

E. NEW BUSINESS

2. Atwood Homestead Estates; KPB File 2024-078

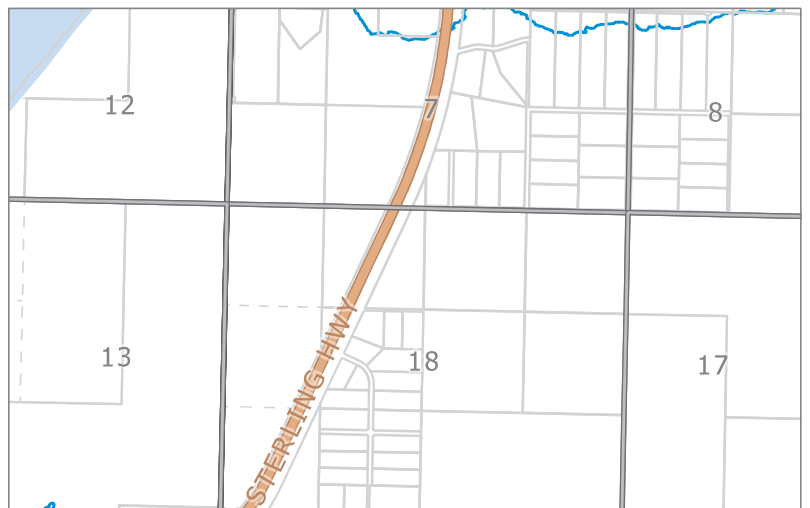
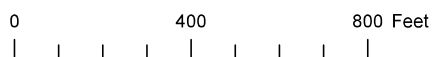
Johnson Surveying / Burger

**Location: MP 122 Sterling Hwy & Camp Robber Ave
Clam Gulch Area**



KPB File 2024-078
T 01N R 12W SEC 07
Clam Gulch

7/18/2024





Aerial View



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.

Atwood Homestead Estates Preliminary Plat

A subdivision of the NE1/4 NW1/4 Section 7, T1N R12W, SM, Alaska,
 portion east of the of Sterling Highway.
 Homer Recording District Kenai Peninsula Borough

Prepared for
 Richard L Burger
 P.O. Box 58
 Clam Gulch, Ak 99568

Prepared by
 Johnson Surveying
 P.O. Box 27
 Clam Gulch, Ak 99568
 (907) 262-5772

