**STAFF REVIEW AND RECOMMENDATIONS**
**PUBLIC HEARING**
**JANUARY 22, 2020**

| | | |
|---|---|---|
| PRELIMINARY PLAT: | **LARSON** | |
| LEGAL DESCRIPTION: | **SEC 8, T16N, R2E, S.M., AK** | |
| PETITIONER: | **WSS, LLC AND MATANUSKA-SUSITNA BOROUGH** | |
| SURVEYOR: | **FARMER SURVEYING** | |
| ACRES: **1.43** | PARCELS: **1** | |
| REVIEWED BY: | PEGGY HORTON | CASE: 2019-187 |

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**REQUEST:**

The request is to combine Lots 17, 18, & 19, Block 3, Windsong, Plat #76-110, into one lot to be known as Lot 1, Larson, containing 1.43 acres more or less. Located in the SE¼ Section 8, Township 16 North, Range 2 East, Seward Meridian, Alaska, lying northwest of S. Old Glenn Hwy and directly northeast of E. River Dr.

**EXHIBITS:**

| | |
|---|---|
| Vicinity Maps | **EXHIBIT A** |

**COMMENTS:**

| | |
|---|---|
| Code Compliance | **EXHIBIT B** |
| Public | **EXHIBIT C** |

**DISCUSSION:**

Due to the small lots, high water table and failure of the community sewer system, Windsong property owners have had extreme difficulty installing efficient and working sewer systems with required separation distances between septic and wells. Most owners require more than one lot to meet health and safety requirements for acceptable onsite water and septic system. The borough obtained several lots within Windsong through the tax foreclosure process and dedicated lots and easements for public purpose to allow adjacent landowners area for installation of septic systems or wells.

MSB Ordinance 17-143 authorizes the sale of Borough-owned easement lots and publicly dedicated lots to adjacent property owners for the purpose of protecting public health, safety and welfare by providing mechanism for existing property owners to install ADEC approved individual onsite sewer systems, and returning tax foreclosed properties to the tax rolls, and allowing adjacent owners all rights and interests of easement lots and publicly dedicated lots.

**Location:** The subject parcels are located within the Anchorage Recording District, in the South Knik Community Council area. This case is being heard under MSB 43.15.025, *Abbreviated Plats,* and MSB 43.15.054(G), exemptions for elimination of common lot lines. MSB 43.15.054(G) allows the surveyor to use record information from the prior plats and does not require survey and monumentation.

## COMMENTS:

Code Compliance stated there is an open case on this property, which will be resolved with this platting action. The combining of the lots and transfer of borough property to the owner of Lot 18 will resolve the encroachment violation.

George Kendall & Carolyn Bloom have no objection and totally support his action **(Exhibit B)**.

## CONCLUSION

The plat of Lot 1, Larson 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 are no objections from any borough department, outside agency, or the public to the combination of lots.

## FINDINGS of FACT:

1. The abbreviated plat of Lot 1, Larson is consistent with AS 29.40.070, Platting Regulations and is pursuant to MSB 43.15.025, *Abbreviated Plats,* and MSB 43.15.054(G), exemptions for elimination of common lot lines.

2. This plat combines three lots within Windsong Subdivision, lessening the lot density in the area.

3. There were no objections from any borough department, outside agency or the general public.

4. The combining of the lots and transfer of borough property to the owner of Lot 18 will resolve the open Code Compliance case.

5. An elimination of common lot line plat is exempt from provisions of the code that requires soils report submittals, legal and physical access requirements, as-built survey or topographic information.

6. MSB 43.15.054(G) allows the surveyor to use record information from the recorded plat of Windsong, Plat #76-110, and does not require additional monumentation.

7. Lots platted within Windsong subdivision were originally designed to be served by a community sewer system which never functioned. The lots are substandard in size and most owners require more than one lot to meet health and safety requirements for acceptable onsite water and septic system.

8. The borough obtained several lots within Windsong through the tax foreclosure process and dedicated lots and easements for public purpose to allow adjacent landowners area for installation of septic systems or wells.

9. Ordinance 2017-OR-143 authorizes the sale of one or more Borough-owned easement lots and publicly dedicated lots to adjacent property owners for the purpose of protecting public health, safety and welfare by providing mechanism for existing property owners to install ADEC approved individual onsite sewer systems, and returning tax foreclosed properties to the tax rolls, and allowing adjacent owners all rights and interests of easement lots and publicly dedicated lots.

