


Kenai Peninsula Borough
Planning Department

MEMORANDUM

TO: Brent Hibbert, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Melanie Aeschliman, Planning Director 

DATE: July 14, 2021

RE: Right-of-way Vacation: Vacating a 60' right-of-way and cul-de-sac on adjoining Lots 8-A, 9-A, 10-A & 18-A per Stanley's Meadow Subdivision No 11 ADEC Power-Trip Replat HM 93-60 ass dedicated on Stanley's Meadow No. 11 HM 91-47. KPБ File 2021-086V1

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of July 12, 2021 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation of a portion of the above right-of-way by unanimous vote based on the means of evaluating public necessity established by KPБ 20.70 (10-Yes, 0-No, 1-Absent) This petition is being sent to you for your consideration and action.

A draft copy of the unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

July 12, 2021 Planning Commission Draft Meeting Minutes
July 12, 2021 Agenda Item E3 Meeting Packet

Chair Martin opened the meeting for public comment. Hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Ruffner moved, seconded by Commissioner Ecklund to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code.

Seeing and hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	11	No	0	Absent	1
Yes	Bentz, Brantley, Carluccio, Chesser Ecklund, Fikes, Martin, Morgan, Ruffner, Venuti				
Absent	Gillham				

AGENDA ITEM E. NEW BUSINESS

**ITEM 3 - RIGHT OF WAY VACATION
 VACATE COVE VIEW COURT and ADJOINING 10 FOOT UTILITY EASEMENT
 STANLEY'S MEADOW 2021, HM 93-60**

KPB File No.	2021-086V1
Planning Commission Meeting:	July 12, 2021
Applicant / Owner:	Cecil R. and Ina L. Jones of Fritz Creek, Alaska and Billy Ray and Stephanie Joy Jones of Homer, Alaska
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Fritz Creek Area / Kachemak Bay APC
Legal Description:	Perkins Road, Stanley's Meadow No. 11 Plat 93-60 Homer Recording District, Section 34, Township 04 South, Range 11 West, S.M.

Staff report given by Scott Huff.

Specific Request / Purpose as stated in the petition: Vacate Cove View Court right of way. Petitioner's statement, 'Lots are being replatted.'

Notification: Public notice appeared in the July 1, 2021 issue of the Homer News as a separate ad. The public hearing notice was published in the July 8, 2021 issue of the Homer News as part of the Commission's tentative agenda.

Six certified mailings were sent to owners of property within 300 feet of the proposed vacation. Zero receipts had been returned when the staff report was prepared.

Public hearing notices were sent by regular mail to 8 owners within 600 feet of the proposed vacation.

16 public hearing notices were emailed to agencies and interested parties as shown below;

- State of Alaska Dept. of Fish and Game
- State of Alaska DNR
- State of Alaska DOT
- State of Alaska DNR Forestry
- Kachemak Bay Advisory Planning Commission
- Emergency Services of Kachemak
- Homer Kenai Peninsula Borough Office

- Post Office of Homer
- Ninilchik Traditional Council
- Alaska Communication Systems (ACS)
- ENSTAR Natural Gas
- General Communications Inc, (GCI)
- Homer Electric Association (HEA)
- Library of Homer

The notice was placed on the Planning Commission board at the Kenai Peninsula Borough George A. Navarre Administration Building. The notice was emailed to the Post Office and Library of Homer with a request for the notice to be posted.

Legal Access (existing and proposed): Cove View Court is located off East End Road at milepost 17.5. Access is from East End Road to Ratone Street, to Elmers Way to Perkins Road. All access right of ways are at least 60 feet in width and are a combination of dedicated right of ways and section line easements. A travel way is constructed to the south portion of Perkins Road but is not maintained by KPB Roads Department.

Perkins Road originally continued north and connected to a northern section. A section of Perkins Road was vacated in 1993 and the northern section terminates in a cul-de-sac.

The proposed plat that will finalize the vacation of Cove View Court shows the four lots being combined into two lots that will both have access from Perkins Road (southern portion).

The block is incomplete and distances do not comply with Kenai Peninsula Borough code. Perkins Road is a dead end and does not connect to another right of way. Along Elmers Way, the distance from Perkins Road to Skidoo Street is approximately 3,840 feet. Due to terrain and the layout of the lots in the area, the subdivision will not be able to provide a dedication to improve the block length or create a complete block.

KPB Roads Dept. comments	This vacation only affects the applicant and the Road Service Area has no comments at this time.
SOA DOT comments	The SOA Central Region Right of Way Engineering section has reviewed the right of way vacation for interpretation of any existing State ROW. Since these do not appear to be State roads, we have no comment on this ROW vacation.

Site Investigation: The plat submitted with this vacation depicts the Kenai Watershed Forum ecosystem identified as riverine. The riverine ecosystem appears to be location within a portion of Cove View Court and Perkins Road.

The slopes greater than 20 percent are shaded. The steep slopes affect a portion of Cove View Court and Perkins Road.

Floodplain Hazard Review	Not within a floodplain area.
Anadromous Waters Habitat Protection District Review	Not within a HPD.
State Parks Review	No comments.

Staff Analysis: Cove View Court is a 60 foot wide right of way cul-de-sac that is approximately 512 feet long. The intersection with Perkins Road is 120 feet in width. Cove View Court has dedicated on Stanley's Meadow No. 11, Plat HM 91-47. Cove View Court was also shown on Stanley's Meadow No. 11 ADEC Power-Trip Replat, Plat HM 93-60. That plat created the current lot configuration. Cove View Court is not improved.

The proposed lot reconfiguration will reduce four lots to two lots. Both proposed lots will have legal access

from Perkins Road. Cove View Court does not help with block length or provide legal access to any other lots.

Access to these lots will be difficult due to steep terrains within Perkins Road. The usable area of the parcels is limited due to steep terrain and wet areas. The parcel to the north could be further subdivided and provide additional access. Steep slopes and low wet areas will need to be considered with any new right of way dedications.

If the vacation is approved it will be forwarded to the Kenai Peninsula Borough Assembly to be reviewed on August 3, 2021. The subdivision plat, when recorded, will finalize the right of way vacation.

20.65.050 – Action on vacation application

- D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:
8. The right-of-way or public easement to be vacated is being used;
Staff comments: Cove View Court is unconstructed and does not appear to be used for access.
 9. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: An alternate right of way will not be needed, as the proposed subdivision plat will create two lots that both will have legal access to Perkins Road. Steep slopes affect portions of the Cove View Court. Access to this right of way may be difficult due to the slopes within Perkins Road. Additional easements may be required along Perkins Road due to terrain.
 10. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Staff comments: The lots fronting Cove View Court are not developed but with the reduction of four lots to two lots, the cul-de-sac right of way is not needed. Lot 8-A appears to be used as an agricultural parcel.

The surrounding area is a mixture of residential lots and agricultural parcels. Legal access is available to all nearby parcels.

