

Request for reinstatement of Building Rite.

Rossi Property

Hillcrest Dr. Vale Oregon.

Tax Lot 300 Map18S45E11 Ref # 13544

5.75 Acres

Malheur County Planning and Zoning,

We are writing this letter and handing in this application to get back a building rite that had expired on this property. Previously the owner drilled a well and received access for power lines and roadway. Property is dry land and offers a great view of the valley. It does not sit close to other homes to block any views or create issues for other homesites in the area. It is using an existing driveway, therefore not creating another access off of Hillcrest. The 5.75 Acres seems to be a very desirable size for people in the area to build on. The home and outbuildings would take up a portion of the ground and the new owner would be able to graze it easier with the development and easier access to the property.

With the need for buildable lots in Malheur County and the fact that this is not interfering with any farming or taking away from any irrigated ground we hope the planning and zoning application will be looked at in a favorable way. We are expecting that any home being built with outbuilding on this gorgeous view property will positively impact the count for tax base as well. The parcel is already a separate tax parcel and is not included with the families other property on the taxes.

Thank you for your time on this and we look forward to answering any questions in the future or at the meetings.

Thank You

Kim Bruce

For The Rossi Family.

Contact information

Kim Bruce

Goldwings Real Estate Group

(208) 405-1304

realestatekimbruce@gmail.com

EXHIBIT #

1



MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

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

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: DALE & JUDY ROSSI / ROSSI ESTATE
 Address: 311 CARNIVAL RD
 City/State/Zip: BISHOP CA 93514
 Phone: 760-920-0065
 Email: SHIRLEANN@MAC.COM

APPLICANT INFORMATION ☒ Check box if same

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

KIM BRUCE WILL REPRESENT OUR INTEREST AT THE OCT 27 MTG

PROPERTY INFORMATION

Township: 18S Range: 45E Section: 11 Tax Lot: 300 Ref #: 13644 Acres: 5.75 Zoning: C-A-2
 Address: 1402 Hillcrest Dr. Vale OR 97918
 Current use: vacant land Use of surrounding properties: RANGE LAND
 Proposed use: single family dwelling Permitted subject to section: MCC 6-6-8-1
 Water source: _____ Sewage disposal method: _____

Are the wetlands/water waterways on your property? ☐ No ☐ Yes (description): _____

Do you own neighboring property? ☐ No ☒ Yes (description): 1854511 TL 400 (1402 Hillcrest Dr. Vale OR 97918)

Name of road providing access: _____

LEGAL PARCEL STATUS

Partition: 0 Subdivision: _____
 or Most Recent Pre- 09/04/1974 Deed #: 2012-3241 Date Filed: AUG 30 2012
 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): SHALEANN CLUFF Date: 9.6.22

Property Owner(s): COREY ROSSI Date: 9.6.22

DocuSigned by: _____ Date: 9/28/2022

Applicant(s): ShaleAnn Cluff Date: _____

DocuSigned by: _____ Date: 9/28/2022

Applicant(s): Corey Rossi Date: _____

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	<input type="checkbox"/> NO <input type="checkbox"/> YES
Deed/Land Use Action: _____	
Previous Map and Tax Lot: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Past Land Use Actions: If yes, list file #(s) _____	
Subject to previous conditions?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Assessor Property Class: _____ Zoning: _____	
Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties?	<input type="checkbox"/> NO <input type="checkbox"/> YES
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?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Address needs to be assigned after approval?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Fire District: _____	



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185

CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN EQUEST

WE ARE LOOKING TO SECURE A PERMIT
TO ALLOW FOR A SINGLE FAMILY DWELLING
TO BE BUILT

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling				
Driveway				
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:

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

NON-FARM DWELLING

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?

RANGE LAND, DRY - VACANT
SURROUNDED BY FARM STYLE HOUSES

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: HILLCREST DRIVE / EASEMENT
SEE ATTACHMENT

Fire & Police Protection:

SEE ATTACHMENT

Sewer & Water:

PRIVATE / EXISTING WELL

Electrical & Telephone:

IDAHO POWER

Solid Waste Disposal: NEIGHBORING PROPERTY CURRENTLY
SERVICED BY ONTARIO SANITARY

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

LITTLE TO NONE

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.

