

E. NEW BUSINESS

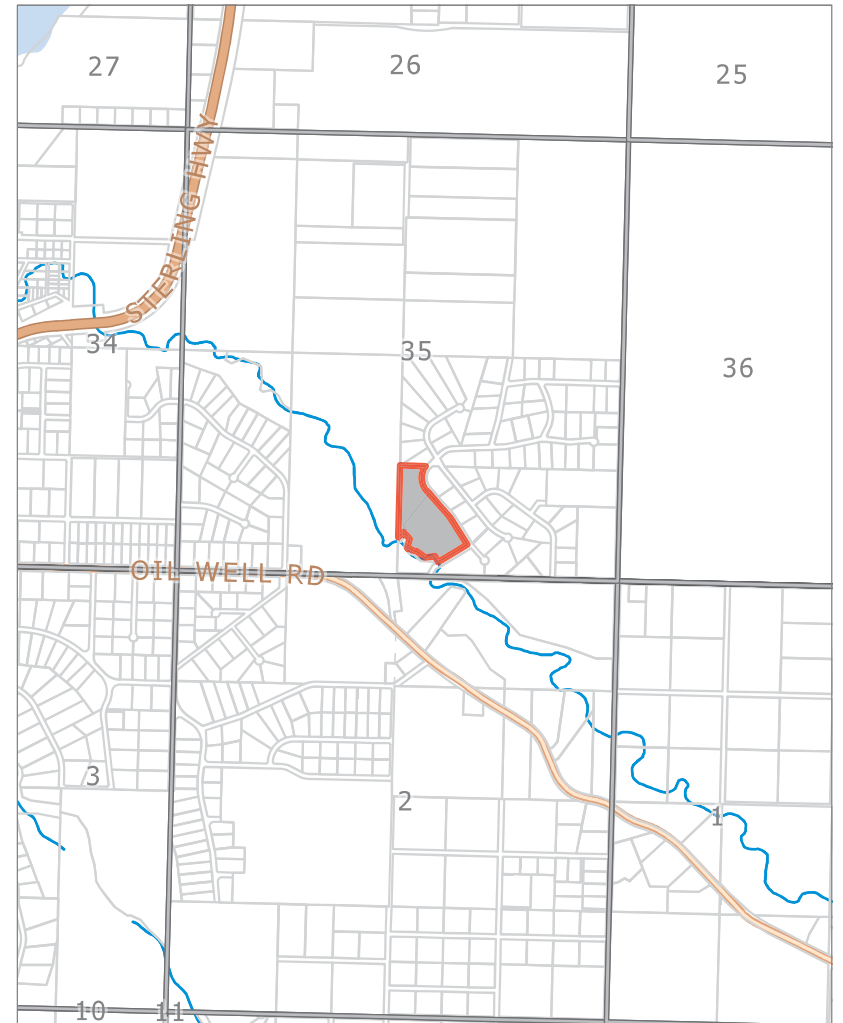
2. Ninilchik River Estates Wilson 2023 Addition

KPB File 2023-124R1

Johnson Surveying / Diane Wilson Family Trust

Location: Garrison Ridge Road & Wild Salmon Way

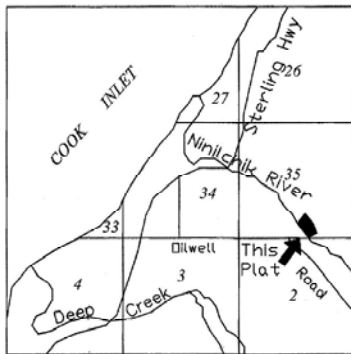
Ninilchik Area



KPB File 2023-124R1
T 01S R 14W SEC 35
Ninilchik



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

Ninilchik River Estates Wilson 2023 Addition Preliminary Plat

A replat of Lot 3A1 Ninilchik River Estates, Wilson Replat (HRD 2012-16) and Lot 8A1 Ninilchik River Estates, Wilson Replat No. 2 (HRD 2014-11). Located in the SE 1/4 Section 35, T1S R14W, S4M Ninilchik, Alaska. Homer Recording District Kenai Peninsula Borough

Prepared for

Diane Wilson Family Trust
P.O. Box 39030
Ninilchik, AK 99639

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568
(907) 262-5772

SCALE 1" = 100' 12.600 Acres 5 March, 2024

NOTES

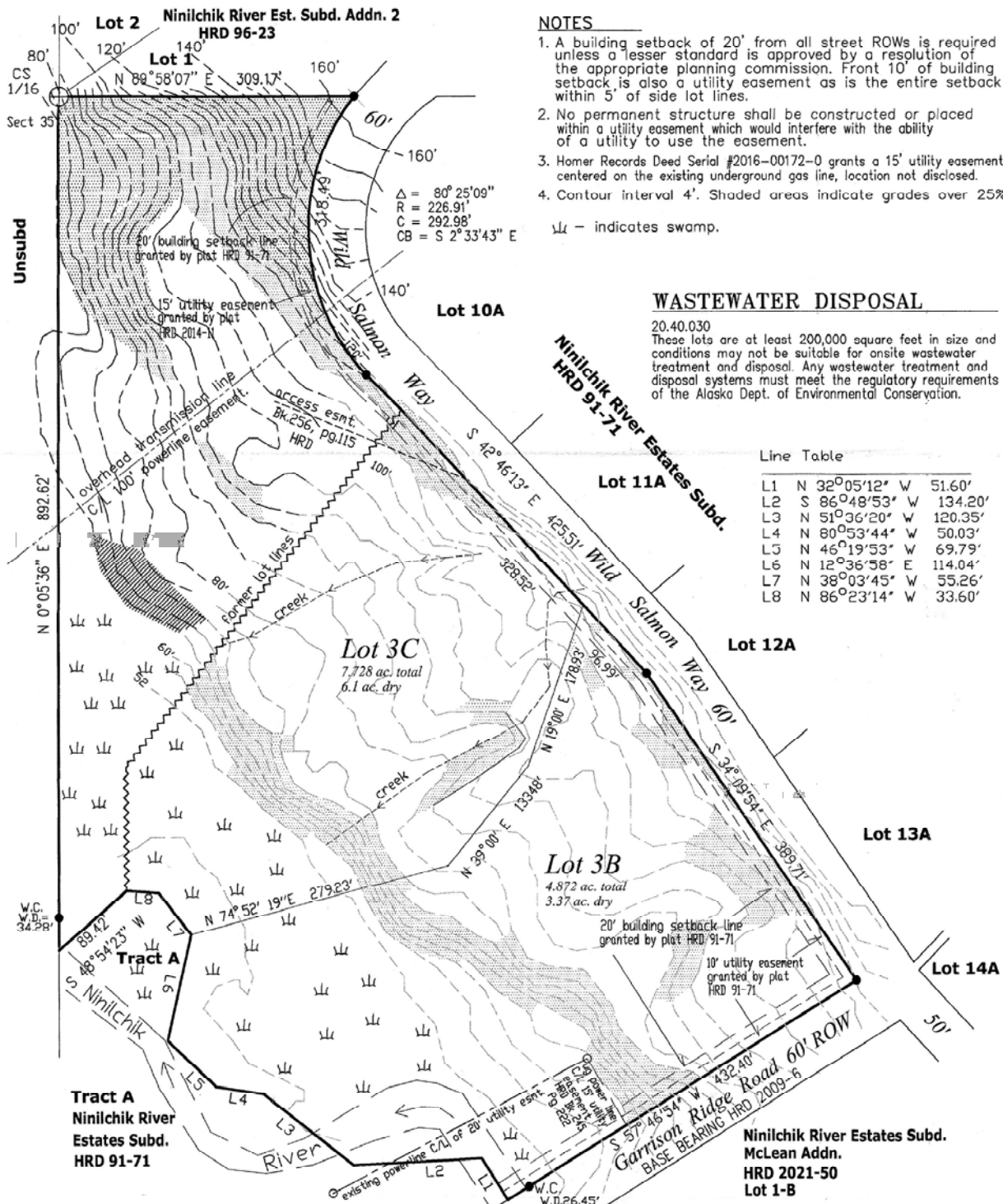
1. A building setback of 20' from all street ROWs is required unless a lesser standard is approved by a resolution of the appropriate planning commission. Front 10' of building setback is also a utility easement as is the entire setback within 5' of side lot lines.
 2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
 3. Homer Records Deed Serial #2016-00172-0 grants a 15' utility easement centered on the existing underground gas line, location not disclosed.
 4. Contour interval 4'. Shaded areas indicate grades over 25%.
- W - indicates swamp.

