

Michael Gehr, chair, called the meeting to order at 4:30 p.m. on Thursday, January 22, 2015, 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, C. Crumrine, and C. Davis. S. Bockmiller, Development Planner/Zoning Administrator, and D. Calhoun, Secretary, were present on behalf of the Planning and Code Administration Division.

**APPROVAL OF MINUTES**

Approval of the minutes from October 9, 2014, was deferred until the next meeting. Not enough members were in attendance who also attended the October 9 meeting.

**CONSENT AGENDA**

None.

**DESIGN REVIEW**

**39 East Franklin Street – Corey Linthicum – Revision to Previously Approved Façade Grant for Rear Porch Replacement, Case No. G 2010-01.**

Corey Linthicum, 27 Harlequin Lane, Falling Waters, West Virginia, owner of the property, was present.

Staff Report: Applicant received approval of a façade grant on April 22, 2010, to replace the rear porch. When staff inspected the project in order to release the grant funds, it was discovered that the project was not built according to the approved plans. Instead of the square pickets approved by the commission, the applicant used turned spindle pickets, which are not consistent with the architecture of the building. The appropriate pickets would be square with concealed tops and bottoms. Staff made no recommendation. The pickets are inconsistent with the architecture of the building; however, the building is not in an historic district and the porch is on the back of a building. Because the property owner applied for a façade grant, the HDC must approve the work.

Applicant/Commission Discussion: Mr. Linthicum indicated that the original scope and plan was to use glass pickets and panels. Mr. Linthicum felt the turned pickets would be more appropriate for this building which was built in 1902. He noted that the balusters he removed were not original to the building. It was his belief that the project would still be grant worthy because the substitute pickets, although not approved, were more historically appropriate than what was approved or replaced. He felt square pickets would bring down the aesthetic look of the building

and asked for the commission's approval of the modification. Mr. Linthicum is waiting for the wood to season before it is stained, which Mr. Linthicum estimated will occur this spring.

Mr. Bockmiller noted that this project is located outside of a historic district so it could not set a precedent in allowing this type of picket in an historic district. He admitted that there was a misunderstanding regarding the original intent for glass pickets and panels. The wood spindle pickets are closer historically than the material that was replaced, and much closer than the proposed glass railings. Mr. Crumrine did not see an issue with the spindle pickets since it is an improvement to the rear façade. Mr. Gehr said the proposal meets the criteria for a façade improvement outside of an historic district.

**MOTION:** (Davis/Allen) Mr. Chairman, I have inspected the project plans and the property in question, and as constructed the project is reasonably compatible with the character of the district for the reasons that the property is outside the district, the materials used mimic that on the interior of the property, the architectural details, and is generally in harmony with the guidelines for the Downtown Historic District and the character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness for the grant for G 2010-01.

**DISCUSSION:** For clarification, Mr. Gehr and Ms. Allen noted that where the motion states "the Downtown historic district" it would just be for the façade grant approval process. Ms. Davis and Ms. Allen agreed to the modification to the motion proposed by Mr. Gehr.

**ACTION:** APPROVED, AS MODIFIED (Unanimous)

**20 West Washington Street – Michael Fitzgerald – Wall Sign, Case No. HDC 2014-57.**

Michael Fitzgerald, 20 West Washington Street, Hagerstown, Maryland, was present.

Staff Report: This building is a C resource in the Downtown Local Historic District. The applicant would like to install an approximately 2 x 14-foot metal directory sign flush-mounted to the rear wall of The Grand Building (along the alley). Design and materials will be similar to the recently approved wall sign at 33 West Franklin Street. The colors will be green with gold lettering. The sign will not be visible from a public right-of-way. The purpose of the sign is to serve as a directory for patrons entering the office building.

Applicant/Commission Discussion: Mr. Fitzgerald said the new sign will make the back of the building more attractive. Bright lights will also be added in the rear of the building. Mr. Fitzgerald made a correction to the staff report. The title band will be gold with green lettering; the remaining panels will be green with white lettering. Mr. Bockmiller stated that as long as individual panels remain consistent (green with white lettering) the HDC will not have to review

each change in tenancy. Also, all of the tenant listing panels need to be monochrome, including logos.

Since the application states that the lettering will be gold, Mr. Fitzgerald amended his application to state that the lettering on the panels will be white. The lettering on the title band will be green on a gold background.

**MOTION:** (Davis/Allen) Mr. Chairman, I have inspected the project plans and the property in question, and if constructed in accordance with these plans, and consistent use of the gold and green background and white lettering for all current and future tenants, and because this is on the back of the building it is generally in harmony with the Architectural Design Guidelines for the Downtown Historic District and the character of the adjoining properties. Therefore, I move that the HDC grant a Certificate of Appropriateness to the applicant for Case No. HDC 2014-57.

**DISCUSSION:** None.

**ACTION:** APPROVED (Unanimous)

## **WORKSHOP**

### **449 North Potomac Street – Rob Cochran – Proposed Carriage House Demolition.**

Rob Cochran, 449 North Potomac Street, Hagerstown, Maryland, owner of the property, was present.

Staff: Mr. Cochran is interested in constructing a privacy fence to deal with unique circumstances occurring on the adjacent property to the south. The proposed fence would run along the south property line to a little beyond the portico on the building next door. Mr. Cochran desires to install a taller fence due to grade differences between the properties. Mr. Cochran's driveway sits lower than the portico on the adjacent property. This will require a fence variance from the Board of Zoning Appeals (BZA) for the height. Visibility further back on the property is minimal.

