



HOWARD COUNTY HISTORIC DISTRICT COMMISSION
ELLCOTT CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT
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Administered by the Department of Planning and Zoning

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JANUARY MINUTES

The first regular meeting for the year 2009 of the Historic District Commission was held on Thursday, January 8, 2009 in the Tyson Room II located at 8930 Stanford Boulevard in Columbia, Maryland.

Members present: Lisa Badart, Chairperson; Samuel Crozier, and Joseph Hauser

Member absent: Patrick Mullaly

Staff present: Samantha Stoney, Mina Hilsenrath, Dan Bennett, Jim Vannoy and Virginia Vargo

Ms. Lisa Badart, Chairperson, opened the meeting at 7:00 p.m. and asked the Commission members if there were any changes to the December 2008 minutes. Joseph Hauser made a motion to approve the minutes as written, and Samuel Crozier seconded the motion. The motion passed unanimously.

PLANS FOR APPROVAL

#07-47c –8343 Court Avenue, Ellicott City

Final tax credit approval.

Applicant: Arthur Lien and Bridget McCusker

The Applicant has submitted documentation at \$10,750.00 was expended on eligible pre-approved work for painting and siding repairs. The Applicant seeks \$1,075.00 in final tax credits.

Staff Comments: The tax credit was pre-approved in November 2007.

Staff Recommendation: Staff recommends Approval for final tax credit.

Testimony: The Applicants were present but did not testify.

Motion: Samuel Crozier made a motion to approve, and Lisa Badart seconded the motion. The vote was unanimous to approve.

#09-01 –8059-8061 Main Street, Ellicott City

Construction of two roof decks.

Applicant: Thomas B. McGee

The Applicant seeks re-approval of a plan that was previously approved by the Commission in May 2005 as HDC-05-29. The Decision and Order expired before the work began. The Applicant proposes to construct two 12' x 10' roof decks with black aluminum railing (Sierra with rings by Sentinel Fence & Gate) in place of two decks that were previously removed (which were 12'6" x 23'6"). The decks will be

constructed with a maintenance free decking material. The decks will not be visible from the street, although the railings may be. The railings are similar to others nearby in the Historic District.

Staff Comments: The Applicant was previously approved for this work and is only returning to the Commission because the Decision and Order expired before any work began.

Staff Recommendation: Staff recommends Approval.

Testimony: Chairperson Badart swore in the Applicant, Thomas McGee of 3221 Green Forest Court, Ellicott City MD 21042.

Mr. McGee testified that the original architectural plans showed a Sierra fence with rings, but the cost per six foot section began at \$239.50 compared to \$66.50 without rings. The prices do not include installation, only material. Mr. McGee is now proposing to install a Sierra fence without rings and presented Commission members a photograph of the new proposed fence.

Motion: Joseph Hauser made a motion to approve, and Samuel Crozier seconded. The vote was unanimous to approve.

#09-04 – 8210 Main Street, Ellicott City

Sign installation.

Applicant: Paul F. Strain

According to MDAT, the building dates to 1890. The Applicant proposes to install a projecting sign and windows signs on the front façade of the building. The projecting sign will be a wood, sandblasted, 3' x 3' (total of 9 square feet) sign hung from an existing mount on the building. The sign will have a black background with raised white letters reading: PURE WINE CAFÉ (on three lines). As proposed, the bottom of the sign will have an 8' 6" clearance to the sidewalk. The hanging bracket currently has a 12' 3" clearance to the sidewalk.

The window signs will be smaller versions of the hanging sign. There will be one in each window (for a total of 2). Two smaller versions of the signs will also be located in the windows on the front doors.

Staff Comments: Chapter 11.B (page 84) recommends “projecting or hanging signs of 4 to 6 square feet are appropriate for many of Ellicott City’s small, attached commercial buildings.” This building is larger than others in the historic district; therefore Staff has no objection to a 9 square foot sign.

The Sign Code (Section 3.501(c)) requires that projecting signs have a minimum clearance of 10' above a sidewalk. As proposed, there would only be an 8'6" clearance. Staff suggests the Applicant meet the Sign Code 10' clearance requirement either by reducing the size of the sign or relocating the existing bracket higher on the building.

According to the Sign Code, window signs are permitted in all districts and the Ellicott City Guidelines do not impose a stricter standard. The windows signs conform to the County Code Section 3.502 (d) “there shall be no limit to the number of such signs; provided however, that the total area of all window signs shall not exceed twenty percent of the window glass area, which shall be calculated separately for each side of the building.” The proposed signs are well within the Sign Code limits.

Sign permits are required through the Department of Inspections, Licenses and Permits.

Staff Recommendation: Staff recommends Approval of the sign, subject to meeting Sign Code requirements for sign height.

