

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

3
4 DAVID ABRAMS,
5 *Petitioner,*

6
7 vs.

8
9 CLACKAMAS COUNTY,
10 *Respondent.*

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12 LUBA No. 2000-023

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14 FINAL OPINION
15 AND ORDER

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17 Appeal from Clackamas County.

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19 Gary P. Shepherd, Portland, represented petitioner.

20
21 Michael E. Judd, Senior Assistant County Counsel, Oregon City, represented
22 respondent.

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24 BRIGGS, Board Member; BASSHAM, Board Chair; HOLSTUN, Board Member,
25 participated in the decision.

26
27 DISMISSED

05/04/2000

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

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1 Briggs, Board Member.

2 The parties have stipulated to a dismissal of this appeal. In the stipulation, petitioner
3 has agreed to relocate his business by August 15, 2000. In addition, the parties have agreed
4 that respondent is entitled to recover its costs of preparing the record from petitioner's
5 deposit for costs, and that petitioner shall be entitled to a refund of his \$175.00 filing fee.

6 We have no opinion regarding the parties' agreement concerning the relocation
7 petitioner's business. The balance of petitioner's deposit for costs will be returned once we
8 are in receipt of the county's cost bill. However, the filing fee accompanying appeals filed at
9 LUBA is not refundable. Therefore, we deny that portion of the parties' motion requesting a
10 refund of petitioner's filing fee.

11 This appeal is dismissed.