

**Minutes**  
**Baltimore County Landmarks Preservation Commission**  
**February 11, 2016 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 6:03 p.m. The following Commission members were:

Present

Mr. Robert P. Brennan, Chair  
Ms. Carol Allen  
Ms. Rose A. Benton  
Mr. Louis Diggs  
Ms. Faith Nevins Hawks  
Mr. Ed Hord  
Ms. Nancy W. Horst, Vice-Chair  
Mr. Stephen P. Myer  
Mr. Qutub U. K. Syed  
Mr. Richard Yaffe

Not Present

Mr. C. Bruce Boswell  
Mr. Mitch Kellman  
Mr. Christopher S. Norman  
Mr. David S. Thaler

Attending County staff, Teri Rising (Preservation Services staff), and Vicki Nevy (Secretary to the Commission).

1. **Review of the Agenda**

Ms. Rising noted the only change to the Preliminary Agenda published February 4, 2016 was the postponement of Item #6.

2. **Approval of the Minutes**

Mr. Brennan asked if anyone proposed changes to the January 14, 2016 Minutes.

Hearing none, Mr. Brennan called for a motion to approve the Minutes as drafted. Ms. Allen moved to approve the Minutes. Mr. Myer seconded the motion, which passed unanimously on a voice vote.

3. **Consent Agenda**

Ms. Rising read the Action Recommendation for Consent Agenda Item 7.

Mr. Brennan called for a motion. Mr. Diggs moved to approve the consent agenda items as presented. Mr. Syed seconded the motion, which passed unanimously on a voice vote.

**Public Hearing on Nomination to the Preliminary Landmarks List**

4. “Melrose Farm” (house, stone outbuilding and setting), 29 Ashland Road, Cockeysville, MIHP #BA-0077

Ms. Rising explained the LPC had originally added this property to the Preliminary Landmarks List on November 9, 2010. The County Council subsequently declined to add it to the Final Landmarks List primarily due to owner opposition. One of the contributing factors to opposition included the delineation of a historic environmental setting comprising 6.27 acres in spite of the owner’s wish to delineate a minimal setting.

Ms. Rising reminded the LPC that the County Code places a 3 year moratorium on re-nomination by anyone but the owner following the lack of legislation creating a final landmark. She stated the re-nomination currently being considered was initiated by the Preservation Alliance of Baltimore County.

Ms. Rising reported that at this point, the property owner is willing to not oppose the property’s listing provided that the most minimal setting be delineated. She noted the historic environmental setting developed by Staff and presented for consideration meets the owner’s wishes.

Ms. Rising presented a short history of the property and read the Staff Recommendation to vote to (a) place the “Melrose Farm” House & Stone Outbuilding on the Preliminary Landmarks List under criteria (1) - for its association with the historically significant Cockey family; for its association with the settlement and development of the Cockeysville community; for its association with the agricultural history of Baltimore County; for its association with the United States Civil War (2) - as a representation of the telescope style of architecture with federal elements (3) - as an excellent example of 19th century stone and brick construction in Baltimore County (b) to delineate part of the parcel, .16 acres total (map 42, parcel 270), as its historic environmental setting.

Mr. Lawrence Schmidt, representing the current owner Mr. Christopher Cromwell, explained his client had grown up at the home and was very proud of the property. Mr. Schmidt noted Mr. Cromwell is indignant that someone other than an owner can nominate a property. He noted that while his client does not support the nomination

because it was nominated by a third party, his client will not actively oppose the nomination and a small Historic Environmental Setting being delineated.

Mr. Schmidt questioned whether the shed is historic as Mr. Cromwell reports the shed consists of salvaged materials from other structures on the property being reassembled as currently located by his father.

Mr. Hord explained the protection the house would be afforded if added to the Final Landmarks List and mentioned eligibility for tax credits.

Mr. Cromwell indicated he objects to someone other than a property owner being able to nominate a property and feels his property has been unduly targeted by the Preservation Alliance as this is the second time that organization has nominated his property. As a point of record, Mr. Cromwell reported not having been contacted by the Preservation Alliance in advance of either nomination.

Ms. Rising indicated that the Preservation Alliance had tried to contact Mr. Cromwell but their letter was returned to them.

Ms. Allen commented that while she would not argue the philosophy behind nomination policy, she did relay examples of historic properties being demolished despite being valued by the families associated with them.

Mr. Schmidt stated the discussion was academic as the law does allow for third party nominations.

Ms. Rising noted the LPC's role is to make a decision based upon whether the property meets the criteria established for being added to the Preliminary Landmarks List and the County Council can weigh constituent concerns.

Mr. Yaffe asked Mr. Cromwell if he expected the property's value to change if it were to be added to the Landmarks List. Mr. Cromwell answered that he did believe the value would decrease.

Mr. Cromwell pointed out that the LPC previously failed to accept his offer to compromise on the landmark listing by agreeing to a small Historic Environmental Setting. With that in mind, Mr. Cromwell said he preferred to leave the shed out of the proposed Historic Environmental Setting and to not include it as a landmarked structure.

Mr. Schmidt commented that it is not the LPC's role to cut a deal but only to base a decision upon whether or not a structure meets the criteria established for being added to the Preliminary Landmarks List as noted by Ms. Rising.

Ms. Hawks moved to vote to (a) place the "Melrose Farm" House & Stone Outbuilding on the Preliminary Landmarks List under criteria (1) - for its association with the historically significant Cockey family; for its association with the settlement and development of the Cockeysville community; for its association with the agricultural history of Baltimore County; for its association with the United States Civil War (2) - as a

representation of the telescope style of architecture with federal elements (3) - as an excellent example of 19th century stone and brick construction in Baltimore County (b) to delineate part of the parcel, .16 acres total (map 42, parcel 270), as its historic environmental setting. Mr. Hord seconded the motion which passed with Mr. Yaffe voting against the motion.

