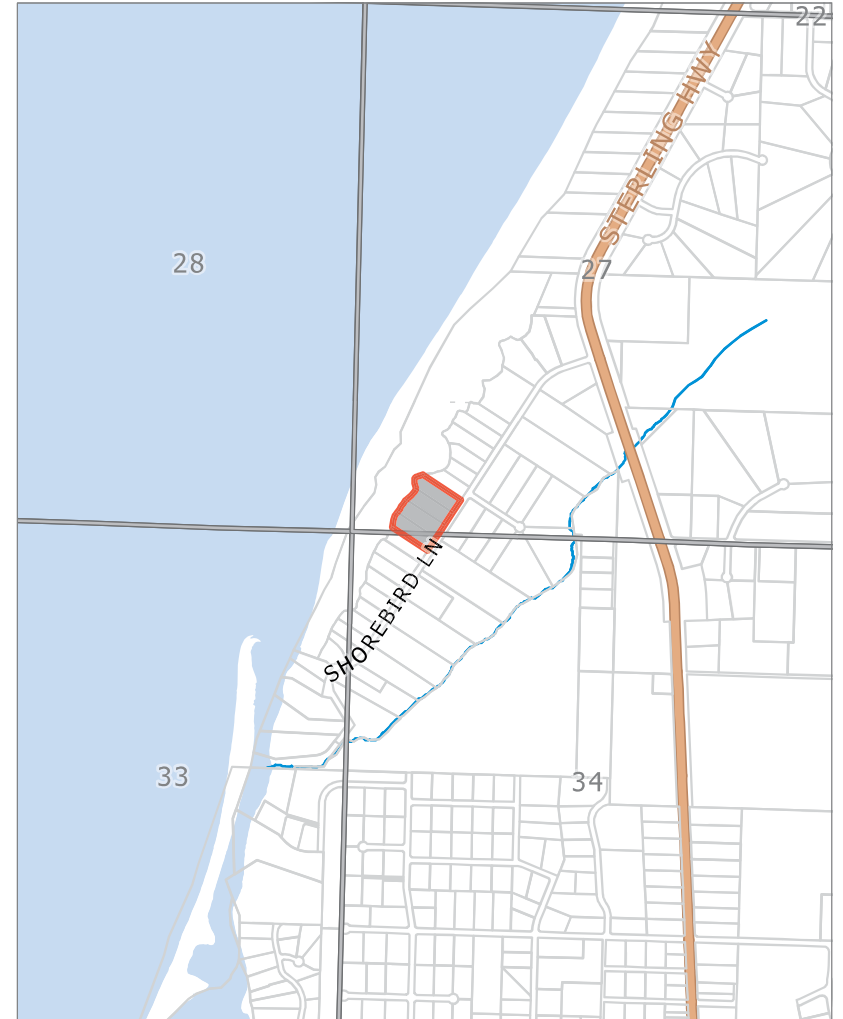


E. NEW BUSINESS

- 1. Anchor View Estates 2023 Addition; KPB File 2023-116
Fineline Surveys, Inc. / Kimbrell, Beller
Location: Shorebird Lane off the Sterling Highway
Anchor Point Area / Anchor Point APC**



KPB File 2023-116
T 04S R 15W SEC 27 & SEC 34
Anchor Point



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:

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2. THE FRONT 15 FEET OF THE 20 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
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4. THE FOLLOWING BLANKET EASEMENTS HAVE BEEN GRANTED TO HOMER ELECTRIC ASSOCIATION (BK. 17, PG. 14 6/30/1959, BK. 49, PG. 251 6/4/1968)
5. THERE ARE RESTRICTIVE COVENANTS THAT AFFECT THIS SUBDIVISION. (BK 87, PGS 332 & 826)

LEGEND:

- FOUND 5/8" REBAR
- BRASS CAP MONUMENT 268 1962 C/A CORNER S27
- ⊕ GLO MONUMENT 1918 S1/4 CORNER S27

CERTIFICATE OF OWNERSHIP:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS SUBDIVISION PLAN AND BY OUR FREE CONSENT GRANT ALL EASEMENTS TO USE SHOWN.

