

E. NEW BUSINESS

- 5. Kenai River Bridge Subdivision 2024 Replat
KPB File 2024-118
Johnson Surveying / Ruiz, Greene
Location: Patrick Drive & Eastway Drive
Kalifornsky Area**

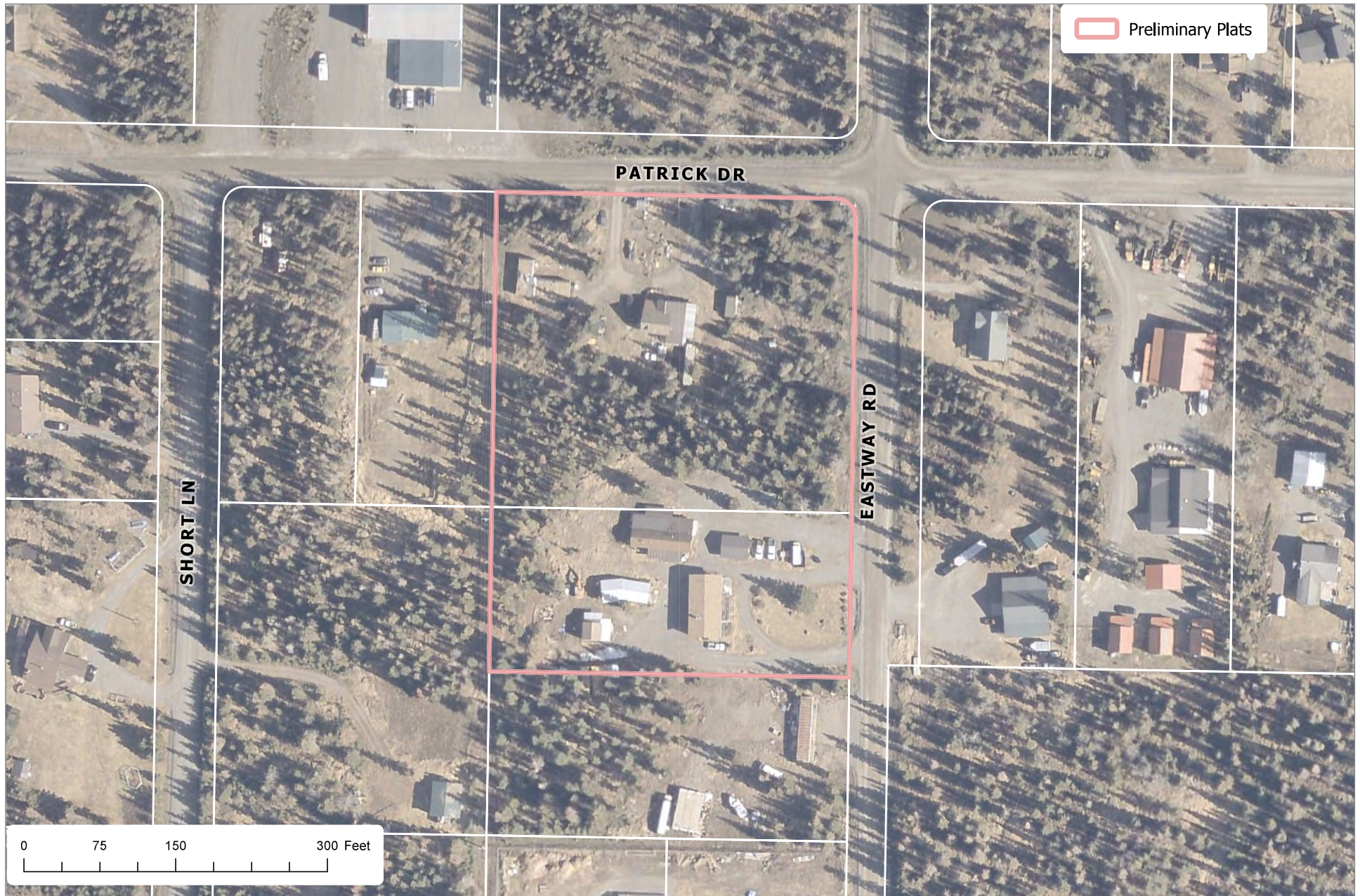


KPB File 2024-118
T 05N R 11W SEC 20
Kalifornsky

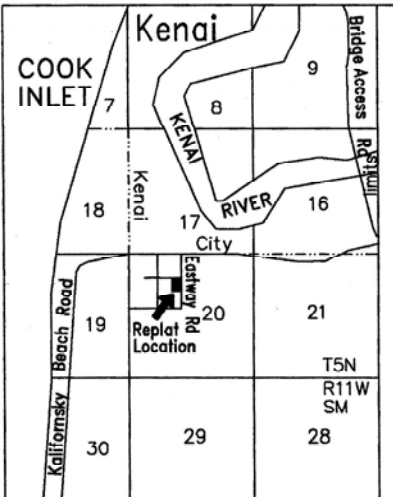
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial Map



