

E. NEW BUSINESS

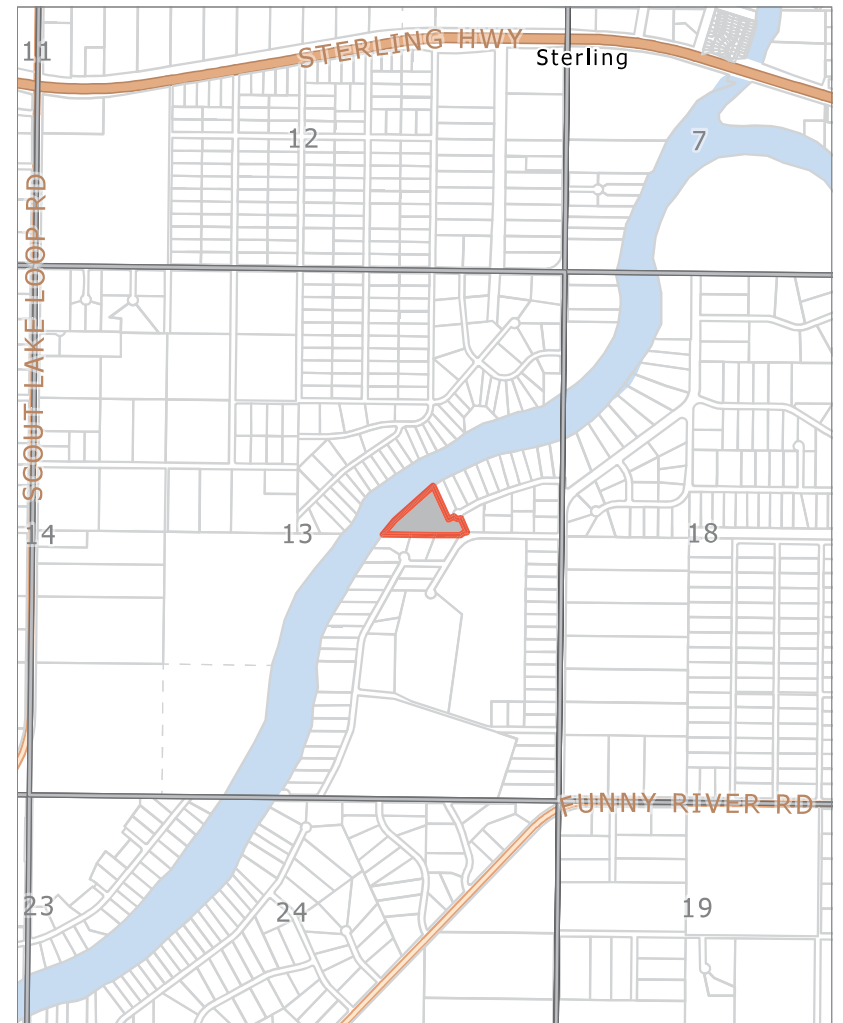
2. Glacial Waters Subdivision Camp Addition

