

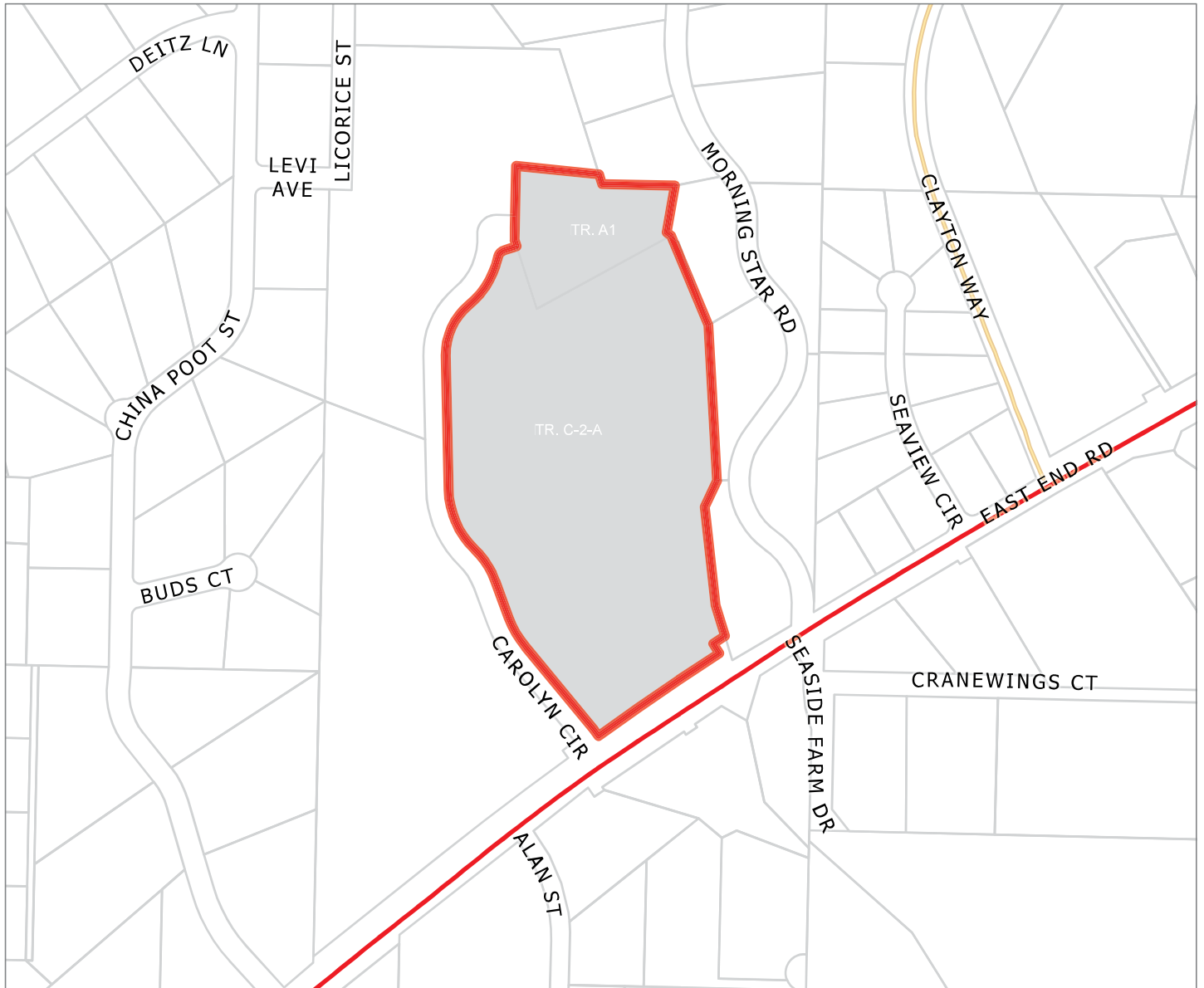
## **E. NEW BUSINESS**

- 2. Kachemak Estates 17; KPB File 2022-144**  
**Orion Surveys / Turkington**  
**Location: Carolyn Circle & East End Road**  
**Kachemak Area**



# Kenai Peninsula Borough Planning Department

## Vicinity Map

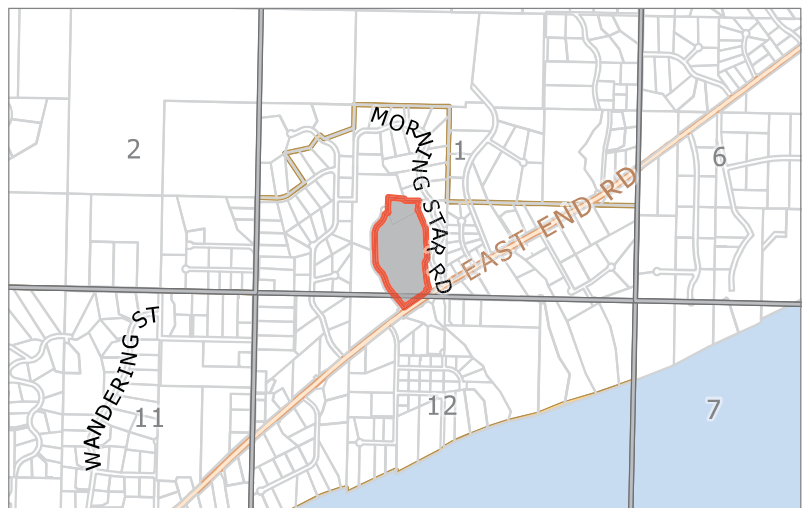
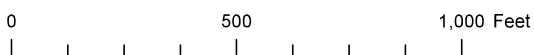


