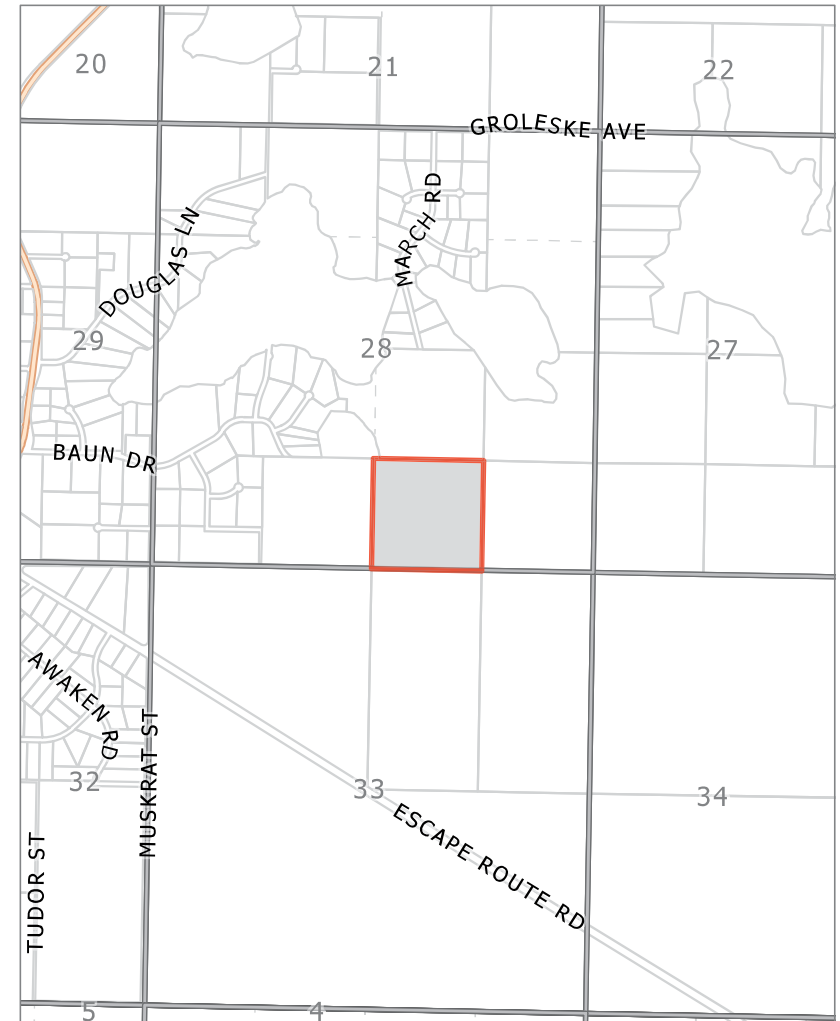
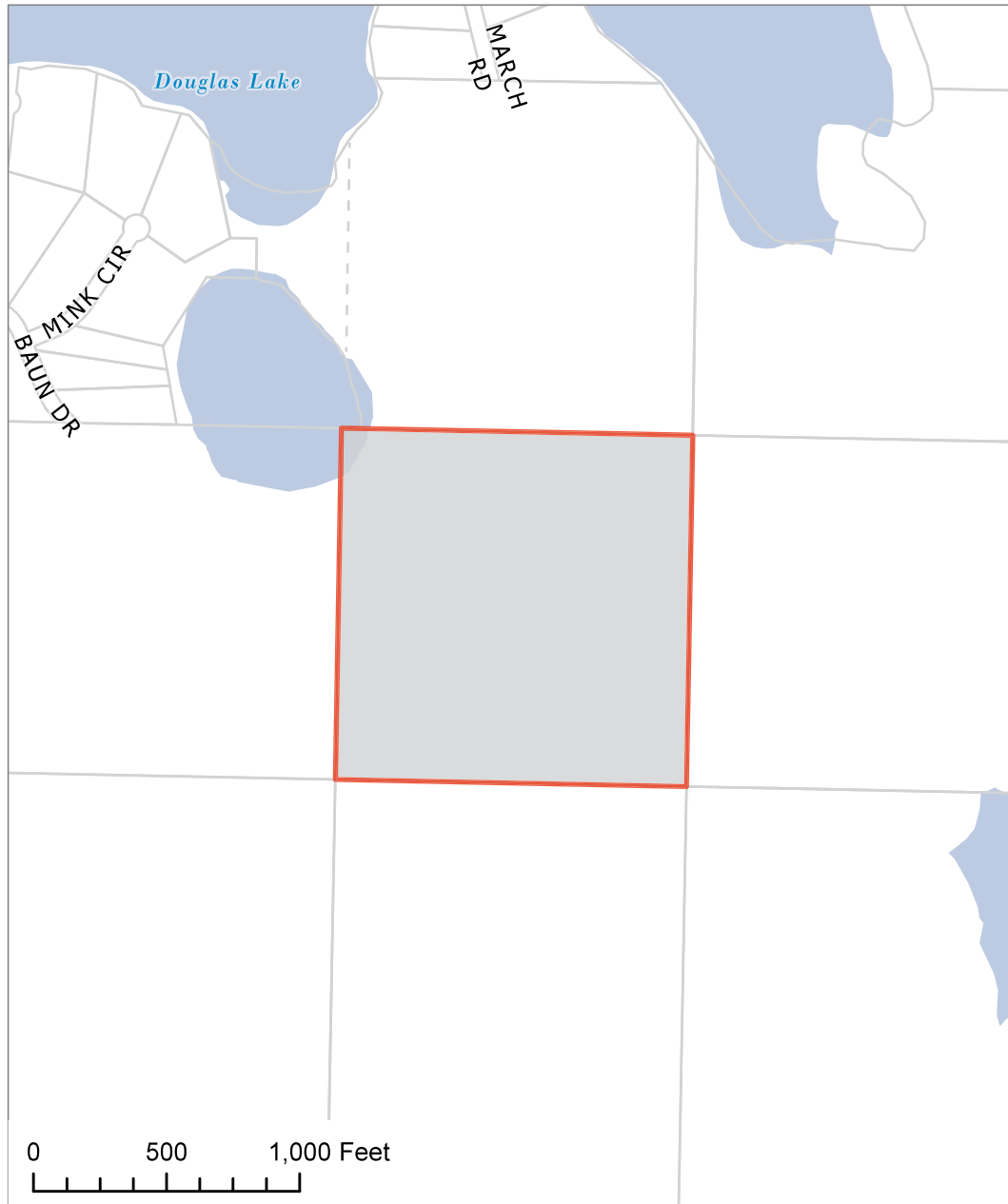
