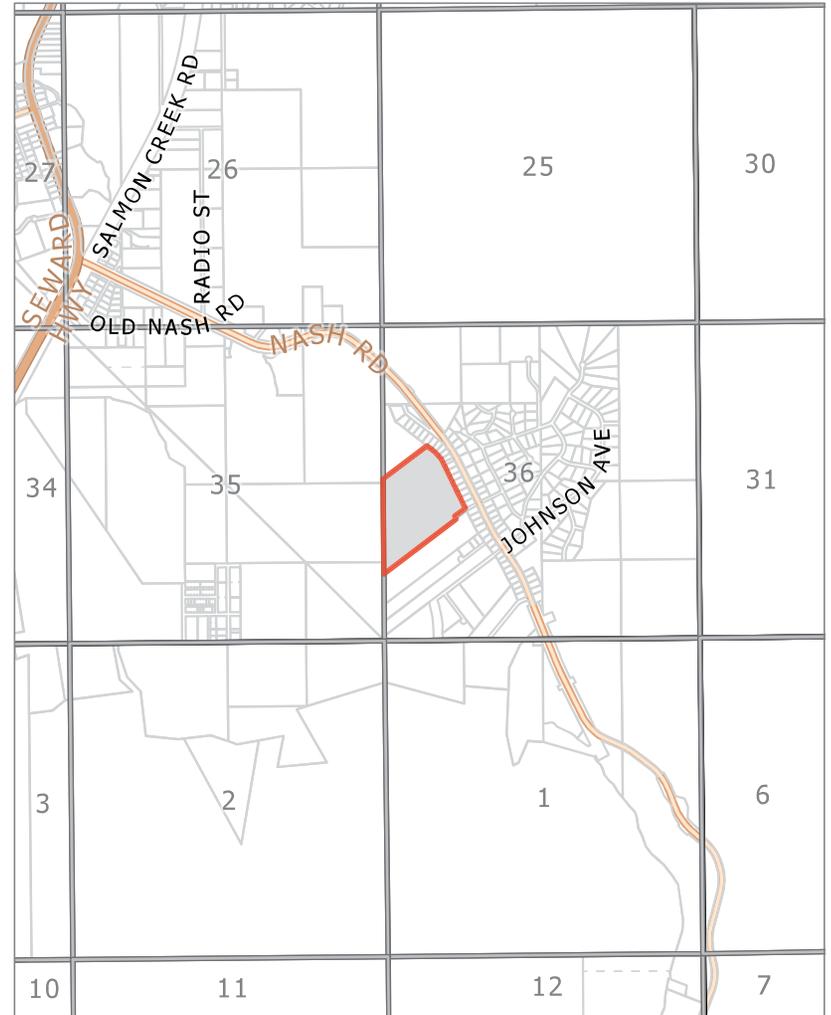


E. NEW BUSINESS

- 1. Harbor View Estates Wilder Addition**
KPB File 2025-125
Lang & Associates / Wilder
Locations: Bayshore Drive
Bear Creek Area



KPB File 2025-125
T 01N R 01W S36
Bear Creek

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.



Aerial 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.

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT
HARBOR VIEW ESTATES WILDER ADDITION**

KPB File No.	2025-125
Plat Committee Meeting:	December 8, 2025
Applicant / Owner:	Julie and Andrew J. Wilder of Seward, Alaska
Surveyor:	Kenneth G. Lang, Lang & Associates, Inc.
General Location:	Bayshore Drive off Nash Road, Bear Creek Area

Parent Parcel No.:	145-210-05
Legal Description:	T 1N R 1W SEC 36 SEWARD MERIDIAN SW 0970026 HARBOR VIEW ESTATES TRACT A-1
Assessing Use:	Accessory Building
Zoning:	Rural Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	20.30.030

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 39.8-acre parcel into five lots and a tract ranging in size from 41,159 square feet (0.945 acres) to .945-acres to 1.79-acres. and the tract of

The proposed plat will subdivide a 39.783-acre parcel into Five lots ranging in size from 0.945-acres (41,159 square feet) to 1.792-acres (78,081 square feet), one Tract, and dedicates Bayshore Circle.

