

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 CAROL CROCKETT,
5 *Petitioner,*

6
7 vs.

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9 CURRY COUNTY,
10 *Respondent,*

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12 and

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14 OREGON DEPARTMENT
15 OF TRANSPORTATION,
16 *Intervenor-Respondent.*

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18 LUBA No. 2008-163

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20 FINAL OPINION
21 AND ORDER

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23 Appeal from Curry County.

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25 James D. Brown, Portland, represented petitioner.

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27 M. Gerard Herbage, County Counsel, Gold Beach, represented respondent.

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29 Bonnie Heitsch, Assistant Attorney General, Salem, represented intervenor-
30 respondent.

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32 HOLSTUN, Board Member; BASSHAM, Board Chair, participated in the decision.

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34 RYAN, Board Member, did not participate in the decision.

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36 REMANDED

11/05/2008

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

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MOTION TO INTERVENE

Oregon Department of Transportation, the applicant below, moves to intervene on the side of respondent. No party opposes the motion, and it is granted.

MOTION FOR VOLUNTARY REMAND

Citing *Murphy Citizen’s Advisory Committee v. Josephine County*, 35 Or LUBA 117 (1998), respondent requests a voluntary remand of the decision challenged in this appeal for “a comprehensive review of the application together with Petitioner’s assignments of error.”
Motion for Voluntary Remand 1-2.

Petitioner does not object to the motion, provided the county is proposing to address all of the allegations of error that are presented in the petition for review. *Angel v. City of Portland*, 20 Or LUBA 541, 543 (1991). We understand the county to represent that on remand it will address all the allegations of error that are presented in petitioner’s petition for review.

The county’s decision is remanded.