

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

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4 JANINE SARTI, BRUCE KUBLER, JOE)
5 DeFRANCESCO, JOAN DeFRANCESCO,)
6 LYNN RYAN, MARGARET RYAN, ANN)
7 HERTZBERG, MARY SHARP, RUBY)
8 PAULSON, ANN SAVAGE, ROBERT)
9 BANKHEAD, and MARTY BANKHEAD,)
10) LUBA No. 90-116
11 Petitioners,)
12) FINAL OPINION
13 vs.) AND ORDER
14)
15 CITY OF LAKE OSWEGO,)
16)
17 Respondent,)
18)
19 and)
20)
21 BEV LINDEMANN,)
22)
23 Intervenor-Respondent.)

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26 Appeal from City of Lake Oswego.

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28 Steven W. Abel, Portland, filed the petition for review
29 and argued on behalf of petitioners. With him on the brief
30 was Schwabe Williamson & Wyatt.

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32 John H. Hammond, Jr., West Linn, filed a response brief
33 and argued on behalf of respondent. With him on the brief
34 was Hutchinson, Hammond, Walsh, Herndon & Darling.

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36 J. Kristen Pecknold, Portland, filed a response brief
37 and argued on behalf of intervenor-respondent. With her on
38 the brief was Reeves, Hahn & Elder.

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40 HOLSTUN, Referee; KELLINGTON, Chief Referee; SHERTON,
41 Referee, participated in the decision.

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43 AFFIRMED 06/21/91

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45 You are entitled to judicial review of this Order.

1 Judicial review is governed by the provisions of ORS
2 197.850.

1 Opinion by Holstun.

2 Our January 7, 1991 decision reversing the city's
3 decision in this matter was reversed by the Court of
4 Appeals. Sarti v. City of Lake Oswego, 106 Or App 594, ___
5 P2d ___ (1991). In accordance with the Court of Appeals'
6 decision, the city's decision is affirmed.