

# Historic Preservation Commission



## Members:

Ms. Suzanne Wright – Chairperson

Dr. Stephen Gibson – Secretary

Mr. Tim Hoffman

Mr. Larry Jackson

Mr. Chris Myers

Dr. Michael Garrett

Vacant Seat

Councilwoman Laurie Marchini

Staff Liaison: Kathy McKenney, Community Development Programs Manager

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## AGENDA

Historic Preservation Commission  
Cumberland City Hall, Council Chambers

DATE: March 11, 2020

TIME: 4:00 PM

### APPROVAL OF MINUTES

1. Approval of February 12, 2020 Minutes

### PUBLIC COMMENT

### CERTIFICATES OF APPROPRIATENESS – CONSENT AGENDA

2. Review of the application for Certificate of Appropriateness #894 for new signs for Garments of Praise - Tim Westrom, applicant

### CERTIFICATES OF APPROPRIATENESS

3. Request by Charis Realty Group for approval of new signs - Christine Issler, applicant.
4. Request to change/amend the existing Certificate of Appropriateness #795 install additional fence at St. Paul Lutheran Church as well as to provide a one year extension to complete the project - applicant Edward Ayers.

### OTHER BUSINESS

5. Lisa Mroszczyk – City of Frederick, Historic Preservation Planner will provide a presentation about the process used by the City of Frederick for demolition requests that could impact potentially significant historic resources.
6. Consideration to declare that the property located at 130 Polk Street, owned by Louis J. Klepitch and Michael D. Klepitch, meets the conditions of Demolition by Neglect as defined in Chapter 6 of the Preservation District Design Guidelines and define what corrective actions are in order.

7. Discussion whether to provide a recommendation by the Historic Preservation Commission to the Mayor and City Council to designate 230 Baltimore Avenue as a local historic structure. This property is known as the George Trough House and is individually listed on the National Register of Historic Places.
8. Routine Updates
9. Report of all Certificates of Appropriateness that have been reviewed by the Community Development Programs Manager since the previous month's meeting.

#### **ADJOURNMENT**

10. A workshop on Ethics and Defensible Decision Making will take place following the adjournment of the regular meeting at 6:00pm

If you are unable to attend this meeting, please contact the Department of Community Development at (301) 759-6431 or (301) 759-6442.

Applicants or their appointed representatives must be present at the meeting for a review to take place. Please remember to turn off or silence all electronic devices prior to entering the meeting.

**Item Attachment Documents:**

1. Approval of February 12, 2020 Minutes



# City of Cumberland

## MINUTES

### HISTORIC PRESERVATION COMMISSION

February 12, 2020

The Cumberland Historic Preservation Commission held its regular meeting on Wednesday, February 12, 2020, at 4:00 p.m., within the Council Chambers of City Hall. Members present were Acting Chairperson, Dr. Stephen Gibson, Mr. Tim Hoffman, Dr. Michael T. Garrett, Mr. Chris Myers, Councilwoman Laurie Marchini and Mr. Larry Jackson.

Others in attendance were Kathy McKenney, Community Development Programs Manager, Debbie Helmstetter, Code Technician, Ms. Bethany Troutman, Mr. Ed Taylor, Mr. Doug Macy and Mr. James Weir.

Acting Chairperson, Dr. Stephen Gibson, called the meeting to order. He read the following statement into the record: "The Cumberland Historic Preservation Commission exists pursuant to Section 11 of the City of Cumberland Municipal Zoning Ordinance. Members are appointed by the Mayor and City Council and shall possess a demonstrated special knowledge or professional or academic training in such fields as history, architecture, architectural history, planning, archeology, anthropology, curation, conservation, landscape architecture, historic preservation, urban design or related disciplines. The Commission strives to enhance quality of life by safeguarding the historical and cultural heritage of Cumberland. Preservation is shown to strengthen the local economy, stabilize and improve property values, and foster civic beauty. The Cumberland Historic Preservation Commission operates pursuant to State of Maryland 1977 Open Meetings Act and therefore no pending applications shall be discussed between or amongst Commissioners outside the public hearing to determine the disposition of the application."

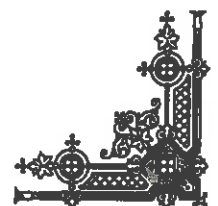
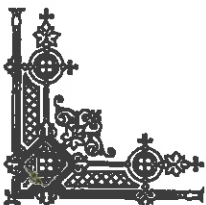
Acting Chairperson Dr. Stephen Gibson introduced the Commission members present and staff.



CUMBERLAND HISTORIC PRESERVATION COMMISSION

P. O. BOX 1702

CUMBERLAND, MARYLAND 21501-1702



## **APPROVAL OF MINUTES**

1. *Minutes for December 11, 2019 were approved as written. Mr. Tim Hoffman made the motion to approve the minutes as written and Dr. Michael Garrett second the motion; all members were in favor, motion approved.*

*The minutes for January 8, 2020 were approved as written. Mr. Larry Jackson made the motion to approve the minutes as written and Mr. Tim Hoffman second the motion; all members were in favor, motion approved.*

## **PUBLIC COMMENT**

1. Mr. Ed Taylor, Cumberland Historic Cemetery Organization, Mr. Taylor wanted to comment on #8 under "Other Business". Mr. Taylor said Ms. Kathy McKenney did a wonderful job on her survey concerning the four columns.

## **CONSENT AGENDA**

1. COA 891 - 100 Baltimore Street - Awesome Gifts and Collectibles - Mr. James Weir, applicant is requesting an "After the Fact" approval for signage. Mr. Tim Hoffman made the motion to approve the consent agenda and Dr. Michael Garrett second the motion; all members were in favor, motion approved.

## **CERTIFICATES OF APPROPRIATENESS**

1. COA 892 - 12 Greene Street - No one was in attendance. COA will be marked as incomplete and will be moved to the March 11, 2020 agenda.
2. COA 862 and COA 863 - 309 Washington Street - Sean Cooney, applicant Request to Change/Amend "as built" fence. Ms. Bethany Troutman, representing Mr. Cooney, is requesting the change due to when the fence company came to install the fence they could not install it the way Mr. Cooney had requested. Mr. Cooney had requested the white post on the outside of the fence, but due to some dips in the ground and also the way the water flowed the fence company felt it would be sturdier if

they placed the post behind the fence. There were two COA's for this particular project because two lots of record exist. *Mr. Tim Hoffman made motion to approve the "after fact" fence by installing wooden trim/boards, painted white, for each post location on the exterior side of the fence that matches the width of the fence post and which do not exceed the reveal of the horizontal board above. Mr. Chris Myers second the motion, all members were in favor; motion approved.*

- 3. COA 890 - 36 Greene Street - Mr. Doug Macy - Allegany Counseling and Consulting Services is requesting approval for new signage. Exterior improvements are the placement of two new signs for a change in occupant and name of the business. The hanging sign measures 28" x 19" and will be attached to an existing bracket. The sign is constructed from a composite material that is wrapped in vinyl. The second sign will be placed on the exterior of the glass on the front entrance door consistent with the submitted drawings. The sign measures 14"x10" and will be vinyl. *Mr. Larry Jackson made the motion to approve COA 890 for the signs as submitted pursuant to guidelines 46 Sign placement and 47 Sign size. Dr. Michael Garrett second the motion, all members were in favor; motion approved.***

## **OTHER BUSINESS**

- 1. Avirett Place Columns Local Designation Survey Recommendation - the request was to consider the columns for consideration of historic site destination. The survey is one of the components they have put together in order to help document the significance of the resource. During Ms. McKenney's research there are a few figures and photographs that will help. The columns, judging by the documentation available, date more circa 1920 and that would have been part of the larger Rose Hill Estate, which later became known as the Avirett Place. A portion of that estate was sub-divided into building lots. Ms. McKenney stated the columns appear to be contemporary with the Averett Place sub-division (figure 2).**

**Ms. McKenney said while she was working with the Engineering Staff. The 1922 Paving Map, is the first document on file that shows the columns. Ms. McKenney said all four (4) columns are shown which match**

the location exactly to what the current conditions are. The columns do not appear on any previous maps so this date has been used to pinpoint the construction date according to the available documents.

*Mr. Chris Myers made the motion to accept Ms. McKenney report for local designation and to forward the Commission's recommendation for the Averitt Columns to be submitted for Local Designation to the Mayor and City Council for their approval. Mr. Tim Hoffman second the motion; all members were in favor, motion approved.*

## **STAFF UPDATES**

1. Notice came out that this year's Certified Local Government sub grant is now available. It is due February 28, 2020; project request up to \$25,000.00. There is not a matching requirement, it's been used previously for the youth summit and is geared more to non-capital projects.
2. Economic Impact Plan bids were opened December 18, 2019. Both bids received exceed the amount that was awarded by the Certified Local Government Program so as a result Ms. McKenney has met with the City Administration about moving forward on that; Ms. McKenney reduced the scope of work and sent the revision to both bidders because both bids received were complete. The due date is next Wednesday for that revised scope of work.
3. The Historic Structure Nomination form has been provided for consideration of approval. This form is the same form used by Baltimore to engage the public. Dr. Stephen Gibson commented the form looks good and he had no corrects. This form will be used for the public to provide suggestions for structures that should be considered for local historic designation. *Mr. Tim Hoffman made the motion to put the form in place to the public for their use. Mr. Chris Myers seconded the motion; all members were in favor, motion approved.*

## **ELECTION OF OFFICERS**

Nominations for the 2020 officers for the Historic Preservation Commission were as followed:

1. Chairperson - Dr. Stephen Gibson
2. Vice Chairperson - Ms. Suzanne Wright
3. Secretary - Mr. Tim Hoffman

*Mr. Tim Hoffman made the motion to accept all nominations with the exception as long as Ms. Suzanne Wright agrees with her nomination as Vice-Chairperson. Councilwoman Laurie Marchini seconded the motion; all members were in favor, motion approved.*

## **ADMINISTRATIVE APPROVALS**

1. 128 Bedford Street - in-kind front door replacement.
2. 24 S. Centre Street - in-kind Louvre/Door replacement.

Ms. McKenney announced The Maryland Association of Historic District Commission will conduct a workshop on Ethics and Defensible Decision Making on the March 11, 2020 following the conclusion of the regular meeting.

**An audio of tonight's meeting is available upon request.**

## **ADJOURNMENT**

Dr. Michael Garrett made the motion to adjourn and Mr. Tim Hoffman seconded the motion. All members were in favor; motion approved.

Respectfully,

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Mr. Tim Hoffman, Secretary

March 11, 2020



**Item Attachment Documents:**

- 
2. Review of the application for Certificate of Appropriateness #894 for new signs for Garments of Praise - Tim Westrom, applicant

CERTIFICATE OF APPROPRIATENESS

See attached for information which may be requested by the Historic Preservation Commission, as deemed necessary.

LOCATION: 198 N CENTRE ST

OWNER: BALCH JOHN-ROSLYN

TENANT: BALCH JOHN-ROSLYN

Applicant

TIM WESTROM

12400 BOWLING ST

CUMBERLAND

MD 21502

File Date: 2/07/2020

Wrk Description Signage

1 Filing Fee 30.00

TOTAL AMOUNT: 30.00

Proposed Work: Garments of Praise - Thrift shop (After the fact) Signage is 2' x 2' vinyl sign on the front glass door. Front facade is 23' high. Building size is 39' x 89' Additional sign has been applied within the enclosed transom above the store front entrance door.

Subject: However to revocation by the HPC in the case the afore named construction is not in compliance with the requirements of the City Ordinance relating to Historic Preservation, especially Ordinance No. 3208.

H.P.C. Chairman

H.P.C. Secretary

Statement: I hereby agree to comply with all regulations which are applicable hereto, and further agree that the proposed work shall be faithfully carried out as described on this request and as shown on the plans accompanying same, and not otherwise. This application hereby expires six months following the file date if no action is taken to start specified work. Also, this application will expire six months following the file date if the applicant fails to provide additional information as requested by the HPC or its staff in order for the Commission to render a decision. Signed



# City of Cumberland

Administrative Review

HP Commission Review

Department of Community Development • 57 N. Liberty Street • Cumberland, MD 21502 • [www.cumberlandmd.gov](http://www.cumberlandmd.gov)  
301-759-6431 • Fax 301-759-6432 • [kathy.mckenney@cumberlandmd.gov](mailto:kathy.mckenney@cumberlandmd.gov)

## CERTIFICATE OF APPROPRIATENESS PERMIT APPLICATION

For ALL exterior changes to a structure (including painting), design and maintenance issues within the City's Preservation District. Including but not limited to additions, alterations, awnings, entrances and doors, painting, porches, fences, siding, signage, window replacement, demolition, and new construction.

Project Location 198 North Centre St. Tax ID # 14-005617  
~~57-1231436~~

The Tax ID # can be found on your deed or by visiting [www.dat.state.md.us](http://www.dat.state.md.us) / Real Property / Real Property Search. When construction is being done and several property account numbers are involved, permit must fall under account of the main structure referencing other accounts (or a separate permit will be required per each property of record). It will be necessary to contact the State of Maryland Assessment Office, 112 Baltimore Street, Gateway Center, 301-777-2113, prior to applying for permit in order to obtain documentation required for the new Tax Account Number.

Application Date 2/7/2020

COA # 894

Applicant Name Tim Westram Phone (301) 697-4566

Address 12400 SW Bowling St, Cumberland MD 21502

Fax \_\_\_\_\_ Email tim@hopespringsonline.com

Contractor Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_

Summarized Description of Project We are a thrift shop that is hoping to help the people of Cumberland, and minister to those who are poor. We do not plan to change the floor plan of the current facility, but plan to use it as it is now.

**Attach** a full written scope of work

**Attach** photographs of the site and structure

- Include:**
- Façade Elevations
  - Sample of Proposed Materials
  - Scaled Drawings
  - Digital Renderings, when available
  - Color Scheme/Paint Chips
  - Manufacturer's Cut-Sheets or Product Specifications

**Provide** one (1) complete original copy of all supplementary materials.

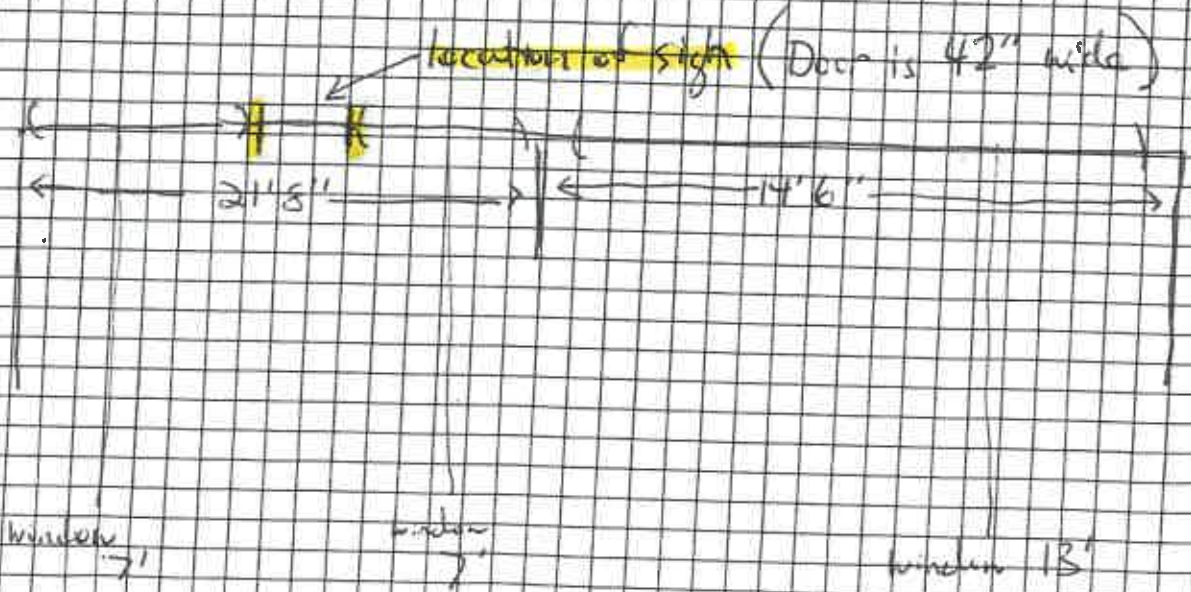
**Pay** a non-refundable Certificate of Appropriateness review fee of \$30.00 - payable at time of application.

