

AGENDA ITEM E. NEW BUSINESS

**ITEM 3 – Birchwood Subdivision Sherman Addition No. 2**

<b>KPB File No.</b>	2021-090
<b>Plat Committee Meeting:</b>	July 12, 2021

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**STAFF REPORT - ADDENDUM**

After the staff report was prepared, the surveyor contacted Staff and requested an exception to KPB 20.30.120 Streets – Width requirements for providing a matching dedication of Edgington Road right of way.

**EXCEPTIONS REQUESTED:**

**C. KPB 20.30.120 – Streets – Width requirements**

Surveyor's Discussion: After the completion of the plat the land owners intend to sell the 24 acre parcel to an adjacent land owner who wants to keep it undeveloped at this time until they come up with a plan. Future development is possible but the configuration has yet to be determined.

Staff Discussion: Edgington Road is a 60 foot wide right of way from the intersection of Fannie Mae Avenue to the northwest corner of this proposed subdivision. Edgington Road is a 30 foot wide dedicated right of way where fronting the west boundary of this proposed subdivision. Edgington Road is a 30 foot wide dedicated right of way extending south from the southwest corner of this subdivision to the intersection of Reger Road.

There are 12 parcels that front on Edgington Road. 9 parcels front on multiple right of ways. 3 parcels have access only from Edgington Road where the right of way is 30 foot in width.

Edgington Road is affected by sloping terrain, and is not affected by low wet areas.

Lots 7 and 6, located to the southwest, are owned by William Harris. Lots 8 and 5, located to the southwest, are owned by Don McKay. Lots 9, 4, 3, and the unsubdivided 20 acre parcel are owned by Mark and Susan Krizer. Land owners that own multiple lots appear to be using Urban Street and Reger Road for access. The owners are able to transfer each lot separately.

Both Urban Street and Reger Road are improved and KPB maintained roads.

Edgington Road does not appear to be improved or used as access to neighboring parcels at this time.

An overhead utility line is located within Edgington Road from the intersection of Fannie Mae Avenue to the northeast corner of Lot 2.

**Findings:**

1. After the completion of the plat the land owners intend to sell the 24 acre parcel to an adjacent land owner who wants to keep it undeveloped at this time until they come up with a plan.
2. Future development is possible but the configuration has yet to be determined.
3. Edgington Road is a 60 foot wide right of way from the intersection of Fannie Mae Avenue to the northwest corner of this proposed subdivision.
4. Edgington Road is a 30 foot wide dedicated right of way where fronting the west boundary of this proposed subdivision.
5. Edgington Road is a 30 foot wide dedicated right of way extending south from the southwest corner of this subdivision to the intersection of Reger Road.
6. There are 12 parcels that front on Edgington Road. 9 parcels front on multiple right of ways. 3 parcels have

- access only from Edgington Road where the right of way is 30 foot in width.
7. Edgington Road is affected by sloping terrain.
  8. Edgington Road is not affected by low wet areas.
  9. Lots 7 and 6, located to the southwest, are owned by William Harris.
  10. Lots 8 and 5, located to the southwest, are owned by Don Mckay.
  11. Lots 9, 4, 3, and the unsubdivided 20 acre parcel are owned by Mark and Susan Krizer.
  12. Land owners that own multiple lots appear to be using Urban Street and Reger Road for access. Both Urban Street and Reger Road are improved and KPB maintained roads.
  13. The owners of multiple lots can transfer the lots separately.
  14. Edgington Road does not appear to be improved or used as access to neighboring parcels at this time.
  15. An overhead utility line is located within Edgington Road from the intersection of Fannie Mae Avenue to the northeast corner of Lot 2.
  16. This subdivision is able to provide a 30 foot half dedication to comply with KPB 20.30.120 Streets – width requirements.

