



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Court House Drive ■ Ellicott City, Maryland 21043 ■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

## TECHNICAL STAFF REPORT

*Hearing Examiner Hearing of January 21, 2026*

**Case No./Petitioner:** BA-25-005C – BFEA-Curtis Farm, LLC.

**Request:** Conditional Use for Historic Building Use for professional offices (Section 131.0.N.27)

**Location:** 5771 Waterloo Road  
Tax Map 37, Grid 1, Parcel 751  
(the "Property")

**Conditional Use Area:** 7.46 acres

**Zoning** R-20 (Residential: Single)



### Zoning & Vicinity

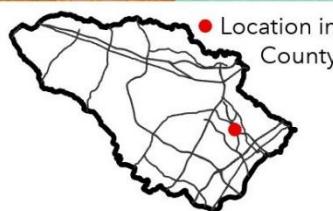
**5771 Waterloo Road**

#### Zoning

<span style="background-color: #800080; color: white; padding: 2px 5px;">■</span>	B-1
<span style="background-color: #ADD8E6; color: black; padding: 2px 5px;">■</span>	NT
<span style="background-color: #FFFF00; color: black; padding: 2px 5px;">■</span>	R-20
<span style="background-color: #C8A23D; color: black; padding: 2px 5px;">■</span>	R-A-15
<span style="background-color: #FFDAB9; color: black; padding: 2px 5px;">■</span>	R-SA-8
<span style="border: 2px solid red; padding: 2px 5px;">■</span>	Waterloo5771

**BA-25-005C**

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIG User Community



## I. CONDITIONAL USE PROPOSAL

The Petitioner is requesting approval of a 2,855 square foot professional office currently operating within a historic structure, known as Curtis-Shipley House (HO-439). The professional office currently has three employees, but the Petitioner seeks to expand to 14 employees within the next five (5) years. The hours of operation are 7:00 AM to 9:00 PM Monday-Friday, and 9:00 AM to 6:00 PM Saturdays and Sundays. There are many accessory detached structures on the Property including a stone barn, garage, woodshed, wood barn, etc. The proposal includes 19 parking spaces for the use.

## II. BACKGROUND INFORMATION

A. Site Description

The irregularly shaped 7.46-acre property contains a 2,855 square foot historic house (currently used as an office), stone barn, detached garage, two wood sheds, chicken coop, wood barn, well house, a grain building, and a cemetery. The entire site is encumbered with a Neighborhood Preservation Easement and permits historic building conditional uses. The Property is partly covered by a stream buffer on the southeast corner. The Conditional Use plan proposes two (2) forest conservation easements bordering the north side of the Property and along its eastern and western property lines. The highest elevation is approximately 432 feet at the north corner of the Property and descends to an elevation of approximately 398 feet at the south corner of the Property.

B. Vicinal Properties

Direction	Zoning	Land Use
North	R-A-15	Talbot Drive / Single-family attached
South	R-20	Waterloo Road / Single-family detached
East	R-A-15	Logans Way / Single-family attached
West	R-A-15	Richards Valley Road / Single-family attached / HOA Open Space

C. Roads

Waterloo Road (MD-108) is a Minor Arterial Road and has four lanes within 100-foot right-of-way. Access on Waterloo Road consists of one ingress/egress point and one right turn only exit. The speed limit is 55 miles per hour.

As of 2023, Waterloo Road had a daily traffic count of 12,305 AADT, per the Maryland Department of Transportation.

D. Water and Sewer Service

The Property is located inside the Planned Service Area for Water and Sewer. The Property is served by public water and private sewer.

E. General Plan

The Property is designated as Single-Family Neighborhood on the Future Land Use Map of HoCo By Design.

Waterloo Road is designated as a Minor Arterial Road.

F. Agency Comments

Agency comments are attached.

III. ZONING HISTORY

There have been two previous zoning cases located at the Property. As stated in the Petitioners Narrative Supplement, there was a previous Hearing Examiner case, BA-17-032C, which was a request for the use of a historic building for professional offices. This 2017 request was approved by the Hearing Examiner in 2020. This approval has since expired and is the reason the Petitioner has submitted this request, BA-25-005C. The Petitioner asserts that there have been no substantial or material changes since the approval of BA-17-032C.

The other previous zoning case was a Zoning Regulation Amendment (ZRA) in 2022, ZRA-202. This amendment was to amend *Section 131.0.N.27 Historic Building Uses* to make certain historic venue uses permitted as a Conditional use in certain zoning districts. This amendment was approved.

IV. EVALUATION AND CONCLUSIONS

A. Evaluation of petition according to Section 131.0.B of the Zoning Regulations (general criteria for Conditional Uses):

1. *The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.*

While HoCo By Design policies are not directly related to Conditional Use requests for Historic Building uses, the use is in harmony with the below HoCo By Design policies and implementing actions that encourage public access and awareness of historic buildings and incentivize restoration and adaptive reuse.

*Quality By Design, QBD-6 Policy Statement:* “Strengthen existing historic preservation programs and initiatives in Howard County.” HoCo By Design, Chapter 7, QBD-51.

*Implementing Action 3:* “Evaluate ways to strengthen preservation and maintenance of historic properties outside of historic districts.” HoCo By Design, Chapter 7, QBD-51.

*Implementing Action 4:* “Strengthen historic preservation programs to both prevent demolition and demolition by neglect, and to better incentivize restoration and adaptive reuse.” HoCo By Design, Chapter 7, QBD-51.

2. *The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.*

The professional office use is within the historic structure and is approximately 2,855 square feet. The area of the existing building and associated parking will occupy 5,000 square feet, which is 1.5% of the 7.46- acre property. The Property has sufficient area to accommodate the proposed use and parking. All bulk regulations are met.

The site has direct access to and frontage on Waterloo Road. Waterloo Road is classified as a Minor Arterial Road which is an appropriate classification for the number and types of vehicles associated with the use. There is no refuse or loading areas proposed.

Therefore, the nature and intensity of the use, the size of the Property in relation to the use, and the location of the site, with respect to streets that provide access, are such that the overall intensity and scale of the use are appropriate.

3. *The use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:*

- a. *The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning district.*

The Property is 7.46 acres. All activities associated with the professional office use, aside from parking, will occur indoors. The use will not generate any physical conditions that will be discernable from abutting vicinal properties.

The adverse effects associated with the professional office use, such as noise, dust, fumes, odors, vibrations, increased lighting, hazards or other physical conditions would not be greater at the subject site than generally elsewhere in the R-20 zoning district.

- b. *The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.*

The use will be located within the existing historic building. There are no expansions, additions, or alterations proposed. The parking area is located away from all property lines and the public road and will be screened by existing and proposed landscaping as shown on the Conditional Use plan.

The Conditional Use plan indicates a proposed entrance sign along the frontage of Waterloo Road. The height of the proposed entrance sign is seven feet and is not subject to setback requirements.

- c. *The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.*

Pursuant to Section 133.0 of the Howard County Zoning Regulations, the off-street parking requirement for an office is 3.3 spaces per 1,000 square feet. The Petitioner proposes a 2,855 square foot office use, which requires 10 spaces. The Conditional Use plan indicates 17 standard parking spaces plus 2 handicap parking spaces. The parking area is situated behind the historic building and on the western portion of

the driveway loop. The Plan indicates existing and proposed landscaping to assist in screening the parking from adjacent properties.

The Petitioner does not propose refuse or loading areas and anticipates to continue using a private contractor to transport trash.