SCALE 1" = 100'
 11 June, 2024

AREA = 14.128 acres

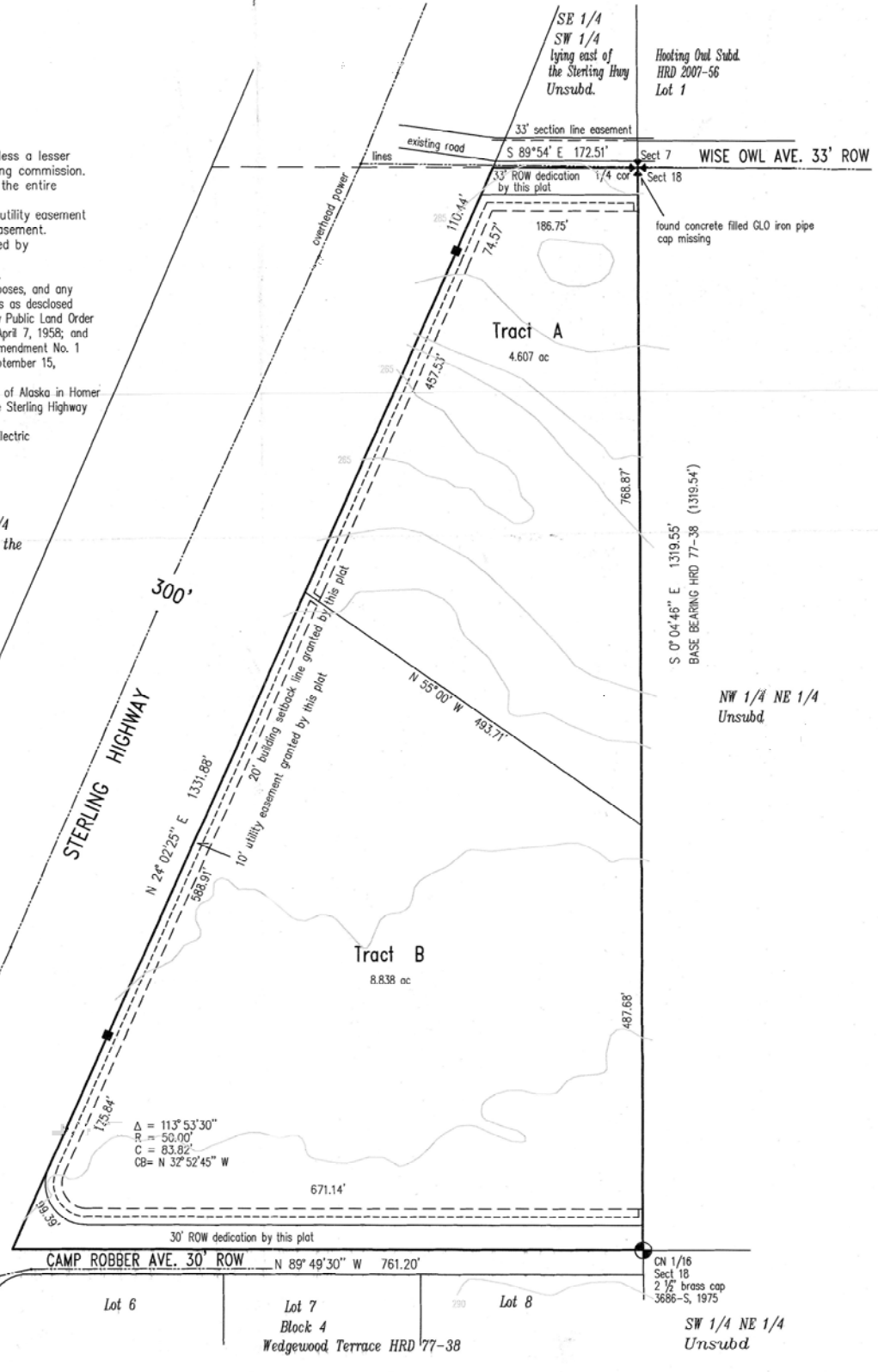


VICINITY MAP 1" = 1 mile

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. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. 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.
3. No access to State maintained ROWs permitted unless approved by State of Alaska DOT.
4. Sterling Highway is as shown on State ROW Plans F-021-1(3).
5. This property is subject to a Reservation of Easement for highway purposes, and any assignments or uses thereto for recreational, utility, or other purposes as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order NO. 1513, dated April 7, 1958; and Department of the Interior Order No. 2865, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
6. A Notice of Utilization was filed on this property in favor of the State of Alaska in Homer Records Book 32 Page 192. This easement now falls entirely within the Sterling Highway ROW.
7. This property is subject to an electrical easement granted to Homer Electric Association, Inc. in Homer Records Book 4 Page 65. This is a general easement, no definite location given.
8. Contour interval 5'. There are no wet areas on the property.

NE 1/4 NW 1/4
 lying west of the
 Sterling Hwy
 Unsubd



Hooking Owl Subd.
 HRD 2007-56
 Lot 1

S 0° 04' 46" E 1319.55'
 BASE BEARING HRD 77-38 (1319.54')

NW 1/4 NE 1/4
 Unsubd

CN 1/16
 Sect 18
 2 1/2" brass cap
 3886-S, 1975

SW 1/4 NE 1/4
 Unsubd

KPB 2024-078

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
ATWOOD HOMESTEAD ESTATES**

KPB File No.	2024-078
Plat Committee Meeting:	August 12, 2024
Applicant / Owner:	Richard Burger / Clam Gulch, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Wise Owl Ave & Sterling Highway / Clam Gulch, AK

Parent Parcel No.:	139-06-004
Legal Description:	T 1N R 12W SEC 18 SEWARD MERIDIAN HM PORTION OF THE NE1/4 NW1/4 LYING EAST OF STERLING HWY
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite/ Onsite
Exception Request	None

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 14.128 acres parcel into two tracts of size 4.607 acres and 8.838 acres and two dedications.

