IN THE MATTER OF THE APPLICATION OF CHARLENE TOWNSEND	*	BEFORE THE
	*	HOWARD COUNTY
FOR A CERTIFICATE OF APPROVAL FOR EXTERIOR ALTERATIONS AND REPAIRS AT 8116 MAIN STREET ELLICOTT CITY, MARYLAND	*	HISTORIC PRESERVATION
	*	COMMISSION
	*	Case No. 18-53

* *

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 November 1, 2018 to hear and consider the application of Charlene Townsend ("Applicant"), for a Certificate of Approval for exterior alterations and repairs at 8116 Main Street, Ellicott City, Maryland (the "Subject Property"). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, 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 November 1, 2018 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. Beth Burgess, 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. Burgess. 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 1830.

B. Proposed Improvements

This building was damaged in the 2016 flood and the door leading to the apartments and the storefront windows were destroyed and had to be replaced.

The building was again damaged in the 2018 flood and both doors (retail and apartment) as well as the storefront windows were destroyed. The Applicant seeks approval to paint the front façade, including second and third floor windows and sashes and, to make alterations to front façade openings to make the building safer from flood water.

The Applicant proposes to alter the storefront windows so that the entire storefront looks like the mural painted on the plywood that is currently covering the building. This design also mimics the panels below the windows that are found on the neighboring building at 8120 Main Street. The storefront windows would be significantly reduced in size in this proposal,

which would utilize a 5'x5' window. The proposed windows will either be Anderson tempered laminate glass windows or Pella Impact Resistant windows with a wood frame.

The new storefront door will be a half light over 2-panel wood door, painted a cream color. The previously existing historic door was a ¾ light over 3 panel (horizontally laid out) door. The door leading to the apartments will be a 6-panel wood door. This replacement is the same style as the replacement used from the 2016 flood, but does not match the historic door that was destroyed.

The previous storefront was blue and white, but the Applicant now proposes to incorporate the coral color from the second floor for the first floor storefront and the light pink/coral color (Benjamin Moore Pearly Pink) currently on the plywood mural.

C. Staff Report

Chapter 6.K of the Guidelines recommends, "preserve the form and details of existing historic storefronts. Uncover or replace architectural detailing that has been obscured by later additions" and "where physical, photographic or other documentation exists for an earlier storefront, or for the building's appearance before a storefront façade was added, restore the earlier storefront design." While this proposal does not meet those recommendations, the intent of the storefront alterations is to mitigate potential future flood damage. The historic door leading to the apartments was lost in the 2016 flood and the historic door leading to the retail space was lost in the 2018 flood. The storefront windows were blown out in both floods, and due to their floor to ceiling height, would be likely to blow out in future floods.

The new design retains the historic cornice and brackets on the first floor and will utilize doors of a similar design. The existing color from the second floor will be incorporated into the new panels on the first floor. The new design complies with Chapter 6.K

recommendations, "when planning storefront repairs or alterations, unify the upper and lower floors in the new design. Use appropriate and matching materials and colors throughout the façade; use materials appropriate to the style and period of the building; and use details of one time and type, within the limits of that building and its date of construction" and "design new storefronts to fit within the first floor building openings as formed by columns, piers and cornices." The new panels below the window will serve a practical purpose not only in reducing the size of the storefront windows, but they will be reinforced with an internal cinderblock wall using new full-size blocks with concrete and rebar. The block will be waterproofed with Sherwin Williams Loxon XP. The windows will be reduced in size, which typically is not recommended, however there has been repeated damage to the windows in a flood situation. The windows will still be large and will be impact resistant, which the previous windows were not. While these alterations are not typically supported by the Guidelines, the Applicant has made an attempt to mitigate future flood damage by reinforcing the storefront with stronger materials than previously existed.

D. <u>Staff Recommendation</u>

Staff recommends Approval as submitted.

E. <u>Testimony</u>

Mr. Shad swore in the Applicant, Charlene Townsend, and asked if she had any information to add or correct in the staff report. Ms. Townsend did not have anything to add or correct.

Ms. Tennor asked Staff if they thought these kind of changes (i.e. alterations to the storefront/raising of the knee wall) will be common. Ms. Burgess said that she does expect this type of alteration to be more common due to the flood damage, but pointed out that many

storefronts have been altered over the years and have been enlarged as they became retail buildings. She clarified that she was not speaking specifically to this building. Regarding this building, Ms. Burgess explained that Staff would have concerns if the Applicant was not proposing to use the impact resistant glass, etc. to try and floodproof the building.