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Kenai River Bridge Subdivision

2024 Replat

Preliminary Plat

A replat of Lot 2 Block 3 Kenai River Bridge Subd., Amended, KRD 75-28 and Lot 3A Block 3 Kenai River Bridge Subd. No. 10, KRD 86-150. Located in the NW1/4 Section 20, T5N R11W, SM., Alaska. Kenai Recording District Kenai Peninsula Borough File

Prepared for
Lela Sandra Greene
 36745 Eastway Rd. Unit 2
 Kenai, AK 99611

Prepared by
Sherry Linda Ruiz
 36745 Eastway Rd. Unit 1
 Kenai, AK 99611

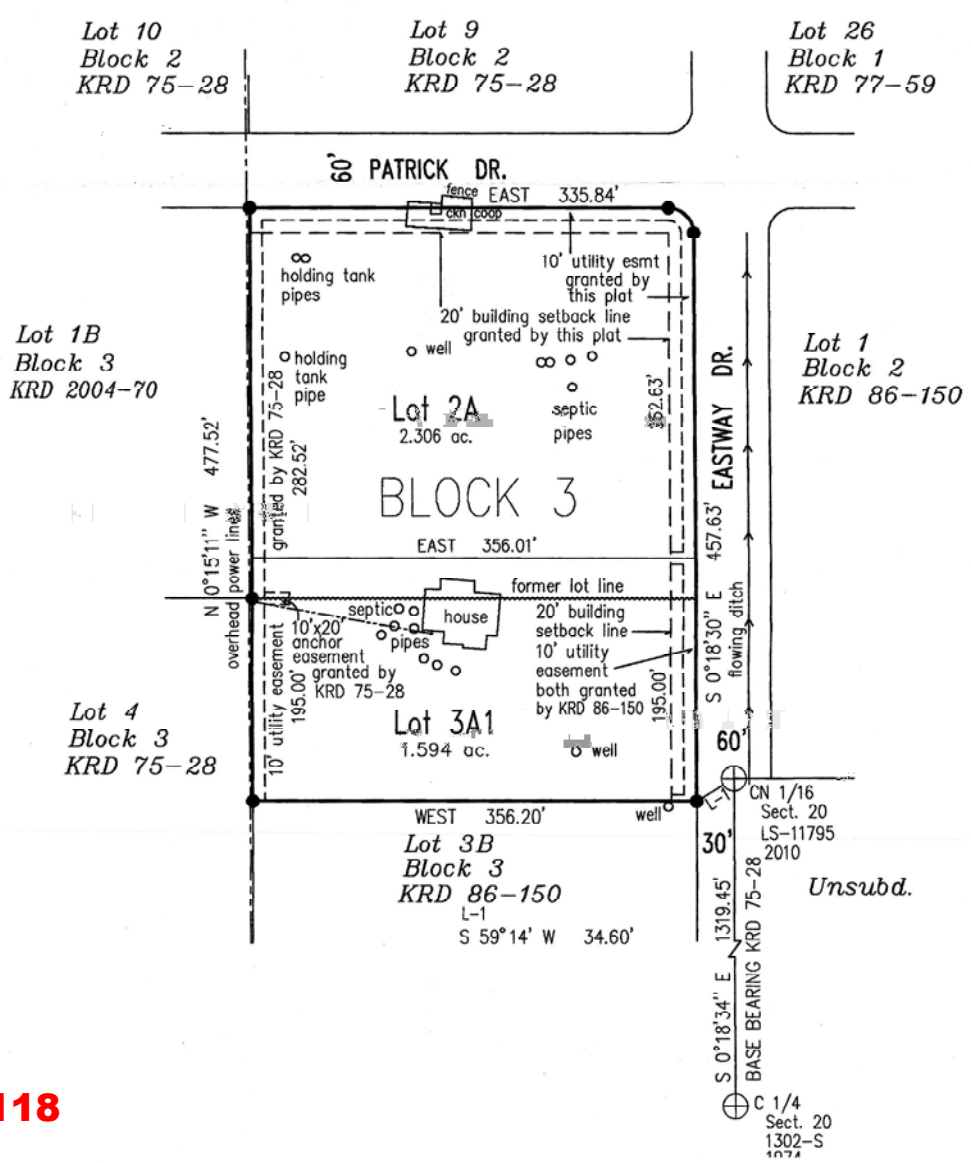
Johnson Surveying
 P.O. Box 27
 Clam Gulch, Ak 99568
 (907) 262-5772

SCALE 1" = 100' AREA = 3.900 acres 22 October, 2024

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' 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 a utility easement which would interfere with the ability of a utility to use the easement.
3. Kenai Records Deeds Book 6 Page 257 granted an electrical easement to Homer Electric Association, Inc on Former Lot 3A Block 3. This is a general easement, no definite location given.
4. Lots topography is basically flat. there are no wet areas on the property.

