

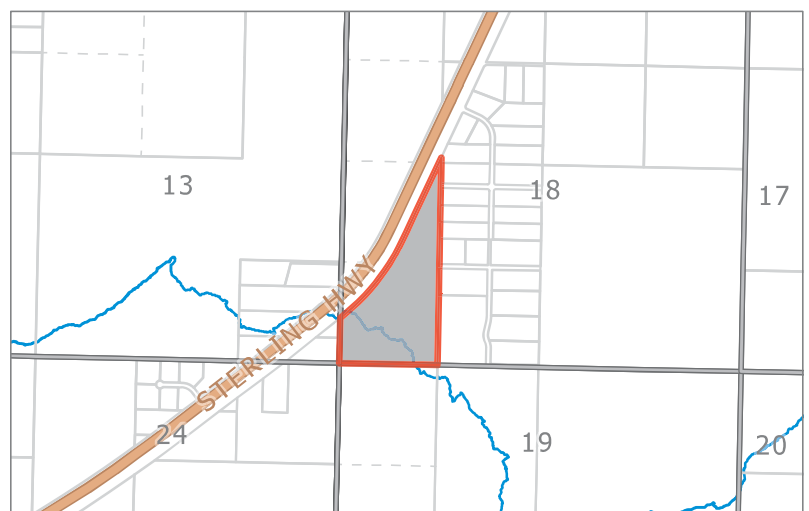
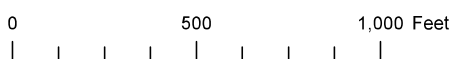
# **E. NEW BUSINESS**

- 4. Burgin Subdivision; KPB File 2024-070  
Edge Survey & Design / Burgin & Ray Trust  
Location: Sterling Highway & Mugzy Avenue  
Ninilchik Area**



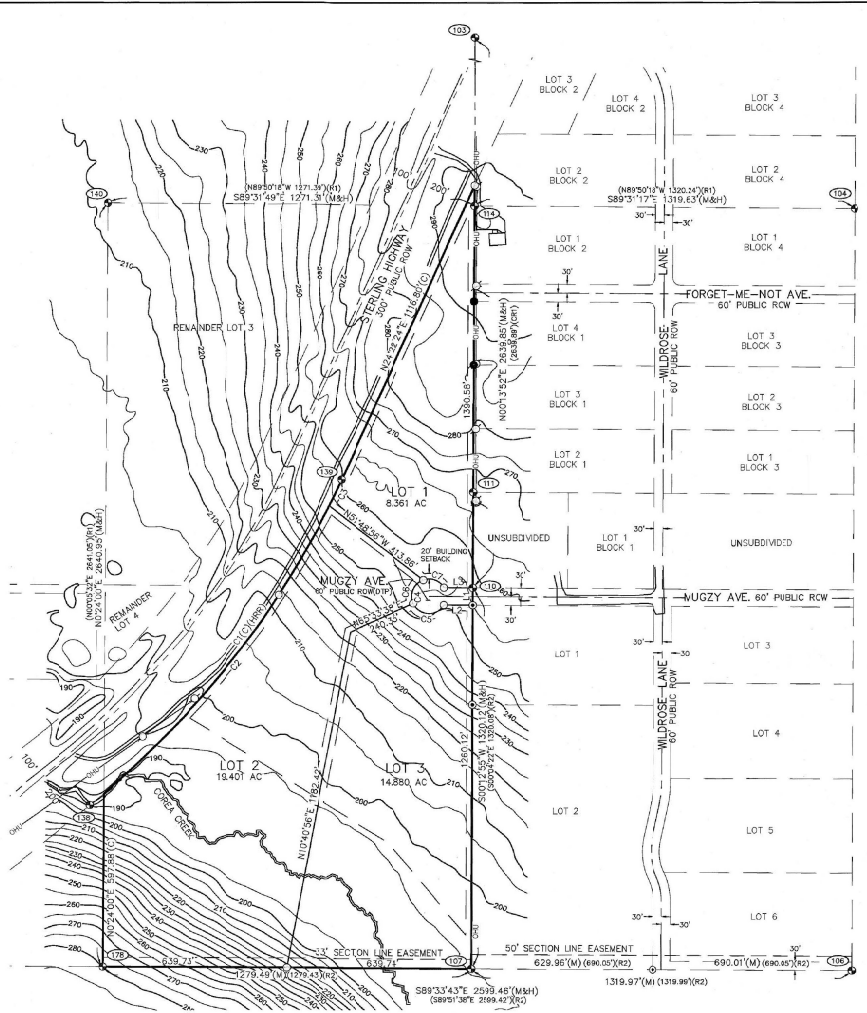
KPB File 2024-070  
T 01N R 12W SEC 18  
Ninilchik

7/1/2024





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.



**REFERENCES**

- (R1) WEDGEWOOD TERRACE, PLAT NO. 77-38, HOMER RECORDING DISTRICT
- (R2) CLURNAN SUBDIVISION, PLAT NO. 2009-35, HOMER RECORDING DISTRICT
- (R3) STORMO PROPERTY 1988 RECORD OF SURVEY, PLAT NO. 88-44RS, HOMER RECORDING DISTRICT

**NOTES**

1. BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. PER THIS PLAT THE FRONT 15 FEET ADJACENT TO THE RIGHTS-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. EXCEPTIONS TO KPB 20.30.030-STREET LAYOUT, 20.30.170-BLOCK LENGTH AND 20.30.190-LOT DIMENSIONS WERE GRANTED BY THE KPB PLAT COMMITTEE AT THE JULY, 2024 MEETING.
4. NO DIRECT ACCESS TO THE STERLING HIGHWAY WILL GRANTED UNLESS APPROVED BY THE GOVERNING AGENCY.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLANDS DETERMINATION IF APPLICABLE.
6. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE X AND AREA THIS IS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. FLOOD INSURANCE RATE NUMBER 02001227324 BEARING AN EFFECTIVE DATE OF MAY 19, 1981 AND THE KENAI RIVER FLOOD MAP WEBSITE WAS USED TO DETERMINE THE FLOOD ZONE. EXACT DESIGNATION CAN ONLY BE DETERMINED BY AN ELEVATION CERTIFICATE.
7. THIS PROPERTY IS SUBJECT TO THE FOLLOWING BLANDED EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION RECORDED ON DECEMBER 9, 1980 UNDER BOOK 21, PAGE 143 IN THE HOMER RECORDING DISTRICT, WHEREAS THE EXACT LOCATION IS NOT ASCERTAINABLE.
8. WASTEWATER DISPOSAL LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATOR REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**LEGEND**

