

6-24-19

Matthew and Kirsten Hatch submit this application with intent to become approved to build their first starter home on this 3.91 acers. We have though through this for a while and decided this is the best next step for our family and are moving forward with hope that we can begin this process as soon as we are approved. This area is perfect for what we are looking for and we have all the resources we need to make it a successful build, including water rights, approved agency letters, and study maps. Thank you for taking your time to review this information.

MALHEUR COUNTY PLANNING DEPARTMENT

CONDITIONAL USE PERMIT APPLICATION
For Non-Farm Dwelling
In the EFU, ERU or EFFU Zones

A conditional use is an activity which is basically similar to the uses permitted in a zone but which may not be entirely compatible with the permitted uses. An application for a non-farm dwelling requires review to ensure that the proposed dwelling complies with non-resource dwelling criteria and may be made compatible with the permitted uses in the zone or other adjacent permitted uses which may be adversely affected.

1. APPLICANT:

Name: Matthew Hatch Phone: (909)802-9942

Address: 576 Shire Lane City: Ontario State: OR Zip: 97914

DEED HOLDER OF THE SUBJECT PROPERTY:

Name: Gary and Marylou Bauer Phone: 208-966-1892

Address: 9709 W Pembridge Dr City: Star State: ID Zip: 83669

CONTRACT PURCHASER OR LESSEE OF THE SUBJECT PROPERTY:

Name: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

2. SPECIFIC DIRECTIONS TO SUBJECT PROPERTY:

Foothill Drive to Canyon Two Rd to Peterson Rd. then Shire Lane

3. SPECIFIC DESCRIPTION OF PROPERTY:

T 17 R 47 Sec(s). 31

ASSESSOR'S MAP NO.(S) 17S4731

TAX LOT NO.(S) 1200

COMPUTER REFERENCE NO.(S) 7205

SIZE OF PARENT PARCEL: 3.91 acres

4. GENERAL DESCRIPTION OF PROPERTY:

Current Use: NONE: grass pasture / 3.91 acres

Topography: Sits on Peterson Hill, a slight slope to property with 1 acre being non-useable (45° slope)

Does it front as a public road? Yes No

Name of road: Peterson Rd.

- Attach a letter from the appropriate road district or State Highway Division

Does it front a private road? Yes No

Name of road: Shire Lane

What buildings are on the property? NONE

Does the property have water rights attached to it? Yes No

- Attach a letter from the appropriate irrigation district addressing water rights

Means of water supply: ditch

Means of sewage disposal: Septic

Is the parcel located within a rural fire protection district? Yes No

- Attach a letter from the appropriate fire protection district regarding the availability of fire protection for the parcel

What other improvements are on the property? None

5. Cite the section in the land use and development ordinance under which you are applying for a conditional use permit: N/A

6. **GENERAL DESCRIPTION OF ADJOINING PROPERTY:**
Identify any buildings or structures on the adjacent property and give their approximate distance from your property lines:

Residential homes 400 yds

- Identify the current uses of adjacent property: Residential with Pasture

7. **PROVIDE PLOT PLAN (See attached example)**

NON-FARM DWELLING CRITERIA

8. **Effect on nearby resource lands standard:** The dwelling or activities associated with the dwelling will not force a significant change in, or significantly increase the cost of accepted farming or forest practices on nearby lands devoted to farm use:
- a. **Describe farm practices (not just the use) on surrounding lands devoted to farm or forest use:** Most of the land is residential with acreage in pasture OR Alfalfa hay. This home will not affect any farm use area or change any farming practices.
- b. **Explain why the proposed use (non-farm dwelling) will not force a significant change in those practices:** This home will not affect any farming practices because the large majority of Peterson Hill is residential.

- c. A lot or parcel, or portion of a lot or parcel, being unsuitable for one farm use does not mean it is unsuitable for all farm uses. Explain how the proposed site for the dwelling is unsuitable for all farm uses:

~~the lot is surrounded by mostly residential land. It will not be necessary to have as farm-use~~

9. The "materially alter the stability" standard: The dwelling and/or partition will not materially alter the overall stability of the overall land use pattern of the area.

Explanation: Generally, the intent of the "materially alter" standard is to consider the cumulative impact of possible new non-farm dwellings and parcel, and new non-farm dwellings on existing lots and parcels in the area, and, if the application involves the creation of a new parcel for a non-farm dwelling, to also consider whether or not creation of the new parcel will lead to the creation of other non-farm parcels to the detriment of agricultural practices in the area.

- a. Identify and attach a map of the study area that includes at least 2,000 acres. Lands zoned for rural residential or other urban or non-farm use may not be included in the study area.

If a study area of less than 2,000 acres is selected, attach findings of fact supported by substantial evidence, explaining why the selected area is representative of the land use pattern surrounding the subject parcel and why it is adequate to conduct the required "cumulative impact analysis".

