



# FREDERICK COUNTY GOVERNMENT

**DIVISION OF PLANNING & PERMITTING**  
Livable Frederick Planning & Design Office

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## FREDERICK COUNTY HISTORIC PRESERVATION COMMISSION

### STAFF REPORT

September 14, 2023

<b>Address:</b>	1902 Jefferson Pike, Frederick	<b>Meeting Date:</b>	September 14, 2023
<b>Applicant:</b>	Todd and Tara Lehtonen	<b>Report Date:</b>	August 29, 2023
<b>Case No.:</b>	COA 23-03 - Continued	<b>Staff:</b>	Amanda Whitmore
<b>Proposal:</b>	Retroactively approve additional paving and installation of stoop		

### PROPERTY DESCRIPTION

The Crown Rose Estate is listed on the County Register of Historic Properties (CR # 16-01). The property consists of the entire parcel, which includes the main house, a smoke house, two spring houses, a cottage, a bomb shelter, and bank barn. The period of significance for this property is 1856 to 1962. The property is accessed from Jefferson Pike (Figure 1).



Aerial Locator Map – Oakland/Crown Rose (#CR-16-01)

**Fig. 1: Subject property.**

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

Case Number	Date	Owner	Decision
COA #19-01	07/24/2019	Tara and Todd Lehtonen	Approved with conditions
<p>Replace all the window openings on the barn with sliding, barn-door-style louver windows to increase air flow and to allow an easier access for piped A/C to get into the building. – <b>Applicant Withdrew Request</b></p> <p>Install two aluminum louver exhaust fans, one under each roof gable on the barn to assist in extracting warm air.</p> <p>Replace wooden louvers on east elevation with exact replicas.</p>			
A-COA# 20-01	10/22/2020	Tara and Todd Lehtonen	Approved
Install concrete walkway into non-contributing garage.			
COA #20-02	10/22/2020	Tara and Todd Lehtonen	Partially Approved
<p>Install generator and propane tank for barn fire suppression. <b>Expired. Case was continued but applicant did not return within the year.</b></p> <p>Install exhaust fan on roof of non-contributing garage. <b>Approved 11/4/2020</b></p> <p>Install grain storage facility next to non-contributing garage. <b>Expired. Case was continued but applicant did not return within the year.</b></p>			
A-COA#21-05	07/15/2021	Tara and Todd Lehtonen	<b>Approved</b>
Repair window glazing, shutter pieces, and replace in-kind as needed.			
COA#21-05	07/15/2021	Tara and Todd Lehtonen	<b>Approved</b>
Install storm doors and windows on the main house.			
COA#22-04	5/19/2022	Tara and Todd Lehtonen	<b>Approved</b>
Install grain storage container.			
COA#22-05	5/18/2022	Tara and Todd Lehtonen	<b>Approved with conditions</b>

Pave and widen gravel drive to tenant house.			
Pave gravel drive to barn.			
Add paved walkway from barn drive to tenant house parking area.			
Pave 12 parking spaces and 4 ADA spaces.			
A-COA#23-06	5/18/2023	Tara and Todd Lehtonen	<b>Approved</b>
Replace asphalt shingle roof over main house with asphalt shingle.			

## **PROPOSAL**

The applicant is seeking retroactive approval for paving around the barn and the reconstruction of a rear stoop on the main house. The additional asphalt walk wraps northwesterly around the barn drive and intersects with the bank barn ramp. The additional asphalt walk also extends south from the previously approved ADA walkway towards the garages and then crosses the barn drive to create an asphalt walk before it meets the existing concrete walkway. The applicant has revised the proposal with additional information to include painting the asphalt a gray color.

An existing rear stoop was rebuilt on the west elevation of the main house. The applicant has revised the proposal to remove the existing steps and replace them with all pressure treated wood which will be painted. The dimensions of the new stairs will include a trapezoidal landing that is 64" in width against the house and then narrowing to 48" width with a 44" depth. Five stairs will access the deck. Each stair will be 48" wide and 11" deep. Handrails will be located on either side of the stairs and deck and will utilize turned spindles to match the second story back porch. The existing concrete footer will be used and the bottom stair will land on the existing concrete landing.

