

RECEIVED

RECEIVED

SEP 14 2023

DATE RECEIVED: 2023

CITY OF NOME
CLERKS DEPARTMENTCITY OF NOME
CLERKS DEPARTMENT**Variance Application**

PERMIT NO.

2023-01Y

NCO 5.10.090 (Building Code) – Variances – It is recognized there are special cases where unusual physical features (including small lot size), location within a commercial or historic district, special design features which can be incorporated into the structure, and the limited building season which make strict application of the foregoing regulations unreasonable. Variances are intended to allow a relaxation of the terms of these regulations in such cases. A variance shall not be granted merely for reason of financial hardship or inconvenience. An applicant may request a variance from the Planning Commission. The Planning Commission must meet within fourteen days from the time a completed application is received in the Clerk's Office. Upon receipt of a completed application, the City Clerk shall provide notice of the application and the date of the Planning Commission meeting at which the application will be heard by regular mail to all adjacent property owners.

Denials may be appealed to the Board of Adjustment.

The Planning Commission may impose restrictions and conditions as necessary to assure complete compliance with the foregoing regulations is reasonable.

The Planning Commission may grant a variance only if the Planning Commission believes, based upon the facts placed before the Commission by the applicant, the City, and members of the public, that **all** of the following are true:

- 1) The variance is needed in order to provide the applicant or property owner rights to commonly enjoyed by other similarly situated properties in the same district or neighborhood;
- 2.) The applicant or property owner did not cause the condition that requires the variance;
- 3.) The variance is not requested simply to save the applicant or property owner money;
- 4.) The variance is not requested merely because complying with the regulations is inconvenient;
- 5.) Unusual physical features make strict application of the applicable regulations unreasonable;
- 6.) The variance requested is the minimal variance needed in order to alleviate the hardship to the applicant or property owner resulting from strict application of the applicable provisions of ordinance or regulation;
- 7.) Granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws, ordinances or regulations;
- 8.) The variance will not permit a land use in a district in which that use is prohibited.

Subdivisions - General Provisions 70.012 - The following process shall apply to variances.**The City Clerk shall give notice of the public hearing in the following manner:**

- a. By publication of a notice in a newspaper of general circulation within the City not less than five (5) days nor more than twenty (20) days prior to the date of hearing
- b. By sending notices by mail at least five (5) days but not more than twenty (20) days prior to the date of hearing to the property owners and residents of property who are not owners of property adjacent to the exterior boundaries of the property involved. The names and addresses of owners as shown in the records of the tax assessor and land use maps of the City will be used for this purpose. Where mailing addresses are not available, the notice will be delivered directly.
- c. **Failure to send notices to persons specified in this section or failure of a person to receive a notice shall not invalidate the proceedings.**

Applicant:



Phone #:

907 443 2083

Y10-2302 I am requesting the Planning Commission consider a variance in reference to a:

(Please check one)

Preliminary Plat/Subdivision Application _____

Building Permit Application ☒ _____

Block #: 52A Lot #: 11A Tax Lot #: 001-261-09

For the following reason(s):

- ☒ Set Back from Lot Line
☐ Lot Size
☐ Off Street Parking
☐ Permitted Work Suspended

Other reason(s):

(6' feet from street rather than 10)

Carlie Bauer
Signature of Applicant

9-14-2023
Date

Proof of notice will be provided to the Planning Commission with this application. A copy of this variance request shall be posted in the Office of the City Clerk for public information purposes and shall remain posted until the variance is acted upon by the Planning Commission.

This request will be heard before the Nome Planning Commission on _____ Applicant or representative attendance is required.

Planning Commission Additional Variance Restriction or Conditions:

A variance hearing on this permit was held by the Planning Commission at a meeting held

