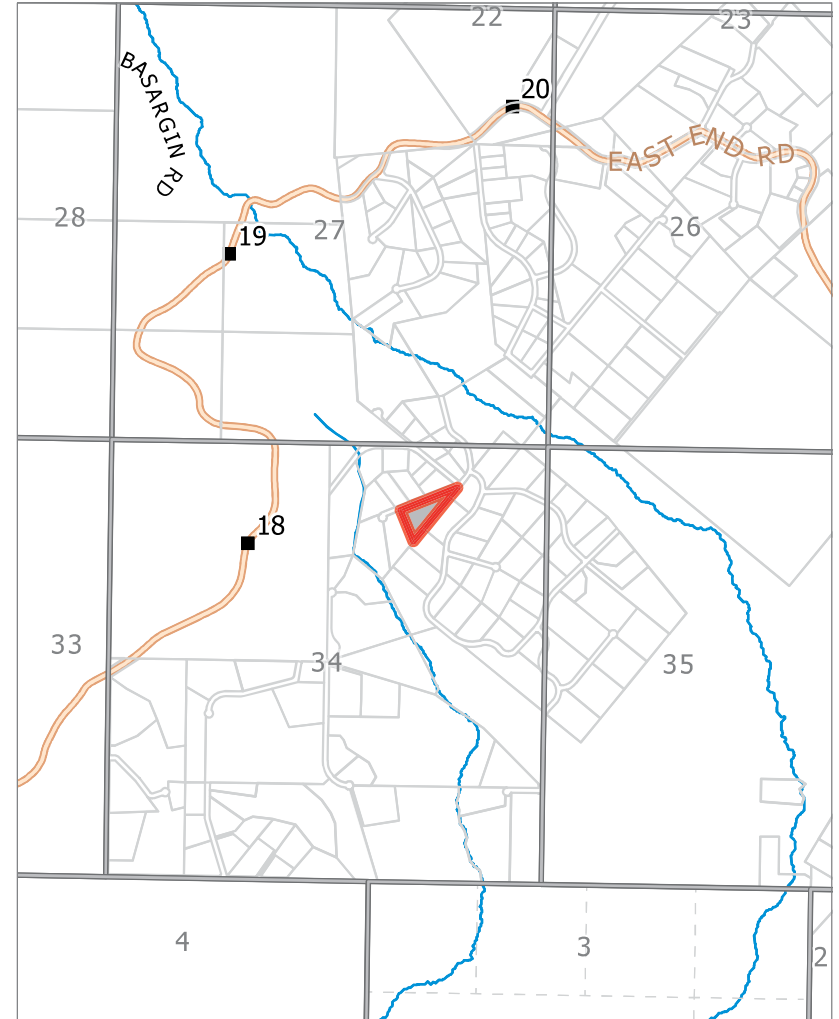
