MALHEUR COUNTY PLANNING DEPARTMENT

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

File Number: _____
Application Fee: _____
Date Received: _____
Date Deemed Complete: _____

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: Jacob Tollman
Address: 18620 Dixie River RD
City/State/Zip: Caldwell ID 83607
Phone: 208-614-7710
Email: jacobtollman96@gmail.com

APPLICANT INFORMATION ☑ *Check box if same*

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

PROPERTY INFORMATION

Township: 22S Range: 46E Section: 25 Tax Lot: 300 Ref #: _____ Acres: 31.24 Zoning: C-A1
Address: TBD Hwy 201 Adrian OR 97901
Current use: Agricultural Crop Land / Dry Ground
Use of surrounding properties: Farms / AG Crop / Grazing
Proposed use: Farm / AG Crop / Grazing
Permitted subject to section: _____
Water source: Well
Sewage disposal method: Septic
Are the wetlands/water waterways on your property? ☐ No ☒ Yes (description): Irrigation Canal through dry Ground
Do you own neighboring property? ☒ No ☐ Yes (description): _____
Name of road providing access: Private Road / OR-201 Hwy

LEGAL PARCEL STATUS

Partition: _____ Subdivision: _____
or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____
Current Deed #: _____ 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): _____ Date: 12-27-20

Property Owner(s): _____ Date: _____

Applicant(s): _____ Date: _____

Applicant(s): _____ Date: 12-27-20

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

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CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN EQUEST

Convert 9000 SQFT of Dry land into Home Site

Convert 6600 SQFT of AG land to driveway

Convert 20000 SQFT of Dry land into AG Land

4' high retaining wall installed on East Side of the building site to retain hill integrity.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	**Length**	**Width**	**Height**	**Square Footage**
Dwelling	60'	29'	14'	1770'
Driveway	330'	20'		6600'
Accessory Structure				
Agricultural Structure				
Other				
EXISTING				
Dwelling				
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:

Building permit will be used for a 3BR / 2 Bath 1800 sqft Manufactured home.

Home will be build on unused Dry ground in the SE corner of the Lot.

See Site plan for location of home.

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

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

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

Large Acre Farms in 5 mile radius from proposed home build site.

1351 and 1350 OR 201 are 500ft and 900ft from build site.

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: No significant increase to traffic.

Fire & Police Protection: No significant increase to services.

See response from Sheriff.

Sewer & Water: No significant increase to services.

Septic and well will provide utilities to residence.

Irrigation company has no issue with new building, see response.

Electrical & Telephone: No significant increase to services.

Solid Waste Disposal: Trash pickup will be used for household trash.

No significant increase to services. See Response from trash.

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

The new home will improve the visual and social characteristics of the community. The increase tax revenue will improve the economic characteristics of the community. The household will increase income at the shops and businesses in the surrounding area.

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.

No fish and wildlife will be impacted by the new home.

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?

The new home will not overshadow any structures on adjoining property, the build site is behind the barn and coral out of the line of site and more than 500' from adjoining property home

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?

Graded driveway, garden, lawn and fence on the build site.

The access road and along highway OR-201 will be kept cleaner with less overgrowth.

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.

330' x 20' Driveway along edge of property line, connected to an existing access road which is provisioned by an easement for 1351 OR201 Adrian OR. Road is owned by property owner, Jaco Tollman.

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

Fence.

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

Fence.

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?

The property is currently 75% AG land used for row crop and 25% dry land or irrigation canal.
To compensate for converting the edge of the AG filed into a driveway, double the area of dry ground will be leveled and converted into AG crop land.

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:

The building will be the farm house for the owner of the AG land which is consistent with the surrounding properties.

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

The building will be on dry ground which is not currently suitable for AG.

The land is part of the hill leading up to the irrigation ditch. Soil is not suitable for AG labeled as 25E on Attached document.

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:

The building will be on dry ground which is not currently suitable for AG.

The land is part of the hill leading up to the irrigation ditch. Soil is not suitable for AG labeled as 25E on Attached document.

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? 25E-Owyhee silt loam,12 to 20 percent slopes. This soil is in irregularly shaped areas on terraces. Included with this soil in mapping were about 10 percent Nyssa soils and about 5 percent Nyssa silt loam, gravel substratum. Runoff is rapid, and the hazard of erosion is severe.

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

Primary Farm dwellings 5 Non-farm dwellings 5

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)? _____

Multiple Row Crop, Pasture and Feed Crops.

