DESIGNATION AND ADMINISTRATION OF
DISTRICTS FOR HISTORICAL AND ARCHITECTURAL PRESERVATION
IN THE CITY OF BALTIMORE

by

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Center for Metropolitan Planning and Research
Baltimore, June 1974
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Acknowledgments

It was a pleasure to work on this study and to be associated with the many helpful and considerate people who assisted me. First, I would like to thank the Commissioners I interviewed and those who returned questionnaires, thus furnishing a large amount of information. The conversation with Deborah Ann Claiborne, the present Executive Secretary; and her predecessor, Mrs. Romaine S. Somerville, provided additional information on the day to day operations of the Commission. I am also indebted to the "anonymous" people of Baltimore who are committed to preserving their urban environment. I would also like to thank Mr. James M. Rubenstein, who defined the socio-geographical rank of the Commissioners neighborhoods, Mr. David Cwi, who critically corrected the first draft, and Mrs. Janet Heller, who did the final editorial work. Last but not least, I would like to say that I am most grateful to the Center for Metropolitan Planning and Research, its director, Dr. Jack C. Fisher, and all the colleagues, fellows, and staff members who helped to make my stay in Baltimore an inspiring and an educational experience.
Although the Preservation movement (i.e. the efforts to preserve buildings or places of historic or aesthetic significance) in the United States is generally perceived today as a rather recent occurrence, Charles B. Hosmer, Jr., in his comprehensive study on the "History of the Preservation Movement in the United States before Williamsburg" notes that the movement is in fact "nearly as old as the country itself." Probably the first evidence of preservation sentiment in this country occurred in 1796 when the old "Green Spring" house in James County Way, Virginia was torn down, and ever since the American preservation movement has had a rather uneven history with some outstanding successes and many disappointments.

Generally speaking, preservation has frequently been the fight of idealistic principles against private and public economic interests usually in the pursuit of profit. Idealism, of course, is a weak argument in the economic market. However, since the 1930's many American cities have successfully promoted preservation in a manner which combines public interest with the interests of property owners anxious to maintain their property and/or increase its value. Baltimore is one of those cities that have attempted to use preservation in order to achieve or retain a livelier urban environment. Today there are five districts that have been designated by the City as having historic and architectural significance (in addition to a number of individual "landmarks").

An invitation from The Johns Hopkins University Center for Metropolitan Planning and Research made it possible for me to pursue a long standing interest in the history of the preservation movement in the United States and, in particular, of the efforts undertaken in Baltimore. This seemed especially rewarding as, to the best of my knowledge, the approaches to urban preservation undertaken in Baltimore and other American cities do not have any counterparts in Europe. I decided to center my investigations on the municipal Commission for Historical and Architectural Preservation in Baltimore. The study that follows included an investigation of its composition, structure, and function. In addition, an attempt was made to examine the impact of the Commission on the five city-designated preservation districts.

The investigation employed a number of different methodological tools:

1) A study of the literature of the American preservation movement and on subjects related to public preservation and urban planning,

2) A study of the documents of the Commission,

3) Participant observations of the public meetings of the Commission during a period of five months,

4) The gathering of information via a mailed questionnaire,

5) Personal interviews with some Commissioners (especially with several who did not respond to the questionnaire); with the personnel of the Commission and relevant public agencies; with a number of residents and realtors,

6) Inspection of the preservation districts,

7) An analysis of statistical data on the preservation district.

The limitations imposed by time and financial resources prohibited any large scale study, for example, a random survey of the opinions
of the district residents. In addition, there was no access to the informal non-public communications among Commissioners (e.g. in executive meetings), between the Commissioners and other administrative agencies, especially city agencies or between the Commissioners and the public. Only a few of many questions could tentatively be answered.
Part I

SPECIFIC CHARACTERISTICS OF THE HISTORY OF THE AMERICAN PRESERVATION MOVEMENT

Since its first successful preservation effort precisely in the middle of the last century, the preservation movement has had a variety of goals, motivations, supporters, and ways of implementation. In regard to its "diversity and fragmented nature," it seems at first impossible to trace major lines of logical development. However, being fully aware of the implicit dangers of all generalizations, the following inferences for the purpose of this paper may be made. They are based mainly on Charles B. Hosmer's Jr., elaborate history of the Preservation movement until 1926.

In spite of some occasional contacts with preservation tendencies in Europe, American preservationism is essentially an indigenous movement. This is well documented by the fact that America began to take an interest in its historic landmarks at a time when European countries (rich in antiquities) did not yet care. Preservation in America began as an "amateur activity" and for a long time it was mainly supported by private groups and organizations. European achievements were only reluctantly emulated.

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1 The first success occurred with the purchase of the Hansbrouck House in the State of N. Y.
2 Hosmer, p. 303
3 Ibid. p. 298
4 Ibid. p. 8
Motifs and Objects

From the beginning in 1850 until the turn of the 20th century, historic preservation in the U. S. was chiefly concerned with the buildings in which great men had lived or great events had taken place, in particular men and events related to the Revolution. In this phase, buildings were esteemed for their associate value, rather than for themselves or for their relation to their surroundings. The intentions of the early preservationists often were educational. They claimed that the preservation of a historic monument would "quicken a spirit of patriotism." Usually the building was changed into a museum, and personal belongings of the owner in whose memory it was dedicated were displayed.

Very slowly the scope of the interests of the preservationists widened between 1870 and 1880. Some antiquities and architects became interested in the architecture and aesthetic values of old houses. The American Institute of Architects entered the field in 1890, but with little immediate effect in the following years. Although aesthetic considerations played an increasing role in the efforts to preserve Monticello, Jefferson's mansion in Virginia, it was not until the 1920's that groups of preservationists argued in

1 Ibid. p. 8
2 Ibid. p. 261
3 Ibid. pp. 193-198
4 Ibid. p. 198
aesthetic terms, "declaring that an appreciation of beauty and harmony would be gained from old homes".1

In 1926, the first large scale preservation enterprise in the United States was begun in Williamsburg, Virginia with the restoration of an entire colonial town. This was to a large extent an adoption of the idea of an outdoor museum—a type of intensive reconstruction of the life style of a period. This type of preservation had first been implemented in 1891 with "Skansen" in Sweden. To retain as much of the past environment as possible, existing Williamsburg houses were restored and reconstructed houses were added.

A few years later Charleston (in 1931), New Orleans (in 1936), and other cities followed by preserving urban entities. However, the intent was not to create outdoor museums but to preserve the living remnants of their urban past.

**Private and Institutional Supporters**

As noted earlier, the early preservationists in the United States were amateurs. Very often they were women like Miss Ann Pamela Cunningham and her Mount Vernon Ladies' Association.2 However, as has been noted, in the 1870's and 1880's architects, museum directors and antiquarians began to take an interest in the architecture of old buildings. Hence, as the concern for architectural significance began consistently to increase, men became equally active in the movement.3

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1 ibid. p. 299

2 Which in the 1850's successfully sought to preserve George Washington's mansion in Virginia. For a long time preservationism lacked professional leadership. (Footnote cont. p. 5)
Until 1926, many preservationists, like the outstanding Miss Cunningham and W. S. Appleton, were persons who had enough time to be concerned. Members of the "middle class" (or the upper middle class) bore the financial burden of the preservation effort. The very rich rarely participated. John D. Rockefeller, Jr., with Williamsburg, Virginia, and Henry Ford with Greenfield in Dearborn, Michigan, are the exceptions. Until recently "preservation" was an Anglo-Saxon movement particularly strong and successful in New England.

Due to the fact that it was largely privately supported, the American preservation movement was, by and large, locally based. Even when it was initiated by some national preservation organizations, such as the Daughters of the American Revolution or the National Society of the Colonial Dames of America, "preservationism inevitably terminated as a local activity". The federal government entered the preservation movement at a much slower pace.

While France had started the work on a national inventory in 1834, the U. S. Congress waited until 1935 before giving authorization, and the first edition of an American National Register of Historic Places did not appear until 1969. And, unlike England,

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3 (Footnote cont.) Hosner p. 300
1 ibid. p. 300
2 ibid. p. 301
3 Hosner p. 152
there were "no national organizations to shape the directions of the movement in the manner of the English National Trust and the Society for the Protection of Ancient Buildings."\(^1\) This was remedied in 1949 when Congress chartered the (American) National Trust.

**Purchase and Legal Action**

As the American Constitution, traditionally interpreted, did not allow measures which would prohibit the demolition of private properties, the purchase of a building or a site of historic significance by agreement was usually the only sure method of preventing demolition or unacceptable modification. However, raising funds for purchase was only "half the story": the stability of the structures, their maintenance, together with other expenses, e.g. mortgage payments, had to be financed also. Thus, the frequent conversion of buildings and sites into museums was not only an adequate means to insure their survival and to draw people to historic treasures, but it was usually an economic necessity. The admission fees provided needed revenues.\(^2\) However, frequently the revenues from admissions were not sufficient. Today, there are more than two thousand such museums, and it seems that many preservationists overestimated the attractiveness of some of them to the general public.

A new way to promote (a certain degree of) preservation without purchase became visible when, in 1904, the General Assembly of Maryland based the following provisions concerning the distinguished area of Mt. Vernon Place in Baltimore:

\(^1\)Hosmer, p. 302

\(^2\)cf. Hosmer, pp. 288-297
"From and after March 15, 1904, no building, except churches, shall be erected or altered in the City of Baltimore on the territory bounded by the south side of Madison Street, the west side of St. Paul Street, the north side of Centre Street, and the east side of Cathedral Street, to exceed in height a point seventy feet above the surface of the street at the base line of the Washington Monument."  

More important was the adoption of a zoning ordinance by the city of New York, in 1916, a date which is usually considered as the beginning of contemporary American zoning. Most present day zoning legislation is based on the U.S. Department of Commerce Department 1924 Standard Zoning Enabling Act. This act divides a municipality into differently regulated districts and regulates the following within the district:

1. The height and bulk of buildings and other structures;
2. The area of a lot which may be occupied and the size of required open spaces;
3. The density of population;
4. The use of buildings and land for trade, industry, residence, or other purposes.

