

Malheur County Planning Department

251 B Street West, #12

Vale, Oregon 97914

Att: Board

We are wanting to have a home built on the adjacent 5 acres that we own on a separate tax lot. When we originally purchased this property it was zoned to have the possibility of putting a home on it.

We have been farming it as best we can since the purchase of this property. It originally was full of Elm and Russian Olive trees. My first task was to clean those off so we could continue to improve it. We eventually improved it enough to raise alfalfa and grain. The crops were decent but never top quality enough to produce comparable crops on better ground.

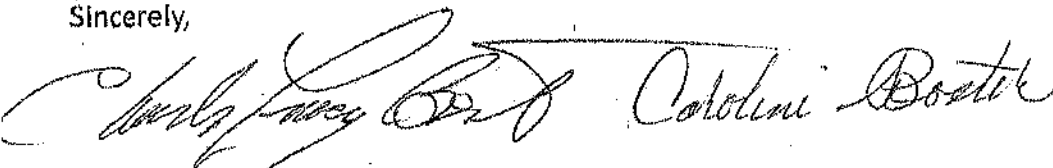
The south end of the property was never that great because of the soil. The Water company has recently approved the transfer of one acre water right to my property across Boster Lane. This will allow us to better water that acreage and have better pasture.

My Daughter and Son-in-law have been living with us since they were married approximately 1 year ago. They have been very helpful with our chores and miscellaneous tasks. They would like to have their own property and home. By making this change they would be able to develop their own ground and be close enough to help us around our place. We are getting older and find that we would benefit greatly by having them close by to help us as needed in the future.

As that 5 acres was originally designed for a separate home and lot, we thought this would be ideal for them and for us. We would greatly appreciate the approval of this proposal. We do not believe it would hurt any product farm ground by making this change. It has the potential to make it a better development and maximizing the farm ground usage.

Thank you for your consideration and help.

Sincerely,



Charles Tracy Boster and Caroline S. Boster

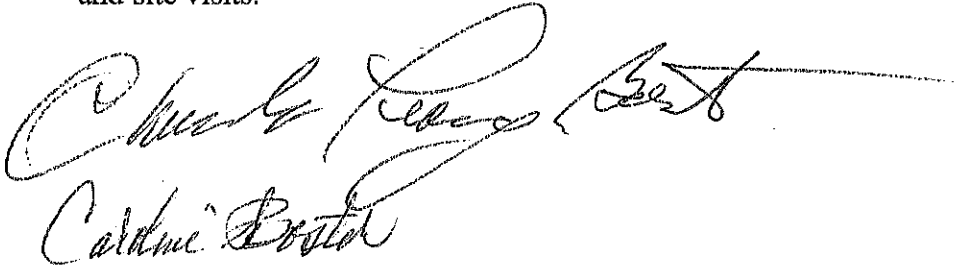
9-26-23

EXHIBIT # 1

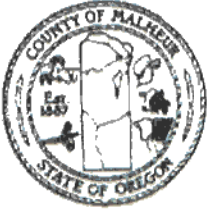
09/26/2023

To whom it may concern:

We hereby authorize the Planning Commission members to enter the property for inspections and site visits.

The block contains two handwritten signatures in cursive. The top signature is 'Charles Boster' and the bottom signature is 'Caroline Boster'. Both signatures are written in dark ink and are positioned above their respective printed names.

Charles and Caroline Boster



MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

File Number: 2023-09-018
Application Fee: \$200
Date Received: 9-26-23
Date Deemed Complete: 9-26-23

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: C. Tracy and Caroline Boster
Address: 1825 Boster Lane
City/State/Zip: Adrian, OR 97901
Phone: 208-573-4091
Email: ctracyb@yahoo.com

