E. NEW BUSINESS

5. Homewood Subdivision; KPB File 2025-130 Peninsula Surveying / Conway **Location: Birkenweg Street & Pinewood Avenue**

Sterling Area

Vicinity Map



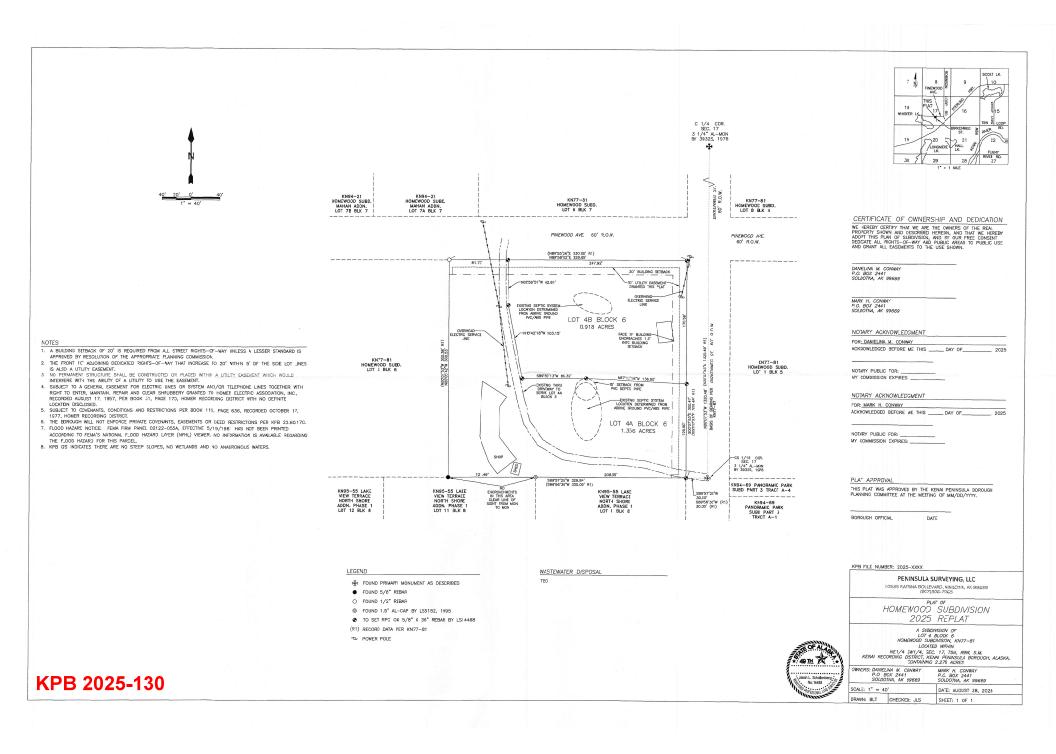




KPB File 2025-130 9/2/2025







ITEM #5 - PRELIMINARY PLAT HOMEWOOD SUBDIVISION 2025 REPLAT

KPB File No.	2025-130
Plat Committee Meeting:	September 22, 2025
Applicant / Owner:	Danielina & Mark Conway / Soldotna
Surveyor:	Jason Schollenberg / Peninsula Surveying
General Location:	Pinewood Ave and Berkenweg St off of Robinson Loop Rd

Parent Parcel No.:	063-550-56
Legal Description:	T 5N R 9W SEC 17 SEWARD MERIDIAN KN 0770081 HOMEWOOD SUB LOT
	4 BLK 6
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.40

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a single parcel of 2.274 acres into two lots of sizes 0.918 acres and 1.356 acres.

Location and Legal Access (existing and proposed):

Legal access to the plat is along Pinewood Ave on the north a 60' dedication that is Borough maintained. Both lots have access on the east by Birkenweg St, a 60' dedication that is currently developed but not to Borough standards so it is privately maintained.

Pinewood Ave Is located just north of the Sterling highway near milepost 87.5 off Robinson Loop Road.

The plat is not dedicating or vacating any right-of-way at this time.

Block length is compliant with Pinewood Ave, Birkenweg St, Caleb Dr and Aspenwood Ct making a complete block connection of dedicated right-of-ways.

KPB Roads Dept RSA review	Out of Jurisdiction: No
	Roads Director: Uhlin, Dil Comments: Portion of the building in the setback
SOA DOT comments	No comment

Site Investigation:

There are structures located on the property. The KPB GIS aerial photo shows a structure crossing the southern boundary. The surveyor has shown the structure on the plat drawing and noted that there is no encroachment across the southern line as there is visibility from pin to pin.

