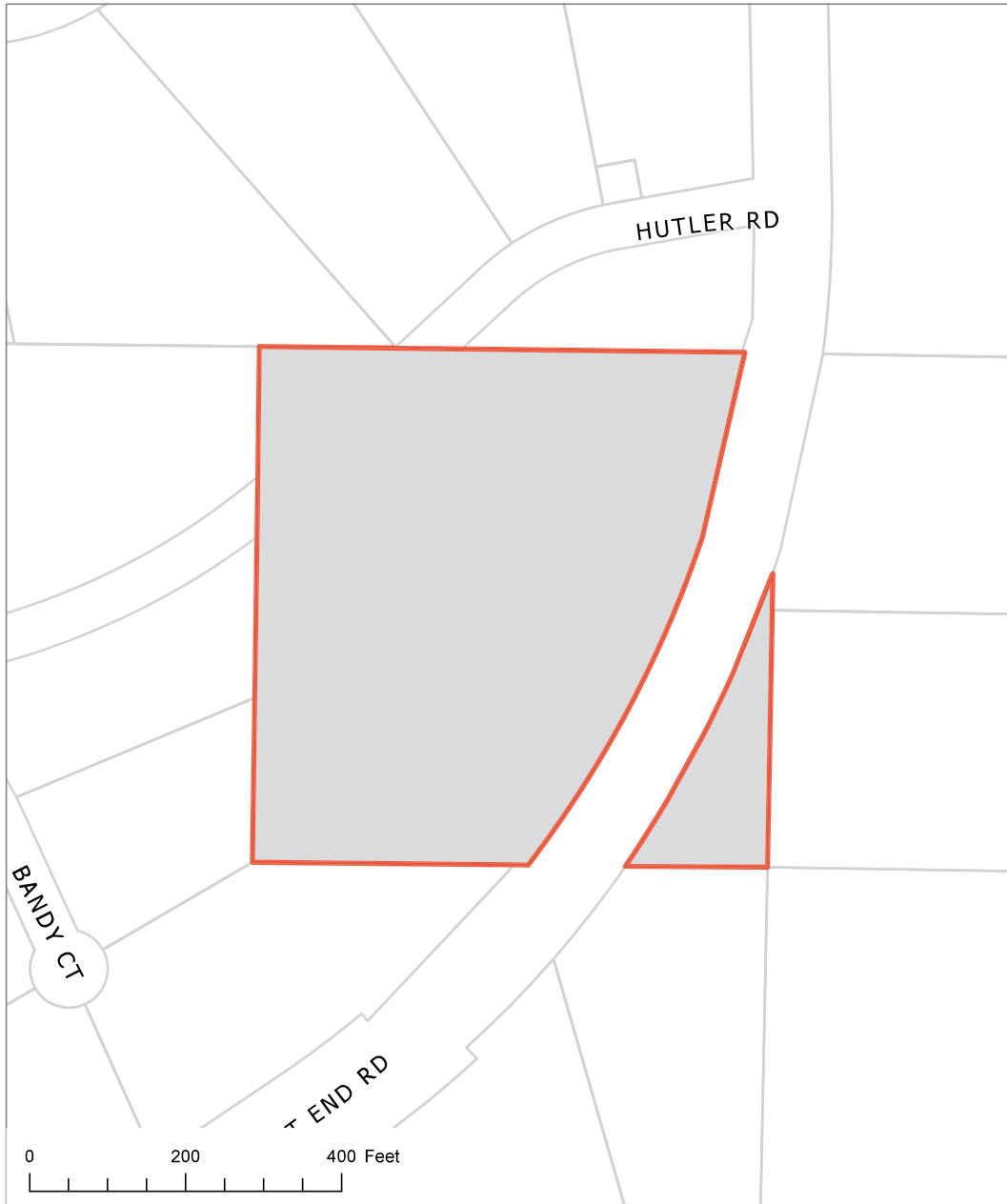


E. NEW BUSINESS

- 7. Sweet Spot Subdivision: KPB File 2024-069**
Geovera, LLC / Shafford
Location: Hutler Road & East End Road
Fritz Creek Area / Kachemak Bay APC



KPB File 2024-069
T 05S R 12W SEC 14
Fritz Creek



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.

