

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

3  
4 SCHOLLANDER DEVELOPMENT, INC., )  
5   ) )  
6                           Petitioner,                           ) )  
7   ) )  
8                   vs.   ) )  
9   ) )  
10 CLACKAMAS COUNTY,   ) )  
11   ) )  
12                           Respondent.                           ) )

LUBA No. 93-070  
  
FINAL OPINION  
AND ORDER

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14  
15           Appeal from Clackamas County.

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17           Jack L. Orchard, Portland, represented petitioner.

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19           Michael E. Judd, Chief Assistant County Counsel, Oregon  
20 City, represented respondent.

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22           HOLSTUN, Chief Referee; SHERTON Referee; KELLINGTON,  
23 Referee, participated in the decision.

24  
25                           DISMISSED   11/02/94

26  
27           You are entitled to judicial review of this Order.  
28 Judicial review is governed by the provisions of ORS  
29 197.850.

1           Holstun, Chief Referee.

2           Petitioner moves for dismissal of this appeal and for  
3 return of its filing fee. Respondent does not object.

4           This appeal is dismissed. Petitioner's request for  
5 return of its filing fee is denied. Totman v. City of  
6 Grants Pass, 24 Or LUBA 46 (1992). Because no local record  
7 was filed by the county in this matter, the Board shall  
8 return petitioner's \$150 deposit for costs.