

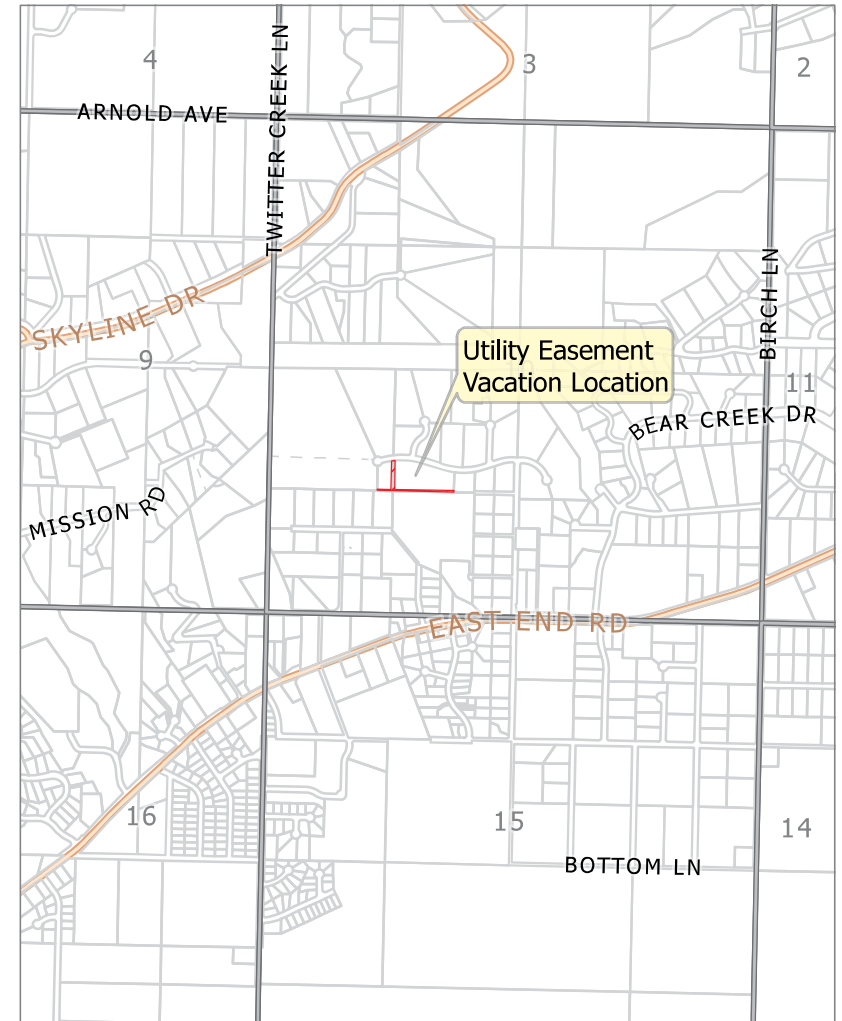
## **E. NEW BUSINESS**

### **2. Utility Easement Vacation; KPB File 2025-074V**

**Seabright Surveying / Tracy Belieu & Carla Lee Fabian Living Trust  
Request: Vacates the 10-foot utility easement on the west & south  
boundary of Lot 4, Block 2, Paradise South Subdivision (HM 74-  
175). Vacates the 10-foot utility easement on the east and south  
boundary of Lot 4, Paradise South Subdivision Addition No. 1, HM  
74-2356**

