

Ryan and Calli Wynn  
653 Overstreet Rd.  
Nyssa, Oregon 97913  
May 5, 2020

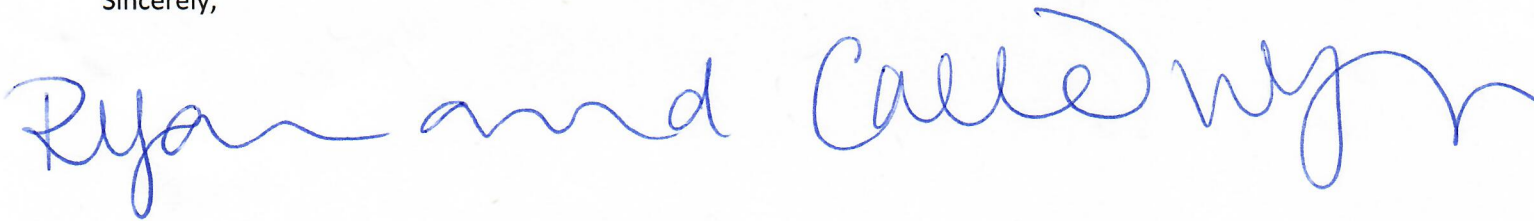
Malheur County Planning Commission and Planning Department:

We are buying a 17-acre lot from my father (Kelly Bennett). We would like to put a new manufactured home on the property, along with a yard and patio. We plan to landscape the lot with a yard, flowers/plants, and bushes. We will add a driveway coming off Kingman Rd. leading to our house. We will need to put in a septic system and well. This particular piece of property is not fit for agricultural use. It has no water rights. It has sat for many, many years with no use.

We are longtime members of the Adrian community. I work at the Adrian School District and my husband works at the Nyssa Road District. We have three girls, one of which is currently in school, one that will be in kindergarten this fall, and the baby is in daycare. We will keep the land tidy and will not burden surrounding homes or farm ground. We would love a place to call our own!

Thank you for your consideration! We appreciate your time. We look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Ryan and Calli Wynn". The signature is written in a cursive, flowing style.

Ryan and Calli Wynn

To: Malheur County Planning Commission and Planning Department

Date: May 6, 2020

From: Ryan and Calli Wynn

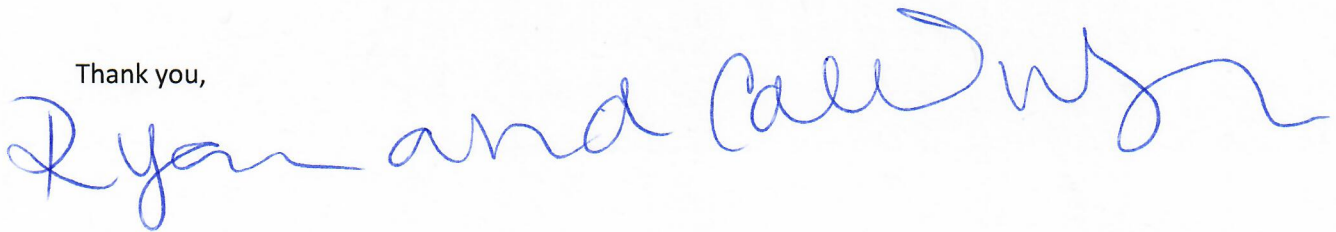
Subject: Permission to enter letter for property at the corner of Kingman and Beet Dump Rd. Nyssa, Oregon 97913

This letter is to grant entry permission to all needed staff and Commission members of the Malheur County Planning Department and Commission for our property located at the corner of Kingman and Beet Dump Roads in Nyssa, Oregon.

This property is the subject of a Conditional Use Application, to be brought before the Commission by Ryan and Calli Wynn.

Thank you for your consideration. Please feel free to call me with any questions or concerns at 208-739-0877.

Thank you,

A handwritten signature in blue ink that reads "Ryan and Calli Wynn". The signature is written in a cursive, flowing style.

