

September 8, 2019

To Whom it May Concern:



The property that is located within 18S47E32 (3651) Alameda Drive is located between King and Morgan avenue, in Ontario, Oregon. The current lot is approximately 6.5 acres. Within the 6.5 acres, sits a house, two sheds, garage, lean-to, barn and approximately 2.6 farmable acres.

We are seeking to separate this part of the farm from the current approx. 116 acres. This would leave 102.2 farmable irrigated acres in the main parcel. It is our desire to separate the smaller parcel 6.5 acres of the farm for our heirs, which would be Rick and Dixie's children, Eric, Megan, and Ashley Moeller. We would like to keep this part of the existing farm in the Moeller name in respect to our ancestors in case we were to sell the remaining part on the farm in the future.

The smaller lot that is to be included in the separation 18S47E32 would be the lot on the southeast corner of King and Alameda. Many years ago, this was a separate lot with house dwelling including well septic and drain field with power to the lot, until my uncle incorporated it into the Moeller farm. It has never been farmed. This portion of the property has set idol for approximately 25 years.

The Moeller farm has been established for (years). Not only will this be a good investment for my children, but more importantly it can keep existing and future generation of Moeller's tied together.

Sincerely,

Rick Moeller 
Dixie Moeller 
Steve Moeller 

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: Steve Moeller
Rick-Dixie Moeller Phone: 208-741-0092
Address: 2011 NW 21st Ave City: Ontario State: Or Zip: 97914

DEED HOLDER OF THE SUBJECT PROPERTY:

Name: Farm Credit Service Phone: 541-823-2683
Address: 308 S.E. 10th St City: Ontario State: Or Zip: 97914

CONTRACT PURCHASER OR LESSEE OF THE SUBJECT PROPERTY:

Name: Kevin Corn Phone: 1-541-212-0911
Address: 1275 Hwy 20-26 City: ~~Ontario~~ Vale State: Or Zip: 97914

2. SPECIFIC DIRECTIONS TO SUBJECT PROPERTY:

(1) South on Alameda Dr. Location between Morgan Ave. and King. Approximately 1/2 miles
(2) South of Morgan - on west side of Alameda Dr. To King and west on King. Approximately 1/2 mile.

3. SPECIFIC DESCRIPTION OF PROPERTY:

T 18 R 47 Sec(s). 32

ASSESSOR'S MAP NO.(S) 18547E32

TAX LOT NO.(S): 400

COMPUTER REFERENCE NO.(S): 93601

SIZE OF PARENT PARCEL: 116.62

4. GENERAL DESCRIPTION OF PROPERTY:

Current Use: Farm house, Garage, Barn
and lean-to for storage. The approx. 2.6
acres for farm rental. Total acres - 6.5 to 7.
The approx 2 acres on corner of Alameda
Dr. and King Ave. is unusable for farming,
but can be used as a dwelling, well, septic and power
Topography: can be restored.

Farm land (Flat) Gravity irrigation.

Does it front as a public road? Yes No

Name of road: Alameda Dr. (31051 - Address)

● 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? House, Garage, Barn
lean-to and 2 old Buildings

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: Oyuhwee Ditch Irrigation (Well-House)

Means of sewage disposal: Septic - Drain field

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, as far
as structural. Improvements are
painting of Barn and House.

5. Cite the section in the land use and development ordinance under which you are applying for a conditional use permit: 6-6-7 6081

6082

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

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

North - there's a house, grain bins, storage buildings for equipment approximately 1/4 mile
West - House, Dog Kennel animal shelter
South - House and several out buildings
East - House and pasture used for grazing of cattles

Identify the current uses of adjacent property:

North - land is used for farming
West - land is used for Row crops farming
South - land is used for Row crops farming
East - land is Row Crop for farming

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:** Surrounding farms grows rotation crops, such as onions, wheat, corn, sugar beets, beans to maintained a good soil conservation.

b. **Explain why the proposed use (non-farm dwelling) will not force a significant change in those practices:** The land proposed in the land separation does not included irrigational land, the property will basically be used as storage and a dwelling for my family. This property is not farmable because of the outbuildings, there is 2.6 acres that is irrigatable and will continue to be used as it has for the last approximately 89 years.

