THE CITY OF FREDERICK
MAYOR AND BOARD OF ALDERMEN
ORDINANCE NO: G-21-09

LEGISLATIVE HISTORY

HISTORIC PRESERVATION COMMISSION		
	PUBLIC HEARING:	**January 14, 2021**
	RESOLUTION SUBMITTED TO MAYOR & BOARD:	**February 22, 2021**
PLANNING COMMISSION		
	PUBLIC HEARING:	**February 8, 2021**
	RESOLUTION SUBMITTED TO MAYOR & BOARD:	**February 22, 2021**
MAYOR & BOARD OF ALDERMEN		
	WORKSHOP:	**March 17, 2021**
	PUBLIC HEARING:	**April 15, 2021**

AN ORDINANCE concerning the zoning of the property located at 1730 North Market Street

FOR THE PURPOSE of amending the official zoning maps to apply the historic preservation overlay (HPO) zone while maintaining the High Density Residential (R16) base zone.

BY repealing and reenacting, with amendments,

Section 402
Appendix A, "Land Management Code"
The Code of the City of Frederick, 1966 (as amended)

BACKGROUND

The Land Management Code (LMC) of The City of Frederick (the "City") incorporates by reference the official zoning maps. In accordance with the Annotated Code of Maryland, Land Use Article, § 8-105 and LMC § 423, the City may designate the boundaries for sites, structures, or districts that are deemed to be of historic, archeological, or architectural significance.

The Historic Preservation Commission (HPC) applied to designate the property located at 1730 North Market Street, consisting of 13.27 acres of land, more or less, as depicted on Exhibit A (the "Property"). The HPC held a duly advertised public hearing on January 14, 2021, and at the conclusion thereof recommended that the Board of Aldermen apply the HPO zone to the Property.The Planning Commission held a duly advertised public hearing on February 8, 2021,

and at the conclusion thereof recommended that the Board of Aldermen apply the HPO zone to the Property. On April 15, 2021, having received the recommendations and findings of the HPC and the Planning Commission, the Board of Aldermen held a duly advertised public hearing on the proposed application of the HPO zone to the Property.

SECTION I. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That in accordance with Section 423 of the LMC and based upon review and consideration of the application materials, staff reports, and all other testimonial and documentary evidence, the Board of Aldermen hereby finds as follows:

(1) The foregoing recitals are incorporated by reference herein and made a substantive part of this ordinance.

(2) The HPO was established to safeguard the historical and cultural heritage of the City by preserving sites, structures, or districts that reflect elements of cultural, social, economic, political, archeological, or architectural history, and to promote the appreciation of those sites, structures, and districts for the education and welfare of the residents of the City.
(3) The Property fulfills the criteria for designation in Section 423(d) as follows:

Criterion i: The site is associated with events and cultural groups that have made a significant contribution to the broad patterns of history, including those that exemplify the heritage of the City.

The Property represents the significant role fraternal organizations played in the early twentieth century. It was the last of its type to be built by the Odd Fellows and illustrates the organization's three tenets—love, friendship, and truth. The Grand Lodge of Maryland, with ties to the first affiliated order in the United States, was able to provide for hundreds of its aged members, their widows, and orphans at a time when there was almost nowhere else for them to turn. Through their philosophy of mutual benefit and reciprocity, the Maryland Odd Fellows raised close to a half a million dollars from their membership to build a grand retreat in a country setting just north of the city.

Criterion iv(a): The site and structures exhibit significance in design or construction by embodying the distinctive characteristics of a type, period, or method of construction, including characteristics particularly associated with the City.

The Property is an excellent example of an institutional building complex in the Colonial Revival style with a high degree of integrity. Specific classical or Palladian influences can be seen the three-part plans, pavilions connected with hyphens, two level portico, arched windows, pedimented dormers, and Flemish bond brickwork. The complex is arranged in a cottage plan, which was the philosophy guiding the division of various institutional functions into several smaller buildings in a campus-like setting, typically set in the countryside. The cottage plan dominated institutional planning at the end of the nineteenth century and into the first several decades of the twentieth century.

Criterion iv(b): The site and structures exhibit significance in design or construction by representing the work of a master.

The Maryland State Odd Fellows Home was designed in the Colonial Revival style by one of Baltimore's preeminent architects, Joseph Evans Sperry. Sperry was a fellow of the American Institute of Architects, a highly selective honor for those who have made outstanding contributions to the profession through design excellence, contributions in the field of architectural education, or to the advancement of the profession. Many of Sperry's other buildings, including several similar examples of institutional building complexes in the Colonial Revival style, have been recognized by listing on the National Register of Historic Places.

(4) The site and structures are at least 50 years old and retain a high level of integrity when evaluated using the U.S. Department of the Interior's National Register Bulletin No. 15: How to Apply the National Register Criteria for Evaluation ("Bulletin 15").

(5) The application of the HPO to the Property is compatible with the City's 2010 Comprehensive Plan, which sets forth policies to identify, document, designate, and protect significant historic resources and to encourage the retention, enhancement, and maintenance of valuable historic resources. The Property is identified in the Comprehensive Plan as potentially eligible for HPO designation.

(6) The application of the HPO to the Property does not result in a population change; it does not impact present and future transportation patterns; and it is compatible with existing and proposed developments.

