



Meeting Agenda Plat Committee

Monday, August 8, 2022

6:00 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

[KPB-4434](#) July 18, 2022 Plat Committee Meeting Minutes

Attachments: [C3. 071822 Plat Committee Minutes](#)

D. OLD BUSINESS

E. NEW BUSINESS

1. [KPB-4468](#) Fisherwood Place 2022 Replat; KPB File 2022-107
Attachments: [E1. Fisherwood Place 2022 Replat](#)
2. [KPB-4469](#) Fritz Creek Acres 2022 Replat; KPB File 2022-095
Attachments: [E2. Fritz Creek Acres 2022 Replat](#)
3. [KPB-4470](#) Moose Range Meadows Frawner Addition; KPB File 2022-104
Attachments: [E3. Moose Range Meadows Frawner Addn](#)
4. [KPB-4471](#) McReed Subdivision 2022 Replat; KPB File 2022-097
Attachments: [E4. McReed Sub 2022 Replat](#)
5. [KPB-4472](#) Canyon View 2022; KPB File 2022-034
Attachments: [E5. Canyon View 2022 Replat](#)
6. [KPB-4473](#) Whiskey Gulch Lot 4 Replat; KPB File 2022-106
Attachments: [E6. Whisky Gulch Lot 4 Replat](#)
[E6. Plat Desk Packet](#)
7. [KPB-4474](#) Crane-France Subdivision; KPB File 2022-096
Attachments: [E7. Crane-France Sub](#)
8. [KPB-4475](#) McCollum Tract 2022 Addition; KPB File 2022-108
Attachments: [E8. McCollum Tract 2022 Addn](#)
9. [KPB-4476](#) The Great Alaska Fish Camp No. 2; KPB File 2022-109
Attachments: [E9. The Great Alaskan Fish Camp No. 2](#)

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, August 22, 2022 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 6:00 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 KP.B 2.40.080.

C. CONSENT AGENDA

- *3. Minutes**
 - a. June 27, 2022 Plat Committee Meeting Minutes**

Kenai Peninsula Borough

Plat Committee

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

July 18, 2022
5:30 PM
UNAPPROVED MINUTES

A. CALL TO ORDER

Chair Brantley called the meeting to order at 6:30 p.m.

B. ROLL CALL

Plat Committee Members/Alternates

Jeremy Brantley, District 5 – Sterling
Diane Fikes, City of Kenai
Michael Horton, District 4 - Soldotna
Virginia Morgan, District 6 – East Peninsula
Franco Venuti, City of Homer

Staff Present

Robert Ruffner, Planning Director
Vince Piagentini, Platting Manager
Julie Hindman, Platting Specialist
Ann Shirnberg, Planning Administrative Assistant

C. APPROVAL OF AGENDA, EXCUSED ABSENCES, AND MINUTES

*3 Minutes

- a. June 127, 2022 Plat Committee Meeting Minutes

Chair Brantley asked if anyone from the public wished to speak to any of the items under the consent agenda. Hearing no one wishing to comment he then asked Mr. Piagentini to give the staff report for the grouped plats.

Platting Manager Vincent Piagentini gave the staff report for the grouped plated and noted the following plats were containing in the report.

- 5. Fritz Creek Drive Subdivision 2022 Addition; KPB File 2022-093
Orion Surveys / Sorensen
Fitz Creek Area / Kachemak Bay APC
- 9. Lillian Walli Estates 2022 Replat; KPB File 2022-083
Geovera, LLC / Weissner Homes, LLC
City of Homer
- 10. Patsy's Creek 2022 Replat; KPB File 2022-073
Geovera, LLC / Kusnetsov
Fitz Creek Area / Kachemak Bay APC

11. Smurfy Acres 2022 Replat; KPB File 2022-080
Geovera, LLC / Glanville
Diamond Ridge Area / Kachemak Bay APC
12. Yah Sure Subdivision 2022; KPB File 2022-082
Geovera, LLC / HCH Development Company, LLC
City of Homer

Hearing no one wishing to comment discussion was opened among the commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Fikes to approve the agenda, the June 27, 2022 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	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

E. NEW BUSINESS

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

ITEM E1 – R SUBDIVISION

KPB File No.	2022-091
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Jessica and Brian Ranguette of Nikiski, AK
Surveyor:	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
General Location:	Gravel Pit Trail, Caribou Hills, Ninilchik

Parent Parcel No.:	185-509-24, 185-509-25, 185-509-26, 185-509-49
Legal Description:	NE1/4 NW1/4 of Section 1, Township 2 South, Range 12 West, also known as Tract 110 of the Right of Way Map, HM 84-115
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Specialist Julie Hindman.

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

MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to grant preliminary approval to R Subdivision based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Horton moved, seconded by Commissioner Venuti to grant exception request to KPB 20.40 – Wastewater Disposal Review, citing findings 1-6 in support of standards one, two and three.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

ITEM E2 – BROWN'S ACRE ESTATES

KPB File No.	2022-088
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Anchorage Development and Construction LLC of Anchorage, Alaska
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Foster Avenue, Sterling

Parent Parcel No.:	058-350-22
Legal Description:	Tract A, Brown's Acres Subdivision 2021, Plat KN 2021-76
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On Site

Staff report given by Platting Specialist Julie Hindman.

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

MOTION: Commissioner Venuti moved, seconded by Commissioner Morgan to postpone until brought back by staff.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

ITEM E3 - MOOSE ACRES

KPB File No.	2022-087
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	A & J LLC of Soldotna, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying LLC
General Location:	Goose Berry Avenue, Funny River / Funny River APC

Parent Parcel No.:	066-060-19
Legal Description:	SE1/4 NE1/4 S24 T05N R09W
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment.

Jim Davis, A & J, LLC: 37615 State Park Road, Soldotna, AK 99669: Mr. Davis is the landowner and made himself available for questions.

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

MOTION: Commissioner Fikes moved, seconded by Commissioner Horton to grant preliminary approval to Moose Acres based on staff recommendations and compliance to borough code.

AMENDMENT: Commissioner Fikes moved, seconded by Commissioner Horton, to grant exception request to KPB 20.30.030(A) – Proposed Street Layout Requirements for the extension of Enterprise Avenue and KPB 20.30.170 – Block Length requirements, citing findings 8-13, 16 & 17 in support of standards one, two and three.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

ITEM E4 - DIAMOND CAPE NO 6

KPB File No.	2022-094
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Storyknife Writer's Retreat and Dana H. Stabenow Living Trust all of Homer, AK
Surveyor:	Tom Latimer / Orion Surveys
General Location:	Ridge Circle, Diamond Ridge / Kachemak Bay APC

Parent Parcel No.:	173-630-19, 173-630-20, 173-630-22, and 173-630-60
Legal Description:	Lot 4, 8, and 9 Block 5 Diamond Cape Unit 1 HM 77-78 and Lot 5-A Diamond Cape No 5 HM 2006-62
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment.

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

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

MOTION: Commissioner Venuti moved, seconded by Commissioner Fikes to grant preliminary approval to Diamond Cape No. 6 based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Venuti moved, seconded by Commissioner Fikes to grant exception request to KPB 20.30.170 – Block Length Requirements, citing findings 1-7 in support of standards one, two and three.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

ITEM 5 - FRITZ CREEK DRIVE SUBDIVISION 2022 ADDITION

KPB File No.	2022-093
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Albert E. Sorensen III
Surveyor:	Tom Latimer / Orion Surveys
General Location:	Sorensen Street, Stuart Avenue, Fritz Creek / Kachemak Bay APC

Parent Parcel No.:	172-390-02, 172-390-03, and 172-390-04
Legal Description:	Lots 7-B, 7-C, and 7-D Fritz Creek Drive Sub No 2, HM 80-101
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

****PASSED BY GROUPED PLATS UNDER THE CONSENT AGENDA***

ITEM E6 - BEAR LAHAI ROI SUBDIVISION 2022 ADDITION

KPB File No.	2022-089
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Jeffrey and Caroline Smardo of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Kenai Spur Highway, North Woods Street, Nikiski

Parent Parcel No.:	025-190-27
Legal Description:	Tract A Bear Lahai Roi Sub Amended KN 2011-5
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

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

MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to grant preliminary approval to Bear Lahai Roi Subdivision 2022 Addition based on staff recommendations and compliance to borough code.

AMENDMENT MOTION: Commissioner Horton moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, citing findings 3-8 in support of standards one, two and three.

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

AMENDMENT MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

ITEM E7 - BEAR LAHAI ROI SUBDIVISION SOCKEYE RUN VIEW ADDITION

KPB File No.	2022-074
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Paul and Suzette Huber of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Kenai Spur Highway, North Woods Street, Nikiski

Parent Parcel No.:	025-190-26 & 025-190-28
Legal Description:	Tract B Bear Lahai Roi Sub Amended Plat No 2011-5 and the SE1/4 NW1/4 and portion of the NE1/4 SW1/4 lying south of the Kenai Spur Highway T08N R10W S19
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

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

MOTION: Commissioner Morgan moved, seconded by Commissioner Venuti to grant preliminary approval to Bear Lahai Roi Subdivision Sockeye Run View Addition based on staff recommendations and compliance to borough code.

AMENDMENT MOTION A: Commissioner Morgan moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, citing findings 4 & 7-13 in support of standards one, two and three.

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

AMENDMENT A MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

AMENDMENT MOTION B: Commissioner Morgan moved, seconded by Commissioner Venuti to grant exception request to KPB 20.30.190 – Lot Dimensions, 3:1 depth to widths ratio for Tract b-3, Tract B-4 and Tract B-8, citing findings 4 & 5 in support of standards one, two and three.

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

AMENDMENT B MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

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

MOTION PASSED AS AMENDED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

ITEM E8 - WAHL SUBDIVISION

KPB File No.	2022-092
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Beverly A Wahl of Sterling, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Robinson Loop Road, Montgomery Avenue, Sterling

Parent Parcel No.:	063-016-14
Legal Description:	W1/2 SE1/4 T05N R09W S05
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

Staff report given by Platting Specialist Julie Hindman.

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

MOTION: Commissioner Fikes moved, seconded by Commissioner Venuti to grant preliminary approval to Wahl Subdivision based on staff recommendations and compliance with borough code.

AMENDMENT MOTION: Commissioner Fikes moved, seconded by Commissioner Venuti, to grant exception request to KPB 20.30.030 – Proposed Street Layout Requirements & KPB 20.30.170 – Block Length Requirements, citing findings 1-12 in support of standards one, two & three.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

ITEM E9 - LILLIAN WALLI ESTATE 2022 REPLAT

KPB File No.	2022-083
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Weisser Homes LLC of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Eric Lane, City of Homer

Parent Parcel No.:	175-240-27
Legal Description:	Lot 28-A Lillian Walli Estate 2020 Replat HM 2021-47
Assessing Use:	Residential
Zoning:	Rural Residential District (in the process of rezoning to Urban Residential)
Water / Wastewater	City

***PASSED BY GROUPED PLATS UNDER THE CONSENT AGENDA**

ITEM E10 - PATSY'S CREEK 2022 REPLAT

KPB File No.	2022-073
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	Alexandre and Marfa Kusnetsov of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Wynn Lane, Morrison Drive, Fritz Creek / Kachemak APC

Parent Parcel No.:	185-360-14
Legal Description:	Lot 3 Pasty's Creek No 3 HM 82-72
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

****PASSED BY GROUPED PLATS UNDER THE CONSENT AGENDA***

ITEM E11 - SMURFY ACRES 2022 REPLAT

KPB File No.	2022-080
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	John and Laurie Glanville of Homer, AK
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Sterling Highway, Diamond Ridge Road, Diamond Ridge / Kachemak APC

Parent Parcel No.:	173-310-56
Legal Description:	Lot 1 of Smurfy Acres HM 85-30
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

****PASSED BY GROUPED PLATS UNDER THE CONSENT AGENDA***

ITEM E12 - YAH SURE SUBDIVISION 2022

KPB File No.	2022-082
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	HCH Development Company LLC of Green Valley, AZ
Surveyor:	Stephen Smith / Geovera LLC
General Location:	Lake Street, Ben Walters Lane, City of Homer

Parent Parcel No.:	177-120-08 and 177-120-31
Legal Description:	Lot 2A of Yah Sure Sub 2013 HM 2013-54 and metes and bounds parcels
Assessing Use:	General Commercial
Zoning:	Central Business District
Water / Wastewater	City

****PASSED BY GROUPED PLATS UNDER THE CONSENT AGENDA***

ITEM E13 – RIGHT-OF-WAY PROJECT SEWARD HIGHWAY MP 25.5-36 TRAIL RIVER TO STERLING WYE, REHABILITATION 0311(031) / Z546590000

KPB File No.	2022-063
Plat Committee Meeting:	July 18, 2022
Applicant / Owner:	State of Alaska Department of Transportation and Public Facilities
Surveyor:	Travis Test and Robert Keiner / State of Alaska DOT&PF
General Location:	Seward Highway, Moose Pass / Moose Pass APC

Parent Parcel No.:	Multiple
Legal Description:	Highway Rehabilitation from MP 25.5 to 36

Staff report given by Platting Specialist Julie Hindman.

Chair Brantley opened the item for public comment.

John Smart; P.O. Box 243, Moose Pass, AK 99631: Mr. Smart spoke in support of postponing action on this plat.

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

MOTION: Commissioner Morgan moved, seconded by Commissioner Venuti to postpone until brought back by staff.

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

MOTION PASSED BY UNANIMOUS VOTE

Yes	5	Brantley, Fikes, Horton, Morgan, Venuti
No	0	

F. PUBLIC COMMENT - None

G. ADJOURNMENT

Commissioner Venuti moved to adjourn the meeting 6:38 P.M.

Ann E. Shirnberg
Administrative Assistant

E. NEW BUSINESS

- 1. Fisherwood Place 2022 Replat; KPB File 2022-107
Peninsula Surveying / Kieffer
Location: Jeanne Circle & North Fork Road
Anchor Point Area / Anchor Point APC**

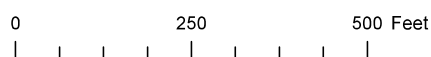


Vicinity Map



KPB File 2022-107
T 04S R 15W SEC 25
Anchor Point

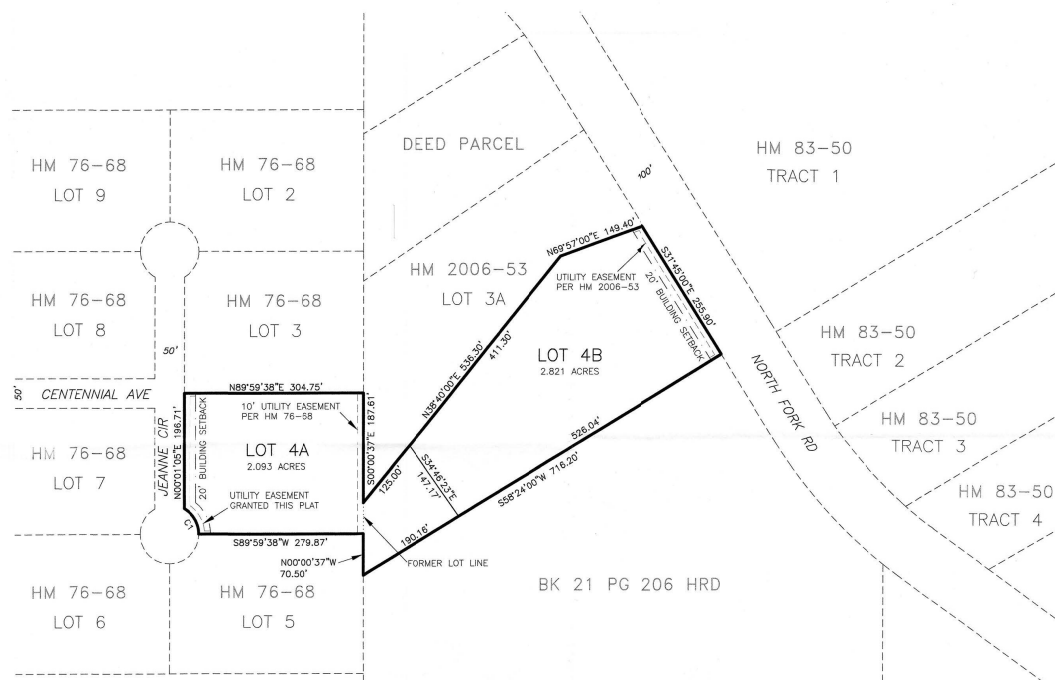
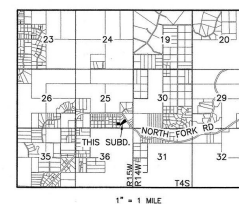
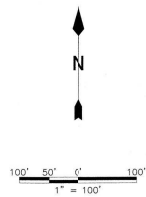
7/15/2022





Aerial View





PLAT APPROVAL

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

BY: _____
AUTHORIZED OFFICIAL

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA ANGLE	TANGENT	CHORD	CHORD BEARING
C1	52.40	50.00	50°02'42"	28.89	50.03	N30°01'20"W

WASTEWATER DISPOSAL

WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

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' OF THE BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5' OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT.
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 ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
4. SUBJECT TO GENERAL EASEMENTS WITH NO DEFINITE LOCATION DISCLOSED, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC AS FOUND IN BOOK 9 PAGE 233 HOMER RECORDING DISTRICT, RECORDED DECEMBER 9, 1959 AND BOOK 56 PAGE 168 HOMER RECORDING DISTRICT, RECORDED JUNE 6, 1972 AND BOOK 18 PAGE 235, HOMER RECORDING DISTRICT, RECORDED DECEMBER 9, 1959.

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 DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

KEYTON ALLEN KIEFFER (LOT 4)
PO BOX 908, ANCHOR POINT, AK 99556

ANNE LYDETTE KIEFFER (LOT 4)
PO BOX 908, ANCHOR POINT, AK 99556

NOTARY ACKNOWLEDGMENT

FOR: KEYTON ALLEN KIEFFER AND ANNE LYDETTE KIEFFER
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

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 DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

ANGELO JIM TOCI (LOT 3B)
PO BOX 83, ANCHOR POINT, AK 99556

DONNA TOCI (LOT 3B)
PO BOX 83, ANCHOR POINT, AK 99556

NOTARY ACKNOWLEDGMENT

FOR: ANGELO JIM TOCI AND DONNA TOCI
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES: _____

KPB FILE NUMBER:

PENINSULA SURVEYING, LLC
10535 KATRINA BOULEVARD, NIILCHIK, AK 99639
(907)306-7065

PLAT OF FISHERWOOD PLACE 2022 REPLAT

A SUBDIVISION OF
LOT 4, FISHERWOOD PLACE SUBDIVISION HM 76-68 AND LOT 3B, TOCI
TRACTS HM 2006-53, WITHIN SEC. 25, T-4S, R15W, S.M.
HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH
CONTAINING 4.914 ACRES

OWNERS: KEYTON ALLEN KIEFFER AND ANNE LYDETTE KIEFFER
PO BOX 908, ANCHOR POINT, AK 99556
ANGELO JIM TOCI AND DONNA TOCI
PO BOX 83, ANCHOR POINT, AK 99556

SCALE: 1" = 100'

DATE: JULY 13, 2022

DRAWN: JLS

SHEET: 1 OF 1



KPB 2022-107

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - Fisherwood Place 2022 Replat

KPB File No.	2022-107
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Keyton Allen and Anne Lydette Kieffer and Angelo Jim and Donna Toci all of Anchor Point, AK
Surveyor:	Jason Schollenberg / Peninsula Surveying LLC
General Location:	Anchor Point / Anchor Point APC

Parent Parcel No.:	165-250-18 and 77
Legal Description:	Lot 4 Fisherwood Place Subdivision HM 76-68 and Lot 3B, Toci Tracts HM 2006-53
Assessing Use:	Residential and Commercial
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure the shared lot lines between the two lots. Two exceptions have been requested to KPB Code. A) 20.40 Wastewater Review. and B) 20.30.120 Street Width

Location and Legal Access (existing and proposed): Lot 4 of Fisherwood Place Subdivision, HM 76-68 is accessed on Jeanne Circle, a 50-foot-wide existing right-of-way. Jeanne Circle ends in cul-da-sacs at both ends accessed from the west by Centennial Avenue. Both Jeanne Circle and Centennial Avenue are maintained by the borough. With this replat, access to lot 4A will remain on Jeanne Circle.

Lot 3B of Toci Tracts, HM 2006-53 is accessed on North Fork Road which is a 100-foot dedication. North Fork Road is a State of Alaska maintained road. Plat HM 76-68 depicts a possible shared driveway with Lot 3A.

These are existing road dedications; no new dedication is proposed. An exception to KPB 2.30.120 Streets – Width requirement for Jeanne Circle, has been requested by the surveyor.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	No objection

Site Investigation: Terrain in the area is relatively flat. KPB satellite imagery indicates this property may border wet areas with a pond to the South of lot 4B.

Staff recommendation: place a note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: Parcels located in Zone D which is Non-Regulatory</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis This is a replat of two existing lots. Lot 4 of Fisherwood Place Subdivision HM76-68 and Lot 3B of Toci Tracts HM2006-53. This plat is re-aligning the lot line between the two lots to the East by approximately 125 feet. Access is currently provided by Jeanne Cir, and North Fork Road

A soils report is required and an engineer will sign the final plat, per KBP 20.40. An exception to KPB 20.40 Wastewater review has been requested by the surveyor.

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 were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

There appears to be a joint drive usage with Lot 3A to the North of Lot 4B. If this is going to be a continuing use, a drive easement needs to be depicted, filed and shown on the Final Plat. If not, a note needs added to the Final stating new access is being acquired from the State of Alaska.

Utility Easements

Utility easements are shown on the preliminary design Lot 4 of Fisherwood Place Subdivision, HM 76-68 finalized a right of way vacation and the 10-foot utility easement remained. This easement is depicted correctly. On Lot 3B of Toci Tracts, HM 2006-53 building setbacks and utility easements were granted along North Fork Road entirely. Plat note 1 of HM 2006-53 has carried forward.

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	Locate the overhead electric line and depict on the final plat. Provide a plat note that states, "The existing overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat."
ENSTAR	No objection
ACS	No objection
GCI	No objection

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 32930 JEANNE CIR 34621 NORTH FORK RD Comments: 32930 JEANNE CIR will remain with lot 4A. 34621 NORTH FORK RD will remain with lot 4B.
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
Advisory Planning Commission	APC Minuets have not been received when this staff report was prepared

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.

- 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: To the west, Lot 6 is 6A and 7 is 7A in subdivision HM87-19, please change accordingly.
- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;
Staff recommendation: There is a lake on the lot to the South depicted as BK 21 PG 206 HRD.
- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 1 0 percent on other streets;
Staff recommendation: No contours shown; however, the land is flat enough that no steep slopes or street grade issues are present.

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.*

20.30.050. Legal access.

A. The applicant shall provide an access plan to the planning department verifying the existence of legal access to the subdivision boundary. The plan shall consist of the documents depicting the access, a map depicting the location of the access, and topographic information indicating that construction which meets the design requirements set forth in KPB Chapter 20.30 is practical and economical. In this title, legal access exists where an unrestricted, public right-of-way connects the subdivision to the state highway system, the state marine highway system or a regularly served public airport, and one of the following is met:

1. Ingress and egress will be provided over section line easements located within a surveyed section;
2. The applicant provides copies of borough-accepted recorded conveyances creating the public easement or right-of-way where the access is located;
3. That access is a State of Alaska maintained road or municipal maintained road;
4. The applicant provides documentation satisfactory to the borough demonstrating that public legal access is guaranteed through judicial decree; or
5. The right-of-way is an easement or fee interest at least 60 feet in width dedicated or irrevocably conveyed to the public and acceptable to the planning commission.

B. The following situations may qualify for a waiver of the legal access requirement:

1. Upon finding that no practical means of providing road access to a proposed subdivision exists and upon presentation of credible and convincing evidence by the applicant that permanent public access by air, water, or railroad is both practical and feasible, the planning commission may waive the legal access requirements of KPB 20.30.050(A). If access other than by road is approved, the mode of access shall be noted on the plat. .
2. Where only a 30-foot dedication exists over all or a portion of the legal access to a subdivision, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the other 30 feet will be dedicated in the future.
3. Where a road is in use for physical access but there is no right-of-way document for all or part of the access road, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the right-of-way will be dedicated in the future.

Staff recommendation: *Access to 4B currently is from the North on Lot 3A. if this is to continue, and easement document for ingress / egress needs to draw up and filed.*

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. Show the HEA 30' Utility Easement as requested.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: *comply with 20.40. A request for exception to wastewater disposal has been submitted*

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.*

20.60.120. Accuracy of measurements. All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

Staff recommendation: *show basis of bearing.*

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.

Staff recommendation: *Add a legend to the drawing*

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.*

- *"No access to state-maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*
- *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).*
- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*

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.

20.60.200. Survey and monumentation.

Staff recommendation: *Show monumentation of found and set pins*

20.60.210. Approval-Authority-Certificate issued when.

Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat, staff will comply with, and follow, Add meeting date of August 8, 2022 to Plat Approval certificate.

EXCEPTIONS REQUESTED:

A. KPB 20.40 Wastewater Review

Surveyor's Discussion: This plat will move the lot line that is common to lot 4 and lot 3B. Lot 4 will be renamed lot 4A, containing 2.1 acres, Lot 4A is increasing in size by approximately 18,000 square feet. Lot 3B will be renamed as lot 4B, containing 2.8 acres. Lot 3B will still over 20,000 square feet of usable area for septic placement.

Staff Discussion:

Findings:

1. **KPB Code 20.40 requires soil testing for all lots.**
2. **Toci Tracts Plat HM 2006-53 Wastewater Disposal includes a wastewater disposal statement that lots are suitable for conventional on-site wastewater treatment and disposal systems, signed by a licensed engineer.**
3. **20.40.020 1.c** Moving one or more lot lines without increasing the number of developable lots, while maintaining a minimum of 20,000 square feet of contiguous area, as described in KPB 20.40.040(A)(4)(a), for each lot affected by the lot line movement.

Staff reviewed the exception request and recommends granting approval.

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

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

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

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-3 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 1-3 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 1-3 appear to support this standard.

B. KPB 20.30.120 Street Width

Surveyor's Discussion: Existing access to lot 4 is from North Fork Rd, to David Lee St, to Centennial Ave, to Jeanne

Page 6 of 8

Cir. The platted right-of-way width for Centennial Ave and Jeanne Cir 50 ft. Jeanne Cir ends in a cul-de-sac and currently provides access to only one more residential lot beyond lot 4. The portion of Jeanne Cir that would be need to be widened to meet KPB code is unlikely to ever serve more than the two residential lots that is does now.

Staff Discussion: Fisherwood Place Subdivision, HM 76-68 dedicated the right-of-way ending in cul-de-sac Jeanne Circle as 50 foot wide. When dedicated, eight lots would have access from Jeanne Circle, which it remains at. No new lots are being created with this plat and no more are indicated at this time.

If denied, this plat will be required to dedicate a portion of right-of-way.

Findings:

1. KPB Code 20.30.120 requires right of way widths to be 60 feet.
2. Plat HM 76-68, Fisherwood Place Subdivision, dedicated Jeanne Circle as 50 foot wide
3. Jeanne Circle is approximately 200 feet long in the South direction.
4. Jeanne Circle ends with a bulb that has a 50-foot radius.
5. Per KPB Code 20.90, definitions, a cul-de-sac serve no through traffic and are closed permanently.
6. There are currently four lots with available access from Jeanne Circle.
7. Currently two lots have constructed access from Jeanne Circle.

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 2-7 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 2-7 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 2-7 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND**

- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT

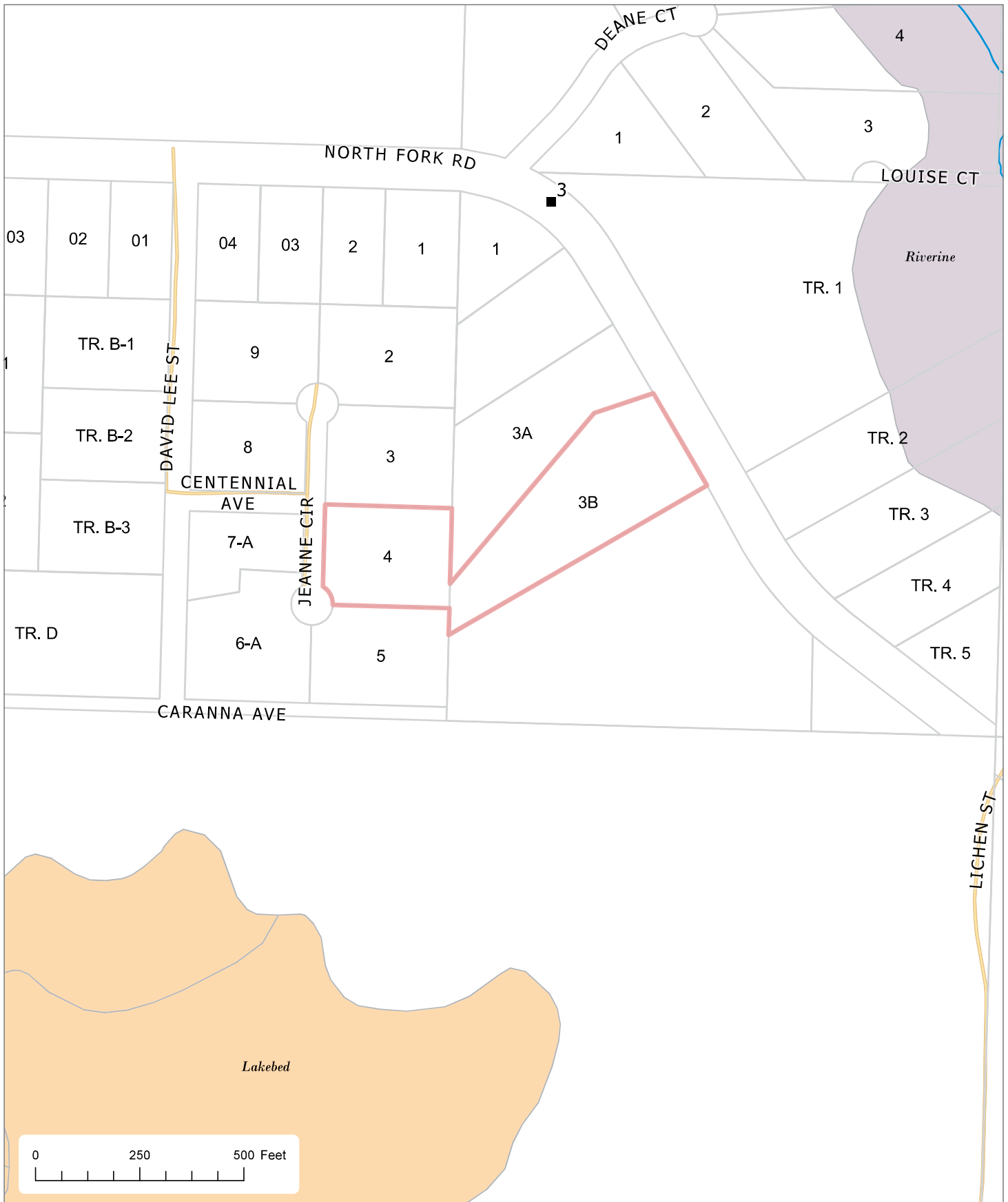


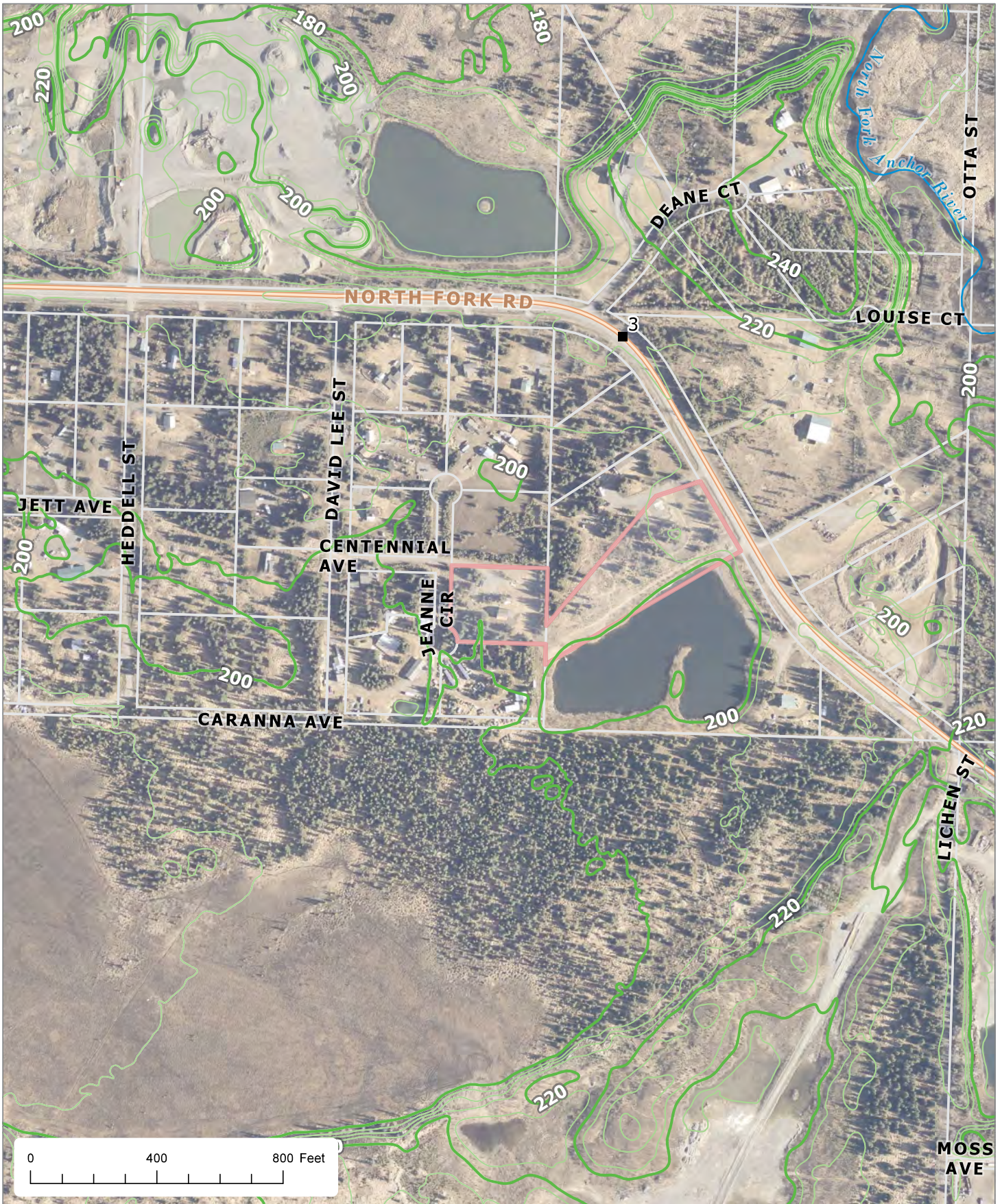
Aerial View

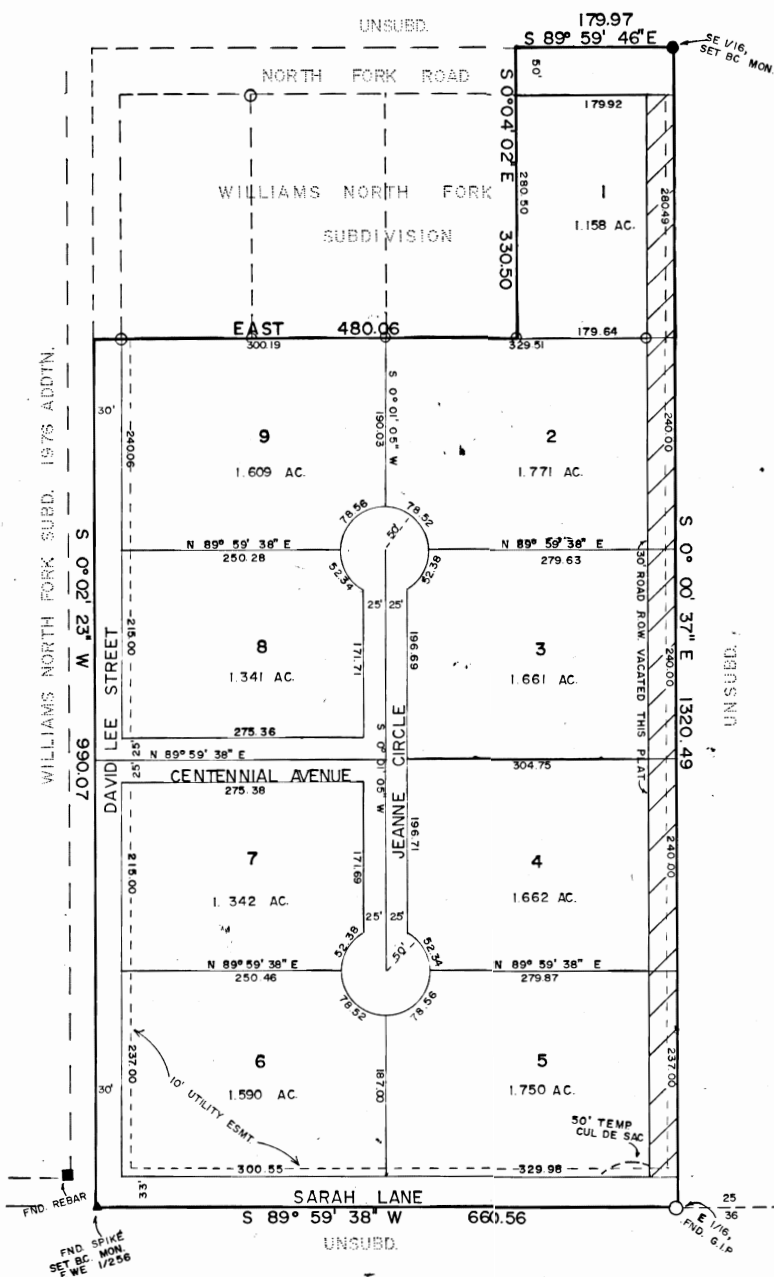




Wetlands







WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON. WE HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS, AND ALLEYS DEDICATED BY US FOR PUBLIC USE. 6-27-6

ELVIN E JOHNSON
BOX 41
ANCHOR POINT, AK.

DOROTHY C JOHNSON
JERRY ANDERSON
BOX 1263
HOMER, AK

SUBSCRIBED AND SWORN BEFORE ME THIS 2 DAY OF August 1976

NOTARY PUBLIC FOR ALASKA Shirley Ann Wilson MY COMMISSION EXPIRES July 17, 1978

SURVEYORS' CERTIFICATE
I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT
A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT
SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN
LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN HEREON
ARE TRUE AND CORRECT.

DATE 8-2-76 Jerry Anderson 3686-S

PLAT APPROVED BY THE BOROUGH PLANNING COMMISSION THIS 26th
DAY OF July 1976. *W*

Donald E. Gilman
BOROUGH MAYOR

DATE: JULY, 1976

SCALE: 1" = 100'

CHECKED BY: J T

DESIGNED BY: JA

DRAWN BY: SW

FLD. BK. NO.: 13



FISHERWOOD PLACE SUBDIVISION

LOCATED IN THE E 1/2 SW 1/4 SE 1/4, S. 25, T4S,
R 15 W, S. M., AND A RESUBD. OF LOT 1, BLK. 1 WILLIAMS
NORTH FORK SUBD.

CONTAINING 16.368 ACRES

~~ABILITY SURVEYS~~

JERRY ANDERSON, L.S. BOX 1263 HOMER, ALASKA 99603

- NOTES:

1. A 20' BUILDING SETBACK LINE EXISTS ALONG ALL R.O.W.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS.
3. 1/2" X 24" REBAR SET AT ALL LOT CORNERS.
4. BASE BEARING IS THE (LO BEARING BETWEEN THE 1/4 COR COMMON TO SECTIONS 26 B 35, AND 1/4 COR COMMON TO SECTIONS 25 B 36, T4S, R15W, S3M, AND WAS CARRIED TO THIS SURVEY THROUGH PREVIOUS SURVEYS IN THE AREA.
5. LOTS 7 & 8 SHALL NOT FRONT ON DAVID LEE STREET.

LEGEND

- 1" IRON PIPE RECOVERED THIS SURVEY

76-68

REC. ~~FILED~~ 3

Homer REC. DIST.

DATE 8-12-1976

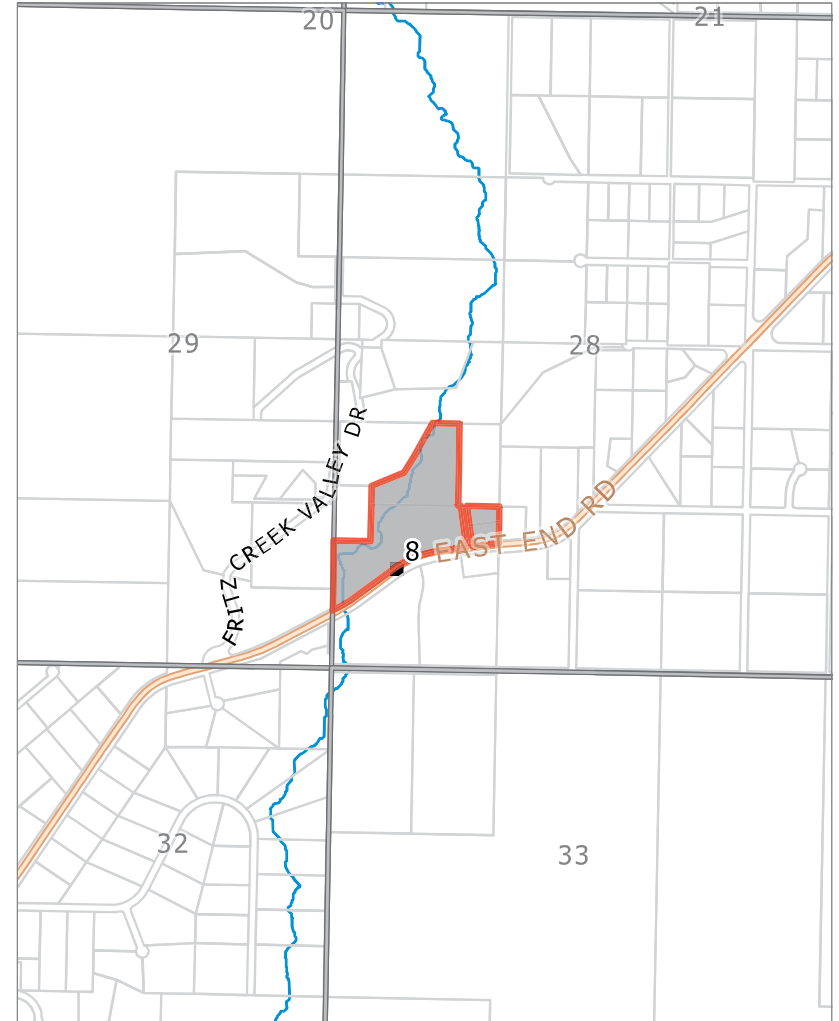
TIME 1:16 P.M.

