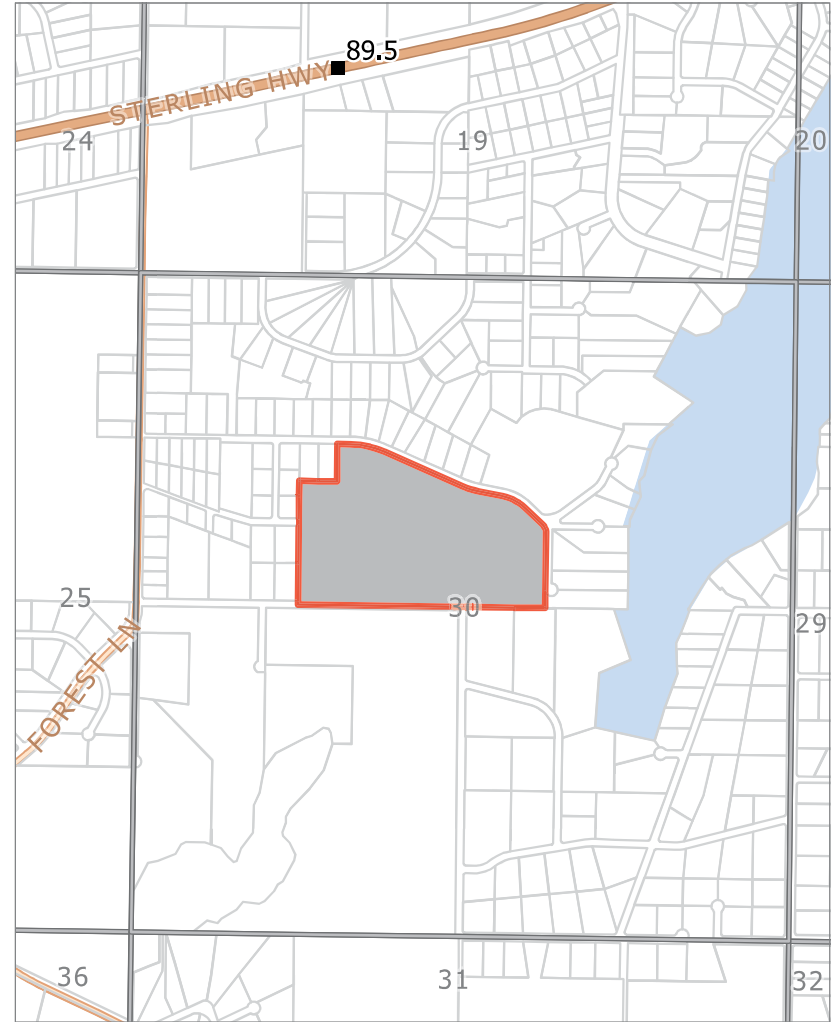
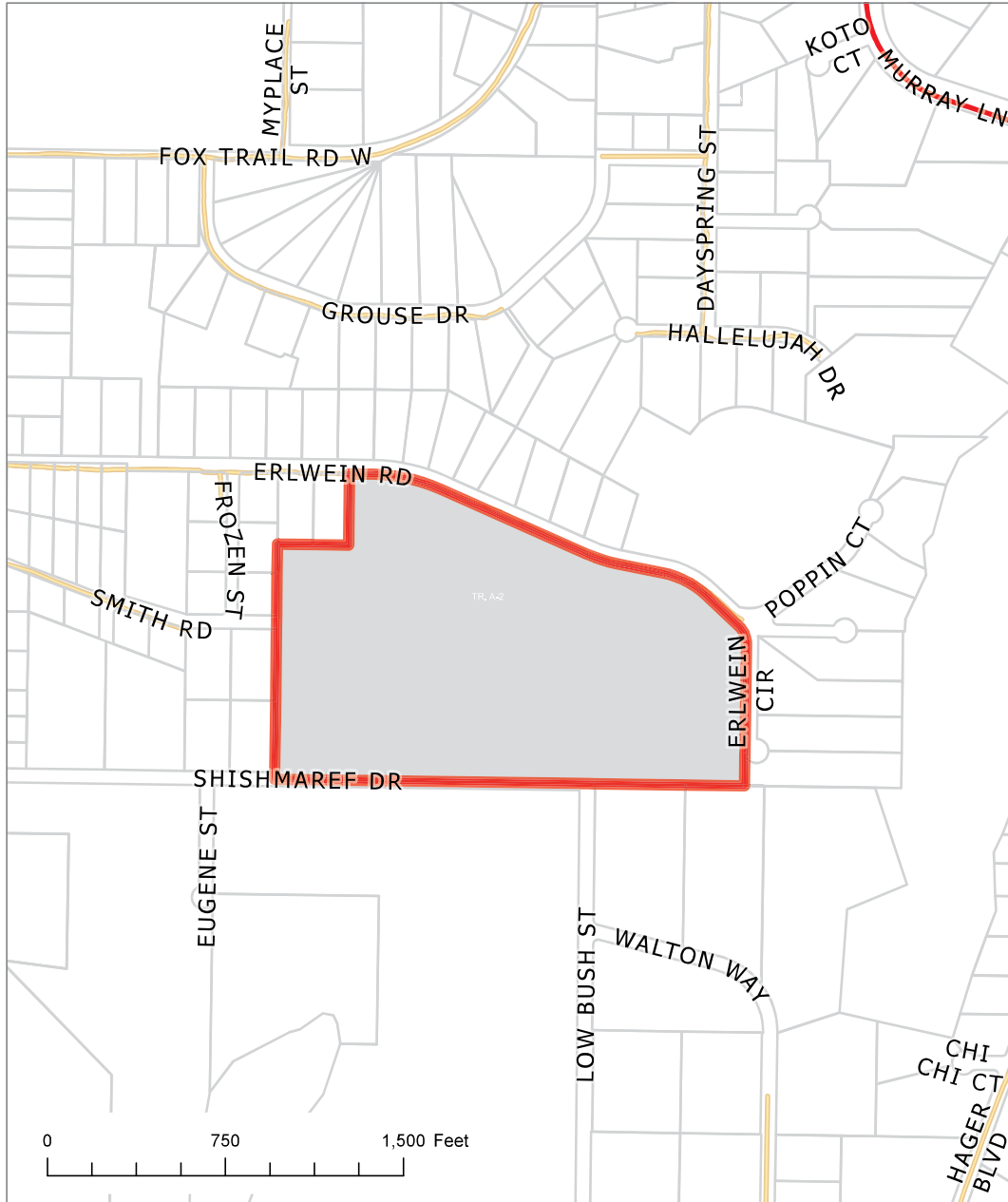


## **E. NEW BUSINESS**

- 2. Birch Forest No. 3; KPB File 2022-151**

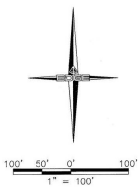


KPB File # 2022-151  
S30 T05N R09W  
Sterling

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.

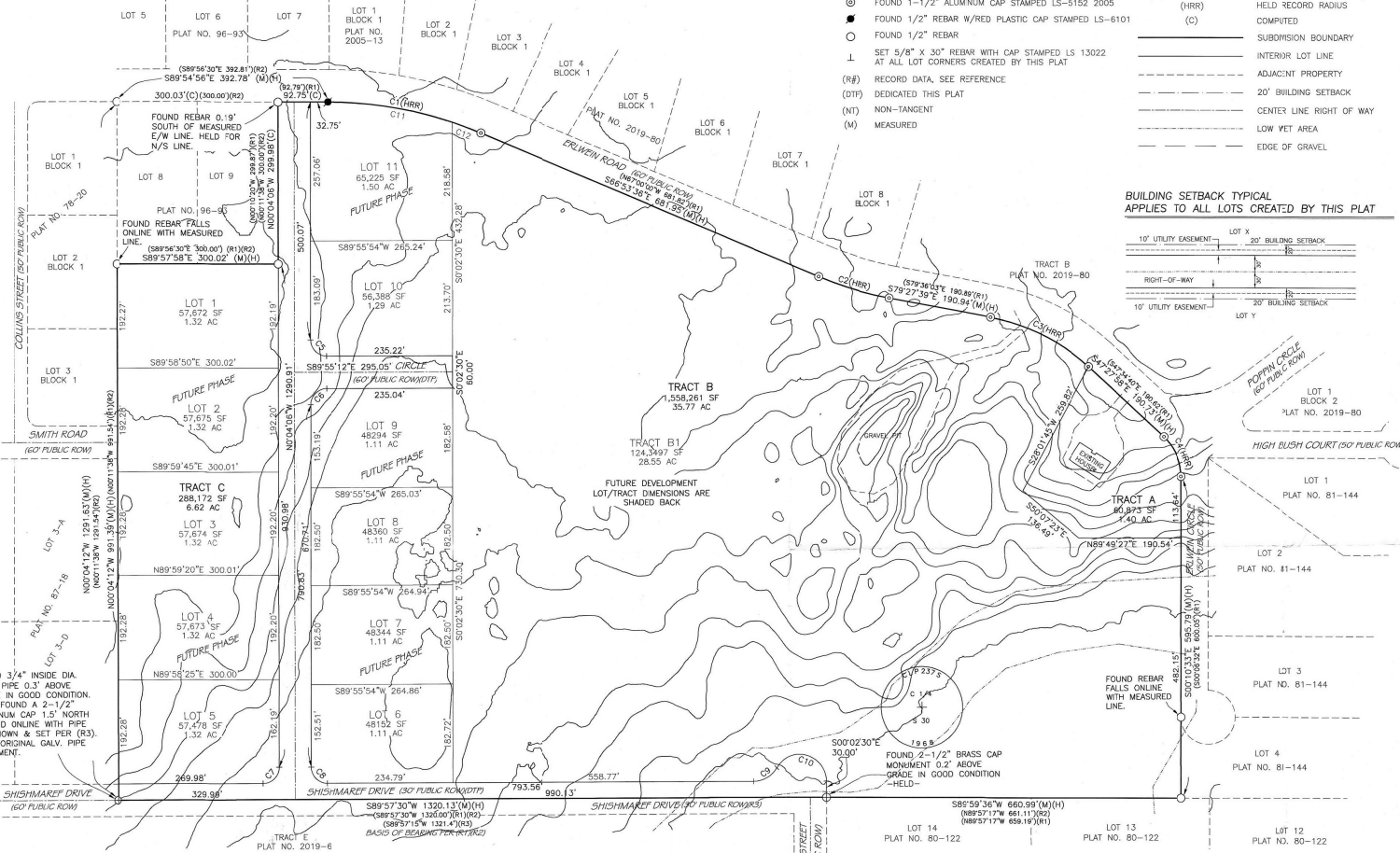
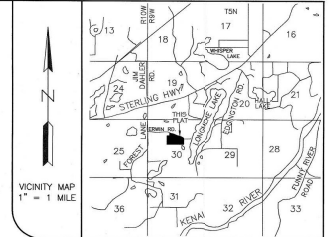


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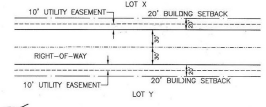


**LEGEND**

⊕	PRIMARY MONUMENT OF RECORD AS NOTED	(H)	HELD
⊙	FOUND 1-1/2" ALUMINUM CAP STAMPED LS-5152 2005	(HRR)	HELD RECORD RADIUS
●	FOUND 1/2" REBAR W/RED PLASTIC CAP STAMPED LS-6101	(C)	COMPUTED
○	FOUND 1/2" REBAR	---	SUBDIVISION BOUNDARY
-L-	SET 5/8" X 30" REBAR WITH CAP STAMPED LS 13022 AT ALL LOT CORNERS CREATED BY THIS PLAT	---	INTERIOR LOT LINE
(R#)	RECORD DATA, SEE REFERENCE	---	ADJACENT PROPERTY
(DT#)	DEDICATED THIS PLAT	---	20' BUILDING SETBACK
(NT)	NON-TANGENT	---	CENTER LINE RIGHT OF WAY
(M)	MEASURED	---	LOW WET AREA
		---	EDGE OF GRAVEL



**BUILDING SETBACK TYPICAL APPLIES TO ALL LOTS CREATED BY THIS PLAT**



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE POPPIN FAMILY REVOCABLE COMMUNITY PROPERTY TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF THE POPPIN FAMILY REVOCABLE COMMUNITY PROPERTY TRUST, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DANIEL JOHN POPPIN, TRUSTEE,  
POPPIN FAMILY REVOCABLE COMMUNITY PROPERTY TRUST  
PO BOX 796  
SOLDOTNA, ALASKA 99569

**NOTARY ACKNOWLEDGMENT**

FOR: DANIEL JOHN POPPIN  
ACKNOWLEDGED BEFORE ME THIS \_\_\_ DAY OF \_\_\_, 2022.