WASTEWATER DISPOSAL

20.40.030
These lots are at least 200,000 square feet in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Dept. of Environmental Conservation.

Line Table

L1	N 32°05'12" W	51.60'
L2	S 86°48'53" W	134.20'
L3	N 51°36'20" W	120.35'
L4	N 80°53'44" W	50.03'
L5	N 46°19'53" W	69.79'
L6	N 12°36'58" E	114.04'
L7	N 38°03'45" W	55.26'
L8	N 86°23'14" W	33.60'



AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
NINILCHIK RIVER ESTATES WILSON 2023 ADDITON**

KPB File No.	2023-124R1
Plat Committee Meeting:	April 22, 2024
Applicant / Owner:	Diane Wilson Family Trust of Ninilchik
Surveyor:	Jerry Johnson/ Johnson Surveying
General Location:	Ninilchik Oil Well Road

Parent Parcel No.:	157-063-76 & 157-063-77
Legal Description:	Lot 3A1 Ninilchik River Estates Wilson Replat HM 2012-16 and Lot 8A1 Ninilchik River Estates Wilson Replat No. 2 HM 2014-11
Assessing Use:	Residential
Zoning:	Unrestricted
Water / Wastewater	Onsite
Exception Request	20.30.280(A) & (C)

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine two tracts totaling 12.600 acres and realign the property line to make two new lots of size 4.872 acres and 7.728 acres.

Location and Legal Access (existing and proposed): Current access to the property is from Oil Well Road near mile post one at Garrison Ridge Rd. there is an access point on Garrison Ridge Rd to the property. Wild Salmon Way is in front of the plat for access to both lots.

No right-of-way vacation or dedication is being proposed with this plat. Lot 3C is access by a private access easement which will most likely not be needed anymore.

The certificate to plat has supplied a document at book 245 page 608 indicating an easement for right of ingress and egress. This easement needs to be added to the drawing and added as a plat note.

The block is not compliant for length, but with the Ninilchik River crossing Garrison Ridge Rd a road cannot be installed to relieve the issue. **Staff recommends:** the committee concur that an exception is not needed.

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

Site Investigation:

The plat contains several buildings along with two houses. This plat will move the line from one side of the buildings to the opposite side putting them with the other house.

There are areas on the plat that are over 20 percent grade shown as shaded on the drawing. The parent plat labels these spots as top and toe which the surveyor can convert to showing and remove the contours on the submittal of the final.

Wetlands exist on the plat and are shown along the west side of the plat. The plat has been identified as being in

FEMA FIRM Zones A and X. The KPB Floodplain Administrator has noted that the surveyor will need to add a BFE (Base Flood Elevation) to the plat be 20.30.280. the surveyor has requested an exception to 20.30.280(A) & (C). Per 20.30.280(D) the surveyor will need to add the Flood Hazard Notice note to the plat.

The plat has also been identified as being in a Habitat Protection District and per 20.30.290 will need to have the anadromous Waters Habitat Protection District Note added to the plat.

Add the note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination

KPB River Center Review	<p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: Within A zone with BFE not determined. See attached email regarding requirements</p> <p>Flood Zone: A,X (shaded) Map Panel: 02122C-1620E In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: Portions of this plat are within the KPB 21.18 anadromous reach and River Center will have to be consulted for permits prior to work being done within the 50 foot setback of the Ninilchik River.</p>
State of Alaska Fish and Game	

Staff Analysis This plat was originally an aliquot part of SE1/4 of Section 35, T1S, R14W, SM Alaska. Ninilchik River Estates HM 86-12 was the first division of the land creating 35 lots, 1 tract and 5 road dedications. Ninilchik River Estates Addition No 1 HM 91-71 resubdivided several lots and realigned roads. Ninilchik River Estates Nedrow-Ruch Replat Amended HM 2009-6 resubdivided lots 6-A and 7-A of Ninilchik River Estates Addition No 1 HM 91-71. Ninilchik River Estates Wilson Replat HM 2012-16 resubdivided lots 3-A, 4-A & 5-A of Ninilchik River Estates Addition No 1 HM 91-71 and lots 6A1 & 7A1 of Ninilchik River Estates Nedrow-Ruch Replat Amended HM 2009-6 into one lot (Lot 3A1). Ninilchik River Estates Wilson Replat No 2 HM 2014-11 combined Lots 8-A and 9-A of Ninilchik River Estates Addition No. 1 HM 91-71 into Lot 8A1. Lots 8A1 and 3a1 are now being subdivided by this plat.

A soils report will not be required as these lots are both over 200,000 sq ft.

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.

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

Utility Easements

The rear 10 feet of the front 20 feet of Lot 6-A of HM 91-71 is granted as an electrical easement per 249 / 113 from the certificate to plat, please add this to the drawing and as a plat note.

Add the easements listed in Book 248 / 890 to the drawing and as a plat note.

Add the HEA right-of-way easement listed in book 48 page 74 to the drawing and as a plat note.

Add the blanket easement to HEA listed in book 27 page 8 to the plat notes.

