



FREDERICK COUNTY GOVERNMENT

DIVISION OF PLANNING & PERMITTING

Livable Frederick Planning & Design Office

Jessica Fitzwater
County Executive

Deborah A. Carpenter, AICP, Division Director
Kimberly Gaines, Director

FREDERICK COUNTY HISTORIC PRESERVATION COMMISSION

STAFF REPORT

Address:	16609 South Seton Ave.	Meeting Date:	Feb. 4, 2026
Applicant/Owner:	Daughters of Charity Ministries	Report Date:	Jan. 16, 2026
Case No.:	HPC26-0204DR	Staff:	Amanda Whitmore
Proposal:	Request for Review and Recommendation: Demolition Permit for Dwelling at 16609 S. Seton Avenue		

BACKGROUND

In accordance with amended §1-23-8 of the Frederick County Code, the Historic Preservation Commission (HPC) will review an application for demolition if Historic Preservation staff have determined that the property is 50 years old or older and has historical, cultural, architectural, or archaeological significance per §1-23-6(B). A demolition permit application for the dwelling at 16609 South Seton Avenue was received on January 8, 2026.

SITE ANALYSIS

The dwelling is located approximately 0.60 miles south of Emmitsburg. It has not been documented on a Maryland Inventory of Historic Properties (MIHP) form. The dwelling was built sometime in the first half of the 19th century.

The dwelling is a two-story brick dwelling with a side gable roof. The façade has three bays with an entrance located in the southernmost bay. A central chimney extends above the roofline. An addition extends from the rear of the main block and contains a two-story porch on the south elevation. The windows are replacement one-over-one windows. The brick work on the façade utilizes a six-course common bond pattern. South Seton Avenue adjoins the property to the west. A gas station adjoins the property to the south and vacant land is to the east and north of the property.

STAFF ANALYSIS

Staff has determined that the property is at least 50 years old and is not designated to the Frederick County Register of Historic Places. Therefore, per Section 1-23-8 of the updated Historic Preservation Ordinance, Historic Preservation staff must determine if the property has significance based on the criteria of Section 1-23-6(B).

Frederick County: Rich History, Bright Future

30 North Market Street, Frederick, MD 21701 • 301-600-1138 • Fax 301-600-1645

www.FrederickCountyMD.gov

The following criteria are used to assist in evaluating the significance of a property. A property needs to be determined to be significant in one or more of the following criteria:

- a) The property has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the county, state, or nation.

Yes, the property has significant character, interest, or value as part of the development of the county, state, or nation during the 19th century. The property operated as a toll house from the early 19th century through the last quarter of the same century. Additionally, Brigadier General George Custer and his troops reportedly camped at the site prior to the Battle of Gettysburg.

- b) The property is the site of an historic event.

No significant event was found to have taken place on this property.

- c) The property is identified with a person or group of persons who influenced society.

No information was identified that shows the property is associated with a person or group of persons that influenced society.

- d) The property exemplifies the cultural, economic, social, political, or historic heritage of the county and its communities.

No, the property does not exemplify any of these developments.

- e) The property embodies the distinctive characteristics of a type, period, design style, or method of construction of landscape architecture, engineering, public art, or architecture.

Yes, the property embodies distinctive characteristics of a vernacular building built in the first half of the 19th century.

- f) The property represents the work of a master craftsman, architect, landscape architect, engineer, artist, or builder.

No, the property does not represent the work of a master architect, craftsman, landscape architect, engineer, artist, or builder.

- g) The property possesses significant artistic value.

No, the property does not possess artistic value.

- h) The property represents a significant and distinguishable entity whose components may lack individual distinction.

No, the property does not represent a significant and distinguishable entity whose components may lack individual distinction.

- i) The property represents an established and familiar visual feature of the neighborhood, community, or county, due to its singular physical characteristics, landscape, or historical event.

No, the property does not represent an established and familiar visual feature of the neighborhood, community, or county, due to its singular physical characteristics, landscape, or historical event.

- j) The property is a rare example of a particular period, style, material, or construction technique.

No, the property is not a rare example of a period, style, material or construction technique.

Historic Preservation staff find the property meets two of the significance criteria; therefore, the Historic Preservation Commission must determine if the property is of unusual historic value to Frederick County, the State, or the nation. The updated Historic Preservation Ordinance defines unusual historic value as, *a property eligible for designation under this chapter with the added requirement that the property represents an outstanding or exceptional aspect of federal, state, or local history, culture, architecture, or archaeology that is not otherwise represented within the Frederick County Register of Historic Places, the loss of which would cause irreparable harm to the public interest as stated in § 1-23-2 of this chapter.*

If the Commission does not consider the property to be of unusual historic value, the demolition permit may proceed. However, if the Commission determines that the property does have unusual historic value, the Commission shall attempt to formulate an economically feasible plan with the owner for the preservation of the structure.

The dwelling is depicted on the 1858 Isaac Bond Map of Frederick County and labeled on the 1873 Titus Atlas as a “toll house.” The property has been in the Sisters of Charity of St. Joseph’s ownership for decades with parcels added and removed and references to prior deeds not provided. This has made tracing ownership difficult.

However, the Emmitsburg Historical Society has a brief article about the toll house and “Toll Gate Hill.” The article indicates the turnpike between Emmitsburg and Frederick (Old Frederick Road) was built sometime after 1797 and a covered bridge was built over Tom’s Creek, approximately 1/10 of a mile north of the toll house. Since tolls were collected any time of day or night, toll houses were built for the toll keepers. Emmitsburg Historical Society has identified Michael McFadden as the toll keeper in 1880, but no other toll keepers have been identified in the historical record.¹

In addition to the property’s association with transportation history, the property also has association with the Civil War. The Emmitsburg Historical Society mentions that General George Custer’s Brigade of Michigan cavalry encamped at the property a few days prior to the Battle of Gettysburg.²

¹ Emmitsburg Area Historical Society, “Toll Gate Hill,” No date. Website accessed 1/12/2026 https://www.emmitsburg.net/archive_list/articles/places/business/toll_gate.htm

² Emmitsburg Area Historical Society, “Custer’s Brigade at the Tollgate,” No date. Accessed 1/12/2026 https://www.emmitsburg.net/restore/cwhe/contents/discover/toll_gate.htm



Photograph of Tollhouse, date unknown, provided by Emmitsburg Historical Society.

In addition to the property's historical significance in the development and heritage of the County, the property also embodies architectural significance with characteristics typical of a dwelling of the early 19th century. Buildings built during this time had symmetrical facades, side-gabled roofs, and central chimneys. Rear additions with two-story porches are also common additions seen across the region.

Although the property meets two criteria of significance, Staff finds the property does not completely meet the definition of a property with unusual historic value. Staff does not find the property to be an *outstanding or exceptional aspect of federal, state, or local history, culture, or architecture*. While the dwelling retains some architectural elements associated with buildings from this time period, there have been alterations to the windows and side porches, and an addition of a front porch which detract from it being an outstanding example of architecture. Furthermore, the setting of the surrounding area has changed significantly that the building's ability to convey its historical use as a toll house is not of an exceptional quality. However, Staff does believe the property should be documented prior to the demolition to permanently record the site.

RECOMMENDATION

Staff recommends against recognizing the dwelling at 16609 South Seton Avenue as a property with unusual historic value in Frederick County and that Staff document the property prior to demolition.