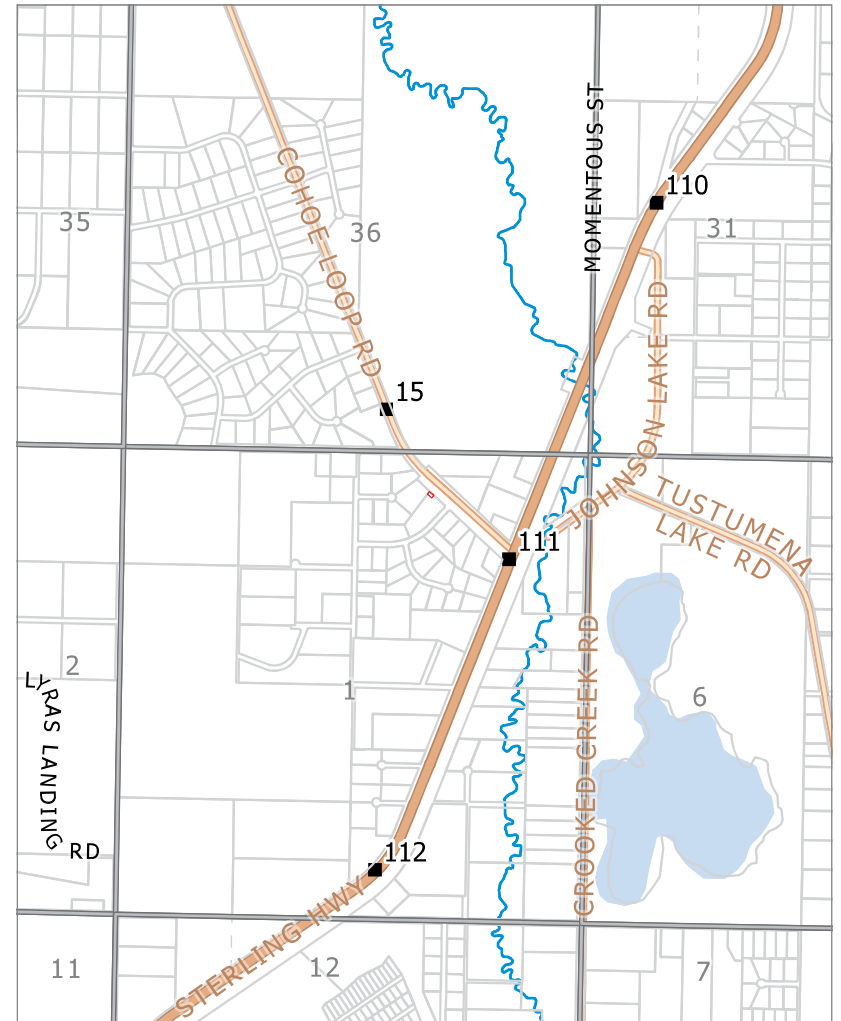