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 comment
ENSTAR	No comment
ACS	No objections
GCI	Approved as Shown

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 65348 GARRISON RIDGE RD, 15800 WILD SALMON WAY Existing Street Names are Correct: Yes List of Correct Street Names: GARRISON RIDGE RD, WILD SALMON WAY Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 65348 GARRISON RIDGE RD WILL REMAIN WITH LOT 3B. 15800 WILD SALMON WAY WILL REMAIN WITH LOT 3C.
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

Area of plat does not equal area from total of the parent plats added together.

Add KPB No 2023-124R1

Add a note that "The borough will not enforce private covenants, easements or deed restrictions per KPB 20.60.170."

Transfer all notes from the parent plats forward to this plat.

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.

- 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:

Update subdivision area to include additional area added.

Show some roads adjacent to the site

Add the townships and range to the 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 proposed 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:

Lots east and south need dashes added to the lot numbers

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

EXCEPTIONS REQUESTED:

A. KPB 20.30.280(A) & (C) Floodplain Requirements

Surveyor's Discussion: This replat action changes no ownership in its self, existing owner has expressed no interest in developing the floodplain area. The steep hill would limit the A zone within a short distance what ever it would reasonably be determined as. The base of the hill can be shown as the flood hazard limits for the purpose of this plat action. The flood zones tend to change over time so any determination made at this time would likely no longer be relevant at some time in the future when someone may be interested in developing the flood plain.

Findings:

1. Existing owners have expressed no interest in developing in the floodplain.
2. The steep hill would limit the A zone within a short distance whatever it would reasonably be determined as.

3. The base of the hill can be shown as the flood hazard limits for the purpose of this plat action.

Staff Discussion:

20.30.280. - Floodplain requirements.

- A. All subdivision plats which are within areas where the floodplain has been identified by the Federal Emergency Management Agency (FEMA), and which involve 50 lots or five acres whichever is lesser, shall include the base flood elevation source. If the base flood elevation is not provided from another authoritative source, it must be generated at the responsibility of the developer and noted on the final plat.
- B. Any area of the subdivision within the regulatory floodplain, floodway or Seward Mapped Flood Data Area (SMFDA) is to be shown and labeled on the plat.
- C. All subdivisions which are wholly or partially located within flood hazard areas as defined by KPB 21.06.030 must comply with KPB 21.06.050 standards for Floodplain Management.

Findings:

4. Existing structures are located above Zone A already.
5. The BFE was not completed in the study by FEMA in Zone A.
6. The Habitat Protection District limits the buildable area available in Zone A.
7. Granting this exception will do no harm to adjacent land owners or the public.

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 4, 5 & 6 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 6 & 7 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.

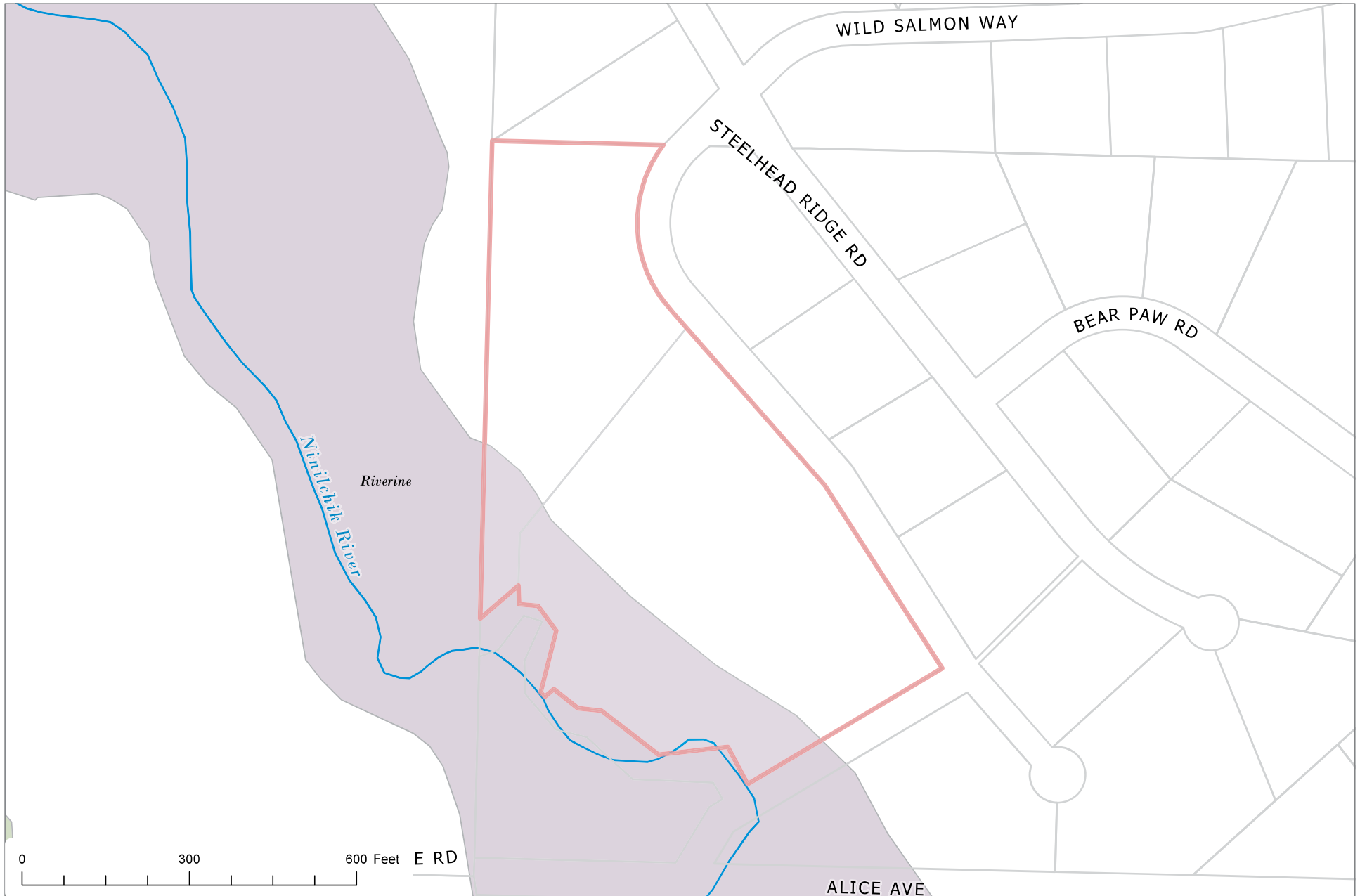
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

END OF STAFF REPORT



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



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.



NINILCHIK RIVER ESTATES

Wilson Replat No. 2

A replat combining Lots B-A & 9-A Ninilchik River Estates Addn. No. 1, HRD 91-71, located in the SW1/4 SE1/4 Section 35, T1S R14W, SM, Ninilchik, Alaska; Homer Recording District Kenai Peninsula Borough File 2013-177

Prepared for

Diane Wilson
P.O. Box 39030
Ninilchik, AK 99630

Prepared by

Johnson Surveying
Box 27
Orem, Utah, AK 99658



SCALE 1" = 100' AREA = 4.236 acres
25 September, 2013

LEGEND

- ⊕ - 3/4" alcap monument; LS-5332, 1985, record HRD 91-71
- - rebar lot corner, Record HRD 2009-06
- ⬇ - indicates swamp.
- ⊕ - 2 1/2" GLU Brass Cap Monument, 1919, Record HRD 2009-06.

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 15' of the building setback is also a utility easement, as is the entire setback within 5' of the 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. Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough as a flood hazard area district, (Panel #020012-3525A, dated 19 May, 1981) as of the date this plat is filed with the district recorder's office, if such is the case, development must comply with chapter 21.06 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to construction.
4. Portions of this subdivision are within the Kenai Peninsula Borough 50-foot Anadromous Waters Habitat Protection Area. See Chapter 21.18 Borough Code of Ordinances for restrictions that affect development in this subdivision.
5. Restrictive covenants affecting this property are filed with the Homer District Recorder in Book 0211, Page 891.
6. This is a paper plat replat, no field survey was conducted in conjunction with preparing this plat, no corners were found or set.
7. Any person developing this property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
8. This property is subject to utility easements granted to Homer Electric Association by Homer Records deeds book 27 page B and book 48 page 74, blanket easements.
9. This property may be affected by easement deed Book 34 Page 139.

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 28 October, 2013.

KENAI PENINSULA BOROUGH

By: Mary Beth July 10, 2014
Authorized Official Date

Wastewater Disposal

20.14.020

The parent subdivision for lots resulting from this platting action was approved by the Alaska Department of Environmental Conservation on 22 October, 1991. Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

OWNERSHIP CERTIFICATE

I hereby certify that I am the owner of the real property shown and described herein, and that I hereby adopt this plan of replat, and by my free consent grant all easements to the use shown.

Diane P. Wilson

Diane P. Wilson
P.O. Box 39030 Ninilchik, AK 99630

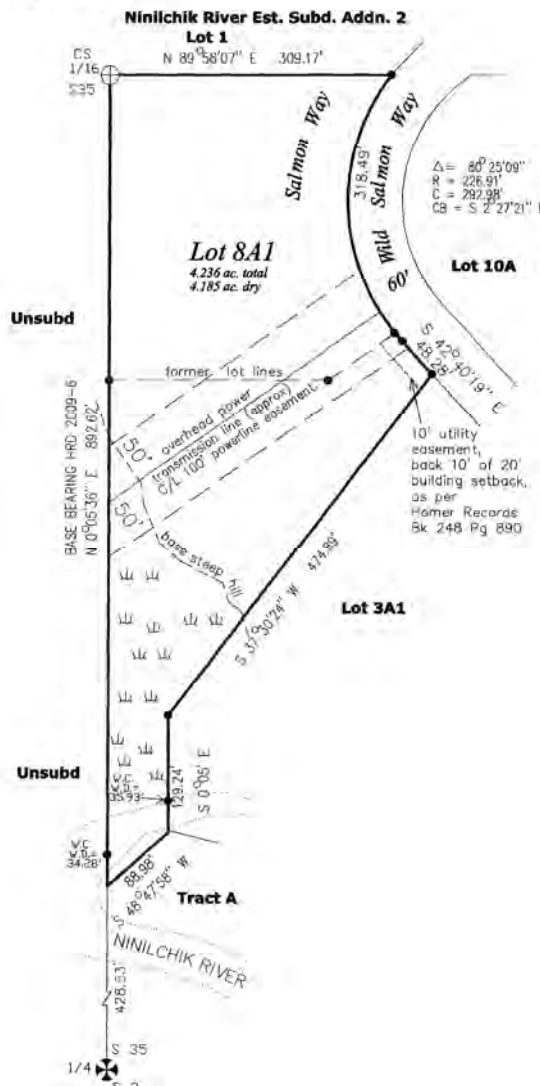
NOTARY'S ACKNOWLEDGEMENT

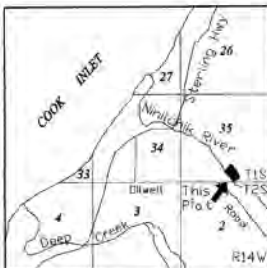
For: Diane P. Wilson
Subscribed and sworn to before me this 31st

day of March, 2014

L. J. Hansen
Notary Public for ALASKA

My commission expires 1/6/16





Vicinity 1" = 1 mile Map

2012-16
Plat #
HOMER
Rec. Dist.
6/11/2012
DATE
TIME 1:05 PM

Ninilchik River Estates Wilson Replat

Replat of Lots 3A, 4A, and 5A, Ninilchik River Estates Addition #1
HRD# 91-71 and Lots 6A1 and 7A1.
Ninilchik River Estates, Nedra-Rush Replat.
Amended HRD# 2009-06, Section 35, T 1 S, R 14 W, Seward Meridian.
Homer Recording District Kenai Peninsula Borough File 2012-10

Prepared for

Diane and Steven Wilson
111 Metacommet Dr
Kensington, CT 06037

Prepared by

Johnson Surveying
Box 27
Clam Gulch, AK 99568

SCALE 1" = 100' 8.343 Acres 19 March, 2012



LEGEND

- ⊕ - 3" alcap monument, LS-5332, 1985, record HRD 91-71
- - rebar lot corner, Record HRD 2009-06
- ⊗ - 5/8" rebar with plastic cap "LS 6240", record HRD 91-71
- ⊕ - 2" GLO Brass Cap Monument, 1919, Record HRD 2009-06.
- () - Indicates information calculated from record plat HRD 91-71
- sw - indicates swamp

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 23 January, 2012

KENAI PENINSULA BOROUGH

By: *[Signature]* June 8, 2012
Authorized Official Date

NOTES

- 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.
- No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- Portions of this subdivision are within the Kenai Peninsula Borough 50-foot Anadromous Stream Habitat Protection Area. See Chapter 21.18 Borough Code of Ordinances for restrictions that affect development in this subdivision.
- Restrictive covenants affecting this property are filed with the Homer District Recorder in Book 0211, Page 891.
- This property is subject to private access easements as recorded in Homer Records Volume 34 Page 139, Volume 245 Page 608, Volume 256 Page 115.
- Former lot corners were not removed.

Wastewater Disposal

This lot is at least 200,000 sq. ft., 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.

OWNERSHIP CERTIFICATE

I hereby certify that I am the owner of the real property shown and described hereon; and that I hereby adopt this plan of replat, and by my free consent grant all easements in the use shown.