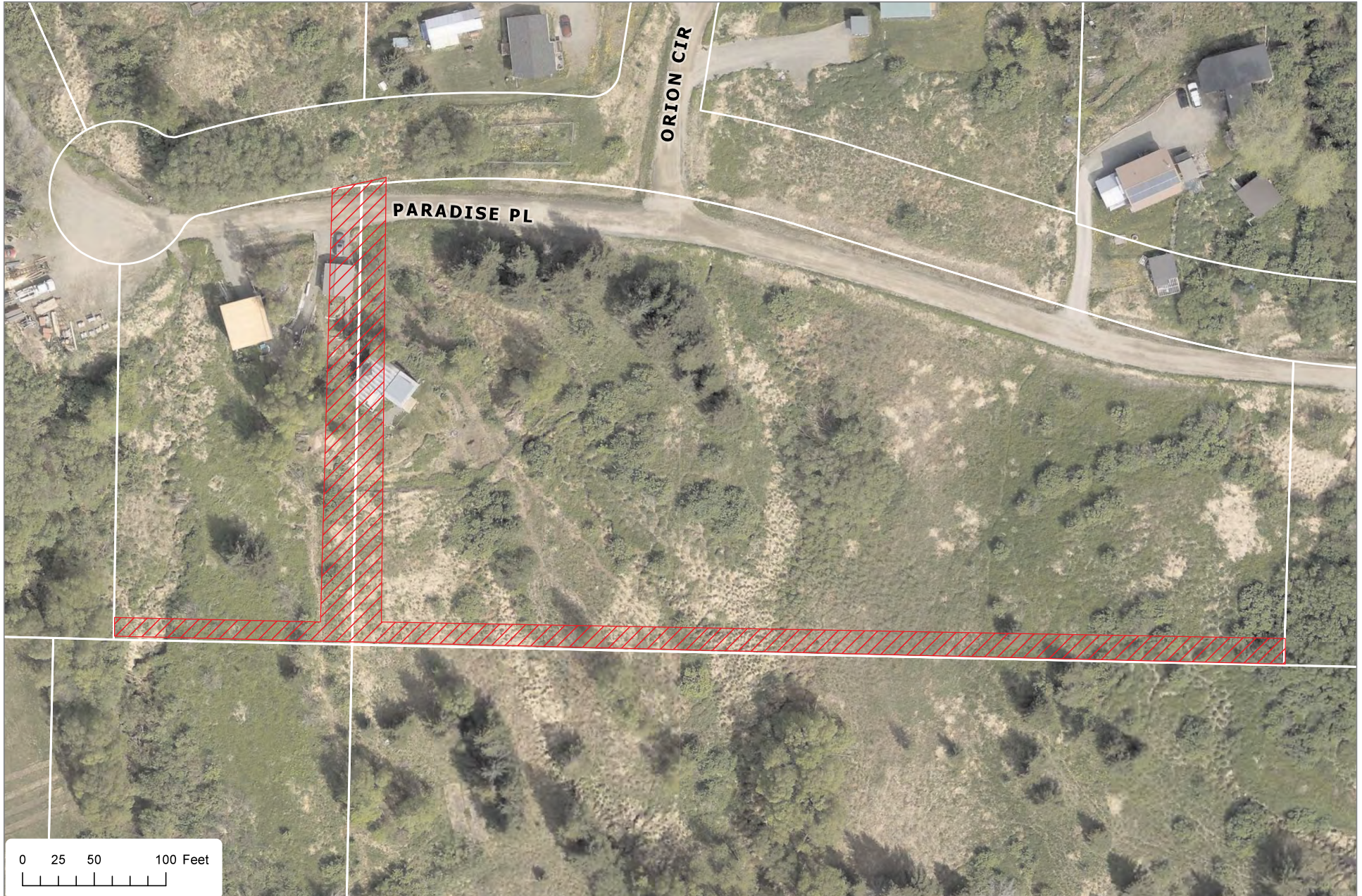
**City of Homer**

**(Staff Person: Platting Manager Vince Piagentini)**



KPB File 2025-074V  
T 6S R 13W Sec 10  
Homer



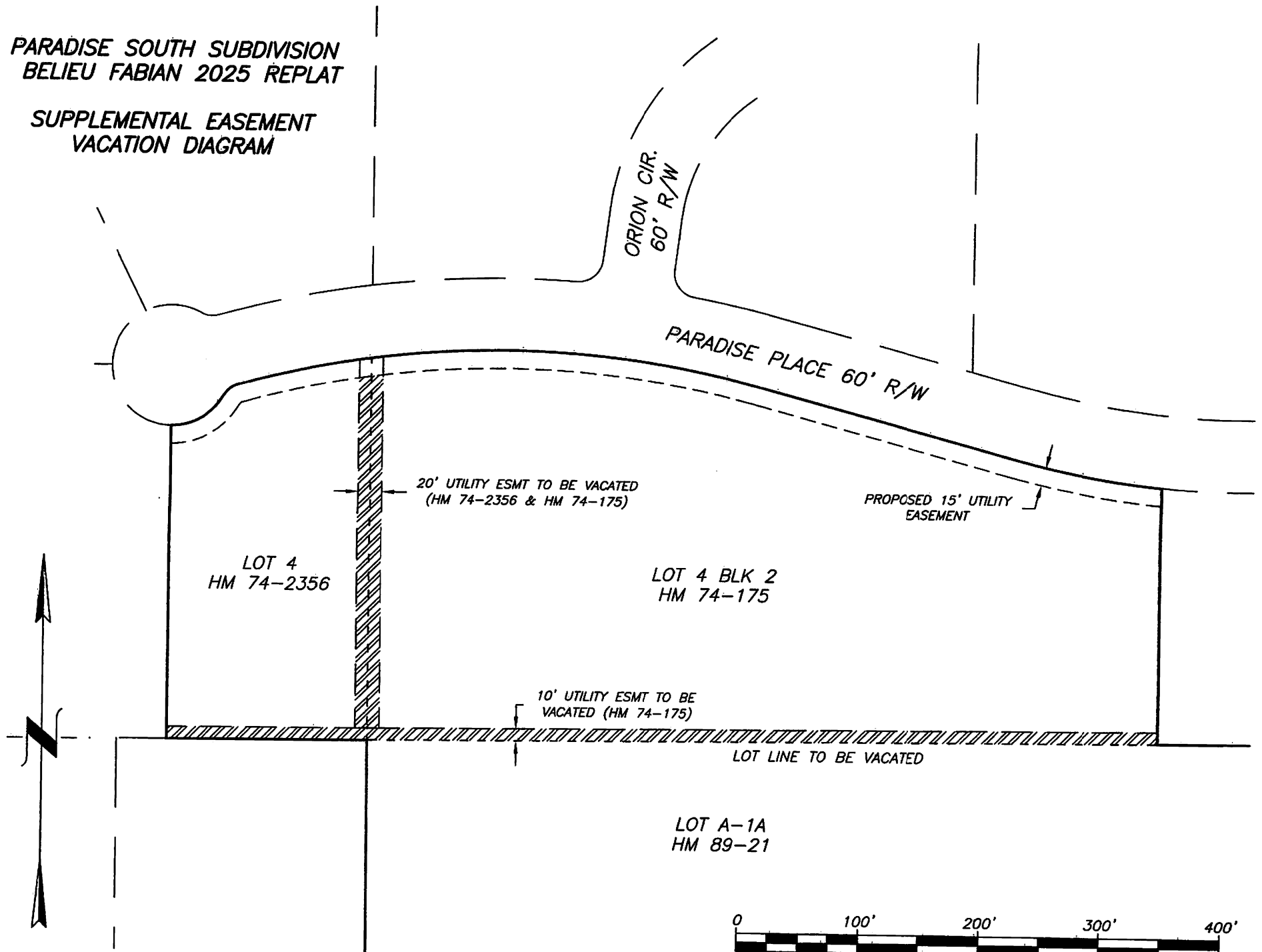


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



PARADISE SOUTH SUBDIVISION  
BELIEU FABIAN 2025 REPLAT

SUPPLEMENTAL EASEMENT  
VACATION DIAGRAM



**KPB 2025-074V**

E2-3

GRAPHIC SCALE

AGENDA ITEM E.      NEW BUSINESS

**ITEM #2 - UTILITY EASEMENT ALTERATION**

**Vacates the 10-foot utility easement adjacent to the east and south boundary of Lot 4, Paradise South Subdivision Addition No. 1, Plat HM 74-2356, and the 10-foot utility easement adjacent to the west and south of Lot 4, Block 2, Paradise South Subdivision, Plat HM 74-175.**

<b>KPB File No.</b>	2025-074V
<b>Planning Committee Meeting:</b>	July 14, 2025
<b>Applicant / Owner:</b>	Tracy Allan Belieu and The Carla Lee Fabian Living Trust of Homer, Alaska
<b>Surveyor:</b>	Katie Kirsis / Seabright Survey & Design LLC
<b>General Location:</b>	Near Mile 2 East End Road, Homer, Alaska

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**STAFF REPORT**

**Specific Request / Purpose as stated in the petition:**

This action proposes to vacate the excess utility easements that affect the property as depicted on Paradise South Subdivision Belieu Fabian 2025 Replat. The proposed vacation is part of a platting action that seeks to unify three parcels currently affected by a conservation easement held by Kachemak Heritage Land Trust.

**Notification:** Notice of vacation mailings were sent by regular mail to thirty-nine owners of property within 300 feet. Notice of the proposed vacation was emailed to seven agencies and interested parties.

The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

**Staff Analysis:**

Paradise South Subdivision (HM 74-175) granted a 10-foot utility easement on the west and south boundary of Lot 4, Block 2. This easement is being petitioned to be vacated and is represented by a hatched area on the diagram.

Paradise South Subdivision Addition No. 1 (HM 74-2356) granted a 10-foot utility easement on the south, east, and north boundary of Lot 4. The diagram shows a hatched area of the south and east boundary easements petitioned to be vacated.

If approved, this utility easement vacation will be finalized by Paradise South Subdivision Belieu Fabian 2025 Replat. This plat was reviewed by the Plat Committee during the June 23, 2025 meeting and was granted conditional approval. A copy of the preliminary plat is available in the staff packet. Additional easements along the right-of-way of Paradise Place were granted by the parent plats and were noted with the review to be added.

A Conservation Easement held by Kachemak Heritage Land Trust (KHLT) affects the subject lots. KHLT provided a statement of non-objection to the plat that will be finalizing the vacation.

