

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

HARISH PATEL,
Petitioner,

vs.

CITY OF PORTLAND,
Respondent,

and

HD CARDINELL, LLC,
Intervenor-Respondent.

LUBA No. 2023-050

FINAL OPINION
AND ORDER

Appeal from City of Portland.

Harish Patel represented themselves.

Robert L. Taylor represented respondent.

Damien R. Hall represented intervenor-respondent.

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

DISMISSED

08/14/2023

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

Opinion by Ryan.

MOTION TO INTERVENE

HD Cardinell, LLC, the applicant below, moves to intervene on the side of the city. The motion is granted.

FAILURE TO FILE PETITION FOR REVIEW

The petition for review in this appeal was due July 31, 2023. Petitioner did not file a petition for review. ORS 197.830(11) requires that a petition for review be filed within the deadlines established by Board rule. Failure to file a petition for review within the time required by OAR 661-010-0030(1) or any extensions of that time under OAR 661-010-0067(2) shall result in dismissal of the appeal. OAR 661-010-0030(1); *Towey v. City of Hood River*, ___ Or LUBA ___ (LUBA No 2021-057, Mar 21, 2022), *aff'd*, 321 Or App 414, 516 P3d 738 (2022); *Terrace Lakes Homeowners Assoc. v. City of Salem*, 29 Or LUBA 532, 535, *aff'd* 138 Or App 188, 906 P2d 871 (1995).

This appeal is dismissed.