Utility companies have been contacted for review.
 11. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;
Staff comments: This does not provide access to a waterbody or public interest area.
 12. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments: Cove View Court is a cul-de-sac that does not provide interconnectivity to other right of ways.
 13. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments: Cove View Court does not provide a use to the general public.
 14. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists,

the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

Staff comments: The utility easements adjoining Cove View Court will be vacated with this action. The vacation of the easements on the property lines, as depicted on the application, will require a separate application and will be reviewed by the KPB Planning Commission at a later meeting.

- 15. Any other factors that are relevant to the vacation application or the area proposed to be vacated.

Staff comments:

If approved, Stanley’s Meadow 2021 will finalize the proposed right of way vacations. The Plat Committee will review Stanley’s Meadow 2021 on August 9, 2021. The platting action will require exceptions to 20.30.170 – blocks-length requirements and 20.30.190 – Lots-dimensions for the depth to width ratio of both lots.

KPB department / agency review:

Planner – Bryan Taylor	
Code Compliance – Eric Ogren	No comments
Addressing – Derek Haws	No addresses affected.
Assessing – Matt Bruns	
Advisory Planning Commission – Kachemak Bay	Minutes were not received prior to staff report being written. Any comments or minutes received will be available in the desk packet.

Utility provider review:

HEA	
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown.

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(F) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

- 9. Consent by KPB Assembly.
- 10. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
- 11. Grant utility easements requested by the utility providers.
- 12. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).

KPB 20.65.050 – Action on vacation application

- H. **A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**
- I. **Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final**

plat must be recorded within one year of the vacation consent.

- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.**
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

END OF STAFF REPORT

Chair Martin opened the meeting for public comment.

Gary Nelson, Ability Surveys; 152 Dehel Ave., Homer, AK 99603: Mr. Nelson was the surveyor on this project and made himself available for questions.

Hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Ruffner to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code.

Seeing and hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	10	No	0	Absent	1
Yes	Bentz, Brantley, Carluccio, Chesser Ecklund, Fikes, Martin, Morgan, Ruffner, Venuti				
Absent	Gillham				

AGENDA ITEM E. NEW BUSINESS

4. PC Resolution 2021-24; Trail Creek Bridge Replacement

Retition: USAD Forest Services

PIN 125-324-07 & 125-324-01

Moose Pass Area

Conditional Use Permit Anadromous Waters Habitat Protection District

KPB File No. 2021-24

Planning Commission Meeting: July 12, 2021

Applicant USDA Forest Service

Mailing Address 33599 Ranger Station Spur
Seward, AK 99664

Legal Description Section 24, T004N, R001W, Meridian Seward, USGD
Seward B-7 NE

Physical Address Lower Creek Trail

KPB Parcel Number 12532407, 12532404

Staff report given by Samantha Lopez

Project Description

The USDA Forest Service is seeking a Conditional Use Permit to replace the existing two-span timber-structured bridge that spans Trail Creek near the Trail Lake Campground on the Chugach National Forest's Seward Ranger District. The replacement bridge will be a single span, pre-stressed concrete bridge. The proposed work includes the removal of the existing concrete pier located in the middle of Trail Creek.

Project Details within the 50-foot Habitat Protection District

1. Remove old concrete abutments and bridge.
2. Construct a new 30-foot wide by 145-foot long pre-stressed concrete girder bridge.
3. Project involves the excavation of existing material within the HPD to accommodate a rock retaining wall to be installed on the northern end of the bridge and a concrete abutment to be installed on the southern end of the bridge.
4. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.

General Standards

Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

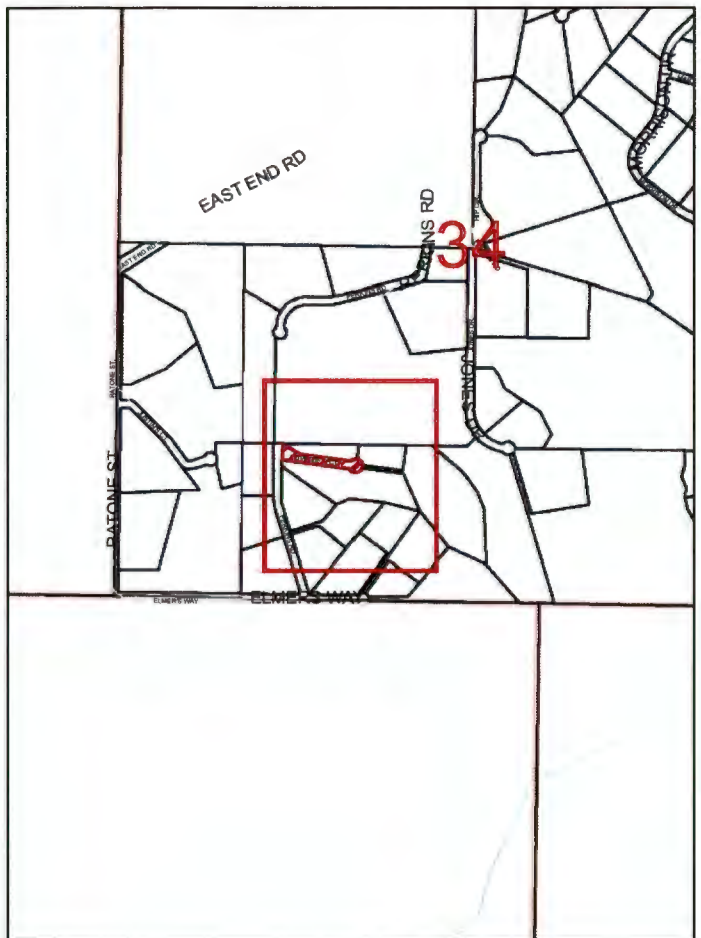
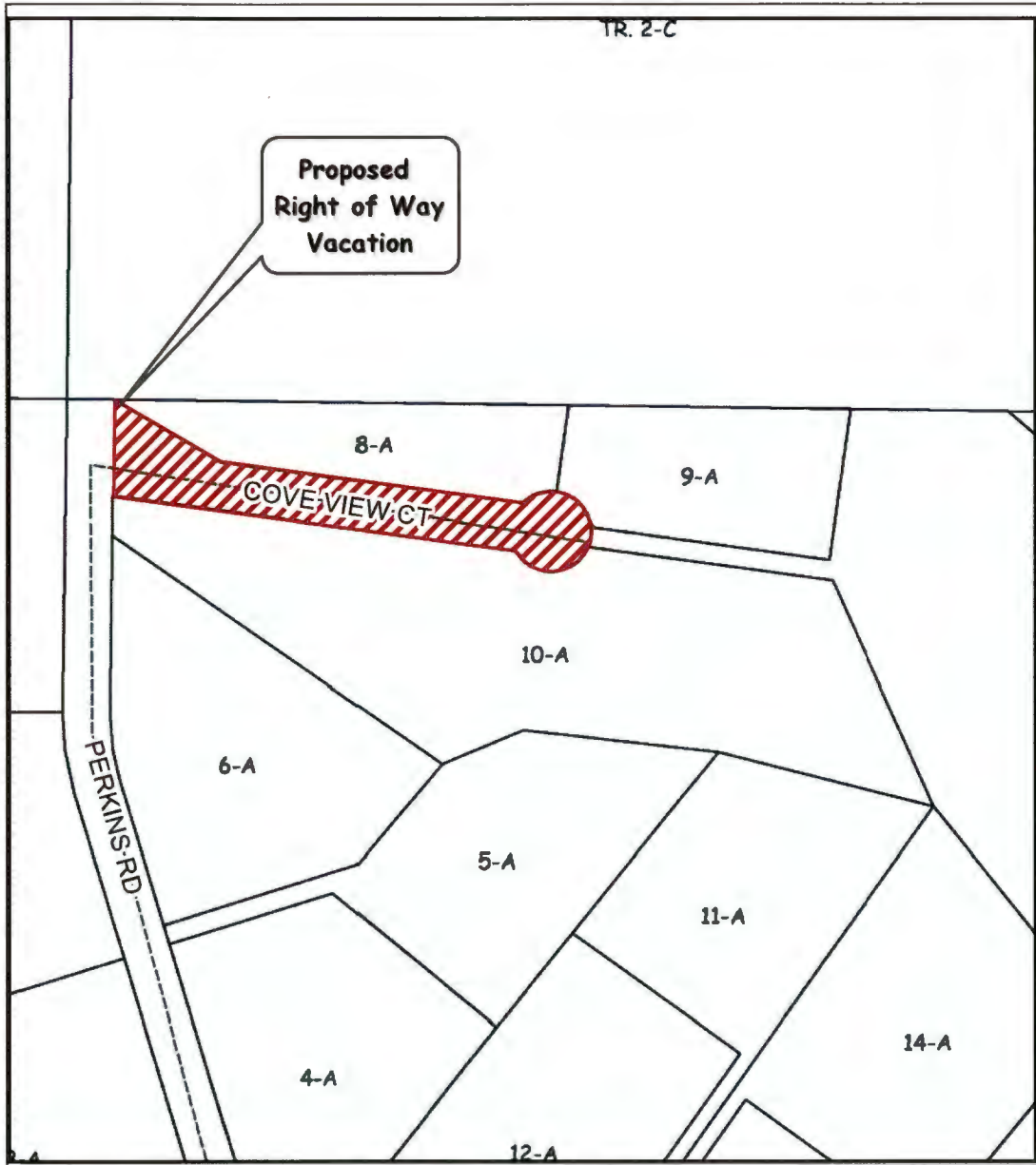
1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems;