KPB File 2023-125

Peninsula Surveying, LLC / Camp Kenai, LLC

Location: Eaglet Way

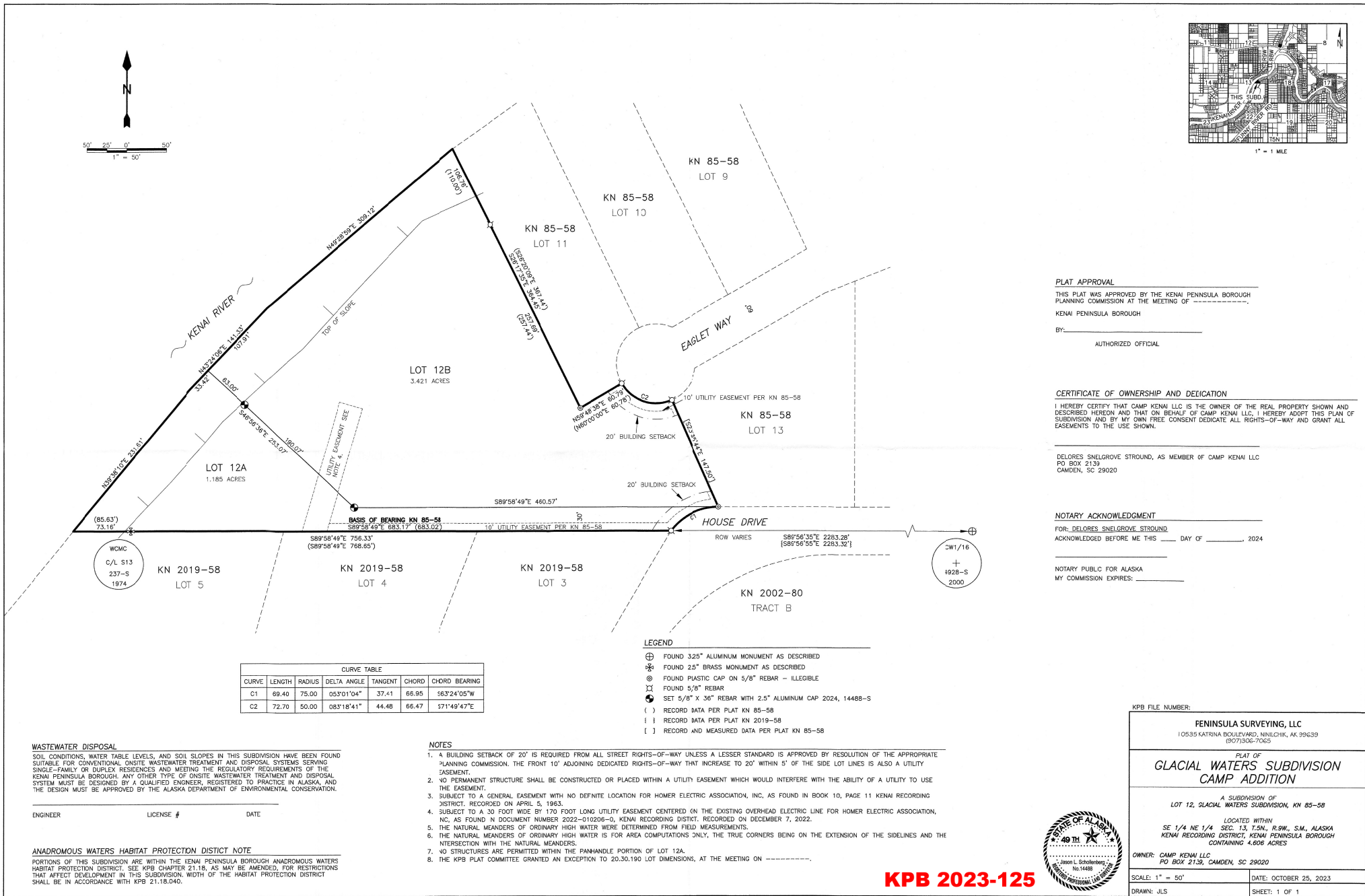
Funny River Area / Funny River APC



KPB File 2023-125
T 05N R 09W SEC 13
Funny River



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.



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD	CHORD BEARING
C1	69.40	75.00	05°01'04"	37.41	66.95	S63°24'05"W
C2	72.70	50.00	08°18'41"	44.48	66.47	S71°49'47"E

- LEGEND**
- ⊕ FOUND 3/2" ALUMINUM MONUMENT AS DESCRIBED
 - ⊗ FOUND 25" BRASS MONUMENT AS DESCRIBED
 - ⊙ FOUND PLASTIC CAP ON 5/8" REBAR - ILLEGIBLE
 - ⊕ FOUND 5/8" REBAR
 - ⊕ SET 5/8" X 36" REBAR WITH 2.5" ALUMINUM CAP 2024, 14488-S
 - () RECORD DATA PER PLAT KN 85-58
 - | | RECORD DATA PER PLAT KN 2019-58
 - [] RECORD AND MEASURED DATA PER PLAT KN 85-58