[Signature]
Diane P. Wilson
111 Metacommet Dr Kensington CT, 06037

Line Table

L1	N 22°05'12" W	51.50'
L2	S 86°48'53" W	134.20'
L3	N 51°35'20" W	120.35'
L4	N 80°53'44" W	50.03'
L5	N 46°19'53" W	69.79'
L6	N 12°36'58" E	114.04'
L7	N 38°03'45" W	55.26'
L8	N 86°23'14" W	33.50'



NOTARY'S ACKNOWLEDGEMENT

For: Diane P. Wilson
Subscribed and sworn to before me this 19th
day of April, 2012.
[Signature]
Notary Public for Connecticut
My commission expires 9/11/2014

RESA M. FERREIRA
NOTARY PUBLIC
MY COMMISSION EXPIRES AUG. 31, 2014

LEGEND:

- MOVEMENT (found this survey)
- () MOVEMENT (not this survey)
- REBAR (found this survey)
- () REBAR (not this survey)
- () RECORD DATUM PLAT 91-71, IBC

NOTES:

- 1) Part of bearing taken from Ninilchik River Estates Addition No. 1 Plat 91-71, Homer Recording District.
- 2) Building setbacks & setbacks of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All water disposal systems must comply with existing laws at the time of construction.
- 4) Protective cements, conditions, and restrictions which affect this subdivision are recorded in Book 211 Page 861, Homer Recording District.
- 5) A non-exclusive right of way easement which affects this subdivision is recorded in Book 278 Page 371, Homer Recording District.
- 6) Flood hazard area information was taken from FIRM panel number 5026A dated May 16, 1981.
- 7) Portions of this subdivision are within the Kenai Peninsula Borough 50-foot Ambiguous Stream Protection Area. See Chapter 21.18 Borough Code of Ordinances for restrictions that affect development in this subdivision.
- 8) Lots within this subdivision may be located within a designated flood hazard area. If this is the case, development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to construction.
- 9) Prior to use of the 20 foot building setback and the utility setback within 5 feet of the side lot line is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 10) WASTEWATER DISPOSAL: The permit applications for lots resulting from this platting action were approved by the Alaska Department of Environmental Conservation on August 28, 1999 and October 22, 1999. wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JUNE 6, 2008.

KENAI PENINSULA BOROUGH

Mayor
AUTHORITY 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 measurements shown herein accurately reflect the surveyed, and all dimensions and other details are correct.

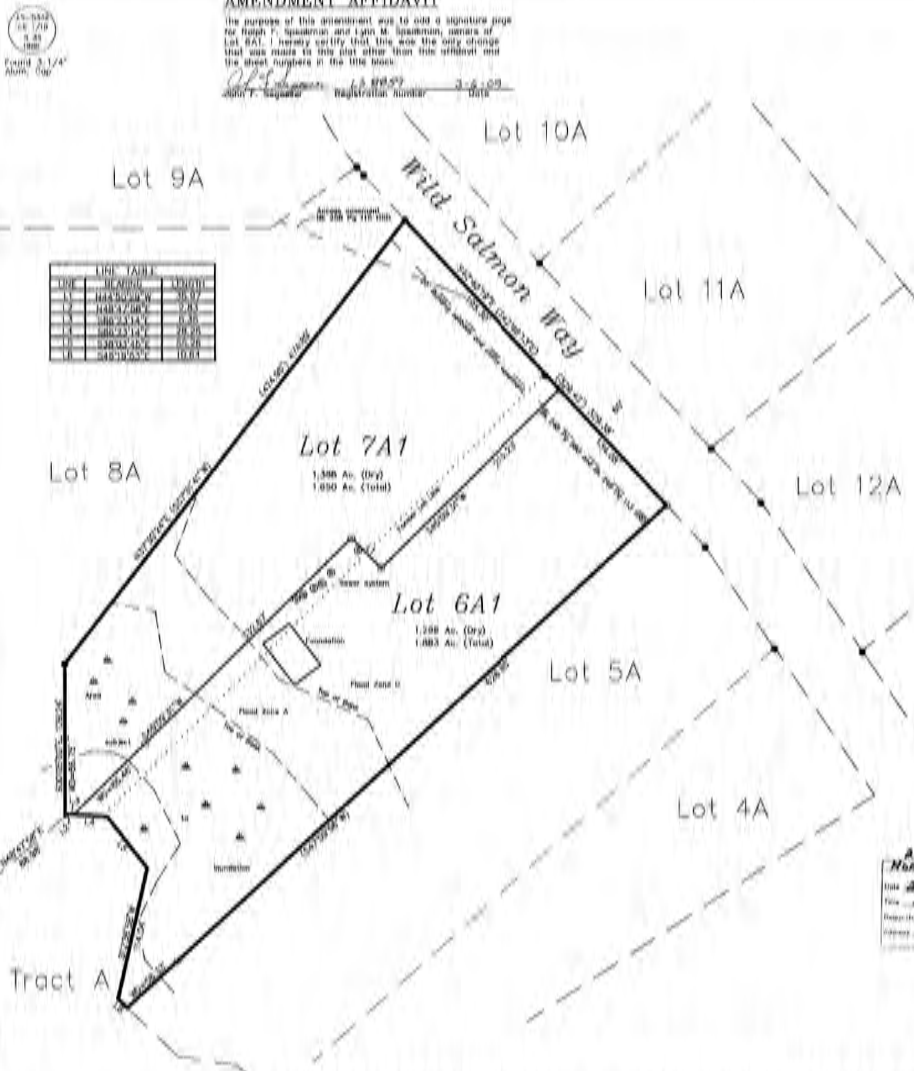
Date 8/23/08

AMENDMENT AFFIDAVIT

The purpose of this amendment was to add a signature page for Joseph T. Segesser and Lynn M. Segesser, owners of Lot 6A1. I hereby certify that this was the only change that was made to this plat after from this subdivision and the sheet numbers in the title block.

JOSEPH T. SEGESSER Registration number 3-8-09 Date

LINE	BEARING	LENGTH
1	N 88° 20' 00" W	35.97
2	N 88° 20' 00" W	35.97
3	S 88° 20' 00" E	35.97
4	S 88° 20' 00" E	35.97
5	N 88° 20' 00" W	35.97
6	N 88° 20' 00" W	35.97
7	S 88° 20' 00" E	35.97
8	S 88° 20' 00" E	35.97



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 BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE THEREOF.