**RECOMMENDATIONS for CONDITIONS OF APPROVAL:**

Staff recommends approval of the abbreviated plat of Lot 1, Larson 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.

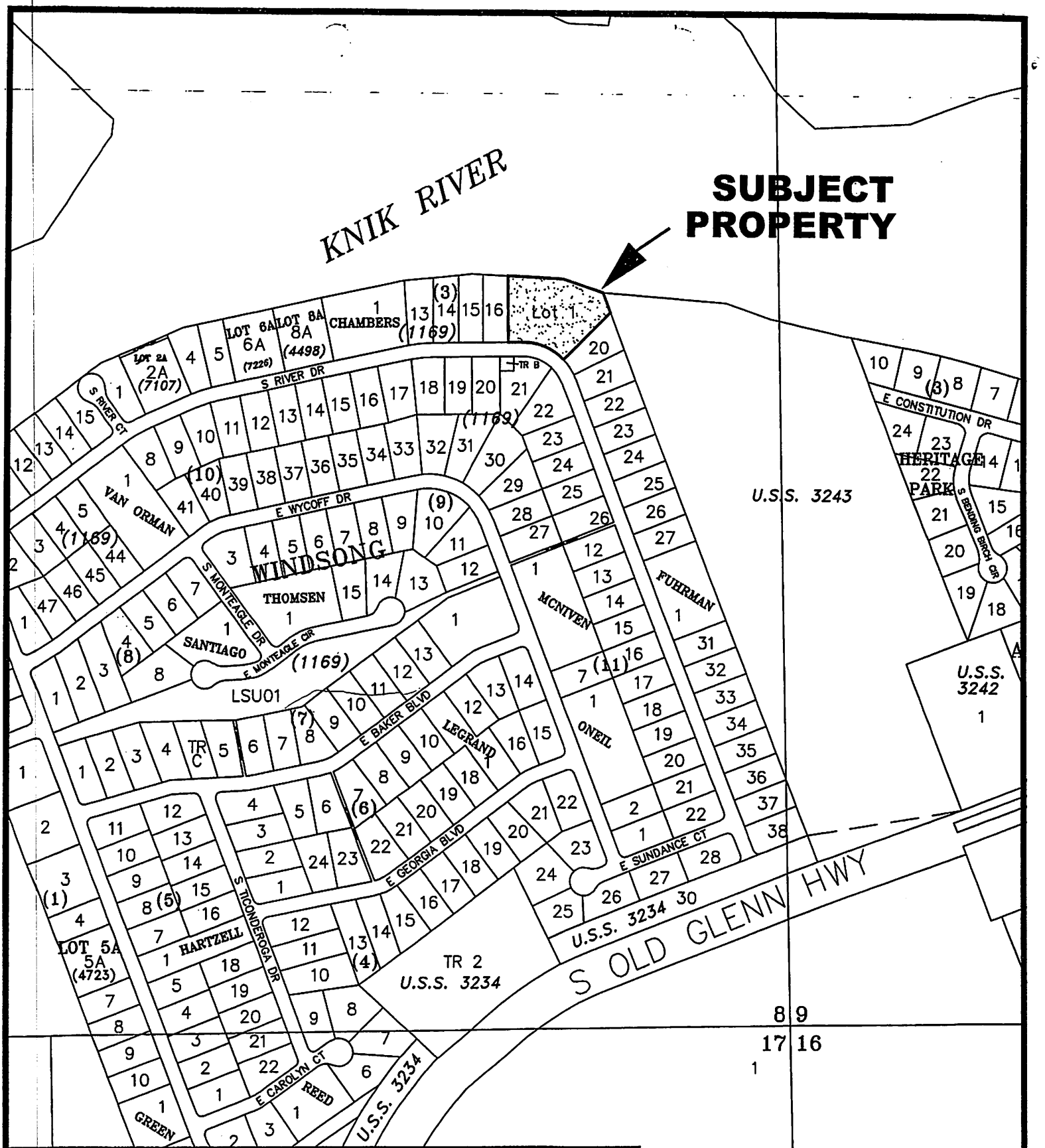
3. Obtain driveway permit for any existing driveway onto a borough public road.

4. Provide signatory authority documentation to show who can sign for WSS, LLC.

5. Taxes and special assessments must be paid in full through the year of recording, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.