Ryan and Calli Wynn



# MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

File Number: 2020-05-010  
Application Fee: \$ 200  
Date Received: 5-19-2020  
Date Deemed Complete: 5-19-2020

## CONDITIONAL USE APPLICATION

### LANDOWNER INFORMATION

Name: Kelly Bennett  
Address: 2360 Toombs Rd.  
City/State/Zip: Nyssa, Oregon 97913  
Phone: 208-739-1489  
Email: \_\_\_\_\_

### APPLICANT INFORMATION Check box if same

Name: Ryan and Calli Wynn  
Address: 653 Overstreet Rd.  
City/State/Zip: Nyssa, Oregon 97913  
Phone: 208-739-0877  
Email: calliwynn1@gmail.com

### PROPERTY INFORMATION

Township: 21 Range: 46 Section: 02 Tax Lot: 800 Ref #: 10532 Acres: 17.15 Zoning: C-A1  
Address: No address  
Current use: No current use Use of surrounding properties: Farm ground  
Proposed use: Single family dwelling Permitted subject to section: MCC 6-6-7 MCC 6-6-8-1  
Water source: No current water source Sewage disposal method: N/A  
Are the wetlands/water waterways on your property?  No  Yes (description): Drain ditch  
Do you own neighboring property?  No  Yes (description): \_\_\_\_\_  
Name of road providing access: Kingman

### LEGAL PARCEL STATUS

Partition: \_\_\_\_\_ Subdivision: \_\_\_\_\_  
or Most Recent Pre- 09/04/1974 Deed #: \_\_\_\_\_ Date Filed: \_\_\_\_\_  
Current Deed #: 03-2374 Date Filed: \_\_\_\_\_

*\*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): Kelly Bennett Date: 5-13-20

Property Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

Applicant(s): Ben Wynn Date: 5/13/2020

Applicant(s): Calvin Wynn Date: May 15, 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**

<b>Legal Parcel</b> Deed/Land Use Action: _____ <b>Previous Map and Tax Lot:</b> _____ <b>Past Land Use Actions:</b> If yes, list file #(s) _____ _____ Subject to previous conditions? <b>Assessor Property Class:</b> _____ <b>Zoning:</b> _____ <b>Water Resources:</b> 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.) <b>Access:</b> County or ODOT approach permit on file? <input type="checkbox"/> NO <input type="checkbox"/> YES, # _____ <b>Address:</b> Address exists and has been verified to be correct? Address needs to be assigned after approval? <b>Fire District:</b> _____	<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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# MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

## CONDITIONAL USE PERMIT

### DETAILED SPECIFIC WRITTEN REQUEST

We would like to level and put a manufactured home on this property. We plan to access the property from Kingman Rd. We will put in a driveway, small yard in the back and front of the home, and a small patio. We are a family of five, with three young children that attend the Adrian School District. We both work near the purposed home site and are active in our community.

*(Attach additional pages if necessary)*

### DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling	56'	26'8"		1,500 SQ Feet
Driveway	200'	200'		400 SQ. Feet
Accessory Structure	None			
Agricultural Structure	None			
Other	None			
EXISTING				
Dwelling	None			
Accessory Structure	None			
Agricultural Structure	None			
Other	None			

**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:  
We will level the ground and put up a new manufactured home with a yard and small patio.

There are several houses surrounding the proposed land. Because the land is bare, with no use, it will add to the enrichment of the neighborhood.

Describe the operational characteristics (hours of operation, equipment used, etc.) of the proposed use:  
This property will not be used for a business. It will be bought for personal use, to put a home on.

Describe the number of people/employees/customers associated with the proposed use:  
There will be no employees, only a family of five.

3. What are the existing developments and viewpoints of property owners in the surrounding area?  
There are several house dwellings, farm ground, shops/onion sheds, and a beet dump that operates at certain time of the year.

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: We will put the house off of the road in a 17 acre lot. The Nyssa Road District already provides services to this area. We will not add any intentional stress to them.

Fire & Police Protection: The Adrian Rural Fire Department provides services to the proposed property. We will not add any intentional stress to them.

Sewer & Water: It does not currently have water or a septic system on the property. We will be adding both of these to the property through local businesses. The septic system will be built to satisfy the proposed home's size and there will be a private well drilled.

Electrical & Telephone: It already has access to telephone and electric, we will have to have an electrical company and Idaho Power come to set it up. Idaho Power currently serves the area.

Solid Waste Disposal: We will have Ontario Sanitary Service continue to do weekly garbage pickups. They are currently service this area and we will work with them to get it set up there.

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?  
We both work and live in Adrian. Our children attend school in Adrian, as well. We will take care of the property and instead of dry dirt, we will make it a beautiful home for Adrian and the surrounding areas. We will be curious neighbors and continue to support our community through volunteering and supporting local businesses.
  
