

# OXFORD HISTORIC DISTRICT COMMISSION

## MINUTES

**JANUARY 8, 2007**

The regular monthly meeting of the Oxford Historic District Commission was called to order by the chairperson, Suzanne Litty, on Monday, January 8, 2007 at 5:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Dorothy Fenwick, Alfred Leszczynski, David Baker, and George Gaffney.

The following building permits were reviewed:

1. Permit #07-01, Heinrich Schmitz, 200 E. Strand, second floor addition above existing one story family room. Mr. Schmitz was represented by his architect, Tim Kearns. Mr. Kearns explained to the commission that this house is a fairly original house with a number of additions. A one story family room addition was put on the house in the 1980's. The Schmitz's are asking to add a second story to that one story addition to be used as an exercise room. The existing Strand facade has composition windows of two sets of sliders with a fixed pane in between which will remain the same, as well as the siding and color. The addition will basically be a gable facing the side telescoping out with a shed dorm. The elevation facing the rear yard cannot be seen. Mr. Baker made a motion to approve the application as presented. The motion was seconded and unanimously carried without further discussion.
2. Permit #06-70 and #06-71, Michael Rust, 106 Stewart Ave., remove existing structure due to rot and deterioration in order to rebuild on same footprint and request to build new home on existing footprint plus attached garage. Mr. Rust asked that Mrs. Fenwick recuse herself from this matter because she had attempted to purchase this property and had a financial interest in it. Mrs. Fenwick agreed to do so though she mentioned she had not intended to purchase this property. Mr. Rust then presented a letter he had received from Doreatha Rasin, daughter of the former owner of this property, who indicated in her letter that members of the historic committee had contacted her to oppose Mr. Rust's demolition permit. Mr. Rust asked the commission that if anyone of them had contacted Mrs. Rasin with a preconceived outcome, that they identify and recuse themselves as well. None of the members admitted to knowing anything about this. Dr. Leszczynski read aloud Mrs. Rasin's letter that basically stated she no longer owned the property and therefore did not care what was done with it. Mr. Rust reported that he had his property inspected by Keith Iott, a licensed architect in Maryland and a professional engineer who wrote a report on the structural integrity of the existing structure and his view as to if there is anything historical left or original in the structure. The home was also inspected by Craig Willis, owner of Chesapeake Builders in St. Michaels who was present and would be giving a report to the

commission. In general, Mr. Rust noted the following about the existing house:

- it was not built to code
- it had termite damage
- there was no way to reinforce the existing structure
- nothing in the house is original or historic
- the house is covered in aluminum siding
- the windows are replacement windows
- the shutters are metal stamped
- there is nothing square about the structure or architecture
- there is an insect report from Randy Arnesen Termite and Pest Control, Inc. documenting extensive damage not only from rot, but from wood boring insects
- the foundation is severely deteriorated and has collapsed piers and the chimneys are in total disrepair

Craig Willis, from Chesapeake Builders, then spoke to the commission noting his findings as follows:

- most properties have 12" of crawl space in which to work but this home does not provide that,
- the condition of the joists are poor from severe rot damage,
- the upstairs floor is like a trampoline with a lot of damage to the studs from rot and insect damage with boards that are not properly supported,
- the roof is constructed using 2 x 4's but the standard is to use 2 x 6's,
- the existing windows are well undersized
- staircase is not code compliant
- in removing part of the old aluminum siding it was found that the clapboard underneath is rotten
- the front porch supports have all been rotten in the past and all have replacement boards in them
- the metal roof on the front porch is rusted away and the porch has little framing in it
- the foundation under the porch is in disrepair

Bill Fleming, architect for Mr. Rust, also spoke to the commission. He noted that in designing the new house he tried to make the front porch look exactly the way it looks now with the elevation on the side the same as it stands now. Mr. Rust added that he is proposing to build a new house which will have historic cedar siding, a cedar roof, and two over two true divided light windows. The new house will be built to code and has been designed to look like an Oxford house.

Ms. Litty asked if the existing house could be jacked up and the piers underneath replaced. Mr. Willis responded that he thought the problem would be if one were to jack the house up there would be compression issues because you would have to support the total weight of the two story structure and there is nothing present to do that with. In other cases Mr. Willis has

dealt with, one needs a decent framing system in order to jack up a house. This house does not have that. Also, there is no room in which to slide in steel beams.

