E. NEW BUSINESS

5. Razdolna 2023 Replat Lot 10-D-2 KPB File 2022-163









Aerial View

KPB 2022-163 11/9/2022

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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.

MARIA K BASARGIN P.O. BOX 3363 Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For Maria K Basargin
Acknowledged before me this _____ day of _____ 2023.
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



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

AGENDA ITEM E. NEW BUSINESS

KPB File No.	2022-163	
Plat Committee Meeting:	December 12, 2022	
Applicant / Owner:	Maria K. Basargin of Homer, AK	
Surveyor:	Gary Nelson / Ability Surveys	
General Location: Basargin Road, Fox River		
Parent Parcel No.:	185-460-37	
Legal Description:	Lot 10-D-2 Razdolna 2000 Addition	
Assessing Use:	Residential	
Zoning:	Rural Unrestricted	
Water / Wastewater	On Site	

ITEM 5 - RAZDOLNA 2023 REPLAT LOT 10-D-2

STAFF REPORT

<u>Specific Request / Scope of Subdivision:</u> The proposed plat will subdivide a 5.004 acre parcel into 3 lots ranging in size from 1.488 acre to 2.019 acres.

Location and Legal Access (existing and proposed): The proposed plat is in the located off Basargin Road in the Razdolna area. Basargin Road is a borough maintained right-of-way that was dedicated as a 60-foot right-of-way by Razdolna Subdivision HM 83-44. The road is long and meanders through the area. It is accessed near mile 19 of state maintained East End Road.

The parent lot currently has a driveway constructed from Basargin Road. The new lot configuration will allow for all three lots to have access from Basargin Road. Access will remain on the northeast side of the lot from Basargin Road with two of the lots being accessed by panhandles to the back portion of the lots. Per the preliminary plat, it appears the gravel driveway may provide access to proposed Lot 10D2C. If any of the lots will share access, *staff recommends* driveway or access easements be granted once the ownership of the lots change.

Block length is not compliant. The property contains steep slopes that continue into the adjacent property. The adjacent property is 205 acres owned by the State of Alaska DNR. *Staff recommends* the plat committee concur that an exception is not required as any dedication required will not improve the block, provide needed access, and terrain limits continuations.

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

Site Investigation: The subdivision contains low wet areas classified as Riverine by the Kenai Watershed Forum Wetland Assessment. The area is along Basargin Road and is depicted with symbols. Per plats HM 2000-50 and HM 97-36, there is a creek in that location. Both plats depict the creek with a note that it may be subject to flooding 5 feet on each side. **Staff recommends** a wetlands determination note be added, the wetland depiction be removed so that the depiction of the creek can be added with a label or plat note being added that carries over the flooding note from parent plats.

The plat has shaded areas steeper than 20 percent. Areas are found along the back portion of the subdivision and adjacent to the low wet area. As a portion of the steep areas appear to be adjacent or slightly within the access portion for Lot 10D2A, *staff recommends* the steep areas remain on the final plat, the top of the steep bluff should

remain depicted and labeled.

There are improvements on proposed Lot 10D2B and an existing building that straddles the intersection of all three lot lines. Per the submittal, this structure is to be torn down and a new garage built on Lot 10D2B. **Staff** *recommends* the building must be removed prior to administrative approval with staff notified of the status in writing.

KPB River Center review	A. Floodplain
	Reviewer: Carver, Nancy
	Floodplain Status: Not within flood hazard area
	Comments: No comments
	B. Habitat Protection
	Reviewer: Aldridge, Morgan
	Habitat Protection District Status: Is NOT within HPD
	Comments: No comments
	C. State Parks
	Reviewer: Russell, Pam
	Comments: No Comments
State of Alaska Fish and Game	

<u>Staff Analysis</u> The proposed plat will divide one lot into three lots. The existing house will be on the front lot, Lot 10D2B, and two new lots will be located behind and accessed as flag lots, one on each side of the front lot.

The property was originally part of US Survey 3015 that created a 129.54 acre lot. Razdolna Subdivision, Plat HM 83-44, further subdivided US Survey 3015 and created Lot 10. The lot was then subdivided by Razdolna 1997 Addition HM 97-36, creating Lot 10-D. Razdolna 2000 Addition HM 2000-50, further subdivided the property into the current configuration creating Lot 10-D-2.

A soils report will be required and an engineer will sign the final plat. Existing systems shall be located to make sure the systems do not encroach onto the proposed lots. The plat cannot create an encroachment and if any are found will require resolution prior to administrative approval being granted.

The plat is within the Kachemak Bay Advisory Planning Commission boundary which is inactive at this time.

The plat cannot create an encroachment issue but per the submittal, the existing shop will be moved or demolished.

<u>Utility Easements</u> There is a 10' Utility Easement each side of the centerline of the existing power lines including guys and anchors as granted by Razdolna 1997 Addition, HM 83-44. Per Razdolna 2000 Addition, Plat HM 2000-50, a portion of the overhead line is within the parent lot and it carried over the utility easement. Plat note and the depiction on the plat are carrying over the easement. Plat HM 83-44 also created 10 foot utility easements that increased to 20 feet within 5 feet of the side lot lines. Plat HM 2000-50 carried over that easement but granted new easements along the new lot line being created. The plat is carrying over the existing easements as found on Plat HM 2000-50 as found in plat note 2. No additional easements are proposed along the side lot lines per the depiction.

Utility providers received the plat for comment. HEA has noted some clarifications that need to occur regarding existing easements and the need for a new easement. The comment will be forwarded to the surveyor so the owner/surveyor may make necessary adjustments or work with the provider for agreeable terms.

