

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	HOWARD COUNTY
MATTHEW KRIST		
FOR A CERTIFICATE OF APPROVAL	*	HISTORIC PRESERVATION
FOR EXTERIOR REPAIRS	*	COMMISSION
AT 3530 SYLVAN LANE	*	Case No. 18-49
ELLICOTT CITY, MARYLAND		

\* \* \* \* \*

**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 October 4, 2018, to hear and consider the application of Matthew Krist (“Applicant”), for a Certificate of Approval for exterior repairs at 3530 Sylvan 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 October 4, 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. 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 1956.

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

The Applicant was approved through case HPC-18-01 to construct an addition on the ranch style house and side the addition in vinyl, to match the existing siding.

The Applicant now seeks approval to change the siding on the entire house to cedar shake siding and replace the white 6:6 vinyl windows with black 1:1 wood windows. The middle window on the front façade currently consists of one large picture window flanked by two 4:4 windows. The proposed alteration would change the 4:4 windows to 1:1 windows.

The front door currently appears to be an oak wood door or a fiberglass door designed to resemble natural oak. This door is proposed to be changed to a full light door in the color black, but the material is unknown.

On the left side of the house is currently a set of sliding doors, which are proposed to be changed to the same proposed full light door in black.

**C. Staff Report**

The house was constructed in the ranch style and currently has vinyl siding and vinyl windows. The proposed new windows would be wood, which would be an improvement in material choice. However, the existing 6:6 and 4:4 windows provide ornamentation that is lacking in the 1:1 windows.

The removal of the sliding glass door, changing to a full view door instead, would comply with the Guidelines which recommend against sliding glass doors on primary facades visible from the public right of way.

While the change to a wood siding over a vinyl siding is preferable in material choice, the addition of cedar does not make the ranch house more compatible with the historic structures in the vicinity and district as a whole. There is no comparable building type in the historic district, and the use of a wood or composite lap siding would be more compatible.

Staff has requested additional information on the material for the current door and proposed door and whether windows on other elevations of the house are also being changed. This information has not yet been provided.

**D. Staff Recommendation**

Staff recommends the following:

- 1) The existing 4:4 and 6:6 window patterns be retained, but otherwise approval of black wood windows.
- 2) Approval of changing the sliding glass door to a full light black wood door.
- 3) Approval of changing the existing front door to a full light black wood door.

- 4) That the Applicant identify another siding option for consideration.

**E. Testimony**

Staff summarized the responses from the Applicant regarding the remaining questions on the alterations. The Applicant provided the answer in an email after the staff reports were completed. The clarifications include:

- 1) The new front door will not match what is shown on the rendering, it will be the old wood back door, which is a half-light with panels on the back. Ms. Tennor requested that photos of the door be sent to Staff
- 2) The sliding glass door will become one large door size window.
- 3) All replacement windows will be 1:1 black Pella 450 series aluminum clad wood.

Mr. Krist brought in a sample of the cedar siding, which was a lap siding sample. Mr. Reich found the style to be appropriate for a 1950s rancher. Ms. Holmes clarified that the rendering appeared to be cedar shake, which is what Staff found was not compatible.

Ms. Tennor asked if the storm door would remain. Mr. Krist said that the existing storm door would be removed.

Ms. Zoren asked if they were redoing porch columns, which are currently a turned Victorian style, but shown as a natural square post in the rendering. Mr. Reich said the columns could be clad.

Mr. Reich found the proposal as submitted was fine, including the change to 1:1 windows and that because the building was not historic, that allowed some leniency.

Mr. Shad asked if anyone in the audience wanted to testify. Mr. Shad swore in Gary Segal, a resident of the historic district, who said that everything Mr. Krist is proposing is an improvement and that as a neighbor, he is highly supportive.

**F. Motion**

Mr. Reich move to approve the application as submitted and as shown in drawing, with the amendments referenced by Staff. The Applicant will submit the photo to Staff of the intended front door, for approval by Staff. 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 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 does not contribute to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be lenient 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.