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 parcel on the corner of King and Alameda has never been farmed and the pre-existing use was a house dwelling which still today has a foundation, but unfortunately the house was burned down by vandals, it also has a pre-existing well and drain field.

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. *and many trees*

Explanation: Generally, the intent of the "materially alter" standard is to consider the cumulative impact of possible now 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.

Please see pages -

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

Primary Farm Dwellings 29 Accessory Farm Dwellings _____

Non-Farm Dwellings: 9 Hardship Dwellings: 0

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

1. Potential Farm Dwellings 1
2. Potential Non-Farm Dwellings 0
3. Potential "Lot of Record" Dwellings 1

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

The corner of Alameda and King if separation is approved, the objectivity of the parcel is to be sold.

On the northern part of the property which includes existing house, barn, garage, lean-to and two old sheds will continue to stay as is.

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

The study area as far as adjacent properties are now crop farming.

The separation of the property at two different locations at 3651 Alameda Dr. will stay the same, the location of 2nd property, corner of Alameda Dr and King will be sold as is and hopefully be granted a building permit for future buyer.

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.

Question 1. No

Question 2. No

- The study area, some remodeling of houses and farm building, New houses, Onion sheds and some land leveling.

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

On adjacent properties - The property at 3651 Alameda Dr. there has been no new developments, except some remodeling on the existing house, such as floors windows and paint.

Property on corner at Alameda Dr and King there has been no new developments, Existing house was burned down by vandals approx. 4-5 years ago.

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), Rick Keith Maeller, Dixie Marie Maeller and Steve Duane Maeller
(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:

Rick Maeller
Dixie M Maeller

PROPERTY OWNER OR AUTHORIZED AGENT MUST ALSO SIGN:

Rick Maeller and
Dixie Maeller

Steve Duane Maeller
Property Owner

Date: Sept 25, 2019



Legend

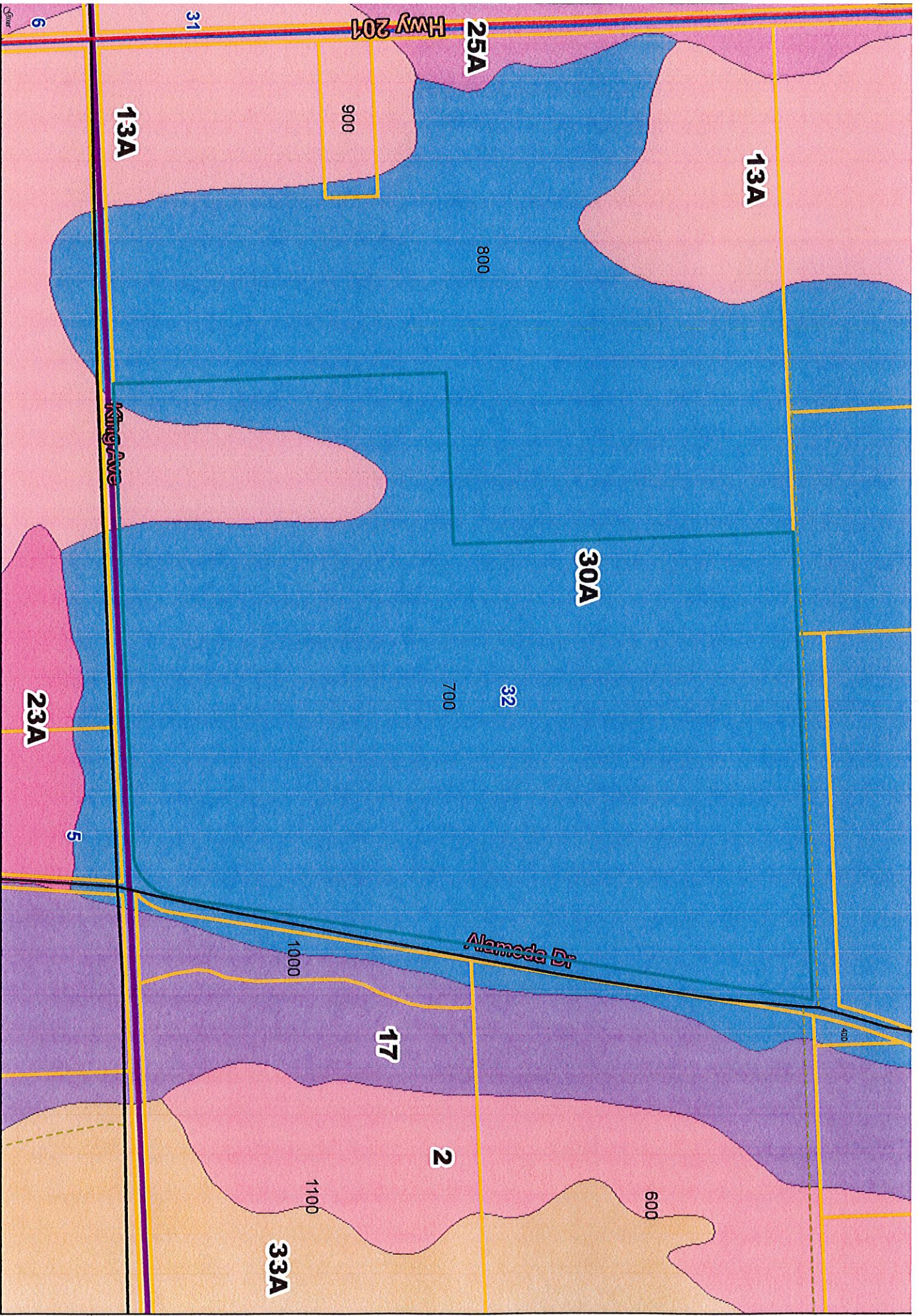
- 1 Mile Radius
- Prop Owners w/n Mile Rad from Moeller_9361

