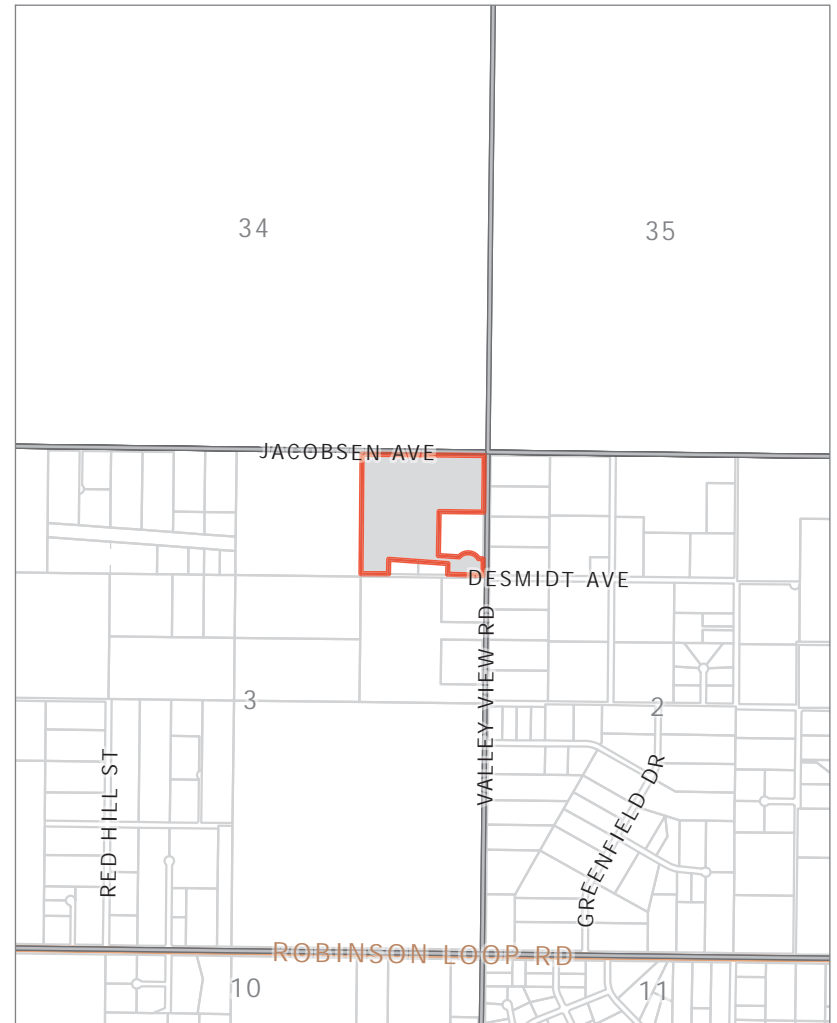


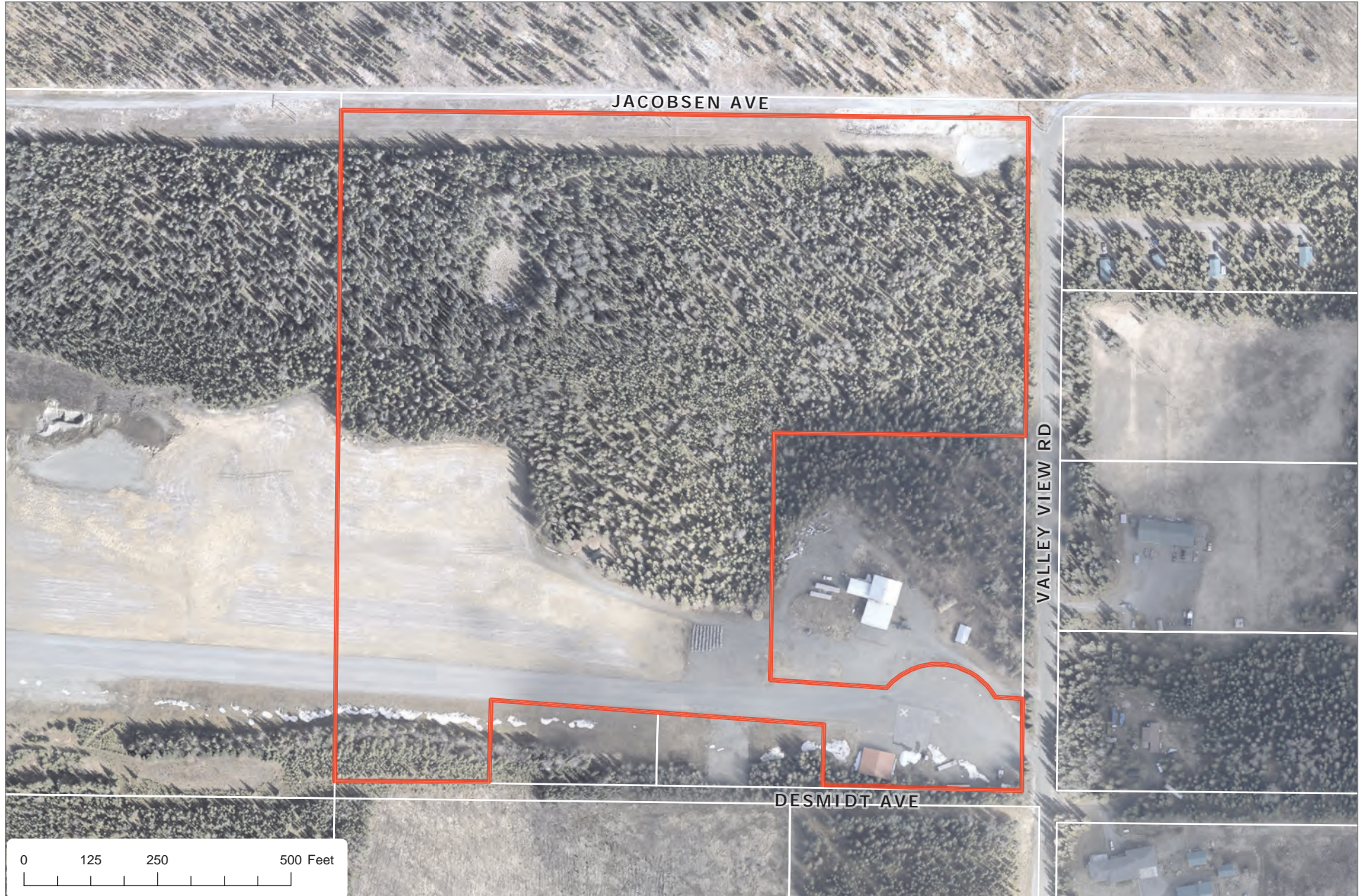
E. NEW BUSINESS

4. Whistlebait Estates Addition No. 3; KPB File 2026-023
Vector Surveying LLC Magnitude & Directions / Whistlebait LLC
Location: Jacobsen Ave, Valley View Rd & Desmidt Ave
Sterling Area