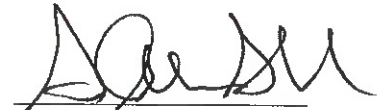
The Applicant proposes work on a 1956 ranch style residence including replacement of porch columns, replacement of windows, replacement of siding, replacement of a sliding door with a window and replacement of the front door. In general, the proposed work is in keeping with the guidelines and the architectural style of the home. The Applicant proposes to use wood for all the proposed elements, which is a more historically appropriate material than vinyl. Although, the existing windows will be replaced with 1:1 windows, the Commission finds that this is in keeping with the architectural style of the house. None of the other changes impact the historic or architectural value of the surrounding area, or are otherwise out of keeping with the architectural style of the house.

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.

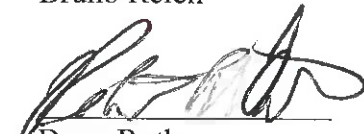
**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 1 day of November, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior 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	*	BEFORE THE
THE APPLICATION OF	*	HOWARD COUNTY
TARPLEY LONG		
FOR A CERTIFICATE OF APPROVAL	*	HISTORIC PRESERVATION
FOR EXTERIOR ALTERATIONS	*	COMMISSION
AT 8396 PARK DRIVE	*	Case No. 18-50
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 October 4, 2018, to hear and consider the application of Tarpley Long (“Applicant”), for a Certificate of Approval for exterior alterations at 8396 Park Drive, 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 October 4, 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. 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 1899. Although this date corresponds with the division of the land from the Linwood estate, the building most likely dates circa 1920-1930.

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

The Applicant was pre-approved in case MA-18-22 on July 3, 2018, for the painting of the house. All colors submitted with that application were approved. The Applicant later changed her mind on the colors and submitted a new application that was processed as MA-18-26 and was partially approved as a minor alteration on July 16. That application was only partially approved due to an objection on the proposed color of the front door, Almalfi Coast, a bright blue.

The Applicant now seeks retroactive approval for the painting of the front door, in the color Benjamin Moore Notting Hill blue. The Notting Hill color is a lighter blue that is more

appropriate for a historic structure in this region. The color on the door appears slightly brighter and lighter than the paint swatch.

**C. Staff Report**

While the color on the door lacks the gray tones from the paint chip, the color complies with Chapter 6.N recommendations, “in general, use calm or subdued colors, reserving bright colors for small, important details such as doors or trim.” The door is not highly visible due to the siting of the house and location of the door above the retaining wall, behind the fence and underneath the overhang.

**D. Staff Recommendation**

Staff recommends retroactive approval as submitted.

**E. Testimony**

Mr. Shad swore in Ms. Tarpley Long and asked if she had any addition to the Staff comments. Ms. Tarpley did have comments and passed out written testimony, which she then read to the Commission. The Applicant expressed concern and confusion on the process and Staff provided a history of the recent applications the Applicant had submitted for approval, which were taken through the Minor Alterations process and the application that was submitted for this meeting. Mr. Taylor clarified that Staff prepared a report to recommend the Commission approve that color.

**F. Motion**

Ms. Tennor 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 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.

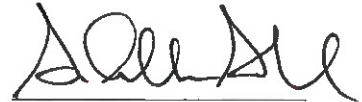
The Applicant seeks approval to paint the front door of her home Benjamin Moore Notting Hill blue. The color complies with Guideline recommendations to use calm or subdued colors, reserving bright colors for small, important details such as doors or trim. The door is not highly visible due to the siting of the house and location of the door.

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.

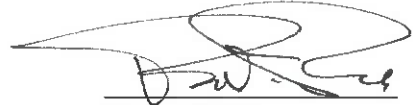
**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 1 day of November, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.

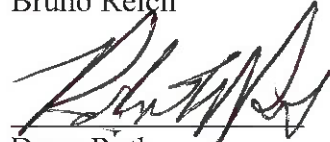
**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**



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.

IN THE MATTER OF	*	BEFORE THE
THE APPLICATION OF	*	HOWARD COUNTY
KIMBERLY KEPNES		
FOR A CERTIFICATE OF APPROVAL	*	HISTORIC PRESERVATION
FOR EXTERIOR ALTERATIONS	*	COMMISSION
AT 3749 CHURCH ROAD	*	Case No. 18-51
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 October 4, 2018, to hear and consider the application of Kimberly Kepnes (“Applicant”), for a Certificate of Approval for exterior alterations at 3749 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 October 4, 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. 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 1830.