VICINITY 1" = 1 mile MAP



KPB 2024-118

AGENDA ITEM E. NEW BUSINESS

**ITEM #5 - PRELIMINARY PLAT
KENAI RIVER BRIDGE SUBDIVISION 2024 REPLAT**

KPB File No.	2024-118
Plat Committee Meeting:	November 18, 2024
Applicant / Owner:	Lela Greene and Sherry Ruiz both of Kenai
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Patrick Dr and Eastwick Rd in Kalifornsky APC

Parent Parcel No.:	055-221-48 & 055-221-49
Legal Description:	T 5N R 11W SEC 20 SEWARD MERIDIAN KN 0750028 KENAI RIVER BRIDGE SUB AMENDED LOT 2 BLK 3 & T 5N R 11W SEC 20 SEWARD MERIDIAN KN 0860150 KENAI RIVER BRIDGE SUB NO 10 LOT 3A BLK 3
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 combine two lots and realign the line between them to create two new lot lots of size 1.594 acres and 2.306 acres.

Location and Legal Access (existing and proposed):

Legal access to the plat is off Kalifornsky Beach Rd at Eastway Rd to Patrick Dr. Both lots have access to Eastway Rd and Lot 2A will also have access to Patrick Dr. Both roads are 60' dedications except for a small part of Eastway Rd being 30' and are maintained by the borough.

No new dedication is being proposed or completion of a vacation with this platting action. The plat is not affected by a section line easement, patent easement or a private trail.

Block length is compliant being completed by Patrick Dr, Eastway Rd, Green Forest Dr and Short Ln.

KPB Roads Dept RSA review	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT comments	The south line of Lot 3A1 is missing a 20'150' Utility Easement per 86-510. Missing curve data

Site Investigation:

There are structures located on the plat both on Lot 2A and 3A1. This re-alignment will put the south house completely onto Lot 3A1 that was previously crossing the lot lines. There is a chicken coop with a fence enclosing three sides of it that is inside the 20' building setback line and across the property line into the right-of-way. This structure and fencing will need to be removed for approval. **Staff recommends** the Plat Committee concur that the structure and fencing will need to be removed for approval and recording of the final plat and proof of the removal shall be supplied to staff prior to approval.

The terrain of the plat is flat with little change in the slope across the entire plat. There are no wetlands located on the plat and the River Center review did not indicate the plat to be in a FEMA flood hazard zone or a habitat protect area.

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 ordinally surveyed as the NW1/4 of Section 20, Township 5 North, Range 11 West, SM, Alaska. Kenai River Bridge Subdivision KN74-53 was the first subdivision to divide the NW1/4. The plat was amended as Kenai River Bridge Subdivision Amended Plat KN75-28 amended the plat. Lot 3 Block 3 was replatted by Kenai River Bridge Subdivision No. 10 KN86-150 into two separate lots.

A soils report will be required and an engineer will need to sign the final plat. the owners have requested an exception to KPB 20.40. If denied soil reports will need to be supplied and proper wastewater disposal notes will need to be added.

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 plat is in the Kalifornsky Advisory Planning Commission which is inactive at the time being.

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

As noted above there is an encroachment of a chicken coop and fence on the north line into the right-of-way as shown on the plat. this encroachment will need to be removed prior to approval of the final plat.

Utility Easements

There are easements carried forward from the parent plats shown on the west line. Plat KN 86-150 shows a 20'x150' utility easement on the common line of the two lots, this easement needs to be added to the south line of new Lot 3A1.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. HEA has sent comments requesting an easement be added along the west line. This comment is included in the packet. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	See HEA comment in the packet for easement additions.
ENSTAR	No comment
GCI	

KPB department / agency review:

Addressing Review	Reviewer: Leavitt, Rhealyn Affected Addresses: 50545 PATRICK DR, 36745 EASTWAY RD Existing Street Names are Correct: Yes List of Correct Street Names: EASTWAY RD, PATRICK DR Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: ADDRESSES WILL BE RETAINED.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
LOZMS Review Planner	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.
Assessing Review	Reviewer: Wilcox, Adeena Comments: No objection
Advisory Planning Commission	

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

- Parcel to the east needs the subdivision label corrected
- Chicken coop needs to be removed from boundary line encroachment into the ROW
- Move the L1 and date to not overlap with the lot details.
- Add curve data to the corner

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:

Add KPB File no 2024-118 to the title block

Correct the address of both owners by adding an A to the Unit

Match the owners name on the drawing to the certificate to plat using only the middle initial.

