



INSTRUCTIONS FOR APPLICATION TO PLANNING COMMISSION OR PRE-HEARING DETERMINATION FOR INTERESTED PERSONS

APPLICATION TO PLANNING COMMISSION FOR PRE-HEARING DETERMINATION

For official use only:

Revd by: _____

Date: _____

Interested Person

Fairbanks North Star Borough

907 Terminal Street ☆ P.O. Box 71267 ☆ Fairbanks, Alaska 99707-1267

(907) 459-1401 ☆ FAX (907) 459-1224

Complete and return to Clerk's Office or email to clerks@fnsb.gov

Your Information:

Name: _____

Physical Address: _____

Mailing Address: _____

Phone Number: _____ Cell Phone Number: _____

E-mail Address: _____

Case Information:

Case Number: _____ Hearing Date: _____

I would like a pre-hearing determination that I meet the "interested person" standard to testify at the hearing.

Please check one:

- I am the Applicant or property owner in this case
- I received a "Dear Property Owner" letter about this case
- I did not receive a "Dear Property Owner" letter but I reside at a location that is within the hearing notification area
(Attach an affidavit or other proof of residence)
- I did not receive a "Dear Property Owner" letter but believe I am an "interested person" (fill out the information requested below)
- I am the representative of one of the above parties (e.g., an attorney) (please indicate which category of party you represent _____)

Request for Interested Person Determination:

Per Fairbanks North Star Borough Code 18.04.010 "Interested persons means those individuals who are required in this title to be mailed specific notice of a quasi-judicial hearing or who provide an affidavit or other adequate proof that they reside within that hearing notification area or who timely apply to participate and prove that they possess a specific property interest that may be significantly affected by the proposed action in a way different than that of the general public. For purposes of oral testimony only, interested persons include, when the applicant is a public entity (including an agency, political subdivision or other component unit of the public entity), the citizens of that public entity."

* * * * *

Please explain, in detail, how your property interest is significantly affected by the action of the Planning Commission. You may use additional sheets or attach maps, photos, narratives, or other evidence in support of your claim.

I possess the following specific property interest:

My property interest may be affected by the decision in this case in the following way(s):

My property interest is different than that of the general public because:

By my signature below, I attest to the truth of the statements made on this form.

DATE: _____

SIGNATURE: _____

INSTRUCTIONS FOR APPLICATION TO PLANNING COMMISSION
FOR PRE-HEARING DETERMINATION FOR INTERESTED PERSON STATUS

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.

This form is only for the type of pre-hearing determination listed. When you complete this form, it is important that you limit your comments to those directly relevant to the information sought for the type of determination. Any information provided in addition to that sought (including information regarding your argument about or position on the matter) will be redacted and will not be provided to the Planning Commission Chair for consideration in making the pre-hearing determination.

Decisions on the pre-hearing application will be noticed by email. If you do not have an email address, the Planning Commission Clerk will call you. You must provide a legible email address and/or phone number and you must check your email (including junk mail) or your voice mail for the Chair's determination. Deadlines will not be waived for your failure to check your email, voice mail, for your failure to answer your phone, because there is no way for the Clerk to leave a message, or because the contact information you provided was not legible.

PRE-HEARING DETERMINATION APPLICATION DEADLINE.¹ All pre-hearing determination applications must be received by the Community Planning Department no later than 5 p.m. on the Monday one week prior to the hearing at which you wish to testify.

Example: if you wish to testify at a Tuesday Planning Commission meeting, you must submit your application no later than 5 p.m. on the Monday, seven (7) days prior to the day of the public hearing.

INTERESTED PERSONS DETERMINATION. The Planning Commission applies the definition of "Interested Person" found in FNSB Code 18.04.010. In order to determine interested person standing, the Chair will examine your application for

- ✓ A specific property interest that you hold;
- ✓ How that property interest may be affected by the decision in the matter; and
- ✓ Whether your property interest may be affected in a way different than the general public.

The Chair shall make the interested person determination with reasonable promptness and the Planning Commission Clerk shall notify the person of the decision with reasonable promptness.

CONCURRENT APPLICATIONS. You may submit applications to testify by affidavit or by telephone at the same time. If you have a preference as to one form of testimony over the other, please indicate that preference on your applications. Otherwise, the Chair will review the application to testify telephonically first and only if that application is denied will the Chair review the application to testify by affidavit.

¹ *If a deadline falls on an FNSB-observed holiday, the deadline shall be the next business day unless otherwise set by the Planning Commission Chair in writing with notice given in advance.*