KPB 2024-069

NOTES

1. BASIS OF BEARING FOR THIS SURVEY IS BASED ON GPS OBSERVATIONS. RECORD BEARINGS AND DISTANCES FROM PREVIOUS PLATS ARE SHOWN.
2. 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.
3. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT. 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. 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.
5. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
6. EAST END ROAD RIGHT-OF-WAY IS PER STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RECORD OF SURVEY PROJECT NO. 0414(10) HOMER: EAST END ROAD, M.P. 3.75-12.2, KACHEMAK DRIVE TO McNEIL CANYON (HM 2016-3).

WASTEWATER DISPOSAL

LOTS 1-3

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES ON THESE LOTS WITHIN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LOT 4

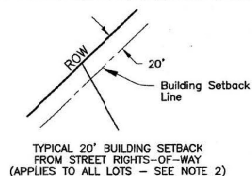
CONDITIONS MIGHT NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. NO WASTEWATER WILL BE GENERATED OR DISPOSED OF ON THIS LOT AS OF THE DATE OF THIS PLAT. IF CIRCUMSTANCES CHANGE TO ALLOW LAWFUL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS, THOSE SYSTEMS MUST MEET THE WASTEWATER DISPOSAL REQUIREMENTS OF KPB CHAPTER 20.40 AND REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER _____ LICENSE # _____ DATE _____

LEGEND

- INDICATES PRIMARY MONUMENT AS DESCRIBED RECOVERED THIS SURVEY
- INDICATES 3/4" IRON ROD RECOVERED THIS SURVEY
- INDICATES REBAR W/ PLASTIC CAP RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2019) SET THIS SURVEY

INDICATES AREAS WITH SLOPES GREATER THAN 20%



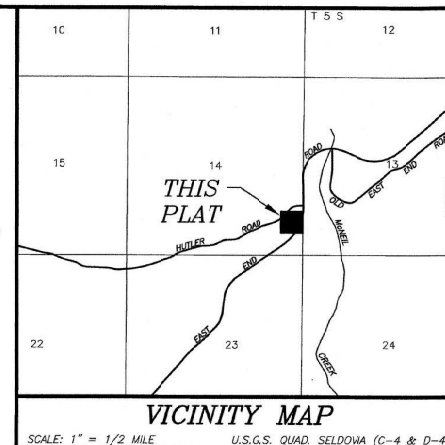
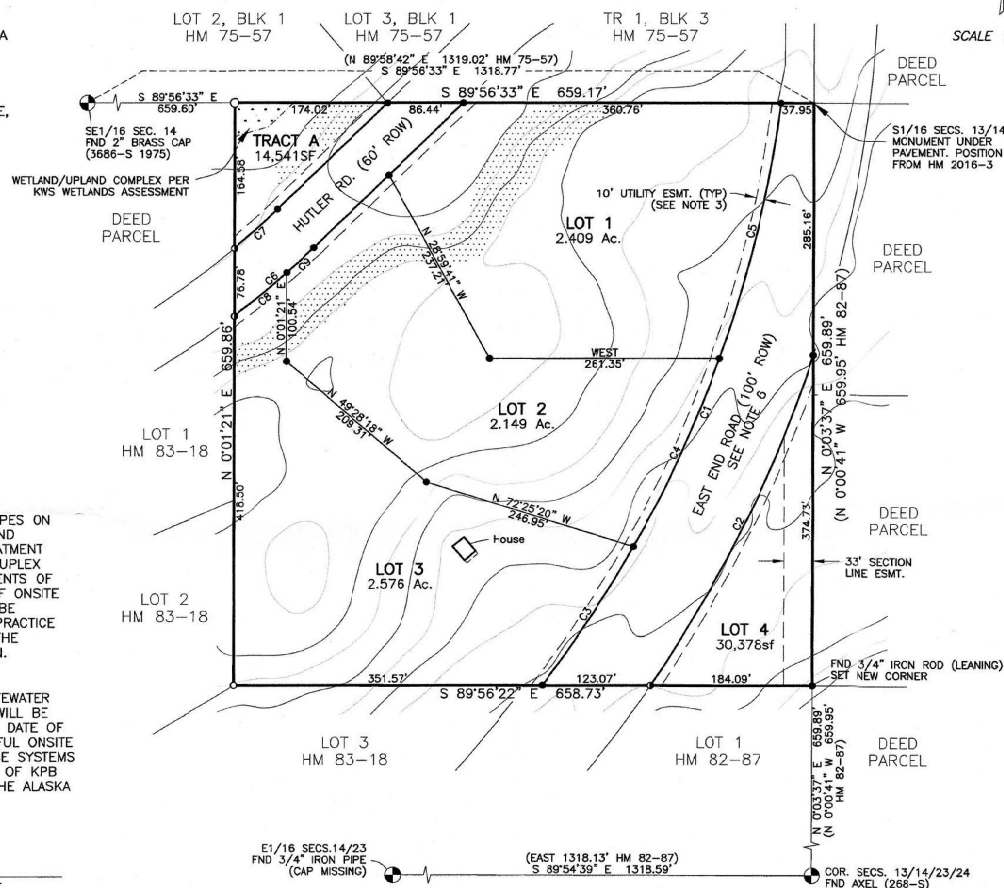
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: _____ AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

