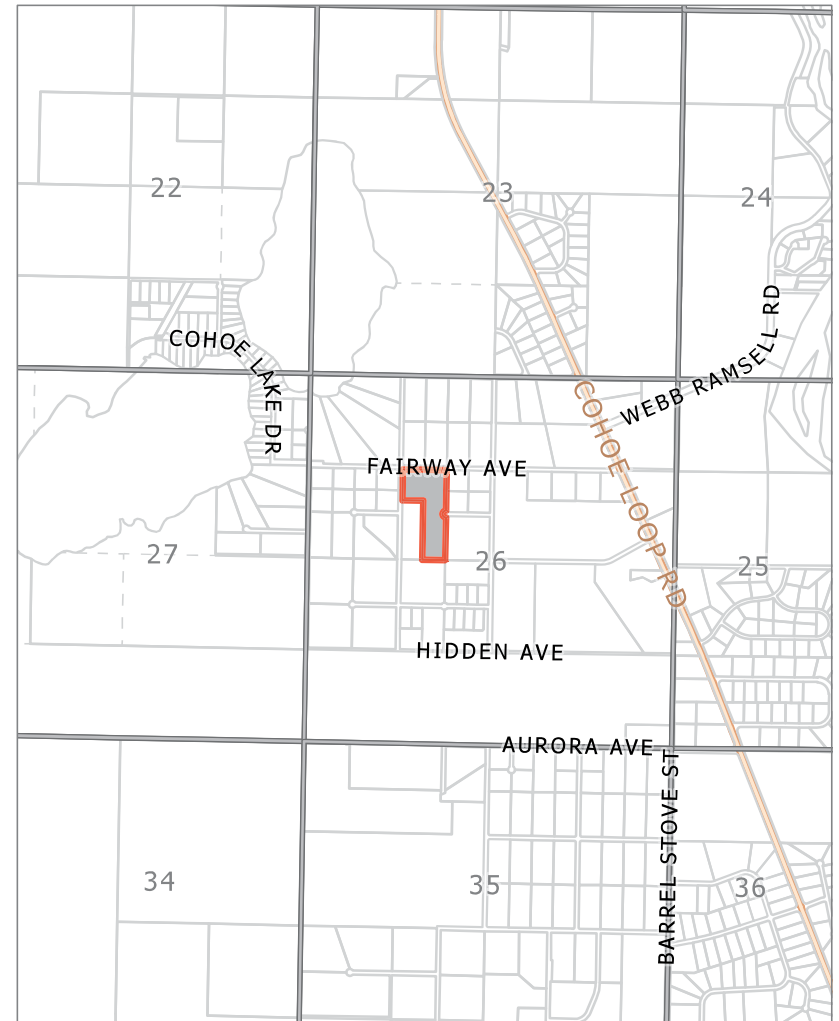
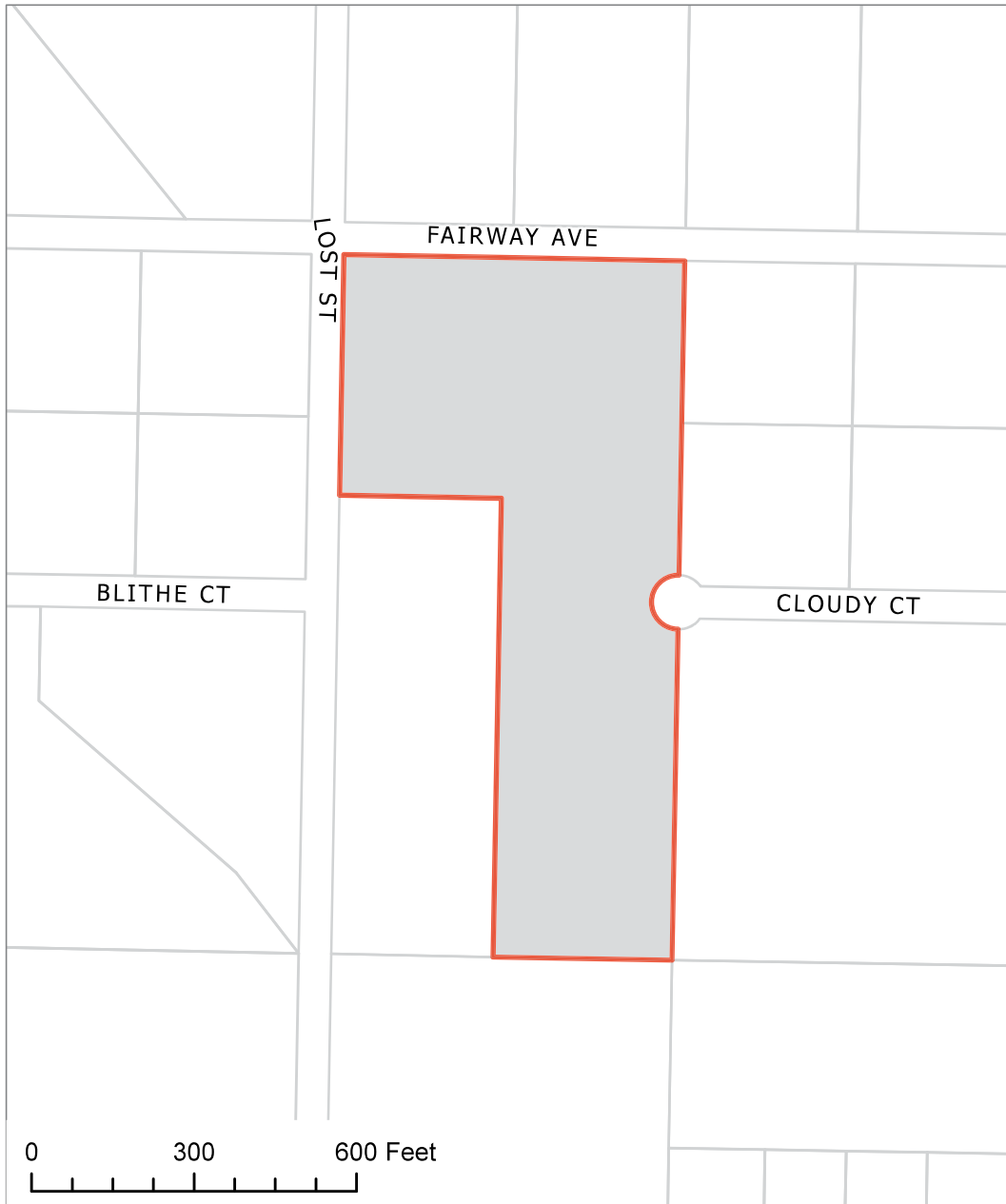