Location and Legal Access (existing and proposed):

The plat lies east of the Sterling Highway. The state of Alaska DOT has commented that access to the two tracts shall be limited to Wise Owl Ave for Tract A and Camp Robber Ave for Tract B. Wise Owl Ave is a borough maintained road; this plat will be giving a 33' dedication to. No dedication is given on the north side of the road, but a 33' section line easement is in use on the north side. On the south side of the plat is Camp Robber Ave, an installed road with private maintenance. There is a 30' dedication from the south and this platting action is dedicating 30' for the north half of the road. The State of Alaska DOT has requested a plat note be added to the plat as follows: "No direct access to the Sterling Highway for Tract A and Tract B." **Staff recommends** the surveyor add the note as requested.

The plat is not vacating any right-of-way but is dedicating right-of-way as noted above.

The plat is affected by a 33' section line easement on the north line of the plat. **Staff recommends** the surveyor reference the section line easement on the north line and continue it east.

The block length is not compliant along the Sterling Highway. **Staff recommends** that the Plat Committee concur an exception is not needed as the State of Alaska DOT has stated is does not want any access along the highway.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT comments	No direct access to the Sterling Highway for Tract A and Tract B All access including utilities must be through Wise Owl Ave and Camp Robber Ave. Please Add as a plat note: "No direct access to the Sterling Highway for Tract A and Tract B."

Site Investigation:

Per KPB GIS data there does appear to be structures located on the property, that when the plat is finalized will be located on Tract A.

There are no steep areas located on the site. There is a wetland crossing this plat that is not shown which is located on Tract A. The River Center review has not identified the plat to be in a FEMA designated flood hazard zone though. It is also not located in an habitat protection district. **Staff recommendation:** *place a note on the final plat indicating 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.*

KPB River Center review	<p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish and Game	

Staff Analysis

This parcel is an aliquot piece of land located in Section 18, Township 1 North, Range 12 West SM Alaska, lying east of the Sterling Highway. This is the first division of this parcel, leaving no history before it for divisions.

A soils report will not be required as both lots are over 200,000 sq ft.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.10.100 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.

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

Utility Easements

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

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 57539 WISE OWL AVE Existing Street Names are Correct: Yes List of Correct Street Names: WISE OWL AVE, STERLING HWY, CAMP ROBBER AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 57539 WISE OWL AVE WILL REMAIN WITH TRACT A
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add a Plat Approval with the Date of August 12, 2024.
Add Certificate of Ownership and Dedication
Add Notary's Acknowledgement
Add Certificate of Acceptance tot eh Kenai Peninsula Borough for Wise Owl Ave and Cam Robber Ave
In plat note #5 correct the word disclosed in line 2 and 1613 in line 4.

PLAT NOTES TO ADD

- 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).
- State of Alaska DOT note

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:

Add KPB File NO 2024-078 to title block.
Change the section no in the legal description to 18
Correct the owner's name to Richard

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:

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.

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.

