

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

3
4 ROSEWAY NEIGHBORHOOD ASSOCIATION,
5 CONCORDIA NEIGHBORHOOD ASSOCIATION,
6 ROSE CITY PARK NEIGHBORHOOD
7 ASSOCIATION, WILLIAM SKOROHODOV,
8 GEORGE BRUENDER and SUSAN VAN BEVERS,
9 *Petitioners,*

10
11 vs.

12
13 CITY OF PORTLAND,
14 *Respondent.*

15
16 LUBA No. 2003-114

17
18 FINAL OPINION
19 AND ORDER

20
21 Appeal from City of Portland.

22
23 Wallace W. Lien, Salem, represented petitioners.

24
25 Linly F. Rees, Deputy City Attorney, Portland, represented respondent.

26
27 HOLSTUN, Board Member; BASSHAM, Board Chair; BRIGGS, Board Member,
28 participated in the decision.

29
30 DISMISSED

11/18/2003

31
32 You are entitled to judicial review of this Order. Judicial review is governed by the
33 provisions of ORS 197.850.

Opinion by Holstun.

Pursuant to ORS 197.830(13)(b) and OAR 661-010-0021, the City of Portland withdrew the decision challenged in this appeal for reconsideration on September 10, 2003. On October 21, 2003, the Board received the City of Portland's decision on reconsideration. Pursuant to OAR 661-010-0021(5)(a), petitioner had until November 11, 2003 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).