



**KENAI PENINSULA BOROUGH PLANNING COMMISSION  
RESOLUTION 2024-06  
KENAI RECORDING DISTRICT**

GRANT A BUILDING SETBACK ENCROACHMENT PERMIT TO A PORTION OF THE TWENTY FOOT BUILDING SETBACK FOR TRACT B, HARLIE A. FELLERS SUBDIVISION (KN 0078031); IN NE 1/4 S30, T03N, R11W; SEWARD MERIDIAN, ALASKA, WITHIN THE KENAI PENINSULA BOROUGH; KPB FILE NO. 2024-021

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, Junieta Steinbeck of Kenai, AK requested a building setback encroachment permit to the 20-foot building setback granted by Harlie A. Fellers Subdivision (KN 0078031); and

WHEREAS, per the petition; and

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

WHEREAS, on Monday, March 25, 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 0078031 B is hereby excepted to accommodate only the encroaching portion of the Shed and Restaurant.

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

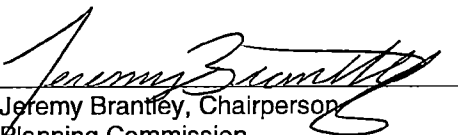
Section 3. That the 20-foot building setback limit shall apply to the remainder of said lot.

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.

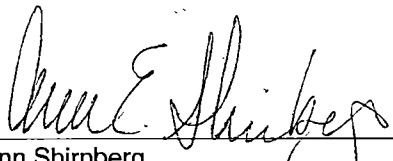
Section 5. That this resolution is void if not recorded in the appropriate Recording District within 90 days of adoption.

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

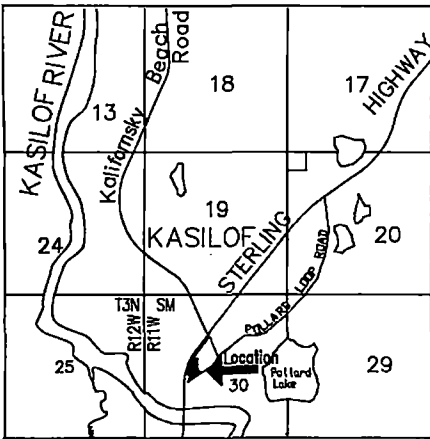
ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 25<sup>TH</sup> DAY OF MARCH, 2024.

  
Jeremy Brantley, Chairperson  
Planning Commission

ATTEST:

  
Ann Shirnberg,  
Administrative Assistant

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



VICINITY 1" = 1 mile MAP

# Harlie A. Fellers Subdivision Tract B building setback exception

Partial As-Built Survey of Tract B Harlie Fellers Subd., KRD 78-31.  
showing building setback encroachments.  
Located in the SW 1/4 Section 30, T3N R11W, SM, Kasilof, Alaska.  
Kenai Recording District Kenai Peninsula Borough File

Prepared for  
**Steinbeck, Inc.**  
1116 Inlet Woods Dr.  
Kenai, AK 99611

Prepared by  
**Johnson Surveying**  
P.O. Box 27  
Clam Gulch, Ak 99568

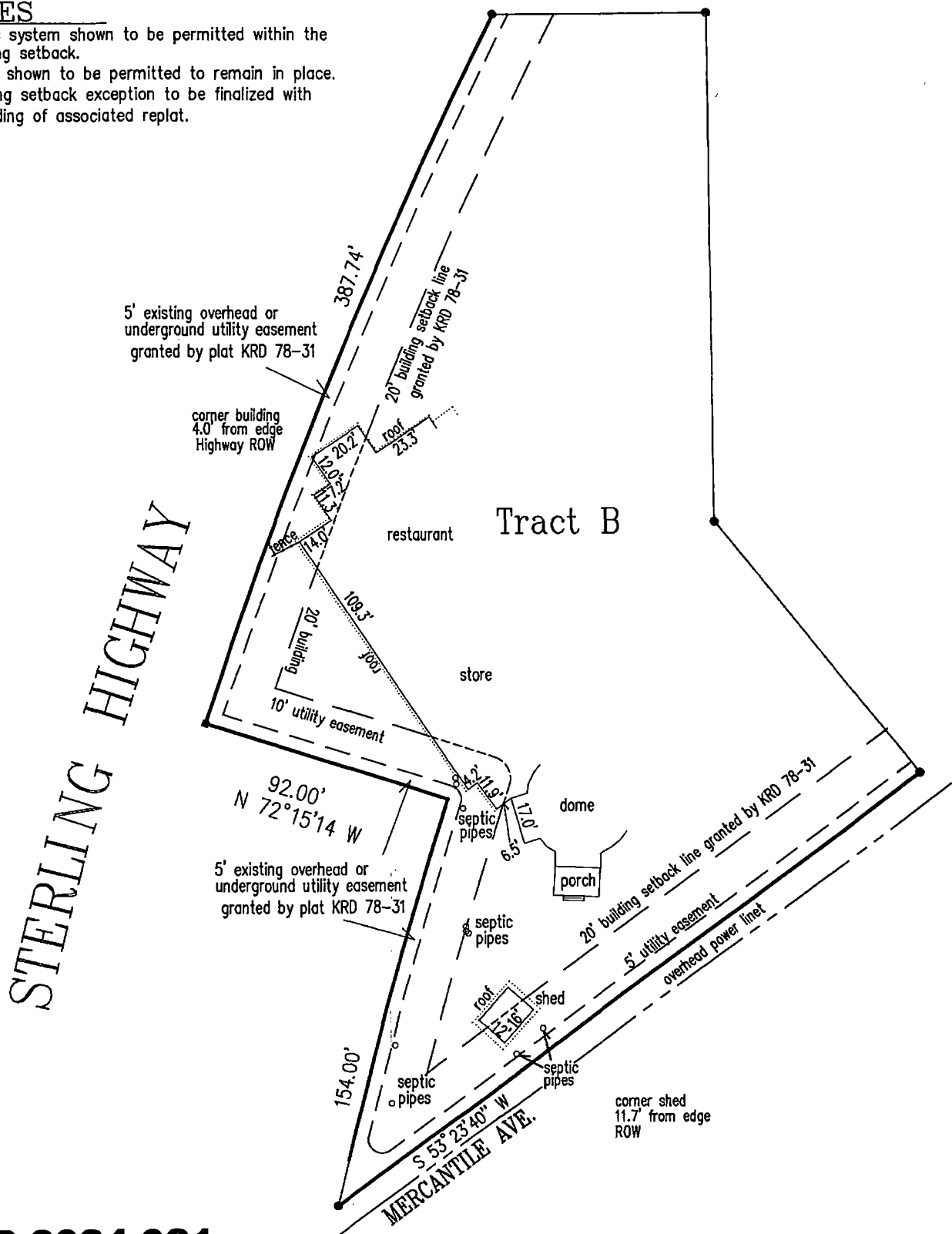


SCALE 1" = 40'

13 February, 2024

## NOTES

1. Septic system shown to be permitted within the building setback.
2. Fence shown to be permitted to remain in place.
3. Building setback exception to be finalized with recording of associated replat.



**KPB 2024-021**

