



**Meeting Agenda
Plat Committee**

Monday, September 11, 2023

6:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

The hearing procedure for the Plat Committee 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 AGENDA, EXCUSED ABSENCES, AND MINUTES

All items marked with an asterisk () are consent agenda items. Consent agenda items are considered routine and noncontroversial by the Plat Committee and may be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner removes the item from the consent agenda. The removed item will then be considered in its normal sequence on the regular agenda. If you wish to comment on a consent agenda item, please advise the recording secretary before the meeting begins, and she will inform the Chair of your wish to comment.*

1. Agenda
2. Member / Alternate Excused Absences
3. Minutes

- a. [KPB-5466](#) August 28, 2023 Plat Committee Meeting Minutes
Attachments: [C3. 082823 Plat Meeting Minutes](#)

4. Grouped Plats

- a. [KPB-5467](#) September 11, 2023 Grouped Plats
Attachments: [C4. Grouped Plats](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-5468](#) Cohoe Country Estates Subdivision No. 9; KPB File 2023-091
Surveyor: Johnson Surveying; Owner: Osmar
Location: Cohoe Loop Road; PIN: 133-010-41
Cohoe Area
Attachments: [E1. Cohoe Country Estates Subd No. 9 Packte](#)
2. [KPB-5469](#) Hidden Hills Tract G5 Replat; KPB File 2023-092
Surveyor: Geovera LLC; Owner: Engebretsen
Location: Cryptic Avenue Off North Fork Road; PIN: 171-330-20
Anchor Point Area / Anchor Point APC
Attachments: [E2. Hidden Hills Tract G5 Replat Packet](#)
3. [KPB-5470](#) McNamara Acres at Moose Hill; KPB File 2023-009R1
Surveyor: Peninsula Surveying LLC; Owner Lastinger
Location: McNamara Court, Royce Street & Emilie Avenue
PINs: 066-102-06; 066-102-07; 066-102-08; 066-102-09
Funny River Area / Funny River APC
Attachments: [E3. McNamra Acres at Moose Hill Packet](#)

F. PUBLIC COMMENT

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

G. ADJOURNMENT**MISCELLANEOUS INFORMATIONAL ITEMS****NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING**

The next regularly scheduled Plat Committee meeting will be held Monday, September 25, 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.

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

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

Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in which the item is being heard. If voluminous information and materials are submitted staff may request seven copies be submitted. Maps, graphics, photographs, and typewritten information that is submitted at the meeting must be limited to 10 pages. Seven copies should be given to the recording secretary to provide the information to each Committee member. If using large format visual aids (i.e. poster, large-scale maps, etc.) please provide a small copy (8 ½ x 11) or digital file for the recording secretary. Audio, videos, and movies are not allowed as testimony. If testimony is given by reading a prepared statement, please provide a copy of that statement to the recording secretary.

An interested party may request that the Planning Commission review a decision of the Plat Committee by filing a written request within 10 days of the written notice of decision in accordance with KPB 2.40.080.

C. CONSENT AGENDA

***3. Minutes**

a. August 28, 2023 Plat Committee

Kenai Peninsula Borough

Plat Committee

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

August 28, 2023
7:00 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

Commissioner Gillham called the meeting to order at 5:30 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Pamela Gillham, Kalifornsky/Kasilof District
Jeremy Brantley, Ridgeway/Sterling/Funny River District
Dawson Slaughter, South Peninsula District
Franco Venuti, City of Homer

Staff Present

Robert Ruffner, Planning Director
Vince Piagentini, Platting Manager
Jenny Robertson, Land Management Administrative Assistant
Ann Shirnberg, Planning Administrative Assistant

With 4 members of a 4-member committee in attendance, a quorum was present.

Election of Officers

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

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

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

- *3. Approval of Minutes
 - a. August 14, 2023 Plat Committee Meeting Minutes
- *4. Grouped Plats
 - E3. W.R. Bell Subdivision; KPB File 2023-087

Chair Gillham asked if anyone from the public wished to speak to any of the items under the consent agenda. Hearing no one wishing to comment discussion was opened among the commission.

MOTION: Commissioner Brantley moved, seconded by Commissioner Slaughter to approve the agenda, the August 14, 2023 Plat Committee meeting minutes and grouped plats based on staff recommendations and compliance to borough code.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE

Yes- 4	Brantley, Gillham, Slaughter, Venuti
No - 0	

E. NEW BUSINESS

Chair Gillham asked Administrative Assistant Shirnberg to read the planning commission public hearing procedures into the record.

**ITEM #1 – PRELIMINARY PLAT
BIDARKI CREEK NO. 5**

KPB File No.	2022-160R1
Plat Committee Meeting:	August 28, 2023
Applicant / Owner:	McKennen & Rachael Lamb and Kristen Lamb Reilly all of Provo, Utah
Surveyor:	Tom Latimer / Orion Surveys
General Location:	Near mile 171 Sterling Highway, City of Homer

Parent Parcel No.:	175-250-12 and 175-250-13
Assessor Description:	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2012027 BIDARKI CREEK NO 4 TRACT 1 & 2
Assessing Use:	Residential
Zoning:	Rural Residential District
Water / Wastewater	City
Exception Requested	

Staff report given by Platting Manager Vince Piagentini.

Chair Gillham opened the item for public comment.

Tom Latimar; P.O. Box 15025, Fritz Creek, AK 99603: Mr. Latimar was the surveyor on this project and he made himself available for questions.

Kristen Lamb; 2795 Rolling Knolls Drive, Provo, UT 84604: Ms. Lamb is one of the landowners and made herself available for questions.

Lauren Karstens; P.O. Box 412, Homer AK, 99603: Ms. Karsten is a neighboring landowner and while she believes the new design is better, she still is not supportive of the proposed development.

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

MAIN MOTION: Commissioner Brantley moved, seconded by Commissioner Slaughter to grant preliminary approval to Bidarki Creek No. 5 based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

**ITEM #2 – PRELIMINARY PLAT
PACIFIC PARK SUBDIVISION BLAUVELT ADDITION**

KPB File No.	2023-088
Plat Committee Meeting:	August 28, 2023
Applicant / Owner:	Walter and Brandi Blauvet of Anchor Point, Alaska
Surveyor:	Dmitri Kimbrell / Fineline Surveys
General Location:	Anchor Point area / Anchor Point APC

Parent Parcel No.:	165-165-09
Assessor Description:	T 4S R 15W SEC 27 SEWARD MERIDIAN HM 2004027 PACIFIC PARK LOT 9 BLK 1
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exceptions Requested	20.30.190(B)

Staff report given by Platting Manager Vince Piagentini.

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

MAIN MOTION: Commissioner Slaughter moved, seconded by Commissioner Brantley to grant preliminary approval to Pacific Park Subdivision Blauvelt Addition, based on staff recommendations and compliance to borough code and adopting and incorporating by reference the staff report and staff recommendations.

EXCEPTION REQUEST: Commissioner Slaughter moved, seconded by Commissioner Brantley to grant the exception request to KPB 20.30.190(B) – Lots – Dimensions, citing 1, 2, 3 & 6 in support of standards one, two and three.

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

EXCEPTION REQUEST MOTION PASSED BY UNANIMOUS VOTE

Yes- 4	Brantley, Gillham, Slaughter, Venuti
No - 0	

Seeing and hearing no objection or discussion, the motion was carried by the following vote:

MAIN MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes- 4	Brantley, Gillham, Slaughter, Venuti
No - 0	

**ITEM #3 - PRELIMINARY PLAT
W.R. BELL SUBDIVISION**

KPB File No.	2023-087
Plat Committee Meeting:	August 28, 2023
Applicant / Owner:	Busby Enterprises, Chicken, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Alpine Way in Homer Alaska

Parent Parcel No.:	175-240-01
Legal Description:	Lot 1 Block 4 W R Bell Subdivision
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exception Requested	None

**Passed Under Grouped Plats Under the Consent Agenda*

F. PUBLIC COMMENT

Chair Gillham 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

G. ADJOURNMENT

Commissioner Slaughter moved to adjourn the meeting 7:21 P.M.

Ann E. Shirnberg
Administrative Assistant

C. CONSENT AGENDA

- *4. Grouped Plats**
 - E2. Hidden Hills Tract G5 Replat; KPB file 2023-092**



Plat Committee Grouped Plats Staff Report

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

GROUPED PLATS KPB Plat Committee Meeting September 11, 2023

Staff has grouped the following plats located under **AGENDA ITEM C4 – Grouped Plats (AGENDA ITEM F - FINAL PLATS WILL NEED SEPARATE REVIEW)**. They are grouped as:

- A. The plats placed on the consent agenda are considered simple or non-controversial. They are generally lot splits, lot line adjustment, no exceptions or ones that received no public comments. The group plats on the consent agenda are as follows. – 1 Plat

2. Hidden Hills Tract G5 Replat; KPB File 2023-092

Staff recommends the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this **group (A)** and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

- B. Plats needing specific actions or controversial - (public comments received, major staff concerns, exceptions required) – 2 Plat

1. Cohoe country Estates Subdivision No. 9; KPB File 2023-091
3. McNamara Acres At Moose Hill; KPB File 2023-009R1

E. NEW BUSINESS

- 1. Cohoe Country Estates Subdivision No. 9; KPB File 2023-091
Surveyor: Johnson Surveying; Owner: Osmar
Location: Cohoe Loop Road; PIN: 133-010-41
Cohoe Area**



KPB File 2023-91
T 03N R 12W SEC 03, 04, 09 & 10
Cohoe



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.

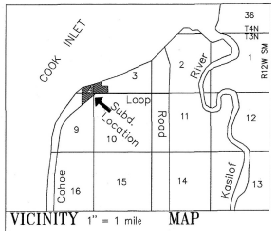
COHOE COUNTRY ESTATES SUBDIVISION No. 9 Preliminary Plat

A subdivision of Tract B-3A Cohoe Country Estates Subd. No. 8, (KRD 2011-38).
 Located Gov. Lot 3 SW1/4 Section 3, Gov. Lot 1 SE1/4 Section 4, NE1/4 Section 9, &
 NW1/4 Section 12, T3N R12W, SM, Cohoe, Alaska.
 Kenai Recording District Kenai Peninsula Borough

Prepared for
 Dean Osmar
 Box 32
 Clam Gulch, Ak 99568

Prepared by
 Johnson Surveying
 P.O. Box 27
 Clam Gulch, Ak 99568

SCALE 1" = 100' AREA = 45.327 acres 22 July, 2023

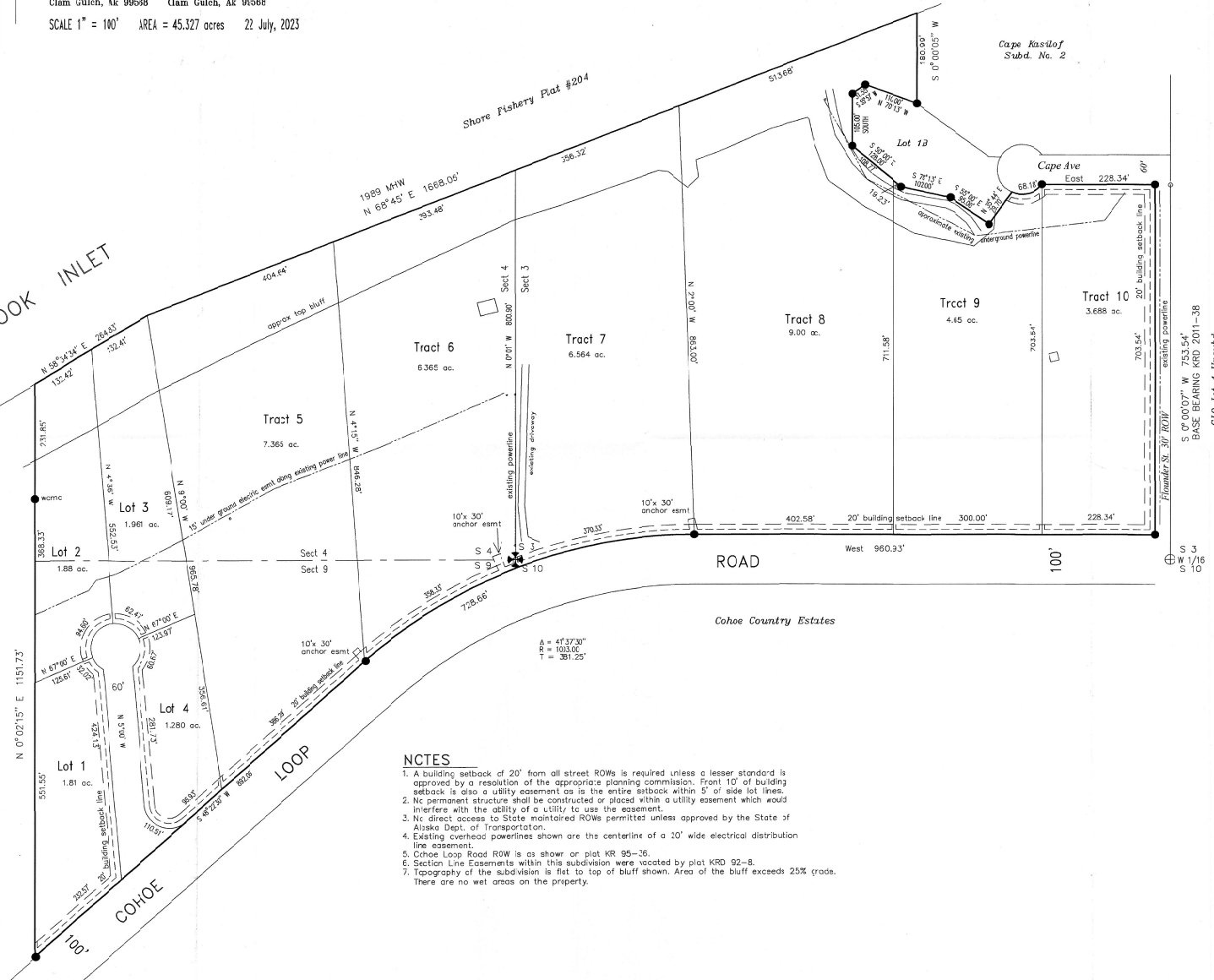


VICINITY 1" = 1 mile MAP

COOKE INLET

TRACT B-4

STREET
 OSMAR
 50'



NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
2. 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.
3. No direct access to State maintained ROWs permitted unless approved by the State of Alaska Dept. of Transportation.
4. Existing overhead powerlines shown are the centerline of a 20' wide electrical distribution line easement.
5. Coho Loop Road ROW is as shown on plat KR 95-36.
6. Section Line Easements within this subdivision were vacated by plat KR 92-8.
7. Topography of the subdivision is flat to top of bluff shown. Area of the bluff exceeds 25% grade. There are no wet areas on the property.