Ms. Townsend said she is very happy with the new look and said it coordinates well with her neighbor's storefronts, which are similar in size and have the same panel details.

Ms. Zoren said that she agreed with installing the panels under the windows for flood proofing, but was unclear on why the glass on the top and sides was also going to be reduced in size. She said that she would like to see the trim widths closer to what normally existed and a larger piece of glass above the sill height. Ms. Townsend said the windows she is proposing are larger than the windows her neighbors have. Ms. Zoren said she finds the sill height to be appropriate, but that anything altered above the window opening does not seem to have to do with flood mitigation.

Mr. Reich asked if Ms. Townsend was using flood resistant doors. Ms. Townsend said that she could not afford them, but said the current proposal was in-keeping with historic preservation, but she could not afford more. Mr. Reich made a few flood proofing suggestions on the doors and the windows, but found that Ms. Townsend was doing enough to preserve the historic pieces of the building.

Ms. Townsend said that she would like to make the transom windows over the 5x5 glass windows into framed panels instead of transom windows. She thought that would match the bottom panels and be less expensive.

Mr. Shad asked if anyone in the audience wanted to testify. No one did.

F. Motion

Mr. Reich moved to approve as submitted, with the option to make the panels above the storefront solid or glass. 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 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 to repair a historic structure damaged in the floods of 2016 and 2018, and to prevent future damage. Two doors that were lost will be replaced and the storefront windows will be reduced in size with panels added to prevent future flood damage.

The new doors will be wood painted cream of a similar design to the doors that were lost. The store entrance door will be a 1 lite over 2 panel wood door and the apartment door will be a 6 panel wood door.

The new storefront window design retains the historic cornice and brackets on the first floor, but will incorporate new panels below that will raise the knee wall and assist in preventing flood damage at the property. The new paint colors will match the existing color from the second floor. The new design complies with Guideline recommendations to, "unify the upper and lower floors" when designing storefront repairs or alterations. The new design will use appropriate and matching materials and colors throughout the façade. The new design is in accord with Guideline recommendations to "design new storefronts to fit within the first floor building openings as formed by columns, piers and cornices." Although the Guidelines normally counsel against changing the size of existing openings, preservation of the historic structure is paramount and will be added by the addition of the panel below the windows,

which also match a neighboring building. 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 5 to 0, it is this 17th day of January, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations and repairs at the Subject Property, is **APPROVED**.

HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

Allan Shad, Chair

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 CRAIG STEWART	* *	BEFORE THE HOWARD COUNTY
FOR A RETROACTIVE CERTIFICATE OF APPROVAL FOREXTERIOR ALTERATIONS AT 3820 OLD COLUMBIA PIKE ELLICOTT CITY, MARYLAND	* * * *	HISTORIC PRESERVATION COMMISSION Case No. 18-55

* *

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 November 1, 2018 to hear and consider the application of Craig Stewart ("Applicant"), for a Retroactive Certificate of Approval for exterior alterations at 3820 Old Columbia Pike, Ellicott City, Maryland (the "Subject Property"). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, 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 November 1, 2018 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. Beth Burgess, 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. Burgess. 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 and is also listed on the Howard County Historic Sites Inventory as HO-302, the Charles Ringley House #1. According to MDAT, the historic house was built in 1899. According to the survey sheet, which dates to 1982, the structure may be log construction that has been covered with siding. However, this information is unconfirmed and can only be determined by opening up walls inside the house.

B. Proposed Improvements

The Applicant was approved in case HPC-09-25 and HPC-15-39 to construct a new addition with deck on the side of the house. The Applicant now seeks retroactive approval to alter the side deck, which was approved on July 2, 2015 in case HPC-15-39. The original application requested approval of a Trex deck with a white vinyl railing. The application was approved, contingent on the railing being wood or metal, not Trex.

Retroactive approval is now sought for the following work:

1) The deck was altered by adding 74 square feet to wrap around and connect to the rear stoop.
2) The decking installed was Ipe wood and the railing installed was a bronze Trex railing with bronze aluminum pickets.
3) The square posts are off-white, and the material is not referenced in the application but appears to be a PVC product so this item needs to be approved as well.

C. <u>Staff Report</u>

The application generally complies with Chapter 7 recommendations for new construction of additions and porches. The increased square footage of the deck improves the design and better incorporates the deck into the new addition. The deck design complies with Chapter 7.B, "they should be substantial in appearance, having more of the character of a porch and should be related in detail as much as possible to the style and character of the building." The deck relates to the extended building and the new connectivity (as opposed to the original design) gives the appearance of a porch.

