

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

3  
4 JOAN E. SMITH and CHARLES L. SMITH,                                    )  
5    )                   LUBA No. 95-054  
6                                   Petitioners,                                )  
7    )                   FINAL OPINION  
8                   vs.    )                   AND ORDER  
9    )  
10 CITY OF PHOENIX,    )                   (MEMORANDUM OPINION)  
11    )                   ORS 197.835(16)  
12                                   Respondent.                                )  
13

14                   Appeal from City of Phoenix.

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16                   Joan E. Smith and Charles L. Smith, Phoenix, filed the  
17 petition for review and argued on their own behalf.

18  
19                   Larry L. Kerr, Medford, filed the response brief and  
20 argued on behalf of respondent.

21  
22                   LIVINGSTON, Chief Referee; HANNA, Referee, participated  
23 in the decision.

24  
25                   AFFIRMED   01/09/96

26  
27                   You are entitled to judicial review of this Order.  
28 Judicial review is governed by the provisions of ORS  
29 197.850.