

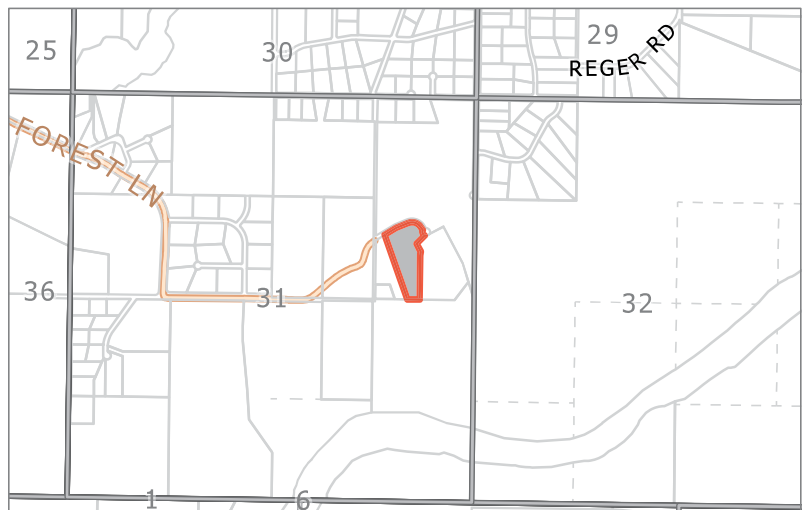
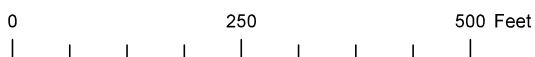
E. NEW BUSINESS

- 3. Fair Ridge Subdivision Part 7
KPB File 2024-005R1
Johnson Surveying / Fair
Location: Forbidden Court
Sterling Area**



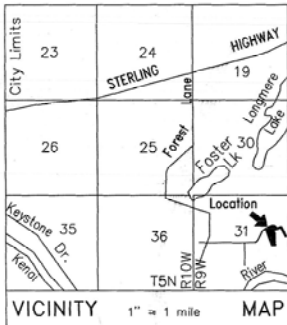
KPB File 2024-005R1
T 05N R 09W SEC 31
Sterling

7/19/2024





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.



