



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Plat Committee

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Monday, August 26, 2024

7:00 PM

Betty J. Glick Assembly Chambers

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**Zoom Meeting ID 907 714 2200**

Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible.

The hearing procedure for the Plat Committee public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

### **A. CALL TO ORDER**

Appointment of New Commissioner - Paul Whitney, City of Soldotna

### **B. ROLL CALL**

Election of Officers: Chair & Vice Chair

**C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES**

*All items marked with an asterisk (\*) are consent agenda items. Consent agenda items are considered routine and noncontroversial by the Plat Committee and may be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner removes the item from the consent agenda. The removed item will then be considered in its normal sequence on the regular agenda. If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.*

1. Agenda
2. Member / Alternate Excused Absences
3. Minutes

[KPB-6257](#) August 12, 2024 Plat Committee Meeting Minutes

Attachments: [C3. 081224 Plat Minutes](#)

4. Grouped Plats

[KPB-6258](#) August 26, 2024 Grouped Plats

Attachments: [C4. Grouped Plats](#)

**D. OLD BUSINESS****E. NEW BUSINESS**

1. [KPB-6259](#) Ninilchik Townsite 2024 Replat; KPB File 2024-082  
Johnson Surveying / Kenai Peninsula Borough, Waldron, Franey  
Location: Missionary Avenue & Civil Corps Road  
Ninilchik Area

Attachments: [E1. Ninilchik Townsite 2024 Replat Packet](#)

2. [KPB-6260](#) Yourkowski Subdivision; KPB File 2024-083  
Geovera, LLC / Yourkowski, Lewis  
Location: East End Road  
Fritz Creek Area / Kachemak Bay APC

Attachments: [E2. Yourkowski Subdivision Packet](#)

**F. PUBLIC COMMENT**

*(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)*

**G. ADJOURNMENT****MISCELLANEOUS INFORMATIONAL ITEMS****NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING**

The next regularly scheduled Plat Committee meeting will be held Monday, September 9, 2024 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

**KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto:planning@kpb.us)

website: <http://www.kpb.us/planning-dept/planning-home>

Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in which the item is being heard. If voluminous information and materials are submitted staff may request seven copies be submitted. Maps, graphics, photographs, and typewritten information that is submitted at the meeting must be limited to 10 pages. Seven copies should be given to the recording secretary to provide the information to each Committee member. If using large format visual aids (i.e. poster, large-scale maps, etc.) please provide a small copy (8 ½ x 11) or digital file for the recording secretary. Audio, videos, and movies are not allowed as testimony. If testimony is given by reading a prepared statement, please provide a copy of that statement to the recording secretary.

An interested party may request that the Planning Commission review a decision of the Plat Committee by filing a written request within 10 days of the written notice of decision in accordance with KPB 2.40.080.

## **C. CONSENT AGENDA**

- \*3. Minutes**
  - a. August 12, 2024 Plat Committee Meeting**

# Kenai Peninsula Borough Plat Committee

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Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

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August 12, 2024  
6:30 PM  
UNAPPROVED MINUTES

## A. CALL TO ORDER

Commissioner Gillham called the meeting to order at 6:50 p.m. (*Late Meeting Start*)

## B. ROLL CALL

### *Plat Committee Members/Alternates*

Pamela Gillham, Kalifornsky/Kasilof District  
Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District  
Troy Staggs, City of Seward  
Franco Venuti, City of Homer

### *Staff Present*

Robert Ruffner, Planning Director  
Vince Piagentini, Platting Manager  
Jenny Robertson, Land Management Administrative Assistant  
Ann Shirnberg, Planning Administrative Assistant

With 4 members of a 4-member committee in attendance, a quorum was present.

## C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

- \*3. Approval of Minutes
  - a. May July 22, 2024 Plat Committee Meeting Minutes
- \*4. Grouped Plats
  - E2. Atwood Homestead Estates; KPB File 2024-078
  - E3. Fair Ridge Subdivision Part Seven; KPB File 2024-005R1
  - E5. Pacific Park Subdivision 2024 Addition; KPB File 2024-077
  - E6. Bayview Subdivision Chow 2024 Replat; KPB File 2024-072
  - E7. Scenic View No. 6 Lovett 2024 Replat; KPB File 2024-079

Chair Gillham asked if anyone from the public wished to speak to any of the items under the consent agenda. Hearing no one wishing to comment discussion was opened among the commission.

**MOTION:** Commissioner Staggs moved, seconded by Commissioner Morgan to approve the agenda, the July 22, 2024 Plat Committee meeting minutes and grouped plats based on staff recommendations and compliance to borough code.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

### **MOTION PASSED BY UNANIMOUS VOTE**

|         |                                 |
|---------|---------------------------------|
| Yes - 4 | Gillham, Morgan, Staggs, Venuti |
|---------|---------------------------------|

**E. NEW BUSINESS**

**ITEM #1 - PRELIMINARY PLAT  
CHARLES AND BARBARA SCOTT SUBDIVISION**

|                                |  |
|--------------------------------|--|
| <b>KPB File No.</b>            | 2022-118R1   |
| <b>Plat Committee Meeting:</b> | August 12, 2024  |
| <b>Applicant / Owner:</b>      | Charles & Barbara Scott / Tuscan, AZ                   |
| <b>Surveyor:</b>               | John Segesser / Segesser Surveys                       |
| <b>General Location:</b>       | North Kenai / Nikiski APC                              |
| <b>Parent Parcel No.:</b>      | 017-140-34 & 017-140-35                                |
| <b>Legal Description:</b>      | T 6N R 12W SEC 14 SEWARD MERIDIAN KN GOVT LOTS 44 & 45 |
| <b>Assessing Use:</b>          | Residential & Vacant                                   |
| <b>Zoning:</b>                 | Unrestricted   |
| <b>Water / Wastewater</b>      | Onsite / Onsite  |
| <b>Exception Request</b>       | 20.30.130  |

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

John Segesser/Segesser Surveys; 30485 Rosland Street, Soldotna AK 99669: Mr. Segesser was the surveyor on this project and made himself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

**MAIN MOTION:** Commissioner Staggs moved, seconded by Commissioner Venuti to grant preliminary approval to Charles & Barbara Scott Subdivision based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

**EXCEPTION REQUEST:** Commissioner Staggs moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.30.130 – Streets Curve Requirements, citing finding 1-5 in support of standard one, findings 1-4 in support of standard two and findings 2 & 4-6 in support of standard three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

**EXCEPTION REQUEST MOTION A PASSED BY UNANIMOUS VOTE**

|         |                                 |
|---------|---------------------------------|
| Yes - 4 | Gillham, Morgan, Staggs, Venuti |
|---------|---------------------------------|

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

**MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE**

|         |                                 |
|---------|---------------------------------|
| Yes - 4 | Gillham, Morgan, Staggs, Venuti |
|---------|---------------------------------|

**ITEM #2 - PRELIMINARY PLAT  
ATWOOD HOMESTEAD ESTATES**

|                                |  |
|--------------------------------|--|
| <b>KPB File No.</b>            | 2024-078   |
| <b>Plat Committee Meeting:</b> | August 12, 2024  |
| <b>Applicant / Owner:</b>      | Richard Burger / Clam Gulch, AK  |
| <b>Surveyor:</b>               | Jerry Johnson / Johnson Surveying  |
| <b>General Location:</b>       | Wise Owl Ave & Sterling Highway / Clam Gulch, AK   |
| <b>Parent Parcel No.:</b>      | 139-06-004   |
| <b>Legal Description:</b>      | T 1N R 12W SEC 18 SEWARD MERIDIAN HM PORTION OF THE NE1/4 NW1/4 LYING EAST OF STERLING HWY |
| <b>Assessing Use:</b>          | Residential  |
| <b>Zoning:</b>                 | Rural Unrestricted   |
| <b>Water / Wastewater</b>      | Onsite/ Onsite   |
| <b>Exception Request</b>       | None   |

**\*Passed Under Consent Agenda**

**ITEM #3 - PRELIMINARY PLAT  
FAIR RIDGE SUBDIVISION PART SEVEN**

|                                |                                   |
|--------------------------------|-----------------------------------|
| <b>KPB File No.</b>            | 2024-005R1                        |
| <b>Plat Committee Meeting:</b> | August 12, 2024                   |
| <b>Applicant / Owner:</b>      | Clark Fair of Homer               |
| <b>Surveyor:</b>               | Jerry Johnson / Johnson Surveying |
| <b>General Location:</b>       | Forest Lane, Sterling             |

|                           |  |
|---------------------------|--|
| <b>Parent Parcel No.:</b> | 063-181-38   |
| <b>Legal Description:</b> | T 5N R 9W SEC 31 SEWARD MERIDIAN KN 2013058 FAIR RIDGE SUB 2013 REPLAT TRACT B-1 |
| <b>Assessing Use:</b>     | Residential  |
| <b>Zoning:</b>            | Rural Unrestricted   |
| <b>Water / Wastewater</b> | Onsite/ Onsite   |
| <b>Exception Request</b>  | None   |

\*Passed Under Consent Agenda

**ITEM #4 - PRELIMINARY PLAT  
ANCHOR VIEW ESTATES – STALCUP ADDITION**

|                                |   |
|--------------------------------|---|
| <b>KPB File No.</b>            | 2024-074  |
| <b>Plat Committee Meeting:</b> | August 12, 2024                                 |
| <b>Applicant / Owner:</b>      | Shawn & Joshua Stalcup / Anchor Point, AK       |
| <b>Surveyor:</b>               | Dmitri Kimbrell / Fine Line Surveys             |
| <b>General Location:</b>       | Shorebird Lane, Anchor Point / Anchor Point APC |

|                           |   |
|---------------------------|---|
| <b>Parent Parcel No.:</b> | 165-450-40  |
| <b>Legal Description:</b> | T 4S R 15W SEC 27 SEWARD MERIDIAN HM 0760057 ANCHOR VIEW ESTATES SUB LOT 16 BLK 2 |
| <b>Assessing Use:</b>     | Residential   |
| <b>Zoning:</b>            | Rural Unrestricted  |
| <b>Water / Wastewater</b> | Onsite / Onsite   |
| <b>Exception Request</b>  | 20.30.190   |

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

**MAIN MOTION:** Commissioner Staggs moved, seconded by Commissioner Venuti to grant preliminary approval to Anchor View Estates-Stalcup Addition based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

**EXCEPTION REQUEST:** Commissioner Staggs moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.30.190 – Lot Dimensions, citing findings 1 & 7 in support of standard one, findings 2 & 4 in support of standard two and findings 3 & 5 in support of standard three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

**EXCEPTION REQUEST MOTION A PASSED BY UNANIMOUS VOTE**

|         |                                 |
|---------|---------------------------------|
| Yes - 4 | Gillham, Morgan, Staggs, Venuti |
|---------|---------------------------------|

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

**MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE**

|         |                                 |
|---------|---------------------------------|
| Yes - 4 | Gillham, Morgan, Staggs, Venuti |
|---------|---------------------------------|

**ITEM #5 - PRELIMINARY PLAT  
PACIFIC PARK SUBDIVISION 2024 ADDITION**

|                                |   |
|--------------------------------|---|
| <b>KPB File No.</b>            | 2024-077  |
| <b>Plat Committee Meeting:</b> | August 12, 2024                                     |
| <b>Applicant / Owner:</b>      | Zachary Blauvelt / Anchor Point, AK                 |
| <b>Surveyor:</b>               | Dmitri Kimbrell / Fineline Surveys                  |
| <b>General Location:</b>       | Whiskey Gulch St in Anchor Point / Anchor Point APC |

|                           |   |
|---------------------------|---|
| <b>Parent Parcel No.:</b> | 165-165-22  |
| <b>Legal Description:</b> | T 4S R 15W SEC 27 SEWARD MERIDIAN HM 2004027 PACIFIC PARK LOT 7 BLK 3 |
| <b>Assessing Use:</b>     | Residential   |
| <b>Zoning:</b>            | Unrestricted  |
| <b>Water / Wastewater</b> | Onsite / Onsite   |
| <b>Exception Request</b>  | None  |

\*Passed Under Consent Agenda

**ITEM #6 - PRELIMINARY PLAT  
BAY VIEW SUBDIVISION CHOW 2024 REPLAT**

|                                |  |
|--------------------------------|--|
| <b>KPB File No.</b>            | 2024-072                                     |
| <b>Plat Committee Meeting:</b> | August 12, 2024                              |
| <b>Applicant / Owner:</b>      | Chow Community Property Trust / Homer, AK    |
| <b>Surveyor:</b>               | Katherine Kirsis / Seabright Survey + Design |
| <b>General Location:</b>       | Lakeshore Dr / City of Homer                 |

|                           |   |
|---------------------------|---|
| <b>Parent Parcel No.:</b> | 179-183-05 & 179-183-06   |
| <b>Legal Description:</b> | T6S R13W SEC 21 SEWARD MERIDIAN HM 00839 BAY VIEW SUB LOT 60 & 61 |
| <b>Assessing Use:</b>     | Vacant & Accessory Building                                       |
| <b>Zoning:</b>            | Unrestricted  |
| <b>Water / Wastewater</b> | City / City   |
| <b>Exception Request</b>  | None  |

