

LAND USE
BOARD OF APPEALS

BEFORE THE LAND USE BOARD OF APPEALS JUN 12 2 16 PM '81
OF THE STATE OF OREGON

MIKE HORTON,)
)
Petitioner,) LUBA No. 81-036
)
vs.) FINAL OPINION
) (ORDER OF REMAND)
LANE COUNTY,)
)
Respondent.)

Appeal from Lane County.

James W. Spickerman	William Van Vactor
101 E. Broadway	Legal Counsel
Suite 302	125 E. 8th
Eugene, OR 97401	Eugene, OR 97401
Attorney for	Attorney for
Petitioner	Respondent

REYNOLDS, Chief Referee; COX, Referee; Bagg, Referee.

REMANDED 6/12/81

You are entitled to judicial review of this Order.
Judicial review is governed by the provisions of Oregon Laws
1979, ch 772, sec 6(a).

1 REYNOLDS, Chief Referee.

2 This matter is before the Board upon the request of
3 Respondent Lane County to remand this matter to the Board of
4 County Commissioners for its reconsideration. Respondent Lane
5 County stated it has reviewed its order and findings in this
6 matter and after careful evaluation, has concluded it should be
7 remanded. Respondent has no objection to refunding
8 petitioner's filing fee.

9 Petitioner has responded by citing authority for such
10 remand, Laudahl v Polk County, LUBA No. 80-089. Petitioner has
11 requested the \$50 filing fee be reimbursed by respondent in
12 addition to the \$150 deposit for costs refunded by LUBA.
13 Respondent Lane County has not objected to petitioner's request.

14 Based upon the foregoing, it is hereby ordered that this
15 matter be remanded to Lane County and that Lane County
16 reimburse Petitioner Horton the filing fee in the amount of
17 \$50. In addition, the Board will return to petitioner his \$150
18 deposit for costs.

19

20

21

22

23

24

25

26