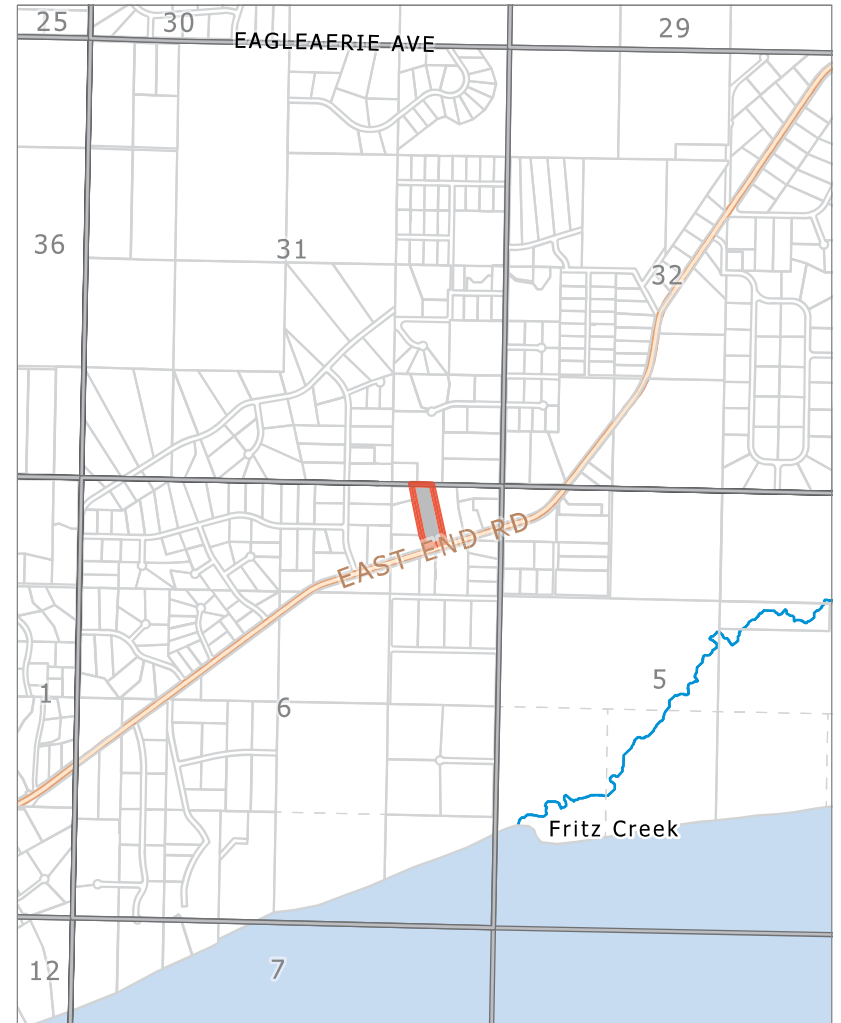


E. NEW BUSINESS

- 3. Nowag Tract Sigler Addition; KPB File 2024-043**
Peninsula Surveying, LLC / Sigler
Location: East End Road
Fritz Creek Area / Kachemak Bay APC