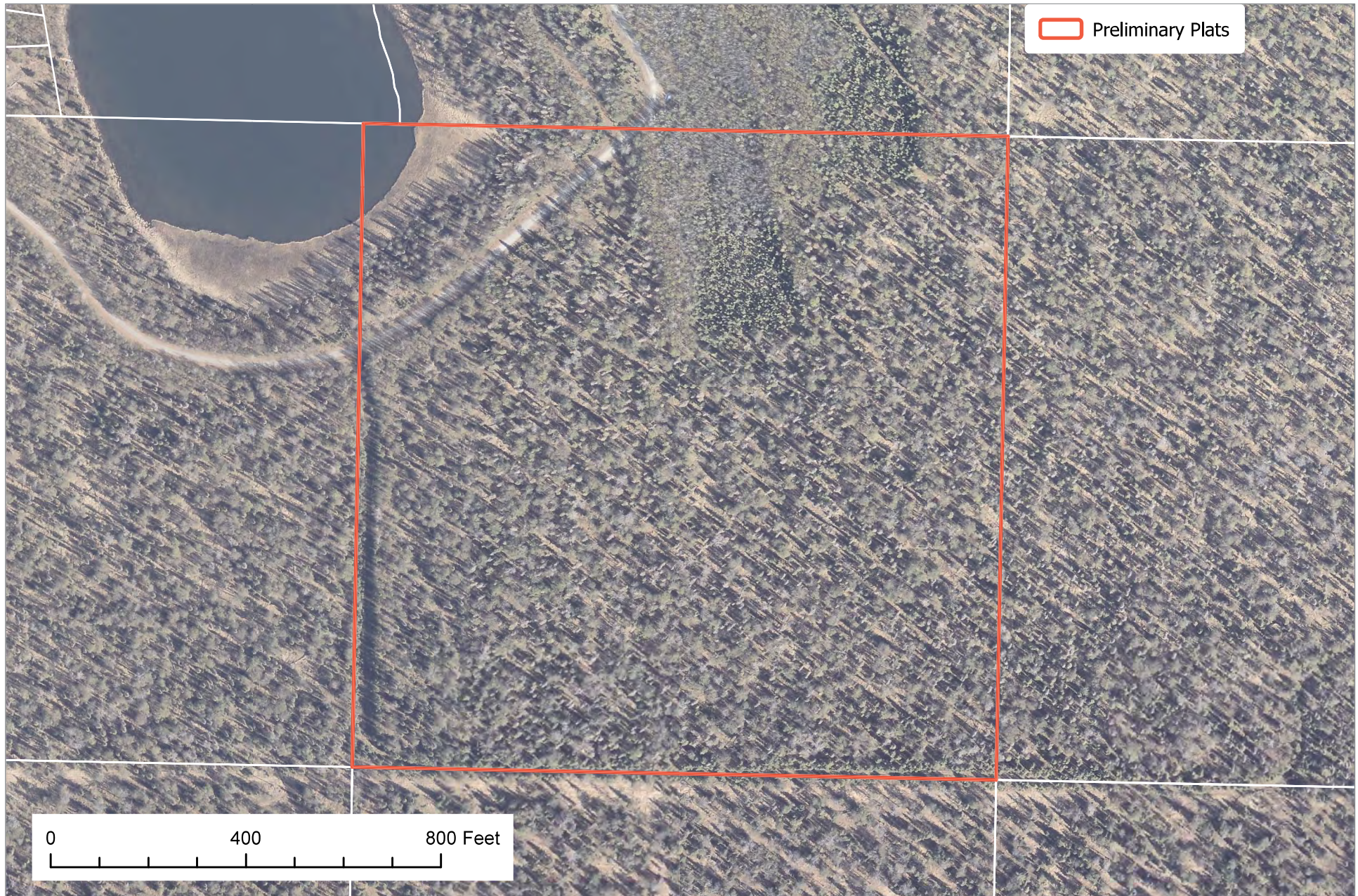


