

BEFORE THE LAND USE BOARD OF APPEALS

AUG 19 3 58 PM '83

OF THE STATE OF OREGON

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EARL J. VAN VOLKINBURG,
Petitioner,
v.
MARION COUNTY BOARD OF
COMMISSIONERS, CLIFFORD and
GENEVA MORTENSEN,
Respondents.

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)
) LUBA NO. 81-122
)
) FINAL OPINION
) AND ORDER
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)
)
)

Appeal from Marion County.

Earl J. Van Volkinburg
3675 Vitae Springs Rd.
Salem, OR 97306

Robert C. Cannon
Legal Counsel
Marion County Courthouse
Salem, OR 97301
Attorney for Respondent

D. Michael Mills
Attorney at Law
402 Capitol Tower
Salem, OR 97301
Attorney for Applicant

Donald Still
2780 Bunker Hill Road, S.
Salem, OR 97302
Participant

Bagg, Board Member.

Remanded. 8/19/83

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), as amended by Oregon Laws 1981, ch 748.

1 BAGG, Board Member.

2 This review proceeding has been pending resolution of the
3 acknowledgment of Marion County's comprehensive plan and
4 implementing ordinances. The comprehensive plan and
5 implementing ordinances were remanded to LCDC on August 10,
6 1983. Because of that remand, the county asks that the Land
7 Use Board of Appeals remand this case to Marion County for
8 further action not inconsistent with the decision of the Court
9 of Appeals and future action, if any, by the Land Conservation
10 and Development Commission.

11 This matter is remanded to Marion County for further
12 proceedings. It is further ordered that the \$150 deposit for
13 costs shall be returned to petitioner and respondents shall pay
14 \$50 to petitioner as reimbursement for petitioner's filing fee.