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

The Applicant seeks approval for the following exterior alterations:

- 1) Construct a new pathway from the driveway to the home. The pathway will follow the natural hillside contour, will be 4 feet wide, and will be paved using semi-impervious asphalt millings surface. The pathway will start at the top of the driveway and continue to the bottom of the hillside, at the base of the existing brick sidewalk. The path will help accommodate accessibility limitations.
- 2) Modify existing driveway EP Henry block retaining wall to connect the existing driveway to the proposed pathway.
- 3) Remove and replace approximately 97 feet of broken and displaced sidewalks. The Applicant seeks tax credits and/or Façade Improvement Grants, if eligible.

**C. Staff Report**

The application contains two sketches showing the proposed work and photographs of the general area where the proposed pathway will be installed.

Pathway

The application mentions that a hillside driveway was previously approved for the property. This driveway was approved in 2014 (HPC-14-40) and was going to be paved in crushed bluestone with a cobblestone border. The driveway was not constructed, and the approval has since expired.

There are a few different existing access options to the house, such as a staircase off of the driveway that leads down to the house. If the goal of the pathway is to accommodate accessibility limitations, it does not appear that it would be ADA compliant in both slope and material. The pathway will curve to follow the contour of the hillside, which complies with Chapter 9.A recommendations, “minimize grading by siting new structure and other improvements to make use of the land’s natural contours.” The proposed material is a dark gray course crushed stone. There are a variety of hardscaping materials on site, such as brick pavers, granite cobblestones, and an EP Henry retaining wall and steps with slate tops. While this material would introduce another hardscaping element, the dark color of the crushed stone will be compatible with the other materials. An alternative could also be to simply use mulch for the pathway, to match the other landscape beds on the property. Due to the steep slope of the hillside, any loose rock could wash away in a rainstorm. The proposed crushed stone, or brown mulch, would comply with Chapter 9.D recommendations, “construct new site feature

using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.”

#### Street Sidewalk

The removal and replacement of the sidewalk along the street, if done in-kind to match the existing, does not require HPC approval. While not specifically mentioned in the application as part of the scope of work, the replacement of any curbing would only be in-kind if existing concrete curbing is replaced. The photos provided by the Applicant show that granite curbing and concrete curbing exist at this location. Any granite curbing should either be retained or reset, but should not be removed. The replacement of the sidewalk is not eligible for tax credits, as it does not meet the criteria listed in Section 20.112 of the County Code, nor is it eligible for Façade Improvement Grants. If the Applicant proposes to reset the granite curbing, that work could be eligible for tax credits, if the Commission determines it is a historic landscape feature. If the Applicant includes the resetting of granite curbing within their scope of work, a site plan showing the location and length of granite curbing should be provided. The Applicant should contact the Department of Public Works for approval before starting the work.

#### **D. Staff Recommendation**

Staff recommends Approval of pathway as submitted, with the option to use brown mulch, matching the landscaping beds on the property.

#### **E. Testimony**

Mr. Shad swore in Ms. Kepnes and asked if she had any comments on the Staff report. Ms. Kepnes had comments regarding the sidewalk along the street and explained that the residents on lower Church Road have been battling runoff for a while and have been emailing

Jim Irvin's office. She the County does have a future plan to address the sidewalks and stormwater management in that area, but she has significant damage on her property. Ms. Kepnes said she has continued repairs on her property and wants to know why a tax credit for replacing the sidewalk would not be eligible, since it is a significant expense. She stated that if there is an opportunity for a resident to make a repair to a public property, she would like the Commission to consider allowing a tax credit for a resident making those repairs. She said there is a crushed culvert directly across the street, which diverts water toward her property.

Ms. Kepnes stated that her property has a steep hillside and has significant erosion, and that the grading is undermined because of runoff.

The Commissioners discussed the request for tax credits in relation to the Code. Ms. Kepnes said there is significant erosion that she has had repaired several times since the flood. She believes it could eventually cause a threat to the building. Mr. Roth said in looking at the Code, the Applicant needs to make a case for why this work is eligible.

Ms. Tennor asked the Applicant if she would like to withdraw the sidewalk portion of the application. Ms. Kepnes said she would withdraw the sidewalks. Ms. Shad said that it needs to be determined who is responsible for replacing the sidewalk, and if it is the County, they should be replacing it.

