



# HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

ELlicott City Historic District ■ LAWYERS HILL HISTORIC DISTRICT

3430 Court House Drive ■ Ellicott City, Maryland 21043

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*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350

FAX 410-313-3042

## Agenda

Thursday, December 5, 2019; 7:00 p.m.

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The December meeting of the Historic Preservation Commission will be held at 3430 Court House Drive, Ellicott City, MD 21043. All cases are public meetings where any member of the public may offer testimony. Certain cases, such as requests for Certificates of Approval, are contested cases subject to the County Administrative Procedure Act. Information about participating in Commission cases is available at the Commission's website, [www.howardcountymd.gov/Departments/Planning-and-Zoning/Boards-and-Commissions/Historic-Preservation-Commission](http://www.howardcountymd.gov/Departments/Planning-and-Zoning/Boards-and-Commissions/Historic-Preservation-Commission). Additional information may be obtained from the Department of Planning and Zoning by calling 410-313-2350. Part of the meeting may be closed to the public in accordance with Open Meetings Act procedures. Requests for accommodations should be made at least three working days in advance of the meeting.

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This Agenda identifies the work proposed and includes comments and recommendations from DPZ Staff. The recommendations included here do not constitute a decision of the Commission.

### PLANS FOR APPROVAL

#### **Consent Agenda**

1. MA-19-08c – 4341 Stonecrest Drive, Ellicott City, HO-900

#### **Regular Agenda**

2. HPC-19-54c – 8407 Main Street, Ellicott City
3. HPC-19-55c – 8307 Main Street, Ellicott City
4. HPC-19-56 – 3776 Church Road, Ellicott City
5. HPC-19-57 – 4888 Castlebridge Road, Ellicott City
6. HPC-19-58 – 8293 Main Street, Ellicott City

## CONSENT AGENDA

### MA-19-08c – 4341 Stonecrest Drive, Ellicott City, HO-900

Final tax credit approval.

Applicant: Lisa Orenstein

**Request:** The applicant, Lisa Orenstein, requests final tax credit approval for work that was pre-approved in case MA-19-08 for 4341 Stonecrest Drive, Ellicott City.

**Background and Site Description:** This property is listed on the Historic Sites Inventory as HO-900, Stone House at Bon Air Manor. According to SDAT the house dates to 1870. The applicant was pre-approved through the Executive Secretary Pre-Approval process to repoint the house and make repairs to the chimneys.

**Scope of Work:** The applicant seeks final tax credit approval. The applicant submitted documentation that \$30,000.00 was spent on eligible, pre-approved work and seeks \$7,500.00 in final tax credits. The work complies with the pre-approved scope and the cancelled checks and other documentation equal the requested amount.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted, for \$7,500.00 in final tax credits.

## REGULAR AGENDA

### HPC-19-54c – 8407 Main Street, Ellicott City

Final tax credit 20.113 approval.

Applicant: Donald R. Reuwer Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8407 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 2001. However, this date is not when the primary structure was built, but reflects when a second floor was added and the entire exterior altered with the addition of the brick veneer, storefront windows and doors. According to Joetta Cramm's book, *Historic Ellicott City, A Walking Tour*, Martin's blacksmith shop once stood at this location, but was torn down, and in the 1930s Charley Miller of Miller Chevrolet built a gas station (Fig. 1); later Dick Wall had a garage here. The building was reportedly later used as storage in the 1960s for the Ellicott City Fire Station across the street at 8390 Main Street.

In 1980 the three-bay single story concrete block gas station/garage existed in its most likely original condition as documented in an "Inventory of Buildings – Ellicott City" report by Kamstra, Dickerson & Associate. The 1980 report notes the distinguishing architectural details on the former gas station were

“1930s Spanish tile applied gas station fake façade roof detail. Roof was plain built-up type behind parapets.” The report notes the building was considered a “Non-Contributing Structure.”

In July 1999 (case HDC-99-31) the current owner applied to the Commission to add the second story and renovate the entire building. The Staff report at this time recommended approval of the alterations, noting the building had “negligible historic value.”