NOTARY PUBLIC FOR STATE OF ALASKA

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD LENGTH
C1	727.22'	23°08'28"	293.29'	S78°28'09"E	291.31'
(R1)	727.22'	23°07'02"	293.41'	S78°33'15"E	291.43'
C2	630.00'	12°35'15"	138.41'	S72°14'07"E	138.13'
(R1)	630.00'	12°36'03"	138.55'	S72°13'31"E	138.27'
C3	370.00'	32°00'20"	206.88'	S62°30'58"E	204.01'
(R1)	370.00'	32°01'22"	206.79'	S62°33'22"E	204.11'
C4	100.00'	47°26'21"	82.80'	S22°39'58"E	80.45'
(R1)	100.00'	47°28'00"	82.89'	S22°39'36"E	80.50'
C5	30.00'	89°51'06"	47.05'	S44°59'39"E	42.37'
C6	30.00'	90°08'54"	47.20'	N44°00'21"E	42.48'
C7	30.00'	90°01'36"	47.14'	S44°45'42"W	42.44'
C8	30.00'	89°58'24"	47.11'	N44°03'18"W	42.42'
C9	50.00'	60°00'00"	52.36'	N55°57'30"E	50.00'
C10	50.00'	150°00'00"	130.90'	S78°02'30"E	96.59'
C11	727.22'	18°39'21"	236.79'	S80°41'43"E	235.74'
C12	727.22'	04°27'07"	56.51'	S69°08'29"E	56.49'

- NOTES**
- BUILDING SETBACK - A SETBACK OF 20' FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. SEE TYPICAL.
  - THE FRONT 10' FEET OF THE 20' BUILDING SETBACK AND THE ENTIRE 20' BUILDING SETBACK WITHIN 5' OF SIDE LOT LINES IS ALSO A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  - THESE PARCELS MAY BE AFFECTED BY A GENERAL EASEMENT WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION, RECORDED AUGUST 4, 1961 MISC. BOOK 7 PAGE 36, KENAI RECORDING DISTRICT.
  - 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.
  - 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.
  - EXCEPTION TO KPB CODE 20.XXX.XXX WAS GRANTED BY THE KENAI PENINSULA BOROUGH PLAT COMMITTEE AT THE OCTOBER XX, 2022 MEETING.
  - WASTEWATER DISPOSAL  
TRACT B & C (AND FUTURE TRACT B1) WHICH ARE AT LEAST 200,000 SQUARE FEET OF NOMINAL FIVE ACRES IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.  
TRACT A (AND FUTURE LOTS 1-11) SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM 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.

- REFERENCES**
- (R1) BIRCH FOREST NO. 1, PLAT 2005-13, KENAI RECORDING DISTRICT
  - (R2) BIRCH HOLLOW SUBDIVISION NO. 12, PLAT 96-93, KENAI RECORDING DISTRICT
  - (R3) FOSTER LAKE SUBDIVISION SMITH ADDITION, PLAT 2019-6, KENAI RECORDING DISTRICT
  - (R4) ERLWEN SUBDIVISION NO. 3, PLAT 81-144, KENAI RECORDING DISTRICT

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_  
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**

I, MARK AMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE NO. 2022-XX  
**BIRCH FOREST No. 3  
PHASE ONE**

A SUBDIVISION OF TRACT A-2  
PLAT 2005-13 KENAI RECORDING DISTRICT

OWNERS:  
POPPIN FAMILY REVOCABLE  
COMMUNITY PROPERTY TRUST  
PO BOX 796  
SOLDOTNA, ALASKA 99569

LOCATED WITHIN THE N 1/2 SECTION 30,  
T5N R1W, SEWARD MERIDIAN  
KENAI PENINSULA BOROUGH, ALASKA  
KENAI RECORDING DISTRICT

CONTAINING 46.909 ACRES

DRAWN BY:	DATE:	PROJECT:
MA	09/29/2022	22-573
CHECKED BY:	SCALE:	SHEET:
MA	1" = 100'	1 OF 1

**KPB 2022-151**

AGENDA ITEM E. NEW BUSINESS

ITEM 2 – BIRCH FOREST NO. 3

<b>KPB File No.</b>	2022-151
<b>Plat Committee Meeting:</b>	October 24, 2022
<b>Applicant / Owner:</b>	Poppin Family Revocable Community Property Trust of Soldotna, Alaska
<b>Surveyor:</b>	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
<b>General Location:</b>	Erlwein Road, Sterling

<b>Parent Parcel No.:</b>	063-780-25
<b>Legal Description:</b>	Tract A-2 Birch Forest No. 1, Plat KN 2005-13
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	On Site

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**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat is a preliminary plat design to be done in phases. The overall design will result in eleven lots that range from 1.11 to 1.5 acres and two tracts that will be 1.4 and 28.55 acres. A new through dedication is proposed as well as some matching widths and a new connector right-of-way.

**Location and Legal Access (existing and proposed):** The subdivision is accessed by borough maintained Erlwein Road, a varying width dedicated right-of-way. Erlwein Road intersects state maintained Forest Lane, which is located near mile 90 of state maintained Sterling Highway. This subdivision is in the Sterling area near Longmere Lake but there is no lake frontage within this subdivision.

To the west of the subdivision is Smith Road, a varying width borough maintained road that is constructed only to the intersection with Frozen Street (shown as Colling Street on the plat). The eastern approximate 170 feet of Smith Road is not constructed that connects to the proposed subdivision. There should be a continuation of Smith Road or a cul-de-sac to permanently close the right-of-way. Exceptions have been requested for Smith Road dedications.

South of the subdivision is Shishmaref Drive, a varying width dedicated right-of-way. Only the western portion of Shishmaref Drive appears to be constructed but is not currently borough maintained. Shishmaref Drive connects to Forest lane. The dedication width of Shishmaref Drive is only 30 feet wide abutting this subdivision. The subdivision is proposing to dedicate the additional 30 feet and a partial bulb at the end of the dedication at the intersection with Low Bush Street. Just south of the intersection, Low Bush Street contains low wet area that are classified as depression and per KPB GIS imagery appear very wet. The partial bulb dedication will provide an adequate turn around area until such time that Low Bush Street is ever constructed. Due to the terrain and close proximity to a cul-de-sac, a continuation past Low Bush Street is not requested.

A new dedication is proposed to connect Erlwein Road to Shishmaref Drive. This will be a 60 foot wide dedication that provides access to all the lots within the subdivision.

An additional dedication is proposed to connect the new street to Tract B. The intent is for that road to later be continued if the owners do an additional subdivision for Tract B into smaller lots. An exception has been requested to not dedicate a cul-de-sac to allow future continuations of the dedication.

Erlwein Road is dedicated as 60 feet wide adjacent to the subdivision and is borough maintained to the intersection with Poppin Court and Erlwein Circle. Erlwein Circle is constructed but does not appear to be borough maintained. Erlwein Circle is only dedicated as 50 feet wide. While the right-of-way is constructed it does contain some steep slopes. Not having a full 60 foot wide dedication may impact the possibility of receiving road maintenance on the

right-of-way. **Staff recommends** an additional 10 feet of dedication need be required for Erlwein Circle, if the plat committee determines that the additional dedication is not required, center line profiled and cross-sections will be required to determine if slope easements will be required.

The area of the subdivision to the east of the new dedication does not comply with block length requirements. Due to the terrain in the southeastern portion of the subdivision a closed block will not occur for portions of this property. If additional subdivisions are done from Tract B, additional dedication can improve the block length distances and allow for some closed blocks to occur. Not providing a continuation of Smith Road will leave the block south of Smith Road incomplete as the block will not close without a continuation. A dedication to extend Low Bush Street would improve the block length requirements. Exceptions to block length have been requested.

As this is proposed to be done in phases, the first phase will require the dedications of the through street and the additional dedications for Shishmaref Drive and also Erlwein Circle if required by the plat committee. All other dedications may wait until future phases.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	No comment – planning No comment - engineering

**Site Investigation:** The southeast portion of the subdivision contains low wet areas. The plat indicates the bounds of the wetlands with a line symbol. These lines appear to be outlining the boundary of two different classifications and does not make it clear that the entire area is wetlands. **Staff recommends** the depiction be clarified by wither using a fill symbol for the low wet areas or providing a labels for the depictions.

The plat has contours added. There are some steeper areas present around what is labeled as an existing gravel pit on the property that will be within Tract B. Some steep terrain is also within Tract A south of the existing structure. Those slopes continue into Erlwein Circle right-of-way. Lot 4 and 5 contain some steeper areas but appear to be less than 20 percent. **Staff recommends** any terrain exceeding 20 percent grade be shown on the final plat within Tract A and any of the lots when finalized.

The plat has an area labeled as a gravel pit. Per KPB GIS data, there is not a prior existing use or conditional land use permit for this property.

A house is constructed on what will be Tract A. There does not appear to be any encroachment issues with the subdivision. The septic and well locations were not disclosed. Due to the terrain through part of the proposed lot, staff would like verification that there will be no encroachments for the systems. A soils report will be required for Tract A and that should disclose the locations if installed. **Staff recommends** the lot lines be adjusted if necessary depending on the finding within the soils report and actual locations of water and wastewater systems.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: No comments
	B. Habitat Protection Reviewer: Carver, Nancy Habitat Protection District Status: Is NOT within HPD Comments: No comments
	C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objection

**Staff Analysis** This is a proposed preliminary plat to be finalized in phases. The property has been involved with numerous subdivision plats through the years with the most recent being Birch Forest No. 1, Plat KN 2005-13. Staff has reviewed all plats this property was associated with and found that all required plat notes and easements are being carried forward correctly.

What is being reviewed is the creation of eleven lots and two tracts along with multiple dedications. The plat shows Tract B and then Tract B1. Tract B is the intended creation with the first phase and Tract B1 will be the final design of the tract. The first phase is intending to create Tracts A, B, and C. Tract C that will later be subdivided into Lots 1 through 5. Tract B will later be subdivided into Lots 6 through 11 and dedicate the new east-west dedication. All rights-of-way that are through dedications will be required with the first phase as well as the matching dedications to provide compliant rights-of-way. As long as the phases submitted to the planning department follow the design approved with only minimal changes, the phases will not be required to return to the plat committee for review.

A soils report will be required for Tract A and the lots and an engineer will sign the final plat. The owner has some options on how they wish to handle the required soils report. If they wish to have the soils analysis report done for all the lots and Tract A prior to the finalizing of the first phase they may do so. They may also elect to only do the report for the lots requiring the soils analysis for the first phase but will need additional reports submitted prior to finalizing the additional lots. The plat notes shown will need to be corrected as we do not want references to future lots or tracts not part of the phase being recorded. The wording may be worked out with the submittal of each phase.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

**Utility Easements** Previous plats created 10 foot utility easements along Erlwein Road and Erlwein Court that increased to 20 feet within 5 feet of the side lot lines. The plat contains the note that it will be granting 10 feet adjacent to rights-of-way that increase to 20 feet within 5 feet of the side lot lines. **Staff recommends the plat note be reworded to remove the references to the setbacks.**

There is one easement recorded by document that is noted within plat note 3.

