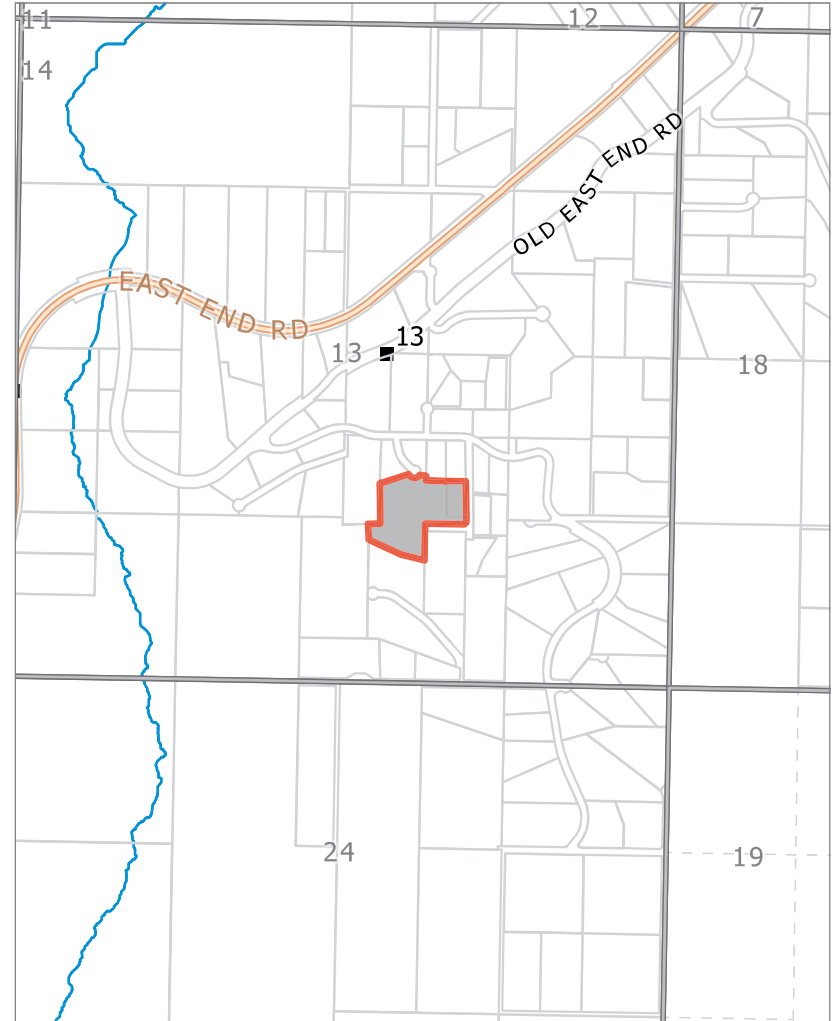
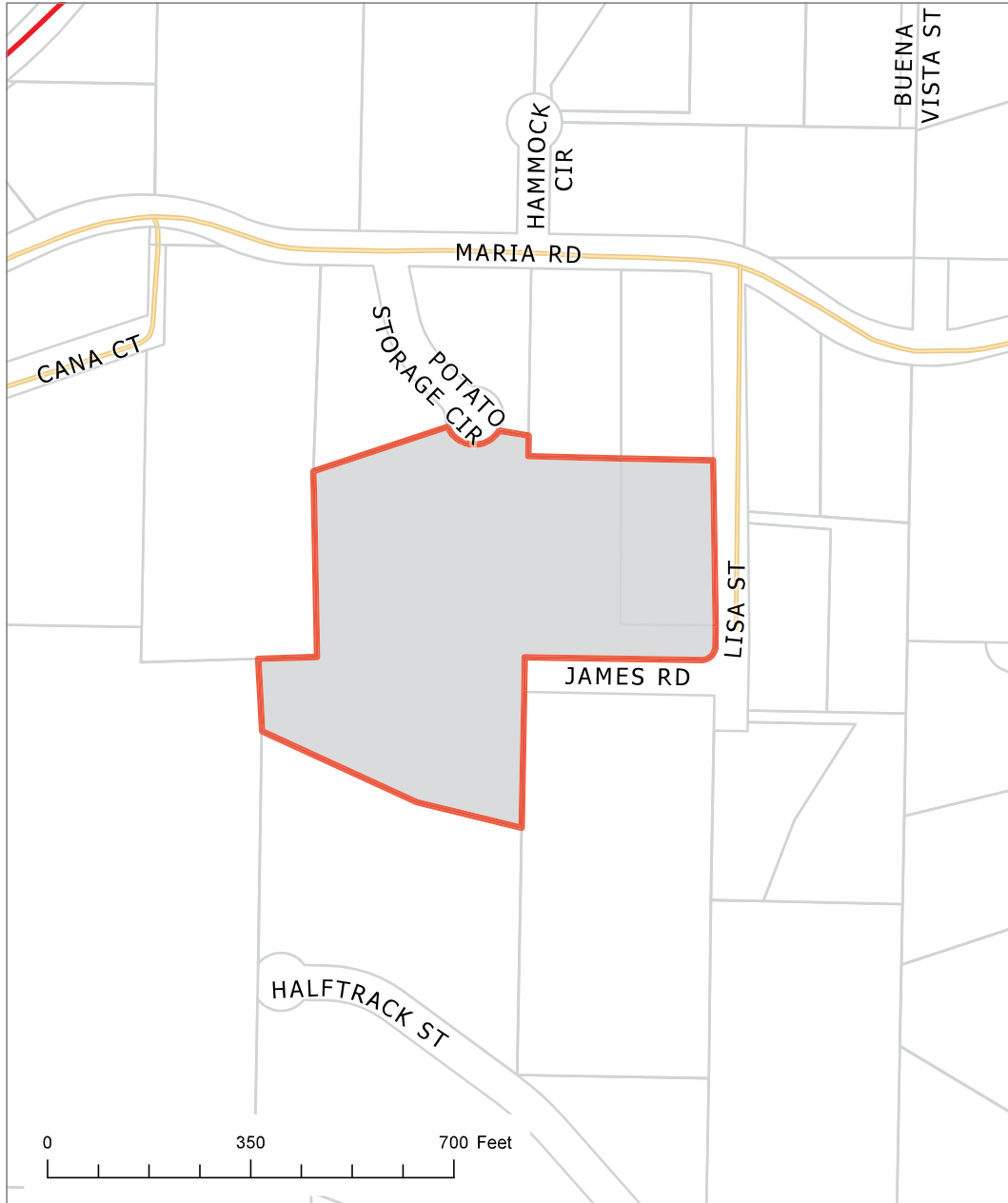


# **E. NEW BUSINESS**

**6. James 2022; KPB File 2022-161**



KPB File # 2022-161  
S13 T05S R12W  
Fritz Creek

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 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.

**LEGEND**

- Found 2-1/2" Brass Cap, 3686-S 1978
  - Found monument as noted
  - Found 2" Aluminum Cap 1060J-S, 2016
  - Found 2" Aluminum Cap as noted
  - Set 2" Aluminum Cap on 5/8" x 30" Rebar
  - Utility Pole
- ▨ Riverine per Kenai Watershed Forum 2013  
Cook Inlet Wetlands Mapping

**Plat Approval:**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_  
Kenai Peninsula Borough  
By: \_\_\_\_\_  
Authorized Official

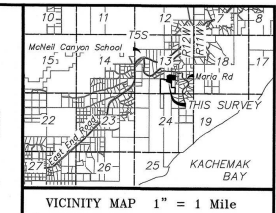
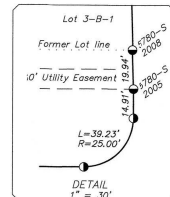
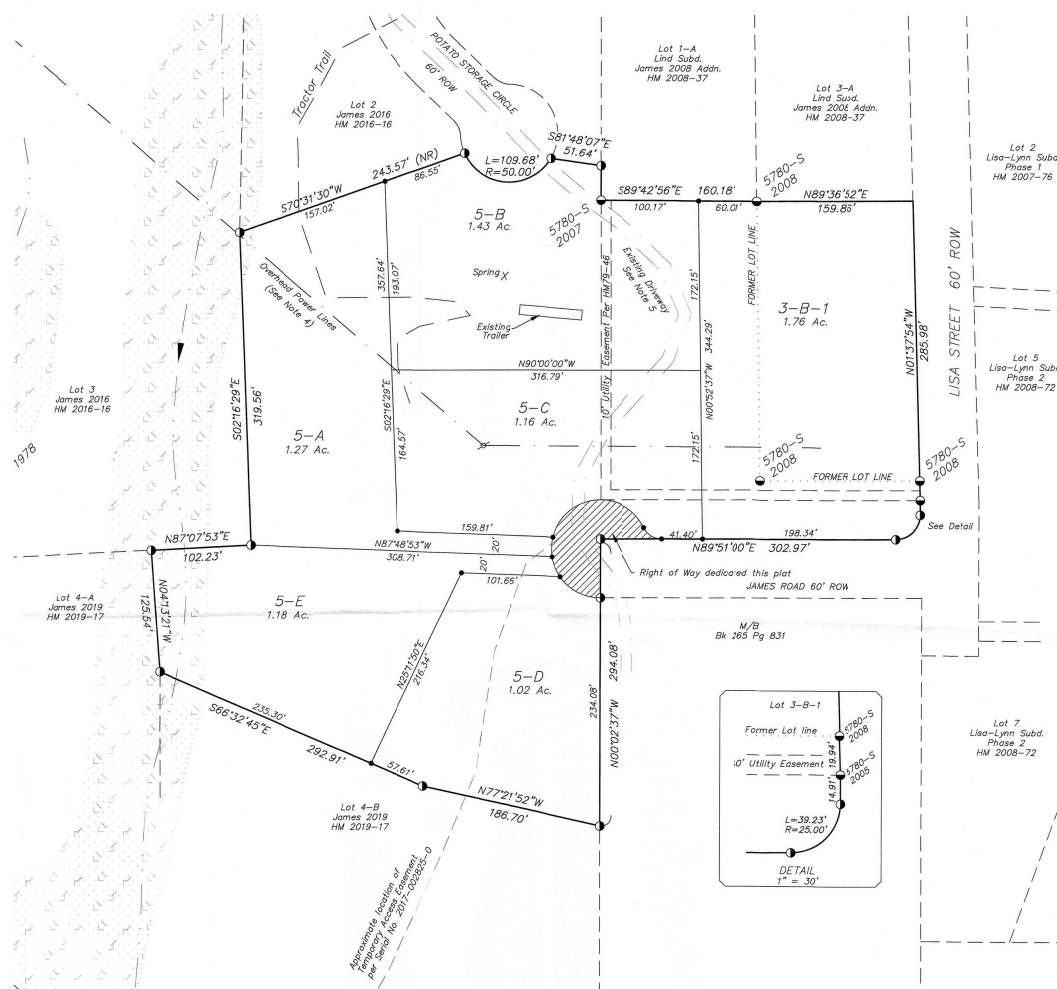
**Wastewater Certificate:**

Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a qualified engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer License # Date

**NOTES:**

1. A building setback of 20' is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission.
2. The front 15' and the entire setback within 5 ft. of side lot lines is a utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
3. Roads must meet design and construction standards established by the Borough in order to be certified for inclusion in the Borough road maintenance program.
4. Overhead power line is centerline of 20 ft. wide electrical distribution easement (Homer Electric Association).
5. 20 ft. wide ingress/egress easement centered on a portion of the existing driveway benefits the South 660 ft. of the North 760 ft. of the W 1/2 E 1/2 SW 1/4 SE 1/4 Section 13 per Bk. 265 Pg. 826 H.R.D.
6. Any person developing this property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.



