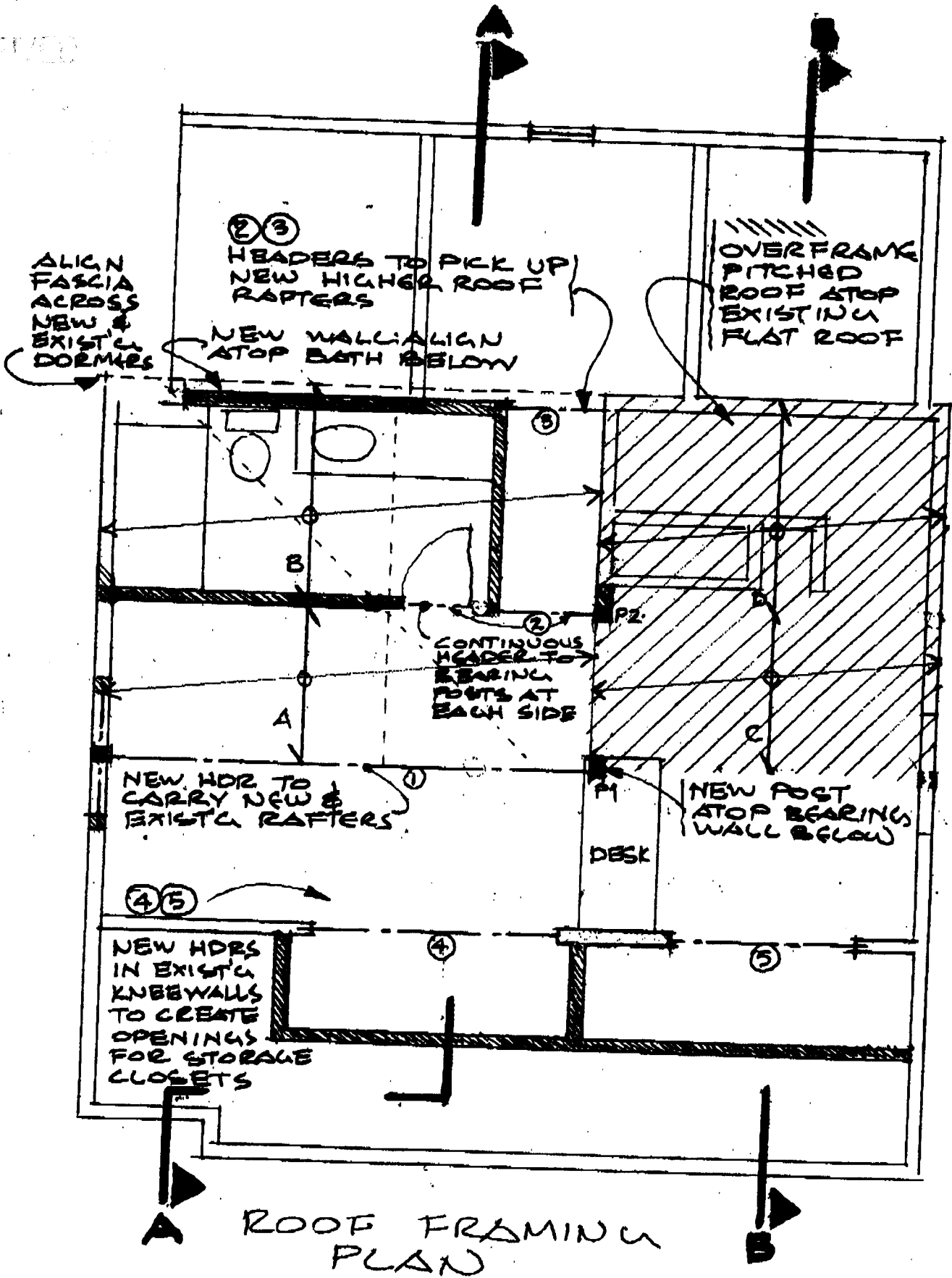


# SECOND FLOOR PLAN

12th Street

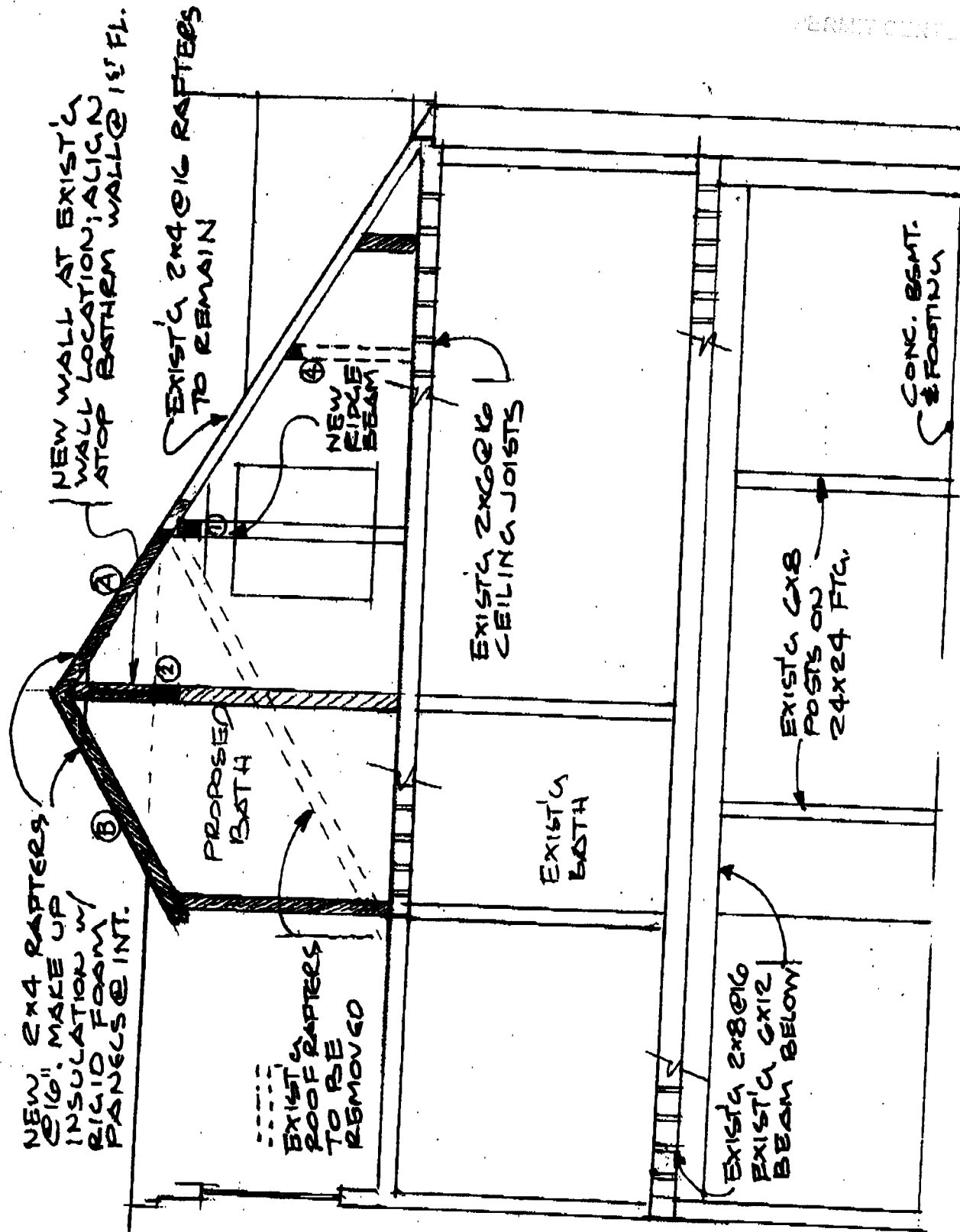
6/8

RECEIVED



ROOF FRAMING PLAN

RECEIVED  
 JUL 14 2005  
 PERMIT CENTER - ODD



**SECTION A-A**

7/8

8/8

RECEIVED

PROJECT NO. 23-008

NEW ROOF OVERFRAMED ON EXIST'G FLAT CHIMNEY TO BE RAISED; MTL. T.S.P.