- d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.*

The sight distance will be formally evaluated at the site development plan stage, if the Conditional Use request is approved. Provided in the Decision and Order for BA-17-032C is an estimated stopping sight distance of over 500 feet in both directions on Waterloo Road. The D&O states the 500 feet sight distance appears to provide safe access with adequate stopping sight distance per the American Association of State Highway and Transportation Official (AASHTO) Guidelines.

- e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.*

The closest environmentally sensitive area is the terminus of an intermittent stream on the site. The Conditional Use plan does not show any proposed impact to the stream buffer. With this in consideration, the proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

- f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.*

According to 131.0.N.27, exterior alterations to historic structures associated with Historic Building Uses shall be reviewed by the Historic Preservation Commission (HPC). The HPC evaluated the request in March 2019 with BA-17-032C and the Division of Resource Conservation provided comments that the HPC does not need to see the request again. The HPC minutes from the 2019 meeting are provided.

The closest off-site historic site is the “Peter Harmon House” HO-438, which is located approximately 450 feet west of the Property. Three houses and Waterloo Road separate the two properties and will obstruct the view of the office from the historic site. Therefore, the proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

- B. Evaluation of the petition according to Section 131.0.N.27 (Specific Criteria for Historic Building Uses):

*A Conditional Use may be granted for the conversion of a historic building in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, R-APT, R-MH, POR, B-1, B-2, M-1, and M-2 districts to apartments and in the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-A-15, R-APT, and R-MH*

*Districts to business and professional offices, specialty stores, and standard restaurants, arts and crafts classes, antique shops, art galleries, craft shops; bakeries (provided all goods baked on the premises shall be sold at retail from the premises); furniture upholstering, and similar services; personal service establishments; seasonal sale of Christmas trees or other decorative plant materials, subject to the requirements of Section 128.0.D.4; service agencies; or community meeting halls, provided that:*

a. *The building is a historic structure as defined in these regulations.*

The proposed office is within a structure listed in the Howard County Historic Sites Inventory as HO-439, Curtis-Shipley House.

b. *The maximum number of dwelling units permitted shall be one dwelling unit for every 800 square feet of building area.*

This criterion does not apply as the Petitioner is not proposing any dwelling units.

c. *Extension or enlargement of the principal historical structure and all accessory structures may not exceed 50% of the gross floor area of each individual building above that which existed on August 1, 1989, when ZB 882R was adopted adding the historic building use category to these Regulations.*

This criterion does not apply as the Petitioner is not proposing any extensions or enlargements of the historic house.

d. *Exterior alterations to the historic structure shall be architecturally compatible with the historic structure as determined by the Historic District Commission, prior to the approval of the Conditional Use.*

There are no exterior alterations of the historic structure proposed. The proposed parking in the Conditional Use plan is in alignment with a recommendation made by staff and HPC at their March 2019 meeting. Specifically, staff and HPC recommended “shifting the parking further to the west side of the loop driveway. This double-loaded (parking) design shifts cars from a central portion of the site to the side of all the historic buildings. This design also opens the views from the house (on the west side) to the fields and outbuildings, allowing for connectivity among the historic structures and open fields.”

e. *A historic building converted into a community meeting hall or offices shall be subject to the following standards:*

1) *No material or equipment shall be stored outside of structures.*

No outdoor storage is proposed.

2) *Parking areas shall be set back a minimum of 30 feet from all property lines or public street rights-of-way and screened from the roadway and adjacent properties.*

The proposed parking spaces indicated on the Conditional Use plan are over 30 feet from all property lines and Waterloo Road. The Plan shows existing and proposed landscaping and vegetation to screen the parking from the adjacent properties and roadway. The historic structure will also serve as a buffer between the parking and roadway.

3) *The site shall have frontage on and direct access onto a collector or arterial road designated in the General Plan.*

The site has frontage on and direct access onto Waterloo Road, which is designated as a Minor Arterial Road.

f. *A historic building that is converted for historic venue uses shall be subject to the following standards.*

This criterion does not apply as the Petitioner is not proposing a historic venue.

Approved by:   
Lynda Eisenberg  
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Lynda Eisenberg, AICP, Director

1/2/2026  
Date



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■ Ellicott City, Maryland 21043

■ 410-313-2350

Lynda D. Eisenberg, AICP, Director

FAX 410-313-3467

## Agency Comment Form

### Conditional Use

Date: March 25, 2025

Use Category: Historic Building

File No.: BA-25-005C

Petitioner: BFEA - Curtis Farm LLC

Property Address: 5771 Waterloo Rd

Map No: 37

Parcel: 751

#### CONDITIONAL USE CRITERIA REVIEW BY AGENCY

##### GENERAL CRITERIA

	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x		x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x							x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: April 8, 2025

COMMENTS: 5771 Waterloo Road has come to the Historic Preservation Commission for Advisory Comments. The Commission does not need to review this application again. RCD has no further comments and does not object to the request.

Beth Burgess, RCD Chief

SIGNATURE



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The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.	x								
The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x							x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: April 8, 2025

COMMENTS: The proposal to expand employees is possible. However, Health does not have septic records for this historical property. We would have to fully evaluate the existing septic system, if the choice was to retain it as is. Health strongly recommends connecting to public sewer. The property is already connected to public water, let's abandon the old & undersized septic system and hook into the grid. You may encounter difficulty proposing a brand new parking lot on top of the existing septic system.

*Zack Silvast*

SIGNATURE



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Certification that the development shown on the plan has the potential to comply with all technical requirements in subsequent Subdivision and Site Development Plan stages of review.	x	x	x		x	x		x	x
The nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures	x								
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The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: April 8, 2025

COMMENTS: The Development Engineering Division takes NO EXCEPTION to the request for a Historic Building Conditional Use for professional offices based on the justification presented in the application. This is subject to completing the SDP-22-030 design plans to approval which show the northern most entrance being eliminated, a reconfiguring of the parking/access, and the existing gravel pavement being removed from the end of the proposed parking to MD Rte 108 as MSHA requires that entrance to be closed with curb and gutter. (The included exhibit does not reflect review comments for SDP-22-030).

SIGNATURE



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## Agency Comment Form

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File No.: BA-25-005C

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Parcel: 751

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The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x							x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: April 8, 2025

COMMENTS: DILP—The Maryland Accessibility Code requires a change in use, such as a dwelling to an office building, is required to be accessible. Provide parking and an accessible route to the building.

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\_\_\_\_ James Hobson

3-27-25

SIGNATURE



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## Agency Comment Form

### Conditional Use

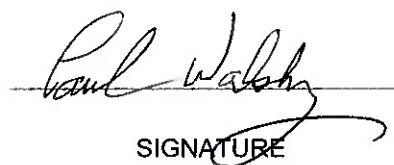
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GENERAL CRITERIA	CONDITIONAL USE CRITERIA REVIEW BY AGENCY								
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The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x							x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: April 8, 2025

COMMENTS: WE HAVE NO COMMENTS.

PAUL WALSKY  
DEPT. OF REC. & PARKS  
APRIL 1, 2025

  
SIGNATURE



Agency Comment Form

Conditional Use

Date: March 25, 2025

Use Category: Historic Building

File No.: BA-25-005C

Petitioner: BFEA - Curtis Farm LLC

Property Address: 5771 Waterloo Rd

Map No: 37

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The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x							x
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: April 8, 2025

COMMENTS: The Department of Fire and Rescue Services has no comment on, nor objection to, this request.