From the standpoint of the preservationists the introduction of zoning is important for three reasons: 1) Zoning is deliberately intended to stabilize and preserve property values. As it is assumed that an extrapolation and a freezing of the status quo serves this purpose best, zoning usually limits the kind of land use and its proportions to present restrictions. Since zoning prevents extreme alterations on a particular property, it is a very general means of preserving the dimensions of the built environment. 2) With the

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1Maryland, Acts of the General Assembly (1904), Chapter 42, in Baltimore, MD Zoning Ordinance (1971) p. 9


3Ibid.
inclusion of limited aesthetic zoning control, which has been largely
upheld in the courts.\footnote{The classic case is that of Berman vs. Parker (348 U. S. 26, 75
Sup. Ct. 98, 99 L. Ed. 27, 1954) in Leary, p. 403} zoning provides a more specific means of
preservation. 3) The most important aspect of zoning certainly is
the fact that it is a legal remedy to restrict on behalf of the
"public welfare" the ability of a property-owner to act at his
pleasure.

The provisions of zoning have opened a door to a new kind of
preservation implementation, namely, the preservation of an urban
entity with historical and/or architectural significance by a public
administration but without purchase. Charleston, S. C. and other cities
have used this means for their district preservation efforts.

In 1931, Charleston passed a zoning ordinance which established an
area designated as "Old and Historic" and in which no architectural
changes could be made without administrative approval.\footnote{Helen A. McCormack, "An Architectural Inventory for Charleston,"
Journal of the American Society of Architectural Historians, 1
(July-October, 1941): 21} Today many
American cities (including Baltimore) have adopted this unique kind
of preservation. It seems that in terms of opportunity it has been,
by and large, the most successful kind of preservation. However,
while the district preservation ordinance allows jurisdictions to
control architectural changes, they usually do not provide or secure
the means which will serve to prevent the ultimate danger to preser-
vation, namely, demolition. In spite of the legal programs during the
last decades, the crucial point in preservation still is the
willingness of the owner(s) to cooperate. While public purchase of whole districts is impossible, the willingness to preserve may be best promoted "if it pays." Preservation may remunerate with increased property values (cf. Baltimore) or, as in the exorbitantly successful case of New Orleans, if money is (indirectly) provided by exempting preserved properties from taxation.¹

¹Louisiana, Constitution. (1921), Sec. 22A, amended by Act 139 of 1936.
LOCATION OF HISTORIC PRESERVATION DISTRICTS
IN THE CITY OF BALTIMORE

1 Mt. Vernon Preservation District
2 Bolton Hill Preservation District
3 Seton Hill Preservation District
4 Dickeyville Preservation District
5 Union Square Preservation District
6 Federal Hill Historic District
7 Fells Point Historic District

cf. p. 12.
Part II

DISTRICT PRESERVATION IN BALTIMORE

Major Kinds of Preservation

As has been said before, in Part I, the conscious preservation of whole urban or rural entities is a recent idea. In this country the idea was first realized with the restoration of Williamsburg, VA, which was begun in 1926, less than fifty years ago. The influence of the Williamsburg restoration was so revolutionary that the American preservation movement has not been quite the same since.

However, in this country and in Baltimore there exists a mechanism that is much older than the preservation of Williamsburg and which has as its goal the preservation of the qualities of a built environment, however, does not bear the label preservation as such. I am referring to the institution of covenants. Conventants are special conditions which accompany the purchase of a house within the boundaries of a well organized, usually wealthy, neighborhood. In Baltimore, these would include, for example, "Roland Park" and Guilford. While originally the main goal of these covenants was to exclude socially unwelcome neighbors, in particular blacks—which has since been judged unconstitutional—they still carry conditions which attempt to guarantee the preservation of the environmental quality and the other qualities that make for a "decent" neighborhood. However, as compliance with the covenants is controlled only by the neighborhood organization

1 cf. p. 3
2 Hosmer, p. 298
and not supported by any public administration, the success of this old private kind of preservation relies for the most part on the persistant unanimity of the neighborhood which is not always assured.

In view of the urban socio-economic changes that have occurred in recent years, it has become more and more evident that a local public institution was needed to support and uphold the preservation interests of concerned citizens of the city of Baltimore. Following the example of other cities, in 1964 the city council created the "Commission for Historical and Architectural Preservation" (C.H.A.P.). At the same time the first municipal "District for Historical and Architectural Preservation" was designated. Since district preservation in Baltimore is the major concern of this paper, this first preservation district, and the four which subsequently were designated, are more completely described in the next chapter.

As cities and the other local entities are "creatures of the states" i.e. receive all their legal power from the states, the city of Baltimore could only establish its preservation instruments after the Maryland Legislature had enabled it to do so. This was done by passage of the Historic Area Zoning Act in 1961.\(^1\) In the same year the Maryland Historical Trust was created. Its main purpose is to preserve and maintain historical, aesthetic and cultural properties, as well as buildings, fixtures, and furnishings pertaining to the state of Maryland.\(^2\) In addition, the Trust operates as a kind of clearing house between the local and the federal level, for example,\(^3\)

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\(^1\) Cf. Maryland, Annotated Code, Art. 66 B, Sect. 8.01 ff., "Historic Area Zoning"  
the Trust makes nominations to the National Register of Historic Sites and Places. In addition, the Maryland Historical Trust, mainly by providing money, advice and technical skills, has assisted C.H.A.P. in the investigation, evaluation, and, to a certain degree, the administration of the municipal preservation districts.

In addition, the federal government has been involved in district preservation in Baltimore by including seven historic districts in the National Register of Historic Sites and Places. The National Register is maintained by the Secretary of the Interior (through the National Park Service) as authorized by the National Historic Preservation Act of 1966 (P.L. 89-665). The National Register legally ensures that all registered properties, including historic districts, which are threatened by federal or federally assisted undertakings will be subject to comment and review, i.e. the federal government react only in case of immediate danger and only if "federal money" is involved. Compared with the facilities of C.H.A.P., the government lacks the legal instruments to practice a continuous long-range preservation policy. However, in so far as the National Register legally is enabled, it has definitely and positively contributed to the preservation efforts in Baltimore.

Three out of seven nationally registered districts within the limits of Baltimore are also Municipal Preservation Districts. (All of the Municipal districts are described in the next chapter). Two of these federal districts are essentially parks. As such, they are not relative to this paper and can be overlooked.

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1cf. Appendix A.
Although efforts have been undertaken, the two remaining federal districts with an urban character, Federal Hill, and Fells Point, have not yet been designated as Municipal Preservation Districts, largely because of resistance within the City Legislature and Administration.

Federal Hill Historic District

The district encompasses Federal Hill Park and an old neighborhood south of the Inner Harbor. In the 1840's the area around Federal Hill had become an industrial zone with brickworks and jar factories which exploited the sand of the hill. The hill originally must have been much larger than it is today. After the abandonment of these small enterprises the area deteriorated. During the Civil War, Federal Hill was occupied by a strong federal force which, because of Baltimore's strong Southern sympathizers, trained its guns on the city. By the end of the 19th century Federal Hill had become a park which today provides a magnificent view of both the Inner Harbor and Downtown Baltimore.

The adjacent old working-class neighborhood is comprised of about 200 small row houses with a high percentage of home ownership. Most of the houses are in fair-to-good condition, either already rehabilitated or suitable for rehabilitation. Although a small number of properties in commercial use is included in the district, they have no detrimental effect on the residential neighborhood.

Fell's Point Historic District

Named after William Fell who built his mansion here in 1730,
Fell's son turned this waterfront area into lots in 1763.¹ Because of the deep harbor, it soon became a "bulwark of trade and commerce"² and a vigorous rival to Old Baltimore, which was only a mile away and with which it eventually was unified in 1773.³ Wealthy merchant princes settled here, together with captains and sailors, artisans and workmen. Some of the Baltimore clipper ships were built here, the Constellation, for example, which was the first ship of the United States Navy, launched in 1797.⁴,⁵ Later it became one of the main points of disembarkment for thousands of European immigrants.⁶

Today, Fell's Point still retains its early cosmopolitan flavor.⁷ Like Federal Hill, it is one of the few remaining downtown waterfront residential communities. Fell's Point is, as John Dos Passos declared, "the culmination of the port of Baltimore, from the point of view of drama and visual excitement."⁸ Among its one, two, and three story row houses are some of the very few remaining pre-1800 structures in the City, e.g. the Captain Steel House (built in 1784) with its delicate and extensive interior.

¹Annie Leakin Sioussat, Old Baltimore (New York: The MacMillan Co., 1931) p. 73
²ibid., p. 75
³ibid., p. 71
⁵The preserved ship lays in the Inner Harbor of Baltimore
⁶ibid
⁷ibid.
⁸John Dos Passos, The Streets in Baltimore, in Dorsey, p. x
Since 1945, the survival of Fell's Point has been threatened by a proposed highway, which caused many of its residents to move out. However, after the protests of four neighborhood organizations and in view of a federal court suit, the City administration decided some months ago to have the expressway by-pass the community, partly via an offshore tunnel. Since it appeared that the expressway would not traverse the area, the growing interest of citizens in the neighborhood has increased property values substantially. However, the area, which is a kind of Baltimorean version of Greenwich Village or Georgetown, remains threatened by the ambitious expansion plans of local industry, and is jeopardized by the prospect of speculative high-rise apartment construction.  

The Five Municipal Districts for Historical and Architectural Preservation

It was not until ten years ago that the city of Baltimore became involved in the direct preservation of urban entities. When the City Council on May 21, 1964, passed Ordinance 229 and thus created both the first municipal Preservation district together with the Commission for Historical and Architectural Preservation (C.H.A.P.), it only followed "some seventy other American cities in this expression of pride in its past." In 1967, the Ordinance was amended and the scope of the Commission was substantially expanded.

