

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: Carol Trewno Phone: 541-216-8001

Address: 1657 Pennington Dr City: Ontario State: OR Zip: 97914

DEED HOLDER OF THE SUBJECT PROPERTY:

Name: Carol Trewno Phone: 541-216-8001

Address: 1657 Pennington Dr City: Ontario State: OR Zip: _____

CONTRACT PURCHASER OR LESSEE OF THE SUBJECT PROPERTY:

Name: NA Phone: _____

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

2. SPECIFIC DIRECTIONS TO SUBJECT PROPERTY:

Boat Landing Rd - @ 1/2 mile from Snake River
bridge on north side of road

3. SPECIFIC DESCRIPTION OF PROPERTY:

T 17 R 47 Sec(s). 10

ASSESSOR'S MAP NO.(S) 1747 100

TAX LOT NO.(S): 1200

COMPUTER REFERENCE NO.(S): 6497

SIZE OF PARENT PARCEL: 3 ac

4. GENERAL DESCRIPTION OF PROPERTY:

Current Use: I have fenced property,
planted 11 fruit + trees
put a well & well house on it w/ power

Topography: hard pan, native plants
fruit & other trees I planted

Does it front as a public road? ☒ Yes ☐ No

Name of road: Boat Landing

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

Does it front a private road? ☐ Yes ☒ No

Name of road: _____

What buildings are on the property? well house
also a shed & a container - non permanent

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: well

Means of sewage disposal: intend to construct a ~~new~~ septic
system

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? I intend to spray it,
trim it, water & care for the young trees,
that I planted, gravelled the driveway area

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

MCC 6-6-7 & 6-6-8-1

6. **GENERAL DESCRIPTION OF ADJOINING PROPERTY:**

Identify any buildings or structures on the adjacent property and give their approximate distance from your property lines:

House & garage 222 Boat Landing
house & buildings 216 " "
pastures behind property
- across the road (Boat Landing Rd) - row crops

Identify the current uses of adjacent property: (acres) small farms w/ homes on them

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:**

Adjacent properties are not farmed except farm across the road which borders the Snake River & has water rights. There are no water rights on the North side of the highway from Quail Lane to the Idaho/Oregon border.

- b. **Explain why the proposed use (non-farm dwelling) will not force a significant change in those practices:**

Adjacent properties have no water rights (except farm across road adjacent to the Snake River) - so no one else can farm their properties & have dwellings on them.

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:

no water rights are available &
have poor soil

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.

non-irrigated row crops for fields that have water
properties rights - adjacent properties are
not farmed

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

Primary Farm Dwellings 2 or 3 Accessory Farm Dwellings ?

Non-Farm Dwellings: 15 Hardship Dwellings: ?

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

1. Potential Farm Dwellings 17

2. Potential Non-Farm Dwellings 16

1 farm

3. Potential "Lot of Record" Dwellings Don't Know

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

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

would like to put a small home on property. Keep property the same. I have been "farming" it in that I have planted fruit trees, fenced it, put a well in it, now I need it, but like native plants as well.

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.

No, it would not alter the use of any land in that area.

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

4 ~~new~~ houses have been built in the past
several years.

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), Carol J Treu
(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:

Carol J Treu

PROPERTY OWNER OR AUTHORIZED AGENT MUST ALSO SIGN:

Carol J Treu
Property Owner

Date:

5/29/19

FULLER, MICHAEL T & JUDY L

4609 ROLLAND RD
ONTARIO, OR 97914

*Small ac
w/ home
not farmed*

KELLY, JOHN E & GERALD

245 CEDAR RD
ONTARIO, OR 97914

*not farmed
to my
knowledge*

MHALE DIANNE HOLDING LLC

4627 QUAIL LN
ONTARIO, OR 97914

*small ac.
w/ home*

MYERS, HARRIET M

4615 ROLLAND RD
ONTARIO, OR 97914

*Small ac
w/ home
not farmed*

PALMER, PATRICK O

RETFERFORD, JASON L & EDEE M

4606 QUAIL LN
ONTARIO, OR 97914

*Small ac
w/ home
not farmed*

RODRIGUEZ REVOCABLE TRUST

719 MORGAN AVE
ONTARIO, OR 97914

*3 homes
on property
farmed
row crop*

HEMPHILL, CAROL J BRUNS

1657 PENNINGTON DR
ONTARIO, OR 97914

KERR, JOHN & VICTORIA WARD

30 BONNET VIEW DR
JAMESTOWN, RI 2835

MOORE, JAMES A

4619 QUAIL LN
ONTARIO, OR 97914

*not farmed
Some
acres
w/ home*

OSBORNE, WARREN L

4619 ROLLAND RD
ONTARIO, OR 97914

*Small ac
w/ home
not farmed*

PHILLIPS, STEPHEN D & DIANA L

4647 HWY 52
ONTARIO, OR 97914

Don't know

WEIR, BRANDEN E

228 BOAT LANDING RD
ONTARIO, OR 97914

*2 homes
Don't know*

