

Banta Land Partition Proposal

To the

Gearhart Planning Commission

Dear Commission:

My name is John Banta and I am the executor for the Estate of John A. and Sally M. Banta. I will be presenting the family's proposals and response for the Banta Land Partition. My parents purchased these 10 acres of land in the mid 1960's and raised their five children on this land. The home that stands on the property at this time was moved from the downtown core of Gearhart. We raised cows, pigs and had horses in the pasture. In their retirement years, my father used multiple tractors to create a garden, to mow and to ponder his and Sally's legacy of passing this property down to his children. Their dream of being able to give each child a portion of land to build a home on meant everything to them. This homestead plays a special part of each grown child's life to this day and now to their children and grandchildren. I myself, have lived in Gearhart all of my life as well as two of my sisters. The other siblings reside in Warrenton and Astoria and are well invested in this community.

The Banta Family respectfully would like to present and provide requests to the commission that will hopefully reach a conclusion that will benefit the heirs of John and Sally as well as meet the development needs of the City of Gearhart.

In order of request and comments from the Gearhart Planning Commission Staff Report #21-01P March 5, 2021:

Page 3. Under agency comments regarding driveway easement to a total of five parcels. The Banta Family would like to state that there are only three (3) parcels that will need to be accessed from the driveway that will be in the city of Gearhart limits. The other parcels 1 and 2, are located in Clatsop County and can be accessed by an easement on the current property to the north. The access is off of McCormick Gardens Road and can reach both properties from that access.

Page 4. Under findings regarding the wetland determination. The Banta Family respectfully requests that the wetland determination approval only be required when a building permit is drawn on Parcels 2 or 3. As you well know, wetlands change with time and since there is no planned or confirmed time of build on either of these parcels, it would only make ecological sense that this be requested at the time a building permit was requested for either Parcel 2 and/or Parcel 3.

Page 4, continuing to Page 5. Under findings regarding the Railroad Avenue G3 improvement. The Banta Family would like to respectfully remind the commission that the decision regarding the Shared Use Path was denied at the meeting in May of 2020 and that it would no longer be an issue moving forward. Clatsop County at that time also stated they had no intention of extending this path.

Page 5. Under findings regarding the improvement being required to McCormick Gardens Road. The Banta Family understood from the May 2020 meeting that Clatsop County had absolutely no intentions of improving McCormick Gardens Road to the standards you are requesting. If there are street improvements that will be done in the future to the entirety of McCormick Gardens Road and each landowner is required to improve their section of street frontage, at that time the owners of the Parcels would then make those improvements.

The discussion of the Railroad Avenue Path as well as McCormick Gardens Road projects continue on page 8 and 9 and we would like to reiterate our stance as above.

Page 11. Under findings regarding utilities as well as a fire hydrant. The Banta Family respectfully requests that a fire hydrant only be required if more than one (1) house be built on the Parcels in question. At this time, only one sibling intends to build a home on a parcel and the other two have no intention at this time of building. If in the future that changes, then the owners of the Parcels will install a fire hydrant to the city specifications.

Page 13. C. The Banta Family has proposed a name of the road off of McCormick Gardens Road serving Parcels 1, 2 and 3 be Banta Lane.

Page 13. 5. The Banta Family agrees that if more than 5 trees are planned to be removed, the applicant will first obtain a tree removal permit from the City.

Page 13. 6. The Banta Family agrees that surveyed monuments will be set according to ORS 92.060 and city specifications.