

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

Edna DeVries, Mayor

PLANNING COMMISSION
Doug Glenn, District 1 – Vice-Chair
Richard Allen, District 2 – Chair
Brendan Carpenter, District 3
Michael Collins, District 4
Linn McCabe, District 5
VACANT, District 6
Curt Scoggin, District 7



Michael Brown, Borough Manager

PLANNING & LAND USE DEPARTMENT
Alex Strawn, Planning & Land Use Director
Jason Ortiz, Planning & Land Use Deputy Director
Wade Long, Development Services Manager
Fred Wagner, Platting Officer
Lacie Olivieri, Planning Clerk

*Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer*

September 15, 2025
REGULAR MEETING
6:00 p.m.

Ways to participate in the meeting:

IN PERSON: You will have 3 minutes to state your oral comment.

IN WRITING: You can submit written comments to the Planning Commission Clerk at msb.planning.commission@matsugov.us.

Written comments are due at noon on the Friday prior to the meeting.

TELEPHONIC TESTIMONY:

- Dial 1-855-290-3803; you will hear “joining conference” when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear, “Your hand has been raised.”
- When it is your turn to testify, you will hear, “Your line has been unmuted.”
- State your name for the record, spell your last name, and provide your testimony.

OBSERVE: observe the meeting via the live stream video at:

- <https://www.facebook.com/MatSuBorough>
- Matanuska-Susitna Borough - YouTube

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

A. MINUTES

Regular Meeting Minutes: August 18, 2025

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 25-16 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB 17.17 Denali State Park Special Land Use District By Eliminating A Provision That Allows The SpUD Boundary To Change Automatically When The Boundary Of The Denali State Park Changes.

Public Hearing Date: October 6, 2025

Staff: Alex Strawn, Planning and Land Use Director

Resolution 25-17 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB Title 17 - Zoning To Create MSB 17.77 Large Lot District.

Public Hearing Date: October 6, 2025

Staff: Alex Strawn, Planning and Land Use Director

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

VII. LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION (*Three minutes per person, for items not scheduled for public hearing*)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS

Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

Resolution 25-13 A Variance In Accordance With MSB 17.65 - Variances. Michael And Lindsay Williams Submitted An Application For A Variance From The 75-Foot Shoreline Setback Requirements Under MSB 17.55, To Allow For Construction Of A 1,176.5 Square Foot Cabin At Its Closest Location Of 52.5 Feet From Big Lake. The Property Is Located On Shepard's Island, Big Lake, Tax ID #6272000L007.

Applicant: Michael and Lindsay Williams

Staff: Rebecca Skjothaug, Current Planner

X. PUBLIC HEARING: LEGISLATIVE MATTERS

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

A. Upcoming Planning Commission Agenda Items

B. School Site Selection Committee

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (*Mandatory Midnight*)

Disabled persons needing reasonable accommodation in order to participate at a Planning Commission Meeting should contact the Borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.

MINUTES

August 18, 2025

(Pages 4-8)

MATANUSKA-SUSITNA BOROUGH

Edna DeVries, Mayor

PLANNING COMMISSION
Doug Glenn, District 1 – Vice Chair
Richard Allen, District 2
Brendan Carpenter, District 3
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*Assembly Chambers of the
Dorothy Swanda Jones Building
350 E. Dahlia Avenue, Palmer*

PLANNING COMMISSION MEETING MINUTES August 18, 2025

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

The Matanuska-Susitna Borough Planning Commission's regular meeting was held on August 18, 2025, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. Chair Richard Allen called the meeting to order at 6:00 p.m.

Present: – Commissioner Doug Glenn
Commissioner Richard Allen
Commissioner Linn McCabe
Commissioner Michael Collins
Commissioner Brendan Carpenter

Absent/Excused: Commissioner Curt Scoggin

Staff Present: – Mr. Alex Strawn, Planning and Land Use Department Director
Mr. Wade Long, Development Services Manager
Ms. Lacie Olivieri, Planning Department Admin
Ms. Erin Ashmore, Assistant Borough Attorney

II. APPROVAL OF AGENDA

Chair Allen inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Glenn.

IV. CONSENT AGENDA

A. MINUTES: Regular Meeting Minutes – August 4, 2025

B. INTRODUCTION FOR PUBLIC HEARING QUASI-JUDICIAL MATTERS
(There were no introductions for public hearing quasi-judicial matters.)

Resolution 25-13 A Variance In Accordance With MSB 17.65 - Variances. Michael And Lindsay Williams Submitted An Application For A Variance From The 75-Foot Shoreline Setback Requirements Under MSB 17.55, To Allow For Construction Of A 1,176.5 Square Foot Cabin At Its Closest Location Of 52.5 Feet From Big Lake. The Property Is Located On Shepard's Island, Big Lake, Tax ID #6272000L007. Public Hearing: September 15, 2025; (Applicant: Michael and Lindsay Williams, Staff: Rebecca Skjothaug, Current Planner)

C. INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE MATTERS

Chair Allen read the Consent Agenda into the record.

GENERAL CONSENT: The Consent Agenda was approved without objection.

V. **COMMITTEE REPORTS**
(There were no committee reports.)

VI. **AGENCY/STAFF REPORTS**
(There were no Agency/Staff Reports)

VII. **LAND USE CLASSIFICATIONS**
(There were no land use classifications.)

VIII. **AUDIENCE PARTICIPATION** (Three minutes per person.)
Chennery Fife – In support of the Waterbody Setback Ordinance.

There being no persons to be heard, Audience Participation was closed without objection.

IX. **PUBLIC HEARING QUASI-JUDICIAL MATTERS**

X. **PUBLIC HEARING LEGISLATIVE MATTERS**

Resolution 25-14 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB 17.23 Port Mackenzie Special Use District To Repeal MSB 17.23.150 Development Permit Required And Associated Standards; (Staff: Alex Strawn, Planning And Land Use Director)

Chair Allen read the resolution title into the record.

Staff, Mr. Alex Strawn, presented his staff report.

Chair Allen inquired if commissioners had any questions for staff

Chair Allen opened the public hearing.

The following persons spoke regarding Resolution 25-14:

There being no persons to be heard, Chair Allen closed the public hearing, and the discussion moved to the Planning Commission.

MOTION: Commissioner McCabe moved Planning Commission Resolution 25-14. The motion was seconded by Commissioner Glenn.

VOTE: The main motion passed without objection.

XI. CORRESPONDENCE AND INFORMATION

(Correspondence and information were presented, and no comments were noted)

XII. UNFINISHED BUSINESS

Resolution 25-15

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending That The Assembly Establish A New Task Force To Review Ordinance 25-073 Regarding Land Use Permits, Setback And Screening Easements, Variances, And Definitions.

Staff: Alex Strawn, Planning And Land Use Director

Chair Allen read the resolution title into the record.

Staff, Mr. Alex Strawn, presented his staff report.

Chair Allen inquired if commissioners had any questions for staff

Chair Allen opened the public hearing.

The following persons spoke regarding Resolution 25-15:

There being no persons to be heard, Chair Allen closed the public hearing, and the discussion moved to the Planning Commission.

MOTION: Commissioner McCabe moved the Planning Commission Resolution 25-15 that she drafted. The motion was seconded by Commissioner Glenn.

MOTION: Commissioner McCabe moved to amend her resolution to add two new Whereas's and a new therefore be it resolved item that asks for at least 50 percent of the proposed task force to be lake home owners who are in compliance and to require water quality testing. The motion was seconded by Commissioner Carpenter.

Discussion ensued

MOTION: Commissioner Allen moved a secondary amendment to change 50 percent to 30 percent. The motion was seconded by Commissioner Carpenter.

VOTE: The secondary amendment passed.

VOTE: The primary amendment passed as amended.

VOTE: The main motion passed as amended without objection.

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Upcoming Planning Commission Agenda Items (*Staff: Alex Strawn*)
(*Commission Business was presented, and no comments were noted.*)

XV. DIRECTOR AND COMMISSIONER COMMENTS

Commissioner Carpenter: Happy with what's going on, as a commissioner and a property owner on a lake.

Commissioner Allen: I will just say as long as I have been on this commission, and it has always been my favorite part of being on this commission, is that we have always treated each other with respect, and had professional discussions, and cordially work through our business. And tonight was no exception, and I think in the end we did good work for the people of the borough.

Commissioner Collins: I appreciate everyone's time, and we will work through everything as we need to. There are some great minds on this board so we are gonna get through everything.

Commissioner Glenn: No comment

Commissioner McCabe: Thanks for everybody's patience as we worked through that Resolution.

Alex Strawn: We lost Commissioner Fernandez and he was the Planning Commission representative on the School site Selection committee. Which is established in code that when a school district needs a new school they initiate a process by which we form a committee to evaluate different properties to determine where the new school will be. It happens every so often, and we need to have a representative from the planning commission that board. So at the next meeting we are going to put under new business nominations for the school site selection committee. So please think about who you would like to nominate whether it is yourself or someone else. Great first meeting Commissioner Allen.

XVI. ADJOURNMENT

The regular meeting adjourned at 6:55 p.m.

Planning Commission Chair

ATTEST:

LACIE OLIVIERI
Planning Commission Clerk

Minutes approved: _____

DRAFT

INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE

Resolution No. 25-16

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending Msb 17.17 - Denali State Park Special Land Use District. By Eliminating A Provision That Allows The Spud Boundary To Change Automatically When The Boundary Of The Denali State Park Changes.; (Staff: Alex Strawn, Planning And Land Use Director)

(Pages 9-29)

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.17 DENALI STATE PARK SPECIAL LAND USE DISTRICT BY ELIMINATING A PROVISION THAT ALLOWS THE SPUD BOUNDARY TO CHANGE AUTOMATICALLY WHEN THE BOUNDARY OF THE DENALI STATE PARK CHANGES.

AGENDA OF: August 5, 2025

ASSEMBLY ACTION:

AGENDA ACTION REQUESTED: Refer to Planning Commission for 90 days

Route To	Signatures
Originator	<div>7 / 22 / 2025</div> <div>X Alex S t r a w n</div> <div>Signed by: Alex S t r a w n</div>
Department Director	<div>7 / 22 / 2025</div> <div>X Alex S t r a w n</div> <div>Signed by: Alex S t r a w n</div>
Finance Director	<div>7 / 22 / 2025</div> <div>X Cheyenne Heindel</div> <div>Signed by: Cheyenne Heindel</div>
Borough Attorney	<div>7 / 23 / 2025</div> <div>X John A s c h e n b r e n n e r</div> <div>Signed by: John A s c h e n b r e n n e r</div>
Borough Manager	<div>7 / 23 / 2025</div> <div>X Michael B r o w n</div> <div>Signed by: Mike B r o w n</div>
Borough Clerk	<div>7 / 23 / 2025</div> <div>X Lonnie M c K e c h n i e</div> <div>Signed by: Lonnie M c K e c h n i e</div>

ATTACHMENT (S) : Ordinance Serial No. 25-089 (2 pp)
MSB 17.17 Denali State Park Special Land Use District (15 pp)
Planning Commission Resolution No. 25-__ (pp)

SUMMARY STATEMENT:

This ordinance repeals MSB 17.17.010(B), which automatically amends the boundaries of the Denali State Park Special Land Use District when the boundary of Denali State Park changes. The repeal is necessary to comply with the Alaska Supreme Court's decision in Homer v. Griswold, which clarified that all changes to land use regulations must be reviewed by the Planning Commission prior to adoption. Automatic boundary changes without such review are inconsistent with this legal requirement.

RECOMMENDATION OF ADMINISTRATION: Staff respectfully recommends adoption of this ordinance.

CHAPTER 17.17: DENALI STATE PARK SPECIAL LAND USE DISTRICT

Section

Article I. General Provisions

17.17.010 Established; map adopted

17.17.020 Purpose

17.17.030 Definitions

Article II. Application of Regulations

17.17.040 Conformance required

17.17.050 Permitted uses

17.17.060 Conditional uses

17.17.070 Prohibited uses

17.17.080 Compliance

17.17.090 Building height limits

17.17.100 Lot area

17.17.110 Setback requirements

17.17.120 Vegetation buffer

17.17.130 Signs

Article III. Conditional Use Permits

17.17.140 Intent

17.17.150 Application and fee

17.17.160 Public hearing

17.17.170 Planning commission action

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17.17.180 General standards

Article IV. Variances

17.17.190 Applications and procedures

Article V. Appeals

17.17.200 Appeals

Article VI. Amendments

17.17.210 Report**17.17.220 Public hearings**

Article VII. Enforcement and Penalties

17.17.230 Violations and enforcement**ARTICLE I. GENERAL PROVISIONS****17.17.010 ESTABLISHED; MAP ADOPTED.**

(A) There is established a special land use district, which shall include all territory lying within the area designated as Denali State Park by the state of Alaska and further described as Township 29 North, Range 6 West, Range 5 West, and that portion of Range 4 West lying north and west of the Alaska Railroad right-of-way; Township 30 North, Range 5 West and that portion of Range 3 West and Range 2 West lying north and west of the Alaska Railroad right-of-way; Township 31 North, Range 5 West, Range 4 West and that portion of Range 3 West and Range 2 West lying north and west of the Alaska Railroad right-of-way; and Township 33 North, Range 4 West, Range 3 West and that portion of Range 2 West lying west of the Alaska Railroad right-of-way; all in the Seward Meridian.

(B) Where the boundaries of the Denali State Park change, the boundaries of the Denali State Park special land use district shall continue to be identical to those of the Denali State Park.

(Ord. 90-125, § 3 (part), 1991)

17.17.020 PURPOSE.**IM 25-168
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The area within the boundaries of this special land use district is zoned for recreational uses.

(Ord. 90-125, § 3 (part), 1991)

17.17.030 DEFINITIONS.

(A) *General provisions.*

- (1) Words used in the present tense include the past tense.
- (2) The singular number includes the plural.
- (3) The masculine gender includes the feminine.
- (4) The term “shall” is always mandatory and not discretionary; the word “may” is permissive.

(B) *Specific definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (1) “Access” means a legal way or means of approach to provide physical entrance or egress to a property.
- (2) “Accessory” as applied to a use or a building or a structure, means customarily subordinate or incidental to, and located on the same lot with a principal use, building or structure.
- (3) “Alteration” means any change, addition, or modification in the construction, location, or use classification of any building, structure or use.
- (4) “Area, lot” means the total area within the property line, including easements, but excluding dedicated rights-of-way.
- (5) “Automobile wrecking” means the dismantling or wrecking of automobiles or other motor vehicles, and the storage or keeping for commercial sale of dismantled or partially dismantled, obsolete or wrecked motor vehicles, or the parts resulting from such activity.
- (6) “Automobile wrecking yard” means the location of automobile wrecking activities, as defined above See also “junkyard.”
- (7) “Buffer” is a means of protection against negative impacts which provides a physical separation or barrier.

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(8) "Building" means any structure, including mobile homes, intended for the shelter, housing or enclosure of any person, animal, process, equipment, goods, use, materials or services of any kind or nature.

(9) "Building height" for the purposes of determining the maximum height of a building, means the vertical distance from the average finished grade adjacent to the building to the highest point on the roof, but not including radio antennas, water towers, church spires, penthouses constructed primarily for mechanical equipment or similar incidental building features.

(10) "Campground" means a plot of ground upon which two or more campsites are located, established or maintained for occupancy as temporary living quarters for recreation, education or vacation purposes.

(11) "Church" means a building or structure, or a group of buildings or structures, which by design and construction are primarily intended for the conduct of organized religious services and accessory uses associated therewith. A single-family dwelling (parsonage) for use by the pastor or caretaker is included in this definition. Additional on-site quarters for clergy or nuns, facilities for training of religious orders, or for daily educational purposes are excluded from this definition.

(12) "Commercial use" means any activity other than a home occupation where goods or services are offered or provided for sale or for profit.

(13) "Conditional use" means a use of a structure or land which may be allowed by the planning commission after a public hearing and review and subject to certain prescribed or imposed conditions.

(14) "Conditional use permit" means a written document which may specify additional controls and safeguards to ensure compatibility with permitted principal uses.

(15) "Dwelling" means a building designed or used as the living quarters for one or more families.

(16) "Dwelling, multi-family" means a detached building designated for or occupied exclusively by three or more families and constituting three or more dwelling units.

(17) "Dwelling, single-family" means a detached building designed for or occupied by and providing housekeeping facilities for one family, including factory-built and prefabricated dwellings, but not mobile homes.

(18) "Dwelling, two-family" means a detached building designed for or occupied exclusively by two families and constituting two dwelling units.

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- (19) "Dwelling unit" means a structure or portion thereof providing independent and complete cooking, living, sleeping and toilet facilities for one family.
- (20) "Family" means one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a group home, rooming house, club, fraternity house or hotel.
- (21) "Grade finished" means the lowest point of elevation of the finished surface of the ground, paving or sidewalk between the building and a line five feet from the building or, when the property line is less than five feet from the building, between the building and the property line.
- (22) "Grade, natural" means the elevation of the ground surface in its natural state, before manmade alterations.
- (23) "Gravel pit" means an open land area where sand, gravel and rock fragments are mined or excavated for sale or off-tract use.
- (24) "Group home" means a legally licensed residential use which is a home for the elderly, or which serves as a dwelling for persons seeking care, rehabilitation, or recovery from any physical, mental or emotional infirmity, for rehabilitation of criminals, or any combination thereof, in a family setting.
- (25) "Home occupation" means an activity carried out as a dwelling unit or detached appurtenance, provided that:
- (a) no more than one other person in addition to members of the family who reside on the premises may engage in such occupation;
 - (b) the use of the dwelling unit or detached appurtenance for the home occupation is clearly incidental and subordinate to its use for residential purposes;
 - (c) there is no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated and mounted flat against the wall of the principal building;
 - (d) traffic is not generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood;
 - (e) equipment or process is not used in the home occupation which creates noise, vibration, glare, fumes, odors, or commercial electrical interference. In violation of applicable government rules and regulations. In the case of electrical interference,

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no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises;

(f) outdoor storage of materials or equipment is not required.

(26) "Industrial use" means any activity which includes manufacturing, processing, warehousing, storage, distribution, shipping and/or other related uses.

(27) "Junk" means any worn out, wrecked, scrapped, partially or fully dismantled discarded tangible material, combination of materials or items, including motor vehicles which are inoperable, machinery, metal, rags, rubber, paper, plastics, and building materials. The above-listed materials are not intended to be exclusive; "Junk" may include any other materials which cannot, without further alteration and reconditioning, be used for their original purposes.

(28) "Junkyard" means an outdoor location where junk is gathered together and stored for a commercial or public purpose.

(29) "Landfill, sanitary." See "sanitary landfill." Also see MSB 8.04, Sanitary Fill Sites.

(30) "Landfill site" means a dumpsite where only natural, organic materials such as tree stumps, brush and/or topsoil resulting from land development efforts, can be disposed of or dumped.

(31) "Lot" means a designated parcel, plot, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit. (See also MSB Title 43)

(32) "Mobile home" means a detached single-family dwelling designed for long-term human habitation and having complete living facilities; capable of being transported to a location of use on its own chassis and wheels; identified by a model number and serial number by its manufacturer, and designed primarily for placement on a non-permanent foundation. "Travel trailers," as defined herein, are not to be construed as mobile homes.

(33) "Park" means a tract of land, designated and used by the public for active and/or passive recreation.

(34) "Parking space" means a space for the parking of a motor vehicle within a public or private parking area.

(35) "Parsonage" means the house provided by a church for use by its pastor.

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(36) "Permitted use" means a use of land or a structure which is allowed within a certain zoning district according to the regulations in this code and subject to the restrictions applicable.

(37) "Principal use" means the primary or predominant use of any lot, building or structure.

(38) "Recreational use" means any formal or informal leisure time activity.

(39) "Recreational vehicle park." See "travel trailer park."

(40) "Refuse area." See "Junkyard."

(41) "Right-of-way" means a strip of land reserved, used, or to be used for a street, alley, walkway, airport, or other public or private purpose.

(42) "Salvage yard." See "Junkyard."

(43) "Sanitary landfill" means a legally permitted site which has been designed, constructed, and approved, to accommodate the disposal of solid waste. (See MSB 8.04, Sanitary Fill Sites)

(44) "Setback" means the area of a lot adjacent to a lot line within which structures as herein defined may not be erected.

(45) "Sign" means a structure or device for advertising intended to direct attention to a business, which is placed upon or within a building, structure or parcel of land and which can be read from a public right-of-way excluding:

- (a) signs not exceeding one square foot in area and bearing only property numbers, post office box numbers, names of occupants or premises, or other identification of premises not having commercial connotations;
- (b) flags and insignia of any governmental agency except when displayed in connection with commercial promotion;
- (c) regulatory, identification, informational, or directional signs erected or required by governmental bodies or reasonably necessary to regulate parking and traffic flow on private property where such signs have no commercial connotation;
- (d) integral decorative or architectural features of buildings;
- (e) holiday or special event banners.

- (46) "Sign, animated" means any sign or part of a sign which uses movement or change of lighting to depict action or to create a special effect or scene.
- (47) "Sign, flashing" means any directly or indirectly illuminated sign which exhibits changing natural or artificial light or color effects by any means whatsoever.
- (48) "Sign, portable" means a sign that is not permanent, affixed to a building, structure, the ground, set on wheels or otherwise designed to be moved from one location to another.
- (49) "Structure" means anything that is constructed or erected and located on or under the ground, or attached to something fixed to the ground, or an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. For purposes of minimum setbacks and building separation requirements, the following are not considered structures unless specifically addressed by code: fences; retaining walls; parking areas; roads; driveways or walkways; window awnings; a temporary building when used for 30 days or less; utility poles and lines; guy wires; clothes lines; flag poles; planters; incidental yard furnishings; water wells; monitoring wells and/or tubes; patios, decks or steps less than 18 inches above the average grade.
- (50) "Temporary structure" means a structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.
- (51) "Travel trailer" means a vehicular-type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodations for recreational, camping and travel use, identified by a model number, serial number, or vehicle registration number.
- (52) "Travel trailer park" means any parcel, tract or lot or portion thereof where space for two or more travel trailers is leased, rented or held for rent for occupancy for less than 30 days, excluding automobile or travel trailer sales lots on which unoccupied travel trailers are parked for inspection and sale.
- (53) "Use" means the purpose for which land, a building, or structure is arranged, designated or intended, or for which either land or a building is or may be occupied or maintained.
- (54) "Variance" means a grant of relief from one or more of the requirements in MSB title 17 as provided for by state law.

(Ord. 90-125, § 3 (part), 1991)

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OR 25-089

ARTICLE II. APPLICATION OF REGULATIONS**17.17.040 CONFORMANCE REQUIRED.**

No building, structure, land or water area located within this special land use district shall hereafter be used or occupied, and no building, structure, or part thereof, shall hereafter be created except in conformity with the regulations specified in this chapter.

(Ord. 90-125, § 3 (part), 1991)

17.17.050 PERMITTED USES.

(A) The following uses shall be permitted within the Denali State Park Special Land Use District:

- (1) public campgrounds, playgrounds, play and sports fields, trails, boat channels, public buildings, public visitor centers and other public facilities and uses in keeping with public recreation;
- (2) one single-family dwelling per lot;
- (3) the raising of vegetables, produce and fruit crops;
- (4) storing, repairing or using farm equipment;
- (5) home occupations;
- (6) temporary living quarters on the same premises with a dwelling under construction, provided the temporary living quarters are removed from the premises within six months after the new dwelling is completed;
- (7) customary accessory uses and buildings, provided such uses are clearly incidental to public recreation and do not include any activity which is inconsistent with such recreation. Any accessory building or use shall be located on the same lot with the principal building.

(Ord. 90-125, § 3 (part), 1991)

17.17.060 CONDITIONAL USES.

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(A) The following uses may be permitted by obtaining a conditional use permit in accordance with MSB 17.17.140 through 17.17.180:

- (1) two-family dwellings;
- (2) multiple-family dwellings with three or more units;
- (3) group homes;
- (4) churches and related buildings;
- (5) commercial uses;
- (6) private campgrounds;
- (7) recreational vehicle parks;
- (8) utility substations;
- (9) highway maintenance yards;
- (10) public gravel pits;
- (11) group camps. (Ord. 90-125, § 3 (part), 1991)

17.17.070 PROHIBITED USES.

(A) Prohibited uses and structures within the Denali State Park Special Land Use District are all uses and structures not specified as permitted or conditional uses, including:

- (1) mobile homes, except as permitted under MSB 17.17.050(A)(6);
- (2) mobile home parks;
- (3) industrial uses not listed as permitted or conditional uses;
- (4) junkyards, salvage yards, and automobile wrecking yards;
- (5) landfills and refuse areas.

(IM 96-040, page 1, presented 9-17-96; Ord. 90125, § 3 (part), 1991)

17.17.080 COMPLIANCE.

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OR 25-089**

No building, structure, land or water area located within this special land use district shall hereafter be used or occupied, and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, repaired or structurally altered except in conformity with the regulations specified in this chapter.

(Ord. 90-125, § 3 (part), 1991)

17.17.090 BUILDING HEIGHT LIMITS.

The maximum building height shall be 35 feet above finished grade.

(Ord. 90-125, § 3 (part), 1991)

17.17.100 LOT AREA.

The minimum lot area for any use shall be 4.75 acres, except that if a ten-acre aliquot part parent parcel when surveyed is less than ten acres, the parcel may be divided into two equal size parcels. The lot length-width ratio shall be a maximum of 1:3 and a minimum of 1:1.

(Ord. 17-097, § 2, 2017; Ord. 90-125, § 3 (part), 1991)

17.17.110 SETBACK REQUIREMENTS.

Except for signs, no structure shall be erected within 75 feet of the right-of-way of the George Parks Highway. In all other cases, the setback requirements specified in MSB 17.55 shall apply. (Ord. 90-125, § 3 (part), 1991)

17.17.120 VEGETATION BUFFER.

A natural vegetation buffer shall be maintained for a minimum of 50 feet from the right-of-way of the George Parks Highway.

(Ord. 90-125, § 3 (part), 1991)

17.17.130 SIGNS.

The following types of signs are prohibited: portable signs; signs mounted on top of buildings; and flashing, rotating, animated or intermittent lighted signs. In no case shall any sign exceed **IM 25-168**
OR 25-089

32 square feet in area. Signs within 660 feet of the right-of-way of the Parks Highway are regulated by the Code of Federal Regulations.

(Ord. 90-125, § 3 (part), 1991)

ARTICLE III. CONDITIONAL USE PERMITS

17.17.140 INTENT.

It is recognized that there are certain uses which are generally considered appropriate in this district, provided that controls and safeguards are applied to ensure their compatibility with permitted principal uses. The conditional use permit procedure is intended to allow planning commission consideration of the impact of the proposed conditional use on surrounding property and the application of controls and safeguards to assure that the conditional use will be compatible with the surrounding area and in keeping with the character and integrity of the Denali State Park.

(Ord. 90-125, § 3 (part), 1991)

17.17.150 APPLICATION AND FEE.

(A) An application for a conditional use permit shall be filed by the owner of the property concerned or the owner's authorized agent.

(B) Application for a conditional use permit shall be in writing on forms prescribed by the planning director. The application shall include:

- (1) a legal description of the property involved;
- (2) a statement of the proposed use;
- (3) a detailed site plan showing the proposed location of all buildings and structures on the site, access points, visual screening, buffering, drainage, vehicular and pedestrian circulation patterns, parking areas and the specific location of the proposed land use or uses, together with other information as may be required to comply with the standards for a conditional use listed in this chapter and in other pertinent sections of this chapter.

(C) A non-refundable fee as prescribed by MSB 17.99.

(Ord. 90-125, § 3 (part), 1991)

17.17.160 PUBLIC HEARING.

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(A) The planning commission shall hold a public hearing to consider any conditional use permit application.

(1) Notice of any public hearing required under this code shall be given in accordance with MSB 17.03. Notice shall also be given to the Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation.

(2) The form of the notice shall be as described in MSB 17.03.

(Ord. 90-125, § 3 (part), 1991)

17.17.170 PLANNING COMMISSION ACTION.

(A) The planning commission shall hear any interested parties and shall render a decision on the application for a conditional use permit within 30 calendar days from the date of public hearing. In recommending the granting of a conditional use permit, the planning commission shall state in writing the conditions of approval of the permit which it finds necessary to carry out the intent of this chapter. These conditions may increase the required lot or yard size, control the location and number of vehicular access points to the property, require screening and landscaping, and may require the reclamation of property to a character in keeping with surrounding lands. The commission may also impose other conditions and safeguards designed to ensure the compatibility of the conditional use with other lawful uses and the character and integrity of the Denali State Park.

(B) The planning director shall incorporate any conditions or requirements stipulated by the commission in the conditional use permits.

(Ord. 90-125, § 3 (part), 1991)

17.17.180 GENERAL STANDARDS.

(A) A conditional use may be approved only if it meets the requirements of this section in addition to any other standards required by this chapter.

(1) the conditional use will not detract from the value, character or integrity of Denali State Park;

(2) that the conditional use fulfills all other requirements of this chapter pertaining to the conditional use in question;

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- (3) that granting the conditional use permit will not be harmful to the public health, safety, convenience and welfare;
- (4) that sufficient access, setbacks, lot area, parking space, buffers, and other safeguards are being provided to meet the conditions; and
- (5) if the permit is for a public use or structure, the commission must find that the proposed use or structure is located in a manner which will maximize public benefits.

(Ord. 90-125, § 3 (part), 1991)

Article IV. VARIANCES

17.17.190 APPLICATIONS AND PROCEDURES.

Applications and procedures for variances under MSB 17.17 shall be as prescribed in MSB 17.65. (Ord. 90-125, § 3 (part), 1991)

ARTICLE V. APPEALS

17.17.200 APPEALS.

Appeals from decisions of the planning commission may be made under the provisions of MSB 15.39. (IM 96-013, page 1 (part), presented 3-19-96; Ord. 90-125, § 3 (part), 1991)

ARTICLE VI. AMENDMENTS

17.17.210 REPORT.

(A) Before any proposed zoning changes may be acted upon by the assembly, the planning commission shall study the proposed change and make a report in writing to the assembly.

(B) The report shall give consideration as to the effect the proposed change would have on the public health, safety, convenience and welfare. It shall also state whether the proposed change:

- (1) will adversely affect the character and integrity of the Denali State Park;
- (2) is contrary to the established land use pattern;

**IM 25-168
OR 25-089**

- (3) will materially alter the population density pattern and thereby increase the demand for public facilities and services;
 - (4) will create or excessively increase traffic congestion or otherwise affect public safety;
 - (5) will adversely affect property values in the adjacent area;
 - (6) will be a deterrent to the improvement or development of adjacent property in accord with existing regulations;
 - (7) will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
- (C) The report shall incorporate comments heard at the public hearing held by the planning commission and shall recommend as to approval and disapproval of the proposed change.
- (D) The report shall be forwarded to the assembly.
- (E) Amendments to this chapter shall be made by an ordinance adopted by the assembly.

(Ord. 90-125, § 3 (part), 1991)

17.17.220 PUBLIC HEARINGS.

Before the assembly may act on a proposal for amendment to this chapter, the clerk shall cause an ordinance to be prepared setting forth the details of the proposed amendment. Such ordinance shall be introduced at a regular or special meeting of the assembly and a date for a public hearing established. The clerk shall give notice of the public hearing in the manner prescribed in this title.

(Ord. 90-125, § 3 (part), 1991)

ARTICLE VII. ENFORCEMENT AND PENALTIES

17.17.230 VIOLATIONS AND ENFORCEMENT.

Violations and enforcement of this chapter shall be consistent with the terms and conditions of MSB 17.56.

(Ord. 90-125, § 3 (part), 1991)

**IM 25-168
OR 25-089**

CODE ORDINANCE

Sponsored by: M. Brown
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 25-089**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.17 DENALI STATE PARK SPECIAL LAND USE DISTRICT BY ELIMINATING A PROVISION THAT ALLOWS THE SPUD BOUNDARY TO CHANGE AUTOMATICALLY WHEN THE BOUNDARY OF THE DENALI STATE PARK CHANGES.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Deletion of subsection. MSB 17.17.010(B) is hereby deleted in its entirety:

(B) Where the boundaries of the Denali State Park change, the boundaries of the Denali State Park special land use district shall continue to be identical to those of the Denali State Park.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2025.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

By: A. Strawn
Introduced:
Public Hearing:
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 25-16

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 17.17 DENALI
STATE PARK SPECIAL LAND USE DISTRICT BY ELIMINATING A PROVISION
THAT ALLOWS THE SPUD BOUNDARY TO CHANGE AUTOMATICALLY WHEN THE
BOUNDARY OF THE DENALI STATE PARK CHANGES.

WHEREAS, Assembly Ordinance 25-089 repeals MSB 17.17.010(B),
which automatically amends the boundaries of the Denali State Park
Special Land Use District when the boundary of Denali State Park
changes; and

WHEREAS, the repeal is necessary to comply with the Alaska
Supreme Court's decision in Homer v. Griswold, which clarified
that all changes to land use regulations must be reviewed by the
Planning Commission prior to adoption; and

WHEREAS, automatic boundary changes without such review are
inconsistent with this legal requirement.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna
Borough Planning Commission hereby recommends approval of Assembly
Ordinance 25-089:

/

/

ADOPTED by the Matanuska-Susitna Borough Planning Commission
on this __ day of _____, 2025.

RICHARD ALLEN, Chair

ATTEST

LACIE OLIVIERI, Planning Clerk

(SEAL)

YES:

NO:

INTRODUCTION FOR PUBLIC HEARING LEGISLATIVE

Resolution No. 25-17

A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB Title 17 - Zoning. To Create MSB 17.77 Large Lot District. (Staff: Alex Strawn, Planning And Land Use Director)

(Page 30-39)

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTING MSB 17.77 LARGE LOT DISTRICT.

AGENDA OF: August 5, 2025

ASSEMBLY ACTION:

AGENDA ACTION REQUESTED: Refer to Planning Commission for 90 days.