The Guidelines recommend, "on any building, use exterior materials and colors similar to or compatible with the texture and color of those on the existing building." The deck is adjacent to the new addition, but the aluminum pickets on the new deck railings are compatible with the railings on the front stairs of the historic building (although they are not typically seen in conjunction with one another). The railing may be a composite, but the material is not noticeable from the street. The bronze colored composite railing blends with the aluminum pickets and matches other accents on the house, such as the gutters and exterior lights. The use of Ipe wood decking over Trex complies with the Guidelines.

D. Staff Recommendation

Staff recommends retroactive Approval as submitted.

E. Testimony

Mr. Shad swore in the Applicant, Mr. Craig Stewart. Mr. Shad asked if he had any comments or additions to the staff report. Mr. Stewart said he did not. Mr. Shad asked for information on how the deck design change took place after the application was approved. Mr. Stewart provided some history and said when building the deck he realized he should make a connection to the back of the house.

Mr. Reich said he did not have any comments, as the alterations were on the back of the house and look substantially as originally approved. Ms. Zoren asked about the material for the white posts. Mr. Stewart said the skirt board and posts on the lower portion of the deck are composite wood (Boral) and the upper deck posts are a vinyl sleeve.

Ms. Zoren said her biggest objection is to the vinyl posts and she was fine with the aluminum pickets, which she said seem to be the main material. Ms. Zoren said the wood decking was an improvement over what he was originally approved for.

Mr. Roth asked what skirt board was made out of and Mr. Stewart said it was a Boral product. The Commission and Mr. Stewart discussed resleeving the posts with a different material. Mr. Shad asked if anyone in the audience wanted to speak, but no one wanted to testify.

Mr. Reich moved to approve the retroactive application as constructed. There was no second.

Mr. Stewart said that the main objection seems to be the vinyl sleeves and said that they also come in aluminum. Ms. Tennor stated that the original approval was for wood or

metal. Mr. Reich said that aluminum is seen in the District and asked if the sleeve is made in bronze aluminum. Mr. Stewart said it was.

F. Motion

Mr. Reich moved to retroactively Approve the deck as built, but change the upper post sleeves to bronze aluminum. Ms. Zoren 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 7 sets forth the relevant recommendations for Additions and Porches, 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 seeks retroactive approval of an expanded deck at the rear and side of a historic house. The deck was approved in HPC Case 15-39, but was not built in accordance with what was proposed or approved. The deck was expanded to the rear of the property, adding an additional 74 square feet. The decking material was changed from Trex to Ipe wood, the railing material was changed from wood or metal to Trex, and vinyl post sleeves were used. The change in decking material is in accord with Guideline recommendations to use appropriate historic materials, such as wood. Although it is unfortunate that the deck was expanded without prior HPC approval, the expanded portion of the deck is in accord with Guideline recommendations to build decks that are "substantial in appearance, having more of the character of a porch" and "related in detail as much as possible to the style and character" of the historic structure. The deck as built relates to the extended building and the new connectivity creates the appearance of a porch.

The use of the Trex material and the vinyl post sleeves are generally not in accord with the Guidelines. Here, the railing is colored bronze aluminum to match the metal pickets. The deck is on the side and rear of the house and not readily visible from the public way. Therefore, the use of Trex railing material in this particular application is approved, with notice that the Board generally disfavors this material as not recommended by the Guidelines.

The white vinyl sleeve is not an appropriate material for the posts. The Applicant proffered a metal sleeve replacement. Metal, in a color compatible with the other deck and railing materials, is a historically appropriate material.

For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the deck as built will not impair the historic and architectural value of the surrounding area, and it is approved contingent on replacement of the post sleeves with metal. 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 5 to 0, it is this 6 day of December, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED, as amended herein.**

HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

Allan Shad, Chair

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 KEVIN BREEDEN	*	BEFORE THE
	*	HOWARD COUNTY
FOR A CERTIFICATE OF APPROVAL FOR EXTERIOR ALTERATIONS AT 8484-8494 MAIN STREET ELLICOTT CITY, MARYLAND	*	HISTORIC PRESERVATION
	*	COMMISSION
	*	Case No. 18-56

* *

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 November 1, 2018 to hear and consider the application of Kevin Breeden ("Applicant"), for a Certificate of Approval for exterior alterations at 8484-8494 Main Street, Ellicott City, Maryland (the "Subject Property"). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, 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 November 1, 2018 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. Beth Burgess, 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. Burgess. 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 buildings date to 1920.

B. Proposed Improvements

The May 27, 2018 flood washed out the foundations on these row houses. The Applicant sought approval for the foundation replacement/repair in MA-18-42. There was a partial objection to the construction of poured concrete piers without using a brick veneer to match the historic style. The Applicant then amended the application for the construction of brick piers reinforced with rebar. The foundation repairs were approved through the Minor Alterations process. However, in order to repair the foundation, the porches had to be removed for access. The plans to rebuild the porches were not in-kind and did not qualify for the Minor Alterations process. The Applicant now seeks approval for the following work to rebuild the porches while utilizing the existing roof:

a. The old porch floor will not be reused and the new floor will consist of tongue and groove pressure treated wood decking, to match what was previously there. The decking is not currently painted, and is not proposed to be painted.

b. The existing railings and pickets will not be reused and the new railings and columns will be pressure treated wood painted the same colors as the existing. The design of the proposed new railings and columns differs from the original and will be a standard squared off railing. The current railing has a rounded top and the proposed railing will be flat.

c. The existing turned columns will not be re-used. The proposed replacements are turned wood columns, of a different style.

C. Staff Report

The application does not comply with Chapter 6.F recommendations for porches and balconies. Chapter 6.F recommends, "maintain and repair porches and balconies, including flooring, ceilings, railings, columns, ornamentation and roofing, that are original or that reflect the building's historic development" and "replace deteriorated features with new materials as similar as possible to the original in materials, design and finish." The Applicant proposes to remove these features, which are most likely original, and replace them with features that are not of the same design. Materials, such as columns, that are not deteriorated should be retained when possible.

The last unit in the row, 8484, contains a pair of engaged columns and a unique baluster design. The other units in this set of rowhouses do not have these features.

There is another set of rowhouses in the West End, that also have the same balusters as 8484 Main Street and the same columns as this set of rowhouses. In the West End this style

is only known to be on these two sets of rowhouses. These unique features should be retained to the extent possible, consistent with the Secretary of the Interior's Standard #5, "distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved."

The continued use of the unpainted pressure treated tongue and groove presents an unfinished look to the porch and would only be an in-kind replacement if the existing porch decking is historic or was replaced with approval (which is unknown). The unpainted porch does not comply with Chapter 6.F of the Guidelines, which recommends, "materials generally not appropriate for historic porch replacements include unpainted pressure-treated wood, poured concrete and metal." Staff recommends the porch floor be painted, or stained, to better comply with the Guidelines.

The design of the steps and any possible railings associated with the steps is not clear. An enclosed stair, with tread and riser, would be most appropriate to match the previous look of painted concrete steps.

D. <u>Staff Recommendation</u>

Staff recommends:

1) Approval of the replacement decking to be tongue and groove to match the existing.
2) Approval of the replacement railing if the railing has a profile more in-keeping with the original.
3) Reusing the porch posts/columns, newel posts or replacing in-kind to match the existing design.
4) Approval of replacement balusters with the condition that they are replaced with a consistent style or design.

E. Testimony

Mr. Shad swore in the Applicant, Kevin Breeden, and the contractor, James Eades. Mr. Shad asked if Mr. Breeden if he had any additions or corrections for the staff report. Mr. Breeden explained that the post, railings and pickets on the porch were substantially deteriorated and rotted out at the bottom. He said there was no realistic possibility of reusing them and the goal was to replace them with materials that were substantially similar. He said the replacement posts were not the exact design as the old ones, but were pretty close to it. Mr. Breeden addressed the items in the staff report:

1) Tongue and groove flooring – He will put back tongue and groove flooring and stain it.

2) Replacement railing – He has been unable to find a top rail that is milled identically to the old one. The railing submitted is not particularly decorative, and they are actively searching and believe they will find something more in-keeping with the original, but it will not be exact.

3) The porch posts and columns will be wood painted white.

4) Balusters – They will use square balusters like the originals. For the balusters, Mr. Breeden finds it looks awkward with those two being there since the others are all 2x2 and said they serve no real purpose in terms of aesthetics for the building since the rest of the building has 2x2 posts.

Ms. Tennor asked if the 2x2 posts are the replacements. with the original balusters being those shown in Figure 17 in the Staff Report. Mr. Reich and Ms. Tennor said that Figure 18 probably represents what the porch balusters originally looked like. Ms. Burgess said that Staff did not see that the columns were rotted. Mr. Breeden said it was like nailing into paper

and that the entire bottom was rotted out. Mr. Eades said the columns were not supporting the roof and they were not structurally sound.

Ms. Tennor asked how tall the existing railing is. Mr. Eades said it was not to code and was 28 inches tall. He said the railing could not be made higher the way the posts were designed. He said the new posts will be 42 inches tall. Mr. Reich said that 42 inches will be way out of proportion. Mr. Reich said that once the grading is finished, a railing is not required once you are within 30 inches of grade. Ms. Tennor agreed the proposal would change the entire proportion of the porch.

Ms. Zoren said the posts are a proportional issue. Mr. Reich recommended rebuilding the bottom of the posts. Mr. Breeden said the old posts were thrown away.

Mr. Eades explained that the house sat for two months waiting for permits and BGE, and that to stabilize the foundation the whole porch needed to be taken off. He said that he had to excavate 7 feet out and 8 feet down. Ms. Zoren said they could continue the search on the posts and columns, and find one proportionally closer to the top and bottom piece of the originals. Ms. Tennor said the square base on the proposed post is almost twice as tall and the turned portion is much higher up than on the original. Mr. Reich said the proposed column has a different profile from the original. Mr. Eades said the posts are 10-feet tall and the porch is 8-feet tall and said they can cut off the bottom 2-feet of the posts. The Commission and the contractor continued to discuss the porch columns.

Ms. Holmes asked what the new newel posts will look like and how they will be reproduced to have the same massing as the old ones. Ms. Tennor concurred that the proposed posts were not as large to replicate the old ones.

Ms. Zoren said that she would like to see, for Staff approval, an elevation of the column in proportion with the height of the proposed railing, and the basic width/height of the porch in a to-scale drawing with dimensions.

F. Motion

Mr. Roth moved to approve:

1) The replacement decking to be tongue and groove, with a stain.
2) The replacement railing, similar to what is there, subject to Staff approval.
3) Replacement porch posts/columns as proposed – 10-foot cut down with a diagram showing proportions of the posts to the rest of the railings, subject to Staff approval.
4) Approval of 2x2 replacement balusters.

Mr. Reich seconded. The motion was unanimously approved.

Ms. Holmes asked for clarification on the stairs, which will have to be rebuilt. Mr. Breeden said they are using wood stairs that they can stain. Ms. Burgess quoted the staff report, which recommended a closed stair and riser.

Mr. Roth moved to approved replacement stairs to be wood with solid risers, stained to match the deck and closed sides. Mr. Reich 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 6 sets forth the relevant recommendations for Rehabilitation and Maintenance of Existing Buildings, as detailed in the Findings of Fact, part C.

B. <u>Application of Standards</u>

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 seeks approval for work to repair a porch on a historic building that was severely damaged in the May 27, 2018 flood. The decking will be replaced in kind, which constitutes Routine Maintenance. The decking will be stained, which provides a more finished look appropriate for this home and addresses the disfavor in the Guidelines for

unpainted pressure treated wood. The railing will also be replaced as close to in-kind as possible and subject to Staff approval.

It is unfortunate that the porch columns/posts were removed and disposed of. Testimony on behalf of the Applicant was that the columns were severely deteriorated and beyond repair. The Commission approves replacement columns contingent on the provision of a drawing showing the propositions of the columns to the railings so that they match the existing as close as possible. The new columns are subject to Staff approval.

The balusters will be replaced to match the existing 2x2 wood balusters painted white. The stairs will be replaced in wood, stained to match the porch, with a closed stair and riser.

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 5 to 0, it is this 6 day of December, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED, as amended**.

HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

Allan Shad, Chair

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 SETH MICHAEL MARTIN	*	BEFORE THE
	*	HOWARD COUNTY
FOR A CERTIFICATE OF APPROVAL TO CONSTRUCT A RETAINING WALL AT 3612 FELS LANE ELLICOTT CITY, MARYLAND	*	HISTORIC PRESERVATION
	*	COMMISSION
	*	Case No. 18-57

* *

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 November 1, 2018 to hear and consider the application of Seth Michael Martin ("Applicant"), for a Certificate of Approval to construct a retaining wall at 3612 Fels Lane, Ellicott City, Maryland (the "Subject Property"). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, 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 November 1, 2018 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. Beth Burgess, 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. Burgess. 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 to install a stone retaining wall in front of the property where the street and yard meet, in order to stabilize erosion damage that occurs after rain events. The stone retaining wall will be dry stacked and follow the slope of the road and be similar in design to the images shown in the application. The wall will run about 47.4 feet along the road and then turn at the driveway and run about 8.6 feet toward the house. The wall will be about 20 inches thick/wide. The height of the wall will correspond to the slope of the road and will be no less than 2-feet high and no more than 3-feet high.

