MEMORANDUM

TO: Fairbanks North Star Brough Assembly

THROUGH: Bryce Ward, Mayor
Jim Williams, Chief of Staff

FROM: Kellen D. Spillman
Community Planning Acting Director

DATE: January 13, 2021

RE: ORD 2022 -03 (RZ2022-004): An ordinance rezoning an area north of Persinger Drive and west of Keeling Road within Section 13, Township 1 South, Range 1 East, Fairbanks Meridian (also known as Taxlots 1324 and 1331) and Tracts A and B Robert Ruff Subdivision for a total area of approximately 10.29 acres from the Rural and Agricultural (RA-5) zoning district to the Rural Residential (RR) zoning district or other appropriate zone (located north of Persinger Drive and west of Keeling Road)

On December 14, 2021, the Planning Commission of the Fairbanks North Star Borough held a public hearing regarding the requested rezone, (RZ2022-004).

The Department of Community Planning recommended approval of the requested ordinance change.

The Planning Commission concurred with the staff recommendation and voted seven (7) in favor, zero (0) opposed, to recommend approval of the request to the Borough Assembly.

This item is requested to be placed on the agenda to the next Fairbanks North Star Borough Assembly meeting. Attached is a packet with further details of the request.
FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2022 – 03

AN ORDINANCE REZONING AN AREA NORTH OF PERSINGER DRIVE AND WEST OF KEELING ROAD WITHIN SECTION 13, TOWNSHIP 1 SOUTH, RANGE 1 EAST, FAIRBANKS MERIDIAN (ALSO KNOWN AS TAXLOTS 1324 AND 1331) AND TRACTS A AND B ROBERT RUFF PROPERTY SUBDIVISION FOR A TOTAL AREA OF APPROXIMATELY 10.29 ACRES FROM THE RURAL AND AGRICULTURAL (RA-5) ZONING DISTRICT TO THE RURAL RESIDENTIAL (RR) ZONING DISTRICT OR OTHER APPROPRIATE ZONE (LOCATED NORTH OF PERSINGER DRIVE AND WEST OF KEELING ROAD)

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks North Star Borough:

Section 1. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. The following described property is rezoned from the Rural and Agricultural (RA-5) Zoning District to the Rural Residential (RR) Zoning District:

An area from the north quarter corner of Section 13, T.1S., R.1E., F.M.; proceeding thence east along the section line approximately 480 feet to the point of beginning; thence east along said section line a distance of 330 feet, thence southerly a distance of 220 feet; thence easterly parallel to the section line a distance of 460 feet to the westerly boundary of the Keeling Road right-of-way; thence southerly along said right-of-way a distance of 900 feet to the northerly side of the Persinger Drive right-of-way; thence northwesterly (approx. N 50° 00’00” W) along the north side of the Persinger Drive right-of-way a distance of 933 feet; thence westerly (approx. N 60°00’00” W) along said right-of-way boundary 83 feet; thence North a distance of 480 feet to the point of beginning, (also known as Tax Lots 1324 and 1331, Section 13, Township 1 South, Range 1 East,
35 Fairbanks Meridian and Tracts A and B Robert Ruff Property Subdivision) as shown in 
36 Exhibit A. 
37 
38 Section 3. **Effective Date.** This ordinance is effective at 5:00 p.m. on the 
39 first Borough business day following its adoption. 
40 
41 ADOPTED THE _____ DAY OF ________ 2022. 
42 
43 
44 Mindy O’Neill 
45 Presiding Officer 
46 
47 ATTEST: 
48 
49 April Trickey, MMC 
50 Borough Clerk 
51 
52 
53 APPROVED: 
54 
55 Jill S. Dolan 
56 Borough Attorney
**Fiscal Impact Statement (FIS) (FNSBC 3.20.010 C.)**

**Originator's Name:** SARAH BINGHAM  
**Department:** COMMUNITY PLANNING

**To Be Introduced/Sponsored By:** ASSEMBLY

**Abbreviated Ordinance Title:** REZONE 2022-004

**Department(s)/Division(s) Affected:** Community Planning/Planning and Zoning

**Proposed Introduction Date:** 13 JAN 2021  
**Ordinance No.:** 2022-03

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**Does this ordinance authorize:**

1. a new or expansion of services which entails additional costs beyond that approved in the current adopted budget?  
   - Yes [ ]  
   - No [X]  

2. a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year?  
   - Yes [ ]  
   - No [X]  

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**FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE**

<table>
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<tr>
<th>Required Information/Estimates</th>
<th>FY 20</th>
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<td>1. Timeline inclusive of all phases</td>
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<td>2. Number and type of new positions which may be required</td>
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<td>3. Cost of operations and maintenance</td>
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<td>4. Future costs to complete capital assets</td>
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<td>5. Estimated revenue impact</td>
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<td>6. Estimated non-Borough funds that may be received:</td>
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<td>a. to fund the ordinance</td>
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<td>b. to fund future phases</td>
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<td>c. to fund future operations and maintenance costs</td>
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<td>7. Anticipated annual tax subsidy</td>
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**Is backup attached?**  
- Yes [ ]  
- No [X]  

---

**Contact Person's Name, for FIS questions:** SARAH BINGHAM  
**Extension:** 1225

**Director(s) Signature(s):**  
**Date:** 12-21-21

**Mayor's Office or Assembly Member Signature:**  
**Date:** 1-11-22

**Chief Financial Officer Signature:**  
**Date:**
BROWNS HILL, BLOCK: 04, LOT: 01
Aspen Investments Llc
573 Hilltop Ave
Fairbanks, AK 99709

15 1E, SEC: 13, TAXLOT: 1329
Baldridge Tammie R
PO BOX 58571
Fairbanks, AK 99711

ENDCOTT, LOT: K2A
Beck Randall S Sr
Beck Suzanne L
PO BOX 56941
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 06, LOT: 09
Bennett Gene E Jr
Bennett Catherine L
4005 Birch Ln
Fairbanks, AK 99709

15 1E, SEC: 13, TAXLOT: 1315
Berry Georgia Lynn
1955 Persinger Dr
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 02, LOT: 20
Blake Robert G
Blake Sherry A
2140 Loose Moose Loop
North Pole, AK 99705

MOBILE HOME, LOT: D0534
Blue James
PO BOX 58648
Fairbanks, AK 99711

PILEDRIVER PARK, BLOCK: 06, LOT: 07
Bonjour Joseph M
1951 Loose Moose Loop
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 06, LOT: 05
Bonjour Randall G
Bonjour Susan E
5670 Bob O Link Rd
Pensacola, FL 32507

15 2E, SEC: 18, TAXLOT: D
Boots Justin D
Boots Mary Ann
PO BOX 58751
Fairbanks, AK 99711

LINDALE, BLOCK: B, LOT: 02
Borling Leroy Anthony Sr
Borling Amelia
PO BOX 58104
Fairbanks, AK 99711

