

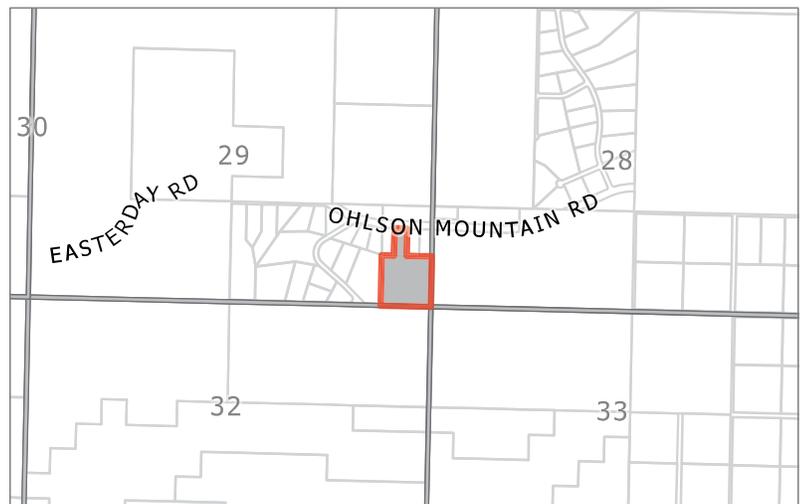
# **E. NEW BUSINESS**

- 6. Scholz-Rediske Subdivision; KPB File : 2024-107  
Seabright Surveying / Scholz, Rediske  
Location: Ohlson Mountain Road & John Lee Avenue  
Diamond Ridge Area / Kachemak Bay APC**



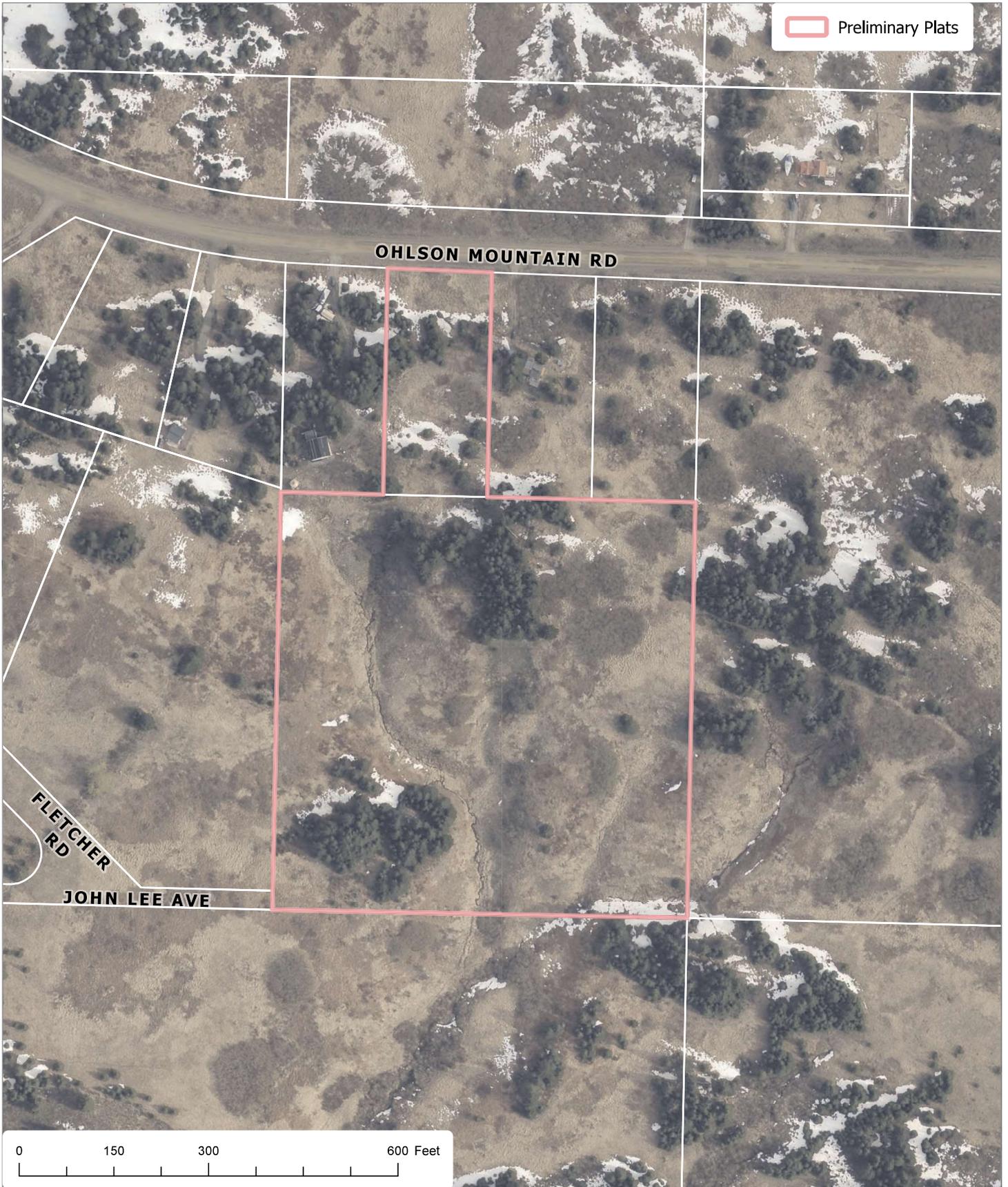
KPB File 2024-107  
T 05S R 13W SEC  
29 Diamond Ridge

