

BLD23-573



# DEVELOPMENT PERMIT APPLICATION

**NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.**

To be completed by Applicant	<b>PROPERTY LOCATION</b>		
	Physical Address <b>213 5th st Douglas Alaska 99824 Building Permit 23-573</b>		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) <b>douglas township site 48, lot 52</b>		
	Parcel Number(s) <b>2D040T480542 <del>452</del></b>		
	<input type="checkbox"/> This property is located in the downtown historic district		
	<input type="checkbox"/> This property is located in a mapped hazard area, if so, which _____		
	<b>LANDOWNER/ LESSEE</b>		
	Property Owner	<b>Douglas, Cherry Eckland</b>	Contact Person <b>Doug</b>
	Mailing Address	<b>215 5th st Douglas AK 99824</b>	Phone Number(s) <b>9077234035</b>
	E-mail Address	<b>dougaseckland@gmail.com</b>	
<b>LANDOWNER/ LESSEE CONSENT</b>			
Required for Planning Permits, not needed on Building/ Engineering Permits.			
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
I am (we are) the owner(s) or lessee(s) 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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
<b>Douglas Eckland</b>		<b>owner</b>	
Landowner/Lessee (Printed Name)		Title (e.g.: Landowner, Lessee)	
x		<b>8/9/2023</b>	
	Landowner/Lessee (Signature)	Date	
<b>Cherry Eckland</b>		<b>owner</b>	
Landowner/Lessee (Printed Name)		Title (e.g.: Landowner, Lessee)	
x		<b>8/9/2023</b>	
	Landowner/Lessee (Signature)	Date	
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
<b>APPLICANT</b>			
Applicant (Printed Name) <b>Same</b>		If same as LANDOWNER, write "SAME" Contact Person	
Mailing Address		Phone Number(s)	
E-mail Address			
X	Applicant's Signature	Date of Application	

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

Intake Initials <b>FHC IMG</b>
Date Received <b>8.10.2023</b>

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number <b>USE 23-012</b>
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BLD23-573



# ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

**NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.**

To be completed by Applicant

### PROJECT SUMMARY

Eckland residence BP# 23-573 Building New single family with attached garage and apartment 544sq ft

### TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

- Accessory Apartment – Accessory Apartment Application (AAP)
- Use Listed in 49.25.300 – Table of Permissible Uses (USE)  
Table of Permissible Uses Category: \_\_\_\_\_

### IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

YES – Case # \_\_\_\_\_  NO

### UTILITIES PROPOSED

WATER:  Public  On Site

SEWER:  Public  On Site

### SITE AND BUILDING SPECIFICS

Total Area of Lot <sup>5850</sup> square feet Total Area of Existing Structure(s) <sup>0</sup> square feet

Total Area of Proposed Structure(s) <sup>3200</sup> square feet

### EXTERNAL LIGHTING

Existing to remain  
Proposed

No  
 No

Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures  
 Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

### ALL REQUIRED DOCUMENTS ATTACHED

#### Narrative including:

- Current use of land or building(s)
- Description of project, project site, circulation, traffic etc.
- Proposed use of land or building(s)
- How the proposed use complies with the Comprehensive Plan

*If this is a modification or extension include:*

- Notice of Decision and case number
- Justification for the modification or extension
- Application submitted at least 30 days before expiration date

#### Plans including:

- Site plan
- Floor plan(s)
- Elevation view of existing and proposed buildings
- Proposed vegetative cover
- Existing and proposed parking areas and proposed traffic circulation
- Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

DEPARTMENT USE ONLY BELOW THIS LINE

ALLOWABLE/CONDITIONAL USE FEES		Check No.	Receipt	Date
	Fees			
Application Fees	\$ <u>350</u>			
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50</u>			
Pub. Not. Sign Deposit	\$ <u>100</u>			
Total Fee	\$ <u>500.00</u>			

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### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number <u>AAP23-08</u>	Date Received <u>8/10/23</u>
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USE23-012



2023-573



# ACCESSORY APARTMENT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.  
**NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.**

To be completed by Applicant

**PROJECT SUMMARY:** Doug Eckland  
 Building a single family home with an attached garage and an apartment. The lot is nonconforming and all paperwork is into the permit center. The apartment is under the 600 sq ft requirement 544 sq ft one bedroom, kitchen and bath with a small living area. BP# 23-573

**ACCESSORY APARTMENT DESIGN**

Attached to or Within a Single-Family Dwelling       Associated With a Detached Garage  
 Within a Two-Unit Common-Wall Dwelling       Not Affiliated with Another Structure (Stand alone)

**AREA OF APARTMENT**      **Net Floor Area** 544 square feet

Areas common to more than one dwelling unit including entry ways, furnace rooms, laundry rooms, and interior stairways are not be included in the computation of net floor area.

