

MATANUSKA-SUSITNA BOROUGH

350 E. Dahlia Ave., Palmer, Alaska 99645

Chairperson
Terry Nicodemus

Vice Chair
Claudia Roberts



Board Members
Tina Crawford

Alternate Board Member
Larry Schmidt

BOARD OF ADJUSTMENT AND APPEALS AGENDA ASSEMBLY CHAMBERS 350 E. DAHLIA AVENUE, PALMER

APPEAL HEARING

10 A.M.

DECEMBER 28, 2020

I. CALL TO ORDER; ROLL CALL

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

A. November 6, 2020

IV. ITEMS OF BUSINESS

A. Appellant's Motion to Supplement the Record

1. Paul Nangle – Attorney for Appellant Dewayne Creech (*3 minutes*)

2. Shannon Bodolay – Assistant Borough Attorney (*3 minutes*)

B. Appeal Hearing - BOAA Case No. 20-04 – Appeal the Denial of a Conditional Use Permit Located at 7430 West Sunrise Circle, Tax Id. No. 6405000L006, Dewayne Creech, Appellant

1. Borough Staff (*10 Minutes To Present The Decision Below And To Set Forth The Evidence And Rationale Of The Decision Maker.*)

a. Mark Whisenhunt, Acting Development Services Manager

2. Appellant (*15 minutes*)

a. Paul Nangle, Attorney for Appellant Dewayne Creech

3. Borough Attorney (*15 Minutes*)

a. Shannon Bodolay, Assistant Borough Attorney

4. Interested Parties (*5 Minutes Each*)

a. No Interested Parties

5. Appellant For Rebuttal (*5 minutes*)

a. Paul Nangle, Attorney for Appellant Dewayne Creech

V. ADJUDICATORY SESSION

VI. BOARD COMMENTS

VII. ADJOURNMENT

I. CALL TO ORDER; ROLL CALL

A meeting of the Matanuska-Susitna Borough Board of Adjustment and Appeals was called to order at 10 a.m. by Vice Chair Claudia Roberts for the purpose of conducting an appeal hearing.

Board members present and establishing a quorum were:

Ms. Claudia Roberts
Ms. Tina Crawford
Mr. Larry Schmidt

Staff in attendance were:

Ms. Brenda J. Henry, Assistant Borough Clerk
Mr. Mark Whisenhunt, Development Services Manager
Mr. Joe Metzger, Planner II
Ms. Shannon Bodolay, Assistant Borough Attorney

II. APPROVAL OF AGENDA

Vice Chair Roberts queried if there were any changes to the agenda.

GENERAL CONSENT: There was no objection to the agenda as presented.

III. APPROVAL OF MINUTES

A. September 9, 2020

Vice Chair Roberts queried if there were any changes to the minutes.

GENERAL CONSENT: There were no changes to the minutes as presented.

IV. ITEMS OF BUSINESS

A. BOAA Case No. 20-03 - Appeal Hearing – Appeal the Denial of a Request for Variance, Janice Ellsworth, Appellant.

1. Borough Staff (*10 Minutes To Present The Decision Below And To Set Forth The Evidence And Rationale Of The Decision Maker.*)

a. Joe Metzger, Planner II

Mr. Metzger presented the decision and rationale of the Platting Board.

2. Appellant (*15 minutes*)

a. J. Taylor Rounds, Attorney on behalf of Janice Ellsworth, Appellant

Mr. Rounds provided his opening statement.

Mr. Schmidt asked questions of Mr. Rounds.

Ms. Crawford asked questions of Mr. Rounds.

Ms. Roberts asked questions of Mr. Rounds

3. Borough Attorney (*15 Minutes*)
 - a. Shannon Bodolay, Assistant Borough Attorney

Ms. Bodolay provided her opening statement.

Mr. Schmidt asked questions of Ms. Bodolay.

4. Interested Parties (*5 Minutes Each*)

There were no interested parties.

5. Appellant For Rebuttal (*5 minutes*)
 - a. J. Taylor Rounds, attorney on behalf of Janice Ellsworth

Mr. Rounds provided his rebuttal.

Mr. Schmidt asked questions of Mr. Rounds.

V. ADJUDICATORY SESSION

MOTION: Ms. Crawford moved to enter into adjudicatory session.

VOTE: There was no objection noted and the Board entered into adjudicatory session at 10:51 a.m.

MOTION: Ms. Crawford moved to exit adjudicatory session.

VOTE: There was no objection noted and the Board exited adjudicatory session at 2:23 p.m.

Vice Chair Roberts requested that Ms. Henry read the draft of the final decision into the record.

Ms. Henry read the draft final decision into the record.

MOTION: Ms. Schmidt moved to approve the final decision as read into the record by the Clerk.

VOTE: The motion passed without objection.

VI. BOARD COMMENTS

There were no comments provided.

VII. ADJOURNMENT

The meeting adjourned at 2:25 p.m.

MATANUSKA-SUSITNA BOROUGH
BOARD OF ADJUSTMENT AND APPEALS

TERRY NICODEMUS, BOAA Chairperson

ATTEST:

BRENDA J. HENRY, CMC, Assistant Borough Clerk

Minutes Approved: 12/28/20