

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

HAMPTON LUMBER MILLS-BANKS, INC.,

Petitioner,

vs.

CITY OF BANKS,

Respondent.

LUBA No. 2025-016

FINAL OPINION

AND ORDER

Appeal from City of Banks.

Dana L. Krawczuk represented petitioner.

Daniel Kearns represented respondent.

ZAMUDIO, Board Chair; BASSHAM, Board Member; WILSON, Board
Member, participated in the decision.

DISMISSED

07/21/2025

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

Opinion by Zamudio.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the city withdrew the decision challenged in this appeal for reconsideration on February 24, 2025. On June 13, 2025, the Board received the city's decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until July 7, 2025, 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).