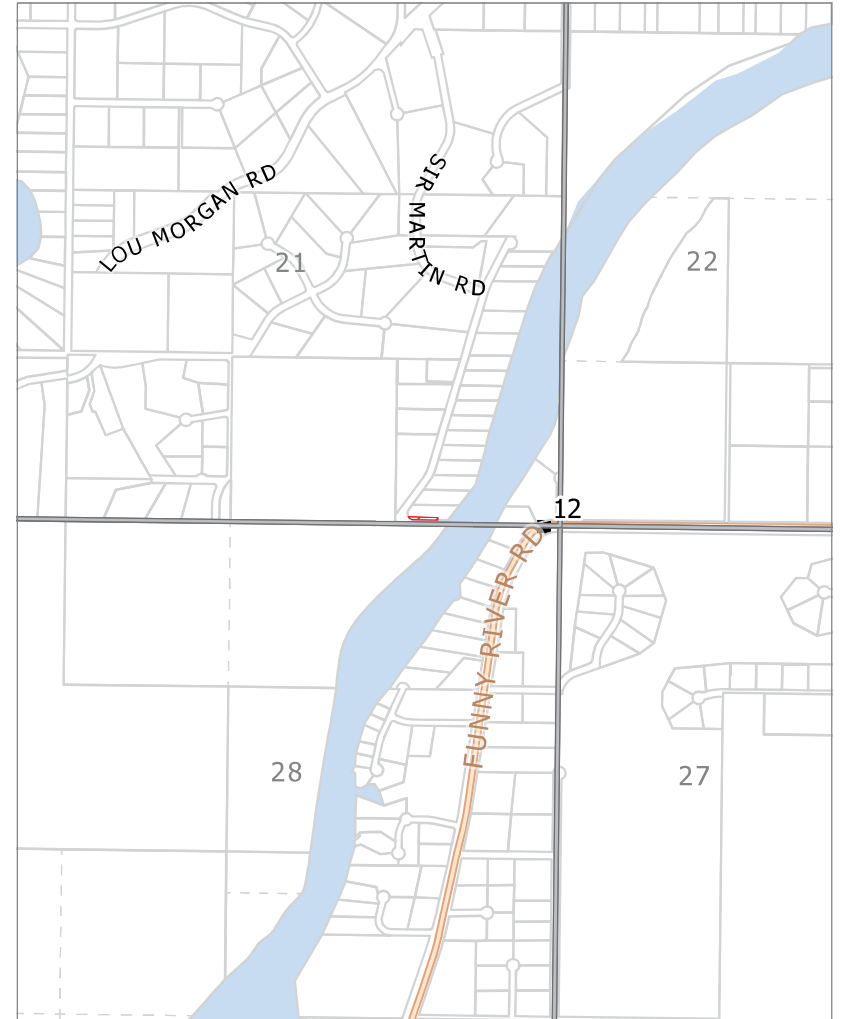