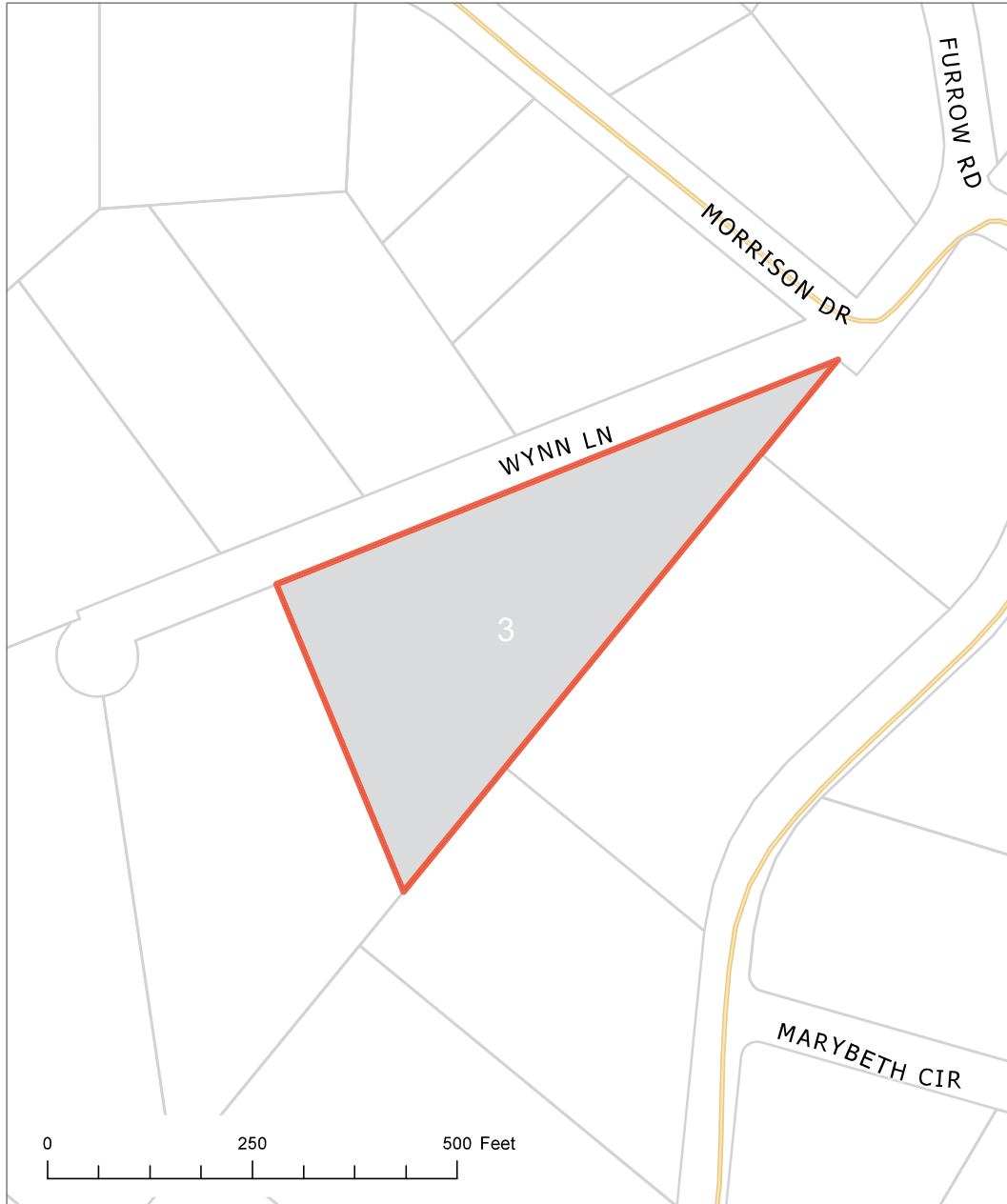


