

Margie A. Thissell
PO Box 507
Athena, OR 97813

March 25, 2024

Dear Planning Commissioners,

Proposed land use is for a non-farm dwelling to be used as a single family residence for owner of parcel number 500. Landscaping will include removal of dead trees and debris. A lawn, flowers, and garden will be planted. The fences will be repaired. Weeds and grass will be mowed on a regular basis to maintain the aesthetics of the property.

Sincerely,



Margie A. Thissell

EXHIBIT # _____



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: Margie A. Thissell
Address: PO Box 507
City/State/Zip: Athena, OR 97813
Phone: 208-740-9092
Email: mthissell17@gmail.com

APPLICANT INFORMATION Check box if same

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

PROPERTY INFORMATION

Township: 18S Range: 45E Section: 21 Tax Lot: 500 Ref #: 13824 Acres: 275 Zoning: C-A1
Address: 1558 Lagoon Dr., Vale, OR 97918

Current use: Vacant lot Use of surrounding properties: Agriculture
Proposed use: Single family residence Permitted subject to section: MCC 6 - 6 - 8 - 1
Water source: Well Sewage disposal method: Septic

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

Do you own neighboring property? No Yes (description): Lot 400, adjacent East, 39 acres

Name of road providing access: _____

LEGAL PARCEL STATUS

Partition: _____ Subdivision: _____

or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____

Current Deed #: 2024-0347 Date Filed: 2-7-2024

**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): Margie A. Shissell Date: 3/25/24

Property Owner(s): _____ Date: _____

Applicant(s): _____ Date: _____

Applicant(s): _____ 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 Deed/Land Use Action: _____ Previous Map and Tax Lot: _____ Past Land Use Actions: If yes, list file #(s) _____ _____ _____	<input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES
Subject to previous conditions? Assessor Property Class: _____ Zoning: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
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.)	<input type="checkbox"/> NO <input type="checkbox"/> YES
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?	<input type="checkbox"/> NO <input type="checkbox"/> YES <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 REQUEST

Single family home with 2-3 bedrooms and 2 bathrooms. Occupied by owner.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling	56 ft	27 ft	~14 ft	1512
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:

The proposed use as residential will improve the lot and provide weed control. This will be beneficial to adjoining agricultural uses.

Describe the operational characteristics (hours of operation, equipment used, etc.) of the proposed use:
Proposed residential use will be during daylight hours. No special equipment is going to be used on a constant, day to day, basis. Lawn mower will be used most frequently.

Describe the number of people/employees/customers associated with the proposed use:
One land owner will occupy the property.

3. What are the existing developments and viewpoints of property owners in the surrounding area?
Adjoining properties are agriculture (hay) and animal production (sheep and goats). The viewpoint of the one person I talked to was favorable of my proposed residential use.
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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: Approval of existing access road by the Road District - See attached letter. Private access via easement per Malheur County Recorded Instrument #97-1840.

Fire & Police Protection: Approval from Rural Fire Department - See attached letter.

Sewer & Water: No impact. Existing septic system is approved for use. A new domestic well will provide water.

Electrical & Telephone: Idaho Power will be upgrading existing service to current standards. This will improve service. No telephone land line use is anticipated.

Solid Waste Disposal: Garbage service by local sanitation company.

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

Proposed use will have a positive impact on the community social characteristics by enhancing the visual appearance and economically by spending money at local retailers. Increase in property tax revenue.

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.

Proposed use will not alter drainage to impact the Malheur River.

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?

Setback for proposed structure from existing access road is approximately 40 - 45 ft. Proposed use is residential and will not create additional noise, odor, overshadowing, or night lighting other than normal exterior house lights.

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?

Proposed landscaping improvements will be cleaning the existing trash off and deeping the area mowed. Lawn will be established around dwelling. Flowers and a garden will be planted.

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 existing driveway is approved by the Malheur County Road District and serves 3 adjoining lots. No proposed changes to the existing driveway.