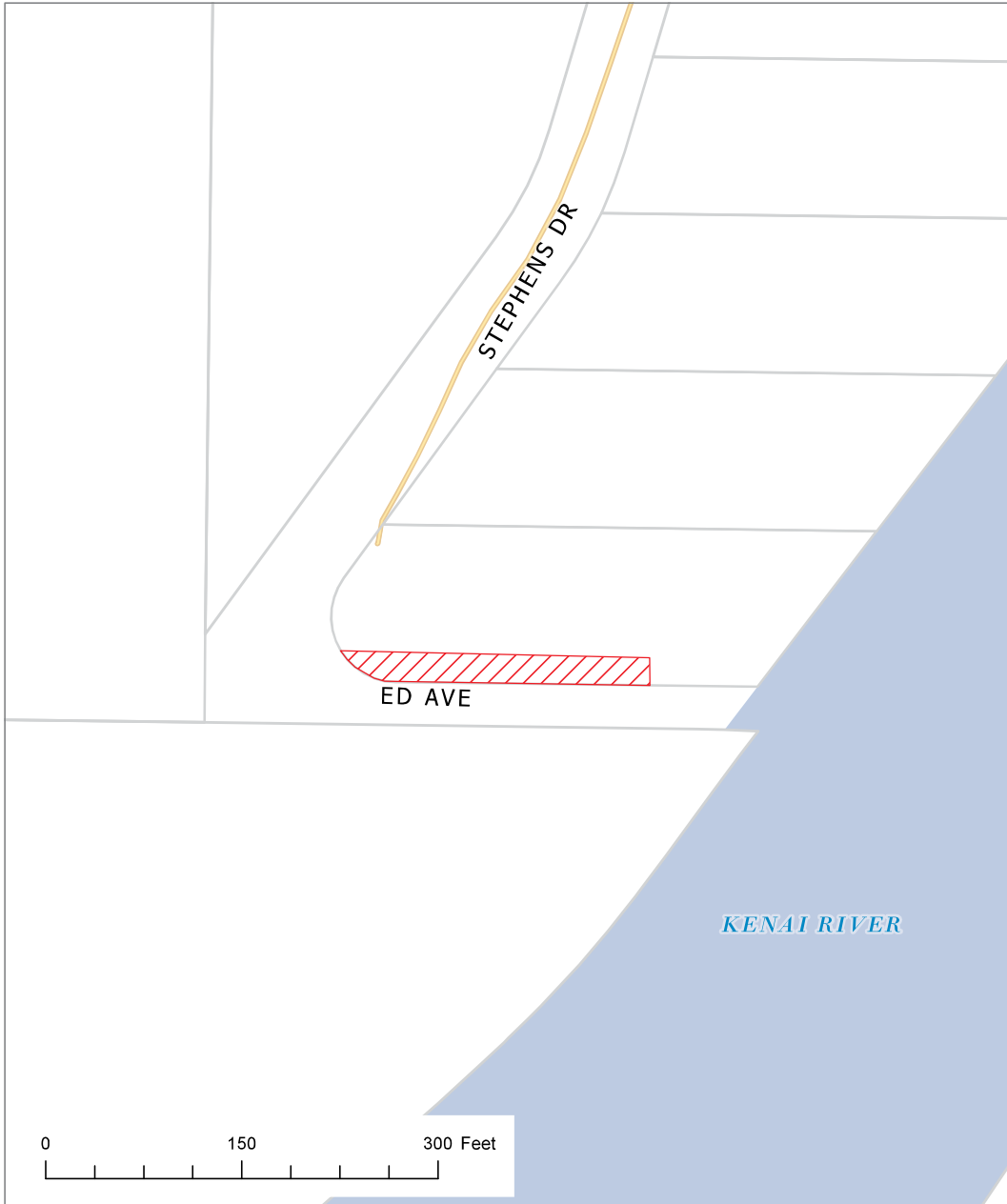