Location and Legal Access (existing and proposed):

The location of the proposed plat is off Nash Road, Bear Creek Area. Access to the plat is by Bayshore Dr, a 50 foot dedication, coming off of Nash Road. Nash Rd is a state maintained road of 60 feet width. **Staff recommends** the surveyor check the depiction of Bayshore Dr as it comes behind Lots 58 & 59. Harbor View Estates SW97-26 in the 'detail' shows a 50' full width parallel to the south line of the plat creating a job of 0.94 feet between the pins on the east line of the plat in right -of-way of Bayshore Dr between the plats.

The plat is proposing additional right-of-way dedication of 60 feet wide for a cul-de-sac of Bayshore Cir turning northerly at the end of Bayshore Dr.

Driftwood Dr north of the lots in the plat and entering into Tract A is a 60 foot dedication. The surveyor has requested an exception the extend Driftwood Dr into the plat per KPB 20.30.030 Street Layout to be discussed later in the staff report.

KPB documents reference a Homestead Patent (652540) indicating no section line easements exist on the section line abutting the subdivision. **Staff recommends** the surveyor confirm this information. If agreed upon, request the title company to modify item #11 on the final CTP and add a note that no section line exist on the west line of this per available information.

KPB Roads Dept RSA review	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: Lot 1 southern property line should be adjusted to give the full 60 ROW required.
SOA DOT comments	No objection to the proposed plat Is the Bayshore Dr. approach up to DOT&PF current standards?

	Please contact DOT&PF's ROW division at 1-800-770-5263 to speak with a regional permit officer If you have any questions. Reviewer: Romorenzo Marasigan, Transportation Planner, DOT&PF
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Site Investigation:

No improvements are located on the property. Staff recommend the surveyor watch for any encroachments from adjacent properties and notify staff of any found and how they will be addressed and taken care of.

Contours have been added to the preliminary plat and reflect KPB records. No grades appear to exceed 20% and the area within the proposed dedication appears to meet the code requirements of KPB 20.30.090 and 20.30.100(A) with slopes less than 5%. **Staff recommends** the contours may be removed from the final plat per KPB 20.60.010.

KPB GIS imagery shows a braid of Salmon Creek flowing through the southwest corner of proposed Tract 1. **Staff recommends** Depict the creek on the final plat.

KWF Assessment layer on the KPB viewer show a majority of the affected property consists of wetlands classified as riverine. **Staff recommends** the surveyor include a depiction and label for the wetlands on the drawing. The line indicating limit of tidal inundation may be removed.

According to KPB Floodplain layer, this area is within Flood zones AE and X and is within the SMFDA. **Staff recommends** the surveyor depict and label the flood zones and SMFDA The Flood Hazard Notice per KPB 20.30.280(d) should be added with reference to the flood zones and FEMA map panel 02122C4544E.

A portion on the west boundary of proposed Tract A appears to be located within a Floodway per the KPB GIS floodway layer. **Staff recommends** this area be depicted and labeled on the final plat. Add the KPB Floodway Notice per KPB 20.30.280(E) on the final plat. Remove the depiction and label for the tidal inundation.

*With the property containing 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.*

Per the KPB River Center review the plat is not located in a habitat protection district.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Portions of this proposed subdivision are within regulatory floodplain zones including those mapped by FEMA and areas within the SMFDA. AE and SMFDA should be depicted and labeled. Plat note is required.</p> <p>Flood Zone: AE, X Zone, SMFDA Map Panel: 02122C-4544E 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>
State of Alaska Fish and Game	

Staff Analysis

The land was surveyed as aliquot parts of Section 36, Township 1 North, Range 1 West, S.M. Alaska. Harbor View Estates SW 70-929 was the first to subdivide this area of land up five blocks containing eleven lots, three tracts and seven dedications. Harbor View Estates Tract A-1 SW97-26 resubdivided SW70-929 completely by vacating all the dedications mostly and combining the vacations and lots into one large tract leaving the portion of Bayshore Dr as shown on the current platting action. This platting action is creating 5 lots, one tract and one new dedication.

A soils report will be required for Lots 1 – 5 and an engineer will need to sign the final plat as the new lots are below 200,000 sq ft. A soils report will not be required for Tract A as the tract is above 200,000 sq ft.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.10.100 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

Harbor View Estates Tract A-1 granted a 10-foot utility easement on the southern boundary that appears to be located within the proposed right-of-way dedication and proposed Lot 5 and into Tract A. **Staff recommends** the surveyor depict and label this easement on the final plat.