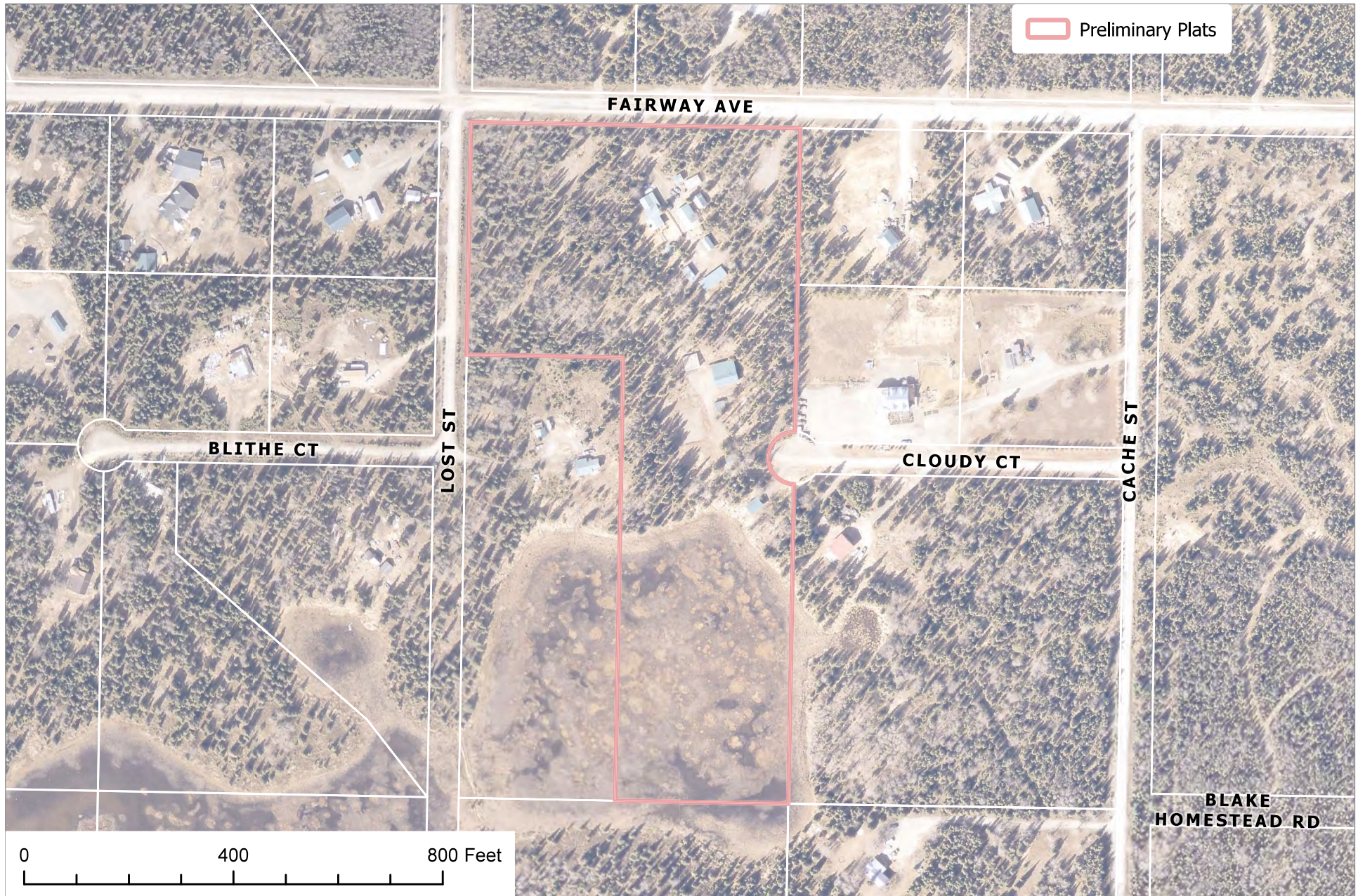