- b. List the broad types of farm uses (i.e. irrigated or non-irrigated crops, pasture, range, etc.) within the study area.

Due to the limited water rights, size, shape and slope of the parcel, the majority of land is non-farmable.

Area is residential with pasture. The large acreages are predominantly alfalfa. Some wheat is grown on a few plots.

- c. List the number of existing dwellings within the study area. (Mark location of existing dwellings on the study area map)

Primary Farm Dwellings 10 Accessory Farm Dwellings 2

Non-Farm Dwellings: 34 Hardship Dwellings: Unknown

- d. List the number of potential dwellings within the study area:

1. Potential Farm Dwellings 10

2. Potential Non-Farm Dwellings 34

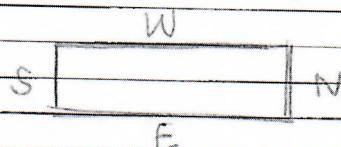
3. Potential "Lot of Record" Dwellings 14

10. On those parcels where you conclude no potential dwelling(s) will be sited, describe why?

Some area is close to Malheur river and flooding is a potential problem there. Other parcels are on steep slopes around foothill dr and peterson hill

11. Describe what the study area looks like now and what the study area will look like if all potential development occurs.

Site is a long rectangular piece which slopes from west to east. the only change will be a home site.



12. Does the approval of potential non-farm and "lot of record" dwellings, together with existing non-farm dwellings within the study area, materially alter the stability of the overall land use pattern of the area? The stability of the land use pattern will be materially altered if the cumulative effect of the existing and potential non-farm dwellings will make it more difficult for the existing farms in the area to continue operation due to diminished opportunities to expand, the diminished opportunity to purchase or lease farmland such that the area will be destabilized and diminished opportunity to acquire water rights.

This will not change any existing farm use in the area.

13. Describe dwelling development trends in the study area since 1993:

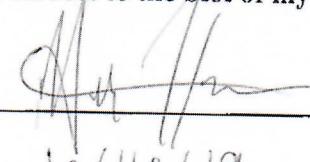
the majority of the trends have been
residential homes built on small acreages

FEE: A non-refundable fee, as specified in the most recent "Malheur County Code, Section 1-6-5, must accompany this application. Make all checks payable to the Malheur County Planning Department.

I (We), MATTHEW HATCH
(print name in full)

am (are) the applicant(s) and hereby certify that the statements and information contained herein are, in all respects, true, complete and correct to the best of my (our) knowledge and belief.

Signed:

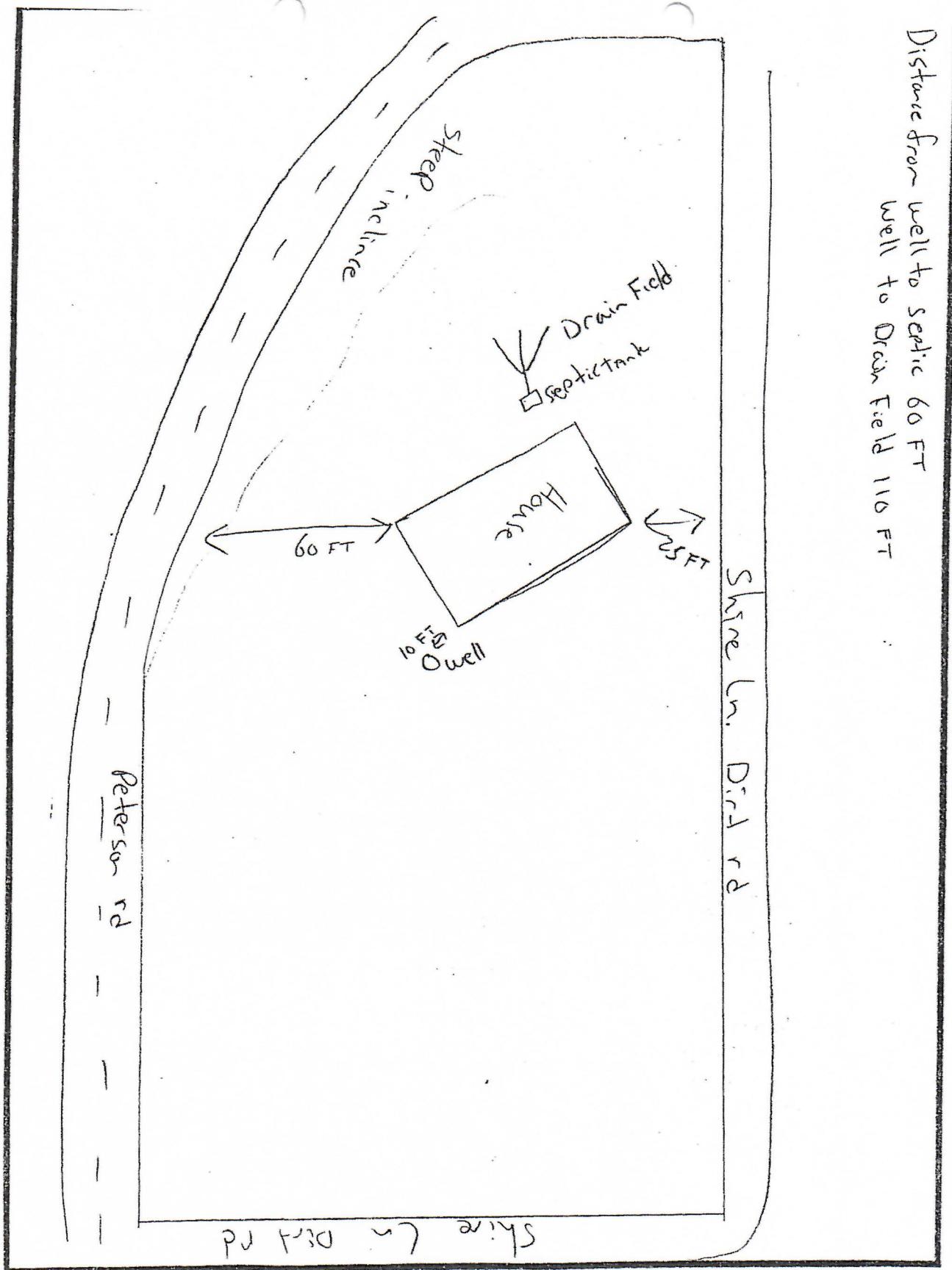

10/16/19

PROPERTY OWNER OR AUTHORIZED AGENT MUST ALSO SIGN:

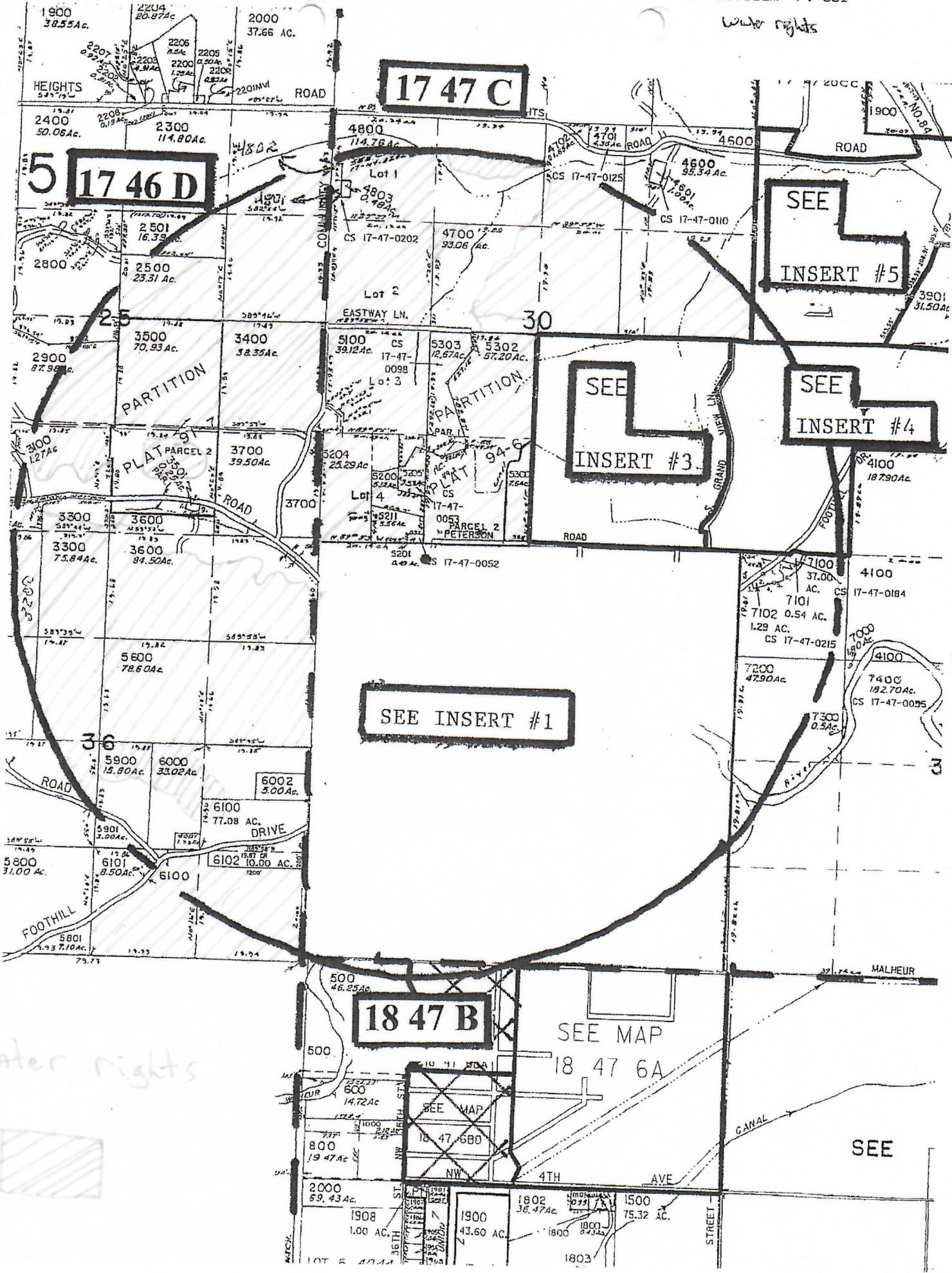
Mary Lou Bauer
Property Owner

Date: 6-20-19

Plot Plan