_____ and this permit was / was not approved.

BUILDING PERMIT REFERENCE NO: #23-00019R

Chairman, Planning Commission Date

City Clerk's Office Date

Receipt #: _____

FEES: REGULAR MEETING : \$200.00

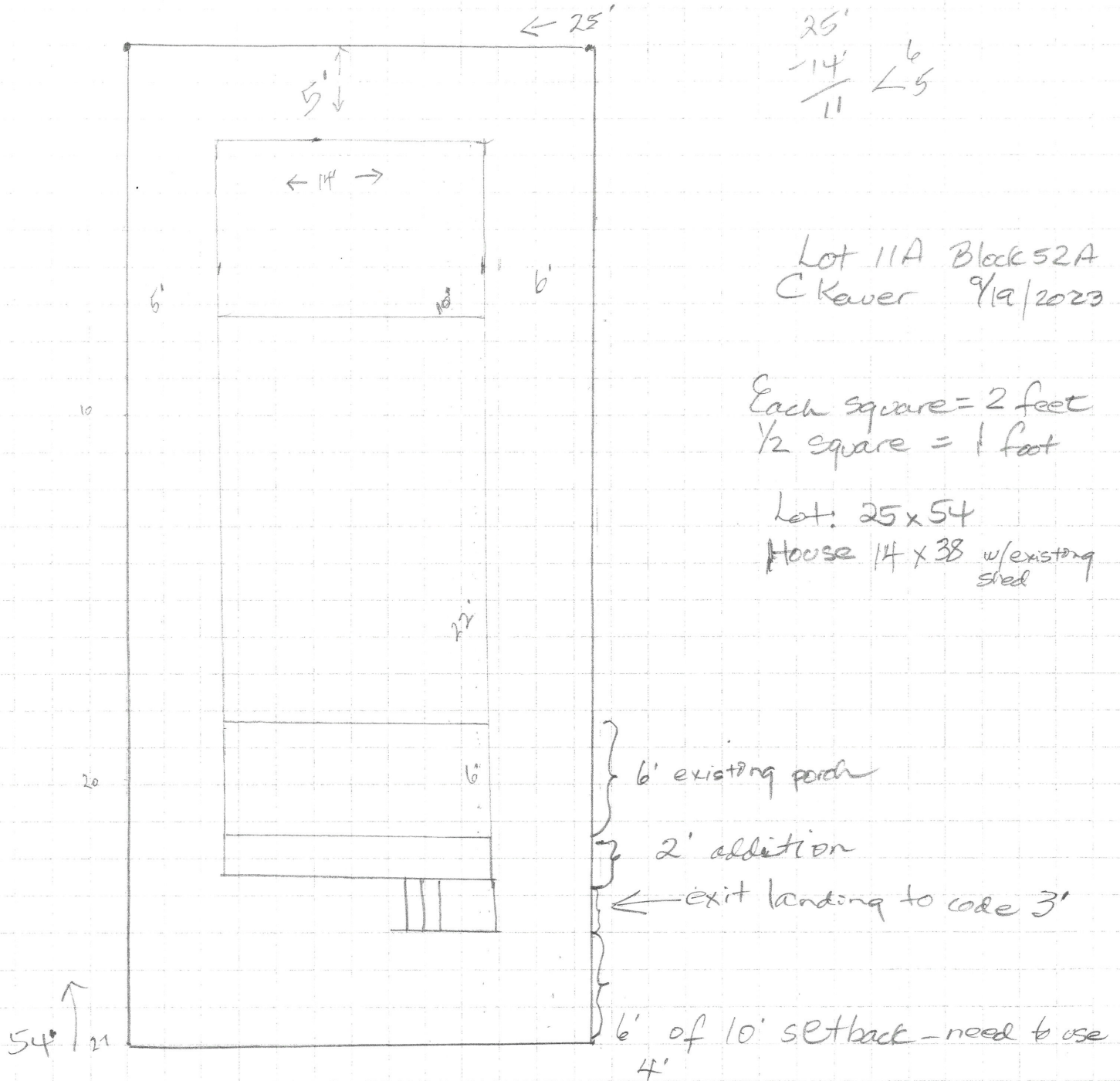
SPECIAL MEETING: \$300.00

Date Paid: 9/14/23

Fee \$: 300.00

PNP #
142587138

001, 261.09 Block 52 A Lot 11A
307 west Third



NXME (UNST. RETIAT)
 OFFICER OF BUREAU
 8. BLOCK 32 11.7.
 NXME 10-26-83



THIS SUBDIVISION

VICINITY MAP

LEGEND

- FOUND SURVEY CAP
- SET YELLOW SURVEY CAP ON 5/8" x 2' REBAR
- SHORT BROTHERS BRASS CAP SET IN CONCRETE TABLET

CERTIFICATION OF PAYMENT OF TAXES

NOV. 14, 1983
John E. Conley
 OCTOBER 12, 1983

CERTIFICATE OF REGISTERED LAND SURVEYOR

Dec. 29, 1982
Ray D. Dwyer

CERTIFICATE OF APPROVAL BY THE COMMISSION

14 DEC
Thomas J. Glavin

ACCEPTANCE OF DEDICATION

SBT
 5 Jan 83

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
 JUDICIAL DISTRICT 1st
 I, *John E. Conley*, Notary Public for the State of Alaska, do hereby certify that on the 14th day of December 1982, the following instrument was presented to me for recording and was duly acknowledged by the parties thereto, and the same was duly recorded in my office in accordance with the provisions of the laws of the State of Alaska.
 My commission expires on 10-26-83
 #244753
 City of Nome
 Alaska

SILVERS ENGINEERING

Official Plat of the Townsite of Nome, as Amended in 1934
 AND LYING WITHIN PROTRACTED T.11S., R.34 W., KATEEL RIVER MERIDIAN, ALASKA
 Containing 279 Acres More or Less

LOTS 1 thru 12, BLOCK 64, LOTS 1 thru 6, 11, 12, 14, 15, 16, and a portion of LOT 13, BLOCK 32, and a portion of 3rd Avenue
 A RESUBDIVISION OF
 LOTS 1A thru 4A, BLOCK 64A, and LOTS 1A, and 11A thru 14A, and LOTS 11B and 12B, BLOCK 32A

60

7-82

1" = 50'

61-N70-45-66-61-N70-44-52

E-N

CERTIFICATE of OWNERSHIP and ACCEPTANCE
PROPERTY LINE and ENCROACHMENT AGREEMENT

THE UNDERSIGNED OWNERS OF THE REPEAT OF A PORTION OF BLOCK 64 AND BLOCK 52
OF THE ORIGINAL TOWNSITE OF NOME, ALASKA, ACKNOWLEDGE AND AGREE TO THE FOLLOWING:

DIS 16 2A-BLOCK 64A · PEGGY M. PATTERSON, FOR THE PEGGY M.
PATTERSON DECLARATION OF TRUST · P.O. BOX 94 · NOME, ALASKA 99562

NOTARY'S ACKNOWLEDGEMENT

[illegible]

OTIS JAN 24 BLOCK 64A - CHARLES W. CAGERTON, FOR THE CHARTERED W