Route To	Signatures
Originator	<div>7 / 23 / 2025</div> <div>X A l e x S t r a w n</div> <div>S i g n e d b y : A l e x S t r a w n</div>
Planning Department Director	<div>7 / 23 / 2025</div> <div>X A l e x S t r a w n</div> <div>S i g n e d b y : A l e x S t r a w n</div>
Finance Director	<div>Recoverable Signature</div> <div>X L i e s e l Z a n t o f o r C H</div> <div>S i g n e d b y : L i e s e l W e i l a n d</div>
Borough Attorney	<div>7 / 23 / 2025</div> <div>X J o h n A s c h e n b r e n n e r</div> <div>S i g n e d b y : J o h n A s c h e n b r e n n e r</div>
Borough Manager	<div>7 / 23 / 2025</div> <div>X M i c h a e l B r o w n</div> <div>S i g n e d b y : M i k e B r o w n</div>
Borough Clerk	<div>7 / 23 / 2025</div> <div>X L o n n i e M c K e c h n i e</div> <div>S i g n e d b y : L o n n i e M c K e c h n i e</div>

ATTACHMENT (S) : Ordinance Serial No. 25-090 (5 pp)
Planning Commission Resolution No. 25-____ (pp)

SUMMARY STATEMENT: This ordinance is at the request of Assemblymember Hale.

The Large Lot District (Chapter 17.77) serves to establish specific areas within the borough to maintain the character, integrity, and value of large lot neighborhoods. This ordinance aims to protect the public health, safety, and welfare, and to avoid overcrowding and excessive traffic in areas designated as large lot communities. The regulations and procedures outlined in this chapter provide a framework for the designation of large lot districts in accordance with the borough's comprehensive plan.

This ordinance allows property owners to request designation of

their area as a large lot district with a minimum five-acre lot size. Lots that existed prior to establishment of the district, and do not meet the minimum requirement will retain legal nonconforming status, but cannot be further subdivided.

RECOMMENDATION OF ADMINISTRATION: Staff respectfully recommends referral of the ordinance to the Planning Commission for 90 days.

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 25-090**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING
MSB TITLE 17 ZONING TO CREATE MSB 17.77 LARGE LOT DISTRICT.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and
permanent nature and shall become a part of the Borough Code.

Section 2. Adoption of Chapter. MSB 17.77 is hereby adopted
to read as follows:

CHAPTER 17.77 LARGE LOT DISTRICT

17.77.010 INTENT

**(A) This district is intended to provide a method
to protect and retain the character of large lot
communities in accordance with adopted borough
comprehensive plans. This chapter is further intended
to.**

**(1) allow property owners to request large lot
regulations in specific areas;**

**(2) prevent overcrowding and excessive
traffic; and**

**(3) protect the value, character, and
integrity of large lot neighborhoods where appropriate.**

17.77.020 APPLICABILITY

(A) This chapter applies in all areas of the borough including special land use districts and residential land use districts. Where this chapter is in conflict with the conditions of a special land use district or residential land use district, the most restrictive conditions shall apply.

(B) This chapter does not apply within the cities of Houston, Palmer, or Wasilla.

17.77.030 PROCESS TO ESTABLISH DISTRICTS

(A) A petitioner seeking approval of a subdivision before the Platting Board may simultaneously apply for approval to designate the subdivision as a Large Lot District.

(B) Except as provided in subsection (A), a Large Lot District may be initiated or modified only by submitting a petition to the Planning Department containing the signatures of at least 67 percent of the affected properties, as listed in the Borough tax assessment records.

(1) A map delineating the boundary of the proposed district shall accompany the petition.

(2) The petition shall include the following information of each signatory:

(a) printed name;
(b) mailing address;
(c) phone number; and
(d) physical address or tax account
number of the real property subject to the proposal.

(3) For properties with multiple owners, each
owner must individually sign the petition in order to be
counted as a signatory.

(a) If one or more property owners are
deceased, the remaining property owner(s) may sign the
petition. A copy of the death certificate for each
deceased owner must be provided.

(4) If a property is held in a Trust or Estate,
the authorized signatory must sign the petition and
provide documentation of their authority to sign on
behalf of the Trust or Estate.

(5) If a power of attorney (POA) has been
granted to an individual to sign on behalf of a property
owner, a copy of the executed POA document must accompany
the petition.

(6) If the property is owned by a business,
limited liability company (LLC), non-profit
organization, or other legal entity, the authorized
representative must sign the petition. Documentation

confirming their authority to sign on behalf of the entity must be included with the petition.

(C) Public involvement. The following standards are the minimum standards for public involvement.

(1) All public notices shall include the following information:

(a) date, time and location of the public meeting(s); and

(b) a brief description of the purpose of the meeting.

(c) a map showing the proposed boundary of the subject district.

(2) Public notice shall be mailed to all property owners within the affected area no fewer than 15 days prior to any scheduled public hearing.

(3) A request for a Large Lot District under single ownership is exempt from this subsection.

17.77.040 DESIGNATED LARGE LOT DISTRICTS

(A) The following areas are Large Lot Districts subject to the provisions of this chapter:

(1) Reserved for future designation by ordinance.

17.77.050 GENERAL STANDARDS

(A) The minimum lot size shall be five acres.

(B) All lots proposed for inclusion in a Large Lot District shall be contiguous. For purposes of this section, "contiguous" means that lots share a common boundary of measurable length and do not touch solely at a corner.

17.77.060 LEGAL NONCONFORMING LOTS

(A) Lots within a district, which were in existence prior to adoption of the district and do not meet the minimum lot size standards, shall have legal nonconforming status without requiring an administrative determination. However, an administrative determination may be issued if requested by the property owner.

(B) Lots with legal nonconforming status are not eligible for further subdivision but may be included in a platting action that does not reduce the area of the nonconforming lot.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2025.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

By: A. Strawn
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 25-17**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB TITLE 17 -
ZONING TO CREATE MSB 17.77 LARGE LOT DISTRICT.

WHEREAS, Assembly Ordinance 25-090 adopts new chapter MSB
17.77 Large Lot District; and

WHEREAS, the ordinance lays out a clear process by which new
large lot districts can be created or modified; and

WHEREAS, properties within the district would have a minimum
lot size of five acres; and

WHEREAS, the stated intent of large lot district is to
provide a method to protect and retain the character of large lot
communities in accordance with adopted borough comprehensive
plans; and

WHEREAS, the further stated intent is to allow property owners
to request large lot regulations in specific areas, prevent
overcrowding and excessive traffic, and to protect the value,
character, and integrity of large lot neighborhoods where
appropriate; and

WHEREAS, the proposed standards support the goals and objectives of the Matanuska-Susitna Borough Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Assembly Ordinance 25-090.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this -- day of --, 2025.

RICHARD ALLEN, CHAIR

ATTEST

LACIE OLIVIERI, PLANNING CLERK

(SEAL)

YES:

NO:

PUBLIC HEARING LEGISLATIVE

Resolution No. 25-13

A Variance In Accordance With MSB 17.65 - Variances. Michael And Lindsay Williams Submitted An Application For A Variance From The 75-Foot Shoreline Setback Requirements Under MSB 17.55, To Allow For Construction Of A 1,176.5 Square Foot Cabin At Its Closest Location Of 52.5 Feet From Big Lake. The Property Is Located On Shepard's Island, Big Lake, Tax ID #6272000L007.

(Pages 40-176)

TITLE:

A variance in accordance with MSB 17.65 - Variance Michael and Lindsay Williams submitted an application for a variance from the 75-foot shoreline setback requirements under MSB 17.55, to allow for construction of a 1,176.5 square foot cabin at its closest location of 52.5 feet from Big Lake. The property is located on Shepard's Island, Big Lake, Tax ID #6272000L007.

APPLICANT:

Mihael and Lindsay Williams

STAFF:

Rebecca Skjothaug

Staff Report



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

www.matsugov.us

DEVELOPMENT SERVICES DIVISION STAFF REPORT

Date: August 18, 2025

File Number: 6272000L007

Applicant: Michael and Lindsay Williams Variance

Property Owner: Michael and Lindsay Williams

Request: Planning Commission Resolution 25-13
Request for a Variance – MSB 17.65

Location: Shepards Island, Big Lake Alaska, Tax ID#s 6272000L007; within Township 17 North, Range 3 West, Section 30, Seward Meridian

Size of Property: .57 acres

Reviewed By: Alex Strawn, Planning and Land Use Director
Wade Long, Development Services Manager

Staff: Rebecca Skjothaug – Current Planner

Staff Recommendation: Approval

EXECUTIVE SUMMARY

Michael and Lindsay Williams, property owners, have applied for a variance under MSB 17.65 for a parcel located on Shepards Island, Big Lake, Alaska (Tax ID# 6272000L007). The property currently contains a 320-square-foot cabin on 0.57 taxable acres. The proposed new structure will be situated as close as 52.5 feet from Big Lake, with a total of 1,176.5 square feet (including the pre-existing structure) located within the 75-foot waterbody setback area. Per borough code 17.55.020, structures are required to maintain a minimum setback of 75 feet from a waterbody. Approval of this variance would allow the owners to construct the proposed residence within the required setback distance.

MSB 17.65 requires a variance permit for residential structures uses within the setback are as highlighted in MSB 17.55. As of 17.65.020 – *In order to grant a variance to the regulations of MSB title 17, the planning commission must find that each of the following requirements has been met:*

- (1) There are unusual conditions or circumstances that apply to the property for which the variance is sought.
- (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.
- (3) The granting of the variance will not be injurious to nearby property, nor harmful to the public welfare.
- (4) The granting of the variance will be in harmony with the objectives of this title and any applicable comprehensive plans.
- (5) The deviation from the requirement of this title that is permitted by the variance will be no more than is necessary to permit a reasonable use of the property.

LAND USE

Existing Land Use:

The subject parcel is situated on Shepards Island, Big Lake Alaska. The closest shoreline parcel is located approximately .08 miles from Shepards Island. Lot 7 of Township 17, Range 3 West Seward Meridian, Subdivision of Original Lots 10 and 11, the subject parcel was recorded August 13, 1958. The subject parcel is approximately 65' wide by 330' long, with recognized wetlands at 125' from the ordinary high-water line. The subject parcel of .57 acres currently occupies a 320 square foot cabin approved for a variance on August 26, 1986, located at 34.7' from the ordinary high-water mark. On April 16, 1991, a voluntary certificate from the State of Alaska Division of Land and Water Management was issued to the subject parcel owner reflecting the acceptance of the well located on the subject parcel. The subject property has a septic system comprised of three holding tanks. These holding tanks are 101 ft from the edge of the water and 26 ft outside of the 75 ft water setback. Alaska Department of Environmental Conservation states that any building is required to be 10' back from an existing septic system. Shepards Island does not have any roads accessing any point on the island and it is required to access all parcels by use of the waterbody.

Surrounding Land Uses:

Shepards Island has a total of 26 parcels, with 16 parcels containing residential structures. All parcels on Shepards Island require that Big Lake is used as the source of access. According to Matanuska-Susitna Borough GIS data the island is approximately 16.66 acres with a perimeter of .85 miles. 17 parcels located on Shepard Island are a part of the area labeled as lakebed. The lakebed is situated in the middle of the island and is approximately 22% of the total island area. All surrounding uses of the subject parcel consist of residential homes.

Commonly Enjoyed Uses Analysis:

Planning staff conducted an analysis using Borough Assessment files and GIS systems. Staff analyzed the parcels with lake frontage on Shepards Island, along with 413 lakeshore parcels with

7,500 feet of the subject property. According to MSB 17.65.020(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*, staff determined the pertinent information to be gathered from parcels located on Shepards Island because this information fulfilled the objection of analyzing “commonly enjoyed rights”. There are currently 16 parcels with residential structures located on Shepards Island. 11 of the 16 parcels, (69%) are legally built with a status of Legal Non-Conforming or a granted variance. The average residential structure is 1,230 square feet and located approximately 39’ from the ordinary high-water mark. The average parcel size for the island is approximately .85 acres. All calculations provided use only legal parcels and parcels that are not in violation of any MSB setback regulations.

REVIEW OF APPLICABLE CRITERIA AND FINDINGS

MSB 17.03 – Public Notification

Borough staff mailed a total of 24 notices on August 4, 2025, to all property owners located on Shepards Island, and any other subject parcels within 600 feet of the subject lot. The Frontiersman published the public hearing notice in the August 4, 2025, issue. Staff posted the application material on the Borough's website and emailed the public notice, application material, and a request for comments to outside agencies and the Big Lake Community Council on August 4, 2025.

Staff has received two comments from the public in favor of granting the variance.

Section 17.65.020 Requirements for Granting a Variance

(A) In order to grant a variance to the regulations of MSB title 17, the planning commission must find that each of the following requirements has been met:

(1) There are unusual conditions or circumstances that apply to the property for which the variance is sought.

Findings of Fact:

1. The subject lot is part of the South Big Lake Alaska Subdivision and was initially platted in 1958 before Borough setback and lot size regulations were established.
2. Big Lake is located south of the subject parcel. To the west and east is a residential property
3. According to the application material, the subject parcel is approximately 0.57 acres; 65’ wide by 330’ long.
4. According to the application material, the lakebed begins at on the subject parcel 125’ from the ordinary high-water of Big Lake and continues until the northernmost point of the subject parcel.
5. According to the application materials, the buildable land is a small section of land on the south side of the property. The buildable area is 75’ from the ordinary high-water north on the property to 125’ from the ordinary high water of Big Lake.
6. According to the application materials the Alaska Department of Environmental Conservation (ADEC) approved septic is located at 101’ from the ordinary high-water mark of Big Lake.

7. According to the application materials ADEC requires that any structure is located 10' from the septic holding tanks.
8. According to the application this reduces the buildable area to a 13' by 40' area that can be built adhering to all MSB and ADEC setback requirements.

Conclusion of Law: Based on the findings, the 0.57-acre parcel has limited legal building area due to the 75' building setback and the lakebed that encompasses 62% of the subject parcel, which is an unusual condition (MSB 17.65.020(A)(1)).

(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.

9. Planning staff analyzed 26 parcels with lake frontage on Shepards Island of Big Lake.
10. Planning staff found the lakefront properties within the analysis area vary in size from 0.28 to 4.68 acres.
11. Development within the analysis area ranges from 384 square foot cabins to structures exceeding 3,304 square feet.
12. After conducting an analysis, the Planning staff found that there are 11 lakefront parcels with dwellings that appear to meet the 75-foot setback criteria, have legal non-conforming status or a granted variance, and these dwellings have an average size of 1,230 square feet.
13. The dwellings that may violate the setback requirements were not included in the average dwelling size calculation.
14. According to the application material, the applicant proposes building an addition of 1,314 square foot residential single-story structure with 457.5 square feet located outside the 75' setback regulation. Totaling an additional single-story structure of 856.5 square feet within the 75' setback.
15. According to the application material, the proposed addition to the single-story cabin has an 856.5-square-foot footprint.
16. According to the application materials, the proposed addition to structure is planned to be 12.6' from the eastern property line, 27.3' from the western line, and 52.5' from Big Lake.
17. Big Lake is located south of the subject parcel. To the east and west is a residential property.

Discussion: Real property owners are granted a series of rights over their land, chief among these being the right to use and enjoy the premises as they see fit. This encompasses a wide range of activities, from residential to commercial purposes, allowing property owners considerable freedom in utilizing their land. However, this freedom is not absolute and is subject to certain legal restrictions to promote orderly development and ensure the community's welfare. For example, property owners must comply with the Borough's zoning laws and regulations, including how far structures must be set back from property lines, waterbodies, and public rights-of-way.

The planning staff used the Borough Assessment files and GIS systems to conduct an analysis. The study area's average dwelling size was the focus of our analysis. We excluded any properties featuring dwellings that appeared to fall within the 75-foot waterbody setback to maintain our

findings' integrity. Our analysis aims to reflect lawful property use and development patterns within the area of interest by excluding non-compliant properties.

Conclusion of Law: Based on the above findings, the strict application of the provisions of this title would deprive the applicants of rights commonly enjoyed by others, as the subject lot has certain unique conditions and circumstances that apply. The average size of dwellings within the analysis area is 1,230 square feet. The property is 0.57 acres of land, and 62% of the subject parcel is lakebed. Therefore, constructing an 856.5-square-foot addition to the cabin within the 75' setback on the property is a reasonable use of the land. (MSB 17.65.020(A)(2)).

(3) The granting of the variance will not be injurious to nearby property, nor harmful to the public welfare.

Findings of Fact:

18. According to Borough Assessment records, the existing 17.8' X 18' cabin was constructed on the subject parcel in 1986 by an approved variance.
 19. According to the application material, the pre-existing cabin is 17.8' X 18' cabin is approximately 34.7' from the ordinary high water of Big Lake.
 20. According to the application material, the applicant proposes building an addition of 1,314 square foot residential single-story structure with 457.5 square feet located outside the 75' setback regulation. Totaling an additional single-story structure of 856.5 square feet within the 75' setback.
 21. According to the application material, the applicant proposes building an additional 856.5 square foot single-story structure within the 75' setback.
 22. According to the application materials, the proposed addition to structure is planned to be 12.6' from the eastern property line, 27.3' from the western line, and 52.5' from Big Lake.
 23. In 2005, the Matanuska-Susitna Borough Assembly adopted voluntary best management practices (BMP) for development around waterbodies.
 24. According to the application material, the subject parcel has 65 feet of shoreline on Big Lake.
 25. Based on the application materials, the applicant proposes preserving a minimum of 50% of undisturbed native vegetation of the shoreline bank.
 26. According to the application materials, the applicant was provided with an Alaska Fish & Game permit to reconstruct the dock on October 17, 2022.
 27. According to the application materials the Alaska Department of Environmental Conservation (ADEC) approved septic is located at 101' from the ordinary high-water mark of Big Lake.
 28. On April 16, 1991, a voluntary certificate from the State of Alaska Division of Land and Water Management was issued to the subject parcel owner reflecting the acceptance of the well located on the subject parcel.
 29. **Conclusion of Law:** Based on the above findings, granting the variance will not be injurious to nearby property, nor harmful to the public welfare (MSB 17.65.020(A)(3)).
-

- (4) *The granting of the variance will be in harmony with the objectives of this title and any applicable comprehensive plans.*

COMPREHENSIVE PLAN

The property is located within the Big Lake planning area. The Big Lake Comprehensive Plan Update (August 2009) applies to the subject property. Two of the land use goals of the plan are:

Goal (LU&E-3) Protect the natural environment – *As the area grows, actions are needed to avoid detrimental effects on well water, quality of surface water, habitat, wetlands and other natural environmental features.*

Goal (LU&E-4) Provide for freedom to enjoy our properties – *The plan supports a balance of freedom to use property as individuals choose up to that point where one person's use limits the rights of neighbors to enjoy their property. Responsible land use should be in harmony with surrounding land use without damaging the health, safety and welfare of adjacent property.*

Four types of residential areas are recognized in the plan. The subject property is in the “Dispersed Residential” area, defined as “Rural residential areas, where lots are larger, and the natural setting is more dominant. This is the primary land use type in the Big Lake area.”

One of the strategies to achieve the broad goals is to “Establish Community-Wide Development Guidelines.” Some of the guidelines that pertain to this property are as follows:

- **Natural Vegetation/Site Disturbance** – *Encourage retention of existing natural vegetation and replant disturbed areas. Grading and clear-cutting of the entire parcel prior to selling or developing land is strongly discouraged.*
- **Protection of Water Quality** – *Use of land adjoining waterbodies should be designed to minimize impacts on water quality. Actions to achieve this goal include minimizing removal of natural vegetation along the majority of the edge of lakes, streams or wetlands, to keep lawn chemicals, silt, and septic effluents out of the watershed, to inhibit bank erosion and provide habitat for wildlife such as ducks and loons, while providing some screening of development.*
- **Building Setbacks from Waterbodies (new structures)** – *require at least the MSB 75' minimum development setback from streams, lakes, wetlands and other waterbodies; "development" is defined as habitable structures. Non habitable structures, such as boathouses, shed, decks or saunas can be built within 75' of lakes and streams, but these improvements should be designed to have minimal environmental and visual impact on the adjoining waterway.*
- **Building Setbacks from Waterbodies (existing non-compliant structures)** – *for buildings developed after the date (1987) of the setback ordinance (Chapter 17.55 of the Borough Code of Ordinances) and prior to the adoption of the Borough's land use permit (2007), special consideration should be given, in keeping with state statutes, to approving setback violation appeals caused by inadequate information and communications of that information to property owners. This is not advocating blanket approvals of setback violations but rather that leeway be given to approving violations that have no adverse impact on surrounding properties and waterbodies, and which occurred as honest mistakes and not as overt violations of the criteria by people who knew or should have known better.*

The plan recommends these approvals contain restrictions on expanding the encroachment or rebuilding a destroyed structure. However, all requests for variances must be considered in accordance with Alaska Statute 29.40.040(B).

Within the Big Lake Comprehensive Plan Update (August 2009), the introduction is a statement discussing the authority of the plan.

“A comprehensive plan is a legally recognized document, with the authority to guide decisions on land use, public facilities and services, transportation and other issues. At the same time, comprehensive plans are intended to set broad goals that will remain relevant over multiple years. Consequently, by design, this plan does not set out precise binding rules on development, such as might be established in a Special Use District. Nor does it make final decisions on the specific locations of new roads or public facilities. What it does do is present general goals on the type of place the community wants to be in the future and then outline general strategies on how to reach these goals.”

The Big Lake Comprehensive Plan Update (August 2009) does not eliminate the possibility of acquiring a variance to MSB 17.55. Still, it encourages thoughtful and considerate use of the property, considering the environment, surrounding use, surrounding development, and freedom to enjoy life on Big Lake.

The Matanuska-Susitna Borough Comprehensive Plan (2005 Update) also pertains to this property. Two of the land use goals state:

Goal (LU-1): Protect and enhance the public safety, health, and welfare of Borough residents.

Policy LU1-1: Provide for consistent, compatible, effective and efficient development within the borough.

This plan does not expressly address variance requests. It does include goals to protect the environment and the surrounding areas. Variance requests are not inconsistent with the policies and goals of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update).

Findings of Fact:

30. MSB Chapter 17.65 – Variances were written to grant relief to property owners whose lots are impacted by existing land use regulations, thereby making the lot undevelopable.
31. The Big Lake Comprehensive Plan (2009 update) contains a list of development guidelines, one of which states, “Require at least the MSB 75’ minimum development setback from streams, lakes, wetlands and other water bodies; “development” is defined as habitable structures.”
32. The Big Lake Comprehensive Plan (2009 update), by design, does not set out precise binding rules on development but instead provides general goals on the type of place the community wants to be in the future and then outlines general strategies to reach those goals.
33. Goal (LU&E-3) of the Big Lake Comprehensive Plan Update (August 2009) is to “Protect the natural environment.”
34. Goal (LU&E-4) of the Big Lake Comprehensive Plan Update (August 2009) is to “Provide for freedom to enjoy our properties.”

35. The Big Lake Comprehensive Plan recognizes four types of residential areas. The subject property is in the “Dispersed Residential” area, defined as “Rural residential areas, where lots are larger and the natural setting is more dominant. This is the primary current land use type in the Big Lake area.”
36. Goal (LU-1) of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) states: Protect and enhance the public safety, health, and welfare of Borough residents.
37. Policy LU1-1 of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) states: Provide for consistent, compatible, effective, and efficient development within the Borough.
38. Goal (LU-2) of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) states: Protect residential neighborhoods and associated property values.
39. The variance request is consistent with the policies and goals of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) as the residential structure cannot be constructed on the lot without a setback variance, the structure is placed as far back on the property as possible, and the structure is similar to surrounding development.
40. In 2005, the Matanuska-Susitna Borough Assembly adopted voluntary best management practices (BMP) for development around waterbodies.
41. According to the application material, the subject parcel has 65 feet of shoreline on Big Lake.
42. Based on the application materials, the applicant proposes preserving the natural shoreline and maintaining a buffer of undisturbed vegetation along 65 feet of the shoreline, which will account for 50% of the total shoreline of 65 feet.
43. According to the application materials, the applicant was provided with an Alaska Fish & Game permit to reconstruct the dock on October 17, 2022.
44. According to the application materials, the proposed addition to structure is planned to be 12.6’ from the eastern property line, 27.3’ from the western line, and 52.5’ from Big Lake.
45. According to the application material, the applicant proposes building an additional 856.5 square foot single-story structure within the 75’ setback.
46. After conducting an analysis, the Planning staff analyzed 26 lakefront parcels, of which 11 were legal on Shepards Island of Big Lake, finding that property sizes range from 0.28 to 4.68 acres and development varies from 384-square-foot cabins to structures exceeding 3,304 square feet.
47. According to the Planning staff’s analysis, constructing an additional 856.5-square-foot dwelling is compatible with the surrounding area.

Discussion: Based on the Big Lake Comprehensive Plan, staff suggests that the lot may not be clear-cut, and the property owners maintain a 10-foot wide buffer of undisturbed vegetation along approximately 65 feet of the shoreline.

Conclusion of Law:

Based on the above findings, the proposed variance is consistent with the applicable comprehensive plans and does meet the intent of MSB 17.65 (MSB 17.65.020(A)(4)).

(5) The deviation from the requirement of this title that is permitted by the variance will be no more than is necessary to permit a reasonable use of the property.

Findings of Fact:

48. According to the application material, the subject parcel is approximately 0.57 acres; 65' wide by 330' long.
49. According to the application material, the lakebed begins at on the subject parcel 125' from the ordinary high-water of Big Lake and continues until the northernmost point of the subject parcel.
50. According to the application materials, the buildable land is a small section of land on the south side of the property. The buildable area is 75' from the ordinary high-water north on the property to 125' from the ordinary high water of Big Lake.
51. According to the application materials area due to the 75' building setback and the lakebed that encompasses 62% of the subject parcel unique circumstances require a variance.
52. After conducting an analysis, the Planning staff analyzed 26 lakefront parcels, of which 11 were legal on Shepards Island of Big Lake, finding that property sizes range from 0.28 to 4.68 acres.
53. After conducting an analysis, the Planning staff found that there are 11 lakefront parcels with dwellings that appear to meet the 75-foot setback criteria, have legal non-conforming status or a granted variance, and these dwellings have an average size of 1,230 square feet.
54. Development within the analysis area ranges from 384 square foot cabins to structures exceeding 3,304 square feet.
55. The dwellings that may violate the setback requirements were not included in the average dwelling size calculation.
56. According to Borough Assessment records, the existing 17.8' X 18' cabin was constructed on the subject parcel in 1986 by an approved variance.
57. According to the application material, the pre-existing cabin is 17.8' X 18' cabin is approximately 34.7' from the ordinary high water of Big Lake.
58. Based on the application material, the current cabin is in working condition and the applicant intends to expand it.
59. According to the application material, the applicant proposes building an addition of 1,314 square foot residential single-story structure with 457.5 square feet located outside the 75' setback regulation. Totaling an additional single-story structure of 856.5 square feet within the 75' setback.
60. According to the application material, the proposed addition to the single-story cabin has an 856.5-square-foot footprint.
61. According to the application materials, the proposed addition to structure is planned to be 12.6' from the eastern property line, 27.3' from the western line, and 52.5' from Big Lake.

62. Big Lake is located south of the subject parcel. To the east and west is a residential property.
63. According to the Planning staff's analysis, constructing an 856.5-square-foot dwelling is compatible with the surrounding area.
64. According to the application material, the subject parcel has 65 feet of shoreline on Big Lake.
65. Based on the application materials, the applicant proposes preserving a minimum of 50% of undisturbed native vegetation of the shoreline bank.
66. According to the application materials, the applicant was provided with an Alaska Fish & Game permit to reconstruct the dock on October 17, 2022.
67. According to the application materials the Alaska Department of Environmental Conservation (ADEC) approved septic is located at 101' from the ordinary high-water mark of Big Lake.
68. On April 16, 1991, a voluntary certificate from the State of Alaska Division of Land and Water Management was issued to the subject parcel owner reflecting the acceptance of the well located on the subject parcel.

Conclusion of Law: Based on the above findings, granting a variance will be no more than necessary to permit a reasonable use of the property (MSB 17.65.020(A)(5)).

Section 17.65.030 Cases Where Variance is Illegal

(A) A variance from this title may not be granted if:

(1) Special conditions that require the variance are caused by the person seeking the variance.

Findings of Fact:

69. The subject lot is part Township 17 North, Range 3 West, Section 30, Seward Meridian and was initially platted in 1958 before Borough setback and lot size regulations were established.
70. According to the application material, the subject parcel is approximately 0.57 acres.
71. According to the application material, the property at its widest point east to west is 65' and 330' long.
72. On Shepards Island, Big Lake, Planning staff found the lakefront properties within the analysis area vary in size from 0.28 to 4.68 acres.
73. Development within the analysis area ranges from 384 square foot cabins to structures exceeding 3,304 square feet.
74. Big Lake is located south of the subject parcel.
75. According to the application materials, the buildable land is a small section of land on the south side of the property. The buildable area is 75' from the ordinary high-water north on the property to 125' from the ordinary high water of Big Lake.

76. According to the application materials area due to the 75' building setback and the lakebed that encompasses 62% of the subject parcel unique circumstances require a variance.
77. According to the application materials the Alaska Department of Environmental Conservation (ADEC) approved septic is located at 101' from the ordinary high-water mark of Big Lake.
78. According to the application materials ADEC requires that any structure is located 10' from the septic holding tanks.
79. According to the application this reduces the buildable area to a 13' by 40' area that can be built adhering to all MSB and ADEC setback requirements.

Conclusion of Law: Based on the above findings, the person seeking the variance did not cause the need for the variance (MSB 17.65.030(A)(1)).

(2) The variance will permit a land use in a district in which that use is prohibited.

Findings of Fact:

80. The subject parcel is not in a special land use district.
81. Residential structures are allowed on this property.

Conclusion of Law: Based on the above findings, the variance, if granted, will not allow a land use in a district in which that use is prohibited, as residential structures are allowed on this site (MSB 17.65.030(A)(2)).

(3) The variance is sought solely to relieve pecuniary hardship or inconvenience

Findings of Fact:

82. The subject lot is part Township 17 North, Range 3 West, Section 30, Seward Meridian and was initially platted in 1958 before Borough setback and lot size regulations were established.
83. According to the application material, the subject parcel is approximately 0.57 acres.
84. Big Lake is located south of the subject parcel.
85. According to the application materials, the buildable land is a small section of land on the south side of the property. The buildable area is 75' from the ordinary high-water north on the property to 125' from the ordinary high water of Big Lake.
86. According to the application materials the Alaska Department of Environmental Conservation (ADEC) approved septic is located at 101' from the ordinary high-water mark of Big Lake.
87. According to the application materials ADEC requires that any structure is located 10' from the septic holding tanks.
88. According to the application this reduces the buildable area to a 13' by 40' area that can be built adhering to all MSB and ADEC setback requirements.

Conclusion of Law: Based on the above findings, the variance is not solely being sought to relieve pecuniary hardship or inconvenience (MSB 17.65.030(A)(3)).

STAFF RECOMMENDATIONS

Staff recommends approval of this variance request to allow the proposed additional single-story residence of 856.5 square feet to be constructed within the 75' setback at Tax ID# 6272000L007< Shepards Island, Big Lake, as referenced on the Lavender Survey & Mapping Plot Plan dated December 18, 2022.

Should the Planning Commission deny the variance, the commission shall create findings supporting the denial and amend the resolution.

Application



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 861-7822

Email: permitcenter@matsugov.us

APPLICATION FOR A VARIANCE – MSB 17.65

NOTE: Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Borough staff will not process incomplete applications.

Required Attachments:

- ☒ \$1,500 application fee
- ☒ Certified Site Plan – as defined in MSB 17.125
- ☒ Structural elevation drawings of the proposed development
- ☒ Narrative with all information required on Pages 1 and 2

Subject Property:

MSB Tax Account ID#(s): 6272000L007

Street Address: Lot 7 on Shepherd's Island on Big Lake 61°32'9.31"N 149°53'37.70"W Parcel ID: 25665

Name of Property Owner

Michael and Lindsay Williams

Mailing: PO Box 101055

Anchorage, AK 99510

Phone: Hm N/A Fax N/A

Work 907-562-8000 Cell 907-854-2288

E-mail: michael.williams@gpsalaska.com

Name of Agent / Contact for application

Mailing: _____

Phone: Hm _____

Fax _____

Work _____

Cell _____

E-mail: _____

NARRATIVE – 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.	Attached Williams Cabin Variance
Identify the exact code standard(s) which the request for variance is related to.	17.55.020
Provide a detailed written description as to why the variance is required.	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.	6
Explain what MSB adopted Voluntary Best Management Practices for Development around Waterbodies will be implemented into the proposed development.	7

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.	Attached
The special conditions that require the variance are caused by the person seeking the variance.	8
The variance will permit a land use in a district in which that use is prohibited.	9
The variance is sought solely to relieve pecuniary hardship or inconvenience.	10

Drawings	Attached
A boundary survey and site plan of the proposed and/or existing development, of the particular parcel or parcels affected. The survey must be submitted under the seal of an Alaska Registered Land Surveyor.	Boundary Survey & Site Plan Attached
Structural elevation drawing(s) for the purpose of indicating the proposed height and bulk, view and other dimensions of the subject structure.	Drawings Attached

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

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

MSB Tax parcel ID #(s) 6272000L007 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.