E. NEW BUSINESS

- 4. Plat Waiver Request; KPB File 2025-142
Vector Surveying LLC Magnitude & Direction / Starnes
Request: will create 2 parcels from one unsubdivided parcel
Parcel ID: 01312205
Nikiski Area / Nikiski APC**



KPB File 2025-142
T 07N R12W SEC 28
Nikiski



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 3.25" BLM GLO BRASS CAP SURVEY MONUMENT
⊕	FOUND 2.5" ALCAP PER R2, LS 8869
⊕	SET 5/8 REBAR, NO CAP
+	SEARCHED FOR NOT FOUND
M	MEASURED BEARING AND DISTANCE
C	CALCULATED BEARING AND DISTANCE
SF	SQUARE FEET
AC	ACRES
(R1)	REFERENCED RECORD MAP
SM	SEWARD MERIDIAN
OHW	ORDINARY HIGH WATER

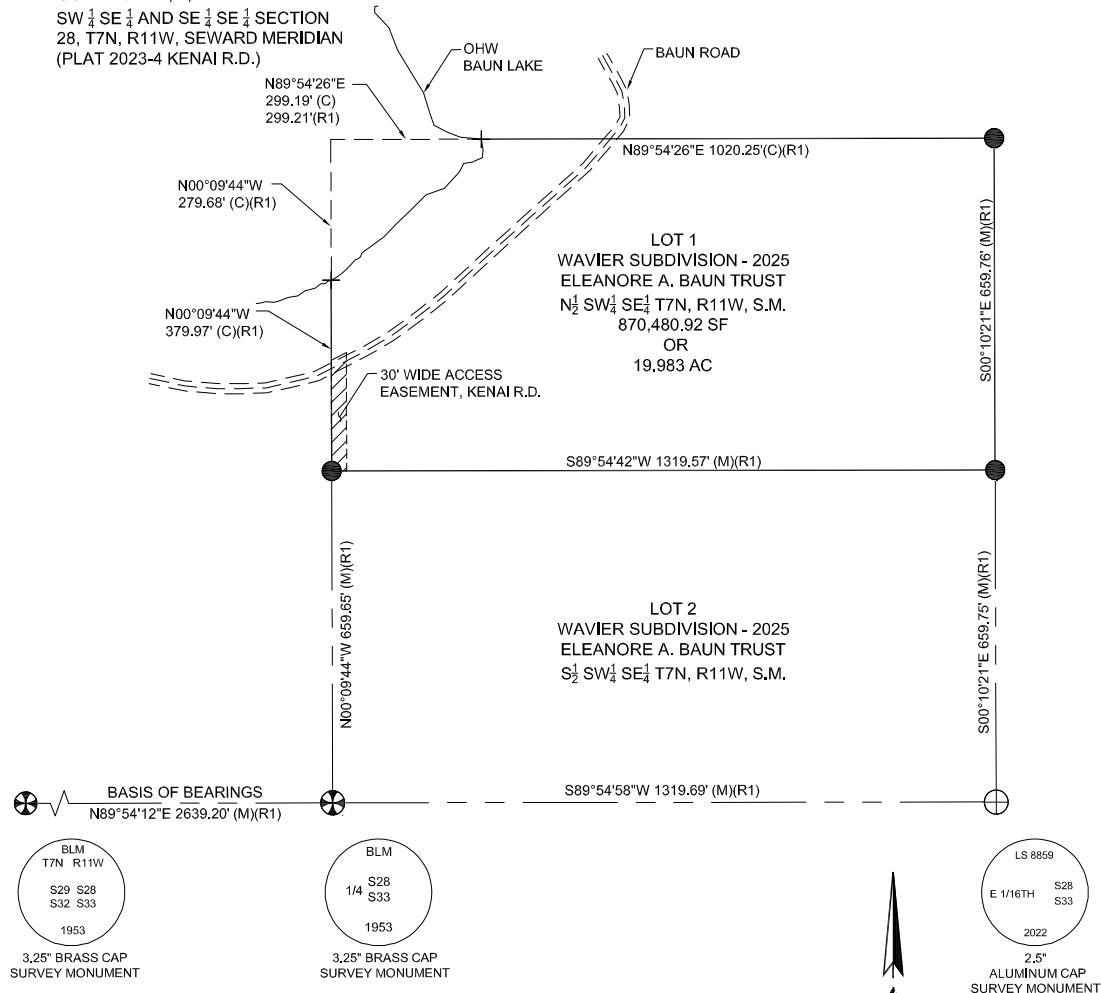
BASIS OF BEARINGS

THE BEARING NORTH 89°54'12" EAST AS SHOWN UPON CERTAIN RECORD OF SURVEY RECORDED AND FILED AS PLAT 2023-4 OFFICIAL RECORDS OF THE KENAI RECORDING DISTRICT IS THE BASIS OF BEARINGS SHOWN UPON THIS MAP.

———	BOUNDARY/PROPERTY LINE
- - - - -	ADJACENT BOUNDARY LINE
———	CENTERLINE BAUN ROAD
———	APPROXIMATE EDGE GRAVEL BAUN ROAD
———	PROTRACTED LINE (COMPUTATIONAL CLOSURES/AREA)
———	LAKE ORDINARY HIGH WATER
//////	30' WIDE ACCESS EASEMENT, KENAI R.D.

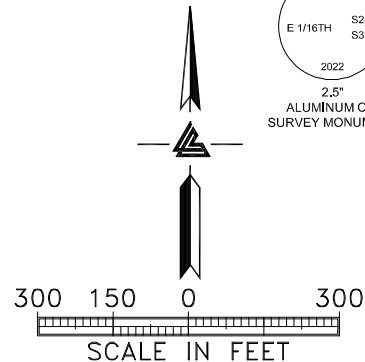
REFERENCE

- (R1) RECORD OF SURVEY
GOVT LOTS 7, 8, AND 11 AND
SW 1/4 SE 1/4 AND SE 1/4 SE 1/4 SECTION
28, T7N, R11W, SEWARD MERIDIAN
(PLAT 2023-4 KENAI R.D.)



NOTES

1. DISTANCES ARE IN US SURVEY FEET AND DECIMALS THEREOF.
2. BAUN ROAD AND LAKE MEANDERS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY.
3. PROTRACTED LINES ARE DETAILED FOR AREA CALCULATIONS.