10/7/2024





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.

**NOTES**

1. A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' ADJACENT TO RIGHTS-OF-WAY IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. 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).
4. THIS SUBDIVISION IS SUBJECT TO A RESERVATION OF SECTION LINE EASEMENT 33 FEET IN WIDTH ALONG EACH SIDE OF SECTION LINE AS PROVIDED BY 43 USC 932 AND REENACTED BY 1721 CLA 1933.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A US ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
7. THIS SUBDIVISION IS SUBJECT TO A RESERVATION OF AN EASEMENT FOR HIGHWAY PURPOSES AS DISCLOSED BY PUBLIC LAND ORDER (P.L.O.) 601, AMENDED BY P.L.O. 751, P.L.O. 1813, AND DEPT OF THE INTERIOR ORDER 2685, TITLE AMENDED, AS FILED IN THE FEDERAL REGISTER.
8. THERE IS AN EASEMENT OF NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED #2004-005089-D HRD.

**CERTIFICATE OF ACCEPTANCE**

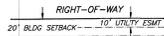
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY DEDICATED BY THIS PLAT FOR JOHN LEE AVENUE RIGHT-OF-WAY THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL: \_\_\_\_\_ DATE: \_\_\_\_\_  
KENAI PENINSULA BOROUGH

**LEGEND**

- 1" AC 610-S 1968
  - 2" AC ON 5/8" REBAR DAVIS RECORD OF SURVEY
  - 2" AC ON 5/8" REBAR 5780-S 2003
  - 2" AC ON 5/8" REBAR 5780-S 1998
  - 2" AC ON 5/8" REBAR 5780-S 2002
  - ALUM PIPE MON 5780-S 1996
  - 1/2" REBAR SURVEY UNKNOWN
  - 2" AC ON 5/8" REBAR 5780-S 2008
  - USGLO BC MON 1918
- SECTION LINE EASEMENT  
APPROX AREA RIVERINE (KPB WETLAND ASSESSMENT, KPB GIS)  
APPROX AREAS OF 20% SLOPE OR GREATER (KPB GIS)

**R/W TYPICAL DETAIL**



CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	15.50'	20.00'	44°24'55"	S67°58'18"W	15.12'
C2	58.65'	50.00'	67°12'28"	S79°22'05"W	55.34'
C3	58.65'	50.00'	67°12'28"	S33°25'28"E	55.34'