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.  
There is not traditional fish or wildlife on the proposed property.
  
  
  
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?  
It will be a personal dwelling, so we will not effect any of the surrounding areas occupants. We will have small outdoor lighting, nothing that will be signifant enough to bother neighboring houses or shops. The single family dwelling and any accessory buildings will meet the minimum required setbacks between structures and off the property lines and the right of way.
  
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?  
We will the level the ground completely. We will plant a yard in both the front and back of our home, along with flowers, plants, and shrubbery. We will take care of the house and surrounding grounds, to ensure that the property is beautiful and taken care of.
  
  
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.  
The property already has a driveway/entrance access. We also plan to level out and gravel a driveway to our house. The access point to the house will come off of Kingman Road. We will install a culvert for the driveway.

10. What is the proposed visual screening of the outdoor waste and storage areas?

There will be no outdoor waste or storage areas. We will have a sanitation company pick up personal garbage accumulated at the home.

11. What efforts will be in place to control and focus the outdoor lighting to avoid glare being directed beyond property limits?

We plan to just have a small outdoor light on the patio and at the front door. It will not shine or be positioned in the direction of any surrounding homes, farm structures, or roads.

12. Demonstrate how the proposed use will not significantly increase the cost of, or force a significant change to, accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use.

Describe the agricultural uses (orchards, wheat, grazing, etc.) that are within 0.25 miles of the proposed development. How will the proposed development interact with surrounding agriculture uses?

It will not effect the land or surrounding agriculture uses. It is bare unuseable ground. It is an open lot that has never been used. It has no water or power source at this time. The house will be placed 150 to 200 feet of the road, and will not impede with any traffic (farm trucks or or personal vehicles.) Neighboring farms include onion, potatoe, and wheat fields.

There is a shop and onion sheds that border that back of the proposed property. We will not cause any adverse effects to our neighbors or farm businesses.



**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:

It is unusable farm ground. Rather than sitting bare, we think it would be nice to transition it into a home for our family. We will work to enrich the property and community by creating a nice living environment.

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

The house will be placed off the road and will have no direct contact with any farm practices or land development.

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 lot has no water right, has never been used for grazing and or crops. Some of the back property is marshy.

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? According to a custom soil resource report for Malheur County, done by the USDA, the ground is made up of Garbutt Silt Loam (12A) and Umapine Silt Loam (34).

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

Primary Farm dwellings	24	Non-farm dwellings	5
Farm hand/labor dwellings	0	Hardship dwellings	0

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

The surrounding farm ground is primarily being used for row crops, but there are small neighboring pastures. Also, there is a feed lot located on Toombs Rd.

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

Lot of Record dwellings 24 Non-farm dwellings 5

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? There are 13 properties that can be divided.

F. On the parcels where you concluded no potential dwelling(s) will be sited, describe why? Most parcels in this study have homes on them. The parcels that do not have homes on them are very desirable farm ground. They range from 1-IV, mostly being used for row crops, alfalfa hay, corn, pasture, and small seed.

G. What dwelling development trends have been identified within the study area since 1993? The surrounding developement trends include, shops for local farmers, row crop fields, a feedlot, pastures, and several residential homes.

H. What are the findings of fact that describe the existing land use pattern of what the study area looks like now? It continues to be used for row crops, hay fields, and pastures. There are also long time single home dwellings. In the more recent years a feedlot has been built, along with equipment shops, and onion sheds.

I. What are the findings of fact that describe what the study area would look like if all the potential development occurs? We believe that it will only add to the neighborhood and Adrian as a community. Both Ryan and I have grown up in the area. We only want to continue to see the area thrive. We will work our hardest to create a beautiful clean home for and the surrounding properties. We will beautify the proposed land by adding a home, landscaping, and putting in yards. We will take care of the weeds in the lot to ensure it is not an "eye sore" to others. We plan to make this our forever home for our family!

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? The proposed land does not have water rights and has been of no use to it's current owner. We will not adversely effect any of the near-  
by farms or dwellings. We will not interfere with normal production practices of crops or  
livestock. The dwelling will be placed off of the road as to not interfere with farm  
equimpment, trucks or water/irrigation practices.