**PARKING**      **Existing Spaces** 1      **Total Proposed Spaces** 1

(Parking dimensions must be a minimum of 8.5' X 17', and each parking space must be drawn to scale on the site plan.)

DEPARTMENT USE ONLY BELOW THIS LINE

**SITE INFORMATION**

ZONING DISTRICT \_\_\_\_\_

MINIMUM LOT SIZE (49.25.400) \_\_\_\_\_

ACTUAL LOT SIZE \_\_\_\_\_

**UTILITIES AVAILABLE**

WATER:  Public     On Site

SEWER:  Public     On Site

Permitting Process:     Departmental Review     Planning Commission

Pre-Application Conference held  
 Narrative and Pre-App notes attached

Fees (Departmental Approval)	Fees	Check No.	Receipt No.	Date
Application Fees	<u>See Building Permit</u>			
Fees (Conditional Use Permit)				
Application Fee	\$ _____			
Public Notice Sign Fee	\$ _____			
Public Notice Sign Deposit	\$ _____			
<b>Total</b>	\$ _____			

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

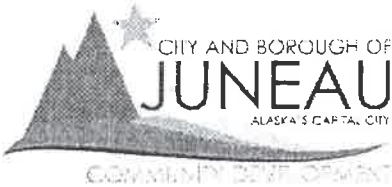
For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number	Date Received
<u>AAP23-08</u>	<u>8/10/23</u>





BLD23-573



# DEVELOPMENT PERMIT APPLICATION

**NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.**

### PROPERTY LOCATION

Physical Address **213 5th st Douglas Alaska 99824 Building Permit 23-573**

Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) **douglas township site 48, lot 52**

Parcel Number(s) **2D040T480542-452**

- This property is located in the downtown historic district
- This property is located in a mapped hazard area, if so, which \_\_\_\_\_

### LANDOWNER/ LESSEE

Property Owner <b>Douglas, Cherry Eckland</b>	Contact Person <b>Doug</b>
Mailing Address <b>215 5th st Douglas AK 99824</b>	Phone Number(s) <b>9077234035</b>
E-mail Address <b>douglaseckland@gmail.com</b>	

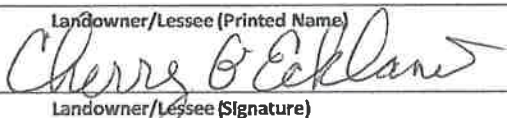
### LANDOWNER/ LESSEE CONSENT

Required for Planning Permits, not needed on Building/ Engineering Permits.  
Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.

I am (we are) the owner(s) or lessee(s) 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 the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.

**Douglas Eckland** owner  
 Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)  
 X  **8/9/2023**  
 Landowner/Lessee (Signature) Date

**Cherry Eckland** owner  
 Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee)  
 X  **8/9/2023**  
 Landowner/Lessee (Signature) Date

NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.

### APPLICANT

If same as LANDOWNER, write "SAME"  
 Applicant (Printed Name) **Same** Contact Person \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Phone Number(s) \_\_\_\_\_  
 E-mail Address \_\_\_\_\_  
 X \_\_\_\_\_  
 Applicant's Signature Date of Application

To be completed by Applicant

DEPARTMENT USE ONLY BELOW THIS LINE

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials <b>FHC IMG</b>
Case Number <b>AAP23-08</b>
Date Received <b>8/10.2023</b>



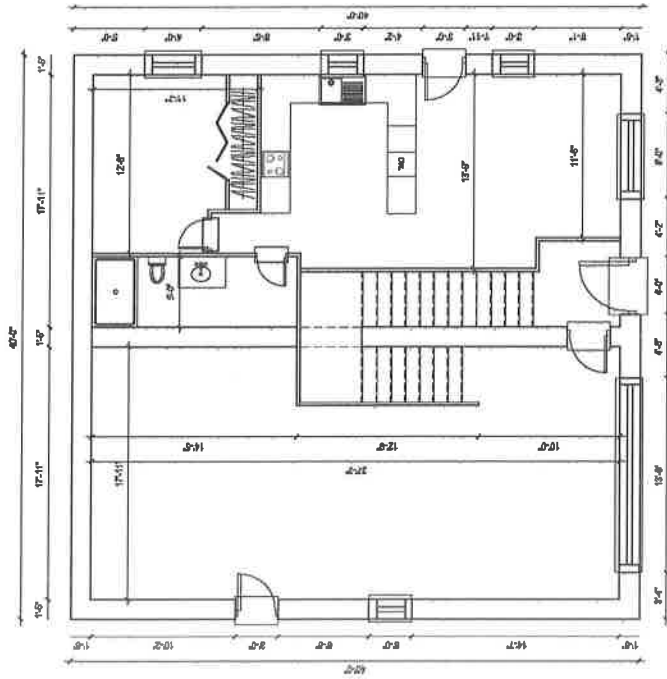






BP# 23-573

First Floor  
Apartment  
544 sq-ft.