Requested by KPB

Address: Jaldatta

E. NEW BUSINESS

- 2. Fritz Creek Acres 2022 Replat; KPB File 2022-095
Seabright Surveying / Gamble, Sealevel Inc.
Location: Mushroom Street & East End Road
Fritz Creek Area / Kachemak Bay APC**



KPB File # 2022-095
S28 T05S R12W
Fritz Creek



Aerial View



NOTES

1. A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE RIGHT 10' OF THE BUILDING SETBACK IS A UTILITY EASEMENT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
4. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNER ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
5. THERE IS A 5' WIDE UNDERGROUND OR OVERHEAD CLEARING EASEMENT ALONG STREETS FOR HOMER ELECTRIC ASSOCIATION, INC. (HM 77-37).
6. STATE RIGHT-OF-WAY IS FROM STATE OF ALASKA DOT/APP RECORD OF SURVEY ALASKA PROJECT "HOMER EAST END ROAD, MP 3.75-12.2 KACHEMAK DRIVE TO MONEL CANYON" PROJECT 0414(10) SHEETS 28 & 27.
7. FRITZ CREEK IS THE CENTERLINE OF A 30' WIDE DRAINAGE EASEMENT GRANTED THIS PLAT TO THE KENAI PENINSULA BOROUGH.
8. THERE IS A RIGHT-OF-WAY EASEMENT WITH NO SPECIFIED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED BK 18 PAGE 240 HRD.
9. THERE IS AN EASEMENT GRANTED TO KARL BAER, HIS SUCCESSORS, ASSIGNS AND LICENSEES, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF WATER MAINS AND DISTRIBUTION LINES RECORDED BK 37 PG 271 HRD.
10. THERE IS A PERMIT OF USE GRANTED TO FRANCES PAYLOFF, HER SUCCESSORS, ASSIGNS AND LICENSEES, RECORDED BK 37 PG 271 HRD.
11. THERE IS AN EASEMENT GRANTED TO GLACIER STATE TELEPHONE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF TELECOMMUNICATION LINES RECORDED BK 135 PG 49 HRD.
12. THERE IS STATE OF ALASKA WATER RIGHTS GRANTED TO FRANCES PAYLOFF RECORDED SERIAL NO. 2020-00408-0 HRD.

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE MUSHROOM STREET 30' WIDE RIGHT-OF-WAY DEDICATED THIS PLAT & THE 30' WIDE DRAINAGE EASEMENT GRANTED ALONG THE CENTERLINE OF FRITZ CREEK THIS PLAT. 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.

XXXXXXXX, XXXXXXXX
KENAI PENINSULA BOROUGH

DATE

CERTIFICATE OF ACCEPTANCE BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE 30' WIDE DRAINAGE EASEMENT GRANTED ALONG THE CENTERLINE OF FRITZ CREEK THIS PLAT. INCLUDING EASEMENTS, RIGHT-OF-WAYS, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:
THE 20' ADDITIONAL PUBLIC RIGHT-OF-WAY FOR EAST END ROAD.

HANDY WANDERWOOD, P.E.
CENTRAL REGION ROW CHIEF
STATE OF ALASKA DOT/APP
4111 AVIATION AVENUE
ANCHORAGE, AK 99516

DATE

WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

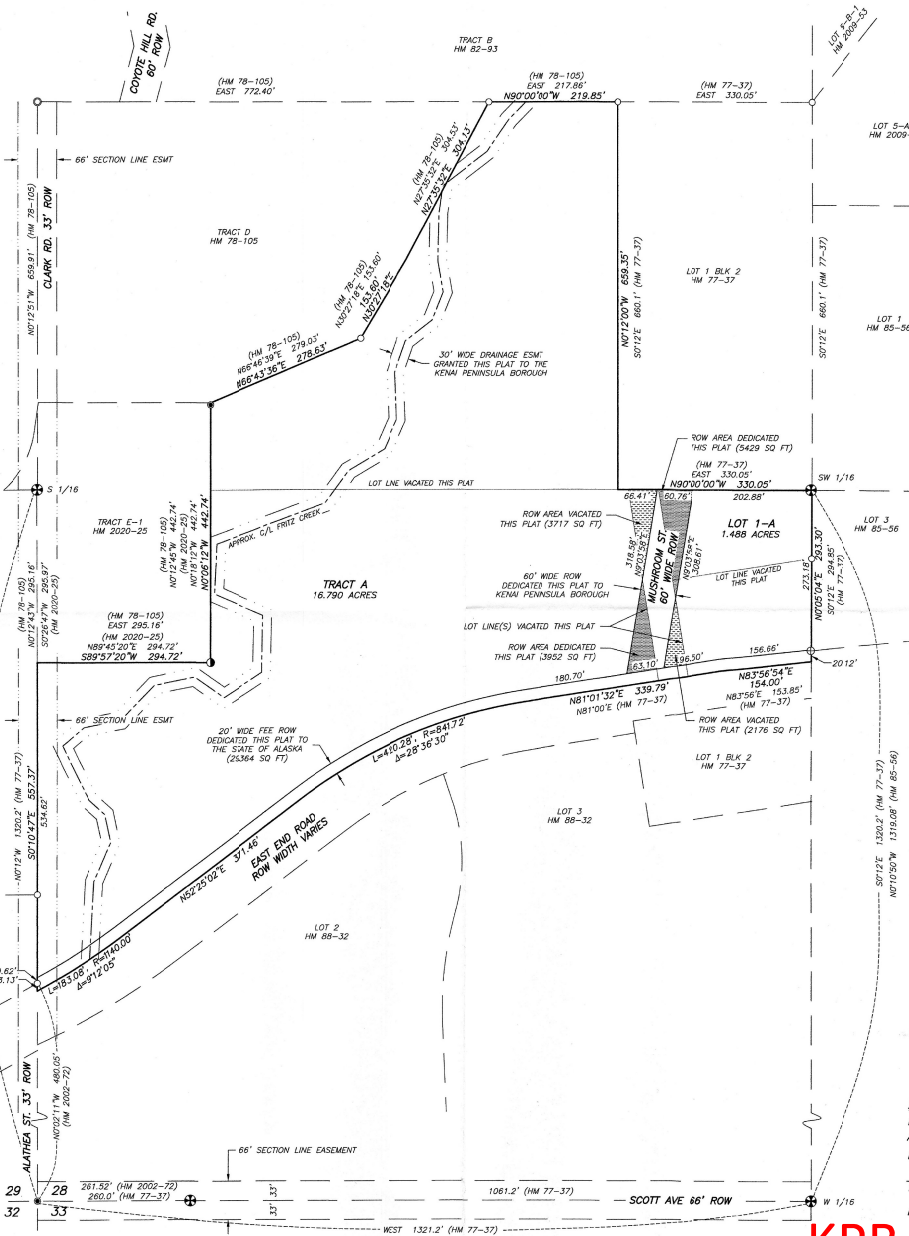
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF

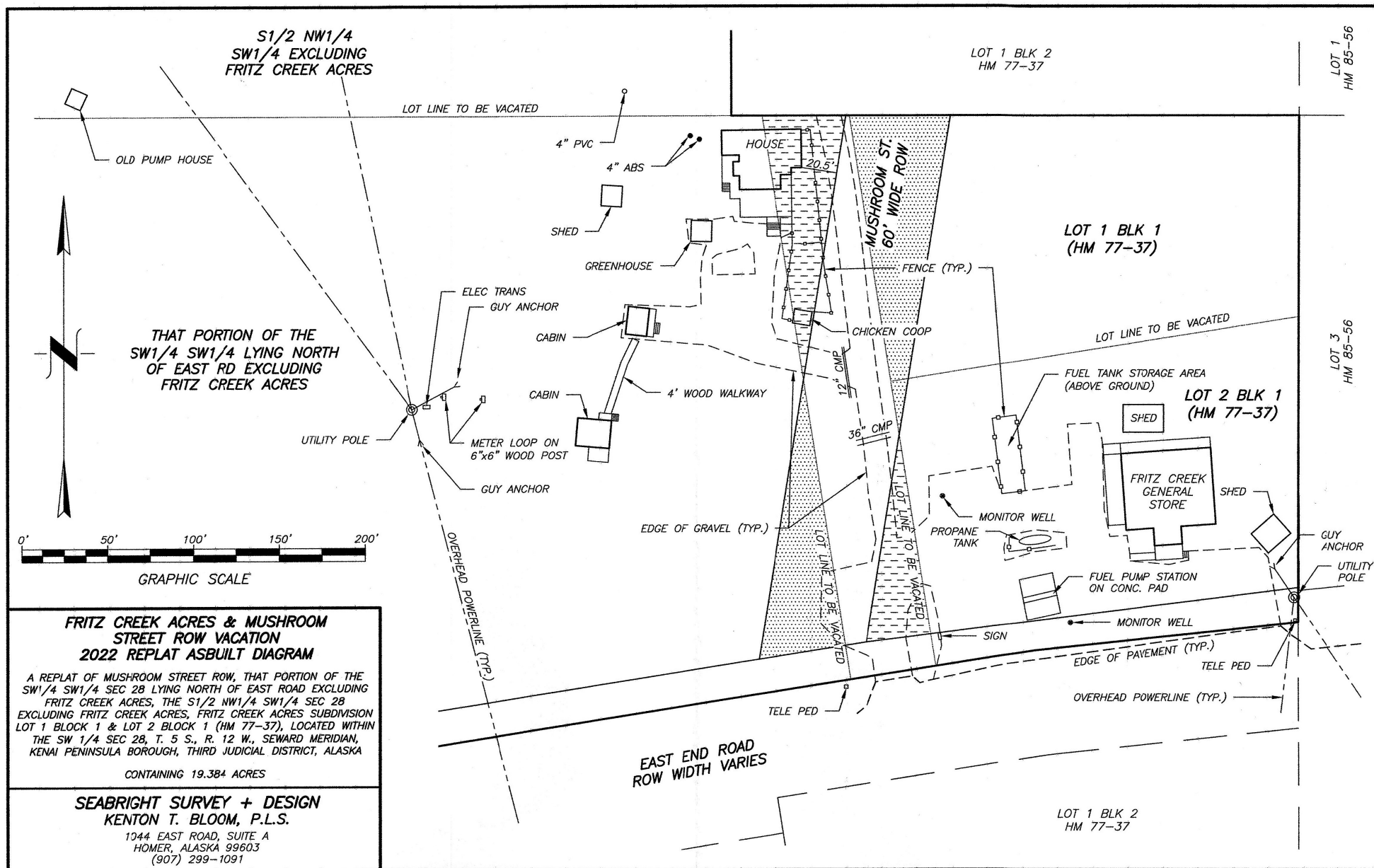
BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE



0 100' 200' 300' 400'
GRAPHIC SCALE





AGENDA ITEM E. NEW BUSINESS

ITEM #2 - Fritz Creek Acres 2022 Replat

KPB File No.	2022-095
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Sean Maryott of Homer, AK Edward & Barbara Gamble of Homer, AK
Surveyor:	Kenton Bloom / Seabright Survey + Design
General Location:	East End Road, Mushroom Road, Fritz Creek

Parent Parcel No.:	172-200-04,05,16 & 17
Legal Description:	Mushroom St, SW1/4 SW1/4 S28-T5S-R12W SM North of East End Rd West of Mushroom St Fritz Creek Acres HM 77-37, & S1/2 NW1/4 SW1/4 S28-T5S-R12W SM West of Tract C Fritz Creek Acres HM 77-37 East of Tract D & E Fritz Creek Acres Addn. HM 78-105 & Lots 1 & 2 Block 1 Fritz Creek Acres HM 77-37
Assessing Use:	Residential / Commercial
Zoning:	Rural Unrestricted
Water / Wastewater	Well / Existing Wastewater System on file

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure four parcels into one tract and one lot while also finalizing a right of way vacation and realignment of Mushroom Street.

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 within the Kachemak Bay Advisory Planning Commission.

Location and Legal Access (existing and proposed): The proposed plat is located along East End Road which is State maintained. This plat is located in the Fritz Creek area. Current right of way of East End Road is varied, but the majority is 80 feet. Additional 20 feet of right-of-way along East End Road is being dedicated with this plat, along the entirety of the plat. Mushroom Street will be a 60 foot dedicated right of way providing access to proposed Tract A and Lot 1-A as well as Tract C of Fritz Creek Acres Subdivision HM 77-37. Proposed Lot 1-A also has direct access to East End Road.

The vacation rededication will bring Mushroom Street to a full 60 foot wide dedicated right-of-way from East End Road to Tract C of Fritz Creek Acres Subdivision HM 77-37.

The access to the three lots currently using Mushroom Street after the new dedication looks to be outside the dedication. The surveyor needs to show how access will be finalized after. If a new road is being proposed, plans need to be submitted to the Roads Department for approval.

There is a 33 foot section line easement on the West side of the plat as shown. The block is not compliant or closed. The section line easement could be looked to for a street if needed, but not recommended at this time.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Painter, Jed Comments: No comments
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SOA DOT comments	The ROW for East End Road appears to be shown correctly, and the additional dedication is appreciated.
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Site Investigation: The area is located on the North side of East End Road. Fritz Creek runs through the plat on the West and North sides, running north to south. The East side of the plat is relatively flat. There are steep slopes to the West of Mushroom Street as the land falls to Fritz Creek and steep slopes to the west of Fritz Creek. **Staff recommends:** any top of toe be depicted on the final plat.

A house was constructed within the right-of-way of Mushroom Street that the vacation and rededication should fix. The other structures on Tract A do not appear to be an issue with boundaries or setbacks.

Proposed lot 1-A has a convenience store located on it. Along with the main building there are two sheds, above ground fuel storage tank, a propane tank, and a fuel pump station on the lot.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy 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: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis This property is originally from Lot 1 and 2 Block 1, Fritz Creek Acres HM 77-37 and part of the SW1/4 SW1/4 S28-T5S-R12W & S1/2 NW1/4 SW1/4 S28-T5S-R12W. The plat is combining lots on both sides of Mushroom Street and realigning Mushroom Street to resolve the house on Tract A encroaching into the right-of-way.

A soils report will not be required as the wastewater systems are existing with the structures.

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.

Kachemak Bay Advisory Planning Commission minutes 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

Right of Way Easement in Book 18 Page 240 granted to Homer Electric Association, Inc., indicates a blanket type easement but also mentions a line or system. There appears to be overhead lines that this system may be utilizing and indicative of this easement location.

Easement in Book 135 Page 49 granted to Glacier State Telephone, for telephone, telegraph and communication lines and appurtenances. Document states it will attach to the existing HEA pole line crossing the property with a diagram given. **STAFF RECOMMENDS:** Surveyor confirm existence of overhead lines and appurtenances and show on Final with notes to identify the easements related to the lines.

Add to notes concerning 10' Utility Easement along all Street Right-of-ways inside the 20' setback.

Bearings and distances along the drainage easement being granted need to be added for the Final.

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	Provide a note stating " The existing overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat"
ENSTAR	No objections
ACS	No objections
GCI	No objections

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 55770 EAST END RD 38775 MUSHROOM ST Existing Street Names are Correct: No List of Correct Street Names: EAST END RD MUSHROOM ST Existing Street Name Corrections Needed: COYOTE HILL RD should be FRITZ CREEK VALLEY DR per SN2012-01 CLARK RD should be FRITZ CREEK VALLEY DR per HM 2020025 and HM0820010 All new Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: CLARK RD and COYOTE HILL RD should be FRITZ CREEK VALLEY per SN2012-01, HM 2020025, and HM0820010. 55770 EAST END RD will remain with lot 1-A. 38775 MUSHROOM ST will remain with tract A.
Code Compliance	Reviewer: Ogren, Eric Comments: There appears to be a ROW encroachment on Mushroom
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
Advisory Planning Commission	Not available at time of staff report completion

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

New right-of-way does not appear to have the road inside its limits to access Tract C. please indicate how Tract C will be accommodated. If a new road is being proposed, it must meet design standards and be presented to the Roads Department for approval.

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:** *Legal should more resemble the Certificate to Plat description to include more of the exceptions to the land, please revise for Final. May want to consider moving 2022 Replat to behind Fritz Creek Acres to reduce confusion of the name.*
- 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: *Verify that new dedication of Mushroom Street will accommodate the access to Tract C. Otherwise show new access road location.*
- 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: *Road names labeled northwest of the subdivision were changed, they should be changed to Fritz Creek Valley Drive.*
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: *Need dimensions added on the 20' fee dedication along East End Road, inside Tract A.*
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation: *Plat will be fixing the encroachment into the right-of-way. Reviewing detail drawing shows house to be outside setback, but using a scale shows different, surveyor should confirm results. Existing fence looks to be to still be encroaching on new Mushroom Street right-of-way and will need to be moved inside property line.*

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.*

20.30.030. 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.

B. Subdivision of land classified as agricultural conveyed subject to AS 38.05.321(a)(2)(B) may provide public access easements in lieu of fee simple dedications if necessary to comply with the minimum lot size restriction of the statute. The public access easements must meet all applicable right-of-way design criteria of Title 20 and are subject to the building setback requirements set forth in KPB 20.30.240.

C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.
Staff recommendation: *New right-of-way does not appear to have the road inside its limits to access Tract C. please indicate how Tract C will be accommodated. If a new road is being proposed, it must meet design standards and be presented to the Roads Department for approval.*

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.** Add to notes concerning 10' Utility Easement along all Street Right-of-ways inside the 20' setback.
Bearings and distances along the drainage easement being granted need to be added for the Final.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: *comply with 20.40.*

KPB 20.60 – Final Plat

Staff recommendation: *final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

20.60.110. 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 monument 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. Add dimensions to the line on the backside of the road dedication.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *In the Certificate of Acceptance, Mushroom Street need to be changed to 60' wide instead of 30'.*

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.

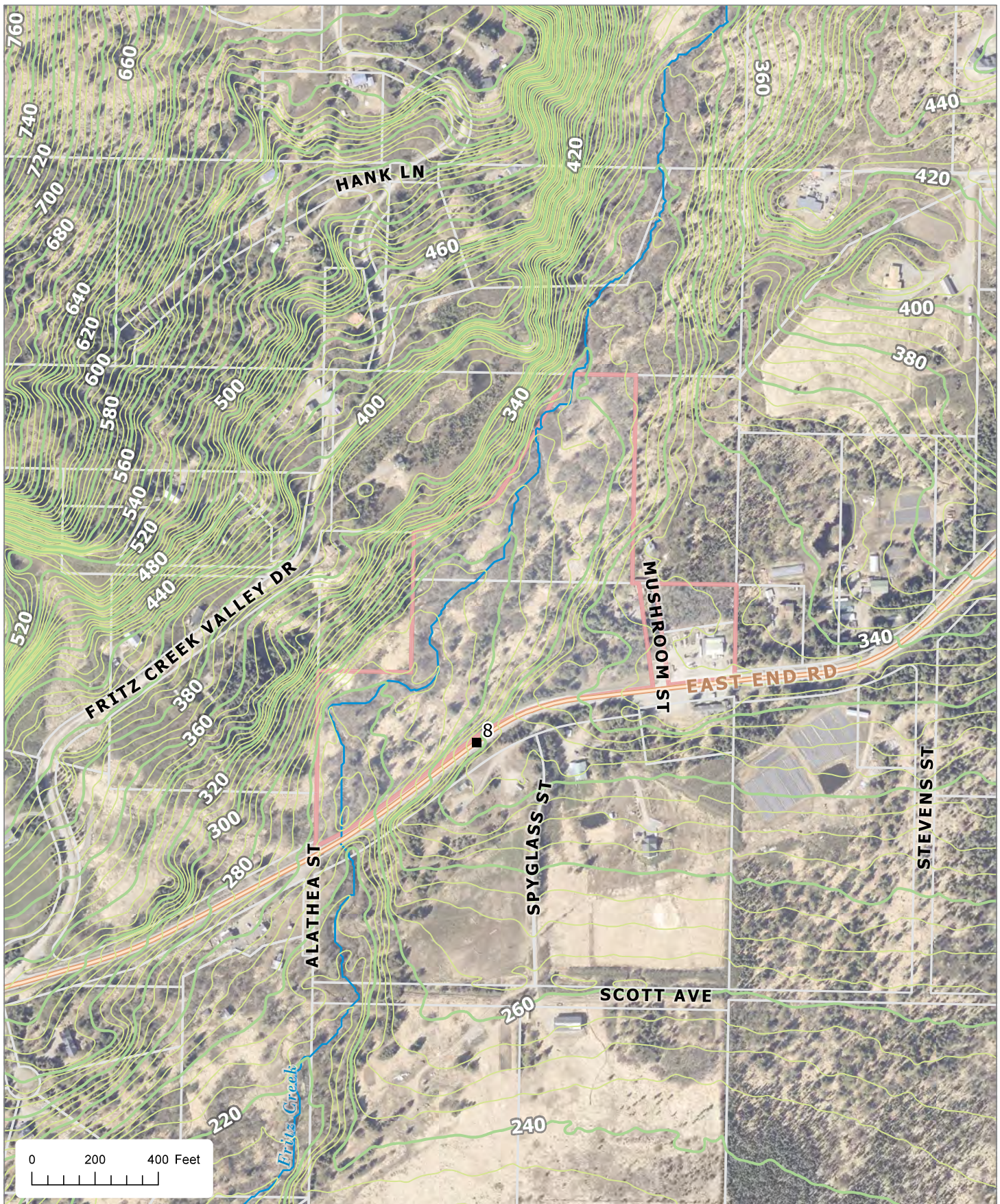
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

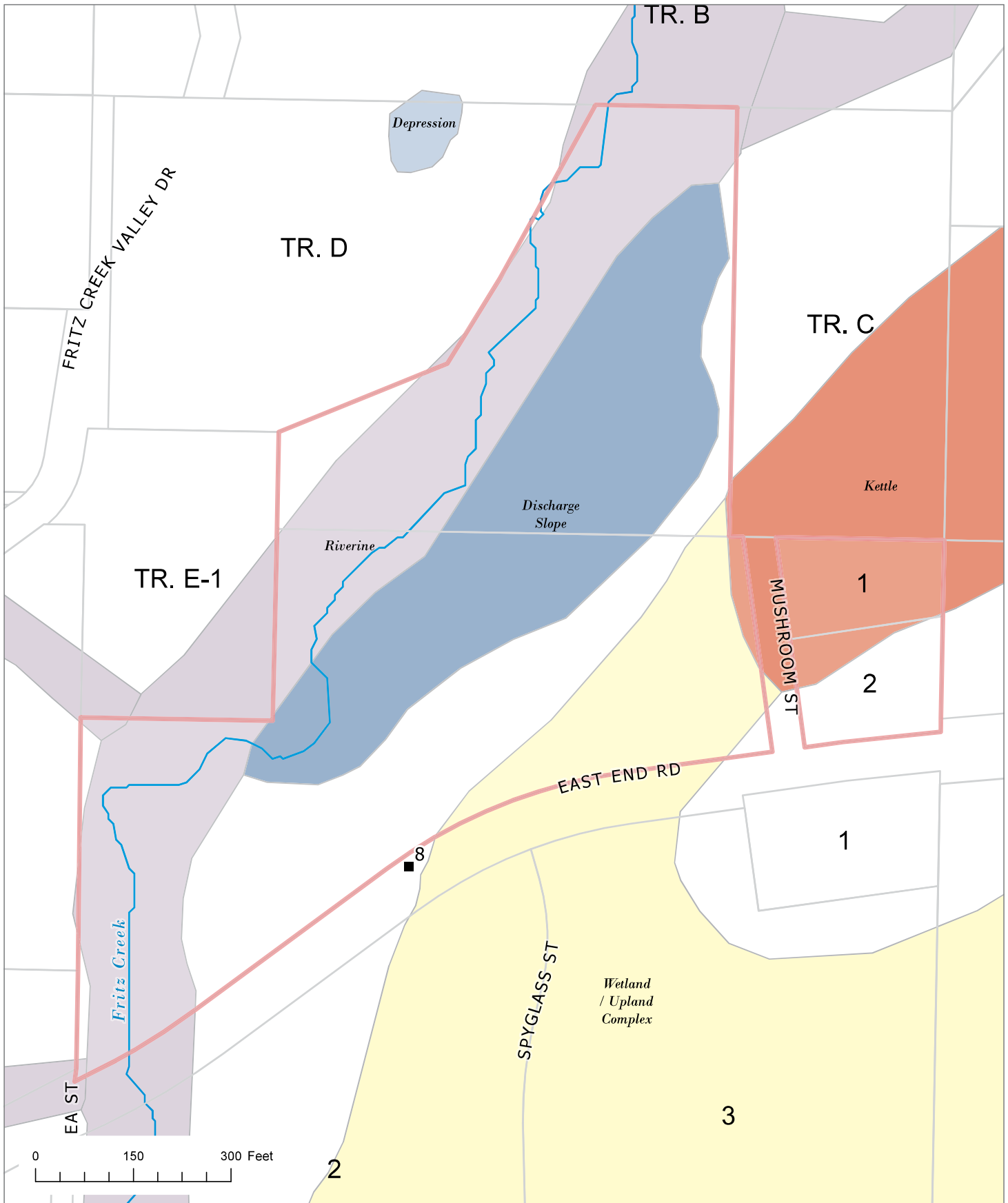
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

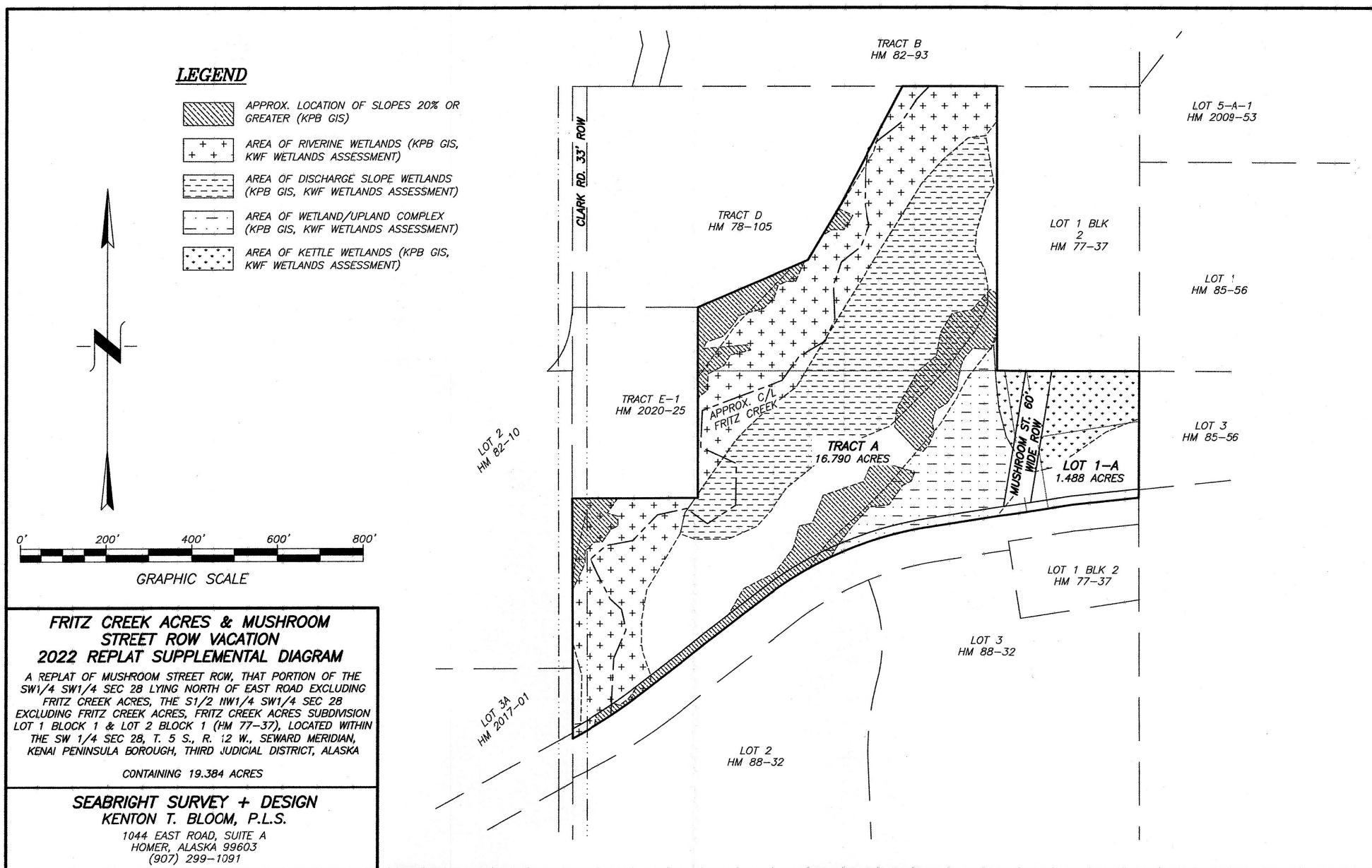
END OF STAFF REPORT

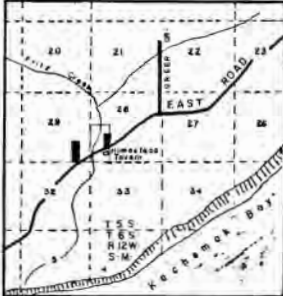


Aerial with 5-foot Contours









VICINITY SCALE = 1" = 1.25 MILES MAP

LEGEND

- ✱ indicates GLO mon found as described in record
- ✱ Stakes mon found, 266-S, 1958
- ✱ 3/4" X 3' G-I P / W brass cap set
- ✱ 1/2" X 2' rebar found
- ✱ 5/8" X 2' rebar set
- ✱ 2" X 3' X 3' stake set 1958

Fritz Creek Acres

LOCATED IN W1/2 SW1/4 SEC 28, SE1/4 SE1/4 SEC 29, T5S-R12W S1M; HOMER, ALASKA
SCALE = 1" = 200' AREA = 28.153 AC APRIL 12, 1977

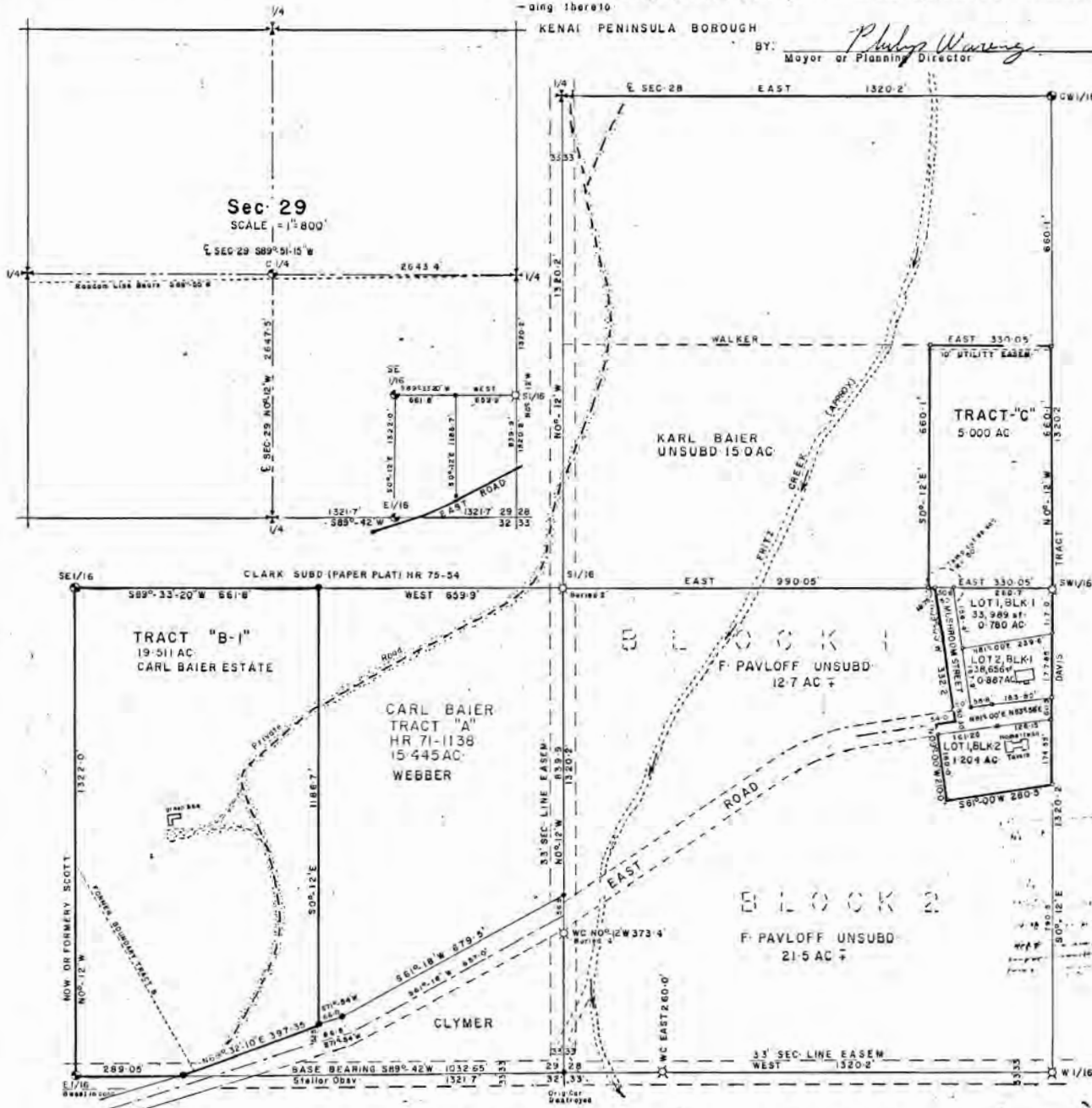
SHOWING REPLAT OF CARL BAIER TRACT "B" (HR 76-21) AS TRACT "B-1", CARL BAIER ESTATE.
BY: KARL BAIER AND FRANCES PAVLOFF P.O. BOX 485 HOMER, ALASKA 99603
Note a 20' building set back line along all dedicated in streets.
A 5' underground or overhead clearing easement along streets for Homer Elect. Assoc.
All waste water disposal systems shall comply with existing laws 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 April 2, 1977, 1977, 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: Philip Waring
Mayor or Planning Director



CERTIFICATE OF OWNERSHIP AND DEDICATION

We the undersigned, 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 streets to public use, and to the use of public utilities.

Karl Baier Jane Baier
KARL BAIER JANE BAIER
Frances Pavloff
FRANCES PAVLOFF
Hilda Bauer
HILDA BAUER
Administratrix, for Carl Baier estate -

STATE OF ALASKA, THIRD JUDICIAL DISTRICT

Subscribed and sworn before me this 12 day of May, 1977.
Margaret J. Pata
NOTARY PUBLIC FOR ALASKA

My commission expires 7/28/1977

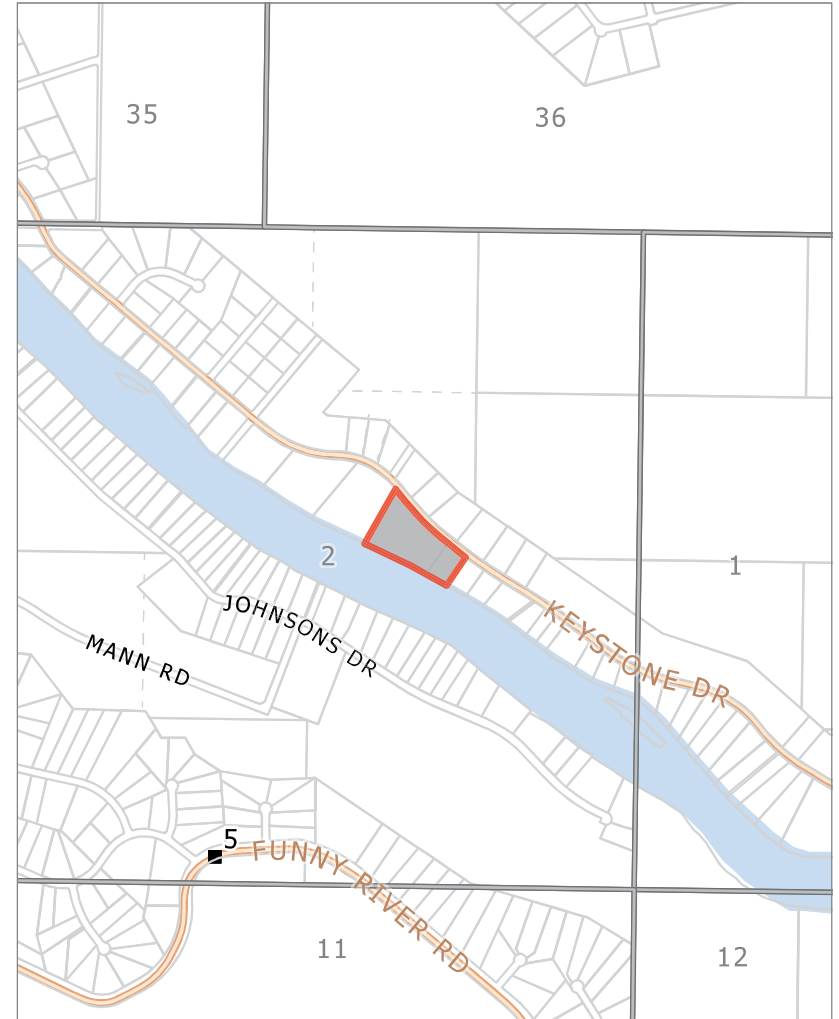


77-37
RECORDED
DATE 6-14-1977
TIME 2:11 PM
FILED IN 113
INDEXED

BOX 27 CLAM GULCH, ALASKA - 99568

E. NEW BUSINESS

- 3. Moose Range Meadows Fawner Addition**
KPB File 2022-104
McLane Consulting Group / Fawner
Location: Keystone Drive
Sterling Area



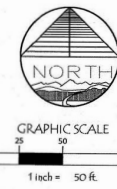
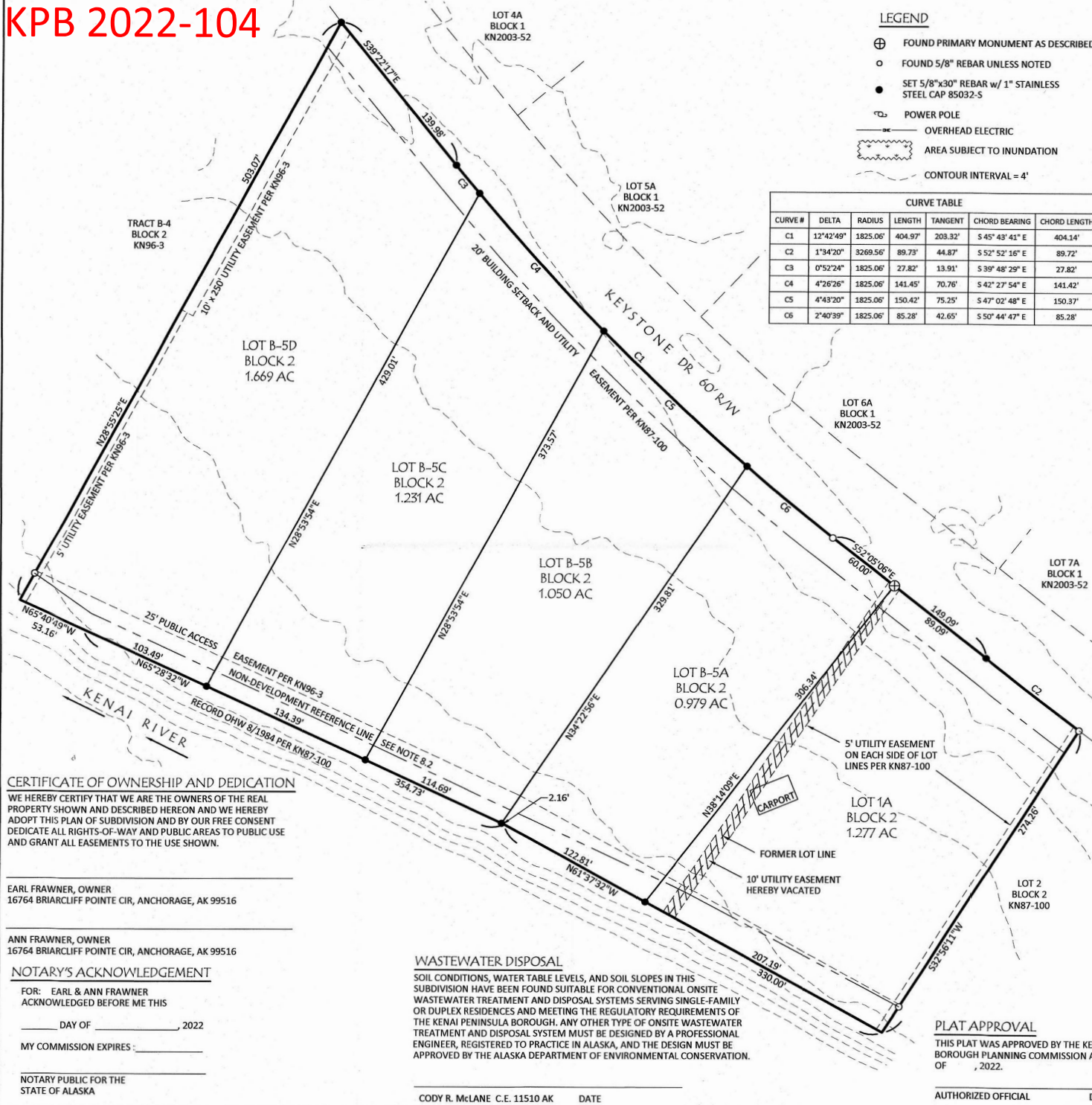
KPB File # 2022-104
S02 T04N R10W
Sterling



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.

KPB 2022-104

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NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. BUILDING SETBACK- A BUILDING SETBACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
3. THE FRONT 20 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS A UTILITY EASEMENT WITH CLEARING RESTRICTED TO FRONT 10 FEET PER KN87-100.
4. 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.
5. THE NATURAL MEANDERS OF ORDINARY HIGH WATER FOR THE KENAI RIVER FORM THE TRUE BOUNDS OF EACH TRACT. THE RECORD MEANDER LINE SHOWN IS FOR SURVEY COMPUTATIONS ONLY. THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDE LINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
6. PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH ANADROMOUS WATERS HABITAT PROTECTION DISTRICT. SEE KPB CHAPTER 21.18, AS MAY BE AMENDED, FOR RESTRICTIONS THAT AFFECT DEVELOPMENT IN THIS SUBDIVISION. WIDTH OF THE HABITAT PROTECTION DISTRICT SHALL BE IN ACCORDANCE WITH KPB 21.18.040.
7. 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.
8. THIS PARCEL MAY BE AFFECTED BY THE FOLLOWING:
 - 8.1. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED JUNE 26, 1986 IN BOOK 289, PAGE 157 KRD AND AMENDED NOVEMBER 29, 1988 IN BOOK 338 PAGE 228 KRD
 - 8.2. NON-DEVELOPMENT AREA RECORDED APRIL 3, 1998 IN BOOK 526, PAGE 136 KRD.
 - 8.3. COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED MARCH 8, 1996 IN BOOK 480, PAGE 129 KRD.
 - 8.4. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KPB 20.60.170

CERTIFICATE OF OWNERSHIP AND DEDICATION
 WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

EARL FRAWNER, OWNER
 16764 BRIARCLIFF POINTE CIR, ANCHORAGE, AK 99516

ANN FRAWNER, OWNER
 16764 BRIARCLIFF POINTE CIR, ANCHORAGE, AK 99516

NOTARY'S ACKNOWLEDGEMENT
 FOR: EARL & ANN FRAWNER
 ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022
 MY COMMISSION EXPIRES: _____
 NOTARY PUBLIC FOR THE STATE OF ALASKA

WASTEWATER DISPOSAL
 SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CODY R. McLANE C.E. 11510 AK DATE _____

PLAT APPROVAL
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2022.
 AUTHORIZED OFFICIAL _____ DATE _____



Plat #	
Rec Dist	
Date	20
Time	M

MOOSE RANGE MEADOWS FRAWNER ADDITION
 A RESUBDIVISION OF LOT 1 BLOCK 2 MOOSE RANGE MEADOWS SUBDIVISION PHASE II (KN86-137) AND TRACT B-5 MOOSE RANGE MEADOWS SUBDIVISION PHASE II, R.V. ADDITION (KN96-3)

EARL FRAWNER, OWNER
 16764 BRIARCLIFF POINTE CIR
 ANCHORAGE, AK 99516

ANN FRAWNER, OWNER
 16764 BRIARCLIFF POINTE CIR
 ANCHORAGE, AK 99516

6.207 AC. M/L SITUATED IN THE E1/2 OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

 ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 488 SOLDOTNA, AK 99589 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECO.COM	KPB FILE NO. 2022-xxx
	PROJECT NO. 222023
SCALE 1" = 50'	DATE: JUN 2022
BOOK NO.: 22-02	DRAWN BY: JAH

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - Moose Range Meadows Frawner Addition

KPB File No.	2022-104
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Earl and Ann Frawner of Anchorage, AK
Surveyor:	James Hall / McLane Consulting Inc
General Location:	Sterling

Parent Parcel No.:	135-260-02, 135-260-26
Legal Description:	Lot 1 Block 2 Moose Range Meadows Subdivision Phase II KN 86-137 Tract B-5 Moose Range Meadows Subdivision Phase II, R.V. Addition KN 96-3
Assessing Use:	Residential
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide two parcels into five lots, reconfigure a shared lot line between two of the lots of the parent subdivisions, and finalize a utility easement vacation.