KPB File 2024-043
T 06S R 12W SEC 06
Fritz Creek

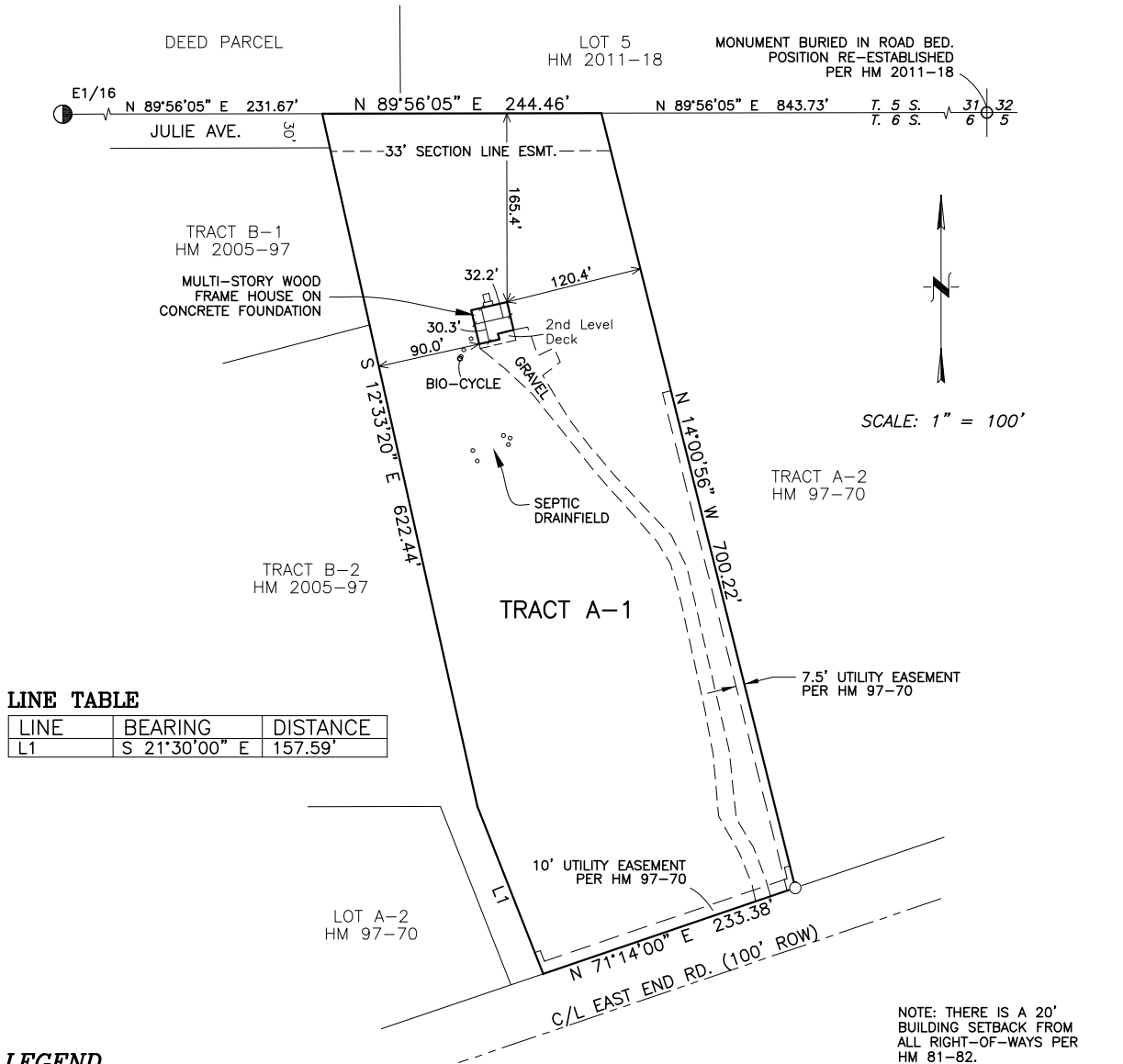


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

JOB #2023-18
PREPARED FOR:
WEISSER HOMES, LLC
PO BOX 2913
HOMER, ALASKA 99603

NOTES:

1. BASIS OF BEARING FOR THIS ASBUILT SURVEY IS PER THE PLAT OF NOWAG TRACTS NO. 2 (HM 97-70).
2. THIS ASBUILT SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THAT WHICH WOULD GIVE A GRAPHIC REPRESENTATION OF THE LOCATION OF IMPROVEMENTS ON THIS LOT. UNDER NO CIRCUMSTANCE SHOULD THE LOCATION OF FUTURE IMPROVEMENTS BE BASED ON THIS DRAWING.
3. IT IS THE RESPONSIBILITY OF THE OWNER TO DETERMINE THE EXISTENCE OF ANY EASEMENTS, RESERVATIONS OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT.



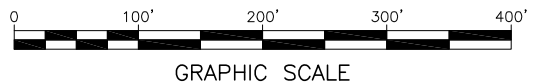
LEGEND

- INDICATES 2-1/2" BRASS CAP MONUMENT (1301-S, 1973) RECOVERED THIS SURVEY
- INDICATES 2" ALUMINUM CAP RECOVERED THIS SURVEY (5780-S 1997)
- INDICATES 4" PVC OR ABS PIPE

I HEREBY CERTIFY THAT TRACT A-1, NOWAG TRACTS NO. 2 (HM 97-70) HAS BEEN SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE IMPROVEMENTS SITUATED THEREON DO NOT ENCROACH ON ADJACENT PROPERTY, THAT IMPROVEMENTS ON ADJACENT PROPERTY DO NOT ENCROACH ON THE SURVEYED PREMISES, AND THAT THERE ARE NO POWER LINES, TRANSMISSION LINES OR OTHER VISIBLE EASEMENTS OR RIGHTS OF WAY EXCEPT AS SHOWN.



