

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 ST. FRANCIS OF ASSISI PARISH,

5 *Petitioner,*

6
7 vs.

8
9 WASHINGTON COUNTY,

10 *Respondent,*

11
12 LUBA No. 2010-047

13
14 FINAL OPINION

15 AND ORDER

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17 Appeal from Washington County.

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19 Andrew H. Stamp, Lake Oswego, represented petitioner.

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

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23 RYAN, Board Member; HOLSTUN, Board Chair; BASSHAM, Board Member,
24 participated in the decision.

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26 DISMISSED

12/14/2010

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

Opinion by Ryan.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the respondent withdrew the decision challenged in this appeal for reconsideration on June 17, 2010. On November 16, 2010, the Board received the decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until December 7, 2010 to either refile its original notice of intent to appeal in this matter, or file an amended notice of intent to appeal.

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.” 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).

This appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or LUBA 557 (1993).