

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 18-06-19-07 IN THE MATTER OF ELECTING WHETHER OR NOT TO HEAR AN APPEAL OF A HEARINGS OFFICIAL DECISION AFFIRMING AND PARTIALLY MODIFYING A PLANNING DIRECTOR'S DECISION TO APPROVE A FOREST TEMPLATE DWELLING ON TAX LOT 102, ASSESSOR'S MAP 19-04-11 (FILE NO. 509-PA17-05775; KASLE)

WHEREAS, the Lane County Hearings Official has made a decision to affirm and partially modify a Planning Director's approval of forest template dwelling application on Tax Lot 102, Assessor's Map 19-04-11;

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 May 17, 2018, the Lane County Hearings Official affirmed his May 1, 2018 decision on the application after reviewing the appeal; and

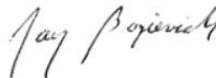
WHEREAS, Lane Code 14.600 provides the procedure and criteria that the Board follows in deciding whether or not to conduct an on-the-record hearing for an appeal of a decision by the Hearings Official; and

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 May 1, 2018, and the letter affirming the decision dated May 17, 2018 attached as Exhibit "B," which affirmed and partially modified the Planning Director's decision is adopted, ratified, and affirmed by the Board of County Commissioners as the County's final decision. Furthermore, to the extent that the Hearings Official interpreted Lane Code 16.211(5) and (8), that the Board expressly agrees with and adopts those interpretations.

ADOPTED this 19th day of June, 2018



Jay Bozievich, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date

6-7-18

LANE COUNTY OFFICE OF LEGAL COUNSEL