E. NEW BUSINESS

- 10. Patsy's Creek 2022 Replat; KPB File 2022-073
Geovera, LLC / Kusnetsov
Fitz Creek Area / Kachemak Bay APC**



KPB File # 2022-073
S34 T04S R11W
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.

NOTES

1. BASIS OF BEARING FOR THIS SURVEY IS PER THE PARENT PLAT PATSY'S CREEK NO. 3 (HM 82-72).
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
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 THE WYNN LANE RIGHT-OF-WAY IS A UTILITY EASEMENT PER HM 82-72.
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. 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.
7. THIS LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK 90, PG 167 HRD).

WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES ON THE LOTS WITHIN 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 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 RECORD MONUMENT POSITION COMPUTED FROM PATSY'S CREEK (HM 80-59)
- INDICATES 1/2" REBAR PER PARENT PLAT (HM 82-72) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2022) SET THIS SURVEY

KPB 2022-073

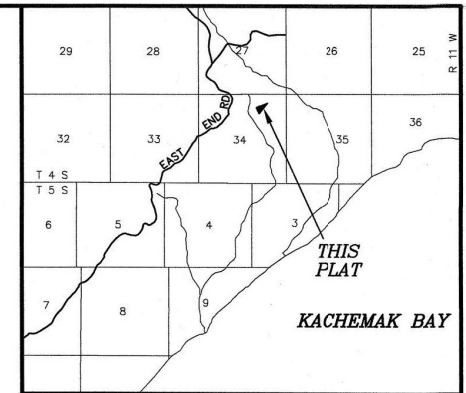
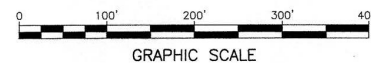
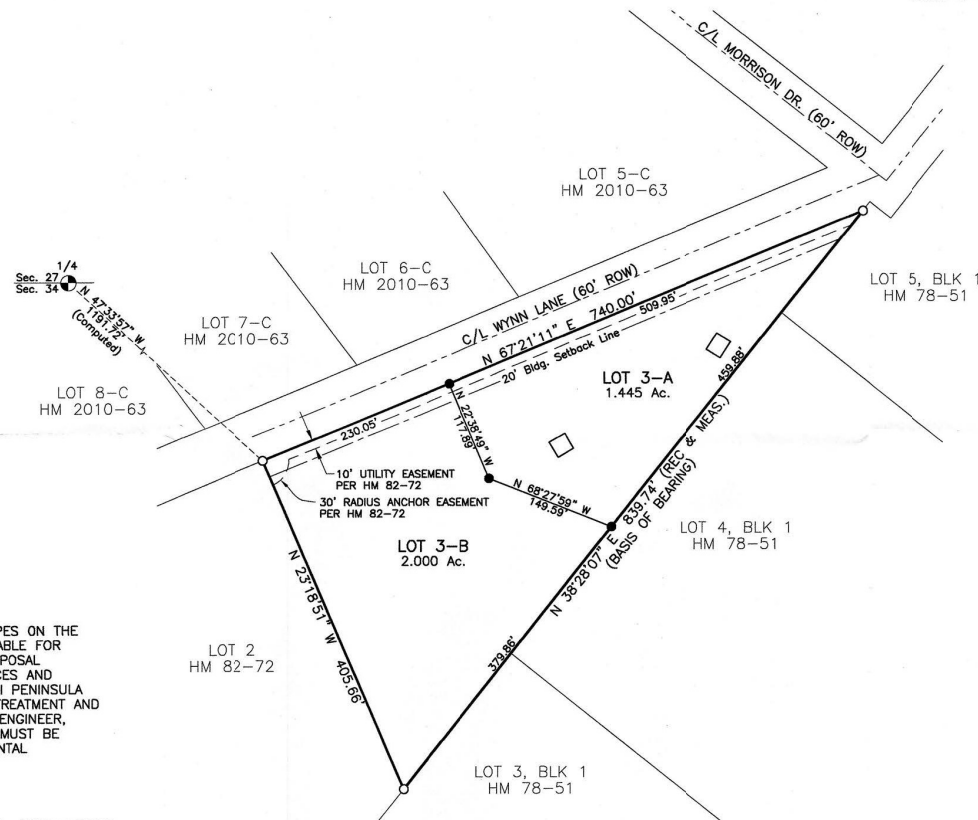
PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF ???, 2022

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

SCALE 1"=100'



VICINITY MAP

SCALE: 1" = 1 MILE

U.S.G.S. QUAD, SELDOVIA (D-3)

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

ALEXANDRE KUSNETSOV
PO BOX 1719
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

FOR: ALEXANDRE KUSNETSOV

ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022.

NOTARY PUBLIC FOR _____

MY COMMISSION EXPIRES: _____

HOMER RECORDING DISTRICT KPB FILE No. 2022-???

PATSY'S CREEK 2022 REPLAT

THE SUBDIVISION OF LOT 3,
PATSY'S CREEK NO. 3 (HM 82-72)

LOCATED WITHIN THE NE 1/4 SEC 34,
T. 4 S., R. 11 W., SEWARD MERIDIAN, KENAI PENINSULA
BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 3.445 ACRES

OWNER:
ALEXANDRE KUSNETSOV
PO BOX 1719 HOMER, AK 99603

GEOVERA, LLC

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

DRAWN BY: SCS	DATE: MAY 2022	SCALE: 1" = 100'
CHK BY: SCS	JOB #2022-17	SHEET 1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 10 - PATSY'S CREEK 2022 REPLAT

KPB File No.	2022-073
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Alexandre and Marfa Kusnetsov of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Wynn Lane, Morrison Drive, Fritz Creek / Kachemak APC

Parent Parcel No.:	185-360-14
Legal Description:	Lot 3 Pasty's Creek No 3 HM 82-72
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 3.45 acre parcel into two lots that will be 2 acres and 1.445 acres.

Location and Legal Access (existing and proposed): The proposed plat is located on Wynn Lane, a 60 foot wide cul-de-sac that is not constructed. Wynn Lane is located along Morrison Drive, a borough maintain right-of-way located near mile 18 of state maintained East End Road.

