

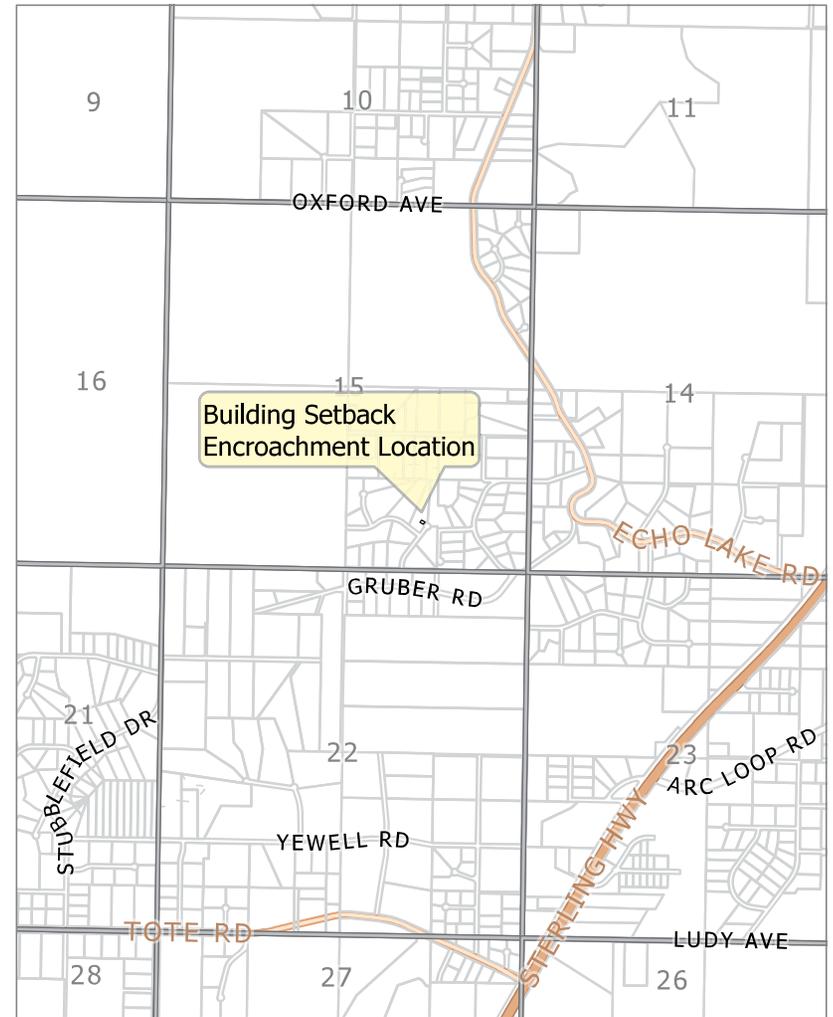
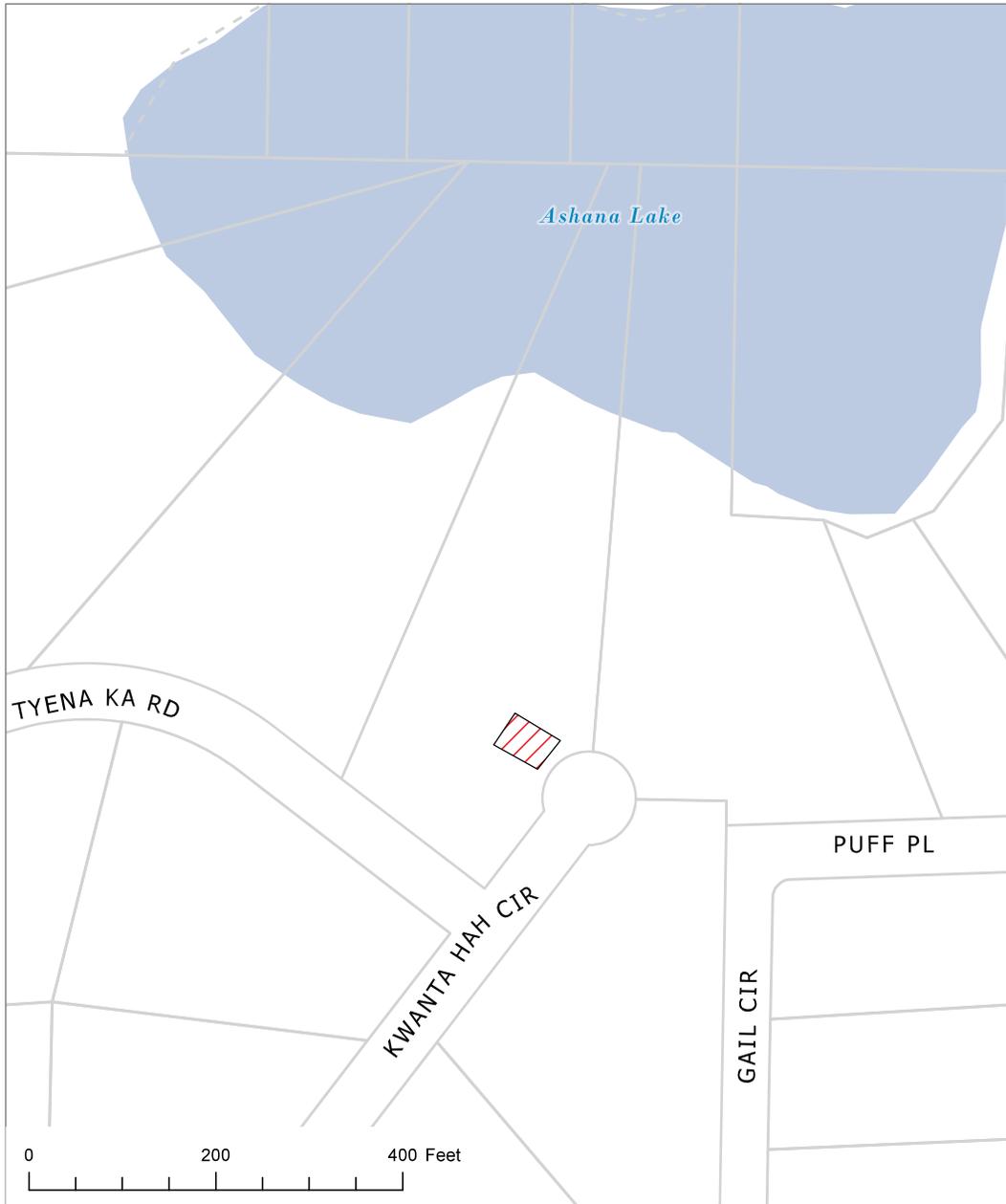
# **E. NEW BUSINESS**

## **2. Building Setback Encroachment Permit; KPB File 2024-116**

**Segesser Surveys / Musgrove**

**Request: Permits a portion of the house to remain approximately 4' within the 20' building setback on Lot 5, Tukakna Sky Subdivision, Plat KN 82-110**

**Location: Tyena Ka Road & Kwanta Hah Circle  
Kalifornsky Area**



KPB File 2024-116  
T 04N R 11W SEC 15  
Kalifornsky

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.