There is also a structure shown on the east side of the property. This structure is indicated to be sitting into the 20' building setback line by 1.5'. **Staff recommends** the surveyor apply for a Building Setback Encroachment Permit to address the issue of the structure across the setback line. This approval will need to be completed for final approval of the plat.

There are no steep areas on the plat as the land is relatively flat with minimal slope to the south.

There are no wetlands near the property either according the KWF Wetlands Assessment. The River Center review did not identify the plat to be located in a FEMA designated flood hazard area nor a habitat protection district, so notes from KPB 20.30.280 or 20.30.290 will not be needed on the plat drawing.

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

Staff Analysis

The land was originally surveyed as NE1/4 SW1/4 of Section 17, Township 5 North, Range 9 West, SM Alaska. Homewood Subdivision plat US Gov't Lt 1 and the SW1/4 NE1/4, NE1/4 SW1/4 and NW1/4 SE1/4 all in said Section 17 into 10 blocks, 56 lots and several dedications. This platting action will replat Lot 4 Block 6 into two new lots.

A soils report would usually be required but the applicant has requested and exception to KPB 20.40 Waste Water Disposal Reports. This exception will be discussed later in the staff report.

Notice of the proposed plat was mailed to the beneficial interest holder on September 3, 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

The parent plat shows a 5' easement for clearing only for overhead distribution on the east line. Staff recommends the surveyor carry this easement forward or add a plat note indicating the easement is within the 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 adding a 10' utility easement adjoining dedicated right-of-ways and increasing to 20' within 5' of side lot lines. The drawing needs to be corrected to show the 20' increase at side lot lines near Lot 4B side lines.

There is an overhead electric service line on Lot 4A with currently no easement shown. No comment from HEA has been received at this time concerning the service line, but it is expected an easement will be requested.

Utility provider review:

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

KPB department / agency review:

KPB department / agency revie	
Addressing Review	Reviewer: Pace, Rhealyn
	Affected Addresses:
	38545 PINEWOOD AVE, 37303 BIRKENWEG ST
	Existing Street Names are Correct: Yes
	List of Correct Street Names: PINEWOOD, BIRKENWEG ST
	Finewood, birrenweg 31
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	List of Approved Street Names:
	List of Street Names Denied:
	Comments:
	38545 PINEWOOD AVE WILL REMAIN WITH LOT 4A, 37303 BIRKENWEG ST WILL REMAIN WITH LOT 4B
Code Compliance	Reviewer: Ogren, Eric
Code Compilance	Comments: No comments
LOZMS Review Planner	Reviewer: Raidmae, Ryan
LOZIVIS Review Flatillel	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.
Assessing Review	Reviewer: Windsor, Heather
Assessing Review	Comments: No comments
Central Emergency Services	No conflicts or issues
Ochida Emergency Dervices	140 0011111013 01 133063

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

The easement in book 31 page 170 does not affect this plat, plat note 4 can be removed. In the Plat Approval, change the date to September 22, 2025

PLAT NOTES TO ADD

- Acceptance of this plat by the Borough does not indicate acceptance of any encroachments.

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 2025-130

Total area vs area of lots is off by 0.002 acres.

B. North point;

Staff recommendation:

Check the scale of your drawing. when I put a scale on it, 330' measures out to 325' and other lines similar.ratios

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:

Make Pinewood Ave and Berkenweg St more prominent and stand out among the other lettering.

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:

Overhead line will need an easement covering it

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

Staff recommendation:

Structure on east property line encroaches into building setback, need to request Building setback encroachment permit.

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:

Page 4 of 6

A. KPB 20.40 Wastewater Review

Surveyor's Discussion:

This subdivision is proposing to subdivide a 2.3 acre lot. There are currently two residences on the property. This platting action will provide each with their own lot.

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

- 1. Each of he proposed lots has a current functional septic system. Both of these were professionally installed.
- 2. Further subdivision of these lots is unlikely. Any additional lots would fall under the required size to meet KPB code.
- 3. An as-built was completed on the property to confirm the locations of the septic systems.

Staff Discussion:

Findings.

4. There were no records found at the State of Alaska DEC site for approved systems for this location.

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 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 1-3 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

Page 5 of 6

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