Commission Member Comments: Mr. Cochran stated that he has owned this property for almost 25 years. The building to the south contains numerous apartments. The second apartment building in the rear of the adjacent property has at least three floors of apartments. Loitering is a problem on the adjacent property and there are cars up on blocks. Mr. Cochran finds drug paraphernalia in the parking area. Trash from this property blows onto Mr. Cochran's property. He is compelled to pick up trash three times a week in order to keep his property presentable to his clients. The neighboring property is a bad reflection on the city and the neighborhood. This property is the only sore spot on the block. Mostly everyone in the neighborhood takes pride in their property. Mr. Cochran's building has been for sale for two years with only six showings.

The proposed fence would extend from the garage in the rear of the property to beyond the large oak tree in the front yard. The proposed fence would be of varying heights: Section B (front section) would be an eight-foot treated wood fence near the port cochere of the property to the south and would extend beyond the port cochere to slightly beyond the large oak tree in the front yard. In this area the fence would be built below a stone wall that is not on his property. Section A (middle section) would be a nine-foot tall treated wood privacy fence which Mr. Cochran feels is necessary due to the grade difference next door. Section C would be a ten-foot tall chain link fence to the rear of Mr. Cochran's garage. This section would run from the back of his garage and angle in. The ten-foot height is necessary because there is a four-foot drop off from the neighboring property to his property.

Mr. Bockmiller stated that staff had no concerns about the height of the fence from the front of Mr. Cochran's building west. He does have concerns with a privacy fence in the front yard. Ms. Allen agreed that a fence extending into the front yard would affect the character of the neighborhood. Other commission members agreed with Ms. Allen's concerns. Mr. Bockmiller pointed out that the Zoning Ordinance allows fences up to six feet tall on the sides and rear. Fences in the front must be open fences—privacy fences by their definition cannot meet the intent of an open fence.

Mr. Gehr asked about landscaping instead of the fence in the front. Mr. Cochran said there used to be a hedge between the properties and the adjacent owner tore it down. The immediate issue is that he needs to screen his property entirely from the adjacent property. The objective is to block out the parking lot, although he would be agreeable to shortening the length of the fence in the front. Ms. Davis asked what would be an appropriate design for a front yard fence. An open fence would need to be at least 50% open.

Mr. Gehr asked where the front yard officially begins. Mr. Bockmiller said he would interpret the front yard to be anything forward of the front corner of the house. Ms. Davis suggested allowing the fence to extend just past the applicant's building, but to the end of the carport on the adjacent property owner's property.

Commission members discussed various types of vegetation that could be used in lieu of a fence in the front yard. However, all suggestions including bamboo and clematis, would either not provide the screening desired by Mr. Cochran or it would be considered a closed fence under the Zoning Ordinance definition. Mr. Bockmiller noted that the BZA has granted variances for situations like this. The question is the impact of having whatever mass might be in front of the building apply to both HDC and BZA criteria. Ms. Allen suggested some sort of automated gate across the driveway.

Mr. Cochran stated that the noise, the trash, and tenants trespassing on his property is affecting his business, the resale value of his property, and this block of North Potomac Street. He would like to address Sections A and C right away, but felt it would be better to address the entire fence at one time. He would be satisfied Sections A and C only, but wants Section B too.

Mr. Gehr observed that a fence could be considered a temporary improvement since it could be easily removed. The Design Guidelines do not provide much leeway to address this issue. Ms. Davis said she had no issues with the fence in the back and Section A. She would like to see enforcement on that other property. Mr. Cochran stated that he believed his solution would contain the problem. He did not feel that an open fence would block the noise or the visual impact that his clients see from the driveway. Mr. Gehr apologized for the commission's inability to provide much direction about what would work in the front. Mr. Cochran said he planned to submit an application for the next meeting and also file a variance with the Board of Zoning Appeals for their February hearing.

Mr. Gehr asked that this matter be placed on the next agenda with the hope that more commission members are present which would lead to more input. It might take a meeting or two for the commission to contemplate this matter.

Mr. Cochran asked if the City has a minimum driveway width. If he cannot have a fence, the only solution might be a planting bed. Mr. Bockmiller noted that there are no regulations in the historic districts or zoning requirements for driveways. If Mr. Cochran decides to install a planting bed, Mr. Gehr suggested two HDC applications: one for the fence and one for the planting bed. Mr. Cochran asked for assistance on checking whether there are requirements for the width of a driveway. Mr. Bockmiller said he could check into that for Mr. Cochran.

### **NEW BUSINESS**

None.

### **OLD BUSINESS**

- Tax Credit Workshop. Staff suggested February 26, which is the second meeting in February. The workshop would start at 6:00 or 6:30 p.m. in case the commission's regularly scheduled meeting runs longer than usual.

**Historic District Commission  
MINUTES**

**January 22, 2015  
City of Hagerstown, Maryland**

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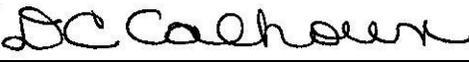
**ANNOUNCEMENTS**

- Staff announced the dedication of Memorial Park on Saturday, May 16. The initial list will be comprised of 12 individuals who played a prominent role in the history of Hagerstown. Thereafter, one to three persons will be honored each year.

**ADJOURN**

It was moved and seconded that the meeting adjourn (approximately 5:30 p.m.).

4/9/2015  
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Approved

  
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Debra C. Calhoun – Secretary