Minutes
Baltimore County Landmarks Preservation Commission
February 14, 2019 Meeting

Call to order; introduction of Commission members; pledge of allegiance to the Flag; statement of purpose and operating procedures

Mr. Rob Brennan, Chairperson, opened the regular monthly meeting of the Baltimore County Landmarks Preservation Commission (LPC) at 6:04 p.m. The following Commission members were:

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<th>Present</th>
<th>Not Present</th>
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<tr>
<td>Ms. Carol Allen</td>
<td>Ms. Rose A. Benton</td>
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<td>Mr. Robert P. Brennan, Chair</td>
<td>Ms. Faith Nevins Hawks</td>
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<td>Mr. C. Bruce Boswell</td>
<td>Mr. Mitch Kellman</td>
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<td>Mr. Louis Diggs</td>
<td>Mr. Stephen P. Myer</td>
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<td>Mr. Ed Hord</td>
<td>Mr. Qutub U. K. Syed</td>
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<td>Ms. Nancy W. Horst, Vice-Chair</td>
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<td>Ms. Wendy McIver</td>
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<td>Mr. David S. Thaler</td>
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<td>Mr. Richard Yaffe</td>
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Attending County staff, Teri Rising (Preservation Services staff), Jeff Mayhew (Acting Director) and Jenifer Nugent (Chief of Development Review and Strategic Planning).

1. **Review of the Agenda**

Ms. Rising reported there were two changes to the Preliminary Agenda published February 7th, 2019.

2. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the January 10, 2019 Minutes. Hearing none, Mr. Brennan called for a motion to approve the Minutes as drafted. Mr. Thaler moved to approve the Minutes as drafted. Ms. McIver seconded the motion, which passed with affirmative votes being cast by Ms. Allen, Mr. Boswell, Mr. Brennan, Mr. Hord, Ms. Horst, Ms. McIver, Mr. Thaler and Mr. Yaffe. There were no dissenting votes.
3. **Consent Agenda**

Ms. Rising read the Action Recommendations for Consent Agenda Items 4, 6, 8 and 9.

Mr. Brennan called for a motion. Mr. Thaler moved to approve the Consent Agenda items as presented. Ms. Allen seconded the motion, which passed with affirmative votes being cast by Ms. Allen, Mr. Boswell, Mr. Brennan, Mr. Hord, Ms. Horst, Ms. McIver, Mr. Thaler and Mr. Yaffe. There were no dissenting votes.

**Items for Discussion and Vote**

**4. “Glyndon Park Cottage”, 6 Fiske Avenue, Glyndon, Contributing structure in the Glyndon County Historic District; MIHP # BA-0714; Add/replace porch handrails & add wood balusters [County Council District # 2]**

Approved via the Consent Agenda to issue a Certificate of Appropriateness – the new railing posts should resemble the existing in profile and use the same type of gothic style cap.

*(Citing Baltimore County Historic Design Guidelines: Porches & Steps, p. 4; National Park Service, Technical Preservation Services, Preservation Brief # 45 - Preserving Historic Wood Porches) County Code, Sec 32-7-403*

**5. O’Neill property, 713 Cliveden Road, Sudbrook Park; Contributing structure in the Sudbrook Park County Historic District; Ex post facto garage demolition due to destruction from fallen tree (Code Enforcement Correction Notice # CB1900044); Construct replacement garage [County Council District # 2]**

Ms. Rising gave an overview of the proposal and explained the new garage’s construction was to replace an existing one that was razed last summer due to storm damage. Since the work was performed without a demolition permit, staff made a request to Code Enforcement for an inspector visit the site. Correction Notice # CB1900044 was issued by Code Enforcement on January 30th, 2019 which directed the property owner to seek an ex-post facto demolition permit for the garage. Ms. Rising noted that the Sudbrook Park community had expressed concerns about the condition of the garage in January of 2006, however, the resulting Code Enforcement action was closed prior to 2012, presumably due to compliance as no other details were in the record. She added that another Code Enforcement Correction Notice involving the condition of the house’s porch was issued in 2012, but was closed after review by the Commission on September 13, 2012. At that time no condition issues involving the garage were noted by staff or the Code Enforcement officials involved in the other complaint. Ms. Rising provided details on the proposed new garage, which were submitted by the owner’s representative. She summarized the specifics, including the location, which was to be in the rear yard, utilizing the same basic footprint as the original, and the materials, which she confirmed to be architecturally compatible with the Historic District as per the Baltimore County Historic Design Guidelines. Ms. Rising suggested the garage was constructed after the main home as it was not depicted on the 1915 Atlas of Baltimore County.
Mr. Diggs joined the meeting at 6:12 PM.