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 comments
ENSTAR	No comments or objections
ACS	No objections
GCI	Approved as shown

**KPB department / agency review:**

Addressing	<p>Reviewer: Haws, Derek          Affected Addresses:          39455 ERLWEIN RD</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names:          ERLWEIN RD</p>
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	<p>ERLWEIN CIR SMITH RD SHISHMAREF DR LOW BUSH ST</p> <p>Existing Street Name Corrections Needed: POPPIN CIR should be POPPIN CT COLLINS ST should be FROZEN ST per resolution SN2004-05 HIGHBUSH CT should be ERLWEIN RD per resolution SN2004-14 New street names needed for newly dedicated public ROWs.</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 39455 ERLWEIN RD will be deleted and new addresses assigned upon 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>

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

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

- *Have the building setback and utility easement typical depiction include side lot lines as the easements being granted include 20 feet within 5 feet of the side lot lines.*

**KPB 20.25.070 – Form and contents required**

**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:** *Area from the original plat for Tract A-s was 46.987 ac., you have listed 46.909 ac. in the title block, please verify.*



- 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:** *Approved names are required.*
- 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:** *Update Poppin Circle to Court, High Bush Court was changed to Erlwein Road, Collins Street was changed to Frozen Street. Add block label for the lots south of the subdivision.*
- 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:** *Clarification of the wetland area may be needed.*
- 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 recommendation:** *Verify for new dedications and for Erlwein Circle if requested by the plat committee.*
- 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 recommendation:** *The north south right-of-way along with Shishmaref Drive and Erlwein Circle, will be required with the first phase.*

**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.*

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
  - 1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
  - 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.
- B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.  
**Staff recommendation:** *Erlwein Circle is only dedicated as a 50 foot wide right-of-way, an additional 10 feet should be dedicated.*

20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10

**Staff recommendation:** *Discuss street names with the KPB Addressing Officer.*

**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: Soils reports will be required for the lots and Tract A. Due to the size of Tract B a soils analysis report will not be required at this time.*

**Staff recommendation:** *comply with 20.40.*

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#### **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.*

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

**Staff recommendation:** *An acceptance by the borough will be required.*

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).*

*Update the plat note for the exceptions.*

*Update plat note 2 by removing the reference to the building setback.*

*Wastewater notes will be required to be updated depending on how the owner wishes to have his soils analysis test done. Remove "or nominal five acres."*

#### **EXCEPTIONS REQUESTED:**

**A. KPB 20.30.030 – Proposed street layout-Requirements and 20.30.170 – Block length-Requirements**  
(Extension of Smith Street)

Surveyor's Discussion: Asking exception to not dedicate Smith Road from the west through this plat.

Staff Discussion: A through dedication of Smith Road should be provided to connect to the new north-south dedication proposed. This would provide a complete block for the area west of this subdivision and provide for projection and extension of the existing dedication.

#### **Surveyor's Findings:**

1. No practical reason for that section of Smith Street to be developed, all surrounding parcels have adequate legal access.
2. Dedication would take up square footage from proposed future lots.
3. Parcels near the intersection of Frozen Street and Smith Road have established access and necessary right of way dedication to accommodate the local development.
4. Plats 78-20 and 87-18 assumed Smith Street would continue.

**Staff's Findings:**

5. KPB Code 20.30.030 states dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts.
6. Smith Road is not constructed east of the intersection with Frozen Street.
7. Previous plats designed the road with the intention of Smith Road continuing once larger acreage lots were subdivided.
8. This is a subdivision of a 46 acre piece of property.
9. Requiring a dedication will result in a redesign to accommodate the right-of-way.
10. The lots along Smith Road have two routes either by Smith Road to Frozen Street or Smith Road to Forest Lane.
11. The block defined by Frozen Street and Smith Road, directly to the west of the subdivision, will be an incomplete block with no continuation of Smith Road.
12. The block defined by Smith Road and Shishmaref Drive, directly to the west of the subdivision, will be an incomplete block with no continuation of Smith Road.
13. With the continuation of Smith Road, lots East of Frozen Street on Erlwein Road would have a secondary route in case of emergency purposes.
14. The last plat designated Smith Road over 35 years ago and the road has not gone further than Frozen Street since that time without issues.

Denial of the exception will require a through dedication of Smith Street to connect to the new dedication.

Staff reviewed the exception request and recommends approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1-4, 6, 9, 10 and 14 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-4, 6, 9, 10 and 14 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 1-4, 6, 9, 10 and 14 appear to support this standard.**

**B. KPB 20.30.100 – Cul-de-sacs** (This exception is only required if exception A is granted).

Surveyor's Discussion: Asking exception to not dedicate cul-de-sac for Smith Street dedicated per plats 78-20 and 87-18.

Staff Discussion: If an exception is granted to not dedicate Smith Street through, the owners would like a request

to not dedicate a cul-de-sac.

**Surveyor's Findings:**

1. Dedication not needed for block length requirements.
2. No practical reason for that section of Smith Street to be developed, all surrounding parcels have adequate legal access.
3. Dedication would take up some square footage from proposed future lots.
4. Plats 78-20 and 87-18 assumed Smith Street would continue.

**Staff's Findings:**

5. This section of Smith Street is not developed.
6. The lots along that section of Smith Street already have developed access.
7. A cul-de-sac dedication will provide adequate turnaround area if the right-of-way is developed.
8. A cul-de-sac will permanently close the right-of-way for future extensions unless approval is received by neighboring land owners.
9. This is a subdivision of a large acreage parcel that can be adjusted to provide required dedications.
10. The last plat designated Smith Road over 35 years ago and the road has not gone further than Frozen Street since that time without issues.

Approval of the exception will not require a cul-de-sac dedication at the end of Smith Street. Denial will require a code compliant cul-de-sac to be dedicated.

Staff reviewed the exception request and recommends approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 2-5, 8, and 9 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 2-5, 8, and 9 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 2-5, 8, and 9 appear to support this standard.**

**C. KPB 20.30.100 – Cul-de-sacs For the new east-west dedication**

Surveyor's Discussion: Asking exception to not dedicate cul-de-sac for Right of Way dedicated this plat

Staff Discussion: The proposed road does not continue through and will not be required to be dedicated on the first

phase. The owners wish to allow the road to be further extended in the future.

**Surveyor's Findings:**

1. Right-of-way to not be developed until future platting action to the east.
2. Not dedicating a cul-de-sac prevents having to vacate the cul-de-sac or have an odd shaped right of way extending to the east in the future.

**Staff's Findings:**

3. A cul-de-sac dedication will provide an adequate turnaround area.
4. A cul-de-sac will permanently close the right-of-way for future extensions unless approval is received by neighboring land owners.
5. Tract B will remain a large acreage tract that can be further subdivided in the future and provide a continuation of the right-of-way.
6. The road will not be required to be dedicated on the first phase.
7. The lots adjacent to the right-of-way have access from another right-of-way.
8. Temporary turnarounds are not allowed per KPB Code.

Approval of the exception will not require a cul-de-sac dedication. Denial will require a code compliant cul-de-sac to be dedicated.

Staff reviewed the exception request and recommends approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1, 2, and 4-8 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1, 2, and 4-8 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 1, 2, and 4-8 appear to support this standard.**

**D. KPB 20.30.170 – Block Length Requirements**

Surveyor's Discussion: Asking exception to not dedicate Low Bush Street from the south through this plat to not comply with 1320' block length.

Staff Discussion: The block containing to the east of the new dedication will exceed allowable limits and is not closed due to the cul-de-sac to the east.

**Surveyor's Findings:**

1. Right-of-way dedication would divide proposed Tract B into two separate parcels, landowner would prefer to leave as a large tract.
2. Proposed Tract B can dedicate ROW with future subdivision phases as developed.
3. Shishmaref Drive is not developed, has no plan to be developed by the landowner and likely will not be developed soon.
4. Low Bush Street to the south is also not developed and has significant area of wet land to cross if developed. Development of Low Bush not likely soon.

**Staff's Findings:**

5. The block will be defined by the new north-south dedication, Shishmaref Drive, and Erlwein Road.
6. Erlwein Circle is along the eastern boundary but end with a cul-de-sac and cannot provide a closed block.
7. Low wet areas are present in the southeast corner.
8. The owner is proposing an east-west right-of-way that is not a complete dedication to allow future extension.
9. Additional north-south dedications may be required if Tract B is further subdivided in the future.
10. If Shishmaref Drive is constructed in the future it will provide alternative access for lots within the preliminary design.

Approval of the exception will not require additional dedications or an extension of Low Bush Street to improve the block length. Denial will require additional dedications to improve the block.

Staff reviewed the exception request and recommends approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1-5, 7, and 8-10 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-5, 7, and 8-10 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 1-5, 7, and 8-10 appear to support this standard.**

**Staff recommendation:** place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

---

**RECOMMENDATION:**

**SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:**

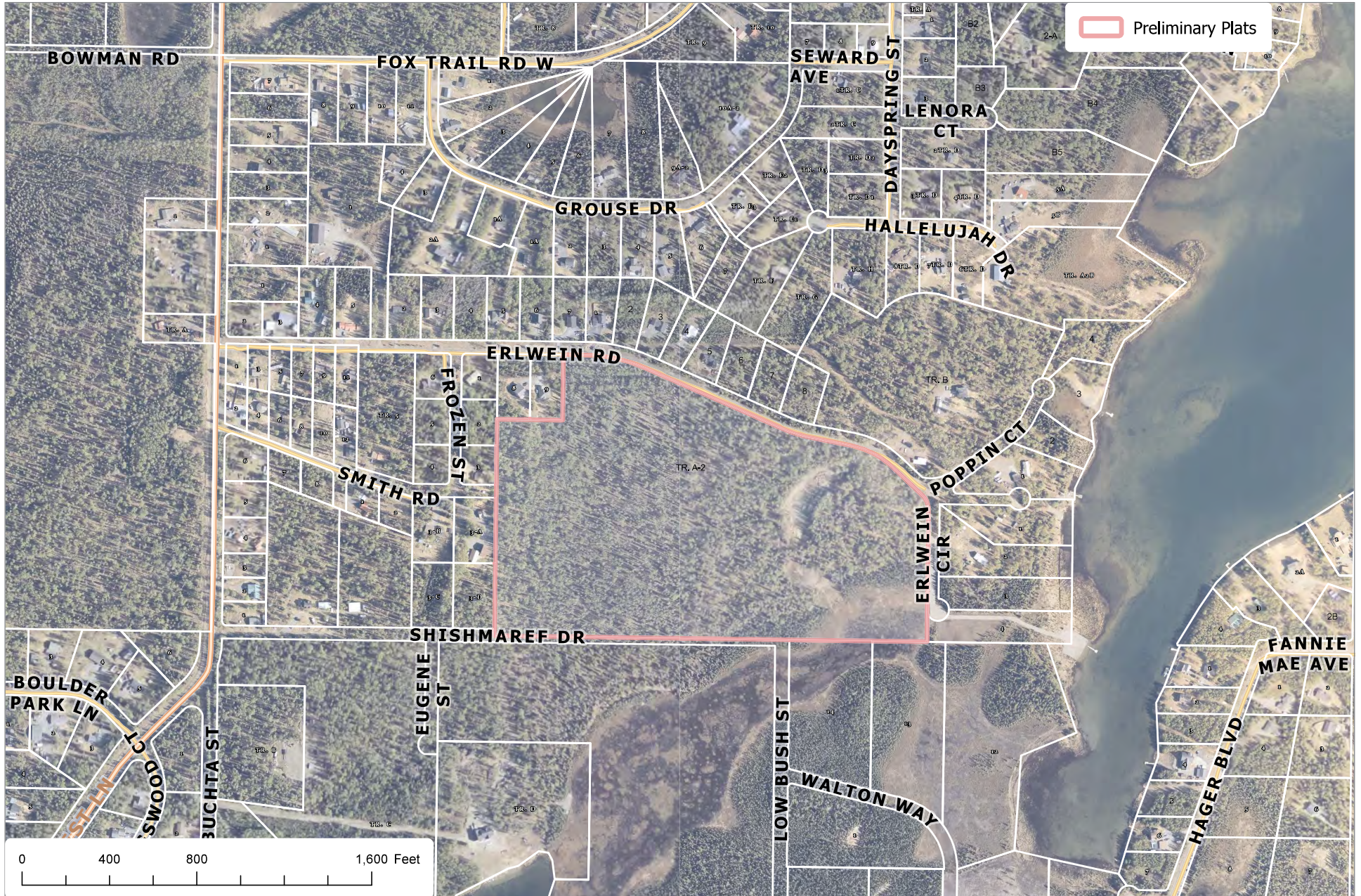
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

