

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 TOM ESPINOSA and HEIDI ESPINOSA,
5 *Petitioners,*

6
7 vs.

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9 CITY OF MEDFORD,
10 *Respondent,*

11 and

12
13 STONEBROOK ASSOCIATES,
14 *Intervenor-Respondent.*

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16 LUBA No. 99-189

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18 FINAL OPINION
19 AND ORDER

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22 Appeal from City of Medford.

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24 Tom Espinosa and Heidi Espinosa, Medford, represented themselves.

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26 Ronald L. Doyle, Medford, represented respondent.

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28 John R. Hasson, Medford, represented intervenor.

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30 BRIGGS, Board Member; BASSHAM, Board Chair; HOLSTUN, Board Member,
31 participated in the decision.

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33 DISMISSED

01/12/2001

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

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Opinion by Briggs.

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3 Respondent moves to dismiss this appeal. According to respondent, the applicant,
4 Stonebrook Associates, has withdrawn its application that led to the challenged decision, and
5 therefore, the appeal is moot. None of the other parties objects to the motion.

6 LUBA will dismiss an appeal as moot, where review would have no practical effect.
7 *Gettman v. City of Bay City*, 28 Or LUBA 121 (1994). Based on the city’s representation
8 that the withdrawal of the subject application renders the challenged decision moot, we
9 dismiss this appeal.