The proposed lots will have dedicated access from Wynn Lane. There are structures present on proposed Lot 3-A. They appear to be accessed through Lot 5 and Lot 4 Block 1 of HM 78-51 which are located to the east, southeast of the lot. The ownership for those two lots is the same for the property within the proposed subdivision. **Staff recommends** if the ownership changes for any of the lots access or driveway easements be recorded if shared access remains desired.

The terrain within the dedication of Wynn Lane do not appear to contain steep slopes but per KPB Code grades shall not exceed 6 percent on arterial streets and 10 percent on other streets. Per KPB GIS data, it appears there may be portions of the right-of-way with slopes around 18 percent. **Staff recommends** documentation be presented that the slopes comply or provide centerline profiles to determine if any additional right-of-way width will be required or additional easements for maintenance and slopes.

The block is not compliant in this area. Wynn Lane is a cul-de-sac that does not provide for a closed block. There are several cul-de-sacs within the area. There are very steep areas within the area and many of the through roads are in locations that are best suited with the terrain. There are improvements within this subdivision and within the lots to the south that make an additional dedication difficult and would not be able to improve the block due to terrain. **Staff recommends** the plat committee concur that an exception or dedications for block length improvements are not required with this preliminary plat.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	No comment

Site Investigation: The property does have some slopes but the property is relatively flat and no steep grades are present. Per KPB GIS data, there are no low wet areas present.

There are two structures being shown on the preliminary plat. There does not appear to be any encroachment issues. **Staff recommends the structures may be removed from the final plat.**

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy 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> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The property within the proposed replat was originally subdivided by Patsy's Creek, Plat HM 80-59. The lot was then further subdivided by Patsy's Creek No. 3, Plat HM 82-72, and Wynn Lane was dedicated as a 50 foot wide right-of-way. Patsy's Creek No. 5, HM 2010-63, dedicated an additional 10 feet on the northern side of Wynn Lane to bring the right-of-way into compliance.

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 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Kachemak Bay Advisory Planning Commission minutes were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements Patsy's Creek, Plat HM 80-59, granted a 10 foot x 30 foot anchor easement in the northeast portion of the original tract. Patsy's Creek No. 3, Plat HM 82-72, dedicated a 50 foot width of Wynn Lane atop the easement. **Staff recommends the surveyor verify that there are no portions of the easement remaining.**

Patsy's Creek No. 3, Plat HM 82-42, granted a 10 foot utility easement along Wynn Lane and a 30 foot radius anchor easement on the shared lot line with the lot to the west. The easements from the parent plat are depicted and noted correctly.

There is one easement granted by recorded document which is noted correctly on 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	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 48285 WYNN LN</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: MORRISON DR WYNN LN</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: 48285 WYNN LN will remain with lot 3-A.</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>
Advisory Planning Commission	Comments not received when the staff report was prepared.

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

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: *The Certificate to Plat and deed indicate title was taken by Mr. and Mrs. Kusnetsov. She will be required to be added to the title block and signature lines unless documentation is presented that she is unable to sign.*

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.*

20.30.090. Streets-Maximum grades allowed. The subdivider shall demonstrate that streets can be readily constructed in accordance with current borough road standards and that the grades on any such roads shall not exceed 6 percent on arterial streets and 10 percent on other streets, or 4 percent within 130 feet of any centerline intersections. Submittal of centerline profiles and cross-sections may be required to demonstrate that compliant construction in the right-of-way is feasible.

Staff recommendation: *Wynn Lane appears to have some portions that with approximate 18 percent slopes. The right-of-way is not currently constructed and will the dedicated access to Lot 3-B. Staff recommends cross sections be provided to determine if additional width will be require or possible slope easements.*

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: Soils report will be required and the plat must be signed by licensed engineer.

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:

Plat note 6 may be removed as there are no wetlands within the proposed subdivision.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: The Certificate to Plat and Deed indicate the ownership was taken by husband and wife. Unless documentation is provided, Mrs. Kusnetsov will need to have a signature line added and the Certificate of Ownership will need to be revised to plural pronouns. Comply with 20.60.190.

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.