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# CdA Metals

SINCE 1884 The Coeur d'Alenes Company

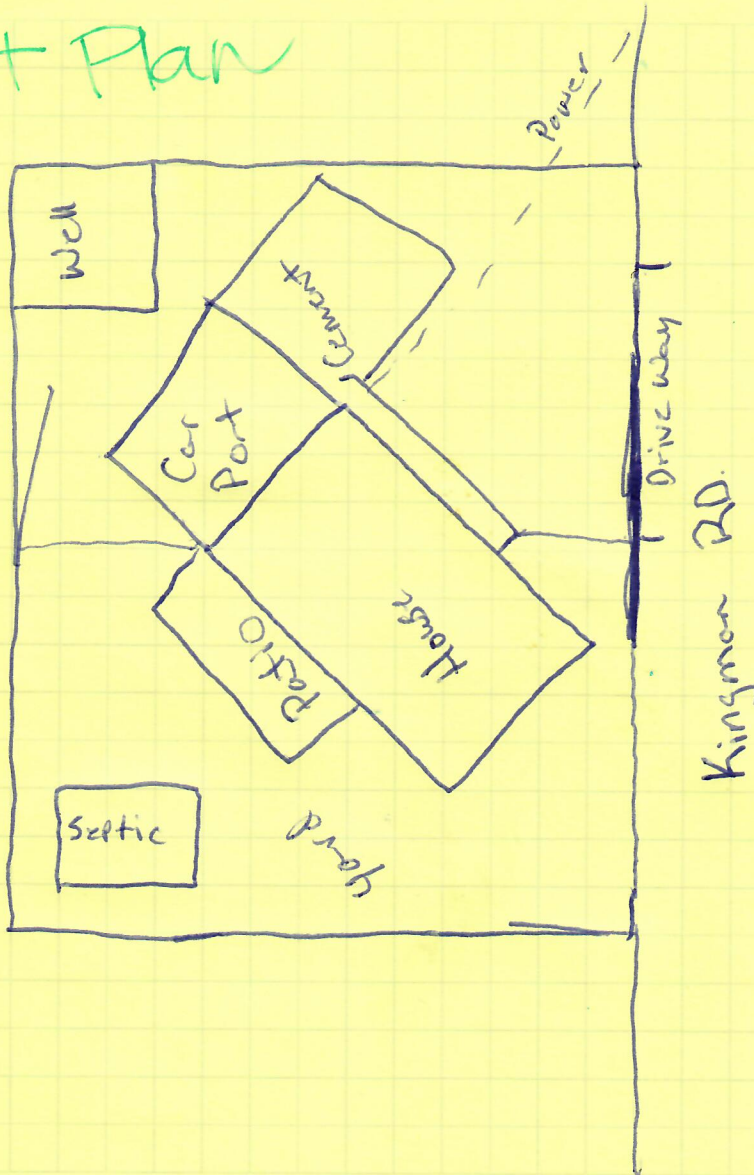
**Spokane, WA**  
(509) 535-6363  
(800) 572-0516  
Fax: (509) 536-5415

