

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

3
4 HYIAH SYRAH, BARBARA CERVONE,
5 DEBORAH HANSEN-BERNARD, DENISE KRAUSE,
6 SALLY STEELE, and REBECCA GILBERT HILLS,
7 *Petitioners,*

8
9 vs.

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11 JACKSON COUNTY,
12 *Respondent,*

13
14 and

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16 KRISTA VEGTER,
17 *Intervenor-Respondent.*

18
19 LUBA No. 2022-108

20
21 FINAL OPINION
22 AND ORDER

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24 Appeal from Jackson County.

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26 C. Casey White represented petitioners.

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28 Joel C. Benton represented respondent.

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30 Charles E. Bolen represented intervenor-respondent.

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32 RYAN, Board Chair; ZAMUDIO, Board Member, participated in the
33 decision.

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35 RUDD, Board Member, did not participate in the decision.

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37 TRANSFERRED 03/20/2023

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

1 is filed. *Upon filing a petition under ORS 34.130, jurisdiction for all*
2 *decisions regarding the application, including settlement, shall be*
3 *with the circuit court.*” (Emphasis added.)

4 Accordingly, the circuit court retains jurisdiction over the county’s decision
5 approving the applications, and LUBA lacks jurisdiction over the appeal.

6 Pursuant to ORS 34.102 and OAR 661-010-0075(10)(c), the appeal is
7 transferred to Jackson County Circuit Court.