Apartment  
Parking 2

GROUND FLOOR PLAN

DATE	DESCRIPTION	BY
JUNE 2003	GROUND FLOOR PLAN	DOUG ECKLAND

DOUG ECKLAND  
CUSTOM ICF RESIDENCE  
JUNEAU, AK

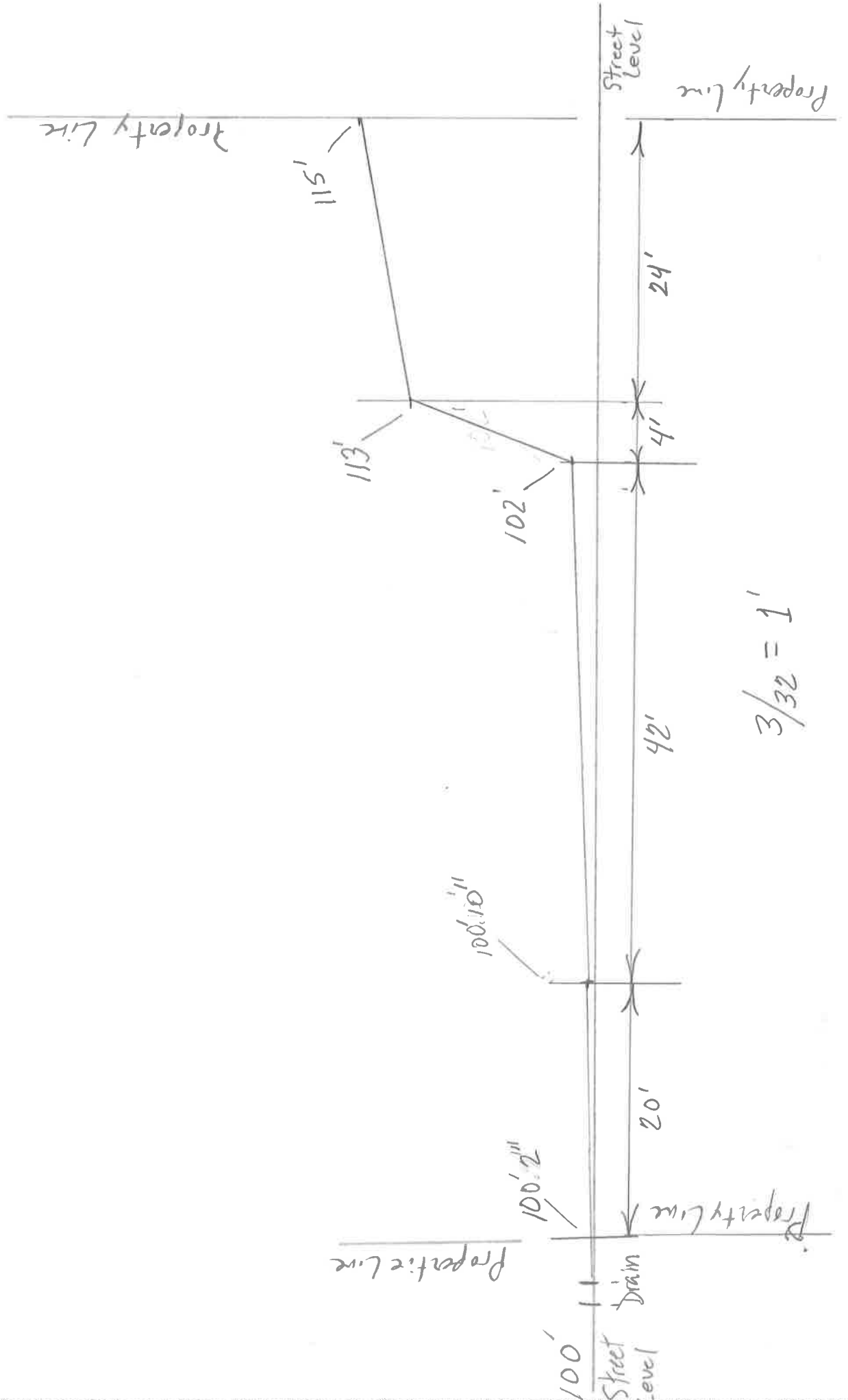
REV  
2822  
A104

DAVE GOWERS ENGINEERING, LLC  
821AA, OREGON 97536  
PO BOX 630  
Tel: 641-597-4909 Fax: 666-218-9187  
E-mail: dave@gdengineering.com

