



# MATANUSKA-SUSITNA BOROUGH

## Planning and Land Use Department

### Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822 • Fax (907) 861-7876

Email: [PermitCenter@matsugov.us](mailto:PermitCenter@matsugov.us)

### APPLICATION FOR A VARIANCE – MSB 17.65

*Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.*

Application fee must be attached:

\_\_\_\_\_ **\$1,000** for **Variance**

*Prior to the public hearing, the applicant must also pay the mailing and advertising fees associated with the application. Applicants will be provided with a statement of advertising and mailing charges. Payment must be made **prior** to the application presentation before the Borough Planning Commission.*

**Subject Property** Township: \_\_\_\_\_, Range: \_\_\_\_\_, Section: \_\_\_\_\_, Meridian \_\_\_\_\_

MSB Tax Acct # \_\_\_\_\_

SUBDIVISION: \_\_\_\_\_ BLOCK(S): \_\_\_\_\_, LOT(S): \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

(US Survey, Aliquot Part, Lat. /Long. etc) \_\_\_\_\_

**Ownership** A written authorization by the owner must be attached for an agent or contact person, if the owner is using one for the application. Is authorization attached?  Yes  No  N/A

**Name of Property Owner**

**Name of Agent/ Contact for application**

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phne: Hm \_\_\_\_\_ Fax \_\_\_\_\_

Phne: Hm \_\_\_\_\_ Fax \_\_\_\_\_

Wk \_\_\_\_\_ Cell \_\_\_\_\_

Wk \_\_\_\_\_ Cell \_\_\_\_\_

E-mail \_\_\_\_\_

E-mail \_\_\_\_\_

Description	Attached
A variance from MSB 17._____ is being applied for and is specifically described.	
Provide a detailed written description as to why the variance is required.	

Drawings	Attached
A boundary survey and site plan of the proposed and/or existing development, of the particular parcel or parcels affected. (See attached survey standards checklist). The survey must be submitted under the seal of an Alaska registered professional land surveyor.	
Structural elevation drawing(s) for the purpose of indicating the proposed height and bulk, view and other dimensions of the subject structure.	

<b>In order to grant a variance from MSB Title 17, the Planning Commission must find that each of the following requirements has been met (17.65.020). Explain how the request meets each requirement. Include information such as physical surroundings, shape or topographical conditions of the property which would support the granting of a variance.</b>	<b>Attached</b>
1. What unusual conditions or circumstances apply to the property for which the variance is sought?	
2. How the strict application of the provisions of this title will deprive you of the rights commonly enjoyed by other properties under the terms of this title.	
3. Why the granting of the variance will not be injurious to nearby property, nor harmful to the public welfare.	
4. How will the granting of the variance be in harmony with the objectives of this title and any applicable comprehensive plans?	
5. How the deviation from the requirements of this title as permitted by the variance will be no more than is necessary to permit a reasonable use of the property.	

<b>A variance may <u>not</u> be granted if any of the conditions listed below are true. Explain why each condition is <u>not</u> applicable to this application.</b>	<b>Attached</b>
1. The 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.	
3. The variance is sought solely to relieve pecuniary hardship or inconvenience.	

**OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax parcel ID #(s) \_\_\_\_\_ and,  
I hereby apply for approval a setback variance on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.55 and MSB 17.65 and with all other applicable borough, state or federal laws.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to the buyer when I sell the land.

I understand that changes from the approved variance may require further authorization by the Borough Planning Commission. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

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Signature: Property Owner	Printed Name	Date
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Signature: Agent	Printed Name	Date
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**Variance Application**  
**MSB 17.65**

**Matanuska-Susitna Borough**  
**Minimum Survey Drawing Standards**

*For Matanuska-Susitna Borough (MSB) 17.60 Conditional Uses, 17.65 Variances, MSB 17.80 Legal Nonconforming Structures, and any site plan or survey required to be provided under the seal of a registered surveyor. Additional data may be required. For more information, contact the MSB Permit Center at (907) 861-7822, E-mail: [permitcenter@matsugov.us](mailto:permitcenter@matsugov.us)*

**CHECK LIST**

- 1) Critical Lot Line(s)
  - \_\_\_ a. corners in
  - \_\_\_ b. record & measured distances shown
  - \_\_\_ c. new corners set
  
- 2) Setback Shown:
  - \_\_\_ a. furthestmost protruding part of structure(s) including attached eaves, decks, cantilevers, etc. (at closest points of separation)
  - \_\_\_ b. dimensioned to 0.1 foot, with no +/-
  - \_\_\_ c. other dimensions required by applicable code.
  
- 3) Easements/Rights of Way
  - \_\_\_ a. all dedicated public easements on lot (identify by type); adjacent public rights of way (with name)
  - \_\_\_ b. verify section line easement (SLE)
  
- 4) Survey for MSB used is not a mortgage survey:
  - \_\_\_ a. no exclusion of use note
  - \_\_\_ b. no copyright
  - \_\_\_ c. north arrow
  - \_\_\_ d. scale
  - \_\_\_ e. show control used
  - \_\_\_ f. Basis of Bearing
  - \_\_\_ g. type and size of all monuments found or set
  - \_\_\_ h. legal description
  - \_\_\_ i. date of field survey
  - \_\_\_ j. seal, sign
  - \_\_\_ k. surveyor's printed name and address
  
- 5) Other specific information relevant to the application
  - \_\_\_ a. specific dimensions of structures, development
  - \_\_\_ b. dates of construction, additions
  - \_\_\_ c. identification of relevant decks, eaves, additions, "phases" of construction, use areas, areas where heights are different, etc.
  - \_\_\_ d. water bodies onsite, adjacent to lot, or within 75 feet of a structure on the lot
  - \_\_\_ e. other information required by the applicable MSB ordinance or required to administer the applicable code. Check relevant codes and instruction sheets for additional information.
  - \_\_\_ f. topography