

IN THE MATTER OF
THE APPLICATION OF
JENNIFER LYON

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
FOR EXTERIOR ALTERATIONS
AT 3855 ROSS ROAD
ELLICOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-63

* * * * *

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 September 7, 2017 to hear and consider the application of Jennifer Lyon (“Applicant”), for a Certificate of Approval for exterior alterations at 3855 Ross 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 September 7, 2017 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

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

Findings of Fact

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

A. The Subject Property

This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1895.

B. Proposed Improvements

The Applicant proposes the following work:

- 1) Enclose the cantilevered area below the 2nd floor kitchen, to resemble an enclosed porch.
- 2) The existing 2nd floor deck will be reconfigured (using existing decking) to extend from the kitchen door to the east elevation only.
- 3) Flooring will be slab on grade that extends outside to an exterior walkway and patio using irregular flagstone.
- 4) Siding will be 5/16" x 8-1/4" HardiePlank Cedarmill Fiber Cement siding painted to match existing color (Sage Blue).
- 5) Windows and doors will be Marvin Integrity Ultrex fiberglass clad wood.

- a. Four North elevation windows will be 4 feet wide by 5 feet high double hung (1:1/no grilles) set on 1 foot-6 inch knee wall framing.
 - b. Two North elevation doors will be 3 feet wide by 6 feet 8 inch high full lite, exterior swing.
 - c. Side doors will be Jeld-Wen 1-3/4" fir, 12 lite true divided grilles to reflect the grid pattern of the existing windows – exterior painted white.
- 6) Install three wall mounted exterior lights in a rustic bronze color. The lanterns will be located at the exterior door location. The Applicant has not provided spec sheets for this item and the application does not indicate the exact location of installation.

C. Staff Report

The addition will be located on the rear of the structure, which complies with Chapter 7.1 recommendations, “attach additions to the side or rear of a historic building to avoid altering the primary façade. Consider the impact of the addition on side, rear and rooftop views of the building from a public way.” The house is located at the end of Ross Road, which is not a through street and ends by this property. The rear of the house backs up to properties located on Mulligans Hill Lane (Mulligans Hill also dead ends near this property). As such, the rear of the house is not visible from the public way.

Chapter 7.1 states, “design additions in a manner that makes clear what is historic and what is new. Additions may be contemporary in design or may reference design motifs from the historic building, but should not directly imitate the historic building.” Chapter 7.4 also states, “design windows to be similar in size, proportion and arrangement to the existing windows. On historic buildings, or any building visible from a public way, windows should have true divided lights rather than interior or sandwiched muntins. A possible alternative is

windows that do not have divided lights, but have permanent exterior grilles, appropriately detailed to be compatible with historic wood windows.” The design of the addition is more contemporary on the rear of the addition than on the sides. On the sides of the addition, which will be visible from the public right of way, the Applicant proposes to use a 12-lite wood door. For the rear of the structure/addition, the Applicant proposes to use a full lite door and 1:1 windows. The Guidelines indicate this may be acceptable, but it would be more consistent to install the 12-lite wood door on the rear and a simulated divided lite window with exterior muntins on the rear, which would keep a consistency in design throughout the house and addition. The Marvin Integrity windows do come in two styles of a simulated divided lite. The addition will be constructed with HardiePlank, which will make clear that the addition is not a historic addition, but a modern one.

Chapter 7.5 states, “on any building, use exterior materials and colors similar to or compatible with the texture and color of those on the existing building. Avoid exact replication that would make an addition appear to be an original part of a historic building.” The use of the modern window material is acceptable for a rear addition that is not visible from the public right of way. The proposed 12-lite door is a wood door, which best complies with the Guidelines. Staff recommends the Applicant use a smooth textured HardiePlank siding as opposed to the Cedarmill, as painted wood siding does not have a texture. The Cedarmill siding does not comply with the Guidelines. The difference in materials between the historic wood siding and the new HardiePlank, will suffice in avoiding exact replication, but the textures should be similar, as recommended by the Guidelines.

Generally, a rustic bronze exterior light/lantern located by a doorway should be appropriate as the Guidelines recommend, “choose and locate lighting fixtures to be visually

unobtrusive. Use dark metal or a similar material” and “place attached lighting fixtures in traditional locations next to or over a door.” A spec sheet and confirmation of the location of installation is needed.

