

M E M O R A N D U M

TO: Grace Merkes, Assembly President
Members of the Kenai Peninsula Borough Assembly

THRU: John J. Williams, Borough Mayor
Max Best, Planning Director

FROM: Crista Hippchen, Planner

DATE: October 1, 2008

RE: Ordinance 2008-30 Approving Funny River Grove Local Option Zoning District as Single Family Residential (R-1), and Amending KPB Chapter 21.46.040

On July 23, 2008, the Planning Department received a petition from Arvind & Dipali Phukan and Bruce & Nola Sharkey requesting the formation of a Single Family Residential (R-1) Local Option Zoning District (LOZ). The petitioners have received preliminary plat approval for property in the Funny River area. The proposed LOZ would include all lots in the Funny River Grove Subdivision, of which the petitioners are currently the sole property owners. The petition and a letter from the petitioners are attached. Public notice of the proposed LOZ was distributed pursuant to KPB 21.44.050 and a copy of the public notice is also attached.

Pursuant to KPB 21.44, property owners may petition the assembly for greater restriction on land use than otherwise provided in KPB Code. Furthermore, the proposed LOZ is consistent with Goal 6.5 of the KPB Comprehensive Plan, which is to maintain the freedom of property owners in rural areas of the borough to make decisions and control use of their private land. The accompanying map shows the proposed R-1 LOZ district, and the accompanying plat depicts the lots to be included within the LOZ boundary. The local option zoning applies to any further replats of Funny River Grove Subdivision.