VECTOR
SURVEYING LLC

LAND AND CONSTRUCTION SURVEYORS
PO BOX 156
SOLDOTNA, ALASKA 99669
907-519-4553

09/01/2025

"LOT 1 EXHIBIT"
THE N1/2 SW1/4 SE1/4
SECTION 28, TOWNSHIP 7
NORTH, RANGE 11 WEST
SEWARD MERIDIAN

1"= 300'
PAGE 4 of 4

LEGEND

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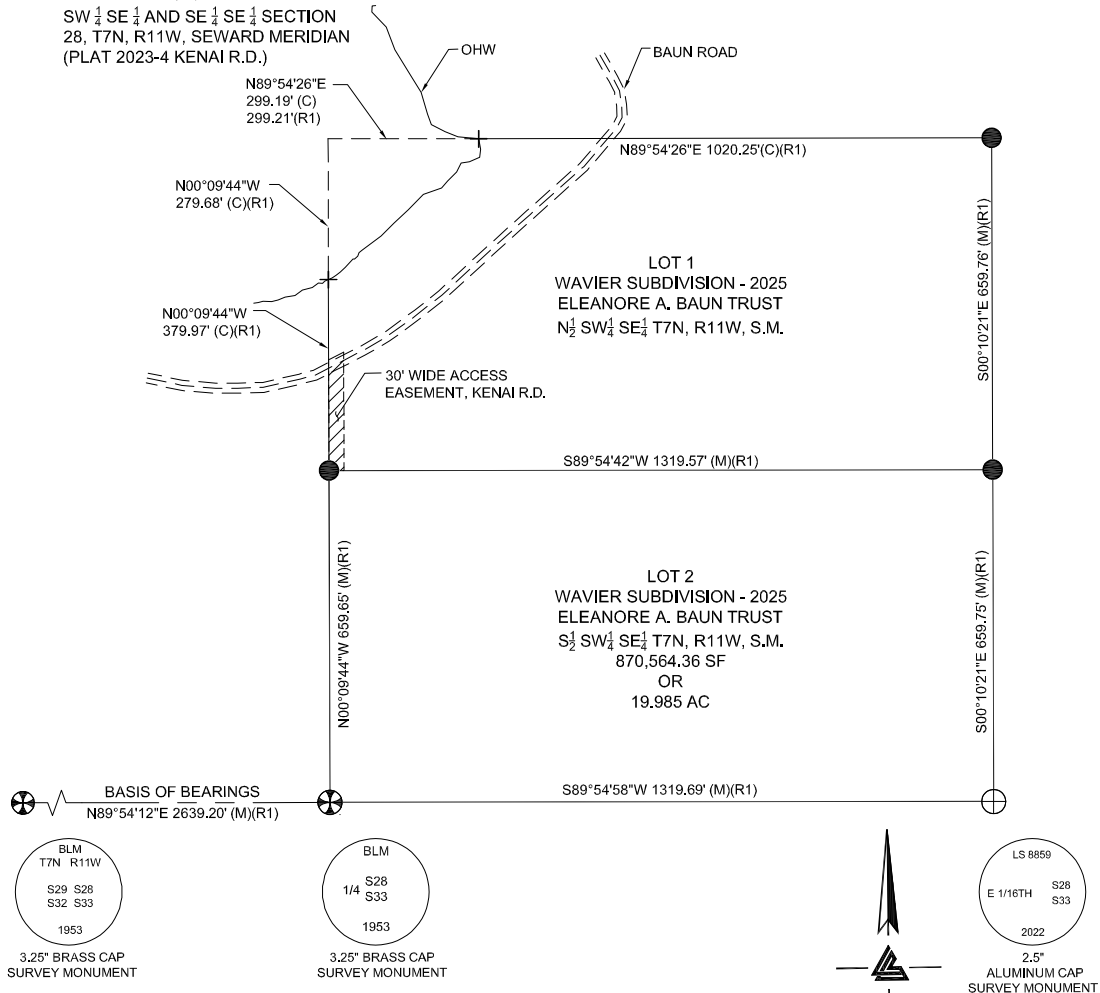
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REFERENCE

- (R1) RECORD OF SURVEY
GOVT LOTS 7, 8, AND 11 AND
SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION
28, T7N, R11W, SEWARD MERIDIAN
(PLAT 2023-4 KENAI R.D.)



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VECTOR
SURVEYING LLC

LAND AND CONSTRUCTION SURVEYORS
PO BOX 156
SOLDOTNA, ALASKA 99669
907-519-4553

09/01/2025

"LOT 2 EXHIBIT"
THE S1/2 SW1/4 SE1/4
SECTION 28, TOWNSHIP 7
NORTH, RANGE 11 WEST
SEWARD MERIDIAN

1"= 300'
PAGE 4 of 4

LEGEND

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—————	LAKE ORDINARY HIGH WATER
	30' WIDE ACCESS EASEMENT, KENAI R.D.
	DOC. 2025-000XYZ-0