Fair Ridge Subdivision Part 7

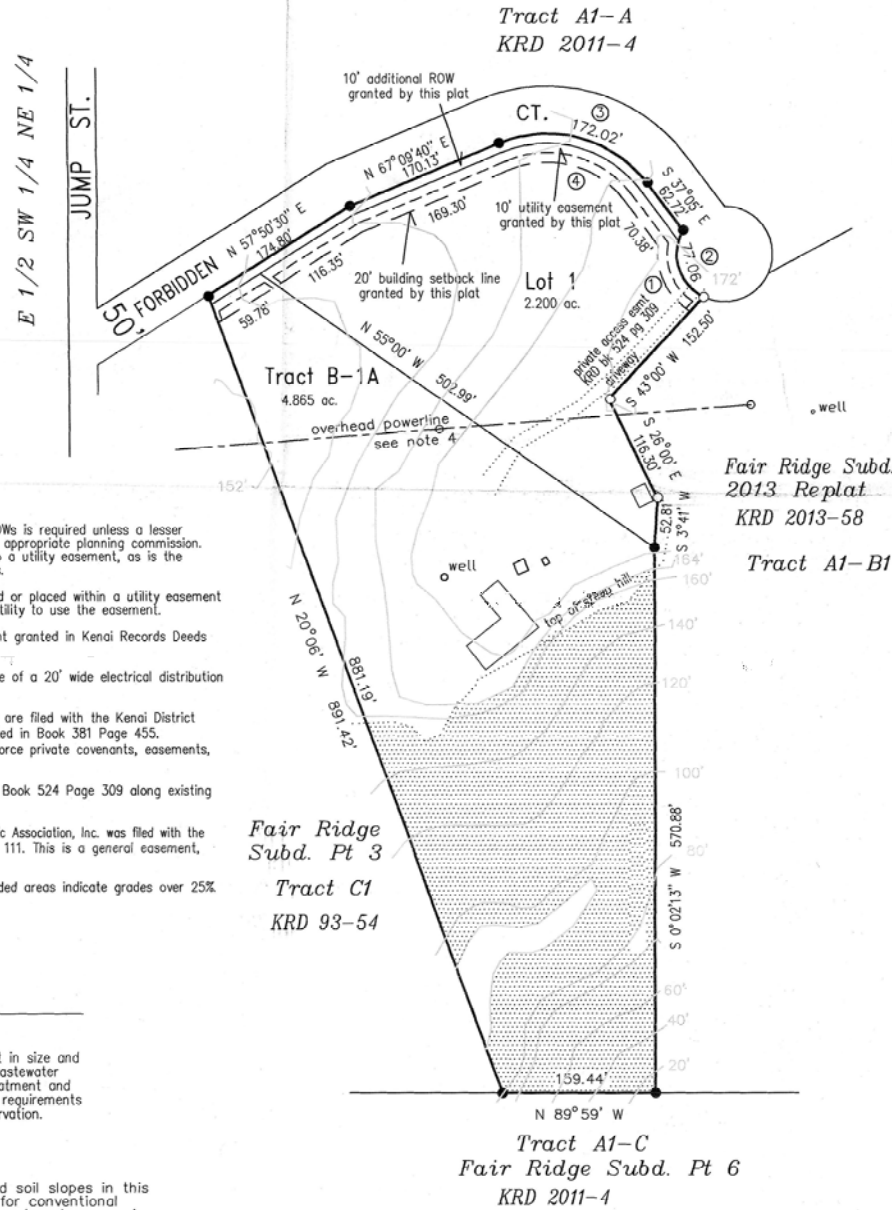
REVISED PRELIMINARY PLAT

A subdivision of Tract B-1 Fair Ridge Subd., 2013 Replat, KRD 2013-58.
 Located in the E1/2 NE1/4 Section 31, T5N R9W, SM, Alaska.
 Kenai Recording District Kenai Peninsula Borough File

Prepared for Clark B Fair
 P.O. Box 2773
 Homer, AK 99603

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

SCALE 1" = 100' AREA = 7.225 acres 18 July, 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. The front 10' of the building setback is also a utility easement, as is the entire setback within 5' of the side lot lines.
2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
3. These lots benefit from the access easement granted in Kenai Records Deeds Book 576 Page 5.
4. Existing overhead power line is the centerline of a 20' wide electrical distribution line easement including guys and anchors.
5. Restrictive Covenants affecting this property are filed with the Kenai District Recorder in Book 364 Page 363 and amended in Book 381 Page 455. Per KPB 20.60.170 the borough will not enforce private covenants, easements, or deed restrictions.
6. Private access easement per Kenai Records Book 524 Page 309 along existing driveway for the benefit of former Tract B.
7. An electrical easement granted to Homer Electric Association, Inc. was filed with the Kenai District Recorder in Misc. book 7 page 111. This is a general easement, no definite location given.
8. Contour interval 4', 20' in steep areas. Shaded areas indicate grades over 25%. There are no wet areas on the property.

WASTEWATER DISPOSAL

TRACT B-1A
 20.40.030
 These lots are at least 200,000 square feet in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

Lot 1
 20.40.040
 Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

Engineer License # Date

AGENDA ITEM E. NEW BUSINESS

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

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

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

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 7.225 acre parcel into a lot of size 2.200 acres and a tract of size 4.865 acres

Location and Legal Access (existing and proposed):

From the south the plat is accessed by Forbidden Ct. Forbidden Ct is accessed from Sterling Highway to Forest Ln at mile post 89.8, then Forest Ln to Forbidden Ct. This is access is private access easement and privately maintained.

The plat is proposing to dedicate an extra 10' on the north and easterly side of the lots for Forbidden Ct to meet the requirement of a 60' right-of-way per 20.30.120(A) Street-width requirements.