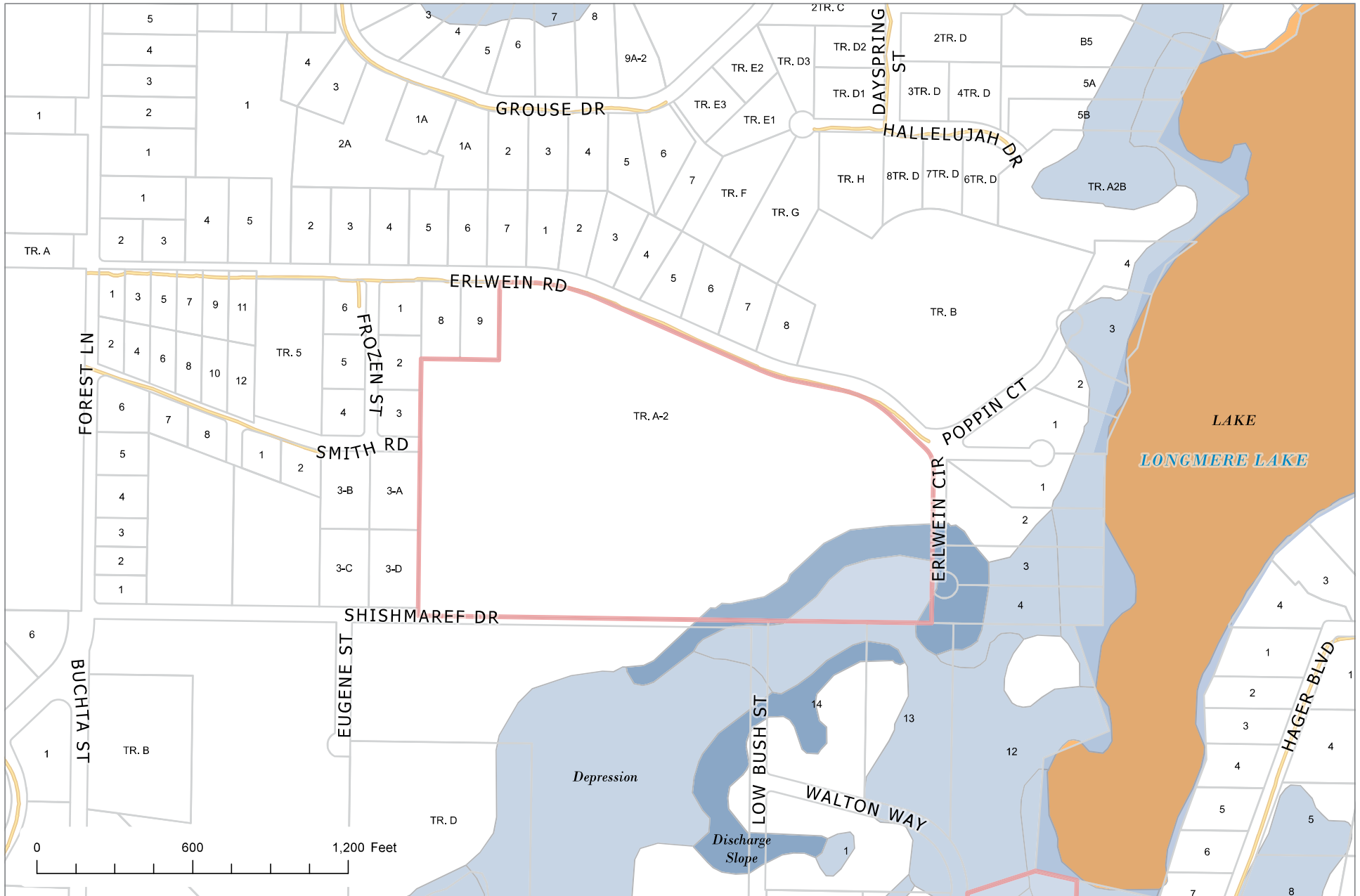
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT

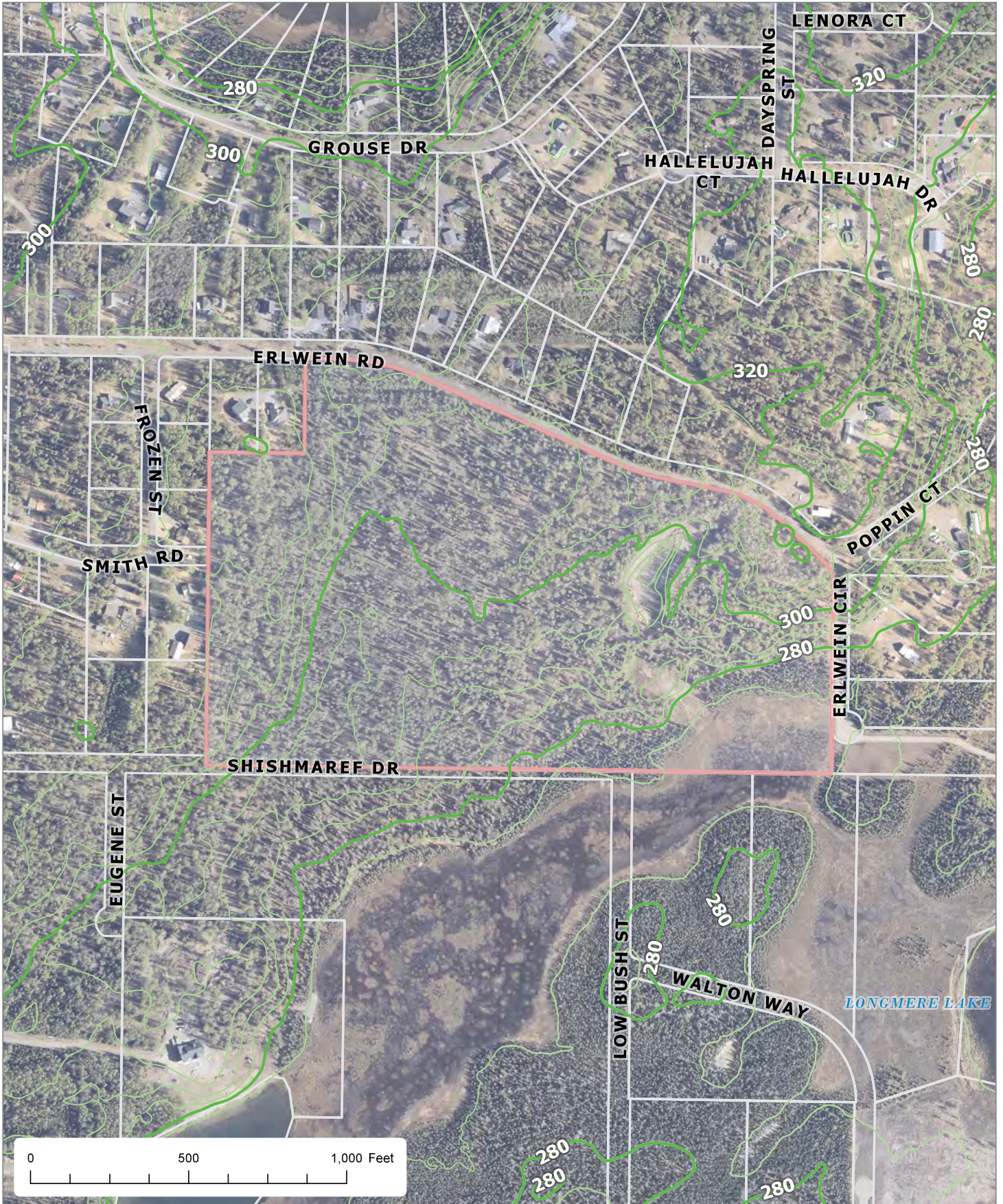


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

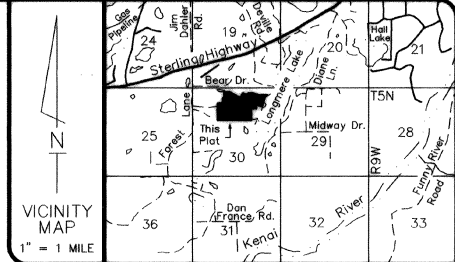
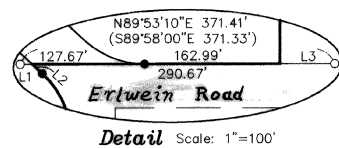
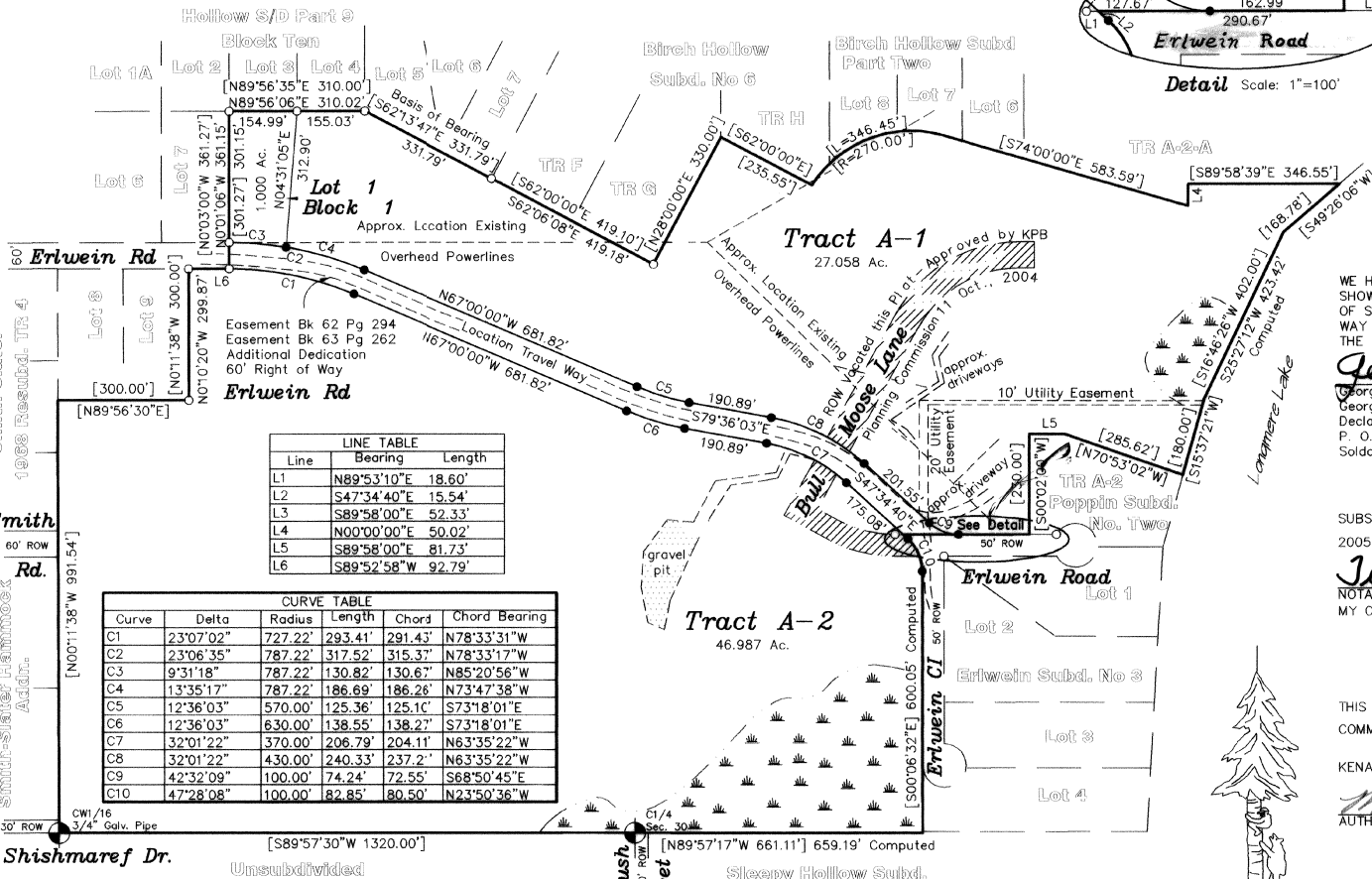