C. CONSENT AGENDA

- *2. Planning Commission Resolutions**
 - a. PC Resolution 2023-09**



KPB File # 2023-040
S31 T05S R12W
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.



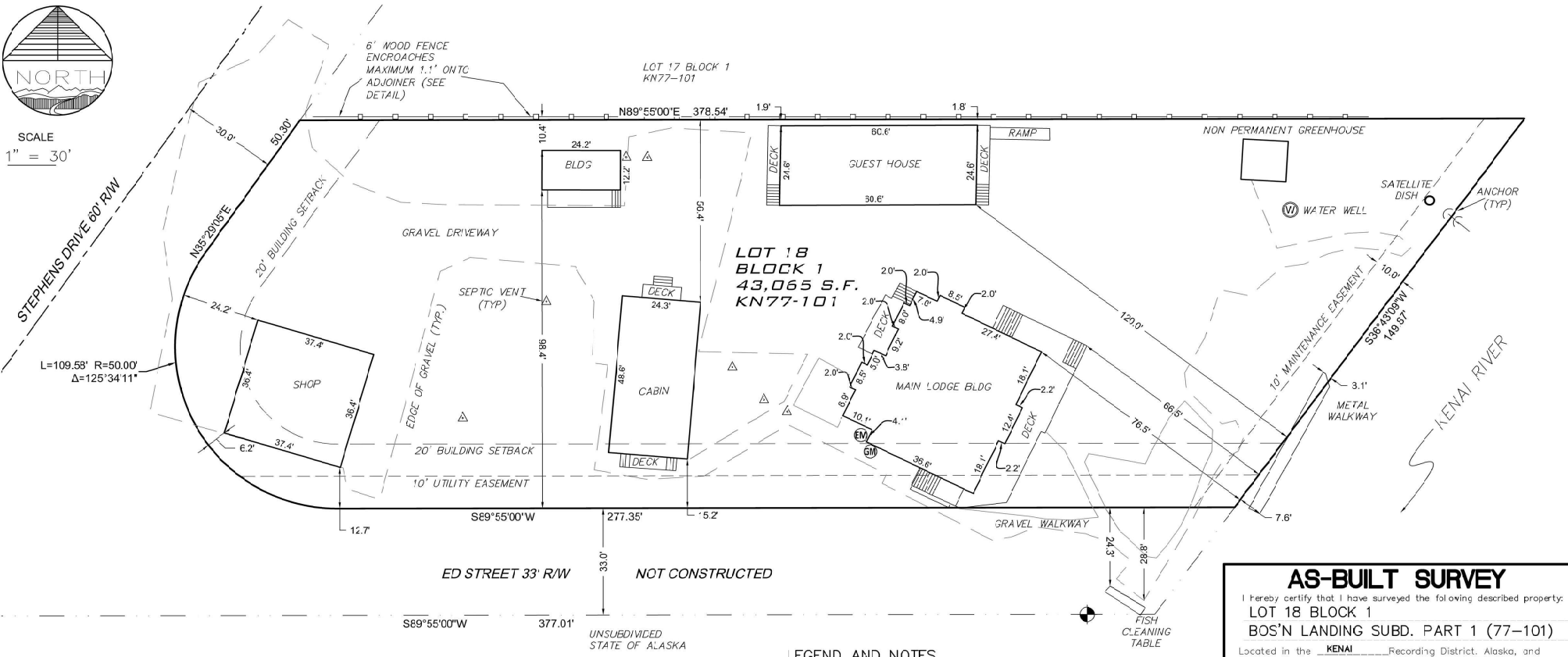
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



SCALE
1" = 30'

STEPHENS DRIVE 60' R/W
N89°20'05"E
50.30'
30.0'

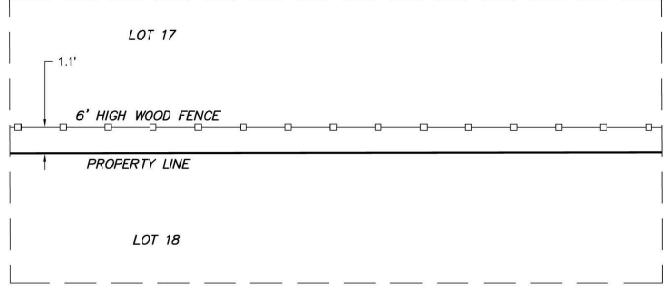
L=109.58' R=50.00'
Δ=125°34'11"



ED STREET 33' R/W
S89°55'00"W 277.35' 12.7'
33.0' NOT CONSTRUCTED
S89°55'00"W 377.01'

UNSUBDIVIDED
STATE OF ALASKA

DETAIL SCALE 1" = 5'



LEGEND AND NOTES

- ◆ Found Primary Survey Monument
- △ Septic Vent
- Ⓜ Water Well
- Ⓜ Electric Meter
- Ⓜ Gas Meter
- Anchor
- Satellite Dish

- 1) The bearings and distances shown hereon relative to the property boundaries were derived from data of record.
- 2) This Lot served by underground gas & electric.
- 3) Street address of subject property is 36020 Stephens Drive
- 4) This as-built survey is a revision of the previous as-built survey conducted December 2015, May 2023, and December 2023 by McLane Consulting.



Prepared For: MARK BURNER
PO BOX 508
STERLING AK 99672

AS-BUILT SURVEY

I hereby certify that I have surveyed the following described property:
**LOT 18 BLOCK 1
BOS'N LANDING SUBD. PART 1 (77-101)**

Located in the KENAI Recording District, Alaska, and that the improvements situated thereon are within the property lines and do not overlap or encroach on the property lying adjacent thereto, that no improvements on the property lying adjacent thereto encroach on the premises in question and that there are no roadways, transmission lines or other visible easements on said property except as indicated hereon. EXCLUSION NOTE: It is the responsibility of the owner to determine the existence of any easements, covenants or restrictions which do not appear on the recorded subdivision plat. Under no circumstances should any data hereon be used for construction or for establishing boundary or fence lines.