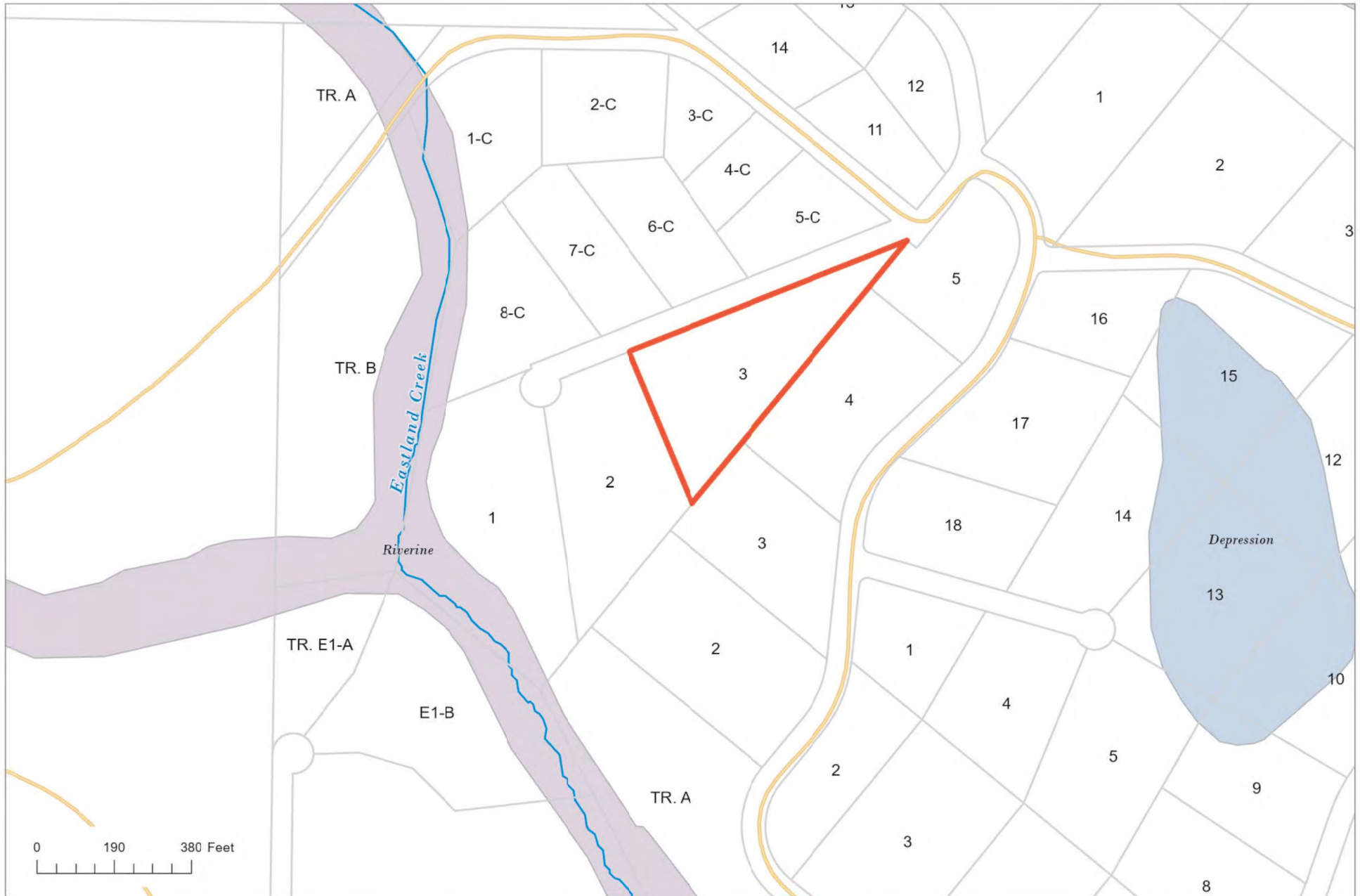
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