\*Passed Under Consent Agenda

**ITEM #7 - PRELIMINARY PLAT  
SCENIC VIEW NO. 6 LOVETT 2024 REPLAT**

|                                |  |
|--------------------------------|--|
| <b>KPB File No.</b>            | 2024-079                                     |
| <b>Plat Committee Meeting:</b> | August 12, 2024                              |
| <b>Applicant / Owner:</b>      | Shannon Lane, LLC / Homer, AK                |
| <b>Surveyor:</b>               | Katherine Kirsis / Seabright Survey + Design |
| <b>General Location:</b>       | East End Rd / City of Homer, AK              |

|                           |  |
|---------------------------|--|
| <b>Parent Parcel No.:</b> | 179-390-01 & 179-390-02  |
| <b>Legal Description:</b> | T 6S R 13W SEC 16 SEWARD MERIDIAN HM 0820047 SCENIC VIEW SUB NO 6 LOT F10-A and LOT F7-A EXCLUDING DOT ROW |
| <b>Assessing Use:</b>     | Residential and Vacant   |
| <b>Zoning:</b>            | Rural Unrestricted   |
| <b>Water / Wastewater</b> | City / City  |
| <b>Exception Request</b>  | None   |

\*Passed Under Consent Agenda



**ITEM #8 - PRELIMINARY PLAT  
PAUL TAYLOR SUBDIVISION**

|                                |  |
|--------------------------------|--|
| <b>KPB File No.</b>            | 2024-080                                       |
| <b>Plat Committee Meeting:</b> | August 12, 2024                                |
| <b>Applicant / Owner:</b>      | Paul Taylor / Anchor Point, Alaska             |
| <b>Surveyor:</b>               | Katherine Kirsis / Seabright Survey & Design   |
| <b>General Location:</b>       | Diamond Ridge area / Kachemak Bay APC          |
| <b>Parent Parcel No.:</b>      | 171-102-13                                     |
| <b>Legal Description:</b>      | T 5S R 13W SEC 33 SEWARD MERIDIAN HM S1/2 S1/2 |
| <b>Assessing Use:</b>          | Vacant   |
| <b>Zoning:</b>                 | Rural Unrestricted                             |
| <b>Water / Wastewater</b>      | Onsite / Onsite                                |
| <b>Exception Request</b>       | 20.30.170, 20.30.030                           |

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Katherine Kirsis, Seabright Survey & Design; 1044 East End Road Suite A, Homer, AK 99603: Mis Kirsis was the surveyor on this project and made herself available for questions.

James Hughes; 79 Old San Marcos Trail, Santa Fe, NM 87508: Mr. Hughes is neighboring landowner and spoke in opposition to approving this plat.

Lois Parshley; P.O. Box 3274, Homer AK 99603: Ms. Parshley is a neighboring landowner and spoke in opposition to approving this plat.

Sue Mauger; 61019 Crossman Ridge Road, Homer AK 99603: Ms. Mauger is a neighboring landowner and spoke in opposition to approving this plat.

Mike Byerly; 61019 Crossman Ridge Road, Homer AK 99603: Mr. Byerly is a neighboring landowner and spoke in opposition to approving this plat.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

**MAIN MOTION:** Commissioner Staggs moved, seconded by Commissioner Venuti to grant preliminary approval to Paul Taylor Subdivision based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

**EXCEPTION REQUEST:** Commissioner Staggs moved, seconded by Commissioner Venuti to grant the exception request to KPB 20.30.17 – Block Length Requirements & KPB 20.30.030 – Proposed Street Layout Requirements, citing findings 1, 2 & 4 in support of standard one, findings 1-5 in support of standard two and findings 1 & 6 in support of standard three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

**EXCEPTION REQUEST MOTION A PASSED BY UNANIMOUS VOTE**

|         |                                 |
|---------|---------------------------------|
| Yes - 4 | Gillham, Morgan, Staggs, Venuti |
|---------|---------------------------------|

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

**MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE**

|         |                                 |
|---------|---------------------------------|
| Yes - 4 | Gillham, Morgan, Staggs, Venuti |
|---------|---------------------------------|

**F. ADJOURNMENT**

Commissioner Venuti moved to adjourn the meeting 7:43 P.M.

\_\_\_\_\_  
Ann E. Shirnberg  
Administrative Assistant

# **C. CONSENT AGENDA**

**\*4. Grouped Plats**

**E1. Ninilchik Townsit 2024 Replat; KPB File 2024-0823**

**E2. Yourkowski Subdivision; KPB File 2024-083**



August 26, 2024

**Plat Committee**

Betty J. Glick Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building and Through

**Jeremy Brantley, Chair**  
Sterling/Funny River  
Term Expires 2024

**Pamela Gillham, Vice Chair**  
Kalifornsky / Kaslof District  
Term Expires 2026

**Virginia Morgan**  
Cooper Landing / Hope  
Eastern Peninsula District  
Term Expires 2025

**Diane Fikes**  
City of Kenai  
Term Expires 2025

**Paul Whitney**  
City of Soldotna  
Term Expires 2027

**Franco Venuti**  
City of Homer  
Term Expires 2025

**Troy Staggs**  
City of Seward  
Term Expires 2026

**Jeffrey Epperheimer**  
Nikiski District  
Term Expires 2026

**Dawson Slaughter**  
South Peninsula District  
Term Expires 2025

## GROUPED STAFF REPORT

Staff has grouped the following plats located under **AGENDA ITEM C4 – Grouped Plats (AGENDA ITEM F - FINAL PLATS WILL NEED SEPARATE REVIEW)**. They are grouped as:

A. The plats placed on the consent agenda are considered simple or non-controversial. They are generally lot splits, lot line adjustments, no exceptions or ones that received no public comments. The group plats on the consent agenda are as follows. – 2 Plats

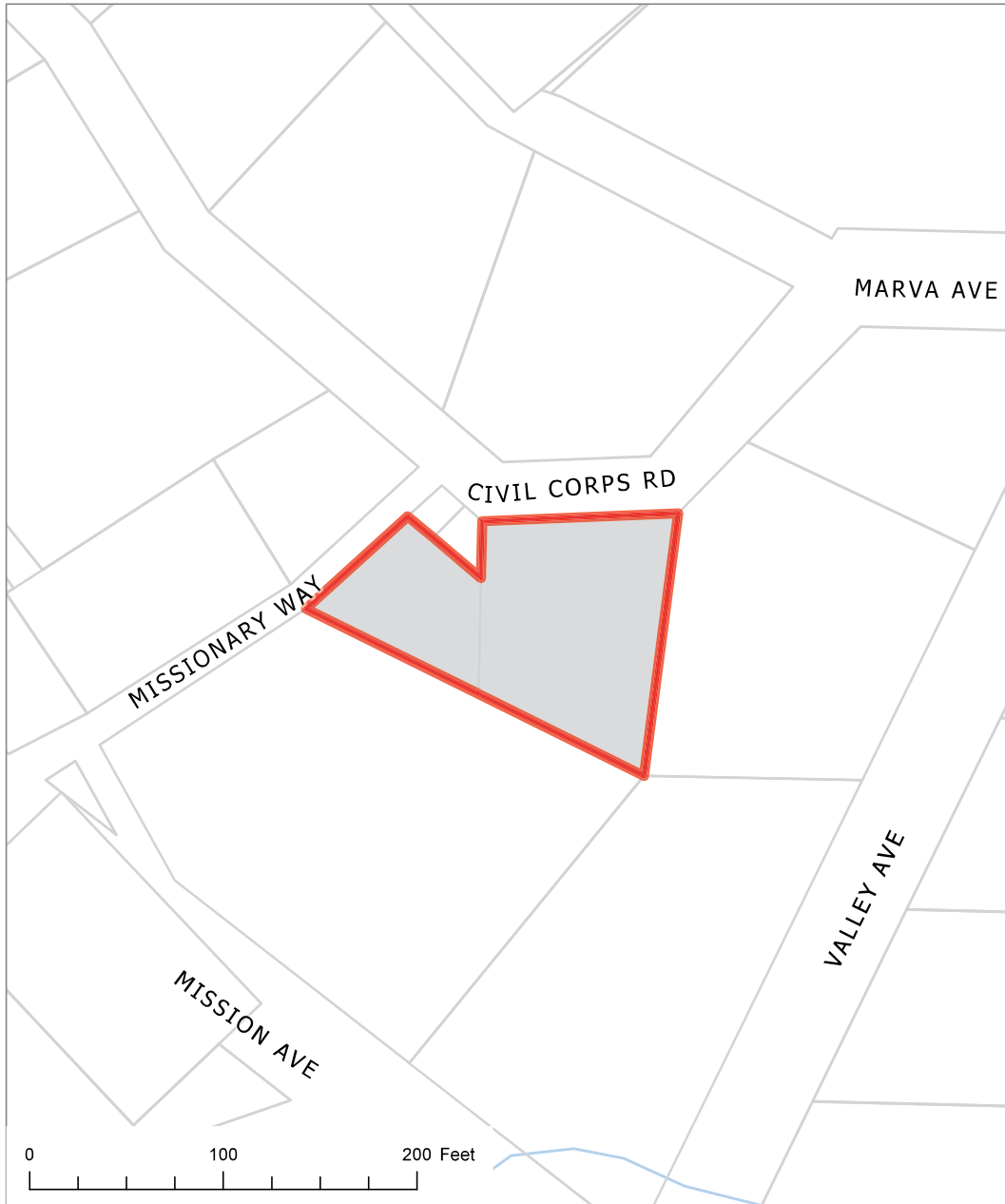
- E1. Niniichik Townsit 2024 Replat; KP File 2024-0823
- E2. Yourkowski Subdivision; KP File 2024-083

**Staff recommends** the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this **group (A)** and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

B. Plats needing specific actions or controversial - (public comments received, major staff concerns, exceptions required) – No Plats

## **E. NEW BUSINESS**

- 1. Ninilchik Townsite 2024 Replat; KPB File 2024-082  
Johnson Surveying / KPB, Waldron, Franey  
Location: Missionary Avenue & Civil Corps Road  
Ninilchik Area**



KPB File 2024-082  
T 01S R 14W SEC 34  
Ninilchik

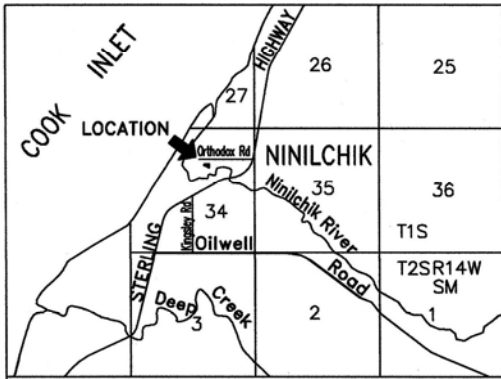
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Aerial Map



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.



