

AGENDA ITEM F. PUBLIC HEARING

5. Ordinance 2014-35; approving Diamond Willow – Fairfield Single-Family Residential (R-1) Local Option Zoning District, and amending KPB 21.46.040

STAFF REPORT

PC MEETING: November 10, 2014

Location: Parcels along Belmont Court and Lexington Court, certain parcels along the Pine Cone Way right-of-way, certain parcels along Virginia Drive, parcels along Gary Avenue, and certain parcels along Ciechanski Road.

BACKGROUND INFORMATION: A petition has been submitted by property owners of 55 parcels for the formation of an R-1, Single-Family Residential local option zoning district (LOZ), which is more than three-fourths of the 72 parcels within the proposed district. The petition requirements have been met to get the zoning request before the planning commission.

KPB 21.44.050 states that the planning commission shall recommend to the assembly approval, disapproval, or modifications of the proposed local option zoning district.

Tract A2A and lot A2, on the south end of the proposed district, are not included on this petition because they were included on another LOZ petition that has been submitted. That petition will be on the Planning Commission's December agenda. Lot 1A is not a part of either of these two petitions.

On the north end of the proposed district Tract B1, Tract B2-1, Lot B2-6, and Lot 22 are included on another LOZ petition that is still being circulated.

On the west side of the proposed district is Lot 1, J&P Subdivision and Lot 1 thru 7 of the Aurora Addition to the J&P Subdivision. The Borough currently owns the lots in the Aurora Addition. Only 2 of these lots are included in the petition. Marcus Mueller has stated that the Land Management Division takes a neutral position with respect to a local option zoning proposal that involves tax foreclosed properties.

On the south end of the map; Tract A2A, Lot C, D, & E were the subject of a Conditional Land Use Permit Application that was denied by the Planning Commission. That denial has been appealed and will be heard by the Board of Adjustments in December or January. If the permit had been approved, the applicant would have been required to submit a plat that would have combined these 4 parcels into one. The owner of that property has recently submitted that plat to the planning department. The Plat Committee should see that request in December.

Contents of the commission packet:

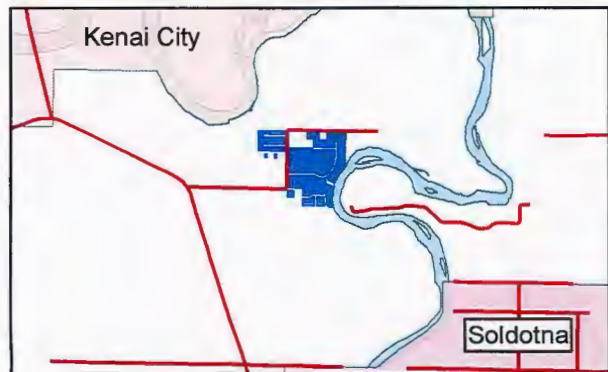
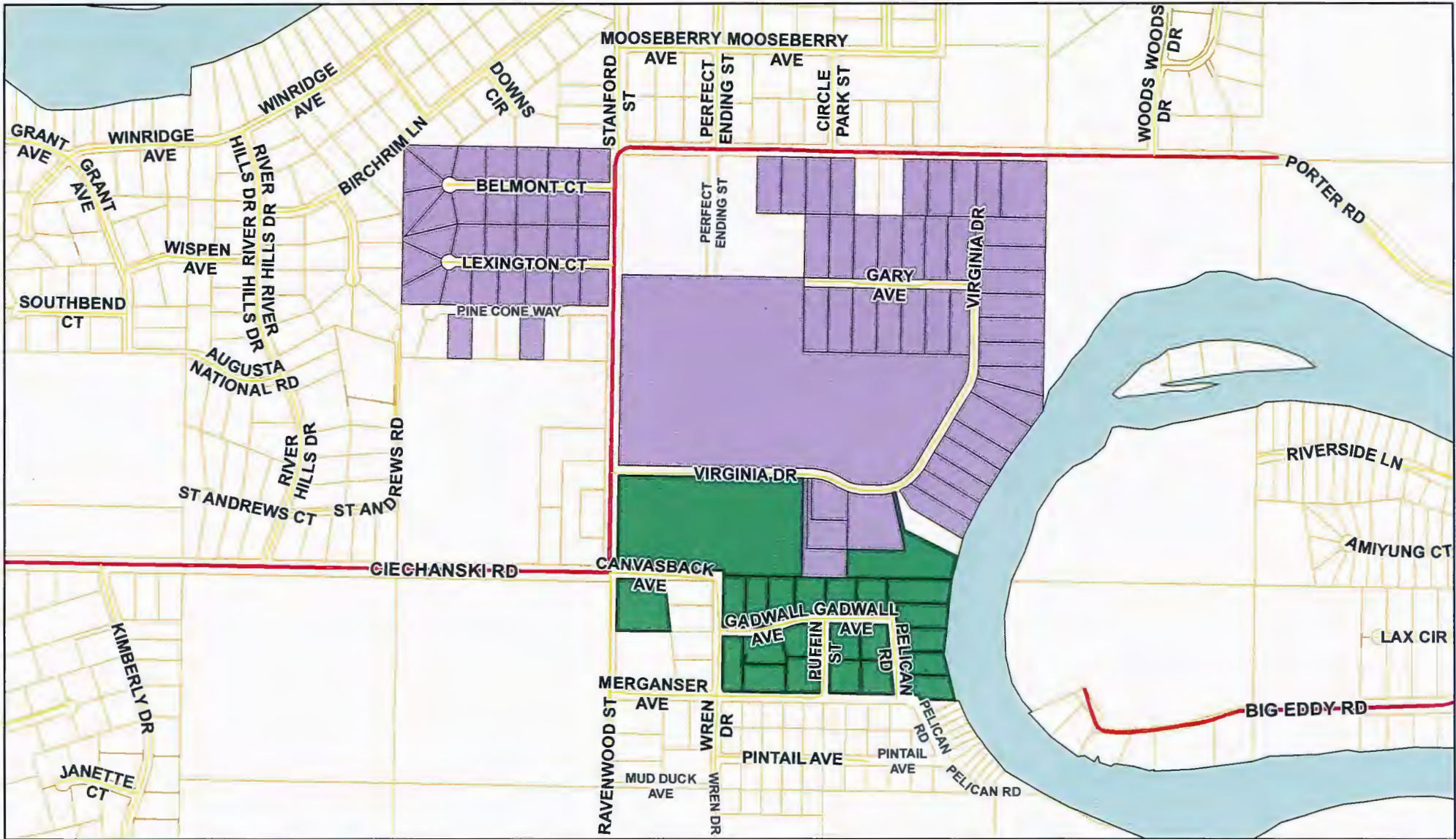
- Memo to the Assembly
- Proposed Ordinance 2014-35
- Map showing the acreage of each lot in the proposed LOZ
- Map showing the land use in the vicinity of the proposed LOZ
- Aerial photo of the proposed LOZ
- Map showing the land ownership in the vicinity of the proposed LOZ
- Map showing lots with and without the owner's signature on the petition
- Comments
- Copy of the submitted petition
- Information sheets, explaining the R-1 zone and home occupations, provided to petition signers
- Map showing the proposed Diamond Willow – Fairfield LOZ and Diamond Willow – Ravenwood LOZ

PUBLIC NOTICE: Public notice of the application was mailed on October 20, 2014 to the 140 property owners within the proposed district and within 300 feet of the boundaries of the district. Public notice of the application was published in the October 30, 2014 & November 6, 2014 issues of the Peninsula Clarion.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission hold the hearing, listen to those wishing to speak, then postpone until brought back by staff.

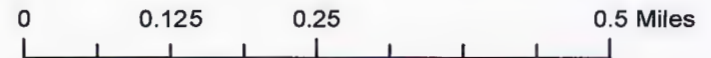
END OF STAFF REPORT

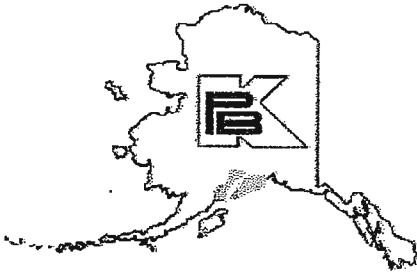


Proposed Diamond Willow - Ravenwood and Diamond Willow - Fairfield Local Option Zones

Legend

- Diamond Willow - Fairfield
- Diamond Willow - Ravenwood





KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

October 29, 2014

Planning Commission
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, AK 99669

RE: Diamond Willow-Fairfield LOZ
Tax Foreclosed Properties Held By the Kenai Peninsula Borough

Dear Planning Commissioners:

The proposed Diamond Willow-Fairfield Single Family Residential R-1 Local Option Zoning District includes several parcels that are currently owned by the Kenai Peninsula Borough as a result of tax foreclosure. Through the tax foreclosure process, it is anticipated that these parcels will be offered for sale by public auction unless sooner re-purchased by the last record owner. At this time however the parcels are held by the Kenai Peninsula Borough.