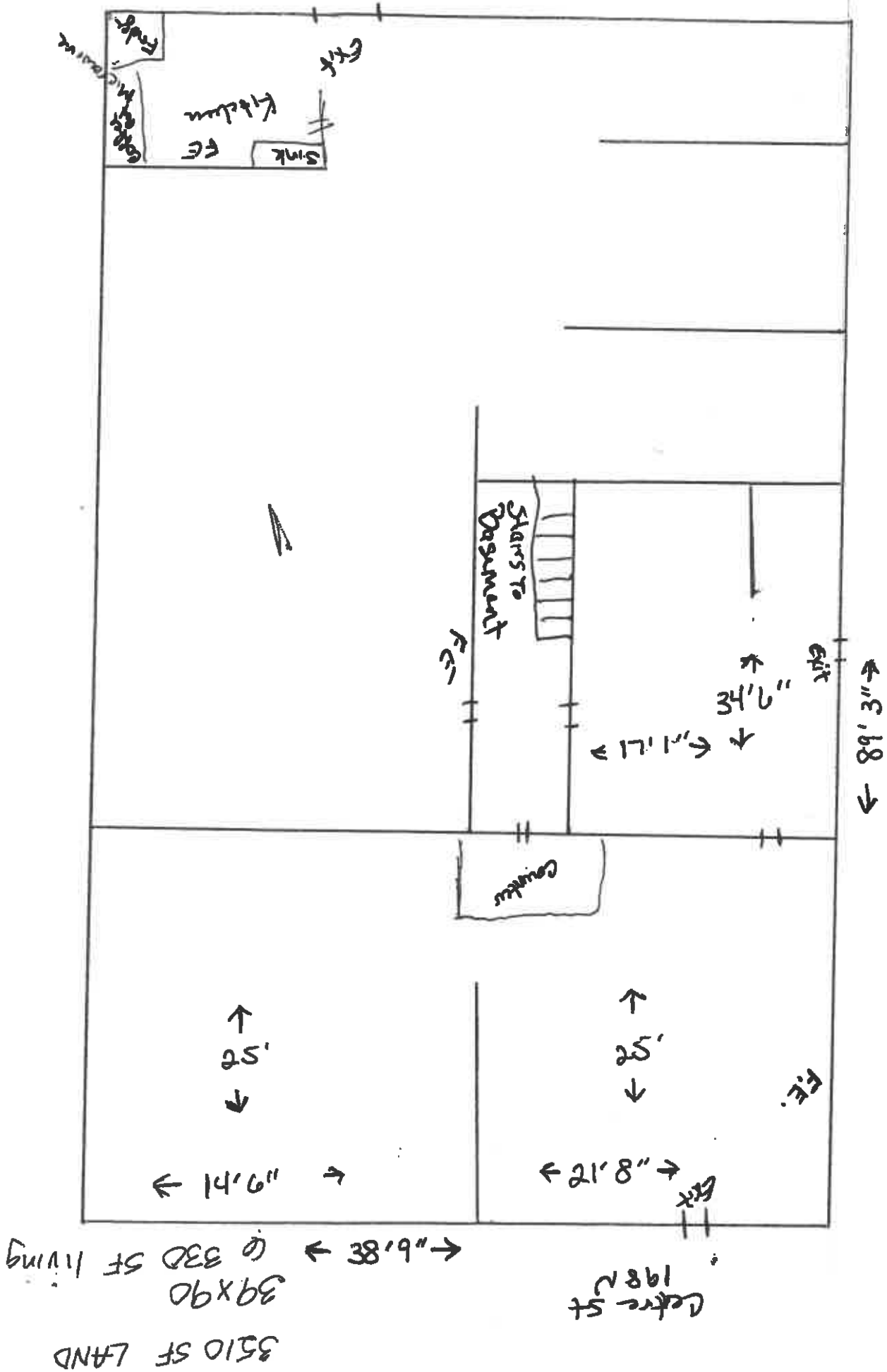
**Apply** for relevant Building and Occupancy Permits through the City (*fees apply*)

The HPC meets the second Wednesday of each month and complete applications are due the first Wednesday of each month before 4:00 p.m. You (or a representative) are required to attend the meeting scheduled for your COA review.

Preservation Guidelines (*Updated 1/1/16*) can be found on the City of Cumberland website at [www.cumberlandmd.gov](http://www.cumberlandmd.gov).

**Do not begin work until written approval is received from the Community Development Programs Manager. If the project requires additional building or occupancy permits, all applicable permits must also be approved.**  
An Occupancy, Building or Sign permit application may be required for this application and approval to be considered complete. Those permits are approved by the Code Compliance Manager or designated representative.

















Vinyl Sign

20" x 28"

616 sq. in.

4.27 sq. ft

1.36 %

of glass  
surface

25%

allowed





# City of Cumberland



**Presentation of Information**  
**By Kathy McKenney**  
**Garments of Praise**  
**198 North Centre Street**  
**Contact: Tim Westrom**

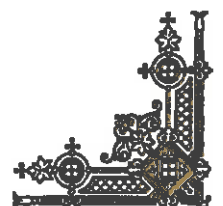
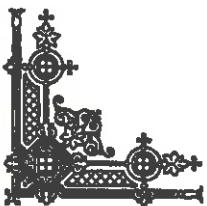
An application for a Certificate of Appropriateness has been requested “after the fact” for the review of new signs at this new business location. As shown on the attached photo, one sign, measuring 2’x2’ has been placed within the glass of the storefront entrance door. A second small sign has been placed within the enclosed transom above the same storefront entrance door.

Additional exterior lighting has not been proposed.

**The sections of the Preservation Guidelines that pertain to this application are**  
**Guideline 46: Sign Placement; Guideline 47: Sign Size (Chapter 5, Pages 102-103);**  
**Guideline 49: New Sign Materials (Chapter 5 Page 104)**



**CUMBERLAND HISTORIC PRESERVATION COMMISSION**  
**57 N. Liberty Street**  
**CUMBERLAND, MARYLAND 21502**



**Item Attachment Documents:**

3. Request by Charis Realty Group for approval of new signs - Christine Issler, applicant.

**CERTIFICATE OF APPROPRIATENESS**

See attached for information which may be requested by the Historic Preservation Commission, as deemed necessary.

LOCATION: 12 E GREENE ST

OWNER: CRUSADER PROPERTIES LLC

TENANT: CRUSADER PROPERTIES LLC

Applicant:

CHARIS REALTY GROUP C. ISSLER

1896 URBA PIKE STE

CLARKSBURG

MD 20871

File Date:

1/14/2020

**Wrk Description**

1 Filing Fee

30.00

TOTAL AMOUNT:


30.00

Charis Realty Group is seeking approval for signage to be placed at the branch office on 12 Greene St. This will be a vinyl sign affixed to the large window on the front of the building. The film is 32" by 70". Total window is 90" by 81". Color of vinyl sign is white with dark purple and green lettering. From inside, the view to the outside is not obstructed by the sign, you can see through it.

Subject: However to revocation by the HPC in the case the afore named construction is not in compliance with the requirements of the City Ordinance relating to Historic Preservation, especially Ordinance No. 3208.

H.P.C. Chairman

H.P.C. Secretary

Statement: I hereby agree to comply with all regulations which are applicable hereto, and further agree that the proposed work shall be faithfully carried out as described on this request and as shown on the plans accompanying same, and not otherwise. This application hereby expires six months following the file date if no action is taken to start specified work. Also, this application will expire six months following the file date if the applicant fails to provide additional information as requested by the HPC or its staff in order for the Commission to render a decision. Signed 



# City of Cumberland

Administrative Review     HP Commission Review

Department of Community Development • 57 N. Liberty Street • Cumberland, MD 21502 • [www.cumberlandmd.gov](http://www.cumberlandmd.gov)  
301-759-6431 • Fax 301-759-6432 • [kathy.mckenney@cumberlandmd.gov](mailto:kathy.mckenney@cumberlandmd.gov)

## CERTIFICATE OF APPROPRIATENESS PERMIT APPLICATION

For ALL exterior changes to a structure (including painting), design and maintenance issues within the City's Preservation District. Including but not limited to additions, alterations, awnings, entrances and doors, painting, porches, fences, siding, signage, window replacement, demolition, and new construction.

Project Location 12 Greene Street Cumberland, MD 21507 Tax ID # 06-025396  
~~24-2966859~~

The Tax ID # can be found on your deed or by visiting [www.dat.state.md.us](http://www.dat.state.md.us) / Real Property / Real Property Search. When construction is being done and several property account numbers are involved, properties must be combined under one property number. It will be necessary to contact the State of Maryland Assessment Office, 112 Baltimore Street, Gateway Center, 301-777-2113, prior to applying for permit in order to obtain documentation required for the new Tax Account Number.

COA # 892

Application Date November 25, 2019

Applicant Name Christine M. Issler Phone 240-285-6497

Address 1896 Urbana Pike, Suite 6, Clarksburg, MD 20871

Fax \_\_\_\_\_ Email christy@charisrealty.com

Contractor Name Express Signs - providing sticker Phone \_\_\_\_\_

Address \_\_\_\_\_ Email \_\_\_\_\_

Contractor's License Number \_\_\_\_\_ Estimated Cost of the project \$ \_\_\_\_\_

Summarized Description of Project We are adding a window sticker to the front window. It is very tasteful and non-obtrusive. Sticker is represented in attached photograph.

**Attach** a full written scope of work

**Attach** photographs of the site and structure

- Include:**
- Facade Elevations
  - Sample of Proposed Materials
  - Scaled Drawings ?
  - Digital Renderings, when available ?
  - Color Scheme/Paint Chips ?
  - Manufacturer's Cut-Sheets or Product Specifications

**Provide** One complete original copy of all supplementary materials.

A non-refundable Certificate of Appropriateness review fee of \$30.00 is payable at time of application.

**Apply** for relevant Building and Occupancy Permits (*fees apply*)

The HPC meets the second Wednesday of each month and complete applications are due the first Wednesday of each month at 4:00 p.m. You (or a representative) are(is) required to attend the meeting scheduled for your COA.

Preservation Guidelines (*Update 1/1/16*) can be found on the City of Cumberland website at [www.cumberlandmd.gov](http://www.cumberlandmd.gov).

**Do not begin work until an approval is received on Permits from both –**  
**The Historic Preservation Commission and City of Cumberland.**  
 A signed, approved, and stamped COA and MB or RB permit form is required for application to be considered complete.  
 These will be sent to you upon approval of the department manager or designated representative.

Steve MacGray

Jen@charisrealty.com



Sign is 32 inches wide x 70 inches tall







11/18/2019

20191118\_113522.jpg

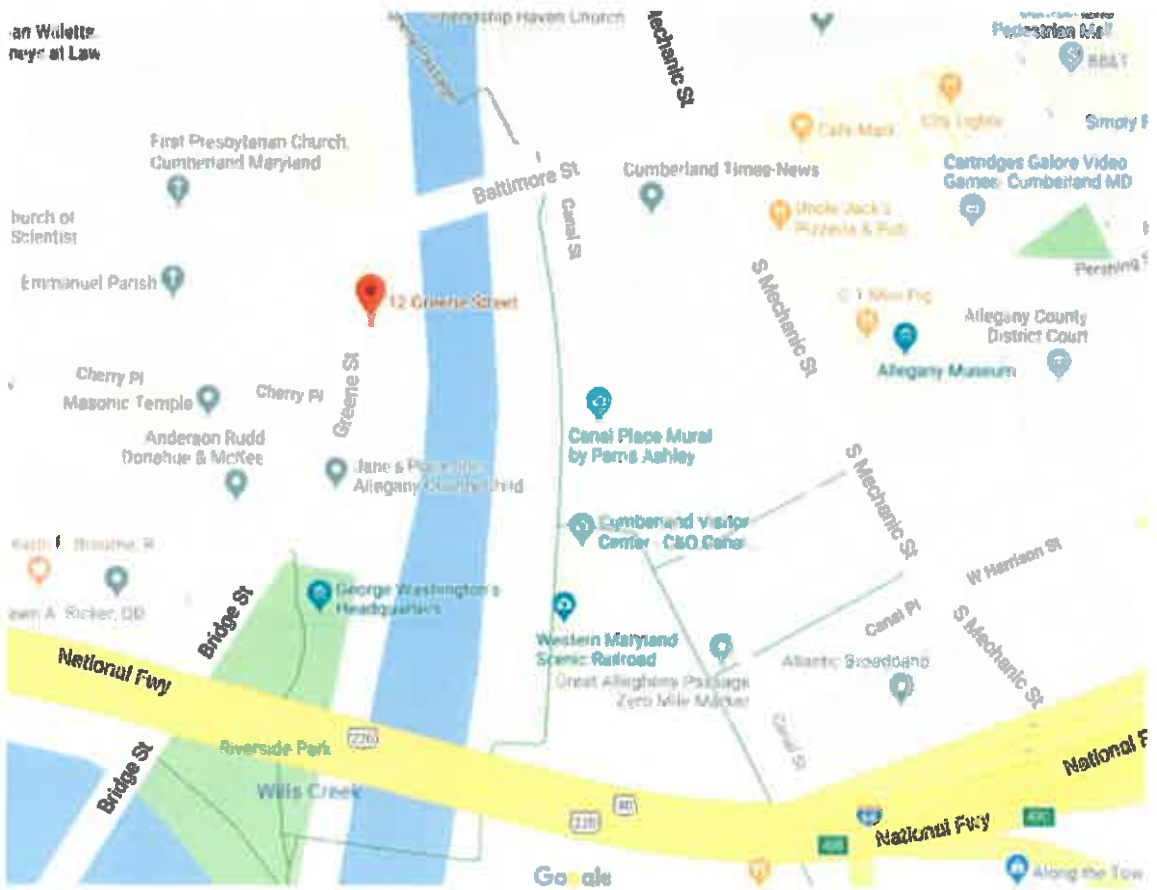
Temporary  
Sandwich  
Board

Brought inside  
when business is  
closed





an Walle  
nys at Law





Charis Realty Group  
1898 Urbana Pike, Ste 6  
Clarksburg, MD 20871  
Office: 301.631.5099  
[www.CharisRealtyGroup.com](http://www.CharisRealtyGroup.com)

November 25, 2019

Re: Scope of work for 12 Greene Street, Cumberland, MD 21502

Charis Realty Group is seeking approval for signage to be placed at our branch office located at 12 Greene Street in Cumberland, Maryland. The scope of work includes affixing a perforated vinyl window film to the large window on the front of the building. The film is 32 inches wide by 70 inches long. There is an additional A-frame removable sign that is placed outside the office only when an agent is on duty and is placed back inside at the end of the business day. Photographs are included for reference.



Terri Hast <terri.hast@cumberlandmd.gov>

## City of Cumberland Permit Applications

3 messages

Terri Hast <terri.hast@cumberlandmd.gov>

Mon, Jan 13, 2020 at 3:56 PM

To: jen@charisrealty.com, christy@charisrealty.com

Cc: Allison Layton <allison.layton@cumberlandmd.gov>

Good afternoon,

I have three applications for permits in-hand for 12 Greene St. and thank you very much for filling out the information and provided the needed attachments.

We still need a few questions to assist us in completing the applications. I think we can do all this by email.

- Building size - height and width are needed.
- Is the vinyl lettering white?
- Is the business occupying a basement and first floor ONLY as it appears on the drawing? Will the basement be used for storage or as part of daily operations?
- I have a map attached, and need for you to show where the parking for you clients will be. You can do a drawing instead if you rather not use the map provided.
- If you could also mention ADA accessibility (if you have it or not).
- We also need information on where the following are located: exit signs, emergency lights, fire extinguishers and sprinkler system, if available.

Terri Hast

Community Services Specialist

CITY OF CUMBERLAND

Community Development Department

57 N. Liberty Street - Cumberland, MD 21502

General 301-722-2000, Direct line 301-759-6517

terri.hast@cumberlandmd.gov

www.cumberlandmd.gov

 12 Greene St..pdf  
148K

Jennifer Alt <jen@charisrealty.com>

Tue, Jan 14, 2020 at 10:41 AM

To: Terri Hast <terri.hast@cumberlandmd.gov>

We will work on the building height and width

The sign is one large vinyl decal the whole part covering the window is white, the letter and logo are a dark purple and green. From the inside of the building you can see through the decal to the outside. So the outside view from inside is not blocked.

The basement is just for storage and our bathroom is down there. No clients go downstairs to the basement

As for parking, we park on Washington Street normally the lower part that you can see in the map you provided. We have also parked and had clients park on the street that runs behind the Kensington.

If you need an actual drawing of that let me know and I can email it to you.

We have no ADA accessibility.

We have no exit signs on the inside. Our front door is the only entrance and exit. No emergency lights, No fire Extinguisher and no sprinkler system. We lease this building we do not own it.

Let me know if there is anything else you need from us. I will send you the building measurements as soon as we get them.

Thank you,



# City of Cumberland



Presentation of Information  
By Kathy McKenney  
Charis Realty Group  
12 Greene Street  
Contact: Christine Issler

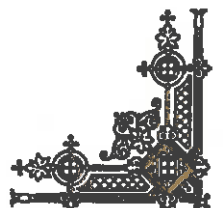
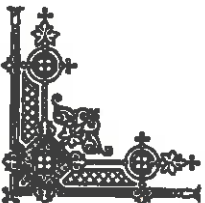
An application for a Certificate of Appropriateness has been requested “after the fact” for the review of a new sign at this new business location. As shown on the attached photo, the sign has been placed within the center window panel on the front façade. The sign encompasses this panel and measures 32” x 70”. It is comprised of vinyl and features the business name and logo using white, purple, and green coloring.

Additional exterior lighting has not been proposed.

**The sections of the Preservation Guidelines that pertain to this application are  
Guideline 46: Sign Placement; Guideline 47: Sign Size (Chapter 5, Pages 102-103);  
Guideline 49: New Sign Materials (Chapter 5 Page 104)**



CUMBERLAND HISTORIC PRESERVATION COMMISSION  
57 N. Liberty Street  
CUMBERLAND, MARYLAND 21502



**Item Attachment Documents:**

4. Request to change/amend the existing Certificate of Appropriateness #795 install additional fence at St. Paul Lutheran Church as well as to provide a one year extension to complete the project - applicant Edward Ayers.



## EXISTING CERTIFICATE OF APPROPRIATENESS REQUEST FOR CHANGE/AMENDMENT

**Certificate of Appropriateness #: 795**

**Property Owner: Lutheran Church of Cumberland**

**Original Approval Date: March 8, 2017, Amended Approval 3/13/19 and 10/29/19**

**Project Address: 111 Washington Street**

**Property Number: 06026044**

**Change/Amendment Review Date: March 11, 2020**

The request for a change/amendment to the original review includes the following scope of work: Installation additional fence along the Smallwood Street side of the property as shown on the attached site plan. The current request would involve a similarly styled black vinyl coated chain link fence (approved on October 29, 2019). The fence would extend a total of 175 feet and would be 3 feet high. Two sets of double gates would be installed at the locations indicated.

The request was:

**DENIED**  
**APPROVED AS SUBMITTED**  
**APPROVED, SUBJECT TO THE FOLLOWING**  
**CONDITIONS**

APPROVED with the following conditions:

Signed:

\_\_\_\_\_  
HPC Chair

\_\_\_\_\_  
HPC Secretary

10/29/19 - Administrative approval by Kathy McKenney, Community Development Programs Manager, for the in-kind preparation and repainting of the remaining windows that were not previously repainted as well as the alley door, soffit and fascia, louvers, bell tower, and steeple.

Additionally, the expiration date of Certificate of Appropriateness #795 has been extended for one year beyond its original expiration date of March 8, 2019.

\_\_\_\_\_  
Kathleen M. McKenney

**NOTE: Please note that the approval listed above only constitutes the approval of the Historic Preservation Commission. You must still ensure that all other permits associated with this project, if required, have been applied for and approved by the Building and Zoning Officer.**



# City of Cumberland

Administrative Review     HP Commission Review

Department of Community Development • 57 N. Liberty Street • Cumberland, MD 21502 • [www.cumberlandmd.gov](http://www.cumberlandmd.gov)  
301-759-6431 • Fax 301-759-6432 • [kathy.mckenney@cumberlandmd.gov](mailto:kathy.mckenney@cumberlandmd.gov)

## CERTIFICATE OF APPROPRIATENESS PERMIT APPLICATION

For ALL exterior changes to a structure (including painting), design and maintenance issues within the City's Preservation District. Including but not limited to additions, alterations, awnings, entrances and doors, painting, porches, fences, siding, signage, window replacement, demolition, and new construction.

Project Location 15 N. Smallwood St. Tax ID #      -     

The Tax ID # can be found on your deed or by visiting [www.dat.state.md.us](http://www.dat.state.md.us) / Real Property / Real Property Search. When construction is being done and several property account numbers are involved, permit must fall under account of the main structure referencing other accounts (or a separate permit will be required per each property of record). It will be necessary to contact the State of Maryland Assessment Office, 112 Baltimore Street, Gateway Center, 301-777-2113, prior to applying for permit in order to obtain documentation required for the new Tax Account Number.

COA #

Application Date 2/27/20

Applicant Name St. Paul's Lutheran Church Phone 301-722-16604

Address 15 N. Smallwood St.

Fax 301-722-16609 Email debbie@stpaulcumberland.org

Contractor Name Overland Fence Company Phone 301-264-4770

Address 13109 Barrelville Rd. NW Mt. Savage, MD 21545

Email travislee07@atlanticbb.net

Summarized Description of Project install 175 feet of 3ft high all black chain link fencing with 2 double gates on the Smallwood Street side of the property.

**Attach** a full written scope of work

**Attach** photographs of the site and structure

- Include:**
- Façade Elevations
  - Sample of Proposed Materials
  - Scaled Drawings
  - Digital Renderings, when available
  - Color Scheme/Paint Chips
  - Manufacturer's Cut-Sheets or Product Specifications

**Provide** one (1) complete original copy of all supplementary materials.

**Pay** a non-refundable Certificate of Appropriateness review fee of \$30.00 - payable at time of application.

**Apply** for relevant Building and Occupancy Permits through the City (*fees apply*)

The HPC meets the second Wednesday of each month and complete applications are due the first Wednesday of each month before 4:00 p.m. You (or a representative) are required to attend the meeting scheduled for your COA review.

Preservation Guidelines (*Updated 1/1/16*) can be found on the City of Cumberland website at [www.cumberlandmd.gov](http://www.cumberlandmd.gov).

**Do not begin work until written approval is received from the Community Development Programs Manager. If the project requires additional building or occupancy permits, all applicable permits must also be approved.**  
An Occupancy, Building or Sign permit application may be required for this application and approval to be considered complete. Those permits are approved by the Code Compliance Manager or designated representative.

**OVERLAND FENCE COMPANY**  
**FAMILY OWNED AND OPERATED FOR 40 YEARS**

**TRAVIS L. BUCY - OWNER**

13109 Barreilville RD NW  
Mount Savage, MD 21545

MHIC # 103343

301-264-4770

**PROPOSAL**

**DATE** February 24, 2020

We propose, subject to acceptance at the Home Office as hereinafter set forth, to install on your property **OVERLAND FENCE** with gates, in accordance with quantities listed below, with posts spaced approximately ten feet apart.

Chain Link Fabric 2 1/4 mesh No. 9 gauge wire Diameter of line posts 1 5/8

Terminal Posts 2 3/8 Top Rail 1 3/8 Type All Black chainlink

Name Ed Ayer's Telephone 240-522-3153

Address St. Paul's Lutheran Install at Church

Church Cumberland MD

**This contract is expressly subject to covenants and conditions hereof, and is not binding upon Overland Fence until accepted and approved by an officer of the company.**

To Furnish All materials and install approx 175 feet of 3ft high All Black chainlink fence. This would include 2 6ft wide double gates 1 at each sidewalk. Also All post would be drove in ground (no concrete) As customer requested.

Height 3ft Feet 175 Gates As Above Total Cost \$ 2,660

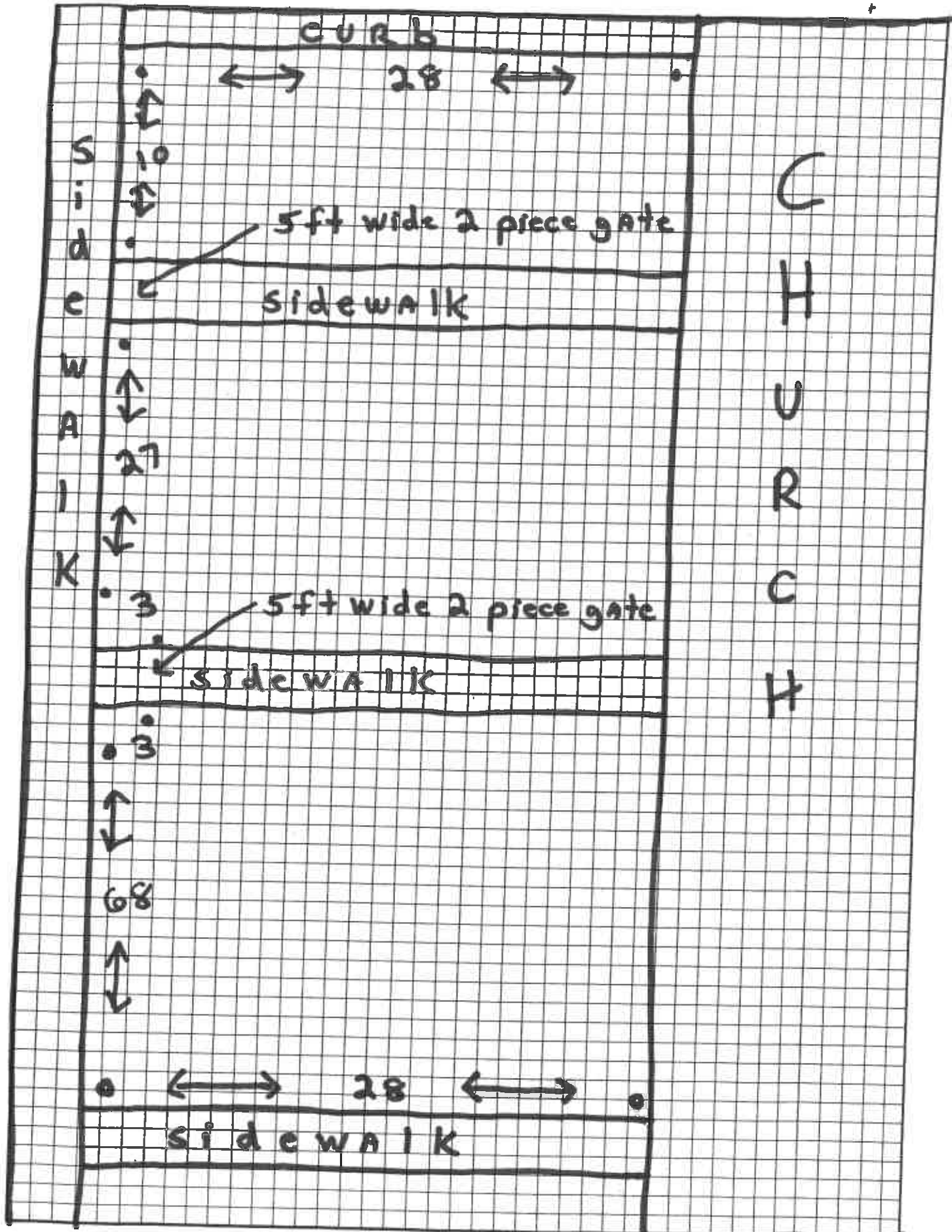
Down Payment \$ \_\_\_\_\_ Balance \$ \_\_\_\_\_

Representative Travis Bucy Purchaser \_\_\_\_\_

Accepted Overland Fence Company  
\_\_\_\_\_ at Mt. Savage, Maryland this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Thank You + God Bless





Fence is 3ft high All black chainlink with 2 - 2  
 piece 5ft wide gates. 177 feet



Top Deals

All ▾ 4' black vinyl chain link

Shop women-run businesses

Deliver to  
Cumberland 21802

Your Amazon.com

Today's Deals

Gift Cards

EN ▾

Hello, Sign In  
Account & Lists ▾

Orders

Try Prime ▾

0

Cart



Deals In Patio, Lawn & Garden

Shop now ▸

Back to results



Share

Deliver to Cumberland 21802

See All Buying Options

Add to List

Have one to sell?

Sell on Amazon

Roll over image to zoom in

Sponsored products related to this item

Page 1 of 10





## EXISTING CERTIFICATE OF APPROPRIATENESS REQUEST FOR CHANGE/AMENDMENT

**Certificate of Appropriateness #: 788**

**Property Owner: Lutheran Church of Cumberland**

**Original Approval Date: March 8, 2017**

**Project Address: 111 Washington Street**

**Property Number: 00026044**

**Change/Amendment Review Date: March 13, 2019**

The request for a change/amendment to the original review includes the following scope of work: Installation of 252 feet of four-foot-high chain link fencing to provide a designated play area in along the front of the church structure. The placement of the fence will be consistent with the submitted site plan.

The request was:

**DENIED**  
**APPROVED AS SUBMITTED**  
**APPROVED, SUBJECT TO THE FOLLOWING**  
**CONDITIONS**

**APPROVED** with the following conditions:

Signed:

\_\_\_\_\_  
HPC Chair

\_\_\_\_\_  
HPC Secretary

**NOTE: Please note that the approval listed above only constitutes the approval of the Historic Preservation Commission. You must still ensure that all other permits associated with this project, if required, have been applied for and approved by the Building and Zoning Officer.**















# Existing Fence Along Fayette Street

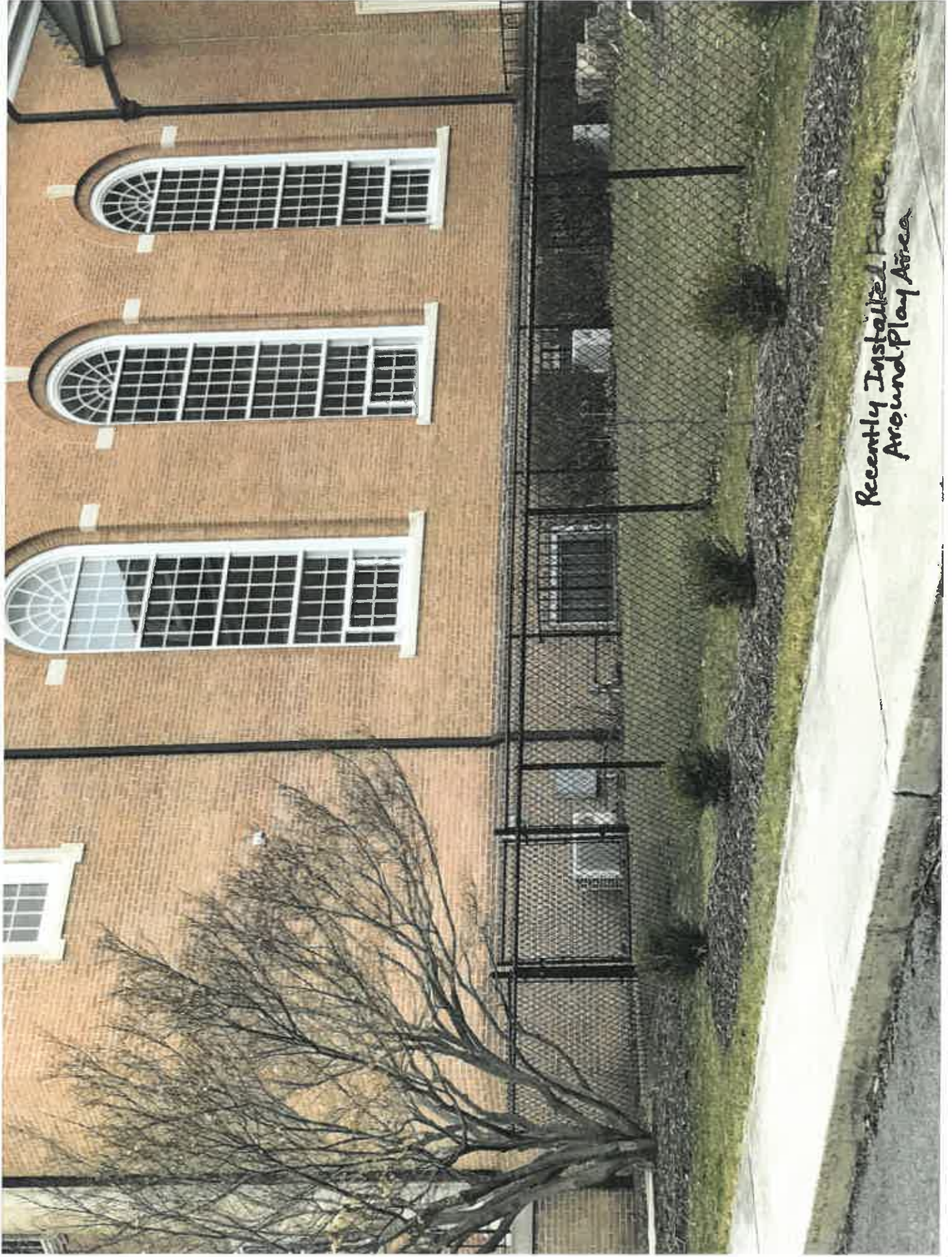


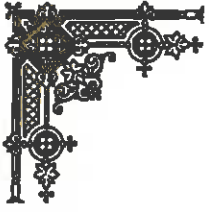




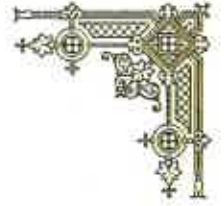
New Fence Installed Around Playground







# City of Cumberland



**Presentation of Information**  
**By Kathy McKenney**  
**Saint Paul's Lutheran Church**  
**111 Washington Street**  
**Request for Second Change/Amend COA#795**  
**Contact: Edward Ayers**

An application for a Certificate of Appropriateness was originally approved on March 8, 2017 (COA#795) for the repair of the window trim in-kind, to repaint these surfaces and to install tempered glass over the stained-glass windows.

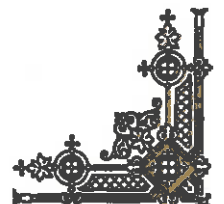
The first request is to amend the approval of the existing COA took place on October 29, 2019 and included the installation of 252 feet of four-foot-high black chain link fencing to provide a designated play area in along the front of the church structure to accommodate the school that is located at this site.

An additional request to amend the approval of the COA, along with a need to approve a one-year extension to complete all of the work has been recently received. The current request is to install additional fence along the Smallwood Street side of the property. The current request would involve a similarly styled black vinyl coated chain link fence. The fence would extend a total of 175 feet and would be 3 feet high. Two sets of double gates would be installed, as well. A site plan has been included with the request.

**The section of the Preservation Guidelines that pertain to this application is**  
**Guideline 62: Fences (Chapter 5 Page 113)**



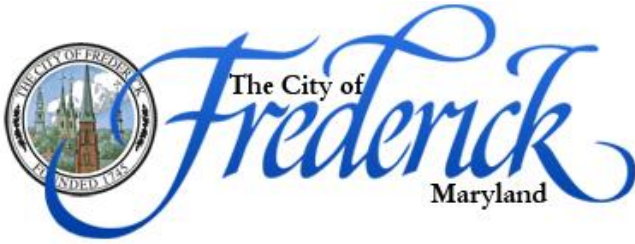
**CUMBERLAND HISTORIC PRESERVATION COMMISSION**  
**57 N. Liberty Street**  
**CUMBERLAND, MARYLAND 21502**



**Item Attachment Documents:**

5. Lisa Mroszczyk – City of Frederick, Historic Preservation Planner will provide a presentation about the process used by the City of Frederick for demolition requests that could impact potentially significant historic resources.