She explained that Sudbrook Park had not been included in the 1929 Sanborn Fire Insurance Map of Pikesville, but the garage was visible in the later 1959 edition that included the community. It was depicted as a frame, single story, building. Ms. Rising pointed out the differences between the original garage and the current proposal, noting the use of wood shingles on the original versus a horizontal cementitious siding on the new garage. She added that both types of façade materials can be found on garages in Sudbrook Park. Ms. Rising offered the owners’ explanation to Code Enforcement on their need for a functioning garage, which was to house several vehicles and debris currently occupying space in the yard.

Mr. Brennan noted that no one had signed up to speak on this item. Ms. Rising responded that she had spoken to the owner’s representative prior to the meeting who had communicated his intention to attend.

Mr. Brennan recognized Mr. Ike Okoye in the audience and invited him to come forward. Mr. Okoye introduced himself as the applicant and designer of the project, and confirmed he was not the owner of the property, but speaking on the project’s behalf.

Mr. Boswell observed the proposed garage design was different than the original as illustrated in the historic photograph that was provided to the Commission members in their packet. He noted a specific conflict in the continuous horizontal siding as depicted in the elevation drawing, observing the details specified 12 by 24 inch composition shingles, and requested clarification. Ms. Rising responded that the applicant had not intended to rebuild the garage as previously existed. Mr. Okoye explained that he was not familiar with the specific materials used on the original garage and thought the shingles might have been asbestos. Mr. Boswell suggested it was cedar shingles based on the original garage photograph and acknowledged both Ms. Rising and Mr. Okoye’s clarification that the new garage was not meant to be an in-kind replacement. Mr. Boswell questioned the elevation drawing labeled A5 in the materials package, which visually depicted continuous siding, and asked why the detailed description specified 12 by 24 inch composition shingles. Mr. Brennan clarified that Mr. Boswell was specifically questioning the details of the shingle siding which were inconsistent with the visual depiction in the drawing. Mr. Okoye confirmed the use of board siding and indicated the 12 by 24 inch description was not accurate and probably an option. He added the visual style on the drawing was accurate and the siding was a particle board made to look like wood, but was cementitious. Mr. Brennan and Mr. Hord pointed out the differences between fiber cement board and particle board, Mr. Hord noted the poor quality of particle board which he did not think would be acceptable. Mr. Boswell asked Mr. Okoye to be specific as he agreed with Mr. Hord. Mr. Okoye offered to label the siding as Hardiplank. Ms. Rising explained the Commission was looking for clarification so whatever was written on the drawing would be the precise type and size of the materials used. In response, Mr. Okoye agreed to use what was specified on the drawings if that was acceptable. Mr. Hord suggested it was more appropriate to use a shingle siding and added that Hardiplank made products that look like wood shingles and could easily be installed.
Mr. Boswell commented that based on the pictures, he did not believe a tree destroyed the garage. He added that he thought it fell because of demolition by neglect. He acknowledged it was unrelated to the applicant’s proposal to build a new garage, but added that the owners were responsible for maintaining the garage in the first place. Because it was really demolition by neglect, he questioned whether or not the owners should have the latitude to build whatever they want with new materials instead of the cedar shingles that were typical of that neighborhood. He expressed concern about letting someone neglect their property until it fell down so they could build something with modern materials. He suggested that in lieu of fines against the owner, which he thought were rarely done, perhaps the Commission could be more true to the original materials.

Ms. Rising clarified that demolition by neglect was part of the County Code and consequently the Commission could recommend to Code Enforcement that a demolition by neglect situation exists. Mr. Hord remarked that demolition by neglect might have existed in 2006. In response, Ms. Rising provided details of her follow up discussion with Code Enforcement about the complaint and explained they had no record of when the complaint was closed and why. She advised that both Code Enforcement and staff visited the site at the time of the 2012 Code Enforcement complaint involving the porch, and neither raised the issue of the garage’s condition or brought it forward. Ms. Rising agreed with Mr. Boswell’s assessment of the situation based on the photographs, but suggested it would be difficult to pursue demolition by neglect because in 2006 the matter was closed and nothing amiss was observed in 2012. She added it was within the Commission’s purview to request action from Code Enforcement because of demolition by neglect, and consequently impose a set of requirements because of it, but reasoned it was a little ambiguous because nothing had been documented.

