

IN THE MATTER OF
THE APPLICATION OF
GLORIA LARKIN

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
TO MAKE EXTERIOR ALTERATIONS
AT 6044 OLD LAWYERS HILL ROAD
ELKRIDGE, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 22-01

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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 February 3, 2022 to hear and consider the application of Gloria Larkin (“Applicant”), for a Certificate of Approval to make exterior alterations at 6044 Old Lawyers Hill Road, Elkridge, Maryland (the “Subject Property”). The Commission members present were Allan Shad, Erica Zoren, Bruno Reich, Julianne Danna and Ellen Flynn Giles. Dustin Thacker was absent. 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 February 3, 2022 Commission meeting; (5) the Lawyer’s 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 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 Lawyers Hill Historic District. According to SDAT, the building on the property dates to 1948 and the property owner reported the carport dates to the late 1980s.

B. Proposed Improvements

The Applicant proposes to demolish the existing carport and construct a new one. The carport is a simple wooden post structure with a flat roof. The Applicant proposes to reconstruct a new carport with a gable roof, to be 16 feet by 19 feet. The roof will be shingled with gray 3-tab GAF shingles. All lumber will consist of pressure treated pine, which will be painted the same cream color as the house trim. The gutters will be white, K-style, to match those on the house. The gutters will be located on the two 16-foot sides of the carport, with one downspout on each side.

C. Staff Report

Chapter 7.B: New Construction: Additions, Porches, Garages and Outbuildings; Garages and Carports

1) *Chapter 7.B states:*

- a) *“There are three carports in Lawyers Hill. Two are attached to early 20th century homes and probably date from the same period. One relatively new carport is located adjacent to a 19th century house. The early 20th century carports and garages are contributing historic structures that should be maintained and preserved.”*
- b) *“Attached carports can be appropriately added to homes dating from the early 20th century or later if they are unobtrusive and compatible in design with the house.”*

The subject house dates to the mid-20th century, so this house may not be one of the three carports referenced in the Guidelines. The property owner reported the carport has been on the property since the late 1980s (before the area was a designated historic district). Regardless, the existing carport is located on the rear of the house and the new carport is proposed to be located in the same location. The lot is wooded, with lots of vegetation and the open nature of the carport helps it blend unobtrusively into the setting.

2) *Chapter 7.B recommends:*

- a) *“Design new garages and carports to be compatible with the materials, colors and scale of the existing house.”*
- b) *“Place new detached garages or carports to the rear of the house, separated from the house by a substantial setback.”*
- c) *“On early 20th century houses, use attached carports placed on the side or rear of a house, in a location where the construction does not damage or obscure important architectural features.”*

The new carport will match the existing in color and material, however the roof will be changed to a gable roof (currently a sloped flat roof), which will be more compatible with the gable roof on the historic house.

Rules of Procedure, Section 302, Demolition and Relocation of Structures in Historic Districts; Classification of Structure

- 1) *Section 302 states, “Before acting on an application for demolition or relocation, the Commission shall determine whether the structure is a Structure of Unusual Importance. Structures of Unusual Importance are structures deemed by the Commission to be of unusual importance to the Nation, State or County, whose loss would cause great damage to the character and integrity of the historic district. Determination that a structure is a Structure of Unusual Importance shall be based*

on criteria in its adopted guidelines, the testimony of expert witnesses or other documentary evidence presented to the Commission.

The carport structure appears to be a modern structure and does not have any distinguishing historic characteristics.

Rules of Procedure, Section 304, Demolition and Relocation of Structures in Historic Districts; Demolition of Other Structures

- 1) *Section 304 of the Commission's Rules of Procedures state, "If the Commission determines that the structure is not a Structure of Unusual Importance, it shall vote to approve or deny the application based on the standards set forth in §16.607 of the Howard County Code and its adopted Guidelines.*

Sec. 16.607. - Standards for Review.

(a) Elements for Consideration. In reviewing an application for a certificate of approval, the Commission shall give consideration to:

- (1) The historic, architectural, or archeological value or significance of the structure and its relationship to 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.*
- (4) Whether the requested action is necessary to protect against threats to public safety.*
- (5) Any other factors, including aesthetic factors, which the Commission deems to be pertinent.*

The removal of the carport will not affect the overall integrity of the historic house.

