STAFF REPORT ADDENDUM

To: Fairbanks North Star Borough Planning Commission

Through: D. Christine Nelson, Director
Department of Community Planning

From: Kristina Heredia, Planner II
Department of Community Planning

Date: June 11, 2019

Subject: CU2019-010: CU2019-010: A request by Allan Hayton for conditional use approval of a guesthouse, located at 736 Arkansas Drive, in the Rural Residential (RR) zoning district on Lot 10, Block 6, Mountain View 5 (on the north side of Arkansas Drive, southeast of Keep Drive).

Planning staff received an application for a conditional use (CU) for a guesthouse for the property located at 736 Arkansas Drive. The applicant is proposing to have a secondary dwelling unit, or guesthouse constructed on his property. The guesthouse will be a dry cabin that is 216 sq. ft. in size (12' x 18'). This CU will be heard before the Planning Commission on June 11, 2019. Planning is recommending approval of the CU, with three conditions, and the staff report has already been published online.

Recently, a neighbor of the applicant contacted Community Planning to inquire about covenants in their subdivision that would limit property owners from renting out their homes. Review of the plat and plat documents for Mountain View, Phase 5 showed no indication of any covenants. However, when the plat (FRD1984_257_001) (Attachment 1) was recorded in 1984, it included several notes that were designed to limit the type of development that could occur within the subdivision. Note 6 of the plat states that “no dwelling consisting of less than 950 square feet may be constructed upon any lot of this subdivision. Occupancy of mobile homes within this subdivision shall not be permitted.” Since the proposed guesthouse is less than 950 sq. feet, it would be in conflict with this plat note.

Planning staff does not consider this notation to be enforceable by the Borough, since it is outside the scope of the FNSB subdivision regulations, and no such zoning regulation exists. In addition, Phase 4 for the Mountain View Subdivision (FRD1983_6_001), has the exact same note recorded, which limits both dwellings under 950 sq. ft. and mobile homes. In 1991 the Planning Commission approved a conditional use (CU1999-0010) for a mobile home that disregarded this note. As such, Planning still recommends approval of the guesthouse for CU2019-010, with proposed conditions.