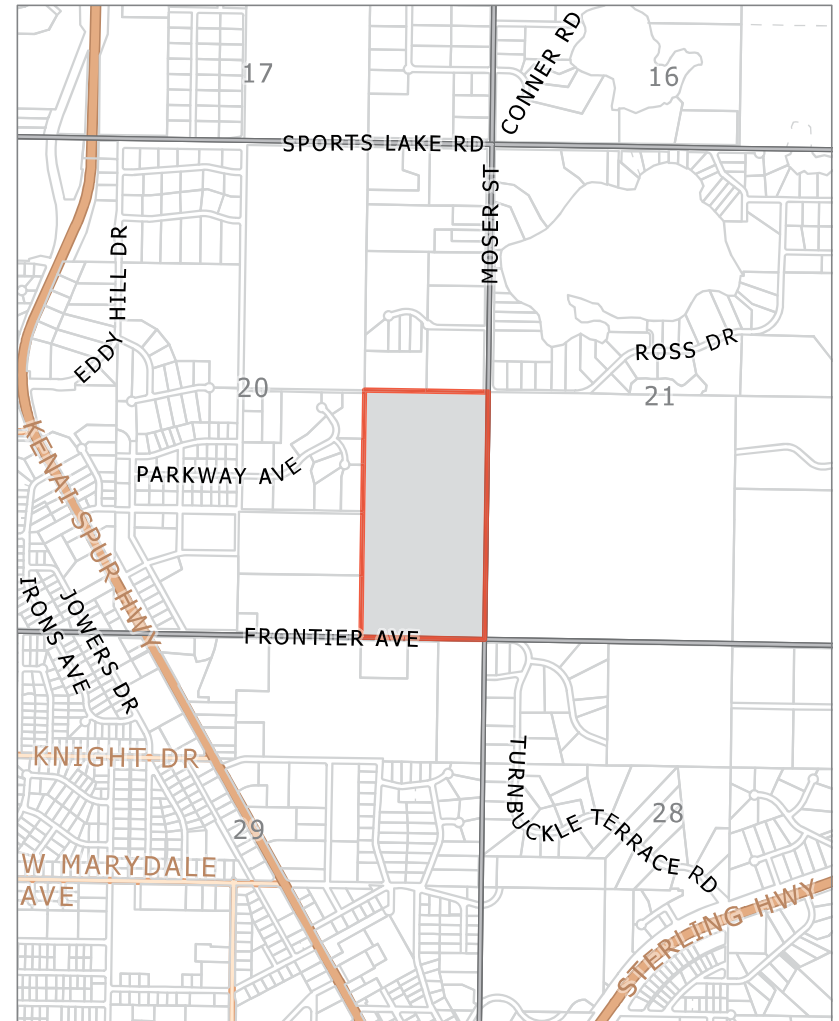


E. NEW BUSINESS

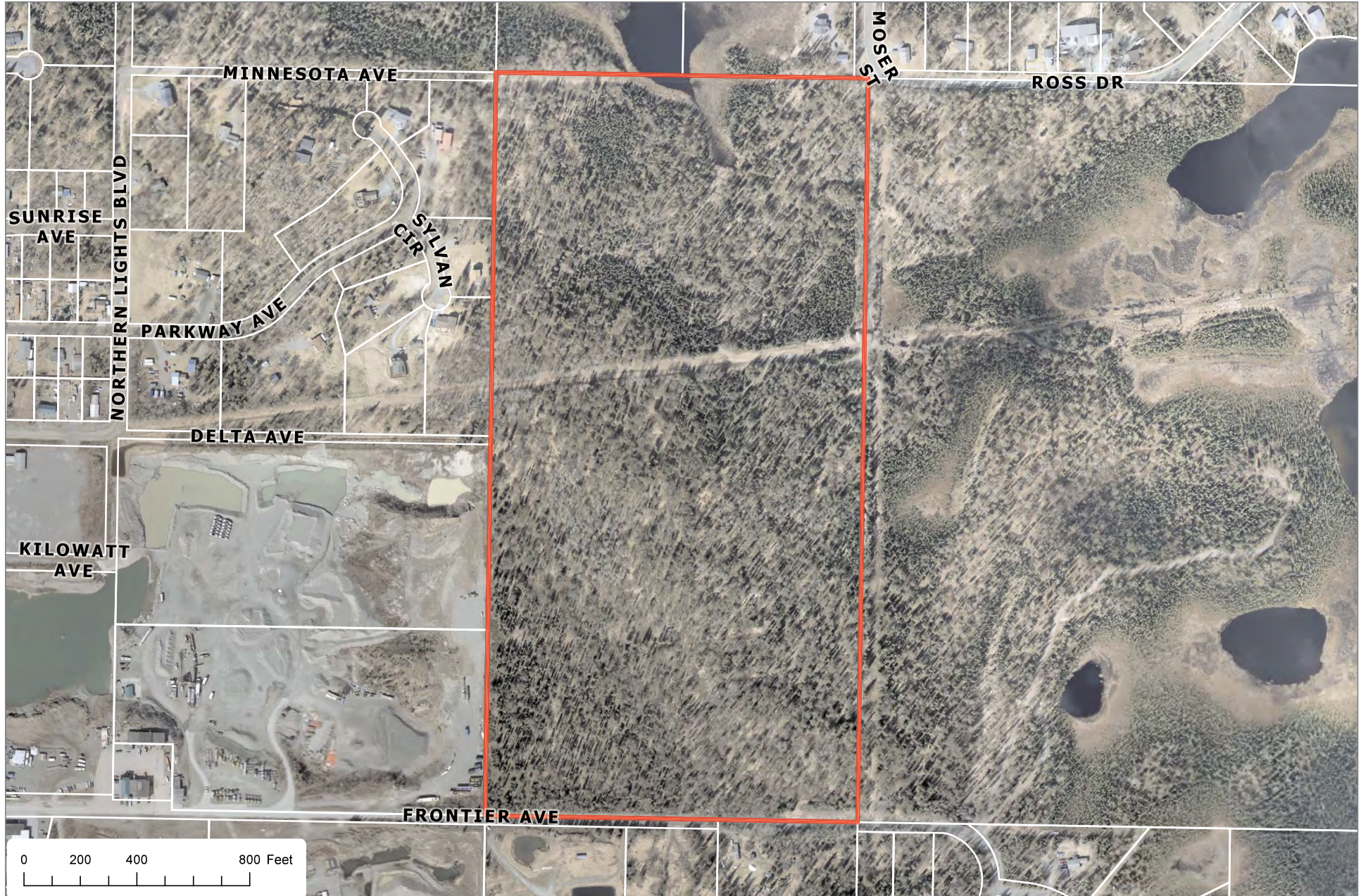
2. Markham Estates; KPB File 2025-117

**Edge Survey & Design / Zachary Markham & Erica Markham
Living Trust**

**Location: Frontier Avenue off Kenai Spur Highway
Ridgeway Area**



KPB File 2025-117
T 05N R 10W S20
Ridgeway



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.

PRELIMINARY PLAT

LEGEND

- FOUND BLM MONUMENT AS REFERENCED
- FOUND PRIMARY MONUMENT AS REFERENCED
- SET PRIMARY MONUMENT AS REFERENCED
- SET PROPERTY CORNER
- 5/8" X 30" REBAR WITH 2" ALUMINUM CAP
- STAMPED EDGE SURVEY LS-13022 2025
- MONUMENT REFERENCE NUMBER
- SUBDIVISION BOUNDARY
- INTERIOR LOT LINE
- ADJACENT PROPERTY LINE
- EASEMENT
- BUILDING SETBACK
- STEEP SLOPES
- MEASURED AND HELD
- (M&H)
- (OA)
- (R#)
- RECORD DATA, SEE REFERENCE
- DTP
- RIGHT-OF-WAY



MONUMENT SUMMARY

- | | | |
|--|---|---|
| <p>1</p> <p>CE 1/8</p> <p>SEC 20</p> <p>610-2</p> <p>1916</p> <p>FOUND</p> <p>2-1/2" BRASS</p> <p>MONUMENT</p> <p>0.6' ABOVE GRADE</p> <p>2002 CONDITION</p> | <p>2</p> <p>VS 0.0</p> <p>1/4</p> <p>S20 S21</p> <p>1937</p> <p>FOUND</p> <p>2-1/2" BRASS</p> <p>MONUMENT</p> <p>FLUSH WITH GRADE</p> <p>GOOD CONDITION</p> | <p>3</p> <p>SE 1/16</p> <p>SEC 20</p> <p>610-3</p> <p>1987</p> <p>FOUND</p> <p>2-1/2" BRASS</p> <p>MONUMENT</p> <p>3.6' ABOVE GRADE</p> <p>GOOD CONDITION</p> |
| <p>4</p> <p>EDGE SURVEY</p> <p>S 1/16</p> <p>S20 S21</p> <p>1922-S 2024</p> <p>SET</p> <p>2-1/2" ALUMINUM</p> <p>MONUMENT</p> <p>FLUSH WITH GRADE</p> | <p>5</p> <p>EDGE SURVEY</p> <p>S 1/16</p> <p>S20 S21</p> <p>1922-S 2024</p> <p>SET</p> <p>2-1/2" ALUMINUM</p> <p>MONUMENT</p> <p>FLUSH WITH GRADE</p> | <p>6</p> <p>EDGE SURVEY</p> <p>1/4</p> <p>S20 S21</p> <p>1922-S 2024</p> <p>SET</p> <p>2-1/2" ALUMINUM</p> <p>MONUMENT</p> <p>FLUSH WITH GRADE</p> |

