

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

3
4 GWEN CHANCELLOR and BILL ADAMS,
5 *Petitioners,*

6
7 vs.

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9 CITY OF KLAMATH FALLS,
10 *Respondent,*

11 and

12
13 JEFFREY FISCUS and AL BRUNER,
14 *Intervenors-Respondents.*

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16 LUBA No. 2008-193

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18 FINAL OPINION
19 AND ORDER

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21 Appeal from City of Klamath Falls.

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23 Gwen Chancellor and Bill Adams, Klamath Falls, represented themselves.

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25 Richard C. Whitlock, Klamath Falls, represented respondent.

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27 Ben Freudenberg, Grants Pass, represented intervenor-respondent.

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

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

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33 DISMISSED

34 12/02/2008

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

Holstun, Board Member.

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2 **MOTION TO INTERVENE**

3 Jeffrey Fiscus and Al Burner, the applicants below, move to intervene on the side of
4 respondent in this appeal. There is no opposition to the motion and it is granted.

5 **MOTION TO DISMISS**

6 Petitioners request that this appeal be dismissed. We treat the request as a motion to
7 dismiss. Accordingly, this appeal is dismissed.