Staff reviewed the exception request and based on findings 3, 4, 6, 13, 15, 16 does not recommend 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:

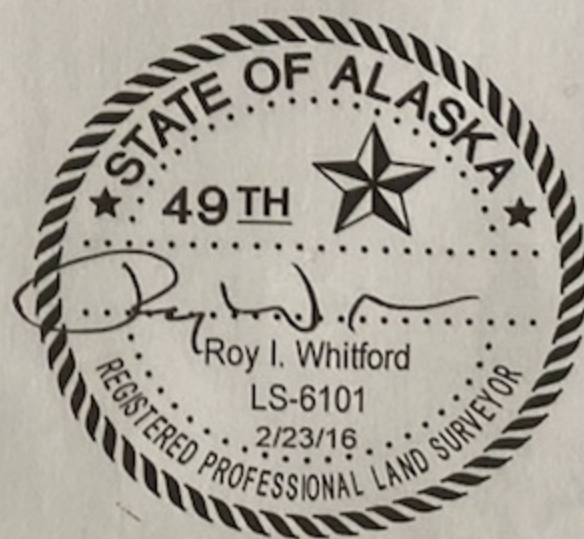
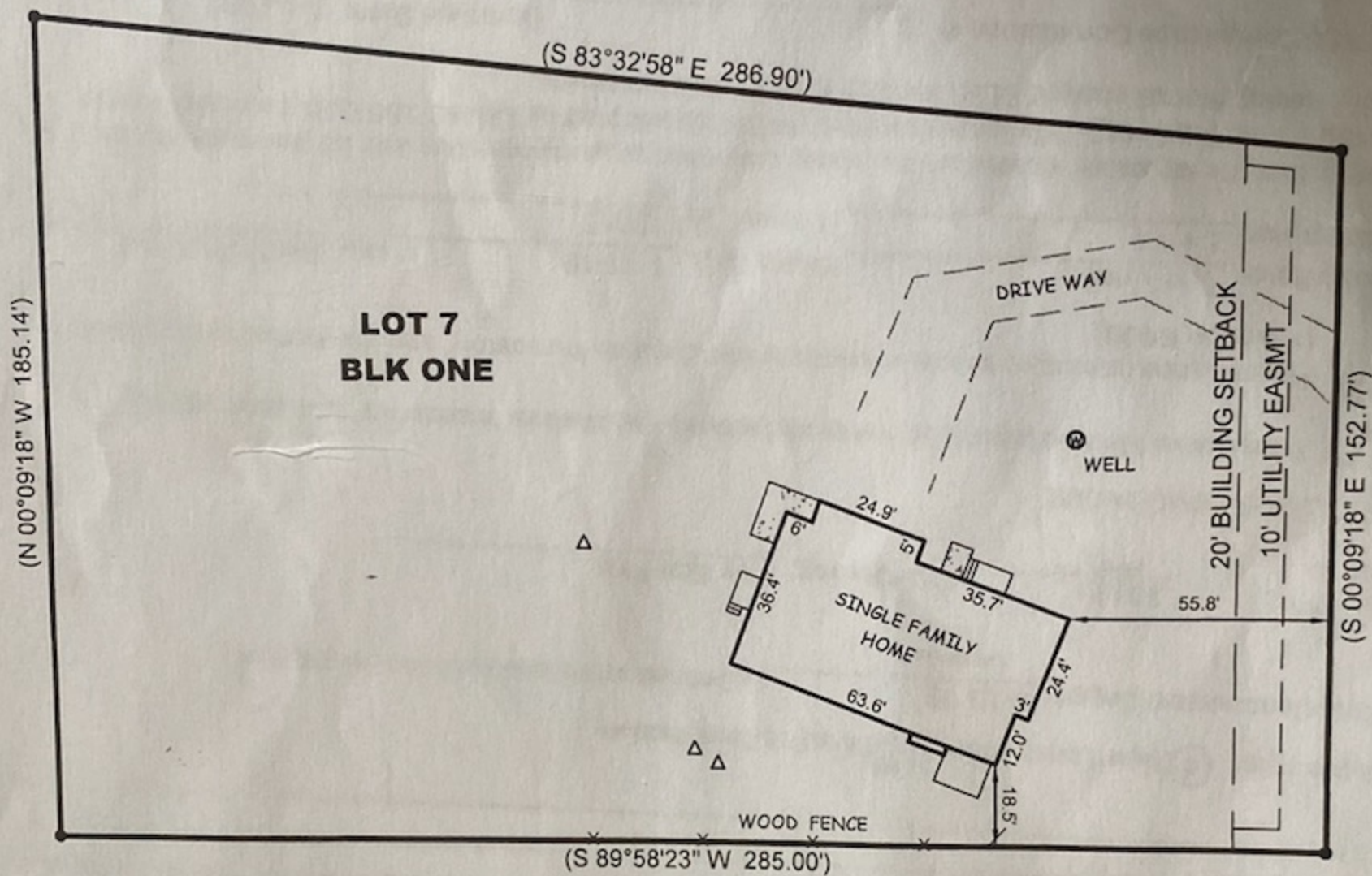
1. That special circumstances or conditions affecting the property have been shown by application;
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