N/A

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?

CLOSEST RESIDENTIAL DWELLING IS MORE
THAN 500 FT.

NO OVERSHADOWING

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?

TYPICAL RESIDENTIAL LANDSCAPING

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.

Access for this property is off Hillcrest Drive, then through
an adjacent neighbors property via a recorded easement.

See Trst # 2015-4514 (Attached.) It is a 25 foot wide
easement.

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

CONSISTANT WITH RESIDENTIAL DEVELOPMENT

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

500' DISTANCE FROM OTHER DWELLINGS

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?

RESIDENTIAL DEVELOPMENT ONLY
NO FARMLAND PRACTICES

Last Updated 01/29/2020

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:

ALLOWED ACCORDING TO MCC 6-6-8-1

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

LAND LOCKED

RESIDENTIAL ONLY

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:

NO WATER RIGHTS

SET ON UNSURVEYED SOIL

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?

NORTH - SOILS NON CLASSIFIED - UNSUITABLE TO FARM

SOUTH - SOIL CLASS 3-1-8

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

Primary Farm dwellings _____ Non-farm dwellings _____

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)?

NORTH - PREDOMINANTLY RANGE LAND

SOUTH - WHEAT - CORN - ALFALFA

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? NINE PIECES LARGER THAN 80 ACRES WITHIN 1 MILE

RADIUS

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

SOME HAVE GONE THROUGH PROCESS
NON FARM PARTITIONS APPROVED

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

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?

PREVIOUSLY APPROVED - NOT A NEW APPLICATION
THIS 5.75 ACREAGE WAS SPLIT FROM THE
REMAINING 30 IN 1981

I. What are the findings of fact that describe what the study area would look like if all the potential development occurs? LITTLE TO NONE

- 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? _____

WILL NOT REQUIRE WATER RIGHTS
NOT PRODUCTIVE FARM GROUND

Last Updated 02/27/2020

Parcel 300

EXHIBIT 'A'

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 45 E., W.M.:

Sec. 11: A parcel of land in the SW1/4 SW1/4, more particularly described as follows:

Beginning at the Northeast corner of said SW1/4 SW1/4;

thence West, coincident with the North boundary thereof, 450 feet;

thence South 556.6 feet;

thence East, parallel with the said North boundary, 450 feet;

thence North, coincident with the East boundary of the SW1/4 SW1/4, 556.6 feet
to the Point of Beginning.

SUBJECT TO:

Taxes for the fiscal year 2012-13, a lien not yet due and payable.

The assessment roll and the tax roll disclose that the within described premises were specially assessed as range land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

Regulations of the Owyhee Irrigation District, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.

Mineral reservation, as reserved by Oregon & Western Colonization Co and all rights of said party and its successors in interest as owners thereof, in Deed, recorded Jan. 13, 1942, Book 54, Page 134-5, Deed Records of Malheur County, Oregon

NOTE: The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected.

An easement in favor of Idaho Power Company for power lines created by instrument, including the terms and provisions thereof recorded Oct. 1981, as Instrument No. 81-96645, Deed Records

Lack of access no apparent means of ingress or egress to or from the above property.

DS
SC

9/21/2022

DS
CR

9/22/2022

2012-03241
MALHEUR COUNTY, OREGON

Page 2 of 2

JUN 29 1981

tax lot 300
92435

WARRANTY DEED

DALE ROSSI AND JUDY ROSSI, husband and wife,
conveys and warrants to COREY ROSSI

Grantor's

Grantee,
the following described real property free of encumbrances except as specifically set forth herein:

LAND IN MALHEUR COUNTY, OREGON

In Twp. 18 S., R. 45 E., W. M.:

Sec 11: A parcel of land in the Southwest quarter
Southwest quarter described as follows:

1000
1001
87
1001 out of 1000
1845A (43)

Beginning at the Northeast corner of the
said Southwest quarter Southwest quarter;

Thence West, coincident with the North boundary,
450 feet;

Thence South 556.6 feet;

Thence East, parallel with the North boundary,
450 feet;

Thence North, coincident with the East boundary
of the Southwest quarter Southwest quarter,
556.6 feet to the Point of Beginning.

