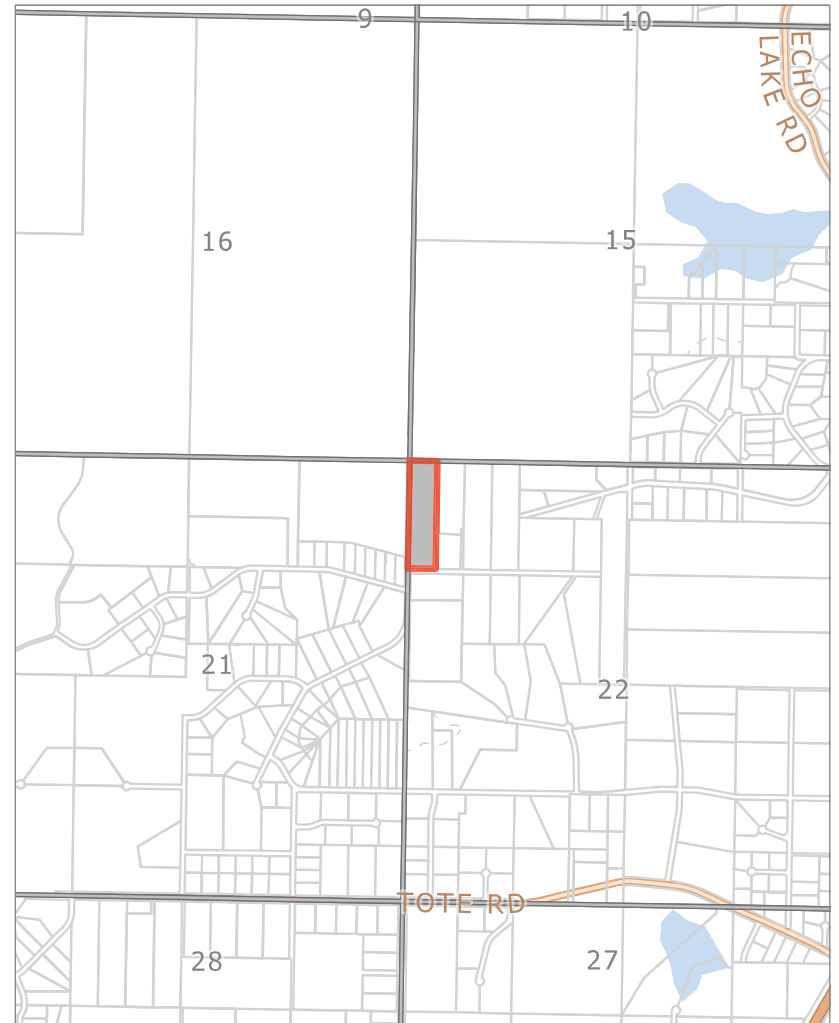


## **E. NEW BUSINESS**

- 5. Gruber Subdivision Ames Addition; KPB File 2024-046  
Edge Survey & Design, LLC / Ames  
Location: Stubblefield Drive  
Kalifornsky Area**

