

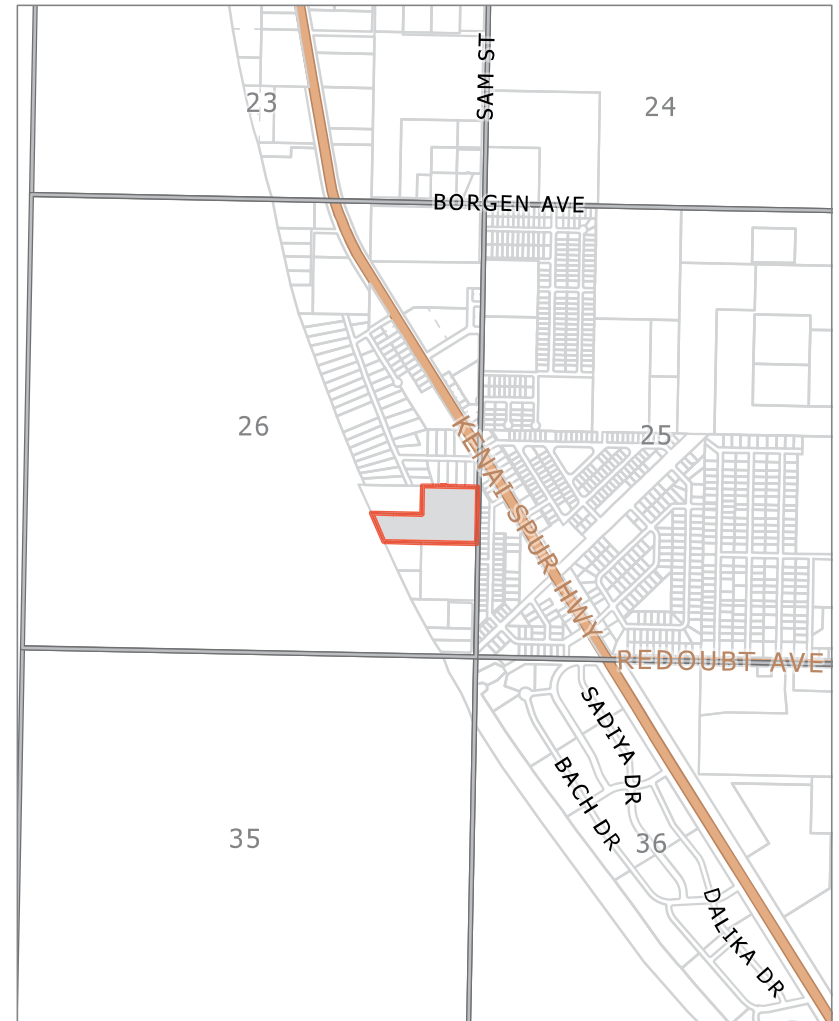
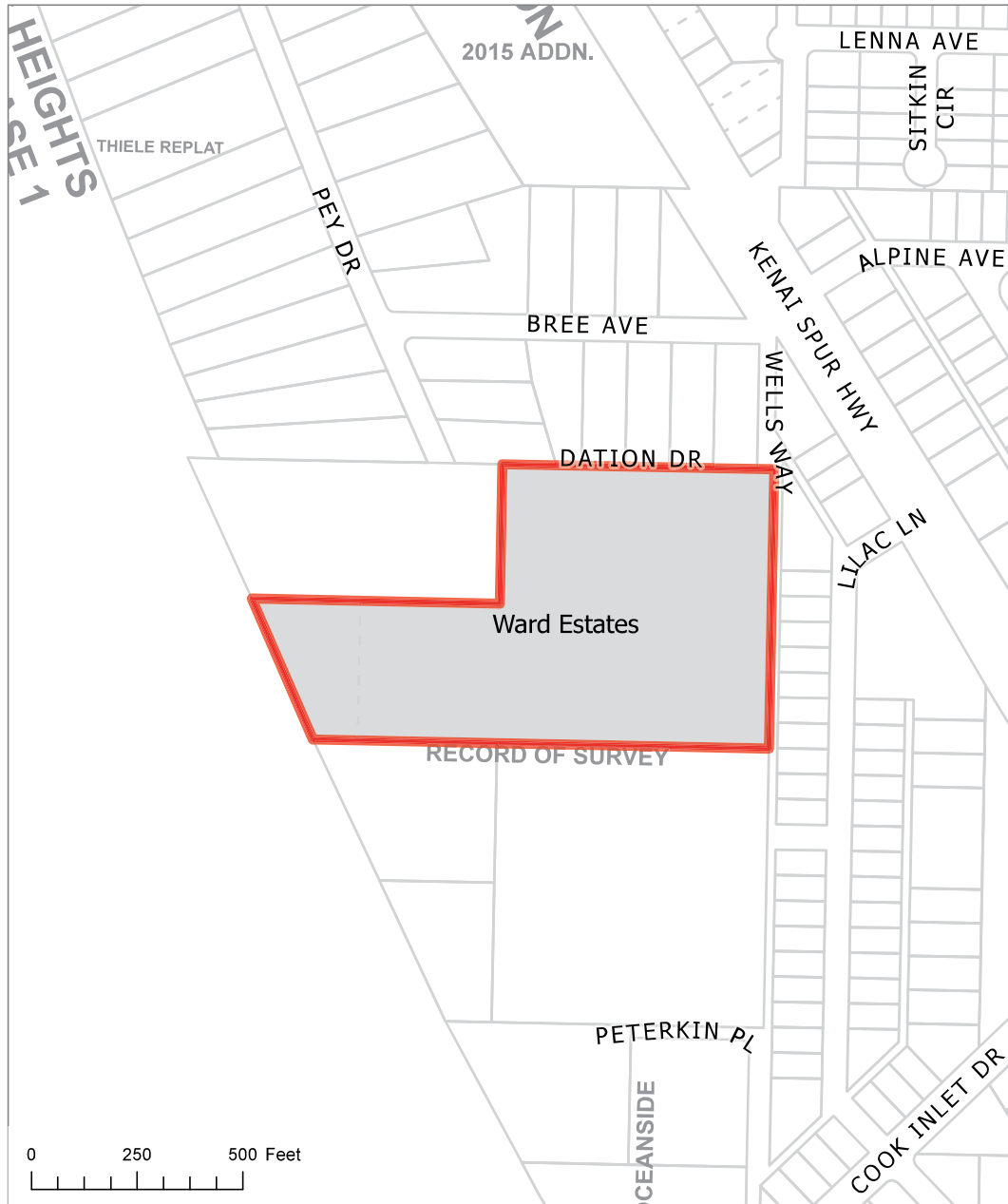
E. NEW BUSINESS

2. Ward Estates; KPB File 2025-090

Peninsula Surveying / Ward

Location: On Wells Way, Lilac Lane & Kenai Spur Highway

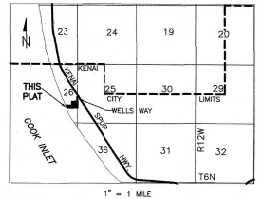
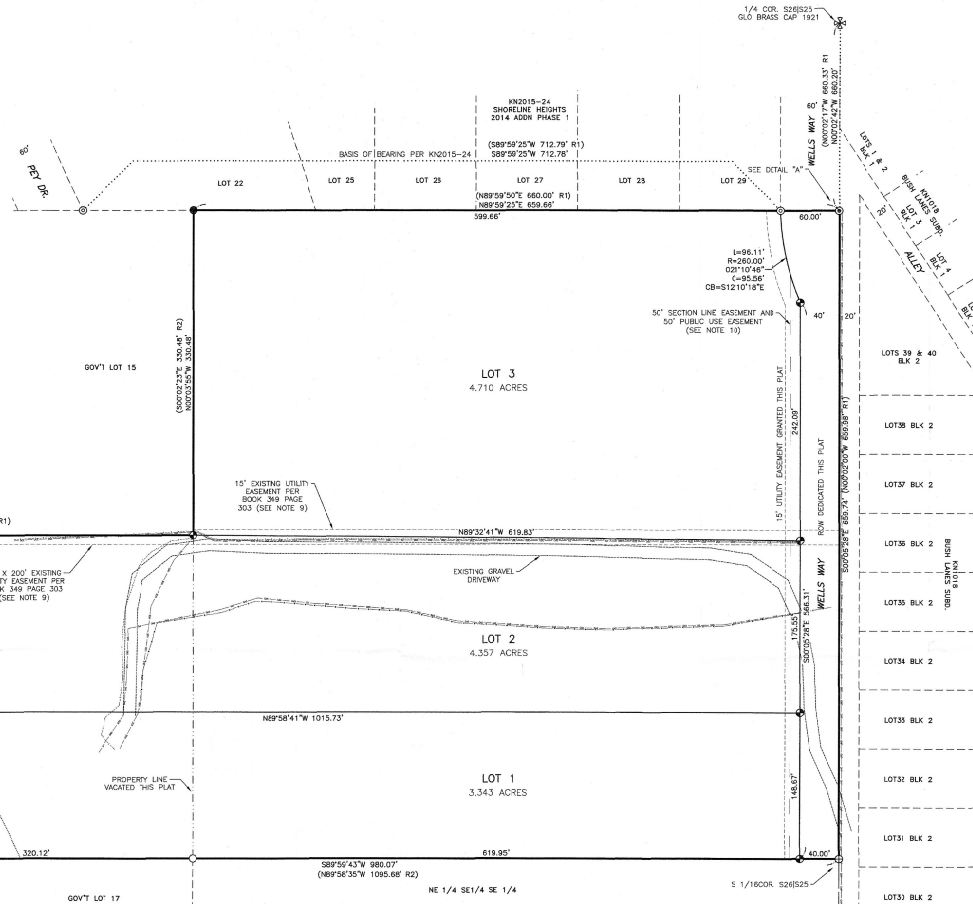
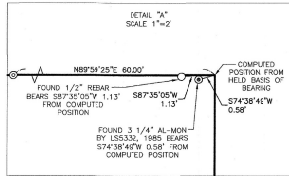
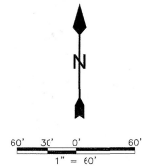
City of Kenai



KPB File 2025-090
T 6N R 12W Sec 26
Kenai



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 AND DEDICATION
I, THE UNDERSIGNED, 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 MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JOY M. WARD, AKA. JOY MAXINE WARD
PO BOX 3414
KENAI, AK 99611

NOTARY ACKNOWLEDGMENT
FOR: JOY M. WARD, AKA. JOY MAXINE WARD
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2025

NOTARY PUBLIC FOR: _____
MY COMMISSION EXPIRES: _____

WASTEWATER DISPOSAL
LOTS 1 & 2: THESE LOTS ARE CURRENTLY SERVED BY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS THAT MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
LOT 3: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ON-SITE 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 COMMITTEE AT THE MEETING OF MM/DD/YYYY.

BOROUGH OFFICIAL _____ DATE _____

KPB FILE NUMBER: 2025-XXXX

PENINSULA SURVEYING, LLC 10535 KATRINA BOULEVARD, NINILCHIK, AK 99639 (907)356-7065	
PLAT OF WARD ESTATES	
A SUBDIVISION OF GOVERNMENT LOT 16 & SE 1/4 SW 1/4 NE 1/4 SE 1/4 & SE 1/4 NE 1/4 SE 1/4 LOCATED WITHIN SE 1/4 SEC. 26, T1N, R12W, S1M, KENAI RECORDING DISTRICT, CITY OF KENAI, KENAI PENINSULA BOROUGH, ALASKA CONTAINING 13.944 M/L ACRES	
OWNERS: JOY M. WARD, AKA. JOY MAXINE WARD PO BOX 3414 KENAI, AK 99611	
SCALE: 1" = 60'	DATE: MAY 30, 2025
DRAWN: BLT	CHECKED: JLS
SHEET: 1 OF 1	



