

# **DESK PACKET**

**(MATERIALS SUBMITTED AFTER MEETING PACKET PUBLICATION)**

## **E. NEW BUSINESS**

- 1. US Survey 3564; KPB File 2023-141  
McLane Consulting Group / Zimmerman  
Location: Kalifornsky Beach Road  
Kasilof Area**

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT  
US SURVEY 3564 REPLAT**

<b>KPB File No.</b>	2024-141
<b>Plat Committee Meeting:</b>	February 12, 2024
<b>Applicant / Owner:</b>	Paul and Marcia Zimmerman of Kasilof
<b>Surveyor:</b>	James Hall / McLane Consulting LLC
<b>General Location:</b>	Kalifornsky Beach Rd and Sadie Lane in Kasilof
<b>Exception Request</b>	20.30.240, 20.30.060

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**STAFF REPORT - ADDENDUM**

After the staff report was prepared, a request for exceptions to KPB 20.30.240 Building Setbacks and 20.30.060 Easement – Requirements was received.

**EXCEPTIONS REQUESTED:**

**A. KPB 20.30.240 Building Setbacks 20.30.060 Easements - Requirements**

Surveyor's Discussion: Request exception of adding a building setback & utility easement at the end of the vacated alleyway.

**Findings:**

1. The intent is to vacate the alleyway for use/benefit of the owners bringing the acreage into compliance with current KPB code.
2. Existing structure has been in use for a long time.
3. With the combination of lots there will not be any stranded lot without access to utilities.
4. This is not an intersection; visibility is not a factor for building setback.

Staff Discussion:

A minimum 20-foot building setback shall be required for dedicated rights-of-way in subdivisions located outside incorporated cities.

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.

**Findings:**

5. Lots will be reduced to one with this subdivision.
6. The adjacent alley is 30 feet wide.
7. There is an alley to the south and street surround the block.

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 1, 2, 4 & 5 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 2 - 4 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 4, 6 & 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.

END OF STAFF REPORT ADDENDUM

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Kenai Peninsula Borough Donald E. Gilman River Center

## FLOODPLAIN DETERMINATION MAP

PARCEL ID: 13313001

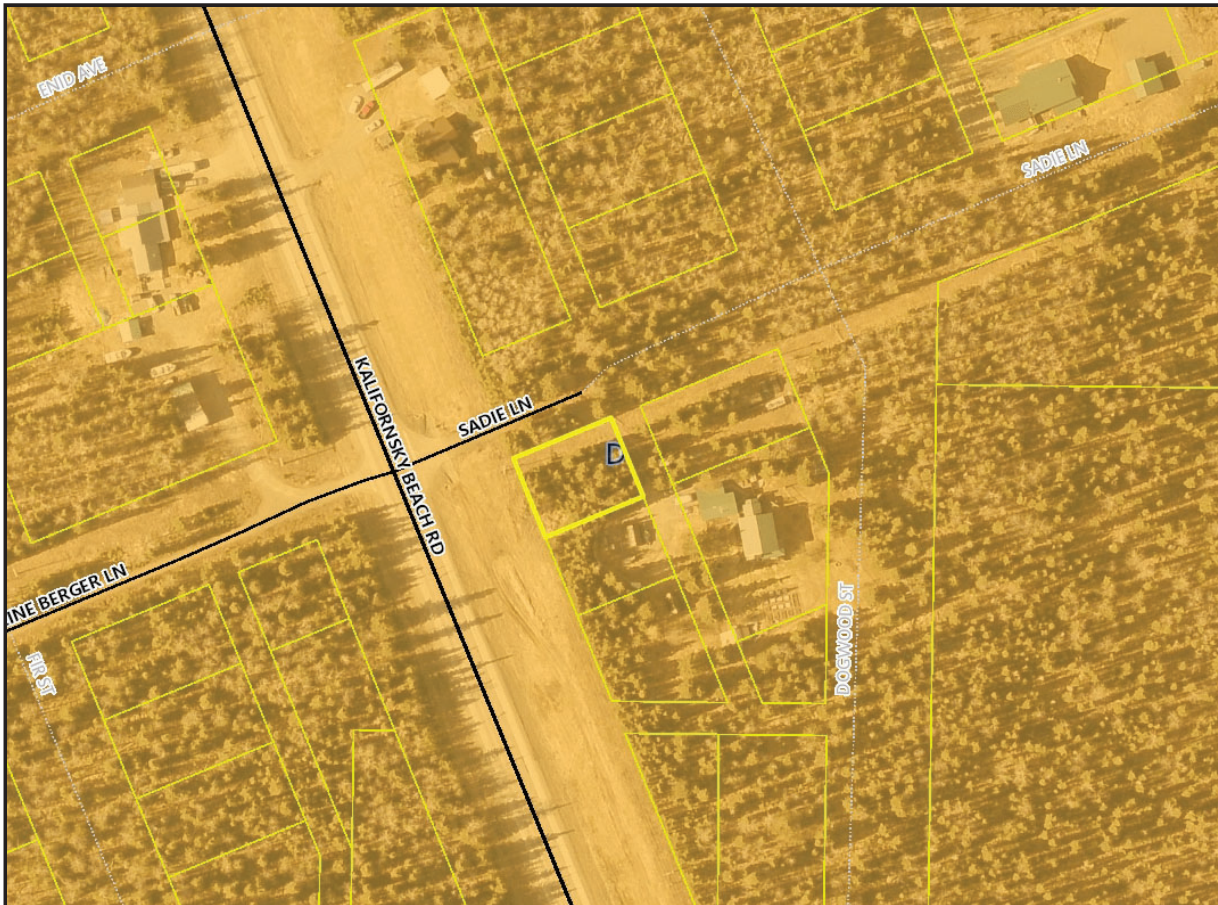
1/26/2024 1:34

### Definitions

**Zone D**  
Non-Regulatory  
Undetermined Flood Risk

**Community Flood Insurance  
Rate Map (FIRM) Panel(s):**

DFIRM\_02122C0860E



The city of Soldotna does not participate in the National Flood Insurance Program (NFIP) and is outside the regulatory jurisdiction of the KPB Floodplain Management Program.

The data displayed herein is neither a legally recorded map nor survey and should only be used for general reference purposes. It is not intended to be used for measurement. Kenai Peninsula Borough assumes no liability as to the accuracy of any data displayed herein. Original source documents should be consulted for accuracy verification.