**La Grande, OR**  
**Eagle Cap Steel**  
(541) 963-6290  
(877) 963-6290  
Fax: (541) 963-8339

**Missoula, MT**  
(406) 549-2992  
(866) 949-2992  
Fax: (406) 549-2143

**Coeur d'Alene, ID**  
(208) 292-0300  
(877) 892-0300  
Fax: (208) 292-0640

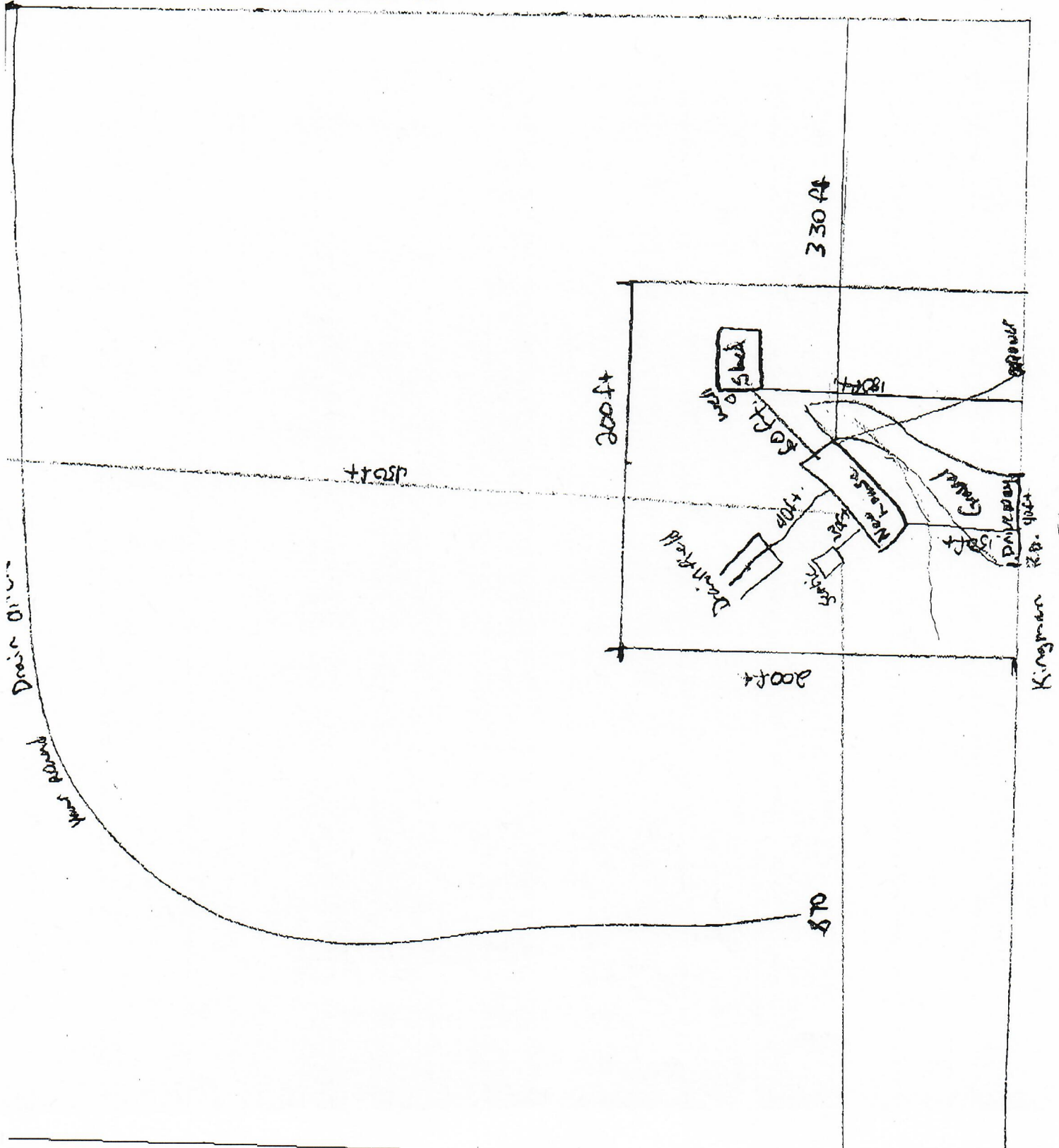
## Plot Plan

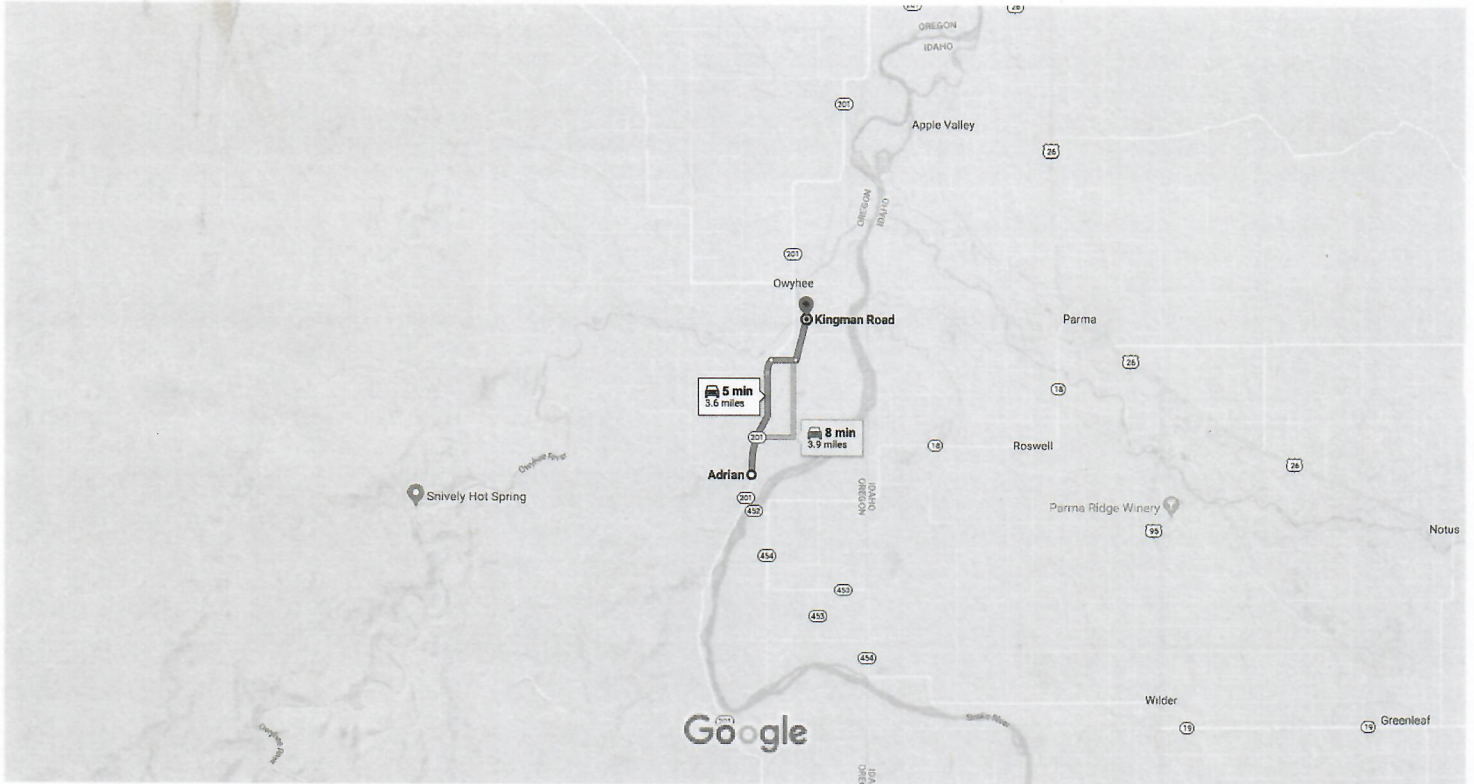


We still STOCK STEEL

Kelly Bennett - 1408, 131-1407  
Address to be determined (Kingman Rd)  
Nysa, OH 97913

Beet dump RD.





Map data ©2020 1 mi



via OR-201 N  
Fastest route

5 min  
3.6 miles



via Kingman Rd

8 min  
3.9 miles

### Explore Kingman Rd



Restaurants



Hotels



Gas stations



Parking Lots



More

















LAND CLASS	
I. Best row crop land (very little in County)	11A - Alfalfa hay, seed, corn, pasture
II. Row crop - suitable for beets, onions, potatoes	4C - Row crop
III. Row Crop - may or may not be suitable for both onions and potatoes	22B - Row crop
IV. Essentially alfalfa hay, seed, small grains, corn, pasture	34 - Row crop
