

# MUNICIPALITY OF ANCHORAGE

Community Development Department  
Development Services Division



Phone: 907-343-3301  
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April 22, 2014

Del and Sue Isabelle  
P.O. Box 220021  
Anchorage 99522 - 0021

Subject: conditions for lifting of stop work order, permits 00 - 6083 and 01 - 0076,  
for a property at 6555 West Dimond Blvd.

Dear Mr. and Mrs. Isabelle,

The municipal attorney's office has concluded its independent review of the issues associated with the permits for your property at W. Dimond Blvd. The purpose of the review was to provide guidance on the extent to which you can be considered to have to fulfill your obligations under the subject permits and whether you should be required to supply additional information or perform additional fill and grade work to ameliorate the complaints of the surrounding property owners.

There has been a long-running dispute between yourselves and your neighbors to the east and south of your property. In the early part of your project there was substantial overfill onto the neighbor's property to the south. An effort was made in 2007 to remove that overfill, including construction of a gabion wall in an attempt to retain the fill within the Lori Drive right of way and your property. Your neighbors to the south dispute that the entire fill was removed. Your neighbors to the east have declared that fill on your property has caused drainage to encroach onto their property.

After extensive review of the files and interviews of your neighbors to the south, and of staff involved in the project over the years and of yourselves, the Municipality has concluded that you should be allowed to continue with your project. However, before the stop order work order will be lifted you must submit and obtain approval of the following:

1. An Improvement to public places agreement for realignment of Lori Drive into the center of the right-of-way. This agreement can be applied for through our private development section. Contact Kent Kohlase at 343-8310 to obtain an application for the agreement and to discuss the typical section for this access. Note that you will be permitted to use the 1 1/2 to 1 slope easement that is granted to you by plat for the side slopes supporting the roadway. You will not be permitted to place any fill beyond the limits of this slope easement.

Mailing Address: P.O. Box 196650 - Anchorage, Alaska 99519-6650 - <http://www.municipalityofanchorage.org>

MOA 002387  
Exhibit 5

2. Drainage calculations, based on the existing topography of your property showing where drainage is retained on your property and where it may be exiting your property. These calculations must be prepared by a civil engineer registered in the state of Alaska. It must be demonstrated that any drainage leaving your property is not in excess of that which existed prior to your development of the property. If this cannot be demonstrated then you must discuss how you will mitigate the impact of this excess drainage.
3. A statement, recorded against the property, that no other structure will be built on the property beyond that which already exists under your current permit. This is required because much of the fill that was placed on your property is known to contain substantial amounts of organic material. However, because the material has stabilized you are not being required to remove it. Kent Kohlhasse can give you a sample of language to use in the statement, similar to what has been required for similar properties.
4. A structural engineer's report of the condition of the partially completed structure. The engineer must be registered in the state of Alaska. The report should state which elements of the structure have been so deteriorated by exposure to weather that they must be removed. The report should also contain a plan for correction of any other noncompliant elements.

Please contact Ross Noffsinger at 343-8309 if you have any questions.

Sincerely,



for Sharen A. Walsh, P.E. Building Official

Ross Noffsinger, Acting Building Official