VICINITY 1" = 1 mile MAP

# Ninilchik Townsite Preliminary Plat

## 2024 Replat

A replat combining Lots 3 & 6 Block 3 Ninilchik TWS, USS 3036 A & B, HRD plat 65-55. Located in the NW1/4 Section 34, T1S R14W, SM, Alaska. Homer Recording District Kenai Peninsula Borough

Prepared for

Jacqueline Waldron  
Gabriel Franey  
P.O. Box 522  
Westport, WA 98595

Prepared by

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

Kenai Peninsula Borough  
144 N Binkley St.  
Sodotna, AK 99669

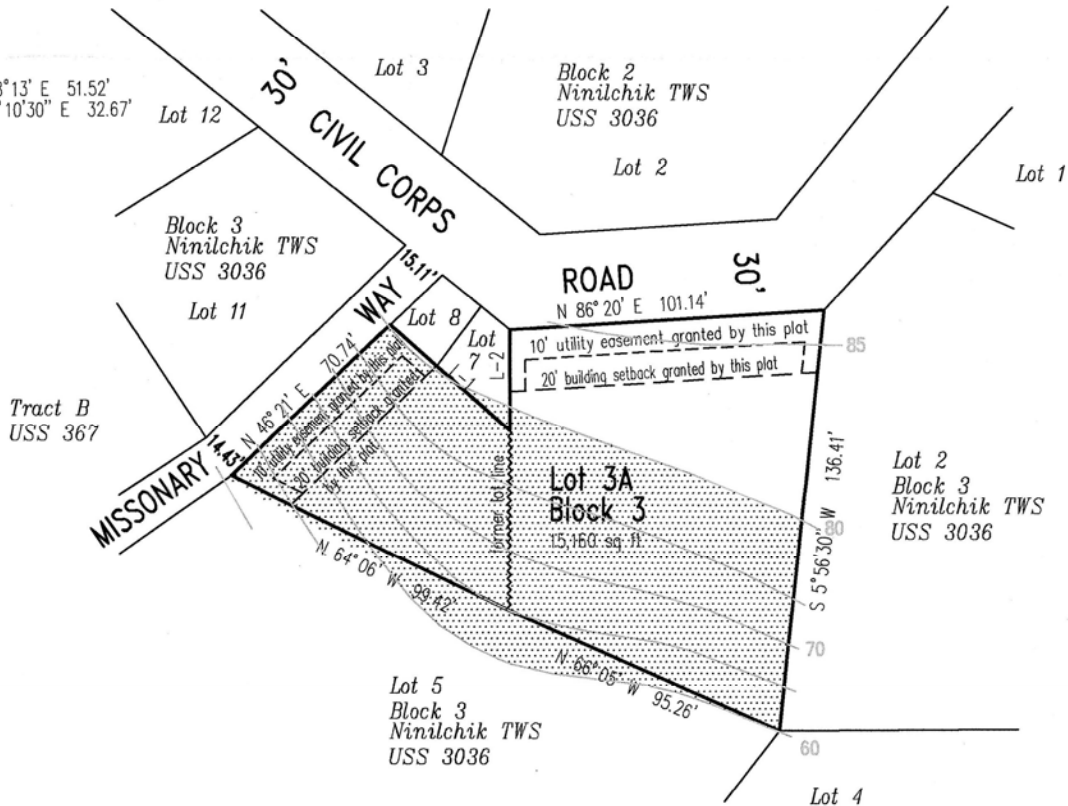
SCALE 1" = 40' AREA = 15,160 sq ft  
5 June, 2024

### NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' adjacent to ROWs is also a utility easement, extending to 20' within 5' of side lot lines.
2. No permanent structures shall be constructed or placed within a utility easement that would interfere with the ability of a utility to use the easement.
3. This is a paper plat. No field survey was performed in conjunction with preparing this plat, no corners were found or set.
4. Contour interval 5'. Shaded are indicates grade over 25%. There are no wet areas on the property.

### LINES

- L-1 S 48°13' E 51.52'
- L-2 N 0°10'30" E 32.67'



### WASTEWATER DISPOSAL

KPB 20.40.020  
This platting action is providing greater per lot available wastewater disposal areas. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

**KPB 2024-082**

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT  
NINILCHIK TOWNSITE 2024 REPLAT**

|                                |  |
|--------------------------------|--|
| <b>KPB File No.</b>            | 2024-082   |
| <b>Plat Committee Meeting:</b> | AUGUST 26, 2024  |
| <b>Applicant / Owner:</b>      | Jacqueline Waldron & Gabriel Franey / Westport, WA<br>Kenai Peninsula Borough / Soldotna, AK |
| <b>Surveyor:</b>               | Jerry Johnson / Johnson Surveying  |
| <b>General Location:</b>       | Civil Corps Rd, Ninilchik  |

|                           |  |
|---------------------------|--|
| <b>Parent Parcel No.:</b> | 157-075-03 & 157-075-04  |
| <b>Legal Description:</b> | T 1S R 14W SEC 34 SEWARD MERIDIAN HM 0650055 NINILCHIK TOWNSITE<br>OF USS 3036 A & B LOTS 03 & 06 BLK 03 |
| <b>Assessing Use:</b>     | Vacant   |
| <b>Zoning:</b>            | Rural Unrestricted   |
| <b>Water / Wastewater</b> | Onsite / Onsite  |
| <b>Exception Request</b>  | None   |

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will combine two adjacent lots into one lot of size 15,160 sq ft.

This plat is being completed as a condition to the purchase from the KPB of the adjacent lot by the owner.

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

Legal access to the plat is via Civil Loop Rd, a 30 foot dedication that is developed coming from the west up to the west edge of the proposed plat. The dedication continues past the plat undeveloped. Mission Ave connects the west end of Civil Loop Rd with a varied width dedication developed road leading out to the Sterling Highway. On the west side of the plat is Missionary Way, an approximately 15 foot alley dedication connecting Civil Loop Rd and Mission Ave. Missionary Way is undeveloped.

The plat is not completing a vacation or dedication. Even though the right-of-way of Civil Loop Rd is only 30 feet wide, no additional right-of-way can be dedicated to help in compliance. **Staff recommends** that the Plat Committee concur that the dedication is sufficient and an exception to KPB 20.30.050 (A.5.) is not needed.

The plat is not affected by a patent easement or section line easement either.

Block length is compliant.

|                                 |   |
|---------------------------------|---|
| KPB Roads Dept. comments        | Out of Jurisdiction: No<br><br>Roads Director: Griebel, Scott<br>Comments:<br>No RSA comments |
| SOA DOT comments                | No comment  |
| SOA DNR SURVEY Section comments | No comment  |



**Site Investigation:** There are no improvements on the plat per KPB GIS data.

The plat does identify steep areas of over 20% fall by contours and shading. The steep areas cover a majority of the plat as shown. **Staff recommends** the contours be removed for the final submittal and replaced with directional arrows.

There are no wetlands on the plat and River Center review did not identify the plat to be in a FEMA designated flood hazard zone or a habitat protection district. No flood notes will be needed on the plat.

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

**Staff Analysis**

The original survey of the township was started in 1919 by the U.S. Surveyor General's Office. The resurvey of the Niniilchik Townsite designated as No 3036 A & B was completed in the fall of 1950 by the U. S. Department of the Interior and approved on August 7, 1951.

A soils report will not be required as this plat is combining lots and vacating lot lines.

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

The property is not within an advisory planning commission.

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

**Utility Easements**

HEA has submitted a review comment to add a note and easement to the drawing. The review has been added to the packet to be viewed.

No easements were listed n the certificate to plat. A 10' utility easement adjacent to all right-of-ways is being proposed with this plat and is shown and noted.

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    | Add electric line and comment, review is in the packet. |
| ENSTAR | No comment  |
| ACS    |   |

|     |  |
|-----|--|
| GCI |  |
|-----|--|

**KPB department / agency review:**

|                 |  |
|-----------------|--|
| Addressing      | <p>Reviewer: Leavitt, Rhealyn<br/> Affected Addresses:<br/> 66395 CIVIL CORPS RD</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names:<br/> MISSIONARY WAY, CIVIL CORPS RD</p> <p>Existing Street Name Corrections Needed:<br/> TYPO ON MISSIONARY WAY</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:<br/> ADDRESS WILL NOT BE AFFECTED</p> |
| Code Compliance | <p>Reviewer: Ogren, Eric<br/> Comments: No comments</p>  |
| Planner         | <p>Reviewer: Raidmae, Ryan<br/> There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:<br/> There are not any material site issues with this proposed plat.</p>   |
| Assessing       | <p>Reviewer: Windsor, Heather<br/> Comments: No comment</p>  |

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

Correct the word appropriate in plat note #1.  
Check the font on plat note #1 for unity with the other plat notes.  
Check the font on the Wastewater Disposal note, it appears small than required.  
Add the KPB File no 20024-082 to the title block

**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.*

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

**Staff recommendation:**

Correct the spelling of Missionary Way  
The width of Missionary Way is shown as 15.23' on the plat drawing, please verify correct size.

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:**

Oil Well is two words  
Orthodox Rd needs to be changed to Ave  
Add Section 4 to the southwest

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:**

Several adjacent lots need the block numbers added to the lot label.