1Fell's Point: Many Things to Many People", The Sun Magazine, Baltimore, May 19, 1974, pp. 20-30
2ibid., p. 25
Hence, in the short period between 1967 and 1970 the Mt. Vernon District was enlarged, and four other Preservation Districts were created covering a wide range of different urban and rural built entities, predominantly of residential use. (As noted earlier, three of these districts have been included in the National Register of Historic Places). The creation of five Municipal Preservation Districts probably demonstrates most clearly what the interaction between concerned citizens and a sensible administration can achieve in the preservation of the built environment. Today, there are approximately 2,000 properties under C.H.A.P. jurisdiction.

What follows is an attempt to describe the history and the architecture of the five Preservation Districts in order to inform the reader about the scope of preservation they encompass in Baltimore. If not otherwise noted, the description is based on the surveys, the documents and pamphlets of the C.H.A.P.

**Mount Vernon Preservation District**

Mount Vernon, with the downtown Washington Monument at its center, was the first designated Preservation District. It contains a number of the most elegant church and residential structures in the United States. Mount Vernon is a district which also attracts tourists.

At the beginning of the last century, most of the present district was an estate owned by John Eager Howard, a Revolutionary War hero and statesman.¹ From his estate he donated the land for the Washington

¹Dorsey, p. 4-5
Monument. Built between 1815 and 1829, the Washington Monument was the first formal monument in the United States to honor George Washington. It is a simple Doric marble column on a rectangular base and at its summit is a statue of Washington. It was constructed after a design by Robert Mills, the first native-born professional architect in the country.

The heirs of J. E. Howard later gave land for the four parks radiating from the Washington Monument and sold the lots around them to private citizens.\footnote{ibid.} By the middle of the nineteenth century as Baltimore spread northward, this area became the most fashionable residential district in the City, providing large and comfortable homes for the City's affluent. Most of these structures have remained, many of them unaltered on the exterior although the interiors have been rearranged for use as apartments or offices.

Located on the squares surrounding the Washington Monument are not only some of the grand mansions of Baltimore's leading citizens of the period, like the Garrett-Jacobs House and the Thomas-Jencks-Gladding Home (Niernsee and Neilson, 1859), but also the Peabody Institute Concert Hall (E. G. Lind, 1857-1861) and the Peabody Library (E. G. Lind, 1875-78), which was purposely kept to two stories in height so as not to overshadow the Thomas-Jenks-Gladding House across the square to the west.\footnote{Richard E. Howland and Eleanor Spencer, The Architecture of Baltimore. (Baltimore: Johns Hopkins Press, 1953).} There is also the Walters Art Gallery with its outstanding collection and the Victorian Gothic Methodist Church on Mount Vernon Place.
Although Mount Vernon Place is the focal point of the district, there are many more structures of historical and/or architectural significance. Among them are several pleasant groups of row houses which were built in the mid-to-late nineteenth century as well as a number of important public buildings of the same period. To name only a few, there is Belvedere Terrace on North Calvert Street, built from 1877 to 1880 which tries by a different treatment of windows and ornaments to avoid the monotony found in so many blocks of row houses. In addition, there are two churches on Cathedral Street.

During the twenties when the automobile made suburban living as practical as it made urban living unpleasant, most of the old families moved out and subsequently, many of the houses were divided into apartments or used otherwise.\(^1\) But in the last decade the trend toward moving back to the city has induced the reconstruction of many buildings and awakened interest in the possibilities of further rehabilitation.

The Mount Vernon Preservation District is distinguished by its accumulation of excellent private and public architecture\(^2\) which has in the most part retained its original appearance. The District is also distinguished in that it evokes the memory of several world notables who visited District houses. These notables include the Hungarian Kossuth, the late Edward VII of England, President Woodrow Wilson, Marshall Joffre of France and others.

\(^1\) Dorsey, p. 5.

\(^2\) Actually, the relatively small district contains 19 out of the 172 buildings and structures noted in Dorsey and Dilt's "Guide to Baltimore Architecture"
It was this concentration of historical and architectural excellence which demanded protection if it was to survive the vicissitudes of a changing society. In 1964, when Ordinance 229 passed the City Council, Mount Vernon became the first District for Historical and Architectural Preservation. The District was enlarged in 1967 and 1968.\footnote{1} Mount Vernon is also registered as a National Historic District on the National Register of Historic Places.

\textbf{Bolton Hill Preservation District}

When the old Mt. Royal neighborhood, now commonly called Bolton Hill, was designated as the second Preservation District by Ordinance 1046 in 1967,\footnote{2} it had experienced the typical ups and downs of so many of America's well-to-do residential areas during the last hundred years. Originally one of the most fashionable neighborhoods in the City, it had suffered blight, pollution, crime, riots, absentee landlords, and overcrowding. However, by 1967, due to the combined efforts of interested citizens and the City administration, the area had been transformed into what is perhaps Baltimore's handsomest and best maintained in-town neighborhood.

The Bolton Hill Preservation District encompasses approximately 170 acres in the central northwest section of the City and is just one mile from the central business district.

The area includes roughly twenty blocks with approximately 700 well preserved houses which are virtually all nineteenth century

\footnote{1}{cf. Appendix A}

\footnote{2}{In 1971, Bolton Hill was included on the National Register of Historical Places}
Victorian in character. These range from the 1850's houses in the 1300 block of John Street, to the 1890's townhouses in the 1600 and 1700 blocks of Park Avenue. The character of its streets is set by the groups of 3-story red brick houses (8-15 buildings in a group), each with white marble steps—a feature which usually indicates high building quality. The plain stone facades are framed by wooden cornices and broken only by the rhythmically placed fenestration and doorways. These rows of townhouses are interspersed with larger, more elaborate houses—some of them in stone—, several churches, and small green park spaces. The area also includes the B & O Railroad's former Mt. Royal Station—recently preserved as a building for higher education—and the main building of the Maryland Institute of Art.

The street best known for its architectural splendor is Eutaw Place. It includes a number of in-town mansions that were built by the founders of large business and which face the boulevard-like Victorian Park. The other parts were built as middle class and upper middle class areas, and they do not boast the wealthy homes of Mount Vernon and Eutaw Places.2

Among its many distinguished residents were F. Scott Fitzgerald and Otto Mergenthaler, the inventor of the linotype.

Some blocks were cleared under Urban Renewal and provided the sites for a few new apartments and schools built in the 1960's. In 1970, a Rehabilitation Program reduced the number of dwelling units in the neglected properties on Eutaw Place and several of them

1Dorsey, p. 147
2Ibid.
became the property of concerned new owners. A renaissance of neighborhood activities has helped to attract a strong influx of young people, thus rejuvenating and balancing the population pyramid, and these activities have led to the construction of several public and private projects, among them the Rutter's Mill Park and the Maryland State Office Building.

Seton Hill Preservation District

Seton Hill is one of the city's important historic sections, closely related to the spiritual history of this country. In 1791, two years after the French Revolution's closing of public religious institutions, French Catholics founded St. Mary's Seminary on Seton Hill, which at that was one mile outside the City limits. The institution became Baltimore's first college in 1800, and in 1803, it was raised to University rank by the Maryland Legislature. Attracting French-speaking students from America, France, and the West Indies they settled in the area in the early nineteenth century. Until about the middle of the century, Seton Hill was known as Baltimore's French Quarter.

The only remaining original buildings associated with the Seminary are the House of Mother Elizabeth Ann Seton, who founded the new order of the Sisters of Charity here, and St. Mary's Seminary Chapel. This small, elegant chapel represents several firsts: designed in 1806 by Maximilian Godefroy, it was the first Gothic revival church in the U. S. A. and, also, the first chapel built for the country's

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1 Ibid., pp. 123-126.
first Roman Catholic Seminary.  

Most of the residential structures built in the 1830's and 1840's as housing for the students have survived the decline of the area after 1900 when the population started to shift to the suburbs. However, in recent years, Seton Hill has been rediscovered. The location of Seton Hill, within a few blocks of the Central Business District and the University of Maryland, has in particular attracted working couples. Many of the small 2-story houses have been restored by their industrious owners. Although once common, structures of the scale and architectural quality of those found in Seton Hill are fast disappearing elsewhere in Baltimore.

In 1968, Seton Hill was declared a District for Historical and Architectural Preservation by City Ordinance 193. This was done in an effort to preserve the existing 19th century structures and their facades and to ensure that new construction was of an appropriate design.

The Seton Hill Preservation District, which looks like a happy island in a district of deteriorating neighborhoods and razed blocks, contains the park-like gardens on the Seminary property, now one of the few pieces of natural open space left in downtown Baltimore. It is the city's and the residents' intention to expand this open space after purchase and demolition of a large late 19th century Seminary building that is now on the property.

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1 ibid., p. 124.
Dickeyville Preservation District

The area which is now called Dickeyville is a rare example of a 19th century mill town surviving relatively unchanged. Located north of Gwynn Falls and approximately five miles from downtown, it became part of Baltimore City in 1918. Its architecture reflects its economic growth as a mill town from the late 18th century through the Victorian era.\(^1\)

In late 1762, Wimbert Tschudi, a Swiss, built a stone house and a grist mill on the banks of Gwynn Falls. Fifty years later, a factory and paper mill were erected, together with additional stone houses. Subsequently, the factory was changed to a woolen mill. A cotton mill was added later on. In spite of fire and floods, the area prospered.

In 1871 William J. Dickey, who gave the area its present name, purchased three mills, several stone houses and 300 acres. The town continued to prosper until the first part of the 20th century when the Dickeyville Mills could no longer compete with other mills which were using electricity and modern machinery instead of the then obsolete old water and steam powered equipment. In 1909 the Dickey family sold the property.

In 1934 the entire town was sold to a development company at an auction for only $42,000. Subsequently, Dickeyville experienced a revival. Restoration began, double houses were redesigned and new homes were constructed in keeping with the historic character of

\(^1\)There is nothing left from the very early activities around 1700.
Dickeyville. This restoration was initiated privately and was completely financed with the private investments of the individual property owners.

In 1937, the Dickeyville Improvement Association was formed. In 1969, after an initiative by the committed residents and a thorough study, Dickeyville was designated as a District for Historical and Architectural Preservation by Ordinance 331.\(^1\),\(^2\)

Today, Dickeyville comprises about 118 well restored and privately owned 18th and 19th century residential structures, together with one active church, one school, and one remaining old mill building that is now used for storage. The restoration has altered the houses to a condition they probably never enjoyed in mill days. On the whole, Dickeyville is probably less important for architecture than for atmosphere.\(^3\) Its rural setting in the narrow alley of Gwynn Falls provides a bucolic charm.

**Union Square Preservation District**

The elegant city park surrounded by town houses was a common sight in 19th century America. Union Square is one of the few remaining units of this type in Baltimore. (Another is Franklin Square with its handsome Waverly Terrace Houses).

In 1847, 3 1/2 acres of land were deeded by a Baltimorean family to the City, with the stipulation that the acreage be maintained as a park. In 1850, a public fountain, covered by a small circular Greek temple, was erected.

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\(^1\)The process leading to its designation is outlined in Appendix E

\(^2\)Dickeyville is also registered on the National Register of Historic Press

\(^3\)Dorsey, p. 153.
Most of the three story row houses which enclose the square on three sides were built in the 1880's. They provide excellent examples of the row house construction of the period. In one of these structures, which are all relatively unaltered and still in use as residences, lived the famous H. L. Mencken, the "literary iconoclast" of the 1920's and 30's (1524 Hollins Street).

At the west end of the square stood Willowbrook, the elegant country house built in 1799 by Thorowgood Smith, Baltimore's second mayor. In 1965, the City purchased the site for a public school. By that time, the Willowbrook House had undergone severe alterations. Eventually the building was slated for demolition. The Commission for Historical and Architectural Preservation, however, successfully argued for the preservation of the Oval Room on the first floor, which was entirely dismantled and moved to the Baltimore Museum of Art.

Union Square is surrounded by other two and three story row house blocks. One of them contains the Romanesque-style Enoch Pratt Free Library No. 2 which now houses the Community Action Agency (1401 Hollins Street).

Established in 1970, Union Square was the fifth and last area to be designated a District for Historical and Architectural Preservation by Ordinance 821. The total restoration of the square and the surrounding properties has been pushed forward by the Union Square Association which is comprised of a group of enthusiastic and committed residents. As a result of their efforts, many beneficial changes have been made. At present, the Association is working for an expansion of the District.
Part III

THE COMMISSION FOR HISTORICAL AND ARCHITECTURAL PRESERVATION

The History of the Commission

After various persons and institutions had made attempts at preservation in Baltimore and in view of the encouraging examples in other cities, the Mayor and City Council in May 1964 created, by Ordinance 229, the Commission for Historical and Architectural Preservation. The Commission was created to preserve the historic, cultural, educational and/or architectural value of buildings and structures located in certain areas in the City. At the same time, Ordinance 229 also provided for a municipal preservation district, the area around Mount Vernon Square, which was later enlarged by ordinances in 1967 and 1968. By 1970, four more preservation districts were designated.  

In 1967, Ordinance 939 repealed and reordered several subsections of Ordinance 229 (1964), and added new subsections. This ordinance also authorized the Commission to compile a "Landmark List" of structures, both public and private, which would be protected by the same rules that cover the Historical and Architectural Preservations Districts, as well as a "Special List" of structures which the commission should give "second priority" in the exercise of its powers. Subsequently a Landmark List with twelve structures on it was approved in 1970 by Ordinance 974.  

At present, the extension of the Landmark List is under discussion. A Special List has yet to be considered.

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1 Baltimore, MD, Ordinance 229 (1964), Sec. 1, Subsec. (a).
2 See Appendix A "Historic Landmarks and Districts in Baltimore."
3 cf. Appendix A.
The Structure of the Commission

Nomination and Appointment of Commissioners

The initial seven member Commission was enlarged in 1967 to nine members by Ordinance 939. In 1968, the Commission was enlarged to its present eleven members by Ordinance 319.

The Commission's nomination procedure specifies four different groups of commissioners: for the purposes of this study they may be differentiated as follows:

Group A:
- One from a list of two nominated by the Board of Trustees of the Baltimore Museum of Art;
- One from a list of two nominated by the Board of Trustees of the Municipal Museum of Baltimore (The Peale Museum);
- One from a list of two nominated by the Board of Trustees of the Walters Art Gallery;
- One from a list of two nominated by the Council of the Maryland Historical Society.

Group B:
- A member of the Baltimore City Council nominated by the President of that body.

Group C:
- One architect registered to practicing as such in the city of Baltimore;
- One teacher of history in a recognized college or university located in the state of Maryland or an individual engaged as an historian by a nonprofit organization devoted to matters of historic interest; in any case, a teacher or a person "experienced in the field of history or related fields appropriate to the intent of (the) Ordinance"

\[\text{cf. Ordinance 939 (1967), Sec. 1, Subsec. (c).}\]
Group D:

- Four citizens residing in the city of Baltimore and actively involved in civic improvement.¹

The members of the Commission are appointed by the Mayor of the city of Baltimore under provision of Article IV, Section 6 of the City Charter (1964 revision). Any Commission may be removed by the Mayor as provided in the same Section of the City Charter.²

Length of Service

Each Commissioner serves for a term of five years. In order to avoid a full appointment of all eleven members every five years, the initial commissioners were appointed in terms of from one to five years, with a five year appointment when these came up for reconsideration.³

The fact that there are only eighteen former and current members since 1964 indicates that virtually half of the Commissioners have been reappointed. Two of the current commissioners have served since the Commission's inception in 1964. Since there haven't been enough new appointments to take the place of members who have resigned or reappointments of members whose term has expired, the Commission is, at present, not complete. (May 1974). This situation has persisted during virtually the whole history of C.H.A.P. However, in as much as there are three commissioners serving whose terms have legally expired but who still serve on the Commission—as provided by the Charter—the Commission may be considered to be complete.

¹cf. Ibid., Sec. 1, Subsec. (c)
²cf. Ibid., Sec. 1, Subsec. (d).
³Ibid.
Personnel

The Commission has the right to appoint a qualified person from a list of five proposed by a Civil Service Commission as an Executive Secretary serving "at the pleasure" of the Commission.\(^1\) This Executive Secretary directs the research on proposed preservation districts and structures, reviews applications, executes routine decisions, inspects the implementation of all decisions, and administers all other staff responsibilities. The present Executive Secretary is the third person to serve. She holds a Master's degree in Art History, and is assisted by a full-time Principal Clerk Stenographer.

Transaction of Business: The Public Meetings

Ordinance 939 (1967) provides that all sessions or meetings shall be open to the public, except executive sessions.\(^2\) It also rules that four members constitute a quorum for the transaction of business. In order to take action the affirmative vote of at least four Commissioners is required.\(^3\)

During the first years of the Commission, the meetings usually took place once every month. As the number of topics increased, more meetings had to be scheduled to avoid lengthy meetings. Since last year, meetings have been held bi-weekly, usually on Fridays after an executive meeting with lunch. A meeting normally lasts between one and two hours. The meetings take place in City Hall, room 303, an audience room with a large table and chairs and about 80 cinema-like seats for public attendance.

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\(^{1}\)ibid., Sec. 1, Subsec. (f).
\(^{2}\)ibid., Sec. 1, Subsec. (i).
\(^{3}\)ibid.
Attendance. Since the enlargement to eleven members in 1969, on the average 5-6 members of C.H.A.P. attend a meeting, just enough to comply with Ordinance 939 (1967) which specifies that four members constitute a quorum. Usually the Chairman, a member of the Commission annually elected by its members, presides the proceedings. In his absence a Vice Chairman presides. In the past, the Executive Secretaries virtually never missed a meeting. The Clerk-Stenographer takes the minutes.

The audience mainly consists of applicants and other persons actually involved with one or more of the topics: Citizens living in a preservation district, owners or users of listed landmarks, administrative personnel from the City (especially from the departments of Planning and of Housing or Community Development), State personnel (from the Maryland Trust in particular) and personnel from federal agencies, and others. There is rarely any "general" public, interested citizens, or the press.

Topics. Since the introduction of regular bi-weekly meetings, there is an average of six topics (in 1973) on the agenda. Most topics require some sort of decision by the Commission. Although the topics cover a wide range of fields, it seems noteworthy that most of them are concerned with aesthetic, and usually architectural problems—75% of all ca. 160 topics in 1973—and thus require at least a minimum of knowledge in this field on the part of the Commissioners. While the number of topics vary from year to year, the majority have been related to the preservation of the buildings in the districts e.g. new windows or doors, change of paint color, and other details, rather than with the preservation of landmarks. Twenty-five percent of all
topics in 1973 were concerned with information and public relations, relations with other agencies, internal issues, such as the budget, policy, regulations, etc.

Procedure. After a brief review of an issue, usually by the invited applicant or guest and in some cases by the Executive Secretary, the Commissioners discuss the issue in detail. If the commissioners are in agreement and if action is required, the acting Chairman or any other member makes a motion. When another member has seconded the motion, it is put to a vote and usually unanimously passed.

Records

The proceedings of the meetings are recorded as minutes. These show the vote of each member on each question and indicate attendance. The minutes and all other resolutions, transactions, findings, and determination by C.H.A.P. and its staff are kept as public records in the Office of the Commission\(^1\) (at present in one room in the Old City Hall).

Budget/Operating Costs

The regular annual budget covers mainly the salaries of the Executive Secretary and the Clerk Stenographer, the necessary equipment, and the daily expenditures. It amounted to $29,152 for the fiscal year of 1973-74.\(^2\) Federal and State money matched by city revenues has been used for the surveys. In the fiscal year 1975-76 there will be for the first time (Federal) money available to C.H.A.P.

\(^1\)Ordinance 939 (1967)

for expenditure on the direct restoration of structures. However, this money is restricted to federally registered structures.

The Duties and the Power of the Commission

The main duties and powers of the Commission are the designation and, subsequently, the administration of "Historical and Architectural Preservation Districts" and the compilation and maintenance of structures on a "Landmark List" and on a "Special List."¹ As this paper is primarily concerned with Preservation Districts and, as the Commission's work has been primarily concerned with this issue, the following paragraphs will emphasize the procedures used in the designation and the administration of Preservation Districts.