PROFESSIONAL ENGINEER  
STATE OF ALASKA  
NO. 10000  
EXPIRES 12/31/04



Eckland Residence  
 Property Elevations  
 8-10-23  
 BP# 23-573





BP# 23-573

8-7-23

To the Juneau Permitting Office,

This letter is for seeking a NCC due to the small lot size about 5850 sq ft on 213 5<sup>th</sup> st. I am submitting this NCC to build a single family home with an attached garage and an apartment.

This is a proposal to build a single-family home and attached apartment on lot, Douglas Township Site 48 Lot 52. I am going to add the address to this lot 213 A/B 5<sup>th</sup> st. The lot is 65 feet across the street side and back and 90 feet across the sides. The footprint of the home is 40 feet by 40 feet set back 20 feet from the street side of property line. The sides are outside of the 5 foot set back. There will be retaining walls on both sides of the home, at the back, to the side property lines. The hillside will be dug out and the second floor will be level with the back door. The first floor will have a garage, an entry to the single family on the second floor, and an apartment that will be accessed on the side. The apartment area on the first floor is approximately 544 sq feet with a single bedroom and bath. The second floor will be 50'x40' and overhang the front of the home. This will be an unsupported overhang with a 12 foot clearance. The home will have a total of 5 parking spots. There are two drains that are already in place from the street. On the east side there is an eight inch drain and the west side has a six inch. The runoff from the property will be connected to them. There is no water or sewer to the lot and I will work with the city to put them in. The electric and phone lines are across the street and will be brought in over the road to the home.

Thank You

Doug Eckland

215 5<sup>th</sup> st

Douglas, Ak 99824

907 723 4035

dougaseckland@gmail.com







(907) 586-0715  
 CDD\_Admin@juneau.org  
 www.juneau.org/community-development  
 155 S. Seward Street • Juneau, AK 99801

## Case name

Case Number: PAC2023 0009  
 Applicant: Doug Eckland  
 Property Owner: Cherry, and Doug Eckland  
 Property Address: Douglas Township Site 48, Lot 52  
 Parcel Code Number: 2D040T480452  
 Site Size: 5,850square feet; .1343 acres  
 Zoning: D5 Single Family  
 Existing Land Use: Vacant Lot

Conference Date: 15 June 2023

Report Issued: 24 June 2023

**DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.**

## List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Doug Eckland	Applicant	<a href="mailto:dougaseckland@gmail.com">dougaseckland@gmail.com</a>
David Matthew Peterson	Planning	<a href="mailto:David.Peterson@juneau.gov">David.Peterson@juneau.gov</a>
	Building	<a href="mailto:xxx.xxx@juneau.gov">xxx.xxx@juneau.gov</a>
	General Engineering	<a href="mailto:eric.vogel@juneau.gov">eric.vogel@juneau.gov</a>
David Sevdv	Permitting	<a href="mailto:David.Sevdv@juneau.gov">David.Sevdv@juneau.gov</a>



## Conference Summary

### Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

### Project Overview

Applicant is seeking to build a single family home with an attached apartment on lot: Douglas Township Site 48 Lot 52.

Per 49.25.510(k)(2)(E)(ii)(a) – Unless otherwise provided, the accessory apartment shall be a one-bedroom or efficiency unit not exceeding 600 square feet in net floor area.

Lot coverage, and vegetative coverage requirements must still be met.

NOTE: Common areas such as entryways, furnace rooms, laundry rooms, and interior stairways shall not be included in the computation of the net floor area for the accessory apartment.