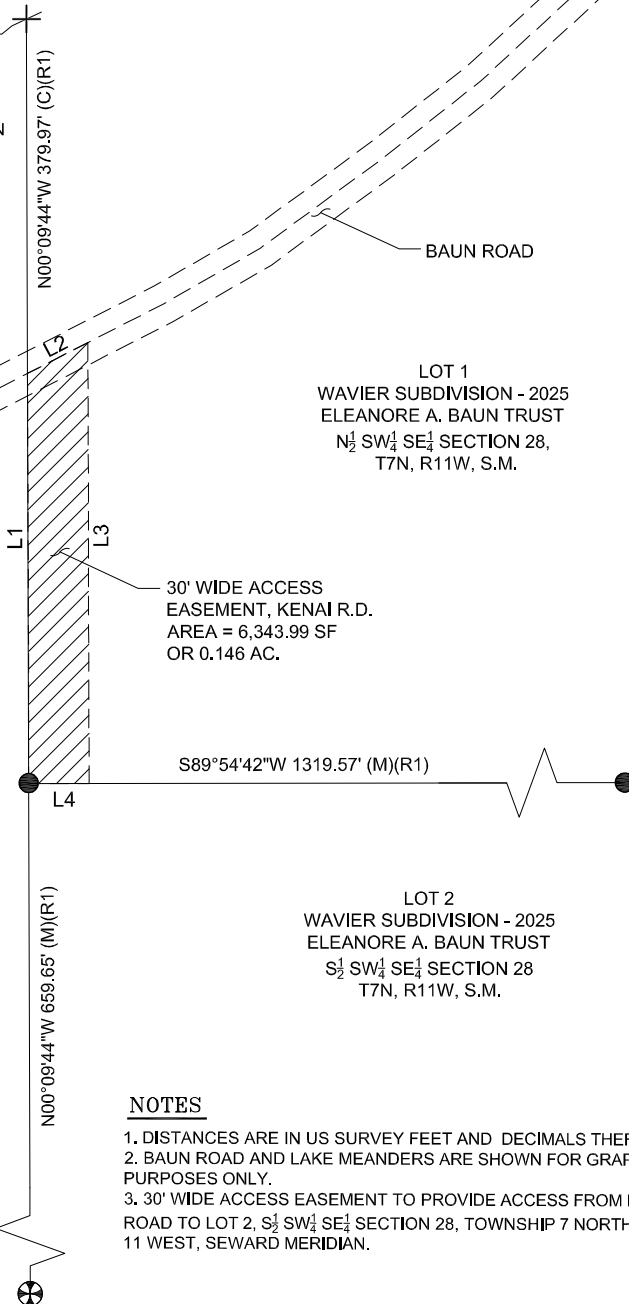
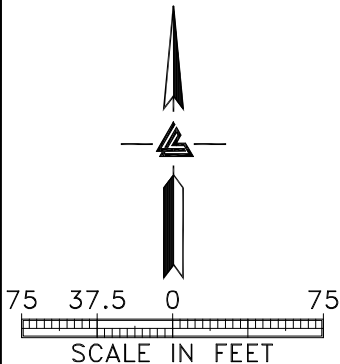
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REFERENCE

(R1) RECORD OF SURVEY
GOVT LOTS 7, 8, AND 11 AND
SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND SE $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION
28, T7N, R28W, SEWARD MERIDIAN
(PLAT 2023-4, KENAI R.D.)

PARCEL LINE DATA		
SEGMENT	LENGTH	DIRECTION
L1	203.82'	N0° 09' 44"W
L2	33.66'	N62° 53' 06"E
L3	219.11'	S0° 09' 44"E
L4	30.00'	S89° 54' 42"W



NOTES

1. DISTANCES ARE IN US SURVEY FEET AND DECIMALS THEREOF.
2. BAUN ROAD AND LAKE MEANDERS ARE SHOWN FOR GRAPHICAL PURPOSES ONLY.
3. 30' WIDE ACCESS EASEMENT TO PROVIDE ACCESS FROM BAUN ROAD TO LOT 2, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SECTION 28, TOWNSHIP 7 NORTH, RANGE 11 WEST, SEWARD MERIDIAN.

VECTOR
SURVEYING LLC

LAND AND CONSTRUCTION SURVEYORS
PO BOX 156
SOLDOTNA, ALASKA 99669
907-519-4553

09/01/2025

"ACCESS & UTILITY
EASEMENT EXHIBIT"
A PORTION OF LOT 1, N1/2
SW1/4 SE1/4 SECTION 28,
TOWNSHIP 7 NORTH, RANGE
11 WEST, SEWARD MERIDIAN

1"= 75'
PAGE 4 of 4

AGENDA ITEM E. NEW BUSINESS

ITEM #4 – T07N R11W Sec 28 Plat Waiver

KPB File No.	2026-063
Plat Committee Meeting:	July 20, 2026
Applicant / Owner:	Sondra Starnes of Kenai, Alaska
Surveyor:	Aaron T. Brown; Vector Surveying, LLC Magnitude and Direction
General Location:	Near Baun Drive off Holt Lamplight Road, Nikiski Area

Parent Parcel No.:	013-122-05
Legal Description:	T 7N R 11W SEC 28 Seward Meridian KN SW1/4 SE1/4
Assessing Use:	Residential Improved Land
Zoning:	Rural Unrestricted
Water / Wastewater	On-Site

STAFF REPORT

Specific Request / Scope of Subdivision: The applicant requests a plat waiver to subdivide a 40.00-acre aliquot parcel into two parcels of approximately 20.00 acres more or less.

Location and Legal Access (existing and proposed):

The property has 60' access easement to the west line by Baun Drive as noted in an easement document from the Bureau of Land Management to the State of Alaska at deed 344 page 892 and Patent 50890584 which runs west to Holt Lamplight Rd. Borough maintenance of Baun Dr stops at the north line of the 40 acres parcel to the west of the subject parcel. Baun Dr continues across the subject parcel east with no public easement noted or documented.

There is also a 50' section line easement up to the west line of the parcel on the adjacent 40 acres piece of land noted in deed 344 page 892 and patent 50890584. The SLE runs west to Lynx Ave, a 30' dedication that is undeveloped. The SLE across the adjacent parcel is not developed to the subject parcel either. There is no section line easement on the subject parcel per State records and per patent 50720119.

KPB 20.90.010 defines "Legal Access" as a contiguous section line easement, platted public right-of-way, or public access granted by recorded document and acceptable to the borough planning commission, all of which must be constructible to the standards in KPB 14.06 from a road right-of-way maintained by a municipality or State of Alaska DOTPF to a parcel.

KPB 20.90.010 further defines "Physical access" as access by the highest level of feasible, accepted transportation for the area is possible. Unless in a remote location not accessed by the road system, this is generally a minimum of 2-wheel drive motor vehicle access.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: Roads has no objections at this time
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Site Investigation:

Baun Lake is located at the northwestern corner of the subject area. According to the KWF Wetlands Assessment, areas subject to inundation are classified as depression are also located near the lake.

Steep contours are located near Baun Lake and slight slopes are along the eastern portion of the parcel.

Publicly available imagery shows a privately maintained driveway in the northwest corner where the private access easement is depicted on the submitted drawing. A trail is visible along the western and southern boundary of the subject parcel.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
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Staff Analysis

This is the first division request for the subject parcel, legally described as the SW ¼ SE ¼ of Section 28, Township 7 North, Range 11 West.