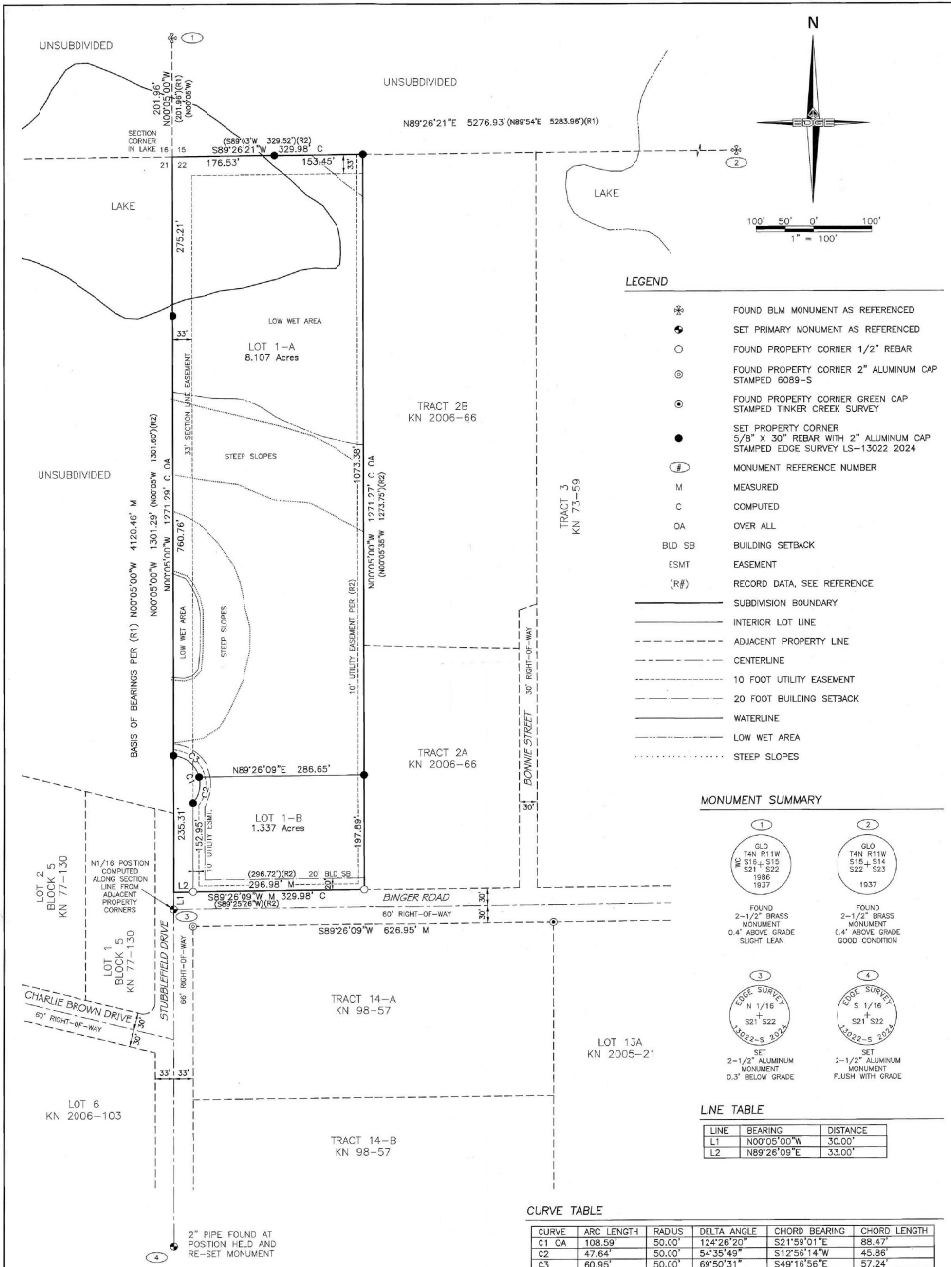


KPB File 2024-046  
 T 04N R 11W SEC 22  
 Kalifornsky

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.



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



- LEGEND**
- \* FOUND BLM MONUMENT AS REFERENCED
  - SET PRIMARY MONUMENT AS REFERENCED
  - FOUND PROPERTY CORNER 1/2" REBAR
  - ⊙ FOUND PROPERTY CORNER 2" ALUMINUM CAP STAMPED TINKER CREEK SURVEY
  - ⊙ FOUND PROPERTY CORNER GREEN CAP STAMPED TINKER CREEK SURVEY
  - SET PROPERTY CORNER 5/8" X 3/8" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
  - ⊙ MONUMENT REFERENCE NUMBER
  - M MEASURED
  - C COMPUTED
  - OA OVER ALL
  - BID SB BUILDING SETBACK
  - ESMT EASEMENT
  - (R) RECORD DATA, SEE REFERENCE
  - SUBDIVISION BOUNDARY
  - INTERIOR LOT LINE
  - ADJACENT PROPERTY LINE
  - CENTERLINE
  - 10 FOOT UTILITY EASEMENT
  - 20 FOOT BUILDING SETBACK
  - WATERLINE
  - LOW WET AREA
  - STEEP SLOPES

- MONUMENT SUMMARY**
- |  |   |
|--|---|
| 1<br>FOUND<br>2-1/2" BRASS MONUMENT<br>0.4' ABOVE GRADE<br>SLIGHT LEAK | 2<br>FOUND<br>2-1/2" BRASS MONUMENT<br>6.4' ABOVE GRADE<br>GOOD CONDITION |
| 3<br>FOUND<br>1" IRON SPOKE MONUMENT<br>0.3' BELOW GRADE               | 4<br>SET<br>1-1/2" ALUMINUM MONUMENT<br>FLUSH WITH GRADE                  |