Conditional Use Permit required due to the lot being less than the minimum lot size. Will require Commission approval. 49.25.510(k)(2)(E)(ii)(a)

Commission Standards:

- (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) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- 49.15.330(g)(15)

## Planning Division

1. **Zoning** – D5 single family – 2 dwellings per lot. Minimum lot size - 7,000 square foot. Note: Lot is undersized for D5 zone, at 5,850 square feet. A Non-Conforming Certificate will be required prior to approval of Building Permit can be issued.
2. **Subdivision** – N/A
3. **Setbacks** – Front (NE) – 20'; Rear (SW) – 20'; Side (SE & NW) – 5'. (ref. 49.25.430)
  - a. 49.25.430(4)(A) – Architectural Features and roof eaves may project into a required yard four inches for each foot of yard setback required but no closer than two feet to the side and rear lot lines.
  - b. 49.25.430(4)(B) – Bay windows, garden windows, chimney and ventilation shafts, and other similar enclosed structures that do not increase the buildings floor area may project four feet into any required yard provided that the maximum length of the projection along the building does not exceed fifteen lineal feet for any one yard.
  - c. 49.25.430(4)(E) - Unenclosed first story porches or decks, with or without roof, and with or without non-sight obscuring safety rails less than 44 inches in height, may project no more than six feet into any yard setback, provided, however, such projection is no closer than five feet to a lot line. Eaves may project a maximum of three feet from these structures.



- d. 49.25.430(4)(F) – If the natural gradient of a sloping lot, from front to rear, exceeds 25 percent, the front yard setback shall not be less than the established yard of a dwelling, not including, accessory structures, such as garages and storage buildings, which occupies an adjoining lot.
  - e. 49.25.430(4)(H) – Carports and garages. A minimum setback of five feet from any property line shall apply to carports and garages in any residential zoning district if: (i) The topography of the lot makes construction a hardship.
  - f. 49.25.430(4)(J) – If the lot width is less than required, the corresponding side, street side, or rear setbacks may be reduced to the same percentage that the lot width bears to the zoning district requirements.
  - g. 49.25.430(4)(K) – A new building may have a front yard setbacks equal to the average front yard setback of the three closest adjacent buildings.
4. **Height** – Permissible – 35'; Accessory/Bungalow – 25'. When building on a slope: The height of a building is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be whichever of the following yields the greater height of building: (1) The highest point within a horizontal distance of five feet from the exterior wall of the building, when such point is not more than ten feet above the lowest point within said five-foot radius. (2) An elevation ten feet higher than the lowest point, when the highest point described in subsection (b)(1) of this section is more than ten feet above the lowest point.

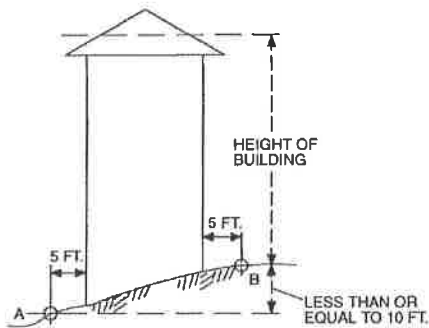


FIGURE 2-3

For SI: 1 foot = 304.8 mm.

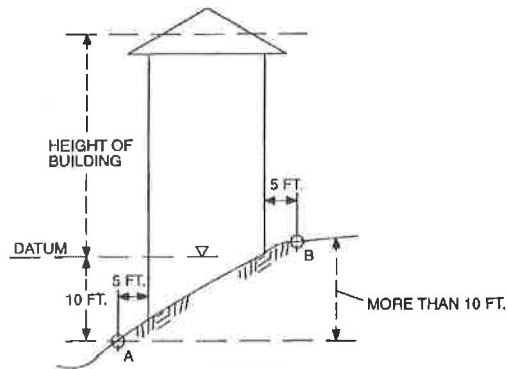


FIGURE 2-4

DETERMINATION OF BUILDING HEIGHT IN FEET

- 5. **Access** – Lot has direct access to 5<sup>th</sup> St.
- 6. **Parking & Circulation**– 2 spaces per each dwelling unit. 1 for an accessory apartment.
- 7. **Lot Coverage** – Permissible/Conditional – 50%
- 8. **Vegetative Coverage** – 20% minimum.
- 9. **Lighting** – N/A
- 10. **Noise** – Per 42.20.095(c) - It is unlawful to operate any pile driver, power shovel, pneumatic hammer, derrick, power hoist, or similar heavy construction equipment, before 7:00 a.m. or after 10:00 p.m., Monday through Friday, or before 9:00 a.m. or after 10:00 p.m., Saturday and Sunday,
- 11. **Flood** – N/A per panel 02110C1569E eff. 9/18/2020
- 12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – If slopes on the lot exceed 18%, a Hillside Endorsement will be required prior to issuance of a Building Permit for the future residential structure based upon CBJ 49.70.200 (see attached).





