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

MARK PERKINS,)
)
Petitioner,)
) LUBA No. 96-068
vs.)
) FINAL OPINION
HOOD RIVER COUNTY,) AND ORDER
)
Respondent.)

Appeal from Hood River County.
William C. Cox, Portland, represented petitioner.
Wil Carey, Hood River, represented respondent.

GUSTAFSON, Referee; LIVINGSTON, Chief Referee; HANNA,
Referee, participated in the decision.

DISMISSED 05/20/96

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

1 Gustafson, Referee.

2 Petitioner appeals the county's denial of a conditional
3 use permit. Under OAR 661-10-030(1), the petition for
4 review in this appeal was due on May 10, 1996. As of this
5 date, no petition for review has been filed.

6 ORS 197.830(10) provides that a petition for review
7 must be filed within the deadlines established by Board
8 rule. OAR 661-10-030(1) provides, in relevant part:

9 " * * * The petition for review shall be filed with
10 the Board within 21 days after the date the record
11 is received by the Board. * * * Failure to file a
12 petition for review within the time required by
13 this section, and any extensions of that time
14 under * * * OAR 661-10-067(2), shall result in
15 dismissal of the appeal * * *."

16 OAR 661-10-067(2) provides that the time limit for filing
17 the petition for review may be extended only with the
18 written consent of all parties. No extension of time for
19 filing the petition for review has been requested.

20 Because petitioner has neither filed a petition for
21 review within the time required by our rules, nor obtained
22 an extension of time for filing the petition for review,
23 ORS 197.830(10) and OAR 661-10-030(1) require that we
24 dismiss this appeal. Bongiovanni v. Klamath Falls, 29 Or
25 LUBA 351 (1995); McCauley v. Jackson County, 20 Or LUBA 176
26 (1990).

27 This appeal is dismissed.