The reconfiguration of the deck reduces the width of the deck from being the full width of the house, similar to a porch, to only half the size. By reducing the size of the deck, the symmetry on the rear of the house is lost, as is the similarity to a porch. Chapter 7.B recommends that decks “should be substantial in appearance, having more of the character of a porch.”

The proposed patio will be made with a local quarried flagstone approximately 225 square feet in size. The proposed flagstone will complement the historic granite foundation on this house and 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” and “construct new terraces or patios visible

D. Staff Recommendation

Staff recommends Approval as submitted with the following contingencies:

- 1) The siding should be changed to a smooth textured HardiePlank.
- 2) The windows have external simulated divided lites.
- 3) The 12-lite door be used for all doors on the addition.
- 4) A spec sheet and location plan needs to be submitted and reviewed for the exterior lights.
- 5) The deck remains the full width of the house.

E. Testimony

Mr. Shad swore in Jennifer Lyon and Eddie Glawe. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Lyon explained that the

existing full deck obstructs views of the surrounding woods and makes the interior of the house dark. Ms. Lyon proposes to reduce the deck size and reconfigure the exit staircase from the rear second floor allowing more light into the house. Ms. Lyon said she is open to suggestions about the designs of exterior lighting fixtures. Regarding the siding material, she felt the existing wood siding is textured, but she is open to siding options. Ms. Lyon said the second-floor windows are not symmetrical, but the proposed windows and doors on the first floor will be symmetrical. She prefers not to have muntins on the doors due to additional costs and feels they are not a necessary feature, since the area is not in public view. However, she is willing to comply with the Commission's recommendations.

Mr. Reich asked if the rear balcony will feature an exit from the second floor. Ms. Lyon said yes, there is a staircase exiting to the yard. Mr. Reich asked if the deck was original or a late addition. Ms. Burgess said the deck seemed modern. Ms. Lyon said the contractor may need to remove the entire deck for safety before reusing the materials to reconfigure it.

Mr. Reich asked if the siding is original. Ms. Lyon said some is, but prior to her ownership a tree fell on the house and that required reconstruction of the house. As a result, there are two different types of siding on the house now. The narrower siding does not seem to be original. Ms. Tennor asked if the siding is cedar. Ms. Lyon said she did not know since the two sidings have different dimensions and were painted over.

Ms. Tennor asked if the Commission should make a recommendation on the siding type. Mr. Taylor said the Commission can decide whether to maintain a consistent look or for the modern addition to have its own look.

Ms. Holmes asked which siding Ms. Lyon preferred. Ms. Lyon said she liked the textured siding to make the smooth window/door trim stand out.

Mr. Reich asked about the divided lite on the two doors. Ms. Lyon said the back doors on the house are not consistent with the rest of the house. The kitchen door is modern since it was replaced after the tree fell on the house. Mr. Reich asked if the doors on the sides will be painted white like the windows. Ms. Lyon said yes.

Ms. Zoren said the Applicant should consider the side elevation as if she were to stand in the room and what her viewpoint would be like. There will be 12 lite doors on the sides and full panel glass doors in the same room that may throw off the uniformity internally. Ms. Lyon said without the grills, it allows the original stone foundation to be more visible looking from outside.

Ms. Tennor asked about the Applicant's intention with the ground area underneath the deck. Ms. Lyon said she would like to use flagstone to finish the area but had no final plans yet.

Ms. Zoren said the proportion of the four by five windows are very horizontal compared to vertical windows on the rest of the house. She suggested that the Applicant add three more vertical windows in the space where the two windows are, which would result in better symmetry. Ms. Lyon said there are structural columns there, preventing a different window arrangement.

F. Motion

Mr. Reich moved to approve the application as submitted allowing the Applicant to use: either smooth or textured HardiePlank siding; either divided or undivided lite for the rear windows; and the twelve lite divided doors on the exposed end walls. The location of the exterior lights to be approved as submitted. The deck is approved as submitted. Ms. Tennor seconded. The motion was unanimously approved.

Conclusions Of Law

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

A. Standards of Review

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

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

Section 16.607(c) of the Code further provides:

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

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Ellicott City Historic District Design Guidelines. Chapter 7 sets forth the relevant recommendations for New Construction: Additions, Porches, and Outbuildings, as detailed in the Findings of Fact, part C. Also, Chapter 9 sets forth the relevant recommendations for Landscape and Site Elements.