Mile Radius Map

Moeller_Ref# 9361

Map is prepared for assessment purposes only.

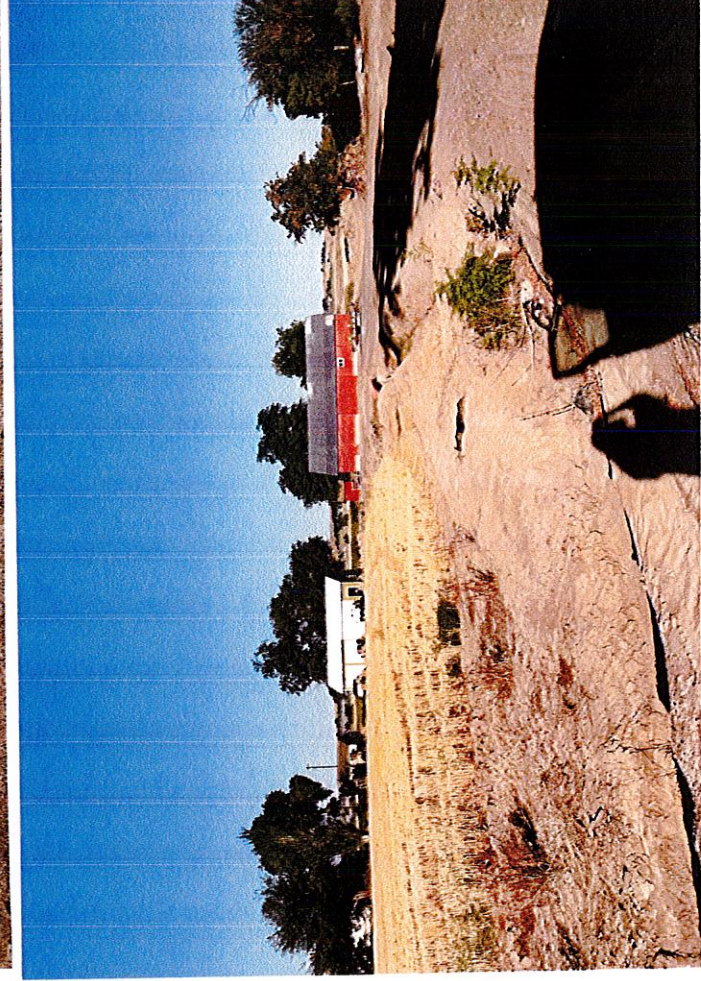
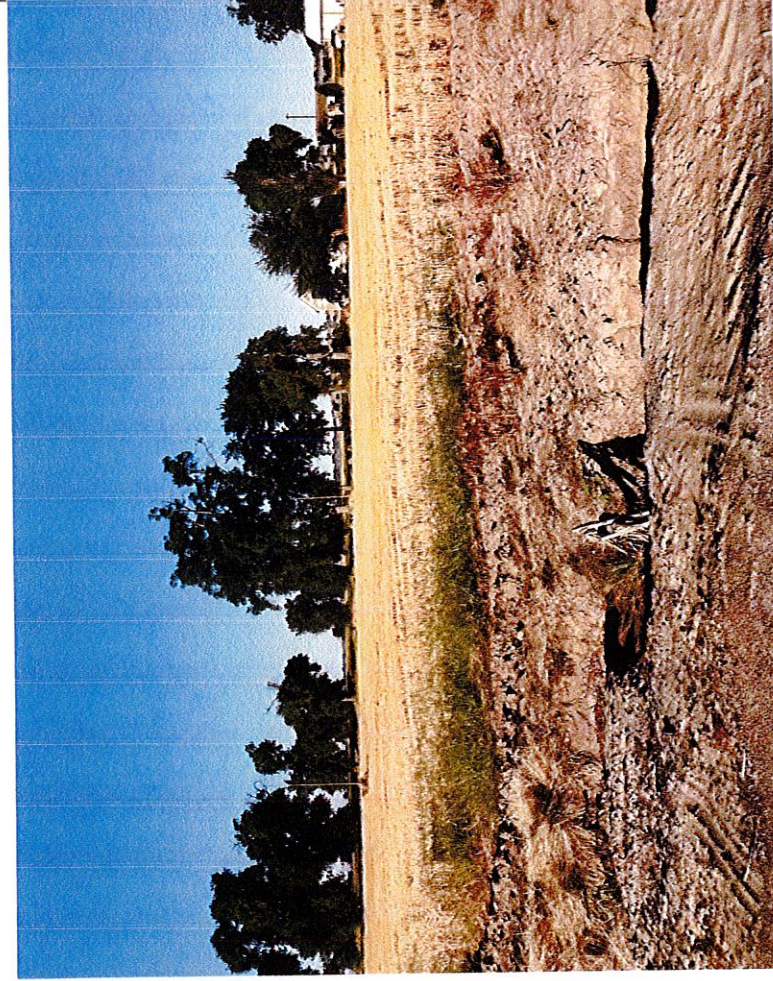
- SOIL MAP UNIT**
- 13A
 - 2
 - 23A
 - 17
 - 25A
 - 30A
 - 33A