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The information depicted herein is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Line	Bearing	Length
L1	N89°53'10"E	18.60'
L2	S47°34'40"E	15.54'
L3	S89°58'00"E	52.33'
L4	N00°00'00"E	50.02'
L5	S89°58'00"E	81.73'
L6	S89°52'58"W	92.79'

Curve	Delta	Radius	Length	Chord	Chord Bearing
C1	23°07'02"	727.22'	293.41'	291.43'	N78°33'31"W
C2	23°06'35"	787.22'	317.52'	315.37'	N78°33'17"W
C3	9°31'18"	787.22'	130.82'	130.67'	N85°20'56"W
C4	13°35'17"	787.22'	186.69'	186.26'	N73°47'38"W
C5	12°36'03"	570.00'	125.36'	125.15'	S73°18'01"E
C6	12°36'03"	630.00'	138.55'	138.27'	S73°18'01"E
C7	32°01'22"	370.00'	206.79'	204.11'	N63°35'22"W
C8	32°01'22"	430.00'	240.33'	237.21'	N63°35'22"W
C9	42°32'09"	100.00'	74.24'	72.55'	S68°50'45"E
C10	47°28'08"	100.00'	82.85'	80.50'	N23°50'36"W

**CERTIFICATE of OWNERSHIP and DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADAPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

*Georgia L. Poppin, Trustee*  
 Georgia L. Poppin - Trustee  
 Georgia L. Poppin  
 Declaration of Trust  
 P. O. Box 796  
 Soldotna, AK 99669

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN BEFORE ME THIS 7th DAY OF March 2005 FOR Georgia L. Poppin  
*Jeresa A. Monte*  
 NOTARY PUBLIC FOR HAWAII  
 MY COMMISSION EXPIRES 12/26/2005

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF June 14, 2004

KENAI PENINSULA BOROUGH

*Max Burt*  
 AUTHORIZED OFFICIAL

**SURVEYOR'S CERTIFICATE**

I hereby certify that: I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.  
 Date 9 March 05



2005-13  
 RECORDED  
 Kenai REC. DIST.  
 DATE: 3-15 2005  
 TIME: 10:03 A.M.  
 REQUESTED BY:  
 INTEGRITY SURVEYS  
 605 SWIRES DRIVE  
 KENAI, ALASKA 99611

KPB FILE No. 2002-126

**Birch Forest No. 1**

A resubdivision of Tract A, Birch Hollow S/D No. 12. Located within the N 1/2 Section 30, T5N, R9W, S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska, Peninsula Borough, Alaska.

Containing 77,448 Acres

**Integrity Surveys**

605 Swires Drive Kenai, Alaska 99611-8363  
 SURVEYORS PHONE (907) 283-9047 FAX (907) 283-9071 PLANNERS  
 JOB NO: 24042 DRAWN: 01 March, 2005 CB  
 SURVEYED: October 2004 SCALE: 1" = 200'  
 FIELD BK: 2004-6, Pg. 1 DISK: Birch Forest

NOTES:  
 1) Proposed land uses are recreational, residential, agricultural, and commercial.  
 2) Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.  
 3) Existing powerline(s) is centerline of a 20' wide electrical distribution line easement.  
 4) Front 10 ft. of the building setback adjacent to rights-of-way and entire setback within 5' of side lot lines is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a Utility to use the easement.  
 5) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.  
*Jon J. Jorini* 3365-E License # March 11, 2005 Date

# FOSTER LAKE SUBDIVISION Smith Addition

In addition to Sec. 14, 15, & 16, 1/4 Sec. 11 located within the NE 1/4 Section 30, T10N 20W, 24E, Alaska  
Kodiak Planning District, Kodiak Peninsula Borough, The 2018-1413



Prepared by  
**Johnson Surveying, LLC**  
35450 Forest Lane  
Sitka, AK 99589

Prepared for  
**Smith Enterprises, LLC**  
35450 Forest Lane  
Sitka, AK 99589

SCALE 1" = 200' 136,239 acres 5 April, 2018



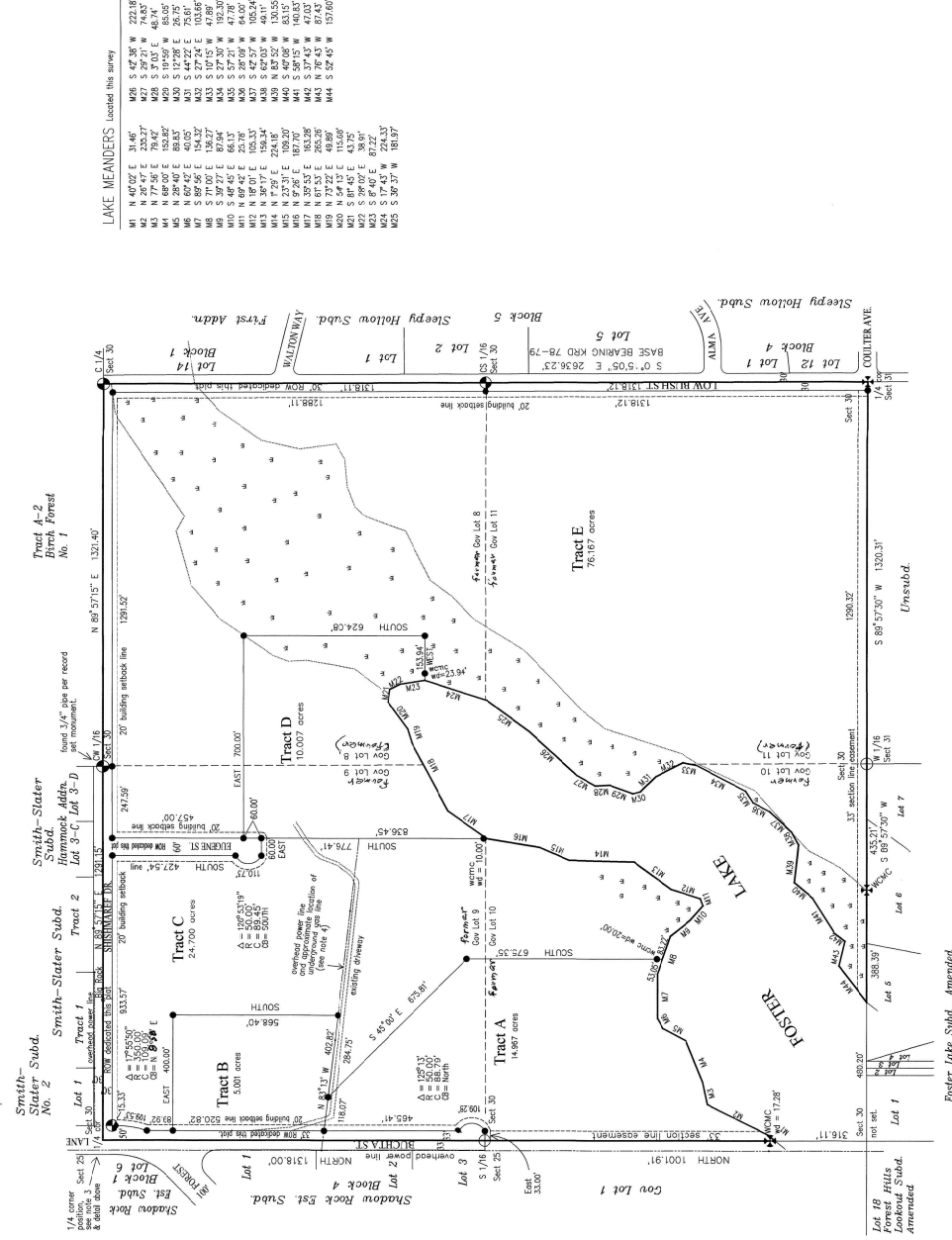
VICINITY 1" = 1 mile MAP

Plat #	2014-10
Rec. Dist.	KCDOJ
Map	3-7-2012
Time	9:13 AM

NOTES  
1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission.  
2. The utility easement shall be located to the right of the building setback line (BL) and shall be 5' of side lot lines.  
3. The utility easement shall be 20' wide utility easement, which shall be subject to a future utility assessment, which would interface with this addition's utility assessment.  
4. Overhead power lines shown in the subdivision are 20' wide utility easement with the building setback line to the 1/4 corner, set S 59°04'11" E 59.29' from true corner position.  
5. A 1/4 corner monument shall be placed at the 1/4 corner position.  
6. Any person developing this property is responsible for obtaining all required local, state, and federal permits for construction and occupancy.  
7. No access to state maintained ROW's permitted unless approved by the State of Alaska.  
8. Methods of transportation.  
9. The extension of the addition and the intersection with the natural meanders.

DETAIL  
1" = 20'  
1/4 corner position

- LEGEND**
- 2" x 2" 100 Brass Cap Monument, 1937, found.
  - 2" x 2" 100 Brass Cap Monument, 1932-S, 1965, found.
  - 3" x 3" 100 Brass Cap Monument, 1937-S, 1966, found.
  - 2" x 2" 100 Brass Cap Monument, 1937-S, 1966, found.
  - 1/2" x 4" rebar with plastic cap, set.
  - LI - Indicates swamp



LAKE MEANDERS located this survey

M1	N 40°02' E 34.46'	M28	S 47°38' W 222.18'
M2	N 77°36' E 38.47'	M29	S 73°03' E 42.74'
M3	N 89°00' E 103.82'	M30	S 19°50' W 86.08'
M4	N 89°00' E 103.82'	M31	S 47°38' W 222.18'
M5	N 89°00' E 103.82'	M32	S 27°24' E 103.86'
M6	N 89°00' E 103.82'	M33	S 47°38' W 222.18'
M7	S 89°46' E 34.32'	M34	S 19°50' W 86.08'
M8	S 70°20' E 129.27'	M35	S 57°21' W 47.78'
M9	S 70°20' E 129.27'	M36	S 20°09' W 84.00'
M10	S 48°45' E 86.13'	M37	N 89°02' E 25.93'
M11	N 89°02' E 25.93'	M38	S 47°38' W 222.18'
M12	S 48°45' E 86.13'	M39	N 83°52' W 130.55'
M13	N 35°12' E 156.34'	M40	N 84°13' E 116.60'
M14	N 7°51' E 224.18'	M41	S 39°40' E 78.58'
M15	N 77°36' E 38.47'	M42	S 37°43' W 82.03'
M16	N 77°36' E 38.47'	M43	S 8°40' E 78.58'
M17	N 35°12' E 156.34'	M44	S 32°45' W 107.60'
M18	N 35°12' E 156.34'		
M19	N 27°22' E 49.89'		
M20	S 28°40' E 78.58'		
M21	S 47°38' W 222.18'		
M22	S 47°38' W 222.18'		
M23	S 47°38' W 222.18'		
M24	S 36°20' W 109.57'		

**OWNERSHIP CERTIFICATE & DEDICATION**  
This plat is subject to the provisions of the Alaska Statutes, and in behalf of the owner of the real property shown and described herein, and on behalf of Smith Enterprises, LLC, and I hereby attest this plan of subdivision, and the provisions of the same, do hereby consent, dedicate all rights and grant all easements to the use shown.

