

BOARD OF ADJUSTMENT
NOTICE OF DECISION

Date: May 9, 2007

File No.: VAR2007-00012

PND Engineers, Inc.
Attn: Dick Somerville
9360 Glacier Highway, Ste. 100
Juneau, AK 99801

Application For: A Variance request to reduce minimum required setback from an eagle's nest.
Legal Description: ATS 14 FR
Parcel Code No.: 2-D04-0-T32-005-0
Hearing Date: May 8, 2007

The Board of Adjustment, at its regular public meeting, adopted the analysis and findings listed in the attached memorandum dated May 2, 2007 and approve the Variance to be conducted as described in the project description and project drawing submitted with the application and with the following conditions:

1. There shall be no construction between the hours of 7pm – 7am.
2. Noise levels shall not exceed 65 decibels at the property line during the day or 55 decibels at night.
3. In-water construction shall be prohibited between March 15 through June 15, due to the spawning of salmon and herring in Anadromous streams.


Attachment: May 2, 2007 memorandum from Eric S. Feldt, Community Development to the CBJ Board of Adjustment regarding VAR2007-00012.


This Notice of Decision does not authorize construction activity. Prior to starting any development project, it is the applicant's responsibility to obtain a building permit for any and all improvements requiring such.

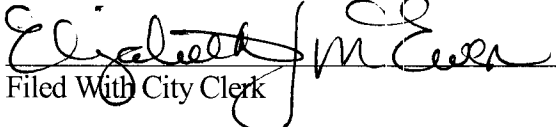
This Notice of Decision constitutes a final decision of the CBJ Board of Adjustment. Appeals must be brought to the CBJ Assembly in accordance with CBJ §01.50.030. Appeals must be filed by 4:30 P.M. on the day twenty days from the date the decision is filed with the City Clerk, pursuant to CBJ §01.50.030 (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, May 8, 2007.

Expiration Date: The permit will expire 18 months after the effective date or November 8, 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.

Project Planner:  _____
Eric S. Feldt, Planner
Community Development Department

 _____
Daniel Bruce, Chairman
Planning Commission

 _____
Elizabeth J. M. Green
Filed With City Clerk

_____ 5/10/07
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.