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	Comments included in the packet.	
ENSTAR	AR No comment or recommendations	
ACS	No objections	
GCI	Approved as shown	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek
	Affected Addresses:
	46575 BASARGIN RD
	40373 BASANGIN ND
	Existing Street Names are Correct: Yes
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	List of Correct Street Names:
	BASARGIN RD
	Existing Street Name Corrections Needed:
	All New Street Names are Approved: No
	List of Approved Street Nemos
	List of Approved Street Names:
	List of Street Names Denied:
	Comments: 46575 BASARGIN RD will remain with lot 10D2B
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

Due to the amount of information needing presented along the front property lines, staff would request changing the scale in an effort to make depictions and information easier to read as long as other required items fit on the plat.

KPB 20.25.070 – Form and contents required

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: Update the spelling of Kachemak Bay. Remove what appears to be village names or use a font style that differs from the street labels.

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

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.

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 analysis report will be required and an engineer's signature will be required on the final.

Staff recommendation: Plat must 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.

20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: Comply with 20.60.110.

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.

- 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.

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

KPB 2022-163 11/9/2022

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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.





KPB File 2022-163 11/9/2022





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Aerial with 5-foot Contours







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20161			PLAT APPROVAL This plot was opproved by the Kenai Peninsula Borough Planning Commission at the meeting of Level A, LOV KENAI, <u>FENINSULA</u> BOROUGH By <u>Law Dermons</u> Authorized Official
IC.R. 11 & Gurran	How to be a state of the state	and	OWNERSHIP CERTIFICATE I hereby certify that I am the owner of the grouperty shown and described hereon and that I hereby adopt this plan of subdivision, and deciate all right of ways to public use and grant all easements to the use shown. <u>Vasi UA Bostrain</u> PO Box 1923 Homer, AL 99603
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	UNSUBONIOEO	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Commission. 4. Creek may be subject to floading 5 each side. 5. Water supply and sewage disposal systems shall be permitted only in conformance with applicable reaure- ments of 18 AAC 70, and 18 AAC 80, 6. Utility easements are 10 each side of centerline of all existing powerlines including guys and anchors.
	CENTERLINE CURVE DATA RADIUS LENGTH DELTA		OWNERSHIP CERTIFICATE 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 to public use and grant all essentiations to the use shown. Faddley, Baransian
	() 250.00 ¹ x23.44 ¹ 74*0 ⁷ 39 ⁶ () 500.00 ¹ 163.35 ¹ (+28 ² 44 ⁴) () 500.00 ¹ 96.22 ¹ + ² 4 ² () 200.00 ¹ 143.85 ¹ 41*12 ² 40 ¹ () LEGEND ○ FND, BRASS CAP, B.L.M., USS 3015, 1951 1 0 ¹ STMD, BRASS CAP, B.L.M., USS 3015, 1951 1 0 ² ST 1/2 ⁴ REBAR MITH I V2 ⁴ ALUM. CAPS		Fadder V. Basargin PO. Box 1423 Homer, AA. 99603 NoTARYS ACKNONLEDGEMENI Subscribed and swam before me this day of <u>there</u> . 1983, for fadder, ys Basargin. Note of Public for Academent Note of Public for Academent Note of Public for Academent My dommission Expires 7445-5
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44-58	Waity V Bidsargin Artenon Bidsargin PO Box 2325 PO Box 1777 Homer, Ak. 99603 Homer, Ak. 99603. NOTARY'S ACKNOWLEDGEMENT UITARY'S ACKNOWLEDGEMENT Subscribed and soon before me this LL day of Houl, 1983, for Vally V Bodsargin. Subscribed and soon before me this LL day of Houl, 500 for Artenon Bodsargin. 1983, for Vally V Bodsargin. Control of the Houle. Subscribed and soon before me this LL day of Houle.	Homer, Ak 99603 <u>NOIARY'S ACKNOMLEDGEMENT</u> JUSCRIDED and soon before me this <u>41⁻</u> day of <u>Horiel</u> , 1983, for landy Baserin. Statement of the second s	RAZUOLINA SUBBINISION A subdivision t/U.S. surveys 30(58) 3364, lying within the following protracted sections: the EV2 Sec 24 and the KE I/4 NE I/4 Sec 25, T45, RTIW, S.M. and SW I/4 Sec 19, and the NW I/4 NWI/4 Sec 30, T45, RTIW, S.M. ak. Containing 21L/794 Acres

NOTARY'S ACKNOWLEDGEMENT Subscribed and soon before me this 11th day of April, 1983 for Areno Basarian. Senier S. Ollo U.J. Warms of Collo U.J. W Commission Express of 15, 2, 275.

NOTARY'S ACKNOMLEDGEMENT Subscribed and swom heroer ner this 11 day of April, 1993, for inguise Basagin, Stoney Public for Alasa 11 for 7, 1905 1.Er

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(C- 2, U.S. Survey 3364)

Surveyed for: Vasily A. Basargin P.O.Box 1423 Homer, Ak. 99603 Surveyed by: Donald E. Mullikin, R.L.S. MULLIKIN SURVEYS Box 790, Homer, Ak.

Date: September 1982 Scale: |" = 200' Field Book No.: 24 8 26 8 39

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Subericed on a some berra me this <u>I</u> day of <u>April</u>, 1993, for Vasily V Bozargin <u>Supericed on Aleska</u> Notry Public Aleska Wy Commission Expires: <u>April 7, 1915</u>

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