

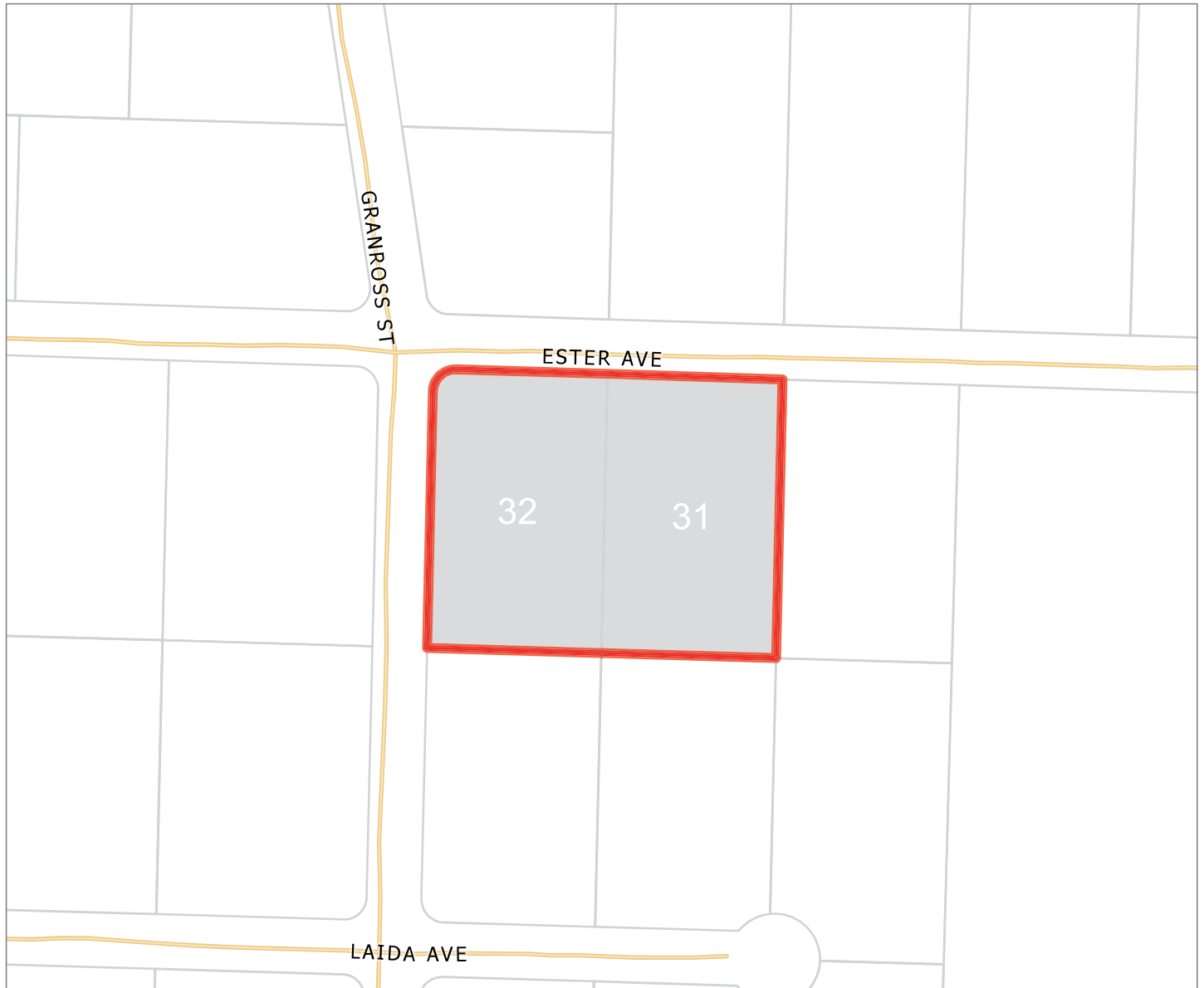
E. NEW BUSINESS

- 3. Granross Grove 2022 Replat; KPB File 2022-134
Mullikin Surveys / Baumgardner
Location: Ester Avenue & Granross Street
Anchor Area / Anchor Point APC**