KPB File 2022-144

T 06S R 17W SEC 1 AND 12

Kachemak

9/19/2022

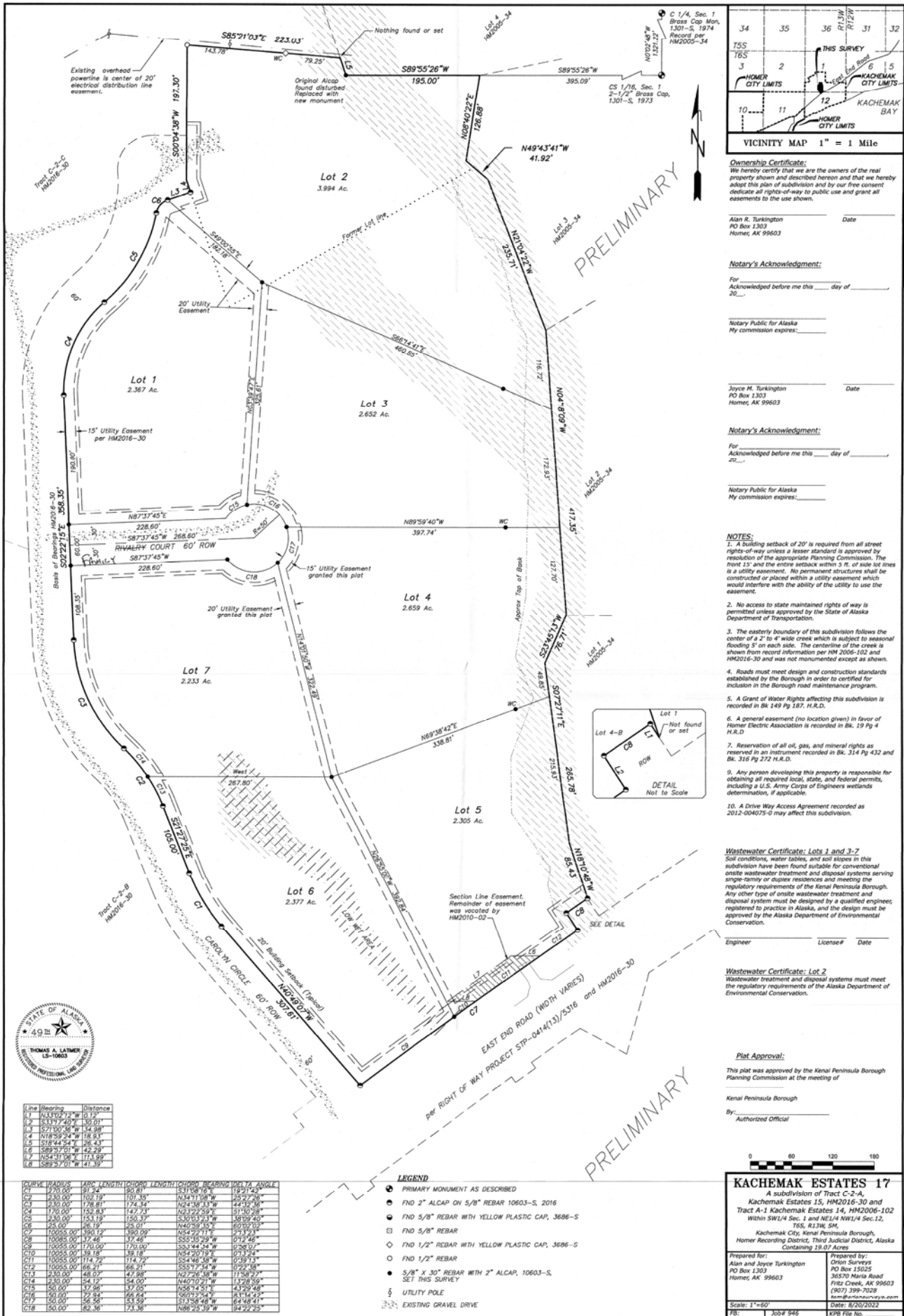




Aerial View







AGENDA ITEM E. NEW BUSINESS

ITEM 2 – KACHEMAK ESTATES 17

<b>KPB File No.</b>	2022-144
<b>Plat Committee Meeting:</b>	October 10, 2022
<b>Applicant / Owner:</b>	Alan and Joyce Turkington of Homer, Alaska
<b>Surveyor:</b>	Tom Latimer / Orion Surveys
<b>General Location:</b>	East End Road, Carolyn Circle, City of Kachemak

<b>Parent Parcel No.:</b>	174-060-70, 174-060-90
<b>Legal Description:</b>	Tract C-2-A Kachemak Estates 15, HM 2016-30 and Tract A1 Kachemak Estates 14, HM 2006-102
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	On site

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STAFF REPORT

**Specific Request / Scope of Subdivision:** The proposed plat will reconfigure and subdivide two lots into six lots ranging in size from 2.233 acres to 3.994 acres. A new 60 foot wide right-of-way is proposed for access. The owners are currently planning on finalizing this in phases.

**Location and Legal Access (existing and proposed):** The subdivision is located near mile 4.5 of state maintained East End Road within the limits of the City of Kachemak. Carolyn Circle is a 60 foot wide dedicated right-of-way that is located along the western boundary. The dedication occurred over an existing travelway that is mostly within the dedication. The northern portion does meander onto adjacent Tract C-2-C, back into the dedication, and then provides access to Tract A1, which contains improvements and is proposed to be Lot 2. A driveway easement, which is noted in the plat notes, gave access to Tract A1. The ownership of Tract C-2-C is currently the same as the owner of the proposed subdivision. **Staff recommends** if the ownership changes of one of the lots and the owners intend in allowing the current access to continue, a new driveway easement should be recorded.

Additional structures are present and appear to be within proposed Lot 6 with access developed from Carolyn Circle. Lot 2 will have access from Carolyn Circle and as discussed a driveway easement may be required if an ownership change occurs. Lots 1, 6, and 7 will have access from Carolyn Circle. Lots 1, 3, 4, and 7 will have access from the newly proposed Family Court, a 60 foot dedicated with a 50 foot radius cul-de-sac. Lots 5 and 6 will have access from East End Road with permission from the State of Alaska DOT.

Portions of the section line easement were vacated through Tract C-2-A by a Section Line Easement Vacation Plat, HM 2010-02. The portion remaining is adjacent to East End Road and is shown with hatching on the plat.