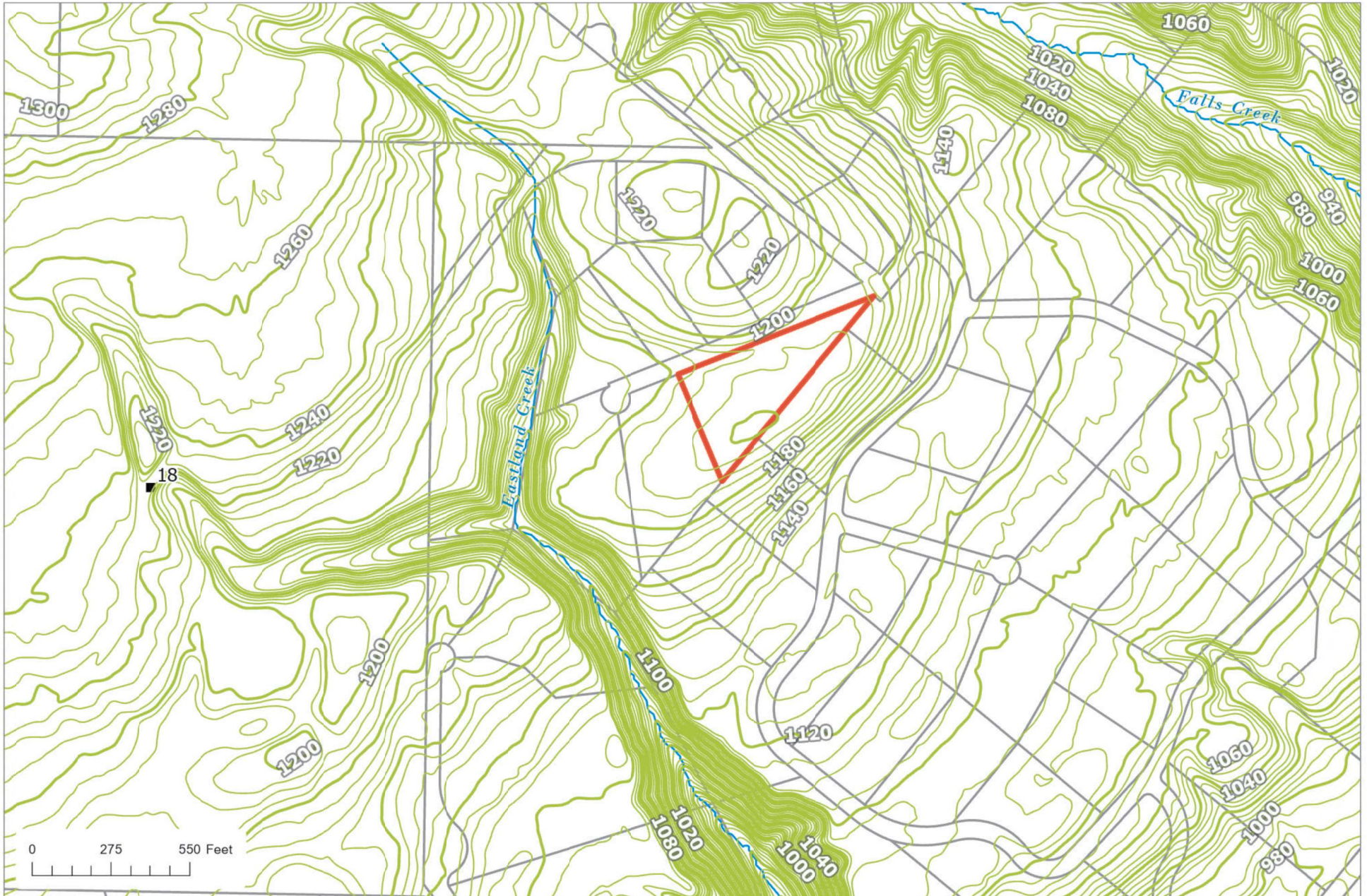
END OF STAFF REPORT



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SURVEYOR'S CERTIFICATE

I, the undersigned registered surveyor, hereby certify that a land survey has been completed by me and that corners and monuments have been located and established and that dimensions shown hereon are true and correct.