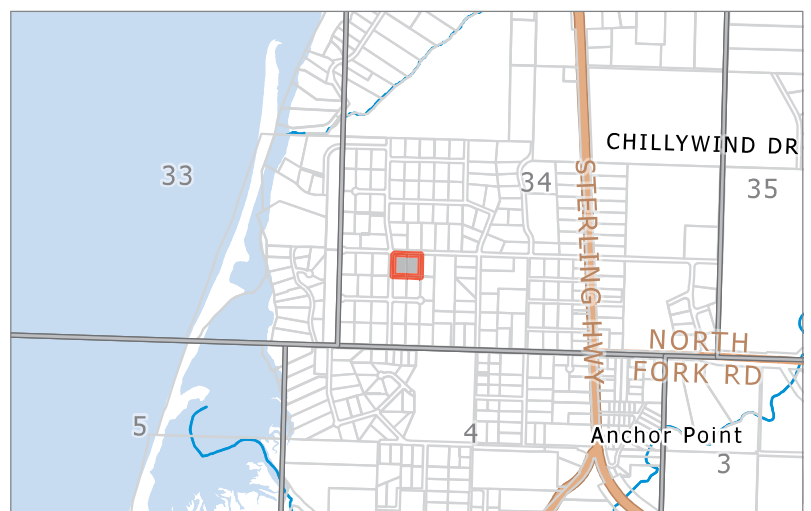
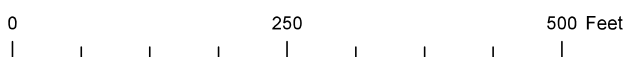
Kenai Peninsula Borough Planning Department

