

Fairbanks North Star Borough Department of Commun

907 Terminal Street/P.O. Fairbanks, Alaska 9970 (907) 459-1260 Fax: (907) planning@fnsb.u

APPLICATION FOR AFFIRMATIVE
RECOGNITION OF GRANDFATHER RIGHTS
I OT SIZE

File No.

ommunity Planning eet/P.O. Box 71267 ska 99707-1267 Fax: (907) 205-5169 g@fnsb.us	Received By: Receipt No.: Date Submitted:
TIVE THER RIGHTS	
Fee: \$50	****FEES ARE NON-REFUNDABLE****

For Office Use Only

Applicant ¹	¹ FNSBC18.108.030(A)
Contact Name: Business Name: Mailing Address: City, State Zip:	The 'applicant' for this application and affidavit shall be: • The owner of the property, or • The contract purchaser, or • The holder of an option to purchase the property, or • Such persons that possess a substantial proprietary interest in the property.
Phone: Cell: E-mail:	If 'applicant' is not the owner, the written consent of the owner is required; if there is more than one property owner, the written consent of all property owners shall be provided (e.g. letter signed by all property owners).
Property Information:	
Property Description (Subdivision/TL-Block #-Lot#):	
Street Address:	Existing Use(s):
Parcel Account Numbers (PAN):	Zoning District:
Date lot was created:	Size of lot:
Plat or Deed Recording Number that created the lot:	
Briefly describe non-conformity as it relates to lot size:	
Amnesty Relief (if I qualify under the FI	e not affirmed, I am requesting consideration of NSBC 18.116.030 eligibility criteria) and I agree to on) or \$200 (Administrative Hearing) as applicable. is to the best of my knowledge true and correct.
APPLICANT SIGNATURE:	DATE:
Please send my Notice of Decision to the following	g additional recipients by email:

What is a legal nonconforming lot? A lot has legal nonconforming status (grandfather rights) for a smaller lot size than required by zoning if it was created lawfully before the zoning change that made it nonconforming.

GRANDFATHER RIGHTS APPLICATION SUBMITTALS

- 1. Completed application for affirmative recognition of grandfather rights lot size
- 2. Sign the Affirmative Recognition of Grandfather Rights Affidavit form included in this application packet.

AMNESTY RELIEF APPLICATION SUBMITTALS (if applicable)

If your Grandfather Rights application was denied or you know that your violation does not qualify for Grandfather Rights, you may apply for Amnesty Relief. For a complete Amnesty Relief application, the applicant must complete and sign the *Amnesty Relief Affidavit* form included in this application packet, attesting that the violation:

- Does not qualify for legal nonconforming status (Grandfather Rights);
- Existed as of July 21, 2010;
- Was not intentional or willful**;
- Does not pose a danger to the public health, safety and welfare of Borough residents;
- Is not greater than 75% of the required setback and will not result in a setback of less than 5 feet; or is not greater than 75% of the required (lot) area; and
- The building or lot complies with all other FNSBC platting and zoning requirements, including use.

Items which may accompany either the Grandfather Rights and/or the Amnesty Relief application can include, but are not limited to:

Power of Attorney Documentation	Utility Bills
FNSB Assessing Department Records	Plats
Certified Plot Plans	Building Permits
Deeds	Photographs, Imagery
Receipts, (i.e. Construction, Rental Records, Retail Sales, etc.)	Other Records and Documentation

^{**} A violation is not intentional or willful if it is based on a good faith error of law or fact. Violations that are less than 50% of the required size, area or distance are presumed to be in good faith and can be processed by staff without an administrative hearing.

AFFIRMATIVE RECOGNITION OF GRANDFATHER RIGHTS AFFIDAVIT LOT SIZE

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	ion is appealable to the Planning Commission
201dance with 10.100.030 (C).	ion is appearable to the Franking Commission
-	Applicant Signature and Date
_	
-	
_	(Name and Address of Applicant)
ID SWORN TO BEFORE ME at Fa	airbanks, AK on thisday of, 20_
d for Alaska	Commission Expires
1 IOI Alaska	Commission Expires

AMNESTY RELIEF AFFIDAVIT LOT SIZE

STATE OF ALASKA)								
FOURTH JUDICIAL DISTRICT)								
I,	(applicant) being duly sworn, under							
penalty of	Eperjury, depose and state that:							
1.	I have submitted the attached application for Amnesty Relief (File #) for a nonconforming lot.							
2.	I affirm that I have personal knowledge that the violation does not qualify for legal nonconforming status (Grandfather Rights) because of the following facts:							
	(e.g. grandfather rights denied, violation created after the zoning changed, etc.)							
3.	I affirm that the violation existed as of July 21, 2010.							
4.	I affirm that the violation is not greater than 75 percent of the required area.							
5.	I affirm that the violation was based on a good faith error of law or fact because							
	(e.g. miscalculation in dimension when the lot was created, etc.)							
6.	I affirm that the violation does not pose a danger to the public health, safety and welfare of borough residents because							
	(e.g. lot has adequate area for water and sewer/septic, etc.)							
7.	The information submitted in this application and supporting materials is, to the best of my knowledge, true and complete.							
8.	I understand that the decision is appealable in accordance with 18.116.040(C).							

	Applicant Signature and Date		
	(Name an	d Address of Applicant)	
SUBSCRIBED AND SWORN TO BEFORE ME at Fairba	nks, AK on this	day of	<u>,</u> 20
Notary Public in and for Alaska	Commission Expire	es	
Date Received:Received I	Зу:		