



NOTICE OF HISTORIC RESOURCES ADVISORY BOARD DECISION OF DENIAL

Date: November 5, 2013

File No.: LU 13-0012

Applicant: Mary Cadwell Wilmot Trust

Description of Proposal: The applicant sought removal of the historic landmark designation from the Carman House and property (Tax Lot 1200 of Tax Map 21E05CD) under ORS 197.772(3).

History of Proposal:

The applicant ultimately sought removal of the historic designation under ORS 197.772(3) only and withdrew its request for removal under LOC 50.06.009.5.d (Criteria to Remove a Designation) (see discussion below). Therefore, the initial request for concurrent approval of historic landmark designation under LOC 50.06.009.5.a, on a new tract established from a section of the existing Carman House site, was withdrawn.]

The applicant initially sought removal under the criteria of LOC 50.06.009.5.d (Criteria to Remove a Designation), and approval of historic landmark designation under LOC 50.06.009.5.a, on a new tract that will be established from a section of the existing Carman House site. On August 14, 2013, the applicant specifically requested the Historic Resources Advisory Board (Board) also consider removal under ORS 197.772(3) (Consent for designation as historic property). On September 11, 2013, following the public hearing, the applicant requested the Board consider removal of the historic designation only under ORS 197.772(3), withdrawing consideration of removal under LOC 50.06.009.5.c.

On October 21, 2013, the applicant notified staff that it was (1) withdrawing the "land use" application for removal of the historic designation, but (2) requesting withdrawal of the historic designation under ORS 197.772(3) and a City decision on that request by October 23, 2013. Staff advised the Board to deliberate solely on the question of whether or not the historic designation should be removed under ORS 197.772(3).

Location of Property: 3811 Carman Drive (Tax Lot 10600 of Tax Map 21E05CD).

Description and Date of Decision: The Board denied the request as set forth in the Findings, Conclusions and Order document dated November 4, 2013. This decision will become final unless appealed as described below. For further information please contact Leslie Hamilton, Senior Planner, at 503-635-0290.

(OVER)

How to Obtain Further Information: The decision is available for review, and a copy may be obtained at cost, at the following address:

Planning and Building Services Department
City of Lake Oswego
P.O. Box 369
380 "A" Avenue
Lake Oswego, OR 97034
Phone: (503) 635-0290

Right to Appeal: This decision may be appealed to the City Council by filing a written Notice of Intent to Appeal within **fifteen calendar days** of the above noted Date of Decision. Please note only those persons who have participated in the process by submitting either oral or written testimony may appeal this decision.

A Notice of Intent to Appeal shall:

1. List the File Number and Date of Decision.
2. Contain a statement that demonstrates that the appellant is the applicant or appeared orally or in writing at the hearing.
3. Include name, address and signature of the appellant.
4. Be accompanied by payment of a filing fee, if applicable.
5. Describe the issues raised for Council's consideration and the specific reasons why the appellant believes the Board's decision is incorrect or not in conformance with the applicable criteria. Failure to comply with these requirements can result in rejection of the appeal.

The Notice of Intent to Appeal must be filed by **5:00 p.m. on November 19, 2013**, with:

City Recorder
City of Lake Oswego
P.O. Box 369
380 "A" Avenue
Lake Oswego, OR 97034
Phone: 503-675-3984

The cost to file an appeal is: \$2,053