BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

MARTIN KACZMAREK and
KACZMAREK CUSTOM HOMES,
Petitioners,

vs.

DESCHUTES COUNTY,
Respondent.

LUBA No. 2003-030

FINAL OPINION
AND ORDER

Appeal from Deschutes County.

Bruce W. White, Bend, represented petitioners.

Laurie E. Craghead, Bend, represented respondent.

BRIGGS, Board Member; BASSHAM, Board Chair; HOLSTUN, Board Member, participated in the decision.

DISMISSED 02/23/2004

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

Briggs, Board Member.

The notice of intent to appeal was filed on February 24, 2003. On March 12, 2003 and May 30, 2003, the parties stipulated to an extension of time to pursue settlement options. On February 6, 2004, we sent a letter to the parties, inquiring as to the status of the appeal, and informing them that if we did not hear a response from the parties within 14 days of the letter, we would dismiss this appeal.

We received correspondence from petitioners stating that they did not object to dismissal of this appeal. Accordingly, it is dismissed. The Board will return petitioners' deposit for costs, in the amount of $150.