

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3  
4 AILEEN P. KAYE, TERRY BERRY and  
5 RICHARD VAN PELT,  
6 *Petitioners,*

7  
8 vs.

9  
10 MARION COUNTY,  
11 *Respondent,*

12  
13 and

14  
15 MATTHEW SWISHER and DONNA SWISHER,  
16 *Intervenors-Respondents.*

17  
18 LUBA No. 2008-190

19  
20 FINAL OPINION  
21 AND ORDER

22  
23 Appeal from Marion County.

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25 Aileen P. Kaye, Turner, Terry Berry and Richard van Pelt, Salem, represented  
26 themselves.

27  
28 Jane Ellen Stonecipher, Salem, represented respondent.

29  
30 Matthew Swisher and Donna Swisher, Salem, represented themselves.

31  
32 HOLSTUN, Board Member; BASSHAM, Board Chair; RYAN, Board Member,  
33 participated in the decision.

34  
35 REMANDED

03/10/2009

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

1 Holstun, Board Member.

2 The parties stipulate that the decision challenged in this appeal should be remanded.

3 Accordingly, the decision is remanded.