E. NEW BUSINESS

3. Right-Of-Way Vacation; KPB File 2021-086V1

Location: Vacates a 60' right of way and cul-de-sac on adjoining lots 8-A, 9-A, 10-A and 18A per Stanley's Meadow Subdivision No 11 ADEC Power-Trip Replat (Plat HM 93-60) as dedicated on Stanley's Meadow No 11 (Plat HM 91-47).

Petitioner(s): Ina L., Cecil R., Stephanie J. & Billy R. Jones of Fritz Creek, AK.

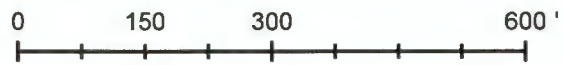


KPB 2021-086V1
S34 T04S R11W
FRITZ CREEK

Date: 6/21/2021
 PClements, KPB 2021-086V1

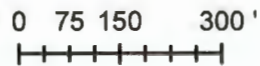


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.






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Aerial View



 Right of Way Vacation

PClements, KPB 2021-086V1
 Date: 6/21/2021
 Imagery FixedWing 2012-2013

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.

BILLY RAY JONES STEPHANIE JOY JONES
 AKA BILLY R. JONES AKA STEPHANIE J. JONES
 FOR LOTS 8-A, 10-A, 18-A
 33675 PERKINS RD. 33675 PERKINS RD.
 Homer, AK 99603 Homer, AK 99603

CECIL R. JONES (LOT 8-A) INA L. JONES (LOT 8-A)
 P.O. BOX 15401 P.O. BOX 15401
 FRITZ CREEK, AK 99603 FRITZ CREEK, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For CECIL R. JONES AND INA L. JONES
 Acknowledged before me this _____ day of _____ 2021.

Notary public for Alaska My Commission Expires _____

NOTARY'S ACKNOWLEDGEMENT

For BILLY RAY JONES AND STEPHANIE JOY JONES
 Acknowledged before me this _____ day of _____ 2021.

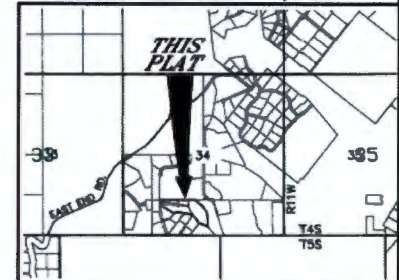
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PLAT APPROVAL

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

BY _____
 Authorized Official

VICINITY MAP SCALE: 1" = 1/2 MILE



STANLEY'S MEADOW 2021

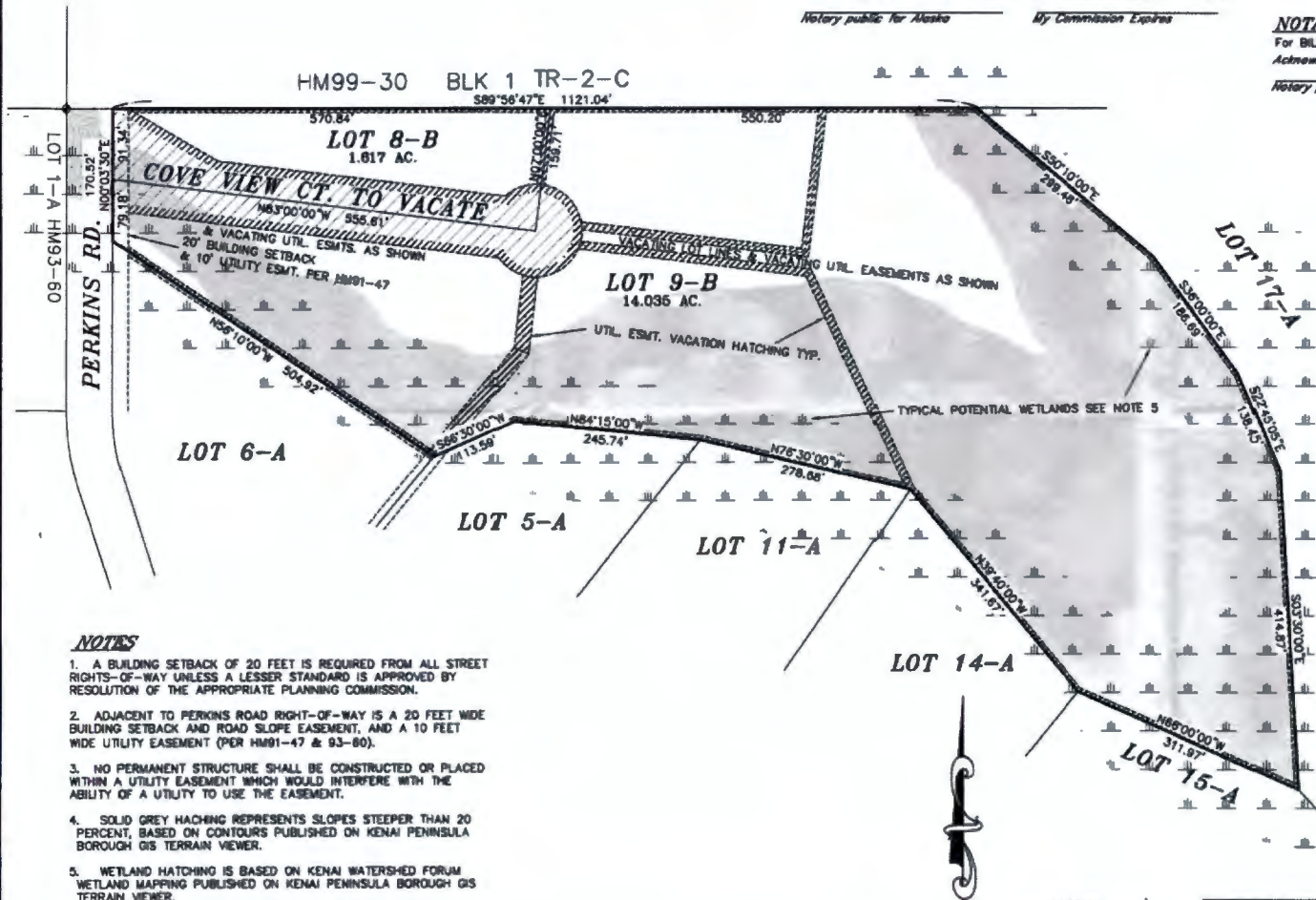
VACATING COVE VIEW COURT RIGHT-OF-WAY & A REPLAT OF LOTS 8-A, 9-A, 10-A, 18-A STANLEY'S MEADOW NO. 11 ADEC POWER-TRIP REPLAT (HAW-80) WITHIN SW 1/4 SECTION 34, T4S, R11W, S4M, KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 15.652 ACRES