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.

There is a T&E easement by document shown on the plat, Staff recommends the document be referenced in plat notes.

Per 20.30.060.D a standard utility easement of 10’ should be shown along the front 10 feet adjoining rights-of-way and a plat note added.

Utility provider review:

HEA	Not in service area
ENSTAR	No comments or objections
ACS	No objections
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	Not in location service area.
FASTWYRE	

KPB department / agency review:

Addressing Review	Reviewer: Pace, Rhealyn Affected Addresses: 33188 DRIFTWOOD DR Existing Street Names are Correct: Yes
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	<p>List of Correct Street Names: NASH RD, DRIFTWOOD DR, BAYSHORE DR</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: Yes</p> <p>List of Approved Street Names: BAYSHORE CIR</p> <p>List of Street Names Denied:</p> <p>Comments: 33188 DRIFTWOOD DR WILL REMAIN WITH TRACT A</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
LOZMS Review Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing Review	<p>Reviewer: Windsor, Heather Comments: No comments</p>

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Carry forward plat notes 1 & 2 from parent plat SW97-26.

PLAT NOTES TO ADD

- 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).
- No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.

KPB 20.25.070 – Form and contents required

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

KPB 20.30 – Subdivision Design Requirements

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

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.

Platting Staff Comments:

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 20.30.030 Proposed Street Layout - Requirements

Surveyor's Discussion:

By this letter we are requesting that the e Plat Committee grant an exception to section 20.30.030 Proposed Street Layout with regard to the extension of the existing Driftwood Drive right-of-way which was dedicated as part of the Clyde King Subdivision.

The Surveyor/Applicant has submitted the following proposed Findings in support of the exception request.

1. The petitioners are presently using Driftwood Drive for access to the northern part of their tract along with their neighbor on Lot 50.
2. The petitioners are undecided on a development plan for the property beyond what is presently proposed and don't want to be restricted by an additional dedication of right-of-way for Driftwood Drive at this time that could conflict with their future plans.

Staff Discussion:

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.

Staff Findings.

3. By granting the exception, adjacent property owners will not be affected or lose access to their property.
- 4.

Staff reviewed the exception request and recommends granting approval

Staff recommends the Committee (or Commission, as applicable) 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 KPB Title 20, the Committee may authorize exceptions to any of the requirements set forth in KPB Title 20. A request for an exception shall be in writing and presented to the 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
Findings 1, 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 1 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: KPB 20.25.120. - REVIEW AND APPEAL.