The construction of the new carport will be more architecturally compatible than the existing.

D. Staff Recommendation

Staff recommends the HPC determine the carport structure is not of Unusual Importance and approve the application as submitted.

E. Testimony

Mr. Reich wanted to discuss the application. Mr. Shad swore in Ms. Larkin. Mr. Reich said the drawings were not very detailed. Ms. Larkin explained it is a very simple

structure and will just consists of the 7 wood posts, with a gable shingle roof. She said she will paint the posts cream white to match the trim on the house. Mr. Reich asked a few questions to clarify the application, such as the location of the carport behind the house. Ms. Larkin said the building will be behind the house and will be difficult to see when driving down the road. Mr. Reich asked if the other Commission members had comments. Ms. Flynn Giles questioned whether or not they needed to make a determination of Unusual Importance. Ms. Holmes explained that because this was on consent, they could use the suggested motion to make that determination.

F. Motion

Mr. Reich moved to approve the application in accordance with the Staff recommendation and determine that it is not a Structure of Unusual Importance and approve the new structure as submitted. Ms. Flynn Giles seconded the motion. 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 Lawyer's Hill Historic District Design Guidelines. Chapter 7 sets forth the relevant recommendations of New Construction: Additions, Porches, Garages and Outbuildings 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 the historic significance of Lawyer's Hill. 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 demolish the existing carport and construct a new one. The existing carport appears to be a modern structure and does not have any distinguishing historic characteristics. As such, it is not a Structure of Unusual Importance. In continuing to review the proposal following the determination that the carport is not a Structure of Unusual Importance, the standards set forth in Howard County Code §16-607 are applicable. The carport has does not have any historic value or significance. Further, the new carport, as proposed, will be more architecturally compatible with the existing historic house than the carport proposed to be demolished. The demolition of the carport will not

affect the overall integrity of the historic house. Demolition is in accord with the Guidelines.

The new proposed carport is a simple wooden post structure with a flat roof. The Applicant proposes to reconstruct a new carport with a gable roof, to be 16 feet by 19 feet. The roof will be shingled with gray 3-tab GAF shingles. All lumber will consist of pressure treated pine, which will be painted the same cream color as the house trim. The gutters will be white, K-style, to match those on the house. The gutters will be located on the two 16-foot sides of the carport, with one downspout on each side. As stated above, the new carport is more architecturally compatible with the historic house, than the one to be demolished. The new carport will match the existing carport in color and material, however the roof will be changed to a gable roof which is compatible with the gable roof on the historic house. On the record, the Applicant clarified that carport will be behind the house and will be difficult to see when driving down the road. Further, the lot is wooded, with lots of vegetation and the open nature of the carport helps it blend unobtrusively into the setting. The new carport can be appropriately added to the historic home and is in compliance with the Guidelines.

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 Lawyer's 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 3 day of March, 2022, **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

Allan Shad, Chair

Erica Zoren

Erica Zoren, Vice-Chair

Bruno Reich

Bruno Reich

Julianne Danna

Julianne Danna

Ellen Flynn Giles

Ellen Flynn Giles

Absent

Dustin Thacker

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

Kristen K. Haskins

Kristen K. Haskins
Senior Assistant County Solicitor

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

IN THE MATTER OF
THE APPLICATION OF
KATHY FEENEY

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
TO MAKE EXTERIOR ALTERATIONS
AT 3783 OLD COLUMBIA PIKE
ELLICOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 22-03

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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 February 3, 2022 to hear and consider the application of Kathy Feeny (“Applicant”), for a Certificate of Approval to make exterior alterations at 3783 Old Columbia Pike, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Allan Shad, Erica Zoren, Bruno Reich, Julianne Danna and Ellen Flynn Giles. Dustin Thacker was absent. 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 February 2, 2022 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 and Marcy Feeney 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

The property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1930.

B. Proposed Improvements

The Applicant seeks retroactive approval for the construction of a multi-level, rear retaining wall. The application states that the previously existing retaining wall "had collapsed against the back of the house. It was made from cinder block and was being reinforced by wood wedged between the foundation of the house and the center lock."

