

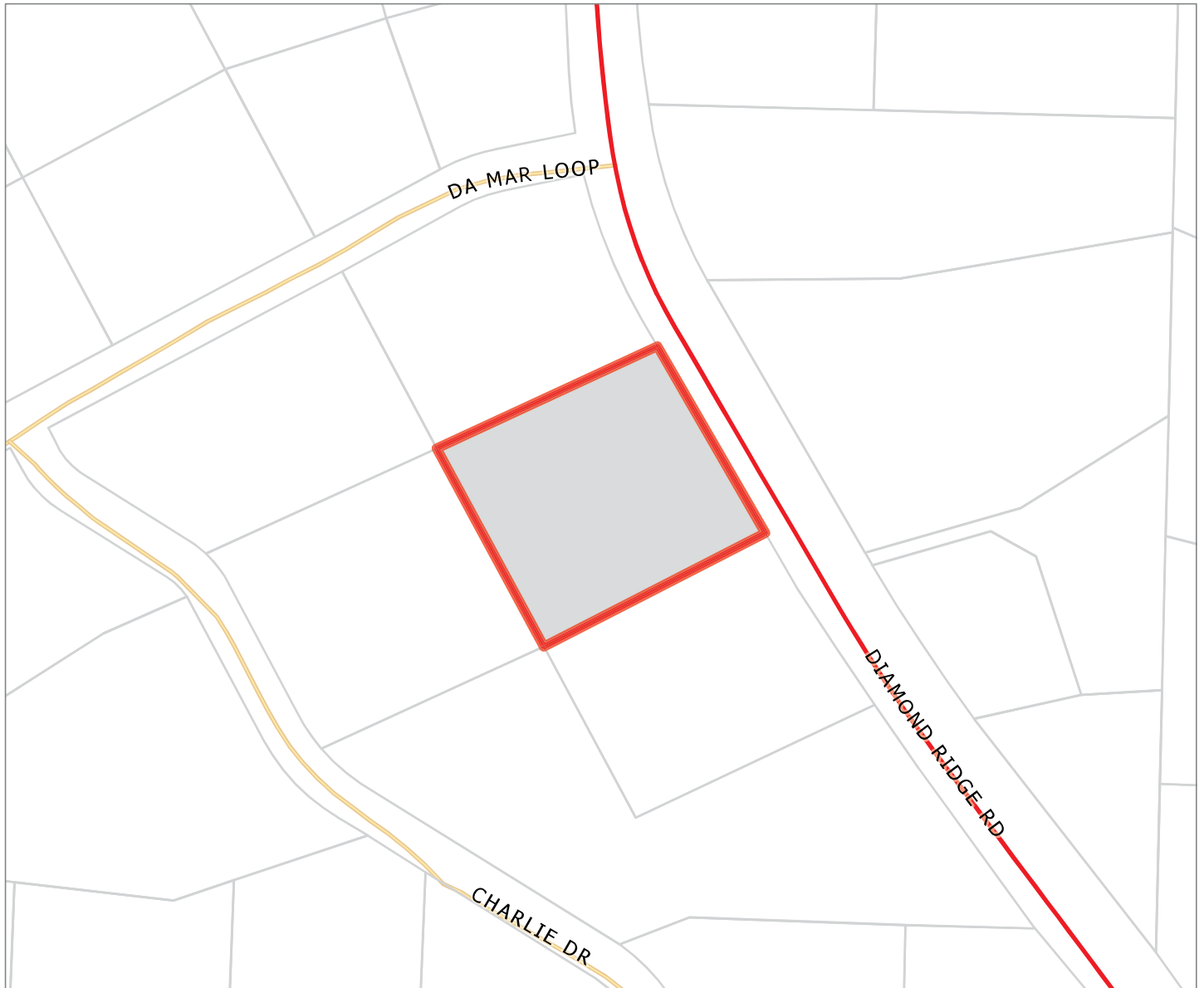
## **E. NEW BUSINESS**

- 1. Bay Ridge Estates Lot 22 Caron 2023 Replat; KPB File 2022-175  
Seabright Surveying / Caron  
Diamond Ridge Road  
Diamond Ridge Area / Kachemak Bay APC**