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N00°05'00"W	30.00'
L2	N89°26'09"E	33.00'

**CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	108.58'	50.00'	124°26'20"	S11°59'01"E	88.47'
C2	47.64'	50.00'	5°35'49"	S12°59'14"W	45.38'
C3	60.95'	50.00'	69°50'31"	S49°18'56"E	57.24'

- NOTES**
- BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
  - PER THIS PLAT THE FRONT 10 FEET ADJACENT TO THE RIGHTS-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  - ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLANDS DETERMINATION IF APPLICABLE.
  - EXCEPTION TO KPB CODE 20.30.030 PROPOSED STREET LAYOUT, 20.30.170 BLOCK LENGTH, 20.30.190 LOT DIMENSIONS AND 20.40.040(1.1) SOILS ANALYSIS REPORT WAS GRANTED BY THE KPB PLAT COMMITTEE AT THE MEETING OF MAY 13, 2024.
  - THIS SUBDIVISION SUBJECT TO EASEMENT, WITH NO DEFINED LOCATION, FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY, RECORDED: MARCH 25, 1957, MISC. VOLUME/PAGE: 25/341, KFD. GRANTED TO HOWER ELECTRIC ASSOCIATION, INC.
  - THIS SUBDIVISION SUBJECT TO THE EFFECTS, IF ANY, OF COVENANTS, CONDITIONS, RESTRICTIONS INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), RECORDED: SEPTEMBER 28, 1973 VOLUME/PAGE 73/606, KRD.
  - THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
  - THIS SUBDIVISION SUBJECT TO RIGHTS OF THE PUBLIC AND OR GOVERNMENTAL AGENCIES IN AND TO THAT PORTION OF SAID PREMISES LYING BELOW THE NEAR HIGH WATER MARK OF UNNAMED LAKE AND ANY QUESTIONS OF RIGHT OF ACCESS TO THE LAKES IN THE EVENT SAID LANDS DO NOT IN FACT ABUT THE LAKES.
  - THIS SUBDIVISION SUBJECT TO ANY PROHIBITIONS OR LIMITATION ON THE USE, OCCUPANCY OR IMPROVEMENT OF THE LAND RESULTING FROM THE RIGHTS OF THE PUBLIC OR RIPARIAN OWNERS TO USE ANY WATERS WHICH MAY COVER THE LAND OR TO USE ANY PORTION OF THE LAND WHICH IS NOW OR MAY FORMERLY HAVE BEEN COVERED BY WATER.
  - WASTEWATER DISPOSAL LOT 1-A, LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATOR REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION. LOT 1-B GRANTED EXCEPTION TO KPB 20.40.040, ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST BE MEET THE REGULATOR REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**NOTARY ACKNOWLEDGEMENT**

FOR: BROOKE AMES  
ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

PUBLIC NOTARY SIGNATURE \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

**NOTARY ACKNOWLEDGEMENT**

FOR: GABLE AMES  
ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

PUBLIC NOTARY SIGNATURE \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY STAMP AREA

NOTARY STAMP AREA

- REFERENCES**
- (R1) U.S. GENERAL LAND OFFICE PLAT OF T4N R11W DATED APRIL 7, 1941
  - (R2) GRUBER SUBDIVISION ABBER ADDITION, PLAT 2006-66, KENAI RECORDING DISTRICT

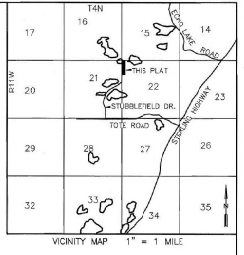
**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MAY 13, 2024, KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL \_\_\_\_\_

**CERTIFICATE OF SURVEYOR**

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



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN AS SUBDIVISION AND OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

BROOKE AMES  
30855 STURBERFELD DRIVE  
SOLDOTNA, ALASKA 99669

GABLE AMES  
30855 STURBERFELD DRIVE  
SOLDOTNA, ALASKA 99669

KPB FILE No. 2024-000

**GRUBER SUBDIVISION AMES ADDITION**

A SUBDIVISION OF  
TRACT 1 GRUBER SUBDIVISION  
PLAT 72-59 KENAI RECORDING DISTRICT

LOCATED WITHIN:  
NW 1/4 SECTION 22,  
N 4N, R 11W, S 4M,  
STATE OF ALASKA  
KENAI PENINSULA BOROUGH  
KENAI RECORDING DISTRICT