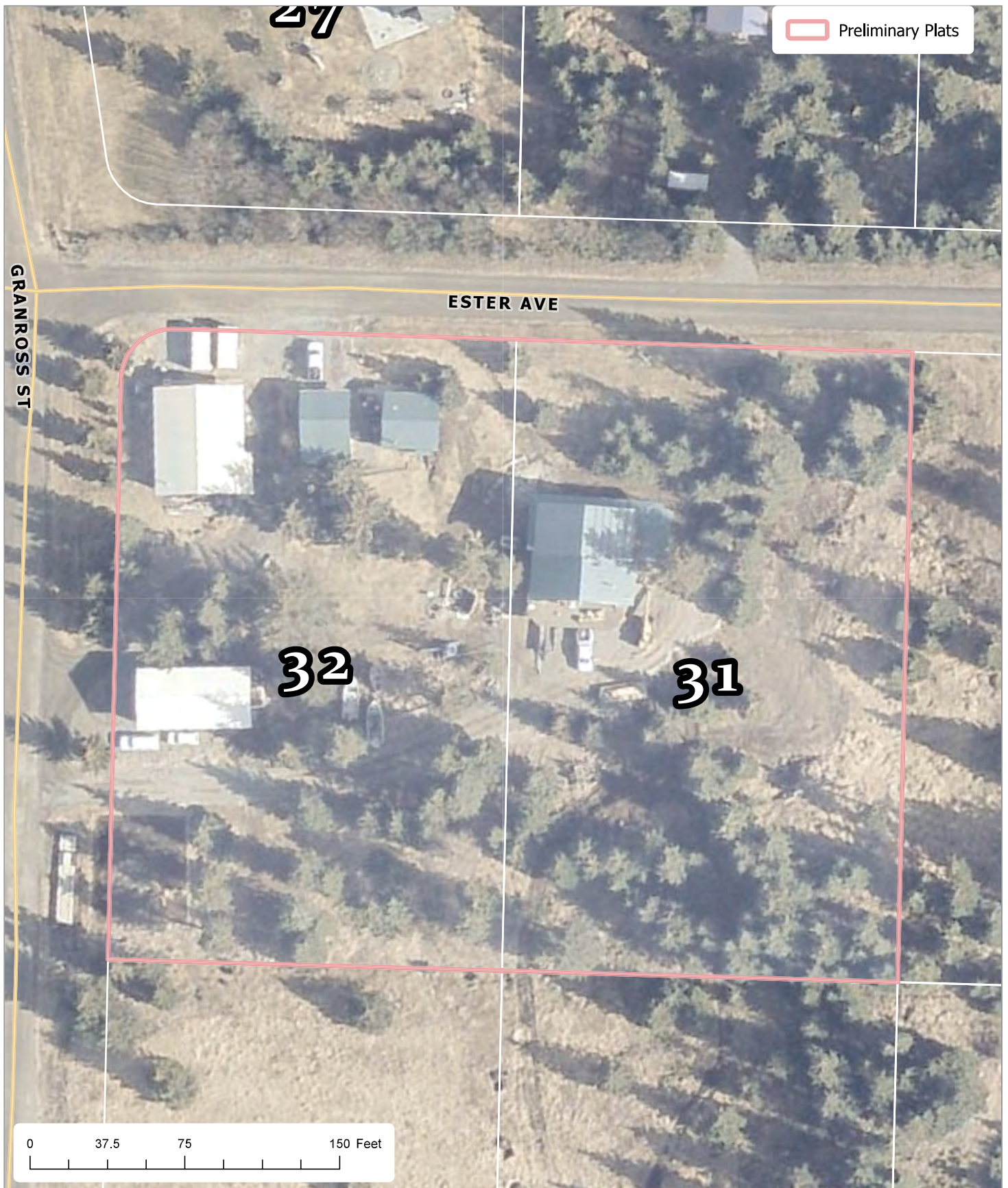
Vicinity Map



KPB File 2022-134
T 04S R 15W SEC 34
Anchor Point

9/2/2022





NOTES

- The purpose of this plat is to create Lot 32B by vacating the lot line between Lots 31 & 32 of Granross Grove Unit 1.
- No field survey was conducted. All dimensions shown are record as shown on Granross Grove Unit 1 (HM 78-5).
- No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- Building Setback - A 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.
- WASTEWATER DISPOSAL: The parent subdivision for lots resulting from this platting action was approved by the Kenai Peninsula Borough on December 12, 1977. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code. The panel is 02122C1890E; the effective date is 10/20/2016.

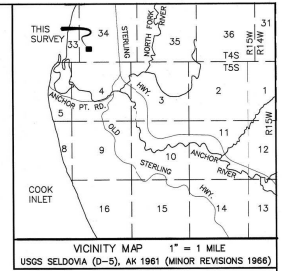
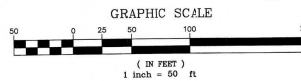
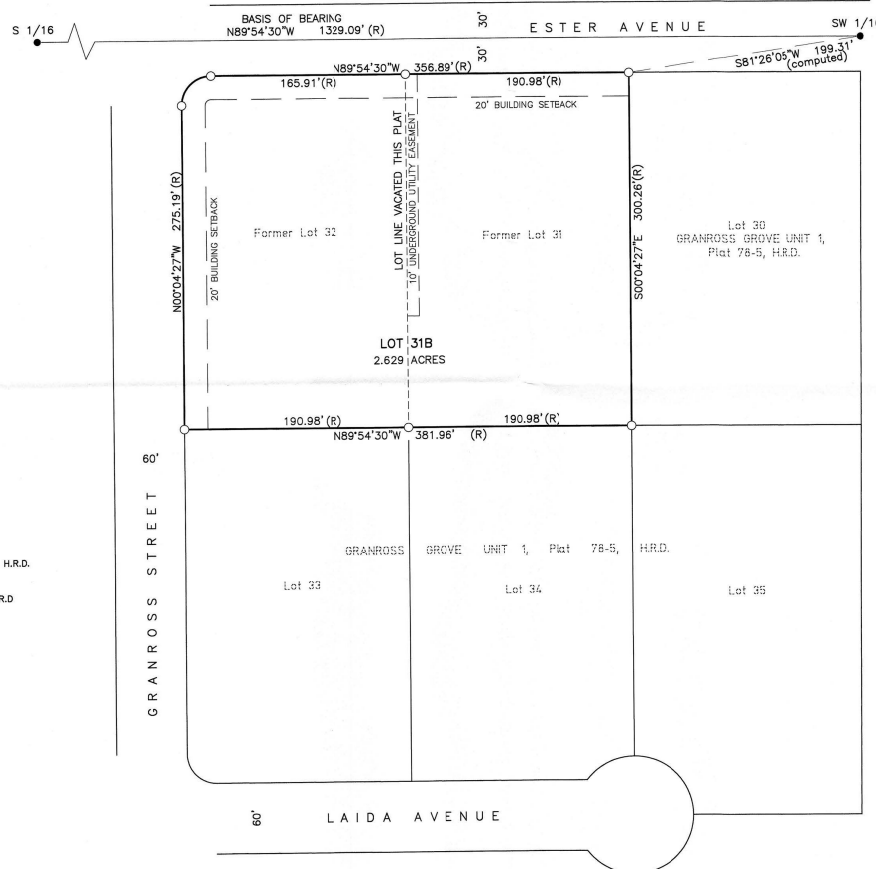
LEGEND

