

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

LINDQUIST DEVELOPMENT CO. INC.,
Petitioner,

vs.

CITY OF PORTLAND,
Respondent.

LUBA No. 2021-038

FINAL OPINION
AND ORDER

Appeal from City of Portland.

Thomas R. Rask represented petitioner.

Robert L. Taylor represented respondent.

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

DISMISSED 11/15/2021

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

Opinion by Ryan.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the City withdrew the decision challenged in this appeal for reconsideration on July 9, 2021. On October 15, 2021, the Board received the City's decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until November 5, 2021 to either refile its original notice of intent to appeal in this matter, or file an amended notice of intent to appeal. The Board has not received a refiled original notice of intent to appeal or an amended notice of intent to appeal in accordance with OAR 661-010-0021(5)(a).

OAR 661-010-0021(5)(e) provides “[i]f no amended notice of intent to 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.”

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