**KPB 20.30 – Subdivision Design Requirements**

**Staff recommendation:** final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

**KPB 20.40 – Wastewater Disposal**

**Staff recommendation:** final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

*Platting Staff Comments:*

**Staff recommendation:** comply with 20.40.

**KPB 20.60 – Final Plat**

**Staff recommendation:** final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

**RECOMMENDATION:**

**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.**

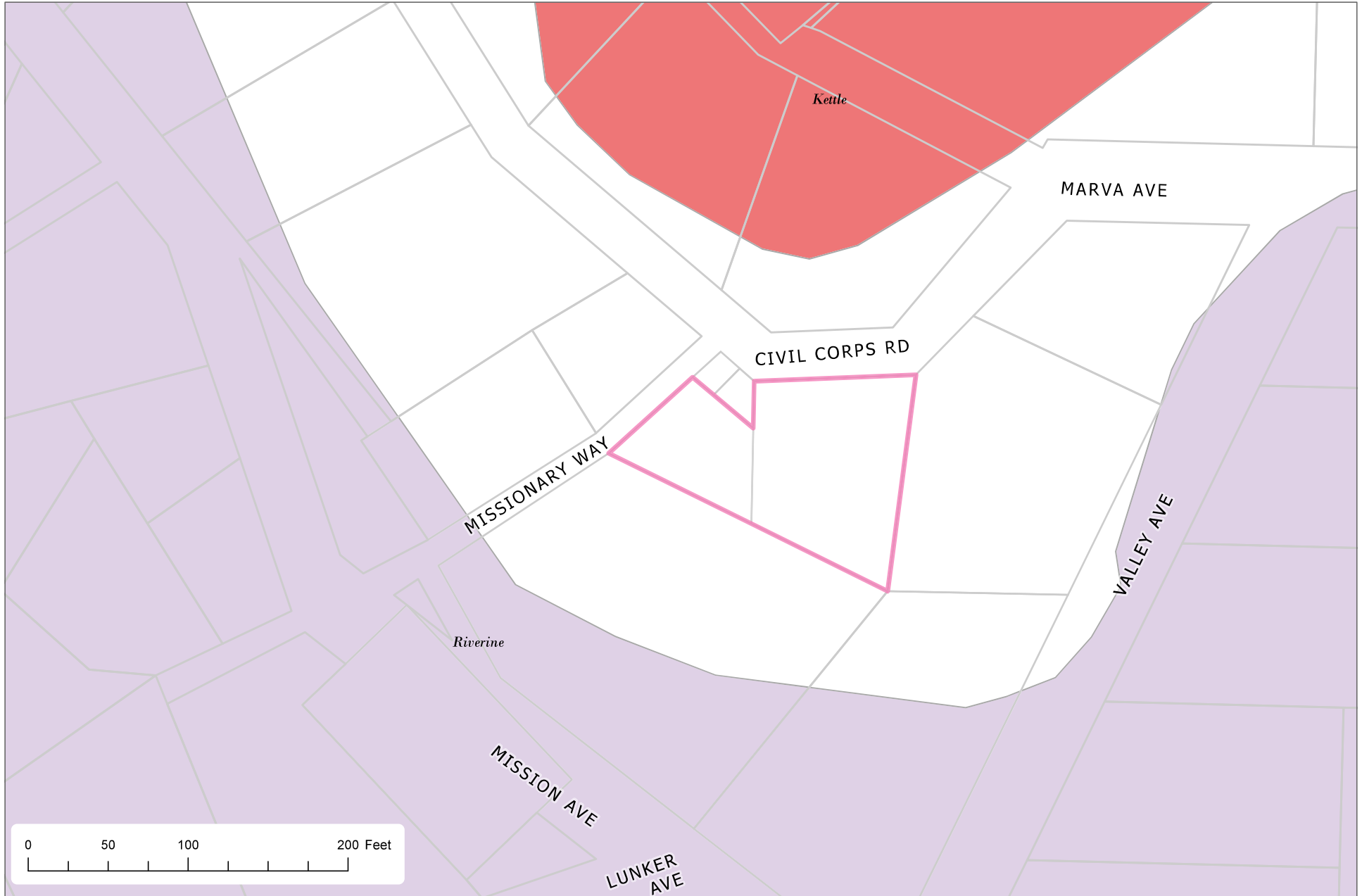
**END OF STAFF REPORT**



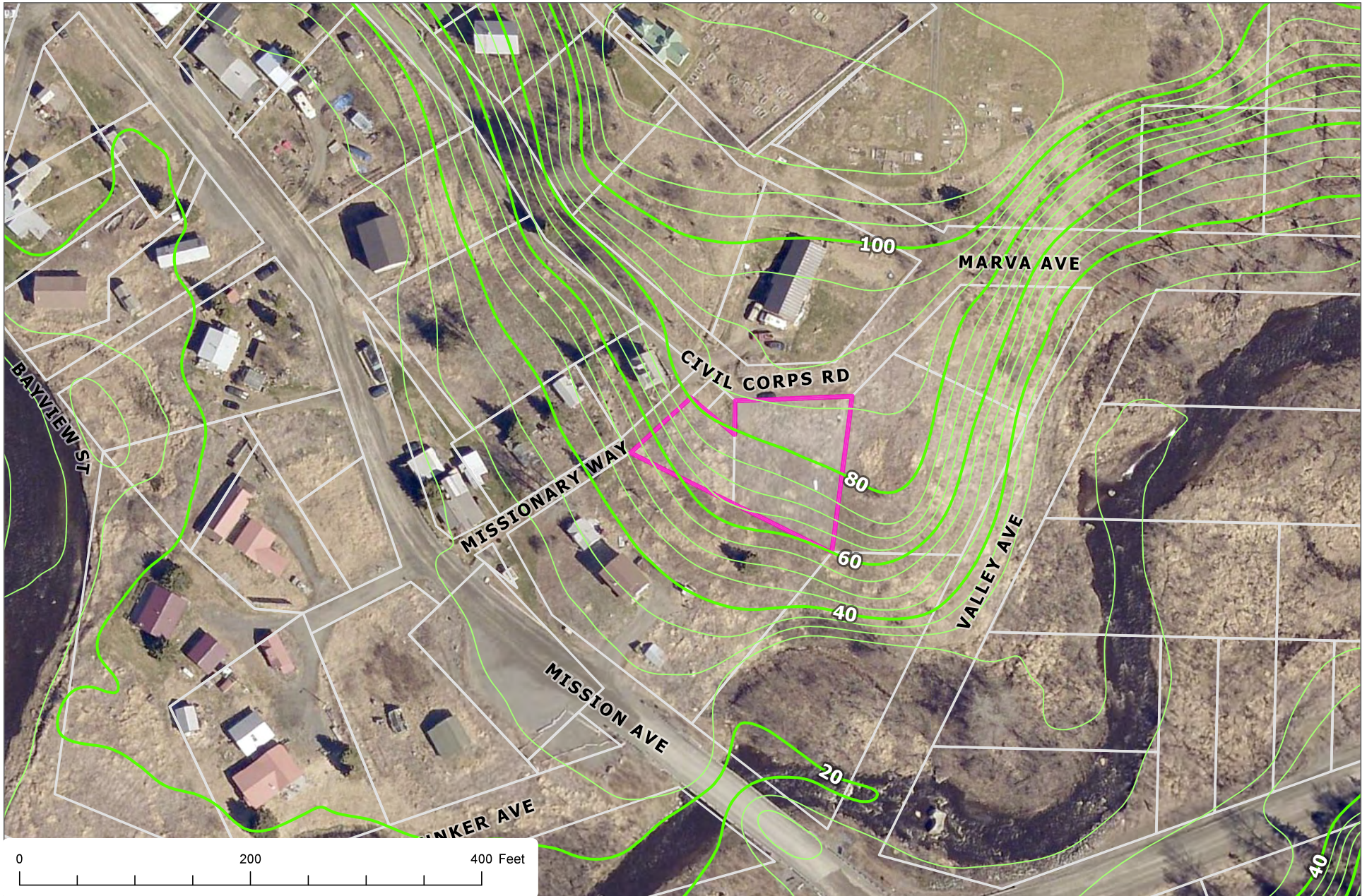
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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.



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HOMER  
Serial No. 65-55

# U. S. SURVEY No. 3036A (BOUNDARIES) AND 3036 B (SUBDIVISION)

### TRACT A and TRACT B TOWNSITE OF NINILCHIK, ALASKA

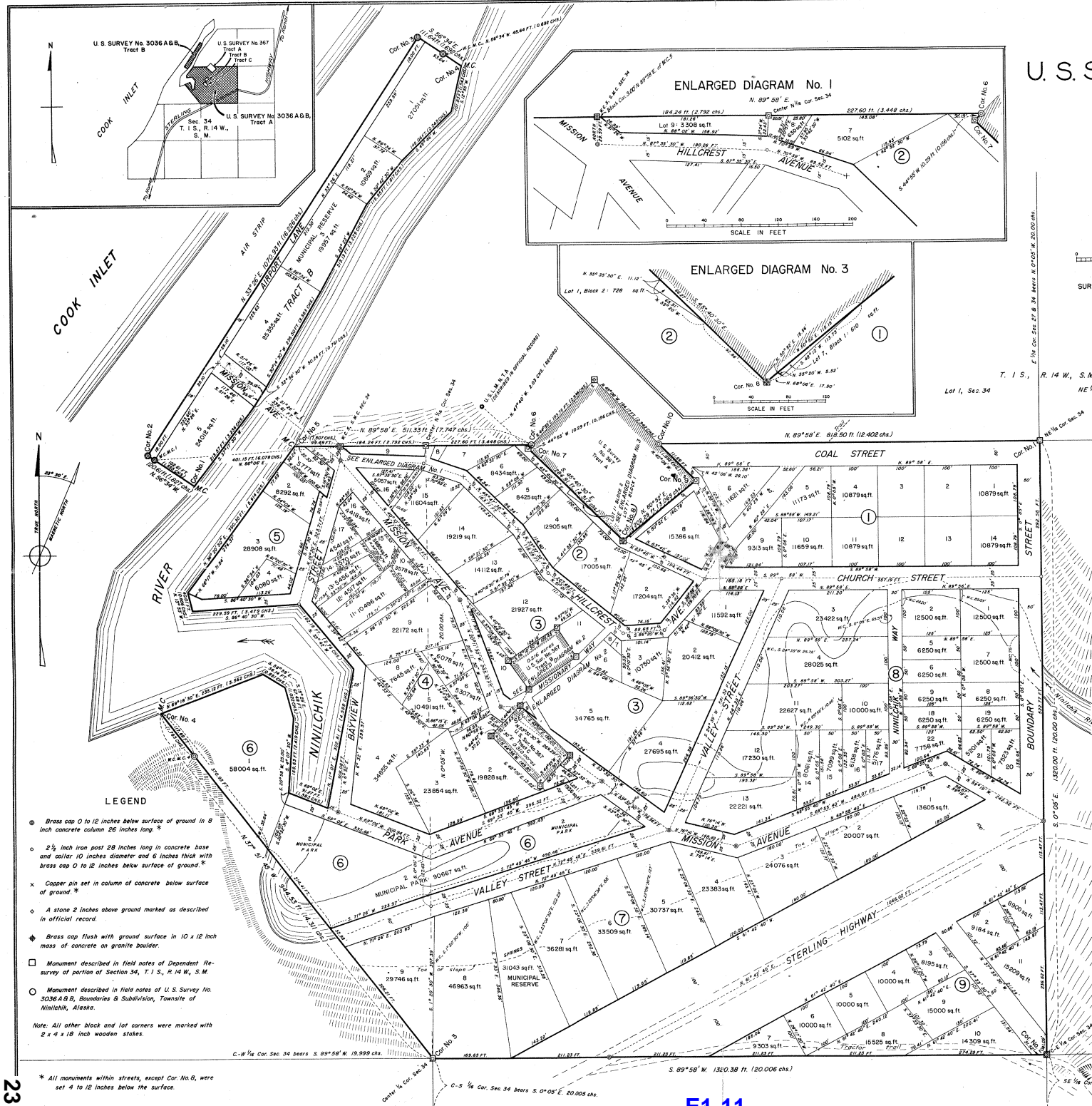
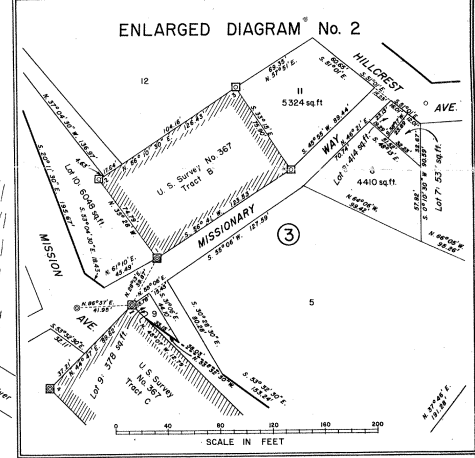
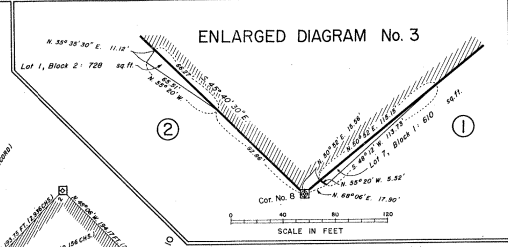
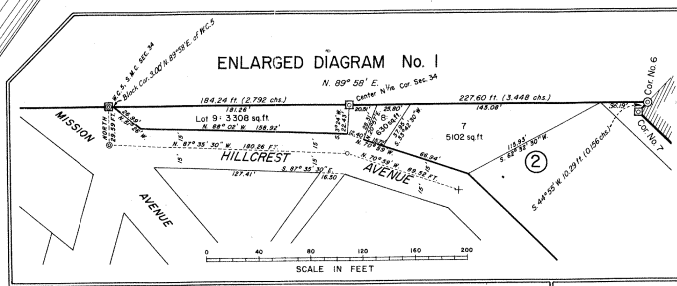
NET AREA TRACT A ----- 47.648 ACRES  
AREA U.S. SURVEY No. 307, Tract B ----- 0.216  
Tract C ----- 0.310  
Total ----- 48.174 ACRES  
AREA TRACT B ----- 3.039 ACRES

LATITUDE 60°02' 52" N, LONGITUDE 151° 30' 43" W,  
AT CORNER No. 1, TRACT A

SCALE IN FEET  
0 80 160 240 320 400 480 560 640

SURVEYED BY ELLIOTT PEARSON, AUGUST 26 TO SEPTEMBER 14, 1950

RECORDED - FILED  
Homer REC. DIST.  
DATE 1-26-1965  
TIME 1:40 P.M.  
Requested by B. J. M.  
Address Anch.

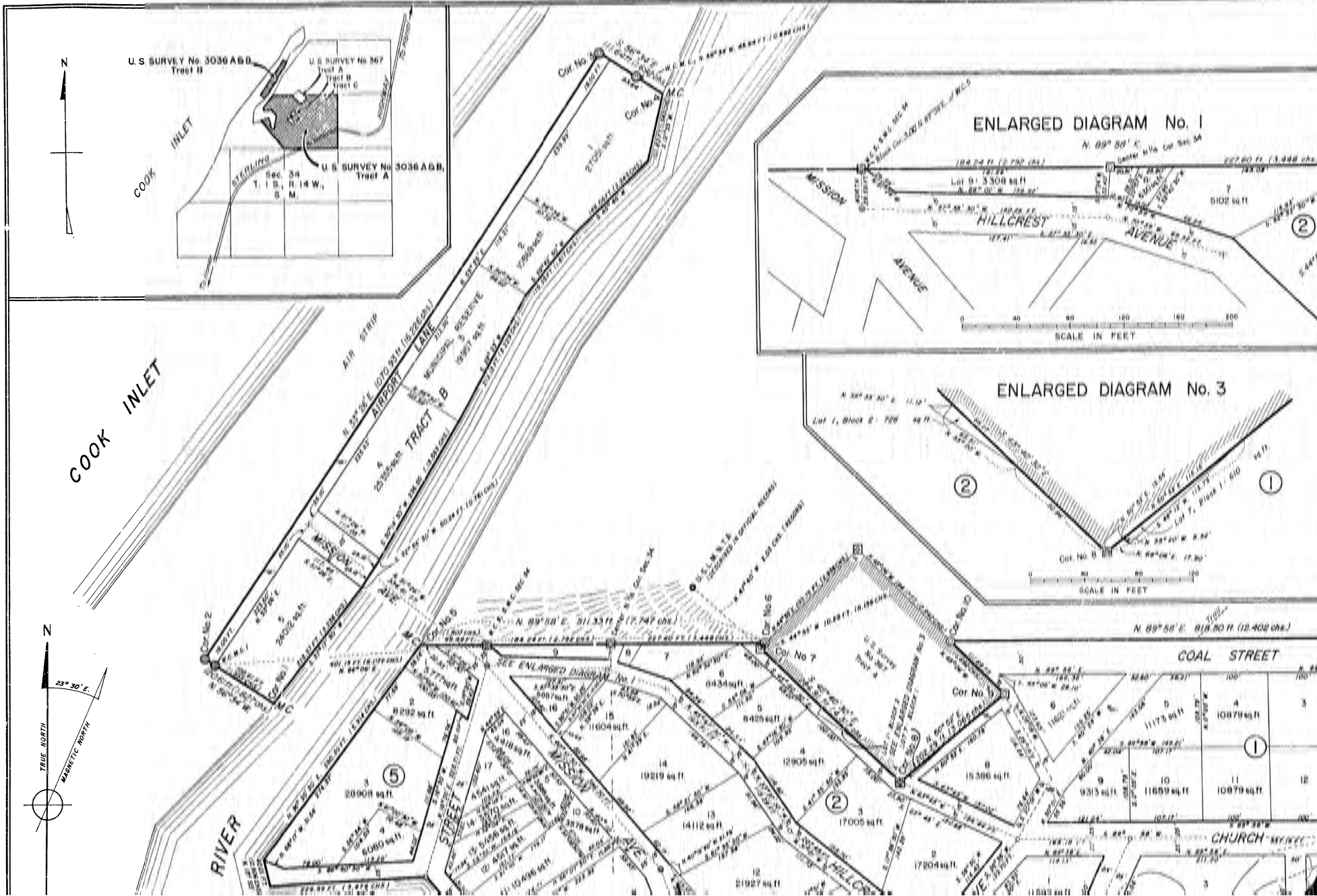


- LEGEND**
- Brass cap 0 to 12 inches below surface of ground in 8 inch concrete column 26 inches long.\*
  - 2 1/2 inch iron post 28 inches long in concrete base and collar 10 inches diameter and 6 inches thick with brass cap 0 to 12 inches below surface of ground.\*
  - × Copper pin set in column of concrete below surface of ground.\*
  - A stone 2 inches above ground marked as described in official record.
  - ◆ Brass cap flush with ground surface in 10 x 12 inch mass of concrete on granite boulder.
  - Monument described in field notes of Dependent Re-survey of portion of Section 34, T. 1 S., R. 14 W., S. M.
  - Monument described in field notes of U.S. Survey No. 3036 A & B, Boundaries & Subdivision, Townsite of Ninilchik, Alaska.
- Note: All other block and lot corners were marked with 2 x 4 x 18 inch wooden stakes.

