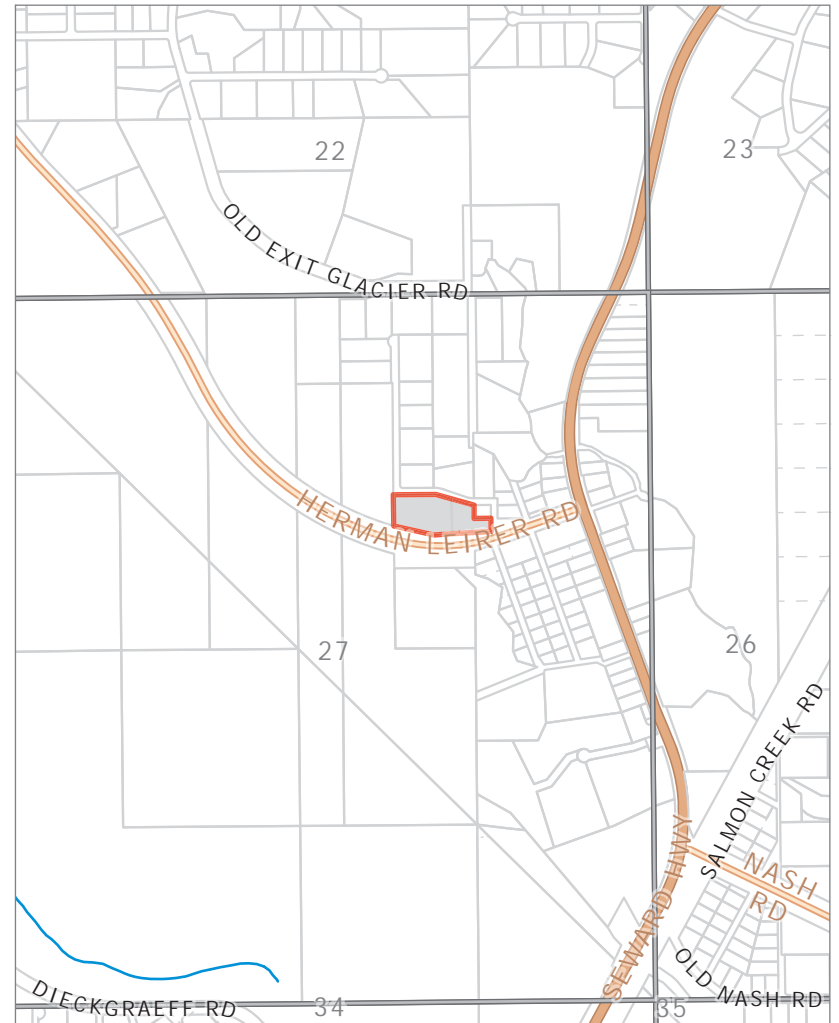
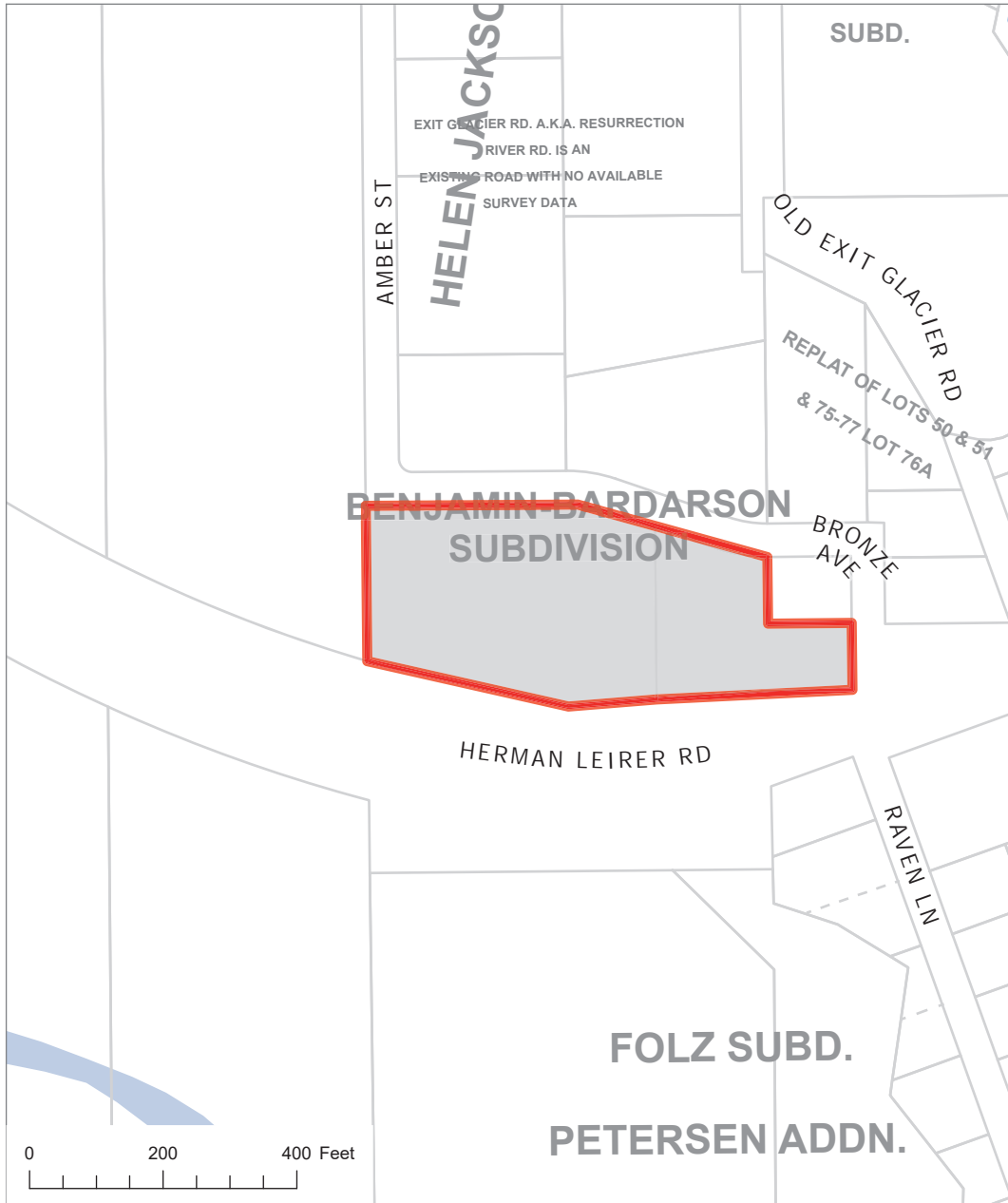


## **E. NEW BUSINESS**

2. Benjamin Bardarson Subdivision 2025 Replat  
KPB File 2025-037  
Peninsula Surveying / Salmon Bake Cabins, LLC  
Location: Herman Leirer Road & Bronze Avenue  
Bear Creek Area

