

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	8712 2 nd Avenue, Silver Spring	Meeting Date:	12/20/17
Resource:	Contributing Resource Woodside Locational Atlas District	Report Date:	12/13/17
Applicant:	Wexford Homes, LLC	Public Notice:	12/06/17
Review:	HAWP	Tax Credit:	n/a
Case Number:	36/04-17B	Staff:	Dan Bruechert
Proposal:	New Construction		

STAFF RECOMMENDATION

Staff recommends the HPC **approve with three (3) conditions** the HAWP application.

1. Specification of the roofing shingles needs to be submitted for review and approval with final approval authority delegate to Staff.
2. Specifications for the windows were not provided with the application materials. The windows must be wood or wood clad with fixed exterior grills and need to be submitted for review and approval with final approval authority delegated to Staff.
3. Material specifications for the driveway material need to be provided for review and approval with final approval authority delegated to Staff.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing to the Woodside Locational Atlas District
STYLE: Traditional
DATE: c.1915

The house is a two-story, front gable house, with vinyl siding, and a small one-story front porch. All of the historic windows have been replaced with vinyl windows. It appears as though the fenestration pattern has been heavily altered as there is a single window to the left of the central, front door and two windows to the right; the second floor has a paired window on the left side and a single window to the right. This appearance is not consistent with any building style from the first quarter of the 20th century.

There is a one-story, detached garage on the right side to the rear of the house. It is difficult to determine a date of this structure, due to the vinyl cladding and overgrowth of vegetation around the foundation, but it does not appear to be historic.

BACKGROUND

This property has been reviewed by the HPC at two separate meetings recently. On October 11, 2015 the HPC approved the demolition of the existing structure on the site. On November 15, 2015 the HPC held a preliminary review of the proposal to construct a single-family home on the property (see attached transcript). The HPC and several members of the public raised concerns about the design and massing. Many of the comments expressed the view that the proposed house was too wide for the site and was incompatible with the character of the surrounding district.

Several other concerns were expressed about the potential for an increase in site drainage and runoff issues associated with the increase of impervious surfaces on the property. The applicant is required by code to minimize and/or eliminate the runoff on-site, however, the treatments employed by this applicant will be subterranean and, as they will not result in a visible change to the site or surrounding district, are not under the purview of the HPC. The review and approval of these plans are required before the Department of Permitting Service will issue a residential building permit.

PROPOSAL

The applicant proposes to construct a new single-family house and a detached garage on this site.

APPLICABLE GUIDELINES

Proposed alterations to resources listed in Locational Atlas Districts are given a lenient review under Montgomery County Code Chapter 24A (*Chapter 24A*) and the Secretary of the Interior's Standards for Rehabilitation (*Standards*). Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.

Montgomery County Code, Chapter 24A Historic Resources Preservation

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or

(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

- (3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located; or
- (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
- (5) The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
- (6) In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.
- (c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

Secretary of the Interior's Standards for Rehabilitation

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportions, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The applicant is proposing to construct a single-family house with a detached garage. (*Note: the plans submitted by the applicant indicate that they are 'preliminary,' however, they are for full consideration for a HAWP from the HPC.) The two-story house draws from a traditional architectural vocabulary and is the siding is typical of the Folk Victorian style. A gable-L to the left with a partial-width front porch. The windows on the front elevation are all two-over-two sash windows. The gable-L portion has a tripled set of windows on the first floor with a paired set above. The remaining windows on the front façade are single sash windows. Twenty feet behind the front wall plan, projecting 10' (ten feet) to the right, is a small covered porch that provides access directly into a mudroom. The proposed house is L-shaped with an 8' (eight foot) setback on the left side and an approximately 17' (seventeen foot) setback from the right property boundary. The front wall plane of the house is proposed for the same plane as the existing house.

The rear of the property will have a walkout basement with two pairs of French doors. There is a deck off the rear. This deck will be constructed using wood and will not be visible from the public right-of-way and Staff believes it should be approved as a matter of course. The plans indicate there is an optional screened porch on the rear façade. Not enough details were provided for Staff to effectively evaluate this element (if the applicant did in fact seek approval for this element). Staff encourages the HPC to not extend any approval of this proposal to include a rear screened-in porch.

The front foundation of the house will have a brick foundation. Drawings do not show an exposed foundation for the rest of the house. The house will be clad in horizontal clapboard Hardi panel siding, with a section of board and batten in the front projection of the L and under the front-facing gable. In discussion with the Staff, the applicant indicated that the roof will be clad in asphalt shingles. Application materials do not specify whether those shingles will be a three-tab or an architectural shingle. Staff believes that either type of shingle would be acceptable, however, recommends that the HPC condition approval on the review and approval of the specific material prior to final approval. The applicant proposes to use a standing seam metal roof over the front porch and the bay window in the front-facing L. In discussion with Staff the HPC has determined that the ridge/hip caps of modern metal roofs can be incompatible in historic context. Because these two sections of metal roofing will only be shed roofs, the construction will not require these ridge caps. Staff believes that the siding and roofing materials are appropriate for the design of the house and for the surrounding Locational Atlas district.

The windows on the house are a combination of two-over-two sash windows and four-lite casement windows. The application did not identify materials for the windows, but due to the prominent location within the district, Staff supports the approval of either a wood or wood clad, simulated or true divided lite window. During the Prelim in November, the HPC indicated that the window placement on the side elevations was done in an apparent haphazard manner. The design has been altered so that the windows on the side elevation are now stacked in a generally rational manner. Some of the windows on the right side do not line up, however, this is at the small projection and, given the distance from the street, these will not be highly visible from the public right-of-way.

Garage

The proposed detached garage is a two-bay garage, 20' × 20' (twenty feet by twenty feet) with a single door. Clad in Hardi installed in a board and batten pattern, the garage exterior will match the siding used in the projecting L on the house. The front-facing gable roof will be covered in asphalt shingles that match the house roof. The garage is situated so that a large part of the garage will be placed behind the house and will be completely obscured by the house when viewed from the street. Additionally, the negative slope of the site will place the garage approximately 6' (six feet) below the street grade. As shown in Circle ____ the proposed garage is placed further from 2nd Avenue than the existing garage, and will be less visible due to its placement behind the house. Staff supports approval of the garage.

Landscape/Hardscape

The applicant proposes to construct a driveway from the street curb cut to the proposed detached garage to the rear of the house. The driveway, which will be the full width of the existing curb cut, will narrow as it passes the house, then widens at the apron for the garage. In a meeting with Staff, the applicant indicated his desire to use either a pervious paver or a concrete with a large amount of exposed aggregate. Staff believes that either of these treatments would be acceptable and encourages the HPC to condition the approval of this project on the review and approval of the driveway material.

STAFF RECOMMENDATION

Staff recommends the HPC approve with three (3) conditions the HAWP application;

1. Specification of the roofing shingles needs to be submitted for review and approval with final approval authority delegate to Staff.
2. Specifications for the windows were not provided with the application materials. The windows must be wood or wood clad with fixed exterior grills and need to be submitted for review and approval with final approval authority delegated to Staff.
3. Material specifications for the driveway material need to be provided for review and approval with final approval authority delegated to Staff.

and with the general condition applicable to all Historic Area Work Permits that the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable). After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Email: phil@cas-dc.com Contact Person: Phillip Long
Daytime Phone No.: 240-418-3204
Tax Account No.: 13-01090973
Name of Property Owner: Wexford Homes LLC Daytime Phone No.: 301-580-3181
Address: 2600 Tower Oaks Blvd, #620, Rockville, MD 20852
Street Number City State Zip Code
Contractor: Wexford Homes LLC - Doug Stein Phone No.: 301-580-3181
Contractor Registration No.:
Agent for Owner: Daytime Phone No.:

LOCATION OF BUILDING/PREMISE

House Number: 8712 Street: 2nd Avenue
Town/City: Silver Spring Nearest Cross Street: Ballard Street
Lot: 7 Block: 12 Subdivision: Leightons Addition to Woodside
Liber: Folio: Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

- 1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate Move Install Wreck/Reza Revision Repair Revocable
- CHECK ALL APPLICABLE: A/C Slab Room Addition Porch Deck Shed Solar Fireplace Woodburning Stove Single Family Fence/Wall (complete Section 4) Other:

1B. Construction cost estimate: \$ 500,000

1C. If this is a revision of a previously approved active permit, see Permit #

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSIONS/ADDITIONS

- 2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other:
2B. Type of water supply: 01 WSSC 02 Well 03 Other:

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

- 3A. Height _____ feet _____ inches
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 On party line/property line Entirely on land of owner On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Signature of owner or authorized agent: [Signature] Date: 10/20/17

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

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**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

1. **WRITTEN DESCRIPTION OF PROJECT**

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

Proposed construction of a new detached single family home.
Demolition of existing non-historic home was approved at
the October 11th, 2017 HPC meeting. Case # 36104-A

2. **SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- a. the scale, north arrow, and date;
- b. dimensions of all existing and proposed structures; and
- c. site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. **PLANS AND ELEVATIONS**

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- a. *Schematic construction plans*, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. **MATERIALS SPECIFICATIONS**

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. **PHOTOGRAPHS**

- a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. **TREE SURVEY**

If you are proposing construction adjacent to or within the dripline of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. **ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS**

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

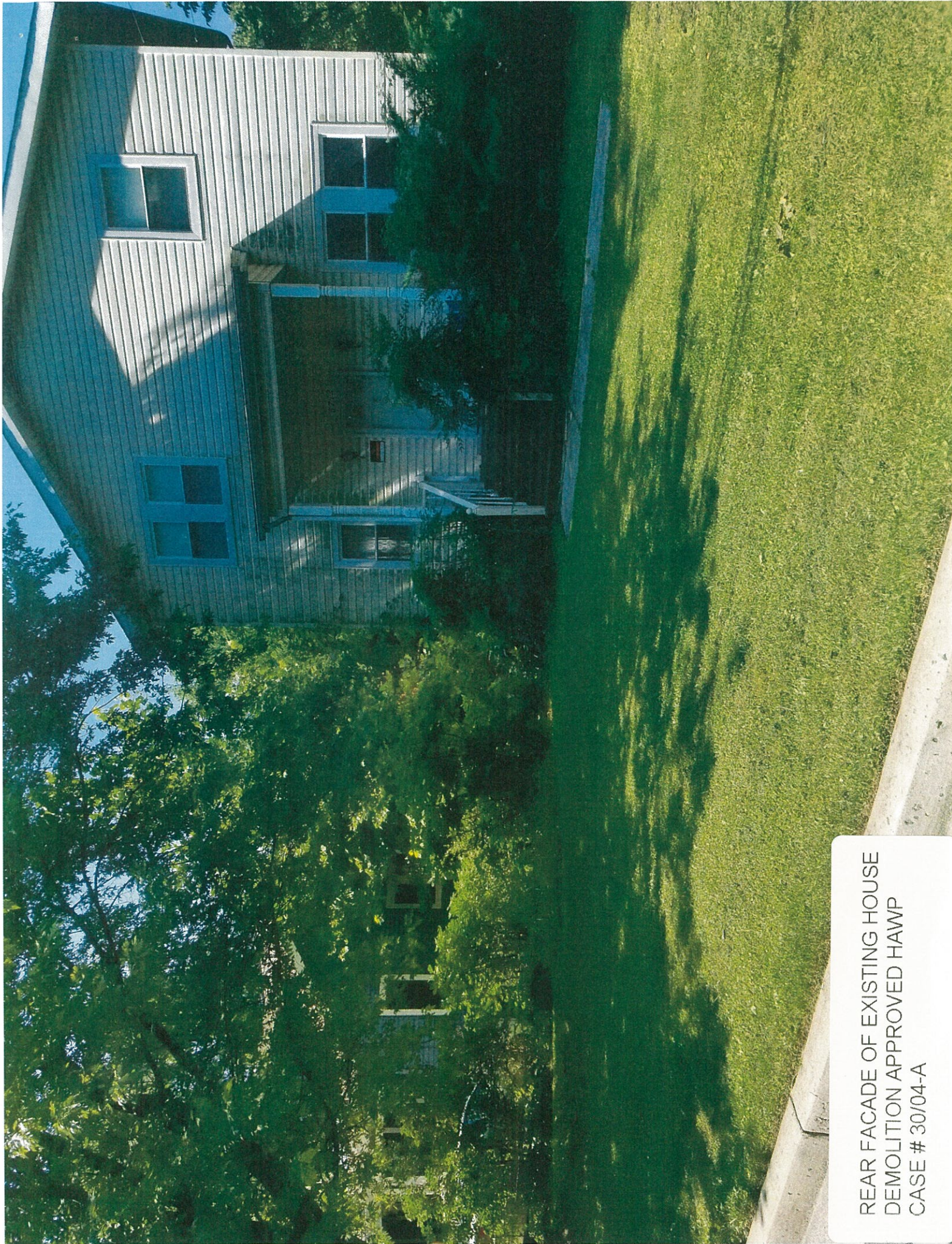
PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
 [Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address	Owner's Agent's mailing address
Doug Stein - Wexford Homes 2600 Tower Oaks Blvd Suite 620 Rockville, MD 20852	Phillip Long CAS Engineering 10 S Bentz St Frederick, MD 21701
Adjacent and confronting Property Owners mailing addresses	
Peter Murtha & Mary Andrews 8710 2nd Ave Silver Spring, MD 20910	Walter Pitcher & Tasneem Hussain 8714 2nd Ave Silver Spring, MD 20910
Margaret Ann Donnelly Trust 8717 2nd Ave Silver Spring, MD 20910	Shawn Donnelly 8715 2nd Ave Silver Spring, MD 20910
Leonard Stamm 8713 2nd Ave Silver Spring, MD 20910	James Specht & Erin Kelly 1610 Ballard Street Silver Spring, MD 20910

