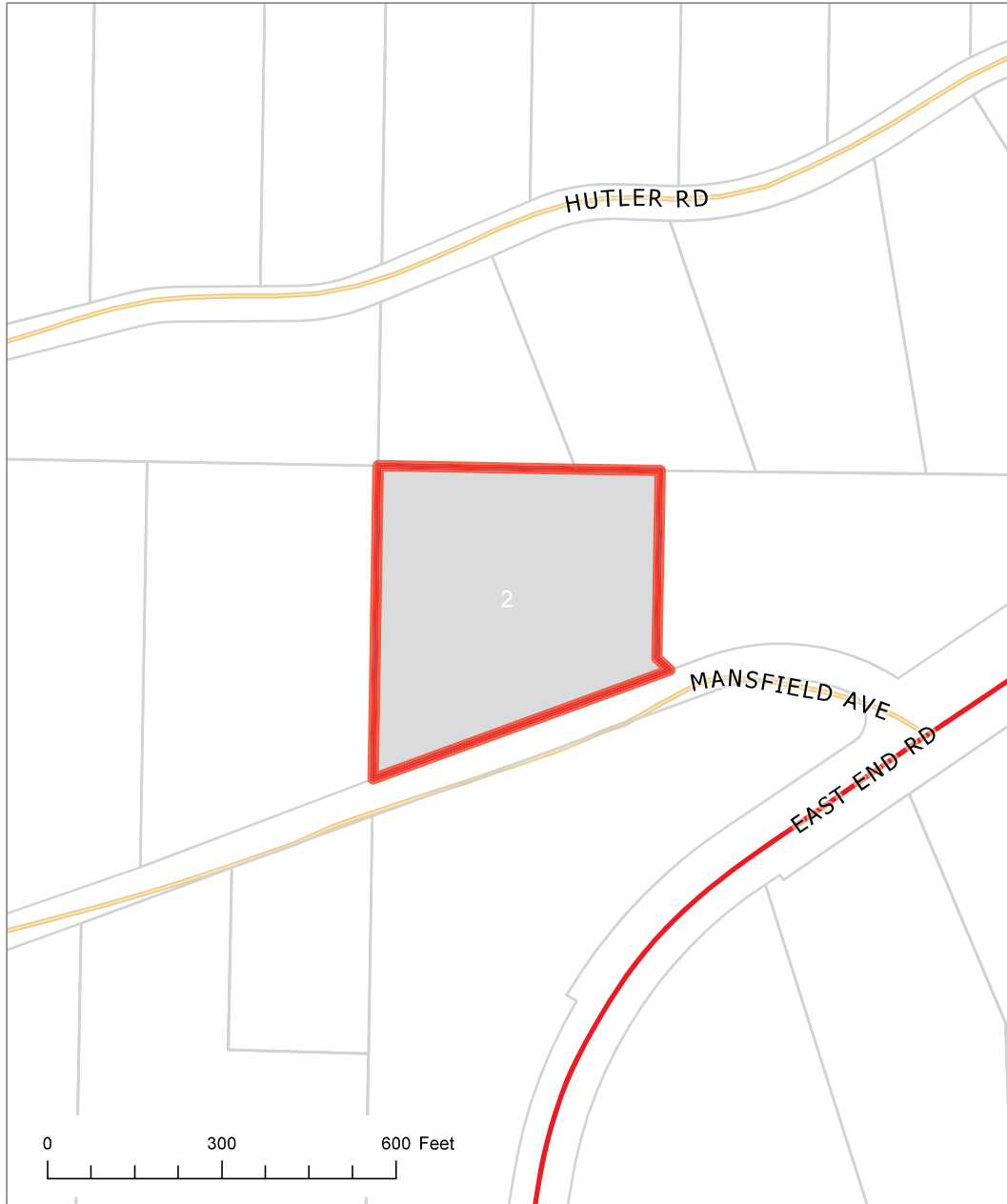


E. NEW BUSINESS

- 5. Baltic Woods Lot 2 Replat; KPB File 2022-128
Ability Surveys / Murray & Murray-Elmer
Mansfield Avenue off East End Road
Fritz Creek Area / Kachemak Bay APC**



KPB File # 2022-128
S23 T05S R12W
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.