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 Applicants propose to construct an addition on the rear of a historic building, to include reconfiguration of an existing deck and construction of a stone patio. The location of the addition is in accord with Guideline recommendations to construct additions at the rear of historic structures so as to not to alter the appearance of the primary façade from the public way. The design of the addition is also in accord with Guideline recommendations to make clear what is historic and what is new. The addition will be constructed with HardiePlank siding, which will make clear that the addition is not a historic addition, but a modern one, while also preserving a generally consistent aesthetic appearance of wood siding.

On the sides of the addition, which will be visible from the public right of way, the Applicant proposes to use a 12-lite wood door. The divided lites will be consistent with the existing windows and wood is the preferred material.

The use of the modern materials and design for the windows and doors on the rear of the structure is in accord with Guidelines recommendations which allow for such materials and design on modern additions that are not visible from the public right of way.

The proposed light fixtures are of an appropriate design and material. Their final location is subject to Staff approval.


The proposed patio is also in accord with Guidelines recommendations to use stone and locat patios at the rear of historic properties. The proposed flagstone will complement the historic granite foundation on 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.

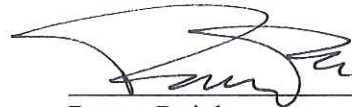
ORDER AND CERTIFICATE OF APPROVAL

Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 5 day of October, 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**



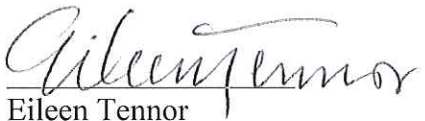
Allan Shad, Chair



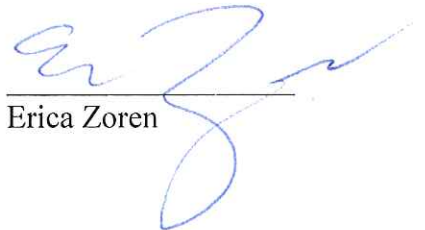
Bruno Reich



Drew Roth



Eileen Tennor



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
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		
MAUREEM SWEENEY SMITH,	*	HOWARD COUNTY
ELLCOTT CITY PARTNERSHIP		
	*	HISTORIC PRESERVATION
FOR A CERTIFICATE OF APPROVAL		
FOR INSTALLTION OF STREET	*	COMMISSION
BANNERS AT POSTS ON SHA BRIDGE		
OVER PATAPSCO RIVER AND POSTS	*	Case No. 17-66
ON ELLICOTT MILLS DRIVE		
ELLCOTT 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 September 7, 2017 to hear and consider the application of Maureen Sweeney Smith (“Applicant”), for a Certificate of Approval for installation of street banners at posts on the bridge over the Patapsco River and on Ellicott Mills 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 September 7, 2017 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

These proposed locations are in the Ellicott City Historic District.

B. Proposed Improvements

The Applicant proposes to install 33 banners on 24 lamp posts along the bridge over the Patapsco River, along Ellicott Mills Drive and in Parking Lot D. The banners will be double-sided and may contain different images and names on each side. The banners in Parking Lot D will consist of two banners on each post, but the others will be single banners (although possibly double sided with different names and information). The banners will read, "We Proudly Honor" followed with the Veteran's name and the sponsor's name. The background of the sign will be red, white and blue and have white text.

The banners will be 24 inches wide by 48 inches high, for a total of 8 square feet. The banners are a standard size, and are the same size as the current Ellicott City Partnership banners that are up. The banners would be installed on October 13, 2017 and taken down on November 13, 2017, after the Veteran's Day Parade.

C. Staff Report

The application generally complies with Chapter 10.C recommendations, “improve consistency in design throughout the historic district for items such as street lights, traffic signals, trash receptacles and other street furniture.” The design of the proposed banners as shown in the application will all match, while only the photograph and name of the individual veteran and sponsor will change, so the design will be consistent throughout the district. The design of the submitted banner complies with Chapter 11 recommendations, “use a minimum number of colors, generally no more than three.” The sign will contain three colors; red, white and blue; which is similar to the existing Ellicott City Partnership banners, and complies with the Guidelines.

Staff requested additional information from the Applicant on the text and banner design, who stated, “We do not have text for banners but they will be similar to the samples submitted. Each banner will have a picture, name of service person, branch of service and probably their years of service in the military. We may put Ellicott City Hometown Heroes on banner.” Staff has requested the Applicant confirm the final banner design, as the template submitted does not show “Ellicott City Hometown Heroes” and instead reads, “We Proudly Honor.”