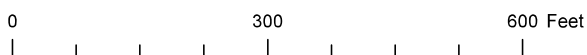
# Kenai Peninsula Borough Planning Department

## Vicinity Map



KPB File 2022-175  
T 06S R 14W SEC 12  
Diamond Ridge

12/9/2022





Aerial View

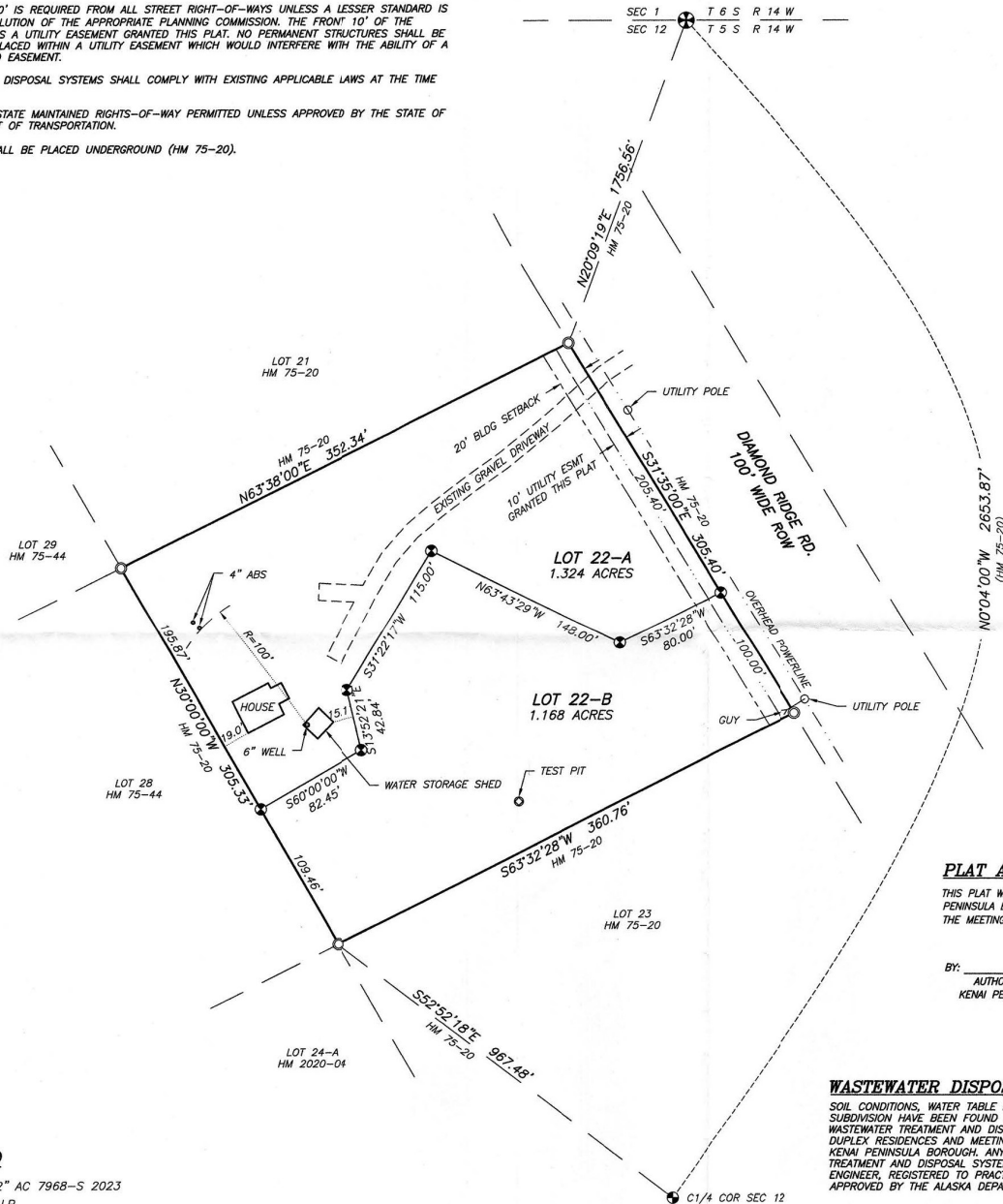
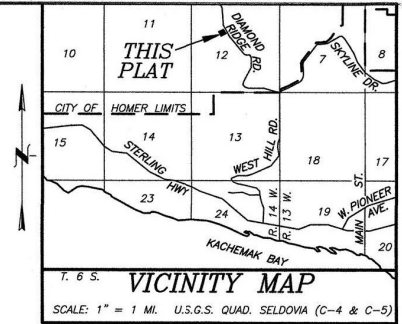


