



# Kenai Peninsula Borough

144 North Binkley Street  
Soldotna, AK 99669

## Meeting Agenda Planning Commission

*Jeremy Brantley, Chair – District 5 Sterling/Funny River*  
*Blair Martin, Vice Chair – District 2 Kenai*  
*Pamela Gillham – District 1 Kalifornsky*  
*Virginia Morgan, Parliamentarian – District 6 East Peninsula*  
*John Hooper – District 3 Nikiski*  
*Michael Horton – District 4 Soldotna*  
*VACANT – District 7 Central*  
*David Stutzer – District 8 Homer*  
*Dawson Slaughter – District 9 South Peninsula*  
*Diane Fikes – City of Kenai*  
*Franco Venuti – City of Homer*  
*Charlene Tautfest – City of Soldotna*  
*Troy Staggs – City of Seward*  
*VACANT – City of Seldovia*

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Monday, August 28, 2023

7:30 PM

Betty J. Glick Assembly Chambers

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**Zoom Meeting ID: 907 714 2200**

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

## A. CALL TO ORDER

## B. ROLL CALL

## C. APPROVAL OF CONSENT AND REGULAR AGENDA

*All items marked with an asterisk (\*) are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.*

*If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.*

1. Time Extension Request
2. Planning Commission Resolutions
3. Plats Granted Administrative Approval

- [KPB-5437](#) a. Clan Maxwell Estates Woodland Hollow Addition 2; KPB File 2022-017  
b. Fort Raymond Subdivision No.1 Hemlock Addition; KPB File 2022-177

Attachments: [C3. Admin-Final Approvals Packet](#)

4. Plats Granted Final Approval (KPB 20.10.040)
5. Plat Amendment Request
6. Commissioner Excused Absences
7. Minutes

[KPB-5438](#) August 14, 2023 PC Meeting Minutes

Attachments: [C7. 081423 PC Meeting Minutes](#)

## D. OLD BUSINESS

**E. NEW BUSINESS**

1. [KPB-5439](#) Street Naming Resolution 2023-04:Naming a certain private road within ESN 202 to Shadow Dr.

*Attachments:* [E1. SN 2023-04 Packet](#)

2. [KPB-5448](#) Ordinance 2023-19-13: Appropriating \$24,975.00 from the Eagle Lake Reclamation account for reclamation work at the Eagle Lake Material Site.

*Attachments:* [E2. Ordinance 2023-19-13 Packet](#)

**F. PLAT COMMITTEE REPORT****G. OTHER****H. PUBLIC COMMENT/PRESENTATION**

*(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)*

**I. DIRECTOR'S COMMENTS****J. COMMISSIONER COMMENTS****K. ADJOURNMENT****MISCELLANEOUS INFORMATIONAL ITEMS****NO ACTION REQUIRED****NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held Monday, September 11, 2023 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

**CONTACT INFORMATION****KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

Fax: 907-714-2378

e-mail address: [planning@kpb.us](mailto:planning@kpb.us)

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees. Vacations of right-of-ways, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly.

Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

# **C. CONSENT AGENDA**

- \*3. Plats Granted Administrative Approval**
  - a. Clan Maxwell Estates Woodland Hollow Addition 2  
KPB File 2022-017**
  - b. Fort Raymond Subdivision No. 1 Hemlock Addition  
KPB File 2022-177**



# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Peter A. Micciche  
Borough Mayor

## ADMINISTRATIVE APPROVAL

Subdivision: Clan Maxwell Estates Woodland Hollow Addition 2  
KPB File 2022-017  
Seward Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on March 21, 2022. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, August 9, 2023.

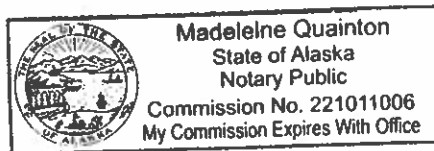
Vince Piagentini  
Platting Manager

State of Alaska  
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 9 day of August 2023 by  
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: With office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Peter A. Micciche  
Borough Mayor

## ADMINISTRATIVE APPROVAL

Subdivision: Fort Raymond Subdivision No 1 Hemlock Addition  
KPB File 2022-177  
Seward Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on January 9, 2023. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, August 9, 2023.

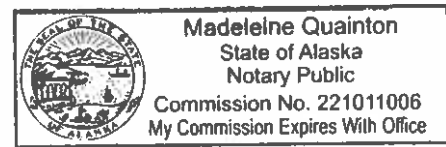
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# **C. CONSENT AGENDA**

## **\*7. Minutes**

**a. August 14, 2023 PC Meeting Minutes**



# Kenai Peninsula Borough Planning Commission

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Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

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August 14, 2023  
7:30 P.M.  
UNAPPROVED MINUTES

## **AGENDA ITEM A.      CALL TO ORDER**

Commissioner Brantley called the meeting to order at 7:30 p.m.

### **Oath of Office**

Commissioner Gillham was reappointed by Mayor Micciche to serve another 3-year term on the commission. Mayor Micciche also appointed Jeffery Epperheimer to the Nikiski District seat to serve a 3-year term on the Commission. Ms. Shirnberg administered the oath of office to both commissioners.

## **AGENDA ITEM B.      ROLL CALL**

### *Commissioners Present*

Pamela Gillham, Kalifornsky/Kasilof District  
Jeffery Epperheimer, Nikiski District  
Jeremy Brantley, Ridgeway/Sterling District  
Virginia Morgan, Cooper Landing/Hope District  
Dawson Slaughter, South Peninsula District  
Franco Venuti, City of Homer  
Diane Fikes, City of Kenai  
Charlene Tautfest, City of Soldotna

With 8 members of a 9-member seated commission in attendance, a quorum was present.

### *Staff Present*

Robert Ruffner, Planning Director  
Walker Steinhage, Deputy Borough Attorney  
Vince Piagentini, Platting Manager  
Madeline Quainton, Platting Specialist  
Morgan Aldridge, Resource Planner  
Jenny Robertson, Land Management Administrative Assistant  
Ann Shirnberg, Planning Administrative Assistant

### **Election of Officers**

Commissioner Slaughter nominated, seconded by Commissioner Tautfest, Commissioner Brantley for the position of Chairman. Seeing and hearing no objections, discussion or other nominations, Commissioner Brantley was appointed Chairman.

Commissioner Tautfest nominated, seconded by Commissioner Fikes, Commissioner Gillham for the position of Vice Chair. Seeing and hearing no objections, discussion or other nominations, Commissioner Gillham was appointed Vice-Chairman.

## **AGENDA ITEM C.      CONSENT & REGULAR AGENDAS**

### **\*3.      Plats Granted Administrative Approval**

- a. Leisure Time Estates Ivy Replat; KPB File 2022-130
- b. Madson Subdivision Trust Land Survey 2020-01; KPB File 2021-164

- c. McCall Subdivision 2022 Replat; KPB File 2022-166
- d. Ninilchik Townsite Vanek 2023 Replat; KPB File 2022-182
- e. Roan Walden Chalets at Johnstone Bay; KPB File 2020-060
- f. Steven Oberts Subdivision No. 1; KPB File 2021-141

**\*4. Plats Granted Final Approval**

- a. Moose Range Meadows South Thiede Replat; KPB File 2023-006

**\*6. Commissioner Excused Absences**

- a. City of Seward, Vacant

**\*7. Minutes**

- a. June 17, 2023 Planning Commission meeting minutes.

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. Chair Brantley then asked if anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

**MOTION:** Commissioner Gillham moved, seconded by Commissioner Slaughter to approve the consent agenda and amend the regular agenda to move items E9 & E10 to the beginning of New Business and approve the regular agenda as amended.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**AGENDA ITEM E. NEW BUSINESS**

Chair Brantley asked Ms. Shirnberg to read the public hearing procedures into the record.