Location and Legal Access (existing and proposed): The proposed plat is located along Keystone Drive in the area of Sterling. Keystone Drive is a 60-foot-wide dedicated right of way and is a borough maintained road. All of the proposed lots will continue to utilize access from Keystone Drive. Keystone drive was dedicated from Moose Range Meadows Subdivision Phase II KRD 86-137.

The terrain of the area is gradual until closer to the Kenai River where steep slopes are present.

The block length is noncompliant, but there is no remedy since this plat is against the river.

Plat KRD 87-100 dedicated a Public Access Easement near the back line of the lots that is being brought forward to the current plat.

KPB Roads Dept. comments	Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	No comment

Site Investigation: There are several structures and an existing driveway accessing Keystone Drive located on Lot 1A. The carport is located within the Utility Easement on the West side of the lot, that will be vacated at the Planning Commission meeting on August 8, 2022.

Per KPB GIS, the steep slopes falling to the river lie within the platted lines at the back side of the lots. Surveyor should verify their location and if in the lots, show the top of the back on the Final Plat. The property sheet drains towards the Kenai River.

The property is located in a flood hazard area as indicated Map Panel 020012-2405A.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: IS in flood hazard area Comments: Flood Zone: A4,C Map Panel: 020012-2405A In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: i:0#.w kpb\maldrige</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The proposed plat is a subdivision of Lot 1 Moose Range Meadows Subdivision Phase II Amended Plat (KN87-100) and Tract B-5 Moose Range Meadows Subdivision Phase II, R. V. Addition (KN96-3). Keystone Drive was dedicated as a 60' right-of-way by Moose Range Meadows Subdivision Phase II (KN86-137)

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.

The property is not within an advisory planning commission.

According to the preliminary plat a carport was built into the utility easement of the shared lot line of Tract B-5 and Lot 1 Block 2 granted on KN 87-100 and this replat will adjust the lot line and finalize a utility easement vacation to resolve the encroachment. The utility easement will be an action item heard by the Planning Commission on the August 8th, 2022 meeting.

Utility Easements

A 10' utility easement along the street right-of-way is noted in Plat Note #3. A proposed 10' utility easement vacation along the line between Lot 1A and Lot B-5A is shown on the plat as mentioned above.

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 objections
ENSTAR	No objections
ACS	No objections
GCI	No objections

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 33537 KEYSTONE DR Comments: 33537 KEYSTONE DR will remain with lot 1A BLOCK 2.
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

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

STAFF RECOMMENDATIONS**CORRECTIONS / EDITS****KPB 20.25.070 – Form and contents required**

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

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation: Change parent subdivision name to Moose Rane Meadows Subdivision Phase II Amended Plat (KN 87-100)
Unused labels in the legend.

- 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: Remove Block 1 from the lots across the street to the East

KPB 20.30 – Subdivision Design Requirements

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

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

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.



RESTRICTIVE COVENANTS

RESTRICTIVE COVENANTS WERE RECORDED
ON JAN 28, 1996, AT THE KENAI RECORDING
DISTRICT IN BOOK 308 PAGE 107.

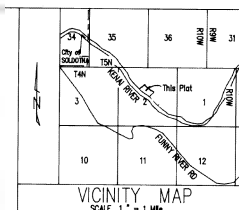
WASTEWATER DISPOSAL : CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WATER CARRIED WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST BE DESIGNED BY A REGISTERED ENGINEER AND APPROVED BY THE DEPARTMENT PRIOR TO CONSTRUCTION. ALL WASTE DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

SUBJECT TO ANY NOTED RESTRICTIONS, THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION APPROVES THIS SUBDIVISION FOR PLATTING.

David J. Helt *Professional Engineer* 2-24-96
SIGNATURE TITLE DATE

LEGEND

- Found 5/8" rebar w/plastic cap
- Set 5/8" rebar w/plastic cap

**NOTES**

1. No direct access to state maintained R.O.W.'s permitted unless approved by State of Alaska Department of Transportation.
2. Building Setback—A setback of 20 feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.
3. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
4. Five (5) feet of building setback is also a utility easement and the entire setback to within 5 feet of side lot lines.
5. Twenty-Five (25) foot public access easement reserved for foot traffic or ambulatory type vehicles only.
6. All lots have a nondevelopment area bounded on the south by the meanders of the ordinary high water line of the Kenai River, as defined by this survey, and on the north by the 100-foot (5) feet upland-of-the nondevelopment reference line as defined herein.
7. Lots within this subdivision may be located within a designated flood hazard area; if such is the case, development must comply with Title 21 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
8. A 5' utility easement shall be provided on each side of all lot lines.



MICHAEL A. SWAN
REGISTRATION NO. LS-6940

BRASS CAP

**MOOSE RANGE MEADOWS SUBD.
PHASE II, R.V. ADDITION**

A RESUBDIVISION OF TRACT B-1 BLOCK 2, MOOSE RANGE MEADOWS SUBD. PHASE II, TRACTS A-1, B-1 and C-1

OWNER : SALAMATOF NATIVE ASSOCIATION
P.O. BOX 2682
KENAI, AK 99611

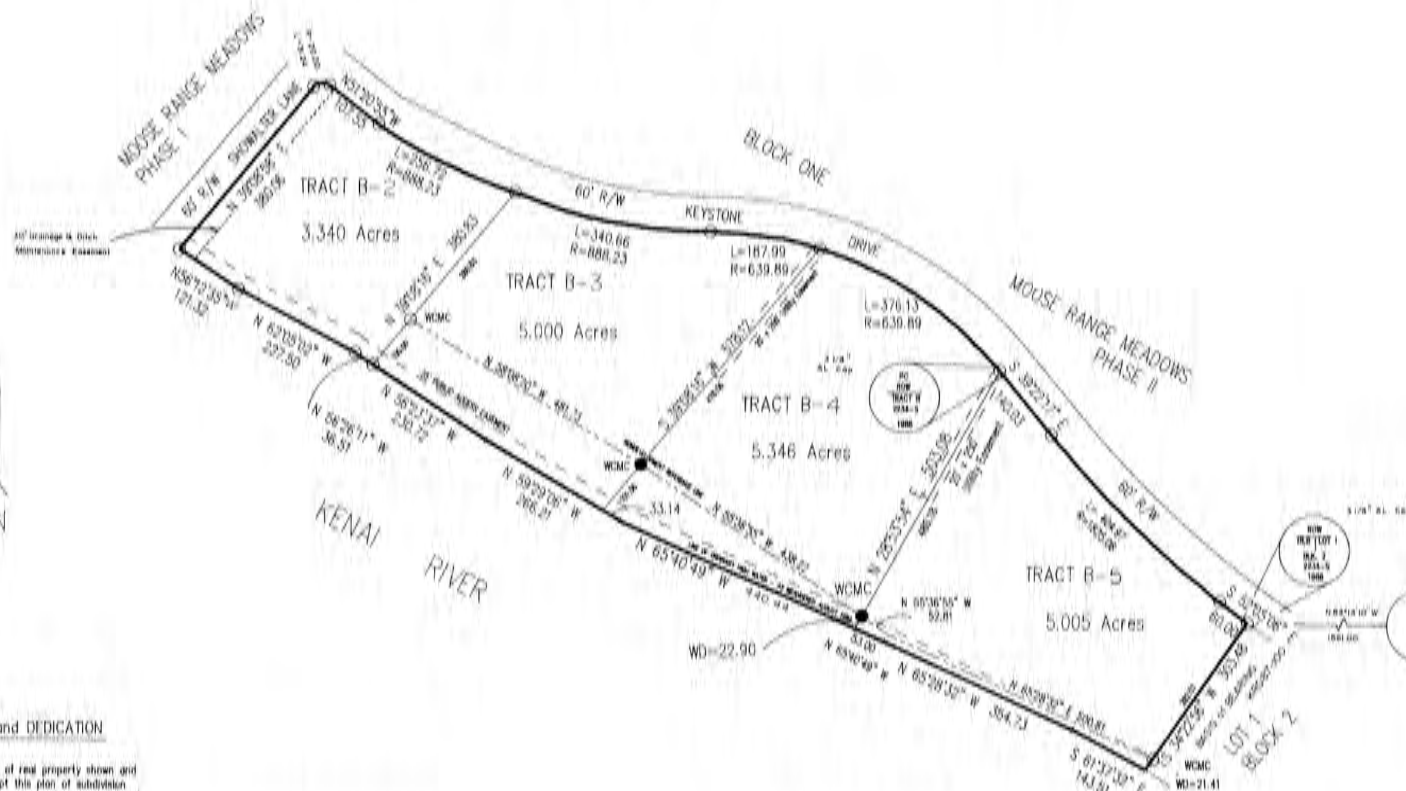
LIQUID WITHIN THE NW 1/4, NE 1/4, SE 1/4, SECTION 2, T4N, R10W, S.M., AK
KENAI PENINSULA BOROUGH, KENAI RECORDING DISTRICT
SUBDIVISION 16,690 ACRES.



SWAN SURVEYING

P.O. Box 987
SOLDOTNA, AK 99669
PHONE 907-262-1014

DATE SURVEYED	SCALE	DRAWN
JAN. 1996	1" = 100'	MAS
K.P.B. FILE NO.	BL. NO.	KENAI RECORDING
10-119	9585	DISTRICT

**CERTIFICATE OF OWNERSHIP and DEDICATION**

We hereby certify that we are the owners of 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 use shown.

We further certify that Deeds of Trust affecting this property do not contain restrictions which would prohibit this plat, or require signature and approval of beneficiaries.

Notary's Acknowledgment

Subscribed and sworn before me on this ____ day
of February, 1996, For Salamatof Native Association

PLAT APPROVAL

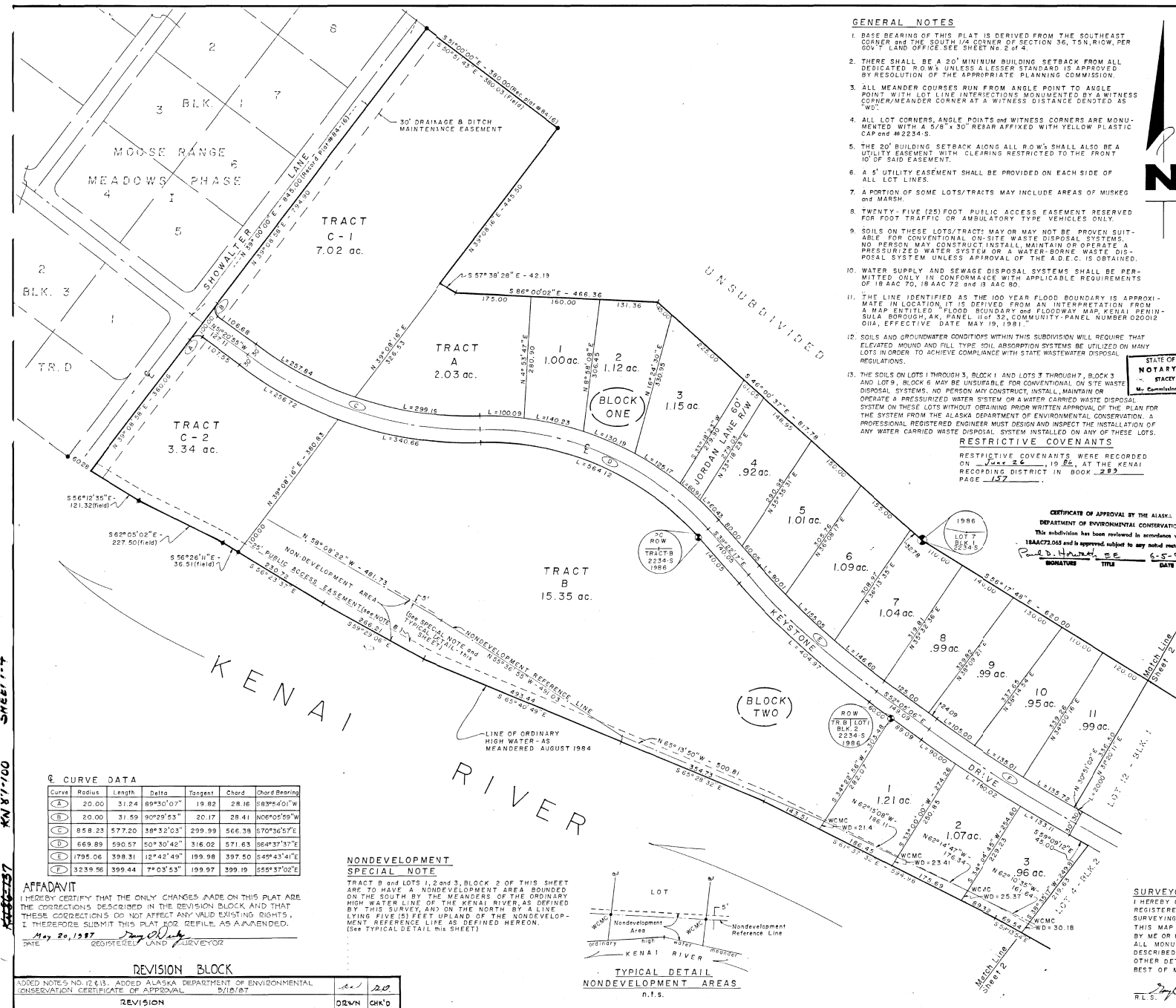
This plat was approved by the KENAI PENINSULA BOROUGH
PLANNING COMMISSION at its meeting of 11/17/95

KENAI PENINSULA BOROUGH

BY *David J. Helt*
Authorized Official

Donna J. Weis *James O. Segura*
Secretary/Treasurer President
SALAMATOF NATIVE ASSOCIATION, INC.
Authorized Officials

NOTARY PUBLIC FOR *David J. Helt*
MY COMMISSION EXPIRES *2-24-96*



GENERAL NOTES

1. BASE BEARING OF THIS PLAT IS DERIVED FROM THE SOUTHEAST CORNER AND THE SOUTH 1/4 CORNER OF SECTION 36, T5N, R10W, PER GOVT. LAND OFFICE SEE SHEET No. 2 of 4.
2. THERE SHALL BE A 20' MINIMUM BUILDING SETBACK FROM ALL DEDICATED ROW'S UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
3. ALL MEANDER COURSES RUN FROM ANGLE POINT TO ANGLE POINT WITH LOT LINE INTERSECTIONS MONUMENTED BY A WITNESS CORNER/MEANDER CORNER AT A WITNESS DISTANCE DENOTED AS "WD".
4. ALL LOT CORNERS, ANGLE POINTS AND WITNESS CORNERS ARE MONUMENTED WITH A 5/8" X 30" REBAR AFFIXED WITH YELLOW PLASTIC CAP AND #2234-S.
5. THE 20' BUILDING SETBACK ALONG ALL ROW'S SHALL ALSO BE A UTILITY EASEMENT WITH CLEARING RESTRICTED TO THE FRONT 10' OF SAID EASEMENT.
6. A 5' UTILITY EASEMENT SHALL BE PROVIDED ON EACH SIDE OF ALL LOT LINES.
7. A PORTION OF SOME LOTS/TRACTS MAY INCLUDE AREAS OF MUSKEG AND MARSH.
8. TWENTY-FIVE (25) FOOT PUBLIC ACCESS EASEMENT RESERVED FOR FOOT TRAFFIC OR AMBULATORY TYPE VEHICLES ONLY.
9. SOILS ON THESE LOTS/TRACTS MAY OR MAY NOT BE PROVEN SUITABLE FOR CONVENTIONAL ON-SITE WASTE DISPOSAL SYSTEMS. NO PERSON MAY CONSTRUCT, INSTALL, MAINTAIN OR OPERATE A PRESSURIZED WATER SYSTEM OR A WATER-BORNE WASTE DISPOSAL SYSTEM UNLESS APPROVAL OF THE A.D.C. IS OBTAINED.
10. 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.
11. THE LINE IDENTIFIED AS THE 100 YEAR FLOOD BOUNDARY IS APPROXIMATE IN LOCATION, IT IS DERIVED FROM AN INTERPRETATION FROM A MAP ENTITLED "FLOOD BOUNDARY AND FLOODWAY MAP, KENAI PENINSULA BOROUGH, AK, PANEL 114 32, COMMUNITY-PANEL NUMBER 020012 OIA, EFFECTIVE DATE MAY 19, 1981".
12. SOILS AND GROUNDWATER CONDITIONS WITHIN THIS SUBDIVISION WILL REQUIRE THAT ELEVATED MOUND AND FILL TYPE SOIL ABSORPTION SYSTEMS BE UTILIZED ON MANY LOTS IN ORDER TO ACHIEVE COMPLIANCE WITH STATE WASTEWATER DISPOSAL REGULATIONS.
13. THE SOILS ON LOTS 1 THROUGH 3, BLOCK 1 AND LOTS 3 THROUGH 7, BLOCK 2 AND LOTS 9, BLOCK 6 MAY BE UNSUITABLE FOR CONVENTIONAL ON-SITE WASTE DISPOSAL SYSTEMS. NO PERSON MAY CONSTRUCT, INSTALL, MAINTAIN OR OPERATE A PRESSURIZED WATER SYSTEM OR A WATER-CARRIED WASTE DISPOSAL SYSTEM ON THESE LOTS WITHOUT OBTAINING PRIOR WRITTEN APPROVAL OF THE PLAN FOR THE SYSTEM FROM THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION. A PROFESSIONAL REGISTERED ENGINEER MUST DESIGN AND INSPECT THE INSTALLATION OF ANY WATER-CARRIED WASTE DISPOSAL SYSTEM INSTALLED ON ANY OF THESE LOTS.

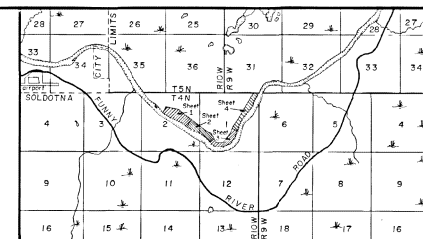
RESTRICTIVE COVENANTS

RESTRICTIVE COVENANTS WERE RECORDED ON June 26, 19 84, AT THE KENAI RECORDING DISTRICT IN BOOK 283 PAGE 127.

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with 18AAC 70.03 and is approved subject to any noted restrictions.

Paul D. Hume SE 6-5-87
SIGNATURE TITLE DATE



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

James O. Segura *Ralph A. Johnson*
JAMES O. SEGURA, Vice President RALPH A. JOHNSON, President
Salamatof Native Association, Inc. Salamatof Native Association, Inc.
P.O. Box 2682, Kenai, AK 99611 P.O. Box 2682, Kenai, AK 99611

NOTARY'S ACKNOWLEDGMENT

For James O. Segura & Ralph A. Johnson
Subscribed and sworn to before me, this 29th day of May, 19 84.

Stacey Taylor 5-3-88
NOTARY, STATE OF ALASKA MY COMMISSION EXPIRES

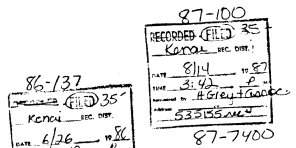
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 6-16-86.

BY *Ronald R. Jensen*
KENAI PENINSULA BOROUGH AUTHORIZED OFFICIAL

LEGEND

- ✱ FOUND-GOVT LAND OFFICE BRASS CAP MONUMENT
- ⊙ SET-3/4" MAGNETIC ALUMINUM CAPPED MONUMENT
- FOUND-5/8" REBAR
- ⊞ SET-5/8" X 30" REBAR WITH PLASTIC CAP AND #2234-S



AMENDED PLAT
SHEET 1 of 4



MOOSE RANGE MEADOWS SUB PHASE II

Located within NE1/4, SE1/4, SW1/4 Section 1 and NE1/4, SE1/4, NW1/4 Section 2, T4N, R10W, S.M., ALASKA - Kenai Recording District
Consisting of 65 Lots and 8 Tracts, Containing 19537 ac. ±

FOR: SALAMATOF NATIVE ASSOCIATION
P.O. Box 2682
KENAI, ALASKA 99611

PROFESSIONAL DESIGN ASSOCIATES
BOX 4406
KENAI, ALASKA 99611
283-5024

W.D. #6-JACQUE DATE: MAY 1986 SCALE: 1" = 100'
DRAFTED: S.G. GROSS CHECKED: G. DROCKY KPB File # 85-282

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED & LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA AND THIS MAP REPRESENTS A SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION AND THAT ALL MONUMENTS SHOWN HEREON EXIST AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Ray O. Dwyer June 11, 1986
R.L.S. DATE

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	CHORD BEARING
(A)	20.00	31.24	89°30'07"	19.82	28.16	S63°54'01"W
(B)	20.00	31.59	90°29'53"	20.17	28.41	N06°05'59"W
(C)	858.23	577.20	38°32'03"	299.99	566.38	S70°36'57"E
(D)	669.89	590.57	50°30'42"	316.02	571.63	S64°37'31"E
(E)	1795.06	398.31	12°42'49"	199.97	397.50	S45°43'41"E
(F)	3239.56	399.44	7°03'53"	199.97	399.19	S55°37'02"E

AFFIDAVIT
I HEREBY CERTIFY THAT THE ONLY CHANGES MADE ON THIS PLAT ARE THE CORRECTIONS DESCRIBED IN THE REVISION BLOCK AND THAT THESE CORRECTIONS DO NOT AFFECT ANY VALID EXISTING RIGHTS, I THEREFORE SUBMIT THIS PLAT FOR RECORD AS AMENDED.

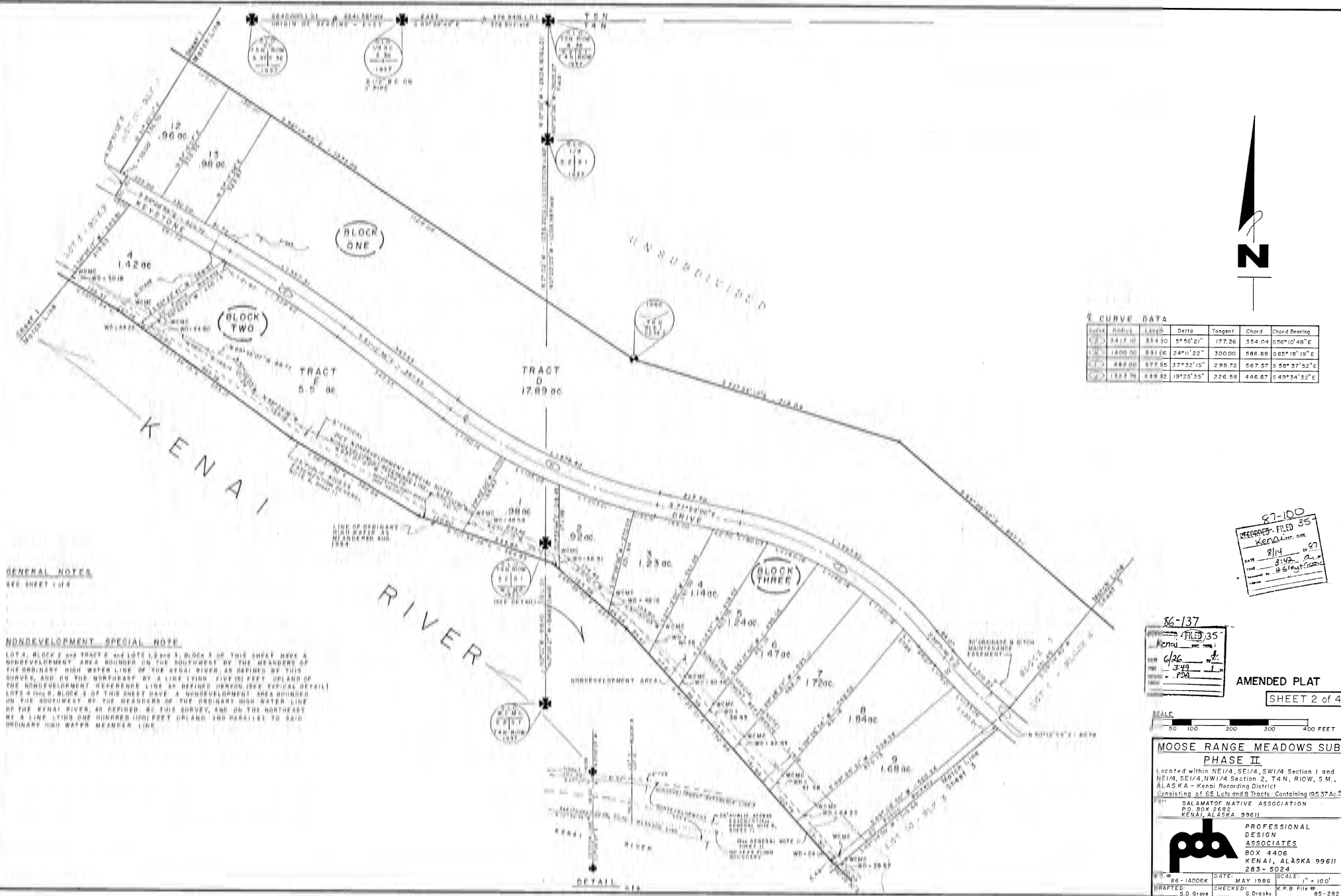
DATE May 20, 1987 *Ray O. Dwyer*
REGISTERED LAND SURVEYOR

REVISION BLOCK

ADDED NOTES NO. 12 & 13. ADDED ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION CERTIFICATE OF APPROVAL 5/18/87.

REVISION
DRAWN CHK'D
20

KPB NOTE: SEE PC RESOLUTION 98-63



KPB NOTE: SEE PC RESOLUTION 98-63

GENERAL NOTES

SEE SHEET 14-A

NONDEVELOPMENT SPECIAL NOTE

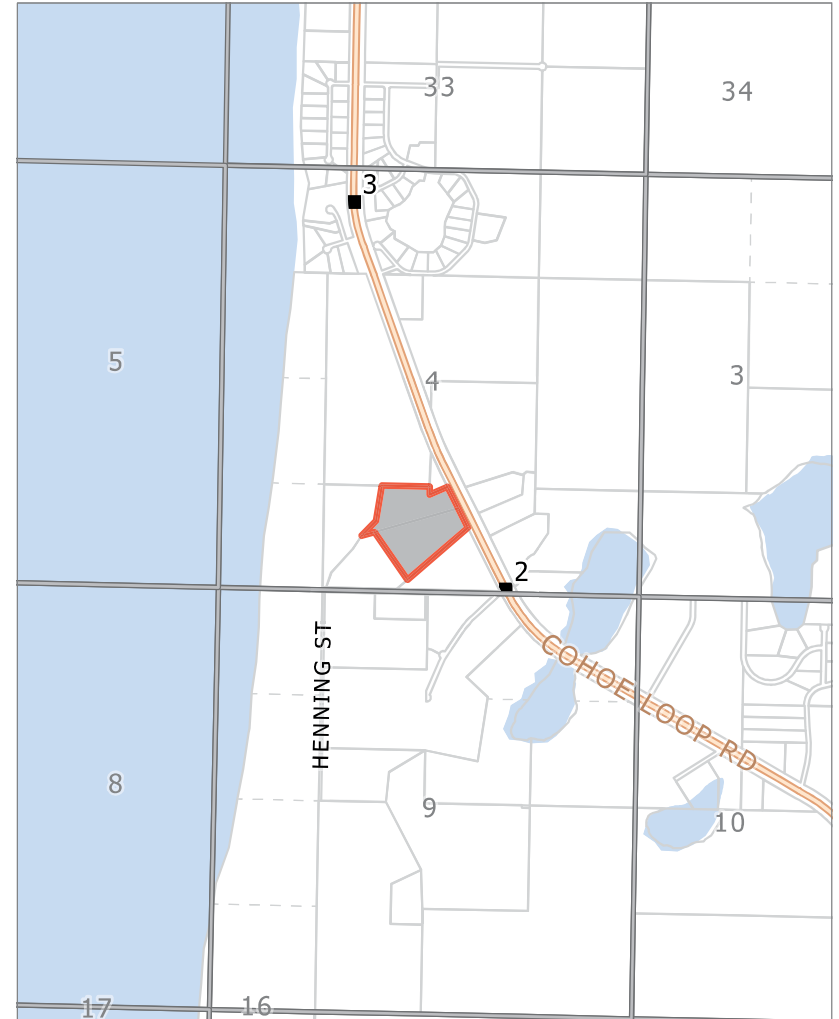
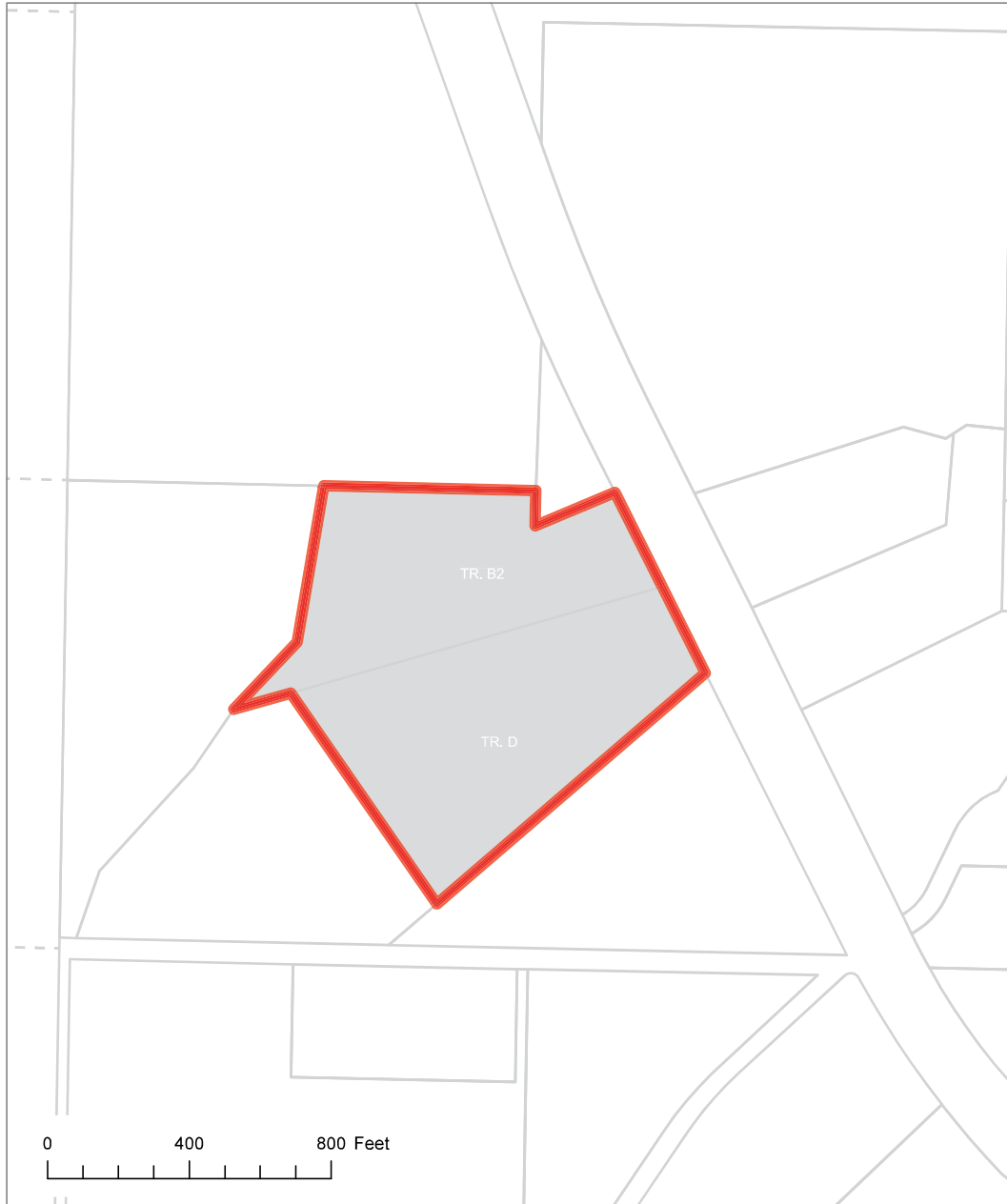
LOTS 10, 11, 12 AND A PORTION OF TRACT F, BLOCK 5 ARE DESIGNATED TO HAVE A NONDEVELOPMENT AREA BOUNDED ON THE SOUTH AND SOUTHWEST BY THE ORDINARY HIGH WATER LINE MEANDER OF THE KENAI RIVER, AS DEFINED BY THIS SURVEY, AND ON THE NORTH AND NORTHEAST BY A LINE LYING ONE HUNDRED (100) FEET UPLAND AND PARALLEL TO SAID ORDINARY HIGH WATER AS DEPICTED HEREON. LOTS 1 AND 13, BLOCK 5 ARE DESIGNATED TO HAVE A NONDEVELOPMENT AREA BOUNDED ON THE SOUTHEAST BY SAID ORDINARY HIGH WATER LINE, AS DEFINED BY THIS SURVEY, AND ON THE NORTHWEST BY A LINE LYING FIVE (5) FEET UPLAND AND PARALLEL TO THE NONDEVELOPMENT REFERENCE LINE AS DEPICTED HEREON.





E. NEW BUSINESS

- 4. McReed Subdivision 2022 Replat; KPB File 2022-097
Johnson Surveying / Harne, Habe
Location: Cohoe Loop Road
Cohoe Area**

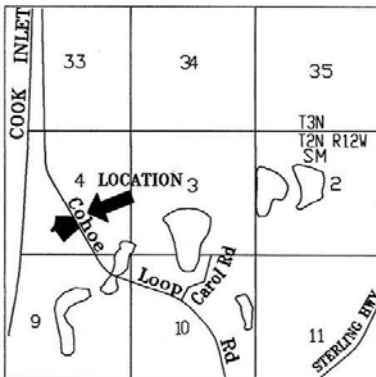


KPB File # 2022-097
S04 T02N R12W
Cohoe



Aerial View





VICINITY 1" = 1 mile MAP

McReed Subdivision 2022 Replat Preliminary Plat

A replat of Tract B2 McReed Subd., 2021 Replat (KRD 2021-86) and Tract D McReed Tracts, (KRD 93-12). Located in the SE 1/4 & SW 1/4 Section 4, T2N, R12W, SM, Coho Alaska.
Kenai Recording District Kenai Peninsula Borough

Prepared for

David J. & Patricia E. Harne
22019 Coho Loop Rd.
Kasilof, AK 99610

Gary & Maureen Habe
P.O. Box 1153
Kasilof, AK 99610

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, AK 99568

SCALE 1" = 200' AREA = 20.835 acres 23 May, 2022

LEGEND

- ⊕ - 2 1/2" alcap monument, 268-S, 1981, found.
- ⊙ - 2" alcap monument, 7328-S, 1993, found.
- - 5/8" rebar lot corner, found.
- - 1/2" rebar with plastic cap, 7328-S, found.
- ▲ - 1/2" x 4' rebar with plastic cap, 7328-S, set.
- ≡ - indicates swamp

NOTES

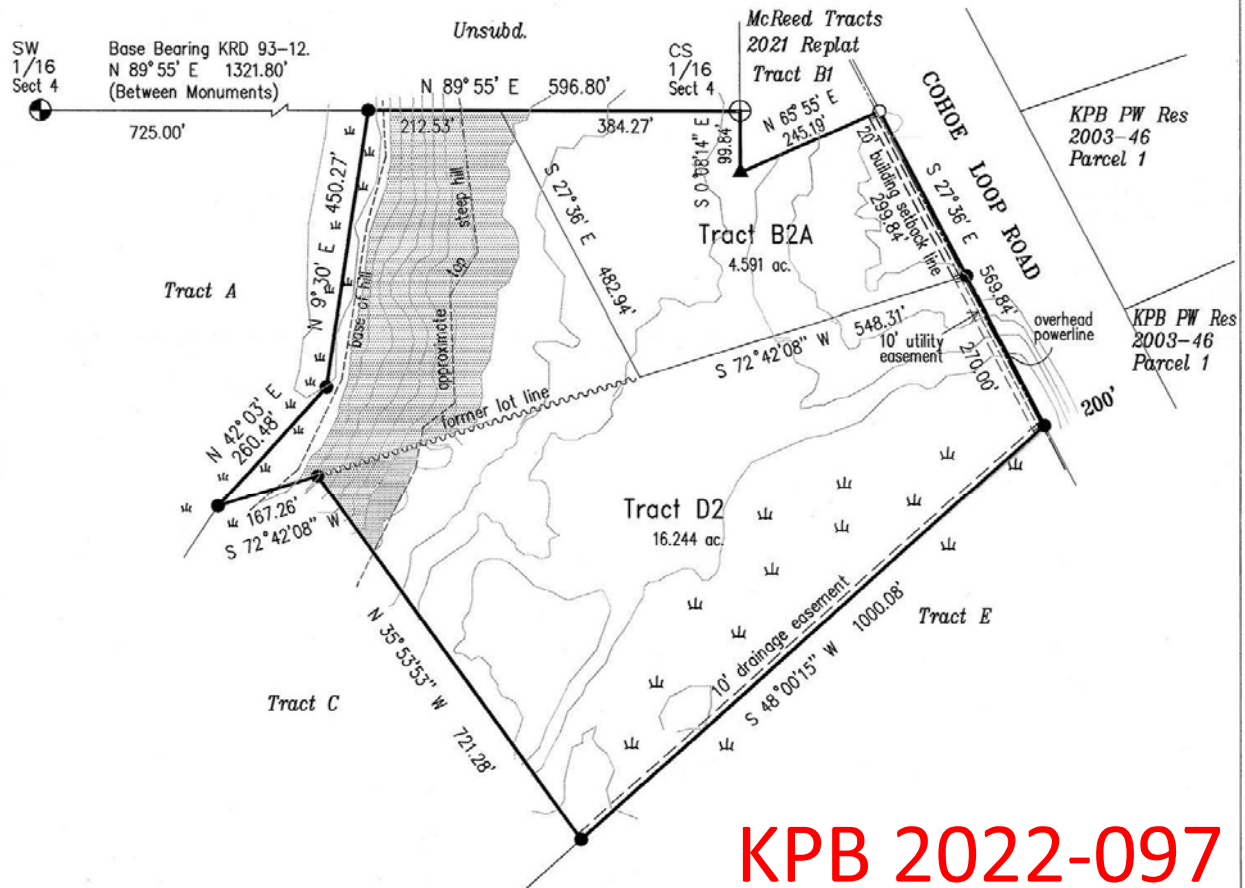
1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building is also a utility easement as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
3. No access to state maintained ROWs allowed unless permitted by State of Alaska Dept. of Transportation.
4. Coho Loop ROW is as shown on State ROW plans S-0461(1).
5. This property is subject to an electrical utility easement granted in KRD book 3 page 20. This is a general easement, no specific location given.
5. Contour interval 4'. Shaded areas indicate grades over 25%.

WASTEWATER DISPOSAL

KPB 20.40.030

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

Warfle Tracts #3
Tract A-3



AGENDA ITEM E. NEW BUSINESS

ITEM 4 - McReed Subdivision 2022 Replat

KPB File No.	2022-097
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	David and Patricia Harne and Gary and Maureen Habe all of Kasilof, AK
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Cohoe

Parent Parcel No.:	137-010-42 and 71
Legal Description:	Tract B2 McReed Subdivision 2021 Replat KN 2021-86 Tract D McReed Tracts KN 93-12
Assessing Use:	Residential Improved Land and Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will reconfigure two tracts by adjusting the adjoining lot lines.

Location and Legal Access (existing and proposed): The preliminary plat is located along Cohoe Loop Road in the Cohoe area, north of Carol Road intersection by approximately a mile. Cohoe Loop Road is a 200 foot State maintained right-of-way.

Both tracts will continue to have access to Cohoe Lop Road. There is a house behind Tract D2 that is accessed via Cohoe Loop Road through Tract D2. **Staff recommends:** Should Tract D ever be sold a driveway easement should be prepared and recorded allowing continue use of the current driveway or McReed Avenue will need to be constructed to equal or better standards.

KPB Roads Dept. comments	No Comment
SOA DOT comments	Show internal circulation on the plat

Site Investigation: The property has steep sloops located on it. The area with slopes greater than 20 percent is shaded on the plat. A portion on the East side of the property contains a swamp area as indicated on the plat. **Staff recommends** the shading be removed from the final, but correctly show the top of sloop. Leave the swamp area and place a note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy 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: Russell, Pam Comments: No Comments
-------------------------	--

State of Alaska Fish and Game	No objections
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Staff Analysis The proposed plat will be subdividing a lot created by McReed Subdivision Plat KRD 93-12 and McReed Subdivision 2021 Replat KRD 2021-86.

The property is not within an advisory planning commission.

Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval; **Staff recommendation:** There appears to be a house located the West close to the back line of Tract D2, Surveyor need to check location for encroachment and verify.

Utility Easements On the back of the upper part of proposed Tract D2 there is a 10' Drainage Easement granted in McReed Subdivision Plat KRD 93-12. **Staff recommends:** this drainage easement be depicted on final plat.

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	Show 15' easement centered on existing underground line crossing property
ENSTAR	No objection
ACS	No objection
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 21797 COHOE LOOP RD 21845 COHOE LOOP RD Comments: 21797 COHOE LOOP RD will remain with tract D2. 21845 COHOE LOOP RD will remain with tract B2A.
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

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: Correct name of McReed Tracts to McReed Subd. In original name, in title and on drawing.

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:

Need to add correct subdivision labeling around parcels.

J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: SW Corner of Tract B1 should be identified as a closed circle as I should be a found corner on this plat.

Mark the back corners of Tract B2A as closed triangles.

On the back of the upper part of Tract D2 there is a 10' Drainage Easement from subdivision in McReed Subdivision Plat KRD 93-12

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

Staff recommendation: There appears to be a house located the West close to the back line of Tract D2, Surveyor need to check location for encroachment and verity. There also appears to be a driveway crossing Tract D2 accessing this house. Should Tract D ever be sold a driveway easement should be prepared and recorded allowing continue use of the current driveway or McReed Avenue will need to be constructed to equal or better standards.

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.