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Robert Ferguson  
Battalion Chief  
Office of the Fire Marshal



Agency Comment Form

Conditional Use

Date: April 25, 2025

Use Category: Historic Building / Office Use

File No.: BA-25-005c

Petitioner: BFEA-Curtis Farm LLC

Property Address: 5771 Waterloo Road

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**CONDITIONAL USE CRITERIA REVIEW BY AGENCY**

GENERAL CRITERIA	DLD	DED	RCD	DCCP	BEH	DRP	SHA	DILP	FD
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The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate.		x				x		x	
The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere. (Streams, Wetlands, Floodplain, Forest Con., etc)	x	x			x	x			
The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.			x						
Design Advisory Panel review	x								

Comments Due: April 8, 2025

COMMENTS: **Please see comments below from the Division of Land Development:**

**CRITERIA: Potential to comply with all technical requirements:**

- A site development plan (SDP) for office use and related site improvements will be required should this conditional use be granted. Proposed site improvement and features shall be evaluated by DPZ staff and county agencies as part of the SDP submission requirements.
- The proposed site improvements, such as parking, landscaping, forest conservation, stormwater management, driveways, walkways, and drainage systems shall all be evaluated as part of the forthcoming SDP submittal.

BA-25-005c BFEA Curtis Farm LLC

- Subsequent to the SDP submission, Planning Board review shall be required for recommendation regarding the on-site cemetery in accordance with Section 16.1304 of Subtitle 13 of the County Code.
- This project shall be subject to Historic Preservation review/ comment due to the historic house (Curtis-Shipley Farmstead) that exists on the property.
- The property is encumbered with a Maryland Historic Trust easement. The Trust must approve the use proposed and development proposal prior to the approval of the SDP.
- The existing historic house doesn't comply with current setbacks. However, Section 128.0.B.1. of the Zoning Regulations states - a structure or use which does not comply with current bulk requirements, but which complied with the requirements in effect when it was constructed, may remain in place and may be maintained or repaired as necessary.

CRITERIA: Existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures:

- Landscape requirements will be reviewed and evaluated at the SDP stage.
- A Type-C landscape perimeter edge will be required for the proposed commercial (office) use since all abutting properties are residential uses. A type-B landscape perimeter edge is required adjacent to the public roads.

CRITERIA: The number of parking spaces will be appropriate to serve the particular use. Parking areas loading areas, driveway and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties:

- Parking requirements will be reviewed and evaluated at the SDP stage. The Zoning Regulations require 3.3 parking spaces per 1,000 SF of office floor space, for office use. Based on the proposed uses, and the required ratios outlined in Section 133.0.D.3.a. of the Zoning Regulations, the proposed development appears to have adequate parking capacity.
- The adjacent property is residential use. All loading, driveway and refuse areas shall be adequately screened per landscape comments above.

CRITERIA: The proposed use will not have greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere (streams, wetlands, floodplain, forest conservation, etc.)

- There do not appear to be environmental impacts within the Limit of Disturbance as shown on the conditional use exhibit. An environmental concept plan for the site must be approved prior to the site development plan to identify any impacts to streams, wetlands, and their buffers, floodplain, steep slopes and specimen trees on site which are protected from disturbance, per the Subdivision and Land Development Regulations. The existing natural environmental conditions of the subject site must be thoroughly assessed by an environmental professional and findings must be provided with the forthcoming SDP.
- This project is subject to the County's Forest Conservation Act, per Section 16.1202 of the Code and the Forest Manual. A forest stand delineation and forest plan must accompany the forthcoming SDP to demonstrate how forest conservation is to be provided for this project. If the site contains specimen trees, the approval of an alternative compliance application is required for the removal of any specimen trees, if applicable.
- Please be informed that approval of a Conditional Use plan and specific site design does not serve as unwarranted hardship justification for any potential alternative compliance requests to the Subdivision

BA-25-005c BFEA Curtis Farm LLC

and Land Development Regulations. Future review of the site development plan for compliance with the Forest Conservation regulations may cause changes to the plan. If such changes do not constitute "minor modifications" as defined in Section 131.0.I.2.c, these changes may require a new hearing by the Hearing Authority, unless otherwise specified in the Decision and Order.

**CRITERIA: Design Advisory Panel review:**

- The proposed development is not subject to Design Advisory Panel (DAP) review as it is not within the boundaries of a DAP review area.

Derrick Jones, DLD

A handwritten signature in blue ink, enclosed in a blue rectangular box. The signature appears to read "Derrick Jones". Above the signature, the letters "DS" are handwritten in a small, stylized font.



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION  
*ELLICOTT CITY HISTORIC DISTRICT ■ LAWYERS HILL HISTORIC DISTRICT*  
3430 Court House Drive ■ Ellicott City, Maryland 21043

*Administered by the Department of Planning and Zoning*

VOICE 410-313-2350  
FAX 410-313-3042

## March Minutes

Thursday, March 7, 2019; 7:00 p.m.

The February meeting of the Historic Preservation Commission was held on Thursday, March 7, 2019 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Susan Overstreet, Kaitlyn Clifford, Lewis Taylor

### PLANS FOR APPROVAL

#### Consent Agenda

1. MA-17-52c – 8472 Hill Street, Ellicott City
2. HPC-18-26c – 8472 Hill Street, Ellicott City

#### Regular Agenda

3. HPC-19-07 – 5771 Waterloo Road, Ellicott City
4. HPC-19-08 – Multiple Properties (8221 Main St, 8249 Main St, 8289 Main St, 3709 Old Columbia Pike) in the Ellicott City Historic District, Ellicott City
5. HPC-19-09 – 8423 (8411 per SDAT) Main Street and Howard County Right-of-Way, Ellicott City

### OTHER BUSINESS

1. Minutes

## CONSENT AGENDA

### MA-17-52c – 8472 Hill Street, Ellicott City

Final tax credit claim 20.112.

Applicant: Greg Busch

**Background & Scope of Work:** The property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1872. The Applicant was pre-approved for tax credits to repair or replace the exterior features of the structure; work that is necessary to maintain the physical integrity of the structure with regard to safety, durability, or weatherproofing; and maintenance of the exterior of the structure, including maintenance as defined in Section 16.601 of the County Code, through the Minor Alterations process in case MA-17-52 in October 2017. The Applicant submitted documentation that \$13,790.00 was spent on the eligible, pre-approved work and seeks \$3,447.50 in final tax credits.

**Staff Comments:** The work complies with that pre-approved, and the invoices and cancelled checks add up to the requested amount.

**Staff Recommendation:** Staff recommends approval as submitted for \$3,447.50 in final tax credits.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

### HPC-18-26c – 8472 Hill Street, Ellicott City

Final tax credit claim 20.112.

Applicant: Greg Busch

**Background & Scope of Work:** The property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1872. The Applicant was pre-approved on June 7, 2018 in case HPC-18-26 for restoration of 2-over-2 upper windows on the west elevation. The Applicant has submitted documentation that \$2,400.00 was spent on eligible, pre-approved work. The Applicant seeks \$600.00 in final tax credits.

**Staff Comments:** The work complies with that pre-approved, and the invoices and cancelled checks total the requested amount.

**Staff Recommendation:** Staff recommends approval as submitted for \$600.00 in final tax credits.

**Testimony:** Mr. Shad asked if anyone in the audience wished to present testimony. There was no one in the audience who wanted to testify.

