

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 17-01-31-05 IN THE MATTER OF ELECTING WHETHER OR NOT TO HEAR AN APPEAL OF A HEARINGS OFFICIAL DECISION APPROVING A FOREST TEMPLATE DWELLING WITHIN A PROPERTY IDENTIFIED AS ASSESSOR'S MAP AND TAX LOT 18-04-07-00-00104; (FILE NO. 509-PA16-05136/EVANS).

WHEREAS, the Lane County Hearings Official has made a determination approving a Forest Template Dwelling pursuant to Lane Code 16.211 in Department File No. 509-PA16-05136; and

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); and

WHEREAS, the Lane County Hearings Official has affirmed his decision on the application after reviewing the appeal in File No. 509-PA16-05136; 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 arguments on the appeal should therefore not be considered. Findings in support of this decision are attached as Exhibit "A."
2. That the Lane County Hearings Official decision dated November 28, 2016 and the letter affirming the decision dated December 15, 2016, attached as Exhibit "B," which found relevant approval criteria are met, are affirmed and adopted by the Board of County Commissioners as the County's final decision. The Board of County Commissioners has reviewed the appeal and the Hearings Official decision and expressly agrees with and adopts the interpretations of Lane Code 16.211 made by the Hearings Official in the decision.

ADOPTED this 31st day of January, 2017



Pat Farr, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 1-18-17



LANE COUNTY OFFICE OF LEGAL COUNSEL