There is a private right-of-way easement for ingress – egress that affects this property and is noted on the drawing at plat note #3. The note references a previous tract and plat. it would be recommended that the owners update the document to the current plat and tract labels after this plat is filed for recording.

Block length is compliant as the length from platted Jump St to the end of the bulb of Forbidden Ct is less than 1320 feet.

KPB Roads Dept. comments	Roads Director: Griebel, Scott Comments: Utilized access to property conveys across private property. No further RSA comments or objections
SOA DOT comments	No comments

Site Investigation:

Improvements are shown on the plat that currently are located on Tract B-1 Fair Ridge Subdivision 2013 Replat KN 2013-58. Most of the structures will be on Tract B-1A of the new plat, with one structure being on Lot 1.

There is steep terrain shown on the plat correctly. The steep terrain should remain identified on the final and the contours can be removed.

There are no wetlands or protection zones located on this plat.

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

Staff Analysis

Originally this property was an aliquot parcel being the E1/2 of the NE1/4 of Section 31, Township 5 North, Range 9 West, SN Alaska. The property has been subdivided several times, starting with Fair Ridge Subdivision Part One KN 87-94. Fair Ridge Subdivision Part Six KN 2011-4 created Tract A1-A and Fair Ridge Subdivision 2013 Replat KN 2013-58 created Tract B-1 which are both being re-subdivided by the proposed subdivision being reviewed.

A soils report will be required for Lot 1 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.

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

There is a 20' overhead power line easement identified on the plat at plat note #4 and crossing the plat as shown.

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

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 39197 FORBIDDEN CT Existing Street Names are Correct: Yes List of Correct Street Names: JUMP ST, FORBIDDEN CT Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names:</p>
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	List of Street Names Denied: Comments: 39197 FORBIDDEN CT WILL REMAIN WITH TRACT B1A.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add recorded data to boundary.
Add a legend to the plat
There is a well shown to the east of the plat that can be removed.
The plat label to the southwest needs corrected.

KPB 20.25.070 – Form and contents required

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

Add the KPB File # 2024-005R1
Add to the legal description 'Sterling' before Alaska

- 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:

The size of text of Forbidden Ct and Jump St and Forbidden Ct row can be reduced
Label ROW of Jump St.

- 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:

Label Forest Ln and Forbidden Ct on the vicinity map.

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.