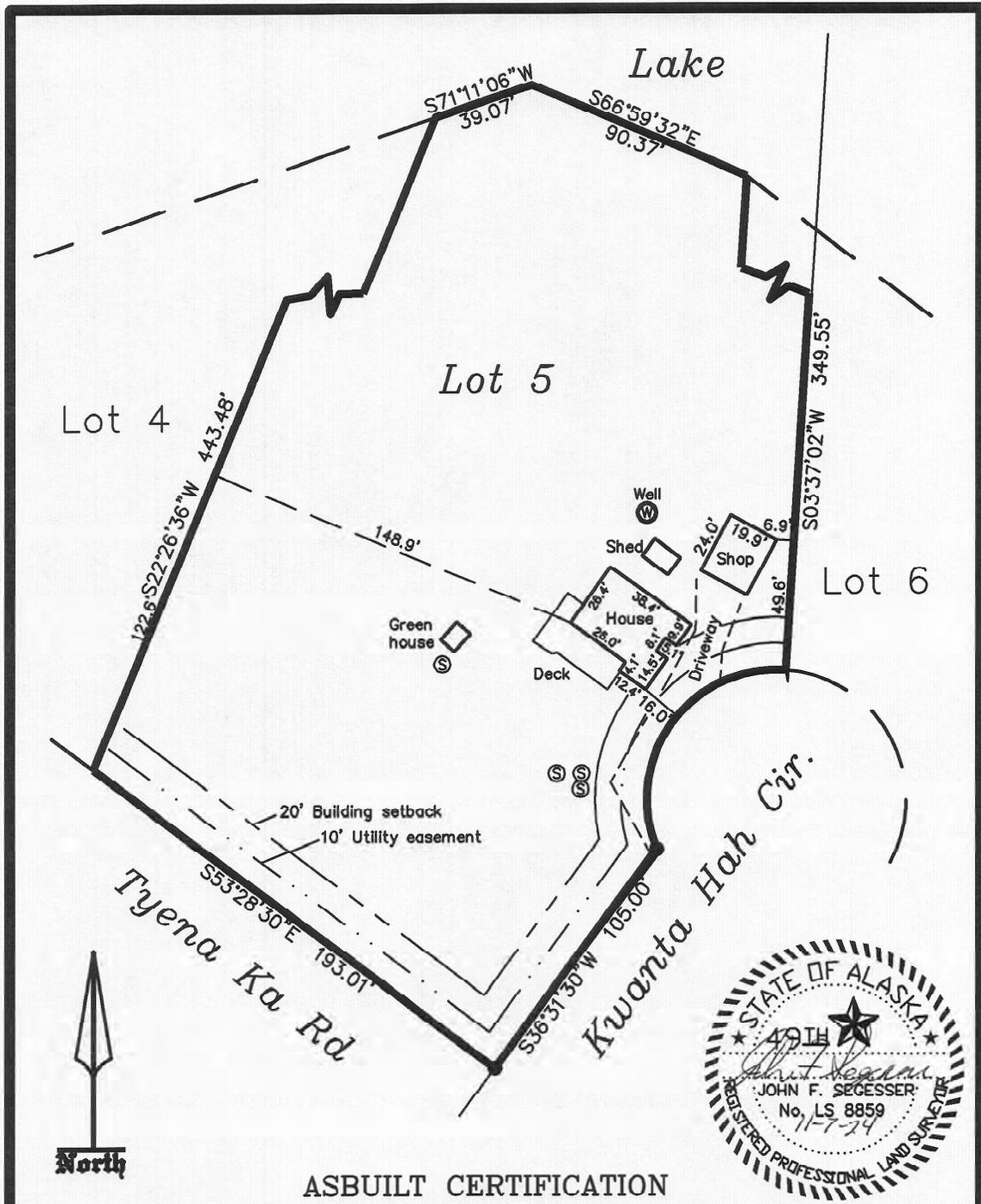


Aerial Map



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.





**ASBUILT CERTIFICATION**

**LEGEND**

- Found Rebar
- ⊙ Sewer vent

KENAI RECORDING DISTRICT		Plat: 82-110
Date: 11-7-24	Scale: 1"=50'	Drawn: JFS
Job: 24242	Book: 24-3	

**SEGESSER SURVEYS**  
 30485 ROSLAND ST.  
 SOLDOTNA, AK 99669  
 (907) 262-3909

I hereby certify that I have surveyed the following described property:

Lot 5

Tukakna Sky Subdivision

and that no encroachments exist except as indicated.

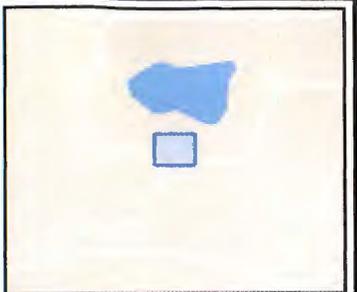
**Exclusion Note:**  
 It is the responsibility of the Owner to determine the existence of any easements, covenants, or restrictions which do not appear on the recorded subdivision plat. Under no circumstances should any data hereon be used for construction or for establishing boundary or fence lines.

Homes are built  
already.

1- Does not interfere  
w/ road maintenance

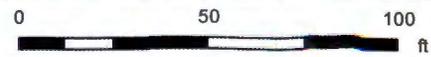
2- Does not interfere w/  
Site lines or distances

3- Does not create  
a safety hazard.



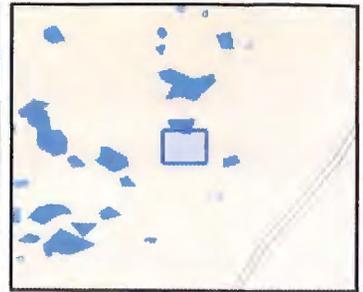
Legend

- Physical Addresses
  -
- Transportation
  - Mileposts
    -
  - Roads
    - Medium Collector
    - Medium Volume - Unmaintained
    - Medium Volume - Maintained
    - Low / Seasonal
    - Legal Trail
    - Private
    - State Hwy
    - Platted / Proposed
- Parcels and PLSS
  - Tax Parcels
    - ▭



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.

Only 2  
homes use  
the cul-de-sac.



### Legend

- Physical Addresses
  -
- Transportation
  - Mileposts
    -
  - Roads
    - Medium Collector
    - Medium Volume - Unmaintained
    - Medium Volume - Maintained
    - Low / Seasonal
    - Legal Trail
    - Private
    - State Hwy
    - Platted / Proposed
- Parcels and PLSS
  - Tax Parcels
    - ▭



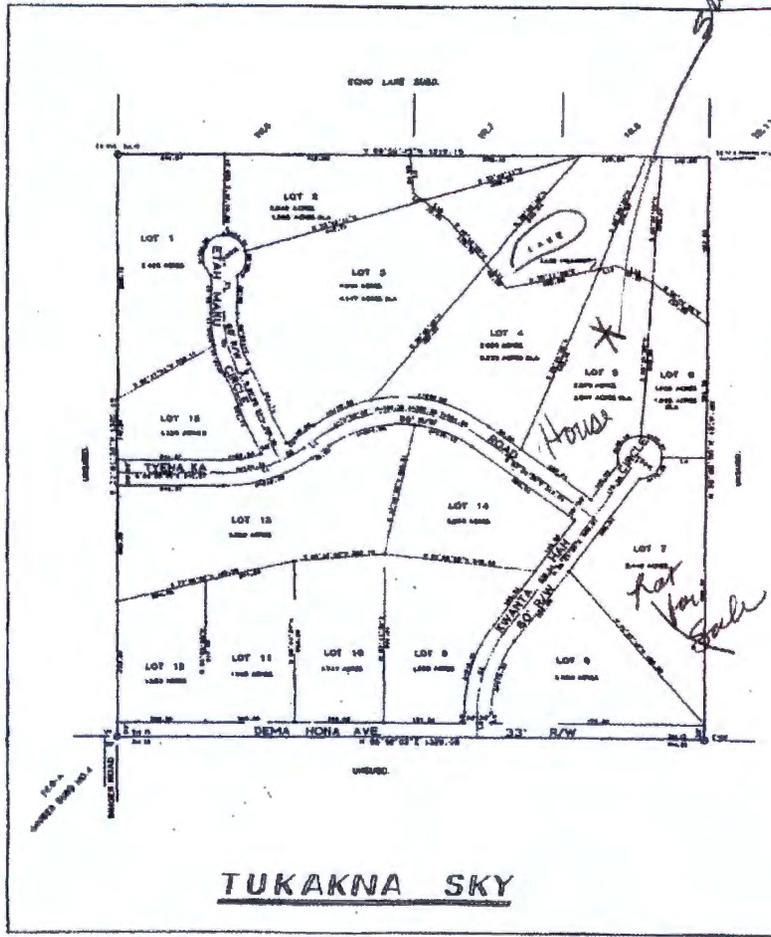
NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.

