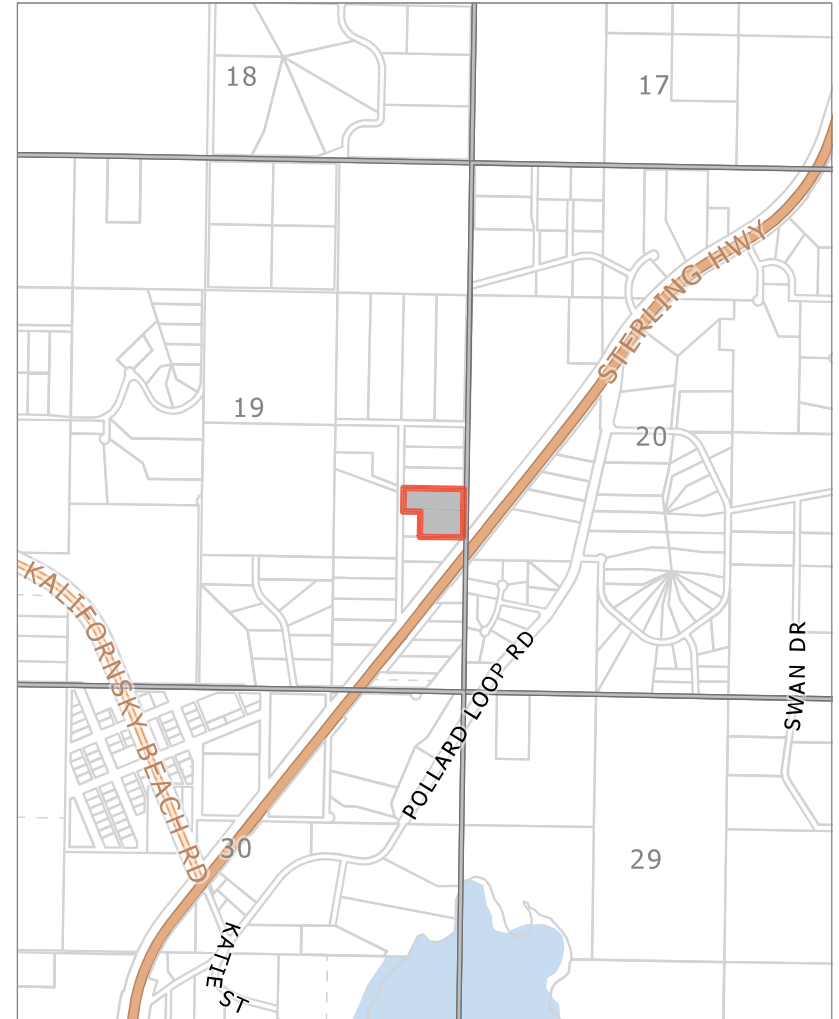
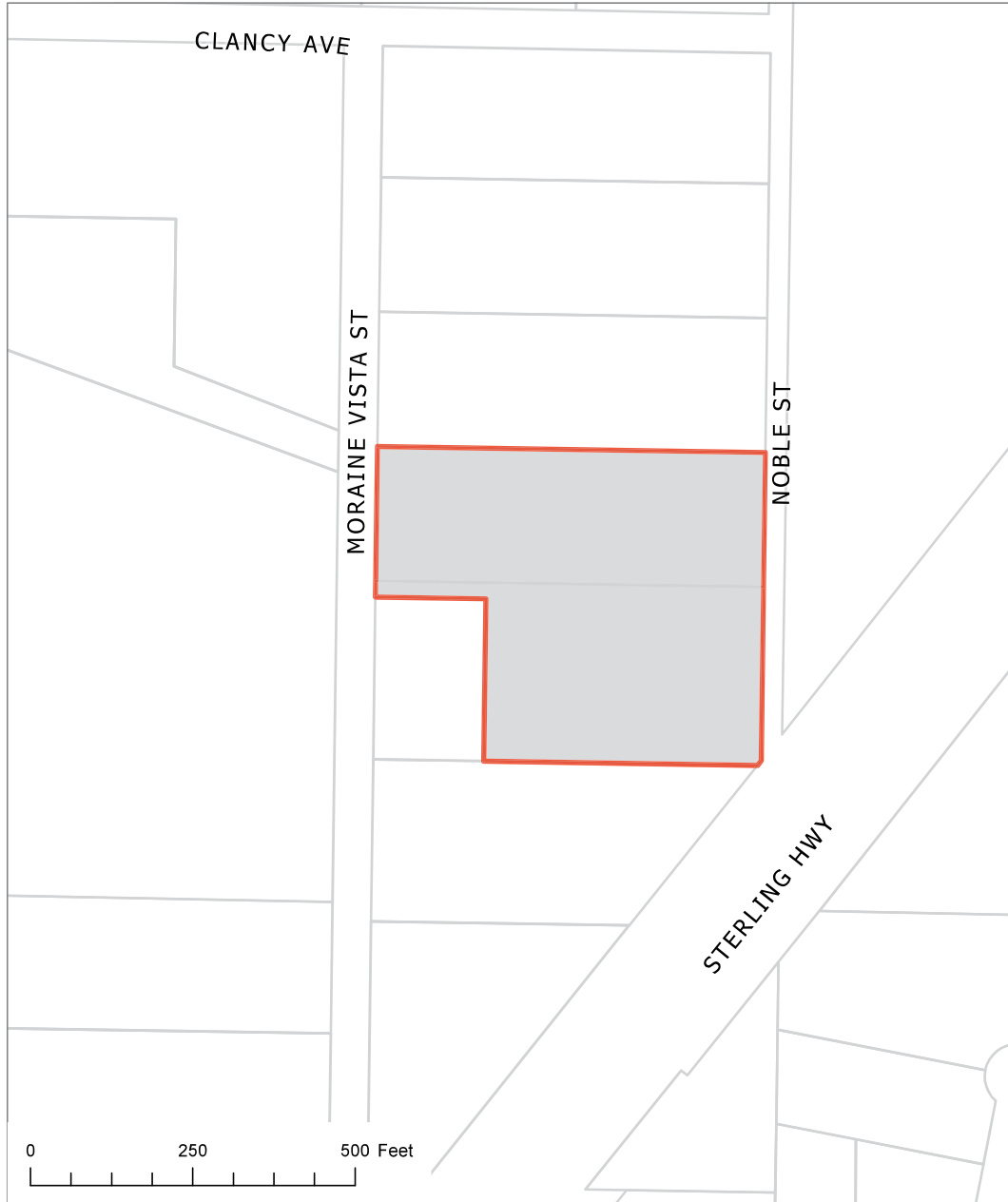