**Motion:** Mr. Roth moved to approve. Mr. Reich seconded. The motion was unanimously approved.

## REGULAR AGENDA

### **HPC-19-07 – 5771 Waterloo Road, Ellicott City**

Advisory Comments for pre-application advice

Applicant: Stephan Ferrandi/BFEA-Curtis Farm, LLC

**Background & Scope of Work:** This property is not located in a historic district but does have a Maryland Historic Trust easement and is listed on the Historic Sites Inventory as HO-439, the Curtis-Shipley House. The farmstead is approximately 7.46 acres and includes eight contributing buildings: the two-story frame gable-roof house with a two-story service ell, dairy/smokehouse, garage, bank barn, granary, wagon shed/corncrib, hog barn, chicken house and a historic cemetery, #37-7 Shipley family cemetery. The Inventory states: This old Shipley house sits on the first land ever granted in Howard County to Adam Shipley in 1689. In 1883 James A. Shipley acquired the property and added to the original structure, circa 1890. The Applicant is seeking pre-application advice for the installation of a stone entrance sign and to expand the current entrance, driveway and parking as part of a Conditional Use filed with the Department of Planning and Zoning as BA-17-032C.

Staff conducted a site visit and notes that the property is constrained. The existing farm field appears open and expansive, but the northern open field has tile drainage, as noted in a blue square in Figure 1. There is an existing asphalt driveway that is a single lane running from the southern edge of the property from Waterloo Road (operating as the main entrance to the site) to the back (north side of the historic barn). A wood fence runs adjacent to this driveway to the eastern right side of the drive (Figure 2). There is another driveway that arches behind the main house that exits on to Waterloo Road, on the northwest side of the house. This driveway loop is mostly crushed gravel (Figure 3).

**Staff Comments:** The Curtis-Shipley property is significant both architecturally and historically, depicting a great example of a small farmstead in the eastern part of Howard County, which has transitioned from rural agriculture to suburban development patterns. Maryland Historic Trust has an easement on this property and will need to grant approval for any modifications to the property or structures. The Secretary of the Interior's Standards for Treatment of Historic Properties recommends "Retaining the historic relationship between buildings and the landscape." And recommends against "Removing or destroying features from the site, such as fencing, paths or walkways, masonry balustrades, or plant material."

#### Parking:

The addition of 17 parking spaces in the location that is proposed along the looped driveway behind the house will both physically and visibly divide the historic parcel, separating the main house and two outbuildings from the open space that was traditionally associated with the farmette. The Secretary of the Interior Standards for Rehabilitation, Standard #9, "New additions, exterior alterations or related new construction shall not destroy historic materials, features and spatial relations that characterize the property. The new work shall be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment." The proposed configuration of the parking area in relation to the open space would not be consistent with this guideline. The HPC may want to consider some alternative configurations, as illustrated in Figure 4 and 5. Figure 4 depicts a double loaded parking lot to reduce the expansion of the parking lot from dividing the farmette. Additional parking spaces could be accommodated to the immediate right (southeast side) of the entrance where the road will be widened and graded. This design reduces the number of parking spots that are north of the structures by a third, thus protecting the integrity of the property and its environment. Figure 5 depicts a second alternative, shifting the

parking further to the west side of the loop driveway. This double loaded design shifts cars from a central portion of the site to the side of all the historic buildings. This design also opens the views from the house (on the west side) to the fields and outbuildings, allowing for connectivity among the historic structures and open fields.

**Driveway Expansion:**

The Applicant proposes to expand the driveway from a single lane to 24 feet. To accommodate an expanded driveway, part of the wood fence will be removed. Additionally, it is possible that a large tree may also need to be removed (Figure 2). The HPC should advise whether the driveway expansion, fence, and possible tree removal impact historic views and features.

**Landscaping:**

An ornamental landscape buffer of cherry trees is proposed to screen the new townhome community from the parking, but no screening is proposed to screen the expanded driveway and parking lot from the historic structures. A landscape screen would be appropriate for the historic home, and use of native trees and shrubs would offer diversity in species and scale, consistent with a historic landscape.

**The Entrance Sign: Monument Plan**

The proposed stone entrance sign is shown on plan "Conditional Use Exhibit: #5771 Waterloo Road". The proposed location, on top of a slope, appears to block the view of the historic house. However, the Applicant has clarified that the entrance feature will be lower down on the slope acting as a retaining wall, upon approach to the entrance. Figure 6 illustrates the existing wall at the loop driveway exit onto Waterloo Road. This ties into the existing slope and landscape, matches existing materials, and does not hinder visibility of the historic house. The mirroring of this entrance feature will be appropriate for the new entrance sign.

**Staff Recommendation:**

Parking: Further evaluate the parking, consist with Figures 4 and 5 above.

Landscape: Incorporate a diverse native buffer on the historic house side to screen any additional paving and parking.

Entrance Feature: Revise the plans to clearly depict the retaining wall entrance sign.

**Testimony:** Mr. Shad swore in the Applicant, Stephan Ferrandi; Stephanie Tuite of Fisher, Collins & Carter; and Tom Coale, Talkin & Oh, LLP. Mr. Coale stated that the staff recommendations had already been incorporated into the revised parking and landscaping plan done by Ms. Tuite, and he distributed the updated plans. Ms. Tuite stated the landscaping updates included planting viburnum, cherry, spirea, and boxwood to screen the parking.

Mr. Ferrandi stated that the parking had been adjusted to be double loaded behind the main building and to the side along the driveway, and the plan incorporated screening for the house with the use of boxwood. The house is used as a real estate office. The outbuildings have some use, such as the grainery houses store the For Sale signs, the workshop is used as a workshop, and the garage is used for lawn equipment. The historic barn, chicken coop and pig pen are all empty.

Mr. Roth asked why parking was not behind the barn. Mr. Ferrandi stated that Shipley's Grant residents were upset about having parking close to their homes, but would be okay with parking if it was screened and far from the homes.

Mr. Ferrandi added that he hoped to replicate the Shipley's Grant entrance monument on the property, but in a convex manner around the slope next to the road. Mr. Reich stated that he liked the revised parking layout with the additional screening.

Ms. Tennor stated the sign would be a permanent sign due to the long-term use of the property and asked what material would be used for the sign panel, given that it needed to be curved. Mr. Ferrandi stated the plan was to excavate the land in front of the sign. The core foundation of the sign would be a concrete and rebar with concrete block wall with a stone veneer. The center sign panel was a stucco material with metal brushed aluminum letters mounted on the surface. Mr. Ferrandi stated he did not know the materials of the logo, but would use whatever the sign company recommended.

Ms. Tennor asked if, considering the number of companies identified on the panel and all the different colors for their logos, Mr. Ferrandi could use a neutral unified color, such as black or dark grey, for the logos. Mr. Ferrandi stated he would not be willing to do that due to corporate identity. Ms. Tennor explained all companies have black and white versions of their logo in addition to color, and while Mr. Ferrandi is not constrained by the rules of a historic district, there are reasons why the Commission tries to limit the numbers of colors that go on a sign. Ms. Tennor noted that Shipley's Grant only employs two or three colors on their sign. Mr. Ferrandi stated that Shipley's Grant also has a large pylon sign and that Mr. Ferrandi will have small logos, but they will be colored. Mr. Coale stated that color is part of the brand. Ms. Tennor stated that sign design is different than with print materials.

Ms. Tennor asked if the tree adjacent to the drive would be impacted with the driveway expansion. Mr. Ferrandi stated that the County was making him expand the driveway and that the expansion would probably kill the tree. Ms. Tennor asked if the fence could be reinstalled. Mr. Ferrandi stated they had rebuilt the fence previously, and would be willing to rebuild it again.