C. Staff Report

The proposal generally complies with Chapter 9.D recommendations, "construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way." The wall will be constructed with stone

and designed to look like other stacked stone walls along the street. The application did not contain any detail as to how the wall would start and end; whether the wall will gradually increase and decrease in height or if there will be an end column at the beginning and end terminus of the wall.

The neighboring property has a stone retaining wall along the front that is a mortared wall with a capstone running the length. There will be a gap between the neighboring wall and existing wall and the walls will not match in style. However, there are other examples on this street of a mortared wall neighboring a dry stacked wall.

The Applicant first submitted a preliminary application for Staff review in August 2018 and Staff provided feedback on the items that needed more information. Some of those items have been addressed, but the end treatments, as mentioned above, still need clarification. A site visit on October 22, 2018 shows that the Applicant has started work on the wall, prior to Commission approval. It does not appear that the proposed height of the wall will block the view of the historic house, but all attempts should be made to keep the wall closer to 2 feet in height.

Of note, any wall over 3 feet high is considered a structure and has to go through DPZ's Zoning Division for approval (with engineering specs and plot plan) and requires a permit through the Department of Inspections, Licenses and Permits.

There is a wood railing located along the side stepthat was not approved. The style of the railing is not appropriate, but an application for retroactive approval should be submitted for approval at a future meeting.

D. Staff Recommendation

Staff recommends retroactive Approval, but that the Commission consider the following item:

1) Additional information regarding the treatment/design of the ends of the wall.

E. Testimony

Mr. Shad swore in the Applicant, Seth Martin. Mr. Shad asked if he had any comments on the staff report. Mr. Martin explained that the wood railing is temporary and he will remove it and said there is no reason to keep it long term.

Ms. Burgess asked if he could explain how he is ending the wall. Mr. Martin explained the stones came from a neighbor's driveway. He passed out a photo of a wall that it will be similar to and said he had to do some rock forming as the rocks are round, so it won't look exactly like the photo but will be a dry stack stone wall, using large rocks at the bottom and doing some shaping for the capstone. Mr. Reich was glad to see real stone used and said the appearance is in keeping with everything else in Ellicott City.

Mr. Reich did not understand staff comments about the ends of the wall. Ms. Burgess explained the need to understand how the wall was ending - with a cap, a column or maybe tapered.

Mr. Martin explained his thoughts for building a 2-foot tall wall and would increase it in height to 2 ½ to 3 feet as needed to create a more level yard. He planned on backfilling the wall with pea gravel and filling the front yard with soil to level it out.

F. Motion

Ms. Tennor moved to approve as submitted. Mr. Reich 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 erect a small stone wall to stabilize erosion damage that occurs after rain events. The stone wall will be dry stacked and follow the slope of the road. The wall will run about 47.4 feet along the road and then turn at the driveway and run about 8.6 feet toward the house. It will be no less than 2-feet high and no more than 3-feet high.

Stone walls are ubiquitous throughout the Historic District and the proposed wall complies with Guideline recommendations to "construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way." The existing wooden railing is temporary and will be removed.

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 5 to 0, it is this 6 day of December, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval to construct a retaining wall at the Subject Property, is **APPROVED**.

HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

Allan Shad, Chair

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 JEFF BRASWELL	* *	BEFORE THE HOWARD COUNTY
FOR A CERTIFICATE OF APPROVAL FOR SIGNS AND EXTERIOR ALTERATIONS AT 8191 MAIN STREET ELLICOTT CITY, MARYLAND	* * *	HISTORIC PRESERVATION COMMISSION Case No. 18-58

* *

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 November 1, 2018 to hear and consider the application of Jeff Braswell ("Applicant"), for a Certificate of Approval to Install signs/exterior alterations at 8191 Main Street, Ellicott City, Maryland (the "Subject Property"). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, 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 November 1, 2018 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. Beth Burgess, 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. Burgess. 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 proposes to install two signs and make exterior alterations on the building. The first sign is a barber shop pole that will be 28 inches high by 9 inches wide. The pole is a classic design, a red, white and blue cylinder inside a glass tube mounted in stainless steel casing. This will be mounted on the first floor of the building, on the eastern side of the entryway. The second sign will be a project sign located on the second floor of the building between two windows. The sign will be double sided aluminum with white text and a blue background and read on two lines:

JE
JAXON EDWIN

The sign will be 24 inches high by 36 inches wide for a total of 6 square feet. The sign will be hung on a bracket. There is not much information in the application regarding the bracket, but it does not appear to be a previously existing bracket. The bracket will be 50

inches wide (4 feet). The sign rendering shows that the bracket would be a black metal and also shows a small gooseneck light protruding from the sign to illuminate it.