**Ownership Certificate:**  
We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Jesse R. James  
690 E Meadowhurst Drive  
Saint Marys, ID 83861  
for former Lot 3

**Notary's Acknowledgment:**

For Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public for Alaska  
My commission expires: \_\_\_\_\_

Emily Robert Rogers  
PO Box 2763  
Homer, AK 99603  
for former Lot 3-B

**Notary's Acknowledgment:**

For Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public for Alaska  
My commission expires: \_\_\_\_\_

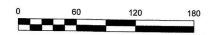
Jeremy Clayton Rogers  
PO Box 2783  
Homer, AK 99603  
for former Lot 3-B

**Notary's Acknowledgment:**

For Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public for Alaska  
My commission expires: \_\_\_\_\_

PRELIMINARY



**JAMES 2022**  
A SUBDIVISION OF  
Lot 5 James 2019, HM2019-39 and  
Lot 3-B Lind Subdivision, James 2008 Addition HM 2008-37  
T.55, #121W, S.M. Alaska  
Kenai Peninsula Borough, Homer Recording District  
Third Judicial District, Alaska  
Containing 7.896 Acres

Prepared for: Jesse James, 690 Meadowhurst Drive Saint Marys ID 83861	Prepared by: Orion Surveys PO Box 15025, 36570 Maria Road, Fritz Creek, AK 99603 (907) 859-7028 tom@orionsurveys.com
Emily and Clayton Rogers PO Box 2783 Homer, AK 99603	Date: 7/27/2022
Scale: 1"=60'	FB: 10-11 Job# 944 KPB File No. 2022

**KPB 2022-161**



PRELIMINARY

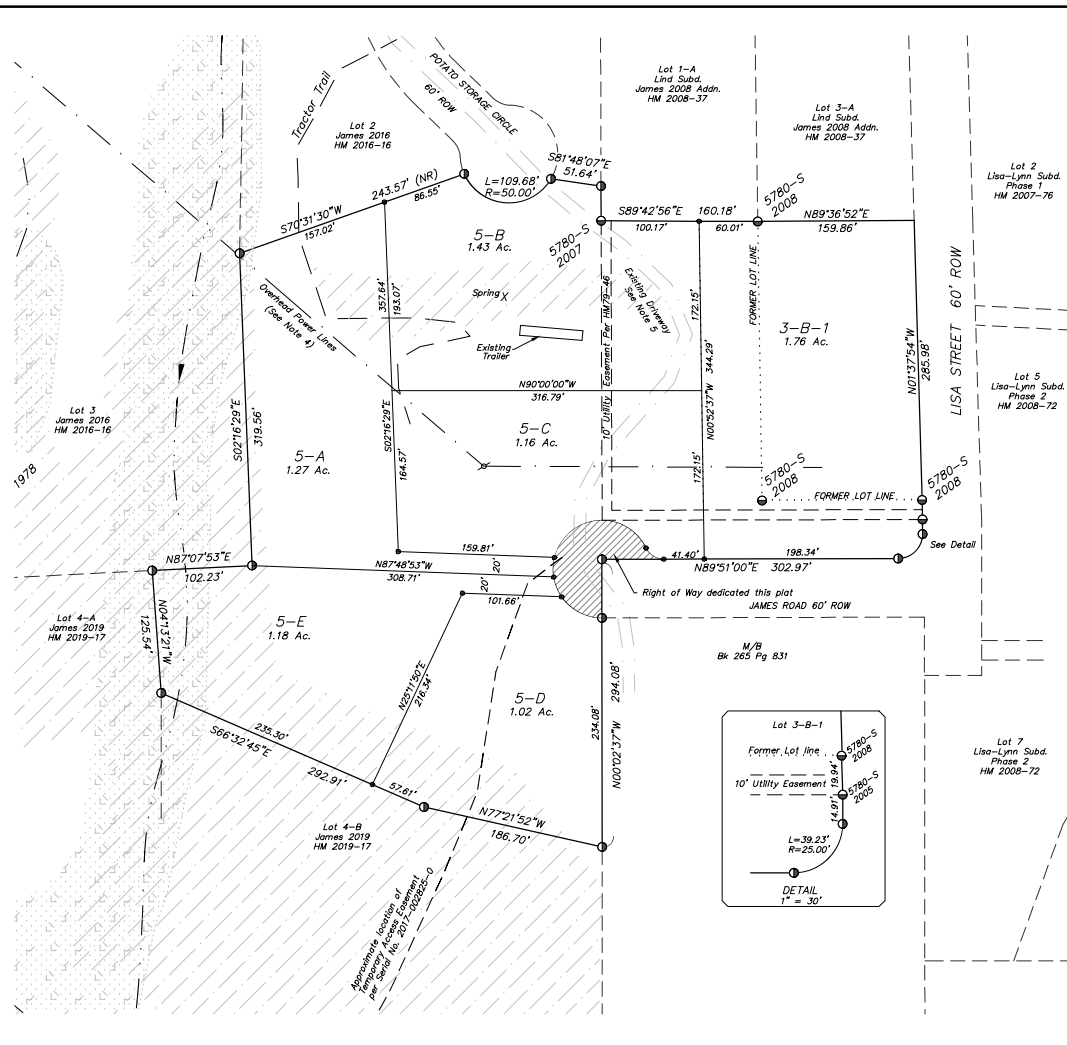
- LEGEND**
- Found 2-1/2" Brass Cap, 3686-S 1978
  - Found monument as noted
  - Found 2" Aluminum Cap 10603-S, 2016
  - Found 2" Aluminum Cap as noted
  - Set 2" Aluminum Cap on 5/8" x 30" Rebar
  - Utility Pole
  - Riverline per Kenai Watershed Forum 2013 Cook Inlet Wetlands Mapping
  - Slopes in excess of 20%

**Plat Approval:**  
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_  
 Kenai Peninsula Borough  
 By: \_\_\_\_\_  
 Authorized Official

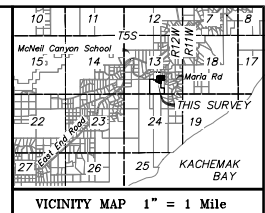
**Wastewater Certificate:**  
 Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a qualified engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer License # Date

- NOTES:**
1. A building setback of 20' is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission.
  2. The front 15' and the entire setback within 5 ft. of side lot lines is a utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
  3. Roads must meet design and construction standards established by the Borough in order to be certified for inclusion in the Borough road maintenance program.
  4. Overhead power-line is centerline of 20 ft. wide electrical distribution easement (Homer Electric Association).
  5. 20 ft. wide ingress/egress easement centered on a portion of the existing driveway benefits the South 560 ft. of the North 760 ft. of the W 1/2 E 1/2 SW 1/4 SE 1/4 Section 13 per Bk. 265 Pg. 826 H.R.D.
  6. Any person developing this property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.



PRELIMINARY



**Ownership Certificate:**  
 We hereby certify that we are the owners of the real property shown and described hereon and that we hereby submit this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Jesse R. James  
 690 E Meadowhurst Drive  
 Saint Maries, ID 83861  
 For former Lot 5

**Notary's Acknowledgement:**  
 For Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public for Alaska  
 My commission expires: \_\_\_\_\_

Emily Robert Rogers  
 PO Box 2783  
 Homer, AK 99603  
 For former Lot 5-B

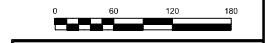
**Notary's Acknowledgement:**  
 For Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public for Alaska  
 My commission expires: \_\_\_\_\_

Jeremy Clayton Rogers  
 PO Box 2783  
 Homer, AK 99603  
 For former Lot 3-B

**Notary's Acknowledgement:**  
 For Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Notary Public for Alaska  
 My commission expires: \_\_\_\_\_



<b>KAS 2022</b>	
A SUBDIVISION OF Lot 5 James 2019, HM2019-39 and Lot 3-B Lind Subdivision, James 2008 Addition HM 2008-37 T5S, R12W, S4E, Alaska Kenai Peninsula Borough, Homer Recording District Third Judicial District, Alaska Containing 7.895 Acres	
Prepared for: Jesse James, 690 Meadowhurst Drive Saint Maries ID 83861	Prepared by: Orion Surveys PO Box 15025, 36570 Maria Road, Fritz Creek, AK 99603 (907) 399-7028 tom@orionsurveys.com
Emily and Clayton Rogers PO Box 2783 Homer, AK 99603	Date: 7/27/2022
Scale: 1"=60'	Job # 944
FB: 10-11	KPB File No. 2022

KPB 2022-161



PRELIMINARY

ITEM 6 – JAMES 2022

<b>KPB File No.</b>	2022-161
<b>Plat Committee Meeting:</b>	November 14, 2022
<b>Applicant / Owner:</b>	Jesse James of Saint Maries, Idaho and Emily and Jeremy Rogers of Homer, Alaska
<b>Surveyor:</b>	Tom Latimer / Orion Surveys
<b>General Location:</b>	Potato Storage Circle, Lisa Street, James Road, Fritz Creek

<b>Parent Parcel No.:</b>	172-310-31 and 172-310-50
<b>Legal Description:</b>	Lot 5 James 2017, HM 2018-24 and Lot 3-B Lind Subdivision James 2008 Addition, HM 2008-37
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	On Site

STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat will reconfigure two lots into six lots and dedicate a cul-de-sac bulb at the end of a right-of-way. The new lots will vary from 1.02 acres to 1.76 acres.

**Location and Legal Access (existing and proposed):** The proposed plat is near mile 12 of State maintained East End Road. The subdivision is accessed off State maintained Old East End Road that provides a loop connection to East End Road. Off Old East End Road is borough maintained Maria Road. Potato Storage Circle is a cul-de-sac right-of-way off Maria Road that provides access to the northwest portion of the subdivision. Potato Storage Circle has an existing travelway but it is not borough maintained. The southern and eastern portions of the subdivision front along Lisa Street and James Road. Lisa Street is constructed with the majority maintained by the borough. It does not appear that James Road is constructed. This plat is proposing to dedicate a cul-de-sac bulb at the end of James Road.

The existing travelway within Potato Storage Circle has a recorded easement in place and the travelway continues through portions of this subdivision and loops back to James Road. The driveway is noted with a plat note. **Staff recommends that the label or plat note contain "private easement".**

Potato Storage Circle will provide dedicated access to Lot 5-B. Lots 5-A, 5-C thru 5-E. Lot 3-B-1 will have access from James Road or Lisa Street.

