

## RESOLUTION 2021-06

### A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION

**Conditionally approving the preliminary plat application for D2 Subdivision, the property located Lot 7B Stradivarius Subdivision within NW 1/4, Section 2, Township 13 South, Range 56 West Seward Meridian, Dillingham, Alaska**

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WHEREAS, the subdivision of real property within the City of Dillingham must be approved by the designated platting authority as required in AS 29.40.080; and

WHEREAS, the Dillingham Planning Commission is the designated platting authority to administer preliminary plat approval as established in DMC 17.03.020; and

WHEREAS, Melissa and Gabriel Dunham own the property located Lot 7B Stradivarius Subdivision within NW 1/4, Section 2, Township 13 South, Range 56 West, Seward Meridian, and have submitted an application to subdivide their property into two lots; and

WHEREAS, there was a public hearing held on this preliminary plat on June 15, 2021; and

WHEREAS, the Planning Commission determined that the preliminary plat conformed with the requirements of Dillingham Municipal Code, Title 17, except a required change to the Conditions, Covenants and Restrictions (CCRs) of the parent lot (Lot 7) as part of the Lars D Nelson Subdivision permitting more than one subdivision; and

WHEREAS, the CCRs run with the land and remain in full force from the date of recording, June 6, 1981; and

WHEREAS, a search of the DNR Recorder's Office website turned up no records of Item 5 in the CCRs being changed to allow further subdivision; and

WHEREAS, the Planning Commission further determined that the subdivision application met the criteria to be an abbreviated plat, requiring administrative final plat approval by the Planning Director; and

WHEREAS, none of the newly-created lots may be transferred until a preliminary plat has been prepared and received final approval; and

WHEREAS, the preliminary approval of a subdivision is effective for one year, provided the planning director may grant one-year extensions for filing the final plat, not to exceed three years after approval of the preliminary plat.

NOW THEREFORE, BE IT RESOLVED that the City of Dillingham Planning Commission conditionally approves the preliminary plat of the D2 Subdivision, provided the following requirements are met:

- 1) A recorded instrument signed by the majority of the current recorded owners of the lots within the Lars D. Nelson Subdivision, approving a change to Item 5 in the CCRs indicating each of the original lots may be subdivided more than one time, thus allowing a subdivision of lot 7B, be received by the Planning Department.

APPROVED and ADOPTED by a duly constituted quorum of the Dillingham Planning Commission on this 15<sup>th</sup> day of June, 2021.

Kaleb Westfall, Chair	Cynthia Rogers, Planning Director