1	BEFORE THE LAND USE BOAR	D OF APPEALS
2	OF THE STATE OF C	REGON
3		
4	DAVID HOLLAND,)	
5)	
6	Petitioner,)	LUBA No. 95-049
7)	
8	vs.	FINAL OPINION
9)	AND ORDER
10	CITY OF CANNON BEACH,)	
11)	
12	Respondent.)	
13		
14	On remand from the Court of Appeals.	
15	on remand from the court of App	ears.
16	William C. Cox, Portland, represented petitioner.	
17	william c. cox, Forciand, represented petitioner.	
18	Edward J. Sullivan and Dar	niel Kearns Dortland
19	represented respondent.	
20	represented respondent.	
21	GUSTAFSON, Referee; HANNA, Chief Referee; LIVINGSTON,	
22	Referee, participated in the decision.	
23	Referee, participated in the decision	,
24	REMANDED 11/0	5/96
25	KEMANDED 11/0	3/ 20
26	You are entitled to judicial review of this Order.	
27	Judicial review is governed by the provisions of ORS	
28	197.850.	che provisions of ORS
2 0	± 2 1 • U J U •	

- 1 Opinion by Gustafson.
- 2 Pursuant to the instructions of the Court of Appeals,
- 3 the city's approval of the tentative subdivision plat is
- 4 remanded to the city for further proceedings consistent with
- 5 the Court of Appeals' opinion.
- 6 Petitioner is awarded the cost of his filing fee, in
- 7 the amount of \$50, to be paid by respondent. The Board
- 8 shall return petitioner's \$150 deposit for costs.