Mr. Baker noted that the proposed new garage has an entrance on to the rear yet Mr. Rust did not indicate a new driveway, only the existing driveway that comes in on the right side of the property. Mr. Rust responded that the driveway would stay the same where it is.

Ms. Litty asked if Mr. Rust would be willing to let the commission walk through the house as a group since they have not been in the house. Mr. Rust asked why that was necessary. Ms. Litty responded that it would be just for the commission to get their own opinion. Though she respected Mr. Rust's opinion, Ms. Litty still thought it would be beneficial for the group to have a walk through of the existing house. Mr. Rust responded that this permit had been dragging on for so long and that he would be worried about liability issues. He noted that the property was unsafe and that he was not aware of anything in the guidelines that indicated the commission had to go through the house. Mr. Baker responded that Mr. Rust had presented strong evidence for the demolition but it was Mr. Rust's choice as to whether or not he wanted the commission to go through the house. Mr. Gaffney thought Mr. Rust's presentation was compelling but thought the commission had an obligation on their part and should be shown the house. Mr. Rust responded to these comments that he had photos and evidence that accurately showed the present condition of the property. He further stated that he wanted the record to rest where it may and that this had been dragging on since September. Therefore, Mr. Rust stated that he was saying no to the commission walking through his house and asked that a vote be taken.

Mr. Baker then made a motion that the commission accept the proposal for demolition based on the evidence provided by Mr. Rust and that there is extensive damage beyond reasonable repair. The motion was seconded and carried with the vote being as follows:

David Baker	-	aye
Alfred Leszczynski	-	aye
George Gaffney	-	aye
Dorothy Fenwick	-	abstained
Suzanne Litty	-	abstained

The commission then began their review of Mr. Rust's proposed new home. Mr. Rust explained to the commission that he intended to build his new home on the same footprint as the existing structure. The proposed new front porch would be 14' x 26', the same size as what is currently existing. Mr. Baker mentioned that in demolishing his old home Mr. Rust may want to look into setbacks and if the location is suitable. Mr. Rust reminded Mr. Baker that the historic commission is just looking at the exterior of his home and he would deal with planning and zoning on any issues concerning setbacks. A further detailed explanation of the new proposed home was then presented by Mr. Rust. Details included the following: it would be a full two-story home with a 12 x 12 pitch roof, there would be a chimney on the north side, towards to the back of the lot there would be an attached 2-story garage which would be visible from the street, the house would have a visible brick foundation, and the front porch would be screened in, as it currently is now on the old house, but open on the

side. Mr. Gaffney stated he had a problem with the screening-in of part of the porch. It was Mr. Gaffney's belief that there are not any screened-in porches on that street and that Mr. Rust would be introducing something new. Mr. Rust commented that he believed the porch across the street from him was screened-in but Mr. Gaffney pointed out that house was not historic and that there were not any screened-in porches on Mr. Rust's side of the street. Mr. Baker stated that Mr. Rust's current house has a screened-in porch but Mr. Gaffney did not think that was an original. Mr. Baker also thought the porch would look better without screening-in the porch. Mr. Rust noted that he did not see anything in guidelines covering such a matter but that he would be willing not to screen in the porch if the commission would rather have it that way.

Mrs. Fenwick expressed concern over the "massing" of the new house. She stated that while Mr. Rust has placed the new house on the same footprint, it goes up higher. Mr. Rust responded by stating that the lot next door to him is less than half the size of his lot with a large home on it and that his proposed garage would sit within the old building framework and would be more than 46' back from the street. Mrs. Fenwick noted that to say it is going to be the same house is not true and felt it was a house being built on the footprint of the old house but with a substantial addition. Mr. Rust argued that they were talking about a two story structure so the coverage is only half of that and secondly, the garage would not count as living space. Mrs. Fenwick argued that she was not concerned about living space but rather what would be on the property such as the garage and porches, which would all lend themselves to creating mass. She added that Mr. Rust would be adding on an additional 813 square feet and the new house would not look like the original house that will be coming down. Mrs. Fenwick also added that this may not necessarily be a bad thing but she thought the fact should be recognized that when "someone comes up to us in the street and says how come you are letting all these big houses be built, we can say, hey, we discussed it, we knew it, and there it is." In her summary, Mrs. Fenwick stated that when the house is finished she was not sure that it was going to be that small of house but then ended by saying she did not have a problem with anything.

