



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185 Fax (541)473-5140

File Number: 2020-09-014
Application Fee: \$200
Date Received: 9-22-2020
Date Deemed Complete: 9-22-2020

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: Truett Hearn
Address: 4460 Hwy 201
City/State/Zip: Ontario, OR 97914
Phone: _____
Email: _____

APPLICANT INFORMATION Check box if same

Name: Ted Cooper/Krystal Stewart
Address: PO BOX 1082
City/State/Zip: Shingle Springs CA 95162
Phone: 530-409-5474
Email: cooperted03@gmail.com
Oregon Idaho realtor@icr@gmail.com

PROPERTY INFORMATION

Township: 17S Range: 47 Section: 21 Tax Lot: 101 Ref #: 18917 Acres: 0.35 Zoning: C-A1
Address: 4460 Hwy 201
Current use: Res Use of surrounding properties: _____
Proposed use: Res Permitted subject to section: _____
Water source: well Sewage disposal method: septic
Are the wetlands/water waterways on your property? No Yes (description): River
Do you own neighboring property? No Yes (description): 4460 Hwy 201
Name of road providing access: Hwy 201

LEGAL PARCEL STATUS

Partition: _____ Subdivision: na
or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____
Current Deed #: ORS 93.855 Date Filed: 4-19-2004

*The deed and a map showing the property described in the deed(s) must accompany this application.

*Additional descriptive maps and pictures may be attached.

SIGNATURES:

Property Owner(s): Nancy Anthony (Broker) Date: 9/22/2020

Property Owner(s): For: Truett Hearn Date: _____

Applicant(s): [Signature] Date: 09/22/2020 05:54 PM MDT _____

Applicant(s): [Signature] Date: 9-21-2020

PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission. By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property.

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel Deed/Land Use Action: _____ Previous Map and Tax Lot: _____ Past Land Use Actions: If yes, list file #(s) _____ _____ Subject to previous conditions? Assessor Property Class: _____ Zoning: _____ Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? Describe (include setback distances): _____ <input type="checkbox"/> Fish bearing <input type="checkbox"/> Non fish bearing <input type="checkbox"/> Seasonal Creek <input type="checkbox"/> Irrigation ditch <input type="checkbox"/> Wetland <input type="checkbox"/> Pond/Lake <input type="checkbox"/> Not identified (Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.) Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input type="checkbox"/> YES, # _____ Address: Address exists and has been verified to be correct? Address needs to be assigned after approval? Fire District: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES
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CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

Plans are to build a beautiful log cabin back towards the river. Have a large enough septic for the cabin + RV. ~~plan~~ plan to plant trees in front of property & side. Also to fence property and enjoy the river.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling	34	26	25ft	1700
Driveway				
Accessory Structure				
Agricultural Structure				
Other				
EXISTING				
Dwelling	0	0	0	0
Accessory Structure				
Agricultural Structure				
Other				

CONDITIONAL USE CRITERIA – Malheur County Code (MCC) CHAPTER 6-6-7

1. The proposal must be consistent with the goals and objectives of the Comprehensive Plan and MCC.
2. Taking into account location, size, design and operational characteristics of the proposed use, describe how your proposal is compatible with the surrounding area and development of abutting properties by outright permitted uses:

Close to the home + shop on property next door.
4460 Hwy 201

Describe the operational characteristics (hours of operation, equipment used, etc.) of the proposed use:

building equipment.

Describe the number of people/employees/customers associated with the proposed use:

10-15

3. What are the existing developments and viewpoints of property owners in the surrounding area?

Shop + house next door
personal homes on other side of 201

4. The proposed use cannot exceed or significantly burden public facilities and services available to the area. Please describe the impact the proposed use will have on the following public facilities and services and provide letters from the appropriate entities:

Roads: None on public roads. More traffic on private Rd. that is shared with Mr. Hearn.

Fire & Police Protection: Property will be fenced & locked. Property will have all insurance needed.

Sewer & Water: Property will have its own private well & septic installed.

Electrical & Telephone: power still need to be ran to cabin.

Solid Waste Disposal: Septic will need to be installed.

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?

The community will be improved, it will be beautiful + no more weeds.

6. Demonstrate that the proposed use will not interfere with traditional fish and wildlife use of habitats determined critical or sensitive in the fish and wildlife habitat protection plan for Malheur County.

7. How will the proposed use increase setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances during development and operation?

trees will be planted and a fence will be installed.

8. What are the proposed landscaping improvements for the visual benefit of the subject site and for the improved appearance of the neighborhood and County?

trees and no more weeds.

9. The location and size of driveway access points and right of way widening and improvement for present and future traffic circulation consistent with the adopted County road standards or the standards of the appropriate road district and the access management standards of the Malheur County Transportation System Plan.

none using existing Road.

NON-RESOURCE DWELLING – Malheur County Code (MCC) 6-6-8-1

1. Describe how the proposed dwelling is compatible with farm uses and is consistent with ORS 215.243:

There will be lots of trees and pasture.

2. Demonstrate that the dwelling will not interfere seriously with accepted farming practices on adjacent lands:

Not at all based on history has not been farmed before

3. Demonstrate that the dwelling will be situated on generally unsuitable land for the production of farm crops or livestock considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of tract:

This hasn't been farmed before in flood zone

4. Demonstrate that the dwelling will not materially alter the stability of the overall land use pattern of the area, by conducting the "Cumulative Impacts Analysis".

A. What are the types of soils that have been identified within the study area?

~~Class one~~ ~~class two~~ class one + class three.

B. What are the types and numbers of existing dwellings that have been identified within the study area?

Primary Farm dwellings 15 Non-farm dwellings 45

Farm hand/labor dwellings _____ Hardship dwellings _____

C. What are the types of farm use occurring in the study area (row crops, pasture, range land, feed crops)?

mainly row crops.

D. What are the number of potential "lot of record" dwellings and non-farm dwellings within the study area?

Lot of Record dwellings _____ Non-farm dwellings _____

E. What are the number of parcels larger than the minimum lot size that may be divided to create new parcels for non-farm dwellings? about 30

F. On the parcels where you concluded no potential dwelling(s) will be sited, describe why? _____

Only Farm land lots.

G. What dwelling development trends have been identified within the study area since 1993? _____

There has been a few new homes build but No extensive developments or subdivisions

H. What are the findings of fact that describe the existing land use pattern of what the study area looks like now?

family Res with acres, farm land and smaller lots with family Res.

I. What are the findings of fact that describe what the study area would look like if all the potential development occurs? Property does have water rights.

Client would like use the water rights to have pasture.

J. Determine that the proposed dwelling will not materially alter the stability of the overall land use pattern of the study area. Does the cumulative impact of the existing and proposed non-farm dwelling and the potential new non-farm dwellings within the study area make it more difficult for the existing farms in the study area to continue operation due to diminished opportunities to expand, acquire water rights, purchase or lease farmland, such that the area will be destabilized, impeding normal production practices or crop and livestock due to increased population and associated activities?

Buyer is wanting to improve the land by removing all weeds, plant trees, plant grass for a pasture, build a cabin for his family to enjoy the land & River

Hwy-201

100

Shore Road

Road

101

Road

Shore Road

Cabin

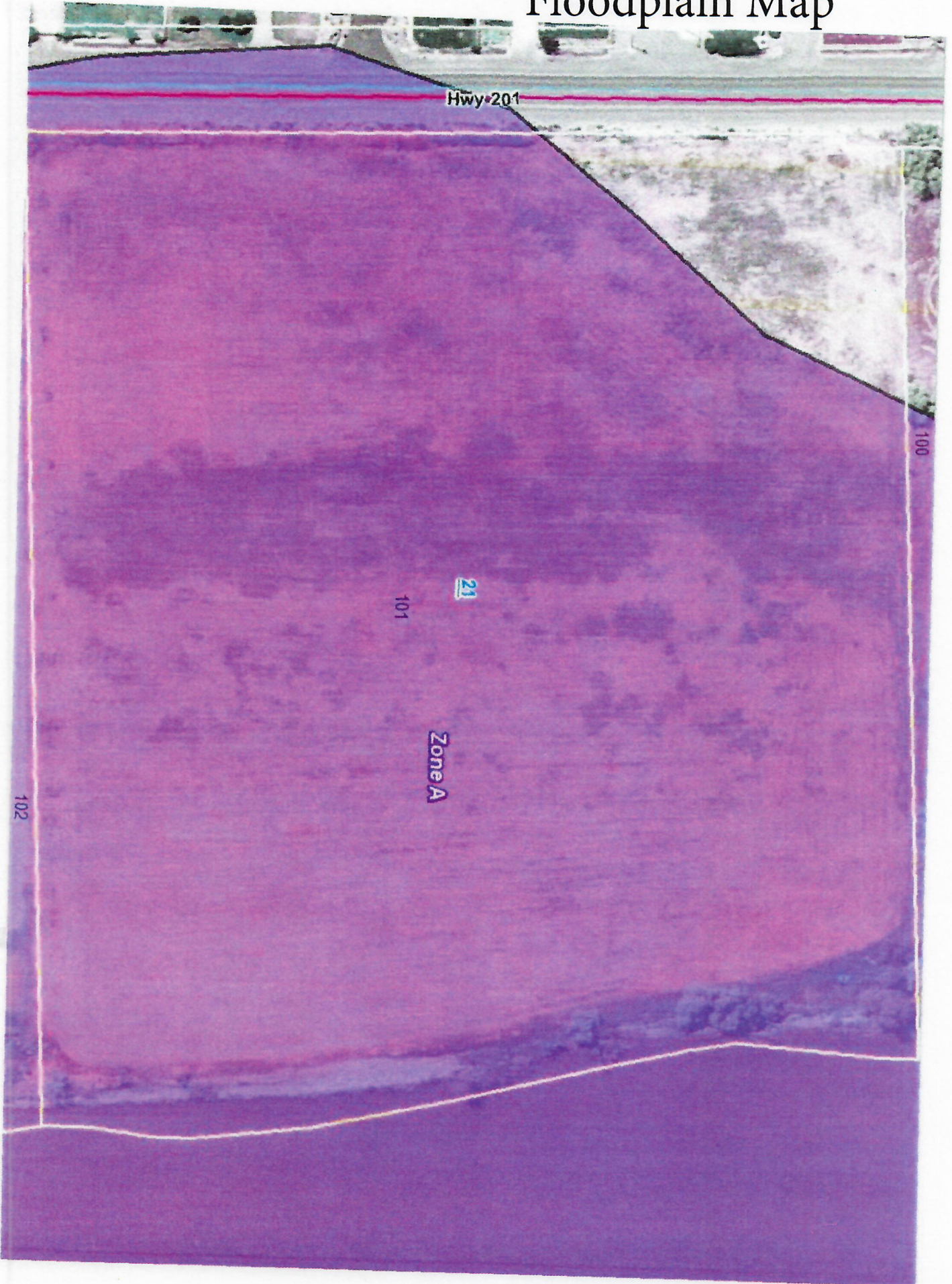
Septic

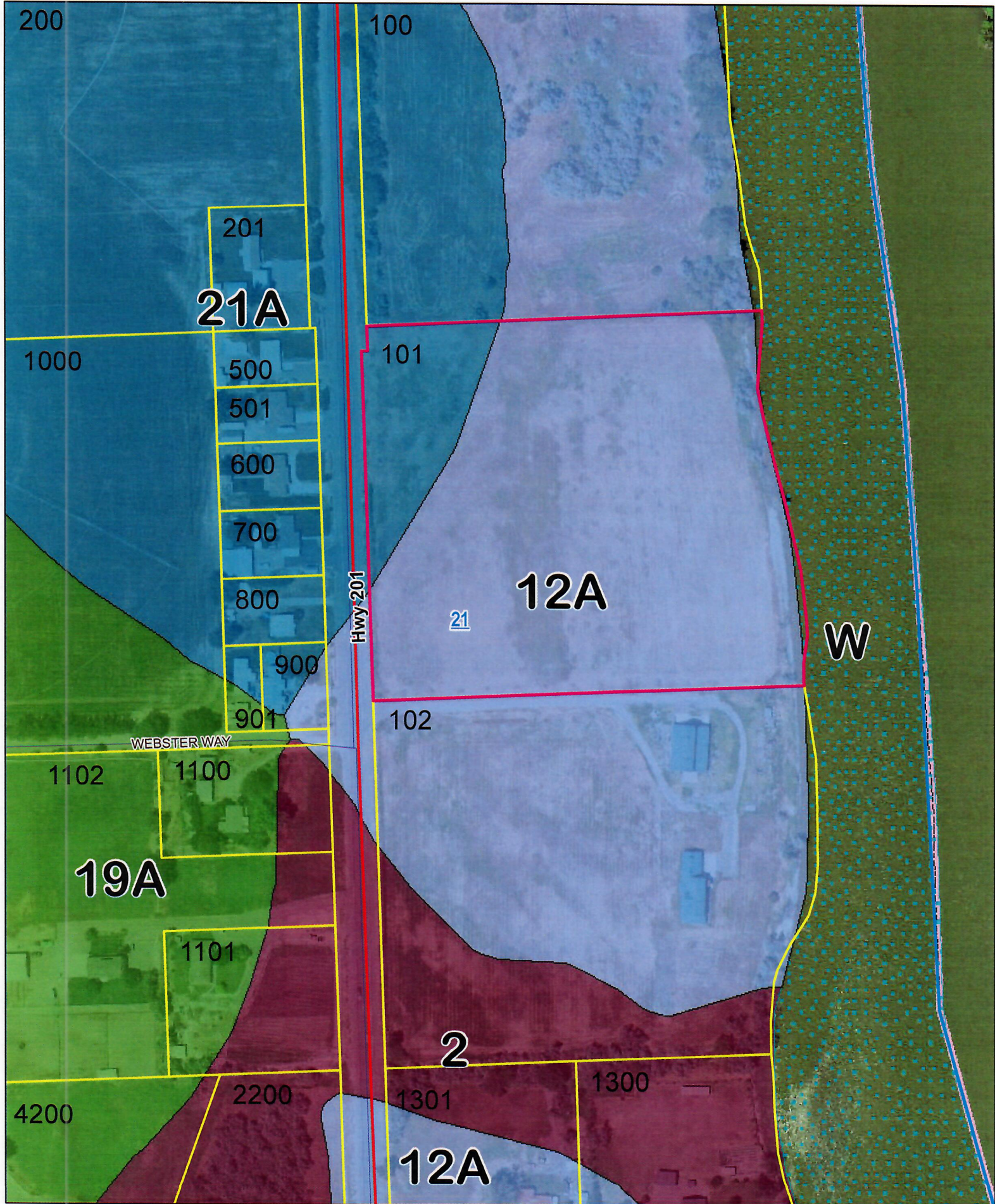
R/R

Water



Floodplain Map





SOIL MAP
Hearn_Ref# 18917

Map is prepared for assessment purposes only



- Legend**
 Sections
 1MileRadius
 PropOwners w/n 1MileRad from Hearn
 Hearn_Ref#_18917

1Mile Radius Map

Map is prepared for assessment purposes only