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
William & Starr Skirud 1608 Ballard Street Silver Spring, MD 20910	Kenneth Morris & Terri Zall 1606 Ballard Street Silver Spring, MD 20910



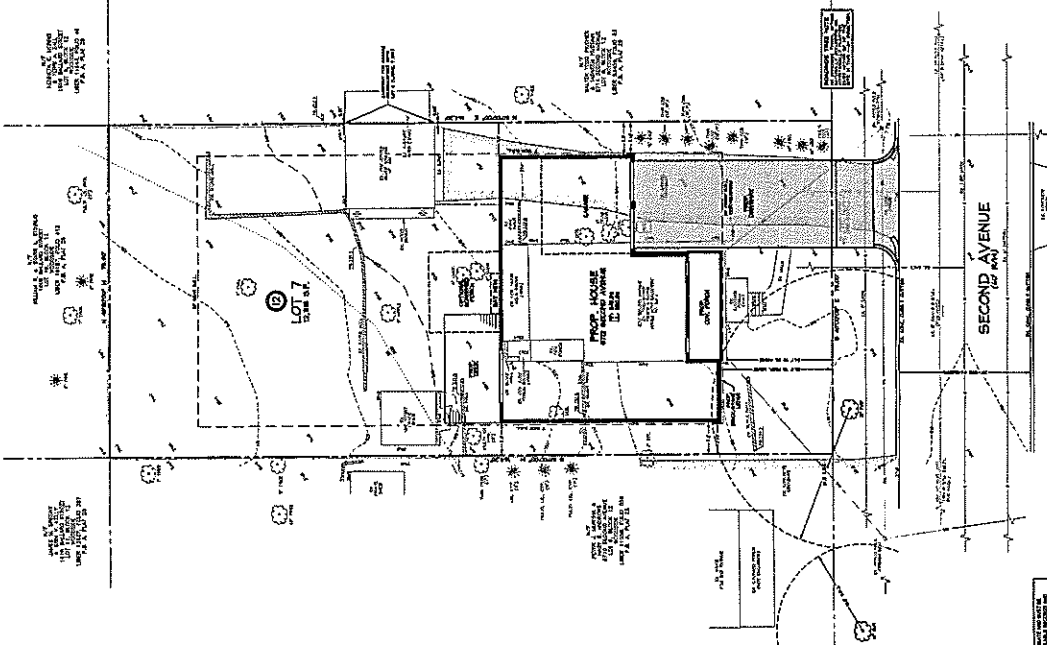
REAR FACADE OF EXISTING HOUSE
DEMOLITION APPROVED HAWP
CASE # 30/04-A



FRONT FACADE OF EXISTING HOUSE
DEMOLITION APPROVED, HAWP
CASE # 30/04-A



PRELIMINARY BUILDING PERMIT SITE PLAN



LEGEND

- EXISTING TREES (1" DIAMETER @ 4.5' HEIGHT)
- EXISTING TREES (2" DIAMETER @ 4.5' HEIGHT)
- EXISTING TREES (3" DIAMETER @ 4.5' HEIGHT)
- EXISTING TREES (4" DIAMETER @ 4.5' HEIGHT)
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- EXISTING TREES (6" DIAMETER @ 4.5' HEIGHT)
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- EXISTING TREES (99" DIAMETER @ 4.5' HEIGHT)
- EXISTING TREES (100" DIAMETER @ 4.5' HEIGHT)

GENERAL NOTES

1. THE INFORMATION CONTAINED HEREIN IS BASED UPON THE INFORMATION PROVIDED BY THE CLIENT AND THE ENGINEER'S VISUAL INSPECTION OF THE PROPERTY AND RECORD DRAWINGS. THE ENGINEER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY AND HAS NOT OBTAINED A COPY OF THE RECORD DRAWINGS. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROPOSED HOUSE AND THE PREPARATION OF THIS SITE PLAN. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT OR THE RECORD DRAWINGS.
2. THE PROPOSED HOUSE IS SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF RALEIGH, NC. THE ENGINEER HAS REVIEWED THE ZONING REGULATIONS AND HAS DETERMINED THAT THE PROPOSED HOUSE IS PERMITTED UNDER THE ZONING REGULATIONS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE ZONING REGULATIONS.
3. THE PROPOSED HOUSE IS SUBJECT TO THE REQUIREMENTS OF THE NORTH CAROLINA CONSTRUCTION CODE. THE ENGINEER HAS REVIEWED THE CODE AND HAS DETERMINED THAT THE PROPOSED HOUSE IS PERMITTED UNDER THE CODE. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE CODE.
4. THE PROPOSED HOUSE IS SUBJECT TO THE REQUIREMENTS OF THE CITY OF RALEIGH, NC. THE ENGINEER HAS REVIEWED THE REQUIREMENTS AND HAS DETERMINED THAT THE PROPOSED HOUSE IS PERMITTED UNDER THE REQUIREMENTS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE REQUIREMENTS.
5. THE PROPOSED HOUSE IS SUBJECT TO THE REQUIREMENTS OF THE STATE OF NORTH CAROLINA. THE ENGINEER HAS REVIEWED THE REQUIREMENTS AND HAS DETERMINED THAT THE PROPOSED HOUSE IS PERMITTED UNDER THE REQUIREMENTS. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE REQUIREMENTS.

ZONING DATA

PROPERTY ADDRESS	ZONING DISTRICT	ZONING REGULATIONS
8712 SECOND AVENUE	R-1	RESIDENTIAL SINGLE-FAMILY

RELATED REQUIRED PERMITS

PERMIT TYPE	DATE	STATUS
PLANNING DEPARTMENT PERMIT	10/20/17	PENDING
ENVIRONMENTAL PERMIT	10/20/17	PENDING
PLANNING DEPARTMENT PERMIT	10/20/17	PENDING

NEIGHBORHOOD TREE REQUIREMENTS

TREE TYPE	DIAMETER	HEIGHT	REQUIREMENTS
DECIDUOUS	6"	6'	NO REMOVAL
DECIDUOUS	8"	8'	NO REMOVAL
DECIDUOUS	10"	10'	NO REMOVAL
DECIDUOUS	12"	12'	NO REMOVAL
DECIDUOUS	14"	14'	NO REMOVAL
DECIDUOUS	16"	16'	NO REMOVAL
DECIDUOUS	18"	18'	NO REMOVAL
DECIDUOUS	20"	20'	NO REMOVAL
CONIFER	6"	6'	NO REMOVAL
CONIFER	8"	8'	NO REMOVAL
CONIFER	10"	10'	NO REMOVAL
CONIFER	12"	12'	NO REMOVAL
CONIFER	14"	14'	NO REMOVAL
CONIFER	16"	16'	NO REMOVAL
CONIFER	18"	18'	NO REMOVAL
CONIFER	20"	20'	NO REMOVAL

TREE CANOPY REQUIREMENTS

PROPERTY ADDRESS	MINIMUM CANOPY	STATUS
8712 SECOND AVENUE	10%	COMPLIANT

UTILITY REQUIREMENTS

UTILITY TYPE	DEPTH	STATUS
ELECTRIC	18"	COMPLIANT
WATER	36"	COMPLIANT
SEWER	36"	COMPLIANT

PROPOSED CONSTRUCTION

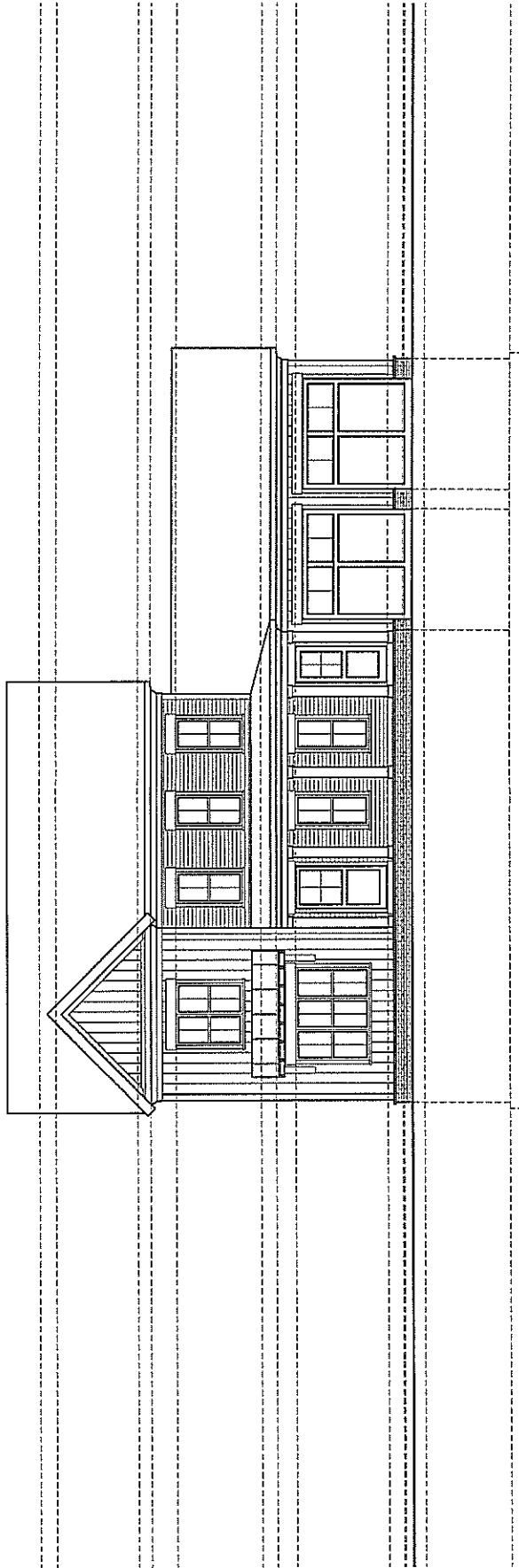
CONSTRUCTION TYPE	DATE	STATUS
FOUNDATION	10/20/17	PENDING
FLOORING	10/20/17	PENDING
ROOFING	10/20/17	PENDING
EXTERIOR FINISH	10/20/17	PENDING
INTERIOR FINISH	10/20/17	PENDING

