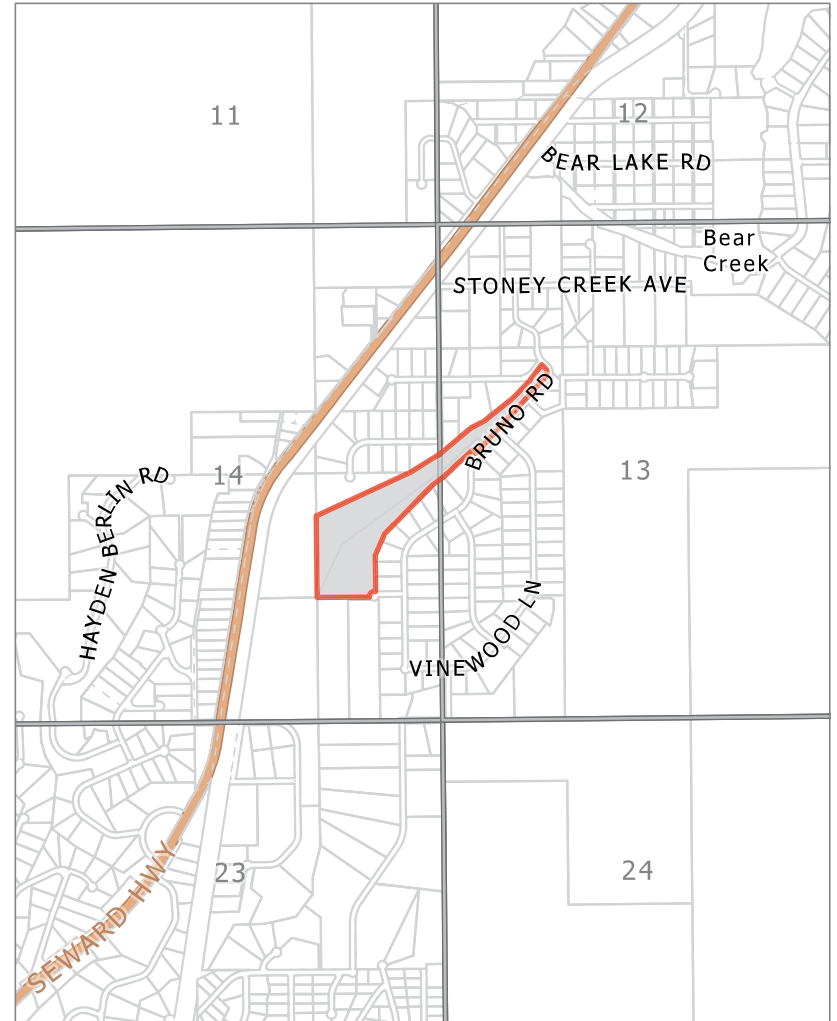
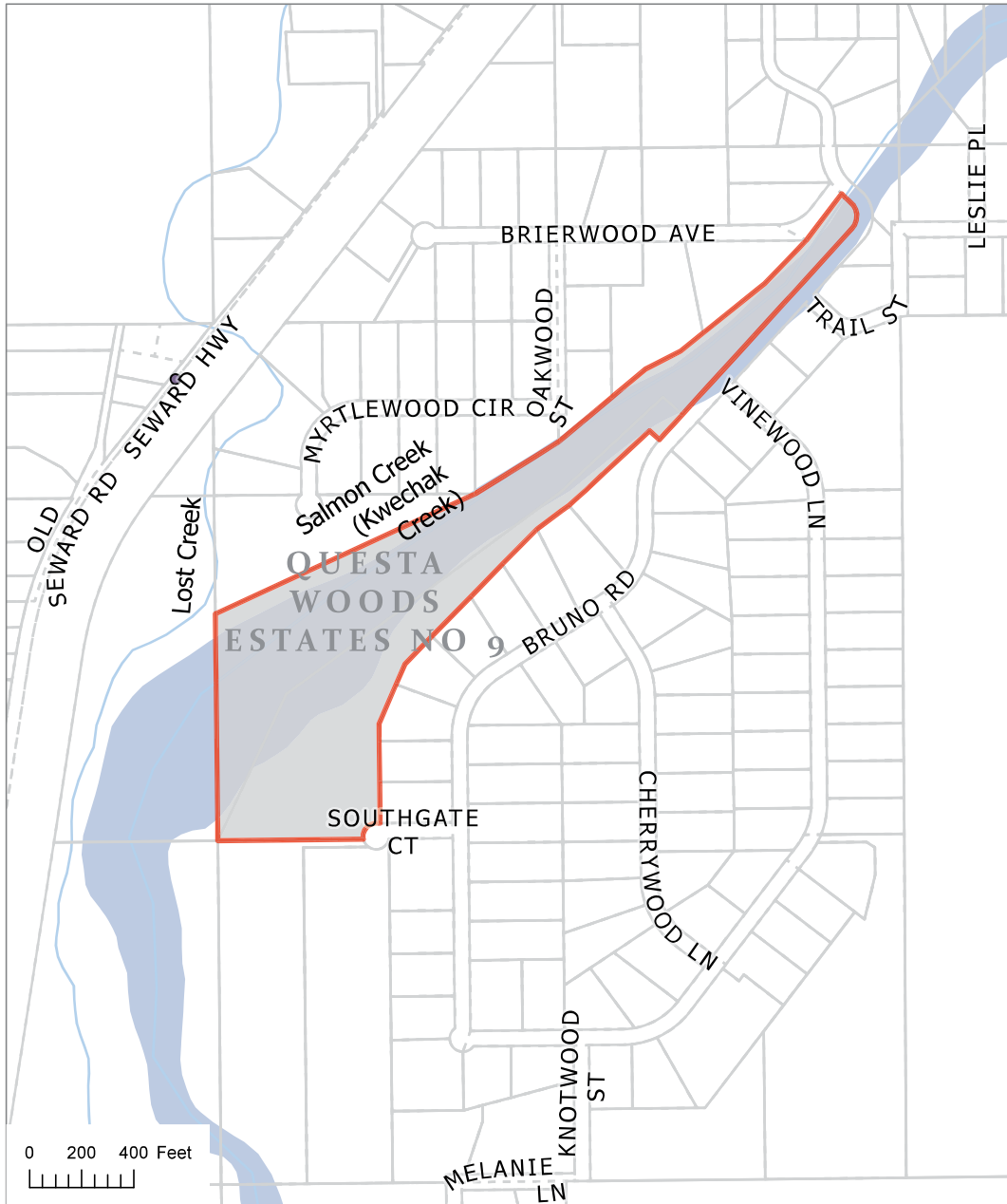


E. NEW BUSINESS

- 7. Questa Woods Estates No. 9; KPB File 2026-033
McLane Consulting Group / Branson, Elhard
Location: Bruno Road, Teakwood Lane & Southgate Court
Bear Creek Area**



KPB File 2026-033
T01N R01W SEC13 & 14
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.



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

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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.