- NOTES**
- THIS SUBDIVISION IS SUBJECT TO CITY OF KENAI ZONING REGULATIONS. PER KPB 20.30.250 THE BUILDING SETBACK OF RECORD HAS BEEN REMOVED. ALL DEVELOPMENT MUST COMPLY WITH THE MUNICIPAL ZONING REQUIREMENTS.
 - NO PRIVATE ACCESS TO CITY MAINTAINED ROW'S PERMITTED UNLESS APPROVED BY THE CITY OF KENAI.
 - THE FRONT 15' ADJACENT TO RIGHTS-OF-WAYS 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.
 - NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
 - 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.
 - FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA OR THE KENAI PENINSULA BOROUGH SENIAR MAPPED FLOOD DATA AREA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDER'S OFFICE. PRIOR TO DEVELOPMENT, THE KENAI PENINSULA BOROUGH FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 21.06 OF THE KENAI PENINSULA BOROUGH CODE. SEE FEMA FIRM PANEL 0122C-0105E FOR INFORMATION ON FLOODPLAIN ZONES D AND E.
 - THE NATURAL MEANDERS OF THE MEAN HIGH WATER LINE IS FOR AREA COMPUTATIONS ONLY. THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
 - SUBJECT TO EASEMENTS FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBRY GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., PER BOOK 282 PAGE 543 RECORDED MARCH 10, 1986 AND BOOK 349 PAGE 303 RECORDED JUNE 19, 1999, KENAI RECORDING DISTRICT.
 - SUBJECT TO A PUBLIC USE EASEMENT ALONG THE EAST 50 FEET OF THE SE 1/4 NE 1/4 SE 1/4 SECTION 26, T6N R12W S1M. PER BOOK 390 PAGE 729 RECORDED OCTOBER 15, 1961, KENAI RECORDING DISTRICT. THE LOCATION IS IDENTICAL TO A 50' SECTION LINE EASEMENT CREATED BY A.S. 13.10.010.
 - SUBJECT TO RIGHTS AND EASEMENTS OF THE UNITED STATES OVER AND ACROSS LANDS LYING BENEATH NAVIGABLE WATERS, TIDE LANDS NECESSARY TO ITS JURISDICTION OVER COMMERCE, NAVIGATION AND FISHERIES.
 - SUBJECT TO RIGHTS OF THE PUBLIC AND OR GOVERNMENTAL AGENCIES IN AND TO THAT PORTION OF SAID PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF COOK INLET AND ANY QUESTIONS OF RIGHT OF ACCESS TO COOK INLET IN THE EVENT SAID LANDS DO NOT IN FACT ABUT THE INLET.
 - KPB GIS DATA SHOWS THERE IS NO ANADROMOUS WATERS.
 - AN EXCEPTION REQUEST FOR LOT DIMENSIONS EXCEEDING 3:1 LENGTH TO WIDTH 5 BEING MADE CONSIDERING ACCESS AND THE CHANGING BLUFF ON THE WEST BOUNDARY FOR PROPOSED LOTS 1 AND 2.

- LEGEND**
- FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 3 1/4" AL-MON BY LS2332, 1585
 - FOUND 1.5" AL-CAP BY LS8895, 1998
 - FOUND BLUE PLASTIC CAP BY LS11795
 - FOUND YPC MCCLANE
 - FOUND 1/2" REBAR
 - TO SET RPC ON 5/8" x 36" REBAR BY LS14488
 - RECORD DATA PER KN2015-24
 - RECORD DATA PER KN81-37BS

- WETLANDS PER THE KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING
- APPROXIMATE SLOPES GREATER THAN 20% FROM KPB CONTOUR GIS DATA
- APPROXIMATE LOCATION OF EXISTING UNDERGROUND ELECTRIC
- APPROXIMATE LOCATION OF EXISTING UNDERGROUND TELEPHONE
- APPROXIMATE LOCATION OF EXISTING UNDERGROUND GAS
- APPROXIMATE LOCATION OF EXISTING UNDERGROUND WATER

KPB 2025-090

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
WARD ESTATES**

KPB File No.	2025-090
Plat Committee Meeting:	July 14, 2025
Applicant / Owner:	Walt Ward and Keli Mueller as personal reps for the estate of Joy M Ward
Surveyor:	Jason Schollenberg / Peninsula Surveying, LLC
General Location:	Bluffside Wildwood area

Parent Parcel No.:	039-010-40
Legal Description:	T 6N R 12W SEC 26 SEWARD MERIDIAN KN GOVT LOT 16 & SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4
Assessing Use:	Residential
Zoning:	Rural/Unrestricted
Water / Wastewater	On Site / On Site
Exception Request	20.30.190

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide two parcels of 13.49 total acres into three parcels ranging in size from 3.343-acres to 4.710-acres.

Location and Legal Access (existing and proposed):

Legal access is from Wells Way on the east side of the plat, currently a 20 foot dedication maintained by the City of Kenai. To get to Wells Way is from the Kenai Spur Highway at mile marker 14.2 turning on Ulac Ln down to an unnamed street then to Wells Way.

This plat is proposing to dedicate an additional 40 feet to the right-of-way of Wells Way for a majority of the east side of the plat.

The plat is not completing a vacation of right-of-way. The plat is affected by a 50 foot section line easement as shown on the plat and noted at plat note 10.

Block length is not compliant along the east side of the plat having the road dedication. With the Cook Inlet on the west side of the property and structures already located on proposed Lots 1 & 2 with utilities located as shown, this plat does not have an opportune location to break the block. **Staff recommends** the Plat Committee concur that an exception is not required for KPB 20.30.170 at this time due to the encumbrances noted.

KPB Roads Dept RSA review	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: RSA has no objection at this time
SOA DOT comments	

Site Investigation:

There are two structures located on the property. When the plat is complete, these structures will be located on Lots 1 and 2 respectively. There appears to be structures near the north line of Lot 2 coming from the neighboring property. Staff recommends the surveyor make note of the location of these structures to the property line and let

staff know in written form if there is an encroachment or not, and if so, how it is going to be addressed.