Date: February 29, 2024
Job No: 231007 Filed Book No. 15-15 & 23-C2



ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK. 99669
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECG.COM

**ITEM 1. – BUILDING SETBACK ENCROACHMENT PERMIT – LOT 18, BLOCK 1, BOS'N LANDING
SUBDIVISION PART 1 (KN 77-101)**

KPB File No.	2023-040
Planning Commission Meeting:	March 25, 2024
Applicant / Owner:	Mark and Julie Burner of Sterling, Alaska
Surveyor:	Andrew Hamilton / McLane Consulting Inc.
General Location:	Stephens Drive, Ed Avenue, Sterling

Parent Parcel No.:	063-560-04
Legal Description:	Lot 18 Block 1 Bos'n Landing Subdivision Part 1 KN 77-101 T05N R09W Sec 21
Assessing Use:	Lodge-Multiple Cabins
Zoning:	Rural Unrestricted

STAFF REPORT

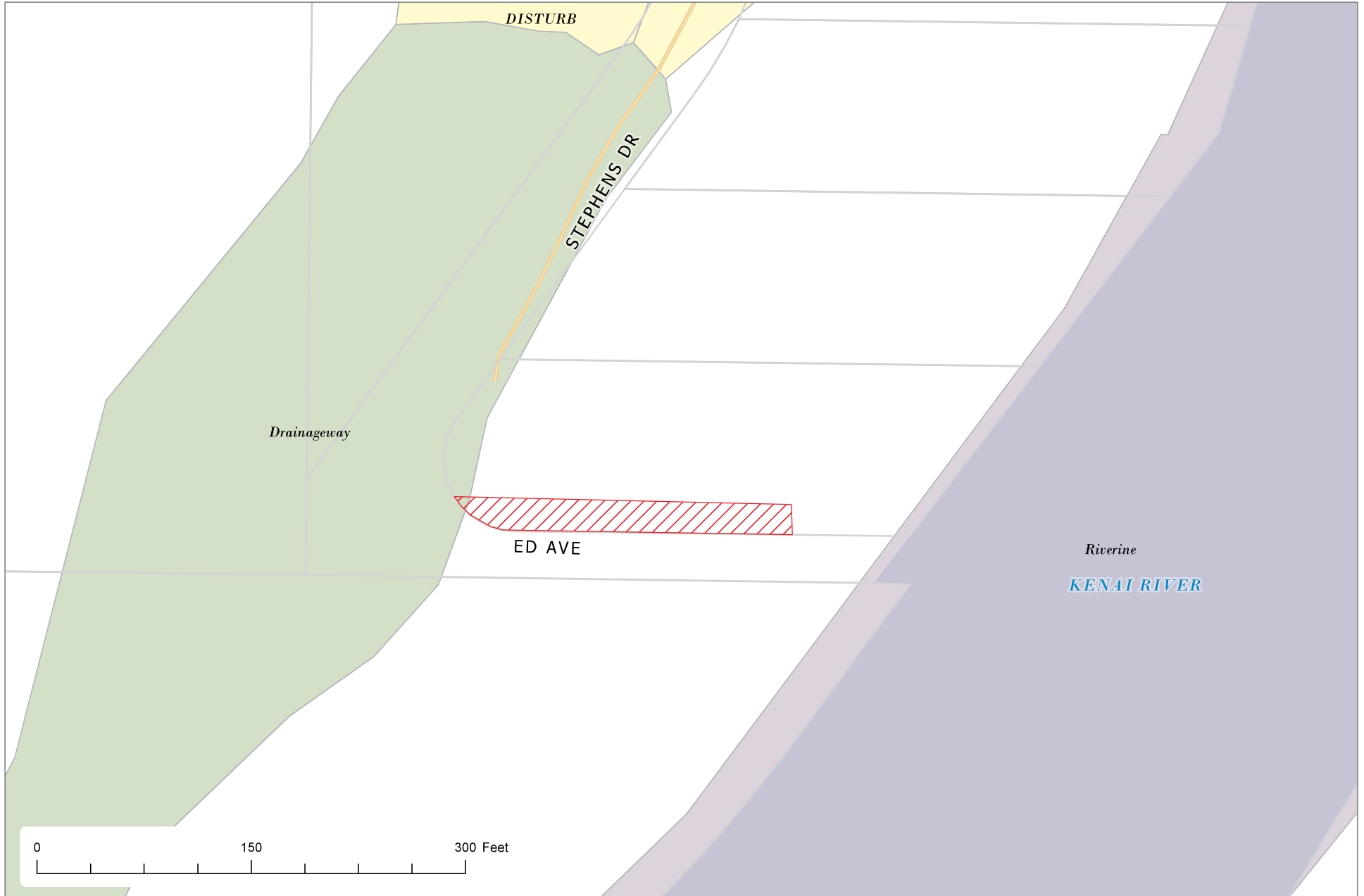
This is a submittal for final approval of Resolution 2023-9 for the building setback encroachment permit located on Lot 18 Block 1, Bos'n Landing Subdivision Part 1 KN 77-101. The resolution was approved at the Planning Commission meeting of April 24, 2023. The building setback Resolution was to be finalized when the following conditions were met.

