

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

3
4 LEE BISSELL,
5 *Petitioner,*

6
7 vs.

8
9 JEFFERSON COUNTY,
10 *Respondent.*

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12 LUBA Nos. 2007-054 and 2007-055

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14 FINAL OPINION
15 AND ORDER

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17 Appeal from Jefferson County.

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19 Bruce W. White, Bend, represented petitioner.

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21 David C. Allen, County Counsel, Madras, represented respondent.

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

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25 RYAN, Board Member, did not participate in the decision.

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27 DISMISSED

12/05/2008

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

Opinion by Bassham.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, Jefferson County withdrew the decision challenged in this appeal for reconsideration on January 28, 2008. On May 23, 2008, the Board received Jefferson County’s decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until June 13, 2008 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).