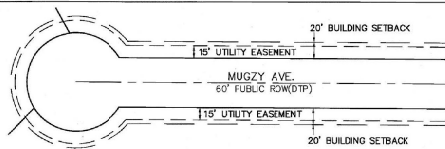
- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR PER (R1)
- FOUND 5/2" REBAR W/YPC [LS-8859] PER (R2)
- SET 5/8" X 30" REBAR WITH 2" ALUMINUM CAP
- STAMPED EDGE SURVEY LS-1022 2024
- (M&H) MEASURED & HELD
- (HRR) HELD RECORD RADIUS
- (C) COMPUTED
- (F#) RECORD DATA, SEE REFERENCE
- YPC YELLOW PLASTIC CAP
- ROW RIGHT-OF-WAY
- U UTILITY POLE
- U WIRE
- (X) MONUMENT NUMBER

LINE #	BEARING	DISTANCE
L1	S00°12'55"W	60.00'
L2	N89°33'18"W	100.00'
L3	S89°33'18"E	100.00'

CURVE #	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	3064.91'	23°42'25"	1375.14'	N37°13'37"E	1363.63'
C2	3064.91'	23°50'38"	1275.47'	N38°03'31"E	1266.29'
C3	3064.91'	07°51'48"	99.67'	N25°14'18"E	99.66'
C4	60.00'	299°59'58"	314.16'	N00°12'55"E	60.00'
C5	60.00'	125°20'42"	131.26'	N37°09'43"W	106.61'
C6	60.00'	94°27'47"	98.92'	N22°47'31"E	88.06'
C7	60.00'	8C11°29"	83.98'	S69°52'51"E	77.29'



EASEMENT DETAIL - NOT TO SCALE



**PRELIMINARY DRAFT**

**MONUMENT SUMMARY**

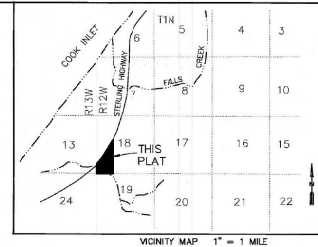
- 103 FOUND 2-1/2" BRASS MONUMENT 1" ABOVE GRADE IN GOOD CONDITION
- 104 FOUND 2-1/2" BRASS MONUMENT FLUSH WITH GRADE IN GOOD CONDITION
- 105 FOUND 2-1/2" BRASS MONUMENT 2" ABOVE GRADE IN GOOD CONDITION
- 07 FOUND 3-1/4" ALUMINUM MONUMENT 2" BELOW GRADE IN GOOD CONDITION
- 110 FOUND 1" IRON PIPE WITH PLASTIC PLUG IN GOOD CONDITION
- 111 FOUND 1" IRON PIPE WITH PLASTIC PLUG 2" ABOVE GRADE IN GOOD CONDITION
- 114 FOUND 2-1/2" BRASS MONUMENT IN GOOD CONDITION
- 128 FOUND 3-1/4" ALUMINUM MONUMENT 2" ABOVE GRADE IN GOOD CONDITION
- 129 FOUND 6" X 4" CONCRETE IRON MONUMENT PAINTED YELLOW
- 140 FOUND 2-1/2" BRASS MONUMENT FLUSH WITH GRADE IN GOOD CONDITION
- 141 FOUND 2-1/2" BRASS MONUMENT 6" ABOVE GRADE IN GOOD CONDITION

**CERTIFICATE OF SURVEY**

I, MARK AMONETTI 130022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



RECORDERS STAMP AREA  
2.25"



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT BURGIN AND RAY TRUST DATED OCTOBER 22, 2007 IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF BURGIN AND RAY TRUST DATED OCTOBER 22, 2007, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JANICE D. RAY, TRUSTEE  
BURGIN AND RAY TRUST DATED OCTOBER 22, 2007  
P.O. BOX 230052  
ANCHORAGE, ALASKA 99523

**NOTARY ACKNOWLEDGEMENT**

FOR ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024

PUBLIC NOTARY SIGNATURE

MY COMMISSION EXPIRES: \_\_\_\_\_



**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_, 2024.

AUTHORIZED OFFICIAL

KPB FILE No. 2024-000

**BURGIN SUBDIVISION**

A SUBDIVISION OF THAT PORTION OF GOVERNMENT LOTS 3 & 4 IN SECTION 18, T.1N., R.12W. S.M. AK LYING SOUTH OF THE STERLING HIGHWAY

KENAI PENINSULA BOROUGH  
HOMER RECORDING DISTRICT

OWNER:  
BURGIN AND RAY TRUST DATED OCTOBER 22, 2007  
P. O. BOX 230052  
ANCHORAGE, ALASKA 99523  
CONTAINING 42.642 ACRES



8000 GHO STREET ANCHORAGE, AK 99518  
Phone (907) 544-5990 Fax (907) 544-7794  
WWW.EDGESURVEY.NET AEC # 1382

DRAWN BY: VB DATE: 05/28/2024 PROJECT: 24-531  
CHECKED BY: MA SCALE: 1" = 200' SHEET: 1 OF 1

**KPB 2024-070**

AGENDA ITEM E. NEW BUSINESS

**ITEM #4 - PRELIMINARY PLAT  
BURGIN SUBDIVISION**

<b>KPB File No.</b>	2024-070
<b>Plat Committee Meeting:</b>	June 22, 2024
<b>Applicant / Owner:</b>	Burgin and Ray Trust Dated October 22, 2007 / Anchorage, Alaska
<b>Surveyor:</b>	Mark Aimonetti / Edge Survey and Design, LLC
<b>General Location:</b>	Sterling Highway and Wildrose Lane, Ninilchik

<b>Parent Parcel No.:</b>	139-060-02
<b>Legal Description:</b>	T 1N R 12W SEC 18 SEWARD MERIDIAN HM PTN GLS 3 & 4 SOUTH OF STERLING HWY
<b>Assessing Use:</b>	Vacant
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	Onsite / Onsite
<b>Exception Request</b>	20.30.190, 20.30.170 & 20.30.030

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 42.642 acre parcel into 3 lots ranging in size from 8.361 acres to 19.401 acres and a dedication.