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

END OF STAFF REPORT ADDENDUM

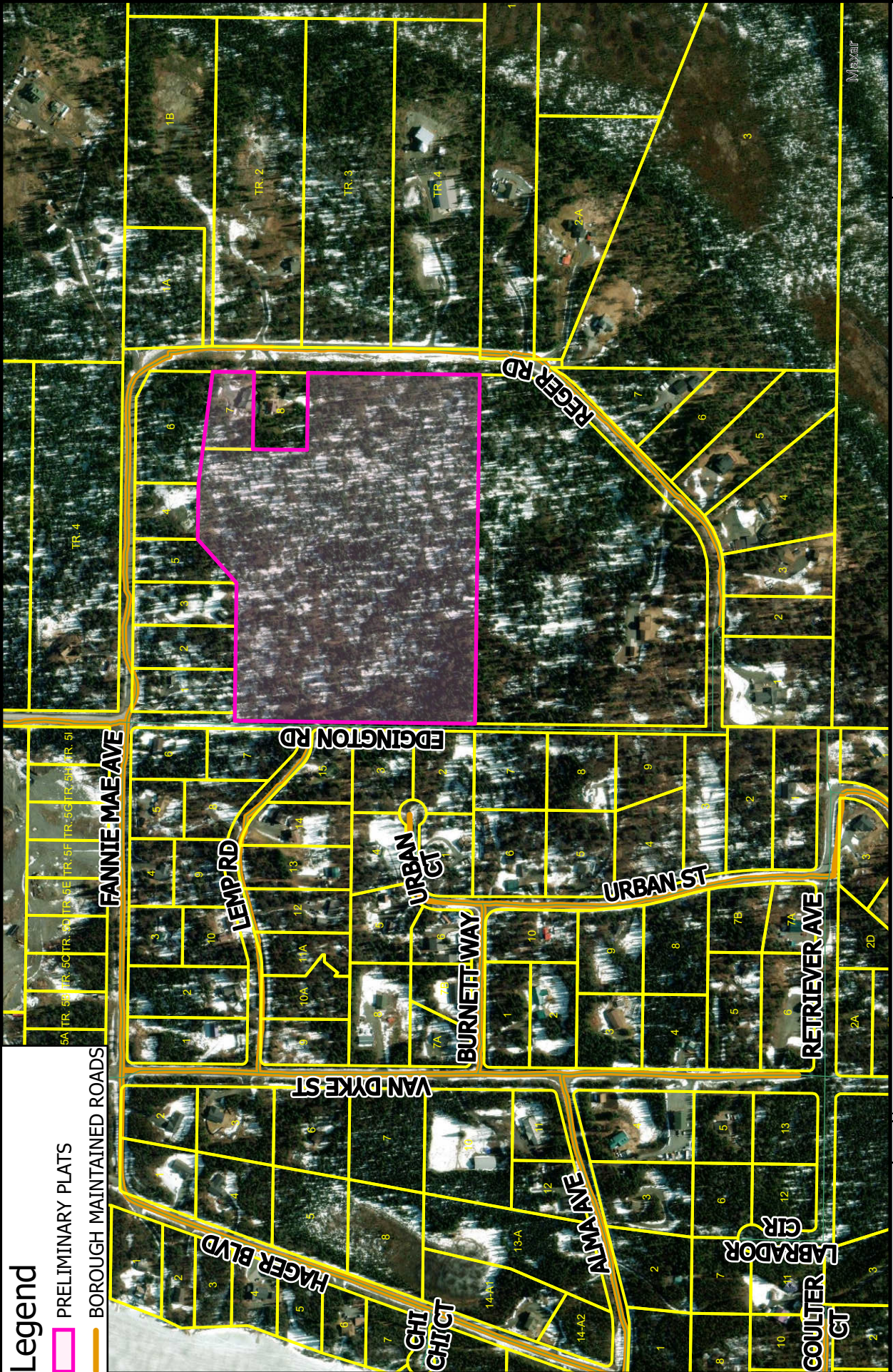
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**MORTGAGE LOCATION SURVEY**





