

**STAFF REVIEW AND RECOMMENDATIONS  
PUBLIC HEARING  
JUNE 23, 2021**

PRELIMINARY PLAT: NANCY CRK EST RSB B/5 L/1 & 2

LEGAL DESCRIPTION: SEC 35, T19N, R4W S.M., AK

PETITIONER: VERN HALTER

SURVEYOR: R & K LAND SURVEYING, LLC

ACRES: 2.20 PARCELS: 1

REVIEWED BY: KIMBERLY MCCLURE

CASE: 2021-086

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**REQUEST:**

The request is to combine Lots 1 & 2, Block 5, Nancy Creek Estates, Plat #74-41 into one lot to be known as **LOT 1A**, containing 2.90 +/- . The property is located east of W. Parks Highway, north of W. Allen Road and directly west of N. Rappe Circle lying within the SW¼ Section 35, Township 19 North, Range 4 West, Seward Meridian, Alaska.

**EXHIBITS:**

Vicinity Maps **Exhibit A**

**DISCUSSION:** The subject property is located within the Willow Area Community Council. The proposed subdivision heard under MSB 43.15.025, *Abbreviated Plats* and MSB 43.15.054(G), exemptions for elimination of common lot lines is exempt from survey and monumentation requirements and allows the surveyor to use record information from the prior plat.

**COMMENTS:**

There were no comments received from Borough Departments, outside agencies or the public at the time of this staff report.

**CONCLUSION**

The plat of Nancy Creek Estates RSB B/5 L/1 & 2 is consistent with AS 29.40.070 *Platting Regulations*, MSB 43.15.025 *Abbreviated Plats* and MSB 43.15.054(G) *Exemptions for elimination of common lot lines*. Plats to remove lot lines are exempt from provisions of the code, which require soils report submittals, legal and physical access, as-built survey, and topographic information. There were no objections received from borough departments, outside agencies or the public at the time of this staff report.

**FINDINGS of FACT:**

1. The abbreviated plat of Nancy Creek Estates RSB B/5 L/1 & 2 is consistent with AS 29.40.070 *Platting Regulations*, MSB 43.15.025 *Abbreviated Plats*, and MSB 43.15.054(G) *Exemptions for elimination of common lot lines*.
2. This plat combines two lots within Nancy Creek Estates, lessening the lot density in the area.
3. There were no objections from any borough departments, outside agencies or the public.
4. An elimination of common lot line plat is exempt from provisions of the code, which require soils report submittals, legal and physical access requirements, as-built survey or topographic information.
5. MSB 43.15.054(G) allows the surveyor to use record information from the recorded plat of Nancy Creek Estates, Plat #74-41, and does not require additional monumentation.

**RECOMMENDED CONDITIONS OF APPROVAL:**

Staff recommends approval of the abbreviated plat of Nancy Creek Estates RSB B/5 L/1 & 2 contingent on the following recommendations:

1. Pay postage and advertising fee.
2. Provide updated Certificate to Plat executed within 7 days prior to recording and provide beneficiary affidavits from holders of beneficial interest, if any.
3. Taxes and special assessments must be **PAID IN FULL** prior to recording the plat, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
4. Submit recording fee payable to DNR.
5. Submit final plat in full compliance with Title 43.





