

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

3  
4 MARK MAZESKI and DIANA CROSBY    )  
5 MAZESKI,                                )  
6                                        )  
7                    Petitioners,        )           LUBA No. 94-147  
8                                        )  
9            vs.                            )           FINAL OPINION  
10                                        )           AND ORDER  
11 WASCO COUNTY,                         )  
12                                        )  
13                    Respondent.        )

14  
15  
16            Appeal from Wasco County.

17  
18            Mark J. Mazeski and Diana Crosby Mazeski, Mosier,  
19 represented themselves.

20  
21            Bernard L. Smith, District Attorney, The Dalles,  
22 represented respondent.

23  
24            SHERTON, Referee; HOLSTUN, Referee, participated in the  
25 decision.

26  
27                    REMANDED    09/30/94

28  
29            You are entitled to judicial review of this Order.  
30 Judicial review is governed by the provisions of ORS  
31 197.850.

1           Sheraton, Referee.

2           The parties agree that the challenged county decision  
3 be remanded to address the issues raised by petitioners in  
4 their petition for review. The parties further agree that  
5 respondent reimburse petitioners for their filing fee and  
6 that this Board return petitioners' deposit for costs.

7           The county's decision is remanded. Petitioners are  
8 awarded the cost of their filing fee, in the amount of \$50,  
9 to be paid by respondent. The Board shall return  
10 petitioners' \$150 deposit for costs.