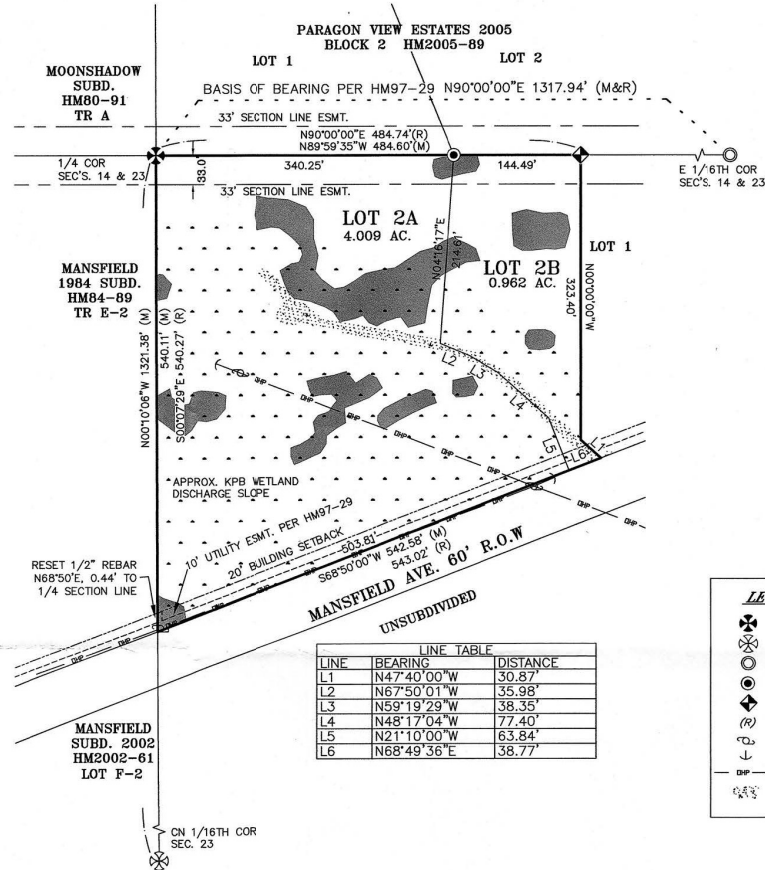
WASTEWATER NOTE

TBD

NOTES

1. A BUILDING 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.
2. PER HM 97-29, THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE WEST LINE OF LOT 2A AND THE EAST LINE OF LOT 2B IS A UTILITY EASEMENT.
3. 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.
4. THE EXISTING OVERHEAD POWER LINES ARE CENTERLINE OF A 20FT. WIDE ELECTRICAL DISTRIBUTION EASEMENT PER HM97-29.
5. WETLAND HATCHING REPRESENTS POTENTIAL WETLANDS AS CLASSIFIED BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING.
6. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20% AS SHOWN ON KPB GIS MAPPING.

KPB 2022-128



LEGEND

- FOUND GLO 1\" CONCRETE FILLED IP WITH CAP BROKEN OFF, 1917
- FOUND 3\" BRASS CAP BY 2865, 1976
- FOUND 3/4\" GALV. IRON PIPE
- FOUND 2\" AL-CAP, BY 4469S, 2005
- FOUND 2\" AL-CAP, BY 5780S, 1997
- (R) RECORD DATA PER HM97-29
- POWER POLE
- POWER POLE ANCHOR
- OVERHEAD POWER LINE
- EXISTING GRAVEL DRIVEWAY

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the real property shown and described hereon, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all public rights-of-way and grant all easements to the use shown.

PATRICIA E MURRAY
AKA, PATRICIA E MURRAY-ELMER
PO BOX 3044
Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

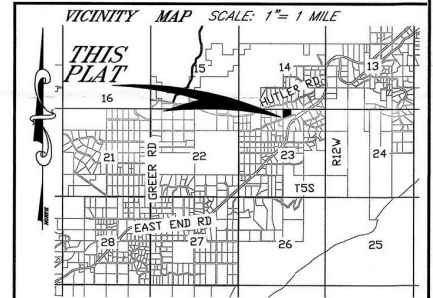
For PATRICIA E MURRAY, AKA, PATRICIA E MURRAY-ELMER
Acknowledged before me this _____ day of _____ 2022.