- RECORD 1/2"x24" REBAR W/PLASTIC CAP, PLAT No. 78-5, H.R.D.
- EASEMENT LINES NOT SURVEYED
- (R) RECORD PER GRANROSS GROVE UNIT 1, PLAT No. 78-5, H.R.D.
- BRASS CAP MONUMENT OF RECORD.

SURVEYORS CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat represents a survey made by me or under my supervision, that the monuments shown hereon actually exist as described, and that all dimensions and other details are correct.

Date:
Registration No.: 14449-S
Christopher L. Mullikin,
Professional Land Surveyor



CERTIFICATE OF OWNERSHIP AND DEDICATION
I hereby certify that I am the owner of the real property shown and described hereon and that I hereby adopt this plan of right-of-way acquisition and by my free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

Kent Baumgardner
P.O. Box 464
Anchor Point, AK 99556

NOTARYS ACKNOWLEDGMENT

For:
Acknowledged before me
this ____ day of ____ 2018.

Notary Public for the State of Alaska
My commission expires ____

PLAT APPROVAL
This plat was approved by the Kenai Peninsula Borough Planning Commission in accordance with KPB 20.10.070 at the meeting of ____

KENAI PENINSULA BOROUGH
By: ____
Authorized Official

PRELIMINARY PLAT

MULLIKIN SURVEYS
P.O. BOX 1023
HOMER, ALASKA 99603
(907) 299-2289

Granross Grove 2022 Replat A Lot line vacation Plat CREATING LOT 31B

A REPLAT OF LOTS 31 & 32, GRANROSS GROVE UNIT 1 (PLAT No. 78-5, H.R.D.),

BOTH LOCATED WITHIN
THE SW 1/4 SW 1/4 OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 15 WEST,
SEWARD MERIDIAN, THIRD JUDICIAL DISTRICT,
KENAI PENINSULA BOROUGH,
HOMER RECORDING DISTRICT, ALASKA.

CONTAINING 2.629 ACRES, MORE OR LESS

SURVEYOR	CLIENT
MULLIKIN SURVEYS CHRISTOPHER MULLIKIN, PLS P.O. BOX 1023 Homer, AK 99603 907-299-2289	KENT BAUMGARDNER PO BOX 464 ANCHOR POINT, AK 99556
SURVEY DATE: NO FIELD SURVEY	SCALE: 1" = 50'
PLAT DATE: 7/15/2022	BOOK No.: NA
CHECKED BY: CLM	FILE: GRANROSS GROVE LOTS 31 32.dwg
DRAWN BY: CLM	KPB FILE No.: 2022-XXX

KPB 2022-134

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - GRANROSS GROVE 2022 REPLAT

KPB File No.	2022-134
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Kent Baumgardner of Anchor Point AK
Surveyor:	Christopher Mullikin / Mullikin Surveys
General Location:	Ester Avenue, Anchor Point / Anchor Point APC

Parent Parcel No.:	165-510-44, 165-510-45
Legal Description:	Lots 31 & 32 Granross Grove Unit 1
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two 1.313 acre lots into one lot of 2.629 acres. No right-of-way dedications are proposed with this plat.

Location and Legal Access (existing and proposed): The proposed plat is located on the corner of Ester Avenue and Granross Street, both being 60 feet wide Borough maintained rights-of-way. Ester Avenue is located at mile 156.5 of the Sterling Highway in the Anchor Point Area.

Ester Avenue, Granross Street, Laida Avenue and Birch Street define the compliant block.

Access appears to be in existence to the structures on parent Lot 32 from Ester Avenue. A driveway from Granross Street appears to cross Lot 32 to access the structure on Lot 31. Existing access will not be affected by the replat.