Designation of an Historical and Architectural Preservation District

The Commission is authorized and empowered to designate any area within the limits of Baltimore City as a proposed Historical and Architectural Preservation District upon the recommendation of the Planning Commission.² According to Ordinance939 (1967), such a district is an "area in Baltimore City wherein there are located structures which have historical, cultural educational, and/or architectural value, the preservation of which is deemed to be for the educational, cultural, economic and general welfare of the inhabitants of Baltimore City."³

Before an area can be proposed as a Preservation District, a thorough study has to be made to evaluate the structures and to

¹cf. Ordinance 939 (1967), Sec. 1, Subsec. (j).
²Ibid.
³Ibid., Sec. 1, Subsec. (a).
determine the boundaries of the district. In the past, these studies have been undertaken primarily by the personnel of the office and by summer students. They have been assisted by other preservation institutions, primarily the State (Maryland National Trust), the Federal government (National Park Service), by local institutions, and the neighborhood under consideration. After an ordinance for the designation of the proposed area as a Preservation District has been prepared by the Commission, the City Council has to give notice of the pending proposal and has to hold a hearing thereon. The procedures are similar to those required in the case of a proposed change of zoning classifications.¹

It has been the policy of C.H.A.P. to proceed only if there is very strong neighborhood support. Although this support is not required by any Ordinance it has been considered the necessary prerequisite for the implementation and administration by the Commission of any Preservation Ordinance.

After the proposed ordinance has undergone a public hearing, it must pass the City Council, subsequently the area referred to can be deemed an Historical and Architectural Preservation District.²

Through notices in local newspapers and by public hearings, the Commission attempts to reach all affected citizens; after the designation, every homeowner is informed of the implications of the Ordinance.³

¹ibid., Sec. 1, Subsec. (j).
²Example of a designation process: cf. Appendix E
³cf. Appendix D.
Administration of the Preservation Districts

The regulations for a Preservation District are very rigid:

Before any person or other legal entity commences any excavation, or the construction or erection of any building, fence, wall, or other structure of any kind, or commences any reconstruction, alteration, or removal of any exterior architectural feature, or commences any change in the exterior color by painting or other means, or commences any demolition of any structures, such person or other legal entity shall submit an application for a permit to the Building Inspection Engineer, and no work contemplated herein shall commence before the issuance of such permit. ¹

The term "demolition" includes "demolition by neglect", e.g. "the deterioration of any exterior architectural feature so as to create or permit the creation of a hazardous or unsafe condition."²

It should be noted that the interior of the structures in a Preservation District (and also, on the Landmark List or the Special List) is not subject to these regulations, although in some cases the interior might very well be of equal or even greater value. Any extension of the regulations to the interior has been regarded as jeopardizing the whole preservation intention, largely due to financial concerns.

It also is remarkable that the preservation regulations are only concerned with the (built) structures: trees, shrubs, and other natural features which may contribute a very significant part of the townscape are not regulated. This is one major departure from the English approach to urban preservation.³

¹Ordinance 939 (1967), Sec. 1, Subsec. (k).
²Ibid.
The Building Inspection engineer immediately refers all applicants to C.H.A.P., which in turn takes action only if the application is considered complete and includes all necessary plans, elevations and other necessary information.¹ If the application fits well into the general guidelines for a district, a "Certificate of Appropriateness," or usually a "Notice to Proceed" is issued, either by the Executive Secretary, who has been authorized to bring applications of minor significance (e.g. renewal of paint with same color) to a head or, after the discussion of the applications in a public meeting, by the Commission.

If the Commission does not approve the application a conspicuous sign has to be posted on the involved property within ten days. This gives notice of a public hearing to be held by the Commission within 10 to 20 days after the sign has been posted.² The Commission has to decide within fifteen days after the hearing whether it considers the proposed alteration now appropriate, in which case a Certificate of Appropriateness is issued, or whether it is "inappropriate but is without substantial detriment to the public welfare and without substantial derogation from the intents and purposes of this ordinance," while "denial of the application will result in substantial hardship to the applicant." In such a case, a Notice to Proceed is issued to the Building Inspection Engineer instead of a Certificate of Appropriation.³

¹Ordinance 939 (1967) Sec. 1, Subsec. (k) (2)
²Ibid., Sec. 1, Subsec. (k) (4). (This procedure resembles those in the case of zoning changes.)
³Ibid., Sec. 1, Subsec. (k) (5).
If the Commission determines that neither a Certificate of Appropriation nor a Notice to Proceed shall be issued, the Commission is to cause to be transmitted to the applicant and the Building Inspection Engineer the reasons for such determinations and their recommendations if any.¹ The Building Inspection Engineer is bound by the determinations of the Commission in his approval or disapproval of the applications under consideration.² The C.H.A.P. has been able on several occasions to successfully prevent the intended demolition of valuable buildings, for example, the demolition of the buildings on the southeast corner of Mt. Vernon Place.

Compilation, Maintenance, and Administration of the Landmark List and the Special List

The process of compiling the Landmark List is very similar to the designation of a Preservation District. In particular, a public hearing is required as is the recommendation by the Planning Commission and the approval of the City Council.³ In 1971, the first Landmark List, containing twelve structures both public and private, was approved as Ordinance 974. At present, a second Landmark List is under consideration. The administration of the structures on the Landmark List follows the same regulations as that of the Preservation Districts.⁴

Until now no Special List has been compiled. The Special List is intended to cover structures of secondary significance. The administrative power is even weaker: if the Commission determines an

¹ ibid., Sec. 1, Subsec. (k) (7).
² ibid., Sec. 1, Subsec. (1).
³ ibid., Sec. 1, Subsec. (j) (3).
⁴ ibid., Sec. 1, Subsec. (k)
alteration or demolition inappropriate, the Building Inspection Engineer is nevertheless obliged to issue the permit after a period of six months. However, Ordinance 939 requires also that the Commission within this period "shall consult with civic groups, public agencies and interested citizens to ascertain what the City may do to preserve such building."¹ This means exercising an active preservation policy.

Other Obligations of the Commission

Plans for the reconstruction, alteration or demolition of any structure owned by the Mayor and the City of Baltimore have to be referred to C.H.A.P., which is obliged to submit a report on the plans to the Mayor and to the requesting agency. If the Commission does not react within a period of 45 days, the Mayor may deem that the Commission does not object to the plans.²

Legal Remedy and Financial Aid for Building Improvements

Any person aggrieved by a decision of the Commission may appeal to the Baltimore City Court within a period of thirty days after the Building Inspection Engineer has approved, disapproved or delayed an application. Any final decree of the City Court in such a case can be appealed to the Court of Appeals.³ On the other hand, the Commission itself may also apply to the City Court to enforce its duties and powers.⁴ If any person is convicted of a violation of the regulations he may not only be forced to re-establish the original state

¹ ibid., Sec. 1, Subsec. (k) (9) (ii).
² ibid., Sec. 1, Subsec. (j-6)
³ ibid., Sec. 1, Subsec. (m).
⁴ ibid., Sec. 1, Subsec. (n).
but also be punished by a fine of any amount between fifty and five hundred dollars and/or imprisonment up to twelve months. As of now, the City Court has decided in one case upholding the decision of C.H.A.P. This case is described below.

Acquisition, Restoration, and Resale of Properties

As has been noted earlier (see p. 5) the safest method of preservation is, of course, the acquisition and the maintenance of a structure of historic or architectural significance by a preservation institution. Ordinance 939 (1967) provides the legal basis for the Commission to accept with the prior approval of the Board of Estimates any grant, loan or the aid if any federal, state, or private agency to be expended on the acquisition, restoration and possible restoration of a property of historic or architectural significance. The Ordinance also provides that the annual Ordinance of Estimates may appropriate a sum of municipal money which may be expended by the Commission for, or in connection with, the acquisition and/or restoration of buildings or structures of historic or architectural significance. In addition, it may be used as part of an incentive improvement program under which the Commission may reimburse up to 20 percent of an owner's expenditure in the reconstruction, repairs, or painting or other improvement of an exterior architectural feature. However, until now, there has never been such money available from any of these resources to allow C.H.A.P.

1 ibid., Sec. 1, Subsec. (o).
2 ibid., Sec. 1, Subsec. (g).
3 ibid., Sec. 1, Subsec. (r).
to implement these direct preservation activities. Available federal money will change this situation somewhat in the fiscal year 1975-76. However, as has been mentioned before, some of the districts have been covered partly or fully with an Urban Renewal program which, to a varying degree, supported the rehabilitation of houses.

Administrative Problems

1) The "Purple Door" Case.

An owner of a rowhouse on the Union Square Preservation District repainted his door in 1973 with a guady purple color without the approval of the Commission. After being informed of the violation, and of the obviously unsuitable color, the Commission requested an application, and later, a public hearing. As the responsible person resisted, C.H.A.P. went to court. The argument of C.H.A.P. was upheld and the owner was fined fifty dollars. However, the situation having become a matter of "prestige," the responsible person appealed to the City Court of Appeals. The previous decision was upheld.

2) The Case of the "Diamond-Paned Windows"

In 1973 the owner of an old house in the Dickeyville Preservation District wanted to install several new diamond paneled windows on the third floor rear of the house. On June 1, 1973 the Commission rejected the windows without a vote, and on August 3, 1973, with the affirmative vote of only three members, thus making it legally irrelevant (see p. 29), the windows were eventually installed. Due to protest, especially that of an annoyed neighbor, the Commission on April 19, 1974, decided that the windows had to be removed and replaced by windows without diamond mullions. However, the Dickeyville Association, which represents the neighborhood, felt that the decision could hurt
their intended improvement program. Thus, a member of the association appeared at the next C.H.A.P. meeting on May 3, 1974, and submitted a letter in which the Dickeyville Association tried to clarify some points concerning the Commission's operating ordinance which it felt the Commission had, in the case, violated. The Commission decided to discuss the ordinance with the City Solicitor.

