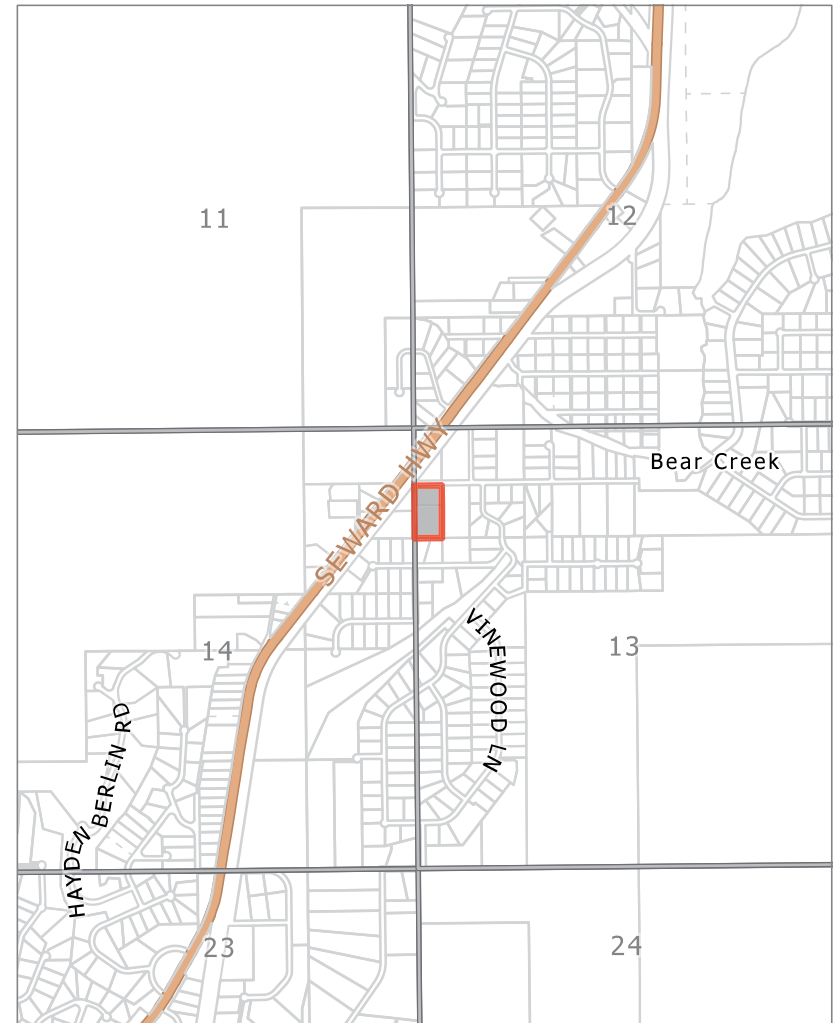


E. NEW BUSINESS

- 6. Woodrow Farms No. 2 2024 Replat; KPB File 2024-091R1
Johnson Surveying / Dick, Larson
Location: Stoney Creek Avenue
Bear Creek Area**



KPB File 2024-091R1
T 01N R 01W SEC 13
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.



VICINITY 1"=1 mile MAP

Woodrow Farms No. 2 2024 Replat Preliminary Plat

A Subdivision of Lot 9A & 9B Woodrow Farms No. 2, SWD #95-29.
Located in the NW1/4, Section 13, T1N R1W, SM, Alaska.
Seward Recording District, Kenai Peninsula Borough