E. NEW BUSINESS

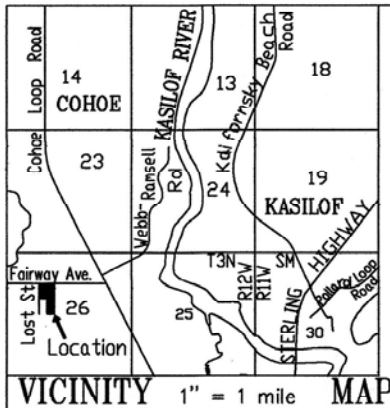
- 1. Herrin Subdivision 2025 Addition; KPB File 2025-049
Johnson Surveying / Nevels
Location: Cloudy Court, Fairway Avenue & Lost Street
Cohoe Area**



KPB File 2025-049
T 03N R 12W SEC 26
Cohoe



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.



Herrin Subdivision 2025 Addition Preliminary Plat

A subdivision of Tract 4A Herrin Subd. 2015 Addn., KRD 2015-56
Located in the NW1/4 Section 26, T3N R12W, SM, Cohoe, Alaska.
Kenai Recording District Kenai Peninsula Borough File

Prepared for
James Nevels, JR.
P.O. Box 415
Kasilof, AK 99610

Prepared by
Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568

SCALE 1" = 200'
21 March, 2025

AREA = 12.715 acres

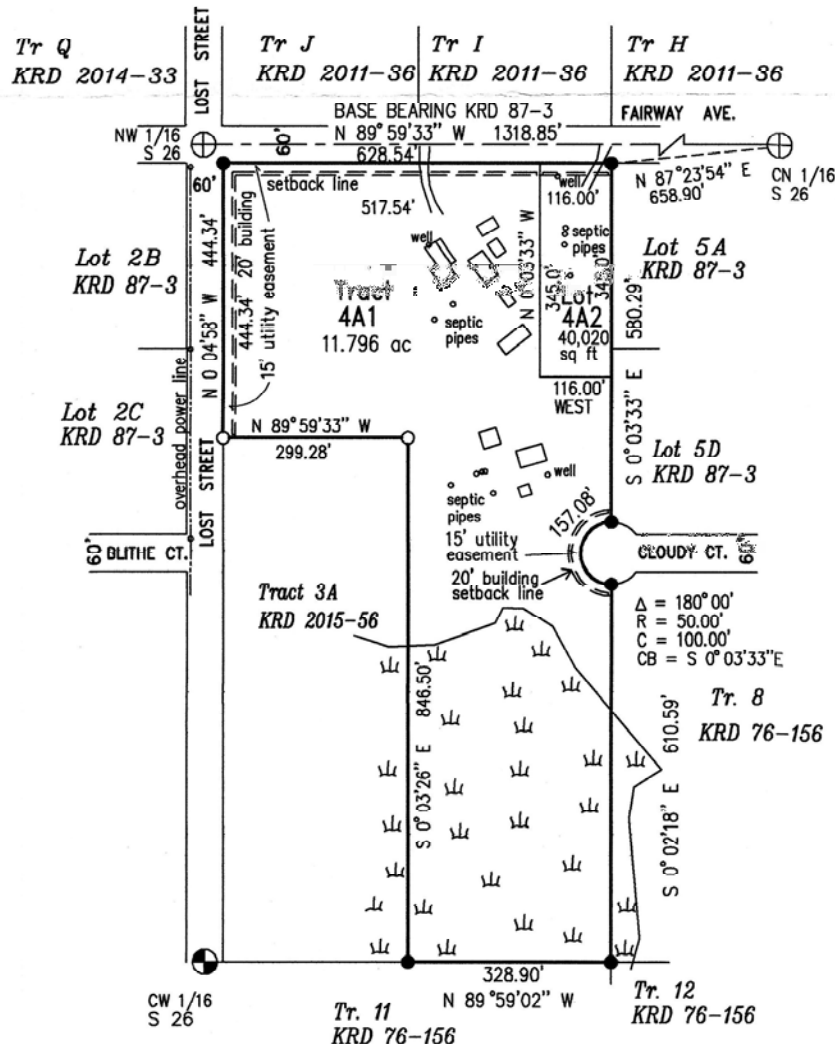
LEGEND

- ⊕ - 2 1/2" alcap monument, 7328-S, 2011, found
- - 1/2" rebar lot corner, found.
- - 1/2" rebar with plastic cap, 7328-S, found.
- ≡ - indicates swamp

NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 15' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. Topography rises 5' from swamp level and is otherwise flat. No grades exceed 3%. There are no wet areas other than swamp shown.
4. Any person developing these lots is responsible for obtaining all required local, state, and federal permits, including a US Army Corps of Engineers Wetlands Determination, if applicable.

Center of well on proposed lot 4A2 is 1.4' outside of building setback line.



KPB 2025-049

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT
HERRIN SUBDIVISION 2025 ADDITION**

KPB File No.	2025-049
Plat Committee Meeting:	April 28, 2025
Applicant / Owner:	James Nevels JR / Kasilof, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Cohoe Loop Rd

Parent Parcel No.:	133-112-42
Legal Description:	T 03N R 12W SEC 26 SEWARD MERIDIAN KN 2015056 HERRIN SUBD 2015 REPLAT TRACT 4A
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.30.190

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 12.715 acre parcel a lot of size 40.020 sq ft and a tract of 11.796 acres.

Location and Legal Access (existing and proposed):

Legal access to the plat is from Fairway Ave on the north and Lost Street on the west and Cloudy Ct on the east. Fairway Ave is a 60' dedication being borough maintained giving access to Proposed Lot 4A2 and Tract 4A1. Lost St is a 60' dedication while Cloudy Ct is a 50' radius cul-de-sac both giving access to Tract 4A1 and neither being maintained by the borough.

The plat is not proposing to dedicate any rights-of-way nor is it finalizing any vacations of rights-of-way. The plat is not affected by a section line easement either.

Block length is compliant with the roads Loat St, Fairway Ave Cache St and Mandy Ct completing a block around the plat.

KPB Roads Dept RSA review	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: RSA has no objection at this time
SOA DOT comments	

Site Investigation:

There are several structures located on the property. When the proposed plat is complete the structures will be located on Tract 4A1. Per KPB GIS aerial data and the depictions on the drawing, no structures will be located on Lot 4A2. There is shown on the drawing a well and septic pipes on Lot 4A2 but no structures.

There does not appear to be any encroachment issues to or from the property. **Staff recommends** the surveyor be aware of and watch for any encroachments when doing the field survey and show any encroachments found on the final submittal.

The KWF Wetlands Assessment has identified the swamp shown on the drawing to be lakebed. **Staff recommends**

the surveyor rename the wetland correctly to Lakebed per the KWF Wetland Assessment.

The terrain of the land is relatively flat with a slope to the south of approximately 1 percent, towards the Lakebed area shown on the drawing.

The River Center review did not identify the plat to be located in a FEMA designated flood hazard area or a habitat protection district, notation of either will not be needed. The proper wetland development note is present and should remain on the final submittal.