**Location and Legal Access (existing and proposed):**

The plat fronts along the Sterling Highway on the West side but will not be using that for access. The legal access will be from Mugzy Avenue, a Borough maintained 60' right-of-way. Currently, the developed road stops at the last drive in use and will need to be extended into the dedicated cul-de-sac of this plat.

The plat is dedicating a cul-de-sac off of Mugzy Avenue that will be the only access point for the three lots being created.

There are 33' section line easements affecting the plat along the south line through proposed Lots 2 and 3 and along the westerly line affecting Lot 2. These easements do connect to the Sterling Highway on the west and by another section line easement on the east, connecting to Wildrose Lane. There are currently no roads or trails in the easements and both easements cross Corea Creek.

Block length is not compliant and an exception to KBO 20.30.170 has been requested.

*PER DOT:* The platting action voids any previous issued permits. You need to reapply for driveway access permits to state ROW.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Griebel, Scott Comments: Supporting egress Rd "Wildrose Ln" is missing some of the full 60' dedication. Future improvement efforts beyond that point could be affected. No RSA objections
SOA DOT comments	Comments in packet for review.

**Site Investigation:**

There are no buildings or improvements apparent on the property as viewed on KPB GIS data.

There are steep areas as shown by the contours on the plat. They should be clearly indicated as being steep on the final plat with a label of “steep” and direction of the slope. The contours can be removed for the final plat submittal.

Wetlands are also crossing the plat, coinciding with the low area of Corea Creek. The wetlands should be shown on the final and plat note 5 should remain on the final as well. The River Center review did not indicate the plat to be in a FEMA designated floodplain or flood hazard zone. Plat note 6 should be verified with the River Center, and if not applicable, should be removed.

The plat was not indicated to be located in an anadromous waters habitat protection district per the River Center review.

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 property was previously surveyed as government lots of Section 18, Township 1 North, Range 12 West, SM, Homer Recording District, Alaska. The lots were divided by the Sterling Highway and this plat is subdividing that part of Government lots 2, 3 and 4 lying south of the Sterling Highway.

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

There does not appear to be any encroachment issues to or from the property per KPB GIS data. **Staff recommends:** the surveyor pay attention to any issues when doing the field survey and note them on the final if needed along with solutions to any problems.

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

The property is not within an advisory planning commission area.

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

**Utility Easements**

HEA has made a request to add easements along the east line north of the dedication. The request is included in the packet for viewing.

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	See comment in packet
ENSTAR	No comment
ACS	
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

**KPB department / agency review:**

Addressing	<p>Reviewer: Leavitt, Rhealyn  Affected Addresses:  69755 STERLING HWY</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names:  STERLING HWY, WILDROSE LN, MUGZY AVE, FORGET ME NOT AVE, ELI AVE, BAXTER ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments:  69755 STERLING HWY WILL BE DELETED</p>
Code Compliance	<p>Reviewer: Ogren, Eric  Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan  There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:  There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather  Comments: No comment</p>

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

- Add a Certificate of Acceptance
- Add the date of July 22, 2024 to the Plat Approval

- In the legend, the lines for 20' building setback and overhead utility line need changed to represent the correct line being used. Check others for correctness also as it appears interior lot line, edge of gravel, and bank of creek may be the same.
- Verify the use of (R3) as it appears to be missing from the plat. If it is not used,
- Add the date of July 22, 2024 to plat note 3.
- Add distance and bearing from the SW1/16 to the north point of subdivision.
- Verify details of monuments 110 and 111.
- Additional items as outlined below.

PLAT NOTES:

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- Add plat note for CTP item 17.
- Add plat note as requested by DOT.

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**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:**  
Adjust legal description to include that part of Government Lot 2 lying south of the Sterling Highway as there is part above the CW1/16 marker.  
Add the KPB Number 2024-070.
- 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:**  
Darken the section line on the vicinity map  
Label and show Wildrose Ln and Mugzy Ave on the east  
Label Corea Creek  
Label section 12
- 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:**  
33' section line easement needs shown on the southwest line of the subdivision.
- 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:**  
Plat identifiers need added to the east  
Government lots need labeled to the north and south.



Unsubdivided parcels needed labeled o the southeast and southwest.  
Adjust 20' setback and OHU in legend  
Verify interior lot line, edge of gravel, and bank of creek are different in legend

- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;  
**Staff recommendation:**  
Low wet areas need shown and identified on the plat
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;  
**Staff recommendation:**  
Label steep areas on the plat

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### **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.

#### 20.30.060. Easements-Requirements.

- B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.  
HEA requested easements be shown and added

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### **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.

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### **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.

#### 20.60.190. Certificates, statements, and signatures required.

- Staff recommendation:** comply with 20.60.190.  
Add “and public areas to public use” after “rights-of-way” in the Certificate of Ownership  
Add Certificate for Acceptance  
Update date in Plat Approval to July 22, 2024

#### 20.60.200. Survey and monumentation.

- Staff recommendation:** comply with 20.60.200  
Add details for found monuments of record in the legend  
Verify monuments 110 and 111 for accuracy as they appear the same in detail

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### **EXCEPTIONS REQUESTED:**

**A. KPB 20.30.190 Lot Dimensions**

Surveyor's Discussion:

Exception to length to width ratio

**Findings:**

1. Parent parcel original long narrow shape limits design options lying south of the Sterling Highway.
2. Length to width ratio (1:3) for proposed lots 1-3.
3. Steep terrain limits design options.

Staff Discussion:

**20.30.190. - Lots—Dimensions.**

A. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. the average depth shall be no greater than three times the average width.

**Findings:**

4. Wetlands in the south limit development potential
5. Average depth turns out to be longer than three times the average width.
6. No land owner will be affected by this exception.
7. Additional roads are not possible to reduce the ratio.

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 1-4 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-5 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 & 6 appear to support this standard.**

**B. KPB 20.30.170 Block Length and 20.30.030 Street Length**

Surveyor's Discussion:

Asking to not dedicate right-of-way along South and West boundary extending Mugzy Avenue.