20.30.050. Legal access.

A. The applicant shall provide an access plan to the planning department verifying the existence of legal access to the subdivision boundary. The plan shall consist of the documents depicting the access, a map depicting the location of the access, and topographic information indicating that construction which meets the design requirements set forth in KPB Chapter 20.30 is practical and economical. In this title, legal access exists where an unrestricted, public right-of-way connects the subdivision to the state highway system, the state marine highway system or a regularly served public airport, and one of the following is met:

1. Ingress and egress will be provided over section line easements located within a surveyed section;
2. The applicant provides copies of borough-accepted recorded conveyances creating the public easement or right-of-way where the access is located;

3. That access is a State of Alaska maintained road or municipal maintained road;
 4. The applicant provides documentation satisfactory to the borough demonstrating that public legal access is guaranteed through judicial decree; or
 5. The right-of-way is an easement or fee interest at least 60 feet in width dedicated or irrevocably conveyed to the public and acceptable to the planning commission.
- B. The following situations may qualify for a waiver of the legal access requirement:
1. Upon finding that no practical means of providing road access to a proposed subdivision exists and upon presentation of credible and convincing evidence by the applicant that permanent public access by air, water, or railroad is both practical and feasible, the planning commission may waive the legal access requirements of KPB 20.30.050(A). If access other than by road is approved, the mode of access shall be noted on the plat. .
 2. Where only a 30-foot dedication exists over all or a portion of the legal access to a subdivision, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the other 30 feet will be dedicated in the future.
 3. Where a road is in use for physical access but there is no right-of-way document for all or part of the access road, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the right-of-way will be dedicated in the future.

Staff recommendation: At request of ADOT, show internal circulation on plat.

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.** HEA has request to have the underground electric line located and shown on the plat being the centerline of a 15' easement with the following note added to the plat: "The existing underground powerline is the centerline of a 15-foot-wide electrical distribution line, including pedestals and transformers, granted this plat"*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: *comply with 20.40.*

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: Need to add surveyor's certificate.

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.

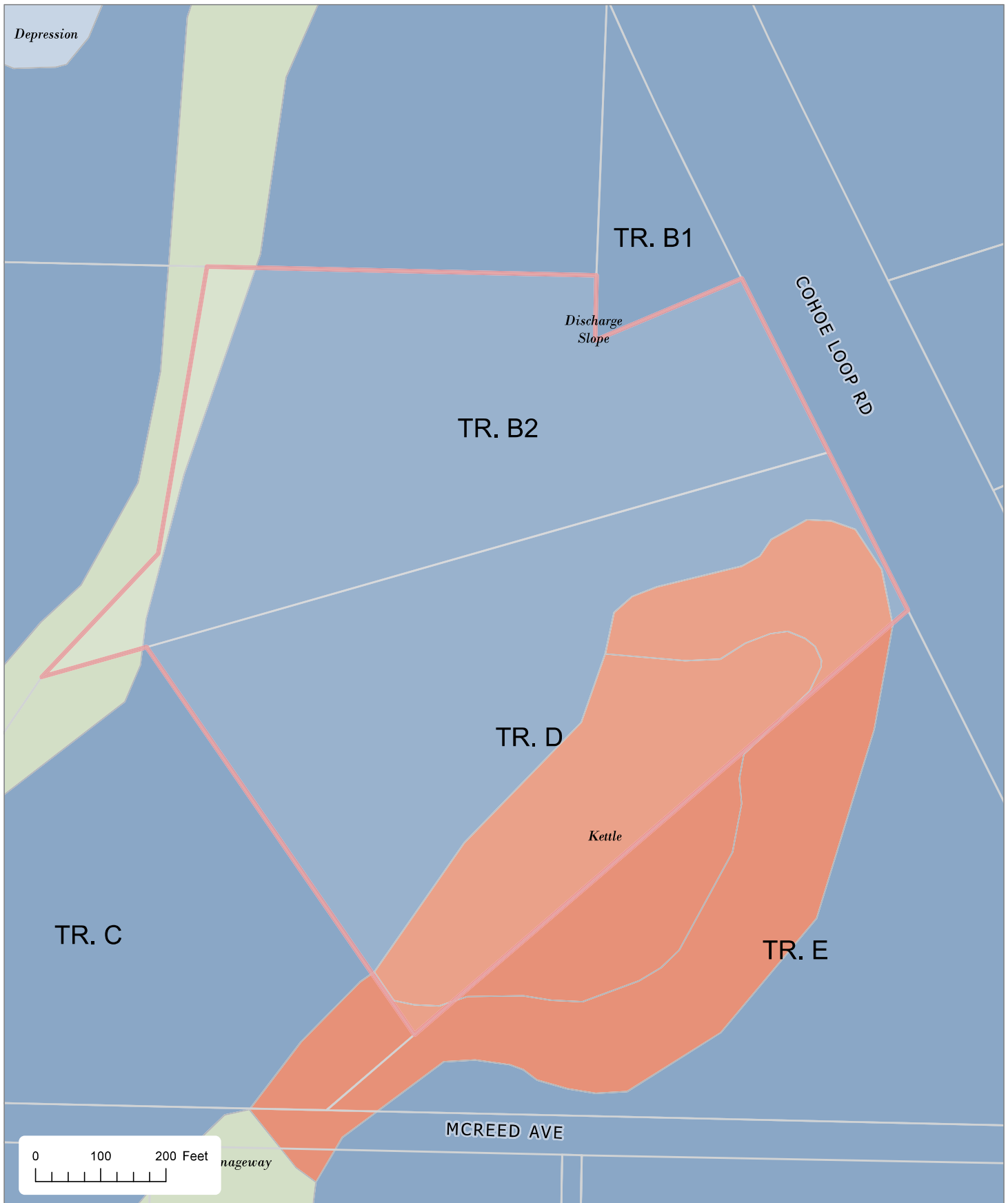
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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

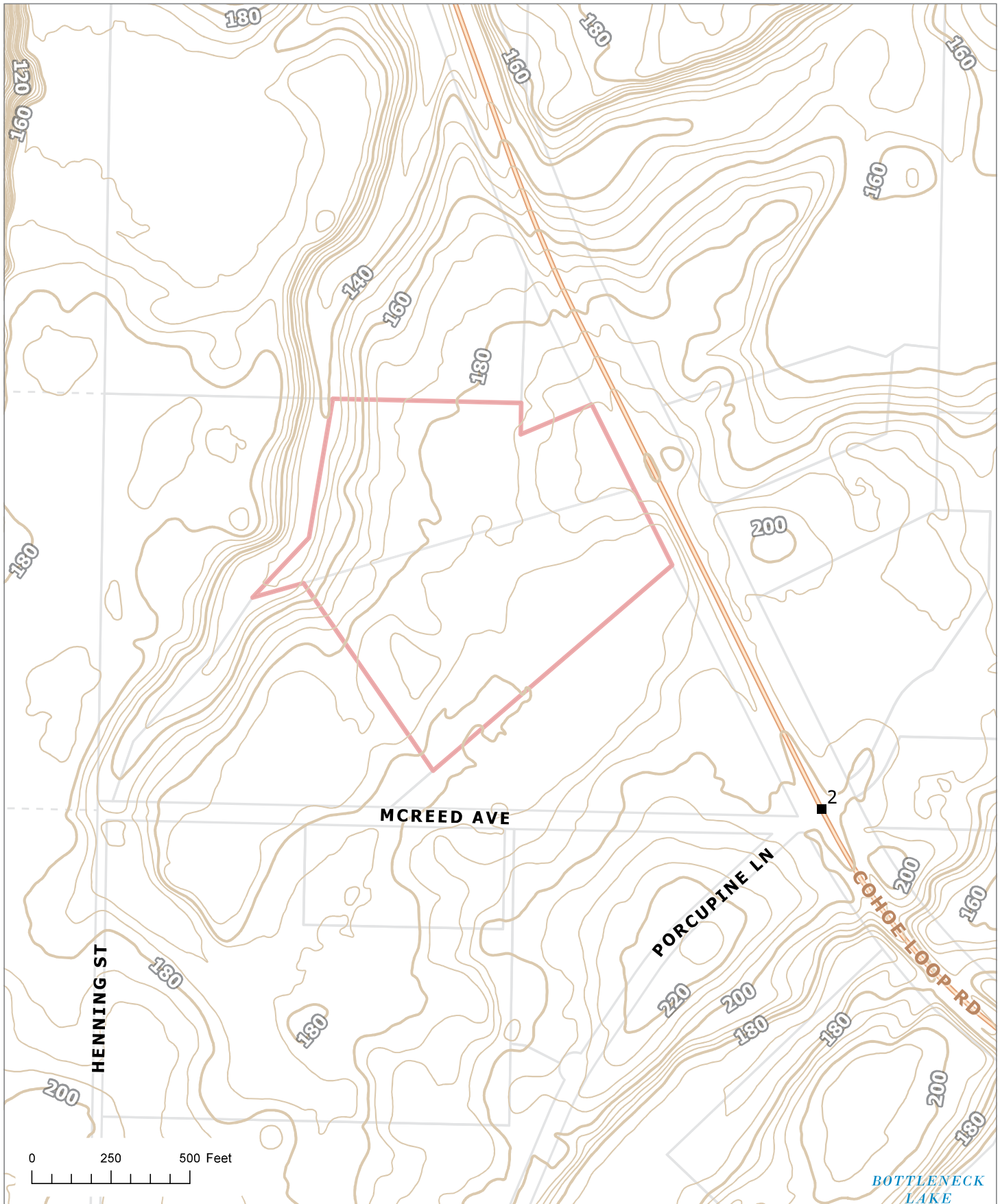


Wetlands





5-foot Contours



WARFLE TRACTS

DEED OF RECORD BOUNDARY SURVEY

K.R. BOOK 128 PAGE 350
LOCATED IN NW1/4SE1/4 SEC. 4 T2N R12W S.M.

SCALE = 1"=200' AREA = 36.513 AC. APRIL 21, 1981

BY Edwin S. and Louise E. Warfle Box 315 Soldotna

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of November 16, 1981
For recording by the state recorder as a Deed of Record Boundary Survey.
KENAI PENINSULA BOROUGH

By

[Signature]
ADMINISTRATIVE OFFICER

LEGEND

- ✱ - 1919 brass cap mon. by G.L.O., found
- - Brass cap mon. by 268-S, set
- - 1/2" x 2' rebar set
- - Concrete highway r.o.w. mon. found
- - 3-1/4" brass cap mon. on 2-1/2" galv. pipe set

OWNERS CERTIFICATE

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

[Signature]
EDWIN S. WARFLE

[Signature]
LOUISE E. WARFLE

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me this 18th day of December 1981
(Edwin S. Warfle & Louise E. Warfle)

[Signature]
NOTARY PUBLIC FOR ALASKA

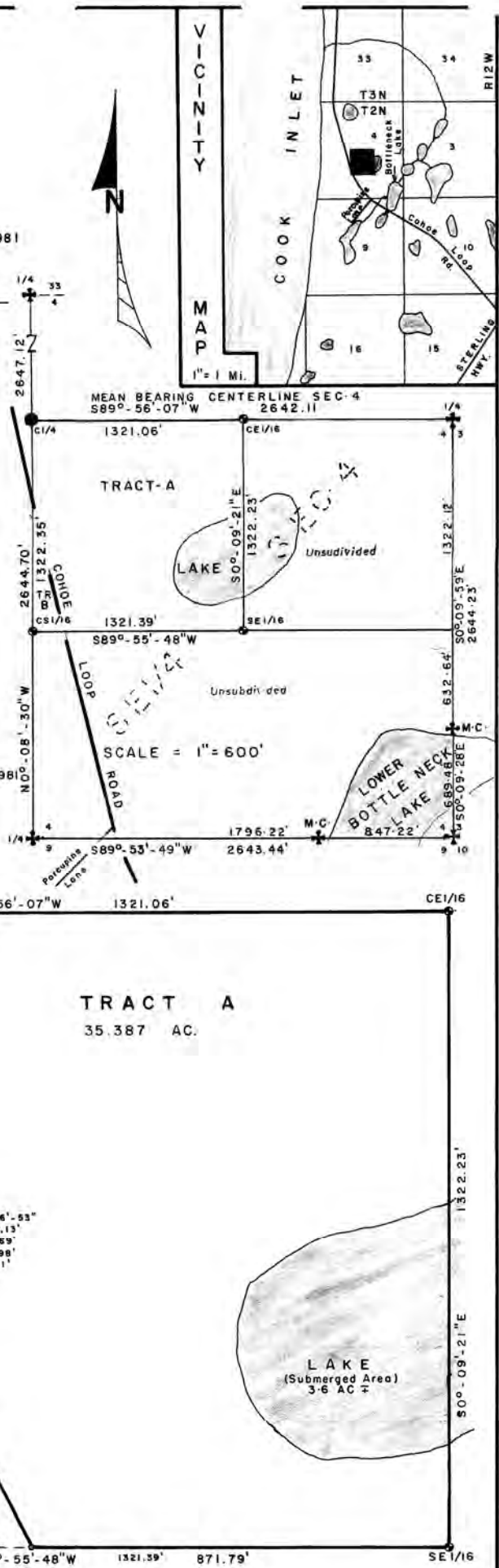
My commission expires 9-21-84



81-168
Kenai
12-31
4:06
KPB
10⁰⁰
P



BOX 27 CLAM GULCH, AK. 99568



McREED SUBDIVISION

LOCATED IN THE SW1/4 SE1/4 AND SE1/4 SW1/4 SEC. 4, T2N, R12W, SM., COHOE, AK.
KENAI RECORDING DISTRICT KPB FILE 93-13

PREPARED FOR

CHARLES H. & BETTY JO McLAURIN AND ROY REED
RT. 1 BOX 422H 2936 WESLEYEN DR.
BUCHANAN DAM, TX. 78609 ANCHORAGE, AK. 99508

PREPARED BY

JOHNSON SURVEYING
POB 27 CLAM GULCH, AK. 99568

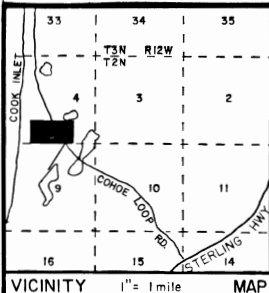


SCALE 1"=200'

AREA = 73.416 ACRES

10 DECEMBER, 1992

93-12
RECORDED FILED 20-
KENAI REC. DIST
DATE 3-17-93
TIME 3:14 P.
Johnson

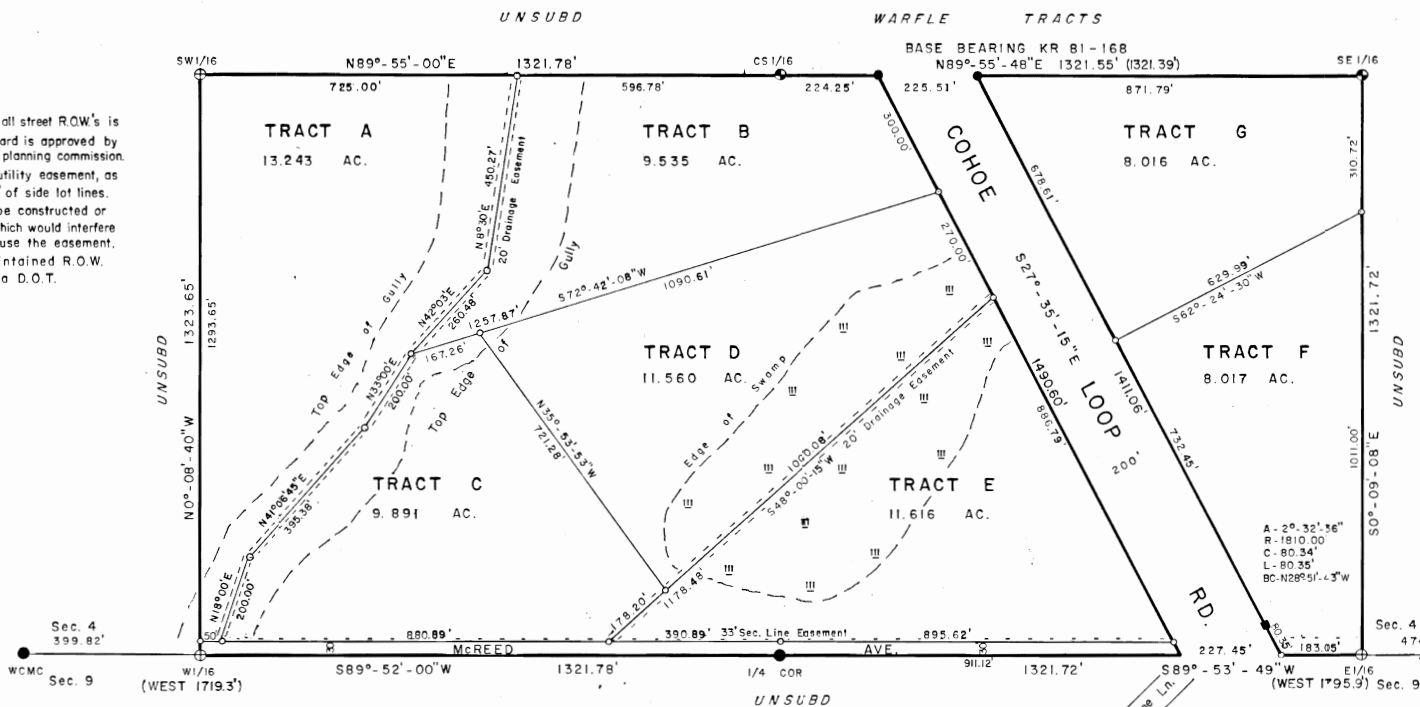


LEGEND

- - 1920 brass cap mon. by GLO, found
- - 1981 brass cap mon. by 268-S, found
- ⊕ - 2" alcap on 5/8" x 10' rod, set
- - 1/2" x 2' rod with 1" plastic cap, set
- - Swampy ground
- - Concrete hwy. ROW mon, found
- - 5/8" rod, found.
- () - 1920 GLO record information.

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by resolution of the appropriate planning commission. Front 10' of 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 access to a state maintained R.O.W. unless approved by Alaska D.O.T.



WASTEWATER DISPOSAL

Conditions may not be suitable for onsite wastewater treatment and disposal. All wastewater treatment or disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

Soil conditions on Tracts F and G may require construction of engineered alternate type wastewater disposal systems. Design and construction of alternate wastewater disposal systems may result in additional cost.

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

Signature *[Signature]* Title *E.E.* Date *2-1-93*

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 26 January, 1993.
By: *[Signature]* 3-15-93
Authorized Official Date

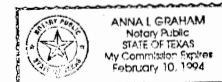
OWNERSHIP CERTIFICATE & DEDICATION

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 R.O.W.'s to public use and grant all easements to the use shown.

Charles H. McLaurin
CHARLES H. McLAURIN Rt. 1 Box 422H Buchanan Dam, TX 78609
Betty Jo McLaurin
BETTY JO McLAURIN Rt. 1 Box 422H Buchanan Dam, TX 78609
Roy Reed
ROY REED 2936 Wesleyen Dr. Anchorage, AK. 99508

NOTARY'S ACKNOWLEDGEMENT

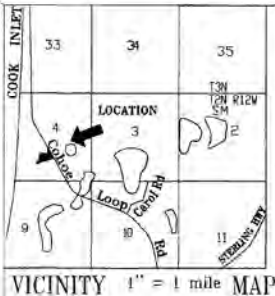
For Charles H. and Betty Jo McLaurin
Subscribed and sworn to before me this 19th day of February, 1993.
[Signature]
Notary Public for Texas
My commission expires 2-10-94



NOTARY'S ACKNOWLEDGEMENT

For Roy Reed
Subscribed and sworn to before me this 11th day of February, 1993.
[Signature]
Notary Public for Alaska
My commission expires 2-17-94





McReed Subdivision 2021 Replat

A replat of Tract B Warfe (tracts, KR0 81-168) and Tract B McReed Subd. (KR0 93-12).
Located in the SE 1/4 & SW 1/4 Section 4, T2N, R12W, S5M, Cohoe, Alaska.
Kenai Recording District Kenai Peninsula Borough File 2021-093

Prepared for

David J. & Patricia E. Harne
22019 Cohoe Loop Rd.
Kasilof, AK 99610

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, AK 99568



SCALE 1" = 200' AREA = 10.659 acres 25 May, 2021

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. Plat 95-12 granted 10' utility easements adjoining dedicated rights of way and 20' within 5' of side of lot lines. This plat will be granting 10' utility easements adjoining all right of way and increasing to 20' within 5' of all new 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 access to state maintained ROWs allowed unless permitted by State of Alaska Dept. of Transportation.
4. Coho Loop ROW is as shown on State ROW plans S-045(1).
5. This property is subject to an electrical utility easement granted in KR0 book 3 page 20. This is a general easement, no specific location given.

11/18/21

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 9 August, 2021.

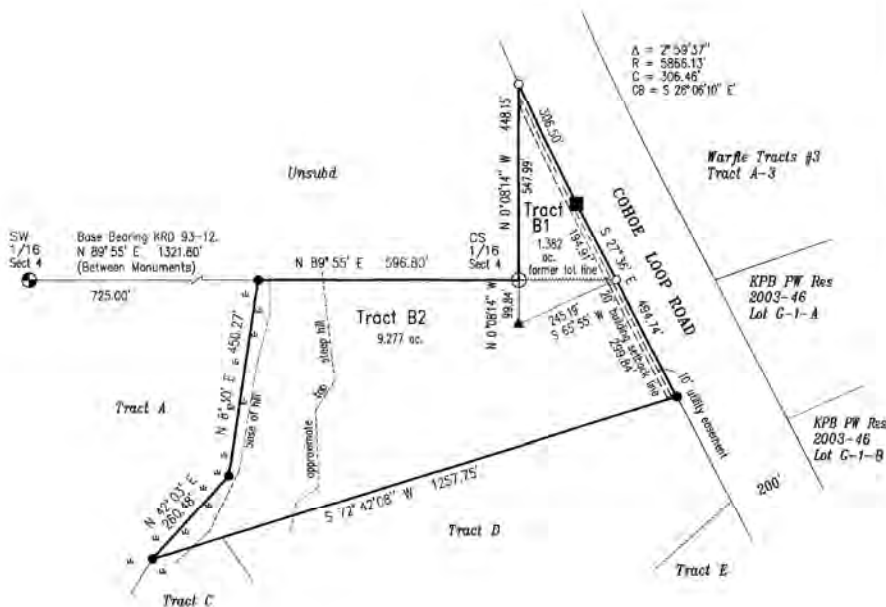
KENAI PENINSULA BOROUGH

By: *[Signature]*
Authorized Official

11/24/21
Date

LEGEND

- ⊕ - 2" brass cap monument, 288-S, 1981, found.
- ⊙ - 2" deep monument, 7328-S, 1993, found.
- - State DOT ROW Monument, found.
- - 5/8" rebar lot corner, found.
- - 1/2" rebar with plastic cap, 7328-S, found.
- ▲ - 1/2" x 4" rebar with plastic cap, 7328-S, set.
- ~ - indicates swamp



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 grant all easements to the use shown.

[Signature]
David J. Harne 22019 Coho Loop Rd. Kasilof, AK 99610

[Signature]
Patricia E. Harne 22019 Coho Loop Rd. Kasilof, AK 99610

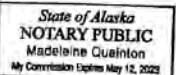
NOTARY'S JURAT

For: David J. & Patricia E. Harne
Subscribed and sworn to before me this 16

day of November, 2021

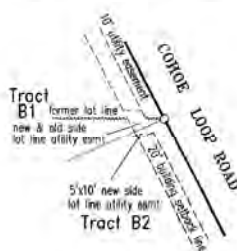
[Signature]
Notary Public for Alaska

My commission expires 5/12/23



DETAIL OF NEW AND OLD SIDE LOT LINE EASEMENTS

1" = 50'



WASTEWATER DISPOSAL

TRACT B2
KPB 20.40.030
This lot is at least 200,000 square feet in size and conditions may not be suitable for onsite wastewater treatment disposal. Any wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

TRACT B1
KPB 20.40.020(A)(2)
Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation. This platting action will provide greater wastewater disposal area for this lot.



**KENAI PENINSULA BOROUGH PLANNING COMMISSION
PLAT WAIVER RESOLUTION 2003-46
KENAI RECORDING DISTRICT**

GRANTING A PLATTING WAIVER FOR TRACT G-1 WARFLE TRACTS NO. 2 (PLAT KN 94-57),
WITHIN SECTION 4, TOWNSHIP 2 NORTH, RANGE 12 WEST, SEWARD MERIDIAN, ALASKA

WHEREAS, Michael S. and Tracey L. Barker of Kaslof, Alaska, have petitioned for a waiver of platting requirements for the following described parcel:

Tract G-1 Warfle Tracts No. 2, according to Plat 94-57, Kenai Recording District, within Section 4, Township 2 North, Range 12 West, Seward Meridian, Alaska; containing 10.634 acres more or less

WHEREAS, 29.40.090 of Alaska Statutes provides that the platting authority shall waive the preparation, submission for approval, and recording of a plat upon satisfactory evidence that certain conditions exist; and

WHEREAS, it has been determined by the Planning Commission on November 24, 2003 that all requirements have been met.

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

Section 1: That a waiver of platting requirements is hereby granted for the above described parcel.

Section 2: That the plat waiver is being granted for the purpose of creating two parcels described as follows:

Parcel 1: (Lot G1A) Beginning at the NW corner of Tract G-1 of Plat KN 95-47; thence N 71°03'30" E a distance of 617.65 feet; thence S 76°15'00" E a distance of 122.86 feet; thence N 56°00'00" E a distance of 29.00 feet; thence S 03°44'35" W a distance of 265.13 feet; thence S 66°00'00" W a distance of 595.00 feet; thence N 27°35'15" W a distance of 360.00 feet; to the point of beginning, having an area of 5.013 acres.


Parcel 2: (Lot G1B) Beginning at the SW corner of Tract G-1 of Plat 95-47; thence N 27°35'15" W a distance of 318.61 feet; thence N 66°00'00" E a distance of 595.00 feet; thence N 03°44'35" E a distance of 265.13 feet; thence N 56°00'00" E a distance of 41.00 feet; thence S 85°30'00" E a distance of 110.00 feet; thence S 00°09'08" E a distance of 511.46 feet; thence S 62°24'30" W a distance of 629.99 feet; to the point of beginning, having an area of 5.621 acres.

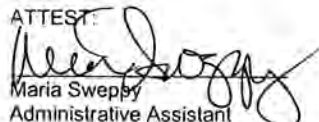
Section 3. That a copy of the sketch submitted with the application shall be recorded with this resolution.

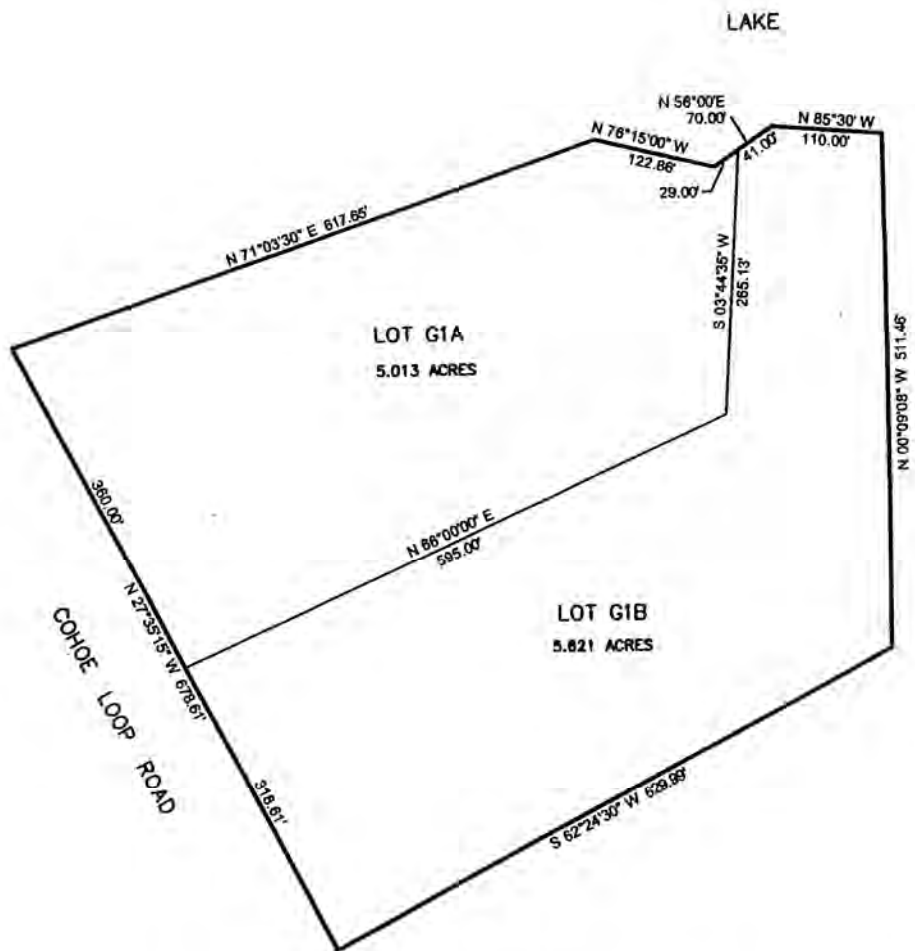
Section 4. That this resolution is void if not recorded in the appropriate Recording District within thirty days of adoption.

Section 5. That this resolution becomes effective upon being properly recorded.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 24
DAY OF November, 2003.


Philip Bryson, Chairperson
Planning Commission

ATTEST:

Maria Swepp
Administrative Assistant



E. NEW BUSINESS

5. Canyon View 2022; KPB File 2022-034

Ability Surveys / Reutov, Basargin

Location: East End Road & Caynon View Road

Fox River Area / Kachemak Bay APC



Vicinity Map

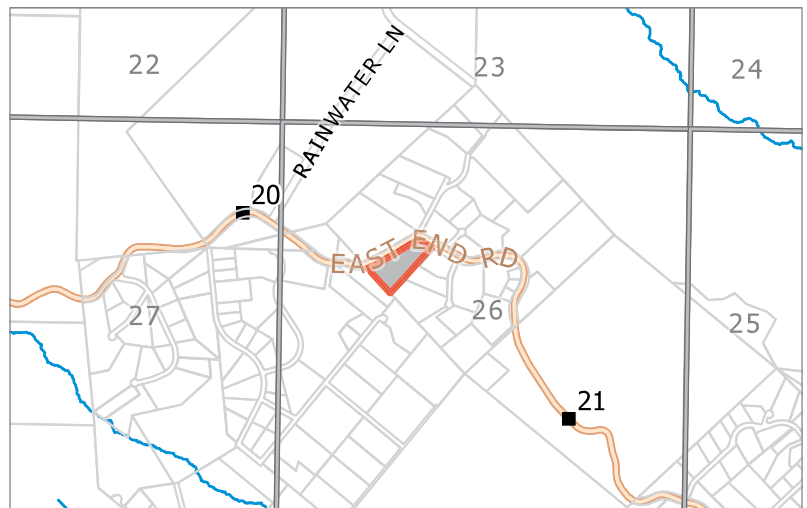
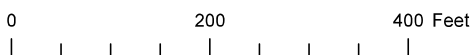


KPB File # 2022-034V

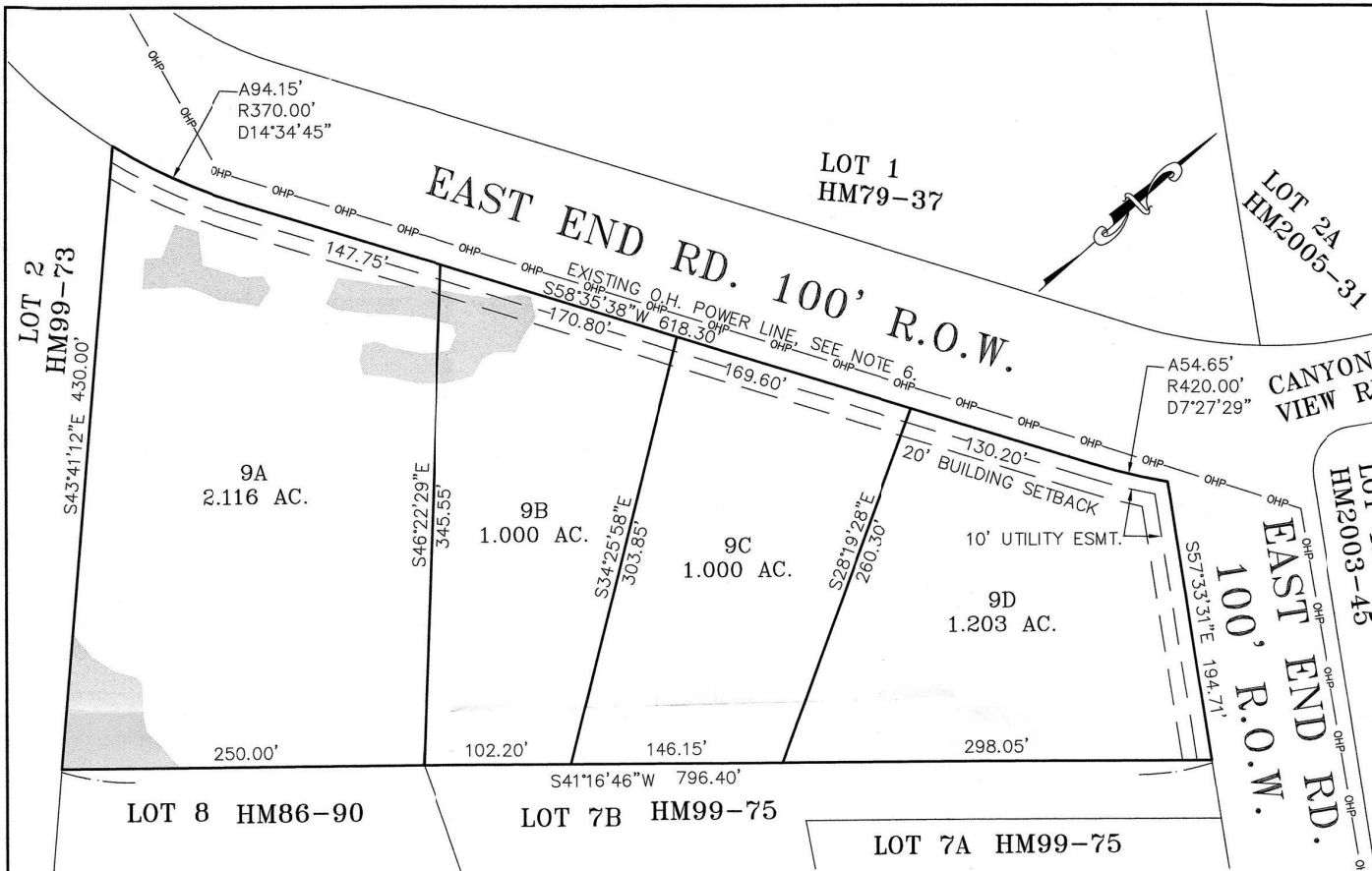
S26-T04S-R11W

Fox River

3/24/2022







CERTIFICATE OF OWNERSHIP

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 public rights-of-way and grant all easements to the use shown.

EVDOKIA V REUTOV
PO BOX 2126
Homer, AK 99603

PETRO N BASARGIN
PO BOX 2126
Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For EVDOKIA V REUTOV AND PETRO N BASARGIN

Acknowledged before me this ____ day of _____, 2022.

Notary public for Alaska

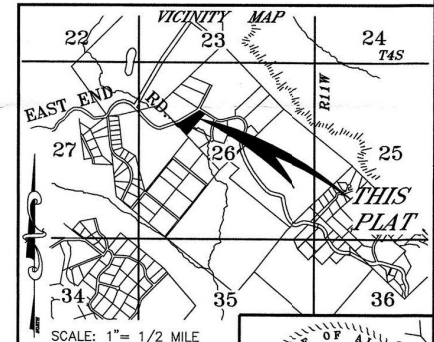
My Commission Expires _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____ KENAI PENINSULA BOROUGH

BY _____

Authorized Official



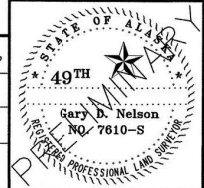
SCALE: 1" = 1/2 MILE

DATE 03-14-2022

SCALE 1" = 60'

JOB No. 5363

DRAWING: 5363_5344



CANYON VIEW 2022

A SUBDIVISION OF LOT 9, CANYON VIEW NO. 2 (HM86-90), LOCATED WITHIN THE NW1/4, SEC 26, T4S, R11W, S.M., KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 5.318 ACRES

OWNERS: EVDOKIA V REUTOV
PETRO N BASARGIN
PO BOX 2126
HOMER, AK 99603

ABILITY SURVEYS

GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER ALASKA 99603

NOTES

1. PER HM86-90, A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10 FEET OF THE 20 FOOT BUILDING SETBACK IS A UTILITY EASEMENT.
3. 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. THIS SUBDIVISION IS SERVED BY A PUBLIC WATER SYSTEM, ADEC PWSID #244955 (UPGRADED BY VILLAGE SAFEWATER PROJECT #890402).
5. GREY SHADING REPRESENTS SLOPES GREATER THAN 20% BASED ON 4' CONTOUR INTERVAL DATA ON KPB GIS.
6. BOOK 157, PAGE 799 IN THE HOMER RECORDING DISTRICT GRANTED HOMER ELECTRIC ASSOCIATION A RIGHT TO ENTER PREMISES TO MAINTAIN THE EXISTING ELECTRIC DISTRIBUTION LINES (GENERALLY ALONG EAST END ROAD).

WASTEWATER NOTES

PLAT #
Rec Dist
Date
Time

KPB 2022-034 KPB FILE NO. 2022-

AGENDA ITEM E. NEW BUSINESS

ITEM 5 - CANYON VIEW 2022

KPB File No.	2022-034
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Evdokia Reutov & Petro Basargin both of Homer, Alaska
Surveyor:	Gary Nelson / Ability Surveys
General Location:	East End Road and Canyon View Road, Fox River / Kachemak APC

Parent Parcel No.:	185-330-08
Legal Description:	Lot 9 Canyon View No. 2 (HM86-90)
Assessing Use:	Residential
Zoning:	Unrestricted
Water / Wastewater	Public water / onsite wastewater

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 5.318-acre parcel into 4 lots ranging in size from 1.000 to 2.116 acres.

Location and Legal Access (existing and proposed): The proposed plat is located along East End Road. The majority of East End Road is state maintained but per KPB Data, this section is Borough maintained. This is in the Fox River area at the intersection with Canyon View Road, a 60 foot wide borough maintained right-of-way. All rights-of-way are existing, no new dedications are proposed.

Current access is from the North side of the lot. The three newly created proposed lots (9A-9C) will all have access to East End Road on the West side and the north lot (Lot 9D) will also access East End Road continue from the North side.

There is currently a driveway in existence from the northern portion of East End Road. This will provide access to Lot 9D. It appears that one of the structures currently present on the property will be within Lot 9C. Staff recommends if the ownership of the lots change and the intended access remains through Lot 9D for Lot 9C, a driveway or access easement be recorded.

The block is not compliant. Due to the terrain, cul-de-sac dedications, and improvements, a dedication by this subdivision to improve the block is not possible. ***Staff recommends the plat committee concur that an exception is not required as there are no practical dedications that can improve the block within this subdivision.***

KPB Roads Dept. comments	
SOA DOT comments	No comment

Site Investigation: There are steep areas in the Southeast corner of the property as indicated on the drawing by the shaded areas. The ground gradually slopes towards this steep area as the land drains to Kachemak Bay by open ravine over 3 miles.

There is a house located on proposed Lot 9D. The three lots located East of this subdivision all have houses situated on them, which are accessed from Secluded Circle. To the South is a vacant lot. To the east there is a flag portion of a lot that abuts this subdivision. It provides access to East End Road. The flag is not in use as the owner is accessing the property by Secluded Circle.

There does not appear to be any low wet areas present within the subdivision.

KPB River Center review	
State of Alaska Fish and Game	No objections

Staff Analysis East End Road was conveyed as a 60-foot right-of-way, by the plat Canyon View HM 79-37, which was divided out of Lot 3 of the U.S.S. 3354 lying in Section 26, T4S, R11W, SM, Homer Recording District, Kenai Peninsula Borough, Third Judicial District, Alaska. An additional 40 feet of right-of-way was dedicated by Canyon View No 2 HM 86-90, which also created the parent Lot 9 for this subdivision.

Per plat note 4 the subdivision will be connecting to a public water system. Documentation will be required to show that the system can support the additional lots and that the new lots will be allowed to connect, otherwise the plat note will need to be removed.

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

The locations of the structures should be located during the field survey. The plat cannot create an encroachment issue. **Staff recommends** the surveyor notify the planning department with the submittal of the final if there were found to be any issues with the building locations and if there is the possibility of encroachments the plat will need to be adjusted to comply.

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.

Kachemak Bay Advisory Planning Commission minutes 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 is a 10-foot utility easement granted by the parent subdivision that was carried over and can be found in the notes and shown on the plat along the right-of-way. **Staff recommends** the depiction or note for the utility easement state that it was granted by HM 86-90.

There exist a waterline and reservoir easement in Volume 24 Page 270 in favor of Charles and Janice Rainwater across Lot 3 of USS 3354, using a blanket location being unplottable. **Staff recommends** the easement be included within a plat note unless it can be demonstrated that it does not apply to this property or has been removed.

There exist a 20-foot right-of-way easement in Volume 157 Page 799 in favor of Homer Electric Association, located centered on the overhead line on the west side of the property in East End Road and is noted within the plat notes.

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	Locate the secondary service and if it crosses a boundary line then provide an easement that states. "The existing overhead power line is the centerline of a 20-foot-wide electric easement, including guys and anchors, granted this plat."
ENSTAR	No comment
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	
Code Compliance	
Planner	
Assessing	
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. 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: Total acreage of lots is different than title block, verify for final.

- 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: There are some overstrikes on section labels and the road label. Adjust or use symbology to make all labels easy to read.

- 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: Add a right-of-way width label to Canyon View Road.

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

Staff recommendation: Check indicated locations in front of lots 9A and 9B for correctness.

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

Staff recommendation: Check the location of the structure to line between Lots 9C and 9D to be sure it does not encroach. Encroachments are not accepted or approved. If the structure is to be on Lot 9C, show how it will be accessed. If accessed through Lot 9D, an access easement should be created.

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.

20.30.220. Lots-Side line requirements. Where reasonable, side lines of lots shall be at right angles to straight portions of the right-of-way or radial to curved portions of the right-of-way.
Staff recommendation: *Lines are not at right angles, but reasoning is seen.*

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: Per plat note 4 the lots will be served by a public water system. Documentation will be required that shows the lots are connected or can/will be connected in the future and can be supported. A soils report will be required and an engineer signature will be required.

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.*

20.60.090 Improvements-Other public systems. A final plat of a subdivision outside city limits served by a public or existing ADEC approved water or wastewater disposal system shall not be approved prior to provision of documentation from the owner of the system that service to the system is installed and available to each lot in the subdivision, and that connection to all lots will not exceed the capacity of the system.

