



## BOARD OF COMMISSIONERS

# AGENDA REQUEST & STAFF REPORT

**MEETING DATE:** November 1, 2023

**SUBJECT:** Consideration to hear an appeal of the Hearings Officer's remand decision approving a single-family dwelling in the Forest Use Zone at 59770 Scale House Road, Bend

**RECOMMENDED MOTIONS:**

Move approval of Order 2023-050, accepting review of the Hearings Officer's Decision in File No. 247-23-000599-A and establishing the review will be heard *de novo*.

OR

Move approval of Order 2023-050, denying review of the Hearings Officer's Decision in File No. 247-23-000599-A.

**BACKGROUND AND POLICY IMPLICATIONS:**

The applicant is requesting conditional use approval to establish a single-family dwelling in the Forest Use (F2) Zone. In 2022, the County approved the applicant's request. However, the Windlinx Ranch Trust appealed this decision, and the State Appellate Courts remanded the decision back to the County for further review. On October 10, 2023, the Hearings Officer issued the remand decision and approved the applicant's request. The Windlinx Ranch Trust has filed an appeal of this decision and asks the Board of County Commissioners to review the appeal.

**BUDGET IMPACTS:**

None.

**ATTENDANCE:**

Caroline House, Senior Planner  
William Groves, Planning Manager  
Legal Counsel