

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

3  
4 CATHERINE DIMINO,  
5 *Petitioner,*

6  
7 vs.

8  
9 CITY OF ASHLAND,  
10 *Respondent,*

11 and

12  
13 ROBERT McLELLAN and LAURA McLELLAN,  
14 *Intervenors-Respondents.*

15  
16 LUBA No. 2008-133

17  
18 FINAL OPINION  
19 AND ORDER

20  
21 Appeal from City of Ashland.

22  
23 Catherine Dimino, Ashland, represented herself.

24  
25 Richard Appicello, Ashland, represented respondent.

26  
27 Christian E. Hearn, Ashland, represented intervenors-respondents.

28  
29 BASSHAM, Board Chair; HOLSTUN, Board Member, participated in the decision.

30  
31 RYAN, Board Member, did not participate in the decision.

32  
33 DISMISSED

34 01/15/2009

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

1 Bassham, Board Chair.

2 **MOTION TO INTERVENE**

3 Robert McLellan and Laura McLellan (intervenors), the applicants below, move to  
4 intervene on the side of the respondent in this appeal. There is no opposition to the motion  
5 and it is granted.

6 **MOTION TO DISMISS**

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