Staff recommendation: *Documentation is required.*

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. Check the total line distance versus the individual lines on the West side.*

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.*

- *"No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*
- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *Provide the correct wastewater disposal note based on the soils analysis report.*

RECOMMENDATION:

STAFF RECOMMENDS:

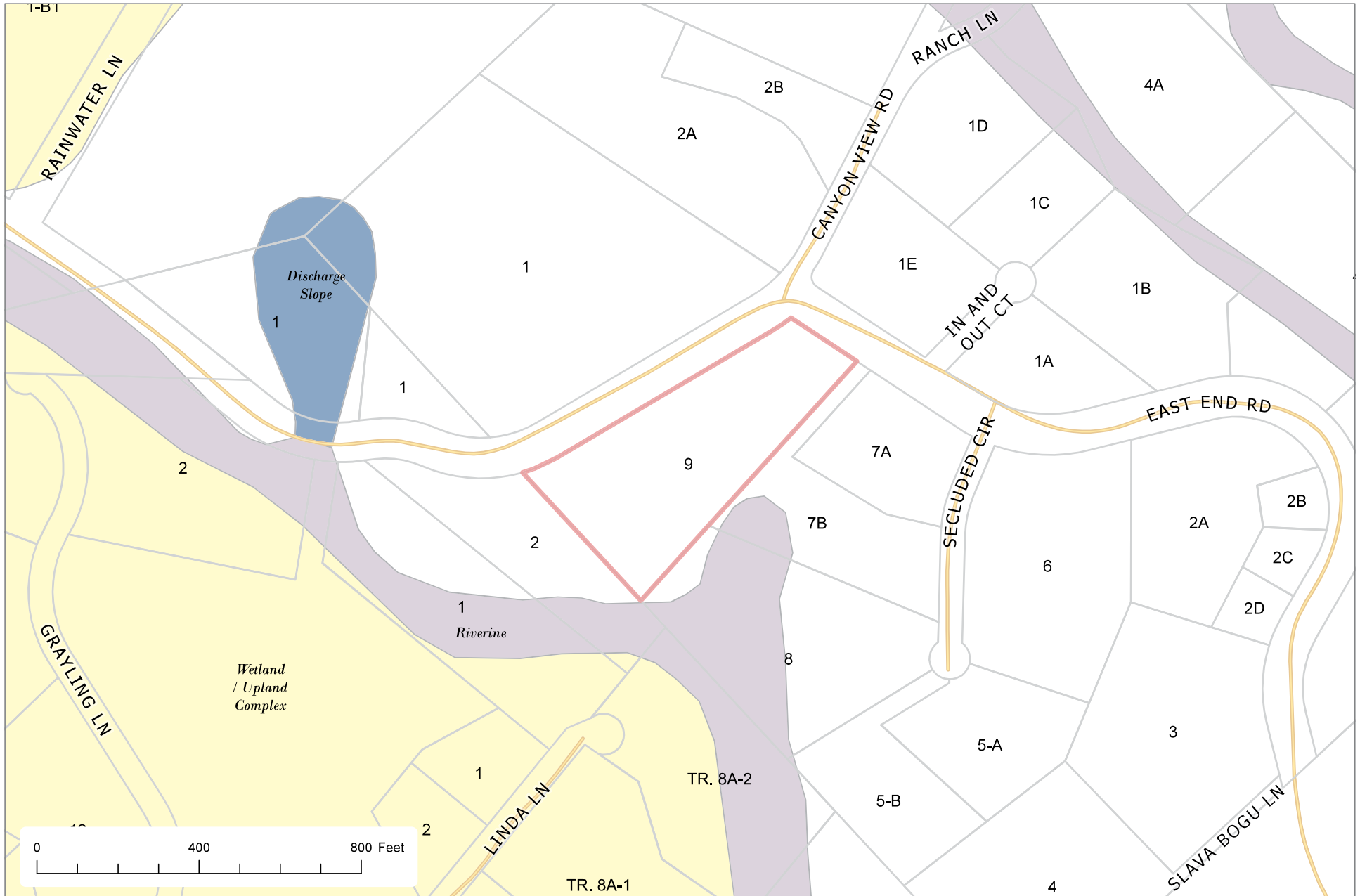
- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL 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



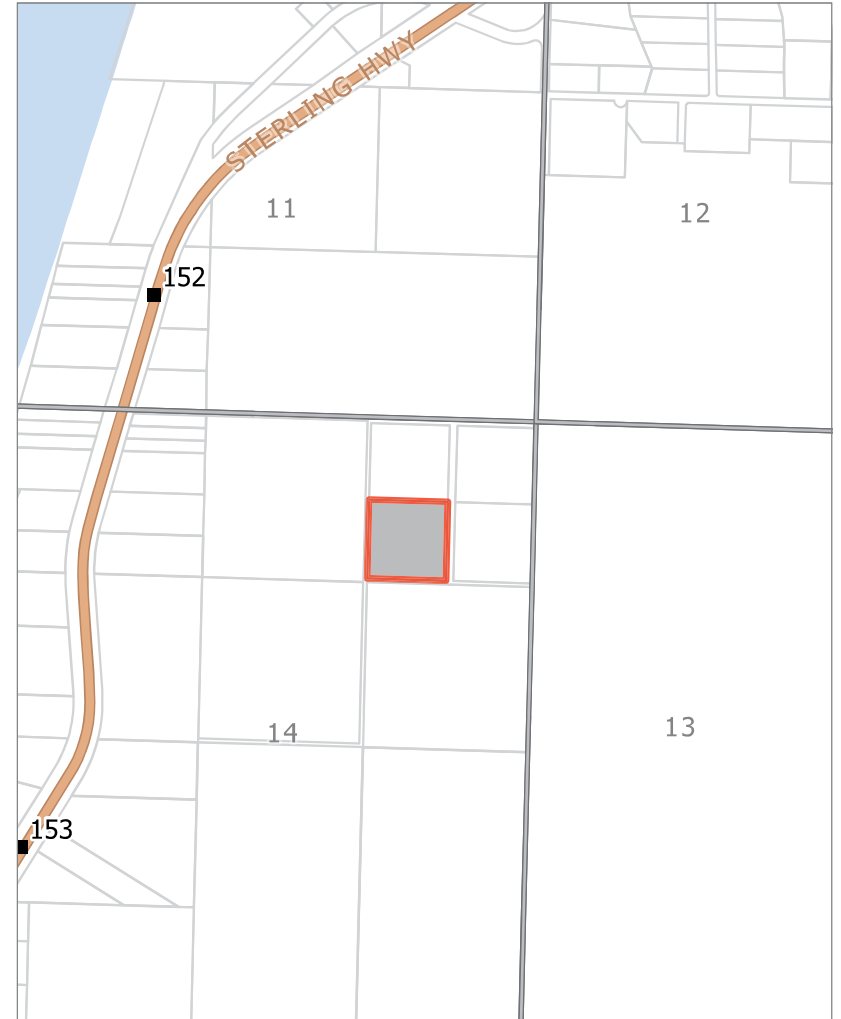
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



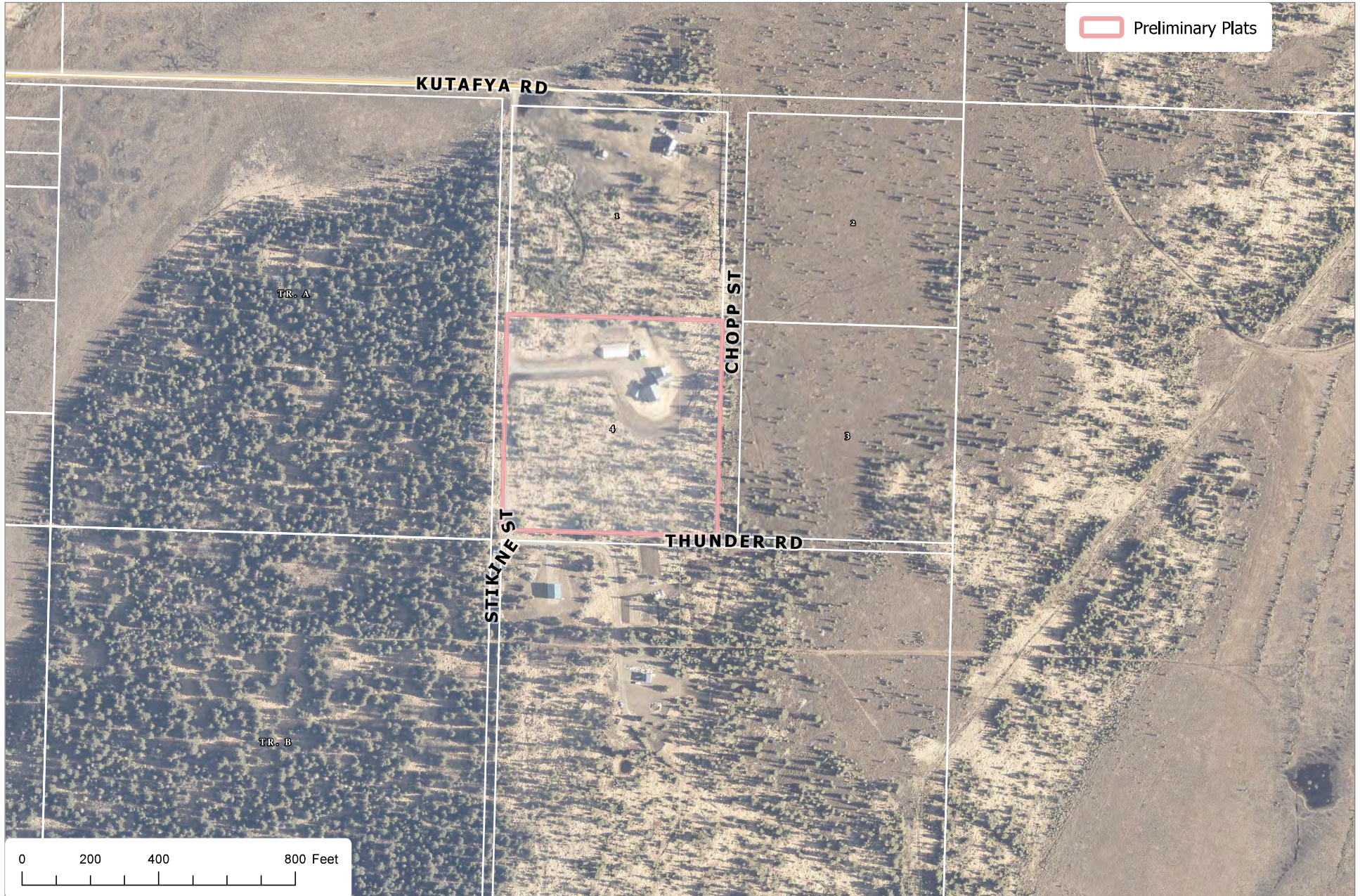
Date: JUNE 1986	Scale: 1" = 100'	Drawn: J.M.-DP
Field Book No. 47-A, 82/83	K.P.B. File No. 86-249	

E. NEW BUSINESS

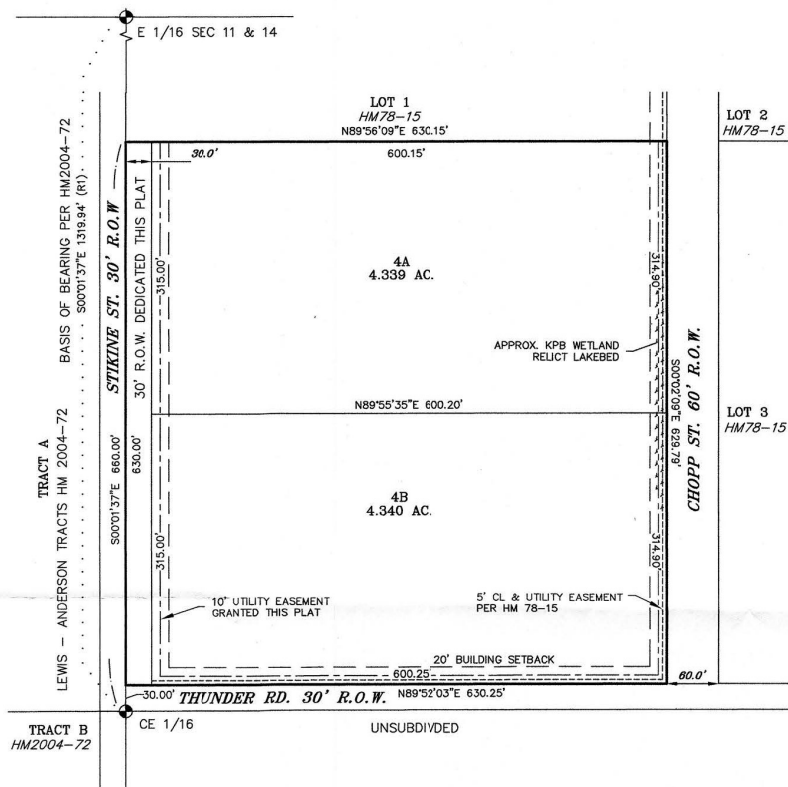
- 6. Whiskey Gulch Lot 4 Replat; KPB File 2022-106
Ability Surveys / Stapel
Location: Stikens St., Thunder Rd. & Chopp St.
Anchor Point Area / Anchor Point APC**



KPB File # 2022-106
S14 T04S R15W
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.



CERTIFICATE OF OWNERSHIP

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 public rights-of-way and grant all easements to the use shown.

RICHARD W. STAPEL
P.O. BOX 386
ANCHOR POINT, AK 99556

LORETTA STAPEL
P.O. BOX 386
ANCHOR POINT, AK 99556

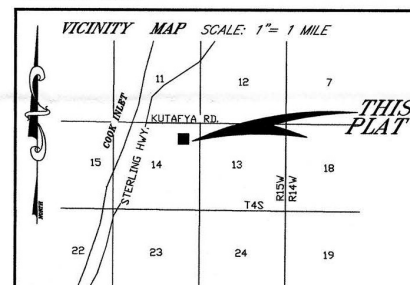
NOTARY'S ACKNOWLEDGEMENT

For Richard W Stapel and Loretta Stapel
Acknowledged before me this ____ day of _____ 2019.
Notary public for Alaska My Commission Expires _____

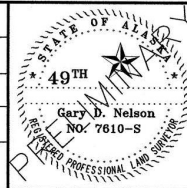
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
KENAI PENINSULA BOROUGH

BY _____
Authorized Official



DATE 7/11/2022
SCALE 1" = 100'
GRID No. AR-01
JOB No. 5374
DRAWING: 5374-3793



WHISKEY GULCH LOT 4 REPLAT

A SUBDIVISION OF LOT 4, BLOCK 1, "WHISKEY GULCH SUBDIVISION" (HM78-15), WITHIN THE NE1/4 SEC. 14, T4S, R15W, S.M., KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 9.113 ACRES

OWNERS: RICHARD W. STAPEL
LORETTA STAPEL
P.O. BOX 386
ANCHOR POINT, AK 99556

ABILITY SURVEYS
GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER ALASKA 99603

NOTES

1. A BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
2. THE FRONT 10 FEET ADJOINING THE RIGHTS-OF-WAY IS GRANTED BY THIS PLAT AS A UTILITY EASEMENT.
3. 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. 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. NO SLOPES EXCEED 20 PERCENT GRADIENT.
6. WETLAND HATCHING REPRESENTS POTENTIAL WETLANDS AS CLASSIFIED BY KENAI WATERSHED FORUM SHOWN ON KENAI PENINSULA BOROUGH GIS MAPPING 7/6/2022.

LEGEND

- 2.5" AL-CAP BY 7328S, 2004 PER HM2004-72
(R1) RECORD HM2004-72

WASTEWATER NOTES

KPB 2022-106

KPB FILE No. 2022- _____

AGENDA ITEM E. NEW BUSINESS

ITEM 6 - Whiskey Gulch Lot 4 Replat

KPB File No.	2022-106
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Richard and Loretta Stapel of Anchor Point, AK
Surveyor:	Gary Nelson / Ability Surveys
General Location:	Anchor Point / Anchor Point APC

Parent Parcel No.:	165-083-15
Legal Description:	Lot 4 Whiskey Gulch Subdivision HM 78-15
Assessing Use:	Residential Dwellings
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will take one parcel and divide it into two lots and a road right-of-way dedication. The two lots are approximately the same size at 4.339 acres and 4.340 acres.

Location and Legal Access (existing and proposed): The new dedication of 30 feet will add to the existing 30 foot right of way on the West for Stikine Street, creating a full 60' right-of-way. To the South is Thunder Road with a 30 foot right-of-way dedicated by Whiskey Gulch Subdivision (HM78-15). On the East is Chopp Street with a 60 foot right-of-way dedicated by Whiskey Gulch Subdivision (HM78-15).

KPB Roads Dept. comments	Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	No objections

Site Investigation: No contours are shown on the preliminary plat. There is an area of wetlands shown on the east side of the plat.

There are existing buildings on the property which will be known as Lot 4A. There does not appear to be any encroachment issues.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: Parcel is located in Zone D which is Non-Regulatory</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No Comments</p> <p>C. State Parks Reviewer: Russell, Pam Comments: No Comments</p>
State of Alaska Fish and Game	No objections

Staff Analysis The proposed replat is a subdivision of a previously platted lot.

Both lots are below 200,000 square feet in size and require a soils report signed by and engineer for the final plat. A request for an exception to this requirement has been submitted.

Anchor Point Advisory Planning Commission minutes 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 created a 5 foot clearing and utility easement on the East and South lines and a 20 foot building setback along all road right-of-ways, which were at the time on the East and South of this lot. These easements are transferred to the new subdivision. The new subdivision is also creating a 20 foot setback line along all right-of-way and a 10 foot utility easement along the front 10 feet of the setback easement.

There are two easements listed in the Certificate to Plat. **Staff recommends:** Add notes to the plat mentioning these easements and the location of them. The ingress / egress easement appears to be located within the dedication.

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 Comment
ACS	No Objections
GCI	APPROVED AS SHOWN

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 30156 STIKINE ST Existing Street Names are Correct: Yes List of Correct Street Names: STIKINE ST THUNDER RD CHOPP ST Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: Comments: 30156 STIKINE ST will remain with Lot 4A
Code Compliance	Reviewer: Ogren, Eric Comments: No Comment
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
Advisory Planning Commission	minutes were not available when the staff report was prepared

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.

- B. North point;
Staff recommendation: Need to add scale to the drawing.
- 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: Need to add Block 1 to the tracts to the North, Northeast and East labels.

KPB 20.30 – Subdivision Design Requirements

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

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40. A request has been made for an exception to KPB 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.

20.60.110. 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. Need bearing and distance from the northwest corner to the E 1/16 corner.
Need a bearing on the west line of Lots 4A and 4B.
Correct the label on the corner to NE 1/16.

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.

Add Waste Water note to Plat, reference requirement or exception as granted.

20.60.200. Survey and monumentation.

Staff recommendation: Add to the legend set pin label and detail, as well as and show what pins will be set on drawing.

EXCEPTIONS REQUESTED:

A. KPB CHAPTER 20.40. - WASTEWATER DISPOSAL

Surveyor's Discussion: See Item #__ Exception Request from Surveyor

Staff Discussion: KPB Code requires wastewater system reports unless the criteria of 20.40.020 (A) are satisfied

Findings:

1. The existing parent subdivision was approved by the Department of Environmental Conservation, current state agency, or the Kenai Peninsula Borough under this chapter and the proposed subdivision is limited to:
 - a. Vacating lot lines to create fewer lots;
 - b. Moving one or more lot lines a total distance of ten feet or less without increasing the number of lots having prior onsite wastewater approval; or
 - c. Moving one or more lot lines without increasing the number of developable lots, while maintaining a minimum of 20,000 square feet of contiguous area, as described in KPB 20.40.040(A)(4)(a), for each lot affected by the lot line movement.
2. The plat increases lot sizes by 1,000 square feet or more of area suitable for conventional development.
3. The sole purpose of a plat is to depict an area approved for vacation under KPB Chapter 20.65 or under KPB 20.10.090.
4. The sole purpose of a plat is to show a survey and delineate parcels as a condition prior to transfer of title for a municipal entitlement pursuant to AS 29.65, under KPB 20.10.100.
5. The two lot are the same size within 0.001 acres.
6. There is an existing house on the north end of the subdivision, with an existing wastewater disposal system completed when the house was built in 2002.

Staff reviewed the exception request and recommends denial.

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

Page 4 of 5

not be requested with a final plat submittal.

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

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-6 appear to support the denial.
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 1-6 appear to support the denial.
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 5-6 appear to support the denial.

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

RECOMMENDATION:

STAFF RECOMMENDS:

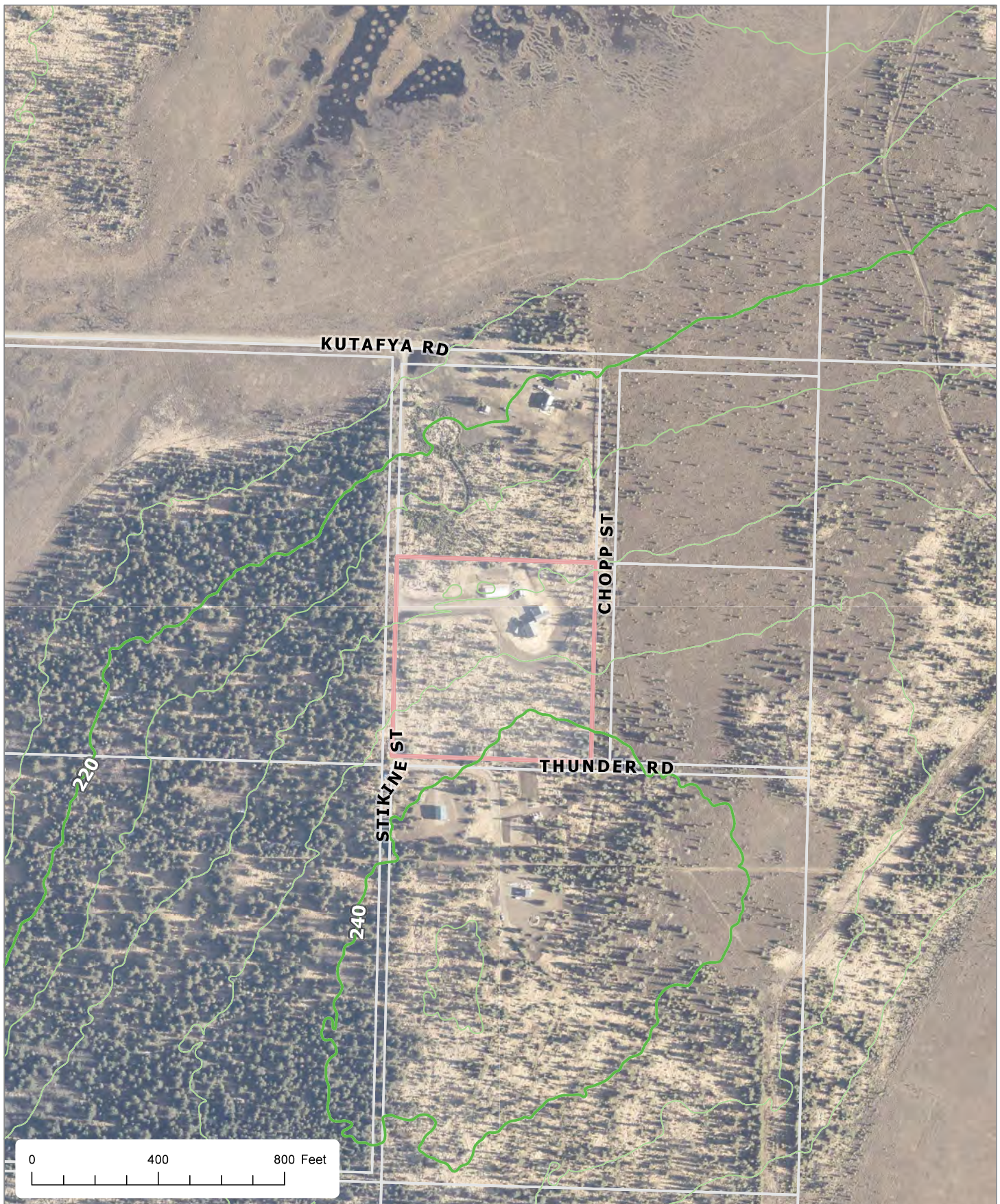
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- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

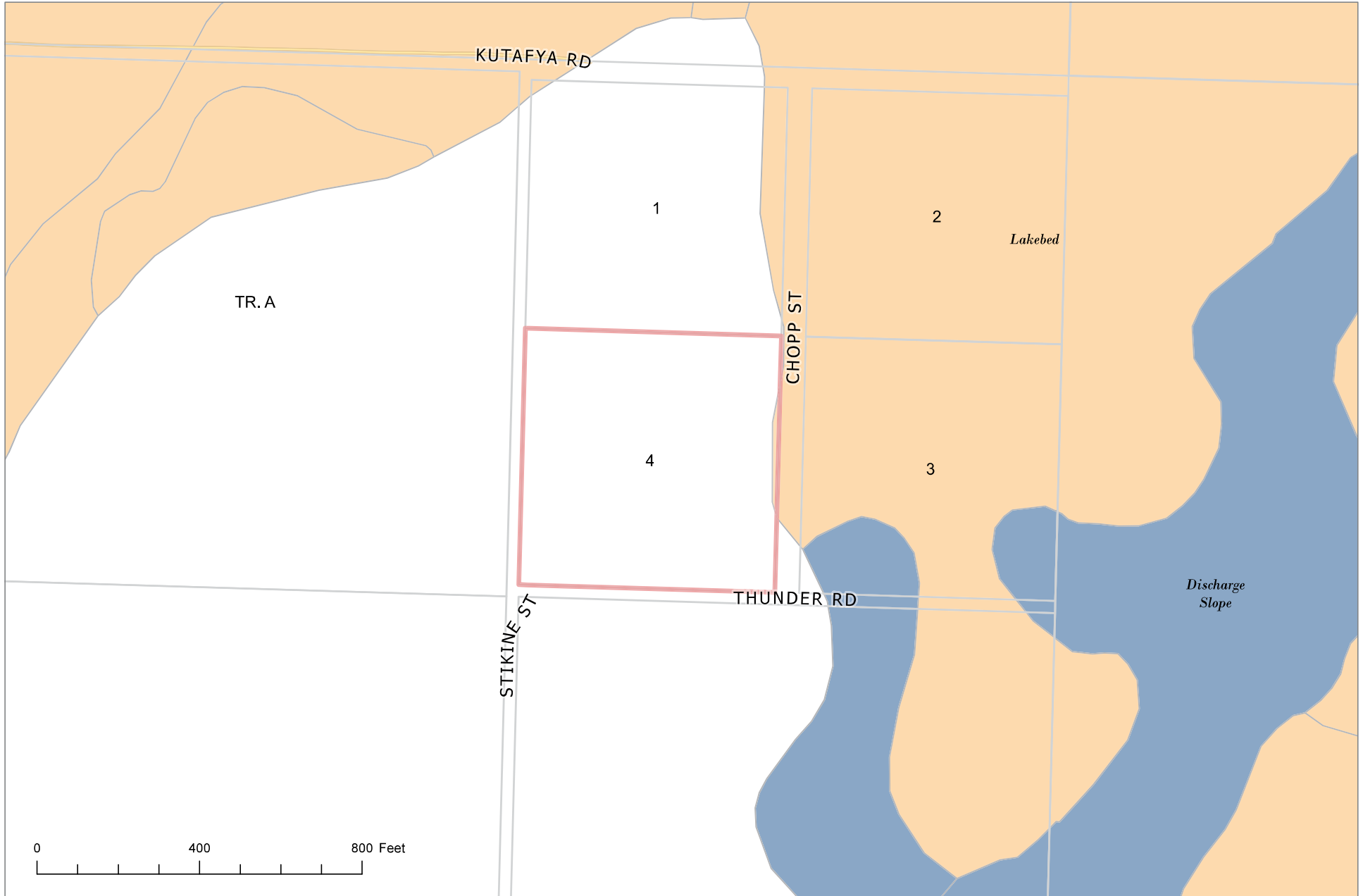
NOTE: 20.25.120. - REVIEW AND APPEAL.

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.

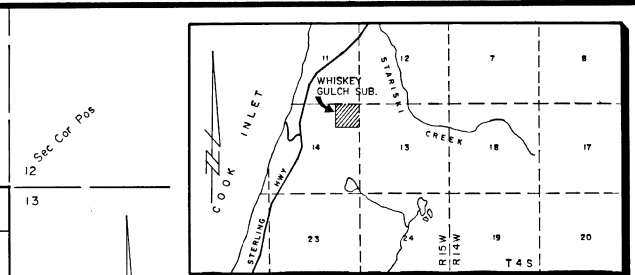
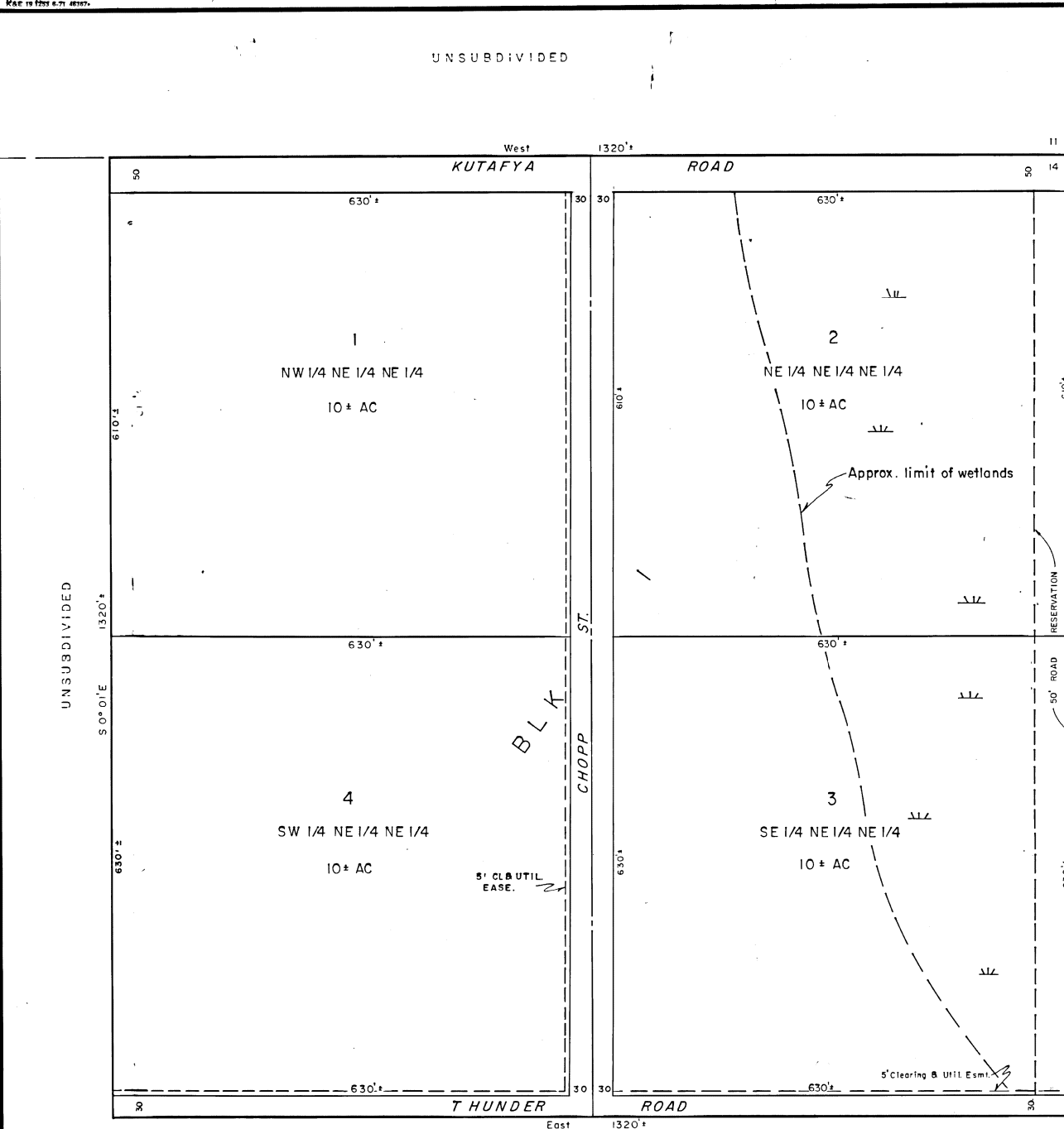
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

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.



CERTIFICATE OF OWNERSHIP & DEDICATION

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

Bob Chopp
Bob Chopp
1040 E. 5th Avenue
Anchorage, Alaska

Lawrence Faber
Lawrence Faber
Box 3-4155
Anchorage, Alaska

Wanda J. Faber
Wanda J. Faber

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 10th day of December, 1977.
Fred Walatka
Notary for Alaska
My Commission expires Oct 4, 1978

PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of Sept 19, 1977, is hereby acknowledged & accepted as the official plat, subject to any & all conditions & requirements of ordinances & law appertaining thereto.

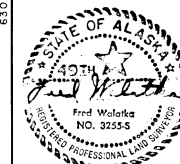
Kenai Peninsula Borough

by: *Sheila Waits*

SURVEYOR'S CERTIFICATE

I hereby certify that I am a registered land surveyor and that this plat was prepared by me and is based on a subdivision of the NE 1/4 NE 1/4 Sec. 14, T4S, R15W, S.M., Alaska, as shown hereon. No corners have been established for any of the tracts within this subdivision.

Dec. 10, 1977 Date
Fred Walatka Surveyor



78-15
RECORDED - FILED 3-
Homer REC. DIST.
DATE Mar 6, 1978
FILED 4:15 P.M.
Instruments by K.P.B.
Address

AREA 40± AC		PLAT OF	
WHISKEY GULCH SUBD.			
AN ALIQUOT PARTS SUBDIVISION			
LOCATED IN NE 1/4 Sec. 14, T4S, R15W, S.M., Alaska			
FRED WALATKA & ASSOCIATES ENGINEERS - SURVEYORS			
3107 W. 29th Avenue Anchorage, Alaska			
DATE: July 1977	SCALE: 1" = 100'		
DRAWN: DS	SHEET: 1 of 1		
CHECKED: FW	GRID:		

NOTES:

1. Acreage shown on all tracts within this subdivision includes the adjacent road right-of-way.
2. All bearings and distances shown are based on protracted values and are approximate only.
3. A minimum 20 foot building setback exists along all road rights-of-way.
4. This subdivision at the time of filing is not served by public water or sewage facilities. No on-site water or sewage disposal facilities may be constructed without prior approval of the Alaska Department of Environmental Conservation.
5. NO FIELD SURVEY WAS MADE nor were any stakes or monuments set.

ABILITY SURVEYS

MEASURING MAPPING & REPORTING ON ALASKA'S INFRASTRUCTURE
SINCE 1976

152 DEHEL AVE., HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

Julie Hindman, Platting Specialist
KPB Planning Dept.
144 N. Binkley
Soldotna, AK 99669

7/12/2022

RECEIVED

JUL 14 2022

KPB PLANNING DEPT.

Re: Preliminary Plat submittal of WHISKEY GULCH LOT 4 REPLAT.

Enclosed herewith are 7 reduced 11"X17" copies and 1 full sized 18X24" copy of the preliminary plat and check # 3805 in the amount of \$400.00 for the KPB filing fee.

The Certificate to Plat is coming from the title company. They said they would send it by next week.

The KPB Preliminary Plat Submittal Form, signed by the owners, is attached. This letter is attached as part of the submittal to provide room for an exception request.

We ask for an exception to KPB 20.40 WASTEWATER DISPOSAL

and specifically call to attention that 20.40.030 originally and for many years allowed NOMINAL FIVE ACRES to circumvent the minimum 200,000 square foot soils testing requirement. This was allowed so that persons who wanted to half their aliquot 10 acres could do so without a soils test (engineering required), even if right-of-way dedications made the aliquot five acres less than 200,000 square feet. That is the case we have here. The owners wish to half their aliquot 10 acres. Two sides already have Right-of-way dedications and a third side is required to be dedicated because the adjacent property has a half dedication, so this parcel must match it with a 30 feet wide right-of-way dedication.

Many aliquot or nominal five acre parcels were approved without soils testing until the code change. Now many of them will still qualify because they are over 200,000 square feet, but this one won't meet that criteria due to Right-of-Way dedications on 3 sides.

On 3/02/2021 Ordinance 2020-45 was passed. Section 25 of the Ordinance changed KPB 20.40.030 removing the "NOMINAL FIVE ACRES" excepting language from the code.

Section 28 changed KPB 20.40.100(F) added "200,000 square feet" and removed "NOMINAL FIVE ACRES" language.

A few days ago when this was brought to my attention I called Scott Huff the former Platting Manager for KPB, and asked him why the NOMINAL FIVE ACRES language was removed from the code. He said the former Planning Director (Max Best, who originally composed the language) had faced negative dispute issues with one or more local surveyors who wanted to apply the language to other shaped parcels. Max's solution was to remove the NOMINAL FIVE ACRES language from the code. Personally I believe it should have remained, and I would have voiced that concern if I recognized the code change was going to remove it.

The owners have lived on this land for many years. They desire to sell their house with the septic system that was installed by Certified Septic Installer Jason Johnson, and build a new house to live on the new lot they desire to create. Please note the low density development of the area. They are surrounded by three 40 acres parcels and three 10 acre parcels. We believe our request meets the spirit and intent of the Code to protect the Health Safety and Welfare of the Public.

Thank You for your consideration.

Sincerely,

Gary Nelson, PLS

DESK PACKET

(ITEMS THAT CAME IN AFTER MEETING PACKET WAS POSTED)

6. Whiskey Gulch Lot 4 Replat; KPB File 2022-106
Ability Surveys / Stapel
Location: Stikens Street, Thunder Road & Chopp Street
Anchor Point Area / Anchor Point APC

From: [Ruffner, Robert](#)
To: [Shirnberg, Ann](#)
Subject: FW: <EXTERNAL-SENDER>KPB 20.40 and Staff Report for KPB file 2022-106; WHISKEY GULCH LOT 4 REPLAT
Date: Thursday, August 4, 2022 2:23:17 PM
Attachments: [5374 - KPB Julie Hindman - PRELIMINAR PLAT 7 12 22.pdf](#)
[STAFF REPORT Whiskey Gulch Lot 4 Replat KPB 2022-106.pdf](#)
[5374_DEC FILE 23759.pdf](#)

From: Gary Nelson <gary@abilitysurveys.com>
Sent: Thursday, August 4, 2022 11:34 AM
To: Ruffner, Robert <RRuffner@kpb.us>
Cc: staple6@live.com; abilitysurveys21@gmail.com
Subject: <EXTERNAL-SENDER>KPB 20.40 and Staff Report for KPB file 2022-106; WHISKEY GULCH LOT 4 REPLAT

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Mr. Ruffner, KPB Planning Director;

If KPB Planning Staff has not discussed this issue with you, I would like you to read the attached pdf of Preliminary Plat submittal letter for the subject subdivision, scheduled to be considered at the August 8th PC Meeting. The key issue is the Wastewater section of KPB Code 20.40. Also I take issue with the **Staff Report; EXCEPTIONS REQUESTED: Findings** that do not list or give any merit to the letter I have attached (as a pdf) in their **Findings**. Also attached is the KPB Staff Report.

In the past, the KPB Planning Staff would incorporate Surveyor's findings into their declared findings. I am of the mind that all of the "findings" should be listed in the reported "**Findings**".

I will clarify and itemize the findings from my letter (and edited and added to) as;

A1. Until Ordinance 2020-45 deleted language in KPB 20.40.20 that allowed nominal five acres to be exempt from Soils Testing and Reporting for Wastewater purposes, nominal five acres was excluded because 5 acres = 217800 square feet. An aliquot 5 acre parcel is typically more than enough, but when right-of-way dedications are granted the area is reduced. Because of the aliquot location of this nominal 5 acres and because of dedications on 3 sides, the area is reduced to less than the required 200,000 square feet. The dedications either exist from previous plat action and was needed on the west side to match and complete an existing dedication. Without that match the lot sizes would be 1500 feet shy of the required 200,000 square feet. The 200,000 square feet criteria was somewhat of a random but deemed practical size for KPB to make a provision of responsibility to insure parcels created could support wastewater disposal on-site.

A2. Because of the wetlands to the east, the Chop Street Right-of-Way will probably never be built or used as a roadway. If Chop Street Right-of-Way were not dedicated out of useable area, the lots would each be only about 1500 square feet less than the 200,000 square feet, a negligible amount, that previous to enactment of Ordinance 2020-45 in 2021 would have been allowed.

A3. Low density development surrounds the parcels with three 40 acres parcels in one direction and three 10 acres parcels in the other direction completing the surrounding area. There is ample room for wastewater leaching without posing a threat to health.

A4. Tract 4A currently has a good functioning septic system installed by Certified Installer Jason Johnson with as-built filed with Alaska Department of Environmental Conservation. Again, no threat to health & welfare of neighbors or owners. I called him and he verified his report on file with DEC, there is sand and silty sand in the area where he installed the septic system. See attached report on file with DEC. He also stated that he did complete the installation.

A5. The owners (Husband and Wife) reside on Lot 4A. They are retired and would like to sell their residence to build and move in to a smaller residence on the proposed Lot 4B. They own an aliquot 10 acres that they wish to subdivide in half to facilitate their plans.

A6. Additionally not mentioned previously; The Borough and State Wastewater Regulations were written based on 1970's wastewater systems technology that has been become antiquated by septic system designs that are far superior and provide much cleaner effluent in a much smaller area. Again, the installer says the soils are sandy and silty sand, so conventional systems work here.

A7. I discussed this with Scott Huff, past Platting Manager for KPB. He felt you and the Planning Commissioners would understand the history of the "Nominal Five Acres" and reasonably grant a needed exception.

Here is the KPB Code *with my comments inserted as bold italics*:

CHAPTER 20.50. - EXCEPTIONS

• **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. A request for an exception shall be in writing and 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; ***(supported by items A1 through A5 above)***

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; ***(supported by items A1 through A5 above, "most practical manner" being key words here, soils testing and reporting would cost an additional \$2000, money better spent on the actual septic system if a larger or more technical system is needed)***

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. ***(supported by items A1 through A5 above)***

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 hearing officer, in accordance with the requirements of KPB [Chapter 21.20](#).

=====

Gary Nelson, PLS
907-299-1184

ABILITY SURVEYS

MEASURING MAPPING & REPORTING ON ALASKA'S INFRASTRUCTURE SINCE 1976

152 DEHEL AVE., HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

7/12/2022

Julie Hindman, Platting Specialist
KPB Planning Dept.
144 N. Binkley
Soldotna, AK 99669

Re: Preliminary Plat submittal of WHISKEY GULCH LOT 4 REPLAT.

Enclosed herewith are 7 reduced 11"X17" copies and 1 full sized 18X24" copy of the preliminary plat and check #3805 in the amount of \$400.00 for the KPB filing fee.

The Certificate to Plat is coming from the title company. They said they would send it by next week.

The KPB Preliminary Plat Submittal Form, signed by the owners, is attached. This letter is attached as part of the submittal to provide room for an exception request.

We ask for an exception to KPB 20.40 WASTEWATER DISPOSAL

and specifically call to attention that 20.40.030 originally and for many years allowed NOMINAL FIVE ACRES to circumvent the minimum 200,000 square foot soils testing requirement. This was allowed so that persons who wanted to half their aliquot 10 acres could do so without a soils test (engineering required), even if right-of-way dedications made the aliquot five acres less than 200,000 square feet. That is the case we have here. The owners wish to half their aliquot 10 acres. Two sides already have Right-of-way dedications and a third side is required to be dedicated because the adjacent property has a half dedication, so this parcel must match it with a 30 feet wide right-of-way dedication.

Many aliquot or nominal five acre parcels were approved without soils testing until the code change. Now many of them will still qualify because they are over 200,000 square feet, but this one won't meet that criteria due to Right-of-Way dedications on 3 sides.

On 3/02/2021 Ordinance 2020-45 was passed. Section 25 of the Ordinance changed KPB 20.40.030 removing the "NOMINAL FIVE ACRES" excepting language from the code.

Section 28 changed KPB 20.40.100(F) added "200,000 square feet" and removed "NOMINAL FIVE ACRES" language.

