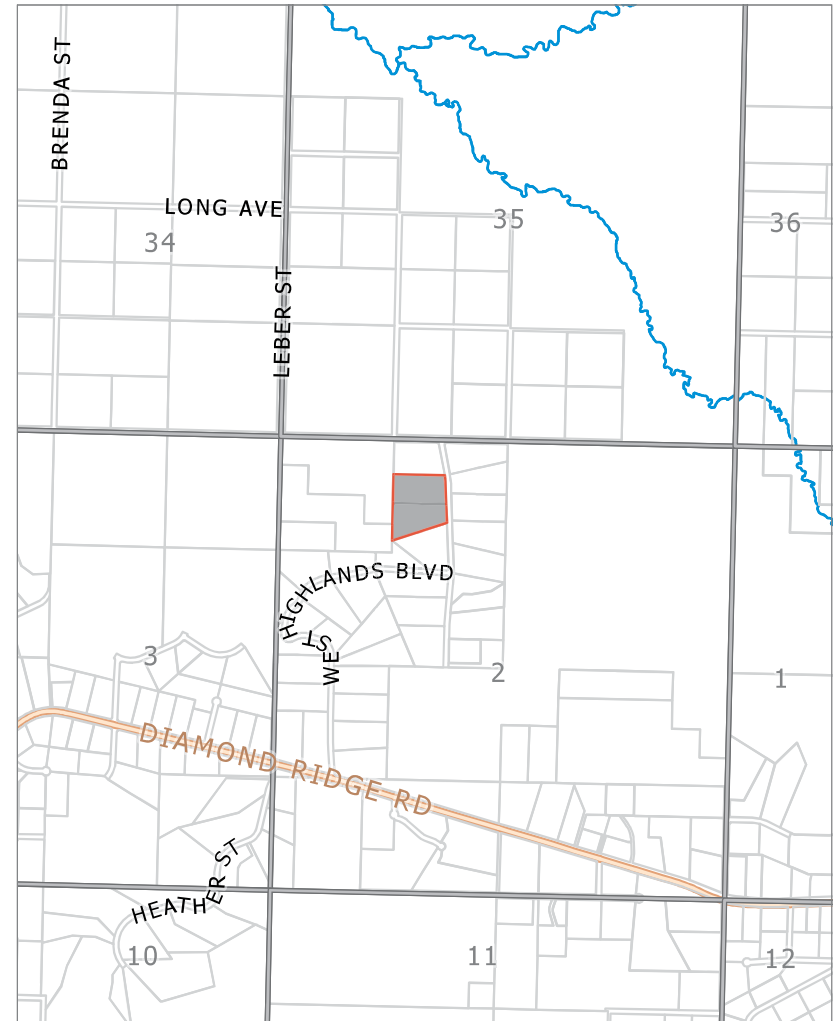
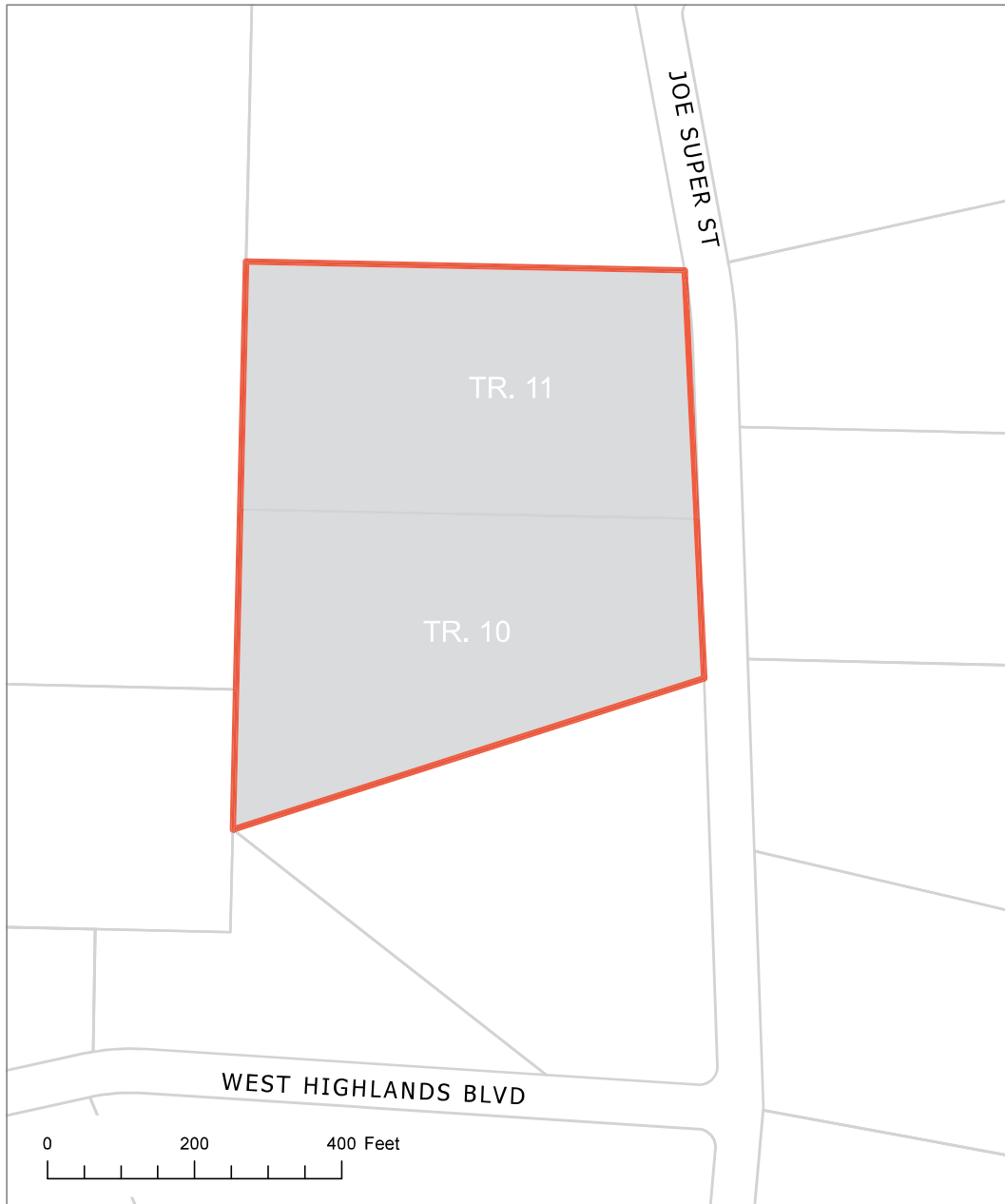