The renovated building with the second floor has been altered since it’s 1999-2001 construction recently with the painting of the brick and alteration of front doors. The painting and alterations of the doors was approved through the Minor Alterations process (MA-18-13 for the doors and MA-18-20 for the painting) due to the fact that the building was not considered historic.



Figure 1 - 1930s era garage/gas station



Figure 2 - 2011 photo showing original appearance



Figure 3 - November 2019 photo showing current appearance of reconfigured door openings, painted brick and unapproved mural

**Scope of Work:** The applicant submitted documentation that \$54,476.00 was spent to improve or restore the building after the May 2018 flood.

**HPC Review Criteria and Recommendations:**

- 1) *Section 20.113 of the County Code states that a property eligible for the Historic Tax Credit for Increase in Assessed Value, means a property that has undergone significant improvements, restoration, or rehabilitation resulting in an increase in assessed value, and is:*
  - a. *A structure that is listed on the Howard County Historic Sites Inventory and is designated by the Commission as historically significant;*
  - b. *A structure eligible for inclusion in the Howard County Historic Sites Inventory, which is added to the Inventory prior to the final approval of a tax credit under this section; or*
  - c. *An existing principal structure or historic outbuilding located within a local historic district in Howard County, which is determined by the Commission to be of historic or architectural significance.*

This building has been significantly altered beyond recognition from its original 1930s construction. Any character defining features, such as the 1930s Spanish tile veneer for the parapet roofing, and gas pumps, no longer exist. The circa 1999 alterations were allowed due to the fact that the building was determined not to be of historic or architectural significance. Subsequent alterations from 2018 were also allowed because of the non-contributing nature of the building. This building does not meet the historic building requirements in Section 20.113 of the Code to qualify for the historic tax credit. Staff has not reviewed the submitted expenses to determine if they are eligible, due to the building not being historic.

**Staff Recommendation to the HPC:** Staff recommends the HPC determine the building is not of historic or architectural significance and does not qualify for the Section 20.113 tax credit.

**HPC-19-55c – 8307 Main Street, Ellicott City**

Final tax credit 20.113 approval.

Applicant: Donald R. Reuwer Jr.

**Request:** The applicant, Donald R. Reuwer Jr., requests final tax credit approval for the 20.113 assessment historic property tax credit for improvements and repairs made to 8307 Main Street, Ellicott City after the May 2018 flood.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The building was damaged by the May 27, 2018 flood and the assessment on the structure was lowered to \$1,000.00. Upon completion of the repairs, the building was re-assessed at \$1,308,400.00. The difference in the assessment that may be eligible for the tax credit is \$1,307,400.00. The work was not pre-approved by the Commission.

**Scope of Work:** The Applicant submitted documentation that a total of \$269,284.84 was spent improving or restoring the building.

## HPC Review Criteria and Recommendations:

- 1) *Section 20.113 defines qualified expenses as “the amount of money paid by the owner of an eligible property to a licensed contractor for improvements, restoration, or the rehabilitation of the property or for materials used to improve, restore, or rehabilitate the property.”*

The applicant provided invoices and cancelled checks from a general contractor, rather than from the actual contractors who performed the work. This documentation differs from that typically required and reviewed. In September 2017 when the 20.113 tax credit was first awarded for this property, Staff reviewed itemized invoices and cancelled checks from those contractors who performed the work. For this application, Staff reviewed the documentation submitted from Waverly Builders, but is unable to confirm if the expenses would be considered qualified expenses. Many of the invoices include items that are not eligible, such as a markup fee, building permit fees, tools and equipment, supervision, pvc sign boards, and landscape elements such as patios (installed to resolve a zoning violation) and fences. Other ineligible expenses include invoices for work done to other buildings, which cannot be reviewed under this application for the current building. For example, there are invoices for work done to Matcha Time Café and a fire alarm system for 8318 Forrest Avenue included in the current application.

Staff requests detailed invoices from each contractor who performed the work, along with the corresponding cancelled checks in order to confirm which expenses are qualified expenses. The application requires that all invoices and checks be numbered to correspond to an itemized spreadsheet, but this was not done.