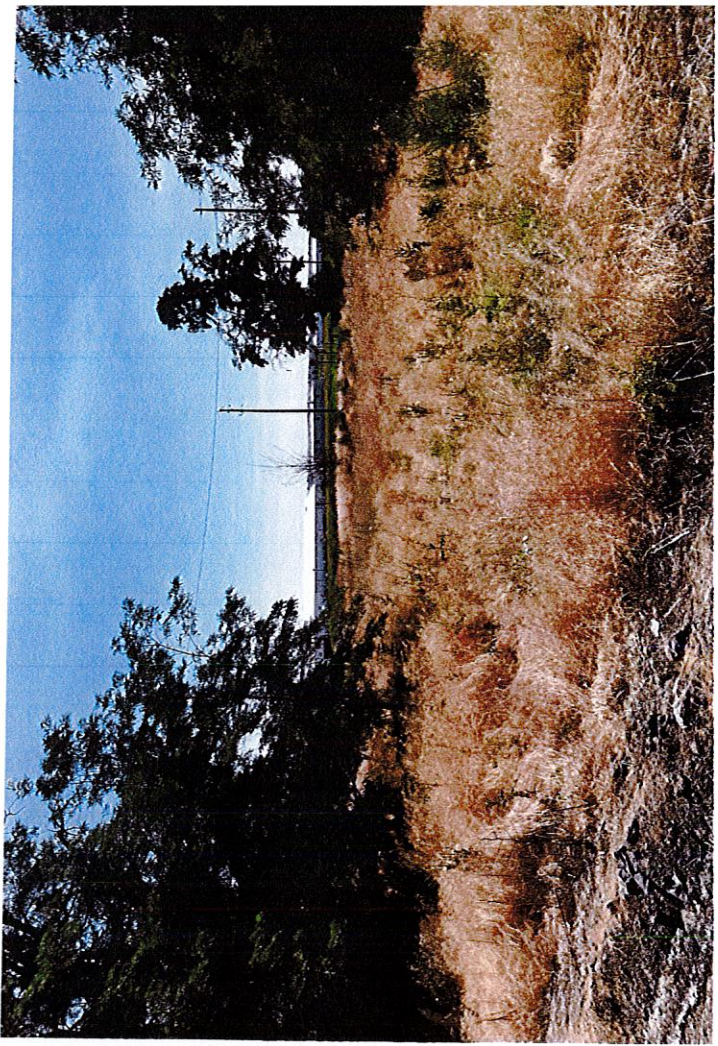
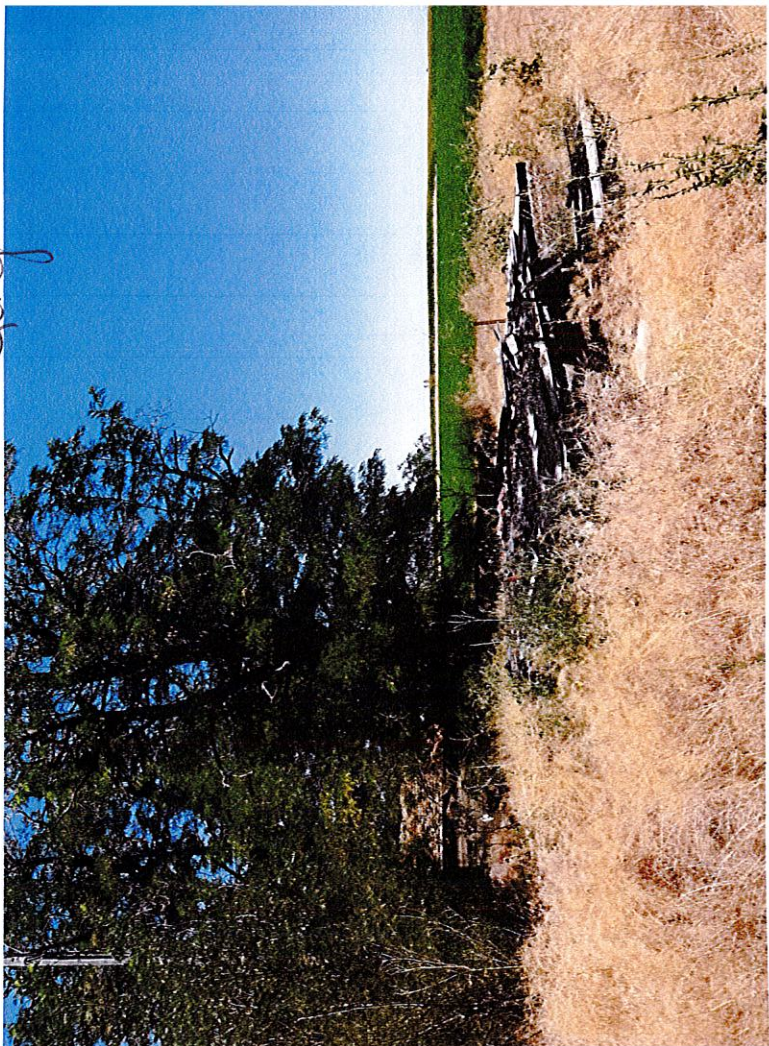
Soil Map
Moeller_Ref# 9361

Map is prepared for
assessment purposes only.