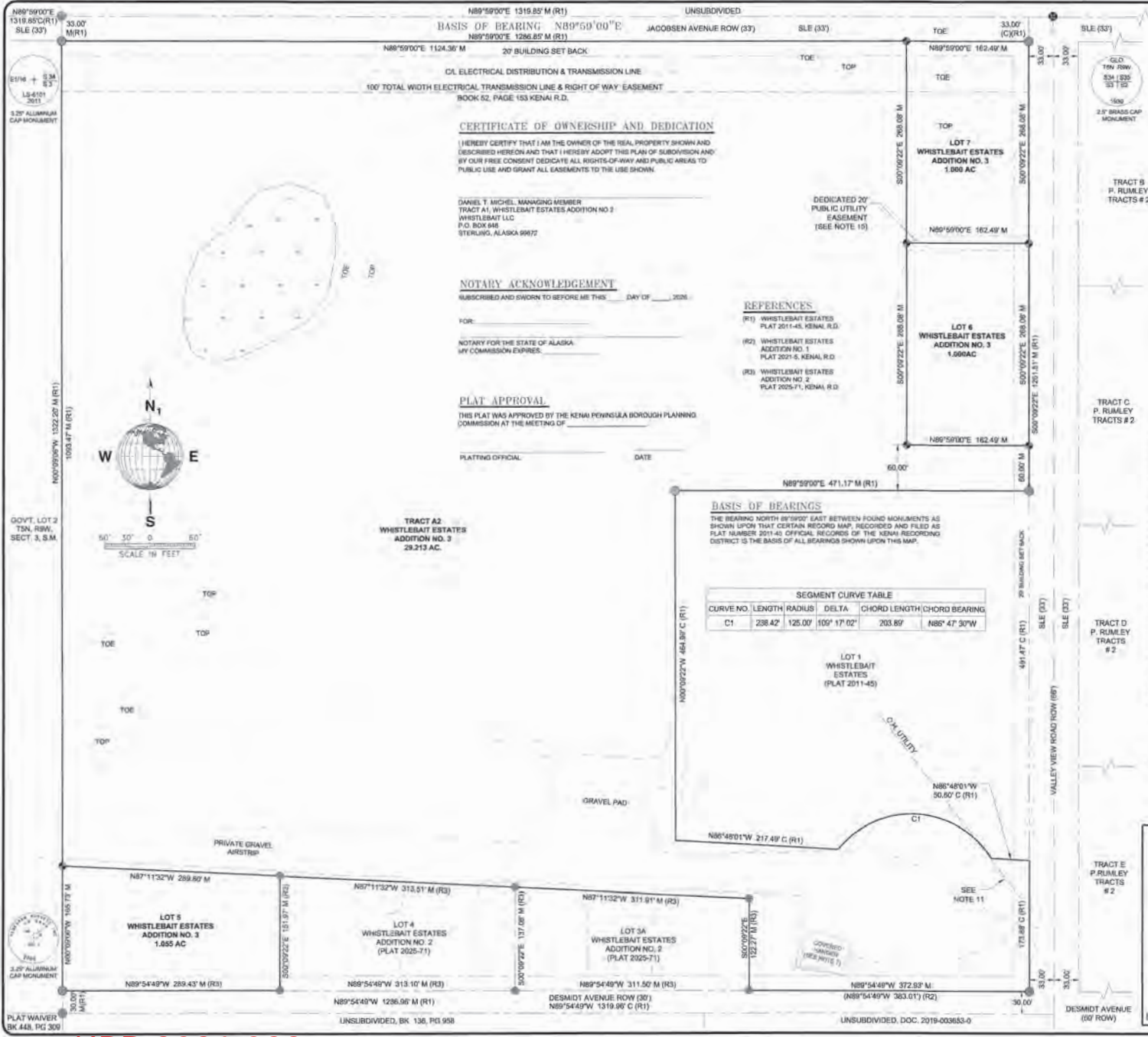


KPB File 2026-023
T05N R09W SEC03
Sterling

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.



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.



- LEGEND**
- FOUND GLO BRASS CAP SURVEY MONUMENT AS DETAILED
 - FOUND ALUMINUM CAP SURVEY MONUMENT AS DETAILED AND PER (R)
 - FOUND PLASTIC CAP SURVEY MONUMENT, LS #101, PER (R), 02/01/11
 - FOUND SIF REBAR, CAP MISSING, LS #101, PER (R), 02/01/11
 - SET 2" ALUMINUM CAP SURVEY MONUMENT ON SIF REBAR, LS 131102
 - PER NATIONAL WETLANDS INVENTORY, AREA MAY BE SUBJECT TO SEASONAL SURFACE WATER, NOT FIELD VERIFIED IN LIEU OF THIS RECORD.
 - MEASURED ACRES
 - CALCULATED DOC. DOCUMENT
 - REFERENCED RECORD MAP SLE SECTION LINE EASEMENT
 - RIGHT OF WAY 475' KENAI PENINSULA BOROUGH
 - BOUNDARY LINE/PROPERTY LINE
 - ADJACENT BOUNDARY LINE/PROPERTY LINE
 - REMOVED BOUNDARY/LOT LINE
 - 27' BUILDING SET BACK LINE
 - CENTER LINE OF RIGHT OF WAY
 - EASEMENT EXTENTS
 - TOP OR TOE OF SLOPE, AS NOTED

- NOTES**
- DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
 - THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:2000.
 - ALL BEARINGS SHOWN ARE TRUE BEARINGS ORIENTED TO THE BASIS OF BEARING.
 - AN EASEMENT FOR ELECTRICAL LINES OR SYSTEM AND TELEPHONE LINES GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., RECORDED AT BOOK 32, PAGE 153, KENAI RECORDING DISTRICT ALONG THE NORTH BOUNDARY OF TRACT A1 AND NOT TO EXCEED 100' IN CLEARING WIDTH, PER THE OPERATIVE EASEMENT DOCUMENT.
 - PLAT 2011-45, KENAI RECORDING DISTRICT GRANTS THE FRONT 10' OF THE 20' BUILDING SET BACK LINE AND 5' FEET OF THE SIDE LOT LINES AS UTILITY EASEMENTS. 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.
 - ANY PERSON DEVELOPING WITHIN THIS SUBDIVISION IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
 - VEHICULAR INGRESS AND EGRESS TO LOT 3, LOT 4, AND LOT 5 IS LIMITED TO DESMONT AVENUE.
 - WASTEWATER DISPOSAL: TRACT A2 IS GREATER THAN 20,000 SQUARE FEET OR NOMINAL 5 ACRES IN AREA 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: THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATTING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH ON APRIL 21, 2021. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
 - THE EXISTING OVERHEAD POWERLINE IS THE CENTERLINE OF A 30 FOOT WIDE ELECTRICAL EASEMENT INCLUDING POLES, GUYE, AND ANCHORS IS HEREBY GRANTED WITH THIS PLAT.
 - ACCEPTANCE OF THIS PLAT BY THE BOROUGH DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.
 - 20 FOOT TOTAL WIDTH PUBLIC UTILITY EASEMENT DEDICATED THIS PLAT, CENTERED UPON THE LOT LINE IN COMMON BETWEEN LOT 4 AND LOT 7.