- 2) *Section 20.113(c)(1)(ii)(b) provides the following procedure: “In the case of an emergency application due to flood, fire, or natural disaster, the Commission may issue a pre-approval determination after the expenditure of qualified expenses if the Commission determines that the work requiring the Certification was done in accordance with Title 6, Subtitle 6 of this Code and is in accord with the U.S. Secretary of Interior Standards and Guidelines on The Rehabilitation of Historic Structures.”*

The Commission should determine if the work was done in response to an emergency or if pre-approval was needed prior to the expenditure of qualified expenses. If the Commission determines the work was done in response to an emergency, then the Commission should determine if the work was done in accord with the Secretary of the Interior Standards.

- 3) *Section 20.113 provides the following procedure: “A Certificate of Approval from the Commission is obtained for all work subject to Commission approval under section 16.603 of this Code, or any other provision of this Code or the Zoning Regulations that requires a Commission determination.”*

The invoices from Waverly also reference several exterior alterations to doors and other items. A Certificate of Approval from the Commission is required to make these alterations. If the applicant received a Certificate of Approval to make these alterations, or a Minor Alterations determination, the approvals should be submitted with the application packet, and labeled to correspond to the particular invoice, along with a photo showing the damaged and finished item.

**Staff Recommendation to the HPC:** Staff recommends the HPC find the application incomplete, and request the applicant submit subcontractor invoices and payments, photographic documentation and provide a complete application package for work done only at 8307 Main Street.

**HPC-19-56 – 3776 Church Road, Ellicott City**

Certificate of Approval to remove trees and construct shed.

Applicant: Emily Kowalski

**Request:** The applicant, Emily Kowalski, requests a Certificate of Approval to remove trees and construct a shed at 3776 Church Road, Ellicott City.

**Background and Site Description:** This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1980. The building is not historic; it is non-contributing to the district.

**Scope of Work:** The applicant proposes to remove three trees that are within 5 feet of the house. The trees have a diameter at breast height of approximately 12 to 18 inches. The applicant believes the trees are the species Paulownia, which are invasive. The roots are growing underneath the house and the branches are growing over to the roof. The application states the trees are “imminently capable of causing damage to the structure of the house.” The applicant proposes to replant three wax myrtle trees, and plant them back a bit from where the current trees are but keep them a few feet from the property line. The application explains the wax myrtle tree is a native, moderately deer resistant evergreen frequently used as a privacy screen that will grow to approximately 12 feet in height.

The applicant also proposes to install a storage shed on the edge of the property. The shed will be 12 feet deep by 16 feet wide. The shed will have a black metal roof and LP SmartSide engineered wood lap siding with a cedar texture and stain. The windows on the shed will match those shown on the example photo. The windows will be metal. The shed will either sit on a gravel foundation or post footings, which may be necessary due to the slope. The applicant has not yet determined what will be used to create a border around the gravel in order to contain the gravel, such as wood or paver stones.

**HPC Review Criteria and Recommendations:**

***Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation***

- 1) *Chapter 9.B recommends against the “removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures.”*
- 2) *Chapter 9.B recommends, “plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow.”*
- 3) *Chapter 9.B recommends, “include landscaping improvements as part of any construction projects in locations visible from a public way. In most cases, use plant varieties native to the area.”*
- 4) *Chapter 9.B recommends, “retain mature trees and shrubs. Provide for their replacement when necessary.”*

While the house is not historic, the trees are visibly growing close to the foundation and roofline and pose a threat for damage, especially to the foundation. While the trees do not appear to be in poor health, the proposal does comply with the Guidelines as the trees are too close to the building, and the applicant will replant three trees of a native variety farther away from the house.



Figure 4 - Distance of trees to house

**Chapter 7.C: New Construction: Additions, Porches and Outbuildings; Construction of New Garages, Sheds and Other Outbuildings**

- 5) Chapter 7.C states, “new garages and sheds should follow the historic pattern of being detached from the main building, and if practical, located in a side or rear yard.
- 6) Chapter 7.C recommends “if allowed by the size and shape of the property, place new outbuildings to the side or rear of the main building, separated from the main building by a substantial setback.”