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



# NOTES

1. A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' OF THE BUILDING SETBACK IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
4. ALL UTILITIES SHALL BE PLACED UNDERGROUND (HM 75-20).



## LEGEND

- SET 2" AC 7968-S 2023
- 1/2" I.P.
- ⊕ 2" AC 1301-S 1995
- ⊕ USGO BC MON 1917

KPB 2022-175

## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
AUTHORIZED OFFICIAL KENAI PENINSULA BOROUGH

## WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER \_\_\_\_\_ LICENSE NO. \_\_\_\_\_ DATE \_\_\_\_\_

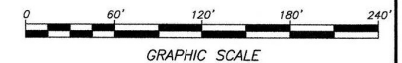
## CERTIFICATE OF OWNERSHIP

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

PATRICIA A. CARON  
P.O. BOX 1202  
HOMER, AK 99603

## NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2023  
\_\_\_\_\_  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_



HOMER RECORDING DISTRICT KPB FILE NO. 2022-XXX

## BAY RIDGE ESTATES LOT 22 CARON 2023 REPLAT

A REPLAT OF LOT 22 BAY RIDGE ESTATES SUBDIVISION (HM 75-20), LOCATED WITHIN THE NW1/4 SEC 12, T. 5 S., R. 14 W., SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 2.492 ACRES

## SEABRIGHT SURVEY & DESIGN KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 299-1091

CLIENTS: PATRICIA A. CARON  
P.O. BOX 1202 HOMER, AK 99603

DRAWN BY: KK CHKD BY: KB JOB #2022-77  
DATE: 12/2022 SCALE: 1"=60' SHEET #1 OF 1

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - BAY RIDGE ESTATES LOT 22 CARON 2023 REPLAT

|                                |   |
|--------------------------------|---|
| <b>KPB File No.</b>            | 2022-175  |
| <b>Plat Committee Meeting:</b> | January 9, 2023                                     |
| <b>Applicant / Owner:</b>      | Patricia Caron of Homer, Alaska                     |
| <b>Surveyor:</b>               | Kenton Bloom / Seabright Survey + Design            |
| <b>General Location:</b>       | Diamond Ridge Road, Diamond Ridge, Kachemak Bay APC |

|                           |                                     |
|---------------------------|-------------------------------------|
| <b>Parent Parcel No.:</b> | 173-500-44                          |
| <b>Legal Description:</b> | Lot 22 Bay Ridge Estates (HM 75-20) |
| <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 subdivide a 2.492 acre parcel into two lots that will be 1.324 and 1.168 acres.

**Location and Legal Access (existing and proposed):** Access is from state maintained Diamond Ridge Road, a 100 foot wide dedication. Diamond Ridge Road intersects the Sterling Highway near mile 167 and this provides access from the north as Diamond Ridge Road meanders to the east and south. The subdivision can also be accessed from the south from Diamond Ridge Road. The eastern access to Diamond Ridge Road is located at the intersection with state maintained West Hill Road and Skyline Drive.

An existing driveway is present from Diamond Ridge Road and will provide access to the house that will be located on Lot 22-A. Lot 22-B does not have constructed access at this time. It will have access from Diamond Ridge Road. Driveway permitting for these lots will be through Alaska DOT.