As built  
I was provided  
when I bought  
home.



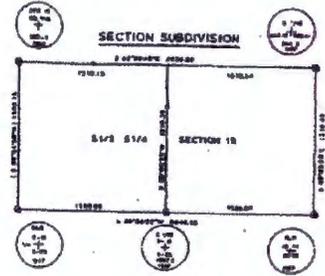
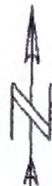
Plat of  
map of  
only 3 homes  
sharing cul-de-sac.

**NOTICE**  
 THIS SECTION IS PREPARED AS A CONVEYANCE  
 SHALL BE MADE AND BE A PART OF ANY TITLE  
 COMMITMENT FOR THIS TITLE INSURANCE.  
 THIS SECTION IS PREPARED IN ACCORDANCE WITH THE  
 PRACTICES AND STANDARDS PRESENTLY IN USE BY  
 ALL ENGINEERS, ARCHITECTS AND SURVEYORS  
 IN THE STATE OF ILLINOIS. THE ENGINEER HAS  
 CHECKED THE PLANNED SECTION THIS SECTION FOR  
 THE LOCATION, DIMENSIONS AND AREA AND HAS  
 THE CONVEYANCE THEREOF.



**TUKAKNA SKY**

subject



**LINE DATA**

LINE NO.	BEARING	DISTANCE	BEARING	DISTANCE
1	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
2	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
3	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
4	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
5	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
6	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
7	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
8	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
9	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
10	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
11	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
12	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
13	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
14	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
15	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
16	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
17	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
18	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00

**CURVE DATA**

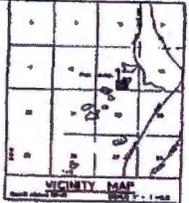
LINE NO.	BEARING	DISTANCE	BEARING	DISTANCE
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2	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
3	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
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5	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
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15	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
16	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
17	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00
18	N 89° 58' 00" W	118.00	S 89° 58' 00" E	118.00

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, the undersigned, do hereby certify that the above described land is owned by me and that I have no other interest therein.

**NOTARY'S ACKNOWLEDGEMENT**

I, the undersigned, a Notary Public in and for the State of Illinois, do hereby certify that the above described land is owned by me and that I have no other interest therein.



**LEGEND AND NOTES**

- 1. 1/4" = 100' SCALE
- 2. 1/4" = 100' SCALE
- 3. 1/4" = 100' SCALE
- 4. 1/4" = 100' SCALE
- 5. 1/4" = 100' SCALE

THIS MAP IS A PART OF A DEED AND IS NOT VALID UNLESS IT IS READ IN CONNECTION WITH SAID DEED.

THESE NOTES ARE A PART OF THE DEED AND ARE NOT VALID UNLESS THEY ARE READ IN CONNECTION WITH SAID DEED.

ALL DIMENSIONS SHOWN ON THIS MAP ARE IN FEET AND DECIMALS THEREOF.

THE AREA OF THIS MAP IS APPROXIMATE AND SHOULD NOT BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS PREPARED.

**PLAT APPROVAL**

THE PLAT HAS BEEN APPROVED BY THE CITY ENGINEER AND THE BOARD OF ZONING AND PLANNING OF THE CITY OF DECATUR, ILLINOIS.

APPROVED BY THE CITY ENGINEER: [Signature]

**TUKAKNA SKY**

OWNER: TUKAKNA SKY, INC.  
 1000 N. DECATUR AVE., DECATUR, ILLINOIS 62521

ENGINEER: [Signature]

DATE OF DEED: OCT. 12, 1987  
 SCALE: 1" = 100'

S1/2 SE1/4 SEC. 15, T04N, R11W, S.M.

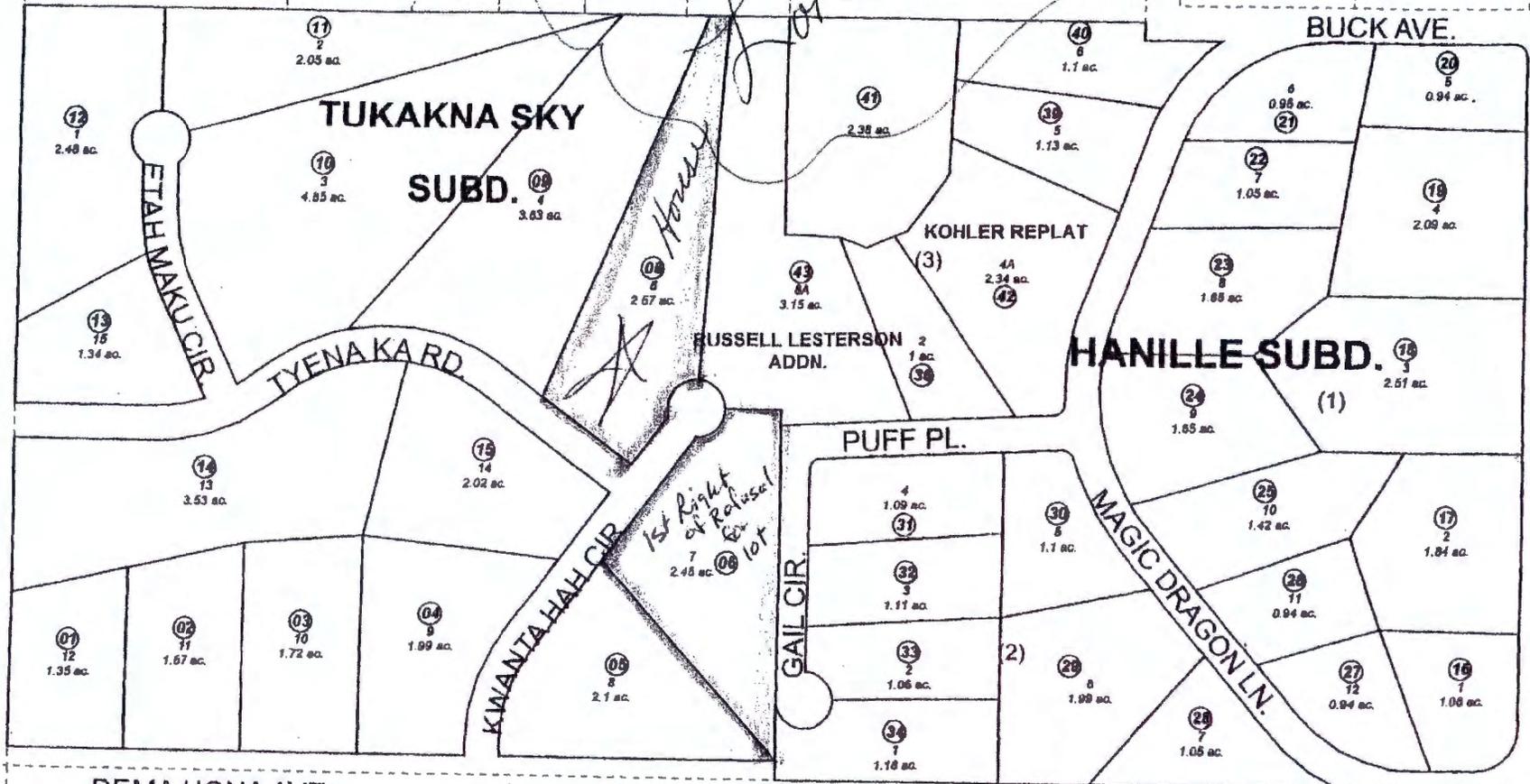
131-690

WALLACE  
ADDN.