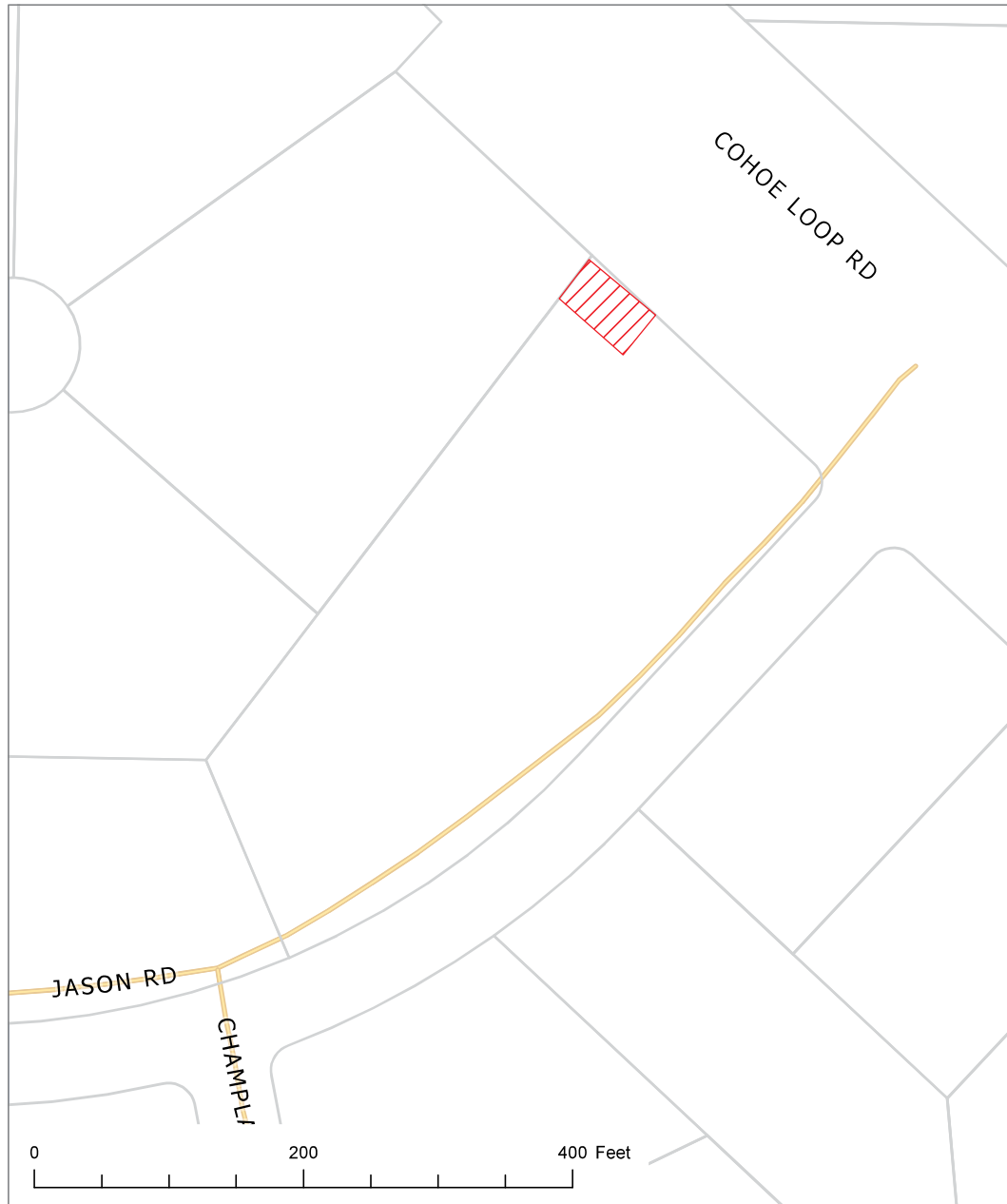