SCALE 1"=100'



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE LSE SHOWN HEREON.

ERIC SHAFFORD
PO BOX 205
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR ERIC A. SHAFFORD

ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2024.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

HOMER RECORDING DISTRICT KPB FILE NO. 2024-???

SWEET SPOT SUBDIVISION

THE SUBDIVISION OF
THE NE1/4 SE1/4 SECTION 14,
T. 5 S., R. 12 W., SEWARD MERIDIAN, KENAI PENINSULA
BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 22.396 ACRES

OWNER:
ERIC SHAFFORD
PO BOX 205 HOMER, AK 99603

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS

DATE: JUNE 2024

SCALE: 1" = 100'

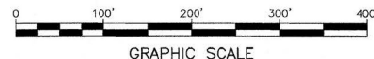
CHK BY: SCS

JOB #2024-18

SHEET 1 OF 1

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	29°52'22"	1382.39'	720.75'	N 22°15'25" E	712.61'
C2	16°11'20"	1482.39'	418.85'	N 28°13'38" E	417.46'
C3	7°47'19"	1382.39'	187.92'	N 33°17'57" E	187.77'
C4	9°45'11"	1382.39'	235.32'	N 24°31'42" E	235.03'
C5	12°19'52"	1382.39'	297.52'	N 13°29'10" E	296.94'
C6	6°39'33"	1030.00'	119.71'	N 49°25'37" E	119.65'
C7	3°54'47"	970.00'	66.25'	N 48°03'14" E	66.23'
C8	4°19'12"	1030.00'	77.66'	N 50°35'48" E	77.64'
C9	2°20'21"	1030.00'	42.05'	N 47°16'01" E	42.05'



AGENDA ITEM E. NEW BUSINESS

ITEM #7 - PRELIMINARY PLAT
SWEET SPOT SUBDIVISION

KPB File No.	2024-069
Plat Committee Meeting:	July 22, 2024
Applicant / Owner:	Eric Shafford of Homer, Alaska
Surveyor:	Stephen Smith - Geovera, LLC
General Location:	McNeil Canyon Area, East End Road, Homer, Alaska / Kachemak Bay APC

Parent Parcel No.:	172-400-02
Legal Description:	T 5S R 12W SEC 14 SEWARD MERIDIAN HM NE1/4 SE1/4 SE1/4
Assessing Use:	Accessory Building
Zoning:	Unrestricted
Water / Wastewater	Onsite
Exception Request	None

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 10-acre parcel into four lots and one tract ranging in size from .334 acres to 2,576 acres.

Location and Legal Access (existing and proposed):

The subdivision is accessed in the south near mile 11.7 of East End Road, a fully developed and state maintained 100' right-of-way, and in the north via Hutler Road, a developed and borough maintained 60' right-of-way. The proposed Lot 1A has a current access point to Hutler Road on the west, and proposed Lot 3 has a current access point to East End Road on the east. Proposed Lot 2 potentially has access to either Hutler Road to the west or East End Road to the east, with proper permitting. Proposed Tract A would only have access to Hutler Road and proposed Lot 4 would only have access to East End Road, with proper permitting.

With this platting action, Hutler Road will be dedicated to the Kenai Peninsula Borough, and East End Road will be dedicated to the State of Alaska. **Staff recommends** the surveyor add the appropriate Certificate of Acceptance for the dedications to the drawing.