RANDY E. BELLER
PO BOX 1309
ANCHOR POINT, AK 99556

SARAH D. BELLER
PO BOX 1309
ANCHOR POINT, AK 99556

NOTARY'S ACKNOWLEDGEMENT:

FOR: RANDY E. BELLER & SARAH D. BELLER

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20 _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL:

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING DATED, _____

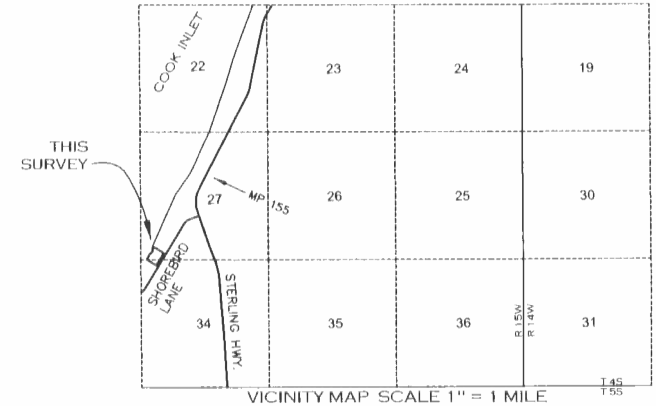
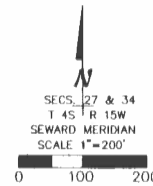
KENAI PENINSULA BOROUGH

BY: _____

AUTHORIZED OFFICIAL: _____

WASTEWATER DISPOSAL:

THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATING ACTION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON 10/16/1974. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



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DMITRI KIMBRELL
PO BOX 774
ANCHOR POINT, AK 99556

NOTARY'S ACKNOWLEDGEMENT:

FOR: DMITRI KIMBRELL

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20 _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

SURVEYORS CERTIFICATE:

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ANCHOR VIEW ESTATES - 2023 ADDITION,

K.P.B. FILE # 2023-

VACATING THE PROPERTY LINES BETWEEN LOTS 10 & 11, AND LOTS 12 & 13, BLOCK 1, ANCHOR VIEW ESTATES, SECTIONS 27 & 34, TOWNSHIP 4 SOUTH, RANGE 15 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA. HOMER RECORDING DISTRICT, containing 6.314 acres.

OWNER: DMITRI KIMBRELL
P.O. BOX 774 ANCHOR POINT, AK. 99556

OWNERS: RANDY E. BELLER & SARAH D. BELLER
P.O. BOX 1309 ANCHOR POINT, AK 99556

FINELINE SURVEYS
P.O. BOX 774
ANCHOR POINT, ALASKA 99556
DMITRI D. KIMBRELL, RLS (907) 360 6382

SCALE: 1"=100' DATE: 12/6/2018

KPB 2023-116

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT
ANCHOR VIEW ESTATES 2023 ADDITION**

KPB File No.	2023-116
Plat Committee Meeting:	November 13, 2023
Applicant / Owner:	Dmitri Kimbrell and Randy and Sarah Beller, all of Anchor Point, AK
Surveyor:	Dmitri Kimbrell / Fineline Surveys
General Location:	Anchor Point / Anchor Point APC

Parent Parcel No.:	165-450-12, 165-450-13, 165-450-14 and 165-450-15
Legal Description:	T 4S R 15W SEC 27 Seward Meridian HM 0760057 Anchor View Estates Sub Lots 10 through 13 Block 1
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite
Exception Request	none

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine four irregular shape lots into two lots.

Location and Legal Access (existing and proposed): The subdivision fronts along Shorebird Lane and will continue to after the subdivision is finalized. Shorebird Lane is borough maintained and is accessed of the Sterling Highway between milepost 155 and 156.

There are no vacations or dedications proposed with this subdivision.