David Filucci
DAVID FILUCCI 5276-S

Aug 21, 1982
Date

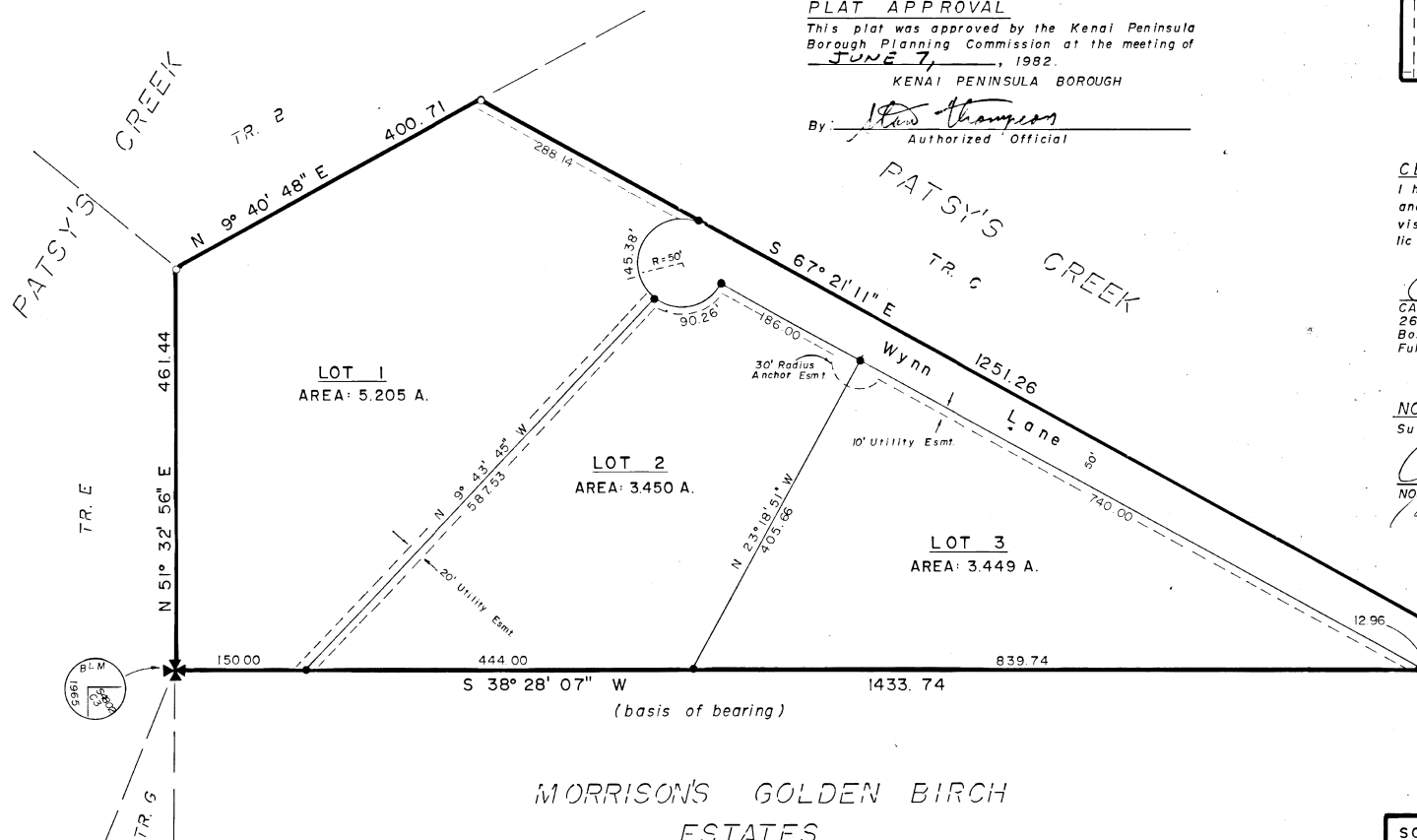
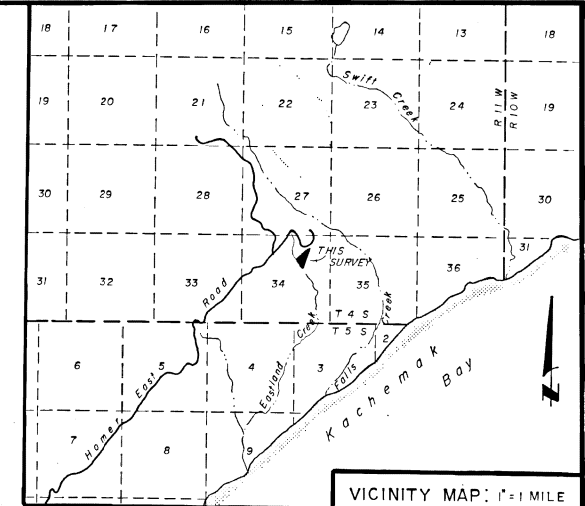


PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of JUNE 7, 1982.