A 33' section line easement affects the property on the east side and is shown correctly across proposed Lot 4. **Staff recommends** the easement line be continued north through the East End Road right-of-way dedication.

Block length is non-compliant along East End Road, however, due to the topography of the area and the proximity of this plat to the intersection of Hutler Rd and East End Rd, **Staff recommends** the Plat Committee concur that an exception is not needed.

PER DOT: The platting action voids any previous issued permits. The owner will need to reapply for driveway access permits to state right-of-way access.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: Parcels accessing from East End Rd permitted through AKDOT. No RSA objections.
SOA DOT comments	No comment

Site Investigation:

There is a building on the property that is shown to be on proposed Lot 3 of the plat drawing. The driveway approach from East End Rd will go with Lot 3. There is what appears to be a parking area at the north end of the property on Hutler that will give road access to Lot 1.

There are steep slopes across the northwest of the subdivision and slopes exceeding 20% are depicted by shaded areas on the plat.

There are wetlands across proposed Tract A of this plat according to KPB KWF Wetlands Assessment. The appropriate note appears to be added to the plat addressing wetlands development within the borough. River Centre review did not identify any flood hazard or floodway issues.

Proposed Tract A is non-compliant for KPB 20.30.200. Lots – Minimum size. It is proposed from the surveyor that the parcel owner is open to dedicating Tract A to the borough with Hutler Road. It appears that proposed Tract A is not capable of sustaining onsite water and sewer and it has steep slopes and wetlands per KPB KWF Wetlands Assessment. **Staff recommends:** the surveyor or owner contact the KPB Roads Department to discuss the possibility adding Tract A as a dedication for road purposes / uses to later be added to the plat.

Lot 4 is non-conforming to KPB 20.30.200.B. being below 40,000 sq ft. The lot is proposing use that will not produce and wastewater and is noted below. **Staff recommend** the Plat Committee concur an exception is not needed requesting due to the location of East End Rd and the exterior property lines of the subdivision limiting the size.

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

Staff Analysis

The subdivision is an aliquot portion of the NE1/4 SE1/4 SE1/4 Section 14, T5S, R12W, SM, Homer, Alaska. The record of survey, East End Road MP 3.75-12.2, HM 2016-003, established the easement details of the current design of East End Road as it travels across the subdivision parent parcel. Proposed Lot 4 and Tract A were created by the divisions that these roads created across this subdivision. Proposed Lots 1, 2, and 3 exist in the portion of the parcel between Hutler Road and East End Road.

A soils report will be required and an engineer will sign the final plat. Lot 4 is subject to KPB 20.40.80 as no wastewater disposal is proposed. The appropriate wastewater note is shown.

Notice of the proposed plat was mailed to the beneficial interest holder on July 1, 2024. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

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, but may not be included in the staff report.

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

There appears to be an encroachment of a driveway across the northern tip of proposed Lot 4. **Staff requests:** Surveyor confirm whether an encroachment affects the plat. **Staff recommendation:** grant driveway easements over the existing travel way to eliminate the encroachment. Since the driveway easements would be private, easements should be created by separate document, recorded and then shown or noted on the final plat.

Utility Easements

The appropriate utility easements and notes appear to be depicted on the plat. **Staff recommends** the surveyor show the 10' utility easement on the typical detail

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. Currently no comments have come back requesting any easements.

Utility provider review:

HEA	No Comments.
ENSTAR	no comments or recommendations.
ACS	
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 53097 HUTLER RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: HUTLER RD, EAST END RD.</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: 53097 HUTLER RD WILL BE DELETED.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:</p>

	There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Place the following note on the plat.

- "No access to state-maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."

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 KPB file number to 2024-069.
Check total acreage.

N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

Staff recommendation:

There appears to be an encroachment of a private drive across the northern tip of proposed Lot 4.

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.

20.30.030. Proposed street layout-Requirements.

- C. Preliminary plats fronting state-maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

Staff recommendation:

Provide dedication to DOT for East End Road and to KPB for Hutler Rd.

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.

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax-exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation:

Provide Certificate of Acceptance for Hutler Road and East End Road.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190.

Provide Certificate of Acceptance for Hutler Road and East End Road.

Add to Plat Approval date of July 22, 2024.

20.60.200. Survey and monumentation.

Staff recommendation: comply with 20.60.200.

Please provide cap detail for found monuments.

