

**CONSENT TO VACATION OF PUBLIC WAY**

The undersigned, being the owner(s) of real property located in the affected area of the request by Brian Zender/Equity Trust Custodian to vacate a portion of a public right of way, hereby  
Petitioner's Name

consent(s)\* to the vacation of that portion described as the west half of the S. 2nd Street  
right-of-way abutting Lots 21 and 22, Block 24 not previously vacated  
of the St. Helens Subdivision, St. Helens, Columbia County, Oregon.

*Please see attached plot plan.*

The map and taxlot of the  
property owned by the undersigned is: 4NIW-300-100 and  
4NIW-380-990

The address of our property is: N/A

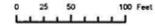
**My property is abutting by physically fronting the portion of the right-of-way being vacated.**

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

*\*Per ORS 271.080(2), the petitioner must have the consent of the property owners of all abutting properties and not less than two-thirds of the real property owners located in the affected area.*

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

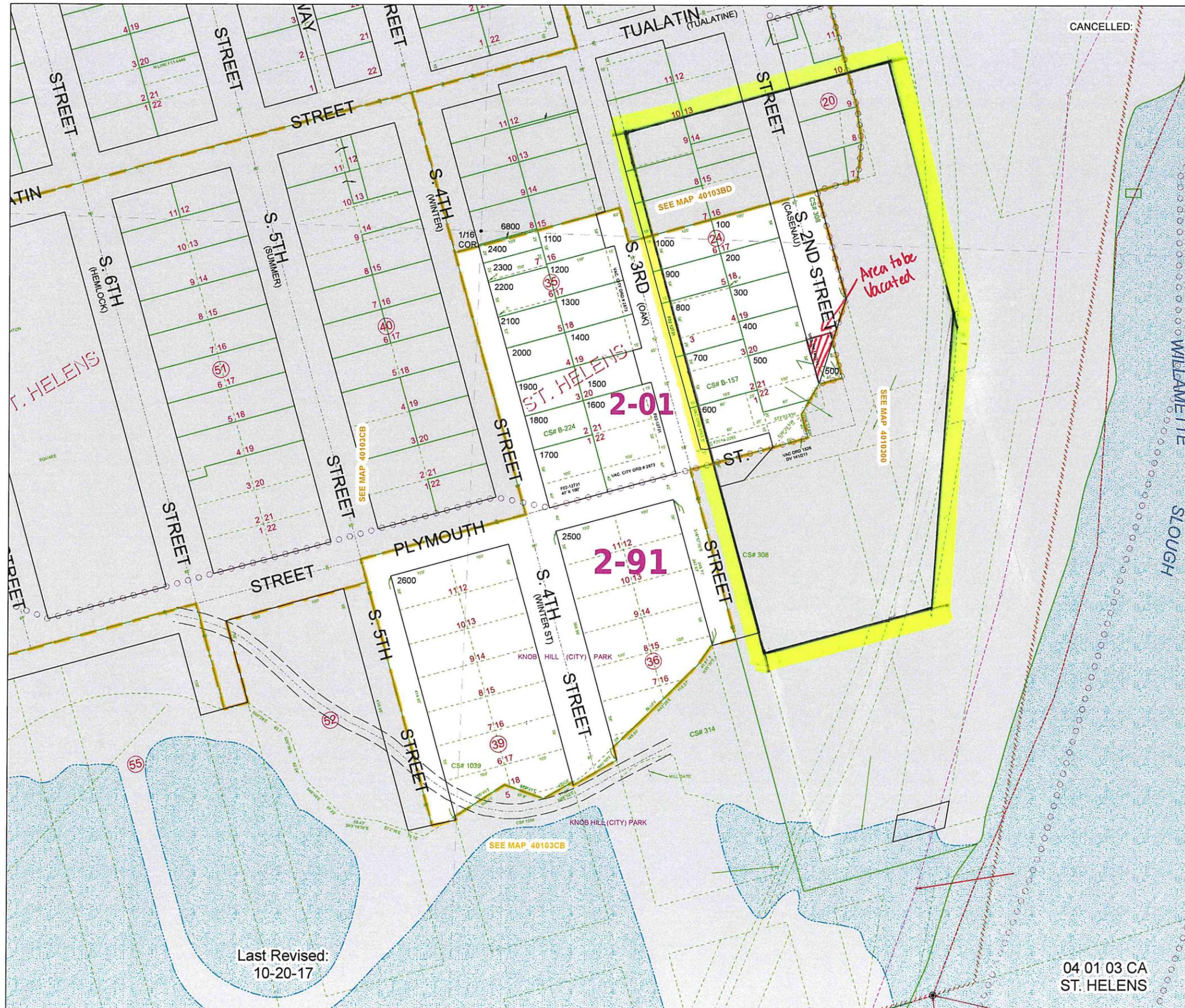


N.E.1/4 S.W.1/4 SEC.3 T.4N. R.1W. W.M.

