

From: [Taylor, Bryan](#)
To: [Huff, Scott](#)
Cc: [Clements, Peggy](#)
Subject: Mahan Subdivision Birch Ridge Estates Addition No 3
Date: Wednesday, November 10, 2021 9:18:03 AM
Attachments: [20211110_Denbrock_letterToApplicant.pdf](#)
[image003.png](#)

Hi Scott,

I wanted to let you know that the property being subdivided by the above plat is shown as a Prior Existing Use material site in our records. I have sent the attached letter to the current property owner.

Thank you,

Bryan Taylor, AICP
Planner
(907) 714-2206
btaylor@kpb.us

KENAI PENINSULA BOROUGH
144 North Binkley Street
Soldotna, Alaska 99669





Donald E. Gilman River Center

514 Funny River Road, Soldotna, Alaska 99669 • (907) 714-2460 • (907) 260-5992 Fax



A Division of the Planning Department

Charlie Pierce
Borough Mayor

November 10, 2021

Jake Denbrock
36350 Mayoni St.
Soldotna, AK 99669

RE: Mahan Subdivision Birch Ridge Estates Addition No 3, KPB File #2021-143

Mr. Denbrock:

I have completed a material site (gravel pit) review of the Mahan Subdivision Birch Ridge Estates Addition No 3 preliminary plat. Our records indicate that the property contained within this plat was previously qualified as a Prior Existing Use (PEU) under the provisions of KPB 21.29.120. Upon recording of the final plat for this proposed subdivision, the material site will be considered abandoned and would no longer qualify as a PEU. Kenai Peninsula Borough Code 21.29.120(A) states in part:

If a parcel is subdivided where extraction has already occurred, the prior existing use is considered abandoned, and a CLUP [Conditional Land Use Permit] must be obtained for each parcel intended for further material site operations. The parcel owner may overcome this presumption of abandonment by showing that the subdivision is not inconsistent with material site operation.

If you would like to overcome the presumption of abandonment, please submit information demonstrating the subdivision is not inconsistent with material site operation, e.g., a statement that material site operation is expected to continue on some or all of the lands being subdivided.

If you have any questions, please feel free to contact me.

Sincerely,

Bryan Taylor, Planner
btaylor@kpb.us

cc: Scott Huff, KPB Platting Officer