

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

4 BRENT LEATHERS and LEATHERS OIL)
5 COMPANY,)
6)
7 Petitioners,)
8)
9 vs.)
10)
11 MARION COUNTY,)
12)
13 Respondent,)
14)
15 and)
16)
17 FLYING J, INC.,)
18)
19 Intervenor-Respondent.)

LUBA No. 95-125
FINAL OPINION
AND ORDER

20
21
22 On remand from the Court of Appeals.

23
24 Edward J. Sullivan, Portland, represented petitioners.

25
26 Jane Ellen Stonecipher, Assistant County Counsel,
27 Salem, represented respondent.

28
29 Kenneth D. Helm and Ted W. Baird, Portland, represented
30 intervenor-respondent.

31
32 LIVINGSTON, Referee; GUSTAFSON, Referee, participated
33 in the decision.

34
35 REMANDED 12/24/96

36
37 You are entitled to judicial review of this Order.
38 Judicial review is governed by the provisions of ORS
39 197.850.

1 Livingston, Referee.

2 This case is remanded for further proceedings
3 consistent with the opinion of the Court of Appeals (CA
4 A93566) dated October 16, 1996.