*Celia Smith*  
Celia Smith  
Manager/Member Smith Enterprises, LLC  
35450 Forest Lane Sitka, AK 99589

**NOTARY'S JURAT**  
I, the within-  
Subscribed and sworn to before me this 5th  
day of JANUARY, 2019.  
*Peggy Clement*  
Peggy Clement  
Notary Public for Alaska  
My commission expires 7.31.2022



**WASTEWATER DISPOSAL**  
Tracts shall be of at least 200,000 square feet or non-adjacent lots shall be at least 200,000 square feet in size for on-site wastewater treatment. The wastewater treatment system and disposal systems must meet the requirements of the Alaska Department of Environmental Conservation.

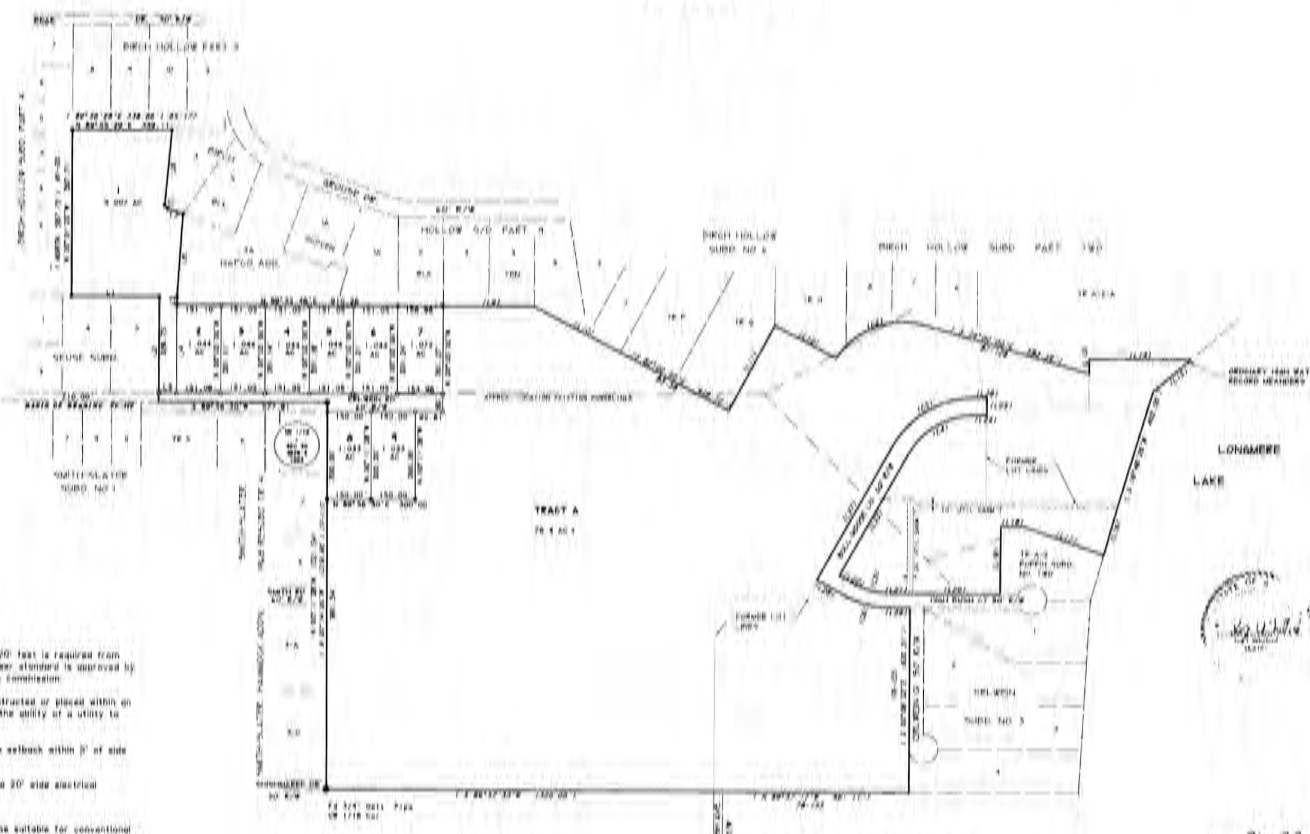
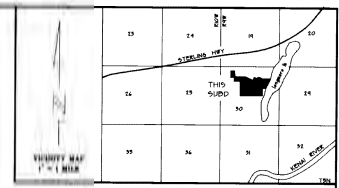
CURV	DEL TA ANGLE	DELTA X	DELTA Y	PERCENT	CHORD	CHORD BEARING
5.1	847.28 53'	20.00'	15.33'	8.18	15.12	S 87°18' 00" W
7.0	847.28 53'	20.00'	15.33'	8.18	15.12	S 87°18' 00" W
11.2	212.11 10'	220.00'	340.41'	201.89	523.17	S 89°12' 00" W
12.2	287.00 05'	200.00'	170.00'	170.00	282.86	S 70°00' 00" W
13.2	271.00 00'	200.00'	287.00'	170.18	278.23	S 89°33' 15" W
14.2	297.00 00'	220.00'	189.10'	89.02	182.25	S 71°28' 00" W

LINE	BEARING	DISTANCE
1.1	S 89°12' 00" W	200.00'
1.2	S 89°12' 00" W	200.00'
1.3	S 89°12' 00" W	200.00'
1.4	S 89°12' 00" W	200.00'
1.5	S 89°12' 00" W	200.00'
1.6	S 89°12' 00" W	200.00'
1.7	S 89°12' 00" W	200.00'
1.8	S 89°12' 00" W	200.00'

LINE	BEARING	DIST	KEY
1.1	S 89°12' 00" W	200.00'	TR 02
1.2	S 89°12' 00" W	200.00'	TR 03
1.3	S 89°12' 00" W	200.00'	TR 04
1.4	S 89°12' 00" W	200.00'	TR 05
1.5	S 89°12' 00" W	200.00'	TR 06
1.6	S 89°12' 00" W	200.00'	TR 07
1.7	S 89°12' 00" W	200.00'	TR 08
1.8	S 89°12' 00" W	200.00'	TR 09
1.9	S 89°12' 00" W	200.00'	TR 10
1.10	S 89°12' 00" W	200.00'	TR 11
1.11	S 89°12' 00" W	200.00'	TR 12
1.12	S 89°12' 00" W	200.00'	TR 13
1.13	S 89°12' 00" W	200.00'	TR 14
1.14	S 89°12' 00" W	200.00'	TR 15
1.15	S 89°12' 00" W	200.00'	TR 16
1.16	S 89°12' 00" W	200.00'	TR 17
1.17	S 89°12' 00" W	200.00'	TR 18
1.18	S 89°12' 00" W	200.00'	TR 19
1.19	S 89°12' 00" W	200.00'	TR 20
1.20	S 89°12' 00" W	200.00'	TR 21
1.21	S 89°12' 00" W	200.00'	TR 22
1.22	S 89°12' 00" W	200.00'	TR 23
1.23	S 89°12' 00" W	200.00'	TR 24
1.24	S 89°12' 00" W	200.00'	TR 25
1.25	S 89°12' 00" W	200.00'	TR 26
1.26	S 89°12' 00" W	200.00'	TR 27
1.27	S 89°12' 00" W	200.00'	TR 28
1.28	S 89°12' 00" W	200.00'	TR 29
1.29	S 89°12' 00" W	200.00'	TR 30



- 3/4" ALUM CAP NOT REQUIRED
- REBAR REQUIRED
- 5/8" REBAR/LAP SET THIS SURVEY
- REBAR DATA



**NOTES**

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

No permanent structure shall be constructed or placed within an easement which would interfere with the utility of a utility to use the easement.

Front 10' of building setback & entire setback within 10' of side lot lines is a utility easement.

Existing powerline(s) is centerline of a 20' wide electrical distribution line easement.

Soils on these lots 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.

No access to State maintained rights-of-way permitted unless approved by State of Alaska Department of Transportation.

Tract A may be subject to additional Right-of-Way easements for ingress and egress as recorded in BK 51, Pg. 514; BK 07, Pg. 284; BK 05, Pg. 262, R.R.D.

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

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.

Witness My Hand, By Daniel John Poppin, P.E.  
Georgia L. Poppin, P.E.  
 Trustees of Daniel John Poppin & Georgia L. Poppin  
 Declaration of Trust  
 PO Box 709 Kilauea Kaula, Hawaii 96754

**NOTARY'S ACKNOWLEDGEMENT**

Subscribed and sworn before me this 30<sup>th</sup> day of December, 1996.

For: Daniel John Poppin, P.E. for N.J. Poppin & Georgia L. Poppin  
Sharon B. Woodford  
 Notary Public for Alaska  
 My Commission Expires 1-4-97



**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of December 16, 1996.

[Signature]  
 Authorized Official

96-03  
 RECORDED 2007  
 DATE 12-31-07  
 TR 2142, P. 2  
 Prepared by: [Signature]

**BIRCH HOLLOW SUBD. NO. 1 2**

A RESUBDIVISION OF  
 BK 5, TR 4, BIRCH HOLLOW S/D PART 2, TR 4-1, POPPIN S/D  
 BK 5, TR 4, BIRCH HOLLOW S/D PART 2, A DEEDED PARCEL & AN UNSUBD. REMAINDER  
 LOCATED WITHIN THE N 1/2 SEC. 30, T5N, R5W, S4, AK  
 658 AC ±

**WHITFORD SURVEYING**  
 PO BOX 4032 - SOLDOTNA, AK 99669  
 (907) 260-9082

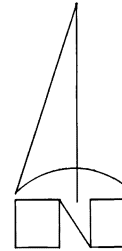
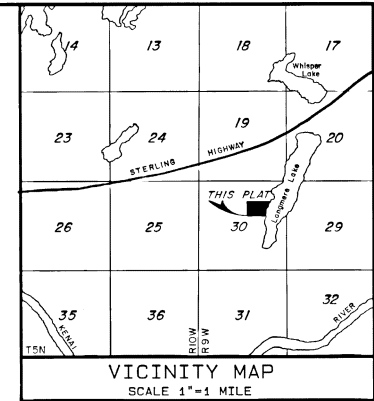
DRAWN BY: [Signature] DATE: 12/10/96  
 SCALE: 1" = 200'  
 DWG. FILE: POPPIN.DWG

BN 96-93

LETTER OF APPROVAL BY THE ALASKA  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with  
18AAC72.065 and is approved, subject to any noted restrictions.