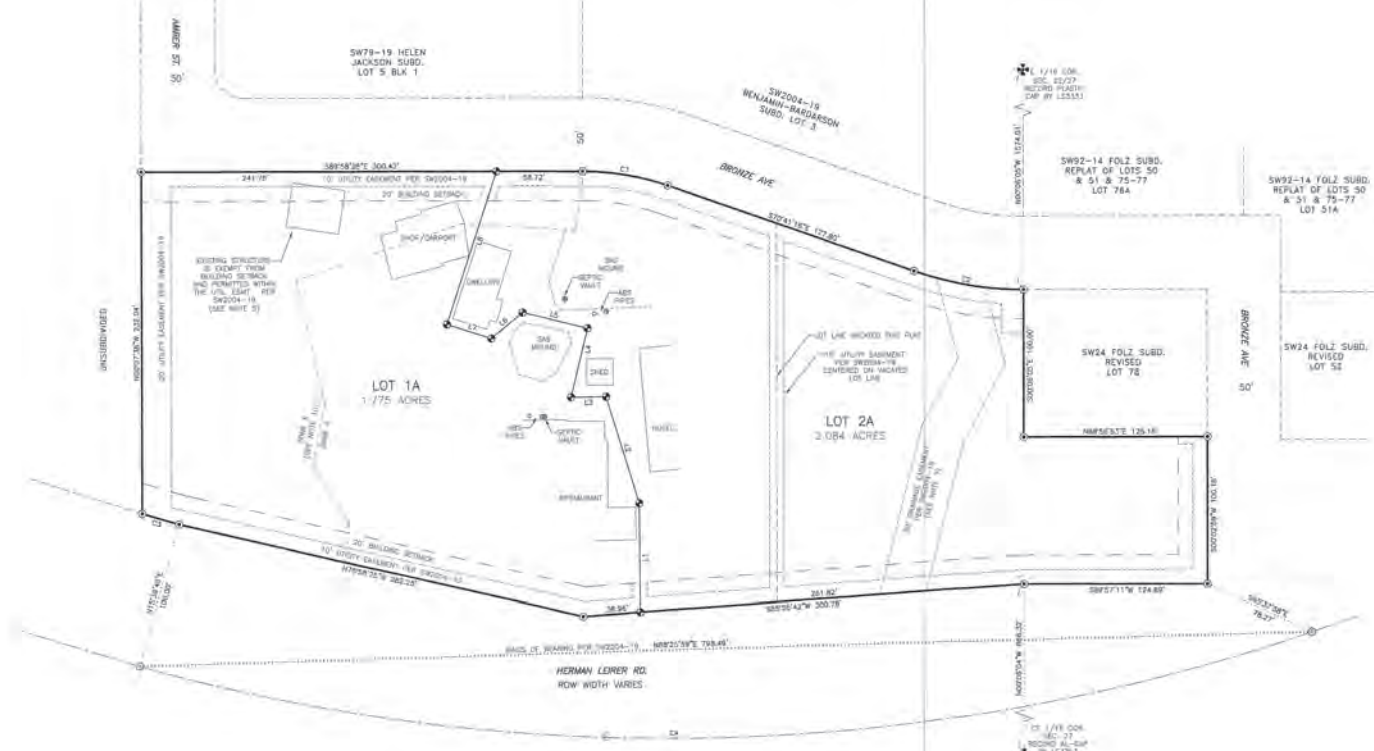


KPB File 2025-037  
T 1N R 1W Sec 27  
Bear Creek

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 AND DEDICATION**  
 I, THE UNDERSIGNED, HEREBY CERTIFY THAT SALMON BAKE CABINS, LLC, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND, ON BEHALF OF SALMON BAKE CABINS, LLC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

**OWNER**  
 SALMON BAKE CABINS, LLC  
 PO BOX 3151  
 SEWARD, AK 99664

**NOTARY ACKNOWLEDGMENT**  
 FOR: OWNER  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

**NOTARY PUBLIC FOR:** \_\_\_\_\_  
**MY COMMISSION EXPIRES:** \_\_\_\_\_

- NOTES**
- THE PARENT PLAT, SW2004-19, WAS GRANTED AN EXCEPTION TO 20.20.110 FOR THE 50' R.O.W WIDTH OF TINKER TRAIL (BRONZE AVE.) BY THE KPB PLANNING COMMISSION AT THE MEETING OF JUNE 28, 2024.
  - A BUILDING SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.
  - THE FRONT 10' ADJOINING DEDICATED RIGHTS-OF-WAY THAT INCREASE TO 20' WITHIN 5' OF THE SIDE LOT LINES IS ALSO 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.
  - THE EXISTING STRUCTURES SHOWN ON LOTS 1A (1) AND 2A (2) WITHIN THE BUILDING SETBACK AND UTILITY EASEMENT ARE EXEMPT FROM THE SETBACK, AND ARE PERMITTED WITHIN THE EASEMENT PER PARENT PLAT SW2004-19.
  - NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
  - THE DRAINAGE EASEMENT WITHIN LOT 2A IS CENTERED ON THE NATURAL MEANDERS OF THE CENTER OF THE EXISTING STREAM PER PARENT PLAT SW2004-19.
  - ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
  - SUBJECT TO RIGHTS OF THE PUBLIC AND OR GOVERNMENT AGENCIES IN AND TO THAT PORTION OF SAID PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF UNNAMED CREEK AND ANY QUESTIONS OF RIGHT OF ACCESS TO SAID CREEK IN THE EVENT SAID LANDS DO NOT IN FACT ABUT THE CREEK.
  - ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE: PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH ANADROMOUS WATERS HABITAT PROTECTION DISTRICT. SEE KPB CHAPTER 21.18, AS MAY BE AMENDED FOR RESTRICTIONS THAT AFFECT DEVELOPMENT IN THIS SUBDIVISION. WIDTH OF HABITAT PROTECTION DISTRICT SHALL BE IN ACCORDANCE WITH KPB 21.18.04D.
  - FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA OR THE KENAI PENINSULA BOROUGH SEWARD 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-4543E FOR INFORMATION ON FLOODPLAIN ZONES A & X.
  - THERE ARE NO SLOPES GREATER THAN 20% PER KPB DIS CONTOUR DATA.
  - NO WETLANDS HAVE BEEN IDENTIFIED WITHIN THIS SUBDIVISION PER KPB DIS WETLAND DATA.

**LINE TABLE**

LINE	LENGTH	BEARING
L1	74.15'	S00°33'23"E
L2	75.84'	S17°18'07"E
L3	23.82'	N89°24'17"E
L4	48.21'	S13°20'32"W
L5	45.47'	S76°24'56"E
L6	27.51'	N50°17'21"E
L7	31.75'	S72°05'48"E
L8	109.28'	S17°56'11"W

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	58.91'	175.00'	019°17'12"	58.63'	S80°19'52"E
C2	75.74'	222.21'	019°31'51"	75.38'	S80°23'39"E
C3	26.19'	2191.83'	00°41'04"	26.19'	N73°58'44"W
C4	810.85'	1347.80'	034°27'41"	798.49'	N88°25'59"E

- LEGEND**
- ⊗ RECORD - PRIMARY MONUMENT AS DESCRIBED
  - ⊙ RECORD - CENTERLINE MONUMENT
  - ⊙ RECORD - CORNER MONUMENT
  - ⊙ SET BACK OR 5/8" X 98' REBAR OR 1.21 REBAR

**WASTEWATER DISPOSAL**  
 THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATTING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH ON JUNE 28, 2024. 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 IN AT THE MEETING OF MM/DD/YYYY.