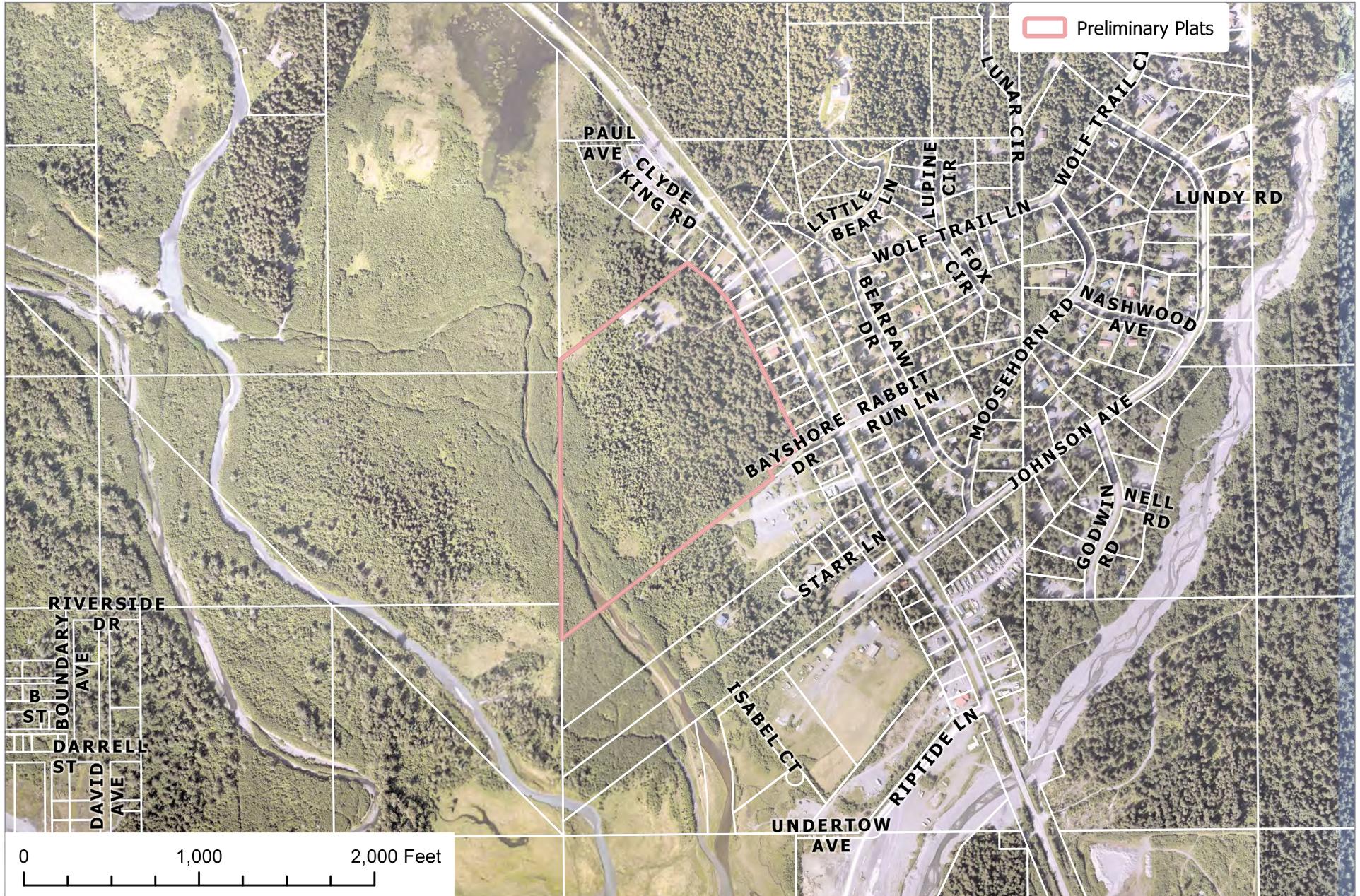
IN ACCORDANCE WITH KPB 2.40.080, ANY PERSON, AGENCY, OR CITY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING, EITHER BY WRITTEN OR ORAL PRESENTATION, MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF DATE OF DISTRIBUTION OF THE DECISION.