E. NEW BUSINESS

- 11. Tuttle Subdivision 2023 Replat; KPB File 2023-120
McLane Consulting Group / Rozak, Pond
Location: Moraine Vista Street off the Sterling Highway
Kasilof Area**



KPB File 2023-120
T 03N R 12W SEC 19
Kasilof

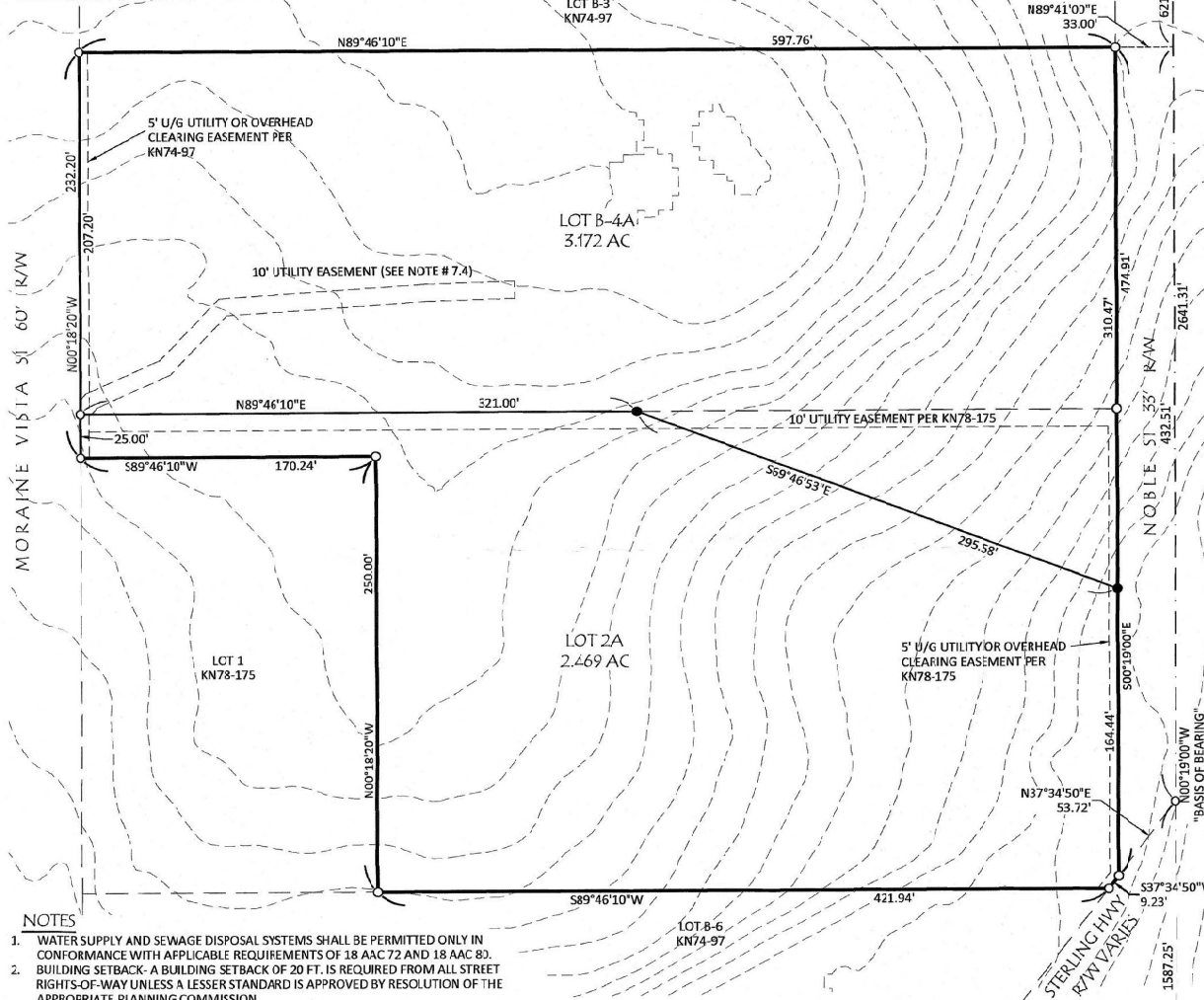


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

WASTEWATER 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 PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CODY R. McLANE C.E. 11510AK DATE



LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 85032-S
- CONTOUR INTERVAL = 4'

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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.

MARK G ROZAK, OWNER TRACT B-4 KN74-97
PO BOX 600, KENAI, AK 99611

SARAH DIANE ROZAK, OWNER TRACT B-4 KN74-97
PO BOX 600, KENAI, AK 99611

CERTIFICATE OF OWNERSHIP AND DEDICATION

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SHAYNE A FOND, OWNER LOT 2 KN78-175
PO BOX 47, KASLOF, AK 99610

PEPPER P. FOND, OWNER LOT 2 KN78-175
PO BOX 47, KASLOF, AK 99610

NOTARY'S ACKNOWLEDGEMENT

FOR: MARK G. & SARAH DIANE ROZAK
ACKNOWLEDGED BEFORE ME THIS

DAY OF _____, 20____

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF _____

NOTARY'S ACKNOWLEDGEMENT

FOR: SHAYNE A. & PEPPER P. FOND
ACKNOWLEDGED BEFORE ME THIS

DAY OF _____, 20____

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF _____



NOTES

- WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
- BUILDING SETBACK- A BUILDING SETBACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
- THE FRONT 10 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT.
- 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.
- NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
