



CITY OF HAGERSTOWN, MARYLAND

Planning & Code Administration Department

One East Franklin Street • Hagerstown, MD 21740

E-mail: planning@hagerstownmd.org

Telephone: 301-739-8577, ext. 138 • Website: www.hagerstownmd.org

HAGERSTOWN HISTORIC DISTRICT COMMISSION

DATE: January 12, 2023 – 4:30 p.m.

LOCATION: Room 407, Fourth Floor, City Hall

Attendance –

Name	In-Person	Remote	Absent
Appointed Voting Members			
Michael Gehr, Chairperson	X		
Leslie Allen, Vice Chairperson	X		
Robert Powell	X		
W. Douglas Carroll			X
Christopher George	X		
Glen Grant	X		
Matthew Sherman	X		
Staff and Ex-Officio Members			
S. Bockmiller, Development Review Planner/Zoning Administrator	X		
M. Revilla, Recording Secretary	X		

Preliminary Matters -

Call to Order and Instructions from the Chair – Michael Gehr called the meeting to order at 4:39 p.m. Attendance of members and staff are reflected in the chart above. The Chair read the standard public instructions regarding order of business into the record.

Approval of Minutes –

Minutes of December 08, 2022. There was no discussion regarding the minutes.

Mr. Powell made a motion to **adopt** the minutes as presented. **Ms. Allen seconded** the motion. The motion **passed** by a vote of **6-0-0**.

Consent Agenda -

HDC 2023-01-137 South Prospect Street; Debra Fyodorov for a fence.

HDC 2023-02-943 Forest Drive; Eugene & Amber Thomas for a fence.

Staff explained the fact that the original fence application for Case HDC 2023-01 was amended to reflect the fence would not pass the front of the house. It was also recommended by staff to amend the agenda to move the case to design review and workshop for further discussion regarding a second fence that will extend from front of the house to the retention wall located at the edge of the front yard.

Ms. Allen made a **motion** to move case HDC-2023-01 to the Design Review and Workshop. **Mr. George seconded** the motion. **The motion was passed** by a vote of **6-0-0**.

Staff recommended approval of the fence as proposed for HDC 2023-02, as there were no issues with design, materials, or placement of the fence.

Mr. Powell made the following **motion**: Mr. Chairman, I have reviewed the materials submitted in case number HDC 2023-02 and its associated staff report and recommendations. I have viewed the property in question, staff report recommends approval of this application and is consistent with the application standards adopted by this commission, and no one has appeared at this meeting with concerns about, issues with, or objections to this application. Therefore I **move** that the commission adopt the staff evaluations and recommendations in this case as its own and **grant** a certificate of appropriateness to the applicant in case number HDC 2023-02.

Mr. Sherman seconded the motion. The voted **passed** by a vote of **6-0-0**.

Design Review-

HDC 2022-56 - 33 West Franklin Street; Landmark Fence, for a fence.

Staff provided information about the proposed fence and some of the concerns with the property owner's possible intention to add a gate blocking the Market Way walkway at a later time if not clear in the approval that no gate will be approved for that location. Staff recommends approval with a condition that there be no gate or barrier at the walkway and it remain open. Ownership of land access rights of that particular area is subject to an ongoing disagreement between the owner and the City. After much discussion, the Commission agreed there will be looser verbiage regarding the existing walkway.

Ms. Allen made the following **motion**:" Mr. Chairman, I have inspected the property in question, and if constructed in accordance with these plans, the project is compatible with characteristic of reasons it is approvable fence choice of 6' aluminum, steel, and black and it meets our criteria, drawing that we will be using that was presented, the parameters that were proposed as a fence line has been described that follows the property lines with a gap where the existing walkway rear alley side of the drawing and is in general harmony with the applicable guidelines for the commercial Historic District and the character of the adjoining properties. Therefore, I move the HDC **grant** a Certificate of Appropriateness to the applicant for case HDC 2022-56."

Mr. Powell seconded the motion and it **passed** by a vote of **6-0-0**.

HDC 2022-57 – 939 The Terrace, Frederick Fence, for a fence.

Mr. Bockmiller provided a description of work and plans the applicant is proposing to install a new 4-foot-tall fence along The Terrace and in the front yard along the north (right) side property line. Due to existing rock outcrops, it appears the fence would be installed behind the outcrops. The applicant also proposes to install the same fencing along the rear, along Forest Drive. Third, the applicant proposes to install a 36 inch tall black vinyl coated chain link fence from the earlier proposed ornamental fence along Forest Drive, along the north (left) side property line for about 115 feet, including a 6'x6' cutout around an existing tree.

