

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

4 DONNA WEATHERSPOON, and KELSO    )  
5 ROAD AREA NEIGHBORHOOD GROUP,   )  
6    )  
7                    Petitioners,        )  
8    )  
9            vs.                            )  
10   )  
11 CLACKAMAS COUNTY,                    )  
12   )  
13                    Respondent,        )  
14   )  
15            and                            )  
16   )  
17 GUIDE DOGS FOR THE BLIND, INC.,    )  
18   )  
19                    Intervenor-Respondent.                                    )

LUBA No. 94-097  
FINAL OPINION  
AND ORDER

20  
21  
22            Appeal from Clackamas County.

23  
24            Alan S. Graf, Portland, represented petitioners.

25  
26            Michael E. Judd, Chief Assistant County Counsel, Oregon  
27 City, represented respondent.

28  
29            Karen M. Vickers, Portland, represented intervenor-  
30 respondent.

31  
32            SHERTON, Referee; KELLINGTON, Chief Referee; HOLSTUN,  
33 Referee, participated in the decision.

34  
35                           DISMISSED                           08/02/94

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 Sherton.

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

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

12 OAR 661-10-067(2) provides that the time limit for filing  
13 the petition for review may be extended only with the  
14 written consent of all parties.

15 Under OAR 661-10-030(1), the petition for review in  
16 this appeal was due on July 18, 1994. No extension of time  
17 for filing the petition for review has been requested or  
18 granted. As of this date, no petition for review has been  
19 filed.

20 Because petitioners have 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. McCauley v. Jackson County, 20 Or LUBA  
25 176 (1990); Piquette v. City of Springfield, 16 Or LUBA 47  
26 (1987); Hutmacher v. Marion County, 15 Or LUBA 514 (1987).

27 This appeal is dismissed.