**A GUIDE TO DEMOLITION REVIEW  
IN THE CITY OF FREDERICK**  
*Planning Department \* 140 West Patrick Street  
Frederick, MD 21701 \* 301-600-1499*

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**What is demolition review?**

Demolition review was adopted by the Aldermen in February 2013 as a way of ensuring that potentially significant historic resources are not demolished without notice to the community and the opportunity to be protected if appropriate. Simply being subject to the review does not mean that demolition will be prevented. The outcome of demolition review is either the issuance of a Certificate to Demolish without Delay or designation of the structure as a Historic Preservation Overlay (HPO). Alternatively, plans may be amended to retain the structure and the request for demolition review withdrawn.

**What triggers demolition review?**

Demolition review is required as part of the sketch plan or minor site plan if the plans depict the demolition of an entire structure; the removal of a roof for the purposes of raising the overall height of the roof, rebuilding the roof to a different pitch, or adding another story to a structure; the removal of one or more exterior walls or partitions of a structure; the removal of more than 25% of a structure's overall gross square footage; or the relocation or moving of a structure from its existing location. The same applies to building or demolition permits unless a Certificate to Demolish without Delay has been issued for the structure.

**Certificate to Demolish Without Delay**

If a Certificate to Demolition without Delay has been issued for a structure, the demolition review process is complete. A copy of the certificate shall be filed with all development plans and/or building permits. Certificates are valid for five (5) years from the date of issue.

**Requesting Demolition Review**

If you are considering a project and are not sure how demolition review will affect it or you are just not ready to apply for your permit, you can request demolition review from the Planning Department at any time according to Section 423(a)(1)(A) of the Land Management Code.

**How long does Demolition Review take?**

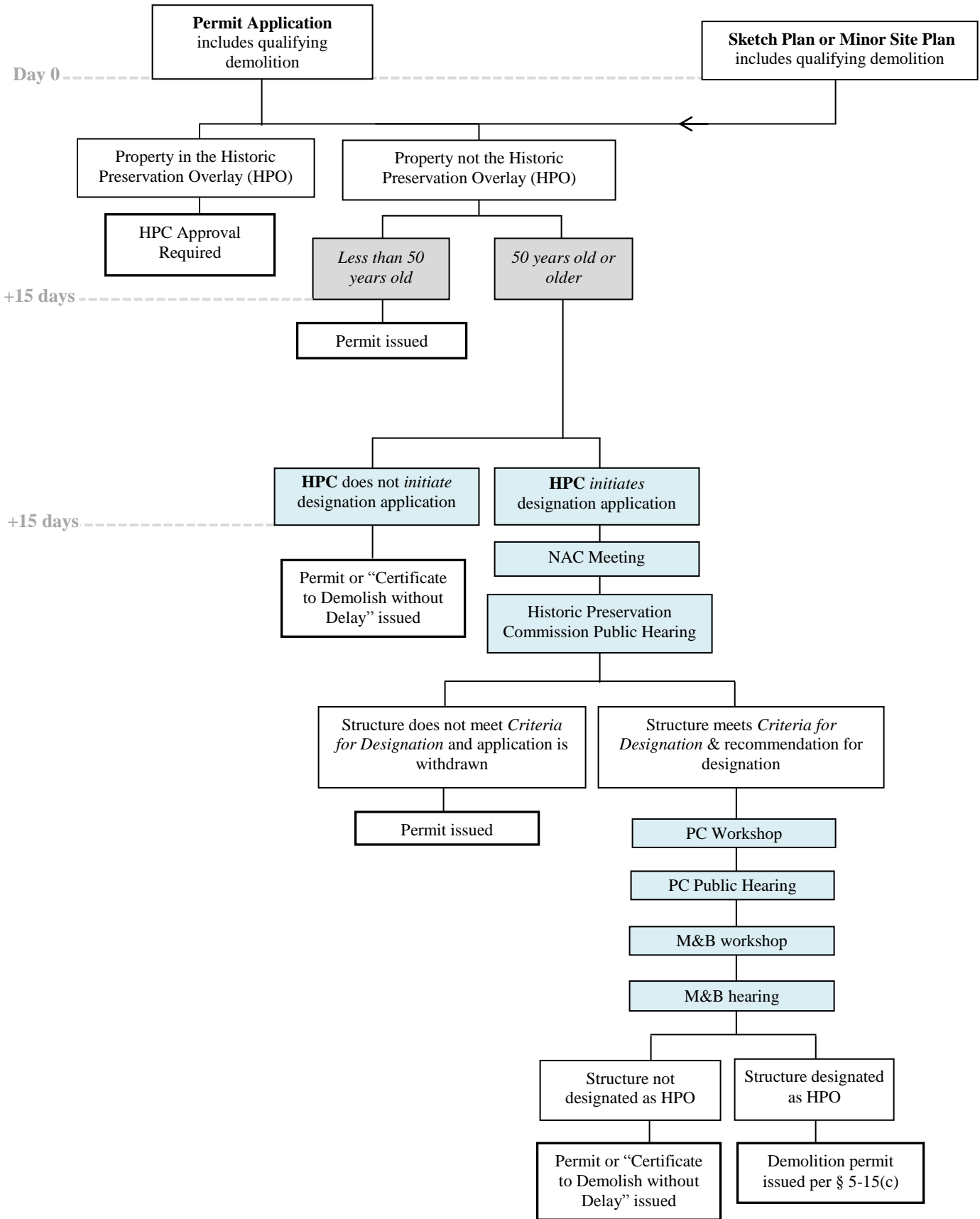
Within 15 days the Planning Department will determine if the structure is 50 years old or older. If the structure is not, the permit will be issued. If it is 50 years old or older, the demolition review period will be extended an additional 15 days for Historic Preservation Commission input. The review period will typically not extend beyond 30 days except for those structures with great architectural or historical significance.

**DEMOLITION REVIEW APPLIES TO:**

- The demolition of an entire structure.
- The removal of a roof for the purposes of raising the overall height of the roof, rebuilding the roof to a different pitch, or adding another story to a structure.
- The removal of one or more exterior walls or partitions of a structure.
- The removal of more than 25% of a structure's overall gross square footage.
- The relocation or moving of a structure from its existing location.

**PLEASE CALL THE PLANNING DEPARTMENT AT 301-600-1499 FOR MORE INFORMATION.**

# DEMOLITION REVIEW PROCESS



**PLEASE CALL THE PLANNING DEPARTMENT AT 301-600-1499 FOR MORE INFORMATION.**



**Item Attachment Documents:**

6. Consideration to declare that the property located at 130 Polk Street, owned by Louis J. Klepitch and Michael D. Klepitch, meets the conditions of Demolition by Neglect as defined in Chapter 6 of the Preservation District Design Guidelines and define what corrective actions are in order.

## *Preservation Law Educational Materials . . .*

### DEMOLITION BY NEGLIGENCE

“Demolition by Neglect” is the term used to describe a situation in which a property owner intentionally allows a historic property to suffer severe deterioration, potentially beyond the point of repair. Property owners may use this kind of long-term neglect to circumvent historic preservation regulations.

#### Contexts in Which Demolition by Neglect Arises

Sometimes demolition by neglect occurs when an owner essentially abandons a historic property. More often, neglect is an affirmative strategy used by an owner who wants to develop the property. The context in which the issue is raised depends on what action the city decides to take, if any.

At one end of the spectrum, some local governments have taken affirmative enforcement actions against the owners of such properties, ultimately going to court if necessary. At the other end of the spectrum, occasionally the owner of a neglected or deteriorating property will file a lawsuit against the local government, challenging the historic designation or some other feature of the preservation ordinance. The problem with both of these extremes is that courts are very unpredictable.

More commonly, demolition by neglect controversies end up somewhere in the middle of this spectrum, with the local government issuing citations to repair the building, and the owner ignoring the citations. The skirmishes involved in this process often result in a statement that leaves all sides frustrated.

#### Demolition by Neglect and Economic Hardship

Property owners using demolition by neglect as a tactic to work around preservation laws will often argue that the prohibitive cost of repairs and deferred maintenance creates an economic hardship.

Ideally historic preservation ordinances need a safeguard provision to protect against this kind of argument, creating a loophole. Generally, the owner’s own neglect should not be allowed to create an economic hardship. However, it is often difficult to sort out the extent to which an economic hardship is attributable to an owner’s actions, or to things beyond the owner’s control (i.e., circumstances that would have existed in any event). In looking at economic hardship and demolition by neglect, it is important for commissions to look beyond simply the relationship between the cost of repairs and the purchase price or the “as is” value.

#### Tools for Controlling Demolition by Neglect

The most important tool for controlling demolition by neglect is a carefully drafted provision in the local preservation ordinance requiring affirmative maintenance and ensuring that the local commission is equipped with adequate remedies and enforcement authority. Even if a community already has some type of affirmative maintenance provision, it may want to review your ordinance and amend it in order to increase its effectiveness.

The first step is to look at the state's enabling legislation to determine the specific legal authority for affirmative maintenance provisions. Affirmative maintenance provisions have repeatedly been upheld and enforced by the courts. The leading case is *Maier v. City of New Orleans*, 516 F.2d 1051 (5th Cir. 1975), *cert. denied*, 426 U.S. 905 (1976), in which a federal appeals court upheld an affirmative maintenance provision for the French Quarter in New Orleans, ruling that the provision was constitutional as long as it did not have an unduly burdensome effect on the individual property owner. In *Harris v. Parker*, Chancery No. 3070 (Cir. Ct. Isle of Wight County, Va. Apr. 15, 1985), a case from Smithfield, Virginia, the court actually ordered repairs to be carried out in compliance with the affirmative maintenance requirements in the ordinance. And in *Buttnick v. City of Seattle*, 719 P.2d 93, 95 (Wash. 1986), the court ruled that requiring an owner to replace a defective parapet on a historic building did not result in unreasonable economic hardship. The D.C. Court of Appeals in *District of Columbia Preservation League v. Department of Consumer and Regulatory Affairs*, 646 A.2d 984 (D.C. App. 1994), reversed the District of Columbia's approval of the demolition of a historic landmark in dilapidated condition caused by the owner's own actions, because the demolition permit was unauthorized under the District's preservation act.

With the help of its city attorneys, the New York Landmarks Commission has successfully obtained judgments against owners of historic buildings in particularly egregious condition. In 2004, a New York City trial judge ordered the owners of the landmarked "Skidmore House" in Manhattan to make all repairs ordered by the Landmarks Commission and to keep the building in "good repair." See *City of New York v. 10-12 Cooper Square, Inc.*, 793 N.Y.S.2d 688 (N.Y. Cty. 2004). On May 21, 2009, a Manhattan judge ordered the owner of the vacant Windermere Apartment Complex to maintain and repair the complex's three buildings and to pay \$1.1 million in civil penalties.

When drafting an affirmative maintenance provision, it is important to mandate coordination between the preservation commission and the building code enforcement office, to ensure that the commission is consulted before code citations and enforcement orders are issued. Be specific in defining what repairs will be required, and what remedies will be available under what circumstances. Also make sure that the economic hardship provision is drafted so that it prevents owners from arguing that their own neglect has caused an economic hardship.

One important remedy to include in the ordinance is the authority for the local government to make the repairs directly and then charge back the owner by placing a lien on the property. In some jurisdictions, such as New York City, civil penalties up to the fair market value of the property may be levied against violators.

### Incentive Programs and Other Forms of Assistance

Another important tool for controlling demolition by neglect and increasing the effectiveness of affirmative maintenance programs is the use of incentives. Tax incentives, low cost loans, and grants are always encouraged as a way to help owners fund necessary maintenance. Maintenance expenses can also be defrayed through the use of volunteer maintenance crews.

### Enforcement

One reason why demolition by neglect is such a frustrating issue for preservationists and historic preservation commissions is that it often involves a branch of local government over which preservationists have little influence or control—the code inspection and enforcement office. Most preservation groups have good relationships with their preservation commissions, but probably no relationship at all with the building inspection office.

There is often a conflict between these two governmental functions. Even under the best of circumstances, these two offices rarely coordinate their actions. At worst, an outright turf battle may erupt, in which the code enforcement office orders a building demolished as a safety hazard without consulting the preservation commission.

It is therefore very important for local preservation groups to get to know code enforcement officials. A good working relationship with these officials can be critical to helping to ensure that deferred maintenance problems are identified and corrected before they reach the point of demolition by neglect.

## Selected Examples of Demolition by Neglect Provisions

Cited below are:

- examples of provisions in state historic preservation enabling laws authorizing localities to prevent the destruction of historic buildings by "demolition by neglect;"
- sample local ordinance provisions dealing with demolition by neglect through maintenance requirements; and
- examples of the use of eminent domain to prevent demolition by neglect.

### State Enabling Legislation

A number of states permit local governments to prevent the "demolition by neglect" of historic properties. Below are some examples of provisions in state enabling laws for historic preservation intended to address this problem:

**North Carolina:** "The governing board of any municipality may enact an ordinance to prevent the demolition by neglect of any designated landmark or any building or structure within an established historic district. Such ordinance shall provide appropriate safeguards to protect property owners from undue economic hardship."

**Rhode Island:** "Avoiding demolition through owner neglect. a city or town may by ordinance empower city councils or town councils in consultation with the historic district commission to identify structures of historical or architectural value whose deteriorated physical condition endangers the preservation of such structure or its appurtenances. The council shall publish standards for maintenance of properties within historic districts. Upon the petition of the historic district commission that a historic structure is so deteriorated that its preservation is endangered, the council may establish a reasonable time not less than 30 days within which the owner must begin repairs. If the owner has not begun repairs within the allowed time, the council shall hold a hearing at which the owner may appear and state his or her reasons for not commencing repairs. If the owner does not appear at the hearing or does not comply with the council's orders, the council may cause the required repairs to be made at the expense of the city or town and cause a lien to be placed against the property for repayment."

**Alabama:** "Demolition by neglect and the failure to maintain an historic property or a structure in an historic district shall constitute a change for which a certificate of appropriateness is necessary."

**Wisconsin:** "[A] political subdivision may acquire by gift, purchase, or condemnation any property right in historic property, whether the property is real or personal."

## Local Ordinance Provisions Concerning Demolition by Neglect

Many local ordinances include provisions for dealing with the problem of demolition by neglect. Some noteworthy examples are described below:

**San Francisco:** Language in the San Francisco ordinance is quite explicit and detailed with respect to the problem of demolition by neglect:

"*Maintenance:* The owner, lessee, or other person in actual charge of a Significant or Contributory building shall comply with all applicable codes, laws and regulations governing the maintenance of property. It is the intent of this section to preserve from deliberate or inadvertent neglect the exterior features of buildings designated Significant or Contributory, and the interior portions thereof when such maintenance is necessary to prevent deterioration and decay of the exterior. All such buildings shall be preserved against such decay and deterioration and shall be free from structural defects through prompt corrections of any of the following defects:

1. Facades which may fall and injure members of the public or property.
2. Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls or other vertical structural supports.
3. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
4. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken windows or doors.
5. Defective or insufficient weather protection for exterior wall covering, including lack of paint or weathering due to lack of paint or other protective covering.
6. Any fault or defect in the building which renders it not properly watertight or structurally unsafe."

**Culpeper, Virginia:** A somewhat different approach has been taken by the town of Culpeper, which states in its ordinance:

"Sec. 28-27.2. *Demolition By Neglect.* No officially designated historic landmark or contributing structure within the historic district shall be allowed to deteriorate due to neglect by the owner which would result in violation of the intent of this Section.

*Demolition by neglect* shall include any one or more of the following courses of inaction or action:

1. Deterioration of the exterior of the building to the extent that it creates or permits a hazardous or unsafe condition.
2. Deterioration of exterior walls or other vertical supports, horizontal members, roofs, chimneys, exterior wall elements such as siding, wooden walls, brick, plaster, or mortar to the extent that it adversely affects the character of the historic district or could reasonably lead to irreversible damage to the structure.

In the event the Culpeper County Building Official, or the agent officially recognized by the Town of Culpeper as serving that capacity, determines a structure in a historic district is being 'demolished by neglect', he shall so notify the Chairperson of the Historic and Cultural Conservation Board, stating the reasons therefor, and shall give the owner 30 days from the date of the notice to commence work rectifying the specifics provided in the notice; or to initiate



proceedings as provided for in Section 28-27. If appropriate action is taken in this time, the Town may initiate appropriate legal action as provided therein."

**Charlottesville, Virginia:** The Charlottesville ordinance not only requires the maintenance of a landmark property but also requires the maintenance of the land on which the landmark sits. Note the following:

*"Section 31-141. Maintenance and repair required.*

Neither the owner of nor the person in charge of a structure or site in any of the categories set forth in section 31-127.2 of this Code shall permit such structure, landmark or property to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce, in the judgment of the appropriate board, a detrimental effect upon the character of the district as a whole or the life and character of the landmark, structure or property in question, including but not limited to:

1. The deterioration of exterior walls or other vertical supports;
2. The deterioration of roofs or other horizontal members;
3. The deterioration of exterior chimneys;
4. The deterioration of crumbling of exterior plasters or mortar;
5. The ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors;
6. The peeling of paint, rotting, holes and other forms of decay;
7. *The lack of maintenance of surrounding environment, e.g., fences, gates, sidewalks, street signs, accessory structures and landscaping (emphasis added);*
8. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

The enforcing officer shall give notice by certified or registered mail of specific instances of failure to maintain or repair. The owner or person in charge of such structure shall have sixty days to remedy such violation; provided, that the appropriate board, upon request, may allow an extension of up to sixty days to remedy such violations. Thereafter, each day during which there exists any violation of this section shall constitute a separate violation and shall be punishable as provided in articles XXVIII of this chapter."