E. NEW BUSINESS

ITEM E6 - Tulin West Highlands Replat 2022



KPB File # 2022-019

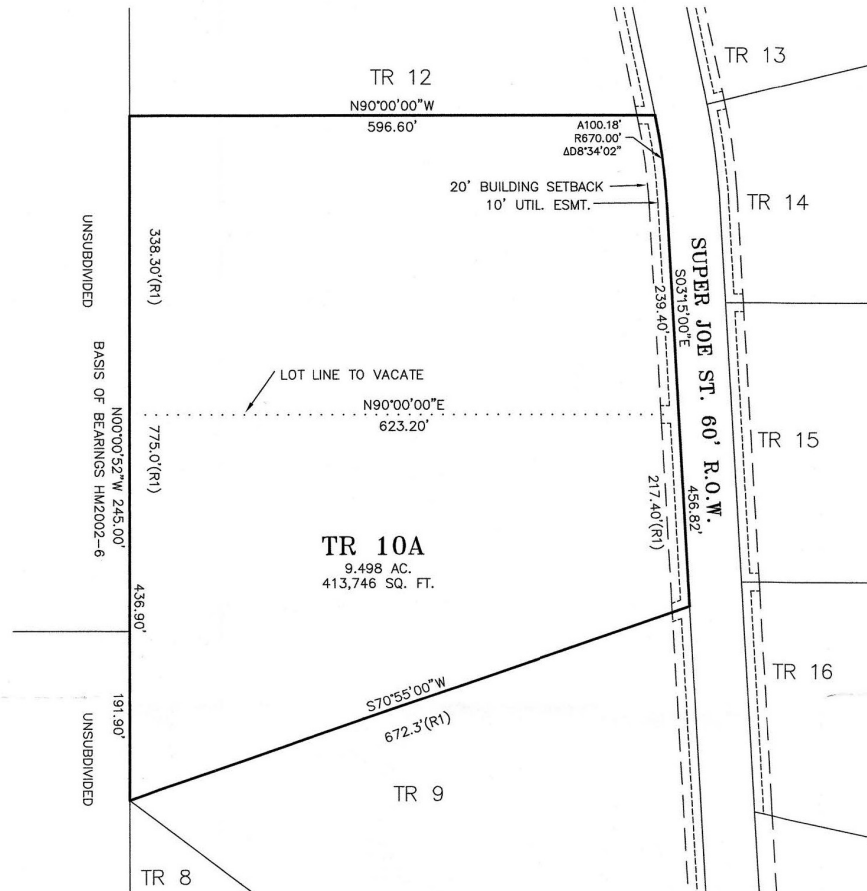
Township 06S-Range 14W-Section 2

Diamond Ridge



NOTES

1. A BUILDING 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.
2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF SIDE LOT LINES IS A UTILITY EASEMENT.
3. 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.
4. 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).
5. WASTEWATER DISPOSAL: TRACT 10A IS AT LEAST 200,000 SQUARE FEET 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.