SURVEYOR'S STATEMENT

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

DATE: _____ REGISTRATION NO. 131102

REVISED SUBMITTAL NO. 1

AARON T. BROWN, P.L.S., T.S.M.
REGISTERED LAND SURVEYOR

WHISTLEBAIT ESTATES ADDITION NO. 3

A SUBDIVISION OF TRACT A1, WHISTLEBAIT ESTATES ADDITION NO. 2, RECORDED AS PLAT 2025-71, OFFICIAL RECORDS OF THE KENAI PENINSULA BOROUGH AND RECORDED AT THE KENAI RECORDING DISTRICT

CREATING LOT 5, LOT 6, LOT 7 AND TRACT A2 CONTAINING 139,550 (20) SQUARE FEET OR 3.16 ACRES MORE OR LESS

LOCATED WITHIN THE NORTH EAST | NORTH EAST | SECTION 3, TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA

OWNER: WHISTLEBAIT, LLC
P.O. BOX 848
STERLING, AK 99712

SCALE: 1" = 60'

VECTOR SURVEYING LLC

LAND AND CONSTRUCTION SURVEYORS
P.O. BOX 156
SOLDOTNA, ALASKA 99682

KPB FILE 2026-023

ALASKA 2026

SHEET 1 OF 1

KPB 2026-023

AGENDA ITEM E. NEW BUSINESS

**ITEM #4 - PRELIMINARY PLAT
WHISTLEBAIT ESTATES NO 3**

KPB File No.	2026-023
Plat Committee Meeting:	April 13, 20226
Applicant / Owner:	Whistlebait LLC / Sterling Alaska
Surveyor:	Aaron Brown / Vector Surveying LLC
General Location:	Desmidt Ave & Valleyview Rd in Sterling

Parent Parcel No.:	063-043-79
Legal Description:	T 05N R 09W SEC 03 SEWARD MERIDIAN KN 2025071 WHISTLEBAIT ESTATES ADDN NO 2 TRACT A1
Assessing Use:	Accessory Building
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.30.240

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 30.269 acres tract into three new lots of size 1.055, 1.000 and 1.000 acres respectively and a tract of size 27.214 acres.

Location and Legal Access (existing and proposed):

Legal access to the plat is along Valley View Dr which has intersections with both Desmidt Ave on the south of the plat and Jacobsen Ave on the north of the plat. Valley View Dr. is a 60' dedication developed and maintained by the borough. Jacobsen Ave. is a 33' dedication that is developed and maintained by the borough. Desmidt Ave. is a 33' dedication no developed.

To get to Valley View Dr. you must exit the Sterling Highway at Swanson River Rd to Robinson Loop Rd, then to Valley View Rd.

This plat is not vacating any right-of-way or dedicating any new right-of-way.

There is a 33' section line easement along the north of the plat, south side of the section line that should be shown.

Block length is not compliant an exception was not requested. To become compliant a road needs to be ran along the west line of the plat dedicating 30 feet. This would be crossing the existing air strip that has been active for several years. The air strip has been shown on a plat in 1995. located to the west. Staff recommends the Plat Committee concur an exception is not needed at this time, but any further and more extensive development of Tract A2 in the future should consider a dedication along the west property line and Lot 5 should be reduced 30 feet to the east along the west line.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: No comments
SOA DOT ROW	
SOA DOT & PF	

Site Investigation:

There are no structures located on the area of proposed Lots 5, 6 & 7. There is a structure shown on proposed

Tract A2 that has been shown on the previous plats starting with Whistlebait Estates Addition No 1 KN 2021-5, the second plat completed on the property. It was noted as predating the setback line created on Whistlebait Estates KN2011-45. To clear up the issue staff has requested the applicant request an exception to KPB 20.30.240 building setbacks, which has been done for the structure continually shown. The surveyor has noted that the encroached portion is an overhang.

There are steep areas noted with TOP and TOE on the drawing. Staff recommends the surveyor add lines to connect the tops and toes to show a 'contour' line connection, and to note they indicate steep slopes over 20%.

Per the River Center review, the plat is located in a FEMA designated flood hazard area, Zone X-Unshaded. A plat note should be added with the Flood Hazard Notice as shown in KPB 20.30.280.D. no depiction is needed on the drawing though.

<p>KPB River Center review</p>	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Within non-regulatory X-Unshaded. No depiction. Plat note present.</p> <p>Flood Zone: X (unshaded) Map Panel: 02122C-0290F In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
<p>State of Alaska Fish and Game</p>	

Staff Analysis

The land was originally surveyed as Government Lot 1 in Section 3, Township 5 North, Range 9 West SM, Alaska. Whistlebait Estates KN2011-45 was the first subdivision of the land. Whistlebait Estates Addition No. 1 KN 2021-5 split one lot out of the larger tract previously created. Whistlebait Estates Addition No 2 KN205-71 reconfigured Lot 3 into 3A and a new lot 4 and Tract A1. This platting action will create three new lots and a remaining tract.

A soils report will be required and an engineer will sign the final plat as lots 5, 6 and 7 are below 200,000 sq ft. Previous report did not cover the area of the new lots and anew soils report covering these area will need to be submitted.

A soils report will not be required for Tract A2 as it is above 200,000 sq ft.

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.

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

Utility Easements

All utility easements of record appear to be shown.

The plat is not vacating any easements, none need to be shown.

As part of our routine notification process, the subdivision plat was emailed to the affected utility providers for review. **Staff recommends:** the surveyor work with the utility providers to accommodate their request, ensuring optimal use of the owner’s land and maximum benefit for both the provider and the public.

No easements were recommended by the utility providers

Utility provider review:

HEA	No comment
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	<p>Reviewer: Pace, Rhealyn Affected Addresses: None</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: Desmidt Ave, Valley View Rd, Jacobsen Ave</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: No other comments</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.</p> <p>Conditional Land Use Permit CLUP Resolution Number: 2016-23 CLUP Approval Date: 7/18/2016 Material Site Comments: There is an existing material site, MS2016-006, PID: 063-043-41, that is west of the subject parcel and adjacent.</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

All corners of Tract A1 /A2 should be found or set, being the involved tract of this subdivision
Plat should be updated to current surveyed (measured) data.
Area of Tract A2 is off by 2.00 acres, should be 27.214 acres.
Add the date of April 13, 2026 to the Plat Approval.
Plat notes – Plat note 7 is missing, either use or renumber.
Darken the outer boundary of the plat lines or lighten the interior lot lines of the new lots to be distinguishable of the two types.

KPB 20.25.070 – Form and contents required

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

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

Staff recommendation:

Add KPB File no 2026-023 to title block

- 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:

Add section line easement on north side of plat, south side of section line

- 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 east the lot labels need to have KN2007-31 replace P. Rumley Tracts #2

- 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:

Low spot shown, designated as Depression by KWF Wetlands Assessment

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.*

EXCEPTIONS REQUESTED:

A. KPB 20.30.240 Building setbacks / KPB 20.10.110 Building setback encroachment permits

Surveyor's Discussion:

SEE SUBMITTED REQUEST IN PACKET

Surveyor's Findings:

SEE SUBMITTED JUSTIFICATIONS IN PACKET

Staff Discussion:

20.30.240. - Building setbacks.

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

20.10.110. - Building setback encroachment permits.