USERS FROM DECLARATION OF TRUST, P.O. BOX 946, NUNE, ALASKA 99/62

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALABAMA }
IN AND FOR THE DISTRICT } ss.
SOUTHERN DISTRICT }
JAMES J. JACKSON, }
Clerk of said District, }
do hereby certify that }
on this day, personally appeared before me, }
the undersigned, }
CHARLES W. FERGUSON }
who is known to be the individual described in and }
who has acknowledged the within and foregoing instrument, }
and executed the same in his own free will and }
for the purposes therein mentioned. }
Witness my hand and the seal of said District, this }
15th day of February, 1940. }
JAMES J. JACKSON, }
Clerk of said District. }
Attest: }
JAMES J. JACKSON, }
Clerk of said District. }
JAMES J. JACKSON, }
Clerk of said District. }

JOHN A. MUCK 2-A · JOHN B. KREILKAMP · BOX 37 NOME, ALASKA 99762

NOTARY'S ACKNOWLEDGEMENT

[illegible]

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NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA,
RECORDING DISTRICT } ss.
JUDICIAL DISTRICT }
On this day, personally appeared before me,
_____,
I do know to the contents of the foregoing described in and
to the contents of the within and foregoing instrument,
and acknowledged that _____
signed the same as _____
as and voluntary act and deed, for two uses and
purposes, to-wit: _____
GIVEN UNDER MY HAND AND OFFICIAL SEAL this
_____ day of _____, 199____.

Clerk Public for Alaska Commission Expires _____
Residing at _____

1015 3A 0 44 INCK 64:
CORPORATION PO BOX 915 NOME, ALASKA 99762

NOTARY'S ACKNOWLEDGEMENT

[illegible]

LOT 118 - BLOCK 52A
COMMUNITY ENTERPRISES, INC. PO BOX 905 NOME, ALASKA 99762
FOR NOME NATIVE

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
 DISTRICT COURT
 This is to certify that on the _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and that the said instrument is the free and voluntary act and deed of said person, and that the said instrument is for the use and purpose therein mentioned and on such conditions as therein expressed, and that the said person is of legal age and sound mind, and that the said instrument is the corporate seal of said corporation, and that the said person is duly authorized to execute the same on behalf of said corporation.
 My commission expires _____ day and year first above specified.