COLUMBIA COUNTY

1" = 100'

04 01 03 CA  
ST. HELENS



Last Revised:  
10-20-17

04 01 03 CA  
ST. HELENS

September 29, 2020

Re:  
495 and 497 S. 2<sup>nd</sup> St.,  
St. Helens, OR 97051  
4N1W03-CA-00500

Request for portion of public way to be vacated to property owner

Property zoning:  
Apartment residential AR

Although the subject lots are indicated as tax lot 500, the land parcel is 2 separate lots with an established common boundary line (see drawing sheet A0.1)

The north and south lots were purchased together with the aim of developing two single family residences with scenic river views while minimally impacting the surrounding existing residences. A design strategy of utilizing shallow sloping roofs and generously sized open spaces at the side and rear yards are intended for the new building structure to fit into the existing neighborhood context with a "good neighborly" height and three dimensional bulk. Traditional steeply pitched roof forms built to the maximum allowable building height and maximizing the site's allowable floor areas with habitable space have been foregone in consideration of the site plan and building's effect on its neighbors' views and access to natural light and the relationship between the new construction's scale and the existing neighborhood context.

The south lot cannot be developed separately from the north lot. Vehicular access from the front of the south lot is precluded by a narrowly truncated public right of way with steeply sloping topography. A public street cannot be developed to serve the frontage of the south lot. The only available option for vehicular access to the south lot is by a site plan and building design configuration with a vehicular access easement and a shared driveway over the north lot along its northern property line and a shared garage approach/ backup area adjacent to the west property line of the north lot. (see attached site plan drawing and aerial photograph – sheet A0.1).

A design of two townhomes (each of 2 stories and approx. 2,100 s.f.) have been developed to overcome the disadvantages of the site's particular features.

A previous vacation of public way to private ownership created 2 small triangular lots of 436 s.f. and 808 s.f. for the owner of tax lot 500. The 2 triangular lots are basically islands without contiguous boundaries to the main property's boundaries.

A vacation of the public way adjacent to the subject property is requested for the following reasons:

- The incapacity of the public right of way to serve the frontage the south lot with vehicular access creates a physical and economic disadvantage with a resulting site and building design configuration that requires either an additional fifteen or twenty more feet of lot width dedicated to non-buildable lot width (by satisfying the planning code's requirement for the necessary vehicular access easement) than if the two lots were able to be developed in a standard fashion with vehicular access at their frontages.
- Granting the request will allow for high quality project that can fully take advantage of its river view and achieve a market value that will contribute more to the city's tax revenues than if the lots are developed without the requested vacation of the public way.
- The vacated public way portion will allow for the isolated 436 s.f and 808 s.f. lot portions to be joined with main lot portions for continuous lots with better efficiency and utilization of the land.
- Granting the request will relieve the city of responsibility for maintaining this small portion of land of uneven topography and large amounts of vegetation.



project

**KNOB HILL TOWNHOUSES**

495 & 497 S. Second Street  
St. Helens, OR 97051

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client

Brian Zender  
3050 Sundown Lane  
Bellingham, WA 98226

9.29.2020  
issue/revisions

no.	description	date

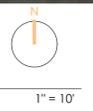
project no. 1120 issue date

sheet title  
Site Plan

sheet number

**A0.1**

**1** PROPOSED SITE PLAN W/ REQUESTED VACATED PORTION OF PUBLIC WAY INDICATED



project

**Knob Hill  
Townhouses**

495 & 497 S. Second Street  
St. Helens, OR 97051



REQUESTED AREA OF PUBLIC WAY TO BE VACATED

LOT PORTION OWNED BY  
SAME PROPERTY OWNER

LOT PORTION OWNED BY SAME PROPERTY OWNER

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project no.

1120

issue date

sheet title

Site Plan

sheet number

**A0.2**