Carolyn Circle and the proposed Family Court are roads that do not continue through and end with a cul-de-sac or a partial bulb for a turnaround area. East End Road, Morning Star Road, Licorice Street, Levi Avenue, and China Foot Street define the block. The block meanders around developments and terrain and while a complete block it does not comply with block lengths. **Staff recommends** the plat committee concur an exception is not required due to the restraints within this subdivision not being able to improve the block due to existing improvements, rights-of-way and terrain.

The plat currently depict the existing gravel drives within Carolyn Circle, Tract C-2-C, and the new dedication. **Staff recommends** that the depiction be removed from the final plat.

KPB Roads Dept. comments	Roads Director: Uhlin, Dil Comments: No comments
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SOA DOT comments	The ROW for East End Road appears to be shown correctly.
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**Site Investigation:** The proposed plat contains a few areas with steep slopes. The slopes do not appear to impact the right-of-way dedication or the existing Carolyn Circle. The majority of the steep terrain is found along the eastern boundary. This area contains a creek. Plat note 3 indicates there may be some seasonal flooding in that area. In addition to the wetlands around the creek there are a few other areas with low wet areas. The correct plat note regarding a wetland determination is present and shall remain on the final plat. The wetlands and terrain appear to be shown on the plat but the shading should be better clarified. **Staff recommends the steep terrain and wetland depictions remain on the final and add the symbology to the legend.**

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 lands that have been replatted several times. A portion of Lot 2 was originally platted by Joy-Joy's House, HM 79-11. The rest of the property was platted the first time as a portion of Kachemak Estates Subdivision No. 12, HM 2003-86. Additional replats were done by Kachemak Estates 14, HM 2006-102 and Kachemak Estates No. 15, HM 2016-30. Section line easement vacation plat, HM 2010-02 also vacated some section line easements within the boundary of the proposed subdivision.

The proposal will create seven lots from the two lots and provide a cul-de-sac for access for some of the lots. The surveyor noted that the owners may wish to finalize in phases. Family Court is not a through dedication and will not be required to be dedicated on the first phase unless needed for access for some of the lots being created on the phase.

Per KPB 20.40.020, since the plat Joy-Joy's House, HM 79-11 was approved by the borough and all subsequent platting actions have increased the size of the lot, a soils analysis report will not be required for the Lot 2. The existing plat note will need to be slightly modified to comply with KPB Code. A soils report will be required for all other lots and an engineer will sign the final plat. City of Kachemak does not provide water and wastewater services.

Notice of the proposed plat was mailed to the beneficial interest holder on September 19, 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.

The plat is within the City of Kachemak. Staff received a letter that the Kachemak City Council voted unanimously to write a letter of non-objection at their September 14, 2022 meeting. The city requested that future roads be built to borough standards as written in their Ordinance 2011-01. The City of Kachemak has no planning, zoning, or road powers and rely on KPB Code for compliance. Staff is requesting that plat note 4 be rewritten to include language from City of Kachemak Ordinance 2011-01. This also explains while being within the city, borough setbacks are being put into place along dedicated rights-of-way.

**Utility Easements** The first plat for the subject property, Joy-Joy's House HM 79-11, granted a 10 foot utility easement along the northern boundary of Tract A. Staff did not locate any vacation of the easement. **Staff recommends** the utility easement be depicted along the former Tract A lot line and note that it was granted by HM 79-11 unless documentation is provided that shows the easement was removed.

Plat Kachemak Estates Subdivision No. 12, HM 2003-86, granted 10 feet utility easements that increase to 20 within 5 feet of the side lot lines along the dedicated rights-of-way. Those easements carried over would be along East End Road. Kachemak Estates 15, HM 2016-30, dedicated Carolyn Circle and dedicated 15 foot utility easements along all dedicated rights-of-way that increased to 20 feet within 5 feet of the side lot lines. These easements are depicted but some additional labeling is needed. Since the last plat increased the original easements, the plat note can just note HM 2016-30. Some of the easements along Carolyn Circle state which plat created them but the easements south of Family Court and along East End Road need additional labels. **Staff recommends** add additional labels south of Family Court and along East End Road that they are 15 foot utility easements and granted by HM 2016-30.

The plat indicates numerous new easements being granted along some of the shared lot lines. These are labeled and noted as being dedicated by this plat. **Staff recommends** the 20 foot utility label located in Lot 1 included "granted this plat".

The plat will also be dedicating 15 foot utility easements along the new dedication that increase to 20 feet along the side lots lines. This is depicted and noted correctly.

Per the Certificate to Plat there are several easements granted by recorded document and noted within the plat notes. These easements do not appear to have a location defined. One additional easement was granted recently that is not noted on the plat and should be noted. The easement is to be centered on a natural gas pipeline. **Staff recommends** the location of the pipeline be depicted with a label explaining the creation or reference a plat note with the document information.

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 comment
ENSTAR	No comments or recommendations
ACS	No objection
GCI	Approved as shown

**KPB department / agency review:**

Addressing	<p>Reviewer: Haws, Derek</p> <p>Affected Addresses: 40766 CAROLYN CIR</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: CAROLYN CIR EAST END RD</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: Yes</p>
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	List of Approved Street Names: FAMILY CT  List of Street Names Denied:  Comments: 40766 CAROLYN CIR will remain with lot 2.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.  Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment

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

#### **STAFF RECOMMENDATIONS** **CORRECTIONS / EDITS**

- The curves along the bottom of the plat don't match the cumulative, please adjust accordingly.

#### **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:** *Update Tract A-1 to A1.*
- 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:** *The lots from HM 2005-34 had a block designation that should be added to each lot.*
- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.
- Staff recommendation:** *This is intended to be done in phases and only dedication is not a through street.*

#### **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.

20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

**Staff recommendation:** City of Kachemak follows KPB requirements and will comply with 20.30.240.

20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).

**Staff recommendation:** The City of Kachemak does not meet the specified requirements for the application and consideration of different standards.

