

LAND USE  
BOARD OF APPEALS  
DEC 30 11 11 AM '05

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

LANE COUNTY SCHOOL DISTRICT #71 )  
 )  
Petitioner, )  
 )  
vs. )  
 )  
LANE COUNTY, )  
 )  
Respondent. )

LUBA NO. 85-066  
FINAL OPINION  
AND ORDER OF REMAND

Appeal from Lane County.

Larry O. Gildea, P.C.  
Attorney at Law  
342 East 12th Avenue  
Eugene, OR 97401

Margie Hendriksen  
Assistant County Counsel  
Courthouse/Public Service Bldg.  
125 East 8th Street  
Eugene, OR 97401

Attorney for  
Petitioner

Attorney for  
Respondent County

Bill Kloos  
Sullivan, Josselson, Roberts  
Johnson & Kloos  
915 Oak Street, Suite 101  
Eugene, OR 97401  
Attorney for  
Respondent Jasper Mountain Center

DUBAY, Referee; KRESSEL, Chief Referee; BAGG, Referee;  
participated in the decision.

REMANDED 12/30/85

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

DuBay, Referee.

This matter is before the Board on motion of Respondent County and Respondent-Intervenor Jasper Mountain Center for an order remanding the decision to Lane County for further findings.

Petitioner has no objections to the motion for remand but requests the order of remand include certain instructions to the county regarding procedures in any further proceedings.

ORS 197.835 (1) empowers the Board to make orders affirming, reversing, or remanding land use decisions. This authority does not include the power to impose conditions or limitations on these orders. Therefore, petitioner's request for special instructions is denied.

The motion for remand by Lane County and Jasper Mountain Center is granted. The matter is remanded.