**Montgomery County, Maryland:** Montgomery County requires a public hearing when charges of demolition by neglect are raised. If a property owner has been requested to maintain his property but refuses to do so, the ordinance allows the director of the county's Department of Environmental Protection may arrange for necessary repairs and charge the expenses to the owner.

*"Sec. 24A-9. Demolition by Neglect.*

... In the event the corrective action specified in the final notice is not instituted within the time allotted, the Director may institute, perform and complete the necessary remedial work to prevent deterioration by neglect and *the expenses incurred by the Director for such work. Labor and materials shall be a lien against the property, and draw interest at the highest legal rate, the amount to be*

*amortized over a period of 10 years subject to a public sale if there is a default in payment."* (Emphasis added.)

**Portland, Maine:** Portland permits its Department of Planning and Urban Development to order property owners to make necessary repairs to deteriorating buildings within specified time periods. The city also spells out in its ordinance procedures for appealing such orders.

*"Section 14-690. Preservation of Protected Structures.*

(a) Minimum Maintenance Requirement.

All landmarks, and all contributing structures located in an historic district, shall be preserved against decay and deterioration by being kept free from the following structural defects by the owner and any other person or persons who may have legal custody and control thereof.

- (1) Deteriorated or inadequate foundation which jeopardizes its structural integrity;
- (2) Defective or deteriorated floor supports or any structural members of insufficient size to carry imposed loads with safety which jeopardize its structural integrity;
- (3) Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration which jeopardize its structural integrity;
- (4) Structural members of ceilings and roofs, or other horizontal structural members which sag, split or buckle due to defective materials or deterioration or are of insufficient size to carry imposed loads with safety which Jeopardize its structural integrity;
- (5) Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration or are of insufficient size or strength to carry imposed loads with safety which jeopardize its structural integrity;
- (6) Lack of weather protection which jeopardizes the structural integrity of the walls, roofs, or foundation;

(b) The owner or such other person shall repair such building, object, or structure within a specified period of receipt of a written order to correct defects or repairs to any structure as provided by subsection (a) above, so that such structure shall be preserved and protected in accordance with the purposes of this article.

(c) Any such order shall be in writing, shall state the actions to be taken with reasonable particularity, and shall specify dates for compliance which may be extended by the Department (of Urban Planning and Development) for reasonable periods to allow the owner to secure financing, labor or materials. Any such order may be appealed to the Board of Appeals within 30 days. The Board shall reverse such an order only if it finds that the Department had no substantial justification for requiring action to be taken, that the measures required for time periods specified were not reasonable under all of the circumstances. The taking of an appeal to the Board or to Court shall not operate to stay any order requiring structures to be secured or requiring temporary support unless the Board or Court expressly stay such order. The City shall seek preliminary and permanent relief in any court of competent jurisdiction to enforce any order."

The Portland ordinance also deals firmly with people who violate these and other provisions. In addition to having to pay fines for "each day on which there is failure to perform a required act," the ordinance applies a sort of "scorched earth" policy: If a person violates the ordinance either

willfully or through gross negligence, he may not obtain a building permit for any alteration or construction on the historic landmark site for five years. Moreover, for a period of 25 years, any alteration or construction on the property is subject to special design standards imposed in the ordinance, whether or not the property involved is historic.

### Eminent Domain

Several cities authorize the use of eminent domain as a means of protecting historic buildings from deterioration or neglect. Specific examples include:

**San Antonio, Texas:** San Antonio permits the city to "condemn the [historic] property and take it by the power of eminent domain for rehabilitation or reuse by the city or other disposition with appropriate preservation restrictions in order to promote the historic preservation purposes of [the ordinance] to maintain the structure and protect it from demolition."

**Richmond, Virginia:** Chapter 10, Section 21, of the Code of Virginia states that the Department of Conservation shall have the power to acquire, by purchase, gift or eminent domain, properties of scenic and historical interest which in the judgement of the Director of the Department should be acquired, preserved and maintained for the use and pleasure of the people of Virginia. (Emphasis added)

Richmond, Va., recently obtained a charter change that allows the city to condemn and acquire properties in historic districts suffering from demolition by neglect. The city is currently using this authority to save a Greek Revival house in the Church Hill Historic District.

**Baltimore, Maryland:** Though not a recent example, the City of Baltimore exercised its eminent domain authority to acquire the historic Betsy Ross House in order to preserve it. In *Flaccomio v. Mayor and Council of Baltimore*, 71 A.2d 12 (Md. 1950), the Maryland Court of Appeals upheld the city's use of this power.

**Louisville, Kentucky:** In the late 1970s, the City of Louisville condemned two Victorian townhouses that Louisville the Louisville Women's Club planned to demolish for a parking lot. The city then resold the properties, with preservation covenants attached, to a developer. The Club took the city to court, but the court upheld the city's action.

## PARTIAL DEMOLITION

The same procedures, supplemental application information, and review criteria as listed above will be used by the Commission in their review of partial demolitions, including the course of action for contributing versus non-contributing structures or original versus later additions that are proposed for removal.

## STANDARDS FOR THE TREATMENT OF CLEARED LOTS

The following guidelines must be adhered to for the treatment of cleared lots following demolition within the district:

- a. *Grading and Filling Vacant Lot:* The top 6 inches of a recently cleared lot must be brought up to the grade of the adjacent sidewalk with clean topsoil showing no stones above the surface. As a rule, vacant lots may not be used for parking, unless the owner can certify to the Historic Preservation Commission that new construction on the lot will occur within a reasonable period of time deemed agreeable to both parties. Requests for the use of vacant lots for parking will be reviewed on a case-by-case basis. The applicant will be required to show why the parking is needed on that site and can not be accommodated by alternate means, especially since the majority of the Preservation District is within the B-CBD zoned district – a district in which parking is not required to be provided by the property owner on site.
- b. *Screening of Vacant Lots:* If the vacant lot is to remain undeveloped, the entire lot should be seeded. If the Commission approves the location of parking on a vacant lot, the owner will be required to visually screen the lot to minimize its appearance through the use of landscaping or fencing that has been approved by the Commission. If used for parking, the lot, along with the strip of land between the edge and the sidewalk, should be seeded.

## Demolition by Neglect

The definition and following procedures for a property involving *demolition by neglect* is from the Cumberland Zoning Code Section 11 Historic Area Regulations, part 11.03(6) and 11.08.

Demolition by neglect shall mean any willful neglect in the maintenance and repair of an individually designated landmark, site or structure, or a site or structure within a designated preservation district, not including any appurtenances and environmental settings, that does not result from an owner's financial inability to maintain and repair such landmarks, sites, structures, and which results in any of the following conditions:

- a. The deterioration of the foundations, exterior walls, roofs, chimneys, doors, or windows, so as to create or permit a hazardous or unsafe condition to exist; or
- b. The deterioration of the foundations, exterior walls, roofs, chimneys, doors, windows, the lack of adequate waterproofing, or the deterioration of interior features which will or could result in permanent damage, injury, or loss of or loss to foundations, exterior walls, roofs, chimneys, doors, or windows.

## PROCEDURE

1. In the event of a case of demolition by neglect, the Commission may request the Department of Community Development to notify, in writing, the property owner(s) of record, any person(s) having a right, title, or interest therein, and the occupants or other person(s) responsible for the maintenance of the property, of the deterioration. The notice shall specify the minimum items of repair or maintenance necessary to correct or prevent further deterioration.

2. Prior to the issuance of a written notice, the Commission may request the Department of Community Development to establish a record of demolition by neglect. Such a record may include dated materials such as photographs and/or written reports of the condition of the property so as to record and/or measure the deterioration.

3. The notice shall provide that corrective action shall commence within thirty (30) days of receipt of said notice and be completed within a time defined by the Commission in consultation with the property owner. The notice shall state that the owner(s) of record of the property, or any person(s) of record with any right, title or interest therein, may, within ten (10) days after the receipt of the said notice, request a hearing on the necessity of the items and conditions contained in said notice. In the event a public hearing is requested, it shall be held by the Commission upon thirty (30) day's written notice being mailed to all persons of record with any right, title or interest in the property and to all citizens and organizations which the Commission determines may have an interest in the proceedings.

4. If, after the public hearing, the Commission determines that the corrective actions remain necessary, the Commission may request the Department of Community Development to issue a Final Notice to be mailed to the owner(s) of record and all parties of record with any right, title or interest in the subject property, advising them of the items of repair and maintenance necessary to correct or prevent further deterioration. The owner(s) shall institute corrective action to comply with the Final Notice within thirty (30) days of receipt of the revised notice.

5. Upon failure, neglect, or refusal of the property owner(s) or other responsible person(s), duly notified, to take the corrective action(s) specified in the Final Notice, within the time allotted, the Commission may request that the Department of Community

Development institute any of the remedies and penalties provided by law for said violations.

## Economic Hardship

The following explanation is from the Cumberland Zoning Ordinance Section 11 Historic Area Regulations, part 11.07.05.

In acting upon an application for a certificate of economic hardship, the Historic Preservation Commission is required to determine whether the economic impact of the historic preservation law, as applied to the property owner, has risen to the level of economic hardship. An applicant seeking a COA may apply for a "Certificate of Economic Hardship" **only after the HPC has denied his or her request to alter or demolish a historic property** protected under the preservation ordinance. In support of an application for relief on economic hardship grounds, the applicant must submit evidence sufficient to enable the HPC to render a decision. The burden of proof is on the applicant.

Economic hardship is defined as consistent with the legal standard for an unconstitutional regulatory taking, which requires a property owner to establish that he or she has been denied all reasonable beneficial use or return on the property as a result of the commission's denial of a permit for alteration or demolition.

Refer to part 11.07.05 of the Cumberland Zoning Ordinance for the required documentation and the review criteria to be used by the Historic Preservation Commission in reviewing such an application.





**Memo to the Historic Preservation Commission  
From  
Kathy McKenney, Community Development Programs Manager  
March 5, 2020**

**130 Polk Street  
Demolition By Neglect Consideration**

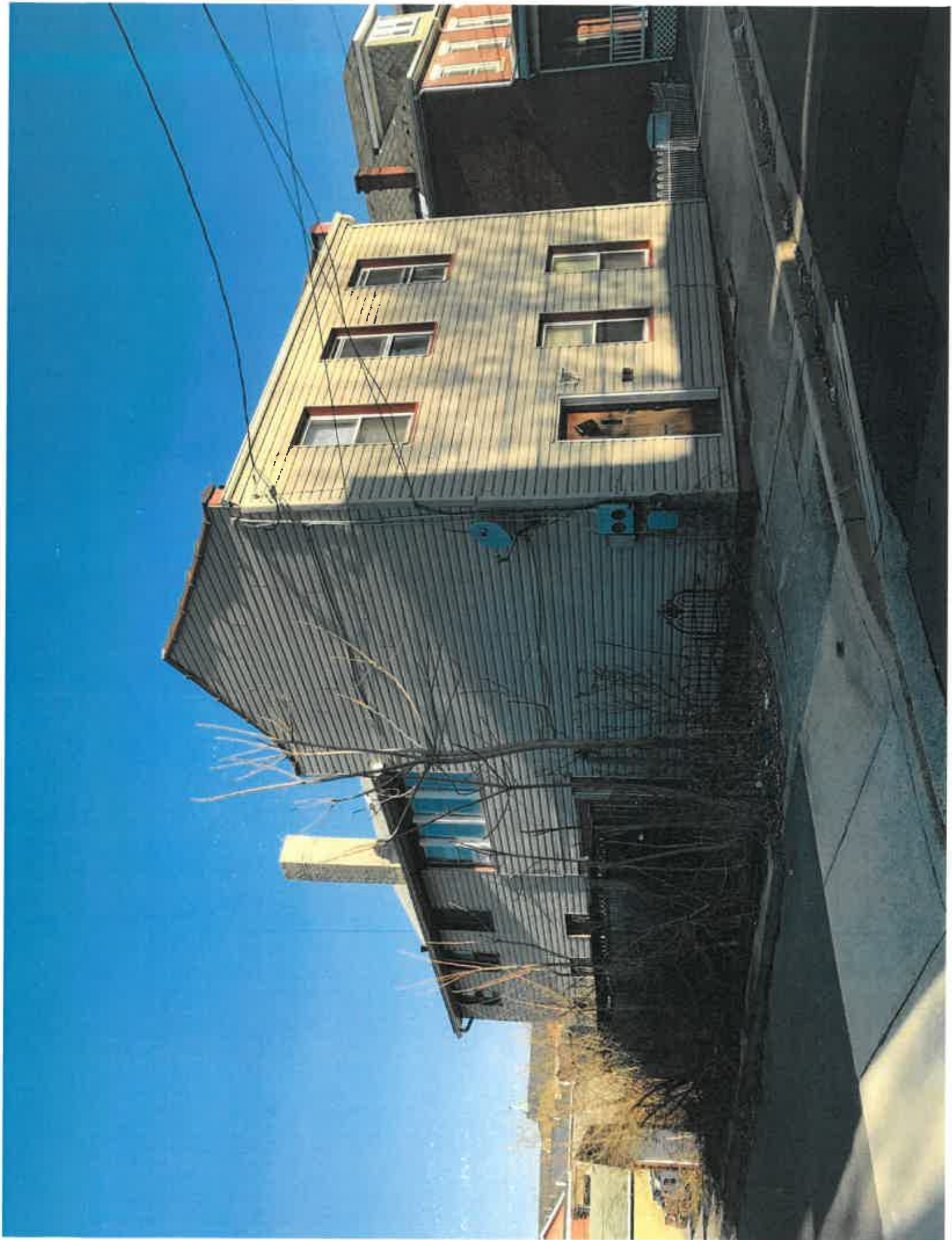
The Department of Community Development has been working unsuccessfully to resolve property maintenance issues at 130 Polk Street for nearly two years. The property is currently privately owned and the owner has been unresponsive to all communication. There is currently no water and sewer service to the structure and the property appears to be vacant.

Two years ago, the property was on the tax sale list since the owners were three years delinquent. The tax certificate was purchased by another party but they did not successfully complete the tax sale foreclosure process within the two-year timeframe. The property will be placed again on the tax sale list.

The immediate concern with this property is what appears to be failure within the Northeast exterior wall which is adjacent to a separately owned parking lot. Photographs are provided of the current condition. The vinyl siding, installed before the district was locally zoned as an historic district in the late 1990s, is peeling away, exposing the furring strips and original brick exterior wall. Bricks are shifting and dislodging from the wall.

Chapter 6 provides direction for the process to bring compliance to situations such as this. Known as Demolition by Neglect, the goal of this process is to prevent willful neglect of a structure that could potentially allow it to get beyond the point of repair. Ordinance 3208 defines "demolition by neglect" as " the deterioration of the foundations, exterior walls, roofs, chimneys, doors, or windows, so as to create or permit a hazardous or unsafe condition to exist; or the deterioration of the foundations, exterior walls, roofs, chimneys, doors, windows, the lack of adequate waterproofing, or the deterioration of interior features which will or could result in permanent damage, injury, or loss of or loss to foundations, exterior walls, roofs, chimneys, doors, or windows."

Once declared, corrective actions are provided to the owner which must be addressed within a given time-frame. Typically, a list of short-terms as well as long-term actions are mandated and are required to begin within thirty days from the receipt of the notification. The Historic Preservation Commission is the entity that declares a situation of Demolition by Neglect and asks the Department of Community Development to provide the owner with the list of corrective actions that must take place.