William W. Nedrow
WILLIAM W. NEDROW
P.O. BOX 98030
HEALDEN, AK 99630
LOT 7A

Merry S. Path-Rush
MERRY S. PATH-RUSH
P.O. BOX 98030
HEALDEN, AK 99630
LOT 6A

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12th DAY of August, 2008
FOR *Monte W. Nedrow*



C. J. Smith
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 8/13/09

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12th DAY of August, 2008
FOR *Sandra Kay Nedrow*



C. J. Smith
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 8/13/09

8008-74
INDEXED
NINILCHIK REC. DIST.
DATE: 11/5/2008
TIME: 5:10 PM
REQUESTED BY:
SESSER SURVEYS
40485 ROSLAND ST.
HEALDEN, AK 99669

8008-74
INDEXED
NINILCHIK REC. DIST.
DATE: 11/5/2008
TIME: 5:10 PM
REQUESTED BY:
SESSER SURVEYS
40485 ROSLAND ST.
HEALDEN, AK 99669

KPD FILE No. 8008-147

AMENDED

Ninilchik River Estates Nedrow-Rush Replat

A Subdivision of Lots 6-A and 7-A, Ninilchik River Estates Addition No. 1, Plat 91-71, Homer Recording District, Kenai Peninsula Borough, Alaska.

Located within the SW1/4 SE1/4, Section 35, T1S, R15W, Fourth Meridian.

Containing 3.673 Ac.

SESSER SURVEYS

40485 Rosland St.
Healdton, AK 99669

JOB NO.	08023	DRAWN:	7-30-08
SURVEYED:	June, 2008	SCALE:	1"=50'
FIELD BOOK:	08-2	SHEET:	1 of 1

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12th DAY of August, 2008
FOR *William W. Nedrow*



William W. Nedrow
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 8/13/09

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12th DAY of August, 2008
FOR *Sandra Kay Nedrow*

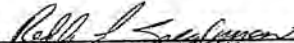


Sandra Kay Nedrow
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 8/13/09

Homer 2009-6

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 BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.


RALPH F. SPEAKMAN
44¹/₂ S. PHEASANT DR.
BOZEMAN, MT 59718


LYNN M. SPEAKMAN


LOT 6A

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 12 DAY OF February, 2009

FOR Ralph F Speakman & Lynn M Speakman




NOTARY PUBLIC FOR MONTANA

MY COMMISSION EXPIRES February 13, 2009

Anna M. Bounting
Notary Public for the State of Montana
Residing at Bozeman, Montana
My Commission Expires February 27, 2010

KPB FILE No. 2008-147

Ninilchik River Estates Nedrow-Rush Replat

A resubdivision of Lots 6-A and 7-A, Ninilchik River Estates Addition No. 1, Plat 91-71, Homer Recording District, Kenai Peninsula Borough, Alaska.

Located within the SW1/4 SE1/4, Section 35, T1S, R14W, Seward Meridian.

Containing 3.533 Ac.

SEGESSER SURVEYS

30485 Rosland St.
Soldotna, AK 99669

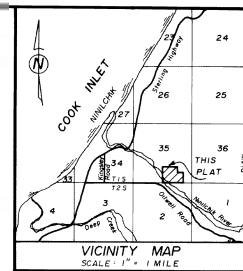
JOB NO.	08023	DRAWN:	1-13-09
SURVEYED:	June, 2008	SCALE:	1"=50'
FIELD BOOK:	08-2	SHEET:	2 of 2

CURVE TABLE

CURVE	DELTA	RADIUS	ARC TANGENT	CHORD	CHORD BEG
1	03°04'45"	230.00	12.18 8.08 12.18	535.18 20.2	
2	76°13'40"	230.00	304.00 180.43 283.92	501.32 32.7	
3	32°14'14"	170.00	275.16 178.32 248.00	503.28 33.7	
4	107°22'51"	80.00	146.07 99.20 98.39	306.71 26.1	
5	107°22'51"	80.00	93.71 68.08 80.58	236.71 25.9	
6	05°26'40"	500.00	47.92 23.93 47.90	530.14 14.8	
7	07°07'10"	500.00	0.77 8.88 9.77	530.13 14.7	
8	18°28'02"	500.00	100.88 80.88 158.88	530.13 14.7	
9	07°10'37"	80.00	76.31 47.72 65.03	230.14 14.7	
10	24°59'58"	500.00	218.16 110.88 210.44	530.13 14.7	

LINE TABLE

LINE	BEARING	DISTANCE
1	N26°44'15"W	80.10
2	N45°00'12"W	118.25
3	S08°48'38"W	138.20
4	S05°28'20"W	270.80
5	N00°00'00"W	60.00
6	S00°00'00"W	80.10
7	N12°18'00"W	118.08
8	S08°03'53"W	58.28
9	S00°00'00"W	33.00
10	N00°00'00"W	80.10
11	S00°00'00"W	80.10
12	S00°00'00"W	80.10
13	S00°00'00"W	80.10
14	S00°00'00"W	80.10
15	S00°00'00"W	80.10
16	S00°00'00"W	80.10
17	S00°00'00"W	80.10
18	S00°00'00"W	80.10
19	S00°00'00"W	80.10
20	S00°00'00"W	80.10
21	S00°00'00"W	80.10
22	S00°00'00"W	80.10
23	S00°00'00"W	80.10
24	S00°00'00"W	80.10
25	S00°00'00"W	80.10
26	S00°00'00"W	80.10
27	S00°00'00"W	80.10
28	S00°00'00"W	80.10
29	S00°00'00"W	80.10
30	S00°00'00"W	80.10
31	S00°00'00"W	80.10
32	S00°00'00"W	80.10



Certificate of Ownership and Dedication

I hereby certify that I am the owner of the real property shown and described herein and that I hereby adopt this plan of subdivision and do hereby consent to the dedication of all rights-of-way to public use and shall all easements to the use shown.

I further certify that I have no other interest in this property and that I have no other interest in this property and that I have no other interest in this property.

CLARK R. Garrison
P.O. Box 90
Ninilchik, AK 99639

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me on this 20th day of September, 1991, by CLARK R. Garrison

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 12/31/91

LEGEND

- Found Well
- 6" 8" 10" 12" W/Plastic Cap
- Area subject to inundation between approx. 100 year flood level.
- (P.N.M. 3525 of 6375, May 19, 1981.)

SHEET 2 SIGNATURE SHEET OF INTEREST ONLY

NINILCHIK RIVER ESTATES ADDITION NO. 1

RESUBDIVISION OF NINILCHIK RIVER ESTATES LOTS 1-16, BLOCK ONE, LOT 1, BLOCK TWO, TRACT A AND VACATION OF A PORTION OF WILD SALMON WAY AND STEELHEAD RIDGE ROAD.