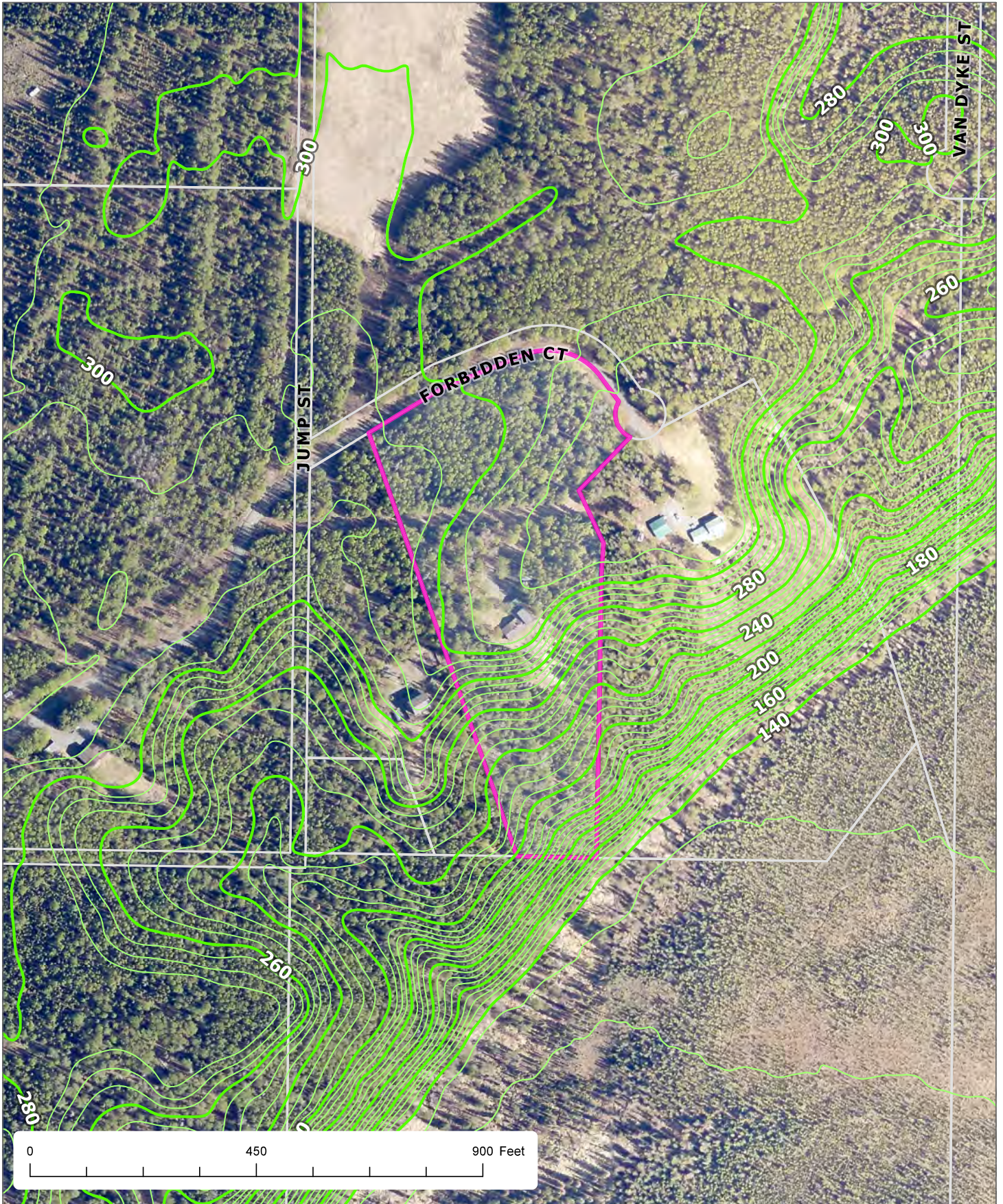
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



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Fair Ridge Subdivision 2013 Replat

A replat of Tract B Fair Ridge Subd. Part 2, KRD 93-54, & Tract A1-B Fair Ridge Subd. Part 6, KRD 2011-4. Located in the SE1/4 NE1/4 Section 31, T5N R0W, 3M, Alaska. Kenai Recording District Kenai Peninsula Borough File 2013-087.

Prepared for

Martha Jane Fair: 258 W. Little Ave. Soldotna, AK 99669
Clark Fair: 39197 Forbidden Court Soldotna, AK 99669

Prepared by

Johnson Surveying
Box 27
Clam Gulch, AK 99568



SCALE 1" = 100' AREA = 17.684 acres 3 May, 2013

LEGEND

- ⊕ - 2 1/2" USGLO brass cap monument, 1937, found.
- ⊙ - 3/8" nicap monument, 4928-S, 1987, found.
- - 1/2" rebar with plastic cap, 'McLane', found.
- - 1/2" x 4' rebar with 1" plastic cap, set.
- W - indicates swamp

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 10 June, 2013.

KENAI PENINSULA BOROUGH

By: *Maya L. Powell* August 27, 2013
Authorized Official Date



2013-58
Plat #
Kenai
Rec. Dist.
8/29 2013
DATE
TIME: 11:21 A.M.

NOTES

- 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. The front 15' of the building setback is also a utility easement, as is the entire setback within 5' of the side lot lines.
- No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- An exception to KPB 20.20.110, ROW width for Forbidden Court was granted by the KPB Planning Commission at the meeting of 10 June, 2013.
- Existing overhead power line is the centerline of a 20' wide electrical distribution line easement including guys and anchors.
- Restrictive Covenants affecting this property are filed with the Kenai District Recorder in Book 364 Page 363 and amended in Book 381 Page 455.
- Private access easement per Kenai Records Book 524 Page 309 along existing driveway for the benefit of former Tract B is now contained within Tract B-1.
- These lots benefit from the access easement granted in Kenai Records Deeds Book 576 Page 5.