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Washington, D. C., Aug. 7, 1951

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and regulations of this bureau, is hereby accepted.

For the Director:  
*William F. Richards*  
Chief, Branch of Surveys





# U. S. SURVEY No. 3036A (BOUNDARIES) AND 3036 B (SUBDIVISION)

## TRACT A and TRACT B TOWNSITE OF NINILCHIK, ALASKA

NET AREA TRACT A: 47.648 ACRES  
AREA U. S. SURVEY No. 367, Tract B: 0.316 "  
Tract C: 0.310 "  
Total: 48.274 "

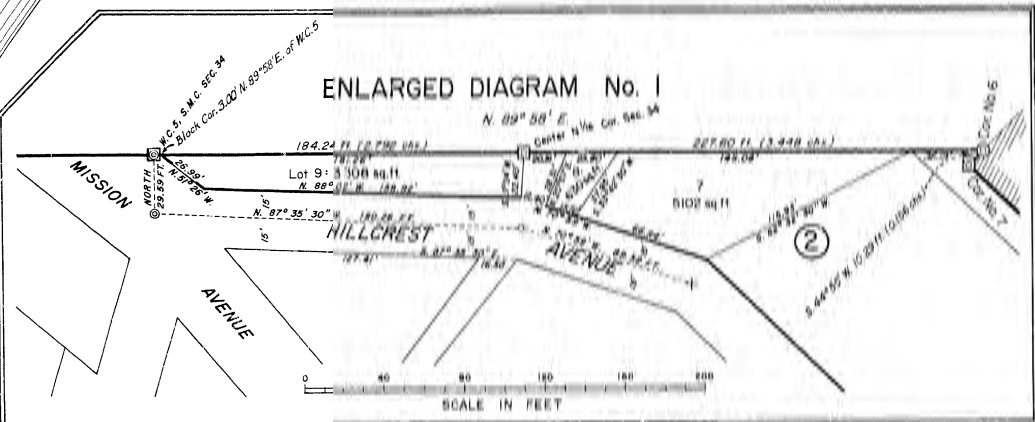
AREA TRACT B: 3.039 ACRES

LATITUDE 60°02'52"N., LONGITUDE 151°30'43"W.,  
AT CORNER No. 1, TRACT A

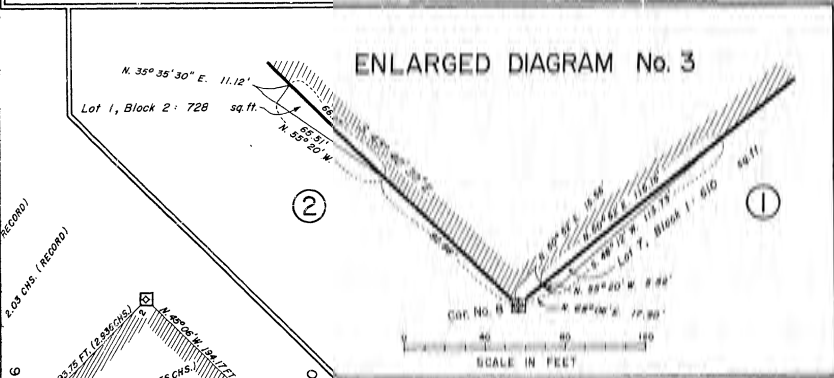


SURVEYED BY ELLIOTT PEARSON, AUGUST 26 TO SEPTEMBER 14, 1950

### ENLARGED DIAGRAM No. 1



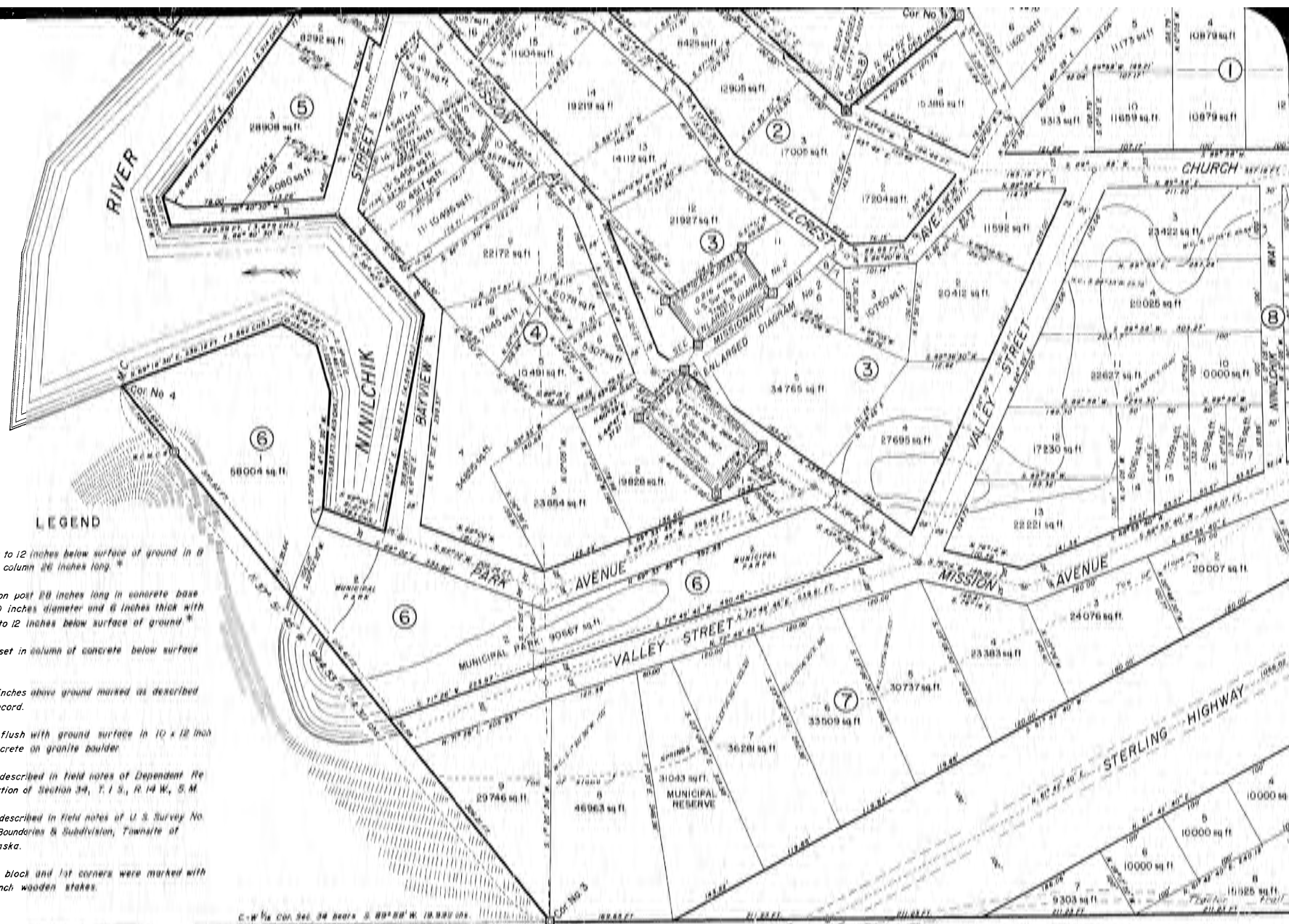
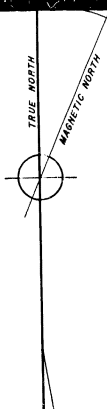
### ENLARGED DIAGRAM No. 3



T. 15, R. 14 W, S. 1 M  
NE 1/4, NE 1/4, Sec. 34

### ENLARGED DIACRAM No. 2





**LEGEND**

- ⊙ Brass cap 0 to 12 inches below surface of ground in 8 inch concrete column 26 inches long.\*
  - 2 1/2 inch iron post 28 inches long in concrete base and collar 10 inches diameter and 6 inches thick with brass cap 0 to 12 inches below surface of ground.\*
  - × Copper pin set in column of concrete below surface of ground.\*
  - ◇ A stone 2 inches above ground marked as described in official record.
  - ◆ Brass cap flush with ground surface in 10 x 12 inch mass of concrete on granite boulder.
  - Monument described in field notes of Dependent Re survey of portion of Section 34, T. 1 S., R. 14 W., S. M.
  - Monument described in field notes of U. S. Survey No. 3036 A & B, Boundaries & Subdivision, Townsite of Ninilchik, Alaska.
- Note: All other block and lot corners were marked with 2 x 4 x 18 inch wooden stakes.

\* All monuments within streets, except Cor. No. 11, were set 4 to 12 inches below the surface.

C-W 1/2 Cor. Sec. 34 bears S 89° 38' W 18.920 chs.  
 S 89° 38' W 1320.36 ft. (20 006 chs.)



UNITED STATES DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 Washington, D. C., Aug. 7, 1951

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and regulations of this bureau, is hereby accepted.

For the Director:

*William F. Richards*

Chief, Branch of Surveys

To our Secs. 34 & 35 bears N 89° 58' E, 20.006 chs.

SE 1/4 Cor. Sec. 34 bears S 0° 05' E, 20.00 chs.

U.S. SURVEY NO.  
3036 A & B  
(THE BOUNDARIES AND  
SUBDIVISION, RESPECTIVELY,  
OF THE TOWNSITE  
OF NINILCHIK)  
TRACT A

**LEGEND**

- ◇ - Original corner or accepted corner established by previous dependent resurvey
- ◆ - Original corner or accepted corner established by previous dependent resurvey (remonumented this survey)
- - Accepted local corner
- - Proportioned or calculated position (not monumented this survey)
- - Proportioned or calculated position (monumented this survey)
- \* - Corner description designator
- ⊙ - Townsite block number

THE RETRACEMENT AND DEPENDENT RESURVEY  
OF CERTAIN BOUNDARIES, RIGHT-OF-WAY LIMITS,  
AND LOTS, WITHIN TRACT A OF

**U.S. SURVEY NO.  
3036 A & B, ALASKA**

(THE BOUNDARIES AND SUBDIVISION,  
RESPECTIVELY, OF THE TOWNSITE  
OF NINILCHIK)

INCLUDING CONTIGUOUS PORTIONS OF THE  
SUBDIVISION OF SECTION LINES IN SECTION 34,  
TOWNSHIP 1 SOUTH, RANGE 14 WEST,  
SEWARD MERIDIAN

SITUATED  
SOUTHERLY OF THE STERLING HIGHWAY  
AT THE COMMUNITY OF NINILCHIK

WITHIN  
TOWNSHIP 1 SOUTH, RANGE 14 WEST  
SEWARD MERIDIAN, ALASKA

THE  
GEOGRAPHIC POSITION OF  
CORNER NO. 2, TRACT A, U.S. SURVEY NO. 3036 A & B  
(THE BOUNDARIES AND SUBDIVISION, RESPECTIVELY, OF  
THE TOWNSITE OF NINILCHIK), IDENTICAL WITH THE  
CENTER-EAST 1/16 SECTION CORNER OF SECTION 34  
TOWNSHIP 1 SOUTH, RANGE 14 WEST, SEWARD MERIDIAN  
IS:

LATITUDE: 60°02'48.860" NORTH  
LONGITUDE: 151°39'35.417" WEST  
NAD 83

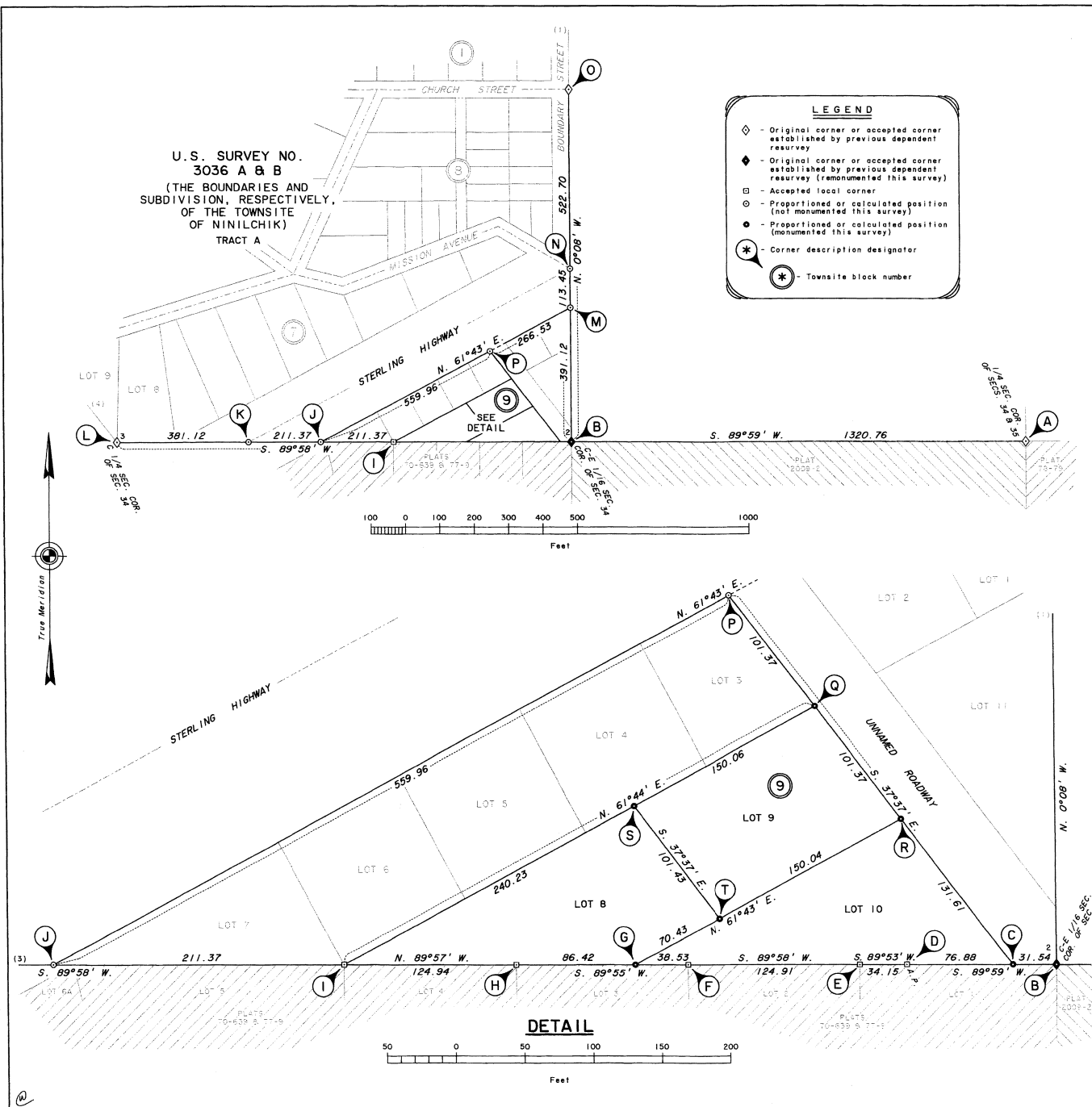
SURVEYED BY  
CHRISTOPHER D. WIITA, CADASTRAL SURVEYOR  
JUNE 24 THROUGH JUNE 30, 2012  
UNDER SUPPLEMENTAL SPECIAL INSTRUCTIONS  
DATED MAY 8, 2012  
APPROVED MAY 10, 2012

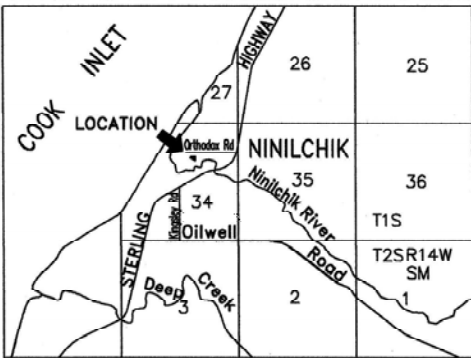
UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Anchorage, Alaska

This plat is strictly conformable to the approved  
field notes, and the survey, having been correctly  
executed in accordance with the requirements of  
law and the regulations of this Bureau, is hereby  
accepted.

For the Director  
*Michael J. DeLeon* JUNE 7, 2013  
Date

Chief Cadastral Surveyor for Alaska





VICINITY 1" = 1 mile MAP

# Ninilchik Townsite Preliminary 2024 Replat Plat

A replat combining Lots 3 & 6 Block 3 Ninilchik TWS, USS 3036 A & B, HRD plat 65-55. Located in the NW1/4 Section 34, T1S R14W, SM, Alaska. Homer Recording District Kenai Peninsula Borough

Prepared for  
 Jacqueline Waldron  
 Gabriel Franey  
 P.O. Box 522  
 Westport, WA 98595


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

Kenai Peninsula Borough  
 144 N Binkley St.  
 Sotodna, AK 99669

SCALE 1" = 40' AREA = 15,160 sq ft  
 5 June, 2024

## NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' adjacent to ROWs is also a utility easement, extending to 20' within 5' of side lot lines.
2. No permanent structures shall be constructed or placed within a utility easement that would interfere with the ability of a utility to use the easement.
3. This is a paper plat. No field survey was performed in conjunction with preparing this plat, no corners were found or set.
4. Contour interval 5'. Shaded area indicates grade over 25%. There are no wet areas on the property.

HEA REVIEWED - SEE COMMENTS  
  
 Scott Huff 8/12/2024  
 Land Management Officer

## LINES

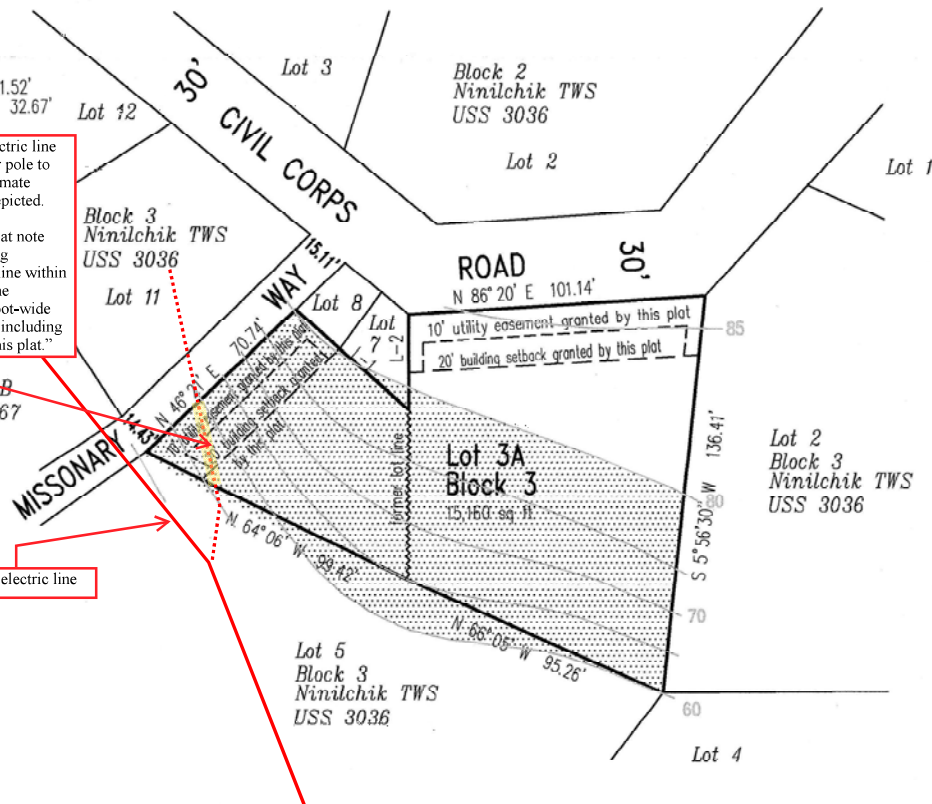
- L-1 S 48°13' E, 51.52'
- L-2 N 0°10'30" E, 32.67'

An underground electric line runs from the power pole to Lot 11. The approximate location has been depicted.

Provide a label or plat note stating, "The existing underground powerline within Lot 3A Block 3 is the centerline of a 15-foot-wide electrical easement, including pedestals, granted this plat."

Tract B  
 USS 367

overhead electric line



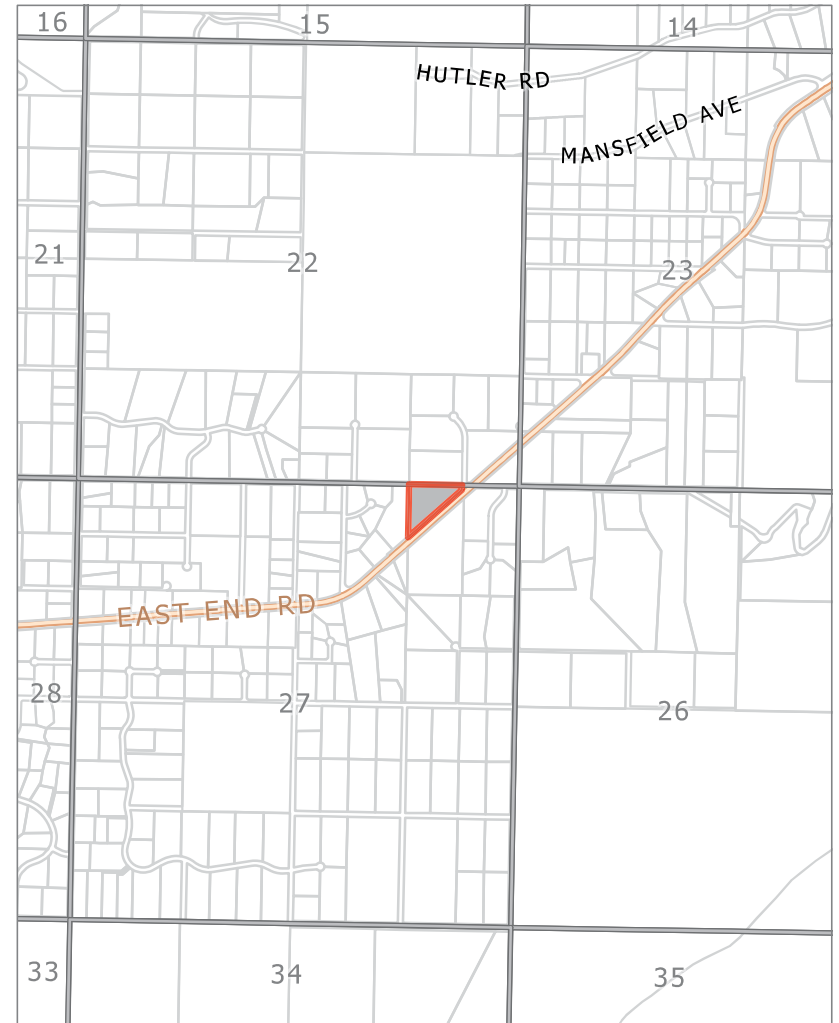
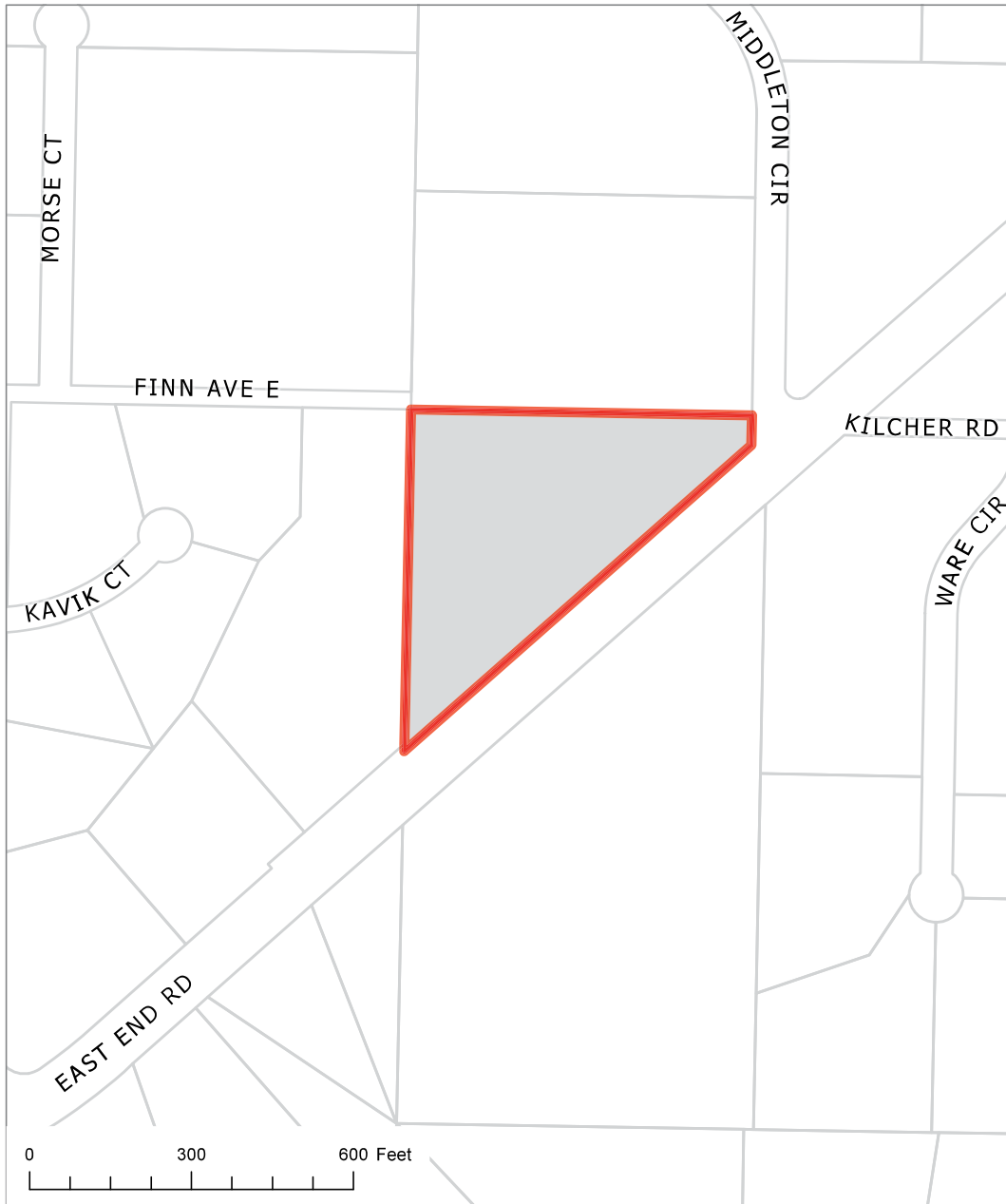
## WASTEWATER DISPOSAL