KPB 2023-091

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT
COHOE COUNTRY ESTATES SUBDIVISION NO. 9**

KPB File No.	2023-091
Plat Committee Meeting:	September 11, 2023
Applicant / Owner:	Dean Howard Osmar of Clam Gulch, Alaska
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Cohoe area

Parent Parcel No.:	133-010-41
Assessor Description:	T 3N R 12W SEC 3, 4 & 9 Seward Meridian KN 2011038 Cohoe Country Estates No 8 Tract B-3A
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exception Request	20.30.190(A)

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 45.327 acre parcel into four lots ranging in size from 1.280 acres to 1.961 acres and six tracts ranging in size from 3.688 acres to 9 acres.

Location and Legal Access (existing and proposed): The proposed subdivision is located at approximately mile 8.5 of state-maintained Cohoe Loop Road. This portion of Cohoe Loop Road is 100 feet wide. Flounder Street is a 30-foot-wide dedication connecting to Cape Avenue. Cape Avenue is a 60-foot-wide dedication ending in a cul-de-sac bulb. Tract ten will have access to Cohoe Loop Road, Flounder Street, and Cape Avenue. Tract nine will have access to Cape Avenue and Cohoe Loop Road. Tracts five through eight will have access on Cohoe Loop Road. Lots one through four will have access to a proposed dedication ending in a cul-de-sac bulb with one and four being corner lots at the intersection with Cohoe Loop Road. A proposed street name was not provided on the preliminary plat. **Staff recommends:** possible street names be submitted to KPB Addressing Officer for review and approval.

There are no section line easements that affect this property. Section Line Easement Vacation Plat KN 92-3 removed the easements within the boundary of the subdivision. Staff received a comment from State of Alaska DNR that requested the file number from the vacation be listed. **Staff recommends:** the plat number be corrected to KN 92-3 and the file number, EV-2-490, for the state be added to plat note six.

Due to Cook Inlet and steep terrain in the north and rights-of-ways ending in cul-de-sac bulbs the block is not compliant. Future dedications from tracts five through ten could improve the block in future subdivisions. The parent plat also received an exception for block length at the October 25, 2010 meeting. **Staff recommends:** the Plat Committee concur an exception is not required, another dedication will not help. Future development of the tracts with planned access could be of benefit. If the Committee concurs, be suggest the plat note should be carried forward with the previous meeting date.

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
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	Comments: No comments
SOA DOT comments	The ROW for the north side of Cohoe Loop Road appears to be shown correctly, however the southern side isn't exactly a 100' offset based on preliminary ROW mapping done by DOT. Not part of the plat action, just an observation. Also, the SLE's were vacated by Plat 92-3, not 92-8. - Engineering

Site Investigation: The north boundary of the subdivision is defined by Cook Inlet and the bluff. The plat depicts the approximately location of the top of the bluff. **Staff recommends:** *when performing the field work the surveyor determine where the edge of the bluff begins and show on the final plat.*

There are no classified wetlands affecting the subdivision.

There are several improvements located on the property and appear to be located within the boundaries of the proposed tracts. A platting action cannot create encroachments and **staff recommends** *when the surveyor performs the field work verify that the existing structures are within the boundary of the prospective tracts.*

There appear to be some possible encroachments into the 20-foot building setback of Cape Avenue. Surveyor should verify the location of any structures close to the 20-foot setback lines of streets and note if found. A remedy to issues will need to be made before the final can be signed off.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	

Staff Analysis This property has been subdivided several times and was originally an unsubdivided remainder of government lots three and four with in Township 3 North Range 12W and falls within Sections 3, 4, 9, and 10. The first replat was Cohoe Country Estates Subdivision No 4 KN 91-98. Cohoe Country Estates Subdivision No 5 KN 95-36 created two tracts. Cohoe Country Estates Subdivision No 6 Amended KN 2001-64 created two tracts and dedicated the matching bulb for Cape Avenue. The configuration of the parcel today and Flounder Street was done on Cohoe Country Estates Bo 8 KN 2011-38.

Parent plat KN 2011-38 cited the year for the Mean High Water being 1999 per KN 2001-64. **Staff recommends** *the surveyor verify the year and cite the source of the information.*

A soils report will be required for lots one through four and tracts nine and ten 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.

The property is not within an advisory planning commission.

Utility Easements Starting with KN 91-68 ten-foot utility easements have been carried forward with each platting action and are shown correctly on the preliminary. The certificate to plat indicates there are three general easements with no definite location for the benefit of Homer Electric Association Inc (HEA) and one to Telephone Utilities of the Northland. **Staff recommends:** *these easement be added to the plat notes.*

KN 2011-38 and KN 2001-64 granted 20-foot Underground powerline and utility easements and 20-foot wide electrical distribution line easements over several existing powerlines shown on that plat which need to be shown or updated on this plat. Staff recommends the surveyor update the drawing to match the previous plats.

There are three 10 foot by 30-foot anchor easements shown on the certificate to plat and depicted along Cohoe Loop Road. **Staff recommends:** *the surveyor determine which easement corresponds with the recorded easement and provide plat notes and "see note #" labels.*

HEA requested several additional notes for the existing overhead and underground powerlines.

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	HEA had several comments and they are available in the packet.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 28021 COHOE LOOP RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: COHOE LOOP RD, FLOUNDER ST, CAPE AVE</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:</p>
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	New ROW will need an approved street name. 28021 COHOE LOOP will be deleted and a new address assigned upon owner request.
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
State of Alaska DNR	The DNR, DML&W, Survey Section notes that the Plat number in Note #6 is incorrect. Plat 92-8 KRD did not vacate any section-line easements in the subject area. Please correct the plat number and include the applicable EV file number in Note #6 for the plat that vacated the Section Line Easements. If the Section Line Easements (SLE) have not been vacated, please do a SLE determination and depict all existing SLE's on the plat.

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

Update KPB file to 2023-091
Add a curve table to the drawing
Ad a legend to the drawing

KPB 20.25.070 – Form and contents required

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

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.
- Staff recommendation:** Add the owner's middle name to match vesting deed.
- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation: A name will need to be approved by the Addressing Officer for the new dedication. Please update line work and labels for Cape Kasilof Subdivision and Cape Kasilof Subdivision No 2.
- 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: Please add recorded plat numbers to surrounding lots. Add both lots to the northeast.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: Please update tract numbers to begin with Tract 1 to avoid confusion.
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation: A platting action cannot create encroachments. When doing field work please determine if the structures within tracts six and ten are encroaching on to other proposed tracts.

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

- 20.30.160. Streets-Name requirements. Streets shall be named to conform to KPB Chapter 14.10
Staff recommendation: Please provide possible names to the KPB Addressing Officer for approval.

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: Lots one through four and tract ten will require a soils report
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. 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.

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).

If the travel way shown on the plat is a private drive, **staff suggests** the following note be placed on the final plat to avoid confusion about public use in the future: Private road shown is for use of owners only and is not dedicated to public use or the driveway can be removed from the plat.

- 20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190.

- Add necessary certificates and certifications

- 20.60.200. Survey and monumentation.

Staff recommendation: comply with 20.60.200

- Tie plat to BLM or GLO monuments

EXCEPTIONS REQUESTED:

A. KPB 20.30.190(A) – Lots- Dimensions 3:1 for Lots 1, 2, and 3

Surveyor's Discussion: KPB 20.30.190 3 to 1 length/width ratio for Lots 1, 2, & 3 due to configuration with the angle of the Cohoe Loop in relation to the property and the distance between Cohoe Loop and the top of the bluff. Areas of Lots 2 & 3 above bluff are at the within the 3 to 1 ratio.

Findings:

1. When calculating the area above the bluff, lots 2 and 3 are compliant.
2. The ratio of the four lots is 1.06:1
3. The ratio of Lot 1 is 1.08:1.
4. A steep bluff is located on the north by Cook Inlet.
5. Cook Inlet is located to the north.
6. Extending the length of the proposed right-of-way would make lots 2 and 3 more compliant, but lot 1 less compliant.

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 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 & 4-6 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 1 & 4-6 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 1 & 4-6 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**

Page 6 of 7

- 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



Planning Department

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

EXCEPTION REQUEST APPLICATION

NAME OF PRELIMINARY PLAT OR PLANNING COMMISSION ITEM:

Cohoe Country Estates Subdivision No. 9

PROPERTY INFORMATION:

legal description: Tract B-3A Cohoe Country Estates Subd NO. 8 (KRD 2011-38)

General area location:

20.50.010. - EXCEPTIONS TO REGULATIONS—PROCEDURE—COMMISSION AUTHORITY.

- A. Unless prohibited under this title, the commission may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. The commission 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;
 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;
 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.
- B. Where a design requirement of this title is addressed by a zoning regulation adopted by the borough assembly or city council, the variance procedures of the applicable zoning code shall be utilized in lieu of the exception procedures.
- C. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.
- D. Upon reconsideration of a plat committee decision following the procedure in KPB 20.25.120, an appeal of a decision of the planning commission made under this section shall be taken to the

SUBMITTAL REQUIREMENTS

Identify the exceptions requested including the section identifier of KPB code. Provide evidence justifying the requested exceptions that fully states the grounds for the exception request, and the facts relied upon. A letter can be attached to this application.

KPB 20.30.190 3 to 1 length/width ratio for Lots 1, 2, & 3 due to configuration with the angle of the Cohoe Loop in relation to the property and the distance between Cohoe Loop and the top of the bluff. Areas of Lots 2 & 3 above bluff are at the within the 3 to 1 ratio.

FOR OFFICE USE ONLY

RECEIVED BY _____

DATE SUBMITTED _____

KPB FILE # _____



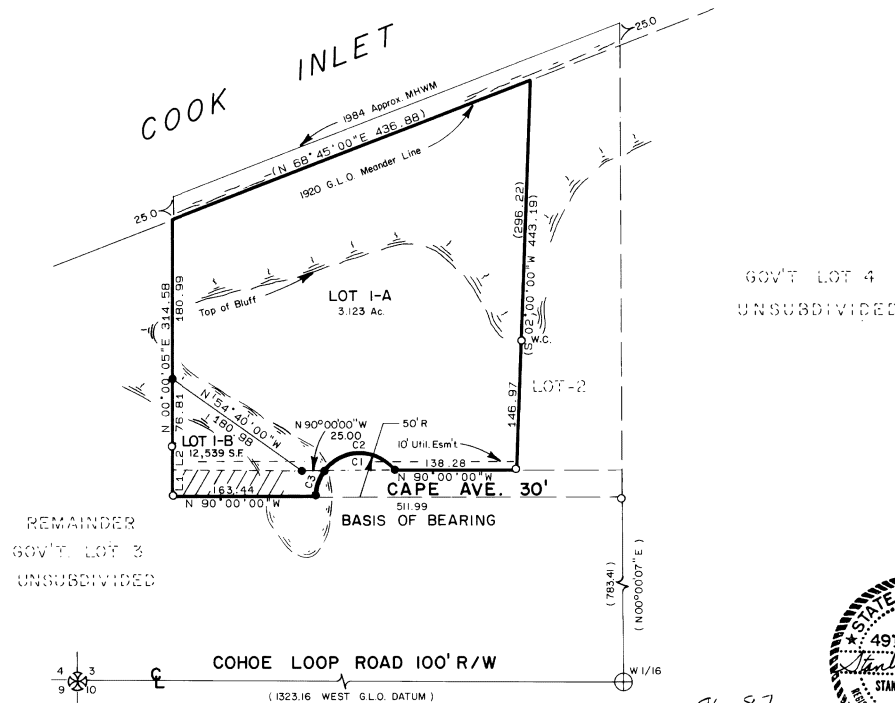
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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	DELTA	RADIUS	ARC	TANGENT	CHORD
1	143°07'39"	50.00	124.90	149.99	94.87
2	107°47'39"	50.00	94.07	68.56	80.80
3	35°20'00"	50.00	30.83	15.92	30.35

LINE	BEARING	DISTANCE
1	N 00°00'05"E	30.00
2	N 00°00'05"E	26.78



REMAINDER
GOV'T LOT 3
UNSUBDIVIDED

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with
18AAC72.065 and is approved, subject to any noted restrictions.

Signature: *[Signature]* Title: *GF* Date: *2-20-86*

NOTARY'S ACKNOWLEDGEMENT

FOR: *Alec C. Taylor & Nancy S. Taylor*
Subscribed and sworn before me this

17th day of *April*, 1986.

My commission expires *5-14-89*

[Signature]
Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

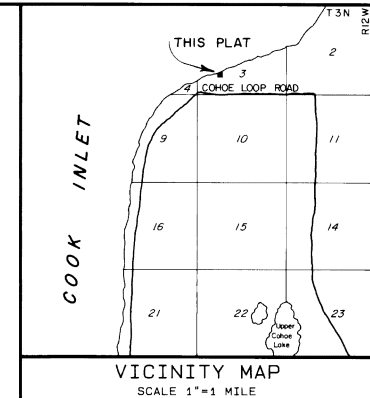
Alec C. Taylor *Nancy S. Taylor*
Alec C. Taylor Nancy S. Taylor

PLAT APPROVAL

This plat was approved by the KENAI
PENINSULA BOROUGH PLANNING COMMISSION
at the meeting of

JANUARY 20 1986
KENAI PENINSULA BOROUGH

By: *[Signature]*
Authorized Official



LEGEND

- BLM or GLO monument
- ⊗ BLM or GLO monument of record
- ⊕ Official survey monument of record (Plat 85-20 KRD)
- Set Bernstein 3 1/4"x 30" aluminum survey monument
- Monument of record not recovered
- Found 5/8" rebar
- Set 5/8"x 30" rebar with 2" aluminum cap
- Found 1/2" rebar
- Set 1/2"x 24" rebar with plastic cap C 263
- /// Indicates right of way being vacated by this plat.
- () Indicates record data (Plat No.85-20 KRD)

NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) No direct access to state maintained ROWs permitted unless approved by State of Alaska Department of Transportation.
- 3) BUILDING SET BACK - A building set back of 20 ft. is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 4) Lot I-B shall be conveyed to the owner of the property to the west and south and thereafter shall not be conveyed as a separate parcel. Additional conveyance will require Lot I-B be incorporated into a standard size lot through an approved subdivision plan.

CAPE KASLOF SUBDIVISION NO. 2

(A RESUBDIVISION OF LOT 1 CAPE KASLOF SUBDIVISION
AND VACATION OF A PORTION OF CAPE AVE.)

