

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

3
4 LEN WAGGONER,
5 *Petitioner,*

6
7 vs.

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9 COLUMBIA COUNTY,
10 *Respondent,*

11
12 and

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14 GLACIER NORTHWEST, INC.,
15 *Intervenor-Respondent.*

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17 LUBA No. 2003-168

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19 FINAL OPINION
20 AND ORDER

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22 Appeal from Columbia County.

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24 Michael F. Sheehan, Scappoose, represented petitioner.

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26 Sarah Tyson, Assistant County Counsel, St. Helens, represented respondent.

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28 Steven W. Abel, Portland, represented intervenor-respondent.

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30 HOLSTUN, Board Chair; BASSHAM, Board Member; DAVIES, Board Member,
31 participated in the decision.

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33 DISMISSED 07/28/2004

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

Holstun, Board Chair.

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2 **MOTION TO INTERVENE**

3 Glacier Northwest, Inc., the applicant below, moves to intervene on the side of the
4 respondent. There is no opposition to the motion, and it is allowed.

5 **MOTION FOR VOLUNTARY DISMISSAL**

6 Petitioner requests that this appeal be dismissed and for return of its deposit for costs.
7 Neither respondent nor intervenor object to the motion. Accordingly, this appeal is dismissed. The
8 Board will return petitioner's \$150 deposit for costs.