OWNERS: BILLY R. and STEPHANIE J. JONES
 33675 PERKINS RD.
 HOMER, AK 99603

CECIL R. and INA L. JONES
 P.O. BOX 15401
 FRITZ CREEK, AK 99603

ABILITY SURVEYS

GARY NELSON, PLS
 (907) 838-8440
 152 DONALD AVE., HOMER ALASKA 99603



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. ADJACENT TO PERKINS ROAD RIGHT-OF-WAY IS A 20 FEET WIDE BUILDING SETBACK AND ROAD SLOPE EASEMENT, AND A 10 FEET WIDE UTILITY EASEMENT (PER HM91-47 & 93-80).
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. SOLID GREY HACHING REPRESENTS SLOPES STEEPER THAN 20 PERCENT, BASED ON CONTOURS PUBLISHED ON KENAI PENINSULA BOROUGH GIS TERRAIN VIEWER.
5. WETLAND HATCHING IS BASED ON KENAI WATERSHED FORUM WETLAND MAPPING PUBLISHED ON KENAI PENINSULA BOROUGH GIS TERRAIN VIEWER.

KPB 2021-086V1



PLAT # _____
 Rec Dist _____
 Date _____ 20____
 Time _____ M

DATE	6-11-21	SCALE	1" = 100'	GRID No.	AK-21	JOB No.	5281	DRAWING:	5281_5155	KPB FILE No.	2021-_____
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General Location:	Fritz Creek Area / Kachemak Bay APC
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STAFF REPORT

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The slopes greater than 20 percent are shaded. The steep slopes affect a portion of Cove View Court and Perkins Road.

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Staff comments: Cove View Court is unconstructed and does not appear to be used for access.
 - 2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: An alternate right of way will not be needed, as the proposed subdivision plat will create two lots that both will have legal access to Perkins Road. Steep slopes affect portions of the Cove View Court. Access to this right of way may be difficult due to the slopes within Perkins Road. Additional easements may be required along Perkins Road due to terrain.

3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Staff comments: The lots fronting Cove View Court are not developed but with the reduction of four lots to two lots, the cul-de-sac right of way is not needed. Lot 8-A appears to be used as an agricultural parcel.

The surrounding area is a mixture of residential lots and agricultural parcels. Legal access is available to all nearby parcels.

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4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;
Staff comments: This does not provide access to a waterbody or public interest area.
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments: Cove View Court is a cul-de-sac that does not provide interconnectivity to other right of ways.
6. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments: Cove View Court does not provide a use to the general public.
7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.
Staff comments: The utility easements adjoining Cove View Court will be vacated with this action. The vacation of the easements on the property lines, as depicted on the application, will require a separate application and will be reviewed by the KPB Planning Commission at a later meeting.
8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.
Staff comments:

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Code Compliance – Eric Ogren	No comments
Addressing – Derek Haws	No addresses affected.
Assessing – Matt Bruns	
Advisory Planning Commission – Kachemak Bay	Minutes were not received prior to staff report being written. Any comments or minutes received will be available in the desk packet.

Utility provider review:

HEA	
ENSTAR	No comments or recommendations
ACS	
GCI	Approved as shown.

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(F) as outlined by Staff comments, Staff recommends **APPROVAL** as petitioned, subject to:

1. Consent by KPB Assembly.
 2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
 3. Grant utility easements requested by the utility providers.
 4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).
-

KPB 20.65.050 – Action on vacation application

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**
- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.**
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.**
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*

- *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- Focus Area: Transportation