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

Staff Analysis

The land was originally part of the S1/2 NW1/4 and N1/2 SW1/4 of Section 26, Township 3 North, Range 12 West S.M. Alaska. Herrin Subdivision KN76-156 platted the 160 acres noted into 16 tracts. Herrin Subdivision 2015 Replat KN2015-56 replatted Tracts 3 & 4 creating the current tract lines. The current platting action will create a lot and tract when complete.

A soils report will be required and an engineer will sign the final plat as the new Lot 4A2 is below 200,000 sq ft. There appears to be septic pipes located on Lot 4A2 according to the drawing, if a report previously approved by ADEC can be submitted it may be sufficient.

A soils report will not be required for Tract 4A1 as the tract is above 200,000 sq ft.

The surveyor has requested an exception to KPB 20.30.190.A Lot Dimensions, 3:1 ratio. If the request is denied, the plat will need to be revised to a new layout.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.10.100 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

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

Utility Easements

The plat has carried forward the 15' utility easement from the parent plat and has both included a plat note and shown it on the drawing.

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 any of their request, ensuring optimal use of the owner's land and maximum benefit for both the provider and the public.

Utility provider review:

HEA	No comment
ENSTAR	No comment
ACS	
GCI	Approved as shown

KPB department / agency review:

Addressing Review	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 53665 FAIRWAY AVE BLDG 1, 53680 CLOUDY CT BLDG 2</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: BLITHE CT, LOST ST, FAIRWAY AVE, CLOUDY CT</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: 53665 FAIRWAY AVE BLDG 1 WILL BE REASSIGNED AS 53665 FIARWAY AVE 53680 CLOUDY CT BLDG 2 WILL BE REASSIGNED AS 53680 CLOUDY CT</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
LOZMS Review Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing Review	<p>Reviewer: Windsor, Heather Comments: No comments</p>

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Add icon for CW 1/16 to legend

KPB 20.25.070 – Form and contents required

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

Add the KPB No 2025-049 to the title block

Owners is shown as James F. Nevels Jr. per the Assessor Page and CTP, add "F."

- 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:

Tract to the west needs labeled.

Tract to the southeast needs correct labeling.

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 20.30.190 Lots - Dimensions

Surveyor's Discussion:

Length/width ratio Tract 4A1

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

1. Tract has ROW frontage that will allow further subdivision that would then make the lots conform to the ratio.
2. There is a large area of swamp on the southern portion of the tract. Area excluding the swamp conforms to the ratio.

Staff Discussion:

20.30.190. - Lots—Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

Findings.

3. The ratio of the depth to 3 x avg width is 1290' to 987' exceeding the requirement.
4. The swamp area limits the development potential of the tract.
5. By granting the exception, the public will not be hindered with its application.
6. By reconfiguring the plat to have more divisions, this will be opposite to the outcome wanted by the applicant of the one larger tract at this time.

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 1, 3 & 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 4 & 6 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 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.