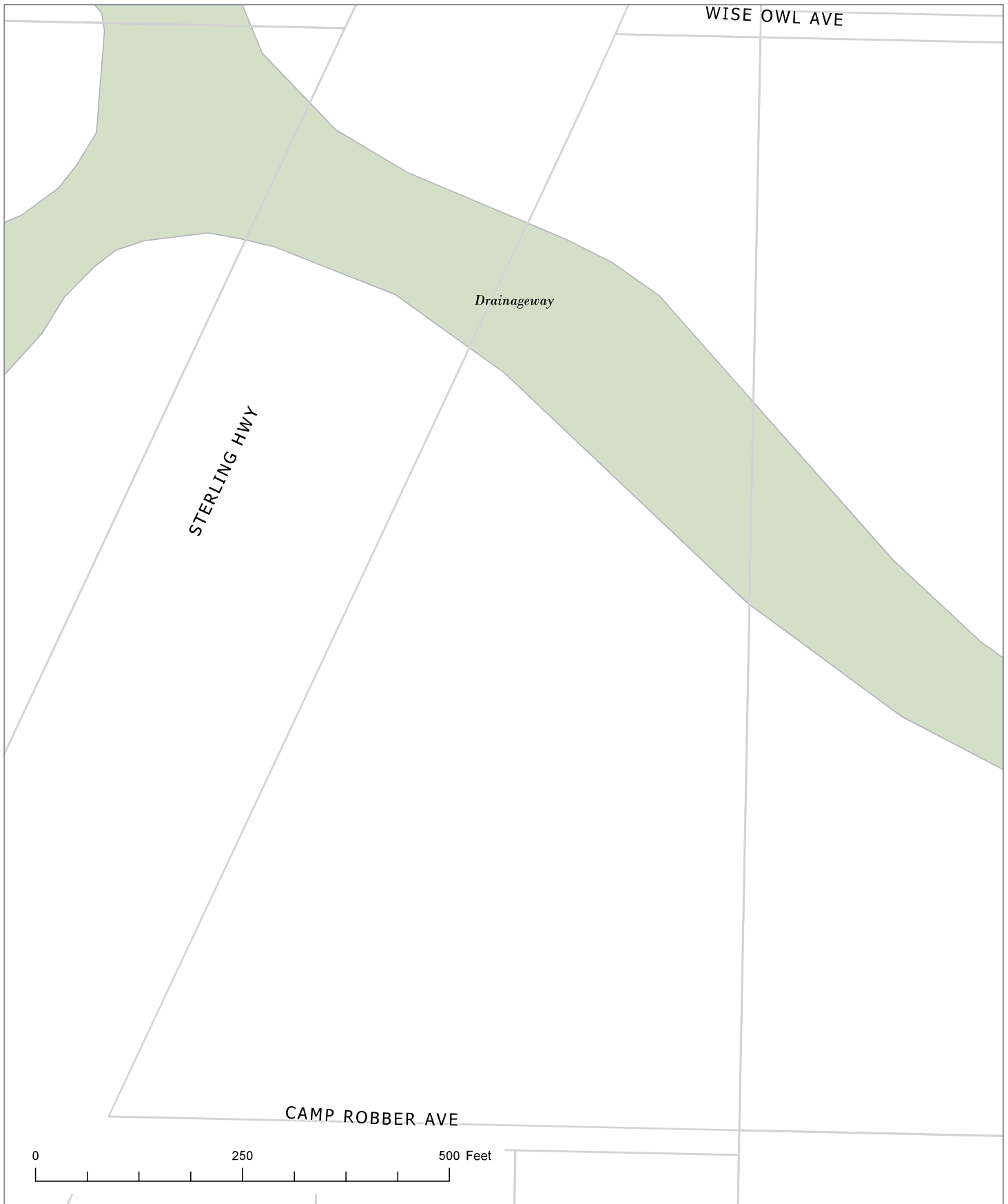
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