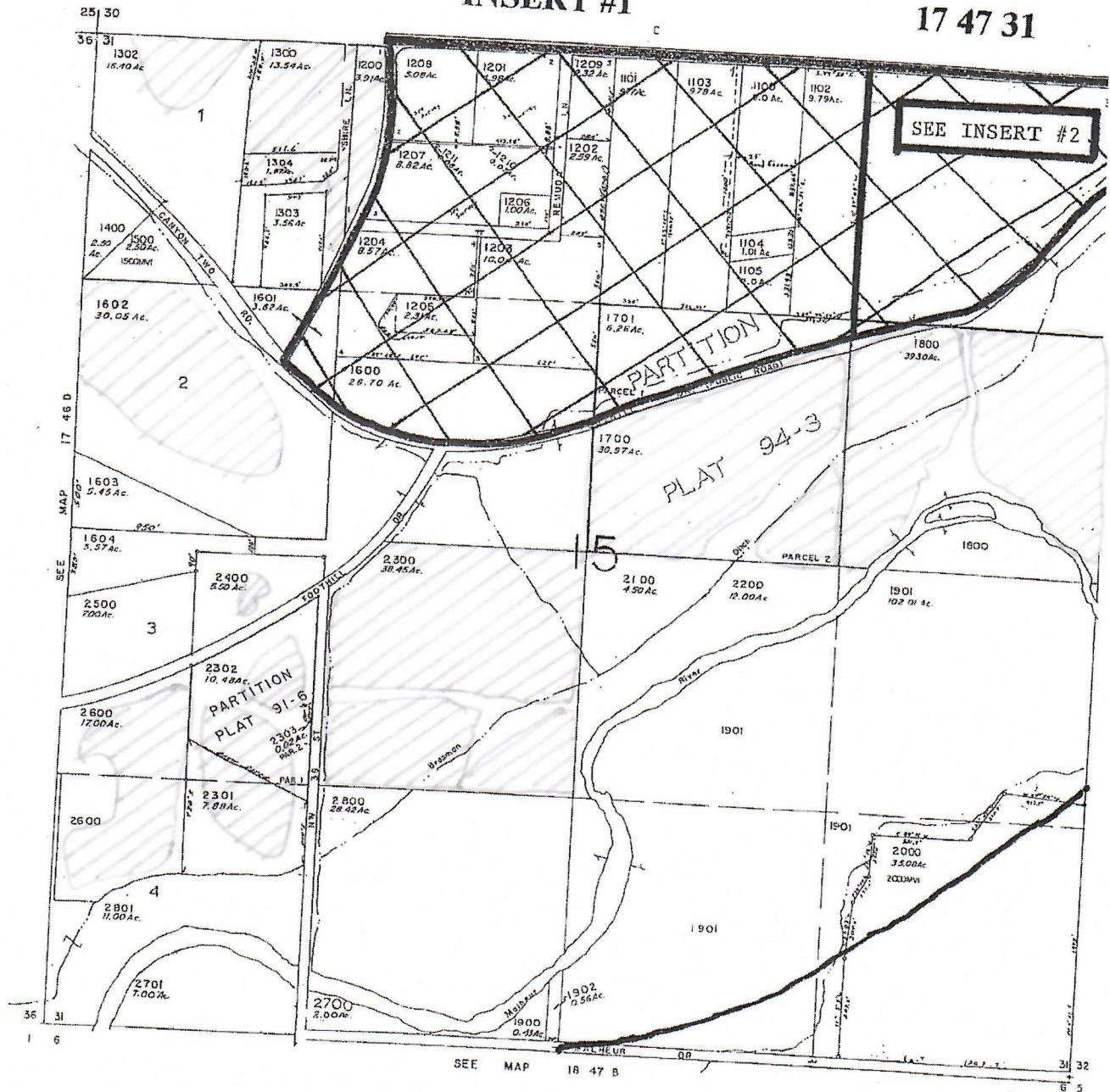


Water rights



INSERT #1

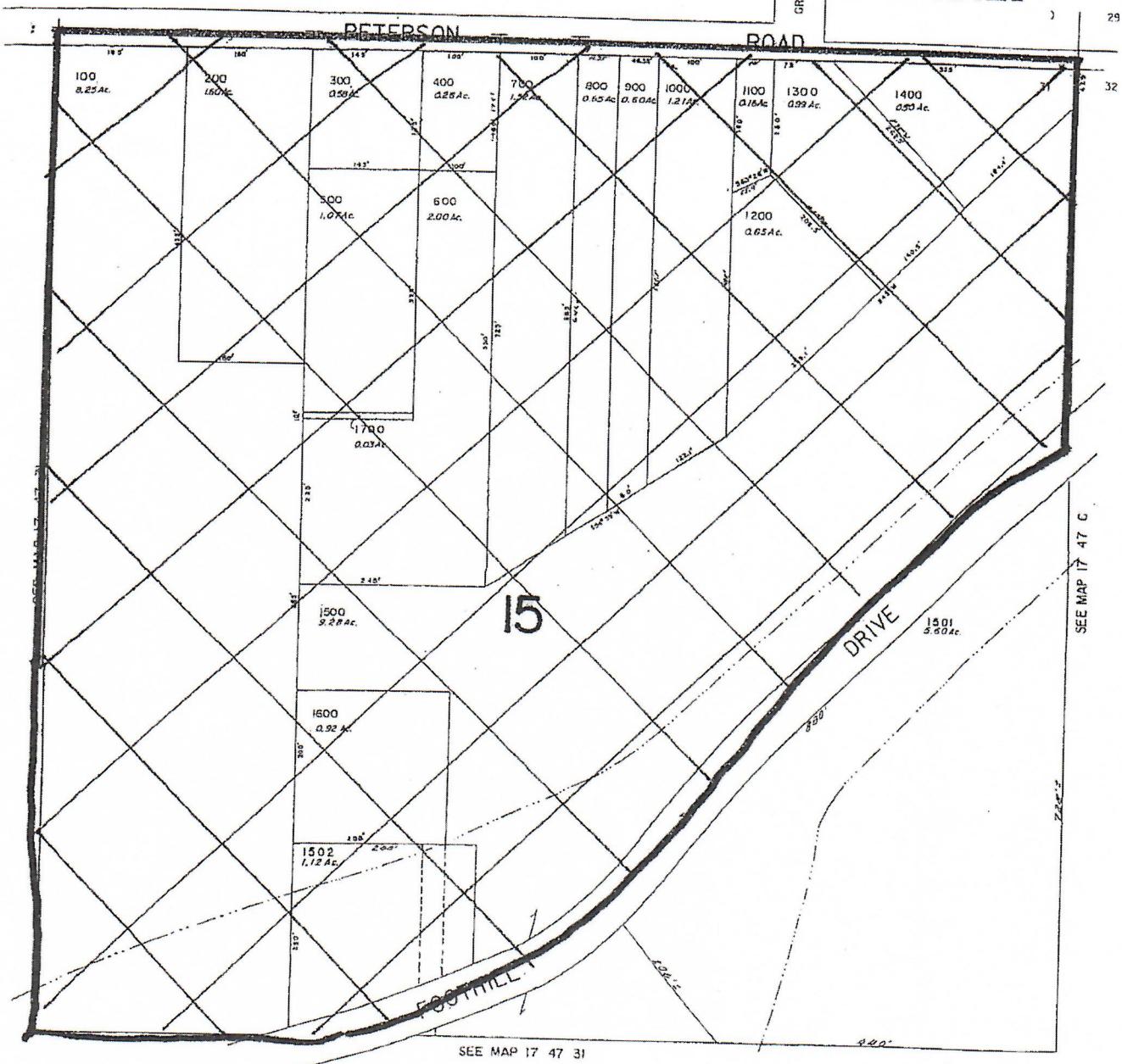
17 47 31