The City of Homer Planning Commission reviewed the plat that will finalize the vacation, Paradise South Subdivision Belieu Fabian 2025 Replat, and granted conditional approval during their January 2, 2025 meeting. On May 7, 2025, a memorandum for the proposed utility easement vacation was reviewed by the City of Homer Planning Commission on the consent agenda. The memorandum has been included in the staff packet. The recommendation from the city is that Note 1 be removed from the plat. Per KPB 20.60.150.B this note is a requirement of code and shall remain on the plat.

**Utility provider review:**

HEA	Approved subject to finalization of the plat, Paradise South Subdivision Belieu Fabian 2025 Replat
-----	--

ENSTAR	Approved as Shown
ACS	No Objections
GCI	No Comments or Objections
City of Homer Public Works	Approved subject to finalization of the plat, Paradise South Subdivision Belieu Fabian 2025 Replat

**Applicant Findings:**

1. ACS, ENSTAR, GCI, HEA, and City of Homer Public Works provided written non-objection to the proposed vacation.
2. No surrounding properties will be denied utilities.
3. Most of the easement area to be vacated runs adjacent to property lines that will be vacated through the platting action.
4. All adjacent parcels have access to utilities and will not be adversely impacted.
5. There will be a 15-foot utility easement adjacent to Paradise Place right-of-way granted to serve any future utility needs.
6. The vacation of these utility easements will eliminate unnecessary encumbrances on the subject land that is held in conservation.

**Staff Findings:**

7. Paradise South Subdivision Addition No. 1 (HM 74-2356) granted a 10-foot utility easement on the south, east, and north boundary of Lot 4.
8. Paradise South Subdivision (HM 74-175) granted a 10-foot utility easement on the west and south boundary of Lot 4, Block 2.
9. The City of Homer granted conditional approval of the preliminary plat finalizing the utility easement vacation.

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**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

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**RECOMMENDATION:**

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends APPROVAL of the utility easement alteration as petitioned, subject to:

1. Grant utility easements requested by the Homer City Council and utility providers.
2. Finalizing the approval of the easement alteration by either;
  - a. The recording of a subdivision plat within 12 months, compliant with the requirements of Chapter 20 of KPB Code or,
  - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
    - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
    - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
    - iii. The Planning Department is responsible for filing the Planning Commission resolution.