The shed will be located in the side yard and complies with the Guideline recommendation.

- 7) Chapter 7.C recommends, “design outbuildings visible from a public way to be compatible in scale, form and detailing with historic structures and outbuildings in the neighborhood.”
- 8) Chapter 7.C recommends, “design outbuildings to be subordinate in size and detail the principal buildings in the immediate vicinity.”
- 9) Chapter 7.C recommends, “use materials compatible with the main building on the lot or with historic outbuildings in the immediate neighborhood.”

The proposed shed design is a simple black metal gable roof and engineered wood lap sided structure. The form and materials are compatible with nearby historic buildings, although the principal building on this lot and the neighboring lot, are not historic.

Due to the topography, the yard slopes substantially toward Church Road and it seems unlikely that the shed could be constructed in a flat gravel bed without constructing retaining walls. Most likely post footings will be needed, in a which case the shed will not be flush with the ground and some type of foundation screening may be needed. If screening is needed, the applicant should submit a new application for approval.



Figure 5 - General location of shed



Figure 6 - Closer view of shed location

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the application as submitted.

**HPC-19-57 – 4888 Castle Bridge Road, Ellicott City**

Tax credit pre-approval for repairs.

Applicant: Carter Adkinson

**Request:** The applicant, Carter Adkinson, requests tax credit pre-approval under 20.112 and 20.113 of the County Code to make repairs to a historic barn at 4888 Castle Bridge Road, Ellicott City.

**Background and Site Description:** This property is not located in a historic district. The property was once associated with Doughoregan Manor (HO-22) and the barn can be found on map included in the National Historic Landmark designation showing an expanded boundary for that designation which encompasses the barn. This property is not individually listed on the Inventory, but will be added to avoid confusion since the only reference to this barn is a small outline on a map.

The applicant submitted a detailed assessment report prepared by Fitzgerald’s Heavy Timber Construction outlining the structural problems with the historic bank barn. The report explains that frost heave has severely damaged the bank wall in the barn, noting that one area has collapsed and another area was replaced with a concrete block wall which is currently bulging and cracked. The report also notes the deteriorating condition of various tie beams where wood is rotting or where connections between posts and beams are separating. The report shows where braces are missing from beams and posts and where siding is rotting.

**Scope of Work:** The report makes the following recommendations:

“Replacing the north wall of the foundation, and correcting surface drainage on the north and east sides of the barn are essential to saving the barn.

Rebuilding the foundation should include: rigging to support the floor and north wall, excavation along the entire length of the wall, removing the old wall, placing a reinforced concrete footing, building a reinforced concrete block wall, applying a waterproof coating and drain board to the exterior of the new wall, installing a perforated drain pipe at the bottom of the wall, digging a trench to extend the foundation drain pipe to daylight, grading along the wall to ensure positive drainage away from the building, and installing underground storm drain pipes to carry water from the downspouts away from the building. As an alternative to using reinforced concrete block for the wall a stone wall could be built with a reinforced concrete wall to back it up.

The area of the west and north sides of the barn need to be graded to direct surface water away from the barn. Removing the small building attached to the northwest corner of the barn will facilitate the grading operation. Swales should be made to drain past the northeast corner and the southwest corner of the barn.

Timber frame repairs need to be made where the tie beam ends have rotted off; also where the braces are missing. In conjunction with rebuilding the foundation, the barn floor should be pulled to make the long sides straight, and thus correct the frost heave of the barn. Some amount of repair should be anticipated for the sills and posts on the north side of the barn, also for the floor framing at the entrance to the upper area. Further inspection of the timber frame should be made in areas where there are signs of rot on the surface of the timbers, and also where the siding is deteriorated.”

The applicant proposes to make the following repairs:

- 1) Repair and/or reconstruct stone foundation walls.

- 2) Repair/replace/restore structural timber framing.
- 3) Repair/replace/restore wood floor assembly.
- 4) Regrade and direct rain water.
- 5) Add new half round gutters and round downspouts.
- 6) Repair/replace damaged or deteriorated wood siding using new wood siding.
- 7) Test exterior paint for lead; prepare for new painting accordingly and repaint siding to be Benjamin Moore Platinum Gray.