**ITEM 9 – ORDINANCE 2022-19-80**

**APPROPRIATING FUNDS FOR THE LAND TRUST FUND TO ACCOUNT FOR THE TRANSFER OF REAL PROPERTY ASSETS TO THE LAND TRUST FUND THAT WERE ORIGINALLY ACQUIRED WITH CENTRAL EMERGENCY SERVICES FY 23 CAPITAL PROJECT FUND**

Staff report was given by Planning Director Robert Ruffner.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Gillham to forward to the Assembly a recommendation to adopt Ordinance 2022-19-80 appropriating funds for the Land Trust Fund to account for the transfer of real property assets to the Land Trust Fund that were originally acquired with Central Emergency Service FY23 capital project funds

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 10 – ORDINANCE 2023-19-12**

**APPROPRIATING \$175,000 FROM THE GENERAL FUND BALANCE FOR A PROFESSIONAL STUDY CONCERNING HIGH WATER ISSUES IN THE K-BEACH AREA**

Staff report was given by Planning Director Robert Ruffner. Director Ruffner requested the commission recommend an added amendment. He noted that the ordinance states that the funds will be used for a water study. He would like an amendment that states that \$25,000 of these funds can be used to purchase water monitoring equipment.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Gillham moved, seconded by Commissioner Slaughter to forward to the Assembly a recommendation to adopt Ordinance 2023-19-12 appropriating \$175,000 from the General Fund balance for a professional study concerning high water issues in the K-Beach area.

**ADMENDMENT:** Commissioner Morgan moved, seconded by Commissioner Venuti to amend the recommendation to use \$25,000 from the amount requested for the purchase of water monitoring equipment. The maker and the second on the motion agreed to the amendment.

**AMENDED MOTION:** Commissioner Gillham moved, seconded by Commissioner Slaughter to forward to the Assembly a recommendation to adopt Ordinance 2023-19-12 appropriating \$175,000 from the General Fund balance for a professional study concerning high water issues in the K-Beach area and to use up to \$25,000 of the amount for the purchase of water monitoring equipment.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 1 – CONDITIONAL USE PERMIT  
ANADROMOUS WATERS HABITAT PROTECTION DISTRICT  
PC RESOLUTION 2023-27**

<b>KPB File No.</b>	2023-27
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	Alaska Railroad Corporation
<b>Mailing Address</b>	P.O. Box 107500, Anchorage, AK 99510
<b>Physical Address</b>	ARRC MP 17.9 60.3319, -149.3405
<b>General Location:</b>	Moose Pass Area

Staff report given by Resource Planner Morgan Aldridge.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Morgan moved, seconded by Commissioner Fikes to adopt PC Resolution 2023-27 granting a conditional use permit for the placement of rip rap within the 50-foot Habitat Protection District of the Snow River based on staff recommendations and compliance to borough code.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 2 – BUILDING SETBACK ENCROACHMENT PERMIT – TOLUM SUBDIVISION NO 5**

<b>KPB File No.</b>	2023-068
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	Henry and Susan Novak of Kasilof, Alaska
<b>Surveyor:</b>	None
<b>General Location:</b>	Panda Court, Cohoe area
<b>Parent Parcel No.:</b>	137-051-49
<b>Legal Description:</b>	Tract B-5A Block 3, Tolum Subdivision No 5, KN 2002-17
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Henry Novak, Petitioner; 19345 Panda Court, Kasilof, AK 99610: Mr. Novak acknowledged that he made a mistake in the placement of his high tunnel. He noted to move the high tunnel would be difficult and cost prohibitive. He requested that the commission grant his request.

David McClusky; 19555 Ursus Court, Kasilof, AK 99610: Mr. McClusky owns land in the subdivision and expressed concerns regarding approving this permit. He was concerned that the encroachment would negatively affect a public access project he is working on.

Henry Novak; 19345 Panda Court, Kasilof, AK 99610: Mr. Novak noted that the encroachment is on his land, it does not go into the right-of-way and should not affect Mr. McClusky’s project at all.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Gillham moved, seconded by Commissioner Epperheimer to adopt PC Resolution 2023-20, granting a building setback encroachment permit to Lot B-5A of Tolum Subdivision No. 5, Plat KN 2002-17, based on staff recommendations and adopting and incorporating by reference findings 1, 2, 5 & 6 in support of standards one & two and findings 1, 2 & 4-6 in support of standard three, as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 3 – BUILDING SETBACK ENCROACHMENT PERMIT – PUFFIN ACRES SUBDIVISION**

<b>KPB File No.</b>	2023-071
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	Ryan Hall of Soldotna, Alaska
<b>Surveyor:</b>	Gary Nelson / Ability Surveys
<b>General Location:</b>	Crested Crane Street, City of Kachemak
<b>Parent Parcel No.:</b>	174-192-14
<b>Legal Description:</b>	Lot 3 Block 2, Puffin Acres Subdivision, HM 85-122
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Gillham to adopt PC Resolution

2023-21, granting a building setback encroachment permit to Lot 3, Puffin Acres Subdivision, Plat HM 85-122, based on staff recommendations and adopting and incorporating by reference findings 1-3 & 6 in support of standard one, findings 1-4 & 6 in support of standard two and findings 1-6 in support of standard three, as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 4 – BUILDING SETBACK ENCROACHMENT PERMIT – QUARTZ CREEK SUBDIVISION**

<b>KPB File No.</b>	2023-072
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	Alexander and Sherry Kime of Cooper Landing, Alaska
<b>Surveyor:</b>	Jason Schollenberg / Peninsula Surveying
<b>General Location:</b>	Quartz Creek Road, Cooper Landing APC, Cooper Landing
<b>Parent Parcel No.:</b>	119-124-15
<b>Legal Description:</b>	Tract E Quartz Creek Subdivision, SW 94-11
<b>Assessing Use:</b>	Commercial
<b>Zoning:</b>	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Alex Kime, Petitioner; 35090 Quartz Creek Road, Cooper Landing, AK 99572: Mr. Kime stated that the mistake of the placement of the house occurred 20 years ago. He acknowledged that the house encroaches into the setback. He stated that it would be very difficult to move the house and that it could possibly be damaged. He requested that the commission approve his permit request.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Morgan moved, seconded by Commissioner Fikes to grant a building setback encroachment permit to Tract E, Quartz Creek Subdivision, Plat SW 94-11 based on staff recommendations and adopting by reference findings 2-4 & 7 in support of standard one and findings 2-8 in support of standards two and three, as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 5 – BUILDING SETBACK ENCROACHMENT PERMIT – FOSTER LAKE SUB AMENDED**

<b>KPB File No.</b>	2023-075
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	James Zwack of Kasilof, Alaska
<b>Surveyor:</b>	Jerry Johnson/ Johnson Surveying
<b>General Location:</b>	Sapphire Loop, Sterling area
<b>Parent Parcel No.:</b>	063-840-13
<b>Legal Description:</b>	Lot 1 Block 2, Foster Lake Subdivision Amended, KN 85-63
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

James Zwack, Petitioner; P.O. Box 171, Kasilof, AK 99610: Mr. Zwack acknowledged the mistake made when building his home. He requested that the commission approve his permit request.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Epperheimer moved, seconded by Commissioner Tautfest to adopt PC Resolution 2023-24, granting a building setback encroachment permit to Block 2, Lot 1, Foster Lake Subdivision Amended, Plat KN 85-63, based on staff recommendations and adopting and incorporating by reference findings 4 & 6-8 in support of standard one, findings 5, 6 & 9 in support of standard two and findings 4-7 in support of standard three, as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 6 – BUILDING SETBACK ENCROACHMENT PERMIT – BIG EDDY SUBDIVISION**

<b>KPB File No.</b>	2023-076
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	Karen Hummel and Michael Wykis of Soldotna, Alaska
<b>Surveyor:</b>	None
<b>General Location:</b>	Cheechako News Drive, Ridgeway area
<b>Parent Parcel No.:</b>	057-680-02
<b>Legal Description:</b>	Lot 2 Block 3, Big Eddy Subdivision, KN 72-14
<b>Assessing Use:</b>	Residential
<b>Zoning:</b>	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Michael Wykis, Petitioner; 36887 Cheechako News Drive, Soldotna, AK 99669: Mr. Wykis stated that he and his wife are getting older and would like to build an attached garage to their home.