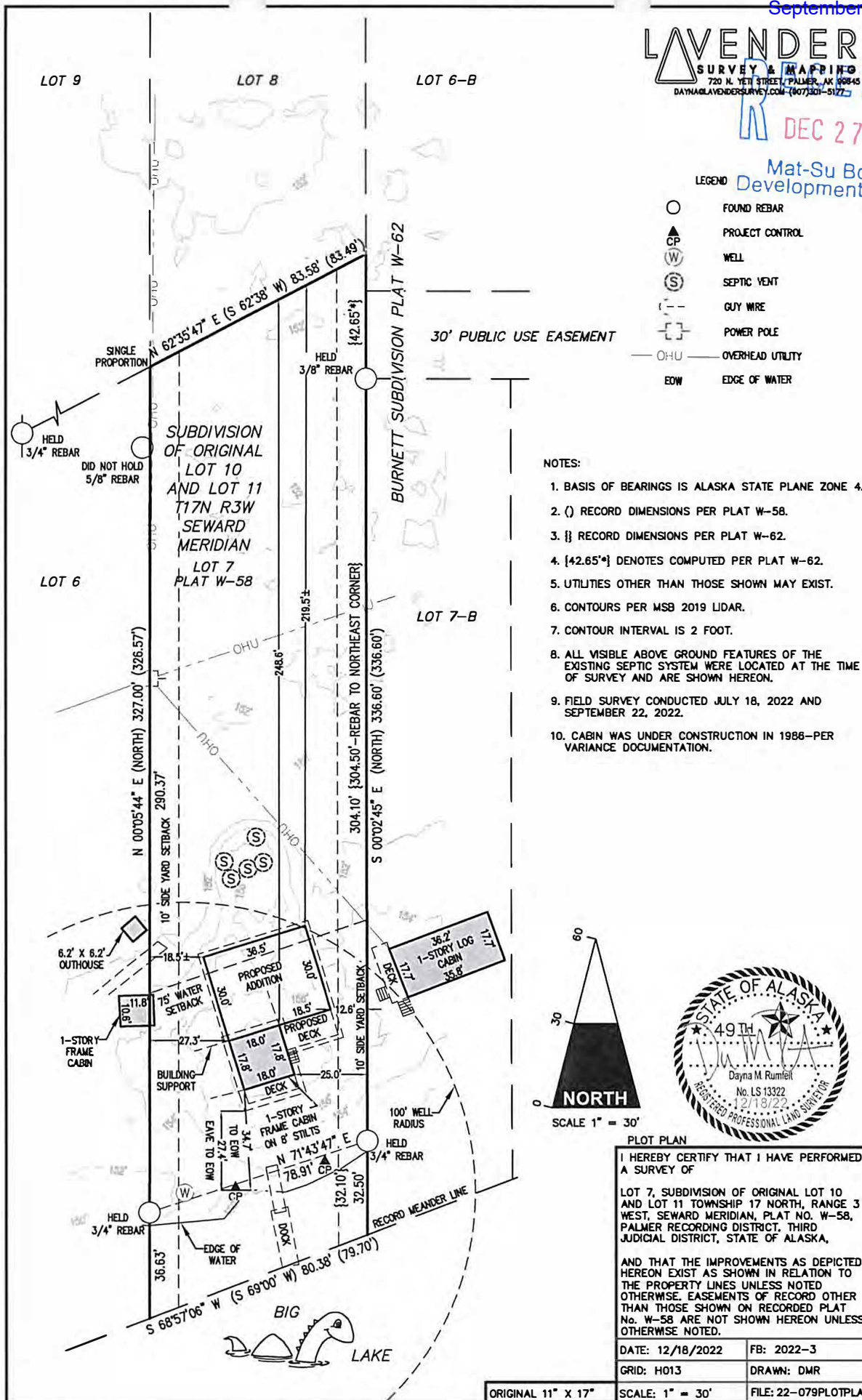
	Michael Williams	
Signature: Property Owner	Printed Name	Date

Signature: Agent	Printed Name	Date

LAVENDER
SURVEY & MAPPING
720 N. YETI STREET, PALMER, AK 99645
DAYNALAVENDERSURVEY.COM (907)301-5172

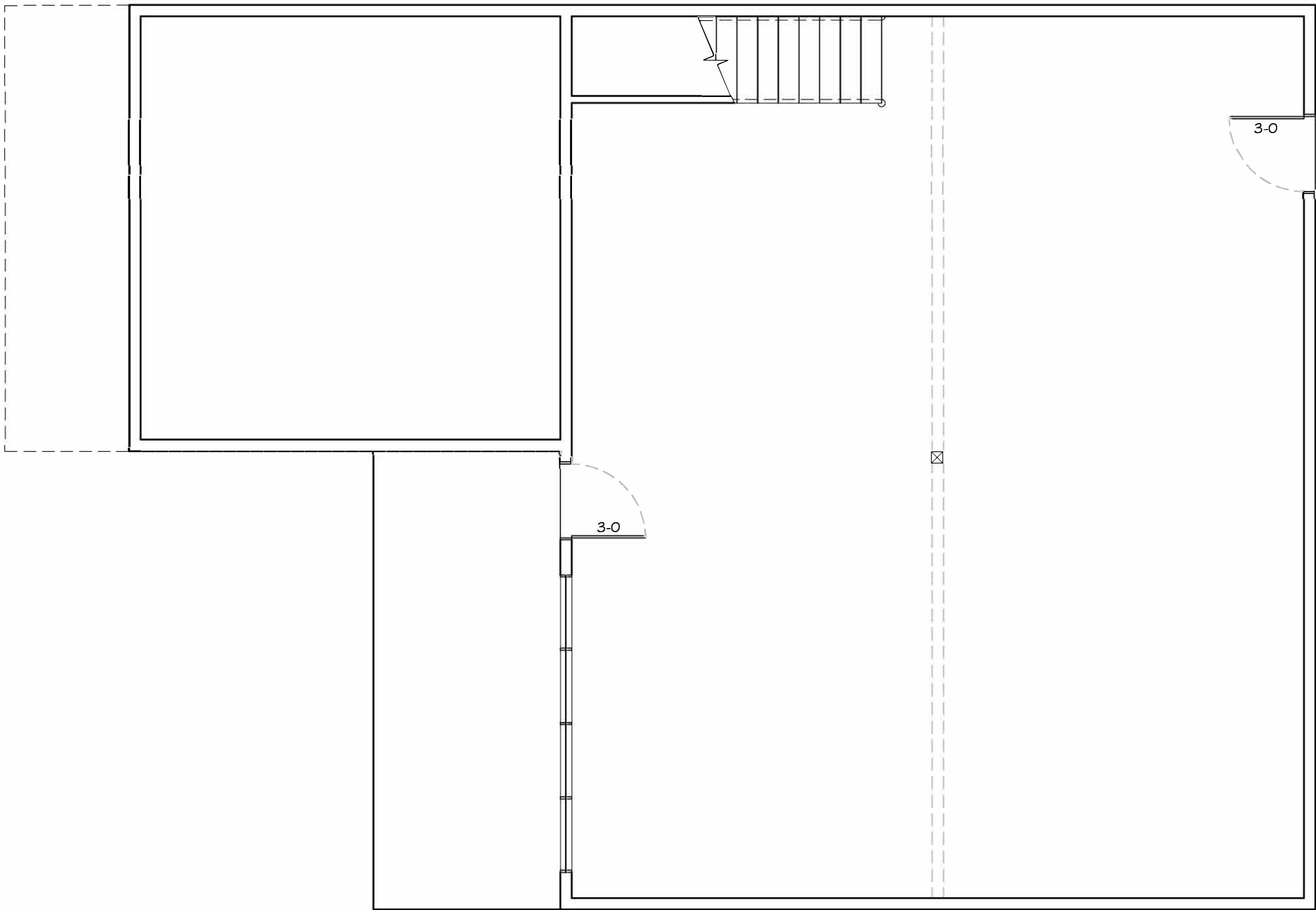
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Mat-Su Borough
Development Services



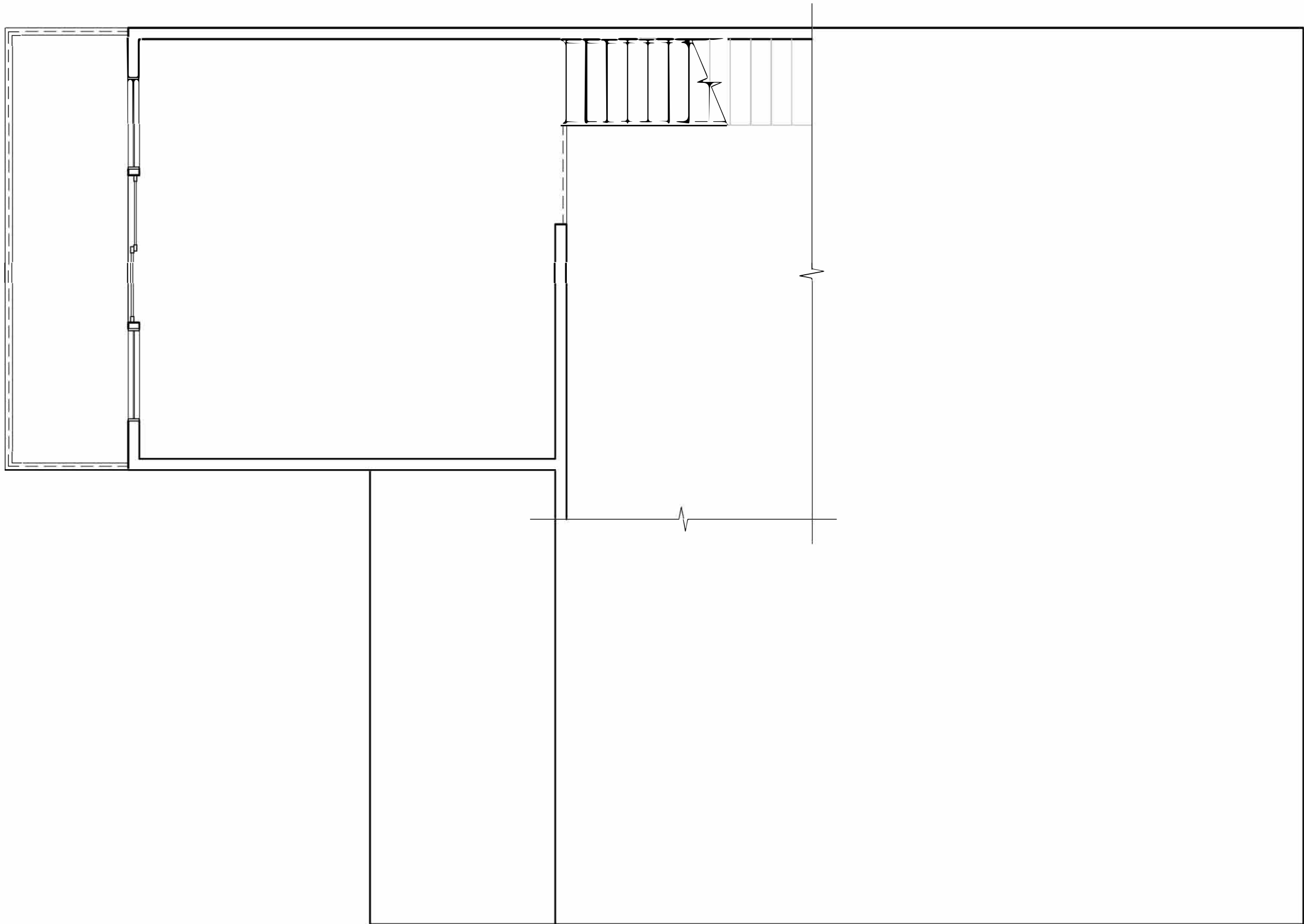
ORIGINAL 11" X 17"

Exhibit B



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

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ORIGINAL PAPER SIZE: 24" x 36"

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PAGE	2 of X
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REV.	DATE	DESCRIPTION	APP.	-	-	-	-
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Michael Williams
Williams Cabin

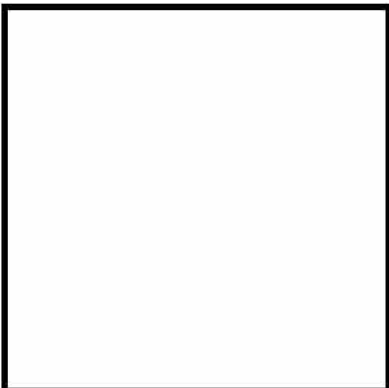
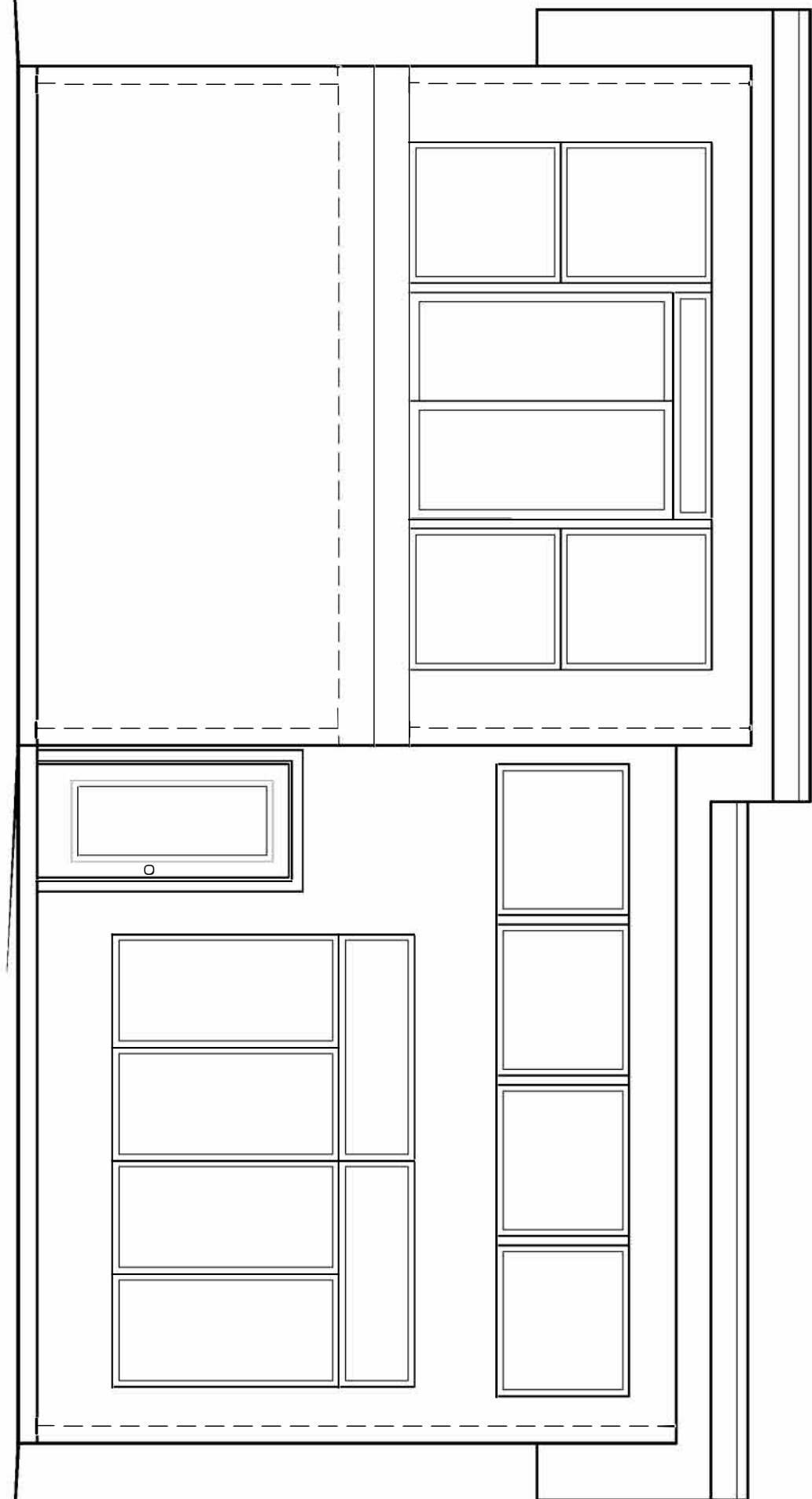
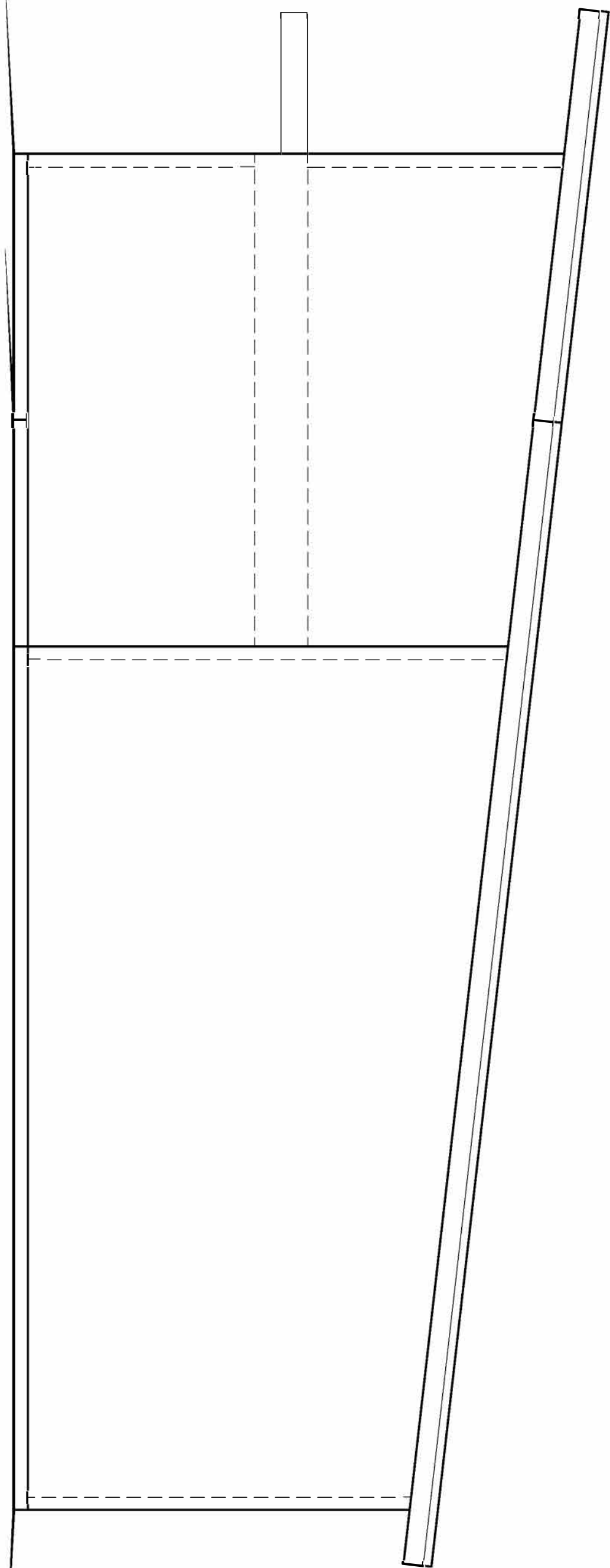


Exhibit B



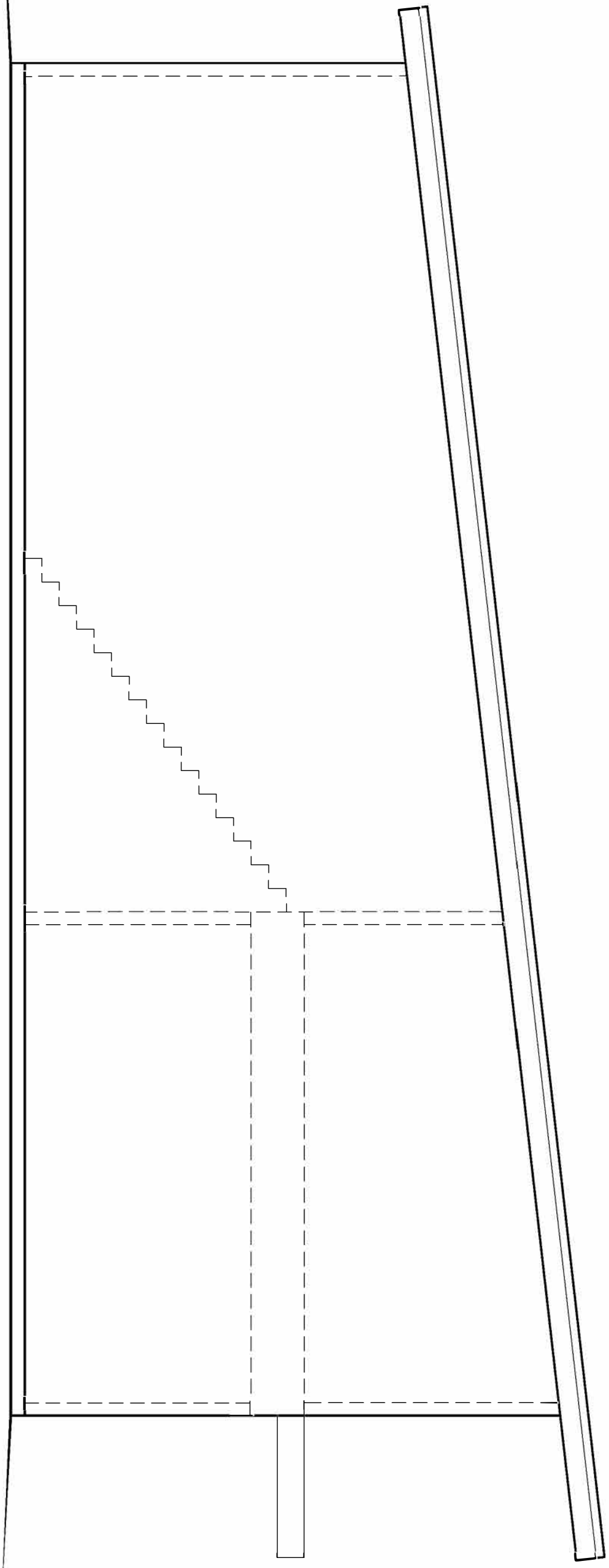
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



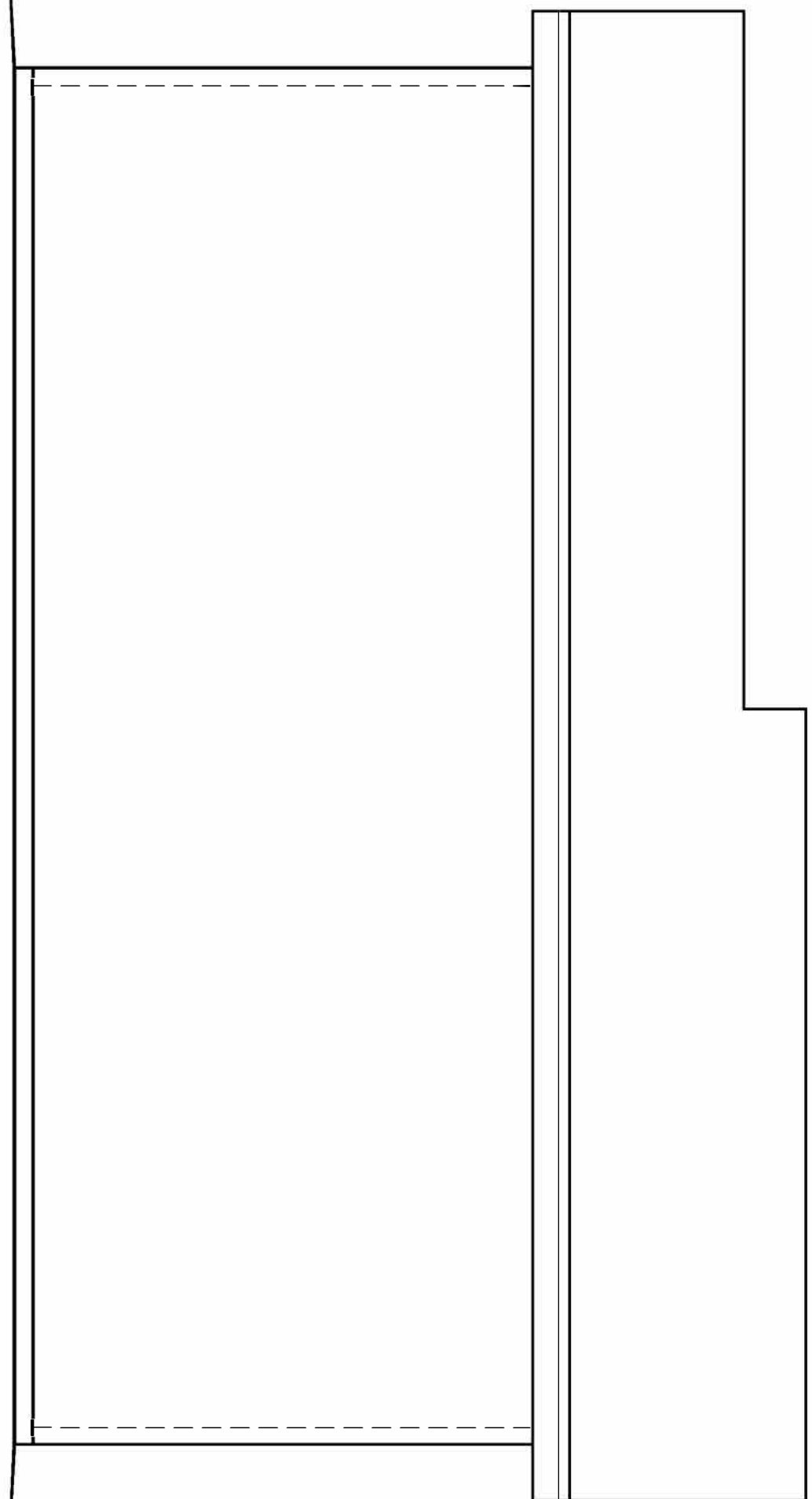
EAST ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION

SCALE: 1/4" = 1'-0"



NORTH ELEVATION

SCALE: 1/4" = 1'-0"

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Michael Williams

Williams
Cabin

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WASILLA, AK 99687
info@alaskaplans.com
907.841.9382

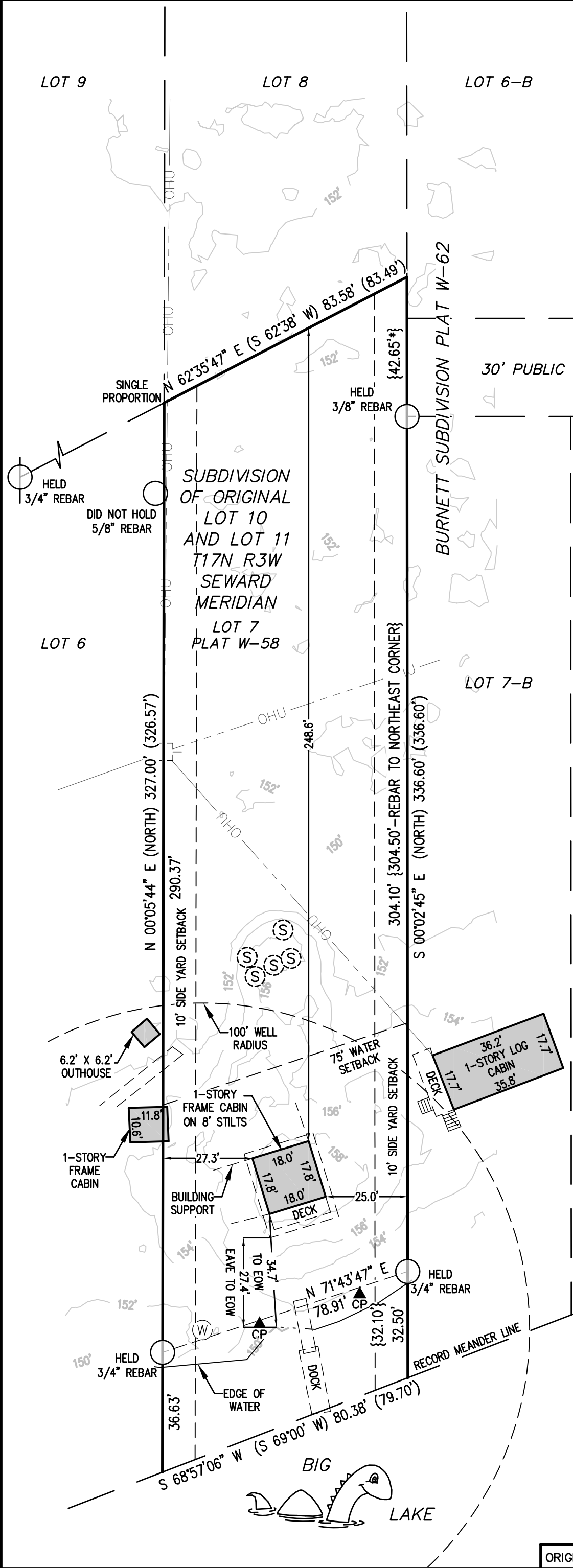
alaskaplans
BUILDING DESIGN

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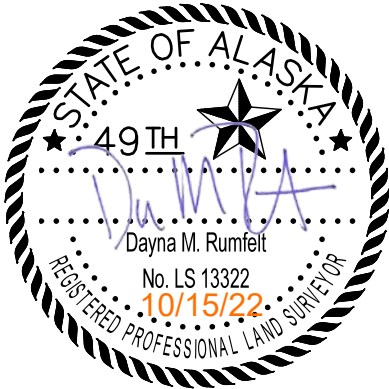
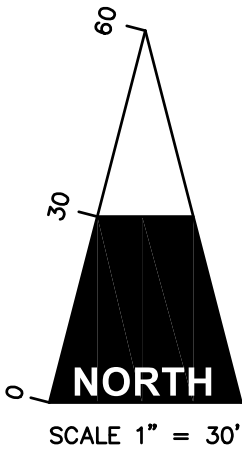
ORIGINAL PAPER SIZE: 24" x 36"



LEGEND

- FOUND REBAR
- ▲ CP PROJECT CONTROL
- (W) WELL
- (S) SEPTIC VENT
- (---) GUY WIRE
- [] POWER POLE
- OHU — OVERHEAD UTILITY
- EOW EDGE OF WATER

- NOTES:
1. BASIS OF BEARINGS IS ALASKA STATE PLANE ZONE 4.
 2. () RECORD DIMENSIONS PER PLAT W-58.
 3. {} RECORD DIMENSIONS PER PLAT W-62.
 4. {42.65'*} DENOTES COMPUTED PER PLAT W-62.
 5. UTILITIES OTHER THAN THOSE SHOWN MAY EXIST.
 6. CONTOURS PER MSB 2019 LIDAR.
 7. CONTOUR INTERVAL IS 2 FOOT.
 8. ALL VISIBLE ABOVE GROUND FEATURES OF THE EXISTING SEPTIC SYSTEM WERE LOCATED AT THE TIME OF SURVEY AND ARE SHOWN HEREON.
 9. FIELD SURVEY CONDUCTED JULY 18, 2022 AND SEPTEMBER 22, 2022.
 10. CABIN WAS UNDER CONSTRUCTION IN 1986—PER VARIANCE DOCUMENTATION.



ASBUILT – NO CORNERS SET THIS DATE	
I HEREBY CERTIFY THAT I HAVE PERFORMED A SURVEY OF	
LOT 7, SUBDIVISION OF ORIGINAL LOT 10 AND LOT 11 TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, PLAT NO. W-58, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA,	
AND THAT THE IMPROVEMENTS AS DEPICTED HEREON EXIST AS SHOWN IN RELATION TO THE PROPERTY LINES. EASEMENTS OF RECORD OTHER THAN THOSE SHOWN ON RECORDED PLAT No. W-58 ARE NOT SHOWN HEREON UNLESS OTHERWISE NOTED.	
DATE: 10/15/2022	FB: 2022-3
GRID: H013	DRAWN: DMR
SCALE: 1" = 30'	FILE: 22-079AB

Exhibit E

MINIMUM HORIZONTAL SEPARATION DISTANCES FROM SEWER COMPONENTS					
	River, Lake, Stream, Spring, Slough ^c	Slopes >25%	Soil Absorption System	Lot Line ^a	Foundation ^a
Septic Tank, Holding Tank, Lift Station	100 feet	need to be stable	5 feet	10 feet	10 feet
Soil Absorption System	100 feet	50 feet ^d	see b. below	10 feet	10 feet
Pit Privy	100 feet	50 feet recommended	see b. below	10 feet	10 feet
<p>a. Recommended minimum horizontal separation distance. All parts, including ground cover for freeze protection must be wholly located on the property with the facility being served. Locating a septic tank or soil absorption system too close to a building foundation may have negative impacts. The septic tank cleanouts or manhole riser must be accessible for maintenance purposes.</p> <p>b. 6 feet or 2 times the distribution media depth, whichever is greater.</p> <p>c. Setbacks is from the mean annual high water level of surface water or the mean higher high water level of tidally influenced water.</p> <p>d. Separation distance applies to the downhill slope; does not apply to mound type soil absorption systems</p>					
MINIMUM VERTICAL SEPARATION DISTANCES FROM SEWER COMPONENTS					
	Seasonal High Water Table		Impermeable Soil, Permafrost, Bedrock		
Septic Tank, Wastewater Holding Tank	need buoyancy protection		--		
Subsurface Soil Absorption System	4 feet		6 feet		
Pit Privy	4 feet		--		

Disclaimer: This separation distance table was developed for convenience but may not contain all separation distances required to be met.

1. The requested variance is necessary for my family to expand our current cabin, which has a footprint of 320 ft². The existing cabin resides 34.7 ft from the edge of the water. The cabin has an existing setback variance, approved on August 29th, 1986. We propose adding 1,277.5 ft² of single-story living space to the rear of the existing cabin. The addition will not be any closer to the edge of the water than the cabin currently sits. An additional structure can't be built outside of the 75 ft setback because there isn't enough developable land due to the location of the septic system and wetland area. A variance was given for the existing cabin, as it was deemed that the land outside of the 75 ft water setback was not buildable. The buildable land is a small section of land on the south side of the property. The current cabin is built on a high noll that starts north of the edge of the water at 27 ft. The buildable area goes north on the property and measures from 27 ft to 125 ft beyond the edge of the water. There is also a septic system comprised of three holding tanks. These holding tanks are 101.25 ft from the edge of the water and 22.5 ft outside of the 75 ft water setback. By code, the building can't be within 10 ft of the holding tank, which leaves only a 12 ft by 30 ft area that can be built on outside of the 75-foot water setback and septic tanks. Other than the wetland, this is the only area that could be developed on high ground and outside of the setback.

There are designated wetlands on the Matsu Borough GIS website 45 ft north of the 75 ft water setback and 150 ft from the edge of the water. This wetland is 0 to 1 ft above the lake water elevation. The only way to develop this area would be to bring in roughly 3,200 yd³ of non-native material and fill in the wetlands. It would then be feasible to let the material settle, bring in additional fill to compensate for the settling, and build a traditional foundation in this area. This path wouldn't be prudent or ecologically responsible, even if it is deemed legal through the permitting process. If there is perfectly buildable ground behind a current structure that could be expanded with minimal disturbance to neighbors, vegetation, and wildlife, why would you want to introduce a bunch of non-native material into the wetlands area? This would require dump trucks, a bulldozer, a front-end loader, and many other types of equipment that are going to destroy vegetation, damage the surrounding properties, put neighbors through unnecessary stress, and potentially cause needless wetland and lake degradation.