OWNERSHIP CERTIFICATE

We hereby certify that we are the owners of the real property shown and described hereon; and that we hereby adopt this plan of replat and by our free consent grant all easements to the use shown.

Martha Jane Fair

Martha Jane Fair, Trustee of the Martha Jane Fair Family Trust and successor Trustee of the Calvin M. Fair Family Trust
258 Little Ave. Soldotna, AK 99669
owner Tract A1-B

Clark B. Fair

Clark B. Fair 39197 Forbidden Court Soldotna, AK 99669
owner Tract B

NOTARY'S ACKNOWLEDGEMENT

For: Martha Jane Fair
Subscribed and sworn to before me this 6
day of August, 2013.

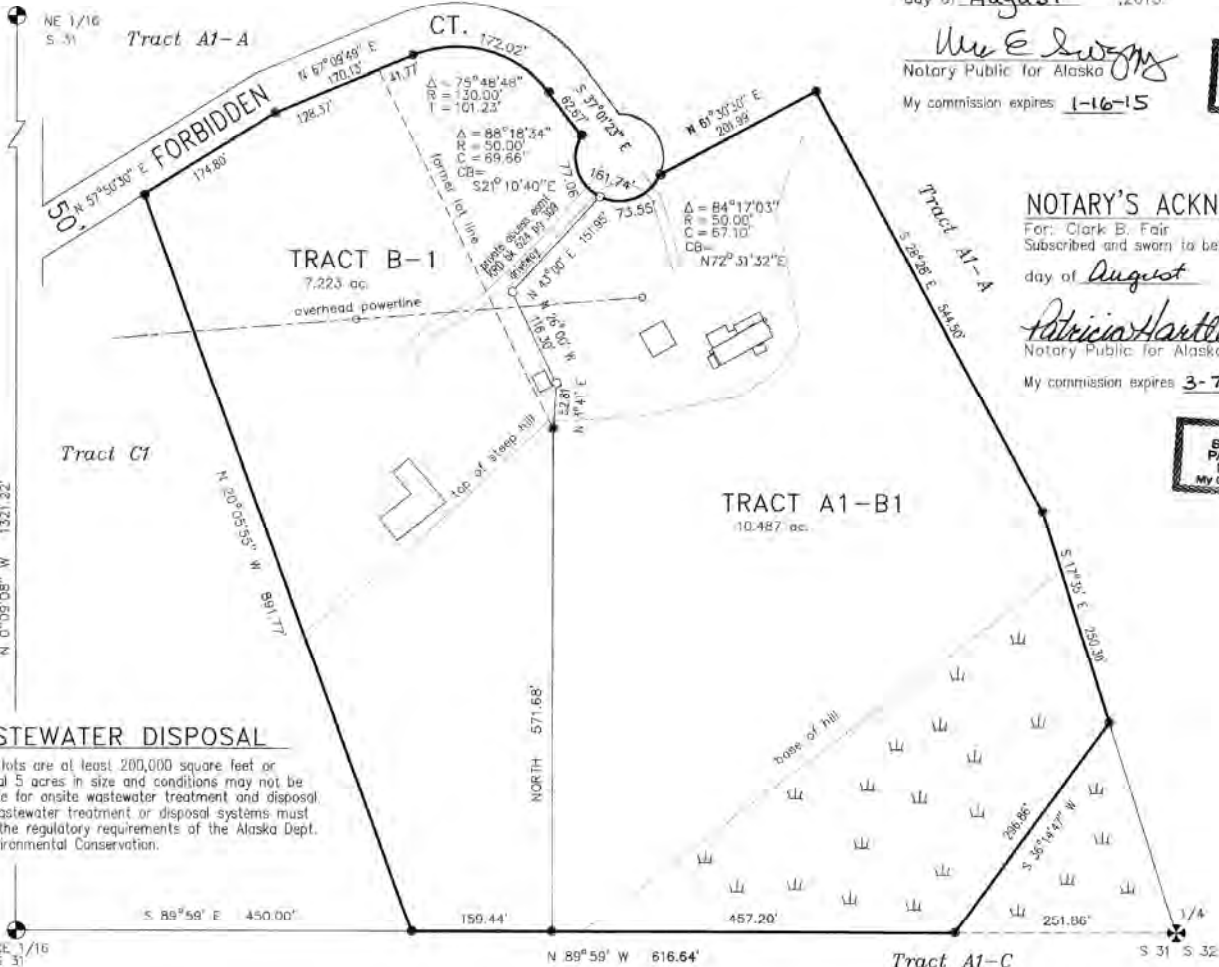
W. E. Swepky
Notary Public for Alaska
My commission expires: 1-16-15