KEELER, M LOUISE

222 BOAT LANDING RD
ONTARIO, OR 97914

*Small
ac w/
home
not farmed*

LUTTRELL, JAMES E JR & DARLENE

STEELE, SARAH
102 WINEGAR DR
ONTARIO, OR 97914

*? This is
in town*

MURRAY, SHERMAN L

4631 ROLLAND RD
ONTARIO, OR 97914

*Small ac
w/ home
Not farmed*

PALMER, JANET

4615 QUAIL LN
ONTARIO, OR 97914

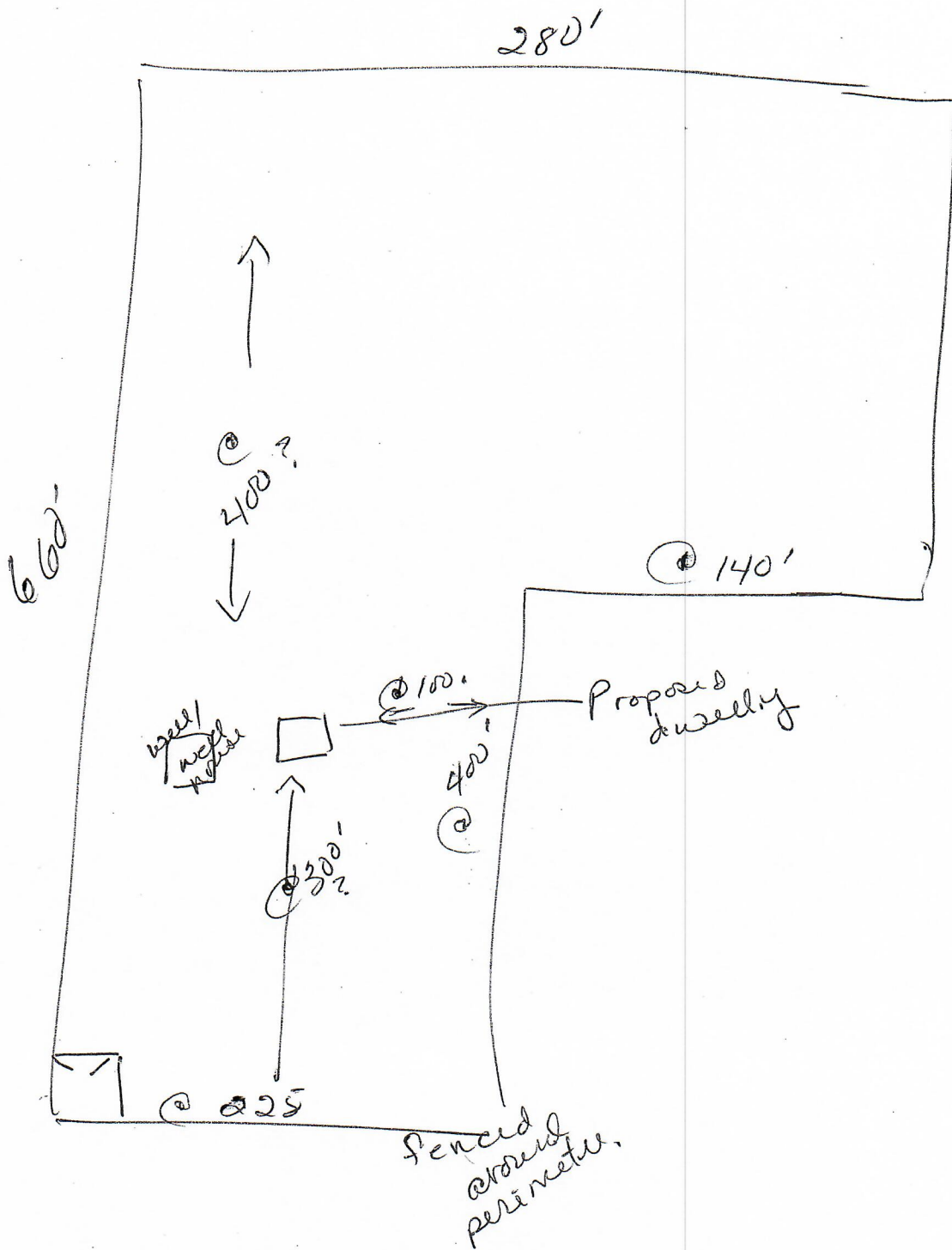
*Small ac.
w/ home
not farmed*

RECKNAGLE, NEAL P

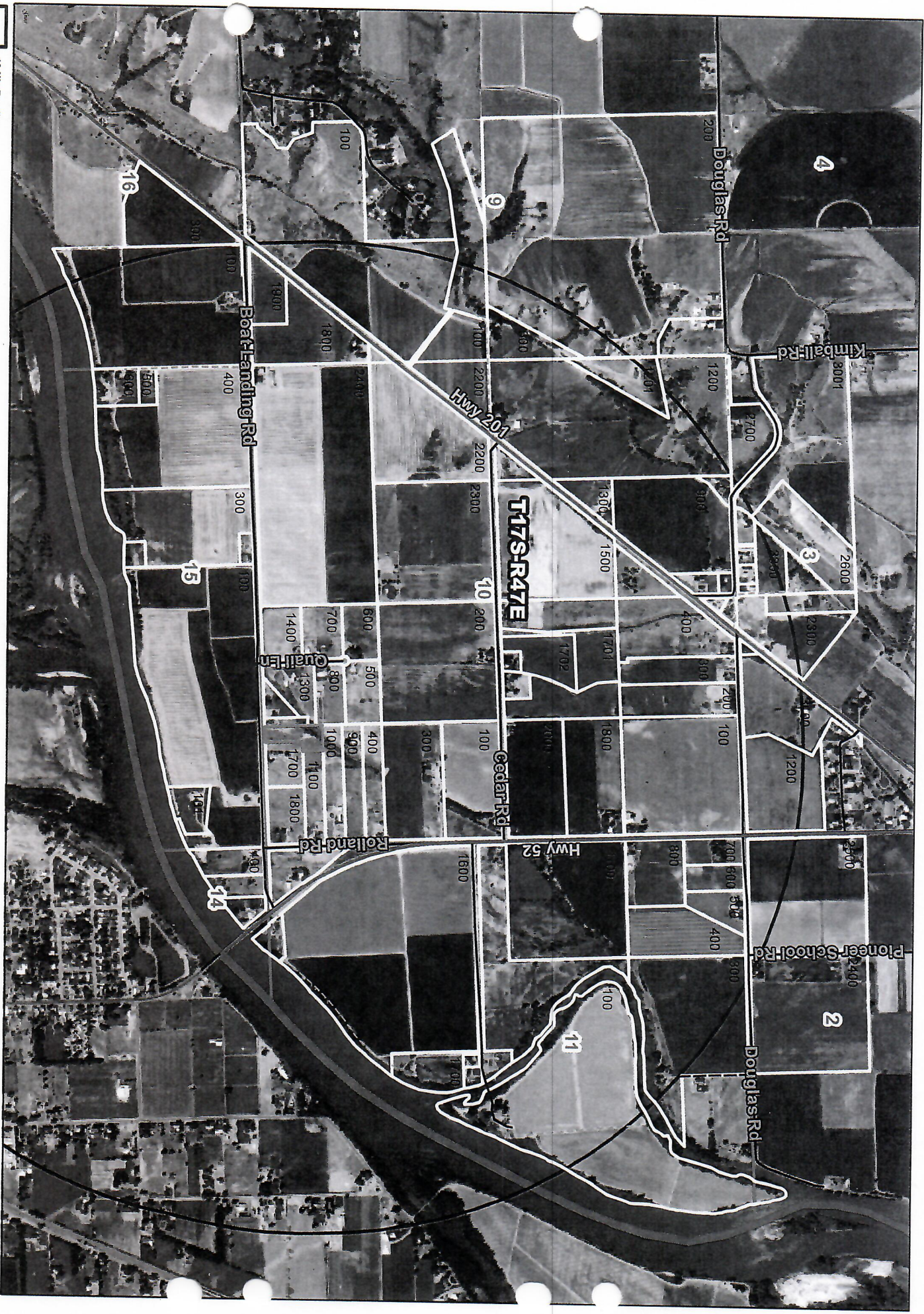
LAMB, WILLIAM & MARY
216 BOAT LANDING RD
ONTARIO, OR 97914

