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**To:** [Planning Commission - Public Testimony](#)  
**Cc:** [planning](#)  
**Subject:** January 9 PC Hearing Testimony  
**Date:** Friday, January 05, 2024 4:34:15 PM

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[EXTERNAL SENDER]

Re: Application to vacate a portion of Fern Street right-of-way ("RoW") North of Map 391E16AA Tax Lot #9001 near 1109 Fern Street

Dear Planning Commission,

I write in support of the staff recommendation for vacating the RoW provided a driveway access easement is retained, as it is the only path by which we can access the rear of our lot.

We are the property owners of 621/623 Elkader St., designated as Parcel 4 of Partition Plat No. P-29-2018, a copy of which is included in the PC packet for the January 9 meeting. As indicated on the Partition Plat, our lot currently enjoys a 15' access easement over Parcels 2 and 3 and a 7.5' access easement over Parcel 1. These easements provide access to/from Fern St (the current RoW proposed to be vacated) from/to the rear of our lot. Vacating the current RoW would result in our losing access to the rear of our lot from Fern St. unless a driveway access easement was retained. Failure to provide for such driveway access as part of vacating of the current RoW would negatively impact the property value of our lot inasmuch as it would leave such access to the discretion of the landowners bordering the current RoW. To avoid such impairment, any vacating of the current RoW should be subject to retention of a driveway access easement in favor of Parcel 4 of Partition Plat No. P-29-2018 (621/623 Elkader St.).

Inasmuch as other neighbouring lots may be similarly impacted, they too should receive the benefit of a driveway access easement.

Tarek Fahmi  
621 Elkader St., Ashland, OR 97520