**Findings:**

1. Steep terrain and a creek make ROW dedication not practical.
2. West boundary adjoins Sterling Highway

3. South boundary subject to 33 foot section line easement, which provides utility and public access.
4. Mugzy Ave extended with this platting action on East boundary up to steep terrain with cul-de-sac dedication.

Staff Discussion:

**20.30.170. - Blocks—Length requirements.**

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

**20.30.030. - Proposed street layout—Requirements.**

A. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts.

**Findings:**

5. West boundary has a 33 foot section line easement for access and utilities.
6. Access to the Sterling Highway is limited so Mugzy Ave cannot push out to the Highway.
7. Approval of these exceptions will not deny access to any adjacent land owners.

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 1-6 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 1-6 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 1-7 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.

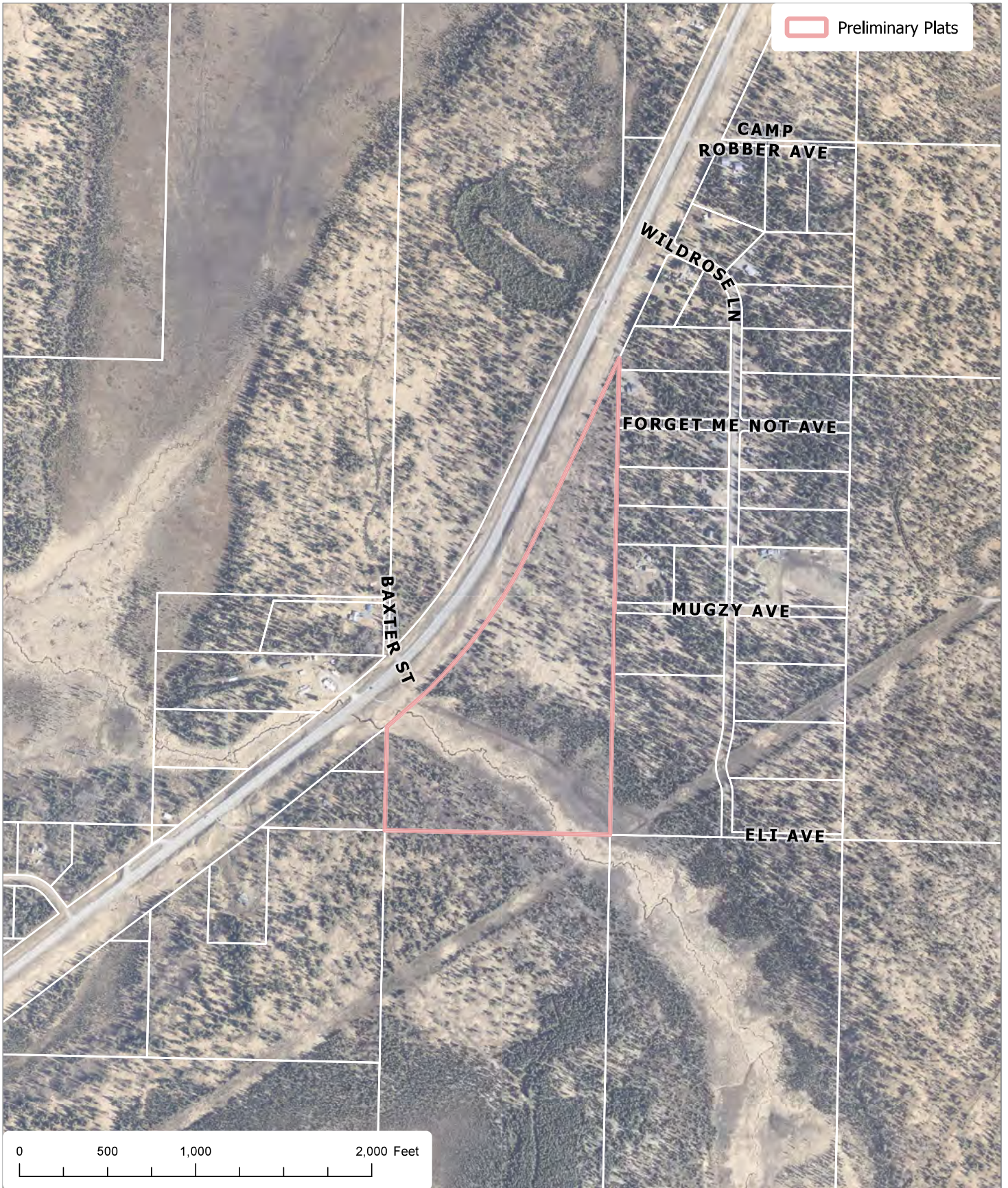
**NOTE: 20.25.120. - REVIEW AND APPEAL.**

