



## FREDERICK COUNTY GOVERNMENT

### DIVISION OF PLANNING & PERMITTING

Livable Frederick Planning & Design Office

Jessica Fitzwater  
County Executive

Steven C. Horn, Division Director  
Kimberly Golden Brandt, Director

## FREDERICK COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

December 20, 2022

**Address:** 1606 Gapland Road, Jefferson

**Meeting Date:** January 11, 2023

**Applicant:** Burkittsville Preservation Association

**Report Date:** December 20, 2022

**Case No.:** COA 23-01

**Staff:** Beau Lockard

**Request:** Remove non-contributing exterior wall

### PROPERTY BACKGROUND

The Hamilton Willard Shafer farm was designated to the County Register of Historic Properties (CR # 21-07) on July 5, 2022. The property includes the entire parcel which includes the historic house, bank barn, smoke house, workshop, well, and wagon shed. The property was built between 1820 and 1830 with an addition added to the house circa 1910.

Previous applications for Certificates of Appropriateness (COA) filed for this property include:

Case Number	Date	Owner	Decision
A-COA #22-07	09/14/2022	Burkittsville Preservation Association	Approved
In-kind replacement of rotten studs and sills on the summer kitchen			
COA #22-11	10/18/2022	Burkittsville Preservation Association	Approved
Repair and/or replacement of the windows and shutters of the farmhouse			



*Fig. 1: Subject property.*

**REQUEST**

A Certificate of Appropriateness is requested to remove a failing, non-contributing wall that enclosed a historic alcove porch on the east elevation of the 1910 addition.



*Photograph 1: Overview of porch with wall removed*

## **APPLICABLE GUIDELINES**

When reviewing alterations to a designated County Register property several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Frederick County Historic Preservation Code: Chapter 1-23*, the *Frederick County Register of Historic Places Design Guidelines (Guidelines)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

### **Frederick County Code: Chapter 1-23-7B**

- (1) In reviewing applications, the Commission shall give consideration to the historic, archeological, or architectural significance of the landmark, site, or structure and its relationship to the historic, archeological, or architectural significance of the surrounding area; the relationship of the exterior architectural features of a landmark or structure to the remainder of the landmark or structure and to the surrounding area; the general compatibility of proposed exterior design, scale, proportion, arrangement, texture, and materials to the landmark, site, or structure and to the surrounding area; and any other factors including aesthetic factors which the Commission deems to be pertinent.
- (2) The Commission shall consider only exterior features of a landmark or structure and shall not consider any interior arrangements.
- (3) The Commission shall not disapprove an application except with respect to the several factors specified in paragraph (1) above.
- (4) The Commission shall be strict in its judgment of plans for sites or structures determined by research to be of historic, archeological, or architectural significance. The Commission shall be lenient in its judgment of plans for sites or structures of little historic, archeological, or architectural significance, or of plans involving new construction, unless in the Commission's judgment such plans would seriously impair the historic, archeological, or architectural significance of surrounding sites or structures. The Commission is not required to limit construction, reconstruction, or alteration to the architectural style of any one (1) period.

### **Frederick County Register of Historic Places Design Guidelines**

The *Guidelines* contain chapters on Building Exteriors (Chapter 4) and Demolition (Chapter 10) that should be referred to when reviewing this COA application. Further analysis of how this request meets the *Guidelines* is provided in the Evaluation section below.

### **Secretary of the Interior's Standards for Rehabilitation**

The *Standards* define rehabilitation as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” The *Standards* that are most applicable to the application before the Commission are as follows:

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

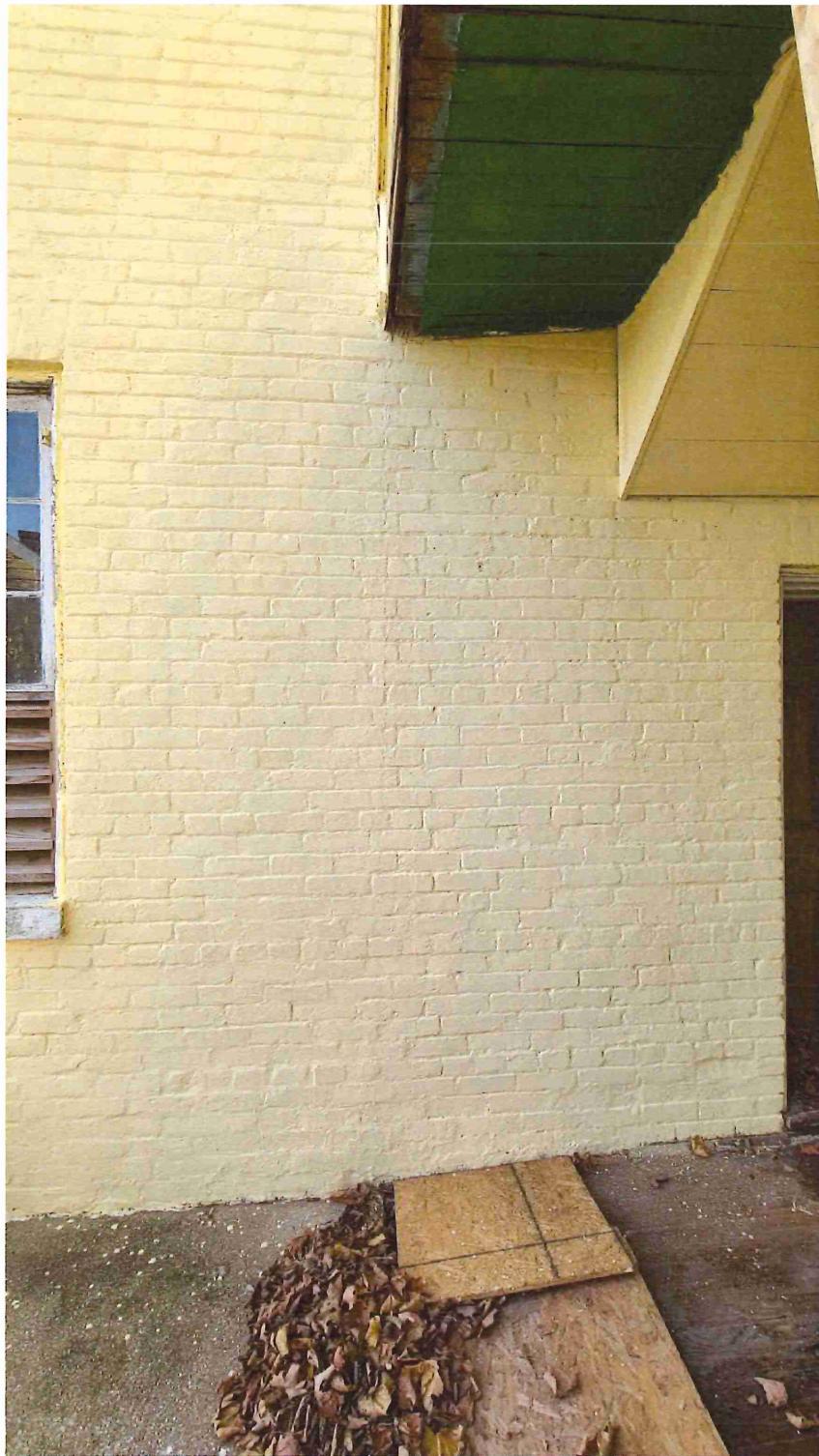
### **STAFF EVALUATION**

The applicant proposes to remove a non-contributing wall to open a historic porch. The poor condition of the porch and porch ceiling has led to the modern wall falling out of place twice. The applicant is asking that the wall not be reinstalled so the porch can be rehabilitated and restored, and that the wall not be reinstalled once this work is done.

Staff conducted a site visit on December 8, 2022, to assess the condition of the wall and the porch. The wall in question appears to be a modern addition to enclose the historic porch at an unknown time. The wall has more modern framing and wood. It was also not attached to the brick exterior on the south edge of the wall. There is a different paint color under the removed wall on the porch ceiling, which matches closely the blue-gray paint on the front porch of the farmstead.



