



# MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

File Number: 2022-02-015  
Application Fee: 350  
Date Received: 3/23/2022  
Date Deemed Complete: 3/23/2022

## CONDITIONAL USE APPLICATION

### LANDOWNER INFORMATION

Name: Keith Williams  
Address: 1349 Klamath  
City/State/Zip: Nyssa, Or 97913  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Angela - 541-212-3334

### APPLICANT INFORMATION Check box if same

Name: FROEGER FARMS Limited -  
Address: 3150 Echo Rd Partnership  
City/State/Zip: Nyssa, OR 97913  
Phone: 5208 739 2430  
Email: robin@owyheeproduce.com

### PROPERTY INFORMATION

Township: 20S Range: 45E Section: (26,27) Tax Lot: 2500 Ref #: 10295 Acres: 119.24 Zoning: C-A1+  
Address: 1349 Klamath Ave 1st 2nd across canal  
Current use: range EFU; ERU Use of surrounding properties: EFU; ERU  
Proposed use: NON FARM dwelling Permitted subject to section: \_\_\_\_\_  
Water source: private well Sewage disposal method: Septic  
Are the wetlands/water waterways on your property?  No  Yes (description): \_\_\_\_\_  
Do you own neighboring property?  No  Yes (description): yes some, others is EFU/ERU  
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.



**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 home site would be compatible with the surround area and development of surrounding neighbors and properties.

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

Describe the number of people/employees/customers associated with the proposed use:  
1-6

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

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 on the nyssa rural roads

Fire & Police Protection: Adrian has said they would cover area if bridge was installed

Sewer & Water: we would need to put in a private well and septic

Electrical & Telephone: Would have to run power to lot / cell phone

Solid Waste Disposal: septic

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?  
This proposed use should only work with and hope to improve the community's social and economic characteristics.

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.  
This proposed use will not interfere with traditional fish and wildlife use.

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?  
this proposed use should not overshadow any adjoining property, With this site there will not be a increase in noise or odor, and minimal lighting .

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?  
This proposed site could improve landscaping in the area, with a nice ranch house and yard, which could improve the neighborhood and county.

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 proposed site would build a adequate road and drive way , that would be required.



**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: This area of the proposed site, has been range land for many years, with farming on the other side of the canal. This 2.5 acre home site should not make many changes in the farm use or range uses.

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? This proposed dwelling should accept farming practices, As farms and range land is all around them. To avoid this we will include a clause in the purchase agreement, stating so.

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? this proposed site of 2.5 acres is not taking any prime farm or range land.

- 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?

This is located on very poor ground NOT suited for growing crops, and the area has a buffer area needed to be good neighbors with the farm ground across the canal.

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: to avoid conflict and have no adverse impact on the area farm or range land , the proposed dwelling would improve the area with a permanent dwelling.

- the watersheds: the proposed site will have to drill a private well, but should not affect the area watershed

- fish and wildlife habitat: I see no adverse impact on fish and wildlife habitat

- soil and slope stability: this dwelling should not impact soil and slope on the range land

- air and water quality: dwelling should not impact the air and water quality

- outdoor recreation areas: the dwelling should not have any negative impact on outdoor recreation

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

**SIGNATURES:**

Property Owner(s): Keith Williams Date: 04/02/26

Property Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

Applicant(s): [Signature] Date: 4-1-26

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



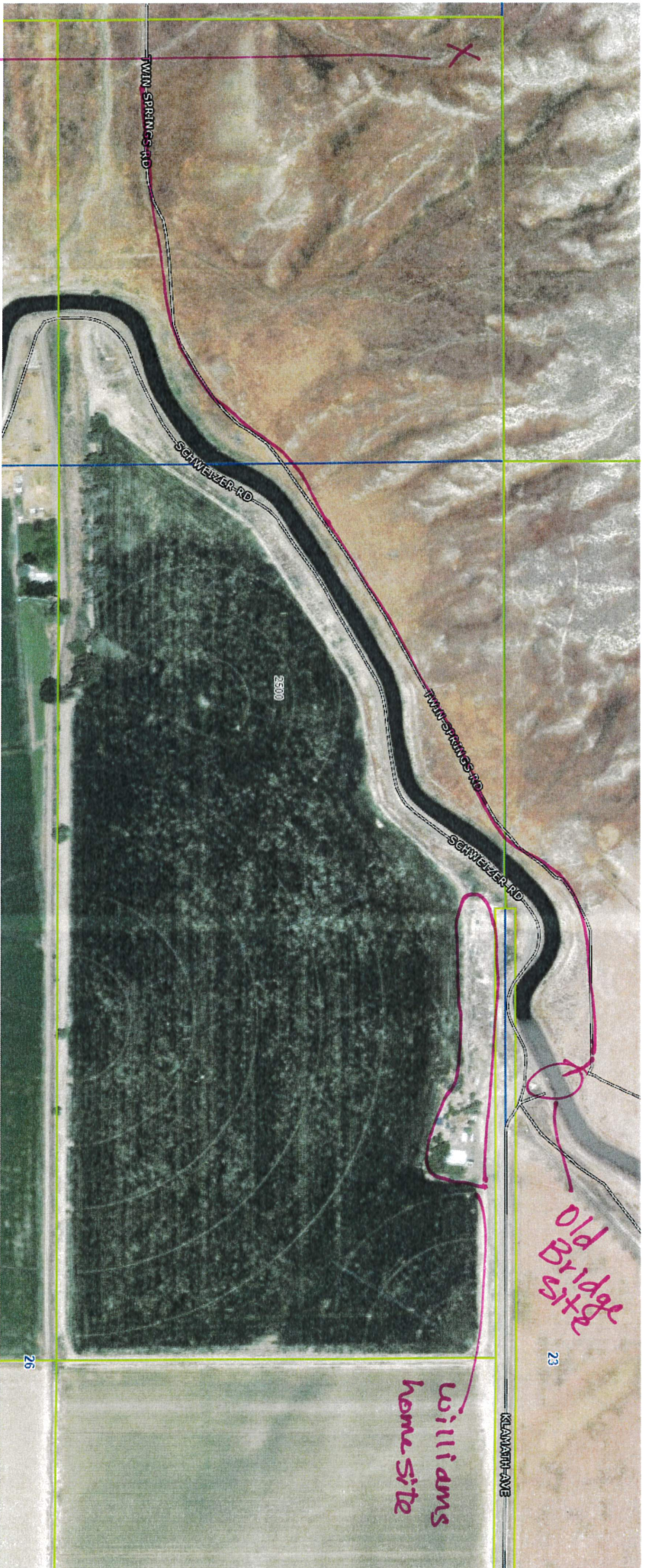
2.5 acres

access canal in Range Land

access across bridge  
(working with BOR)  
Can have easement, if needed

1349 Klamath,  
existing dwelling

Williams  
Planning dept File  
2024-04-019



2.5 acres

Old Bridge site

Williams home site

23

26

TWIN SPRINGS RD

SCHWEIZER RD

TWIN SPRINGS RD

SCHWEIZER RD

KLAMATH AVE

3300