Lot 3-B has existing access from Lisa Street. The other portions of the subdivision appear to be accessed from Potato Storage Circle and the existing driveway.

Due to the terrain in the area, the block is not compliant. West of the subdivision are steep slopes that make it difficult to continue James Road to the west. The other rights-of-way in the area end with cul-de-sac bulbs with limited connectivity. James 2017, Plat HM 2018-24, received an exception to block length. **Staff recommends the plat committee concur that an exception to block length is not required due to terrain restraints, lack of connectivity, and existing improvements.**

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	No comments - Engineering

**Site Investigation:** A separate copy of the preliminary plat was supplied that indicates slopes greater than 20 percent. There are areas within the northern portion as well as the southwest. The existing driveway runs along the edge of the steep contours so while the slopes split Lot 5-B, both areas will be able to be accessed. The slopes in the southwest are contiguous and contained within the southern portion. **Staff recommends the contours and slopes may be removed from the final plat.**

The preliminary plat indicates wet lands within the southwest area. The area is minimal and a wetland determination plat note is present. **Staff recommends the wetlands be depicted on the final with the plat note remaining, the depiction should stand out more.**

There are numerous items appearing on KPB Imagery. It does appear that the majority of the items are not permanent. There was a Quonset hut noted on James 2016 and James 2017. James 2016, Plat HM 2016-16, dedicated James Road and the structure existed prior to the creation of the setbacks. 15 foot utility easements were also created but did not specify if the building encroached into the utility easement. **Staff recommends the structure be depicted on the plat with plat note 3 of James 2016, Plat HM 2016-16, being carried over onto the plat but reworded to include the utility easement if encroaching.**

The plat proposes a dedication of a cul-de-sac at the end of James Road. The status of items on the property need to be verified to determine if any are permanent. If there will be any within the new dedication, it will need to be addressed prior to finalization as the plat cannot be creating an encroachment into a borough dedication. If any structures are located within the new setback or utility easements along the cul-de-sac bulb, they will require disclosure on the plat with appropriate plat notes added.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy 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> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No comment

**Staff Analysis** This is a proposed replat of lands that have been replatted numerous times. The proposal will create six lots. The owners of Lot 3-B are working with a bank to allow the change in their property lines. The surveyor noted that if they are unable to get a release, the owners of Lot 5 will continue with their plan and the land being added to Lot 3-B will go to Lots 5-B and 5-C. That design would be considered minor to not require a return to the planning commission for review unless exceptions will be required. It will result in an odd shape for Lot 5-C including a panhandle to Lisa Street.

An X appears within Lot 5-B with a label “Spring”. Staff is unsure of the significance of this depiction unless it relates to one of the many easements within the property. **Staff recommends if the spring is for locations of an easement or water right it may be shown but must refer to a plat note indicating the significance, otherwise it should be removed.**

A soils report will be required and an engineer will sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on October 25, 2022. 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 certificate to plat contains many easements, covenants, and agreements. A few of them are shown and listed on the preliminary plat but many were missing. **Staff recommends all easements shall be noted, depicted if descriptions provided, and all required plat notes be added.**

The property is within Kachemak Bay advisory planning commission, which is currently inactive.

**Utility Easements** There are easements granted by previous plats. The easement created by Lind Subdivision, Plat HM 79-46 is depicted. Lind Subdivision-James 2006 Addition, Plat HM 2007-129, granted 10 foot utility easements along Lisa Street that increased to 20 feet within 5 feet of the side lot lines. The plat also depicted an overhead powerline and plat note 6 indicated it was center of a 20 foot utility easement. James 2016, Plat HM 2016-16, granted 15 foot utility easements adjacent to Potato Storage Circle and James Road that increase to 20 feet within 5 feet of the side lot lines. **Staff recommends the utility easements adjacent to rights-of-way be depicted but if unable due to scale restraints, a typical detail will be required.**

The power line shown on the preliminary plat with a reference to a plat note should be verified if the same line as shown on Plat HM 2007-129. It refers to plat note 4 and HEA had a comment to grant 30 foot easement by this plat. The surveyor/owner should verify if this is a new easement or just additional width being granted. **Staff recommends depict and note existing utility easement and new easements being requested, if this is adding width add to the note the plat granting 20 feet and add that additional 10 feet will be granted by this plat.**

There are many recorded easements that need to be depicted if necessary. Some of the easements are for or to utility providers. **Staff recommends plat notes be added with recording information for all easements, if location is known it shall be depicted, and if unknown state "no definite location disclosed."**

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	Depict and label the 15 foot wide electric easement of record as recorded under serial no. 2018-002989-0 HRD. Update plat note 4. Provide a label or plat note stating, "The existing overhead powerline is the centerline of a 30 foot wide electrical easement, including guys and anchors, granted this plat." Depict and label the remaining overhead primary electric line on the final plat.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown (noted title block correction)

**KPB department / agency review:**

Addressing	Reviewer: Haws, Derek Affected Addresses: 36715 LISA ST  Existing Street Names are Correct: Yes  List of Correct Street Names:
------------	--



	POTATO STORAGE CIR JAMES RD LISA ST  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:  Comments: 36715 LISA ST will remain with lot 3-B-1.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
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	Reviewer: Windsor, Heather Comments: No comment

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

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

*Provide a lot or tract label for each lot.*

**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:** *The parent subdivision name for Lot 5 needs to be corrected. The section needs to be added to the location. Update the owners' names and addresses to match the CTP and Assessing records.*

- 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:** *The lot east of Potato Storage Circle needs to be labeled. The flag lots shown east of Lisa Street should be labeled.*

---

### **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.*

#### 20.30.240. Building setbacks.

A. A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.

A. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

B. The setback shall be noted on the plat in the following format:  
Building setback- A setback of 20 feet is required from all dedicated street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission.

C. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:  
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

**Staff recommendation:** *Depict on the drawing or a typical detail should be added.*

---

### **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: Soils report will be required and verify the correct wastewater notes are present.*

**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.*

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

**Staff recommendation:** *An acceptance to be signed by the Borough must be added.*

#### 20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats)

as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

**Staff recommendation:** Place the following notes on the plat.

- Add a note for any exceptions granted.
- There are numerous easements and covenants and restrictions within the Certificate to Plat. They must all be noted and depicted if possible.
- Add code to plat note 3, "(KPB 14.06)".
- Plat note 4 should note the creation of the easement either by plat number or recorded document. If a new easement include "granted by this plat."
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- Although the depiction refers to the plat note, make it clear either in the plat note or with the label that it is a "private driveway" or "private easement".
- If there are structures within the setbacks that predate the creation they must be depicted with appropriate plat notes added regarding their status.
- No structures are permitted within the panhandle portion of the flag lot(s).

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** Verify owners' names match the deeds/certificate to plat. Verify which state the owners will be signing in and update or leave state blank in notary's acknowledgement. Comply with 20.60.190.

#### **EXCEPTIONS REQUESTED:**

#### **KPB 20.30.190(B) – Lots-Dimensions** (Length of flag for Lot 5A)

**Surveyor's Discussion:** The lot as shown is governed by wanting to have the east and west lines parallel and to keep certain areas of ground on their own lots.

**Staff Discussion:** The current design includes two flag lots. The panhandle for Lot 5A does not comply with KPB Code. The intent is for access portions exceeding 150 feet to be 60 feet wide to provide enough area if a right-of-way is later needed in that area.

#### **Surveyor's Findings:**

1. The flag portion of the lot traverses nearly level ground.
2. As requested the flag is only 9 feet longer than code.
3. Attempts to bring the flag into compliance may place lot lines in unwanted locations.

#### **Staff's Findings:**

4. KPB Code requires the access portion of a flag that is less than 60 feet wide to not exceed 150 feet in length.
5. Lot 5-A has a 20 foot wide access portion.
6. Lot 5-A is proposed to have an access portion of 159.81 feet in length.
7. The access portion for Lot 5-A will abut the access portion for Lot 5-E.
8. The access portion of Lot 5-E is 20 feet wide and compliant in length.
9. Requiring a wider access portion for Lot 5-A would impact the acreage for the neighboring lots.
10. There are existing driveways and travelways throughout the property.
11. There are some improvements within the subdivision.
12. Extending James Road further to the west and then dedicating the cul-de-sac could print the flag length into compliance.
13. Extending James Road will require additional dedications that will reduce acreage for the neighboring lots.
14. Lot sizes and terrain to the west make the need for a continuation of right-of-way atop the panhandles unlikely.
15. Limitations on future development may occur.

Denial of the exception will require a redesign to bring the access portion of Lot 5-A into compliance.

Staff reviewed the exception request and recommends granting approval subject to a plat note as outlined in KPB Code 20.30.190(B).

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, 7, 9-11, and 13-14 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, 7, 9-11, and 13-14 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 1-3, 7, 9-11, and 13-14 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: 20.25.120. - REVIEW AND APPEAL.**

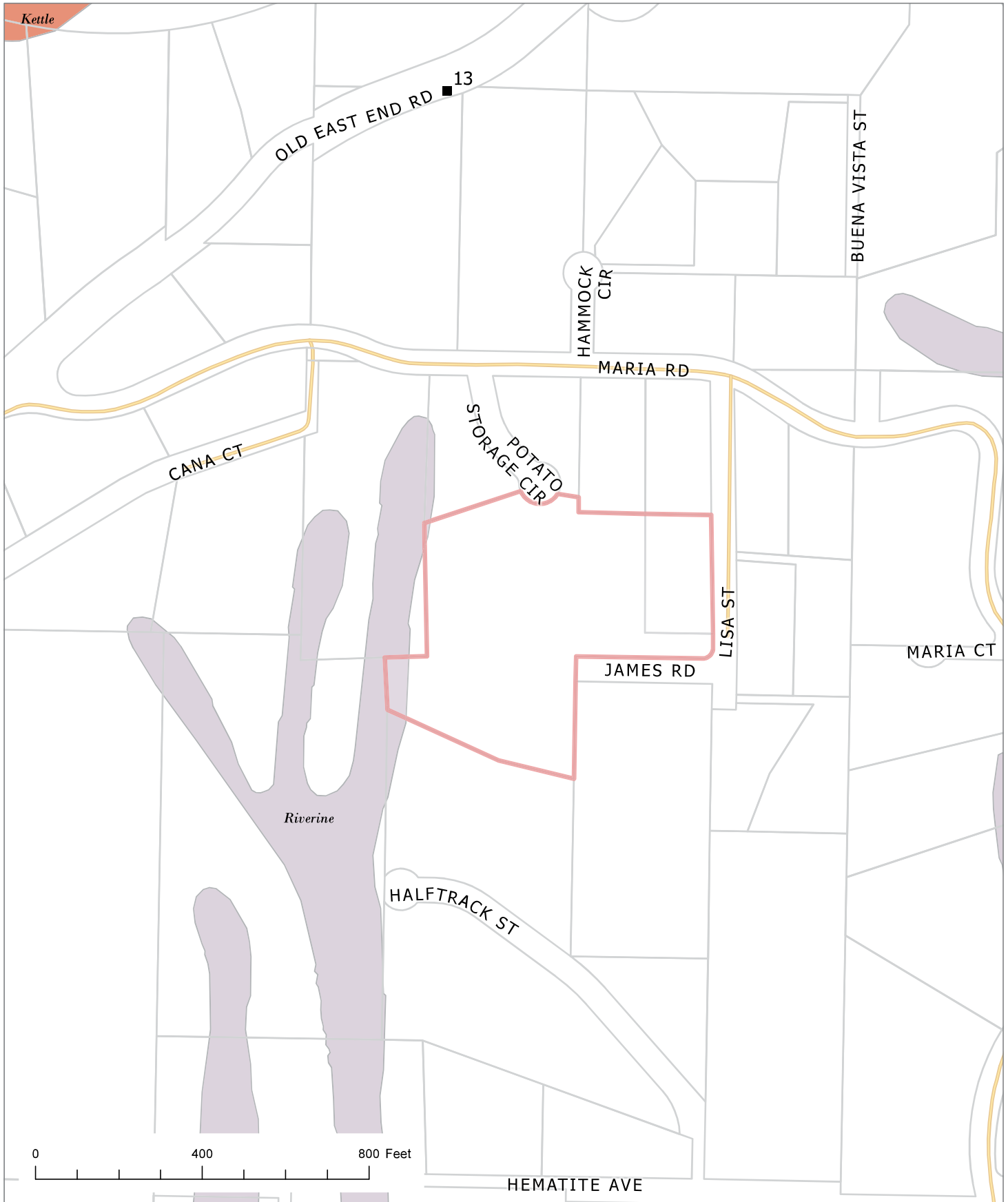
**A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.**