INSERT #2

S.
GRANDVIEW
L.H.

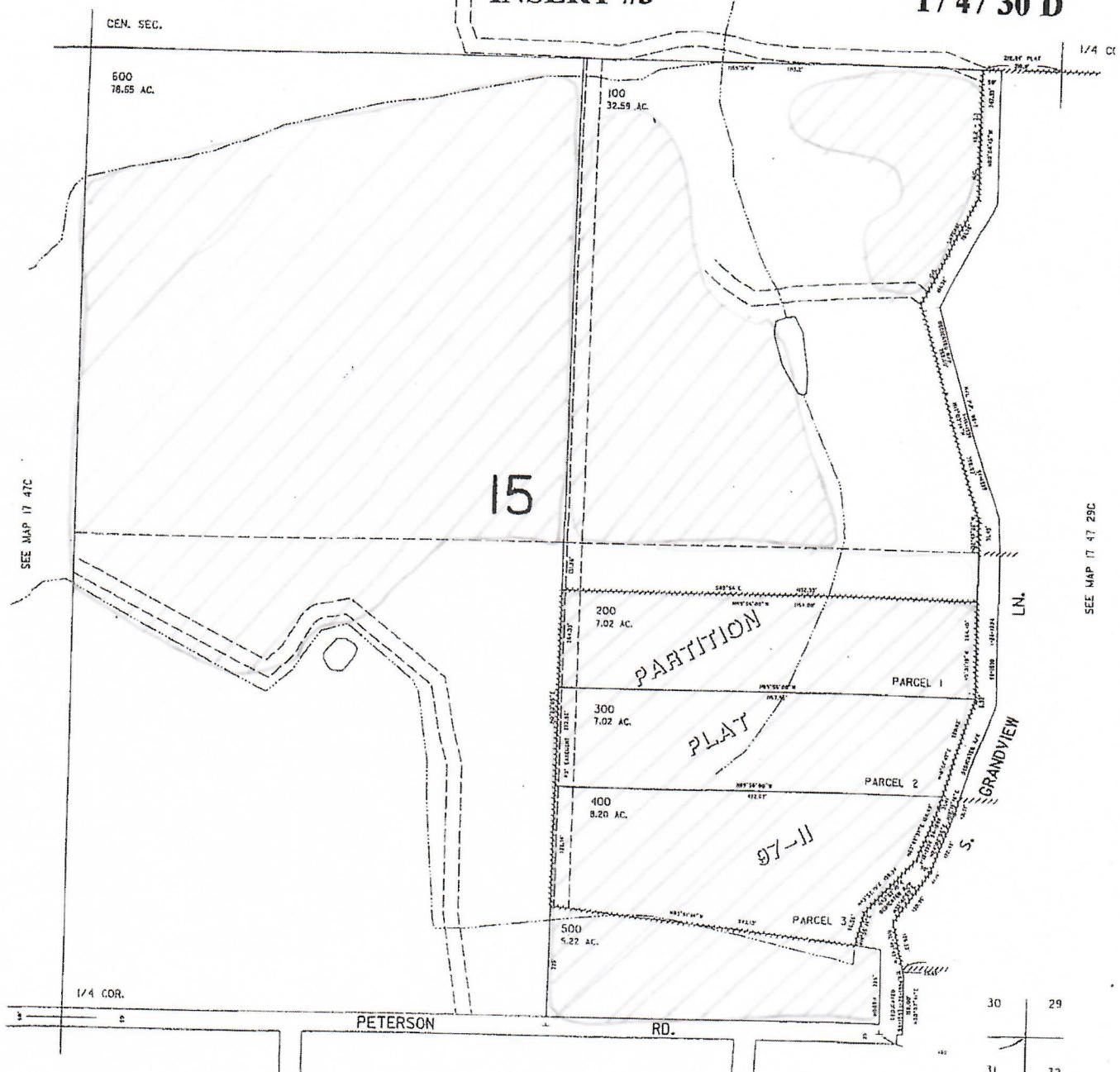
17 47 31 AA



MALHEUR COUNTY
1" = 200'