Check cap date for monuments set this survey.

RECOMMENDATION:

STAFF RECOMMENDS:

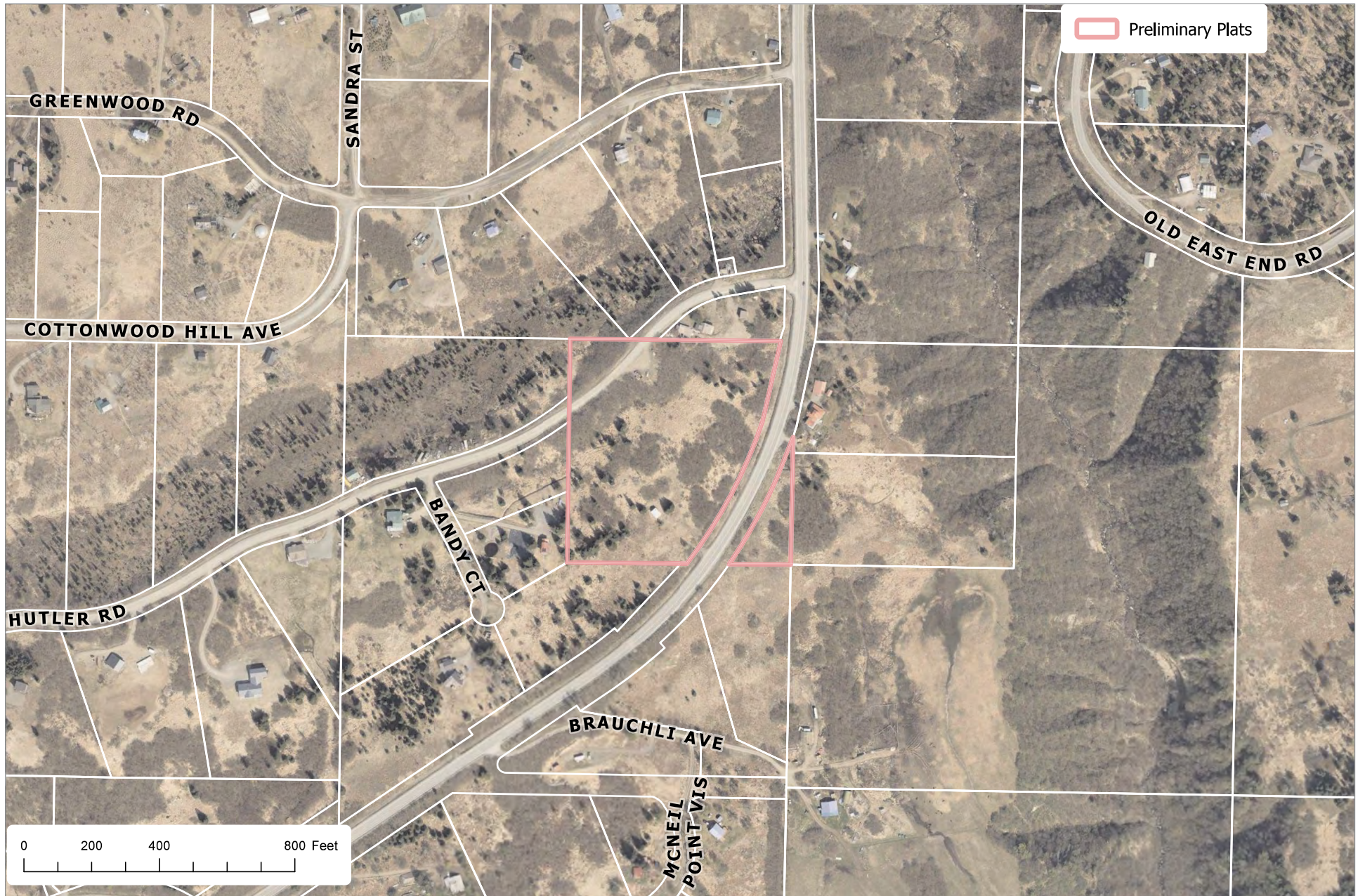
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL 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.