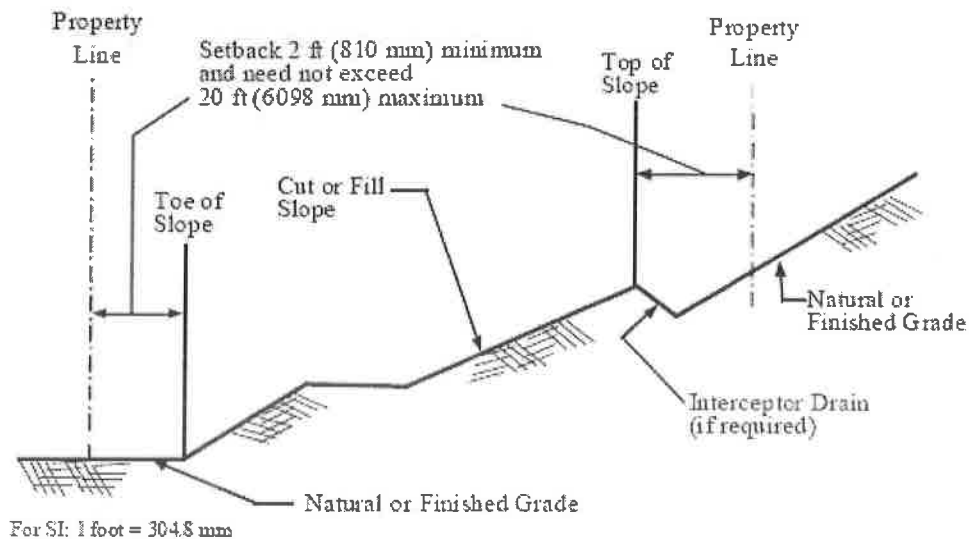
- 13. **Wetlands** – No recorded wetlands present in CBJ records. If wetlands are discovered on parts of the proposed development, special regulations may apply.
- 14. **Habitat** – (Eagle – remind applicant to check with Feds; Riparian, etc.) – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.
- 15. **Plat or Covenant Restrictions** – N/A
- 16. **Traffic** – N/A
- 17. **Nonconforming situations** – N/A

**Building Division**

- 18. **Building** –
- 19. **Outstanding Permits** – BLD20150240 Grading Permit, BLD20150178 New Single Family

**General Engineering/Public Works**

- 20. **Engineering** – The submission materials shall include a site Grading Plan. This plan shall call out all slopes and their angle ratios (2:1) retaining walls or structures shall be called out. Retaining structures over 4 feet tall (including buried components) shall be engineered. A two foot minimum setback for grading shall (typically) be utilized. See figure 19.12.100.2 below.



**Figure 19.12.100.1 Setback Dimensions**

Please see the Grading plan checklist and CBJ code 19.12.100.2 Earth Retention for more information.

- 21. **Drainage** – The Grading Plan shall also include drainage details such as surface water flow as well as drainage structures: culverts catch basins or swales. Please see the Grading plan checklist for more information.
- 22. **Utilities** – (water, power, sewer, etc.) The proposed attached apartment requires a water meter. A permit is required for water and sewer connections. Utilities shall be shown on a Utility Site Plan in the submitted permit materials. Power by others.



## Fire Marshal

23. Fire Items/Access –

## Other Applicable Agency Review

24. DOT&PF / Alcohol Beverage Control Board / Army Corps / DEC (wastewater) / DNR / USF&W / F&G / FAA / Corrections...
- 25.

## List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application (DPA)
2. Building Permit Application (BPA)
3. Accessory Apartment Application (AAP)
4. Non-Conforming Certificate (NCC)

## Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. A site plan indicating
  - a. Parking
  - b. Topography
  - c. Setbacks
  - d. Proposed building footprint.

## Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. (Add any items required with the forms that are not applicable to the Conditional Use application)
- 2.

## Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. Building permit fees are based on a the total valuation of the project. (see attachment "Fees")
2. Non-Conforming Certificate – No fee associated with NCC when submitted with any other permit.
3. Conditional Use: Accessory Apartment Application Fee - \$350.00 for Class I use.



4. Public Notice Sign \$150.00. Note- \$100.00 is refundable if sign is returned by the Monday after the meeting.

For informational handouts with submittal requirements for development applications, please visit our website at [www.juneau.org/community-development](http://www.juneau.org/community-development).