James Patton of Frederick Fence discussed the two different materials to be used to close in the entire property line. Staff advised some minor amendments to location of chain-link and ornamental fence would need to be made for approval in order to comply with the Zoning Ordinance requirement that chain link fencing be at least 25 feet from street rights of way and the applicant agreed to the change. He also stated the fence will be at the sidewalk and in front of the rock out crops.

Mr. Powell made the following **motion**: Mr. Chairman, I have inspected the plans and property in question, and if constructed in accordance with these plans, the project is compatible with the character of the Historic District for reasons that the height, setback, materials are generally in harmony with the Architectural Design Guidelines for the Residential Historic Districts and character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness to the applicant in Case No. HDC 2022-57.

Mr. George seconded the motion. Before the vote was taken, **Ms. Allen** requested to **amend** the motion to mention the required 25 foot setback of chain link from the right of way of Forest Drive. **Mr. Powell** **accepted** that amendment. The amended motion was **approved** by a vote of **6-0-0**.

HDC 2022-58 – 63 Broadway; Terry Jenkins for reconstruction of a front porch.

Mr. Bockmiller provided a description of work and plans the applicant is proposing to replace the deteriorating two-story front porch. The existing posts serving as columns do not meet current building code. The columns will be replaced with 6x6 lumber, encased in fluted trim (vinyl) that approximates but does not duplicate the existing trim. The 1st floor masonry porch would be removed. Footings will be installed for the pillars and new first floor porch to rest on, and the first floor porch will be fiber cement board (“Trex” like material.) The second-floor flooring will be pressure treated decking. The plan is unclear what the first floor-porch material will look like. Essentially, everything from the porch roof to the ground will be replaced.

Mr. Bockmiller stated that the HDC’s Architectural Consultant, Dr. Reed believes the porch is a non-historic replacement of the original porch dating to about the 1960’s.

Mr. Jenkins brought pictures and material samples as well went over trim, fluting’s, columns and design guidelines for the renovation. The first floor flooring would be tongue and groove composite flooring.

Mr. George made the following **motion**: Mr. Chairman, I have inspected the project plans and the property in question, and if constructed in accordance with these plans, the project is compatible with the character of the district for the reasons that the materials and architectural detailing are generally in harmony with the Residential Historic Districts and character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness to the Applicant for Case No. HDC 2022-5

Mr. Powell **seconded** the motion and it **passed** by a vote of **6-0-0**.

HDC 2023-01-137 South Prospect Street; Debra Fyodorov for a fence.

Mr. Bockmiller explained the zoning requirement regarding where the privacy fence can be placed, excluding the piece of existing metal fence that extends to the front yard retaining wall.

The applicant had amended her application to exclude that portion of fence that does not meet the zoning ordinance.

Mr. George made the following **motion**: I have inspected the project plans and the property in question, and if constructed in accordance with these plans, the project is compatible with the character of the district for the reasons that the height, setbacks, and architectural detailing are general in harmony with the Architectural Design Guidelines for the Residential Historic Districts and character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness to the Applicant for Case No. HDC 2023-01.

Mr. Sherman seconded the motion. **Mr. Powell** requested an **amendment** be added to the motion that the fence run parallel with the front of the house, which is a requirement of the Zoning Ordinance. **Mr. George** **accepted** that amendment. The motion to **approve** the amended motion was **passed** by a vote of **5-1-0**. **Mr. Grant** **opposed** the motion.

Workshops -

137 South Prospect Street - Staff discussed the material, height, and location for the small portion of fence that is needed to close a gap from the front of the house to the front yard retaining wall. The Commission provided suggestions and information to the applicant to include replicating the low metal ornamental fence on the retaining wall and continuing it along the side property line to the privacy fence. Applicant will

need to come back before the HDC for approval of this section of fencing not included in the application submitted.

New Business -

New Staff - Planner Joanna Wu, starts with the City on January 17.

Announcements -

None.

Adjourn -

With no further discussion, the chair asked for a motion to adjourn. **Ms. Allen** made a motion to adjourn and **Mr. Grant seconded** the motion. By a vote of **6-0-0** the meeting adjourned at 6:36 P.M.



Mary Revilla, Recording Secretary