Ms. Tennor asked, with the entrance sign being a curved wall, would there be a cast panel that matched the curve. Mr. Ferrandi said that there would be metal letters on stucco and some medium created by the sign company for the logos to adhere to the stucco.

Ms. Zoren asked if it was the County making him expand the driveway to 24 feet for two-way traffic and if he could make it a one-way loop rather than a two-way with two curb cuts. Mr. Ferrandi said the County informed him he must design the driveway for two-way traffic. Ms. Zoren again asked if the County was requiring two-way traffic with two curb cuts. Mr. Ferrandi explained that the other entrance is 10 feet wide and cannot fit a tractor trailer. Ms. Zoren asked if the other entrance would stay at 10 feet wide and Mr. Ferrandi confirmed.

Ms. Zoren asked if Mr. Ferrandi would be willing to move the sign farther away from the house, and closer to Waterloo Road, as the sign was currently set back 18 feet from the road. Ms. Burgess responded that the sign would be closer to Waterloo Road, the sign location on the plan was not correct. Mr. Coale stated that the plans were correct and due to the SHA easement the sign would need to stay where it was placed. Ms. Burgess asked if there would be excavation of the hill for the sign. Mr. Ferrandi confirmed there would be excavation. Ms. Zoren asked if the sign was as close to the SHA easement as possible. Mr. Ferrandi confirmed. Ms. Burgess asked if there could be a waiver to the easement so the new sign could mirror the sign on the western side. Mr. Coale said that was not possible and it would be fool hardy to put a sign of that magnitude in the easement if the state decided to expand Route 108 again. Mr. Ferrandi stated when the road was widened previously, it cut into the front lawn and that was why there was no sidewalk on this side of the road.

Mr. Shad stated he was confused about the sign location, thinking the entrance to the driveway would be passed before noticing the sign. Mr. Shad asked if the sign could be moved to the opposite (east) side of the entrance. Mr. Ferrandi stated that there were more trees on the other side and he would prefer to remove as few trees as possible. Mr. Roth disagreed with Mr. Shad and stated that he would drive past the entrance if the sign was relocated on the opposite side.

#### **HPC-19-08 – Multiple Properties in the Ellicott City Historic District, Ellicott City**

Advisory Comments for murals.

Applicant: Kimberly Egan for The Fund for Art in Ellicott City

**Background & Scope of Work:** The Applicant previously came before the Commission in September 2018, Case HPC-18-45, seeking Advisory Comments on potential building locations for the creation of murals in the Ellicott City Historic District. The Applicant is now seeking Advisory Comments for proposed murals on four different buildings in the Ellicott City Historic District. These buildings were previously included in Case HPC-18-45. There are multiple proposed murals submitted for each location, as specified below.

##### **8221 Main Street (Ellicott Theatre), side of building over existing mural**

Please note the submitted application has a typographical error that states the mural locations are "Proposals for 8125 Main Street," but refers to the location at 8221 Main Street, the Ellicott City Theater (Figure 7). The Applicant has confirmed the location in review is 8221 Main Street.

Staff commented in HPC-18-45 that this is an historic building, that contributes to Ellicott City's later significance, and is appropriate for a mural location. Proposed mural options are:

1. Historic Standard Oil Gas station
2. Historic Ellicott City with theatre icons
3. Historic Ellicott City EC with Standard gas station
4. Historic Ellicott City EC with train
5. Historic Ellicott City EC with Civil War soldiers
6. 1830 horse and steam engine race

##### **8249 Main Street (Yates Market), side of building**

Please note the submitted application has a typographical error that states the mural locations are "Proposals for 8221 Main Street," but refers to the location at 8249 Main Street, the historic Yates Market. The Applicant has confirmed the location in review is 8249 Main Street (Figure 8).

Staff commented in HPC-18-45 that this is an historic, contributing building that has not been significantly altered and is not preferable for a wall mural, which would alter the highly visible secondary facade. Proposed mural options are:

1. Historic homes and storefronts in four panels
2. Historic Ellicott City from the air and as a plot plan in six panels
3. Pre-Ellicott Mills
4. Ellicott City Early Transportation in America
5. Raising the clock tower sketch

8289 Main Street (Reedy Electric Building, Sweet Elizabeth Jane), side of building

Please note the submitted application has a typographical error that states the mural locations are "Proposals for 8229 Main Street," but the correct address is 8289 Main street. The Applicant has confirmed the location in review is 8289 Main Street (Figure 9).

Staff commented in HPC-18-45 that this is an historic, contributing structure that was recently restored.

This location is appropriate for a mural because it is visible from a pedestrian view, and a mural at the appropriate scale would not compete with the façade of the building. The side wall shows the remnants of an abutting building that was demolished decades ago. Additionally, conduit for electric wires are present and currently could pose an obstacle to a mural. Proposed mural options are:

1. Man working on historic car engine
2. Historic automobile showroom with man and boy
3. Sketch of people and Ellicott City sign (difficult to see)
4. Sketch of people holding up Ellicott City sign
5. Ellicott Brothers
6. Ellicott Brothers and railroad bridge
7. Historic car with Babe Ruth in baseball uniform

3709 Old Columbia Pike (Linwood Boutique), front of building

Staff commented in HPC-18-45 that this building (Figure 10) is older, but does not contribute to the District's significance, as it has been significantly altered from its original use as a service/gas station, and is appropriate for a mural location. However, this building offers a façade with a small space for a mural. The side wall provides the most area for a mural, as it does not have an entrance. Proposed mural options are:

1. Historic storefronts in six panels, grouped
2. Historic storefronts in four panels, separate
3. Benjamin Banneker

**Staff Comments:** The Applicant has identified four potential locations, with multiple options for murals, which allows the Commission to review the request comprehensively rather than isolated additions to the District.

The Guidelines, Chapter 11.B.9, Wall Murals, states that 'Painting a sign directly on a wall or other structural part of a building is not permitted by the County Sign Code. However, the Board of Appeals may grant a Variance for such signs if they are found to contribute significantly to the historical, architectural or aesthetic character of the area. A wall mural that does not advertise a business or identify an area is not a sign and is not regulated by the Sign Code."

The Guidelines further state that "Well-executed artwork such as wall murals can make a positive contribution to the Historic District," but give no additional guidance. However, other sections of the Guidelines provide related advice. The Commission should balance these Guidelines against the positive contribution of well-executed artwork.

- Chapter 6.C of the Guidelines recommends against, "replacing or covering original masonry construction" and against "painting historic stone or historic brick that has never been painted."
- Chapter 6.K, Storefronts, recommends "Preserve the form and details of existing historic storefronts."
- Chapter 7A, Building Additions, states that "Additions should be subordinate to historic buildings and not compete with or obscure the existing structure" and "Attach additions to the side and

rear of a historic building to avoid altering the primary façade." The Guidelines further state "Design additions so that the form and integrity of the historic structure would be unimpaired if the addition were to be removed in the future."

- Chapter 11, Signs, discusses that the Historic District was developed during the 19th century, before automobile travel and is scaled to the pedestrian.

In addition to the Guidelines, Section 16.607 states that in reviewing an application for a Certificate of Approval, the Commission shall give consideration to: the relationship of the exterior architectural features of such structure to the remainder of the structure and to the surrounding area; general compatibility of exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and any other factors, including aesthetic factors, which the Commission deems to be pertinent.