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#### **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:* A parent subdivision of former Tract A1 received approval by the PC. Update the note to meet code requirements. The lot is getting bigger and soils report not required. Other lots will require a soils analysis report.

**Staff recommendation:** comply with 20.40.

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#### **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.

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

**Staff recommendation:** Acceptance of the new dedication should be signed by the City of Kachemak.

20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

**Staff recommendation:** No services available.

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 numbers need to be revised.
- Revise plat note 4 as this is within the City of Kachemak. "All new roads in the City of Kachemak must meet or exceed the design requirements of Kenai Peninsula Borough Chapter 14.06 per City of Kachemak Ordinance 2011-01."
- The Certificate to Plat included a newly issued easement to ENSTAR. This easement should be depicted and may refer back to a plat note with the easement specifications and recording information.
- Update the wastewater note for Lot 2, "The parent subdivision for lots resulting from this platting action was approved by the Kenai Peninsula Borough on December 4, 1978. Wastewater..."

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** The owners also took title without their middle initials. Add "aka" or "also took title as" and include their name as shown on deeds associated with this platting action. Comply with 20.60.190.

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**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**



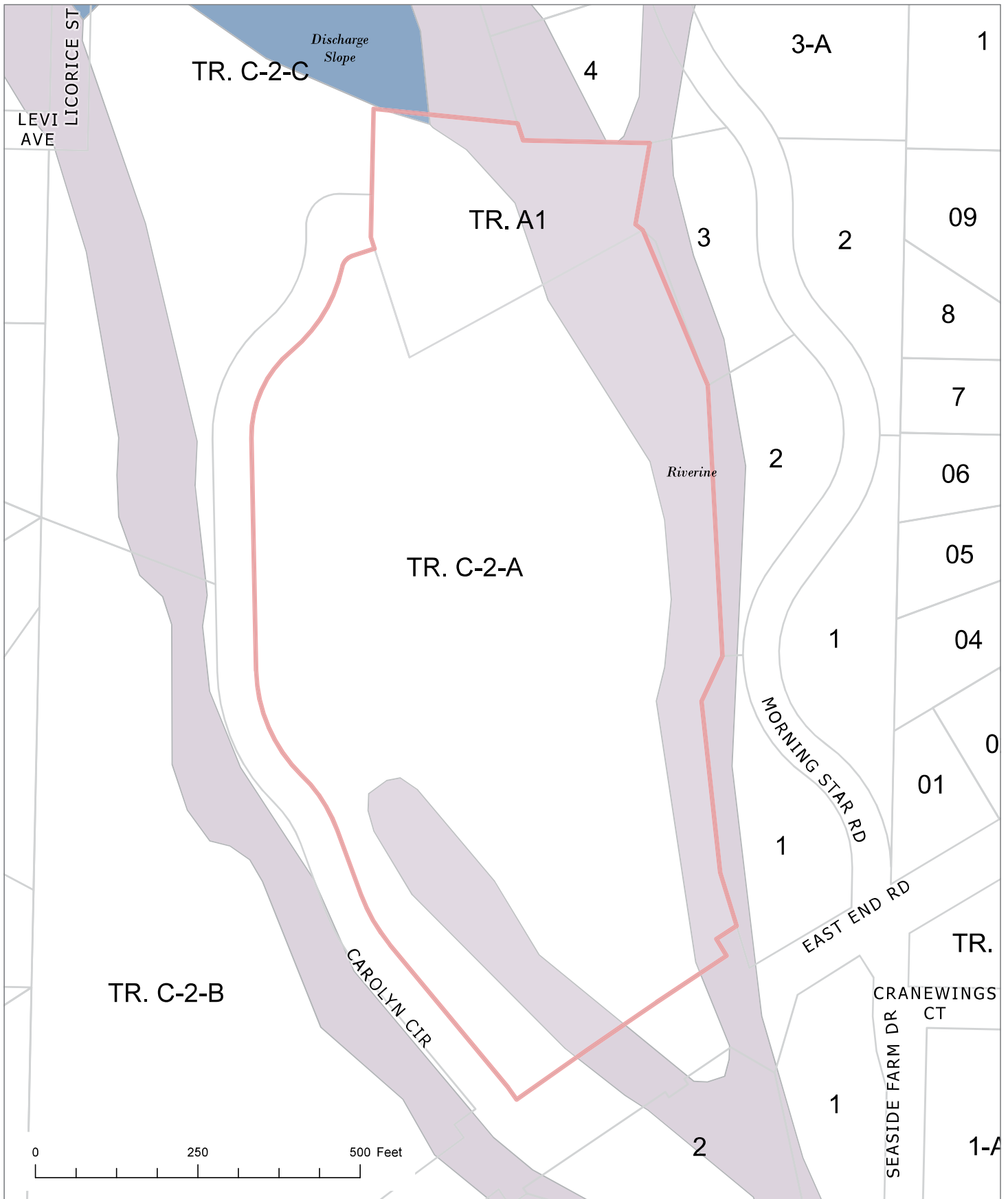


Aerial View





**Wetlands**



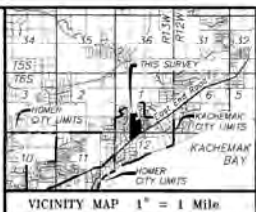




Aerial with 5-foot Contours







**Ownership Certificate:**  
I hereby certify that the Trust Agreement of Robert B. Turkington and the Trust Agreement of Carolyn R. Turkington are the owners of the real property shown and described herein and that the Trusts hereby adopt this plan of subdivision and by their free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

*Alan R. Turkington* 12/05/16  
Alan R. Turkington  
for the Trust Agreement of Robert B. Turkington as to an undivided 1/2 interest and the  
Trust Agreement of Carolyn R. Turkington as to an undivided 1/2 interest  
PO Box 1303  
Homer, AK 99603

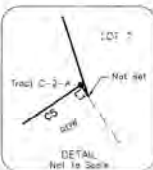
**Notary's Acknowledgment:**  
For Alan R. Turkington  
Acknowledged before me this 12/05/16 day of December, 2016.