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.00'	124.90'	143°07'49"	S71°37'44"W	94.87'
C2	50.00'	124.90'	143°07'49"	N71°30'04"W	94.87'

KPB 2025-117

NOTES

- BUILDING SETBACK - A 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.
- PER THIS PLAT THE FRONT 10 FEET ADJACENT TO THE RIGHTS-OF-WAY S 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.
- THIS SUBDIVISION SUBJECT TO A ROAD RESERVATION OF 50 FEET ALONG EACH SIDE OF THE SECTION LINE AS CREATED BY A.S. 1810.010.
- THIS SUBDIVISION IS SUBJECT TO A 30 FEET WIDE PUBLIC ACCESS ROAD AND UTILITY EASEMENT ALONG THE NORTH BOUNDARY AND A 25 FEET WIDE PIPELINE EASEMENT AS CONTAINED IN STATE OF ALASKA PATENT 997, RECORDED ON FEBRUARY 5, 1970, DEED BOOK 57, PAGE 302, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO A 2 FEET WIDE RIGHT-OF-WAY EASEMENT ALONG THE NORTH BOUNDARY EASEMENT, GRANTED TO HOMER ELECTRIC ASSOCIATION, RECORDED ON JUNE 9, 1976, MSC. BOOK 37, PAGE 221, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO A 20 FEET WIDE RIGHT-OF-WAY EASEMENT NO MORE THAN 42 FEET OF SOUTH BOUNDARY, GRANTED TO HOMER ELECTRIC ASSOCIATION, RECORDED ON JUNE 9, 1976, MSC. BOOK 37, PAGE 220, KENAI RECORDING DISTRICT.
- EXCEPTIONS TO KPB CODE 20.30.033 PROPOSED STREET LAYOUT, 20.30.170 BLOCK LENGTH AND 20.30.130 CUL-DE-SACS WAS GRANTED BY THE KENAI PENINSULA BOROUGH PLAT COMMITTEE AT THE AUGUST 25, 2023 MEETING.
- 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 OF DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