Alec C. Taylor
7617 E. 4th Ave.
Anchorage, AK 99504

LOCATION

3.411 Ac. M/L SITUATED IN GOV'T LOT 3 (SW 1/4)
SECTION 3, T3N, R12W, S.M. AK. AND THE KENAI
PENINSULA BOROUGH.

Surveyed by: *McLANE and ASSOCIATES, INC.*
Soldotna, AK 99669

DATE OF SURVEY 12/12/85	SCALE 1" = 100'	SHEET 1 of 1
DRAWN BY GB	BK. No. 82-60	K.P.B. FILE No.
CHECKED BY SSM	JOB No. 85-2113	86-018

COHOE COUNTRY ESTATES SUBDIVISION No. 4

LOCATED IN GOV. LOT 3 SW 1/4 SEC. 3, GOV. LOT 1 SE 1/4 SEC. 4, NE 1/4 SEC. 9, & NW 1/4 SEC. 10, T3N R12W, SM. COHOE, AK. KENAI RECORDING DISTRICT
 PREPARED FOR DEAN OSMAR BOX 32 CLAM GULCH, AK. 99568, BY H. JOHNSON LAND SURVEYING BOX 27 CLAM GULCH, AK.
 SCALE 1" = 200' AREA = 56.838 AC. SEPT. 27, 1991 KPB FILE NO. 91-131



NOTES

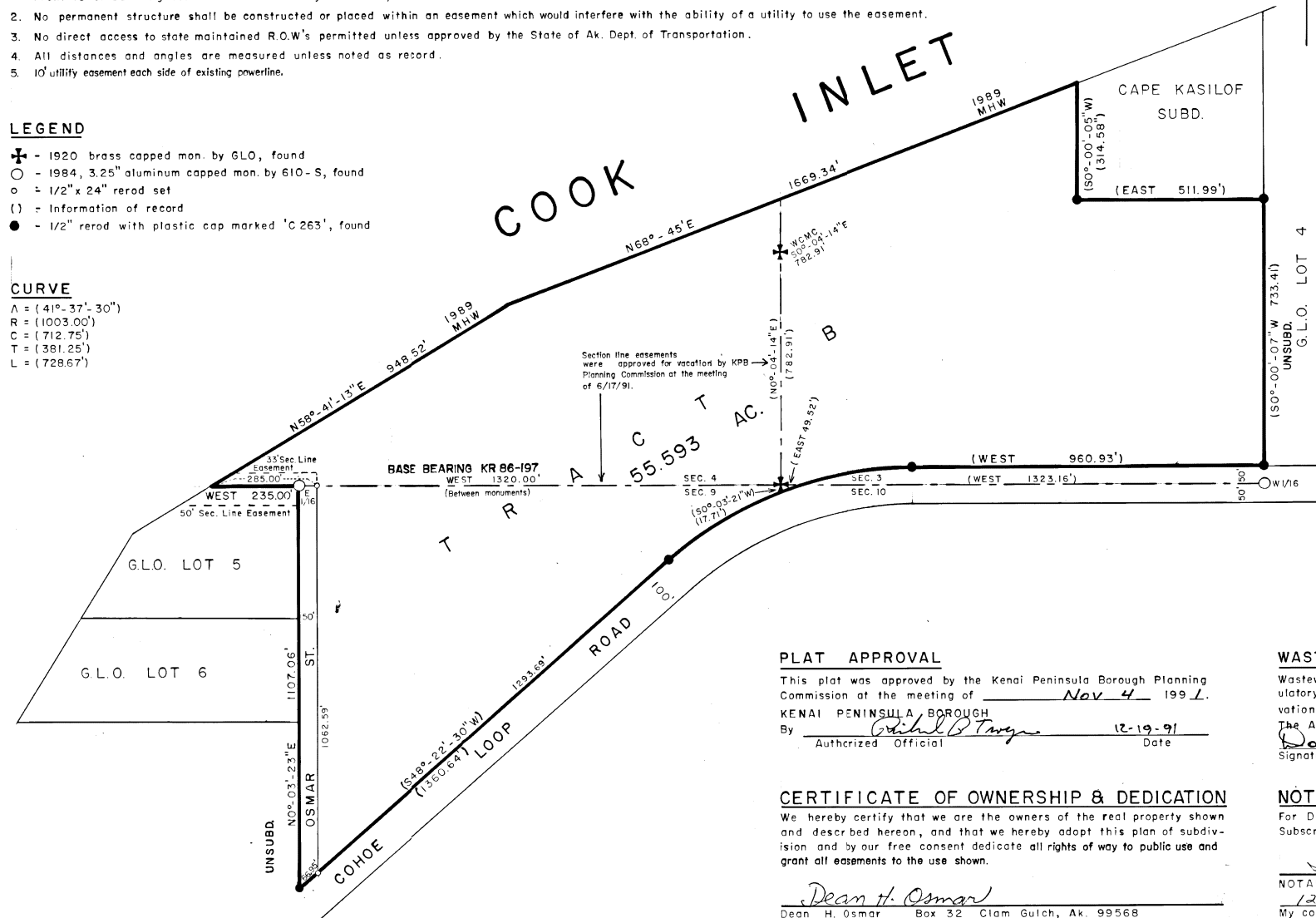
1. A building setback of 20' from all street R.O.W.'s is required unless a lesser standard is approved by a resolution of the appropriate planning commission.
 Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. No direct access to state maintained R.O.W.'s permitted unless approved by the State of Ak. Dept. of Transportation.
4. All distances and angles are measured unless noted as record.
5. 10' utility easement each side of existing powerline.

LEGEND

- ✕ - 1920 brass capped mon. by GLO, found
- - 1984, 3.25" aluminum capped mon. by GLO - S, found
- - 1/2" x 24" rerod set
- () - Information of record
- - 1/2" rerod with plastic cap marked 'C 263', found

CURVE

- A = (41°-37'-30")
- R = (1003.00')
- C = (712.75')
- T = (381.25')
- L = (728.67')



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of Nov 4 1991.
 KENAI PENINSULA BOROUGH
 By G. B. Tugue 12-19-91
 Authorized Official Date

CERTIFICATE OF OWNERSHIP & DEDICATION

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 way to public use and grant all easements to the use shown.

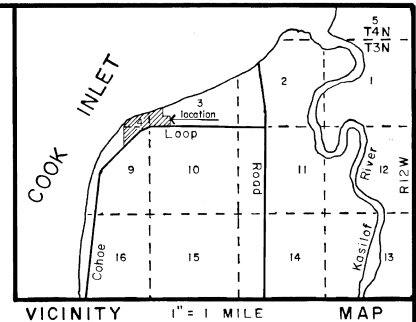
Dean H. Osmar
 Dean H. Osmar Box 32 Clam Gulch, Ak. 99568
Neva C. Osmar
 Neva C. Osmar Box 32 Clam Gulch, Ak. 99568

WASTEWATER DISPOSAL

Wastewater treatment and disposal systems must meet the regulatory requirements of the Ak. Dept. of Environmental Conservation.
 The Alaska D.E.C. approves this subdivision for platting.
D. J. Hudson EE 11-13-91
 Signature Title Date

NOTARY'S ACKNOWLEDGEMENT

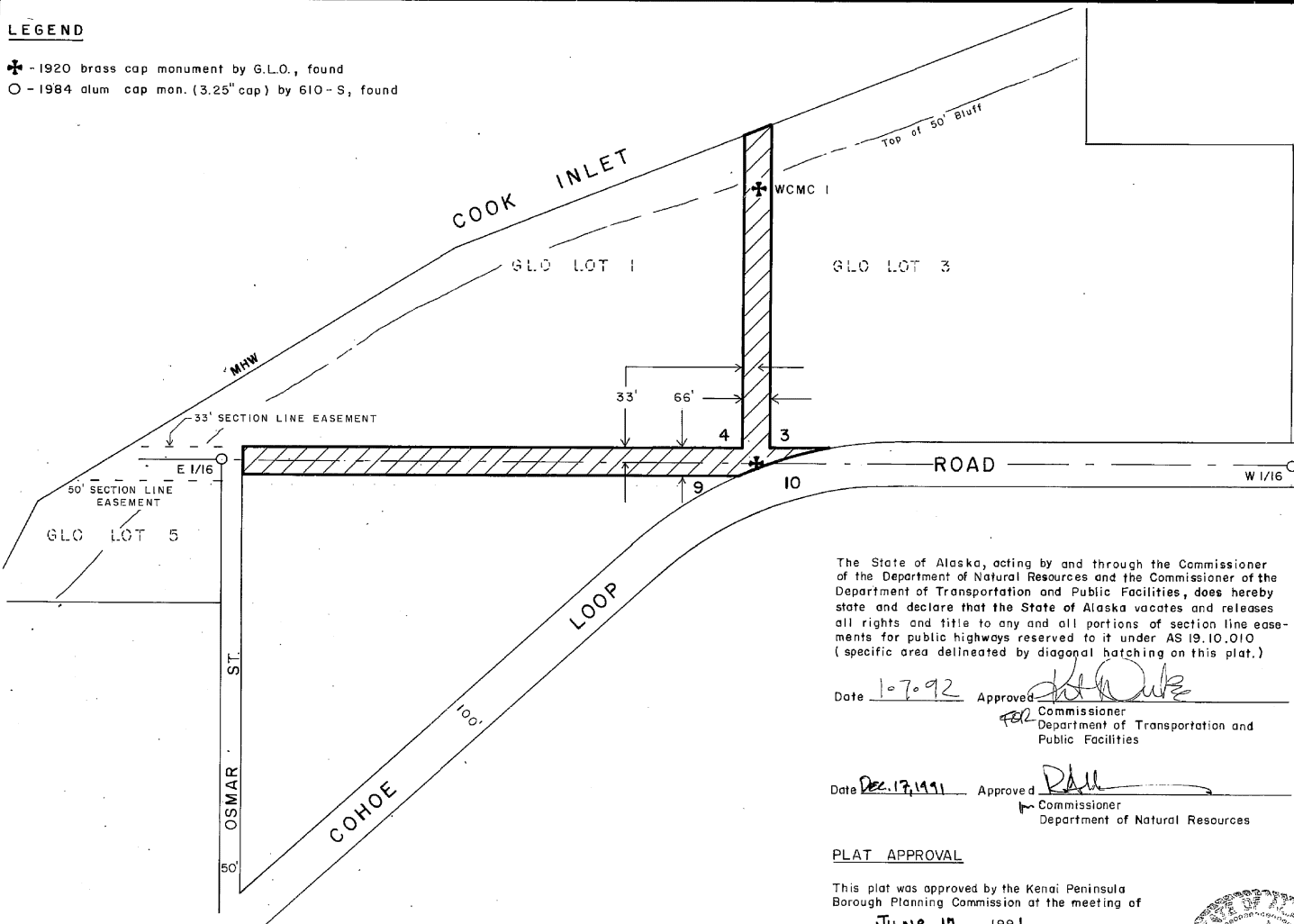
For Dean H. and Neva C. Osmar
 Subscribed and sworn to before me this 15 day of November, 1991.
Teressa J. Hudson
 NOTARY FOR ALASKA
 12-6-94
 My commission expires



91-68
 RECORDED 20
 Kenai REC. DIST.
 DATE Dec 19 1991
 TIME 12:45 P.M.
 Submitted By
 Address H. Johnson

LEGEND

- ✦ - 1920 brass cap monument by G.L.O., found
- - 1984 alum cap mon. (3.25" cap) by 610-S, found



SECTION LINE EASEMENT VACATION CERTIFICATE APPROVAL RECOMMENDATION STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

The vacation statement, as shown hereon, has been reviewed by the Central Regional Office and is hereby recommended for approval by the Commissioner.

Recommended by: Daniel M. Boudreau Date 11/6/92
Title: CENTRAL REGION R-O-W AGENT

STATE OF ALASKA DIVISION OF LAND

The vacation statement, as shown hereon, has been reviewed by the Division of Land and is hereby recommended for approval by the Commissioner.

Recommend by: DLM Date DECEMBER 17, 1991
Title: DIRECTOR, DIVISION OF LAND

The State of Alaska, acting by and through the Commissioner of the Department of Natural Resources and the Commissioner of the Department of Transportation and Public Facilities, does hereby state and declare that the State of Alaska vacates and releases all rights and title to any and all portions of section line easements for public highways reserved to it under AS 19.10.010 (specific area delineated by diagonal hatching on this plat.)

Date 1-7-92 Approved: [Signature]
Commissioner
Department of Transportation and
Public Facilities

Date Dec. 17, 1991 Approved: [Signature]
Commissioner
Department of Natural Resources

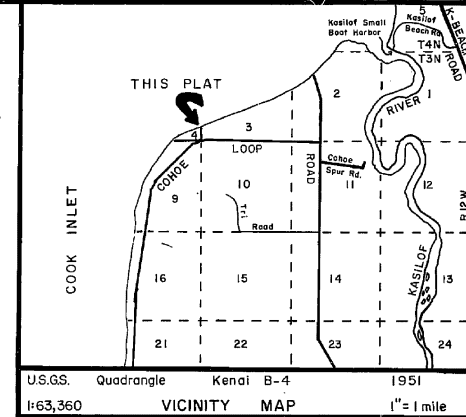
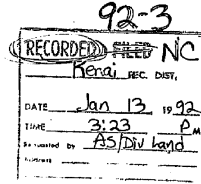
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of June 19, 1991.

KENAI PENINSULA BOROUGH
By: Richard B. Troger

NOTES

- Diagonally hatched area indicates portions of the section line easements being vacated within section 3, 4, 9, and 10, T3N, R12W, S.M. It is not the intent of this plat to vacate any other dedicated public rights-of-way or easements.
- No field survey has been conducted in relation to the preparation of this section line easement vacation plat.



OWNERSHIP CERTIFICATE

We hereby certify that we are the owners of the property shown and described hereon and that we hereby approve of the vacation of the section line easement as shown hereon.

Date 11-15-91 Dean Osmar
Dean Osmar

Date 11-15-91 Neva Osmar
Neva Osmar

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn to before me this 15 day of November, 1991.
For Dean & Neva Osmar

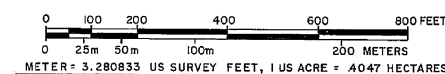
[Signature]
Notary for Alaska
My commission expires 12-6-91

SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, and that this plat was drafted under my direct supervision, and that all data shown hereon is true and correct as compiled from existing record information.

