

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

3  
4                   JENNIFER LONG,  
5                                   *Petitioner,*

6  
7                                   vs.

02/22/18 AM 10:02 LUBA

8  
9                   CITY OF HUNTINGTON,  
10                                   *Respondent.*

11  
12                                   LUBA No. 2017-104

13  
14                                   FINAL OPINION  
15                                   AND ORDER

16  
17                   Appeal from City of Huntington.

18  
19                   Jennifer Long, Baker City, represented herself.

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21                   Larry A. Sullivan, Vale, represented respondent.

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

25  
26                                   DISMISSED                   02/22/2018

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 Ryan.

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  
4 November 16, 2017. On January 18, 2018, the Board received the city's  
5 decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner  
6 had until February 8, 2018, to either refile her 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).