## **APPLICABLE GUIDELINES**

When reviewing alterations within 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 a Setting and Site Chapter (Chapter 3), Building Exteriors (Chapter 4), Landscape and Site Features Chapter (Chapter 5), and Considerations for Contemporary Use (Chapter 8) that should be referred to when reviewing this COA application. These sections of the *Guidelines* provide the following guidance:

#### **Setting and Site: Circulation Systems (Chapter 3.A.1)**

Circulation systems for vehicles and pedestrians, including roads, streets, driveways, parking areas, walkways, pathways, and sidewalks, are important characteristics of a setting.

The expansion or construction of new circulation systems can negatively impact the historic character of a setting.

New work should be compatible with the size, scale, materials, and placement or siting of historic circulation features.

#### **Setting and Site: Preserving Historic Settings (Chapter 3.A.3)**

The setting of all historic properties shall be preserved by:

- Carefully considering the siting of new construction, including buildings, driveways, parking lots, and landscape improvements so that the historic character of a property is not altered.

#### *Building Exteriors: Porch Elements (Chapter 4.F.2)*

Whenever possible, deteriorated porch elements should be repaired rather than replaced.

Only elements deteriorated beyond repair should be replaced.

#### *Building Exteriors: Steps and Railings (Chapter 4.F.3)*

Steps for accessing a porch or building entrance historically were made of wood, stone, or brick and they can be important character-defining features of an historic building. Their replacement with concrete steps is not unusual but should be avoided.

Often the steps have railings, typically made of wood or metal. If railings are required to meet current building codes or personal needs and they did not originally exist, new railings should be designed simply and in keeping with the historic character of the building.

Historic steps and railings should be repaired rather than replaced whenever possible. If deterioration is beyond repair and replacement is necessary, they should be replaced in-kind.

#### *Landscape and Site Features: Landscape Features and Materials. Circulation (Chapter 5.D.1)*

Historic paving materials used for vehicular and pedestrian surfaces may include brick, stone, or other masonry pavers, concrete, gravel, tile or other mosaic treatments, and asphalt.

The patterning and detailing of paving materials impact the character of a streetscape or landscape and should be retained and preserved.

Proposed new paths and paving should be in keeping with the character and appearance of existing historic paving on the site or in the neighborhood.

All proposed new paving will be reviewed by the Commission on a case-by-case basis.

#### *Considerations for Contemporary Use: Accessibility Improvements (Chapter 8.C.)*

In creating barrier-free access to an historic site, the path of travel from a parking lot, sidewalk, or public street to the entrance of a building should consider the following:

- The path of travel should be as short and direct as possible.
- The path of travel should be appropriately graded.
- The path of travel should have a firm and slip-resistant surface.
- The path of travel should be of adequate width.
- Care should be taken to modify existing paths to meet an accessible pedestrian path through an historic landscape should be considered and designed in a similar manner to an accessible path to a building entrance.

- Whenever possible, without destroying the character-defining features of a landscape, a pedestrian route should be barrier free. This may include modifying the width of a walkway, considering pavement pattern, texture, and joint details, and regrading for gentler slopes.

### **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:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

### **STAFF EVALUATION**

The applicant has modified their original application based on the August meeting discussion with the Commission. Asphalt is not an appropriate material choice for this property since it is not a historical material. Historically, paving materials at the property have consisted of brick and concrete. The walkway is required to provide ADA access from the parking area to the event barn. Since the asphalt is already installed, the applicant is proposing to paint the asphalt gray, using an asphalt paint, to blend into the environment.

Additionally, the applicant modified their original application for the stairs following the August meeting. The original proposal called for the use of vinyl and trex which are not appropriate materials. The new design utilizes pressure treated wood on all stair components, which will be painted. Furthermore, the applicant provided a letter from their insurance company dated August 22, 2023 stating that during their April 2022 inspection

“the rear left exterior step handrail was identified as leaning, creating a safety concern for individuals using the stairs.” The letter further indicates the “property owners determined that the stairway needed to be replaced as it wasn’t properly connected to the dwelling.”