*Catherine Hammerberger*  
Notary Public for Alaska  
My commission expires July 12, 2020

- NOTES:**
1. A building setback of 20' is required from all street right-of-way unless a lesser standard is approved by the appropriate Planning Commission. The front 15' and the entire setback within 5' of a side lot line is a utility easement. No unimproved structures shall be constructed or placed within an easement which would interfere with the ability of the utility to use the easement.
  2. No access to state maintained rights of way is permitted unless approved by the State of Alaska Department of Transportation.
  3. The westerly boundary of Tract C-2-A follows the center of a 2' wide creek which is subject to seasonal flooding 1' on each side. The centerline of the creek was not maintained except as shown. The seasonal creek in Tract C-2-B varies from 0 to 3' wide and is subject to flooding 2' on each side.
  4. Easements must meet design and construction standards established by the Borough in order to be certified for inclusion in the Borough road maintenance program.
  5. A Grant of Water Rights affecting this subdivision is recorded in Bk 149/187, H.R.D.
  6. A general easement (no location given) in favor of Homer Electric Association is recorded in Bk 16/4, H.R.D.
  7. Reservation of all oil, gas, and mineral rights as reserved in an instrument recorded in Bk 344/32 and Bk 316/272 H.R.D.
  8. Exceptions to KRS 20.30.100 (Oil-Gas-Solids), KRS 20.30.140 (Streets, Curves), and KRS 20.30.170 (Block Length) were granted by the KRS Planning Commission at their meeting of June 13, 2016.
  9. Any person developing this property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.

**WASTEWATER CERTIFICATE:**  
These lots are at least 200,000 square feet or a nominal 5 acres in size and conditions may not be suitable for on-site wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

- LEGEND**
- FIND PRIMARY MOVEMENT
  - FIND 2" ALUMINUM 3/4" REBAR
  - FIND 3/8" REBAR WITH YELLOW PLASTIC CAP, 3000-S
  - FIND 5/8" REBAR
  - FIND 1/2" REBAR WITH YELLOW PLASTIC CAP, 3000-S
  - FIND 1/2" REBAR
  - 3/8" & 3/4" REBAR WITH 2" ALUMINUM 3000-S
  - SET THIS SURVEY
  - § UTILITY POLE
  - KRS DISCHARGE SLOPE WETLAND (APPROX)
  - GRAVEL DRIVE



**Plot Approval:**  
This plot was approved by the Homer Peninsula Borough Planning Commission at the meeting of June 18, 2016.

*Paul S. Lohman*  
Authorized Official

**KACHEMAK ESTATES 15**  
A subdivision of Tract C-2;  
Kachemak Estates 14, HNS2009-102  
Within SW1/4 Sec. 1 and NE1/4 NE1/4 Sec. 14,  
T6S, R14W, S16.  
Kachemak City, Homer Peninsula Borough,  
Homer Recording District, Third Judicial District, Alaska.  
Containing 42.437 Acres more or less.

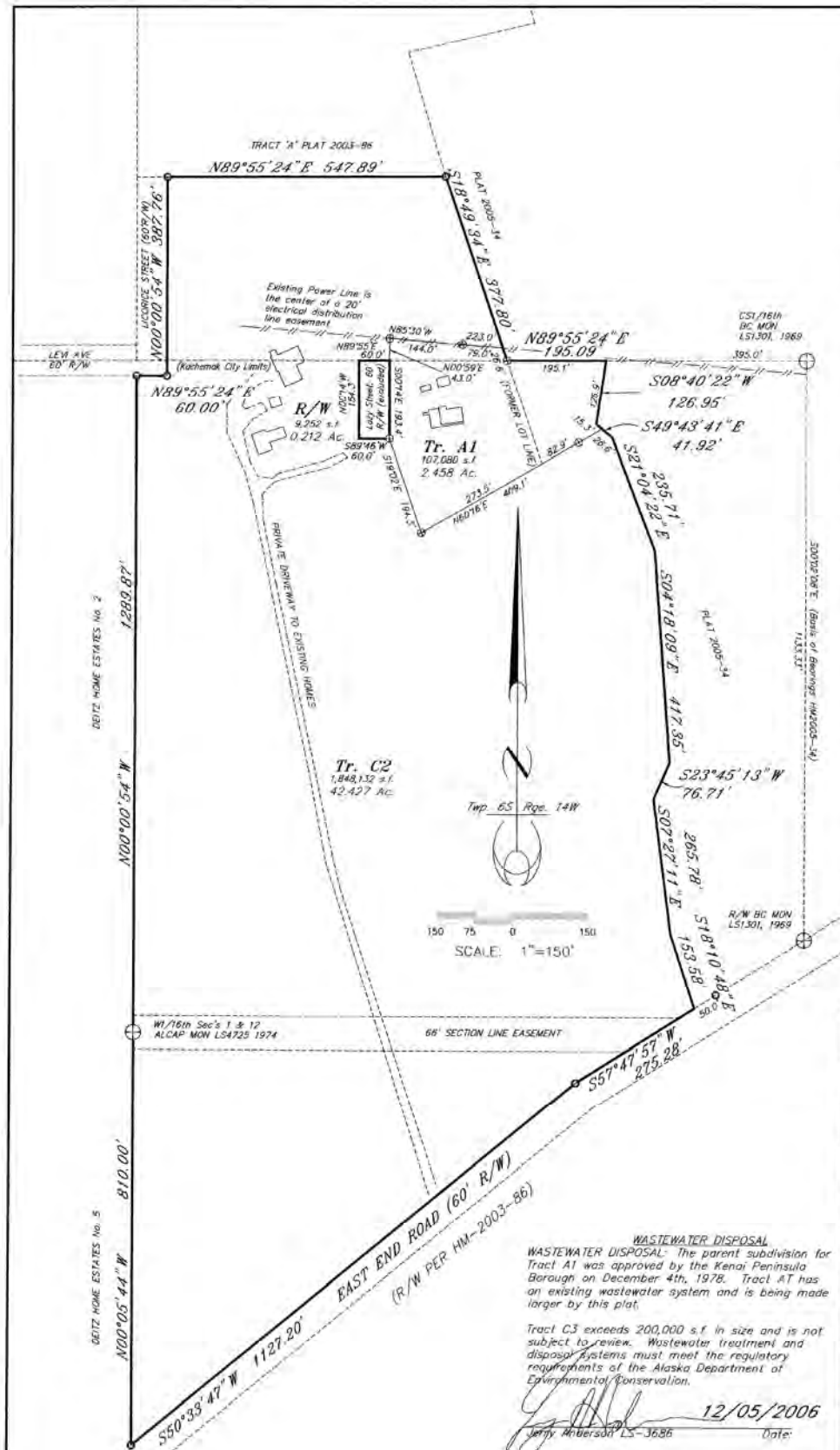
Prepared by:  
Tracy Agnew & Associates, Inc.  
PO Box 5035  
35579 Marina Road  
Pilot Creek, AK 99603  
907-559-2028  
tracyagnew.com

