

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

FRIENDS OF YAMHILL COUNTY,
Petitioner,

vs.

YAMHILL COUNTY,
Respondent.

LUBA No. 2021-030

FINAL OPINION
AND ORDER

Appeal from Yamhill County.

Andrew Mulkey represented petitioner.

Timothy S. Sadlo represented respondent.

ZAMUDIO, Board Chair; RUDD, Board Member; RYAN, Board
Member, participated in the decision.

DISMISSED

07/28/2021

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

1 Opinion by Zamudio.

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 March 12,
4 2021. On June 28, 2021, the Board received the county's decision on
5 reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until July
6 19, 2021, to either refile its original notice of intent to appeal in this matter or file
7 an amended notice of intent to appeal. The Board has not received a refiled
8 original notice of intent to appeal or an amended notice of intent to appeal in
9 accordance with OAR 661-010-0021(5)(a).

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