V. Irrigated or sub-irrigated pasture - meadow hay	4D - Alfalfa hay, seed, corn
VI. Dry land farming G (good) or F (farmed) Cleared range & native or planted grasses Best & well managed range - Good cover native grasses (G)	12A - Best Row crop
VII. Average - uncleared range - (A) Sparse ground cover Rocky, steep, poor grazing (P)	

1 - IV	10 - IV	19B - III	24 - IV	32A - III
2 - III	11A - IV	19C - III	25A - I	32B - III
3 - II	11B - IV	20 - IV	25B - II	32C - III
4A - III	11C - IV	21A - III	25C - III	32D - IV
4B - III	11D - IV	21B - III	25D - IV	33A - I
4C - III	11E - VI	21C - III	25E - VI	33B - II
4D - IV	12A - I	21D - IV	26 - II	34 - III
5B - III	12B - II	21E - VI	27 - I	35A - III
5C - IV	13A - I	22A - III	28A - III	35B - III
6 - VIII	13B - II	22B - III	28B - III	35C - III
7 - IV	14 - II	22C - III	29 - VIII	35D - IV
8A - III	15 - II	22D - IV	30A - II	35E - VI
8C - IV	16 - III	22E - VI	30B - II	36E - VIII
9B - III	17 - IV	23A - III	30C - III	36F - VIII
9C - III	18 - I	23B - III	30E - VI	
9D - IV	19A - III	23C - III	31 - IV	