## 20.65.070 Alteration of platted utility easements

- E. A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.
- F. An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

*Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.*

- *Focus Area: Energy and Utilities*
  - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
    - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
    - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
    - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
  - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
    - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

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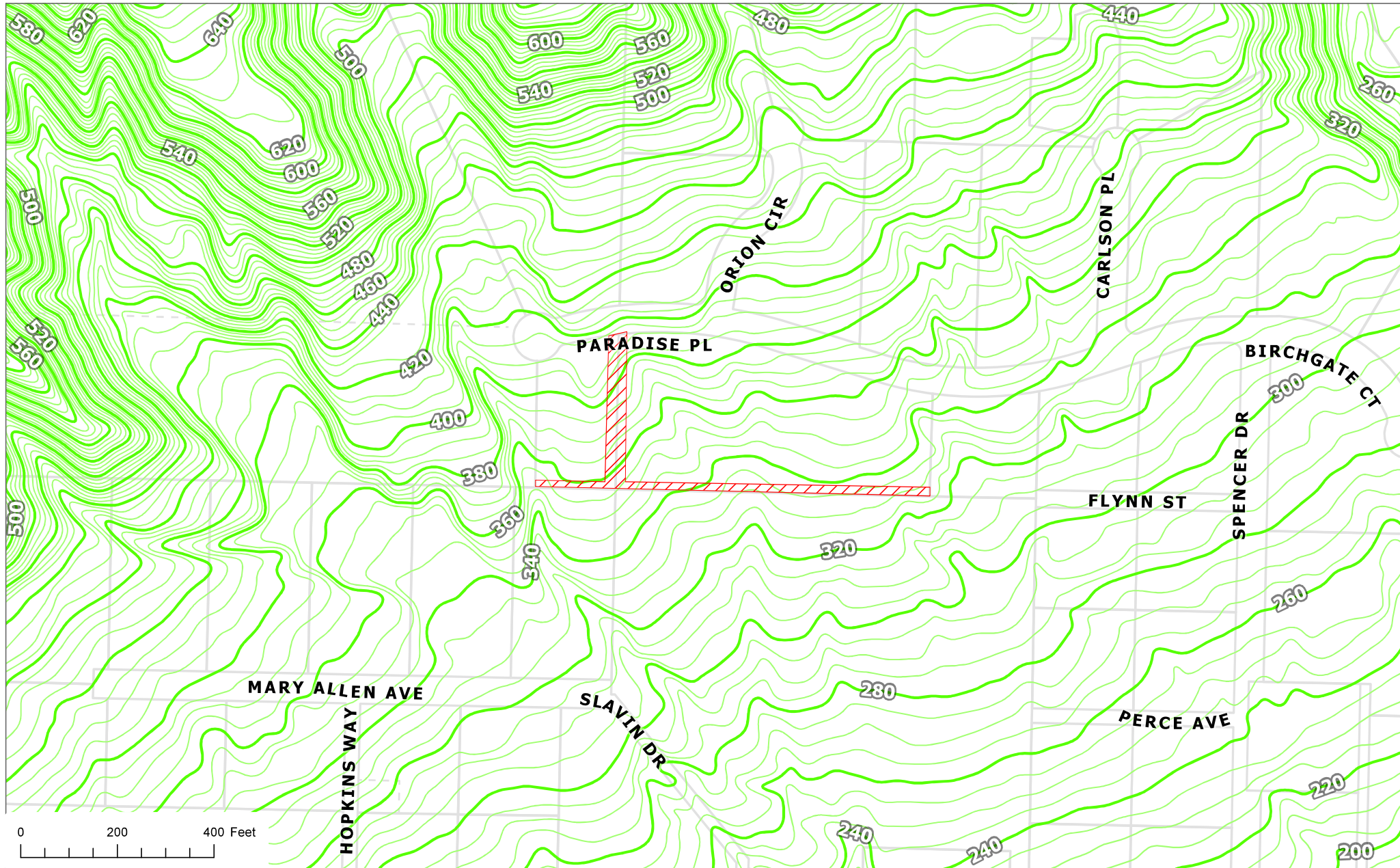
**END OF STAFF REPORT**





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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.

1. ALL R/W RETURNS ARE 20 FT. RADII UNLESS OTHERWISE NOTED  
2. 3" x 3" RIB AND TACK SET AT ALL LOT CORNERS THIS SURVEY  
3. ALL DIMENSIONS NOTED ON REINSTATEMENT SURVEY OF W 1/2 OF SECTION 18 WERE MEASURED WITH A HONEYWELL PACCARD DISTOMAT

Curve No.	
Angle	8°20'54"
Radius	840.00
Tangent	81.804
Chord	122.284
Length	122.392

+	DEMOTES ORIGINAL 1917 U.S. SECTION CORNER MONUMENT RECOVERED THIS SURVEY
+	DEMOTES ORIGINAL 1917 U.S. QUARTER CORNER MONUMENT RECOVERED THIS SURVEY
+	DEMOTES BRASS CAP MONUMENT RECOVERED THIS SURVEY
+	DEMOTES BRASS CAP MONUMENT SET THIS SURVEY
+	DEMOTES 10 FT. WIDE UTILITY EASEMENT
+	DEMOTES COMPUTED DISTANCE
+	DEMOTES 10' X 10' PEDERSTAL EASEMENT FOR UNDERGROUND TELEPHONE AND ELECTRIC

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.

9-18-74  
Date

CERTIFICATE OF OWNERSHIP SUBSCRIBED AND SWORN TO BEFORE ME THIS 10 DAY  
OF September, 1974  
David J. Wilson July 21, 1978  
Notary in and for the State of Alaska My Commission Expires

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS PLAN REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT MONUMENTS ACTUALLY EXIST AS LOCATED AND THAT MONUMENTS AND OTHER DETAILS ARE CORRECT.

