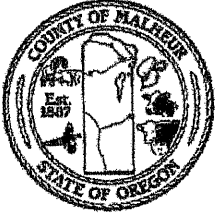


**This is in reference to 1349 Klamath Ave, Nyssa, OR
97913**

**The owner is requesting to split the house and approximately 2.8 acres from
the 119.24 acres. This would
Leave approximately 116.44 to sell as farm ground. The owner will continue
to live in the home with the 2.8 acres.**



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: Dorothy Williams (Keith Williams - POA)
Address: 1349 Klamath Ave
City/State/Zip: Nyssa, OR 97913
Phone: 541-372-5519
Email: _____

APPLICANT INFORMATION Check box if same

Name: Angela Barklow (Realtor)
Address: PO Box 342
City/State/Zip: Ontario, OR 97914
Phone: 541-212-3334
Email: angelabarklow@gmail.com

PROPERTY INFORMATION

Township: 20S Range: 45E Section: 26,27 Tax Lot: 2500 Ref #: 10295 Acres: 119.24 Zoning: _____
Address: 1349 Klamath Ave
Current use: farm & home Use of surrounding properties: agricultural
Proposed use: farm approx 116 H4 / home 2.8 Ac Permitted subject to section: _____
Water source: only well Sewage disposal method: septic
Are the wetlands/water waterways on your property? No Yes (description): _____
Do you own neighboring property? No Yes (description): _____
Name of road providing access: Klamath Ave

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): Keith L Williams Date: 4/22/24

Property Owner(s): _____ Date: _____

Applicant(s): Angela C Barklow Date: 4/22/23

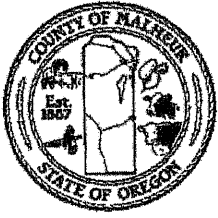
Applicant(s): _____ Date: _____

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	<input type="checkbox"/> NO <input type="checkbox"/> YES
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

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, # _____	
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 REQUEST

Owner to have property surveyed and wants to keep the home and approximately 2.8 AC. The remaining approx. 116 AC to be sold as farm ground.

(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:

This partition would not affect land use. The landowner would keep the home w/ approximately 2.8 ac & continue to live at property. Approximately 116.44 to be sold as farm ground.

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

Same as current use.

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

none

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

farm use

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 impact*

Fire & Police Protection: *no impact*

Sewer & Water: *no impact*

Electrical & Telephone: *no impact*

Solid Waste Disposal: no impact

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

It is currently being used as farm use & would continue as farm use

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.

Since the land use would continue as current use, it would not interfere.

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?

Would not affect.

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?

None

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.

Already in place

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

none

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

there will not be additional outdoor lighting

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?

No development planned. Surrounding parcels are farm ground. Land will continue to be used as farm ground.

**NON-RESOURCE DWELLING and NON RESOURCE PARTITION –
Malheur County Code (MCC) 6-6-8-1 and (MCC) 6-6-8-2**

1. Describe how the proposed dwelling and the creation of the proposed partition(s) is compatible with farm uses and is consistent with ORS 215.243: No proposed dwelling

2. Will the proposed dwelling and creation of the proposed partition(s) interfere seriously with accepted farming practices on adjacent lands and what conditions exist to avoid this problem? _____

No proposed dwelling

3. Will the proposed dwelling/partition 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, if yes:

- Is the proposed parcel only as large as necessary to accommodate the use and provide any buffer area needed to ensure compatibility with adjacent agricultural uses? _____

No proposed dwelling

- Is the proposed parcel located on land with predominantly low productivity V-VII soils not suited for agricultural use and is large enough to accommodate the use and provide any buffer area needed to ensure compatibility with adjacent agricultural uses? How so? Will continue to be used as farm use

4. In what ways will the proposed partition avoid conflict with and have no significant adverse impact on:

- the quality of farm or range land: farm ground will be keep intact

- the watersheds: Same usage

- fish and wildlife habitat: Same usage

- soil and slope stability: same usage

- air and water quality: Same usage

- outdoor recreation areas: same usage

5. Will the proposed partition be created for an existing dwelling or for preserving a historical dwelling? _____

Owner will keep approximately 2.8 Ac w/ home.
Rest of acreage to be sold as farm ground

6. 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? tilable, dry
ground

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

Primary Farm dwellings 1 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)? _____

rowcrop, 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 _____

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? _____

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

established farms Farm use

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

Has been farm ground for years. Will continue to be farm ground.

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

Will continue to look the same. No planned 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?