DERRICK BRANSON
PO BOX 3404
SEWARD, AK 99564

MAILE BRANSON
PO BOX 3404
SEWARD, AK 99564

ISAAC ELHARD
PO BOX 662
SEWARD, AK 99564

RENEE ELHARD
PO BOX 662
SEWARD, AK 99564

NOTARY ACKNOWLEDGEMENT

FOR: DERRICK BRANSON
ACKNOWLEDGED BEFORE ME THIS
____ DAY OF _____ 2026
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

NOTARY ACKNOWLEDGEMENT

FOR: MAILE BRANSON
ACKNOWLEDGED BEFORE ME THIS
____ DAY OF _____ 2026
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

NOTARY ACKNOWLEDGEMENT

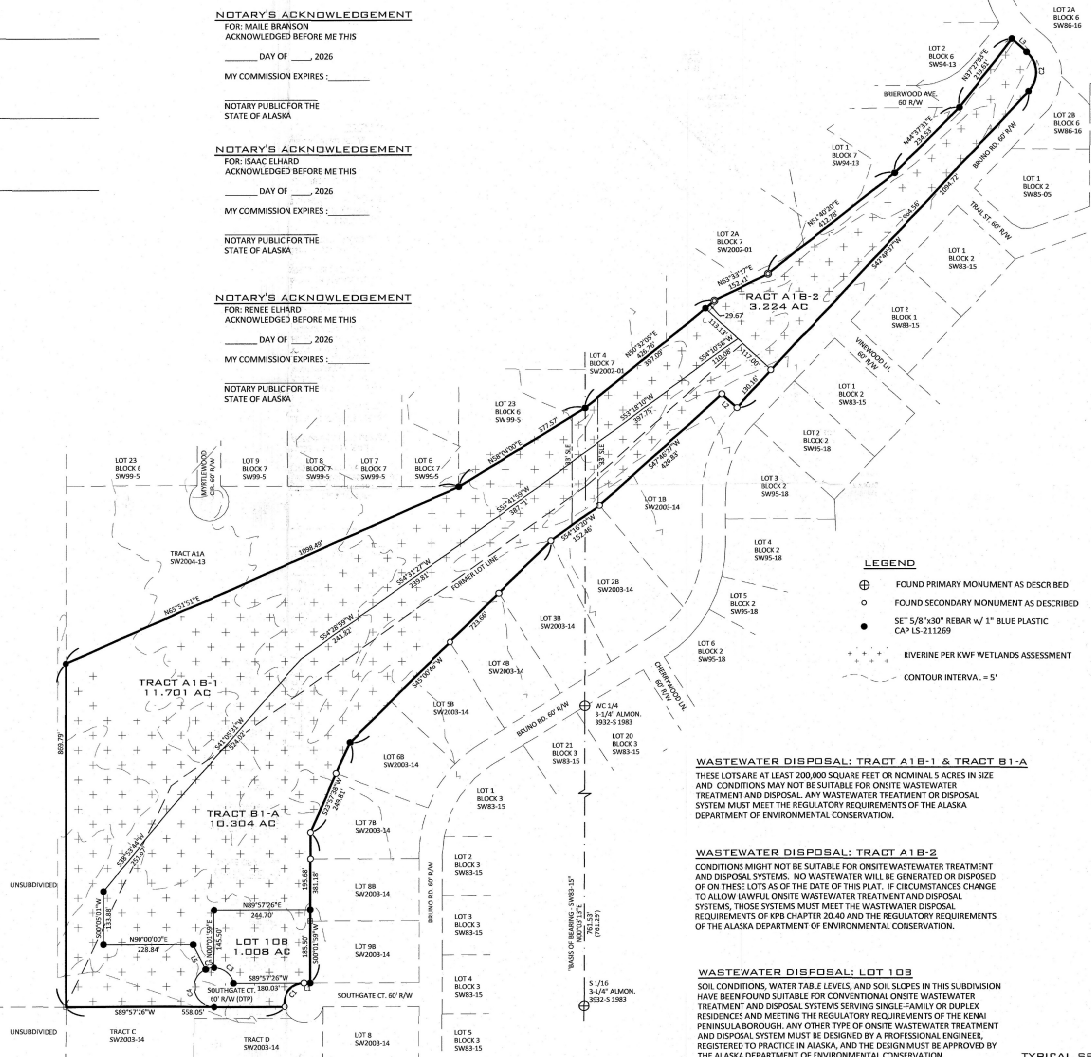
FOR: ISAAC ELHARD
ACKNOWLEDGED BEFORE ME THIS
____ DAY OF _____ 2026
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

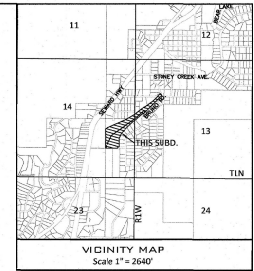
NOTARY ACKNOWLEDGEMENT

FOR: REENE ELHARD
ACKNOWLEDGED BEFORE ME THIS
____ DAY OF _____ 2026
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA



GRAPHIC SCALE
1 inch = 150 ft.



- NOTES**
- WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
 - NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 - BUILDING SET BACK - A BUILDING SET BACK OF 28 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LEISER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. SEE TYPICAL DETAIL.
 - THE FRONT 10 FEET OF THE 30 FOOT BUILDING SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THESE LOT LINES IS ALSO A UTILITY EASEMENT. SEE TYPICAL DETAIL.
 - ROADS MUST MEET THE ESTABLISHED AND CONSTRUCTION STANDARDS SET BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
 - ANY PERSON DEVELOPING THE PROPERTY IF 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:
7.1. SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAN HAS BEEN DESIGNATED BY FEMA OR THE KENAI PENINSULA BOROUGH SEWARD WAPPED FLOOD DATA AREA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAN IS RECORDED WITH THE DISTRICT RECORDERS 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.
 - TRACT A1B-2 IS WITHIN THE DISCHARGE AREA OF KWACHAK CREEK AND IS NOT INTENDED OR SUITABLE FOR WASTEWATER/RESIDENTIAL DEVELOPMENT.
 - EXCEPTION TO 20.60.200 - SURVEY AND MONUMENTATION WAS GRANTED BY THE KPE PLAT COMMITTEE MEETING AT THE MEETING DATE OF _____ 2026.
 - THIS PLAN MAY BE SUBJECT TO THE FOLLOWING:
10.1. RESERVATION OF SECTION LINE EASEMENT 33 FEET IN WIDTH ALONG EACH SIDE OF SECTION LINE AS PROVIDED BY 45 USC 353 AND REENACTED BY 1/21 C.L.A. 1933.
10.2. COVENANTS, CONDITIONS, RESTRICTIONS, AND/OR EASEMENTS RECORDED MAY 12 2004, SERIAL NUMBER 2004-000661-1, SEWARD RECORDING DISTRICT.

| CURVE TABLE | | | | | | |
|-------------|------------|--------|--------|---------|-----------------|--------------|
| CURVE # | DELTA | RADIUS | LENGTH | TANGENT | CHORD BEARING | CHORD LENGTH |
| C1 | 101°32'13" | 50.00 | 86.61 | 61.24 | S 3° 11' 33" W | 77.46 |
| C2 | 91°32'31" | 70.00 | 111.84 | 71.91 | S 42° 45' 50" E | 100.32 |
| C3 | 28°23'34" | 90.00 | 66.41 | 46.77 | N 30° 40' 25" W | 63.19 |
| C4 | 154°04'37" | 90.00 | 131.46 | 212.24 | S 3° 00' 15" E | 92.85 |
| C5 | 25°59'54" | 50.00 | 22.69 | 13.54 | S 9° 02' 00" W | 22.89 |

| LINE TABLE | | |
|------------|---------------|----------|
| LINE # | BEARING | DISTANCE |
| L1 | S 89°57'20" W | 11.70 |
| L2 | N 47°07'38" W | 51.05 |
| L3 | S 48°32'10" E | 56.62 |
| L5 | S 28°09'35" E | 66.85 |

