

LAND USE  
BOARD OF APPEALS

FEB 9 10 43 AM '81

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

MARILYN STRINGER,	)	
	)	
Petitioner,	)	LUBA NO. 80-167
	)	
vs.	)	FINAL OPINION
	)	AND ORDER
POLK COUNTY,	)	
	)	
Respondent.	)	

Mark Irick	Mark Greenfield
Hayter, Shetterly & Irick	400 Dekum Building
189 SW Academy Street	519 SW 3rd Avenue
Dallas, OR 97338	Portland, OR 97204

Dennis McCaffrey	Diane Spies
Polk County Counsel	The Portland Center
Polk County Courthouse	150 SW Harrison
Dallas, OR 97338	Portland, OR 97201

Cox, Referee; Reynolds, Chief Referee; Bagg, Referee; participated in the decision.

Remanded. 2/03/81

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).

LAND USE  
BOARD OF APPEALS  
Jan 29 1 43 PM '81

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

MARILYN STRINGER, )  
 )  
Petitioner, ) LUBA No. 80-167  
 )  
v. ) ORDER  
 )  
POLK COUNTY, )  
 )  
Respondent. )

Upon stipulation and agreement of the parties herein:

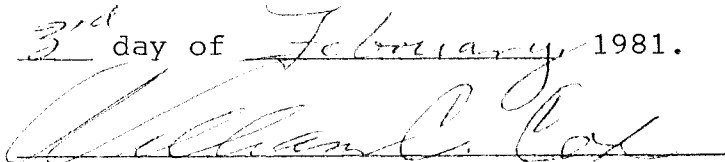
IT IS ORDERED, that the land use decision that is the subject of the above entitled matter be remanded to Respondent Polk County.

IT IS FURTHER ORDERED, that Polk County conditional use application No. 80-24 is denied; and the Polk County Clerk is ordered to indicate rescission of Polk County conditional use permit No. 80-24 in all pertinent records.

IT IS FURTHER ORDERED that Petitioner be refunded the \$150.00 deposit paid to the Board, and that the applicants, Mr. & Mrs. Clarence Byrd, pay Petitioner costs of \$50.00 for the filing fee.

IT IS FURTHER ORDERED, that the record as designated in this matter, LUBA No. 80-167, be retained in the record of the hearing on remand before Respondent Polk County; and if review of this matter is again sought before the Land Use Board of Appeals after a hearing on remand before Respondent Polk County, the parties hereto agree to waive the right to be served by Polk County with documents and materials that comprise the record of LUBA No. 80-167.

IT IS HEREBY ORDERED this 3<sup>rd</sup> day of February 1981.

  
William Cox. LUBA Referee

1 CERTIFICATE OF MAILING

2 I hereby certify that I served the foregoing Final Opinion  
3 and Order for LUBA No. 80-167, on February 03, 1981, by mailing  
4 to said parties or their attorney a true copy thereof contained  
in a sealed envelope with postage prepaid addressed to said  
parties or their attorney as follows:


5 Mark Irick  
6 Hayter, Shetterly & Irick  
7 189 SW Academy Street  
8 Dallas, OR 97338

Mark Greenfield  
400 Dekum Building  
519 SW 3rd Avenue  
Portland, OR 97204

Dennis McCaffrey  
Polk County Counsel  
Polk County Courthouse  
Dallas, OR 97338

Diane Spies  
The Portland Center  
150 SW Harrison  
Portland, OR 97201

10 Dated this 3rd day of February, 1981.

11 

12 Jeanne Hubbard  
13 Secretary to the Board