**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.**

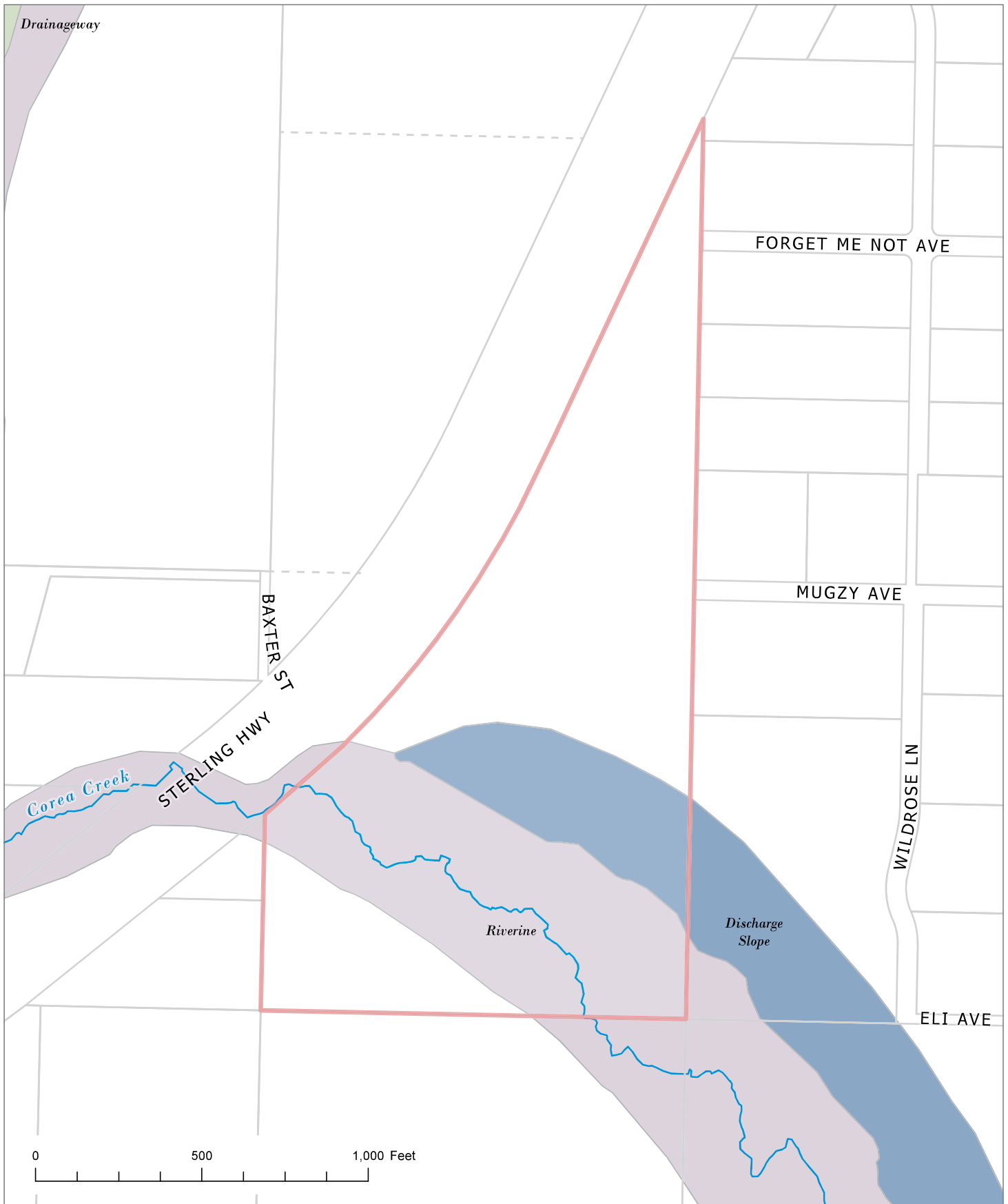
**A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.**

**END OF STAFF REPORT**

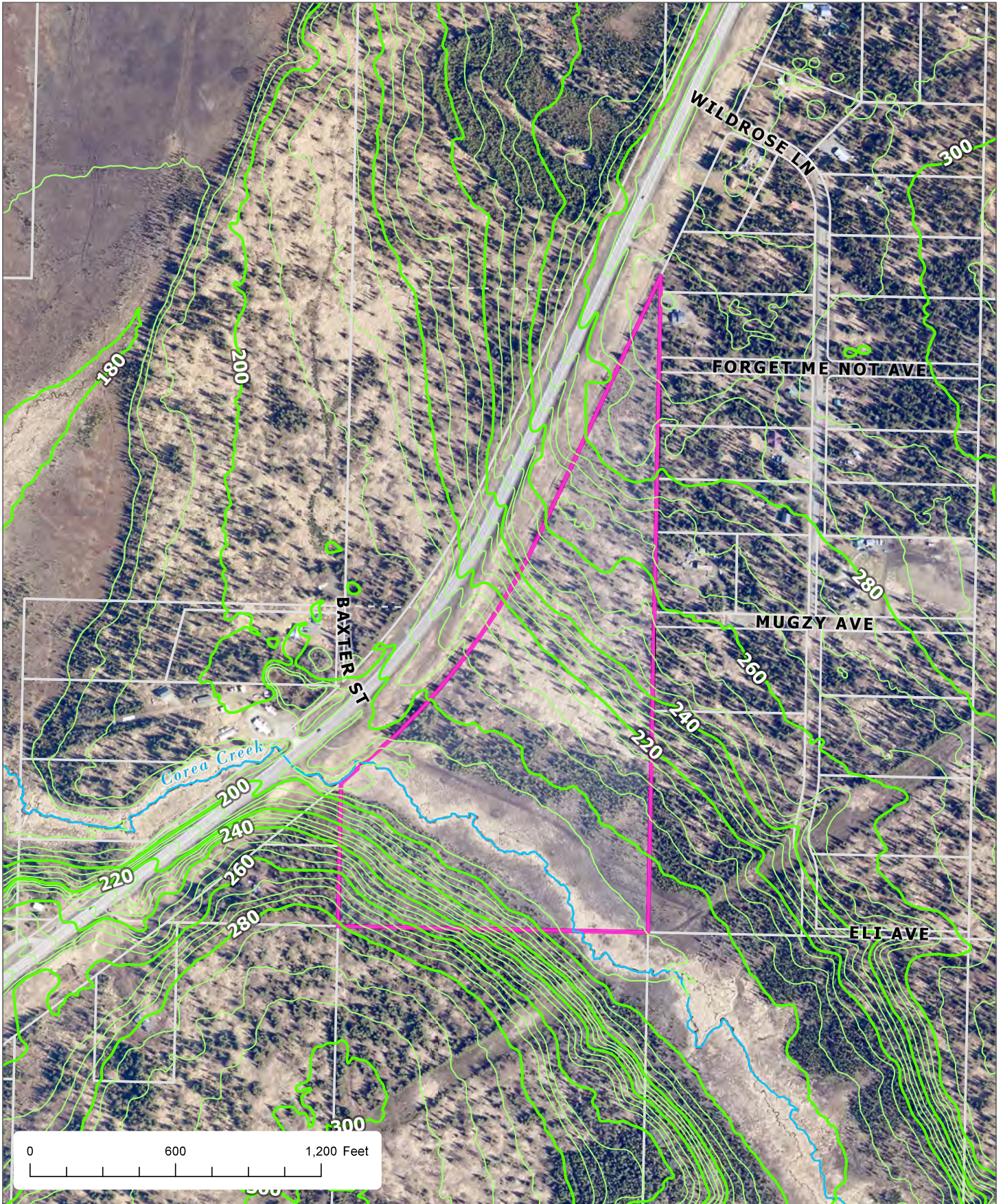
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The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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SURVEYED TOWNSHIP 1 NORTH RANGE 12 WEST OF THE SEWARD MERIDIAN, ALASKA

