

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

3
4 RESERVE VINEYARDS & GOLF CLUB, LLC,
5 *Petitioner,*

6
7 vs.

8
9 WASHINGTON COUNTY,
10 *Respondent.*

11
12 LUBA No. 2005-130

13
14 FINAL OPINION
15 AND ORDER

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17 Appeal from Washington County.

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19 Christopher P. Koback, Portland, represented petitioner.

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21 Christopher A. Gilmore, Assistant County Counsel, Hillsboro, represented
22 respondent.

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24 DAVIES, Board Member; BASSHAM, Board Chair; HOLSTUN, Board Member,
25 participated in the decision.

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27 DISMISSED

05/02/2006

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

Opinion by Davies.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, Washington County withdrew the decision challenged in this appeal for reconsideration on September 16, 2005. On January 18, 2006, the Board received Washington County's decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until February 8, 2006 to either refile its original notice of intent to appeal in this matter, or file an amended notice of intent to appeal. The Board has not received a refiled original notice of intent to appeal or an amended notice of intent to appeal in accordance with OAR 661-010-0021(5)(a).

OAR 661-010-0021(5)(e) provides "[i]f no amended notice of intent to appeal is filed or no original notice of intent to appeal is refiled, as provided in [OAR 661-010-0021(5)(a)], the appeal will be dismissed." Accordingly, this appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or LUBA 557 (1993).