KPB 20.40.020  
 This platting action is providing greater per lot available wastewater disposal areas. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

**KPB 2024-082**

# **E. NEW BUSINESS**

- 2. Yourkowski Subdivision; KPB File 2024-083**  
**Geovera, LLC / Yourkowski, Lewis**  
**Location: East End Road**  
**Fritz Creek Area / Kachemak Bay APC**



KPB File 2024-083  
T 05S R 12W SEC 27  
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 Map



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.



**NOTES**

1. BASIS OF BEARING IS FROM THE RECORD OF SURVEY PLAT OF MIDDLETON TRACT (HM 2010-60).
2. WASTEWATER DISPOSAL, WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
3. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
4. THE FRONT 10 FEET ADJOINING RIGHTS-OF-WAY IS A UTILITY EASEMENT GRANTED BY THIS PLAT.
5. 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.
6. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
7. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 28, PG 429 HRD).
8. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
9. PROPERTY IS AFFECTED BY STATE OF ALASKA PERMIT AND CERTIFICATE OF APPROPRIATION OF WATER INCLUDING TERMS AND CONDITIONS THEREOF RECORDED IN BK 77, PG 48 (HRD).
10. EAST END ROAD CENTERLINE AND EXISTING MIDDLETON CIRCLE RIGHT-OF-WAY IS PER STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES RECORD OF SURVEY PROJECT NO. 0414(10) (HM 2016-3).

**WASTEWATER DISPOSAL**

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES ON THE LOTS WITHIN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL, ON-SITE 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 ON-SITE 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 \_\_\_\_\_

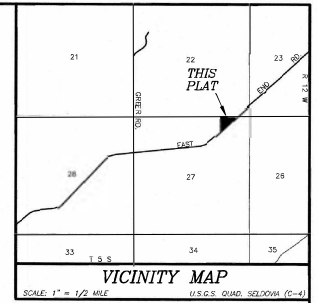
**LEGEND**

- INDICATES 2" BRASS CAP MON (4129-S 1979) RECOVERED THIS SURVEY
- ✱ INDICATES GLO SECTION CORNER MONUMENT OF RECORD PER HM 2016-3
- INDICATES REBAR W/ PLASTIC CAP (5780-S RECORD HM 2010-60) RECOVERED THIS SURVEY
- INDICATES 1/2" REBAR (3686-S PER HM 86-102) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2024) SET THIS SURVEY

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLAT COMMITTEE AT THE MEETING OF ???

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL DATE \_\_\_\_\_  
KENAI PENINSULA BOROUGH



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE, THE UNDERSIGNED, 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 AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

- \_\_\_\_\_  
MICHAEL YOURKOWSKI  
3059 KACHEMAK DRIVE  
HOMER, ALASKA 99603
- \_\_\_\_\_  
MINDY LEWIS  
3059 KACHEMAK DRIVE  
HOMER, ALASKA 99603
- \_\_\_\_\_  
KARA YOURKOWSKI  
3059 KACHEMAK DRIVE  
HOMER, ALASKA 99603
- \_\_\_\_\_  
CAMERON YOURKOWSKI  
3059 KACHEMAK DRIVE  
HOMER, ALASKA 99603

**NOTARY'S ACKNOWLEDGMENT**

FOR MICHAEL YOURKOWSKI AND MINDY LEWIS  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.  
  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**NOTARY'S ACKNOWLEDGMENT**

FOR KARA YOURKOWSKI AND CAMERON YOURKOWSKI  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2024.  
  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

- THE EAST END ROAD RIGHT-OF-WAY
- THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
MELANIE ARNOLDS, P.E.  
CENTRAL REGION ROW CHIEF  
STATE OF ALASKA DOT & PF  
4111 AVIATION AVENUE  
ANCHORAGE, ALASKA 99516



**KPB 2024-083**

HOMER RECORDING DISTRICT KPB FILE No. 2024-???

**YOURKOWSKI SUBDIVISION**  
THE SUBDIVISION OF THAT PORTION OF THE W1/2 NE1/4 NE1/4, SEC 27, T. 5 S., R. 12 W., SENIARD MERIDIAN, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA LYING NORTH OF EAST END ROAD CONTAINING 5.654 ACRES.  
OWNERS: MICHAEL YOURKOWSKI AND MINDY LEWIS  
KARA YOURKOWSKI AND CAMERON YOURKOWSKI  
3059 KACHEMAK DRIVE, HOMER, ALASKA 99603

**GEOVERA, LLC**  
PO BOX 3235  
HOMER ALASKA 99603  
(907) 399-4345  
EMAIL: scsmith@gci.net

DRAWN BY: SCS DATE: JULY 2024 SCALE: 1" = 60'  
CHK BY: SCS JOB #2024-34 SHEET 1 OF 1



AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT  
YOURKOWSKI SUBDIVISION**

|                                |   |
|--------------------------------|---|
| <b>KPB File No.</b>            | 2024-083  |
| <b>Plat Committee Meeting:</b> | August 26, 2024   |
| <b>Applicant / Owner:</b>      | Michael Yourkowski, Mindy Lewis, Kara Yourkowski and Cameron Yourkowski / Homer, AK |
| <b>Surveyor:</b>               | Stephen Smith / Geovera, LLC  |
| <b>General Location:</b>       | Mile 10 East End Road, Homer, AK / Kachemak Bay APC                                 |

|                           |  |
|---------------------------|--|
| <b>Parent Parcel No.:</b> | 172-060-02   |
| <b>Legal Description:</b> | T 5S R 12W SEC 27 SEWARD MERIDIAN HM THAT PORTION OF THE W1/2 NE1/4 NE1/4 LYING NORTH OF HOMER EAST RD |
| <b>Assessing Use:</b>     | Residential  |
| <b>Zoning:</b>            | Rural Unrestricted   |
| <b>Water / Wastewater</b> | Onsite / Onsite  |
| <b>Exception Request</b>  | none   |

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**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 5.954-acre parcel into two lot of size 1.669 acres and 3.304 acres and a dedication.

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

Legal access to the property is currently from East End Road for both lots at approximately mile 10. East End Road is a state maintained road of width 100 feet. Lot 2 also is abutting Middleton Circle on the east side of the plat.

On the north side of the plat is a 33' section line easement running the length of the plat across both lots. There are two structures located within the section line easement that the surveyor as noted one as being on skids and the other having a dirt floor, so neither are of permanent nature.

The plat is proposing to dedicate the prescriptive easement to the center of East End Rd of 50 feet wide to the State of Alaska.

There is no vacation of right-of-way being proposed with this plat.

There is a single drive accessing the property from East End Rd shown for use by both lots. If a new access is not planned and this is continued, it is suggested that a joint ingress-egress easement be completed by the owners for futures usage.

*PER DOT:* The platting action voids any previous issued permits. Land owners will need to reapply for driveway access permits to state road and right-of-way access.

Block length is not compliant per KPB 20.30.170. Staff recommends the Plat Committee concur an exception is not needed as connections to East End Rd are limited due to visibility and access points by the AKDOT.

|                          |   |
|--------------------------|---|
| KPB Roads Dept. comments | Out of Jurisdiction: No<br><br>Roads Director: Griebel, Scott<br>Comments:<br>No RSA comments |
|--------------------------|---|

|                  |   |
|------------------|---|
| SOA DOT comments | The Department appreciates the 50' half-width dedication fo East End Road |
|------------------|---|

**Site Investigation:**

There ae structures located on the plat that will be divided between the lots. Two houses appear the be shown by KPB GIS data. This plat will put a house on each of Lot 1 and 2 when completed.

No contours are shown, viewing KPB data there does not appear to be any steep areas. **Staff recommends** the surveyor confirm with their own data if there are steep areas and if so, show any on the final submittal.

There are no wetlands per KWF Wetlands Assessment. Per the River Center review the area is not identified in a FEMA mapped flood hazard area or a habitat protection district.no flood notes from KPB 20.30.280 or 20.30.290 are required to be on the plat. Plat note #6 is note necessary and can be removed at the surveyor’s discretion.

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

**Staff Analysis**

The land is an aliquot part of Section 27, Township 5 South, Range 12 West, SM, Alaska. The legal description according to the certificate to plat is “That portion of he West One-half of he Northeast one-quarter of the Northeast one-quarter (W1/2 NE1/4 Ne1/4) of Section 27, Township 5 South, Range 12 West of the SEWARD MERIDIAN, Lying North of the East End Road, in the Homer Recording District, Third Judicial District, State of Alaska.” Which matches the Personal Representative Deed at Serial 2024-00573-0 to the applicants. **Staff recommends** the surveyor review his drawing for proper representation of the legal description above as it appears short of the EE1/64 corner. This would add additional dedication on the east if verified.

This is the first division of the property any easements as listed in the certificate to plat affecting the property are identified on the plat in the plat notes.

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

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.

Kachemak Bay Advisory Planning Commission is not currently active.

There does not appear to be any encroachments to or from the property.

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

**Utility Easements**

HEA has requested that 'if during the field survey it is determined that an electric line will cross the common boundary line, then HEA request that the line be depicted and provide a label or plat note stating "The existing overhead powerline is the centerline of a 15-foot-wide electrical easement, including pedestals, granted this plat."

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              | Comment noted above |
| ENSTAR           | No comment          |
| ACS              |                     |
| GCI              |                     |
| SEWARD ELECTRIC  |                     |
| CHUGACH ELECTRIC |                     |
| TELALASKA        |                     |

**KPB department / agency review:**

|                 |  |
|-----------------|--|
| Addressing      | <p>Reviewer: Leavitt, Rhealyn<br/> Affected Addresses:<br/> 66395 CIVIL CORPS RD</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names:<br/> MISSIONARY WAY, CIVIL CORPS RD</p> <p>Existing Street Name Corrections Needed:<br/> TYPO ON MISSIONARY WAY</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:<br/> ADDRESS WILL NOT BE AFFECTED</p> |
| Code Compliance | <p>Reviewer: Ogren, Eric<br/> Comments: No comments</p>  |
| Planner         | <p>Reviewer: Raidmae, Ryan<br/> There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:<br/> There are not any material site issues with this proposed plat.</p>   |
| Assessing       | <p>Reviewer: Windsor, Heather<br/> Comments: No comment</p>  |

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

Add the date of August 26, 2024 to the Plat Approval.  
To the west the right-of-way of East End Rd should be shown as 110'.  
Add KPB File no. 2024-083 to the title block

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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.