1. Compliance with KPB 20.10.110 sections F and G.
2. Removal of all encroachments within the right-of-way dedication.
3. Providing a current as-built to be used as an exhibit drawing prepared, signed, and sealed by a licensed land surveyor.
4. The recording fees be submitted to the Kenai Peninsula Borough Planning Department for the recording of the resolution.
5. Failure to provide an as-built so that it may be recorded within one year approval will result in a new application, hearing, and approval.
6. Additional encroachments found on the new as-built will require a new hearing.

These conditions have been met and a copy of the current as-built is in the packet.

Staff recommends final approval of Resolution 2023-9.

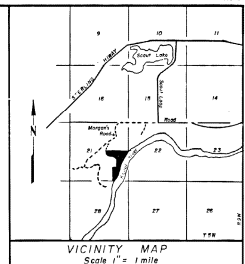
END OF STAFF REPORT



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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LEGEND AND NOTES

- Found G.L.O. monument (1939)
 - Found official survey monument (at 2087-S 1976)
 - Set official survey monument (1932-S 1977)
 - Set 1/2" x 24" steel rebar at all lot corners
- All bearings refer to the SOUTH boundary of Sec 21 as being N89°55'00"E datum of record
- All lots are subject to a 20' bid set back along dedicated R/W's.
- All wastewater disposal systems shall comply with existing law of time of construction.
- All lots along the Kenai River are subject to a 10' maintenance easement for government use only.
- The first finish floor of any bldg. shall be constructed 3 feet above standard plan flood as determined by the U.S. Corps of Engineers.
- All river meanders are for computation purposes only, property extends to the mean high water of the Kenai River.
- All utility easements on East-West lot lines in Block 1 extend to 150' from the river except in Lots 1 and 8.

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 streets dedicated to the public use.

George H. Bradford
George H. Bradford, Box 488, Soldotna, AK 99689

Michael J. McLean
Michael J. McLean, Notary Public for Alaska, Commission Expires 3/31/85

George H. Bradford, Michael J. McLean
George H. Bradford, Box 41, Sterling, AK 99672

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 20 day of July, 1977.