- STERLING HIGHWAY EASEMENT RESERVED BY PUBLIC LAND ORDER No. 601 DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER No. 757 DATED OCTOBER 10, 1959, PUBLIC LAND ORDER No. 1613 DATED APRIL 7, 1958 AND DEPARTMENT OF THE INTERIOR ORDER No. 2665 DATED OCTOBER 16, 1951 AMENDMENT No. 1 DATED JULY 17, 1952 AND AMENDMENT No. 2 DATED SEPTEMBER 15, 1956 FILED IN THE FEDERAL REGISTER.
- THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON JUNE 12, 1959 IN MISC. BOOK 3, PAGE 45, KENAI RECORDING DISTRICT, LOCATION NOT DEFINED.
 - AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON DECEMBER 19, 1974 IN BOOK 81, PAGE 644, KENAI RECORDING DISTRICT, LOCATION NOT DEFINED.
 - AN ACCESS EASEMENT RECORDED JANUARY 5, 2005 IN DOCUMENT No. 2005-000092-0 KENAI RECORDING DISTRICT, THROUGH LOT 1 KN78-175.
 - AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON JULY 30, 2007 IN DOCUMENT No. 2007-008-79-0, KENAI RECORDING DISTRICT, AS SHOWN HEREON.

Plat

Rec Dist	_____
Date	_____ 20____
Time	_____ VI

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2023.

AUTHORIZED OFFICIAL

DATE

TUTTLE SUBDIVISION 2023 REPLAT

RESUBDIVISION OF TRACT B-4 RESUBDIVISION OF TUTTLE TRACTS E AND C (KN74-97) AND LOT 2 RESUBDIVISION OF TUTTLE TRACT B-5 (KN78-175)

MARK G ROZAK
PO BOX 600
KENAI, AK 99611

SHAYNE A FOND
PO BOX 47
KASLOF, AK 99610

SARAH DIANE ROZAK
PO BOX 600
KENAI, AK 99611

PEPPER P. FOND
PO BOX 47
KASLOF, AK 99610

5.640 AC. M/L SITUATED IN THE SE 1/4 OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.



ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK 99689
VOICE: (907) 283-4218
FAX: (907) 283-3266
WWW.MCLANECG.COM

KPB FILE NO. 2023-xxx

PROJECT NO. 232025

SCALE: 1" = 50'

