

MUNICIPALITY OF ANCHORAGE

SUPPLEMENTAL WORKSHEET FOR ENCROACHMENT PERMITS AND LETTERS OF NON OBJECTION

Municipality of Anchorage
Community Development Department
Right of Way Section
4700 Elmore Road - Anchorage, AK 99507
Phone 907-343-8240 Fax 343-8250
MOAROWrequests@muni.org

ENCROACHMENTS

Encroachments are any object above or below ground belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way or other property dedicated to a public use.

Anchorage residents are not aware of the fact that in most cases their property line does not start at the street curb or road shoulder. They assume that where the curb or shoulder ends is where their property begins. This is not true on most of the streets in Anchorage. There exists a right of way that is wider than the driving surface of a road.

The additional right of way behind curbs is intended for utilities, sidewalks, fire hydrants, future widening of roads, and snow storage. With higher costs of snow hauling, plowback behind curbs has become mandatory. An object placed inside this additional right of way not only hinders snow removal operations, but also presents hazards to the operator and equipment. We have numerous injuries to operators every year resulting from a sudden stop after hitting a solid object behind a curb. Municipal employees have been injured seriously and placed on permanent disability. Many dollars are also spent repairing equipment after striking these objects. One 6-inch rock from a rock garden can put a \$125,000 snow blower in the shop for a week or more.

If any object resting behind a street curb or road shoulder is damaged by municipal street maintenance equipment, first check the following items to see if you have a valid claim.

- Check the total right of way width
- Check the road width

If road width is less than right of way width, in most probability your property line is a few feet in back of the street curb. The width of most constructed residential streets in Anchorage averages 26-32 feet; the right of way width averages 50-60 feet. This means that the property line is at least 10 feet in back of the street curb or shoulder of the road. Also, check your lot depth and know where your rear property line is. Measure that distance from your rear property line toward the street. A check of your asbuilt survey, usually provided during closing procedures, is a great help.

If your landscaping rocks, rock garden, fence, retaining wall, basketball stand, or shrubbery is next to or close to the curb, and the right of way extends 10 feet or so behind the curb, then you may be encroaching into a public right of way and in violation of municipal ordinances.

The Municipality of Anchorage will not repair objects damaged inside the right of way. Objects inside the right of way deemed a hazard to snow removal operations must be removed completely as provided by Anchorage Municipal Code Title 24.90.030. Additionally, property owners that have placed illegal encroachments into the right of way may be liable for all injuries to operators and damage to equipment and subject to legal action.

For information regarding right of way width of your street or any questions regarding this information, please call 343-8240. **Instruction and check list on reverse.**

Instructions and Check List

To properly process your request for an Encroachment Permit or Letter of Non Objection, we need certain information to evaluate your application. Please provide the following documentation or annotate the documents with the additional information:

1. One copy of the Application for Right of Way Permit with all the information filled out.
2. One copy of the most recent property as-built survey or plot plan.
3. Show location of the encroachment (fence, wall, building, shed, etc.) on the site plan or as-built survey.
4. Show the dimensions from the object to the property line and how far it projects into and along the right of way or easement. Also show the height above ground measuring from ground surface (grade) to bottom edge of structure.
5. Provide an accurate description of the encroachment on the Application for Right of Way Permit in the Details section. For example, you would enter "A 4.0' chain link fences encroaches 3.3' into and 20' along the Myrtle Street right of way."
6. **After notification that we are approving your request**, contact each utility company that services your area. Provide them a copy of your plans/as-built so they may prepare a letter of non-objection to your encroachment(s). You are required to obtain the letters from the utility companies even though you think they may not have facilities on your property. Each company evaluates their own past, present and future requirements for your area. **Do not obtain letters of non-objection until you receive notification from the Right of Way Division that your application for the Letter of Non-objection has been approved.**
7. Provide to the Right of Way Section one copy of each letter of non-objection from the utility companies below. Please submit letters as a group and not individually. The utility letters must be addressed to the current property owner and must fully address the encroachment as described on your application form.

CHECKLIST FOR UTILITY COMPANIES LETTERS OF NON-OBJECTION

Anchorage Water & Wastewater Utility 3000 Arctic Boulevard Anchorage, AK 99507 Contact: Planning Section Phone: 564-2739 Fax: 562-0824	Alaska Communications Systems 600 Telephone Avenue (physical) 600 Telephone Ave, MS 14 (mail) Anchorage, AK 959507 Contact: Larry Smith Phone: 564-1812 Fax: 561-8356	Matanuska Electric Association, Inc. P.O. Box 2929 Palmer, AK 99654 Contact: ROW Department Phone: 745-3231 Fax: 761-9322 NOTE: No Letters issued for fence, moveable structures in any location or improvements that is located within a roadway
Chugach Electric Association, Inc. 5601 Electron Drive Anchorage, AK 99518, <u>or</u> PO Box 196300 Anchorage, AK 99519-6300 Contact: Land Services Department Phone: 762-4781 Fax: 762-4852	GCI 5151 Fairbanks Street Anchorage, AK 99503 Contact: Gloria Lorah, Specialist Outside Plant Support Phone: 868-8583 Fax: 868-5384	Matanuska Telephone Association PO Box 3550 Palmer, AK 99645 Contact: ROW Section Phone 1-800-746-9510 Fax 761-2652
Municipal Light & Power 1200 East 1 st Avenue Anchorage, AK 99501 Contact: Ed Bernard or Deb Smugala Phone: 263-5247 Fax: 263-5804	ENSTAR Natural PO Box 190288 Anchorage, AK 99519 Contact: Right of Way Phone: 334-7753 Fax: 334-7798	