Mr. Boswell remarked that the pictures depicting the collapsed garage, which he believed were current, showed no tree. He suggested it fell down by neglect based on its appearance. Ms. Rising clarified the pictures were from August of 2018. Mr. Hord remarked that the garage looked like it had been rotting away. Mr. Okoye commented that a tree had fallen on the garage and Ms. Rising confirmed that the pictures under discussion were those submitted by the applicant. Mr. Hord added that the condition of the shingles suggested rotting wood underneath, Mr. Brennan agreed.

Mr. Okoye explained that he was hired to replace the garage because a tree fell on it. Mr. Boswell replied they were discussing an issue that occurred before his involvement.

Ms. Rising commented that it was during her initial review of the application she became aware of the earlier garage. She explained that an aerial photo of the house and garage led her to contact Code Enforcement with the request to visit the site in order to determine what happened because the only recent source of information about the site’s condition came from 2012. Ms. Rising added that aside from the buildings, the property owners had a history of complaints involving the yard. She remarked that if the Code Enforcement Inspector observes another violation, they will usually cite it as well and in fact did that with the current notice involving the garage as it also involved yard debris and untagged vehicles corrections. Ms.
Rising cautioned the Commission to consider the lack of a baseline condition for the original garage, which the Law Office advises is necessary before recommending demolition by neglect to Code Enforcement.

Mr. Thaler commented that the Commission would have to assume the 2012 inspection was a decent inspection. He added there was no reason to think otherwise due to the fact no record was made of the garage falling down. Mr. Thaler suggested that the Commission should focus on the replacement.

Given the background information provided by staff, along with the evidence presented, Mr. Boswell suggested the Commission should have a higher standard, especially since the property was a contributing structure in both a local and National Register Historic District. He expressed dissatisfaction with the proposed metal doors and fiber cement siding. Mr. Thaler disagreed and commented that it was a different issue. Mr. Boswell agreed but stated that the Commission could obviously see how the owner neglected the building until it fell down and added they should hold the new garage to a standard of a National Historic District and use appropriate materials like wood doors and cedar shingles.

Mr. Thaler explained that he saw the situation as two separate issues and had to assume because of the 2012 inspection it was not demolition by neglect. He stated the issue was whether or not the new garage should replicate the prior garage or be one that fits in. Mr. Thaler expressed disagreement with the argument that it should be held to a higher standard and recommended using the standard applied to a replacement garage in a Historic District. Ms. Rising indicated that the proposal and materials met the standard and had been approved for use in garage construction before. Mr. Thaler asked if these approvals were for projects in Sudbrook Park. Ms. Rising confirmed finding one comparable garage approval for cementitious siding in Sudbrook Park but added those doors were wood and not metal. She also explained that particular garage construction project required zoning relief.

Mr. Hord commented that he thought it was reasonable for the new garage to match the old in terms of materials and size. He added that using cedar shingles were not terribly expensive and having a two door opening rather than one large door opening to mimic the original design was appropriate for Sudbrook Park.

Mr. Yaffe asked the applicant for his opinion on the proposed recommendations. Mr. Okoye replied that he had a two door garage. Ms. Rising explained that the initial application proposed a single metal door but staff suggested it be revised so the large single door would look like double doors based on a similar garage project approved by the Commission with those modifications. Mr. Hord reiterated that is was reasonable for the new garage to look like the original.

Mr. Thaler asked Mr. Hord to summarize the proposed recommendations for the new garage. In response, he indicated the overall appearance of the garage as proposed could stay the same with a wall added to create two door openings, along with narrower trim and cedar shingles, he
confirmed it was a motion. Mr. Boswell seconded. Further discussion of the details did not result in an amendment to the seconded motion which passed with affirmative votes being cast by Ms. Allen, Mr. Boswell, Mr. Brennan, Mr. Diggs, Mr. Hord, Ms. Horst, Ms. McIver and Mr. Thaler. Mr. Yaffe voted nay.

(Citing Baltimore County Historic Design Guidelines: Additions & Infill, p. 4) County Code, Sec 32-7-403

**6. 218 West Seminary Avenue, Lutherville, Contributing structure in the Lutherville County Historic District; Installation of 3 wood storm doors [County Council District # 3]

Approved via the Consent Agenda to issue a Certificate of Appropriateness.