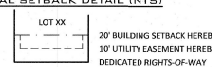
- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
 - ⊙ FOUND SECONDARY MONUMENT AS DESCRIBED
 - SE" 5/8"x30" REBAR w/ 1" BLUE PLASTIC CAP LS-211269
 - RIVERINE PER KPW WETLANDS ASSESSMENT
 - CONTOUR INTERVAL = 5'

WASTEWATER DISPOSAL: TRACT A1B-1 & TRACT B1-A
THESE LOTS ARE AT LEAST 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE AND CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL: TRACT A1B-2
CONDITIONS MIGHT NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. NO WASTEWATER WILL BE GENERATED OR DISPOSED OF ON THESE LOTS AS OF THE DATE OF THIS PLAN. IF CIRCUMSTANCES CHANGE TO ALLOW LAWFUL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS, THESE SYSTEMS MUST MEET THE WASTEWATER DISPOSAL REQUIREMENTS OF KPB CHAPTER 20.40 AND THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL: LOT 103
SOIL CONDITIONS, WATER TABLE LEVELS AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

TYPICAL SETBACK DETAIL (NTS)



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2026.

CODY R. McLAINE C.E. 1151D AK DATE _____

Date: MAR. 2026 AUTHORIZED OFFICIAL

Plat #

Rec. Date: _____

Date: _____

Time: _____



QUESTA WOODS ESTATES #9
REPLAT OF TRACT A1B QUESTA WOODS ESTATES #8 (HW2004-013) & TRACT B1 QUESTA WOODS ESTATES #6 (SW2003-014)

OWNERS:
DERRICK & MAILE BRANSON
PO BOX 3404 SEWARD, AK 99564

ISAAC & REENE ELHARD
PO BOX 662, SEWARD, AK 99564

26.620 AC. MY. SITUATED IN THE NE1/4 & SE1/4 SECTION 14, & THE NW1/4 SECTION 13, TOWNSHIP 1 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

| | |
|---|-----------------------|
| ENGINEERING - TERRIBO SURVEYING & MAPPING P.O. BOX 468 BOLDTOWN, AK 99609 VOICE: (907) 283-6111 FAX: (907) 283-3262 WWW.TERRIBO.COM | KPB File No. 2026-XXX |
| MLANC Consulting Inc. | Project No. 262009 |

Scale: 1" = 150' Date: MAR. 2026 BOOK: 25-01 Drawn by: AHH

KPB 2026-033

AGENDA ITEM E. NEW BUSINESS

**ITEM #7 - PRELIMINARY PLAT
QUESTA WOODS ESTATES PLAT #9**

| | |
|--------------------------------|--|
| KPB File No. | 2026-033 |
| Plat Committee Meeting: | May 11, 2026 |
| Applicant / Owner: | Derrick & Maile Branson and Isaac & Reene Elhard / Seward AK |
| Surveyor: | Andrew Hamilton / McLane Consulting Inc. |
| General Location: | Bruno Rd / Seward, AK |

| | |
|---------------------------|--|
| Parent Parcel No.: | 125-022-40 & 125-022-38 |
| Legal Description: | T 1N R 1W SEC 14 SEWARD MERIDIAN SW 2004013 QUESTA WOODS ESTATES #8 TRACT A1B & T 1N R 1W SEC 14 SEWARD MERIDIAN SW 2003014 QUESTA WOODS ESTATES #6 TRACT B1 |
| Assessing Use: | Vacant |
| Zoning: | Rural Unrestricted |
| Water / Wastewater | Onsite / Onsite |
| Exception Request | 20.30.190, 20.60.200 |

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two tracts to form three new tracts and a lot and dedication

Location and Legal Access (existing and proposed):

Legal access to the plat is along Bruno Rd for proposed Tract A1B-2 and Tract B1-A. Southgate Ct along the proposed extended dedication will give access to proposed Lot 10B, Tract B1-a and Tract A1B-1. Bruno Rd and Southgate Ct are accessed by exiting Old Seward Highway at Stoney Creek Ave then south on Bruno Rd which continues down to Southgate Ct. Bruno Rd is a 60' dedication maintained by the Borough. Southgate Ct is also a 60' dedication with a cul-de-sac bulb proposed to be extended that is privately maintained at this time.

The plat is proposing to extend the existing cul-de-sac of Southgate Ct further into the subdivision to create access for three new parcels. **Staff recommends** the surveyor add dimensions to the cul-de-sac (overall curve) and south line of the plat.

A 66' Section Line Easement affects the plat as drawn on the plat. **Staff recommends** the surveyor identify the SLE on the drawing more prominent and tie to plat note 10.1.

Block length is not compliant with this plat. With the location of Kwechak Creek along the backside of this plat there is no possible way for this plat to supply a solution to complete the block length. **Staff recommends** the Plat Committee concur that an exception to KPB 20.30.170 Block – Length requirements is not needed at this time.

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

Site Investigation:

The terrain of the plat is relatively flat, sloping southwesterly down the Kwechak Creek bed. The creek bed occupies

a majority of the backside of this plat. The surveyor has requested an exception to KPB 20.60.200 Survey and Monumentation to be addressed later in the staff report.

Aerial photos do not show any improvements on the property and the surveyor has not identified any either. There does appear to possibly be some structures encroaching from the southeast lots fronting Bruno Rd. The owner has sent an email concerning the issue and the other owner is also and neither has a problem.

Per the KWF Wetlands Assessment. The plat has an area of wetlands designated as Riverine crossing it. This is shown on the drawing as the 'starred' hatch following mostly the Kwechak Creek bed area.

The River Center review has identified the plat to be located in a FEMA designated flood hazard zone and floodway. The recommended flood hazard notice is included on the plat at note 7.1. Per the RC review, the note should include the FEMA FIRM Panel and zone and zones should be defined on the drawing. The floodway notice in KPB 20.30.280.E needs to be added to the plat notes and include the FEMA FIRM Panel and the floodway needs defined on the drawing also.

The plat is noted to not be in a habitat protection district. See the River Center review (B) below for information.

| | |
|-------------------------------|---|
| KPB River Center review | <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Portions of this subdivision are within the regulatory Floodway along with regulatory AE Zones. There are portions within the non-regulatory X Zone. The Floodway and AE Zone needs to be clearly depicted and labeled. Required notes regarding floodway and floodplain must be included on the plat.</p> <p>Flood Zone: AE,X (shaded),Floodway Map Panel: 02122C-4542D In Floodway: True Floodway Panel: *same as FIRM Panel</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: "There is a salmon-bearing waterbody that is listed in the ADFG Anadromous Waters Catalog, but it is within the Seward-Bear Creek Flood Service Area. This area is excluded per 21.18.025(C)(1), and therefore a setback from the waterbody is not regulated by the KPB. Any work in or near the waterbody may need approval from ADFG."</p> |
| State of Alaska Fish and Game | |

Staff Analysis

Tract A was originally platted by Questa Woods Estates No 4 SW99-19 Amended SW2002-1. Questa Woods Estates No 3 SW 99-5 created Lot 5 Block 7 crossing into Kwechak Creek next to Tract A SW2002-1. Questa Woods Estates #5 SW2001-15 reduced the distance Lot 5 Block 7 came into Kwechak Creek and created Tracts A1 and B. Questa Woods Estates #6 SW2003-14, subdivided Tract B into 9 lots and the current Tract B1. This platting action will combine Tract A1 and B1 to create three new tracts and one lot.