Taking into consideration both these and other incidents, it seems that the main problems associated with the administration of the Preservation District Ordinances are:

1) The (possibly new) house owner (or leasee) does not know that his house is situated in a Preservation District with specific regulations.
2) The house owner (or leasee) does not know that certain changes of the exterior of the buildings, e.g. new paint, which usually do not need approval by the Building Inspection Engineer require the approval by C.H.A.P. if the building is located in a Preservation District.
3) The house owner (or leasee) knows his obligations but decides, deliberately or otherwise, to submit a complete application.
4) The Commission, although aware of the intended action, fails to pursue its demand for a competent application and/or to decide properly and definitely.
5) After the implementation of an action not approved, the Commission is in danger of being forced to consider arguments not directly relevant to historic and architectural preservation and to compromise perhaps against its will.

The Individual Commissioner

The following paragraphs try to give a characterization of the individual Commissioners in order to provide a basis for the discussion of C.H.A.P. in Chapter IV. Therefore the Commissioner's interest in preservation before and after the appointment is examined and, also, his professional and social background.
Relationship to Preservation Issues Before Appointment

The returned questionnaires reveal that five out of ten respondents had been involved in preservation in one way or another prior to being appointed a Commissioner. Five respondents had had no prior involvement in the preservation of buildings and structures.

Reasons for Acceptance of Appointment

General concern for preservation is quoted by most of the ten responding Commissioners as their reason for the acceptance of their appointments. However, as shown below, there are also other reasons:

Quoted reasons are

Concern for or interest in preservation; 8
Civic duty; 2
Possibility of professional contribution 1

Professional Background of the Commissioners

The intention of the Ordinances concerned with the personal backgrounds of the members differentiates basically between two kinds of members: (1) Persons who are professionally related to issues of art, architecture and history and (2) non-professionals who are citizens residing in Baltimore, actively involved in civic improvement. However, these categories are not mutually exclusive. In fact, four of ten members of Groups A and C are citizens of Baltimore and most of the members of Group D have been involved in preservation issues, either by profession or by avocation.

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1 cf. Appendix B, Question 3.
2 cf. ibid., Question 5.
3 Several respondents quoted more than one reason.
Table I Professional Background of Forms and Current Commissions

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<th>Group</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
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<td>c) Other professions</td>
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<td>d) Housewives</td>
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Social Class Position of Former and Present C.H.A.P. members

Charles B. Hosmer, Jr., notes in his study of the early preservation movement "that the core of preservationist support was middle-class in character...Middle class enthusiasts, motivated by a desire to enrich the lives of their own fellow men, bore the financial burden."¹ While it seems that, by and large, this still holds true for those citizens actively involved in the preservation of their districts--although this could not be investigated in depth--the question as to whether this statement, also, accurately portrays the social background of the members of the Commission. Assuming that a social stratification actually exists, and that the class position

¹Hosmer, p. 200.
of each member can be defined, we can apply Hollingshead's method.  
This method stratifies society into five different classes according to an individual's residential area, his occupation and his education. An individual may then be placed anywhere from Class I, the highest, to Class V, the lowest. (The details of the method and its application are explained in Appendix C).

The validity of Hollingshead's method has been proved independently several times. It was used not only for Hollingshead's and Redlich's study on "Social Class and Mental Illness" but also in a study on the relationship between social stratification and mass communication. Hollingshead's categories of education and profession were also utilized in two large scale surveys, one undertaken in Washington, D. C., the other covering the entire United States. These are described by Melvin L. Kohn. In a parallel study undertaken in Turin, Italy, Hollingshead's classification of occupational position was applied alone.

The result of this social analysis is astonishing at the first glance: Eleven out of eighteen former and current members belong to Class I, five to Class II, only two to class III, while there is no member belonging to Class IV and V. However, it has to be

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2 Ibid.

3 Ibid., pp. 398-407.


5 Ibid.
recognized that some of the members are members of either Class I or II simply because of the requirements of the Ordinance. For example, the Ordinance mandates the selection of an "architect registered to practice his profession in the State of Maryland" and of the "teacher of history in a recognized college or university located in the State of Maryland or an individual engaged as an historian by a nonprofit organization" (Group C) thus insuring that there will be Commissioners who can be assigned to one of the higher classes.

In addition, it is very likely that those members nominated by the Board of the Trustees of the three museums and by the Council of the Maryland Historical Society (Group A) will hold a higher position in the social stratification. On the other hand, the social positions of the four "citizens residing in the City of Baltimore" (Group D) and of the members of the Baltimore City Council (Group B) may cover a wider range. The distribution of the groups is shown by the following table (2).

Table 2. Class Position of Former and Current Commissioners

<table>
<thead>
<tr>
<th>Group</th>
<th>Class Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Former Members</strong></td>
<td></td>
</tr>
<tr>
<td>A &quot;Institutional Reps.&quot; &amp; 4</td>
<td>- - - -</td>
</tr>
<tr>
<td>C &quot;Professionals&quot;</td>
<td></td>
</tr>
<tr>
<td>B &quot;City Council&quot; &amp;</td>
<td>1 1 1 - -</td>
</tr>
<tr>
<td>D &quot;Citizens&quot;</td>
<td></td>
</tr>
<tr>
<td>A through D</td>
<td>5 1 1 - - 7</td>
</tr>
<tr>
<td><strong>Current Members</strong></td>
<td></td>
</tr>
<tr>
<td>A &quot;Institutional Reps.&quot; &amp; 4 2</td>
<td>- - - -</td>
</tr>
<tr>
<td>C &quot;Professionals&quot;</td>
<td></td>
</tr>
<tr>
<td>B &quot;City Council&quot; &amp;</td>
<td>2 2 1 - -</td>
</tr>
<tr>
<td>D &quot;Citizens&quot;</td>
<td></td>
</tr>
<tr>
<td>A through D</td>
<td>6 4 1 - - 11</td>
</tr>
</tbody>
</table>

All former and current members 11 5 2 - - 18

Ordinance No. 939 (1967) Section 1, Subsection (c).
As compared to Group A and C, more members of Group B and D are members of Classes II and III. However, the difference is not very significant. Neither group aggregation can be called middle class. On the other hand, if the ownership of a large industrial company or membership on the board of an influential financial corporation is taken as criterion, no member of C.H.A.P. actually belongs to the very core of upper Class I.

Other Personal Aspects

The Commission is not simply distinguished by the consistently high social position of its members. While approximately fifty percent of all Baltimore citizens are black, there are only two black Commissioners currently serving. This might be due to the fact that preservation, because of obvious historical reasons, has been mainly a movement by the well educated white middle class.

Another aspect of limited significance is the age of the commissioners. While there is no member younger than 40 years, there are several retired from their business, the oldest of which is 82.

Although the social, professional, and ethnic backgrounds of the commissioners differ from the structure of the entire community, the Commission provides an amazing sexual balance. Five of the current members are women.

Attendance at C.H.A.P. Meetings by Individual Members

The attendance of C.H.A.P. meetings by the individual commissioners (as shown by Table 3) indicates vast differences. While

there are only one or two members who almost never miss a meeting, others attend very irregularly. This individual behavior has been notably consistent through the years, and, when it occurs, has resulted from illness or a trip out of the city.

Furthermore, the table also reveals that there exists a correlation between attendance and group affiliation. Since 1969, members of Group D have attended most regularly with a high percentage over the years of between 43 and 100% and a median attendance of 80 percent. This tendency can also be found in the 1964 to 1968 period.\(^1\) The question arises whether the members of Group D tend to have more time to spend than the members of all other groups. This is not the case: There are highly occupied persons in Group D, while there are also several members in the other groups who are actually retired from their occupation.

Table 3. Members' Attendance of Regular and Special Meetings (in percentage)\(^2\)

|----|------|------|------|------|------|------
| A  |      |      |      |      |      |      
| a  | 71   | 40   | 56   | 56   | 54   | 55   
| b  | 50   | 0    | 0    | -4   | 11   | 16   
| c  | 57   | 40   | 25   | 17   | 25   | 31   
| d  | 63\(^5\) | 33   | 38   | 28   | 54   | 42   

\(^1\) Because of the lack of several records, and the different composition of C.H.A.P., figures for that period are omitted.

\(^2\) Only meetings with existing records

\(^3\) During membership (i.e. after appointment and/or until expiration of term or resignation)

\(^4\) No new appointment

\(^5\) Percentage accounts for time after effective appointment
Table 3. continued

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<thead>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Group B: &quot;City Government&quot;</td>
<td>e</td>
<td>--</td>
<td>74⁵</td>
<td>48</td>
<td>39</td>
<td>04⁶</td>
</tr>
<tr>
<td>Group C: &quot;Professionals&quot;</td>
<td>f</td>
<td>93</td>
<td>1.00</td>
<td>56⁶</td>
<td>--⁴</td>
<td>--</td>
</tr>
<tr>
<td></td>
<td>g</td>
<td>33⁵</td>
<td>20</td>
<td>56</td>
<td>44</td>
<td>42</td>
</tr>
<tr>
<td>Group D: &quot;Citizens&quot;</td>
<td>h</td>
<td>43</td>
<td>47</td>
<td>44</td>
<td>56</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>i</td>
<td>79</td>
<td>1.00</td>
<td>75</td>
<td>83</td>
<td>88</td>
</tr>
<tr>
<td></td>
<td>k</td>
<td>93</td>
<td>93</td>
<td>81</td>
<td>89</td>
<td>71</td>
</tr>
<tr>
<td></td>
<td>l</td>
<td>80⁵</td>
<td>73</td>
<td>94</td>
<td>78</td>
<td>92</td>
</tr>
</tbody>
</table>

It appears likely that the best explanation for the relatively higher attendance of Group D members is that while there are concerned individuals in each group, on the whole Group D members tend to be more committed to the work of C.H.A.P., more concerned with preservation and civic improvement.⁷ If this is true, it probably results from the appointment procedures.

² Only meetings with existing records
³ During membership (i.e. after appointment and/or until expiration of term or resignation)
⁴ No new appointment
⁵ Percentage accounts for time after effective appointment
⁶ Delayed reappointment
⁷ Resignation at end of the year

Sources: Minutes of C.H.A.P. Meetings; Baltimore, Municipal Handbooks, 1969, 1974; City Department of Legal Reference.