NOTARY ACKNOWLEDGEMENT

FOR ERICA MARKHAM
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2025

PUBLIC NOTARY SIGNATURE _____

MY COMMISSION EXPIRES: _____



NOTARY ACKNOWLEDGEMENT

FOR ZACHARY MARKHAM
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2025

PUBLIC NOTARY SIGNATURE _____

MY COMMISSION EXPIRES: _____



REFERENCES

- (R1) AGGREGATE SUBDIVISION 2020 REPLAT, PLAT 2020-50, KENAI RECORDING DISTRICT
- (R2) RESUBDIVISION OF TRACTS 1&7 SCENIC HEIGHTS SUBDIVISION, PLAT 1754, KENAI RECORDING DISTRICT
- (R3) TRACT 8 OF THE GERHART HOMESTEAD, PLAT 82-53, KENAI RECORDING DISTRICT

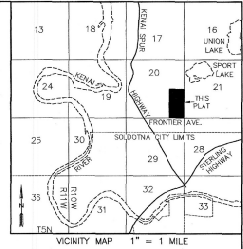
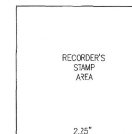
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 8, 2025.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

CERTIFICATE OF SURVEYOR

I, MARK AMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT THE ZACHARY MARKHAM AND ERICA MARKHAM LIVING TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF THE ZACHARY MARKHAM AND ERICA MARKHAM LIVING TRUST, WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

ERICA MARKHAM TRUSTEE
ZACHARY MARKHAM AND ERICA MARKHAM LIVING TRUST
3374 EAST VALLEJO COURT
GILBERT, ARIZONA 85298

ZACHARY MARKHAM, TRUSTEE
ZACHARY MARKHAM AND ERICA MARKHAM LIVING TRUST
3374 EAST VALLEJO COURT
GILBERT, ARIZONA 85298

KPB FILE No. 2025-XXX

MARKHAM ESTATES

A SUBDIVISION OF
WEST 1/2 OF THE SOUTHEAST 1/4
SECTION 20
TOWNSHIP 5 NORTH
RANGE 10 WEST
SEWARD MERIDIAN
ALASKA

LOCATED WITHIN:
SE 1/4 SECTION 20
TOWNSHIP 5 NORTH
RANGE 10 WEST
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT

OWNER:
ZACHARY MARKHAM AND ERICA MARKHAM
3374 EAST VALLEJO COURT
GILBERT, ARIZONA 85298

CONTAINING 79.696 ACRES



8000 KING STREET ANCHORAGE, AK 99518
Phone (907) 344-5690 Fax (907) 344-7734
AOL# 1392 www.edgesurvey.net

DRAWN BY:	DATE:	PROJECT:
BY	08/05/2025	25-507
CHECKED BY:	SCALE:	SHEET:
MA	1" = 200'	1 OF 1

AGENDA ITEM E. NEW BUSINESS

**ITEM #4 - PRELIMINARY PLAT
Markham Estates**

KPB File No.	2025-117
Plat Committee Meeting:	September 8, 2025
Applicant / Owner:	Zachary Markham and Erica Markham Living Trust / Soldotna
Surveyor:	Jason Young / Edge Survey and Design, LLC
General Location:	Ridgeway, Frontier Ave

Parent Parcel No.:	057-044-11
Legal Description:	T 5N R 10W SEC 20 SEWARD MERIDIAN KN E1/2 SE1/4
Assessing Use:	Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.30.030, 20.30.170, 20.30.100

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 79.696-acre tract into two tracts of 14.000 acres and 60.892 acres.

Location and Legal Access (existing and proposed):

The plat is located on the north side of Frontier Ave and to the southwest of the corner of Moser St and Ross Dr. These roads also give access to the plat being developed roads near and to the plat that are maintained by the borough. Also adjacent to the plat are Delta Ave on the west, currently a 30-foot dedication located at the midpoint of the west side of the plat and Minnesota Ave coming from the west at the northwest corner of the plat. Both of these roads are currently undeveloped.

The plat is proposing to dedicate 30' dedications ending in cul-de-sac bulbs on the north extending Minnesota Ave east into the plat and Ross St west into the plat. There is a pond on the north line preventing the road from connecting. **Staff recommends** the surveyor may reduce the length of the neck portion of the roads at theirs and the owner's discretion, but to retain the bulb to standards for emergency vehicle turn around standards. The plat is also proposing to dedicate the north half of Frontier Ave on the south side of the plat. The adjacent portions of Frontier Ave are a mix of dedications and section line easements for some of the undeveloped properties. **Staff recommends** the surveyor modify the drawing to make the dedications stand out, as the section line easement are valid until vacated in all locations shown on the drawing.