R 12 W R 11 W

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL TITLES

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

Known Geological Struct, Falls Creek Unit Area  
Effective 6/25/1961

Sec 5, lot 4, SW1/4NW1/4, W1/2SW1/4

Sec 6, lot 1-4, SE1/4NE1/4, SE1/4

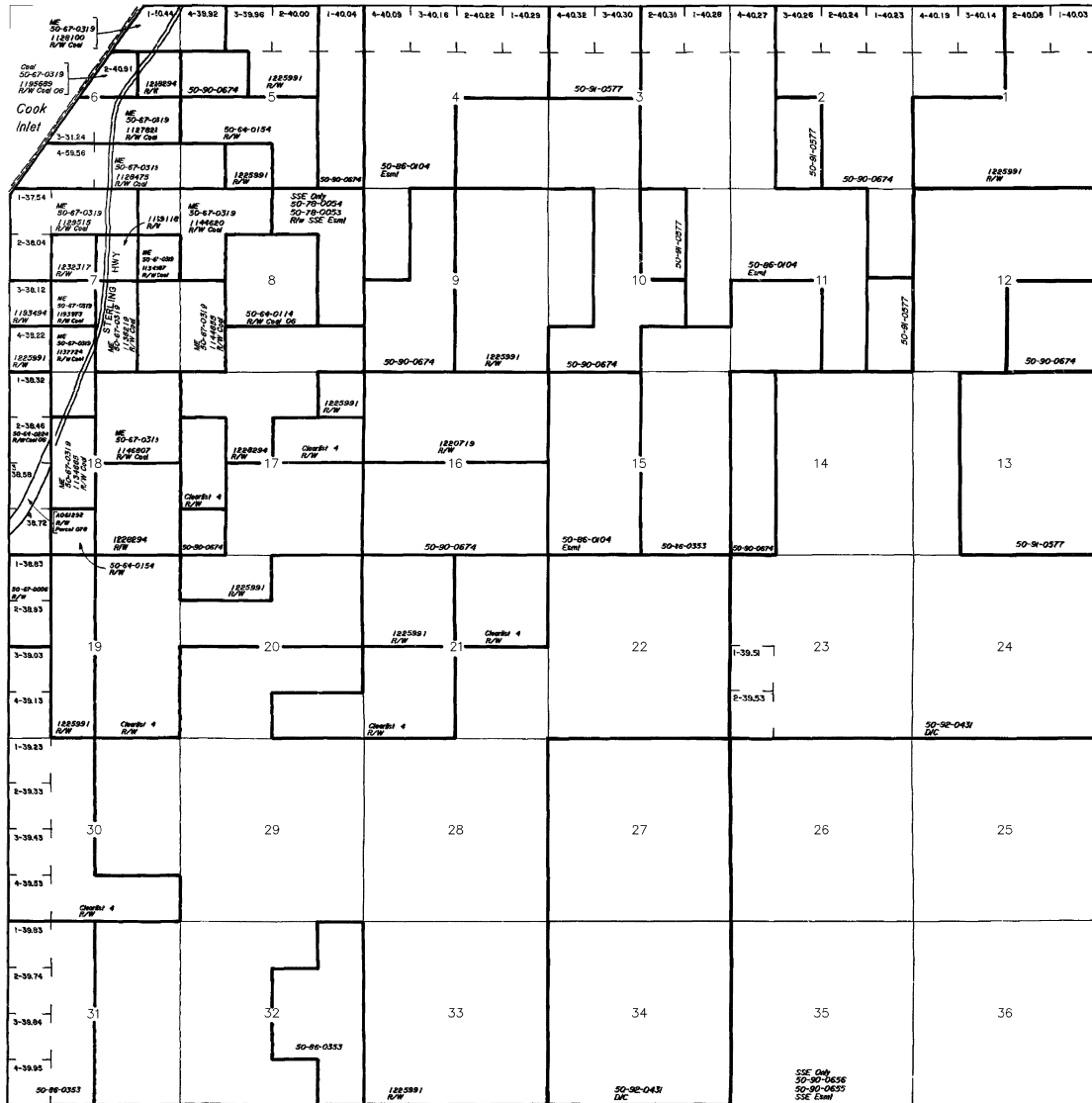
Sec 7, lot 1,2, NE1/4, E1/2NW1/4

Sec 8, W1/2NW1/4

and that part of Cook Inlet lying in Sec 6

A058731 SS Reserved Min Estate Only

PLO 5184 Wal Ci affects Lds/Interests not conveyed



R 13 W R 12 W

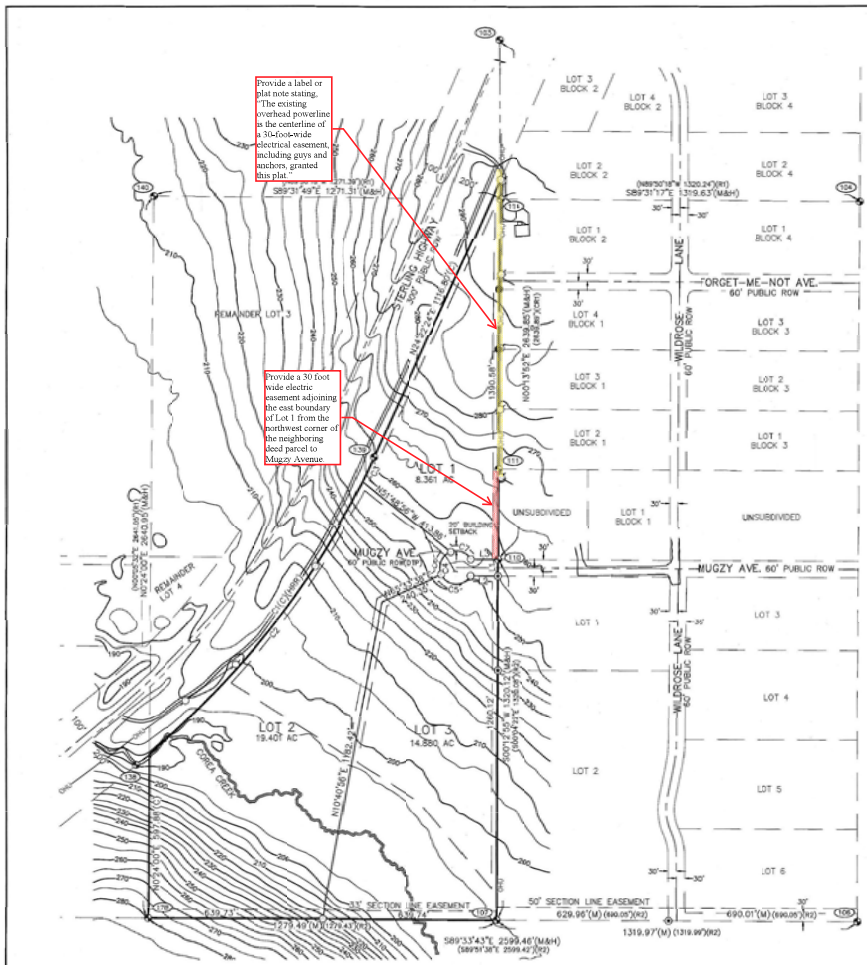


WARNING: This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by later movements of lines or other basis of water. Refer to the updated surveys for official survey information.

Lot 60°07'36.92"N  
Long 151°16'07.26"W

CURRENT TO		Sew Mer
5-9-2007		T 1 N
		R 12 W





Provide a label or plot note stating: "The existing overhead powerline is the centerline of a 30-foot-wide electrical easement including guys and anchors, granted this plan."

Provide a 30-foot wide electric easement adjoining the east boundary of Lot 1 from the northwest corner of the neighboring block parcel to Mugzy Avenue.

**REFERENCES**

- (R1) WEDGEWOOD TERRACE, PLAT NO. 77-38, HOMER RECORDING DISTRICT
- (R2) DURMAN SUBDIVISION, PLAT NO. 2009-35, HOMER RECORDING DISTRICT
- (R3) STORMO PROPERTY 1988 RECORD OF SURVEY, PLAT NO. 88-44RS, HOMER RECORDING DISTRICT

**NOTES**

1. BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. FOR THIS PLAT THE FRONT 15 FEET ADJACENT TO THE RIGHTS-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. EXCEPTIONS TO KPB 20.30.030-STREET LAYOUT, 20.30.170-BLOCK LENGTH AND 20.30.190-LOT DIMENSIONS WERE GRANTED BY THE KPB PLAT COMMITTEE AT THE JULY \_\_\_\_\_, 2024 MEETING.
4. NO DIRECT ACCESS TO THE STERLING HIGHWAY WILL GRANTED UNLESS APPROVED BY THE GOVERNING AGENCY.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLANDS DETERMINATION IF APPLICABLE.
6. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN ZONE X AND AREA THIS IS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. FLOOD INSURANCE RATE NUMBER 020022220A BEARING AN EFFECTIVE DATE OF MAY 19, 1991 AND THE NEHA RIVER FLOOD MAP WEBSITE WAS USED TO DETERMINE THE FLOOD ZONE. EXACT DESIGNATION CAN ONLY BE DETERMINED BY AN ELEVATION CERTIFICATE.