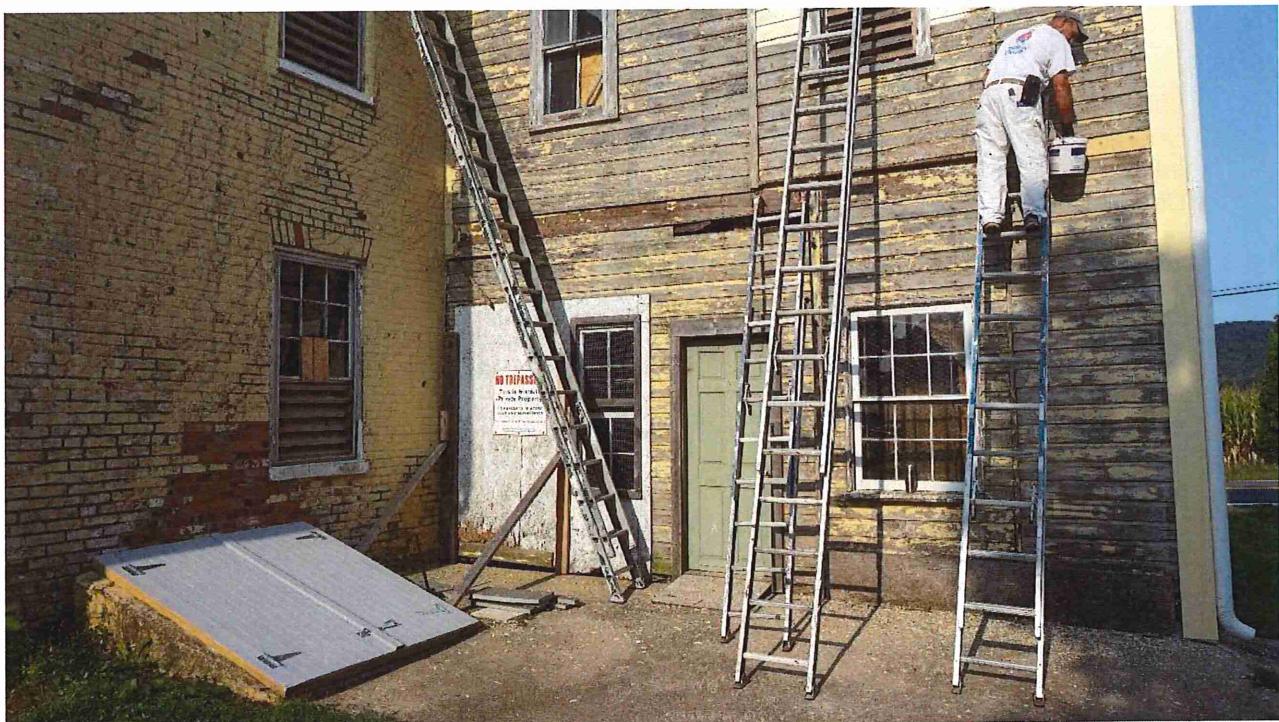
*Photograph 2: Modern wall that is currently stored at the barn on the property.*



*Photograph 3: Exterior common bond brick wall along the south side of the porch. Note how there are no signs of attachment between the removed wall and the brick wall. Also the paint change on the ceiling is visible.*



*Photograph 4: Paint found on the porch ceiling under the wall that enclosed the porch. The color closely matches the painted front porch.*



*Photograph 5: Enclosed elevation before the wall fell.*

Staff  
analysis  
of this project against the *Guidelines* is as follows:

Guideline	Met?	Comments
1G3: Introduction: Standards for Review: Secretary of the Interior's Standards for Rehabilitation	Mostly	The <i>Guidelines</i> include the Secretary of the Interior's Standards and the one needs to be analyzed, "4. Changes to a property that have acquired historic significance in their own right shall be retained and preserved." It is unclear what year the wall was built, and the applicant did not provide any photographs of the porch when it wasn't enclosed. However, the modern framing and wood likely means that the wall was built within the last 50 years which would not allow it to have acquired historic significance. It is unclear if the enclosed second floor porch was enclosed at the same time or earlier.
4F4: Porch: Alterations	Yes	The <i>Guidelines</i> state that character-defining porches should not be enclosed because it removes the historic fabric and changes the character of the building's elevation. This project begins to restore the historic character of the east elevation. "The Commission will review all proposed porch alterations on a case-by-case basis."
10H: Demolition: The Degree of Importance Influence Demolition Decision	Yes	The <i>Guidelines</i> state that, "The Commission must identify if the building, structure, site, or object, is a <i>contributing or non-contributing</i> resource to the historic site." There is physical evidence, listed above, that the wall in question was a late addition to enclose a historic porch. The wall needs to be removed to rehabilitate the historic porch, which has rotten or disintegrated joists in the floor and ceiling.
10H1: Demolition: The Degree of Importance Influence Demolition Decision: Non-Contributing Resources	Yes	The <i>Guidelines</i> state that, "If the resource is non-contributing, demolition may be approved if one of the following pertains: the integrity of the landscape will not be compromised; and the integrity of any surrounding historic properties will not be compromised." The porch is historic and removing the wall will restore a more historic elevation. The porch is also not on an elevation visible from the public right-of-way.

**STAFF RECOMMENDATION**

Staff recommends the Commission **approve** COA #23-01 under the criteria for Application Review in Chapter 1-23-7(B) (1). It can be found that the proposal: will not substantially alter the exterior features of the historic resource; is compatible in character to the remainder of the structure and to the surrounding area; does not seriously impair the historic, archeological, or architectural significance of surrounding sites or structures; and is compatible in character to the property and with the *Secretary of the Interior's Standards for Rehabilitation #2, #4, #5, and #6*.