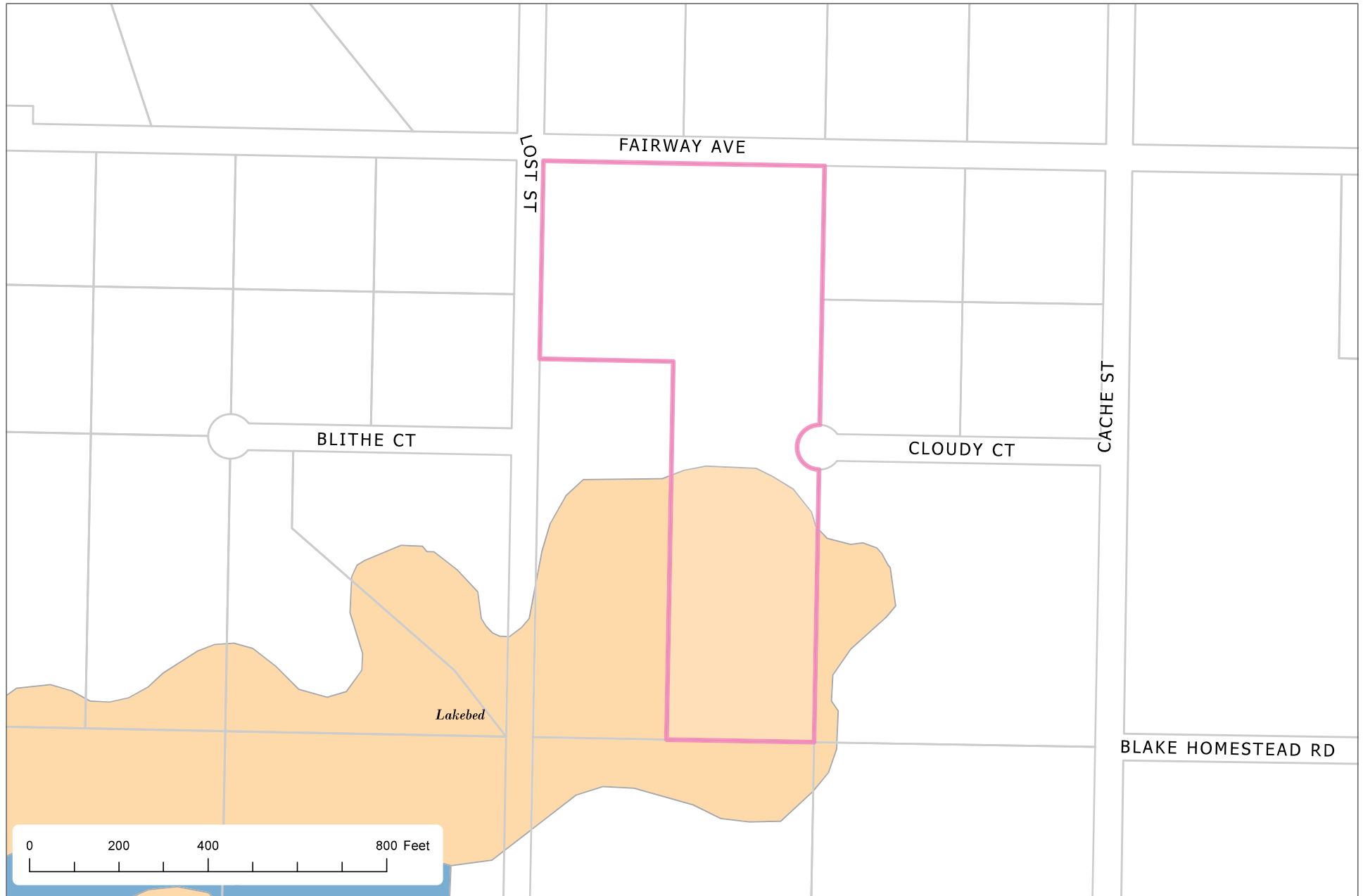
END OF STAFF REPORT