OWNERS:  
BROOKE AND GABLE AMES  
30855 STURBERFELD DRIVE  
SOLDOTNA, ALASKA 99669

CONTAINING 9.630 ACRES



8000 RING STREET ANCHORAGE, AK 99518  
Phone (907) 544-5990 Fax (907) 544-7794

DRAWN BY: JF	DATE: 03/28/2024	PROJECT: 24-514
CHECKED BY: MA	SCALE: 1" = 100'	SHEET: 1 OF 1

**KPB 2024-046**

**PRELIMINARY DRAFT**

AGENDA ITEM E. NEW BUSINESS

**ITEM #5 - PRELIMINARY PLAT  
GRUBER SUBDIVISION AMES ADDITION**

<b>KPB File No.</b>	2024-046
<b>Plat Committee Meeting:</b>	May 28, 2024
<b>Applicant / Owner:</b>	Brook and Gable Ames of Soldotna
<b>Surveyor:</b>	Mark Aimonetti and Jason Young / Edge Survey and Design LLC
<b>General Location:</b>	Stubblefield Dr in Kalifornsky area / Kalifornsky APC

<b>Parent Parcel No.:</b>	131-330-02
<b>Legal Description:</b>	Tract 1 of Gruber Subdivision KN 72-59
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	Onsite
<b>Exception Request</b>	20.30.170, 20.30.030, 20.30.190, 20.40.040.A

**STAFF REPORT**

**THIS REQUEST WAS POSTPONED FROM THE MAY 13<sup>TH</sup> 2024 MEETING DATE TO THE MEETING OF MAY 28<sup>TH</sup>.**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 9.630 acres parcel into two lots having sizes of 1.337 acres and 8.107 acres and a half dedication.

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

Legal access to the plat is from Sterling Highway at Tote Road near milepost 101.5 to Stubblefield Dr north to the subdivision. Binger Road is on the south side of the plat with a 60' dedication, and on the west is a half dedication of Stubblefield Drive ending in a cul-de-sac. An exception to KPB 20.30.030, Street Layout, has been requested for the length of the cul-de-sac along the west side and extension of Stubblefield Dr on the west.

The plat is not completing a vacation of right-of-way. The plat is dedicating right-of-way in the southwest corner with a half cul-de-sac at the end of Stubblefield Drive.

***The subdivision is affected by a section line easement as shown on the drawing. The easement should be shown on both sides of the section line if they exist on both sides.***

***Block length is not compliant in the area of this subdivision. An exception to 20.30.170 Block length has been requested.***

***Lot 1-A being long in depth exceeds the length to width ratio and an exception to KPB 20.30.190 Lot Dimensions has been requested.***

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT comments	No comment

**Site Investigation:**

There are improvements on the property along with structures. There are several sheds and a house located on Lot 1-B along with a well and a septic system.

There are steep areas shown on the plat, identified as steep slopes. **Staff recommends:** the surveyor identify the direction of slope with either an arrow or label top and toe.

There are wetlands located on the plat which are indicated as low wet areas. The River Center review did not identify any FEMA flood hazard areas or habitat protect districts. Having indicated wet areas **Staff recommendation:** Place the following note on the final plat indicating “Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.”

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

**Staff Analysis**

The parcel was previously an aliquot part being the NW1/4 NW1/4 of Section 22, Township 4 North, Range 11 West, SM, Alaska. Gruber Subdivision KN 72-59 divided the NW1/4 NW1/4 of Section 22 into four tracts and one dedication for Binger Road. Tract 1 is now being subdivided by this platting action.

A soils report will be required for Lot 1-B, an exception to KPB 20.40.010 Wastewater disposal has been requested.

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.

There does not appear to be any encroachments to or from the property across lines. There is a structure located on the property to the east that appears close to the property line. The surveyor should take note of its location to the property line when doing the field work.