E. NEW BUSINESS

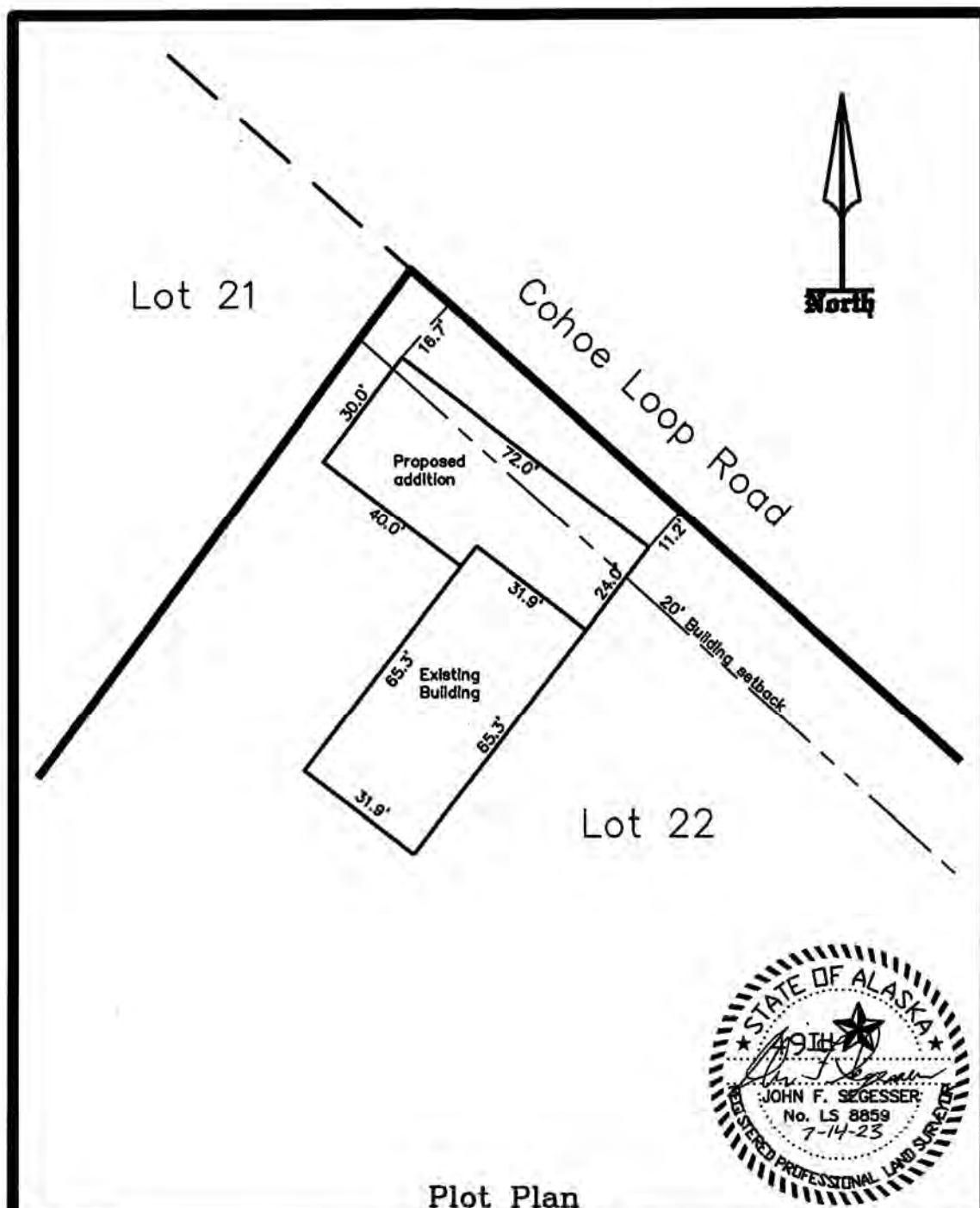
- 7. Building Setback Encroachment Permit; KPB File 2023-083**
Petitioner/Landowner: Fraternal Order of the Eagles Aerie #4317
Request: Permits construction of an addition to an existing
structure in the 20' building setback
Location: Lot 22, Cohoe Corners, Plat KN 1985-118
Cohoe Area



KPB File 2023-083
T 02N R 12W SEC 01
Cohoe



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.



Plot Plan

LEGEND

KPB 2023-083

KENAI RECORDING DISTRICT		Plat: 85-118
Date: 7-14-23	Scale: 1"=30'	Drawn: JFS
Job: 23136	Book: 23-2	

SEGESSER SURVEYS
30485 ROSLAND ST.
SOLDOTNA, AK 99669
(907) 262-3909

I hereby certify that I have surveyed the following described property:

Lot 22

Cohoe Corners

and that the proposed improvements are as shown hereon.

Exclusion Note:

It is the responsibility of the owner or builder, prior to construction, to verify proposed building grade relative to finished grade and utilities connections, and to determine the existence of any easements, covenants, or restrictions which do not appear on the recorded subdivision plat.

ITEM 7. – BUILDING SETBACK ENCROACHMENT PERMIT – COHOE CORNERS SUBDIVISION

KPB File No.	2023-083
Planning Commission Meeting:	August 14, 2023
Applicant / Owner:	Fraternal Order of the Eagles AERIE #4317 of Kasilof, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Cohoe Loop Road, Cohoe area

Parent Parcel No.:	137-250-38
Legal Description:	Lot 22 Cohoe Corners Subdivision, KN 85-118
Assessing Use:	Commercial
Zoning:	Rural Unrestricted

STAFF REPORT

Specific Request / Purpose as stated in the petition: Expand existing building.

Site Investigation: The owners are requesting permission to construct an addition that would be 8.8 feet by 72 feet into the building setback along Cohoe Loop Road. At this portion Cohoe Loop Road is a 200-foot-wide dedicated right-of-way maintained by the State of Alaska DOT. DOT was sent the Plot Plan and invited to comment. The subject parcel is at the corner of Jason Road and Cohoe Loop Road and it appears that access to the existing building is off of Jason Road. Jason Road is 60-foot-wide dedication currently maintained by the borough.

There are street views in the area on Cohoe Loop Road and are available in the packet. Reviewing street views and KPB imagery there appears to be a treed buffer between the proposed building location and the travel surface of Cohoe Loop Road.