There is also the possibility of building the addition on top of piles in the wetlands and building a boardwalk over the wetlands to the new building. The type of piles that would be used are driven piles. Some people may look at helical piles as an option, but those would not be the correct piles for the application. Helical piles have great load-bearing ability but have less than favorable lateral support. Even with added cross bracing and additional piles, the lateral support would not be sufficient, due to how shallow helical piles are installed and the instability of the wetland soil. The best option if you were going to build on piles in the wetlands, would be a driven pile. Fewer piles would be needed, and driven piles offer high load bearing and lateral support. The driven and helical piles both require large equipment to be installed. Both pile options require additional heavy equipment for installation and support.

The area where the construction would be taking place in the wetlands is at least 150 ft north of the edge of the water. There are also constraints caused by the landscape and building that will make it very difficult to get all of the equipment to the building site without

damage to neighboring properties and the wetlands. This would mean there would be large pieces of heavy equipment tracking all over inside of the wetlands and on the neighboring properties. Neither of the two options for building in the wetlands makes sense. Why risk the lake water, wildlife, fish, and vegetation when a ready-to-build section is behind the current cabin?

2. The current cabin, proposed addition, and holding tank septic system sit on the only buildable ground on the property. All other land is the wetlands. The plat of my property was recorded in 1958, prior to the borough incorporation in 1964. There were little to no platting or subdivision regulations at that time. My lot is .57 acres or about 21,450 ft², which is less than the current allowable lot size of 40,000 ft². The lot is approximately 65 ft wide, with 10 ft side lot line setbacks on either side, giving me a 45 ft wide lot to build. This is narrower than allowed by the current standards, which require 125 ft water frontage. Because the property is so narrow, it will be impossible to get the heavy equipment needed for building into the wetlands without damage to neighboring properties and vegetation. Whether I was to bring in fill or install driven piles, there would be no way to get all the heavy equipment needed into my property without destroying the natural vegetation in both the front of my lot and part of my neighbors' lots, not to mention the amount of damage that would be caused to the wetlands. My property is on an island, which is also an unusual circumstance, which means there is only one way on and off my property. I would have to cut down a bunch of trees in the front of my lot or bring all of this heavy equipment through my neighbor's property.

3. Applying the 75 ft water setback on my property will deprive me of a commonly enjoyed right by other island neighbors, both directly adjacent and nonadjacent. The 320 ft² cabin on my property is much smaller and insufficient. The adjoining neighbor to the east has a 641 ft² cabin, a 330 ft² bunk house, porches, decks, and a hot tub inside the 75 ft water setback. This same neighbor also has multiple storage buildings on their property. The neighbor to the west has 980 ft² of living space, numerous storage buildings, and covered patios inside the 75 ft water setback. The neighbor adjacent to the North has 2,400 ft² of living space with additional storage sheds and decks inside the 75 ft water setback. If I cannot add to the rear of our cabin, we will not be able to add additional living space to this property without developing in the wetlands.

4. Granting this variance will not negatively affect the neighboring properties or harm public welfare. It also will not impact any of the adjacent properties' ability to enjoy their property, not lower the value, or degrade their appearance. The proposed cabin addition will not impede the views of the other properties or hinder the neighbors' access. The addition will have a lower roof line than the existing cabin. Granting this variance will keep me from having to make an eyesore for the neighbors who have a direct view into the wetlands. If I am forced to build in the wetlands, putting a building in that specific area will degrade the visual appeal for many of the neighbors whose properties look east from the west bank of Big Lake. Granting this variance will allow me to fully renovate a cabin that had become an eyesore for my neighbors on Shepherd Island. This cabin sat vacant for over 10

honoring the Big Lake Comprehensive Plan 2009 guidance. Another development guideline, Hazards and Sensitive Areas states, "Avoid development in hazardous areas, including floodplains and on steep slopes. Minimize impacts on **wetlands** and other sensitive natural environments." Granting me this variance will allow me to develop my property without having to impact the wetlands. If I am forced to develop in the sensitive natural environment of the wetlands, I would not be following the development guidelines of the comprehensive plan.

Another development guideline, Protection of Water Quality, states, "Use of land adjoining waterbodies should be designed to minimize impacts on water quality. Actions to achieve this goal include minimizing removal of natural vegetation along the majority of the edge of lakes, streams or **wetlands**, to keep lawn chemicals, silt, and septic effluents out of the watershed, to inhibit bank erosion and provide habitat for wildlife such as ducks and loons, while also providing some screening of development. "Granting this variance would align with the development guidelines. The cabin addition I would like to build would have the least impact on the lake and wetlands. If I develop my property in the wetlands area, I would be deviating from the guidelines of the Big Lake Comprehensive Plan 2009.

6. The cabin addition will bring the property living space and structure square footage closer to that of immediate neighbors and the non-neighboring Shepherd's Islands' properties. The property will have an additional 1,277 ft² of living space added to the property. The cabin's current size offers enough living space for two people. This addition will make it possible to have a kitchen, additional bedrooms, a bathroom, and some storage. The intended use of this property is for friends and family to have a relaxing time.

**7. MSB Voluntary Best Management Practices For Development around Waterbodies
Maintain the natural shoreline or riparian habitat.**

- Preserve a minimum 75 ft wide buffer of continuous, undisturbed native vegetation along at least 50% of the parcel's shoreline or stream bank.

The proposed addition is designed on helical piles, which will minimize disturbing the native vegetation. I have no plans on making any changes to the shoreline. I do plan on planting some native bushes close to the shoreline to help with some of the preexisting soil erosions in a few locations. My plan is to keep the shorelines and all vegetation natural and untouched.

- Along the remaining 50% of the shoreline, limit vegetation removal to what is necessary to accommodate paths, docks, or other limited development.

I have no plans on removing or changing any of the remaining shoreline vegetation.

Minimize impervious surfaces on shoreline lots.

- Limit to a maximum of 25% of the lot area.

years and had not been maintained. This variance will help beautify the property and keep the new addition mostly hidden behind the current cabin. This will be the most visually appealing and will have the least negative impact on my immediate neighbors, island neighbors, and big lake neighbors.

5. Title 17.55.020 is designed to keep any new structure from being built inside the 75 ft water setback. The granting of this variance will be in harmony with the title because the current cabin is inside the 75 ft water setback. The proposed addition does not protrude any closer to the edge of the water. In the Big Lake Comprehensive Plan 2009, on page 32, four land use and environmental goals are set forth. Two of those goals apply to and give some clarity on what direction the plan would recommend with my specific situation. One goal that has a guiding principle for my variance is labeled Protect the Natural Environment. This goal states, "As the area grows, actions are needed to avoid detrimental effects on well water, quality of surface water, habitat, **wetlands**, and other natural features." Not granting me a variance to build onto the back of my current cabin would force me to build in the wetlands area and would be in direct conflict with the goals set out by the Big Lake Comprehensive Plan. The other goal that pertains to this variance is the goal labeled Provide for Freedom to enjoy our Properties. This goal states, "The plan supports a balance of freedom to use the property as individuals choose up to that point where one person's use limits the rights of neighbors to enjoy their property. Responsible land use should be in harmony with surrounding land use without damaging the health, safety, and welfare of adjacent property." If I am forced to build in the wetlands, it will cause far more stress on the health, safety, and welfare of the adjacent properties. It will also cause stress on my neighbors that are not directly adjacent to me and will widen the impact on properties that are not directly adjacent to me.

On page 40 of the Big Lake Comprehensive Plan 2009, Strategy 3 is to Identify and protect key features of the Natural Environment. One of the key features is Clean Water. This key feature states, "Keep lakes, streams, wetlands, etc. free from septic pollution, hydrocarbons, non-point source pollutions such as nitrates and fertilizers, etc." Granting me this variance will offer the best solution to developing my property while making clean water the priority. If I am granted this variance, I will not need to enter the wetlands area. One of the other key features is natural beauty. This key feature states, "Retain the landscape that reflects the natural beauty of the land." If I develop into the wetlands area, I will be greatly destroying the natural beauty that is enjoyed by not only the island residents, but also the mainland residents that currently see the untouched beauty. If I am forced to develop in the wetlands, I will be the first to do so, and it will not maintain the natural beauty that the comprehensive plan intended to protect.

Strategy 4 of the Big Lake Comprehensive Plan 2009 is to Establish Community-Wide Development Guidelines. One of those development guidelines is labeled Natural Vegetation/Site Disturbance. This guideline states, "Encourage retention of existing natural vegetation and replant disturbed areas. Grading and clear-cutting the entire parcel prior to selling or developing land is strongly discouraged." Granting me this variance will offer the lowest disturbance of natural vegetation. The area I am proposing to build on is already cleared and will require little to no ground prep. If I build in the wetlands, I would not be

The current and proposed cabin measures 1,597.5 ft² against the 24,829.2 ft² total lot, which equals roughly 6.5% of the total structure coverage of the lot.

- Minimize as much as possible within 75 ft of the water's edge.

The proposed addition is on helical piles, which are less impervious than traditional concrete footing foundations. The proposed addition minimizes impervious surfaces by placing the proposed structure on helical piles.

Avoid adding sand beaches or adding fill material to lakeshore, stream banks or wetland areas.

I will not be adding any sand or fill to lakeshores, stream banks, or wetlands unless I am forced to build my addition in the wetlands.

Adhere to the state of Alaska's 100 ft waterbody separation for septic systems and outhouses, and keep septic systems in good working order.

We will keep the existing septic system, which adheres to the Alaska 100 ft waterbody separation, and will keep the septic system pumped and in good working order.

Use landscaping practices that will reduce degradation of waterbodies, including:

- Test soils to see if fertilizers are needed and use them sparingly.

I have no plans to ever use any plants that will require fertilizers. I only want native vegetation that needs no maintenance or fertilizers.

- Design a smaller lawn to reduce fertilizer use.

I will not be installing a lawn.

- Use native species that grow well without fertilizer.

I only plan to plant native species.

- Avoid fertilizer use completely within 50 ft of the water's edge.

No fertilizer will be required. I will not be needing to use fertilizers.

Maintain at least a 75 ft distance from the water's edge for:

- Additional permanent or accessory buildings.

There are no proposed additional permanent or accessory buildings planned inside the 75 ft water setback.

- Driveways, roads, and other impervious surfaces

No Driveways, Roads, or other impervious surfaces are proposed inside the 75 ft water setback.

- Livestock or dog quarters or yards.

There are no Livestock or dog quarters or yards proposed inside the 75 ft water setback.

- Manure or compost piles.

There are no manure or compost piles in the proposed cabin addition.

- Long-term vehicle or equipment storage.

There is no long-term vehicle or equipment storage proposed in the cabin addition.

The special conditions that require the variance are caused by the person seeking the variance.

- The natural conditions of the property were not caused by me, the individual seeking the variance.

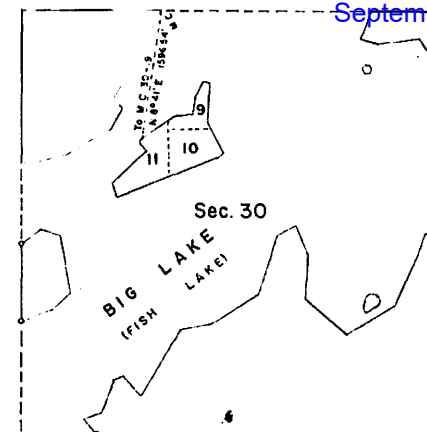
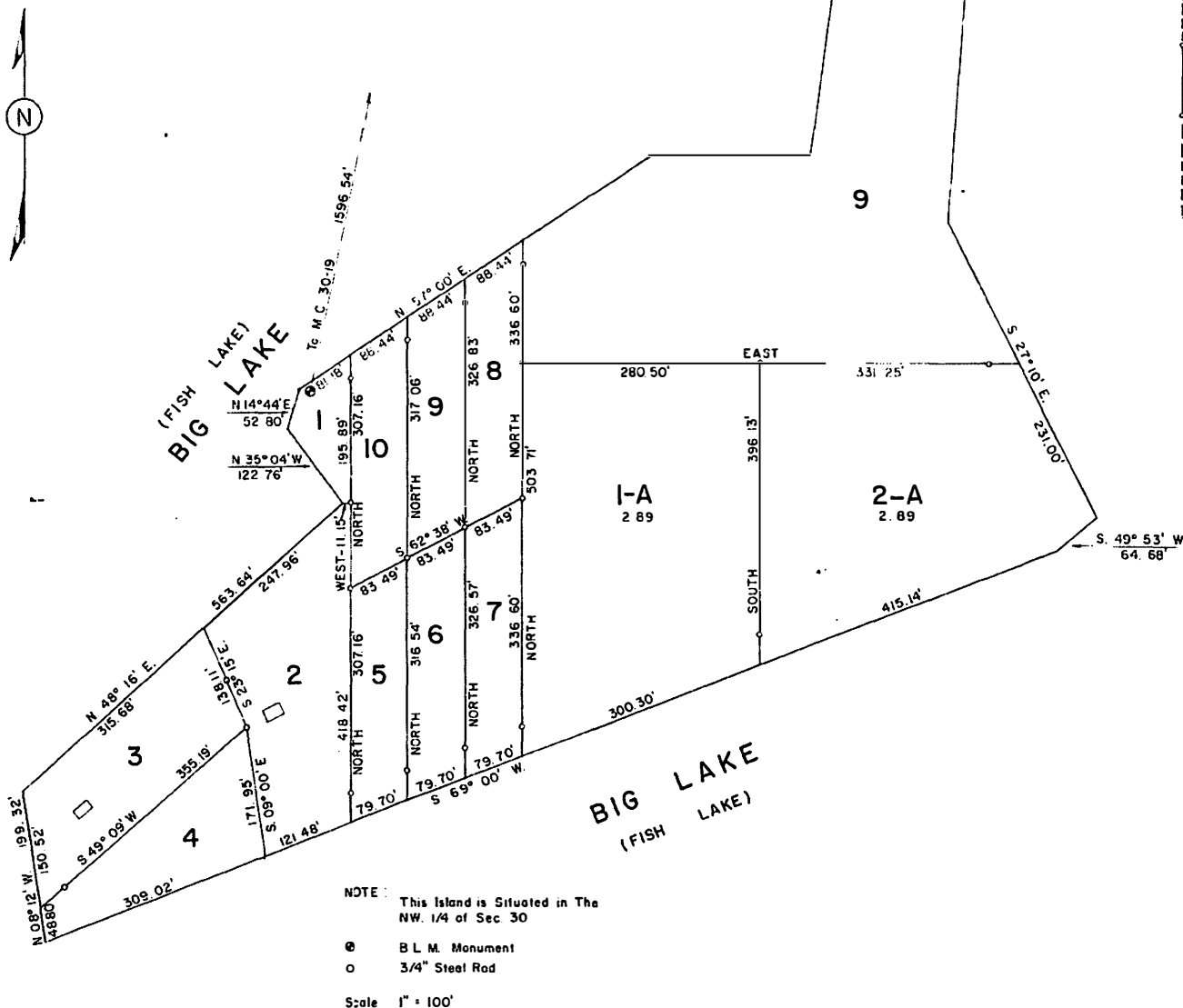
The variance will permit a land use in a district in which that use is prohibited.
The variance will NOT permit land use in a district in which that use is prohibited.

The variance is sought solely to relieve pecuniary hardship or inconvenience.

- The variance is NOT sought solely to relieve pecuniary hardship or inconvenience.

TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN
SUBDIVISION OF ORIGINAL LOT 10 AND LOT 11

Planning Commission Packet
September 15, 2025
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Wasilla Precinct — Wasilla, Alaska
Filed for Record 11/13/58
By J. Klappen
May C. Carter, D.A. No. 2000
Map to Plot 58

ALL EXTERIOR LINES RETRAISED FROM ORIGINAL SURVEY OF 1958 & HEREBY CERTIFIED THAT ALL EXTERIOR AND INTERIOR BEARINGS AND DISTANCES ARE CORRECT.

DATE: 2-1958 SURVEYED BY
Edmund T. Hutchinson
EDWARD T. HUTCHINSON, L.S.E.

**NARRATIVE**

1. The variance is required because we propose adding to the current 320-square-foot cabin. The existing cabin sits 34.7 feet from the edge of the water. The cabin has a setback variance, which was approved on August 29th, 1986. We propose adding 1,095 square feet of single-story living space and a 175 square-foot deck inside the 75-foot setback area to the rear of the existing cabin. We cannot build the additional structure outside the 75-foot setback because the property is unbuildable outside the 75-foot setback.
2. The current cabin, proposed addition, and holding tank septic system sit on the only buildable ground on the property. All other land is the swamp.
3. Applying the 75-foot water setback on my property will deprive me of a commonly enjoyed right by other island neighbors, both directly adjacent and nonadjacent. The 320-square-foot cabin on my property is much smaller and insufficient. The adjoining neighbor to the east has a 641-square-foot cabin, a 330-square-foot bunk house, porches and decks, and a hot tub inside the 75-foot water setback. This same neighbor also has multiple storage buildings on their property. The neighbor to the west has 820 square feet of living space, numerous storage buildings, and covered patios inside the 75-foot water setback. The neighbor adjacent to the North has 2,400 square feet of living space with additional storage sheds and decks inside the 75-foot water setback. If I cannot add on the rear of our cabin, we will not be able to add additional living space to this property.
4. Granting this variance will not be injurious to the neighboring properties or harmful to public welfare. Granting this variance will not modify any of the adjacent properties' ability to enjoy their property; it will not lower their property value or degrade the appearance of their property. The proposed cabin will not impede any of the other properties' views. The proposed cabin will not hinder their access to their property in any way. The proposed cabin will have a lower roof line than the existing cabin.
5. Title 17.55.020 is designed to keep any new structure from being built inside the 75-foot water setback. The granting of this variance will be in harmony with the title because the current cabin is inside the 75-foot water setback. The proposed addition does not protrude any closer to the edge of the water.
6. The cabin addition will bring the property living space and structure square footage closer to that of immediate neighbors and the non-neighboring Shepherd's Islands properties. The property will have an additional 1,075 square feet of living space and 175 square feet of deck added to the property. The cabin's current size offers enough living space for two people. This addition will make it possible to have a kitchen, additional bedrooms, a bathroom, and some storage. The intended use of this property is for friends and family relaxing time.

7. MSB Voluntary Best Management Practices For Development around Waterbodies**Maintain the natural shoreline or riparian habitat.**

- Preserve a minimum 75-foot wide buffer of continuous, undisturbed native vegetation along at least 50% of the parcel's shoreline or stream bank.

The proposed addition is designed on Helical Piles, which will minimize disturbing the native vegetation. The proposed addition does not include any changes to the shoreline.

- Along the remaining 50% of the shoreline, limit vegetation removal to what is necessary to accommodate paths, docks, or other limited development.

The proposed expansion does not necessitate any adverse changes in the shoreline.

Minimize impervious surfaces on shoreline lots.

- Limit to a maximum of 25% of the lot area.

The current and proposed structure measures 1,586 square feet against the 24,829.2 square feet total lot, which equals 6% of the total structure coverage of the lot.

- Minimize as much as possible within 75 feet of the water's edge.

This proposed addition is on helical piles, which are less impervious than traditional concrete footing foundations. The proposed addition minimizes impervious surfaces by placing the proposed structure on helical piles.

Avoid adding sand beaches or adding fill material to lakeshore, stream banks or wetland areas.

The proposed addition adds no sand or fills to lakeshores, stream banks, or wetlands.

Adhere to the state of Alaska's 100 foot waterbody separation for septic systems and outhouses, and keep septic systems in good working order.

The proposed addition adds no septic system. We will keep the existing septic system in good working order.

Use landscaping practices that will reduce degradation of waterbodies, including:

- Test soils to see if fertilizers are needed and use them sparingly.

The proposed addition does not have any plants that will require fertilizers.

- Design a smaller lawn to reduce fertilizer use.

The addition does not have a lawn.

- Use native species that grow well without fertilizer.

The proposed addition does not add any species.

- Avoid fertilizer use completely within 50 feet of the water's edge.

No fertilizer will be required. Proposed addition does not add any non native species.

Maintain at least a 75' distance from the water's edge for:

- Additional permanent or accessory buildings.

There are no proposed additional permanent or accessory buildings planned inside the 75-foot water setback.

- Driveways, roads, and other impervious surfaces

No Driveways, Roads, or other impervious surfaces are proposed inside the 75-foot water setback.

- Livestock or dog quarters or yards.

There are no Livestock or dog quarters or yards proposed inside the 75-foot water setback.

- Manure or compost piles.

There are no manure or compost piles in the proposed cabin addition.

- Long-term vehicle or equipment storage.

There is no long-term vehicle or equipment storage proposed in the cabin addition.

The special conditions that require the variance are caused by the person seeking the variance.

8. The natural conditions of the property were not caused by me, the individual seeking the variance.

The variance will permit a land use in a district in which that use is prohibited.

9. The variance will NOT permit land use in a district in which that use is prohibited.

The variance is sought solely to relieve pecuniary hardship or inconvenience.

10. The variance is NOT sought solely to relieve pecuniary hardship or inconvenience.

UPDATE – MAY 21, 2025

Rebecca,

Thanks for the opportunity to clear things up. I have attached the most current version of the narrative. I will also include a link to download any of the documents you may not have. <https://spaces.hightail.com/receive/CjCE3hnCI9>. Thanks again and have a great rest of the week.

1. I have noticed a slight discrepancy between the square footage of the house between the narrative and the site plan. The narrative indicated that the house will be 1,095 and 1,075 square feet, while the site plans show 1,314 square feet. Please clarify the intended livable space. [The total addition is 1,314 square feet.](#)
2. The narrative also indicates that the additional structure will be a single-story home, but the projected structure does show a staircase leading to a secondary loft. Please clarify. [The original structure was a small cabin on stilts. The staircase is to access the upper section of the original cabin.](#)
3. Please clarify how far back the closest point to the projected additional structure is to the ordinary high-water line. [52.5 feet.](#)
4. Within the narrative it is explained that the subject parcel is not buildable outside the 75' waterbody set back, although a portion of the house is projected to be built outside of the 75' waterbody setback. This statement is inconsistent. Please clarify intended purpose of this statement. [The buildable land is a small section of land on the south side of the property. The current cabin is built on a high noll that starts north of the edge of the water at 27 ft. The buildable area goes north on the property and measures from 34.7 ft to 125 ft beyond the edge of the water \(see drawing exhibit D\).](#) There is also a septic system comprised of three holding tanks. These holding tanks are 101 ft from the edge of the water and 26 ft outside of the 75 ft water setback. By code, the building can't be within 10 ft of the holding tank [\(see attached exhibit E, page 20 from Department of Environmental Conservation, Onsite Wastewater Systems Installations Manual\)](#), which leaves only a 13 ft by 30 ft area that can be built on outside of the 75-foot water setback and septic tanks setback [\(see drawing exhibit D notated as hatch marks\)](#). Other than the wetland, this is the only area that could be developed on high ground and outside of the setback without a variance being granted.
5. Can you provide details on the amount of living space that will be outside of the 75' waterbody set back. (Example total square footage of addition – 1,200 sq ft, total square footage outside of 75' = xxxxx square ft.) [Roughly 457.5 square feet will be outside the 75' water setback.](#)
6. The pictures provided by the applicant and borough assessments data indicate that the lower level of the original structure have been modified from its original version. Can you explain what this space is used for? Will this space be enclosed to accommodate any living quarters? [I walled it in to make a garage.](#)
7. Can you please clarify the total amount of intended living space including the previous structure on the property if granted the variance? [1,634 total square feet and 1,176.5 not counting the area outside the 75' water setback.](#)



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Planning Commission Packet
September 15, 2025
75 of 177
Department of Fish and Game

HABITAT SECTION
Matanuska-Susitna Area Office
1801 South Margaret Drive, Suite 6
Palmer Alaska 99645-6736
Main: 907.861.3200
Fax: 907.8961.3232

FISH HABITAT PERMIT FH22-IV-0293

ISSUED: October 17, 2022
EXPIRES: Life of Structure

Michael Williams
P.O. Box 101055
Anchorage, AK 99510

RE: Pile Supported Dock, Boat Lift, Floating Ports and Floating Dock Section Installation
Big Lake (Waterbody No. 247-50-10330-0010)
Section 30, T 17 N, R 3 W, SM
Location: 61.5359 N, -149.8937 W

Dear Mr. Williams:

Pursuant to the Anadromous Fish Act at AS 16.05.871 (b), the Alaska Department of Fish and Game (ADF&G) Habitat Section has reviewed your proposal to construct a pile supported dock, install a boat lift, seasonal personal watercraft ports and a seasonal floating dock at your private property adjacent to Big Lake.

Project Description

According to your application materials you intend to construct a new pile supported dock. You will drive up to thirty 4-inch steel piles into the lakebed below the ordinary high water (OHW) mark. Piles will be driven through the lake ice using a vibrating hammer mounted on an excavator. Heavy equipment use on the frozen surface of Big Lake is authorized via General Permit FH18-IV-0008-GP Amendment #1 (see attached). You plan to weld a frame of angle steel to the piling to support either a wood or prefabricated steel dock frame. The dock will comprise two sections, a 30-foot long by 4-foot wide walkway, and a 26-foot long by 20-foot wide docking area. You plan to use cedar or composite decking material and a fascia board to cover the deck perimeter. The walkway section of the dock will be affixed to the upland by an existing gangway ramp that is attached to an existing concrete pad. Construction is scheduled to take place between December 1, 2022, and February 28, 2023.

Additionally, you plan to install a prefabricated aluminum boat lift that will be attached to the pile supported dock and will be situated on the lakebed. The boat lift will be 11-foot wide by 16-foot long. The boat lift will be installed once there is open water in spring 2023.

Furthermore, you plan to install seasonal personal watercraft ports and a floating dock section that will be attached to the pile supported dock during open water and will be removed from the lake before freeze-up each year. This will include four prefabricated personal watercraft ports that are each 5-foot wide by 11.5-foot long and a prefabricated floating dock section that is 7-foot wide by 13-foot long. These structures are intended to be Polydock brand prefabricated floating ports and dock and are made of polyethylene. Installation will take place once there is open water in spring 2023.

No clearing or alteration of the existing shoreline is proposed in your project. Additionally, no water withdrawals, diversions, or cross-channel structures were requested in your plans. Your permit application and all materials, maps, and drawings are hereby adopted by reference into this permit.

Anadromous Fish Act

Big Lake (Waterbody No. 247-50-10330-0010) has been specified as being important for the spawning, rearing, or migration of anadromous fishes pursuant to AS 16.05.871(a). The water body provides habitat for Chinook, chum, coho, pink, and sockeye salmon as well as a suite of resident fish species.

In accordance with AS 16.05.871(d), your project is approved subject to the project description and permit terms, and the following stipulations:

1. No wheeled or tracked equipment will be operated below the ordinary high water line of Big Lake. The placement and maintenance of support piling and dock sections shall be done using equipment operating from shore, from a floating barge or boat, or from the frozen water surface during winter months.
2. The wooden portions of the dock and dock components may be constructed of untreated lumber or lumber treated with preservatives free of arsenic and pentachlorophenol (PCP). Pressure treated lumber is preferred, however, after market, topical wood preservatives may be used provided they adhere to the above guidelines and are applied in an upland location and allowed to fully cure prior to the placement in or over a water body. Acceptable common pressure treatments include: ACQ (Ammoniacal Copper Quat), ACZ (Ammoniacal Copper Zinc Arsenate), and MCA (Micronized Copper Azole).
3. Wooden dock components may not be painted or treated with any preservative other than as described above. Corrosion treatments for metal dock components shall be applied in an upland location prior to construction over the water.
4. All construction waste must be properly contained to prevent pollution or contamination of state waters. All waste, including sawdust from treated lumber, must be contained, and disposed of in a suitable upland location.
5. No fuel shall be stored, nor vehicles fueled or serviced while located below the ordinary high water line (vegetation line) of any specified water body.
6. No vehicles leaking fuels, oils, hydraulic or cooling fluids shall be operated below the ordinary high water line (vegetation line) of any specified water body.
7. Construction and installation activities are scheduled to be completed by July 15, 2023. If this construction timeframe becomes delayed, please contact the Habitat Section at (907) 861-3200 to determine if site characteristics have changed warranting issuance of an amended permit. An amendment may be required for future dock maintenance and/or upgrades.

You must maintain the integrity of the structures in accordance with the terms of this permit so that free fish passage is assured. You must restore any obstruction to free fish passage to the satisfaction of ADF&G.

Permit Terms

This letter constitutes a permit issued under the authority of AS 16.05.871 and must be retained on site during project activities. Please be advised that this determination applies only to Habitat Section regulated activities; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other permits; state, federal, or local. You are still required to comply with all other applicable laws.

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved project. For any activity that significantly deviates from the approved plan, you shall notify the Habitat Section and obtain written approval in the form of a permit amendment before beginning the activity. Any action that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any provision contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is a Habitat Section responsibility. Therefore, we recommend you consult the Habitat Section before considering any deviation from the approved plan.

You shall give an authorized representative of the state free and unobstructed access to the permit site, at safe and reasonable times, for the purpose of inspecting or monitoring compliance with any provision of this permit. You shall furnish whatever assistance and information the authorized representative reasonably requires for monitoring and inspection purposes.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. You shall mitigate any adverse effect upon fish or wildlife, their habitats, or any restriction or interference with public use that the commissioner determines was a direct result of your failure to comply with this permit or any applicable law.

You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

Please direct questions about this permit to Habitat Biologist George Hoden at (907) 861-3203 or george.hoden@alaska.gov.

Sincerely,
Doug Vincent-Lang
Commissioner



By: Sarah Myers
Matanuska-Susitna Area Manager
Habitat Section
(907) 861-3200

-gdh

Enclosures: FH18-IV-0008-GP Amendment #1 – Vehicle Movement on Frozen Water Surfaces within the Matanuska-Susitna Borough

cc:	A. Ott, Habitat	S. Ivey, SF	Permits, SF	R. Benkert, Habitat
	D. Dahl, AWT	R. Lysdahl, AWT	S. Myers, Habitat	C. Larson, DNR



FISH HABITAT PERMIT FH18-IV-0008-GP (Amendment #1)

ISSUED: January 1, 2019
EXPIRES: December 31, 2022

General Public:

Re: Vehicle Movement on Frozen Water Surfaces within the Matanuska-Susitna Borough

Pursuant to AS 16.05.871(b), the Department of Fish and Game, Division of Habitat has determined that both the public interest and the proper protection of fish and game would be served through the issuance of a general permit (GP) authorizing the use of motorized vehicles on frozen anadromous water bodies within the Matanuska-Susitna Borough.

Categories of motorized vehicles covered by the GP include any wheeled, tracked, or other ground affect motorized vehicle with a dry vehicle weight of up to 12,000 pounds. The dry weight of a vehicle is the weight of the vehicle without passengers and cargo, as specified by the manufacturer. The off-road use of any vehicle in excess of 12,000 pounds dry weight is not authorized under this General Permit. This GP does not authorize cross-country movement of equipment on state lands or other activities not allowed under 11 AAC 96.020 (Generally Allowed Uses on State Lands) or movement on frozen water surfaces within legislatively designated special areas.

Various waterbodies within the Matanuska Susitna Borough are specified as important for spawning, rearing, and/or migration of anadromous fish pursuant to AS 16.05.871(a). These waterbodies also support a variety of resident fish species.

Pursuant to AS 16.05.871(d), access to, crossings of, and/or egress from any frozen specified anadromous fish bearing water body within the Matanuska-Susitna Borough is authorized provided such activities are conducted in strict accordance with the following stipulations:

- 1) **This permit must be in your possession during stream crossings.**
- 2) There shall be no vehicles or equipment operated in the open (un-frozen) waters of any specified water body.
- 3) The use of snow or ice bridges, access ramps, or cribbing to cross any specified water body is prohibited unless approved, in writing, by the Department of Fish and Game, Division of Habitat.
- 4) Access to or egress from frozen waters shall occur only at locations with gently or gradually sloping banks. There shall be no access to or egress from frozen waters at locations with sheer or cut banks.
- 5) The bed or banks of any specified water body shall not be altered or disturbed in any way to facilitate access to, use of, or egress from their frozen surfaces.
- 6) No fuel shall be stored, nor vehicles fueled or serviced while located on the frozen surface or below the ordinary high water line (vegetation line) of any specified water body.
- 7) No vehicles leaking fuels, oils, hydraulic or cooling fluids shall be operated on the frozen surface or below the ordinary high water line (vegetation line) of any specified water body.

You are responsible for the actions of contractors, agents, or other persons who participate in the approved activity. For any activity that deviates from this approval, the responsible party shall notify the Division of

Habitat and obtain written approval in the form of an individual permit before beginning the activity. Any action taken which increases the scope of the approved activity or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved activity. The final determination as to the significance of any deviation and the need for an individual permit is the responsibility of the Division of Habitat. Therefore, it is recommended that the Division of Habitat be consulted immediately when a deviation from the approved activity is being considered.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the State free and unobstructed access, at safe and reasonable times, to the permit site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

This letter constitutes a permit issued under the authority of AS 16.05.871. Please be advised that this authorization applies only to activities regulated by the Division of Habitat; other agencies also may have jurisdiction under their respective authorities. This approval does not relieve you of the responsibility for securing other State, Federal, or local permits. You are required to comply with all other applicable laws.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The Division of Habitat reserves the right to require mitigation measures to correct disruptions to fish and game created by the project that were a direct result of the failure to comply with this permit or any applicable law.

You shall indemnify, save harmless, and defend the Division of Habitat, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or the permittee's performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the Division of Habitat's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330--44.62.630.

If you have any questions, please call the Palmer Division of Habitat at (907) 861-3200.

Sincerely,

Doug Vincent-Lang, Commissioner



By: Jonathan Kirsch
Matanuska-Susitna Area Manager
Division of Habitat
(907) 861-3200

-seew

cc:	D. Dahl, AWT	S. Ivey, SF	A. Ott, Habitat	Permits, SF
	T. Long, SF	Pagemaster, COE	C. Larson, DNR	



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

January 30, 2023

Regulatory Division
POA-2022-00520

Michael Williams
Post Office Box 101055
Anchorage, Alaska 99510

Dear Mr. Williams:

Enclosed is the signed Letter of Permission (LOP), file number POA-2022-00520, Big Lake, authorizing construction of a new dock. The project site is located at Latitude 61.5359° N., Longitude 149.8938° W.; Matanuska-Susitna Borough; on Shepherd's Island in Big Lake, Alaska. Also enclosed is a Notice of Authorization which should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins.