A. Unless otherwise regulated by city zoning ordinances of properties within its boundaries, any person desiring to construct, or cause, an encroachment within a building setback shall apply for a building setback encroachment permit to the planning department. Failure to obtain an encroachment permit is subject to remedies set forth in KPB 20.10.030.

Staff Findings:

10. Per KPB 20.90 Definitions

"**Permanent structures**" for purposes of the building setback shall mean anything of a permanent nature that requires footings, foundations or pilings. Improvements of a minor nature that do not interfere with the sight distance from the right-of-way are allowed. Examples of allowable improvements are well casings, low retaining walls, vent pipes, individual mailboxes, address sign posts and transparent fencing such as metal chain link.

"**Building setback**" is the area of the lot where permanent structures are not allowed. The purpose of the setback is to promote safe public access, areas for emergency response, and traffic sight distance.

11. The encroachment shown is a 1.3' portion of a ~2.5' overhang. Photos from surveyor in packet.

12. The foundation portion of the structure sits at 21.2' of the property line and 1.2' back from the 20' setback line.

13. Whistlebait Estates KN2011-45 created the 20' building setback line originally, the following two subdivisions

14. Height of a Connex container starts a 8.5 feet, next size is 9.5 feet

If the Committee determines the petitioner **has not** met the burden of proving by substantial evidence that each of the Standards is met, the Committee should deny the exception request, and it should explain its reasons.

If the Committee determines the petitioner **has** met the burden of proving by substantial evidence that each of the Standards is met, the Committee should identify the findings of fact, based upon substantial evidence from the record, which includes this Staff Report, it determines are applicable to the Standards, and incorporate the following conditions for final approval:

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements

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

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

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

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



February 26th, 2026

Kenai Peninsula Borough
Planning Department
144 North Binkley Street
Soldotna, Alaska 99669

**Project: Revised Preliminary Plat - Whistlebait Estates Addition No. 3
Creating Lot 5, Lot 6, Lot 7 and Tract A2 (Parent Parcel - Tract A1, Plat 2025-71)
& Exception request to 20.10.110**

Enclosed is an application to replat Tract A1, Whistlebait Estates Addition No. 2 (Plat 2025-71, Kenai Recording District) creating Lot 5, Lot 6, Lot 7, and Tract A2, Whistlebait Estates Addition No. 3.

Lot 5 is proposed to have legal and physical access from Desimit Avenue, a 33-foot fee-simple right-of-way previously dedicated to the Kenai Peninsula Borough by Whistlebait LLC (Daniel Michel, Owner). Desimit Avenue is improved with a newly constructed gravel residential road approximately 24 feet in width, geotextile fabric over existing ground with a gravel base course and \pm 3:1 cut slopes from the shoulder to the toe of fill. The newly constructed roadway is along a straight tangent without horizontal curvature. Proposed Lot 6, Lot 7 and Tract A2 are proposed to have access from Valley View Road.

Request for Exception – KPB 20.10.110 – Building setback Encroachment Permit

A unique circumstance affecting the subject property has been previously documented on Whistlebait Estates Addition No. 1, Tract A being an existing covered aircraft hangar/garage structure exists on Tract A1 consisting of a truss-roof system supported by two full-size connex containers with open ends to the north and south.

A recent field survey detailed the southeast corner of the roof overhang extends 1.3 feet into the 20-foot setback from Desimit Avenue Right of Way Line in common with the South Boundary Line of Tract A1. The connex containers themselves—the structural supports—are entirely outside of the 20’ building set back.

Because Desimit Avenue was dedicated to the Borough through a specific request of the KPB Planning Department at the time of Whistlebait Estates Addition No. 1, and because the roof overhang is limited to airspace only, it is respectfully requested that an exception to KPB 20.10.110 be granted, and application and associated fee be waived.

Technical Basis for Exception

1. Compliance with KPB 20.30.110 – Setbacks and Safety

The 20’ building setback encroachment consists solely of roof overhang, not structural support, and does not interfere with roadway function, maintenance, or safety as detailed:

Clear Zone Analysis

Using the Alaska DOT&PF Highway Preconstruction Manual (Effective Oct. 1, 2019), Table 1130-2, the applicable clear zone criteria are:

- Design speed: \leq 40 mph
- ADT: $<$ 750
- Cut slope: 3:1

February 26th, 2026

The required clear zone distance is 7–10 feet.

Measured conditions:

- Distance from the 20-foot setback line to the south boundary of Tract A1: 20 feet
- The gravel road is constructed entirely within the Desimit Avenue ROW
- The roof overhang encroaches 1.3 feet into the setback, not into the ROW

Conclusion: The roof overhang remains well outside the required clear zone, at nearly double the minimum distance required by ADOT&PF standards. There is no safety impact to the traveling public.

2. Sight Distance and Driveway Safety

Desimit Avenue currently provides access to two existing lots, each with a single driveway. No additional access points have been constructed as of February 14, 2026.

The roadway is a straight tangent section with no horizontal curves.

Per Alaska Highway Preconstruction Manual, Figure 1160-8, a 25 mph residential road requires:

- 155 feet of sight distance in both directions

Field conditions exceed this requirement. The roof overhang does not obstruct sight distance, driver visibility, or driveway safety.

Conclusion

1.3-feet of an existing roof is overhanging into the 20' building set back from Desmit Avenue Right of Way Boundary and;

- Is non-structural and limited to airspace
- Is entirely outside of clear zone (ADOT preconstruction manual)
- Does not impact roadway safety, maintenance, or sight distance (ADOT preconstruction manual)
- Occurs within the 20' building set back, due to a right-of-way dedicated at the KPB's request
- Represents a pre-existing condition documented on prior plats (2011-45, 2021-5, 2025-71)

Given these unique circumstances, an exception of KPB 20.10.110(A) – Building set back encroachment permit is hereby requested.

Aaron T. Brown

Aaron T. Brown, PLS, PSM, FAA sUAS Pilot

Attachments:

1. Whistlebait Estates Addition No. 3 – Signed Application
2. Whistlebait Estates Addition No. 3 – Full size 36x24 plot
3. Whistlebait Estates Addition No. 3 – 11x17 prints of the 36x24
4. First American Title Order No. 4349685 (emailed to Jennifer Sather on 02/24/2026)
5. Preliminary Subdivision Application Fee (\$400) provided to KPB on 02/16/2026

From: [Aaron Brown](#)
To: [Simons, Sandee](#)
Subject: <EXTERNAL-SENDER>Prelim Plat Whistlebait Estates Addition No. 3
Date: Thursday, February 26, 2026 3:53:00 PM
Attachments: [ATT00001.png](#)

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.