WESEMAN, LOT: 04A
Brockriede James R
1896 Badger Rd
North Pole, AK 99705

LINDALE, BLOCK: B, LOT: 01
Brown Paul D
Brown Carissa B
PO BOX 56672
North Pole, AK 99705

15 2E, SEC: 18, TAXLOT: A
Brumfield Ruth Deborah
Brumfield Matthew Gregory
PO BOX 71016
Fairbanks, AK 99707

PILEDRIVER PARK, BLOCK: 04, LOT: 01
Buberger Victor
PO BOX 58192
Fairbanks, AK 99711

PILEDRIVER PARK, BLOCK: 05, LOT: 05
Burke Sean M
PO BOX 823
Tok, AK 99780

15 1E, SEC: 13, TAXLOT: 1332
Carey Maureen
Ste E Pmb 162
3875 Geist Rd
Fairbanks, AK 99709

PILEDRIVER PARK, BLOCK: 01, LOT: 02
Carter Patrick L
Carter Sheila R
1784 Badger Rd
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 05, LOT: 06
Carter Patrick L
Carter Sheila R
1784 Badger Rd
North Pole, AK 99705

RUSTY ACRES, BLOCK: 03, LOT: 06
Childers Lawrence Dale
2040 Persinger Dr
North Pole, AK 99705

15 1E, SEC: 13, TAXLOT: 1316
Church Nels A
Church Lorrie L
PO BOX 10972
Fairbanks, AK 99710

PILEDRIVER PARK, BLOCK: 01, LOT: 06
Cotton William Cotton
1960 Persinger Dr
North Pole, AK 99705

BINGO, LOT: 03
Croppi Berny
1855 Persinger Dr
North Pole, AK 99705

WESEMAN, LOT: 02
Davids Bradley M
1854 Badger Rd
North Pole, AK 99705

AHFC, LOT: 01
Day Lukas
1915 Persinger Dr
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 03, LOT: 09
Cronce Steven L
Cronce Cathy D
PO BOX 59316
Fairbanks, AK 99711

MENDOCE, BLOCK: 06, LOT: 08
Dewilde Nicko
760 Yukon Dr
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 04, LOT: 04
Davis Christian
Davis Cassandra
3850 Sonoma Ave
North Pole, AK 99705

PEREGRINE LANDIN, LOT: 02
Deboore Matthew Charles
2002 Bush Hawk Ct
North Pole, AK 99705

15 1E, SEC: 13, TAXLOT: 1357
Denning Shauen M
Denning Susan K
PO BOX 80144
Fairbanks, AK 99708
<table>
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<th>Property</th>
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<th>Address Details</th>
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| PILEDRIVER PARK, BLOCK: 05, LOT: 09 | 5 | 09 | Hawks Phillip  
Hawks Deborah  
1902 Loose Moose Loop  
North Pole, AK 99705 |
| BINGO, LOT: 01 | 0 | 01 | Hedrick William F  
Hedrick Leanne D  
PO BOX 58291  
Fairbanks, AK 99711 |
| CLOUD ESTATES, LOT: 06 | 6 | 06 | Earle Mykena R  
PO BOX 16152  
Two Rivers, AK 99716 |
| CLOUD ESTATES, LOT: 05 | 5 | 05 | GIllen Steven L  
Frost Gillen Rhonda J  
729 Cloud Rd  
North Pole, AK 99705 |
| ENDECOTT, BLOCK: 1, LOT: 07B | 1 | 07B | Frueh Joshua  
2394 Dawson Rd  
North Pole, AK 99705 |
| KEELING 1ST ADDN, LOT: B-2 | 1 | B-2 | Hampton Gary  
Hampton Beverly  
PO BOX 83252  
Fairbanks, AK 99708 |
| KEELING 1ST ADDN, LOT: B-2 | 1 | B-2 | Hampton Gary  
Hampton Beverly  
PO BOX 83252  
Fairbanks, AK 99708 |
| KEELING 1ST ADDN, LOT: B-2 | 1 | B-2 | Hampton Gary  
Hampton Beverly  
PO BOX 83252  
Fairbanks, AK 99708 |
| LINDALE, BLOCK: 8, LOT: 04 | 8 | 04 | Hansen Eugene Michael  
Hansen Evelyn  
860 Ridgetop Loop Rd  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 05, LOT: 09 | 5 | 09 | Hawks Phillip  
Hawks Deborah  
1902 Loose Moose Loop  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 06, LOT: 08 | 6 | 08 | Hal Scott Allen  
1941 Loose Moose Loop  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 06, LOT: 13 | 6 | 13 | Eickermann Peter J  
Eickermann Susan A  
1828 Kendall Ave  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 05, LOT: 12 | 5 | 12 | Eddy Wayne D  
864 Bouton Ct  
Fairbanks, AK 99712 |
| PILEDRIVER PARK, BLOCK: 06, LOT: 13 | 6 | 13 | Faulkner Kenneth E. Jr Trust  
Evitt Virginia L. Trust  
1935 Loose Moose Loop  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 06, LOT: 08 | 6 | 08 | Hal Scott Allen  
1941 Loose Moose Loop  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 05, LOT: 09 | 5 | 09 | Hawks Phillip  
Hawks Deborah  
1902 Loose Moose Loop  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 05, LOT: 09 | 5 | 09 | Hawks Phillip  
Hawks Deborah  
1902 Loose Moose Loop  
North Pole, AK 99705 |
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Hawks Deborah  
1902 Loose Moose Loop  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 05, LOT: 09 | 5 | 09 | Hawks Phillip  
Hawks Deborah  
1902 Loose Moose Loop  
North Pole, AK 99705 |
| PILEDRIVER PARK, BLOCK: 05, LOT: 09 | 5 | 09 | Hawks Phillip  
Hawks Deborah  
1902 Loose Moose Loop  
North Pole, AK 99705 |
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<td>Robinson Paul B</td>
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<td>Robinson Mary Ann</td>
<td>3098 Airport Way</td>
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<td>Fairbanks, AK 99709</td>
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<td>Rydberg Kenneth W</td>
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<td>PO BOX 58332</td>
<td>Sambuco Terri L</td>
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<td>Sanders Andre R</td>
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<td>PO BOX 58545</td>
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<td>Shipman Ryan</td>
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<td>Sissom William Edward</td>
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<td>Simpler Shannon L</td>
<td>Sissom Barbara Clarice</td>
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<td>North Pole, AK 99705</td>
<td>1870 Bobanna Ln</td>
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<td>Skyking Investments Llc</td>
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<td>1006 Chena Pump Rd</td>
<td>717 Keeling Rd</td>
<td>1806 Kendall Ave</td>
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<td>Smyth James C K</td>
<td>St Laurent David J</td>
<td>Stovali Michael</td>
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<td>St Laurent Danielle M</td>
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<td>PEREGRINE LANIDN, LOT: 01</td>
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<td>Swisher Christopher E</td>
<td>Tagle Michelle</td>
<td>Tapper Roland Jr</td>
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<td>1150 S Colony Way</td>
<td>21437 Settlers Dr</td>
<td>Tapper Joyce C</td>
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<td>7686 E Tributary Ave</td>
<td>Chugak, AK 99567</td>
<td>PO BOX 55352</td>
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<td>Thompson Dixie L</td>
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<td>Timms Oakley A</td>
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<td>656 Keeling Rd</td>
<td>6724 Plantation Pines Blvd</td>
<td>Cmr 454 Box 2275</td>
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<td>North Pole, AK 99705</td>
<td>Fort Myers, FL 33966</td>
<td>Apo, AE 09250</td>
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<td>Tjaden Nancy L</td>
<td>Torres Marvin T</td>
<td>Truesdale Eric E</td>
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<td>401 W 121st Ave</td>
<td>117 Bentley Dr</td>
<td>Truesdale Rebecca A</td>
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<td>Anchorage, AK 99515</td>
<td>Fairbanks, AK 99701</td>
<td>4911 Rusty Nail Pl</td>
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<td>Colorado Spgs, CO 80916</td>
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LINDALE, BLOCK: B, LOT: 03SW
Vandonsel Timothy & Kathleen
Vandonsel Matthew T
866 Mary Dr
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 02, LOT: 05
Wagner Steven W
425 Steamboat Landing Rd
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 04, LOT: 02
Wasankari Dahlton S
824 Landing Rd #2
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 05, LOT: 13
Whitmire Tyler Cody
Dieskows Abigail J
1964 Loose Moose Loop
North Pole, AK 99705