D. Staff Recommendation

Staff requires confirmation of the exact plans for these signs.

E. Testimony

Mr. Shad swore in Maureen Sweeney Smith. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Smith said no.

Ms. Tennor asked about the difference between a pair of banners and a single banner. Ms. Smith said all banners are double sided. There will be two banners on each pole in Parking Lot D and one banner on each pole over the bridge and along Ellicott Mills Drive.

Mr. Roth asked about the process for selecting the veterans to be on the banners. Ms. Smith said the cost is \$500.00 to feature a veteran on the banner. The funds would go towards the banner production and installation, and would raise money for the Veteran's Day Parade in November. However, due to time constraints, the banners may not be ready in time for this year's Veteran's Day Parade but will be ready by the 2018 parade. Ms. Smith asked if annual approval is needed for the banners. Mr. Shad said a new approval would be required if the design on the banner changes.

Ms. Tennor asked if there are existing brackets on the light poles. Ms. Smith said yes, there are brackets on the poles on the SHA bridge and on Ellicott Mills Driver. Eighteen new brackets will be installed (2 on each pole) in Parking Lot D. Ms. Burgess said the current "Ellicott City Partnership" banner would come down and only the veteran's banner would be on display around Veteran's Day, then it would be removed after 30 days.

Mr. Taylor said the if the design of the banner does not change in future years, then annual approvals are not needed. The Decision & Order can include language to display the banners within a certain date range and stipulate that the banners should be removed after 30 days.

F. Motion

Ms. Tennor moved to approve the application to install banners in the locations indicated for a period of 30 days around Veteran's Day, with the understanding that the

banners will come down and the banners may be installed in a regular yearly cycle. 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 10 sets forth the relevant recommendations for Parking Lots, Public Streets and Street Furniture, and Chapter 11 sets forth the relevant recommendations for Signs in the Historic District, 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 install banners to celebrate the military history of Howard County by honoring County citizens who have served. The banner meet Guidelines recommendation for street furniture and signs. The banners use a minimal amount of text and colors. They are of a consistent design and will only be displayed for approximately 30 days once a year.

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 5 day of October, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval for installation of street banners 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
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
JENI PORTER

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
FOR EXTERIOR ALTERATIONS
AT 3744 OLD COLUMBIA PIKE
(3731 HAMILTON STREET)
ELLICOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-57

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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 September 7, 2017 to hear and consider the application of Jeni Porter (“Applicant”), for a Certificate of Approval for exterior alterations at 3744 Old Columbia Pike (3731 Hamilton 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 September 7, 2017 Commission meeting; (5) the Ellicott City Historic District Design Guidelines, May, 1998 (the “Design Guidelines” or “Guidelines”); and (6) the general design guidelines listed in Rule 107 of the Commission’s Rules of Procedure.

Summary of Testimony

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

Findings of Fact

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

A. The Subject Property

This property is located in the Ellicott City Historic District. The building dates approximately to the 1840s-1850s.

B. Proposed Improvements

The Applicant proposes to construct a deck in the yard along Hamilton Street/Parking Lot D. The Applicant came before the Commission in May 2017 in case HPC-17-30, in which a cedar deck was proposed and approved. The Applicant now has a different proposal for the same space and seeks retroactive approval for the installation of small patio.

Instead of constructing the approved cedar deck, the Applicant seeks approval to construct a brick and bluestone patio. The brick would replace the wood currently retaining the soil to level. The brick would be 3.5"x7.5"x2.25". Bluestone slate would be set on top of the soil currently in place. No sand will be used. The bluestone slabs come in 23.5"x36"x1.5" sizes. The patio will have a front rise of 7 inches in the brick. The back border will be built into the existing berm.

The Applicant seeks retroactive approval for the small patio. The small patio uses the same brick and bluestone that is proposed for the large patio. The size of the patio is 10 feet long by 4 feet deep, with rounded corners. The max height of the patio is 10 inches as it was built into a small hillside. The small patio is located diagonally across the courtyard from the proposed location of the large patio.

This application is being continued from the August 2017 meeting, as the Applicant was unable to attend and the Commission required more information. At the time that Staff reports were finalized for the September meeting, Staff had not received any additional information from the Applicant.