7 & 8

090

090



DEMA HONA AVE

0.5

090

JULY 19, 2007

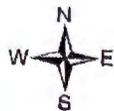
For 2008 assessment roll		
Delete	Add	Revise
To		
7,35	43	

Assessor's Map  
Kanal Peninsula Borough

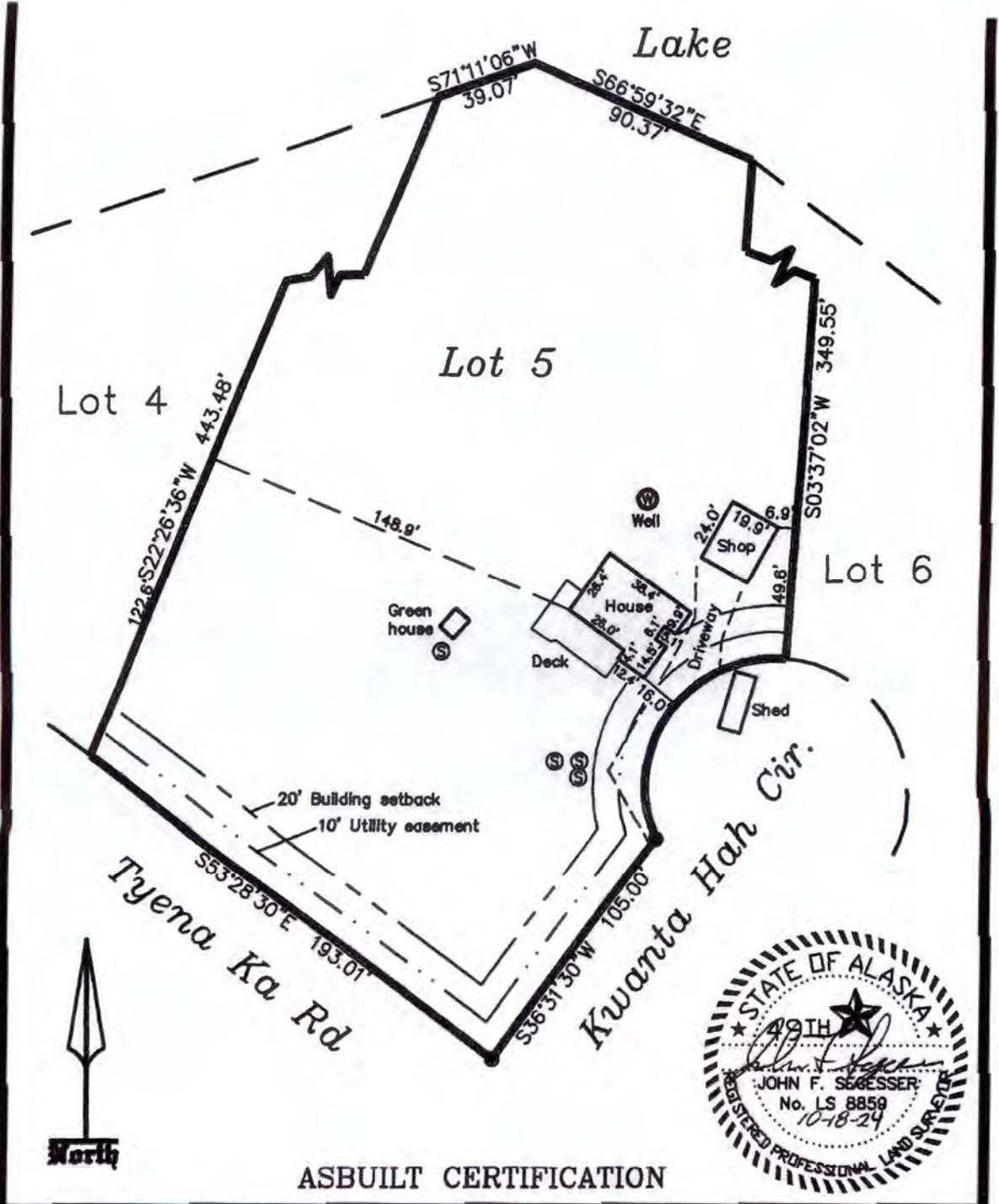
TUKAKNA SKY SUBDKN0820110  
HANILLE SUB AMENDEDKN0930043  
HANILLE SUB KOHLER REPLATKN2002057  
TUKAKNA SKY SUB RUSSELL LESTERSON ADDN KN2007052

This map is prep  
for Kanal Penins  
Borough Assess  
use only and is n  
intended for con  
nor is it a survey.

Note- Assessor's block Numbers Shown in  
Assessor's Parcel Numbers Shown in



As built  
I had done  
that shows  
encroachment  
of home.  
Shed is not  
or foundation



**ASBUILT CERTIFICATION**

**LEGEND**

- Found Rebar
- ⊙ Sewer vent

KENAI RECORDING DISTRICT		Plat: 82-110
Date: 10-18-24	Scale: 1"=50'	Drawn: JFS
Job: 24242	Book: 24-3	

**SEGESSER SURVEYS**  
 30485 ROSLAND ST.  
 SOLDOTNA, AK 99669  
 (907) 262-3909

I hereby certify that I have surveyed the following described property:

Lot 5  
Tukakna Sky Subdivision

and that no encroachments exist except as indicated.

**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.

**From:** [Piagentini, Vincent](#)  
**To:** [Carpenter, Beverly](#)  
**Subject:** FW: <EXTERNAL-SENDER>31115 Kwanta Hah Circle Soldotna Alaska 99669  
**Date:** Tuesday, October 22, 2024 4:31:49 PM  
**Attachments:** [From Home Down To Where Road Approaches Two Driveways.pdf](#)  
[End Of Maintained Part Of Road Where Two Driveways Split.pdf](#)  
[Driveway From End Of Maintained Part Of The Road.pdf](#)  
[Neighbors Driveway Adjacent That Goes Up The Hill To The Right.pdf](#)  
[VINCE -10222024154708.pdf](#)  
[image001.png](#)  
[image002.png](#)

---

Beverly

This is additional finding and pictures to go along with one of the building setback encroachment petitions in the bin to be processed. They came in today and I told them they needed more findings and pictures would help also.

[Vince Piagentini PLS](#)

**Platting Manager, Planning Department**

**Phone: 907-714-2200 {Office}**

**Phone: 907-714-2212 {Direct}**

**Fax: 907-714-2378**

---



**Kenai Peninsula Borough**

144 N. Binkley St. Soldotna, AK 99669

[kpb.us](http://kpb.us)

---

**From:** Katherine Uei <katieuei@gmail.com>

**Sent:** Tuesday, October 22, 2024 4:15 PM

**To:** Piagentini, Vincent <vpiagentini@kpb.us>; james musgrove <jamesmusgrove907@gmail.com>

**Subject:** <EXTERNAL-SENDER>31115 Kwanta Hah Circle Soldotna Alaska 99669

---

**CAUTION:** This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

---

Hey Vince

It was nice meeting with you today. I want to thank the planning and zoning department for looking into this and helping us. James (current owner) bought the home in 2020 and was given an inaccurate as built (See attached) from Swan Surveying. He is not the original owner or builder. He had no idea this was an issue. Now that he is selling we are aware of the issues with the new as built. James Musgrove (current owner) is in the process of hiring someone to move the shed out of the cul-de-sac. This will be done prior to November 18th with proof provided via pictures. What time November 18th is the hearing?

The following standards shall be considered for all building setback encroachment permit applications.

1-The building setback encroachment may not interfere with road maintenance.

A) Road Maintenance stops right at approaching the cul-de-sac. This is approximately 100 foot from the home. Road maintenance will not be affected by this change. See parcel viewer picture attached where the road meets the cul-de-sac is where the maintenance stops. The borough has never maintained the cul-de-sac.