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

Utility Easements

Utility provider review:

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

KPB department / agency review:

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: None Existing Street Names are Correct: No List of Correct Street Names: None Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No other comments
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Code Compliance	Vacant
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment
Advisory Planning Commission	

The applicant proposes to subdivide a 40.00-acre lot parcel into two 20.00-acre parcels. The following are the requirements to qualify for a plat waiver as outlined in KPB Code. The subdivision does not meet the criteria for a plat waiver. Staff conducted no additional review beyond evaluation of the plat waiver standards. Additional exception requests may be required.

KPB 20.10.050 – Plats-Required when – Waivers

- A. Waiver standards. A plat, prepared and submitted in accordance with the applicable provisions of this title, is required for all subdivisions of land, except for subdivisions which qualify under the provision of AS 29.40.090(b), provided an application is submitted with satisfactory evidence to support a finding that:
1. A single existing division of property is not subdivided into more than four lots.
Two parcels will be created by this plat waiver. This standard has been met.
 2. Legal and physical access is provided to a public highway or street for each lot created by the subdivision.
Legal access is not provided within the subject parcel, there is no contiguous section line easement, platted public right-of-way, or public access granted by recorded document and acceptable to the borough planning commission to each lot. Baun Drive has no dedication to the Borough or easement to the State. This standard is not met.
The south tract's proposed access is an easement and is not direct to a street, with no road as defined by 20.90 in "physical access". This standard is not met.
 3. The subdivision does not contain or require a dedication of a street, public right-of-way, or other area.
Baun Dr needs to be dedicated to meet requirements of Legal access. This violates this standard.
The easement from Baun Dr down to the south tract either needs to be a dedication or an exception requested. This violates this standard.
 4. The subdivision does not require a vacation of a public dedication of land.
No vacation is required. This standard has been met.
 5. The subdivision does not require a variance from KPB Title 20 Subdivision regulations.
Exception for dedication would be needed for the easement access and Baun Dr. This violates this standard.
 6. Each lot created by the subdivision is five acres or larger.
Each new parcel will be 20 +/- acre lots. This standard has been met.
- B. Notice. In addition to the requirements for notice by publication in this title, all beneficial interest holders in the land subject to the plat waiver application who have not provided written non-objection to the plat waiver

shall be given notice of the waiver application and the planning commission hearing at least 30 days prior to the planning commission meeting where the waiver will be considered. Applications for plat waivers within a city shall be submitted to the city by the subdivider for comment at least 30 days prior to submittal to the borough for planning commission consideration.

Platting staff comments: A Certificate to Plat was provided with the submittal. **This condition has been met.**

C. All plat waivers must meet the following requirements:

1. A certificate of ownership for plat waiver, which meets the requirements of KPB 20.60.190(A)(2) for a certificate to plat, shall be submitted with the application. The certificate of ownership shall be updated and be current to no earlier than three business days prior to the planning commission meeting where the waiver is scheduled for consideration.

Platting staff comments: A Certificate to Plat was provided with the submittal. **This condition has been met.**

2. A certificate from the borough finance department must be obtained indicating that all taxes due and payable on the land subject to the waiver application have been paid.

Platting staff comments: The 2026 borough property taxes have not been paid. **This condition has not been met.**

D. Upon satisfactory showing by the subdivider that all provisions of KPB 20.10.050 (A), (B), and (C) have been met a waiver of the preparation, submission for approval, and recording of a plat shall be granted by resolution of the commission which shall be recorded in the appropriate district within 30 days after adoption or the waiver shall lapse. The applicant shall pay a plat waiver fee in the amount listed in the current Kenai Peninsula Borough Schedule of Rates, Charges and Fees, and recording fees. **All of the requirements of KPB 20.10.050 have not been met.**

Based on the standards to grant a plat waiver request per KPB 20.10.050, staff recommends denial of the submitted application for the property located at the SW1/4 SE1/4 Section 28 Township 7 North, Range 11 West, SM Alaska.

Staff recommendation: the Planning Commission deny the Plat Waiver Request

Staff Note: A plat waiver does not constitute a survey. A field survey and monumentation of lot lines is not performed. A Record of Survey will be required to find true property boundaries.