Mr. Shad if anyone in the audience wanted to give testimony on this case. There was no one who wanted to give testimony.

**F. Motion**

Mr. Roth moved to approve the pathway as submitted, with the option to use brown mulch, per staff recommendations. 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 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 seeks approval to construct a pathway and modify an existing retaining wall at a residential property. The Applicant withdrew the request for approval for sidewalk work. The pathway will curve to follow the contour of the hillside, which complies with Guideline recommendations to minimize grading by siting new structure and other improvements to make use of the land's natural contours. The proposed material is a dark gray course crushed stone, which complies with Guideline recommendations to construct new site feature using materials compatible with the setting and with nearby historic structures. Brown mulch would also be a compatible material. The existing retaining wall will be slightly modified to accommodate the pathway and will be constructed to match the existing EP Henry retaining wall.

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 1 day of November, 2017, **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.

IN THE MATTER OF \* BEFORE THE  
THE APPLICATION OF \* HOWARD COUNTY  
DOUG THOMAS \*  
  
FOR A CERTIFICATE OF APPROVAL \* HISTORIC PRESERVATION  
FOR EXTERIOR ALTERATIONS \* COMMISSION  
AT 8167 MAIN STREET \*  
ELLCOTT CITY, MARYLAND \* Case No. 18-52

\* \* \* \* \*

**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 October 4, 2018, to hear and consider the application of Doug Thomas (“Applicant”), for a Certificate of Approval for exterior alterations at 8167 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 October 4, 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. 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 building is located in the Ellicott City Historic District. According to SDAT the building dates to 1987. This building is not historic and was built after the original, historic building burned in 1984.

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

The Applicant seeks approval for the following exterior alterations:

1. Construct a 16-foot-long concrete ADA handicap ramp that will run adjacent to the building in the alley and tie into the existing concrete pavement.
2. Create a new door opening at the end of the building along the alley to open up onto the new ramp. The new door will be a wood door painted colonial red to match the trim (the architectural drawings indicate a wood door, but the application indicates a steel door). The door will have a half light and be 2:2. The door will be 36 inches wide by 84 inches high.

3. Brick up an existing glass and metal door located on the alleyway side of the building and replace the opening with two windows to match the existing style of windows, consisting of a 2-light divided transom over a large window. The overall dimensions of each window will be 34 inches wide by 60 inches high. There will be 3 ¾ inch spacing between the two windows.
4. Add a new steel pipe guard rail on the ramp. The color needs to be confirmed.
5. Install a new gooseneck light adjacent to the new ADA door. The color is unknown. Removal of a total of three existing lantern style exterior lights; two where the door is being closed in and one where the new door is being installed.

**C. Staff Report**

The application generally complies with the Guideline recommendations. The ramp will be located on the side of the building and the primary façade will not be altered. The new window will mimic the design, color and dimensions of the existing windows, which complies with Chapter 8.B recommendations, “use elements such as porch shapes, window or door openings...and other characteristics that echo historic Ellicott City buildings” and “design entrances and windows to be similar in scale and proportion to those on nearby historic building.” This proposal is not for new construction, but rather is for alterations to new construction (circa 1987) and the alterations will mimic its own building characteristics, rather than other buildings in the district.

The application states that new brick will be used to brick in the existing door opening, and that it will match the existing brick exterior wall. Since there is also a new doorway proposed to be cut into the building, that brick should be reused for filling in the other opening and will better match the building. The reuse of the existing brick would better comply with

the Guidelines, “maintain or restore original brick, stone, concrete block or stucco. Make repairs with materials that match the original as closely as possible.”

The application states the new door will be steel, but the architectural drawings state that the door will be wood. Wood would be the preferred material, but since this is a minimally visible secondary entrance on a modern building, a steel door of an appropriate style could be used, as indicated by the Guidelines, “simple paneled door of wood or wood and glass are usually best, but metal doors with an appropriate style and finish can convey a similar appearance.” The style shown in the architectural drawings does not have a panel in the lower half of the door and adding one or two panels would make the door an historically appropriate style.

New gooseneck lights were shown in the architectural drawings, in place of the traditional lantern style that currently exists, but a spec sheet was not provided.