A few days ago when this was brought to my attention I called Scott Huff the former Platting Manager for KPB, and asked him why the NOMINAL FIVE ACRES language was removed from the code. He said the former Planning Director (Max Best, who originally composed the language) had faced negative dispute issues with one or more local surveyors who wanted to apply the language to other shaped parcels. Max's solution was to remove the NOMINAL FIVE ACRES language from the code. Personally I believe it should have remained, and I would have voiced that concern if I recognized the code change was going to remove it.

The owners have lived on this land for many years. They desire to sell their house with the septic system that was installed by Certified Septic Installer Jason Johnson, and build a new house to live on the new lot they desire to create. Please note the low density development of the area. They are surrounded by three 40 acres parcels and three 10 acre parcels. We believe our request meets the spirit and intent of the Code to protect the Health Safety and Welfare of the Public.

Thank You for your consideration.

Sincerely,

Gary Nelson, PLS

RECEIVED

Date Received

SEP 24 2003

ADEC
Kenai Area OfficeSTATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DOCUMENTATION OF CONSTRUCTION

I. GENERAL INFORMATION

Legal Description of the Location

Lot 4 Whiskey Gulch S/D
Anchor Point, ALASKA

Submitted by: (Check one)

- ☒ Certified Installer
☐ Approved Homeowner
☐ Registered Engineer

Installer Name:

JASON C JOHNSON

Mailing Address

P.O. Box 194
Anchor Point, Alaska
99556

Onsite Wastewater System Serves:

- ☐ Single Family. Number of Bedrooms _____
☐ Duplex. Number of Bedrooms _____
☐ Small Commercial Facility With Estimated
 Design Flow of less than 500 GPD.

II. WATER SUPPLY SYSTEM

(SECTION II IS OPTIONAL)

Source of Water and Containment (Check all that Apply)

- ☐ Well (Drilled or Driven) ☐ Surface (Identify) _____
☐ Roof Catchment ☒ Other (Identify) None
☐ Holding Tank

Type of Water Supply System

- ☐ SF/Duplex
☐ Public

Treatment of Water (Check all that Apply)

- ☐ None ☐ Chlorination
☐ Filtration ☐ Mineral Removal
☐ Other: _____

Well Data

Is the height of the well casing more the 12" above the ground?

☐ Yes ☐ No

Is a sanitary seal or well cap installed on the well casing?

☐ Yes ☐ No

Is drainage directed away from or around the casing within a radius of 10 feet of the well casing?

☐ Yes ☐ No

Is well wire enclosed in conduit?

☐ Yes ☐ No

Date Drilled

Depth of Well (Feet)

Static Water Level (Feet)

Yield (If available)

Pump Rate (If available)

Separation Distance from the Well Casing to each of the Following Sources of Contamination:

Septic/Holding Tank on Lot

Feet

Sewer Lines on Lot

Feet

Absorption Area on Lot

Feet

Closest Septic/Holding Tank on Adjacent Lot

Feet

Closest Sewer Lines on Adjacent Lot

Feet

Closest Edge of an Absorption Area on
Adjacent Lot:

Feet

Indicate separation distance from toxic materials including fuel tanks, paints, lubricants and other
petroleum based materials, pesticides, fungicides or herbicides to well casing:

Water Sample Taken by: (Name)

On Lot

Feet

On Adjacent Lot

Feet

Sampler is:

- ☐ Buyer ☐ Engineer
☐ Banker ☐ Government Official

Address

Water Sample Results:

☐ Satisfactory - Date☐ Unsatisfactory - Date

Attach Copy

Comments/Recommendations:

I certify that the above information and that provided in Section IV is correct:

Signature

Typed/Printed Name

JASON C JOHNSON

Title

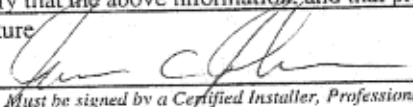
01-23-012

Date

12-13-02

Note: 1. This section should be signed by a Certified Installer, Professional Engineer, DEC staff, or Owner/Builder
 2. All public water systems must receive ADEC plan approval prior to construction. See 18 AAC 80 State of Alaska Drinking Water
 Regulations for specific requirements.

I. WASTEWATER DISPOSAL	Legal Description: <u>Lot 4 Whiskey Gulch S/D</u>
Type of Wastewater System:	
<input checked="" type="checkbox"/> Septic Tank with Conventional Soil Absorption System <input type="checkbox"/> Package Treatment Plant (requires engineered design)	
<input type="checkbox"/> Holding Tank: Material Type: _____ Size in Gallons: _____ Manufacturer: _____	
<input type="checkbox"/> Other - Specify Type _____ <input type="checkbox"/> Alternate Onsite (requires engineered design)	
<input type="checkbox"/> Small Commercial System (< 500 GPD) With Estimated Daily Wastewater Flow of: _____ Gallons Per Day (GPD)	
Criteria Used to Estimate Daily Wastewater Quantity: _____	

<input checked="" type="checkbox"/> NEW SYSTEM <input type="checkbox"/> MODIFICATION TO SYSTEM		Certified Installer Installation Notification Date: _____	
Name of Installer: <u>JASON C JOHANSON</u>		Date Installed: <u>9-23-02</u>	
System Installed:		<input type="checkbox"/> By a Registered Engineer <input type="checkbox"/> With Inspection by a Registered Engineer <input type="checkbox"/> By Approved Homeowner (attach copy of approval letter) <input checked="" type="checkbox"/> By a Certified Installer/Installer Number <u>01-23-012</u>	
Septic Tank: Material: <u>Steel</u>	Manufacturer: <u>D&W</u>	Size (Gallons): <u>1250</u>	Number of Compartments: <u>2</u>
Type of Soil Absorption System:	<input type="checkbox"/> Deep Trench <input type="checkbox"/> Shallow Trench <input type="checkbox"/> Seepage Pit <input type="checkbox"/> Bed <input type="checkbox"/> Mound <input checked="" type="checkbox"/> Other, Specify <u>None</u>		
Soil Classification:	Soil Rating:	Dimensions/Size of Absorption Area: <u>NA</u>	
Grading/Size of Distribution Rock:		Thickness/Depth of Distribution Rock: <u>NA</u>	
Percolation Test Results, Attach Copy of Report:		Percolation Test Performed by:	
Minutes per Inch	Sq. ft. per bedroom	percolation test results must be sealed/signed by a registered engineer	
List ground cover in feet over:	Septic Tank <u>4</u>	Absorption Area <u>NA</u>	Sewer Pipes <u>4'</u>
Cleanout Pipes/Caps Installed:	Foundation Cleanout: <u>yes</u>	Septic Tank: <u>yes</u>	Monitor Tubes: <u>NA</u>
Indicate separation distances from septic tank or absorption area, whichever is closest, to all nearby:			
Public drinking water sources within 200 feet: <u>None</u>		Private drinking water sources within 100 feet: <u>None</u>	
Nearest water bodies (see 18 AAC 72.020(b)): <u>None</u>		Lot line: <u>175'</u>	
Separation Distance from Onlot Sewer Lines to: <u>NA</u>		Public Drinking Water Sources: <u>NA</u>	Private Sources: <u>NA</u>
Separation Distance From Bottom of Distribution Rock to:		Groundwater Table: <u>4' +</u>	Bedrock: <u>6' +</u>
Separation Distance from Absorption Area to Slope exceeding 25%: <u>NA - NA</u>			
Comments/Recommendations: <u>Due to Extreme weather Conditions - we were unable to proceed beyond setting the septic tank. This is a new construction and will not be used until system can be completed.</u>			
I certify that the above information, and that provided in Section IV, is correct:			
Signature: 	Typed/Printed Name: <u>JASON C JOHANSON</u>	Title, Reg./Cert No., Inst. No.: <u>01-23-012</u>	Date: <u>12-13-02</u>
NOTE: Must be signed by a Certified Installer, Professional Engineer, DEC staff, or Approved Homeowner. If engineering seal bears printed name, registration number, and is signed, those blocks need not be completed for engineered submittals.			

SEAL
Registered Professional
Engineer

IV. DIAGRAM OF SYSTEM(S) INSTRUCTIONS FOR DIAGRAM

1. In a plan view, locate and identify each of the following:

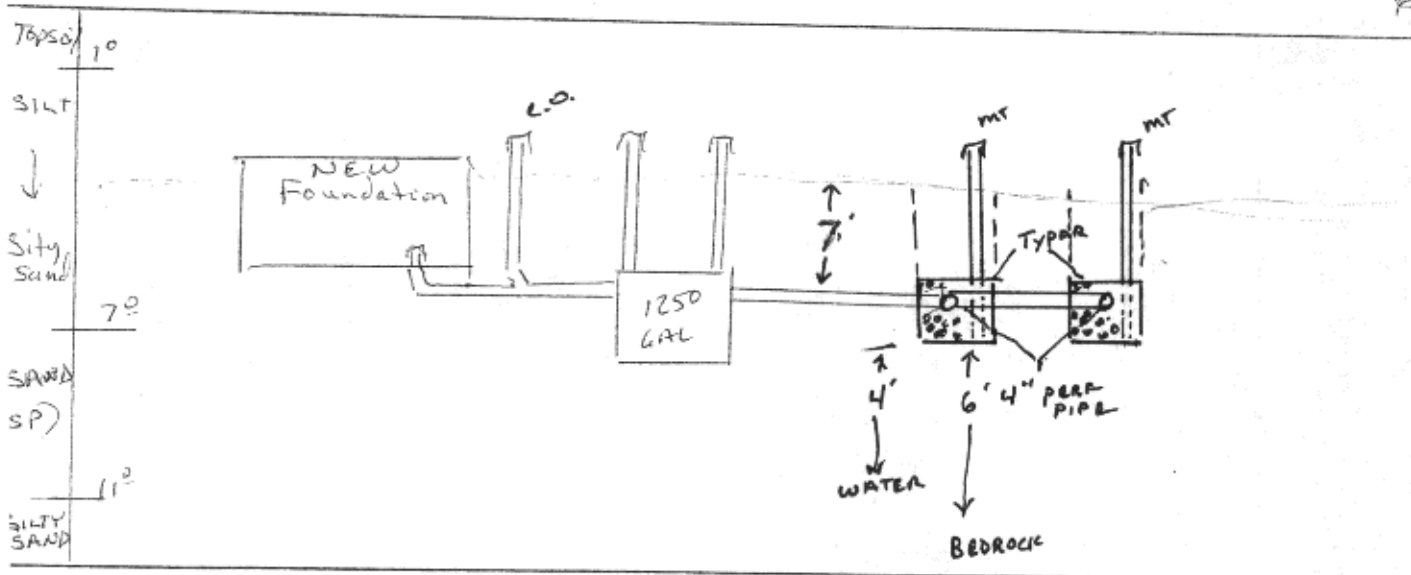
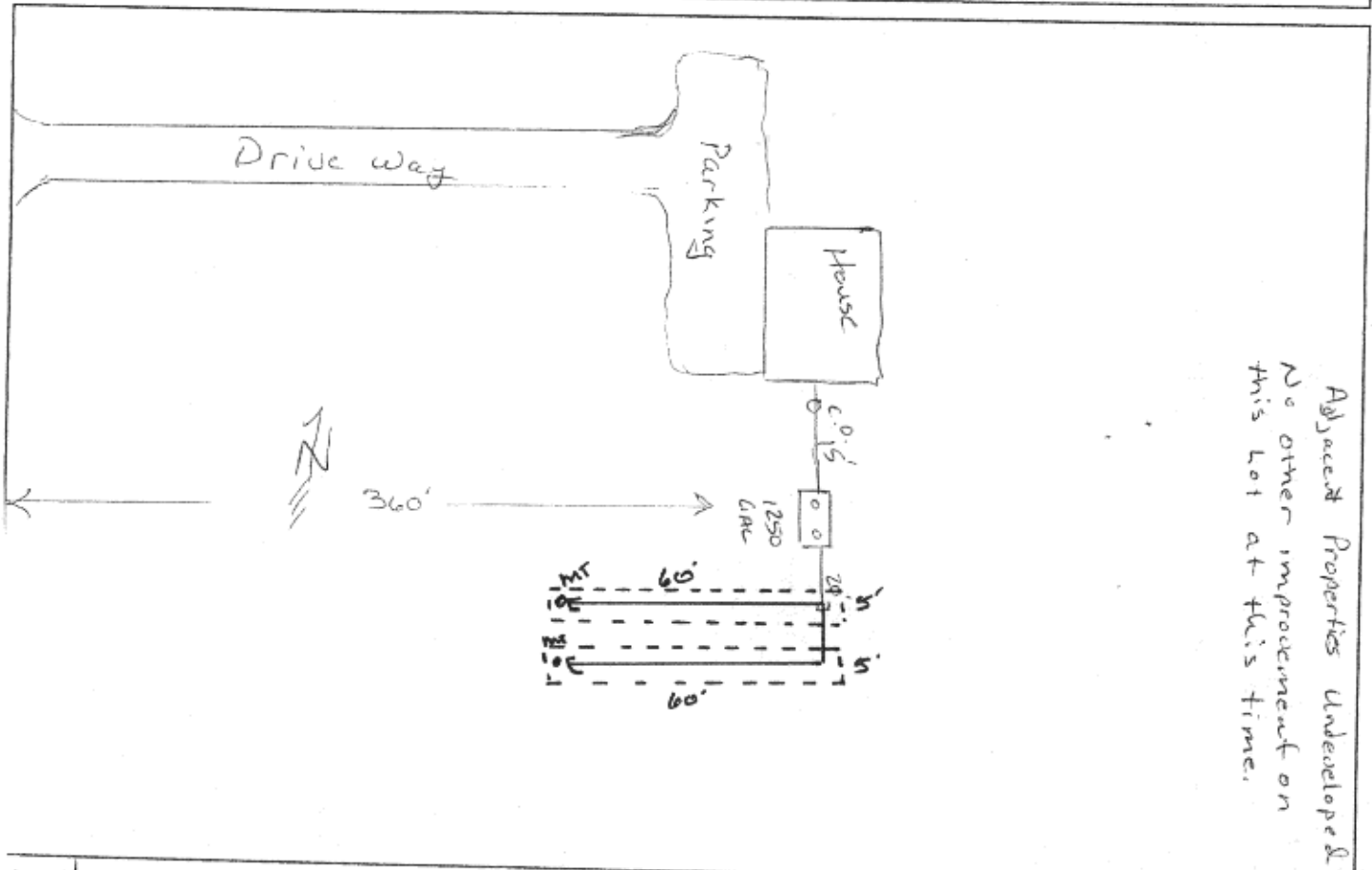
- | | | | |
|---|-----------------------------|--|---------------------------|
| a) Well | b) All Structures | c) Septic Tank | d) Soil Absorption System |
| e) Surface Water | f) Sources of contamination | g) Property Line | (Include dimensions) |
| h) Closest well on adjacent property | | i) Closest septic tank on an adjacent property | |
| j) Closest edge of an absorption field on adjacent property | | k) All cleanouts and monitor tubes | |

2. Show distances between the well and each of the sources of contamination listed in 1.

3. Show distances between water bodies and each part of the onsite system listed in 1.

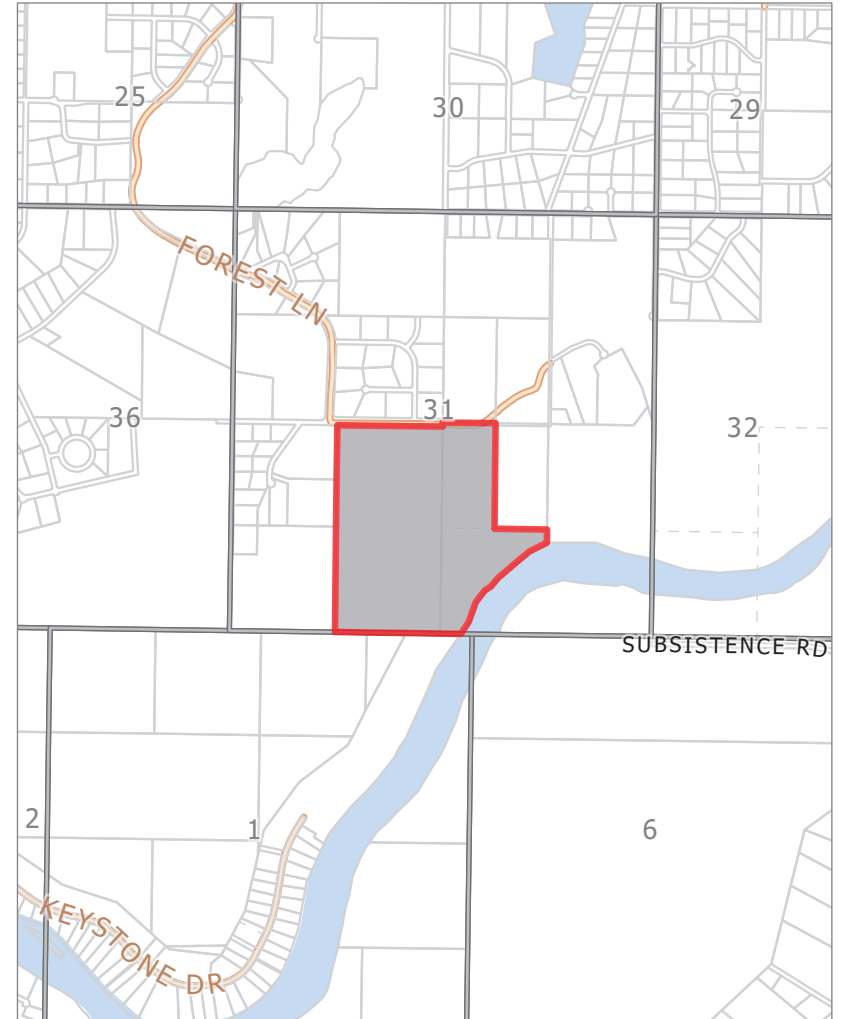
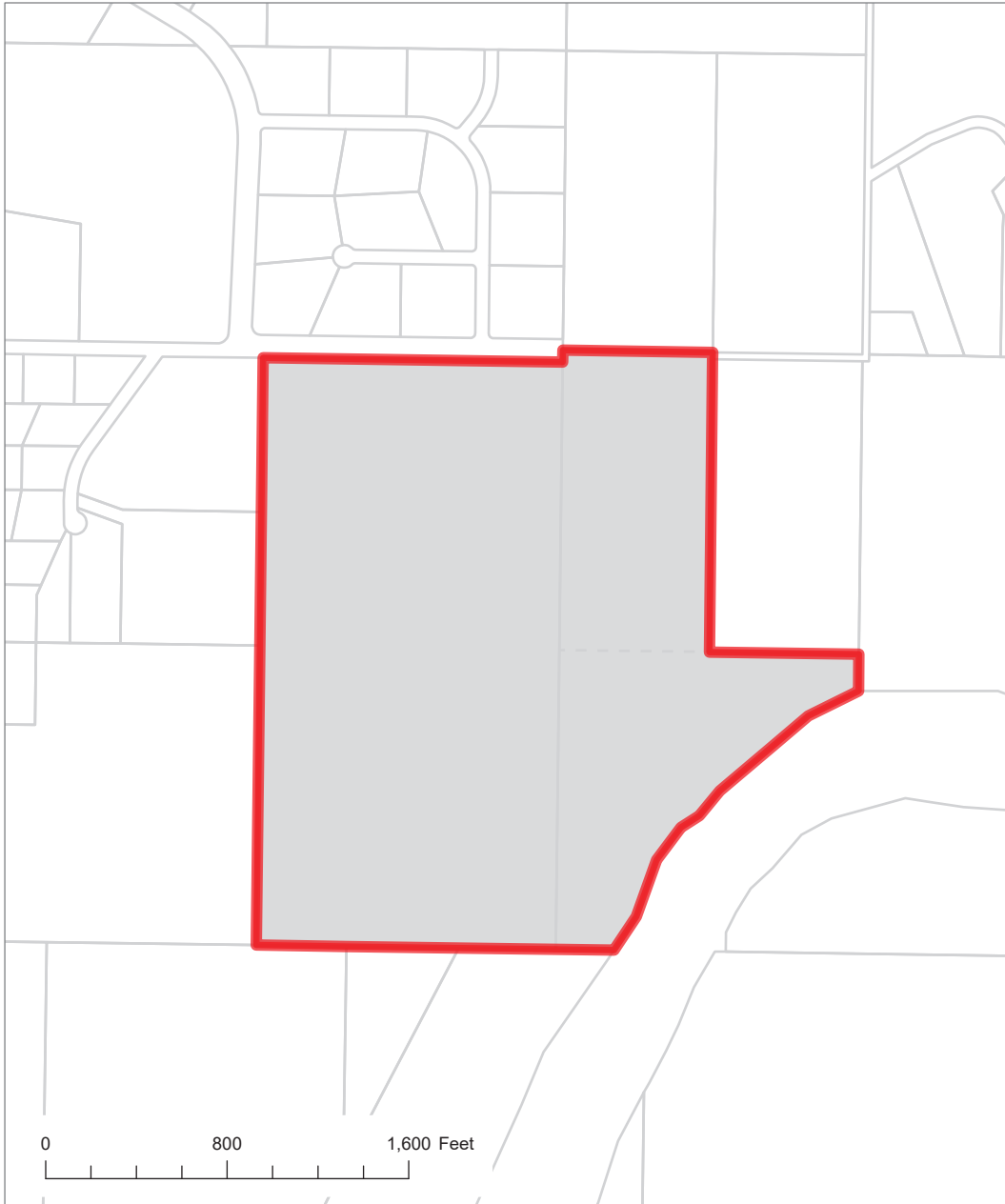
4. In a cross section view of the soil absorption area, identify each component and show the depth (thickness) of the following:

- | | | | | | |
|---------------|------------------------|----------------|------------|--------------------|---------------|
| a) Soil Cover | b) Absorption Material | c) Water Table | d) Bedrock | e) Discharge pipes | f) Insulation |
|---------------|------------------------|----------------|------------|--------------------|---------------|



E. NEW BUSINESS

- 7. Crane-France Subdivision; KPB file 2022-096
Segesser Surveys / Crane, France
Location: Forest Lane
Sterling Area**



KPB File # 2022-096
S31 T05N R09W
Sterling



LEGEND:

- 1/2" BRASS CAP MONUMENT GLO 1937 FOUND
- 3 1/4" ALUM. CAP MONUMENT L56101 2011 FOUND
- 1/2" REBAR FOUND
- 0/6" REBAR w/PLASTIC CAP L56859 SET
- () RECORD DATUM PLAT 2005-23 KRD

NOTES:

- 1) Basis of bearing taken from Dykema Subdivision, Plat 2005-23, Kenai Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) Driveway easements affecting portions of this subdivision are recorded in Book 556 Page 271, Book 556 Page 386, and Book 556 Page 401, Kenai Recording District.
- 4) A right of way easement for ingress and egress affecting the subdivision is recorded in Book 576 Page 5, Kenai Recording District.
- 5) ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTICE: Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.10, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.
- 6) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 7) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines 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.
- 10) WASTE WATER DISPOSAL: These lots are at least 200,000 square feet or nominal 3 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 Department of Environmental Conservation.

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

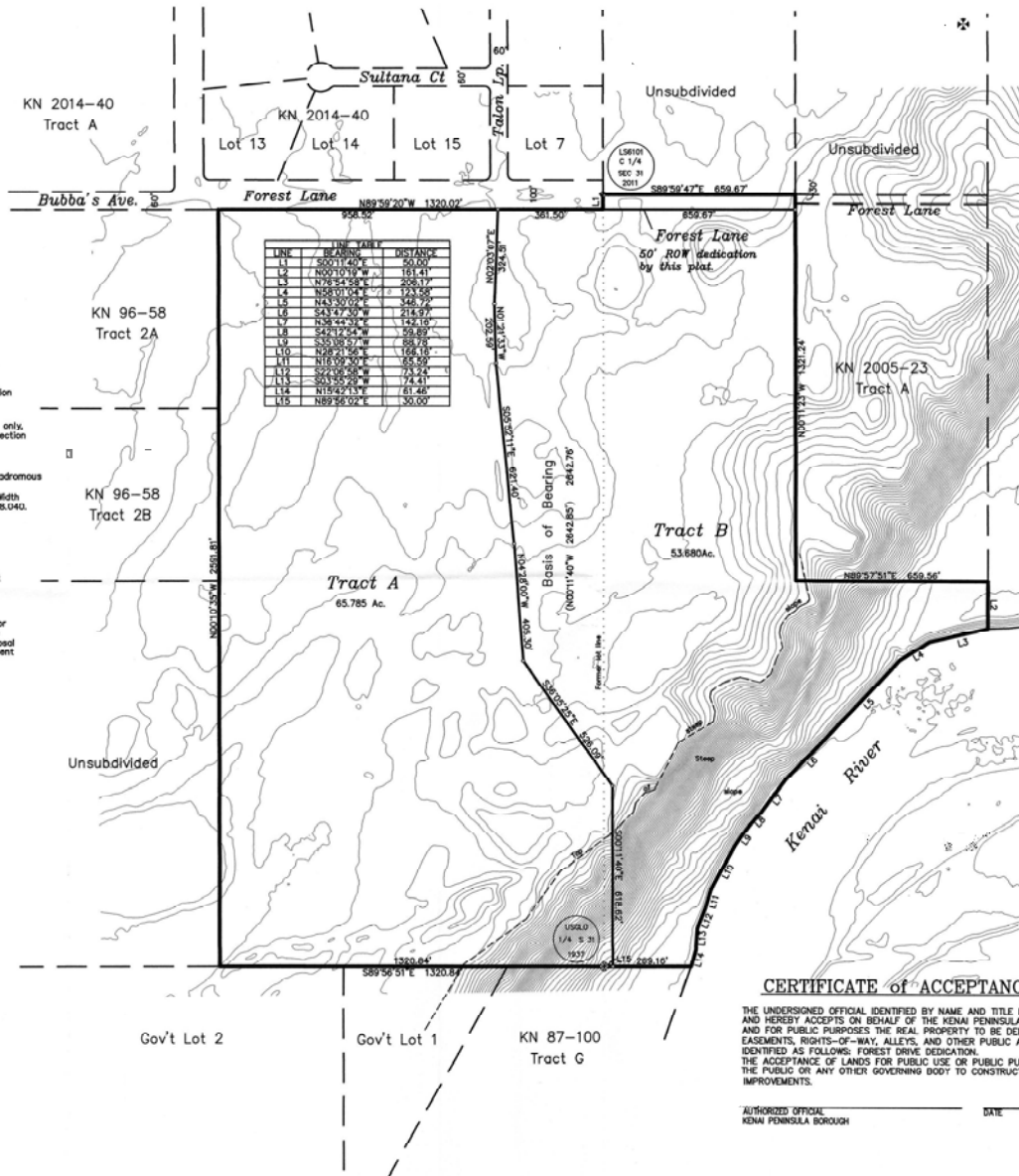
AUTHORIZED OFFICIAL



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____



CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS 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: FOREST DRIVE DEDICATION. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE



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 DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

ALAN R. CRANE
3407S FOREST LANE
SOLDOTNA, ALASKA 99569
NW 1/4 SE 1/4 AND GOVERNMENT LOT 6

DAN L. FRANCE III
3855S FOREST LANE
SOLDOTNA, ALASKA 99569
E 1/2 SW 1/4 AND BOOK 408 PAGE 52 KRD

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

KPB FILE No.

Crane-France Subdivision

A subdivision of the NW 1/4 SE 1/4 and Government Lot 6 Section 31, T5N, R9W, S4M. Excepting therefrom Dykema Subdivision, Plat 2005-23, and the property described in Book 408 Page 52, Kenai Recording District, and the E 1/2 SW 1/4 Section 31, T5N, R9W, S4M, and the property described in Book 408 Page 52, Kenai Recording District.

Located within the SW 1/4 and SE 1/4 Section 31, T5N, R9W, S4M, Kenai Peninsula Borough, Alaska.
Containing 120.225 Ac.

Surveyor	Owner
Segesser Surveys 3048S Rosland St. Soldotna, AK 99569 (907) 262-3909	Alan R. & Jo Ann Crane 3407S Forest Lane Soldotna, AK 99569

JOB NO.	22124	DRAWN:	G-10-22
SURVEYED: <td></td> <td>SCALE: <td>1"=200'</td> </td>		SCALE: <td>1"=200'</td>	1"=200'
FIELD BOOK:		SHEET: <td>1 of 1</td>	1 of 1

KPB 2022-096

AGENDA ITEM E. NEW BUSINESS

ITEM 7 - Crane-France Subdivision

KPB File No.	2022-096
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Alan and Jo Ann Crane and Dan France all of Soldotna, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Sterling

Parent Parcel No.:	063-181-26 and 063-850-04
Legal Description:	NW ¼ SE ¼ and Government Lot 6 T05N R09W S31, Excepting therefrom Dykema Subdivision Plat No KN 2005-23
Assessing Use:	Residential Dwelling
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will adjust the lot line between two existing lots totaling 120.225 acres resulting in two new tracts being 65.785 acres and 53.680 acres and a 50-foot dedication of Forest Lane.

Location and Legal Access (existing and proposed): The proposed plat is located in Sterling along the Kenai River at Forest Lane and Talon Loop. Forest Lane is a 100-foot right-of-way on the North side of the proposed plat. Forest Lane is a State of Alaska DOT maintained road. Both tracts will have access to Forest Lane. There is a 33-foot section line easement on the South side of the proposed plat.

KPB Roads Dept. comments	Out of jurisdiction: NO Roads Director: Painter, Jed Comments: No Comment
SOA DOT comments	No objections

Site Investigation: There are low wet areas located in the subdivision. **Staff recommends** the wet area be depicted and a wetland determination note be added to the final plat.

The plat are shows an area of steep terrain along the Kenai River. **Staff recommends** depict areas over 20% on the Final plat.

KPB satellite imagery indicates this property may contain wet areas. **Staff recommendation:** place a note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Is in flood hazard area Comments: Flood Zone: A4, C, Floodway Map Panel: 020012-2065A In Floodway: False Floodway Panel: B. Habitat Protection
-------------------------	--

	Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments:i:0#.w\kpb\maldridge C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis The proposed plat is composed of two large parcels located South of Forest Lane and Northwest of the Kenai River in the E1/2 of the SW1/4 and part of the NW1/4 of the SE1/4 and Lot 6 of Section 31, Township 5 North, Range 9 West SM Kenai Peninsula Borough.

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.

A soils report will not be required per KPB code 20.40.

Plat is not within an Advisory Planning Commission area.

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.

Staff recommendation: *Surveyor requested an exception to 20.30.170*

Utility Easements

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: *HEA has asked for a 30' easement on the existing overhead power lines crossing the property. Surveyor needs to locate overhead lines and show on Final Plat as center of 30' Easement and add a note to the plat as follows: "The existing overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat."*

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	Has requested a 30' easement along existing overhead power lines crossing the property and note added as shown above.
ENSTAR	No comments
ACS	No objections
GCI	No comments or objections

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Address: 34075 FOREST LN 34105 FOREST LN Existing Street Names are Correct: Yes
------------	--

	List of Correct Street Names FOREST LN BUBBAS AVE
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

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

- 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 KPB file number 2022-096.
- B. North point;
Staff recommendation: Add North Arrow to main part of map and scale.
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
Staff recommendation: Add Section line easement on south line
- 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: HEA has asked for a 30' easement on the existing overhead power lines crossing the property. Surveyor needs to locate overhead lines and show on Final Plat as center of 30' Easement and add a note to the plat as follows: "The existing overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat."
- 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: Below Sultana Ct, change plat number to 2014-52. To the southwest of Tract A, add Gov't Lot 5 to label.

- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;

Staff recommendation: According to KPB GIS data there are wetlands in the eastern part of the plat. The surveyor should add the top and toe of the ridge to the Final plat

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: Check the total area, the Forest Lane dedication is off by 130 sq ft which come out 2.61 feet in length by 50 feet width of road.

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.

- 20.30.020. Reserved strips prohibited-Exception. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use, except when the control and disposition of land comprising such strips is placed within the jurisdiction of the borough under conditions specified by the commission and noted on the final plat.

Staff recommendation

- 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.

Staff recommendation: Surveyor requested an exception to 20.30.170

20.30.240. Building Setbacks

- A. When a subdivision is affected by a Local Option Zoning District (LOZD), an approved by the assembly, all building setbacks shall be graphically depicted and labeled on the lots. A local option zoning setback shall be noted on the plat in the following format:
Building setback – This subdivision is located within (name of LOZD) Local Option Zoning District as contained in KPB Chapters 21.44 and 21.46 and adopted by KPB Ordinance (number), recorded under (serial no. and recording district). Information regarding the zoning restrictions and copies of the ordinance are available from the KPB Planning Department.

Staff recommendation: 20' Setback needs shown on drawing

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

- 20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

EXCEPTIONS REQUESTED

KPB 20.30.170 – Blocks-Length requirements

Surveyor's Discussion: We request an exception to KPB 20.30.170 Block Length, as these lots are large enough to accommodate future subdivision and road dedication at that time

Staff Discussion: KPB code requires rights-of-way dedication to provide appropriate projections and to provide reasonable means of ingress for surrounding lots. The road dedications are to help provide blocks that are within 330 feet and 1,320 feet in length. Surveyor and owners are on notice that future subdivision will necessitate additional rights-of-way to bring the block closer into compliance.

Findings:

1. The two lots being reconfigured are large acreage and can accommodate future dedications
2. Tract B is limited to the south by the Kenai River and steep slopes
3. Tract A is limited to the south by KN 87-100 Tract G on steep slopes and Gov't Lot 1 and 2 along a section line easement
4. The 50' dedication will extend Forest lane to west and connect with an existing 30' dedication on KN 2005-23 Tract A, thus providing a continuous connection

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion. Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal. The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-4 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 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 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.

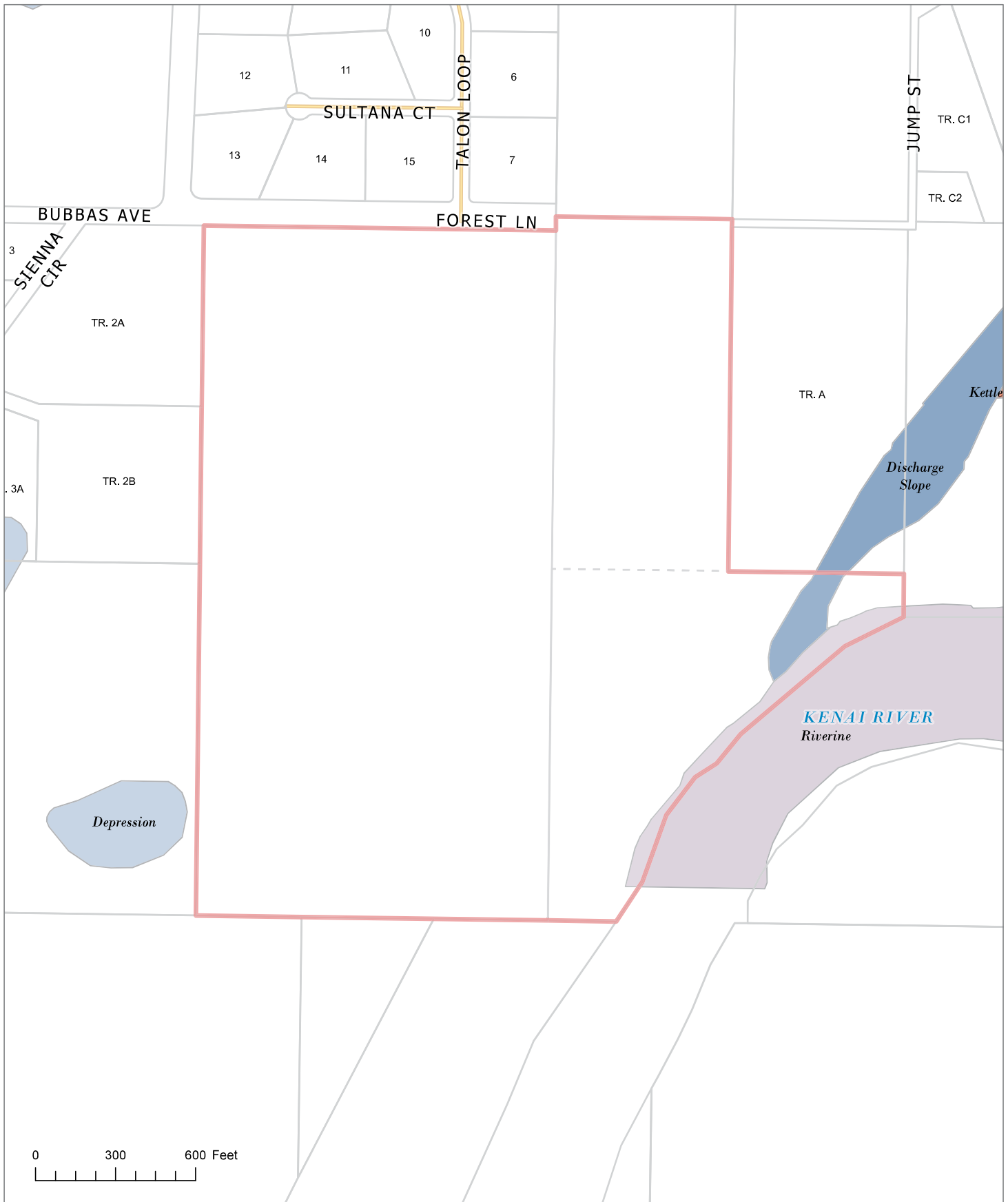
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

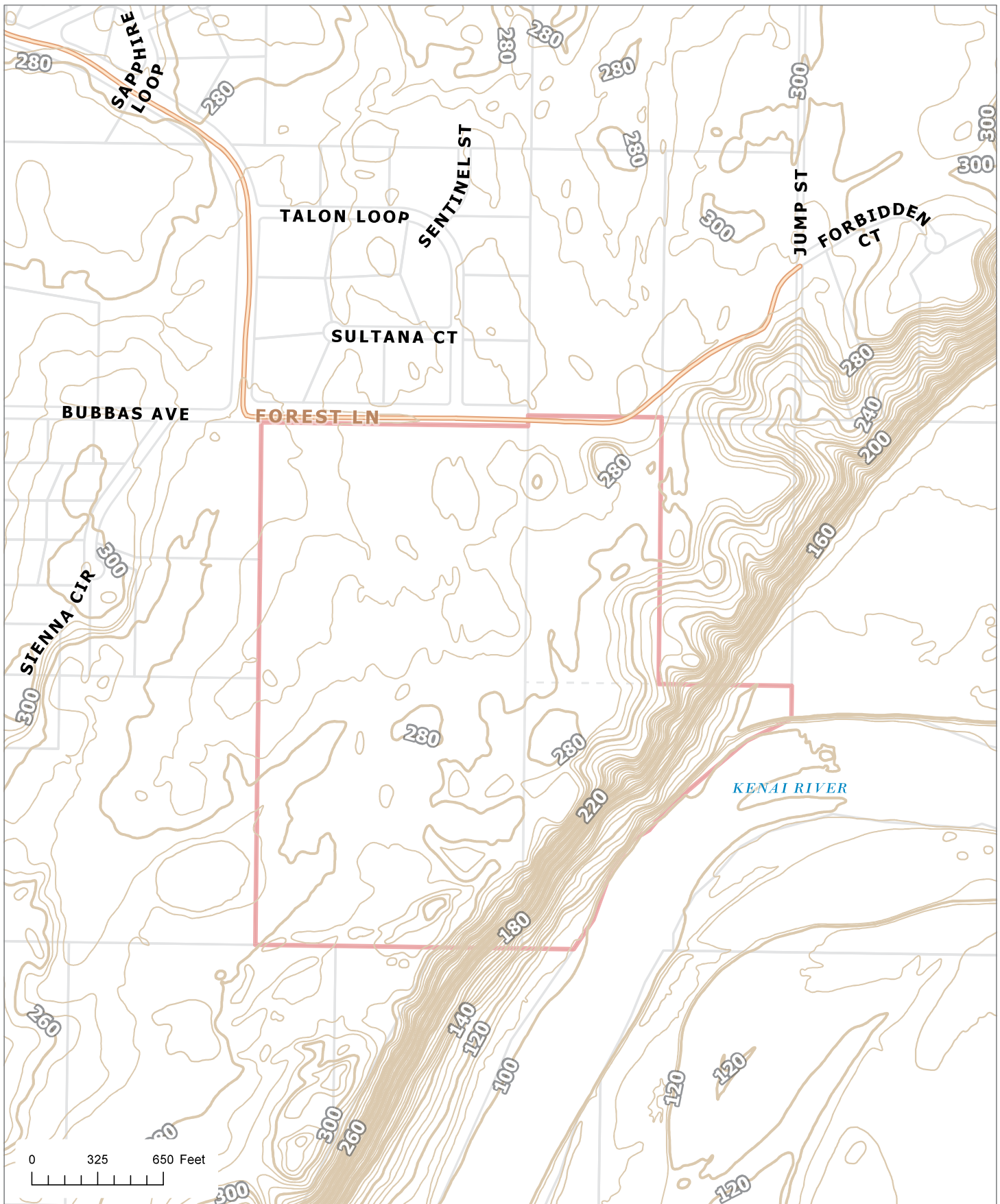
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



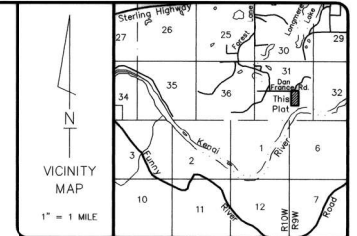
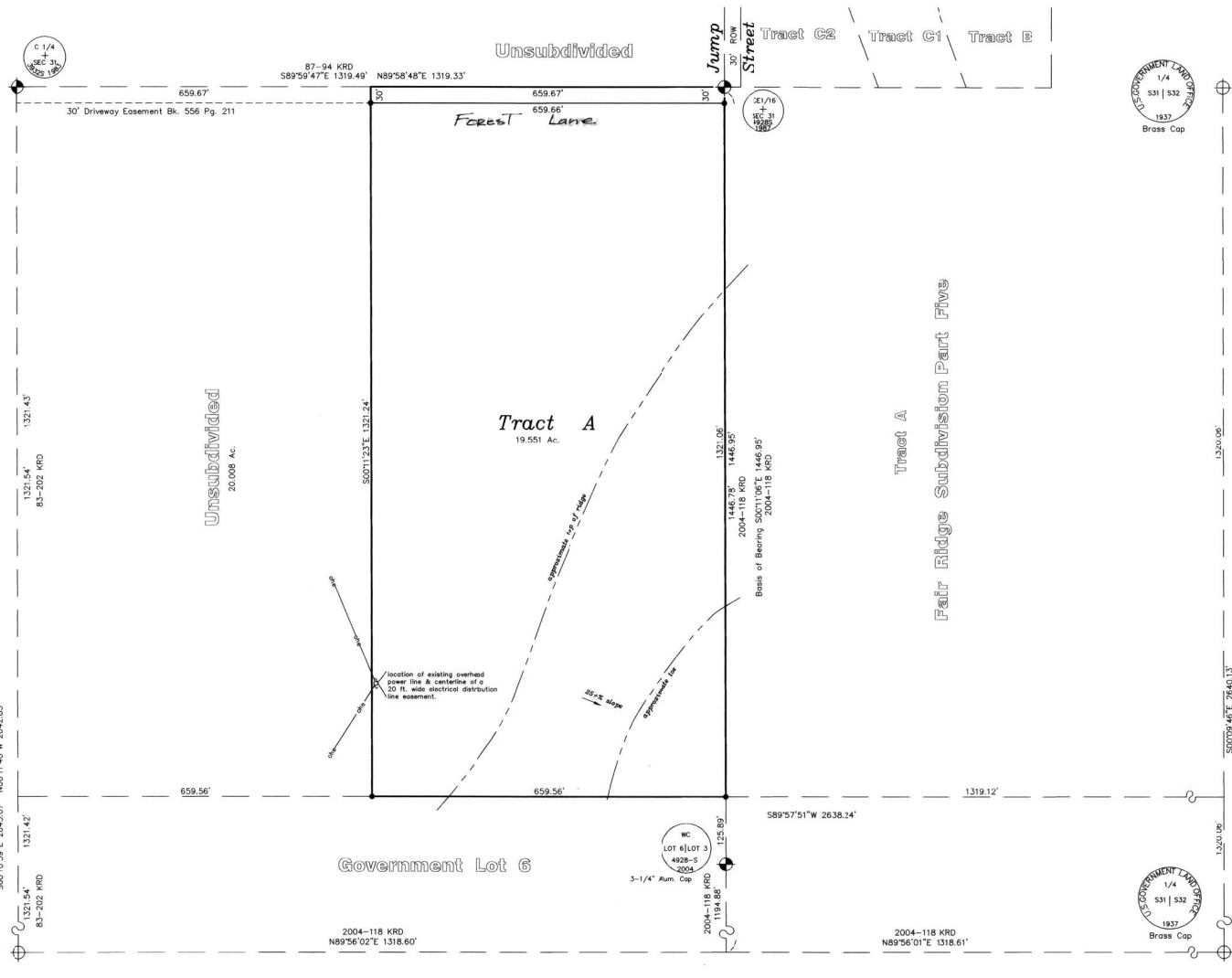
Wetlands





LEGEND:

- Monument (found)
- Monument of Record
- 5/8" Rebar (set)
- Utility Pole



CERTIFICATE of OWNERSHIP and DEDICATION

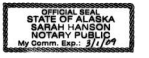
I HEREBY CERTIFY THAT I am the OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

Kenie Alyea
Kenie Alyea
39823 Forest Lane
Soldotna, AK 99669-9016

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 30 DAY OF March
2005 FOR Kenie Alyea

Sarah Hanson
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 3/1/09



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF Wednesday, 10, 2005

KENAI PENINSULA BOROUGH
Marie Lou
AUTHORIZED OFFICIAL

KPB FILE No. 2005-011

Dykema Subd.