The new wall was constructed using EP Henry Diamond Pro Block in a multi-color gray. The wall consists of two tiers, each is 42 feet long by three feet high. There is a third wall tier, no dimensions were provided, but it is not as long as the first two tiers. The wall is visible from Old Columbia Pike.

C. Staff Report

Chapter 9.A: Landscape and Site Elements; Topography and Water Courses

- 1) *Chapter 9.A recommends, "Minimize grading by siting new structures and other improvements to make use of the land's natural contours. When necessary, use appropriately designed retaining walls or building walls to create the minimum level area needed for a new use in accordance with historic development patterns."*

The pictures provided showing the before condition are hard to distinguish the configuration of the previously existing wall and topography prior to grading for the new tiered retaining walls.

Chapter 9.D: Landscape and Site Elements; Walls, Fence, Terraces, Walkways and Driveways

- 2) *Chapter 9.D states, "Retaining walls of granite, brick or timber may be appropriate, depending on the context. Concrete walls can be used in locations with very little visibility. New granite walls are expensive, but retaining walls faced with granite or with a surface treatment that resembles Ellicott City's typical stonework can be appropriate in visible locations."*
- 3) *Chapter 9.D 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 retaining wall is not stone, but a concrete product designed to look like stone, in a color consistent with Ellicott City granite.

D. Staff Recommendation

Staff recommends the HPC determine if the retaining wall complies with the Guidelines and approve, deny or modify accordingly.

E. Testimony

Mr. Shad asked why the wall was coming before the Commission for retroactive approval. Ms. Kathy Feeney said the wall was collapsing and they could not work on the house with the wall in such poor condition. She said they were able to find someone who was able to do the work but had a limited timeframe. Mr. Shad reminded them not to have any other work done without approval first.

Mr. Reich said most of the retaining wall is behind the house, but some can be seen from Old Columbia Pike. He said the product used has the texture and color that is fairly compatible with the rest of Ellicott City. He said it was done in steps, which breaks down the scale and is not obstructive.

Ms. Danna said it was ok but hoped they would do plantings to blend it in more as it appeared very stark right now. She said it is visible from Lot D in the winter. She said ideally it would have been a natural stone, but at least fits in with the native granite.

Ms. Zoren agreed with the previous comments.

Ms. Flynn Giles said it is consistent with the Guidelines, which call for concrete that looks like granite.

F. Motion

Mr. Reich moved to retroactively approve the retaining walls as constructed. Ms. Danna 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 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 seeks retroactive approval for the construction of a multi-level, rear retaining wall. The application states that the previously existing retaining wall "had collapsed against the back of the house. It was made from cinder block and was being reinforced by wood wedged between the foundation of the house and the center lock."

The new wall was constructed using EP Henry Diamond Pro Block in a multi-color gray. The wall consists of two tiers, each is 42 feet long by three feet high. There is a third wall tier, no dimensions were provided, but it is not as long as the first two tiers. The wall is visible from Old Columbia Pike.

The new wall, while not stone, is a concrete product designed to look like stone. The wall is a color and texture compatible with the Ellicott City granite. In addition to the materials, the scale is compatible as it was done in tiers. A portion of the wall is located behind the house. As such, the wall is not obstructive. The new wall is in accord with the Guidelines.

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 3 day of March, 2022, **ORDERED**, that the Applicant's request for a Certificate of Approval to make exterior alterations at the Subject Property, is **APPROVED**.

