

Assembly Acts As 'Board of Adjustment' In Zoning Appeal

Friday, 25 January 2013

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Brianna Gibbs/KMXT

The Kodiak Island Borough Assembly acted under a different name during a portion of last Thursday's regular meeting. Toward the end of the meeting, the assembly took on the role of the board of adjustment to hear an appeal from borough resident William Wren. The planning and zoning commission had approved an RV park on Wren's land in Middle Bay, but the approval was subject to certain stipulations. Wren's appeal was to overturn those stipulations. Duane Dvorak is an associate planner for the community development department with the borough and spoke on behalf of planning and zoning during the hearing. He said the commission's decision to allow the park was an "after the fact" approval because Wren is already allowing RV use on his property.

-- (Land Appeal 1 :30 "Staff was not inherently...fully self-contained RVs.")

Dvorak said Wren's property is zoned industrial, and the commission considers RV parks as residential. He said the commission agreed to allow that on industrial land, but another stipulation was limiting future industrial use if the park remained. Dvorak said Wren's land has also come up as the proposed location for the Class A composting facility the city is looking into, but said nothing has coming through planning and zoning as far as permits and compliance for that use.

-- (Land Appeal 2 :32 "Applicant is prohibited from... use or for this use.")

zones permit sewage treatment plants, which means the composting facility would be allowed under that classification, but not alongside a residential use RV park.

-- (Land Appeal 3 :45 "There was some talk about … any sense out of that.”)

In Wren's case, a complaint about the land use was made by his neighbor, Todd Hiner. During his appeal, Wren said he makes his living off the property and would like to continue to do so.

-- (Land Appeal 4 :31 "And I would just like to say … think that they don't.”)

In the end, the board of adjustments sided with the decision made by the planning and zoning commission requiring Wren to meet the stipulations of the code before allowing RV use. Wren has 30 days from that meeting to file an appeal with the superior court. Jack Maker is an enforcement officer with the borough and said the borough will wait until the 30 day period has lapsed before checking Wren's property for compliance. If Wren does not meet the conditions of the RV park, he will be asked to vacate the land of current RVs until the requirements are met.

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