- *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

END OF STAFF REPORT





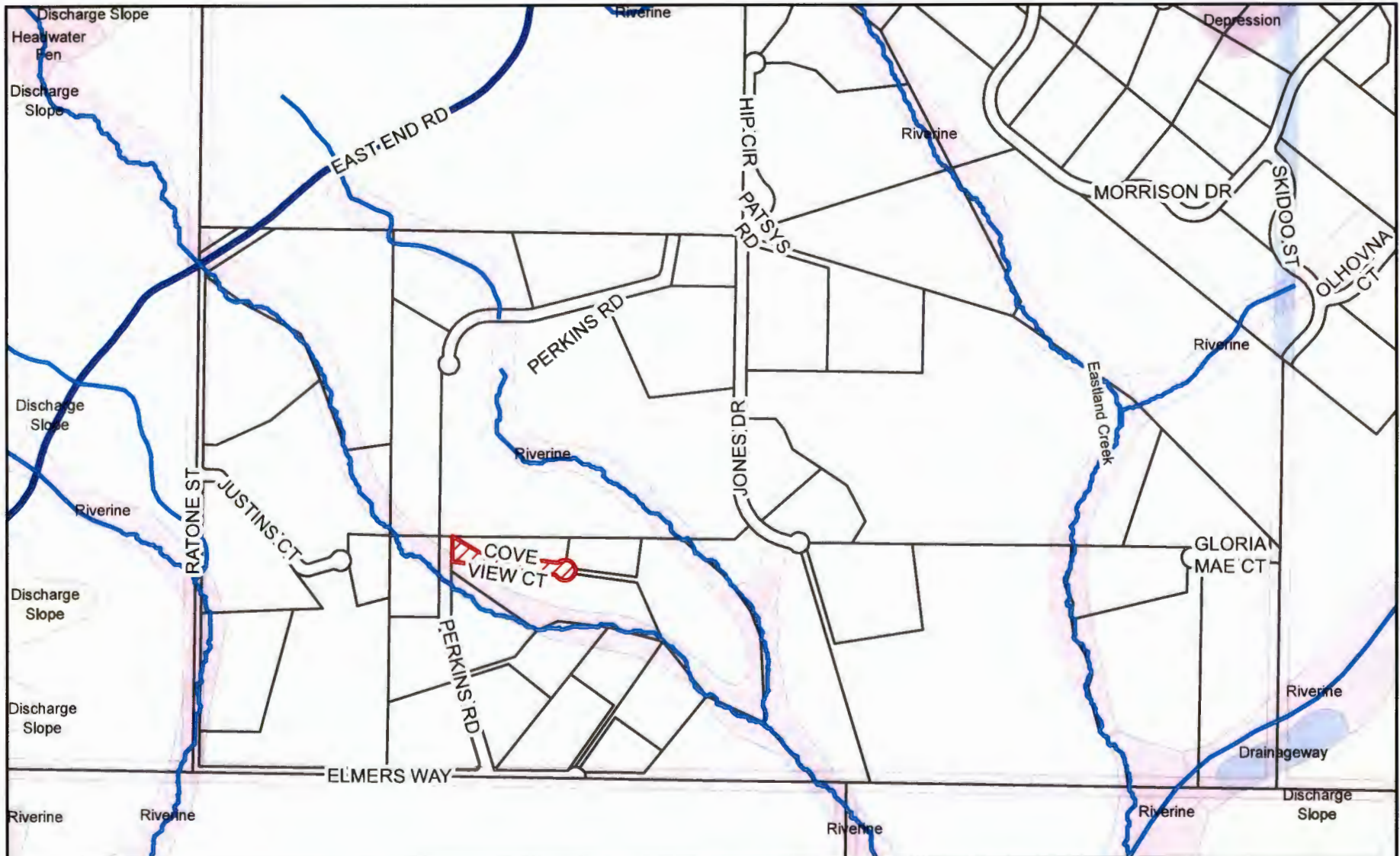
Kenai Peninsula Borough Planning Department

Kenai Watershed Forum Wetlands Assessment / Streams and Creeks



Date: 6/23/2021

Cove View Court Vacation KPB File 2021-086V1



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.

STANLEY'S REAR NO. 11
 JERRY A. ANDERSON
 CIVIL ENGINEER
 1000 1/2 AVENUE
 ST. LOUIS, MISSOURI

DATE: MARCH 1924
 SCALE: 1" = 50'
 CORR. NO. 11
 DIST. NO. 274
 JOB NO. 11

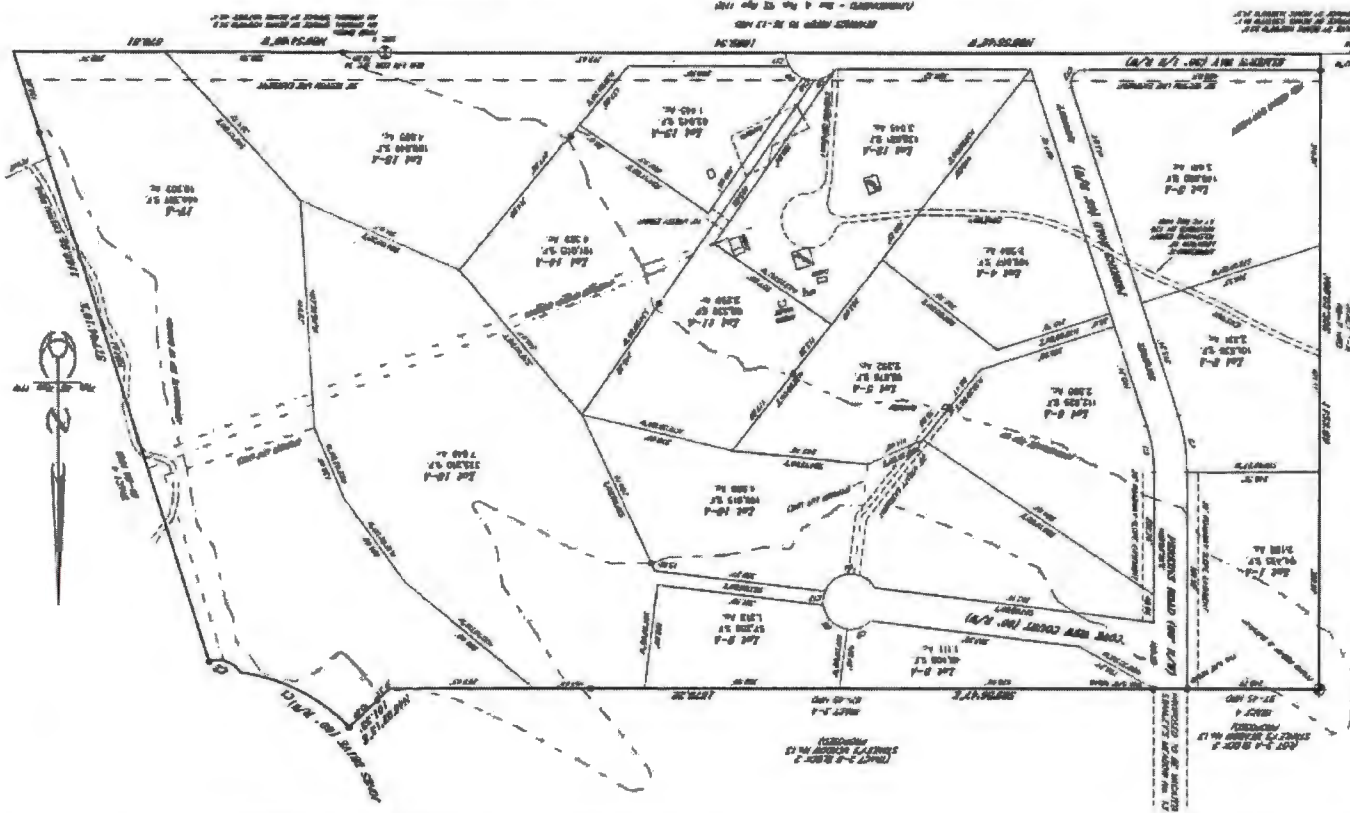
9966



NO.	AREA	PERCENT	AREA	PERCENT
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47	10000	100	10000	100
48	10000	100	10000	100
49	10000	100	10000	100
50	10000	100	10000	100

NOTE:
 The following are the names of the lots shown on this plan:
 Lot 1-4, 5-8, 9-12, 13-16, 17-20, 21-24, 25-28, 29-32, 33-36, 37-40, 41-44, 45-48, 49-52, 53-56, 57-60, 61-64, 65-68, 69-72, 73-76, 77-80, 81-84, 85-88, 89-92, 93-96, 97-100.