A soils report will be required for Lot 10B and an engineer will sign the final plat as the new lot is below 200,000 sq ft. The wastewater disposal note will need to match the recommendation of the engineer.

A soils report will not be required for Tract A1B1 and B1-A as these new tracts are above 200,000 sq ft.

A soils report will not be required for Tract A1B-2 as it is not intended to have any wastewater disposal due its location with Kwechak Creek. The proper wastewater disposal note is on the plat.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

Utility Easements

10' utility easements from parent plats and granted this plat are noted in plat notes and shown in the Typical Setback Detail on the drawing.

The plat is not finalizing a vacation of easement.

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.

New 10' utility easement will be located around the dedication of Southgate Ct.

Utility provider review:

| | |
|------------------|--------------------------------|
| HEA | Out of service area |
| ENSTAR | No comments or recommendations |
| ACS | No objections |
| GCI | |
| SEWARD ELECTRIC | |
| CHUGACH ELECTRIC | Out of service area |
| TELALASKA | |

KPB department / agency review:

| | |
|------------|---|
| Addressing | <p>Reviewer: Pace, Rhealyn Affected Addresses: None</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: Southgate Ct, Bruno Rd, Brierwood Ave, Trail St, Vinewood Ln, Cherrywood Ln, Teakwood Ln</p> <p>Existing Street Name Corrections Needed: Bruno Rd connects to Brierwood Ave via Teakwood Ln, please add Teakwood Ln.</p> <p>All New Street Names are Approved: No</p> |
|------------|---|

| | |
|-----------------|---|
| | List of Approved Street Names: List of Street Names Denied: Comments: No other comments |
| Code Compliance | Reviewer: Ogren, Eric Comments: No comments |
| Planner | Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat. |
| Assessing | Reviewer: Windsor, Heather Comments: No comment |

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

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

The Typical Setback Detail is overlapping onto the Plat Approval, please space apart
Correct Reene Elhard name in the Notary’s Acknowledgement.
Add measured data where needed.
Note basis of bearing.

PLAT NOTES

- 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 2026-033
Add to the legal SW1/4 Section 13, as a small portion of Tract B1 is in the SW1/4 of Section 13
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
Staff recommendation:
Show Myrtlewood Cir and Oakwood St north of plat with ROW width

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Staff recommendation:
 Add Southgate Ct to the vicinity map.
- 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:
 Lot to north marked 23 needs corrected Lot 5A block 7 SW 2001-15
 Lot 4 Block 7, shape needs adjusted to show road in NW corner.
- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;
Staff recommendation:
 Looks to be some houses along the backside of Lots 4B & 1B may be encroaching with structures

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.

Plating 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 Lots- Dimensions

Surveyor's Discussion:

Requesting exception to KPB Code 20.30.190(A) – Lots – Dimensions 3:1 Length o Width Ratio applicable to Tract A1B-1, Tract A1B-2 and Tract B1-A.

Surveyor's Findings:

1. These parcels primarily encompass Kwechak Creek and the adjacent uplands of the creek. Due to the natural shape and location of Kwechak Creek the shape of these parcels is the most practical and economical way to divide the land.
2. The lots as they currently exist are similar in nature to the proposed lots.
3. The proposed relocation of the property line is intended to more closely reflect where a dike is formed after mining of the creek.
4. Granting this exception supports sound land-use planning, maintains public health and safety.

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.

Staff Findings:

5. Each plat showing Tract A or B, showed long lots along Kwechak Creek in similar form.
6. Granting this exception will not be a hindrance to adjacent land owners

Staff reviewed the exception request and recommends granting approval.

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

Unless prohibited under this title, the committee may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present 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 by application;
Findings 1, 2, 3 & 5 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, 2 & 5 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1, 2, 4 & 6 appear to support this standard.

B. KPB 20.60.200 – Survey and Monumentation

Surveyor's Discussion:

Requesting exception to KPB Code 20.60.200 – Survey and Monumentation. Requesting exception to setting any physical monuments within the Kwechak Creek area.

Surveyor's Findings:

1. Kwechak creek is periodically mined and reshaped using heavy equipment.
2. Any physical rebar set within the creek bed would eventually be removed either by heavy equipment or the natural flow and changes of the creek bed.
3. Granting this exception supports sound land-use planning, maintains public health and safety.

Staff Discussion:

20.60.200 – Survey and monumentation.

C. All corners and monuments found and set shall be shown and described on the plat with the following information: date set, type of monument, and surveyor, as well as any other information marked on the corner or monument. Standard or recurring information may be shown in the monument description in the legend.

Staff Findings:

4. Granting this exception will not remove any adjacent land owners' pins.

Staff reviewed the exception request and recommends granting approval.

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

Unless prohibited under this title, the committee may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present 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 by application;
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 & 2 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 4 appear to support this standard.