⁷ It may be also noted that the two members in Groups A to C with the highest scores are both architects, i.e. persons who are professionally closely related to the work of C.H.A.P.
C.H.A.P.'s Impact on the District

Before any appraisal can be made of the impact of C.H.A.P. administration on the preservation districts, it is necessary to recall that virtually all districts were (already) in a good material or social shape at the time they were designated. This was true even though some districts have gone through periods of decay. In particular, in Bolton Hill and Dickeyville this previous rehabilitation was to a large extent due to the efforts of a committed neighborhood.

The Direct Impact of C.H.A.P. on the Visual Appearance

There is no doubt that the five preservation districts are at present visually pleasant neighborhoods, especially when compared to the surrounding neighborhoods. Houses are better maintained, probably better than ever before, while any recent alterations are generally appropriate. Historically wrong and/or aesthetically disturbing material is no longer applied to the exteriors of the buildings. Paint colors are decent and to a large degree historically correct. The installation of unsightly, technical appliances such as the installation of air conditioners in the windows or signs, is controlled and confined. Due to the administration of C.H.A.P., the appearance of the preservation districts— in particular of the residential areas—is on the whole less polluted aesthetically, and at best, for example, in Dickeyville, the districts seem to be exemplarily preserved.

See p. 24.
The Indirect Effects on the Visual Appearance and on the Socio-

economic Growth

Preservation Districts are in general not only well maintained
but are also in many other regards distinguished from their immediate
neighbors. This is particularly true of the predominantly residential
districts. It seems that preservation designation and administration
has a strong influence on the property values in the districts.
To the question "Do you think the definition of a preservation district
as such affects the property values positively?" six out of eight
responding Commissioners answered "Definitely so" while two replied
"Probably somewhat."¹ However, one Commissioner pointed out that while
there might be a positive influence on residential properties, the
impediments to demolishing a building and thus implementing a new and
more profitable use of any property represented a disadvantage of
C.H.A.P. administration. This disadvantage might, for example, occur
with church buildings. In some cases the zoning administration has
tried to indemnify the church owner through a compensation for the
restricted value of a preserved building. However, the perception of
a positive influence on the value of residential properties is
widely shared. All interviewed property owners in the preservation
district, as well as a realtor operating in a district, confirmed this
perception. A study undertaken by the staff of the Commission revealed
that in a case where the middle of the street was the district boundary
the values of the houses inside the district were several times higher
than those outside. In addition, the results of the 1970 Census² show

¹cf. Appendix B., Question 12.
²U. S. Bureau of the Census, Census of Housing: 1970, Block Statistics,
that the values of owner-occupied one-family houses are always considerably higher in the census tracts covering the districts than in the neighboring tracts. However, the values in census tracts which cover Union Square District did not differ considerably from other neighboring tracts.

While the impact on property values appears to be clearly evident, it is difficult to evaluate the influence of preservation administration on social aspects. The latest dates generally available are those from the last Census, which was taken in 1970, shortly after the designation of some districts. The 1970 Census data indicate that the number of dwelling units occupied by the owner is usually higher in the districts than in the neighboring census tracts. In addition, the number of occupied housing units with 1.01 or more persons per room, with female head of family, or with roomers, boarders, or lodgers tends to be lower inside the districts' boundaries.

Further, the preservation districts tend to have a lower percentage of black inhabitants, both as owners and renters, than the surrounding areas. While the black population in Baltimore increased considerably in the decade 1960-1970—with 29.1% increase in the city black population—in the tracts covering the districts, this change, in general, was less dramatic. In some blocks the number of blacks

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1 The Johns Hopkins University, Center for Urban Affairs and Baltimore City Department of Planning, Changes in Housing Characteristics: Baltimore, Maryland 1960-1970, (Baltimore, 1977): Appendix A.

even decreased. 1

While there is little doubt of the impact of this preservation policy on the property values in the districts, it is at this moment almost impossible to appraise the indirect influence of C.H.A.P. on the social structure and growth in the preservation districts. It seems that C.H.A.P. functions to a certain degree as a kind of a catalyst for the improvement activities of the neighborhoods and thus works to stabilize the neighborhoods while preventing urban decay and "tabula rasa" development. The Commissioners share this interpretation. Seven out of eight commissioners who responded to question 13 of the questionnaire believe that C.H.A.P. as a community institution tends to support rehabilitation and prevent deterioration, "because it perpetuates the neighborhood interest." 2 Four of them also think that C.H.A.P. provides an incentive. Only one of the eight was uncertain of C.H.A.P.'s impact and answered, "maybe."

It is necessary to warn against any overestimation of the indirect influence of C.H.A.P. on the social structure of the preservation districts. The social structure and its changes are primarily determined by other powers" by the inhabitants, the neighborhood organizations, by the housing market, by public enterprises like Urban Renewal and rehabilitation projects and so forth. For example, there have been assertions in the past, that preservation efforts drove blacks out of the preservation districts. In view of the very limited influence of

1See next page.

C.H.A.P. on the social factors described above, these assertions are, by and large, not correct. It is likely that these claims were made when, subsequent to Urban Renewal Projects within districts, the zoning was enforced. This often meant the expulsion of blacks out of overcrowded housing units.

Potential Dangers to the Historical, aesthetical and socio-economic consistency of the districts

In the past, one of the most important threats to the survival of decayed though valuable urban entities were the joint Urban Renewal efforts of the public administration and private developers. Fortunately, for some years now there has been a growing emphasis on rehabilitation which, by and large, serves preservation. But still, there are legal provisions which, while they may be intended to improve the neighborhood, may in fact be hazardous to its appropriate preservation.

It seems that one of these provisions is the Zoning Ordinance which generally allows higher densities in most residential districts for housing for the elderly. The justification for this is usually that elderly people generally have little need for parking space and that without higher density projects for the elderly are unfeasable. Take for example the Union Square District. Most blocks there are R-8 or R-9 General Residence Districts. The Baltimore Zoning Ordinance provides:
### Table 4. Baltimore Zoning Ordinance: Excerpt

<table>
<thead>
<tr>
<th>Use</th>
<th>Criterion</th>
<th>R-8</th>
<th>R-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted Use:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single family house</td>
<td>Max. building</td>
<td>35 ft.</td>
<td>35 ft.</td>
</tr>
<tr>
<td></td>
<td>height</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other permitted uses</td>
<td>Floor area ratio</td>
<td>2.0</td>
<td>3.0</td>
</tr>
<tr>
<td>Conditional use:</td>
<td>Floor area ratio</td>
<td>4.5</td>
<td>5.5</td>
</tr>
<tr>
<td>Housing for the elderly</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Zoning Ordinance permits a floor area ratio approximately twice as high as for single family houses, in addition to placing no height limitations whenever such a building is to be used for housing for the elderly.

As one can see, in many parts of the city, these lenient provisions have lead to the construction of buildings that do not fit into the neighborhood, such as fifteen to twenty story high rises in areas where there are only two or three story rowhouses. Usually there is little distance between both sets of buildings. The high rise shadow the other houses and the intimacy of the row house gardens is gone forever. However, even more important to preservation, is the fact that there is usually no sensitive urban design which harmonizes the two house types. The Mount Vernon District, for example, is extensively polluted with high-rise buildings. In particular, one

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seventeen story building for the elderly on the south end of Washington Place has destroyed the scale of that delicate urban locale.

High rise buildings for the elderly are not only aesthetically unwelcome, but they may also be hazardous to the future social health of the neighborhood. In several European countries the gathering of a large number of elderly people in one building has recently been much criticized. The concentration of old people may not only be harmful to their own mental health but also to the social balance of the district. In addition, it may some day prove to be difficult to find enough elderly people for these buildings. A change to general use might create even worse problems, e.g. a need for more parking space, more schools, and more open space.

There are other measures which might prove hazardous to preservation in spite of efforts to improve the neighborhoods. For example, Planned Unit Developments (P.U.D.)\(^1\) are likely to occur around the stations of the planned rapid transit system. In some cases they might affect preservation districts.

Until now, the Zoning Ordinance has not reflected the specific set of preservation problems. To provide more protection it has to be amended adequately. "The best and perhaps the only solution to preservation problems, ..., is more and better zoning laws; they are but a logical extension of the doctrine that one shall not use his property in such a way as to injure another."\(^2\)


The Structure of the Commission

C.H.A.P. is one type of municipal institution set up for the purpose of preserving districts and landmarks. There might be other institutions which could achieve similar effects, especially under a different political system. In fact, many European countries have established different institutions. However, in consideration of American political traditions and in regard to past achievements, it may be assumed that C.H.A.P. is a workable institution, appropriate to the goals pursued. Hence, the following paragraphs are concerned with improvements inside the existing institutional framework and do not consider other different forms of municipal preservation administration.

Professionals and Citizens

Roughly speaking, the Commission is, in accordance with Ordinance 939 (1967), composed of two kinds of members: (1) persons who are professionally or privately connected to historical and architectural preservation (Groups C and A) and (2) citizens who have been actively involved in civic improvement (Groups D and B). However, as noted earlier, in practice there is a wide overlap. A "professional" or an "institutional representative" may be a very active citizen and many of the "citizens" have been professionally qualified. Hence, the composition of the membership is to a certain degree a matter of accident, in spite of the legal provisions, and, of course, a matter of the choices made by the mayor.

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1 cf. pp. 22-23.
Although a few commissioners consider the composition "balanced" or "appropriate" most returned questionnaires\(^1\) and additional interviews revealed that the composition of the Commission is a very important issue to the commissioners and staff personnel.

Several persons emphasized the urgency of the need for more architects on the Commission. This is reasonable in view of the nature of the majority of C.H.A.P. decisions.\(^2\) While there are three architects out of nine members of the Nieux Carré Commission in New Orleans, LA, the Baltimore ordinance requires that only one out of eleven Commissioners be an architect and this position has been left vacant in the last two years. Fortunately, an institutional representative who is an architect has substituted. In spite of conflicts of interest which on occasion are likely to arise when professional architects are commissioners (although other members are not immune either!), a provision of (at least) two architects (by ordinance) should be considered. In regard to the legal rulings of the Commission, one respondent emphasized the necessity of a lawyer familiar with the legal problems of public administration. There is in addition often the need for an (civil) engineer on the Commission.