*Small ac
w/ home*

*Not
farmed*



Lamps



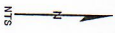
- ☐ 1 Mile Radius
- ☐ Township Range
- ☐ Sections

Prop Owners wn MileRad fr Hemphill
Hemphill_Ref6497

Mile Radius Map

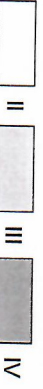
Hemphill_Ref# 6497

Map is prepared for
assessment purposes only.





Soil Class



Soil Map

Hemphill_Ref# 6497

Map is prepared for
assessment purposes only.

NTS



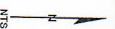
Soil Class



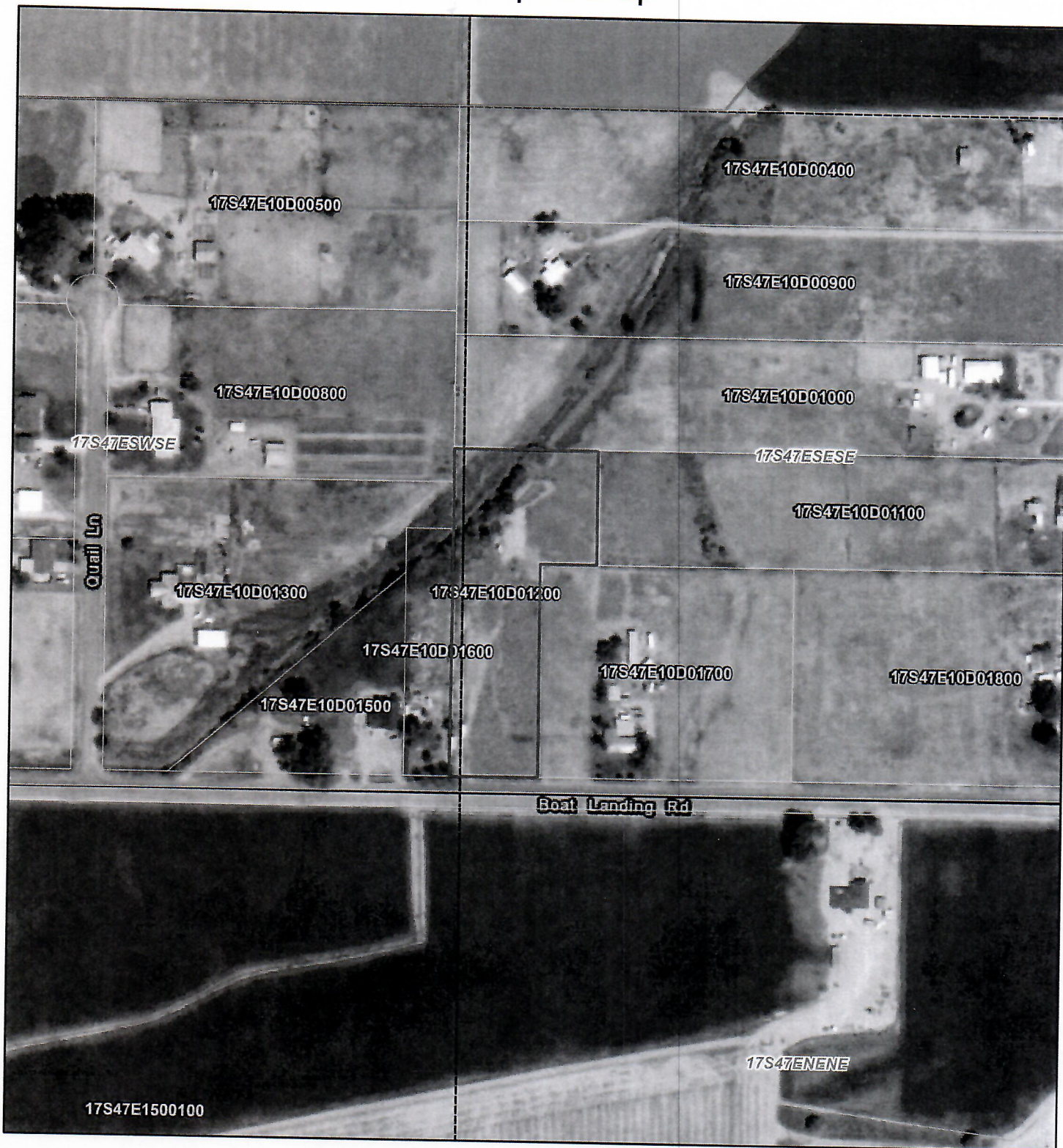
Soil Map

Hemphill_Ref# 6497

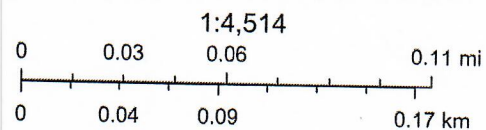
Map is prepared for
assessment purposes only.



Hemphill Map



5/23/2019, 2:42:24 PM



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

For reference purposes only. This map is not for official use.



SOIL MAP UNIT

2 31 34

Soil Map

Hemphill_Reif# 6497

Map is prepared for
assessment purposes only.



5/28/19

1:26

REAL PROPERTY

INQUIRY

VK

A10100

REF # 2019 R 6497

MAP# LOT# A NUM

CODE PCL MCL AP VA ZONE

PAR# Last Viewd 13044
%.xxxx REAL# PR

17S4710D 1200

12 401 401 2

C-A1

OWNER HEMPHILL, CAROL J BRUNS

CNTRCT

ET ALS

ADDR

Pg 1

1657 PENNINGTON DR

CTY/ST ONTARIO, OR 97914

SC DEF

SITUS:

HOME ID:

YR AP 2018 APPR 28 ANGELENE MENDEZ

ACRES

3.01

SPC ASM

RMV

M5 VALUE

TOTAL AV

LAND

IMPROV

SUBTOT

LESS EXEMPTIONS:

LESS VET EXEMPT:

NET VALUES:

ACTION CDS MAPCODE 0012

NEW CONSTRUCTION

CONDITION USE PERMIT

FARM USE BEGIN YEAR

NOTES

PHOTO# 378-276R

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