**HPC Review Criteria and Recommendations:**

*Section 20.112 of the County Code state that eligible work includes:*

- 1) *The repair or replacement of exterior features of the structure;*
- 2) *Work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing;*
- 3) *Maintenance of the exterior of the structure, including routine maintenance as defined in section 16.601 of the County Code.*

The repairs comply with the code requirements and are either exterior repairs such as painting, or interior repairs required for the structural integrity of the barn.

**Staff Recommendation to the HPC:** Staff recommends the HPC pre-approve 20.112 and 20.113 tax credits for the scope of work as submitted and as recommended in the contractor's report, contingent upon using the alternative scenario for the rebuilding of the wall using a stone wall with a reinforced concrete wall to back it up.

**HPC-19-58 – 8293 Main Street, Ellicott City**

Certificate of Approval to install sign.

Applicant: Temrah Okonski

**Request:** The applicant, Temrah Okonski, request a Certificate of Approval to install at a sign at 8293 Main Street, Ellicott City.

**Background and Site Description:** This building is located in the Ellicott City Historic District. According to SDAT the building dates to 1890.

The existing Sunrise Rotary Club sign was approved in June 1994 to be 18x24 inches. On June 6, 2019 the applicant received approval in case HPC-19-29 to install a three-part wood sign for the following:

The applicant will re-use the existing bracket on the building. The top part of the sign showing the rotary logo, the second part showing limited text saying Sunrise Rotary Club, etc., and the third tier would say Ellicott City Rotary Club, with either their selected dates or website reference. The sign will be double sided and made out of wood. The size limitation will be no greater than 4 square feet, 18 inches of width to match the existing sign, to fit on the existing bracket.

**Scope of Work:** The applicant proposes to install a sign with a design different from that already approved by the Commission. The application states that the sign material noted on the rendering is PVC, but that wood will be used.

The proposed sign will be 18 inches wide by 31 inches high, for a total of 3.875 square feet. All sign content will be on one sign board that is scalloped at the top and bottom, in a design that matches the existing sign for Sunrise Rotary Club, but it will be longer to accommodate the addition of the Ellicott City Rotary Club information. The sign will contain information and graphics on eleven lines. The sign will read:

(Sunrise Rotary logo)  
 Sunrise  
 Rotary Club  
 1<sup>st</sup> and 3<sup>rd</sup> Thursday  
 7:15 A.M.  
 (Rotary International logo)  
 The  
 Ellicott City  
 Rotary Club  
 1<sup>st</sup> and 3<sup>rd</sup> Thursday  
 Noon

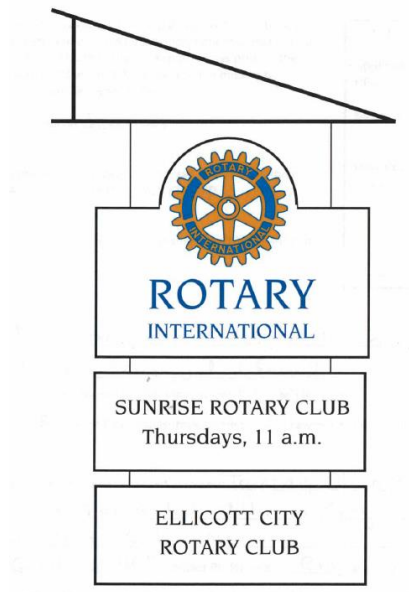


Figure 7 - Exhibit A approved by HPC in June.



Figure 8 - Current proposed sign

**HPC Review Criteria and Recommendations:**

**Chapter 11.A: Signs, General Guidelines**

- 1) Chapter 11.A recommends, "Use simple legible words and graphics."
- 2) Chapter 11.A recommends, "Keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate the nature of the business can be used."
- 3) Chapter 11.A recommends, "Use a minimum number of colors, generally no more than three."
- 4) Chapter 11.A recommends, "Use historically appropriate materials such as wood or iron for signs and supporting hardware."