Based on the lack of Guidelines specific to murals, the Commission may want to consider the following features discussed in other Guideline sections and the Code:

- Scale - Does the height of the mural maintain a pedestrian scale?
- Location – Is the mural located on the side or rear of building so as not to alter the primary façade or compete with existing storefronts or business signs? If the side or rear of the building has important architectural features, are they obscured or detracted from?
- Mounting – Are the murals painted on historic stone or brick that has never been painted? Are they mounted in a way where future removal will not impair the original structure?
- Character – Do the murals relate to the Historic District and contribute to the historical character of the area?
- Compatibility - Is the design, scale, proportion, arrangement, texture, materials, and other aesthetic factors compatible with the structure and surrounding area?

Based on the bullets above, Staff has the following comments on the individual murals:

#### 8221 Main Street (Ellicott Theatre), side of building over existing mural

1. Standard Oil Gas station – A historic gas station is an appropriate subject for the District and ties into the history of this location. The addition of a vehicle or person in period clothing could help articulate the time period being captured in this mural.
2. Historic Ellicott City with theatre icons – While the mural is located on the side of the building, the proposed two-story mural is not scaled to the pedestrian. Additionally, the windows are obscured.
3. Historic Ellicott City EC with Standard gas station – Same comments as above.
4. Historic Ellicott City EC with train – While the artwork is historically appropriate, it does not clearly articulate the era of significance.
5. Historic Ellicott City EC with Civil War soldiers – Similar comments to numbers 2 and 3 above. Additionally, the scene depicted is not specific to Ellicott City.
6. 1830 horse and steam engine race – The historical content, scale and location on the wall are all appropriate.

#### 8249 Main Street (Yates Market), side of building

1. Historic homes and storefronts in four panels – Although the scale is appropriate for this wall, the street scene depicted is not specific to Ellicott City.
2. Historic Ellicott City from the air and as a plot plan in six panels – The scale is appropriate, as well as the size relative to the building, however, clarity is needed on the black and white rectangles through the center of the mural. The image could be used to navigate through Main Street, but this image appears to include a Sanborn map, so there may be copyright issues.

3. Pre-Ellicott Mills – The scene depicted does not appear to be specific to Ellicott City and additional information is needed on the proposed size of the mural relative to the building. The mural layout may have been intended for a different location based on the window layout and may need revision.
4. Ellicott City Early Transportation in America – The historic means of transportation for Ellicott City is an appropriate theme, but the size of the sail ship seems to enlarge the scale and is not specific to Ellicott City. A two-story mural is not scaled to the pedestrian and it competes with the architectural integrity of an otherwise unaltered building.
5. Raising the clock tower sketch – Additional information is needed on image content and size. The mural appears to mimic the Iwo Jima Marine Corps Memorial, so there may be copyright issues.

8289 Main Street (Reedy Building, Sweet Elizabeth Jane), side of building

1. Man working on historic car engine – The mural ties into the history of the Reedy Building and the town. The scale, color choices and location are all appropriate.
2. Historic automobile showroom with man and boy – The mural ties into the history of the Reedy Building. This may be a good example of mounting the mural on the building to cover and not interfere with the existing electrical conduit. The capture of an era, size, color and scale are appropriate for a mural in this location.
3. Sketch of people and Ellicott City sign – Given the quality of the rendering, additional information is needed on image content and size.
4. Sketch of people holding up Ellicott City sign – Additional information is needed on image content and size.
5. Ellicott Brothers – Additional information would be helpful to understand how this mural depicts the founding fathers, the Ellicott Brothers.
6. Ellicott Brothers and railroad bridge – A two-story mural is not scaled to the pedestrian. The image of the railroad bridge complements the brick building.
7. Historic car with Babe Ruth in baseball uniform – The scale, color choices and location are appropriate, however, the historic relevance is limited to Babe Ruth's wedding occurring in Ellicott City.

3709 Old Columbia Pike (Linwood Boutique), front of building

This location is not a historic structure, but the main entrance, windows, business sign and hanging baskets are all features that compete with the art. The side of the building has only smaller windows, making the side a preferable location and focal point for the art.

1. Historic storefronts in six panels, grouped – The street scene depicted is not specific to Ellicott City. Grouping the mural seems appropriate, but the location competes with the windows and door below.
2. Historic storefronts in four panels, separate – The street scene depicted is not specific to Ellicott City. The separation of the mural panels to provide four paintings throughout the façade competes with the other features on the building. A paneled mural may be more appropriate on the back of the theater building (8221 Main Street).
3. Benjamin Banneker – A mural dedicated to Benjamin Banneker is relevant to both Ellicott City history and the relationship with the Ellicott Brothers. Similar comments as above regarding the location on the front of the building. The side of the building or another location may yield a better opportunity to showcase this mural.

**Testimony:** Mr. Shad swore in Kimberly K. Egan for the Fund for Art in Ellicott City, Inc. Ms. Egan stated that the competition received proposals from 9 people. Ms. Egan noted she did not plan to advocate or editorialize for the proposals, but present them in the order of sites that received the most proposals.

Mr. Reich asked if the sites would be on buildings the Commission had approved previously in their advisory comments. Ms. Egan stated the sites were the Theater, Sweet Elizabeth Jane and Linwood, which the Commission had indicated were good sites for murals, but it also included the Yates building. Ms. Egan found the Yates building favorable, but Staff was not so sure.

Mr. Roth stated that the Yates building and the Theater bracketed the Visitor Center, which could be interesting if the murals complimented the Visitor Center. Mr. Reich stated that the Yates building was inappropriate for a mural, because it would be too in your face when you entered Ellicott City. He had the same concerns about the Linwood building. Mr. Reich did not want the murals to detract from the historic nature of the town. Mr. Roth stated that when you come down the road and see the Visitor Center, the Yates building is in the back drop and so the mural would be a back drop. Mr. Reich stated that the Sweet Elizabeth Jane location was not in your face and the Theater had a mural that needed to be covered because it was too old, but he cautioned the Commission to think carefully about the Yates and Linwood locations.

Ms. Tennor stated she did not have reservations for the Linwood Building because she could see how the proposed murals could benefit the building. Mr. Reich stated it may depend on the character of the mural if it would benefit the building, perhaps if the mural was black and white or small. Ms. Egan stated that the Commission would see a lot of proposals for the Yates building. Ms. Burgess read from the agenda on page 9 of additional aesthetic factors the Commission could consider while viewing the murals. Mr. Roth stated that there was a good selection of locations, with the possible exception of the Yates building, if it did not obscure the building's architectural design.

Ms. Egan began her PowerPoint presentation of the proposals, starting with the Theater. Ms. Egan noted that there were no proposals for the back wall of the Theater, so it was also available for a mural location. If the Commission liked a mural shown at a different location, it could be relocated to the back of the theater if the other location was inappropriate.

The Theater received eight proposals, and some artists submitted multiple proposals for the same location. The proposals varied in themes. There were two Standard Oil gas station themes, which was the use in that location prior to the theater, a theatrical theme, two train themes, a Tom Thumb versus the horse race theme, a clock theme and a Civil War theme. Mr. Roth asked for clarification on the examples of the murals, if they were diagrams or if they were exact depictions of how the murals would look in real life. Ms. Egan said that it was how the mural would look, unless the Commission hated it. The Fund wanted to respect the artist's vision, unless it was inappropriate.

Ms. Tennor asked if the plan was to clear the wall of the old mural and Ms. Egan confirmed that was the intention. Ms. Tennor noted that some of the murals had buildings that were floating in mid-air when they should be at grade, and the murals should incorporate the architectural features of the building. Mr. Reich noted some of the submissions had a gridded panel in front of the mural itself. Ms. Egan stated that each of the artists had to work with the concept that their mural could be on panels or canvas and not painted directly on the building itself. Mr. Reich asked if the murals were then meant to be temporary. Ms. Egan stated that they could be.