The subdivision is affected by a section line easement on the south and east side of the plat. **Staff recommends** the surveyor modify the drawing as noted above to make the section line easement distinct.

The plat is not compliant to the block requirements that in the north / south the plat exceeds 1320' for a break in length.

The applicant has requested exceptions to KPB 20.30.030 Proposed Street Layout and 20.30.170 Block length requirements and 20.30.100 Cul-de-sacs all to be discussed further, later in the staff report.

KPB Roads Dept RSA review	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comment
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SOA ROW Engineering	Title block has wrong property description. This property is the East half not the West half. Please adjust note 4 as this property has 2 Patents: Patent 997 Bk 57 Pg 300 (1970-000208-0) covers the NE4SE4 and Patent 995 Bk 57 Pg 302 (1970-000210-0) covers SE4SE4. Both halves are subject to a 25' pipeline easement per patent.
SOA DOT & PF	No comments

Site Investigation:

There does not appear to be any structures located on the subdivision per KPB GIS data. The pipeline does cross the property just north of the middle running southwesterly. The easement is noted in plat note 4.

Areas of steep slopes area indicated on the plat with top and toe given.

The KWF Wetlands Assessment indicates there are areas of wetland on the property indicated as depression and kettle. **Staff recommends** these areas be shown on the plat for the final plat submittal.

With the indication of wetlands on the plat, **staff recommends** placing 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

The River Center review indicated the plat to be located in a FEMA designated flood hazard area and the notice as shown in KPB 20.30.280.D should be included on the drawing with both FEMA Panels noted and the flood zone. Designation on the drawing will not be needed. The plat was not indicated to be in a habitat protection district.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: This subdivision is partially with panel 02122C-0240F and 02122C0245F. All within X-Unshaded, a non-regulatory area with minimal flood risk.</p> <p>Flood Zone: X (unshaded) Map Panel: 02122C-0240F In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Review: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish and Game	No response

Staff Analysis

The land was surveyed as the E1/2 SE1/4 of Section 20, Township 5 North, Range 10 West S.M. Alaska. This is the first division of the property, so there are no plat notes to carry forward.

There does not appear to be any encroachment issues coming onto the property. Staff recommends the surveyor note any issues found during the field survey to staff and how the issue will be resolved.

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

Notice of the proposed plat was mailed to the beneficial interest holder on September 8, 2025. 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.

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

There is a 30' public access road and utility easement on the north of the property. Staff recommends the document in Bk 57 Pg 300 be added to plat note 4.

The plat is subject to a 20' pipeline easement as noted in plat note 4 and shown on the plat drawing.

HEA has a 2' easement on the north boundary easement listed a plat note 5.

There is a 20' R/W electric distribution line easement noted at plat note 6. As described should be within either the proposed dedication or 10' utility easement.

As part of our routine notification process, the subdivision plat was emailed to the affected utility providers for review. **Staff recommends:** the surveyor work with the utility providers to accommodate their request, ensuring optimal use of the owner's land and maximum benefit for both the provider and the public.

The plat is proposing a 10' utility easement adjacent to rights-of-ways as noted at plat note 2

Utility provider review:

HEA	No comment
ENSTAR	No Response
ACS	No objections
GCI	Approved as Shown

KPB department / agency review:

Addressing Review	Reviewer: Pace, Rhealyn Affected Address: NONE Existing Street Names are Correct: No List of Correct Street Names: DELTA AVE, MINNESOTA AVE, MOSER ST, ROSS DR, FRONTIER AVE Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:
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	MARKHAM ST ON PRELIM, IS AN EXTENSION OF MOSER ST AND NAME SHOULD BE MAINTAINED. NEW DEDICATIONS ARE ALSO ALIGNED WITH EXISTING STREETS. Comments: No other comments
Code Compliance	Reviewer: Odren, Eric Comments: No comments
LOZMS Review Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Prior Existing Use PEU Recognized Date: 1/1/0001 Material Site Comment: There are two PEUs that are adjacent to the subject parcel, PEU1968-002 and PEU1950-001. Their respective PIDs are 057-120-12, 057-120-25 and 057-044-55. PEU1968-002 was recognized on February 27, 2001 and PEU1950-001 was recognized on May 24, 1999.
Assessing Review	Reviewer: Windsor, Heather Comments: No comments

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

In plat note 4 add both easement book and pages
Adjust the date in plat note 7 to September 8, 2025
Add a Certificate of Acceptance having correct road names.
Plat note 8, second line after treatment, change of to or.

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:

Modify the KPB File No to 2025-117

Change the legal to East ½ of the Southeast ¼

Per the CTP, Assessor Page Info and Authority Documents, the owner's name is 'The Zachary Markham and Erica Markham Living Trust'. Please correct the title block owner name

Verify the owners address, the Assessor's Page has a different address listed.

- 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:
On the south, distinguish between the existing road dedications and the section line easements to be more set off.
- ☒ 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:
Label Moser St north of the plat
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation:
Markham St is an extension of Moser St from the north, name should match Moser St.
- ☐ G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation:
Land to the northwest labeled as unsubdivided is currently in the platting process, surveyor should check prior to final mylar to verify status of plat.
Lot to the southeast needs the plat label corrected.

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.