- 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:

Correct Eastway Dr to Eastway Rd

- 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:

Move 'limits' in the Kenai City limits label on the vicinity map to an easier location to see

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 20.40 Wastewater Disposal Report

Applicant's Discussion:

Findings:

1. Lots have existing wastewater disposal systems for years with no problems.
2. The holding tanks on Lot 2 are no longer in use and have been permanently vacated since the new owner took over the property.
3. Adequate useable disposal area remains on both lots after the replat.
4. Lot 3A1 disposal area increases with the replat.

Staff Discussion:

20.40.010. - Wastewater disposal.

A. All lots within a proposed subdivision in the Kenai Peninsula Borough must meet the following applicable standards of this chapter for wastewater disposal.

Findings:

5. Granting the exception will not affect any neighbors or 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 commission (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 & 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 3 & 4 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 2 & 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.

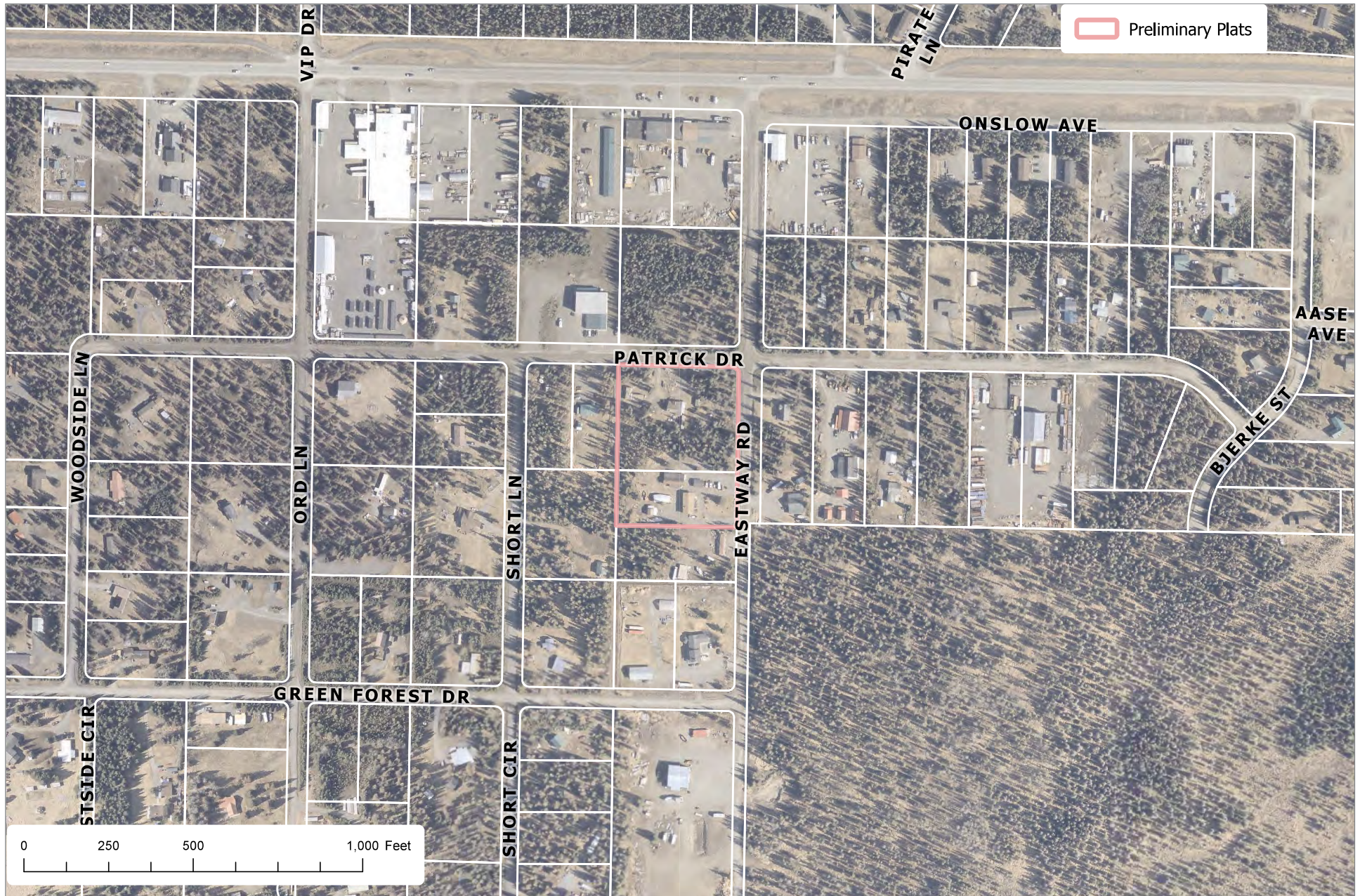
NOTE: 20.25.120. - REVIEW AND APPEAL.

