

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 SEQUOIA DEVELOPMENT, LLC.,

5 *Petitioner,*

6
7 vs.

8
9 CLACKAMAS COUNTY,

10 *Respondent.*

11
12 LUBA No. 2005-052

13
14 FINAL OPINION

15 AND ORDER

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17 Appeal from Clackamas County.

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19 Roger A. Alfred, Portland, represented petitioner.

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21 Michael E. Judd, County Counsel, Oregon City, represented respondent.

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23 HOLSTUN, Board Member; DAVIES, Board Chair; BASSHAM, Board Member,
24 participated in the decision.

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26 DISMISSED

10/19/2005

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

Opinion by Holstun.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, Clackamas County withdrew the decision challenged in this appeal for reconsideration on April 14, 2005. On July 14, 2005, the Board received Clackamas County's decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until August 4, 2005 to either refile its original notice of intent to appeal in this matter, or file an amended notice of intent to appeal. The Board has not received a refiled original notice of intent to appeal or an amended notice of intent to appeal in accordance with OAR 661-010-0021(5)(a).

OAR 661-010-0021(5)(e) provides "[i]f no amended notice of intent to appeal is filed or no original notice of intent to appeal is refiled, as provided in [OAR 661-010-0021(5)(a)], the appeal will be dismissed."

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