

WASILLA CITY COUNCIL INFORMATION MEMORANDUM

IM No. 01- 68

SUBJECT: Reduction of Side and Rear Yard Setbacks

REQUESTED BY: Wasilla Planning Commission

PREPARED BY: Planning Staff

DATE: September 14, 2001

FOR AGENDA OF: September 24, 2001

SUMMARY:

Wasilla Municipal Code (WMC) § 16.24.030 establishes minimum side and rear yard setbacks for property in residential zoning districts. Several properties in the residential zoning districts have violated the minimum setback requirements. This ordinance will allow for a lesser setback, only if the adjoining neighboring property owner(s) agree to the lesser setback.

A common complaint of developers (land owners/contractors/design professionals) is that they are unaware that we have land use and set back requirements. Some property owners decide not to pursue a land use permit. Others hear that we don't have building codes, so they misconstrue this to mean that we don't have land use and setback requirements. Some developers have also accidentally built their property too close to the property lines or the property corner was improperly located.

Setbacks in Wasilla have existed since July of 1973. The Matanuska-Susitna Borough (MSB) and the City of Wasilla has periodically modified these requirements over the last few decades. On August 8, 1983, the City of Wasilla officially adopted its first land use ordinance, which also included setback requirements.

The MSB has been advertising for over thirteen (13) years inside the front cover of our local phone directory which resides in almost every household that permits may be required. It further informs the public this includes development within Wasilla. The MSB also frequently publishes the need for permits in the Frontiersman. A copy of the MSB public notice that is in our local phone directory is attached.

Should an adjacent property owner not consent for this reduction it could mean that the City of Wasilla may have the obligation to pursue code enforcement actions under requirements of section 16.08.090 of Wasilla Municipal Code.

The Wasilla Planning Commission recommends this ordinance be forwarded to the Wasilla City Council for consideration.

The proposed ordinance would have a sunset clause that construction must have been completed no later than September 1, 2001.


FISCAL IMPACT: No Yes, amount requested: \$ _____ Fund: _____

RECOMMENDED ACTION:

The Wasilla Planning Commission recommends the approval of Ordinance Serial Number 01-48. The city administration and city attorney recommends should Council be in favor of reductions, there should be a sunset date included in the proposed ordinance. This is why the ordinance is replaced with Ordinance Serial Number 01-48 (SUB).

MAYOR REVIEW/COMMENT:

on the table for discussion



Reviewed by: SARAH PALIN, Mayor

Attachments:

Ordinance Serial Number 01-48(SUB)
Page 43 MTA Phone Directory

Matanuska-Susitna

your Borough offices and regulations



CODE COMPLIANCE DIVISION

Planning and Land Use Department

350 East Dahlia Avenue, Palmer, Alaska 99645-6488

Attention: Property Owners, Builders, Businessmen, Developers, Real Estate Professionals, and Recreation Users

Zoning, Land Use, and Building Regulations DO Exist in the Matanuska-Susitna Borough.

Be advised that permits may be required.

All development of land in the Matanuska-Susitna Borough is subject to MSB T7.01 Acknowledgment of Existing Land Use Regulations. Developers and land owners are responsible for knowing the rules. If you plan to start, or are now conducting, any of the following land use activities, those activities must comply with Borough regulations.

Land Use
Racetracks
Tall Structures
Subdividing Land
Special Events
Mobile Home Parks
Adult-Oriented Businesses
Public Display of Fireworks
Storing Junk and Trash
Establishments that sell Liquor

Developing Land in Flood Hazard Areas
Community Correctional Residential Centers
Use of Lakes, Creeks and other Waterbodies

Auto Salvage Yards, Junkyards, and Refuse Areas

Development within any Special Land Use District

Development in the cities of Houston, Palmer, and Wasilla

Development within designated Residential Land Use Districts

Development within Designated Single-Family Residential Land use districts

Building structures near Lot Lines, Public Easements, Right-of-Ways, or near a Shoreline and,

Use or occupancy of Borough-owned land, including but not limited to: clearing right-of-ways, cutting trees, mining or prospecting, crossing with motorized vehicles, camping, shooting, storing materials or equipment.

Borough staff is available to assist you in determining which Borough regulations apply to your activity and help you comply with those laws. In order to save time and money, and prevent problems with your neighbors or the Borough, please contact:

Matanuska-Susitna Borough
Code Compliance Division
350 East Dahlia Avenue
Palmer, Alaska 99645-6488

Phone: (907) 745-9853 Fax: (907) 745-9876, or

email us at ccb@msb.co.mat-su.ak.us

You can visit the borough website at www.co.mat-su.ak.us