Commissioner Gillham asked the petitioner if other sites on the property had been consider for the garage. Mr. Wykis replied that while there were other sites on the property where they could build a garage, their desire is to build one that is attached to the home. The best site to do this requires a small encroachment into the setback.

Commissioner Slaughter stated that he appreciated the petitioner seeking a permit before building the garage. He noted that seeking permission before building, not after, is the correct process. He then stated that he will be supporting this request.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Morgan to grant a building setback encroachment permit to Block 3, Lot 2, Big Eddy Subdivision, Plat KN 72-14, based on staff recommendations and adopting and incorporating by reference findings 3-6 in support of standards one, two and three, as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 8	Brantley, Fikes, Epperheimer, Gillham, Morgan, Slaughter, Tautfest, Venuti
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**ITEM 7 – BUILDING SETBACK ENCROACHMENT PERMIT – COHOE CORNERS SUBDIVISION**

<b>KPB File No.</b>	2023-083
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	Fraternal Order of the Eagles AERIE #4317 of Kasilof, Alaska
<b>Surveyor:</b>	John Segesser / Segesser Surveys
<b>General Location:</b>	Cohoe Loop Road, Cohoe area
<b>Parent Parcel No.:</b>	137-250-38
<b>Legal Description:</b>	Lot 22 Cohoe Corners Subdivision, KN 85-118
<b>Assessing Use:</b>	Commercial
<b>Zoning:</b>	Rural Unrestricted

Staff report given by Platting Manager Vince Piagentini.

Chair Brantley opened the item for public comment.

Jim Coney; 23333 Trespass Street, Kasilof, AK 99610: Mr. Coney is a member of this club. He noted this club has one of the largest memberships in the state with over 400 members. The club needs to expand their building to accommodate their growing membership. He also noted that this club will be hosting a statewide meeting for the Eagle's organization in 2025 and that they will need the additional meeting rooms. He then requested that the commission approve their permit request.

Commissioner Epperheimer asked the applicant why the proposed location for the addition is most suitable. Mr. Coney replied that the parking lot, which comes off Jason, is located in the front of the building. On the west side of the building is the septic system. The preferred location is on the east side of the building.

Commissioner Fikes asked the applicant if they could build another structure in a different location on the lot instead of adding on to the existing building. Mr. Coney replied that he supposed they could, but the club's preference is to add on to the existing building. Commissioner Fikes then asked if they could keep the same building footprint and build up instead of out. Mr. Coney replied he supposed they could but again the club's preference is to build out.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Epperheimer moved, seconded by Commissioner Gillham to grant a building setback encroachment permit to Lot 22, Cohoe Corners, Plat KN 85-118.

Commissioner Brantley stated he knows the commission has approved a number of setback encroachment permits tonight, but he has some concerns with this one. He noted this is a good sized, flat lot and the owners also own the lot to the west as well. This is a tough one to decide, he then asked for the thoughts from the other commissioners.

Commissioner Gillham noted the lot was pretty flat and that moving the parking lot does not appear to be that difficult. She stated she believed the club could come up with an alternate design that would not encroach into the setback. She is just not sure that all other options have been investigated. Commissioner Brantley agreed. He stated normally, when encroachment permits are approved there is evidence that other options have been explored and the encroachment option is the only/best one left.

Commissioner Epperheimer stated he understands the club's need to expand their building and that the expansion needs to connect to the existing structure. He also understands that with a club membership of over 400 that they need a large parking lot. He can see numerous RVs needing a place to park. He then noted that Cohoe Loop is a 200' right-of-way in front of the club.

Commissioner Slaughter stated he agreed with Commissioners Gillham and Brantley. This is a large lot and the owners own the adjacent lot as well. He does not believe that all other options have been exhausted in this case. Until he sees evidence that other options have been explored, and that this is the best or only option, he is sorry, but he cannot support this request.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION FAILED BY MAJORITY VOTE:**

No - 7	Brantley, Fikes, Gillham, Morgan, Slaughter, Taufest, Venuti
Yes - 1	Epperheimer

**MOTION:** Commissioner Slaughter moved, seconded by Commissioner Gillham to attach findings 1-5, 7 & 8 from the staff report in support of the denial.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY MAJORITY VOTE:**

Yes - 7	Brantley, Fikes, Gillham, Morgan, Slaughter, Taufest, Venuti
No - 1	Epperheimer

**ITEM 8 - RIGHT OF WAY VACATION  
VACATE A PORTION OF KAYWAY ROAD AND ASSOCIATED UTILITY EASEMENTS**

<b>KPB File No.</b>	2023-069V
<b>Planning Commission Meeting:</b>	August 14, 2023
<b>Applicant / Owner:</b>	Olen Moyer of Kenai, Alaska Brittany SanMartin of Soldotna, Alaska
<b>Surveyor:</b>	None
<b>General Location:</b>	Kayeway Road, Kalifornsky area
<b>Legal Description:</b>	Kayeway Road, Betty Goodrich Rainwater Addition (KN 2005-62), Section 2 Township 4 North Range 11 West S.M.

Staff report given by Platting Manager Vince Piagentini. He informed the commission that after the public hearing notice was sent out the applicant withdrew his petition. Since a public hearing was noticed staff recommends public comment be open. No action will be needed on this item.

Chair Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed.

**AGENDA ITEM F. PLAT COMMITTEE REPORT**

Commissioner Gillham reported the plat committee reviewed and granted preliminary approval to 9 plats,

**AGENDA ITEM G. OTHER (NO PUBLIC HEARING)**

Plat Committee members for August through December:

- Gillham
- Slaughter
- Venuti
- Morgan (Alternate)
- Brantley (Alternate)
- Epperheimer (Alternate)

The alternates will contact Ms. Shirnberg with the schedules for the next month and she will set up a rotating schedule for the fourth member of the committee.

**AGENDA ITEM H. PUBLIC COMMENT/PRESENTATIONS**

Chair Brantley asked if there was anyone from the public who would like to comment on anything not appearing on the agenda. No one wished to comment



**AGENDA ITEM J      COMMISSIONER COMMENTS**

- Commissioner Morgan asked for an excused absence for the September 11, 2023 meeting.
- Commissioner Gillham asked for an excused absence for the September 11, 2023 meeting.

**AGENDA ITEM K.      ADJOURNMENT**

Commissioner Venuti moved to adjourn the meeting at 8:50 P.M.

---

Ann E. Shirnberg  
Administrative Assistant

UNAPPROVED

# **E. NEW BUSINESS**

## **1. Street Naming Resolution 2023-04**

**Request: Naming a Private Road in ESN 202**

**Petitioner: Randolph Tavenner**

**Fitz Creek Area**

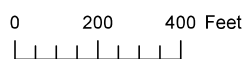


Vicinity Map



Private Road Naming  
Resolution SN 2023-04

7/21/2023



AGENDA ITEM E      NEW BUSINESS

3.      Street Name Change: An unnamed private road; Section 14, T05S, R12W; Seward Meridian, Kenai Peninsula Borough, AK; in the Fritz Creek Community ; ESN 202

STAFF REPORT

PC MEETING: August 28, 2023

Applicant:    Randolph Tavenner

Existing right-of-way names:    None

Name proposed by petitioner:    Shadow Dr

Reason for Change:    Petition from property owner

Background:

Name	<b>unnamed</b>
ESN	202
Community	Fritz Creek
YR Named	n/a
Constructed	Yes
Total Lots	4
Residential	4
Commercial	0
E911 Address	1
Mailing	1
Decision	

Review and Comments:

Notice was sent by regular mail to the property owner of the affected parcels containing the unnamed private road, as listed on the KPB tax roll.