4/14/2023



ASBUILT SURVEY

TRACT A-1
NOWAG TRACTS NO. 2
97-70
(HOMER RECORDING DISTRICT)

GEOVERA, LLC
PO BOX 3235
HOMER, ALASKA 99603

DATE: 4/14/2023

SCALE: 1" = 100'

JOB #2023-18

DRAWN BY: SCS

AGENDA ITEM E. NEW BUSINESS

**ITEM #3 - PRELIMINARY PLAT
NOWAG TRACTS SIGLER ADDITION**

KPB File No.	2024-043
Plat Committee Meeting:	May 13, 2024
Applicant / Owner:	Gray and Barbara Sigler of Homer AK
Surveyor:	Jason Schollenberg / Peninsula Land Surveys
General Location:	East End Rd Milepost 6 Kachemak Bay APC

Parent Parcel No.:	174-330-30
Legal Description:	Tract A-1 Nowag Tracts No 2 HM97-70
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	onsite
Exception Request	none

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 4.161 acre parcel into three lots having sizes of 0.820 acres, 1.000 acres and 1.630 acres and a cul-de-sac dedication.

Location and Legal Access (existing and proposed):

The plat is located on East End Road just past milepost 6 on the highway system. The plat is proposing to dedicate a short cul-de-sac for access to all three lots. The cul-de-sac is to be named Johnna Circle which has been approved by the Addressing Department. The RSA Director had a concern about the location of the cul-de-sac being on the opposite side from the access for the property to the west, but that road is following the existing driveway to an existing house on the property.

There is a 33' section line easement on the north side of the plat. this is adjacent to a dedication of Julie Avenue on the west, which is the only dedication of said road and only runs for 238 feet with no developed road in it. A request for dedication is not being done and ***Staff recommends*** the Plat Committee concur that an exception is not needed. If necessary, utilization of the section line easement for the extension of Julie Ave can be done as necessary.

With the addition of the cul-de-sac by this plat, the block length has been reduced to be made a more compliant distance between road breaks on the north side of East End Road. Currently, from Fernwood Drive to Sibson Drive the distance is 1800 feet, Fernwood Drive to Johnna Circle will be 1100 feet.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA objection. However, the area would appear to be better served by an overlapping dedication on the western boundary of the property. Access is already partially developed along the line and surrounding residents may be mutually benefited by potential RSA maintenance acceptance. Additionally, permitting for highway access through AK DOT can be challenging.
SOA DOT comments	

Site Investigation:

There is a structure located on the property. An asbuilt was included in the certificate to plat and has been included

in the packet. When the plat is completed, the structure will be located on proposed Lot 3.

There are no steep areas located on the plat. The terrain of the property is at a slope of 7% going from the northwest corner of the property to the southeast corner of the property. Contours were not given and the slope was observed from KPB GIS data.

According to KPB data there are wetlands on this property. The property is split between two types, being Discharge Slope and Wetland / Upland Complex, according to KPB data. Per River Center review, the plat is not in a FEMA designated flood hazard area, floodway or habitat protection district. **Staff recommends:** *place a note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination, if applicable.*

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish and Game	

Staff Analysis

Originally, the plat was an aliquot part of the NE1/4 NE1/4 of Section 6, Township 6 South, Range 12 West, Homer Recording District, SM, Alaska. Nowag Tracts Plat 81-82 subdivided Tract 4 of Caroline Subdivision Plat 74-1199 HRD and the N1/2 NE1/4 NE1/4 into Tracts A, B & C. Nowag Tracts No. 2 Plat 97-70 HRD subdivided Tract A of Plat 81-82 HRD into four new tracts. This platting action is dividing Tract A-1 of the subdivision into 3 parcels.

A soils report from the parent plat has been submitted for this plat and is enough to fulfill requirements of submittal. The surveyor should verify that the new system shown on the asbuilt will remain on Lot 3 and meet requirements of ADEC setback limits to property lines as the asbuilt supplied looks close to the proposed division.

Notice of the proposed plat was mailed to the beneficial interest holder on April 17, 2024. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The plat is located in the Kachemak Bay Advisory Planning Commission area, but the APC is not meeting at this time due to not enough participants to make a quorum.

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

Utility Easements

There is a utility easement shown on the east line of the plat carried forward from the parent plat. The easement falls within the limits of the cul-de-sac.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	No comment
ENSTAR	
ACS	
GCI	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 57466 EAST END RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: EAST END RD, JULIE AVE</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: Yes</p> <p>List of Approved Street Names: JOHNNA CIR</p> <p>List of Street Names Denied:</p> <p>Comments: 57466 EAST END RD WILL BE DELETED AND NEW ADDRESS ASSIGNED UPON OWNER REQUEST.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS
Plat notes

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.
- Staff recommendation:**
The KPB File number is 2024-043
In the legal description, Lot A-1 should be corrected to Tract A-1
According to the Assessor information, the mailing address for the owners is: PO Box 1235, Homer
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation:
The length on the cul-de-sac on the east should be 453.85'
- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation:
Tract to the south should be HM 74-1199. It is also in the process of being subdivided. Prior to finalizing and recording this plat, the status of that lot should be verified for change of information. Lot A-2 to the east should be changed to Tract A-2.
- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;
Staff recommendation:
The plat is split between two designated wetland types: Discharge slope and Wetland/Upland Complex. Neither are shown or indicated on the drawing and they should be.