There are steep areas located on the west side of the plat, between the top of bluff and toe of bluff. Staff recommends the surveyor identify the slope with an arrow designating grade down and <20%, as the hatch did not show up on the drawing. There are also tidal wetlands located below the tow of bluff in the Cook Inlet side as shown on the drawing.

The plat is located in a FEMA designated Flood zone D & E as per the FEMA website. The required note with panel and zones is included on the plat at note 7. The plat was not indicated to be in a habitat protection district. The proper permitting note is in place at plat note 6.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Within City of Kenai Comments: No comments</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 originally surveyed by the US Surveyor General's Office in 1922. Section 26 was further subdivided in 1952 creating Government Lot 16 as now being replatted. This is the first platting of the property.

Lots 1 & 2 currently have existing houses located on them and the Wastewater Disposal note indicates there are existing systems in use, that meet the regulatory requirements of the Alaska Department of Environmental Conservation. **Staff recommends** the surveyor / applicant provide the soils reports provided to ADEC to KPB staff for the records of this file, and not for public use.

A soils report will not be required for Lot 3 as it is larger than 200,000 sq ft.

Lots 1 & 2 appear to be sharing a joint drive for access, staff suggest an access agreement be looked into by the owner prior to the sale of either lot.

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 plat is located in the City of Kenai and looks o have been reviewed by the Kenai Planning and Zoning Commission on May 28, 2025. No city minutes was supplied with the submittal, only a city resolution which included a staff report was submitted. City of Kenai Resolution PZ2025-20 for Preliminary Plat – Ward Estates recommending approval of the preliminary plat.

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

Utility Easements

There is a utility easement recorded in Book 282 Page 543 that needs to be added to the drawing as noted in Plat note 9. The easement recorded in book 349 page 303 needs to have the complete easement shown even though

part is located in the proposed dedication. HEA and Enstar have sent comments noting the same as these two comments, which are included in the packet.

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.

The plat is adding a 15' utility easement adjacent to the right -of-way

Utility provider review:

HEA	See comments
ENSTAR	See comments
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing Review	<p>Reviewer: Pace, Rhealyn Affected Addresses: 1255 WELLS WAY</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: WELLS WAY</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: CITY OF KENAI WILL ADVISE ON ADDRESSING</p> <p>See attachments</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. Review Not Required</p>
Assessing Review	<p>Reviewer: Windsor, Heather Comments: No comments</p>
Advisory Planning Commission	

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

- Add a Certificate of Acceptance for Wells Way to the Kenai Peninsula Borough
- Add the date of July 14, 2025 to the Plat Approval

- Plat note 14 should be modified to include the specific KPB Code being requested for exception, the date of the Plat Committee meeting approved and notation of approval of the Plat Committee, if approved.

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).
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).
- Acceptance of this plat by the Borough does not indicate acceptance of any encroachments.

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:

Modify the KPB File No to 2025-090

Add Keli Mueller and Walt Ward as Co-personal representatives with the owner's name

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:

Gov't Lot 15 to the north is located adjacent to Gov't Lot 16, move label. Label portion to east as unsubdivided or NE1/4 SW1/4 NE1/4 SE1/4

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 20.30.190(A) Lots – Dimensions

Surveyor's Discussion:

An exception request is being made for Lots 1 & 2 due to the severe erosion and steep slopes defined by the bluff

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

1. There are existing buildings that the owner would like to separate with the proposed lot line.
2. Both lots will be served by Wells Way dedication
3. The owners have spent significant amounts of money to move an existing house inland away from the eroding bluff.
4. There is no other access to these lots from the north or south.
5. Granting this exception would not impact any of the neighboring land owners, nor the City of Kenai.
6. The City of Kenai has approved this layout.

Staff Discussion:

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.

Findings.

7. The average depth of the two lots is 6.2 times greater than the average width, exceeding the 3:1 requirement.
8. The average depth at the bluff line is 5.2 times greater than the average width for comparison.
9. There is evidence the bluff is continuing to erode.

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, 3 & 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 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 3-6 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

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

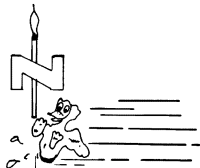




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UNSUBDIVIDED

(WEST-660.00')
S 89°59'50"W-610.00'

(N 00°02'W-330')
S 00°02'23"E-330.48'

13.89 ACRES

GOV'T LOT 15

(WEST) W.C.

--N 89°59'22"W-373.44--

TOP OF BLUE

FORMER LOT LINE

N 49°50'04"W-316.80'
(N 24°51'W) S.F. PLAT NO. 71, 1964

N 25°51'04"W-45.84'
(N 26°02'W) S.F. PLAT NO. 71, 1964

GOV'T LOT 17

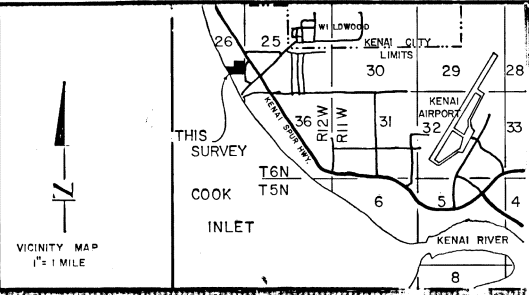
--N 89°58'35"W-842.17--

(WEST)

UNSUBDIVIDED

N 89°57'00"W-548.30' (548.38')

WC S 89°49'04"E-187.70' 26 35 36



CERTIFICATE of OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER(X) OF THE PROPERTY SHOWN & DESCRIBED HEREON.
Walter E. Ward
WALTER E. WARD ST. RT. 1 BOX 90 KENAI, AK. 99611

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 23 DAY OF MARCH 1983 FOR WALTER E. WARD

LOT 40

LOT 39

LOT 38

LOT 37

LOT 36

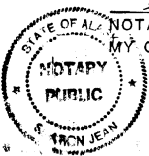
LOT 35

LOT 34

LOT 33

LOT 32

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 2/27/86



Cliff E. Baker
CLIFF E. BAKER, R.L.S.
REGISTRATION NO. LS-5152

LEGEND

- MONUMENT (Found this survey)
- MONUMENT (Set this survey)
- " REBAR (Found this survey)
- 5/8" x 30" REBAR W/1 1/2" SERV. CAP (Set this survey)
- () RECORD DATA USGLO 1953

W.C. WITNESS CORNER

83-3785
RECORDED - FILED 1000
Kenai REC. DIST.
DATE 3-24-83
TIME 8:32 A.M.
LOCATED BY Dowling Rice
APPROVED Assoc.