**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**

Allan Shad ^{BB}
Allan Shad, Chair

Erica Zoren
Erica Zoren, Vice-Chair

Bruno Reich ^{BB}
Bruno Reich

Julianne Danna ^{BB}
Julianne Danna

Ellen Flynn Giles ^{BB}
Ellen Flynn Giles

Absent
Dustin Thacker

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

Kristen K. Haskins
Kristen K. Haskins
Senior Assistant County Solicitor

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IN THE MATTER OF
THE APPLICATION OF
KATHY FEENEY

* BEFORE THE
* HOWARD COUNTY

FOR A CERTIFICATE OF APPROVAL
TO MAKE EXTERIOR ALTERATIONS
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ELLICOTT CITY, MARYLAND

* HISTORIC PRESERVATION
* COMMISSION
* Case No. 22-04a

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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 February 3, 2022 to hear and consider the application of Kathy Feeney (“Applicant”), for a Certificate of Approval to make exterior alterations at 3783 Old Columbia Pike, Ellicott City, Maryland (the “Subject Property”). The Commission members present were Allan Shad, Erica Zoren, Bruno Reich, Julianne Danna and Ellen Flynn Giles. Dustin Thacker was absent. 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 February 2, 2022 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 and Marcy Feeney 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

The property is located in the Ellicott City Historic District. According to SDAT, the building on the property dates to 1930.

B. Proposed Improvements

The Applicant seeks approval to make alterations to the exterior of the building and site. The proposed work involves the following:

- 1) Intentionally omitted. Please see HPC-22-03
- 2) Front porch
- 3) New Side deck
- 4) Walkway
- 5) Wood siding paint color
- 6) Gutters

2) Front Porch

2.A - Porch flooring – The application states the existing front porch is 8 feet deep and is built over the finished part of the lower garage level. The application explains, “The porch flooring was installed on top of the floor joist at a slight angle for water to run off. Unfortunately, over the years the water did not run off and water has consistently come into the finished space below. If we attempted to frame the floor with an adequate slope and with water proofing below the floor boards it would cause the porch floor to be approximately 5 inches above the interior floor, leaving a step that would be a hazard. As a solution we would like to install a ¾-inch subfloor and apply a one-piece vinyl finished product that would seal any water from penetrating the finished space below.” The proposed color of the vinyl is supreme graphite, a multi-color gray to emulate the roof. The existing flooring appears to be painted, pressure treated wood and is not a historic tongue and groove.

2.B - Railings – The porch railings would be wood pine, painted white to match the trim of the house. A spec sheet was not provided showing what the railings would look like, but the Applicant stated via email that the railings and balusters will match the existing material but will be raised to 36” to be compliant with Code.

2.C - Steps – The Applicant proposes to construct new porch steps with Trex decking in the color Toasted Sand, a brown color, with wood pine railings. the photos submitted show a previously existing black metal staircase, which was removed.

3) New Side Deck (referred to in the application as a new side porch) – The application states, “Currently, there is broken concrete which is about 3-4 inches deep on a path to the side door, and no walkway to the main entrance to the house. We would like

to cover the concrete with a composite product with pine wood railings.” The Applicant stated via email that the railings will only be along the side and there will be one step down to the retaining wall steps. The posts and rails will be pine wood, painted white to match the style of the front porch railings and will be 36” high with 1-1/2” wood pickets. The deck will be 16” off the ground. The fascia will be composite and painted white.

4) Walkway – Install a paver walkway leading to the front porch and proposed side deck. The pavers would be 18”x18” concrete gray variegated Nantucket Pavers, in the style Traditional Yorkstone. The area currently is turf/soil.

5) Wood siding paint color – The Applicant proposes to paint all wood siding Benjamin Moore 0152, an off-white. The siding is currently tan.

6) Gutters – The gutters on the house are currently K-style. The Applicant proposes to replace the gutters with half round gutters, and round downspouts, which is a more historically appropriate style. The existing gutters are white, and the Applicant proposes to install black gutters and downspouts. The application states, “The window frames are black and we would like to have the gutters and downspouts black to match. We accepted your requirement to make the garage doors white, as opposed to our preferred wood look. It would be difficult to match three whites (the garage, the house and the gutters). Therefore, we would like the gutters and downspouts to be black, to contrast with the white painted wood siding and white garage doors. The black gutters and downspouts will give definition to the front and side of the elevations visible from the street.”

C. Staff Report

Front Porch

Chapter 6.F: Rehabilitation and Maintenance of Existing Buildings; Porches and Balconies

- 1) Chapter 6.F states, "Porches are important to a building's sense of scale. Removing, enclosing or altering a porch can dramatically alter the appearance of a building."
- 2) Chapter 6.F recommends:
 - a. "Maintain and repair porches and balconies, including flooring, ceilings, railings, columns, ornamentation and roofing, that are original or that reflect the building's historic development."
 - b. "Replace deteriorated features with new materials as similar as possible to the original in material, design and finish."
- 3) Chapter 6.F recommends against, "Adding or replacing porch features using materials not appropriate to the building's style. Materials generally not appropriate for historic porch replacements include unpainted pressure-treated wood, poured concrete and metal (other than the cast iron porches described above). Examples of inappropriate alterations include replacing painted, tongue-and-groove flooring with pressure-treated decking or poured concrete, or replacing wood steps with concrete or brick."

The current porch flooring appears to be painted pressure treated wood and not historic tongue and groove. The proposed vinyl sheathing is not a historic building material.

Historic porches and steps are typically constructed of the same material and design. The Trex decking, which is proposed for the steps, is a modern material and would be a different material, color and design from the existing historic porch with replacement pressure treated flooring, a historic tongue and groove wooden porch and the proposed vinyl porch replacement flooring. The Commission needs to determine whether the proposed vinyl and composite materials are appropriate and comply with the Guidelines.

New Side Deck

Chapter 7.B: New Construction: Additions, Porches and Outbuildings; Construction of Porches and Decks

- 1) Chapter 7.B states:
 - a. "Porches and decks added to historic buildings should be simple in design and not alter or hide the basic form of the building."
 - b. "Proposals to add decks (without walls or roofs) of unpainted, pressure treated wood to the rear of historic buildings are not uncommon. Although these additions are obviously modern, they usually obscure little of the building facade and require little change to historic building features. Decks should not be added to a historic building's primary facade or a facade highly visible from a public way. They should be substantial in appearance, having more of the character of a porch (avoid decks that

appear to stand on "toothpicks"), and should be related in detail as much as possible to the style and character of the building."

- 2) *Chapter 7.B recommends, Design new porches and decks to be simple, compatible in design with the existing building, and in scale with the existing building in size and roof height."*

The proposed side deck will be visible from Old Columbia Pike. The overall design compatibility against the architecture of the house needs to be determined. The application did not contain enough information to gain a full understanding of the deck construction and how it will affect the appearance of the house. Patios are most common on the sides of historic buildings, are built at grade and can better be integrated into the landscape.

- 3) *Chapter 7.B recommends:*

- c. *"On historic buildings, construct porches of painted wood rather than poured concrete, metal, or unpainted wood. Use stained or unpainted wood only for less visible features of a new porch, such as the decking and step treads, or for simple decks (with railings but no walls or roofs) on the rear of the building in a location not facing or highly visible from a public way."*
- d. *"Use materials compatible with the existing building for the exposed masonry foundation or piers of a new porch. Poured concrete or concrete block foundations or piers should be given a surface treatment compatible with historic building materials."*

The proposal to use Trex decking generally complies with the Guidelines. The Guidelines state that unpainted wood may be used for the less visible features of a new deck. While the Trex is not wood and is a plastic product, the flooring will not be a highly visible feature and it is being proposed for a new, non-historic feature. The highly visible items, such as the railings, are proposed to be painted wood.

Walkway

Chapter 9.D: Landscape and Site Elements; Walls, Fence, Terraces, Walkways and Driveways

- 1) *Chapter 9.D recommends:*

- a. *"Construct new site features using materials compatible with the setting and with nearby historic structures, particularly for features visible from a public way."*
- b. *"Construct new terraces or patios visible from a public way from brick, stone or concrete pavers designed to look like indigenous stone."*

The proposed concrete pavers resemble stone in their size, color and texture and comply with the Guideline recommendations to look like indigenous stone. The pavers are also compatible with the new retaining wall (HPC-22-03), the existing stone retaining wall and as a result, comply with the recommendations to be compatible with the setting and nearby historic structures.

Wood Siding Paint Color

Chapter 6.N: Rehabilitation and Maintenance of Existing Buildings; Colors and Painting

- 1) *Chapter 6.N recommends, "use colors that are generally compatible with (and do not clash with) the colors used in the district, particularly on neighboring buildings...In general, use calm or subdued colors, reserving bright colors for small important details, such as doors or trim."*

The proposed off-white is a calm color and is not overly bright. The color complies with the Guideline recommendations.

