

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF		
BRIAN F. CLEARY, DEPARTMENT	*	HOWARD COUNTY
OF PUBLIC WORKS		
	*	HISTORIC PRESERVATION
FOR A CERTIFICATE OF APPROVAL		
TO REMOVE TREES	*	COMMISSION
AT NEW CUT ROAD		
ELLICOTT CITY, MARYLAND	*	Case No. 19-10

\* \* \* \* \*

**DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on April 4, 2019 to hear and consider the application of Brian F. Cleary, Howard County Department of Public Works (“Applicant”), for a Certificate of Approval to remove trees at New Cut Road, east side, south of College Avenue, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Drew Roth, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the April 4, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

### **Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. There are no buildings on this land. The project involves removing trees in the County right-of-way.

#### **B. Proposed Improvements**

The Applicant seeks approval for the removal of 8 trees on the east side of New Cut Road, to accommodate the relocation of BGE poles to that side of the road. The application states that the "relocation [of the BGE poles] is essential to repairing New Cut Road. This project is due to the May 2018 flood, which destabilized the east bank of the stream, where multiple overhead power poles are located, requiring the relocation of the overhead lines prior to the New Cut Tributary stabilization necessary to reopen New Cut Road."

The application contains a tree survey that was prepared by JMT. The tree survey was conducted within the study area and was based on the proposed limits of disturbance. The tree survey states that all trees with a diameter at breast height (dbh) of 12 inches or greater were identified within the study area. Overall, 115 trees were identified within the study area

(regardless of dbh – this number includes trees below and above 12 inches dbh). There are 8 trees in the study area that have a dbh of 12 inches or larger and are proposed to be removed. There is one tree within the study area that is dead and was not included in the overall 115 trees or in the 8 to be removed, since it is already dead. This tree can be seen in the photos provided and is marked “dead” and is located near tree T-035.

The 8 trees with a dbh of 12 inches or greater that are proposed to be removed include the following:

Tree No.	DBH (inches)	Common Name	Condition	Comments
T-001	38.5	American Sycamore	Fair	Heavy vines, marked with 'X'
T-003	19	Black Cherry	Fair	Vines, Marked with 'X'
T-017	17.5	Boxelder	Good	Marked with 'X'
T-035	44.4	Silver Maple	Poor	Dying, Marked with 'X'
T-040	20	Princesstree	Good	Marked with 'X'
T-048	18.4	Red Maple	Good	Marked with 'X'
T-050	35.9	American Sycamore	Good	Marked with 'X'
T-051	31.5	American Sycamore	Good	Marked with 'X'

**C. Staff Report**

The removal of trees is proposed so that the BGE poles can be relocated to the other side of the street, to repair the roadway damage that occurred as a result of the May 2018 flood. The Guidelines do not currently address situations such as these. 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.” In this instance, the removal of the live mature trees is needed to repair flood damage that resulted in the collapse of major portions of the roadway.

**D. Staff Recommendation**

Staff recommends Approval as submitted.

**E. Testimony**

Ms. Tennor swore in Brian Cleary from the Department of Public Works, Bureau of Environmental Services. Ms. Tennor asked if he had any corrections or additions to the staff report. Mr. Cleary said he had no comments and agreed with the staff report. He said moving the poles to the safe side of the road was critical to reopening New Cut Road and stabilizing the slopes. Mr. Cleary stated that poles have a lot of equipment on them and have Verizon and Comcast lines, in addition to BGE.

Ms. Zoren asked if the retaining wall along the road was staying. Mr. Cleary stated they would not be touching the wall and explained the trees will be flush cut, so there will be no ground disturbance. Mr. Cleary stated there will be a phase two application, which will involve the walls across the street, but they would be preserving the abutment.

Ms. Tennor asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**F. Motion**

Ms. Zoren moved to Approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 9 sets forth the relevant recommendations for Landscape and Site Elements, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes to remove eight trees in order to relocate existing utility lines. The utility lines are currently located on the same side of the road as the waterway known as New Cut Tributary. During the flood of May 2018, the waterway was severely damaged, endangering the stability of New Cut Road, which has been partially closed since the flood. In order to stabilize the stream and maintain the integrity of the road, the utility lines must be relocated.

Given that the waterway flows into the Tiber-Hudson watershed and contributes to flooding in the Historic District, improving the capacity of the waterway to handle increased flow will aid in the preservation of the Historic District. Additionally, access to the District via New Cut Road requires repair of the waterway so that the Road remains operational. Although the trees contribute to the historic landscape of the District, they do not have independent historic significance.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 3 to 0, it is this 1 day of May, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for removal of trees at the Subject Property, is **APPROVED**.