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

20.30.240. Building setbacks.

- A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.
- A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.
- B. The setback shall be noted on the plat in the following format:
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

- C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

Staff recommendation:

20' setback along East End Road is per 97-70 and should be noted.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.010. Preparation requirements generally. The final plat shall be prepared in accordance with this chapter and the preliminary plat as approved. Information required for the preliminary plat by KPB 20.25.070 shall be included on the final plat except that the information required by KPB 20.25.070 (K) - (N) shall not be included. The approximate dimensions required by KPB 20.25.070(J) shall be **replaced with accurate** dimensions as required by KPB 20.60.110 and KPB 20. 60.120. If the final plat contains only a portion of the preliminary plat, it must comply with KPB 20.25.110(B).

Staff recommendation: comply with 20.60.010.

20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: comply with 20.60.110.

Show survey data

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: *Place the following notes on the plat.*

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

Add a Certificate of Acceptance with dedication to the Kenai Peninsula Borough for Johnna Circle

Add the date of May 13, 2024 to the Plat Approval

20.60.200. Survey and monumentation.

Staff recommendation: *comply with 20.60.200*

Show found and set monuments

Show survey data

Tie to GLO / BLM monuments

RECOMMENDATION:

SUBJECT TO STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

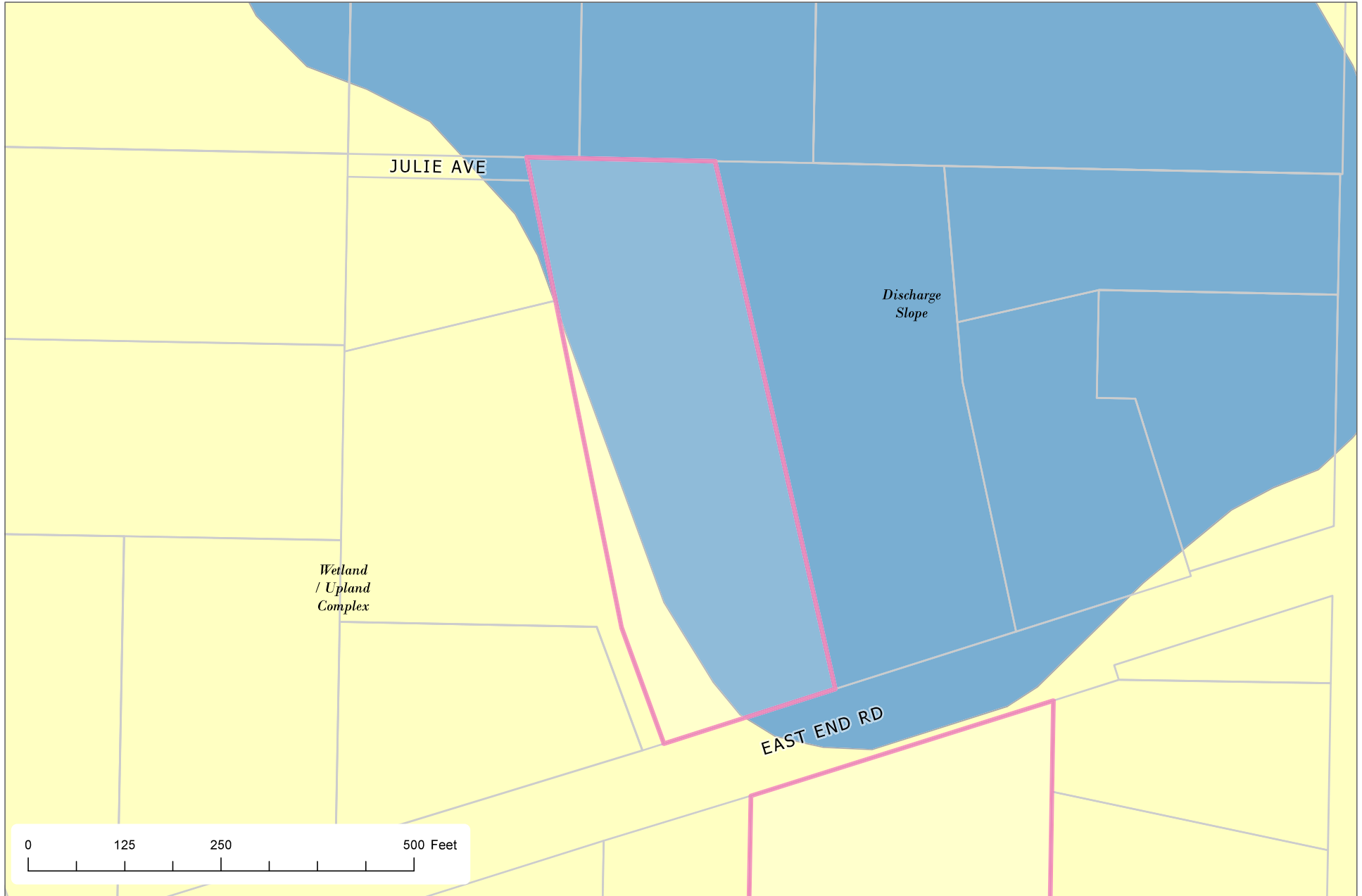
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