Instead of pointing out the need for professionals, one respondent emphasized the need for "citizens interested in Baltimore as a city." While this may be assumed to be true of most of the current or former commissioners, the question might be raised as to whether membership in Group D, the "residing citizens", should be used as a way of

\(^1\) cf. Appendix B, Question 8.

\(^2\) cf. p. 25.
improving the C.H.A.P. relationship with neighborhoods. Legal provisions might be considered which warrant the membership of, say, two representatives of the neighborhood organizations.

**Social and Communicative Aspects**

Most Commissioners belong to Class I or Class II. To a small degree, this is due to provisions of the ordinance (as mentioned before) but even many "residing citizens" (Group D) have an upper class background. There are virtually no middle class employees, no artisans, and no craftsmen on the Commission, let alone working-class people.

It is true and has been noted in Part I that in the past preservation has been an upper middle class concern. However, today in Baltimore those involved in preservation include a broad social scope.

There seems to be no reason why middle and lower class residents, perhaps those from the preservation districts themselves, who have experience in preservation and who are committed should not save on the Commission. The fact that this is not so is of special interest when one realizes that there have been Commissioners with no previous experience in preservation.

It seems evident that the tasks of the Commission do not require a social stratification which is congruent to that of the citizenry. Further, communication within the Commission might be easier among persons with a similar class position. However, given the present "elitist"

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\(^{1}\text{cf. p. 43.}\)
composition of C.H.A.P., it might well be perceived as making decisions which reflect a latent class bias. To insure against this the Commission would do well to strive for a greater class mix among Commissioners. This would have the further advantage of contributing to a more comprehensive district preservation. In addition, general political convictions may demand a broadening of the social mix.

**Number of Commissioners**

Before tentative suggestions can be made for a modification of the ordinance that affect the Commission, the issue of the appropriate number of commissioners has to be examined. Usually, only half of the Commissioners attend a meeting. However, there are usually enough attendents to constitute a quorum while insuring broad representation in case of controversial decisions.

The present number of Commissioners is one of the least controversial questions; five out of seven responding commissioners consider the present number of members to be acceptable under the provision that all are actually appointed. One respondent thinks there should be fewer members.1

While it may be said that the Commissioners are biased, communication research, indeed, confirms that group communication works best up to a dozen members.

**Legal Provisions and appointment policies**

Although the Commission has by and large proved to be a viable and workable instrument for preservation, it might be worthwhile

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1cf. Appendix B, Question 7.
to consider the Commission's past experiences with a view toward making recommendations for improvement. The requirements for a lawyer, a (civil) engineer, more architects, and for neighborhood representatives may be best insured by modification of the ordinance. However, were the present number of commissioners to be retained, the suggested addition of professionals may require a fewer from another group. If this is necessary then each group attendance at meetings might be used as a criterion. However, should any one group be diminished, one ought to weigh the effect that this will have on the political independence of the remaining members.

Other than the professional background, the social position of the members—and for that matter, their age, sex, and race—can scarcely be regulated by ordinances. However, in order to encourage broader class representation and to insure representation of the districts the Mayor might be well advised to ask the neighborhoods to present a list of persons from which he might choose the members of Group D.

However, though the composition of the Commission is important, the appointments must be made on time. The frequent delay of new appointments or reappointments is a steady complaint of the Commissioners and the staff. At the end of December, 1973, the terms of four commissioners expired. However, as of June 1, 1974, there was only one (new) appointment. Since the other three members did not resign they may hold their offices until they are reappointed or their successors are appointed.² However, delay by the Mayor brings pressure to be

¹cf. pp. 45-47.

²Baltimore, Md., Charter of Baltimore City (1964 Revision), Article IV, Section 6.
noncontroversial on those members who desire their reappointment as well as works to diminish the power of the City Council in that the City Council is not given the periodic opportunity to approve or disapprove. It is in the interest of the Commission to let the Mayor's Office know, perhaps six months in advance, that a commissioner's term has expired.

Remuneration of Commissioners

The Commissioners are not paid. Also, the activity on C.H.A.P. is not (otherwise) materially rewarding. Why then do the commissioners serve? Seven out of eight respondents to the questionnaire¹ find their activity on C.H.A.P. rewarding, because:

- "I am interested in preservation and believe I can help Baltimore"
- "The integrity of the districts in itself is a reward"
- "Preservation is a worthy cause" and so on.

One former member looked back in anger and considered the work "too political," not efficient enough and hence not rewarding.

Most persons who are in a position to judge agree that the commissioners serve because of a commitment to preservation issues. They are, more or less, "idealists." Subsequently, most responding members² are against financial remuneration, sometimes adding that paid appointments could too easily become "political plums."

However, a few commissioners feel that there should be remuneration. Indeed, to some free-lance professionals, e.g., physicians, the cut off of one or two hours of the business day may mean a significant

¹cf. Appendix B, Question 16.
²cf. ibid., Question 15.
financial sacrifice. To others, the loss in income might even prohibit service on the Commission of low income people however interested they may be. Thus, the suggestion of one respondent to remunerate "significant per diem" or probably more realistic per horam (e.g., $20-$25 per hour as for court jury) could well attract valuable persons with lower incomes who could not afford otherwise to serve, while insuring their independence. (Remuneration might also increase attendance at meetings!)

C.H.A.P. and its Local Partners in Preservation

Relation to the City Administration

The ups and downs of C.H.A.P. cooperation with the Mayor's Office, the Department of Housing and Community Development (HCD), and the City Planning Commission/Department of Planning ("Planning") can't be extracted from the records. However, they are curcial to many commissioners who feel that these partners often do not give enough consideration to preservation issues. One former member wrote" "The Mayor's Office keeps C.H.A.P. to a minimum. So do HCD and Planning." While some commissioners still tend to agree with this statement, some current members point out that the relationship though "not completely satisfactory" have improved recently, "especially with planning."!

Conflicts are inevitable, as the goals are different. While C.H.A.P. might fight for the last house, HCD in its search for Urban

| cf. Appendix B, Questions 9 and 11. |
Renewal, might be—"too--willing to allow demolition. HCD is moved by financial feasibility and tends to measure its success in quantitative terms. However, sometimes tensions occur due to insufficient coordination and because of "too little communication." Information is sometimes provided too late to influence a situation and sometimes the information is out of date, as happened in the case of a highway project. Thus, the duty of early information should be institutionalized.

There also exists the fear that C.H.A.P. might be taken over by Planning or united with the Design Advisory Panel. While it is very likely that this would diminish C.H.A.P. to a mere advisory committee, it would, believes a former member, also have advantages, presumably better coordination.

**Relation to Neighborhood Organizations**

Astonishingly enough, no commissioner directly complained about the neighborhood organizations. Here C.H.A.P. functions both as an authority and a partner. Also both institutions need each other.

However, there are occasionally complaints on the side of the individual inhabitants which in one case eventually led to a trial. Many of the difficulties emerge because of insufficient information as to the obligations of the property owners. For example, an owner may not know that a permit for new paint is obligatory in a preservation district. (And there are, of course, always some inhabitants who reject the whole preservation idea and try to overcome the Commission).

It seems that more information would be very helpful. A documentation periodically compiled and distributed by C.H.A.P. or the neighborhood organizations to all inhabitants in each district (e.g. every
five years) could record the achievements in the district and point to future tasks. The ways that new home owners can be informed of Commission provisions should also be examined. Perhaps the release of an information sheet by the real estate recording office at the city court could accomplish this.

In addition it seems that the appointment of representatives of neighborhood organizations as explained above would contribute to a further improvement of the relationship between C.H.A.P. and the neighborhoods and lead to a better mutual understanding.

Significant Aspects of Future District Preservation

Extension of the Commission's Tasks

Since the last designation of a preservation district, the Commission has been reluctant to expand the number of districts. However, in view of the quickly disappearing stock of old buildings the Mayor and the City Council have provided for a general survey of the whole city which is currently in process. It is likely that this will result in a considerable increase in the Commission's tasks which would strain its work load. Two possible solutions come to mind: (1) The Commission might be supplemented by a second commission. The districts could be assigned to each commission according to say the differing land use; e.g. residential as versus mixed land use. (2) Or the Commission might delegate more work to its staff. This would require a strengthening of the staff including the addition of an architect.
A Concise Policy of Innovative Preservation

Until now, the Commission has been predominantly reacting to neighborhood initiatives and to proposals of private or public developers that might jeopardize neighborhoods and specific buildings. It seems that a forward looking active program is required based on a concise policy. This policy would have to take in account both the goals and the limitations that would define future efforts and work out appropriate strategies.

First of all, this policy has to emphasize on preservation, i.e. the processes of definition and the securing of what is worth saving for the future as the main task of the Commission. This may even extend to special features like trees (as in Britain—cf. page 34). However, regarding the districts, I think this policy should include incentives to promote the adequate rebuilding of the damaged environment. Financial measure based on the provisions in Section (r) of Ordinance 939 (1967) and/or the specific furthering of HCD Rehabilitation Programs in preservation districts could lead to the construction of buildings replacing those which can not be preserved. Finally, this policy should also include the promotion of adequate contemporary architectural design for all new buildings in preservation districts. The sponsoring of architectural competitions by C.H.A.P. in cooperation with HCD might help to promote better design as it does in Europe. In this case, HCD would have to review the financial feasibility and the contemporary design of the program while C.H.A.P. would have to review the aesthetic quality and the compatibility with the preserved structures and buildings. The city agencies and the citizenry at large should support the Commission so that it can exercise a policy of innovative preservation.
### Appendix A

**Baltimore City: Historic Landmarks and Districts (1973)**

<table>
<thead>
<tr>
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<td><strong>Landmark List</strong></td>
<td><strong>Historic Distr.</strong></td>
<td><strong>Federal Register</strong></td>
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