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



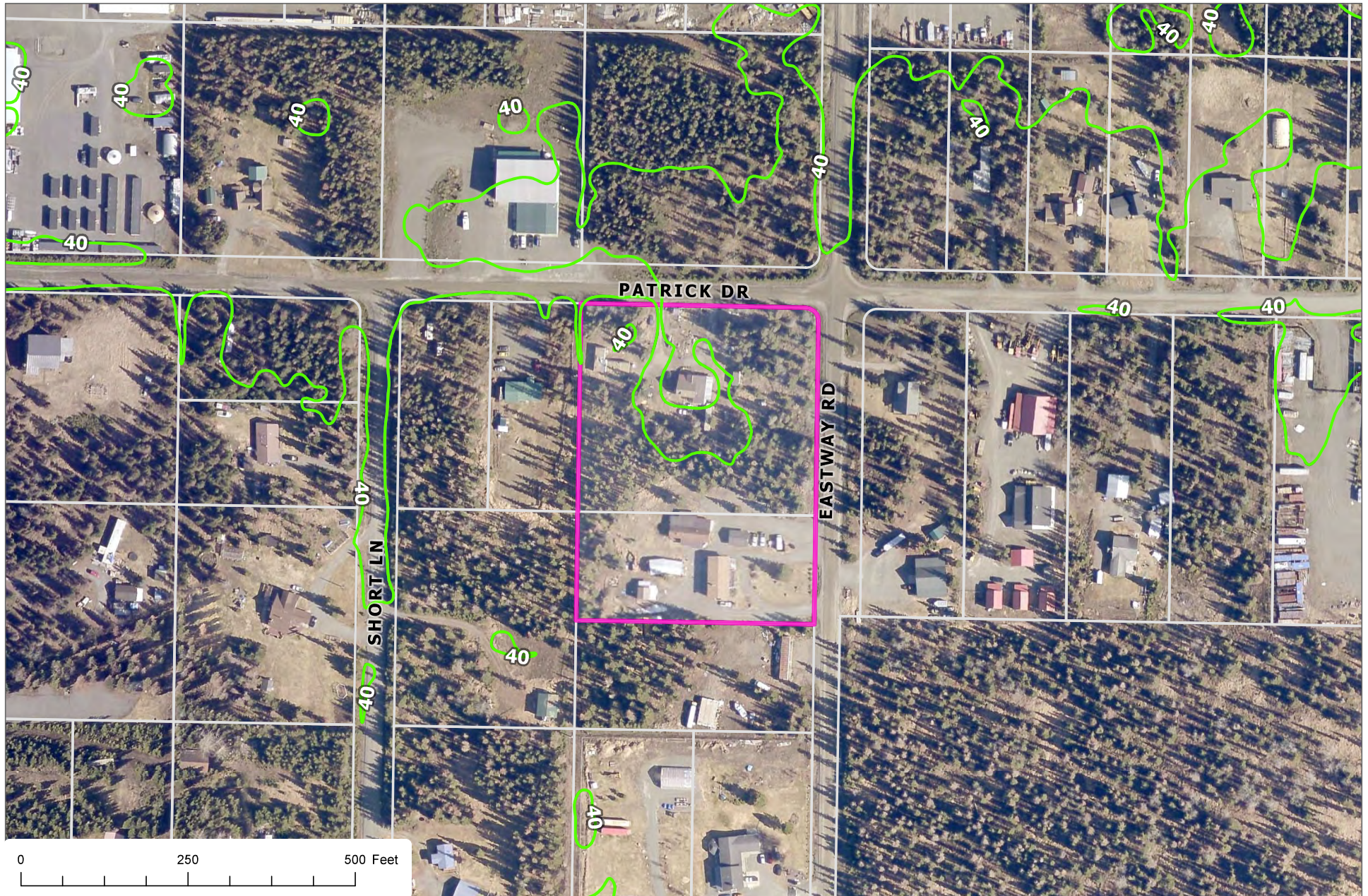
Aerial Map



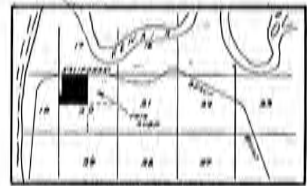
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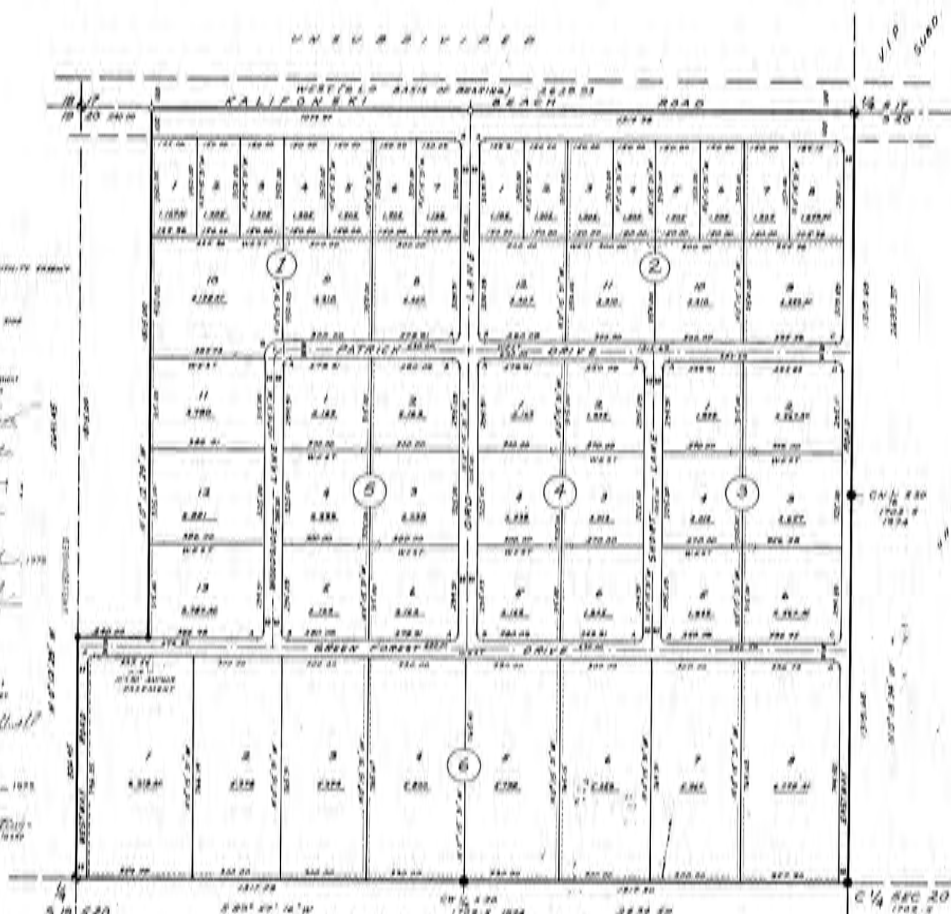
Aerial with 5-foot Contours



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VICINITY MAP
KENAI RIVER



CANCEL AND FREE

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways and/or streets dedicated by us for public use.

Date March 6, 1975
James H. Papp
 James H. Papp
 Eugene W. Rogge
Delvaan H. Lippert
 Patricia M. Rogge

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 6th day of March, 1975.
 My commission expires 6/1/76
John L. Ladd
 Notary Public for Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of said property, and request the approval of this plat showing such easements for public utilities, roadways and/or streets dedicated by me for public use.

Date 3-14-75
Dorance Colvin Shillineau
 Dorance Colvin Shillineau

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 13th day of March, 1975.
 My commission expires 11-8-75
David L. Peterson
 Notary Public for Alaska

PLAT APPROVAL

Plat approved by the Kenai Peninsula Borough Planning Commission
 This 17th Day Of March, 1975
Stanley J. Campbell
 Mayor

- ◆ SPARE CAP ANY FOUND - O.L.D.
- ◆ SPARE VALVE ANY FOUND - 14.84 E
- ◆ SPARE DAMAGED SET - SCRAPPED AS UNUSABLE