Nov. 14, 1986  
Date

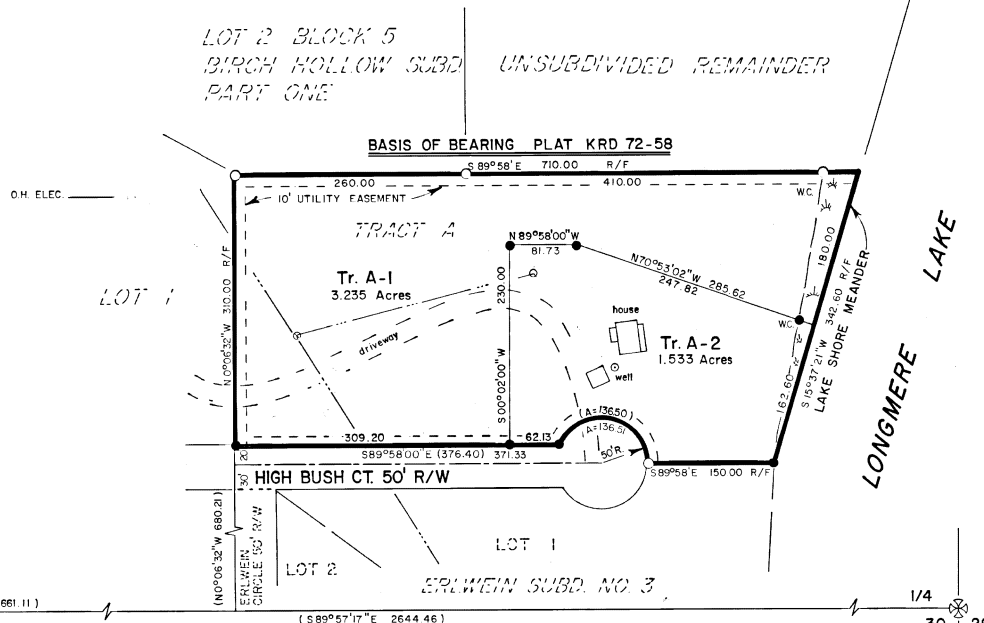


LEGEND

- BLM or GLO monument recovered
- ⊗ BLM or GLO monument not recovered
- Found official survey monument
- ⊕ Set Benrtsen 3 1/4" x 30" aluminum survey monument
- ⊕ Monument of record not recovered
- Found 5/8" rebar
- Set 5/8" x 30" rebar with 2" aluminum cap
- Found 1/2" rebar
- Set 1/2" x 24" rebar with plastic cap C 283
- Found 1 1/2" aluminum cap
- R/F Record and found data agree K72-58
- ( ) Indicates record data K72-58

NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) The ordinary waterline of Longmere Lake forms the true bounds of the lake front lots. The Lake Shore Meander shown hereon is for survey computational purposes only.
- 3) No direct access to state maintained ROWs permitted unless approved by State of Alaska Dept. of Transportation.
- 4) BUILDING SET BACK - A building set back of 20 ft. is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 5) The existing powerline is the centerline of a 20' utility easement.
- 6) The front 10' of building setback is also a utility easement.



C 1/4  
SEC. 30  
STATE OF ALASKA  
NOTARY PUBLIC  
MARY TULL  
M. Commission Expires 9-20-90

87-8  
RECORDED  
FILED  
REC. DIST.  
DATE 11-13-87  
TIME 11:33 A.M.  
McLane

**POPPIN SUBDIVISION  
NUMBER TWO**  
(A RESUBDIVISION OF TRACT A POPPIN SUBDIVISION)

N.J. Poppin, owner  
PO. Box 796  
Soldotna, AK 99669

**LOCATION**  
4.768 AC. SITUATED IN S1/2 NE1/4 SECTION 30, T5N, R9W,  
SEWARD MERIDIAN, ALASKA IN THE KENAI PENINSULA  
BOROUGH AND THE KENAI RECORDING DISTRICT.

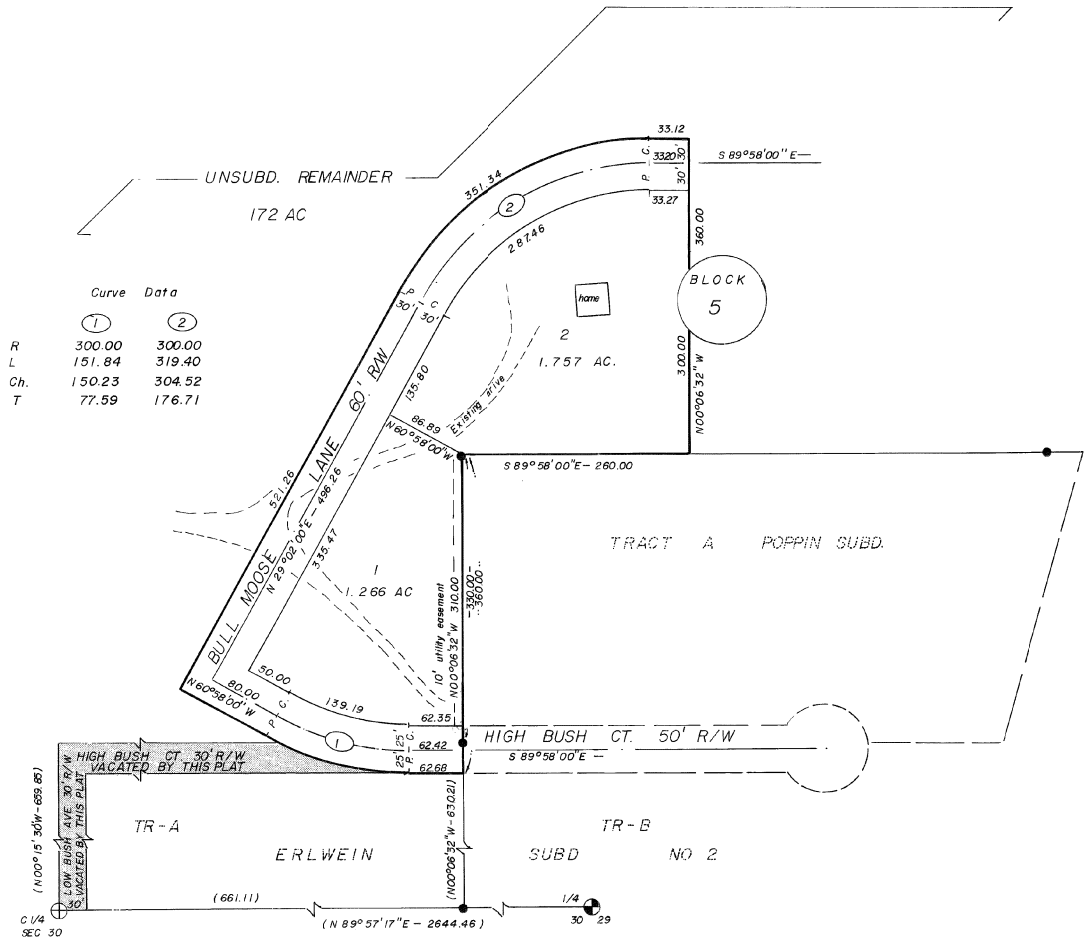
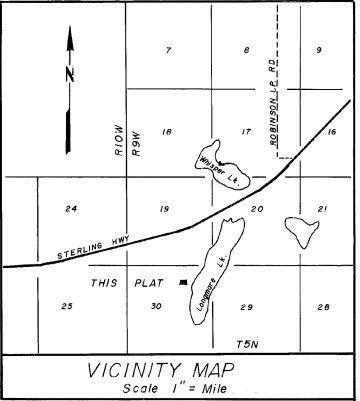
Surveyed by: **McLANE and ASSOCIATES, INC.**  
Soldotna, AK 99669

DATE OF SURVEY 7/9 - 12/11/86	SCALE 1" = 100'	SHEET 1 of 1
DRAWN BY gb,mt CHECKED BY msm	BK. No. 86-25,87-05 JOB No. 86-2072	K.P.B. FILE No. 86-316

**NOTARY'S ACKNOWLEDGEMENT**  
FOR: Georgia Poppin and Georgia L. Poppin P.O.A. for N.J. Poppin  
Subscribed and sworn before me this  
16<sup>th</sup> day of November, 1986.  
My commission expires 9-20-90  
Mary Tull  
Notary Public for the State of Alaska

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
We hereby certify that we are the owners of the property  
shown and described hereon and that we hereby adopt this plan  
of subdivision and dedicate all right-of-ways to public use  
and grant all easements to the use shown.  
N.J. Poppin by P.O.A. Georgia L. Poppin  
N.J. Poppin Georgia L. Poppin

**PLAT APPROVAL**  
This plat was approved by the KENAI  
PENINSULA BOROUGH PLANNING COMMISSION  
at the meeting of  
OCTOBER 6, 1986  
KENAI PENINSULA BOROUGH  
By Richard J. Payne  
Authorized official



Curve Data

	(1)	(2)
R	300.00	300.00
L	151.84	319.40
Ch.	150.23	304.52
T	77.59	176.71

**LEGEND AND NOTES**

- ⊥ Set 1/2" x 24" steel rebar at all lot corners.
  - Found 1/2" x 24" steel rebar
  - ⊙ Found G.L.O. brass monument
  - ⊕ Found Official Survey monument
- All bearings refer to the E-W center line of Sec. 30 as being S 89° 57' 17" E data of record Plat K 72-58
- All wastewater disposal systems shall comply with existing law at time of construction.
- All lots are subject to a 20' building set back along dedicated R/W's
- ( ) Data of record
- ▭ Right of Way vacated by this plat

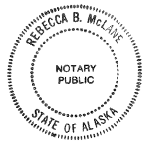
**CERTIFICATE OF OWNERSHIP AND DEDICATION**

We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

*N.J. Poppin Georgia L. Poppin*  
 N.J. Poppin and Georgia L. Poppin, owners  
 Box 796  
 Soldotna, Alaska

**NOTARY'S ACKNOWLEDGEMENT**

Subscribed and sworn before me this  
 18<sup>th</sup> day of Aug., 1978  
 My commission expires 9-19-81.  
*Rebecca B. McLane*  
 notary public for Alaska



**PLAT APPROVAL**

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of August 7, 1978, is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

KENAI PENINSULA BOROUGH  
 By: *Paula Waring*

78-155

RECORDED - FILED 300  
 KENAI REC. DIST.  
 DATE 8/18 1978  
 TIME 2:31 P.M.  
 Requested by KPB  
 Address