Prepared for

Louise E &
Jonna L Dick
P.O. Box 154
Seward, AK 99664

Prepared By

Johnson Surveying
PO Box 27
Clam Gulch AK, 99568

SCALE 1" = 100' 4.770 Acres 28 June, 2024

LEGEND

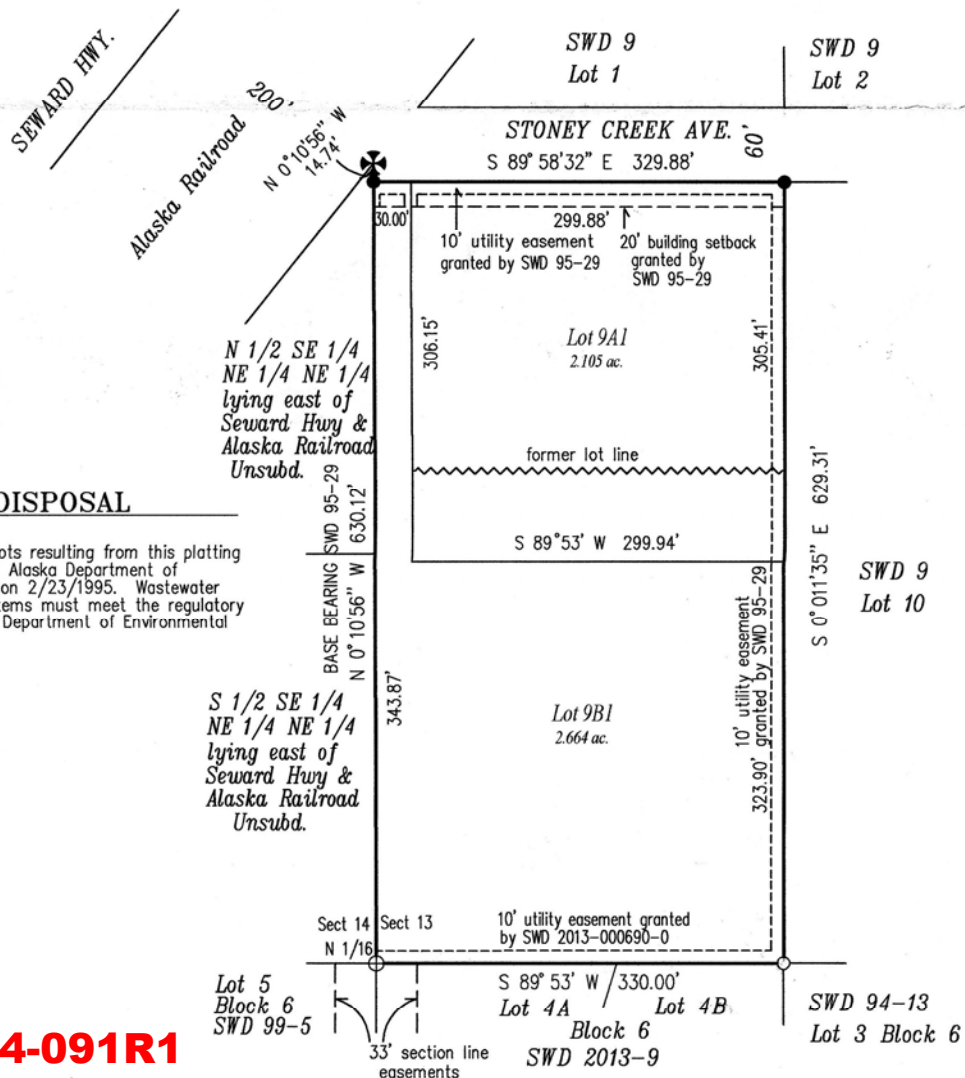
- ⊗ - 3 1/2" USBLM brass cap, USS 9000, 1984, found.
- ⊕ - 1 1/2" alcap, 1192-S, 1975, found.
- - 5/8" rebar lot corner, found.
- - alcap on 5/8" rebar, LS-5152, found.
- 1/2" x 4' rebar with plastic cap, set.

NOTES

1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. The front 10' of the building setback is also a utility easement, as is the entire setback within 5' of the side lot lines & former side lot lines.
2. 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.
3. There is no section line easement in effect within this property.
4. Lots topography is flat. There are no wet areas on the property.

WASTEWATER DISPOSAL

20.40.020
The parent subdivision for lots resulting from this platting action was approved by the Alaska Department of Environmental Conservation on 2/23/1995. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



KPB 2024-091R1

**ITEM 6 - PRELIMINARY PLAT
WOODROW FARMS NO 2 2024 REPLAT**

KPB File No.	2024-091R1
Plat Committee Meeting:	September 23, 2024
Applicant / Owner:	Louise & Jonna Dick and Darcie Larson
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Bear Creek Area

Parent Parcel No.:	125-020-85; 125-020-86
Legal Description:	T 1N R 1W SEC 13 Seward Meridian SW 0950029 WOODROW FARMS SUB NO 2 LOT 9A AND 9B
Assessing Use:	Residential
Zoning:	Unrestricted
Water / Wastewater	On Site / On Site
Exception Request	None Requested

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will adjust the location of a shared lot line between two existing lots. The current lot sizes are 1.60 acres and 3.15 acres. After the adjustment, the new lot sizes will be 2.105 acres and 2.664 acres.