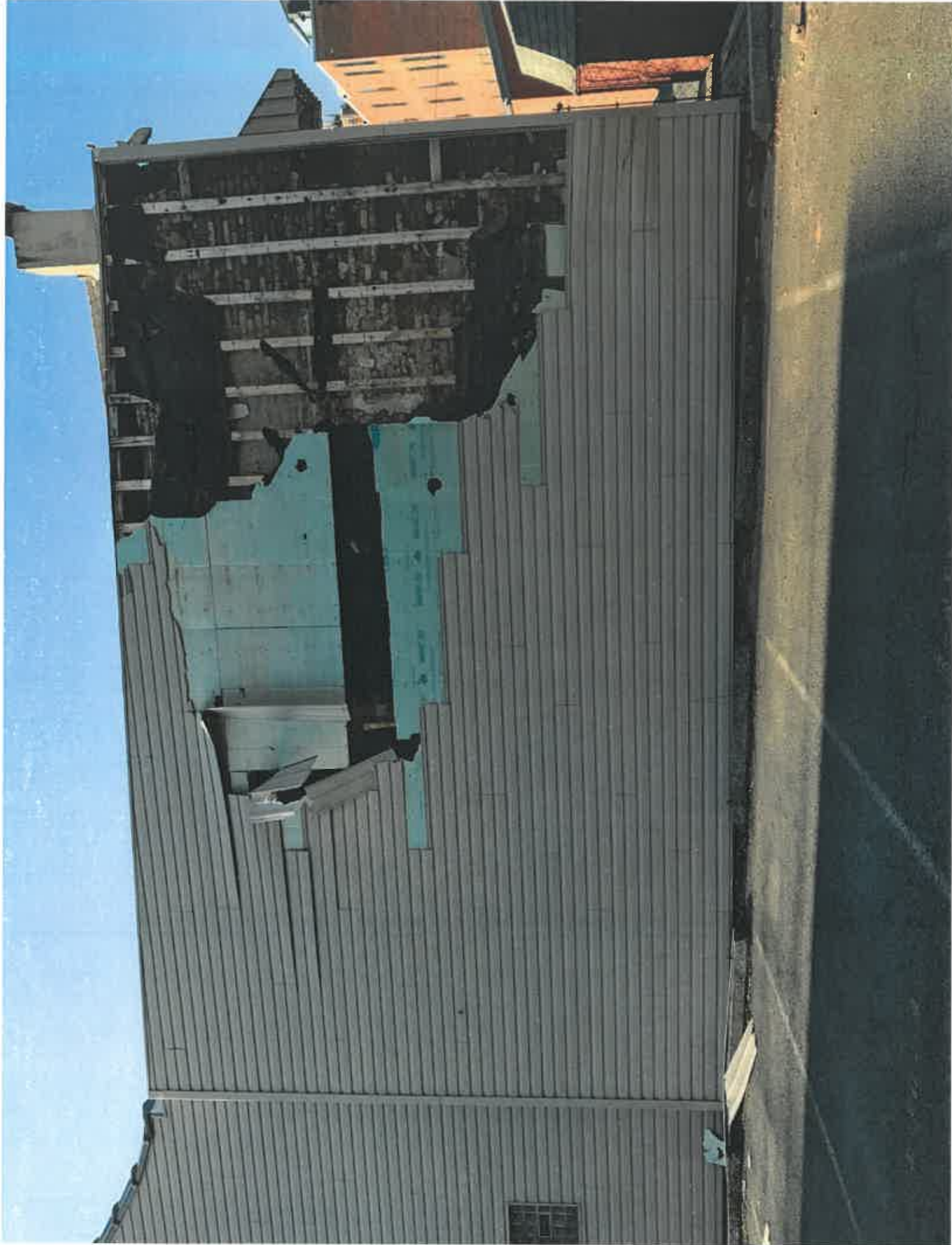
















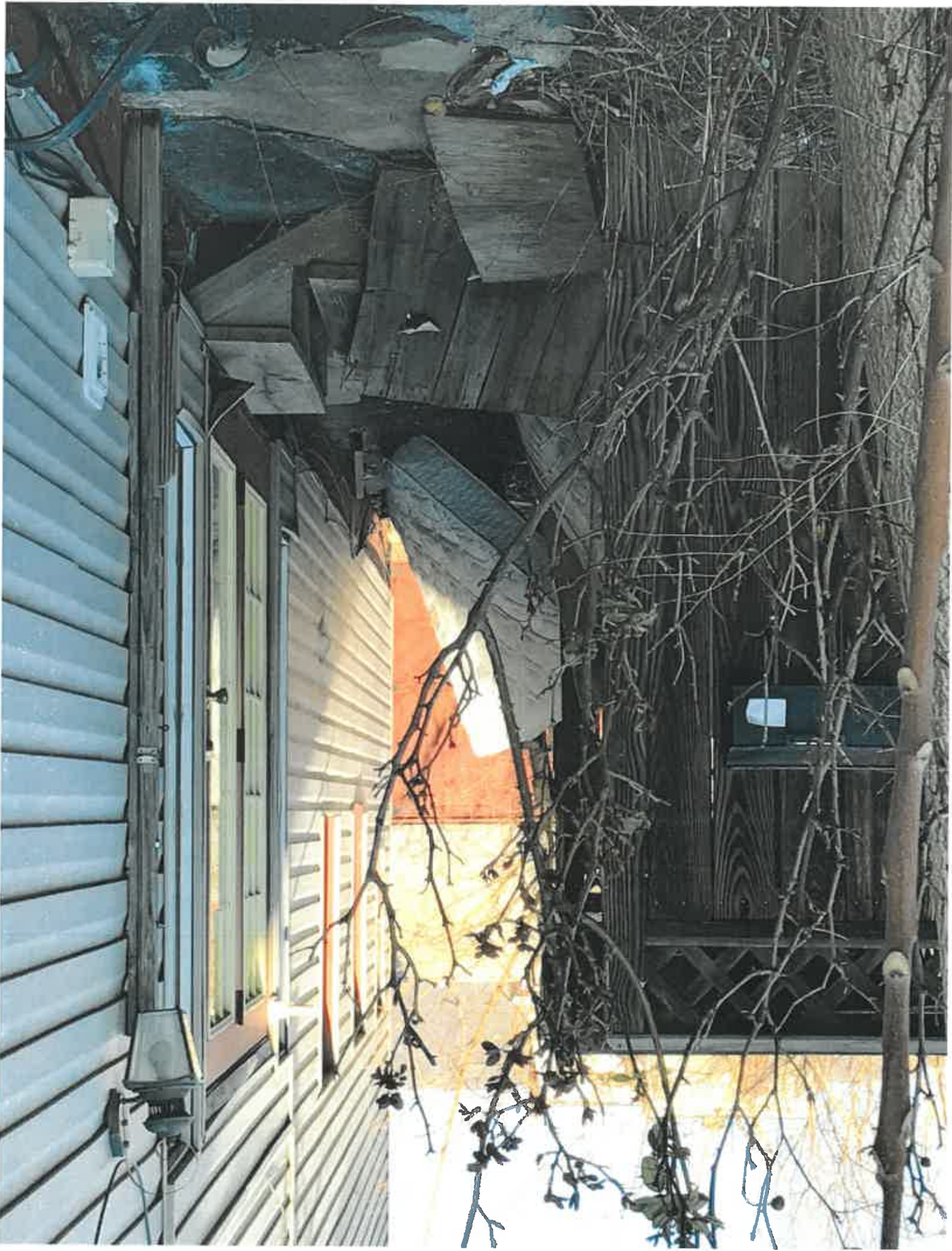




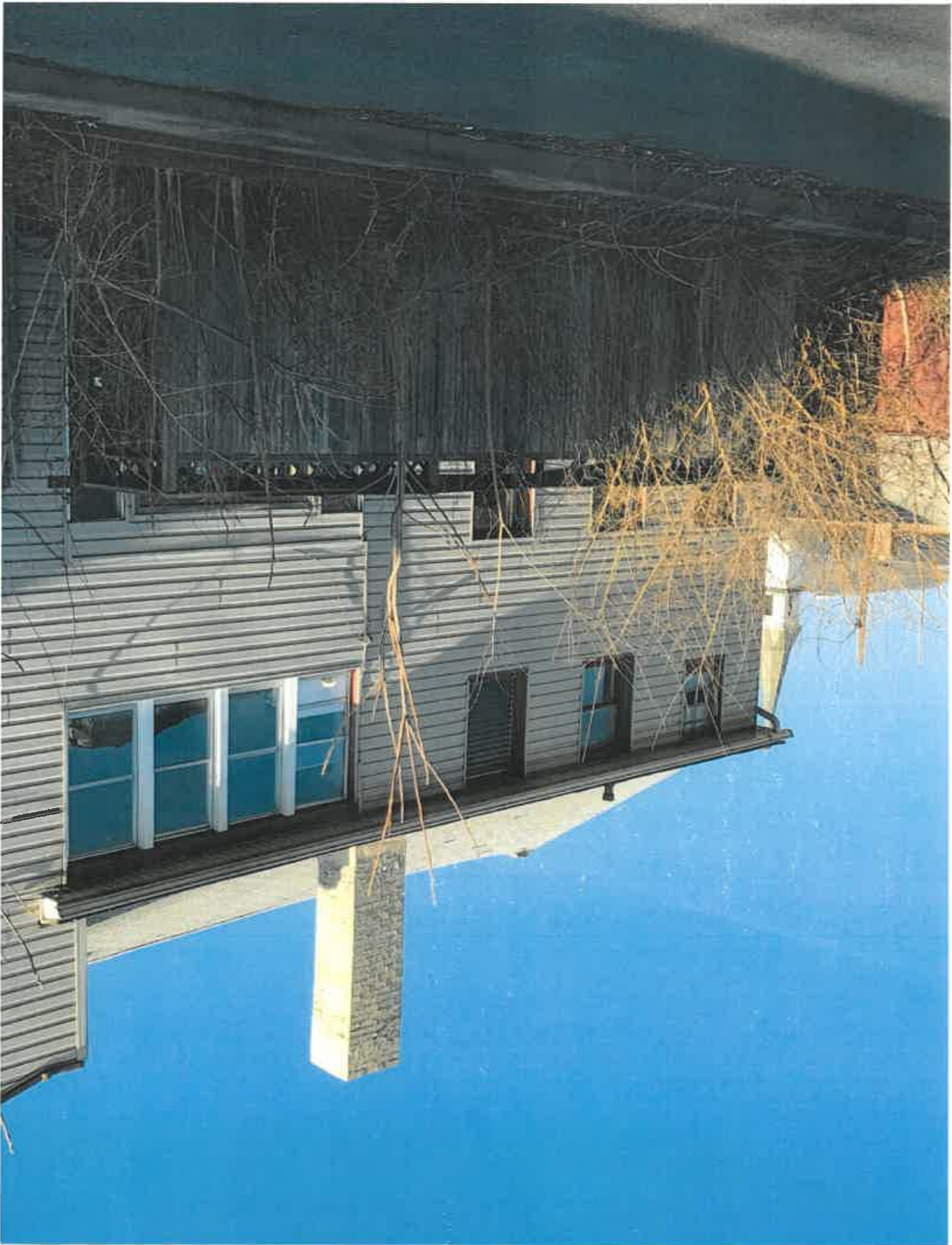












**Item Attachment Documents:**

7. Discussion whether to provide a recommendation by the Historic Preservation Commission to the Mayor and City Council to designate 230 Baltimore Avenue as a local historic structure. This property is known as the George Trough House and is individually listed on the National Register of Historic Places.





Kathy McKenney &lt;kathy.mckenney@cumberlandmd.gov&gt;

---

**George Truog House**

1 message

**Joni Zimmerman** <jezmanto@gmail.com>

Sun, Jan 19, 2020 at 2:16 PM

To: kathy.mckenney@cumberlandmd.gov

Dear Kathy,

I received a letter from you last month about the location historic designation for my home. I am all in favor of it! I love this building and all the history. It is still my dream that something wonderful happen with the house and some day I may write a brochure on it....I just haven't had the time to dedicate myself to it the past few years...

Should I ever sell it, I think the local designation will help preserve it from being stripped of valuable historic elements from George...

Let me know if there is anything you need from me. Future communication is best sent to this email or the following address:

PO Box 54

Newcomb MD 21653.

I now live on the Eastern Shore of MD rather than Annapolis...plus my visits to Cumberland which are weather dependent during the winter, and schedule dependent....

Thanks for all you do to preserve these historic structures!! Would it be interesting to have a list with story about the various historic structures for visitors??? there probably is such a thing! Could be an interesting tour, even for locals! So many people really know nothing!

Take Care,

Joni

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National Park Service

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National Register of Historic Places  
Inventory—Nomination Form

received

date entered

See instructions in *How to Complete National Register Forms*  
Type all entries—complete applicable sections

1. Name

historic Truog, George, House

and or common Leasure-Stein Funeral Home

2. Location

street & number 230 Baltimore Avenue

N/A not for publication

city, town Cumberland N/A vicinity of Sixth Congressional District

state Maryland code 24 county Allegany code 001

3. Classification

Category	Ownership	Status	Present Use
<input type="checkbox"/> district	<input type="checkbox"/> public	<input checked="" type="checkbox"/> occupied	<input type="checkbox"/> agriculture
<input checked="" type="checkbox"/> building(s)	<input checked="" type="checkbox"/> private	<input type="checkbox"/> unoccupied	<input checked="" type="checkbox"/> commercial
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational
<input type="checkbox"/> site	<b>Public Acquisition</b>	<b>Accessible</b>	<input type="checkbox"/> entertainment
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input type="checkbox"/> yes: restricted	<input type="checkbox"/> government
	<input type="checkbox"/> being considered	<input checked="" type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial
	<input checked="" type="checkbox"/> not applicable	<input type="checkbox"/> no	<input type="checkbox"/> military
			<input type="checkbox"/> museum
			<input type="checkbox"/> park
			<input type="checkbox"/> private residence
			<input type="checkbox"/> religious
			<input type="checkbox"/> scientific
			<input type="checkbox"/> transportation
			<input type="checkbox"/> other:

4. Owner of Property

name Leasure-Stein Funeral Home, Inc.

street & number 230 Baltimore Avenue

city, town Cumberland N/A vicinity of state Maryland 21502

5. Location of Legal Description

courthouse, registry of deeds, etc. Allegany County Courthouse

street & number 30 Washington Street

city, town Cumberland state Maryland 21502

6. Representation in Existing Surveys

title Maryland Historical Trust  
Historic Sites Inventory has this property been determined eligible?  yes  no

date 1975-1976  federal  state  county  local

depository for survey records Maryland Historical Trust, 21 State Circle

city, town Annapolis state Maryland 21401

# 7. Description

AL-IV-A-004

<b>Condition</b>		<b>Check one</b>	<b>Check one</b>
<input checked="" type="checkbox"/> excellent	<input type="checkbox"/> deteriorated	<input type="checkbox"/> unaltered	<input checked="" type="checkbox"/> original site
<input type="checkbox"/> good	<input type="checkbox"/> ruins	<input checked="" type="checkbox"/> altered	<input type="checkbox"/> moved date <u>N/A</u>
<input type="checkbox"/> fair	<input type="checkbox"/> unexposed		

### Describe the present and original (if known) physical appearance

Number of Resources		Number of previously listed National Register properties included in this nomination: <u>0</u>
Contributing	Noncontributing	Original and historic functions and uses: <u>residential</u>
<u>1</u>	<u>0</u> buildings	
<u>0</u>	<u>0</u> sites	
<u>0</u>	<u>0</u> structures	
<u>0</u>	<u>0</u> objects	
<u>1</u>	<u>0</u> Total	

### DESCRIPTION SUMMARY:

The George Truog House at 230 Baltimore Avenue in Cumberland, Allegany County, Maryland, stands on the north side of the street in the block between Henderson Avenue and Decatur Street. The house is a circa 1903 brick structure, two and a half stories high with a recessed entrance with stone lancet arches, polygonal corner bay windows on the second floor, a lancet arch window on the third level, and roof cresting. The large windows have a variety of stained glass and tracery patterns. The interior is highly ornate, mosaic and Delft tile fireplace surrounds, paneled wainscoting, molded ceiling ornament, and mural paintings.

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National Park Service

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# National Register of Historic Places Inventory—Nomination Form

Continuation sheet Truog, George, House Item number 7 Page 1  
Alleghany County, Maryland

## GENERAL DESCRIPTION:

A recessed porch spans the full width of the south facade, behind an arcade of three Gothic arches constructed of rusticated stone with sculptural keystones. The central arch rests on paired columns; a flight of stone steps rises through this arch. The building is set back slightly from the sidewalk; a stone curb defines the line, with a decorative iron fence.

Within the recessed porch, the entrance is offset to the east, and consists of a wide door with a large oval plate-glass panel surmounted by a pointed-arch transom of beveled and engraved glass. A three-part 1/1 window flanks the entrance on the west, and a single 1/1 window lies to the north; lintels and sills are stone. The recessed wall, like the rest of the south facade above the first-story stone arcade, is constructed of yellow brick laid in common bond with fine joints of dark-colored mortar.

The second story features octagonal oriels projecting from each corner. These oriels have steeply pitched tent roofs, clad in tile, with lightning-rod finials and flaring eaves. Each facet holds a large plate-glass casement window surmounted by an elaborate transom of stained and beveled leaded glass; the area below each window is filled with a panel enriched with swags and festoons. The oriels are supported by curved brackets.

Between the oriels, a pair of plate-glass doors open onto a balcony. Each of these doors has an elaborate five-part enframing of colored, leaded glass; the east composition represents a grapevine, and the west one features a Prairie School geometric design. The two-door openings are linked by a continuous rusticated stone lintel. The balcony rests on curved brackets and has a balustrade.

In the half-story, a two-part lancet-arched window with Gothic tracery is centered in the gable peak, within a stone-arched opening. The stone arch springs from a molded brick belt course; below this belt course, on either side of the central window, a square tile with a floral motif is set within a slight recess. The slightly-projecting eave is finished with a molding, and the gable peak is capped by a finial.

The east elevation is six irregular bays wide. On the first floor, the southernmost bay is defined by a large 1/1 window with a stained-glass transom depicting four cherubs playing musical instruments. North of this window is an exterior paneled chimney with a tall corbeled stack. The next bay holds a basement entrance, with a round-arched, etched-glass casement window above it, lighting the stair landing between the first and second stories. A three-sided projecting bay occupies the third bay from the south; its central facet features a grapevine motif in colored and leaded glass. The remaining bays are defined by 1/1 sash.



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National Park Service

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Continuation sheet    Truog, George, House    Allegany County, Maryland    Item number    7    Page    2

GENERAL DESCRIPTION (continued)

Second-story windows are all 1/1 sash. A double 1/1 window lights the stair at the landing between the second and third floors; it is glazed with flashed glass, with etched scenes in the upper sash.

The roof is clad in patterned slate; scroll-sawn brackets support the deep overhanging eaves. A hipped dormer is located south of the exterior chimney; another corbeled chimney rises from the interior, just north of the gable which caps the projecting bay. All ridges have iron cresting.

The interior plan is irregular. Despite minor alterations to suit the current function of the building as a funeral parlor, the majority of the original decorative detailing remains intact.