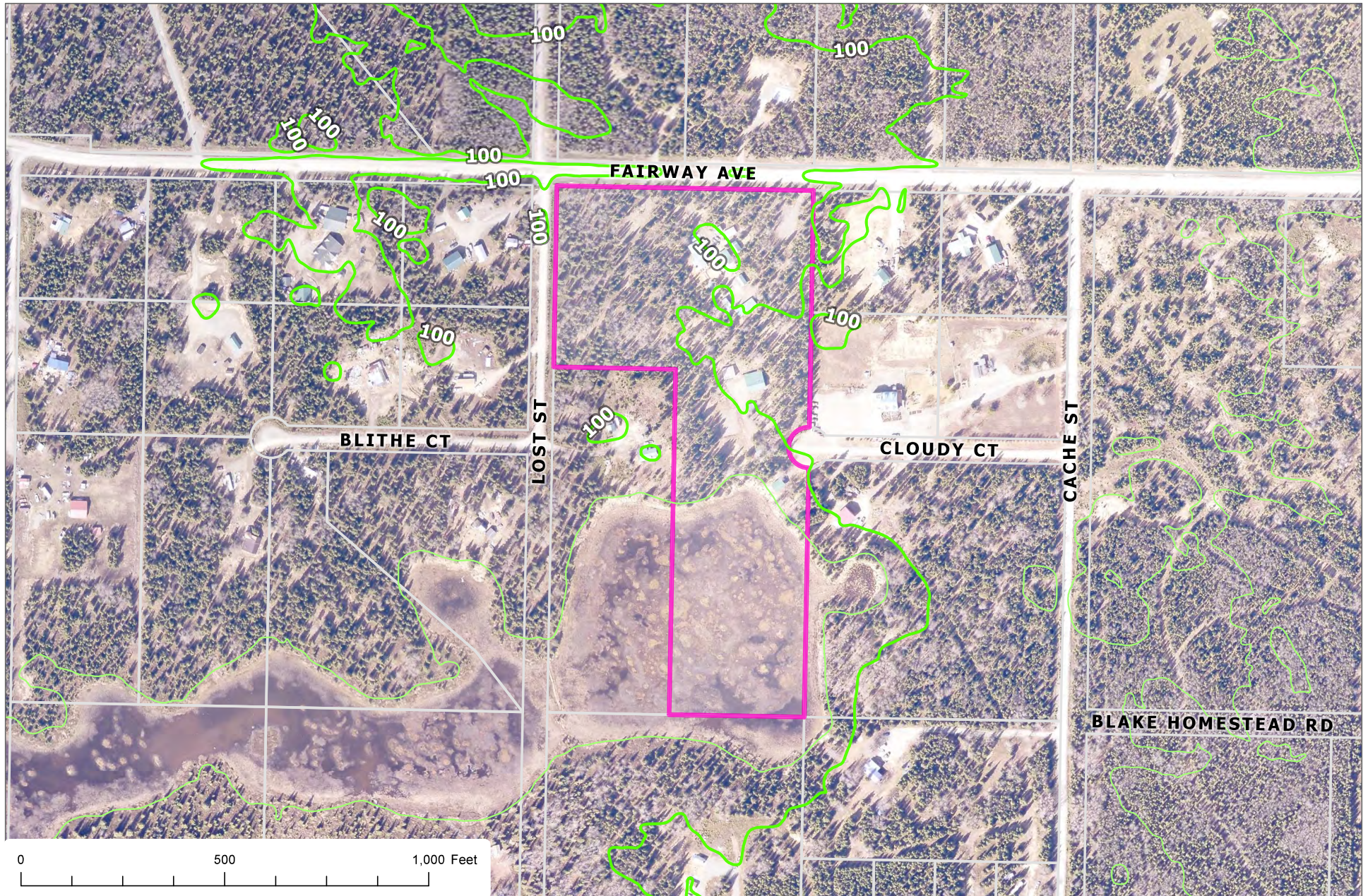
Aerial Map



