

Owning Property
in the
Chesapeake City Historic District
A Guide to Permit Procedures



*Office of the Mayor, Council and
Historic District Commission*

Foreword

Congratulations on purchasing a property in the Historic District of Chesapeake City. We're so happy that you've decided to make our little town your home. By purchasing a property in Chesapeake City, you have made an investment in the heritage of Chesapeake City and in the future of the town. You've chosen a wonderful place to make your home or business.

This booklet provides a step-by-step guide for you should you want to make exterior changes to your property in the Chesapeake City Historic District. Where appropriate, excerpts from the Town of Chesapeake City Comprehensive Development Ordinance are included so you will understand terms, definitions, and applicability.

On Pages 8-12 of this booklet you will find The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. These documents provide the framework for the Historic District Commission's decisions pertaining to owners' requests for exterior changes.

Should you want to make changes to the exterior of your property, please familiarize yourself with the information provided in this booklet. Then, request an Application for Historic District Commission Permit Approval online at www.chesapeakecity-md.gov or from the Chesapeake City Town Hall located at 108 Bohemia Avenue. Your application will be placed on the agenda of the regular monthly meeting of the Historic District Commission, held on the 4th Tuesday of each month at 6:30 pm at Town Hall. **REMINDER: Your permit application must be received by Town Hall seven (7) days prior to the monthly meeting.**

Members of the Commission welcome opportunities to meet informally with you and answer questions that you might have prior to obtaining the application. Please know, however, that final decisions are rendered by the entire Commission. Please note that ordinary maintenance and replacement with like materials does not require a permit.

We are here to make this process as simple and welcoming as possible. We look forward to meeting you and working closely with you to keep our historic town beautiful.