This plat is not proposing any dedications. Diamond Ridge Road, the southern portion of Da Mar Loop, Charlie Drive, and Pitzman Avenue provide for a closed block. The distances along Diamond Ridge Road and Charlie Drive exceed allowable limits. KPB Code requires the block length to be less than 1,320 feet. The distances are approximately 1,660 feet and 1,400 feet. The roads are all constructed and maintained by either the state or the Kenai Peninsula Borough. ***Staff recommends the plat committee concur that while exceeding allowable lengths the block is complete and any required dedication will not improve the block.***

|                          |  |
|--------------------------|--|
| KPB Roads Dept. comments | Out of Jurisdiction: No<br><br>Roads Director: Painter, Jed<br>Comments: No comments |
| SOA DOT comments         |  |

**Site Investigation:** There are no low wet areas present within the subdivision. The terrain is relatively flat with some slight slopes present.

An existing house is depicted on the plat and will be located on proposed Lot 22-A. A water storage shed is also present within Lot 22-A. The depiction of the structures demonstrates that there will be no encroachment issues with the new lot lines proposed.

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

**Staff Analysis** The proposed subdivision will subdivide Lot 22 from Bay Ridge Estates, HM 75-20. The property had not been subdivided prior to that plat. The preliminary plat will be creating two lots.

The surveyor included locations of structures. Reviewing that information with KPB GIS Imagery for the area there does not appear to be any encroachment issues.

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 December 12, 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 preliminary plat is within the Kachemak Bay Advisory Planning Commission area. The APC did not meet on this item due to lack of members.

**Utility Easements** The parent plat, Bay Ridge Estates HM 75-20, did not grant any utility easements within Lot 22. This plat is proposing to grant 10 foot utility easements adjoining rights-of-way.

The parent plat did have a note that "all utilities shall be placed underground." There are currently overhead powerlines within the right-of-way dedication. The plat indicates the intention to carry over the plat note from the parent plat. The installation of utilities will be between the land owners and the utility providers as the borough does not provide any utilities and does not have the ability to enforce such a restriction. ***Staff recommends the plat note be removed or update the note "All utilities shall be placed underground per HM 75-20. Consult with utility providers regarding this plat note."***

An easement was granted to Homer Electric Association for a non-disclosed location within the NW1/4 of the section. That easement was later released by Homer Electric Association for the one within Lot 22. ***Staff recommends add plat note, "An easement was granted to Homer Electric Association was granted with no location disclosed in Book 49 Page 262, HRD. That easement was released by Homer Electric Association for Lot 22 as found in Book 182 Page 241, HRD."***

*Show recommended 15' HEA easement line and add label or plat note.*

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 a label or plat note stating, "The existing underground powerline within Lot 22-B is the centerline of a 15-foot-wide electrical easement, including pedestals, granted this plat" |
| ENSTAR | No comment or recommendations  |
| ACS    |  |
| GCI    |  |

**KPB department / agency review:**

|                 |   |
|-----------------|---|
| Addressing      | <p>Reviewer: Haws, Derek<br/> Affected Addresses:<br/> 64609 DIAMOND RIDGE RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:<br/> DIAMOND RIDGE RD</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:<br/> 64609 DIAMOND RIDGE RD will remain on lot 22-A.</p> |
| Code Compliance | <p>Reviewer: Ogren, Eric<br/> Comments: No comments</p>   |
| Planner         | <p>Reviewer: Raidmae, Ryan<br/> There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:<br/> There are not any material site issues with this proposed plat.</p>  |
| Assessing       | <p>Reviewer: Windsor, Heather<br/> 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**

- On the drawing at the top correct the township accordingly.
- Call out the corner as the ¼ corner.
- In plat note 4, add per in front of the plat reference.

**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 "Subdivision" from parent legal description. Update the township.

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:** Provide a depiction and label for the lot across Diamond Ridge Road.

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**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.

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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:* Soils report will be required and an engineer will need to sign the plat.