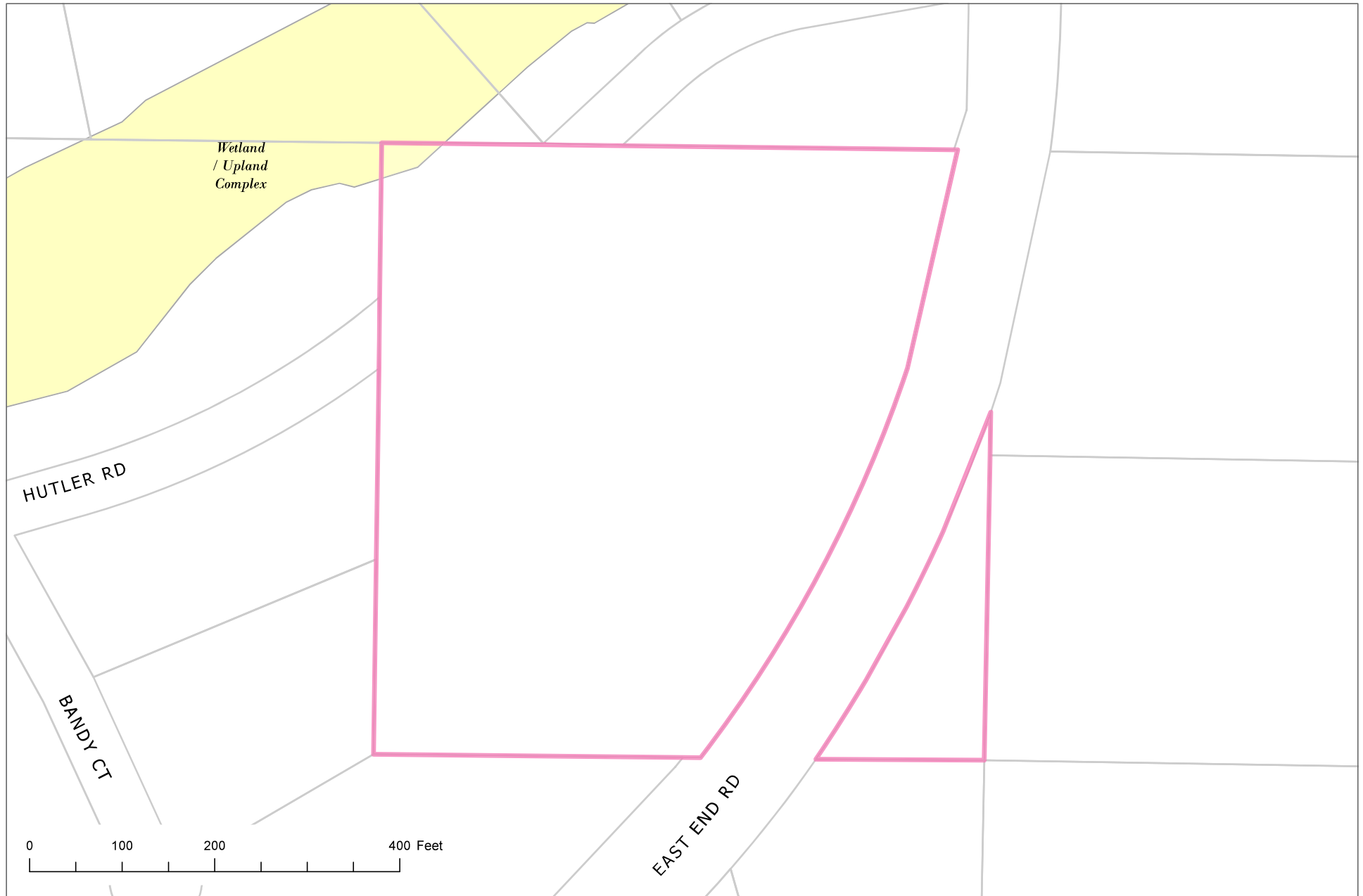
END OF STAFF REPORT