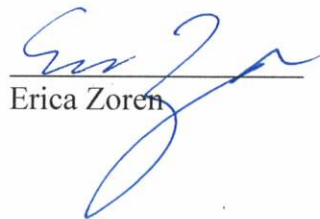
**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**

ABSENT  
Allan Shad, Chair

ABSENT  
Bruno Reich

  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
\_\_\_\_\_  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	HOWARD COUNTY
ELLENA MCCARTHY		
FOR A CERTIFICATE OF APPROVAL	*	HISTORIC PRESERVATION
FOR EXTERIOR ALTERATIONS	*	COMMISSION
AT 3845 ROSS ROAD	*	Case No. 19-12
ELLICOTT CITY, MARYLAND		

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**DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on April 4, 2019 to hear and consider the application of Ellena McCarthy (“Applicant”), for a Certificate of Approval for exterior alterations at 3845 Ross Road, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Drew Roth, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the April 4, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

**Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the

Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. A representative for the Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1945.

#### **B. Proposed Improvements**

The Applicant seeks approval to renovate their exterior hardscape on the porch side of their house to increase the safety and accessibility of the home, while keeping the historic character. The Applicant hired a landscape architect to prepare a master plan for their home and they are currently seeking approval to construct Phase 1, which is outlined in red on the site plan.

1. **Parking** - Install a one-lane asphalt parking pad off the shared driveway on the east side of the house.
2. **North Walkway** - Install a gravel walkway on the northeast side of the house to hold the trash cans (labeled refuse gravel walk). The decorative top coat of the gravel will be a gray/white Bird's Eye Gravel.
3. **South Walkway** - Remove existing stone walk, which is missing grout and buckling. Install a gravel walkway on the south side of the house along the street (labeled east

gravel walk). The decorative top coat of the gravel will be a gray/white Bird's Eye Gravel.

4. **Stone Patio/Terrace** - Remove existing stone patio/terrace and timber and stone steps from the east side of the house (facing common driveway) and replace with new stone patio/terrace using 12"x36" natural cleft full range bluestone pavers in a running bond pattern, per the landscape plan.
5. **Trees** - Remove one diseased tree and replace the tree with two ginkgo trees.
6. **Porch** – Install blue stone treads on existing concrete steps and paint the concrete risers white. Install a custom iron handrail along stairs. New handrail to match the historic wrought iron gate on the property.
7. **Terrace Canopy** – Fabricate and install custom steel canopy support posts with string lights per the landscape plan. Restoration Hardware Party Globe string lights will be hung above the terrace canopy.
8. **Outdoor Landscape Lighting** - Install Volt Salty Dog Turret Top with a bronze finish in-grade lights along the pathway and steps. Install Volt Top Dog 180 series bronze spotlights under Ginkgo trees.
9. **Retaining wall** – Demolish a portion of the retaining wall damaged due to vine growth and missing mortar. Install a natural boulder retaining wall per the landscape plan. The boulders will be large Pennsylvania boulders. Repair existing retaining wall along Ross Road side of property (northeast side of house)
10. **Plant material** – Install a variety of plants and trees per the landscape plan, such as Ginkgo trees, camellias, hydrangeas and other ground covers and shrubs.

**C. Staff Report**

The application complies with Chapter 9 recommendations for landscape and site elements. The proposed tree to be removed is not healthy and will be replaced with two new trees to comply with Chapter 9.B, which recommends against the “removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures” and recommends, “retain mature trees and shrubs. Provide for their replacement when necessary.”

The use of gravel walkways, the stone patio/terrace and the bluestone porch tread complies with Chapter 9.B recommendations, “construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone” and “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.” The repair of the existing retaining wall complies with Chapter 9.B, which recommends, “preserve historic features, such as retaining walls, freestanding walls...When possible, reuse the historic building materials to repair or restore these structures.” A portion of the retaining wall will be removed to expand the patio area, as shown on the site plan, and large Pennsylvania boulders will be installed to retain the hillside. Landscape beds will be installed on either side of the porch.

The location and construction of the parking pad off the common driveway complies with Chapter 9.B, which recommends, “where needed, install new residential driveways that are narrow (one lane) and follow the contours of the site to minimize the need for clearing and grading. If possible, locate off-street parking spaces in side or rear yards.”

The proposed wrought iron hand railings to flank the porch steps will be designed to match the existing historic iron gates on the property. The continued use of this design complies with Chapter 9.B, which recommends “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.” It would also be typical to see a handrailing along the steps in the same design as the wood porch railings as well.