Sincerely,

Chesapeake City Historic District Commission

SOUTH CHESAPEAKE CITY HISTORIC DISTRICT

CECIL COUNTY, MARYLAND
SCALE - 1" = 100'
DECEMBER, 1976

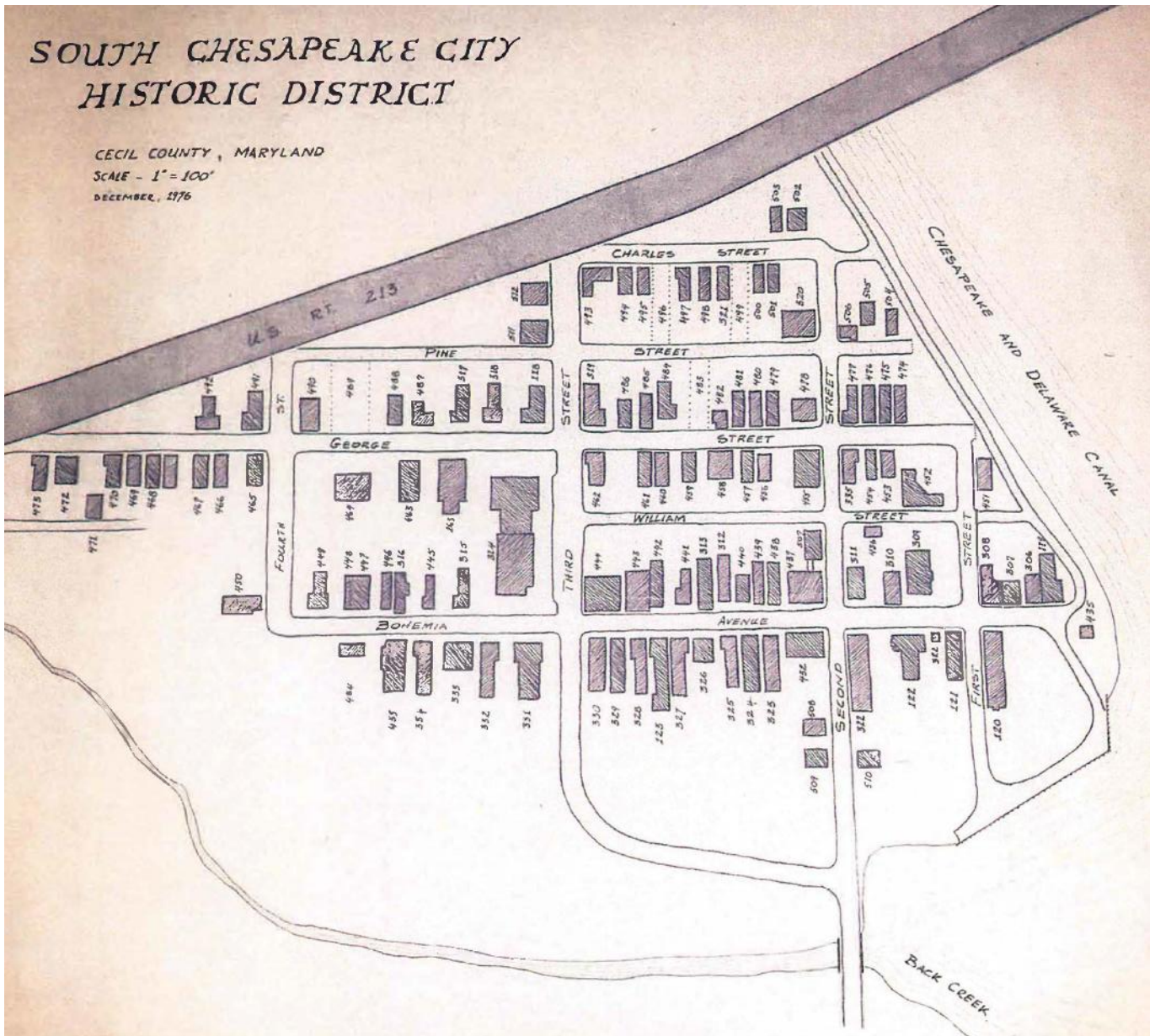
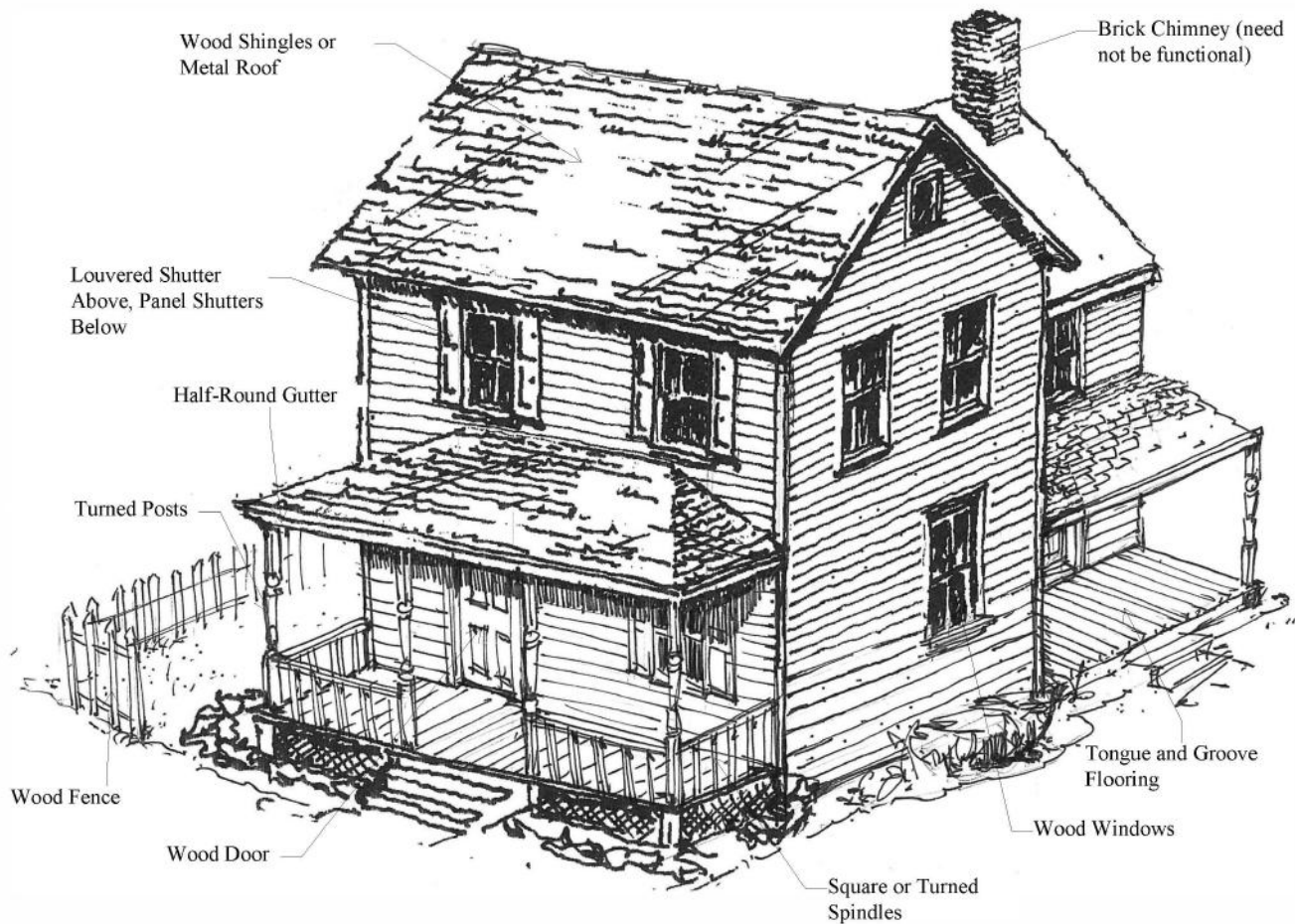