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.

*July 24, 1974* *Stanley J. Thompson*  
Borough Mayor

SECTION LINE EASEMENT VALUATION CERTIFICATES

APPROVAL RECOMMENDATION

STATE DEPARTMENT OF HIGHWAYS  
THE ABOVE STATEMENT OF JOHN HEDGECOCK HAS BEEN REVIEWED BY  
THE ANCHORAGE CIVILIL ENGINEERS AND FINELY RECOMMENDED FOR  
RECORD BY THE COMMISSION

STATE UNIVERSITY OF LOUISIANA

THE LIAISON ELEMENT TO THE JMWAVE HAS BEEN REVIEWED  
BY THE DIRECTOR OF LIAISON AND IS HEREBY RECOMMENDED FOR  
APPROVAL BY THE JOINT CHIEFS OF STAFF

[illegible]

APPROVED

DATE 10/18/24 BY ATC/shell

10/11/94 Alvin F. Kibler  
DIRECTOR DEPARTMENT OF HIGHWAYS

10/11/94 Alvin F. Kibler  
DIRECTOR DEPARTMENT OF NATURAL RESOURCES

**PARADISE SOUTH SUBDIVISION**  
**ADDITION NO. 1**  
SITUATED IN

NW 1/4 SW 1/4, SECTION 10, T6S, R13W, S. M.  
HOMER RECORDING DISTRICT, ALASKA

30.993 ACRES

PREPARED FOR	PREPARED BY
FRANK J. HEDGECOCK, CHIEF	REG. BRANCH, R.L.S.
5000 MARSHALL LANE	BOX 1795
ANCHORAGE, ALASKA	ANCHORAGE, ALASKA

DRAWN BY  
SUSAN LATTI

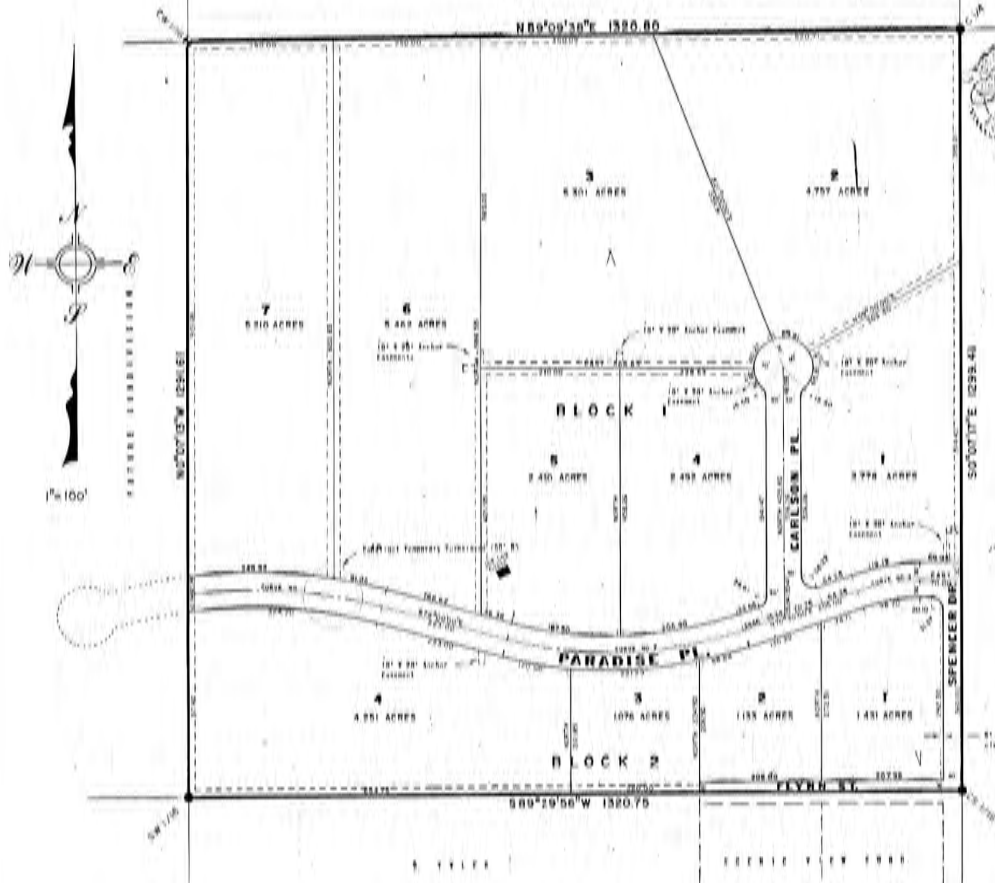
74-3256  
RECORDED (FILED) 52  
JUN 18 1974  
DATE 11-26-74  
TIME 10:17 A.  
RECEIVED BY KPD  
FBI - KPD  
CALIFORNIA



# CURVE DATA

CURVE NO.	ANGLE	RADIUS	TANGENT	LENGTH	CHORD
NO. 1	22°10'00"	817.70	188.74	337.85	319.85
NO. 2	54°18'00"	807.88	113.79	212.48	208.79
NO. 3	147°10'00"	370.00	54.95	188.31	199.19

## FUTURE SUBDIVISION



### CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNER OF THE SUBDIVISION SHOWN AND REPRESENTED HEREON AND THAT WE HEREBY ADOPTE THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, EASEMENTS AND OTHER OPEN SPACES TO PUBLIC USE.