INSERT #3

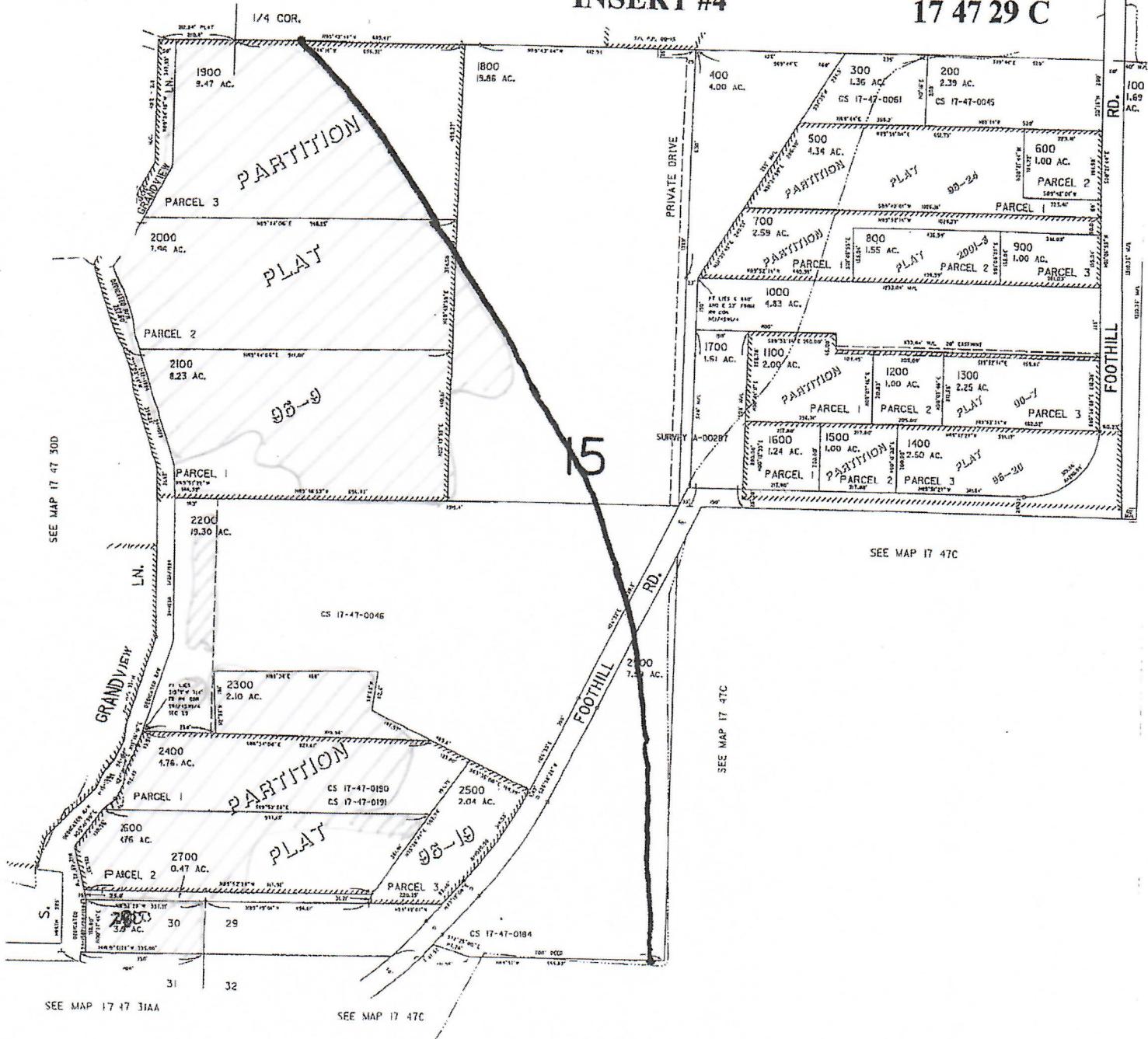
17 47 30 D



SEE MAP 17 47 31

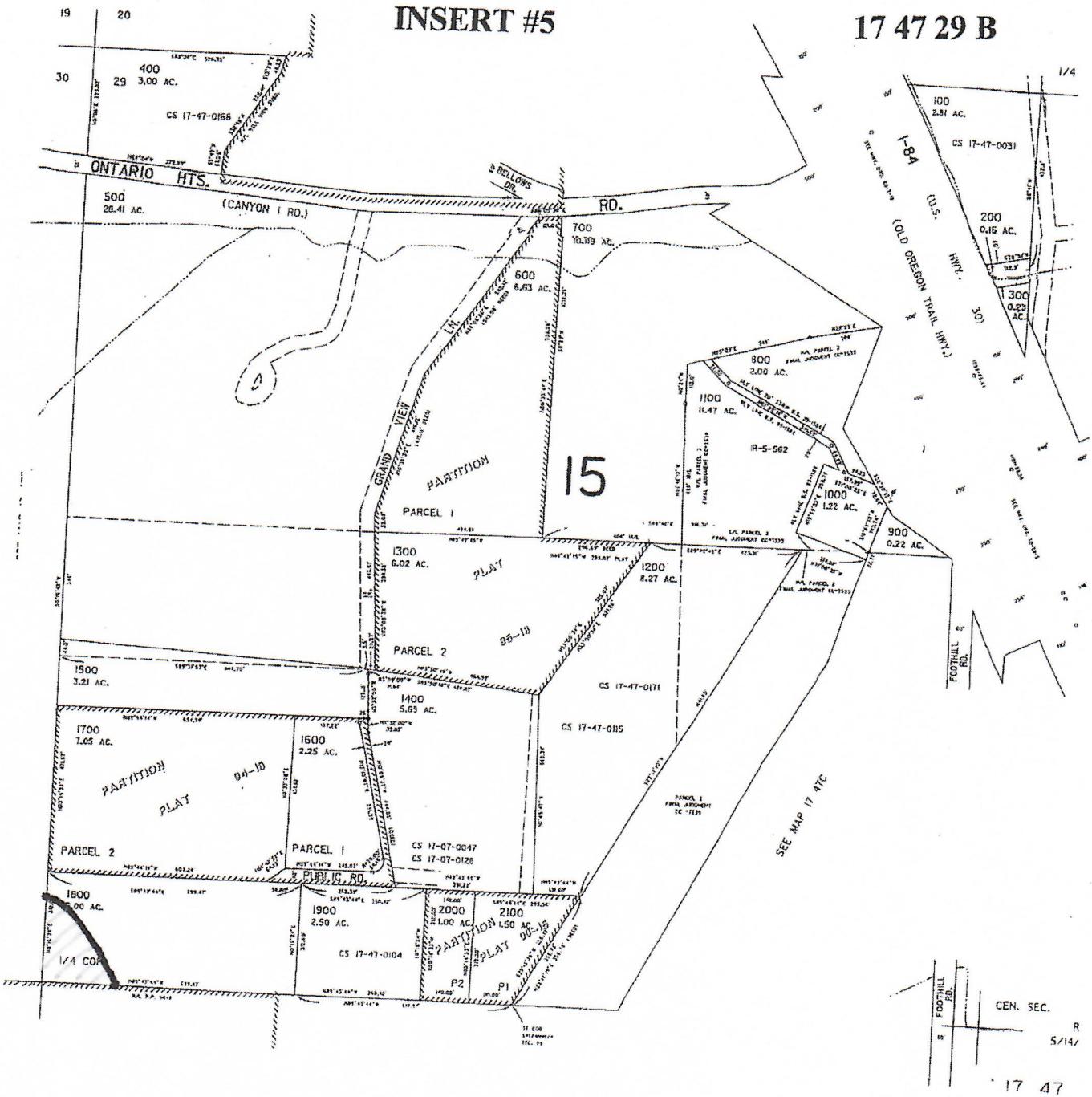
INSERT #4

17 47 29 C



INSERT #5

17 47 29 B



1. Southwest 4th Avenue, Northwest 36th Street
2. Head east on Westpark Plaza
3. Make a sharp left onto Southwest 4th Avenue
4. Turn right onto Southwest 36th Street
5. Continue slightly right onto Foothill Drive
6. Turn left onto Canyon Two Road
7. Turn right onto Peterson Road
8. Turn left onto Shire Lane
9. Turn left to stay on Shire Lane
10. You have arrived at your destination



Driving Directions (Free) - Print & Navigate Anywhere

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Loading the Google Chrome Web Store...



Looking south on Peterson Rd.



Top of Peterson Hill on Peterson Rd. looks SE



On Subject parcel looking North east





November 2008

Soil Survey Data

G - Depth (ft)

W - Water per-

S - Soil is shallow, derived on stone

C - Climate

SOILS CLASSIFICATION FOR MALHEUR COUNTY

1	- IV w-i	12A - I 1	22E - VI e	32C - III e
2	- III w-i	12B - II e	23A - III s	32D - IV e
3	- II e	13A - I 1	23B - III e	33A - I 1
4A	- III s	13B - II e	23C - III e	33B - II e