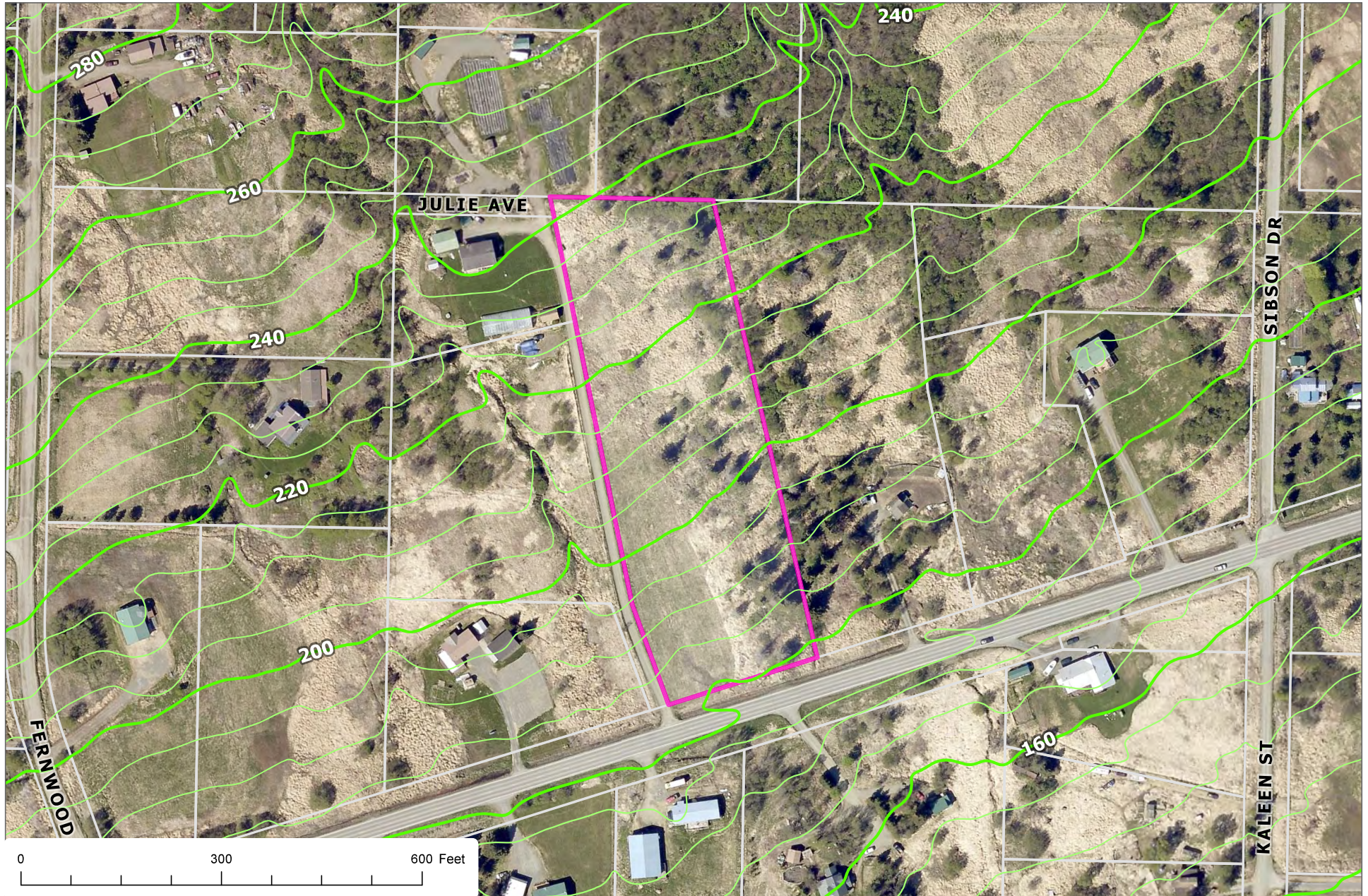
END OF STAFF REPORT



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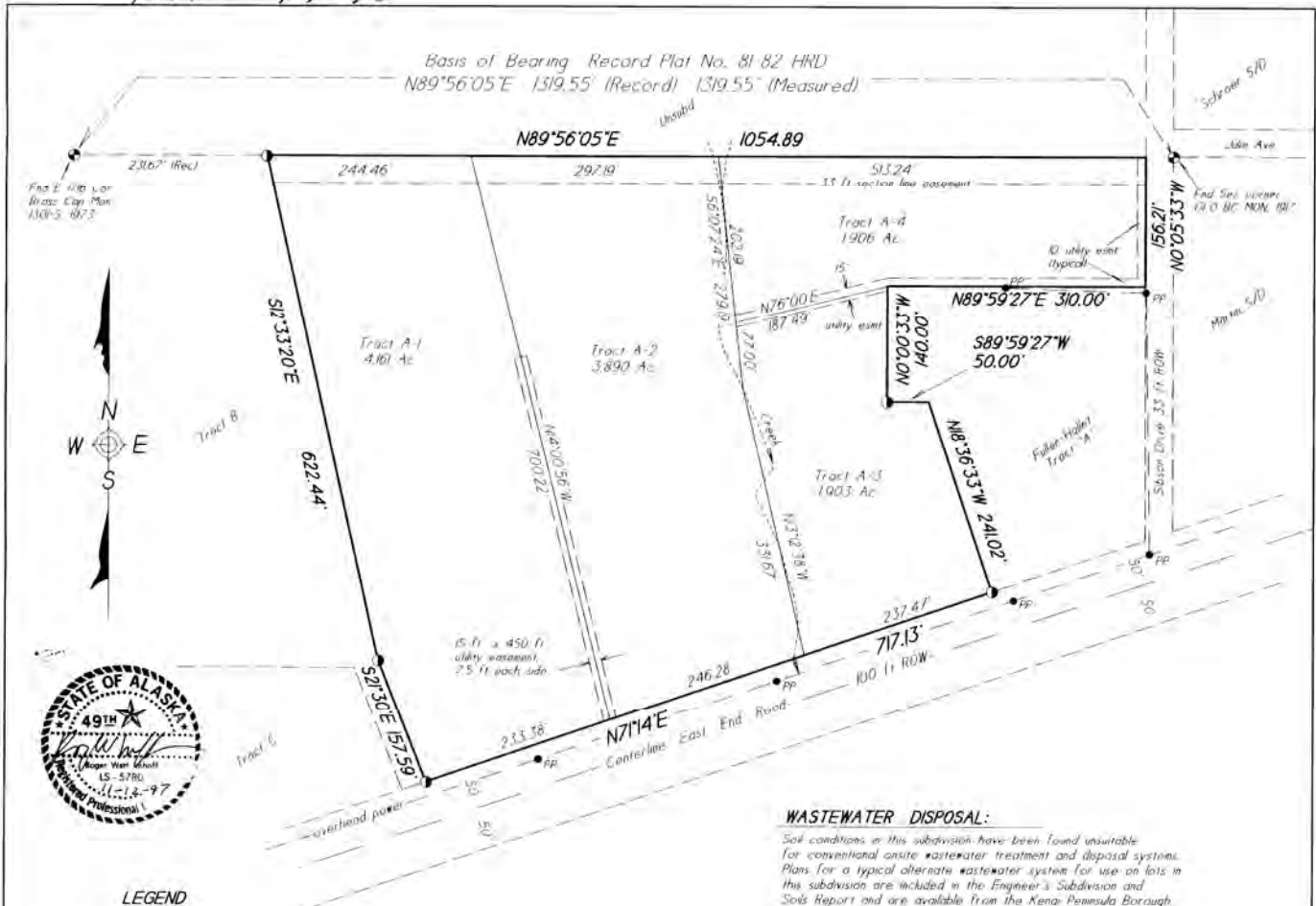


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HM- 97-70



LEGEND

- End monument of record (Plat No. 81-82 HRD)
- End 1/2\" steel rebar with yellow plastic survey cap, 3/8\" x 5\", 1981; Plat No. 81-82

NOTES

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission.
- The front 10 ft. and the entire building setback within 5 ft. of side lot lines is also a utility easement.
- Existing overhead powerlines are centerline of a 20 ft. wide electrical distribution easement.
- An easement was granted to HEA as shown in B-49 P.102. No definite location is given.
- No access to State maintained rights-of-way permitted unless approved by State of Alaska Department of Transportation.
- Set 2\" self identifying Aluminum cap on 5/8\" x 36\" long steel rebar at all lot corners unless noted otherwise.
- The location of East End Road is based on Record Plat No. 81-82 HRD.

OWNERSHIP CERTIFICATE

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

We further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this subdivision or require signature and approval of the beneficiary.