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.

**AERIAL IMAGERY 2019**

**ROAD MAP**

**Legend**

- PRELIMINARY PLATS
- BOROUGH MAINTAINED ROADS

**Scale:** 0 0.05 0.1 0.2 Miles

**North Arrow:** N, S, E, W

**Date:** 5/28/2021  
**Time:** 1:50 PM  
**Platting Manager:** Scott Huff



## Hindman, Julie

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**From:** Megan.Colliflower@wellsfargo.com  
**Sent:** Wednesday, July 7, 2021 5:07 AM  
**To:** Clements, Peggy  
**Cc:** Hindman, Julie; Planning Dept,  
**Subject:** <EXTERNAL-SENDER>Wells Fargo Home Mortgage – Birchwood Subdivision Sherman Addition No2 KPB File 2021-090 - Ciufo  
**Attachments:** MD MERS notary block only.docx

CAUTION:This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Dear Peggy Clements:

Good morning. We received the notice of Plat Action for KPB File 2021-090. Wells Fargo is the servicer for Mortgage Electronic Registration Systems, Inc. (MERS) and we require that a space is on the plat for MERS to sign. Please make the signer Mortgage Electronic Registration Systems, Inc. and add the following:

MERS MIN: 1013068 0000001632 9

MERS SIS: 888-679-6377

Address: P.O. Box 2026, Flint, MI 48501-2026

Attached is a copy of the notary block we use in Maryland. We would appreciate if you would be able to substitute the Maryland notary of acknowledgment instead of using the Alaska notary of acknowledgement.

From reviewing the copy of the preliminary plat it appears the Ciufo's are only adding land to their parcel. Please let me know if this is in any way an exchange of land.

If you have any questions, please call me at 1-877-738-3623 extension 5728857, Monday through Friday, 8:00 a.m. to 4:00 p.m., Eastern Time.

Thank you.

Sincerely,

Megan Colliflower  
Research/Remediation Associate  
Land Transactions  
Wells Fargo Home Mortgage

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*This message may contain confidential and/or restricted information. If you are not the addressee or authorized to receive this for the addressee, you must not use, copy, disclose, or take any action based on*

*this message or any information herein. If you have received this message in error, please advise the sender immediately by reply e-mail and delete this message. Thank you for your cooperation.*  
*Wells Fargo Home Mortgage is a division of Wells Fargo Bank, N.A. NMLSR ID 399801*

STATE of Maryland  
COUNTY of Frederick

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged himself/herself/themselves to be the Vice President of Mortgage Electronic Registration Systems, Inc., a Corporation, and that he/she/they, as such Vice President of Mortgage Electronic Registration Systems, Inc., being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Corporation by himself/herself/themselves as Vice President.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
Name

Notary Public

My commission expires: