

Introduced by: Anderson
Date: July 21, 1981
Hearing: August 18, 1981
Vote:
Action: Failed to be set for hearing

KENAI PENINSULA BOROUGH

ORDINANCE 81-84

REPEALING SECTION 20.04.040(A) OF THE BOROUGH SUBDIVISION CODE.

WHEREAS, Subsection 20.04.040(A) of the Borough Code provides that subdivisions of land into aliquot parts no one of which is less than 10 acres are approved without presentation of a plat to the Planning Commission; and

WHEREAS, this provision will result in the creation of many unnecessary access problems and boundary disputes; and

WHEREAS, Subsection 20.04.040(B) of the Borough Code allows the Planning Commission to waive the submission of a final plat under certain circumstances and that this provision is sufficient to protect the interests of those potential subdividers who would be subjected to exceptional hardships by operation of the platting requirement; and

WHEREAS, Subsection 20.04.040(A) has been challenged before the Superior Court in a pending action; and

WHEREAS, it is in the best interests of the Borough and its citizens to provide accurate and clear land division records through the filing of subdivision plats, and to avoid future disputes regarding access to lands which are subdivided without providing for road frontage;

NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That Subsection 20.04.040(A) of the Borough Code is repealed.

Section 2. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH ON THIS _____ day of _____, 1981.

Paul Fischer, Assembly President

ATTEST:

Borough Clerk