### Submit your Completed Application

You may submit your application(s) online via email to [permits@juneau.gov](mailto:permits@juneau.gov)

OR in person with payment made to:

City & Borough of Juneau, Permit Center  
230 South Franklin Street  
Fourth Floor Marine View Center  
Juneau, AK 99801

Phone: (907) 586-0715

Web: [www.juneau.org/community-development](http://www.juneau.org/community-development)

#### Attachments:

1. 49.25.400 – Minimum Dimensional Standards
2. 49.25.420 – Measuring Building Height
3. 49.25.510 – Special Density Consideration – (Accessory Apartment Standards)
4. 49.40.210 – Parking Requirements
5. Article II – Hillside Development
6. Fees

#### Article IV. Dimensional Standards

49.25.400 MINIMUM DIMENSIONAL STANDARDS. There is adopted the table of minimum dimensional standards, Table 49.25.400. Minimum dimensional standards for all zoning districts shall be according to the table of minimum dimensional standards, subject to the limitations of the following sections and as otherwise specifically noted in the special area or use sections, Chapters 49.60 and 49.65. (Serial No. 98-20 § 2 (Exh. A), 1998; Serial No. 98-09 § 5 (Exh. B), 1998; Serial No. 89-32 § 2, 1989; Serial No. 87-49 § 2 (part), 1987).

49.25.420 HEIGHT OF BUILDING. (a) The height of a building is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. Roofs with slopes greater than 75 percent shall be regarded as walls. The height of a stepped or terraced building is the height of the highest segment thereof.

(b) The reference datum shall be whichever of the following yields the greater height of building:

(1) The highest point within a horizontal distance of 5 feet from the exterior wall of the building when such point is not more than 10 feet above the lowest point within said 5-foot radius.

(2) An elevation 10 feet higher than the lowest grade when the highest point described in paragraph (1) of this subsection is more than 10 feet above the lowest point.



(c) Exceptions.

(1) Height limitations stipulated in this section shall not apply to tanks, church spires, belfries, cupolas, monuments, fire and hose towers, chimneys, flagpoles, masts, aerials, antennae, telecommunication and electrical transmission towers and other similar structures or facilities.

(2) Height calculations shall disregard any fill or construction which the director finds to have no significant purpose other than elevating the reference datum. In reaching such finding, the director shall consider only those architectural, structural, safety, aesthetic, access or other purposes claimed by the developer and supported by reasonable evidence. (Serial No. 99-26 § 2, 2000; Serial No. 87-49 § 2 (part), 1987).

49.25.510 SPECIAL DENSITY CONSIDERATIONS. (a) Fractions of Units. If a density calculation results in fractions of dwelling units allowable, such fractions shall be rounded to the nearest whole number.

(a) Factors Precluding Maximum Density. The number of units allowed by Section 49.25.500 is a maximum, achievement of which may be prevented by other factors, including topography, dimensional standards or dedication requirements.

(b) Subdivision Rights-of-way. In calculating the number of dwelling units and thereby the number of lots allowed within a proposed single-family subdivision, any proposed rights-of-way shall be included in the total square footage of the parcel. In multifamily subdivisions, rights-of-way shall not be so included.

(c) Mobile Home Subdivisions. Mobile home subdivisions shall meet the density requirements of the zoning district in which they are located, regardless of the lot size allowed.

(d) Two-Unit Dwellings.

- Duplexes. The minimum lot size for a duplex dwelling shall be at least 150 percent of the square footage required for a single-family dwelling in the same zoning district.

- Accessory apartments. The Director may, through the department approval process, allow an accessory apartment to be constructed or maintained in a dwelling unit if all of the requirements of this subsection (2) are met. No person shall construct or maintain an accessory apartment except in accordance with a permit issued under this subsection.

- The accessory apartment shall be a one bedroom or efficiency unit not exceeding 600 square feet in net floor area, or such other area as may be approved through the procedure for variances other than de minimis. Areas common to more than one dwelling unit, including entry ways, furnace rooms, laundry rooms, and interior stairways shall not be included in the computation of net floor area.

- The accessory apartment shall be located:

- within a single-family dwelling located on a lot having a square footage not less than 100 percent of that required for a single-family dwelling in that zoning district but not less than 18,000 square feet in zoning districts RR and D-1;

- (ii) within a dwelling unit in a two-unit common wall development located on a lot having a square footage not less than 100 percent of that required for a detached single-family dwelling in that zoning district but not less than 18,000 square feet in zoning districts RR and D-1;

- (iii) within a dwelling unit located on a lot in Service Areas 1 or 2 which existed and met the requirements for construction of a duplex dwelling under a previous version of this code; or





(iv) The accessory apartment must be atop, beneath, or connected by a common wall of at least 15 linear feet to the principal dwelling unit, provided that in the RR, D-1, and D-3 districts only, the accessory apartment may be contained within or atop a detached garage, and provided further that in the D-5 district the accessory apartment may be contained within or atop a detached garage as authorized by the Commission through the conditional use process.