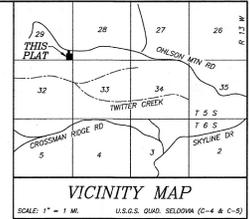
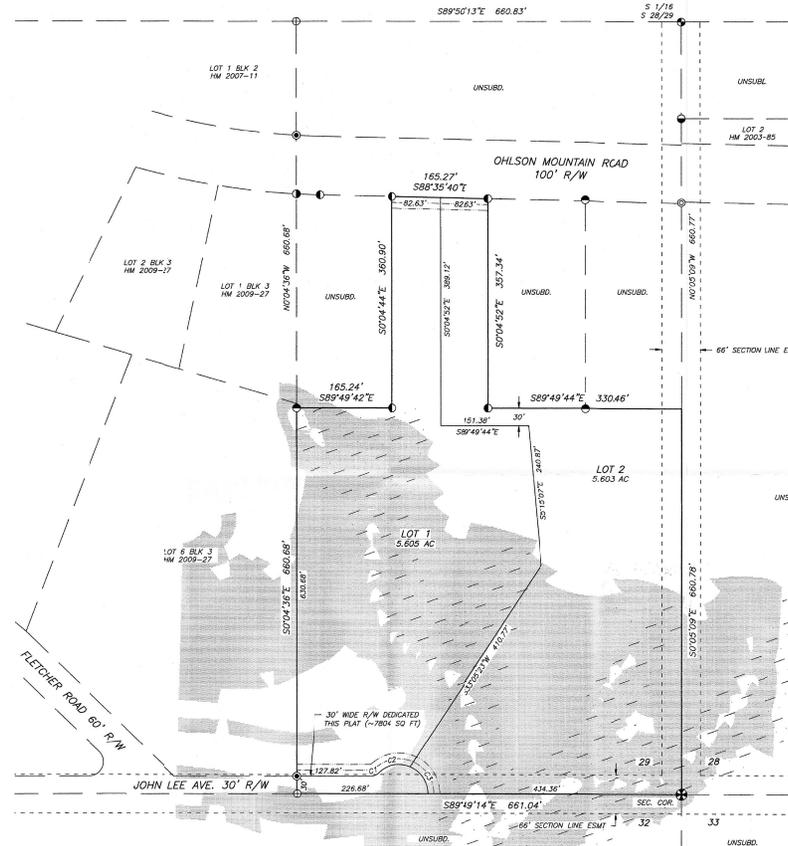
**WASTEWATER DISPOSAL**

LOTS WHICH ARE 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.

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_, 2024.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH



**CERTIFICATE OF OWNERSHIP**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON. THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

TADHG BERNADO SCHOLZ  
P.O. BOX 2622  
HOMER, AK 99603

TYRAN JAMES REDISKE  
64893 DA MAR LOOP  
HOMER, AK 99603

**NOTARY'S ACKNOWLEDGMENT**

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS  
DAY OF \_\_\_\_\_, 2024.  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS  
DAY OF \_\_\_\_\_, 2024.  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

HOMER RECORDING DISTRICT KPB FILE NO. 2024-107

**SCHOLZ-REDISKE SUBDIVISION**  
A SUBDIVISION OF THE SE1/4 SE1/4 SE1/4 & E1/2 W1/2 NE1/4 SE1/4 LYING SOUTH OF OHLSON MTN ROAD SEC. 29, T. 5 S., R. 15 W., SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 11.37 ACRES

**SEABRIGHT SURVEY + DESIGN**  
KATHERINE A. KIRSIS, P.L.S.  
1044 EAST END ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 299-1580

CLIENT: TADHG BERNADO SCHOLZ HOMER, AK 99603  
TYRAN JAMES REDISKE HOMER, AK 99603  
64893 DA MAR LOOP

DRAWN BY: KK CHKD BY: KK JOB #2024-76  
DATE: 10/20/24 SCALE: 1"=100' SHEET #1 OF 1



**KPB 2024-107**

AGENDA ITEM E. NEW BUSINESS

**ITEM #6 - PRELIMINARY PLAT  
SCHOLZ-REDISKA SUBDIVISION**

<b>KPB File No.</b>	2024-107
<b>Plat Committee Meeting:</b>	October 28, 2024
<b>Applicant / Owner:</b>	Tadhg Bernard Scholz & Tyroan James Rediske
<b>Surveyor:</b>	Katherine Kirsis/ Seabright Survey & Design
<b>General Location:</b>	Ohlson Mountain North of Homer/ Kachemak APC

<b>Parent Parcel No.:</b>	171-101-11 & 171-101-14
<b>Legal Description:</b>	T 5S R 13W SEC 29 SEWARD MERIDIAN HM THAT PTN OF E1/2 W1/2 NE1/4 SE1/4 SE1/4 LYING SOUTH OF OHLSON MTN RD & SE1/4 SE1/4 SE1/4 T 5S R 13W SEC 29
<b>Assessing Use:</b>	Vacant
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	Onsite / Onsite
<b>Exception Request</b>	20.30.170 & 20.30.030

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide two parcels of size 11.370 acres into two new lots having sizes of 5.603 acres and 5.605 acres.

**Location and Legal Access (existing and proposed):**

Legal access to the subdivision is along Ohlson Mountain Rd., on the north which is a 100' dedication and from a proposed extension of John Lee Ave on the south.