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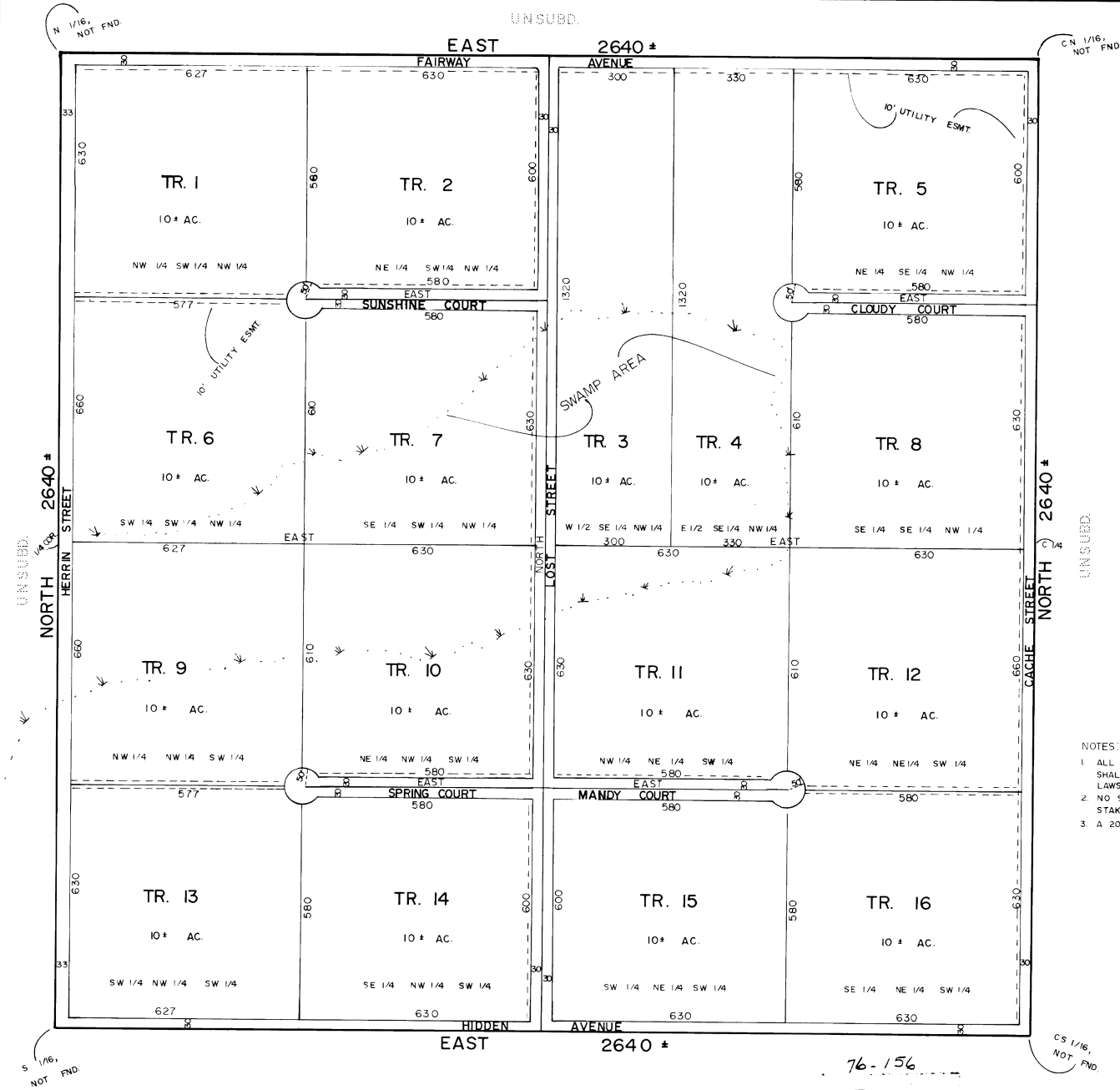