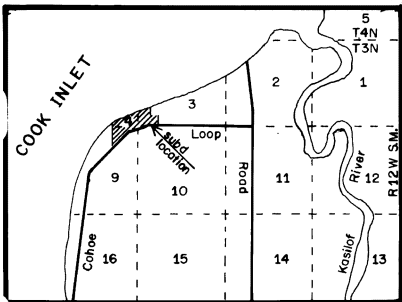
Date 15 Nov, 1991 Edward F. Johnson 7328-S
Registration Number

SCALE



DATE OF SURVEY Beginning <u>Not Field Surveyed</u> Ending _____		NAME OF SURVEYOR <u>Hennings Johnson</u> PO Box 27 Clam Gulch, AK, 99568	
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF LAND ANCHORAGE, ALASKA			
SECTION LINE EASEMENT VACATION PLAT LOCATED IN SECTIONS 3, 4, 9 and 10, T3N, R12W SEWARD MERIDIAN, ALASKA			
KENAI RECORDING DISTRICT			
DRAWN BY <u>BGU</u>		APPROVAL RECOMMENDED DATE <u>9/25/91</u> <u>[Signature]</u> Chief Cadastral Surveyor	
SCALE 1" = 200'	CHECKED <u>[Signature]</u>	FILE NO. EV-2-490	KPB FILE NO. 91-046

SECTION LINE EASEMENT VACATION PLAT



VICINITY 1"=1 mile MAP

COHOE COUNTRY ESTATES SUBDIVISION No. 5

A Subdivision of Tract 'B', Cohoe Country Estates Subd. No. 4 (KR 91-68)
 Located in Gov. Lot 3 SW 1/4 Section 3, Gov. Lot 1 SE 1/4 Section 4, NE 1/4 Section 9, & NW 1/4 Section 10, T3N R12W, S.M., Cohoe, Alaska Kenai Recording District KPB File 95-55

PREPARED FOR

Dean Osmar
 Box 32
 Clam Gulch, Ak 99568

PREPARED BY

Johnson Surveying
 Box 27
 Clam Gulch, Ak 99568

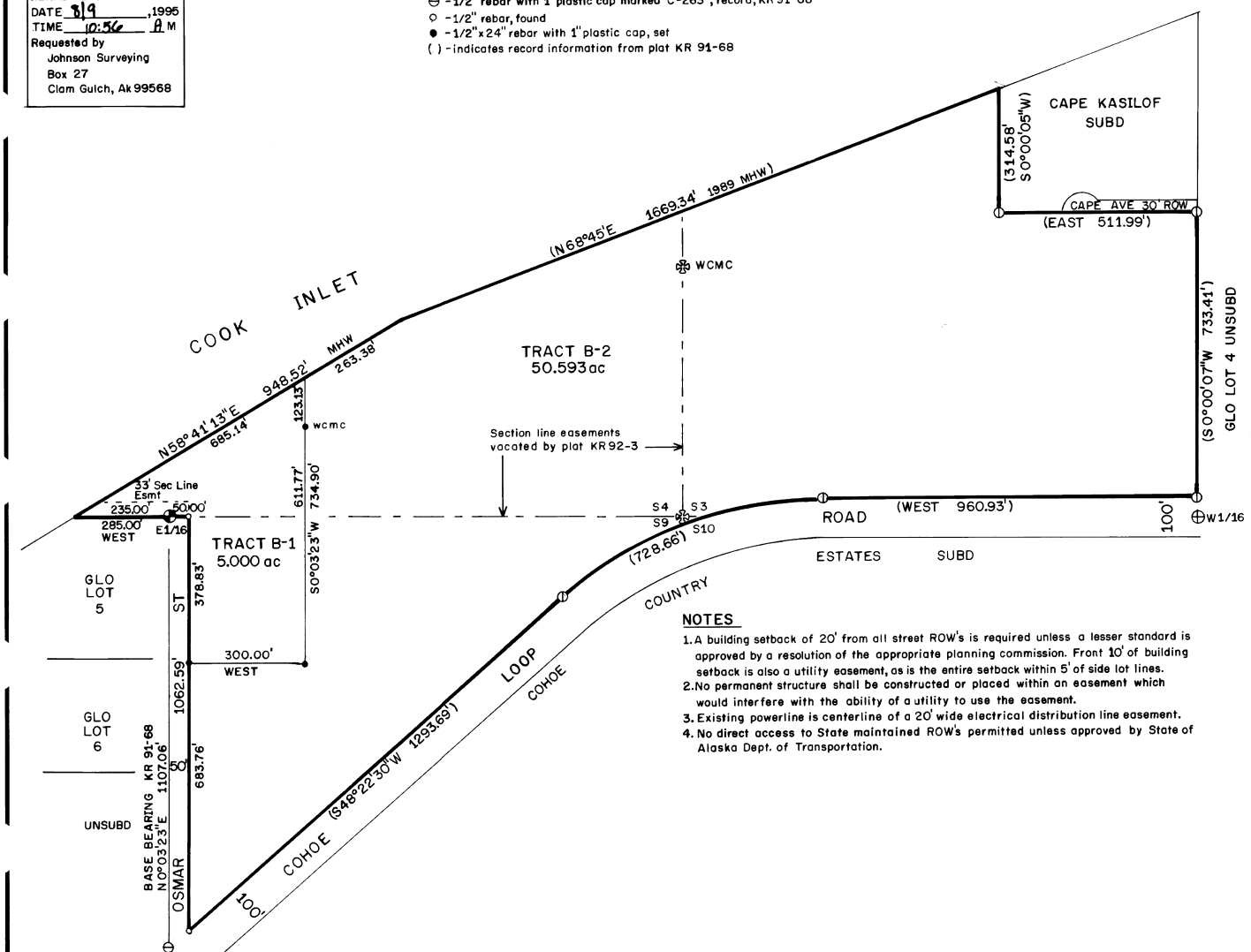


SCALE 1"=200' AREA=55.593 acres 3 Jan, 1993

LEGEND

- ⊕ - USGLO brass cap monument, 1920, record, KR 91-68
- ⊕ - 3-1/4" alcap monument, 610-S, 1984, record, KR 91-68
- ⊕ - 3-1/4" alcap monument, 610-S, 1984, found
- ⊕ - 1/2" rebar with 1" plastic cap marked 'C-263', found
- ⊕ - 1/2" rebar with 1" plastic cap marked 'C-263', record, KR 91-68
- ⊕ - 1/2" rebar, found
- ⊕ - 1/2" x 24" rebar with 1" plastic cap, set
- () - indicates record information from plat KR 91-68

95-36
 RECORDED FILED 20
 KENAI RECORDING DIST.
 DATE 3/19/1995
 TIME 10:56 A.M.
 Requested by
 Johnson Surveying
 Box 27
 Clam Gulch, Ak 99568



NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. Existing powerline is centerline of a 20' wide electrical distribution line easement.
4. No direct access to State maintained ROW's permitted unless approved by State of Alaska Dept. of Transportation.

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 8 May, 1995.

KENAI PENINSULA BOROUGH

By: Dean Osmar
 Authorized Official

Date: 4 August 1995

WASTEWATER DISPOSAL

TRACT B-2: Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

TRACT B-1: Conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the ADEC.

Subject to any noted restrictions, the ADEC approves this subdivision for platting.

Signature: Scott Ingers

Title: EEA II

Date: 6/12/95

OWNERSHIP CERTIFICATE

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

Dean H. Osmar
 Dean H. Osmar Box 32 Clam Gulch, Ak 99568

NOTARY'S ACKNOWLEDGEMENT

For Dean H Osmar
 Subscribed and sworn to before me this 30th day of June, 1995.

Quinn C. O'Connell
 Notary Public for Alaska
 My commission expires 7/5/98



COHOE COUNTRY ESTATES SUBDIVISION No. 6 AMENDED PLAT

A replat of Tracts B-1 & B-2 Cohoe Country Estates Subd. No. 5 (KR 95-36), & Lot 1-B Cape Kaslof Subd. #2 (KR86-87). Located Gov. Lot 3 SW1/4 Section 3, Gov. Lot 1 SE1/4 Section 4, NE1/4 Section 9, & NW1/4 Section 10, T3N R12W, SM, Cohoe, Alaska. Kenai Recording District KPB File 98-268

Prepared For: Dean Osmar
Box 32
Clam Gulch, AK 99568

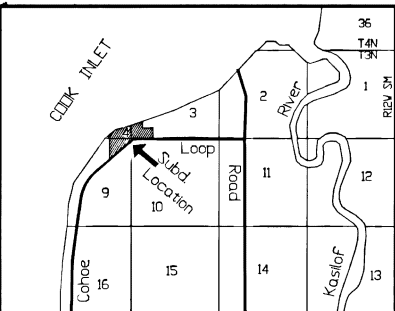
Prepared by: Johnson Surveying
Box 27
Clam Gulch, AK 99568



SCALE 1" = 200' AREA = 55.881 acres 23 Oct, 1998

LEGEND

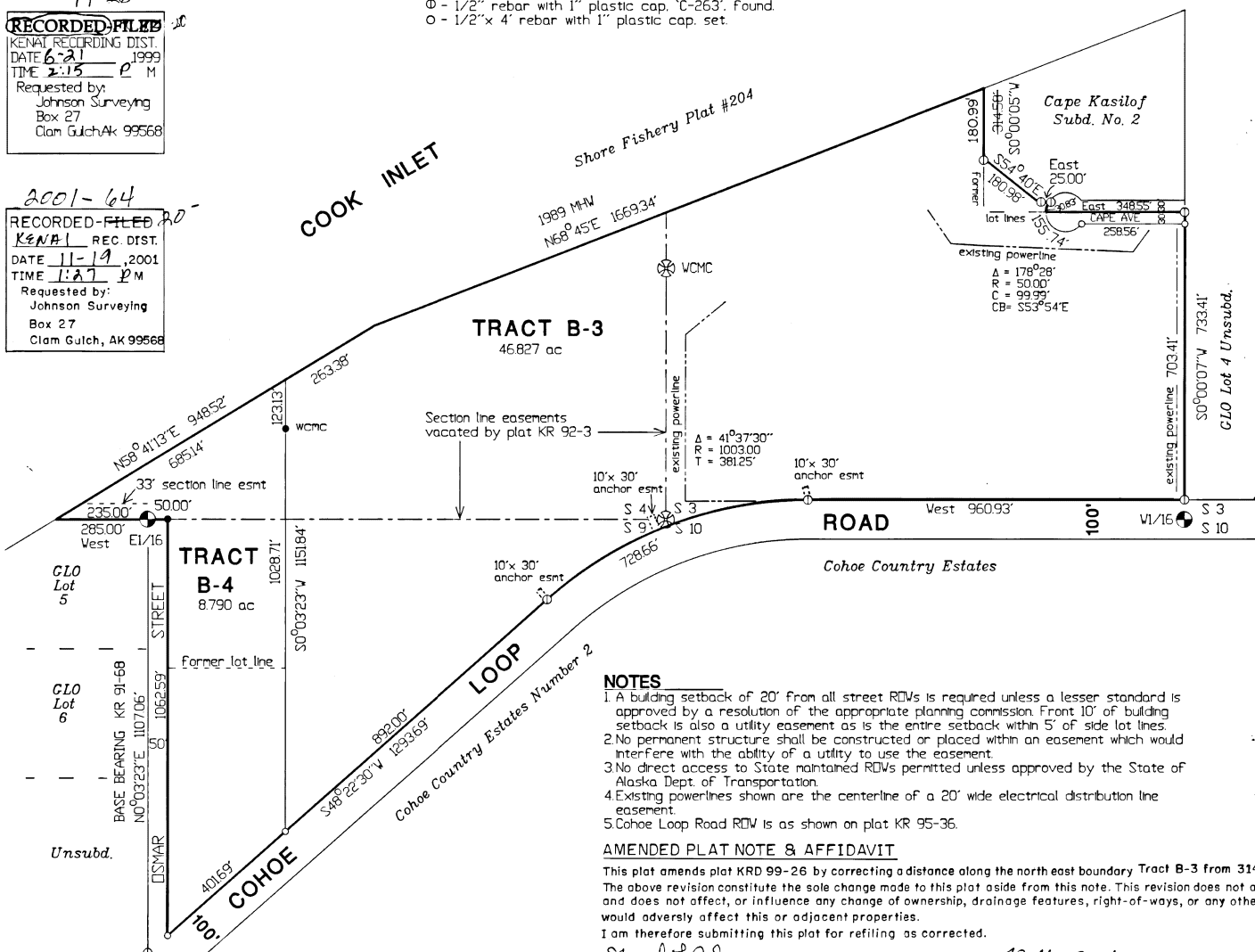
- ⊗ - USGLD brass cap monument, 1920, found.
- ⊙ - 3/4" alcap monument, 610-S, 1998, found.
- - 1/2" rebar with 1" plastic cap, 7328-S, 1993, found.
- ⊖ - 1/2" rebar with 1" plastic cap, C-263, found.
- - 1/2" x 4" rebar with 1" plastic cap, set.



VICINITY 1" = 1 mile MAP

99-26
RECORDED-FILED
KENAI RECORDING DIST.
DATE 6-21-1999
TIME 2:15 P M
Requested by:
Johnson Surveying
Box 27
Clam Gulch, AK 99568

2001-64
RECORDED-FILED
KENAI REC. DIST.
DATE 11-19-2001
TIME 1:27 P M
Requested by:
Johnson Surveying
Box 27
Clam Gulch, AK 99568



NOTES

1. A building setback of 20' from all street RDVs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. No direct access to State maintained RDVs permitted unless approved by the State of Alaska Dept. of Transportation.
4. Existing powerlines shown are the centerline of a 20' wide electrical distribution line easement.
5. Cohoe Loop Road RDV is as shown on plat KR 95-36.

AMENDED PLAT NOTE & AFFIDAVIT

This plat amends plat KR 99-26 by correcting a distance along the north east boundary Tract B-3 from 314.58' to 180.99'. The above revision constitute the sole change made to this plat aside from this note. This revision does not alter lot areas and does not affect, or influence any change of ownership, drainage features, right-of-ways, or any other item which would adversely affect this or adjacent properties.

I am therefore submitting this plat for refiling as corrected.

Gerard L. Johnson
Gerard L. Johnson 7328-S 13 Nov 2001
DATE

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 23 November, 1998.

KENAI PENINSULA BOROUGH

BY: *Max L. Best* 6-16-99
Authorized Official Date

WASTEWATER DISPOSAL TRACT B-2A

These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

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 replat, and by our free consent dedicate all RDVs to public use and grant all easements to the use shown.

Dean H. Osmar
Dean H. Osmar P.O. Box 32 Clam Gulch, AK 99568
Neva C. Osmar
Neva C. Osmar P.O. Box 46 Kaslof, AK 99610

NOTARY'S ACKNOWLEDGEMENT

For: Dean H. Osmar
Subscribed and sworn to before me this 31 day of March, 1999.

Carol Joyce
Notary Public for Alaska
My commission expires Postmaster



NOTARY'S ACKNOWLEDGEMENT

For: Neva C. Osmar
Subscribed and sworn to before me this 1 day of APRIL, 1999.