A DECISION OF THE PLAT 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



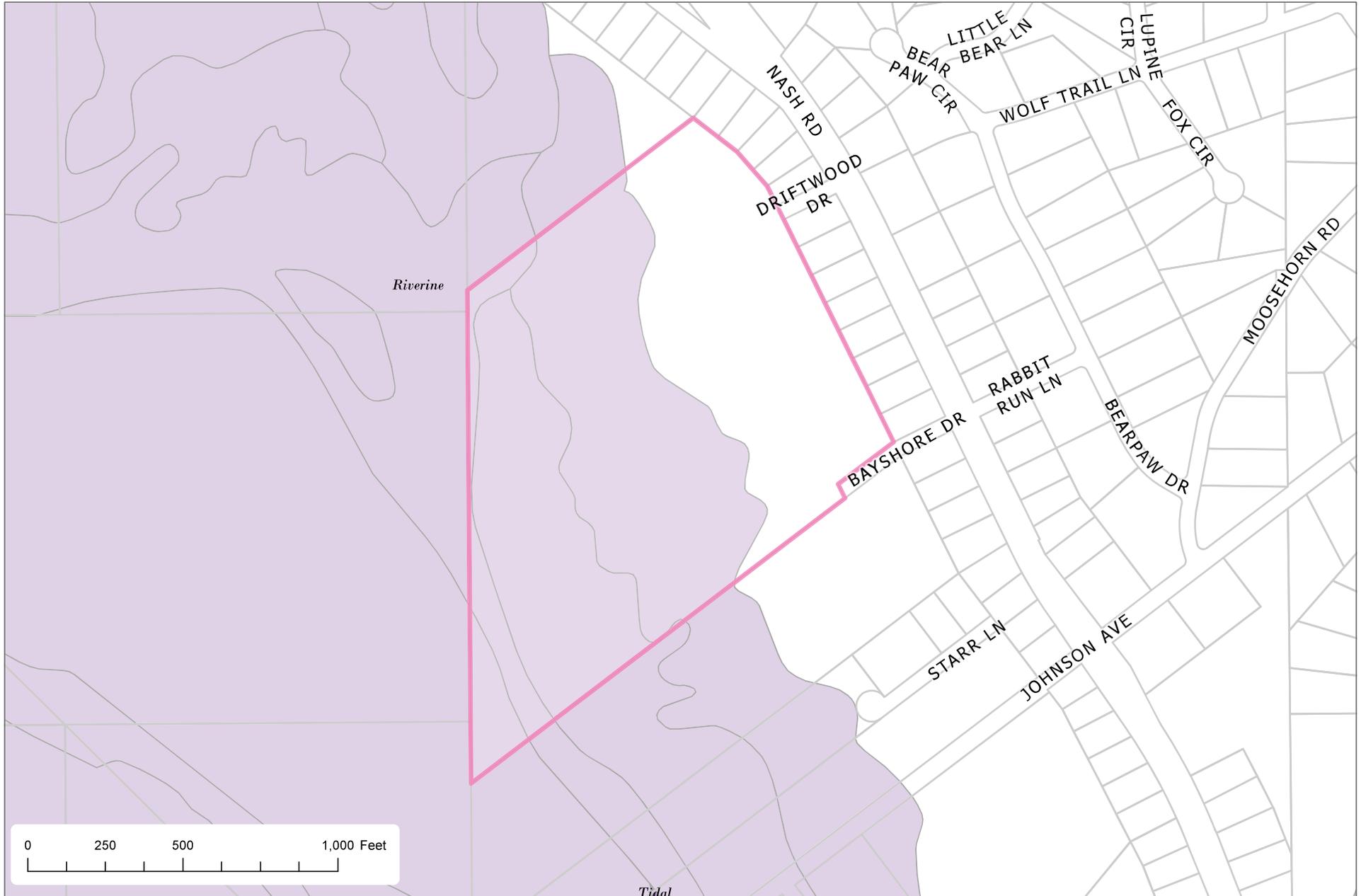
Aerial Map



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