Notary public for Alaska _____ My Commission Expires _____

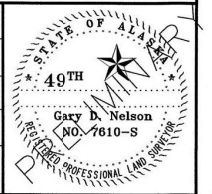
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
KENAI PENINSULA BOROUGH

BY _____
Authorized Official



DATE 8-8-22
SCALE 1\" = 100'
GRID No. AR-58
JOB No. 5408
DRAWING: 5408_3711



BALTIC WOODS LOT 2 REPLAT

A SUBDIVISION OF LOT 2, "BALTIC WOODS SUBDIVISION" (HM97-29), WITHIN THE NE1/4 SEC. 23, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA
CONTAINING 4.971 ACRES

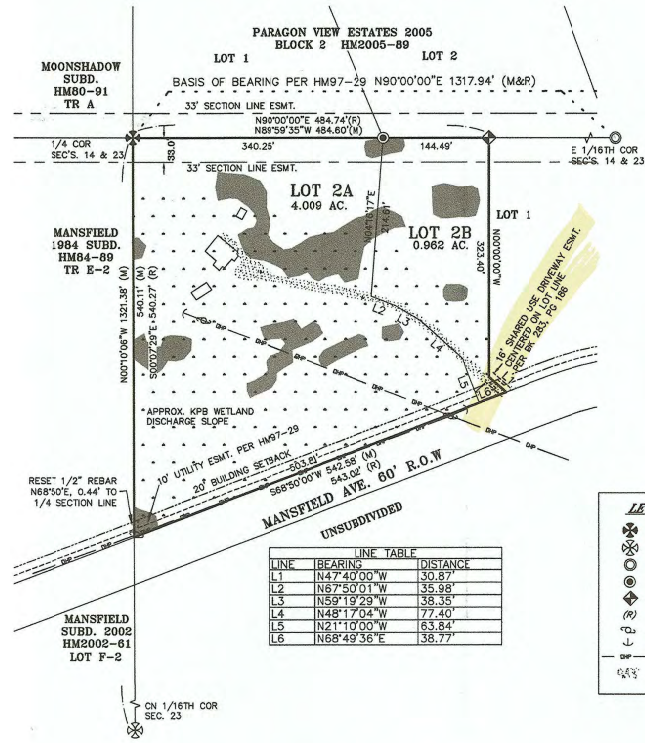
OWNERS: PATRICIA E MURRAY
PATRICIA E MURRAY-ELMER
PO BOX 3044
HOMER, AK 99603

ABILITY SURVEYS
GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER ALASKA 99603

PLAT

Rec Dist _____
Date _____ 20____
Time _____ M

KPB FILE No. 2022-_____



WASTEWATER NOTE
TBD

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6. GREY SHADING REPRESENTS SLOPES STEEPER THAN 20% AS SHOWN ON KPB GIS MAPPING.

CERTIFICATE OF OWNERSHIP

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PATRICIA E MURRAY
AKA, PATRICIA E MURRAY-ELMER
PO BOX 3044
Homer, AK 99603

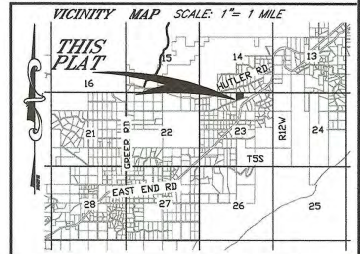
NOTARY'S ACKNOWLEDGEMENT

For PATRICIA E MURRAY, AKA, PATRICIA E MURRAY-ELMER
Acknowledged before me this _____ day of _____ 2022
Notary public for Alaska My Commission Expires _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
KENAI PENINSULA BOROUGH
BY _____
Authorized Official

- LEGEND**
- FOUND 6.0 1\" CONCRETE FILLED IP WITH CAP BROKEN OFF, 1917
 - FOUND 3\" BRASS CAP BY 2865, 1976
 - FOUND 3/4\" GALV. IRON PIPE
 - FOUND 2\" AL-CAP, BY 44695, 2005
 - FOUND 2\" AL-CAP, BY 57805, 1997
 - RECORD DATA PER HM97-29
 - POWER POLE
 - POWER POLE ANCHOR
 - OVERHEAD POWER LINE
 - EXISTING GRAVEL DRIVEWAY



DATE 8-8-22
SCALE 1\"= 100'
GRID No. AR-58
JOB No. 5408
DRAWING: 5408-3711



BALTIC WOODS LOT 2 REPLAT

A SUBDIVISION OF LOT 2, "BALTIC WOODS SUBDIVISION" (HM97-29), WITHIN THE NE1/4 SEC. 23, T5S, R12W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA
CONTAINING 4.971 ACRES

OWNERS: PATRICIA E MURRAY
PATRICIA E MURRAY-ELMER
PO BOX 3044
HOMER, AK 99603

ABILITY SURVEYS
GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER, ALASKA 99603