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

Site Investigation: There are no wetlands or steep areas present. The terrain slopes to the southwest corner from the north at a 6 percent grade overall. The plat is not in a flood hazard area. Plat note 6 references a map panel for flooding. The property is within the bounds of that panel but the property itself is not within a flood hazard zone. This was confirmed by the staff review at the River Center. **Staff recommends plat note 6 be removed per the response from the River Center.**

There are several existing structures located on the property. KPB GIS parcel line data and KPB GIS imagery are not exact. Structures found in Lot 32 appear to be very close to the property lines. While a field survey is not required staff would recommend the surveyor verify the locations of the buildings in regards to the property lines, utility easements, and building setbacks. The structure on Lot 31 should be verified that it is not within the 10 foot utility easements. This platting action is not creating lines to create encroachments but encroachments may exist. If there are structures within the dedicated rights-of-way, a resolution should be put into place prior to finalizing the plat. If the structures are within the existing utility easement or existing building setbacks, it is recommended that the issues be resolved as they may create issues for the owners in the future. Any encroachments into the right-of-way or setback will be provided to the Roads Department and KPB Code Compliance Officer. This plat will be required to grant new 10 foot utility easements along the rights-of-way. If any of the structures are within the new easement they may be exempt if the structures are shown and appropriate plat notes are added. This will still not

resolve any setback encroachments. **Staff recommends** the location of buildings be located and the status of any encroachments be staff with possible methods of resolution. If no encroachments are found this should be submitted in writing to Platting Staff.

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 This is a replat of Lots 31 and 32 created in Granross Grove Unit 1 HM 78-5. This plat is a paper plat with no field survey as provided in KPB 20.60.200(A). The plat is carrying over a 20-foot building setback from the parent plat to the current plat located along the rights-of-way. A new 10-foot utility easement adjacent to the rights-of-way is being granted with this plat.

Per the submittal the lots will be/are connected to city water. Anchor Point has a community water system. **Staff recommends** if the lot is connected documentation will be required that demonstrates it is connected. If the lots are not yet connected or if any requirements must be met, documentation from the public water system must be submitted that states the system will support their connection or if any requirements, such as an installation agreement, will be required prior to finalization.

A soils report will not be required as per KPB 20.40.020(A), as the parent plat received borough approval and this action will only be removing a lot line.

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.

The property is within the Anchor Point advisory planning commission. Minutes were not available when the staff report was prepared and will be provided if available in the desk packet.

Utility Easements The parent plat was a subdivision of aliquot lands. The plat, Granross Grove Unit 1 HM 78-5, granted a 10 foot utility easement on parent Lot 31 along the shared lot line with Lot 32. The easement is being carried over. The parent plat did not grant utility easements along all rights-of-way. This plat will be required to grant 10 foot utility easements along the dedicated rights-of-way. **Staff recommends** the label for the existing utility easement include "Granted by HM 78-5", the new easements be depicted and labeled, and a plat note be added that states they are being granted by this 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	Provide 10 foot wide utility easement adjoining the dedicated ROW.
-----	--

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

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 72843 ESTER AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: ESTER AVE GRANROSS ST LAIDA AVE</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: 72843 ESTER AVE will remain with lot 31B.</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>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

- *The Mullikin Surveys label above the title block is not required as the information is in the title block. If trying to include company logo, it can be incorporated into the title block or may remain.*
- *The line symbol for neighboring lot lines should be added to the legend.*
- *The legend states the one line symbol is for easement lines not surveyed but appears to be the former lot line.*
- *Add curve data to the curve in the northwest corner of Lot 31B.*

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: Remove the second line in the title: "A Lot line vacation Plat". Add KPB file number to title block 2022-134.

- 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 proposed 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: Add labels for land to the west across Granross Street and north of Ester Avenue. Change the font of the labels as reproduction could lose text. The depiction of neighboring properties only is required to 100 feet. The depiction of Laida Avenue is not required but may remain.

- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

Staff recommendation: Surveyor should check the structures on parent Lot 32 for location to property lines and setbacks. If found to be an issue, show on drawing and add the following statement: "Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments." Issues may be dealt with prior to final approval.

