

LAND USE
BOARD OF APPEALS

BEFORE THE LAND USE BOARD OF APPEALS

JUL 13 4 32 PM '88

OF THE STATE OF OREGON

GRACE HAMMOND, QUENTIN COBLE,)
DOROTHY WILSON, CARL JONASSON,)
and BETTY JONASSON,)

LUBA No. 88-013

Petitioners,)

FINAL OPINION

vs.)

AND ORDER OF DISMISSAL

CITY OF LINCOLN CITY,)

Respondent.)

Appeal from Lincoln City.

John Shurts
Stoel, Rives, Boley,
Jones & Grey
900 SW Fifth Ave., S-2300
Portland, OR 97204

Joan Chambers
Attorney at Law
City of Lincoln City
P.O. Box 50
Lincoln City, OR 97367

Attorney for Petitioner

Attorney for Respondent

HOLSTUN, Referee; BAGG, Chief Referee; SHERTON, Referee.

DISMISSED

07/13/88

You are entitled to judicial review of this Order.

Judicial review is governed by the provisions of ORS 197.850.

1 Holstun, Referee.

2 Respondent moves to dismiss this appeal because the city
3 adopted an amendment to the zoning ordinance after the appeal
4 was filed that renders this appeal moot. Petitioners filed a
5 response advising LUBA they do not contest the motion to
6 dismiss.¹

7 The motion to dismiss is allowed. Because no record was
8 filed in this proceeding, the Board shall return petitioner's
9 deposit for costs. See OAR 661-10-075(1)(b).

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FOOTNOTE

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1 A motion to intervene was filed by Tracy Epping. While we have not acted on the motion, and our disposition of this proceeding makes it unnecessary to do so, movant Epping advised LUBA she does not object to the motion to dismiss.