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

Waste shall be placed in a container and picked up by garbage service. Storage areas will be maintained and clear of debris (no inoperable vehicles or junk).

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

Proposed lighting will be lights at the front and back door of the residence. All lighting will aim downward and remain within property boundaries.

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 proposed use as residential will not change or impact surrounding land use as there is an existing homesite that will be used. There are no changes to the current property condition except weed control and junk removal. Surrounding uses are hay (public works parcel west), animal production (goats and sheep parcel east), and row crops.

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:

Proposed dwelling will not alter current land use. No partitioning of existing 2.75 acre lot.

Proposed dwelling and occupied use will improve compatibility by reducing the spread of weeds and illegal use or dumping of refuse on property.

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

The dwelling will not interfere with accepted farming practices as no other uses of the

dwelling are anticipated. It will be used as a single family residence.

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:

Dwelling will be situated on an existing homesite (home previously removed). No disturbance

to the parcel for homesite development. The size and use will not be changed from previous uses.

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? _____

Soil types are II, III, and IV

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

Primary Farm dwellings 11 Non-farm dwellings 6

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)? _____

Row crops, hay, range land, municiple (City of Vale)

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? _____

F. On the parcels where you concluded no potential dwelling(s) will be sited, describe why? _____
They are less than the minimum 80 acres required for non-farm dwelling, owned by
City of Vale, and Bureau of Land Management public lands.

G. What dwelling development trends have been identified within the study area since 1993? _____
The parcels already have a dwelling or do not qualify. Approval of two new dwellings were
identified with the residential areas.

H. What are the findings of fact that describe the existing land use pattern of what the study area looks like now?
Existing land use is public works (water treatment), row crops, hay production, range
land, and residential.

I. What are the findings of fact that describe what the study area would look like if all the potential development occurs? Lot 100 can be developed as industrial. Development of non-farm dwellings is limited to 6 parcels. The study area would look very similar to the existing uses.

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 dwelling will not alter the overall land use pattern. No alternative use of the land is anticipated as there is an existing approved septic system and homesite. The existing parcel is not part of adjoining farm uses. Existing fences delineate property boundaries and isolate it from interference to adjoining farming practices.



EXHIBIT 'A'

File No. 622346AM

Land in Malheur County, Oregon, as follows:

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

Sec. 21: A parcel of land in the NW1/4 NE1/4 more particularly described as follows, to-wit:

Beginning at a point where the North boundary line of the Union Pacific Railroad right of Way intersects the West line of the NE1/4 of said Sec. 21;

Thence North along the West line of said NE1/4, 499 feet;

Thence East 265 feet;

Thence South to the railroad right of way;

Thence along the railroad right of way in a Southwesterly direction to the Point of Beginning.

Land in Malheur County, Oregon, as follows:

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

Sec. 21: A parcel of land in the NW1/4 NE1/4 more particularly described as follows, to-wit:

Beginning at a point where the North boundary line of the Union Pacific Railroad right of Way intersects the West line of the NE1/4 of said Sec. 21;