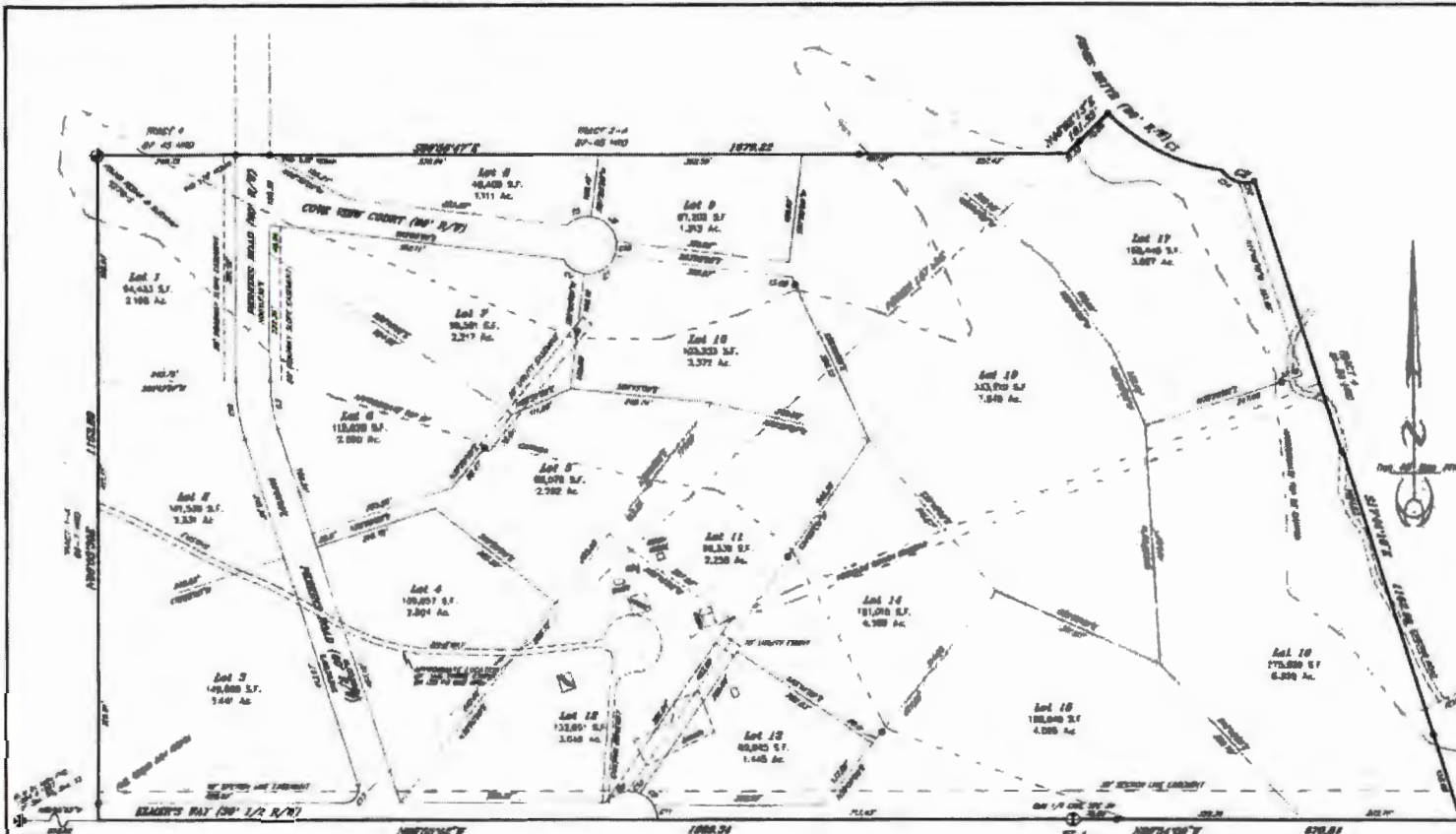
NOTE:
 The following are the names of the lots shown on this plan:
 Lot 1-4, 5-8, 9-12, 13-16, 17-20, 21-24, 25-28, 29-32, 33-36, 37-40, 41-44, 45-48, 49-52, 53-56, 57-60, 61-64, 65-68, 69-72, 73-76, 77-80, 81-84, 85-88, 89-92, 93-96, 97-100.



THROUGHPUT
 The lot was approved by the Board of Public Health
 on the 11th day of March, 1924.

APPROVED
 JERRY A. ANDERSON
 CIVIL ENGINEER

NOTE:
 The following are the names of the lots shown on this plan:
 Lot 1-4, 5-8, 9-12, 13-16, 17-20, 21-24, 25-28, 29-32, 33-36, 37-40, 41-44, 45-48, 49-52, 53-56, 57-60, 61-64, 65-68, 69-72, 73-76, 77-80, 81-84, 85-88, 89-92, 93-96, 97-100.



CONVEYANCE OF EASEMENTS
 I hereby certify that I am the owner of the real property shown and described herein, and that I hereby assign the right of easement, and by me the consent of all parties of right of way and public access to public view and great of easements to the use shown.

STANLEY A. LINDSEY
 P.L.S. 0001-2003
 PROJECT ALASKA 0000

MAP NO. 2-0000

OWNER'S ACKNOWLEDGMENT

For Record & Map 1-0000
 Subscribed and sworn to before me this 10th day of _____ 1982.

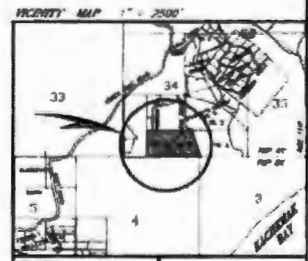
SURVEYOR'S CERTIFICATE

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

Stanley A. Lindsey
 P.L.S. No. 0001-2003
 Date: 2-4-82

PLAT APPROVAL

This plat was approved by the Alaskan Planning Commission through Planning Commission of the Municipality of Anchorage.
 Authorizing Official: [Signature]



DATE: JAN 1 1982
 SCALE: 1" = 100'
 GRID: NAD 83
 FIELD DATA: 1/10, 2/10, 3/10
 CHECKED: [Signature]
 DRAWN: [Signature]

STANLEY'S MEADOW No. 11
 A MAP OF TRACTS 2 & 6, PLAT 00-00-00, IN THE S. 1/4 OF SEC. 34, T10N 40S, R10W, 100TH MERIDIAN, ALASKA.
 OVERLAPPING COASTAL ZONE BY
 STANLEY A. LINDSEY
 P.L.S. No. 0001-2003
 PROJECT ALASKA 0000

- ALL 1/2" HOLES & PVC CAP FOR OTHERS CORNER
- FOUND 3/4" HOLES 3/8" S
- FOUND 1/2" HOLES
- SET 1/2" x 3/4" HOLES & STAMPED PVC CAP