To get to Ohlson Mountain Rd. is from East End Rd to East Hill Rd, to Skyline Dr, to Ohlson Mountain Rd. with both lots facing Ohlson Mountain Rd.

Ohlson Mountain Rd is then followed west to Fletcher Rd to a turn to the south down to John Lee Ave where there will be a proposed cul-de-sac accessing both lots.

The subdivision is not vacating any right-of-way but as stated, is dedicating a short cul-de-sac. The applicant has requested an exception to KPB 20.30.030 Proposed Street Layout to not extend John Lee Ave to the east.

The subdivision is affected by 33' section line easements on the south and east line of the plat as shown on the drawing.

Block length is not compliant and the applicant has submitted an exception request to KPB 20.30.170 Block Length requirements.

KPB Roads Dept. Comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: Access tie to Ohlson Mountain Rd permitted through AK DOT. No RSA comments or objections
SOA DOT Comments	No comment

**Site Investigation:**

Per the current KPB GIS data there does not appear to be any structures located on the plat land.

There are steep areas on the plat identified by the shaded portions of the drawing. There is a Drainway that runs

through the subdivision following the white spots in the northwest corner of lot 1 to the south line of lot 2 east of John Lee Ave. The steep slopes run towards the drainway; **staff recommends** the surveyor add arrows to indicate direction of the slopes from high to low.

The are wetlands on the plat indicated by the cross hatch markings in the middle of the drawing. The wetland is of type riverine according to the KWF Wetlands Assessment. The marking should remain on the drawing for the final submittal. Correct wetland notice is on the drawing at plat note #5 and should remain on the final submittal.

The River Center review did not identify the plat to be located in a FEMA designated flood hazard zone nor a habitat protection district.

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 & Game	

**Staff Analysis**

The plat is made up of two parcels that have previously not been subdivided before. They have been part of the aliquot portion of the Public Land Survey System (PLSS) located in the E1/2 SE1/4 of Section 29 Township 5 south, Range 13 West SM, Alaska, lying south of Ohlson Mountain Rd. This platting action is subdividing part of said E1/2 of the SE1/4 into two new lots.

A soils report will not be required as both lots are over 200,000 square feet in area. The correct wastewater disposal note is shown on the drawing and should remain for the final submittal.

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.

Kachemak Bay Advisory Planning Commission is currently not meeting, so not recommendations are available.

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

**Utility Easements**

There is a utility easement listed in the plat notes at #8. Upon reading the easement, it does contain a legal description that does not cross this plat boundary. Staff recommends the surveyor remove the plat and notify the title company of the issue. the location of the utility line can be scene on aerial photos to the west, running in a southwest / northeast direction.

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
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ENSTAR	No comment
ACS	
GCI	No comment
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

**KPB department / agency review:**

Addressing	<p>Reviewer: Leavitt, Rhealyn  Affected Addresses: 61505 OHLSON MOUNTAIN RD  Existing Street Names are Correct: Yes  List of Correct Street Names: OHLSON MOUNTAIN RD, JOHN LEE AVE, FLETCHER RD  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:  Comments: 61505 OHLSON MOUNTAIN RD WILL BE DELETED AND NEW ADDRESS ASSIGNED UPON OWNER REQUEST</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.  Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather  Comments: No comment</p>

**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

Ad date of October 28, 2024 to the Plat Approval

**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).

**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:**

Revise the KPB File NO to 2024-107

Add aka Tadhg Scholz to Tadhg Bernard Scholz name.

Change the mailing address of Tyroan James Rediske to PO Box 2662, to match Assessing data.

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:**

Connection of right-of-way of Ohlson Mountain Road to east on the north point looks offset, please check and adjust as needed.

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:**

Add labels for Mossberg Dr and Easterday Rd to the vicinity map.

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**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.

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**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.

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**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.

Match the wording of the Certificate of Acceptance to that as shown in KPB 20.60.190(7).

Change the mailing address of Tyroan James Rediske to PO Box 2662, to match Assessing data.

**EXCEPTIONS REQUESTED:**

**A. KPB 20.30.170 Block Length & 20.30.030 Proposed Street Layout**

**Surveyor's Discussion:**

We are requesting exceptions to the above referenced subdivision design requirements. The proposed right-of-way configuration limits dedication across the existing network of ravines affecting the southerly boundary of the subdivision. The additional dedication for John Lee Ave. will extend the right-of-way as much as topographically practical and will terminate with a cul-de-sac bulb. The section line easement along the east and south boundaries of the subdivision will continue to provide legal pedestrian access. All adjacent parcels have existing legal access and would not benefit from addition right-of-way dedication.