The sign will use legible words and simple graphics. While the information on the sign is not complicated, the 9 lines of text is difficult to read. The sign does not keep letters to a minimum as recommended. There is no clear hierarchy to the current sign, which existed in the approved three-part sign with the Rotary International logo at the top.

The sign will only utilize three colors, which complies with the Guidelines. The sign will be wood, although the rendering incorrectly states PVC. The use of a wood sign complies with the Guidelines.

**Chapter 11.B: Signs, Commercial Buildings**

5) *Chapter 11.B recommends, "Limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City's small, attached commercial buildings."*

The sign will be 3.875 square feet, which complies with the Guideline recommendations.

**Staff Recommendation to the HPC:** While the proposed sign generally complies with the Guidelines, the original approval has a better visual organization and hierarchy and is more appropriate for the building. Staff recommends the HPC determine if this sign complies with the Guidelines and approve accordingly.

**HPC-19-59 – 6060 Old Lawyers Hill Road, Elkridge, HO-447**

Certificate of Approval to install pool.

Applicant: Finn Ramsland

**Request:** The applicant, Finn Ramsland, requests a Certificate of Approval to install a pool at 6060 Old Lawyers Hill Road, Elkridge.



Figure 9 - View of the front and side of the house from driveway.

**Background and Site Description:** This property is located in the Lawyers Hill Historic District and is also listed on the Historic Sites Inventory as HO-447, Maycroft. The Inventory notes the house “was built in 1871 by Charles G. Mayer, husband of Susan Dobbin Mayer who was the daughter of George Washington Dobbin, prominent lawyer, judge and educator who built his home on the hill, later known as Lawyers Hill in his honor.” The house was built in the Queen Anne architectural style.

**Scope of Work:** The applicant proposes to install a residential, in-ground swimming pool on the north-west side of the house, opposite Old Lawyers Hill Road. The pool will be 55 feet long by 27 feet wide. The pool will be surrounded by a concrete deck and a 4-foot-tall black aluminum fence.

The pool and corresponding deck will be constructed out of the following:

- 1) Pool coping – Gray/brown concrete brick (as shown in application)
- 2) Waterline tile (visible on vertical wall of pool from the edge of the water to the coping) – Blue/grey tile (as shown in application)
- 3) Pool lining – Black, gray, tan pebble finished concrete/plaster
- 4) Pool accessories – There will be stepping stones leading to a boulder feature and slide next to the pool. There will be a raised bed to support the boulder and slide. The overall size, including height, of the raised bed is unknown
- 5) Deck surrounding pool – The patio area will be approximately 1200 square feet in size and will be an untinted, brushed concrete.
- 6) Fencing surrounding pool – Black/dark gray, aluminum four-foot-tall fence in the style Hancock or Antietam (from Long Fence). Approximately 175 to 200 feet of fencing.
- 7) Mechanical equipment – northwest corner of the yard, to be screened by vegetation.

The applicant explained that the pool will be located between 23 and 30 feet from the driveway. The final offset is dependent on Health Department guidance, based on the location of the waste line to the septic tank.



**Figure 10 - Map of property and location of proposed pool**

## HPC Review Criteria and Recommendations:

### **Chapter 4: The Secretary of the Interior's Standards for the Rehabilitation of Historic Properties**

- 1) *Standard 2 states, "The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property shall be avoided."*
- 2) *Standard 9 states, "New additions, exterior alterations, or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment."*

The pool will be located on the northwest side of the house, at the rear of the house. The property has a large frontage along Lawyers Hill Road, but the pool will not be visible from the road. While the proposed landscape setting for the pool adjacent to the house impacts the structure, the spatial relationship that characterizes the property is the large frontage visible from Lawyers Hill Road, which will remain an open naturalized space. The historic setting will remain intact.

### **Chapter 7: New Construction: Additions, Porches, Garages and Outbuildings**

- 3) *Chapter 7 recommends, "attach additions to the side or rear of a historic building. Design and place additions to avoid damaging or obscuring key architectural features of the historic building."*

The pool will not be visible from the public right-of-way. The pool will be located on the northwest corner of the house, which is the rear of the house. The addition of the pool will not damage or obscure any key architectural features of the house.