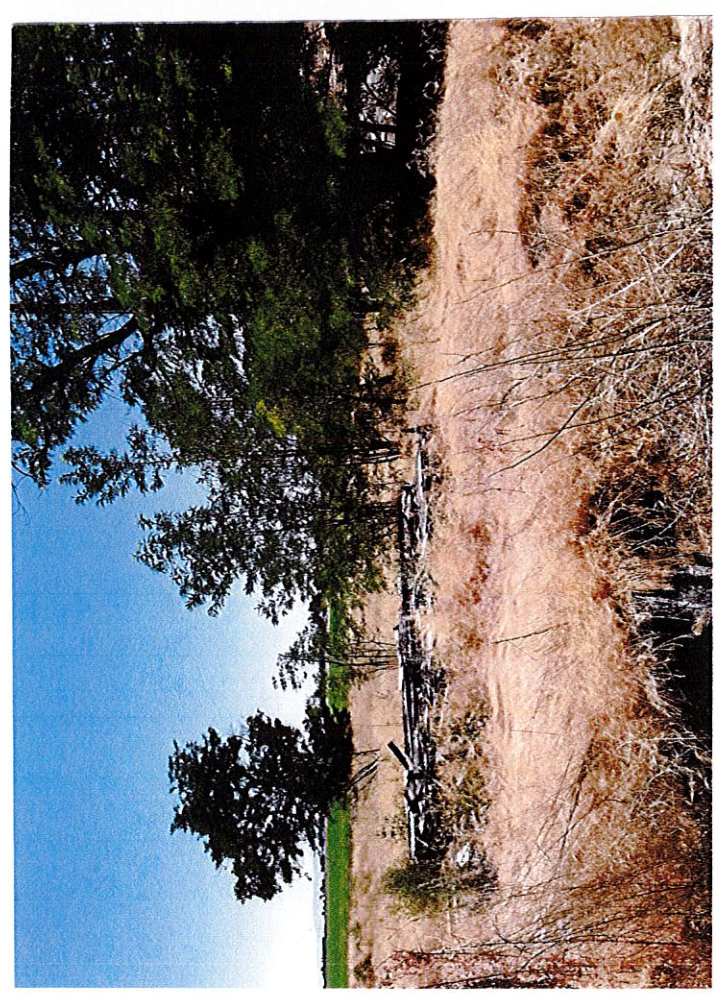
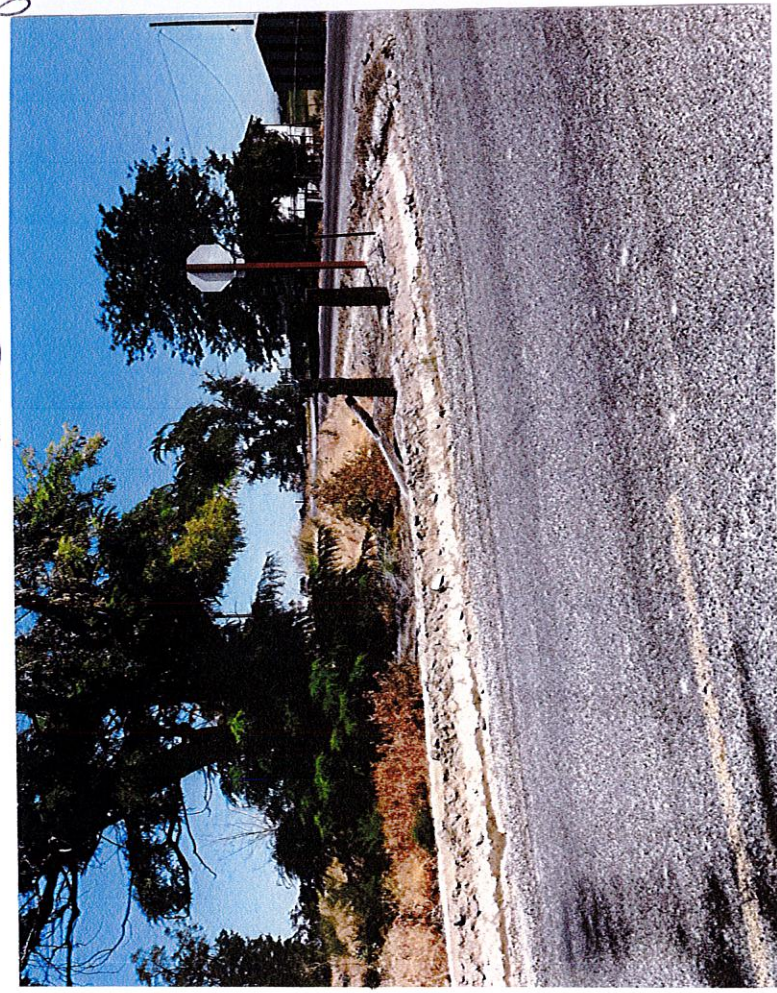
3651 Alameda Drive.



