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

KENNETH L. REUSSER, GERTRUDE)
REUSSER, LEON CLUTTERHAM, DOROTHY)
CLUTTERHAM, DEREK FICK, LUZAN)
FICK, JOHN L. KLOR, JUDY F. KLOR,)
JACK E. YOUNG, MEREDITH C. YOUNG,)
MICHAEL G. DeNOUX-MAGNUS, and)
DANIELLE DeNOUX-MAGNUS,)
)
Petitioners-Cross-)
Respondents,)
)
vs.)
)
WASHINGTON COUNTY,)
)
Respondent-Cross-)
Respondent,)
)
and)
)
STUART HONEYMAN,)
)
Intervenor-Respondent-)
Cross-Petitioner.)

LUBA No. 92-212
FINAL OPINION
AND ORDER

Jack L. Orchard, Portland, represented petitioners-cross-respondents.

David C. Noren, Assistant County Counsel, Hillsboro, represented respondent-cross-respondent.

Steven W. Abel, Portland, represented intervenor-respondent-cross-petitioner.

SHERTON, Referee; KELLINGTON, Chief Referee; HOLSTUN, Referee, participated in the decision.

AFFIRMED 12/21/93

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

1 197.850.

1 Sheraton, Referee.

2 This case concerns a county decision approving a lot
3 line adjustment involving two lots in adjacent rural planned
4 developments (RPDs). In Reusser v. Washington County, 25
5 Or LUBA 252 (1993), we concluded the county misconstrued its
6 code provisions concerning lot line adjustments and RPDs and
7 reversed the challenged decision. Our decision was appealed
8 to the court of appeals. The court of appeals concluded the
9 county's interpretation of these provisions in the
10 challenged decision is within the discretion afforded the
11 county under Clark v. Jackson County, 313 Or 508, 515, 836
12 P2d 510 (1992), and held that we erred in not accepting the
13 county's interpretation. Reusser v. Washington County, 122
14 Or App 33, 36-37, ___ P2d ___ (1993).

15 In accordance with the court of appeals' opinion, the
16 county's decision is affirmed.