RECORD DRAWING INFORMATION

DRAWING NO.	DATE	DESCRIPTION
1	10/20/17	PRELIMINARY SITE PLAN

PROFESSIONAL SEAL

DATE: 10/20/17

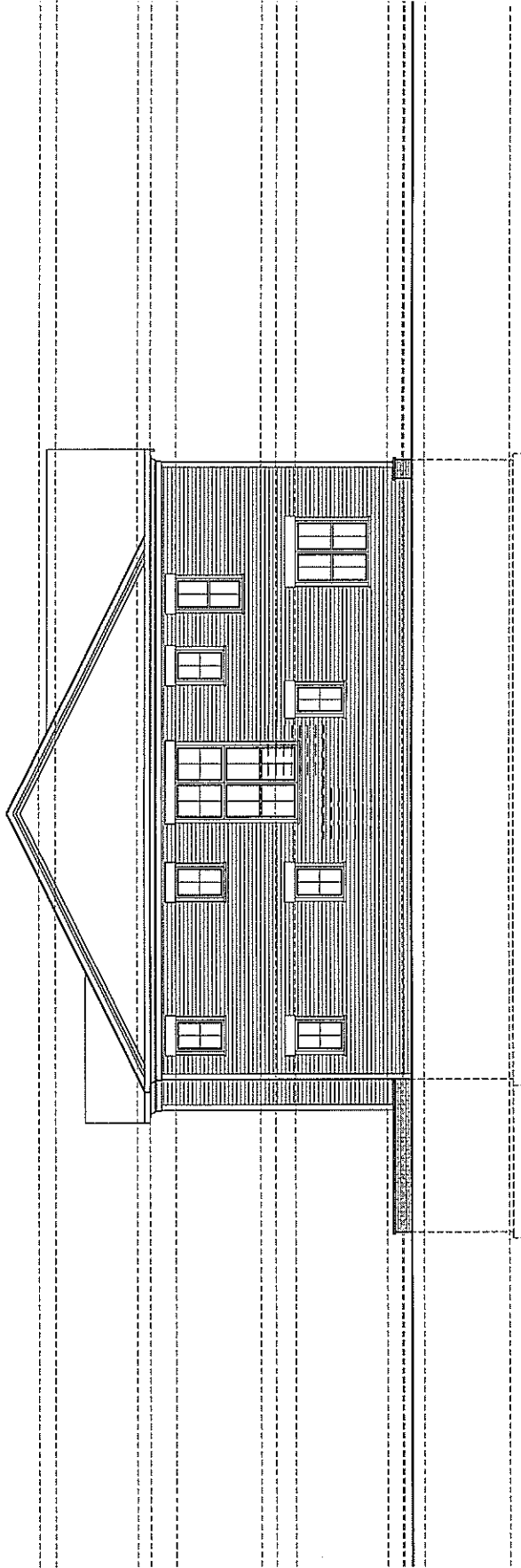


PRELIMINARY
FRONT ELEVATION

DATE: 08/20/2014

FOR: 10000 N. 100TH AVE., SUITE 100
EDMONTON, ALBERTA T5A 0K7

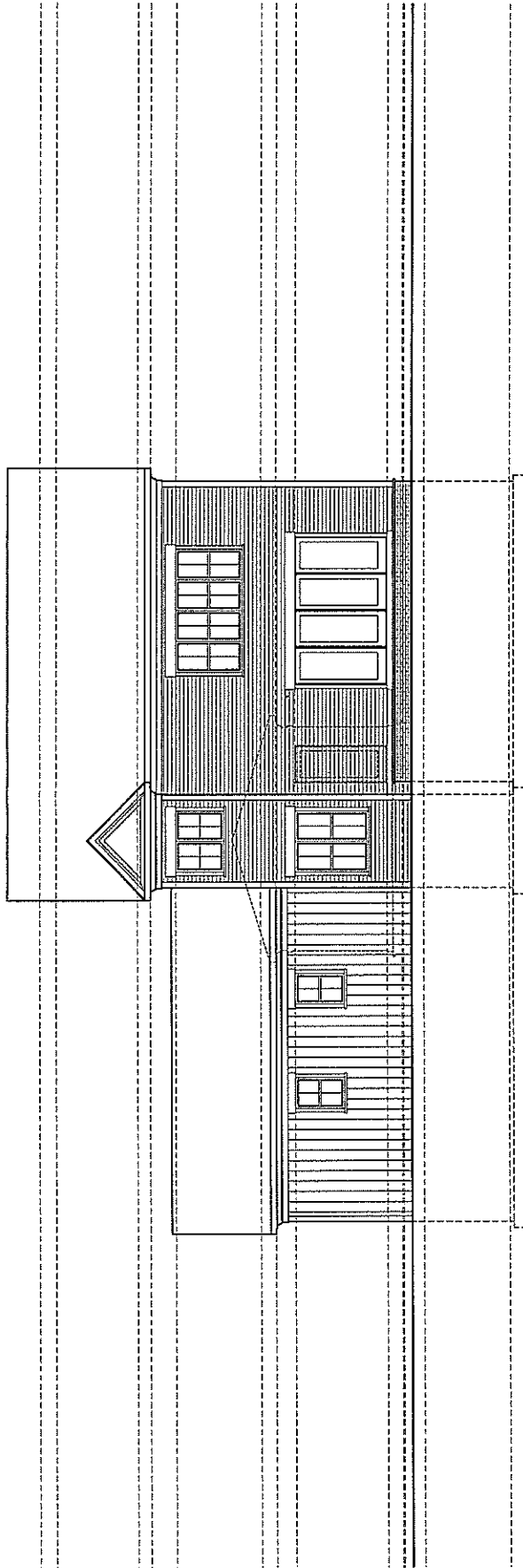




**PRELIMINARY
LEFT ELEVATION**

DATE: 08/20/2014
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
TO: CHANGE ELEVATION





PRELIMINARY
REAR ELEVATION

DATE: 08/15/2011

PROJECT: 11111111

CLIENT: J. SMITH

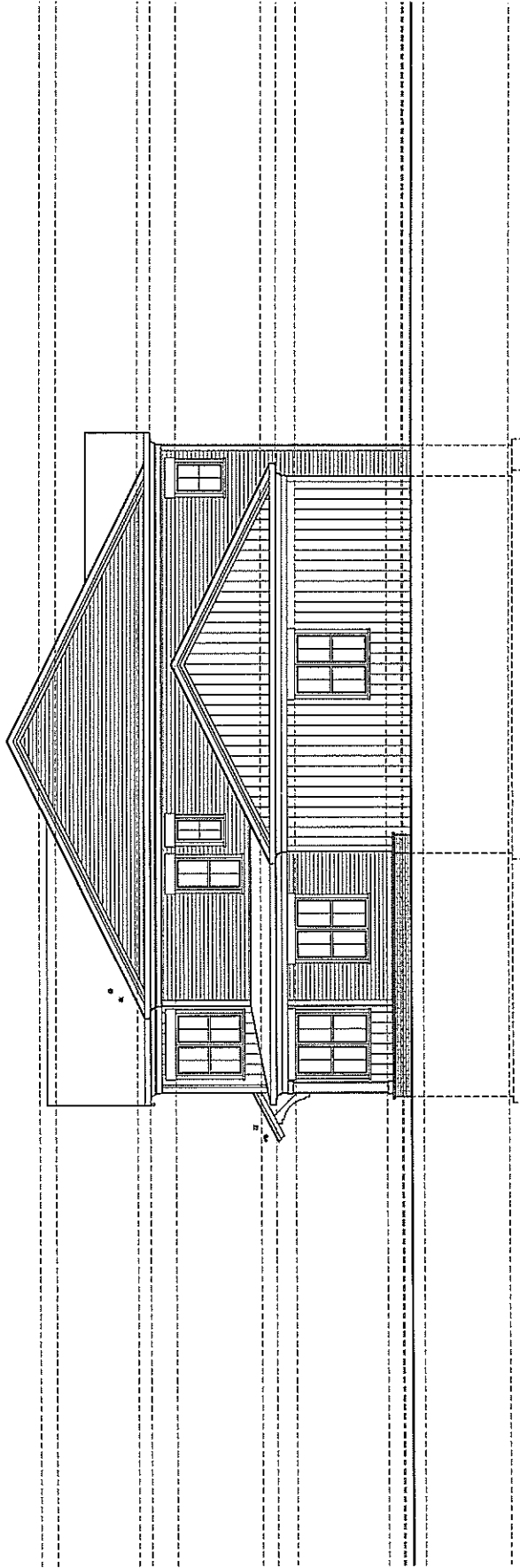
LOCATION: 11111111

SCALE: 1/8" = 1'-0"