Surveyed by:  
Robert B. Turkington and  
Carolyn R. Turkington  
PO Box 1303  
Homer, AK 99603  
Date: 8/15/2016  
KRS File No. 2016-0327

2016-30  
Plot #  
15  
Date: 2-33 P.W.

Sheet 1 of 1

LINE	BEARING	DISTANCE	POINT	LINE	BEARING	DISTANCE	POINT
1	N 125.00° E	100.00	1	1	N 125.00° E	100.00	1
2	S 75.00° W	100.00	2	2	S 75.00° W	100.00	2
3	N 125.00° E	100.00	3	3	N 125.00° E	100.00	3
4	S 75.00° W	100.00	4	4	S 75.00° W	100.00	4
5	N 125.00° E	100.00	5	5	N 125.00° E	100.00	5
6	S 75.00° W	100.00	6	6	S 75.00° W	100.00	6
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58	S 75.00° W	100.00	58	58	S 75.00° W	100.00	58
59	N 125.00° E	100.00	59	59	N 125.00° E	100.00	59
60	S 75.00° W	100.00	60	60	S 75.00° W	100.00	60
61	N 125.00° E	100.00	61	61	N 125.00° E	100.00	61
62	S 75.00° W	100.00	62	62	S 75.00° W	100.00	62
63	N 125.00° E	100.00	63	63	N 125.00° E	100.00	63
64	S 75.00° W	100.00	64	64	S 75.00° W	100.00	64
65	N 125.00° E	100.00	65	65	N 125.00° E	100.00	65
66	S 75.00° W	100.00	66	66	S 75.00° W	100.00	66
67	N 125.00° E	100.00	67	67	N 125.00° E	100.00	67
68	S 75.00° W	100.00	68	68	S 75.00° W	100.00	68
69	N 125.00° E	100.00	69	69	N 125.00° E	100.00	69
70	S 75.00° W	100.00	70	70	S 75.00° W	100.00	70
71	N 125.00° E	100.00	71	71	N 125.00° E	100.00	71
72	S 75.00° W	100.00	72	72	S 75.00° W	100.00	72
73	N 125.00° E	100.00	73	73	N 125.00° E	100.00	73
74	S 75.00° W	100.00	74	74	S 75.00° W	100.00	74
75	N 125.00° E	100.00	75	75	N 125.00° E	100.00	75
76	S 75.00° W	100.00	76	76	S 75.00° W	100.00	76
77	N 125.00° E	100.00	77	77	N 125.00° E	100.00	77
78	S 75.00° W	100.00	78	78	S 75.00° W	100.00	78
79	N 125.00° E	100.00	79	79	N 125.00° E	100.00	79
80	S 75.00° W	100.00	80	80	S 75.00° W	100.00	80
81	N 125.00° E	100.00	81	81	N 125.00° E	100.00	81
82	S 75.00° W	100.00	82	82	S 75.00° W	100.00	82
83	N 125.00° E	100.00	83	83	N 125.00° E	100.00	83
84	S 75.00° W	100.00	84	84	S 75.00° W	100.00	84
85	N 125.00° E	100.00	85	85	N 125.00° E	100.00	85
86	S 75.00° W	100.00	86	86	S 75.00° W	100.00	86
87	N 125.00° E	100.00	87	87	N 125.00° E	100.00	87
88	S 75.00° W	100.00	88	88	S 75.00° W	100.00	88
89	N 125.00° E	100.00	89	89	N 125.00° E	100.00	89
90	S 75.00° W	100.00	90	90	S 75.00° W	100.00	90
91	N 125.00° E	100.00	91	91	N 125.00° E	100.00	91
92	S 75.00° W	100.00	92	92	S 75.00° W	100.00	92
93	N 125.00° E	100.00	93	93	N 125.00° E	100.00	93
94	S 75.00° W	100.00	94	94	S 75.00° W	100.00	94
95	N 125.00° E	100.00	95	95	N 125.00° E	100.00	95
96	S 75.00° W	100.00	96	96	S 75.00° W	100.00	96
97	N 125.00° E	100.00	97	97	N 125.00° E	100.00	97
98	S 75.00° W	100.00	98	98	S 75.00° W	100.00	98
99	N 125.00° E	100.00	99	99	N 125.00° E	100.00	99
100	S 75.00° W	100.00	100	100	S 75.00° W	100.00	100



# **CERTIFICATE OF OWNERSHIP**

We hereby certify that we are the owners of the real property shown and described hereon, and that we hereby adopt this plan of subdivision, and by our free consent dedicate all rights of way and public areas to public use, and grant all easements to the use shown.

Robert B. Turkington & Carolyn R. Turkington as Trustees for the Trust Agreements of Robert B. & Carolyn R. Turkington (TRACT C H2003-85)  
P.O. Box 1274  
Homer AK 99603

Alan R. Turkington  
(TRACT A H79-11)  
P.O. Box 1303  
Homer AK 99603

Joyce M. Turkington

## **NOTARY'S ACKNOWLEDGMENT**

For Robert B. & Carolyn R. Turkington as trustees for the Trust Agreement of Robert B. Turkington, and for Alan R. and Joyce M. Turkington  
Subscribed and sworn to before me this 12/05/2006 day of December, 2006

Notary Public for Alaska

My Commission Expires:

## **SURVEYORS CERTIFICATE**

I hereby certify that this survey was performed by me or under my direct supervision. I declare that the information shown hereon is true and correct to the best of my knowledge and belief.