NOTES:
 1. SET RAILROAD SET BACK SHALL EXIST ALONG ALL BOUNDARY LINES OF THIS UNLESS A LEXTER STANDOFF IS APPROVED BY RESOLUTION OF THE APPLICABLE PLANNING COMMISSION.
 2. SOLS ON THESE LOTS MAY OR MAY NOT BE SUITABLE FOR CONVENTIONAL ON-SITE WASTE DISPOSAL SYSTEMS. NO PERSON MAY CONSTRUCT, INSTALL, MAINTAIN OR OPERATE A PROPOSED WASTE SYSTEM OR ON-SITE WASTE DISPOSAL SYSTEM UNLESS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION. NO DIRECT ACCESS TO STATE HIGHWAYS OR RIGHTS OF WAY IS PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
 3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED BY PLACED WITHIN AN EASEMENT UNLESS APPROVED WITHIN THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 4. A 10' UTILITY EASEMENT EXISTS ALONG EACH SIDE OF ALL EXISTING ROADS, DRIVE AND ALLEYS.
 5. A 5' UTILITY EASEMENT EXISTS ALONG EACH SIDE OF ALL OTHER LOT AREAS. A 10' EASEMENT EXISTS ALONG ALL RIGHTS OF WAY.
 6. UTILITY EASEMENTS AFFECTING THIS PROPERTY HAVE BEEN DESIGNATED BY PLAT 00-00-00 WHICH HAVE NOT BEEN FILED AND HEREBY WITNESSED.
 7. NO SURVEYORS ARE PROHIBITED FROM THE PARALLEL BOUNDARY OF 75.46 LOTS.

No.	Point	Radius	Length	Chord	Bearing
1	100.00	100.00	100.00	100.00	000°00'00"
2	100.00	100.00	100.00	100.00	090°00'00"
3	100.00	100.00	100.00	100.00	180°00'00"
4	100.00	100.00	100.00	100.00	270°00'00"
5	100.00	100.00	100.00	100.00	360°00'00"

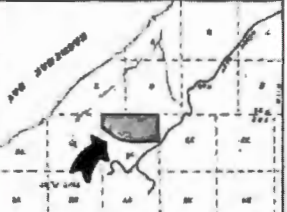


91-47
 RECORDED BY
 10-3-82
 PROJECT ALASKA 0000

APR 782 No. 91-005

ABILITY SURVEYS
 STANLEY'S MEADOW NO.3

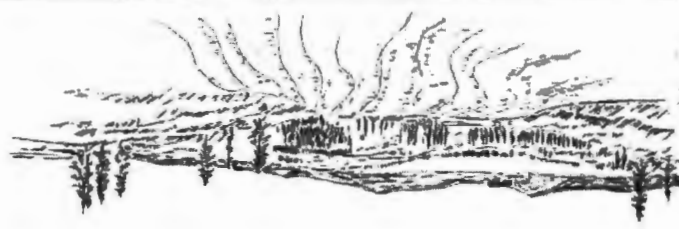
DATE:	MAY 1987
SCALE:	1" = 200'
DRAWN BY:	J.S.
JOB NO.:	202
FILE NO.:	47-44



VICINITY MAP

CONVEYANCE TO THE PUBLIC
 BY THE STATE OF ALABAMA
 DEPARTMENT OF REVENUE
 DIVISION OF LAND SURVEYS

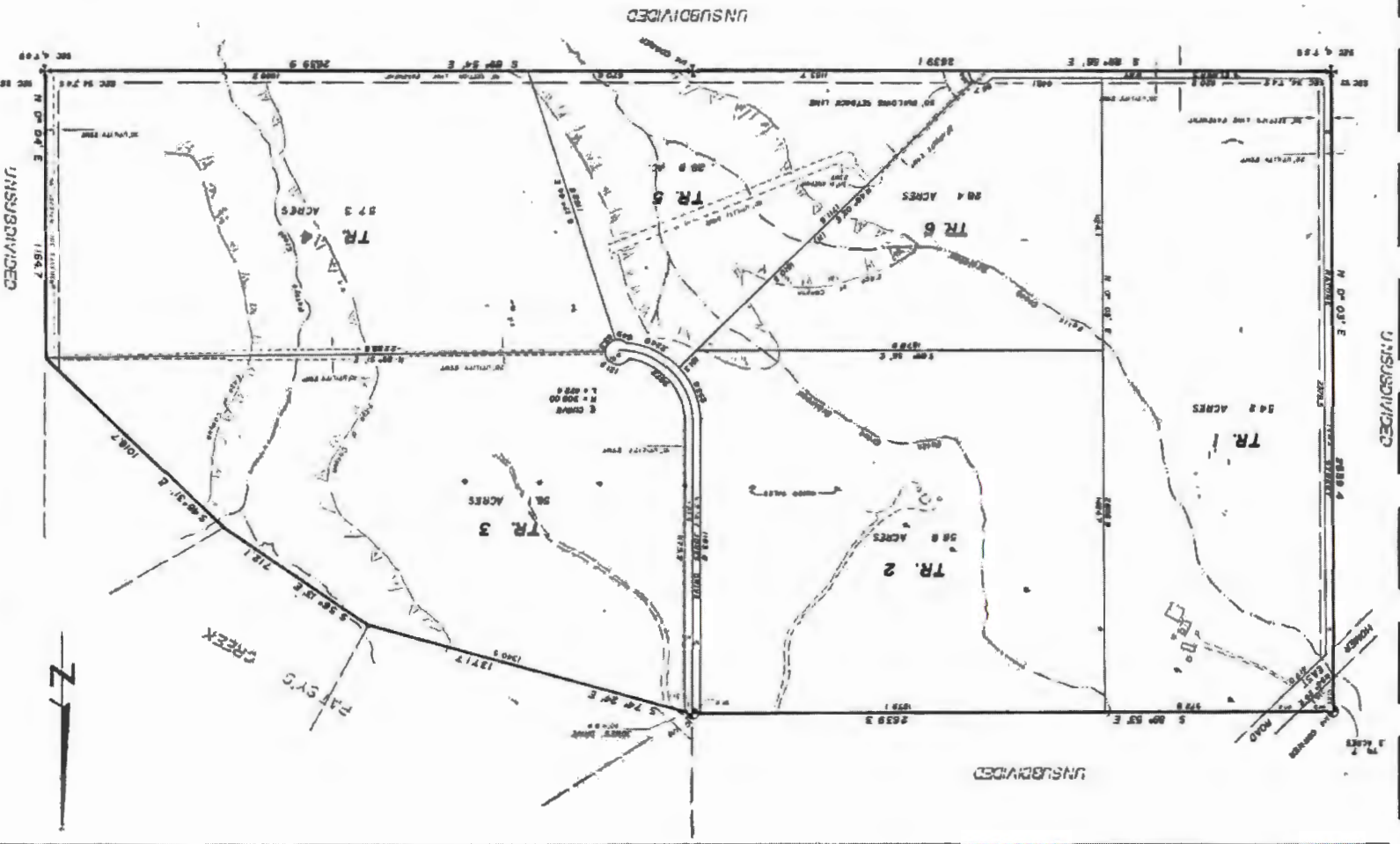
(Handwritten signatures and notes follow)



(Handwritten notes and signature)
 8-24

NOTES:

- 1. NO SURVEYS WERE FOUND BY EXCEPT AS SHOWN.
- 2. A RECORD OF IS REQUIRED FROM ALL PARTY SURVEYS - BEING LOCATED & LEGALLY ESTABLISHED AS SHOWN ON THIS SHOWS OF THIS SURVEY TO BE CONSIDERED VALID UNLESS SHOWN OTHERWISE.
- 3. THERE IS A UTILITY PATHWAY ALONG EACH SIDE OF ESTATE.