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

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

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

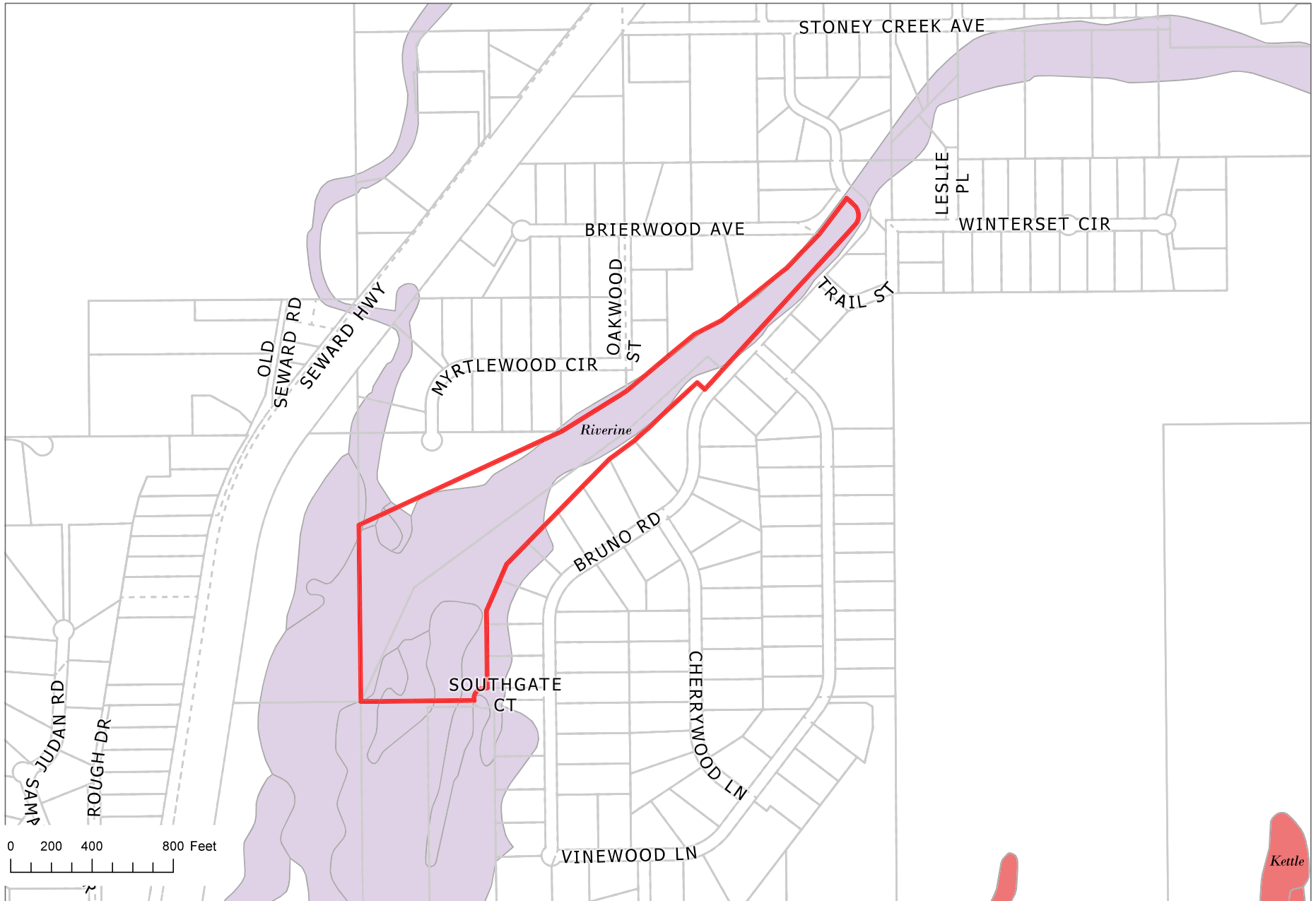
NOTE: 20.25.120. - REVIEW AND APPEAL.

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

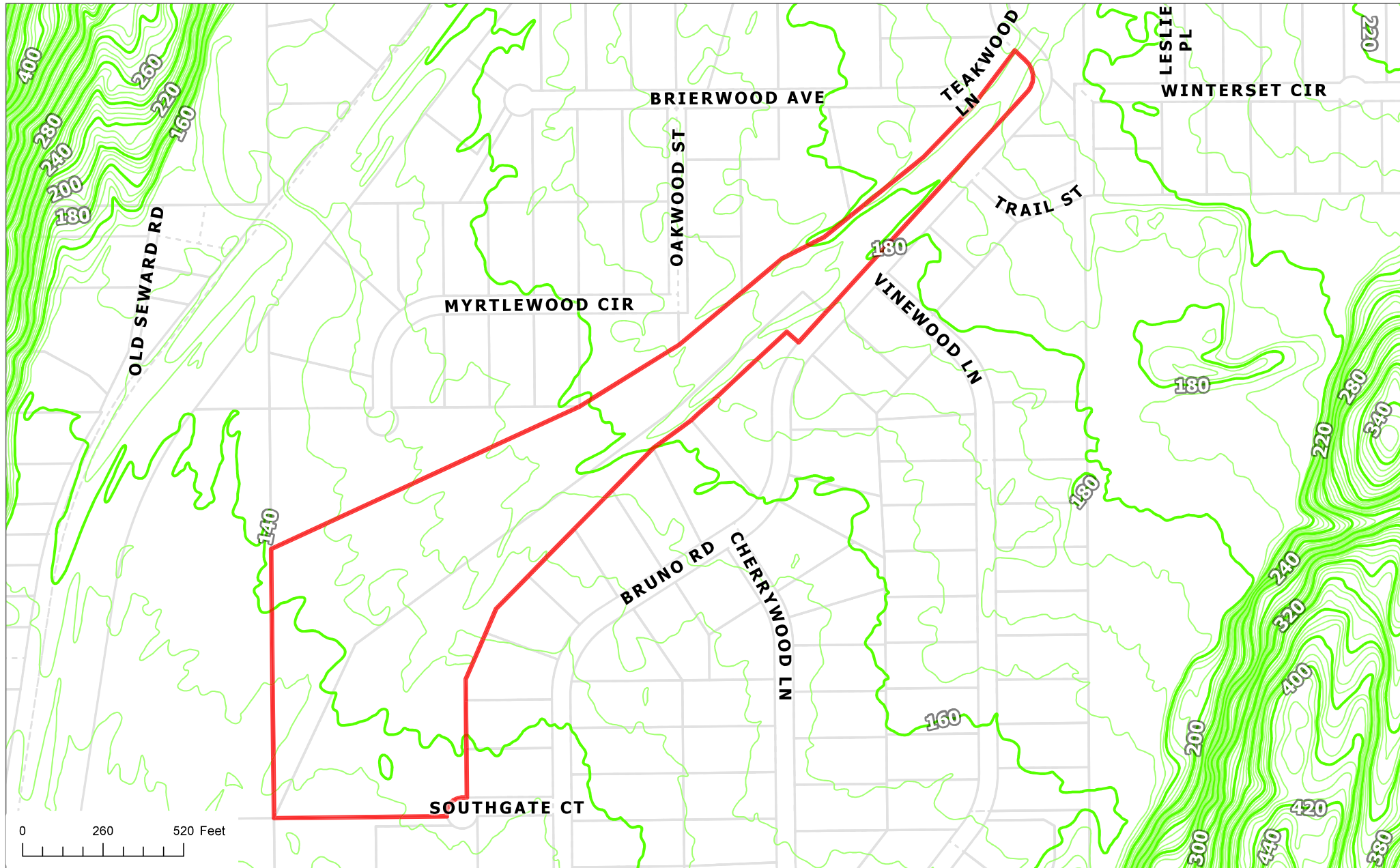
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.



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.



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.



VICINITY 1"=1 mile MAP

2003-14

RECORDED-FILED
 Seward, Alaska REC. DIST.
 DATE 12-19-2003
 TIME 12:44 P. M.
 Requested by:
 Johnson Surveying
 Box 27
 Olan Gulch, Ak 99568

QUESTA WOODS ESTATES #6

A subdivision of Tract B Questa Woods Estates #5 (SVD 2001-15) and a 20 acre adjacent tract.
 Located in the SE1/4 Section 14 & the NW1/4 & SW1/4 Section 13, TIN RIV. SM, Alaska.
 Seward Recording District KPB File 2003-044

Prepared for

JB Woods
 P.O. Box 1733
 Seward, Ak 99664

Prepared by

Johnson Surveying
 Box 27
 Olan Gulch, Ak 99568



SCALE 1" = 200' AREA = 43.276 acres
 25 February, 2003

LEGEND

- ⊗ - 2 1/2" USGLD brass cap monument, 1911, Found.
 - ⊙ - 2 1/2" alcap monument, 7328-S, 1998, Found.
 - ⊕ - 1/2" rebar lot corner, Found.
 - - 1" plastic cap on rebar, 7328-S, 1998, Found.
 - △ - 1" plastic cap on rebar, 7328-S, 2000, Found.
 - ⊖ - 2 1/2" alcap, 7328-S, 2000, Found.
- Flood Zone A - Flood hazard area boundaries, FIRM 1981.
 Roadway
 1 - 1" plastic cap on 1/2" x 4" rebar, set.
 () - record information, source cited.

