

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

3  
4 J. BLAINE HOGGARD,                   )  
5                                            )  
6                   Petitioner,                    )  
7                                            )  
8                   vs.                                            )  
9                                            )                   LUBA No. 95-216  
10 CITY OF PORTLAND,                    )  
11                                            )                   FINAL OPINION  
12                   Respondent,                    )                   AND ORDER  
13                                            )  
14                   and                                            )  
15                                            )  
16 LOWER EAST BURNSIDE BOOSTERS and                    )  
17 KERNS NEIGHBORHOOD ASSOCIATION,                    )  
18                                            )  
19                   Intervenors-Respondent.                    )

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21  
22                   Appeal from City of Portland.

23  
24                   Ernest G. Bootsma, Portland, represented petitioner.

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26                   Michael A. Holstun, Senior Assistant City Attorney,  
27 Portland, represented respondent.

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29                   Robert E. Stacey, Jr., Portland, represented  
30 intervenor-respondent, Lower East Burnside Boosters.

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32                   Susan M. Marshall, Portland, represented intervenor-  
33 respondent, Kerns Neighborhood Association.

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35                   GUSTAFSON, Referee; LIVINGSTON, Chief Referee; HANNA,  
36 Referee, participated in the decision.

37  
38                   DISMISSED                                           01/05/96

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40                   You are entitled to judicial review of this Order.  
41 Judicial review is governed by the provisions of ORS  
42 197.850.

1           Gustafson, Referee.

2           Petitioner moves to dismiss his appeal.   Accordingly,

3   this appeal is dismissed.