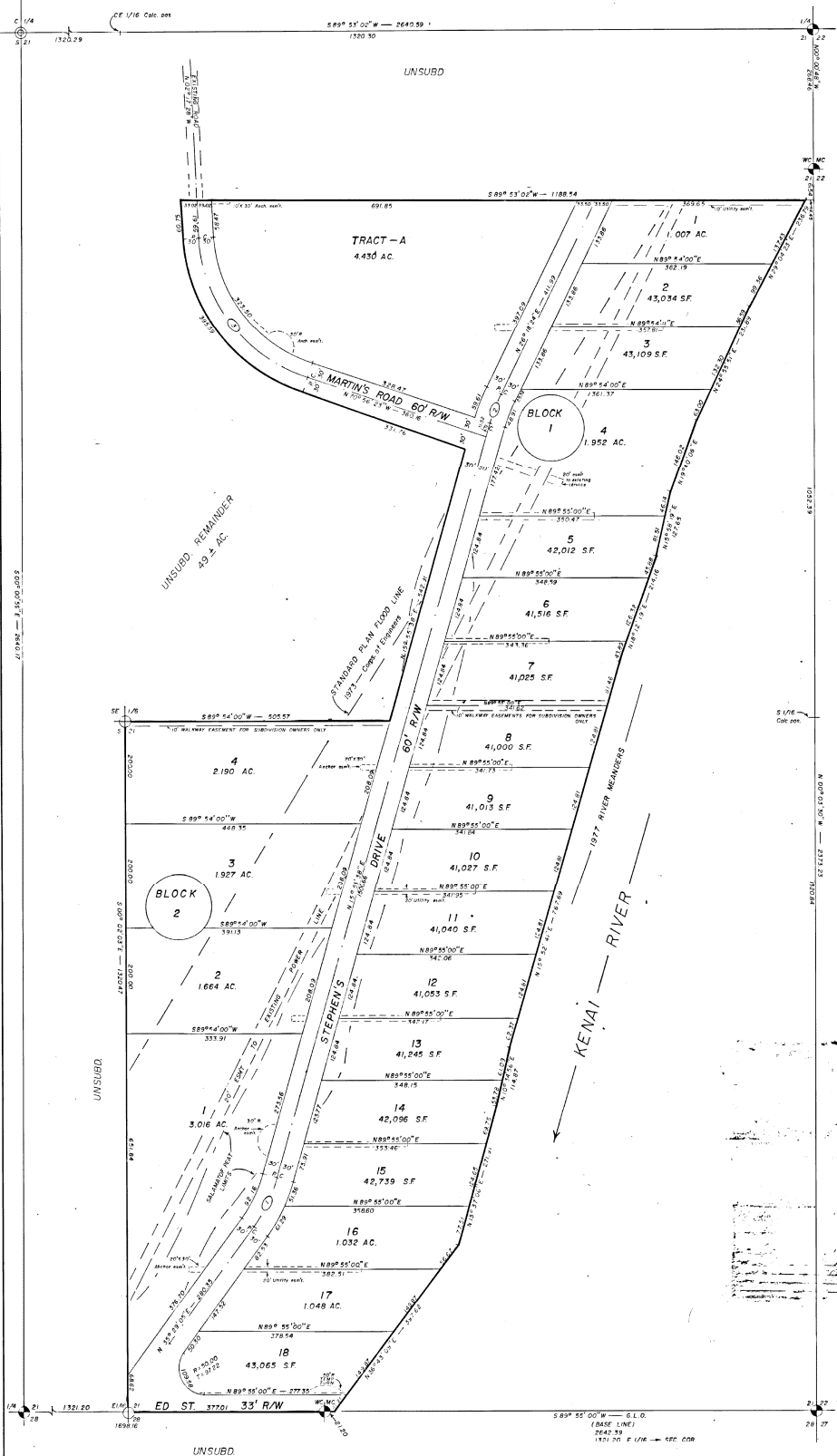
My commission expires 3-31

George H. Bradford
George H. Bradford, Notary Public for Alaska, Commission Expires 3/31/85

PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of July 11, 1977, is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law pertaining thereto.

KENAI PENINSULA BOROUGH
By: *Theresa Williams*



CURVE DATA				
CURVE	Δ	R	Ch	T
1	10°22'27"	300.00	102.40	101.91
2	10°22'42"	300.00	54.35	54.27
3	68°18'52"	300.00	358.44	350.81

77-101
RECORDED - FILED
- KENAI REC. DIST.
DATE 7-20-1977
TIME 12:58
BY *Richard McLean*

BOS'N LANDING SUBDIVISION PART ONE

George Bradford ET AL - owner
Box 488, Soldotna, AK 99689

DESCRIPTION
36.478 ACRES SITUATED IN A PORTION OF GOV'T LOT 2, GOV'T LOTS 8, SECS 2, 10, 11, 12, 13, 14 AND IN THE KENAI PENINSULA BOROUGH

Surveyed by: McLean and Associates
Soldotna, AK

DATE OF SURVEY 6/4 - 6/25/77	SCALE 1" = 100'	BK. NO. 77-2
---------------------------------	--------------------	-----------------

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 11	Brantley, Fikes, Gillham, Hooper, Horton, Martin, Morgan, Slaughter, Staggs, Tautfest, Venuti
Absent - 1	Stutzer

AGENDA ITEM E. NEW BUSINESS

Chair Brantley asked Ms. Shirnberg to read the public hearing procedures into the record.