NOTARY'S ACKNOWLEDGEMENT

For: Clark B. Fair
Subscribed and sworn to before me this 22
day of August, 2013.

Patricia Hartley
Notary Public for Alaska
My commission expires 3-7-17



WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

LINE	LENGTH	BEARING
L1	68.49	S37°01'22"
L2	62.67	S37°01'22"

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD
C1	31.37	20.00	89°51'22"	19.95	28.1
C2	143.93	50.00	164°55'48"	378.00	99.1
C3	238.18	160.00	75°48'53"	140.18	221.1
C4	172.92	130.00	75°48'54"	101.53	158.1
C5	161.84	50.00	185°27'17"	104.58	99.1
C6	99.57	50.00	114°05'50"	77.14	63.1

CHORD	BEARING
19.95	S37°01'22"
378.00	S37°01'22"
140.18	S37°01'22"
101.53	S37°01'22"
104.58	S37°01'22"
77.14	S37°01'22"



LEGEND

- 1/2" standard brass cap attached to rebar (not to be used in the field notes)
- 2" dia. steel cap of rebar
- Primary survey monument to be described.
- 1/2" diam. rebar of record
- 1/2" dia. x 10' rebar with 2" dia. steel cap 1978-5
- () Rebar data for 2008-30 | Rebar data for 93-94

WASTEWATER DISPOSAL

These lots are of level 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any on-site treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in accordance with applicable requirements of 18 AAC 22 and 18 AAC 80.
- 2) No permanent structure shall be constructed or placed within the easement which would interfere with the ability of a utility to use the easement.
- 3) Lots within this subdivision may be located within a designated flood hazard area. If such is the case, development shall comply with Title 18, Chapter 6 of the Alaska Public Works Statute of 1966, as amended, and the Alaska Department of Environmental Conservation.
- 4) The natural channels of the stream flow water of the Kenail River from the true source of this tract. The 1000 year flood elevation shall be used for flood computations only.
- 5) Lots within 200 feet of the Kenail River. A building set back of 20 ft. is required from all stream banks of any stream to be established as approved by resolution of the appropriate Planning Commission.
- 6) Portions of this subdivision are within the riparian protection through 10 Foot Amenity Areas between Riparian Protection Areas. Development may be restricted under Chapter 11 of the Alaska Code of Ordinances.
- 7) In accordance with AS 10 Chapter 21 (AS 10.01.010 (C)), development (including all) in the riparian protection areas shall be subject to a professional engineer or architect in professional monitoring that will ensure that the development does not result in any increase in flood levels through the obstruction of the bank face drainage.
- 8) The entire 40' Building Setback is also a Utility Easement.
- 9) Boundary monuments shall be placed within 100 feet of the lot line. If any monument is found to be missing, it shall be replaced by a monument of the same type and location.
- 10) All bearings and distances for these tracts shown herein are from data of record according to the plan. It is not to be taken as a warranty of the accuracy of the data shown herein. The boundary lines in this subdivision are shown as they exist and the boundary lines in the easement corner of Tract A-1-B in the adjacent area survey and measurement was performed on the same date as the adjacent corner set at the aforementioned location.
- 11) Plans must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the cost reimbursement program.



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the real property shown and described herein and that we hereby dedicate the plan of subdivision and our say and consent, including all rights of way and public use and grant of easements to the use shown.