 Notary Public for Alaska
 Commission expires _____

LOT 14A-BLOCK 52A-THOMAS JOHNSON, President of the
"KORNTUMST" REINLITER PRESSING COMPANY, P.O. Box

NOTARY'S ACKNOWLEDGEMENT

[illegible]

MEMBER

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA) ss:
THIRD JUDICIAL DISTRICT)
County of _____, State of Alaska, do hereby certify that on the _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the State of Alaska, duly qualified and sworn, appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and that he requested the witness and foregoing instrument, and acknowledged the said instrument to be his act and deed, and that he executed the same for the uses and purposes therein manifested and so indicated that he was authorized to execute said instrument and that he was the owner of the property of said corporation, and that I witnessed the execution of said instrument.

IN WITNESS WHEREOF I have hereunto set my hand and the seal of my office, this _____ day and _____ first hour of _____, 19____.

Notary Public in and for the State of Alaska.
Commission Expires _____, 19____.

OT 120 - BIRCH 52A-HOWARD L. FARLEY P.O. BOX 123- NOME, ALASKA 99762

NOTARY'S ACKNOWLEDGEMENT

STATE OF ALASKA
County of Denali
JUDICIAL DISTRICT ss.
On this day, personally appeared me,
and we do know to be the individual described in and
he executed the within and foregoing instrument,
and acknowledged that he executed the same for the
purpose stated above.

Witness my hand and seal for the said and official seal this
day of August, 1964, at Barrow, Alaska.

Notary Public for Alaska Constance
My Comm. Expires March 1965

NOTARY'S ACKNOWLEDGEMENT

85-31
 17-
 PETERSON
 CAPT. WOODS
 10-26
 11-24
 CITY & HOME

14'

10

22

A/E

6'

Payment Entry Form

Result: Payment Authorized

Confirmation Number: 142587138

Your payment has been authorized successfully and payment will be processed.

The City of Nome thanks you for your payment. For questions about your account, please call 907-443-6663 Thank you for using our bill payment services.

Please save or print a copy of this receipt for record keeping purposes.

My Bills

Description	Amount
City of Nome Invoice payment of \$300.00 on Invoice Number 2023-2788	\$300.00

Customer Information

First Name: Cussy

Last Name: Kauer

Address Line 1:

Address Line 2:

City:

State:

Zip Code:

Phone Number:

Email Address:

Subtotal: \$300.00

Convenience Fee: \$7.50

Total Payment: \$307.50

Payment Information

Payment Date: 09/14/2023

Card Type: Visa

Card Number: *****7330

Signature:  Date: 9/14/2023

By signing this receipt you agree to the terms and conditions of this service.

You will see one line item on your credit or debit card statement indicating the amount you paid and will be identified as *City of Nome*. If you have any questions about the charges please call 1-888-891-6064.

Mr. Cliff McHenry
City of Nome Building Inspector
Box 281
Nome, Alaska 99762

RE: Lot 11A, Block 52A, tax lot 001-261-09, potential variance request for 1 foot

Hello Mr. McHenry,

First I wanted to again thank you for your help earlier this summer regarding the outside steps damage/steps landing code issue/arctic entry porch addition to my rental at 301 Division Street. I think the building is better for it.

I think I mentioned in the special planning commission meeting I paid \$300 at which to present the step damage replacement issue, I mentioned and suggested the planning commission look hard at the current building permitting regulations, with emphasis on the core and older section of town where many structures have zero lot lines, lot lines that don't meet setback current requirements, etc. and consider some flexibility in them. I suggested the authority be given to you as the building inspector, to be able to approve the building improvements and repairs, were any to come before you. I also mentioned in the meeting I had one more porch issue to take care of, and this is it.

