1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
3	02/27/18 at 8556 LISA
4	RAY SALTER and DIANNE SALTER,
5	Petitioners,
6	
7	VS.
8	
9	CITY OF SCOTTS MILLS,
10	Respondent.
11	
12	LUBA No. 2017-106
13	
14	FINAL OPINION
15	AND ORDER
16	
17	Appeal from City of Scotts Mills.
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19	Donald M. Kelley, Silverton, represented petitioner.
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21	Ross M. Williamson, Eugene, represented respondent.
22	
23	HOLSTUN, Board Member; RYAN, Board Chair; BASSHAM, Board
24	Member, participated in the decision.
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26	DISMISSED 02/27/2018
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28	You are entitled to judicial review of this Order. Judicial review is
29	governed by the provisions of ORS 197.850.

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1	Opinion by Holstun.
2	Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, respondent
3	withdrew the decision challenged in this appeal for reconsideration on
4	November 22, 2017. On January 22, 2018, the Board received the respondent's
5	decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner
6	had until February 12, 2018 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."

This appeal is dismissed. *Matrix Development v. City of Tigard*, 25 Or
LUBA 557 (1993).

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