APPLICANT INFORMATION ☒ Check box if same

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

PROPERTY INFORMATION

Township: 21S Range: 46 Section: 34 Tax Lot: 1700 Ref #: 10786 Acres: 5 Zoning: C-A1
Address: TBD Boster Lane Adrian, OR 97901
Current use: Farming Use of surrounding properties: Agriculture
Proposed use: Home and Farming Permitted subject to section: 6-6-8-1
Water source: Riverside Irrigation Sewage disposal method: Septic
Are the wetlands/water waterways on your property? ☒ No ☐ Yes (description): _____
Do you own neighboring property? ☐ No ☒ Yes (description): Home with road and 5 acres pasture and farm ground.
Name of road providing access: Red Top to Boster Lane

LEGAL PARCEL STATUS

Partition: _____ Subdivision: _____
or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____
Current Deed #: 2006-6656 Date Filed: 09/11/2006

**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): Charles Tracy Best Date: 9-26-23
 Property Owner(s): Cathleen Best Date: 9-26-23
 Applicant(s): Charles Tracy Best Date: 9-26-23
 Applicant(s): Cathleen Best Date: 9-26-23

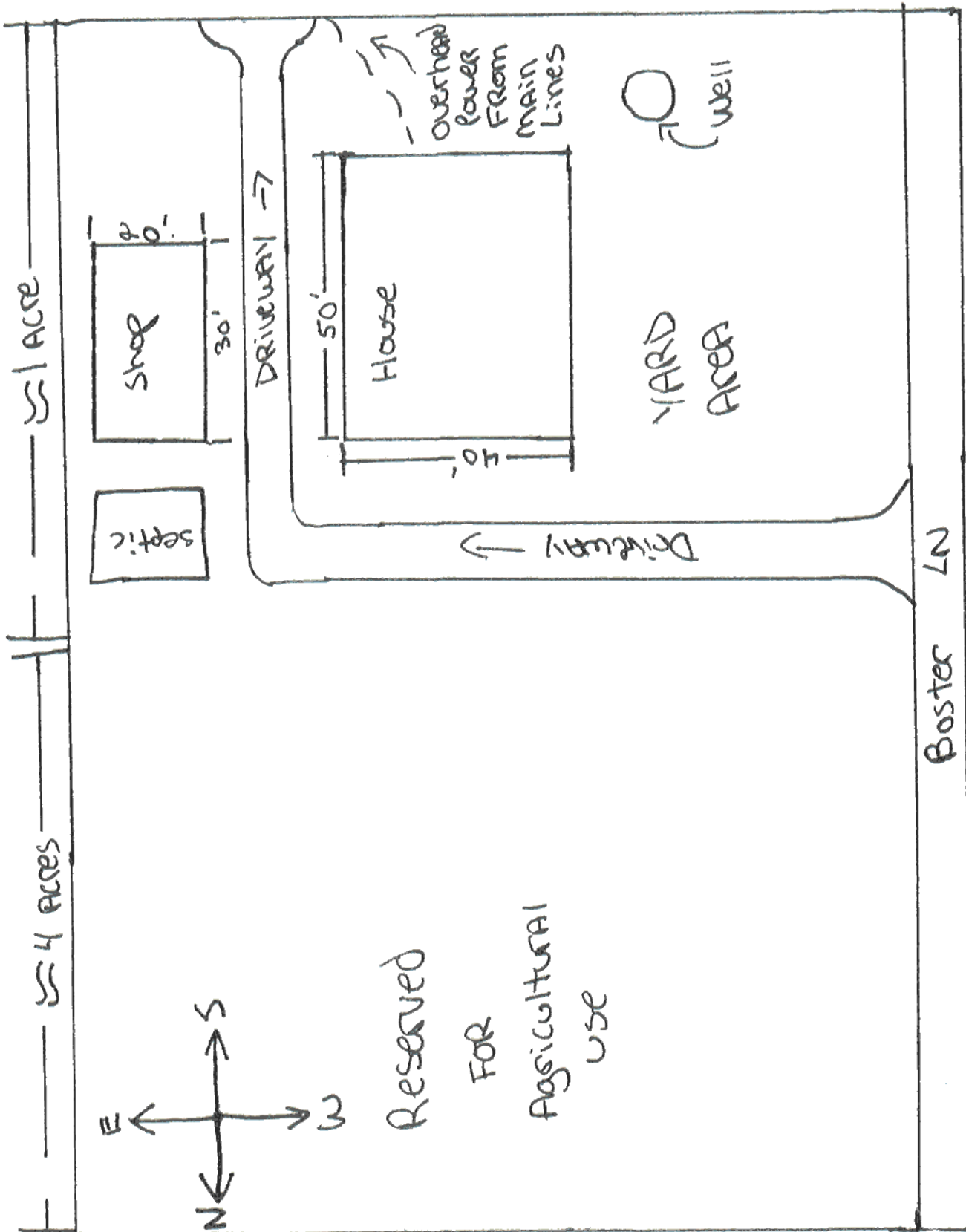
PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission. 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.

