1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	
4	DANIEL CALEF and SUSAN CALEF,
5	Petitioners,
6	
7	VS.
8	
9	CITY OF SEASIDE,
10	Respondent.
11	
12	LUBA No. 2017-059
13	
14	FINAL OPINION
15	AND ORDER
16	
17	Appeal from City of Seaside.
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19	Sean T. Malone, Eugene, represented petitioners.
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21	Dan Van Thiel, Baker City, represented respondent.
22	HOLOTHAN D. 114 1. DAVIN D. 161 ' DIGGLIAN D. 1
23	HOLSTUN, Board Member; RYAN, Board Chair; BASSHAM, Board
24	Member, participated in the decision.
25	DIGMIGGED 01/02/2019
26	DISMISSED 01/02/2018
27	Vou one entitled to indicial marriage of this Orden. Indicial marriage is
28	You are entitled to judicial review of this Order. Judicial review is
29	governed by the provisions of ORS 197.850.

Opinion by Holstun.

2	Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the city
3	withdrew the decision challenged in this appeal for reconsideration on July 6,
4	2017. On October 6, 2017, the Board received the city's decision on
5	reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until
6	October 27, 2017, to either refile its original notice of intent to appeal in this
7	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

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

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