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. 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.
4. Lots within this subdivision may be located within a designated Flood hazard area; if such is the case, development must comply with Title 21, Chapter 06 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.

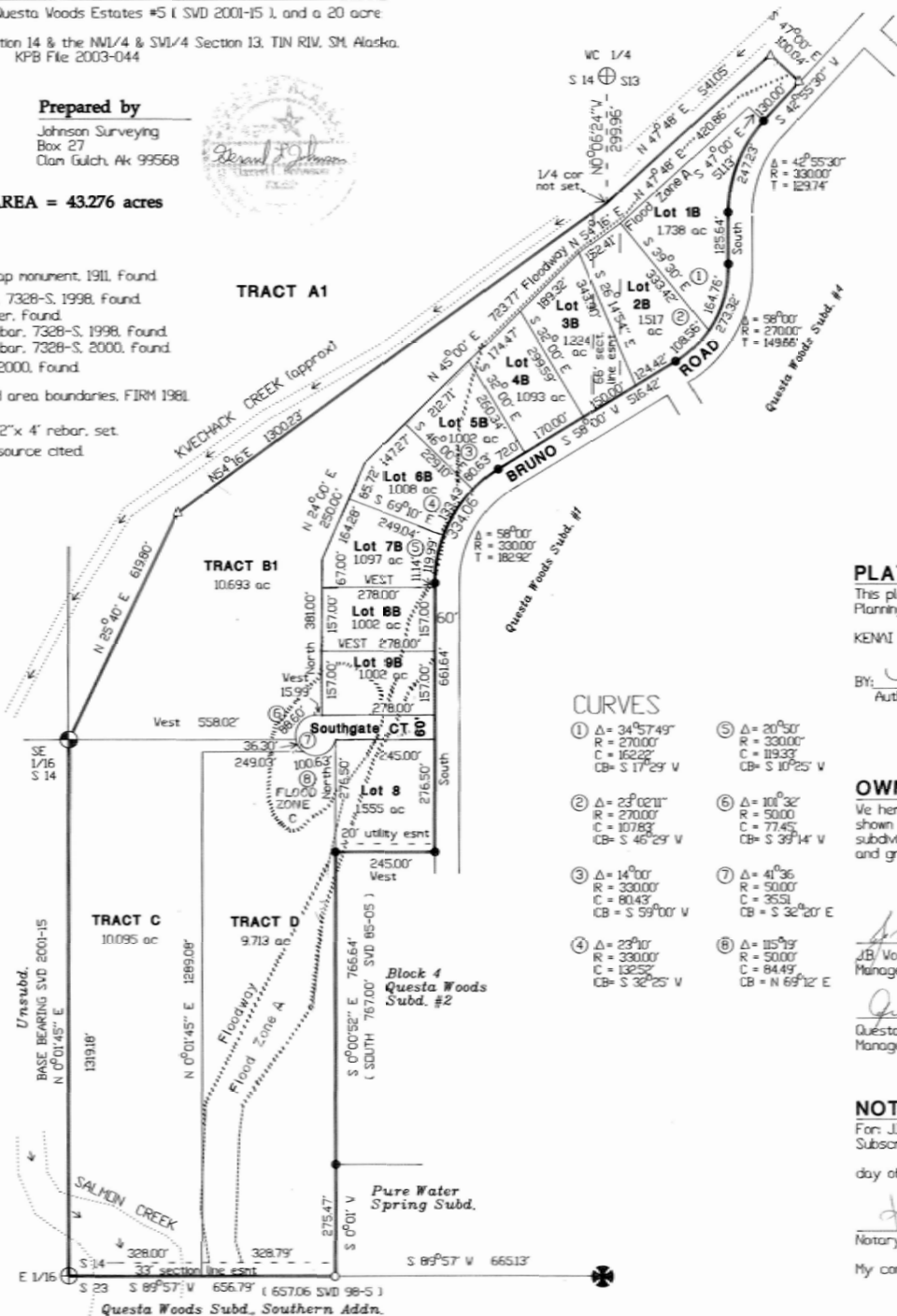
WASTEWATER DISPOSAL

TRACTS B1, C, & D:
 These lots are at least 200,000 square feet or a nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment and disposal system must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

LOTS 1B thru 9B:
 Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

LOT 8 BLOCK 4:
 Soil conditions in this subdivision have been found unsuitable for conventional onsite wastewater treatment and disposal systems. Plans for an alternate wastewater disposal system for use on lots in this subdivision are included in the Engineers Subdivision and Soils Report and are available from the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

Signature: *Sen J. Jovi* License #: 33645-E Date: 12/10/03



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 24-March-2003.
 27 March

KENAI PENINSULA BOROUGH

By: *Maury Jell* 12/11/2003
 Authorized Official Date

CURVES

- | | |
|-----------------|-----------------|
| ① Δ = 34°57'49" | ⑤ Δ = 20°50' |
| R = 270.00' | R = 330.00' |
| C = 162.22' | C = 119.33' |
| CB = S 17°29' V | CB = S 10°25' V |
| ② Δ = 23°02'11" | ⑥ Δ = 101°32' |
| R = 270.00' | R = 50.00' |
| C = 107.83' | C = 77.45' |
| CB = S 46°29' V | CB = S 39°14' V |
| ③ Δ = 14°00' | ⑦ Δ = 41°36' |
| R = 330.00' | R = 50.00' |
| C = 80.43' | C = 35.51' |
| CB = S 59°00' V | CB = S 32°20' E |
| ④ Δ = 23°10' | ⑧ Δ = 115°19' |
| R = 330.00' | R = 50.00' |
| C = 132.52' | C = 84.49' |
| CB = S 32°25' V | CB = N 69°12' E |

OWNERSHIP CERTIFICATE & DEDICATION

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision, and by our Free consent dedicate all ROW's to public use and grant all easements to the use shown.

J.B. Woods
 JB Woods P.O. Box 1733 Seward, AK 99664
 Manager: Shepherd Group LLC

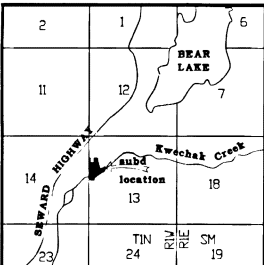
Quetta B. Woods
 Quetta B. Woods P.O. Box 1733 Seward, AK 99664
 Manager: Shepherd Group LLC

NOTARY'S ACKNOWLEDGEMENT

For JB & Questa B Woods
 Subscribed and sworn to before me this 11
 day of August, 2003.

