

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 18-06-12-07 IN THE MATTER OF ELECTING WHETHER OR NOT TO HEAR AN APPEAL OF A HEARINGS OFFICIAL DECISION AFFIRMING A PLANNING DIRECTOR REVOCATION OF AN APPROVED MEASURE 49 EXCLUSIVE FARM USE DWELLING ON TAX LOT 100, ASSESSOR'S MAP 17-05-03 (FILE NO. 509-PA17-05309)

WHEREAS, the Lane County Hearings Official has made a decision to affirm a Planning Director Revocation of an Approved Measure 49 Exclusive Farm Use Dwelling on Tax Lot 100, Assessor's Map 17-05-03, identified as File No. 509-PA17-05309;

WHEREAS, the Lane County Planning Director has received an appeal of the Hearings Official's decision to the Board of County Commissioners pursuant to LC 14.515(3)(f)(ii), requesting that the Board elect not to further hear the appeal and to deem the Hearings Official decision the final decision of the County; and

WHEREAS, on April 23, 2018, the Lane County Hearings Official affirmed his April 5, 2018 decision on the application after reviewing the appeal; and


WHEREAS, Lane Code 14.600 provides the procedure and criteria that the Board follows in deciding whether or not to conduct an on-the-record hearing for an appeal of a decision by the Hearings Official; and

WHEREAS, the Board of County Commissioners has reviewed this matter at a public meeting of the Board.

NOW, THEREFORE, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. That the appeal does not comply with the criteria of Lane Code 14.600(3) and therefore, the Board declines to further review the appeal and consider arguments therein. Findings of fact in support of this determination are attached as Exhibit "A."
2. That the Lane County Hearings Official decision dated April 5, 2018, and the letter affirming the decision dated April 23, 2018 attached as Exhibit "B," which found relevant approval criteria are not satisfied, are ratified and affirmed by the Board of County Commissioners as the County's final decision, and the Board expressly agrees with and adopts the Hearings Official's interpretations of provisions of Lane Code 14.700(3).

ADOPTED this 12th day of June, 2018



Jay Bozlevich, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 5-31-18



LANE COUNTY OFFICE OF LEGAL COUNSEL