ITEM 1. – BUILDING SETBACK ENCROACHMENT PERMIT – LOT 18, BLOCK 1, BOS'N LANDING SUBDIVISION PART 1 (KN 77-101)

KPB File No.	2023-040
Planning Commission Meeting:	April 24, 2023
Applicant / Owner:	Mark and Julie Burner of Rifle, Colorado
Surveyor:	None
General Location:	Stephens Drive, Ed Avenue, Sterling

Parent Parcel No.:	063-560-04
Legal Description:	Lot 18 Block 1 Bos'n Landing Subdivision Part 1 KN 77-101 T05N R09W Sec 21
Assessing Use:	Lodge-Multiple Cabins
Zoning:	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Gary Hebert; P.O. Box 1101. Sterling, AK 99672: Mr. Hebert is a neighboring landowner and spoke in support of this building setback encroachment permit.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Horton moved, seconded by Commissioner Slaughter to grant a building setback encroachment permit to Lot 18, Block 1, Bos'n Landing Subdivision Part 1, Plat KN 77-101, based on staff recommendations, adopting and incorporating by reference findings 4, 10 & 11 in support of standard one and findings 4, 10, 11 & 13-15 in support of standards two and three as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 11	Brantley, Fikes, Gillham, Hooper, Horton, Martin, Morgan, Slaughter, Staggs, Tautfest, Venuti
Absent - 1	Stutzer

ITEM 2 – STREET NAMING RESOLUTION 2023-01

RENAMING MURMANSK ROAD TRAVELING THROUGH ASLS 91-193, ALASKA STATE DNR LAND (18515036), AND ASLS 83-112; T 4S R 11W SECTIONS 13, 14, 23 AND T 4S R 10 W SECTION 18 SEWARD MERIDIAN, AK; OFF OF BASARGIN RD IN THE FOX RIVER COMMUNITY; ESN 202

Applicant	Donald Shubin / Head of Bay Homestead, LLC
Existing ROW Name	Murmansk Road
Name Proposed by Petitioner	Willard Road
ESN	202

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2023-9
KENAI RECORDING DISTRICT**

GRANT A BUILDING SETBACK ENCROACHMENT PERMIT TO A PORTION OF THE TWENTY FOOT BUILDING SETBACK FOR LOT 18 BLOCK 1, BOS'N LANDING SUBDIVISION PART 1 (KN 0770101); IN NE 1/4 S21, T05N, R09W; SEWARD MERIDIAN, ALASKA, WITHIN THE KENAI PENINSULA BOROUGH; KPB FILE NO. 2023-040

WHEREAS, per KPB 20.30.240 – Building Setbacks, a minimum 20-foot building setback shall be required for fee simple non-arterial rights-of-way in subdivisions located outside incorporated cities; and

WHEREAS, Mark and Julie Burner of Sterling, AK requested a building setback encroachment permit to the 20-foot building setback granted by Bos'n Landing Subdivision Part 1 (KN 0770101); and

WHEREAS, per the petition; and

WHEREAS, the encroaching structure does not affect sight distance along the right-of-way; and

WHEREAS, on Monday, April 24, 2023, the Kenai Peninsula Borough Planning Commission considered the background information, all comments received, and recommendations from KPB Planning Department staff regarding the proposed exception; and

WHEREAS, the Planning Commission found that granting the building setback encroachment permit will not be detrimental to the public interest; and

WHEREAS, 20.10.110 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish building setback encroachment permits by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the 20-foot building setback limit on KN 0770101 Lot 18 Block 1 is hereby excepted to accommodate only the encroaching portion of the garage, cabin, lodge.

Section 2. That any new, replacement, and/or additional construction will be subject to the 20-foot building setback limit.

Section 3. That the 20-foot building setback limit shall apply to the remainder of said lot.

Section 4. That a current as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor showing the location of the encroachment within the building setback be attached to, and made a part of this resolution, becoming page 2 of 2.

Section 5. That this resolution is void if not recorded in the appropriate Recording District within 90 days of adoption.

Section 6. That this resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fees.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS _____ DAY OF _____, 2023.

Blair J. Martin, Chairperson
Planning Commission

ATTEST: _____
Ann Shirnberg,
Administrative Assistant

Return to:
Planning Department
Kenai Peninsula Borough
144 North Binkley Street
Soldotna, Alaska 99669