BOROUGH OFFICIAL: \_\_\_\_\_ DATE: \_\_\_\_\_

KPB FILE NUMBER: 2025-XXXX

**PENINSULA SURVEYING, LLC**  
 10235 CARRINA ROAD, ANCHORAGE, AK 99519  
 (907)300-7025

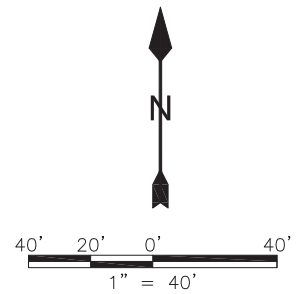
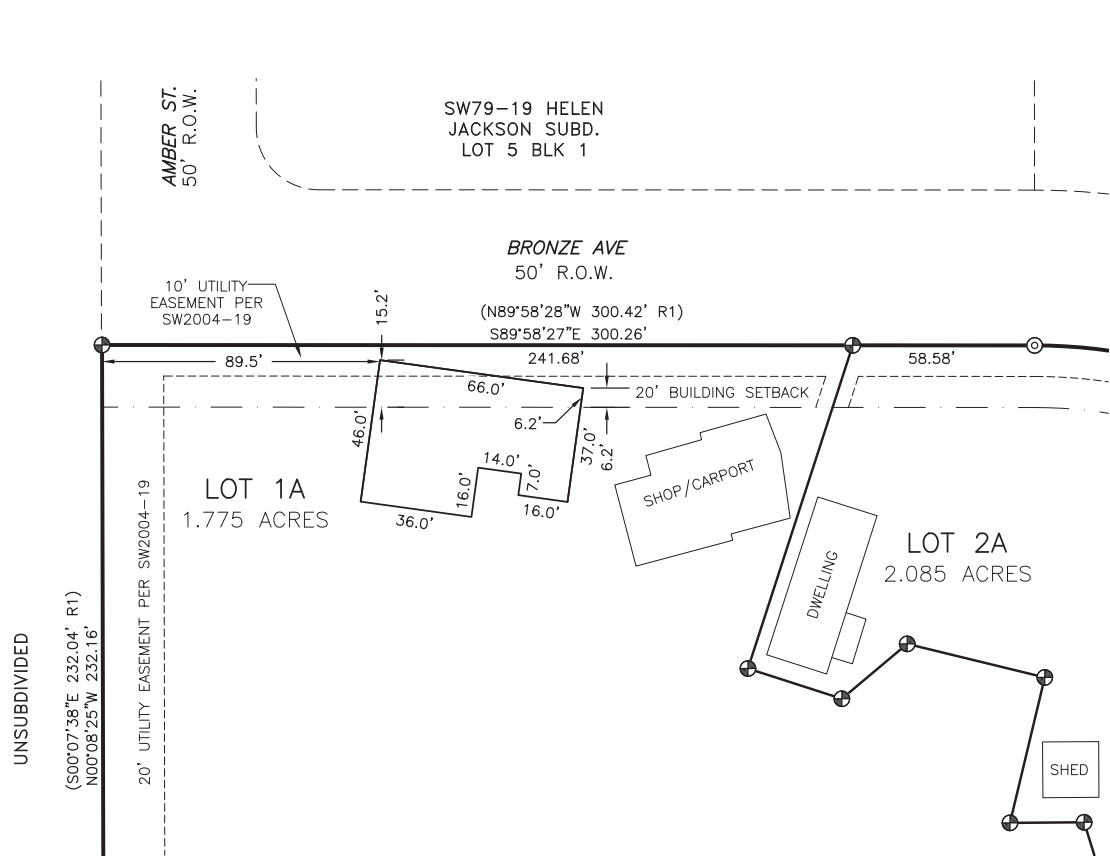
PLAT OF  
**BENJAMIN-BARDARSON SUBDIVISION**  
**2025 REPLAT**

A SUBDIVISION OF  
 LOTS 1 & 2, BENJAMIN-BARDARSON  
 SUBDIVISION, SW2004-19  
 LOCATED WITHIN  
 THE NE1/4 OF SECTION 27, T1N, R1W, S4M,  
 HOMER RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA,  
 CONTAINING 3.859 ACRES

OWNERS: SALMON BAKE CABINS, LLC  
 PO BOX 3151  
 SEWARD, AK 99664

SCALE: 1" = 40'  
 DATE: MARCH 19, 2025  
 DRAWN: BLT  
 CHECKED: JLS  
 SHEET: 1 OF 1

**KPB 2025-037**



**LEGEND**

- ⊙ FOUND 1 1/2" AL-CAP BY LS 3753
- ⊕ SET RPC ON 5/8" X 36" REBAR BY LS14488
- (R1) RECORD DATA PER HM2024-17

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT AN AS-BUILT SURVEY WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION ON THE PROPERTY SHOWN HERON, AND THE IMPROVEMENTS EXIST AS SHOWN. FIELD SURVEY ON 6/15/2025.

*Jason Schollenberg* 03/10/2026  
 JASON L. SCHOLLENBERG DATE  
 PLS 14488-S

**NOTES**

1. THE PURPOSE OF THIS AS-BUILT IS TO SHOW THE PORTION OF THE BUILDING IN THE NORTHWEST PORTION OF PROPOSED LOT 1A, BENJAMIN-BARDARSON SUBDIVISION 2025 REPLAT, KPB2025-037 THAT FALLS WITHIN THE 20 FOOT BUILDING SETBACK AND 10 FOOT UTILITY EASEMENT AS SHOWN ON PLAT SW2004-19.
2. DIMENSIONS, LOT NUMBERING AND LAYOUT ARE PER KPB2025-037.
3. DIMENSIONS ARE PERPENDICULAR TO THE 20 FOOT BUILDING SETBACK LINE FROM THE FACE/CORNER OF THE BUILDING.
4. ONLY THAT PORTION OF THE SUBJECT BUILDING WITHIN THE SETBACK WAS SURVEYED TO CONFIRM ITS ENCROACHMENT. DIMENSIONS ON THE WEST, SOUTH AND EAST WALLS ARE BASED ON KPB ASSESSMENT DATA.

