

1 BEFORE THE LAND USE BOARD OF APPEALS

2 OF THE STATE OF OREGON

3
4 DEPARTMENT OF LAND CONSERVATION
5 AND DEVELOPMENT,

6 *Petitioner,*

7
8 and

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10 CITY OF LOWELL
11 *Intervenor-Petitioner,*

12
13 vs.

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15 LANE COUNTY,
16 *Respondent.*

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18 LUBA No. 2008-075

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20 CITY OF CRESWELL, CITY OF JUNCTION CITY,
21 CITY OF OAKRIDGE and CITY OF VENETA,

22 *Petitioners,*

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24 and

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26 CITY OF LOWELL
27 *Intervenor-Petitioner,*

28
29 vs.

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31 LANE COUNTY,
32 *Respondent.*

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34 LUBA No. 2008-078

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36 FINAL OPINION
37 AND ORDER

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39 Appeal from Lane County.

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41 Danielle Aglipay, Assistant Attorney General, Salem, represented petitioner
42 Department of Land Conservation and Development.

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44 Carolyn H. Connelly, Eugene, represented petitioners City of Creswell, City of
45 Junction City, City of Oakridge and City of Veneta.

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John H. Beckfield, Salem, represented intervenor-petitioner.

Stephen L. Vorhes, Assistant County Counsel, Eugene, represented respondent.

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

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

DISMISSED 12/08/2008

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

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MOTION TO INTERVENE

The City of Lowell moves to intervene on the side of petitioners. No party opposes the motion, and it is granted.

DECISION

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, Lane County withdrew the decision challenged in these appeals for reconsideration on May 29, 2008. On June 27, 2008, the Board received Lane County’s decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioners had until July 18, 2008, to either refile their original notices of intent to appeal in this matter, or file amended notices of intent to appeal. The Board has not received refiled original notices of intent to appeal or amended notices 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.”

These appeals are dismissed. *Matrix Development v. City of Tigard*, 25 Or LUBA 557 (1993).