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

MERVIN ARNOLD,)
)
 Petitioner,)
)
 vs.)
)
 COLUMBIA COUNTY,)
)
 Respondent,)
)
 and)
)
 REED BRUEGMAN,)
)
 Intervenor-Respondent.)

LUBA No. 95-233
FINAL OPINION
AND ORDER
MEMORANDUM OPINION
(ORS 197.835(14))

Appeal from Columbia County.

Mervin Arnold, Scappoose, filed the petition for review and argued on his own behalf.

No appearance by respondent.

Thomas J. Rastetter, Oregon City, filed the response brief and argued on behalf of intervenor-respondent.

GUSTAFSON, Referee; HANNA, Referee, participated in the decision.

AFFIRMED 03/22/96

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

1 Gustafson, Referee.

2 **NATURE OF THE DECISION**

3 Petitioner appeals the county's renewal of a
4 conditional use permit for a home occupation.

5 **MOTION TO INTERVENE**

6 Reed Bruegman, the applicant below (intervenor), moves
7 to intervene on the side of respondent. There is no
8 opposition to the motion, and it is allowed.

9 **DISCUSSION**

10 Petitioner appeals the county's renewal of a
11 conditional use permit for intervenor's home occupation.
12 The county originally approved the conditional use permit in
13 1990, and it has been renewed annually since then.

14 Petitioner assigns three errors: (1) that the
15 conditional use permit renewal was unauthorized because the
16 1990 conditional use permit wrongly approved an illegal use;
17 (2) that the county's renewal of the conditional use permit
18 violates ORS 215.488; and (3) that petitioner's substantial
19 rights were violated by the procedures the county followed
20 in reviewing the conditional use permit renewal application.

21 We find that petitioner has not established any basis
22 for remand or reversal of the county's decision. Pursuant
23 to ORS 197.835(14), the county's decision is affirmed.