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

Lot of Record dwellings 30 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? 5

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

primarily farming AG Land, little to no development

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

primarily farming AG Land, little to no development

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

primarily farming AG Land, little to no development

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

primarily farming AG Land, little to no development

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? _____

no, land is not suitable for AG use

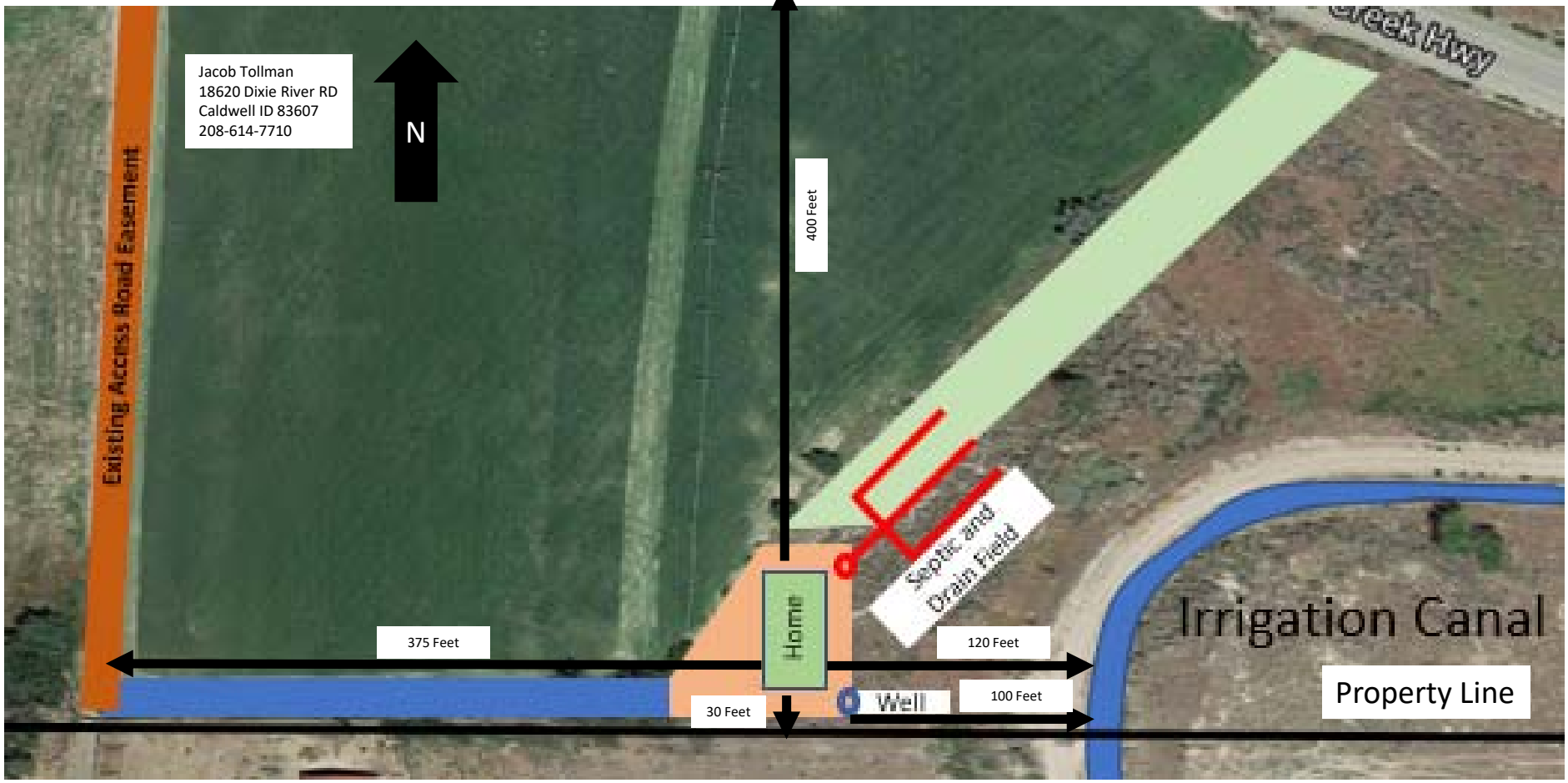
Last Updated 02/27/2020

Build Site, Dimensions

Build Site, Layout

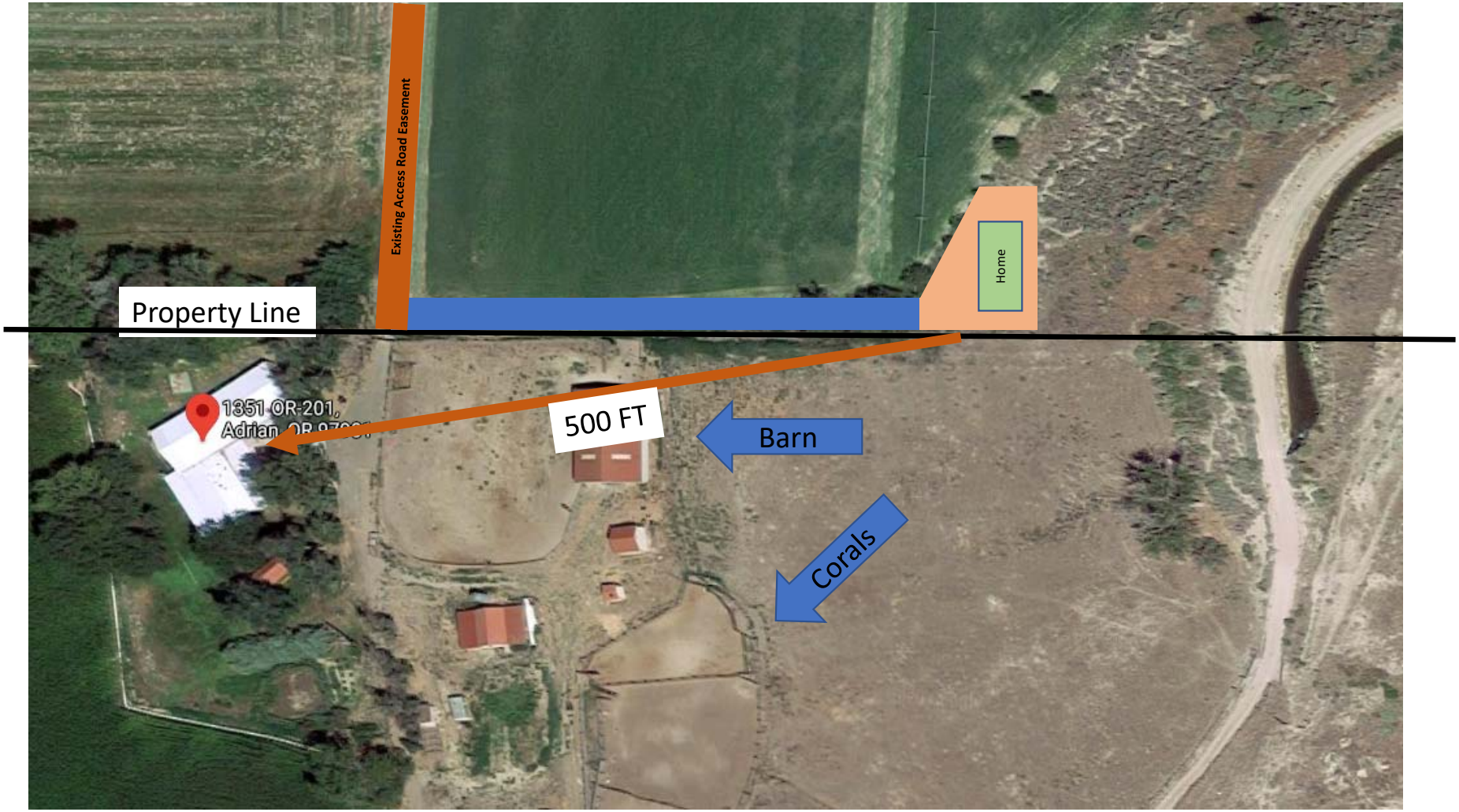
Build Site Property Line

Succor Creek Highway (OR 201)



Proposed Well and Septic Tank are 100+ feet from Irrigation Canal
Irrigation canal is 2-300’ Above proposed home location