PILEDRIVER PARK, BLOCK: 06, LOT: 04
Woods Sandra Marie
Bull Tracy
607 Old Steese Hwy Ste B181
Fairbanks, AK 99701

ENDECOTT, BLOCK: I, LOT: 02A
Vogl Ray A
4200 Old Elliot Hwy #8 BX 10
Fairbanks, AK 99712

1S 1E, SEC: 13, TAXLOT: 1324
Walker Enterprises Llc
4517 Dartmouth Dr
Fairbanks, AK 99709

ENDECOTT, BLOCK: I, LOT: 06C
Webb Bruce L
PO BOX 58251
Fairbanks, AK 99711

DOREENS PLACE, LOT: 01
Webb Bruce Lisle
PO BOX 58251
Fairbanks, AK 99711

ENDECOTT, BLOCK: I, LOT: 07C
Wilson Lache L
Wilson Leif
PO BOX 707
Tok, AK 99780

BROWNS HILL, BLOCK: 04, LOT: 06
Woodo Joel A
Woodo Brooke Rawls
1820 Loose Moose Loop
North Pole, AK 99705

ENDECOTT, BLOCK: I, LOT: 09A
Ziegler Jurgen W
1938 Kendall Ave
North Pole, AK 99705

KEELING, LOT: A
Wall Donald R
1948 Peninger Dr
North Pole, AK 99705

DOREENS PLACE, LOT: 01
Webb Bruce Lisle
PO BOX 58251
Fairbanks, AK 99711

1S 1E, SEC: 13, TAXLOT: 1320
Wolverine Supply Inc
5099 E Blue Lupine Dr
Wasilla, AK 99654

PILEDRIVER PARK, BLOCK: 03, LOT: UMB01
Zaleppa Michael J
Zaleppa Raeanne M
PO BOX 58342
Fairbanks, AK 99711

TOTAL: 166
As of December 21, 2021, minutes from the December 14 Planning Commission meeting are not yet available.
Fairbanks North Star Borough

COMMUNITY PLANNING
Division of Planning and Zoning
planning@fnsb.gov
Main: (907) 459-1260
Fax: (907) 459-1255

STAFF REPORT

TO: Fairbanks North Star Borough Planning Commission

THROUGH: Kellen D. Spillman, Acting Director
Department of Community Planning

FROM: Sarah Bingham, Planner III

DATE: December 14, 2021

SUBJECT: RZ2022-004: A request by in Renee Kenmonth to rezone TL-1324 Section 13 T1S-R1E, TL-1331 Section 13 T1S-R1E, Tract A Robert Ruff Subdivision, Tract B Robert Ruff Subdivision from Rural and Agricultural (RA-5) to Rural Residential (RR) located north of Persinger Drive and west of Keeling Road

I. EXECUTIVE SUMMARY

This application is a request by the property owner¹ to rezone the lots identified as TL-1324 and TL-1331 in Section 13 T1S-R1E and Tracts A and B in the Robert Ruff Subdivision from Rural and Agricultural (RA-5) to Rural Residential (RR), totaling approximately 12 acres. All owners of the rezone area have signed the petition.

Community Planning Staff is recommending approval of this request. Rezoning the subject property to Rural Residential is consistent with the FNSB Regional Comprehensive Plan, Salcha-Badger Road Area Plan², and with the existing land use. The area is shown in the Salcha-Badger Road Area Plan as "Rural/Suburban Residential". The size of the subject

¹ FNSBC 18.104.020.A.2 "Any person or persons; provided, that an application for rezoning is accompanied by a petition favoring the proposed rezoning signed by the owner or owners of at least 51 percent of the property within the area proposed to be rezoned."
² See Attachment 2
properties is not consistent with the existing Rural and Agricultural zoning district. All
rezone criteria in the FNSB Title 18 are met by this proposal, and it is not a spot zone.

II. GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Property Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
</tr>
<tr>
<td>Rezone Area</td>
</tr>
<tr>
<td>Existing Zoning</td>
</tr>
<tr>
<td>Existing Land Use</td>
</tr>
<tr>
<td>Proposed Zoning</td>
</tr>
<tr>
<td>Comprehensive Plan</td>
</tr>
<tr>
<td>Flood Zone</td>
</tr>
<tr>
<td>Code Violations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parcel Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Description</td>
</tr>
<tr>
<td>TL-1324 Section 13 T1S-R1E</td>
</tr>
<tr>
<td>TL-1331 Section 13 T1S-R1E</td>
</tr>
<tr>
<td>Tract B Robert Ruff Subdivision</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Adjacent Zoning/Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
</tr>
<tr>
<td>South</td>
</tr>
<tr>
<td>East</td>
</tr>
<tr>
<td>West</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water &amp; Sewage</td>
</tr>
<tr>
<td>Electricity</td>
</tr>
<tr>
<td>Police</td>
</tr>
<tr>
<td>Fire</td>
</tr>
</tbody>
</table>
## Transportation

<table>
<thead>
<tr>
<th>Access Road</th>
<th>Persinger Drive &amp; Keeling Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Type</td>
<td>Major Collector &amp; Minor Collector</td>
</tr>
<tr>
<td>Maintenance Authority</td>
<td>Alaska Department of Transportation</td>
</tr>
<tr>
<td>AADT</td>
<td>710 vehicles – Persinger Dr &amp; 270 vehicles – Keeling Rd</td>
</tr>
</tbody>
</table>