Testimony: Chairperson Badart swore in the Applicant, Paul F. Strain. Mr. Strain testified that the issue is the clearance of the sign. As shown in the pictures included with the application, the original sign mount is designed for a 3' x 3' sign. Mr. Strain could move the mount up about 6" and it would still be installed on the wooden portion of the window sill. However, if it were moved up more than 6" it would be mounted on the historic façade. Lisa Badart asked about the brackets. Mr. Strain replied there is one on the top and one on the bottom of the sign.

Joseph Hauser asked the Applicant to repeat his testimony. Mr. Strain stated that the issue is clearance of the sign. The sign that was hung for Annabelle's, the previous wine bar in that space, was 3' x 3'. The mount is made to furnish a 3' x 3' sign and the clearance is only 8' 6". The problem with the 8' 6" clearance is that it does not meet current Code requirements of 10' clearance. Mr. Strain thinks it is appropriate to have a 3' x 3' sign there because it fits the brackets originally mounted on the window. Mr. Strain said that if the HDC has objections current height, the bracket can be moved up about 6" but beyond that it would be necessary to drill holes into the façade of the building.

Joseph Hauser said that if the existing bracket was moved up and gained 5" - 6" then the bottom bracket would go up to about a 9' clearance. Mr. Strain said most of the signs are held by chain links and if the chain links are tightened, he would gain another 6", bringing the clearance to 9' 6".

Lisa Badart asked for clarification regarding the 3' x 3' sign and questioned if the former signs were hung by chain. Mr. Strain replied there is a top bracket that has two holes in it for a chain link to hold the top of the sign. A normal 3' x 3' sign has two chain links on the top and one on the bottom to secure the sign. Lisa Badart asked if the chain link will afford much extra length, and Mr. Strain replied it would not. There would be enough clearance for people to walk under the sign because the bracket is well over 8'.

Jim Vannoy said that regardless of the height or size of the sign approved by the Commission at the meeting, the sign will still have to meet the Howard County Sign Code. There is a provision in the Sign Code to obtain a variance. If the Commission approves a sign where the brackets are now, the County might grant the Applicant a variance to leave the brackets as-is. Mr. Vannoy stated that Mr. Strain would need approval from County as well as the HDC. Joseph Hauser asked if there is a way to include a note with the variance application stating the Commission would like to see the sign installed where it is now. Jim Vannoy said that this request could be included in the motion, asking Staff to convey the Commission's informal desire to have the sign placed where the brackets are currently located.

Lisa Badart stated she would not be opposed to the sign staying where it is, but would be in favor of raising it as much as possible on the window and going for the variance. Samuel Crozier asked about the signs in the window. Paul Strain referenced the photographs submitted with the application which shows where the window signs would be located. The small signs would be in the upper portion of the two outside windows and two smaller signs will be on the glass of the entry door.

Motion: Samuel Crozier made a motion to approve the signs and to slide the brackets to the top of the window and have the bottom bracket follow it proportionally. Joseph Hauser seconded the motion. The vote was unanimous to approve.

#09-05 – 13015 Clarksville Pike, Highland, HO-465 John T. Swann House

Advisory comments for lot division.

Applicant: William L. Swann

According to MDAT, the building dates to 1935. The house at 13015 Clarksville Pike is listed on the Historic Sites Inventory as HO-465 (John T. Swann House). The Applicant proposes to subdivide the parcel into two lots for estate purposes. There is no work proposed by this subdivision.

Staff Comments: The division of land does not affect the historic structure; Staff has no objections to the proposal.

Testimony: Chairperson Badart swore in the Applicant, Bill Swann, 12979 Route 108, Highland, 20777. Mr. Swann testified that he and his brother are inheriting the 70-acre family farm and want to divide it in half. Mr. Swann said that both lots have frontage on Route 108 and one lot is an L-shaped piece of land.

Comments: Commission members had no comments.

#09-06 – 3877 College Avenue, Ellicott City

Fence installation.

Applicant: Michael Smith

According to MDAT, the building dates to 1937. The Applicant proposes to install two types of fencing in front, on the side, and behind the house. The fencing in front will be visible from College Avenue and will be a red cedar 43” picket fence stained Colonial White to match the color of the house. An arbor will be located above the fence gate at the walkway that leads from the front walkway to the house.

The fencing along the sides and rear of the house will be a 48” hemlock, three-board post and rail, unstained with wire mesh. The purpose of this fence is to contain the Applicant’s dogs in the yard.

Staff Comments: The application complies with Chapter 9.D recommendations.

Staff Recommendation: Staff recommends Approval.

