



**Fairbanks North Star Borough**  
**Department of Community Planning**  
 907 Terminal Street/P.O. Box 71267  
 Fairbanks, Alaska 99707-1267  
 (907) 459-1260 Fax: (907) 205-5169  
 planning@fnsb.us

For Office Use Only  
 Received By: \_\_\_\_\_  
 Receipt No.: \_\_\_\_\_  
 Date Submitted: \_\_\_\_\_

**APPLICATION FOR AFFIRMATIVE  
 RECOGNITION OF GRANDFATHER RIGHTS  
 LOT SIZE**

File No. \_\_\_\_\_ Fee: \$25

Applicant:		Property Owner:
Contact Name:		Name:
Business Name:		Mailing Address:
Mailing Address:		City, State Zip:
City, State Zip:		Phone:
Phone:	Cell:	Cell:
E-mail:		E-mail:

Property Information:	
Property Description:	
Street Address:	Existing Use(s):
Parcel Account Numbers (PAN):	Zoning District:
Date lot was created, if known: _____	Size of Lot: _____
Briefly describe non-conformity as it relates to lot size:	

If grandfather rights for the lot size are not affirmed, I am requesting consideration of Amnesty Relief if I qualify under FNSBC 18.116.030 eligibility criteria and I agree to pay the additional fee of \$25 (staff decision) or \$175 (Administrative Hearing) as applicable.

I certify that the information included in this application is to the best of my knowledge true and correct. I understand the determination is appealable to the Planning Commission and this decision is appealable to the Board of Adjustment.

**APPLICANT SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**OWNER SIGNATURE (if different):** \_\_\_\_\_ **DATE:** \_\_\_\_\_

If the applicant is not the sole property owner, written consent of all property owners must be provided pursuant to FNSBC 18.108.030(A).

Please send my Notice of Decision by the following:  mail  email

## SUBMITTALS

The following submittals are required to describe the nonconforming lot:

### NONCONFORMING LOT:

1. Provide a *written narrative* that:
    - Indicates when lot was legally created or subdivided;
    - States when the plat or deed was recorded that created the lot.
  2. Submit copy of plat or deed that created the legal lot. If the lot was not legally created in accordance with the applicable platting regulations, then grandfather rights may not be able to be affirmed.
  3. Sign the *Affirmative Recognition of Grandfather Rights Affidavit* form included in this application packet.
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## AMNESTY RELIEF

For a complete Amnesty Relief application, the applicant must provide:

1. A written narrative explaining in detail how all of the amnesty relief criteria in FNSBC 18.116.030 are met for the violation, including:

### **FNSBC 18.116.030**

#### **The Violation:**

- Existed as of July 21, 2010; and
- Was not intentional or willful\*\*; and
- Does not pose a danger to the public health, safety and welfare of Borough residents; and
- 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.

**\*\* 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.**

2. If Amnesty Relief is being sought, provide an Amnesty Relief Affidavit.

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

- |  |  |
|--|--|
| <input type="checkbox"/> Power of Attorney Documentation                                   | <input type="checkbox"/> Utility Bills                   |
| <input type="checkbox"/> FNSB Assessing Department Records                                 | <input type="checkbox"/> Affidavits                      |
| <input type="checkbox"/> Certified Plot Plans  | <input type="checkbox"/> Building Permits                |
| <input type="checkbox"/> Deeds   | <input type="checkbox"/> Photographs, Imagery            |
| <input type="checkbox"/> Receipts, (i.e. Construction, Rental Records, Retail Sales, etc.) | <input type="checkbox"/> Other Records and Documentation |