## Zoning History

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 28, 1968</td>
<td>Zoned as Unrestricted Use (UU) by Ord. No. 67-34</td>
</tr>
<tr>
<td>March 25, 1968</td>
<td>TL-1224 created via quitclaim deed (Instrument No. 68-2369)</td>
</tr>
<tr>
<td>November 2, 1972</td>
<td>Rezoned as General Agriculture by Ord No. 72-36</td>
</tr>
<tr>
<td>January 16, 1974</td>
<td>Tract A &amp; B Robert Ruff Subdivision created via Plat No. 74-7</td>
</tr>
<tr>
<td>January 28, 1981</td>
<td>TL-1331 created via warranty deed (Instrument No. 81-01505)</td>
</tr>
<tr>
<td>April 19, 1988</td>
<td>Rezoned as Rural and Agricultural (RA-5) by Ord. No. 88-10</td>
</tr>
</tbody>
</table>

## Existing RA-5 Zoning Standards

<table>
<thead>
<tr>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory Use; agribusiness; agricultural uses; animal and veterinary hospitals; animal boarding and breeding facilities; archery range; banquet halls; bed and breakfast homestay and residence; blacksmith shop; child care home; child care group home; church buildings; commercial agriculture; commercial &amp; domestic livestock; commercial outdoor recreation below 5,000 sf per lot; minor &amp; major communications towers; neighborhood &amp; regional community garden; golf courses; grange hall; guesthouse; home occupations; minor &amp; major kennels; indoor small &amp; large marijuana cultivation facility; outdoor limited marijuana cultivation facility; mobile homes; public utility and service uses; riding academies &amp; stables; noncommercial sawmills; indoor shooting range; outdoor permitted shooting range; single-family detached dwellings; small wireless facility; storage of fertilizers, farm supplies and common livestock husbandry; trade/technical/vocational school; two-family attached dwellings</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Conditional Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airports, heliports, aircraft landing fields, and related buildings; cemeteries; child care center; clubs and lodges; commercial outdoor recreation; dormitories; group homes; hostels; marijuana cultivation facility indoor and outdoor unlimited; marijuana product manufacturing facility limited; marijuana</td>
</tr>
</tbody>
</table>

---

3 FSNBC Title 18, Section 18.72
<table>
<thead>
<tr>
<th>Minimum Lot Size</th>
<th>200,000 square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setback Requirement</td>
<td>35 feet from front lot lines</td>
</tr>
<tr>
<td>Building Height</td>
<td>Unlimited</td>
</tr>
</tbody>
</table>

### Proposed RR Zoning Standards

**Permitted Uses**
- Accessory uses; bed and breakfast homestay & residence; child care home & group home; church buildings; domestic livestock on lots of 80,000 sf or greater; home occupations; urban livestock; market garden; single-family detached dwellings; small wireless facility; two-family attached dwellings

**Conditional Uses**
- Airports, heliports, aircraft landing fields, and related buildings; animal & veterinary hospitals; cemeteries; child care center; group homes; guest house; minor kennels on lots with 80,000 sf or more; mobile homes; multifamily dwelling with no more than three dwelling units on lots with 80,000 sf or more; public utility and service uses; residential cluster development; school buildings; trade/technical/vocational school

<table>
<thead>
<tr>
<th>Minimum Lot Size</th>
<th>40,000 square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setback Requirement</td>
<td>25 feet from front, side, and rear lot lines</td>
</tr>
<tr>
<td>Building Height</td>
<td>Unlimited</td>
</tr>
</tbody>
</table>

### Agency Comments

- **FNSB Code Enforcement**  No code enforcement cases
- **AK DOT**  No comment
- **FNSB Transportation Planner**  If larger lots are subdivided in the future, the new lots will need to have access to Keeling Road.

### Hearing and Recommendation by the Planning Commission FNSBC 18.104.020(C)

- Conforms to the comprehensive plan  ✓
- Conforms to the public health, safety and welfare  ✓

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4 FSNBC Title 18, Section 18.76
5 See Attachment 4 for full Agency Comments
III. STAFF ANALYSIS

Zoning:
The subject properties were originally zoned Unrestricted Use in 1968, then rezoned to General Agriculture in 1972, with a minimum lot size of 200,000 square feet. The minimum lot size for the General Agriculture zone, which became the Rural and Agricultural (RA-5) zone in 1988, has never been less than 200,000 square feet. All four of the subject properties are smaller than the minimum lot size requirement. Three out of the four lots were created in their current configuration after 1972, so grandfather rights for lot size do not likely apply to these properties. While these lots do not currently meet the minimum lot size of RA-5, they all exceed the minimum 40,000 sf lot size in RR. Tract A and TL-1331 are more than double the minimum lot size, creating the potential to subdivide.

Many of the permitted larger-scale agricultural uses that the Rural and Agriculture zone allows could cause land-use conflicts with more dense residential development on smaller lots. While large-scale commercial agriculture is not permitted in RR, it does allow for urban livestock and market gardens, which are agriculture uses that are intended to be compatible with residential development.

Nearby zoning includes Rural Residential immediately to the south across Persinger Drive, while the lots to the west, north, and across Keeling Road to the east are zoned RA-5. There are also Rural Estate-zoned properties within 500 feet to the west that are just above 80,000 square feet and primarily developed residentially. Therefore, rezoning this area to RR is compatible with nearby zoning, as it would enlarge the RR zone that adjoins the subject area to the south across Persinger Drive, more accurately reflect the type of development that has been established in this area and limit the type of activities that are more likely to cause land-use conflicts with nearby smaller lots.
Comprehensive Plan:
The area proposed to be rezoned is designated as “Rural/Suburban Residential” in the Salcha-Badger Road Area Plan and is intended to be for “residential and other uses that will not disrupt neighborhood characteristics” for lots that are greater than one acre with onsite water and septic systems.

Each lot within the rezone area contains move than an acre of land and is served with onsite water and septic systems.

**Land Use Goal 3:** To have a variety of land uses that fit the diverse needs of the community

**Strategy 7:** Provide a variety of residential land use opportunities.

This rezone area is developed with residential uses that are consistent with the RR zone. Rezoning from RA-5 to RR will allow the prevailing development pattern to continue and expand.

**Land Use Goal 4:** To enhance development opportunities while minimizing land use conflicts

**Strategy 11:** Encourage effective and harmonious resolution of community land-use conflicts.

Rezoning this area from RA-5 to RR is consistent with the Comprehensive Plan designations and goals of keeping this area residential which implements the Salcha-Badger Road Area Plan, an element of the Comprehensive Plan. Many of the permitted uses in the RA-5 zone can create odors, noise and other conflicts with residential uses. It will also bring these properties into compliance in regard to the minimum lot size of the RR zone and allow lending institutions to help current and future property owners.

**IV. TRAFFIC AND TRIP GENERATION**
Persinger Drive is classified as a major collector and Keeling Road is classified as a minor collector. If the larger lots were to be subdivided in the future, access would need to be from Keeling Road. The Alaska Department of Transportation maintains all of Persinger Drive and the portion of Keeling Road that is adjacent to the subject area. 710 vehicles travel along Persinger Drive & 270 vehicles travel along Keeling Road each day.