Build Site, Neighbor
1351 OR 201 Adrian OR



Build Site, Neighbor
1350 OR201 Adrian OR

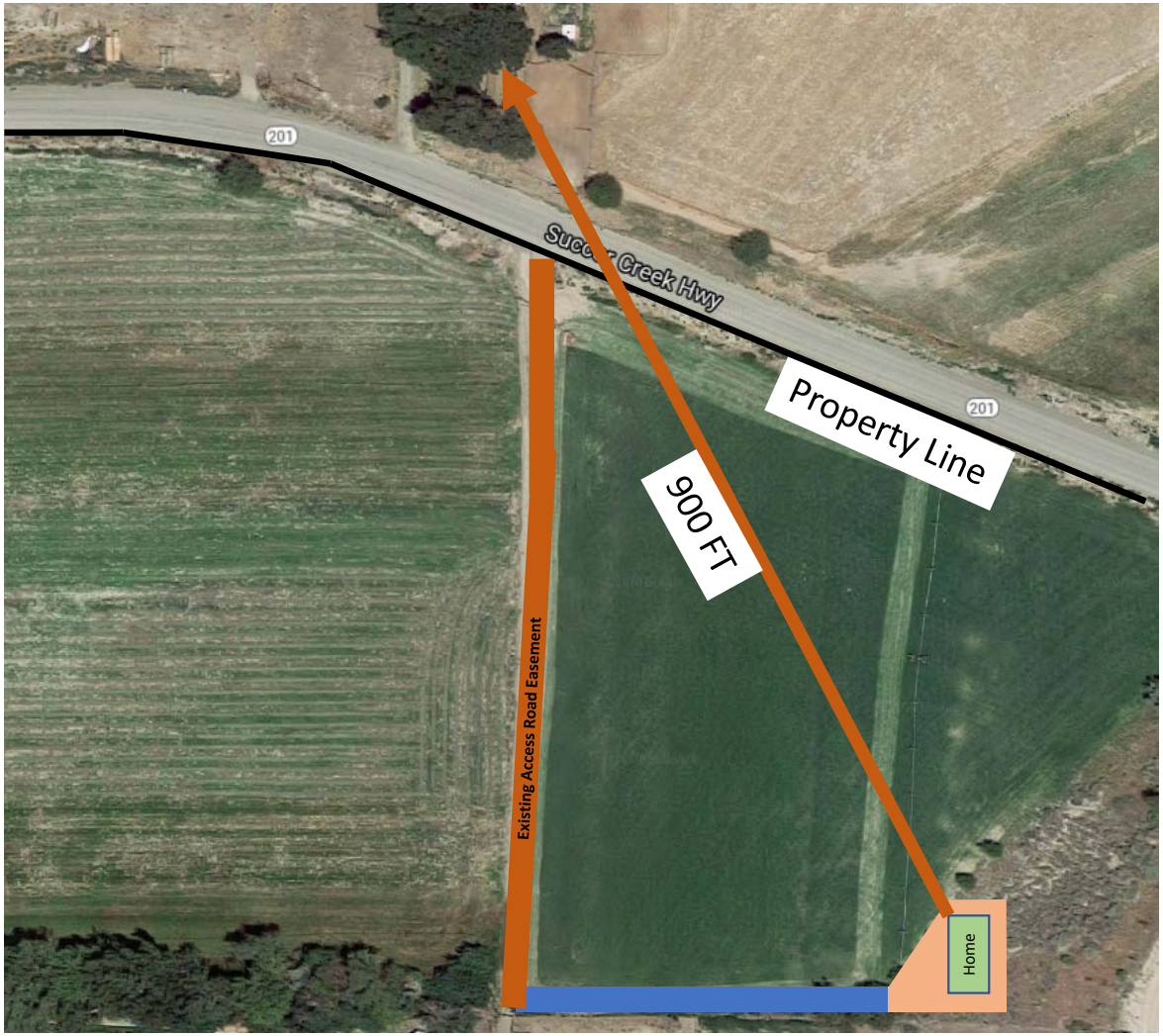


EXHIBIT 'A'