STATUS: PRELIMINARY

DATE: 08/15/2011



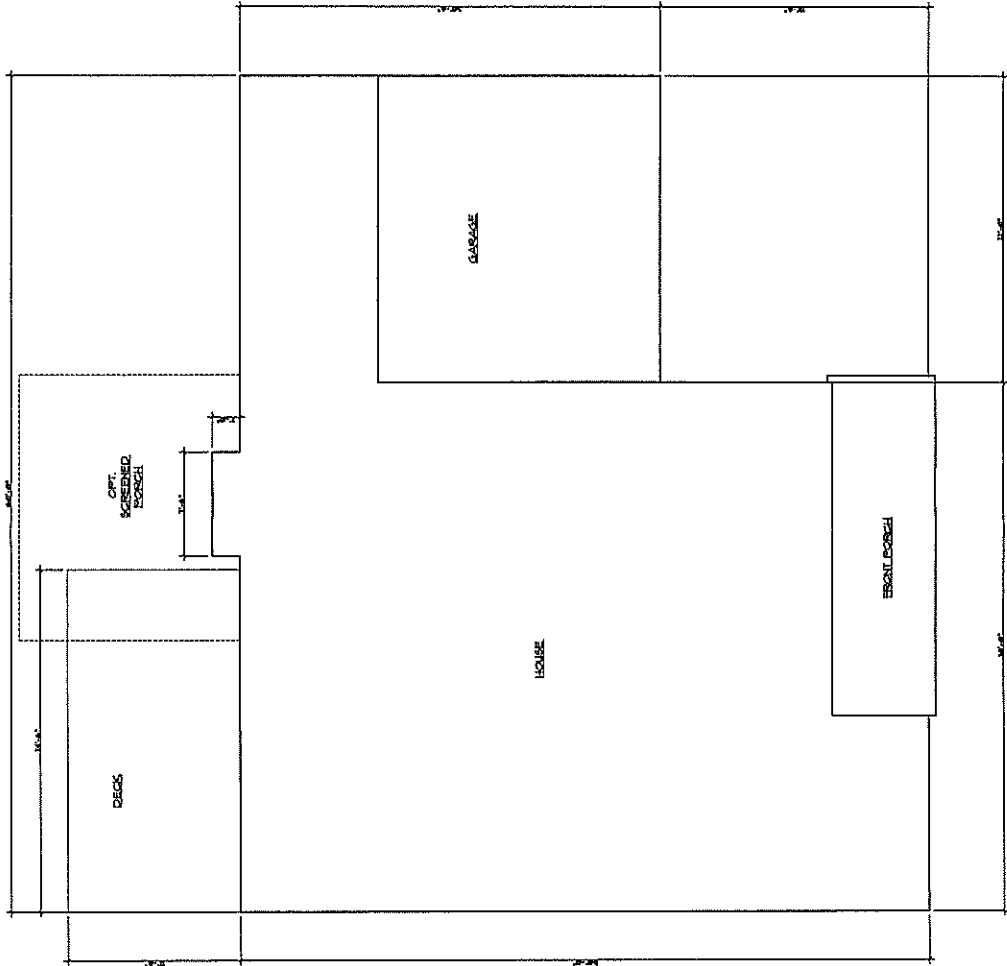


PRELIMINARY
RIGHT ELEVATION

OCTOBER 19, 1987

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PRELIMINARY FOOTPRINT

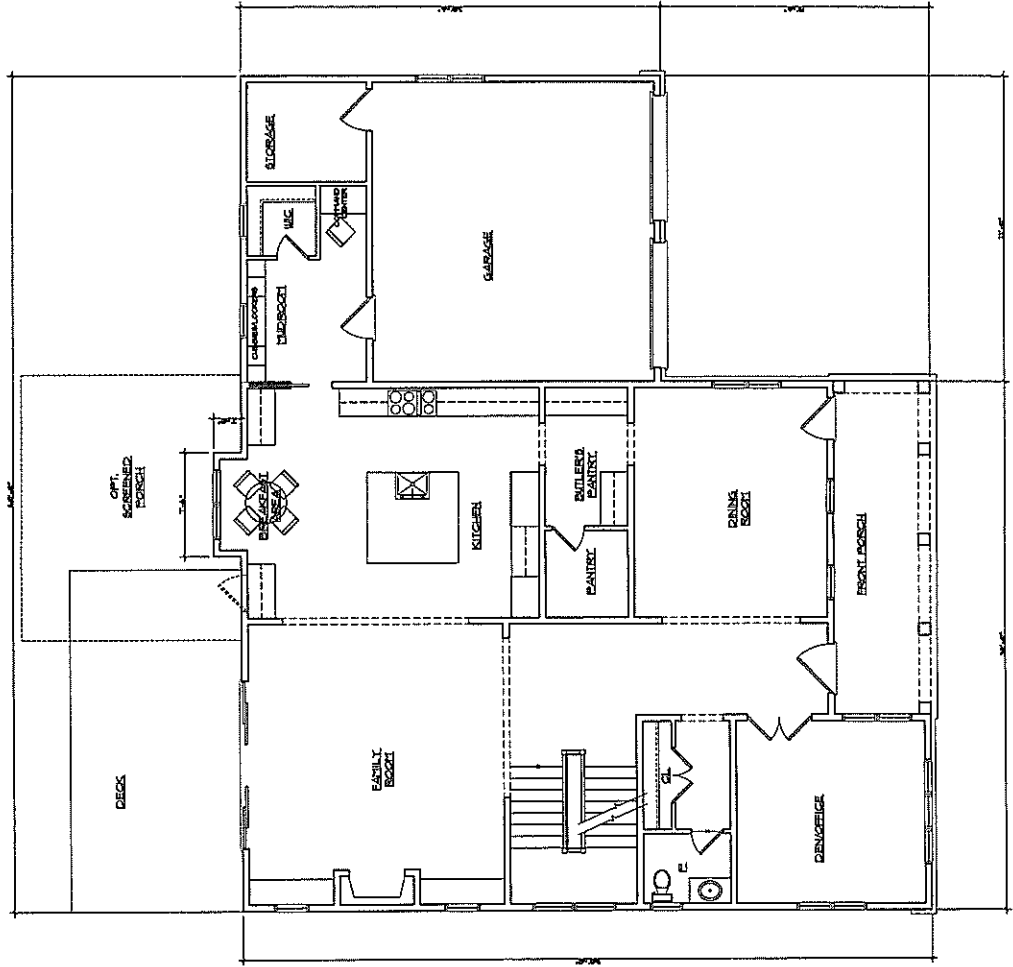
OCTOBER 19, 2017
 PRELIMINARY FOOTPRINT
 TO CHANGE SUBJECT MATTER

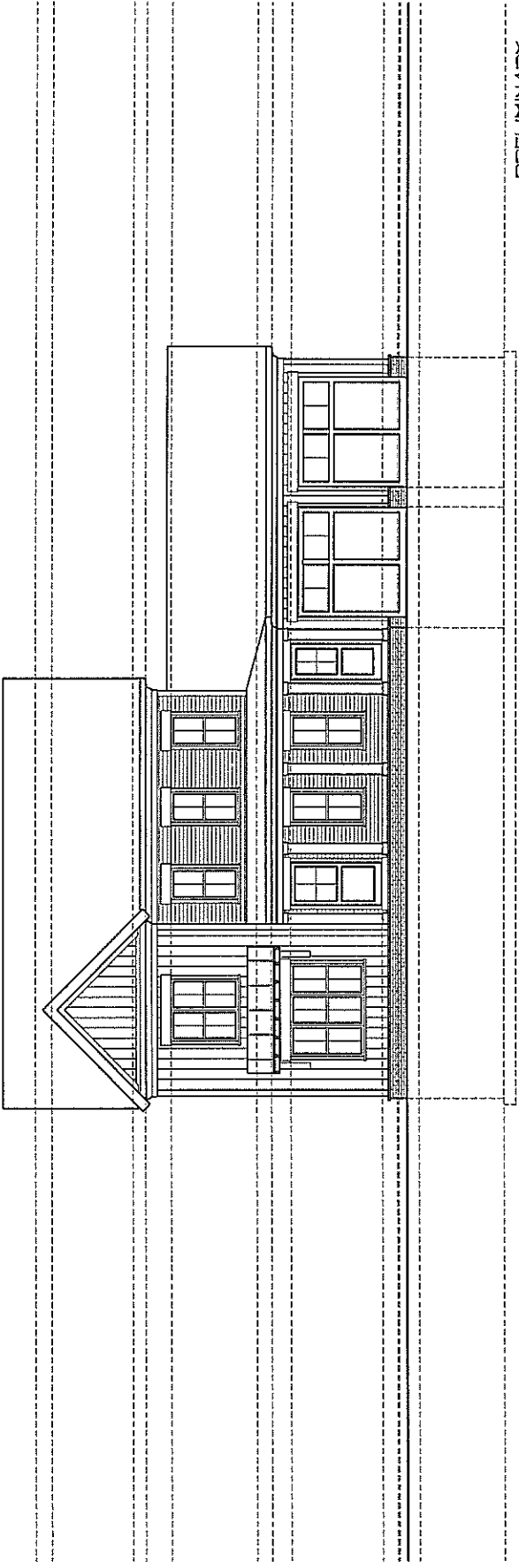


PRELIMINARY
FIRST FLOOR PLAN

OCTOBER 17, 1981

NOTES: 1. THIS IS A PRELIMINARY
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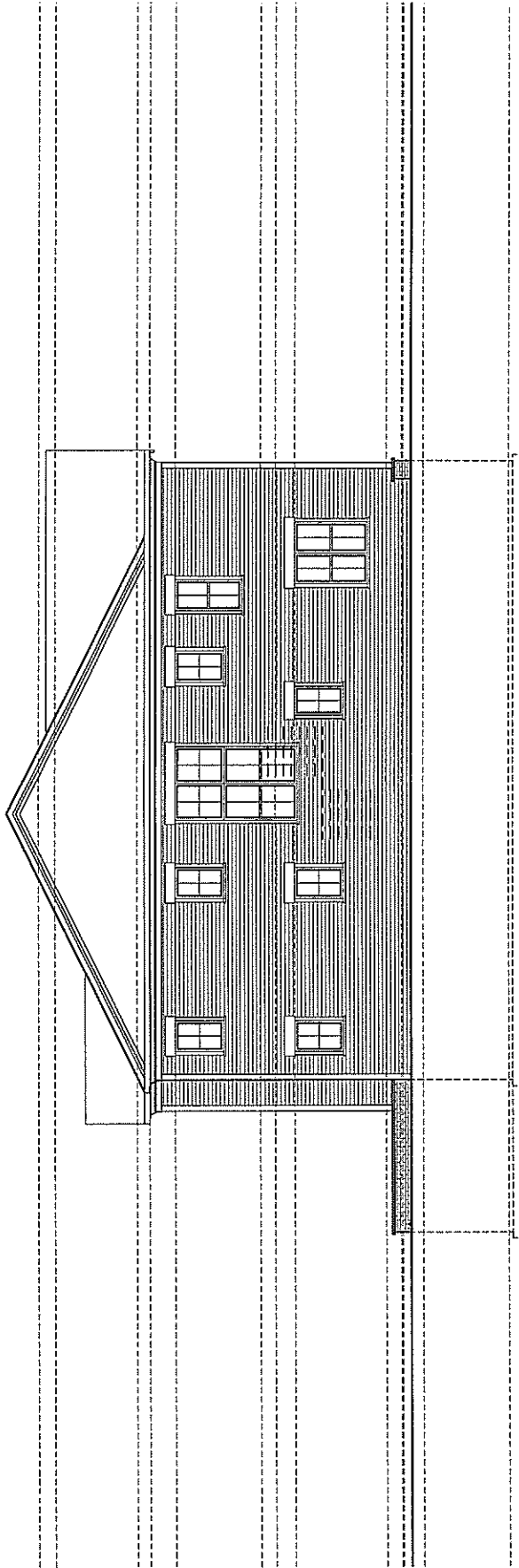




PRELIMINARY
FRONT ELEVATION

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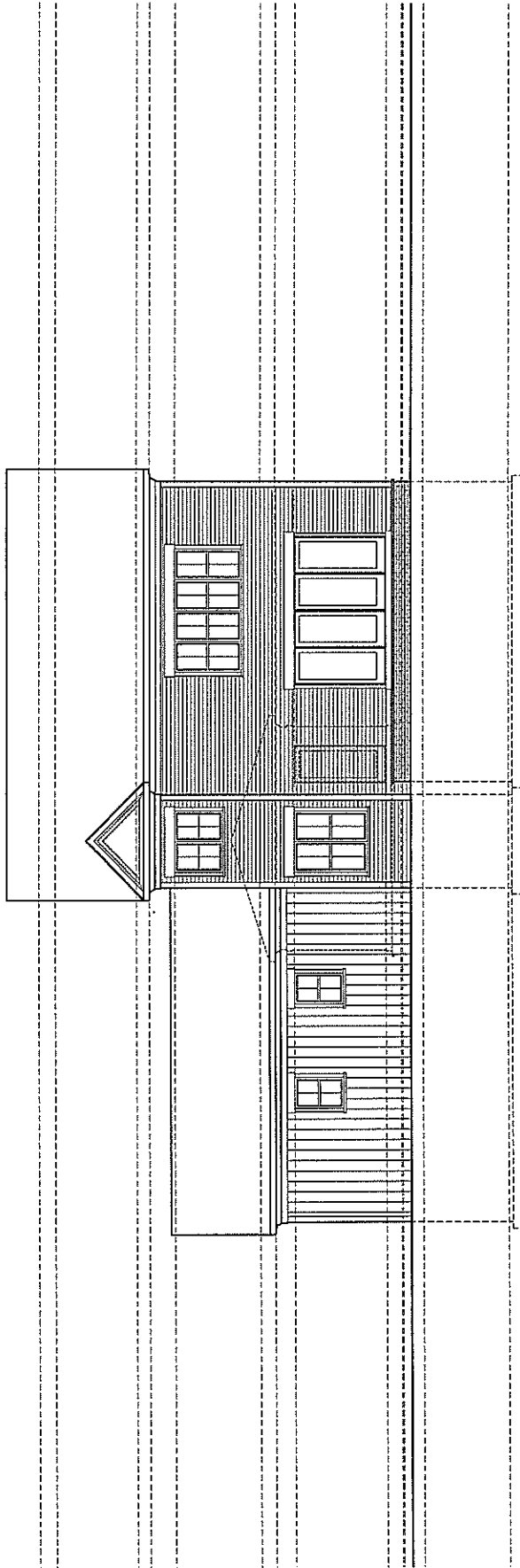