22E - Dry farm land  
22A - Row crop



Legend  
1 Mile Radius

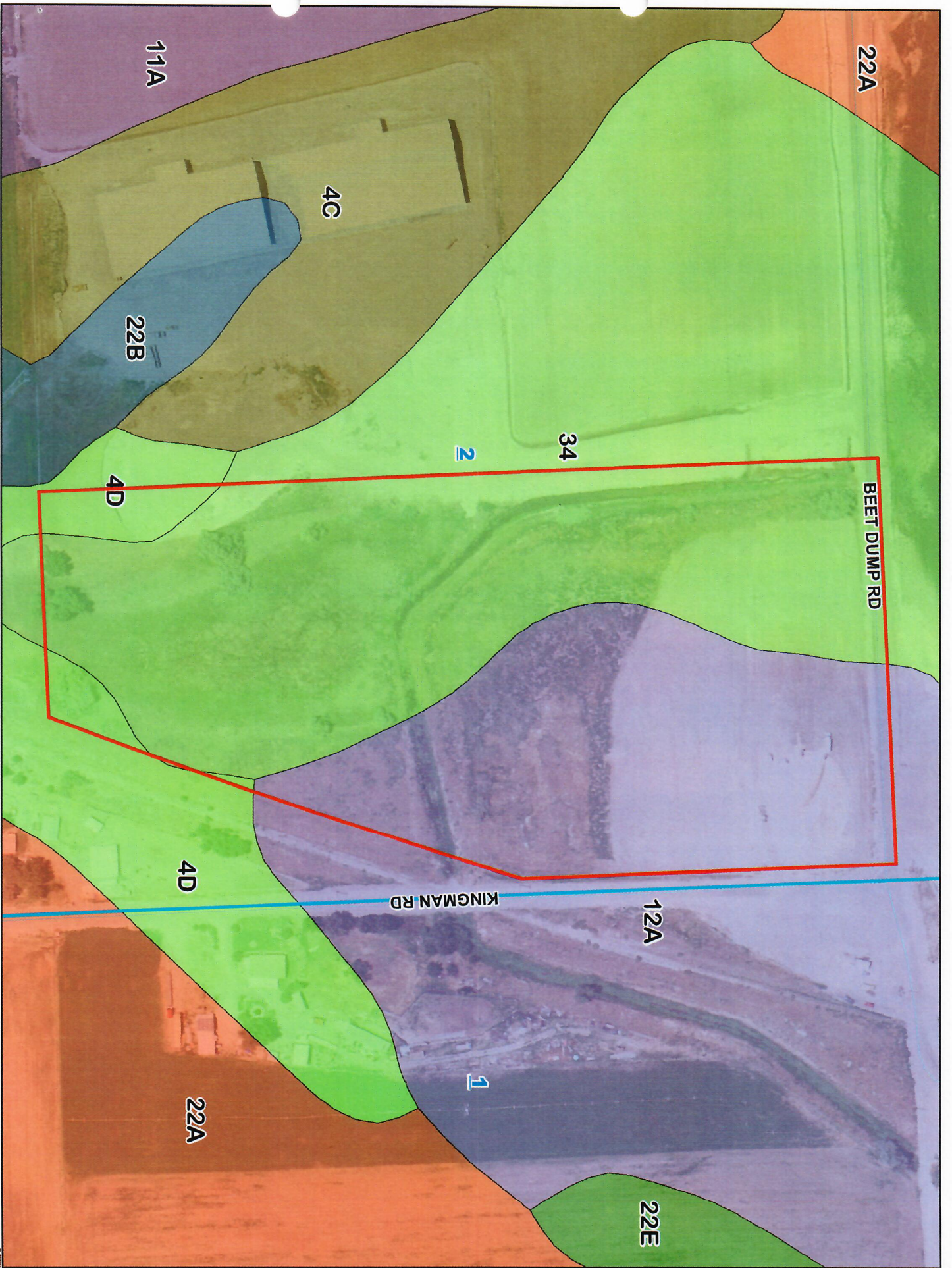
BennethFarms\_10532  
Property Owners 1 mi rad fr BennethFarms\_10532

1 Mile Radius Map\_BennethFarms\_10532

Map is prepared for assessment purposes only







Soil Map \_BennethFarms\_10532

Map is prepared for assessment purposes only