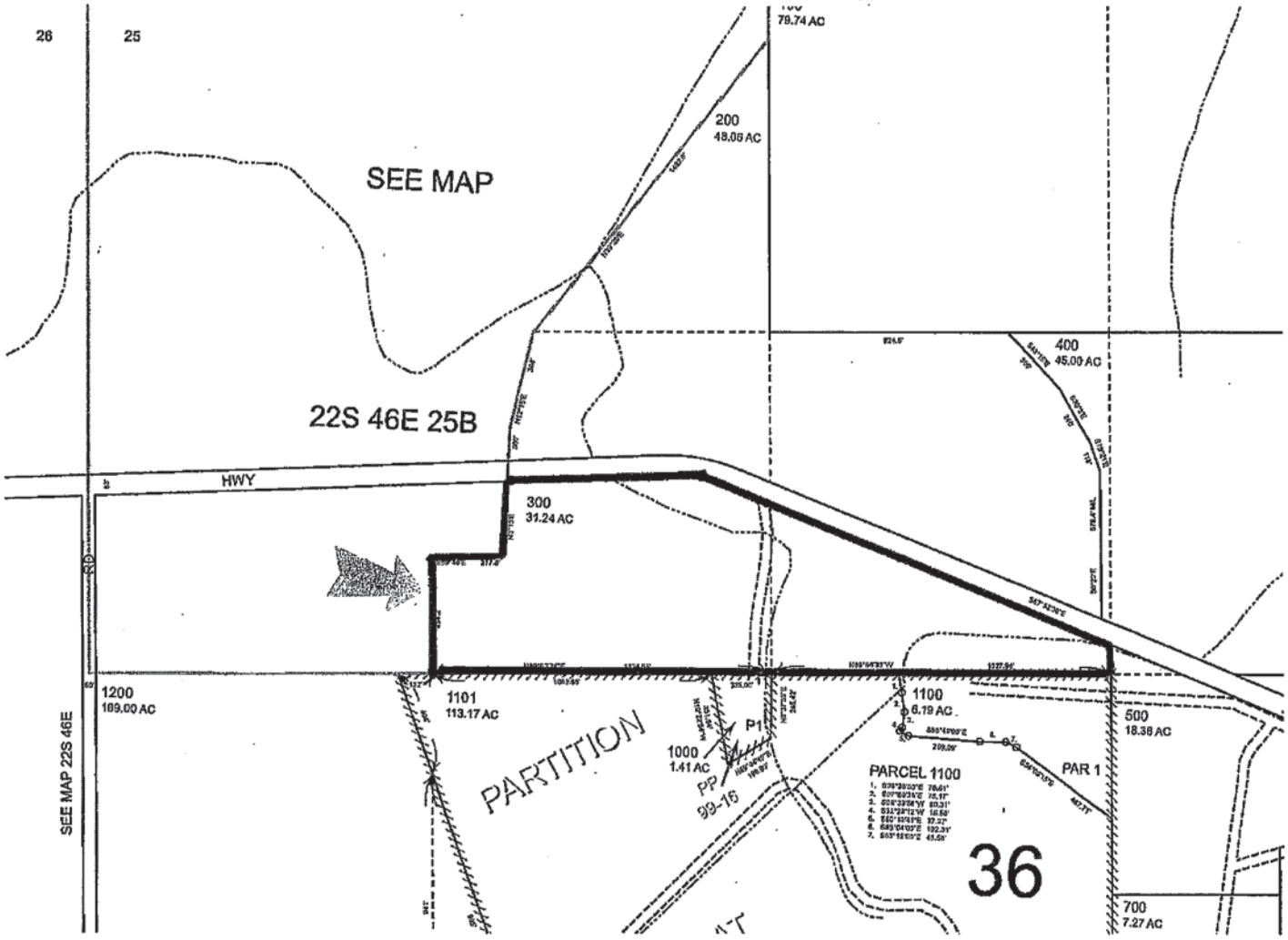
Land in Malheur County, Oregon, as follows:
In Twp. 22 S., R. 46 E., W.M.:
Sec. 25: A portion of the NW1/4 described as follows:

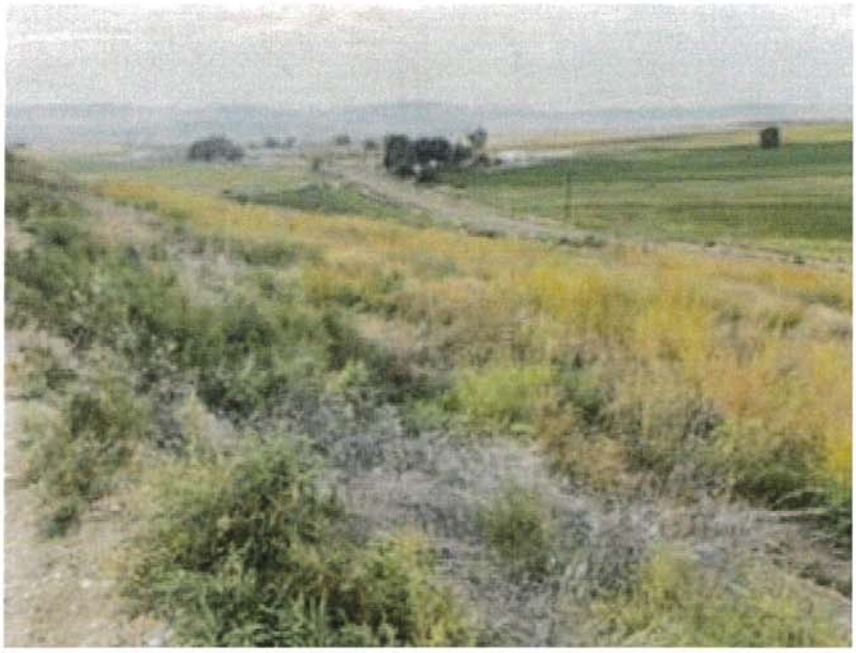
Beginning at the Southwest corner of the SE1/4 NW1/4 of said Sec. 25;
thence North 454.2 feet;
thence S. 89° 40' E., 277.8 feet;
thence N. 03° 15' E., 500 feet;
thence N. 12° 15' E., 384.00 feet;
thence N. 39° 20' E., 1482.6 feet to the East Unit Line of Farm Unit "G";
thence S. 01° 05' E., to the center of said Sec. 25;
thence West, along the Farm Unit Line to the West 1/16th corner of said Sec. 25, which corner is the Point of Beginning, ALL lying South of the U.S. Highway 201 (Homedale Spur) described in Warranty Deed recorded February 14, 1947 as Instrument No. 46854 (Book 70, Page 2), records of Malheur County, Oregon.