PLAT #
Rec Dist _____
Date _____ 20____
Time _____ M

KPB FILE No. 2022- _____

AGENDA ITEM E. NEW BUSINESS

ITEM 5 – BALTIC WOODS LOT 2 REPLAT

KPB File No.	2022-128
Plat Committee Meeting:	September 26, 2022
Applicant / Owner:	Patricia Murray-Elmer of Homer, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Mansfield Avenue, Fritz Creek area, Kachemak Bay APC

Parent Parcel No.:	172-230-27
Legal Description:	Lot 2 Baltic Woods Subdivision HM 97-29
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 4.97 acre parcel into two lots that will be .962 and 4.009 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located on borough maintained Mansfield Avenue. Mansfield Avenue is a 60 foot wide dedicated right-of-way located near mile 11.25 of state maintained East End Road in the Fritz Creek area.

The two new lots will continue to have access via Mansfield Avenue. A shared driveway easement is in place between parent Lot 2 and the neighboring Lot 1 located to the east. This is a 16 foot wide driveway agreement that is centered on the shared lot line for a distance of about 30 feet. Looking at the preliminary design, the driveway is centered on the line noted as "L1". The depiction may be difficult to see but the label provides the required information and is found to be sufficient.

The plat indicates an existing driveway that starts with the shared driveway and follows along the proposed new lot line to the structures that will be located on Lot 2A. As it appears the driveway crosses both lots, staff recommends the owner have another driveway easement created when ownership changes unless new access will be created for Lot 2A. The depiction of a private driveway is not required on the final plat but if included a plat note should be added explaining it is private.

The lot is subject to a 33 foot section line easement along the north, which is depicted and labeled as well as the adjacent easement to the north.

The block is not compliant in length. The proposed subdivision is found between two east-west dedications with the section line easement between those dedications. The north-south dedications in this area are lacking due to the steep terrain. The roads in the area tend to meander with the terrain. Hutler Road, East End Road, Mansfield Avenue and section line easements define the block. ***Staff recommends the plat committee concur that an exception is not required nor any dedications as this plat cannot improve the block with feasible dedications.***

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

Site Investigation: The majority of the property has low wet areas that are designated as discharge slopes and

are depicted. There are some areas of steep terrain throughout areas of the proposed plat and are shaded. **Staff recommends** the low wet areas and the steep terrain remain on the final plat and the wetland determination note be added.

There are structures present within the northwest corner of proposed Lot 2A. There does not appear to be any encroachment issues with the proposed design nor with neighboring lots. The driveway, as discussed under access, may require additional easements when the ownership changes if there is no intention to create new access.

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 subdivision of a previously platted lot. The parent plat was created by Baltic Woods Subdivision, Plat HM 97-29, which was a plat of lands that were not subdivided previously. The subdivision will create the parent lot into two lots.

A soils report will be required and an engineer will sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on August 31, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

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 The utility easements created by the parent lot are being carried over. This is for easements along the dedication and over existing overhead power lines outside those easements. There are two easements granted by recorded document that will require a plat note. No new easements are proposed.

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	Add a plat note that states this subdivision may be affected by a general electric easement as recorded in Book 36 Page 213 HM with no defined location.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 53440 MANSFIELD AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: MANSFIELD 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: 53440 MANSFIELD AVE will remain with lot 2A.</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****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.

- 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: Add a label for Kachemak Bay

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.

20.30.190. 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.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: *While Lot 2B is not a typical flag lot, the access portion is limited to only about 30 feet and does reduce slightly before widening. Place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).*

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. Plat notes will be added per findings of the analysis.

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.*

- *No structures are permitted within the panhandle portion of the flag lot(s).*
- *Subject to easements for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery as granted to Homer Electric Association, Inc. within Book 36 Page 213, HRD and Book 94 Page 973, HRD. No definite location disclosed.*
- *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.*

If the travel way shown on the plat is a private drive, staff suggests the following note be placed on the final plat to avoid confusion about public use in the future: Private road shown is for use of owners only and is not dedicated to public use.

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.