(continued on reverse side)

The true consideration for this transfer is: gift

Dated: 6-22, 19 81

DALE ROSSI

JUDY ROSSI

STATE OF OREGON.

County of Malheur

The foregoing instrument was acknowledged before me this
22nd day of June, 19 81
by Dale Rossi and Judy Rossi

NOTARY

OFFICIAL SEAL

STATE OF OREGON

Notary Public for Oregon

My commission expires 12-11-83

PREPARED BY

YTURRI, ROSE, BURNHAM & EBERT
89 S. W. 3RD AVENUE P. O. BOX 5
ONTARIO, OREGON 97914
TELEPHONE (503) 889-5368

STATE OF OREGON

County of Malheur

(FOR RECORDERS USE)

I, Notary Public, do hereby certify
that the within instrument of
Dale Rossi and Judy Rossi was
acknowledged before me on the
22nd day of June, 1981
at 2:30 PM, 1st

ROBERT L. MARCON,
County Clerk

Until a change is requested, all tax statements shall be sent to the
following address:

After recording return to:

1st

203

State, Oregon 97918

JUN 23 1981

INSTRUMENT NO. 81-92435

TOGETHER WITH an easement for ingress and egress over and across the East 20 feet of the said Southwest quarter Southwest quarter,

EXCEPTING FROM said easement the north 556.6 feet of the Southwest quarter Southwest quarter.

STATE OF OREGON

County of Marion

Inst. No. 81-92435 I certify
that the within instrument of
writing was received for record on:
the JUN 23 1981 day of JUN 1981
at 5:37 O'clock P.M.

ROBERT L. MORCOM,

County Clerk

By: [Signature] Deputy

JUN 28 1981

INSTRUMENT NO. 92436

WARRANTY DEED

DAVID G. STAUP
conveys and warrants to COREY ROSSI

Grantor,

the following described real property free of encumbrances except as specifically set forth herein:
Grantee,

LAND IN MALHEUR COUNTY, OREGON

In Twp. 18 S., R. 45 E., W. M.:

Sec 11: A parcel of land in the Southwest quarter
Southwest quarter described as follows:

Beginning at the Northeast corner of the
said Southwest quarter Southwest quarter;

Thence West, coincident with the North boundary,
450 feet;

Thence South 556.6 feet;

Thence East, parallel with the North boundary,
450 feet;

Thence North, coincident with the East boundary
of the Southwest quarter Southwest quarter,
556.6 feet to the Point of Beginning.

(continued on reverse side)

The true consideration for this transfer is: gift

Dated: _____, 19 ____

DAVID G. STAUP

STATE OF OREGON,

County of Malheur

The foregoing instrument was acknowledged before me this
20th day of June, 1981, by David G. Staup

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires 12-11-83

PREPARED BY

YTURRI, ROSE, BURNHAM & EBERT
89 S. W. 3RD AVENUE P.O. BOX 5
ONTARIO, OREGON 97914
TELEPHONE (503) 809-5368

(FOR RECORDERS USE)

Inst. No. 92436

Not. No. 12345

Not. No. 12345

Not. No. 12345

Not. No. 12345

Not. No. 12345

Not. No. 12345

Not. No. 12345

Not. No. 12345

Not. No. 12345

Until a change is requested, all tax statements shall be sent to the
following address:

After recording return to:

12345

12345

12345

12345

JUN 23 1981

INSTRUMENT NO. 81-92436

TOGETHER WITH an easement for ingress and egress over and across the East 20 feet of the said Southwest quarter Southwest quarter,

EXCEPTING FROM said easement the north 556.6 feet of the Southwest quarter Southwest quarter.

STATE OF OREGON

County of Marion

Inst. No. 81-92436
that the within instrument is
a writing which received for record on
the 24th day of June, 1981
at 1:38 P.M.

ROBERT L. MORCOM,

County Clerk

By: *Ray Fred Laper* Deputy

