1	BEFORE THE LAND USE BOARD OF APPEALS
2 3	OF THE STATE OF OREGON
5 4	DEREK VOLKART, ROGER NOYES,
4 5	ELLEN HEINE, LARRY MEHAFFEY,
6	LESLIE MEHAFFEY, KAREN VON BERGEN,
7	LESLIE SADUR, DEA NASON COLLINS,
8	JENNIE WATT, PAT SMITH, LAUREL TRUAN,
9	ERWIN NOTRICA and CYNTHIA L. MARTIN,
10	Petitioners,
11	
12	vs.
13	
14	CITY OF ASHLAND,
15	Respondent,
16	
17	and
18	
19	FORDYCE STREET COHOUSING
20	COMMUNITY, MELANIE MINDLIN,
21	LEAH SCHINDLER, CECILIA SHOHET,
22	THERESA JENSEN, DOUG HUSTON,
23	SARA BRECKINRIGDE and KAREN JACOBSEN,
24	Intervenors-Respondent.
25	LUDA N. 2005 106
26	LUBA No. 2005-106
27 28	FINAL OPINION
28 29	AND ORDER
30	AND ORDER
31	Appeal from City of Ashland.
32	rippeur nom exy of rishuki.
33	Derek Volkart, Roger Noyes, Ellen Heine, Larry Mehaffey, Leslie Mehaffey, Karen Von
34	Bergen, Leslie Sadur, Dea Nason Collins, Jennie Watt, Pat Smith, Laurel Truan, Erwin Notricia and
35	Cynthia L. Martin, Ashland, represented themselves.
36	
37	Michael M. Reeder, Assistant City Attorney, Ashland, represented respondent.
38	
39	Corinne C. Sherton, Salem, represented intervenors-respondent.
40	
41	BASSHAM, Board Member; DAVIES, Board Chair; HOLSTUN, Board Member,
42	participated in the decision.
43	

1 DISMISSED 12/07/2005 2

3 You are entitled to judicial review of this Order. Judicial review is governed by the 4 provisions of ORS 197.850.

1	Opinion by Bassham.
2	The petition for review in this appeal was due October 28, 2005. The petition for review
3	has not been filed, nor has an extension of time to file the petition for review been granted.
4	ORS 197.830(11) requires that a petition for review be filed within the deadlines
5	established by Board rule. OAR 661-010-0030(1) provides, in relevant part:
6 7 8 9 10	"* * 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 * * *."
11	OAR 661-010-0067(2) provides that the time limit for filing the petition for review may be
12	extended only by written consent of all the parties.
13	The deadline for filing the petition for review is strictly enforced. Terrace Lakes
14	Homeowners Assoc. v. City of Salem, 29 Or LUBA 532, 535, aff'd 138 Or App 188, 906 P2d
15	871 (1995); Hutmacher v. Marion County, 15 Or LUBA 514, 515 (1987). Because a petition
16	for review was not filed within the time required by our rules, and petitioner did not obtain written
17	consent to extend the time for filing the petition for review under OAR-661-010-0067(2) beyond
18	October 28, 2005, ORS 197.830(11) and OAR 661-010-0030(1) require that we dismiss this
19	appeal.
20	This appeal is dismissed.