

Bond Case Briefs

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ZONING - ALASKA

Twedy v. Matanuska-Susitna Borough Bd. of Adjustment and Appeals

Supreme Court of Alaska - August 15, 2014 - P.3d - 2014 WL 3973529

Property purchaser sought review of borough board of adjustment appeals' decision denying exemption from borough's setback requirement. The Superior Court affirmed. Purchaser appealed.

The Supreme Court of Alaska held that:

- Zoning ordinance creating a 75-foot setback from shoreline applied to property at the time exterior stairwell was constructed;
- Ordinance did not violate property owner's substantive due process rights;
- Enforcement of ordinance did not constitute a taking; and
- Stairwell was not exempt from setback requirement.