### NOTARY'S ACKNOWLEDGMENT

CERTIFICATE OF OWNERSHIP SUBSCRIBED AND SIGNED TO BEFORE ME THIS 22<sup>ND</sup> DAY OF SEPTEMBER, 1978, by James J. Savelle My Commission Expires January 31, 1979

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS PLAN REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT MONUMENTS ACTUALLY EXIST AS LOCATED AND THAT DIMENSIONS AND OTHER DETAILS ARE CORRECT.

### KENAI PENINSULA BOROUGH

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE KENAI PENINSULA BOROUGH AND THAT SAID PLAN HAS BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION.

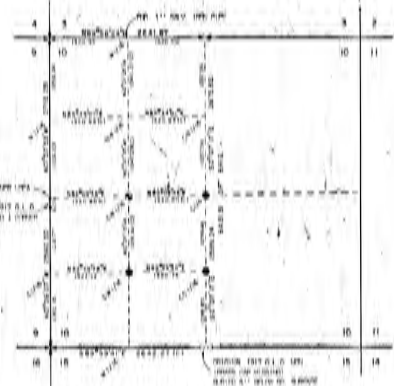
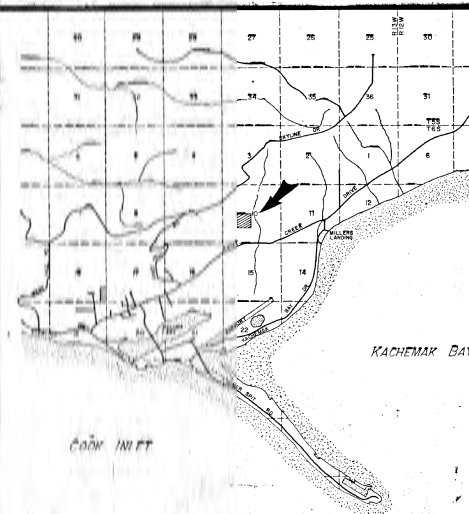


DIAGRAM SHOWING SUBDIVISION OF W 1/2, SECTION 10, T6S, R13W, S.M., AK.



VICINITY MAP  
SCALE 1"=1 MILE

### LEGEND

- 1. APPROX. BOUNDARY 1/4" & 1/4" QUARTER CORNER MONUMENT RECOVERED THIS SURVEY
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- 100. QUARTER CORNER MONUMENT RECOVERED THIS SURVEY

### NOTES

1. ALL R/W RETURN ARE 20 FT. UNLESS OTHERWISE NOTED
2. 1" & 1" R/W AND 1/4" R/W AT ALL LOT CORNERS THIS SURVEY
3. ALL DIMENSIONS GIVEN ARE APPROXIMATE DIMENSIONS OF W 1/2 OF SECTION 10



**PARADISE SOUTH SUBDIVISION**  
SITUATED IN  
NE 1/4 SW 1/4, SECTION 10, T6S, R13W, S.M., AK.  
HOMER RECORDING DISTRICT, ALASKA

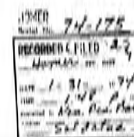
30.79 ACRES

PREPARED FOR  
SOUTHERN DEVELOPMENT CORP.  
2060 DASHWORTH DRIVE  
ANCHORAGE, ALASKA

PREPARED BY  
WEN BRANCH, R.L.S.  
706 F STREET  
ANCHORAGE, ALASKA

DATE  
AUGUST 15, 1978

SCALE  
1"=100'





# LEGEND

- FND B.C. Mon 268-S 1970
- FND 3/4" I.P.

# NOTES

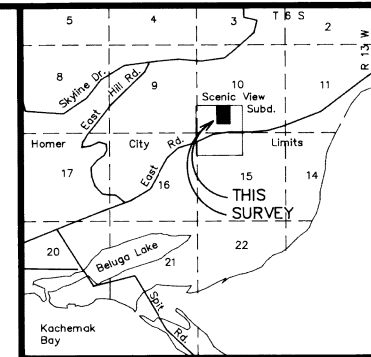
A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by a resolution of the appropriate planning commission.

Soils on this lot may or may not be suitable for conventional on-site waste disposal systems. No person may construct, install, maintain, or operate a pressurized water system or water-borne waste disposal system unless approval of the Alaska Department of Environmental Conservation is obtained.

The drainage pattern within this survey involves only normal runoff water.

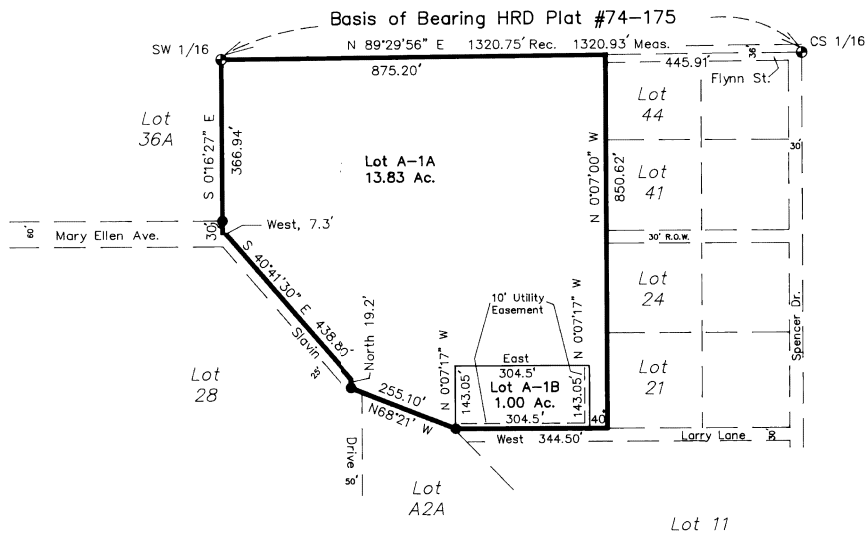
No structures permitted within panhandle portion of Lots A1-A through A1-B.