There is a section line easement shown on KPB GIS information but not shown crossing the lots on the parent plat. The parent plat does show the SLE to the east though. ***Staff recommends: the surveyor verify with the State DNR if the section line easement has been vacated through this portion of the sections. If not this needs to be shown on the drawing.***

Block length is not compliant, but with the Cook Inlet to the west of these lots a dedication is not possible. ***Staff recommends: the Plat Committee concur that an exception is not necessary.***

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No comments
SOA DOT comments	No comment - Engineering

Site Investigation: The terrain of the subdivision is flat with a slight slope to the west towards the Cook Inlet. The steep slope begins beyond the limits of the subdivision.

There are improvements on the lots that will remain within their respective lots and not cause encroachment issues.

The subdivision is in a flood hazard area, but not in a floodway. ***Staff recommends: the standard Flood Hazard Notice be added to the plat notes.***

KPB River Center review	See attachments
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	<p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: X (shaded) Map Panel: 02122C-1890E In Floodway: False Floodway Panel:</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: VACANT Comments:</p>
State of Alaska Fish and Game	

Staff Analysis The parent plat Anchor View Estates Subdivision HM76-57 was platted from part of Section 27, 33 and 34 of Township 4S, Range 15W, SM AK and a portion of HES 48.

A soils report will not be required as the subdivision is vacating lot lines to create fewer lots.

Notice of the proposed plat was mailed to the beneficial interest holder on October 23, 2023. 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.

Anchor Point Advisory Planning Commission minutes for the November 9, 2023 meeting 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 There is a 10' Utility Easement on either side of an existing powerline as shown on the parent plat of Anchor View Estates Subdivision HM76-57 that need to be added to the drawing. There is an easement listed in the certificate to plat at #16, serial number 2003-004614-0, that needs to be added to the drawing and plat notes also.

Homer Electric Association Inc. (HEA) has made request for easements to be shown on the subdivision, which can be viewed in the packet.

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	See HEA Comment in the packet
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 33015 SHOREBIRD LN, 32939 SHOREBIRD LN</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: SHOREBIRD LN</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: 33015 SHOREBIRD LN will remain with Lot 10A 32939 SHOREBIRD LN will remain with Lot 12A</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>
Advisory Planning Commission	

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

- Show width of each lot on the drawing.

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: Add the KPB file no of 2023-116 to title block. Add the parent plat number to the legal description.

- 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:
Center site on map or move site to the right some.
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation:
- Add block numbers to lot names

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.

20.30.280. Floodplain requirements.

D. All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.020, shall contain the following note:

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

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: Not required, reducing lots.

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

20.60.140. Block and lot numbering. Blocks and lots within each block shall be numbered consecutively or all lots shall be numbered consecutively. If possible, each block should be shown entirely on one sheet. Each lot shall be shown entirely on one sheet.

Staff recommendation:

- add block number to lots labels

20.60.150. Utility easements.

A. The utility easements approved by the planning commission shall be clearly shown on the final plat in dimensioned graphic form or as a note.

B. The following note shall be shown on the final plat:

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.

Staff recommendation: The easement list at #16 in the certificate to plat need to be shown and added to the plat notes and *comply with 20.60.150.*

20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

1. Special purpose easements being granted by the plat shall be clearly defined for allowed use. Special purpose easements may require a signed acceptance statement on the plat.

B. Private easements may not be granted on the plat.

Staff recommendation: *comply with 20.60.160.*

- There is a section line easement that needs verification to be shown. There is not enough information in the certificate to plat and should be verified with the DNR.

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.*

- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

- Under the names under Certificate of Ownership, list the lots being signed for.
- Add the meeting date of November 13, 2023 to the Plat Approval

20.60.200. Survey and monumentation.

Staff recommendation: *Correct any overstrikes and comply with 20.60.200.*

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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CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN. WE HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS AND ALLEYS DEDICATED BY US FOR PUBLIC USE.