The subject parcel is 2.440 acres with a majority of the lot graveled. The owners also own the adjoining 2.481-acre parcel of the same subdivision located to the southwest.

The sight distance when coming off Jason Road will not be affected by an addition to the building. The stop sign on Jason Road onto Cohoe Loop Road is located out into the right-of-way in front of the property line.

Staff Analysis: This parcel has only been subdivided once and was originally a replat of a government lot and an aliquot parcel. The parent plat, Cohoe Corners KN 85-118, granted the 20-foot building setback along Cohoe Loop Road. There is also a plat note stating “Building setback line to be limit of utility easements along all streets.” This would place the proposed building location within the setback and the utility easement.

Terrain within the subject parcel is relatively flat with gentle grade changes running south towards Jason Road. There are no classified wetlands within the boundary of the parcel, but looking at KPB imagery there is a portion located to the southwest that could have some seasonal inundation.

Cohoe Loop Road is a DOT road approximately 15.5 miles in length with the subject parcel close to the Sterling Highway intersection. Jason Road provides access to the subdivisions to the east and provides the only constructed access to Cohoe Loop Road. The proposed addition was sent to the Alaska DOT for comment but none were received.

Findings:

1. Cohoe Corners KN 85-118 granted the 20 setback and utility easement along Cohoe Loop Road.
2. The proposed addition would be within the setback and utility easement leaving 8.8 feet available.
3. Parcel is 2.440 acres in size.
4. Cohoe Loop Road is a 200-foot-wide dedicated right-of-way managed by the State of Alaska DOT.
5. Owners own adjacent 2.481 parcel to the west, Lot 12 Cohoe Corners.
6. Terrain is relatively flat.
7. Cohoe Loop Road is currently only a two-lane road.
8. There is not a sight issue

20.10.110. – Building setback encroachment permits.

- E. The following standards shall be considered for all building setback encroachment permit applications. Staff recommends the Commission select the findings they determine are applicable to the standards and vote on them:
1. The building setback encroachment may not interfere with road maintenance.
Findings 3, 4 & 8 appear to support this standard.
 2. The building setback encroachment may not interfere with sight lines or distances.
Findings 2 – 4, 6, & 8 appear to support this standard.
 3. The building setback encroachment may not create a safety hazard.
Findings 2 – 4, & 8 appear to support this standard.
- F. The granting of a building setback encroachment permit will only be for the portion of the improvement or building that is located within the building setback and the permit will be valid for the life of the structure or for a period of time set by the Planning Commission. The granting of a building setback permit will not remove any portion of the 20 foot building setback from the parcel.
- G. The Planning Commission shall approve or deny a building setback encroachment permit. If approved, a resolution will be adopted by the planning commission and recorded by the planning department within the time frame set out in the resolution to complete the permit. The resolution will require an exhibit drawing showing, and dimensioning, the building setback encroachment permit area. The exhibit drawing shall be prepared, signed and sealed, by a licensed land surveyor.

KPB department / agency review:

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: Requested setback encroachment involves an AK DOT managed ROW. Recommend comment from them. No additional KPB RSA comments.
SOA DOT comments	
KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD

	Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	
Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 52322 JASON RD Existing Street Names are Correct: Yes List of Correct Street Names: COHOE LOOP RD Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No comment
Code Compliance	Reviewer: Ogren, Eric 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

RECOMMENDATION:

Based on the standards to grant a building setback encroachment permit, **staff recommends denial** of Resolution 2023-26, citing staff findings 1- 5, 7 & 8 and compliance to KPB 20.10.110.

NOTE:

20.10.110.(H) A decision of the planning commission may be appealed to the hearing officer by a party of record, as defined by KPB 20.90, 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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Street Views from Google Earth. Imagery from 2011. 8/1/2023 MQ



COHOE CORNERS

LOCATED IN GOV. LOTS 1 AND 2 AND NE1/4 SEC. 1, T2N, R12W, S.M. COHOE, AK
SCALE 1" = 100' AREA = 42.394 AC. 5-9-1985

BY EDWIN AND JODINE WARFLE, 35021 KENAI SPUR HWY. SOLDOTNA, AK. 99669

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of FEB 11, 1985.