C. Staff Report

Chapter 9.D of the Guidelines recommends, “construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way.” The brick that was used on the small patio and that was proposed for the large patio does not match the brick walkways that are on site. This is a prime reason why it is important not to do work without approval; if the Applicant had submitted this spec prior to the construction, Staff would have recommend using a different brick. There is a mix of hardscaping materials in this courtyard vicinity and not all of them have been approved over the years. That is an issue in and of itself, but should not be furthered by adding an additional mix of materials. The choice of brick and bluestone generally comply with the Guidelines, although the same brick should be used to match the existing walkway or the walkway should be replaced to match the patio retaining wall.

It is unclear why polymeric sand will not be used on the patios. There are rather visible joints on the small patio that was already constructed and polymeric sand will assist in filling

the joints and stabilizing the patio. Staff is also concerned about the proposed installation method for the proposed patio, which does not seem to consist of creating the appropriate foundation. If the foundation of the patio is not constructed properly with crushed stone, tamping, and leveling, the patio will crack and break. This was the case with the patio that was constructed without approval last summer and was destroyed in the July 30, 2016 flood. Prior to the flood, after being installed for only a few months, the patio was settling, cracking and breaking apart.

The wood planter retaining wall, gate and chain fence have also been installed without approval, but appear to be from the neighboring property. This issue will be addressed separately.

Overall the proposal for the brick and flagstone patios are more appropriate and in-keeping with the character of the area than the cedar deck. However, it is important to use the correct materials to avoid a cluttered look that detracts from the architectural integrity of the historic structures that form Tonge Row.

D. Staff Recommendation

Staff recommends Approval of the patios, contingent upon using a brick that matches the existing walkway and a professional installation to ensure longevity to the patios.

E. Testimony

Mr. Shad swore in Jeni Porter. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Ms. Porter said she was unable to bring a sample of the bluestones, but they have already been in use in the courtyard for several years. Ms. Porter said before she assumed the business, the area marked "slate" on the plan had bluestone pavers.

Ms. Burgess said the area marked “large patio” on the plan was where the previous deck was approved to be installed in the spring. Now a large patio of slate and brick is proposed for the same area. The Applicant is seeking retroactive approval for the small patio. Ms. Holmes said Staff recommends approval of the patios contingent upon using a brick that matches the existing walkway and with professional installation to ensure longevity to the patios.

Mr. Reich asked if the small patio will be covered with bluestone. Ms. Porter said yes. Mr. Roth asked what the small patio is made of. Ms. Porter said it was constructed with the bluestone. Mr. Reich asked what the plan is for the large patio. Ms. Porter said she would like to use brick and bluestone instead of the cedar deck, because the cedar deck did not complement the existing elements in the courtyard. Mr. Reich asked if the large patio will match the small patio, with a brick border and slate in the middle. Ms. Porter said yes, the two slate areas on the plan were already existing when she took over the business, and she intends to use the same stones. Ms. Porter said the wooden 2x4s framing the large patio would be replaced with brick, then stones added on top to be no more than six inches in height

Ms. Tennor asked about the angled sides on the large patio. Ms. Porter said the angles blend better into the existing landscaping. Ms. Tennor asked if the brick will be edged with the berm. Ms. Porter said yes, there will be access points on both sides at ground level allowing ADA access. The only step up would be along the lawn edge. Ms. Zoren asked why the large patio area has the angles instead of a straight line on the shorter sides to be more of a rectangular shape. Ms. Porter said she can build the rectangular patio, but she prefers for the patio edge to blend better into the existing landscape.

Ms. Tennor asked why the small patio is for retroactive approval. Ms. Porter said the business owners of the property attached to her courtyard built a big planter. She explained that the small patio is surrounded by dirt that eroded onto the sidewalks. Ms. Porter had to build up the small patio to stabilize the erosion. She thought since brick and stone were already existing in the courtyard, no approval was needed, but she now understands.

F. Motion

Mr. Reich moved to approve the application as submitted with the provision that the Applicant provide a good sand base for the new patio. Mr. Roth seconded. The motion was unanimously approved.

Conclusions Of Law

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

A. Standards of Review

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

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

Section 16.607(c) of the Code further provides:

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

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

B. Application of Standards

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

The Applicant seeks approval for the construction of a large patio of stone and brick and retroactive approval of a small patio of stone and brick. The area of the patio had been previously approved in HPC 17-30, incorporated here by reference. The location of the patio is in a courtyard-like setting with table and chairs adjacent to a large public parking lot, which is technically at the rear of the building, although it is the primary business façade of the Little French Market Café. The size, scale, and location of the patio are appropriate for the historic building and will not obscure the view of the building or obstruct the public way. The deck will be constructed of historically appropriate materials. The small patio will also be constructed of the same materials, brick and stone, creating a consistent appearance throughout the courtyard.