Located within the NW1/4 SE1/4 of Section 31, T5N, R9W, S.M., Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 20.005 Acres

Integrity Surveys

8195 Kenai Spur Hwy Kenai, Alaska 99611-8902
SURVEYORS PHONE - (907) 282-9047 PLANNERS
FAX - (907) 282-9071

JOB NO: 24197	DRAWN: 27 March, 2005 CB
SURVEYED: February 2005	SCALE: 1" = 100'
FIELD BK: 2005-2, Pg. 1	DISK: Dykema

NOTES:

- Building Setback - A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- Front 10 ft. of the building setback adjacent to rights-of-way is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- WASTEWATER DISPOSAL: 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 Department of Environmental Conservation.

- 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.

CERTIFICATE OF SURVEYOR

I hereby certify that, I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.



2005-23
RECORDED 20-
KENAI REC. DIST.
DATE: 4-20-2005
TIME: 3:19 PM
REQUESTED BY:
INTEGRITY SURVEYS
605 WIRES DRIVE
KENAI, ALASKA 99611

July 18, 2022

RECEIVED

JUL 19 2022

KPB PLANNING DEPT.

Planning Department
Kenai Peninsula Borough
144 N Binkley St.
Soldotna, AK 99669

To the Planning Department:

This letter is written as further explanation to Segesser Survey's submittal of 6/30/22 regarding a request for exceptions to road layout and block length for the Crane-France Subdivision to reconfigure the lot line between them to be in the center of the private access lane to their homes to give Cranes legal access, and to formally legalize a sale agreement dated 9/22/1992 between Dan & Mary France and previous owner Dave Thomas now between Dan France III and Cranes which gave Frances relief for an encroachment of their home on Thomas's property. This contains less than 1/2 acre of land.

That is, Crane intends to purchase the acreage located directly west of his property over to the center of the present private lane to give France and Crane co-ownership of the common driveway. In explanation, Dan and Mary France and Dave and Donna Thomas homesteaded their adjoining properties in 1958/59, built an airstrip spanning both properties, shared a well, and built a common driveway via the shortest route to access both home sites through a portion of the France property. Thus, for 60 years, the Thomas/Crane property has had only a prescriptive easement to their home. Adding the acreage to the west side of their property over to the center of the driveway assures legal access.

It was determined in a subsequent survey that France's buildings were encroaching on the Thomas property. Thus, in 1992, Dave Thomas quit claimed a small piece of his property to Frances to give relief along the property line, but it was apparently never platted. The Cranes are paying property tax on this piece that the France family purchased 30 years ago. Please reference the plat from Segesser Surveys for details. We have also attached a copy of the Quit Claim Deed between Frances and Thomas dated 9/22/1992.

Thank you,

The image shows two handwritten signatures. The top signature is in cursive and appears to be 'Alan R. Crane'. Below it is another signature in cursive that reads 'Dan L. France III'.

Alan R. Crane
Dan L. France III

LAW OFFICES
DALE DOLIFKA
P.O. BOX 498
SOLDOTNA, ALASKA 99669

(907) 282-2910

May 12, 2003

Mr. and Mrs. Dan France
39550 Forest Lane
Soldotna, Alaska 99669

Re: Quitclaim Deed

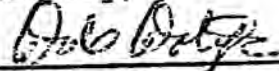
Dear Dan and Mary:

Please find enclosed a copy of the recorded Quitclaim Deed for the following described real property:

The East One-Half (E1/2) of the Southwest One-Quarter (SW1/4), of Township Five (5) North, Kenai Recording District, Third Judicial District, State of Alaska, Seward Meridian.

If you have further questions regarding this matter, please contact me.

Sincerely,



Dale Dolifka

DD: dlr

Enc:

QUIT-CLAIM DEED
(ALASKA)

THE GRANTOR() David J. Thomas BOOK 0496 PAGE 052
of Box 291, City of Soldotna, State of Alaska,
for and in consideration of _____

to convey() and quit-claim() to Dan L. France
of H. C. 1 Box 134, City of Soldotna, State of
Alaska

all interest in the following described real estate, situated in the
State of Alaska:

Beginning at the United States Geological Survey half section marker
located on the southern boundary line of Section 31, Township 5 North,
Range 9 West, Seward Meridian; from this marker, due North for 660 feet,
along the boundary between the East ½ of the Southwest ¼ of Section 31,
Township 5 North, Range 9 West, Seward Meridian and United States
Geological Survey Lot 6 located in the West ½ of the Southwest ¼ of
Section 31, Township 5 North, Range 9 West, Seward Meridian, thence
due East from this point for 30 feet, thence due South from this point
for 660 feet thence due West from this point for 30 feet to the United
States Geological Marker; the point of beginning.

This area contains less than one half acre of land. This indenture
is to give relief along the property line to the buildings on the
adjoining property, to comply with any Borough or State Laws or
Regulations.

Dated this 22 day of Sept., 19 92

David J. Thomas
Grantor(s)

92-6486
KENT REC 15
DISTRICT
RECORDED B
Dm France
2:50
'92 SEP 22 PM

UNITED STATES OF AMERICA,
STATE OF ALASKA

} ss. Individual Acknowledgment
(Alaska)

THIS IS TO CERTIFY that on this 22ND day of SEPTEMBER, 19 92, before me
the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn,
personally appeared DAVID J. THOMAS to me known

described in and who executed the above and foregoing instrument and

92-6486

KENAI REC
DISTRICT 15
REGISTERED BDated this 22 day of Sept., 19 92David J. Thomas
Grantor(s)2:50
SEP 22 PMUNITED STATES OF AMERICA,
STATE OF ALASKA

Individual Acknowledgment

ss.

(Alaska)

THIS IS TO CERTIFY that on this 22ND day of SEPTEMBER, 19 92, before me the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared DAVID J. THOMAS to me known to be the person described in and who executed the above and foregoing instrument, and acknowledged to me that he signed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS My Hand and Official Seal the day and year in this certificate first above written.

Notary Public in and for the State of Alaska, residing at

Soldotna, AlaskaMy commission expires 3-21-95

Quit-Claim Deed (Alaska)

Washington Legal Blank Co., Bellevue, WA Form No. 1000 5/79

MATERIAL MAY NOT BE REPRODUCED IN WHOLE OR IN PART IN ANY FORM WHATSOEVER.

SEGESSER SURVEYS, INC.

**30485 ROSLAND ST.
SOLDOTNA, AK 99669
PHONE (907) 262-3909
FAX (907) 262-3910
E-MAIL seggy@ptialaska .**



6-30-22

Dear Planning,

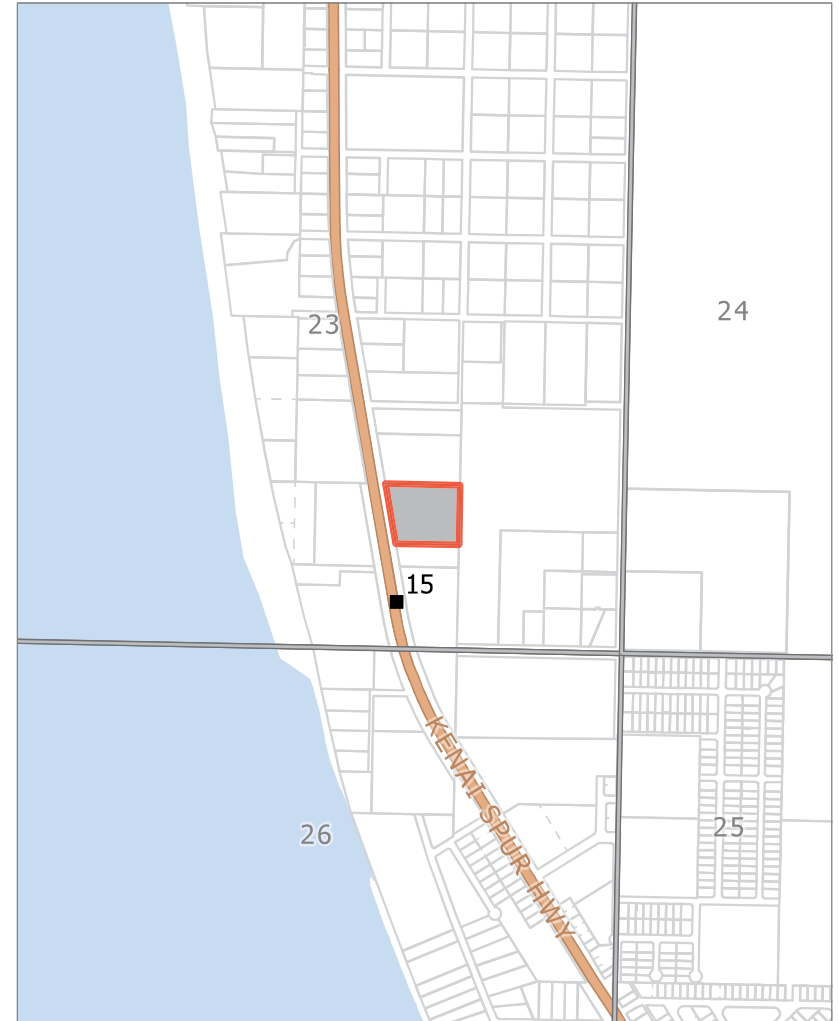
We are requesting exceptions to Road Layout and Block Length. The owners are reconfiguring the lot line between them to be in the center of the access road to their homes. The lots are big enough to subdivide and road layout could be done in the future.

Sincerely yours,

John Segesser

E. NEW BUSINESS

- 8. McCollum Tract 2022 Addition; KPB File 2022-108
Segesser Surveys / Northwest Development Inc.
Location: Kenai Spur Highway
Salamatof Area**



KPB File # 2022-108
S23 T06N R12W
Salamatof



LEGEND:

- 2" BRASS. CAP MON. IN CONCRETE 1851-S 1974 FOUND
- 1/2" REBAR w/PLASTIC CAP MCLANE FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 2000-64 KRD

NOTES:

- 1) Basis of bearing taken from McCollum Tract 1999 Addition, Plat 2000-64, Kenai Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949; and amended by Public Land Order Number No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; Department of the Interior Order Number 2665, dated October 16, 1951, Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 15, 1956, filed in the Federal Register.
- 4) No access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
- 5) Kenai Spur Highway ROW determined by the monuments shown hereon and the State of Alaska DOT&P Right of Way Map Alaska Project S-0490(2) From Wildwood North.
- 6) The existing overhead electric line is the centerline of a 20' wide electrical distribution line easement including guys and wires.
- 7) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Book 38 Page 127, Kenai Recording District. No definite location disclosed.
- 8) Front 10 feet adjacent to right-of-ways is a utility easement granted by plot KN 2000-64. 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.
- 9) **WASTEWATER DISPOSAL:** Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional on-site wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of on-site wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Engineer License No. date



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plot represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____



Kenai Spur Highway
200' ROW

KN 2011-94
Tract A

Tract 1A
4.289 Ac.

Tract 1B
1.766 Ac.

KN 2000-64
Tract 2

KN 2013-64
Tract A

Basis of Bearing
S89°52'26"E 535.30'
S89°52'26"E 535.30'
S89°52'26"E 535.30'
S89°52'26"E 535.30'

CERTIFICATE of OWNERSHIP and DEDICATION

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

PATRICIA FALKENBERG, PRESIDENT
NORTHWEST DEVELOPMENT, INC.
P.O. BOX 3293
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

KPB FILE No.

McCollum Tract
2022 Addition

A resubdivision of Tract 1 McCollum Tract 1999 Addn.,
Plat 2000-64, Kenai Recording District.

Located within the NE1/4 SW1/4 SE1/4 Section 23, T6N, R12W, S.M.,
Kenai Peninsula Borough, Alaska.

Containing 6.055 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99689 (907) 262-3909	Northernwest Development, Inc. P.O. Box 3293 Kenai, Alaska 99611
JOB NO. 22176	DRAWN: 7-2-22
SURVEYED: June, 2022	SCALE: 1"=50'
FIELD BOOK: 22-3	SHEET: 1 of 1

KPB 2022-108

AGENDA ITEM E. NEW BUSINESS

ITEM 8 - McCollum Tract 2022 Addition

KPB File No.	2022-108
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Northwest Development Inc of Kenai, AK
Surveyor:	John Segesser/ Segesser Surveys Inc
General Location:	Salamatof

Parent Parcel No.:	017-130-54
Legal Description:	Tract 1 McCollum Tract 1999 Addition KN 2000-64
Assessing Use:	General Commercial
Zoning:	Commercial District
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat is taking a previously platted commercial tract and dividing it into two new tracts. Property is located in the Salamatof area of Kenai.

Location and Legal Access (existing and proposed): The proposed subdivision is located along the Kenai Spur Highway. Both lots will continue to have access to the Kenai Spur Highway. A developed driveway is currently in place. The Kenai Spur Highway is a state maintained right of way. Kenai Spur Highway is a 200-foot dedication. Plat needs to show the centerline of the Kenai Spur Highway. No new dedication is proposed.

Current access to the property is by an access point north of the building and open flow movement from the property to the south and out their single access point. This subdivision proposes to put the access point on Tract 1B, removing access for Tract 1A.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	The 200' ROW shown correctly

Site Investigation: There are no low wet areas present on the property. The terrain is relatively flat with no steep slopes.

There is one building on the property that will be contained on Tract 1B. The rest of the area of both tracts is being used for parking and outside storage.

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area Comments: Parcel located in Zone D which is Non-Regulatory</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Russell, Pam</p>
-------------------------	--

	Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis The property in the proposed plat was originally surveyed as the McCollum Tract filled under plat number KN 74-113. The survey showed a North Kenai Road dedication of 200 feet width on the west side of the tract, but not entirely inside the tract. No setbacks or utility easements were indicated on this survey

The property was then divided by the subdivision McCollum Tract 1999 Addition KN 2006-64. Subdivision KN 2006-64 put in place a 20-foot building setback from right of ways and a 10-foot utility easement in the front 10 feet of the building setback. These easements are being transferred to the new subdivision.

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

Utility Easements: There is an existing overhead electric line easement as noted on the plat, brought from the previous subdivision McCollum Tract 1999 Addition. The size is 20 feet wide centered on the power line and poles. HEA has requested this be changed to a 30 foot easement on the new subdivision, centered on the overhead line and poles.

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	Revise the width to 30' for the existing easement in Note #6
ENSTAR	No Comment
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Haws, Derek Affected Addresses: 42160 KENAI SPUR HWY</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: KENAI SPUR HWY</p> <p>Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: 42160 KENAI SPUR HWY will remain with lot 1B.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No Comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	Reviewer: Windsor, Heather

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

- Revise the width to 30' for the existing easement in Note #6 per HEA comment.
-

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: *Fix typo in owner's name*

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: *Centerline of Kenai Spur Highway should be shown if whole ROW won't fit.*

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

Staff recommendation: *Looks as if the parking lot may encroach out into the road dedication*

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.*

20.30.050. Legal access.

A. The applicant shall provide an access plan to the planning department verifying the existence of legal access to the subdivision boundary. The plan shall consist of the documents depicting the access, a map depicting the location of the access, and topographic information indicating that construction which meets the design requirements set forth in KPB Chapter 20.30 is practical and economical. In this title, legal access exists where an unrestricted, public right-of-way connects the subdivision to the state highway system, the state marine highway system or a regularly served public airport, and one of the following is met:

1. Ingress and egress will be provided over section line easements located within a surveyed section;
2. The applicant provides copies of borough-accepted recorded conveyances creating the public easement or right-of-way where the access is located;
3. That access is a State of Alaska maintained road or municipal maintained road;
4. The applicant provides documentation satisfactory to the borough demonstrating that public legal access is guaranteed through judicial decree; or
5. The right-of-way is an easement or fee interest at least 60 feet in width dedicated or irrevocably conveyed to the public and acceptable to the planning commission.

- B. The following situations may qualify for a waiver of the legal access requirement:
1. Upon finding that no practical means of providing road access to a proposed subdivision exists and upon presentation of credible and convincing evidence by the applicant that permanent public access by air, water, or railroad is both practical and feasible, the planning commission may waive the legal access requirements of KPB 20.30.050(A). If access other than by road is approved, the mode of access shall be noted on the plat. .
 2. Where only a 30-foot dedication exists over all or a portion of the legal access to a subdivision, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the other 30 feet will be dedicated in the future.
 3. Where a road is in use for physical access but there is no right-of-way document for all or part of the access road, the provisions of KPB 20.30.050(A) may be considered met if it is reasonable to expect that the right-of-way will be dedicated in the future.

Staff recommendation: *It appears there is one access being utilized for both tracts. A joint ingress – egress easement for access should be drawn up and filed and shown on the Final plat.*

Surveyor / client needs to check with the State of Alaska if joint use of this access drive is a permitted use, and add a note to the Final plat.

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.
1. Half streets shall generally not be allowed except to provide the logical extension of a right-of-way where the remaining half street can reasonably be expected to be dedicated in the future.
 2. When a design change required as a condition of preliminary approval results in a half right-of-way that was not shown on the original preliminary plat, adjoiners to the new half right-of-way will be sent a copy of the plat committee minutes and a sketch showing the new half right-of-way and per KPB 2.40.080 can request a review of the plat committee decision by the full Planning Commission.

- B. Additional right-of-way or easement width may be required to provide for the construction of side slopes or to otherwise accommodate right-of-way construction standards set forth in KPB Title 14.

Staff recommendation: Show centerline of road

20.30.190. Lots-Dimensions.

- A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

- B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: *Tract 1B is 3.63 longer than wide. A request for exception to KPB Code has been submitted.*

KPB 20.40 – Wastewater Disposal

Staff recommendation: *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.010. Preparation requirements generally. The final plat shall be prepared in accordance with this chapter and the preliminary plat as approved. Information required for the preliminary plat by KPB 20.25.070 shall be included on the final plat except that the information required by KPB 20.25.070 (K) - (N) shall not be included. The approximate dimensions required by KPB 20.25.070(J) shall be replaced with accurate dimensions as required by KPB 20.60.110 and KPB 20. 60.120. If the final plat contains only a portion of the preliminary plat, it must comply with KPB 20.25.110(B).

Staff recommendation: Add record datum information to the drawing as indicated in legend.

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: Add bearings and distances to the lines below the tracts in the subdivision below on the drawing.

20.60.200. Survey and monumentation.

Staff recommendation: There is an icon in the northwest corner of Tract 1B that is not in the legend, either remove from drawing or add to legend.

EXCEPTIONS REQUESTED:

A. KPB 20.30.190. Lots-Dimensions – Width to Depth

Surveyor's Discussion: No discussion

Staff Findings:

1. KPB Code 20.30.190 requires the depth to width ratio be no greater than 3:1.
2. Lot 1B will have a ratio of 3.6:1.
3. These lots are **existing and** will not change. A division road is not feasible to change the depth.

Staff reviewed the exception request and recommends granting approval.

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

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

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

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

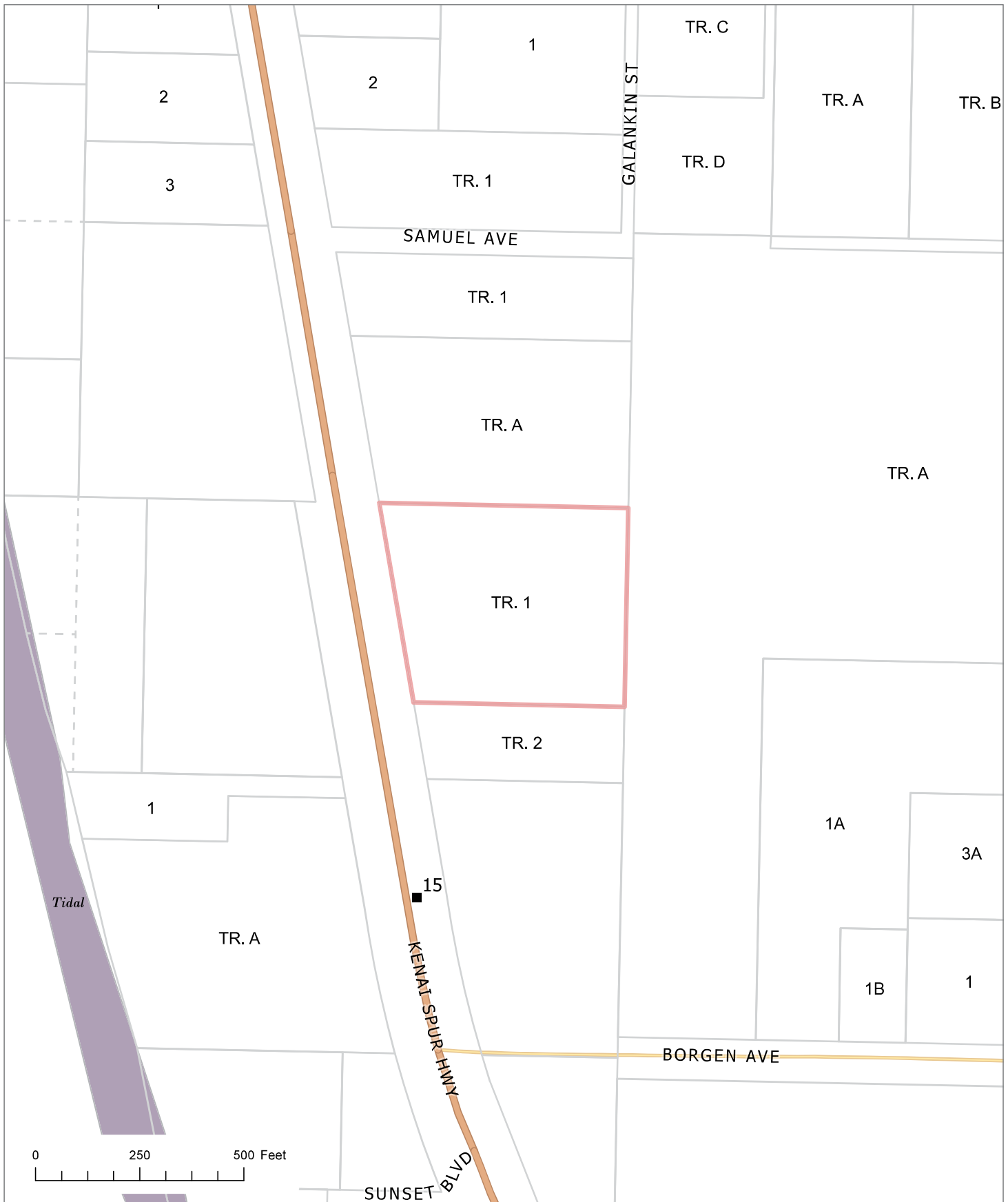
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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



Wetlands

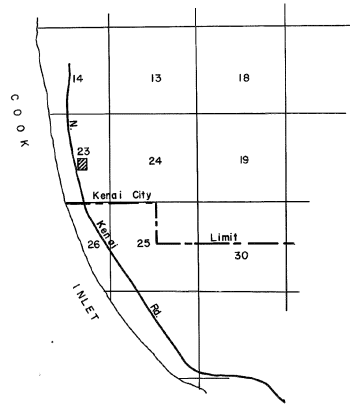




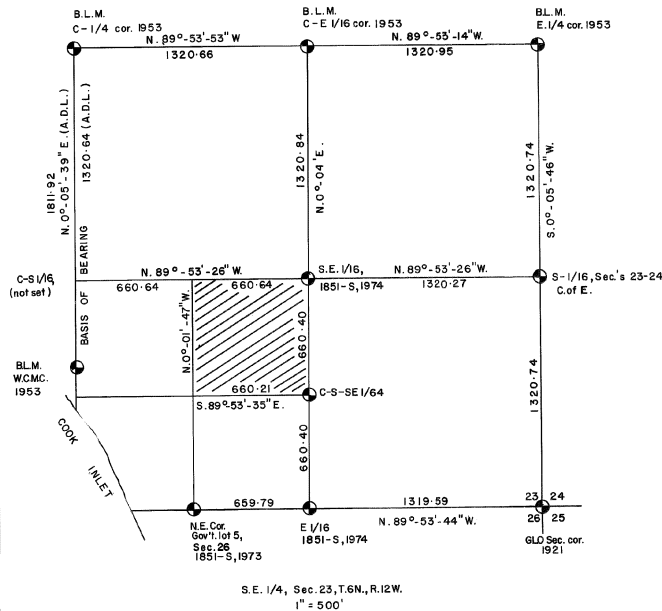
Mc COLLUM TRACT

Being the NE 1/4 of SW 1/4 of SE 1/4,
Sec. 23, T.6N., R.12W., S.M., Kenai Peninsula
Borough, Ak.

The purpose of this plat is to provide a plat of record. This plat does not
represent a subdivision.



VICINITY MAP
1" = 1 mile



CERTIFICATE OF OWNERSHIP & INTENTION

I (WE) HEREBY CERTIFY THAT I(WE) AM (ARE) THE
OWNER(S) OF THE PROPERTY SHOWN HEREON, AND REQUEST

THAT THIS PLAT BE RECORDED AS A PLAT OF RECORD.

C. E. R. Inc., (Owner)
DRAWER 3293
KENAI ALASKA

BY: *Stanley F. Thompson*

TITLE: *President*
SWORN AND SUBSCRIBED TO BEFORE ME, A NOTARY PUBLIC, THIS *9th* DAY
OF *September*, 19 *74*.
James E. Collins
NOTARY

MY COMMISSION EXPIRES *12/1/78*

BOROUGH PLANNING COMMISSION

PLAT APPROVED BY THE COMMISSION THIS *9th*

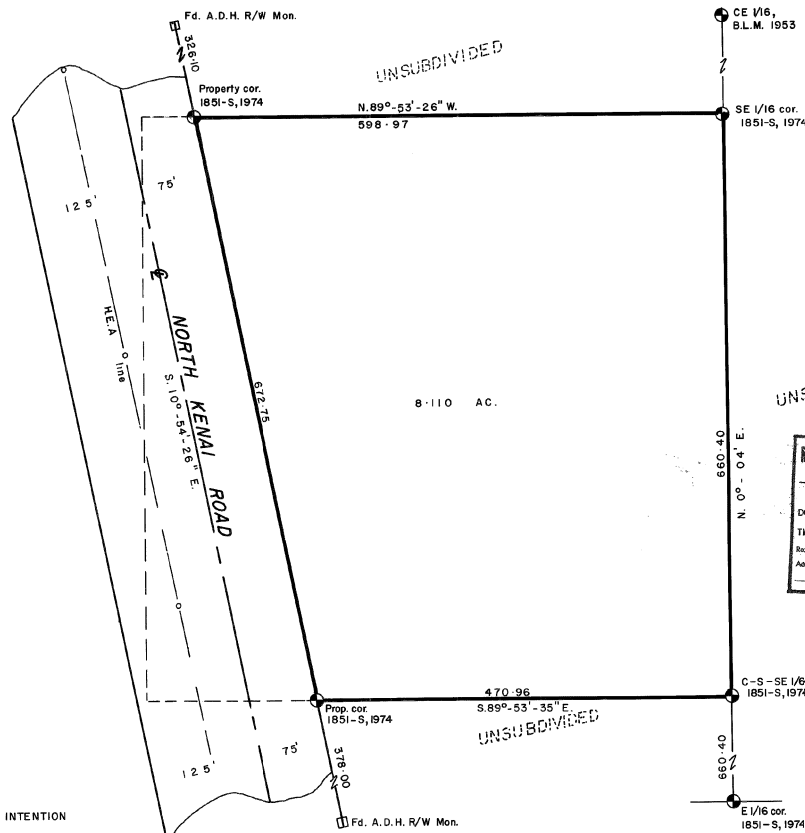
DAY OF *September*, 19 *74*.

Stanley F. Thompson
MAYOR

LAND USE: COMMERCIAL

AREA - 8.110 ACRES

#790 FB.16



UNSUBDIVIDED

74-113
RECORDED - FILED
Kenai
DATE *12-18-74*
TIME *3:24 P.M.*
Requested by *KPR*
Address

1" = 100'
LEGEND

• = BRASS CAP MONUMENT



8/12/74

FOR

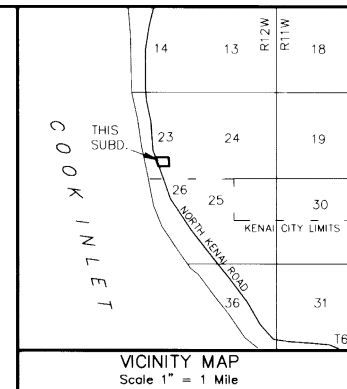
C. E. R. INC.

DRAWER 3293, KENAI, ALASKA

MALONE SURVEYING

BOX 566,

KENAI, ALASKA



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) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- 4) BUILDING SET BACK - A building set back of 20 ft. is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 5) The front ten (10) feet of Building Set Back is a utility easement.

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 regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

Stan A. McLane C.E. 7863 AK 11/2/00
Date



2000-64
KENAI REC. DIST. 20
Date 12-6-2000
Time 11:29 AM
Requested By: McLane
Address

McCOLLUM TRACT 1999 ADDN. (A Resubdivision of the McCollum Tract)

Northern Oil Operations, Inc.
P.O. Box 3293
Kenai, AK 99611

LOCATION

8.110 AC. M/L SITUATED IN THE NE 1/4 SW 1/4 SE 1/4 SECTION 23, T. 6 N., R. 12 W., S.M., AK. AND THE KENAI PENINSULA BOROUGH IN THE KENAI RECORDING DISTRICT.

Surveyed by: Consulting Group
P.O. Box 468
Soldotna, AK 99669

Date : Oct. 1999	Book No. : 99-11 97-27	Project No. 992020
Drawn by : msm	Scale 1" = 50'	KPB File No. 99178

UNSUBDIVIDED
(S89°53'26"E 598.97)
S89°55'17"E 599.33

Fnd. 2" diam.
brass cap w/
6" diam. conc.
collar.

PROP
CORNER
+
1851-S
1974

Fnd. 2" diam.
brass cap w/
6" diam. conc.
collar.

SE 1/16
SEC 23
+
1851-S
1974

The North Kenai Road
Right of Way was
determined by the
monuments shown hereon
and the State of Alaska
DOT&PF Right of Way Map
Alaska Project No.
S-0490(2) From Wildwood
North.

Centerline Travelway

125'

200 FT. R/W

NORTH KENAI ROAD

(S105°26'E 672.75) S105°23'E 672.43

Existing O.H.
Powerline is the
centerline of a
20 ft. wide
electrical
distribution line
easement.

166.66'

75'

Fnd. 2" diam.
brass cap w/
6" diam. conc.
collar.

PROP
CORNER
+
1851-S
1974

Fnd. 2" diam.
brass cap w/
6" diam. conc.
collar.

S 23
CS SE 1/64
+
1851-S
1974

S89°52'58"E 506.58

TRACT 2
2.025 AC.

BASIS OF BEARING KRD 74-113
(N89°53'35"W 470.96)
N89°53'35"W 470.92

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 dedicate all rights-of-way and public areas to public use and grant all easements to the use shown.

Glen R. McCollum, Sr., President
Northern Oil Operations, Inc.

PLAT APPROVAL

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

October 25, 1999.

KENAI PENINSULA BOROUGH by

Authorized Official

LEGEND

- Found Primary Survey Monument as Described.
- Set 1/2" X 24" rebar with McLane cap attached
- Record data KRD 74-113



NOTARY'S ACKNOWLEDGEMENT

FOR: Glen R. McCollum Sr.

Subscribed and sworn before me this

21st day of Nov., 2000.

My commission expires 12/23/03

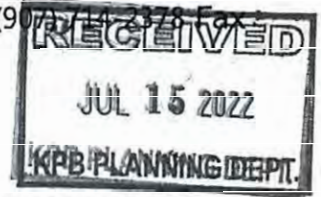
Notary Public for the State of Alaska



Planning Department

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

PRELIMINARY PLAT SUBMITTAL FORM



☒ PRELIMINARY PLAT ☐ REVISED PRELIMINARY PLAT (no fee required)

☐ PHASED PRELIMINARY PLAT ☐ PRELIMINARY PLAT FOR PRIVATE STREETS / GATED SUBDIVISION

– all requirements of chapter 20, excluding 20.30.210 and 20.50 apply and must be met.

SUBDIVISION PLAT NAME: must be a unique name, contact staff for assistance if needed.

MCCOLLUM TRACT 2022 ADDN.

PROPERTY INFORMATION:

legal description <u>TRACT 1 KN 2000-64</u>	
Section, Township, Range <u>SEC 23 T6N R12W</u>	
General area description	
City (if applicable)	Total Acreage <u>6.055</u>

SURVEYOR

Company: <u>Segesser Surveys Inc</u>	Contact Person: <u>John Segesser</u>
Mailing Address: <u>30485 Rosland St.</u>	City, State, Zip <u>Soldotna, AK 99669</u>
Phone: <u>907-262-3909</u>	e-mail: <u>seggy@ptialaska.net</u>

PROPOSED WASTEWATER AND WATER SUPPLY

WASTEWATER ☒ on site ☐ City ☐ community

WATER ☒ on site ☐ City ☐ community

SUBMITTAL REQUIREMENTS

A preliminary plat application will be scheduled for the next available plat committee meeting after a complete application has been received.

- ☐ 1 – full size paper copy
- ☐ 7 – reduced sized drawing (11 x 17)
- ☐ preliminary plat NON-REFUNDABLE submittal fee \$400
- ☐ City Planning Commission minutes when located within city limits or Bridge Creek Watershed District
- ☐ certificate to plat for ALL parcels included in the subdivision
- ☐ documentation showing proof of signatory authority (partnerships, corporations, estates, trusts, etc.)
- ☐ ALL requirements of KPB 20.25.070 (see page 2 for checklist) and KPB 20.25.080

EXCEPTIONS REQUESTED TO PLATTING CODE: A letter, to be presented to the commission, with substantial evidence justifying the requested exception and fully stating the grounds for the exception request, and the facts relied upon, MUST be attached to this submittal.

1. 3:1 RATIO TR 1B 2. _____ 3. _____

APPLICANT: SIGNATURES OF ALL LEGAL PROPERTY OWNERS ARE REQUIRED. Additional signature sheets can be attached. When signing on behalf of another individual, estate, corporation, LLC, partnership, etc., documentation is required to show authority of the individual(s) signing.

Contact KPB staff for clarification if needed.

OWNER(s)

E8-14

OWNER(S)

Name (printed): <i>Patricia FALKENBERG</i>	Signature: <i>Patricia Falkenberg</i>
Phone: <i>(907) 394-2646</i>	e-mail: <i>pet_rainbow@yahoo.com</i>

Name (printed):	Signature:
Phone:	e-mail:

Name (printed):	Signature:
Phone:	e-mail:

FOR OFFICE USE ONLY

RECEIVED BY _____

DATE SUBMITTED _____

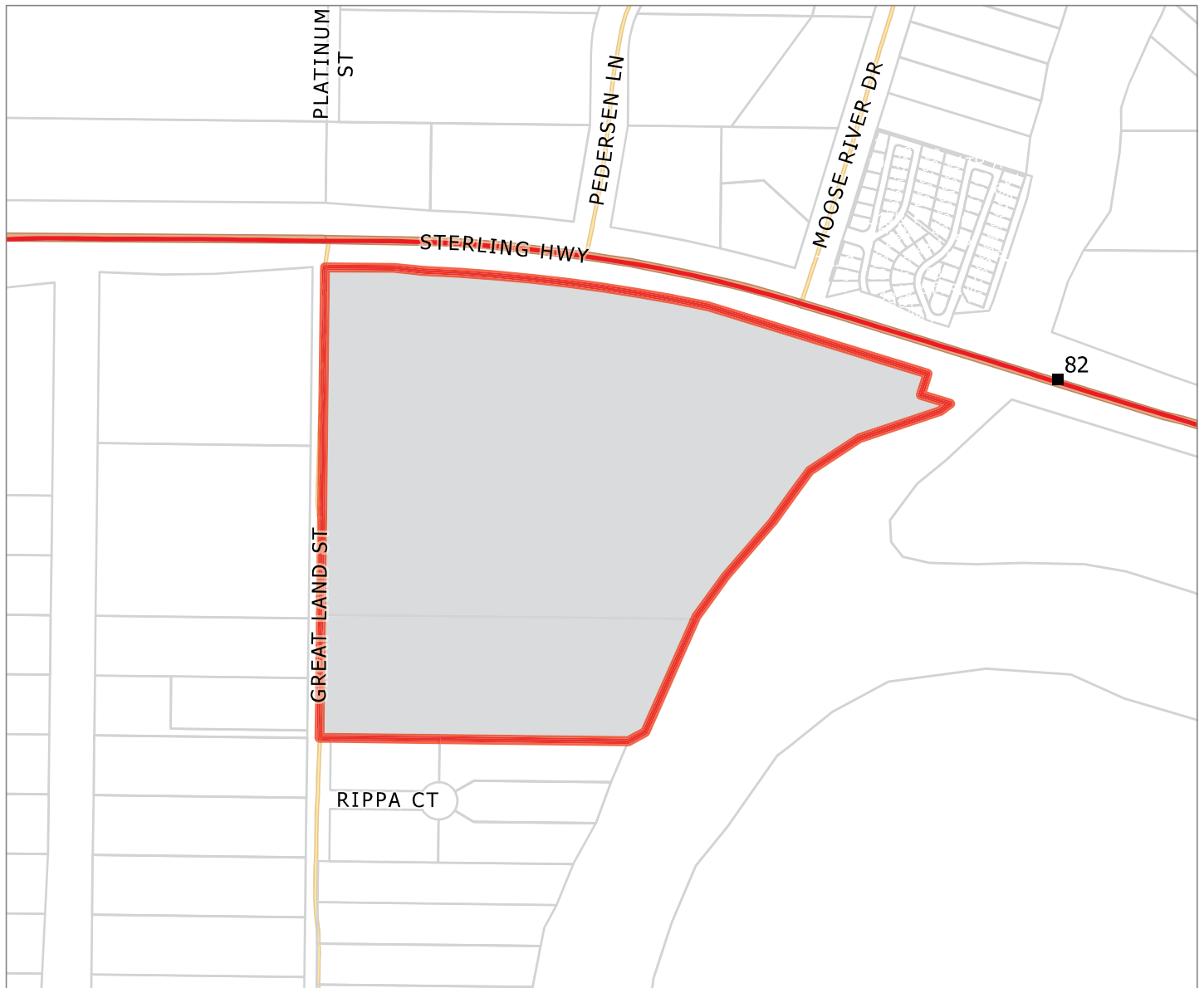
KPB FILE # _____

E. NEW BUSINESS

- 9. The Great Alaska Fish Camp No. 2; KPB File 2022-109
Segesser Surveys / Great Alaskan Fish Camp Inc.
Location: Great Land Street & Sterling Highway
Sterling Area**



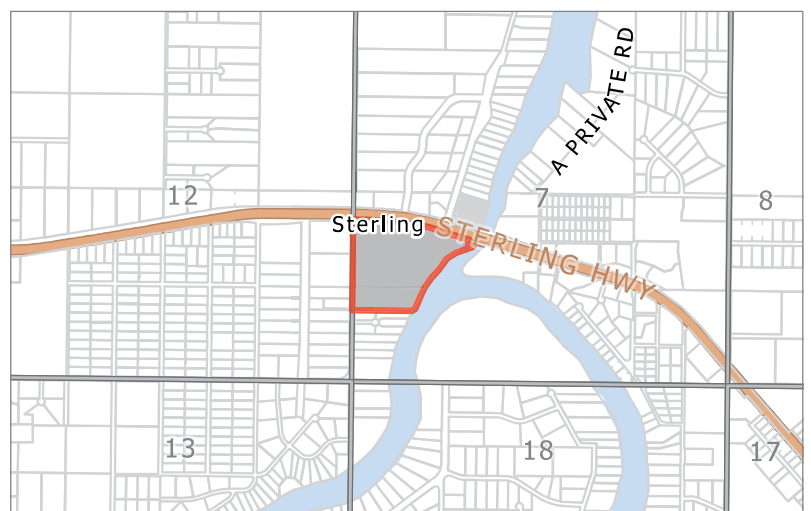
Vicinity Map



KPB File 2022-109
T 05N R 08W SEC 07
Sterling

7/18/2022

0 400 800 Feet





Aerial View



LEGEND:

- 2 1/2" BRASS CAP MON. GLO 1939 FOUND
- 5/8" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- RECORD DATUM PLAT 2011-41 KRD

NOTES:

- 1) Basis of bearing taken from Ripa Subdivision, Plat 2006-35, Kenai Recording District.
 - 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
 - 3) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
 - 4) No access to State maintained ROW's permitted unless approved by the State of Alaska Department of Transportation.
 - 5) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 501, dated August 10, 1949; and amended by Public Land Order Number No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; Department of the Interior Order Number 2665, dated October 16, 1951, Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 15, 1956, as filed in the Federal Register.
 - 6) An easement for the Sterling Highway granted to the United States of America is recorded in Misc. 1 Page 164, Kenai Recording District.
 - 7) Information for the Sterling Highway was taken from State of Alaska Department of Transportation and Public Utilities Project number IR-043-3(3), pages 52-54 of 74.
 - 8) The natural meanders of ordinary high water is for area computations only, the true corners being on the extension of the sideline and the intersection with the natural meanders.
 - 9) ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE: Portions of this subdivision are within the Kenai Peninsula Borough Anadromous Waters Habitat Protection District. See KPB Chapter 21.18, as may be amended, for restrictions that affect development in this subdivision. Width of the habitat protection district shall be in accordance with KPB 21.18.040.
 - 10) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Misc. 5 Page 90, Kenai Recording District. No definite location disclosed.
 - 11) Front 10 feet adjacent to right-of-ways and 20 feet within 5 feet of the side lot lines 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.
 - 12) WASTEWATER DISPOSAL: Tract A This lot is at least 200,000 square feet 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 Department of Environmental Conservation.
- WASTEWATER DISPOSAL: Lots 1-5 Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

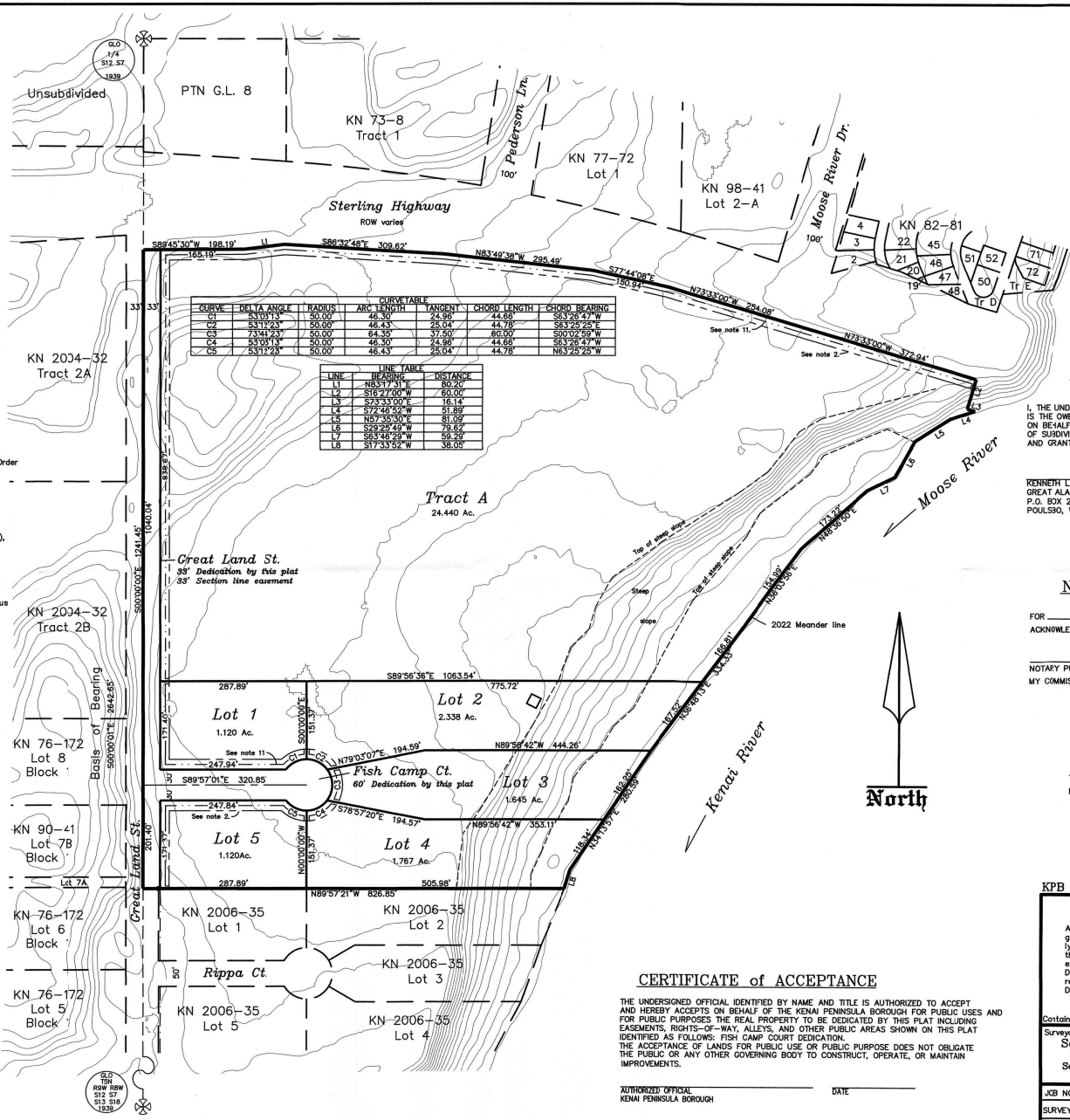
Engineer License No. Date



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date

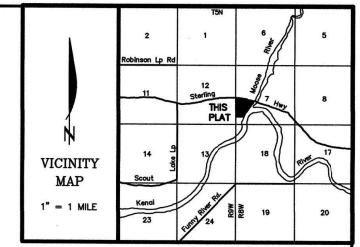


CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	53°12'25"	50.00	46.30	25.04	44.66	S83°25'25"W
C2	53°12'25"	50.00	46.30	25.04	44.66	S83°25'25"W
C3	53°12'25"	50.00	46.30	25.04	44.66	S83°25'25"W
C4	53°12'25"	50.00	46.30	25.04	44.66	S83°25'25"W
C5	53°12'25"	50.00	46.30	25.04	44.66	S83°25'25"W

LINE TABLE

LINE	BEARING	DISTANCE
L1	N83°17'31"E	60.00
L2	S16°27'00"W	60.00
L3	S13°33'00"W	16.14
L4	S72°46'52"W	61.89
L5	N57°25'00"E	61.09
L6	S62°25'45"W	73.49
L7	S83°46'29"W	56.29
L8	S17°33'52"W	38.05



CERTIFICATE of OWNERSHIP and DEDICATION

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

KENNETH L. JOHN, JR.
GREAT ALASKA FISH CAMP, INC.
P.O. BOX 2670
FOULDSBO, WA 98370

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE NO.