EXIST'G FLAT ROOF TO REMAIN

BRACE OVER - FRAMING TO EXIST'G BEARING WALLS BELOW



SECTION B-B

RECEIVED

JUN 1 2016

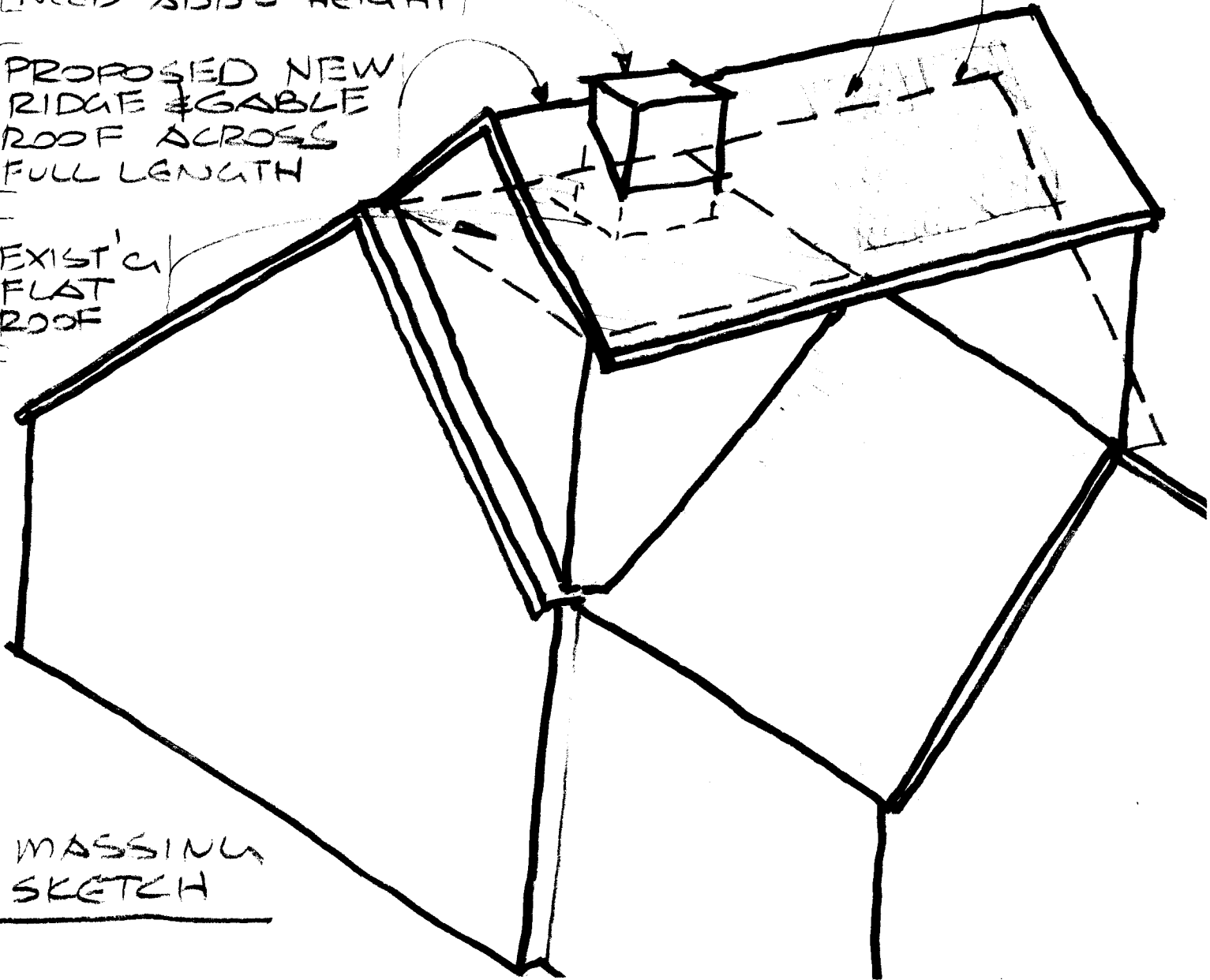
PERMITS CENTER / CDD

SKYLIGHTS FOR BATH & BEDROOM;  
HIGH UP & CLOSE TO RIDGE TO  
MINIMIZE LEAKAGE POTENTIAL

CHIMNEY WOULD  
NEED ADD'L HEIGHT

PROPOSED NEW  