- ◆ 3/4" IRON PIPE SET
- ◆ 2" BRASS SET IN BRIDGEPIECE
- ◆ 1/2" x 3/4" BRASS SET AT ALL JWP CORNERS

CURVE DATA

STATION	Δ	LEYSON PAYMENT	
1	20.00	50°12' 21"	51.91
2	20.00	50°12' 21"	51.91
3	20.00	50°12' 21"	51.91
4	20.00	50°12' 21"	51.91
5	20.00	50°12' 21"	51.91
6	20.00	50°12' 21"	51.91

NOTE:

This plat was prepared to add ownership certificates and utility easements only, to other changes have been made.
 I have made the corrections noted above and am not responsible for the field survey or data shown on this plat.

Date Feb. 21, 1975
David L. Peterson
 Notary

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE ALL STREETS AND UTILITY EASEMENTS AS SHOWN TO PUBLIC USE.

Date 6/18/75 *Richard J. McHugh*
 RICHARD J. MCHUGH
 BOX 144, ANCHORAGE

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 18th DAY OF June, 1975.
Alvin J. ...
 NOTARY FOR ALASKA NOTARY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR AND THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME (UNLESS NOTED BELOW AS A "MAPPER PLAT"), AND THAT THE DIMENSIONS SHOWN HEREON EXIST AS INDICATED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

DATE MAY 23, 1975 SURVEYOR



PLAT APPROVAL

PLAT APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION THIS 5th DAY OF June, 1975.
Stanley J. Campbell
 AUTHORIZED OFFICIAL

LAND USE: RESIDENTIAL - TOTAL AREA 3882.74 SQ. FT.