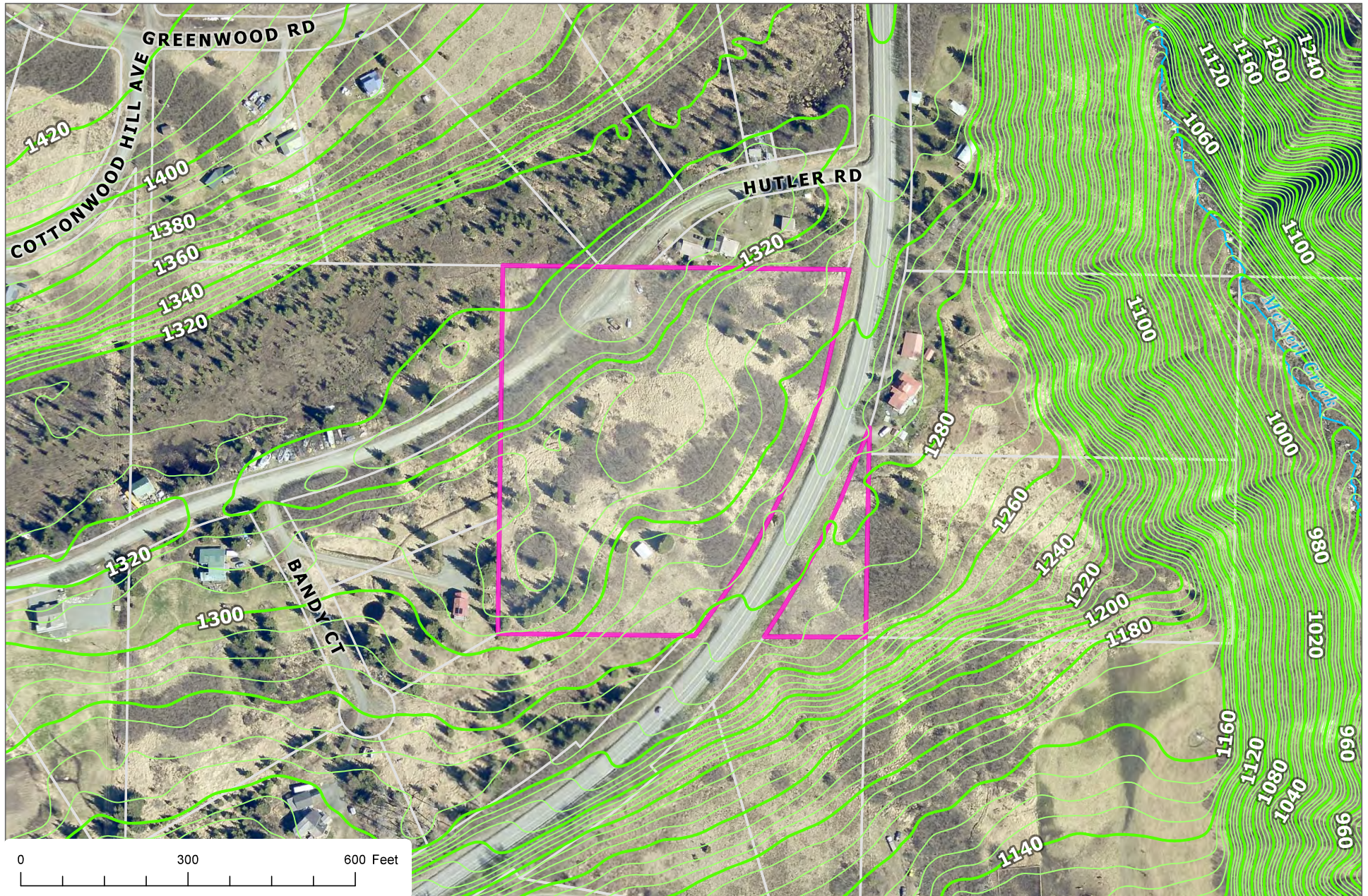
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Wetlands