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.

20.30.060. Easements-Requirements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

Staff recommendation: The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Grant utility easements requested by the utility providers.**

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: This action will increase the usable area for parent lots that received previous approval from the Kenai Peninsula Borough. Soils analysis report will not be required and the correct plat note is present.

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.

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: All taxes levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be

on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or his designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

Taxes owed may include special assessments for utility or road assessment districts established by KPB ordinance.

Staff recommendation: This property is subject to a Utility special assessment. Any unpaid balances will be required to be paid in addition to current year and any past due property taxes. Comply with 20.60.030.

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.

- Subject to covenants, conditions, and restrictions as recorded on May 28, 1981 in Book 120 Page 677, Homer Recording District.
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- Add plat notes required to resolve any existing encroachments or resolution of encroachments.
- Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.
- The front 10 feet adjoining rights-of-way shall be granted as a utility easement per this plat.
- If these lots are connecting to the Anchor Point Community Water System add, "This lot is served by the Anchor Point Safe Water Corporation Public Water System (PWS #247490)."

Plat note 6 may be removed.

Plat note 1 needs a correction to the lot number being created.

Plat note 2, please add the reference to KPB Code that allows for no field survey. "No field survey was conducted as provided in KPB Code 20.60.200(A)."

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: The certificate of ownership needs to be revised as it currently states right-of-way acquisition instead of subdivision. Update the year in the Notary's Acknowledgment. The plat approval note should comply with 20.60.190(C). 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.

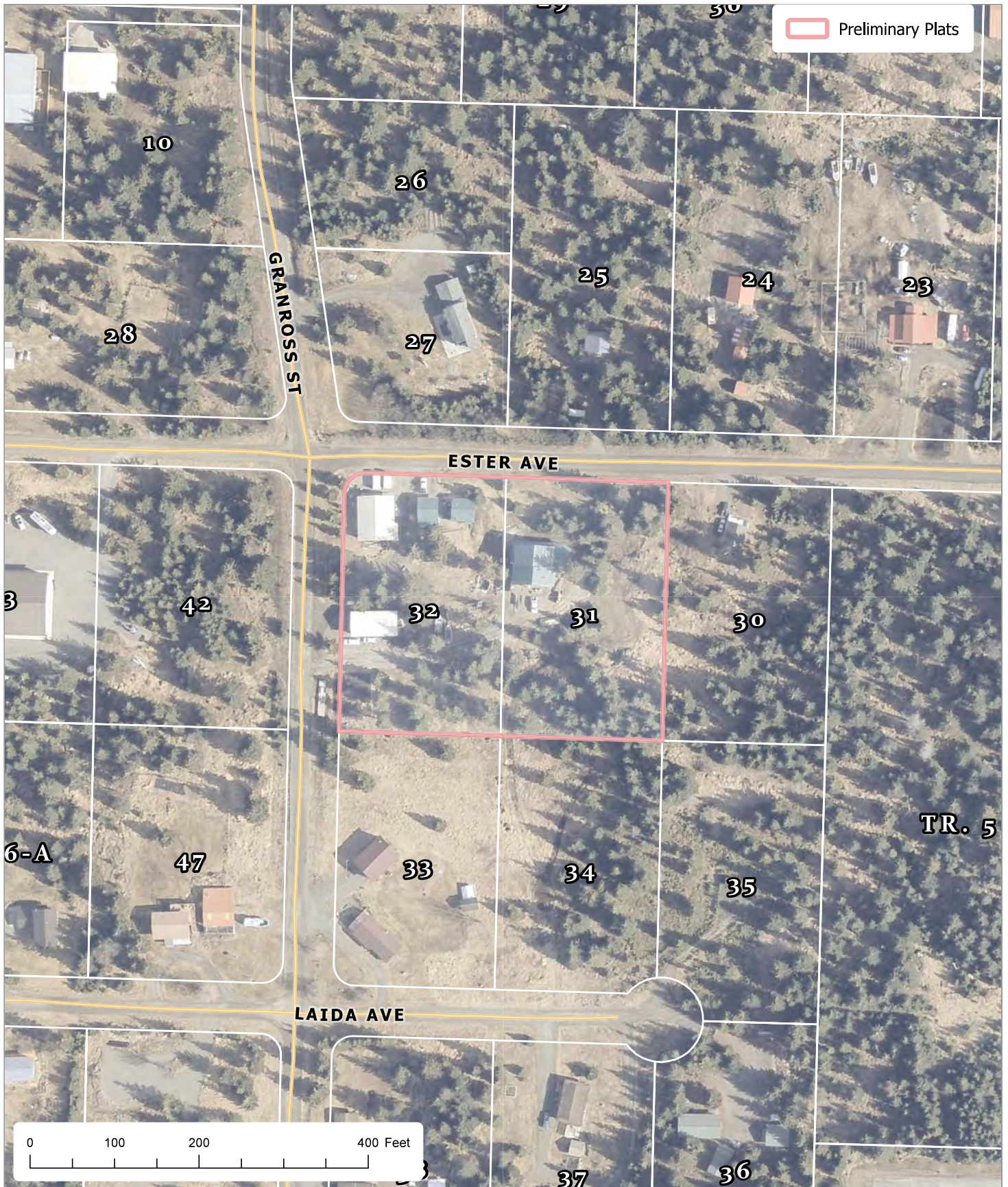
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