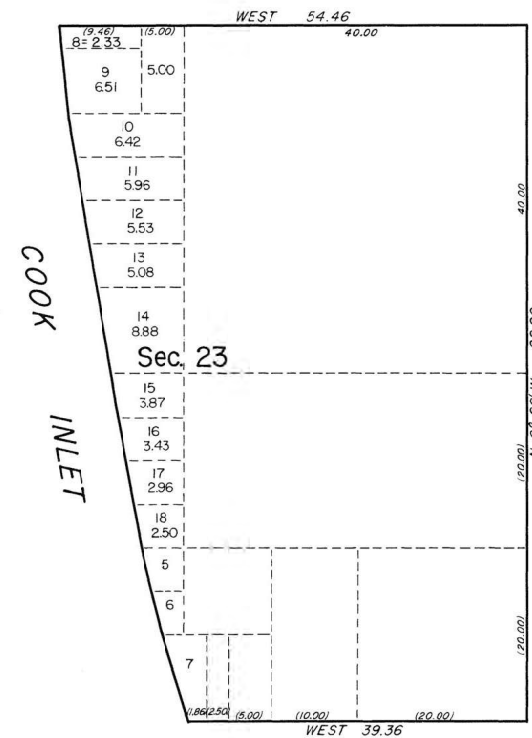
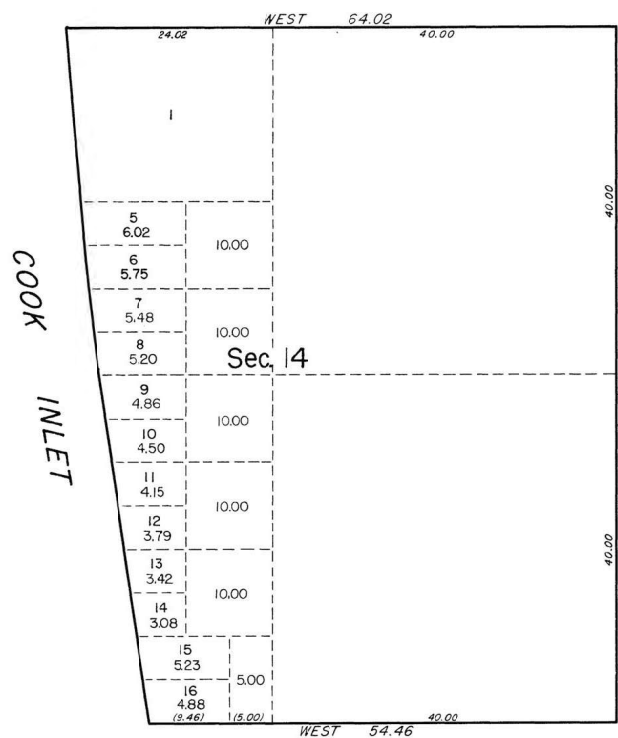
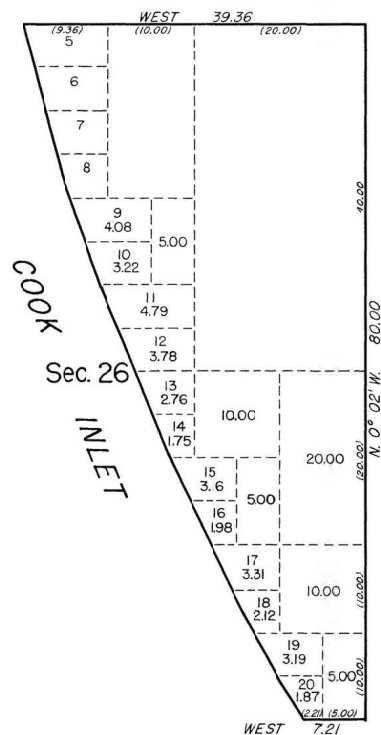
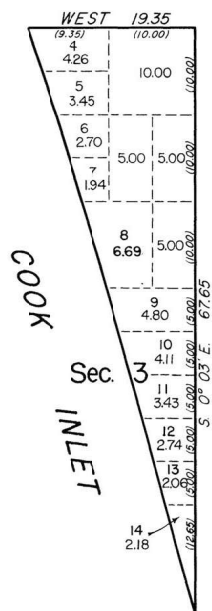
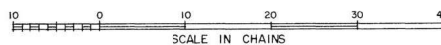
WALT WARD BOUNDARY SURVEY

LOCATED WITHIN
GOV'T LOT 16 & SE1/4 SW1/4 NE1/4 SE1/4 &
SE1/4 NE1/4 SE1/4, SEC. 26, T6N, R12W, SM, AK.
CONTAINING 138± ACRES

DOWLING-RICE and ASSOCIATES
PO BOX 1974 SLEIGHTNA, ALASKA 99669

ENGINEERS	262 - 9011	SURVEYORS
SURVEYED: 3-11-83		
DRAFTED: DAM		SCALE: 1"=100'
CHECKED: CB		SHEET: 1 of 1

TOWNSHIP 6 NORTH, RANGE 12 WEST, OF THE SEWARD MERIDIAN, ALASKA
SUPPLEMENTAL PLAT OF SECTIONS 3, 14, 23, and 26



This supplemental plat showing subdivisions of secs. 3, 14, 23 and 26, T. 6 N., R. 12 W., Seward Meridian, Alaska, is based upon plats of original surveys accepted June 27, 1922 and October 1, 1923 and supplemental plats of secs. 23 and 23 accepted July 7, 1948 and April 30, 1952.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C., March 18, 1953

This plat showing amended lottings, having been correctly prepared in accordance with the regulations, is hereby accepted.

