

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

3
4 CLEMENTS ENTERPRISES LLC,
5 *Petitioner,*

6
7 vs.

8
9 JACKSON COUNTY,
10 *Respondent.*

11
12 LUBA No. 2021-081

13
14 FINAL OPINION
15 AND ORDER

16
17 Appeal from Jackson County.

18
19 Charles D. Sarkiss represented petitioner.

20
21 Joel C. Benton represented respondent.

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23 ZAMUDIO, Board Chair; RUDD, Board Member, participated in the
24 decision.

25
26 RYAN, Board Member, did not participate in the decision.

27
28 DISMISSED 10/19/2021

29
30 You are entitled to judicial review of this Order. Judicial review is
31 governed by the provisions of ORS 197.850.

1 Zamudio, Board Chair.

2 The petition for review in this appeal was due October 4, 2021. The
3 petition for review has not been filed, nor has an extension of time to file the
4 petition for review been granted.

5 ORS 197.830(11) and (13) require that a petition for review be filed within
6 the deadlines established by the Board by rule. OAR 661-010-0030(1) provides,
7 in relevant part:

8 “[T]he petition for review together with four copies shall be filed
9 with the Board within 21 days after the date the record is received
10 or settled by the Board. * * * Failure to file a petition for review
11 within the time required by this section, and any extensions of that
12 time * * *, shall result in dismissal of the appeal * * *.”

13 The deadline for filing the petition for review is strictly enforced. *Terrace*
14 *Lakes Homeowners Assoc. v. City of Salem*, 29 Or LUBA 532, 535, *aff’d*, 138 Or
15 App 188, 906 P2d 871 (1995).

16 Because the petition for review was not filed within the time required by
17 our rules, ORS 197.830(11) and (13) and OAR 661-010-0030(1) require that we
18 dismiss this appeal.

19 This appeal is dismissed.