I was deeded in May of 2005, ten months after my husband walked out the door and abandoned me and the kids this property. I was told by the attorney firm that drew up the deed I was getting it "to help feed the kids". In reality husband had allowed a homeless person in the building with some organization in town paying the rent (similar to what I hear is occurring in Nome now) and I had to get a loan for \$40,000 to make the place livable and rentable. It was back to hot dogs for supper, again. It has been a money pit ever since, and the spring melt coming off the street directly south of Old St. Joe's helped erode the fill under the building, thus ripping the water and sewer line off the building which had to be dug up and replaced. I think in the planning commission meeting I recently attended I also mentioned I'm trying my best to leave behind some maintenance free, code compliant structures with which my inheriting children will not have to struggle.

The project I am trying to undertake is replacing, and enlarging by two feet, the rotting rotten and leaking front porch addition on the north end of the existing structure.

I know in applying for a variance the city wants to see the 4 corners of the property. I have been asking since May for surveyor help. He did come and locate the 2 south end corners. I asked for a full blown survey, and that hasn't happened. I have asked to be on a list for structure leveling. I am still on a list. Regarding the survey, I did take my tape over and walked the lines out.

The lot measures 24.99, or 25' wide by 53.98 or 54' long. The building with all its various additions over time (10' on the south, main building 22', porch addition 6') measures 38' long and 14' wide.

Therefore, 25' wide lot less 14' building = 11', and appears to have ample 5 foot setback on the east and west sides of the building. Length of lot at 54' less 38' length of building = 16 feet. There appears to be ample 5 foot setback on the south end, leaving 11 feet on the north street end.

I would like to enlarge the porch addition from the 6' depth to 8'. I do not want to saw up 8 foot sheets of very expensive plywood and lumber. Since there is a high probability there is 11 feet at the front of the building, and I'd like to add these 2 feet, that makes a 9 foot setback from the street lot line, rather than the current regulation of 10, or a 1 foot variance request. I have discussed with the carpenter doing the work about putting the exiting stairway inside the addition, or running them across the east west building frontage. This would change the setback for steps and railing running that direction, rather than jutting out toward the street as they do now.

I had the lady in the clerk's office pull up in your new system the overhead views to this area to see if we could learn anything more, being as I have been waiting 3 months for a surveyor. There is one version which shows the rooftops, and actually includes the very long Quonset hut to the east, which when looking at the physical survey marker on the south end of Lot 11A, east, we have an almost zero lot line situation with the hut along this line, and I'd guess the setback from the street lot line is in inches, and not feet, and definitely not 10 of them. The lady then pulled up a grayed out version of the structure layout of West 3rd Avenue, and my building, the building to the east (hut) and building to the west (Lot12A) are not on this version.

I recall the main portion of this building existing when I was in high school in 1970. The south and north additions have come later, and in particular the north end is in bad shape, leaking, wood is rotten, and impossible to adequately protect the possessions of any tenant or owner should the property be sold. Please discuss with whomever you need to get the authority for me to proceed with what would be an 8 foot by 14 foot porch replacement, or let me know if I need to again ask for a variance from the planning commission. We are running out of summer construction season time, weather has been a struggle, getting people in the trades to respond has been difficult, but I am lucky to have someone who wants to do the carpentry work and is very capable.