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 made comments as follows: the 10’ utility easement listed as being by KN 2006-66 should be referenced to KN 72-59 on the east side of the 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	See comments above
-----	--------------------

ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown
CHUGACH ELECTRIC	
TELALASKA	

**KPB department / agency review:**

Addressing	<p>Reviewer: Leavitt, Rhealyn  Affected Addresses:  30788 STUBBLEFIELD DR</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:  STUBBLEFIELD DR, BINGER RD, BONNIE ST, CHARLIE BROWN DR</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments:  30788 STUBBLEFIELD DR WILL REMAIN WITH LOT 1-B</p>
Code Compliance	<p>Reviewer: Ogren, Eric  Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan  There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:  There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather  Comments: No comment</p>

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

Add KPB No 2024-046 to 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:**

Show the temporary turnaround to the west from KN77-130

- 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 some of the prominent lakes on the map (eg. Echo Lake, Ashana Lake, Teack Lake, Leisure Lake, Reflection Lake, etc.)
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;  
**Staff recommendation:**  
Label the temporary turnaround shown on the parent plat
- 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:**  
Correct the plat label number to the east
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;  
**Staff recommendation:**  
Show direction of slope with an arrow or label top and toe

**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.*

20.60.180. Plat notes.

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

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

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

- *Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).*



20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** *comply with 20.60.190.*

Add the date of May 28, 2024 to the Plat Approval

**EXCEPTIONS REQUESTED:**

**A.** KPB 20.30.170 Block Length and 20.30.030 Street Layout

Surveyor's Discussion: Asking to not dedicate right-of-way along West boundary extending Stubblefield Drive and along North boundary.

**Findings:**

1. Steep terrain and a small lake make ROW dedication not practical.
2. North boundary section line segment along this parcel land locked by lakes.
3. West and North boundary subject to 33 foot section line easement, which provides utility and public access.
4. Stubblefield Drive extended with this platting action up to steep terrain with half cul-de-sac dedication.

Staff Discussion:

20.30.170. - Blocks—Length requirements.

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

20.30.030. - Proposed street layout—Requirements.

A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

**Findings:**

5. This proposed cul-de-sac matches the existing right-of-way to the west.
6. Access to the property will not be denied with the granting of the exception.
7. With the temporary turnaround to the west, this dedication makes a complete cul-de-sac.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The committee shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1-3 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1, 2 appear to support this standard.**

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 5-7 appear to support this standard.**

**B. KPB 20.30.190 Lot Dimensions**

Surveyor's Discussion:

Asking for exception to length to width ratio

**Findings:**

1. Parent parcel original long narrow shape limits design options
2. Length to width ratio for proposed Lot 1-A, 1:3.1, just 83 feet to long.
3. Steep terrain and a water body limits design options.

Staff Discussion:

20.30.190. - Lots—Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

**Findings:**

4. When both lots are taken into consideration for the average ratio, it is below the required 1:3 at 1:2.6.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1-4 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-4 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 1-4 appear to support this standard.**

**C. KPB 20.40.010 Soils Analysis Report for proposed Lot 1-B**

Surveyor's Discussion:

Asking to not provide a soils analysis report and engineer signature on final plat.

**Findings:**

1. Proposed Lot 1-B has an existing functioning septic system installed by certified installer.
2. Documentation of existing septic system on file with Alaska DEC. File provided.
3. Septic documentation diagram depicts well-draining soils and deep ground water.
4. Proposed Lot 1-B has 39,000 square feet available for septic system, which is adequate space for a replacement system, Exhibit provided.
5. No neighboring wells within 200 feet of Lot 1-B or other limiting factors to available usable area for replacement septic system.

Staff Discussion:

20.40.010. - Wastewater disposal.

A. All lots within a proposed subdivision in the Kenai Peninsula Borough must meet the following applicable standards of this chapter for wastewater disposal.

**Findings:**

6. Adjacent lots will not be denied installation of a septic system with the granting of this exception.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 1, 2 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 1-5 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 5, 6 appear to support this standard.**