**KPB 2025-160**



<b>PENINSULA SURVEYING, LLC</b>		
10535 KATRINA BOULEVARD, NINILCHIK, AK 99639 (907)306-7065		
AS-BUILT SURVEY LOTS 1 & 2, BENJAMIN-BARDARSON SUBDIVISION, SW2004-19 NE1/4 OF SECTION 27, T1N, R1W, S.M., SEWARD RECORDING DISTRICT		
SCALE: 1" = 40'	DATE: 03/10/2026	
DRAWN: BLT	CHECKED: JLS	SHEET: 1 OF 1

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 - PRELIMINARY PLAT  
BENJAMIN-BARDARSON SUBDIVISION 2025 REPLAT**

<b>KPB File No.</b>	2025-037
<b>Plat Committee Meeting:</b>	April 27, 2026
<b>Applicant / Owner:</b>	Salmon Bake Cabins LLC / Seward, AK
<b>Surveyor:</b>	Jason Schollenberg / Peninsula Surveying
<b>General Location:</b>	Herman Leirer Rd, Seward

<b>Parent Parcel No.:</b>	144-072-06 & 144-072-07
<b>Legal Description:</b>	T 1N R 1W SEC 27 SEWARD MERIDIAN SW 2004019 BENJAMIN-BARDARSON SUB LOT 1 & 2
<b>Assessing Use:</b>	Commercial
<b>Zoning:</b>	commercial
<b>Water / Wastewater</b>	Onsite / Onsite
<b>Exception Request</b>	20.60.150

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will combine two lots of size 1.151 acres and 2.708 acres to re-align the lot line between them creating lots of size 1.775 acres and 2.084 acres

The preliminary plat Benjamin-Bardarson Subdivision 2025 Replat was granted conditional approval at the regularly scheduled Plat Committee meeting of April 14, 2025. The final plat has been submitted for review and it was noted a structure was in the 10' utility easement on the north line and an as-built was requested.

KPB Roads Dept. comments	Out of Jurisdiction: No  Roads Director: Uhlin, Dil Comments: Building encroaches the setback.
SOA DOT&PF	o No objection to proposed plat. o Apply for driveway permit for Lot 1A and Lot 2A. o Platting actions invalidate existing access permits. Apply for driveway permits at DOT&PF's online ePermits website: <a href="https://dot.alaska.gov/row/Login.po">https://dot.alaska.gov/row/Login.po</a> . Please contact DOT&PF's ROW division

**Site Investigation:**

The as-built depicts multiple structures. The approximate 46-foot by 66-foot building located in the northwest portion of Lot 1 Benjamin Bardarson Subdivision SW2004-19 is shown crossing into the 10' utility easement granted by SW2004-19; the surveyor has requested an exception to KPB 20.60.150 for the structure to remain in the location crossing into the 10' utility easement.

The structure crossing into the 20' building setback was approved at the April 13, 2026 Planning Commission meeting and will be resolved with the filing of Resolution 2026-23.

In 2004, the Benjamin-Bardarson Subdivision (SW 2004-19) created the lots from an unsubdivided piece of land within this subdivision (Lots 1 & 2). That plat includes a note stating: "The existing structures shown on lots 1 and 2 within the building setback and utility easement are exempt from the setback, and are permitted within the easement." The Planning Commission approved the structure to remain in place for the life of the structure, as it

existed prior to the establishment of the required building setback. No dimensions for the structure were provided on the plat or in the associated plat report. A comparison of the structure's footprint on the parent plat with the current as-built indicates that the structure has either been replaced or expanded, and is therefore now subject to the building setback and utility limitations and now requiring exceptions to these limits.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie  Floodplain Status: IS in flood hazard area  Comments: The structure in question is within non-regulatory X Zone but within regulatory SMFDA. No comment in regards to the structure remaining within the 20 foot setback.</p> <p>Flood Zone: A,X Zone,SMFDA  Map Panel: 02122C-4543E  In Floodway: False  Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan  Habitat Protection District Status: Is NOT within HPD  Comments: No comments</p>
State of Alaska Fish and Game	

**Utility Easements**

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.

**Utility provider review:**

HEA	Outside service area
ENSTAR	No comments or recommendations.
ACS	No response
GCI	Approved as Shown
SEWARD ELECTRIC	No response
CHUGACH ELECTRIC	No comment, outside service area
TELALASKA	No response

**KPB department / agency review:**

Addressing	<p>Reviewer: Pace, Rhealyn  Affected Addresses:  31832 Herman Leirer Rd</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:  Bronze Ave</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: This action will not affect address.</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comment</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Conditional Land Use Permit  CLUP Resolution Number: 2023-11  CLUP Approval Date: 5/22/2023  Material Site Comments:  There is an existing material site, MS2023-004, PID: 144-030-72, that is southwest of the subject parcel, on the other side of Herman Leirer Road.</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>

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

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

Corrections made as referenced in Letter First Paper Review on 09/16/2025.

**EXCEPTIONS REQUESTED:**

**A. KPB 20.60.150**

Surveyor's Discussion:

Surveyor's Findings:

1. The building in the northwest portion of the proposed Lot 1A is located ~5.3 into the 10' utility easement per SW2004-19
2. The Staff Report for KPB 2025-037 for the meeting dated April 14, 2025 showed either no comment or no response from any of the utility companies for this area. Considering this, there is no conflict with existing utilities near this building.
3. It would be cost prohibitive for this owner to remove and replace the building, which is a residential dwelling.
4. According to the KPB GIS, this portion of Bronze Ave is maintained by KPB Roads. The location of the physical road is offset far enough to the north of the building that maintenance and any work needed in the utility easement would not be impacted by this building.
5. The location is characterized by large, mature evergreens that are present well into the platted R.O.W. on both sides of the physical road, and for the entire length of Bronze Ave.

Staff Discussion:

KPB 20.60.150 Utility Easements

B. The following note shall be shown on the final plat:

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.

Staff Findings:

6. The northwest corner of the building is approximately 26 feet from the driving surface of Bronze Ave.
7. No utility responded with comment the easement was in use or not.
8. No surrounding properties will be denied utilities with the granting of this exception.

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 1-5 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 & 3 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 2, 4, 5, 6 & 8 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:**

**STAFF RECOMMENDS:**

- GRANT APPROVAL OF THE EXCEPTION REQUEST 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 20.50 (EXCEPTIONS);
- 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.**