EXCEPTIONS REQUESTED:

A. KPB 20.30.030 Proposed Street Layout, 20.30.170 Block Length

Surveyor's Discussion:

The petitioner exceptions to the requirement for dedicating right-of-way (ROW) along the western boundary of he proposed plat, extending Delta Ave to the east, and dedicating full ROW along the northern boundary.

The Surveyor/Applicant has submitted the following proposed Findings in support of the exception request.

Western Boundary (No ROW Dedication Request)

1. Gravel Pits to the South: Two large parcels south of Delta Ave are active gravel pits and are unlikely to ever be developed for further use. These parcels are physically incapable of matching the required ROW dedication.
2. Developed Parcels to the West: Parcels to the north and west are already subdivided and developed, with no foreseeable future subdivision or ROW dedication needed.
3. Adequate Existing Street Network: The existing local street network functions adequately, and no need for additional connectivity has been identified.
4. Future Subdivision Flexibility: The two large-acre parcels created by this plat can dedicate the required ROW if subdivided in the future.

Eastern Extension of Delta Ave (No ROW Dedication Request)

5. Steep Terrain: Steep terrain east of Delta Ave makes the dedication of ROW impractical.
6. Future Flexibility: ROW dedication for this area can be more appropriately addressed during future subdivision of Tract A if development patterns shift or if additional access becomes necessary. Deferring ROW dedication allows for future design flexibility and avoids premature capital investment.
7. Lack of Connectivity Demand: Adjacent tracts to the east are large, undeveloped, and currently lack any subdivision pressure. There is no foreseeable demand for through connections or grid extensions in this direction.

Northern Boundary (No Full ROW Dedication Request)

8. Existing Pong: A pond along the northern boundary limits the possibility of constructing a through street.
9. Adequate Access to the North: The adjacent tracts to the north and east already have adequate access with existing conditions and ROW.

Staff Discussion:

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.

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.

Findings.

Staff reviewed the exception request and recommends granting approval

Staff recommends the Committee (or Commission, as applicable) 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 KPB Title 20, the Committee may authorize exceptions to any of the requirements set forth in KPB Title 20. A request for an exception shall be in writing and presented to the 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
Findings 2 & 5-8 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 8 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 3, 4, 6 & 9 appear to support this standard.

B. KPB 20.30.100 Cul-de-sacs

Surveyor's Discussion:

The petitioner requests an exception to the requirements for a turnaround (cul-de-sac or hammerhead) dedication at the eastern terminus of Delta Ave, located on the western edge of the proposed plat.

The Surveyor/Applicant has submitted the following proposed Findings in support of the exception request.

10. Undeveloped Road Segment: The eastern portion of Delta Ave is undeveloped and unmaintained. It is adjacent to active gravel pits to the south, and its construction is unlikely to be practical.
11. ROW Width Insufficiency: Delta Ave currently has only a 30' wide ROW and will not likely gain the additional 30' needed to comply with KPB's required 60' ROW.

Staff Discussion:

20.30.100. - Cul-de-sacs.

A. Streets designed to have one end permanently closed shall be no more than 1,000 feet long. The closed end of the cul-de-sac shall have a suitable turnaround with a minimum radius of 50 feet to the property line. The turnaround shall be constructible to a 4 percent grade or less.

Findings.

12. To remove a cul-de-sac bulb requires a right-of-way vacation and platting process.
13. Further development of Tract A would require the breaking of the bulb to proceed.
14. Granting this exception will not affect the public adversely as the road currently runs the back yards of the adjacent lots to the west.

Staff reviewed the exception request and recommends granting approval

Staff recommends the Committee (or Commission, as applicable) 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 KPB Title 20, the Committee may authorize exceptions to any of the requirements set forth in KPB Title 20. A request for an exception shall be in writing and presented to the 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
Findings 10 & 11 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 12-14 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 10, 11 & 14 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:

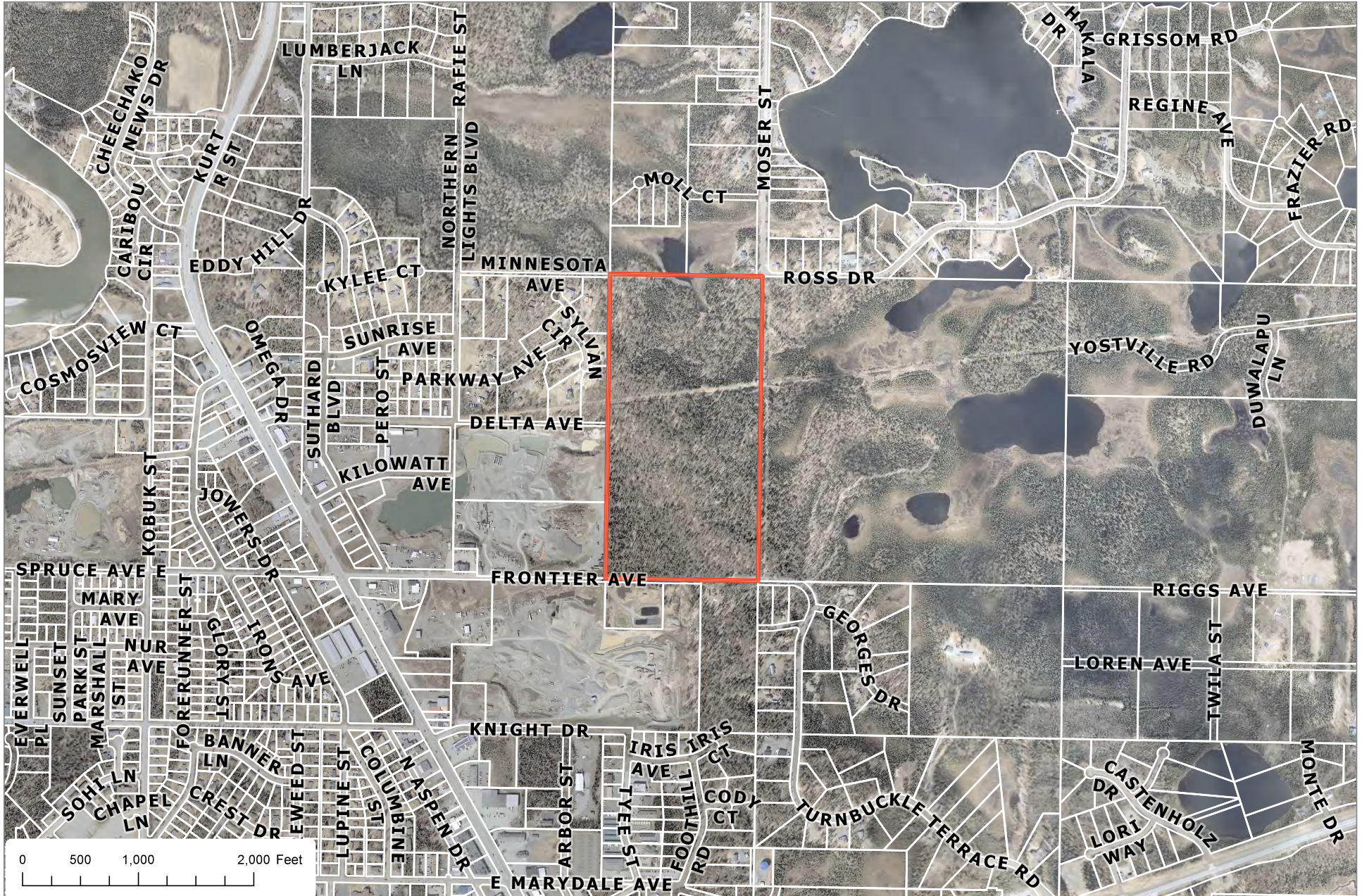
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL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

NOTE: KPB 20.25.120. - REVIEW AND APPEAL.

IN ACCORDANCE WITH KPB 2.40.080, ANY PERSON, AGENCY, OR CITY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING, EITHER BY WRITTEN OR ORAL PRESENTATION, MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF DATE OF DISTRIBUTION OF THE DECISION.

A DECISION OF THE PLAT 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.