The Great Alaska Fish Camp No. 2

A resubdivision of Government Lot 12 and that portion of government lot 8 and Government Lot 7, Section 7, T5N, R8W, S.M., lying southerly of the Sterling Highway right-of-way and westerly of the mean high water line of the Kenai River and the Moose River excepting therefrom, that portion conveyed to the State of Alaska Department of Transportation and Public Facilities by instrument recorded January 2, 1991 in Book 376 Page 281, Kenai Recording District.

Located within the SW1/4 Section 7, T5N, R8W, S.M., Kenai Peninsula Borough, Alaska.

Containing Ac.	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99569 (907) 262-3909	Great Alaska Fish Camp, Inc. P.O. Box 2670 Fouldsbo, WA 98370
JOB NO. 22142	DRAWN: 7-14-22
SURVEYED: July, 2022	SCALE: 1"=100'
FIELD BOOK: 22-3	SHEET: 1 of 1

CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS 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: FISH CAMP COURT DEDICATION.

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

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

AGENDA ITEM E. NEW BUSINESS

ITEM 9 - The Great Alaska Fish Camp No 2

KPB File No.	2022-109
Plat Committee Meeting:	August 8, 2022
Applicant / Owner:	Great Alaska Fish Camp Inc of Poulsbo, WA
Surveyor:	John Segesser/ Segesser Surveys Inc
General Location:	Sterling

Parent Parcel No.:	065-012-01 and 02
Legal Description:	Government Lot 12 and that portion of Government lots 5 & 8 lying south of the Sterling Hwy except that portion per W/D 376 @ 281
Assessing Use:	General Commercial and Residential Vacant
Zoning:	Rural Unrestricted
Water / Wastewater	On site

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide two large parcels into one tract and five lots with a cul-de-sac. The tract will be 24.440 acres and the lots will range in size from 1.120 acres to 2.338 acres.

Location and Legal Access (existing and proposed): Access to these proposed lots will come from the Sterling Highway, a State of Alaska DOT maintained highway with varying widths throughout. To access the proposed lots to the south access will be via Great Land Street, a 33 foot wide dedicated road running north to south. Great Land Street is currently maintained by the borough. Great Land Street is dedicated over the top of a 66 foot wide section line and this plat will dedicate a matching 33 feet for 66 foot wide dedicated right of way. The dedicated right of way width will match the section line easement width.

This subdivision will be creating five lots to the south with a 60 foot wide road ending in a cul-de-sac being dedicated as the access.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	No objections

Site Investigation: The proposed replat fronts on portions of the Moose River and Kenai River. Both rivers are anadromous and fall under KPB 20.18 with the correct plat note shown. Tract A and lots 2, 3, and 4 all appear to have steep slopes to the east along the river. **Staff requests:** The top and toe of the slopes remain and be shown on the final.

KPB satellite imagery indicates this property may contain wet areas. **Staff recommendation:** place a note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: IS in flood hazard area
-------------------------	--

	Comments: Flood Zone: A5,C,Floodway Map Panel: 020012-2070A In Floodway: False Floodway Panel: B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: i:0#.w kpb\maldrige C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis

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

Notice of the proposed plat was mailed to all beneficial interest holders on July 18, 2022. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The property is not within an advisory planning commission.

Utility Easements HEA has requested overhead lines be located and shown as stated below. These are located along the north line of Lot 1 and 2 and in the Northeast corner of Tract A.

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	Locate the overhead electric line and depict on the final plat. Provide a plat note that states "The existing overhead powerline is the centerline of a 30-foot-wide electrical easement, including guys and anchors, granted this plat"
ENSTAR	No objections
ACS	Approved as shown
GCI	No objections

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 33881 STERLING HWY Existing Street Names are Correct: No List of Correct Street Names: MOOSE RIVER DR GREAT LAND ST
------------	---

	<p>STERLING HWY RIPPA CT</p> <p>Existing Street Name Corrections Needed: PEDERSON LN should be PEDERSEN LN All New Street Names are Approved: No</p> <p>List of Approved Street Names: List of Street Names Denied: FISH CAMP CT Comments: 33881 STERLING HWY will remain with Tract A. Street name FISH CAMP CT is denied.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

PLAT NOTES?

- Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers Westland Determination if applicable.
- Some or all the property shown on this plat has been designated by FEMA as a flood hazard area district as of the date of this plat is recorded with the District Recorder's Office. The toe of slope as shown is limits of Flood Zone A5 per FEMA Panel 020012-2070A. Prior to Development, the Kenai Peninsula Borough Floodplain Administrator should be contacted for current information and regulations. Development must comply with Title 21, Chapter 6 of the Kenai Peninsula Borough Code of Ordinances.

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: Correct typo of Lot 7 to Lot 5 in Title Block

- H. Approximate locations of low wet areas, areas subject to inundation, areas subject to flooding or storm water overflow, and the line of ordinary high water. This information may be provided on an additional sheet if showing these areas causes the preliminary plat to appear cluttered and/or difficult to read;
Staff recommendation: There are wet lands located on the property
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: need to add distances and bearings to section corners on west side of drawing. Check total distances on lines of Lots 1 & 2 and 4 & 5.
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation: looks as if there is a possible encroachment on the east line at several locations along the river. Surveyor needs to verify the structure locations

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.

20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: Lots 2, 3 & 4 are longer than wide and are not compliant with 20.30.190 A.. A waiver of this Code has been submitted.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

In the Legend, Record Datum, what is 2011-41 referring to? Was not able to find anything on the drawing in relation to it.
In the Notes on number 5 fourth line, remove Number as it is redundant.

20.60.200. Survey and monumentation.

Staff recommendation: Need to add pin identifiers to corners for found or set pins

EXCEPTIONS REQUESTED:

A. KPB 20.30.190 – Lots-Dimensions (Depth to width ratio 3:1)

Surveyor's Discussion: Half of these lots are over the bluff and they each have enough developable area at the top of the bluff.

Findings:

1. KPB Code Requires the depth to width ratio be no greater than 3:1
2. The existing subdivision to the South Rippa KRD 2006-35 is the same layout and design as this subdivision.

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 2 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 2 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 2 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 5 of 6

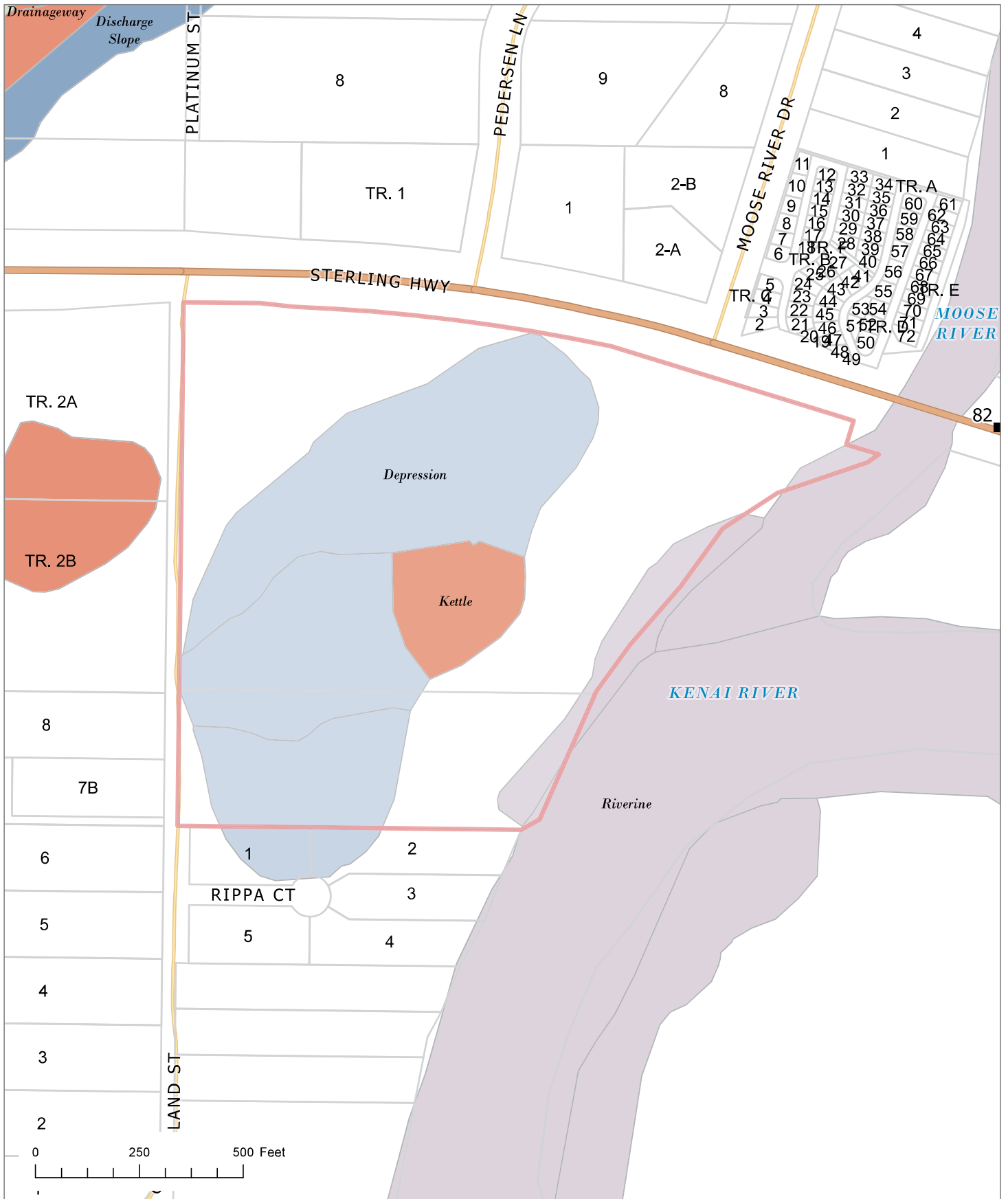
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

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





SURVEYED TOWNSHIP 5 NORTH, RANGE 8 WEST OF THE SEWARD MERIDIAN, ALASKA

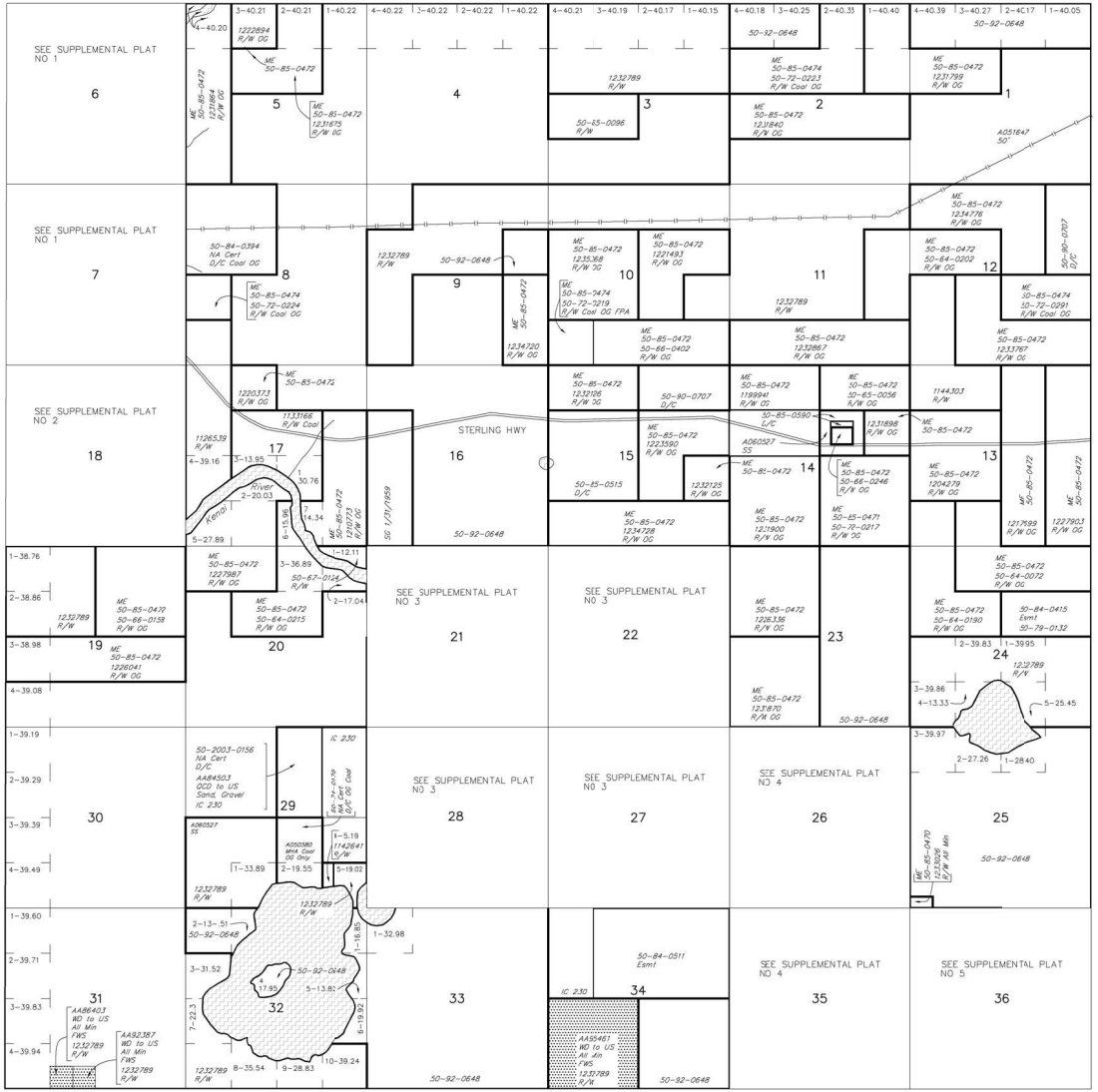
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TILES
AND ACQUIRED LANDS

MTP

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A058731 SS Reserved Min Estate Only

Group Survey 1117, approved 7/18/2011, affects
patented Lds W/1 section(s) 8



Lat 60°28'26.092"N
Long 150°35'14.105"W



WARNING:
This plat is the Bureau's Record of Title, and should be used
only as a graphic display of the township survey data. Rec-
ords herein do not reflect title changes which may have been
effected by lateral movements of rivers or other bodies of water.
Refer to the cadastral surveys for official survey information.

CURRENT TO		Sww Mer	ACAD
4-16-2019		T 5 N	
		R 8 W	

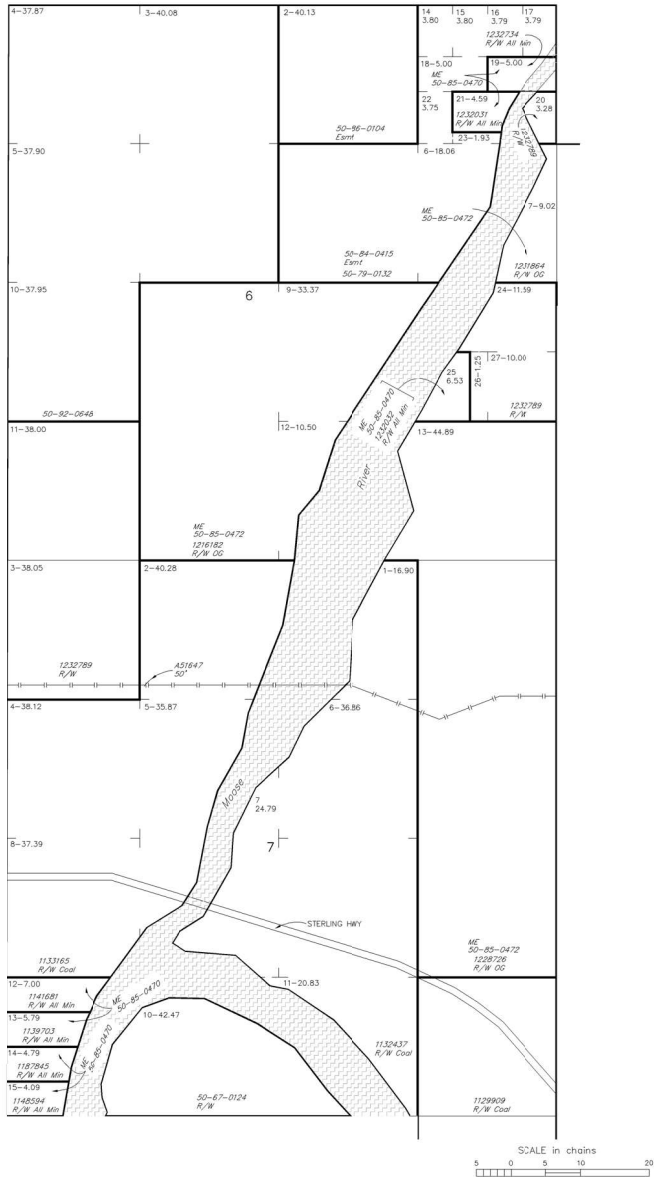
SURVEYED TOWNSHIP 5 NORTH RANGE 8 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SECS 6 & 7

NO 1
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A058731 SS Reserved Min Estate Only



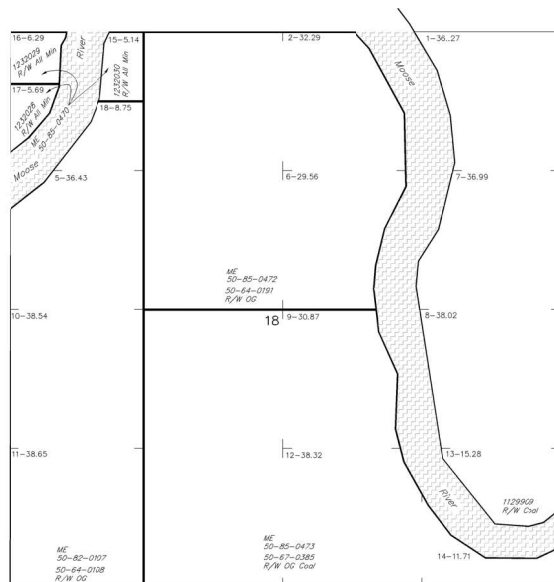
WARNING:
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CURRENT TO		NO 1
5-9-2007		Sew Mer
		T 5 N
		R 8 W
		ACAD

NO 2

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A058731 SS Reserved Min Estate Only



SCALE in chains

WARNING:
This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been affected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

CURRENT TO		Sew Mer	NO 2 ACAD
5-9-2007		T 5 N	
		R 8 W	

SURVEYED TOWNSHIP 5 NORTH, RANGE 8 WEST OF THE SEWARD MERIDIAN, ALASKA

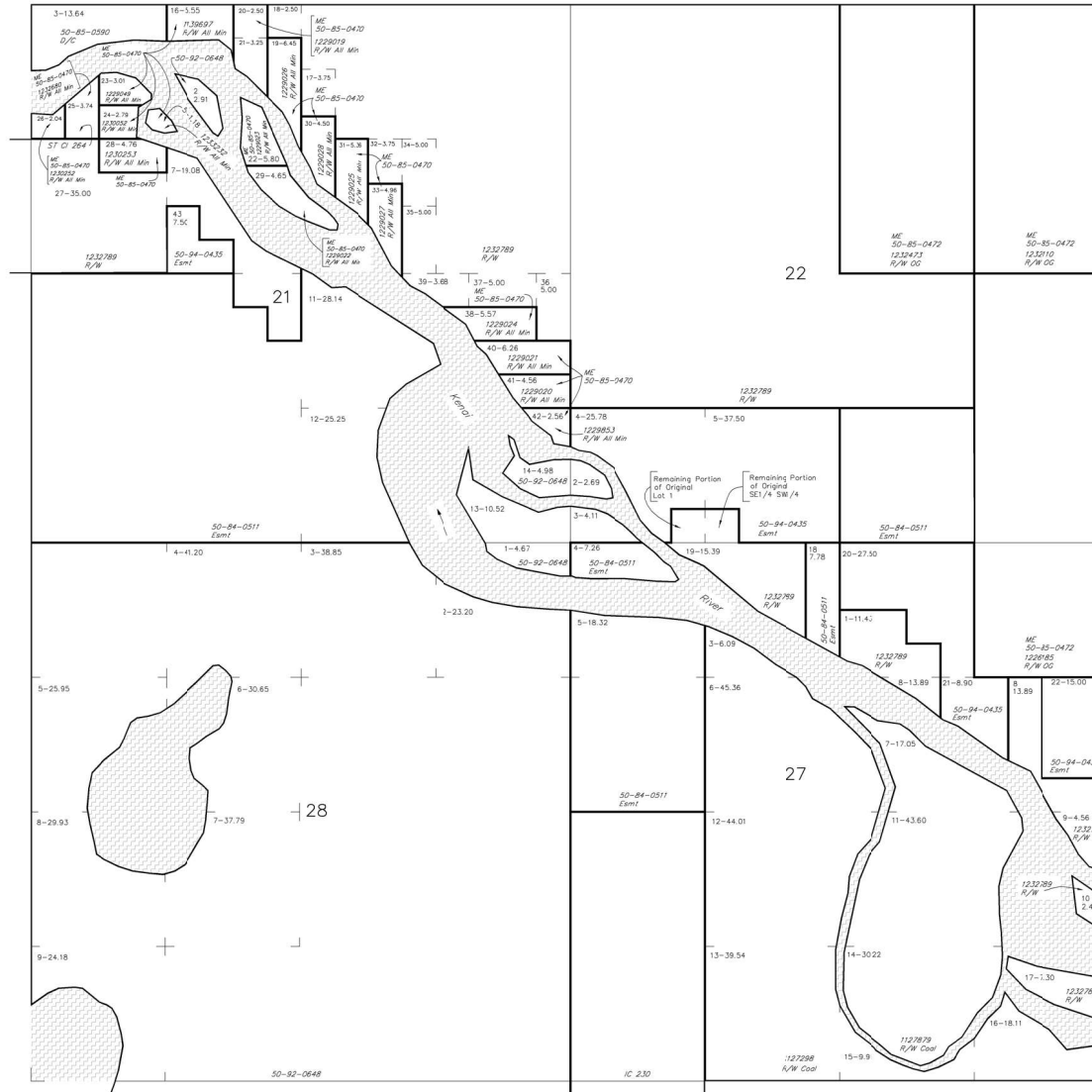
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP SUPPL SECS 21,22,27,28

NO. 3

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A058731 SS Reserved Min Estate Only



WARNING:
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only as a graphic display of the township survey data. Rec-
ords herein do not reflect title changes which may have been
effected by lateral movements of rivers or other bodies of water.
Refer to the cadastral surveys for official survey information.

CURRENT TO	NO. 3	
	Sew Mer	5 N
5-29-2019	T	8 W
	R	ACAD

SURVEYED TOWNSHIP 5 NORTH RANGE 8 WEST OF THE SEWARD MERIDIAN, ALASKA

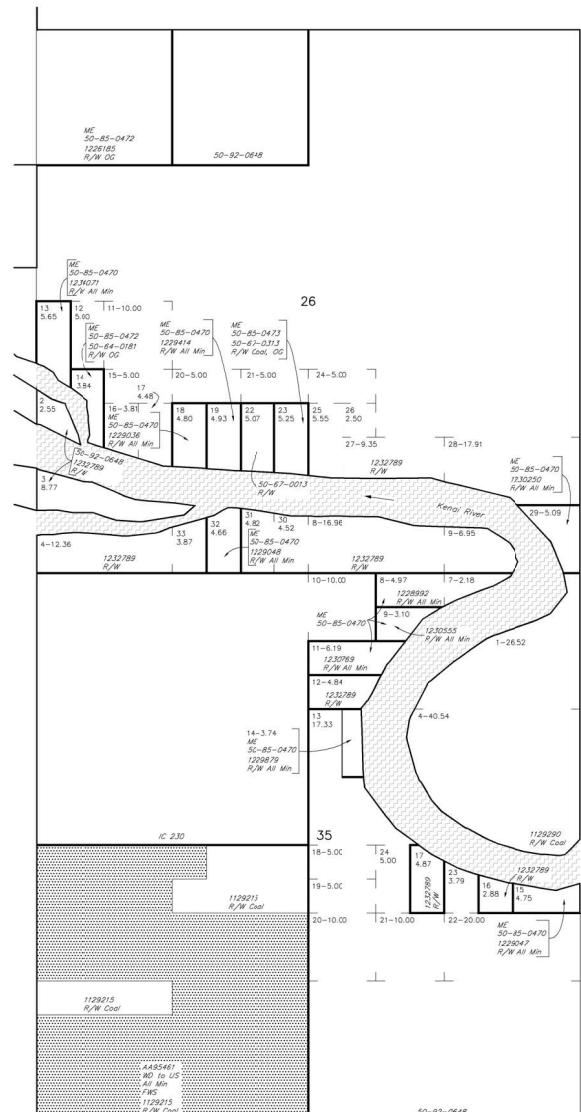
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MTP
SUPPL SEC 26, 35

NO 4

FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A058731 SS Reserved Min Estate Only



SCALE in chains

WARNING:
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CURRENT TO		Sew Mer	Acq NO 4	ACAD
4-16-2019		T 5 N		
		R 8 W		

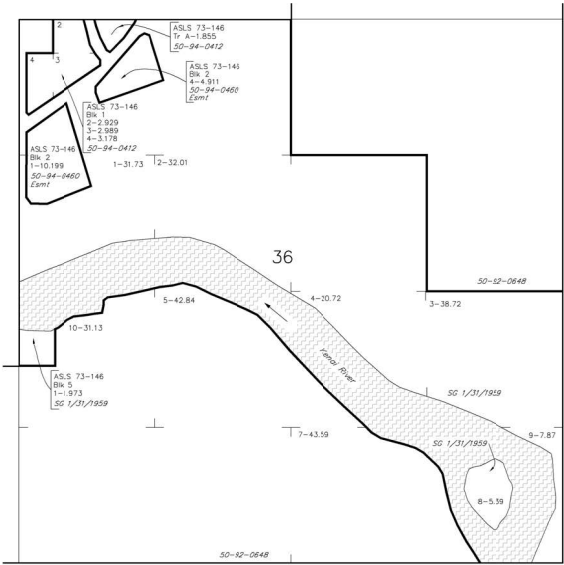
SURVEYED TOWNSHIP 5 NORTH, RANGE 8 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MTP
SUPPL SEC,36

NO 5
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-
IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION
MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES
REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

AG58731 SS Reserved Min Estate Only



CURRENT TO		NO 5
9-29-2015		Sew Mer
		T 5 N
		R 8 W
		ACAD

**CORPORATION
WARRANTY DEED**

THE GRANTOR, PEDERSEN'S RESORT, INC., S.R. Box 221, Sterling, Alaska 99672, for and in consideration of Sixty Three Thousand Five Hundred and No/100--- (\$63,500.00)---DOLLARS, in hand paid, conveys and warrants to the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, P.O. Box 196900, Anchorage, Alaska 99519-6900, the following described real estate, located in the State of Alaska to wit:

A portion of that portion of Government Lot Eight (8), Section 7, Township 5 North, Range 8 West, Seward Meridian, lying South of the Southerly line of the Sterling Highway, being in the Kenai Recording District, Third Judicial District, State of Alaska,

which lies within the right of way lines of Alaska Project No. IR-0A3-3(3)/56375 delineated as to said tract of land on the plat attached hereto and made a part hereof as pages 3 and 4 of this instrument and designated as:

Parcel No. 201

said parcel containing 0.650 acres, more or less, including existing right of way are hereby conveyed to the State of Alaska, Department of Transportation and Public Facilities.

Dated this 23 day of Nov 19 90.

ATTEST:

PEDERSEN'S RESORT, INC.

By:

K. Laurence John
K. LAURENCE JOHN, PRESIDENT

(Title)

Project No. IR-0A3-3(3)/56375

Parcel No. 201

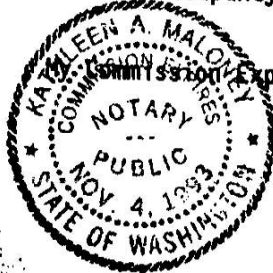
CORPORATE ACKNOWLEDGEMENT

BOOK **0376** PAGE **282**

STATE OF Washington }
Snohomish County } ss.

ON THIS 23 day of November, 1990, before me,
the undersigned, a Notary Public in and for the said State, personally
appeared K. Lawrence John and
respectively _____, President, and
Secretary of _____, a company known to me to be the
identical individuals who executed the foregoing instrument and they acknowledged
to me that they executed the same as the free and voluntary act of said company,
with full authority so to do and with full knowledge of its contents, for the
uses and purposes therein mentioned.

WITNESS MY HAND and official seal on the day and year in this Waiver of
Surface Occupancy and Non-development Agreement first above written.



Commission Expires: Nov. 4, 1993

Kathleen A. Maloney
Notary Public

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner,
hereby accepts for public purposes the real property, or interest therein,
described in this instrument and consents to the recordation thereof:

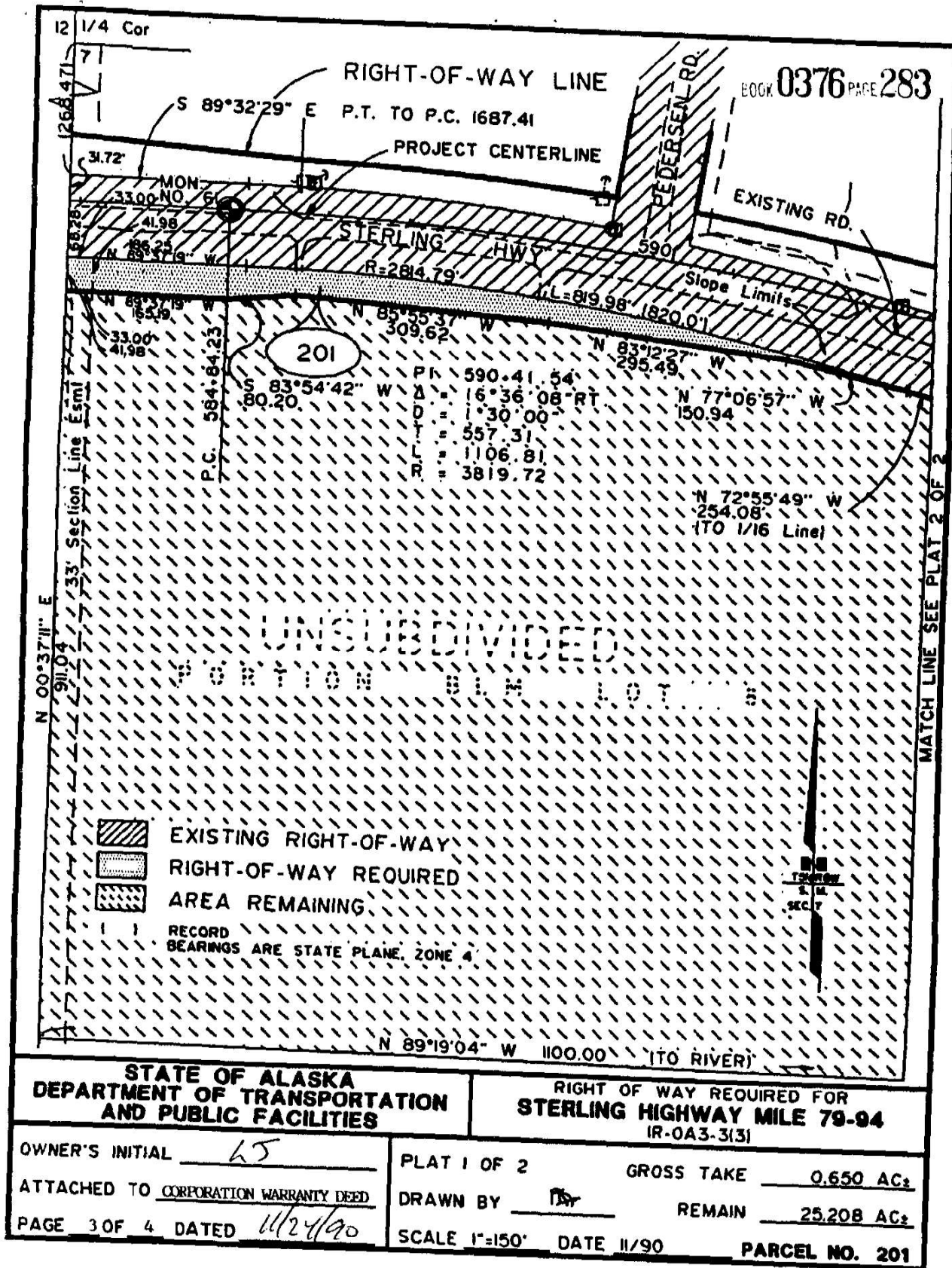
IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of
December, 1990.




RETURN TO:
STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
& PUBLIC FACILITIES
RIGHT OF WAY BRANCH
P.O. BOX 196900
ANCHORAGE, ALASKA 99519-0900

DEPARTMENT OF TRANSPORTATION
and PUBLIC FACILITIES

By: David M. Bradsley
For the Commissioner

STATE BUSINESS
NO RECORDING FEE

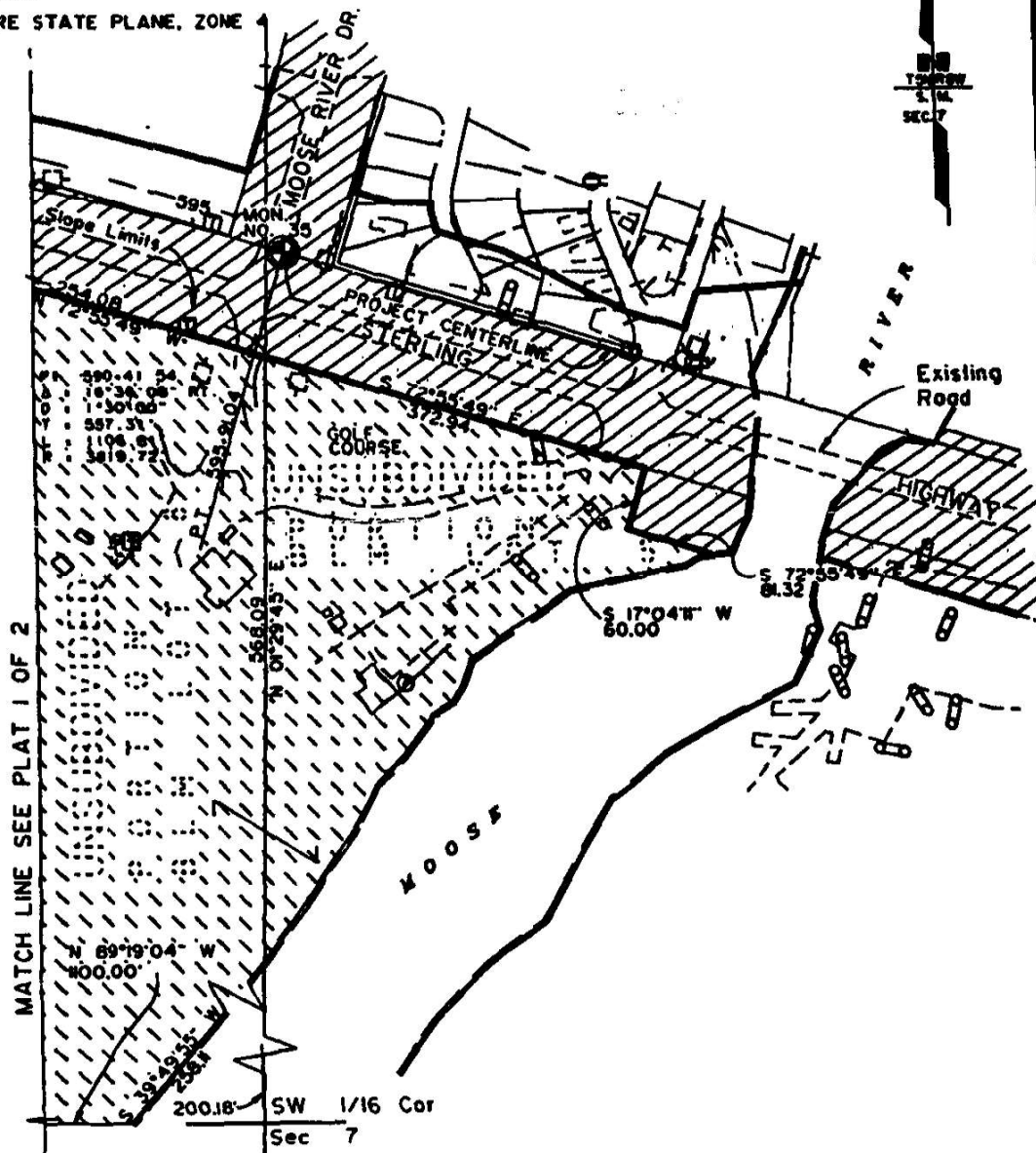


-  EXISTING RIGHT-OF-WAY
 RIGHT-OF-WAY REQUIRED
 AREA REMAINING

1 1 RECORD

BEARINGS ARE STATE PLANE, ZONE 4

BOOK 0376 PAGE 284



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

RIGHT OF WAY REQUIRED FOR
STERLING HIGHWAY MILE 79-94
IR-0A3-3(3)

OWNER'S INITIAL LS

PLAT 2 OF 2

GROSS TAKE 0.650 AC±

ATTACHED TO CORPORATION WARRANTY DEED

DRAWN BY Day

REMAIN 25.208 AC±

PAGE 4 OF 4 DATED 4/24/90

SCALE 1"=150' DATE 11/90

PARCEL NO. 201

91-0008

KENAI REC *NK*
DISTRICT
REQUESTED BY *DOT*

BOOK 0376 PAGE 285

'91 JAN 2 AM 11 25

SEGESSER SURVEYS, INC.

**30485 ROSLAND ST.
SOLDOTNA, AK 99669
PHONE (907) 262-3909
FAX (907) 262-3910
E-MAIL seggy@ptialaska .**



7-15-22

Dear planning,

I am requesting exceptions to the 3:1 depth to width ratio for Lots 2, 3 and 4 of The Great Alaska Fish Camp No. 2. Half of these lots are over the bluff and they each have enough developable area at the top of the bluff. Thank you.

John Segesser