AMENDED PLAT KENAI RIVER BRIDGE SUBDIVISION	
A SUBDIVISION OF THE SW 1/4 OF SEC 20, T12N, R21W, 2nd	
DATE OF 2D	DAVID RYAN LAND SURVEYOR
DATE OF 1D	ANCHORAGE, ALASKA
SCALE: 1" = 200'	

CONSENTATION OF OWNERSHIP AND DEDICATION
 We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision, and dedicate all right-of-ways to public use and grant all easements to the use shown.

Arturo Ruiz
 Arturo Ruiz, POB 1794, Kenai, AK 99611

Sherry L Ruiz
 Sherry L Ruiz, POB 1794, Kenai, AK 99611

86-150

RECORDED: JUN 27 1986

Kenai

DATE 6/30 1986

TIME 3:00 P.M.

WITNESSES: L. H. [unclear]

NOTARY'S ACKNOWLEDGEMENT
 Subscribed and sworn before me this 27 day of June, 1986
 for: Arturo Ruiz
 Sherry L Ruiz

Lela Greene
 Notary Public for Alaska

June 27 1988
 My Commission expires

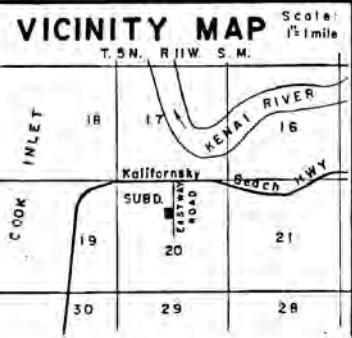
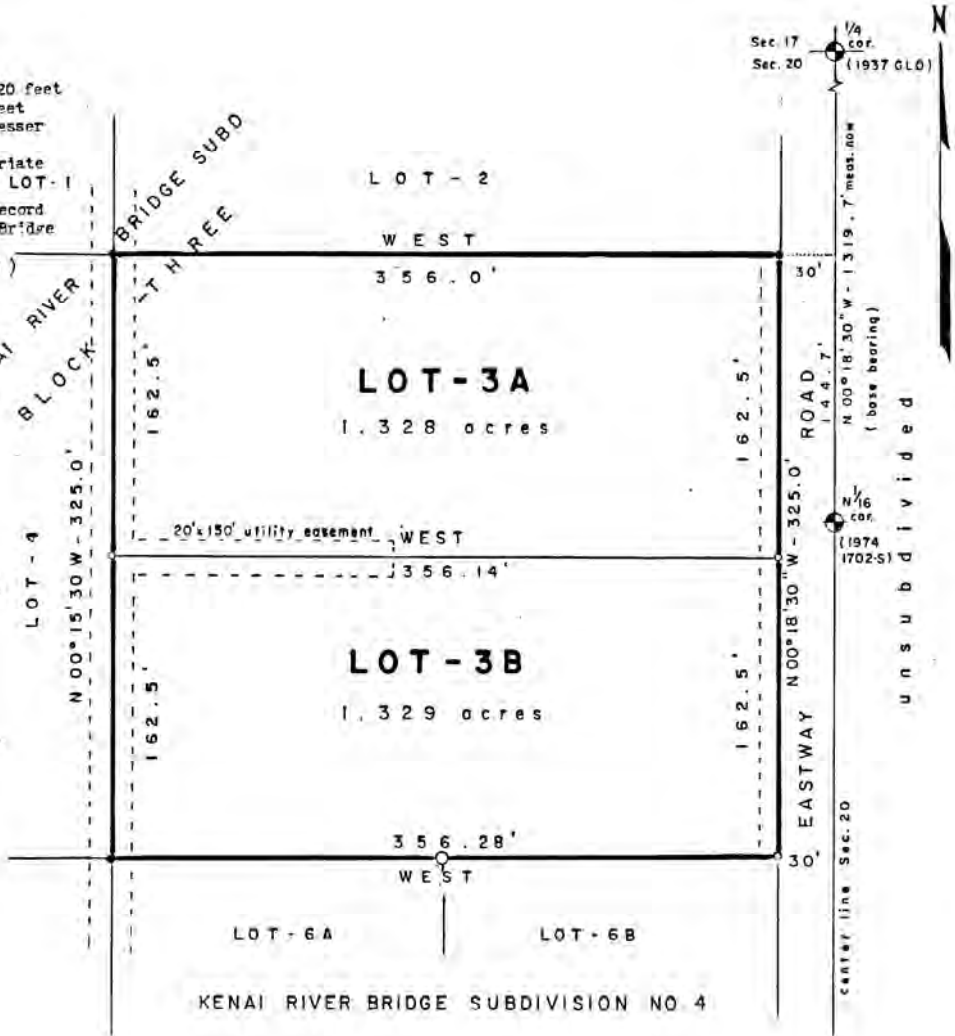


PLAT APPROVAL
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 6-5-86
 KENAI PENINSULA BOROUGH by Richard P. Teregen
 Authorized Official

NOTE: Soils 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 pressurized water system or a water-borne waste disposal system unless approval of the Alaska Department of Environmental Conservation is obtained.