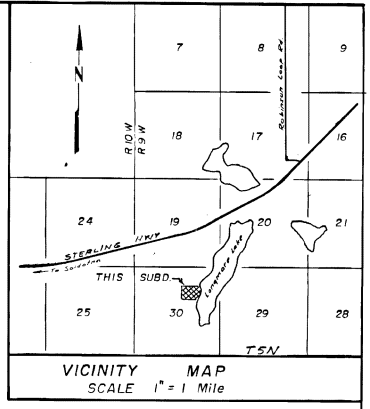
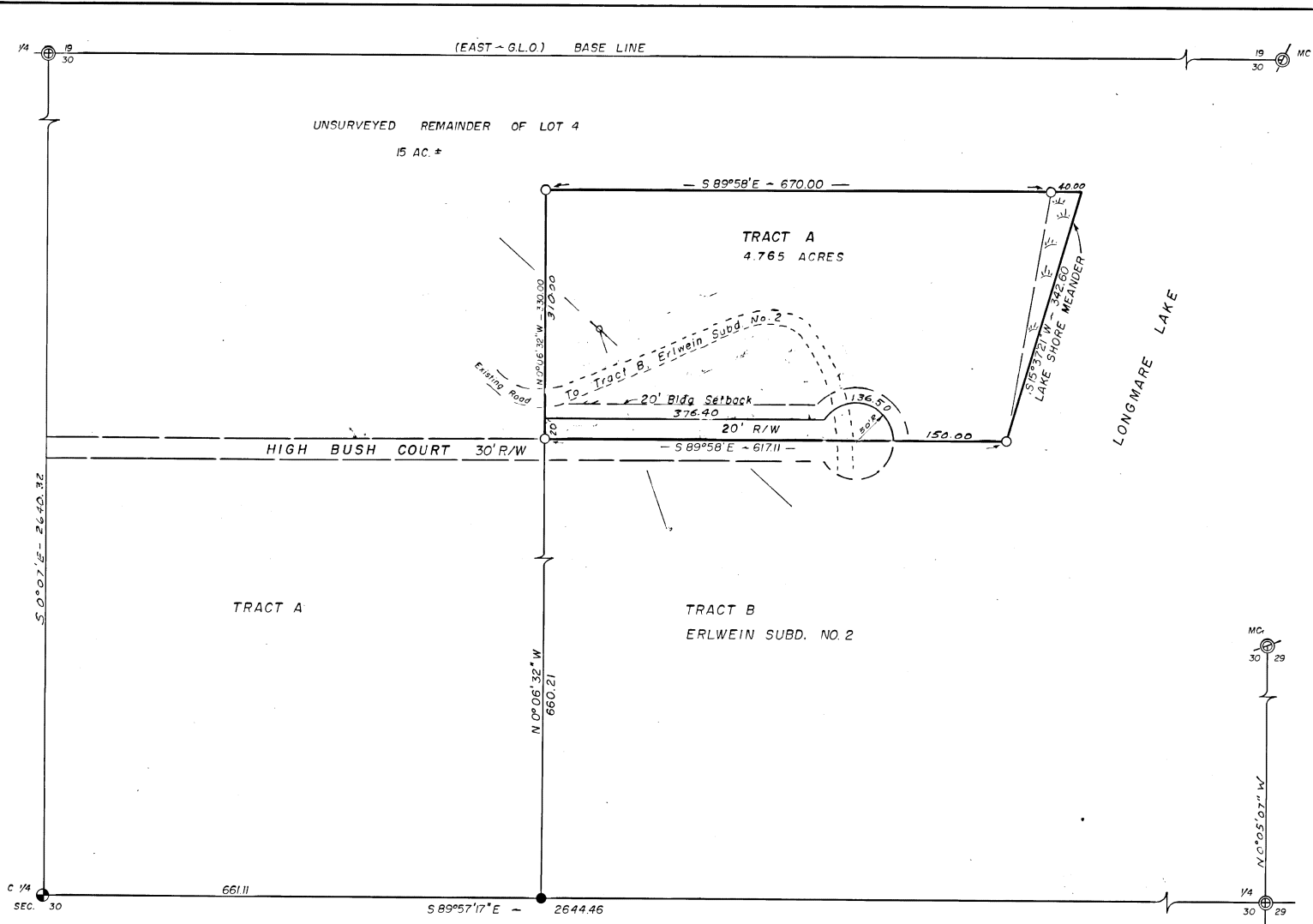
**BIRCH HOLLOW SUBDIVISION PART ONE**

N.J. Poppin owner  
 Box 796  
 Soldotna, Alaska 99669  
 DESCRIPTION  
 4.530 AC. LOCATED IN GOV'T LOT 4, SEC. 30, T5N, R9W 5M AK. AND THE KENAI PENINSULA BOROUGH.

Surveyed by: McLane and Associates  
 Soldotna, Alaska

Date of Survey 7/11/78	Scale 1" = 100'	Bk. No 78-18
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KN 78-155



**LEGEND AND NOTES**

- ⊕ Found G.L.O. brass cap monument.
- Found official survey brass cap.
- Found 1/2" rebar.
- Set 1/2" x 24" rebar.
- H.E.A. power pole.

All bearings refer to the G.L.O. datum of East for the North line of Section 30.

**CERTIFICATE OF OWNERSHIP AND DEDICATION:**

We hereby certify that we are the owners of the property shown and described hereon. We request approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Date Dec 9, 72 William owner  
 Date Aug 9, 72 George A. Poppin owner

**NOTARY'S ACKNOWLEDGEMENT:**

Subscribed and sworn before me this 9<sup>th</sup> day of August, 1972.  
 My commission expires July 1, 1975  
George A. Poppin  
 Notary Public for Alaska

Plat approved by the Kenai Peninsula Borough Planning Commission  
 this 10<sup>th</sup> day of July, 1972.

George A. Poppin  
 Chairman

22-58  
 RECORDED - FILED  
 Kenai REC. DIST.  
 DATE 10 27 1972  
 TIME 1:52 P.M.  
 Submitted by K.P.B.  
 Address \_\_\_\_\_



**POPPIN SUBDIVISION**

N.J. Poppin, owner  
 Rt. 3; Kenai, Alaska 99611

**DESCRIPTION**

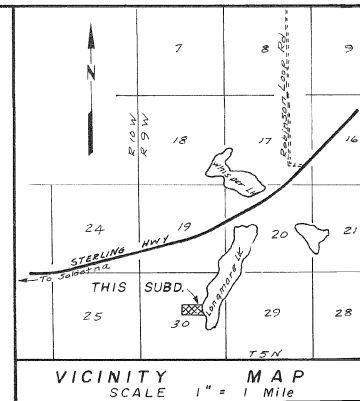
5.027 ACRES SITUATED IN LOT 4 SECTION 30, T5N, R9W, S.M., ALASKA AND KENAI PENINSULA BOROUGH.

SURVEYED BY: Stanley S. McLane  
 Soldotna, Ak 99669

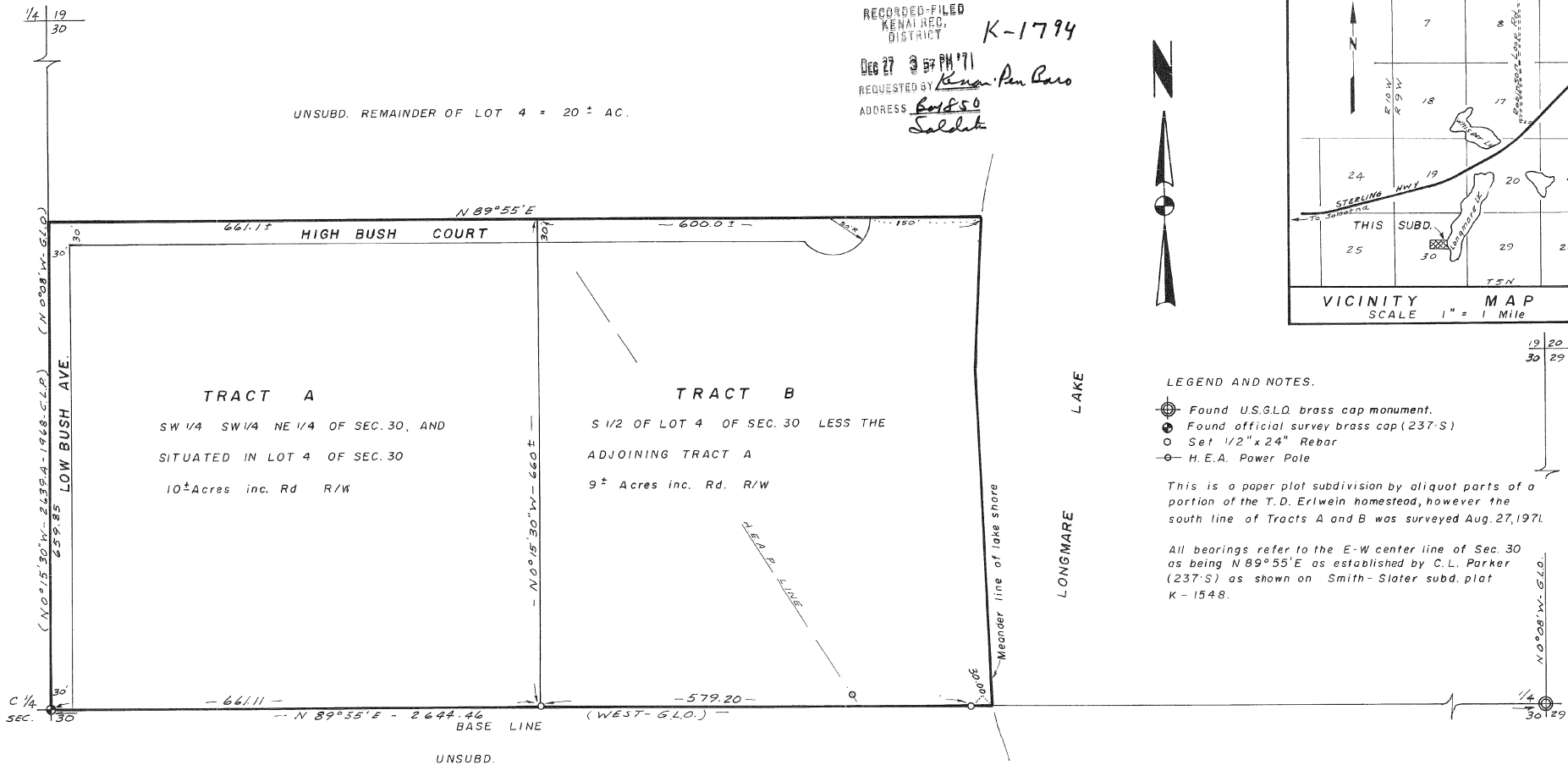
DATE OF SURVEY June 6, 1972	SCALE 1" = 100'	BOOK NO. 37-70
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RECORDED-FILED  
KENAI REC. DISTRICT  
K-1794  
DEC 27 3 57 PM '71  
REQUESTED BY *Kenan Pen Baro*  
ADDRESS *Rd 50 Soldotna*



UNSUBD. REMAINDER OF LOT 4 = 20 ± AC.



LEGEND AND NOTES.

- ⊕ Found U.S.G.L.Q. brass cap monument.
- ⊙ Found official survey brass cap (237-S)
- Set 1/2" x 24" Rebar
- H.E.A. Power Pole

This is a paper plat subdivision by aliquot parts of a portion of the T.D. Erlwein homestead, however the south line of Tracts A and B was surveyed Aug. 27, 1971.

All bearings refer to the E-W center line of Sec. 30 as being N 89° 55' E as established by C.L. Parker (237-S) as shown on Smith-Slater subd. plat K-1548.

CERTIFICATE OF OWNERSHIP AND DEDICATION:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON. WE REQUEST THE APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS, AND OR STREETS DEDICATED BY US FOR PUBLIC USE.

DATE Dec 27, 1971 *W.J. Poppin*  
DATE Dec 27, 1971 *T.D. Erlwein* *George L. Poppin*

NOTARY'S ACKNOWLEDGMENT:

QUERIED AND SHOWN BEFORE ME THIS 27 DAY OF December 1971.

COMMISSION EXPIRES 7-22-72  
*Frances R. Bryner*

PLAT APPROVED BY THE KENAI PENINSULA THROUGH PLANNING COMMISSION  
THIS 13 DAY OF October, 1971. *George L. Poppin*



ERLWEIN SUBDIVISION NO. 2

T. D. Erlwein P.O. Box 3138 Kenai, Ak.  
N. J. Poppin Rt. 3 Kenai, Ak.  
— owners —

DESCRIPTION  
S 1/2 OF LOT 4 OF SECTION 30, T5N, R9W,  
S.M., AK. CONTAINING 19 ± ACRES IN THE  
KENAI PENINSULA BOROUGH.

PREPARED BY: S.S. McLane R.L.S.  
Soldotna, Ak.

DATE Sept. 29, 1971 SCALE 1" = 100' BK. NO. 37-70