The Commission debated the historical accuracy of the gas station submissions. They were also concerned that they included a canopy in front and the historic building was getting lost in the background of the mural. The canopy that was depicted in both submissions was not true to the original architecture and this concerned the Commissioners. Ms. Zoren stated she preferred the gas station in the third proposal to the first, but would like the additional elements in the third proposal removed, as it

was too busy and would distract the viewer. Ms. Zoren preferred murals at a more pedestrian scale and thought the larger murals were too overwhelming. Mr. Reich agreed the larger murals were too big, colorful and busy.

Ms. Tennor noted that the more site specific the murals could be to Ellicott City the better. Murals that were more accurate, without infringing on the artist's creativity, and more related to Ellicott City would please the Commission. Mr. Reich said it was not clear what was going on in the train theme murals. The Civil War proposal was disliked, because the train shown in the proposal would have been in Western Maryland and not Ellicott City, and the Civil War was a controversial topic, as the Civil War Monuments had been taken down at the State Capitol last year. Ms. Zoren stated she preferred when the murals did not take over the existing windows, as it appeared overwhelming. Ms. Tennor stated she preferred that the murals were less rectangular in presentation, as the execution did not look like a mural, and if the murals were painted directly on the building they could be better integrated with the building. Ms. Zoren said a rectangle could be appropriate, depending on the mural. Mr. Roth stated he would like confirmation that the Tom Thumb race occurred in Ellicott City as that was not his understanding. The Commission agreed that the Clock theme mural needed more detail.

The Reedy Building or Sweet Elizabeth Jane received seven proposals. There was a Ford dealership mural with two separate images, a mural of the original Ellicott City post office block, two murals related to community through a crowd theme and a crowd raising, an indigenous peoples theme, an Ellicott Brothers mural, and a Babe Ruth auto mural. The Commission noted that the condition of the brick on the building was poor, so it would be alright for the artist selected to paint directly onto the building.

The Commission was quite favorable to the Ford Dealership mural. They noted that a car dealership was historically in the building, and the depictions of the cutaways to inside the building were accurate to the placement of where the showroom and repair center would have been. They also liked that the mural was working with the conduit on the outside of the building.

Ms. Tennor noted that the post office block proposal should have some message or information to give to the viewer an understanding of what they were looking at. Ms. Tennor stated that this would give value to the image, why the image was selected and what the message of the mural was. The Commission felt that the crowd theme, crowd raising and indigenous peoples proposals needed more detail, but stated they preferred a historical theme. Ms. Tennor stated she thought it was important to represent the indigenous people in Ellicott City and was glad to see such representation. Ms. Zoren said the mural was too big and overwhelmed the building, as it covered the entire side façade.

The Commission stated their preference for the Ellicott Brothers and the Ford Dealership proposals. Ms. Tennor stated while Ms. Zoren expressed a desire for the murals to not be quite as overpowering of the wall, in this instance, if the background faded away, it would not be as overpowering. Mr. Reich stated he liked the sepia tone and would like to see it used more throughout the mural. Mr. Reich stated that the mural was not intrusive, but it did not look well composed. Mr. Roth preferred just using the lower half of the mural with the railroad image. Mr. Reich thought alternatively the mural could just show the Ellicott Brothers in a sepia tone. The Commissioners asked Ms. Egan to question the artist on the use of the Welsh Flag in the mural as they were not sure the Ellicott Brothers were Welsh.

The final proposal for Sweet Elizabeth Jane was a rendering of Babe Ruth and an automobile from 1930. Ms. Egan stated Babe Ruth was married in Ellicott City. Mr. Roth stated the mural's connection to Ellicott City was tenuous. Ms. Zoren stated the Ford Dealership proposal was preferred over this one.

Yates Market received three proposals: one of an aerial map of Ellicott City, one of the Ellicott Brothers, and the last of transportation and road themes. The Commission liked the first proposal of the aerial map, but could not agree on the appropriate size for the mural. Mr. Reich stated he liked that it was not obtrusive on the wall and could fit on panels. Ms. Tennor stated that it was too small for the wall and if it was enlarged it would be easier to see the details. Ms. Tennor stated that the mural should be big enough that it could be read from far away, so that the viewer would want to move closer to observe it. Mr. Roth noted it would be across the street from the Visitor Center and it was pedestrian scale so that one could walk over to look at it after leaving the Visitor Center. Ms. Egan stated that Ms. Betty Yates liked the idea of having a mural on her wall and that there were no copyright issues with the Sanborn Map.

Mr. Roth found the Ellicott Brothers proposal to be very entertaining and humorous. Ms. Tennor was concerned about the size of the mural and said it would work better as a sculpture. Ms. Tennor asked if that was possible and Ms. Egan noted it would not be with state funds, but they could potentially execute it another way. Ms. Tennor and Ms. Zoren liked the idea of it becoming sculpture.

The Commission had some issues with the overall design of the transportation and road theme mural. Mr. Roth said the ship would fit better in Elkridge and thought it appropriate to remove from the design. Mr. Reich felt that there was too much going on in the mural for that location, but the bottom portion of the mural design was acceptable. Ms. Tennor again requested the mural go down to the finished grade and not float above the sidewalk. The Commission liked the idea of having the National Road (Route 144) depicted on the building.

The Linwood Building had two proposals, one a building mosaic and the other of Benjamin Banneker. Ms. Tennor and Ms. Zoren agreed that they liked the building mosaic mural, but did not like it for that particular building, which already had a busy façade with two doors and windows. Ms. Zoren stated that the images should stay together and not be separated. She also suggested it could be juxtaposed with the aerial map proposal on the Yates Building. Mr. Roth and Ms. Zoren were concerned that the red/orange color house was more in the style of a house from Baltimore City and not one from Ellicott City.

Ms. Tennor liked the Benjamin Banneker mural, but said the graphics needed to be unified. Ms. Tennor suggested replacing the map with the commemorative stamp so it would be in line with the windows. Ms. Tennor liked the astronomer, but was concerned that the title of the painting competed with the store sign and recommended it be removed. She also recommended the rectangle be faded into the building. Ms. Zoren did not like the giant scale of the bees depicted in the mural. Mr. Reich agreed there was too much going on the mural and it could be reduced or put on the side of the building, so it was not in a driver's face when commuting down Columbia Pike. The Commission was okay with any murals being painted directly on this wall, as the brick building had already been painted blue.

Ms. Burgess confirmed with the Commission, based on some key repetitive comments, that they were looking for murals that: were accurate, if they were historic; were specific to Ellicott City; fit the scale of the building and worked with the building's architectural details; were at a pedestrian scale and not overwhelming; and were painted down to the grade level, where appropriate. The Commission agreed.

**HPC-19-09 – 8423 (8411 per SDAT) Main Street and Howard County Right-of-Way, Ellicott City**

Certificate of Approval

Applicant: Kamran Sadeghi/Howard County Government

**Background & Scope of Work:** The properties are located in the Ellicott City Historic District. SDAT does not have a date of construction for this building, but the church website dates the structure to circa 1896, and the church appears on the 1899 Sanborn maps. During the 2016 flood, the steep grassy slope in front of the St. Luke AME Church was badly eroded, so the County placed rip rap on the slope as a temporary stabilization measure. This rip rap also covers an existing brick wall at the bottom of the slope, the brick sidewalk along Main Street and a small portion of Main Street. The rip rap is held in place on Main Street by movable concrete New Jersey barriers. Figure 11 shows the slope before the 2016 flood, and Figure 12 shows the current condition of the slope.

