

COUNTY ORDINANCE NO. 06-20

A BILL ENTITLED

AN ACT CONCERNING Historic Structure Review.

FOR THE PURPOSE of establishing procedures for documentation of historic structures which are proposed for demolition; providing a definition of "Historic Structure"; providing a two tiered documentation process; applying the documentation process to proposed demolition, site plan and major and minor subdivision applications; providing for waiver or modification of the documentation process in certain circumstances; and generally dealing with Historic Structures in Queen Anne's County;

BY AMENDING Section 18:1-59 and adding Section 18:1-91 and a new definition of "Historic Structure" to the Glossary of Chapter 18 of the Code of Public Local Laws of Queen Anne's County.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Section 18:1-59 of the Code of Public Local Laws of Queen Anne's County, Maryland be amended to read as follows:

*Part 4  
Site Development Standards  
Article VIII*

§18:1-59. *Applicability of Part 4.*

*Site development standards apply to certain zoning approvals and permits, as well as all development in all districts that require subdivision or site plan approval. This Part 4 provide standards that regulate the protection of resources, buffer yards, landscaping of parking areas, signs, lighting, ~~and~~ parking and loading, and provides for the documentation of historic structures.*

SECTION II

BE IT FURTHER ENACTED that a new Section 18:1-91 be added to the Code of Public Local Laws to read as follows:

ARTICLE XVI  
~~(RESERVED)~~ HISTORIC STRUCTURES

§18:1-91. ~~(RESERVED)~~ HISTORIC STRUCTURE REVIEW

A. This article sets forth standards for review and documentation of historic structures. The standards:

1. Apply to applications for approval of **all** site plans and major and minor subdivisions that involve any historic structures **proposed for demolition**, and building permits that propose demolition of any historic structure(s), and

2. Do not apply to Administrative Subdivisions.

B. Prior to the approval of the application, review and documentation of any historic structure(s) shall be conducted in accordance with the following two-tiered process:

1. First Tier Review and Documentation procedure. Subject to the review of the following information, and base on the recommendation of the Heritage Coordinator, a determination shall be made by the Planning Director or his/her designee if a Second Tier Review and Documentation is required:

a. The applicant shall provide a basic floor plan that includes interior and exterior dimensions of the structure(s).

b. The Department shall conduct a site inspection for the purpose of photographing the historic structure(s), which may include the exterior and interior of the structure(s).

2. Second Tier Review and Documentation. Pursuant to a First Tier determination, a Second Tier Review and Documentation shall be completed within thirty (30) days of the determination, which may result in completion of a Maryland Inventory of Historic Places form developed by the Maryland Historical Trust. A Second

Tier Review and Documentation shall consist of the following:

a. Photographs of exterior details, including but not limited to features such as chimneys, wall coverings, windows, and doors;

b. Photographs of any outbuildings;

c. Access to the interior shall be granted in order to obtain detailed photographs of the interior spaces to capture any unique elements in the rooms that may help date the structure, including but not limited to woodwork, window surrounds, fireplaces, stairways, mantels, doors, and newel posts; and

d. Overall measurements of the structure.

3. Emergency Provisions: These requirements may be waived or modified by the Planning Director or his/her designee, when a structure is deemed to be an imminent threat to health, safety, and welfare of the adjoining properties and persons and/or determined to be subject to condemnation in accordance with current building codes.

### **SECTION III**

**BE IT FURTHER ENACTED that the following definition be added to Appendix A: Glossary of Chapter 18 of the Code of Public Local Laws to read as follows:**

Historic Structure - Any structure or cultural resource, including but not limited to residential, agricultural and commercial buildings, that is equal to or greater than one-hundred (100) years of age, or otherwise deemed to be of exceptional historical significance by meeting one or more of the following aspects of Queen Anne's County, Maryland or United States history.

- association with historic events or activities;

- association with persons who are important to the community or to specific developments of history;
- embodiment of distinctive characteristics of a type, period, method of construction, or the work of a master; and or
- potential to provide important information about history or prehistory.

#### SECTION IV

BE IT FURTHER ENACTED, that this Bill shall take effect on the forty-sixth (46th) day following its passage.

INTRODUCED BY: Commissioner Carol Fordonski

CO-SPONSORED: Commissioners Ransom, Wargotz

DATE: April 3, 2007

PUBLIC HEARING HELD: April 24, 2007 @ 7:30 p.m.

VOTE: 5 YEA 0 NAY

DATE OF ADOPTION: May 15, 2007

## FISCAL IMPACT NOTE

**Legislation No:** O-06-20  
**Date Introduced:** 04-03-07

**Hearing Date:** 4-24-07  
**Note Date:** 4-16-07

**Legislation Title:** Historic Structure Review

### **Description:**

This ordinance is for the purpose of establishing procedures for documentation of historic structures that are proposed for demolition.

### **Analysis of Fiscal Impact:**

Fiscal impact resulting from this legislation would be minimal, and is dependent upon the number of inspections that may be performed in accordance with this ordinance. Based on the average length of time to perform an inspection of two to three hours, and the average hourly rate (salaries and benefits) of inspectors of \$18.54, the salaries and benefits cost for each inspection would range from \$37.08 to \$55.62. In addition, fuel costs to travel to the inspection site would be incurred, but this cost would also be minimal.