The rezone to RR poses no concerns for the impact to the transportation system within the area. There is adequate capacity on the roadway to serve the traffic that this rezone may generate.

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6 FNSB Salcha-Badger Road Area Plan, page 22
7 See Attachment 3: FNSB Transportation Planner Comments
8 Alaska Department of Transportation and Public Facilities, Alaska Traffic Counts – AADT 2019 retrieved at https://akdot.maps.arcgis.com/home/webmap/viewer.html?webmap=7c1e1029f6b64d7a86449d55ef05e21c
V. NONCONFORMING LOTS, STRUCTURES AND USES
The subject properties are all above the 40,000 square foot minimum lot size for Rural Residential and under the 200,000 square foot minimum lot size for the Rural and Agricultural (RA-5) zone. Three of the lots have a single-family detached dwelling as their principal building, and one of the lots has a triplex as a principal building. There do not appear to be any commercial agricultural uses in the area. The permitted uses in RR relate to a principal residence and do not include commercial agricultural, commercial livestock, and other primarily commercial activities as a principal use. The RR zone does allow agricultural uses intended to be compatible with low- to medium-density residential uses, including domestic livestock on lots with 80,000 sf or more, urban livestock, and market garden as permitted uses. Neighborhood community gardens, domestic livestock on lots under 80,000 sf, and minor kennels are conditional uses.

The proposed rezone would not make any existing permitted uses nonconforming within the rezone area. A triplex is not a permitted use in the RA-5 zone but is a conditional use in the RR zone for lots with 80,000 sf or more. Since TL-1324 has less than 80,000 sf, staff has advised that the property owner to apply for grandfather rights.

The setback requirements would change as follows:

<table>
<thead>
<tr>
<th>Setback</th>
<th>RA-5</th>
<th>RR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>35 feet</td>
<td>25 feet</td>
</tr>
<tr>
<td>Side &amp; Rear</td>
<td>10 feet side &amp; rear setbacks</td>
<td>25 feet from both side &amp; rear lot lines</td>
</tr>
</tbody>
</table>

The front yard setbacks would decrease to 25 feet and the side and rear yard setbacks would increase to 25 feet. It appears that the triplex on TL-1324 does not conform with the RA-5 front-yard setback. The proposed rezone will decrease the east front-yard nonconformity for the triplex and does not appear to impact any other of the existing structures.

VI. PLANNING COMMISSION RECOMMENDATION CRITERIA [FNSBC 18.104.020 (C)]

(1) The proposed rezone conforms to the comprehensive plan.

This rezone is supported by the Rural/Suburban Residential land use designation of the Salcha-Badger Road Area Plan and the Land Use goals of the comprehensive plan, particularly goals 3 and 4 and associated strategies and actions.

(2) The proposed rezone conforms to the public health, safety and welfare.
This proposed rezone is compatible with existing residential land uses within and adjacent to the rezone area. It’s also compatible with and continues the adjacent lot sizes in the RR zoning designation. It does not adversely impact road and traffic safety.

VII. SPOT ZONE ANALYSIS
The Alaska Supreme Court has stated that the classic definition of spot zoning is, “the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners.” Determining whether a rezone constitutes spot zoning depends on the facts and circumstances of each case. In Griswold v. City of Homer, 925 P.2d 1015, Alaska, 1996 the court stated it would consider the following three factors in determining the constitutionality of spot zoning:

1. The consistency of the amendment with the comprehensive plan;

   The RR zoning district is consistent with the ‘Rural/Suburban Residential’ designation and is supported by the Comprehensive Plan’s Land Use goals 3 and 4.

2. The benefits and detriments of the amendment to the owners, adjacent landowners, and community; and

   This rezone will allow for the continued and expanded residential development of an area that is surrounded by similar uses and zoning. This consistency in zoning and land use reduces potential incompatibilities and preserves an established residential area, which benefits the owners, adjacent landowners, and community as a whole.

3. The size of the area rezoned

   While case law does not give an exact size for making a spot zone determination, it does provide guidance that parcels less than 3 acres are almost always a spot zone and parcels over 13 acres are almost always found not to be a spot zone. This rezone proposal is for approximately 12 acres. The southern adjacent lots are also zoned as Rural Residential. The Rural Residential zone adjacent across Persinger Drive from this rezone area is more than 24 acres in size.9

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9 FNSB GIS “Zoning” feature class
VIII. PUBLIC NOTICE
The Department of Community Planning mailed 166 Dear Property Owner (DPO) notices on November 12, 2021. As of publishing this report zero responses have been received. The Applicant posted one public hearing notice sign on November 24, 2021. This sign meets the 'notice by applicant' requirements.

IX. AGENCY COMMENTS
Community Planning contacted the following agencies for comments:

a. North Star Fire Department – No Response
b. Alaska State Troopers – No Response
c. Alaska Department of Transportation – No comment\(^{10}\)
d. FNSB Land Management – No Response
e. FNSB Transportation Planner – Road capacity is adequate; direct lot access would be restricted from Persinger\(^{11}\)
f. FNSB Code Enforcement – No enforcement cases on record\(^{12}\)
g. Golden Valley Electric Association – No Response

X. SITE VISIT
Pictures\(^{13}\) taken during the site visit on November 23, 2021 show that the existing uses of the rezone area are residential, consistent with the proposed zone. It appears that no new use nonconformities would be created with this rezone request.

XI. RECOMMENDATION
Based on the staff analysis above, the Department of Community Planning recommends rezoning TL-1324 Section 13 T1S-R1E, TL-1331 Section 13 T1S-R1E, Tract A Robert Ruff Subdivision, and Tract B Robert Ruff Subdivision to Rural Residential (RR).

XII. FINDINGS OF FACT
The Department of Community Planning further recommends adoption of the staff report and following six (6) Findings of Fact in support of APPROVAL of the rezone.

1. The FNSB Salcha-Badger Road Area Plan designates the rezone area as Rural/Suburban Residential. The Rural/Suburban Residential Area is intended for

\(^{10}\) Attachment 3: Agency Comments
\(^{11}\) Attachment 3: Agency Comments
\(^{12}\) Attachment 3: Agency Comments
\(^{13}\) Attachment 5: Site Visit Pictures
"residential and other uses that will not disrupt neighborhood characteristics"\textsuperscript{14} for lots that are greater than one acre with onsite water and septic systems.

2. The current RA-5 zoning is not consistent with the Rural/Suburban Residential designation because the RA-5 zone permits a wide range of agricultural and commercial uses that are may create land-use conflicts with residential uses.

3. The RR zone would better implement the Rural/Suburban Residential Area land use designation because the RR zone is intended for low density residential uses and with limited commercial and agricultural uses that will decrease land-use conflicts and allows smaller lot sizes that reflect the existing development pattern in the area.