7. THIS PROPERTY IS SUBJECT TO THE FOLLOWING BLANKET EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION LOCATED ON DECEMBER 8, 1960 UNDER BOOK 21, PAGE 143 IN THE HOMER RECORDING DISTRICT, WHEREAS THE EXACT LOCATION IS NOT ASCERTAINABLE.
8. WASTEWATER DISPOSAL SITES WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATOR REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**LEGEND**

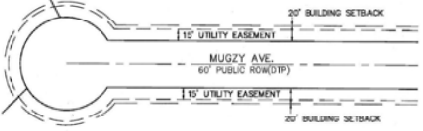
- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR PER (R1)
- FOUND 5/2" REBAR W/ YPC [LS-8859] PER (R2)
- SET 5/8" X 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
- (M&H) MEASURED & HELD
- (H&R) HELD RECORD RADIUS
- (C) COMPUTED
- (R#) RECORD DATA, SEE REFERENCE
- YPC YELLOW PLASTIC CAP
- ROW RIGHT-OF-WAY
- UTILITY POLE
- GUY WIRE
- MONUMENT NUMBER
- SUBDIVISION BOUNDARY
- INTERIOR LOT LINE
- ADJACENT PROPERTY LINE
- CENTERLINE
- SECTION LINE
- EASEMENT LINE
- 20 FOOT BUILDING SETBACK
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- OVERHEAD UTILITY LINE
- BANK OF CREEK

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S00°2'55"W	60.00'
L2	N89°33'18"W	100.00'
L3	N89°33'18"E	100.00'

CURVE TABLE						
CURVE #	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH	
C1	3064.91'	29°42'25"	1375.14'	N37°53'37"E	1363.63'	
C2	3064.91'	23°50'38"	1275.47'	N38°09'31"E	1266.29'	
C3	3064.91'	01°51'48"	99.67'	N25°18'18"E	99.66'	
C4	60.00'	289°59'58"	314.16'	N00°12'36"E	60.00'	
C5	60.00'	125°20'42"	135.26'	N87°04'43"W	106.61'	
C6	60.00'	94°27'47"	98.92'	N22°47'31"E	86.00'	
C7	60.00'	80°11'29"	83.98'	S69°52'51"E	77.29'	



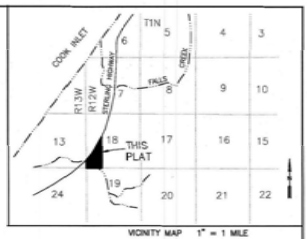
EASEMENT DETAIL - NOT TO SCALE



**PRELIMINARY DRAFT**

**CERTIFICATE OF SURVEYOR**

I, MARK AMONETTI 13022-5, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, THE UNDERSIGNED, HEREBY CERTIFY THAT BURGIN AND RAY TRUST DATED OCTOBER 22, 2007 IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF BURGIN AND RAY TRUST DATED OCTOBER 22, 2007, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JANICE D. RAY, TRUSTEE  
BURGIN AND RAY TRUST DATED OCTOBER 22, 2007  
P.O. BOX 230052  
ANCHORAGE, ALASKA 99523