- NOTES**
- A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' ADJOINING DEDICATED RIGHTS-OF-WAY THAT INCREASE TO 20' WITHIN 5' OF THE SIDE LOT LINES 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.
 - SUBJECT TO A GENERAL EASEMENT WITH NO DEFINITE LOCATION FOR HOMER ELECTRIC ASSOCIATION, INC. AS FOUND IN BOOK 10, PAGE 11 KENAI RECORDING DISTRICT, RECORDED ON APRIL 5, 1963.
 - SUBJECT TO A 30 FOOT WIDE BY 170 FOOT LONG UTILITY EASEMENT CENTERED ON THE EXISTING OVERHEAD ELECTRIC LINE FOR HOMER ELECTRIC ASSOCIATION, INC. AS FOUND IN DOCUMENT NUMBER 2022-010208-0, KENAI RECORDING DISTRICT, RECORDED ON DECEMBER 7, 2022.
 - THE NATURAL MEANDERS OF ORDINARY HIGH WATER WERE DETERMINED FROM FIELD MEASUREMENTS.
 - THE NATURAL MEANDERS OF ORDINARY HIGH WATER IS FOR AREA COMPUTATIONS ONLY. THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
 - NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF LOT 12A.
 - THE KPS PLAT COMMITTEE GRANTED AN EXCEPTION TO 20.30.190 LOT DIMENSIONS, AT THE MEETING ON -----.

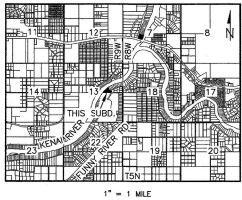
WASTEWATER DISPOSAL

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 # _____ DATE _____

ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE

PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH ANADROMOUS WATERS HABITAT PROTECTION DISTRICT. SEE KPS CHAPTER 21.18, AS MAY BE AMENDED, FOR RESTRICTIONS THAT AFFECT DEVELOPMENT IN THIS SUBDIVISION. WIDTH OF THE HABITAT PROTECTION DISTRICT SHALL BE IN ACCORDANCE WITH KPS 21.18.040.



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF -----, KENAI PENINSULA BOROUGH

BY: _____

AUTHORIZED OFFICIAL

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT CAMP KENAI LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT ON BEHALF OF CAMP KENAI LLC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY OWN FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DELORES SNELGROVE STROUD, AS MEMBER OF CAMP KENAI LLC
PO BOX 2139
CAMDEN, SC 29020

NOTARY ACKNOWLEDGMENT

FOR: DELORES SNELGROVE STROUD
ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2024

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

KPB FILE NUMBER:	
PENINSULA SURVEYING, LLC 10535 KATRINA BOULEVARD, NINILCHIK, AK 99639 (907)306-7065	
PLAT OF GLACIAL WATERS SUBDIVISION CAMP ADDITION	
A SUBDIVISION OF LOT 12, GLACIAL WATERS SUBDIVISION, KN 85-58	
LOCATED WITHIN SE 1/4 NE 1/4 SEC. 13, T.5N., R.9W., S.M., ALASKA KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH CONTAINING 4.606 ACRES	
OWNER: CAMP KENAI LLC PO BOX 2139, CAMDEN, SC 29020	
SCALE: 1" = 50'	DATE: OCTOBER 25, 2023
DRAWN: JLS	SHEET: 1 OF 1



KPB 2023-125

AGENDA ITEM E. NEW BUSINESS

ITEM #2 - PRELIMINARY PLAT
Glacial Waters Subdivision Camp Addition

KPB File No.	2023-125
Plat Committee Meeting:	December 11, 2023
Applicant / Owner:	Camp Kenai LLC, South Carolina
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Eaglet Way & House Drive in Funny River APC

Parent Parcel No.:	066-061-12
Legal Description:	T 5N R 9W SEC 13 SEWARD MERIDIAN KN 0850058 GLACIAL WATERS SUB LOT 12
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.30.190

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 4.606-acre lot into 2 lots ranging in size from 1.185 acres to 3.421 acres.

Location and Legal Access (existing and proposed):

The preliminary plat is located on Eaglet Way and House Drive. Both roads are accessed from State Park Road which is north of Funny River Road at mile 15.4.

Lot 12A will have access to House Drive by a flag pole drive and Lot 12B will have access by Eaglet Way. An exception to KPB 20.30.190 Lot-Dimensions has been requested.

The subdivision is not proposing any new dedication and is not affected by a section line easement.

Block length is compliant.

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

Site Investigation:

There are areas of steep grade on the west side of the subdivision near the Kenai River, that are marked accordingly. If the top of slope is also the top of bluff, surveyor should add "bluff" behind slope on the notation. The terrain of the rest of the subdivision has a gradual slope from the east towards the river on the west.