4. The rezone conforms to the following FNSB Regional Comprehensive Plan goals:
   
   a. The proposed RR zone aligns with the Rural/Suburban Residential area designation of the FNSB Salcha-Badger Road Area Plan, as it limits the number of permitted uses to be more compatible with residential uses. Land Use Goal 3, Strategy 7 which is intended to provide a variety of residential land use opportunities.

   b. Land Use Goal 4, which is intended to enhance development opportunities while minimizing land use conflicts, and Strategy 11, encourage effective and harmonious resolution of community land-use conflicts.

5. The rezone conforms to the public health, safety and welfare because:

   c. The proposed RR zone aligns with the Rural/Suburban Residential area designation of the FNSB Salcha-Badger Road Area Plan, as it limits the number of permitted uses to be more compatible with residential uses.

   d. The rezone would not make any new nonconformities in the RR zone. Single-family homes are a permitted use, and the existing triplex is a permitted as a conditional use in the RA-5 or RR zone.

   e. The existing road network is capable of handling the potential traffic increase associated with this rezone.

6. The rezone is not a spot zone or a reverse spot zone because:

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\textsuperscript{14} FNSB Salcha-Badger Road Area Plan, page 22
a. The rezone is consistent with the Comprehensive Plan because it will better implement the Rural/Suburban Residential land use designation. The rezone advances Land Use Goals 3 and 4 of the Regional Comprehensive Plan.

b. The implementation of the Comprehensive Plan is a benefit to the community by providing for a variety of residential uses.

c. The proposed rezone area is approximately 12 acres and is adjacent to lots that are already zoned as Rural Residential and approximately 24 acres.

**DRAFT PLANNING COMMISSION MOTION:**

I move to recommend to the FNSB Assembly approval of RZ2022-004, a rezone of TL-1324 Section 13 T1S-R1E, TL-1331 Section 13 T1S-R1E, Tract A Robert Ruff Subdivision, and Tract B Robert Ruff Subdivision, from Rural and Agricultural (RA-5) to Rural Residential (RR), adopting the staff report and six findings of fact in support of this recommendation.

Attachment 1: Zoning Map  
Attachment 2: Comprehensive Plan Map  
Attachment 3: Agency Comments  
Attachment 4: Site Visit Photos  
Attachment 5: Application with narrative
The Fairbanks North Star Borough does not warrant the accuracy of maps or data provided, nor their suitability for any particular application. There may be errors in the data.
Sarah Bingham

From: Bailey, Randi L (DOT) <randi.bailey@alaska.gov>
Sent: Thursday, November 18, 2021 11:23 AM
To: Sarah Bingham
Cc: George Stefan; David Ruzicka; Billy Cardentey
Subject: RE: RZ2202-004: Rezone from Rural and Agricultural (RA-5) to Rural Residential (RR)

Sarah,

The DOT has reviewed the rezone application for the Robert Ruff Subdivision located off Persinger Drive and Keeling Road and has no comment.

Thank you,
Randi

From: Sarah Bingham [mailto:sarah.bingham@fnsb.gov]
Sent: Tuesday, November 9, 2021 11:28 AM
To: david.tyler@alaska.gov; Steve Crouch <scrouch@northstarfire.org>; dispatch_fairbanks (DPS sponsored) <dispatch.fairbanks@alaska.gov>; Bill Witte <bill.witte@fnsb.gov>; Daniel Welch <daniel.welch@fnsb.gov>; Bailey, Randi L (DOT) <randi.bailey@alaska.gov>; timothy.schilling@alaska.gov; Brase, Audra L (DFG) <audra.brase@alaska.gov>; Benjamin.n.soisetth@usace.army.mil; JLKarl@gvea.com; valleywaterco@hotmail.com; jackson.fox@fastplanning.us; lkswartz@alaska.edu
Cc: Melissa Kellner <melissa.kellner@fnsb.gov>; Kellen Spillman <kellen.spillman@fnsb.gov>
Subject: RZ2202-004: Rezone from Rural and Agricultural (RA-5) to Rural Residential (RR)

Good morning,

We have received a request to rezone four adjacent lots from Rural Agricultural (RA-5) to Rural Residential (RR) off Persinger Dr and Keeling Rd. I’ve attached a Zoning Report that includes more information. I’ve marked the lots included in the rezone request with green dots.

The Rural and Agricultural zone is “...intended for agricultural uses of land for very low density residential development. These districts are intended for areas where community sewer and water systems are unavailable. [https://fnsb.borough.codes/FNSBC/18.28]

The Rural Residential zone “...is intended for low density residential development and other compatible uses in areas where community sewer and water systems may or may not be available. [https://fnsb.borough.codes/FNSBC/18.40.010]

This application will be reviewed by the FNSB Planning Commission at the December 9, 2021 meeting. Please submit any comments by replying to me and include Melissa Kellner no later than Friday, November 19 by noon.

Kind Regards,

Sarah Bingham
Planner III | FNSB Community Planning
907-459-1225 | sarah.bingham@fnsb.gov
ATTACHMENT 3: FNSB Code Enforcement Response

Sarah Bingham

From: Adam Pruett
Sent: Wednesday, December 1, 2021 8:17 AM
To: Sarah Bingham
Subject: RE: RZ2202-004: Rezone from Rural and Agricultural (RA-5) to Rural Residential (RR)

Sarah,

There is nothing on record for any of the PAN's that you listed.

Best Regards,

Adam Pruett
Planner III-Code Enforcement
Department of Community Planning
907.459.1270 | adam.pruett@fnsb.gov

From: Sarah Bingham <sarah.bingham@fnsb.gov>
Sent: Tuesday, November 30, 2021 4:31 PM
To: Adam Pruett <adam.pruett@fnsb.gov>
Subject: FW: RZ2202-004: Rezone from Rural and Agricultural (RA-5) to Rural Residential (RR)

Have there been any code enforcement complaints on these lots? (PAN 319317, 319406, 480312, and 480304)

Kind Regards,

Sarah Bingham
Planner III | FNSB Community Planning
907-459-1225 | sarah.bingham@fnsb.gov

Messages to and from this email address may be available to the public under Alaska Public Records Law.
Persinger is a Major Collector and Keeling is a minor collector. And, yes the roads do have plenty of capacity to handle any possible further subdivision based on the new zoning. One other thing is that Persinger being a Major collector if new subdivisions are proposed they will not be allowed to have direct lot access onto Persinger.

From: Sarah Bingham <sarah.bingham@fnsb.gov>
Sent: Tuesday, November 30, 2021 9:38 AM
To: Donald Galligan <Donald.Galligan@fnsb.gov>
Subject: FW: RZ2202-004: Rezone from Rural and Agricultural (RA-5) to Rural Residential (RR)

What was the road classification for Persinger and Keeling Rd? I think I remember you saying during Planners Mtg that the roads have the capacity for more vehicle traffic if two of these parcel were to be subdivided further. Is this correct? And is there anything more that you’d like to add?