*Citing County Code, Sec 32-7-302*

### **Items for Discussion and Vote**

5. Homan property, 912 Adana Road, non-contributing structure in the Sudbrook Park County Historic District; request to waive replacement of existing windows or reinstallation/repair of all windows that were previously removed per the September 10, 2015 ex-post facto Certificate of Appropriateness [County Council District #2]

Ms. Rising explained this item involves a decision made by the LPC on September 10, 2015 as a result of the property owner replacing existing windows without first obtaining LPC approval which constitutes a violation of Section 32-7-403 (permit required) and involves Section 32-7-504 (penalties for violations). She reminded the LPC that they voted to issue a Certificate of Appropriateness for the reinstallation or repair of the windows previously removed. The homeowner was subsequently informed that she also had the option of proposing an alternative, including a more suitable replacement window if the reinstallation or repair of the existing were not possible. The homeowner informed staff that she does not wish to pursue either option citing personal reasons.

Ms. Rising noted that while staff is sympathetic to the owner's situation, in order to be consistent with past recommendations, staff suggests that either an additional 6 month extension be granted or that the LPC refer the issue to Code Enforcement for additional action. Ms. Rising also noted the LPC does have the option of reversing its previous decision and may issue an ex post facto Notice to Proceed for the window replacement.

Mr. Brennan determined the homeowner was not present.

Mr. Brennan commented that he felt reversing the prior decision would be problematic.

Mr. Yaffe asked if staff had been in touch with homeowner and Ms. Rising confirmed that staff had been in touch with the property owner on multiple occasions.

Ms. Benton questioned whether an additional 6 months would make a difference in the outcome.

Mr. Myer moved to vote to grant an additional 6 month extension for the homeowner to address the Certificate of Appropriateness approved on September 10, 2015 and to refer the matter to Code Enforcement for further action in the event the homeowner fails to satisfy those conditions before the 6 month extension period lapses on August 11, 2016.

Mr. Diggs seconded the motion which passed unanimously on a voice vote.

*Citing Baltimore County Historic Design Guidelines: Windows & Doors, p. 2 & p. 5 and County Code, Sec 32-7-403; Resolution Establishing Procedures & a Timeframe wherein violations to Section 32-7-403 of the Baltimore County Code must be corrected (adopted 10/15/108)*

6. Siegel property, 1010 Windsor Road, contributing structure in both the Sudbrook Park County Historic District and Sudbrook Park National Register Historic District; MIHP #BA-3031; ex-post facto demolition of an accessory structure (Code Enforcement Citation Case # CB1600005) [County Council District #2]

Postponed / To Be Rescheduled

- \*\*7. “Treuth House, Hynes House”, 318 Oella Avenue, Final Landmarks List #87, MIHP #BA-2075; in-kind replacement of all non-historic wooden porch handrails and a small section of non-historic wood front porch flooring [County Council District #1]

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

*Citing County Code Section 32-7-403/ 32-7-402 and Historic Design Guidelines: Porches & Steps, p. 3-4.*

8. MIG-5 LLC property, 1530 South Rolling Road, non-contributing structure in the Relay County Historic District; window and door replacements; siding and roof replacement; removal of existing window openings; removal of existing side entrance; creation of a new rear door entrance; construction of a rear deck and shutter installation [County Council District #1]

Ms. Rising described the proposal which involves the total interior and exterior renovation of a non-historic structure. The proposed renovations include the alteration of existing window and door openings that result from the reconfiguration of interior spaces to accommodate new kitchen and bathroom amenities. A new rear deck with access from the redesigned kitchen is also being proposed. Ms. Rising noted the side elevation and yard are visible from Woodland Drive and that generally, from a design standpoint, the loss of architectural features on a street frontage side façade should be avoided so as not to result in blank walls. Window patterns that are uniform and well organized are the preferred option for elevations that face public spaces.

Mr. Brennan determined Mr. Roger Riggins was present as the applicant and contractor involved but not the owner.

Mr. Riggins stated he agreed with the recommendations offered by staff. Mr. Brennan asked how Mr. Riggins planned on dealing with the existing windows impacted by the reconfiguration of interior spaces. Mr. Riggins indicated they planned on tinting the windows. Mr. Brennan suggested the use of interior shutters in lieu of tinting products. Mr. Riggins indicated they would consider doing so. Mr. Brennan also mentioned that although the LPC does not regulate colors, he noted plans for a black roofing shingle. He suggested choosing a lighter shade such as grey. Mr. Riggins said they would be willing to consider that as an option.

Mr. Hord moved to vote to issue a Certificate of Appropriateness for the proposal as submitted subject to the windows on the left and right side of the house remaining visible in place on the exterior and concealed on the interior if necessary for space reconfigurations and shutters on the right side elevation should be installed to match those proposed on the gable window located directly above. Mr. Yaffe seconded the motion which passed unanimously on a voice vote.

*Citing County Code, Sec 32-7-403 and Baltimore County Historic Design Guidelines: Additions & Infill, p. 4-6*

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

“Mt. Welcome Retreat and Setting”, Schlossnagle property, 3144 Granite Road, Final Landmarks List #244, MIHP #BA-0009; in-kind replacement of existing gutters, replacement of the breaker box subject to a safety recall and restoration of non-functioning lights and outlets in/on the barn [County Council District #4]

Mr. Hord moved to adjourn the meeting. Ms. Allen seconded the motion, which was approved unanimously on a voice vote. The meeting adjourned at 6:57 p.m.

VKN:vkn