No further comment from the property owner was received by the writing of this staff report.

The road name request was emailed to the Kenai Peninsula Borough Road Service Area (RSA) and Kachemak Emergency Services (KES) for review. RSA responded with a non-objection, and noted private roads are not eligible for borough road maintenance.

Staff Discussion:

A petition was received from the owner of the lot accessed by the private road. The petitioner submitted a copy of the plat and a sketch showing the location of the private road.

Borough imagery shows an existing road that extends across lots 8,9,10,11. The petitioner is the owner of all lots.

The petition stated that road will service all lots in future development plans. A road name is recommended if a private road is serving more than three structures.

**STAFF RECOMMENDATION:** Name the unnamed private road to **Shadow Dr** by adoption of Resolution SN 2023-04.

KENAI PENINSULA BOROUGH  
PLANNING COMMISSION RESOLUTION

**RESOLUTION SN 2023-04**

NAMING A CERTAIN PRIVATE ROAD WITHIN SECTION 14, T05S, R12W; SEWARD MERIDIAN;  
WITHIN EMERGENCY SERVICE NUMBER (ESN) 202

WHEREAS, a procedure has been developed to help implement the Enhanced 9-1-1 Street Naming and Addressing project; and

WHEREAS, eliminating duplicate and sound-alike street names will enable 9-1-1 Emergency Services to respond to emergencies in an efficient timely manner, thereby avoiding delays in providing necessary emergency services; and

WHEREAS, adding a post directional or changing the name of portions of jump streets will enable 9-1-1 Emergency Services to respond to emergencies in an efficient timely manner, thereby avoiding delays in providing necessary emergency services; and

WHEREAS, naming private roads that provide access to three or more structures will enable 9-1-1 Emergency Services to respond to emergencies in an efficient timely manner, thereby avoiding delays in providing necessary emergency services; and

WHEREAS, per KPB 14.10.060, the naming of an unnamed road will not constitute a legal dedication for public right-of-way or for road maintenance purposes; and

WHEREAS, on August 28, 2023 public hearings were held by the Kenai Peninsula Borough Planning Commission to address all concerns about the proposed road naming; and

WHEREAS, Chapter 14.10 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish private road naming by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the streets listed below are named as follows:

DESCRIPTION	FROM	TO	BASE MAP
a. Private Road on lot 8,9,10,11 Moonshadow 2 Subdivision, HM 93-40, Section 14, T05S, R12W, Seward Meridian, Kenai Peninsula Borough, AK; in the Fritz Creek Community; ESN 202	Private Road	Shadow Dr	AR38

Section 2. That according to Kenai Peninsula Borough Code of Ordinance 14.10.030, the official street name map, 1:500 scale series base map AR38, is hereby amended to reflect these changes.

Section 3. That the map showing the location of the named private road be attached to, and made a permanent part of this resolution.

Section 4. That this Resolution takes effect immediately upon adoption

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH THIS 24<sup>th</sup> DAY  
OF APRIL 2023.

\_\_\_\_\_  
Jeremy L Brantley, Chairperson  
Planning Commission  
Kenai Peninsula Borough

Signed and sworn to (or affirmed) in my presence this 28<sup>th</sup> day of August, 2023 by Jeremy L. Brantley.

\_\_\_\_\_  
Ann E. Shirnberg  
Notary Public  
My Commission expires with office

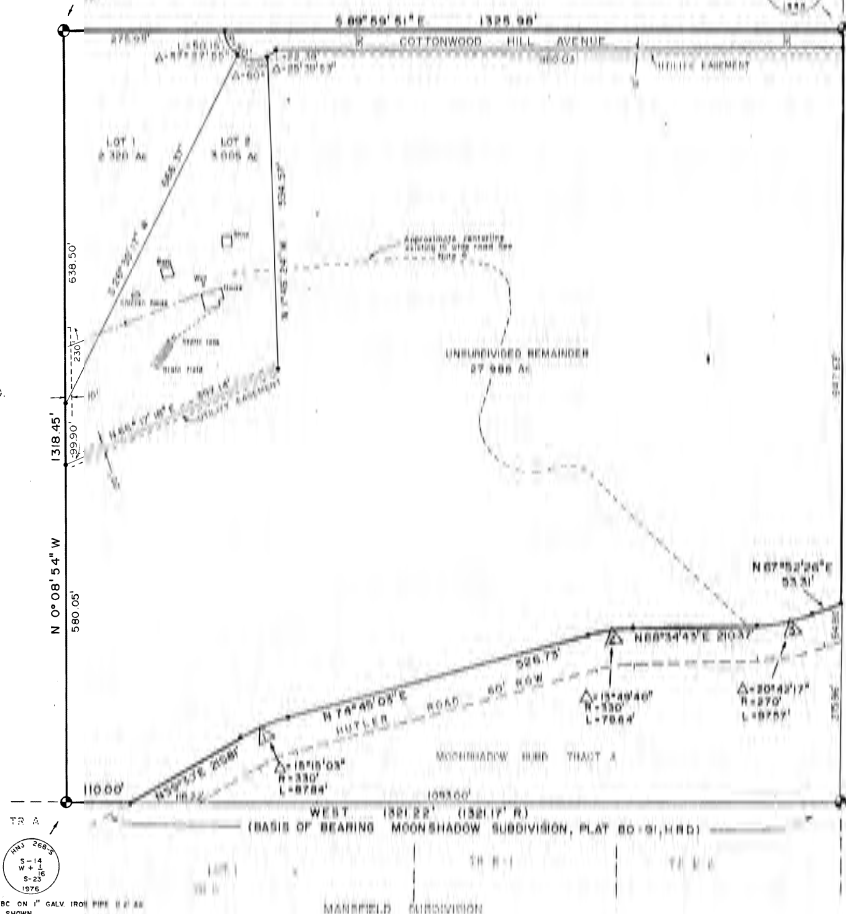


120

FND 2 1/2" BC OR 1" GALV IRON PIPE 63" AS  
 MARKED AS SHOWN  
 FND 8 1/4"  
 10" SPRUCE NO. 1 18 1/2"  
 12" SPRUCE NO. 2 21"

FND 2 1/2" BC OR 1" GALV IRON PIPE  
 63" AS MARKED AS SHOWN  
 NO 8 1/4" AVAILABLE

ALGER ALGER  
 1500 ADVENTURE  
 P R R  
 507 WADSWORTH HILL AVE S



UNSUBD.

UNSUBD.

FND 2 1/2" BC OR 1" GALV IRON PIPE 63" AS  
 MARKED AS SHOWN  
 FND 8 1/4"  
 10" SPRUCE NO. 1 18 1/2"  
 12" SPRUCE NO. 2 21"

FND 1" CONCRETE FILLED IRON PIPE  
 1 1/2" AS SHOWN 2 1/2" AS ALUMINUM  
 MARKED AS SHOWN  
 8 1/4" BRASS NIP  
 1" POWER POLE ORDN 3 1/2" TO 5 1/2"  
 6" SPRUCE NO. 1 18 1/2" TO 20"

**NOTES**

- 1 A building setback of 20' is required from all street right-of-ways unless a lesser standard is approved by the appropriate Planning Commission.
- 2 All wastewater disposal systems shall comply with existing applicable laws at time of construction.
- 3 The State of Alaska requires that all wastewater disposal systems be a minimum of 100' from any water source.
- 4 Suits on these lots may or may not be suitable for subsurface found on-site waste disposal systems. No person may construct, maintain, install, or operate a pressurized waste system or water-borne waste disposal system unless approval of the Alaska Department of Environmental Conservation is obtained.
- 5 See public record of the State Records Office for Engineers Report Map for lot specific building setbacks and for any covenants, easements, or restrictions not shown on this plat.
- 6 An easement for ingress and egress is granted to the landowners of this subdivision along the existing road until alternate access is constructed to an equal or better standard.