**Findings:**

1. Ravines affecting the southerly boundary.
2. John Lee Ave dedication extends as much as possible to end in cul-de-sac.
3. Section line easements still allow pedestrian access
4. All adjacent parcels have existing legal access and will not benefit from additional right-of-way.

Staff Discussion:

**20.30.170. - Blocks—Length requirements.**

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

**20.30.030. - Proposed street layout—Requirements.**

A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

**Findings:**

5. John Lee Ave will end in a cul-de-sac giving emergency turnaround access.
6. Granting the exceptions will not cause any harm or hardships to the public.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The committee shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1-4 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-3 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 5 & 6 appear to support this standard.**

**Staff recommendation:** place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

**RECOMMENDATION:**

**SUBJECT TO EXCEPTION(S) GRANTED, 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 DECISION OF THE PLAT COMMITTEE 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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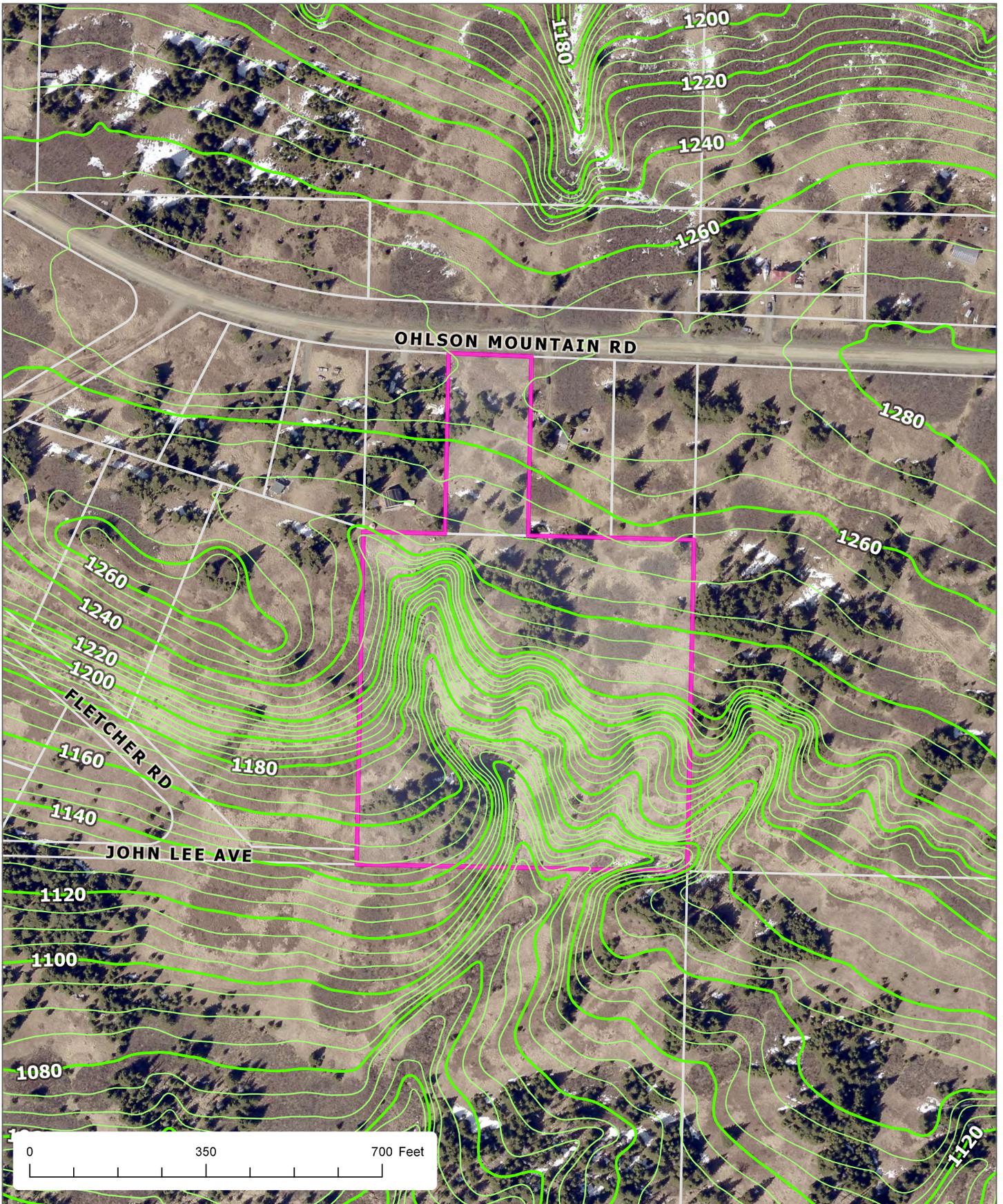
Aerial View