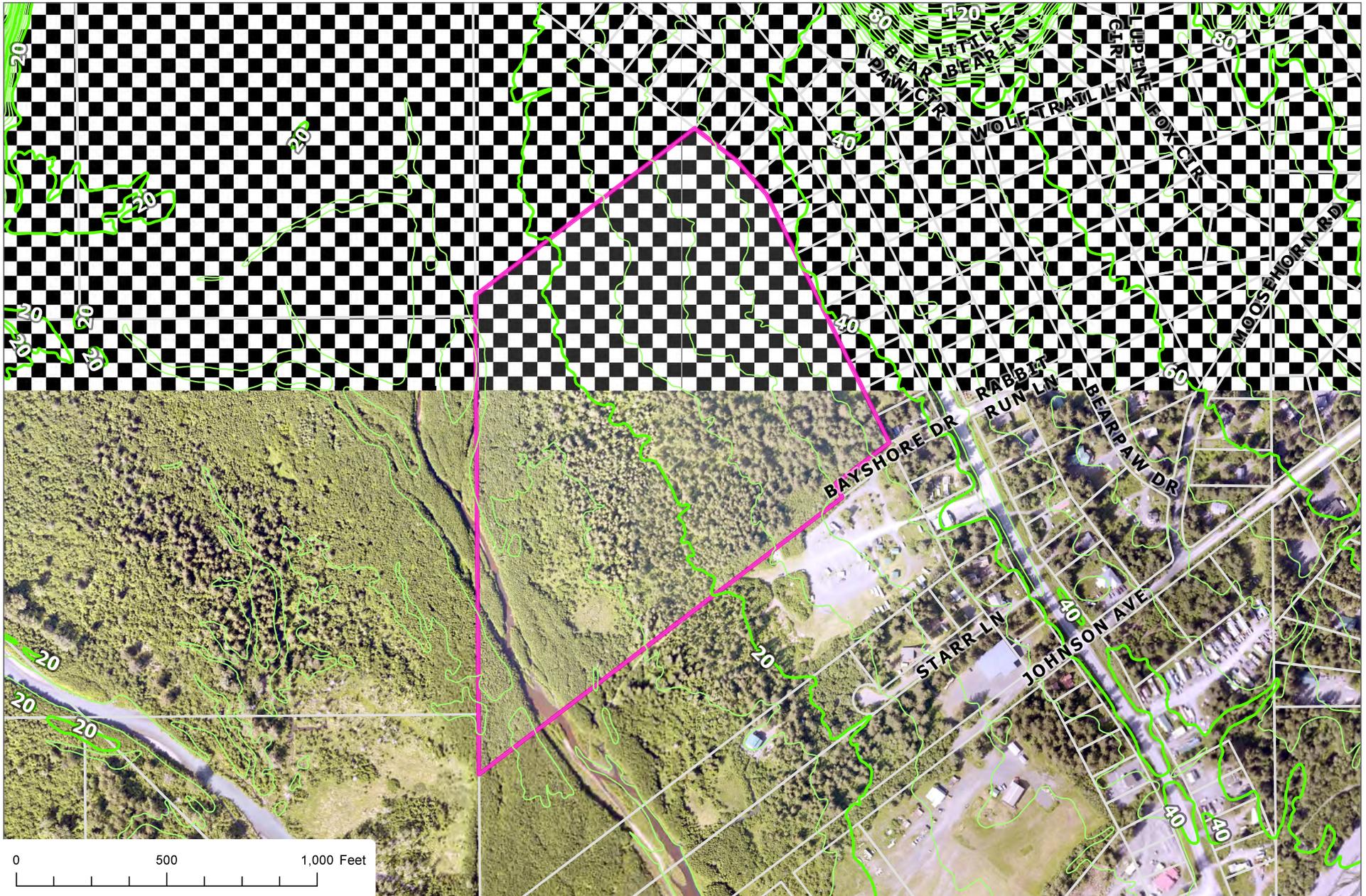
Wetlands



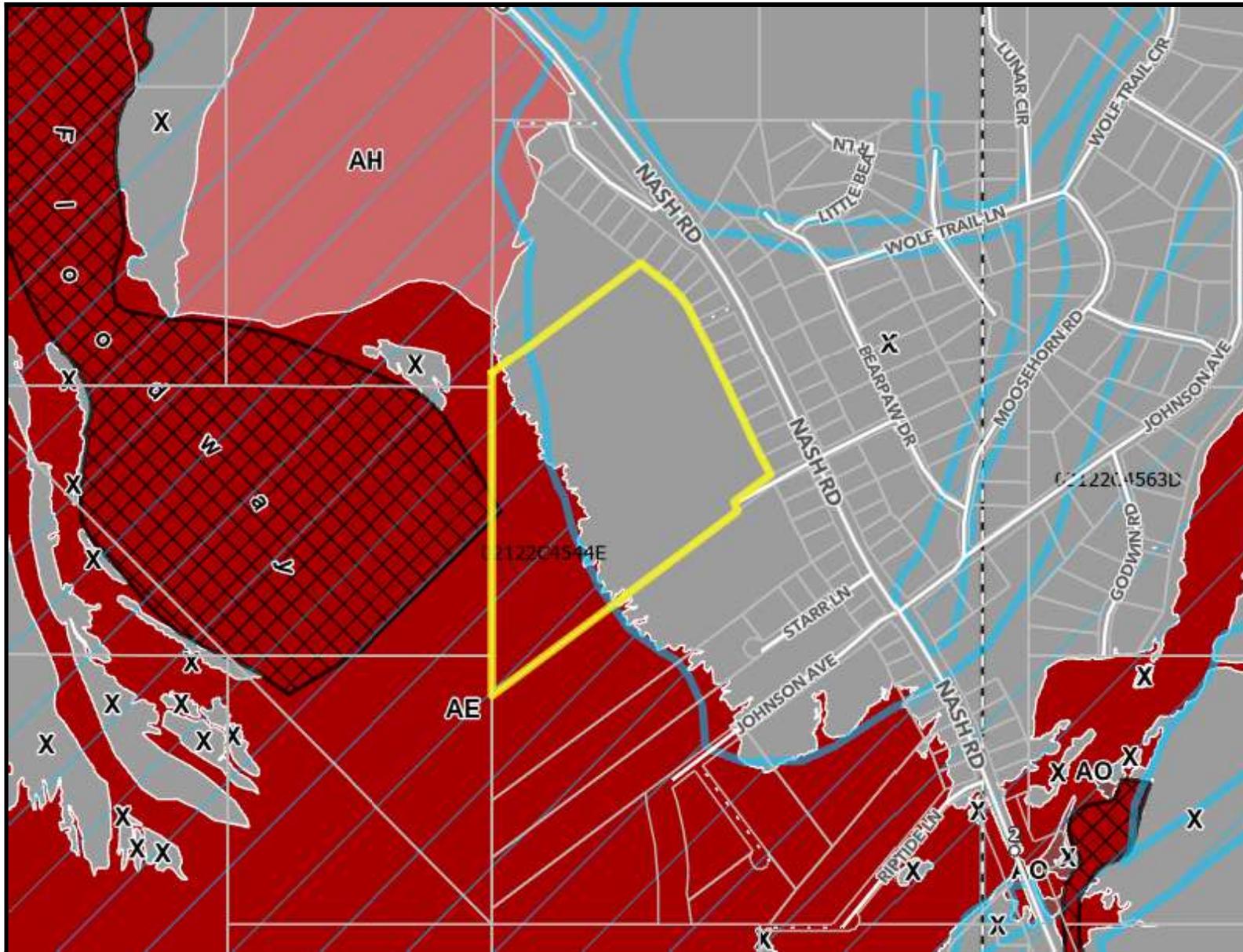
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Aerial with 5-foot Contours