**A DECISION OF THE PLANNING 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.**

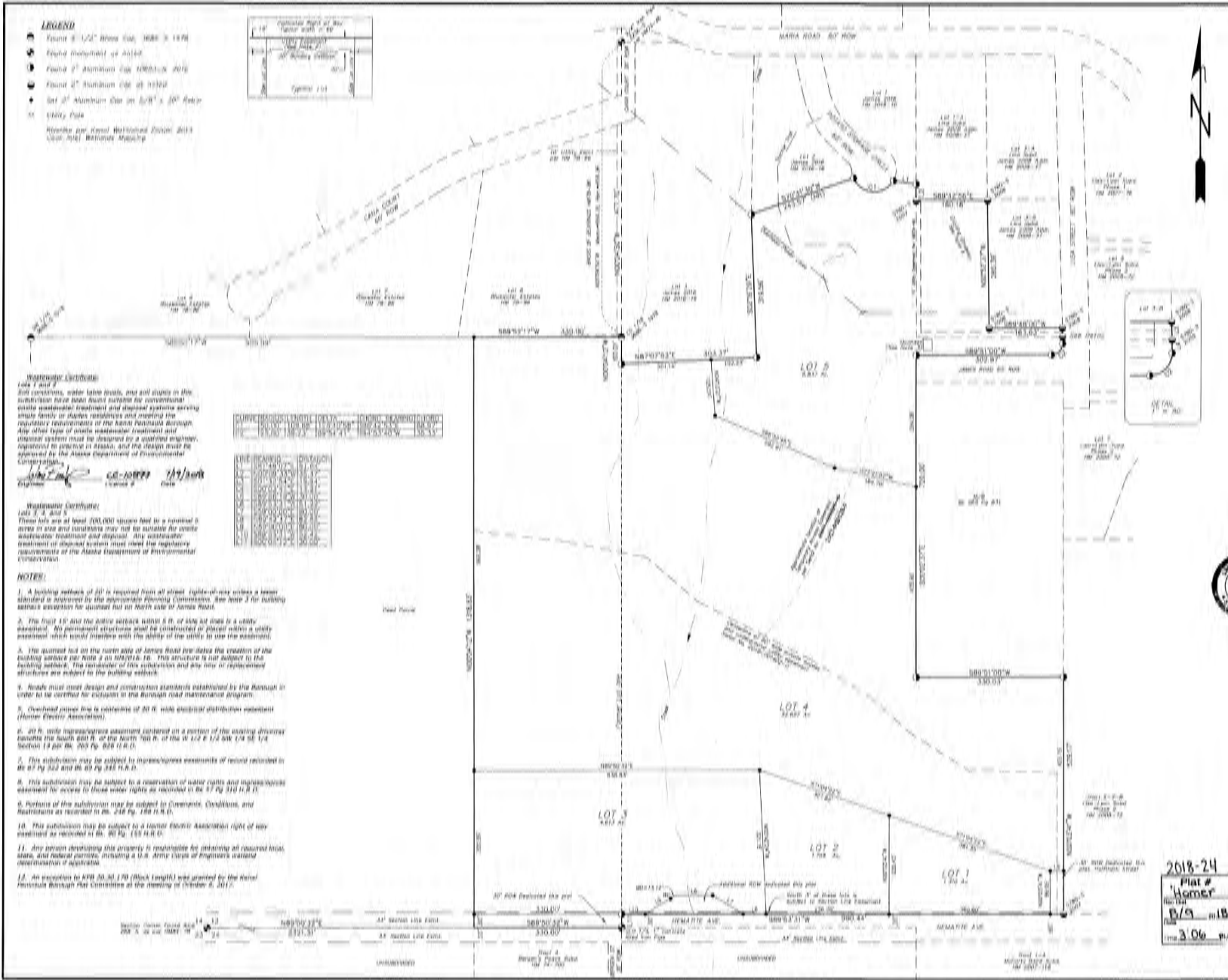
**END OF STAFF REPORT**



Wetlands



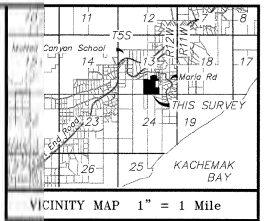
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



**LEGEND**

- Point 1/4" Brass Cap, H&B 3 1976
- Point 1/4" Aluminum Cap 1976
- Point 3" Aluminum Cap 1981/82/83
- Point 2" Aluminum Cap 1976
- Set 3" Aluminum Cap on 1/2" x 30" Rebar
- Utility Pole

Horizontal and Vertical Curves 2013  
 Code: 101 National Manual



**Ownership Certificate:**  
 We hereby certify that we are the owners of the real property shown and described herein and that we hereby grant the plan of subdivision and by our free consent authorize all rights-of-way to public use and grant all easements to the use shown.

**Notary Public for Alaska**  
 My commission expires 6-19-19

**Notary's Acknowledgment:**  
 I, James H. James, do hereby acknowledge before me this 23 day of July, 2018.

**Notary Public for Alaska**  
 My commission expires 6-19-19

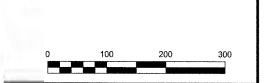
**Notary's Acknowledgment:**  
 I, Thomas A. Lathier, do hereby acknowledge before me this 23 day of July, 2018.

**Notary Public for Alaska**  
 My commission expires 6-19-19

**Notary Public**  
 State of Alaska  
 Thomas A. Lathier  
 7/9/2018  
 Notary Public

**Final Approval:**  
 This plan was approved by the Kenai Peninsula Borough Planning Commission at the meeting of July 9, 2018.

Kenai Peninsula Borough  
 Authorized Official



**JAMES 2017**  
 A SUBDIVISION  
 Tract A-1 James 2016, HM2016-16, and East 330' of S21/4 SW1/4 Section 13 T.5S., R.22W., S.4M, Alaska  
 Kenai Peninsula Borough, Homer Recording District  
 Third Judicial District, Alaska  
 Containing 37.395 Acres

Drawn by: Orion Surveys  
 P.L. No. 253  
 Homer, AK 99603  
 (907) 399-9226  
 tom@orionsurveys.com

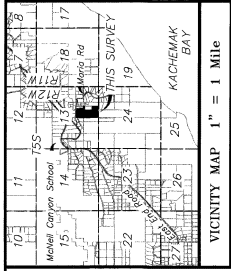
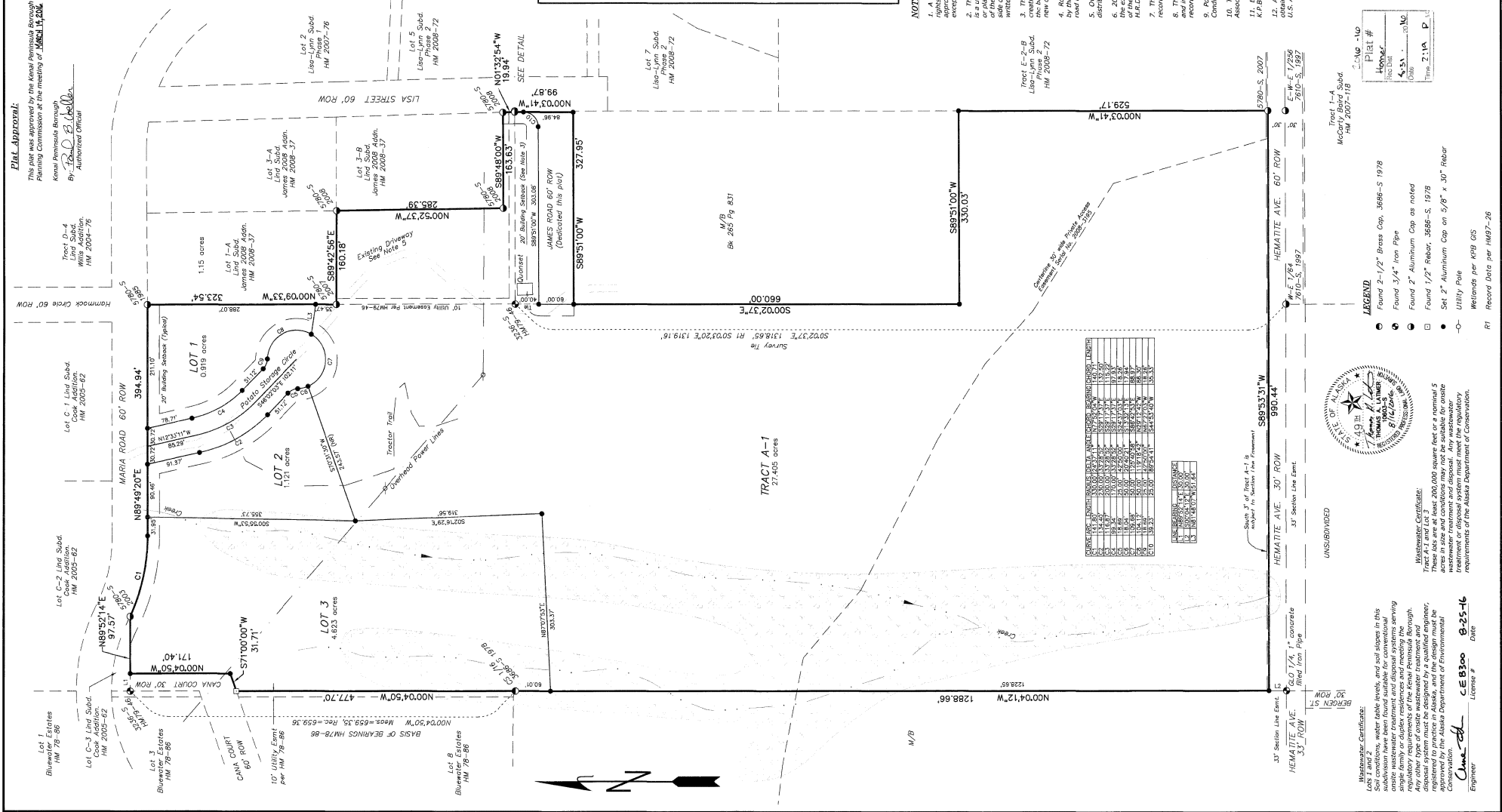
Prepared by:  
 Orion Surveys  
 PO Box 15025  
 36570 Maria Road,  
 Fritz Creek, AK 99603  
 (907) 399-9226  
 tom@orionsurveys.com

Date: 7/11/2018  
 Scale: 1"=100'  
 Job# 554  
 1/1

**Wastewater Certificate:**  
 Lots 1, 2, 3, and 4  
 Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a qualified engineer, registered in practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

**Wastewater Certificate:**  
 Lots 1, 2, 3, and 4  
 These lots are at least (10,000) gallons per day to a minimum 6 inches in size and conditions 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.