DATE: OCT 2023

DRAWN BY: JAH

KPB 2023-120

E11-3

AGENDA ITEM E. NEW BUSINESS

**ITEM #11 - PRELIMINARY PLAT
TUTTLE SUBDIVISION 2023 REPLAT**

KPB File No.	2023-120
Plat Committee Meeting:	November 13, 2023
Applicant / Owner:	Mark and Sarah Rozak, of Kenai, Alaska and Shayne and Pepper Pond of Kasilof, Alaska
Surveyor:	James Hall / McLane Consulting Inc
General Location:	Moraine Vista Street / Kasilof area

Parent Parcel No.:	133-280-04, 133-280-14,
Legal Description:	T 3N R 11W SEC 19 Seward Meridian KN 0740097 Tuttle Resub Tracts B & C Tract B-4 and T 3N R 11W SEC 19 Seward Meridian KN 0740097 Tuttle Resub Tracts B & C Tract B-4
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	onsite
Exception Request	none

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide one lot and one tract into two lots, realigning the line between them. The 2.843-acre lot will become 3.172-acre lot and the 2.797-acre tract will be a 2.469-acre lot with this platting action.

Location and Legal Access (existing and proposed): Access to the subdivision is along Moraine Vista Street, which is located near mile post 108 on the Sterling Highway in the Kasilof area. Moraine Vista Street is a developed road maintained by the Borough. The subdivision also backs against Noble Street, which is an undeveloped road on the east side of the plat.

There are no dedications or vacations of rights-of-ways proposed.

Lot 2 is accessed by an easement through Lot 1 as referenced in plat note 7.3 on the preliminary.

Block length is compliant being completed by Moraine Vista Street, Clancy Avenue, Noble Street and Sterling Highway.

PER DOT: The platting action voids any previous issued permits. You need to reapply for driveway access permits to state ROW.

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

Site Investigation: The contours reveal some steep terrain, but the areas of 20% incline are not identified on the plat. Drainage is to the east and southeast. ***Staff recommends: steep areas be identified on the final.***

There are no wetlands or flood hazard areas within this subdivision.

KPB River Center review	<p>A. Floodplain Reviewer: Hindman, Julie 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: VACANT Comments:</p>
State of Alaska Fish and Game	

Staff Analysis The land was first divided as the Tuttle Tracts KN72-75 from the E1/2 SE1/4 Sec 19 T3N R11W SM Kasilof, AK, into three tracts. Tracts B & C were then subdivided by Resubdivision of Tuttle Tracts B and C KN 74-97 into twelve tracts. Tract B-5 was further subdivided by Resubdivision of Tuttle Tract B-5 KN78-175.

The plat carried forward the 20-foot building setback and a 5' underground utility easement on Moraine Vista Street from both parent plats. A 10' HEA easement and a 5' underground utility or overhead clearing easement along Noble Street were carried forward from Resubdivision of Tuttle Tract B-5.

This subdivision is comprised of existing lots, one being a flag lot that exceeds 150. KPB 20.30.190(B) Lots-Dimensions states that, 'If the access portion is less than 60 feet wide, it may not exceed 150 feet in length.' **Staff recommends:** *the Plat Committee concur that an exception is not needed as this is an existing lot and the owners have an easement across Lot 1 in front of them that runs with the land.*

A soils report will not be required. 20.40.020(A)(1)(c) - Moving one or more lot lines without increasing the number of developable lots, while maintaining a minimum of 20,000 square feet of contiguous area, as described in KPB 20.40.040(A)(4)(a), for each lot affected by the lot line movement.

Notice of the proposed plat was mailed to the beneficial interest holder on October 25, 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.

The property is not within an advisory planning commission.

Utility Easements There are several utility easements listed in the certificate to plat that are listed in the plat notes of the subdivision. Utility easements from the parent plats have been carried forward and shown correctly.

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	Approximate location of underground electric service is depicted where it crosses Lot 2A and serves Lot 1. Provide a label or plat note stating, "The existing underground powerline is the centerline of a 15-foot-wide electrical easement, including pedestals, granted this plat.
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 24380 MORaine VISTA ST, 24344 MORaine VISTA ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: MORaine VISTA ST, NOBLE ST, STERLING HWY</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: ADDRESSES WILL NOT BE AFFECTED</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

KPB 20.25.070 – Form and contents required

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

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:

- Change the KPB file to 2023-120.
- Remove the M/L behind the area once surveyed area is obtained.

- 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:

- *Parcels to the east and west across the roads need labeling.*
- *The parcels north and south need lot changed to tract.*

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff recommendation: Contours shown but slopes greater than 20% are not labeled or identified on the drawing.

- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

Staff recommendation: Appears there is a structure located in the panhandle of Lot 2A.

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: not required per 20.40.020(A) (1)(c)

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.*

20.60.160. 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.*

- Show well easement as shown in the certificate to plat.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

- Add date of November 13, 2023 to Plat Approval
- Under Certificate of Ownership, add the lots the owners will be signing for.

20.60.200. Survey and monumentation.

Staff recommendation: *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.