Location and Legal Access (existing and proposed):

Stoney Creek Avenue provides legal access to the subdivision from the north. It is a 60-foot, borough-maintained road that connects to the Seward Highway to the west, across the Alaska Railroad. The Seward Highway, a state-maintained road, is located on the west side of the Alaska Railroad.

This subdivision is not affected by a section line easement, as noted on the plat (note number three). The section line easement shown to the south was created and labeled by the subdivision to the south.

Block length is compliant.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA comments or objections.
SOA DOT comments	No comments

Site Investigation:

There are structures currently located on Lot 9A. These structures will remain on Lot 9A1 as the back line is moving south. An exception to KPB 20.30.190 Lot Dimensions has been requested.

This plat does not contain any steep areas; the terrain is relatively flat throughout.

According to the KPW Wetlands Assessment, there are no wetlands on the plat.

The plat is located in the Seward Mapped Flood Data Area, *the Flood Hazard Notice, as listed in KPB 20.30.280 (D), should be added to the final plat submittal.*

KPB River Center Review	<p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Within the X Zone. Non-regulatory. No depiction is required but code floodplain note should be included. Flood Zone: X Zone Map Panel: 02122C-4542D In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish and Game	No response

Staff Analysis

The land was originally part of the J.D. Johnson Homestead in the N1/2 NE1/4 and N1/2 NW1/4 of Section 13, Township 1 North, Range 1 West, Seward Meridian, Alaska, patented in 1916 by the United States of America. Woodrow Farms, SW 0009, was the first division of this area of land south of Bear Creek. Woodrow Farms No. 2, SW 95-29, further subdivided Lot 9 into two lots, creating the current configuration. This platting action is reconfiguring the length of the two lots by extending the flag lot depth and requesting an exception to the length.

A soils report will be required and an engineer will sign the final plat.

Notice of the proposed plat was mailed to the beneficial interest holder on September 24, 2024. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The property is not within an advisory planning commission.

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

There does not appear to be any encroachments on the current KPB GIS data. **Staff recommends that the surveyor when in the field notice and identify any encroachments on the final and give staff a solution to any found.**

Utility Easements

There is a utility easement granted in SWD 2013-000690-0, only the south line is shown on the plat. **Staff recommends the portion on the west line be added to the drawing.**

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.**

Utility provider review:

HEA	No comments
ENSTAR	No response
ACS	No response
GCI	No response
SEWARD ELECTRIC	No response
CHUGACH ELECTRIC	No comments
TELALASKA	No response

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 33047 STONEY CREEK AVE Existing Street Names are Correct: Yes List of Correct Street Names: STONEY CREEK AVE, SEWARD HWY Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 33047 STONEY CREEK AVE WILL REMAIN WITH LOT 9A1
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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

PLAT NOTES TO ADD?

- No structures are permitted within the panhandle portion of the flag lot.
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).

KPB 20.25.070 – Form and contents required

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

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

Staff recommendation:

Add KPB File No. 2024-091R1 to title block

Correct the spelling of Subdivision in the legal description

Correct the PO Box # to 2571 for Darcie Larson, according to KPB Assessor info.

- 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:

Label the Alaska Railroad on the vicinity map

- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;

Staff recommendation:

Add the rest of the easement in SWD 2013-000690-0 to the west line.

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation:

Lot 2 to the northeast has been replat and needs correct labeling.

Lots directly south need Block 6 removed

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 Lots- Dimensions -- flag length for 30' flag

Surveyor's Discussion:

Pre-existing flag lot that is being extended. Is not a good location for a ROW intersection.

Findings:

1. Pre-existing flag lot that is being extended
2. Is not a good location for a ROW intersection.

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.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on

access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Findings:

3. Previous flag lot was longer than the 150' code required at 233.08'.
4. The flag lot was originally created by Woodrow Farms No 2 SW 95-29.
5. The flag lot is 30' wide.
6. Granting of the exception will not be a hinderance to any adjacent properties.

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

The commission (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 - 4 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, 3 & 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: 20.25.120. - REVIEW AND APPEAL.

