

**MUNICIPALITY OF ANCHORAGE  
COMMUNITY DEVELOPMENT DEPARTMENT RESOLUTION TO REGISTER A  
NONCONFORMING LOT OF RECORD CREATED PRIOR  
TO SEPTEMBER 16, 1975  
RESOLUTION NO. 2015-001**

**A RESOLUTION TO REGISTER A NONCONFORMING LOT OF RECORD CREATED PRIOR TO SEPTEMBER 16, 1975, LEGALLY DESCRIBED AS: THE EAST 110 FEET OF THE WEST 220 FEET OF GOVERNMENT LOT 133, OF SECTION 18, TOWNSHIP 15 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA; LOCATED IN THE ANCHORAGE RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.**

(Case 2014-0208; Tax ID No. 051-231-32-000)

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WHEREAS, a request was received from Emmet Heidemann to have the portion of the land legally described beginning as: The East 110 feet of the West 220 feet of Government Lot 133, of Section 18, Township 15 North, Range 1 West, Seward Meridian, Alaska; located in the Anchorage Recording District, Third Judicial District, State of Alaska; registered as a nonconforming lot of record in accordance with Anchorage Municipal Code (AMC) 21.12.050C.

NOW, THEREFORE, BE IT RESOLVED by the Director of the Community Development Department that:

- A. The Director makes the following findings of fact:
1. **March 30, 1953:** Territorial legislature passes the Platting Act (Chapter 115, Session Laws of Alaska 1953.) The city planning commission or city council is designated as the platting authority. Plats are required for subdivisions of five (5) lots or more.
  2. **March 25, 1955:** Territorial law was amended to require plats for two or more lots (§ 3, Ch. 95, SLA 1955.)
  3. The US Department of Interior, Bureau of Land Management approved a plat from May 31, 1917 and accepted the resurvey on **May 13, 1955**, that created Lot 133, (2.5 acres), in Township 15 North, Range 1 West, of Section 18.
  4. Warranty Deed, dated recorded October 22, 1964 (Book 290, Page 202 ) created the East 110 feet of the West 220 feet of Government Lot 133, of Section 18, Township 15 North, Range 1 West.
  5. **November 20, 1965:** The property was zoned R-6 (suburban large lot residential) district. The property was designated CE-R-6 (low-density residential) district on **January 1, 2014** with the enactment of "new" title 21.

6. An as-built survey by Duane Mark Seward, Registered Land Surveyor, dated **October 16, 2014**, shows the existing 12' X 46' mobile home with the attached porch and attached 23.6' X 26.0' building to the mobile home. North of the mobile home near the center of the lot is a 11.9' X 30.7' shed with an attached canopy being used as a carport. Next to the mobile home near the east property line are two shed less than 100 square feet each. A gravel driveway provides access to the mobile home and the shed with a canopy.
7. A nonconforming determination, dated **November 26, 2014**, by Bob Gray, Land Use Plan Review, granted nonconforming rights for the mobile home located on the property. The lot has legal nonconforming rights for area and width. The lot does not meet the minimum area and width standards for an R-6 lot. In addition, it was determined that the lot was created without the required plat. The lot is conforming to the CE-R-1A (single-family, larger lot residential) district. The letter indicated that the owner is to obtain legalization of lots created prior to **September 16, 1975**.
8. AMC 21.12.050C. (Legalization of lots created prior to September 16, 1975) allows for the following:
  1. Lots existing prior to September 16, 1975 , that do not meet the district requirements for minimum area and/or width, and that were not created in accordance with the regulations of the federal, state. Or municipal government, may continue in existence provided the following requirements are met:
    - a. An application for the registration of a nonconforming lot is submitted to the Department; and
    - b. The lot is determined to be sufficient in size to allow construction of a structure and comply with associated district-specific, dimensional, and development and design standards such as setbacks, parking, landscaping, etc.

The Director determines that the lot is sufficient in size to allow construction of a structure and that the associated zoning district and supplementary district standards as it relates to setbacks, parking, landscaping, useable yard area, etc., can be met.

B. The Community Development Director approves the nonconforming lot request subject to the following conditions of approval:

1. A notice of zoning action shall be filed with the State of Alaska Recorder's Office. Proof of such shall be submitted to the Planning Division.

APPROVED by the Community Development Director this 13th day of January,  
2014.



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Jerry T. Weaver Jr.  
Community Development Director