KENAI PENINSULA BOROUGH

By: Steve Thompson
Authorized Official

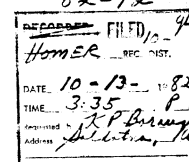


NOTE:

A SETBACK OF 20' IS REQUIRED FROM ALL RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY THE APPROPRIATE PLANNING COMMISSION.

LEGEND:

- BLM B.C. MON. (RECORD)
- FOUND BLM MON., 1965
- SET 1/2" REBAR THIS SURVEY
- FOUND 1/2" REBAR



CERTIFICATE OF OWNERSHIP

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 all right of ways and public areas to public use and grant all easements to the use shown.

Carl E. Wynn
CARL E. WYNN
2600 E. Nutwood Ave.
Box 4370
Fullerton, CA. 92634

Oct 1, 1982
Date

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 1ST day of OCT. 1982.

Jerry Anderson
JERRY ANDERSON
NOTARY PUBLIC
NOTARY PUBLIC FOR ALASKA
My Commission Expires: 11/1/83

S 51°36'17"E
50.00
30' (Record)

SCALE: 1"=100' AUGUST, 1982 DES: DF DRWN: SW

PATSY'S CREEK No. 3

A RESUBDIVISION OF 'TR. D' PATSY'S CREEK SUBD.
WITHIN THE NE 1/4 OF SEC. 34, T4S, R11W, S.M.

Containing 13.356 Acres

David Filucci SRA Box 52 A Homer, AK. 99603

CERTIFICATE OF OWNERSHIP
 I hereby certify that I am the owner of the property shown and described hereon. I hereby request approval of this plat showing such easements for public utilities and roadways dedicated by me for public use.

Wilford Stanley Jones
 WILFORD STANLEY JONES
 SRA BOX 51
 HOMER, AK.

NOTARY'S ACKNOWLEDGEMENT
 Subscribed and sworn to before me this 2nd day of June, 1979

Notary Public for Alaska
 Notary Public for Alaska My commission expires

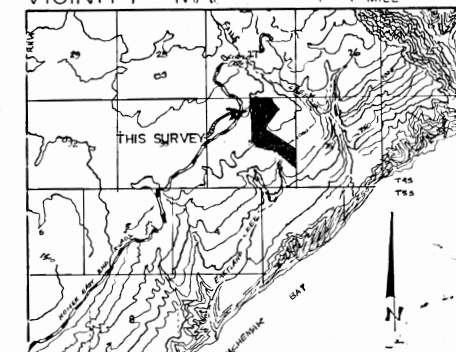
SURVEYOR'S CERTIFICATE
 I, the undersigned registered surveyor, hereby certify that a land survey has been completed by me or under my direct supervision and that corners and monuments have been located and established and that dimensions shown hereon are true and correct.

Jerry Anderson
 JERRY ANDERSON, 3686-S DATE 6/10

PLAT APPROVAL
 This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of September 24, 1979

KENAI PENINSULA BOROUGH
 BY *Philip Warming* Authorized Official

VICINITY MAP 1" = 1 MILE



- LEGEND**
- ✱ BLM MONUMENT RECOVERED
 - ✱ ADL MONUMENT RECOVERED
 - ⊙ BC. SET THIS SURVEY

NOTE:
 A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION

80-59
 DECEMBER 10 - 1979
 HOMER, AK. DIST.
 DATE 6-25-1980
 TIME 3:20 P.M.
 Prepared by JPB
 Checked by Jaldatra

DATE: AUGUST 79	
SCALE: 1" = 300'	
DRAWN BY: D F	
DESIGNED BY: D F	
JOB NO.: 1113	
FLD. BK. NO.: 75, 83	

PATSY'S CREEK
 WITHIN THE EAST 1/2 SECTION 34 T4S R11W SM.
 CONTAINING 100.038 ACRES

Ability-Surveys
 REGISTERED SURVEYORS
 ENGINEERS - PLANNERS
 Jerry Anderson, Marvin Hansen
 Box 1263 - Homer, Alaska 99603 - (907) 235-8440

