APPLICATION FOR AFFIRMATIVE RECOGNITION OF GRANDFATHER RIGHTS LOT SIZE

File No. _____________ Fee: $50

*****FEES ARE NON-REFUNDABLE*****

<table>
<thead>
<tr>
<th>Applicant¹</th>
<th>¹FNSBC18.108.030(A)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Name:</td>
<td>The ‘applicant’ for this application and affidavit shall be:</td>
</tr>
<tr>
<td>Business Name:</td>
<td>• The owner of the property, or</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>• The contract purchaser, or</td>
</tr>
<tr>
<td>City, State Zip:</td>
<td>• The holder of an option to purchase the property, or</td>
</tr>
<tr>
<td>Phone:</td>
<td>• Such persons that possess a substantial proprietary interest in the property.</td>
</tr>
<tr>
<td>E-mail:</td>
<td>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).</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Property Information:</th>
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<tbody>
<tr>
<td>Property Description (Subdivision/TL-Block #-Lot#):</td>
</tr>
<tr>
<td>Street Address:</td>
</tr>
<tr>
<td>Parcel Account Numbers (PAN):</td>
</tr>
<tr>
<td>Date lot was created:</td>
</tr>
<tr>
<td>Plat or Deed Recording Number that created the lot:</td>
</tr>
<tr>
<td>Briefly describe non-conformity as it relates to lot size:</td>
</tr>
</tbody>
</table>

☐ If grandfather rights for the lot size are not affirmed, I am requesting consideration of Amnesty Relief (if I qualify under the FNSBC 18.116.030 eligibility criteria) and I agree to pay the fee of additional $50 (staff decision) or $200 (Administrative Hearing) as applicable.

I certify that the information included in this application is to the best of my knowledge true and correct.

APPLICANT SIGNATURE: ___________________________ DATE: ____________

Please send my Notice of Decision to the following 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.

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
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.

** 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.

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
- FNSB Assessing Department Records
- Certified Plot Plans
- Deeds
- Receipts, (i.e. Construction, Rental Records, Retail Sales, etc.)
- Utility Bills
- Plats
- Building Permits
- Photographs, Imagery
- Other Records and Documentation
AFFIRMATIVE RECOGNITION OF
GRANDFATHER RIGHTS AFFIDAVIT
LOT SIZE

STATE OF ALASKA )
) ss.
FOURTH JUDICIAL DISTRICT )

I, _________________ (applicant) being duly sworn, under penalty of perjury, depose and state that:

1. I have submitted the attached application for Affirmative Recognition of Grandfather Rights (File #_______________) for a nonconforming lot size.

2. I affirm that the nonconforming lot lawfully existed prior to the date of the zoning change that caused the nonconformance.

3. The information submitted in this application and supporting materials is, to the best of my knowledge, true and complete.

4. I understand that the determination is appealable to the Planning Commission in accordance with 18.108.030 (C).

_____________________________________
Applicant Signature and Date

_____________________________________
(Name and Address of Applicant)

SUBSCRIBED AND SWORN TO BEFORE ME at Fairbanks, AK on this _____ day of __________, 20____

____________________________________________________________________________________
Notary Public in and for Alaska  Commission Expires

Date Received: ___________________________ Received By: ____________________________________

Fairbanks North Star Borough

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
AMNESTY RELIEF AFFIDAVIT
LOT SIZE

STATE OF ALASKA )
) ss.
FOURTH JUDICIAL DISTRICT )

I, _____________________________________________ (applicant) being duly sworn, under penalty of perjury, 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 and Address of Applicant)

SUBSCRIBED AND SWORN TO BEFORE ME at Fairbanks, AK on this ___ day of __________, 20___

___________________________________ __________________________________
Notary Public in and for Alaska Commission Expires

Date Received: ______________________ Received By: ______________________

Fairbanks North Star Borough