LEGEND

FOUND 2"ALCAP ON 5/8" REBAR BY 3686-S, 2000
ELECTRIC CABINET
ELECTRIC METER

CERTIFICATE OF OWNERSHIP

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 public rights-of-way and grant all easements to the use shown.

KATHLEEN E GREEN
PO BOX 358
Homer, AK 99603

TODD GREEN
PO BOX 358
Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For KATHLEEN E GREEN AND TODD GREEN

Acknowledged before me this _____ day of _____, 2022.

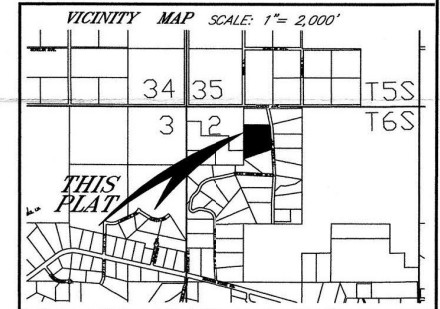
Notary public for Alaska

My Commission Expires _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
KENAI PENINSULA BOROUGH

BY _____
Authorized Official



DATE	02/15/2022
SCALE	1" = 100'
GRID No.	AR-68
JOB No.	5358
DRAWING:	5358_5357



TULIN WEST HIGHLANDS REPLAT 2022

A REPLAT OF TRACTS 10 & 11, "TULIN WEST HIGHLANDS SUBDIVISION (HM2002-6), IN THE NW1/4 SEC. 2, T6S, R14W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 9.498 ACRES

OWNERS: KATHLEEN E GREEN
TODD GREEN
PO BOX 358
HOMER, AK 99603

ABILITY SURVEYS
GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER ALASKA 99603

PLAT #

Rec Dist _____
Date _____
Time _____

KPB 2022-019

KPB FILE No. 2022-_____

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - Tulin West Highlands Replat 2022

KPB File No.	2022-019
Plat Committee Meeting:	March 21, 2022
Applicant / Owner:	Kathleen and Todd Green of Homer, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Diamond Ridge / Kachemak Bay

Parent Parcel No.:	173-035-10 & 173-035-11
Legal Description:	Tracts 10 and 11, Tulin West Highlands Subdivision Plat No HM 2002-6
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two lots to create one 9.5 acre lot.

Location and Legal Access (existing and proposed): The subdivision is located and accessed via Joe Super Street. Joe Super Street is at the end of West Highlands Boulevard. Both right of ways are 60 feet wide and appear to be constructed. Per KPB GIS data, the roads are not currently maintained by the borough or state. West Highlands Boulevard is located off Diamond Ridge Road, a state maintained right of way.

Using section line easements, the block does close but exceeds allowable lengths. West Highlands Boulevard was designed around terrain. There are still some large acreage lots in the area that can be further subdivided in the future. **Staff recommends the plat committee concur that an exception is not required, as any required dedications will not improve the block.**

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

Site Investigation: The terrain within the replat does slope but there are no slopes present that are greater than 20 percent. There are no low wet areas.

KPB Assessing information states there are some improvements on the lots but does not disclose the types. The lot to the south also has some smaller improvements. The lot to the north appears to have several structures within the boundary. There does not appear to be any encroachment issues.

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

Staff Analysis This is a replat of two lots originally created by Tulin West Highlands, Plat HM 2002-6, a subdivision of aliquot lands.

As allowed by KPB code, a soils report will not be required as this is increasing the original lot size by more than 1,000 square feet. The new size will be greater than 200,000 square feet. The correct plat note is present and an engineer will not need to sign the plat.

Due to a delay with the title companies, the Certificate to Plat has not yet been delivered. In the interest of time, **Staff recommends** that the Planning Commission concur that the plat can be reviewed at this time and Staff can review the certificate to plat when it is delivered. Staff will bring the plat back to the Planning Commission if there are any items in the report that need to be addressed.

The platting department worked with the surveyors at the end of last year and beginning of this year due to the delays with the title companies. Platting staff has notified the surveyor that we are will be requiring the certificate to plats for a complete application after this submittal. If time frames are lengthened again, staff will review and will determine how to proceed.