Martha Jane Fair
 Martha Jane Fair
 Individually and Successor Spouse of Edwin M. Fair, Deceased

Martha Jane Fair, Trustee for Martha Jane Fair Family Trust
 Trustee, Martha Jane Fair Family Trust

Martha Jane Fair for Successor Trustee of Edwin M. Fair Family Trust
 Martha Jane Fair
 Successor Trustee of Edwin M. Fair Family Trust

NOTARY'S ACKNOWLEDGEMENT

Martha Jane Fair
 FOR *Martha Jane Fair, Trustee*
Martha Jane Fair, Successor Trustee
 Subscribed and sworn before me this 25th day of September, 2011.
 My commission expires 7-11-2011
Cathy M. J.
 Notary Public for the State of Alaska

PLAT APPROVAL

This plan was approved by the NEHAL Planning & Zoning Commission at the meeting of September 10, 2011.

KENAIL PERMITS A DIVISION BY
[Signature]
 Planning Director

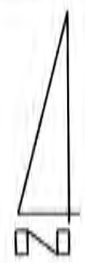
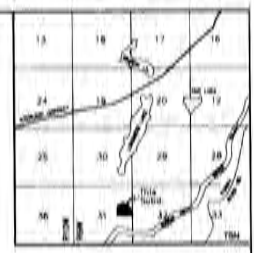
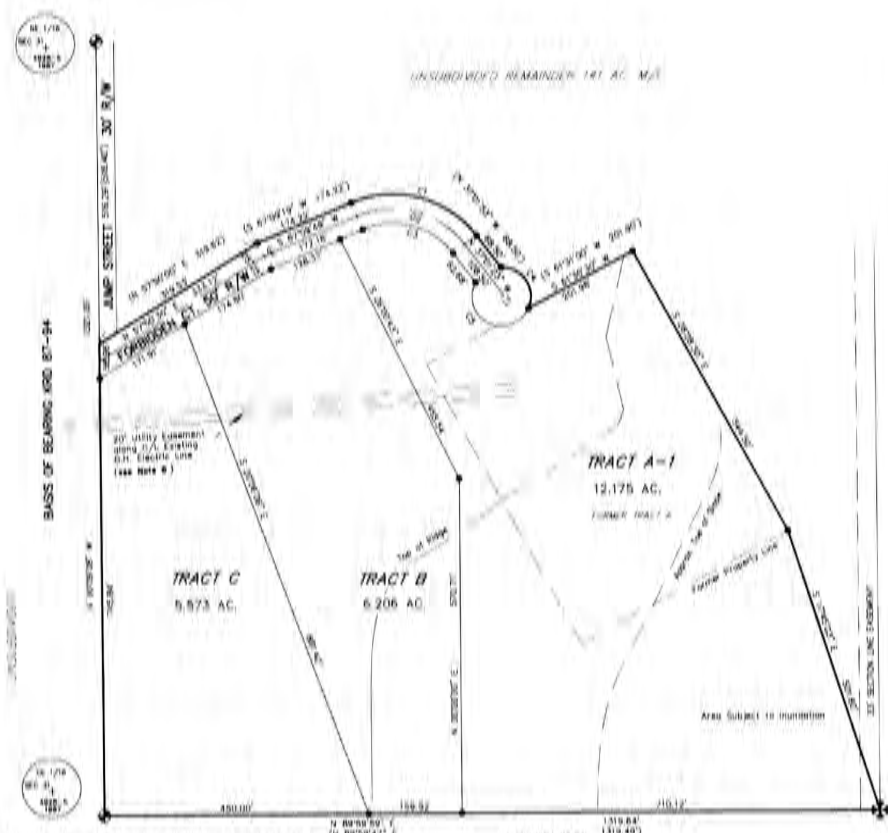