- NOTES:
- A building setback of 20 feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission. LOT-1
 - Base bearing data of record from (1975) Kenai River Bridge Subdivision. (Plat 75-28 K.R.D., AK)

- LEGEND
- 2, 2 1/2" brass cap monuments found
 - 3, 1/2" rebar rod found
 - 3, 1/2" x 24" rebar rod set
 - 10' utility easement
 - 1, 5/8" rebar rod found



KENAI RIVER BRIDGE SUBDIVISION NO. 10

Comprised of 2.657 acre LOT-3 BLOCK-3 of the (1974) KENAI RIVER BRIDGE SUBDIVISION in the NE 1/4 NW 1/4, Sec. 20, T. 5N., R. 11W., S. 1M., Kenai Recording District, AK.

Owner: Arturo Ruiz, Sherry Ruiz, POB 1794 KENAI, AK

Surveyor: C.L. Parker, R.L.S. 237, POB 349, Soldotna, AK.

Drawn and Surveyed by T. Eastham, June 1986, Scale: 1" = 60'



Kenai River Bridge Subdivision 2024 Replat

Preliminary Plat

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Prepared for

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SCALE 1" = 100' AREA = 3.900 acres 22 October, 2024

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2. 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.
3. Kenai Records Deeds Book 6 Page 257 granted an electrical easement to Homer Electric Association, Inc on Former Lot 3A Block 3. This is a general easement, no definite location given.
4. Lots topography is basically flat. there are no wet areas on the property.

HEA REVIEWED - SEE COMMENTS
Scott Huff
Scott Huff 11/1/2024
Land Management Officer

Lot 10 Block 2 KR 75-28 Lot 9 Block 2 KR 75-28 Lot 26 Block 1 KR 77-59

Lot 1B Block 3 KR 2004-70

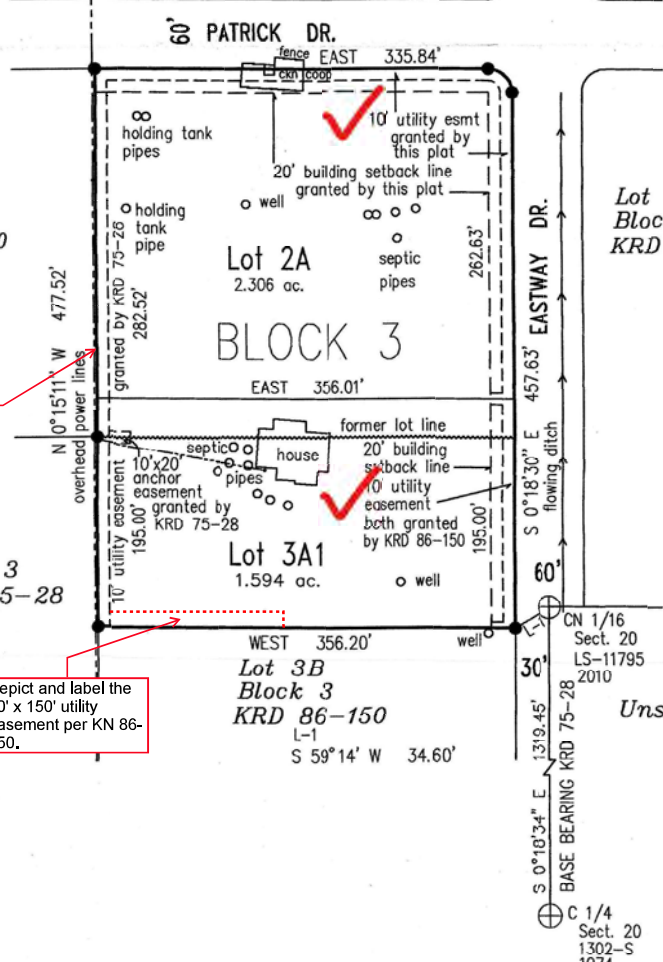
Lot 1 Block 2 KR 86-150

Lot 4 Block 3 KR 75-28

Lot 3B Block 3 KR 86-150 L-1
S 59°14' W 34.60'

Provide a label or plat note stating, "The existing overhead powerline is the centerline of 40 ft. wide electrical distribution line, including guys and anchors, granted this plat." Depict the 20 foot easement offset from the overhead electric line within this subdivision.

Depict and label the 10' x 150' utility easement per KN 86-150.



KPB 2024-118