

LAND USE  
BOARD OF APPEALS

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

AUG 18 2 51 PM '83

JAMES D. FOURNIER and )  
DONNA M. FOURNIER, )  
 )  
Petitioners, )  
 )  
vs. )  
 )  
MARION COUNTY, )  
 )  
Respondent. )

LUBA No. 83-041  
FINAL OPINION  
AND ORDER

Appealed from Marion County.

M. Chapin Milbank, Salem, filed the Petition for Review and argued the cause on behalf of Petitioners. With him on the brief were Schlegel, Milbank, Jarman & Hilgemann.

Robert C. Cannon, Salem, filed the response brief and argued the cause on behalf of Respondent.

BAGG, Board Member.

Remanded. 08/18/83

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 Respondent Marion County has requested this matter be  
3 remanded for further proceedings. Respondent requests the  
4 remand because of holdings by the Court of Appeals in 1000  
5 Friends v. Marion County, Oregon and LCDC, \_\_\_ Or App \_\_\_, \_\_\_  
6 P2d \_\_\_, (Slip Opinion, August 10, 1983, CA A25075). and  
7 Marion County, Oregon and LCDC v. Federation for Sound Family,  
8 et al, \_\_\_ Or App \_\_\_, \_\_\_ P2d \_\_\_, (Slip Opinion, August, 10,  
9 1983, CA A25412). Petitioners make no objection to this  
10 request.

11 This matter is remanded.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26