## Highway Variance Application

**File No. ______________**  

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

### Fees:
- ☐ $1,000 variance application*
- ☐ $200 sign deposit (check or cash recommended)

*No fee for highway project variance requested by private property owners, if AKDOT/PF did not fulfill their statutory responsibility of obtaining a variance.

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

### Property Owner:
- **Name:**
- **Mailing Address:**
- **City, State Zip:**
- **Phone:**
- **Cell:**
- **E-mail:**

### Property Information:
- **Property Description:**
- **Street Address:**
- **Lot Size:**
- **Parcel Account Numbers (PAN):**
- **Zoning District:**
- **Existing Use(s):**

### Variance Request Information:
- **Variance Type:**
  - ☐ Setback  ☐ Lot Size  ☐ Other: __________
- **Amount of ROW Acquired:**
  - ☐ Square Feet: __________  ☐ Acres: __________
- **Setback Request:**
  - ☐ Front: __________  ☐ Rear: __________  ☐ Side: N / S / E / W __________  ☐ Side: N / S / E / W __________
- **Lot Size Request**
  - Zoning District Lot Size Minimum: __________  Current/Proposed Lot Size: __________
- **Reasons Description and amount of variance requested:**

### Request Description and amount of variance requested:

Please include any information regarding the applicability of reasonable accommodations for a person having a disability pursuant to FNSBC 18.12.030.

**APPLICANT SIGNATURE:** ____________________________  **DATE:** ____________________________

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*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.*

W:\Community Planning\Admin\Forms & Handouts\FYE 2019\Application_VarianceHighway.docx  
07/01/2018
HIGHWAY VARIANCE
REQUIRED APPLICATION CHECKLIST

Please submit the required documentation listed below. Applications will not be scheduled for a Planning Commission meeting agenda until all of these items have been submitted and the application has been deemed complete by staff.

1. **Provide** a detailed *written narrative* that addresses the following criteria:

   I. **FNSBC 18.104.070 (B)(3)**
      
      e. Amount of right-of-way take from the subject lot
      
      f. Amount remaining to the subject lot after right-of-way take

   II **FNSBC 18.104.070 (B)(2)**
      
      a. Whether special conditions exist which are peculiar to the property involved and which are not applicable to other property in the same zoning district; and
      
      b. Whether strict interpretation of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district;

   III. **FNSBC 18.104.070 (D)**
      
      1. Whether the proposed variance conforms to the intent and purpose of this title and of other ordinances and Alaska Statutes;
      
      2. Whether the denial of the proposed variance will deprive the property owner of the use of the property in a manner similar to the use permitted to be made by the owners of property in the immediate area; and
      
      3. Whether the proposed variance will adversely affect the public health, safety, and welfare, traffic or parking conditions or increase the danger of fire.

   IV. **AS 29.40.040**
      
      (b) A variance from a land use regulation adopted under this section may not be granted if
      
      (1) special conditions that require the variance are caused by the person seeking the variance;
      
      (2) the variance will permit a land use in a district in which that use is prohibited; or
      
      (3) the variance is sought solely to relieve pecuniary hardship or inconvenience.

2. **Provide** a Mortgage Location Survey or Site Plan drawn to scale which illustrate:

   I. **FNSBC 18.104.070 (B)(3)(d)**
      
      i. The subject property and its area and dimensions, both before and after the right of way take.
      
      ii. The location of all structures before and after right-of-way take.
      
      iii. The distances of all structures from all property lines, including old and new right-of-way lines (see applicable site plan guidelines document).

3. **Attach** a letter from Alaska Department of Environmental Conservation specific to each lot, with conditions, if applicable, regarding development suitability pursuant to 18.104.070.B.3(g).

4. **Complete** the *Public Notice Sign Posting Affidavit*. The form is included in the application packet.
PUBLIC NOTICE SIGN POSTING AFFIDAVIT

STATE OF ALASKA    )
) ss.
FOURTH JUDICIAL DISTRICT  

I, ________________________________, being first duly sworn, depose and state that:

1. I have submitted an application identified as ________________________________.

2. I have posted and will maintain public notice sign #_________ in accordance with the following provisions:
   a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
   b. Sign is clearly visible from streets and roads.
   c. Sign will be maintained free of snow or other materials which impede readability.
   d. Sign is posted between an elevation of 2’ and 8’ above ground level and no further than 50’ from the edge of the road to further ensure readability from streets.
   e. Sign was posted on _____________________ (date) and complies with posting requirements of 20 days prior to the public hearing date.
   f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.

3. I understand a refund check of $200.00 (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.

4. This document is null and void when necessary action has been completed as provided in Item #2 f.

___________________________________  
Signature  
___________________________________  
___________________________________  
___________________________________  
___________________________________  
(Print Name and Address of Affiant)

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

Notary Public in and for Alaska  
Commission Expires

Instructions to comply with FNSBC 18.104.010.C.3:
1. Post the sign(s) in accordance with #2 below.
2. Take a photograph of the posted sign.
3. Return this affidavit and the photograph to the Department of Community Planning at least 20 days prior to the Planning Commission meeting (see the ‘Post By’ date). If these items are not received by the ‘Post By’ date, your application may be postponed to a future meeting.
4. This affidavit must be notarized. The Borough has notaries on staff or you may use your own notary.

Post By: ___________ Date ___________
DEPOSIT / REFUND FORM
PUBLIC NOTICE SIGN DEPOSITS &
EXPERT REVIEW DEPOSITS

FILE/CASE #____________

DEPOSITS

**SIGN DEPOSIT**  [ ]  **EXPERT REVIEW DEPOSIT**  [ ]  (see box below)

<table>
<thead>
<tr>
<th>Sign # __________________ (if required)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE Prepared: ________________________</td>
</tr>
<tr>
<td>Prepared By: __________________________</td>
</tr>
<tr>
<td>Fairbanks North Star Borough</td>
</tr>
<tr>
<td>RECEIPT Number: ______________________</td>
</tr>
<tr>
<td>PAID By:  Cash [ ]  Check [ ] #______________  Credit Card [ ]  Last 4 digits #______________</td>
</tr>
</tbody>
</table>

(if paying by check we **MUST** refund to name & address showing on check)

Name & Address on Check ____________________________________________________________

Name & Contact # on Credit Card ____________________________________________________

If cash name and address for refund: _________________________________________________

________________________________________

I understand that I owe the actual cost for the expert review of my telecom application and that this is only a deposit towards the cost.  

________________________________________

(applicant initials)

**SIGN REFUNDS**

<table>
<thead>
<tr>
<th>Sign Returned:</th>
<th>Date: ________________</th>
<th>Initiate Refund:  [ ] YES  [ ] NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff who took sign in: ______________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Be sure application has been completely acted on and the reconsideration has expired prior to taking in the sign.  
For Rezones, be sure the Assembly decision is final prior to taking in the sign.  

<table>
<thead>
<tr>
<th>Additional Damage</th>
<th>Yes [ ]  No [ ]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Partial Refund [ ] Yes $________</td>
<td></td>
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</tbody>
</table>

Describe ____________________________________________  
Applicant Initial ____________________________

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