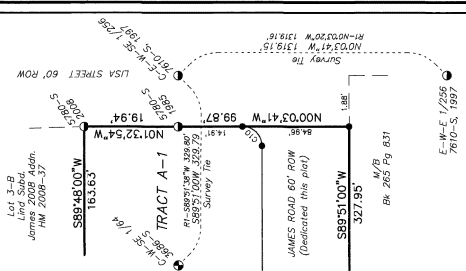
- NOTES:**
1. A building setback of 20' is required from all street rights-of-way unless a lesser setback is approved by the appropriate Planning Commission. See Note 3 for building setback exceptions for unusual full or partial lots.
  2. The front 15' and the entire setback within 6 ft. of any lot lines is a utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
  3. The amount cut on the north side of James Road includes the creation of the building setback (see Note 1 as applicable). This structure is not subject to the building setback. The remainder of this subdivision and any new or replacement structures are subject to the building setback.
  4. Roads must meet design and construction standards established by the Borough in order to be covered for inclusion in the Borough road maintenance program.
  5. Overhead power line is subsurface of 20 ft. with electrical distribution easement (Homer Electric Association).
  6. 20 ft. wide easement easement centered on a portion of the existing driveway located the north 600 ft. of the north 700 ft. of the W 1/2 E 1/2 SW 1/4 Section 13 per AK 203 Pa. 008 (1,2).
  7. This subdivision may be subject to easements or encumbrances of record recorded in the 07 Pg 322 and 08 Pg 048 (1,2).
  8. This subdivision may be subject to a reservation of water rights and easements or easement for access to those water rights as recorded in AK 87 Pg 310 (1,2).
  9. Portions of the subdivision may be subject to Covenants, Conditions, and Restrictions as recorded in AK 218 Pg. 188 (1,2).
  10. This subdivision may be subject to a water electric Association right of way easement as recorded in AK 00 Pg. 155 (1,2).
  11. Any person developing this property is responsible for obtaining all required final, state, and federal permits including a 1-A. Any copies of engineer's signed determination of approval.
  12. An exception to APR 20.30.170 (Block Length) was granted by the Kenai Peninsula Borough Planning Commission at the meeting of 10/20/17.



**Ownership Certificate:**  
We hereby certify that we are the owners of the real property described herein and that we have the right to adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all necessary easements.

**Notary's Acknowledgment:**  
I, James R. James, Notary Public for Alaska, My commission expires 12/31/2016.

**Notary's Acknowledgment:**  
I, Brian Vercillo, Notary Public for Alaska, My commission expires 12/31/2016.



**NOTES:**

- A building setback of 20' is required from all street frontages and setbacks shall be in accordance with the appropriate Planning Commission. See Note 3 for building setback exception for quarter lot on North side of James Road.
- The front 15' and the entire setback within 5' ft. of side lot lines is a utility easement. No permanent structures shall be constructed within 5' ft. of the utility easement. The quarter lot on the North side of James Road shall be subject to ingress/egress easements of 20 ft. wide electrical distribution easement (Homer Electric Association).
- The setback on the North side of James Road, from the creation of the building setback. This structure is not subject to the building setback. The remainder of this subdivision and any new or replacement structures are subject to the building setback road maintenance program.
- Overhead power line is centerline of 20 ft. wide electrical distribution easement (Homer Electric Association).
- 20 ft. wide ingress/egress easement centered on a portion of the existing driveway benefits the South 600 ft. of the North 760 ft. of the North 1,121 ft. of the North 1,121 ft. Section 12 per Ch. 25B of the H.R.D.
- This subdivision may be subject to ingress/egress easements of record recorded in BK 67 Pg 322 and BK 69 Pg 345.
- This subdivision may be subject to a reservation of water rights and ingress/egress easement for access to those water rights as recorded in BK 37 Pg 210.
- Portions of this subdivision may be subject to Covenants, Conditions and Restrictions as recorded in BK 248 Pg 188.
- The subdivision may be subject to Covenants, Conditions and Restrictions as recorded in BK 100 Pg 155.
- Resubdivided in 1999 by 2017 (Block Length) was created by the K.P.B. Plat Committee at their meeting of March 14, 2016.
- Any person developing this property is responsible for obtaining all required local, state, and Federal permits, including U.S. Army Corps of Engineers wetland determination if applicable.

**Wastewater Certificate:**  
Lots 1 and 2, 3 and 4, 5 and 6, 7 and 8, 9 and 10, 11 and 12, 13 and 14, 15 and 16, 17 and 18, 19 and 20, 21 and 22, 23 and 24, 25 and 26, 27 and 28, 29 and 30, 31 and 32, 33 and 34, 35 and 36, 37 and 38, 39 and 40, 41 and 42, 43 and 44, 45 and 46, 47 and 48, 49 and 50, 51 and 52, 53 and 54, 55 and 56, 57 and 58, 59 and 60, 61 and 62, 63 and 64, 65 and 66, 67 and 68, 69 and 70, 71 and 72, 73 and 74, 75 and 76, 77 and 78, 79 and 80, 81 and 82, 83 and 84, 85 and 86, 87 and 88, 89 and 90, 91 and 92, 93 and 94, 95 and 96, 97 and 98, 99 and 100, 101 and 102, 103 and 104, 105 and 106, 107 and 108, 109 and 110, 111 and 112, 113 and 114, 115 and 116, 117 and 118, 119 and 120, 121 and 122, 123 and 124, 125 and 126, 127 and 128, 129 and 130, 131 and 132, 133 and 134, 135 and 136, 137 and 138, 139 and 140, 141 and 142, 143 and 144, 145 and 146, 147 and 148, 149 and 150, 151 and 152, 153 and 154, 155 and 156, 157 and 158, 159 and 160, 161 and 162, 163 and 164, 165 and 166, 167 and 168, 169 and 170, 171 and 172, 173 and 174, 175 and 176, 177 and 178, 179 and 180, 181 and 182, 183 and 184, 185 and 186, 187 and 188, 189 and 190, 191 and 192, 193 and 194, 195 and 196, 197 and 198, 199 and 200, 201 and 202, 203 and 204, 205 and 206, 207 and 208, 209 and 210, 211 and 212, 213 and 214, 215 and 216, 217 and 218, 219 and 220, 221 and 222, 223 and 224, 225 and 226, 227 and 228, 229 and 230, 231 and 232, 233 and 234, 235 and 236, 237 and 238, 239 and 240, 241 and 242, 243 and 244, 245 and 246, 247 and 248, 249 and 250, 251 and 252, 253 and 254, 255 and 256, 257 and 258, 259 and 260, 261 and 262, 263 and 264, 265 and 266, 267 and 268, 269 and 270, 271 and 272, 273 and 274, 275 and 276, 277 and 278, 279 and 280, 281 and 282, 283 and 284, 285 and 286, 287 and 288, 289 and 290, 291 and 292, 293 and 294, 295 and 296, 297 and 298, 299 and 300, 301 and 302, 303 and 304, 305 and 306, 307 and 308, 309 and 310, 311 and 312, 313 and 314, 315 and 316, 317 and 318, 319 and 320, 321 and 322, 323 and 324, 325 and 326, 327 and 328, 329 and 330, 331 and 332, 333 and 334, 335 and 336, 337 and 338, 339 and 340, 341 and 342, 343 and 344, 345 and 346, 347 and 348, 349 and 350, 351 and 352, 353 and 354, 355 and 356, 357 and 358, 359 and 360, 361 and 362, 363 and 364, 365 and 366, 367 and 368, 369 and 370, 371 and 372, 373 and 374, 375 and 376, 377 and 378, 379 and 380, 381 and 382, 383 and 384, 385 and 386, 387 and 388, 389 and 390, 391 and 392, 393 and 394, 395 and 396, 397 and 398, 399 and 400, 401 and 402, 403 and 404, 405 and 406, 407 and 408, 409 and 410, 411 and 412, 413 and 414, 415 and 416, 417 and 418, 419 and 420, 421 and 422, 423 and 424, 425 and 426, 427 and 428, 429 and 430, 431 and 432, 433 and 434, 435 and 436, 437 and 438, 439 and 440, 441 and 442, 443 and 444, 445 and 446, 447 and 448, 449 and 450, 451 and 452, 453 and 454, 455 and 456, 457 and 458, 459 and 460, 461 and 462, 463 and 464, 465 and 466, 467 and 468, 469 and 470, 471 and 472, 473 and 474, 475 and 476, 477 and 478, 479 and 480, 481 and 482, 483 and 484, 485 and 486, 487 and 488, 489 and 490, 491 and 492, 493 and 494, 495 and 496, 497 and 498, 499 and 500, 501 and 502, 503 and 504, 505 and 506, 507 and 508, 509 and 510, 511 and 512, 513 and 514, 515 and 516, 517 and 518, 519 and 520, 521 and 522, 523 and 524, 525 and 526, 527 and 528, 529 and 530, 531 and 532, 533 and 534, 535 and 536, 537 and 538, 539 and 540, 541 and 542, 543 and 544, 545 and 546, 547 and 548, 549 and 550, 551 and 552, 553 and 554, 555 and 556, 557 and 558, 559 and 560, 561 and 562, 563 and 564, 565 and 566, 567 and 568, 569 and 570, 571 and 572, 573 and 574, 575 and 576, 577 and 578, 579 and 580, 581 and 582, 583 and 584, 585 and 586, 587 and 588, 589 and 590, 591 and 592, 593 and 594, 595 and 596, 597 and 598, 599 and 600, 601 and 602, 603 and 604, 605 and 606, 607 and 608, 609 and 610, 611 and 612, 613 and 614, 615 and 616, 617 and 618, 619 and 620, 621 and 622, 623 and 624, 625 and 626, 627 and 628, 629 and 630, 631 and 632, 633 and 634, 635 and 636, 637 and 638, 639 and 640, 641 and 642, 643 and 644, 645 and 646, 647 and 648, 649 and 650, 651 and 652, 653 and 654, 655 and 656, 657 and 658, 659 and 660, 661 and 662, 663 and 664, 665 and 666, 667 and 668, 669 and 670, 671 and 672, 673 and 674, 675 and 676, 677 and 678, 679 and 680, 681 and 682, 683 and 684, 685 and 686, 687 and 688, 689 and 690, 691 and 692, 693 and 694, 695 and 696, 697 and 698, 699 and 700, 701 and 702, 703 and 704, 705 and 706, 707 and 708, 709 and 710, 711 and 712, 713 and 714, 715 and 716, 717 and 718, 719 and 720, 721 and 722, 723 and 724, 725 and 726, 727 and 728, 729 and 730, 731 and 732, 733 and 734, 735 and 736, 737 and 738, 739 and 740, 741 and 742, 743 and 744, 745 and 746, 747 and 748, 749 and 750, 751 and 752, 753 and 754, 755 and 756, 757 and 758, 759 and 760, 761 and 762, 763 and 764, 765 and 766, 767 and 768, 769 and 770, 771 and 772, 773 and 774, 775 and 776, 777 and 778, 779 and 780, 781 and 782, 783 and 784, 785 and 786, 787 and 788, 789 and 790, 791 and 792, 793 and 794, 795 and 796, 797 and 798, 799 and 800, 801 and 802, 803 and 804, 805 and 806, 807 and 808, 809 and 810, 811 and 812, 813 and 814, 815 and 816, 817 and 818, 819 and 820, 821 and 822, 823 and 824, 825 and 826, 827 and 828, 829 and 830, 831 and 832, 833 and 834, 835 and 836, 837 and 838, 839 and 840, 841 and 842, 843 and 844, 845 and 846, 847 and 848, 849 and 850, 851 and 852, 853 and 854, 855 and 856, 857 and 858, 859 and 860, 861 and 862, 863 and 864, 865 and 866, 867 and 868, 869 and 870, 871 and 872, 873 and 874, 875 and 876, 877 and 878, 879 and 880, 881 and 882, 883 and 884, 885 and 886, 887 and 888, 889 and 890, 891 and 892, 893 and 894, 895 and 896, 897 and 898, 899 and 900, 901 and 902, 903 and 904, 905 and 906, 907 and 908, 909 and 910, 911 and 912, 913 and 914, 915 and 916, 917 and 918, 919 and 920, 921 and 922, 923 and 924, 925 and 926, 927 and 928, 929 and 930, 931 and 932, 933 and 934, 935 and 936, 937 and 938, 939 and 940, 941 and 942, 943 and 944, 945 and 946, 947 and 948, 949 and 950, 951 and 952, 953 and 954, 955 and 956, 957 and 958, 959 and 960, 961 and 962, 963 and 964, 965 and 966, 967 and 968, 969 and 970, 971 and 972, 973 and 974, 975 and 976, 977 and 978, 979 and 980, 981 and 982, 983 and 984, 985 and 986, 987 and 988, 989 and 990, 991 and 992, 993 and 994, 995 and 996, 997 and 998, 999 and 1000.