There are improvements on the property in the form of several buildings. This subdivision will put most on Lot 12B when completed along with an existing driveway. Lot 12A has a house and drive currently being built on it.

There are no classified wetlands, the plat note regarding wetland determination is present and can remain. The area is in a flood hazard area as designated by FEMA maps and noted by the River Center below, appropriate plat notes for flood hazard should be added. ***Staff recommendation:*** *place a note on the final plat indicating 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.

KPB River Center review has determined the plat to be in a flood hazard area and shall require the per 20.30.080 Floodplain requirements (D) the flood hazard note shall be added and (E) the floodway note shall also be added.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Flood Zone: A4,C Map Panel: 020012-2065A In Floodway: True Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: i:0#.w kpb\maldridge</p> <p>C. State Parks</p> <p>Reviewer: Comments:</p>
State of Alaska Fish and Game	

Staff Analysis

The area was first plotted by the Department of the Interior as Lot 3 in the NE1/4 of Section 13 Township 5 North, Range 9 West SM Alaska. Lot 3 was then subdivision by Glacial Waters Subdivision KN85-58 to give the current layout of the lots. No further division has occurred.

A soils report will be required and an engineer will sign the final plat.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Funny River Advisory Planning Commission minutes for the December 6, 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.

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

Utility Easements

Glacial Waters Subdivision KN 85-58 granted 10' Utility Easements on both right-of-ways and both side lines coming from House Drive. **Staff recommends:** the easement on the east line be added to the drawing.

The certificate to plat identifies an easement to HEA for overhead electric in document number 2022-010206-0 as shown on the drawing and at plat note #4. There is also a general easement to HEA filed in book 10 page 11 listed in plat note #3.

Glacial Waters Subdivision KKN 85-58 granted a 20' building setback as shown on the drawing and identified in plat note #1.

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 comments
ENSTAR	
ACS	No objections
GCI	
CHUGACH ELECTRIC	
TELALASKA	

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 34251 EAGLET WAY, 34184 HOUSE DR Existing Street Names are Correct: Yes List of Correct Street Names: EAGLET WAY, HOUSE DR Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 34251 EAGLET WAY WILL REMAIN WITH LOT 12B 34184 HOUSE DR WILL REMAIN WITH LOT 12A
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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add to KPB File No. 2023-125.

Give recorded data for curve C2.

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 SE1/4 from legal as Lot 12 is into the SW1/4 NE1/4 also.

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:

Reduce scale for better visibility.

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:

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.

20.60.180. 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.

- Plat note 8 needs the date of December 11, 2023 added upon approval of the exception to KPB 20.30.190. Add KPB in front of 20.30.190.

- Add to plat note #5 "2023" in front of field measurement.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

Add date of December 11, 2023 to Plat Approval.

Change name of Delores Snelgrove Stround to Franklin Eugene Friddle, Jr. in the Certificate of Ownership and Dedication signature line and in the Notary Acknowledgement.

EXCEPTIONS REQUESTED:

A. KPB 20.30.190

Surveyor's Discussion:

The plat divides a 4.6-acre lot along the Kenai River in two. The resulting lots will be 1.2 acres and 3.4 acres. The parent lot has a somewhat unusual shape, as well as limited frontage along the right-of-way. There is a building on proposed Lot 12A, a house, driveway, well, and septic have already been constructed there. There are limited options for changing the proposed lot dimensions due to the existing buildings, utilities, and septic system on proposed Lot 12B. Due to the size, shape, and limited access of the proposed lots, it is unlikely that they will be subdivided further.

Findings:

1. The KPB Code 20.30.190(B) prohibits the access portion of a flag lot to be longer than 150'.
2. Proposed lot 12A will be a flag lot with an access portion 460' long.
3. The parent plat for this lot has frontage along the Kenai River, and is not a typical square lot, which limits the options for subdividing.
4. There are multiple improvements on the parent lot 12, including buildings and a septic system that limit the options for changing the proposed lot layout.
5. There is a house, well, and septic system on proposed lot 12A.
6. A driveway for proposed lot 12A has already been constructed along the flag portion of the lot.
7. The proposed lots are unlikely to be further subdivided in the future due to their size, shape, and existing improvements.

Staff Discussion:

The applicant requested relief of the requirement of 20.30.190, due to the irregular shape of Lot 12 Glacial Waters Subdivision KN85-58 presents for development in the two lots presented by this proposed plat. The exception is for relief to utilize the irregular shaped parcel as shown with the proposed plat and the long flag lot and second irregular lot.