To the extent practicable, the Land Management Division takes a neutral position with respect to a local option zoning proposal that involves tax foreclosed properties.

The tax foreclosed properties involved are as follows:

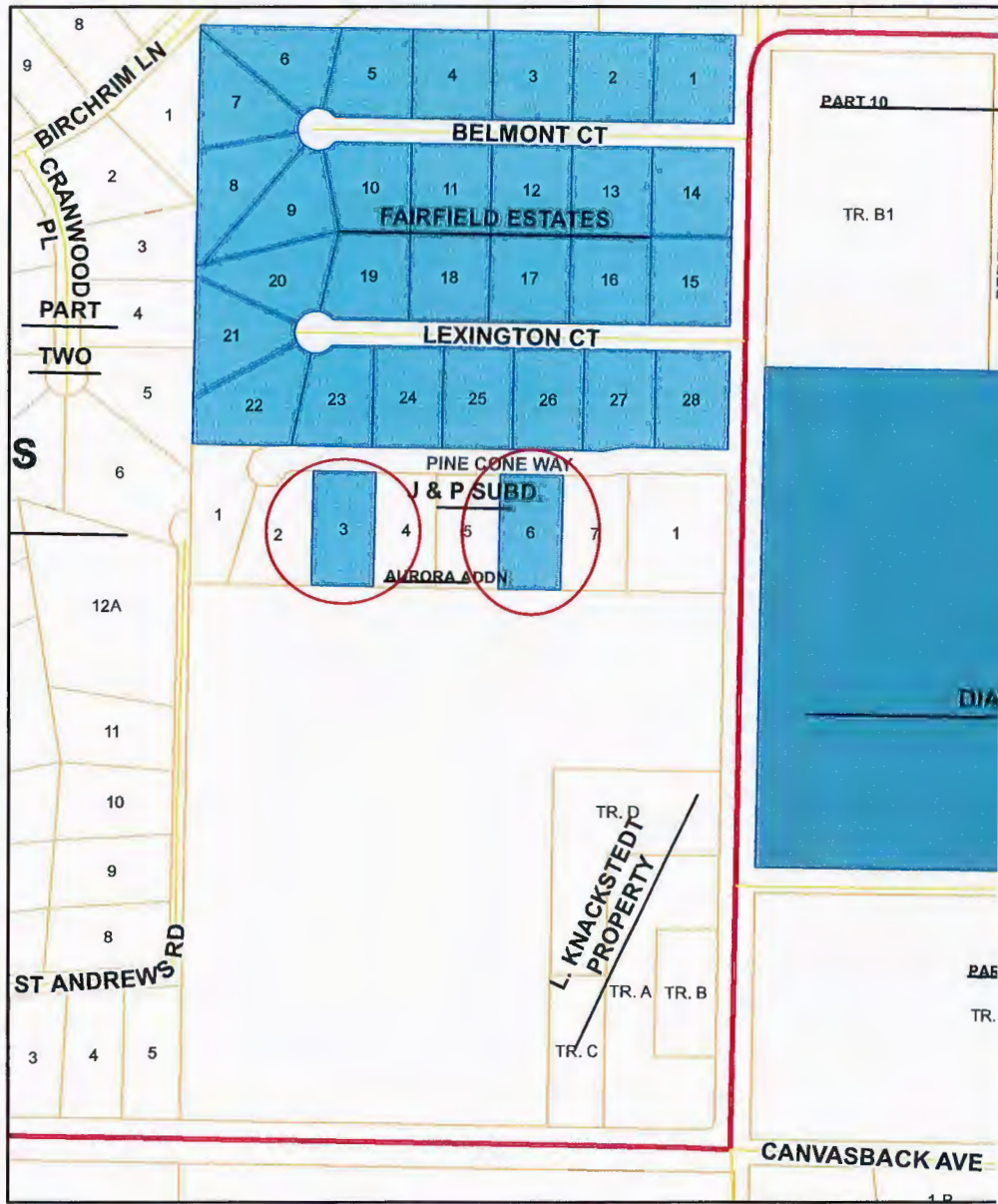
Lot 3 and 6, J and P Subdivision Aurora Addition, according to Plat 2001-21

Lot 26, Block 1, Diamond Willow Estates Subdivision Part 5, according to Plat 81-100

Land Management also notes that Lots 1, 2, 4, and 7, J and P Subdivision Aurora Addition, Plat 2001-21 are also tax foreclosed parcels and are immediately adjacent to the proposed LOZ.

Sincerely,

Marcus A. Mueller
Land Management Officer



Legend

Proposed LOZ with Lot Numbers

Proposed D