**END OF STAFF REPORT**



Aerial Map



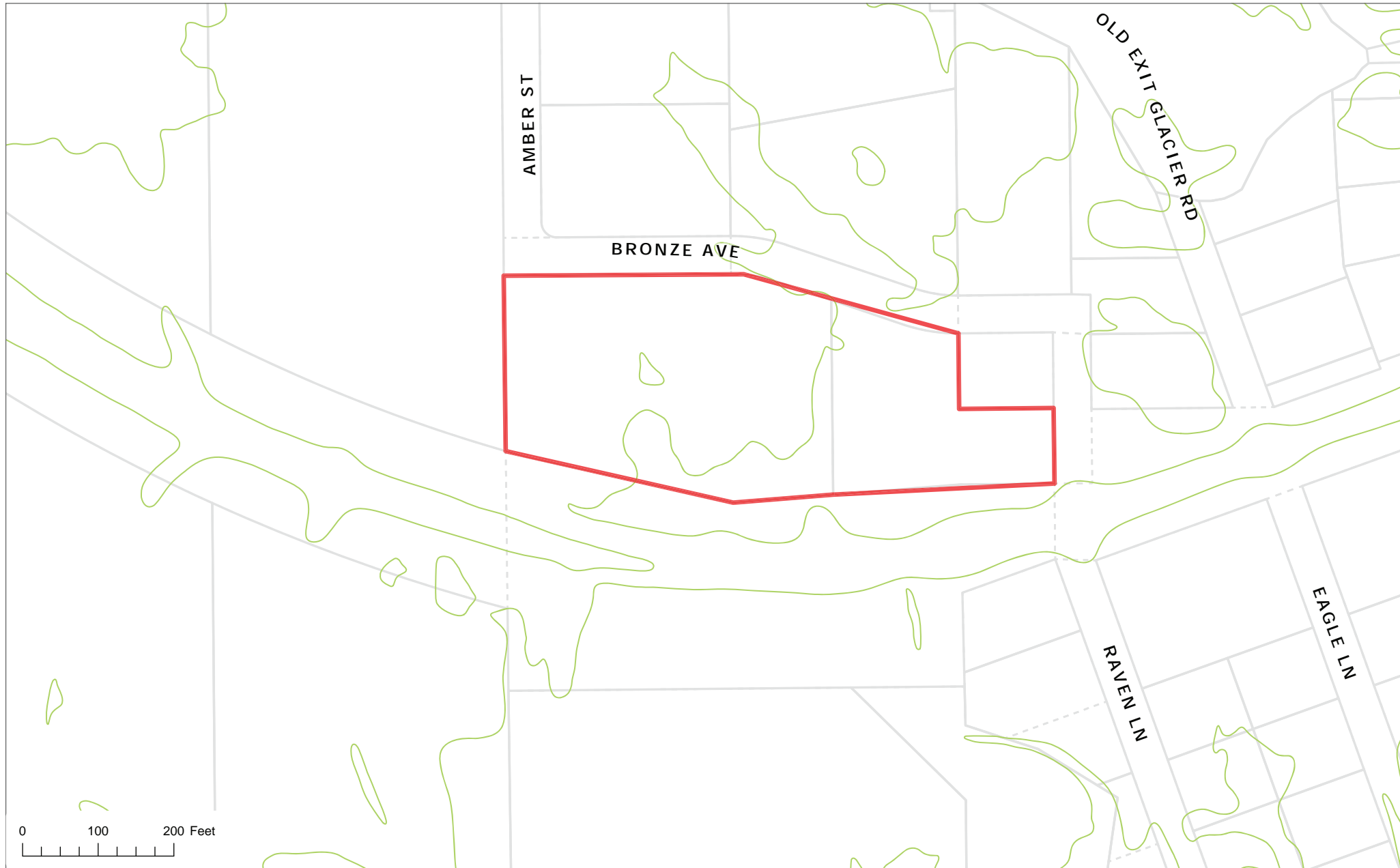
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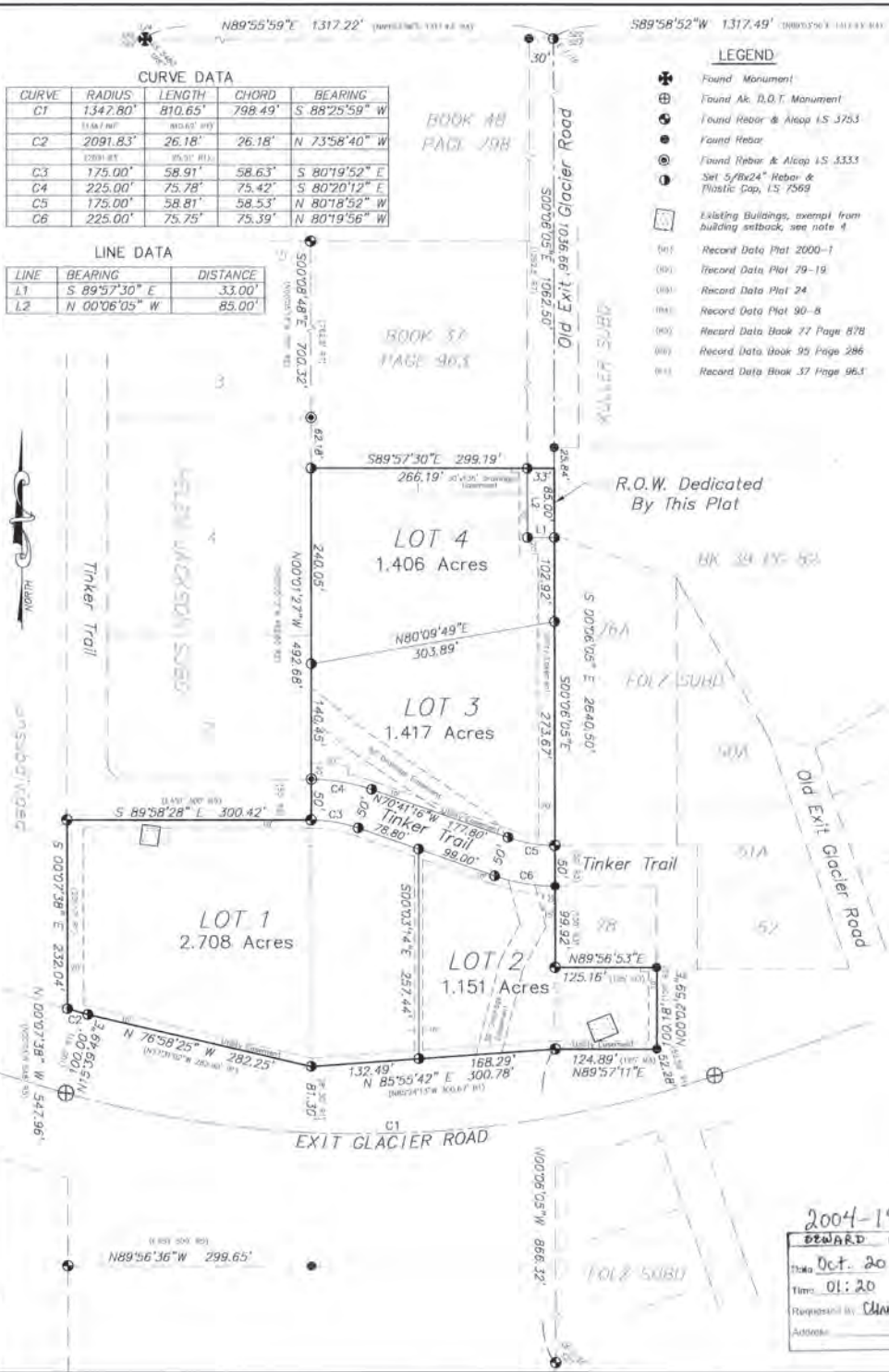
Wetlands



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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.