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KPB Parcel ID(s):

14521005

Selected Parcel Boundary or Boundaries



Regulatory Floodplain

SMFDA



FIRM_Panels



Regulatory_Floodway



Floodplain

- AE
- AH
- AO
- X

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

02122C4544E



For a detailed description of the mapped floodplain areas, please see the letter accompanying this map.

2" BRASS G.I.D. CAP (N FOUND)
 S.C. TO SEC COR
 S.W. 3/4 N 103° 5' W SEC. COR
 (PW 70-929, PLAT #69)

PHIL G. (THEL) HARDY
 BOX 478
 SEWARD, AK 99684



STATE OF ALASKA
 UNSUBSCRIBED

NOTES

1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED ON PLOTS WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. BUILDING SETBACKS, A 50' TRACK OF EASEMENT TO INCLUDE FROM ALL STREET FRONT, OR ANY OTHER A LARGER TRACKING IS CONTROLLED BY RESOLUTION OF THE ANCHORAGE PLANNING COMMISSION.
3. LOTS WITHIN THIS SUBDIVISION MAY BE LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA. IF SUCH IS THE CASE, DEVELOPMENT MUST COMPLY WITH THE TITLE 25 CHAPTER 10 OF THE ANCHORAGE MUNICIPAL CODE. IF UNDESIRABLE A STUDY TO BE FORWARDED TO THE PLANNING OF THE PROPERTY MAY BE REQUIRED PRIOR TO CONSTRUCTION.
4. WHEREAS REQUIRED, THESE LOTS ARE AT LEAST ONE-HALF ACRES PER LOT OR MORE, 2' HIGH IN SIZE AND CONSTRUCTION AND NOT BE SUITABLE FOR LOCAL WASTEWATER TREATMENT AND DISPOSAL, AND MUST BE FOR TREATMENT OF WASTEWATER SYSTEM AND MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION.
5. 100 YEAR FLOOD LINE ESTABLISHED FROM A.P. # 8 SEWARD 3 LEGS INCLUDING BATH BATH PANEL 3026.
6. LOCATIONS SHOWN ON THIS PLAT WERE APPROVED BY THE ANCHORAGE PLANNING COMMISSION ON August 2, 1999 PER A ORDER WITH CONCURRENT APPROVAL BY THE SENAI PROVIDES A RECORDING AGREEMENT ON MAY 16, 1998.