(Citing Baltimore County Historic Design Guidelines: Windows & Doors, p. 8) County Code, Sec 32-7-403

7. “Towson Police Station”, 308 Washington Avenue, Towson, Final Landmarks List # 83 MIHP # BA-1439; Replacement of three windows on northern elevation [County Council District # 5]

Ms. Rising gave an overview of the proposal and provided details relating to the Commission's actions involving this property at the January 10th, 2019 meeting. She explained that the Commission approved window replacements to the non-contributing 1953 addition of the building which were proposed as part of an adaptive reuse project to convert the former police station into apartments. Ms. Rising added that the initial request to resize and replace the 3 windows on the northern elevation of the 1938 addition because of safety code reasons was modified after consultation with code and fire officials, a reconfiguration of the interior spaces resulted which allowed the window openings to remain unchanged. She described the current request and clarified that it involved replacing the non-original wood windows with aluminum clad wood windows that matched the profile of the existing windows.

Mr. Brennan recognized Mr. Tim Wyatt, general contractor for the project. Ms. Rising confirmed the proposal retained the original window configuration and just involved their replacement using the same type of window proposed previously.

Mr. Boswell commented that the windows appeared to be in good condition from the street view and asked why they were being replaced since the openings were not being changed. Mr. Wyatt responded that 2 of the windows were translucent, or opaque, and 1 window was clear. He added that the interior reconfiguration of the layout resulted in the bedroom being moved to another location with the kitchen using the space instead and there was no need for a life safety window. Mr. Wyatt further explained they wanted all the windows to be clear. Mr. Boswell asked if they could be re-glazed instead of replaced. Mr. Wyatt replied that 1 of the windows was in a shower and wood was not durable.

Ms. Bowell asked for clarification on the proposed window material and remarked he thought they were to be clad windows. Mr. Wyatt confirmed the windows to be fiberglass. Ms. Rising
stated that the materials provided with the application suggested they were to be fiberglass clad windows.

Mr. Hord remarked that the materials showed a 4 over 4 window as existing and asked if the proposed windows were a single pane casement type window. Mr. Wyatt responded that the architect put the materials together and the window type depicted was not job specific. He further explained the proposed windows were to match the existing. Ms. Rising stated the window details of the amended application were specified on the elevation drawings.

Mr. Hord moved to issue a Certificate of Appropriateness for the replacement of the existing windows using the same size, configuration and mullion configuration, specifically a 4 over 4 double hung window. Mr. Diggs seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Boswell, Mr. Brennan, Mr. Diggs, Mr. Hord, Ms. Horst, Ms. McIver Mr. Thaler and Mr. Yaffe. There were no dissenting votes.

(Citing Baltimore County Historic Design Guidelines: Windows & Doors, p. 5) County Code, Sec 32-7-403

**8.** “John A. Barker House” (Carnes property), 505 Sudbrook Road; Contributing structure in the Sudbrook Park County Historic District; MIHP # BA-3023; Install wood picket and stockade fence in rear yard; Part II approval for refinishing floors [County Council District # 2]

Approved via the Consent Agenda to issue a Certificate of Appropriateness for the fence installation and to issue a Certificate of Appropriateness for the floor refinishing, the floors should be hand-sanded so as not to damage the delicate wood grains and be stained with a medium-brown finish to match the existing stain. The polyurethane must not be high gloss.

(Citing Baltimore County Historic Design Guidelines: Fences & Landscape, p. 4; Secretary of the Interior’s Standards # 45) County Code, Sec 32-7-403; 11-2-201

**9.** “Scott’s Tavern House, Stone Outbuilding, Log Outbuilding” & setting, 11806 Greenspring Avenue; Final Landmark # 324; MIHP # BA-2311; Part II approval for window frame repair/window replacement due to storm damage [County Council District # 2]

Approved via the Consent Agenda to issue a Certificate of Appropriateness.

(Citing Baltimore County Historic Design Guidelines: Windows & Doors, p. 2) County Code, Sec 32-7-403; 11-2-201

The following historic property tax credit applications were reported as approved by staff as either an emergency repair or due to the receipt of Part II approval for work reviewed by MHT:

Kysiak property, 406 Dunkirk Road, Rodgers Forge National Register Historic District, Replacement of both the fireplace and boiler chimney flue liner; repair/replace firebrick in firebox; installation of new damper/flu mechanism; exterior chimney repointing & porch step masonry repair [County Council District # 5]
“Rest-Melby House” (Martin property), 2103 Westchester Road, (Baltimore County Single Property Historic District), MIHP # BA-0877; emergency in-kind roof replacement and gutter installation [County Council District # 1]

Ms. Horst moved to adjourn the meeting. Mr. Thaler seconded the motion which passed with affirmative votes being cast by Ms. Allen, Mr. Boswell, Mr. Brennan, Mr. Diggs, Mr. Hord, Ms. Horst, Ms. McIver, Mr. Thaler and Mr. Yaffe. There were no dissenting votes.

The meeting adjourned at 6:44 p.m.

TDR:tdr