5/8"x 30" rebar set at all lot corners, except as noted.



VICINITY MAP 1" = 1 mile

Paradise South Subdivision



# CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the property shown and described hereon, and that I hereby adopt this plan of subdivision, and dedicate all rights-of-way to public use, and grant all easements to the use shown.

Date 5/22/89 Richard W. Tyler  
 Richard W. Tyler  
 60775 Paradise Place  
 Homer, Alaska

# NOTARY'S ACKNOWLEDGEMENT for Richard W. Tyler

Subscribed and sworn to before me this 22nd day of May, 1989  
Sharon L. Fromong  
 Notary for the State of Alaska  
 My commission expires 6/2/89



# PLAT APPROVAL

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

March 13, 1989

KENAI PENINSULA BOROUGH

By Richard W. Tyler  
 Authorized Official

# SURVEYOR'S 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 dimensions and other details are correct.

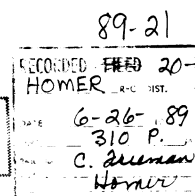
Date 5/22/89 Carlos Freeman  
 Carlos Freeman, L.S. 4129

# SCENIC VIEW NO. TWO

SUBDIVISION OF PARCEL A-1, TRACT A  
 SCENIC VIEW SUBDIVISION 1970 RE-PLAT  
 LOCATED IN SE 1/4, SW 1/4 SECTION 10  
 T 6 S, R 13 W, S.M.  
 HOMER RECORDING DISTRICT, ALASKA  
 CONTAINING 14.83 ACRES

by:  
 Carlos Freeman, S 4129  
 53045 McNeil Canyon Rd.  
 Homer, Alaska 99603

Date: April 15, 1989  
 Scale: 1" = 200'  
 K.P.B. File #89-013





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
(p) 907-235-3106  
(f) 907-235-3118

### Staff Report 25-003

TO: Homer Planning Commission  
FROM: Ryan Foster, City Planner  
DATE: January 2, 2025  
SUBJECT: Paradise South Subdivision Belieu Fabian 2025 Replat

**Requested Action:** Approval of a preliminary plat to vacate the lot lines between Paradise South Subdivision Lot 4 and Paradise South Subdivision Addition 1 Lot 04. This preliminary plat also vacates the lot line between Paradise South Subdivision Lot 4 and Scenic View Subdivision Number 2 Lot A-1A.

### General Information:

Applicants:	Carla Lee Fabian Trustee Carla Lee Fabian Living Trust P.O. Box 2380 Homer, AK 99603	Tracy Allan Belieu P.O. Box 314 Homer, AK 99603	Seabright Survey & Design 1044 East End Rd, Suite A Homer, AK 99603
Location:	South of Paradise Place and Orion Circle		
Parcel ID:	17410013, 17410014 and 1741118		
Size of Existing Lot(s):	1.14 acres, 4.25 acres and 13.83 acres		
Size of Proposed Lots(s):	19.22 acres		
Zoning Designation:	Rural Residential District		
Existing Land Use:	Vacant and Residential		
Surrounding Land Use:	North: Residential South: Residential East: Vacant and Residential West: Vacant and Residential		
Comprehensive Plan:	Chapter 4 Goal 2 Objective C: Provide extra protection for areas with highest environmental value or development constraints.		
Wetland Status:	Riverine and Wetland/ Upland Complex.		
Flood Plain Status:	Not in a floodplain.		
BCWPD:	Not within the Bridge Creek Watershed Protection District.		
Utilities:	City water and sewer are not available at this time.		
Public Notice:	Notice was sent to 61 property owners of 55 parcels as shown on the KPB tax assessor rolls.		

**Analysis:** This subdivision is within the Rural Residential District. This plat vacates the lot line between Paradise South Subdivision Lot 4 and Paradise South Subdivision Addition 1 Lot 04. Vacates the lot line between Paradise South Subdivision Lot 4 and Scenic View Subdivision Number 2 Lot A-1A resulting in Lot A-1A-1 of 19.22 acres.

**Homer City Code 22.10.051 Easements and rights-of-way**

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

**Staff Response:** The plat meets this requirement. The plat notes a 15-foot utility easement.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

**Staff Response:** The plat meets this requirement.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities required by HCC 11.04.120.

**Staff Response:** The plat meets these requirements.

**Preliminary Approval, per KPB code 20.25.070 Form and contents required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
  - 1. Names 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;
  - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
  - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

**Staff Response:** The plat meets these requirements.

- B. North point;

**Staff Response:** The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

**Staff Response:** The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political



boundaries and prominent natural and manmade features, such as shorelines or streams;

**Staff Response:** The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

**Staff Response:** The plat meets these requirements. *No such areas are proposed.*

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

**Staff Response:** The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

**Staff Response:** The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

**Staff Response:** The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

**Staff Response:** The plat meets these requirements.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

**Staff Response:** The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

**Staff Response:** City water main follows Slavin Drive up from the south and terminates at the South West corner of Lot A-2A HM 86-06. City sewer follows Paradise Place from the east and terminates at the North West corner of Lot 3 Blk 2 HM 74-175.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

**Staff Response:** The plat meets these requirements. No new roads are dedicated.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

**Staff Response:** The plat meets this requirement. Areas over 20 percent grade are indicated on the plat.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

**Staff Response:** The plat meets these requirements.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

**Staff Response:** The plat meets these requirements.

**Public Works Comments:** Note 3 is not correct: the lot is not served by City Water and Sewer.

**Staff Recommendation:**

Planning Commission recommends approval of the preliminary plat with the following additional comments.