Went to the creek today



the water of





Green - Farm Dwellings



- Non Farm Dwellings

MapNumber	Taxlot	REF	OWNERSNAME	ADD1
18S47E		1500	7854 OFT, BETTY ✓	2 - House's, Shop + Haybarn
18S47E		1600	6799 CIRAULO SNAKE RIVER RANCH	- Farm ground
18S47E28		600	7901 MACKEY, EVAN GERALD	- Farm ground
18S47E28		700	7850 IRELAND PROPERTIES LLC ✓	- Farm ground
18S47E28		900	7853 PENN, GARY D ✓	House
18S47E28		1000	17911 OREGON, STATE OF	} Inland by Snake River
18S47E28		1100	17912 MALHEUR COUNTY	
18S47E29		200	7865 WETTSTEIN, MK INC	- Farm ground
18S47E29		600	7861 WETTSTEIN, MK INC	- Farm ground
18S47E29		800	7868 WETTSTEIN, MK INC	- Farm ground
18S47E29		900	7869 PAYNE, CHRISTOPHER S & DARCI A	- House
18S47E29		1000	7860 WETTSTEIN, MK INC	Farm ground
18S47E29		1100	7870 WETTSTEIN FARMS INC	House + Shop
18S47E29		1200	18987 WETTSTEIN, MK INC	- House, milk-barn + Shop
18S47E29		1300	7858 PAYNE, CHRIS S & DARCI A	- House, Shop + Lean-to ^{3 outbuildings}
18S47E29		1400	7855 PRICE, DENIS D & REBECCA M ✓	House + Garage
18S47E29		1500	7856 PRICE, LEON & EUGENIA	House
18S47E29		1600	7857 PRICE, DENIS & REBECCA	Storage/cellar
18S47E29		1700	7859 WETTSTEIN, MK INC	- Farm ground
18S47E30		500	7874 SAITO FARMS INC	House
18S47E30		900	7873 WETTSTEIN, MK INC	Farm ground
18S47E30		1000	7872 SAITO FARMS INC	House, Onion storage + Shop
18S47E30		1300	7871 SAITO, STEVEN M & LISA M	Farm ground
18S47E31		100	7881 TIFFANY, LINDA & WILLIAM	- House, Shop + Lean-to
18S47E31		200	7880 TIFFANY, DAVID F & MARCELLA J	Farm ground
18S47E31		300	7884 SMITH, EVAN C & DAWN M	- House
18S47E31		400	7886 ALLISON, WESLEY B & DIANNE L	House + Shop
18S47E31		500	7885 JOHNSON, WADE & LINDSEY	- House, garage + Shop
18S47E31		600	20037 TALBOT, RONALD K & STACIE D	House + garage
18S47E31		601	7887 WETTSTEIN FARMS INC	Farm ground

