

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 95-27

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
APPROVING A VARIANCE TO THE REQUIREMENTS OF MSB 17.55.020(A) FOR AN
EXISTING STRUCTURE AND PROPOSED ADDITION ON LOT 26, HIBBARD ADDITION
EXTENSION, TOWNSHIP 17 NORTH, RANGE 3 WEST, SECTION 29, S.M., ALASKA

WHEREAS, an application for a variance from the requirements of MSB Chapter 17.55.050(A) has been received for an existing structure and proposed addition on Lot 26, Hibbard Addition Extension, located within the Palmer Recording District; and

WHEREAS, the existing structure is located 34 feet from the ordinary high water line of Big Lake as indicated on the as-built survey (attached as Exhibit "A") and granting the variance will allow removal of a portion of the existing structure resulting in a 40 foot setback from the ordinary high water mark; and

WHEREAS, the granting of the variance will allow construction of a 414.4-square foot addition to the existing structure; and

WHEREAS, the Planning Commission has conducted the required public hearing and considered the information submitted as required by code and hereby finds:

1. There are unusual topographical conditions or circumstances that apply to the property for which the variance is sought due to the topography of the lot which is very steep and the existence of a 30-foot wide utility easement located near the center of the lot; and
2. The strict application of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties under the terms of this title because the applicant has used this property as a recreational residential lot and now wishes to use the property for a full-time residence which is a use commonly enjoyed by his neighbors; and
3. The granting of the variance will not be injurious to nearby property nor harmful to the public welfare because the proposed development is similar in scale, usage and character to the development in the neighborhood and must comply with all applicable codes; and
4. The granting of the variance will be in harmony with the objectives of this title and any applicable comprehensive plan because the proposed use is an allowed use in the Big Lake area in accordance with MSB Title 17 and is not specifically referenced in the Borough's Comprehensive Plan; and

5. Special conditions that require the variance are not caused by the person seeking the variance because the applicant did not cause the poor design of the lot or the topography of the lot or the location of the utility easement; and
6. The variance will not permit a land use in a district in which that use is prohibited; and
7. The variance is not sought solely to relieve pecuniary hardship or inconvenience as the structure is designed to be located on the only viable building site on the lot.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission does hereby grant a variance for the structure in the proposed reconfiguration and the new addition, a portion of which will be located less than 75 feet from the ordinary high water line of Big Lake as shown the as-built drawing attached as Exhibit "A".

ADOPTED by the Matanuska-Susitna Borough Planning Commission 15 day
of May, 1995.


CARL DEPRIEST, Chairman

ATTEST:


NANCY TRIMBLE, Planning Clerk

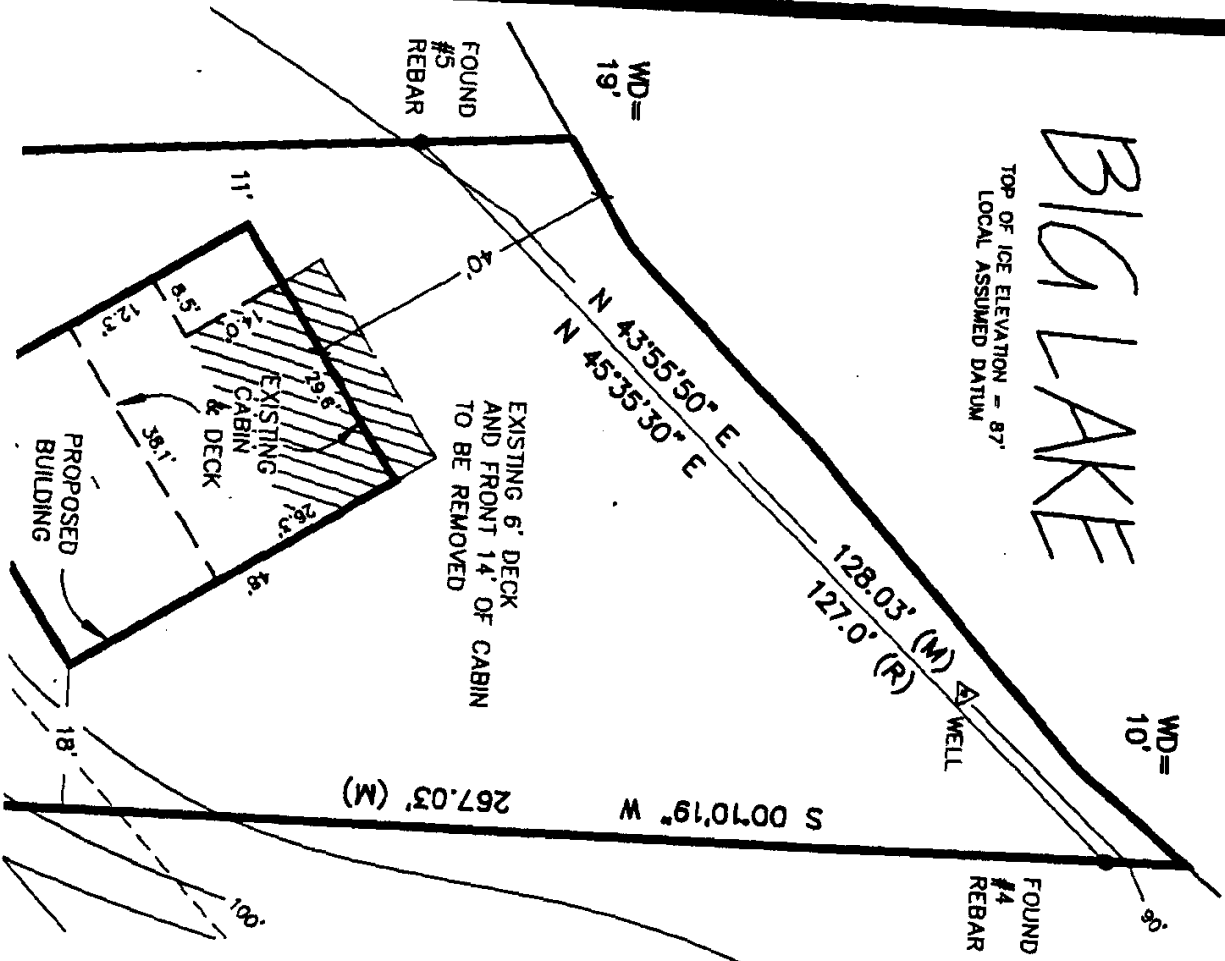


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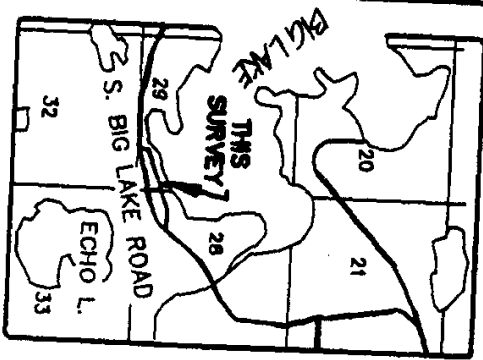
After recording return to:
Matanuska-Susitna Borough
Planning Department
350 E. Dahlia Avenue
Palmer, AK 99645

BIG LAKE

TOP OF ICE ELEVATION - 87'
LOCAL ASSUMED DATUM



VICINITY MAP
SCALE 1" = 1 MILE
T. 17 N., R. 3 W., S.M., AK.

