

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON
3

4 MARK MAZESKI and DIANA CROSBY)
5 MAZESKI,)
6)
7 Petitioners,)
8)
9 vs.)
10)
11 WASCO COUNTY,)
12)
13 Respondent,)
14)
15 and)
16)
17 HOOD RIVER SAND, GRAVEL &)
18 READY-MIX, INC.,)
19)
20 Intervenor-Respondent.)

LUBA No. 93-206
FINAL OPINION
AND ORDER

21
22
23 Appeal from Wasco County.

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25 Mark J. Mazeski and Diana Crosby Mazeski, Mosier,
26 represented themselves.

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28 Bernard L. Smith, District Attorney, The Dalles,
29 represented respondent.

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31 Steven L. Pfeiffer and Michael C. Robinson, Portland,
32 represented intervenor-respondent.

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34 KELLINGTON, Chief Referee; SHERTON, Referee,
35 participated in the decision.

36
37 REMANDED 02/09/94
38

39 You are entitled to judicial review of this Order.
40 Judicial review is governed by the provisions of ORS
41 197.850.

1 Kellington, Chief Referee.

2 The parties agree the county's decision should be
3 remanded. The parties also agree that petitioners' \$150
4 deposit for costs should be returned to them by the Board,
5 and that intervenor-respondent should reimburse petitioners
6 for their \$50 filing fee.

7 The county's decision is remanded. Petitioners are
8 awarded the cost of their filing fee, in the amount of \$50,
9 to be paid by intervenor-respondent. The Board shall return
10 petitioners' deposit for costs.