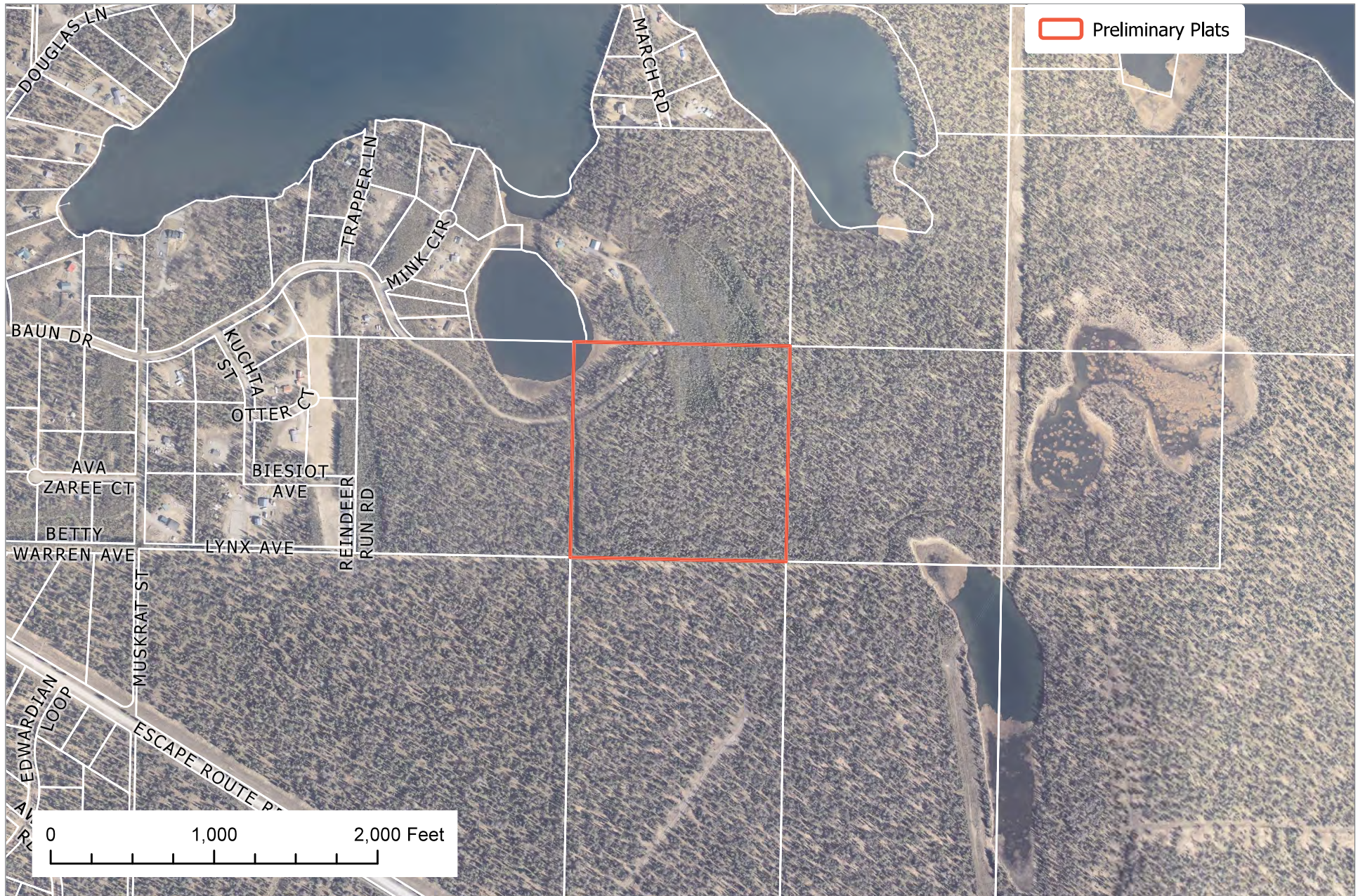
RECOMMENDATION:

STAFF RECOMMENDS:

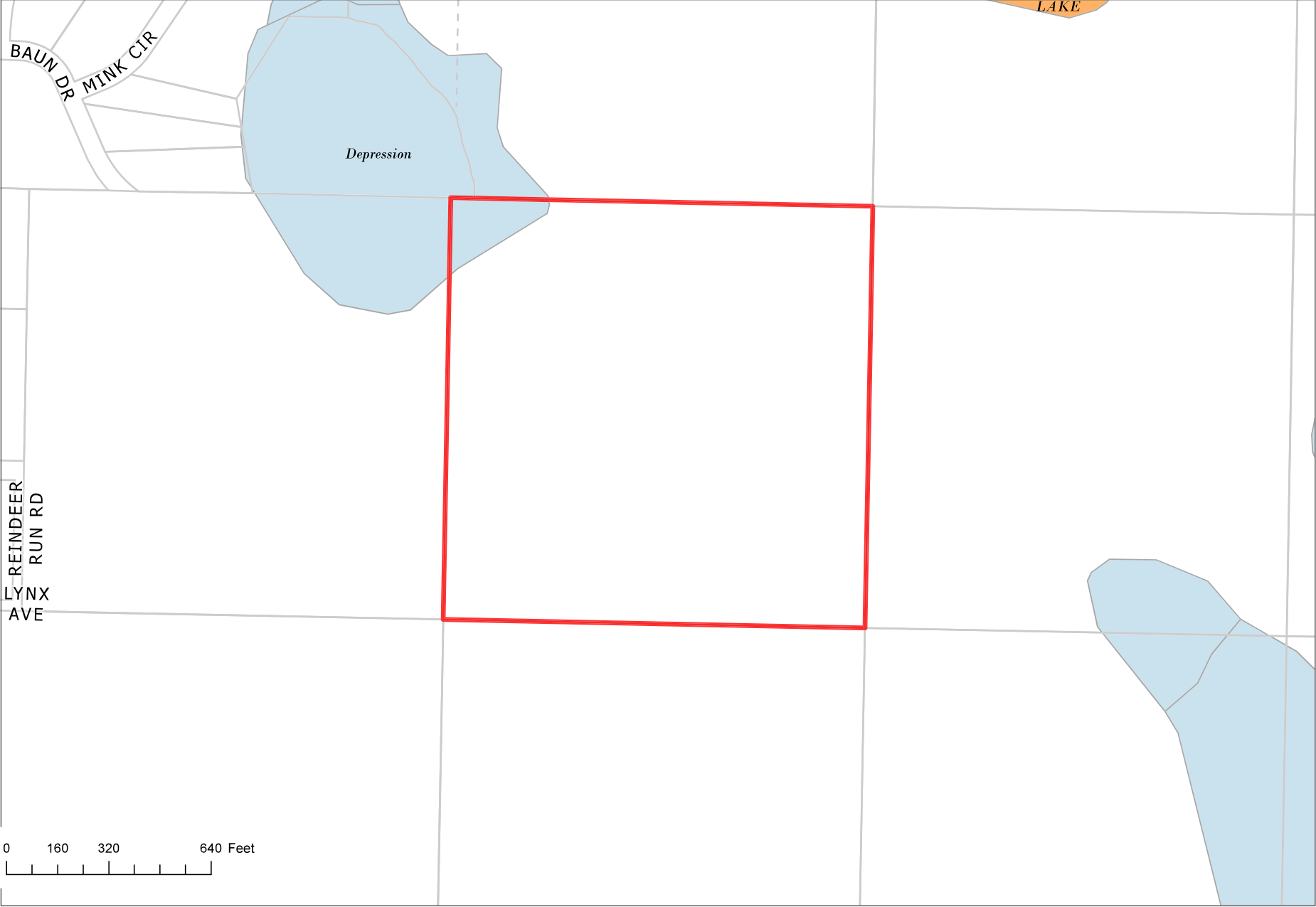
GRANT DENIAL OF THE PLAT WAIVER SUBJECT TO STAFF RECOMMENDATIONS AND SUBJECT TO THE CONDITIONS LISTED.