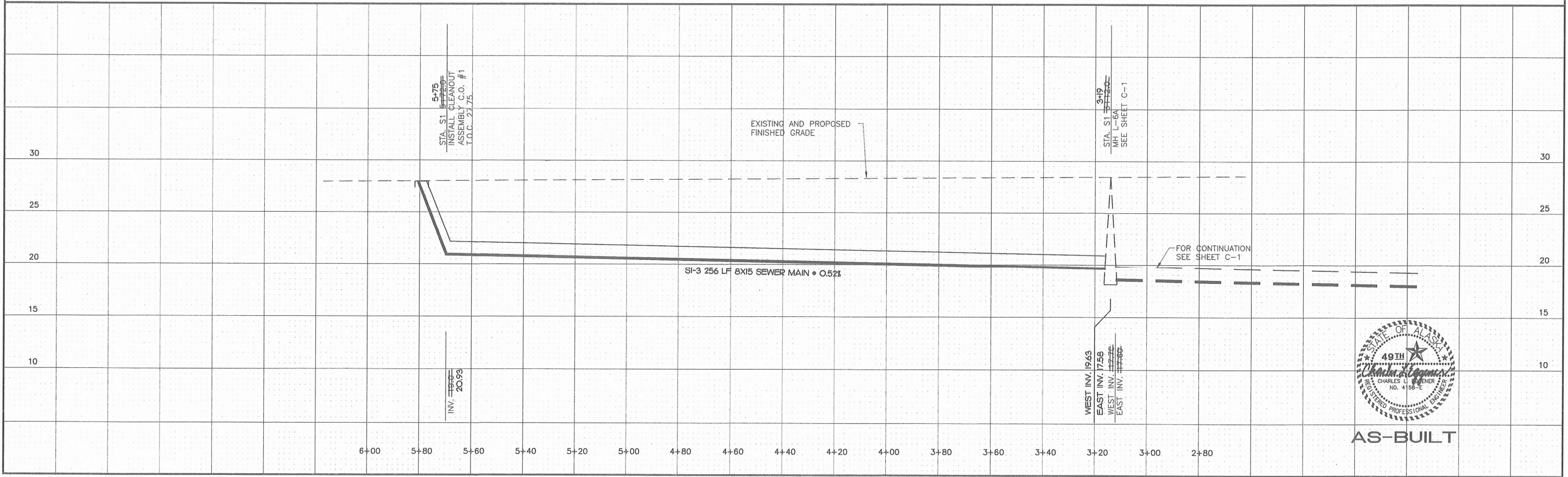
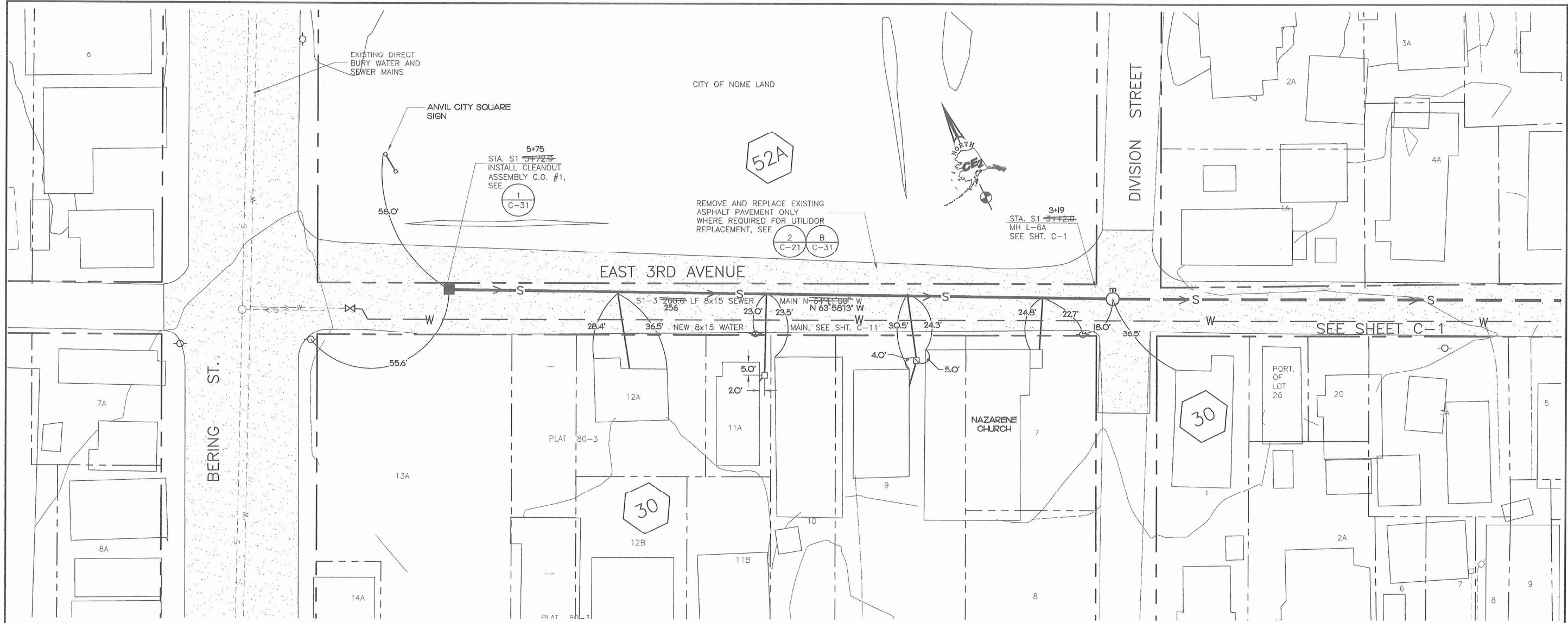
I leave Wednesday July 27 and hope to be back August 5. As you know, I am in the fight for my life, but will be reachable by phone/email at cussy@nome.net. It's not a good idea to try to call for me as you won't know if I'm on the radiation table or where I am. Thanks again for your help.