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;  
**Staff recommendation:**  
Prescriptive easement per State of Alaska Department of Transportation and Public Facilities Record of Survey Project no. 0414(10) (HM 2016-3) shows the easement going to the E1/64. Legal description of land is the W1/2 NE1/4 NE1/4 lying north of East End Rd. look to be short 30' on east side of property to center of Middleton Cir.  
KPB Public Works Dept ROW Map filed in HM84-47 shows a right-of-way in front of project to be 100'.
- 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:**  
To the west is a proposed subdivision that was preliminarily approved at the July 22, 2024 Plat Committee meeting. Surveyor should check status need the finalization of plat for status of adjacent 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.

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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.

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**RECOMMENDATION:**

**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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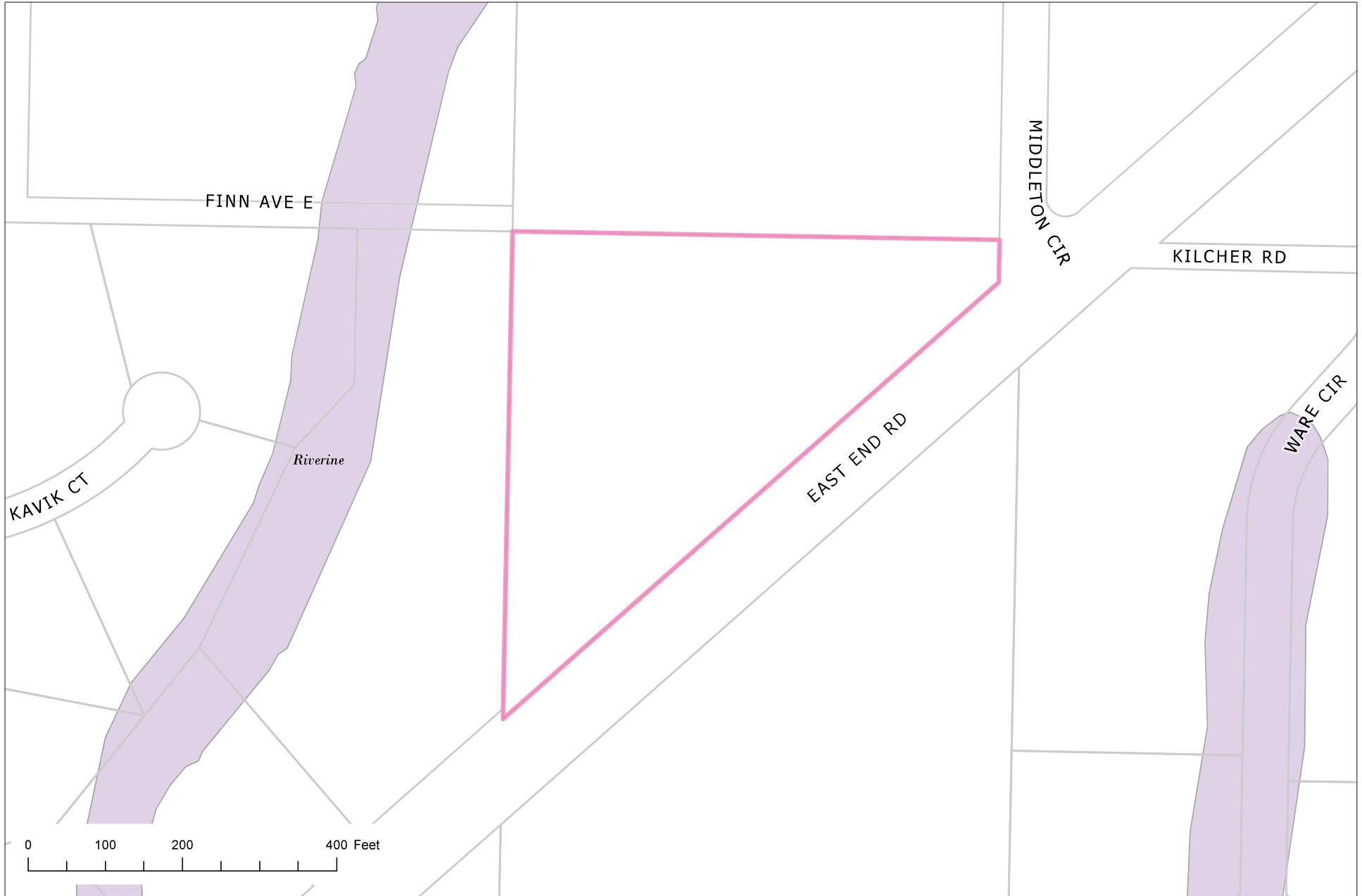
Aerial Map



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.

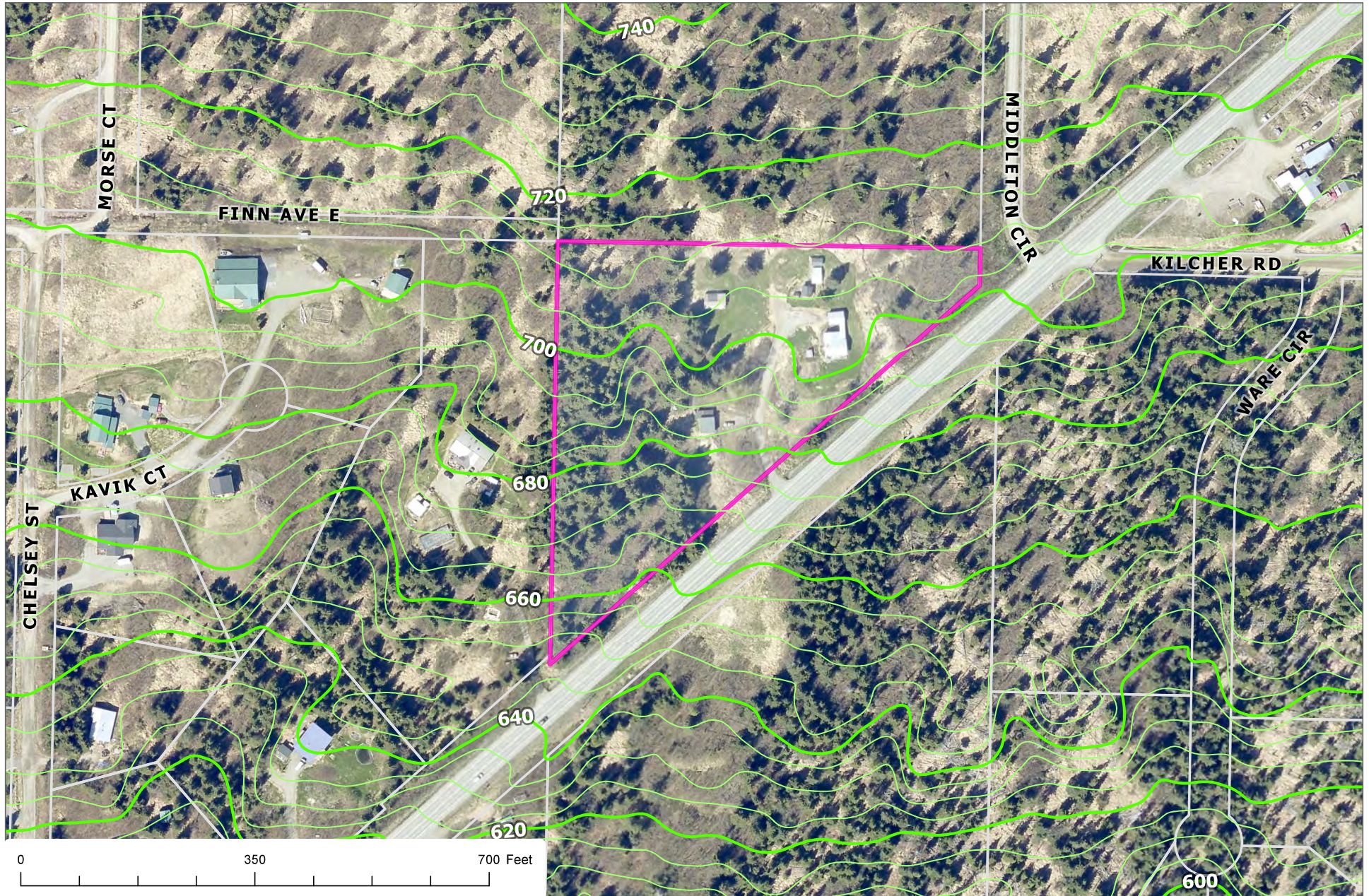


Wetlands



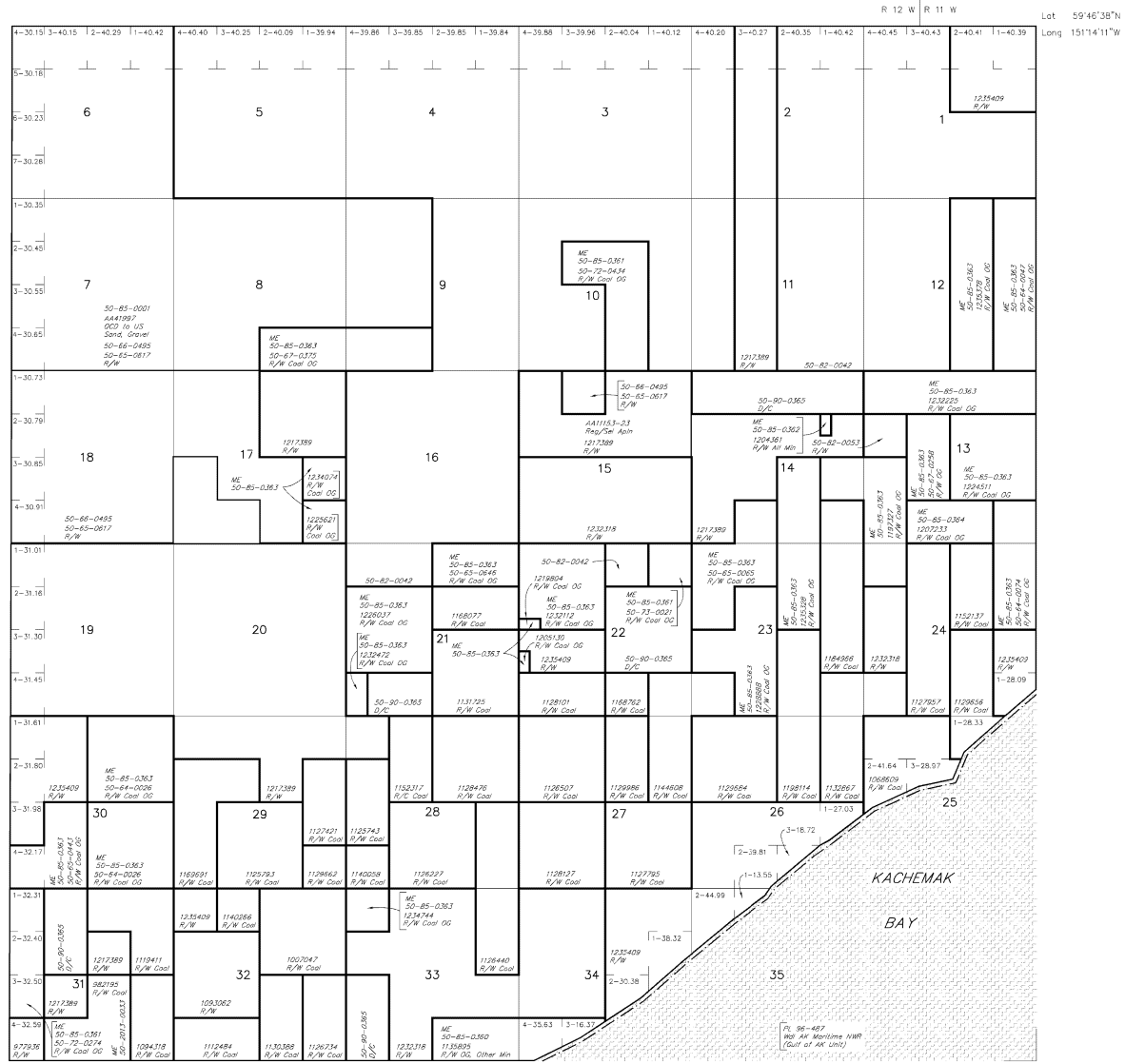
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





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SURVEYED TOWNSHIP 5 SOUTH RANGE 12 WEST OF THE SEWARD MERIDIAN, ALASKA

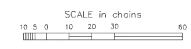


STATUS OF PUBLIC DOMAIN LAND AND MINERAL TITLES

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.

A058732 SS Reserved Min Estate Only



WARNING: This plat is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Recordations do not reflect title changes which may have been affected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for critical survey information.

|            |  |         |
|------------|--|---------|
| CURRENT TO |  | Sew Mer |
| 1-6-2020   |  | T 5 S   |
|            |  | R 12 W  |

ACAD