Carol Joyce
Notary Public for Alaska
My commission expires Postmaster



COHOE COUNTRY ESTATES No. 8

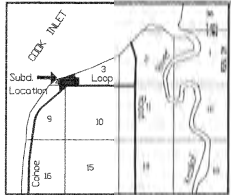
A subdivision of Tract B-3, Cohoe Country Estates No. 8, amended KRD 2001-041 located in SW 1/4 Section 3, SE 1/4 Section 4, NE 1/4 Section 9, and NW 1/4 Section 10, T34N R10W S1M Coho, Alaska.
Kernal Recording District Kernal Peninsula Borough File #010-064

Prepared for
Dean Danner
P.O. Box 30
Clon, Alaska AK 99568

Prepared by
Johnson Surveying
Box 17
Clon, Alaska AK 99568



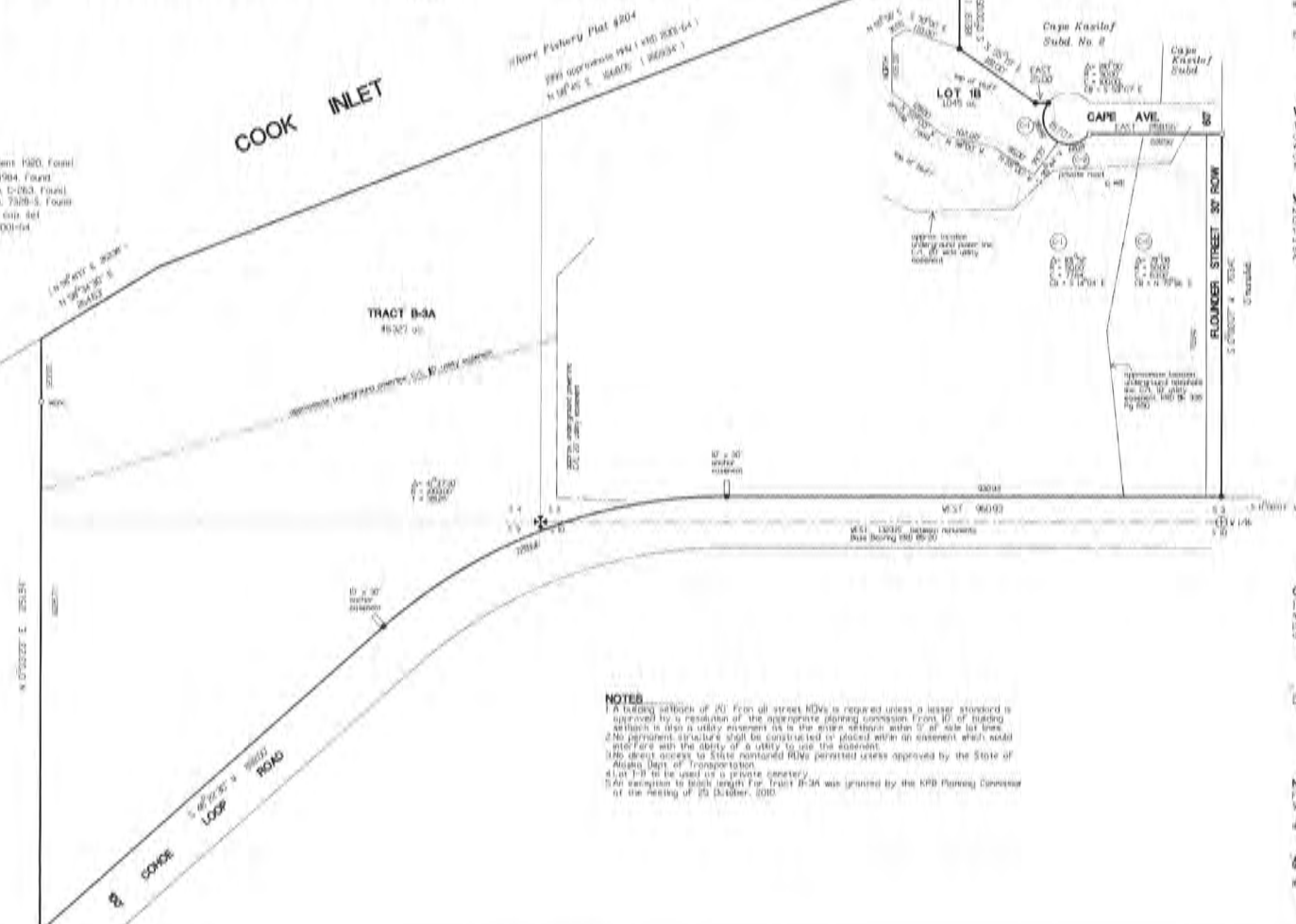
SCALE 1" = 100' AREA = 46,934 acres
28 September, 2010



VICINITY 1" = 1 mile MAP

3011-38
RECORDED-FILED
KRD 2010-041
DATE 10-28-2010
TIME 1:15 PM
Submitted by
Johnson Surveying
Box 17
Clon, Alaska AK 99568

LEGEND
 * 2 1/2" USGLD brass cup monument 1980, Found
 CD 3 1/2" alcop monument 610-8, 1984, Found
 • 1/2" rebar with 1" plastic cap 1-063, Found
 o 1/2" rebar with 1" plastic cap 7305-5, Found
 - 1/2" x 4" rebar with 1" plastic cap 1st
 (-) record information plus 100, 800, 1600



PLAT APPROVAL
This plat was approved by the Kernal Peninsula Borough Planning Commission at the meeting of 16 October, 2010.

RECORDING DISTRICT KRD 2010-041
By: *Max Danner* July 25, 2011
Authorizing Official Date

WASTEWATER DISPOSAL TRACT B-3A
This lot is at least 500,000 square feet or more in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any onsite wastewater treatment and disposal system must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

WASTEWATER DISPOSAL LOT 1B
No wastewater will be generated or disposed of on this lot. Conditions may not be suitable for onsite wastewater treatment and disposal. Any onsite wastewater treatment and disposal system must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

OWNERSHIP CERTIFICATE & DEDICATION
I hereby certify that I am the owner of the real property shown and described herein and that I hereby adopt this plan of subdivision and by my free consent dedicate to public use and grant of easements to the use shown.

Dean Howard Danner
Dean Howard Danner P.O. Box 30 Clon, Alaska AK 99568

NOTARY'S ACKNOWLEDGEMENT
For Dean Howard Danner
Subscribed and sworn to before me this 13

day of June, 2011

Johnnie Danner
Johnnie Danner Notary Public

My commission expires 3-7-13



NOTES
 1. A building setback of 30' from all street R.O.W.s is required unless a lesser standard is approved by a resolution of the appropriate planning commission from the plan of subdivision.
 2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
 3. No direct access to State maintained R/Ws permitted unless approved by the State of Alaska, Dept. of Transportation.
 4. Lot 1-B to be used as a private cemetery.
 5. An easement to beach length for Tract B-3A was granted by the KRD Planning Commission at the meeting of 25 October, 2010.

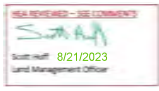
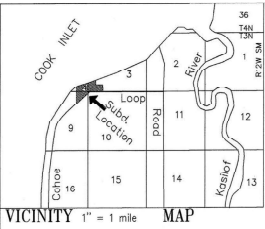
COHOE COUNTRY ESTATES SUBDIVISION No. 9 Preliminary Plat

A subdivision of Tract B-3A Cohoe Country Estates Subd. No. 8, (KRD 2011-38).
 Located Gov. Lot 3 SW1/4 Section 3, Gov. Lot 1 SE1/4 Section 4, NE1/4 Section 9, &
 NW1/4 Section 10, T3N R12W, SM, Cohoe, Alaska
 Kenai Recording District Kenai Peninsula Borough

Prepared for
 Dean Osmar
 Box 32
 Clam Gulch, AK 99566

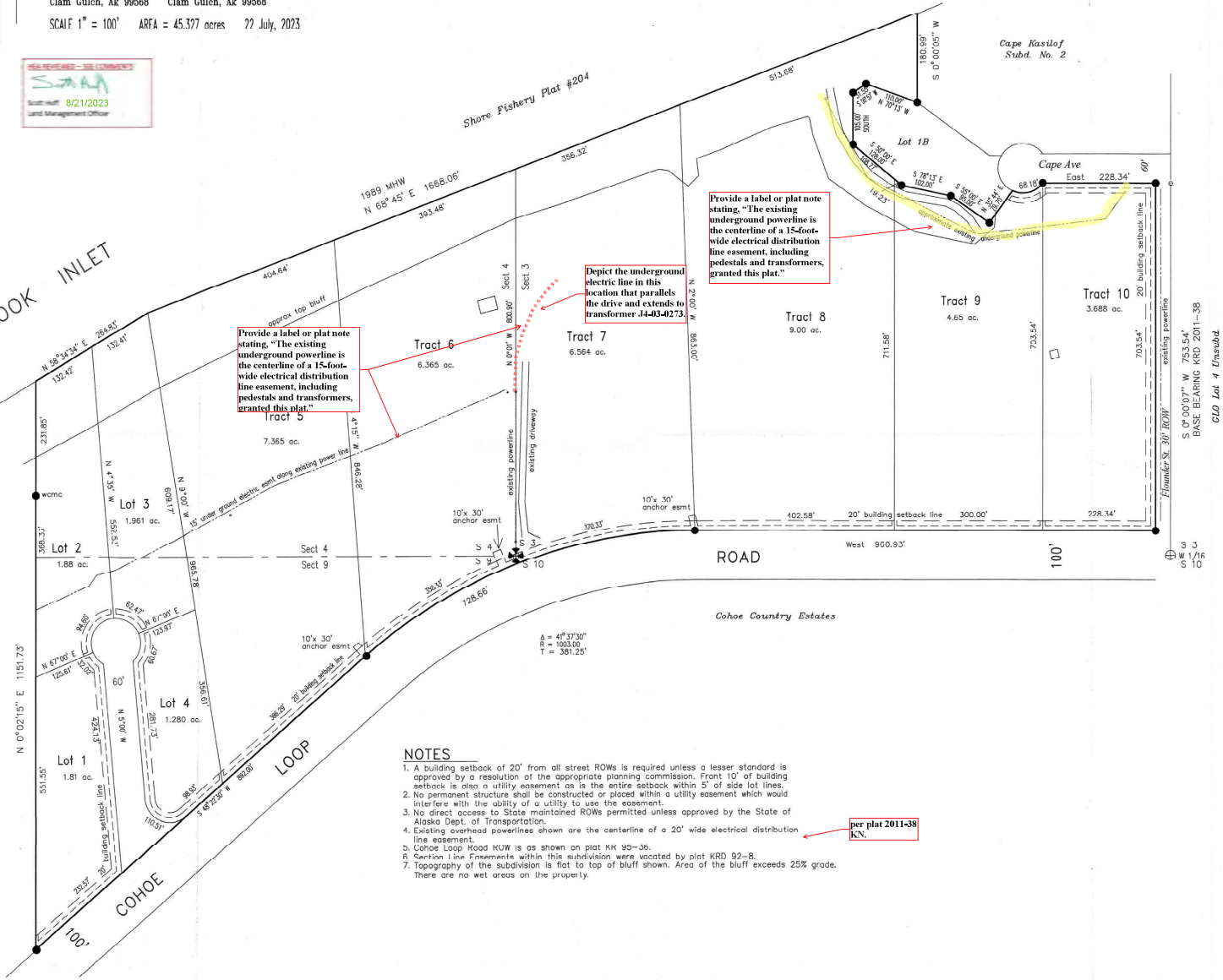
Prepared by
 Johnson Surveying
 P.O. Box 27
 Clam Gulch, AK 99566

SCALE 1" = 100' AREA = 45.377 acres 22 July, 2023



COOKE INLET

TRACT B-4



NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
2. 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.
3. No direct access to State maintained ROWs permitted unless approved by the State of Alaska Dept. of Transportation.
4. Existing overhead powerlines shown are the centerline of a 20' wide electrical distribution line easement.
5. Cohoe Loop Road ROW is as shown on plat KK 95-36.
6. Section line easements within this subdivision were vacated by plat KRD 92-8.
7. Topography of the subdivision is flat to top of bluff shown. Area of the bluff exceeds 25% grade. There are no wet areas on the property.

per plat 2011-38 KN.