Sandee,

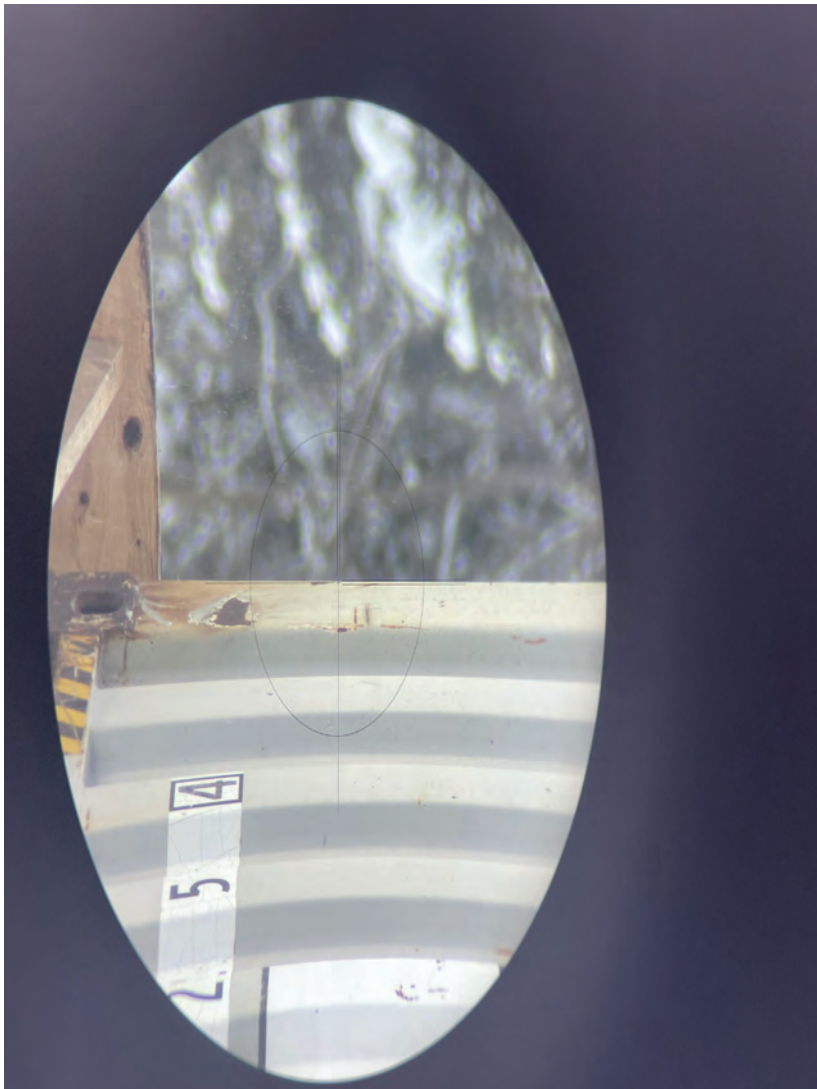
Thank you for assisting me today at the KPB Planning Department. Per our conversation you will find field photos detailing the Southeast roof corner which is into the 20' set back by 1.3' and the Southeast connex corner of the Eastern most connex which is 1.2' outside of the building set back.

The data collector field photos detail the offset from the property line, Ie 18.7' and 21.2'

The connex dimensions are +/- (8' x 45') the 8.0' section spans easterly-westerly; there are two connexes, and the roof dimension is +/- (34.2' x 48.6') the 34.2' span is easterly-westerly.

The CTP from First American Title and email to Jennifer Sather to follow.

Aaron











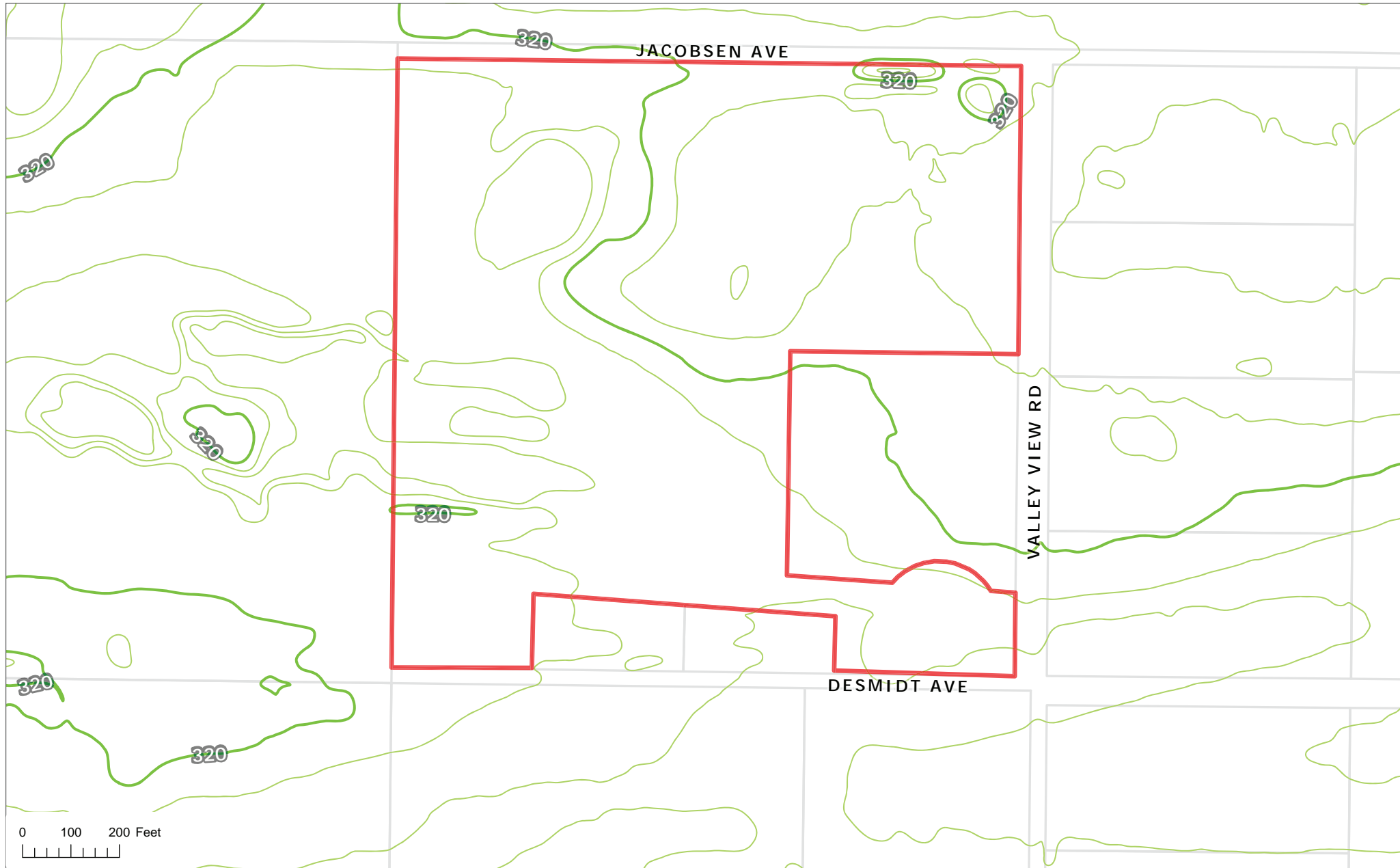
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VECTOR
SURVEYING LLC