The Applicant proposes to remove the existing rip rap and assess the existing brick wall at the bottom of the slope. If the wall is structurally sound, the slope will be stabilized with Geo Cell, and the wall will be repaired where needed with existing materials or new materials to match existing.

If the existing wall is beyond repair and must be replaced, the slope will be stabilized by adding fill to decrease the angle of the slope and Geo Cell will be used to stabilize the slope. A new wall up to 6' in height will be constructed of concrete with a brick or stone facing. The new wall will tie into a portion of the existing brick wall that will remain on the northwest side of the property, outside the area of rip rap fill (Figure 13). The existing wall will have a new brick or stone veneer to match that of the new wall. The Applicant prefers to use a red brick facing similar to the existing wall, but is open to using stone. The stone wall will be similar to the low stone walls at La Palapa and Su Casa. The capstone for the brick wall will match the existing. The sidewalk will be reconstructed and widened to 6' with pavers to match existing.

There was an existing, stone wall up the hill from the brick wall that is visible in Figure 11 and a portion of this wall is still visible. The Applicant reports that most of this wall was washed away in the 2016 and 2018 floods, however, the County will try and preserve what is left of this wall.

**Staff Comments:** Chapter 9D of the Guidelines addresses retaining walls. Repair of the wall and sidewalk with existing materials or with new materials that exactly match the existing is considered routine maintenance and does not require a Certificate of Approval. However, removal of the remaining stone wall up the hill from the brick wall, will require a Certificate of Approval. The Guidelines state that "Granite features, especially those visible from public ways, should be preserved with the same attention given to historic buildings." In keeping with the Guidelines, the stone wall should be retained and if necessary, repaired with existing materials.

If a new wall is required, the Guidelines state that "Retaining walls of granite, brick or timber may be appropriate, depending on the context." The Guidelines recommend against "Poured concrete walls or concrete block walls in locations visible from a public way," but note that "retaining walls faced with granite or with a surface treatment that resembles Ellicott City's typical stonework can be appropriate in visible locations." The Applicant proposes to construct the new wall of poured concrete, but the wall will be faced with brick to match existing brick in the area or stone, if the Commission determines that stone is more appropriate. Either material complies with the Guidelines.

The Guidelines also state that new walls should "require minimal changes to existing topography and natural features." While the Applicant proposes to change the angle of the existing slope, it is necessary to provide greater stability for the slope, which will help prevent damage from the 2016 flood from reoccurring. The Guidelines state that "Original materials, which include stone, brick and wood, should be preserved." If the stone wall needs to be removed as a result, it should be salvaged and saved for reuse elsewhere in the District.

The Guidelines, Chapter 10A, Paving Materials and Street Design, note that "The brick sidewalks and crosswalks used along portions of Main Street blend well with the mix of historic building materials." The proposal to widen the brick sidewalk to 6' using pavers to match existing complies with the Guidelines.

The County Code requires a fence at least four feet high on top of a retaining wall with a vertical drop of four feet or more, if the retaining wall is in a public right-of-way or near a walkway. If a fence is required, Staff recommends a black metal fence be used in this location, similar to other fences seen in the District.

**Staff Recommendation:** Staff recommends that if the existing brick wall is retained and repaired, then the existing stone wall should also be retained and repaired with existing materials. If the existing brick wall will be replaced, Staff recommends approval of the new retaining wall with a brick or stone facing, with the facing and capstone subject to Staff approval, and material from the existing stone wall to be salvaged and saved for reuse in the District.

**Testimony:** Mr. Shad swore in Mr. Kameron Sadeghi from Howard County's Department of Public Works. Ms. Burgess stated that the County is hoping to repair the wall in-kind, but if that is not possible the County will construct a taller wall to reduce the slope. Ms. Tennor asked if the new wall would still have an apron around the light pole. Mr. Sadeghi stated that it would stay the same, just be taller in size.

Ms. Tennor stated that the single wall was very tall, and asked if the County could possibly minimize the height of the wall by having two stepped walls. Mr. Sadeghi stated it would only be one wall, because one wall will stabilize the slope and a second wall is not needed. He said the second stone wall did not have a structural use. Ms. Tennor stated she understood it could be done with a single wall, but it would look better aesthetically with two walls, which would be less of a barrier next to the sidewalk and more pedestrian friendly. Mr. Sadeghi stated it was very cost prohibitive to have a second wall in the middle of the slope. Mr. Sadeghi stated the County wanted to try to repair the lower wall and stabilize the slope first, and would only resort to the single tall wall if the wall could not be repaired. The County wanted to have approval for the second option in hand in case the existing wall was damaged beyond repair. Ms. Tennor said that the fill behind the higher wall would eliminate the visibility of the stone wall. Mr. Sadeghi replied that most of the stone wall was no longer there. Ms. Burgess explained that the County was not just concerned about the cost of the second wall, but also about the overhead wires, which would make construction difficult.

Mr. Reich asked if the proposed new wall would be faced with either brick or stone. Mr. Sadeghi stated the County would use a maximum 6-foot concrete wall with a veneer of brick or stone and incorporate the existing wall at the ends. Since the existing wall is brick, they would prefer to use brick facing. Ms. Zoren stated she did not mind the brick, but since this was a prominent wall she would like the County to use a brick pattern with some interest, such as an English or Flemish bond. Ms. Zoren then excused herself and left the meeting.

Ms. Tennor asked Mr. Sadeghi to coordinate with Staff on the details of the design once he was further along. Mr. Reich stated that brick was going to be monotonous at 6 feet tall and asked if the existing sidewalk was brick, too. Mr. Sadeghi clarified that the existing sidewalk paver was also brick. Ms. Tennor stated that the brick for the wall should not be the same color as the sidewalk. Mr. Reich said changing to stone would mean not having to worry about matching the existing brick. Ms. Tennor said it would be an advantage for the wall to be different from the sidewalk. Mr. Reich asked if there was an advantage

to using stone versus brick. Mr. Sadeghi stated that brick cost less. Ms. Burgess stated she liked that the brick would be continuous. Ms. Tennor noted that Mr. Reich had said good brick is better than bad stone. Mr. Taylor asked if a railing would be put on top of the wall. Mr. Sadeghi stated there would be a railing and Ms. Burgess said it was a County Code requirement.

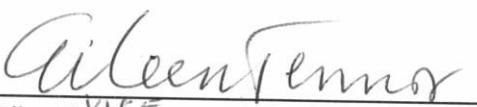
Mr. Shad asked if behind the wall up to the sidewalk if it would be grass and not riprap. Mr. Sadeghi stated the slope would be grass.

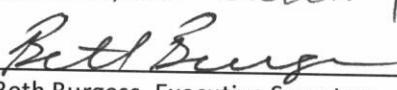
**Motion:** Mr. Roth moved to approve a new wall with brick or stone facing, to be approved by Staff, with the brick facing replicating the existing wall. Ms. Tennor seconded. The motion passed unanimously with Ms. Zoren absent for the vote.

#### OTHER BUISNESS

Mr. Roth moved to go into closed session to discuss the topic of minutes. Ms. Tennor seconded. The motion passed unanimously.

\*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.

  
Aileen Tennor  
Allan Shad, Chair  EILEEN TENNOR

  
Beth Burgess, Executive Secretary

  
Kaitlyn Clifford, Recording Secretary