Sincerely,

Cussy Kauer

July 25, 2022

Home phone 443 2083, cell 304 2788



RECORD DRAWING CERTIFICATE
THESE DRAWINGS REFLECT
RECORDED INFORMATION OBTAINED
DURING CONSTRUCTION.
INFORMATION PROVIDED HEREIN
IS ACCURATE TO THE BEST OF
MY KNOWLEDGE.
Charles L. Eggen 7/16/01
NAME DATE

SCALE:
PLAN 1"=20'
PROF(V) 1"=5'
PROF(H) 1"=20'
EARS IS ONE INCH ON
ORIGINAL DRAWING
0 1" 2"
IF NOT ONE INCH ON
SCALES ACCORDINGLY

CONSTRUCTION RECORD
FIELD BOOK
STAKING
FOREMAN
AS-BUILT
INSPECTOR

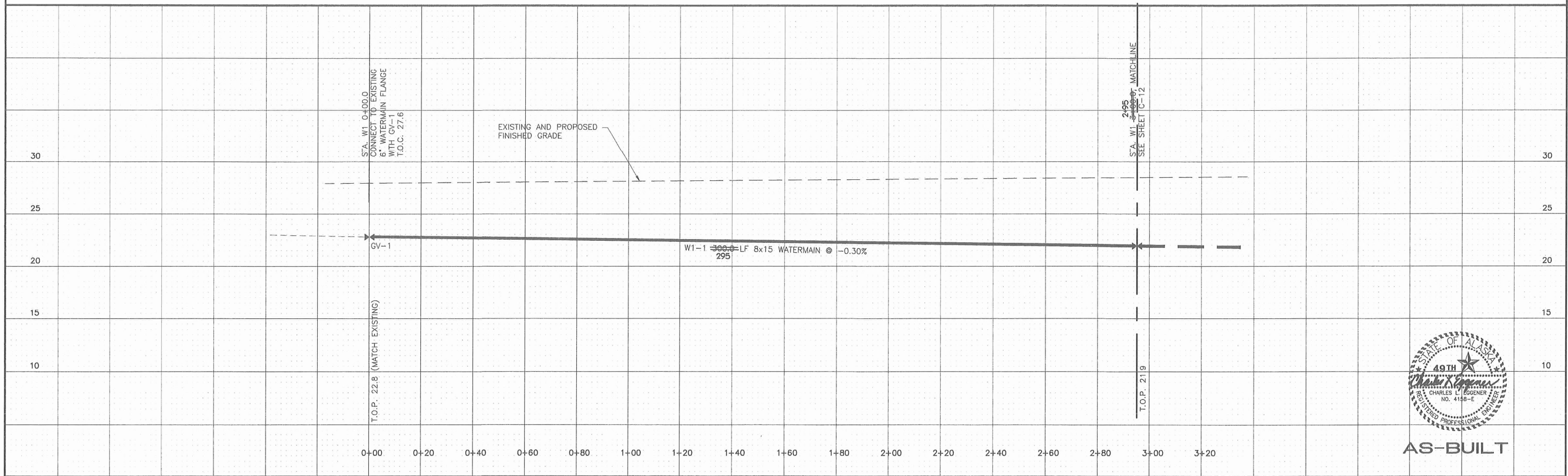
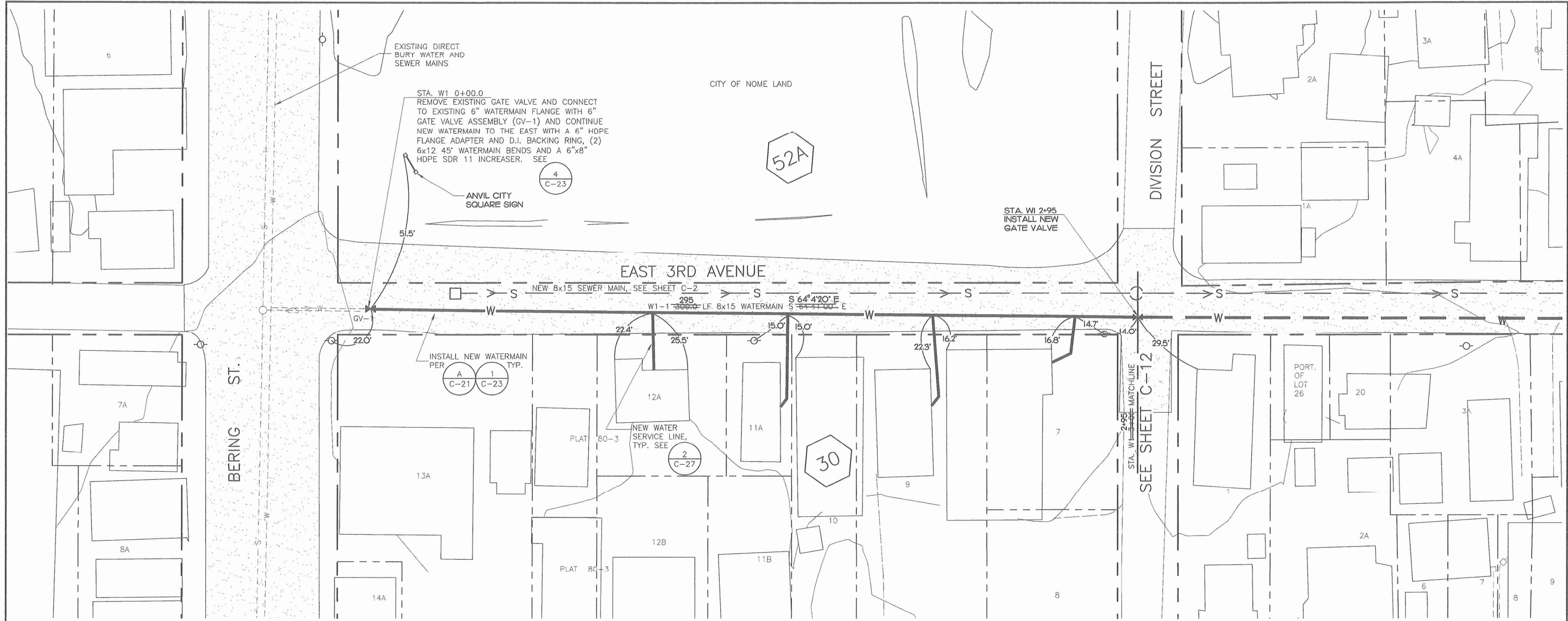
STATE OF ALASKA
49TH
PROFESSIONAL ENGINEER
Charles L. Eggen
No. 4156
EXPIRES 12/31/02