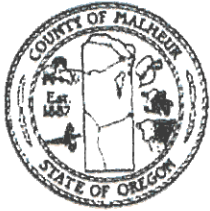
SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

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	
<i>(Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)</i>	
Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input type="checkbox"/> YES, # _____	<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: _____	

We would Also Like to Build
a small shop behind the House.
This would Also be Located on the
1 Acre dedicated to Living. This would
Leave approximately 4 Acres OF
Farmland + Irrigation. We would make
A Pass-through style Driveway that
Allows Access From Redtop Rd. OR
Boster Lane. Attached is a Rough
DRAFT MAP to convey our Idea.





MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185

CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

We Would build A 2,000 sq. Ft. home on the southern end of the property. It would be A Ranch style, single story Residence Right off of Foster Lane & Red Top Rd. The Proposed building would take up Less than ~~1~~ 1 Acre. (Approximately) →

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS

Structure/Development	Length	Width	Height	Square Footage
Dwelling	45'	45' 50'	18'	2,025 ft ²
Driveway	105'	10'		
Accessory Structure	30'	20'	18'	600 ft ²
Agricultural Structure				
Other				
EXISTING				
Dwelling	None			None
Accessory Structure	None			None
Agricultural Structure	None			None
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:

There are currently 3 other homes on Boster Lane of similar property size. The proposal will add only one more home structure of similar size of the others.

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

Describe the number of people/employees/customers associated with the proposed use:
2 family members would reside on this location.

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

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 change in current roads

Fire & Police Protection: All within the 5 mile limit of protection

Sewer & Water: A new septic system would be established on the property.

Electrical & Telephone: All are currently adjacent to the property.

Solid Waste Disposal: S & S disposal

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

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.

The couple that would own the property are already living with us across the street from the proposed parcel.

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?

No influence on anyone in the neighborhood.

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?

What is common for the area.

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 access point is already adjacent to Red Top road and Boster lane. They would simply gravel their access points which would be minimal.

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

No outdoor waste or storage areas. (This is a Residence)

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

Standard residential lighting that points downward.

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?

They are already living with us.

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:

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

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:

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? _____

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)? _____

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 1

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? (This 5 acre parcel was previously created originally for a dwelling)

