

**HISTORIC PRESERVATION COMMISSION
HEARING MINUTES
August 22, 2013**

Commissioners

Scott Winnette, Chairman
Robert Jones, Vice Chairman
Stephen Parnes
Tim Wesolek
Michael Simons (not present)
Brian Dylus
Rebecca Cybularz
Chase Tydings, Alternate

Aldermanic Representative

Michael O'Connor (not present)

Staff

Lisa Mroszczyk Murphy, Historic Preservation Planner
Christina Martinkosky, Historic Preservation Planner
Scott Waxter, Assistant City Attorney
Matt Davis, Manager of Comprehensive Planning
Shannon Pyles, HPC Administrative Assistant

I. Call to Order

Mr. Winnette called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Mayor and Board of Aldermen and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case. All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

II. Public Hearing – Swearing In

“Do you solemnly swear or affirm that the responses given and statements made in this hearing before the Historic Preservation Commission will be the whole truth and nothing but the truth? If so, answer “I do.”

III. Announcements

There were no announcements.

IV. Approval of Minutes

1. August 8, 2013 Hearing/Workshop Minutes

Motion: Timothy Wesolek moved to approve the August 8, 2013 hearing and workshop minutes as written.
Second: Stephen Parnes
Vote: 6 - 0

V. HPC Business

2. Review of a Text Amendment for Section 809 of the Land Management Code Related to Bed and Breakfasts/Tourist Home (PC13-492ZTA)

Discussion

Gabrielle Dunn, Division Manager of Current Planning, stated that this is a text amendment that is currently pending between the Planning Commission and Mayor and Board of Alderman stages and it is an amendment to the Land Management Code to a section that addresses Bed and Breakfasts/Tourist Homes. Ms. Dunn went on to say that both are considered to be conditional uses in the City of Frederick meaning you have to go to the Zoning Board of Appeals to receive approval for those uses. She said that there were two criteria that may create obstacles or impediments to seeing Bed and Breakfasts/Tourist Homes as a viable opportunity especially in the downtown area which brings the Historic Preservation Commission into things because of the area that pertains to area with the Historic Preservation Overlay zoning. She added that the two criteria that are subject to this text amendment involve a geographic criteria as well as the parking requirement for Bed and Breakfasts and Tourist Homes. Ms. Dunn went on to say that the concern that came up in the Historic Preservation Overlay and downtown area was that these requirements could create some obstacles, specifically parking not always being available on site on a historic property and the geographic requirement limiting the potential for them. Ms. Dunn stated that the draft amendment with regard to the geographic requirement would eliminate that requirement within the Historic Preservation Overlay so the Zoning Board of Appeals would not have to consider that and the parking requirement gives the Zoning Board of Appeals the opportunity to modify that minimum parking standard if they find that the parking would negatively impact the character of that property.

Mr. Winnette asked if the signage would still come before the Historic Preservation Commission if the Zoning Boards of Appeals approved a home to be converted into the Bed and Breakfast in the Historic Preservation Overlay. Ms. Dunn answered yes. Mr. Winnette asked if there would be conversation between City staff if a ZBA request for a Bed and Breakfast was submitted. Ms. Dunn answered that typically if a ZBA application in the Historic Preservation Overlay is submitted and they were proposing to do any exterior work and convert the property into a Bed and Breakfast there would be great cause for staff to sit down and talk about which process should be gone through first. She added that a lot of times the Zoning Board of Appeals would establish the use and the applicant would then follow through with any Historic Preservation processes needed.

VI. Consent Items

a. Cases to be Approved

b. Cases to be Continued

VII. Cases to be Heard

- 3. HPC13-561 124 N. Market Street Fountain Rock Management Group**
 Demolish vestibule and portion of rear wall **Jim Mills, agent**
Christina Martinkosky

Ms. Martinkosky entered the entire staff report into the record.

Motion: Timothy Wesolek moved to find the 1996 vestibule constructed of aluminum framing and glass that is located on the south (side) elevation to be a non-contributing resource due to the fact that it is less than 50 years old and does not help define the historic district and has no historical or architectural value to the historic district.

Second: Brian Dylus

Vote: 7 – 0

Motion: Timothy Wesolek moved to find the 1960 rear elevation a non-contributing resource to the historic district because although the wall is likely to be 50 years old it does not relate to the Italianate façade or correspond with the characteristics found on the side elevation and does not help define the historic district or add historical or architectural value.

Second: Brian Dylus

Vote: 7 – 0

Motion: Timothy Wesolek moved to approve the demolition of the 1996 vestibule constructed of aluminum framing and glass that is located off the south (side) elevation due to the fact that they found this piece to be non-contributing and subject to an approved replacement plan.

Second: Stephen Parnes

Vote: 7 – 0

Motion: Timothy Wesolek moved to approve the demolition of the circa. 1960 rear elevation in accordance with the site plan that indicates the extent of demolition and approximate dimensions by clouds and the drawing is titled “124 N. Market Street” attached to the Historic Preservation Commission application for demolition dated July 26, 2013 due to the fact that it was found to be a non-contributing resource subject to an approved replacement plan.

Second: Stephen Parnes

Vote: 7 - 0

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- 4. HPC13-573 115 Record Street Record Street Home of the Aged**
 Modify basement window for vent **Kevin Kneer, agent**
Lisa Mroszczyk Murphy

Ms. Murphy entered the entire staff report into the record.

- Motion:** Brian Dylus moved to approve this application as presented with the following clarification:
- The detail that was submitted with the application called “Proposed Window Detail Revised” is to be revised again in that any material on that details that shows sheet metal or metal and plywood will be replaced with a product called “Azak”; and
 - The window will be retained and preserved for potential re-installation.
- Second:** Timothy Wesolek
Vote: 7 - 0

The meeting was adjourned at approximately 6:45 PM.

Respectfully Submitted,

Shannon Pyles,
Administrative Assistant