Gutters

Chapter 6.E: Rehabilitation and Maintenance of Existing Buildings; Roofs, Dormers and Gutters

- 4) *Chapter 6.E recommends, "Use gutters and downspouts of painted metal or prefinished aluminum in a color consistent with the building's exterior walls or trim. Locate downspouts along natural vertical lines and corners of the building."*

In a previous case, the Commission approved the use of dark brown gutters (HPC-17-21) on a cottage house, which was to be painted white to match the principal historic house on the property (which was also white with dark brown gutters). Similar to the current request, the Applicant found the dark brown gutters better complimented the white color of the cottage house. The current Applicant would like the gutters and downspouts to be painted black which would match the window frames and create a contrast with the white painted wood siding and garage doors. The location of the gutters and specifically downspouts, is not referenced and should be clarified. The Guidelines recommend to

“locate downspouts along natural vertical lines and corners of the building.” The location of some existing downspouts can be seen in Figure 28. The Commission should determine if the proposal complies with the intent of the Guidelines. The change to half round gutters and round downspouts is more historically appropriate than the current K-style.

D. Staff Recommendation

Staff recommends the HPC:

- 2) Determine if the proposed alterations to the front porch, steps and handrail complies with the Guidelines and approve, deny or modify accordingly.
- 3) Determine if the proposed side deck complies with the Guidelines and approve, deny or modify accordingly.
- 4) Approve the proposed paver walkway.
- 5) Approve the proposed paint color for the wood siding.
- 6) Approve the proposed black half-round gutters and round downspouts, contingent upon clarification of the location of gutters and downspouts.

E. Testimony

Mr. Shad asked if they had any comments on the rest of the application. Ms. Marcy Feeney said the porch flooring also needs to be thought of as a roof because it is the roof to the finished garage area below, which is why they choose to go with a vinyl with a gray look to emulate the roof shingles, because it is a roof. Mr. Reich asked how that would work, if they are relying on the decking to shed the water. Ms. Marcy Feeney said there will be plywood below sloped and the vinyl surface can be walked on and will provide a waterproof seal to the space below. Mr. Reich asked where the Trex was going. Ms. Feeney said the Trex was to be used for the steps and side deck. Ms. Kathy Feeney said they cannot

put in the waterproofing material and then a tongue and groove floor as it would raise the porch level above the first floor of the building.

Mr. Reich asked if the rain will just run onto the siding above the garage door. Ms. Marcy Feeney said that was a good question and she hoped not. She said if need be, they could install a gutter in that area. Mr. Reich thought that was a good solution and hoped it would hold up. Ms. Marcy Feeney said she has used this approach and it has worked before.

Mr. Reich thought the pavers were a good solution. He said the wood siding paint color was appropriate, as were the gutters being changed to half round, and the black color for the gutters will be fine with the black windows.

Ms. Flynn Giles agreed with Mr. Reich and said the application was consistent with the Guidelines. She said the proposed gutter color was consistent with colors already approved. She thought the vinyl membrane was a good solution for the porch.

Ms. Zoren was not inclined to agree about the vinyl porch flooring and recommended looking into a hybrid method to waterproof and seal the space below, but still do a tongue and groove flooring. She said the membrane is 5 mm, and it could be laid under the flooring. Ms. Marcy Feeney said the porch floor is painted gray, so the gray vinyl should not look much different. Ms. Zoren said that material is not appropriate and they have not approved it before front facing a public road.

Regarding the side deck, Ms. Zoren said she did not have enough information to approve a new side deck. She stated she was unclear where it was, how visible it would be, where railings were to be located and what elevation it would be at. She said it would be very visible from Old Columbia Pike. She recommended removing the side deck for approval due to the lack of information.

Ms. Zoren said the walkway and paint were fine. She said the gutter solution made sense as well.

Mr. Shad did not have anything to add to what had already been discussed. He said the vinyl material was a good solution and the railings were fine. He said the off-white color for the wood siding was fine with black half round gutters. He asked for more information on the side deck, as Ms. Zoren raised good points.