The outdoor lighting consisting of the globe party lights and the bronze spotlights and in-grade lights comply with Chapter 9.E recommendations, “choose and locate lighting fixtures to be visually unobtrusive. Use dark metal or a similar material” and “to the extent possible, direct or shield lighting so that it does not create glare or spill onto neighboring properties. Design lighting to provide a reasonable level of brightness for the intended purposes.”

The steel terrace canopy will consist of four matte black steel posts with four beams (connected in a rectangle to form an open canopy), set in concrete in the ground. The globe lights will be strung from these beams to softly light the outdoor dining area. The Guidelines do not specifically reference a canopy such as this, but the proposal will not affect the historic integrity of the structure or site and may easily be removed one day, if desired. The posts will blend with the black standing seam metal porch roof, which complies with Chapter 9.B recommendations, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.”

**D. Staff Recommendation**

Staff recommends Approval as submitted.

**E. Testimony**

Ms. Tennor swore in Arthur McCarthy. Ms. Tennor asked if he had any corrections or additions to the Staff Report. Mr. McCarthy stated he concurred with the staff report. Ms. Holmes clarified the staff report listed the wrong tree to replace the dying tree and said that it will not be a ginkgo in this location, but was unsure of the type of tree. Mr. McCarthy later clarified that a black gum tree will be planted. Ms. Tennor stated that the retaining wall looked like dry stack wall that was never mortared and asked for clarification since the application stated it is missing mortar. Ms. Tennor said the walls are in excellent condition. Ms. Holmes explained that the long portion of the wall will remain in place, and at the corner of the house, the end of the wall will be taken out and leveled to expand the patio. Mr. McCarthy stated that only the one portion of the wall that curves around will be taken out.

Ms. Tennor asked if Mr. McCarthy will be using mortar on his new wall. Mr. McCarthy said it would not be mortared, but will be stacked boulders to hold back the turf. He explained this was phase one of a three phase plan and said the stones will be saved for a later phase. Mr. McCarthy explained that the current wall was installed by the person who owned the house before them, so while it is in good condition, there is damage because of the tree roots.

Ms. Zoren asked what material will be going under the gravel. Mr. McCarthy explained the stone pavers that are currently there will be removed, and the ground will be hard packed with gravel on top.

Ms. Tennor stated parking on the road was an issue. Mr. McCarthy explained that he wanted to add the parking pad due to family mobility issues and said that parking on the road, or shared driveway with the slope, is difficult for them.

Ms. Tennor asked if the porch railings would be fabricated. Mr. McCarthy stated their landscaping company, Old Town Landscaping from Frederick, specialized in work related to the restoration of historic properties. Mr. McCarthy said he has seen pictures of other projects where they have used similar materials.

**F. Motion**

Mr. Roth moved to Approve the application as submitted. Ms. Tennor seconded. The motion was unanimously approved.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 9

sets forth the relevant recommendations for Landscaping and Site Elements, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes work to the landscape and hardscape of a historic home. This includes demolition of a damaged portion of an existing retaining wall, replacement of an existing stone patio with a new stone patio, creation of gravel walkways and a single lane paved parking area, erection of a steel canopy, removal of a diseased tree, and related landscape work. All of the work is in accord with the Guidelines.

The new parking pad will be located at the rear of the house and will provide the only off-street parking spot for house, which is located on steep terrain and presents access issues for those of limited mobility. The gravel walkways are located on the sides of the house and one is replacing an existing walkway. The walkways comply with Guideline recommendations to build such walkways using stone. Likewise, although a portion of the existing retaining wall will be demolished due to damage, the remainder of the wall will be repaired as a dry-stack stone wall, which is common in the district and a natural boulder wall will be used.

The porch steps will be repaired using stone and a new iron hand rail will be installed that will match the existing historic iron gates on the property.

The new steel canopy will not affect the historic integrity of the structure or site and may easily be removed. It is constructed of dark metal, as recommended by the Guidelines, and it will blend with the existing black standing seam metal porch roof. It will also assist in shielding outdoor lighting as recommended by the Guidelines. The globe lights will be strung from these beams to softly light the outdoor dining area.

Finally, the Guidelines permit removal of disease trees and here the tree will be replaced with two new trees.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

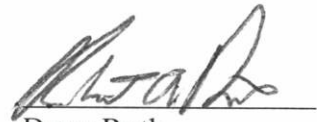
**ORDER AND CERTIFICATE OF APPROVAL**

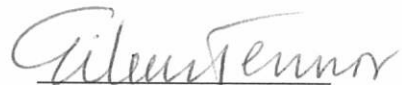
Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 3 to 0, it is this 1 day of May, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.