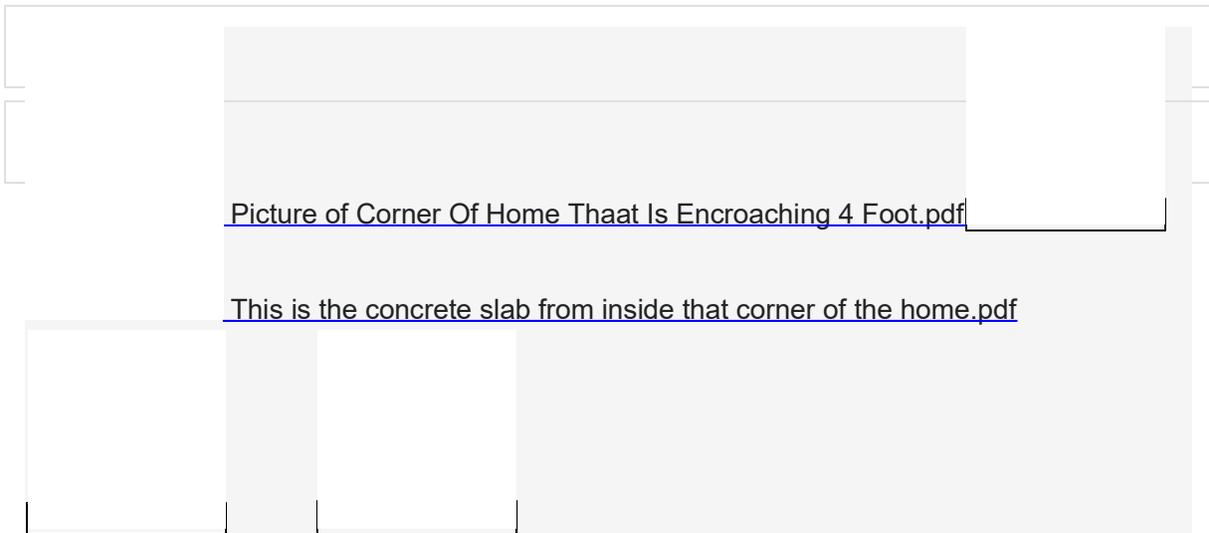
2-The building setback encroachment may not interfere with sight lines and distances.

A) The road maintenance stops approximately 100 foot from the home. Off the main road the cul-de-sac is not developed as a cul-de-sac. It has never been developed into a cul-de-sac standard for the borough to maintain. There are two driveways (Subject properties & adjacent property) coming through the cul-de-sac now. The neighbors property has a driveway that is elevated and mine is lower. The driveways span far apart from one another quite a bit. This change will not affect any site lines or distances.

3-The building setback encroachment may not create a safety hazard.

A) The road maintenance stops approximately 100 foot from the home before the cul-de-sac. The borough does not maintain the cul-de-sac. Currently the subject property driveway and the adjacent driveway span far from each other. Neither property owner goes into each other's driveway. There is no safety hazard. Both driveways have great line of sight going in and out to the maintained road. They can both safely enter and exit.

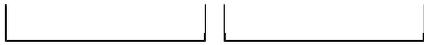
The home has a slab foundation. Every addition was built with a permanent foundation. There is no way to move the home due to the way it was built. I have attached a picture of the home's foundation below.



**Katherine Uei**

Cell (907) 398-3864

<https://www.facebook.com/katieuei/>



***"Real estate is the simplest, most consistent and easiest way to substantially increase your net worth!"***

***"You can have everything in life you want if you'll just help enough other people to get what they want!" -- Zig Ziglar***

***"Honesty and integrity will govern our actions Commitments made will be fulfilled Everyone will be treated with dignity and respect"***

***"Do you know anyone looking to buy or sell real estate? Please allow me the opportunity of contacting and assisting them. The highest compliment I could ever receive is a referral from your friends and family."***

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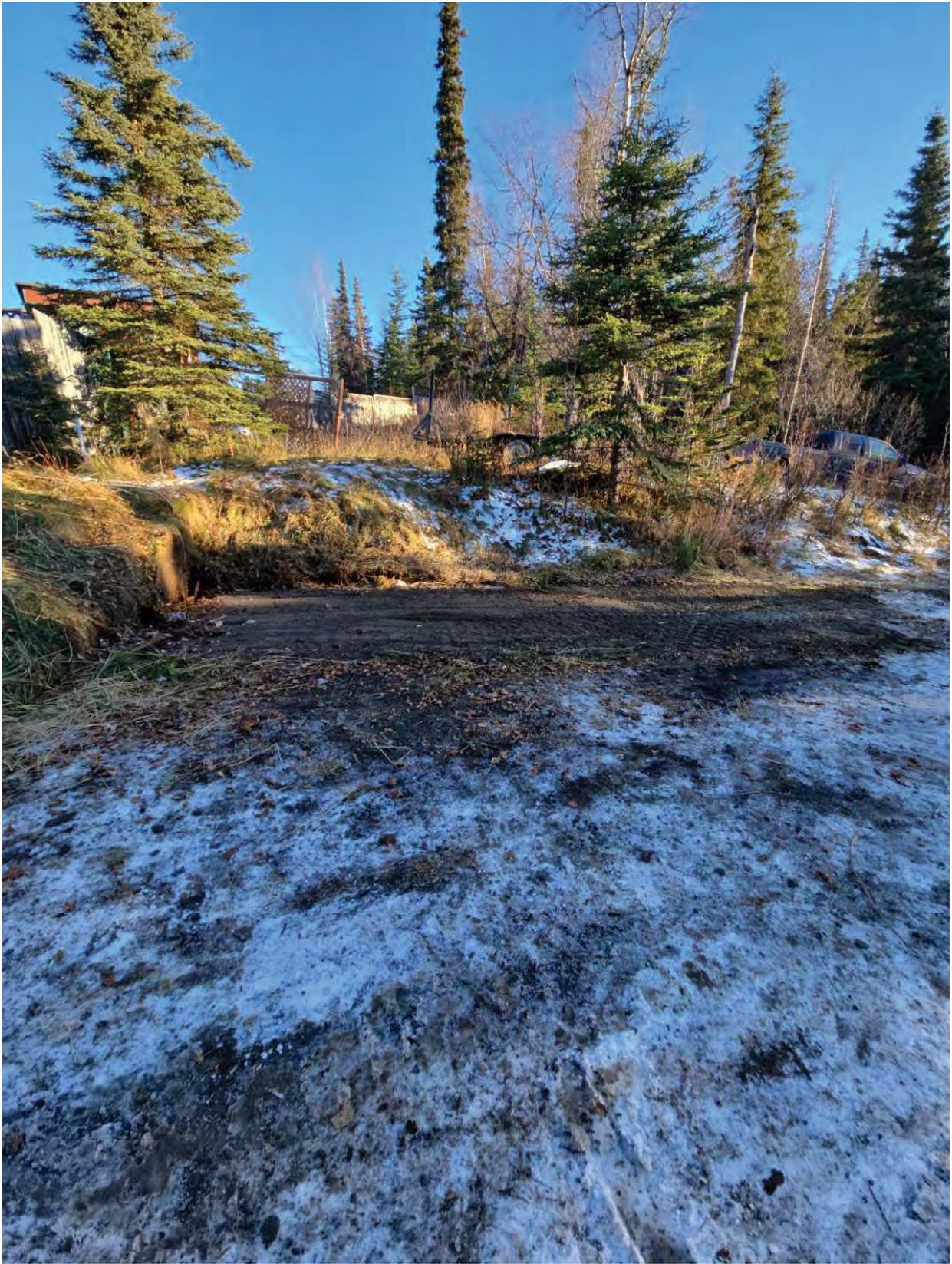














Sent from my iPhone

AGENDA ITEM E. NEW BUSINESS

ITEM #2. – BUILDING SETBACK ENCROACHMENT PERMIT  
LOT 5 TUKAKNA SKY SUBDIVISION

<b>KPB File No.</b>	2024-116
<b>Planning Commission Meeting:</b>	November 18, 2024
<b>Applicant / Owner:</b>	James Musgrove, Soldotna, AK
<b>Surveyor:</b>	John Segesser, Segesser Surveys
<b>General Location:</b>	Kalifornsky area

<b>Parent Parcel No.:</b>	131-690-08
<b>Legal Description:</b>	T 4N R 11W SEC 15 SEWARD MERIDIAN KN 0820110 TUKAKNA SKY SUB LOT 5
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted
<b>Resolution</b>	2024-20

**STAFF REPORT**

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

I am not the original owner. When I bought the home in 2020, I was provided an as-built that showed the home ha no encroachments. I did not know upon purchase that the home was built in the building setback. I recently hired a surveyor to do an updated as-built on 10/16/24 and discovered the home encroached 4 feet in to the building setback. The cul-de-sac I line in is fully developed with homes on all three lots within the cul-de-sac There are no vacant lots to develop. I would like this permit to be approved because I am innocent and had no idea until recent that this was an issue needing to be corrected. Thank you for your time in advance and for helping me with this unfortunate discovery.