**CURVE DATA**

CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	1347.80'	810.65'	798.49'	S 88°25'59" W
C2	2091.83'	26.18'	26.18'	N 73°58'40" W
C3	175.00'	58.91'	58.63'	S 80°19'52" E
C4	225.00'	75.78'	75.42'	S 80°20'12" E
C5	175.00'	58.81'	58.53'	N 80°18'52" W
C6	225.00'	75.75'	75.39'	N 80°19'56" W

**LINE DATA**

LINE	BEARING	DISTANCE
L1	S 89°57'30" E	33.00'
L2	N 00°06'05" W	85.00'

**LEGEND**

- ⊕ Found Monument
- ⊕ Found A.K. D.O.T. Monument
- ⊕ Found Rebar & Alcap I.S. 3753
- ⊕ Found Rebar
- ⊕ Found Rebar & Alcap I.S. 3333
- ⊕ Set 5/8"x24" Rebar & Plastic Cap, I.S. 7569
- ⊕ Existing Buildings, exempt from building setback, see note 4
- (01) Record Data Plat 2000-1
- (02) Record Data Plat 79-19
- (03) Record Data Plat 24
- (04) Record Data Plat 90-8
- (05) Record Data Book 77 Page 878
- (06) Record Data Book 95 Page 286
- (07) Record Data Book 37 Page 963

**WASTEWATER DISPOSAL**

Soil conditions in this subdivision have been found unsuitable for conventional onsite wastewater disposal systems. Plans for a typical alternate wastewater disposal system for use on lots in this subdivision are included in the Engineer's Subdivision and Soils Report and are available from the Kenai Peninsula Borough. All alternate onsite wastewater treatment and disposal systems 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 prior to construction.

1119urcoman 3380-E 20Sep04  
Date

**NOTES**

- This plat was granted an exception to 20.20.110 for the 50' R.O.W. width of Tinker Trail by the KPB planning commission, at the meeting of June 28, 2004.
- Except as otherwise noted or shown hereon; these lots are subject to a 20' building setback from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission. The front 10', and the entire 20' within 5' of side lot lines is reserved as a utility easement.
- No permanent structure may be constructed or placed within a utility easement which would interfere with the ability of a Utility to use the easement.
- The existing structures shown on lots 1 and 2 within the building setback and utility easement are exempt from the setback, and are permitted within the easement.
- No access to state maintained rights-of-way is permitted unless approved by the State of Alaska Dept. of Transportation.
- The drainage easement within Lots 2 and 3 is centered on the natural meanders of the center of the existing stream.
- Roads must meet the design and construction standards established by the borough in order to be considered for inclusion in the road maintenance program.

**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of: June 28, 2004

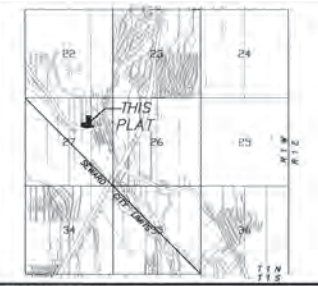
Mary Sacc  
Borough Official

**SURVEYOR'S CERTIFICATE**

I hereby certify that: I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

2004-19  
DATE

2004-19  
SEWARD DIST. 917  
Title: Oct. 20 2004  
Time: 01:20 P.M.  
Represented by: Clive  
Address:



VICINITY MAP 1"=1 MILE

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

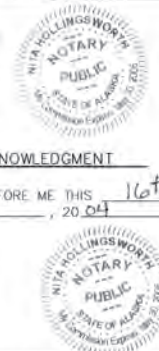
We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision, and grant all easements and public right-of-ways by our free consent. We further certify that the deed of trust affecting this property does not contain restrictions that would prohibit this subdivision.

Jean M. Bardarson Blaine Bardarson  
JEAN M. BARDARSON BLAINE BARDARSON  
PO BOX 689 PO BOX 689  
SEWARD, AK. 99664 SEWARD, AK. 99664