**HOWARD COUNTY HISTORIC PRESERVATION COMMISSION**

ABSENT  
Allan Shad, Chair

ABSENT  
Bruno Reich

  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
\_\_\_\_\_  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF  
THE APPLICATION OF  
CONNOR LEFLER

\* BEFORE THE  
\* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL  
FOR EXTERIOR ALTERATIONS  
AT 3646 FELLS LANE  
ELLCOTT CITY, MARYLAND

\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-13

\* \* \* \* \*

**DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on April 4, 2019 to hear and consider the application of Connor Lefler (“Applicant”), for a Certificate of Approval for exterior alterations at 3646 Fels Lane, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Drew Roth, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the April 4, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

**Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the

Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1900.

#### **B. Proposed Improvements**

The Applicant seeks approval for the following work:

1. Paint the siding in Behr Opulent Opal, a white with light pink tones
2. Paint the door in Behr Perennial Green, a light forest green.
3. Paint the shutters in Behr Totally Black.
4. Add new black vinyl, louvered shutters on the side windows.
5. Replace two 6:6 wood windows on the first floor, side of the house with two 1:1 vinyl windows.
6. Replace damaged wood trim with new wood trim.

#### **C. Staff Report**

The Applicant provided over 10 different paint chips, and indicated the preferred color choices. The Applicant's preferred siding color, Opulent Opal, and several of the other options provided, are various shades of pink and lavender. Chapter 6.N recommends, "use colors that were historically used on the building" and "use colors appropriate to the period and style of

the building.” The light pink color would not have been used historically on this building although the dark green door and black shutters are historically appropriate for the period and style. Chapter 6.N also recommends, “use colors that are generally compatible with (and do not clash with) the colors used in the district, particularly on neighboring buildings.” The neighboring building is far enough away that the colors would not clash. The house across the street is a red/orange brick house and the proposed siding color will not be compatible with this house. An actual white, off-white or light gray, from the provided color options would be appropriate.

The Applicant proposes to add black, vinyl louvered shutters to the first-floor windows located on the west side of the house. The other shutters on the house are wood board and batten shutters that are 4 boards wide with the batten on the backside. The black color complies with the Guidelines but the material and style of the proposed vinyl, louvered shutters do not comply with Chapter 6.I recommendations, “for replacements, install shutters or blinds that maintain the size, style and placement of the original.” Chapter 6.I also recommends against using “aluminum or vinyl shutters or blinds.”

The majority of the existing windows on the house are not original and are a mix of 1:1 wood and vinyl windows. The windows under the front porch are 6:1 wood windows and appear to be original. The proposed 6:6 wood windows to be removed appear to be original, but the other windows on this side of the house are all 1:1 and have already been replaced with vinyl. The application did not document damage to the windows, necessitating removal and replacement, versus repair. Chapter 6.H, states, “vinyl or metal replacement windows do not have the same profile and detailing as wood windows and should be avoided on historic buildings.” Chapter 6.H recommends “when repair is not possible, replace original windows,

frames and related details with features that fit the original openings and are of the same style, material, finish and window pane configuration. If possible, reproduce frame size and profile and muntin detailing.” While the replacement with a 1:1 window would result in the loss of original 6:6 windows, it would also result in a more cohesive window pattern on the west side of the house. The Guidelines do not support the use of vinyl windows.

If the Commission approves the removal of the 6:6 side windows, the 6:1 windows on the porch will be the only remaining clue that different windows once existed on this structure.

The in-kind repair of the trim, using wood, complies with Chapter 6.H recommendations to “maintain and repair original window openings, frames, sashes, sills, lintels and trim.”

**D. Staff Recommendation**

Staff recommends:

1. Approval of painting the siding in a true white, off-white or gray, such as Behr Angel Feather or Silent White.
2. Approval of painting the door in Behr Perennial Green, a light forest green.
3. Approval of painting the shutters in Behr Totally Black.
4. Approval of replacing damage wood trim with new wood trim.
5. The Commission determine the necessity of removing the two 6:6 wood windows on the first floor.
6. Staff recommends denial of adding new vinyl louvered shutters on the side windows.