Kind Regards,

Sarah Bingham
Planner III | FNSB Community Planning
907-459-1225 | sarah.bingham@fnsb.gov

Messages to and from this email address may be available to the public under Alaska Public Records Law.
Sign at the intersection of Keeling Road and Persinger Drive
Keeling Road

Lions Youth Camp - northeast of the rezone area
ATTACHMENT 5: Application Materials
Fairbanks North Star Borough
Department of Community Planning
907 Terminal Street/P.O. Box 71267
Fairbanks, Alaska 99707-1267
(907) 459-1260  Fax: (907) 459-1255
planning@fnsb.us

REZONE APPLICATION
File #, RZ 2022-004

☑ REZONE
☐ REZONE WITH SPECIAL LIMITATIONS

FEES:
☐ $1,000 rezone application**
☐ $300 sign deposit (check or cash recommended)

** Fee waived if rezoning a split zone parcel or rezoning a GU zoned property to an appropriate residential
zone if the rezone encompasses at least 13 acres or 5 more contiguous lots

Applicant:
Contact Name: Renee Kenmonth
Business Name:
Mailing Address: 1412 4th Ave
City, State Zip: Fairbanks, AK 99701
Phone: 907-987-6844
E-mail: reneekentnont@gmail.com

Property Owner:
Name: See Petition
Mailing Address:
City, State Zip:
Phone:
E-mail:

Property Information:
Property Description: TL 1331 Sec 13 Tie 13
Street Address: 1896 Persinger Dr.
Parcel Account Numbers (PAN): 319 046
Existing Zone: RA-5

Size: 11 Acres
Existing Use: Residential
Proposed Zone: RA

I certify that the information included in this application is to the best of my knowledge true and complete.

APPLICANT SIGNATURE: ___________________________ DATE: 10.7.21

OWNER SIGNATURE (If different): ___________________________ DATE: __________

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject
to public disclosure under state law.

W:\Community Planning\Admin\Forms & Handouts\FY 2021\Application_Rezone.docx

Page 1 of 8
Revised 02/22/2021
REZONE PETITION FORM
WE THE UNDERSIGNED JOIN IN REQUESTING AND AUTHORIZE
REZONING OF
FROM ___________________________________________ ZONE
TO ___________________________________________ ZONE.

ALL BLANKS MUST BE COMPLETED AND LEGIBLE.

Signature
Robert M. McFarland
Printed Name
Roberta McFarland
Mailing Address
7777 Keeling Rd, Nf Ak 99705
Tract B Robert Ruff Subdivision
Property Description (Subdivision, Lot & Block)

Signature
Luke Morrow
Printed Name
Luke Morrow
Mailing Address
P.O. Box 5839, Fbks Ak 99711
Tract A Robert Ruff Subdivision
Property Description (Subdivision, Lot & Block)

Signature
Maureen Carey
Printed Name
3875 Geist Rd, Fbks Ak 99705
Mailing Address

Signature
Luke Morrow
Printed Name
P.O. Box 5839, Fbks Ak 99711
Mailing Address

Signature
Matthew Walker
Printed Name
4517 Dartmouth, Fbks, Ak 99709
Mailing Address

Property Description (Subdivision, Lot & Block)

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
Rezone Application for TL 1324, 1331, Section 13 T1s R1E and Tract A and B of Robert Ruff S/D

We are submitting this rezone application for lots that are currently zoned RA-5 with the required minimum lot size of 200,000 sq ft and are encouraging the borough planning board and assembly to rezone it to RR with the required minimum lot size of 40,000. Please see attachment “A” map. All seven lots are under the 200,000 minimum requirement and would be adjacent and combined with other RR zoned lots. Many of these property owners did not know they were in violation or how it could be difficult in the future if they wanted to be compliant. While this rezone limits the commercial agricultural uses these adjoining properties are not being used for commercial agriculture and a majority of the lots are too small to accommodate anything commercial.

This area is designated as Rural/Suburban Residential in the FNSB Salcha-Badger Road Area Plan with is part of the FNSB Regional Comprehensive Plan. This rezone and future land use does align with existing low-density residential use and future vision of land use as designed by the Comprehensive Plan. This rezone does consider the on-site water and septic systems. The rezone will maintain a healthy residential area compatible with the existing predominant residential use. This request will not jeopardize the public health, safety or welfare.

Very Respectfully,

Renee Kenmonth
PUBLIC NOTICE SIGN POSTING AFFIDAVIT

STATE OF ALASKA

FORTH JUDICIAL DISTRICT

I, **Renée J. Kenman**, being first duly sworn, depose and state that:

1. I have submitted an application identified as **KZ 2021-004**.

2. I have posted and will maintain public notice sign # **IL** in accordance with the following provisions:
   a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
   b. Sign is clearly visible from streets and roads.
   c. Sign will be maintained free of snow or other materials which impede readability.
   d. Sign is posted between an elevation of 2' and 8' above ground level and no further than 50' from the edge of the road to further ensure readability from streets.
   e. Sign was posted on _____________ (date) and complies with posting requirements of 20 days prior to the public hearing date.
   f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.

3. I understand a refund check of **$300.00** (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.

4. This document is null and void when necessary action has been completed as provided in Item #2 f.

__________________________________________
Signature
__________________________________________
(Print Name and Address of Affiant)

SUBSCRIBED AND SWORN TO BEFORE ME on this ___________ day of ___________, 20__

__________________________________________
Notary Public in and for Alaska

__________________________________________
Commission Expires

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

W:\Community Planning\Admin\Forms & Handouts\FY19\Application_Rezone.docx

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DEPOSIT / REFUND FORM
PUBLIC NOTICE SIGN DEPOSITS &
EXPERT REVIEW DEPOSITS

FILE/CASE # P22022-004

DEPOSITS

SIGN DEPOSIT ☑

EXPERT REVIEW DEPOSIT ☐ (see box below)

I understand that I owe the actual cost for the expert review of my telecom application and that this is only a deposit towards the cost.

(applicant initials)

Sign # 22 (if required)

DATE Prepared: 7 Oct 2021

Prepared By: M. Kellner

Fairbanks North Star Borough

RECEIPT Number: 473601

PAID By: Cash ☐ Check ☐# Credit Card ☑ Last 4 digits #: 0840

(if paying by check we MUST refund to name & address showing on check)

Name & Address on Check: Rene Kenmonth 907 987 6844

Name & Contact # on Credit Card:

If cash name and address for refund:

________________________________________________________

________________________________________________________

________________________________________________________

SIGN REFUNDS

Sign Returned: ____________________________

Date: ____________________________

Initiate Refund: ☑ YES ☐ NO

Staff who took sign in: ____________________________

Be sure application has been completely acted on and the reconsideration has expired prior to taking in the sign.

For Rezones, be sure the Assembly decision is final prior to taking in the sign.

Additional Damage ☐ Yes ☑ No ☐

Partial Refund ☑ Yes $________

Describe __________________________________________

Applicant Initial __________________________
REZONE PETITION FORM

WE THE UNDERSIGNED JOIN IN REQUESTING AND AUTHORIZE
REZONING OF TL 1321 Sec 13 T15S R13 E, TL 1324 Sec 13 T15S R13 E, Tracts A+B Robert Ruff Subdivision,
FROM RAS ZONE
TO RR ZONE.

