

Lutherville Historic District Construction Guidelines

Summary

A building permit is required by law for most outdoor construction or demolition within the Lutherville Historic District. These are cases where a building permit is not required by general county law, but approval must still be obtained from Baltimore County Landmarks Preservation Commission since the changes are taking place within a Historic District. Examples of outdoor construction include: fence construction, excavation (as for construction of a new driveway), changes or additions to buildings which are visible from the exterior (e.g. new additions, re-siding, replacement windows, and replacement roof materials), new outdoor walls, storage sheds and other outbuildings). Examples of demolition include removal of existing fences and walls, removal of live trees, and other major changes to existing landscaping. Paint colors do not require approval; however, the removal of old paint requires following certain procedures with regard to method and safety considerations. The legal requirements and design review process are described herein.

Part 1. Permits, Design Review and Legal Requirements

The Baltimore County Code requires a building permit for actions on properties in general. For properties within a historic district, application for a building permit must be accompanied by a Baltimore County Historic Permit Application. These permits are required for all homes (historic and non-historic in the district and cover:

- any excavation;
- construction or erection of a building, fence, wall or structure of any other kind;
- any demolition, reconstruction, alteration or permanent removal of an exterior architectural feature of any existing structure (*regardless of the age of the structure*).

The term “structure” includes buildings, towers, walls (including remnants), and live trees. “Demolition” includes “demolition by neglect”, defined as the willful neglect of maintenance or repair resulting in deterioration of the structure. A copy of the Baltimore County Code is available online at www.baltimorecountyonline.info. A hardcopy can also be found at the Baltimore County Public Library.

A Baltimore County Historic Permit Application is available from the County Planning Office (410-887-3495) or from the local community review group (see list below). It can also be found at the link below:

https://www.baltimorecountymd.gov/departments/planning/historic_preservation/index.html

The application includes specific information that must be submitted to the Baltimore County Landmarks Preservation Commission (“Landmarks”) for approval. “Landmarks” will not review submissions without evidence of prior local review (See Part 2). The court has the power to stop any work performed without a “Landmarks”-approved permit and may order the removal of structures improperly constructed or the restoration/replacement of those improperly demolished.

The Buildings Engineer cannot properly issue a building permit until “Landmarks” has certified the appropriateness of the proposed work. In determining “appropriateness”, “Landmarks” considers in addition to other pertinent factors, the architectural style, general design, arrangement, texture and material of the exterior architectural features of other structures in the immediate neighborhood. The entire review process cannot take longer than fifty (50) days from the date the package is received by the buildings engineer.

Part 2. Role of the Lutherville Historic Advisory Committee in Design Review

The Lutherville Advisory Committee (LAC) to the Landmarks Preservation Commission was created with residents of the Historic District to both advise “Landmarks” and to assist residents planning construction projects. When a resident is ready to make a change which affects the outside appearance of his property *it is the resident's responsibility* to complete a Historic Permit Application and contact the local committee for a review of their package. LAC does not approve or disapprove the project. LAC reviews the application for completeness and suitability (using the Secretary of the Interior’s *Standards for the Treatment of Historic Properties*) and submits a *recommendation* to “Landmarks”. “Landmarks” is not obligated to accept the recommendation of the LAC, but considers the recommendation in its deliberations.

Homeowners may also request a preliminary meeting with the LAC to review their project proposal before making a final submission. Such an informal review will typically result in a much smoother permit application and is highly recommended.

The homeowner may appeal permit rejections by “Landmarks” to the courts. A primary function of the LHAC is to assist the homeowner in preparing an application which “Landmarks” *will most likely approve*. Although LHAC’s recommendation is not binding, the homeowner will have a substantially stronger appeal if “Landmarks” rejects an LHAC-recommended permit application.

A representative of the LAC usually attends “Landmarks” meetings to answer questions regarding permit applications and matters affecting the Lutherville Historic District. All meetings of the LAC and “Landmarks” are open to the public. “Landmarks” meets on the second Thursday of the month in Room 407 of the New County Courts Building. The LAC meets on an as-needed basis. “Landmarks” requires submittals be made no less than ten (10) working days prior to the meeting. If a homeowner has requested to be on “Landmarks” monthly agenda, LHAC must have adequate time in advance of that to schedule a meeting.

Part 3. Design and Construction Criteria

In making its recommendation to “Landmarks”, the LHAC will determine if modifications to existing structures will respect the style of the structure itself, and if new construction will be compatible in situation and style with neighboring structures either on the same or nearby properties. In its review, the LHAC may consult the Secretary of the Interior’s *Standards for the Treatment of Historic Properties*. A summary of the guidelines is included in the Permit Application. The complete standards are available online at www2.cr.nps.gov/tps/secstan1.htm. Hard copies can also be ordered at that website.

Part 4. Submittal Requirements for Historic Permits and Building Permits

Complete information and application forms may be obtained from the Baltimore County Office of Planning (105 W. Chesapeake Ave, Suite 101, Towson, MD 21204) or by contacting Taylor Bensley in that office (410-887-3495 or email histpres@baltimorecountymd.gov). Forms are also available from the LAC. Contact Marie Frederick (410-252-1367; email mfrederick@comcast.net) or John Alexander (443-854-6950; alex11mc1@verizon.net)

In addition to the Permit Application forms, the following materials are required (submitted in duplicate):

- drawings to scale showing all dimensions of structures proposed for construction or modification, noting changes to facades and proposed materials (may require both plans *and elevations*);
- site plan (plot plan) drawn to scale showing the existing condition including outbuildings and accessory structures (detached garages), the proposed changes, and all required setbacks;
- photograph(s) showing all sides of the structure visible to the street;
- a written description of the proposed construction/modifications and a statement that the project is in conformance with the Secretary of the Interior’s Standards for Rehabilitation;
- any proposed signage

Depending on the complexity and extent of the work, these materials need not be professionally prepared by an architect or engineer but must show sufficient detail to allow LAC and “Landmarks” to adequately judge the appropriateness of the work. In the past, “Landmarks” has insisted on complete documentation before approving a permit.

Lutherville Historic Advisory Committee Members:

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Revised 03/05/21