Nothing in this letter excuses you from compliance with other federal, state, or local statutes, ordinances, or regulations.

Additionally, we have enclosed a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this Department of the Army Letter of Permission (see section labeled "Initial Proffered Permit").

Please contact me via email at Hayley.M.Farrer@usace.army.mil, by mail at the address above, by phone at (907) 753-2778, or toll free from within Alaska at (800) 478-2712, if you have questions or to request a hard copy of the LOP and enclosures. For more information about the Regulatory Program, please visit our website at www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

A handwritten signature in black ink, appearing to read "Hayley", is positioned above the printed name.

Hayley Farrer
Regulatory Specialist

Enclosures



DEPARTMENT OF THE ARMY
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS
REGULATORY DIVISION
P.O. BOX 6898
JBER, AK 99506-0898

January 30, 2023

Regulatory Division
POA-2022-00520

DEPARTMENT OF THE ARMY
LETTER OF PERMISSION

Authorization is hereby granted to Michael Williams, to:

- Construct a new dock measuring 20-feet by 26-feet using wood material. An adjoining 5-feet by 30-feet walkway and a 4-feet by 16-feet gangway to access the dock will be constructed. 25 4-inch steel pilings will be installed to support the whole structure.

The work will be performed in accordance with the enclosed plans, sheets 1-2, dated December 5, 2022, which are incorporated in and made a part of this Letter of Permission.

This action is based upon the recommendation of the Chief of Engineers and under the provisions of Section 10 of the 1899 Rivers and Harbors Act (30 Stat 1151; 33 U.S.C. 403).

This authorization is subject to the following special conditions and the enclosed general conditions and further information (see enclosure entitled: GENERAL CONDITIONS/INFORMATION).

Special Conditions:

1. Self-Certification: Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (enclosed) and submit it to the U.S. Army Corps of Engineers (Corps). In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

2. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the U.S.

3. You must install and maintain, at your expense, any safety lights and signals prescribed by the U.S. Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number: Commander (oan), 17th Coast Guard District, Post Office Box 25517, Juneau, Alaska 99802, (907) 463-2272.

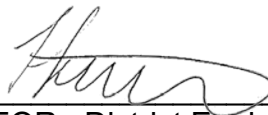
4. The permittee understands and agrees that, if future operations by the U.S. require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

Nothing in this authorization shall be construed as excusing you from compliance with other federal, state, or local statutes, ordinances, or regulations which may affect the proposed work.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

1/30/2023

DATE



FOR: District Engineer

U.S. Army, Corps of Engineers

GENERAL CONDITIONS/INFORMATION

1. The time limit for completing the work authorized ends five years from the date of this authorization. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must contact the Alaska District U.S. Army Corps of Engineers to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed federal project.

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 3 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may, in certain situations, (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

5. Extensions. General Condition #1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.



**This notice of authorization must be
conspicuously displayed at the site of work.**

**United States Army Corps of Engineers
Big Lake**

A permit to: Construct a new 20 feet by 26 feet dock, 5 feet by 30 feet walkway
and 4 feet by 16 feet gangway using 25 4-inch steel pilings.

at: Latitude 61.5359° N., Longitude 149.8938° W.

has been issued to: Michael Williams

on: January 30, 2023 **and expires on:** January 30, 2028

Address of Permittee: Post Office Box 101055 Anchorage, Alaska 99510

Permit Number:

POA-2022-00520

A handwritten signature in black ink, appearing to read "Hayley Farrer".

**FOR: District Commander
Hayley Farrer
Regulatory Specialist
REGULATORY DIVISION**

Williams Pier Supported Dock Cross Section

Drawing not perfectly scaled

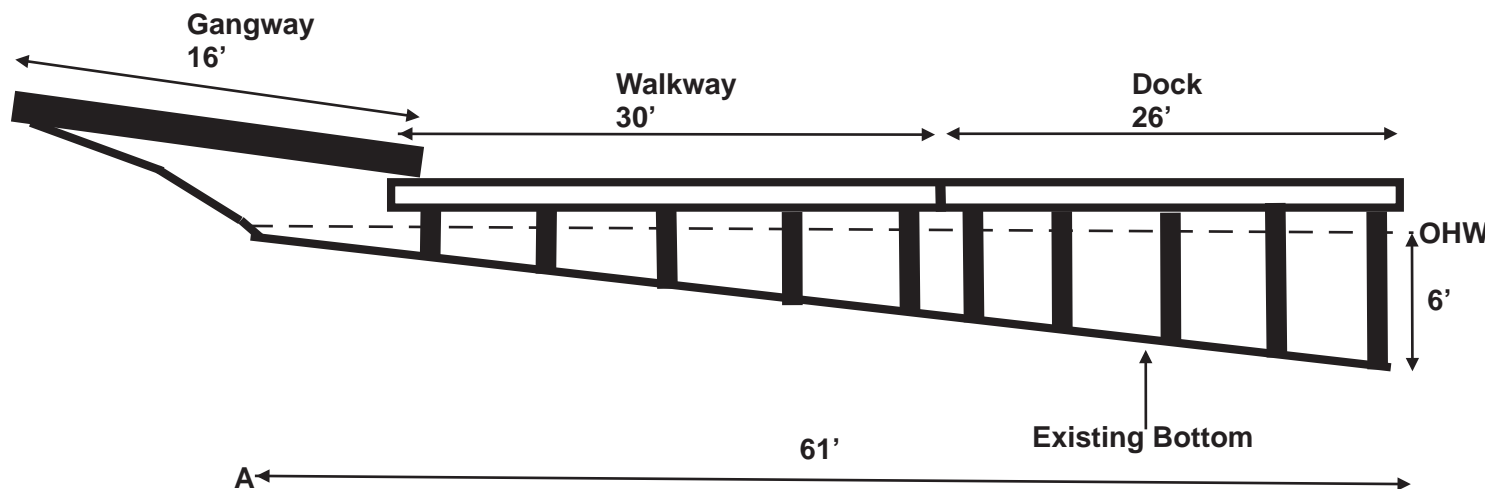
Proposed Structures:

4' wide wooden gangway

5' wide steel pile supported wooden walkway

20' wide steel pile supported wooden dock

25 4" Steel Piles



Big Lake, Matsu Borough, Alaska

Location is on Shepherds Island on Big Lake. Shepherds Island is the smaller island below Long Island.

Applicant: Michael Williams

File No.: POA- 2022-00520

Waterway: Big Lake

Proposed Activity: Pier Dock

Sec. T. R. M.

LOT 7, SUBDIVISION OF ORIGINAL LOT 10 AND LOT 11 TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, PLAT NO. W-58, PALMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

Lat.: 61°32'9.31"N Long.: 149°53'37.70"W

Sheet 2 of 2 Date 12/05/2022

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Michael Williams		File Number: POA-2022-00520	Date: 1/30/2023
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
X	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at

http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Hayley Farrer, RS
Alaska District Corps of Engineers
CEPOA-RD-S
P.O. Box 6898
JBER, AK 99506-0898
(907) 753-2778

If you only have questions regarding the appeal process you may also contact:

Ms. Kate Bliss
Regulatory Program Manager
U.S. Army Corps of Engineers, Pacific Ocean Division
CEPOD-PDC, Bldg 525
Fort Shafter, HI 96858-5440
(808) 835-4626
kate.m.bliss@usace.army.mil

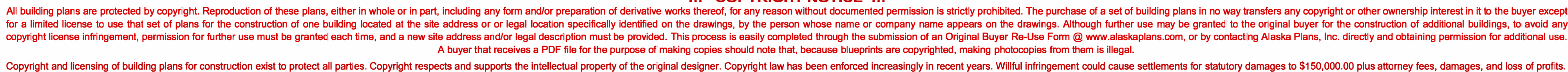
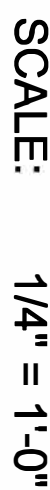
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

SCALE: 1/4" = 1'-0"



Copyright and licensing of building plans for construction exist to protect all parties. Copyright respects and supports the intellectual property of the original designer. Copyright law has been enforced increasingly in recent years. Willful infringement could cause settlements for statutory damages to \$150,000.00 plus attorney fees, damages, and loss of profits.

Copyright and licensing of building plans for construction exist to protect all parties. Copyright respects and supports the intellectual property of the original designer. Copyright law has been enforced increasingly in recent years. Willful infringement could cause settlements for statutory damages to \$150,000.00 plus attorney fees, damages, and loss of profits.



17N03W30
Sub of 17N03W30 L10/11 6272000L007

VARIANCE/PLATTING

CODE COMPLIANCE COMPLAINTS

TRS: 17N03W30 MERIDIAN: S TAX ACCT #: 6272000L007

CASE #: DUP:

LEGAL DESC: LOT 7, SUBD. OF GLO LOTS 10 & 11

NAME: GRYTE VIOLATION 1: SHORELINE STBK
VIOLATION 2:

INSP DATE: 6/12/86

FOLLOWUP DATE:

FILE CLOSED: YES DATE FILE CLOSED: 8/07/86

COMMENTS: OWNER APPLIED FOR A VARIANCE FROM THE SETBACK REQUIREMENT.
LINE 2: VARIANCE WAS APPROVED BY PLATTING BOARD WITH CONTINGENCIES.
LINE 3: FILE AVAILABLE FOR REVIEW IN PLATTING DIVISION.
LINE 4:
LINE 5:
LINE 6:
LINE 7:
LINE 8:
LINE 9:
LINE 10:



Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645

PHONE 745-4801

PLANNING DEPARTMENT

LAND MANAGEMENT
745-9652

PLATTING
745-9650

PLANNING
745-9661

Date: Aug 29, 1986

NOTIFICATION OF PLATTING BOARD ACTION

TO: Baaken Gryte
1511 "L" Street
Anchorage, AK 99501

RE: Variance Applications
CASE # FLK 9

Consideration was given the above-mentioned at the Platting Board's meeting of Aug. 7, 1986. Action taken by the Board is as follows:

The VARIANCES were APPROVED CONTINGENT.

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL OF A SUBDIVISION OR OF A WAIVER OF PLATTING REQUIREMENTS BY THE PLATTING BOARD SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.38. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

IF ROAD CONSTRUCTION IS REQUIRED PLEASE NOTE THE FOLLOWING CONDITIONS:

- 1 Notice of cost estimate to be submitted by an engineer or a copy of the construction contract or the contractor's proposal, to be approved by the Borough Engineering Department.
- 2 Payment of a 2% fee based on approved estimate submitted.
- 3 Notice to proceed must be issued prior to construction as no road inspection is authorized without this notice.

If this in reference to a plat application recordation at the appropriate District Recorder's Office of the plat if required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting please feel free to contact this office.

Yours Truly,


W. Ray Niemi, P.L.S.
Platting Officer

cc: Alton Ogard

Page 2/PLK 9/Gryte Variance Request

NOA

8/29/86

Variance to 16.25.480-A building setback of 36 feet to the front of a cabin on Big Lake. The deck of the cabin is 31 feet from the lakeshore. A setback of 75 feet would place the cabin in a swamp just above lake level.

Justification as submitted by petitioner:

- A. The cabins on either side of this property are less than the required 75 feet setback. This cabin is built on the only part of this lot that is 8 feet or more above the lake level.
- B. This cabin is built on the only dry ground on this lot. The cabin is built on a small knoll that sits approximately 35 feet from the lakeshore. The cabin is not complete at this time. I started building the cabin with no knowledge of a required 75 foot setback from water.
- C. The back portion of this lot is swamp 1 foot or less from the water level of the lake.

The Platting Board has approved the variance contingent upon the following:

- 1 DEC approval of a wastewater disposal system for Lot 7, SUB of GLO Lots 10 and 11. Written approval to be submitted to Platting Staff prior to recordation of variance resolution.
- 2 Compliance with Coastal Management Consistency Review to include the following:
 - a. Locate all sanitary sewer mains at the back of the building, "back" being that wall farthest from the shoreline.
 - b. All buried or otherwise concealed sewer lines within the 75 ft shoreline setback area shall be butt-fused, polyethylene pipe or approved equal. "Bell and socket" or other type of friction-fit pipe joints shall be allowed only if located inside the building and available for visual inspection.
 - c. Natural vegetation shall be maintained in all areas of the 75 ft shoreline setback not occupied by allowed structures.
- 3 Recordation of a variance resolution.

The Platting Board has granted this variance contingent on:

- 1 DEC approval of a wastewater disposal system for Lot 7, Subd. of GLO Lots 10 and 11. Written approval to be submitted to Platting Staff prior to recordation of variance resolution.
- 2 Compliance with Coastal Management Review.
- 3 Submittal of variance application.

8 5
2 3

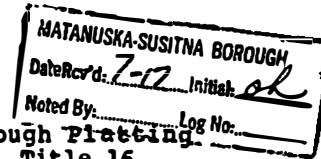
Page 3/PLK 9/Gryte Variance Request NOA

8/29/86

4 Recordation of variance resolution.

dw3.6

MATANUSKA-SUSITNA BOROUGH
VARIANCE APPLICATION



This application is to the Matanuska-Susitna Borough Planning Board for a variance from the Subdivision Ordinance, Title 16.

Petitioner's Name: Haaken Gryte

Address: 1511 L Street, Anchorage Alaska, 99501

Legal Description of Property: Lot 7 of a subdivision of G.L.O.
lots 10 and 11 Sec. 30, Township 17 N R 3 W S.M. Alaska

An application for a variance from a requirement of Title 16 shall contain:

- [] 1. The preliminary plat to which the variance pertains or a copy of the plat of record if it has previously been approved and filed;
- [] 2. A description of the variance requested including the code section reference;
- [] 3. A specific statement of the reasons why the variance is required and conforms to the requirements of Section 16.15.035;
- [] 4. If the variance is sought because of the existence or proposed location of a structure, a plot plan or as-built of the particular parcel or parcels affected, submitted under the seal of a professional land surveyor. (16.30.045)

I, Haaken Gryte & Ida M. Gryte, the owner (or owner's representative) of the above described property apply for a variance from Section 16.25 480 of the Borough Code in order to allow:

A building setback of 36 feet to the front of a cabin on Big Lake. The deck of the cabin is 31 feet from the Lake Shore. A setback of 75 feet would place the cabin in a swamp just above lake level.

(Variances from Road Design Standards are variances from MSB 16.25.140(A) (2 and 3).

Please Continue on reverse side

Variance

Page 2/Variance Application

The special circumstances for the variance are as follows:
(Refer to Section 16.15.035),

- A. The granting of the variance will not be detrimental to the public health, safety, welfare or injurious to adjacent property because:

The cabins on either side of this property are less than the required 75' setback. This cabin is built on the only part of this lot that is 8 feet or more above the Lake level.

- B. The conditions upon which the variance application is based do not apply generally to properties other than the property for which the variance is sought because:

This cabin is built on the only dry ground on this lot. The cabin is built on a small knoll that sets approximately 35 feet from the lake shore. The cabin is not complete at this time. I started building this cabin with no knowledge of a required 75 foot setback from water.

- C. Due to unusual physical surroundings, shape, or topographical condition of the property for which the variance is sought or because of surrounding development or conditions, the strict application to the property of the requirements of Chapter 16.25 will result in undue substantial hardship to the owner of the property because:

The back portion of this lot is swamp 1 foot or less from the water level of the lake.

Harvey Bryant and
Signature *Ed M. Bryant* Date *July 17 '86*



Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645

PHONE 745-4801

PLANNING DEPARTMENT

LAND MANAGEMENT
745-9652

PLATTING
745-9650

PLANNING
745-9661

June 18, 1986

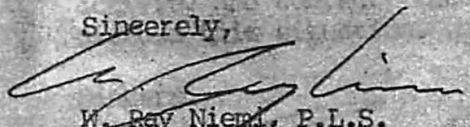
Nancy E. Walker
P O Box 520644
Big Lake, AK 99652

Re: Letter dated June 2, 1986

Dear Ms. Walker;

In reference to your letter dated June 2, 1986, a visual inspection was conducted by Planning Department staff members and a letter written to Mr. Gryte. Your letter, however, was not specific enough in referring to construction activity in the Starboard Cove area of Big Lake. In order for the Platting Division to take action on your letter, we need more specific information for location or ownership.

Sincerely,


W. Ray Niemel, P.L.S.
Platting Officer

WRN/MAM/oh

dw3.c



Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645

PHONE 745-4801

PLANNING DEPARTMENT

LAND MANAGEMENT
745-9652

PLATTING
745-9650

PLANNING
745-9661

June 18, 1986

Haaken Gryte
1511 "L" Street
Anchorage, AK 99501

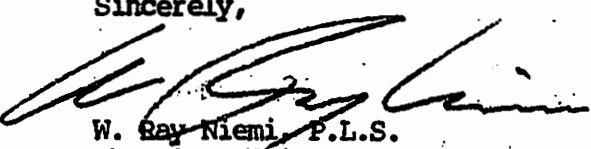
RE: Lot 7, Subdivision of Lots 10 and 11 Subdivision.

Dear Mr. Gryte;

The Planning Department of the Matanuska-Susitna Borough received a letter of complaint regarding construction activity on the above referenced property and subsequently performed a visual inspection of the property. The inspection confirmed a violation does exist to the current setback requirements of the Matanuska-Susitna Borough Title 16, Subdivision Ordinance.

At this time, I would recommend you suspend construction activity and contact the Platting Division immediately to discuss this situation.

Sincerely,


W. Ray Niemi, P.L.S.
Platting Officer

cc: Nancy Walker
Vern Ungerecht

8/14/22
Ken - this is original of an
old ~~letter~~ letter of which you
have a copy. For your files.
OK?
[Signature]
Find 8/14
File if response
made

Nancy E. Walker
P.O. Box 520644
Big Lake, Alaska 99652
(907) 892-6688

RECEIVED

JUN 5 1986

**PLANNING
DEPARTMENT**

June 2, 1986

Bob Robes
Planning Department
Mat-Su Borough
Box B
Palmer, Alaska 99645

Re: 75' Setback on Building on Lake Front

Dear Mr. Robes:

I am writing you again regarding Mr. Haaken Gryte's non-compliance with the 75 foot setback on his Lot 7, Sub of Lots 10 and 11 Subdivision, located in the Palmer Recording District, on Sheppard Island, in Big Lake. Please let me know what you are doing on this matter, if anything. I first wrote you on this matter in January of 1986, after talking with the borough over the phone. I have talked with several people over the phone since this time and they suggested I write the borough again. I have also talked over the phone with the borough regarding some-one building close to the lake west of Joe Holden's property near Starboard Cove at Big Lake.

Very truly yours,

Nancy Walker

Nancy Walker

Subd # 6272 B006007

Ho 13

~~17N03~~

17N03030

Made Inspections with M. Mortensen MSB Planning left notice

INDEX

PALMER
Serial No.

66-2670

BOOK Index PAGE 201
Palmer Recording District

Planning Commission Packet

September 15, 2025

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RECEIVED
DEC 04 2024

Mat-Su Borough
Development Services

MATANUSKA-SUSITNA BOROUGH, INC.

Palmer, Alaska

CERTIFICATE OF REDEMPTION

I hereby certify, in accordance with the provisions of Alaska Statutes, Section 29.10.507, that Haakon Gryte having an interest as provided therein, in the following described real property, to-wit :

17N 3W Section 30 Tax Lot 11-7

according to the public record
and description of real property kept in the Assessment Department Office of the Matanuska-Susitna Borough at Palmer, Alaska,

did pay to me of the 23rd. day of July, 19 66 the total sum of Tewnty Seven Dollars and Forty Five Cents (\$ 27.45)
in payment of the full amount applicable to said property, with costs charged against the same and with interest as provided by law, under the judgment and Decree of Foreclosure and sale in Case No. 65-1807B, Superior Court, State of Alaska, at Anchorage, Alaska, entered by said Court on the 7th. day of January, 19 66.

This Certificate redeems said property from the sale to the above named Borough, heretofore made by the provisions of said judgment and Decree of Foreclosure and Sale, but does NOT relieve the above named Redemptioner from the obligation of any unpaid taxes assessed and levied upon said property subsequent to the tax year for which judgment was made.

In TESTIMONY WHEREOF, I have hereunto set my hand and seal this 21st day of November, 19 66, at Palmer, Alaska.

Seal -

RECORDED - FILED	
<u>Palmer</u> REC. DIST.	
DATE	<u>11-30</u> , 19 <u>66</u>
TIME	<u>1 PM mail</u> M
Requested by	<u>H. Gryte</u>
Address	<u>1511 2nd St</u> <u>Anch</u> <u>Res A177635</u>

Mary E. Martin
MARY E. MARTIN, Clerk
Matanuska-Susitna Borough

MAGISTRATE COURT

FOR THE
STATE OF ALASKA

JUDICIAL DISTRICT

RECEIVED FROM

Salmer
Hakon Gryte
1511 2 St
Anchorage

DOC. NO. *66-2680* CASE OR PROCEEDING DATE *11/30/1966*

CODE	REVENUE	AMOUNT	CODE	REVENUE	AMOUNT
001	MISCELLANEOUS CLERKS FILING FEE		021	RECORDING RECORDING	<i>3 -</i>
002	FINES AND FORFEITS		022	FILING	
003	MARRIAGE & LICENSE FEES		023	RELEASING	
004	RECIPROCAL SUPPORT (Costs)		024	CERTIFYING (Recorder)	
005	NOTARY & CERT. (Clerks)		031	TRUST FUND BAIL	
011	PROBATE ESTATE		032	CIVIL DEPOSIT	
012	GUARDIANSHIP		033	PROBATE DEPOSIT	
013	ADOPTION		034	RESTITUTION	
014	SANITY		035	RECIPROCAL SUPPORT	
			036	EXECUTION	
099	EXPENDITURE RECOVERIES				

ISSUED BY *Hakon Gryte* CLERK MAGISTRATE TOTAL *3.00*

MEMO *Cost of Redemption*

No. A *177635* CASH ☐ CHECK ☒ M.O. ☐

PRINTED BY THE STANDARD REGISTER COMPANY, U.S.A.

Planning Commission Packet
September 15, 2025
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Journal record immediately this Certificate of Redemption, in the office of the District Recorder for the District in which your property is located. There will be charge of \$3.00 for this recording.

Matanuska-Susitna Borough
Tax Collector
Katherine Moor

RECEIPT

Date *July 23* 19 *66* No. *3083*

Received From *Hakon J. Gryte*

Address

Twenty Seven Dollars & 45/100 Dollars \$ *27.45*
For *(1964) Taxes Penalty & Interest & Foreclosure*
Costs on 17 N R 3 W. Section 30 2nd Lot 11-7

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	<i>27.45</i>
BALANCE DUE		MONEY ORDER	

Day - 18.40
P/G - 3.28
By *Kay Moore* *Foreclosure* *5.77*



**ADVANCE
ENGINEERING**

BOX 87-1688 WASILLA, ALASKA 99687 (907) 376-7702

Planning Commission Packet
September 15, 2025
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August 5, 1986

Ronald E. Godden
State of Alaska
Department of Environmental Conservation
P.O. Box 87-1064
Wasilla, Alaska 99687-9998

RECEIVED
DEC 04 2024
Mat-Su Borough
Development Services

RE: Lot 7, Shepard Island
Single Family-One Bedroom Summer Cabin

Dear Mr. Godden:

A site visit was made on August 4, 1986 on the above referenced lot. Due to the well location, and the existing topographic and soil conditions, there is no suitable area remaining to install a soil absorption system. The highest area outside the 100' well radius on the lot has a watertable at approximately 2 feet and a dense impermeable strata at approximately 2.5 feet. This strata also exists in two other testholes and the watertable is at or near the surface and may be wetlands.

Due to the type of use as per the owner's statements (summer use cabin-one bedroom), and the location being on an island, placement of fill is not a feasible alternative due to no on-site source and import material being cost preventive. Adjacent lots utilize either privvies or holding tanks since they have the same circumstances. It is my opinion that based on the existing conditions, that a holding tank is the only option left other than not doing anything at all (i.e. privy). There are some restrictions here with the holding tank, in that it cannot be pumped during the summer. It should be sized to adequately handle flows until freeze-up time. The determination of sizing of the holding tank was worked out with the owner and your office prior to my involvement and placement of the tanks will be done by the owner. ✓

If you have any questions, please feel free to contact me.

Sincerely,

Michael W. Erickson, P.E.
ADVANCE ENGINEERING

RECEIVED
AUG 11 1986

Environmental Conservation



TH #1



ORGANIC

1.5

2.0

2.5

SILTY LOAM

DENSE HARDPAN

ABORT HOLE

TH #2 - 3



WATER TABLE AT SURFACE

1.5

2.0

2.5

ORGANIC

SILTY LOAM

DENSE HARDPAN

ABORT HOLE



TESTHOLE LOG
LOT 7
SHEPARD ISLAND

Drawn by:
Ch'k by: MWE
Date: 8-5-86
Logged: 8-4



ADVANCE
ENGINEERING

180 E. PAULSEN RD. NABILLA, AK 99587
AUG 11 1986

Environmental Conservation



Matanuska-Susitna Borough

BOX B, PALMER, ALASKA 99645 • PHONE 745-4801

PLANNING DEPARTMENT

LAND MANAGEMENT
745-9652

PLATTING
745-9650

PLANNING
745-9661

Date: Aug 29, 1986

RECEIVED
DEC 04 2024

Mat-Su Borough
Development Services

NOTIFICATION OF PLATTING BOARD ACTION

TO: Haaken Gryte
1511 "L" Street
Anchorage, AK 99501

RE: Variance Applications
CASE # PLK 9

Consideration was given the above-mentioned at the Platting Board's meeting of Aug. 7, 1986. Action taken by the Board is as follows:

The VARIANCES were APPROVED CONTINGENT.

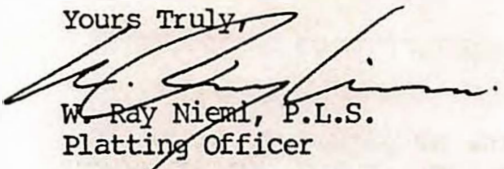
ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL OF A SUBDIVISION OR OF A WAIVER OF PLATTING REQUIREMENTS BY THE PLATTING BOARD SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.38. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

IF ROAD CONSTRUCTION IS REQUIRED PLEASE NOTE THE FOLLOWING CONDITIONS:

- 1 Notice of cost estimate to be submitted by an engineer or a copy of the construction contract or the contractor's proposal, to be approved by the Borough Engineering Department.
- 2 Payment of a 2% fee based on approved estimate submitted.
- 3 Notice to proceed must be issued prior to construction as no road inspection is authorized without this notice.

If this in reference to a plat application recordation at the appropriate District Recorder's Office of the plat if required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting please feel free to contact this office.

Yours Truly,


W. Ray Niemi, P.L.S.
Platting Officer

cc: Alton Ogard

Variance to 16.25.480-A building setback of 36 feet to the front of a cabin on Big Lake. The deck of the cabin is 31 feet from the lakeshore. A setback of 75 feet would place the cabin in a swamp just above lake level.

Justification as submitted by petitioner:

- A. The cabins on either side of this property are less than the required 75 feet setback. This cabin is built on the only part of this lot that is 8 feet or more above the lake level.
- B. This cabin is built on the only dry ground on this lot. The cabin is built on a small knoll that sits approximately 35 feet from the lakeshore. The cabin is not complete at this time. I started building the cabin with no knowledge of a required 75 foot setback from water.
- C. The back portion of this lot is swamp 1 foot or less from the water level of the lake.

The Platting Board has approved the variance contingent upon the following:

- 1 DEC approval of a wastewater disposal system for Lot 7, SUB of GLO Lots 10 and 11. Written approval to be submitted to Platting Staff prior to recordation of variance resolution.
- 2 Compliance with Coastal Management Consistency Review to include the following:
 - a. Locate all sanitary sewer mains at the back of the building, "back" being that wall farthest from the shoreline.
 - b. All buried or otherwise concealed sewer lines within the 75 ft shoreline setback area shall be butt-fused, polyethylene pipe or approved equal. "Bell and socket" or other type of friction-fit pipe joints shall be allowed only if located inside the building and available for visual inspection.
 - c. Natural vegetation shall be maintained in all areas of the 75 ft shoreline setback not occupied by allowed structures.
- 3 Recordation of a variance resolution.

The Platting Board has granted this variance contingent on:

- 1 DEC approval of a wastewater disposal system for Lot 7, Subd. of GLO Lots 10 and 11. Written approval to be submitted to Platting Staff prior to recordation of variance resolution.
- 2 Compliance with Coastal Management Review.
- 3 Submittal of variance application.

Page 3/PLK 9/Gryte Variance Request NOA

8/29/86

4 Recordation of variance resolution.

dw3.6

1511 L Street
Anchorage, Alaska, 99501
March 24, 1991

Mr. Rick Brown
Chief of Platting
MATANUSKA-SUSITNA BOROUGH
Box B
Palmer, Alaska, 99645

Re: Case #PLK 9, Setback Variance for GLO Lots 10/11

Dear Mr. Brown:

I respectfully request an extension on this project. From your letter, I understand that you have no record of any progress being made on this project. However, I am enclosing a copy of my letter of May 2, 1988 in which I have detailed some progress.

Last year was a bad year for operating heavy equipment on the lake due to overflow and heavy snowfall, and this year is not much better. I own a homestead about one mile north of Big Lake and that is where I keep my heavy equipment that I intend to use in my dirt moving operation. I have about a mile of road to clear to get out to the North Big Lake road. I usually can keep this road cleared with a snow plow on a pickup truck but got stuck with it. My D-6 Cat was parked a ways from the buildings and when I got started I was mired down in such dense snowpack that, for fear of burning out the clutches, I had to give it up. I must say that I have never encountered a problem of this nature in the last 30 years I have owned the property. Next year I will have the D-6 parked in a building near my road so I won't encounter a problem of that nature again.

I assure you that I am as anxious as anyone to complete this project.

Sincerely yours,


Haaken Gryte



Matanuska-Susitna Borough

BOX B. PALMER, ALASKA 99645 • PHONE 745-3246

DEPARTMENT OF PLANNING • PLATTING DIVISION

March 14, 1991

Haaken Gryte
1511 L Street
Anchorage, Ak 99501-4948

Re: Case #PLK 9, Setback Variance for GLO Lots 10/11

Dear Mr. Gryte:

Upon reviewing the files, we find that your request regarding the above mentioned project has had no action since the Platting Board meeting of August 20, 1986.

This letter is to advise you that if this office does not hear from you within 30 days, advising if you intend to continue with this request, this file will be deadfiled. Once a file has been deadfiled, it is necessary to make a new submittal to continue with a project.

If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rick Brown".

Rick Brown
Chief of Platting

1511 L Street
Anchorage, Alaska, 99501
May 2, 1988

Mr. Rick Brown
Acting Chief of Platting
MATANUSKA-SUSITNA BOROUGH
Box 1608
Palmer, Alaska 99645

Re: Case #PLK 9, Setback Variance for GLO Lots 10/11

Dear Mr. Brown:

In reply to your letter of April 26 in regard to Setback Variance for GLO Lots 10/11, Big Lake, I do intend to continue with this project and have been working toward compliance of D.E.C. requirements.

I hired Alton Ogard, Registered Land Surveyor, Big Lake, to have the lot surveyed. The lot is 79 feet wide and 365 feet deep. Approximately 100 feet of this lot is stable ground and that is facing the lake frontage. The back portion of the lot is muskeg.

Because there is not enough good ground on the lot to put in a regular septic system, I am putting in holding tanks. I hired an engineer from Advance Engineering at Wasilla to inspect the lot and with his approval I got the go-ahead from D.E.C. to install holding tanks. I bought one 1,000 gal. septic tank and two 1,250 holding tanks from Anchorage Tank and Welding, Wasilla and had them installed. Then I hired an engineer from Gilfillian Engineering, Inc. Wasilla to inspect the installation for proper setback and it met with his approval. I paid Gilfillian Engineering \$300 in advance which he thought would cover the final inspection.

I have scraped up enough fill on the lot to almost cover the tanks, but I need another foot of fill on top of 2 inches of styrofoam to meet D.E.C. approval. I intended to haul in the fill dirt this past winter, but Big Lake was not safe for heavy equipment because of the deep snow and thin ice. Therefore, I will have to put it off until next winter.

Respectfully yours,

Haakon Gryte
Haakon Gryte



Matanuska-Susitna Borough

BOX 1608, PALMER, ALASKA 99645 • PHONE 745-9661

DEVELOPMENT SERVICES DEPARTMENT

April 26, 1988

Haaken Gryte
1511 "L" St
Anchorage, Ak 99501-4948

Re: Case #PLK 9, Setback Variance for GLO Lots 10/11

Dear Mr. Gryte;

Upon reviewing our files, we find that your request for a variance to the setback for GLO Lots 10 & 11, Sextion 30, T17N, R3W, S.M. AK., Case # PLK 9, has had no action since the Platting Board approved it contingent upon staff recommendations on August 20, 1986.

Would you please advise this office, as soon as possible, if you intend to continue with this project. If you require additional information please feel free to contact this office.

Sincerely,

Rick Brown
Acting Chief of Platting

/forms

GI LFILI ANNGI NEERI NG, INC.
P.O. BOX 871868
WASI LL, AALASKA 99687
907-376-3005

S T A T E M E N T

HAAKEN GRYTE
1511 "L "STREET
ANCHORAGE, ALASKA 99501

DATE	EXPL ANATION	DEBITS	CREDITS	BALANCE
----	-----	-----	-----	-----
070787	187175 RETAINER		300.00	(300.00) CREDIT

August 14, 1986

376-5038
P.O. Box 871064
Wasilla, Alaska
99687-9998

Mr. Haaken Gryte
P.O. Box 520972
Big Lake, Alaska 99652

Re: Lot 7, Shepard Island, Single Family, One Bedroom Summer Cabin; Holding Tank Installation

Dear Mr. Gryte:

We received an engineer's report concerning the feasibility of installation of an on-site soil absorption system on the subject lot on August 11, 1986. Based upon the report, which substantiated unsuitable site conditions for an absorption field, i.e., poor soils, watertable at/near ground surface, and the opinion of the engineer, this Department has no objection to the installation of a holding tank system to serve the dwelling on the subject lot.