C. Staff Report

The signs generally comply with the Guideline recommendations. The barber shop pole and projecting sign comply with Chapter 11.A recommendations, "keep letters to a minimum and the message brief and to the point. In many cases, symbols or illustrations that communicate that nature of the business can be used." The projecting sign is limited to two colors, blue and white, which complies with Chapter 11.A, "use a minimum number of colors, generally no more than three."

Chapter 11.A recommends, "use indirect lighting or concealed light fixtures with concealed wiring to illuminate signs. If the light source will be visible, select a fixture compatible with the style of the building. Minimize glare by focusing the light on the sign." As depicted in the rendering, the light appears to be focused on the sign and the fixture does not appear to be incompatible with the building. However, the light fixture appears to be large and highly visible. Consistent with the Guidelines, indirect lighting or concealed light fixtures are options that could be explored further.

D. Staff Recommendation

Staff recommends retroactive approval of the barber shop pole and approval of the projecting sign and the proposed bracket. Staff recommends an alternate lighting scheme be explored.

E. Testimony

Mr. Shad swore in Jeff Braswell. Mr. Shad asked if he had any comments on the staff report. Mr. Braswell said he doesn't know much about the lighting fixture, but it matches

neighboring signs on the other side of the building and it was the most minimalist bracket he could find.

Ms. Zoren had concerns for the wiring on the face of the building if the conduit was going to be noticeable on the building where the barber pole was installed. The Commission discussed where the electric source was located and how it was getting to the bracket. Mr. Braswell said galvanized conduit would need to run on the outside of the building and noted the challenge of going through a brick building. The Commission discussed the conduit and the design of the bracket and the concern of conduit being seem on the façade of the building. The Commission wanted confirmation that the bracket was hollow and that the wire could be run through it and tapped directly into the interior of the building.

Mr. Shad asked why the barber pole was already installed. Mr. Braswell said the owner of building, Trae Reuwer, installed the pole.

Ms. Tennor likes the simple sign and the combination with the barber pole.

Mr. Reich asked how else the lighting could be done and what the Guidelines state regarding sign lighting. Ms. Holmes said the Guidelines state to use indirect lighting or concealed light fixtures with concealed wiring to illuminate signs. If the light source will be visible, select a fixture compatible with the style of the building. Minimize glare by focusing the light on the sign. Mr. Reich asked if a small light could be mounted to the building or if the lighting to the sign was critical. Mr. Braswell stated in the winter, a sign with a light was necessary. Mr. Braswell expressed a willingness to run the conduit internally and punch through the wall where the bracket was mounted.

Ms. Zoren expressed approval for the L bracket as long as there was not wiring or conduit on the facade. The Commission agreed. The Commission suggested using the bracket and running conduit on the interior wall so no conduit would be seen leading to this bracket.

Ms. Zoren asked if a sign border was required for all Main Street signs. Staff clarified that a border was not a Guideline requirement, but the Commission has requested a border for several signs.

F. Motion

Ms. Zoren moved to retroactively approve the barber shop pole and moved to approve the projecting sign and proposed bracket, under the condition there is no visible conduit or electric work to the bracket. Mr. Reich seconded. Ms. Tennor, Mr. Roth, Mr. Reich, and Ms. Zoren approved. Mr. Shad opposed. The motion passed 4 to 1.

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 11 sets forth the relevant recommendations for Signs, as detailed in the Findings of Fact, part C.

B. <u>Application of Standards</u>

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 seeks approval for the installation of a barber shop pole and a projecting sign made of metal with a metal bracket and lighting. The sign will be double sided aluminum, 24 inches high by 36 inches wide, with white text and a blue background and read on two lines:

JE
JAXON EDWIN

The proposed work generally complies with Guideline recommendations. The projecting sign is limited to two colors, which complies with recommendations to "use a minimum number of colors, generally no more than three," the text is minimal, and the size is within Guideline recommendations. A metal bracket will be used, in keeping with the Guidelines. The sign will be lit with semi concealed light fixtures with concealed wiring as

recommended by the Guidelines. The lightening is approved on the condition that there is no visible conduit or electric work running to the bracket. The barbershop pole is classic Americana and appropriate to the historic and architectural setting of the District. Together with the projecting sign, both are in harmony with each other and the building in scale and color.