**Ownership Certificate**

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

**Robert P. James, Doris R. James** 11-19-2009  
 Robert P. James Date  
 36745 James Road Doris R. James Date  
 Homer, AK 99603-9656

Notary's Acknowledgement

Subscribed and sworn to me before me this 11th day of November, 2009

For Robert P. James and Doris R. James

*[Signature]*  
 Notary Public for Alaska

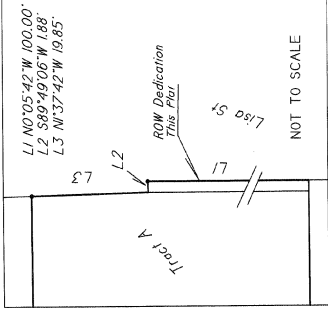
My Commission Expires 12-30-09



**Legend**

- < > Dimension of Record Blower Estates
- ( ) Dimension of Record of Survey Plat No. 97-26
- [ ] Dimension of Record Lisa Lynn Sub Phase 2
- [ ] Calculated Dimension

**DETAIL**



**Surveyor's Certificate**

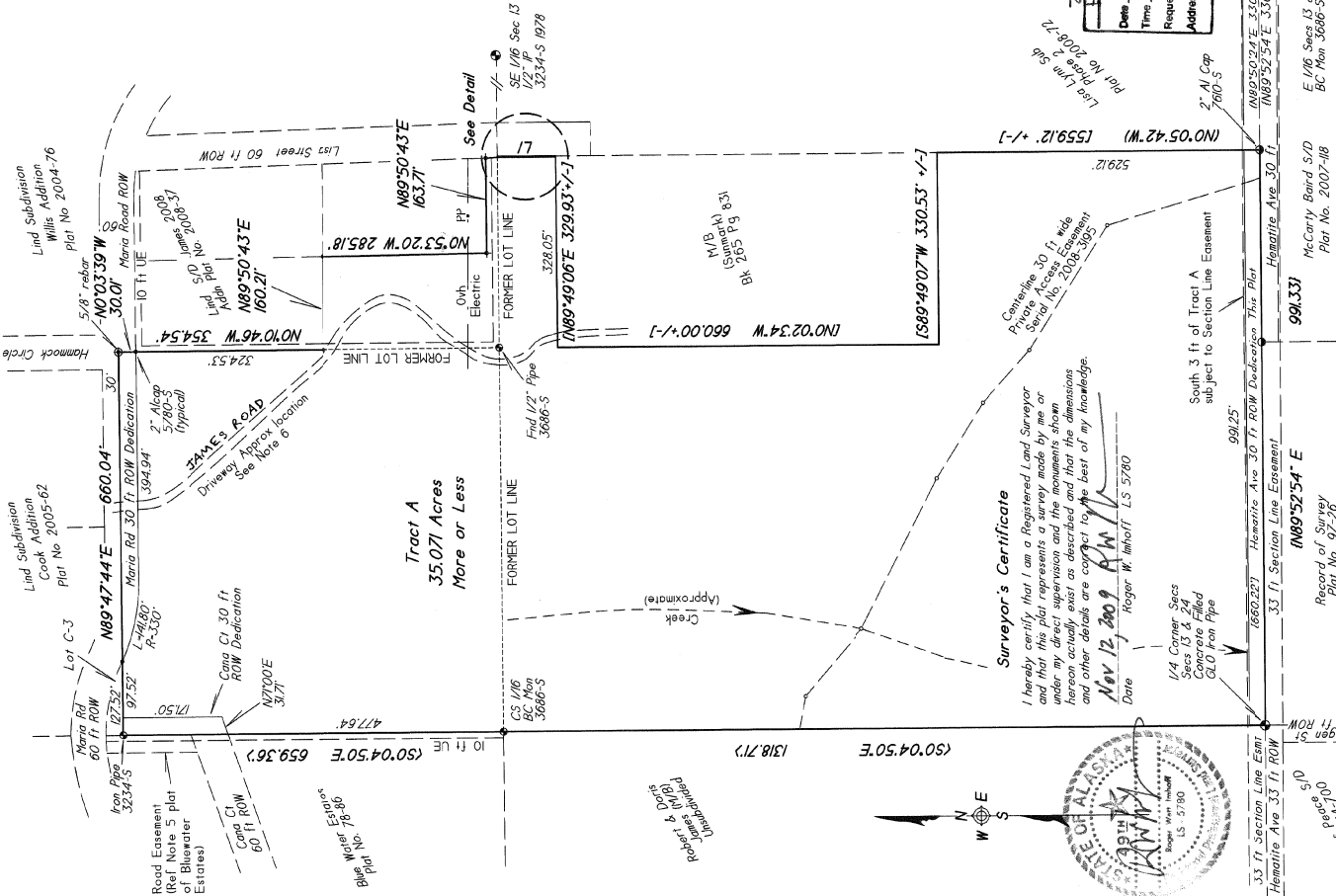
I hereby certify that I am a Registered Land Surveyor and that this plan represents a survey made by me or under my direct supervision and that the dimensions hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

Date Nov 12, 2009  
 Roger W. Imhoff L.S. 5780



**Notes**

1. All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
2. The front 10 ft. and the entire setback within 5 ft. of side lot lines is a utility easement. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. A building setback of 20 feet is required from all street rights-of-way unless a lesser setback is approved by the appropriate Planning Commission. (see also Note 11).
4. Roads must meet design and construction standards established by the Borough in order to be certified for inclusion in the Borough road maintenance program.
5. Overhead power line is centerline of 20 ft wide electrical distribution easement (Homer Electric Association).
6. 20 ft wide ingress - egress easement centered on a portion of the existing survey manifests this S 1/4 Sec 13, 14, 15, the North 760 ft of the W 1/2 E 1/2 SW 1/4 SE 1/4 Section 13 per Book 265 Page 826 HRD.
7. The purpose of this plat is to vacate the common interior lot lines. No field survey was conducted. Dimensions shown are taken and/or calculated from record information as indicated Basis of Bearing is the Record Dimensions as shown hereon.

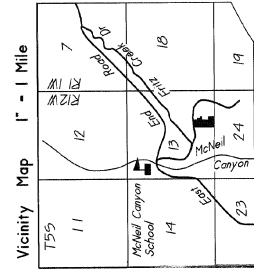


**RECORD**  
 Date Dec. 15, 2009  
 Time 1:40 P.M.  
 Requested by Robert P. James  
 Address 36745 James Rd

**Plat Approval**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of November 23, 2009

KENAI PENINSULA BOROUGH  
 By: *[Signature]*  
 Authorized Official



**James 2009**

Being a vacation of the common lot lines of Lot 2-A and Subdivision James 2008 Addition Plat No. 2008-37 AND the SW 1/4 NW 1/4 SE 1/4 AND the SW 1/4 SE 1/4 of the East 330 Feet and the South 660 Feet of the North 760 Feet of the W 1/2 E 1/2 SW 1/4 SE 1/4

All located within Section 13, T5S, R2W, S1M

Kenai Peninsula Borough  
 Homer Recording District, Third Judicial District, Alaska  
 Contains 36.216 Acres, more or less.

Client: Bob and Doris James Homer Ak	Surveyor: Roger W. Imhoff, RLS PO Box 25000 Homer Ak 99603	Drawn R/W Homer Ak 99603
Date Sept. 2009	James2009.rcd	Scale 1" = 150 Ft.
		KPB File No 2009-157



**Plat Approval**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

April 28, 2008

KENAI PENINSULA BOROUGH

By: [Signature]  
Authorized Official

**Surveyor's Certificate**

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.