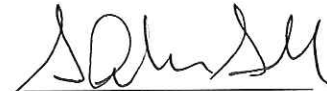
For these reasons, and for the reasons identified in the Staff Report, and the reasons stated by the Commission, the Commission concludes that the proposed work will not impair

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 5 day of October, 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**



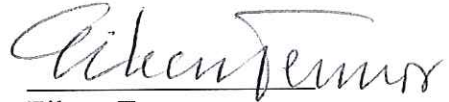
Allan Shad, Chair



Bruno Reich



Drew Roth




Eileen Tennor



Erica Zoren

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW



Lewis Taylor
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
ED LILLEY, HOWARD COUNTY
HISTORIAL SOCIETY

* BEFORE THE
* HOWARD COUNTY
* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-65
*

FOR A CERTIFICATE OF APPROVAL
TO INSTALL A SIGN AT
THE EAST SIDE OF ELLICOTT MILLS
DRIVE ABOVE 8398 MAIN STREET
ELLCOTT 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 September 7, 2017 to hear and consider the application of Ed Lilley, Howard County Historical Society (“Applicant”), for a Certificate of Approval to install a sign at east side of Ellicott Mills Drive above 8398 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 September 7, 2017 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 site is located in the Ellicott City Historic District, but does not contain a historic structure.

B. Proposed Improvements

The Applicant proposes to install a freestanding sign along the sidewalk on Ellicott Mills Drive. The sign will be angled and will be 46 inches high at the highest point and 32 inches high at the lowest point in the front. The overall size of the sign will be 35 inches wide by 22.5 inches high. The application states that "the panels are made of 2 mil vinyl mounted to the back of 1/8" non-glare acrylic with optically clear adhesive, back covered with 4 mil block-out vinyl with exterior custom high pressure laminate and the pedestals are made of powder-coated aluminum." The sign will match the existing Civil War Trail and Historic National Road signs. The sign will contain historical information on the Fels Lane Community, which was demolished in 1970. The sign will also contain the logos for all partners on the sign.

C. Staff Report

As mentioned last month when the Applicant filed a similar application, Staff has requested that a new interpretative sign pedestal mount/base be identified for use throughout town through the Ellicott City Master Plan process. However, at this time, the proposed interpretive sign complies with Chapter 10.C recommendations, “use street furniture that is simple in design and constructed of traditional materials such as wood and dark metal” and “improve consistency in design throughout the historic district for items such as street lights, traffic signals, trash receptacles and other street furniture.” The Guidelines also state, “carefully evaluate the need for placing additional street furniture on narrow historic district streets and sidewalks.” The sign will be placed along Ellicott Mills Drive, so additional streetscape items are not being added to crowded Main Street sidewalks. The sign will not block views of the historic structures (the original Courthouse and the Thomas Isaac Log Cabin), but will overlook them from a slight distance and different elevation.

The layout of the sign is clear, easy to read and uncluttered. However, the addition of a neutral colored background color may make the graphics more prominent.

D. Staff Recommendation

Staff recommends Approval as submitted, with the contingency that the sign hardware/holder be replaced when a new standard for town is identified through the master plan process.

E. Testimony

Mr. Shad swore in Ed Lilley. Mr. Shad asked if there were any additions or corrections to the Staff comments or application. Mr. Lilley said he did not bring a sample sign incorporating the sponsors’ logos. However, the design will follow the format of previously

approved signs like the Underground Railroad Network sign and Civil War Trails signs that feature sponsors' logos on the right side of the sign, if one was facing the sign.

Ms. Tennor asked if the proportions of the sign graphic will increase to include the sponsors' logos. Mr. Lilley said yes, the sign graphic will be wider than the mockup image, which does not contain the partner logos, matching the existing Civil War Trails sign. Ms. Tennor said the title of "Fels Lane Community" should be larger to fill the sign space.