**Site Investigation:**

There are several existing structures on Lot 5 by the current as-built. The house is shown at it's closest point to be 16.0 feet from the property line and 4.0' across the setback line. There is a shop and a greenhouse shown. There is a shed shown sitting in the cul-de-sac right-of-way, the shed has been moved as shown on the new as-built submitted and dated 11-7-24.

No future improvements were noted with the application.

The cul-de-sac is not developed completely, the road stops at the start of the cul-de-sac bulb. Borough maintenance end where the road ends also, from that point driveways go to the two houses at the end of the cul-de-sac.

There are no sight distance issues in the area of the cul-de-sac that are apparent from the KPB GIS aerial views and staff did not visit the site.

**Staff Analysis:**

Tukakna Sky Subdivision KN 82-110 subdivided the SW1/4 SE1/4 of Section 15, T4N, R11W, SM., AK, Kenai Peninsula Borough into 15 lots and 4 dedications.

Tukakna Sky Subdivision also created a 20 foot building setback along all street right-of-ways unless a lesser standard is approved by resolution. No resolution has been noted.

The terrain of the lot has the house sitting at the low side of the cul-de-sac. The road comes in relatively level and as you come to the shop the lot drops to the north towards the lake.

Sight distances and existing traffic are not affected much as the road ends in a cul-de-sac that is not developed and ends in a driveway at the two respective houses on the end of the cul-de-sac. No obstructions appear to block the sight distance as a vehicle comes out of the drive as the road is beyond the property line of the lot. Maintenance is not an issue either as the borough maintenance stops at the start of the bulb.

**Applicant Discussion:**

I would like this permit to be approved because I am innocent and had no idea until recent that this was an issue needing to be corrected. Thank you for your time in advance and for helping me with this unfortunate discovery.

**Applicant Findings:**

1. Only two homes use the cul-de-sac.
2. As-built I was provided when I bought the home was incorrect.
3. Plat map of only 3 homes sharing cul-de-sac road.
4. As-built I had done that shows encroachment of home, shed is not on foundation. Shed has been moved.
5. Road maintenance stops right at approaching the cul-de-sac. This is approximately 100 foot from the home.
6. Road maintenance will not be affected by this change. See parcel viewer picture attached where the road meets the cul-de-sac is where the maintenance stops.
7. The borough has never maintained the cul-de-sac.
8. Off the main road the cul-de-sac is not developed as a cul-de-sac. It has never been developed into a cul-de-sac for the borough to maintain.
9. There are two driveways (subject properties & adjacent property) coming through the cul-de-sac now. The neighbor's property has a driveway that is elevated and mine is lower.
10. The driveways span far apart from one another quite a bit. This change will not affect any site lines or distances
11. Neither property owner goes into each other's driveway. There is no safety hazard.
12. Both driveways have great line of sight going in and out to the maintained road, they can both safely enter and exit.

**Staff Findings:**

**20.10.110. – Building setback encroachment permits.**

E. The following standards shall be considered for all building setback encroachment permit applications. Staff recommends the Commission select the findings they determine are applicable to the standards and vote on them:

1. The building setback encroachment may not interfere with road maintenance.

**Findings 5 -7 appear to support this standard.**

2. The building setback encroachment may not interfere with sight lines or distances.

**Findings 5, 8 - 10 appear to support this standard.**

3. The building setback encroachment may not create a safety hazard.

**Findings 5, 7, 10 – 12 appear to support this standard.**

F. The granting of a building setback encroachment permit will only be for the portion of the improvement or building that is located within the building setback and the permit will be valid for the life of the structure or for a period of time set by the Planning Commission. The granting of a building setback permit will not remove any portion of the 20 foot building setback from the parcel.

- G. The Planning Commission shall approve or deny a building setback encroachment permit. If approved, a resolution will be adopted by the planning commission and recorded by the planning department within the time frame set out in the resolution to complete the permit. The resolution will require an exhibit drawing showing, and dimensioning, the building setback encroachment permit area. The exhibit drawing shall be prepared, signed and sealed, by a licensed land surveyor.

**KPB department / agency review:**

KPB Roads Dept. comments	<p>Out of Jurisdiction: No</p> <p>Roads Director: Griebel, Scott</p> <p>Comments: RSA does not manage setback. Not aware of any current impacts to maintenance. Appears unlikely that the platted cul-de-sac would be fully developed given current access. No further RSA comments or objections.</p>
SOA DOT comments	No comment
KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: waterbody on which this parcel is located is not regulated by KPB</p>
State of Alaska Fish and Game	No comment
Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 31115 KWANTA HAH CIR</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:</p> <p>Existing Street Name Corrections Needed:</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: NO COMMENT</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: the location of the structure is partly with in the 20 ft set back on a cul-de-sac. It would not be sight line issue. Code compliance would support the granting of the permit, providing no further expansion is allowed.</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>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	Reviewer: Wilcox, Adeena Comments: No Objection
Advisory Planning Commission	

**Utility provider review:**

HEA	
ENSTAR	
ACS	
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

**RECOMMENDATION:**

Based on the standards to grant a building setback encroachment permit, **staff recommends** to grant approval for the portion of structures within the 20 foot building setback as shown on the 2015 as-built survey, subject to the six conditions listed below:

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 Resolution 2024-20.
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.

**NOTE:**

**20.10.110.(H) A decision of the planning commission may be appealed to the hearing officer by a party of record, as defined by KPB 20.90, within 15 days of the date of notice of decision in accordance with KPB 21.20.250.**

**END OF STAFF REPORT**

**KENAI PENINSULA BOROUGH PLANNING COMMISSION  
RESOLUTION 2024-20  
KENAI RECORDING DISTRICT**

GRANT A BUILDING SETBACK ENCROACHMENT PERMIT TO A PORTION OF THE TWENTY FOOT BUILDING SETBACK FOR LOT 5, TUKAKNA SKY SUBDIVISION (KN 0820110); IN NE 1/4 S15, T04N, R11W; SEWARD MERIDIAN, ALASKA, WITHIN THE KENAI PENINSULA BOROUGH; KPB FILE NO. 2024-116

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, James Lee Musgrove of Soldotna, AK requested a building setback encroachment permit to the 20-foot building setback granted by Tukakna Sky Subdivision (KN 0820110); and

WHEREAS, per the petition; and

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

WHEREAS, on Monday, November 18, 2024, 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 0820110 Lot 5 is hereby excepted to accommodate only the encroaching portion of the House.

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 \_\_\_\_\_, 2024.