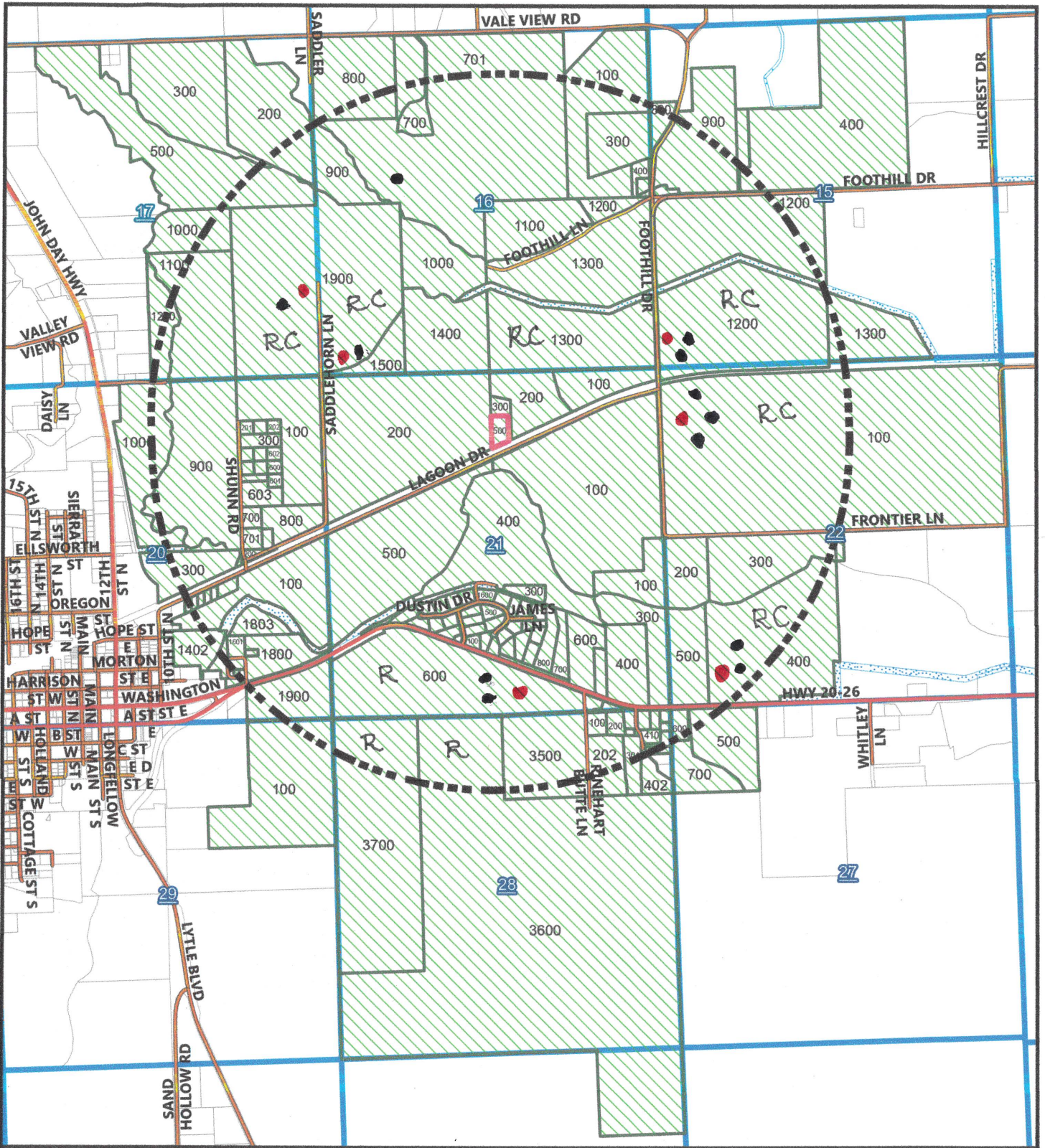
Thence North along the West line of said NE1/4, 499 feet;

Thence East 310 feet;

Thence South to the railroad right of way;

Thence along the railroad right of way in a Southwesterly direction to the Point of Beginning.

EXCEPTING THEREFROM the West 265 feet thereof.



Legend

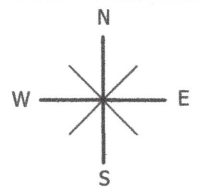
-  1 Mile Radius
-  Sections
-  Township and Range
-  Sunwest Financial Inc
-  Property owners within mile radius from Sunwest property

