

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3 JCK RESTAURANTS, INC.,

4 *Petitioner,*

5 vs.

6 CITY OF COTTAGE GROVE,

7 *Respondent,*

8 and

9 VR, INC. and THOMAS FOX PROPERTIES,

10 *Intervenors-Respondents.*

11 LUBA No. 2010-116

12 FINAL OPINION

13 AND ORDER

14 Appeal from City of Cottage Grove.

15 Bill Kloos, Eugene, represented petitioner.

16 Sean D. Kelly, Cottage Grove, represented respondent.

17 Michael C. Robinson, Portland, represented intervenor-respondent.

18 HOLSTUN, Board Chair; BASSHAM, Board Member; RYAN, Board Member,
19 participated in the decision.

20 DISMISSED

21 01/16/2014

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

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Bassham, Board Member.

2 **MOTION TO INTERVENE**

3 VR, Inc. and Thomas Fox Properties move to intervene on the side of respondent. No
4 party opposes the motion and it is granted.

5 **REQUEST FOR DISMISSAL**

6 Petitioner requests that this appeal be dismissed. Accordingly, this appeal is
7 dismissed.