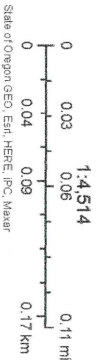
As of right now, the land use will continue to be the same. The original home will continue to be used by one of the owners.

Dorothy Williams Water Rights Map

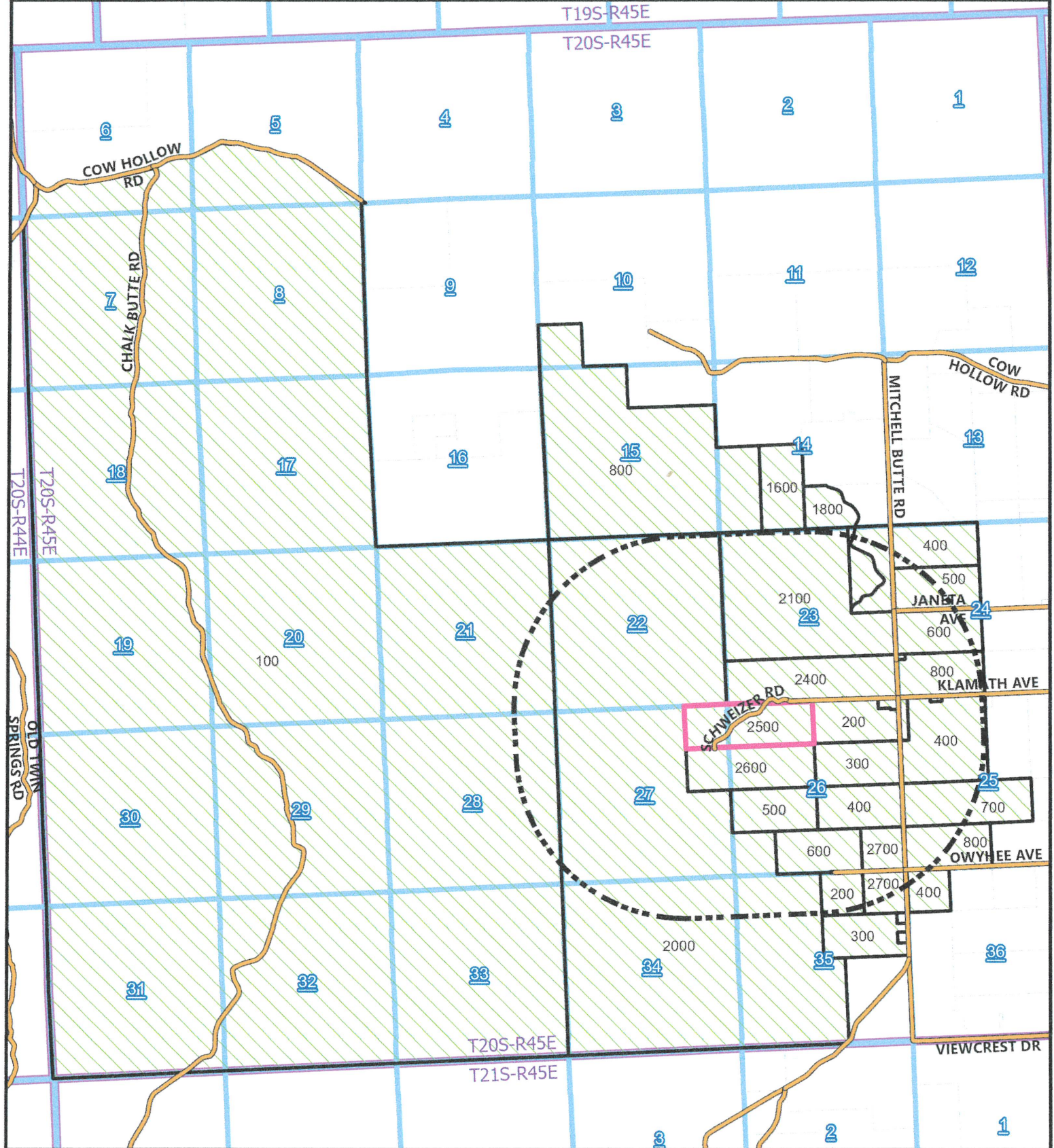


4/22/2024, 11:50:07 AM

- World Transportation
- Place of Use (Certificate)
- 75691
- Exist POI
- Exist POU
- Taxlots
- QQ Sections (Labels Only)
- QQ Sections
- Sections



For reference purposes only. This map is not for official use.