Jerry A. Anderson

12/05/2006  
Date

## **PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of June 12th, 2006

KENAI PENINSULA BOROUGH

BY: [Signature]  
Authorized Official

## **NOTES:**

1. A building setback of 20' is required from all street rights of way unless a lesser standard is approved by the appropriate planning Commission. The front 10' of said setback and the entire setback within 5' of side lot lines is granted as a utility easement. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
2. No access to state maintained rights of way is permitted unless approved by the State of Alaska Department of Transportation.
3. The easterly boundary of both tracts depicted hereon follows the center of a 2' wide creek, which is subject to seasonal flooding 5' on either side.
4. Roads must meet the design and construction standards established by the Borough in order to be certified for inclusion in the Borough Road Maintenance program.
5. **WASTEWATER DISPOSAL** This action is limited to increasing the size of the existing lot now designated as Tract A1. Tract C1 exceeds 40 acres in size. Conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

VICINITY MAP SCALE: 1" = 2000 FT.



DATE MAY 2006

SCALE 1" = 150'

GRID No. AR-70

FLD. BK. No. 304/74

KPB FILE No. 2006-135

JOB No. 2062



## **"KACHEMAK ESTATES 14"**

A SUBDIVISION OF TRACT A H79-11 AND TRACT C H2003-85 WITHIN THE SW1/4 Sec. 1 AND THE NW1/4 OF Sec. 12, Twp. 6S, Rge. 13W S.M. ALASKA LYING PARTIALLY WITHIN KACHEMAK CITY, Ctg. 45.093 ACRES AND 2 TRACTS

ANDERSON  
DEVELOPMENT  
CONSULTANTS

SURVEYORS-PLANNERS-DESIGNERS  
JERRY ANDERSON PLS  
1-800-961-6231  
P.O. BOX 18  
DORA MO 65637

SYMBOL LEGEND	
IB	1/2" CAPPED REBAR 3686-S
○	5/8" REBAR & ALCAP LS-5780
⊕	PRIMARY MONUMENT AS DESCRIBED

2006-102  
RECORDED  
Date 12/29/2006  
Time 8:29 AM  
Requested By Turkington  
Address:



CW 1/16 Sec 1  
End 1/4 Sec 1  
Surveyor Unknown

1589°55'27"W 1320.52' Plat No. 74 B-77  
S89°46'03"W 1319.08'

1/4 Sec 3  
End 1/4 Sec 3  
1706 S 1974

Line Class

1	S89°55'36"W	60.00
2	N89°50'34"W	70.40
3	N89°55'24"E	60.00
4	S89°50'34"E	70.40
5	N89°50'34"W	60.00
6	N89°55'24"E	70.40
7	N89°50'34"E	60.00
8	N89°55'24"W	70.40
9	N89°50'34"W	60.00
10	N89°55'24"E	70.40
11	N89°50'34"E	60.00

Existing 1/2" power line is  
centerline of 20 ft wide  
electrical distribution line  
easement.

Tract "A"  
34.473 Acres

Existing overhead power line is  
centerline of 20 ft wide  
electrical distribution line  
easement.

Tract "B"  
8.445 Acres

Tract "C"  
43.214 Acres

### Ownership Certificate

We hereby certify that we are the owners of the real property shown and described herein and that we hereby adopt this plan of subdivision and by use of this consent dedicate all rights of way to public use and grant all easements to the use shown.

**Robert B. Turkington** 11-14-03  
Tract Agreement of Robert B. Turkington DATE  
Robert B. Turkington, Trustee Carolyn K. Turkington, Trustee  
PO Box 1274  
Kenai AK 99603

**Carolyn K. Turkington AKA Carolyn M. Turkington** 11-14-03  
Tract Agreement of Carolyn K. Turkington DATE  
Robert B. Turkington, Trustee Carolyn K. Turkington, Trustee  
PO Box 1274  
Kenai AK 99603

Notary's Acknowledgment  
Subscribed and sworn to me before on the 14th day  
of November 2003  
Tract Agreement of Robert B. Turkington  
for Robert B. Turkington and Carolyn K. Turkington, Trusts  
**Kathy Oakland** Notary Public for Alaska  
My Commission Expires 7-6-05



Notary's Acknowledgment  
Subscribed and sworn to me before on the 14th day  
of November 2003  
Tract Agreement of Carolyn K. Turkington  
for Robert B. Turkington and Carolyn K. Turkington, Trusts  
**Kathy Oakland** Notary Public for Alaska  
My Commission Expires 7-6-05



### Notes

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- The front 10 ft of the 20 ft building setback is a public utility easement in and on the entire setback within 5 ft of side lot lines. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- A building setback of 20 feet is required from all street right-of-way unless a lesser standard is approved by the appropriate Planning Commission.
- No access to State maintained rights of way permitted unless approved by State of Alaska Department of Transportation.
- Lines of bearing is based on GPS observations. Extended boundary dimensions are measured. The ROW for East End Road was calculated from the recorded plat of Kachemak Estates Nos. 1 and 9.
- The Western boundary of Tract "B" follows the centerline of a 1 ft wide creek which is subject to seasonal flooding 5 feet on either side. Creek centerline was not monumented by this survey except as shown.
- Roads must meet design and construction standards established by the Borough in order to be certified for inclusion in the Borough road maintenance program.
- WASTEWATER DISPOSAL: These lots are at least 200,000 square feet or more 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- At its meeting on October 27, 2003, the Kenai Peninsula Borough Planning Commission granted an exception to 20.20.060 and to 20.20.050.
- Consent easements in location granted in favor of Home Electric Association have been recorded in 199 Page 4 and 199 Page 106.

### Vicinity Map 1" = 1 Mile



### Surveyors Certificate

I hereby certify that I am a Registered Land Surveyor and that this plan 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.