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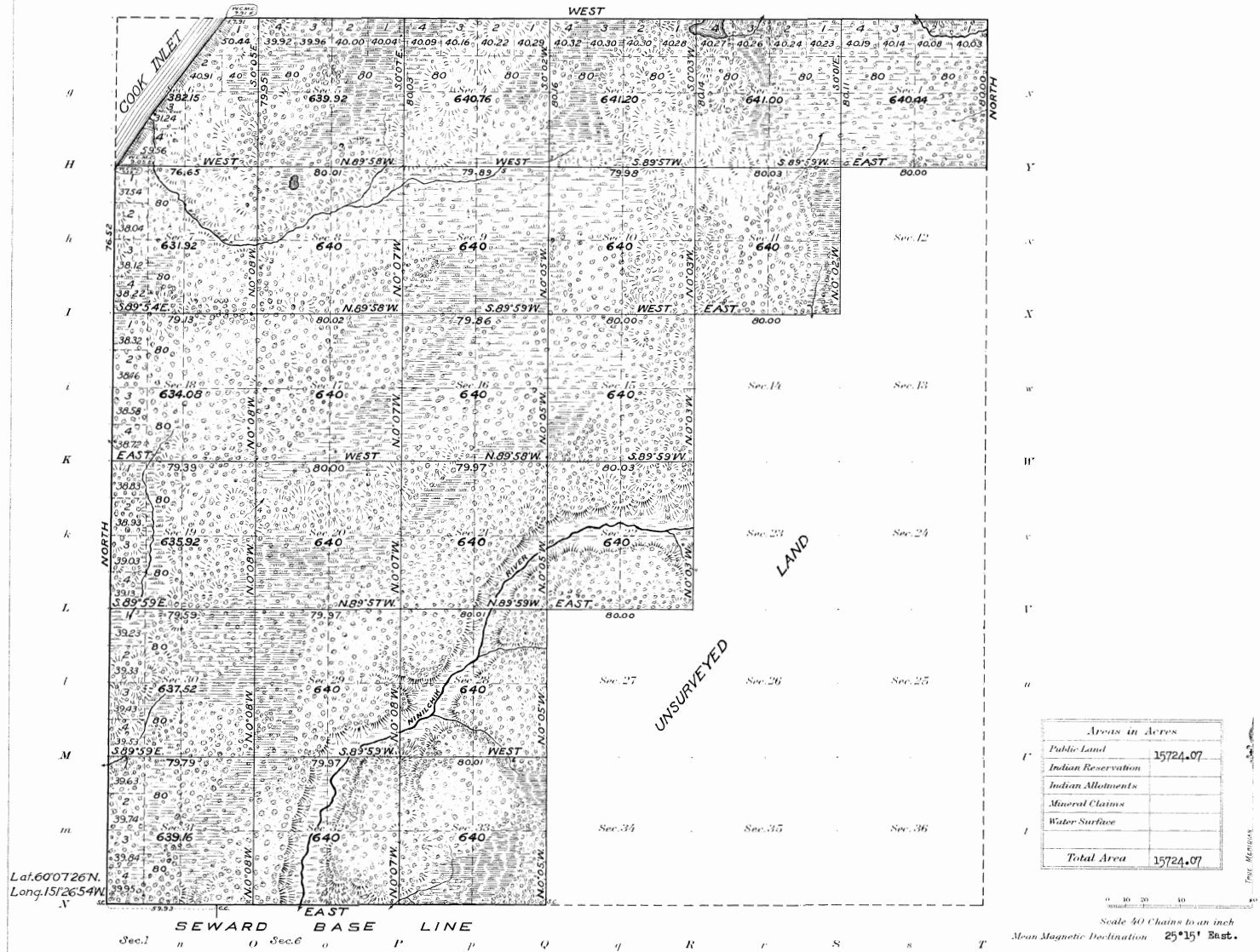
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Township N^o 1 North Range N^o 12 West of the Seward Meridian, Alaska.

G F F e E d D c C b B a A



Lat. 60°07'26" N.
Long. 151°26'54" W.

Areas in Acres	
Public Land	15724.07
Indian Reservation	
Indian Allotments	
Mineral Claims	
Water Surface	
Total Area	15724.07

Scale 40 Chains to an inch
Mean Magnetic Declination 25°15' East.