RIDGE & GABLE  
ROOF ACROSS  
FULL LENGTH

EXIST'G  
FLAT  
ROOF

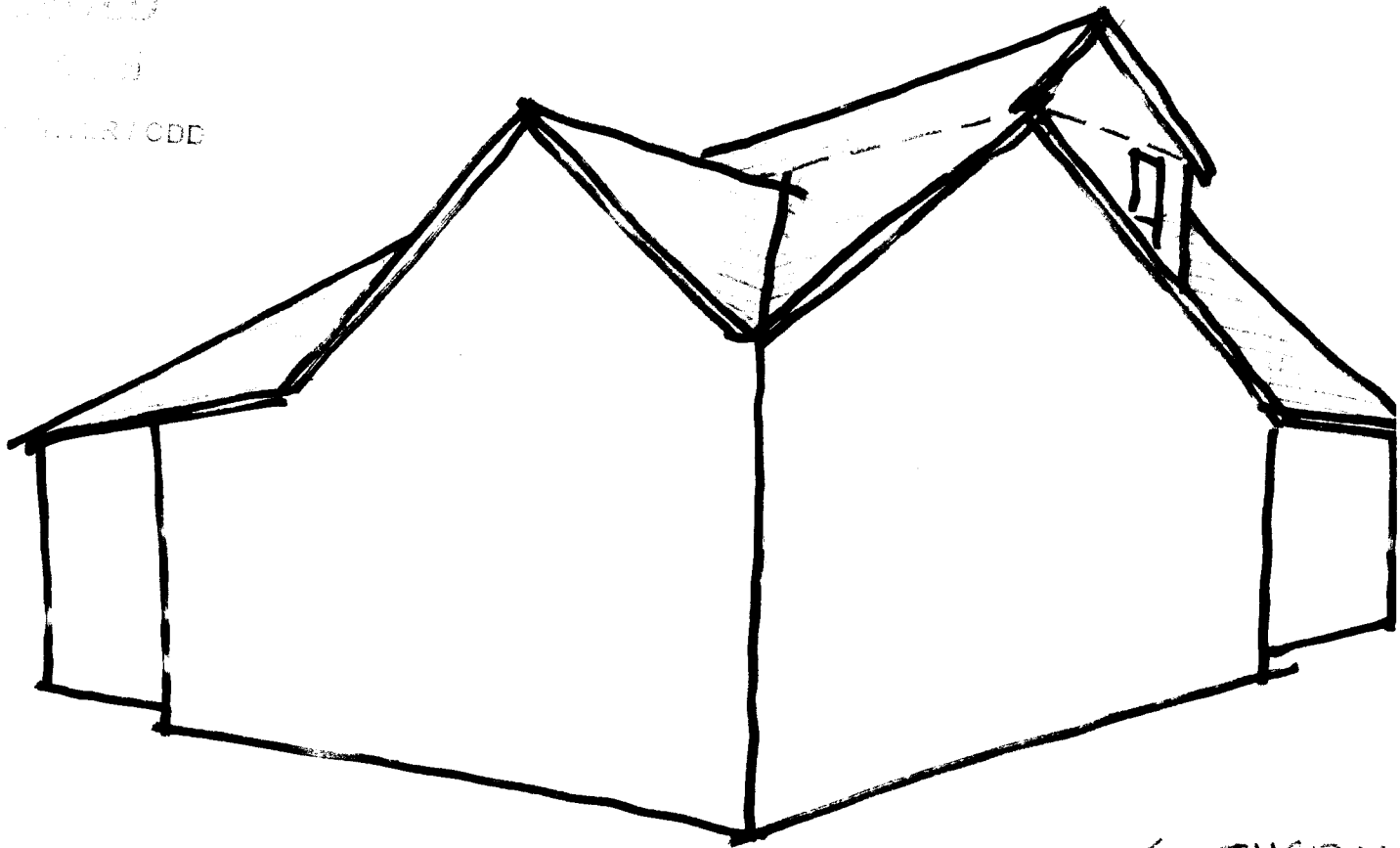


MASSING  
SKETCH

①



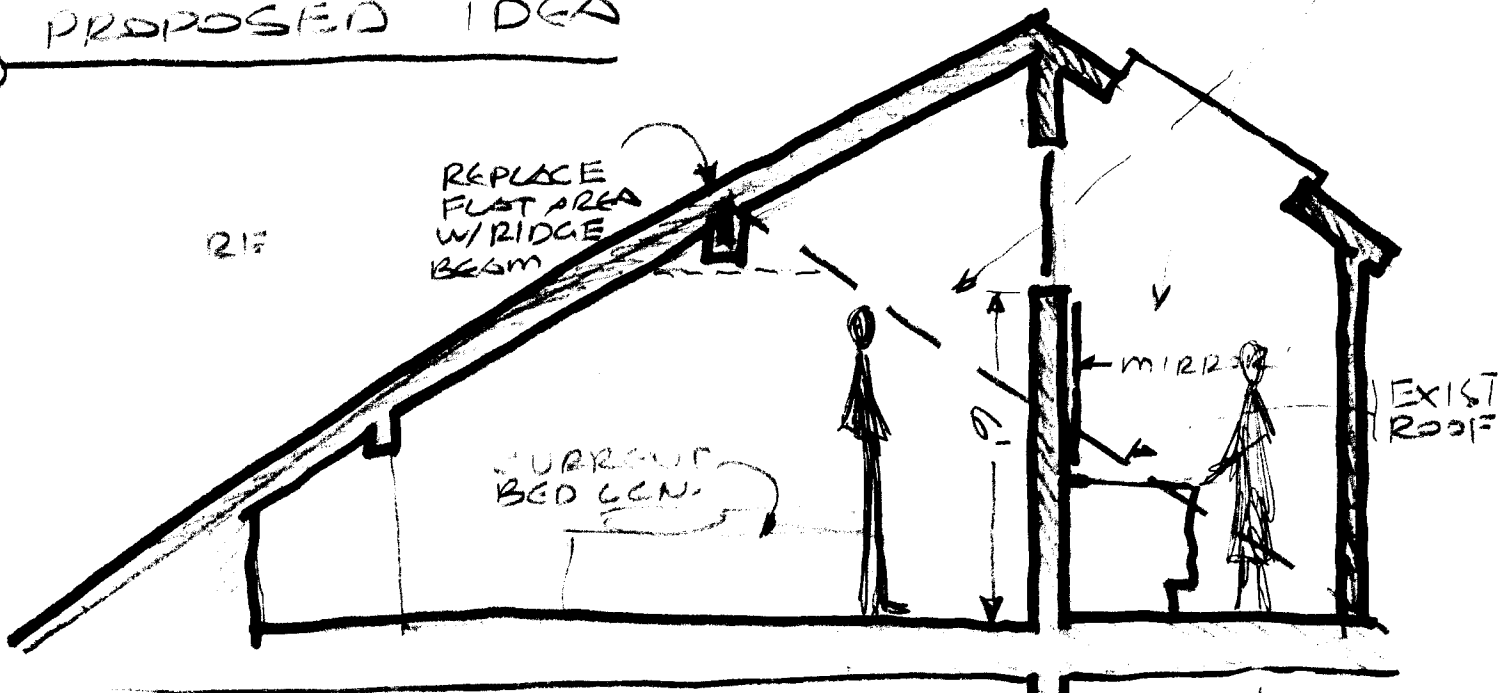
PROPOSED  
2015  
LAWYER/CDD



VIEW FROM  
STREET OF  
PROPOSED IDEA

SOUTHERN  
SUNLIGHT

2



CROSS SECTION SHOWING  
HOW BEDROOM & BATH  
SHARE LIGHT FROM SKYLIGHTS

2

Dimensions are for existing and proposed areas at second floor. This plan shows discrepancies between the field measured info and that shown on the 1938 plans that need to be rectified. Also, first floor ceiling height and ceiling joist sizes (2x?) need to be provided.

RECEIVED

JUL 18 2005

PERMIT CENTER / CDD