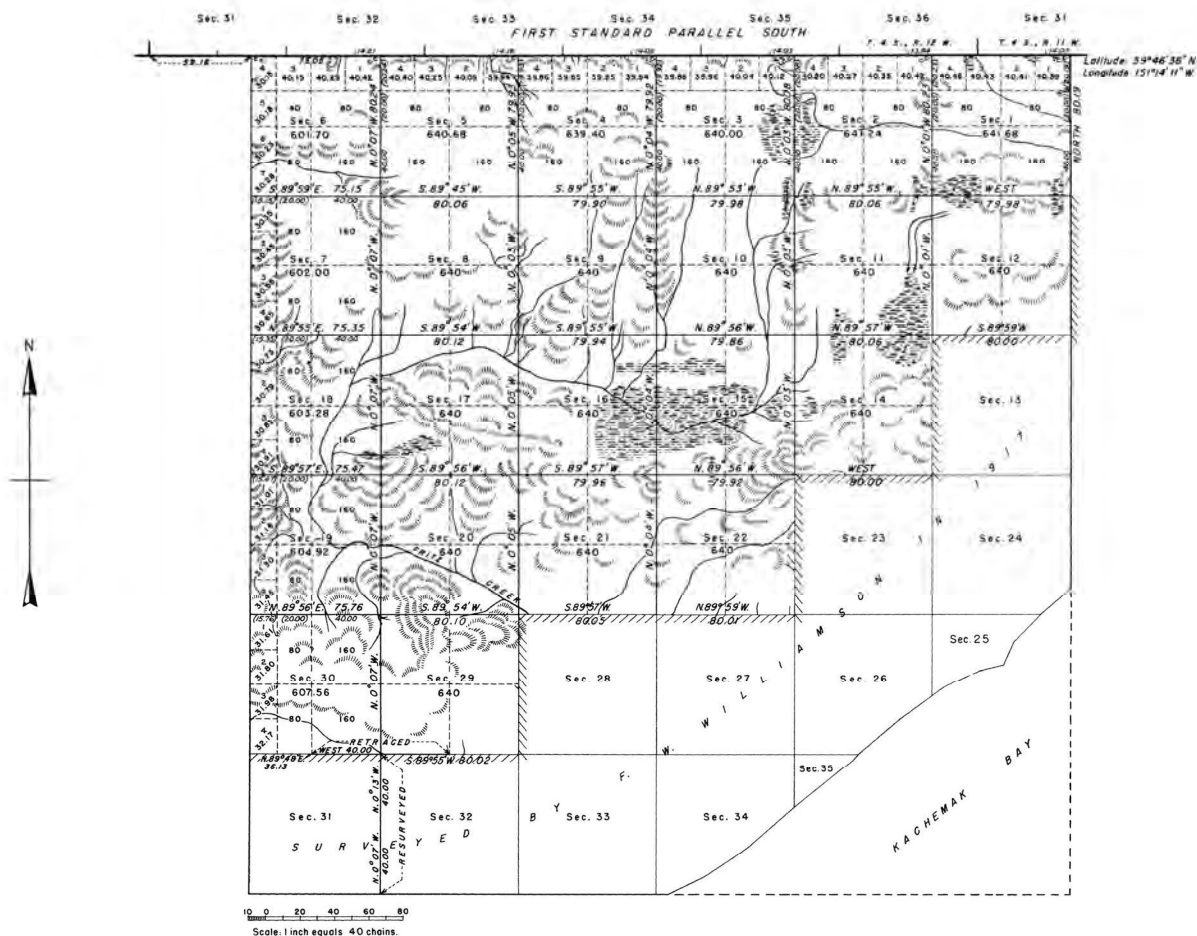


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TOWNSHIP NO. 5 SOUTH, RANGE NO. 12 WEST OF THE SEWARD MERIDIAN, ALASKA



Mean Magnetic Declination 2°30'E		Area Surveyed 16,542.46 Acres.			
LINES DESIGNATED	BY WHOM SURVEYED	GROUP NO.	DATE OF SPECIAL INSTRUCTIONS	WHEN SURVEYED	
				BEGUN	COMPLETED
EXTERIOR AND SUBDIVISIONAL	E.D. CALVIN and LAURIE A. DAUPHINY	52	July 24, 1935	August 17, 1940	Sept. 12, 1940

UNITED STATES DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
BUREAU OF LAND MANAGEMENT
DENVER, COLORADO, MAY 10, 1946.

THIS PLAT OF TOWNSHIP NO. 5 SOUTH, RANGE NO. 12 WEST OF THE SEWARD MERIDIAN, ALASKA, IS STRICTLY CONFORMABLE TO THE FIELD NOTES OF THE SURVEY THEREOF, WHICH HAVE BEEN EXAMINED AND APPROVED.

WASHINGTON, D. C., MARCH 10, 1947.

THE SURVEY REPRESENTED BY THIS PLAT HAVING BEEN CORRECTLY EXECUTED IN ACCORDANCE WITH THE REQUIREMENTS OF LAW AND THE REGULATIONS OF THIS OFFICE, IS HEREBY ACCEPTED.

ACTING ASSISTANT DIRECTOR.