Per your previous discussions, with Mr. Godden of this office, a total holding tank capacity of at least 3500 gallons should be installed. The large size of the tank is necessitated due to lack of access by pulper trucks during certain periods of the year. It is our understanding you intend to install a 1000 gallon septic tank and two 1500 gallon holding tanks manufactured by Anchorage Tanks. The following should be accomplished in the installation of these tanks.

1. The nearest edge of any portion of the holding tank should be at least 75 feet from the well and 100 feet from the high water mark of the lake.
2. Care should be taken to ensure the holding tank is not installed in the groundwater.
3. All tanks must be sealed and water tight to prevent possible in-flow of groundwater and out-flow of effluent.
4. All holding tanks and sewerlines should be heavily insulated in order to prevent as much heat loss as possible.
5. All holding tanks need to be pumped as soon as possible after freeze up of the lake.
6. A high water audible and visual alarm needs to be installed on the last tank in the series. No further use of the holding tanks should occur after the high water alarm is sounded.
7. Some means of thawing the holding tanks should be available when the tanks are pumped. If frozen, they must be thawed prior to pumping.

Mr. Haaken Gryte
August 14, 1986
Page 2

The Department must be notified 24 hours in advance of the installation of the wastewater disposal system, so that we may conduct an installation inspection. The tanks must be inspected by the Department prior to burial.

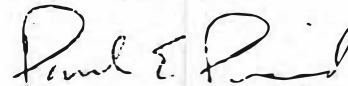
This approval is contingent upon your receipt of any other state, federal or local authorizations which are required for your project. You are required to obtain all other necessary authorizations before proceeding with your project. You are advised that if this development will require placing fill in wetlands or working in a stream, river, or lake, permits from the U.S. Army Corps of Engineers and the Alaska Department of Fish and Game may be required. Other state or federal authorizations may also be required. The Coastal Projects Questionnaire, which you have previously received, will help you identify other permits and approvals which may be required for your project.

This approval does not imply the granting of any additional authorizations nor obligate any state, federal or local regulatory body to grant required authorizations.

If the owner desires a Certificate of Approval, the system will require that a copy of the as-built survey be provided along with an Application for Approval.

If you have any questions, please do not hesitate to call me.

Sincerely,



Paul E. Pinard, P.E.
District Supervisor

PEP/REG/bkr

376-5038
P.O. Box 871064
Wasilla, Alaska
99687-9998

July 25, 1986

Mr. Haaken Gryte
P.O. Box 520972
Big Lake, Alaska 99652

Re: Lot 7, Shepard Island, Single Family, One Bedroom Summer Cabin.
Our Conversation of June 19, 1986

Dear Mr. Gryte:

Based upon the data provided by you on June 19, 1986, and additional data received July 3, 1986, it appears a holding tank may be your only option to the disposal of wastewater generated by the dwelling on the subject lot. Your lot must be evaluated by a Professional Engineer to determine if there are any other alternatives. If this is the only feasible alternative, the engineer should address those items in Title 18 AAC 72.025(a) to determine if those conditions can be met. After the engineer submits his report, it will be reviewed and a determination made.

If you have any questions, please do not hesitate to call me.

Sincerely,



Ronald E. Godden
Environmental Field Officer

REG/bkr

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
437 E Street, Suite 200, Anchorage, AK 99501
P. O. Box 871064, Wasilla, AK 99687-9998
P. O. Box 1207, Soldotna, AK 99669
P. O. Box 1709, Valdez, AK 99686

BY:
SUBJECT:

LT7 SHEPHERDS ZSLAND

X	MEMO	to: Air,
	TELEPHONE CONVERSATION	with:
	SITE VISIT NOTES	location: present:
X	MEETING NOTES	purpose: Discuss owner installation site
	REVIEW COMMENTS	

* Review Holding tank culture
Does not appear to be able to
install anything but a holding tank
15K Casing w/ summer only,
only pumping can be done in
winter after freeze up.

2 people

16 weekends

$(32 \text{ days}) (150) = 4800 \text{ gal}$

~~64 x 150~~

HAARON GRATE

$(56)(32)(2) = 3584 \text{ gal}$ BOX 520 972

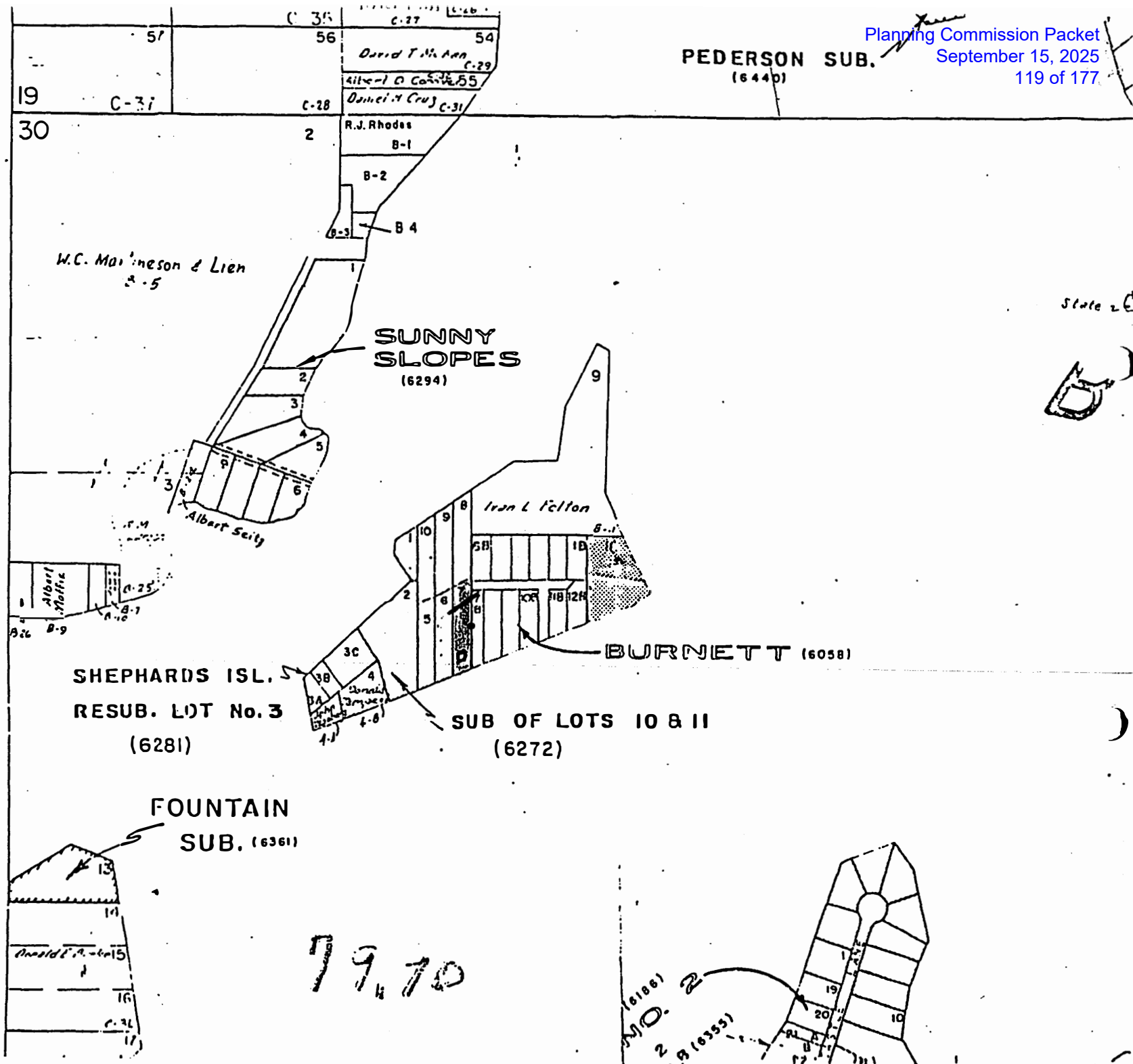
Ki, Alice

99520

3500

1500 + 2000



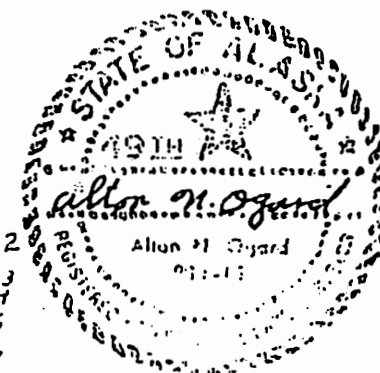


NOTE:
ELEV. WATER LEVEL ASSUMED 140.00
0 3/4" REBAR RECOVERED
C.I. = 1'

SURVEYOR'S CERTIFICATE

I hereby certify that I have surveyed the land described herein, and that no improvements thereon are located as shown on this plat, and that there are no roadways, or other vested easements in the property except as indicated hereon.

Alton N. Ogard
Registered Surveyor



ASBUILT LOT 7

LOCATED IN A RESUBDIVISION
OF G.L.O. LOTS 10 & 11 SEC. 30
T17N, R3W, S.M. ALASKA

SCALE
1" = 50'

DRAWN BY
A.O.

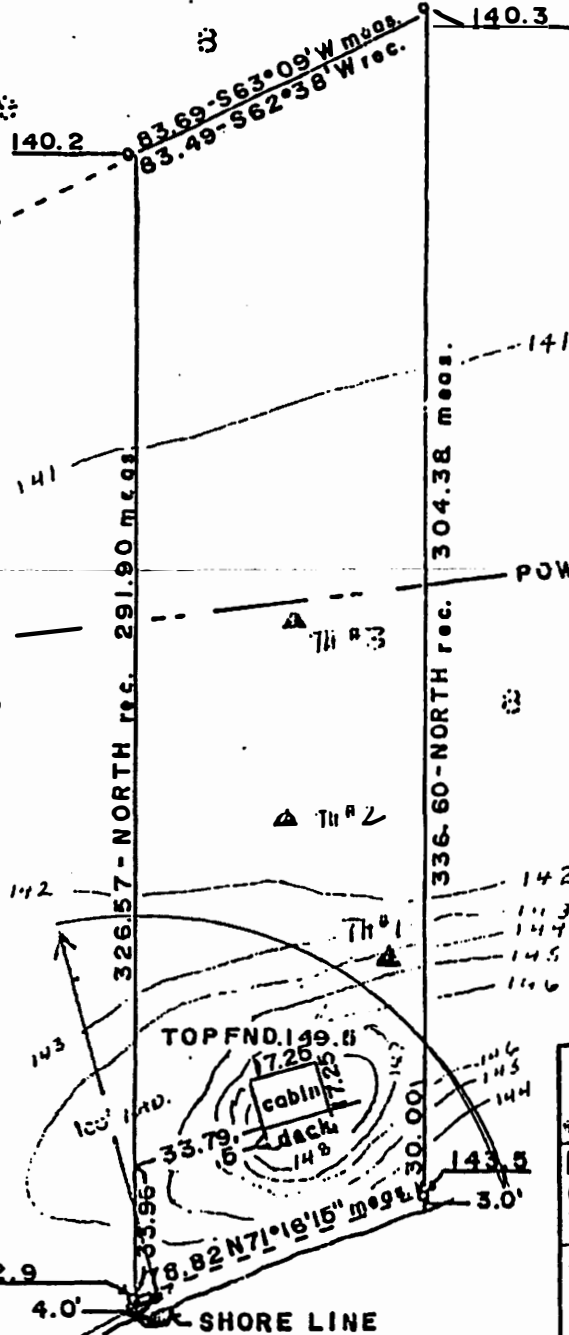
REVISED

SURVEYED BY: ALTON N. OGARD
BOX 90691
ANCHORAGE, AK. 99509

DATE
26 JUNE 1986

APPROVED BY

DRAWING NUMBER



BIG LAKE

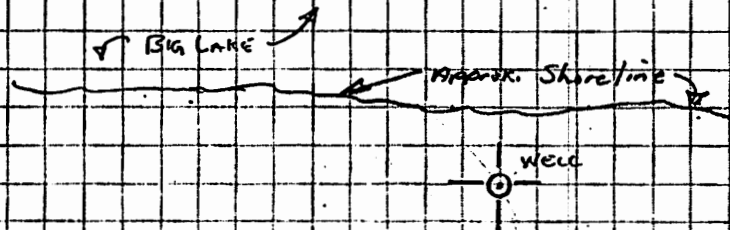
RECEIVED
AUG 11 1986

Environmental Conservation

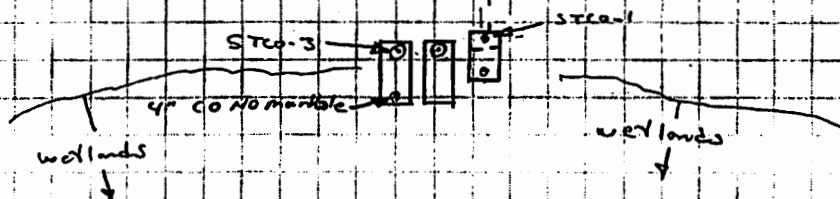
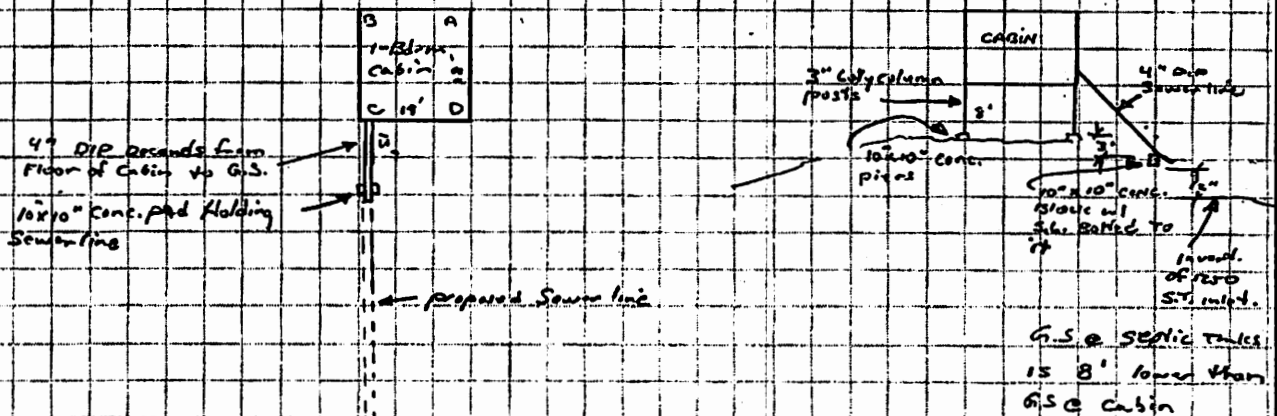
Rec. Drawing of Site Improvements.

Scale 1" = 30'

A-Well 43
B-Well 51
D-STC-1 59
D-STC-3 64
C-STC-1 57
C-STC-3 60



SIDE VIEW



Septic tanks are set on existing substation
(topsoil removed)
are bedded w/ native on-site fill soil - approx
1/2\"/>

P.O. Box 520972
Big Lake 99520

Plan to complete inspection of Holding
Tank installations this winter



Gilfilian Engineering, Inc.
P.O. Box 871868
Wasilla, Alaska 99687

project	by JSR	sheet no.
location COT 7 Shermans Island	date 7.13.87	1/2
client Haagen Gryte	checked	job no.
	date	187175

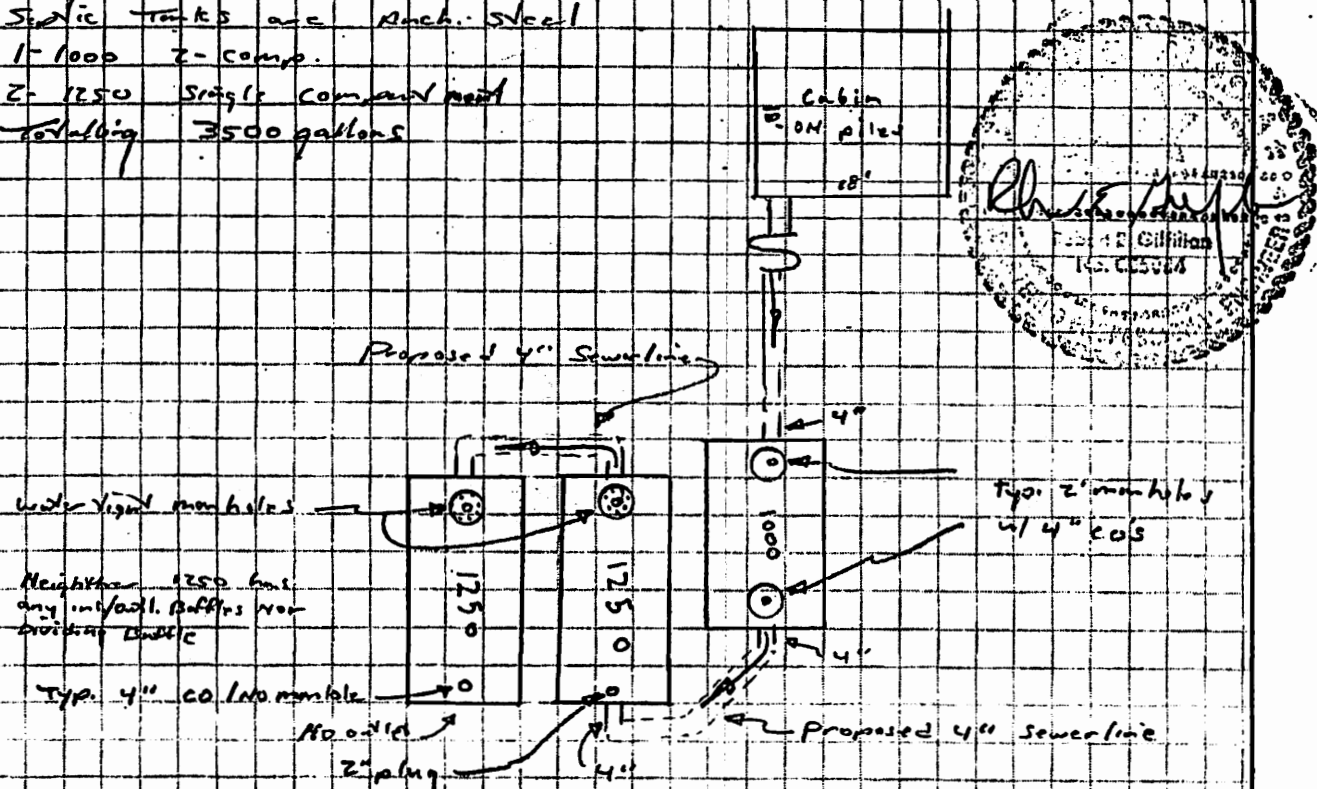
DIG LINE

WELL
-0-

well is 6" steel cased w/ sand
 Seal 12" above G.S. pump wire NOT
 in conduit well is cased to 48" according
 to owner - will try to get more log.

PLAN VIEW NTS

Septic tanks are Arch. Steel
 1-1000 2-comp.
 2-1250 Single Comp. and vent
 totaling 3500 gallons



Tanks are resting on solid subsoil. Slightly Gravelly Sand (T11)
 G.W. is ~ 8" below Bottom of Tanks

Plans on backfilling Tanks w/ Sand / Sandy Gravel as soon as Big
 Lake freezes - will connect all sewer lines and call me for
 final inspection probably sometime in late Oct. early November.



Gilfilian Engineering, Inc.
 P.O. Box 871868
 Wasilla, Alaska 99687

project

location

client

by

date

checked

date

sheet no.

job no.

18775

Cot 7 Shepards Island

Naggen Grate

JSE

7.13.87

2/2

18775



Water Rights

CERTIFICATE OF APPROPRIATION

LAS 10534

THE STATE OF ALASKA UNDER AS 46.15, THE ALASKA WATER USE ACT,
AND THE REGULATIONS ADOPTED UNDER IT, GRANTS TO:

HAAKEN GRYTE AND
IDA M GRYTE
1511 L STREET
ANCHORAGE, AK. 99501

THE RIGHT TO USE WATER FROM THE FOLLOWING SOURCE:

A) DRILLED WELL WITH A PRIORITY DATE OF 12/31/1985
250.0 GAL/DAY
FOR SINGLE DWELLING JAN 01 THRU DEC 31

THE LOCATION TO WHICH THIS WATER RIGHT APPERTAINS IS:

LOT 7 OF THE SUBDIVISION OF GOVERNMENT LOT 11 (WITHIN THE SE1/4 NW1/4)
OF SECTION 30, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN,
PALMER RECORDING DISTRICT, STATE OF ALASKA.

THE SOURCE OF WATER IS A DRILLED WELL, 48 FEET DEEP, LOCATED WITHIN
THE ABOVE DESCRIBED PARCEL OF PROPERTY.

THE CONDITIONS THAT APPLY TO THIS APPROPRIATION ARE FOUND IN ATTACH-
MENT A, ATTACHED HERETO AND MADE A PART HEREOF.

THE WATER RIGHT IS GRANTED SUBJECT TO THE PERTINENT STATUTORY
PROVISIONS IN AS 46.15, AND ADMINISTRATIVE REGULATIONS IN 11 AAC 93.

State of Alaska



Water Rights

CERTIFICATE OF APPROPRIATION

LAS

10534

THIS CERTIFICATE OF APPROPRIATION IS ISSUED BY AUTHORITY OF
AS 46.15.120 AND 11 AAC 93.130 ON April 16, 1991.

APPROVED:

Allan J. Samet

TITLE: Mat-Su/Copper Basin Area Manager
DIVISION OF LAND AND WATER MANAGEMENT

STATE OF ALASKA)
) SS
Third JUDICIAL DISTRICT)

THIS IS TO CERTIFY THAT ON April 16, 1991
BEFORE ME APPEARED Allan J. Samet, KNOWN BY
ME TO BE THE DIRECTOR OR AUTHORIZED REPRESENTATIVE OF THE DIVISION OF
LAND AND WATER MANAGEMENT, DEPARTMENT OF NATURAL RESOURCES, AND
ACKNOWLEDGED TO ME THAT THIS CERTIFICATE OF APPROPRIATION WAS VOLUN-
TARILY EXECUTED ON BEHALF OF THE STATE OF ALASKA.

Julie Ann Louise Kinn

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES: December 26, 1992

PURSUANT TO AS 46.15.160 AND APPLICABLE REGULATIONS THE CERTIFICATE
HOLDER SHALL NOTIFY THE ALASKA DIVISION OF LAND AND WATER MANAGEMENT
UPON CHANGE OF ADDRESS OR TRANSFER OF ANY REAL PROPERTY RELATED
THERE TO.



Water Rights

CERTIFICATE OF APPROPRIATION

LAS

10534

ATTACHMENT A -- CONDITIONS:

THE HOLDER OF THIS CERTIFICATE SHALL:

FOLLOW ACCEPTABLE ENGINEERING STANDARDS IN EXERCISING THE WATER RIGHT GRANTED BY THIS CERTIFICATE.

COMPLY WITH ALL APPLICABLE LAWS, REGULATIONS AND CONDITIONS.

GRANTOR: STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND & WATER MANAGEMENT
MAT-SU/COPPER BASIN AREA OFFICE
1830 E PARKS HIGHWAY, SUITE A-116
WASILLA, ALASKA 99687-9006

Section
300. Appeal to the commissioner

11 AAC 93.300. APPEAL TO THE COMMISSIONER. (a) Any person who believes that he has been aggrieved by a delegated decision or order of the commissioner may, within 30 days after the date that the decision or order was mailed or personally served, appeal to the commissioner for a modification or reversal of the decision or order.

(b) Before making a decision, the commissioner may order the taking of additional evidence or the holding of a hearing if he determines that more information is necessary to rule on the appeal or if the appellant requests permission to present further information. (Eff. 2/8/67, Register 23; am 12/29/79, Register 72)

Authority: AS 46.15.020 AS 46.15.135
AS 46.15.070(e) AS 46.15.180

11 AAC 93.910. CHANGE OF ADDRESS. (a) All applicants, permit holders, and certificate holders shall promptly notify the commissioner of any change of mailing address. Failure by an applicant or permit holder to comply with this requirement is sufficient cause for discontinuance of the water appropriation procedure under secs. 40 — 140 of this chapter and closure of the case file.

(b) Correspondence and notification sent under provisions of this chapter will be sent to the last address on file with the commissioner. (Eff. 12/29/79, Register 72)

Authority: AS 46.15.020
AS 46.15.070
AS 46.15.120

11 AAC 93.920. EXEMPTIONS. Any person using less than a significant amount of water as defined in sec. 970 of this chapter is not guilty of a misdemeanor for appropriating water without a permit. However, any person using less than a significant amount of water acquires no water right or priority unless an application is filed and a permit or certificate is issued in accordance with secs. 40 — 140 of this chapter. Water used without a permit or certificate is subject to appropriation by others and the use of water without a water right is subject to curtailment in order to supply water to lawful appropriators of record. (Eff. 2/8/67, Register 23; am 12/29/79, Register 72)

Authority: AS 46.15.020
AS 46.15.180

11 AAC 93.950. RECORDING OF INSTRUMENTS. The holder of a water right issued under this chapter shall record his certificate in the recorder's office in the district where the appropriation is located to guarantee priority against adverse claimants. (Eff. 12/29/79, Register 72; am 9/11/83, Register 87)

Authority: AS 46.15.020
AS 46.15.160
AS 46.15.170

586

11 AAC 93.960 NATURAL RESOURCES 11 AAC 93.970

11 AAC 93.960. DISCLAIMER OF LIABILITY. The State of Alaska and the department, its agents, and employees are not liable for any claims arising out of activities conducted under a letter of entry, permit, or certificate issued under this chapter by the holder or owner of it or any third party. Neither this chapter nor any letter of entry, permit, or certificate issued under it is intended as a waiver of sovereign immunity. (Eff. 12/29/79, Register 72)

Authority: AS 46.15.010
AS 46.15.020

DEPARTMENT OF NATURAL RESOURCES
REGULATIONS (IN PART) APPLICABLE
TO THIS WATER RIGHT CERTIFICATE

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF LAND AND WATER SOUTHCENTRAL REGION

WALTER J. HICKEL, GOVERNOR

MAT-SU/COPPER BASIN AREA OFFICE
1830 E. PARKS HIGHWAY, SUITE A-116
WASILLA, ALASKA 99687-9006
PHONE: (907) 376-4595

April 18, 1991

Certified: P560-621-498
Return Receipt Requested

Re: Water Rights Certificate
LAS 10534

Haaken & Ida M. Gryte
1511 L Street
Anchorage, Alaska 99501

Dear Mr. & Mrs. Gryte:

Enclosed is your certificate of appropriation entitling you to the use of public waters for beneficial purposes in the quantity and area as shown on the certificate.

This water right will continue in effect for as long as you continue your water use. See Section 46.15.140 of the enclosed Water Use Act covering "Abandonment, Forfeiture, and Reversion of Appropriations".

This water right is appurtenant to the land and will be conveyed along with title when the land is sold unless it is specifically exempted. If the water right is to be severed from the land, sold or altered substantially, the approval of the Department of Natural Resources must be acquired. See Section 46.15.160, "Transfer and Change of Appropriations".

Please note, this certificate should be recorded in the recording district in which your appropriation is located to guarantee priority against adverse claimants (11 AAC 93.950).

Sincerely,

Allan T. Samet
Mat-Su/Copper Basin Area Manager



By: Carol A. Compton
Natural Resource Tech II

Enclosure

CAC:jak
gryte.ltr



MAT-SU TEST LAB, INC.

Soils - Concrete - Water
Field and Laboratory Testing Services

M

P.O. Box 871868 • Wasilla, Alaska 99687 • (907) 376-3005

DRINKING WATER ANALYSIS FOR TOTAL COLIFORM BACTERIA

APPLICANT INFORMATION

Name: HAAREN GRYTE Phone: 272-1846
Mailing Address: 1511 L St. ANCHORAGE ALASKA 99501

SAMPLE INFORMATION

State I D. No. _____

Legal Description: Lot 7 Sheppards Island Big LAKE

Date Collected: APRIL 15 Time Collected: 8:00 AM Collected By: Haaren

Sample Type: ☒ Routine ☐ Check Sample ☐ Treated ☒ Untreated

THIS SECTION TO BE COMPLETED BY LAB

ANALYSIS RESULTS

- ☒ Satisfactory
☐ Unsatisfactory
☐ Sample Rejected: over 48 hours in transit. Please Resample.

Final Membrane Filter Results: 0 Colonies/100ml

No. of Positive Tubes from five 10 ml Portions: NA; MPN: NA per 100 ml

Date Analysis Completed: 4-16-86 Reported By: B. Quetsch

MICROBIOLOGY LABORATORY RECORD-COLIFORM ANALYSIS

Date Received: 4-15-86 Time Received: 9:20 am Lab Number: 840895
Date Test Started: 4-15-86 Time Test Started: 1645 Analyst: CRA

TEST METHOD.	TEST RESULTS						DATE/TIME/ANALYST
Membrane Filter (MF)	Direct Count: <u>0</u> Colonies/100 ml						<u>4-16-86 1515 BQ</u>
	Verification: LTB _____, BGB _____						
Presumptive (LTB)	Tube #						
	24 Hr.						
	48 Hr.						
Confirmatory (BGB)	Tube #						
	24 Hr.						
	48 Hr.						
Completed Tested	Plate #						
	EMB 24 Hr.						
	Tube #						
	LTB 48 Hr.						

REFER TO BACK SIDE FOR INSTRUCTIONS

Maps

Vicinity Map

12/15/2022

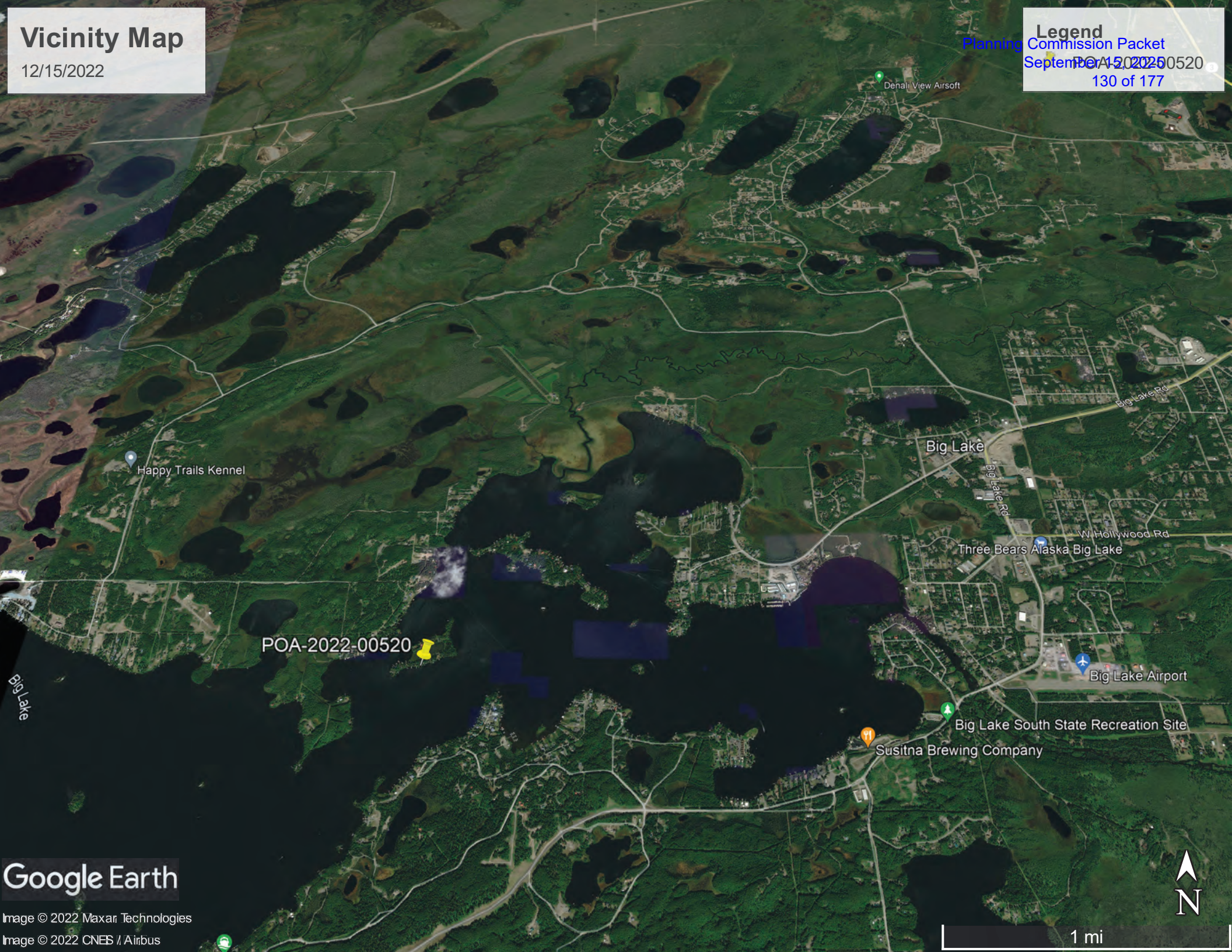
Legend

Planning Commission Packet

September 12, 2022

POA-2022-00520

130 of 177



Google Earth

Image © 2022 Maxar Technologies
Image © 2022 CNES / Airbus



1 mi

Project Location

12/15/2022

Legend

Planning Commission Packet
September 15, 2022
POA-2022-00520
131 of 177

POA-2022-00520



Google Earth

Image © 2022 CNES / Airbus



600 ft

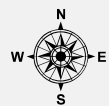


Planning & Land Use Map

Planning Commission Packet
September 15, 2025
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Matanuska-Susitna Borough, Microsoft



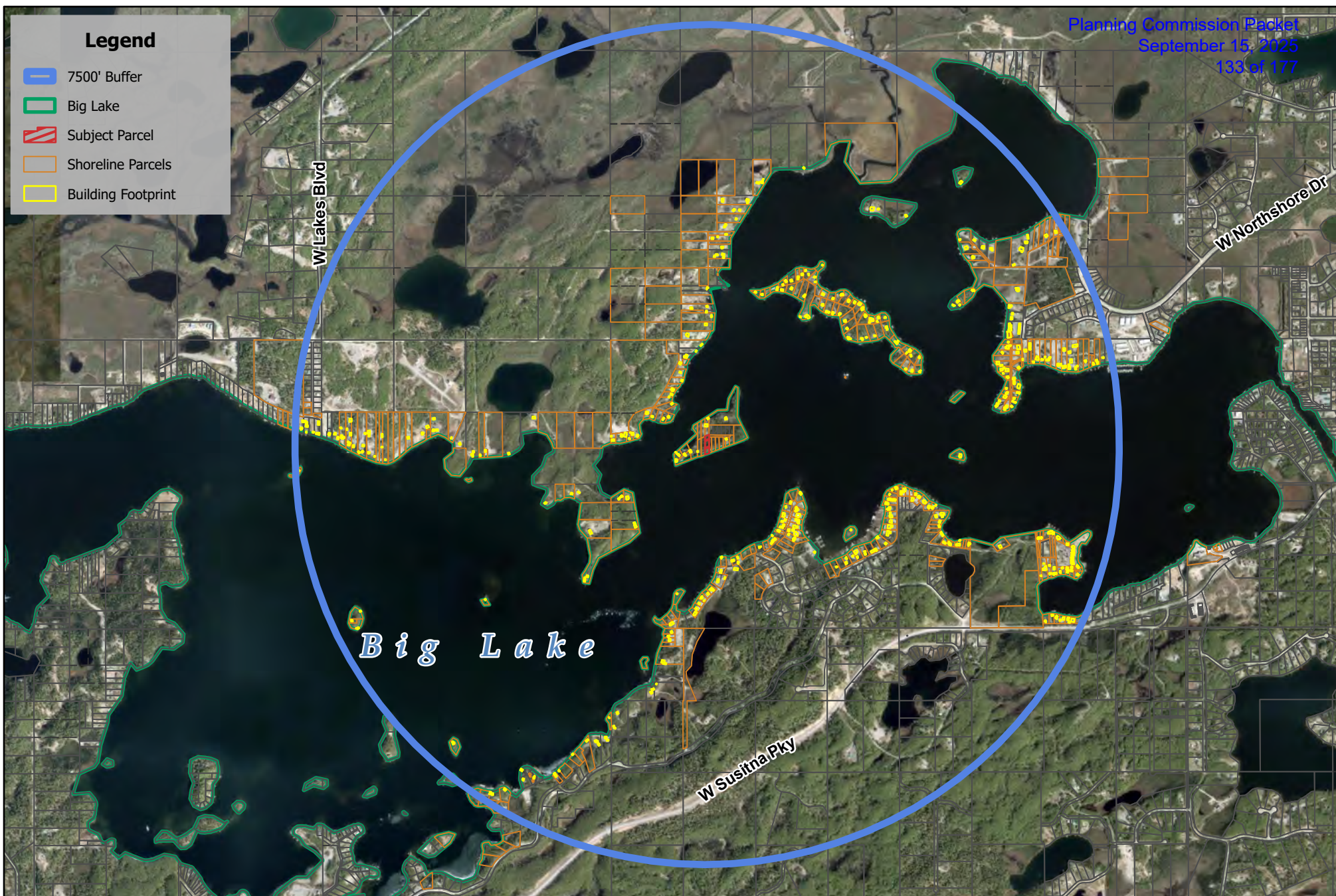
- | | | |
|-----------------------|--------------------|-----------------------------|
| Lake Management Plans | Assembly Districts | MSB General Use Regulations |
| Wetlands | Community Councils | Parcels |
| LAKE | ROW and Easements | |
| Lakebed | ROW Road | |

This map is solely for information purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-861-7858.