DATE: 5-28-78
 JERRY ANDERSON, 3686-S
 SOLOMA PARK, INC.
 2541 FAIRBANKS DRIVE
 ANCHORAGE, ALASKA

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28th DAY OF July, 1978.

Notary Public for Alaska
 MY COMMISSION EXPIRES 5-28-79

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 EASEMENTS AND ADJUTMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT EASEMENTS' LINES, HEREON ARE TRUE AND CORRECT.

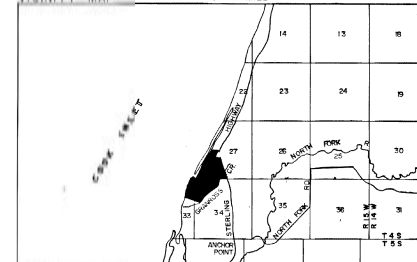
DATE: 5-28-78
 JERRY ANDERSON, 3686-S

PLAT APPROVAL

PLAT APPROVED BY THE BOROUGH PLANNING COMMISSION THIS 28th DAY OF July, 1978.

DATE: 5-28-78
 RONALD S. ALLEN
 BOROUGH MAYOR

VICINITY MAP



DATE: MAY, 1976

PLAT OR NO: 9512

SCALE: 1" = 200'

DESIGNED BY: J.W.

CHECKED BY: C.W.

DRAWN BY: S.W.



RECORDED, FILED IN
 ANCHORAGE, ALASKA
 MAY 7-1978
 BY 1808
 JERRY ANDERSON

ANCHOR VIEW ESTATES SUBDIVISION

SITUATED IN SEC 27, 33 & 34, T 4 S, R 15 W, S 4, ALASKA
 AND A PORTION OF HES 48

CONTAINING 100.763 ACRES

ABILITY SURVEYS
 JERRY ANDERSON, P.E. BOX 1283, HOMER, ALASKA 99603

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DAY OF ____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES ____

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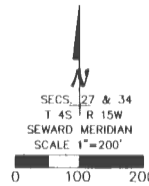
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BY: ____

AUTHORIZED OFFICIAL: ____

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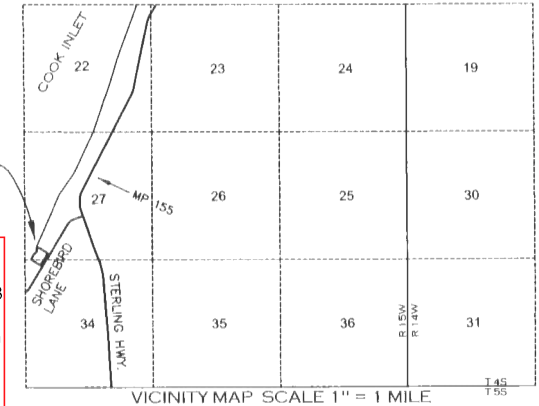


THIS SURVEY

Depict and label the 10 ft. x 205 ft. electric easement adjoining the northeast boundary of Lot 13 per serial no. 2003-004614-0 HM. There is a 5 foot easement within Lot 14 (2003-004615-0 HM) for a full 15 width. The easement within Lot 14 does not need to be shown or labeled on this plat.

Depict and label the underground primary electric line. Provide a label or plat note stating, "The existing underground powerline is the centerline of a 15-foot-wide electrical distribution line easement, including pedestals and transformers, granted this plat."

Depict and label the overhead electric line. Provide a label or plat note stating a 20 foot utility easement, centered on the overhead electric line was granted per plat 76-57 HRD.



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DMITRI KIMBRELL
PO BOX 774
ANCHOR POINT, AK 99556

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FOR: DMITRI KIMBRELL

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DAY OF ____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES ____

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FINELINE SURVEYS

P.O. Box 774
ANCHOR POINT, ALASKA 99556
DMITRI D. KIMBRELL, RLS (907) 360 6382

SCALE: 1"=100' DATE: 12/6/2018

HEA REVIEWED - SEE COMMENTS

Scott Huff 10/26/2023
Land Management Officer

KPB 2023-116