1	BEFORE THE LAND USE BOARD OF APPEALS
2	OF THE STATE OF OREGON
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4	KENNETH ALSTON,
5	Petitioner,
6	i emicine,
7	VS.
8	
9	JACKSON COUNTY,
10	Respondent,
11	Teapenwen,
12	and
13	
14	DEBORAH H. FRAZEE, PHILLIP J. FRAZEE
15	LAURIE ANN GOETZ, STEVEN L. GOETZ,
16	SUSAN M. HERRMANN and RAYMOND E. HERRMANN,
17	Intervenors-Respondent.
18	1
19	LUBA No. 2004-157
20	
21	FINAL OPINION
22	AND ORDER
23	
24	Appeal from Jackson County.
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26	John R. Hanson, Medford, represented petitioner.
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28	Steven R. Rinkle, Medford, Assistant County Counsel, Jackson County represented
29	respondent.
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31	Deborah H. Frazee, Phillip J. Frazee, Laurie Ann Goetz, Steven L. Goetz, Eagle
32	Point, Susan M. Herrman and Raymond E. Herrmann, Medford, represented themselves.
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34	DAVIES, Board Member; HOLSTUN, Board Chair; BASSHAM, Board Member,
35	participated in the decision.
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37	DISMISSED 11/30/2004
38	
39	You are entitled to judicial review of this Order. Judicial review is governed by the
40	provisions of ORS 197.850.

1	Opinion by Davies.
2	The petition for review in this appeal was due October 28, 2004. Respondent moves
3	to dismiss because the petition for review has not been filed, nor has an extension of time to
4	file the petition for review been granted.
5	ORS 197.830(11) requires that a petition for review be filed within the deadlines
6	established by Board rule. OAR 661-010-0030(1) provides, in relevant part:
7 8 9 10 11	"* * The petition for review together with four copies shall be filed with the Board within 21 days after the date the record is received or settled 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 661-010-0067(2), shall result in dismissal of the appeal * * *."
12	OAR 661-010-0067(2) provides that the time limit for filing the petition for review may be
13	extended only by written consent of all the parties.
14	The deadline for filing the petition for review is strictly enforced. Terrace Lake.
15	Homeowners Assoc. v. City of Salem, 29 Or LUBA 532, aff'd 138 Or App 188, 906 P2d 87
16	(1995); Bongiovanni v. Klamath County, 29 Or LUBA 351 (1995).
17	Because a petition for review was not filed within the time required by our rules, and
18	petitioner did not obtain written consent to extend the time for filing the petition for review
19	under OAR-661-010-0067(2) beyond October 28, 2004, ORS 197.830(11) and OAR
20	661-010-0030(1) require that we dismiss this appeal.
21	This appeal is dismissed.