**PRELIMINARY
LEFT ELEVATION**

© 2008/09/10, 11/11
ARCHITECTURAL FIRM
10000 100TH AVE. N.E.
REDMOND, WA 98073



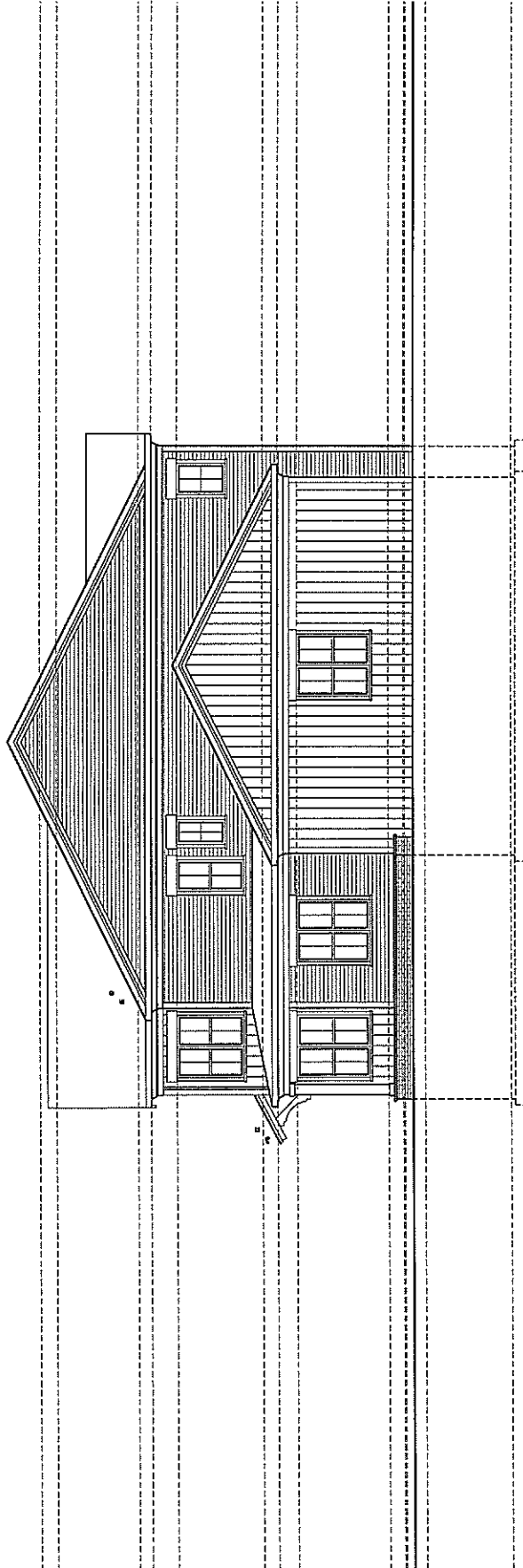


PRELIMINARY
REAR ELEVATION

OCTOBER 19, 2017

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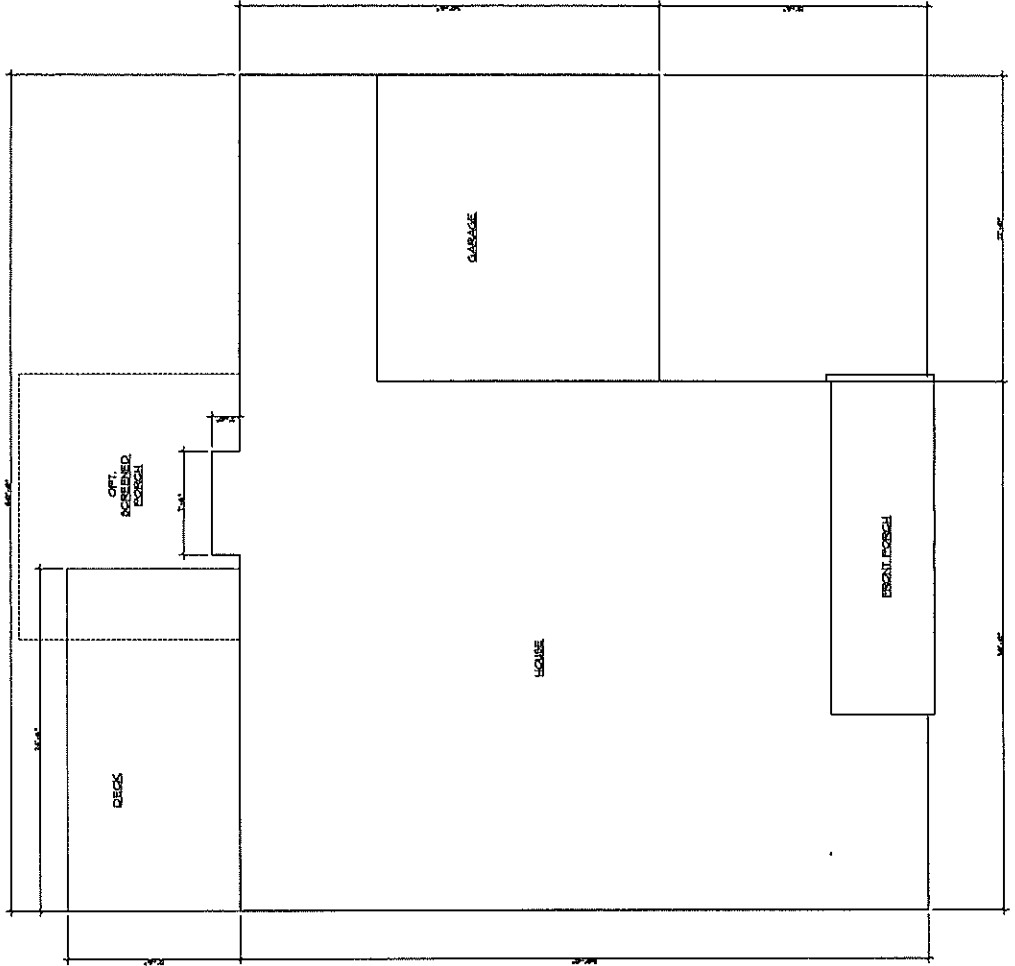




PRELIMINARY
RIGHT ELEVATION

ARCHITECTURE INC.
1000 WEST 10TH AVENUE
DENVER, COLORADO 80202





**PRELIMINARY
FOOTPRINT**

OCTOBER 19, 2011
 PRELIMINARY FOOTPRINT
 TO CHANGE WITHOUT NOTICE

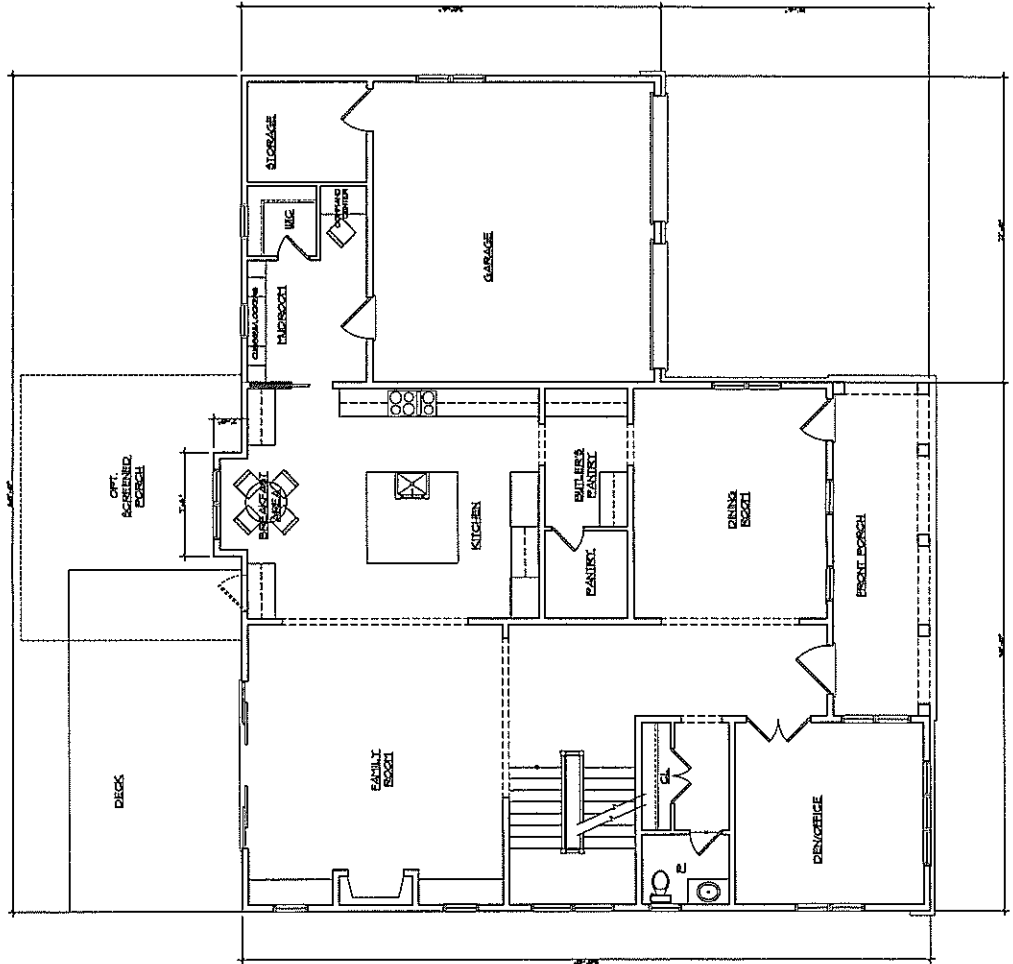


24

PRELIMINARY
FIRST FLOOR PLAN

OCTOBER 19, 1987

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FOR CONSTRUCTION WITHOUT NOTICE



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

- - - - - X
:
PRELIMINARY CONSULTATION - :
8712 2nd AVENUE : HPC Case No. 36/04-17B
:
- - - - - X

A meeting in the above-entitled matter was held on
November 15, 2017, commencing at 7:33 p.m., in the MRO
Auditorium at 8787 Georgia Avenue, Silver Spring, Maryland
20910, before:

COMMITTEE MEMBERS

William Kirwan, Chairman
Sandra Heiler, Vice-Chairman
Richard Arkin
Marsha Barnes
Brian Carroll
Kenneth Firestone

ALSO PRESENT:

Michael Kyne, Planner Coordinator

Dan Bruechert, HPC Staff

Phillip Estes, HPC Staff

APPEARANCES

STATEMENT OF:

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John Urciolo	16
Charlotte Schoeneman	31
Lorraine Pearsall	41
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Brian Detwiler	80
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Ellen Sands	114
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MR. ARKIN: Yes.