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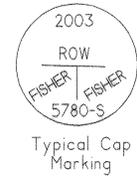
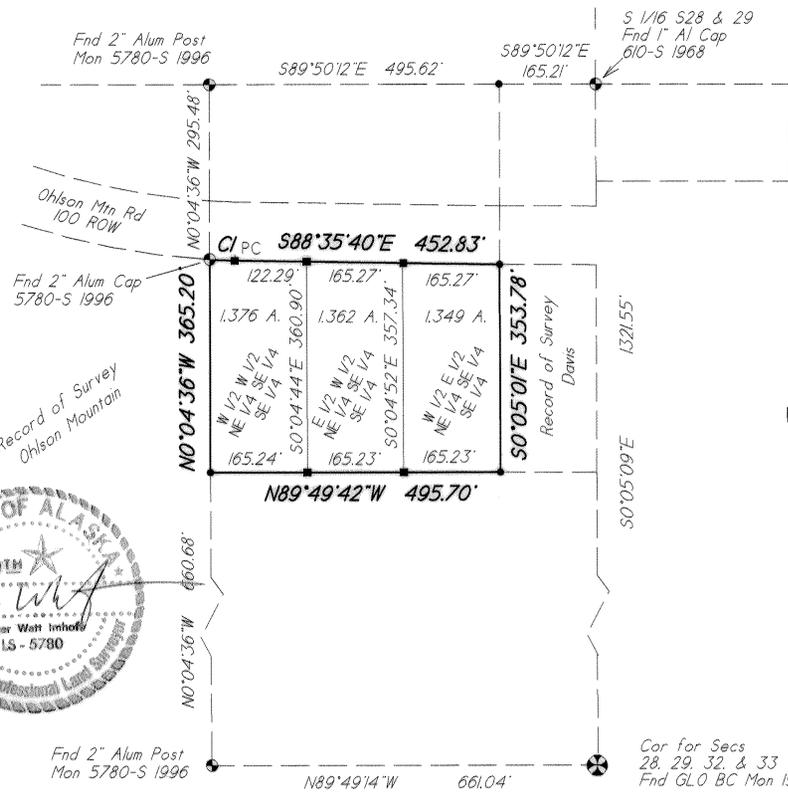


CI L=43.02' R=288.34'  
LC N87°36'47"W 43.02'

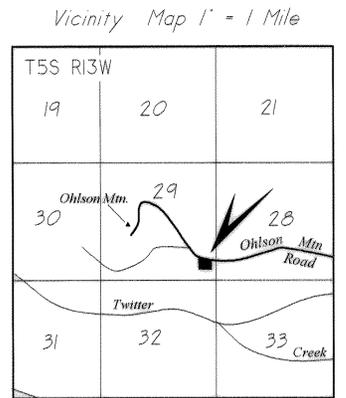
This survey does not constitute a subdivision as defined by A.S. 40.15.190.2.

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

*RWJ* 9-10-03  
Roger W. Imhoff LS 5780 Date



2003-49  
Homer REC DIST  
Date 9/11 2003  
Time 9:11 AM  
Requested By Imhoff  
Address \_\_\_\_\_



**Record of Survey**  
An aliquot parts survey of the W 1/2 E 1/2 NE 1/4 SE 1/4 SE 1/4, and the E 1/2 W 1/2 NE 1/4 SE 1/4 SE 1/4, and the W 1/2 W 1/2 NE 1/4 SE 1/4 SE 1/4, all within Section 29, T5S, R13W, S1M  
Homer Recording District  
Third Judicial District, Alaska  
**Lying South of Ohlson Mtn. Road**  
Contains 4.087 Acres more or less

Date 9-09-03	ohlson2.cgo fisherohlson.vcd
FB 2003-5	Drawn RWJ Scale 1" = 200 ft

- Found 2" Aluminum Cap on 5/8" rebar Davis Record of Survey
- Set 2" Aluminum Cap on 5/8" rebar for this survey (5780-S 2003)

"Ohlson Mtn Road" is intended to overlay the 100 ft wide State Road Easement which is centered on the existing road.

Roy D. Fisher Living Trust  
P.O. Box 185  
East Hartland CT