



LeKita Windley &lt;lnwindley@annapolis.gov&gt;

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## Removal of Umbrellas with Advertising

8 messages

**John Tower** <jjtower@annapolis.gov>

Tue, May 31, 2022 at 6:54 PM

To: acmeannapolis@gmail.com, LeKita Windley <lnwindley@annapolis.gov>, Adam Knight <atknight@annapolis.gov>, Lisa Minker <lminker@annapolis.gov>, John Tower <jjtower@annapolis.gov>

Dear Mr. O'Brien,

I recommended approval and a favorable review of the HPC Public Hearing Application for the now approved pivoting windows. I signed the HPC Certificate of Approval for these windows.

The building permit is now under review. However, the review will be conditioned upon the removal of all sidewalk cafe furniture and fixtures which are in violation of the Historic District's Furniture Guidelines. The review will be continued with the receipt of an administrative approval application for compliant new furniture and fixtures.

While it appears the new table and chairs currently in place meet furniture guidelines and are approvable, the umbrellas with advertising are a violation and must be removed.

During the pandemic and emergency orders, HPC pursued no violations for non compliant furniture and fixtures, but the emergency order has expired. Every pedestrian on Main Street passed the unapproved picnic tables for years.

This is an opportunity to reset. Please provide an HPC Administrative Approval Application for the new furniture currently in place and for new umbrellas, if you would like to have them.

The guidelines for the umbrellas are:

Must be a minimum of 7' tall, traditional in appearance, free of advertising, not of shockingly bright color, with fabric of fire resistant material, and with a maximum width of 8'.

I look forward to receiving the application. I will also forward the new guidelines to you.

Best Regards,

John

Late February, 2022



**Bernie O'Brien** <acmeannapolis@gmail.com>

Tue, May 31, 2022 at 7:53 PM

To: John Tower <jjtower@annapolis.gov>

Cc: Adam Knight <atknight@annapolis.gov>, LeKita Windley <lnwindley@annapolis.gov>, Lisa Minker <lminker@annapolis.gov>

Is this email a joke?

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**John Tower** <jjtower@annapolis.gov>

Wed, Jun 1, 2022 at 2:55 PM

To: Bernie O'Brien <acmeannapolis@gmail.com>

Cc: Adam Knight <atknight@annapolis.gov>, LeKita Windley <lnwindley@annapolis.gov>, Lisa Minker <lminker@annapolis.gov>, Michael La Place <mjlplace@annapolis.gov>, Shari Phippen <slhippen@annapolis.gov>, j.mayer@jmayerarchitects.com

Dear Mr. O'Brien,

You may not be aware that there were agreements made in order to gain approval for the new pivoting windows. The Condition of Approval from the Historic Preservation Commission to which representatives for Acme agreed at the April 12, 2022 HPC Public Meeting reads:

" Acme shall also remove all furnishings and fixtures which do not comply with current HPC Guidelines and shall maintain outdoor furnishings which are compliant with HPC Guidelines "

Pointing out past and current violations never struck the HPC as a joke, especially when the requirement to remove a violation goes unaddressed. The Building Permit will not be approved until the violations are mitigated and an HPC Administrative Approval Application for the furnishings both currently in place and proposed (umbrellas, etc) is received and approved.

Mr. O'Brien, you applied for the picnic tables (HPC2019-117), which were denied, and continue to be the manager of Acme Bar and Grill. If there is a person or entity to whom this email needs to be forwarded, please share the contact information.

The new furniture and fixture guidelines are included as a download for your reference.

Sincerely,

John


**John J. Tower**  
Chief of Historic Preservation

City of Annapolis  
145 Gorman Street, 3rd Floor  
Annapolis, MD 21401  
410.260.2200 ext.7790

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**3 attachments**

 **202206011256-1.pdf**  
89K

 **Outdoor-furniture-and-fixtures-as-approval-01112022-PDF.pdf**  
183K

 **HP Administrative Application for Certificate of Approval, Guidelines and Checklist.pdf**  
271K

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**Bernie O'Brien** <acmeannapolis@gmail.com>

Wed, Jun 1, 2022 at 2:57 PM

To: John Tower &lt;jjtower@annapolis.gov&gt;

Cc: Adam Knight &lt;atknight@annapolis.gov&gt;, LeKita Windley &lt;lnwindley@annapolis.gov&gt;, Lisa Minker &lt;lminker@annapolis.gov&gt;, Michael La Place &lt;mjlaplace@annapolis.gov&gt;, Shari Pippen &lt;slpippen@annapolis.gov&gt;, j.mayer@jmayerarchitects.com

We removed the picnic tables 3 months ago, that's a rough estimate. I know because they are in my driveway.

