



Fairbanks North Star Borough
Department of Community Planning
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 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. The Planning Commission's decision is then 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 |

AFFIRMATIVE RECOGNITION OF GRANDFATHER RIGHTS AFFIDAVIT

STATE OF ALASKA)
) ss.
FOURTH JUDICIAL DISTRICT)

I, _____ being duly sworn, under penalty of perjury, depose and state that:

1. I have submitted the attached application for Affirmative Recognition of Grandfather Rights (GR _____) for a nonconforming lot size _____.
(file #) (plat #)
2. The information submitted in this application and supporting materials is, to the best of my knowledge, true and complete.
3. I have first-hand knowledge that this property has Grandfather Rights, specifically:

_____.
4. I understand that the decision is appealable in accordance with 18.108.030 C
5. I understand Grandfather Rights, if affirmed, are subject to restrictions outlined in 18.108.

Signature

(Name and Address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this _____ day of _____, 20____

Notary Public in and for Alaska Commission Expires

Date Received: _____ Received By: _____
Fairbanks North Star Borough

AMNESTY RELIEF AFFIDAVIT

STATE OF ALASKA)
) ss.
FOURTH JUDICIAL DISTRICT)

I, _____ being duly sworn, under penalty of perjury, depose and state that:

- 1. I have submitted the attached application for Amnesty Relief (AM _____) for a nonconforming building or lot.
- 2. The information submitted in this application and supporting materials is, to the best of my knowledge, true and complete.
- 3. I affirm that the violation for which I seek affirmative recognition of amnesty meets the requirements of Title 18.116.
- 4. I understand that the decision is appealable in accordance with 18.116.040 C

Signature

(Name and Address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this _____ day of _____, 20_____

Notary Public in and for Alaska

Commission Expires

Date Received: _____ Received By: _____

Fairbanks North Star Borough