Testimony: Chairperson Badart swore in the Applicant, Michael Smith, 3877 College Avenue. Mr. Smith testified that he is trying to contain two dogs by installing a more decorative, aesthetically pleasing picket fence in the front and a 4’ post and rail fence with wire mesh in the rear of the property, which faces the stream valley. Mr. Smith explained where the decorative picket fence will be installed. An arbor will be located just beyond the elm tree in the front yard. The same picket fencing treatment will be carried along the left side and rear of the house so that the most visible parts will have the more decorative fencing. The property in the woods and behind the house will have the less decorative post and rail fence.

Motion: Joseph Hauser made a motion to approve, and Samuel Crozier seconded. The vote was unanimous to approve.

Additional Question: Mr. Smith asked Commission members for permission to remove a tree which is showing signs of distress from a recent windstorm and is likely to fall on an adjoining home which has received historic designation. The windstorm occurred after his application was submitted. Mr. Smith said he had an arborist look at the tree, and the arborist recommended immediate removal. Mr. Smith submitted photographs of the damaged tree. Samantha Stoney asked Mr. Smith to call her on the following day and she would discuss the emergency matter with him.

#09-02– 8379-8381 Merryman Street, Ellicott City

Sign installation.

Applicant: Dami Soh

The Applicant proposes to install three exterior signs: one address sign and two business signs. The two business signs will be painted on two existing signs on the building façades. The address sign will be placed in front of the entrance to the retail area. Although the building address is Merryman Street, the business and signs will face the parking lot.

The business signs are 8' x 2' (existing signs approved December 2000; HDC-00-60) for a total of 16 square feet each. The signs will read: Clef Notes (sign one) Music & Café (sign two). The signs will have a white background, black letters with a gold outline, and a black frame. The clef note symbol will have a gold center and black outline, and the ledger bar will be light grey.

The address sign is a 12" x 25" (2.1 square feet) freestanding sign. The sign will be black and gold and will read: 8381 MERRYMAN STREET. The Applicant would like to post the sign in the grass area on the left side of the building, facing the parking lot.

Staff Comments: The business signs comply with Chapter 11.A recommendations and were previously approved by the Commission in December 2000. The Applicant is only changing the text of the sign which technically falls under Chapter 11.A.3 routine maintenance, work that does not require a Certificate of Approval “changing only the text of a sign while all else remains the same.” The freestanding address sign complies with Chapter 11.B guidelines. Sign permits are required through the Department of Inspections, Licenses and Permits.

Staff Recommendation: Staff recommends Approval.

Testimony: Joseph Hauser asked if the grass sign was approved in 2000. Samantha Stoney said that just the wall sign was approved.

Chairperson Badart swore in the Applicant, Dami Soh of Emily Fox Court, Ellicott City MD. Ms. Soh stated that she has asked about installing the grass address sign because there have been occasions where customers are unable to locate the entrance. Lisa Badart asked about the location of the building, and Ms. Soh said the front entrance on Merryman Street is for the apartments and entrance to her business is at the rear of the building along the parking lot. Ms. Badart asked for clarification on where the address sign would be placed. Ms. Soh stated the address sign would be placed at the back of the building, where there are two grass patches directly in front of the entrance to her business.

Joseph Hauser asked if Ms. Soh's business occupies the entire basement floor, and she replied that it is the whole basement floor. Ms. Soh said she is continuing the coffee house on one side and will sell sheet music on the other side.

Motion: Joseph Hauser made a motion to approve, and Samuel Crozier seconded. The vote was unanimous to approve.

#09-03 – 8351 Court Avenue, Ellicott City

Replacement of roof, landscape materials, and window glass. Tax credit pre-approval.

Applicant: David M. Thomas

According to MDAT, the building dates to 1900. The Applicant proposes to replace the roof of the building with CertainTeed moiré black shingles, and replace the gutters, downspouts and flashing. The

house and shutters will be painted in the current colors, Brilliant White and Chrome Green. The windows are original to the building and the Applicant proposes to replace a broken light with one similar in appearance. The Applicant is seeking tax credit pre-approval. The Applicant also proposes to fix damaged landscaping (wood log retaining walls).

Staff Recommendation: Staff recommends Approval of in-kind replacements and repairs. Staff recommends tax credit pre-approval for replacement of roof, gutters, downspouts and flashing.

Testimony: Chairperson Badart swore in the Applicant, David M. Thomas of 4547 Bonnie Branch Road, Ellicott City, MD 21043 and office address of 8351 Court Avenue, Ellicott City, MD 21043.