**Staff recommendation:** place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

**RECOMMENDATION:**

**SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:**

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

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

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

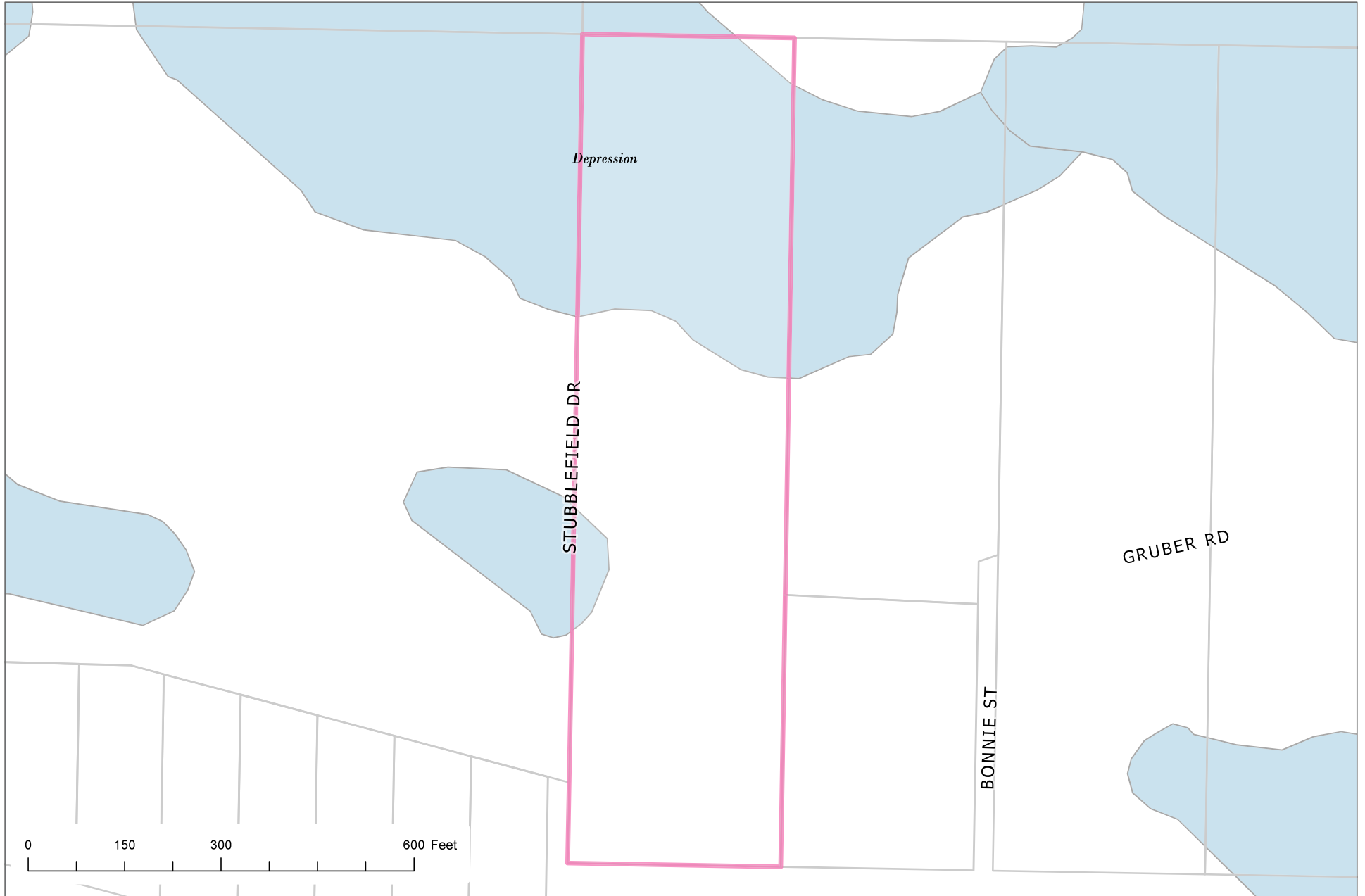
**A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.**