**LEGEND**

- Found primary monument
- Set 5/8" x 16" rebar with 2" aluminum cap

TYPICAL LOT CORNER SET THIS SURVEY



**SURVEYOR'S CERTIFICATE**

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision, and the monuments shown herein actually exist as described and that dimensions and other details are correct to the best of my knowledge.

Date: 12/22/1988 Roger Watt (initial) LS-5180



**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 11:00 A.M. on 12/22/88.  
 KENAI PENINSULA BOROUGH  
 By: *Charles W. Towner*  
 Authorized Official

**OWNERSHIP CERTIFICATE**

We hereby certify that we are the owners of the property shown and described herein and that we hereby adopt this plan of a lot division and dedicate all right-of-ways to public use and grant all easements in the use shown.  
*Rodolph Bruce Towner* *Janet L. Towner*  
 Rodolph Bruce Towner Janet L. Towner

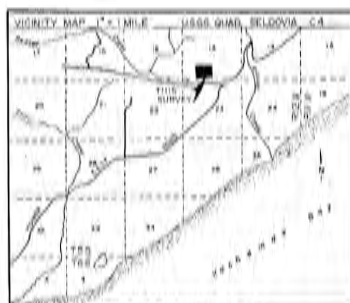
**NOTARY'S ACKNOWLEDGMENT**

Subscribed and sworn to before me this 22<sup>nd</sup> day of August 1988, for *Rodolph Bruce Towner and Janet L. Towner*, by *Rodolph Bruce Towner and Janet L. Towner*.  
*Charles W. Towner*  
 Notary Public for Alaska  
 My Commission Expires: 08/22/89



**CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

This subdivision has been determined to conform to applicable laws and standards which are in effect at this time.  
*Richard W. Cook*  
 Director

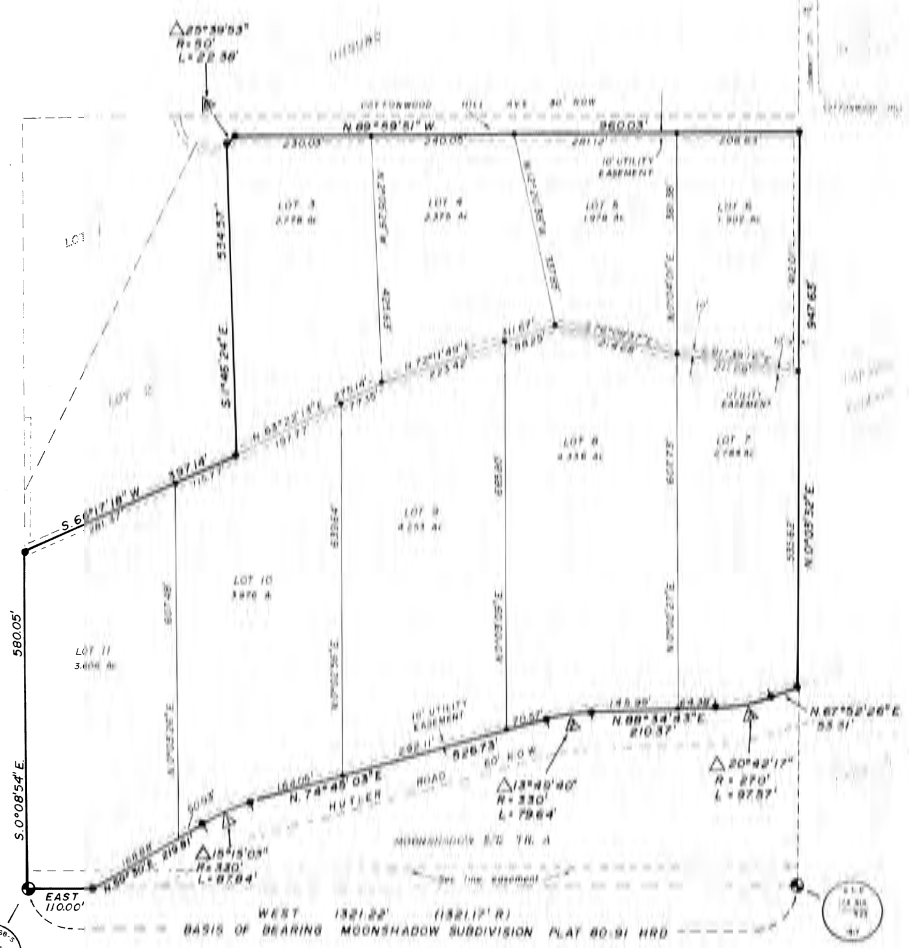


**MOONSHADOW 1 SUBDIVISION**

Lying with the SE 1/4 SW 1/4 Section 14 T5S R12W Seward Meridian, Kenai Peninsula Borough, Homer Recording District, Alaska.  
 Containing 54.055 Acres

Client:	Surveyor:
Rodolph Towner	Roger W. Watt
425 Tompeter Way	P.O. B. 2688
Wiley Station, WA 98290	Kenai, AK 99505
Date: June 20, 1988	Field book: 88-4
File: Towner	Drawn: T.L.M., JR.
Scale: 1" = 100'	K.P.B. File: 88-055

88-34  
 FILED 20-  
 HOMER REC DIST  
 DATE: 12-22-1988  
 TIME: 3:28 P.M.  
 Requested by:  
 R. WATSON  
 P.O. BOX  
 HOMER, AK 99603



**NOTES**

1. A building setback of 30' is required from all street right-of-ways for new construction unless a lesser standard is applied by the appropriate Planning Commission.
2. All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
3. The State of Alaska requires that all wastewater disposal systems be a minimum of 100' from any water source.
4. Note on these lots may or may not be suitable for conventional on-site sewage disposal systems. No person may construct, maintain, install or operate a pressurized water system or water-borne waste disposal system unless approval of the Alaska Department of Environmental Conservation is obtained.
5. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
6. See public record at the State Recorders Office for Engineers Report Map for lot specific building setbacks and for any covenants, easements, or restrictions not shown on this plat.
7. Allotment access on Cottonwood Hill Avenue has been constructed to an equal or better standard than the ingress/egress road shown on the plat of Moonshadow 1 Subdivision, Plat No. 8834 HRD.
8. The first 10' of the building setback is a utility easement.

**LEGEND**

- Found Monument of Record
- Set 3" Aluminum cap on 1/8" x 3/8" long rebar

**SURVEYOR'S CERTIFICATE**

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision, and the monument shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

Date: 8/24/93  
 Roger W. Inhoff  
 Registered Professional Land Surveyor  
 License No. 10444

**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting on August 24, 1993.  
 KENAI PENINSULA BOROUGH  
 B. W. Inhoff  
 Authorized Official

**OWNERSHIP CERTIFICATE**

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights of ways to public use and grant all easements to the use shown.

*Randolph Bruce Tavenner*  
 Randolph Bruce Tavenner  
 435 Trumpeter Way  
 Friday Harbor, WA 98250

*Janet L. Tavenner*  
 Janet L. Tavenner  
 435 Trumpeter Way  
 Friday Harbor, WA 98250

**NOTARY ACKNOWLEDGMENT**

Subscribed and sworn to before me this 11th day of August, 1993, for

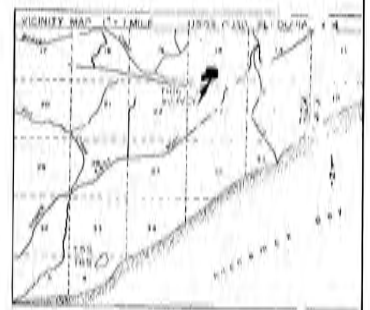
Randolph Bruce Tavenner and Janet L. Tavenner

Notary Public for Alaska  
 My Commission expires 12/1/94



**CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL EVALUATION**  
 This subdivision has been reviewed in accordance with AS 11A.07.010 and AS 11A.07.015 and is approved for record.

