

**Historic District Commission  
MINUTES**

**November 8, 2018  
City of Hagerstown, Maryland**

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Michael Gehr, chair, called the meeting to order at 4:31 p.m. on Thursday, November 8, 2018, in the Conference Room, Fourth Floor, City Hall. A roster of the members of the commission and the technical posts they fill are on file and available upon request. Also present were commission members L. Allen, S. Kreiger, S. Silas, and M. Wertman. S. Bockmiller, Development Planner/Zoning Administrator; and D. Calhoun, Secretary, were present on behalf of the Planning and Code Administration Department.

**APPROVAL OF MINUTES: October 25, 2018.**

**MOTION:** (Wertman/Silas) I move to approve.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**CONSENT AGENDA**

**202-204 North Potomac Street – Tim Riley for Ann Page – Roof Replacement,  
Case No. HDC 2018-48.**

No one was present in the audience with comments or concerns about these cases, nor were there concerns by commission members.

**MOTION:** (Wertman/Silas) Mr. Chairman, I reviewed the materials submitted in Case HDC 2018-48, and its associated staff report and recommendations, and I have viewed the property in question. The staff report recommends approval of this application as consistent with the applicable standards adopted by this commission, and no one has appeared at this hearing with concerns about, issues with, or objections to this application. Therefore, I move that this commission adopt the staff evaluation and recommendations in this case as its own and grant a Certificate of Appropriateness to the applicant for Case HDC 2018-48.  
**DISCUSSION:** None.  
**ACTION:** APPROVED (Unanimous)

**DESIGN REVIEW**

Both of the Design Review cases were considered together. Scott Chambers, 931 Oak Hill Avenue, Hagerstown, Maryland, owner of the property, was present.

**931 Oak Hill Avenue – Scott and Judith Chambers – Fence, Case No. HDC 2018-44.**

**931 Oak Hill Avenue – Scott and Judith Chambers – Deck, Case No. HDC 2018-45.**

Staff Report: This building is a B resource in the Oak Hill Local Historic District. Applicant seeks approval to construct a 28 x 10-foot deck on the rear, north side of the house. Deck materials will be pressure-treated wood, including stairs and a railing. A horizontal railing system is proposed for the sides of the deck; vertical pickets along the stairs; and lattice under the porch. Staff made no recommendation. The Design Guidelines recommend “design and materials should coordinate with those of the structure and decks should have a design similar to the detailing on the building.” Wood deck systems must be painted or stained once the wood has seasoned. The proposed deck will be located behind the house and will not be readily visible from Oak Hill Avenue or other public ways.

The second application discussed (HDC 2018-44) was for an already installed six-foot tall wood privacy fence along a portion of the south property line behind the house. The materials will be pressure-treated wood slats with a lattice top. Staff had no recommendation on this application. The Design Guidelines recommend “flat, vertical board fences with straight tops.” Wood fences must be painted or stained once the wood has seasoned. The proposed fence will be located behind the house and is a little out of the norm from what the commission usually sees.

Applicant/Commission Discussion: Mr. Chambers had nothing to add to the staff reports. Concerning the fence, Ms. Allen had deep concerns about the rationale for allowing a fence that does not meet the commission’s guidelines for fences. Even though the fence is not visible from Oak Hill Avenue, the surrounding neighbors will be able to see it. She was concerned that approving this application will set a precedent whereby people build things that are contrary to the guidelines and then come back after the fact for approval of the work.

Ms. Kreiger noted that the fence complements the design of the proposed deck (horizontal slats and lattice work). Mr. Bockmiller added that the guidelines are not laws but agreed that it could be setting a precedent. Mr. Chambers pointed out that there are other fences in the neighborhood with lattice tops and the fence is located approximately 20 feet back from alley. The fence is finished on both sides. Mr. Gehr observed that the fence is situate toward the back of the house and not the entire length of the property. In addition it can be readily removed and does not affect the historic fabric of the house.

Mr. Gehr suggested that this issue should be added to the re-write of the design guidelines that is currently underway. The fence has a unique design and there is only about five feet on each side of the house. It is not visible from Oak Hill Avenue.

Concerning the deck, there is currently a small porch and set of steps. The deck will project approximately five feet from the end of the house and will fill in a chunk of the back corner. The north side of the deck will be in line with the house. Lattice will be placed under the deck. Commission members had no issue with the deck.

**MOTION:** (Wertman/Silas) 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 height and the materials will be in general harmony with the guidelines and it is not visible from public ways and with the house and will still fit in with the character of the adjoining properties and with the Architectural Design Guidelines for the Residential Historic District. Therefore, I move the HDC grant a Certificate of Appropriateness to the applicant for Case No. HDC 2018-45 for the deck.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

Commission members discussed the justification for allowing the fence as installed as being not visible from Oak Hill Avenue and that the fence coordinates with the new deck; it can be removed without any damage to the house; the materials are wood with a flat top; the bulk of the fence is a straight piece of wood and does not include turned posts. It is a solid fence with a horizontal orientation.

**MOTION:** (Wertman/Silas) Mr. Chairman, I have inspected the project plans and the property in question, and if constructed in accordance with these plans the project will be compatible with the deck that is being constructed in the back of the house and is not visible from public ways, the height and materials will match and will general be in harmony with Architectural Design Guidelines for the Residential Historic District. It will match the deck and it will not be visible from public ways as far as Oak Hill Avenue; it will be visible from the alley but not from Oak Hill, so even though the design of the fence is not exactly what would be appropriate for that district, since it is not visible and will match the newly erected deck in the back it will still work and be within the character of that new construction in the back of the property. Therefore, I move the HDC grant a Certificate of Appropriateness to the applicant for Case No. HDC 2018-44.

**DISCUSSION:** The motion was amended to state that the fence would be easily reversed at a later date and that the fence will be stained once it has been seasoned. Ms. Wertman and Mr. Silas agreed to the amendment to the motion.

**ACTION:** APPROVED (NO – Allen)

Mr. Chambers thanked the permit department for its assistance. Staff members were very helpful.

**WORKSHOPS**

None.

**NEW BUSINESS**

**Design Guidelines – Distribute Draft.** Mr. Bockmiller stated that the draft is not yet ready. He believed it would be ready for distribution the Wednesday before Thanksgiving. He asked about the possibility of a special meeting to discuss the draft on Thursday, December 6, at 4:30 p.m. Commission members were agreeable to that date. Ms. Allen volunteered to hand-carry the drafts so they do not have to be mailed.

**OLD BUSINESS**

None.

**ANNOUNCEMENTS**

- Ms. Wertman announced that the Christkindl Markt is planned for December 1 in the University Plaza between 11:00 a.m. and 5:00 p.m. They currently have just under 50 vendors. It will be an outside event.

**ADJOURN**

It was moved and seconded that the meeting adjourn (5:17 p.m.).

12/13/2018

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Approved



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Debra C. Calhoun – Secretary