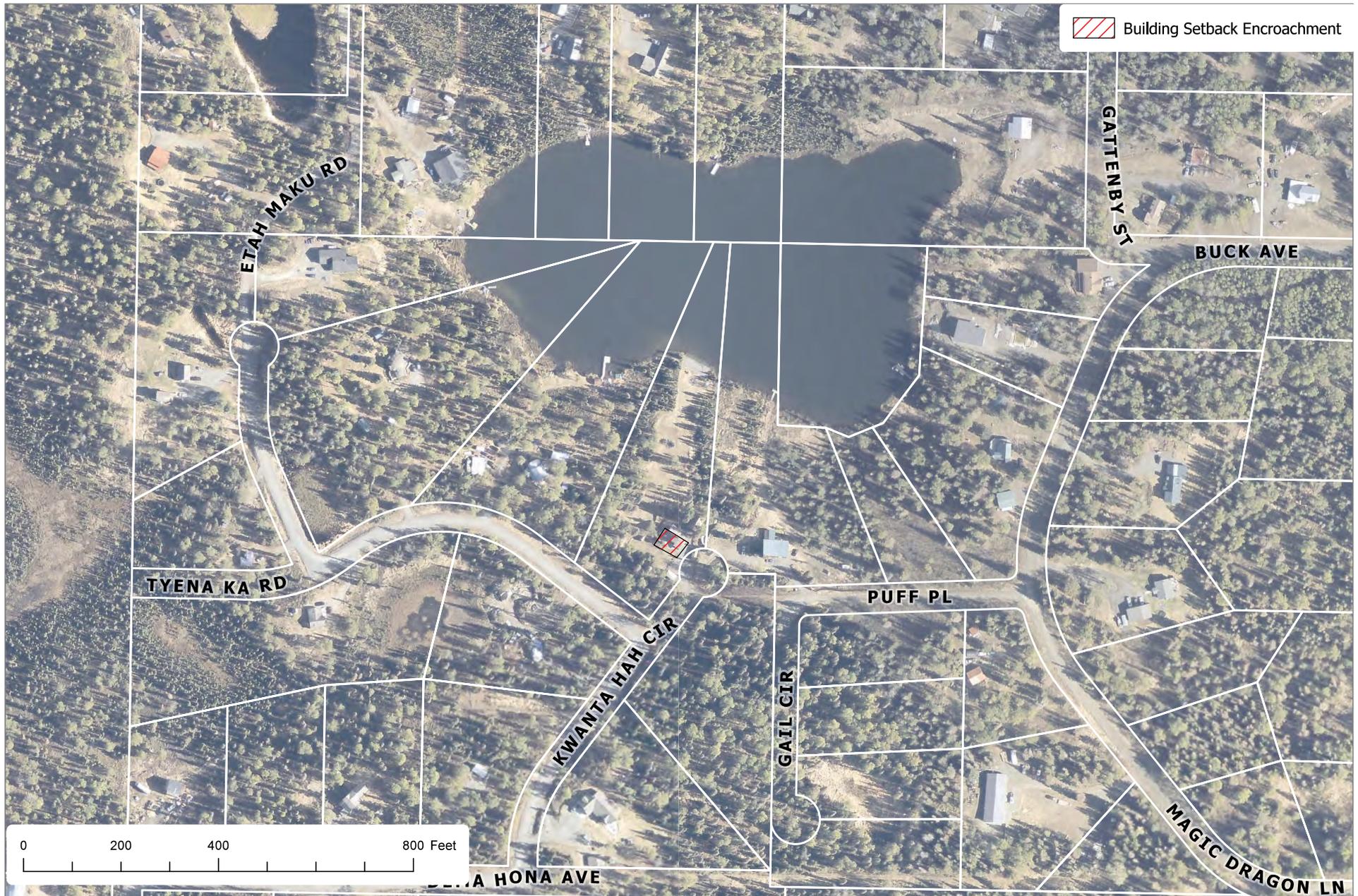
\_\_\_\_\_  
Jeremy Brantley, Chairperson  
Planning Commission

ATTEST: \_\_\_\_\_  
Ann Shirnberg,  
Administrative Assistant

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



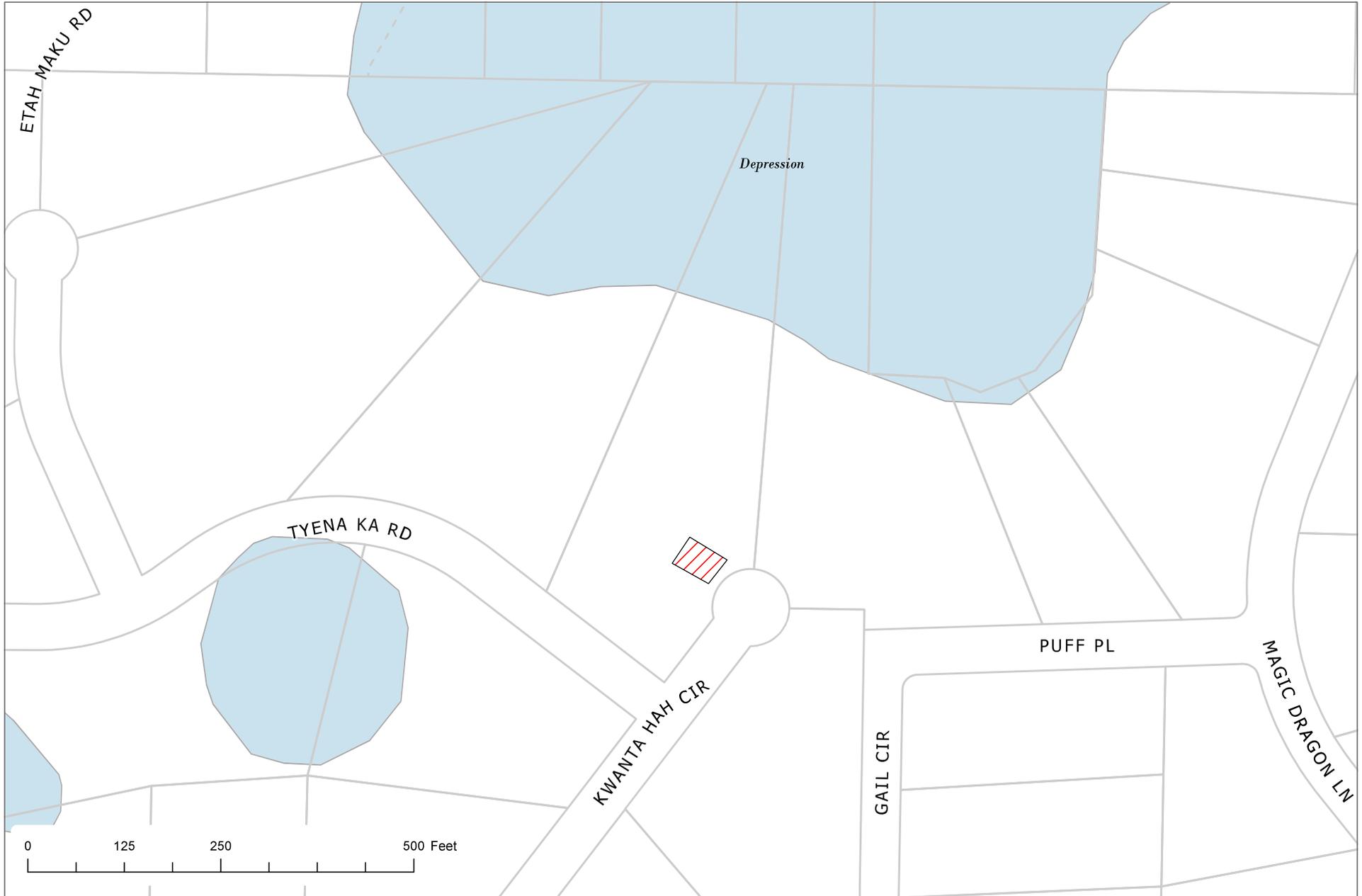
Aerial Map



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.