ALL BLANKS MUST BE COMPLETED AND LEGIBLE

Robert McFarland
Signature
Tract B Robert Ruff Subdivision
Property Description (Subdivision, Lot & Block)

Matthew Walker
Printed Name
Ft. Keating rd, NP AK 99705
Mailing Address

Signature
Tract A Robert Ruff Subdivision
Property Description (Subdivision, Lot & Block)

Luke Morrell
Printed Name
PO Box 58379, Fbls AK 99711
Mailing Address

Matthew Carey
Printed Name
3878 Geist Rd, Fbls AK 99705
Mailing Address

Signature

Property Description (Subdivision, Lot & Block)

Luke Morrell
Printed Name
PO Box 58379, Fbls AK 99711
Mailing Address

Matthew Walker
Printed Name
4517 Dartmouth, Fbls, AK 99709
Mailing Address

Signature

Property Description (Subdivision, Lot & Block)

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WC/Community Planning/Adams/Forms & Handouts/FYE 2021/Application_rezone.docx

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Revised 02/22/2021
REZONE PETITION FORM
WE THE UNDERSIGNED JOIN IN REQUESTING AND AUTHORIZE
REZONING OF T13S R13E Sec 13 Tract A B Robert
FROM RAS TO RR ZONE Roberta McFarland
TO RFF Subdivision ZONE.
ALL BLANKS MUST BE COMPLETED AND LEGIBLE.

Signature

Printed Name

Property Description (Subdivision, Lot & Block)

Mailing Address

Signature

Printed Name

Property Description (Subdivision, Lot & Block)

Mailing Address

Signature

Printed Name

Property Description (Subdivision, Lot & Block)

Mailing Address

Signature

Printed Name

Property Description (Subdivision, Lot & Block)

Mailing Address

Signature

Printed Name

Property Description (Subdivision, Lot & Block)

Mailing Address

Signature

Printed Name

Property Description (Subdivision, Lot & Block)

Mailing Address
RZ2022-004 Kenmonth

Requesting to rezone from Rural and Agricultural (RA-5) to Rural Residential (RR)
Single-Family Residence on TL-1331

Keeling Road
Current Zoning Designation

RA-5 Permitted Uses
- Agricultural uses
- Animal and veterinary hospitals
- Animal boarding and breeding facilities
- Archery range
- Banquet halls
- Blacksmith shop
- Commercial agriculture
- Commercial livestock
- Commercial outdoor recreation below 5,000 sf per lot
- Neighborhood & regional community garden
- Golf courses
- Minor & major kennels
- Mobile homes
- Indoor small & large marijuana cultivation facility
- Outdoor limited marijuana cultivation facility
- Riding academies & stables
- Noncommercial sawmills
- Indoor shooting range
- Outdoor permitted shooting range
- Storage of fertilizers, farm supplies and common livestock husbandry

RR Permitted Uses
- Accessory uses
- Bed and breakfast homestay
- Bed and breakfast residence
- Child care home
- Child care group home
- Church buildings
- Domestic livestock on lots of 80,000 sf or greater
- Home occupations
- Urban livestock
- Market garden
- Single-family detached dwellings
- Small wireless facility
- Two-family attached dwellings

Salcha-Badger Road Area Plan

Rural/Suburban Residential is intended for "residential and other uses that will not disrupt neighborhood characteristics. Assumes on-site water and septic systems. Lots greater than one acre."
Title 18 Rezone Approval Criteria

1) Conforms to the FNSB Regional Comprehensive Plan Goals
   - Designated as “Rural/Suburban Residential” in the Salcha-Badger Road Area Plan, rezone better implements this

2) Conforms to the public health, safety and welfare
   - Doesn’t appear to create any new nonconformities

3) Does not create a spot zone
   - Adjacent to other RR-zoned properties

<table>
<thead>
<tr>
<th>Setback</th>
<th>RA-S</th>
<th>RR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>35 feet</td>
<td>25 feet</td>
</tr>
<tr>
<td>Side &amp; Rear</td>
<td>10 feet side &amp; rear setbacks</td>
<td>25 feet from both side &amp; rear lot lines</td>
</tr>
</tbody>
</table>

Recommend to Approve

166 DPO letters were delivered
- No responses from the public
- No objections from other agencies
Draft Motion

I move to recommend to the FNSB Assembly approval of RZ2022-004, a rezone of TL-1324 Section 13 T1S-R1E, TL-1331 Section 13 T1S-R1E, Tract A Robert Ruff Subdivision, and Tract B Robert Ruff Subdivision from Rural and Agricultural (RA-5) to Rural Residential (RR), adopting the staff report and six findings of fact in support of this recommendation.

Findings of Fact

1. The FNSB Salcha-Badger Road Area Plan designates the rezone area as Rural/Suburban Residential. The Rural/Suburban Residential Area is intended for "residential and other uses that will not disrupt neighborhood characteristics" for lots that are greater than one acre with onsite water and septic systems.

2. The current RA-5 zoning is not consistent with the Rural/Suburban Residential designation because the RA-5 zone permits a wide range of agricultural and commercial uses that are may create land-use conflicts with residential uses.

3. The RR zone would better implement the Rural/Suburban Residential Area land use designation because the RR zone is intended for low density residential uses and with limited commercial and agricultural uses that will decrease land-use conflicts and allows smaller lot sizes that reflect the existing development pattern in the area.

4. The rezone conforms to the following FNSB Regional Comprehensive Plan goals:
   a. The proposed RR zone aligns with the Rural/Suburban Residential area designation of the FNSB Salcha-Badger Road Area Plan, as it limits the number of permitted uses to be more compatible with residential uses. Land Use Goal 3, Strategy 7 which is intended to provide a variety of residential land use opportunities.
   b. Land Use Goal 4, which is intended to enhance development opportunities while minimizing land use conflicts, and Strategy 11, encourage effective and harmonious resolution of community land-use conflicts.
Continued Findings of Fact

5. The rezone conforms to the public health, safety and welfare because:
   a. The proposed RR zone aligns with the Rural/Suburban Residential area designation of the FNSB Salcha-Badger Road Area Plan, as it limits the number of permitted uses to be more compatible with residential uses.
   b. The rezone would not make any new nonconformities in the RR zone. Single-family homes are a permitted use, and the existing triplex is a permitted as a conditional use in the RA-5 or RR zone.
   c. The existing road network is capable of handling the potential traffic increase associated with this rezone.

6. The rezone is not a spot zone or a reverse spot zone because:
   a. The rezone is consistent with the Comprehensive Plan because it will better implement the Rural/Suburban Residential land use designation. The rezone advances Land Use Goals 3 and 4 of the Regional Comprehensive Plan.
   b. The implementation of the Comprehensive Plan is a benefit to the community by providing for a variety of residential uses.
   c. The proposed rezone area is approximately 12 acres and is adjacent to lots that are already zoned Rural Residential and approximately 24 acres.