**NOTARY ACKNOWLEDGEMENT**

FOR: ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2024

**PUBLIC NOTARY SIGNATURE**

MY COMMISSION EXPIRES: \_\_\_\_\_



**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_ 2024.

**AUTHORIZED OFFICIAL**



KPB FILE No. 2024-000

**BURGIN SUBDIVISION**

A SUBDIVISION OF THAT PORTION OF GOVERNMENT LOTS 3 & 4 IN SECTION 18, T.1N., R.12W. S.M. AK LYING SOUTH OF THE STERLING HIGHWAY

KENAI PENINSULA BOROUGH  
HOMER RECORDING DISTRICT

OWNER:  
BURGIN AND RAY TRUST DATED OCTOBER 22, 2007  
P. O. BOX 230052  
ANCHORAGE, ALASKA 99523

CONTAINING 42.642 ACRES



8000 KING STREET ANCHORAGE, AK 99518  
Phone (907) 344-5990 Fax (907) 344-7794  
WWW.EDGESURVEY.NET AEC# 1362

DRAWN BY: DATE: 06/28/2024 PROJECT: 24-531  
CHECKED BY: SCALE: 1" = 200' SHEET: 1 OF 1  
MA: DATE: 06/28/2024

**KPB 2024-070**



July 12, 2024

Beverly Carpenter, Platting Technician  
Kenai Peninsula Borough  
144 N. Binkley St.  
Soldotna, AK 99669

[Sent Electronically]

Re: Plat Review

Dear Ms. Carpenter:

The Alaska Department of Transportation and Public Facilities (DOT&PF) Central Region has reviewed the following plats and have no comments:

- **Mountain Park 2024 (KPB 2024-065)**
- **Shoreline Heights 2014 Addition Phase 1 Bowlin Replat (KPB 2024-063)**
- **Trust Land Survey 2024 Emerald Subdivision (KPB 2024-066)**
- **3 John's Subdivision (KPB 2024-064)**
- **Gateway Subdivision Hilltop Addition Utility Easement Vacation (KPB 2023-014V)**

The Alaska Department of Transportation and Public Facilities (DOT&PF) Central Region has reviewed the following plats and have the following comments:

- **Holland Park 2024 Replat (KPB 2024-073)**
  - Please add as a plat note: "One shared access for both Lot 3A and Lot 3B."
  - DOT&PF recommends lot access to Kalifornsky Beach Road is located across from Bonita Avenue. This would allow for safer turning points for facility users accessing Kalifornsky Beach Road.
- **Sweet Spot Subdivision (KPB 2024-069)**
  - No direct access to East End Road will be granted for Lot 1, Lot 2, and Lot 3. All proposed lots must take access from common access area onto Hutler Rd. as shown on the proposed plat. Future subdivision and development should be developed to also take access from the platted common access area.

- Please add as a plat note: “No direct access will be granted for Lot 1, Lot 2, and Lot 3 to East End Road.
- **Sagerser Subdivision Trinity Center Replat (KPB 2024-067)**
  - Platting actions invalidate existing access permits.
  - Remove existing access to Kenai Spur Highway.
  - Lot 1A must take access through Alex Drive.
  - No direct access to Kenai Spur Highway.
  - Please add as a plat note: “No direct access to Kenai Spur Highway for Lot 1A.”
- **Burgin Subdivision (KPB 2024-070)**
  - No direct access to Sterling Highway will be granted for Lot 1, Lot 2, and Lot 3. All proposed lots must take access from Mugzy Ave as shown on the proposed plat.
  - Please add as a plat note: “No direct access to the Sterling Highway for Lot 1, Lot 2, and Lot 3.”
  - DOT&PF recommends development of Forget-Me-Not Ave. and that internal lot development not preclude access to Forget-Me-Not Ave.
- **King’s Creek Subdivision Urban Addition No. 2 Kiefer 2024 Replat (KPB 2024-071)**
  - Please add as a plat note: “One shared access for both Lot 1-A-1 and Lot 1-A-2.”
  - Dedicate common access easement on plat for shared access to East End Road.
  - Apply for Approach Road or Driveway permits for access to East End Road. Driveway permits and Approach Road Review can be applied for at DOT&PF’s online ePermits website: <http://dot.alaska.gov/row/Login.po> . Please contact DOT&PF’s ROW division at 1-800-770-5263 to speak with a regional permit officer if you have any questions.
- **Taylor-Wright Subdivision 2024 Replate Vacate Hamilton Road (KPB 2024-068V)**
  - DOT&PF objects to the proposed Right of Way vacation.

All properties accessing DOT&PF roads must apply to Right of Way for a driveway permit and/or approach road review, subject to provisions listed in 17 AAC 10.020. Any previously issued access permits become invalid once the property undergoes a platting action and must be reissued.

We recommend the petitioner verify all section line easements and DOT&PF road rights-of-way adjacent to their property. For assistance, the petitioner may contact the Engineering group within the Right of Way section in DOT&PF at (907) 269-0700. The petitioner is liable to remove any improvements within the easements and rights-of-way that impede the operation and maintenance of those facilities even if they are not shown on the plat, so it is in the petitioner’s best interest to identify the exact locations and widths of any such easements or rights-of-way before they improve the property.

If any section line easements or road rights-of-way exist within the bounds of their plat, we recommend the petitioner dedicate them. If there is an existing right-of-way or easement, the petitioner is unable to develop that portion of the property yet continues to pay property taxes on it; dedicating will remove that cost to the petitioner.

If there are any questions regarding these comments, please feel free to contact me at (907) 269-0514 or [romoreno.marasigan@alaska.gov](mailto:romoreno.marasigan@alaska.gov) .

Sincerely,

Romorenzo Marasigan  
Transportation Planner, DOT&PF

cc: Sean Baski, Chief, Highway Design, DOT&PF  
Matt Walsh, Property Management Supervisor, Right of Way, DOT&PF  
Devki Rearden, Engineering Associate, DOT&PF  
Anna Bosin, Traffic & Safety Engineer, DOT&PF  
Morris Beckwith, Right of Way, DOT&PF