Findings:

8. Lot 12B has no access to House Drive, giving each one access point.
9. The west boundary is the Kenai River.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may

not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 3-6 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 3-6 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 3-7 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, 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.

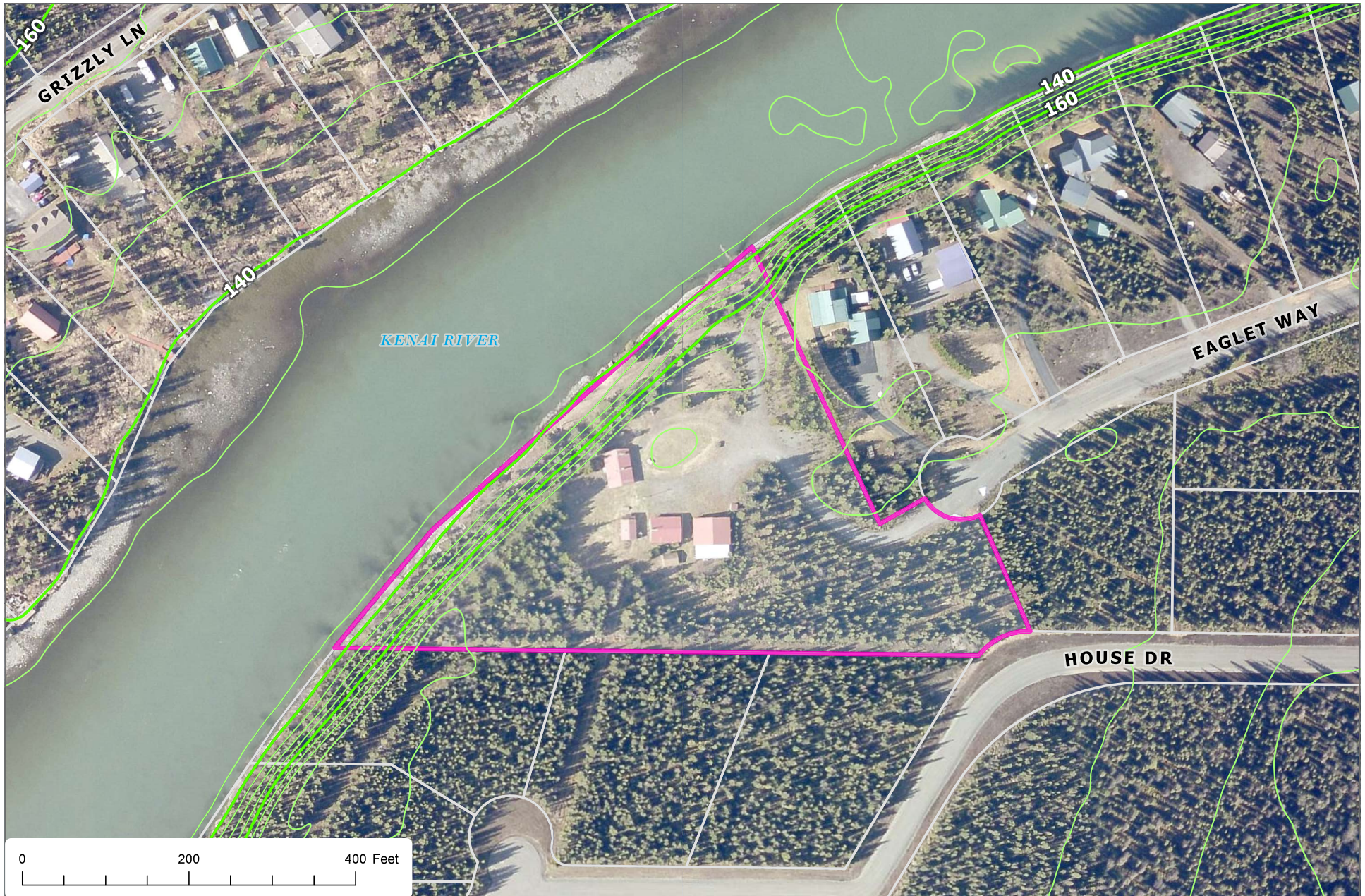
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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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KV 85-58