A brief discussion took place concerning the overall height of the house, floodplain issues, and the decks. Mr. Rust noted that the new house would be covered in cedar siding, 2 over 2 Colby, with a cedar roof and true divided light windows. Mr. Gaffney made a motion that the commission accept the permit. The motion was seconded and carried with the being as follows:

George Gaffney	-	aye
David Baker	-	aye
Alfred Leszczynski	-	aye
Dorothy Fenwick	-	nay
Suzanne Litty	-	abstain

3. Permit #07-02, Mr. and Mrs. Gerard Fay, 211 N. Morris St., reconfigure interior first and second floor layout with new staircase; raise roof and chimney to accommodate two new rear

shed dormers and new rear porch roof; add new front porch roof with columns; house foot print remains same as existing.. Mr. and Mrs. Fay were represented by Peggy Sharp from Natelli Homes, LLC. Ms. Sharp explained to the commission that the Fay's house could not be seen from the street but could be seen from the water. The Fay's are proposing interior renovations to their first floor and raising their roof over the second floor. They would also like to put a roof on their front porch facing Morris Street and to cover their existing back porch with a metal shed type roof. The Fays would also like to remove 3 bays and jack up their roof 3'. This would also involve raising their existing chimney by adding on to it. Two new shed dormers would also be added. Mrs. Fenwick made a motion to accept the plans as presented. The motion was seconded and unanimously carried without further discussion.

4. Permit #06-78, Glen Davis, 311 S. Morris Street, new house constructed on 311 South Morris St., 2 story frame structure with wrap around porches. Mr. Davis and his architect, Jay Corvan, were present to discuss the permit. Mr. Corvan explained that this project had been tabled at the last meeting as a result of coming up with the idea to create two properties and separate them, which is the actual layout of the property. Mr. Davis took this advice and Mr. Corvan came up with a plan. The house at 313 S. Morris Street would be kept much the same. A new house for 311 S. Morris Street was presented by Mr. Corvan to the commission. The new house would cover 35% of the lot and the house would have layers creating a telescoping effect. The overall height for the new house would be 31'. Mr. Baker asked about the use of arches in the new house. Mr. Davis responded that they were trying to match what is next door to keep some consistency to what it there. Ms. Litty commented that the new plans looked good. Mrs. Fenwick made a motion that the commission approved, as presented, the structure on 311 S. Morris Street and that it is an appropriate structure for the historic district. After some brief discussion as to what was going to be done to 313 S. Morris Street, Mr. Baker made a motion that the commission accept the application to raise (up) the existing house to meet floodplain requirements. The motion was seconded and unanimously carried. Mr. Davis asked what he should do if he wanted to take the vinyl off the house at 313 S. Morris St. Mr. Davis was told that if he chose to do that he would have to come back before the historic commission to secure permission to do so.
5. Permit #07-05, Dorothy Fewick, 211 Tred Avon Ave., brick patio linking bedroom and porch. Mrs. Fenwick explained to the commission that she wanted to put in a triangular shaped brick porch with stairs going out from a set of rear doors. Mr. Gaffney made a motion to accept the proposal as presented. The motion was seconded and carried with Mrs. Fenwick abstaining from the vote.
6. Permit #07-03, James Simpson, 302 N. Morris St., tear off roof, put on ½" plywood and reshingle with architectural shingles. Mr. Simpson was represented by his builder, Carl

Wooters. Mr. Wooters showed the commission a sample of the proposed roof shingles which Mr. Simpson would like to use to reshingle his entire home. Mr. Gaffney made a motion to accept the application as presented. The motion was seconded and unanimously carried without further discussion.

This concluded the review of building permits.

The minutes of the commission meeting of December 4 and December 18, 2006 were approved and accepted as distributed.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby  
Assistant Clerk