MR. KIRWAN: Do we have a second?

MS. HEILER: I second the motion.

MR. KIRWAN: Any discussion? All in favor please raise your right hand. The motion is approved. We want to, again, thank you for your cooperation in working with us to come up with what we find is an acceptable solution.

MR. DETWILER: Appreciate your time. Thank you.

MR. KIRWAN: Thank you.

(Discussion off the record.)

MR. KIRWAN: All righty. Our next item on the agenda is preliminary consultation, Case II.A., for a new construction of a residence at 8712 2nd Avenue in Silver Spring. Do we have a Staff Report?

MR. BRUECHERT: Yes, we do. So, this was the property, this is the house at 8712 2nd Avenue. On October 11th at the HPC meeting the demolition of this structure, and the garage that you can see in the lower right hand corner was approved by the Commission. So, the Applicant is proposing to construct a new single-family home on the property. The review for Locational Atlas Districts as opposed to Master Plan Districts is a very lenient interpretation of the *Secretary of the Interior's Standards for Rehabilitation*. You'll also be guided by the surrounding District. The unfortunately thing is that there

are no district guidelines for the Locational Atlas District, so you sort of need to be informed by what's around, and largely my presentation will sort of show you what is to be found in the Woodside District.

These houses are all on 2nd Avenue, you see a mix of early, late 19th century and early 20th century sort of modest scale, the eastern side of 2nd Avenue slopes up a bit, but you see, you know, a fair amount of bungalows and colonial revivals and traditional designs. And then further as you get away from 2nd Avenue you see more sort of traditional or colonial revival style houses from later in the 20th century, this bungalow notwithstanding. So, it's a variety of styles that encompass basically the late 19th century through the 1940s, 1950s, 1960s, so it got quite a broad palette to draw from, and I think it's actually because of the diversity that this remains a Locational Atlas District rather than a more cohesive Master Plan District.

So, the Applicant is proposing a two-story single-family home, what you see in front of you is the current lot. In the, one of the things that I want to draw your attention to is on the right about halfway, or two-thirds of the way back is the outline of the current garage, which is built, it's the detached garage, but it is built on the lot line, which obviously to Code could not be constructed

today. So, the biggest concern that I had for the design is the two bay front loading attached garage. I think the Applicants have done a good job breaking up the massing with the gable L form. I think the front porch is pretty consistent with the surrounding districts. We have had testimony submitted which I've circulated to all of the Commission, I think we're going to hear from that tonight, but that remains one of the sort of larger unresolved issues. The sides of the house because of the relatively narrow setback won't be largely visible from the surrounding district. And the rear won't be visible at all from the surrounding district. So, the information that we have is still sort of at a concept stage, but I welcome any questions that you may have at this point.

MR. KIRWAN: Any questions for Staff? Yes, Commissioner.

MR. ARKIN: Thank you, Mr. Chairman. Are there other buildings in the district that have the board and batten siding?

MR. BRUECHERT: I believe there were at least, there was a house or two that had a board and batten element, but it's, I mean, I would say that that's in keeping with many of the bungalows, or sort of faux Victorian buildings that you see elsewhere in the district. So, if it's not drawn directly from a specific house it's

something that you would find of that era.

MR. ARKIN: In that era, though, would you find a change in material from horizontal to vertical siding.

MR. BRUECHERT: I mean, you may, and the image shown before you you have a fish scale decoration, a fish scale element in the gable, so, and in the shed porch on the left. So, decorative accents are quite common in Queen Anne and Victorian styles.

MR. ARKIN: And have you discussed with the Applicants the concerns that are expressed in the letter from the Woodside Civic Association?

MR. BRUECHERT: I have not. That was received by our office I believe this morning, or it was forwarded to me this morning.

MR. ARKIN: Okay. Okay. Thank you.

MR. KIRWAN: Any other questions for Staff? All right. If not, we want to welcome the Applicant. Please come forward. Give you seven minutes for your testimony, and if you please state your name for the record before you speak.

MR. STEIN: Okay.

MR. KIRWAN: You'll see there's a --

MR. STEIN: Push the button?

MR. KIRWAN: Yes, there's a square button at the base of the microphone, and a little light should turn on

when you push it. See it?

MR. STEIN: Okay. Hi, my name is Doug Stein, I'm with Wexford Homes. We've been working with this property for several years, it was tied up in an estate issue, the house has been deteriorating, we've met here before to discuss, you know, the demolition of the home, which, you know, is the only way that the home can be occupied. And we've worked with our architect on the design of this. Originally, when we were here for the demolition application we pulled back our application for this, we went back to the drawing board and made some changes based on the Staff's recommendations. So, we've designed this kind of farmhouse style that very similar to the yellow home that's directly next door, which one of the photographs was up there, that home. So, I think that's one of the original homes in Woodside, I think that home is circa 1890s, so this style that we've developed, you know, I feel will be, you know, very compatible, you know, with the home that's right next door. The concern with the garage, the elevation as shown here doesn't really indicate, we've pushed the garage way back on the property. You see how far back we've pushed it on the home. Now, the existing two-car garage, the detached garage that has to be demo'd is also front loading, as well. And the lot is just not wide enough to accommodate a side load garage.

And with regard to the materials for the home, generally we would use this, you know, this Hardie product, you know, the Hardie plank, you know, it looks like a painted wood. And they also make this product that we can use for the board and batten, as well. Our intention also is for the front porch of the home, and that little bay on there to be a standing seam metal roof, I think that would be in keeping also with the style of the house, and it's a nice decorative look.

MR. KIRWAN: So, that was your testimony?

MR. STEIN: Yes, I mean, that's really all I have to say about it.

MR. KIRWAN: We have questions for you.

MR. STEIN: Did you all have any questions for me?

MR. KIRWAN: It looks like we do.

MR. STEIN: Okay.

MR. KIRWAN: Commissioner Firestone, why don't we start with you?

MR. FIRESTONE: All right. I'll try to kick it off. As far as the attached front loaded two-car garage, are there any examples of this in the immediate neighborhood?

MR. STEIN: I believe there are within the neighborhood some front load garages.

MR. FIRESTONE: I couldn't find any when I drove

through the neighborhood this morning.

MR. STEIN: Okay.

MR. KIRWAN: So, if the Applicant, I think you stated in your testimony that the existing garage is a two-car garage?

MR. STEIN: Two-car garage.

MR. KIRWAN: Do you have pictures of that --

MR. STEIN: Front load.

MR. KIRWAN: -- so we can see that garage?

MR. FIRESTONE: Well, I mean, I did see the garage when I drove by.

MR. STEIN: It's kind of obscured by the --

MR. FIRESTONE: Yes.

MR. STEIN: -- the trees have kind of --

MR. FIRESTONE: Yes.

MR. STEIN: -- all grown in there.

MR. FIRESTONE: Okay. I'm not finished. What's the condition of that existing garage?

MR. STEIN: It's going to have to be demo'd.
The --

MR. FIRESTONE: Well, I mean, is there any way it could be rehabilitated, or --

MR. STEIN: Not really. The garage at some point the people that built that garage must have been friends with the people that live next door because there's actually

an encroachment on the property line.

MR. FIRESTONE: Yes.

MR. STEIN: So, there is an existing violation there. We're in discussion with the owners next door that obviously when we tear down the garage their shed is going to also, so we're either going to work with them on relocating an acceptable shed on their property, or that when we do the demolition we'll do what's called selective demo, and then pour a bearing wall and build a wall, you know, so their shed remains. But we've already had discussions with that. But we're holding off really until we, you know, get the approval.

MR. FIRESTONE: The reason I was asking about doing something with the rehabilitating the existing garage is a neighbor of mine a few years ago had a rather derelict garage --

MR. STEIN: Yes.

MR. FIRESTONE: -- and wanted to replace it, and the County said no because it's currently in violation of property lines and whatever, but they said but he could repair it, so that's exactly what they did, they basically sort of rehabilitated it in place.

MR. STEIN: It along with the rest of the existing house is in such bad shape, you know, rotting structural members and things like that that --

MR. FIRESTONE: Yes.

MR. STEIN: -- we hadn't even really considered --

MR. FIRESTONE: Yes. Yes, because the other question is if you couldn't reuse that garage what about putting a garage, a detached garage to the rear, but shifting it over a bit?

MR. STEIN: Part of the problem is the, if we look at the site plan is, you know, the garage right now to put a detached garage back there I think is going to be a problem, you know, getting a driveway back to it because it's going to be shifted over from where the existing two-car garage is right now.

MR. FIRESTONE: Okay. Because the other question is whether you even need a garage at all on this house, because just about I'd say the majority of the houses in that neighborhood just have driveways and cars are parked --

MR. STEIN: Right. I understand.

MR. FIRESTONE: -- on the driveways, so they get off street parking, they don't have the benefit of a garage, but I don't know that there's been any problem selling houses in that neighborhood with no garage.

MR. STEIN: We would certainly prefer the garage. I'm sure anybody that would buy the home would prefer to have a garage on their home. There is, you know, like I said an existing garage, and lots of the homes have garages

in the neighborhood, so --

MR. FIRESTONE: And the majority of them do not have garages.

MR. STEIN: Okay.

MR. FIRESTONE: Thank you.

MR. STEIN: Okay.

MS. BARNES: I actually have --

MR. KIRWAN: Sorry. I was recognizing --

MS. BARNES: I'm sorry, go ahead.

MR. KIRWAN: -- Commissioner Barnes. She had her hand up before you.

MS. BARNES: So, I just wanted to say that I, you kept talking about the front loading garage, the problem I believe, certainly the one I have with the plan that you've submitted is not that the garage is front loading, it is that it is attached to the house, which is very much I believe out of character with homes in that area. So, a front loading garage farther back, perhaps at the end of a ribbon driveway or a gravel drive would be acceptable. It's not the front loading that is the problem, it's the attachment to the house, which in contrast to your comment that this is very similar to the yellow house that we had on the slide, and it would be complementary, but when you add the garage you create a lot more bulk, and you are out of character with homes in this area. So, I would ask that you

think about that, and I just wanted to be sure that you didn't think the objection was to the front loading nature.

MR. STEIN: Right. We could possibly slide the garage back a few additional feet on there, and, you know, leave it as an attached garage. But what you guys are recommending is a detached garage?

MS. BARNES: That's right. I think that's more in keeping with the neighborhood.

MR. KIRWAN: Mr. Arkin, do you have a question?

MR. ARKIN: Well, the question I've had, well, two questions, really. The question, the first question is have you seriously considered a detached garage, a new detached garage as was described before?

MR. STEIN: I have not. No.

MR. ARKIN: Okay. And have you seriously considered perhaps rehabbing the existing garage? The County I think is not real strict on how much of the materials have to be original or, in something which is not historic.

MR. STEIN: I think the existing garage, the size of it really isn't compatible with actually getting two cars in there, it's like --

MR. ARKIN: Too narrow?

MR. STEIN: Yes.

MR. ARKIN: Yes. Okay. All right, thank you.

MS. HEILER: Yes. The garage raises a lot of issues, but another thing that seems to be pretty popular in that neighborhood is ribbon driveway, and that changes a lot about the look of the house, so that whether you keep an attached garage, whether you move it back but continue to attach it, or even better, if you're able to detach it, you know, is there any reason why you haven't considered a ribbon driveway?

