BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

TOUCHMARK HEIGHTS, LLC,
Petitioner,

vs.

WASHINGTON COUNTY,
Respondent,

and

LES SWANSON, KRISTINE OLSON,
WILLIAM DAVIS, MEREDITH DAVIS,
BILL FALKENHAYN, NICKY FALKENHAYN,
TIM CULLIGAN and YOKO FUNAKI.
Intervenor-Respondents.

LUBA No. 2013-027

FINAL OPINION
AND ORDER

Appeal from Washington County.

Jack L. Orchard, Portland, represented petitioner.

Alan A. Rappleyea, County Counsel, Hillsboro, represented respondent.

Erin Madden, Portland, represented intervenor-respondents.

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

　　　　　DISMISSED　　　　　　　　　　03/12/2015

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

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1   Opinion by Bassham.

2   Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, Washington

3 County withdrew the decision challenged in this appeal for reconsideration on

4 April 11, 2013. On August 16, 2013, the Board received the Washington

5 County decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a),

6 petitioner had until September 5, 2013, to either refile its original notice of

7 intent to appeal in this matter, or file an amended notice of intent to appeal.

8 The Board has not received a refiled original notice of intent to appeal or an

9 amended notice of intent to appeal in accordance with

10 OAR 661-010-0021(5)(a).

11   OAR 661-010-0021(5)(e) provides "[i]f no amended notice of intent to

12 appeal is filed or no original notice of intent to appeal is refiled, as provided in

13 [OAR 661-010-0021(5)(a)], the appeal will be dismissed."

14   This appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or

15 LUBA 557 (1993).