

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

3
4 CHARLES FERNANDEZ, MARILYN FERNANDEZ,
5 and HAWKINS VIEW ARCHITECTURAL
6 CONTROL COMMITTEE,
7 *Petitioners,*

8
9 vs.

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11 CITY OF EUGENE,
12 *Respondent,*

13
14 and

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16 DAN COOPER and DC FINE HOMES,
17 *Intervenors-Respondents.*

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19 LUBA No. 2008-177

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21 FINAL OPINION
22 AND ORDER

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24 Appeal from City of Eugene.

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26 Douglas M. DuPriest and Zack P. Mittge, Eugene, represented petitioners.

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28 Ross M. Williamson, Eugene, represented respondent.

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30 Michael C. Robinson and Seth J. King, Portland, represented intervenors-
31 respondents.

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

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35 RYAN, Board Member, did not participate in the decision.

36
37 DISMISSED

11/17/2008

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

Holstun, Board Member.

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2 **MOTION TO INTERVENE**

3 Dan Cooper and DC Fine Homes (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 FOR VOLUNTARY DISMISSAL**

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