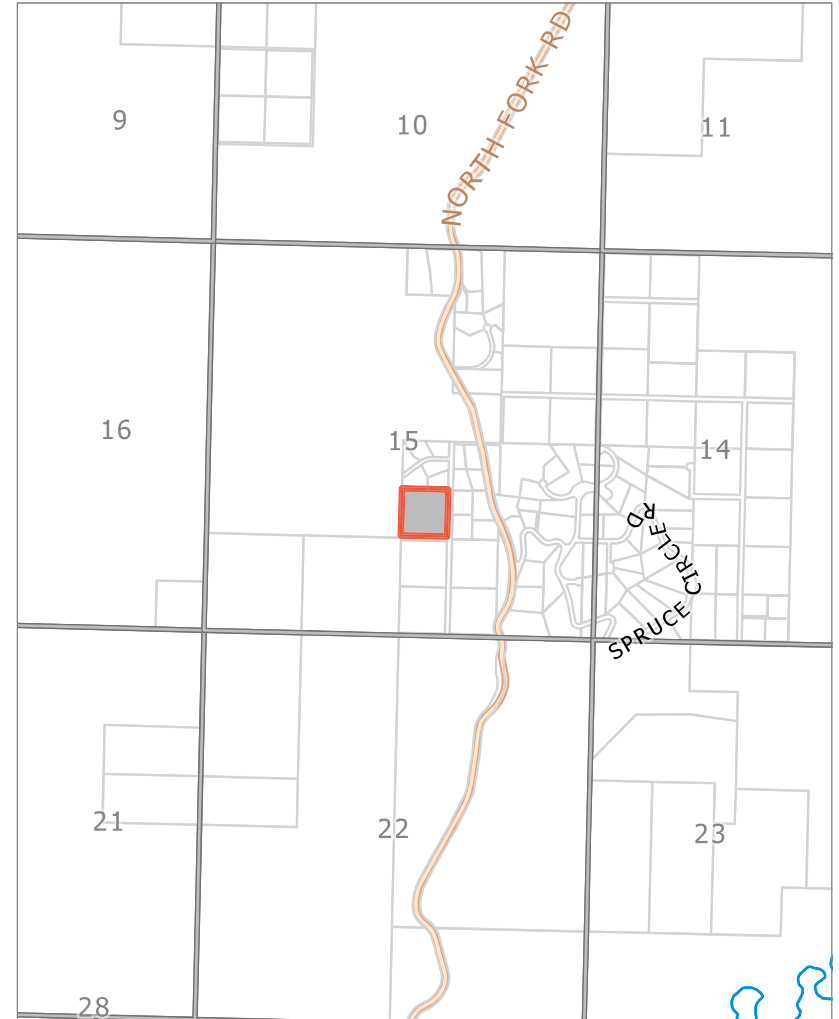
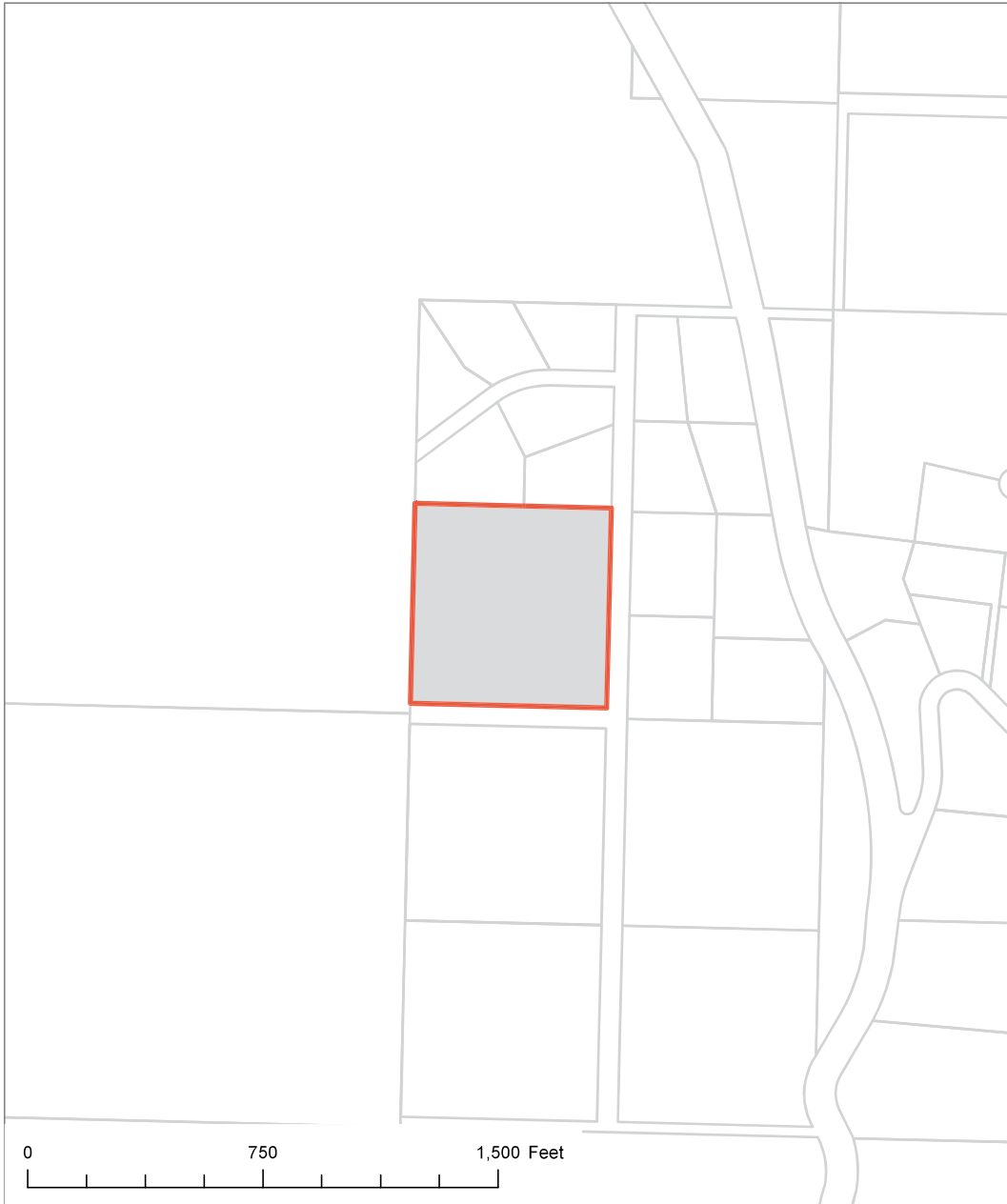
E. NEW BUSINESS

2. Hidden Hills Tract G5 Replat; KPB File 2023-092

Surveyor: Geovera LLC; Owner: Engebretsen

Location: Cryptic Ave. Off North Fork Rd.; PIN: 171-330-20

Anchor Point Area / Anchor Point APC



KPB File 2023-092
T 05S R 14W SEC 15
Anchor Point



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

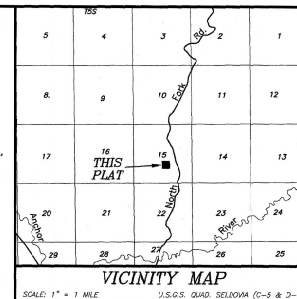
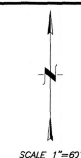
NOTES

1. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
2. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY A RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
3. THE FRONT 10' OF THE BUILDING SETBACK IS 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.
4. 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.
5. THESE LOTS ARE AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK28, PG 220 HRD).
6. THE EXISTING OVERHEAD POWERLINE IS THE CENTERLINE OF A 30-FOOT-WIDE ELECTRICAL EASEMENT, INCLUDING GUYS AND ANCHORS, GRANTED THIS PLAT.

PLAT APPROVAL

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

BY: _____ DATE _____
 AUTHORIZED OFFICIAL
 KENAI PENINSULA BOROUGH



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

ALLEN ENGBRETSEN
 PO BOX 534
 HOMER, ALASKA 99603

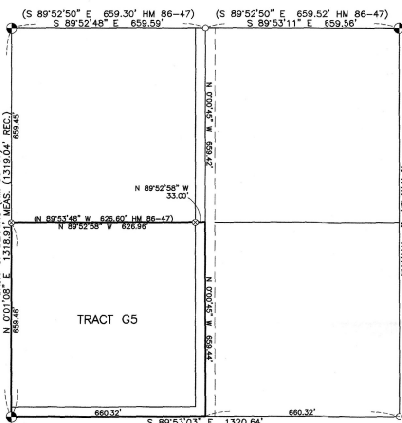
LINDA ENGBRETSEN
 PO BOX 534
 HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

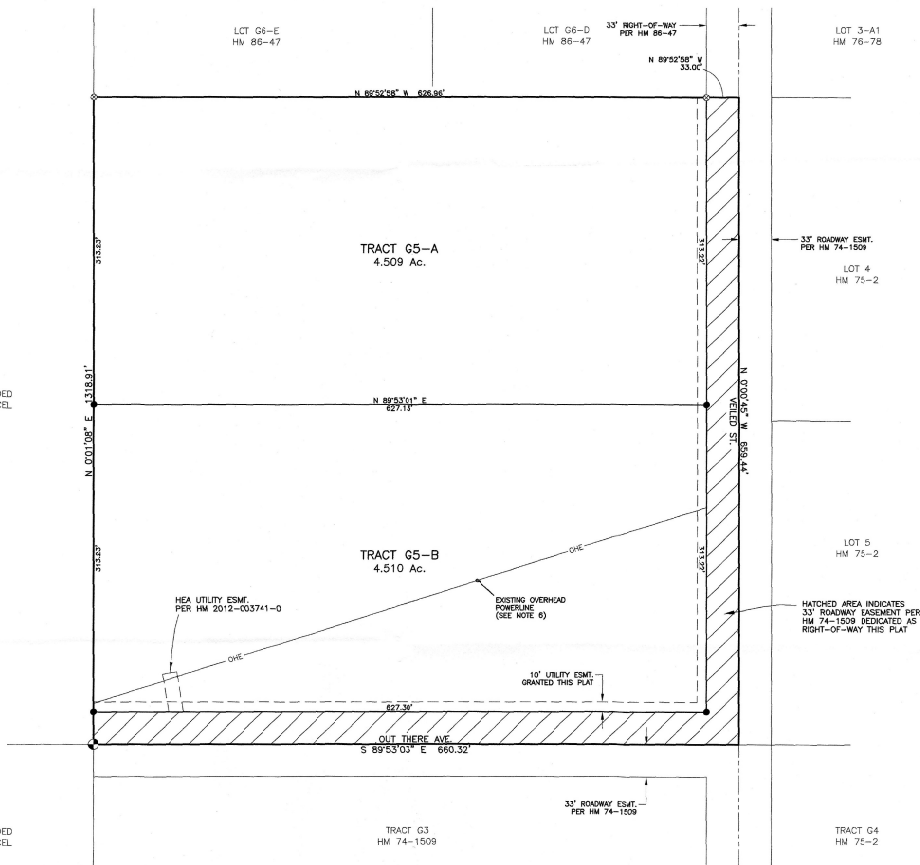
FOR ALLEN ENGBRETSEN AND LINDA ENGBRETSEN
 ACKNOWLEDGED BEFORE ME THIS
 DAY OF _____, 2023.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____



SECTION BREAKDOWN
 SCALE: 1"=200'

**LEGEND**

- INDICATES 2-1/2" BRASS CAP MON (3087-S, 1973) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR (CAP MISSING) (REC. HM 86-47) RECOVERED THIS SURVEY
- INDICATES 1/2" IRON PIPE (REC. HM 75-2) RECOVERED THIS SURVEY
- INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2023) SET THIS SURVEY
- () INDICATES RECORD DATA AS SHOWN
- INDICATES AREAS WITH SLOPES GREATER THAN 20%
- INDICATES EXISTING DRAINAGE

KPB 2023-092



HOMER RECORDING DISTRICT KPB FILE No. 2023-???

HIDDEN HILLS TRACT G5 REPLAT

THE SUBDIVISION OF TRACT G5,
 HIDDEN HILLS SUBDIVISION ADDITION NO. 1 (HM 74-1509)
 LOCATED WITHIN THE N1/2 SE1/4 NE1/4, SEC 11,
 T. 6 S., R. 14 W., SEWARD MERIDIAN, KENAI PENINSULA BOROUGH,
 THIRD JUDICIAL DISTRICT, ALASKA
 CONTAINING 9.023 ACRES

OWNERS:
 ALLEN ENGBRETSEN AND LINDA ENGBRETSEN
 PO BOX 534 HOMER, ALASKA 99603

GEOVERA, LLC

PO BOX 3235

HOMER, ALASKA 99603

(907) 399-4345

EMAIL: scsmith@gci.net

DRAWN BY: SCS

AUGUST 2023

SCALE: 1" = 60'

CHK BY: SCS

JOB #2023-42

SHEET 1 OF 1

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
HIDDEN HILLS TRACT G5 REPLAT**

KPB File No.	2023-092
Plat Committee Meeting:	September 11, 2023
Applicant / Owner:	Allen and Linda Engebretsen of Homer, Alaska
Surveyor:	Stephen Smith / Geovera, LLC
General Location:	Anchor Point / Anchor Point APC

Parent Parcel No.:	171-330-20
Assessor Description:	T 5S R 14W SEC 15 SEWARD MERIDIAN HM 0741509 Hidden Hills Sub Addn No 1 Tract G5
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exception Request	N/A

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 9.991 acre parcel into two tracts ranging in size from 4.509 acres to 4.510 acres and two dedications.

Location and Legal Access (existing and proposed): This property is located at the corner of Out There Avenue and Veiled Street west of North Fork Road in Anchor Point. Both streets were identified as 66 foot wide "Roadway Easements" and not formally dedicated. This platting action will be dedicating 33 feet to Veiled Street and Out There Avenue for acceptance by the Kenai Peninsula Borough. Both streets are currently maintained by the Road Service Area with maintenance ending at the southwest corner of the subdivision. A Certificate of Acceptance will be required on the final plat for acceptance by the borough.

There appears to be a patent easement listed in the certificate to plat at serial number 64-1437, patent 50-65-0149. **Staff recommends:** the surveyor verify its validity and location and show as necessary.

The block is defined by Vicki Lane, Veiled Street, and Out There Avenue and is compliant.

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

Site Investigation: This subdivision has no classified wetlands located within the boundary of the parcel. A wetland determination note is present under plat note four and can remain.

There are gradual slopes running west to east towards Veiled Street and none are over 20 percent in grade.

The parcel is currently vacant with no improvements.

KPB River Center review	A. Floodplain
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	Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	

Staff Analysis

This subdivision was created from aliquot described property from Hidden Hills Subdivision Addition No 1 HM 74-1509. No other platting actions have occurred for this subject parcel. This replat will be granting a 20 foot building setback along all dedicated rights-of-way **staff recommends: in addition to the plat note the setback be depicted on the face of the plat.**

As the tracts are under 200,000 square feet a soils report will be required and an engineer will sign the final plat per KPB 20.40.040(A).

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.

Anchor Point Advisory Planning Commission minutes for the September 7, 2023 meeting were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

Utility Easements

There are no platted utility easements for this parcel to carry over. The front 10 feet of the 20 foot building setback will be granted as a utility easement. Plat note six will be granting a 30-foot-wide utility easement for the existing overhead powerline, the recording information should be added to the note. The Certificate to Plat also indicated a recorded easement for the benefit of Homer Electric Association Inc (HEA) and is depicted correctly with the corresponding plat note.

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	No comments or recommendations
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: NONE
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	<p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: OUT THERE AVE, VEILED ST</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: No other comments</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>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</p> <p>Comments: No comment</p>
Anchor Point Advisory Planning Commission	

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: Update the KPB file number to 2023-092. Correct the aliquot description and Township and Section.

Change the acres to 9.991 to include the right-of-way area. As they were easements before.

- 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: Please show less area in the vicinity map to give a closer view of where the subdivision is located.

- 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: Please correct the plat number for G4 located to the southeast. The plat 75-2 is the vacated right-of-way included in this parcel.

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

20.30.060. Easements-Requirements.

A. The planning commission may require easements it determines necessary for the benefit of the public. Such easements include, but are not limited to, lateral support (slope) easements, drainage easements for ditching or protection of a drainage, and utility easements. Required easements do not need to be for road purposes.

B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

Staff recommendation: The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Grant utility easements requested by the utility providers.**

Include the filing information of the easement in plat note #6.

20.30.240. Building setbacks.

B. The setback shall be graphically depicted and labeled on the lots; if such depiction will interfere with the legibility of the plat, a typical lot showing the depiction and label may be provided on the plat, clearly indicating that the typical setback applies to all lots created by the plat.

Staff recommendation: Depict the building setback along both dedications.

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: tracts are less than 200,000 square feet and a soils report will be required and an engineer will need to sign the final plat.

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.

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: Provide certificate of acceptance.

20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: comply with 20.60.110.