The main entrance opens into a large foyer, focusing on the broad triple-run closed-well stair. Squat columns form the newels at the bottom of the stair; three twisted balusters per tread support the handrail; the newels at the landing between stories are square in section and paneled. Paneled wainscoting encircles the room, and similar paneling continues up the stair. The ceiling is enriched with molded beams radiating from an open octagon in the center; four small electric lights with cut-glass pendants are spaced around the octagon, and a large fluted globe is suspended from the center. The foyer is heated by a fireplace with an outstanding polychrome mosaic surround and hearth depicting juxtaposed Swiss and American shields flanked by foliated designs. The composition is framed by an elaborate mantel constructed entirely of gray veined and cream white marble; pilasters flank the opening, below a molded shelf supported by four consoles, and four columns rise from the shelf to support a frieze and cornice above a paneled overmantel. A large sash window to the right of the mantel has a painted-glass transom depicting four cherubs playing musical instruments on a flowering branch, framed by a row of colored glass beads.

Beyond the foyer is a large sitting room, lighted by a bay window featuring a grapevine motif. The ceiling has heavy molded beams framing a central mural depicting birds in flight, and has original light fixtures similar to those in the foyer. A light frame partition was inserted in 1937 to create a small lounge at the north end of this room; its insertion did not disturb the original fabric. The walls of this room are trimmed with paneled wainscoting identical to that in the foyer.

A single large room accounts for more than a third of the first-floor area; spanning the north end of the house, this room originally functioned as a ballroom, and is now used as a funeral chapel. It features tripartite lancet-arch stained-glass windows in its north and west walls; otherwise the room is finished plainly. A dropped ceiling has been installed here.

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Continuation sheet    Truop, George, House    Allegany County Maryland    Item number    7    Page    3

GENERAL DESCRIPTION (continued)

The eastern front room on the second floor features a recessed fireplace with a tiled surround which incorporates a pastoral scene in Delft tile. Above the mantel shelf is a cabinet with leaded-glass doors in a geometric design reflecting early Prairie School influence; similar glasswork frames the door opening onto the balcony from this room. The floor features elaborate parquetry, with eight-pointed stars and diamonds the principal motifs. Ceiling detailing, light fixtures, and paneling are similar to those in the foyer.

In the west front room on the second story, the balcony door is framed with a transom and sidelights with an intricate grapevine design worked in colored glass. The oriels in both front rooms have transoms comprising a variety of stained and beveled glasswork in geometric, curvilinear, and representational designs.

Other noteworthy features on the upper floors include a marble mantel in the room above the sitting room, and a pair of etched-glass windows lighting the third-story landing depicting "The Apple of Discord" (a monkey and a child on a branch, the child tasting the apple), and "Susannah at the Bath" (child bathing in a wooden tub). Architrave trim is broad and fairly plain throughout the house, typical of the period.

# 8. Significance

AL-IV-A-004

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400–1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500–1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture
<input type="checkbox"/> 1600–1699	<input checked="" type="checkbox"/> architecture	<input type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social
<input type="checkbox"/> 1700–1799	<input checked="" type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> humanitarian
<input type="checkbox"/> 1800–1899	<input type="checkbox"/> commerce	<input type="checkbox"/> exploration settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> theater
<input checked="" type="checkbox"/> 1900–	<input type="checkbox"/> communications	<input checked="" type="checkbox"/> industry	<input type="checkbox"/> politics government	<input type="checkbox"/> transportation
		<input type="checkbox"/> invention		<input type="checkbox"/> other (specify)

**Specific dates** 1903 **Builder Architect** Wright Butler, Architect

### Statement of Significance (in one paragraph)

Applicable Criteria: B, C  
Applicable Exceptions: none  
Significance Evaluated: local

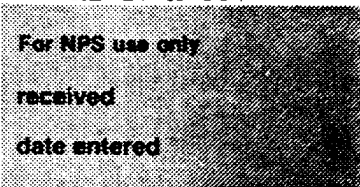
### SIGNIFICANCE SUMMARY:

The George Truog House is significant for its association with George Truog, proprietor of the Maryland Glass Etching Works in Cumberland from 1893–1911. Truog's enterprise, billed as the only factory of its kind in the United States, specialized in etching and engraving designs and trade marks on glassware for advertising purposes. The George Truog House reflects this association by incorporating numerous examples of the glassmaker's art, including windows, transoms, panels, and mirrors variously etched, chipped, engraved, beveled, stained, leaded, colored and painted. The house derives architectural significance from this unique collection of decorative glass, in combination with other elements making up a richly-detailed eclectic design, the work of prominent local architect, Wright Butler.

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Truog, George, House

Continuation sheet Allegany County, Maryland Item number 8 Page 4

HISTORY AND SUPPORT:

George Truog was born in Verona, Italy, in 1861. He was educated in art schools in Switzerland, and attended the University of Zurich. He emigrated to the United States in 1883 and worked for several glass manufacturing companies before opening his own factory, the Maryland Glass Etching Works, on North Centre Street in Cumberland in 1893. This enterprise offered decorative glassware for advertising purposes specializing in etching and engraving the logos and trade marks of brewers, distillers, and hotels on barware. Its promotional literature stated that it was the only industry of its kind in the country. Works were shipped throughout the United States, and to Mexico, Canada, South America, and the Antilles.

At the height of his business, in 1903, George Truog purchased an undistinguished late-19th-century house on East Baltimore Street and engaged prominent Cumberland architect Wright Butler to plan a thorough and lavish remodeling, the cost of which was reportedly \$40,000. Truog's improvements, recalled by the daughter of a successive owner of the property, included a ballroom complete with a pool table that converted into a sofa upholstered in tufted black leather, three servants' bedrooms on the third floor with their own fireplaces, bath, and cedar closets, and an elaborate self-contained water system. Perhaps this extravagance contributed to the financial difficulties that forced Truog to sell the house in 1909; the Maryland Glass Etching Works was dissolved shortly thereafter, in 1911.

The architectural work of Wright Butler is of major importance to the heritage and character of Cumberland. A son of one of the city's foremost furniture manufacturers, H. Kennedy Butler, Wright Butler studied architecture at the Maryland Institute of Baltimore for about three years before opening an office in Cumberland in 1891. His first major commission was the imposing Romanesque Revival Allegany County Courthouse on Prospect Square in the Washington Street area. Incredibly prolific in the number of designs he supplied in his hometown, Butler left his mark in almost every section of the city in both commercial and residential buildings. Other major works include the Masonic Temple on the site of Fort Cumberland, the present Liberty Trust Bank building on Baltimore Street, the Stein-Curl Building on North Centre Street, and the Schwarzenbach Building on Baltimore Street. Butler designed a number of fine Queen Anne style and Colonial Revival homes on Washington Street in the early twentieth century. The homes he later designed in the Mountain View-Magruder Street area on the west side of Cumberland exhibit more restraint but are representative of the less exuberant Georgian and Spanish mission styles popular in the second and third decades of this century. Butler's own home at 205 Columbia Street in the North End is an urban adaptation of the Queen Anne style to meet the restrictions of a narrow city lot, as is the Footer House at 301 Decatur Street. Butler excels in his manipulation of materials - shingle, brick, tile, slate, and stone. He was a local pioneer in using concrete block as an exposed wall surface and hollow tile walls covered with cement stucco.



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Continuation sheet Truog, George, House Item number 9 and 10 Page 5  
Allegany County, Maryland

MAJOR BIBLIOGRAPHICAL REFERENCES:

Keller Survey of Cumberland, 1976, ms. on file at MHT.  
Leasure-Stein Funeral Home pamphlet  
"George Truog" Allegany Community College, Micro film APL, TP 858, T78  
Kevin L. Kamauf, Professional Glass Designer  
Letter, Virginia Franklin Reynolds to Ronald L. Andrews, 15 August 1982.  
Research by Faye Purdham and Mel Collins, MHT Allegany County Committee.

GEOGRAPHICAL DATA:

Verbal Boundary description and justification: Westerly side of Baltimore Avenue, beginning at Stone marked M.B., South 37 3/4 degrees, West 41 feet, North 52 degrees, West 100 3/4 feet (to Shinbone Alley) along Alley North 43 5/6 degrees East 42 feet, South 52 1/4 degrees East 100 feet to the beginning. The nominated property comprises the single city lot upon which the resource stands.

# 9. Major Bibliographical References

AL-IV-A-004

See Continuation Sheet No. 5.

# 10. Geographical Data

Acreeage of nominated property less than one acre

Quadrangle name Cumberland, MD-PA-WV

Quadrangle scale 1:24000

### UTM References

A 

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6	9	2	3	6	0
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4	3	9	1	5	1	0
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B 

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C 

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H 

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### Verbal boundary description and justification

See Continuation Sheet No. 5.

### List all states and counties for properties overlapping state or county boundaries

state	N/A	code	county	code

# 11. Form Prepared By

name/title Peter E. Kurtze, Assistant National Register Administrator

organization Maryland Historical Trust date July 1986

street & number 21 State Circle telephone (301) 269-2438

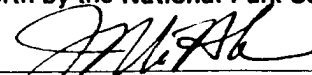
city or town Annapolis state Maryland 21401

# 12. State Historic Preservation Officer Certification

The evaluated significance of this property within the state is:

national  state  local

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

State Historic Preservation Officer signature  8-8-86

title STATE HISTORIC PRESERVATION OFFICER date

### For NPS use only

I hereby certify that this property is included in the National Register

date

Keeper of the National Register

Attest:

date

Chief of Registration



AL-IV-A-004

TRUOG, GEORGE,  
HOUSE  
ALLEGANY COUNTY,  
MARYLAND

17-692360-4391510

BEDFORD VALLEY, PA.  
BEDFORD, PA. 29 MI

FLINTSTONE 12 MI  
HANCOCK 17 MI

420 000 FEET  
(W. VA.)

4391

4390000m N.

SPRING GAP 6.5 MI  
OLDTOWN 14 MI.

110 000 FEET  
(PA.)

39°37'30"  
78°45'

1 710 000 FEET (PA.);

691 692000m E 2 210 000 FEET (W. VA.);

SHORT GAP 6.2 MI.  
FORT ASHBY 11 MI.

ROAD CLASSIFICATION

- Heavy-duty —————
- Medium-duty - - - - -
- Light-duty ————
- Unimproved dirt - - - - -
- U.S. Route (Shield symbol)
- State Route (Circle symbol)



QUADRANGLE LOCATION

CUMBERLAND, MD.-PA.-W.VA.  
NE/4 FROSTBURG 15' QUADRANGLE  
N3937.5—W7845/7.5

1949

AMS 5263 III NE—SERIES V833

Divisions shown in purple compiled from aerial photographs taken 1974. This information not field checked. Purple lines indicate extension of urban areas.

(PATTERSON CREEK)  
5263 III SW

AL-IV-A-004



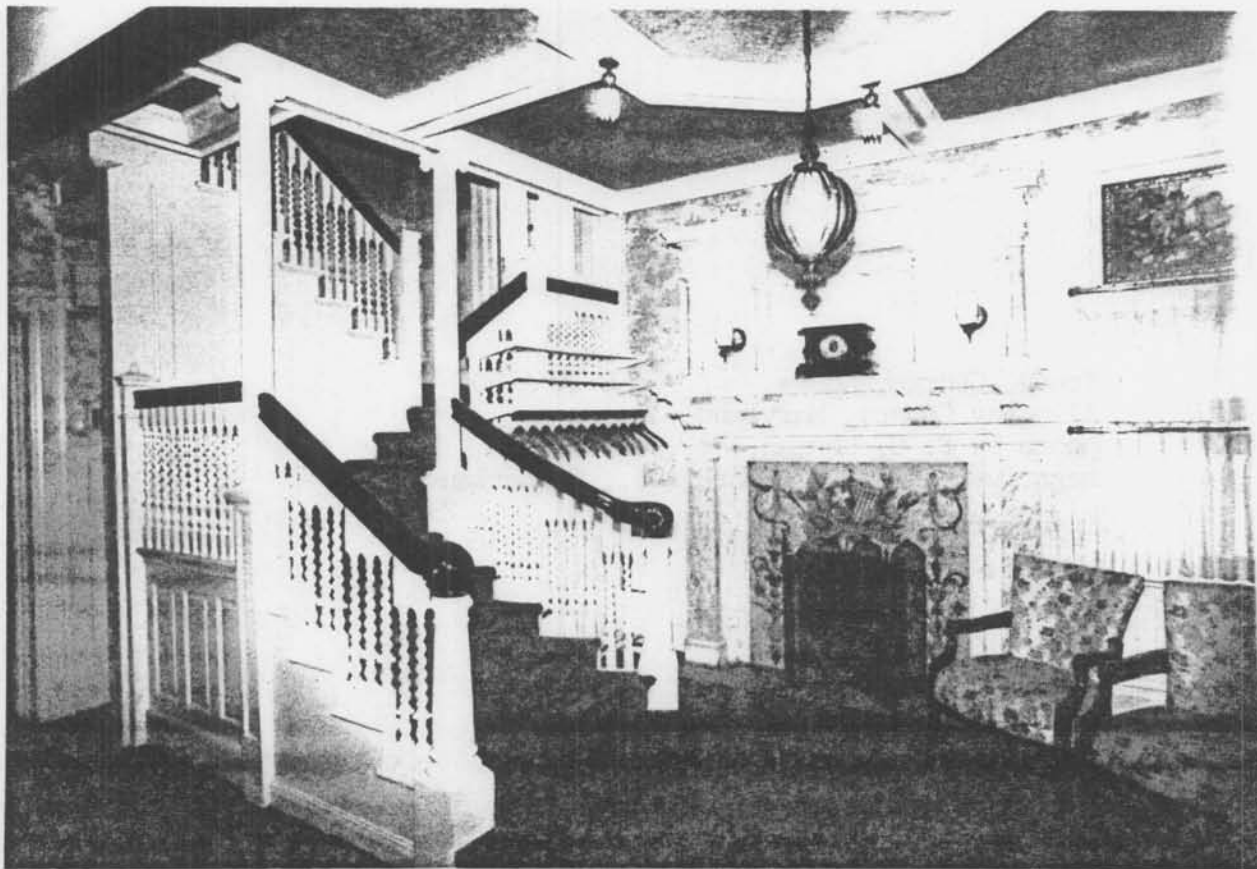


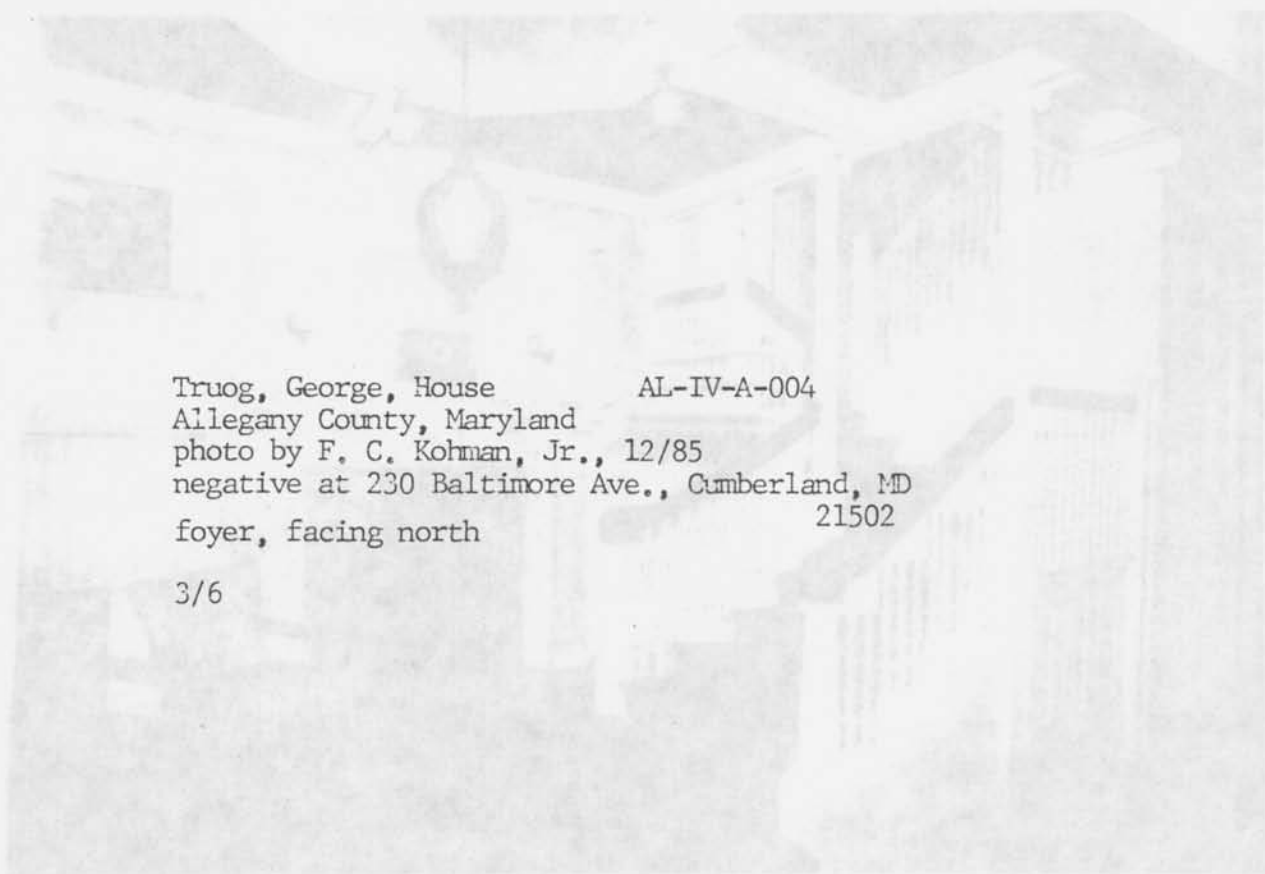
Truog, George, House AL-IV-A-004  
Allegany County, Maryland  
photo by F. C. Kohman, Jr. 12/85  
negative at 230 Baltimore Ave., Cumberland, MD  
21502  
chapel, facing northwest