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

A map of the vicinity of Kaslo, British Columbia. The map shows the Kootenai River flowing through the area. Key locations marked include COHOE, KASLO, and KASLO RIVER. Roads shown include Fairway Avenue, Kaslo River Road, and Kaslo River Road. A scale bar indicates 1" = 1 mile. A black square marks the 'Replat Location' near the intersection of Fairway Avenue and Kaslo River Road.

STATE OF ALASKA
4011
General L. Johnson
GERALD L. JOHNSON
7328 - 5
REGISTERED PROFESSIONAL LAND SURVEYOR
8/4/15

Page 1001

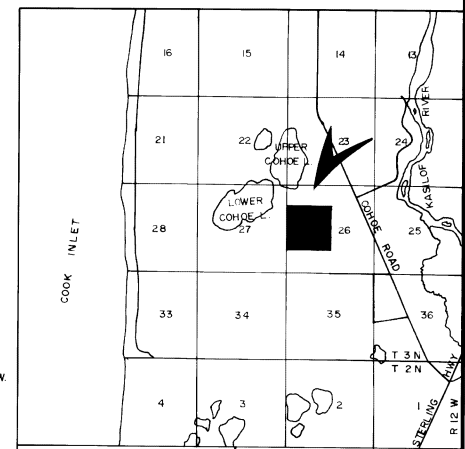


- NOTES:
1. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS.
 2. NO SURVEY WAS MADE NOR WERE ANY STAKES SET.
 3. A 20' BLDG LINE EXISTS ALONG ALL ROW.

76-156
KENAI
11-4 76
4:22 P
KAB

CERTIFICATE OF OWNERSHIP
 WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON. WE HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS, AND ALLEYS DEDICATED BY US FOR PUBLIC USE.
 DENNIS HERRIN By *Dennis Herrin*
 BOY 1223 KENAI, ALASKA Special Powers Attorney
 Superior Court & Clerk of Court
 NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SWORN, BEFORE ME THIS 14th DAY OF SEPTEMBER 1976.
Harold Dale 10/3/77
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE
 I, THE UNDERSIGNED, REGISTERED SURVEYOR, HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT IS BASED UPON THE MOST RECENT PLATS OF THE PROPERTIES SHOWN AND THAT NO FIELD SURVEY WAS PERFORMED.
6-3-76
 JERRY ANDERSON, 3686-S
PLAT APPROVAL
 PLAT APPROVED BY THE BOROUGH PLANNING COMMISSION THIS 17th DAY OF May 1976.
Harold E. Eilman
 BOROUGH MAYOR



DATE:	MAY, 1976
SCALE:	1" = 200'
DESIGNED BY:	J.A.
DRAWN BY:	S.W.
CHECKED BY:	D.H.
FLD. BK. NO.:	



HERRIN SUBDIVISION
 SITUATED IN THE S 1/2 NW 1/4, N 1/2 SW 1/4, S. 26, T. 3 N., R. 12 W., S.M.
 CONTAINING 160+ ACRES
ABILITY SURVEYS
 JERRY ANDERSON, L.S. BOX 1263 HOMER, ALASKA 99603