

JCAO Requested Landmarks Language

32.260 (K) Individual Landmark Report. The Commission Staff shall conduct a study of and produce a report on the designation proposal within 30 calendar days of the Pre-Hearing Conference. ~~A new study is not required~~ If the proposed Individual Landmark was listed on the National Register of Historic Places after January 1, 1990, then the information contained in the National Register designation, combined with a site visit to evaluate current conditions, may be used in lieu of a new study. The report in such cases shall be a copy of the nomination forms, including all maps and photographs, already approved by the State Historic Preservation Office and the National Park Service. Once completed, Staff shall make its report on the proposal available to the public by posting it on the appropriate Louisville Metro website and by keeping a copy of same in its office so that is readily accessible to the public during Staff's regular office hours.

§ 32.263 APPEALS FROM THE COMMISSION AND COUNCIL.

(A) With regards to the Commission's decision on a proposal for designation of an Individual Landmark, an appeal from the Commission shall be taken by any person or entity claiming to be injured or aggrieved by the final action of the Commission to the Jefferson Circuit Court within 90 days of the Commission's final action, which shall be defined as the date on which the Commission votes to approve or disapprove the matter giving rise to the appeal. If the Council initiates review of the Commission's decision on a proposal for designation of an Individual Landmark, then no appeal shall be filed until the Council makes its decision on said proposal. ~~Regardless of the final action appealed from,~~ The property owner, applicant and the Commission shall be named as parties to the appeal.

(B) Appeals from final actions of the Commission, except for the designations of either Individual Landmarks or Districts, shall be taken by any person or entity claiming to be injured or aggrieved by the final action of the Commission to the Jefferson Circuit Court within 30 days of the Commission's final action. The property owner, applicant and the Commission shall be named as parties to the appeal.

(C) An appeal from the Council shall be taken by any person or entity claiming to be injured or aggrieved by the final action of the Council to the Jefferson Circuit Court within 30 days of the Council's final action, which shall be defined as the date on which the Council votes to uphold, amend, or overturn the decision of the Commission on the proposed designation. Should the Council fail to take action on a proposal for designation of a Individual Landmark within the 120-day period as provided in § 32.260(Q), then the Council's failure to act shall constitute its final action on said proposal, and any appeal shall be taken within 30 days of that 120th day. The property owner, applicant, Commission and the Council shall be named as parties to the appeal.