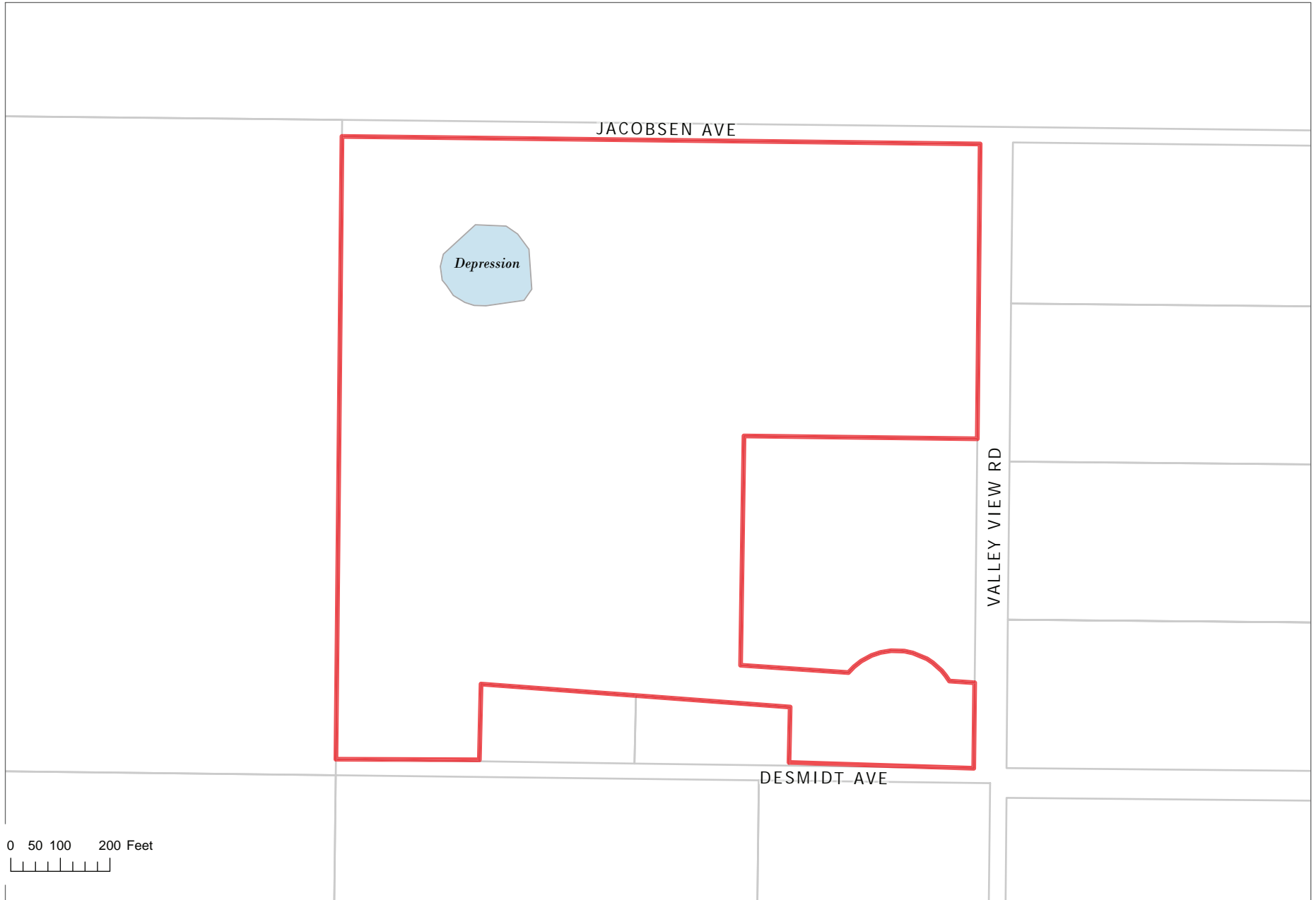
Aaron T. Brown, AK PLS & WA PLS
MS, FAA sUAS Pilot
(907) 519-4553
www.vectorsurveyingllc.com

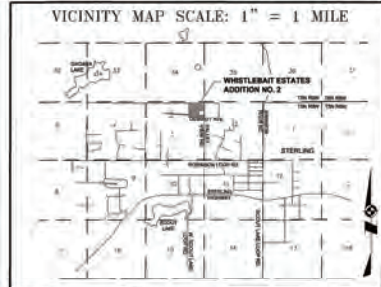
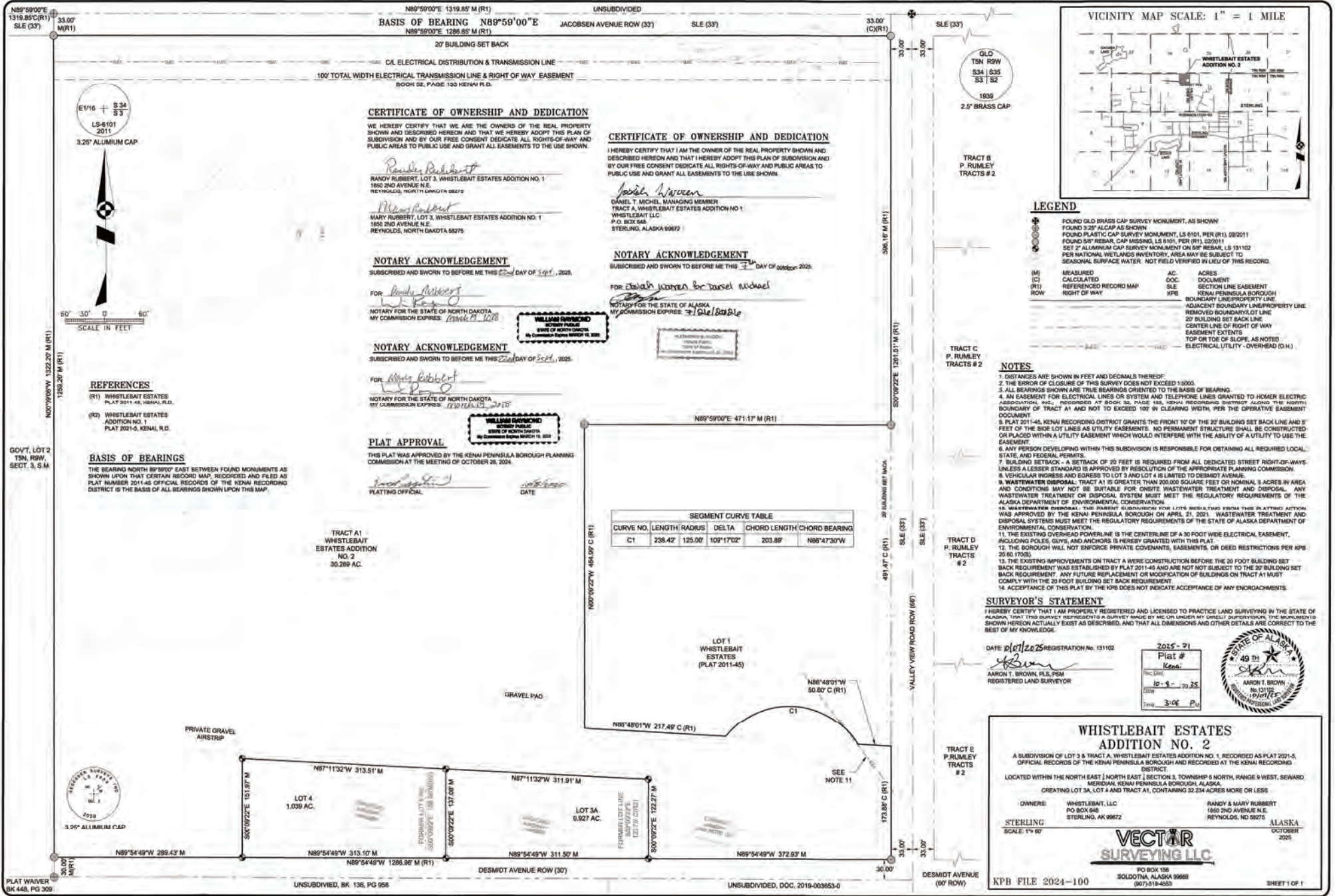


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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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.