1. Correct or remove Note 3: the lot is not served by City Water and Sewer.
2. The location of the existing utilities need to be indicated: City water main follows Slavin Drive up from the south and terminates at the South West corner of Lot A-2A HM 86-06. City sewer follows Paradise Place from the east and terminates at the North West corner of Lot 3 Blk 2 HM 74-175.

**Attachments:**

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map

### **CALL TO ORDER**

Session 25-09, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:31 p.m. on May 7<sup>th</sup>, 2025 in the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

**PRESENT:** COMMISSIONERS BARNWELL, VENUTI, S. SMITH, CONLEY & STARK

**ABSENT:** COMMISSIONERS SCHNEIDER & H. SMITH (BOTH EXCUSED)

**STAFF:** CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

### **AGENDA APPROVAL**

Chair S. Smith read the supplemental items into the record. He then requested a motion and second to approve the agenda as amended.

BARNWELL/CONLEY MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

### **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Jan Keiser, city resident, offered a correction to the April 16<sup>th</sup>, 2025 Regular Meeting minutes. Specifically, the fourth sentence of the third paragraph on page 6 of the minutes. She noted that for future clarification, the sentence should read "She continued, reasoning that the City needs to have projects that it's interested in listed in the Borough Safety Action Plan in order to submit them for funding."

### **RECONSIDERATION**

#### **CONSENT AGENDA**

~~A. Revised Unapproved Regular Meeting Minutes of April 16, 2025~~

~~B. Revised Unapproved Special Meeting Minutes of April 29, 2025~~

C. Utility Easement Vacation Paradise South Belieu Fabian 2025 Replat, Memorandum 25-22

~~D. Jack Gist Subdivision No. 3 Phase 2 Extension Request, Memorandum 25-23~~

BARNWELL/CONLEY MOVED TO MOVE ITEM A UNDER THE CONSENT AGENDA TO NEW BUSINESS.

There was no discussion.





## MEMORANDUM

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### Utility Easement Vacation- Paradise South Subdivision Belieu Fabian 2025 Replat

**Item Type:** Action Memorandum  
**Prepared For:** Homer Advisory Planning Commission  
**Date:** May 7, 2025  
**From:** Ed Gross, Associate Planner  
**Through:** Ryan Foster, City Planner

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On January 2, 2025 the Homer Advisory Planning Commission carried a motion to vacate lot lines for the Paradise South Subdivision Belieu Fabian 2025 Replat. The utility easement vacation request is intended to accompany this preliminary platting action.

When the preliminary plat was originally submitted for review and recommendation, the proposed utility easement vacations were not included. Kachemak Heritage Land Trust holds a conservation easement over the subject parcels and has requested the vacation of the easements as represented by the submitted Supplemental Easement Vacation Diagram.

The surveyor, Seabright Survey + Design, has sent a Request for Information to local utility companies regarding any objection, or installed utilities located in the easement. The utility companies include, HEA, Enstar, GCI, ACS and the City of Homer Public Works Department. None of the utility companies, or the City of Homer were using the easement or objected to vacating the easement.

City of Homer Public Works suggested removing Note 1 regarding utility easements, from the plat and depicting a 15' Utility Easement fronting Paradise Place.

#### **RECOMMENDATION:**

Recommend approval of the Utility Easement Vacation as submitted with the following comment:

1. Remove Note 1 from the preliminary plat and depict a 15' Utility Easement fronting Paradise Place.

#### **Attachments:**

Paradise South Subdivision Belieu Fabian 2025 Replat Preliminary Plat

Paradise South Subdivision Belieu Fabian 2025 Replat Supplemental Easement Vacation Diagram

**CALL TO ORDER**

Session 25-09, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:31 p.m. on May 7<sup>th</sup>, 2025 in the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

**PRESENT:** COMMISSIONERS BARNWELL, VENUTI, S. SMITH, CONLEY & STARK

**ABSENT:** COMMISSIONERS SCHNEIDER & H. SMITH (BOTH EXCUSED)

**STAFF:** CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

**AGENDA APPROVAL**

Chair S. Smith read the supplemental items into the record. He then requested a motion and second to approve the agenda as amended.

BARNWELL/CONLEY MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

**PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA**

Jan Keiser, city resident, offered a correction to the April 16<sup>th</sup>, 2025 Regular Meeting minutes. Specifically, the fourth sentence of the third paragraph on page 6 of the minutes. She noted that for future clarification, the sentence should read "She continued, reasoning that the City needs to have projects that it's interested in listed in the Borough Safety Action Plan in order to submit them for funding."

**RECONSIDERATION**

**CONSENT AGENDA**

- A. Revised Unapproved Regular Meeting Minutes of April 16, 2025
- B. Revised Unapproved Special Meeting Minutes of April 29, 2025
- C. Utility Easement Vacation Paradise South Belieu Fabian 2025 Replat, Memorandum 25-22
- D. Jack Gist Subdivision No. 3 Phase 2 Extension Request, Memorandum 25-23

BARNWELL/CONLEY MOVED TO MOVE ITEM A UNDER THE CONSENT AGENDA TO NEW BUSINESS.

There was no discussion.