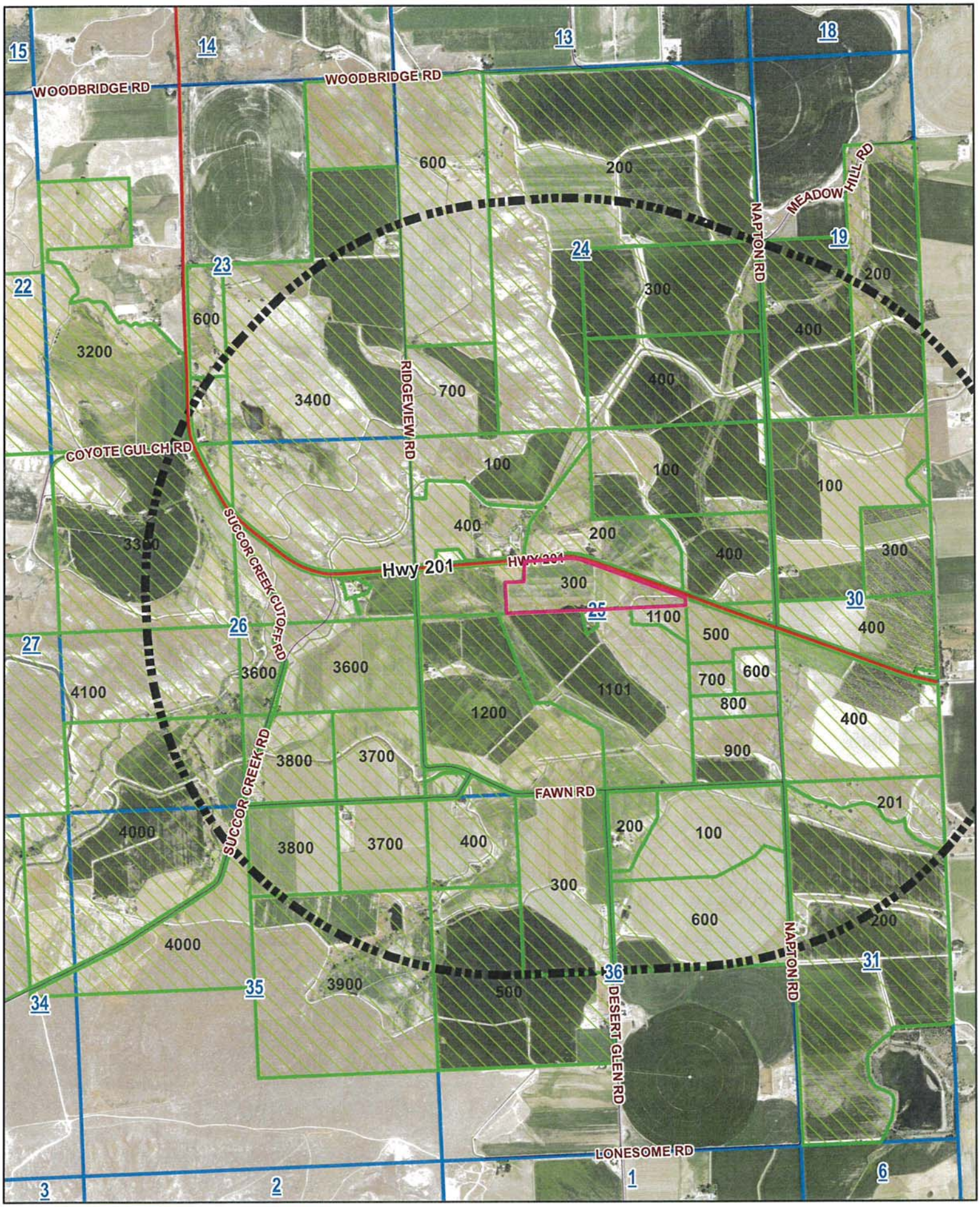
ALSO all that portion of the SW1/4 NE1/4 lying South of the Homedale-Spur Highway.