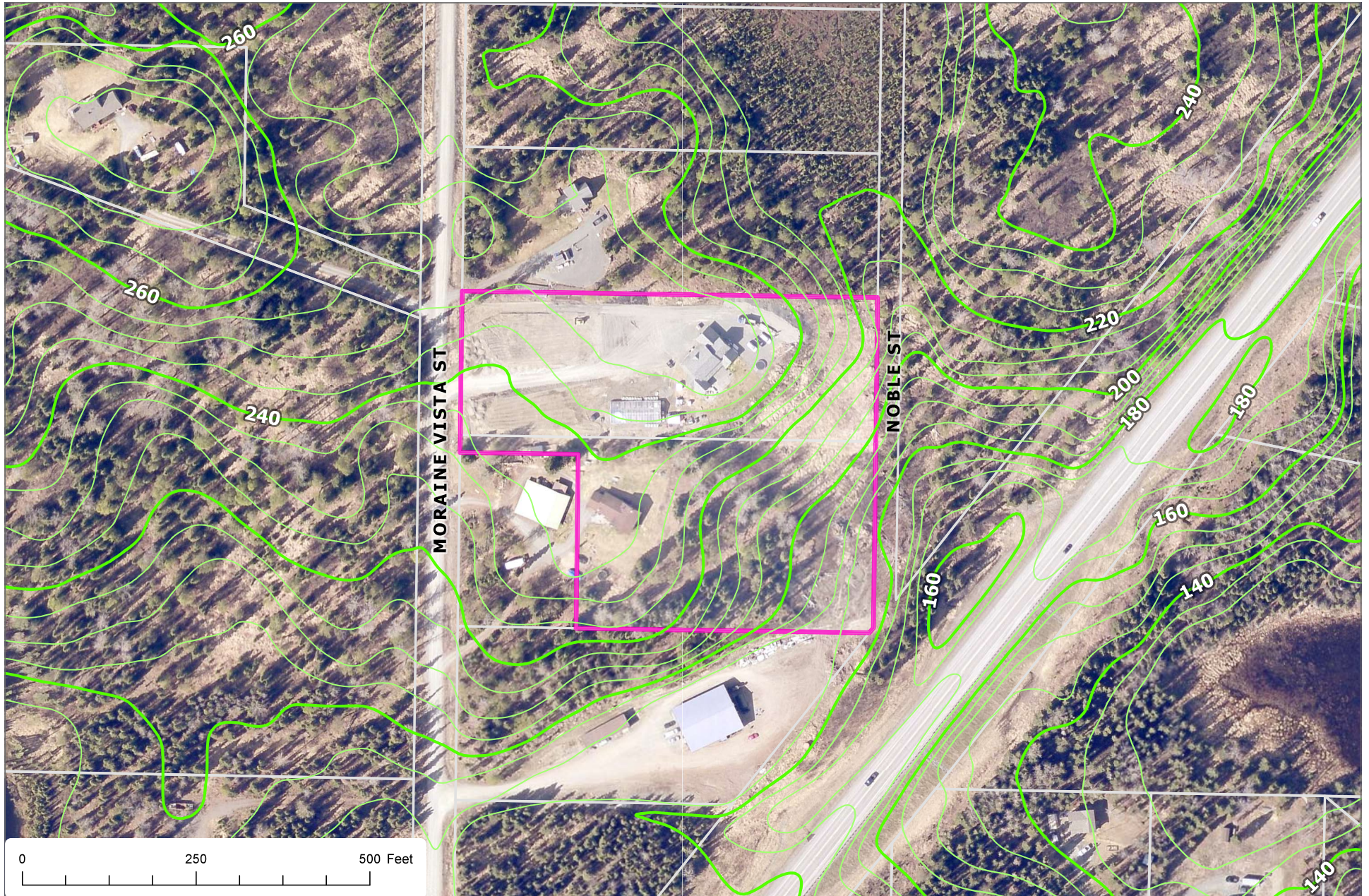
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