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 4 to 1, it is this 6 day of December, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval to install two signs and make exterior alterations at the Subject Property, is **APPROVED, as amended with the condition that no electrical wiring or conduit be visible on the exterior of the structure.**

HOWARD COUNTY HISTORIC PRESERVATION COMMISSION

Allan Shad, Chair

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 DIANE WIMSATT	*	BEFORE THE
	*	HOWARD COUNTY
FOR A CERTIFICATE OF APPROVAL FOR EXTERIOR ALTERATIONS AND REPAIRS AT 3802 CHURCH ROAD ELLICOTT CITY, MARYLAND	*	HISTORIC PRESERVATION
	*	COMMISSION
	*	Case No. 18-59

* *

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 November 1, 2018 to hear and consider the application of Diane Wimsatt ("Applicant"), for a Certificate of Approval for exterior alterations and repairs at 3802 Church Road, Ellicott City, Maryland (the "Subject Property"). The Commission members present were Eileen Tennor, Allan Shad, Drew Roth, Bruno Reich, 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 November 1, 2018 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. Beth Burgess, 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. Burgess. 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 1870.

B. Proposed Improvements

The Applicant seeks approval for the following repairs:

1) Replace the wood lattice in-kind on the side of the house as needed, and paint to match the existing color.
2) Replace broken panes of window glass as needed (the entire window unit will not be replaced).
3) Power wash and paint the trim, including the trim around the windows, on the house.
4) Repair wood shutters as needed where wood is rotten; cut out areas of damage and replace with a new piece of wood of the same size and paint to match the existing.

The Applicant also proposes to install a privacy hedge in the backyard, for screening purposes.

C. Staff Report

Items 1-4 are considered Routine Maintenance per Chapter 5 of the Guidelines, "repair or replacement of roofs, gutters, siding, external doors and windows, trim, lights and other appurtenant fixtures using the same materials and design" and "painting previously painted surfaces using the same color." The planting of the burning bush, referenced in the application, does not require approval per Chapter 9, which states that Routine Maintenance includes, "planting trees, shrubs or other vegetation." However, burning bush is an invasive plant and Staff would recommend using a native, non-invasive shrub in its place.

Staff requested additional photos of the area where the hedge is proposed, as well as site plan or aerial showing the location, and is awaiting that information. The planting of the proposed hedge differs from the single burning bush, in that the intent of the hedge row is to be used as a privacy fence and the Commission should ensure that no historic features will be affected by the proposed planting.

D. Staff Recommendation

Staff recommends approval for Items 1-4.

E. Testimony

Mr. Shad swore in Diane Wimsatt. Mr. Shad asked if Ms. Wimsatt had anything to add or clarify to the staff report. Ms. Wimsatt said she will probably use a different shrub from the burning bush that is deer resistant, such as rhododendron or juniper. Ms. Burgess clarified that the HPC does not approve individual shrubbery, but the Guidelines recommend the use of native plants and not an invasive species.

Ms. Burgess asked the Applicant what plant she proposed to use for the hedge. Ms. Wimsatt said they would like an evergreen and listed a few plants they were considering, such as juniper, holly, rhododendron, or viburnum. Ms. Holmes asked if it will be a manicured

hedge and Ms. Wimsatt said it will be manicured so that it does not grow over 7 feet tall. Ms. Tennor asked for the dimensions of the hedge and Ms. Wimsatt said it would be about 6 to 8 feet on each side.

Mr. Roth asked if this item needed to be approved by the Commission. Mr. Burgess explained that the hedge will be acting as a fence/barrier, so it needs to be approved. Mr. Taylor clarified that significant landscape changes are within the definition of 'historic structure' including environmental setting and appurtenance, so it would be best if the Commission approved adding a hedge that is acting as a fence if the Commission considers it a significant landscape change. Ms. Wimsatt stated the L shape hedge would be about 8 feet long on each side of the patio. The Commission agreed that any native evergreen would be appropriate like holly, mountain laurel or juniper.

Ms. Holmes clarified that the Commission did not have any questions on Items 1-4 and they did not.

F. <u>Motion</u>

Ms. Tennor moved to approve the application as submitted for items 1-4. Mr. Reich 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. Additionally, Chapter 5 sets forth relevant recommendations for Routine Maintenance.

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 structure, most of which is Routine Maintenance. The Applicant seeks approval for the installation of a privacy hedge in the rear yard to be in an L shape landscape bed, eight feet long on each side of the patio. The proposed hedge is relatively small and will not obscure any historic features.

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 5 to 0, it is this 6 day of December, 2018, **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

Allan Shad, Chair

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.