6. Submit recording fee payable to DNR.

7. Submit final plat in full compliance with Title 43.

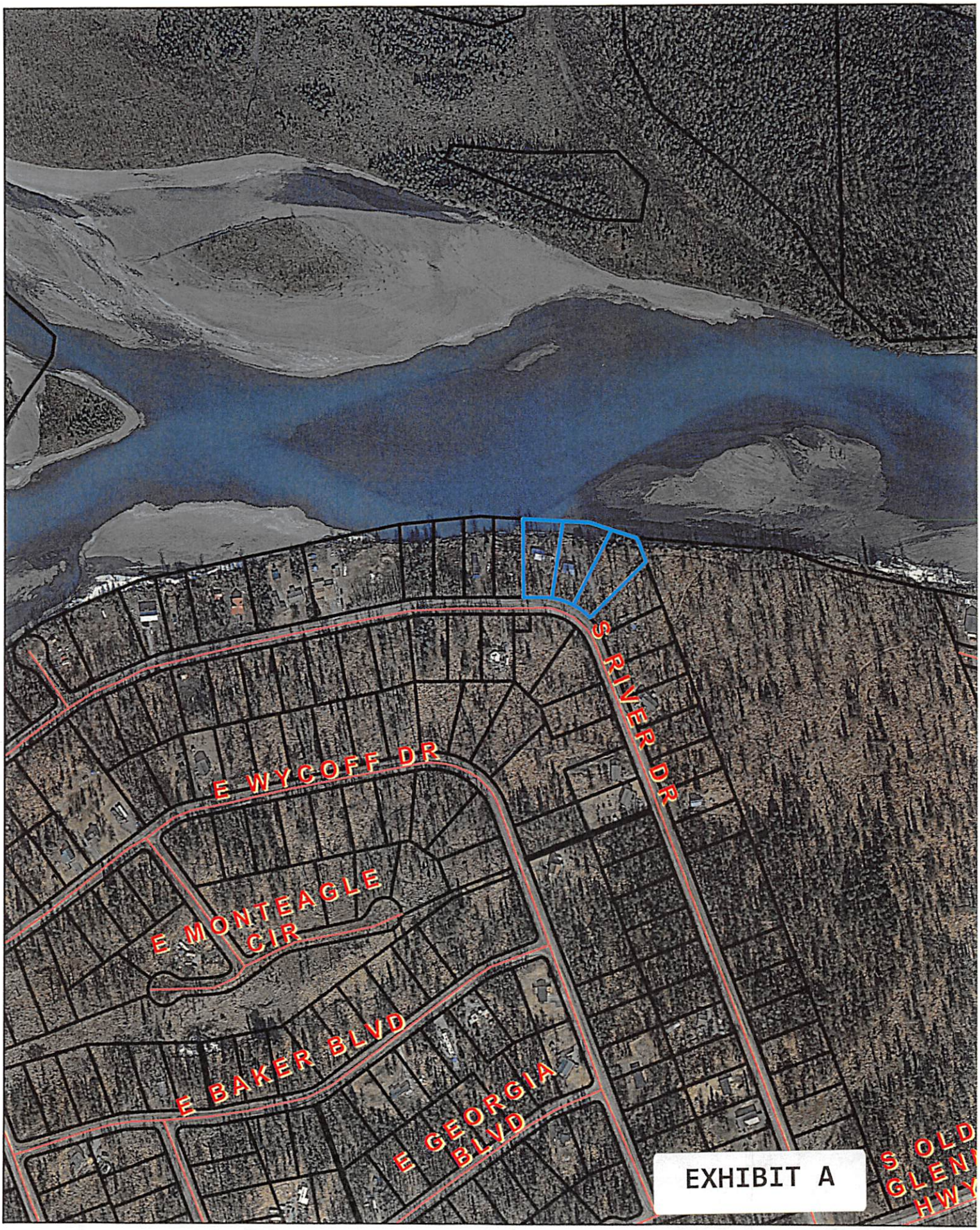



# VICINITY MAP

*FOR PROPOSED LARSON SUBDIVISION*
*LOCATED WITHIN*
*SECTION 8, T16N, R02E*
*SEWARD MERIDIAN, ALASKA*

*GOOSE CREEK 02 MAP*

**EXHIBIT A**




Matanuska Susitna Borough
Permit Center

This map is solely for informational purposes only. The Borough makes
express or implied warranties with respect to the character, function,
capabilities of the map or the suitability of the map for any particular purpo
beyond those originally intended by the Borough. For information regarding

## Peggy Horton

**From:** Theresa Taranto
**Sent:** Monday, December 30, 2019 11:40 AM
**To:** MSB Platting
**Subject:** RE: Request for Comments for Larson Case #2019-187 Tech: PH
**Attachments:** Case Summary.pdf