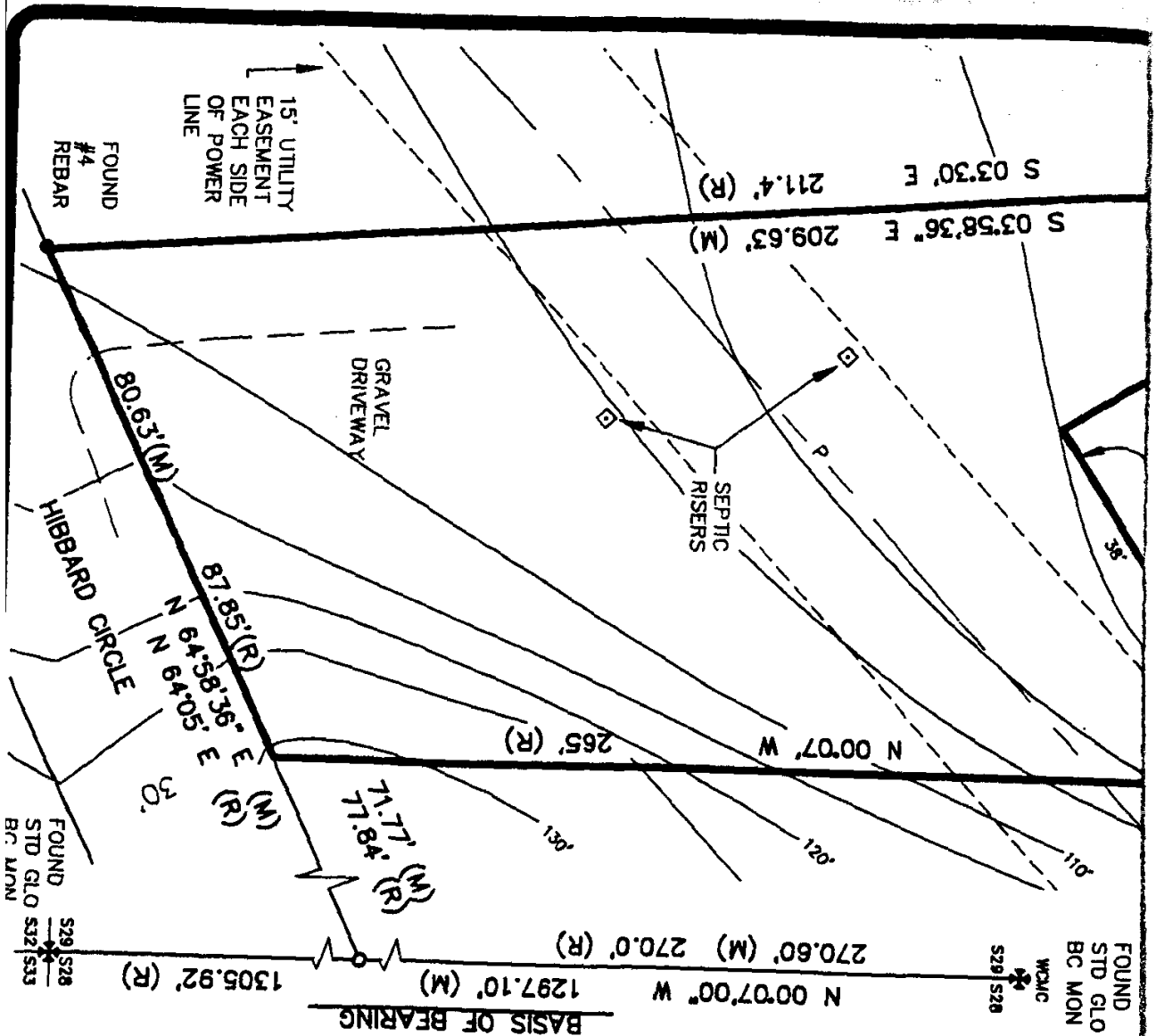


LEGEND

- * FOUND BLM/GLD MON
- FOUND IRON PIPE
- FOUND REBAR
- SEPTIC RISER
- △ WELL

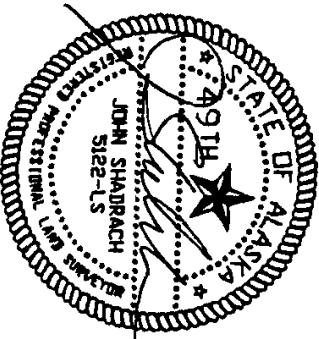
OWNER
James & Susan Protemman
14950 Loch Loman Lane
Anchorage AK 99516

SURVEYOR
John Shadrach, PLS
P. O. Box 871497
Wasilla AK 99687
907 378-2260



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE PERFORMED AN AS-BUILT SURVEY ON THE PROPERTY DESCRIBED HEREON, EASEMENTS NOT APPEARING ON THE ABOVE REFERENCED PLAT ARE NOT SHOWN HEREON UNLESS OTHERWISE NOTED. THIS SURVEY REPRESENTS THE LOCATION OF THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCELS AS OF FEBRUARY 15, 1995, AND IS NOT INTENDED TO BE USED AS A REFERENCE FOR THE LOCATION OF BOUNDARIES OR FOR FURTHER IMPROVEMENTS.



DATE 3/22/95

PRELIMINARY PLOT PLAN

**LOT 26
HIBBARD ADDITION
EXTENSION**

SECTION 29, T. 17 N., R. 3 W., S.M.,
PLAT NO. W-70,
PALMER RECORDING DISTRICT

SCALE	1" = 20'	
	DWN BY	DATE
FB. REF.	SS	3-22-95
	CHK BY	DATE
95-1	JS	3-22-95
	SHT.	1 OF 1

BOOK 0806 PAGE 746

95-006547

24th

PALMER REC. DISTRICT

REQUESTED BY

*Susan
Protzman*

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