1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
	DD SPRUCE LLC
4 5	Petitioner,
6	
7	VS.
8	
9	LINCOLN COUNTY,
10	Respondent.
11	
12	LUBA No. 2014-075
13	
14	FINAL OPINION
15	AND ORDER
16	
17	Appeal from Lincoln County.
18	
19	Criste C. White, Portland, represented petitioner.
20	
21	Wayne Belmont, County Counsel, Newport, represented respondent.
22	
23	BASSHAM, Board Member; RYAN, Board Chair; HOLSTUN, Board
24	Member, participated in the decision.
25	
26	DISMISSED 03/12/2015
27	
28	You are entitled to judicial review of this Order. Judicial review is
29	governed by the provisions of ORS 197.850.

1	Opinion by Bassham.
2	Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the county
3	withdrew the decision challenged in this appeal for reconsideration on
4	September 12, 2014. On January 12, 2015, the Board received the county's
5	decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner
6	had until February 2, 2015 to either refile its original notice of intent to appeal
7	in this matter, or file an amended notice of intent to appeal. The Board has not
8	received a refiled original notice of intent to appeal or an amended notice of
9	intent to appeal in accordance with OAR 661-010-0021(5)(a).
10	OAR 661-010-0021(5)(e) provides "[i]f no amended notice of intent to
11	appeal is filed or no original notice of intent to appeal is refiled, as provided in
12	[OAR 661-010-0021(5)(a)], the appeal will be dismissed."
13	This appeal is dismissed. Matrix Development v. City of Tigard, 25 Or
14	LUBA 557 (1993).