**E. Testimony**

Ms. Tennor swore in Connor Lefler. Ms. Tennor asked if he had any corrections or additions to the staff report. Mr. Lefler stated that he agreed with the staff recommendations

of the paint schemes, using the off-white paint for the siding with the green door. Mr. Lefler stated his biggest concern was the windows, which he watched deteriorate for the last year. He said that the storm windows were installed improperly, and he finds the vinyl window replacement would be durable. Mr. Lefler stated he would like to add vinyl 1:1 windows, which would match the rest of the windows on that side of the house. Mr. Lefler stated the windows on the front of the house are original and are sheltered under the porch, so he is not interested in replacing them.

Mr. Lefler stated he would like to use louvered shutters because there are other louvered shutters on houses on his street. Ms. Tennor stated that the Commission wants to see materials that are true to his structure, and not matching other structures. Ms. Holmes clarified that the design is an issue as well because the house has board and batten shutters on the front and adding louvered shutters would put two different styles on one house. Mr. Lefler said he wanted to use vinyl to make it last longer. Ms. Holmes explained that the Guidelines do not recommend the use of vinyl shutters.

Ms. Tennor asked where Mr. Lefler would be placing the shutters. Mr. Lefler said the shutters would be added on the side of his house. Ms. Burgess clarified that it would be the side of the house shown in Figure 13 of the agenda. Mr. Roth stated that six windows would need shutters and asked if the shutters would be decorative and not operable. Mr. Lefler confirmed the shutters would not be operable.

The Commission discussed several different options for shutters with the applicant, such as adding wood board and batten to the side of the house or replacing all of the shutters with wood louvered shutters. The Commission discussed the Guidelines and discussed

whether the existing shutters are historic or not. Ms. Holmes referenced the guideline recommendations and suggested Mr. Lefler withdraw the shutter portion of the application and research the house and architectural type in the historic district to see if louvered shutters are historically appropriate or ever used on that side of the house. Mr. Lefler agreed to remove the request for shutters at this time. Ms. Zoren asked the applicant to bring more photos of the existing shutters when he resubmits.

Ms. Tennor confirmed the request before the Commission was for approval for painting, fixing the wood trim and installing two windows. Ms. Zoren stated she agreed with staff comments on the pink color.

Ms. Zoren asked what purpose the bags on the windows were serving. Mr. Lefler stated the windows were leaking and had water damage on the tops and sides. Mr. Lefler stated this contributed to most of the water damage and that all the other windows on that side of the house are vinyl and are doing much better than the storm windows. Ms. Tennor stated that the Commission does not know when the other 1:1 sash windows were installed. Ms. Holmes said there is a photo in the case file from 1994 with a 6:1 window on the most left side window on the lower level side of the house. Ms. Tennor stated that the previous owners changed the windows without submitting an application for approval to the Commission.

Ms. Zoren stated the Guidelines discourage the removal of existing wood windows, especially in favor of vinyl. She explained that when vinyl windows appear in the historic district, they are either not approved and in violation or they are on a non-historic house. Ms. Zoren stated that she would approve replacement of the two windows with new wood

windows in a 1:1 style so they would all look uniform, but per the Guidelines, she could not approve the vinyl windows. Mr. Roth agreed with her statement.

**F. Motion**

Mr. Roth moved to approve:

- 1) Item 1, painting the siding per staff recommendation;
- 2) Item 2, painting the door as submitted;
- 3) Item 3, painting the shutters as submitted;
- 4) Item 4, replacing the damaged wood trim as submitted;
- 5) Item 5, replacing the two 6:6 windows with new wood windows in 1:1 or 6:6;

Ms. Zoren seconded. The motion was approved unanimously.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes painting a historic house and replacing to 6:6 wood windows with 1:1 windows. The work is in keeping with the Guidelines. The Applicant withdrew a request to install new shutters.

The siding will be painted true white, off-white or gray, such as Behr Angel Feather or Silent White, or a similar color to be approved by Staff. This is in accord with Guideline recommendations to use color "historically used on the building" and "use colors appropriate to the period and style of the building." Similarly, the front door will be painted green and the existing shutters black. These colors will not clash with neighboring structures and are appropriate for the period and style of the house.

The replacement of the two damaged 6:6 wood windows with 1:1 wood windows is also in keeping with Guideline recommendations. The majority of the existing windows on

the house are not original and are a mix of 1:1 wood and vinyl windows. The 6:1 wood windows under the front porch appear to be original. The 6:6 windows to be removed appear to be original, but the other windows on the same side of the house are all 1:1 and were replaced with vinyl at some point. While the replacement wood windows would result in the loss of original 6:6 windows, it would also result in a more consistent window pattern on the west side of the house, which is recommended by the Guidelines, and the new windows will be an appropriate material. Additionally, the Commission approves replacement with 6:6 wood windows if the Applicant chooses to replace the windows in-kind. .

