

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON
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4 ED CHRISTENSEN and
5 CLM DEVELOPMENT,

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10 Petitioners,
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100 Respondent.

LUBA No. 98-057

vs.

FINAL OPINION
AND ORDER

CITY OF WEST LINN,

Respondent.

Appeal from City of West Linn.

Stacy L. Fowler, West Linn, represented petitioners.

Timothy V. Ramis, Portland, represented respondent.

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

DISMISSED

2/11/99

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 West Linn
3 withdrew the decision challenged in this appeal for reconsideration on April 13, 1998. On
4 November 17, 1998, the Board received the county's decision on reconsideration. Pursuant
5 to OAR 661-10-021(5)(a), petitioner had until December 8, 1998, to (1) refile its original
6 notice of intent to appeal in this matter, or (2) file an amended notice of intent to appeal. The
7 Board has not received a refiled 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).