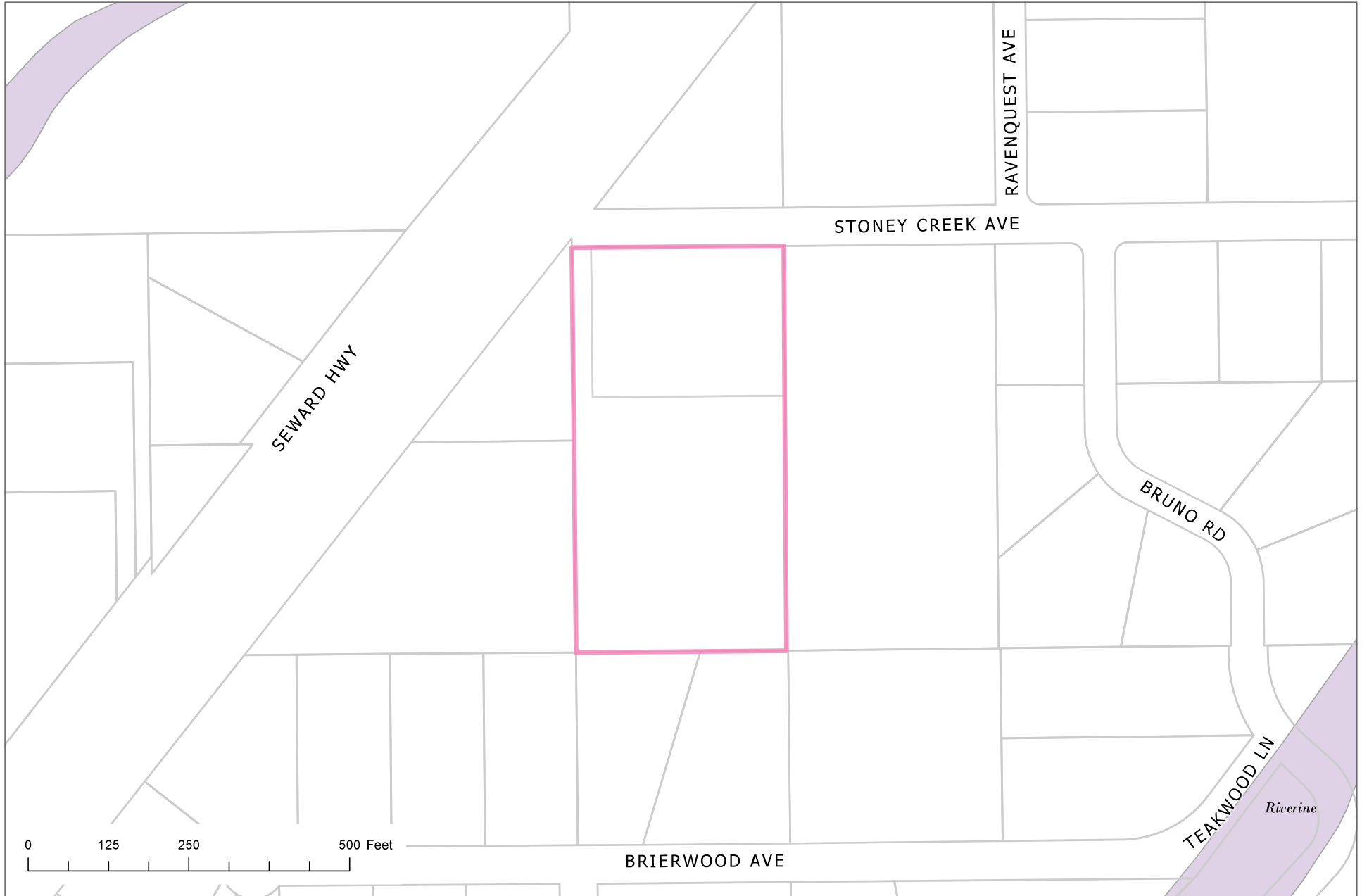
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLAT COMMITTEE 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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WOODROW FARMS No. 2

A SUBDIVISION OF LOT 9 WOODROW FARMS (SR PLAT No. 9)
 Located in the NW 1/4 Section 13, T1N R1W, S.M., Alaska
 Seward Recording District KPB File 94-103

PREPARED FOR
 Louis Dick
 P.O. Box 154
 Seward, Ak 99664

PREPARED BY
 Johnson Surveying
 Box 27
 Clam Gulch, Ak 99568

Sheral Johnson

SCALE 1"=100' AREA = 4.751 acres 10 June, 1994

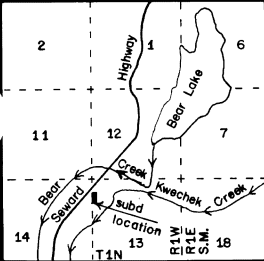
PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 25 July, 1994.