Mr. Thomas showed the Commission members some original shingles and roofing nails that he found in the attic of his building. Mr. Thomas also presented paint chip samples of the Benjamin Moore paint, Brilliant White and Chrome Green, which he proposes to use on the building and the shutters, respectively. The colors will match what is currently on the building. He is proposing to have larger gutters and downspouts installed so that water will be carried off to avoid damage to the building. He showed photographs of water damage to the structure. The fascia and soffit also need to be replaced, and Mr. Thomas would like to replace them in-kind using wood. He will use circular soffits. Mr. Thomas will also replace the existing 5" gutters with 6" gutters.

Mr. Thomas spoke of the broken windowpane he proposes to replace but said it is difficult to match the original wavy glass. Several Commission members suggested places he could research to purchase matching glass at a reasonable price.

Mr. Thomas asked for clarification on what is eligible for tax credits and what is not. Mr. Thomas also mentioned the landscaping timbers that need replacing. Dan Bennett told Mr. Thomas that anything that needs to be replaced to support the roof shingles structurally are eligible for tax credit. Dan also said that photographs of roof work in progress are helpful when determining eligibility for tax credit. The landscaping timbers are not eligible for tax credits.

Motion: Joseph Hauser made a motion to approve the submission, with the stipulation that if the Applicant would like to increase to a 6" gutter he has approval to do so. Samuel Crozier seconded. The vote was unanimous to approve.

Discussion Item

1. Proposed revisions to the Historic District Commission procedures for advisory comments on subdivision and site development plans

Mina Hilsenrath explained that the intent of the proposed language changes is to clarify who is subject to appear before the Commission for advisory comments. Last month two questions were raised that required further research. The first question dealt with eligibility requirements to be listed on the Historic Sites Inventory. Research revealed that neither Howard County nor the state of Maryland has clear written guidelines, but that the National Register for Historic Places criteria for evaluation provides guidance. The criteria examines properties 50 years and older, properties associated with a historic event or person, significant architecture or of historical importance.

Properties generally become candidates for the Inventory in three ways: the Howard County Architectural Historian identifies properties of interest, sometimes potential properties are identified when they enter the subdivision process, or an owner or Applicant can request that a property be surveyed. The County Architectural Historian then surveys the property and determines if it should be placed on the Inventory.

The County would then submit a Resolution to the County Council to include the property in the Inventory.

Although there are no firm criteria, the County would like to have the ability to review properties that are eligible to be listed on the Inventory. It is usually seen as something positive because it gives the property owners the chance to look into tax credits and is a further incentive for preserving or improving a building

The second question dealt with broadening the scope of the bill. It was asked whether the County could look at properties adjacent to those on the Inventory or in the Historic District. The Department of Planning and Zoning is not inclined at this time to undertake a significant change in the Code. A very aggressive legislative calendar has been established for the upcoming year for the Department of Planning and Zoning and the County Council. Because it is a significant change, the impact needs to be properly studied. There are two historic districts and 945 sites on the Inventory, and many more adjacent properties that this would impact. The public would have to be notified about the proposed code change and it might require outreach and education.

Samantha Stoney reviews every plan that is submitted to see if the proposal is on a property that is on the Inventory or in a historic district. She makes comments need to be made to the Subdivision Review Committee (SRC). If Ms. Stoney feels something significant is proposed for an adjacent property, the Commission would be alerted on an informational basis. If staff finds these kinds of situations are happening repeatedly and cause the Commission concern, then it may be appropriate to consider a significant change in the Historic District Commission's authority.

Joseph Hauser said the guidelines may not have to be rewritten because this type of review has probably been done in numerous places. Williamsburg probably has policies that protect the boundary of that historic district from drastic changes. Mr. Hauser volunteered to call Williamsburg to inquire about their policies so that in the future, the County would not have to go through extensive research. Ms. Hilsenrath said that staff can also research legislation and legislative language.

Ms. Hilsenrath asked the Commission if they support, endorse, or would like to pass on comments or changes to the draft code changes. Joseph Hauser said he supports the recommended changes. Dan Bennett noted that when something comes before the Commission they might recommend against it, but the SRC does not have to agree with HDC recommendations; and, structures within that subdivision could come back to the HDC at some time as a submission for approval. At that point, the Commission does have some authority and could reject it. Joseph Hauser said it is usually density and siting issues, and Lisa Badart asked if density was already determined. Ms. Hilsenrath replied that density is determined by the zoning and by whether the plan submitted meets all of the other regulatory requirements so that density can be approved.

Dan Bennett brought up the situation with the Heine property because the developer was within his rights in terms of density, but he could not get approval from the HDC. The HDC could make a recommendation against a subdivision. Joseph Hauser said that the HDC was tied up for nearly a year with lawyers arguing the cases of The Woods at Park Place.

The meeting adjourned at 8:06 p.m.

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

Elmina J. Hilsenrath, ASLA
Executive Secretary

Lisa Badart, Chairperson

Virginia L. Vargo, Recording Secretary

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