NORTH

Compliments of
MALHEUR COUNTY
TITLE COMPANY INC
Map No. 224625
Tax Lot 300
This sketch is furnished to assist in property location and the company assumes no liability for inaccuracies.







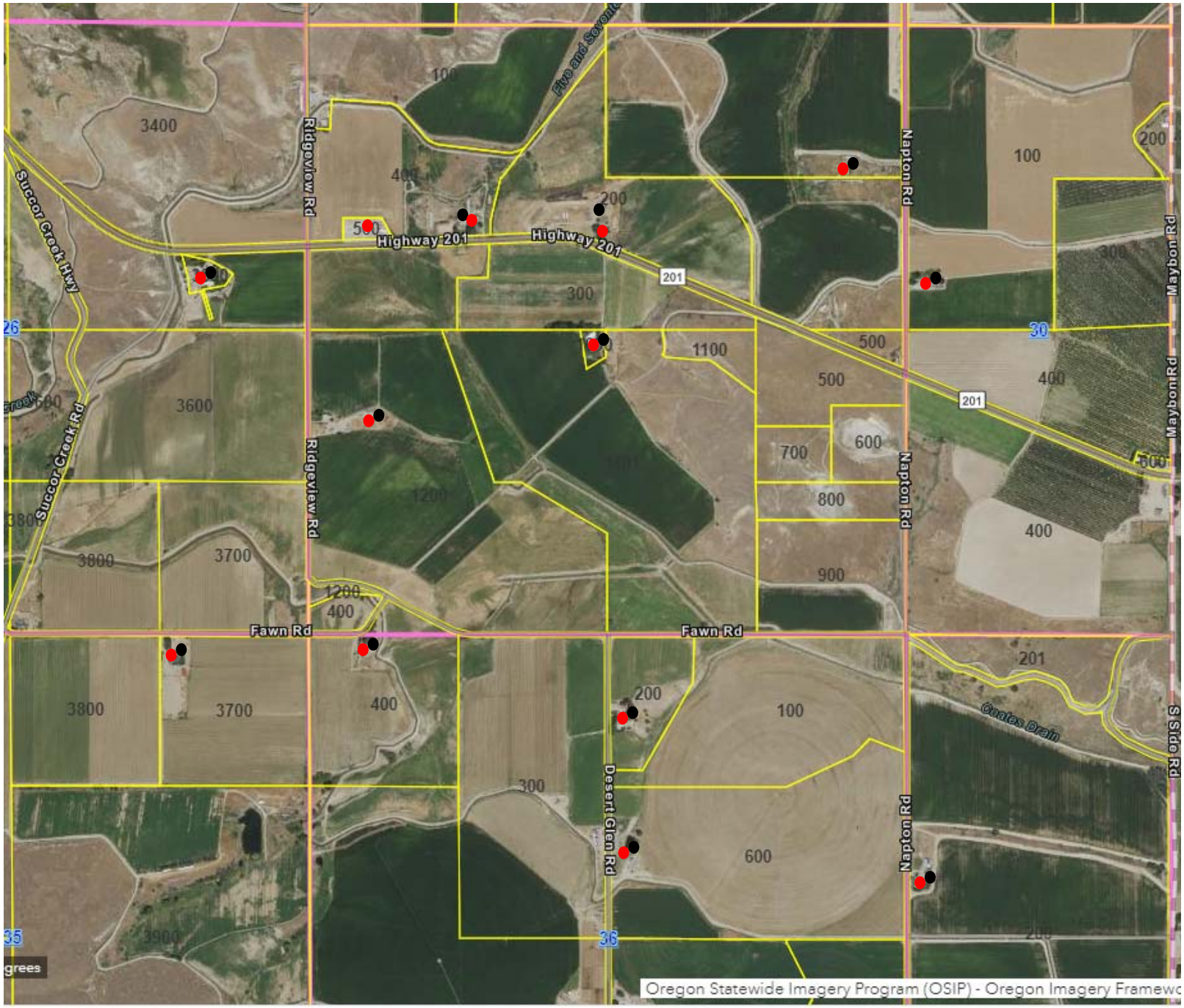
Legend

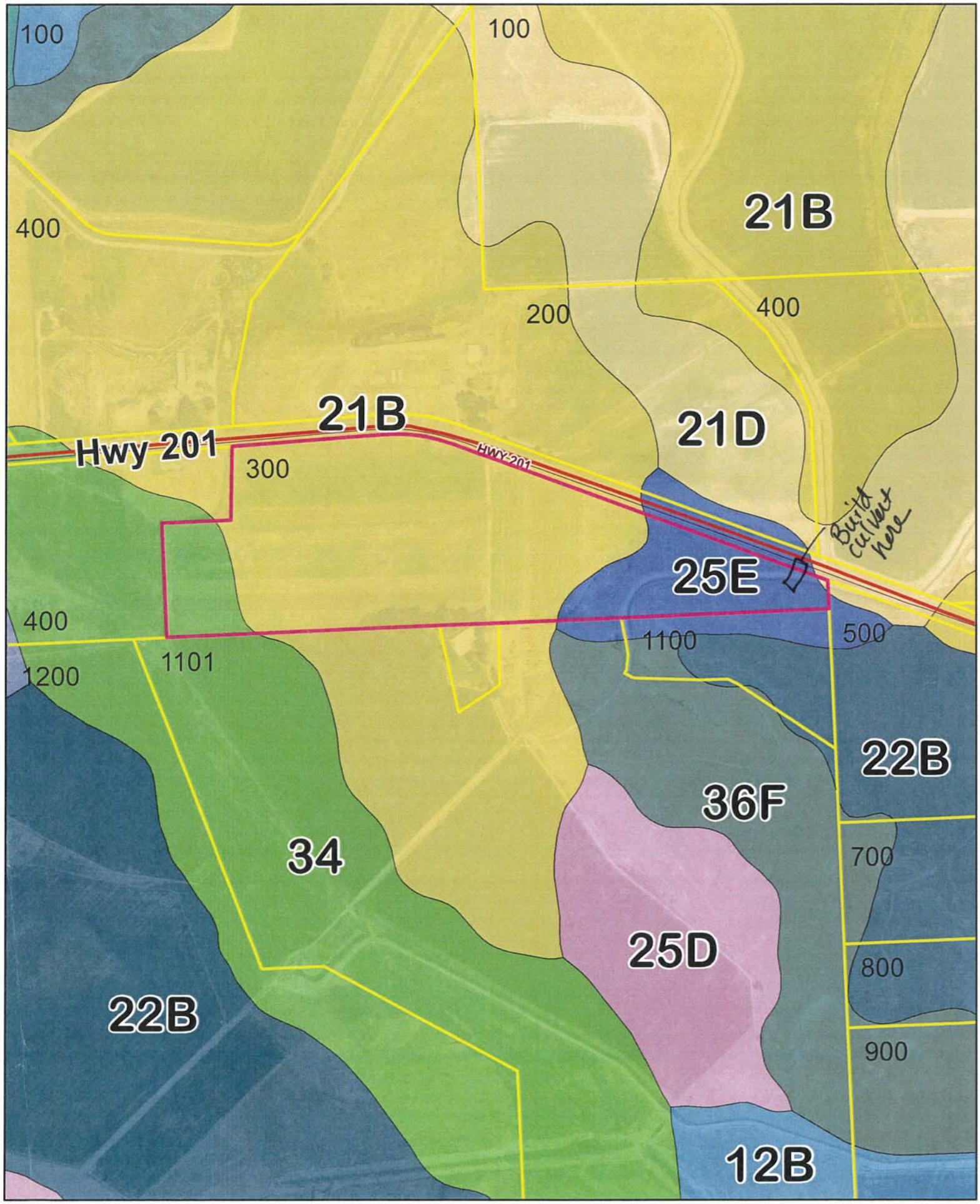
- Sections
- 1MileRadius
- PropOwners w/n 1MileRad from Wallinga
- Wallinga_Ref# 10960

1Mile Radius Map

Map is prepared for assessment purposes only

Farm and Non-Farm Buildings





SOIL MAP
Wallinga_Ref# 10960

Map is prepared for assessment purposes only