OWNER: CLARK GARRISON
P.O. BOX 90
NINILCHIK, AK, 99639

DESCRIPTION

38.89 ACRES SITUATED IN THE SW1/4SE1/4, SE1/4SE1/4 Section 35, T1S, R14W, S.M., AK, AND THE KENAI PENINSULA BOROUGH.

SWAN SURVEYING
P.O. BOX 987
SOLDOTNA, AK, 99669
PHONE(907)262-1014

Surveyed: Oct 10, 1991	Field Book 90.02
Drawn: M & B	Scale: 1" = 100'
N.P.B. File No. 91-101	HOMER RECORDING DISTRICT

NOTES

1. Lots within this subdivision may be located within a designated flood hazard area. User is the user. Measurement must comply with Title 21, Chapter 18 of the Alaska Department of Natural Resources. A notice to determine the elevation of the property may be required prior to construction.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the utility of a utility to use the easement.
3. Building setback - A setback of 20 feet is required from all street frontage. A setback of 10 feet is required from the rear and side boundaries. The setback is determined by resolution of the Subdividers Planning Commission.
4. Front 10 feet of building setback showing all right-of-way is with utility easement.
5. Lots 10A - 18A restricted access to Steelhead Ridge Road and Lot 10A - 18A access to Wild Salmon Way.

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of 300-0-1991.

KENAI PENINSULA BOROUGH

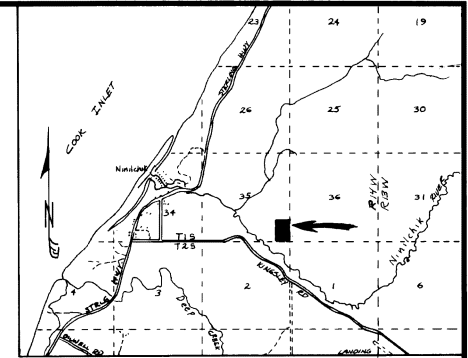
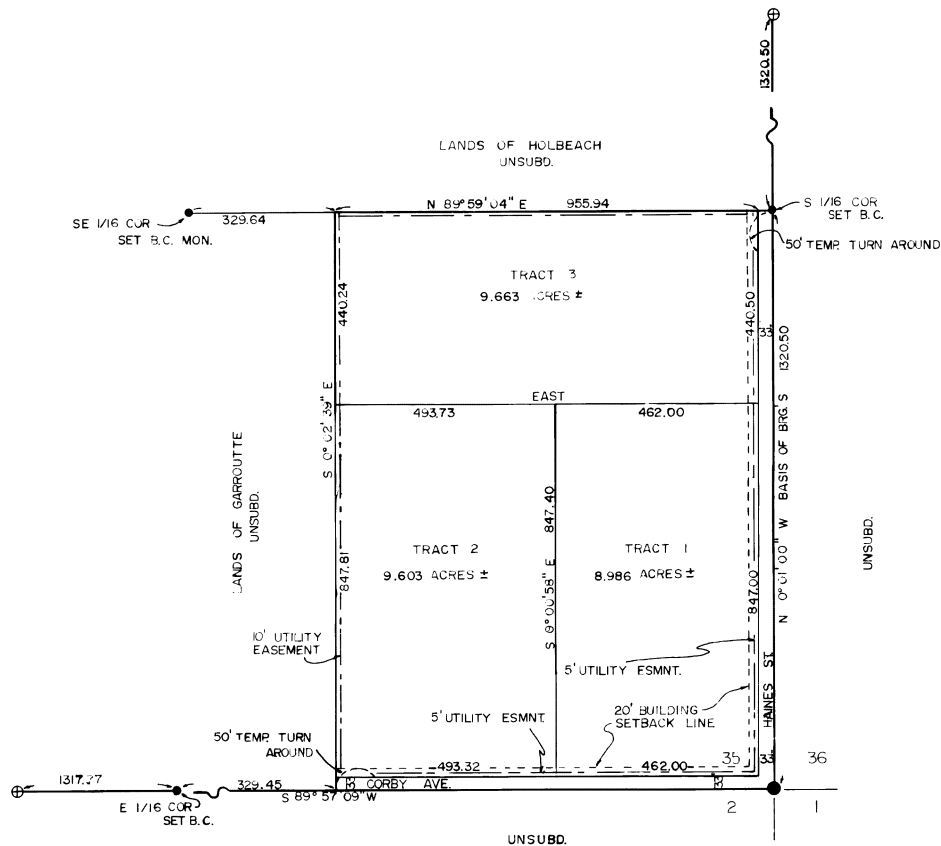
By: *Richard P. Taylor*
Authorized Official

WASTEWATER DISPOSAL: Wastewater treatment and disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

The Alaska Department of Environmental Conservation approves this subdivision for planning.

DATE: 10/10/91
FILE: 91-101





VICINITY MAP
1" = 1 MILE

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND HAVE ADOPTED THIS PLAN OF SUBDIVISION, AND DEDICATE ALL STREETS, EASEMENTS, AND OTHER OPEN SPACES TO PUBLIC USE.

DATE 5/1/78

CORBY HAINES
BOX 166
NINILCHIK, ALASKA

NOTARY'S ACKNOWLEDGEMENT

CERTIFICATE OF OWNERSHIP SUBSCRIBED & SWORN TO BEFORE ME THIS 1ST DAY OF MAY 1978.

NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I, A REGISTERED LAND SURVEYOR, IN THE STATE OF ALASKA HAVE PREPARED THIS PLAT AS A REPRESENTATION OF A SURVEY MADE BY ME AND THAT MONUMENTS ACTUALLY EXIST AS LOCATED AND THAT DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

PAT MARQUIS, R.L.S. 4374-S

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI BOROUGH PLANNING COMMISSION AS RECORDED IN THE OFFICIAL MINUTES OF THE MEETING OF JUNE 5, 1978 IS HEREBY ACKNOWLEDGED AND ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCES AND LAW APPERTAINING THERETO. KENAI PENINSULA BOROUGH

BY: Pat Marquis

HAINES SUBDIVISION

SITUATED WITHIN THE E 3/4, SE 1/4, SE 1/4,
SECTION 35, T1S, R14W, S.M.
CONTAINING 29.976 ACRES ±

PREPARED FOR:
CORBY V. HAINES
P.O. BOX 166
NINILCHIK, ALASKA

PREPARED BY:
PAT MARQUIS, R.L.S.
P&R LAND SURVEYING
NORTH FORK ROAD
ANCHOR POINT, ALASKA

SCALE: 1" = 200'

DATE: APRIL, 1978

NOTES:

1/2" x 24" REBAR SET AT ALL LOT CORNERS
THE INTENDED USE IS RESIDENTIAL.
THE R.O.W. BEING DEDICATED IS A HALF DEDICATION.

ALL BEARINGS, DISTANCES, AND AREAS ARE CORRECT AS SHOWN.
WATER SOURCE SHALL BE INDIVIDUAL WELL.

ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH
STATE LAWS AT TIME OF CONSTRUCTION.