Richard Synhorst 11-12-97 Nancy Synhorst 11-12-97
 Richard Synhorst Date Nancy Synhorst Date
 64132 Sheep Drive Richard Synhorst
 Homer AK 99603

Notary's Acknowledgment
 Subscribed and sworn to me before on this 12 day of November 1997
 For RICHARD SYNHORST INDIVIDUALLY AND AS ATTORNEY IN FACT FOR NANCY SYNHORST
 Notary Public for Alaska Mary Ann Rowe
 My Commission Expires 7-30-98



97-70
 RECORDED - FILED
 11/29/97
 Nov 11 1997
 Roger Imhoff, RLS
 PO Box 2586
 Homer AK 99603

WASTEWATER DISPOSAL:

Soil conditions in this subdivision have been found unsuitable for conventional onsite wastewater treatment and disposal systems. Plans for a typical alternate wastewater system for use on lots in this subdivision are included in the Engineer's Subdivision and Soils Report and are available from the Kenai Peninsula Borough. All alternate onsite wastewater treatment and disposal systems must be designed by a professional engineer registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation prior to construction.

SAM Yone CE 1863 18 Nov 97
 Engineer License No. Date

SURVEYORS CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

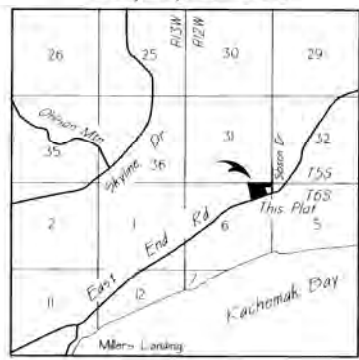
Nov 12, 1997 Roger Imhoff
 Date Roger Imhoff LS 5780

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

September 22, 1997
 KENAI PENINSULA BOROUGH
 By: [Signature] Authorized Official

Vicinity Map 1\" - 1 Mile



Graphic Scale

NOWAG TRACTS No. 2

Being a Subdivision of Tract 'A' Nowag Tracts as shown on Plat No. 81-82

Located in the NE 1/4 NE 1/4 Sec 6, T6S R12W 3M
 Homer Recording District, Third Judicial District, Alaska

Contains 1880 Acres, more or less.

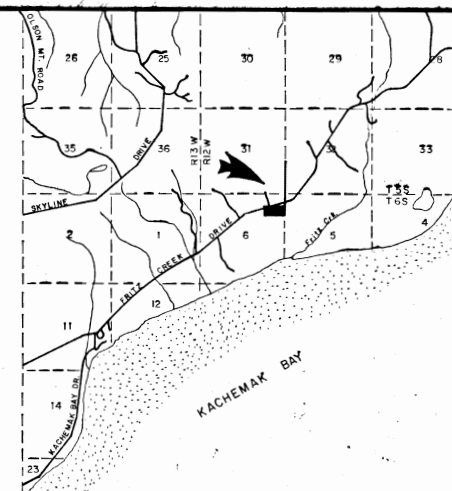
Clients: Dick and Nancy Synhorst 64132 Sheep Dr Homer AK 99603	Surveyor: Roger W Imhoff RLS PO Box 2586 Homer AK 99603	FB 97-5197.6 Drawn RWI SCALE 1\" = 100' ft.
Date 8-26-97	File nowogvd	KPB File No. 97-207