- West line of the plat needs correct distance listed on the primary drawing.
- North line should give an overall distance for the line on the primary drawing.

20.60.150. Utility easements.

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

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

No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

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.*

- Roads must meet the design and construction standards established by the borough in order to be considered for certification and inclusion in the road maintenance program (KPB 14.06).

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *comply with 20.60.190.*

- Add Certificate of Acceptance
- Add date of September 11, 2023 to Plat Approval certification

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.

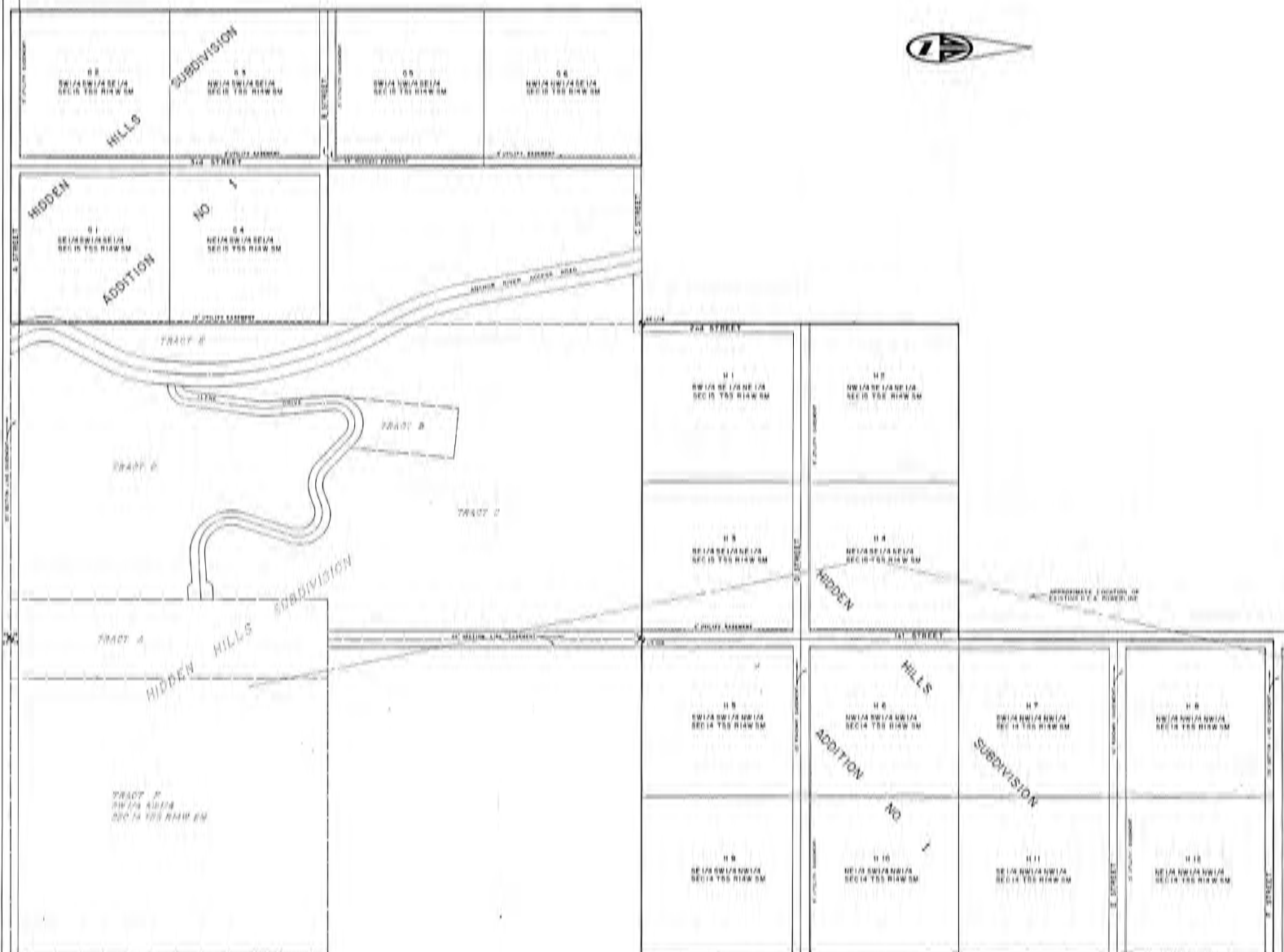
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



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.



E. NEW BUSINESS

- 3. McNamara Acres at Moose Hill; KPB File 2023-009R1
Surveyor: Peninsula Surveying LLC; Owner Lastinger
Location: McNamara Court, Royce Street & Emilie Avenue
PINs: 066-102-06; 066-102-07; 066-102-08; 066-102-09
Funny River Area / Funny River APC**



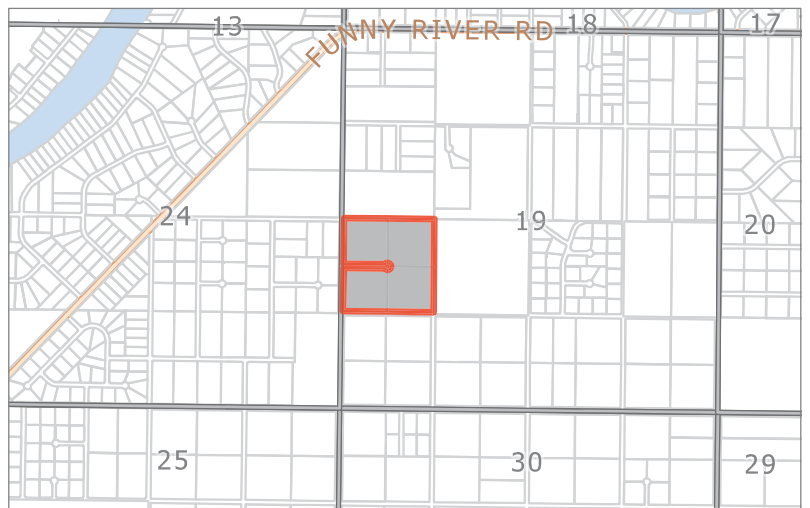
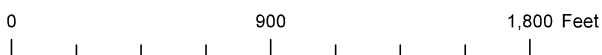
Kenai Peninsula Borough Planning Department

Vicinity Map



KPB File 2023-009R1
T 05N R 08W SEC 19
Funny River

08/17/2023



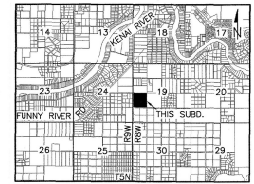




CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGEN	CHORD	CHORD BEARING
C1	31.49	20.00	09°02'16"	20.07	28.33	N45°00'55"E
C2	31.34	20.00	08°47'44"	19.93	28.23	S44°59'05"E
C3	124.90	50.00	113°07'48"	150.00	94.87	S18°16'38"W

LEGEND

- ④ FOUND ALUMINUM MONUMENT AS DESCRIBED
 - ④ FOUND 2.5" BRASS MONUMENT AS DESCRIBED
 - ✱ FOUND 5/8" REBAR
 - ④ SET 5/8" REBAR WITH RED PLASTIC CAP, 14488-S
 - ④ SET 5/8" X 36" REBAR WITH 2.5" ALUMINUM MONUMENT
 - [RECORD DATA PER PLAT KN 85-84
 - (RECORD AND MEASURED DATA PER PLAT KN 2022-73
 - < RECORD DATA PER PLAT KN 81-151
 - < RECORD DATA PER PLAT KN 99-63RS
 - ~ RECORD DATA PER PLAT KN 85-148
- WETLANDS FOR THE KENAI WATERSHED FORUM 2013 COOK
INLET WETLANDS MAPPING



1" = 1 MILE

CERTIFICATE OF OWNERSHIP AND DEDICATION

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 DEDICATES ALL RIGHTS-OF-WAY AND GRANTS ALL EASEMENTS TO THE USE SHOWN.

GEORGE LASTINGER
PO BOX 2834
SCLDOTNA, AK 99669

LAUREL LASTINGER
PO BOX 2834
SOLDOTNA, AK 99669

NOTARY ACKNOWLEDGMENT

FOR: GEORGE LASTINGER AND LAUREL LASTINGER
ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2023

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

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 SCOROLLUM. 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 _____

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPT ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

DETROIT CIRCLE RIGHT-OF-WAY
LAURELWOOD ST RIGHT-OF-WAY
MCNAMARA AVENUE RIGHT-OF-WAY
GOOSE BERRY AVENUE RIGHT-OF-WAY

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL: _____ DATE: _____

NOTES

1. 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 ALL RIGHTS-OF-WAY AND INCREASING TO 20' WITHIN 5' OF THE SIDE LOT LINES IS GRANTED AS UTILITY EASEMENT PER THIS PLAN.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITH A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. 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.
4. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM (KPB 14.06).
5. THE KPB PLAN COMMITTEE GRANTED EXCEPTIONS TO KPB 23.30.03(A) EXTENSION OF ROW AND KPB 23.30.17C BLOCK LENGTH AT THE MEETING OF -----.

PLAT APPROVAL

THIS PLAN WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____.

KENAI PENINSULA BOROUGH

BY: _____
 AUTHORIZED OFFICIAL

◀PB FILE NUMBER:

PENINSULA SURVEYING, LLC
0535 KATRINA BOULEVARD, NINILCHIK, AK 99631
(907)306-7065

PLAT OF
MCNAMARA ACRES AT MOOSE HILL

4 SUBDIVISION OF
TRACTS A, B, C, AND D MCNAMARA ACRES SUBDIVISION, KN E1-151
LOCATED WITHIN
NW1/4 SW1/4 SEC. 19, T.5N., R.9W., S.4.
KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA
CONTAINING 37.246 ACRES

OWNERS: GEORGE AND LAUREL LASTINGER
PO BOX 2834, SOLDOTNA, AK 99669

SCALE: 1" = 100'	DATE: JULY 12, 2023
------------------	---------------------



AGENDA ITEM E. NEW BUSINESS

**ITEM #3 - PRELIMINARY PLAT
MCNAMARA ACRES AT MOOSE HILL**

KPB File No.	2023-009R1
Plat Committee Meeting:	September 11, 2023
Applicant / Owner:	George and Laurel Lastinger of Soldotna, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Goose Berry Avenue, Royce Street, Funny River, Funny River APC

Parent Parcel No.:	066-102-06, 066-102-07, 066-102-08, and 066-102-09
Assessor Description:	T 5N R 8W SEC 19 SEWARD MERIDIAN KN 0810151 McNamara Acres Sub Tract A, B, C, AND D
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site
Exception Request	20.30.030(A) and 20.30.170

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure four tracts into sixteen lots. The new lots will range in size from 1.046 acres to 4.406 acres. The plat will also finalize a right-of-way vacation and dedicate several new rights-of-way.

This plat was originally heard and given conditional approval by the Plat Committee on March 20, 2023 and is being brought back as a revision. The revisions include new proposed dedications of Goose Berry Avenue, Detroit Circle and Laurelwood Street.

Location and Legal Access (existing and proposed): The subdivision is located at the end of Goose Berry Avenue, a varying width right-of-way that is borough maintained. Goose Berry is located off State maintained Funny River Road approximately at mile 14.75. The dedication of Gooseberry will be continued until the intersection with proposed Laurelwood Street. The maintenance ends at the end of the current dedication. A driveway continues at the end of Goose Berry Avenue to the lot north of this subdivision. Per the parent plat, there is a temporary turnaround at the corner of Goose Berry and Royce Street.

At the end of the Goose Berry Avenue dedication is the dedication for Royce Street. This north-south dedication has varying width and is atop varying width section line easements. It does not appear that the portion of Royce Street adjacent to the subdivision is constructed beyond a trail.

Emilie Avenue, along the south of the subdivision is unconstructed.

The existing right-of-way, McNamara Court, received approval to vacate a portion of the cul-de-sac bulb in order to extend the right-of-way. The Planning Commission heard and approved the right-of-way vacation at the February 13, 2023 meeting with Assembly consenting at their meeting of February 21, 2023.

Detroit Street is a proposed half dedication along the eastern half. This is a continuation of Detroit Street located to the south. The proposed plat has Detroit Street ending with a cul-de-sac bulb.

McNamara Acres Subdivision, Plat KN 81-151, had an 80-foot airstrip easement along the top of the subdivision. This easement is in line with Goose Berry Avenue. It does not appear that this easement is on adjacent parcels. There is no documentation of the creation of this easement within the Certificate to Plat so it appears to be an easement granted by plat. The owners have elected to work with an attorney to remove the easement.

Staff would like to remind the owner and surveyor the approval of the right-of-way vacation of McNamara bulb expires on February 21, 2024.

The south half of the plat is a compliant block of Royce Street, Emile Ave, Detroit Street, and McNamara Ave. The North half of the plat is a non-compliant block of Goose Berry Ave, Laurelwood St, McNamara Avenue, and Detroit Circle. A request for 20.30.170 Block Length Requirement has been received.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: Goose Berry Ave., that serves the platted section is currently a category II, which serves up to 20 lots. The additional 16 lots changes the cat. requirement to III (21-50 lots).
SOA DOT comments	No State ROW shown, so no comments. However, some of the adjacent lands are/were original Mental Health Trust Lands, so the question of Section Line Easement width was raised. Not applicable to the lands being subdivided, just the adjacent lands. - Engineering

Site Investigation: The terrain is relatively flat. There are some low wet areas in the western half of the subdivision. These are shown on the plat and the wetland determination note is present. **Staff recommends the wetland depiction remain on the final plat along with the plat note.**

The lots appear to be vacant. There does not appear to be any issues with encroachments. The lot to the north has a driveway that starts within the northwest corner of this subdivision. **Staff recommends the surveyor verify the driveway does not encroach when performing the field survey.**

An airstrip easement is present along the north but it does not appear that it has been used in such a manner. There is clearing to the northeast of the subdivision that may be used as an airstrip. Easement has been terminated by the owners.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	

Staff Analysis The proposed preliminary is a replat of four tracts created by McNamara Acres Subdivision, Plat KN 81-151, which subdivided an aliquot piece of property into four tracts. This proposed plat will reconfigure those four tracts into sixteen lots as well as provide new rights-of-way dedications.

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 September 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.

Utility Easements The parent plat did not grant 10-foot utility easements along all rights-of-way. It did have a 5-foot utility easement along the northern dedication of McNamara Court with a 30-foot radius anchor easement along the northwestern portion of the cul-de-sac bulb. The easement continued around the cul-de-sac and then followed the shared lot line between Tract B and Tract C. The width of the easement increased to 20 feet in that area. A 10-foot utility easement was also granted along the eastern boundary. A 5-foot utility easement was granted along the southern boundary adjacent to Emilie Avenue.