0 0.01 0.02 0.04
mi

Legend

- 7500' Buffer
- Big Lake
- Subject Parcel
- Shoreline Parcels
- Building Footprint



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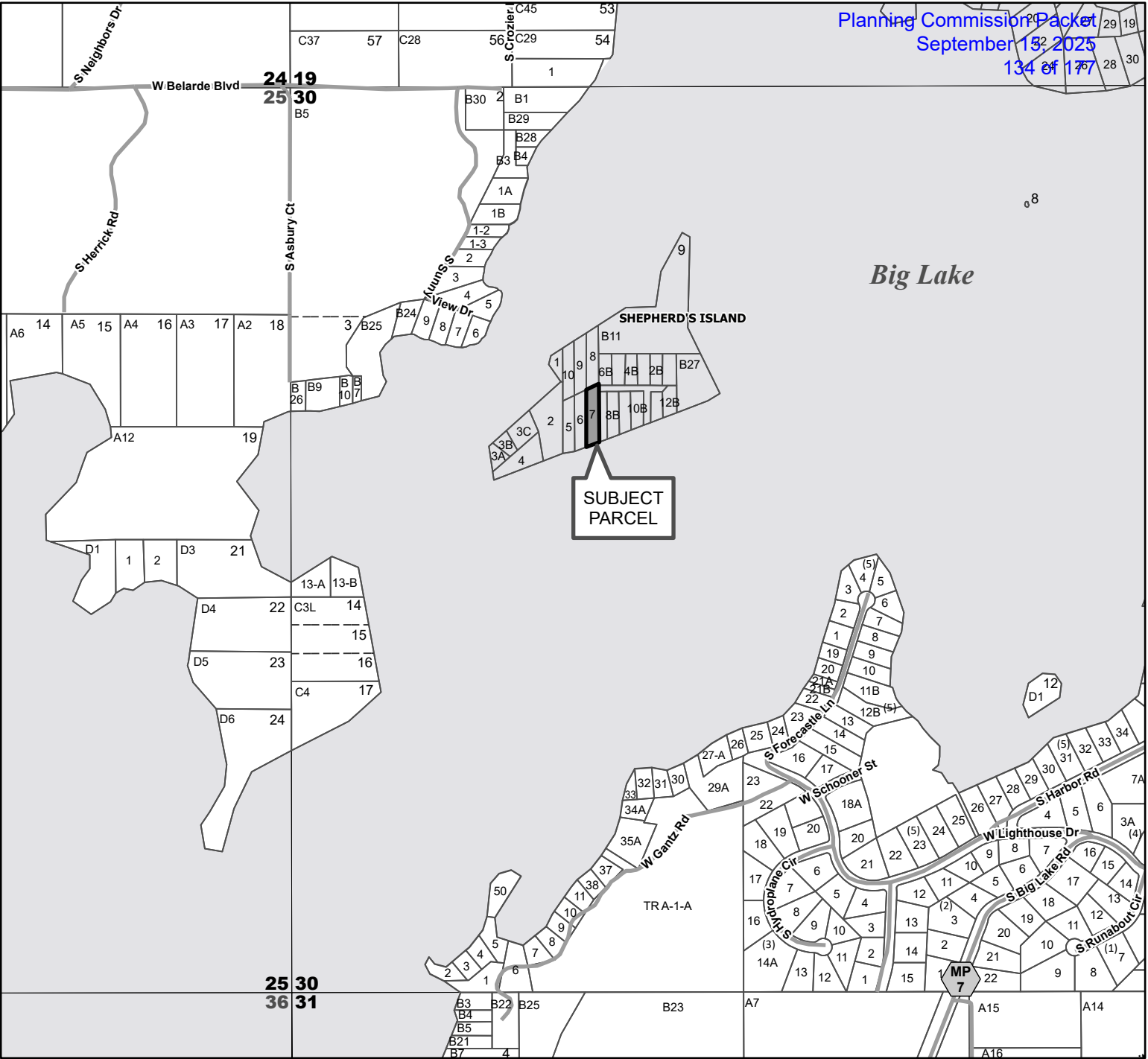
MSB Information Technology/GIS
February 28, 2025



627000L007 Variance Project



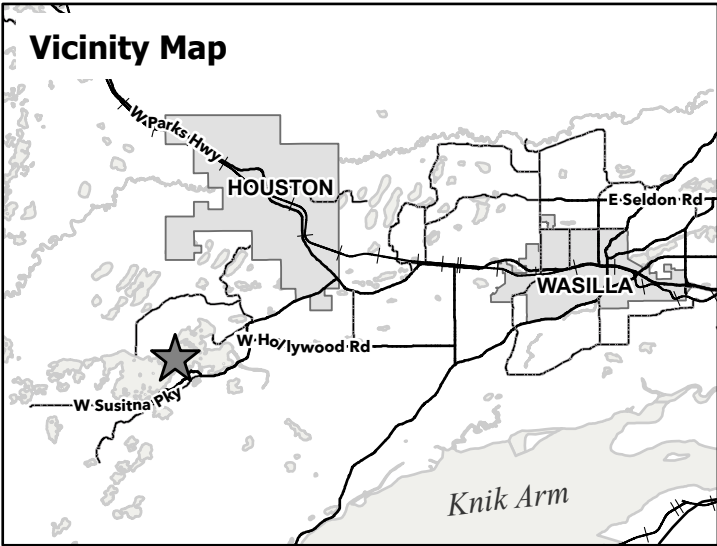
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Feet



627000L007



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Photos

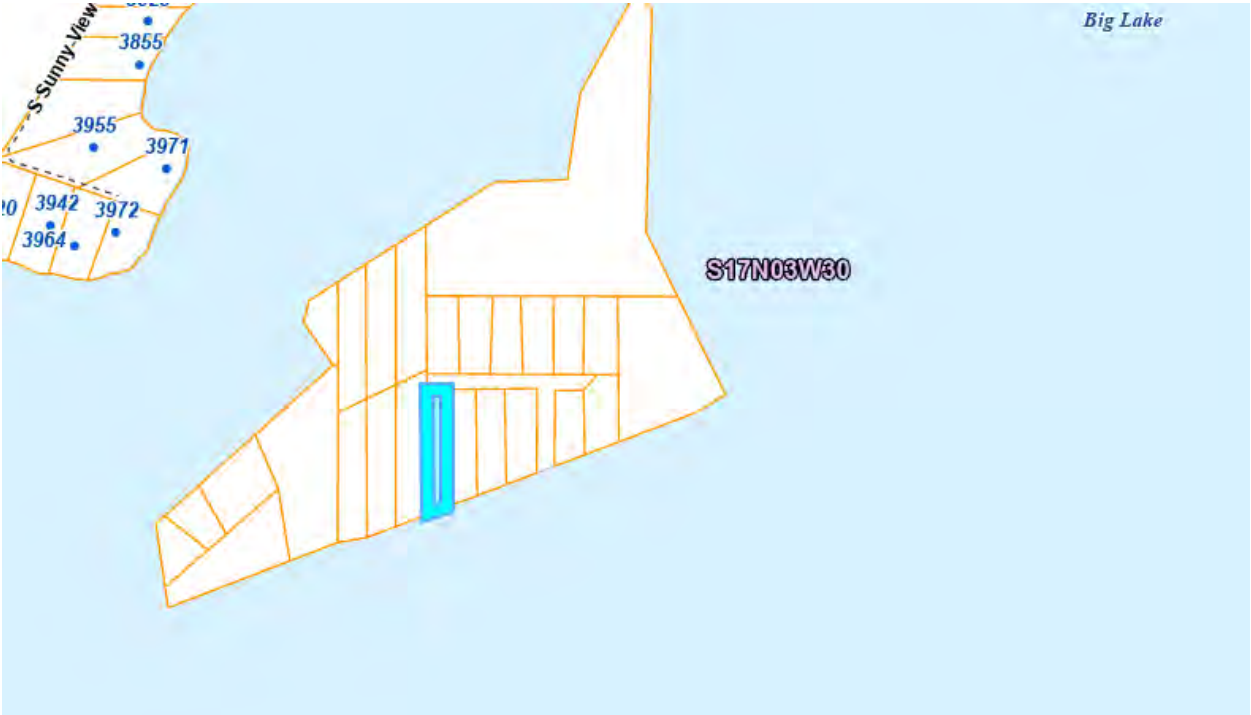




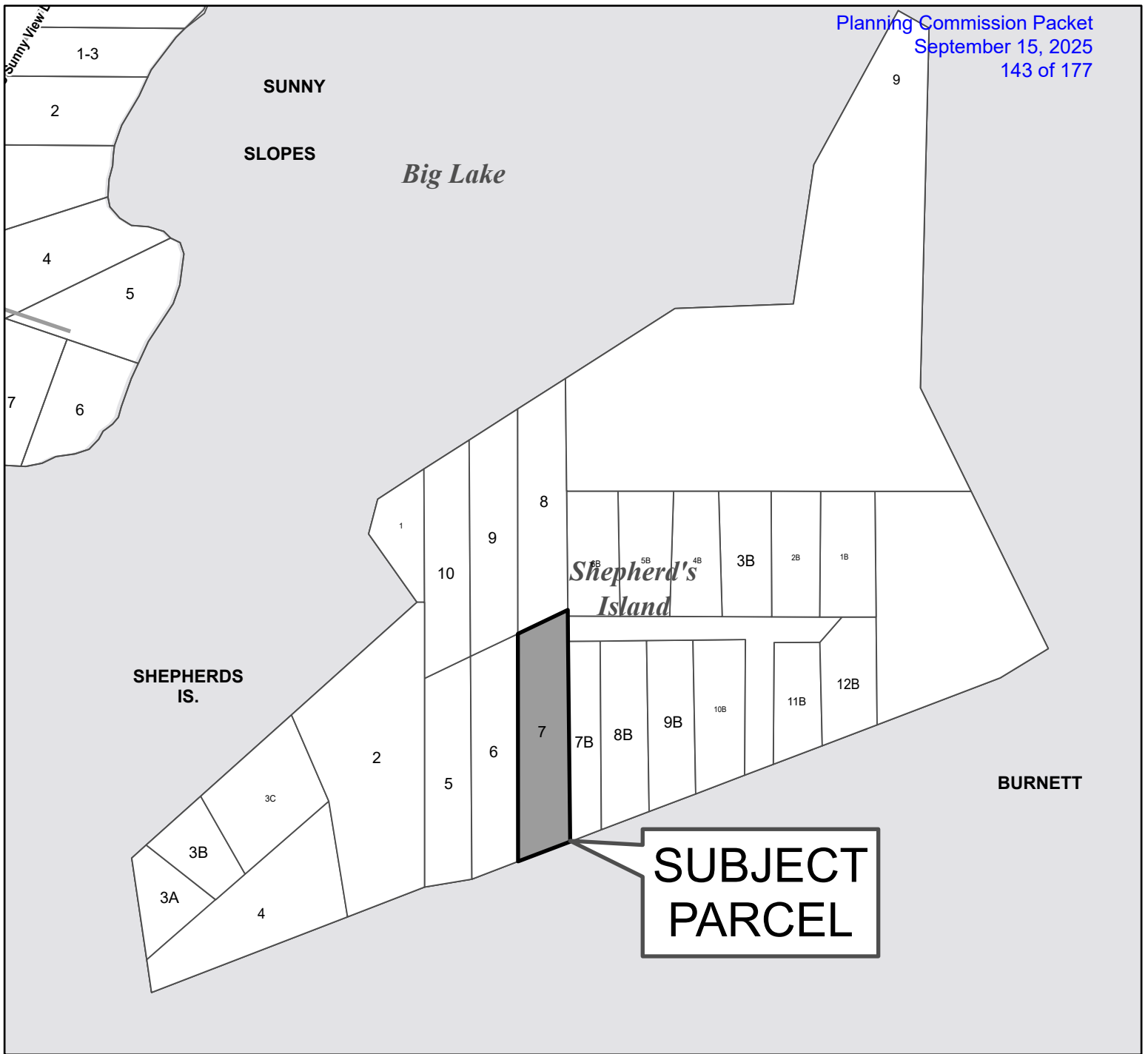








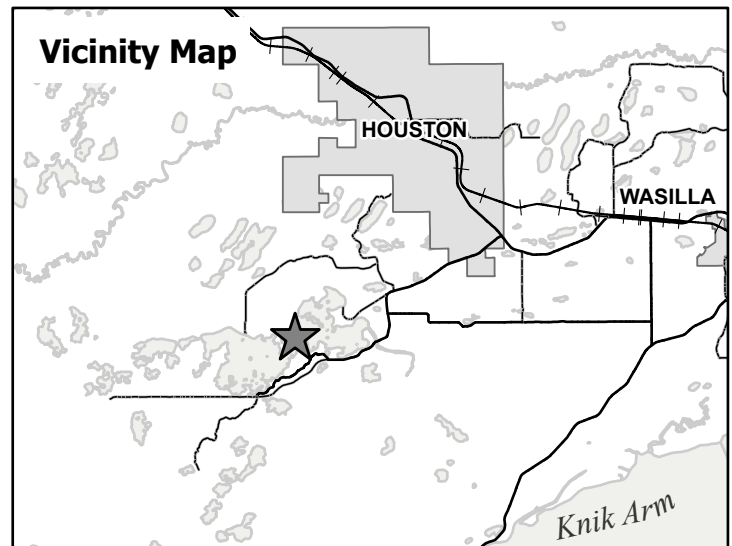
Public Announcement and Replies



6272000L007



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Public Hearing Notice for Variance Permit Application for a Residential House on Shepards Island, Big Lake.

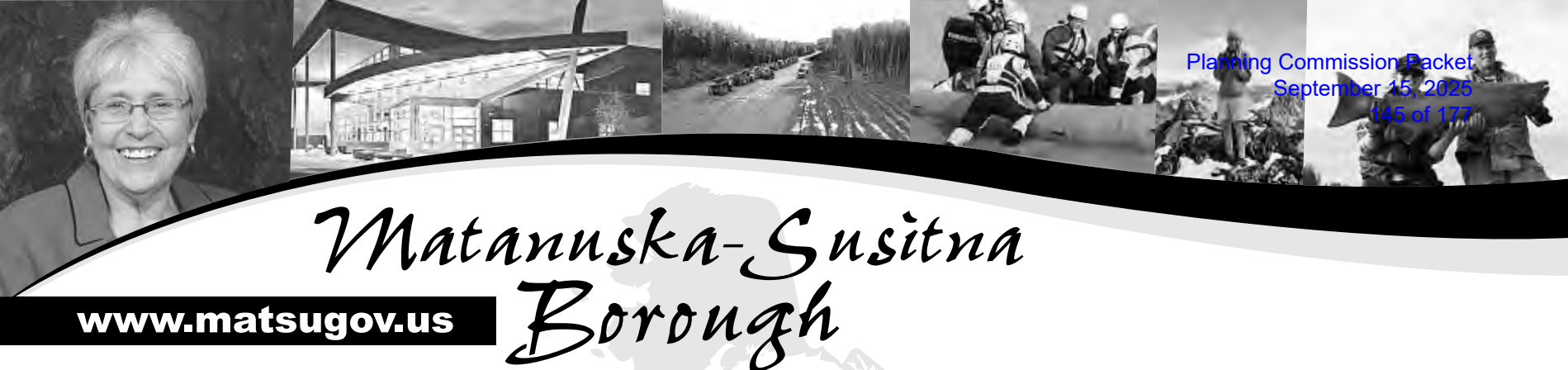
Michael and Lindsay Williams, property owners, have applied for a variance under MSB 17.65 for a parcel located on Shepards Island, Big Lake, Alaska (Tax ID# 6272000L007). The property currently contains a 320-square-foot cabin on 0.57 taxable acres. The proposed new structure will be situated as close as 52.5 feet from Big Lake, with a total of 1,176.5 square feet located within the 75-foot waterbody setback area. Per borough code, structures are required to maintain a minimum setback of 75 feet from a waterbody. Approval of this variance would allow the owners to construct the proposed residence within the required setback distance.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on **Monday, September 15, 2025, at 6:00 p.m.** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other interested parties in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on “All Public Notices & Announcements.” For additional information, you may contact Rebecca Skjothaug, Current Planner, by phone: 907-861-7862. Provide written comments by e-mail to rebecca.skjothaug@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. To be eligible to file an appeal from a decision of the Planning Commission, a person must be designated an interested party. See MSB 15.39.010 for the definition of interested party. The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk’s office, and at various libraries within the borough.

Comments are due on or before **August 8, 2025**, and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report, but will be provided to the Commission at the meeting.



www.matsugov.us

Matanuska-Susitna Borough

MATANUSKA-SUSITNA BOROUGH NOTICE OF PUBLIC MEETINGS

All meetings of recognized boards, committees, and commissions of the Borough are open to the public and are held at Borough offices, 350 E. Dahlia Ave., Palmer, AK, unless specified otherwise. Three or more Assembly Members may be present at advertised public meetings of federal, state, and local governments or other entities. Meetings are scheduled as follows:

BOARD	DATE	TIME	LOCATION
Transportation Advisory Board	07/25/25	10:00 am	Conference Room 203 & Teams ID: 223 498 240 196 8 Passcode: sD9dB2aL
Parks, Recreation & Trails Advisory Board	07/28/25	6:00 pm	Lower Level Conference Room & Teams ID: 235 322 904 252 Passcode: Gg7dK2qm
Abbreviated Plat	07/30/25	8:30 am	Assembly Chambers
Assembly Special Meeting Re: Public Safety Discussion	08/02/25	10:00 am	Knik, Station 6-2
Planning Commission (To Participate Telephonically Call 855-290-3803)	08/04/25	6:00 pm	Assembly Chambers
Assembly Regular Meeting (To Provide Public Telephonically Call 855-225-2326)	08/05/25	6:00 pm	Assembly Chambers
Abbreviated Plat	08/06/25	8:30 am	Assembly Chambers
Talkeetna Sewer & Water SSA No. 36 Board Of Supervisors	08/06/25	1:00 pm	Talkeetna Public Library & Teams ID: 219 084 064 569 Passcode: Rwkjk6
Platting Board (To Participate Telephonically Call 855-290-3803)	08/07/25	1:00 pm	Assembly Chambers

If you would like further information on any of these meetings or are interested in serving on any of the advisory boards, please call the Borough Clerk's Office at 907-861-8683, Monday through Friday, 8 a.m. to 5 p.m. The Borough's website address is: <https://www.matsugov.us/publicmeetings>

Disabled persons needing reasonable accommodation in order to participate at a Borough Board/Commission meeting should contact the Borough ADA Coordinator at 907-861-8432 at least one week in advance of the meeting.

The Community Council meetings scheduled are: (Community Councils are not agencies or subgroups of the Borough. There may be a quorum of Mat-Su Borough advisory boards in attendance at community council meetings.)

Sutton Community Council (suttoncommunitycouncil.com For Zoom Link)	07/30/25	7:00 pm	Sutton Public Library
North Lakes Community Council	07/31/25	7:00 pm	Boys & Girls Club Of America & Zoom ID: 843 2051 5284 Passcode: NLCC
Louise, Susitna, Tyone Community Association	08/03/25	11:00 am	Lake Louise Lodge
South Lakes Community Council	08/04/25	7:00 pm	Northern Light Chapel
Talkeetna Community Council (talkeetnacouncil.org For Zoom Link)	08/04/25	7:00 pm	Talkeetna Public Library
Knik-Fairview Community Council	08/06/25	7:00 pm	Settlers Bay Lodge
Willow Area Community Organization	08/06/25	7:00 pm	Willow Area Community Center
Susitna Community Council	08/07/25	7:00 pm	Upper Susitna Community & Senior Center

Publish Date: July 25, 2025 0725-31

Public Notice Opportunity to Comment on Proposed Property Sale

Type: Land Sale by Application (MSB008127) Tax ID: 607000L1315

The Mat-Su Borough has received a request from a local resident to buy a Borough-owned lot in the Caswell Lakes Subdivision. This Borough-owned lot is located adjacent to the resident's property.

What's happening: The Borough-owned lot is smaller than standard size, and according to Borough Code MSB 23.10.230 (A)(1)(d), it can be sold to an interested adjacent land owner by application, as long as certain conditions are met and elected officials approve the sale. In this case, both the applicant's property and the Borough lot meet the rules for this kind of sale.

We want to hear from you: The Borough is inviting the public's input on this proposed sale. Your comments help guide the decision-making process.

How to comment: Please mail or bring your comments to the Borough offices at 350 E. Dahlia Ave., Palmer, Alaska or provide by email at LMB@matsugov.us and reference MSB008127 in the subject line. Submit your comments by August 11, 2025.

Publish Date: July 25, 2025 0725-17

-ABANDONED VEHICLES SUBJECT TO DISPOSAL-

The following abandoned vehicles are subject to disposal by the Matanuska-Susitna Borough's Solid Waste Division. The vehicles were tagged as abandoned in the Matanuska-Susitna Borough right-of-way at the listed locations. You have the right to appeal pursuant to MSB 10.12.090.

Impound: 3733
Vehicle Description: Green Ford Taurus Sedan **LIC:** Not Available
VIN: 1FALP52U2VG235316

MSB ROW Location: Forest Hills Dr, Meadow Lakes, Alaska
Place of Impoundment: 1201 N 49th State St, Palmer, AK 99645

Impound: 3950
Vehicle Description: Gray Honda Pilot **LIC:** Not Available
VIN: 2HKYF18623H591116
MSB ROW Location: N. Williwaw Way, Wasilla, Alaska
Place of Impoundment: 1201 N 49th State St, Palmer, AK 99645

The vehicles will be disposed of by auction or auto wrecker on or after August 25, 2025.

 **FOR MORE INFORMATION,** call the MSB Solid Waste Division at (907) 861-7600.

Publish Date: July 25, 2025

0725-35

MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION AGENDA

REGULAR MEETING 6:00 p.m. August 4, 2025

Ways you can participate in the meetings:

IN PERSON: You will have 3 minutes to state your oral comment

IN WRITING: You can submit written comments to the Planning Commission Clerk at msb.planning.commission@matsugov.us

Written comments are due at noon on the Friday prior to the meeting.

TELEPHONIC TESTIMONY:

- Dial 1-855-290-3803; you will hear "joining conference" when you are admitted to the meeting.
- You will be automatically muted and able to listen to the meeting.
- When the Chair announces audience participation or a public hearing you would like to speak to, press *3; you will hear, "Your hand has been raised."
- When it is your turn to testify, you will hear, "Your line has been unmuted."
- State your name for the record, spell your last name, and provide your testimony.

OBSERVE: observe the meeting via the live stream video at:

- <https://www.facebook.com/MatSuBorough>
- Matanuska-Susitna Borough - YouTube

I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PLEDGE OF ALLEGIANCE

IV. CONSENT AGENDA

A. MINUTES
Regular Meeting Minutes: July 21, 2025

B. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

C. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 25-14 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB 17.23 Port Mackenzie Special Use District To Repeal MSB 17.23.150 Development Permit Required And Associated Standards. Public Hearing: August 18, 2025; (Staff: Alex Strawn, Planning And Land Use Director)

V. COMMITTEE REPORTS

VI. AGENCY/STAFF REPORTS

VII. LAND USE CLASSIFICATIONS

VIII. AUDIENCE PARTICIPATION (*Three minutes per person, for items not scheduled for public hearing*)

IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS
Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

X. PUBLIC HEARING: LEGISLATIVE MATTERS

Resolution 25-10 A Resolution Of The Matanuska-Susitna Borough Planning Commission Recommending Approval Of An Ordinance Amending MSB 17.02 – Mandatory Land Use Permits, MSB 17.55 – Setback And Screening Easements, MSB 17.65 – Variances, and MSB 17.125 – Definitions (Staff: Alex Strawn, Planning And Land Use Director)

XI. CORRESPONDENCE & INFORMATION

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. COMMISSION BUSINESS

- A. Election for Chair
- B. Upcoming Planning Commission Agenda Items

XV. DIRECTOR AND COMMISSIONER COMMENTS

XVI. ADJOURNMENT (*Mandatory Midnight*)

Disabled persons needing reasonable accommodation in order to participate at a Planning Commission Meeting should contact the Borough ADA Coordinator at 861-8432 at least one week in advance of the meeting.

Publish Date: July 25, 2025

0725-30

PUBLIC NOTICE 2025-2026 WINTER TRAIL GROOMING GRANTS

The Borough Assembly approved funds in the FY26 Capital Projects budget for distribution to eligible organizations, individuals, or businesses that can show they will provide winter trail grooming and trail maintenance for the public benefit in the Matanuska-Susitna Borough. The grant supports grooming efforts that deliver strong public benefit for dog mushers, Nordic skiers, snow machines, and other winter trail uses.

Eligible expenses include fuel, oil, equipment maintenance, trailhead plowing, grooming labor, and pre-season work (e.g., brush hog rental). All reimbursement requests – especially those for maintenance – must be clearly justified in the application.

This grant requires documented 50% match, which can include in-kind volunteer hours, value of snow machine rental, cost of maintenance items, etc. This grant also requires that the grantee have Commercial General Liability insurance and Auto Liability insurance (if applicable). The specific requirement is included on the grant website.

Prior grant compliance and utilization of past funding will be an important consideration during the evaluation process.

Interested applicants are encouraged to visit the Borough's Grants Page and click on FY26 Winter Trail Care & Grooming Grant opportunity (<https://transparency.matsugov.us/pages/grants#winter>). Application requirements, Amplifund applicant training, and a link to apply are available on this site.

The application period opens at 8 a.m. on Monday, July 21, 2025, and closes at 4:30 p.m. Thursday, August 21, 2025.

Publish Date: July 25, 2025

0725-28



Edna DeVries, Mayor
(907) 861-8682 - Work
(907) 795-8133 - Cell
Edna.DeVries@matsugov.us

Tim Hale, #1
(907) 590-8243
TimHaleDistrict1@gmail.com

Stephanie Nowers, #2
(907) 831-6299
StephanieNowersDistrict2@gmail.com

Dee McKee, #3
(907) 315-2802
Dee.McKee@matsugov.us

Maxwell Sumner, #4
(907) 232-6797
Maxwell.Sumner@matsugov.us

Bill Gamble, #5
(907) 232-0103
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Dmitri Fonov, #6
(907) 861-8546
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Ron Bernier, #7
(907) 354-7877
Ron.Bernier@matsugov.us



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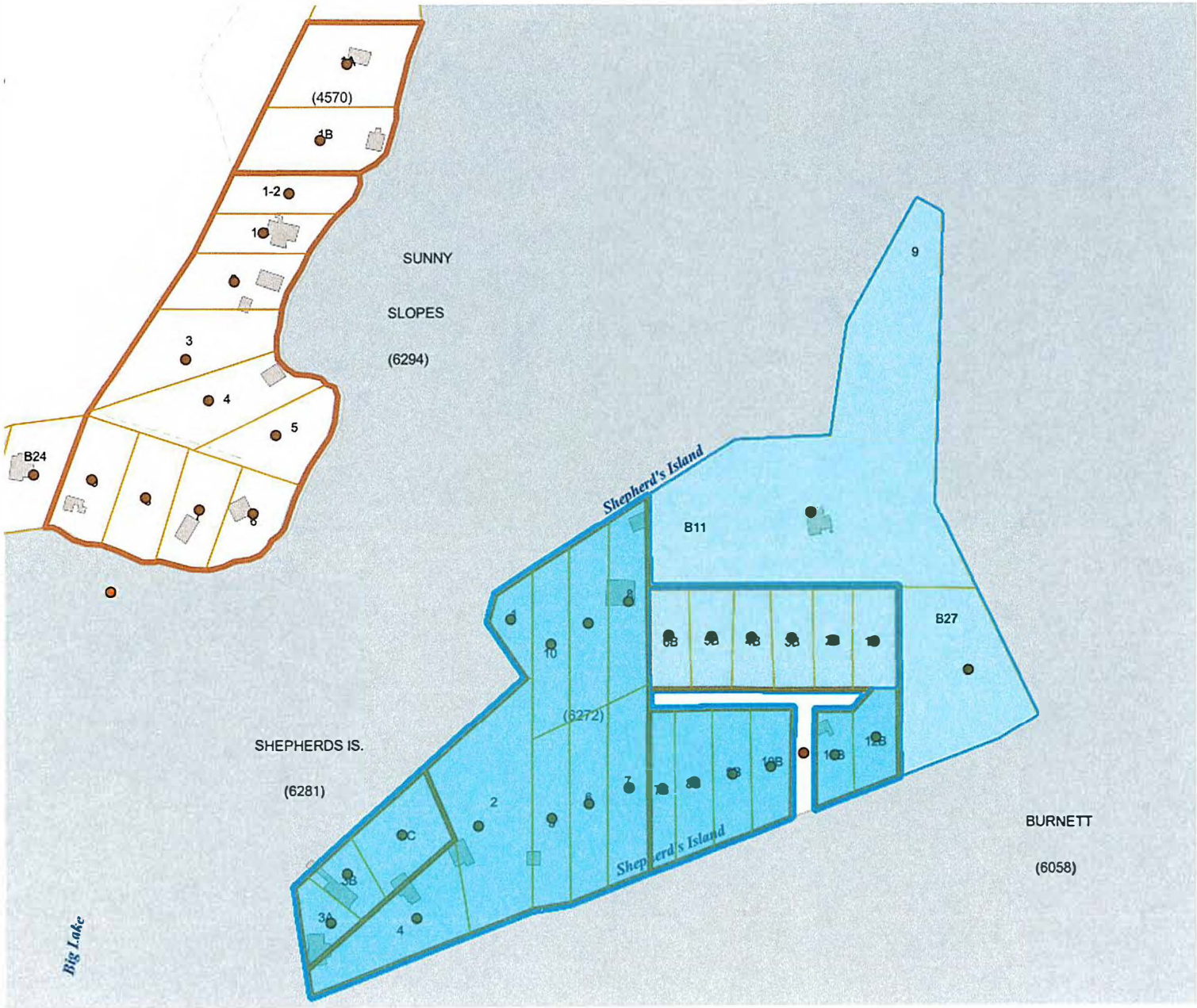
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Mailing notice map:



Number	Owner 1	Owner 2	Mailing Address Line 2	Mailing Address Line 1	Mailing Address City	Mailing Address State	Mailing Address Zipcode
1	ARNETT REV TR			6740 MARQUEZ CIR	ANCHORAGE	AK	99516
2	BACKMAN CARITA A			PO BOX 872075	WASILLA	AK	99687-2075
3	BUCKALEW SEABORN J III			1008 W 73RD AVE	ANCHORAGE	AK	99518
4	BURRIS RONALD C		PMB623	1120 HUFFMAN RD	ANCHORAGE	AK	99515
5	CHRISTAL JOHN & STEPHANIE LVG TR			17440 SPAIN DR	ANCHORAGE	AK	99516
6	SMITH ERICK E & SUZANNE K TRE			2425 E 5TH AVE	ANCHORAGE	AK	99501
7	FELTON IVAN W 1998 TRUST			PO BOX 101559	ANCHORAGE	AK	99510-1559
8	HART SHARON A			711 W 46TH AVE	ANCHORAGE	AK	99502
9	HEUSSER RICHARD V & AMY M			1424 GARDEN ST	ANCHORAGE	AK	99508-2939
10	KAERCHER DAVID DALE & P L			3061 AMBER BAY LOOP	ANCHORAGE	AK	99515
11	KAERCHER JOHN M			5441 O'MALLEY RD	ANCHORAGE	AK	99507
12	MCKAY DAVID M			9131 CHIPWOOD CIR	ANCHORAGE	AK	99507-3995
13	OAKES NATHAN J III			1014 TYONEK DR	ANCHORAGE	AK	99501
14	QUESNEIL AUBIN & BRITTANY			4730 E 138TH AVE	ANCHORAGE	AK	99516
15	REHMANN JAMES & ROBYN LVG TR			2644 BROOKSTONE LOOP	ANCHORAGE	AK	99515
16	SPINELLI CHUCK & JACKIE JNT REVTR			2128 MARSTON DR	ANCHORAGE	AK	99517
17	STELLAR LLC			PO BOX 92772	ANCHORAGE	AK	99509-2772
18	STEPHEN & LANET LVG TR			8202 ROVENNA ST	ANCHORAGE	AK	99518
19	STEPP ARCHIE & QUERIDA FAM TR			3610 MERE CIR	ANCHORAGE	AK	99502
20	SUNDQUIST MARK & ANNE LVG TR			2921 WESTWIND CT	ANCHORAGE	AK	99516
21	THORSON KRISTOPHER			PO BOX 872965	WASILLA	AK	99687
22	WILLIAMS MICHAEL LEWIS & LINDSAY			PO BOX 101055	ANCHORAGE	AK	99510
23	WOODLAND WM B & JUDY L			13600 JARVI DR	ANCHORAGE	AK	99501
24	BIG LAKE COMMUNITY COUNCIL			PO BOX 520931	BIG LAKE	AK	99652

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Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

16

SPINELLI CHUCK & JACKIE JNT REV TR
2128 MARSTON DR
ANCHORAGE AK 99517

The Matanuska-Susitna Borough Planning Commission will consider the following:

Michael and Lindsay Williams, property owners, have applied for a variance under MSB 17.65 for a parcel located on Shepards Island, Big Lake, Alaska (Tax ID# 6272000L007). The property currently contains a 320-square-foot cabin on 0.57 taxable acres. The proposed new structure will be situated as close as 52.5 feet from Big Lake, with a total of 1,176.5 square feet located within the 75-foot waterbody setback area. Per borough code, structures are required to maintain a minimum setback of 75 feet from a waterbody. Approval of this variance would allow the owners to construct the proposed residence within the required setback distance.