KENAI PENINSULA BOROUGH

BY *Richard P. Tzeng*
authorized official

NOTE

A building setback of 20' from all street r.o.w.'s is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Building setback line to be limit of utility easements along all streets. No direct access to Cohoe Rd from any lot except 24 and 25. No direct access to Sterling Hwy, unless approved by Alaska Dept. of Transportation

LEGEND

- ✕ - 1920 brass cap mon. by G.L.O., found
- - 1970 brass cap mon. by 26B-S, found
- - 1985 aluminum cap mon. by 26B-S, set
- - 1/2" rebar, found
- - 1/2" x 2' rebar, set
- - Concrete r.o.w. mon. by D.O.T., found

CURVES

1. A-90°-03'-43"	2. A-15°-37'-23"	3. A-9°-41'-33"	4. A-4°-07'-42"
R-20'	R-1256.22'	R-1256.22'	R-1256.22'
C-28.30'	C-341.48'	C-212.26'	C-90.49'
T-20.02'	T-172.34'	T-106.51'	T-45.28'
L-31.44'	L-342.54'	L-212.51'	L-90.51'
	BC-540°-24'-29"E	BC-539°-14'-41"E	BC-540°-09'-19"E
5. A-60°	6. A-53°-29'-52"	7. A-76°-41'-42"	8. A-109°-48'-26"
R-50'	R-50'	R-50'	R-50'
C-50'	C-45.00'	C-62.04'	C-81.82'
T-28.87'	T-45.20'	T-39.08'	T-71.12'
L-52.30'	L-46.89'	L-66.93'	L-95.82'
9. A-24°-00'-48"	10. A-24°-00'-48"	11. A-113°-46'-06"	12. A-91°-57'-40"
R-632.54'	R-632.54'	R-632.54'	R-20'
C-263.17'	C-263.17'	C-166.02'	C-28.76'
T-134.53'	T-134.53'	T-83.61'	T-20.70'
L-265.10'	L-265.10'	L-166.42'	L-32.10'
BC-553°-47'-15"W	BC-571°-47'-59"W	BC-605°-55'-18"E	BC-557°-56'-50"E
13. A-79°-56'-48"	14. A-14°-22'-07"	15. A-11°-47'-51"	16. A-109°-48'-26"
R-20'	R-330'	R-330'	R-330'
C-25.70'	C-173.22'	C-142.30'	C-223.65'
T-16.77'	T-87.30'	T-51.85'	T-122.86'
L-27.91'	L-173.87'	L-142.60'	L-230.60'
BC-N27°-38'-25"E	BC-N60°-45'-48"E	BC-N47°-40'-43"E	BC-N56°-27'-58"W
17. A-23°-53'-27"	18. A-22°-51'-01"	19. A-17°-51'-32"	20. A-15°-03'-56"
R-270'	R-330'	R-330'	R-330'
C-136.61'	C-127.35'	C-102.44'	C-70.79'
T-69.62'	T-64.39'	T-51.85'	T-39.70'
L-137.61'	L-126.15'	L-102.98'	L-70.99'
BC-S55°-56'-45"E	BC-S47°-04'-03"E	BC-S47°-04'-03"E	BC-N60°-28'-10"W
21. A-54°-07'-48"	22. A-49°	23. A-9°	24. A-52°-07'-48"
R-50'	R-50'	R-50'	R-50'
C-45.50'	C-45.50'	C-71.33'	C-28.28'
T-25.55'	T-49.13'	T-50.89'	T-20'
L-47.24'	L-77.67'	L-79.41'	L-31.42'
BC-S77°-56'-05"W			BC-S48°-56'-06"E

OWNERS' CERTIFICATE AND DEDICATION

We hereby certify that we are the owners of the property shown and described herein, and that we hereby adopt this plan of subdivision, and dedicate all rights of way to public use, and grant all easements to the uses shown.

Edwin S. Warfle
Edwin S. Warfle

Jodine Warfle
Jodine Warfle

NOTARY'S CERTIFICATE

Subscribed and sworn to before me this 11th day of Feb, 1985.

Shirley Ann Skjerve
NOTARY FOR ALASKA

for Edwin S. and Jodine Warfle

My commission expires 2/1/88

CERTIFICATE OF APPROVAL BY THE ALASKA

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with 19AAC72.065 and is approved, subject to any noted restrictions.

Paul D. Johnson, ASCE 6-21-85
SIGNATURE TITLE DATE



Box 27, Elm Gulch, AK 99568