Surveys Designated	By Whom Surveyed	No.	Date of Instructions	Amount of Surveys		When Surveyed	
				Mts.	chs.	begun	Completed
East Boundary,	F. W. Williamson,	11	May 8, 1919.	1	00 00	Aug. 21, 1919	Aug. 21, 1919
North Boundary,	U. S. C. S.	11	" " "	5	17 91	Aug. 21, 1919	Aug. 27, 1919
West Boundary,	and	11	" " "	4	76 52	Aug. 3, 1919	Aug. 10, 1919
Subdivisions,	Fred Dahlquist,	11	" " "	45	74 69	Aug. 8, 1919	Sept. 3, 1919
Seward Base Line,	U. S. Surveyor.	11	" " "	3	00 00	July 3, 1919	Aug. 14, 1919
Meanders.		11	" " "	1	23 24	Aug. 31, 1919	Aug. 31, 1919

The above map of Township No. 1 North Range No. 12 West of the Seward Meridian Alaska is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved

U. S. Surveyor General's Office.
Juneau, Alaska, April 13, 1920.

P. J. Sommers
Surveyor General.

TOWNSHIP 1 NORTH, RANGE 12 WEST, OF THE SEWARD MERIDIAN, ALASKA



A portion of the section lines were surveyed by F.W. Williamson and Fred Dahlquist in 1919.

The dependent resurvey of an auxiliary base line between sections 1 and 12, and survey of a portion of the Seward Base Line along the south boundary and a portion of the east boundary of T. 1 N., R. 12 W., Seward Meridian was executed by Frederick W. Ward, Supervisory Cadastral Surveyor, May 17, 1955 thru September 12, 1965, under Special Instructions dated May 13, 1964 for Group 104, Alaska.

The area shown hereon has been designated Tract "A" for legal description purposes.

Gross Area Surveyed ----- 7,040.00 Acres
Exclusions ----- None

Net Area Tract "A" ----- 7,040.00 Acres

The hydrography shown on this plat was obtained from the best available U.S. Geological Survey Maps.

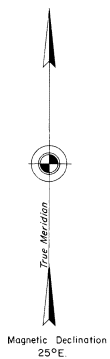
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C. February 22, 1972

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

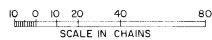
Charles F. Summ

Chief, Division of Cadastral Survey



Magnetic Declination
25°E

- BRASS CAPPED IRON POST
- COPPERWELD MONUMENT



TOWNSHIP 1 NORTH, RANGE 12 WEST, OF THE SEWARD MERIDIAN, ALASKA

DEPENDENT RESURVEY AND SUBDIVISION

Surveyed by F. W. Williamson and Fred Dahlquist in 1919

Resurveyed concurrently with T. 2 N., R. 12 W., in 1987



The history of surveys is contained in the field notes.
This plat and the field notes represent the dependent resurvey of a portion of the Seward Base Line through a portion of Township 1 North, Range 12 West, the east boundary, and a portion of the subdivisional lines; and the survey of a portion of the subdivisional lines of Township 1 North, Range 12 West, Seward Meridian, Alaska; and the retracement of line 4-1, U.S. Survey No. 9470.

This survey was executed by Richard T. Helm III, Cadastral Surveyor, May 18 through October 14, 1987, in accordance with the specifications set forth in the Manual of Surveying Instructions, 1973; Special Instructions for Group No. 411, Alaska, dated May 15, 1987, approved May 15, 1987; and Assignment Instructions dated May 18, 1987.

Acceptance of this survey does not purport to transfer any interest in submerged lands to which the State of Alaska is entitled under the Equal Footing Doctrine and Section 6(m) of the Alaska Statehood Act, P.L. 85-508, notwithstanding the use, location, or absence of meander lines to depict water bodies.

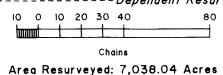
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Anchorage, Alaska

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director
Robert H. Anderson JUNE 1990
Date

Deputy State Director for Cadastral Survey,
Alaska

Latitude 60° 07' 36.92" N.
Longitude 151° 16' 07.26" W.
(NAD 27)



True Meridian
Mean Magnetic Declination 25° E.