**END OF STAFF REPORT**

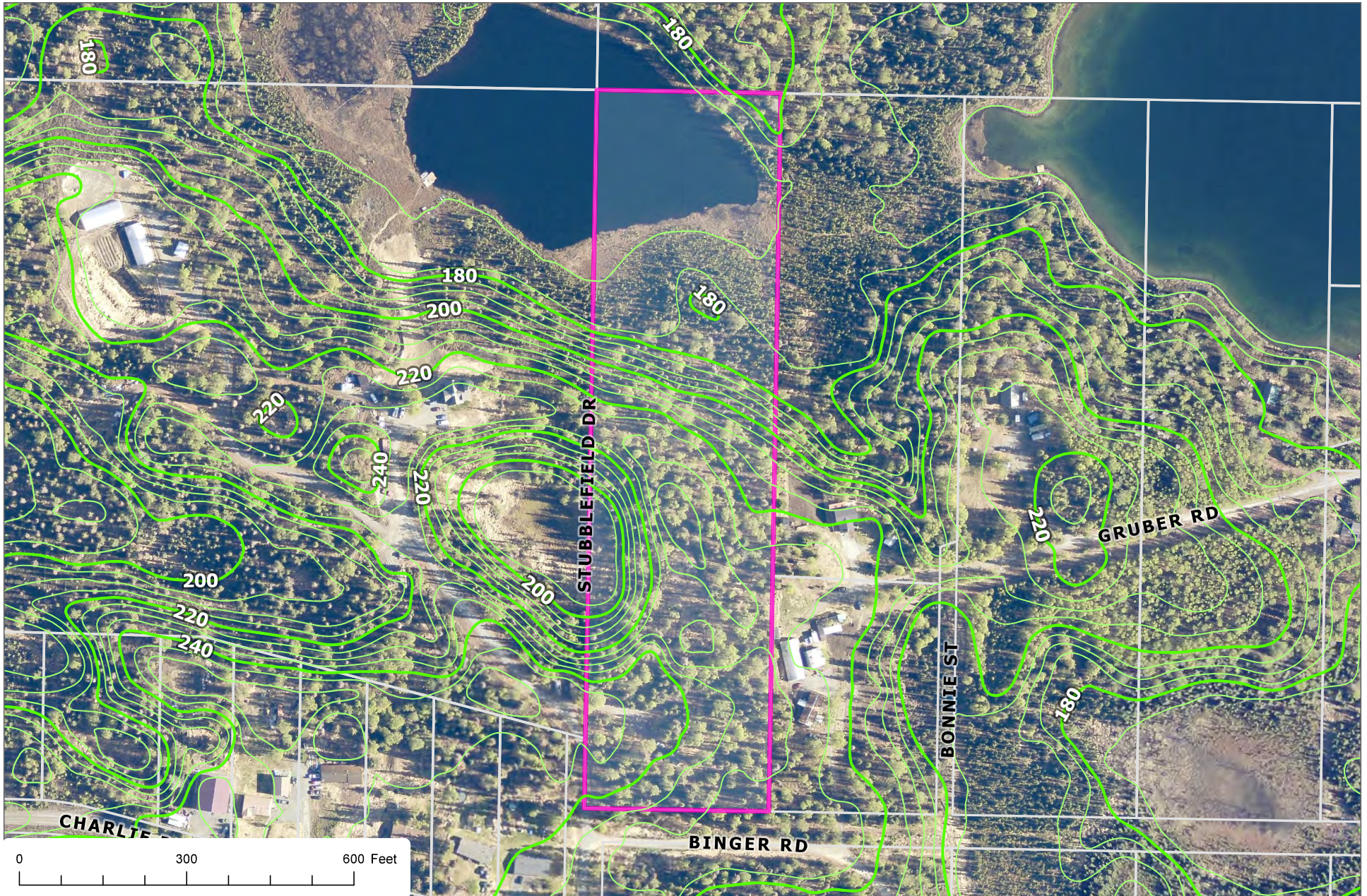
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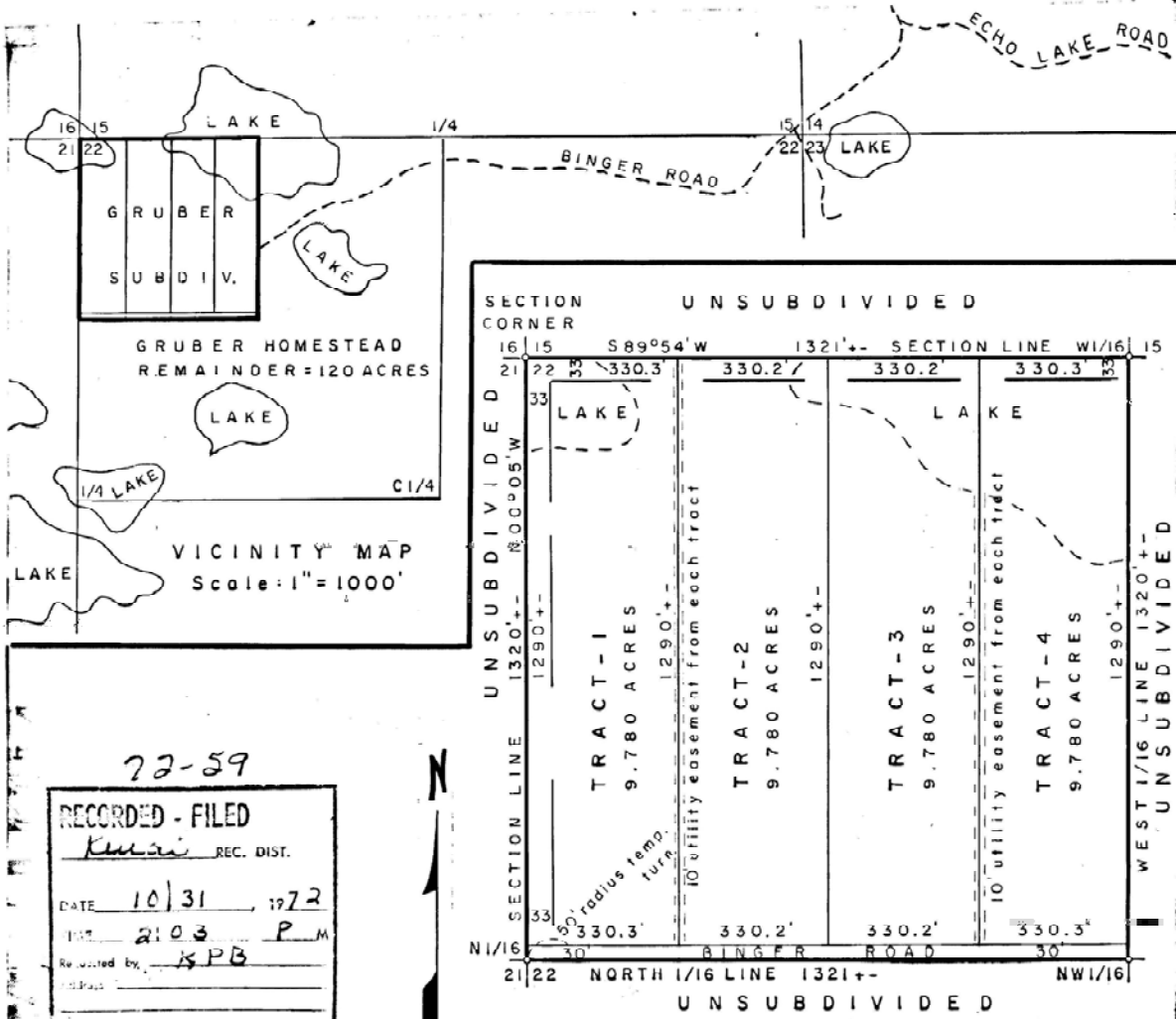
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72-59