8/24/93  
 R. W. Inhoff  
 10444



MOONSHADOW 2 SUBDIVISION	
A SUBDIVISION OF THE UNDIVIDED REMAINDER OF MOONSHADOW 1 SUBDIVISION AS SHOWN ON PLAT NO. 8834 HRD, LOCATED WITHIN THE S. 20 OF SECTION 16, T. 14, R. 12 W., E4 IN THE BOROUGH OF KENAI, THIRD JUDICIAL DISTRICT, ALASKA.	
CONTAINS 7.98 ACRES, MORE OR LESS	
OWNER: RANDOLPH TAVENNER 435 TRUMPETER WAY FRIDAY HARBOR, WA 98250	SUBDIVIDER: ROGER W. INHOFF 10444 FRIDAY HARBOR, WA 98250
FILE TAVENNER	FILE 8834
ISSUED: 8/24/93	DATE: 08/24/1993
Scale 1" = 40'	RPR File No. 88-083-2-93-17

98-40  
 HARBOR 20A  
 8-23-93  
 8-24-93  
 Roger Inhoff



## Leavitt, Rhealyn

---

**From:** Griebel, Scott  
**Sent:** Wednesday, August 2, 2023 7:51 AM  
**To:** Leavitt, Rhealyn; Cicciarella, Bob; Schultz, Eric  
**Subject:** RE: Street Naming Resolution 2023-04

No comments in protest from the RSA.

Notes:

- All involved parcels appear to share ownership.
- Any future potential move toward maintenance acceptance would require(KPB code relative):
  - re-plat and involve the dedication of a 60' right-of-way
  - The subject roadway constructed to KPB/RSA standard.
  - The subject roadway submitted for review and approval by the RSA Board.

Scott Griebel, KPB RSA Director

---

**From:** Leavitt, Rhealyn <rleavitt@kpb.us>  
**Sent:** Tuesday, August 1, 2023 3:31 PM  
**To:** Cicciarella, Bob <bCicciarella@kpb.us>; Schultz, Eric <ESchultz@kpb.us>; Griebel, Scott <SGriebel@kpb.us>  
**Subject:** Street Naming Resolution 2023-04

Hello,

The Borough has received a petition to name a private road in the Fritz Creek area. The proposed road is accessed by Hutler Rd. a borough maintained road. I've attached a map for review.

Please let me know if you have any comments.

Thank you,

*Rhealyn Leavitt*

Senior Clerk  
Planning Department  
Ph: (907) 714-2200

**KENAI PENINSULA BOROUGH**  
**144 North Dinkley Street**  
**Soldotna, Alaska 99669**





# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

RECEIVED

JUL 18 2023

### PETITION TO NAME / RENAME A STREET

Kenai Peninsula Borough Planning Department  
ATTENTION: E911 Addressing Officer  
144 North Binkley Street Soldotna, AK 99669-7520 (907) 714-2200

KPB PLANNING DEPT.

Petitioner's Name: (Please Print) Randolph Taverner  
 Mailing Address: 705 - 316th St NE Stanwood, WA 98292  
 E-mail Address: randy.taverner@gmail.com  
 Telephone: 360 - 770 - 7415  
 Current Street Name: None  
 Proposed Street Name: Shadow Drive  
 Location of Current Street: Township: 5S Range: 12W Section: 14  
 Subdivision: Moon Shadow 2

The Right-of-Way is: (Please Check)	Public	<u>Private</u>
Is the Right-of-Way in use?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the road constructed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is there a street sign along the Right-of-Way?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Reason for Requested Change: Road will eventually serve  
lots 7, 8, 9, 10 and 11

- List Three (3) Choices for a new Street Name, in order of preference.
1. Shadow Drive
  2. \_\_\_\_\_
  3. \_\_\_\_\_

New Name Suggestions must not be on the Road Inventory List which can be found at:  
[https://www.kpb.us/images/KPB/PLN/911/Road\\_Inventory.pdf](https://www.kpb.us/images/KPB/PLN/911/Road_Inventory.pdf)

New Street Names must be checked, and approved by the E911 Addressing Officer by email [addressing@kpb.us](mailto:addressing@kpb.us); fax 714-2378; or phone 714-2200.

To be considered complete, the application must be accompanied by the following items:

- 1. Petition signed by property owners (see instructions).
- 2. A map showing the road to be named and surrounding property.
- 3. The filing and sign fees are established by KPB Planning Commission Resolutions 96-22 and 85-3, as follows:

(A) For name changes or naming of public street dedications other than those named during the subdivision process:

Check Applicable Boxes

- |     |  |       |                          |
|-----|--|-------|--------------------------|
| (1) | Street Naming Petition and Hearing Advertising Fee   | \$300 | <input type="checkbox"/> |
| (2) | Installation of each new Borough Service Area Sign, Post, etc. (per sign)                            | \$150 | <input type="checkbox"/> |
| (3) | Replacement of existing Borough Service Area Sign, due to change where no post is needed. (per sign) | \$ 80 | <input type="checkbox"/> |

*The minimum fee shall be either a combination of 1 and 2 OR 1 and 3 above; however, all signs that need to be changed and / or maintained by a Borough Service Area must be paid for upon completion of the project.*

(B) For Private Road Naming:

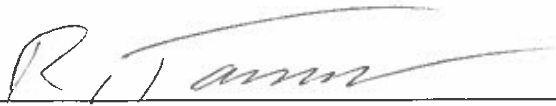
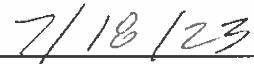
- |     |  |        |                                     |
|-----|--|--------|-------------------------------------|
| (1) | Street Naming Petition and Hearing Advertising Fee   | \$300  | <input checked="" type="checkbox"/> |
| (2) | Installation of each new Borough Service Area sign, Post, etc. (per sign)                            | \$150  | <input checked="" type="checkbox"/> |
| (3) | Replacement of existing Borough Service Area Sign, due to change where no post is needed. (per sign) | \$ 80  | <input type="checkbox"/>            |
| (4) | If no signs are required   | No Fee | <input checked="" type="checkbox"/> |

TOTAL FEE SUBMITTED \$ 300

Additionally, if the Right-of-Way was created by a document other than a recorded plat, a copy of that document must be submitted with this application.

**NOTE: INCOMPLETE APPLICATIONS WILL BE RETURNED.**

I, the undersigned, hereby affirm that all information made part of this application is true, correct and complete to the best of my knowledge.