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

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

N/A

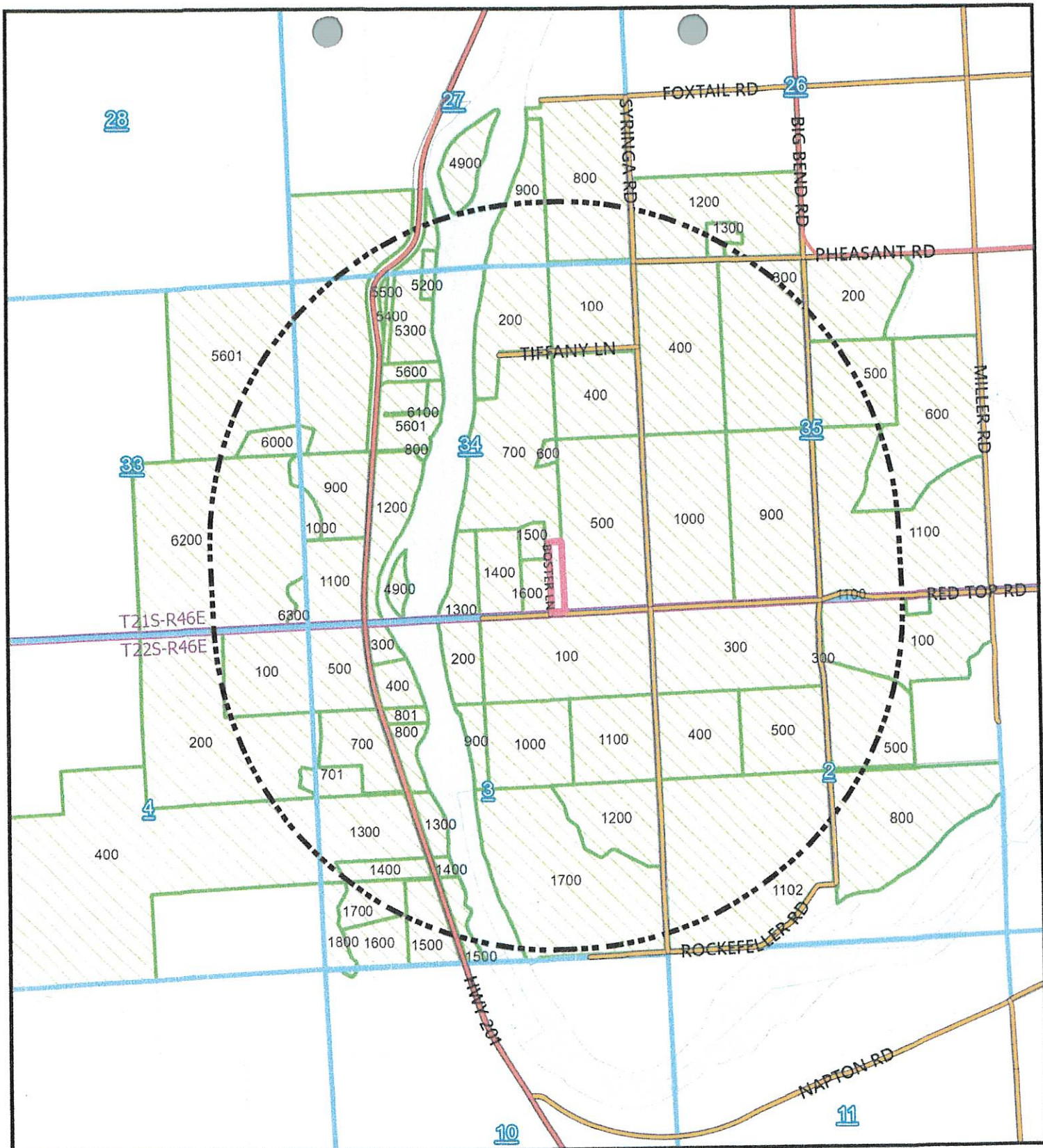
H. What are the findings of fact that describe the existing land use pattern of what the study area looks like now?

N/A

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

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? On this 5 acre parcel, production will scarcely be altered.

Last Updated 02/27/2020



Legend

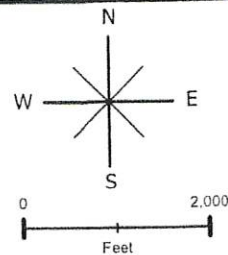
- 1 Mile Radius
- Township and Range
- Sections
- Boster, Tracy & Caroline
- Property owners within mile radius from Boster property