Table of Contents

History and Purpose of the Historic District.....	5
Findings of Fact.....	5
Frequently Asked Questions.....	6
The Secretary of the Interior's Standards.....	8
Guidelines for Rehabilitating Historic Buildings.....	9



History and Purpose of the Historic District

The Historic District of Chesapeake City is located on the South Side of the C & D Canal and is comprised of 120 structures listed on the National Register of Historic Places. It was established in the early to mid-1970's to preserve historic structures.

On May 14, 2022, the Town of Chesapeake City passed the Comprehensive Development Ordinance which became effective June 4, 2012, Subsection 2.1.4 and 4.3 deal with the Historic District and establish the legal basis for the Historic District Commission and its work. The Commission is comprised and limited to 7 participants, all of whom shall be residents and at least 3 shall reside in the Historic District.

The Maryland Historical Trust maintains a description of each structure along with a brief history and photograph. The Chesapeake City Historic Commission references and reviews Maryland Historical Trust files when an application for permit is submitted.

The Purpose of the Historic District Commission is to preserve the heritage and history of Chesapeake City. The State of Maryland's Historic Zoning Legislation and the Town's Zoning Ordinance have been established to safeguard architectural and cultural history, and to help guide property owners through the improvement and maintenance of their properties.

The Historic Commission of Chesapeake City was established as the guiding hand to assist property owner (s) in the maintenance and improvement of historic structures.

Findings of Fact

All decisions of the Commission, whether favorable or unfavorable to the applicant, shall be based on and supported by the Findings of Fact pertaining to the case under review.

In reviewing applications, the Historic District Commission shall state its Findings of Fact related to the following factors.

The historic or architectural value and significance of the structure and its relationship to the historic value of the surrounding area.

The relationship of the exterior architectural features of the structure to the remainder of the structure and to the surrounding area.

The general compatibility of exterior design, arrangement, texture, and materials proposed to be used.

The extent to which the building or structure would be harmonious with, or incongruous to, the environmental setting of the Historic District.

Any other factors, including aesthetic and environmental factors which the Committee deems pertinent.

Frequently Asked Questions

1. Do I Need Historic District Commission Approval for my Project?

Most projects will need Historic District Commission Approval. Our most common applications are for the replacement of paint colors, siding, windows, roofs, porch decking, porch railings, balustrades, brackets, porch supports, shutters, gutters, and chimneys.