Wetlands



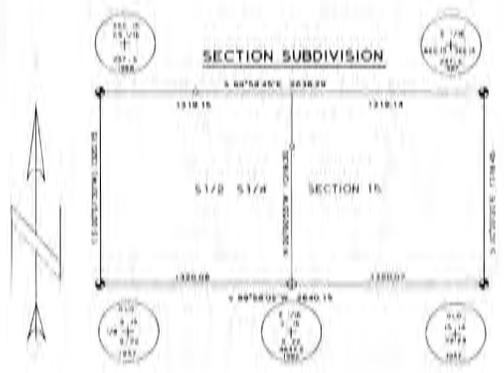
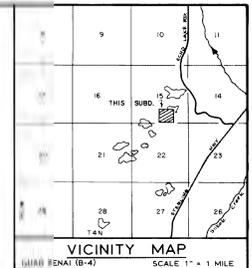
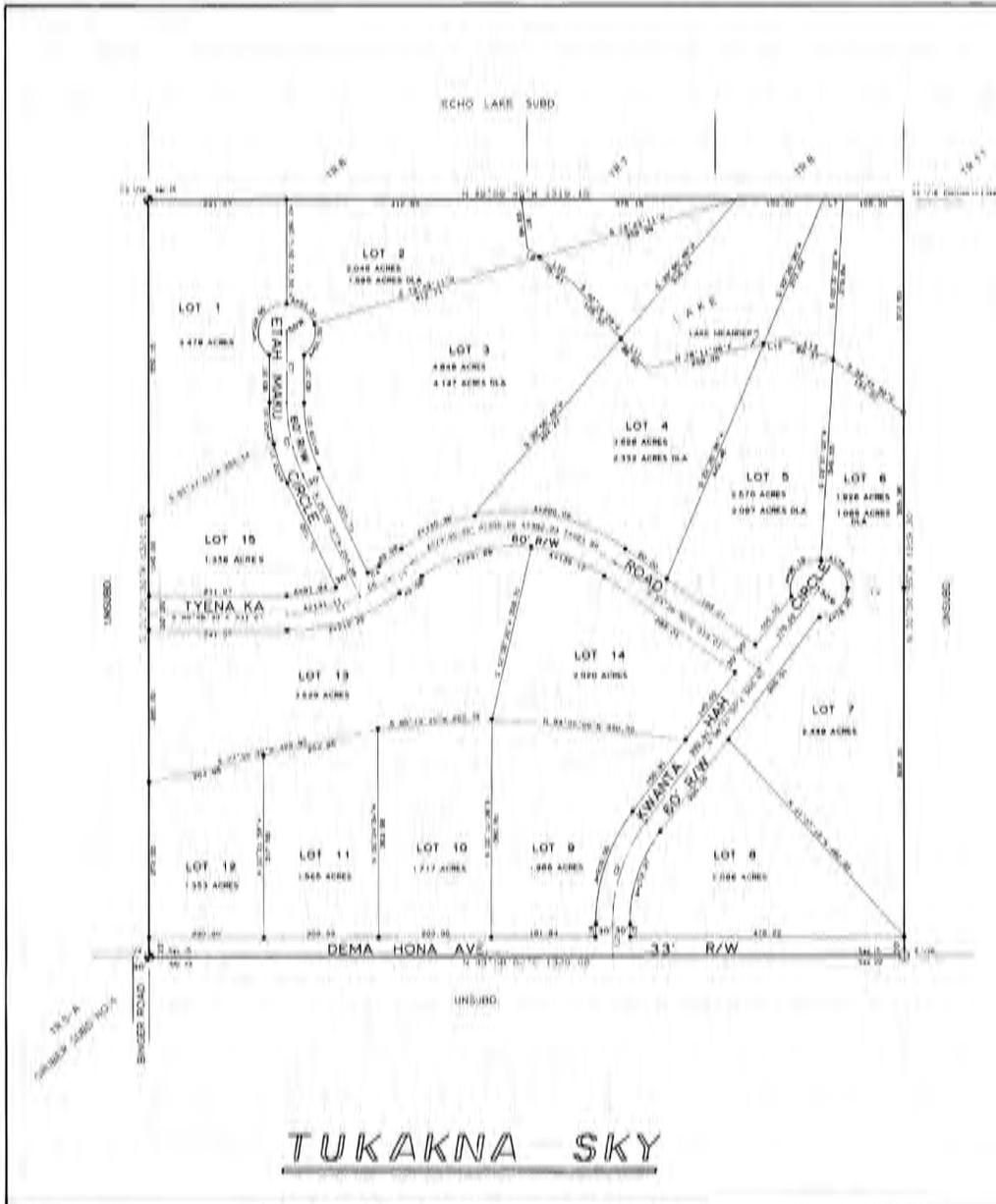
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial with 5-foot Contours



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.



**LINE DATA**

LINE NO.	BEARING	DISTANCE
1	N 89°58'02" W	1319.15
2	S 89°58'02" E	1319.14
3	S 89°58'02" E	1319.14
4	N 89°58'02" W	1319.15
5	N 89°58'02" W	1319.15
6	S 89°58'02" E	1319.14
7	S 89°58'02" E	1319.14
8	N 89°58'02" W	1319.15
9	N 89°58'02" W	1319.15
10	S 89°58'02" E	1319.14
11	S 89°58'02" E	1319.14
12	N 89°58'02" W	1319.15
13	N 89°58'02" W	1319.15
14	S 89°58'02" E	1319.14
15	S 89°58'02" E	1319.14
16	N 89°58'02" W	1319.15
17	N 89°58'02" W	1319.15
18	S 89°58'02" E	1319.14
19	S 89°58'02" E	1319.14

**CURVE DATA**

LINE NO.	BEARING	DISTANCE	ANGLE	TANGENT	CHORD	CHORD BEG.	CHORD END.
1	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
2	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
3	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
4	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
5	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
6	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
7	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
8	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
9	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
10	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
11	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
12	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
13	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
14	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
15	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
16	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
17	N 89°58'02" W	1319.15	90.00	0.00	1319.15	0.00	1319.15
18	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14
19	S 89°58'02" E	1319.14	90.00	0.00	1319.14	0.00	1319.14

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, the undersigned, do hereby certify that the above described land is the property of the Kenai Peninsula Borough and is being dedicated to the public use of the Borough for the purpose of a public street, highway, or other public use.

*Michael P. Thompson*  
Mayor, Kenai Borough

**NOTARY'S ACKNOWLEDGEMENT**

Subscribed and sworn to before me this 18th day of OCTOBER, 1982.

My commission expires 4/18/84

*Michael P. Thompson*  
Notary for Alaska

STATE OF ALASKA  
COUNTY OF SOUTHWEST  
NOTARY PUBLIC  
COMMISSION EXPIRES 4/18/84

**LEGEND AND NOTES**

- 1 FOUND OFFICIAL SURVEY MONUMENT.
  - 2 SET 3" AL. CAP ON 2" X 30" MAG. AL. PIPE.
  - 3 SET 1/2" AL. CAP ON 5/8" X 30" REBAR.
  - 4 SET 1/2" X 84" STEEL REBAR.
  - 5 INDICATES DATUM OF RECORD.
- DATE OF BEARING IS THE RECORD DATUM OF S. 00°01'30" W FOR THE 1/2" X 1/4" OF SECTION 15 (K 1540).
- BUILDING SETBACK: A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET R/W'S UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
- THE FRONT 10' OF THE BUILDING SETBACK SHALL BE USED AS UTILITY EASEMENTS.
- ALL WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAW AT TIME OF CONSTRUCTION.
- LAKE MEANDER SHOWN FOR COMPUTATION PURPOSES ONLY. GLA DENOTES DRY LAND AREA.

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF *July 20, 1982*.

KENAI PENINSULA BOROUGH

By *Michael P. Thompson*  
AUTHORIZED OFFICIAL

82-110  
Kenai - 100  
10-20  
5:38  
M. K. Kasse

**TUKAKNA SKY**  
SUBDIVISION

MICHAEL P. THOMPSON, OWNER  
BOX 1343, SOUTHDOWN ALASKA 99569  
LOCATION  
20.00 ACRES SITUATED IN THE SW 1/4 SE 1/4 SECTION 15, T4N, R11W, S4E, AS AND IN THE KENAI PENINSULA BOROUGH

SURVEYED BY: H. LANE & ASSOCIATES, INC.  
615 488 S. COLDFOOT, AK 99569

DATE OF SURVEY: OCT 13, 1982  
SCALE: 1" = 100'  
BK. NO.: 82-52