Lot 17 & 18 has an open case # 10359 (Govern # G20140116), MSB 17.29 violation. Kevin Sumner CCO.
Kevin is out of the office until January 20th, so I have attached a copy of his notes on this case. Keep in mind you may want to look at the actual file for anything more current.
Thank you,

*Theresa Taranto*
Mat-Su Borough
Development Services
Administrative Specialist

350 E Dahlia Ave.
Palmer, Alaska 99645
907-861-8574
www.matsugov.us

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**From:** MSB Platting <Platting@matsugov.us>
**Sent:** Thursday, December 26, 2019 3:03 PM
**To:** adam.dubour@alaska.gov; regpagemaster@usace.army.mil; pamela.j.melchert@usps.gov; Theresa Taranto <Theresa.Taranto@matsugov.us>
**Subject:** Request for Comments for Larson Case #2019-187 Tech: PH

Good afternoon,

The link below will take you to a request for comments for a combination of lots in the Windsong neighborhood off the Old Glenn Hwy. Please review and if you have any questions or trouble with the link, let me know. Comments are due back to Platting by January 13, 2020.

https://matsugovus-my.sharepoint.com/:f:/g/personal/peggy_horton_matsugov_us/EhuD0sMdKBdJpPVj9F2p0xUB7HlldFSMMCMxoN36a9oKtA?e=Pd10MP

NOTE: Please open the link in Chrome or copy and paste to your browner. Using Microsoft Edge seems to cause some viewing problems.

Thank you,
Peggy Horton
Platting Technician
907-861-7881

**EXHIBIT B**

MATANUSKA-SUSITNA BOROUGH
PLATTING DIVISION
350 EAST DAHLIA AVENUE
PALMER, ALASKA 99645

U.S. POSTAGE PITNEY BOWES
ZIP 99645 $ 000.50⁰
02 4W
0000368428 DEC 31 2019

RECEIVED
JAN 0 7 2020
PLATTING

51169B10L034 11
KENDALL GEORGE R
BLOOM CAROLYN E
PO BOX 233271
ANCHORAGE AK 99523-3271

FIRST CLASS

# NOTIFICATION OF PUBLIC HEARING

The Matanuska-Susitna Borough **Platting Officer** will consider the following:

**PETITIONER/OWNER: WSS, LLC and MATANUSKA-SUSITNA BOROUGH**

**REQUEST:** The request is to combine Lots 17, 18, & 19, Block 3, Windsong, Plat 76-110, into one lot to be known as **LOT 1, LARSON**, containing 1.43 acres +/-. This project is located northwest of S. Old Glen Hwy. and directly northeast of S. River Drive (Tax ID #1169B03L017, 1169B03L018, 1169B03L019); within Section 8, Township 16 North, Range 02 East, Seward Meridian. Community Council: South Knik and in Assembly District #1 Tim Hale

The Matanuska-Susitna Borough **Platting Officer** will hold a public hearing in **Conference Room 110** of the **Dorothy Swanda Jones Building**, 350 E. Dahlia Avenue, Palmer, Alaska on the proposed **Subdivision** on **January 22, 2020**. The meeting begins at **8:30 A.M.** We are sending you this notice as required by State Law and Borough Ordinances.

For comments regarding the proposed action, this form may be used for your convenience by filling in the information below and mail this notice to the MSB Platting Division, 350 E. Dahlia, Palmer, Alaska 99645 or e-mail: platting@matsugov.us. Comments received from the public after the platting packet has been written will be given to the Platting Officer in a "Hand-Out" the day of the meeting. **All public comments are due one (1) day prior, by 12:00 p.m.** To request additional information please contact the Platting Technician, ***Peggy Horton*** at (907) 861-7881 or the Platting Secretary at (907) 861-8573.

In order to be eligible to file an appeal from a decision of the Platting Officer, a person must be designated an *interested party*. See MSB 15.39.010 for definition of "*Interested Party*". The procedures governing appeals to the Platting Board are contained in MSB 43.35.003, which is available on the Matanuska-Susitna Borough internet home page, (www.matsugov.us), in the Borough Clerk's office, or at various libraries within the borough.

[X] No Objection [ ] Objection [ ] Concern

*Name:* George Kendall + Carolyn Bloom *Address:* PO Box 233271 Anch 99523

*Comments:* We totally support this action!!!

Case # 2019-187 PH

*Note: Vicinity map Located on Reverse Side*

EXHIBIT C