Projects which do not need approval will fall under Ordinary Maintenance of an Existing Structure, defined as:

*Any structure lawfully constructed before approval of these regulations may be maintained in the same size, material, color, manner, location, and construction. Routine repairs to replace damaged or worn-out portions may be performed without requiring a Historic District Commission Approval. **Any changes to material, size, dimension, manner, construction, or location shall require approval.***

The easiest and safest way to make this determination is to call the Town Hall Office (410) 885-5298. The office is open from 9:00 am to 4:30 pm, Mon. through Thur. and 9:00 AM to 12:00 pm on Fri. Give all the information about your project, including your expected timetable.

2. What steps do I take to apply for a Historic District Commission Approval?

Print a copy of the Historic Permit Application from the Town Website <https://www.chesapeakecity-md.gov/wp-content/uploads/2023/05/Historic-District-Application-min.pdf> or request one from the Town Hall Office, 108 Bohemia Ave., Chesapeake City, MD 21915, 410-885-5298.

Be certain to sign and date the application noting that the applicant must be the owner of the property or the agent of the owner.

Supply all the requested information on the permit application. Describe the materials to be used and the colors selected. Submit product information on new materials that are anticipated in construction. This would include but not be limited to doors, windows, roof materials, siding, bricks, stone, mortar, storm windows and doors. For a Sign Application show type of sign (flat, projecting, or freestanding), size, design, method of mounting, location on building or property, and style of typeface used in lettering.

Submit the application to Town Hall 7 days prior to the monthly meeting. The Historic District Commission meets on the 4th Tuesday of each month at 6:30 pm in Town Hall.

3. Do I need to Appear at The Historic District Commission Meeting?

Though the Town of Chesapeake City does not require the attendance of applicants at the meeting when the application is considered, it is **recommended** that the applicant or their agent ***be present*** should the Commission have questions regarding the project.

4. What Happens Next?

After the Historic District Commission has reviewed your application, and all the Findings of Facts have been discussed and all testimony given, the Historic Commission may rule in any of the following ways:

Your application can be approved as submitted.

Your application can be approved with conditions imposed by the Commission.

Your application can be denied with an invitation to reapply with a different concept.

Your application can be denied in part and approved in part.

Your application can be denied altogether.

Your application can be tabled at your request until the next regular meeting of the Historic District Commission.

Your application can be tabled at the discretion of the Historic District Commission for these reasons: lack of information in the application; modifications or revisions introduced at the meeting; new information revealed at the meeting affecting the decision on the application; or any other reason for which the Commission feels necessary.

The Secretary of the Interior's Standards for Rehabilitation

Please note: For the [Historic Preservation Tax Incentives Program](#) use the [Standards for Rehabilitation](#) that are codified separately in 36 CFR 67 and are regulatory for the review of rehabilitation work for that program.

The Standards will be applied taking into consideration the economic and technical feasibility of each project.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance, in their own right, will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and

its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

(Excerpt "The Secretary of the Interior's Standards for the Treatment of Historic Properties")

INTRODUCTION

In Rehabilitation, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation. However, greater latitude is given in the Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings to replace extensively deteriorated, damaged, or missing features using either the same material or compatible substitute materials. Of the four treatments, only Rehabilitation allows alterations and the construction of a new addition, if necessary, for a continuing or new use for the historic building.

Identify, Retain, and Preserve Historic Materials and Features

The guidance for the treatment Rehabilitation begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained to preserve that character. Therefore, guidance on identifying, retaining, and preserving character-defining features is always given first.

Protect and Maintain Historic Materials and Features

After identifying those materials and features that are important and must be retained in the process of Rehabilitation work, then protecting and maintaining them are addressed. Protection generally involves the least degree of intervention and is preparatory to other work. Protection includes the maintenance of historic materials and features as well as ensuring that the property is protected before and during rehabilitation work. A historic building undergoing rehabilitation will often require more extensive work. Thus, an overall evaluation of its physical condition should always begin at this level.

Repair Historic Materials and Features

Next, when the physical condition of character-defining materials and features warrants additional work, repairing is recommended. Rehabilitation guidance for the repair of historic materials, such as masonry, again begins with the least degree of intervention possible. In rehabilitation, repairing also includes the limited replacement in kind or with a compatible substitute material of extensively deteriorated or missing components of features when there are surviving prototypes features that can be substantiated by documentary and physical evidence. Although using the same kind of material is always the preferred option, a substitute material may be an acceptable alternative if the form, design, and scale, as well as the substitute material itself, can effectively replicate the appearance of the remaining features.