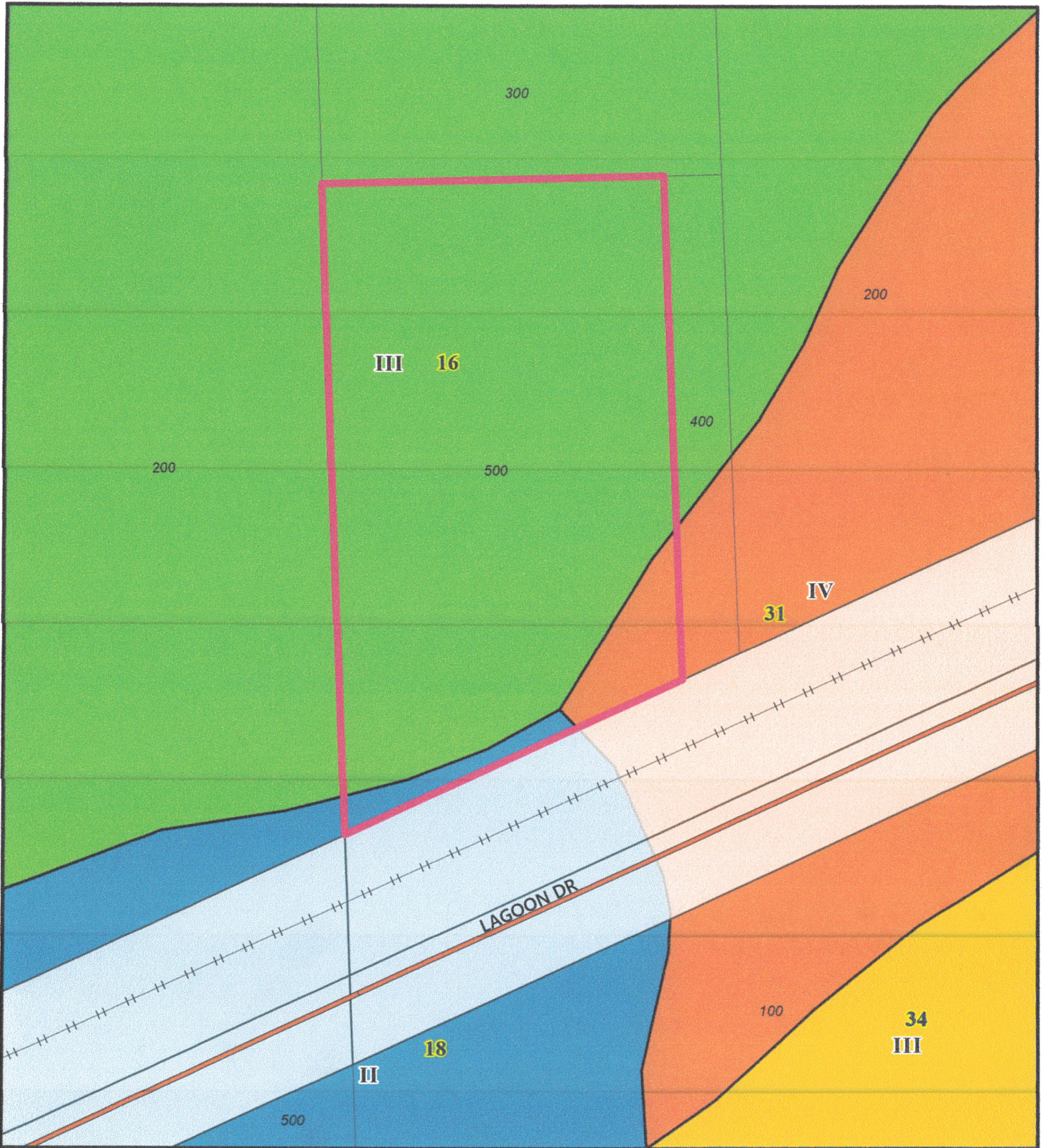
1 Mile Radius Map

SUNWEST FINANCIAL INC

18S45E21A, 500
Reference# 13824

Map is prepared for assessment purposes only





**Legend
MUSYM**

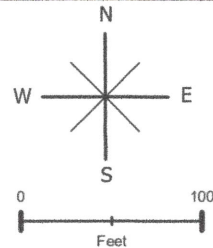
- 16
- 18
- 31
- 34

Soil Map

SUNWEST FINANCIAL INC

18S45E21A, 500
Reference # 13824

Map is prepared for assessment purposes only



GL 03122024