SECTION II. AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That The Code of the City of Frederick, 1966 (as amended), Appendix A, Land Management Code, Section 402, be repealed and reenacted, with amendments, as shown on Exhibit A, attached hereto and incorporated herein by this reference, and as further described as follows:

The official zoning maps are revised to indicate that the historic preservation overlay (HPO) zone is applied to the property located at 1730 North Market Street, consisting of ±13.27 acres of land. The existing R-16 base zone is retained.

SECTION III. AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That in the event any provision, section, sentence, clause, or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this ordinance, it being the intent of the City that such remainder shall be and shall remain in full force and effect.

SECTION IV. AND BE IT FURTHER ENACTED AND ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That this ordinance shall take effect on April 25, 2021 and all other ordinances or parts of ordinances inconsistent with the provisions of this ordinance will as of that date be repealed to the extent of such inconsistency.

APPROVED: April 15, 2021

Michael O'Connor, Mayor

PASSED: April 15, 2021

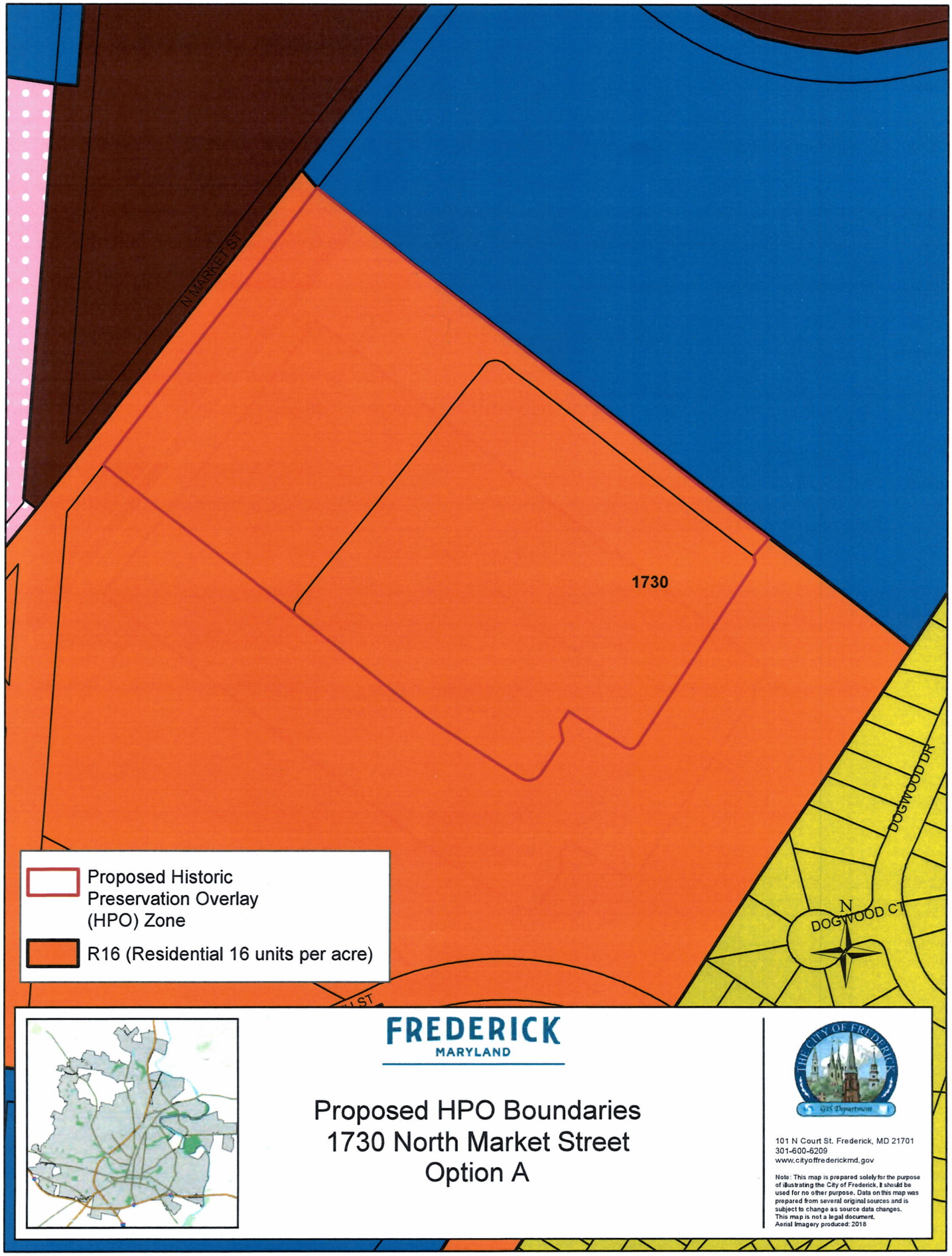
Michael O'Connor, President
Board of Aldermen

Approved for Legal Sufficiency:

Saundra A. Nichols

City Attorney

EXHIBIT A


N MARKET ST
1730
DOGWOOD DR
DOGWOOD CT
N
Proposed Historic Preservation Overlay (HPO) Zone
R16 (Residential 16 units per acre)
FREDERICK
MARYLAND
Proposed HPO Boundaries
1730 North Market Street
Option A
THE CITY OF FREDERICK
GIS Department
101 N Court St. Frederick, MD 21701
301-600-6209
www.cityoffrederickmd.gov
Note: This map is prepared solely for the purpose of illustrating the City of Frederick. It should be used for no other purpose. Data on this map was prepared from several original sources and is subject to change as source data changes.
This map is not a legal document.
Aerial Imagery produced: 2018