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

ED CHRISTENSEN and)
CLM DEVELOPMENT,)
)
Petitioners,)
)
vs.)
)
CITY OF WEST LINN,)
)
Respondent.)

LUBA No. 98-057

FINAL OPINION
AND ORDER

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).