For the Director

Donald B. Clement
Assistant Chief, Division of
Cadastral Engineering



SENT VIA ELECTRONIC MAIL

May 29, 2025

Peninsula Surveying, LLC
10535 Katrina Blvd.
Ninilchik, AK 99639
jason@peninsulasurveying.com

RE: Notice of Recommendation - Resolution PZ2025-20 – Preliminary Plat – Ward Estates

Dear Peninsula Surveying, LLC:

On Wednesday, May 28, 2025, the City of Kenai Planning and Zoning Commission recommended approval of Resolution PZ2025-20 for Preliminary Plat Ward Estates. An installation agreement is not required. Enclosed is a copy of the resolution.

If you have any questions, please contact Planning & Zoning Department at 907-283-8237 or planning@kenai.city.

Sincerely,

A handwritten signature in blue ink, appearing to read "KB" followed by a horizontal line.

Kevin Buettner, AICP, LEED AP, CNU-A
Planning Director

Enclosure

cc: Beverly Carpenter, KPB Planning Department (bcarpenter@kpb.us)



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2025-20**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT WARD ESTATES ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESS: 1255 Wells Way

LEGAL DESCRIPTION: Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian

KPB PARCEL NUMBER: 03901040

WHEREAS, the City of Kenai received a preliminary plat from Peninsula Survey, LLC, on behalf of property owner Joy Maxine Ward, for a subdivision of Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the proposed lots will have access from Wells Way (an unmaintained gravel City road); and,

WHEREAS, City water is available to the proposed lots; and,

WHEREAS, City sewer is not available to the proposed lots; and,

WHEREAS, a 15-foot easement for utilities is located adjacent to rights-of-way, along the east boundary of the proposed lots; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The City water is subject to the regulatory requirements of the City of Kenai Public Works Department and on-site wastewater systems are subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the Second Avenue right-of-way within the proposed preliminary plat is newly dedicated. Second Avenue is an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RR zoning district of 20,000 square feet (\approx 0.47 acre), with proposed lot sizes of 3.343, 4.357 and 4.710 acres.
4. Pursuant to KMC 14.24.020 General Requirements, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA:

Section 1. That preliminary plat Ward Estates, for a subdivision of Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian, be approved.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 28TH DAY OF MAY, 2025.


JEFF TWAIT, CHAIRPERSON

ATTEST:


Michelle M. Saner, MMC, City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Kevin Buettner, Planning Director
FROM: Brandon McElrea, Planning Technician
DATE: May 13, 2025
SUBJECT: Resolution No. PZ2025-20 – Preliminary Plat – Ward Estates

Request The applicant is proposing a preliminary plat to subdivide Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian.

Staff Recommendation Adopt Resolution No. PZ2025-20 recommending approval of Preliminary Plat – Ward Estates, creating three (3) lots ranging in size from 3.343 acres to 4.710 acres and dedicating the 40-foot Wells Way right-of-way.

Applicant: Peninsula Surveying, LLC
Attn: Jason Schollenberg
10535 Katrina Blvd.
Ninilchik, AK 99639

Property Owner: Joy Maxine Ward

Legal Descriptions: Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian

Property Address: 1255 Wells Way

KPB Parcel No.: 03901040

Zoning District: Rural Residential (RR)

Land Use Plan: Low Density Residential (LDR)

Surrounding Uses: Rural Residential and Suburban Residential

SUMMARY

A preliminary plat has been submitted from Peninsula Surveying, LLC on behalf of the property owner for a subdivision of Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian, to create three (3) parcels and dedicate right-of-way (ROW) Wells Way. Current improvements include two (2) single-family dwellings, a driveway with parking area, and two (2) on-site septic systems.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission.

ANALYSIS

The proposed replat meets the minimum lot size requirement of 20,000 square feet (≈ 0.47 acre) for the Rural Residential (RR) zoning district. The size of the smallest proposed lot is approximately 145,621 Square feet (3.343 acres).

City water is available along Wells Way and has been installed on proposed Lot 2, and the property owner intends to install water concurrent to installation of a new driveway on proposed Lot 1. City wastewater is not available along Wells Way therefore private septic systems have been installed on proposed Lots 1 and 2. The private septic systems are subject to the regulatory requirements of the State of Alaska, Department of Environmental Conservation (ADEC).

Access to the proposed Lots is provided via Wells Way, an unmaintained gravel City road.

The section of Wells Way ROW within the proposed preliminary plat is newly dedicated as of this plat, and in accordance to the Public Use Easement recorded at Book 390, Page 729, Kenai Recording District, as denoted in plat note ten (10). The proposed dedicated ROW is along the existing Wells Way ROW. The City of Kenai Public Works Department has reviewed the preliminary plat and has no comments. Therefore, staff finds that an installation agreement is not required for the preliminary plat.

A 15-foot easement for utilities is located along the east boundary of the proposed lots adjacent to Wells Way, as denoted in plat note three (3), which states the front 15-feet adjacent to rights-of-way is a utility easement.

The western approximately 135 feet of tideland area of proposed lots 1 and 2 has been designated by FEMA as regulatory flood zone VE, described as *Coastal High Hazard Zone*. The upland remainder of proposed lots 1 and 2, and all of proposed lot 3 has been designated by FEMA as non-regulatory flood zone D, described as *Undetermined Flood Risk* (See Floodplain Designation Exhibit A). Prior to development, the City of Kenai Floodplain Administrator should be contacted for information and regulations, as denoted in plat note 7. The City of Kenai Floodplain Administrator has reviewed the preliminary plat and has no comments.