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	No comments and recommendations
ACS	No objections
GCI	

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn</p> <p>Affected Addresses: NONE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: ROYCE ST, MCNAMARA CT, EMILIE AVE, DETROIT ST, GOOSE BERRY AVE,</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: Yes</p> <p>List of Approved Street Names: LAURELWOOD ST, MCNAMARA AVE, DETROIT CIR</p> <p>List of Street Names Denied:</p>
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	Comments: No other comments
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
Funny River Advisory Planning Commission	

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Give the net overall dimension of lots broken by lot lines where needed.

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.

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: Soils report will be required and licensed engineer will need to sign the plat.

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.

Tie the northwest corner of the plat to the ¼ corner with a dimension.

Tie the southeast corner of the plat to the 1/16th corner with a dimension.

EXCEPTIONS REQUESTED:

KPB 20.30.030 – Proposed Street Layout – continuation of Goose Berry Avenue and Detroit Street **and 20.30.170 – Blocks-length requirements**

Surveyor's Discussion: This plat will be creating sixteen lots from the existing four tracts of land. There will be legal access to all of the lots from new right-of-way dedications. There is an existing air strip to the northeast of the property on Tract 2-A. Extending Goose Berry would put the right-of-way through this air strip.

Staff Discussion: Staff grouped the exceptions but the Plat Committee may determine they wish to act on each request separately by making separate motions. Both of these exceptions were granted at the March 20, 2023 meeting, but because this is a revision they will need to be requested again.

20.30.030. Proposed street layout-Requirements.

- A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

20.30.170. Blocks-Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state-maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Through discussions with the surveyor his clients have indicated they will work with an attorney to have the air strip easement removed outside of the platting action. Documentation will be required showing this has been completed before the plat can be finalized. The recoded document has been received.

It does appear that there may be an airstrip in use on Tract 2-A that is located northeast of the subdivision. While staff does not want a dedication atop the airstrip, having Detroit Street end with a cul-de-sac limits future extension if the airstrip easement is ever removed.

Findings:

1. KPB Code 20.30.030 would require a continuation of Goose Berry Avenue along the northern boundary.
2. Per KPB 14.06.190, airstrips cannot interfere with vehicular use of the roadway.
3. There appears to be an airstrip located to the northeast of the subdivision.
4. Having Detroit Street continue all the way through could provide for the possibility of future development to the north.
5. There is large acreage lots in the area that have not yet been subdivided.
6. If Detroit Street continues a turnaround is provided at the end.
7. The new plat will create a compliant and closed southern block defined by Royce Street, McNamara Avenue, Detroit Street, and Emilie Avenue.
8. The incomplete northern block will be defined by Goose Berry Ave, Laurelwood St, McNamara Avenue, and Detroit Circle.
9. The area has other cul-de-sacs or dedications not yet through to improve blocks or to accurately predict future connections.
10. The revision brings the design closer to compliance.
11. The easement was vacated for convenience of the plat.

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 5-7, 9 & 10 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 5-7, 9 & 10 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 5-7, 9 & 10 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



Planning Department

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

EXCEPTION REQUEST APPLICATION

NAME OF PRELIMINARY PLAT OR PLANNING COMMISSION ITEM:

MOOSE HAVEN

PROPERTY INFORMATION:

legal description: T 5N R 8W SEC 19, KN 81-151 MCNAMARA ACRES SUB TRACT A, TRACT B, TRACT C, TRACT D

General area location: Goose Berry Ave, Funny River

20.50.010. - EXCEPTIONS TO REGULATIONS—PROCEDURE—COMMISSION AUTHORITY.

- A. Unless prohibited under this title, the commission may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. The commission 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;
 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;
 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.
- B. Where a design requirement of this title is addressed by a zoning regulation adopted by the borough assembly or city council, the variance procedures of the applicable zoning code shall be utilized in lieu of the exception procedures.
- C. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.
- D. Upon reconsideration of a plat committee decision following the procedure in KPB 20.25.120, an appeal of a decision of the planning commission made under this section shall be taken to the

SUBMITTAL REQUIREMENTS

Identify the exceptions requested including the section identifier of KPB code. Provide evidence justifying the requested exceptions that fully states the grounds for the exception request, and the facts relied upon. A letter can be attached to this application.

20.30.030(A) - Proposed Street Layout - Continuation of Goose Berry Ave
20.30.170 - Block Length

This plat will be creating sixteen lots from the existing four tracts of land. There will be legal access to all of the lots from new right-of-way dedications. There is an existing air strip to the northeast of the property on Tract 2-A. Extending Goose Berry would put the right-of-way through this air strip.

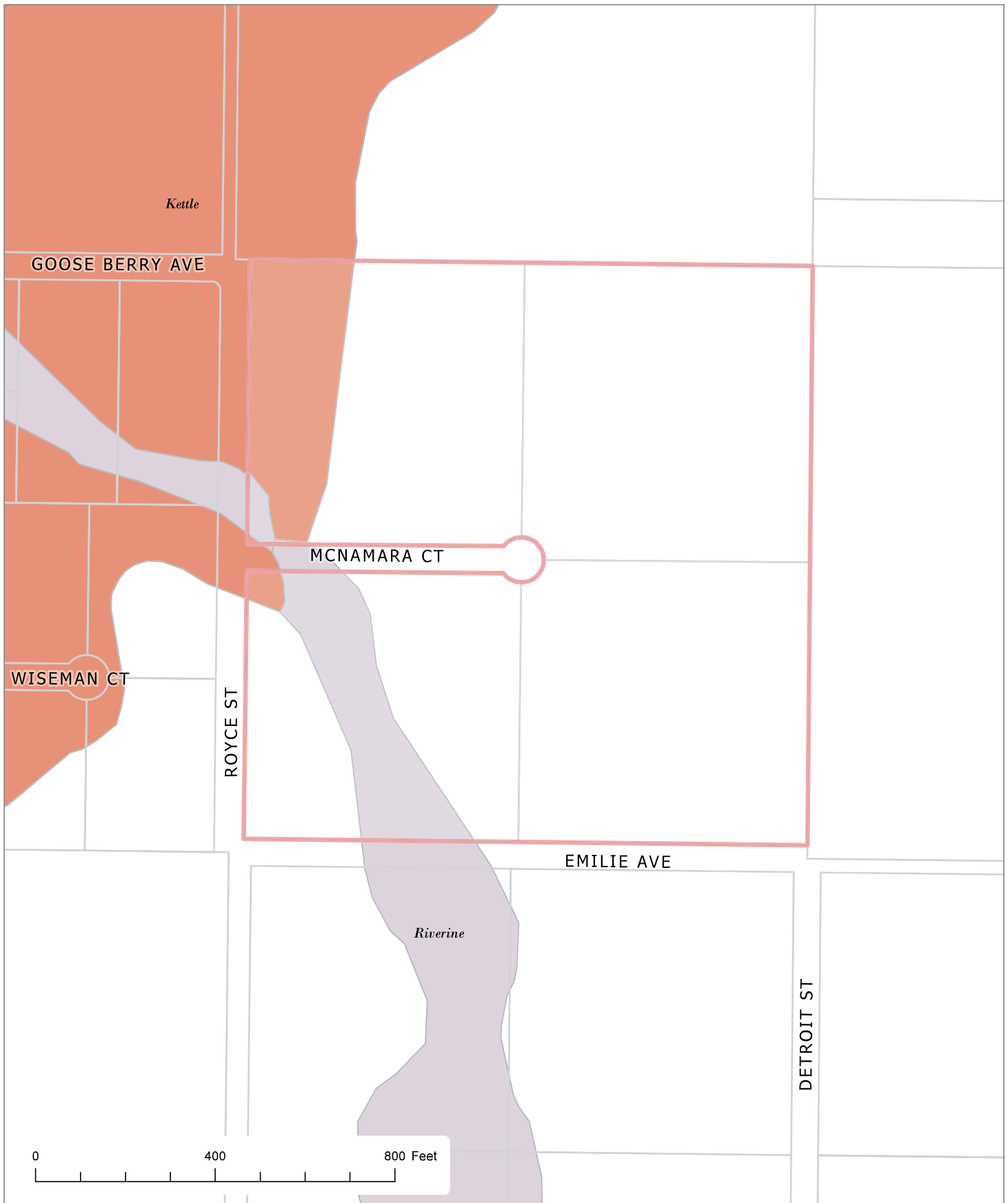
FOR OFFICE USE ONLY

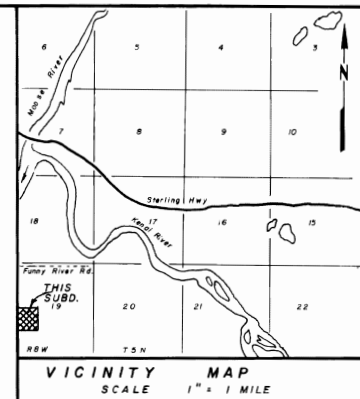
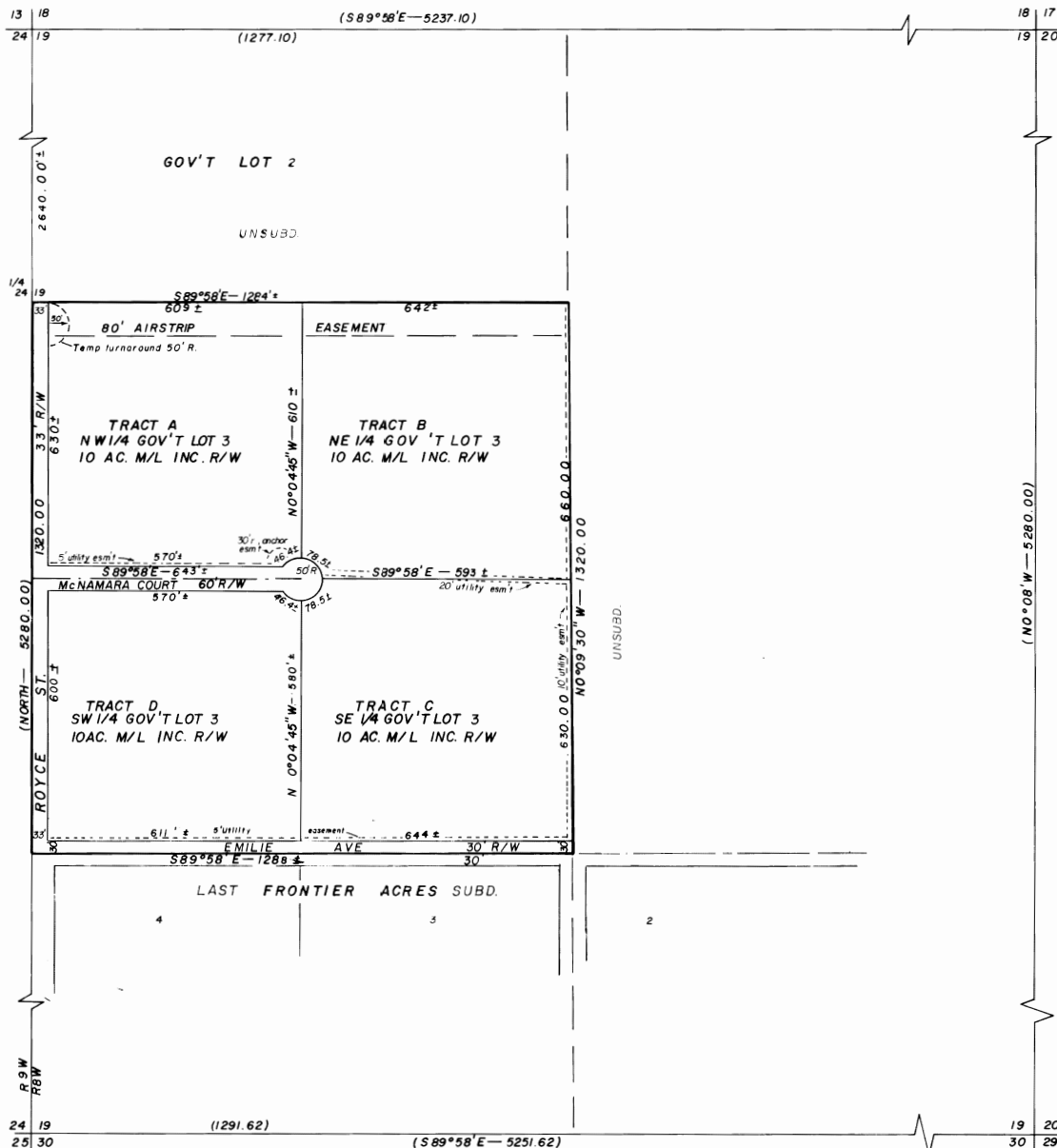
RECEIVED BY _____

DATE SUBMITTED _____

KPB FILE # _____







NOTES

This is a paper plat subdivision of Gov't lot 3 Section 19, T 5 N, R 8 W, S. M. AK.

All bearing and distances refer to the G.L.O. datum as shown on the official township plat.

Datum of record is shown in ().

No field survey was accomplished nor were any monuments or stakes set this date.

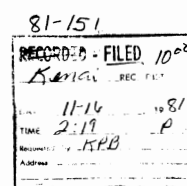
All tracts are subject to a minimum building setback of 20' along all dedicated R.O.W.s

All wastewater disposal systems shall comply with existing law at time of construction.

PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of March 19, 1979, is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

KENAI PENINSULA BOROUGH
By: [Signature]
ADMINISTRATIVE OFFICE



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Douglas A. Dicken
Douglas A. Dicken, Owner, 3310 Jerde Circle Anchorage, Ak. 99504

William R. Stevens
William R. Stevens, owner,
Ann M. Stevens
Ann M. Stevens, owner

NOTARY'S ACKNOWLEDGEMENT
for Douglas A. Dicken
Subscribed and sworn before me this
8th day of September, 1981
My commission expires 5/1/84

Barbara Young
notary public for Alaska

NOTARY'S ACKNOWLEDGEMENT
for William R. Stevens and Ann M. Stevens
Subscribed and sworn before me this
17th day of September, 1981
My commission expires 4/15/83

Lisa A. Mitchell
notary public for Alaska

McNAMARA ACRES SUBDIVISION

Douglas A. Dicken - William R. Stevens owners
3310 Jerde Circle
Anchorage, AK. 99504

LOCATION
NW 1/4 SW 1/4 SECTION 19, T 5 N, R 8 W S. M. ALASKA
CONTAINING 39 AC. M/L IN THE KENAI PENINSULA
BOROUGH. (K.R.D. BK 78 Pg 64, NW 1/4 SW 1/4 SEC. 19)

Prepared by: McLane and Associates
Soldotna Alaska

DATE
Aug. 16, 1978

SCALE
1" = 200'