F. Motion

Ms. Tennor moved to approve the application with the inclusion of the partner logos as described by the Applicant. 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 10 sets forth the relevant recommendations for Parking Lots, Public Streets and Street Furniture, 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, representing the Howard County Historic Society, seeks to install a sign near a pedestrian walkway, which will provide interpretive information on the history of Fels Land, a historically African-American community in Ellicott City. The sign will be approximately 46 inches tall and be mounted on black metal stanchions. The sign itself will be 35 high and 22 inches wide. The sign is identical to other historic interpretive signs that have previously been approved by the Commission. The Sign complies with Guideline recommendations to use street furniture that is simple in design and constructed of traditional materials such as wood and dark metal. The sign is also consistent with other interpretive signs, which comports with Guideline recommendations to improve consistency in design throughout the Historic District for such items. The sign will not block the public way or the view of historic structures.

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

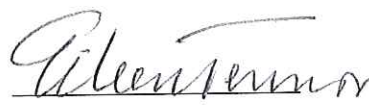
Based on the foregoing Findings of Fact and Conclusions of Law, by a vote of 5 to 0, it is this 5 day of October, 2017, **ORDERED**, that the Applicant's request to install a sign at the Subject Property, is **APPROVED**.

**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
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
CATHY HUDSON

FOR A CERTIFICATE OF APPROVAL
TO PERFORM EXTERIOR ALTERATIONS
AT 6089 LAWYERS HILL ROAD
ELKRIDGE, MARYLAND

* BEFORE THE
* HOWARD COUNTY
* HISTORIC PRESERVATION
* COMMISSION
* Case No. 17-62

* * * * *

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 September 7, 2017 to hear and consider the application of Cathy Hudson (“Applicant”), for Certificate of Approval to perform exterior alterations at 6089 Lawyers Hill Road, Elkridge, Maryland (the “Subject Property”). The Commission members present were Allan Shad, Eileen Tennor, Drew Roth, Erica Zoren and Bruno Reich. 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; (4) the Agenda for the September 7, 2017 Commission meeting; (5) the Lawyers Hill 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. There was no testimony.

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 Lawyers Hill Historic District. According to SDAT the house dates to 1969. This house is not historic and is not a contributing structure to the historic district. The barn that is the subject of the application is located at the rear of the property. The Applicant believes the barn may date to 1926, but the overhang was approved by the HPC and constructed in 2012.

B. Proposed Improvements

The Applicant proposes to install sixteen 40"x60" solar panels to the roof of the modern overhang, which is on the rear of the barn and faces away from Lawyers Hill Road. The panels will have a black anodized aluminum frame and will be flush mounted with a 10-degree tilt. The existing roof of the garage/barn is gray asphalt shingles.

The barn is located approximately 600 feet away from Lawyers Hill Road, will not be visible from the street, and will face the adjacent community that is not within the historic district.

C. Staff Report

The application complies with the Guidelines for the Use of Solar Panels, "add solar panels on a roof not visible from a public way" and "place solar panels or other solar devices on roofs on a non-character defining roofline of non-primary elevation (not readily visible

from public street).” The solar panels will be added to the rear of a non-historic building addition and will not be visible from a public street. While there is a neighboring historic property in close proximity, the solar panels will face away from that property and should not be visible.

D. Staff Recommendation

Staff recommends Approval as submitted.

E. Testimony

Mr. Shad asked if anyone in the audience wished to present testimony. The Applicant was not present and there was no one in the audience who wished to testify. Mr. Reich asked if a 50-year-old house qualifies as historic. Ms. Holmes said a house at that age would be considered “Recent Past” and there must be significant historical associations to the structure, such as being designed by a famous architect, owned by a famous person, or an important historical event that relates to the property to consider it as a historic property. The age alone does not necessarily qualify a property as being historic for properties built in the “Recent Past.”

F. Motion

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

Conclusions Of Law

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

A. Standards of Review

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

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

Section 16.607(c) of the Code further provides:

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

Section 16.607(d) authorizes the Commission to adopt guidelines for its review of applications based on the standards set forth in the Code. Pursuant to this authority, the Commission has adopted the Lawyers Hill Historic District Design Guidelines and the Guidelines for the Use of Solar Panels.

B. Application of Standards

Applying these standards and guidelines to the Subject Property, the Commission finds that it does not contribute to the historic significance of Lawyers Hill. 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 to install solar panels on the rear facing roof of a barn that has a modern addition. The panels will be installed on the modern part of the barn. The panels will not be visible from the public way and will not alter the appearance of a historic structure.

For these reasons, and for the reasons identified in the Staff Report, 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 Lawyers Hill 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 5 day of October, 2017, **ORDERED**, that the Applicant's request for a Certificate of Approval to perform 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
Assistant County Solicitor

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