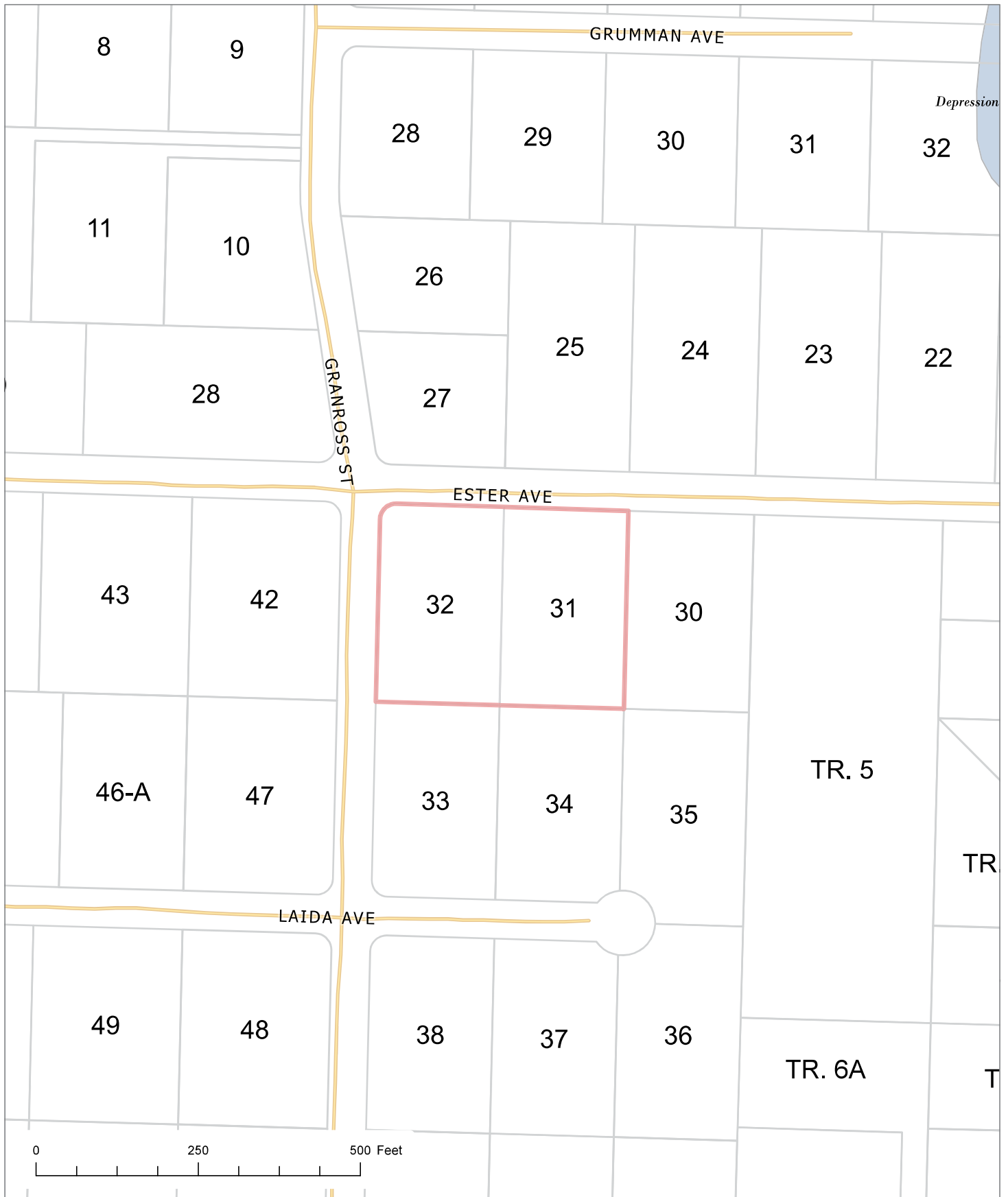
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