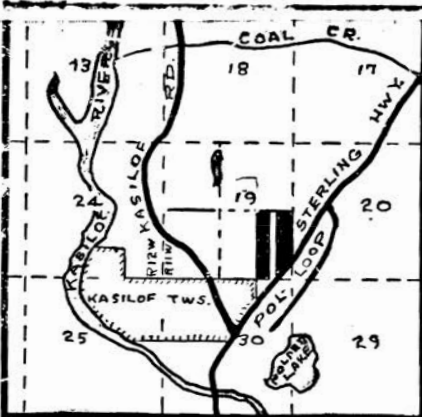
END OF STAFF REPORT



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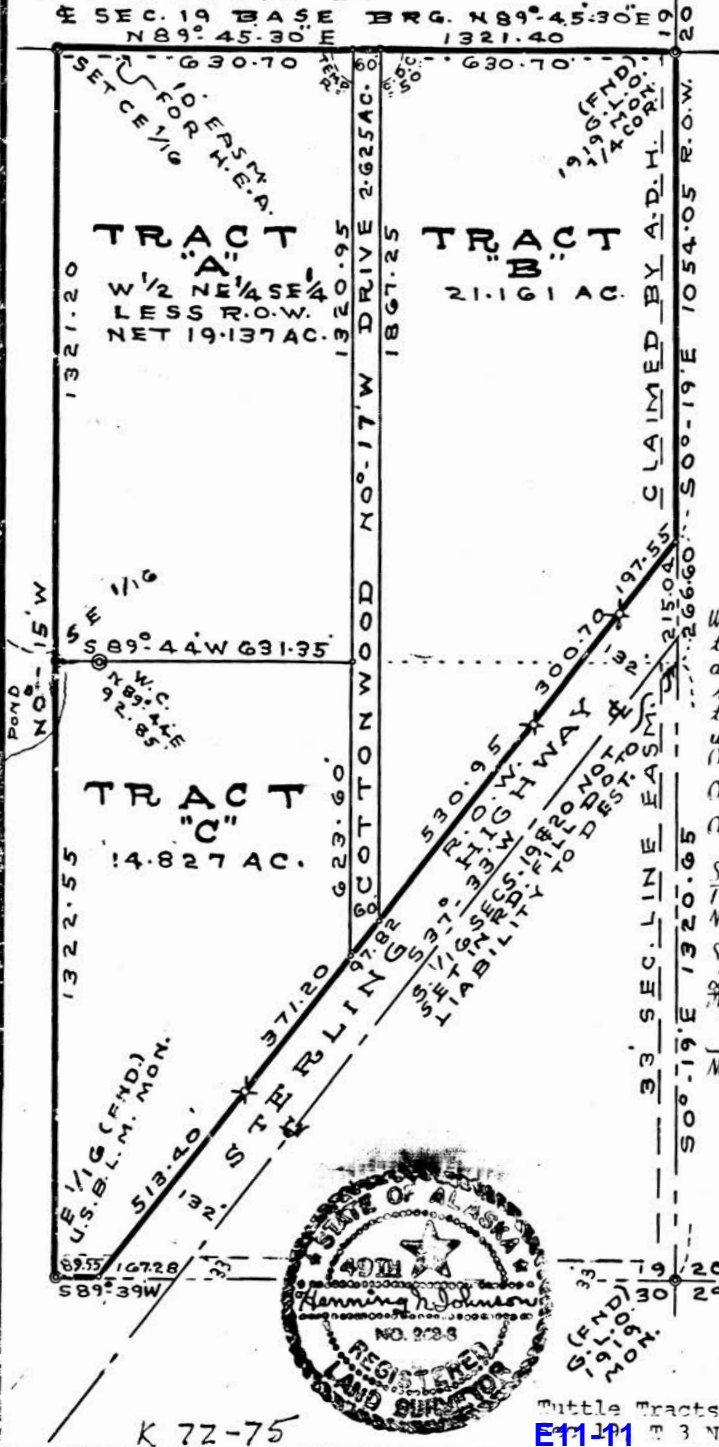
TUTTLE TRACTS

LOCATED IN E 1/2 SE 1/4 SEC. 19
T3N R11W. S.M.; KASILOF,
ALASKA.
CONTAINING 57.750 AC.
BY: DAVID TUTTLE, KASILOF,
ALASKA.

- INDICATES BRASS CAP MON.
- x " DEPT. HIGHWAYS MON. FOUND.
- o " 5/8" X 24" RE-BAR SET.

KENAI PENINSULA BOROUGH
Planning Commission
Approved OCTOBER 30, 1972
By Stanley S. Thompson
Mayor

VICINITY MAP
1" = 0.96 MILES



SCALE
1" = 300'
OCT. 6, 1972

CERTIFICATE OF OWNERSHIP AND DEDICATION

We certify that we are the owners of
the property shown and described herein
and that we hereby adopt this plan of
subdivision and dedicate all streets
to public use and to the use of public
utilities.

Owner David Tuttle et al.

Owner State of Alaska

Owner Arthur Buckler, Norma C. C.

State of Alaska

Third Judicial District

Notary's Acknowledgement

Subscribed and sworn before me this

24 day of November, 1972.

My commission expires

Notary Public For Alaska

My Commission Expires July 21, 1975

72-75

RECORDED - FILED

Kenai REC. DIST.

DATE 12-18 1972

TIME 10:19 A.M.

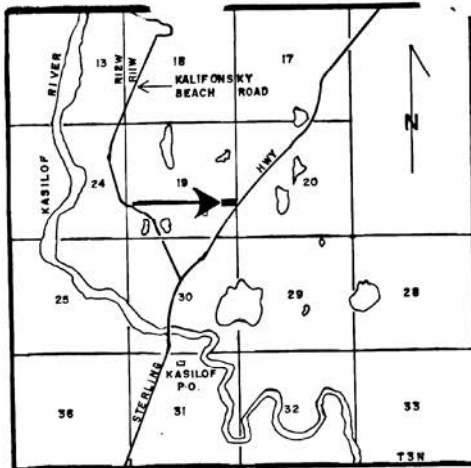
Registered by KPB

Address Box 850

SOLDOTNA

K 72-75

Tuttle Tracts
E11-11 T3N, R11W, S.M.