### **Chapter 9.A: Landscape and Site Elements, Grading and Topography**

- 4) *Minimize clearing and grading by designing and siting new structures and other site improvements to blend with the natural contours of the site.*

There are many grade changes on the property, but the pool is proposed to be located on one of the flatter areas of the site. There will be a raised bed to support the boulder and slide. The overall size, including height, of the raised bed is unknown. More information on this item is needed to understand how it will affect the existing topography.

### **Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation**

- 5) *Minimize removal of mature trees and shrubs and provide for their replacement with similar species whenever possible.*
- 6) *Maintain and install informal landscaping using a variety of trees, shrubs and flowers, particularly native species. Plant new trees and shrubs far enough from buildings to avoid moisture problems and damage to the buildings from falling limbs and roots as the plants grow.*
- 7) *Maintain the open feel of the District by minimizing property lines demarcations.*

The construction of a fence is required by code to have installed around the pool. The code requirement has specifications for the type of fencing as well, ensuring that children cannot fit their head through or easily climb over (for example, horizontal rails must be on the inside of the fence, rather than the

outside where they can be used as footholds). The fencing will not be used as a property line demarcation, as it will only be located around the pool area.

**Chapter 9.C: Landscape and Site Elements, Fences**

- 8) Chapter 9.C explains, “property lines in Lawyers Hill are only occasionally defined by fencing. Fences are generally low and open, and made of painted wood boards or unpainted split rails. The open feel of the District will be maintained by limiting the use of fencing, and by use low, open fencing when fencing is necessary.
- 9) Chapter 9.C recommends, “when installing new fencing, use fencing that is low, open and made of wood. If necessary, this type of fencing can have an inconspicuous, inner wire fencing.
- 10) Chapter 9.C recommends, “plant vines or shrubs in front of solid fencing to reduce its visual impact from public roads.”
- 11) Chapter 9.C recommends against, “installing stockade, chain link, or wrought iron fencing in a location visible from a public road or a neighboring property.”



Figure 11 - Antietam style fence



Figure 12 - Hancock style fence

While the guidelines do not recommend use of a wrought iron fence (which this would emulate in style, but is aluminum in material rather than iron), the fence will not be highly visible from the road or neighboring property. The fence will be most visible from the driveway. The fence will be 4 feet high, which is the shortest the fence can be in order to comply with the code requirements for fencing around a pool.

**Chapter 9.E: Landscape and Site Elements, Driveways, Walkways and Patios**

- 12) Chapter 9.E recommends, “construct new walkways and patios of brick, flagstone or concrete pavers designed to look like flagstone. New walkways may also be constructed of bark chips or gravel.”
- 13) Chapter 9.E recommends against, “constructing new walkways and patios of poured concrete slabs within view of a public road.”

The patio does not comply with the Guidelines recommending the use of brick, flagstone or concrete pavers design to look like flagstone. The patio will be constructed of concrete with a broom swept finish. The concrete will not be tinted.

The concrete patio will not be highly visible, if visible at all, from Old Lawyers Hill Road due to the change in topography, and location on the rear of the house.

**Chapter 9.F: Landscape and Site Elements, Driveways, Outdoor Lighting**

14) Chapter 6.F recommends, “Design and locate lighting fixtures to be visually unobtrusive. Use dark metal of a similar unobtrusive material for freestanding lights.”

15) Chapter 6.F recommends, “To the extent possible, direct or shield lighting so that it illuminates only the area intended and does not spill onto neighboring properties. Design lighting to provide a reasonable level of brightness of the intended purpose.”

New exterior lighting will only be installed within the pool; there will not be any new lighting around the site. The lighting within the pool complies with the Guideline recommendations.

**Staff Recommendation to the HPC:** Staff recommends the HPC approve the installation of the pool per Items 1-4 and 7 in the scope of work. Staff recommends the HPC determine if Item 5, untinted brushed concrete, is appropriate pool decking. Staff recommends the HPC determine if Item 6, black aluminum fencing, is appropriate for the pool fencing.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

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Beth Burgess  
Executive Secretary

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Samantha Holmes  
Staff, Historic Preservation Commission