 _____ Signature	 _____ Date
---	--

PETITION FOR RENAMING A STREET

Existing Road Name: None

Proposed Road Name: Shadow Drive

Name of Primary Petitioner: Randolph Tavenner

Identify the Owners of Land affected (include mortgage holders, contract holders and, if owned by a corporation or partnership, provide the needed authority to sign):

Name (print): Randolph + Jan Tavenner Phone: 360-770-7415

Signature: R. Tavenner

Mailing Address: 705 - 316th St NE Stanwood, WA 98292

Legal Description: Main Shadow 2 Sub, Lots 8, 9, 10, 11  
(80% of Lots accessed by Private Road)

Name (print): \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Name (print): \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Name (print): \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

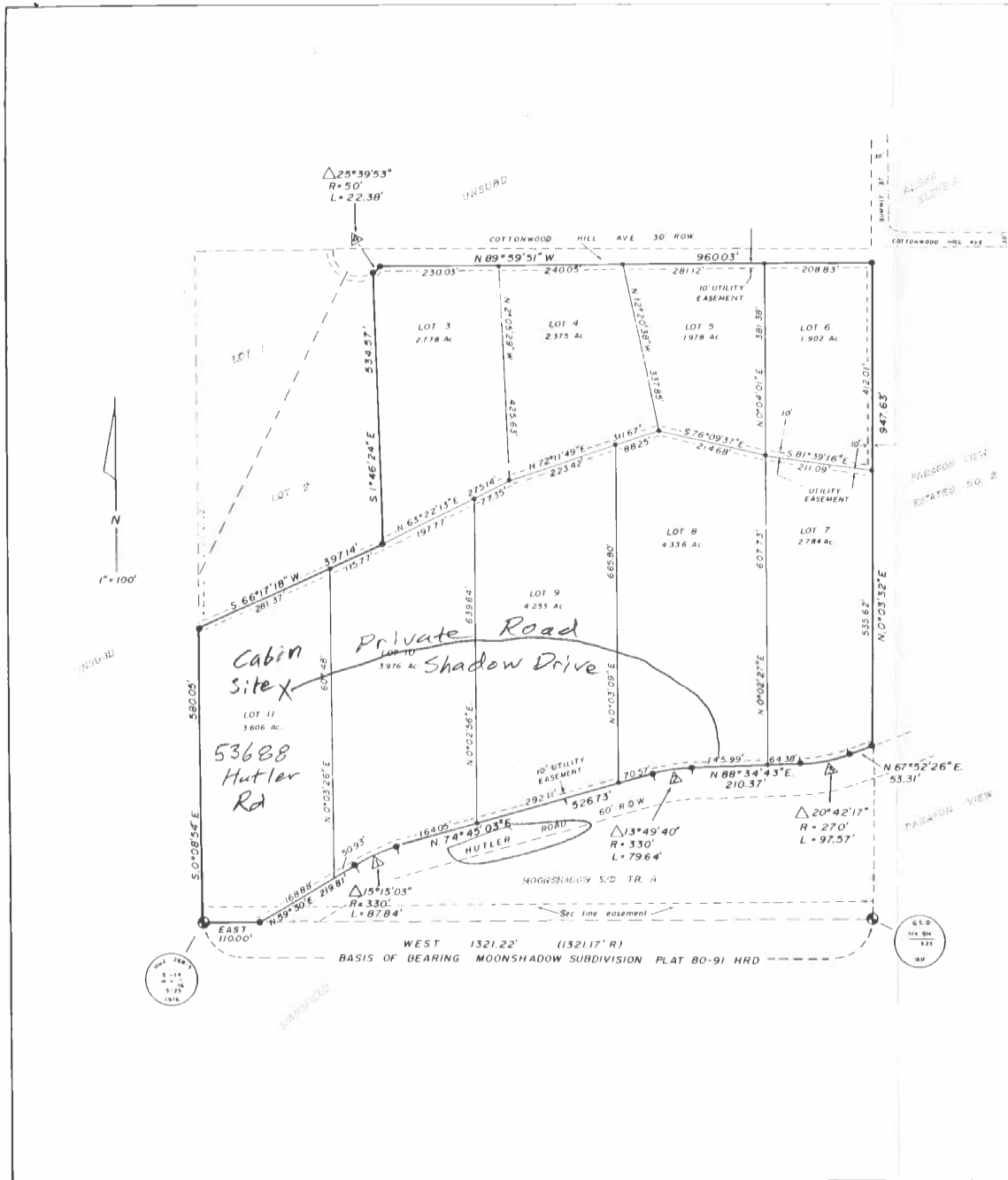
Legal Description: \_\_\_\_\_

Name (print): \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_



**NOTES**

1. A building setback of 20' is required from all street right-of-ways for new construction unless a lesser standard is approved by the appropriate Planning Commission.
2. All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
3. The State of Alaska requires that all wastewater disposal systems be a minimum of 100' from any water source.
4. Soils on these lots may or may not be suitable for conventional on-site waste disposal systems. No person may construct, maintain, install or operate a pressurized water system or water-borne waste disposal system unless approval of the Alaska Department of Environmental Conservation is obtained.
5. No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
6. See public record at the State Recorders Office for Engineers Report Map for lot specific building setbacks and for any covenants, easements, or restrictions not shown on this plat.
7. Alternate access on Cottonwood Hill Avenue has been constructed to an equal or better standard than the ingress/egress road shown on the plat of Moonshadow 1 Subdivision, Plat No. 88-34 HRD.
8. The first 10' ft. of the building setback is a utility easement.

**LEGEND**

- Found Monument of Record
- Set 2" Aluminum cap on 5/8" x 36" long rebar

**SURVEYORS' CERTIFICATE**

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision, and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

Date: 6/24/93  
Roger W. Imhoff LS-5780

**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

July 14, 1988  
KENAI PENINSULA BOROUGH  
By: [Signature] Authorized Official

**OWNERSHIP CERTIFICATE**

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-ways to public use and grant all easements to the use shown.

[Signatures]  
Randolph Bruce Tavener Janet L. Tavener  
425 Trumpeter Way 425 Trumpeter Way  
Friday Harbor, WA 98250 Friday Harbor, WA 98250

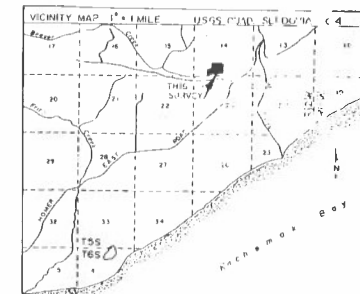
**NOTARY'S ACKNOWLEDGEMENT**

Subscribed and sworn to before me, this 11<sup>th</sup> day of \_\_\_\_\_, 19<sup>th</sup>, for

[Signatures]  
Notary Public for Alaska WASHINGTON  
My Commission expires 12/31/93



CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
This subdivision has been reviewed by associates with 18A(2)(c) and (d) and is not subject to any noted restrictions.  
E. E. [Signature] 6-30-93 DATE



93-40  
HOMER 206  
8-13 93  
9-24 A  
Roger Imhoff

**MOONSHADOW 2 SUBDIVISION**

A SUBDIVISION OF THE UNSUBDIVIDED REMAINDER OF MOONSHADOW 1 SUBDIVISION AS SHOWN ON PLAT NO. 88-34 HRD LOCATED WITHIN THE SE 1/4 SW 1/4 SECTION 14, T. 53. N., R. 12. W., S. 4C. IN THE HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, ALASKA.

CONTAINS 27.988 ACRES, MORE OR LESS

CLIENT: RANDOLPH TAVENER 425 TRUMPETER WAY FRIDAY HARBOR, WA 98250	SURVEYOR: ROGER W. IMHOFF PO BOX 2388 HOMER, AK 99603
FILE: TAVENER	FB: 88-
Drawn: RWI	DATE: M=20, 1993
Scale 1" = 100'	KPB File No. 88-055 / 93-113



# Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Peter Micciche  
Borough Mayor

## KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING TO NAME A PRIVATE ROAD

Public notice is hereby given that a petition was received to name a private road in the Fritz Creek area. Area under consideration is described as follows:

- A. **Location:** *Unnamed private road*, Section 14, T05S, R12W, Seward Meridian, Kenai Peninsula Borough, AK; in the Fritz Creek Community, ESN 202.  
**Reason for Renaming:** Petition from property owner.  
**Proposed Names:** SHADOW DR
- B. Purpose as stated in petition: Road will eventually serve lots 7, 8, 9, 10, and 11.
- C. Petitioner(s): Randolph Tavenner

The location of the proposed private road naming is provided on the attached map. Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, August 28, 2023**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska and remotely through zoom.

