

1 BEFORE THE LAND USE BOARD OF APPEALS
2 OF THE STATE OF OREGON
3

4 JOHN Q. WELCH and)
5 CAROL R. WELCH,)
6)
7 Petitioner,)
8)
9 vs.)
10)
11 CITY OF PORTLAND,)
12)
13 Respondent,)
14)
15 and)
16)
17 CAROL L. LASH,)
18)
19 Intervenor-Respondent.)

LUBA No. 95-248
FINAL OPINION
AND ORDER

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21
22 Appeal from City of Portland.

23
24 Ernest G. Bootsma, Portland, represented petitioners.

25
26 Peter A. Kasting, Senior Deputy City Attorney,
27 represented respondent.

28
29 James P. Draudt, Portland, represented intervenor-
30 respondent.

31
32 GUSTAFSON, Referee; LIVINGSTON, Chief Referee;
33 participated in the decision.

34
35 DISMISSED 03/29/96
36

37 You are entitled to judicial review of this Order.
38 Judicial review is governed by the provisions of ORS
39 197.850.

1 Opinion by Gustafson.

2 Respondent moves to dismiss this appeal and for an
3 award of the filing fee and deposit for costs, pursuant to
4 OAR 661-10-130(1), on the basis that petitioners have failed
5 to timely file a petition for review.

6 The petition for review was due March 19, 1996, and has
7 not been filed. Failure to file a timely petition for
8 review is a jurisdictional violation of our rules, mandating
9 dismissal of this appeal.

10 This appeal is dismissed, and respondent is awarded the
11 filing fee and deposit for costs.

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