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

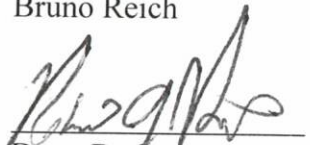
**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 3 to 0, it is this 1 day of May, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED, as amended and clarified herein.**


**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**

ABSENT  
Allan Shad, Chair

ABSENT  
Bruno Reich


  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
\_\_\_\_\_  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF  
THE APPLICATION OF  
EDWARD FORTUNATO

\* BEFORE THE  
\* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL  
FOR PAINTING  
AT 3626 CHURCH ROAD  
ELLICOTT CITY, MARYLAND

\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-14

\* \* \* \* \*

**DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on April 4, 2019 to hear and consider the application of Edward Fortunato (“Applicant”), for a Certificate of Approval for painting at 3626 Church Road, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Drew Roth, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the April 4, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

**Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the

Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1920.

#### **B. Proposed Improvements**

The Applicant seeks approval to power wash, replace deteriorated wood shingles and change the paint color scheme on the house. The application does not reference the painting of the garage, outbuilding or fence but Staff confirmed that the Applicant also intends to paint these structures.

The proposed paint colors by Farrow & Ball are:

1. Siding – Wimborne White
2. Trim - Wimborne White
3. Windows - Wimborne White
4. Doors - Hague Blue
5. Shutters - Hague Blue
6. Lattice and posts under porch - Wimborne White
7. Porch railings - Hague Blue
8. Porch columns and pickets - Wimborne White

9. Porch floor – will be painted gray to match the existing color
10. Porch ceiling – will be painted light blue, no color spec provided
11. Garage – to match scheme on main house, Wimborne White siding, Hague Blue shutters, Wimborne white garage doors
12. Outbuilding behind garage – to match scheme on main house
13. Fence - Farrow & Ball Wimborne White

**C. Staff Report**

The application complies with Chapter 6.N recommendations for painting. The proposed colors comply with Chapter 6.N recommendations, “use colors that were historically used on the building” and “use colors appropriate to the period and style of the building.” The use of the paint scheme on the garage and outbuilding behind the garage also comply with the Guideline recommendations, “on attached buildings, use the same colors or a coordinated color scheme whenever possible.”

The application does not specifically reference the replacement of other wood on the house, such as porch floorboards and trim, but Staff recommends tax credit pre-approval for the in-kind replacement of wood trim, porch flooring, railings or pickets on the historic portion of the main home only.

**D. Staff Recommendation**

Staff recommends Approval of Items 1-13, contingent upon receipt of an appropriate blue paint chip for the porch ceiling.

**E. Testimony**

Mr. Fortunato was sworn in. Ms. Tennor asked if he had any corrections or additions to the Staff Report. Mr. Fortunato stated for ease of operation he would prefer to use Number 89 of the Farrow & Ball paint, Lulworth Blue.

Ms. Holmes explained the addition will be painted as well. Ms. Holmes asked if the chicken coop was historic and Mr. Fortunato thought it was. Ms. Holmes stated the status of the garage was pending. Ms. Holmes clarified the staff recommendation and stated that staff recommends approval of items 1-13.

**F. Motion**

Mr. Roth moved to approve items 1-13 plus the painting of the modern addition, chicken coop and garage. Ms. Zoren seconded. The motion was approved unanimously.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and
- (4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans

for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes to paint a historic house and outbuildings in a white paint scheme with blue trim. The painting complies with Guideline recommendations to "use colors that were historically used on the building" and "use colors appropriate to the period and style of the building." The use of the paint scheme on the garage and outbuilding behind the garage also comply with the Guideline recommendations, "on attached buildings, use the same colors or a coordinated color scheme whenever possible."

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 3 to 0, it is this 1 day of May, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for painting at the Subject Property, is **APPROVED**.

**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**

ABSENT  
Allan Shad, Chair

ABSENT  
Bruno Reich


  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.