2011-11
 Kenail, Inc. 2011
 Date: 10/18/11
 Notarized by: *[Signature]*
 Notary

FAIR RIDGE SUBDIVISION PART SIX

(A Subdivision of Tract A-1 Fair Ridge Fairview Addition RA 2008-30)
 Area For Cover: 30.00 Acres
 Subdivision: 36.0000
 100.00 AC. M.A. SITUATED IN THE E 1/2 OF 1/4, E 1/2 OF 1/4, SECTION 31, T. 14 N., R. 20 W., S.M., 8th DIST. PENINSULA BOROUGH IN THE STATE OF ALASKA

OWNER	ADDRESS	PHONE NO.	EMAIL
Kenail, Inc.	1000 1st Ave. S.	907-455-1234	kenail@kenail.com
Kenail, Inc.	1000 1st Ave. S.	907-455-1234	kenail@kenail.com



LEGEND

- ⊕ Found 0.0/0.0M standard brass cap on rebar post
- ⊙ Found 1/2" steel capped monument
- Found 1/8" nail at property corner
- ⊙ Set 1/2" x 24" rebar with Molise & Assoc. cap attached
- ⊙ Traced onto P&M 87-94 1st/2nd date identify

NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in accordance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) No direct access to state maintained ROWs permitted unless approved by State of Alaska Department of Transportation.
- 3) No permanent structure shall be constructed or placed within an easement which would interfere with the utility of a utility to use the easement.
- 4) BUILDING SET BACK - A building set back of 20 ft. is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 5) Easement Court R/W dedication is included within this plat to comply the 50 foot width which was the intent of P&M plat number 87-94 however the bearing, distances and total depicted on the original plat description is 60' R/W.
- 6) Existing easements is consisting of 80' Electrical Distribution Line Easement.

LINE AND CURVE TABLE

LINE	DIRECTION	DISTANCE
1	S 52°58'57" W	1,000'

LOT	CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
Rec/Fnd	R/W	C1	100.00	100.00	100.00	113.267°	70.7106781
	C2	100.00	100.00	100.00	100.00	113.267°	70.7106781
	TR AT	C3	100.00	100.00	100.00	113.267°	70.7106781
	R/W	C4	(00.00)	(00.00)	(00.00)	113.267°	70.7106781
	TR AT	C5	100.00	100.00	100.00	113.267°	70.7106781

WASTEWATER DISPOSAL

Conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment and disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation. Subject to any noted restrictions, the Alaska Department of Environmental Conservation approves this subdivision for plotting.

Daniel J. Brown
Name and Title of Alaska Department of Environmental Conservation Approving Official

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

We further certify that the deed of Trust affecting this property does not contain restrictions which would prohibit this subdivision or future signature and approval of beneficiaries.

Carin M. Fair *Maisha Jane Fair*
Carin M. Fair Maisha Jane Fair

NOTARY'S ACKNOWLEDGEMENT

for *Carin M. Fair & Maisha Jane Fair*

Subscribed and sworn before me this 6th day of August, 1993.

My commission expires Oct. 3, 1994



PLAT APPROVAL

This plat was approved by the NEHAL PERMITS & BUREAU PLANNING COMMISSION at the meeting of

June 14, 1993

CEHA BUREAU BOROUGH by *Robert J. ...*

FAIR RIDGE SUBDIVISION PART TWO

(A Resubdivision of Tract A Fair Ridge Subdivision Part One)
Carin and Maisha Jane Fair, owners
P.O. Box 569
Sedro-Walkley, AK 99888 LOCATION
20,000 AC. W.A. SITUATED IN THE E 1/2 SE 1/4 SECTION 31, T. 5 N., R. 9 W., S. 4M., AK., THE NEHAL PERMITS & BUREAU IN THE NEHAL RECORDING DISTRICT.

Surveyed by: MILANE & ASSOCIATES		
P.O. BOX 268		
Sedro-Walkley, AK 99888		
Date	Book No.	Page/Orig. No.
July 30, 1993	93-02	932003
Drawn by: J. Horn	Scale: 1" = 100'	P.O. Box No. 93076

93-54
RECORDED 20
KEMAL REC DIST
MAY 14 1993
MILANE & ASSOCIATES
P.O. BOX 268
SEDRO-WALKLEY, AK 99888