We will replace our umbrellas this week.

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**John Tower** <jjtower@annapolis.gov>

Wed, Jun 1, 2022 at 3:29 PM

To: Bernie O'Brien &lt;acmeannapolis@gmail.com&gt;

Cc: Adam Knight &lt;atknight@annapolis.gov&gt;, LeKita Windley &lt;lnwindley@annapolis.gov&gt;, Lisa Minker &lt;lminker@annapolis.gov&gt;, Michael La Place &lt;mjlaplace@annapolis.gov&gt;, Shari Pippen &lt;slpippen@annapolis.gov&gt;, j.mayer@jmayerarchitects.com

Dear Mr. O'Brien,

Thank you. The umbrellas must comply with NFPA1-701 Fire Resistant Fabric Regulations in order to be approved by the Fire Marshall. Per my previous emails, an application for the new furnishings is required.

Sincerely,

John  
**John J. Tower**  
**Chief of Historic Preservation**  
City of Annapolis  
145 Gorman Street, 3rd Floor  
Annapolis, MD 21401  
410.260.2200 ext.7790

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**j.mayer@jmayerarchitects.com** <j.mayer@jmayerarchitects.com>

Thu, Jul 28, 2022 at 2:05 PM

To: John Tower &lt;jjtower@annapolis.gov&gt;, Bernie O'Brien &lt;acmeannapolis@gmail.com&gt;

Cc: Adam Knight &lt;atknight@annapolis.gov&gt;, LeKita Windley &lt;lnwindley@annapolis.gov&gt;, Lisa Minker &lt;lminker@annapolis.gov&gt;, Michael La Place &lt;mjlaplace@annapolis.gov&gt;, Shari Pippen &lt;slpippen@annapolis.gov&gt;, John Thomas &lt;John@thomascommercialservices.com&gt;

All-

I am following up with this as the windows are arriving on-site next week. We need a resolution if it has been taken care of yet.

Thanks,

Joe

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**John Tower** <jjtower@annapolis.gov>

Thu, Jul 28, 2022 at 3:28 PM

To: j.mayer@jmayerarchitects.com

Cc: Bernie O'Brien <acmeannapolis@gmail.com>, Adam Knight <atknight@annapolis.gov>, LeKita Windley <lnwindley@annapolis.gov>, Lisa Minker <lminker@annapolis.gov>, Michael La Place <mjlaplace@annapolis.gov>, Shari Phippen <slpippen@annapolis.gov>, John Thomas <John@thomascommercialservices.com>, Bud Zapata <bjzapata@annapolis.gov>

Dear Joe,

Umbrellas with advertising are still present and the sidewalk cafe furniture has not been submitted for review. I have sent multiple emails regarding the necessity of the furniture being approved.

The pictures below were taken this afternoon. A condition of approval for the window installation permit required that: Acme shall remove all furnishings and fixtures which do not comply with current HPC Guidelines and shall maintain outdoor furnishings which are compliant with HPC Guidelines."

The umbrellas (with advertising) do not comply with current or past guidelines and must be removed. Also, the Fire Marshal's Office has fire resistance regulations which must be met for umbrellas to be approved. This information was emailed May 31st and June 1st.

An administrative approval is needed for the furniture prior to the Building Permit being issued. The conditions of approval must be met prior to the Building Permit being issued.





The furniture seen in the pictures, both front and rear, meet guidelines. The umbrellas with advertising do not. The umbrellas on Main Street must meet the FMO's requirements in order to be approved.

Please inform your client. The approval for the furniture could have been perfunctory.

Best Regards,

John

Sent from my iPhone

On Jul 28, 2022, at 2:05 PM, [j.mayer@jmayerarchitects.com](mailto:j.mayer@jmayerarchitects.com) wrote:

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Late February, 2022



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**j.mayer@jmayerarchitects.com** <j.mayer@jmayerarchitects.com>

Thu, Jul 28, 2022 at 3:33 PM

To: John Tower <jtower@annapolis.gov>

Cc: Bernie O'Brien <acmeannapolis@gmail.com>, Adam Knight <atknight@annapolis.gov>, LeKita Windley <lnwindley@annapolis.gov>, Lisa Minker <lminker@annapolis.gov>, Michael La Place <mjlaplace@annapolis.gov>, Shari Phippen <slpippen@annapolis.gov>, John Thomas <John@thomascommercialservices.com>, Bud Zapata <bjzapata@annapolis.gov>

John-

Thank-you for your swift reply.

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