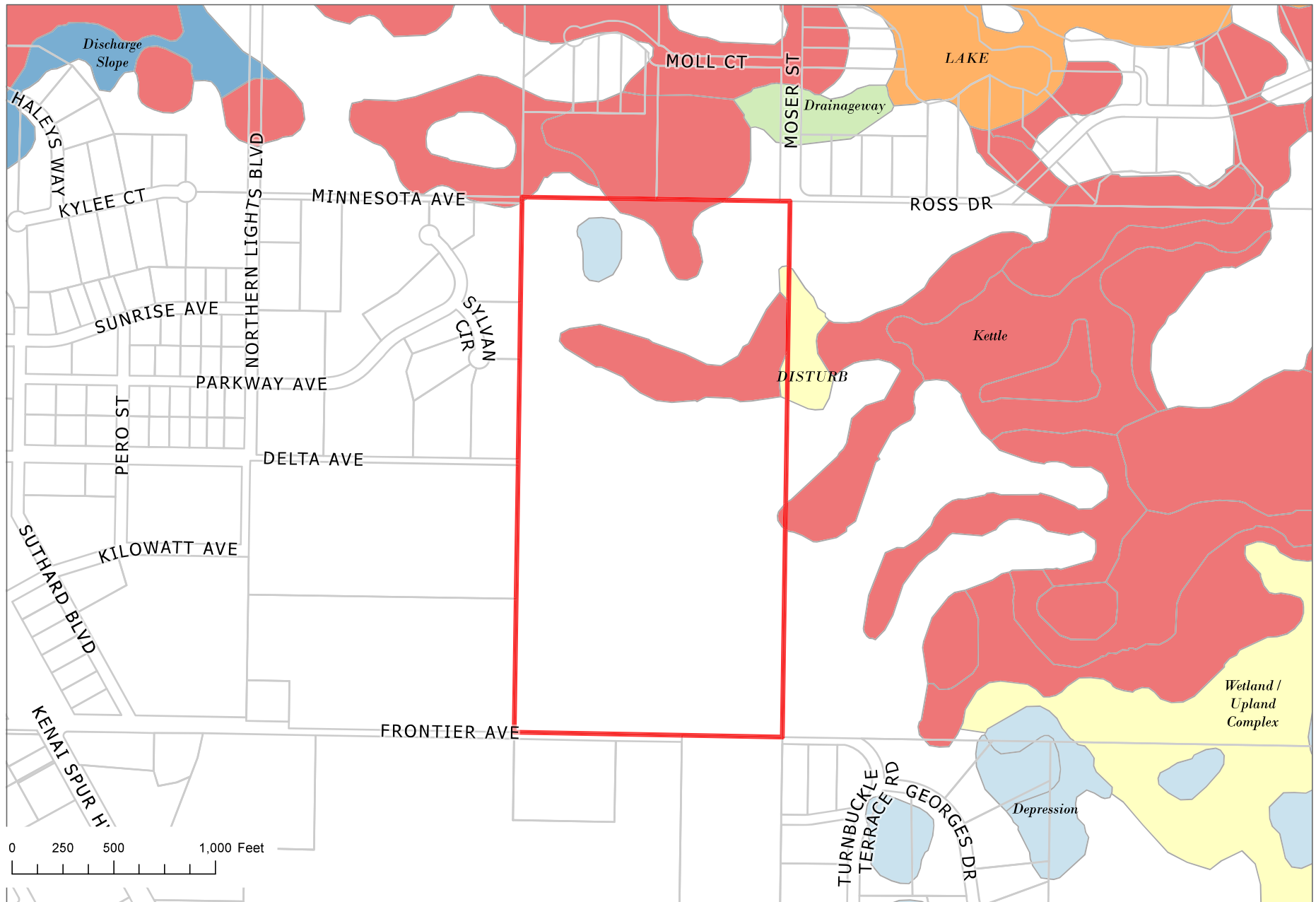
END OF STAFF REPORT



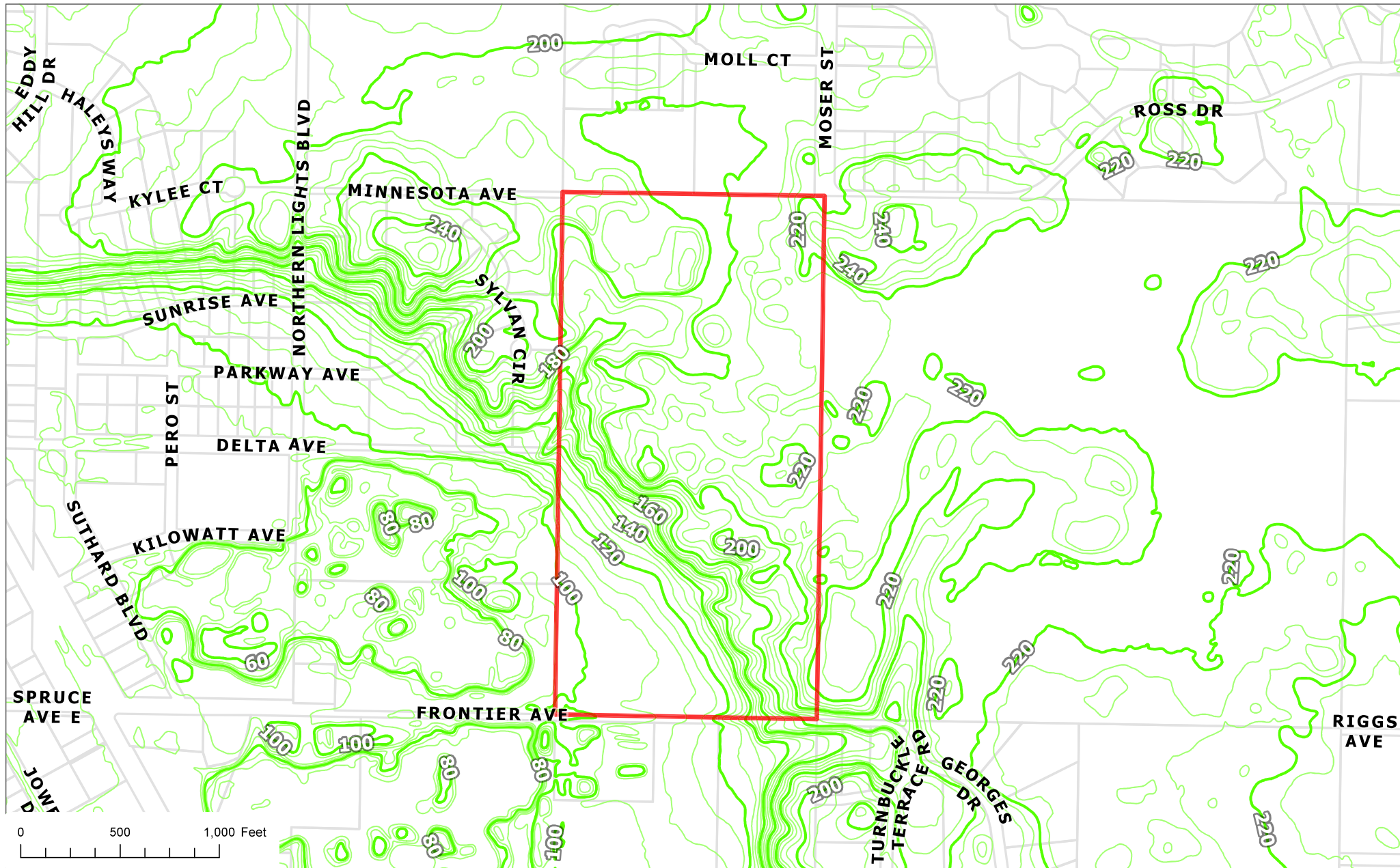
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Wetlands