Randy Rubeert
 RANDY RUBEERT, LOT 3, WHISTLEBAIT ESTATES ADDITION NO. 1
 1850 2ND AVENUE N.E.
 REYNOLDS, NORTH DAKOTA 58775

Mary Rubeert
 MARY RUBEERT, LOT 3, WHISTLEBAIT ESTATES ADDITION NO. 1
 1850 2ND AVENUE N.E.
 REYNOLDS, NORTH DAKOTA 58775

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I 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.

Daniel T. Michel
 DANIEL T. MICHEL, MANAGING MEMBER
 TRACT A, WHISTLEBAIT ESTATES ADDITION NO. 1
 WHISTLEBAIT, LLC
 P.O. BOX 648
 STERLING, ALASKA 99772

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22nd DAY OF Sept., 2025.

FOR *Randy Rubeert*
 RANDY RUBEERT
 NOTARY FOR THE STATE OF NORTH DAKOTA
 MY COMMISSION EXPIRES: March 19, 2028

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21st DAY OF October, 2025.

FOR *Daniel T. Michel*
 DANIEL T. MICHEL
 NOTARY FOR THE STATE OF ALASKA
 MY COMMISSION EXPIRES: 31/01/2028

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 22nd DAY OF Sept., 2025.

FOR *Mary Rubeert*
 MARY RUBEERT
 NOTARY FOR THE STATE OF NORTH DAKOTA
 MY COMMISSION EXPIRES: March 19, 2028

NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21st DAY OF October, 2025.

FOR *Daniel T. Michel*
 DANIEL T. MICHEL
 NOTARY FOR THE STATE OF ALASKA
 MY COMMISSION EXPIRES: 31/01/2028

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 28, 2025.

[Signature]
 PLANNING OFFICIAL

[Signature]
 DATE

LEGEND

(M)	MEASURED	AC	ACRES
(C)	CALCULATED	DOC	DOCUMENT
(R1)	REFERENCED RECORD MAP	SLE	SECTION LINE EASEMENT
ROW	RIGHT OF WAY	KPB	BOUNDARY LINE/PROPERTY LINE

FOUND GLO BRASS CAP SURVEY MONUMENT, AS SHOWN
 FOUND 3.25" ALUMINUM CAP SURVEY MONUMENT, LS 6101, PER (R1), 02/2011
 FOUND 5/8" REBAR, CAP MISSING, LS 6101, PER (R1), 02/2011
 SET 2" ALUMINUM CAP SURVEY MONUMENT ON 5/8" REBAR, LS 13102
 PER NATIONAL WETLANDS INVENTORY, AREA MAY BE SUBJECT TO
 SEASONAL SURFACE WATER. NOT FIELD VERIFIED IN UELV OF THIS RECORD.

FOUND 2.5" BRASS CAP SURVEY MONUMENT, AS SHOWN
 FOUND PLASTIC CAP SURVEY MONUMENT, LS 6101, PER (R1), 02/2011
 FOUND 5/8" REBAR, CAP MISSING, LS 6101, PER (R1), 02/2011
 SET 2" ALUMINUM CAP SURVEY MONUMENT ON 5/8" REBAR, LS 13102
 PER NATIONAL WETLANDS INVENTORY, AREA MAY BE SUBJECT TO
 SEASONAL SURFACE WATER. NOT FIELD VERIFIED IN UELV OF THIS RECORD.

- NOTES**
- DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.
 - THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1/1000.
 - ALL BEARINGS SHOWN ARE TRUE BEARINGS ORIENTED TO THE BASIS OF BEARING.
 - AN EASEMENT FOR ELECTRICAL LINES OR SYSTEM AND TELEPHONE LINES GRANTED TO HOMER ELECTRIC ASSOCIATION, INC.; RECORDED AT BOOK 30, PAGE 145, KENAI RECORDING DISTRICT ALONG THE NORTH BOUNDARY OF TRACT A1 AND NOT TO EXCEED 100' IN CLEARING WIDTH PER THE OPERATIVE EASEMENT DOCUMENT.
 - PLAT 2011-45, KENAI RECORDING DISTRICT GRANTS THE FRONT 10' OF THE 20' BUILDING SET BACK LINE AND 5' FEET OF THE SIDE LOT LINES AS UTILITY EASEMENTS. 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.
 - ANY PERSON DEVELOPING WITHIN THIS SUBDIVISION IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
 - BUILDING SETBACK - A SETBACK OF 20 FEET IS REQUIRED FROM ALL DEDICATED STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
 - VEHICULAR INGRESS AND EGRESS TO LOT 3 AND LOT 4 IS LIMITED TO DESMOT AVENUE.
 - WASTEWATER DISPOSAL: TRACT A1 IS GREATER THAN 200,000 SQUARE FEET OR NOMINAL 3 ACRES IN AREA 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: THE EXISTING UNDERGROUND PIPE LOTS DESMOT THIS AREA THIS PLANNING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH ON APRIL 21, 2021. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
 - THE EXISTING OVERHEAD POWERLINE IS THE CENTERLINE OF A 30 FOOT WIDE ELECTRICAL EASEMENT, INCLUDING POLES, GUY, AND ANCHORS IS HEREBY GRANTED WITH THIS PLAT.
 - THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KRS 20.60.17005.
 - THE EXISTING IMPROVEMENTS ON TRACT A WERE CONSTRUCTION BEFORE THE 20 FOOT BUILDING SET BACK REQUIREMENT WAS ESTABLISHED BY PLAT 2011-45 AND ARE NOT NOT SUBJECT TO THE 20 FOOT BUILDING SET BACK REQUIREMENT. ANY FUTURE REPLACEMENT OR MODIFICATION OF BUILDINGS ON TRACT A1 MUST COMPLY WITH THE 20 FOOT BUILDING SET BACK REQUIREMENT.
 - ACCEPTANCE OF THIS PLAT BY THE KPB DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.

SURVEYOR'S STATEMENT

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

DATE: *10/22/25* REGISTRATION NO. 131102

[Signature]
 AARON L. BROWN, P.L.S., P.S.M.
 REGISTERED LAND SURVEYOR

2025-21
 Plat #
 Kenai
 10-9-2025
 Time: 3:00 P.M.

STATE OF ALASKA
 49th
 AARON L. BROWN
 No. 131102
 10/21/25
 REGISTERED PROFESSIONAL LAND SURVEYOR

WHISTLEBAIT ESTATES ADDITION NO. 2

A SUBDIVISION OF LOT 3 & TRACT A, WHISTLEBAIT ESTATES ADDITION NO. 1, RECORDED AS PLAT 2011-45, OFFICIAL RECORDS OF THE KENAI PENINSULA BOROUGH AND RECORDED AT THE KENAI RECORDING DISTRICT.