**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.

20.60.180. 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, restrictions and/or easements found within Book 83 Page 602, HRD recorded on October 20, 1975.
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- An easement was granted to Homer Electric Association was granted with no location disclosed in Book 49 Page 262, HRD. That easement was released by Homer Electric Association for Lot 22 as found in Book 182 Page 241, HRD.



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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







**CURVE DATA**

|    |        |        |
|----|--------|--------|
| 1  | 108.11 | 1.0000 |
| 2  | 108.11 | 1.0000 |
| 3  | 108.11 | 1.0000 |
| 4  | 108.11 | 1.0000 |
| 5  | 108.11 | 1.0000 |
| 6  | 108.11 | 1.0000 |
| 7  | 108.11 | 1.0000 |
| 8  | 108.11 | 1.0000 |
| 9  | 108.11 | 1.0000 |
| 10 | 108.11 | 1.0000 |
| 11 | 108.11 | 1.0000 |
| 12 | 108.11 | 1.0000 |
| 13 | 108.11 | 1.0000 |
| 14 | 108.11 | 1.0000 |
| 15 | 108.11 | 1.0000 |
| 16 | 108.11 | 1.0000 |
| 17 | 108.11 | 1.0000 |
| 18 | 108.11 | 1.0000 |
| 19 | 108.11 | 1.0000 |
| 20 | 108.11 | 1.0000 |
| 21 | 108.11 | 1.0000 |
| 22 | 108.11 | 1.0000 |
| 23 | 108.11 | 1.0000 |
| 24 | 108.11 | 1.0000 |
| 25 | 108.11 | 1.0000 |
| 26 | 108.11 | 1.0000 |
| 27 | 108.11 | 1.0000 |
| 28 | 108.11 | 1.0000 |
| 29 | 108.11 | 1.0000 |
| 30 | 108.11 | 1.0000 |

**LEGEND**

- 1. FOUND BRASS CAP MONUMENT
- 2. 1/2" x 3/4" IRON PIPE SET
- 3. 1" x 2" STAKE TO BE REPLACED BY 1/2" x 3/4" I.P. BEFORE JUNE 30, 1975
- 4. THIS UNIT
- 5. EXISTING POWER POLE

**BAY RIDGE ESTATES  
ADDITON NO. 10  
87,683 AC ±**

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, the undersigned, hereby certify that the above described property is owned by the State of Alaska, and is being dedicated to the public for the use of the public.

**SURVEYOR'S CERTIFICATE**

I, the undersigned, hereby certify that I am a duly licensed surveyor in the State of Alaska, and that I am the owner of the above described property, and that I am dedicating the same to the public for the use of the public.

**NOTARY'S ACKNOWLEDGEMENT**

Subscribed and sworn before me this 1st day of February, 1975.

**PLAT APPROVAL**

Plat approved by the Borough Planning Commission this 1st day of February, 1975.

**BAY RIDGE ESTATES  
LOCATED IN NW 1/4 SEC. 18, T.5S, R.14W, S.4**

NOTES: MONUMENTS TO BE PLACED WITHIN 100 FEET FROM ALL CORNERS OF PLAT. IF ALL 100' CORNERS ON THIS PLAT ARE NOT PLACED, THE PLAT SHALL BE PLACED UNDERGROUND.

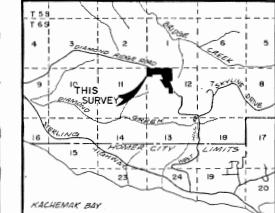


PROPOSED RIDGEWOOD ESTATES SUBDIVISION

2683 BT BASIS OF BEARING N 00° 04' W

1200.00

VICINITY MAP SCALE, 1" = 1 MILE



**KACHEMAK BAY**

SCALE: 1" = 100'

SHEET NO. 1 OF 1

DATE: FEB. 1975  
DESIGNED BY: JJ  
CHECKED BY: JA  
DRAWN BY: DB

**BAY RIDGE ESTATES**

**ABILITY SURVEYS**  
JERRY ANDERSON L.S. BOX 1253 HOMER, ALASKA

#75-40  
RECEIVED (FILED) 77  
APRIL 14 1977  
JERRY ANDERSON L.S.