Aerial View







FUTURE SUBDIVISION

AIR STRIP (UNSUBDIVIDED)



- LEGEND
- FOUND OLD B.C. MON. 1988
 - FOUND B.C. MON. 1988-5, 1977
 - FOUND GRANITE STONE, 268-5, 1985, REPLACED WITH BRASS CAP THIS SURVEY
 - SET B.C. MON.
 - FOUND STAKE, REPLACED WITH B.C. THIS SURVEY
 - 4" UNDERGROUND UTILITY EMB.

- NOTES
1. THE STATE OF ALASKA REQUIRES ALL WASTEWATER DISPOSAL SYSTEMS TO BE A MINIMUM OF 100' FROM ANY WATER SOURCE.
 2. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY.
 3. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING LAW AT TIME OF CONSTRUCTION.
 4. 1/2" X 2" OF REBAR WITH PLASTIC CAPS SET AT ALL LOT CORNERS.
 5. ALL RIGHTS OF WAY RETURNS ARE 25' RADIUS.
 6. LOTS 1-16 ARE FOR COMMERCIAL USE ONLY.
 7. BARE BEARING IS THE OLD BEARING EAST BETWEEN THE 1/4 COR CORNER TO SECTIONS 20 & 15, AND THE 1/4 COR CORNER TO SECTIONS 25 & 16, T.4 S., R.15 W., S. 16 W. WAS CARRIED TO THIS SURVEY BY PREVIOUS SURVEYS IN THE AREA.

78-5

RECORDED FILE 750

DATE 1-17-1978

TIME 4:15 P.M.

BY KPA

ADDRESS Seldovia



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, DESIGNATED BY ME FOR PUBLIC USE.

NOTARY PUBLIC FOR ALASKA

1977 JAMES A. JACKSON

801 E. 6th

905074, AK 99609

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 22nd DAY OF December 1977

Virginia P. Wilkerson, Myself

NOTARY PUBLIC FOR ALASKA

1977 VIRGINIA P. WILKERSON

SURVEYORS' 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 ARE TRUE AND CORRECT.

DATE 12-27-77

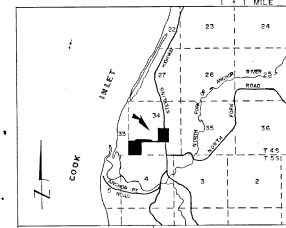
JOHN ANDERSON, 9986 S

PLAT APPROVAL

HIST. PLAN (1978) HAS BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF DECEMBER 14, 1977. IT IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT SUBJECT TO ANY AND ALL CONDITIONS OF REQUIREMENTS AND ORDINANCES APPLICABLE THERETO.

KENAI PENINSULA BOROUGH

Philip Waring



DATE: NOVEMBER, 1977

SCALE: 1" = 100'

DESIGNED BY: JA

CHECKED BY: JJ

DRAWN BY: SW

FLD BK NO: 25

GRANROSS GROVE UNIT

BEING THE SW 1/4, SW 1/4, A PORTION OF THE NW 1/4, SE 1/4, AND A PORTION OF THE S 1/2, N 1/2, SW 1/4, S 34, T.4 S., R.15 W., S. 16 W.

CONTAINING 90.557 ACRES

ABILITY SURVEYS

JERRY ANDERSON, R.L.E. 80% 1983 KENAI, ALASKA