LOCATED WITHIN THE NORTH EAST | NORTH EAST | SECTION 3, TOWNSHIP 2 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA.

CREATING LOT 3A, LOT 4 AND TRACT A1, CONTAINING 32.25+ ACRES MORE OR LESS

OWNERS: WHISTLEBAIT, LLC
 PO BOX 648
 STERLING, AK 99772

RANDY & MARY RUBEERT
 1850 2ND AVENUE N.E.
 REYNOLDS, ND 58775

STERLING
 SCALE: 1" = 60'

VECTOR SURVEYING LLC

ALASKA
 OCTOBER
 2025

P.O. BOX 156
 SLODUTNA, ALASKA 99668
 (907) 519-4553

KPB FILE 2024-100

SHEET 1 OF 1



CERTIFICATE OF TAX DEPARTMENT

I, Nolan Scarlett, Property Tax and Collections Manager for the Kenai Peninsula Borough, do hereby certify that all real property taxes levied by the Kenai Peninsula Borough through December 31, 2024 have been paid for the area(s) described as:

Subdivision: Whistlebait Estates Addition No. 2

Parcel # 06304377

T 05N R 09W SEC 03 Seward Meridian KN 2021005 WHISTLEBAIT ESTATES ADDN NO 1 TRACT A

Parcel # 06304378

T 05N R 09W SEC 03 Seward Meridian KN 2021005 WHISTLEBAIT ESTATES ADDN NO 1 LOT 3

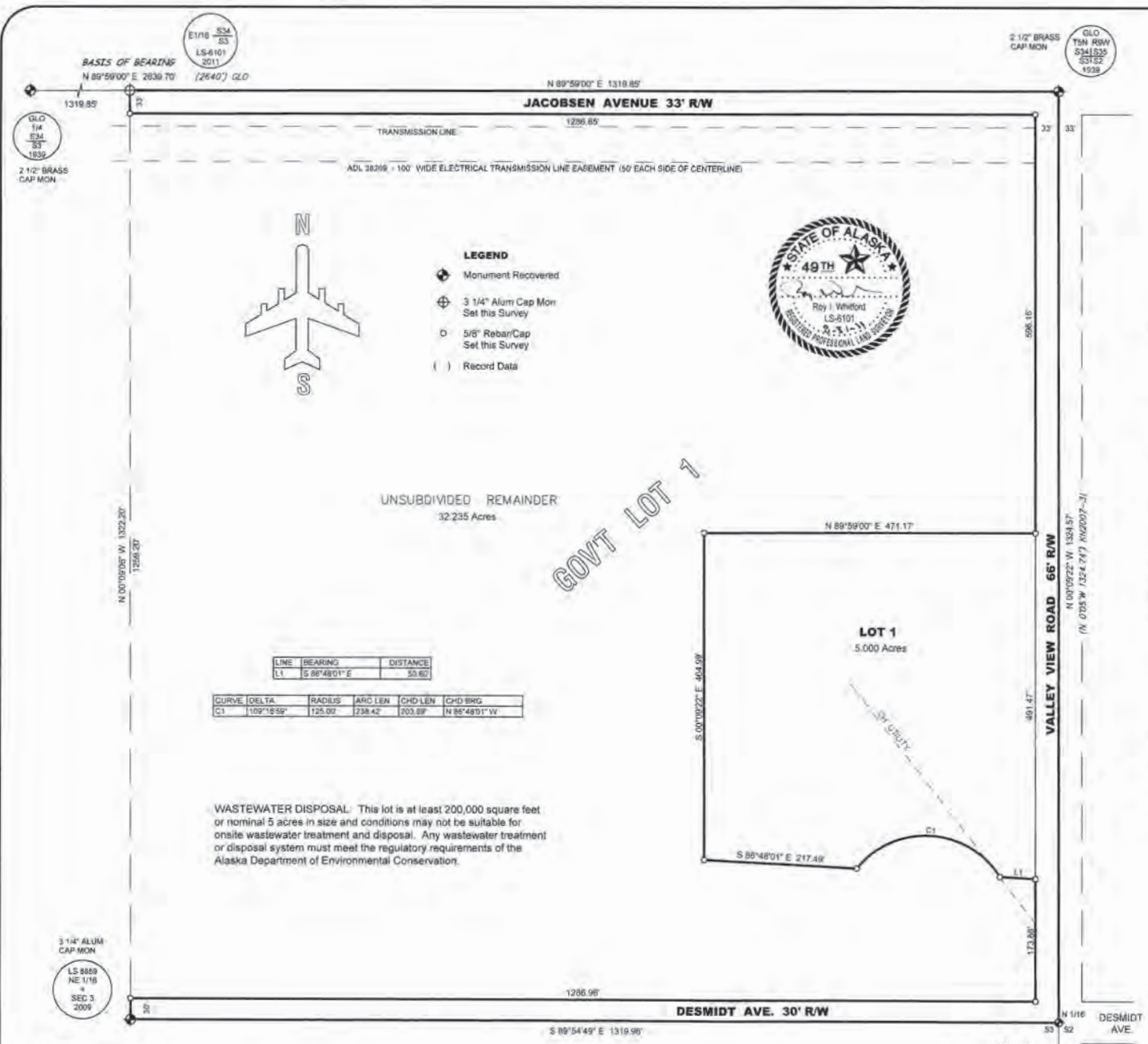
Effective January 1, 2025, estimated taxes of \$7312.88 were paid on the above property(s). However, if the estimated taxes are less than the actual amounts levied on July 1, 2025, the difference is a lien against the property(s) until paid.

Witness my hand and seal this 5th day of May, 2025.

Nolan Scarlett

Nolan Scarlett

Property Tax and Collections Manager



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

Daniel T. Michel
 DANIEL T. MICHEL
 WHISTLEBAIT, LLC
 PO BOX 648 STERLING, AK 99672

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 31st day of August 2011.

For *Daniel T. Michel*
Shari A. Whitford
 Notary Public for Alaska
 My Commission Expires 6-14-14



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of JUNE 13, 2011

KENAI PENINSULA BOROUGH
 By *Paul B. Joeller*
 Authorized Official

2011-45
 RECORDED
Kenai RECORDING DIST.
 DATE 9/7 2011
 TIME 10:00 A M
 REQUESTED BY:
 WHITFORD SURVEYING

KENAI RECORDING DISTRICT

WhistleBait Estates

A SUBDIVISION OF A PORTION OF GOVT LOT 1
 LOCATED WITHIN THE NE1/4 NE1/4 SEC. 3, T5N, R9W, S4M, AK.
 KENAI PENINSULA BOROUGH
 7.955 Acres

WHITFORD SURVEYING
 PO BOX 4032 - SOLDOTNA, AK 99669
 (907) 260-9092

SURVEYED: 2/2011 SCALE: 1" = 100'
 KPB FILE NO: 2011-015 DWG FILE: WhistleBait.dwg

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.

The 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.

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.