Date June 18, 2008 [Signature]  
Roger W. Imhoff LS 5780



**Ownership Certificate**

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Robert P. James 6-1908  
Date  
Robert P. James  
36745 James Road  
Homer AK 99603-9656

Doris R. James 6-19-08  
Date  
Doris R. James  
36745 James Road  
Homer AK 99603-9656

**Notary's Acknowledgement**

Subscribed and sworn to me before me this 19th day of June 2008

for Robert P. James

[Signature]  
Notary Public for Alaska

My Commission Expires 7-6-09



**Notary's Acknowledgement**

Subscribed and sworn to me before me this 19th day of June 2008

for Doris R. James

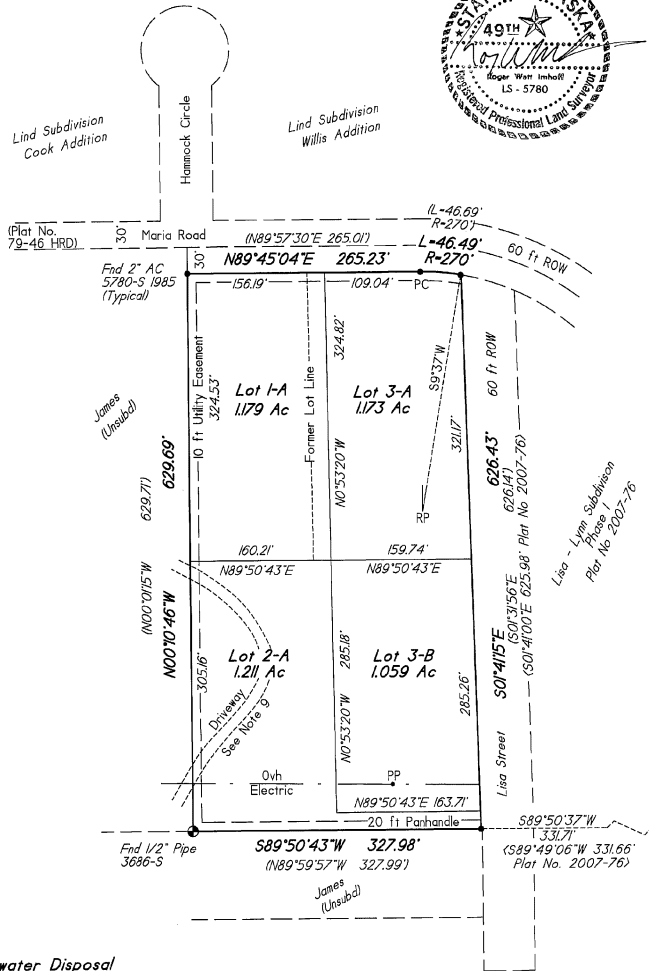
[Signature]  
Notary Public for Alaska

My Commission Expires 7-6-09



**Notes**

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- The front 10 ft. and the entire setback within 5 ft. of side lot lines is a utility easement. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission.
- Roads must meet design and construction standards established by the Borough in order to be certified for inclusion in the Borough road maintenance program.
- Basis of Bearing Lind S/D 2001 Addn Plat No. 2001-51 HRD. The dimensions of record from Lind Subdivision No. 1 are shown in parenthesis for information only.
- Overhead power line is centerline of 20 ft wide electrical distribution easement (Homer Electric Association).
- Set self identifying 2" alum cap on 5/8" rebar at all lot corners unless otherwise specified.
- No permanent buildings shall be constructed within the panhandle portion of any lot.
- 20 ft wide ingress - egress easement centered on existing driveway benefits the South 660 ft of the North 760 ft of the W 1/2 E 1/2 SW 1/4 SE 1/4 Section 13 per Book 265 Page 826, HRD.
- This subdivision may be subject to covenants, conditions, and restrictions per Book 248 Page 188, HRD.



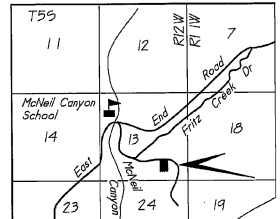
**Wastewater Disposal**

LOTS 3-A and 3-B  
Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

[Signature] 3380-E 24 June 08  
Engineer License No. Date

**WASTEWATER DISPOSAL LOTS 1-A and 2-A**  
According to Lind Subdivision James 2006 Addition Plat No. 2007-129, Soil conditions, water table levels, and soil slopes for these lots were found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Alaska Department of Environmental Conservation. Soils Report on file with the KPB Planning Dept. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

Vicinity Map 1" = 1 Mile



2008-37  
HOME RECORD DIST  
Date 7/2 2008  
Time 11:21 A.M.  
Requested by [Signature]  
Address \_\_\_\_\_

<b>Lind Subdivision - James 2008 Addition</b> Being a Subdivision of Lots 1, 2, and 3 Lind Subdivision - James 2006 Addition according to Plat No. 2007-129 located in the SE 1/4 Section 13, T5S, R12W, SM		
Kenai Peninsula Borough Homer Recording District, Third Judicial District, Alaska Contains 4.622 Acres, more or less.		
Client: Bob and Doris James Homer Ak	Surveyor: Roger W. Imhoff, RLS PO Box 2588 Homer Ak 99603	FB 2006-1/08-1 Draw RWI Scale 1" = 100 ft
Date Feb 2008	lindjames2008.vcd	KPB File No 2008-109

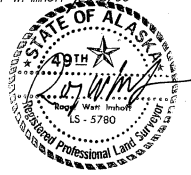
**Plat Approval**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of October 8, 2007

KENAI PENINSULA BOROUGH  
By: Max J. Beal  
Authorized Official

**Surveyor's Certificate**

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.  
Date Nov. 11, 2007 Roger W. Imhoff  
Roger W. Imhoff, S 5780



**Ownership Certificate**

We hereby certify that we are the owners of the real property shown and described hereon and that hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Robert P. James 11-29-07  
Date  
Robert P. James Date  
36745 James Road  
Homer Ak 99603-9656

Doris R. James 11-29-07  
Date  
Doris R. James Date  
36745 James Road  
Homer Ak 99603-9656

**Notary's Acknowledgement**

Subscribed and sworn to me before me this 29th day of November, 2007

For Robert P. James

Jim Dun  
Notary Public for Alaska

My Commission Expires 12-31-07



**Notary's Acknowledgement**

Subscribed and sworn to me before me this 29th day of November, 2007

For Doris R. James

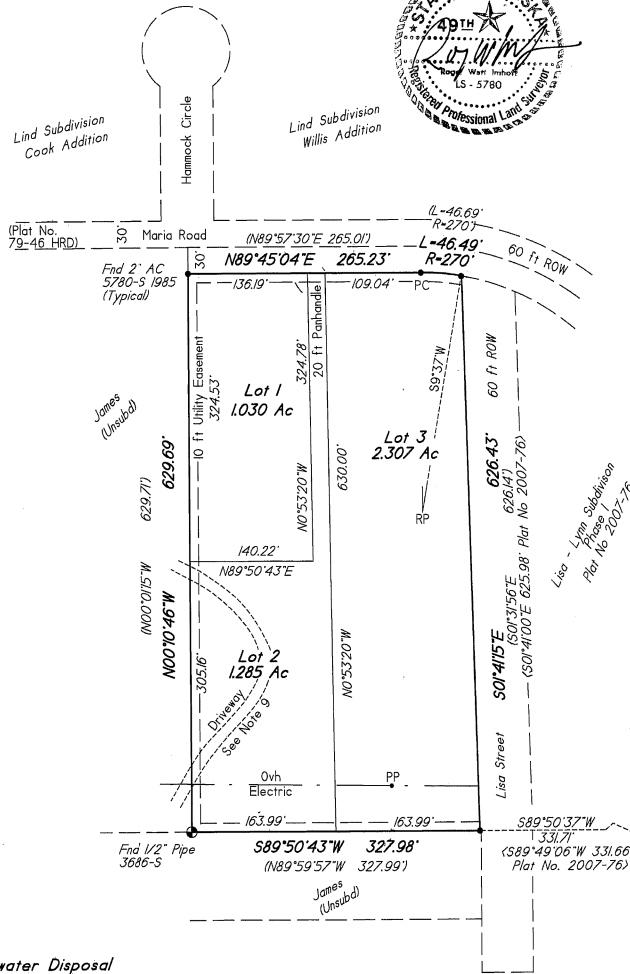
Jim Dun  
Notary Public for Alaska

My Commission Expires 12-31-07



**Notes**

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- The front 10 ft. and the entire setback within 5 ft. of side lot lines is a utility easement. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by the appropriate Planning Commission.
- Roads must meet design and construction standards established by the Borough in order to be certified for inclusion in the Borough road maintenance program.
- Basis of Bearing Lind S/D 2001 Adm Plat No. 2001-51 HRD. The dimensions of record from Lind Subdivision No. 1 are shown in parenthesis for information only.
- Overhead power line is centerline of 20 ft wide electrical distribution easement (Homer Electric Association).
- Set self identifying 2" alum cap on 5/8" rebar at all lot corners unless otherwise specified.
- No permanent buildings shall be constructed within the panhandle portion of any lot.
- 20 ft wide ingress - egress easement centered on existing driveway benefits the South 660 ft of the North 760 ft of the W 1/2 E 1/2 SW 1/4 SE 1/4 Section 13 per Book 265 Page 826, HRD.
- This subdivision may be subject to covenants, conditions, and restrictions per Book 248 Page 188, HRD.



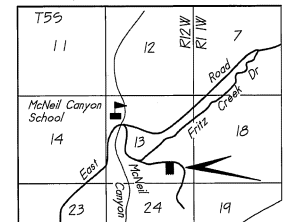
**Wastewater Disposal**

Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

M. Tallman 3380-E 11 Dec 07  
Engineer License No. Date

2007-129  
Blamer REC DIST  
Date 12/19 2007  
Time 2:30 P.M.  
Requested By J. Imhoff  
Address \_\_\_\_\_