Ms. Marcy Feeney said there is an elevation of the side of the house which shows where the deck will be located in relation to the house and the steps that will lead to the front porch. Ms. Kathy Feeney said there was a cement side patio there and they were trying to cover that and give ability to exit house from the side. Mr. Shad said it is a 10'x 10' deck outside that door. Ms. Kathy Feeney said it was a simple design to match front porch.

Ms. Danna did not find the vinyl appropriate and wanted to see something that blends more. She said it was technically a roof, but it was also a porch and floor and she would prefer a wood textured color. She said the Trex porch steps did not comply with the Guidelines, Chapter 7.B, which says that wood would be an appropriate option. Regarding the side porch and walkway, Ms. Danna asked if pavers could be used in place of the deck, since they were going to be used to access the deck. She said that blending in the pavers and going up to the retaining wall would be a better look.

Ms. Holmes asked for clarification on the location of the downspouts and gutters. Ms. Marcy Feeney said there was a downspout that comes at an angle and thought the downspout would not be as visible when steps are added back. Ms. Danna asked if the

downspout could be moved to the backside of the bay. Ms. Marcy Feeney said there was a stairwell behind the bay so she was not sure that would work.

Mr. Reich asked for clarification on the front porch stair and the use of Trex steps. He said the Trex would not comply with the Guidelines. Ms. Kathy Feeney asked if it would comply if the deck and stairs were pressure treated wood. Mr. Reich said they could use a pressure treated wood and it could be stained, but not plain pressure treated wood. He said it would need to look historic and they should use a durable wood. He asked why they were building a deck instead of continuing the concrete and adding pavers there. Ms. Kathy Feeney said their contractor said that would be difficult to continue the concrete for a patio. Ms. Danna said they will be digging to install the deck.

Mr. Shad asked if anyone had any other questions for the Applicant before they began deliberation. Ms. Haskins clarified for the Commission that nothing had been amended. Ms. Marcy Feeney said they would be willing to amend everything that was Trex to a pressure treated wood.

Mr. Reich said decks are typically in the rear. Ms. Zoren recalled a case where someone applied for a side deck and the Commission did not approve it and the Applicant went with pavers. The Commission said the side deck was not compatible in this previous case. Mr. Reich said the Commission does not want to see an exposed pressure treated wood that you would see on the back of a modern house and that a deck would need to be painted or a wood designed for exterior exposure, a hardwood designed for exposure.

Ms. Danna was not inclined to approve a 10x10 side deck due to the size and visibility and would prefer to see a patio to blend with the pavers proposed and the rear retaining wall. She said the Guidelines recommend that decks should not be added to a

primary façade or a façade highly visible from a public way. Mr. Reich agreed that a patio would be preferable. Mr. Reich wanted to know what the owner was willing to do before the Commission deliberated. Ms. Feeney said they are willing to consider wood for the side deck. Ms. Danna referenced the Guidelines stating a deck should not be added to a historic building's primary façade or a façade highly visible from a public way.

Ms. Haskins asked the Applicant to summarize the amendments. Ms. Kathy Feeney said they are amending that they will use wood as opposed to Trex for the porch steps and the deck. Ms. Marcy Feeney said it will either be a pressure treated, Ipe or Brazilian Cherry, that will hold up to the elements.

Mr. Shad asked whether the front porch framing, stringers, joists, etc. was pressure treated. Ms. Marcy Feeney said they are proposing for that to be pressure treated, painted white to match the house.

Mr. Reich said they are lacking a detailed drawing of the steps. Mr. Reich said the front steps would be framed out of treated lumber and then trimmed out with painted wood trim boards, similar to the gables of a house. Mr. Reich said they don't have any detail because there were not drawings provided showing what the construction will look like.

Mr. Shad said they did not enough information on front porch steps and side deck and what it will actually look like, given the visibility. Ms. Zoren said they did not have enough information for the side deck and the guidelines say not to add a visible side deck. She said they need to see the drawings to be able to approve it.