5/6

Truog, George, House AL-IV-A-004  
Allegany County, Maryland  
photo by F. C. Kohman, Jr. 12/85  
negative at 230 Baltimore Ave., Cumberland, MD  
21502  
fireplace, 2nd floor, southeast room

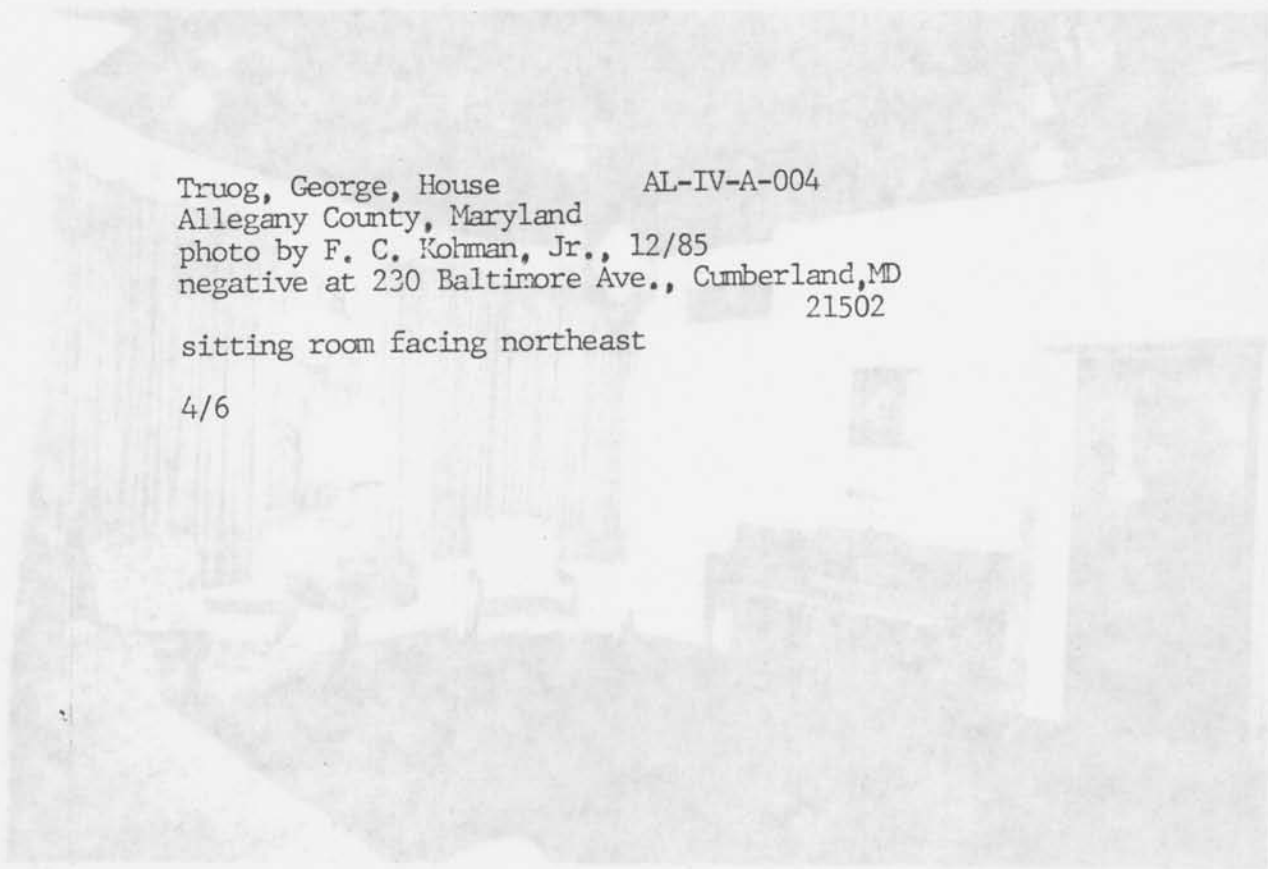
6/6





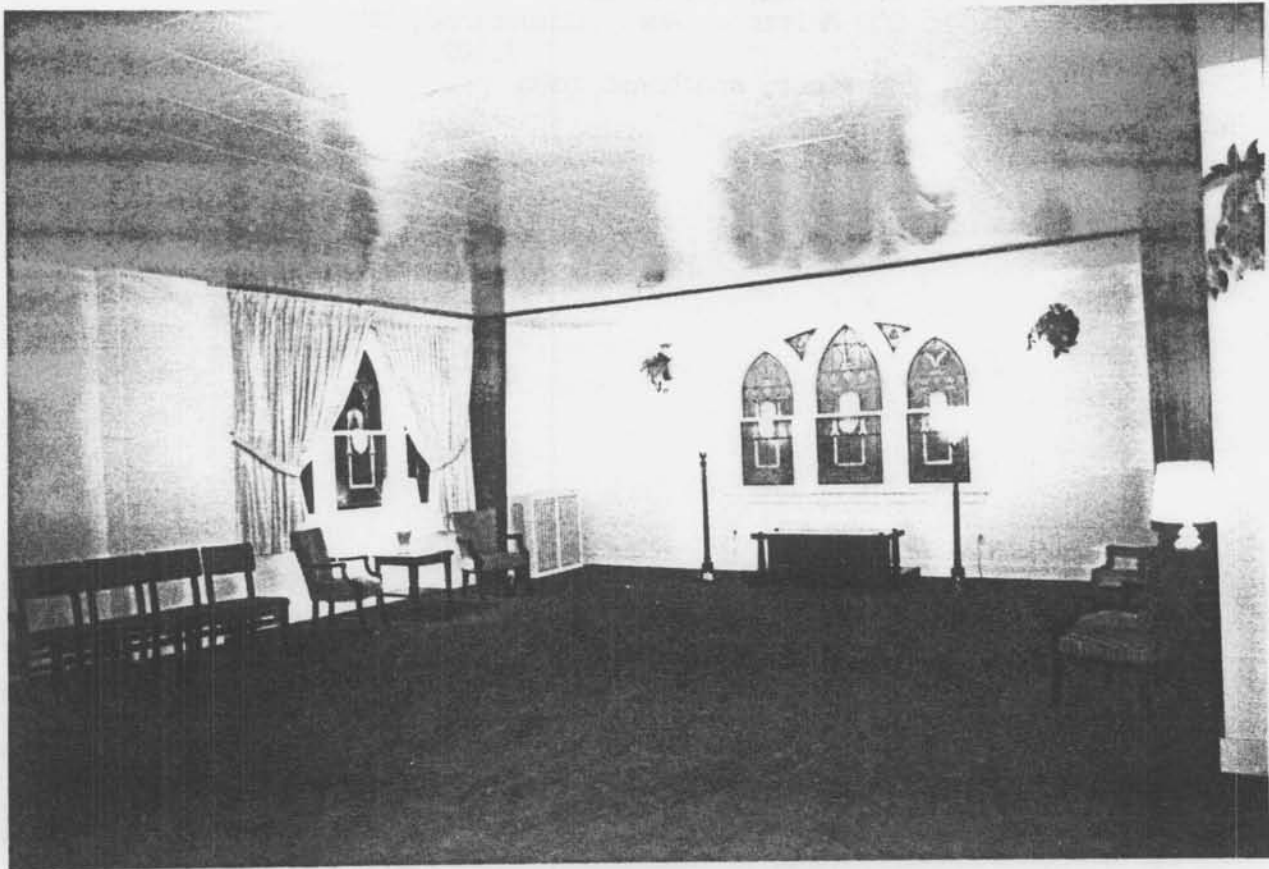
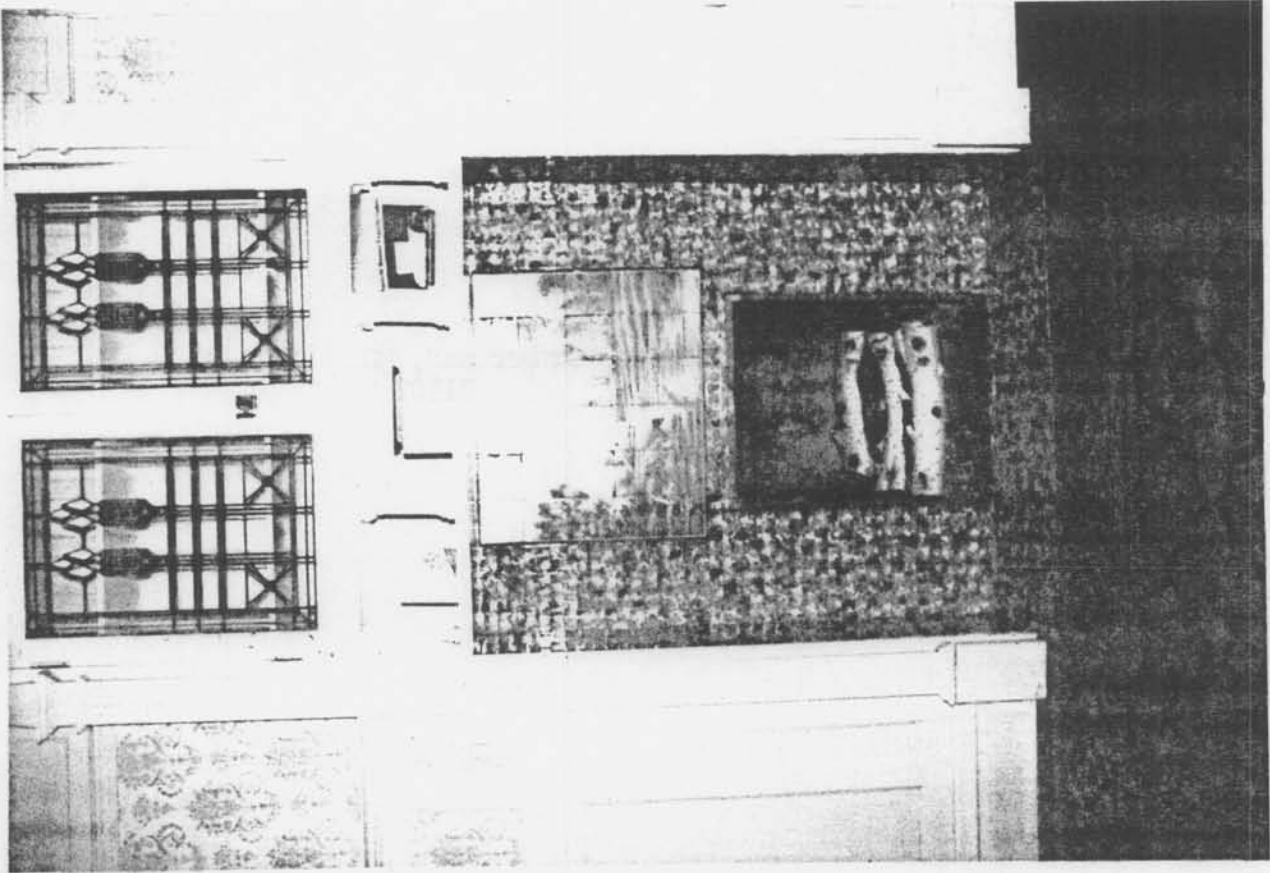
AL-IV-A-004  
Truog, George, House  
Allegheny County, Maryland  
photo by F. C. Kohman, Jr., 12/85  
negative at 230 Baltimore Ave., Cumberland, MD  
foyer, facing north  
21502

3/6



AL-IV-A-004  
Truog, George, House  
Allegheny County, Maryland  
photo by F. C. Kohman, Jr., 12/85  
negative at 230 Baltimore Ave., Cumberland, MD  
sitting room facing northeast  
21502

4/6





AL-IV-A-004

Truog, George, House  
Allegany County, Maryland  
photo by F. C. Kohman, Jr. 12/85  
negative at 230 Baltimore Ave., Cumberland, MD  
21502

chapel, facing northwest

5/6

AL-IV-A-004

Truog, George, House  
Allegany County, Maryland  
photo by F. C. Kohman, Jr. 12/85  
negative at 230 Baltimore Ave., Cumberland, MD  
21502

fireplace, 2nd floor, southeast room

6/6



(George Truog House)

Leasure-Stein Funeral Home  
230 Baltimore Avenue  
Allegany County, Md.  
S E view  
December, 1974

SE

RONALD L. ANDREWS





Leasure-Stein Funeral Home  
230 Baltimore Avenue  
Allegany County, Md.  
Southside  
December, 1974

Southside

A1-14-004

RONALD L. ANDREWS



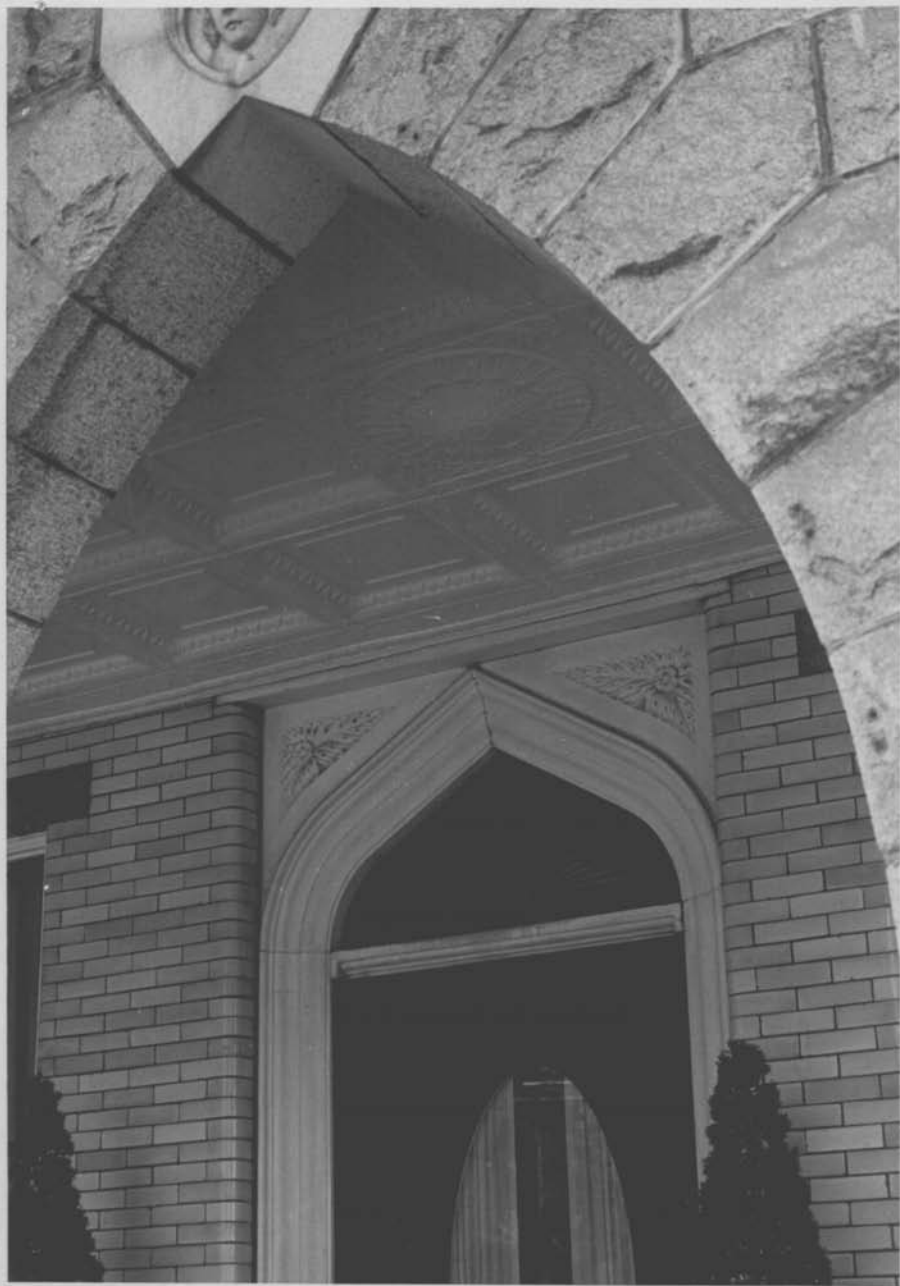
Leisure  
Stearns  
Funeral Home

Leasure-Stein Funeral Home  
230 Baltimore Avenue  
Allegheny County, Md.  
South  
December, 1974

South

RONALD L. ANDREWS

A1-1V-004





Leasure-Stein Funeral Home  
230 Baltimore Avenue  
Allegheny County, Md.  
Porch South  
December, 1974

Porch  
South

RONALD L. ANDREWS

A1-14-004



Leasure-Stein Funeral Home  
230 Baltimore Avenue  
Allegheny County, Md.  
S W View  
December, 1974

SW

RONALD L. ANDREWS

AJ-IV-004





AI-11-~~000~~<sup>004</sup>

Leisure-Stein Funeral Home  
Baltimore Ave  
Cumberland  
Allegheny Co., Md  
1974  
Built late 19th

R. L. ANDREWS  
649 PHILADELPHIA AVE  
CHAMBERSBURG, PA. 17201