KENAI PENINSULA BOROUGH

By *Louis E. Dick*
 Authorized Official

Date 4 Dec 1995



VICINITY 1"=1 mile MAP

LEGEND

- - 3-1/2" alcap monument, USBLM, 1984, found.
- ⊕ - 1-1/2" alcap, 1192-S, 1975, found.
- - 5/8" rebar lot corner, found.
- - 1/2" x 24" rebar with 1" plastic cap, set.
- () - indicates record information SR Plat No. 9.

NOTES

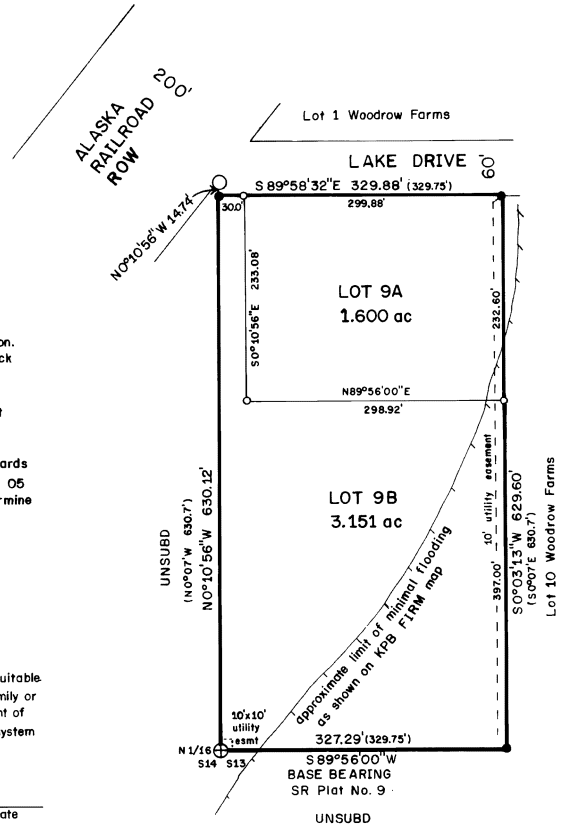
1. A building setback of 20' from all street R.Q.W.s is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement, as is the entire setback within 5' of side lot lines.
2. No structure to be placed on the panhandle portion of lot 9B.
3. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
5. There is no section line easement in effect within this subdivision.
6. 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.

WASTEWATER DISPOSAL

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 Alaska Department of Environmental Conservation. Any other type of wastewater treatment and disposal system must be approved by the ADEC.

Subject to any noted restrictions, the ADEC approves this subdivision for platting.

Sheral Johnson
 Signature Title Date 2-23-95



OWNERSHIP CERTIFICATE AND DEDICATION

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

Louis E. Dick
 Louis E. Dick P.O. Box 154 Seward, Ak 99664

Jonna L. Dick
 Jonna L. Dick P.O. Box 154 Seward, Ak 99664

NOTARYS' ACKNOWLEDGEMENT

For: Louis E. & Jonna L. Dick
 Subscribed and sworn to before me this 6 day of MARCH, 1994.

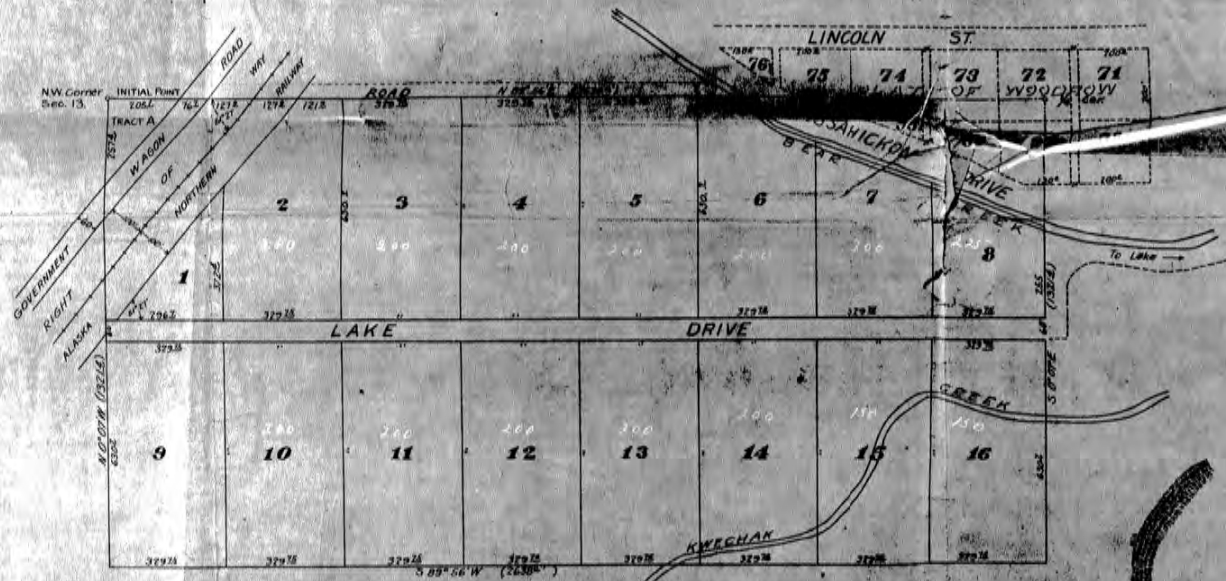
James E. McManus
 NOTARY PUBLIC FOR ALASKA
 My commission expires 6-30-97