Mr. Shad said the paver walkway is fine, but they do not have any information regarding the size of the walkway. Ms. Danna agreed that she did not understand where the walkway was going. Ms. Feeney said it would be a two-foot walkway up to the deck.

Ms. Feeney said the walkway might have steps, but they have not gotten to that level of detail yet.

Mr. Shad said they needed a plan showing this information and detail. Ms. Danna said the plan in the packet is not detailed and she would like to see a detailed site plan. Mr. Reich asked if the Applicant was willing to come back with more detail on the side deck.

The Commission deliberated on the application and determined which items they would continue to the next meeting. They discussed that in this specific scenario and location, the vinyl porch floor would be ok because of its lack of visibility from the street, height above street level. Mr. Reich said that to use wood flooring would require cutting down the front door, and modifying the framing to the porch and garage.

F. Motion

Mr. Reich moved to approve Items 2.A. (porch flooring), 2.B. (porch railings), 5 (wood siding paint color), and 6 (gutters and downspouts) as shown in the agenda and per the application. Ms. Flynn Giles seconded. The motion was unanimously approved.

Mr. Reich moved to continue numbers 2.C. (porch steps), 3 (side deck) and 4 (walkway) to the March agenda (to be referred to as HPC-22-04b). Ms. Flynn Giles 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 in the Historic District, as detailed in the Findings of Fact, part C. Chapter 7 sets forth the relevant recommendations for New Construction: Additions, Porches and Outbuildings in the Historic District, as detailed in the Findings of Fact, part C. Chapter 9 sets forth the relevant recommendations for Landscape and Site Elements 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 for modifications to the front porch flooring and railing, wood siding paint color and replacement of gutters and downspouts 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.

With respect to the front porch, the Applicant proposed to replace the current porch flooring, which does not appear to be historic tongue and groove, with vinyl sheathing. Vinyl is not a historic building material. However, the material was selected to waterproof and seal the space below, as the porch is located above the garage. The Applicant proposes that the color of the porch floor be a multi-color gray to be compatible with the color and design of the house. Additionally, since the porch is located above street level, on top of the garage, it lacks visibility. As such, the flooring is in accord with the Guidelines as its use will provide protection and waterproofing to an interior space in the house.

The Applicant also proposes to replace the railings on the front porch. The proposed railings are wood pine, painted white to match the trim of the house. The railings and balusters will match those existing on the structure except that they will be raised to be compliant with code. As these replacements are similar to the original in material, design and finish, the proposal complies with the Guidelines.

With respect to the proposal to paint the wood siding, the Applicant proposes to paint all of the wood siding an off white color, specifically Benjamin Moore 0152. While this is a different color than the one currently existing, a tan color, the color is a calm color. It is not overly bright. The proposed color complies with the Guidelines.

The Applicant also proposes to replace the existing k-style, white gutters and downspouts. Specifically, the Applicant proposes to replace the existing with a more historically appropriate style, half round gutters and round downspouts. The color will be black. The black was chosen, in part, to match the window frames which were previously

approved to be black. As such, the black color is consistent with the color already approved for use on the building's trim as recommended by the Guidelines. The location of the gutters and downspouts is generally compliant with the Guidelines as they are located along natural lines and corners. However, there is one that is currently installed at an angle and will be replaced similarly. With that said, that downspout will not be overly visible when the steps are re-installed. Therefore, the replacement of the gutter and downspouts as proposed is compliant with the Guidelines.

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 3 day of March, 2022, **ORDERED**, that the Applicant's request for a Certificate of Approval to make exterior alterations at the Subject Property, is **APPROVED, as amended and detailed herein.**

**HOWARD COUNTY HISTORIC
PRESERVATION COMMISSION**

Allan Shad ^{BB}

Allan Shad, Chair

Erica Zoren

Erica Zoren, Vice-Chair

Bruno Reich ^{BB}

Bruno Reich

Julianne Danna ^{BB}

Julianne Danna

Ellen Flynn Giles ^{BB}

Ellen Flynn Giles

Absent

Dustin Thacker

APPROVED for Form and Legal Sufficiency:

HOWARD COUNTY OFFICE OF LAW

Kristen K. Haskins

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.