Staff finds that the preliminary plat for a subdivision of Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides

satisfactory and desirable building sites. The City water is subject to the regulatory requirements of the City of Kenai Public Works Department and on-site wastewater systems are subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat is newly dedicated. The proposed right-of-way is a continuation of an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the Rural Residential zoning district of 20,000 square feet (≈ 0.47 acre), with proposed lot sizes of 3.343, 4.357 and 4.710 acres.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Ward Estates meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommend approval of Resolution No. PZ2025-20 for a subdivision of Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian to the Kenai Peninsula Borough, subject to the following conditions:

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.

ATTACHMENTS

Aerial Map
Floodplain Designation Exhibit A
Application
Preliminary Plat, Ward Estates



ENSTAR Natural Gas Company, LLC

Engineering Department, Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

July 1, 2025

Kenai Peninsula Borough, Platting Division
144 North Binkley Street
Soldotna, AK 99669

To whom it may concern:

ENSTAR Natural Gas Company has reviewed preliminary plat **WARD ESTATES (KPB Case # 2024-090)** and advises that there is an existing natural gas pipeline that crosses proposed Lot 2 to serve Proposed Lot 1. Attached is an approximate ENSTAR as-built for your reference. ENSTAR objects to this plat unless one of the following scenarios is met:

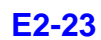
1. Add a note which says, "There is a ten foot (10 FT) wide natural gas easement centered on the existing ENSTAR Natural Gas pipeline on Lot 2".
2. Owner signs an ENSTAR Natural Gas Easement document for a ten foot (10 FT) wide natural gas easement, centered on the natural gas pipeline at this location.

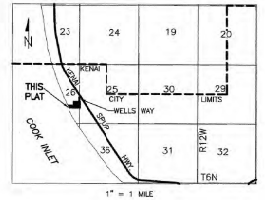
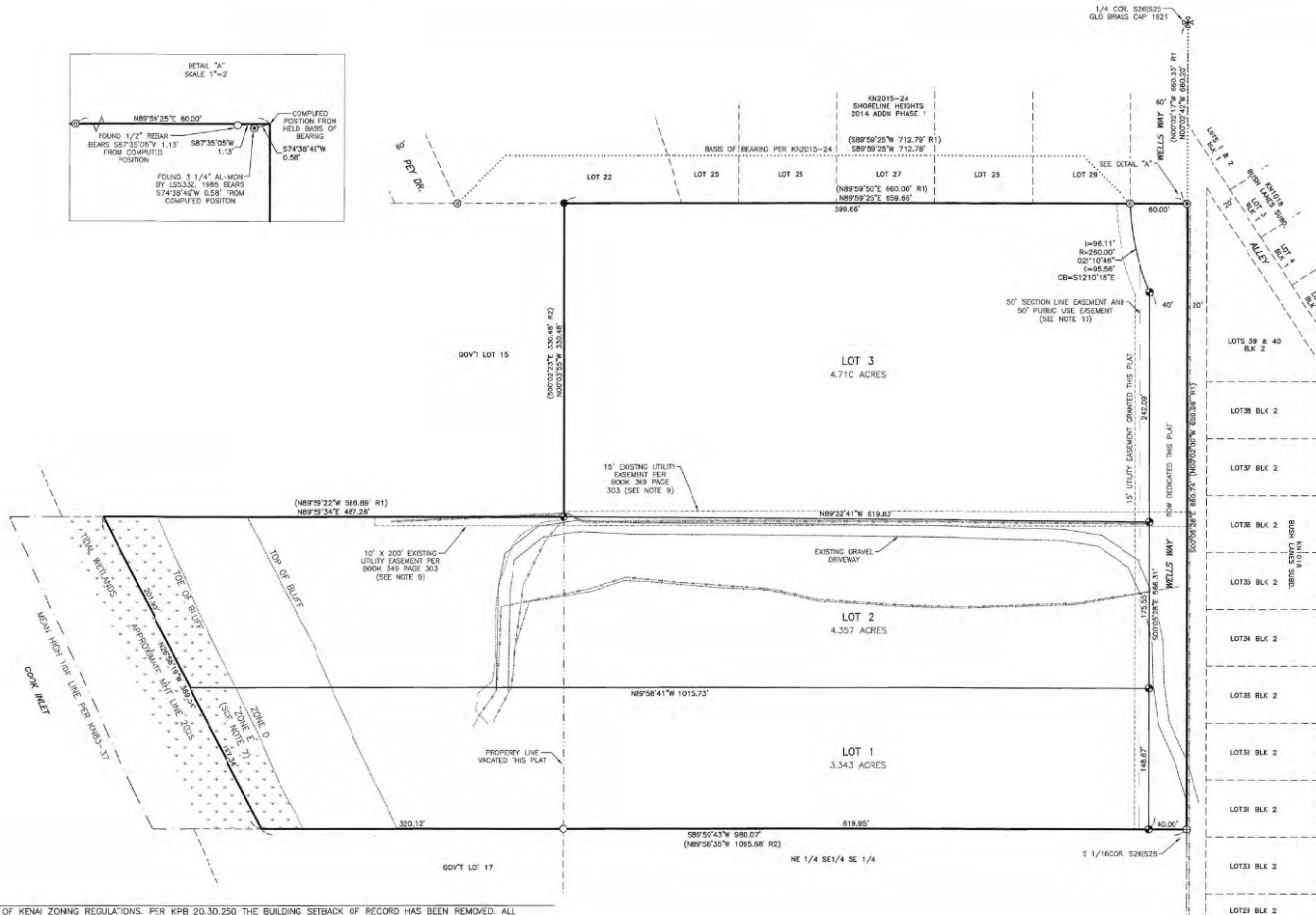
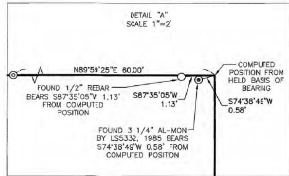
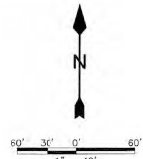
If you have any questions, please feel free to contact me at 907-714-7521 or by email at Skylar.furlong@enstarnaturalgas.com.