1985

[Redacted] - Farm Dwellings

[Redacted] - Non Farm Dwellings

Parcel ID	Area	Address	Description
18S47E31	[Redacted]	700 17908 MALHEUR COUNTY	
18S47E31	[Redacted]	800 7883 SMITH, EVAN C & DAWN M	- House & garage
18S47E31	[Redacted]	1000 9355 BITTICK, KENNETH	House & Equipment Shop
18S47E31		1001 20078 HAMAN, ANTONE D & SARAH J	- Can't find
18S47E31	[Redacted]	1002 20079 BITTICK, KENNETH	Empty Lot, Irrigational Catch Base
18S47E31	[Redacted]	1100 9357 CORN, DANIEL R & MELISSA W	House & Shop
18S47E32	[Redacted]	100 7889 WETTSTEIN FARMS INC	Farm ground
18S47E32	[Redacted]	200 7888 WETTSTEIN FARMS INC	Farm ground
18S47E32	[Redacted]	300 7890 WETTSTEIN FARMS INC	Farm ground
18S47E32	[Redacted]	400 7891 WETTSTEIN FARMS INC	House, Storage sheds
18S47E32	[Redacted]	500 7892 WETTSTEIN, MK INC	- House, Small cattle yard, grain - onion storage Burs
18S47E32	[Redacted]	600 9362 WETTSTEIN, MK INC	Farm ground
18S47E32	[Redacted]	700 9361 MOELLER, RODERIC K & DIXIE	- House, garage, Barn, 2 old sheds
18S47E32	[Redacted]	800 9359 WETTSTEIN FARMS INC	Farm ground
18S47E32	[Redacted]	900 9360 HENRICKS, ROSS A	House, outbuilding C/O ANI-CARE ANIMAL SHELTER - closed
18S47E32	[Redacted]	1000 9364 OCAMICA, JOSE M & SHIRLEY A	- House & shop
18S47E32	[Redacted]	1100 9365 FRAHM, THEODORE ROD & LAUNA G	- House & small outbuilding
18S47E32	[Redacted]	1200 20438 WETTSTEIN FARMS INC	- House, Shop + Out building
18S47E33	[Redacted]	100 7893 ROD'S RANCHES LLP	- Farm ground
18S47E33	[Redacted]	200 6798 CIRAULO SNAKE RIVER RANCH	- Farm ground (Idaho)
18S47E33	[Redacted]	201 20293 TESNOHLIDEK, DWAIN & BARBARA	- Farm ground (Idaho)
18S47E33	[Redacted]	300 9368 FROERER FAM LTD PARTNERSHIP	
18S47E33	[Redacted]	400 16444 ROD'S RANCHES LLP	Farm ground
18S47E33	[Redacted]	500 9367 ROD'S RANCHES LLP	Farm ground
18S47E33	[Redacted]	600 9366 ROD'S RANCHES LLP	Farm ground
18S47E33	[Redacted]	700 9369 FROERER FAM LTD PARTNERSHIP	
18S47E33	[Redacted]	800 20133 OREGON, DEPT OF STATE LANDS	RIGHT OF WAY SECTION MS#2
19S47E	[Redacted]	100 9371 FROERER FAM LTD PARTNERSHIP	- House & Shop
19S47E	[Redacted]	200 9372 ROD'S RANCHES LLP	Farm ground
19S47E	[Redacted]	300 9373 ROD'S RANCHES LLP	Onion storage
19S47E	[Redacted]	400 9374 ROD'S RANCHES LLP	2 - Onion storage

Farm Dwellings

Non Farm Dwellings

19S47E [redacted] 500
 19S47E [redacted] 600
 19S47E [redacted] 700
 19S47E06 [redacted] 100
 19S47E06 [redacted] 200
 19S47E06 [redacted] 400
 19S47E06 [redacted] 500
 19S47E06 [redacted] 700
 19S47E06 [redacted] 800
 19S47E06 [redacted] 900

9376 ROD'S RANCHES LLP - Farm ground
 9375 ROD'S RANCHES LLP 50% - House + Storage building
 9377 ROD'S RANCHES LLP Farm ground
 9378 WILSON, LAWRENCE P & LAURIE M House + Shop
 9379 RAY, VIOLET BYBEE Farm ground
 9380 KESLER FARMS INC House
 9604 FARMER, JAMES G & MARGARET - Farm ground
 9605 R & K LAND LLC Farm ground
 9606 CORN, BRUCE R House + Shop
 9607 IMPERIAL FARMS LLC Farm ground