Replace Deteriorated Historic Materials and Features

Following repair in the hierarchy, Rehabilitation guidance is provided for replacing an entire character-defining feature with new material because the level of deterioration or damage of materials precludes repair. If the missing feature is character defining or if it is critical to the survival of the building (e.g., a roof), it should be replaced to match the historic feature based on physical or historic documentation of its form and detailing. As with repair, the preferred option is always replacement of the entire feature in kind (i.e., with the same material, such as wood for wood). However, when this is not feasible, a compatible substitute material that can reproduce the overall appearance of the historic material may be considered.

It should be noted that, while the National Park Service guidelines recommend the replacement of an entire character-defining feature that is extensively deteriorated, the guidelines never recommend removal and replacement with new material of a feature that could reasonably be repaired and, thus, preserved.

Design for the Replacement of Missing Historic Features

When an entire interior or exterior feature is missing, such as a porch, it no longer plays a role in physically defining the historic character of the building unless it can be accurately recovered in form and detailing through the process of carefully documenting the historic appearance. If the feature is not critical to the survival of the building, allowing the building to remain without the feature is one option. But if the missing feature is important to the historic character of the building, its replacement is always recommended in the Rehabilitation guidelines as the first, or preferred, course of action. If adequate documentary and physical evidence exists, the feature may be accurately reproduced. A second option in a rehabilitation treatment for replacing a missing feature, particularly when the

available information about the feature is inadequate to permit an accurate reconstruction, is to design a new feature that is compatible with the overall historic character of the building. The new design should always take into account the size, scale, and material of the building itself and should be clearly differentiated from the authentic historic features. For properties that have changed over time, and where those changes have acquired significance, reestablishing missing historic features generally should not be undertaken if the missing features did not coexist with the features currently on the building. Juxtaposing historic features that did not exist concurrently will result in a false sense of the building's history.

Alterations

Some exterior and interior alterations to a historic building are generally needed as part of a Rehabilitation project to ensure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include changes to the site or setting, such as the selective removal of buildings or other features of the building site or setting that are intrusive, not character defining, or outside the building's period of significance.

Code-Required Work: Accessibility and Life Safety

Sensitive solutions to meeting code requirements in a Rehabilitation project are an important part of protecting the historic character of the building. Work that must be done to meet accessibility and life-safety requirements must also be assessed for its potential impact on the historic building, its site, and setting.

Resilience to Natural Hazards

Resilience to natural hazards should be addressed as part of a Rehabilitation project. A historic building may have existing characteristics or features that help to address or minimize the impacts of natural hazards. These should always be used to the best advantage when considering new adaptive treatments so as to have the least impact on the historic character of the building, its site, and setting.

Sustainability

Sustainability should be addressed as part of a Rehabilitation project. Good preservation practice is often synonymous with sustainability. Existing energy-efficient features should be retained and repaired. Only sustainability treatments should be considered that will have the least impact on the historic character of the building.

New Exterior Additions and Related New Construction

Rehabilitation is the only treatment that allows expanding a historic building by enlarging it with an addition. However, the Rehabilitation guidelines emphasize that new additions should be considered only after it is determined that meeting specific new needs cannot be achieved by altering non-character-defining interior spaces. If the use cannot be accommodated in this way, then an attached exterior addition may be considered. New additions should be designed and constructed so that the character-defining features of the historic building, its site, and setting are not negatively impacted. Generally, a new addition should be subordinate to the historic building. A new addition should be compatible, but differentiated enough so that it is not confused as historic or original to the building. The same guidance applies to new construction so that it does not negatively impact the historic character of the building or its site.

Rehabilitation as a Treatment

When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular time is not appropriate, Rehabilitation may be considered as a treatment. Prior to undertaking work, a documentation plan for Rehabilitation should be developed.

To view the full Standards and Guidelines for the Rehabilitation of Historic Buildings, please refer to page 75 in The Secretary of the Interior's Standards for the Treatment of Historic Properties.

<https://www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm>