The Guidelines recommend, “choose and locate lighting fixtures to be visually unobtrusive. Use dark metal or a similar material.” Staff recommends the gooseneck fixtures be a dark metal and that all existing exterior lights on the building be replaced, so that there is one consistent style. Otherwise, the existing lantern style lights should be retained for use in the alley.

The Guidelines do not specifically reference railings, but discuss the use of fencing, which is similar. The color of the proposed ADA ramp railing is not mentioned, but should be a dark metal color such as black, as indicated by Chapter 9.D of the Guidelines, “install open fencing, generally not more than five feet high, of wood or dark metal.”

**D. Staff Recommendation**

Staff recommends Approval as submitted and that the Commission consider the following items:

- 1) The ADA ramp steel guard rail be painted black.
- 2) The door have one or two panels under the window, with the option to use wood or metal at this minimally-visible location.
- 3) The existing brick cut for the new door be reused to fill in the old doorway/area around the new window.
- 4) The new gooseneck light be an oil rubbed bronze or similar dark metal, or the existing lantern style lights be retained.

**E. Testimony**

Mr. Shad swore in Scott Dexter, the architect representing Applicant. Mr. Dexter said they agree with all recommendations in the staff report and that Mr. Thomas has all of the existing lantern lights in storage and will install those instead of the gooseneck lights. Mr. Dexter handed out a spec sheet for the door they propose to use.

Mr. Reich said the rendering looks good and that all new components look like they belong on the building. Ms. Tennor confirmed that the earlier drawing submitted in the application was superseded by the new drawings provided. Mr. Dexter said that was correct. Ms. Tennor asked if the existing brick can be saved it has aged with the building. Mr. Dexter said they can save it, but said the brick is from 1978 so it is not hard to find.

Ms. Zoren asked if the brick sill detail under the existing windows can be replaced on the new windows. Mr. Dexter said all of the new windows will be made to match the existing windows.

Mr. Shad asked if anyone from the audience wanted to give testimony. No one wanted to give testimony.

**F. Motion**

Ms. Tennor moved to approve the application as recommended by staff, with the replication of the sill under the existing windows to be matched in the new windows, and the door as submitted.

**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 8 sets forth the relevant recommendations for New Construction: Principal Structures and

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 does not contribute to Ellicott City's historic significance. Consequently, in reviewing the application, the Commission will be lenient 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 on a modern building. The work includes the construction of an ADA handicap ramp and ADA accessible doorway, the replacement of an existing doorway with a window, and the removal of three light fixtures and the installation of a new light fixture over the new ADA door. The work is in keeping with Guideline recommendations.

The ramp will be located on the side of the building and the primary façade will not be altered. The use of a black metal rail is in keeping with Guideline recommendations on material and color and is consistent with neighboring structures. The Applicant agreed to modify the proposed light fixture style to the lantern type that has existed on the building.

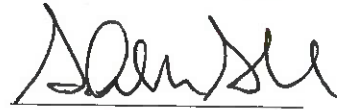
The Guidelines generally recommend against removing existing openings and creating new openings in buildings, but as this is a modern building and the changes are not on the primary façade, there is no adverse impact to the District. The new doorway is necessary to accommodate the ADA ramp and the existing doorway will be partially bricked in and a window installed that will exactly match an existing window so the appearance of the building will not be greatly altered and will remain consistent with how it appears today.

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.

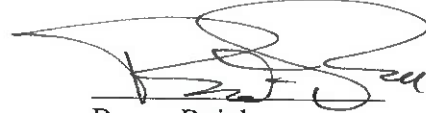
**ORDER AND CERTIFICATE OF APPROVAL**

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 1 day of November, 2018, **ORDERED**, that the Applicant's request for a Certificate of Approval for exterior alterations at the Subject Property, is **APPROVED**.

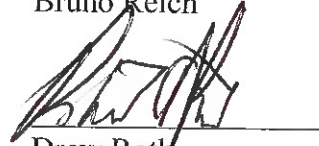
**HOWARD COUNTY HISTORIC  
PRESERVATION COMMISSION**



Allan Shad, Chair



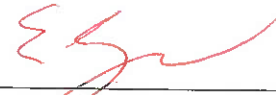
Bruno Reich



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.