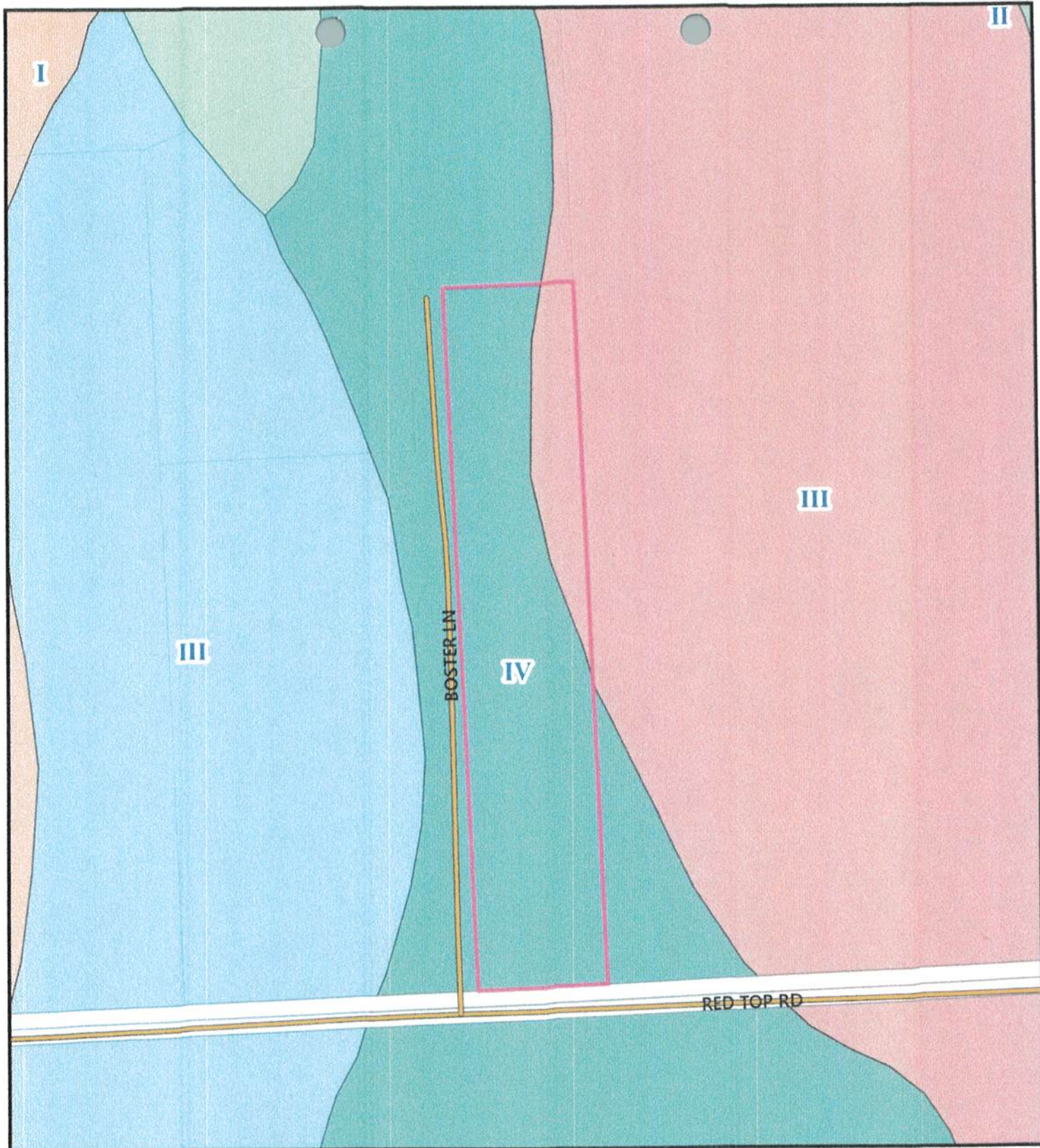
Mile Radius Map

BOSTER, TRACY & CAROLINE

21S46E34, 1700
Reference# 10786

Map is prepared for assessment purposes only





Legend

MUSYM

- 12A
- 22C
- 32A
- 36F
- 4A
- 8A

Soil Map

BOSTER, TRACY & CAROLINE

21S46E34, 1700
Reference# 10786

Map is prepared for assessment purposes only

