

# Does Repair and Replacement Work in Historic Districts Have to be Reviewed by the Historic District Commission?

If the work is an ***EXACT*** replacement in-kind, with no change in appearance and materials, it does not have to be reviewed and approved by the Historic District Commission (HDC). The Zoning Ordinance exempts the following work from having to be reviewed by the HDC:

*The Historic District Commission shall consider only proposed changes to structures visible or intended to be visible from a public way. In-kind repair and in-kind replacement of exterior features is considered ordinary maintenance and, therefore, not subject to review by the Historic District Commission.*

**Ordinary Maintenance** - “. . . work that does not alter the exterior features of a site or structure and has no material effect on the . . .” architectural significance of the site or structure. This includes repair or replacement in-kind of roofs, gutters, siding, trim, external doors and windows, awnings, porch floors and ceilings, lights, fences, and other appurtenance fixtures with like material of like design; landscaping, paving repair using like materials of like design and repainting of surfaces.

See the back of this sheet for examples of what is “in-kind” and what is not.

In order to protect your property interests, the community, and the process from misunderstandings regarding what may constitute “in-kind” work, the Planning Office provides this form for you to complete and submit with photographs of work to be performed. This will allow the Planning Office to confirm for you that work you propose is “in-kind” and, as such, exempt from HDC review. ***Failure to complete “in-kind” work truly in-kind is at the owner’s risk.*** Obtaining confirmation through this process will safeguard your investment in your work while ensuring that historic resources are protected. If you have any questions, please contact the Hagerstown Planning Office at 301-739-8577, extension 138, or via email at [planning@hagerstownmd.org](mailto:planning@hagerstownmd.org).

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For Planning Office Use Only:	Confirmed Exempt?	Yes	No
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Date: \_\_\_\_\_ Staff: \_\_\_\_\_

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Please complete the following and remit with photos of the existing conditions to the Hagerstown Planning Office to confirm whether work is exempt from HDC project review:

Applicant Name: \_\_\_\_\_  
Property Address: \_\_\_\_\_  
Mailing Address (if different): \_\_\_\_\_  
Telephone: \_\_\_\_\_

Description of Work: \_\_\_\_\_

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## What Does Repair/Replacement “In-Kind” Mean?

*As a general rule, new work should be a replica of the old feature in all respects, except improved condition.*

### Windows:

- Replace wood windows with vinyl, metal or wood-clad windows *(Not in-kind. HDC review required.)*
- Replace 6/6 double hung wood windows with true divided lights with custom made 6/6 double hung wood windows with true divided lights *(In-kind. No review required.)*
- Replace 6/6 double hung wood windows with true divided lights with custom made 6/6 double hung wood windows with “snap-in” muntins *(Not in-kind. HDC review required.)*

### Doors:

- Replacing a flat wood door with a flat metal door *(Not in-kind. HDC review required.)*
- Replacing a 6 panel solid wood door with a 6 panel solid wood door with same panel configurations *(In-kind. No review required.)*
- Replacing a modern metal storm door for another modern metal storm door of a different design *(Not in-kind. HDC review required.)*
- Replacing a modern metal storm door for another of exactly the same design *(In-kind. No review required.)*

### Decorative Wood Trim:

- Replacing existing wood porch trim, railings, etc. with metal, vinyl, or mass-produced stock wood trim products that are not the same as existing *(Not in-kind. HDC review required.)*
- Replacing existing wood porch trim, railings, etc. with custom cut/milled or stock wood trim products that are identical in profile and cut as existing *(In-kind. No review required.)*

### Paving:

- Replacing broken concrete sidewalks (not public) with new poured concrete *(In-kind. No review required.)*
- Replacing broken concrete sidewalks (not public) with new brick *(Not in-kind. HDC review required.)*

### Roofing:

- Replacing a black, composite shingle roof with another black composite shingle roof *(In-kind. No review required.)*  
*However, the old roof must be removed before installing the new roof. Built-up layers of roofing is contrary to the Design Guidelines.*
- Replacing a slate or metal roof with composite shingles. *(Not in-kind. HDC review required.)*
- Repairing a roof with the same materials *(In-kind. No review required.)*

### Gutters and Down Spouts:

- Replacing a section of gutter or down spout with same shape and material *(In-kind. No review required.)*
- Replacing half-round gutters and/or round down spouts with box or ogee gutters and down spouts *(Not in-kind. HDC review required.)*

### Porch Floors:

- Replacing a tongue-and-groove porch floor with concrete or pressure-treated decking material *(Not in-kind. HDC review required.)*
- Replacing a tongue-and-groove porch floor with tongue-and-groove wood of same width *(In-kind. No review required.)*

### Painting:

- Painting a brick or stone wall that is not currently painted *(Not in-kind. HDC review required.)*
- Repainting the wood siding, brick or stone on your house, which is already a painted surface, even if in a different color *(In-kind. No review required.)*

### Siding:

- Replacing rotted sections of wood siding with wood cut to match *(In-kind. No review required.)*
- Placing vinyl siding on a building with wood, asbestos, brick or concrete siding *(Not in-kind. HDC review required.)*