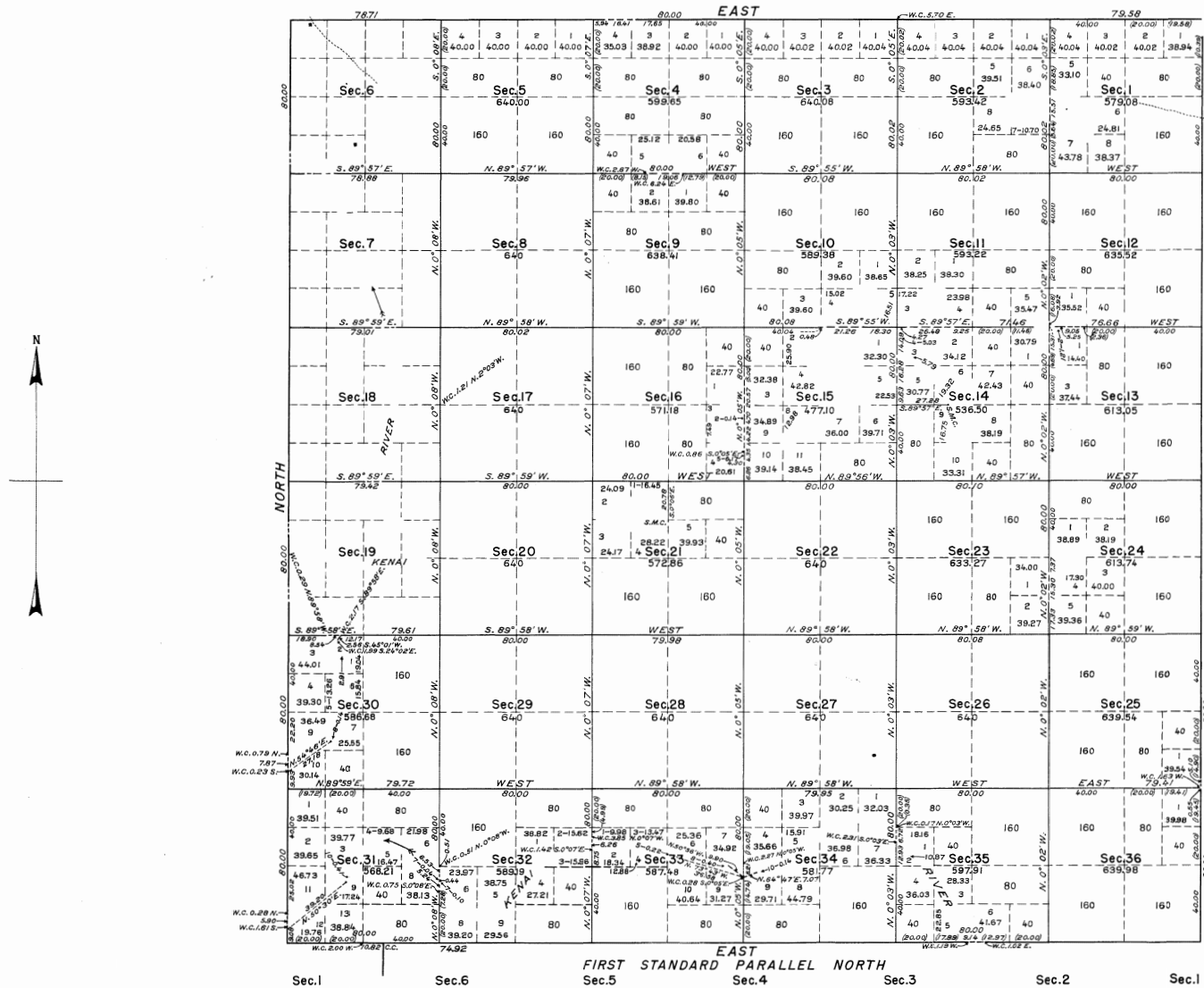


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TOWNSHIP NO.5 NORTH, RANGE NO.10 WEST OF THE SEWARD MERIDIAN, ALASKA.
IN TWO SHEETS SHEET NO.1



ON THE LAND THAT IS WELL DRAINED
THERE IS USUALLY A GOOD STAND OF
SPRUCE, BIRCH, COTTONWOOD, AND ASPEN
TIMBER.

FOR DETAILS IN SECTIONS 6, 7, 19,
AND 19, SEE SHEET 2.

LAT. 60°28.2' N.
LONG. 150°56.7' W.

MEAN MAGNETIC DECLINATION: 26°30' E.

SCALE: 40 CHAINS TO AN INCH.
AREA SURVEYED: 21,739.20 ACRES.

LINES DESIGNATED	BY WHOM SURVEYED	GROUP		MILEAGE		WHEN SURVEYED	
		NO.	DATE	MLS.	CHS.	BEGUN	COMPLETED
EXTERIOR	FLOYD G. BETTS	51	JULY 24,	10	70.39	MAY 3,	JULY 6,
SUBDIVISIONAL	LEONARD M. BERLIN		1935.	59	64.48		
MEANDER	L. A. DAUPHINY			46	56.49		
CONNECTION				2	42.51	1937.	1939.

W.N.R.

OFFICE OF THE SUPERVISOR OF SURVEYS.
DENVER, COLORADO, JUNE 16, 1943.

THE ABOVE PLAT OF TOWNSHIP NO. 5 NORTH, RANGE NO. 10 WEST OF THE SEWARD MERIDIAN, ALASKA, IS STRICTLY CONFORMABLE TO THE FIELD NOTES OF THE SURVEY THEREOF, WHICH HAVE BEEN EXAMINED AND APPROVED.

Thomas H. Allen
ACTING ASSISTANT
SUPERVISOR OF SURVEYS.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON, D. C., JUNE 24, 1943.

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.

Earl David Wolfson
ASSISTANT COMMISSIONER.