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

BEAUMONT-WILSHIRE NEIGHBORHOOD)
ASSOCIATION,)
)
Petitioner,)
)
vs.)
)
CITY OF PORTLAND,)
)
Respondent.)

LUBA No. 98-196

FINAL OPINION
AND ORDER

Appeal from City of Portland.
Steven F. Hill, Portland, represented petitioner.
Jeffrey L. Rogers, Portland, represented respondent.

HANNA, Board Member; GUSTAFSON, Board Chair; HOLSTUN, Board Member,
participated in the decision.

DISMISSED 02/09/99

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

1 Opinion by Hanna.

2 Pursuant to ORS 197.830(12)(b) and OAR 661-10-021, the city of Portland withdrew
3 the decision challenged in this appeal for reconsideration on December 8, 1998. On
4 December 31, 1998, the Board received the city's decision on reconsideration. Pursuant to
5 OAR 661-10-021(5)(a), petitioner had until January 21, 1999 to (1) refile its original notice
6 of intent to appeal in this matter, or (2) file an amended notice of intent to appeal. It has
7 informed that it will not refile the original notice of intent to appeal or an amended notice of
8 intent to appeal in accordance with OAR 661-10-021(5)(a).

9 OAR 661-10-021(5)(d) provides "[i]f no amended notice of intent to appeal is filed or
10 no original notice of intent to appeal is refiled, as provided in [OAR 661-10-021(5)(a)], the
11 appeal will be dismissed."

12 This appeal is dismissed. Matrix Development v. City of Tigard, 25 Or LUBA 557
13 (1993).