IN THE MATTER OF  
THE APPLICATION OF  
JACKIE EVERETT

\* BEFORE THE  
\* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL  
FOR EXTERIOR ALTERATIONS  
AT 8098 MAIN STREET  
ELLCOTT CITY, MARYLAND

\* HISTORIC PRESERVATION  
\* COMMISSION  
\* Case No. 19-15

\* \* \* \* \*

**DECISION AND ORDER**

Pursuant to Title 16, Subtitle 6, of the Howard County Code, notice having been properly published, the Historic Preservation Commission (“Commission”) convened a public hearing on April 4, 2019 to hear and consider the application of Jackie Everett (“Applicant”), for a Certificate of Approval for exterior alterations at 8098 Main Street, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Eileen Tennor, Drew Roth, and Erica Zoren. The following documents, incorporated into the record by reference, are applicable to this case: (1) the appropriate provisions of the Howard County Charter and the Howard County Code, including the Howard County Zoning Regulations; (2) the General Plan for Howard County; (3) the application for a Certificate of Approval and associated records on file with the Commission; (4) the Agenda for the April 4, 2019 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

**Summary of Testimony**

Ms. Samantha Holmes, Staff to the Commission, presented the application, identifying the work proposed by the Applicant for which approval is requested, and the

Staff's recommendation and the basis for the recommendation. Copies of Staff's recommendation and the application were provided to each Commission member and reviewed with the Commission by Ms. Holmes. The Applicant testified in support of the application.

### **Findings of Fact**

Based upon the evidence, the Commission makes the following findings of fact:

#### **A. The Subject Property**

This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1890.

#### **B. Proposed Improvements**

The Applicant seeks a Certificate of Approval and Tax Credit Pre-Approval (20.112 and 20.113) for the following work:

##### Exterior Repairs

- 1) Replacement of the front doors with flood proof doors.
- 2) Replacement of the columns on the front of the building.
- 3) Repair of wood siding at the back of the building.
- 4) Repair of downspouts along the ground at the side of the building.
- 5) Replacement of two existing side doors.

##### Interior Repairs for Tax Credit Pre-Approval

- 6) Replacement of two water heaters, a sink and toilet.
- 7) Repair or replacement of vinyl flooring.
- 8) Reframe walls for drywall.
- 9) Insulate exterior walls.

- 10) Install new drywall.
- 11) Repair vault door.
- 12) Replace interior doors, hardware and trim.
- 13) Skim and paint walls.

**C. Staff Report**

In September 2016, the Applicant was approved to replace the front doors of the building, which were damaged by the July 2016 flood, with 10 light French doors. The previously existing doors were not original to the building, nor historic or architecturally appropriate for the building. The Applicant now proposes to use two full light French doors manufactured by Stormmeister. Chapter 6.G recommends, “Replace inappropriate modern doors with doors of an appropriate style. If documentary evidence of the original door is available, choose a new door similar to the original.” In 2016 Staff found a drawing which showed paneled wood doors on the building. Due to the emergency nature of the door replacement, the Commission allowed the Applicant to install French doors as proposed, even though wood panels would have been more historically appropriate for this building and a stronger defense than glass. The image in the Agenda is a screenshot from the movie *The Goddess*, which shows the bank building in the background and the door appears to be a  $\frac{3}{4}$  glass light with a  $\frac{1}{4}$  wood panel at the bottom and a small frieze panel above the light. These may be the inner doors, or a later replacement door (although historic in its own since *The Goddess* was filmed in 1958). Based on this image, Staff recommends the Applicant install a flood door similar in style, with a panel below the light. Image 18 below, shows a Stormmeister flood door similar to the door seen in the Image 17 of the *Goddess* movie, that is more historically and architecturally appropriate for the building.

The French doors approved after the 2016 flood, were again lost in 2018. This resulted in the second set of French doors destroyed by flooding. The Applicant now proposes to install a flood door, which if installed correctly, should have a better chance of remaining on the building and lasting many years. Therefore, a historically appropriate style should be used.

An application was initially submitted on March 12, 2019 for a variety of work and Staff sent the Applicant a list of follow up questions. There are two doors on the side of the building that will need to be addressed for flood proofing purposes. Staff had requested photos or specification sheets for the replacement doors, but the item was removed from the application. The doors were destroyed after the 2016 flood and replacement doors were installed. Photos showing these doors were not provided, so it is unclear how they withstood the 2018 flood other than noting that the Applicant initially proposed to replace them. If the doors are missing or damaged, the replacement of these doors will be needed to secure the building from flooding.

The Applicant is working on obtaining additional information regarding the exterior items, as requested by Staff. Staff requested specification sheets for the capitols and bases on the column to ensure they were being replaced in-kind. The original base appeared to be Roman Doric base, which is the style that should be used for replacement.

The exact repairs to the downspouts were not specified and Staff requested additional information. If in-kind, the repairs would be considered Routine Maintenance per Chapter 6.E which states, "Maintaining gutters and downspouts and installing replacements of a similar size, location and finish, in the same color as existing gutters and downspouts or a color consistent with the exterior building walls."