Guideline	Met?	Comments
3A1: Setting and Site: Circulation Systems	No	<p>The <i>Guidelines</i> state that the construction of new circulation systems can negatively impact the historic character of a setting and new work should be compatible with the size, scale, materials, and placement or siting of historic circulation features. The property is being adapted to a new use of an event space; therefore, ADA requirements must be met. Walkways must be of adequate width and with a firm and slip-resistant surface. Therefore, the proposed new paving cannot be compatible to the size and scale of the historic circulation features since the historic pathways are not adequately wide. However, the proposed asphalt material is not a compatible material. As previously stated, historic paving materials for walkways on the property consist of concrete or brick. Concrete walkways between the tenant house and main house and frame spring house and stone springhouse are existing examples, along with a brick walkway in front of the smokehouse. ADA requirements do not specify the surface has to be asphalt, only that it must be firm and slip resistant. While asphalt was previously approved by the HPC for an ADA walkway, Staff objected to the material choice since it was not a historic material found on the property. Asphalt is black, whereas the brick is red hues and concrete is tan. Additionally, the gravel drives are light gray. Black asphalt would be a contrast between the softer paving hues that historically exist. Painting the black asphalt a gray shade to blend with the drive will help with blending it into the environment.</p>
3A3: Setting and Site: Preserving Historic Settings	Partially	<p>The <i>Guidelines</i> state that the setting of historic properties shall be preserved by carefully considering the siting of new construction, including landscape improvements so that the historic character</p>

		of a property is not altered. The setting of Crown Rose is a rural farm consisting of open fields of greens and browns, large green yards, brown and white wooden fencing, gravel drives, and green and colorful vegetation. From a distance the introduction of additional asphalt may not appear to alter the historic setting, but closer to the proposed asphalt paving it will alter the historic setting of the farm. Painting the asphalt gray will help blend the paving with the surroundings.
4F2: Building Exteriors: Porch Elements	Somewhat	The <i>Guidelines</i> state that whenever possible deteriorated porch elements should be repaired rather than replaced and that only elements deteriorated beyond repair should be replaced. The existing wood stoop is not original to the building. As noted in the insurance letter, only the handrail needed repair or replacement. However, the applicant noted the existing stairs are a safety hazard and want to replace them.
4F3: Building Exteriors: Steps and Railings	Yes	The <i>Guidelines</i> state that steps and railings should be repaired rather than replaced or replaced in-kind. Additionally, steps for accessing a building entrance were historically made of wood, stone, or brick and railings were typically made of wood or metal. The applicant proposes to replace the stoop with pressure treated wood and paint the wood.
5DI: Landscape and Site Features: Landscape Features and Materials, Circulation	No	The <i>Guidelines</i> state proposed new paths and paving should be in keeping with the character and appearance of existing historic paving on the site. As previously stated, the existing historic paving on site includes brick and concrete. The proposed asphalt would not be in keeping with the character and appearance of existing historic paving; however, painting the black asphalt a gray shade will help with blending it into the environment.
8C: Considerations for Contemporary Use: Accessibility Improvements	Mostly	The <i>Guidelines</i> state that when creating barrier-free access to a historic site, the path of travel should be as short and direct as possible, appropriately graded, have a firm and slip-resistant surface, and be of adequate width. The proposed additional paving meets the guidance for providing a



		<p>barrier-free pathway. However, the guidance also states that whenever possible modifications should be considered to avoid destroying character-defining features of a landscape which could include pavement pattern, texture, and joint details. Asphalt is not a required ADA material.</p>
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## **STAFF RECOMMENDATION**

Staff recommends the Commission **Approve with Conditions** COA #23-03 for the asphalt paving to be painted gray and the rear stoop to be replaced with a new wooden stoop with the condition the spindles on the stoop are a simple design and not the decorative spindles proposed in the application. While staff finds asphalt is not an appropriate material choice for this property, given that the work has already been completed, coloring the asphalt gray is a compromise that will aid in the material blending in with the surrounding environment and is less impactful to the historic character of the property. Therefore, Staff finds that the proposed project will not substantially alter the exterior features of the historic resource, is compatible in character to the landmark and the surrounding area, and is consistent with the *Guidelines* and the *Secretary of the Interior's Standards for Rehabilitation* #1, #2, #9, and #10.

## **HISTORIC PRESERVATION COMMISSION ACTION**

Madam Chair, I have studied the application and all other relevant documents and presentations related to this case and I am familiar with the property in question. I find that the proposed project, if constructed with the conditions as listed in the staff report, will be compatible with the character of the historic property.

I move to approve with conditions COA # 23-03 for the paving and rear stoop replacement at 1902 Jefferson Pike as proposed in the staff report.