Sincerely,

A handwritten signature in blue ink that reads "Skylar Furlong". The signature is written in a cursive, flowing style.

Skylar Furlong
Environmental Permitting & Compliance
ENSTAR Natural Gas Company, LLC





CERTIFICATE OF OWNERSHIP AND DEDICATION
I, THE UNDERSIGNED, 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 MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JOY M. WARD, AKA JOY MAXINE WARD
PO BOX 3414
KENAI, AK 99611

NOTARY ACKNOWLEDGMENT
FOR: JOY M. WARD, AKA JOY MAXINE WARD
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2025

NOTARY PUBLIC FOR: _____
MY COMMISSION EXPIRES: _____

WASTEWATER DISPOSAL
LOTS 1 & 2: THESE LOTS ARE CURRENTLY SERVED BY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS THAT MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
LOT 3: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ON-SITE 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 COMMITTEE AT THE MEETING OF MM/DD/YYYY.

BOROUGH OFFICIAL _____ DATE _____

KPB FILE NUMBER: 2025-XXXX

PENINSULA SURVEYING, LLC 10535 KATRINA BOULEVARD, NINILCHIK, AK 99639 (907)366-7065	
PLAT OF WARD ESTATES	
A SUBDIVISION OF GOVERNMENT LOT 18 & SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4 LOCATED WITHIN SE1/4 SEC. 26, T6N, R12W, S4M, KENAI RECORDING DISTRICT, CITY OF KENAI, KENAI PENINSULA BOROUGH, ALASKA CONTAINING 13.844 M/L ACRES	
OWNERS: JOY M. WARD, AKA JOY MAXINE WARD PO BOX 3414 KENAI, AK 99611	
SCALE: 1" = 60'	DATE: MAY 30, 2025
DRAWN: BLT	CHECKED: JLS
SHEET: 1 OF 1	

- NOTES**
- THIS SUBDIVISION IS SUBJECT TO CITY OF KENAI ZONING REGULATIONS. PER KPB 20.30.250 THE BUILDING SETBACK OF RECORD HAS BEEN REMOVED. ALL DEVELOPMENT MUST COMPLY WITH THE MUNICIPAL ZONING REQUIREMENTS.
 - NO PRIVATE ACCESS TO CITY MAINTAINED ROW'S PERMITTED UNLESS APPROVED BY THE CITY OF KENAI.
 - THE FRONT 15' ADJACENT TO RIGHTS-OF-WAYS 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.
 - NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
 - 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.
 - FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA OR THE KENAI PENINSULA BOROUGH SEMAR MAPPED FLOOD DATA AREA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDER'S OFFICE. PRIOR TO DEVELOPMENT, THE KENAI PENINSULA BOROUGH FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 21.06 OF THE KENAI PENINSULA BOROUGH CODE. SEE FEMA FIRM PANEL 0122C-0105E FOR INFORMATION ON FLOODPLAIN ZONES D AND E.
 - THE NATURAL MEANDERS OF THE MEAN HIGH WATER LINE IS FOR AREA COMPUTATIONS ONLY. THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.
 - SUBJECT TO EASEMENTS FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., PER BOOK 282 PAGE 543 RECORDED MARCH 10, 1986 AND BOOK 349 PAGE 303 RECORDED JUNE 19, 1999, KENAI RECORDING DISTRICT.
 - SUBJECT TO A PUBLIC USE EASEMENT ALONG THE EAST 50 FEET OF THE SE1/4NE1/4SE1/4 SECTION 26, T6N R12W S4M. PER BOOK 390 PAGE 729 RECORDED OCTOBER 15, 1961, KENAI RECORDING DISTRICT. THE LOCATION IS IDENTICAL TO A 50' SECTION LINE EASEMENT CREATED BY A.S. 13.10.010.
 - SUBJECT TO RIGHTS AND EASEMENTS OF THE UNITED STATES OVER AND ACROSS LANDS LYING BENEATH NAVIGABLE WATERS, TIDE LANDS NECESSARY TO ITS JURISDICTION OVER COMMERCE, NAVIGATION AND FISHERIES.
 - SUBJECT TO RIGHTS OF THE PUBLIC AND OR GOVERNMENTAL AGENCIES IN AND TO THAT PORTION OF SAID PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF COOK INLET AND ANY QUESTIONS OF RIGHT OF ACCESS TO COOK INLET IN THE EVENT SAID LANDS DO NOT IN FACT ABUT THE INLET.
 - KPB GIS DATA SHOWS THERE IS NO ANADROMOUS WATERS.
 - AN EXCEPTION REQUEST FOR LOT DIMENSIONS EXCEEDING 3:1 LENGTH TO WIDTH IS BEING MADE CONSIDERING ACCESS AND THE CHANGING BLUFF ON THE WEST BOUNDARY FOR PROPOSED LOTS 1 AND 2.

- LEGEND**
- FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 3 1/4" AL-MON BY LS332, 1985
 - FOUND 1.5" AL-CAP BY LS889, 1998
 - FOUND BLUE PLASTIC CAP BY LS11795
 - FOUND YPC MICCLANE
 - FOUND 1/2" REBAR
 - TO SET RPC ON 5/8" x 36" REBAR BY LS14488
 - (R1) RECORD DATA PER KN2015-24
 - (R2) RECORD DATA PER KN83-3785
 - WETLANDS PER THE KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING
 - APPROXIMATE SLOPES GREATER THAN 20% FROM KPB CONTOUR GIS DATA
 - APPROXIMATE LOCATION OF EXISTING UNDERGROUND ELECTRIC
 - APPROXIMATE LOCATION OF EXISTING UNDERGROUND TELEPHONE
 - APPROXIMATE LOCATION OF EXISTING UNDERGROUND GAS
 - APPROXIMATE LOCATION OF EXISTING UNDERGROUND WATER

KPB 2025-090