CERTIFICATE OF OWNERSHIP and DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY AGREE THIS IS AN EASEMENT AND BY THIS DEED CONVEY DELEGATE ALL RIGHTS OF USE TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE LINE HEREIN.

John L. Button
 JOHN L. BUTTON
 1875 MULLEN BLVD
 ANCHORAGE, ALASKA 99503

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SIGNED TO BEFORE ME THIS 27th day of August 1999.

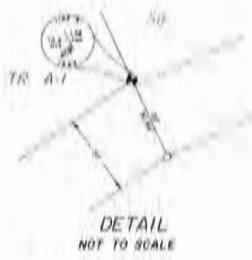
7-2-99
Frederick J. Wickham III

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE ANCHORAGE PLANNING COMMISSION AT THE MEETING OF August 2, 1999.

ANCHORAGE PLANNING COMMISSION

Frederick J. Wickham III



DETAIL
 NOT TO SCALE

LEGEND

- 1/4" DIA. CIRCLES SHOWING THE LOCATION OF THE SURVEY
- 2" DIA. CIRCLES ARE YELLOW PLASTIC CAP SET THE SURVEY
- 6" DIA. CIRCLES RECOVERED THIS SURVEY
- 8" DIA. CIRCLES A TACK RECOVERED THIS SURVEY
- (-)- BEYOND THE 1999 PLAT MAP
- (M) MEASURED
- STREET FRONT OF THE UTILITY EASEMENTS CREATED BY THIS PLAT.

LESSEE CERTIFICATE

I HEREBY CERTIFY THAT I AM THE LESSEE OF LAND WITHIN THIS SUBDIVISION, AND I AM AWARE OF THE SUBDIVISION PLAT AND

Frederick J. Wickham III
 FREDERICK J. WICKHAM III
 1011 1/2 ST. 1 99684

NOTARY'S ACKNOWLEDGEMENT
 SUBSCRIBED AND SIGNED TO BEFORE ME THIS 27th day of November 1999
 BY FREDERICK J. WICKHAM III

10/11/2000
 BY [Signature]

Cassie Korseth

97-216
 REC'D 11/20/99
 12:30 PM '99
 1105 P
 [Stamp]



KRS FILE NO. 99-198-97-265



PLAT OF
HARBOR VIEW ESTATES
TRACT A-1
 A RESUBDIVISION OF HARBOR VIEW ESTATES (PLAT 97-216) WITH RIGHT-OF-WAY EASEMENT LOCATIONS LOCATED WITHIN THE 1/4 SECTION 26, 1/4 SECTION 27, 1/4 SECTION 28, 1/4 SECTION 29, 1/4 SECTION 30, 1/4 SECTION 31, 1/4 SECTION 32, 1/4 SECTION 33, 1/4 SECTION 34, 1/4 SECTION 35, 1/4 SECTION 36, 1/4 SECTION 37, 1/4 SECTION 38, 1/4 SECTION 39, 1/4 SECTION 40, 1/4 SECTION 41, 1/4 SECTION 42, 1/4 SECTION 43, 1/4 SECTION 44, 1/4 SECTION 45, 1/4 SECTION 46, 1/4 SECTION 47, 1/4 SECTION 48, 1/4 SECTION 49, 1/4 SECTION 50, 1/4 SECTION 51, 1/4 SECTION 52, 1/4 SECTION 53, 1/4 SECTION 54, 1/4 SECTION 55, 1/4 SECTION 56, 1/4 SECTION 57, 1/4 SECTION 58, 1/4 SECTION 59, 1/4 SECTION 60, 1/4 SECTION 61, 1/4 SECTION 62, 1/4 SECTION 63, 1/4 SECTION 64, 1/4 SECTION 65, 1/4 SECTION 66, 1/4 SECTION 67, 1/4 SECTION 68, 1/4 SECTION 69, 1/4 SECTION 70, 1/4 SECTION 71, 1/4 SECTION 72, 1/4 SECTION 73, 1/4 SECTION 74, 1/4 SECTION 75, 1/4 SECTION 76, 1/4 SECTION 77, 1/4 SECTION 78, 1/4 SECTION 79, 1/4 SECTION 80, 1/4 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