MR. STEIN: No, we do a lot of, with our landscaping plans that we do we do a lot of very green permeable driveway surfaces. So, no, I'm certainly not opposed to anything like that, I think if they're done right they can be very attractive, as well. And I have done some of those down in the District, as well.

MS. HEILER: Okay. Thanks.

MR. KIRWAN: Commissioner Arkin.

MR. ARKIN: Thank you. The side elevations of the house, the front elevations you're pretty, the side elevation you're, have been pretty careful about stacking your windows so that they're window placement on the second floor is the same as the window and door placement on the first floor. On the two side elevations, though, you have done that, haven't done that completely, particularly on the elevation on circle 14. Have you considered trying to work in such a way that you could stack all your windows?

MR. STEIN: We really hadn't, the sides of this home are really not going to be visible from the street, nor is the rear of the home, so we were really, you know, trying to come up with acceptable floor plans, so we really hadn't given it too much thought, you know, we were more concerned with the front elevation, how the house looked from the street.

MR. ARKIN: The lot is too narrow to get, to be able to see that size of the house?

MR. STEIN: Yes, I don't think you will.

MR. ARKIN: Okay.

MR. STEIN: Yes, the existing house that's there right now you can't see the sides.

MR. ARKIN: Okay. Thank you.

MR. STEIN: Yes.

MR. KIRWAN: Any other questions for the Applicant? All right. If not, thank you for your testimony.

MR. STEIN: Okay.

MR. KIRWAN: We have three additional speakers, I'd like all three of you to come up at the same time, Rick LaRue, David Souder?

MR. SOUDERS: Souders is correct.

MR. KIRWAN: Souders, and Ellen Sands. And Mr. LaRue, if you would go first, representing the Civic

Association, we can give you five minutes for your testimony, and the other two of you have three minutes for yours.

MR. LARUE: Thank you very much. My name is Rick LaRue, and I'm the President of the Woodside Civic Association, and Woodside is the neighborhood just catty corner from this building, so it's bordered by Georgia, 16th, and Spring Streets, it's home, 330 residences, and that's where 8712 is located. I've lived there for 32 years, and my testimony tonight is informed by the input of many of my neighbors, including architects, planners, real estate professionals, and lawyers, five of us are here tonight, including four of my predecessors as President of the Association. And on behalf of Woodside we express our, I express our opposition to the new structure. We don't oppose the tear down, but we look forward to welcoming the new home's residents and having them join the Civic Association, but we do oppose two key aspects of the proposal, the front loading garage, the two-car garage position, in particular; and related to that is the massing of the building at its width. Neither is in keeping with the fabric of the community, and could establish precedents that would erode the historic quality of the neighborhood.

First, regarding the two-car garage, there are 14 homes on that block, only five have garages, and each one is

detached and in the rear, including at 8712, although he indicated that it doesn't do two cars, but I think it does. If a new garage is to be retained we do think that existing pattern should hold. Now, if you include the three adjacent blocks, 2nd Avenue one block north, Ballard on either side, there are 45 homes in this immediate neighborhood, only 12 have garages, only three are attached and front facing, and all of those are for single cars. And of the three two-car garages in this area all are detached and in the rear. So, we conclude that the two-car garages as proposed is entirely out of character.

Second is the overall width of the structure, which is in its current design would overwhelm the lot. The adjacent house next door that was comparable is on a much larger lot. This would fill the entire lot. Now, Woodside is an old neighborhood I think as you all know, with homes dating to the 19th century and the turn of the 20th, and we've had a lot of infill development, so there's the diversity as was referenced in terms of the housing style, and that's where lot suitability becomes very key I think in considering historic quality. Now, 8712 is a narrow, deep lot, and massing the new structure in such a boxy square as proposed, and driven in large measure by that two-car garage really pushes the limits of the side setbacks, and this would intrude on the adjacent neighbors, and create an out

of place street front. It would be unique in a bad way and anything but historic. Now, if buyers want access to a garage from the house's first floor, and he's absolutely right, some people do like that, there are plenty of other places where they can get it. Woodside is a close-in neighborhood, it's got desired transit and pedestrian friendly options, so doing so would violate the character of the neighborhood, but also the principles of land use planning, to which the County ascribes and aspires.

And with some of the photos that were shown there are plenty of examples in this same lot how to take advantage of lot depth. Again, if you look at that it's really just squeezed in there, and like half of the back is empty, more than half of the back. And so, a new structure could be oriented to the dimension of that lot. And there are some also in those photographs where side yards and gardens are integral to those properties, that would be a better fit.

Now, we have other concerns, such as asbestos testing, and tree preservation, and I will mention just one which is common here is drainage, both during the construction and how any changed contours may affect it afterwards. So, the lot is sloped, and there are residences below it now. But not only should tree removal be avoided to the extent possible, but any re-grading could affect the

root systems and the drainage for the remaining trees and their access to water. This happened at another infill development in Woodside, homes were built in the 1990s, Noise Drive and 1st Avenue, and several of the trees that remained ended up dying within a couple of years, because the whole drainage was changed.

Finally, Woodside, we've had extensive experience here, I think some of you will know, for example, on the replacement of windows. This proposed replacement of an entire home raises far more consequential concerns, from the massing and the footprint of the structure, particularly at its width, to the out of kilter two-car attached front facing garage. This is the wrong kind of house for its block, for its immediate neighborhood in the historic Woodside Community as a whole, and we urge HPC's rejection to the proposal.

MR. KIRWAN: Thank you. Yes, question?

MR. FIRESTONE: I have a question.

MR. KIRWAN: Yes.

MR. FIRESTONE: How would you feel about the massing of this house if you just amputated that two-car garage and had the remaining structure?

MR. LARUE: If you could show that, yes, it, what would happen I think very beneficially, yes, that right there. So, if you take away the two-car garage on the right

you shift that structure, and on the design issue I don't have any comment on that, but if you shift that structure so that the right edge of the house is in the middle of the current structure of the garage you end up with some more of the side setbacks that would be more suitable to the neighborhood.

MR. FIRESTONE: The other question is because as you mentioned this is a deep lot, and there might be a way to work out a garage behind the house with a long curving driveway, how would you feel if say at some point that they put a garage back there and it contained an auxiliary dwelling unit?

MR. LARUE: I don't have an opinion on an auxiliary dwelling unit, but --

MR. FIRESTONE: I mean --

MR. LARUE: -- anybody else have a thought on that? I don't, you know.

MR. FIRESTONE: Yes. I mean, the --

MR. KIRWAN: That's not a proposal.

MR. FIRESTONE: No, it's not, I'm just --

MR. KIRWAN: We shouldn't spend time on --

MR. FIRESTONE: Okay. We'll drop that now. Okay.

MR. LARUE: All right. Thank you.

MR. KIRWAN: Commissioner Heiler? No? Okay.

MS. HEILER: That was my question.

MR. KIRWAN: Very good. All right. Any other questions for the, Mr. LaRue? All right. Let's move on to Mr. Souders.

MR. SOUDERS: Could I go last?

MR. KIRWAN: That's fine. You're still working on your testimony?

MR. SOUDERS: I'm still thinking about auxiliary dwelling unit.

MR. KIRWAN: Okay. Ms. --

MR. SOUDERS: I have opinion an about it.

MR. KIRWAN: Ms. Sands, you please. Three minutes for your testimony.

MS. SANDS: I did submit a letter this morning.

MS. HEILER: Your name, please.

MS. SANDS: Ellen Sands, and I did submit a letter this morning that focused on the issues of the garage, which I just want to point out of the slides that were shown of the immediate neighbors none of them had a garage integral to the house, most of them had no garage, or a detached garage. And then the other issue of my letter was if you can go back -- this is -- as Stan mentioned the topography goes from east to west, and the houses on the west side of 2nd Avenue all have walkout basements, and that's not depicted in the drawings. If you could go to the side elevation? So, that, I guess, is the south side, so it

would be sloping from front to back, and you -- I put a picture in there, I don't know if you have the materials that I submitted, to show the back of the house, it's a walkout now, and so if you go around to the back elevation there's another floor there that you're not seeing because of the way the elevation is drawn. It doesn't, the elevations aren't accurate unless they're proposing to re-grade the whole lot. And so, that, I just wanted to bring that up, I think that's an important point, that on the back you're gaining a whole other story.

So, and then I just wanted to say that we moved to Woodside 25 years ago, we had two toddlers and an old Volkswagen, and we were looking, we moved from downtown, we wanted to be in a walkable close-in suburb. We now have three grown children, we still have the same Volkswagen, and we've been really happy with how we can walk to everything. We didn't move to Rockville, or Gaithersburg, or Potomac, somewhere that had a garage, it was a trade off, but it actually was not a trade off, I wouldn't trade it. So, I just wanted to say that our neighborhood developed as a close-in, it was a rail suburb, the train tracks border the western edge of the community, the purple line is going to have a stop right at 16th Street in, it's called the Woodside Station; the new apartments that are being built where the Spring Center is being demolished have no

provision for parking. 16th Street is being narrowed from the six to four lanes, everything is moving away from cars, and so we are not really in favor of a proposal that's saying you need a two-car garage to live here.

MR. KIRWAN: Mr. Souders?

MR. SOUDERS: Can I bend this?

MR. KIRWAN: If you're ready?

MR. SOUDERS: I probably can. I am ready. Thank you.

MR. KIRWAN: Okay.

MR. SOUDERS: And thank you for staying so long. I have 28 years in Woodside. I live two doors down from this effort here. I didn't realize when I purchased a house in an established subdivision that I'd be spending time on a relentless assault on the character of the neighborhood. There was an effort to build a fire station at the end of our block, thank goodness we have Easter Seals. There were apartments that they wanted to put right along Spring Street, we fought that back because it was in the residential area. There's been high density townhomes proposed, and we scaled that back. But here, you know, I have dedication to this area, we were here when nobody else was here, and we stayed. And now we're at a crossroads, this is a McMansion, it is built to the lot lines, it is an affront to the community because it is not like anything

else. They want to get the maximum amount of money they can out of that lot, and if you're telling me they want a garage in back so they can put an auxiliary unit over it, what, just to make more money? This is ridiculous.

This is not what the neighborhood is about. You look at every one of those other pictures and there's space between the houses, and so, here we are. We're looking at a neighborhood that was established, that people spent their hearts and souls in making it a great place, and now we're going to build the lot lines, we're going to make it a wall all the way along, and every house that's torn down is going to be the same thing, we're going to have six feet between the lot and the house, or nine, and you just look at it. Of course you don't see the windows on the side, because there's no room anymore. And so, the question is do they get to buy a lot, tear down the house, and make as much money as humanly possible, and cram as many garages and things like that in a neighborhood where there's no other house like it? And it shouldn't be. They should not be able to come in here just to make a dollar and maximize their profit, and walk away. They don't live here, we do. Thank you.

MR. KIRWAN: Thank you. Any questions for this speaker?

MR. ARKIN: What was your name, again, sir?

MR. SOUDERS: Dave Souders.

MR. ARKIN: Dave Souders.

MR. SOUDERS: Past President of the Woodside Civic Association.

MR. ARKIN: So that's why you wanted to be last. If -- there was testimony that there are detached garages in the neighborhood, if they had attached the garage, and then the center of the house, move the house a little bit to the right so it would be centered on the lot, and you had wider side yards would you still find that objectionable?