LEGEND

- G.L.O. SECTION CORNER
- ⊕ G.L.O. 1/4 CORNER

78-90

RECORDED FILED 3

DATE 9-90-78

TIME 9:59 A

KPB



Hindman, Julie

From: Hindman, Julie
Sent: Tuesday, April 2, 2024 11:29 AM
To: Johnson Surveying
Cc: Piagentini, Vincent
Subject: Ninilchik River Estates Wilson 2023 Addition (KPB 2023-124 and KPB 2023-124R1)

Jerry,

It has come to my attention that my comments in regards to the floodplain on 2023-124 may not have come across to Platting Staff so that they could be presented as requirements within the staff report. I see that a revised design is being prepared and I will have the ability to review soon. I wanted to give you some information and a heads up as my comments may require you to do some additional work or request an exception to code.

Per our FIRM for that area, the property is subject to an unnumbered A Zone with no Base Flood Elevation (BFE) configured. Per 21.06.050(A)(6), "Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals which contain 50 lots or 5 acres, whichever is less. The floodplain requirements for subdivision plats, detailed in KPB 20.30.280, apply to all subdivision proposals." Due to the acreage involved with this plat, configuring the BFE will be required. As the Floodplain Administrator my responsibility it to protect lives and property from flood events and during my review determined that two options are available.

1. Figure the BFE for the subdivision. Clearly mark on the plat the BFE(s) and include a plat note stating when and the methods used to determine them; or
2. Based on my following findings, which I feel show that there is a minimal risk to life and property involved with this subdivision plan, you are not required to figure the BFE but a specific plat note will be required.
 1. The unnumbered A Zone is only on a small portion of the proposed subdivision.
 2. The unnumbered A Zone boundary correlates with steep terrain. (I found 80% in what appeared to be steepest area.)
 3. The upper portions of the property are within an X Zone, which is non-regulatory and has minimal flood risk.
 4. There is existing development on the property, all within the X Zone and higher ground.
 5. This is a simple replat to adjust property lines and intent appears to be to split improvements.

If you do select the second option, the boundary of Zone A will be required to be clearly shown and labeled. In addition to the normally required floodplain plat notes, you will need to include "Prior to any development within the mapped floodplain Zone A, the base flood elevation must be generated and submitted with the floodplain permit application."

While I can offer the second option to you in regards to KPB 21.06, KPB 20.30.280(A), falls under subdivision code and I do not have the authority to waive or grant an exception to that portion of code. You may elect to submit an exception request to the Planning Commission (Plat Committee) for their approval. If that exception request is denied, you will then be required to figure the BFE.

Please feel free to contact me with any questions. I would suggest discussing with your clients the options available as waiting to figure the BFE may hinder, slow down, or result in additional costs for any projects or development they may have in mind within Zone A.

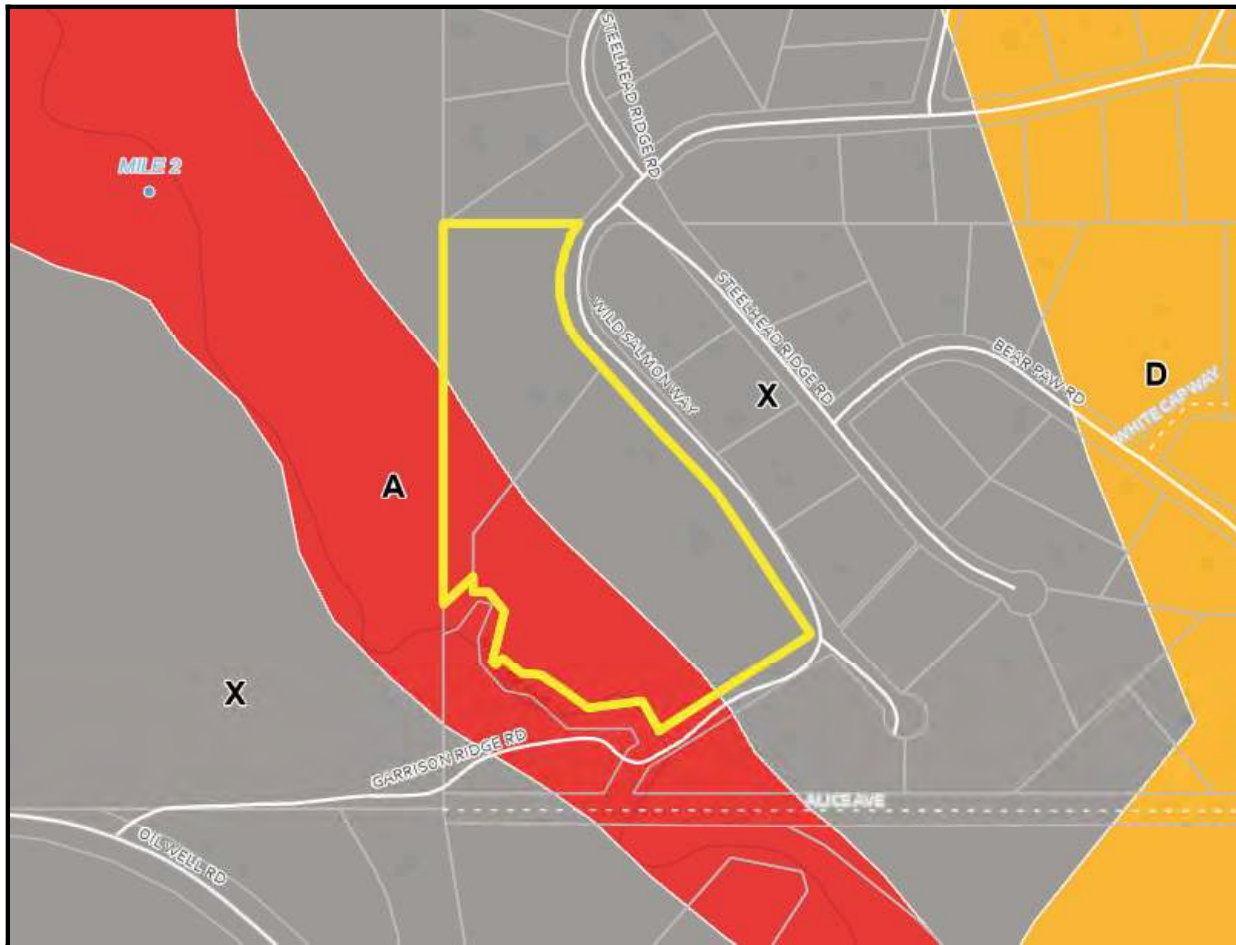
Julie Hindman

Planner – Floodplain Administrator
Donald E. Gilman River Center
KPB Planning Department
907-714-2463

KENAI PENINSULA BOROUGH

514 Lunny River Road
Soldotna, Alaska 99663





KPB Parcel ID(s):
15706377, 15706376

Selected Parcel Boundary or
Boundaries



River Miles



Tax Parcels



Regulatory_Floodplain

Floodplain



Community Flood Insurance
Rate Map (FIRM) Panel(s):

DFIRM_02122C1620E

*For a detailed description of the mapped
floodplain areas, please see the letter
accompanying 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.

Tuesday, April 2, 2024