Vince L. Benjamin  
VINCE L. BENJAMIN  
PO BOX 3151  
SEWARD, AK. 99664

**NOTARY'S ACKNOWLEDGMENT**

FOR: JEAN M. BARDARSON AND BLAINE BARDARSON  
SUBSCRIBED AND SWORN TO BEFORE ME THIS  
DAY OF September 2004



Wita Hollingsworth  
NOTARY FOR ALASKA  
MY COMMISSION EXPIRES

**NOTARY'S ACKNOWLEDGMENT**

FOR: VINCE L. BENJAMIN  
SUBSCRIBED AND SWORN TO BEFORE ME THIS  
DAY OF September 2004

Wita Hollingsworth  
NOTARY FOR ALASKA  
MY COMMISSION EXPIRES

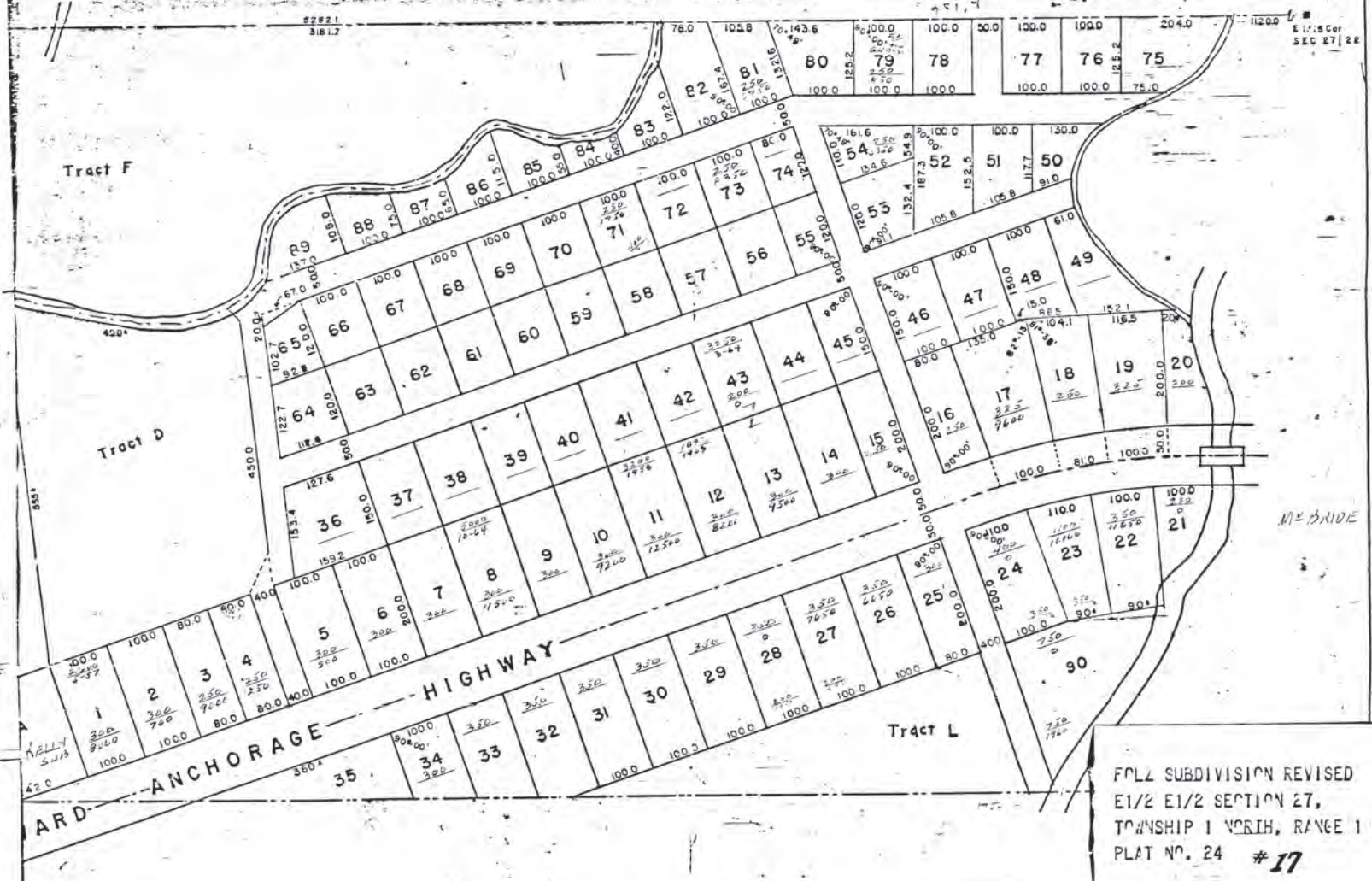
**BENJAMIN-BARDARSON SUBDIVISION**

A SUBDIVISION OF: LOT 79 FOLZ SUBDIVISION,  
PARCEL DESCRIBED IN 95 PAGE 286, AND  
PARCEL DESCRIBED IN BOOK 77, PAGE 878  
SEWARD RECORDING DISTRICT  
LOCATED IN THE NE 1/4 SECTION 27  
TOWNSHIP 1 NORTH RANGE 1 WEST  
SEWARD MERIDIAN, ALASKA  
CONTAINING 7.105 ACRES

**CLINE AND ASSOCIATES LAND SURVEYORS**

416 4TH AVENUE PO BOX 2703 SEWARD, AK 99664  
(907) 224-7328 FAX (907) 224-6088

DATE: 08/18/04	SCALE: 1"=100'
DRAWN: WNC	F.D. BK.: 04-05
DRAWING NO.: 04-13A	K.P.B. FILE #: 2004-169



FOLZ SUBDIVISION REVISED  
 E1/2 E1/2 SECTION 27,  
 TOWNSHIP 1 NORTH, RANGE 1 W  
 PLAT NO. 24 #17

**FOLZ SUBDIVISION  
 REVISED**

A PORTION OF THE E1/2, E1/2 SECTION 27  
 TOWNSHIP 1 NORTH, RANGE 1 WEST, SEWARD MERIDIAN.  
 SURVEY AND PLAT BY ROBERT BINERT REGISTERED CIVIL ENGR  
 SEPT. 1953

#193  
 The within plat is based on the survey of 11.25  
 A.C. March 19, 1874, and the plat of 193  
 and is subject to the plat of 193  
 Anna B. Binert  
 R. S. BARNARD, CIVIL ENGINEER

NOTE:  
 This plat is based upon a true and  
 accurate survey and therefore  
 supercedes the original plat of the  
 FOLZ SUBDIVISION filed



**DEDICATION**  
 ALL MEN BY THESE PRESENTS, That the undersigned JOSEPH W. FOLZ,  
 owner in fee simple of the tract of land delineated by this  
 plat and that the said JOSEPH W. FOLZ has dedicated and wanted as  
 public the use of all avenues and streets shown upon said plat as  
 highways, and to used only as such. Said dedication is an ass-  
 ent.

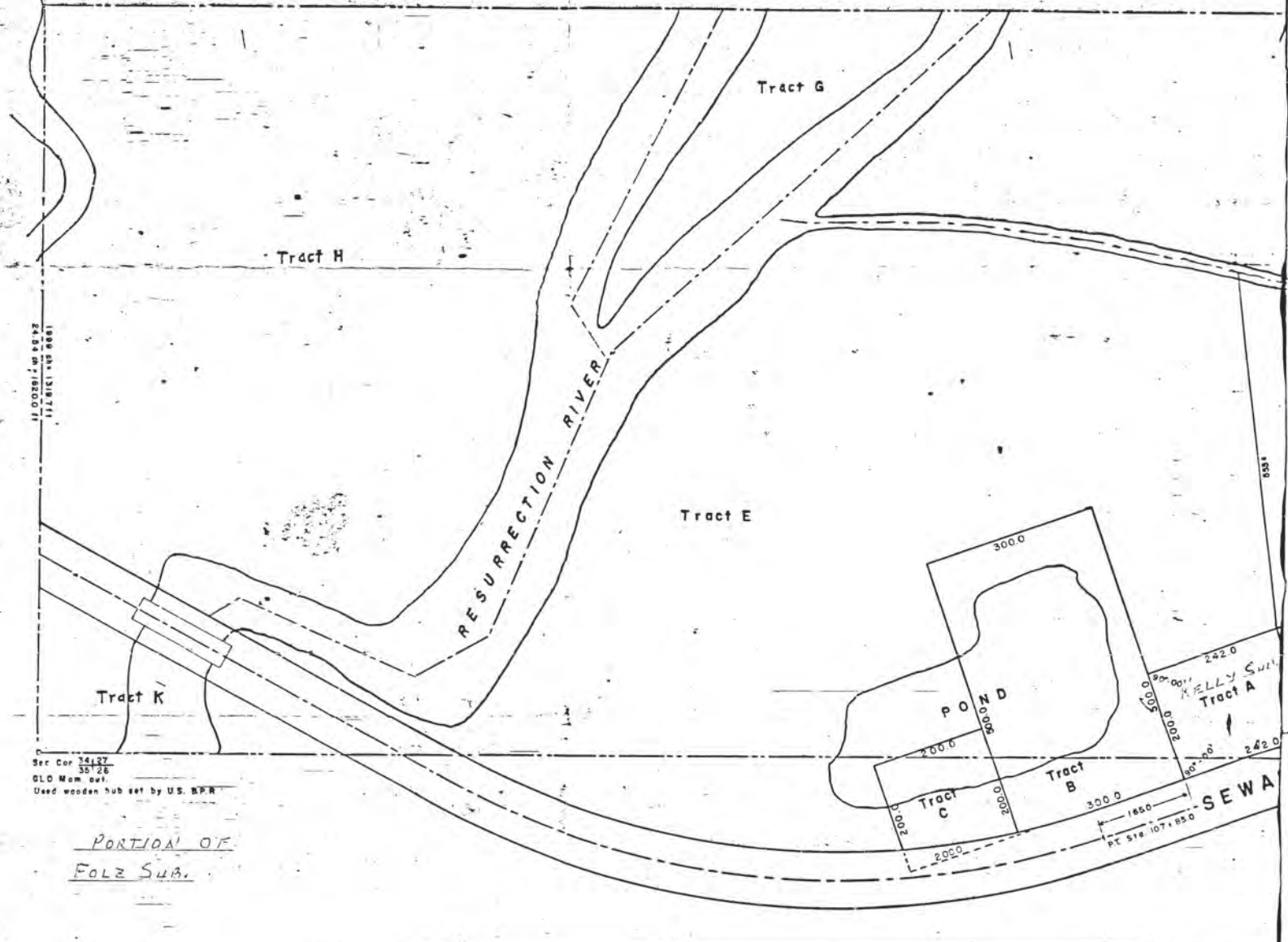
*Joseph W. Folz*  
 Joseph W. Folz

OLD Monument  
W.C. SEC. Line 34 27  
1000 ft  
1000 ft

1898 S.W. 1318 711  
2400 ft x 718200 ft

Sec Cor 34 27  
35 26  
OLD Mon out.  
Used wooden hub set by U.S. BPR

PORTION OF  
FOLZ SUB.