Kachemak Bay Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

It was not disclosed if a field survey is being performed with this plat. Per KPB 20.60.200(A), a field survey is not required when eliminating existing property lines. If a field survey is not performed **staff recommends** a plat note be added stating one was not performed as permissible by KPB 20.60.200(A), that source of all record data be noted, computed data be noted, and legend note shows record monuments.

If a field survey is performed, comply with 20.60.200.

Utility Easements The parent plat granted 10 foot utility easements adjacent to dedicated right of ways that increased to 20 feet within 5 feet of the side lot lines. The utility easements are correctly depicted. **Staff recommends** the plat note include the easements were granted by the parent plat or labeled as such on the plat.

Staff recommends any recorded easements within the certificate to plat be depicted or noted on the final plat.

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

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 40085 JOE SUPER ST 40105 JOE SUPER ST
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	<p>Existing Street Names are Correct: Yes List of Correct Street Names: JOE SUPER ST</p> <p>Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: 40085 JOE SUPER ST WILL BE DELETED. 40105 JOE SUPER ST WILL REMAIN WITH LOT 10A.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	
Assessing	<p>Reviewer: Wilcox, Adeena Comments: No comment</p>
Advisory Planning Commission	

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

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:** Update the spelling of "Subdivision" and remove the close quote marks in front of "Tulin".
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
- Staff recommendation:** Update the street name to Joe Super Street.
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
- Staff recommendation:** Provide a label for the range.

- 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 proposed 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: *If the lots depicted are not from the same parent plat as the subdivision the subdivision name or plat recording number should be included. Lot 8, located south of the subdivision, was replatted and is now Lot 8B as found on plat HM 2004-32.*

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.*

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: The plat will be combining to make a larger lot. The new lot will now be greater than 200,000 square feet. A soils analysis report will not be required.

Staff recommendation: *comply with 20.40.*

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.*

20.60.180. 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:

- *The certificate to plat was not submitted at time of review. Additional plat notes may be required.*
- *Plat note 4 may be removed, as there are no new dedications proposed.*
- *In plat note 5, add "and" between "size" and "may".*
- *Other plat notes mentioned within the staff report.*
- *Add to plat note 2 "Granted by Plat HM 2002-6" unless noted on the utility easement depiction.*

RECOMMENDATION:

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.**

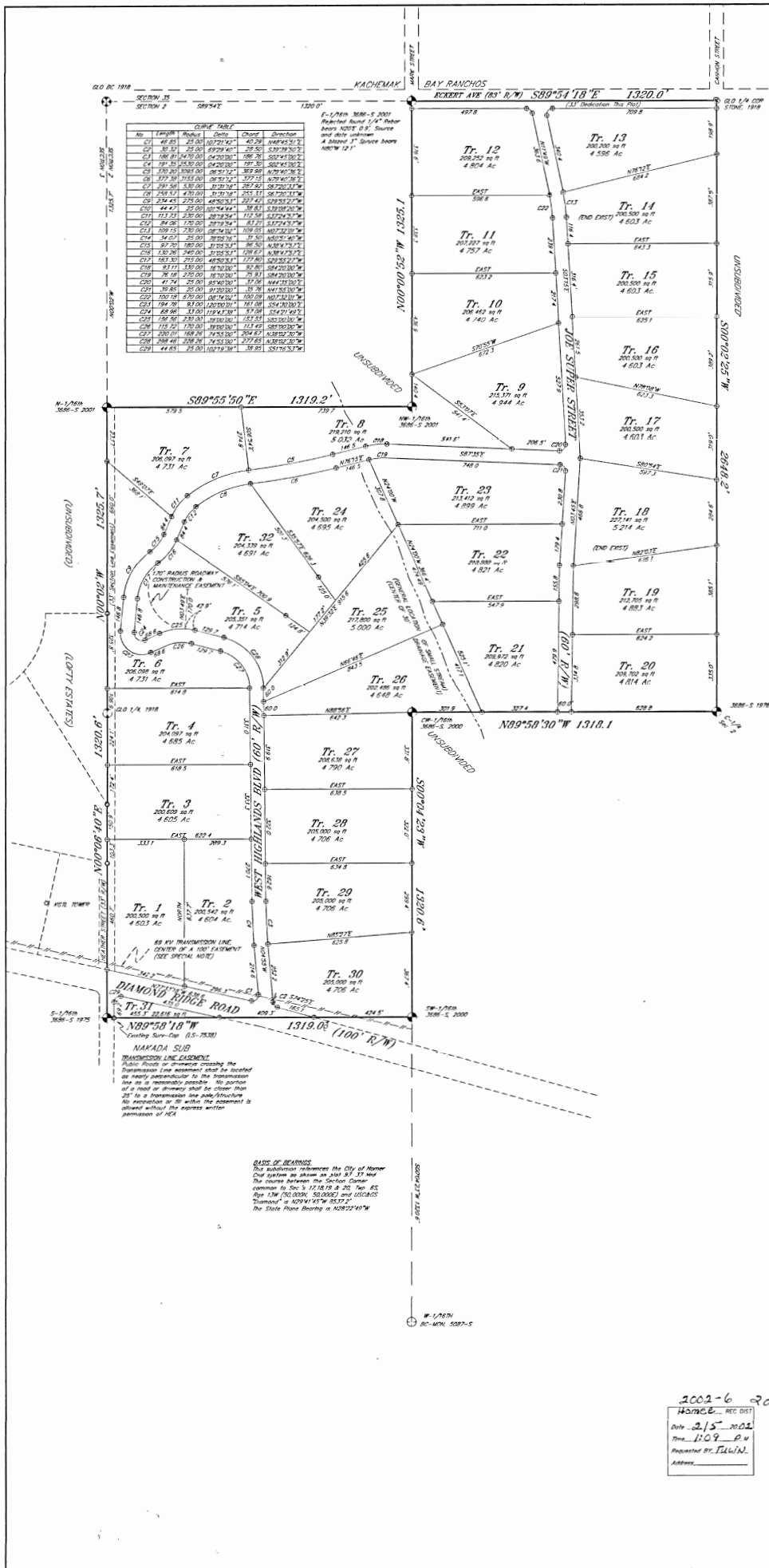
NOTE: 20.25.120. - REVIEW AND APPEAL.