RECORDED - FILED

*Kusi* REC. DIST.

DATE 10/31, 1972

TIME 2:03 P.M.

Requested by: KPB

CERTIFICATE OF OWNERSHIP & DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND DEDICATE TO PUBLIC USE THE ROAD AND UTILITY EASEMENTS SHOWN THEREON.

*Wallace Gruber*, OWNER

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 24<sup>th</sup> DAY OF *October*, 1972



*J. J. Best*  
NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES *July 1, 1974*



PLAT APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION.

*Henry F. Thompson* PLATTING OFFICER DATE *October 9, 1972*

- NOTES: 1. THIS IS AN UNSURVEYED SUBDIVISION. ALL DIMENSIONAL DETAILS SHOWN WERE DERIVED FROM A 1941 G.L.O. TOWNSHIP PLAT OF 14N, R11W, S4M., AND ARE SUBJECT TO SOME ADJUSTMENT AFTER SECTION 22 IS SUBDIVIDED BY A FIELD SURVEY.
2. THE LAKES SHOWN WERE NOT MEANDERED AND DELETED FROM THE NW1/4 OF SECTION 22 BY THE G.L.O., HENCE WERE INCLUDED IN GRUBER'S HOMESTEAD PATENT AND THESE TRACTS.
3. THE STATE DEPT. OF HIGHWAYS CLAIMS A 53' WIDE ROADWAY EASEMENT ON THE SECTION LINE.

GRUBER SUBDIVISION

40.030 ACRE NW1/4 NW1/4 OF SECTION 22, 14N, R11W, S4M.

OWNER: WALLACE GRUBER, BOX , SOLDOTNA, ALASKA

PLATTED BY: C. L. PARKER, R.L.S. 237, SOLDOTNA

SEPTEMBER 6, 1972 SCALE: 1"=300'