Vicinity Map 1" = 1 Mile

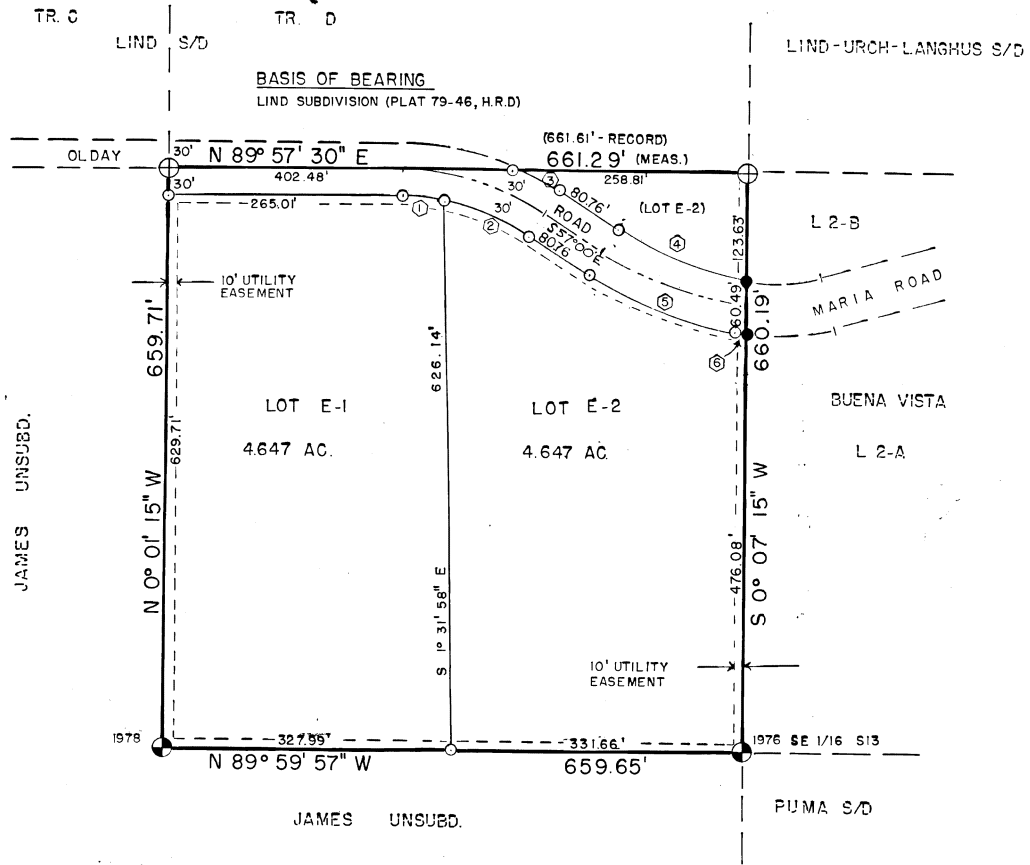


**Lind Subdivision - James 2006 Addition**

Being a Subdivision of Tract "E" Lind Subdivision No. 1 according to Plat No. 85-42 located in the SE 1/4 Section 13, T5S, R12W, S1M

Kenai Peninsula Borough  
Homer Recording District, Third Judicial District, Alaska  
Contains 4.622 Acres, more or less.

Client: Bob and Doris James Homer Ak	Surveyor: Roger W. Imhoff, RLS PO Box 2588 Homer Ak 99603	FB 2006-1 Drawn RWI Scale 1" = 100 ft
	Date January 2006	lindjames2006.vcd KPB File No 06-019



**CURVE DATA (ARC DEFINITION)**

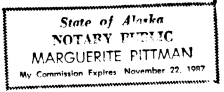
D	I	RADIUS	TANGENT	LENGTH	
①	21° 13' 14"	9° 54' 30"	270'	23.40'	46.69'
②	21° 13' 14"	23° 03' 00"	270'	55.06'	108.62'
③	17° 21' 44"	8° 20' 18"	330'	24.06'	48.03'
④	15° 20' 25"	24° 31' 03"	373.50'	81.15'	159.83'
⑤	13° 13' 01"	24° 31' 03"	433.50'	94.19'	185.50'
⑥	22° 02' 13"	1° 56' 35"	260'	4.41'	8.82'

- LEGEND:**
- 1 7/8" ALUMINUM CAP ON 5/8"x36" LONG REBAR SET THIS SURVEY
  - ⊕ FOUND RECORD MONUMENT SET 3236-S, 1/2" IRON PIPE
  - ⊕ FOUND RECORD MONUMENT SET 3234-S, 1978, 1/2" IRON PIPE
  - FOUND 1/2" REBAR, 3686-S, 1981

**PLAT APPROVAL**  
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of February 11, 1985  
 KENAI PENINSULA BOROUGH  
 By: [Signature]  
 Authorized Official

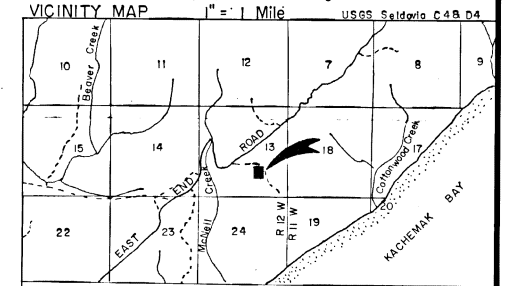
**OWNERSHIP CERTIFICATE**  
 I hereby certify that I am the owner of the property shown and described hereon and that I hereby adopt this plan of subdivision, and dedicate all right-of-ways to public use, and grant all easements to the use shown.  
Rangvald T. Lind Alice Love Lind  
 Rangvald T. Lind Alice Love Lind  
 Box 2171, Homer, Alaska 99603

**NOTARY'S ACKNOWLEDGEMENT**  
 Subscribed and sworn before me this 11<sup>th</sup> day of March, 1985, for Rangvald T. Lind and Alice Love Lind.  
Marguerite Pittman  
 Notary Public for Alaska  
 My Commission Expires: \_\_\_\_\_



**NOTES:**

- All wastewater disposal systems shall comply with existing applicable laws at time of construction.
- The State of Alaska requires that all wastewater disposal systems be a minimum of 100' from any water source.
- Building Setback: 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.



**LIND NO. 1 SUBDIVISION**

A replat of Tract E, Lind Subdivision as recorded on Plat No. 79-46, Homer Recording District, located in the E 1/2 NW 1/4 SE 1/4 Section 13, T.5 S., R. 12 W., S.M., Kenai Peninsula Borough, Alaska  
 Containing 10.006 Acres

COMPUTED:	RI
FIELD BOOK:	LIND
PROJECT:	LIND
DRAWN:	RI/JM
DATE:	2/28/85
SCALE:	1" = 100'
SURVEYED FOR:	RANGVALD T. LIND ALICE LOVE LIND P.O. BOX 2171 HOMER, AK 99603



85-42  
 FILED 10  
 HOMER, ALASKA  
 DATE 4-19-85  
 TIME 1109 A.M.  
 Registered by KPB  
 [Signature]

**SURVEY NORTH**  
 ROGER IMHOFF, R. L. S.  
 PO BOX 2588 HOMER, AK 99603

CHRISTOPHER (UNSUBDIVIDED)

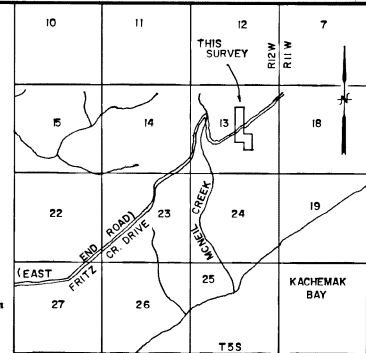
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE EAST 1/2 OF SECTION 13, T55, R12W, SEWARD MERIDIAN, ALASKA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT BLM BRASSCAP MONUMENTING THE COMMON CORNER OF SECTIONS 13, 18, 19 & 24, THENCE NORTH 1320.53', THENCE N 89°59'55" W 1320.00' TO A CORNER MARKING THE SOUTHEAST CORNER OF SAID PARCEL OF LAND, AND THE POINT OF BEGINNING OF THE PARCEL OF LAND, THENCE S 89°59'30" W 659.60', THENCE N 00°01'55" W 659.62', THENCE S 89°58'00" W 659.94', THENCE N 00°00'05" E 1980.16', THENCE S 89°59'45" E 659.83', THENCE S 00°00'45" W 1319.46', THENCE S 89°58'10" E 663.60', THENCE S 00°08'40" W 1319.44', CLOSING UPON SAME SOUTHEAST CORNER OF SAID PARCEL OF LAND, THE POINT OF BEGINNING, AND CONTAINING 50.029 ACRES MORE OR LESS.

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 26th DAY OF August, 1979.

Notary Public, Second Judicial Court State of Hawaii. My COMMISSION EXPIRES: 6-15-79



CERTIFICATE OF ROADWAY DEDICATION

I, DOLORES G. URCH, CERTIFY THAT I AM THE OWNER OF AND HEREBY DEDICATE THAT PORTION OF LAND SHOWN ON THE PLAT AS PART OF TRACT 2 OF THE LIND-URCH-LANGHUS SUBDIVISION AND FURTHER IDENTIFIED AS PIXIE STREET, TO PUBLIC USE.

Dolores G. Urch

CERTIFICATE OF OWNERSHIP AND DEDICATION

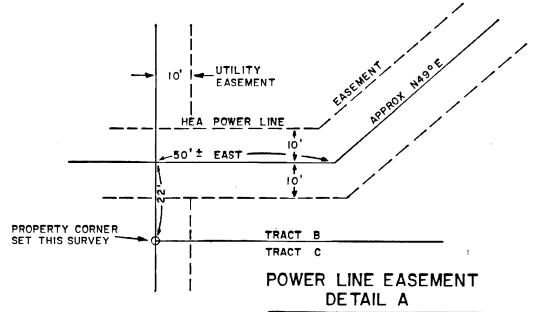
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON. WE HEREBY REQUEST APPROVAL OF THIS PLAT, SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS, AND ALLEYS DEDICATED BY US FOR PUBLIC USE.

Alice Love Lind (RANGVALD T. LIND 514 WOLVERINE ST. ANCHORAGE ALASKA)

FILED 3- Form 1 REC. CIST. DATE 4-24-1979 TIME 2:09 P.M. Requested by J.P. Burroughs Address Seldoten, AK

NOTES:

- 1. A 100 FOOT ROAD DEDICATION EXISTS ALONG THE EXISTING FRITZ CREEK DRIVE WITH 50 FEET ON EACH SIDE OF CENTERLINE.
2. A 60 FOOT ROAD DEDICATION IS HEREBY DEDICATED FOR OLDAY ROAD. A 50 FOOT ROAD DEDICATION IS HEREBY DEDICATED FOR PIXIE STREET.
3. A 20 FOOT EASEMENT EXISTS AND IS SHOWN ON THE PLAT FOR THE HOMER ELECTRIC ASSOCIATION POWER LINE.
4. A 20 FOOT BUILDING SETBACK SHALL BE MAINTAINED ALONG ALL DEDICATED R.O.W.'S.
5. FOUR ADDITIONAL PROPERTY CORNERS SET THIS SURVEY. NEW CORNERS ARE 1" DIAMETER x 36" GALVANIZED IRON PIPE, SET 30" DEEP.



SURVEYOR'S CERTIFICATE

I, THE UNDERSIGNED REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION, AND THAT THE MEASUREMENT DETAILS AND DIMENSIONS SHOWN THEREON ARE CORRECT.

DATE: Mar 5 '79 REGISTERED LAND SURVEYOR REG. NO. 3234 S

PLAT APPROVAL

THIS PLAT HAS BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF August 19, 1979, IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW APPLICABLE THERETO.

KENAI PENINSULA BOROUGH BY: [Signature]



PLAT OF LIND SUBDIVISION W 1/2 SW 1/4 NE 1/4 (TR A&B), NW 1/4 NW 1/4 SE 1/4 (TR C), E 1/2 NW 1/4 SE 1/4 (TR D&E), T55, R12W, SEC. 13, S.M., ALASKA

Table with 2 columns: Field Name and Value. Includes DRAWN BY (BRIAN WEST), DATE (AUGUST 1978), CHECKED BY (GS/L.S.), SCALE (1"=200'), SH (1 OF 1), and GRID.