The Matanuska-Susitna Borough Planning Commission will conduct a public hearing concerning the application on **Monday, September 15, 2025, at 6:00 p.m.** in the Borough Assembly Chambers located at 350 E. Dahlia Avenue in Palmer. Planning Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.

Application materials may be viewed online at www.matsugov.us by clicking on "All Public Notices & Announcements." For additional information, you may contact Rebecca Skjothaug, Current Planner, by phone: 907-861-7862. Provide written comments by e-mail to rebecca.skjothaug@matsugov.us, or by mail to MSB Development Services Division, 350 E. Dahlia Avenue, Palmer, AK 99645.

The public may provide verbal testimony at the meeting or telephonically by calling 1-855-290-3803. To be eligible to file an appeal from a decision of the Planning Commission, a person must be designated as an interested party. See MSB 15.39.010 for the definition of interested party. The procedures governing appeals to the Board of Adjustment and Appeals are contained in MSB 15.39.010-250, which is available on the Borough home page: www.matsugov.us, in the Borough Clerk's office, and at various libraries within the borough.

Comments are due on or before **August 8, 2025**, and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report but will be provided to the Commission at the meeting.

Name: Chuck Spinelli Mailing Address: 2128 W. Marston Dr Anch
AK 99517
Location/Legal Description of your property: LOT 3A SHEPARD ISLAND
Comments: I strongly agree with allowing this variance
the lots are very challenging and a 75' setback
is ridiculous!

Note: Vicinity Map Located on Reverse Side

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

12

MCKAY DAVID M
9131 CHIPWOOD CIR
ANCHORAGE AK 99507-3995

The Matanuska-Susitna Borough Planning Commission will consider the following:

Michael and Lindsay Williams, property owners, have applied for a variance under MSB 17.65 for a parcel located on Shepards Island, Big Lake, Alaska (Tax ID# 6272000L007). The property currently contains a 320-square-foot cabin on 0.57 taxable acres. The proposed new structure will be situated as close as 52.5 feet from Big Lake, with a total of 1,176.5 square feet located within the 75-foot waterbody setback area. Per borough code, structures are required to maintain a minimum setback of 75 feet from a waterbody. Approval of this variance would allow the owners to construct the proposed residence within the required setback distance.

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Comments are due on or before **August 8, 2025**, and will be included in the Planning Commission packet. Please be advised that comments received from the public after that date will not be included in the staff report but will be provided to the Commission at the meeting.

Name: David McKay Mailing Address: 9131 Chipwood Cir., Anch. 99507

Location/Legal Description of your property: LOT 3B

Comments: I see no imaginable reason why this variance should not be allowed.

Note: Vicinity Map Located on Reverse Side

Matanuska-Susitna Borough
Development Services Division
350 E. Dahlia Avenue
Palmer, Alaska 99645

12

MCKAY DAVID M
9131 CHIPWOOD CIR
ANCHORAGE AK 99507-3995

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Name: David McKay Mailing Address: 9131 Chipwood Cir., Anch. 99507

Location/Legal Description of your property: LOT 3B

Comments: I see no imaginable reason why this variance should not be allowed.

Note: Vicinity Map Located on Reverse Side

Communication and Deficient Application Material

From: [Peggy Horton](#)
To: ["Michael Williams"](#)
Subject: RE: Requesting status of Variance Application for 6272000L007 on Big Lake
Date: Thursday, March 21, 2024 8:45:00 AM

Hello,

I'm checking again to see if you wish to pursue this variance application. I understand that a complete application hasn't been submitted, and of course, you're not obligated in any way to continue.

Please let me know if you have any questions or concerns. I'll be closing the file in 30 days if I don't hear from you.

Respectfully,
Peggy Horton
Current Planner
907-861-7862

From: Peggy Horton
Sent: Thursday, September 21, 2023 2:23 PM
To: Michael Williams <michael.williams@gpsalaska.com>
Subject: Requesting status of Variance Application for 6272000L007 on Big Lake

Greetings,

I'm checking back on the status of this variance application. Are you still interested in pursuing this course of action or should I close the file?

Please let me know. No rush. I'm just checking in.

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Peggy Horton
Sent: Friday, December 30, 2022 3:51 PM
To: Michael Williams <michael.williams@gpsalaska.com>
Subject: RE: Voluntary Best Management Practices

Hello,

Good job on your first try, you addressed some items quite well, and then there were some items that need quite a bit more.

Your answers to the different criteria should be written as a persuasive document, you want them to understand the property fully and what you want to construct. They don't know what

this property is like, where it is, or have any idea what you want to do. You may want to explain things like building methods, such as Helical Piles. The Planning Commission is not allowed to do research for this project, so you are providing the majority of the packet that goes to them for evaluation. My staff report, the public noticing, some maps, and possibly some public and agency comments take up the rest.

- A. Why is the property north of the 75-foot setback unbuildable? Here's a reason: Within MSB 17.125, there is a definition: "Unbuildable" means an area or land that cannot be used practically or is not feasible for a habitable building because of natural conditions, such as a slope exceeding 40 percent, wetlands, floodplains, streams, ponds, or other impeding conditions. Have you had a wetland delineation by US Army Corps of Engineers (USACE) or another wetland determination professional? Here's the USACE's number: 907-753-2712 That way you could have a true determination that these are wetlands. A USACE determination could tell whether you could fill the wetlands. A quick internet search found that helical piles have been used in wet areas for building. Why not build outside the 75' setback using the helical piles? These are some of the questions the Planning Commission may ask so you may want to get in front of those questions.
- B. Here's some info for item 2. This criteria is all about the property. The plat of your property was recorded in 1958, prior to the borough incorporation in 1964. See attached plat. There were little to no platting or subdivision regulations then. Your lot is .57 acres or about 21 450 square feet, which is less than the current allowable lot size of 40,000 square feet. The lot is approximately 65 feet wide, with 10' side lot line setbacks on either side. This is narrower than allowed by the current standards which require 125' water frontage. Your property is on an island, which is also an unusual circumstance, although how you can use this, I'm not sure.
- C. Paragraph 3 information provided is helpful, to a point. The "rights commonly enjoyed" include only those developments that are done within or abiding by Borough Code. The research that I will perform once I get a complete application will tell me what properties in the surrounding area have been developed in accordance with Borough Code. Those are what we look at when determining whether your development is in line with the neighboring properties.
- D. Here's a link to the comprehensive plan for the Big Lake area. Read this to help expand your answer to number 5, and it may help you with wording in other areas too. [Matanuska-Susitna Borough - Big Lake Comprehensive Plan \(matsugov.us\)](https://matsugov.us/matanuska-susitna-borough-big-lake-comprehensive-plan). The comprehensive plan was created by the community to put down on paper what they want to see for development in the community, to describe how they see this place where they live. Read the purpose statement and you'll get a good idea what it's about and how it can be helpful for you with this application.
- E. The existing dock was not mentioned in your submittal. There is a permitting system for docks on Big Lake, run by State of Alaska Fish & Game. Here's a link: [Apply for a Permit | Docks and Ramps | Habitat Permits, Alaska Department of Fish and](#)

Game. Being in compliance with the other regulations, like having a permit for a dock, will show your willingness to develop in line with existing Federal, State, and Local development regulations.

- F. In paragraph #6, you say the addition will be 1,075 square feet, but in paragraph #1 the size is 1,095 square feet. In paragraph #1 the existing cabin is 320 square feet, but in #7, you state the current and proposed structure will be 1,586 square feet. That would mean you are adding 1,266 square feet to the 320 square foot cabin. Make sure the numbers make sense in the application. Also, immediate (spelling error in first sentence).
- G. Have you checked with Department of Environmental Conservation (DEC) to see if the existing septic would meet their standards with the additional construction? Have you got their determination in writing? You may wish to elaborate on the septic system, how it was engineered by a licensed professional and approved by DEC. This would help the answer to #4, public welfare, since a septic is a health, safety, and welfare item.
- H. On some of the answers to the MSB Voluntary Best Management Practices you state "The addition does not have," or "the proposed addition adds." I think what the BMP is referring to is the overall development and use of the land, not just the new structure (the addition). The structure (the addition) does not have any nonnative species by a simple perception of the facts. Will you, as the owner install any? Same goes for "The proposed expansion does not necessitate any adverse changes," but do your development plans include maintaining a natural shoreline or does it involve improving the riparian habitat? Will you be providing some mitigation measures that are not already in place?
- I. You may wish to elaborate on the items under "A variance may not be granted if..." The one sentence statements infer a reluctance to answer. Keeping a positive note to your answers can be helpful. The answers maybe a bit too short, is what I'm saying.
- J. Pictures say a thousand words, right? You may wish to include pictures in your submittal.

So you've got a good start, keep at it. Remember that you're trying to persuade the Planning Commission to allow you to circumvent the rules, so be respectful, descriptive, and informative.

Hope this helps,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Tuesday, December 27, 2022 11:40 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy,

I have completed the cabin variance narrative document. I am still waiting on the structure drawings from the architect, but I have everything else. I was hoping you might review my narrative document and let me know if you think I am missing anything before submitting it. Thanks so much for your help through this.

On Thu, Dec 22, 2022 at 11:15 AM Michael Williams <michael.williams@gpsalaska.com> wrote:

Thanks that does help. _____

On Thu, Dec 22, 2022 at 11:09 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Michael,

That's a big question! I would really have to do quite a bit of work to answer that correctly and I am unable to do that amount of work without a complete application. I can possibly give you some constructive criticism when I read the answers to the criteria, listed on page 1 and 2 of the application. When writing the narrative portion of the application, be mindful that this variance request is asking the Planning Commission to allow development that is against the adopted regulations, so this is a persuasive document you will be writing, but without embellishment. Facts are very important, assumptions and opinions are less so. The Planning Commission knows little to nothing about this property, so write as if the reader knows nothing; nothing about the topography, nothing about the existing or proposed development, nothing about access to the property, etc. Follow the criteria when answering them; stay on point, in other words.

Hope this helps,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>
Sent: Thursday, December 22, 2022 10:34 AM
To: Peggy Horton <Peggy.Horton@matsugov.us>
Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy, _____

Thank you so much for the quick response. Now that you have seen the drawing, do you think this type of project will be approved?

On Thu, Dec 22, 2022 at 10:26 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hello Michael,
The survey appears to have all the requirements for the variance application. It meets the checklist items.
Regards,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>
Sent: Thursday, December 22, 2022 8:57 AM
To: Peggy Horton <Peggy.Horton@matsugov.us>
Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy,

I am slowly getting things put together for the variance application. I had Lavender Surveys put together a site plan and wanted to ensure this fits the requirements for the certified site plan before I turned everything in. I have attached the site plan.

Thanks

On Tue, Oct 4, 2022 at 2:46 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hi Mr. Williams,

The attachment labeled Variance Paperwork is what I pulled from the file, including, the Platting Board approval of the variance, the property as-built, and the engineering as-built of the holding tank installation. I modified the documents so they should meet the Record's Office formatting standards and added the Palmer Recording Office text to the first page, because that is another requirement for recording a document. This is what I suggest recording. You can take these to the State Recorder's office in Anchorage or you can take it to several commercial entities in the valley who do electronic recording of documents.

The other attachments are the application for a new variance and a checklist for the required survey. One of the criteria for support of a variance looks at how the surrounding properties are developed. This would indicate the "rights commonly enjoyed by other properties." In other words, if the surrounding properties have, say, 1000 square foot cabin with no garage and you want to put a 5000 square foot house with a 2 car garage, then staff may not support your request because that would indicate you want more development rights than the surrounding properties have. For this criteria, we only evaluate those properties that are developed in accordance with Borough regulations.

The code that pertains to setbacks is MSB 17.55, here's a link: [Title 17 \(codepublishing.com\)](#)

Your tax account ID is 7319000L009A.

Let me know if you have questions,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Tuesday, October 4, 2022 10:58 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy,

Thanks so much for all of your help. I appreciate it.

I believe it would be a good idea to have the original variance recorded. What do I need to do to have this recorded?

Since the variance does not cover any addition to the cabin, what is the process of getting an additional variance to add to the cabin?

On Tue, Oct 4, 2022 at 10:39 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hi Mr. Williams,

I had a look at what you sent and the approved variance we had in our files. It appears the variance was approved, but I could find no evidence that it was recorded at the State Recorder's Office. I don't believe that negates the approval though. It appears the variance application was completed. And it appears the engineer did complete the installation of the holding tanks and that DEC did provide pre-approval of the installation. You could record the variance for posterity, if you wished.

If you wish to expand upon the existing cabin, you would need to obtain a new variance. The 1986 variance was approved for the proposed cabin Mr. Gryte was constructing at the time, not for any other purpose.

Let me know if you have further questions,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Friday, September 30, 2022 2:44 PM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Thanks, Peggy. I have sent you a file from hightail.com, a field share network I use. The email might come from Kevin Silvernale, my business partner. Kevin's email is kevin.silvernale@gpsalaska.com

On Wed, Sep 28, 2022 at 3:33 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hello Mr. Williams,

From: [Peggy Horton](#)
To: [Michael Williams](#)
Subject: Requesting status of Variance Application for 6272000L007 on Big Lake
Date: Thursday, September 21, 2023 2:23:00 PM

Greetings,

I'm checking back on the status of this variance application. Are you still interested in pursuing this course of action or should I close the file?

Please let me know. No rush. I'm just checking in.

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Peggy Horton
Sent: Friday, December 30, 2022 3:51 PM
To: Michael Williams <michael.williams@gpsalaska.com>
Subject: RE: Voluntary Best Management Practices

Hello,

Good job on your first try, you addressed some items quite well, and then there were some items that need quite a bit more.

Your answers to the different criteria should be written as a persuasive document, you want them to understand the property fully and what you want to construct. They don't know what this property is like, where it is, or have any idea what you want to do. You may want to explain things like building methods, such as Helical Piles. The Planning Commission is not allowed to do research for this project, so you are providing the majority of the packet that goes to them for evaluation. My staff report, the public noticing, some maps, and possibly some public and agency comments take up the rest.

- A. Why is the property north of the 75-foot setback unbuildable? Here's a reason: Within MSB 17.125, there is a definition: "Unbuildable" means an area or land that cannot be used practically or is not feasible for a habitable building because of natural conditions, such as a slope exceeding 40 percent, wetlands, floodplains, streams, ponds, or other impeding conditions. Have you had a wetland delineation by US Army Corps of Engineers (USACE) or another wetland determination professional? Here's the USACE's number: 907-753-2712 That way you could have a true determination that these are wetlands. A USACE determination could tell whether you could fill the wetlands. A quick internet search found that helical piles have been used in wet areas for building. Why not build outside the 75' setback using the helical piles? These are some of the

questions the Planning Commission may ask so you may want to get in front of those questions.

- B. Here's some info for item 2. This criteria is all about the property. The plat of your property was recorded in 1958, prior to the borough incorporation in 1964. See attached plat. There were little to no platting or subdivision regulations then. Your lot is .57 acres or about 21 450 square feet, which is less than the current allowable lot size of 40,000 square feet. The lot is approximately 65 feet wide, with 10' side lot line setbacks on either side. This is narrower than allowed by the current standards which require 125' water frontage. Your property is on an island, which is also an unusual circumstance, although how you can use this, I'm not sure.
- C. Paragraph 3 information provided is helpful, to a point. The "rights commonly enjoyed" include only those developments that are done within or abiding by Borough Code. The research that I will perform once I get a complete application will tell me what properties in the surrounding area have been developed in accordance with Borough Code. Those are what we look at when determining whether your development is in line with the neighboring properties.
- D. Here's a link to the comprehensive plan for the Big Lake area. Read this to help expand your answer to number 5, and it may help you with wording in other areas too. [Matanuska-Susitna Borough - Big Lake Comprehensive Plan \(matsugov.us\)](https://matsugov.us/development/developmental-planning/developmental-planning). The comprehensive plan was created by the community to put down on paper what they want to see for development in the community, to describe how they see this place where they live. Read the purpose statement and you'll get a good idea what it's about and how it can be helpful for you with this application.
- E. The existing dock was not mentioned in your submittal. There is a permitting system for docks on Big Lake, run by State of Alaska Fish & Game. Here's a link: [Apply for a Permit | Docks and Ramps | Habitat Permits, Alaska Department of Fish and Game](#). Being in compliance with the other regulations, like having a permit for a dock, will show your willingness to develop in line with existing Federal, State, and Local development regulations.
- F. In paragraph #6, you say the addition will be 1,075 square feet, but in paragraph #1 the size is 1,095 square feet. In paragraph #1 the existing cabin is 320 square feet, but in #7, you state the current and proposed structure will be 1,586 square feet. That would mean you are adding 1,266 square feet to the 320 square foot cabin. Make sure the numbers make sense in the application. Also, immediate (spelling error in first sentence).
- G. Have you checked with Department of Environmental Conservation (DEC) to see if the existing septic would meet their standards with the additional construction? Have you got their determination in writing? You may wish to elaborate on the septic system, how it was engineered by a licensed professional and approved by DEC. This would help the answer to #4, public welfare, since a septic is a health, safety, and welfare item.
- H. On some of the answers to the MSB Voluntary Best Management Practices you state

“The addition does not have,” or “the proposed addition adds.” I think what the BMP is referring to is the overall development and use of the land, not just the new structure (the addition). The structure (the addition) does not have any nonnative species by a simple perception of the facts. Will you, as the owner install any? Same goes for “The proposed expansion does not necessitate any adverse changes,” but do your development plans include maintaining a natural shoreline or does it involve improving the riparian habitat? Will you be providing some mitigation measures that are not already in place?

- I. You may wish to elaborate on the items under “A variance may not be granted if...” The one sentence statements infer a reluctance to answer. Keeping a positive note to your answers can be helpful. The answers maybe a bit too short, is what I’m saying.
- J. Pictures say a thousand words, right? You may wish to include pictures in your submittal.

So you’ve got a good start, keep at it. Remember that you’re trying to persuade the Planning Commission to allow you to circumvent the rules, so be respectful, descriptive, and informative.

Hope this helps,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Tuesday, December 27, 2022 11:40 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy,

I have completed the cabin variance narrative document. I am still waiting on the structure drawings from the architect, but I have everything else. I was hoping you might review my narrative document and let me know if you think I am missing anything before submitting it. Thanks so much for your help through this.

On Thu, Dec 22, 2022 at 11:15 AM Michael Williams <michael.williams@gpsalaska.com> wrote:

Thanks that does help. _____

On Thu, Dec 22, 2022 at 11:09 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Michael,

That's a big question! I would really have to do quite a bit of work to answer that correctly and I am unable to do that amount of work without a complete application. I can possibly give you some constructive criticism when I read the answers to the criteria, listed on page 1 and 2 of the application. When writing the narrative portion of the application, be mindful that this variance request is asking the Planning Commission to allow development that is against the adopted regulations, so this is a persuasive document you will be writing, but without embellishment. Facts are very important, assumptions and opinions are less so. The Planning Commission knows little to nothing about this property, so write as if the reader knows nothing; nothing about the topography, nothing about the existing or proposed development, nothing about access to the property, etc. Follow the criteria when answering them; stay on point, in other words.

Hope this helps,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Thursday, December 22, 2022 10:34 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy, _____

Thank you so much for the quick response. Now that you have seen the drawing, do you think this type of project will be approved?

On Thu, Dec 22, 2022 at 10:26 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hello Michael,

The survey appears to have all the requirements for the variance application. It meets the checklist items.

Regards,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Thursday, December 22, 2022 8:57 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy,

I am slowly getting things put together for the variance application. I had Lavender Surveys put together a site plan and wanted to ensure this fits the requirements for the certified site plan before I turned everything in. I have attached the site plan.

Thanks



On Tue, Oct 4, 2022 at 2:46 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hi Mr. Williams,

The attachment labeled Variance Paperwork is what I pulled from the file, including, the Platting Board approval of the variance, the property as-built, and the engineering as-built of the holding tank installation. I modified the documents so they should meet the Record's Office formatting standards and added the Palmer Recording Office text to the first page, because that is another requirement for recording a document. This is what I suggest recording. You can take these to the State Recorder's office in Anchorage or you can take it to several commercial entities in the valley who do electronic recording of documents.

The other attachments are the application for a new variance and a checklist for the

required survey. One of the criteria for support of a variance looks at how the surrounding properties are developed. This would indicate the “rights commonly enjoyed by other properties.” In other words, if the surrounding properties have, say, 1000 square foot cabin with no garage and you want to put a 5000 square foot house with a 2 car garage, then staff may not support your request because that would indicate you want more development rights than the surrounding properties have. For this criteria, we only evaluate those properties that are developed in accordance with Borough regulations.

The code that pertains to setbacks is MSB 17.55, here’s a link: [Title 17 \(codepublishing.com\)](#)

Your tax account ID is 7319000L009A.

Let me know if you have questions,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Tuesday, October 4, 2022 10:58 AM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Peggy,

Thanks so much for all of your help. I appreciate it.

I believe it would be a good idea to have the original variance recorded. What do I need to do to have this recorded?

Since the variance does not cover any addition to the cabin, what is the process of getting an additional variance to add to the cabin?

On Tue, Oct 4, 2022 at 10:39 AM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hi Mr. Williams,

I had a look at what you sent and the approved variance we had in our files. It appears the variance was approved, but I could find no evidence that it was recorded at the State Recorder’s Office. I don’t believe that negates the approval though. It appears the variance application was completed. And it appears the engineer did complete the installation of the holding tanks and that DEC did provide pre-approval of the installation. You could record the variance for posterity, if you wished.

If you wish to expand upon the existing cabin, you would need to obtain a new variance. The 1986 variance was approved for the proposed cabin Mr. Gryte was constructing at the time, not for any other purpose.

Let me know if you have further questions,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

From: Michael Williams <michael.williams@gpsalaska.com>

Sent: Friday, September 30, 2022 2:44 PM

To: Peggy Horton <Peggy.Horton@matsugov.us>

Subject: Re: Voluntary Best Management Practices

[EXTERNAL EMAIL - CAUTION: Do not open unexpected attachments or links.]

Thanks, Peggy. I have sent you a file from hightail.com, a field share network I use. The email might come from Kevin Silvernale, my business partner. Kevin's email is kevin.silvernale@gpsalaska.com

On Wed, Sep 28, 2022 at 3:33 PM Peggy Horton <Peggy.Horton@matsugov.us> wrote:

Hello Mr. Williams,

Let me know when you get that paperwork and we can go through it to find what we need. Here's that handout I was speaking about.

Regards,

Peggy Horton
Matanuska-Susitna Borough
Development Services Division
Planner II
907-861-7862

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Regards,

Michael Williams

By: Rebecca Skjothaug
Introduced: August 18, 2025
Public Hearing: September 15, 2025
Action:

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 25-13

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A VARIANCE TO MSB 17.55.020 FOR THE CONSTRUCTION OF A DWELLING TO BE PLACED APPROXIMATELY 52.5 FEET FROM THE SHORELINE OF BIG LAKE ON SHEPARDS ISLAND LOT 7, SUBD. OF GLO LOTS 10 AND 11, PLAT #W-58, PALMER RECORDING DISTRICT, STATE OF ALASKA, LOCATED ON SHEPARDS ISLAND, BIG LAKE, TAX ID# 6270001007.

WHEREAS, Michael and Lindsay Williams are requesting a variance to MSB 17.55.020 to construct an additional 856.5 square foot cabin at its closest location of 52.5 feet from Big Lake, on Shepard's Island, Big Lake, Tax ID #6272000L007; and

WHEREAS, to grant a variance, the Planning Commission must find that each requirement of MSB 17.65.020(A) has been met; and

WHEREAS, the subject lot is part of the South Big Lake Alaska Subdivision and was initially plated in 1958 before Borough setback and lot size regulations were established; and

WHEREAS, the subject parcel does not conform to the current Borough subdivision standards for lot size; and

WHEREAS, Big Lake is located south of the subject parcel, and north, east and west of the subject parcel are residential properties; and

WHEREAS, according to the Borough Assessments data, the subject parcel is approximately 0.57 acres; and

WHEREAS, according to the application material, the property at its widest point east to west is 65 feet, and at its longest point is 330 feet north to south; and

WHEREAS, the lakebed begins on the subject parcel at approximately 125 feet from the ordinary high water mark of Big Lake and continues to the northernmost point of the parcel; and

WHEREAS, 62% of the subject parcel is lakebed; and

WHEREAS, Planning staff analyzed all 26 lakefront parcels on Shepards Island of Big Lake and found that 16 of them contain residential structures; and

WHEREAS, the dwellings that may violate the setback requirements were not included in the average dwelling size calculation; and

WHEREAS, after conducting an analysis, the Planning staff found that there are 11 lakefront parcels with dwellings that appear to meet the 75-foot setback criteria, have legal non-conforming status or a granted variance, and these dwellings have an average size of 1,230 square feet; and

WHEREAS, Planning staff found the lakefront properties within the analysis area vary in size from 0.28 to 4.68 acres; and

WHEREAS, development within the analysis area ranges from 384 square foot cabins to structures exceeding 3,304 square feet; and

WHEREAS, according to the application material, the applicant proposes building an additional 856.5 square foot single-story structure; and

WHEREAS, according to the application materials, the proposed structure is planned to be 12.6 feet from the eastern property line, 27.3 feet from the western line, and 52.5 feet from Big Lake; and

WHEREAS, according to Borough records, the existing 320 square foot cabin was constructed on the subject parcel in 1986 by the granting of a variance; and

WHEREAS, according to the application material, the existing 320 square foot cabin is approximately 34.7 feet from the ordinary high water of Big Lake; and

WHEREAS, according to the application materials the Alaska Department of Environmental Conservation (ADEC) approved septic is located at 101' from the ordinary high-water mark of Big Lake and requires that any structure is a minimum of 10 feet away from the holding tanks; and

WHEREAS, according to the application this reduces the buildable area to a 13' by 40' area that can be built adhering to all MSB and ADEC setback requirements

WHEREAS, according to the application material, the subject parcel has 65 feet of shoreline on Big Lake; and

WHEREAS, based on the application materials, the applicant proposes preserving a minimum of 50% of undisturbed native vegetation of the shoreline bank; and

WHEREAS, according to the application materials, the applicant was provided with an Alaska Fish & Game permit to reconstruct the dock on October 17, 2022; and

WHEREAS, in 2005, the Matanuska-Susitna Borough Assembly adopted voluntary best management practices (BMP) for development around waterbodies; and

WHEREAS, MSB Chapter 17.65 - Variances, was written to grant relief to property owners whose lots are impacted by existing land use regulations, thereby making the lot undevelopable; and

WHEREAS, the Big Lake Comprehensive Plan (2009 update), by design, does not set out precise binding rules on development but instead provides general goals on the type of place the community wants to be in the future and then outlines general strategies to reach those goals; and

WHEREAS, Goal (LU&E-3) of the Big Lake Comprehensive Plan Update (August 2009) is to "Protect the natural environment"; and

WHEREAS, Goal (LU&E-4) of the Big Lake Comprehensive Plan Update (August 2009) is to "Provide for freedom to enjoy our properties"; and

WHEREAS, Goal (LU-1) of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) states: Protect and enhance the public safety, health, and welfare of Borough residents; and

WHEREAS, Policy LU1-1 of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) states: Provide for consistent, compatible, effective, and efficient development within the Borough; and

WHEREAS, Goal (LU-2) of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) states: Protect residential neighborhoods and associated property values; and

WHEREAS, the variance request is consistent with the policies and goals of the Matanuska-Susitna Borough Comprehensive Plan (2005 Update) as the residential structure cannot be constructed on the lot without a setback variance, the structure is placed as far back on the property as possible, and the structure is similar to surrounding development; and

WHEREAS, according to the Planning staff's analysis, constructing an 856.5-square-foot dwelling is compatible with the surrounding area; and

WHEREAS, the subject parcel is not in a special land use district; and

WHEREAS, residential structures are allowed on this property; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 24-10;

1. The 0.57-acre parcel has limited legal buildable area due to the 75' building setback and the additional 62% of the subject parcel encompassed with lakebed, which is an unusual condition (MSB 17.65.020(A)(1)).
2. The strict application of the provisions of this title would deprive the applicants of rights commonly enjoyed by others, as the subject lot has certain unique conditions and circumstances that apply. The average size of dwellings within the analysis area is 1,230 square feet. The property is 0.57 acres of land, and 62% of the subject parcel is lakebed. Therefore, constructing an additional 856.5-

square-foot cabin on the property is a reasonable use of the land. (MSB 17.65.020(A)(2)).

3. Granting a variance will not be injurious to nearby property nor harmful to the public welfare (MSB 17.65.020(A)(3)).

4. The proposed variance is consistent with the applicable comprehensive plans and does meet the intent of MSB 17.65 (MSB 17.65.020(A)(4)).

5. Granting a variance will be no more than necessary to permit a reasonable use of the property (MSB 17.65.020(A)(5)).

6. The person seeking the variance did not cause the need for the variance (MSB 17.65.030(A)(1)).

7. The variance will not allow a land use in a district in which that use is prohibited, as residential structures are allowed on this site (MSB 17.65.030(A)(2)).

8. The variance is not solely being sought to relieve pecuniary hardship or inconvenience (MSB 17.65.030(A)(3)).

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby approves the 52.5 FEET FROM THE SHORELINE OF BIG LAKE ON SHEPARDS ISLAND LOT 7, SUBD. OF GLO LOTS 10 AND 11, PLAT #W-58, PALMER RECORDING DISTRICT, STATE OF ALASKA, LOCATED ON SHEPARDS ISLAND, BIG LAKE, TAX ID 6270001007, as referenced in the application material.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this __ day of September 2025.

Richard Allen, CHAIR

ATTEST

Lacie Olivieri
Planning Clerk

(SEAL)

YES:

NO:

DRAFT

COMMISSION BUSINESS

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MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645


Phone (907) 861-7822

www.matsugov.us

MEMORANDUM

DATE: August 25, 2025

TO: Planning Commission

FROM: Alex Strawn, Planning and Land Use Director 

SUBJECT: Tentative Future PC Items

Upcoming PC Actions

Quasi-Judicial

- Houdini's Herbs – Marijuana Retail Facility; 8164B01L001A (Staff: Rick Benedict)
- Ficklin Gravel Products LLC – Earth Materials Extraction; 16N04W03A009 (Staff: Rick Benedict)
- Butte Land Co. – Earth Materials Extraction; 17N02E35A024 (Staff: Natasha Heindel)
- Harman Northeast – Earth Materials Extraction; 18N01W15B015 (Staff: Rick Benedict)
- Stenger – Variance; 6194000L002-B (Staff: Rebecca Skjothaug)
- Three Bears Alaska Inc. – Core Area Conditional Use Permit; 58211000L001 (Staff: Rick Benedict)
- Alaska Gravel Company – Earth Materials Extraction; 21N04W18C004 (Staff: Rebecca Skjothaug)

Legislative

- Historic Preservation Plan (HPP) (Staff: Jason Ortiz)
- MSB Borough-Wide Comprehensive Plan (Staff: Jason Ortiz/Alex Strawn)
- Transit Development Plan (Staff: Jason Ortiz)
- Amending MSB 17.59 Standardized Definitions for Lake Management Regulations (Staff: Alex Strawn)
- Hazard Mitigation Plan (Staff: Wade Long)