Quetta A. Larson
 Notary Public for Alaska
 My commission expires _____





QUESTA WOODS ESTATES No. 4 AMENDED PLAT

Including a replat of Lot 2 Block 7 Questa Woods Est (SVD 94-13), and Lot 3B Block 7 Questa Woods Est #2 (SVD 97-4) Located in the NW1/4 Section 13 T1N R1W S1M Alaska Seward Recording District KPB File 99-040

Prepared for

JB Woods
PD Box 1733
Seward Ak 99664

Prepared by

Johnson Surveying
Box 27
Clam Gulch Ak 99568



Jim Pfeifferberger
PD Box 2304
Seward, Ak 99664

SCALE 1" = 100' AREA = 11.802 acres 30 April, 1999

VICINITY 1"=1 mile MAP

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 12 April 1999

KENAI PENINSULA BOROUGH

By: Mary Beth 12-22-99
Authorized Official Date

99-19
RECORDED - FILED
SEWARD RECORDING DISTRICT
DATE 12-29-1999
TIME 12:52 P.M.
Requested by:
Johnson Surveying
Box 27
Clam Gulch Ak 99568

2002-1
RECORDED-FILED
Seward REC DIST
DATE 3-8-2002
TIME 1:04 P.M.
Requested by:
Johnson Surveying
Box 27
Clam Gulch, AK 99568

- ### LEGEND
- ⊕ - 2 1/2" alcap monument, 7328-S 1998 Found
 - - 1 1/2" alcap LS-5152 1993, Found
 - - 1" plastic cap on rebar, 7328-S 1996 Found
 - ⊥ - 1/2" x 48" rebar with 1" plastic cap set
 - ⊙ - 1/2" Rebar lot corner found
 - < > - record information plat SVD 83-15
 - () - record information plats SVD 94-13 & SVD 97-4

- ### NOTES
- A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
 - No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
 - Lots within this subdivision may be located within a designated Flood hazards area; if such is the case development must comply with Title 21 Chapter 05 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
 - The Kenai Peninsula Borough does not assume any responsibility or liability for damages to Teakwood Lane ROW by flooding of Kwechak Creek. Approval of this plat does not imply approval for or ensure issuance of development or construction permits if required.
 - Roads must meet the design and construction standards established by the Borough in order to be certified for inclusion in the Borough Road Maintenance Program.

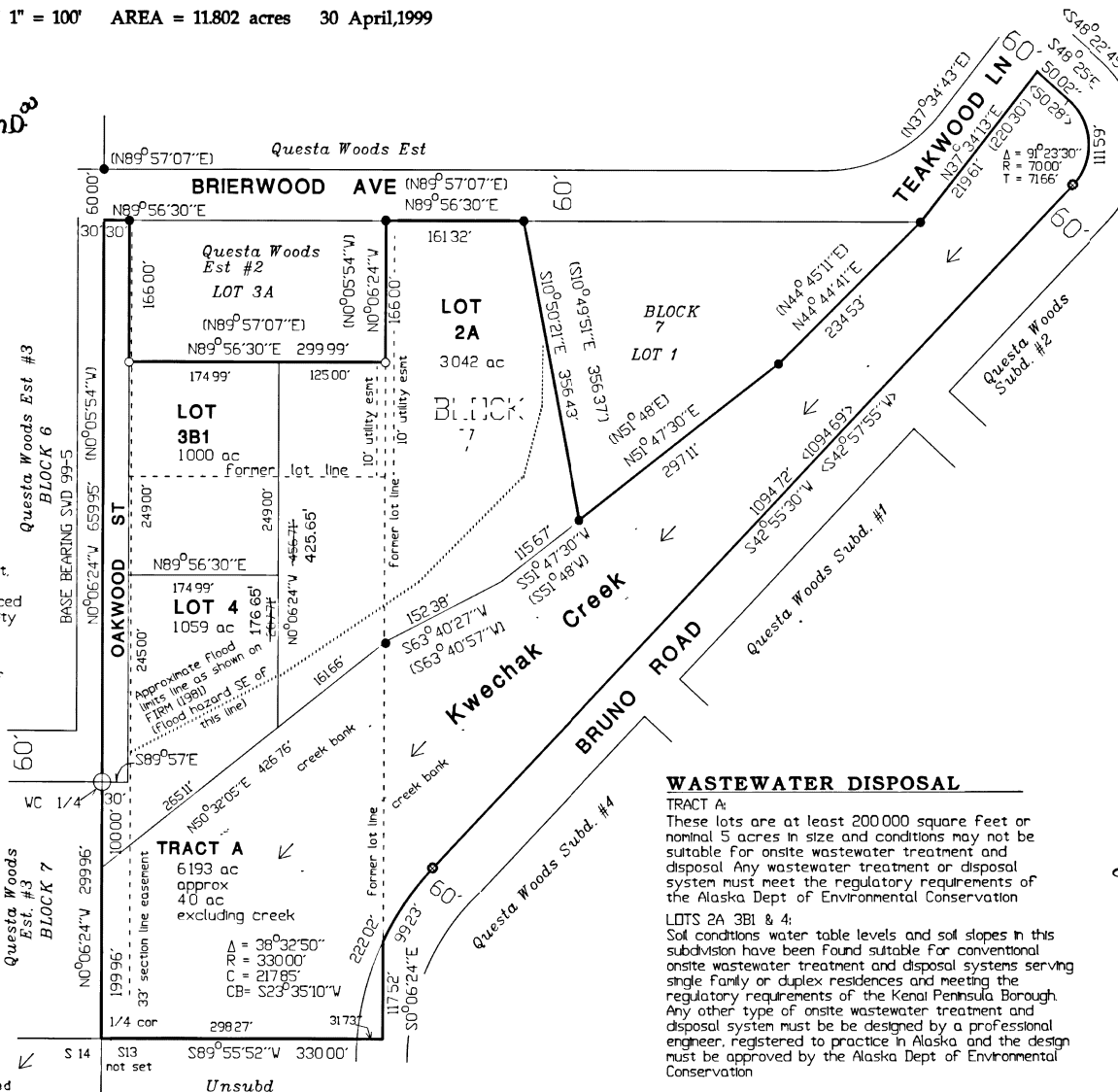
AMENDED PLAT NOTE & AFFIDAVIT

This plat amends plat SWD 99-19 by correcting the distances on the west boundary Lot 2A and the east boundary Lot 4 as shown.

The above revisions constitute the sole changes made to the plat aside from this note. The above revisions do not alter lot areas and do not affect, or influence any change of ownership, drainage features, right-of-ways, or any other item which would adversely affect this or adjacent properties.

I am therefore submitting this plat for refiling as corrected

Gerard L. Johnson 1 March 2002
Gerard L. Johnson 7328-S DATE



OWNERSHIP CERTIFICATE

We hereby certify that we are the owners of the real property shown and described herein; and that we hereby adopt this plan of subdivision and by our free consent dedicate all ROWs to public use and grant all easements to the use shown

James Bertlaum Woods
Shepherd Group LLC by James Bertlaum Woods Trustee of the James Bertlaum Woods Revocable Trust under trust agreement dated November 20 1997

Questa B Woods
Shepherd Group LLC by Questa B Woods Trustee of the Questa B Woods Revocable Trust, under trust agreement dated November 20 1997

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

James H. Pfeifferberger
James H Pfeifferberger aka Jim Pfeifferberger
PO Box 2304 Seward Ak 99664

Susan C Pfeifferberger
Susan C Pfeifferberger
PO Box 2304 Seward Ak 99664

WASTEWATER DISPOSAL

TRACT A:
These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Dept of Environmental Conservation.

LOTS 2A 3B1 & 4:
Soil conditions, water table levels and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept of Environmental Conservation.