(C) A permit under this subsection (2) may be issued if the applicant establishes

that:

- (e) the development meets all setback requirements; and
- (f) the total building footprint does not exceed the maximum lot coverage

allowable under Section 49.25.400, the table of dimensional standards, or, in the case of nonconforming structures, aggravate the nonconformity; and

(iii) the development does not violate the vegetative cover requirements imposed by Section 49.50.300; or, in the case of nonconforming structures, aggravate the nonconformity; and

(3) the development meets the parking standards required by Chapter 49.40 for a residential structure containing two dwelling units; and

(4) the building is serviced by a public or community sewer system if available, and if not, by a private sewer system approved for two dwelling units; and

(5) the building complies with all requirements of Title 19, the building code;

and

(vii) the building, except as may be necessary to accommodate residents with

disabilities, has no more than one main entrance facing the street.

(d) Accessory apartment applications shall be submitted on a form provided by the Director and except as provided in subsections (E) and (F) shall be reviewed according to the department approval process. The application shall include:

(1) a completed application form;

(2) the application fee required by Chapter 49.85;

(3) a site plan drawn to scale or dimensioned indicating all required parking, minimum setbacks and entrances for both dwelling units; and

(4) a floor plan drawn to scale or dimensioned indicating both dwelling units including each room labeled as to use.

(e) The department shall provide the owners of property adjacent to the proposed accessory apartment with written notice of the application at least ten days before deciding it, and shall keep a record of all comments received within the ten day period. If any comment gives reasonable cause to believe that the proposed accessory apartment would result in significant harmful impacts, the application shall be heard through the conditional use process.

(f) Applications which do not meet all requirement imposed by this section shall be heard through the variance process.

(f) Detached Single-family Dwellings. Two detached single-family dwellings located on a single lot within the D1 and D3 zoning districts shall each meet one hundred percent of the applicable square-footage requirement.



(a) Replacement and Reconstruction of Certain Nonconforming Buildings. The replacement and reconstruction of certain nonconforming buildings in residential districts in service areas No. 1 and No. 2, with the exception of West Juneau, shall be governed in part by Section 49.30.500(b). The replacement and reconstruction of multifamily dwellings in all multifamily residential districts shall be governed in part by Section 49.30.500(c).

(b) The commission, through the conditional use permit process, may allow duplex and common wall structures on lots of less than the required size if the applicant can demonstrate that the same number of dwelling units already exist on the lot(s) or may lawfully be created on the lot(s) as a result of the nonconforming development provisions of CBJ Chapter 49.30. Applications of this provision include, but are not limited to, the following:

- Common wall subdivision lots of less than the required size may be created if the original parcel contains a common wall structure that was lawfully built and all other common wall structure requirements can be met.

- A duplex or a two unit common wall structure may be built on a pair of existing lots of record which together are less than the required size for a duplex or a two unit common wall structure, provided each of the lots could have been developed with a single-family dwelling when the lots were created.

(c) The commission, through the conditional use permit process, may approve the building of a two unit common wall structure on less than the required lot area if: the lot was legally platted prior to November 9, 1987; the subdivision or a portion thereof was designed specifically for two unit common wall structures; and sixty percent or more of the lots in the subdivision or of the portion thereof designed specifically for two unit common wall structures have been developed with two unit common wall structures. (Serial No. 2001-12 § 3, 2001; Serial No. 97-49 § 3, 1998; Serial No. 95-33 § 8 (part), 1995; Serial No. 94-07 § 4, 1994; Serial No. 91-01 § 2, 1991; Serial No. 89-33 § 2, 1989; Serial No. 87-49 § 2 (part), 1987).

49.40.210 MINIMUM SPACE AND DIMENSIONAL STANDARDS FOR PARKING AND OFFLOADING. (a) Table of Minimum Parking Standards. The minimum number of off-street parking spaces required shall be as set forth in the following table. The number of spaces shall be calculated to the nearest whole number.

USE	SPACES REQUIRED
Single-family and duplex	2 per each dwelling unit
Multifamily units	Juneau service area (No. 1)
	1.0 per one bedroom
	1.5 per two bedroom
	2.0 per three or four bedroom All
	other service areas
	1.5 per one bedroom
	1.75 per two bedroom
	2.25 per three or four bedroom