**D. Staff Recommendation**

Staff recommends approval of the Stormmeister flood doors, in a historically appropriate design as determined by the Commission for the work.

Staff recommends for Item 3, contingent upon receiving photos showing the exterior damage and contingent upon the replacement product exactly matching the existing siding in color, material, dimension and profile.

Staff recommends approval of the in-kind repair of Item 4.

Staff recommends Items 2 and 5 be continued until there is more information available on the replacement products.

**E. Testimony**

Ms. Tennor swore in Jackie Everett. Ms. Tennor asked if she had any corrections or additions to the Staff Report. Ms. Everett stated that the application indicated it would be a full light door, but that is because the StormMeister company is in England and they identify their door as full light, but it would be 10-light. She said it would be an in-kind replacement from the door that was approved in 2016. The door would have bullet proof glass and it is guaranteed to be flood proof. Ms. Everett stated that the only way the building was breached during the floods of 2016 and 2018 was through the door frame. The StormMeister doors are steel cased frame and they have a patent on this flood proofing. Ms. Everett does not feel comfortable doing any renovation inside of the building until she is guaranteed the door will be protected.

The Commission, staff and the applicant discussed the doors replacement as it applies to the Façade Improvement program. Ms. Everett wanted to proceed with approval of the 10-light door.

Ms. Everett stated that she would like to replace the side doors in-kind as approved from the 2016 flood.

**F. Motion**

Mr. Roth moved to approve:

- 1) Item 1, the 10-light door by StormMeister, or a half panel, one light StormMeister door l;
- 2) Item 2, the replacement in-kind of the columns with Staff approval that it is replacement in-kind;
- 3) Item 3, the wood siding contingent on receiving photos showing the exterior damage and contingent upon the replacement products exactly the existing siding and color, material, dimension, and profile to be confirmed by Staff;
- 4) Item 4, approval in-kind;
- 5) Item 5, approval of the replacement of the two existing side doors and Staff confirmation that the work is in-kind;

Ms. Zoren seconded. The motion was approved unanimously.

**Conclusions Of Law**

Based upon the foregoing Findings of Fact, the Commission concludes as follows:

**A. Standards of Review**

The standards for review of an application for a Certificate of Approval are set forth in Section 16.607 of the Howard County Code and require consideration of:

- (1) The historic, architectural, or archaeological value or significance of the structure and its relationship to the historic value of the surrounding area;
- (2) The relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area;
- (3) The general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and

(4) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Section 16.607(c) of the Code further provides:

It is the intent of this subtitle that the Commission be strict in its judgment of plans for contributing structures. It is also the intent of this subtitle that the Commission shall be lenient in its judgment of plans for structures of little historic value or plans for new construction, except where such plans would seriously impair the historic or architectural value of surrounding structures or the surrounding area.

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

**B. Application of Standards**

Applying these standards and guidelines to the Subject Property, the Commission finds that it contributes to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be strict in its judgment. The Commission finds that the Applicant's proposal would not impair the historic or architectural value of the surrounding area. The Commission finds that the proposal is consistent with the Guidelines. The evidence supports this conclusion.

The Applicant proposes work on a historic building that was twice damaged by flooding in 2016 and 2018. Most of the work constitutes Routine Maintenance and is approved to the extent in-kind materials are used to replace exactly existing damaged materials. The Applicant is further approved to install a 10-light StormMeister door, which will generally replicate the existing except for the material of the door, which is composite and will replace the twice destroyed wood door. The flood resistant StormMeister door will

aid in preservation of the historic structure by hopefully preventing flood water from entering the building. In the event the Applicant is able to find a one light over a half panel flood resistant door, that is also approved as more historically in keeping with the structure.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair the historic and architectural value of the surrounding area. The application complies with the Guidelines and standards applicable to the Ellicott City Historic District.

**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 3 to 0, it is this 1 day of May, 2019, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED, as detailed herein.**

**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**

ABSENT  
Allan Shad, Chair

ABSENT  
Bruno Reich


  
Drew Roth

  
Eileen Tennor

  
Erica Zoren

**APPROVED** for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

  
Lewis Taylor  
Senior Assistant County Solicitor

ANY PERSON AGGRIEVED BY THIS DECISION AND ORDER/CERTIFICATE OF APPROVAL MAY APPEAL THE DECISION TO THE CIRCUIT COURT FOR HOWARD COUNTY WITHIN THIRTY DAYS OF THE DATE OF THE DECISION.