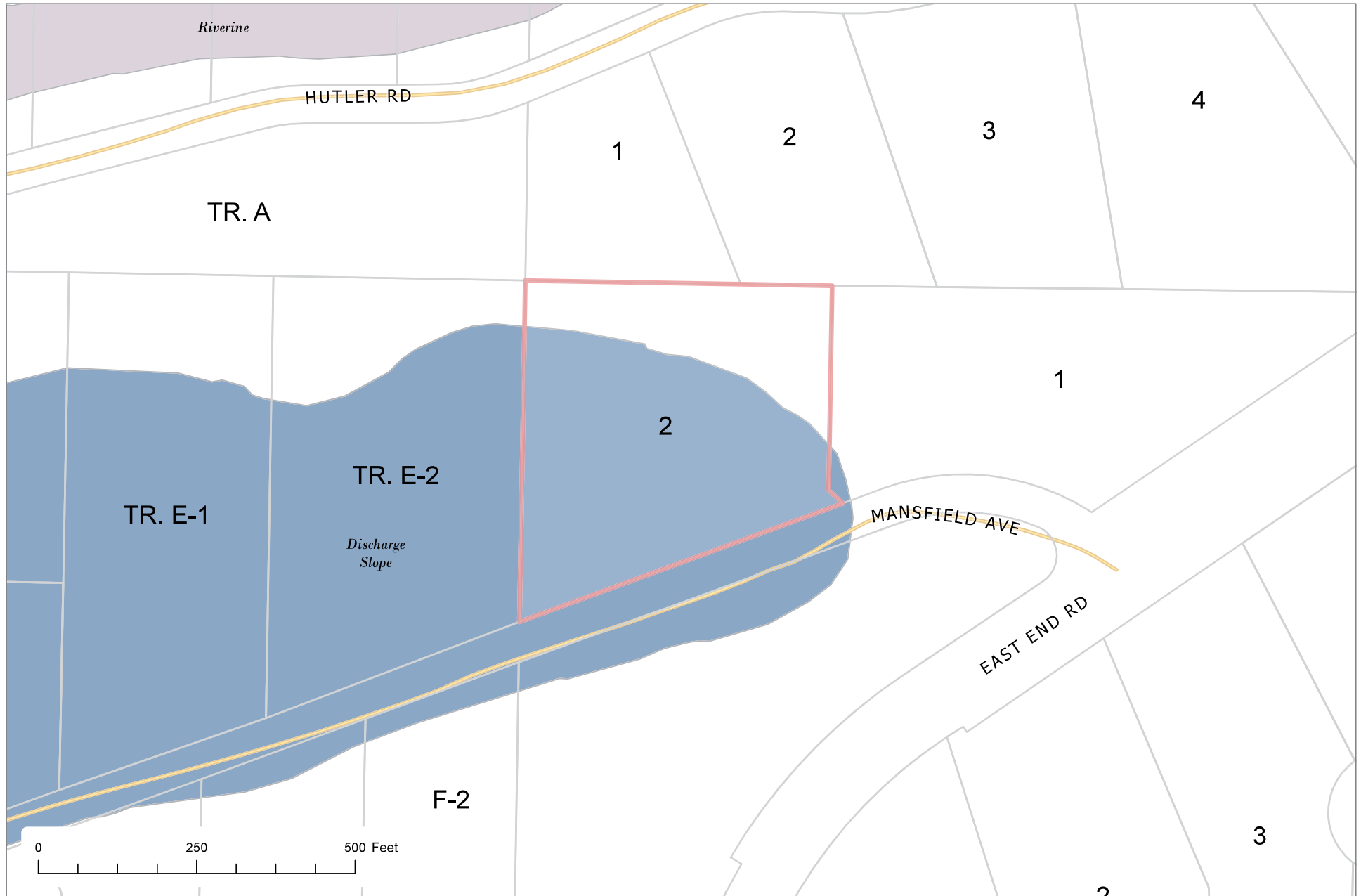
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