**Resper W. Inhof** 11/14/03  
Resper W. Inhof 15-5780 Date

### Plat Approval

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of  
**October 27, 2003**

KENAI PENINSULA BOROUGH

By **Mary Jell**  
Authorized Official

2003-86  
**Home** REC DIST  
Date 12/29/03  
Time 9:08 A  
Surveyor **Inhof**



### Legend

- Found monument of record as described
- Found 1/2" cedar 3686 S 1978
- Set with identifying 2" aluminum cap on 1/2" diameter x 36" long steel rebar this survey unless noted otherwise
- Recorded Dimension

### Kachemak Estates Subdivision No. 12

Being a Subdivision of NE 1/4 SW 1/4 and SE 1/4 SW 1/4 Section 1, including Tract "A", Jay-Jay's House Subdivision and the Right-of-Way of Lucy Street as shown in Plat No. 79-B-140 and that portion of the NE 1/4 NW 1/4 Section 12 lying north of East End Road all within T6S, R15W, SH Home Recording District. A portion within Kachemak City Third Judicial District, State of Alaska. Contains 86.665 Acres, more or less.

Client: Turkington PO Box 1274 Kenai AK 99603	Surveyor: Resper W. Inhof, RLS PO Box 2588 Kenai AK 99603	FB 03-02605 Drawn 6/01 Scale 1" = 200 ft
Date 10-05-03	File Turkington.plt	KPB File No. 03-235



UNSUBDIVIDED



## NOTES

1. ALL WASTEWATER DISPOSAL SYSTEMS MUST COMPLY WITH EXISTING LAW AT THE TIME OF CONSTRUCTION.
2. THE STATE OF ALASKA REQUIRES ALL WASTEWATER DISPOSAL SYSTEMS TO BE A MINIMUM OF 100' FROM ANY WATER SOURCE.
3. 1/2" X 24" REBAR SET AT ALL LOT CORNERS
4. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL RIGHTS OF WAY.



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.

Robert B. Turkington  
Box 1274  
Homer, Alaska

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 11 DAY OF March 1978

Shirley Ann Jensen  
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, 3686-S

12 27 78  
DATE

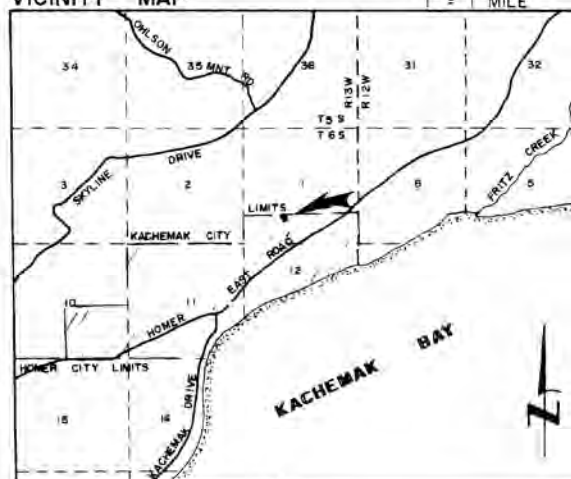
## PLAT APPROVAL

THIS PLAT HAVING BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF December 24, 1978, IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW PERTAINING THERETO.

KENAI PENINSULA BOROUGH

BY Philip Wang

## VICINITY MAP



DATE: NOVEMBER, 1978

SCALE: 1" = 100'

DESIGNED BY: J.A.

DRAWN BY: S.W

CHECKED BY: A.T.

FLD. BK. NO.: 54



JOY-JOY'S HOUSE

SITUATED IN THE SE 1/4 SW1/4, S. 1, T6S, R 13W, S.M.  
AND WITHIN KACHEMAK CITY

CONTAINING 1.884 ACRES

## ABILITY SURVEYS

JERRY ANDERSON, RLS

BOX 1263

HOMER, ALASKA

**CITY OF KACHEMAK, ALASKA**

P.O. Box 958, (VIA) Homer, Alaska 99603  
p. (907)235.8897 e. [cityclerk@kachemak.city](mailto:cityclerk@kachemak.city)

September 15, 2022

Kenai Peninsula Borough  
Attn: Planning Department  
144 North Binkley Street  
Soldotna, AK 99669

To Whom it May Concern:

The Kachemak City Council met on September 14, 2022 and voted unanimously to write a letter of non-objection to the Subdivision of Plat of Kachemak Estates 17. Please note that if a road is built in the future – all new roads built in Kachemak City must be built to Borough standards, per Ordinance 2011-01. I'm attaching a copy of the Ordinance.

If you have any questions, please call us at (907)235.8897

Sincerely,

  
William R. Overway  
Mayor

CITY OF KACHEMAK  
KACHEMAK, ALASKA  
ORDINANCE 2011-01

AN ORDINANCE OF THE CITY COUNCIL OF KACHEMAK, ALASKA SETTING ROAD  
STANDARDS FOR NEW ROADS WITHIN THE CITY OF KACHEMAK.

WHEREAS, the City of Kachemak has no planning, zoning, or road powers as the Kenai Peninsula Borough is the authority for the City of Kachemak; and

WHEREAS, The City Council wishes be consistent with Kenai Peninsula Borough Regulations for Roads;

NOW THEREFORE, the City of Kachemak Ordains:

Section 1. This ordinance changes Section 9.01.01 the City of Kachemak Code of Ordinances to read as follows:


9.01.01 Roads.

A. All new roads in the City of Kachemak must meet or exceed the design requirements of Kenai Peninsula Borough Chapter 14.06, Road Construction Standards in effect at the time.


Section 2. This ordinance shall be effective immediately upon adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF KACHEMAK, ALASKA THIS 13th DAY  
OF APRIL, 2011.

CITY OF KACHEMAK

  
Philemon D. Morris, Mayor

ATTEST:

  
Helyn I. Schoepke, City Clerk

First Reading: March 9, 2011  
Public Hearing: April 13, 2011  
Second Reading: April 13, 2011