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

END OF STAFF REPORT



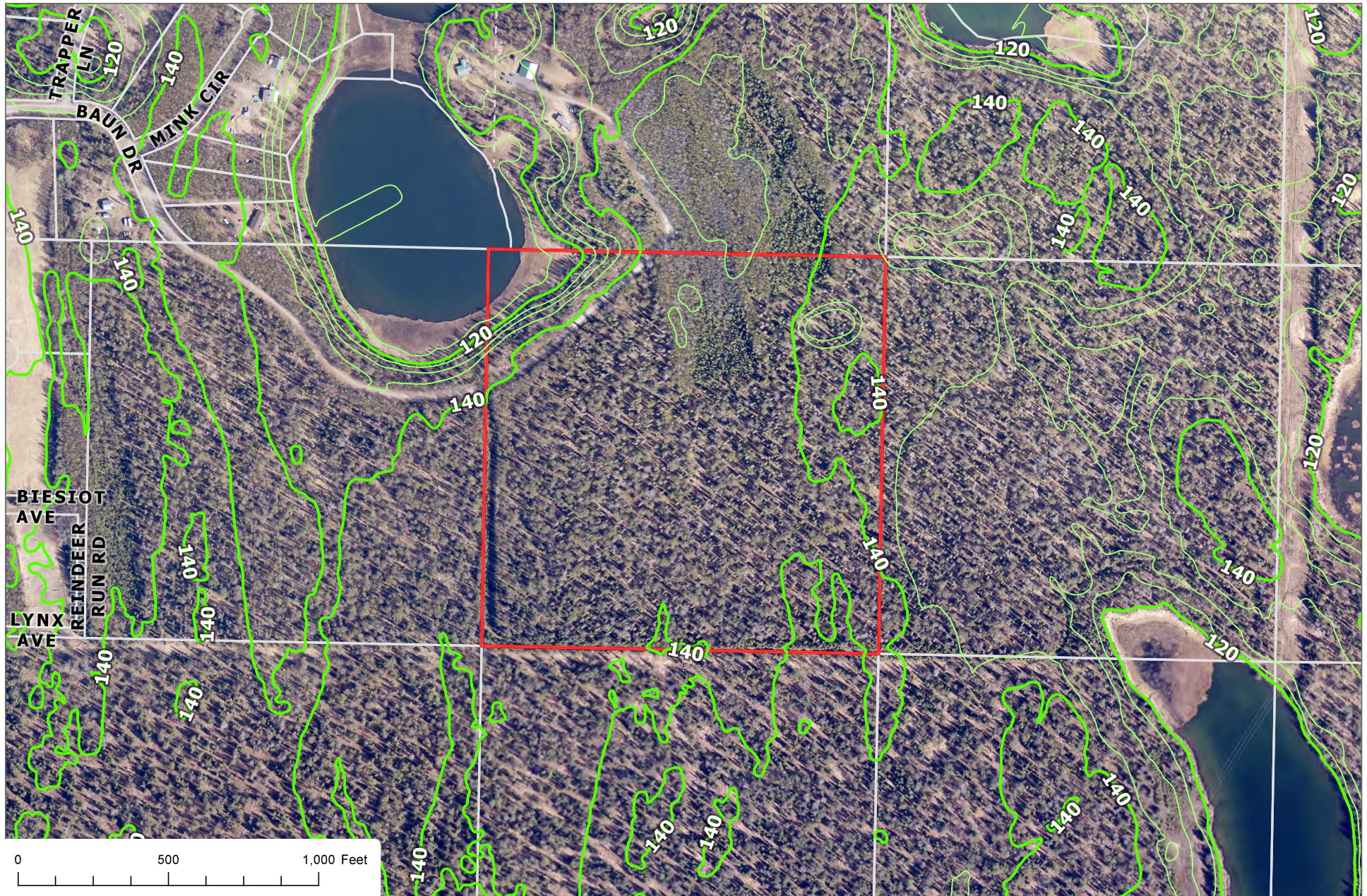
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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Aerial with 5-foot Contours



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 United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS

Karl F. Baum

is entitled to a Land Patent pursuant to the Homestead Laws, Revised Statute 2291, as amended and supplemented, 43 U.S.C. 164 (1970), for the following described land

Seward Meridian, Alaska.

T. 7 N., R. 11 W.,

Sec. 28, Lots 7, 8, 11, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Containing 158.44 acres:

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES, unto the above named claimant the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant, his successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.
2. A right-of-way thereon for the construction of railroads, telegraph, and telephone lines, as prescribed and directed by the Act of March 12, 1914, 38 Stat. 305.
3. All the oil and gas in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of March 8, 1922, 42 Stat. 415, as amended and supplemented.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska
the EIGHTEENTH day of FEBRUARY in the
year of our Lord one thousand nine hundred and SEVENTY-
TWO and of the Independence of the United States the
one hundred and NINETY-SIXTH.

By

J. A. Hagans
Chief Adjucicator

888459

RECORDED-FILED
KENDAL REB.
DISTRICT

FEB 28 10 45 AM '72

REQUESTED BY

ADDRESS

Karl F. Baum

Star #1

Kendal Ak

4/3/8/3

Patent Number

50-72-0119