VICINITY SCALE 1" = 1 MILE MAP

Resubdivision of Tuttle Tract B-5

LOCATED IN E1/2 SE1/4 SEC. 19 T3N, R11W, S.M. KASILOF, AK.
 SCALE 1" = 100' AREA = 3.774 AC. JUNE 14, 1978.
 BY GREG A. ROZAK BOX 400 RTE. 2 SOLDOTNA, ALASKA 99669

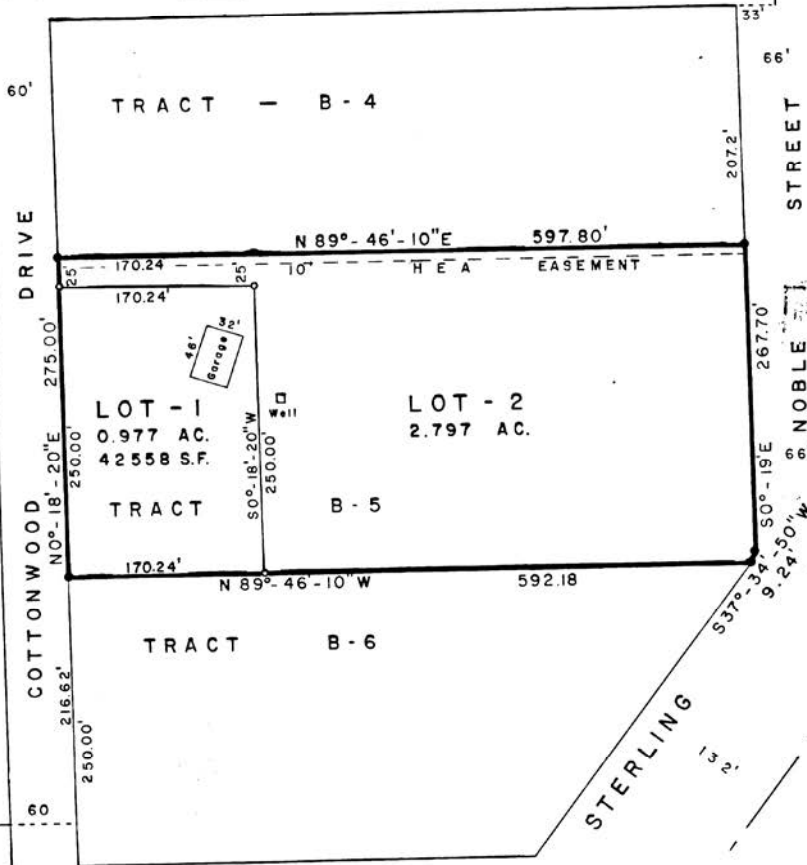
LEGEND

- + - Brass cap by G.L.O. found.
- - Brass cap by 268-S found.
- - 5/8" rebar found.
- o - 1/2" x 24" rebar set.

NOTES

A 20' bldg. set-back line and 5' underground utility, or overhead clearing easement along all roads.
 All waste water disposal systems shall comply with existing laws at time of construction.

1/4 COR.
 SEC. 19
 50°-19'E
 621.60'
 SEC. 20



PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of July 3, 1978 is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirement of ordinances and law appertaining thereto.
 KENAI PENINSULA BOROUGH
 By Philip Warming

CERTIFICATE OF OWNERSHIP

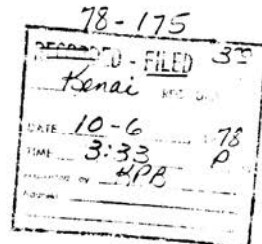
We hereby certify that we are the owners of the property shown and described hereon, and that we hereby adopt this plan of subdivision.

