1 BEFORE THE LAND USE BOARD OF APPEALS OF THE STATE OF OREGON 2 3 4 MURPHY L. CLARK,) 5) б Petitioner,) 7) 8 vs. 9) 10 JACKSON COUNTY, LUBA No. 90-004) 11) 12 Respondent, FINAL OPINION) 13) AND ORDER 14 and) 15 16 DARRELL STANLEY and) 17 EUGENE STANLEY,) 18) 19 Intervenors-Respondent.) 20 21 22 On remand from the Court of Appeals. 23 24 Murphy L. Clark, Eagle Point, represented himself. 25 26 Arminda J. Brown, Medford, represented respondent. 27 28 John R. Hassen, Medford, represented intervenors-29 respondent. 30 31 HOLSTUN, Referee; SHERTON, Chief Referee, participated 32 in the decision. 33 34 09/22/92 AFFIRMED 35 36 You are entitled to judicial review of this Order. 37 Judicial review is governed by the provisions of ORS 38 197.850.

1 Opinion by Holstun.

In our original decision in this matter, we remanded 2 3 the county's decision solely on the basis that the county 4 failed to correctly interpret and apply Jackson County Land 5 Development Ordinance 218.060(1)(D). Clark v. Jackson б County, 19 Or LUBA 220 (1990). The Oregon Court of Appeals reversed that portion of our decision, and remanded our 7 decision. Clark v. Jackson County, 103 Or App 377, 797 P2d 8 The Supreme Court affirmed the Court of 9 1061 (1990). 10 Appeals' decision on other grounds. Clark v. Jackson County, 313 Or 508, ___ P2d ___ (1992). 11

12 In accordance with the Supreme Court's decision, the 13 county's decision is affirmed.