LEGEND

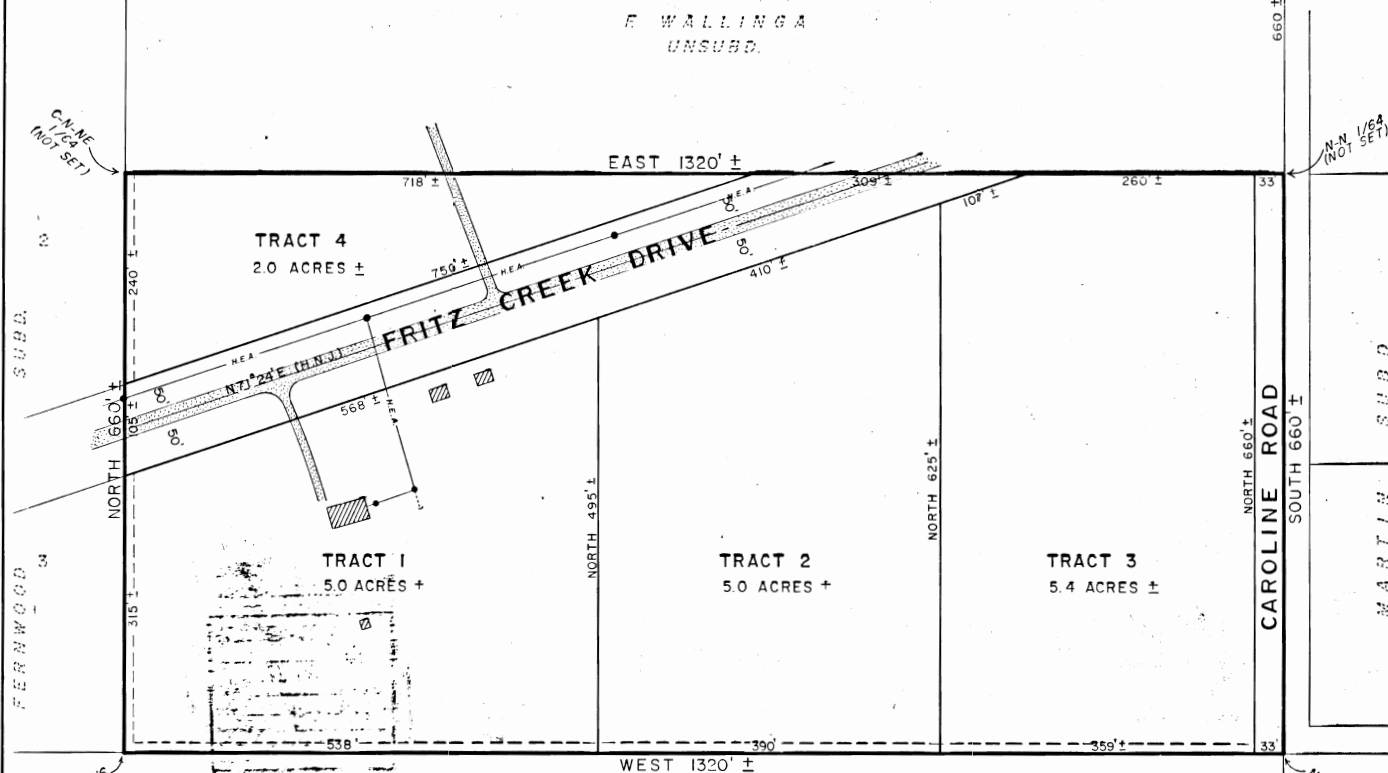
- INDICATES EXISTING H.E.A. POWER POLE
- ± INDICATES PLUS OR MINUS DISTANCES OR AREAS (APPROX. ONLY)
- INDICATES 10 FT WIDE UTILITY EASEMENT
- ▨ INDICATES EXISTING BUILDINGS
- ▨ INDICATES GRAVEL SURFACED ROADS OR DRIVEWAYS

NOTES

1. NO TRACT, R.O.W. OR BOUNDARY CORNERS HAVE BEEN ESTABLISHED FOR ANY OF THE TRACTS SHOWN HEREON.
2. TRACTS 1 AND 2 AS SHOWN HEREON SHALL BE A MINIMUM OF 5 ACRES IN SIZE EACH.
3. ALL BEARINGS, DISTANCES, AREAS AND OTHER DETAILS SHOWN ON THIS PLAT ARE BASED ON SCALED AND PROTRACTED VALUES AND ARE APPROXIMATE ONLY, UNLESS NOTED OTHERWISE.



VICINITY MAP
1" = 1 MILE



CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision with our free consent and dedicate all streets, easements and other open spaces to public use.

DATE 5/20/74 OWNER Carolene S. Thomas
OWNER James R. Thomas

NOTARY'S ACKNOWLEDGEMENT

Certificate of ownership subscribed and sworn to before me this 26 day of May 1974.
NOTARY IN AND FOR THE STATE OF ALASKA 22 Oct 1977
MY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that this plat was prepared by me and is based on a subdivision by protraction of Section 6, as shown hereon. No corners have been established for any of the Tracts within this subdivision.
DATE 3/29/74 KEN-BRANCH, R.L.S. NO. 1301-S

KENAI PENINSULA BOROUGH

I hereby certify that this subdivision plat has been found to comply with the regulations of the Kenai Peninsula Borough and that said plat has been approved by the Kenai Peninsula Borough Planning Commission.
DATE May 6, 1974 BOROUGH MAYOR Stanley F. Thompson

CAROLINE SUBDIVISION

THIS SUBDIVISION PLAT COMPLIES WITH
AS 29.33.170 OF THE 1972 LAWS OF ALASKA

SITUATED IN THE S1/2 NE1/4 NE1/4 OF SECTION 6,
T6S, R12W, S.M., HOMER RECORDING DISTRICT, ALASKA.
CONTAINING 20 ACRES ±

PREPARED FOR
JIM THOMAS
P. O. BOX 843
HOMER, ALASKA 99603

PREPARED BY
KEN BRANCH, R.L.S.
P. O. BOX 1295
HOMER, ALASKA 99603

DATE
APRIL 20, 1974

SCALE
1" = 100'



HOMER
Serial No. 74-01199

FILED 2
HOMER REC. DIST.

DATE 6-25-1974
TIME 9:49 A.M.
Submitted by K.P.B.
Address Seldotna

N. GANGL
UNSUBD.