UTILIDOR REPLACEMENT
PHASE IV
SEWER PLAN
AND PROFILE
EAST 4TH AVENUE
NOME, ALASKA

CE2
ENGINEERS,
INC.
ANCHORAGE, ALASKA

Project No.	Date	By	Revision	Added As-Built Info	Info	Added As-Built Info	Info
00-001	DEC., 1999	LAP					
		LAP					
		CLE					

Sheet No. **C-2**
SHEET 8 OF 40



RECORD DRAWING CERTIFICATE

THESE DRAWINGS REFLECT RECORDED INFORMATION OBTAINED DURING CONSTRUCTION. INFORMATION PROVIDED HEREIN IS ACCURATE TO THE BEST OF MY KNOWLEDGE.

NAME *Charles L. Eggen* DATE 7/11/01

SCALE:

PLAN 1"=20'

PROF. 1"=5'

PROF. 1"=20'

BAR IS ONE INCH ON ORIGINAL DRAWING

0 1" 1"

IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE ACCORDINGLY

CONSTRUCTION RECORD

FIELD BOOK

STAKING

FORWARD

AS-BUILT

INSPECTOR



UTILIDOR REPLACEMENT
PHASE IV
WATER PLAN
AND PROFILE
EAST 3RD AVENUE

NOME, ALASKA

CE2
ENGINEERS,
INC.

ANCHORAGE, ALASKA

REVISION

BY DATE

ADDED AS-BUILT INFO D-W12/00

Project No. 00-001

Date DEC., 1999

Designed LAP

Drawn LAP

Approved CLE

Sheet No. C-11

SHEET 17 OF 40