KNOW ALL MEN  
is the Owner  
plat, and th  
the public &  
Public Pl-  
went only.

AGENDA ITEM E. NEW BUSINESS

**ITEM #5 - PRELIMINARY PLAT  
BENJAMIN-BARDARSON SUBDIVISION 2025 REPLAT**

<b>KPB File No.</b>	2025-037
<b>Plat Committee Meeting:</b>	April 14, 2025
<b>Applicant / Owner:</b>	Salmon Bake Cabins LLC / Seward, AK
<b>Surveyor:</b>	Jason Schollenberg / Peninsula Surveying
<b>General Location:</b>	Herman Leirer Rd, Seward

<b>Parent Parcel No.:</b>	144-072-06 & 144-072-07
<b>Legal Description:</b>	T 1N R 1W SEC 27 SEWARD MERIDIAN SW 2004019 BENJAMIN-BARDARSON SUB LOT 1 & 2
<b>Assessing Use:</b>	Commercial
<b>Zoning:</b>	commercial
<b>Water / Wastewater</b>	Onsite / Onsite
<b>Exception Request</b>	none

**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will combine two lots of size 1.151 acres and 2.708 acres to re-align the lot line between them creating lots of size 1.775 acres and 2.084 acres

**Location and Legal Access (existing and proposed):**

The plat is located between Herman Leirer Rd and Bronze Ave. Both lots existing lots and proposed lots will continue to have access to both roads. Bronze Ave is a 50 foot wide dedication that is borough maintained that was given an exception to 20.20.110 now KPB 20.30.120 Street – Width requirements as noted on the parent plat at the KPB Planning Commission meeting of June 28, 2004 and is carried forward as plat note 1. Herman Leirer Rd is a varied width right-of-way maintained by the State of Alaska.

This plat is not dedicating any new right-of-way nor finalizing a vacation. There is not a section line easement affecting the plat either.

Block length is not compliant with this plat with a dedication needed on the west side. This is not a viable option though as there are structures at close proximity to the west property line and overhead power poles near the property line that would be an issue to deal with for creating a dedication. **Staff recommends** the Plat Committee concur an exception to KPB 20.30.190 Block Length requirements is not needed at this time.

**PER DOT:** The platting action voids any previous issued permits. Land owners will need to reapply for driveway access permits to state road and right-of-way access.

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

**Site Investigation:**

There are several structures located on the property. With this platting action, the structures will be moved between lots when it is finished. The parent plat shows two structures, one on each of Lot 1 and 2 within the 20' Building Setback Line and are noted as being exempt from the setback restrictions. Looking at the KPB GIS data the

structure on Lot 2 (proposed Lot 2A) has been removed. There is a newer structure to the west of the drainage easement that appears to possibly be near the building setback line. **Staff recommends** the surveyor locate the structure to the south property line to verify its location to the setback line and if within the 20' building setback report it to staff, show on the final plat and submit a Building Setback Encroachment Permit for approval along with any other structures found to be inside the building setback line. With the reconfigured lot lines, some structures appear close to the new lines, structures close to the lines should be labeled with distances to line.

There are not wetlands on the plat according the KWF Wetlands Assessment, nor steep areas per KPB GIS data as the plat is relatively flat with a slight slope to the south and both side of the drainage towards the easement for drainage purposes.

The River Center review did identify the plat to be located in a FEMA designated flood hazard zone and the necessary note is present at plat note 11.

The River Center review notes that the plat is not in a habitat protection district, but the stream is identified by KPB data as Anadromous Stream.

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 a regulatory mapped floodplain and within the SMFDA. Plat required plat note should be present. The A zone boundary should be shown.</p> <p>In regards to the A Zone, elevation determinations are not required based on the size of the acreage. There are flood depths available for development regulations.</p> <p>Flood Zone: A,X Zone,SMFDA  Map Panel: 02122C-4543E  In Floodway: False  Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan  Habitat Protection District Status: Is NOT within HPD  Comments: The waterbody on which these parcels lie is not a KPB anadromous stream.</p>
State of Alaska Fish and Game	No Response

**Staff Analysis**

The land was originally an aliquot part of the E1/2 E1/2 and the NW1/4 NE1/4 of Section 27 Township 1 North, Range 1 West S.M. Alaska. Folz Subdivision Revised SW24 subdivided a portion of the area in 1953, then Benjamin-Bardarson Subdivision sW2004-19 subdivided two deed described parcels and Lot 79 of SW24 into 4 lots and a dedication. This platting action is subdividing Lots 1 and 2 of Benjamin-Bardarson Subdivision SW2004-19 to reconfigure the lot lines.

A soils report is on file with the KPB Platting department for the parent plat and the proper note for Wastewater Disposal is located on the drawing.

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

The property is not within an advisory planning commission and is located north of the City of Seward city limits.

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

**Utility Easements**

A 10' utility easement and a 20' utility easement both granted by SW2004-19 are shown on the plat correctly. The 10' utility easement along the vacated lot is not being vacated with the lot line and is shown correctly also.

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.

**Utility provider review:**

HEA	Not located within HEA's service area
ENSTAR	No comment
ACS	No Response
GCI	No Response
SEWARD ELECTRIC	No Response
CHUGACH ELECTRIC	Not inside service area
FASTWYRE	No Response

**KPB department / agency review:**

Addressing Review	<p>Reviewer: Leavitt, Rhealyn          Affected Addresses:          31832 HERMAN LEIRER RD, 31872 HERMAN LEIRER RD</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names:          AMBER ST, BRONZE AVE, HERMAN LEIRER RD, RAVEN LN</p> <p>Existing Street Name Corrections Needed:          PLEASE ADD RAVEN LN PER SN RES 97-08</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:          ADDRESSES WILL REMAIN.</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:</p>

	There are not any material site issues with this proposed plat.
Assessing Review	Reviewer: Windsor, Heather Comments: No comments

**STAFF RECOMMENDATIONS**

**CORRECTIONS / EDITS**

Add signers name to the Certificate of Ownership and Dedications and Notary Acknowledgement in place of 'owners' on the lines

In the Plat Approval, add the date of April 14, 2025

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**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 KPB File No to 2025-037

In the legal description, the city needs to be changed to Seward from Homer Recording District.

- 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:**

Add R.O.W. to the widths listed for the rights-of-way.

- 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:**

If possible, add Bronze Ave and Amber St with lighter lines to the vicinity map.

- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval;

**Staff recommendation:**

Structure to the west of drainage easement in proposed lot 2A looks to be in 20' setback may need a building setback encroachment permit approved, was not shown on parent plat. please locate and proceed accordingly.

Identify distance of shop/carport to new line, appears close.

Identify any other structures that may be either encroached or crossing into building setback line.

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**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.

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**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.

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**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.

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**RECOMMENDATION:**

**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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