4B	- III e	14 - II c	24 - IV w	34 - III w
4C	- III e	15 - II c	25A - I 1	35A - III s
4D	- IV e	16 - III s	25B - II e	35B - III e
5B	- III e	17 - IV s	25C - III e	35C - III e
5C	- IV e	18 - I 1	25D - IV e	35D - IV e
6	- VIII e	19A - III s	25E - VI e	35E - VI e
7	- IV w	19B - III s	26 - II s	36E - VIII e
8A	- III s	19C - III s	27 - I 1	36F - VIII e
8C	- IV e	20 - IV w	28A - III s	<i>Cap. H. 1</i>
9B	- III e	21A - III s	28B - III s	<i>Cap. H. 1</i>
9C	- III e	21B - III e	29 - VIII w	<i>Hans + Sabine</i>
9D	- IV e	21C - III e	30A - II s	<i>class.</i>
10	- IV s	21D - IV e	30B - II e	3 - VIII = Cap. H. 1, class
11A	- IV s	21E - VI e	30C - III e	e. w. S. C. - cap. H. 1
11B	- IV e	22A - III s	30E - VI e	<i>class. I - same as cap. H. 1</i>
11C	- IV e	22B - III e	31 - IV w	<i>class. I - same as cap. H. 1</i>
11D	- IV e	22C - III e	32A - III s	
11E	- VI e	22D - IV e	32B - III e	

Soil Map
Bauer, Reference # 7205

Map is prepared for
assessment purposes only.

SOIL MAP UNIT
11B
21C
36F
21A
35B
4A



X = Home SITE

PropOwners wn MileRad fr Bauer (zone C-A1 only)

1MileRadius

TownshipRange

Map is prepared for
assessment purposes only.

Mile Radius Map

Bauer, Reference # 7205