UNSUBDIVIDED

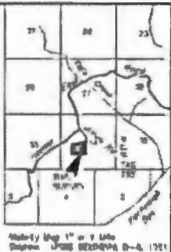


UNSUBDIVIDED

UNSUBDIVIDED

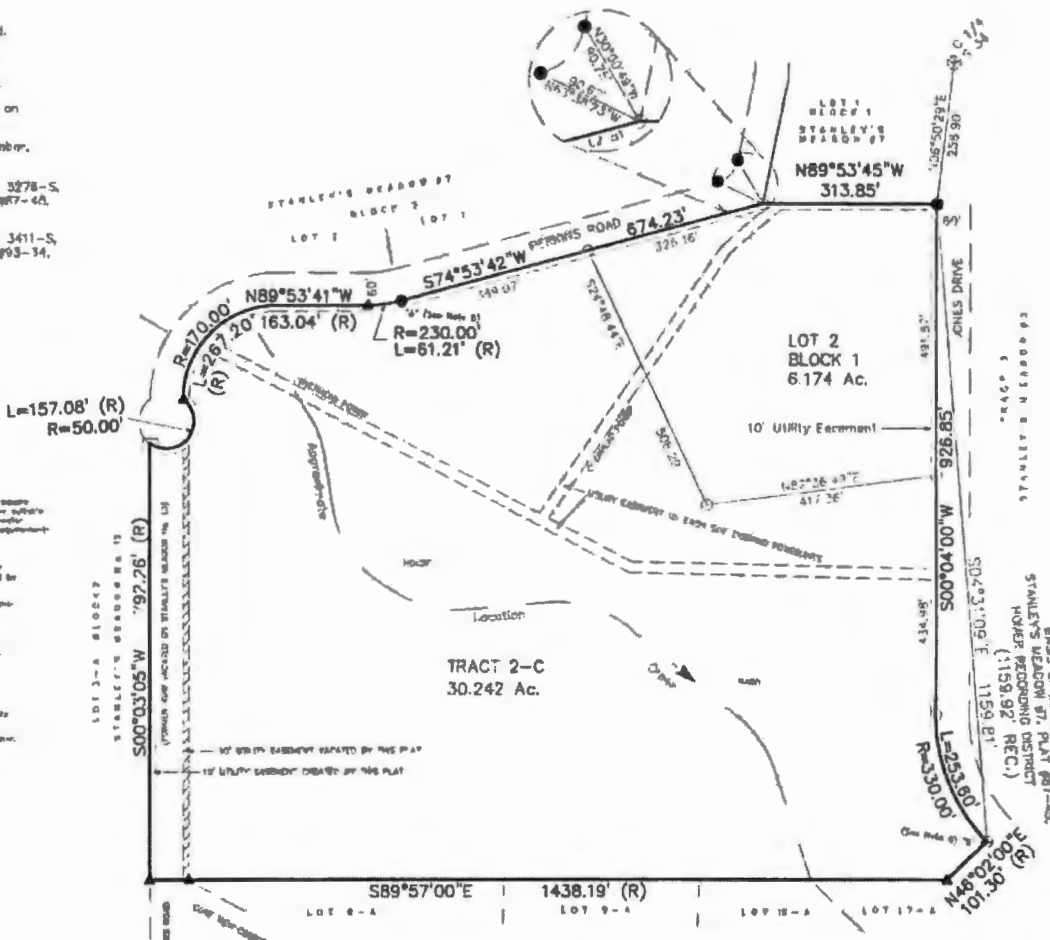
UNSUBDIVIDED

HM 99-30



Neighb. Map 1" = 1 Mile
Source: 1968 RECORDS B-4, 1961

- LEGEND:**
Nothing Found or Set except as noted.
- ⊗ Found Brass Cap, 3885-S, 1979.
 - Found 5/8" Rebar, 5276-S, 1988.
 - ⊙ Found 3/4" Iron Rod, as reported on Plot #97-47.
 - Set 2 1/2" Alum. Cap on 3/8" Rebar, 4488-S, 1989.
 - ▲ Monument of Record, 5/8" Rebar, 3278-S, 1987, NOT RECOVERED (See Plot #87-48, Stanley's Meadow #7)
 - Monument of Record, 5/8" Rebar, 3411-S, 1993, NOT RECOVERED (See Plot #93-34, Stanley's Meadow No. 1.)



- NOTES:**
1. **UNDERTAKEN WORK:** There is an area of about 200,000 square feet of wooded land to be cleared and prepared for subdivision for utility installation and drainage. Any particular layout or drainage system shall meet the regulatory requirements of the State Department of Environmental Protection.
 2. **Building District:** A notation of ZC 2 is required from the zoning authority of the town where a house situated is proposed by resolution of the appropriate Planning Commission.
 3. An easement wherever shall be maintained as shown on an easement which would interfere with the utility of a utility to use the easement.
 4. The State of Maine requires that all administrative division spaces be a minimum of 100 ft. from any water course.
 5. The utility easement location was approved by the May 12, 1999 meeting of the town Planning Board.
 6. Distances indicated with (R) are read from Stanley's Meadow No. 17. (Showing the between measurements between 3 and 8 is 163.21'. 148.27'.
 7. Other locations may be subject to finding by the Planning Board.
 8. There is an electric and telephone easement, as depicted on the plan, described on Page 87, Book 88, M&B.

Declaration of Donor and Beneficiary
I hereby certify that I am the owner of the real property shown and described herein and that I hereby adopt the plan of subdivision and by my free consent dedicate all rights-of-way to public use and grant all easements to the use shown. I further certify that (beneficiary) of these dedications this property do not contain restrictions which would prohibit this dedication, or require signature and approval of beneficiary(ies).

Cecil Jones
Cecil R. Jones
17873 Jones Drive
Hammer, NH 04053

Notary's Acknowledgement
Subscribed and sworn before me this 11th day of July, 1999 for Cecil R. Jones.

Dwight Mallick
Notary Public for Maine
My Commission Expires 6-18-99

PLAT APPROVAL
This plat was approved by the local Planning Board at the meeting of March 22, 1999.

PLANNING BOARD
By: Richard Root
Chairman of Board



99-30
RECORDED
6/25/99
DWIGHT MALICK



STANLEY'S MEADOW
VIKKI'S REPLAT
Subdivision of Part 3-A, Stanley's Meadow No. 12, Plot #97-34, Hamer Planning District, 3rd Judicial District. All utility easements are shown as 40' wide and 15' deep. 97' x 34' 1/2\"/>

SURVEYOR		NOTARIES	
WILLIAM SUPPES P.O. Box 702 Hammer, NH 04053	CEDRIC JONES 17873 Jones Drive Hammer, NH 04053		
Scale: 1" = 100'	Date: May 12, 1999		
Base Map: #9 21'	Using File: standard		
Plan No: 140	SHD File No: 39-037		
Drawn By: TM	Checked By: RFB		