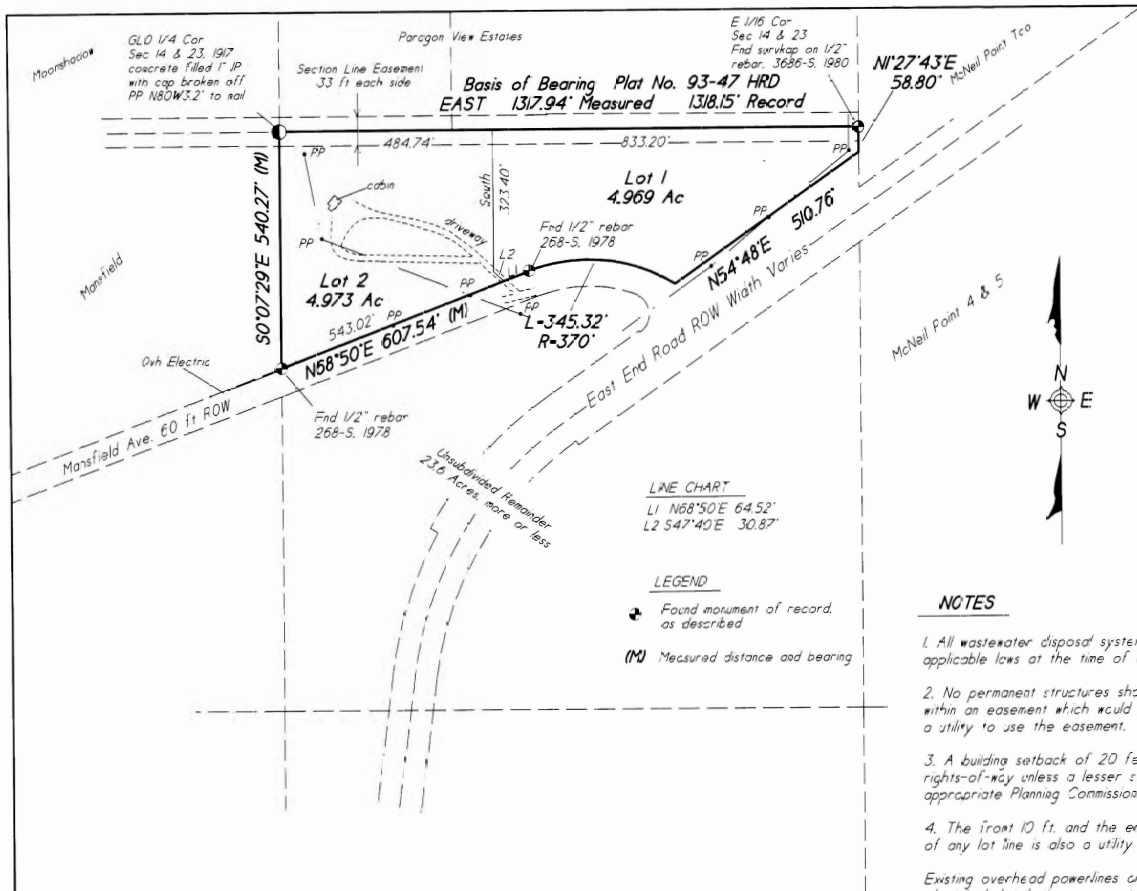
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HM 97-29



OWNERSHIP CERTIFICATE

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

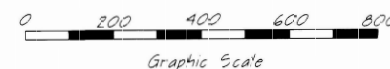
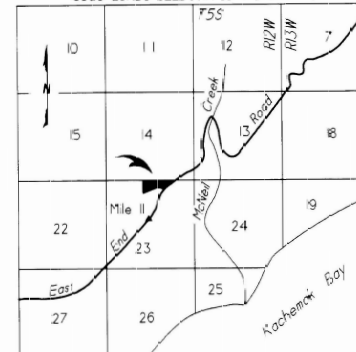
Valda L. Ziemelis 5/18/97
Date
PO Box 15373
Fritz Creek AK 99603

Notary's Acknowledgement
Subscribed and sworn to me before me this 18th day of May, 1997

for Valda L. Ziemelis
Vicki Ann Summey
Notary Public for Alaska
My Commission Expires Oct 1, 2000

Vicinity Map 1" = 1 Mile

USGS QUADS SELDOVIA (C-4 & D-4) 1961



SURVEYORS CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

5-16-97 Roger W. Imhoff
Date Roger W. Imhoff LS 5180



PLAT APPROVAL

This plat was approved by the Kena Peninsula Borough Planning Commission at the meeting of

APRIL 14, 1997
KENA PENINSULA BOROUGH

By Mary J. Best
Authorized Official

WASTEWATER DISPOSAL

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite waste water treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

97-29 90

RECORDED FILED
Alaska REC DIST
Date 6/18/97
Time 11:50 A.M.
Requested by
Roger Imhoff, RLS
PO Box 2588
Homer AK 99603

BALTIC WOODS SUBDIVISION

Being a Subdivision of a portion of the NW 1/4 of the NE 1/4 Section 23, T5S, R2W, S1M

Homer Recording District, Third Judicial District, Alaska
Contains: 9.942 Acres, more or less.

Clients: Valda L. Ziemelis PO Box 15373 Fritz Creek AK	Surveyor: Roger W. Imhoff, RLS PO Box 2588 Homer AK 99603	FB 97-1 Drawn RWI SCALE 1" = 200'
Date 3-24-97	File balticwds.rcd	KPB File No. 97-068