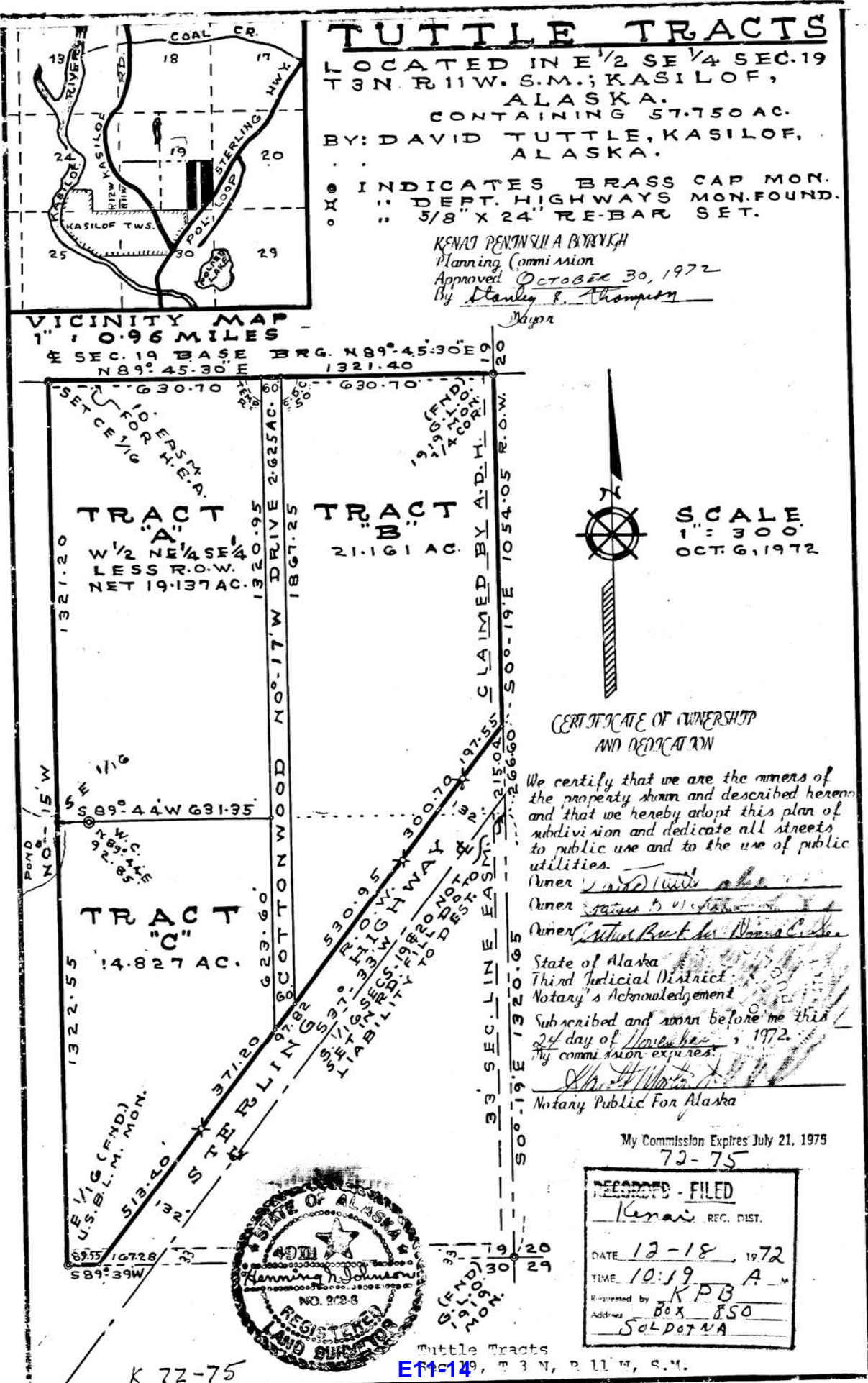
Greg A. Rozak
 GREG A. ROZAK BOX 400 ROUTE 2 SOLDOTNA AK. 99669
Darlene M. Rozak
 DARLENE M. ROZAK



STATE OF ALASKA, THIRD JUDICIAL DISTRICT

Jane M. Gabler 10/4/78 Sept. 13, 1981
 NOTARY PUBLIC FOR ALASKA My Commission expires





TUTTLE TRACTS

LOCATED IN E 1/2 SE 1/4 SEC. 19
T3N R11W. S.M.; KASILOF,
ALASKA.

CONTAINING 57.750 AC.
BY: DAVID TUTTLE, KASILOF,
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INDICATES BRASS CAP MON.
DEPT. HIGHWAYS MON. FOUND.
5/8" X 24" RE-BAR SET.

KENAI PENINSULA BOROUGH
Planning Commission
Approved OCTOBER 30, 1972
By Stanley S. Thompson
Mayor

VICINITY MAP
1" = 0.96 MILES

SEC. 19 BASE BRG. N89°45'30"E
N89°45'30"E 1321.40

TRACT
"A"
W 1/2 NE 1/4 SE 1/4
LESS R.O.W.
NET 19.137 AC.

TRACT
"B"
21.161 AC.

TRACT
"C"
14.827 AC.



SCALE
1" = 300'
OCT. 6, 1972

CERTIFICATE OF OWNERSHIP AND DEDICATION

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and that we hereby adopt this plan of
subdivision and dedicate all streets
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Owner Stanley S. Thompson
Owner Arthur R. Burt et al.

State of Alaska
Third Judicial District
Notary's Acknowledgement

Subscribed and sworn before me this
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My commission expires

Notary Public For Alaska

My Commission Expires July 21, 1975

72-75



RECORDED - FILED	
Kenai REC. DIST.	
DATE	12-18 1972
TIME	10:19 A.M.
Requested by	KPB
Address	Box 850 Soldotna

Tuttle Tracts
E11-14, T3N, R11W, S.M.

K 72-75