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1
                BEFORE THE LAND USE BOARD OF APPEALS
 2
                       OF THE STATE OF OREGON
 3
   ROBERT SALISBURY and LILA
                                    )
 5
   SALISBURY,
                                    )
 6
 7
              Petitioners,
 8
 9
         vs.
10
                                    ) LUBA Nos. 97-070 and 97-079
11
   CITY OF SHERWOOD,
12
                                             FINAL OPINION
                                    )
                                                AND ORDER
13
             Respondent,
                                    )
14
15
         and
16
17
   GENSTAR LAND COMPANY NW,
18
19
              Intervenor-Respondent.
                                                    )
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21
22
         Appeal from City of Sherwood.
23
         C. Conrad Claus, Sherwood, represented petitioner.
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25
26
         Derryck Dittman, Tigard, represented respondent.
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28
         Richard H. Allan, Portland, represented intervenor-
29
    respondent.
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31
         HANNA, Chief Referee; GUSTAFSON, Referee; LIVINGSTON,
    Referee, participated in the decision.
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33
34
                                    07/31/97
             DISMISSED
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36
         You are entitled to judicial review of this Order.
37
    Judicial review is governed by the provisions of ORS
38
   197.850.
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- 1 Hanna, Chief Referee.
- 2 The petition for review in this consolidated appeal was
- 3 due July 1, 1997. The petition for review has not been
- 4 filed, nor has an extension of time to file the petition for
- 5 review been granted.
- ORS 197.830(10) requires that a petition for review be
- 7 filed within the deadlines established by Board rule. OAR
- 8 661-10-030(1) provides, in relevant part:
- 9 "* * * The petition for review together with four
- 10 copies shall be filed with the Board within 21
- 11 days after the date the record is received by the
- Board. * * * Failure to file a petition for review
- within the time required by this section, and any
- extensions of that time under * * * OAR 661-10-
- 15 067(2), shall result in dismissal of the appeal *
- 16 * *."
- 17 OAR 661-10-067(2) provides that the time limit for filing
- 18 the petition for review may be extended only by written
- 19 consent of all the parties.
- The deadline for filing the petition for review is
- 21 strictly enforced. <u>See Terrace Lakes Homeowners Assn. v.</u>
- 22 City of Salem, 29 Or LUBA 532, aff'd 138 Or App 188 (1995);
- 23 Bongiovanni v. Klamath County, 29 Or LUBA 351 (1995).
- 24 Because a petition for review was not filed within the time
- 25 required by our rules, and petitioner did not obtain written
- 26 consent to extend the time for filing the petition for
- 27 review under OAR-661-10-067(2), ORS 197.830(10) and
- 28 OAR 661-10-030(1) require that we dismiss this appeal.
- 29 This appeal is dismissed.