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





CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the real property shown and described herein, and that I hereby adopt this plan of subdivision, and by my free consent indicate the rights of way and public access to public use and grant of easements to the use shown.

John L. Tulin

NOTARY'S ACKNOWLEDGMENT

For Helen L. Tulin, as President of Olympic Heights, Inc. Subscribed and sworn to before me this 26th day of July 2002.

Anna C. Anderson 2/6/02
Notary Public for Alaska
My Commission Expires

SURVEYORS' CERTIFICATE

I hereby certify that this survey was performed by me or under my direct supervision. I declare that the information shown herein is true and correct to the best of my knowledge and belief.

John L. Tulin 2/6/02
Date

PLAT APPROVAL

This plat was approved by the Ketchikan Peninsula Borough Planning Commission at the meeting of July 10, 2002.

John L. Tulin
Authorized Official

WASTEWATER DISPOSAL

Tracts 1-30 and Tract 32 are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal.

Tract 31 is a pre-existing tract created by the location of Diamond Road. Due to the smaller size, a conventional onsite wastewater system may not be possible.

Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

NOTES:

1. A 100' RADIUS BOUNDARY LINE IS SHOWN WITHIN THE SUBDIVISION. THIS LINE IS A 100' RADIUS BOUNDARY LINE AND IS NOT A PROPERTY LINE. THE PROPERTY LINES ARE SHOWN WITHIN THE SUBDIVISION.

2. NO DIRECT ACCESS TO STATE MAINTAINED ROADS OF WAY IS PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION. RIGHT OF WAY LOCATION TAKEN FROM PLATS OF LOTTY ESTATES AND WHITE ALICE SUBDIVISIONS.

3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

LEGEND

- BRASS CAP OR ALUMINUM MONUMENT 3086-S (DATE AT NOTE)
- FOUND OTHER MONUMENT AS DESCRIBED
- SET 5.8" x 30" CAPPED REBAR
- FOUND OLD BRASS CAP, 1919
- FOUND OLD BRASS CAP, 1918 (P/V)
- FOUND GRAMMICK (20) STONE

VICINITY MAP SCALE 1" = 2000'

DATE JULY 2001
SCALE 1" = 200'
GRID No. AP-68
FLD BK. No. 304/74
KPB FILE No. 2000-110
JOB No. 0812

"TULIN WEST HIGHLANDS"

A SUBDIVISION OF THE E-1/2 NW-1/4, SW-1/4 NW-1/4, NW-1/4 SW-1/4 OF Sec. 5, Twp. 6S, Rng. 14W S.W. ALASKA (HOMER RECORDING DISTRICT) CONTAINING 160.797 ACRES AND 32 LOTS

ANDERSON SURVEYORS-PLANNERS-DESIGNERS
1-800-861-6231
P.O. BOX 18
DORA MO 85837