

A  
L  
A  
S  
K  
A

**2024-023813-0**

Recording Dist: 301 - Anchorage

9/3/2024 11:28 AM Pages: 1 of 5



**NOTE**

Send original recorded document to:

Municipality of Anchorage

Current Planning Division

Planning Department

PO Box 196650

Anchorage, AK 99519-6650

**THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR ANCHORAGE RECORDING DISTRICT DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.**

**DO NOT DETACH**

**NOTICE OF ZONING ACTION**

This notice announces that an administrative review to rebuild a nonconforming use or structure has been duly approved by the Director of the Municipal Planning Department providing for the development of the herein described property in accordance with the provisions of the Anchorage Municipal Code of Ordinances and the terms and conditions of the administrative review approval as set forth in the Municipal zoning file 2024-0097 Under the provisions of the specified ordinance the subsequent development of the subject property shall be in accordance with the terms of the approved administrative review or any subsequent amendments hereto.

LEGAL: Fyfe Subd., Block E, Lot 26A REM (Plat 77-249), S.M., Anchorage Recording District, Anchorage, Alaska. Generally located north of East Dowling Road, east of Rowan Street, south of East 59th Avenue and west of Dow Place at 1733 East Dowling Road, Anchorage, Alaska  
PETITIONER: Joseph Slattery  
REQUEST: Administrative Review to Rebuild Nonconforming Use or Structure.  
ATTACHMENT: Copy of the Municipality of Anchorage, Planning Department decision dated September 4, 2024

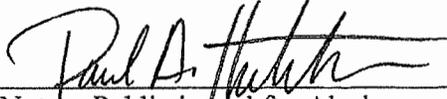
  
\_\_\_\_\_  
Director  
Municipality of Anchorage  
Planning Department

STATE OF ALASKA            )  
  )  
THIRD JUDICIAL DISTRICT    )

THIS IS TO CERTIFY that on the 30th day of AUGUST, 2024 before me, the undersigned, a Notary Public in and for Alaska, personally appeared Dave Whitfield, to me known to be the duly appointed representative of the Director of the Planning Department and acknowledged to me that he had in his official capacity aforesaid executed the forgoing instrument as an act and deed of the Municipality of Anchorage for the uses and purposes therein stated.

WITNESS my hand and notarial seal on the 30th day of AUGUST, 2024 in this certificate first above written.

Notary Public  
**PAULA A. HATCHER**  
State of Alaska  
My Commission Expires April 8, 2028

  
\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission expires: 4-8-2028



**PLANNING DEPARTMENT  
ADMINISTRATIVE SITE PLAN REVIEW  
REBUILD A NONCONFORMING STRUCTURE**

**DATE:** September 4, 2024  
**CASE NO:** 2024-0097  
**APPLICANT:** Joseph Slattery, 1733 E Dowling, LLC  
**REPRESENTATIVE:** Ron Thompson, Scope Engineering & Permitting  
**LEGAL DESCRIPTION:** Fyfe Subdivision, Block E, Lot 26A  
**LOCATION:** 1733 East Dowling Road, Anchorage, AK 99507  
**COMMUNITY COUNCIL:** Campbell Park  
**GRID:** SW1933  
**TAX PARCEL I.D.:** 009-274-80  
**ZONING:** I-1, light industrial district  
**USE:** Commercial

**Recommendation Summary:** Approval

**Proposal**

The applicant proposes to rebuild a commercial structure that was damaged by a fire, under the provisions of AMC 21.12.040D., *Nonconforming Structures, Damage or Destruction*. The original building was constructed in the mid-1970's. The proposed structure rebuild will not change the existing footprint of the structure. Also, the building rebuild will not change any access roads, drainage, or other facilities currently in place.

**Legal Nonconforming Rights**

A verification of nonconforming status dated October 26, 2023, written by Richard Novy, identified the commercial structure as having nonconforming rights for a 5-foot encroachment into the east secondary front setback at Dow Place (AMC 21.13.040., *Nonconforming Structures*).

**Agency and Public Comments**

None of the State and Municipal reviewing agencies object to approval of this application. No written comments were received from the public.

**Findings**

**AMC 21.12.040D.2., Approval Criteria**



- 1. The nonconforming structure is or can be made compatible with uses allowed on adjacent properties, in terms of site design and operating characteristics (such as lighting, noise, odor, dust, and other external impacts).**

This standard is met.

Uses adjacent to this site are both industrial and commercial. There are no residential uses near this site. Furthermore, the site has frontage to two streets, East Dowling Road and Dow Place.

The structure has been in place for about 50 years and is an accepted element of the local landscape. The rebuild will not change the footprint of the structure nor will it have negative visual impact of neighboring properties. The access to the site will remain the same and there will be no change to drainage. The proposed rebuild is not anticipated to have any negative impacts on the surrounding area.

- 2. The nonconforming structure will not limit, impair, or impede the normal and orderly development and improvement of surrounding property for uses permitted on those properties.**

This standard is met.

The neighboring properties surrounding the site are developed with uses permitted in the zoning district. The rebuild of the nonconforming structure will not limit, impair or impede any proposed development on neighboring properties.

- 3. The parking, landscaping, and lighting either conform to the requirements of this title, or are moving towards conformity to the maximum extent feasible.**

This standard is met.

No change is proposed to the parking, landscaping, or lighting on the site.

- 4. Utilities, access roads, drainage, and other necessary facilities are sufficient to service the use, or will be provided.**

This standard is met.

The existing sewer, water, and electricity are sufficient for the proposed structure.

- 5. Adequate measures have been or will be taken to provide ingress and egress that are designed to minimize traffic congestion on the streets.**



This standard is met.

The existing ingress and egress to the site will not be impacted by the proposed structure rebuild.

**Department Decision**

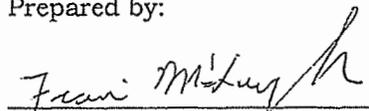
The Planning Department APPROVES the site plan for the rebuild of the nonconforming structure, located at 1733 East Dowling Road, subject to the following conditions:

1. This approval is subject to the petitioner's application, narrative, and the plans on file at the Planning Department.
2. Within one year, record a notice of zoning action with the State of Alaska Recorder's Office and provide proof to the Planning Department.

Reviewed by:

  
\_\_\_\_\_  
Craig H. Lyon  
Director

Prepared by:

  
\_\_\_\_\_  
Francis McLaughlin  
Senior Planner