To attend the meeting using Zoom from a computer, visit <https://us06web.zoom.us/j9077142200>. You may also connect to Zoom by telephone, by calling toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/planning-dept/planning-commission>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to [addressing@kpb.us](mailto:addressing@kpb.us), or mailed to the attention of Addressing, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378.] All written comments or documents must be submitted by **1:00 PM, Friday, August 18, 2023**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

PLEASE NOTE: Upon adoption of a street name change resolution, no reapplication or petition concerning the name of the same street may be filed within one calendar year of the final adoption, except in the case where new evidence or circumstances exist that were not available, present or reasonably ascertainable when the original resolution was adopted (KPB 14.10.050).

# **DESK PACKET**

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

## **E. NEW BUSINESS**

- 2. Ordinance 2023-19-13: Appropriating \$24,975.00 from the Eagle Lake Reclamation account for reclamation work at the Eagle Lake Material Site**

**MEMORANDUM**

**TO:** Brent Johnson, Assembly President  
Members of the Kenai Peninsula Borough Assembly

**THRU:** Peter A. Micciche, Mayor  
John Hedges, Purchasing and Contracting Director  
Brandi Harbaugh, Finance Director  
Robert Ruffner, Planning Director

**FROM:** Marcus A. Mueller, Land Management Officer

**DATE:** August 23, 2023

**RE:** An Ordinance Appropriating \$24,975.00 from the Eagle Lake Reclamation Account for Reclamation Work at the Eagle Lake Material Site

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The attached ordinance would appropriate funds from the Eagle Lake Reclamation Account to provide for planned reclamation work at the Eagle Lake Material Site from the Eagle Lake Reclamation Account.

Section 3.3(J) of the contract agreement provides an avenue for conducting reclamation work, upon written order by KPB and appropriation of funds. Approximately 3 acres from within the Eagle Lake Material Site are planned for reclamation in 2023.

Your consideration is appreciated.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	<u>250.21210.EAGLE.20822</u>
Amount	<u>\$24,975.00</u>
By: _____	Date: _____



Introduced by: Mayor  
Date: 08/15/23  
Hearing: 09/05/23  
Action:  
Vote:

**KENAI PENINSULA BOROUGH  
ORDINANCE 2023-19-xx**

**AN ORDINANCE APPROPRIATING \$24,975.00 FROM THE EAGLE LAKE  
RECLAMATION ACCOUNT FOR RECLAMATION WORK  
AT THE EAGLE LAKE MATERIAL SITE**

**WHEREAS,** the Kenai Peninsula Borough owns the Eagle Lake Materials Site and contracts its site management and operation by Concessionaires Agreement; and

**WHEREAS,** under the concessionaire’s agreement the borough collects \$1.50/CY in royalty and \$.72/CY in reclamation fees for materials removed under the contract; and

**WHEREAS,** approximately 3-acres within the Eagle Lake Material Site are no longer needed to conduct operations and are being scheduled for formal reclamation; and

**WHEREAS,** upon written order under Section 3.3(J) of the Concessionaires Agreement, the contractor will perform reclamation of approximately at a cost of \$8,325 per acre; and

**WHEREAS,** the Kenai Peninsula Borough Planning Commission, at its regular meeting of August 28, 2023, recommended \_\_\_\_\_;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That \$24,975 is appropriated from the Eagle Lake Material Site Reclamation Fund 250.21210.EAGLE.20822 to Contract Services Account No. 250.21210.EAGLE.43011 for reclamation work at the Eagle Lake Material Site.

**SECTION 2.** That the Mayor is authorized to execute any and all documents necessary to effect this ordinance.

**SECTION 3.** That any funds that lapse in FY24 shall return to Eagle Lake Material Site Reclamation Fund 250.21210.EAGLE.20822.

**SECTION 4.** That this ordinance shall take effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 5<sup>th</sup>  
DAY OF SEPTEMBER 2023**

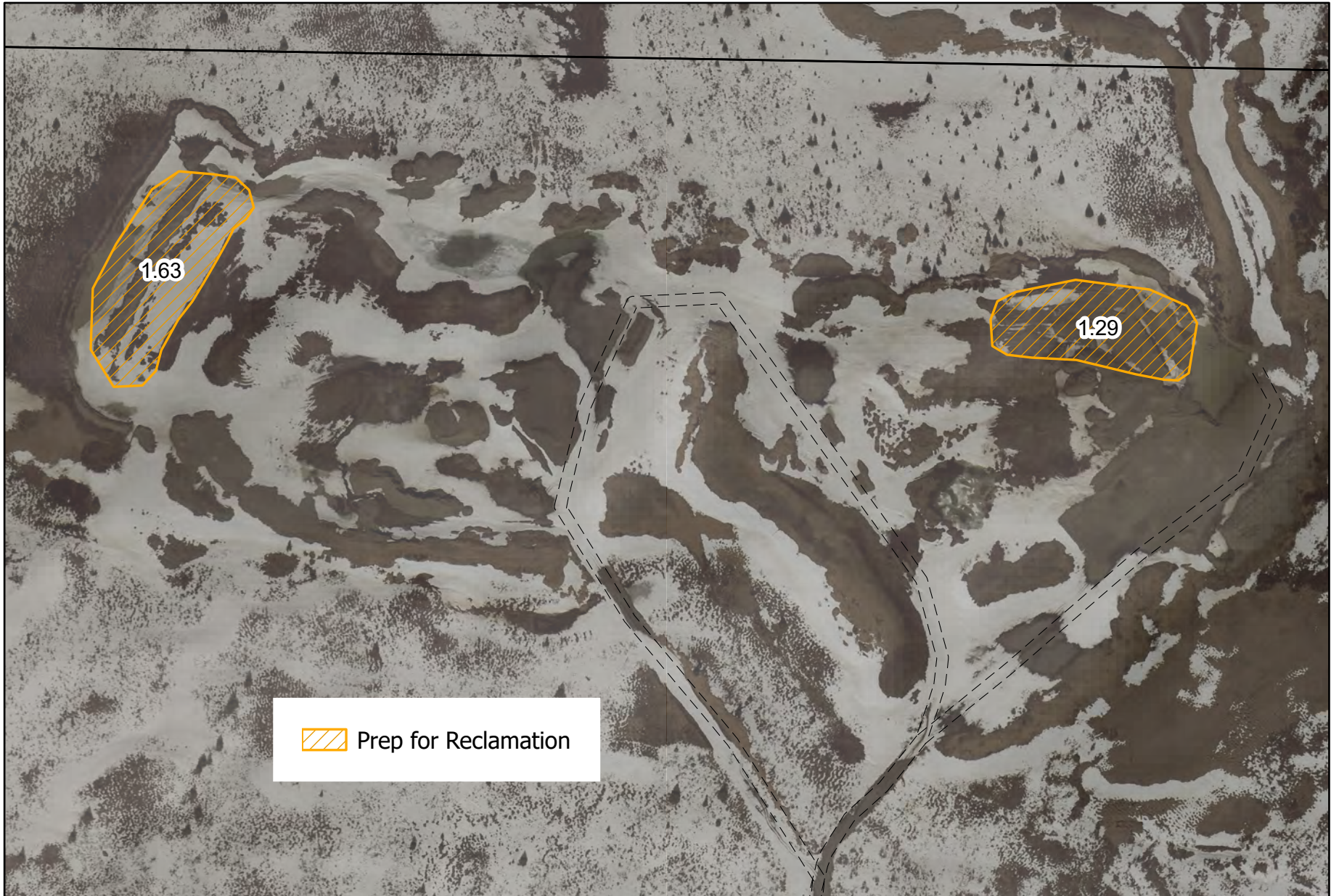
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Brent Johnson, Assembly President

ATTEST:

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Michele Turner, Borough Clerk



0 250 500 1,000 Feet

jd\_7.24.23

Order for Reclamation Services  
Contract for Management of Eagle Lake Material Site