Legend

- 1 Mile Radius
- Sections
- Township and Range
- Williams, Dorothy
- Property owners within mile radius from Williams property

Mile Radius Map

WILLIAMS, DOROTHY	20S45E, 2500 Reference# 10295
<i>Map is prepared for assessment purposes only</i>	

N

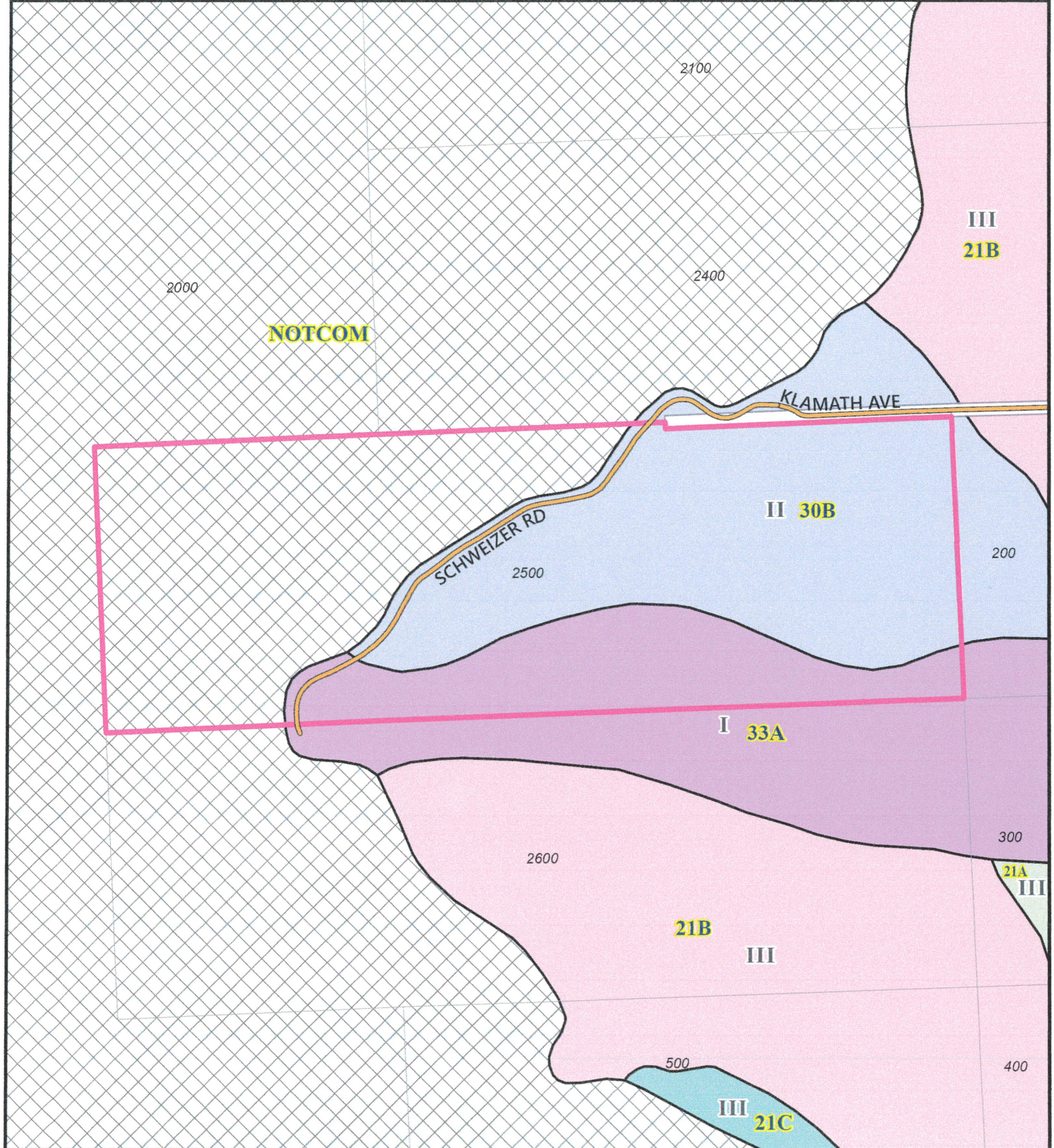
W ——— E

S

0 ——— 1/2

Miles

GL 03062024



- Legend**
- MUSYM**
- 21A
 - 21B
 - 21C
 - 30B
 - 33A
 - NOTCOM

Soil Map

WILLIAMS, DOROTHY

20S45E, 2500
Reference # 10295

Map is prepared for assessment purposes only

