

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

3
4 MARK J. GREENFIELD,
5 *Petitioner,*

6
7 vs.

8
9 MULTNOMAH COUNTY,
10 *Respondent,*

11
12 and

13
14 BELLA ORGANIC LLC, MIKE HASHEM,
15 ELIZABETH HASHEM, JOHNNY KONDILIS-HASHEM,
16 and SOFIA KONDILIS-HASHEM,
17 *Intervenors-Respondents.*

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19 LUBA No. 2015-061

20
21 FINAL OPINION
22 AND ORDER

23
24 Appeal from Multnomah County.

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26 Mark J. Greenfield, Portland, represented himself.

27
28 Jed R. Tomkins, Assistant County Counsel, Portland, represented
29 respondent.

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31 Ty K. Wyman, Portland, represented intervenors-respondents.

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

35
36 DISMISSED

10/06/2015

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

1 Holstun, Board Member.

2 **MOTION TO INTERVENE**

3 Bella Organic LLC, Mike Hashem, Elizabeth Hashem, Johnny Kondilis-
4 Hashem and Sofia Kondilis-Hashem move to intervene on the side of the
5 respondent in this appeal. There is no opposition to the motion and it is
6 granted.

7 **DECISION**

8 Petitioner's notice of intent to appeal was filed on August 10, 2015. The
9 county withdrew the appealed decision for reconsideration on August 25, 2015.
10 The county filed its amended decision on September 29, 2015. The county
11 advises LUBA that all parties agree that this appeal should be dismissed. The
12 parties also agree that petitioner should awarded costs, to be paid by
13 respondent, and that LUBA should return petitioner's \$200 deposit for costs.

14 This appeal is dismissed. Petitioner is awarded costs in the amount of
15 \$200, to be paid by respondent. The Board will return petitioner's \$200 deposit
16 for costs.