M. Jaurian 3380-E 22 Dec 99
Signature License # Date

NOTARY'S ACKNOWLEDGEMENT

For: James Bertlaum & Questa B Woods
Subscribed and sworn to before me this 13

day of OCT 1999

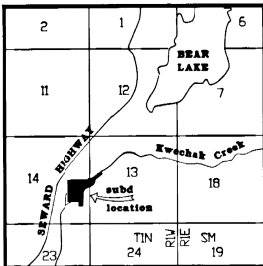
Kristina Larson
Notary Public For Alaska
My commission expires _____

NOTARY'S ACKNOWLEDGEMENT

For: James H & Susan C Pfeifferberger
Subscribed and sworn to before me this 13

day of OCT 1999

Kristina Larson
Notary Public For Alaska
My commission expires _____



QUESTA WOODS ESTATES #5

Located in the NE1/4 & SE1/4 Section 14 & the NW1/4 & SW1/4 Section 13, TIN RIV. SM, Alaska.
Including a replat of Lot 5 Block 7 Questa Woods Est. #3 (SVD 99-5) & Tract A Questa Woods Est. #4 (SVD 99-19)
Seward Recording District KPB File 2001-034

Prepared for

JB Woods
P.O. Box 1733
Seward, Ak 99664

Prepared by

Johnson Surveying
Box 27
Oam Gulch, Ak 99568



SCALE 1" = 200' AREA = 45.939 acres 13 July, 2001

VICINITY 1"=1 mile MAP

2001-15
RECORDED FILED 20.
Seward REC. DIST.
DATE 12/19 2001
TIME 4:57 A.M.
Requested by:
Johnson Surveying
Box 27
Oam Gulch, Ak 99568

LEGEND

- ⊕ - 2 1/2" alcap monument. 7328-S. 1998. Found
- - 1/2" rebar lot corner. Found
- - 1" plastic cap on rebar. 7328-S. 1998 Found
- ⊥ - 1" plastic cap on 1/2" x 4" rebar. set.
- ⊕ - 2 1/2" alcap on 5/8" x 8" rebar. set.

Flood Zone A - Flood hazard area boundaries. FIRN 1981.
Floodway

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. 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.
4. Lots within this subdivision may be located within a designated Flood hazards area; if such is the case, development must comply with Title 21, Chapter 05 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
5. Homeowners Association By-Laws which may affect all or portions of this subdivision are recorded in Book 96 Page 53 Seward Recording District.
6. Covenants which affect Former Lot 5 are recorded in Book 96 Page 51 Seward Recording District.

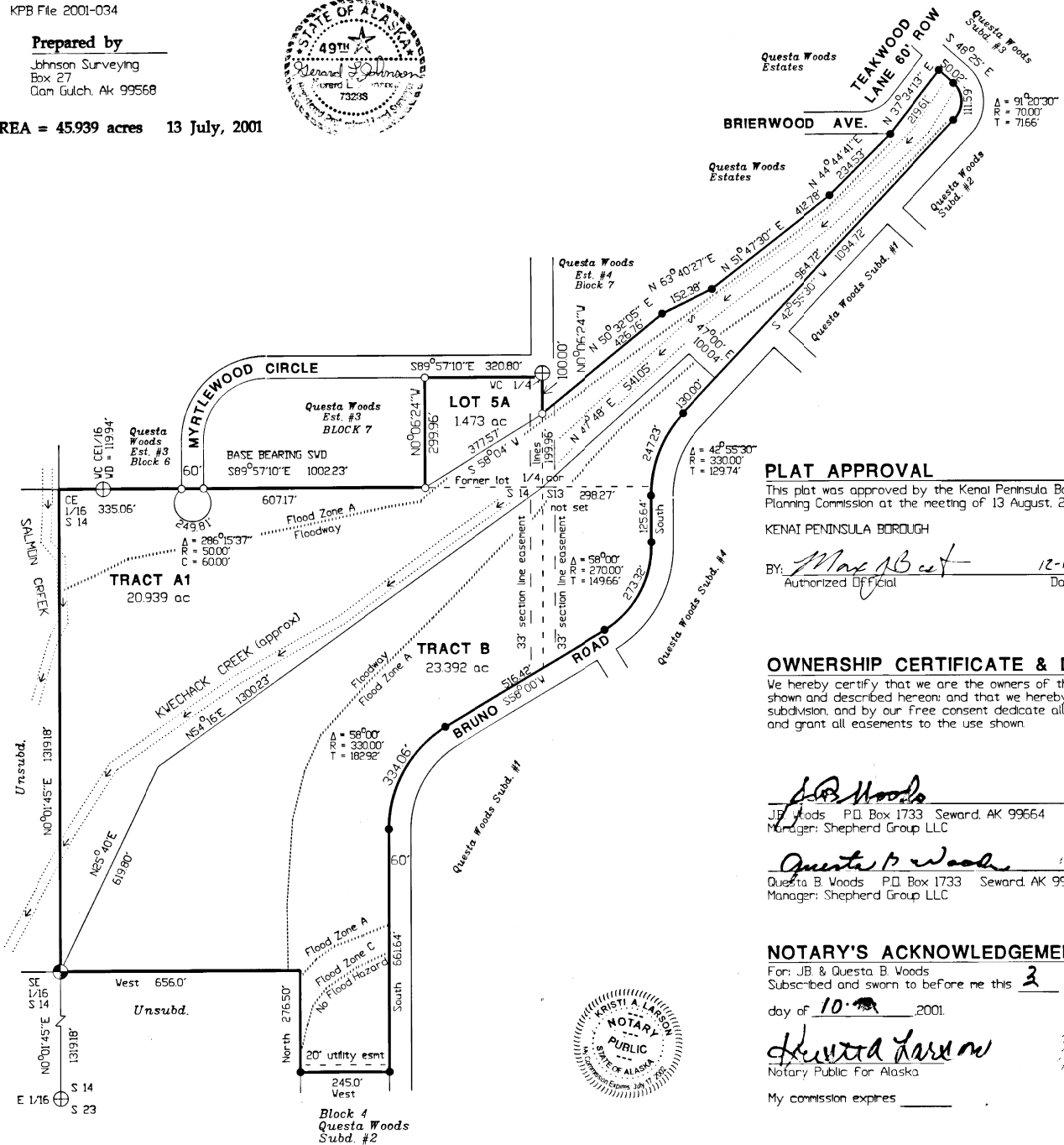
WASTEWATER DISPOSAL

TRACTS A1 & B:
These lots are at least 200,000 square feet or a nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment and disposal system must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

LOT 5A:

Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Dept. of Environmental Conservation.

Signature: *Chris Tull* License # CE B300 Date 11-26-01



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 13 August, 2001.

KENAI PENINSULA BOROUGH

By: *Max J. Bet* 12-12-01
Authorized Official Date

OWNERSHIP CERTIFICATE & DEDICATION

We hereby certify that we are the owners of the real property shown and described herein; and that we hereby adopt this plan of subdivision, and by our free consent dedicate all ROW's to public use and grant all easements to the use shown.

J.B. Woods
JB Woods P.O. Box 1733 Seward, AK 99664
Manager: Shepherd Group LLC

Questa B. Woods
Questa B. Woods P.O. Box 1733 Seward, AK 99664
Manager: Shepherd Group LLC

NOTARY'S ACKNOWLEDGEMENT

For: JB & Questa B. Woods
Subscribed and sworn to before me this 2
day of 10 2001.

Kristi A. Larson
Notary Public For Alaska
My commission expires _____