# Certificate of Appropriateness Application

## Frederick County Historic Preservation Commission

Building Permit # (if applies): _____		<i>For Office Use Only</i>	
		Certificate Application #: _____ CR#: _____	
HPC Hearing Date: _____ / _____ / _____		Application Accepted as Complete: _____ / _____ / _____	
HPC Decision:		Granted: _____	
		Rejected: _____	
Deferred for Information/Consultation: _____			

Please print or type. *Applications must be received 4 weeks prior to the scheduled HPC meeting.*

### 1. APPLICANT

Name: [REDACTED]

Address: [REDACTED]

Home/Cell Phone: [REDACTED] Work/Other Daytime Phone: [REDACTED]

Email: [REDACTED]

Owner Name and Address (if other than applicant): N/A

### 2. HISTORIC PROPERTY

Name (as listed in Frederick Co. Register of Historic Places): Hamilton Willard Shafer Farm

Street Address: 1606 Gapland Road

Tax Map & Parcel Number: 0074 0021 0271

### 3. TYPE OF CHANGE (check all that apply)

<input type="checkbox"/> Alteration	<input type="checkbox"/> Excavation	<input checked="" type="checkbox"/> Repair	<input type="checkbox"/> Grading	<input type="checkbox"/> Addition
<input type="checkbox"/> Moving	<input type="checkbox"/> New Construction	<input type="checkbox"/> Demolition	<input type="checkbox"/> Sign	<input type="checkbox"/> Other

### 4. WORK BEING PERFORMED BY:

Architect: \_\_\_\_\_

Engineer: Ron Dustin

Building Contractor/Other: Ron Dustin

### 5. REQUIRED ATTACHMENTS TO THIS APPLICATION:

<input type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Elevation	<input checked="" type="checkbox"/> Detail Drawing(s) or Sketch(es)
<input type="checkbox"/> Materials Sample(s)	<input checked="" type="checkbox"/> Photographs (4x6 or larger)	<input type="checkbox"/> Other

(Please discuss appropriate photographs/materials with Historic Preservation Planner prior to application submission)

**6. FOR PROPERTIES UNDER EASEMENT FROM A HISTORIC PRESERVATION ORGANIZATION:**

*Please provide written approval of requested change from easement holder.*

**7. A. I plan to apply for a Federal tax credit for this project:**

Yes       No

**B. I plan to apply for a State tax credit for this project:**

Yes       No

**C. I plan to apply for a Frederick County Property tax credit for this project:**

Yes       No

**D. I have been awarded a Frederick County Rural Historic Preservation Grant for this project:**

Yes       No

**8. I have applied for another Frederick County permit, approval, or license regarding this property:**

Yes       No

**9. DESCRIPTION OF PROPOSED WORK: (attach extra sheets as needed)**

BPA requests permission to remove the enclosure wall of the side porch. The 12 foot section of wall was added many years after the house structure was built. It was built with more modern materials such as planned 1 1/2 inch 2x4 studs. The wall also hides the exterior view of the original masonry walls and exterior doors. When this wing of the house was built it had an open porch which remained that way for many, many years. Removal of this wall will not affect the structural integrity of the house.

**10. POSTING OF PROPERTY:**

Placards will be provided by the Planning & Permitting Department and must be placed in full view near the principal public road(s) bordering the property for 14 days prior to the scheduled date of the public hearing before the Historic Preservation Commission. Placards should be reasonably weatherproofed and on a stiff backing. Applicants are responsible for the installation and maintenance of the placards unless other accommodations have been made with HPC Staff.

**11. PLEASE READ AND INITIAL THE FOLLOWING STATEMENTS:**

yes I am the owner of this property, or

yes I am acting on behalf of the owner(s) of this property and have attached a letter from the owner(s) indicating their knowledge of this application.

yes The information on this application represents an accurate description of the proposed work. I have omitted nothing that might affect the decision of the Historic Preservation Commission.

yes I understand that the approval of this application by the Frederick County Historic Preservation Commission does not constitute approval of other required federal, state, or local permit applications.

yes

I agree to supply two additional photographs of appropriate representative views of the proposed work when the job is completed.

yes

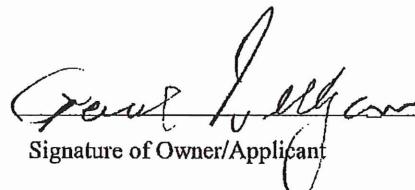
I will attend (or send a representative to attend) the public meeting for this application before the Historic Preservation Commission.

yes

I understand that issuance of a Certificate of Appropriateness is not an authorization to begin work.

yes

I agree or am authorized by the property owner to grant County officials the right to enter onto the property for the purpose of inspecting the work permitted.

Gerald J. Elligan 10/15/2022  
Signature of Owner/Applicant Date