95-29
 Seward 2000
 DA: 12/11 95
 TIME: 3:40 P
Sheral Johnson

PLAT OF WOODROW FARMS ALASKA

SCALE 1 INCH = 200 FEET

Daniel B. Dunlop
Engineer



DESCRIPTION

This plat of Woodrow Farms is located upon the J.D. Williams Homestead, being the lands embraced in Sec. 13, T.14 N. R.14 W. Seward Meridian, Alaska Territory, described as follows, to-wit: Beginning at the NW Corner of Sec. 13, T.14 N. R.14 W. Seward Meridian, thence S. 89° 56' E. along the North line of said Sec. 13, 1754.4 feet to the center line of Bear Creek, thence S. 89° 56' E. along said center line of Bear Creek, as shown and delineated upon this plat to the point of intersection of the said center line of Bear Creek and the East boundary of tract 6; thence S. 89° 56' E. 245.7 feet to a point, thence S. 89° 56' W. 1531.4 feet to a point on the W. line of said Sec. 13; thence N. 0° 07' W. along the West line of said Sec. 13, 1321.4 feet to the point of Beginning. The initial point of this plat is the NW Corner of Sec. 13, T.14 N. R.14 W. Seward Meridian.

DEDICATION

Whereas by these premises, said settler, J.D. Williams, the undersigned, on the one hand, on the one hand, the tract of land above described and, whereas, I have caused the said described tract of land to be surveyed and laid out in Streets, Highways and Tracts, and have entitled said tract of land "Woodrow Farms". Now Therefore, I do hereby certify that the accompanying plat is a full true and correct plat of said parcel or tract of land as surveyed, laid out and platted by me and named "Woodrow Farms" and that the streets, highways and tracts are the widths indicated thereon, by figures (measuring feet and decimas thereof), and the numbers of the same are indicated in figures upon said accompanying plat, and I do hereby grant and convey to the public, for Streets and Highways, all the Streets and Highways as above described herein and as in said plat set forth. In Witness Whereof, These herewith set my hand and affixed my seal, this 15 day of August, 1917.

Signed and Sealed in presence of
[Signature]
[Signature]

ACKNOWLEDGEMENT

United States of America } ss.
 Territory of Alaska }
 Notary Public }
 Do it remembered, that on this 15 day of August, A.D. 1917, before me the undersigned a Notary Public in and for the Territory of Alaska duly commissioned and sworn, personally appeared J.D. Williams, to me known to be the person described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

Notary Public in and for the Territory of Alaska
 residing at Seward Meridian,
 Commission expires: _____

United States of America } ss.
 Territory of Alaska }
 Notary Public }
 This instrument was filed for record at _____ o'clock _____ day of _____ 1917
 and duly recorded in _____ of the Records of said Precinct

District Recorder

2173
14

Filed 1917
 No. 9 Woodrow Farms

Juneau 02438.

4-1003-R.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Juneau, Alaska,** has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of **John D. Johnston** has been established and duly consummated, in conformity to law, for the **south half of the southeast quarter and the south half of the southwest quarter of Section twelve and the north half of the northeast quarter and the north half of the northwest quarter of Section thirteen in Township one north of Range one west of the Seward Meridian, Alaska, containing three hundred twenty acres,**

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **NINETEENTH** day of **APRIL** in the year of our Lord one thousand nine hundred and **SIXTEEN** and of the Independence of the United States the one hundred and **FORTIETH.**

(SEAL.)

By the President:

By

Woodrow Wilson
M. P. LeRoy Secretary.
L. B. Lamar
 Recorder of the General Land Office.

RECORD OF PATENTS

525343

6-2177