| 1 | BEFORE THE LAND USE BOARD OF APPEALS | | |
|----|---|--|--|
| 2 | OF THE STATE OF OREGON | | |
| 3 | | | |
| 4 | | | |
| 5 |) | | |
| 6 | Petitioner,) LUBA No. 9 | LUBA No. 94-041 | |
| 7 |) | | |
| 8 | vs.) FINAL OPP | INION | |
| 9 |) AND ORI | DER | |
| 10 | MARION COUNTY,) | | |
| 11 |) | | |
| 12 | Respondent.) | | |
| 13 | | | |
| 14 | | | |
| 15 | Appeal from Marion County. | | |
| 16 | | | |
| 17 | Charles Woods, Salem, represented himself. | | |
| 18 | | | |
| 19 | <u> </u> | Counsel, | |
| 20 | Salem, represented respondent. | | |
| 21 | | | |
| 22 | HOLSTUN, Referee; KELLINGTON, Chief Referee; SHERTON, | | |
| 23 | Referee, participated in the decision. | | |
| 24 | | | |
| 25 | | | |
| 26 | | | |
| 27 | 3 | You are entitled to judicial review of this Order. | |
| 28 | | s of ORS | |
| 29 | 197.850. | | |

- 1 Opinion by Holstun.
- 2 Under ORS 197.830(8) and OAR 661-10-015, the notice of
- 3 intent to appeal in this matter was required to be filed
- 4 with this Board within 21 days after the date the challenged
- 5 land use decision became final. The notice of intent to
- 6 appeal filed by petitioner in this appeal was filed more
- 7 than 21 days after the date the decision became final.
- 8 Respondent moves to dismiss this appeal, and the motion
- 9 is granted. Oak Lodge Water District v. Clackamas County,
- 10 18 Or LUBA 643 (1990). Because no record was filed by the
- 11 county in this matter, the Board will return petitioner's
- 12 \$150 deposit for costs.