MR. SOUDERS: I find objectionable this block. I'd have to look at it, I'd have to see how big this house is. I'd have to see where it sits in the, to see if there's enough room between the houses. If you walk along and look at each of those houses there's space between them. If they got rid of the garage I'd really have to see a drawing and see how much space is left. It would make a difference, certainly, I mean, I hate garages that have this, I mean, look at it, it's a wall. And so I can't, I'd like to say certainly, a house needs to be built there, but a house that's consistent with houses in the area. So, I don't know how big it is without the garage. I'm dodging your question.

MR. ARKIN: Okay. Thank you.

MR. SOUDERS: To the best of my ability.

MR. KIRWAN: Any other questions for the speakers? If not, we want to thank you for your testimony.

MR. SOUDERS: Thank you.

MR. KIRWAN: It'll be very helpful with our deliberations tonight. We do not have any more speakers, so we should move into deliberations. Anybody want to -- I think the Applicant should hear from all of us tonight because he, there's only five of us here, and he needs to base his next steps on our recommendations.

MS. BARNES: I would be happy to start, and I do not share some of the speakers' concerns about the design of the house, and the massing. I do, however, have a major concern, and could not support the proposal with an attached two-story, or with an attached two bay garage. So, the house, if you were to lop off the garage, and what looks like a little hyphen connecting it to the house, and perhaps have a detached garage to the rear, accessible with a ribbon driveway, I could support something like that. Perhaps because of some of the other projects we've seen at this Commission, I don't see this as a McMansion, or a huge house. I take the point about not wanting to build to the maximum to the lot line, and in some areas there are guidelines about the percentage of lot coverage that's permissible, I'm not sure you have that in your neighborhood. If you eliminated the garage it might be

possible to move the house a little more to the right, and the suggestion on the building permit site plan is that the existing driveway was a little too to the right, and so you could perhaps follow that same thing, moving a garage to the rear. I would be supportive of the use of Hardie plank for your material, and that's what I have to say.

MR. KIRWAN: Okay.

MS. HEILER: I would agree with Commissioner Barnes. I think the style of this house is compatible with other houses in the neighborhood. The garage creates far too wide a structure for that area, and the garage itself is incompatible with the neighborhood. I would not at all object to a detached garage moved to the rear, and with a ribbon driveway.

I do think the Applicant needs to consider the grade of this, as somebody brought up, and if it is, if the lot were to be re-graded that really has to be taken into consideration. I think you can't, you know, certainly the County would, and the DPS would have a lot to say about possible re-grading, it appears that it's not a good idea, but we're not in a position to say that. Otherwise, I think it is quite a suitable size and design if it were relieved of the garage.

MR. BRUECHERT: Commissioners, before deliberation continues can I just jump right in and ask a question? The

Applicant hasn't asked it, but if this were reduced to a single bay front loading garage would the Commissioners be in support of that, or --

MS. BARNES: I for one would not be if it's attached. I think that you then have the problem still of having a broad expanse across the front of the property, so no.

MS. HEILER: I would also comment on that. Making it a detached garage means that the driveway does not have to be wide, it can be a ribbon driveway that's single car wide, and still if the Applicant decided to put a two-car garage in, detached garage in the back, a single width driveway would suffice.

MR. FIRESTONE: I also would be opposed to any front loading attached garage, period.

MR. ARKIN: And as would I. I, particularly in this design I think it creates, as I think one, we heard testimony that it just creates a huge wall across the lot. And I also think that in walkable neighborhoods, and particularly historic neighborhoods that detached garages are seen more and more as an asset, rather than a liability. Attached garages are no longer seen as desirable in communities like your community. So, it might be a sales plus, as also might be using the, using the slope of the lot to create a habitable basement, an English basement of some

sort.

And I also think that it would make some sense to choose materials carefully. I'm not a big fan of the mixing board and batten with horizontal siding, but in real life the contrast may not be as effective, or as loud as it appears in the drawing.

I would also like to see you, particularly if the house is narrowed, I'd like to see you pay a bit more attention to putting some symmetry into the side façades, and making them more attractive since they will be more visible to the, to passersby. Other than that I agree with the comments that have been made by the other Commissioners.

MR. KIRWAN: Mr. Firestone.

MR. FIRESTONE: Yes. First of all, I think that this design less the garage is a great improvement over what was in the previous proposal, which was withdrawn before we actually got to the consultation. I think I'd like to remind the developer that this is something that is adjacent to downtown Silver Spring, it is close to a Metro stop, it will be even closer to a Light Rail stop in the not too distant future, there is plenty of walkable shopping. People are looking for this kind of a house, I know I personally would look for a house like this in this neighborhood without a garage but just a driveway. I'm sure there are others who are like me who would be perfectly

happy buying in that neighborhood. I'm sure if we looked at recent sales, the neighborhood is doing quite well, I would suspect, on all those older homes that either don't have garages or have detached garages in the back. So, I think this is a definite improvement, I think, you know, we can negotiate about window placement and materials down the road, but, you know, I think you have to consider that, you know, a smaller house by removing the garage would be there.

As far as the re-grading and tree removal we'd have to consider, you know, trees as to whether they're historic and we have some say over those, too. And it's unfortunate that the house currently occupying the lot became to the point where it could no longer be rehabbed, so I'd look forward to seeing a nice compatible structure on this lot in this neighborhood that I'm sure somebody would love to own without the garage.

MR. KIRWAN: Thank you, Commissioners. I agree with the general view that the proposal really should be modified to eliminate the attached garage, and for it to be modified to have a detached garage at the rear of the property. One of my -- so I think that point aside requires I think the Applicant to, really should come back with another preliminary consultation because I think it's going to change this game quite dramatically.

The other issue that one of the speakers raised,

which I would, I'm very sensitive to is the massing of the house, and its massiveness. I think right now the design is a bit of a movie set, the front façade, as the Applicant admits most of the attention has been brought to the front façade, but if we can -- and I think the front façade is fairly successful in its scale, and its compatibility in the neighborhood. If we can bring up the other two side elevations? That to me is not compatible in this neighborhood. I mean, that is a massive façade, the windows have a, sort of a scattered arrangement. And one other thing that bothers me particularly about this façade is the way the board and batten treatment on the front tower element doesn't turn the corner, as it does on the other, on the north facing façade. So, I think there's details like that that, you know, the level of sophistication that was brought to the front façade really needs to be brought to the two side elevations, as well, because I believe they are going to be visible despite your testimony to the contrary I think the side façades, at least the front portions of them will be visible from somebody walking along the street, especially as the house design changes to address the issue of the garage.

So, again, I think that massive gable on the top needs to be somehow addressed and broken down to be better in scale with the neighborhood and the way it's being

treated on the front façade. So, and as others have pointed out, I think, you know, grading is potentially an issue that we need to see better addressed in this design. From what we understand from testimony the grade slopes back potentially a full story from front to back, so, and these drawings do not depict that, so if there is significant grading to match what this design is showing us that needs to be very clearly indicated on the drawings, we need to understand better what its impact is, particularly as it might relate to its impact on trees and potential tree removal as a result.

So, I think in summary, I think the Commission tonight is consistent in its view that this scheme needs to be modified, the two-car garage should be detached, and be in the rear of the property, and the massing of the house needs to be better addressed to fit the scale of the neighborhood. So, I think our recommendation would be to come back for another preliminary because I suspect this is going to change enough that we should see it again before you come in for a HAWP, but I'll let you discuss that with Staff as you're, the best steps to go forward with.

MR. ARKIN: Commissioner.

MR. KIRWAN: Yes.

MR. ARKIN: One more comment if I may? I live in a neighborhood which was built entirely in the last 25

years, and there are 30-some accessory apartments, all of them built over garages, mostly detached garages in my neighborhood. And accessory apartments have become more and more attractive in close-in neighborhoods that are walkable. If there a good use of the land, and I hope you will view in the citizens association and the people of the community won't close your minds to the possibility of accessory apartments in your neighborhood.

MR. KIRWAN: Okay. Thank you. That closes our comments on that matter before us tonight. We'll move into the next item on our agenda, which are the meeting minutes. I know we have, I believe from Commissioner Carroll's comments earlier we have May 10th minutes to approve this evening, and I also submitted the May 24th minutes. Are there any additional minutes?

MR. ESTES: Yes, Mr. Chair. As you said it's May 10th, May 24th, and July 12th.

MR. KIRWAN: And July 12th. All right. Do we have a motion?


MS. BARNES: I move that we approve the minutes for May 10th, May 24th, and July 12th.

MS. HEILER: I second.

MR. KIRWAN: Any discussion? All in favor please raise your right hand. Those meeting minutes have been approved. Do we have a volunteer for this evening? Thank

you, Commissioner Arkin for volunteering for this evening.
Do we have any Commission items? Any Staff items? We are
adjourned.

(Whereupon, at 10:33 p.m., the meeting was
adjourned.)

 Digitally signed by Paula Underwood

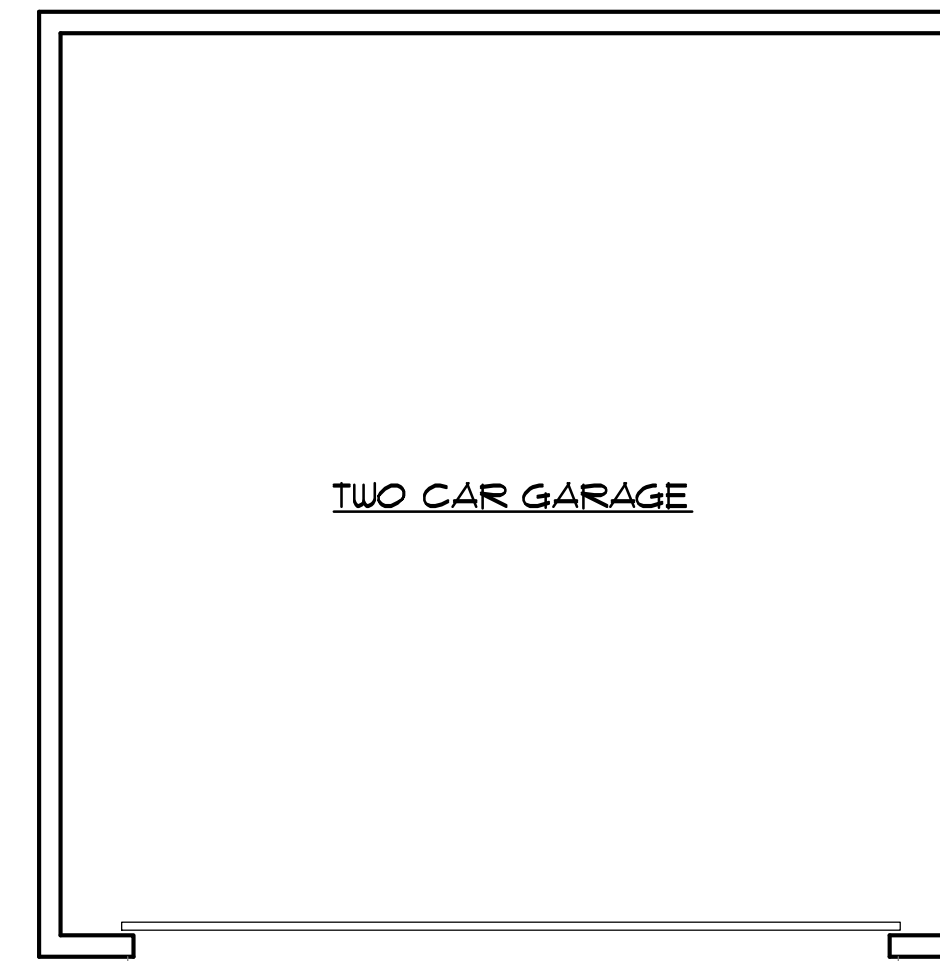
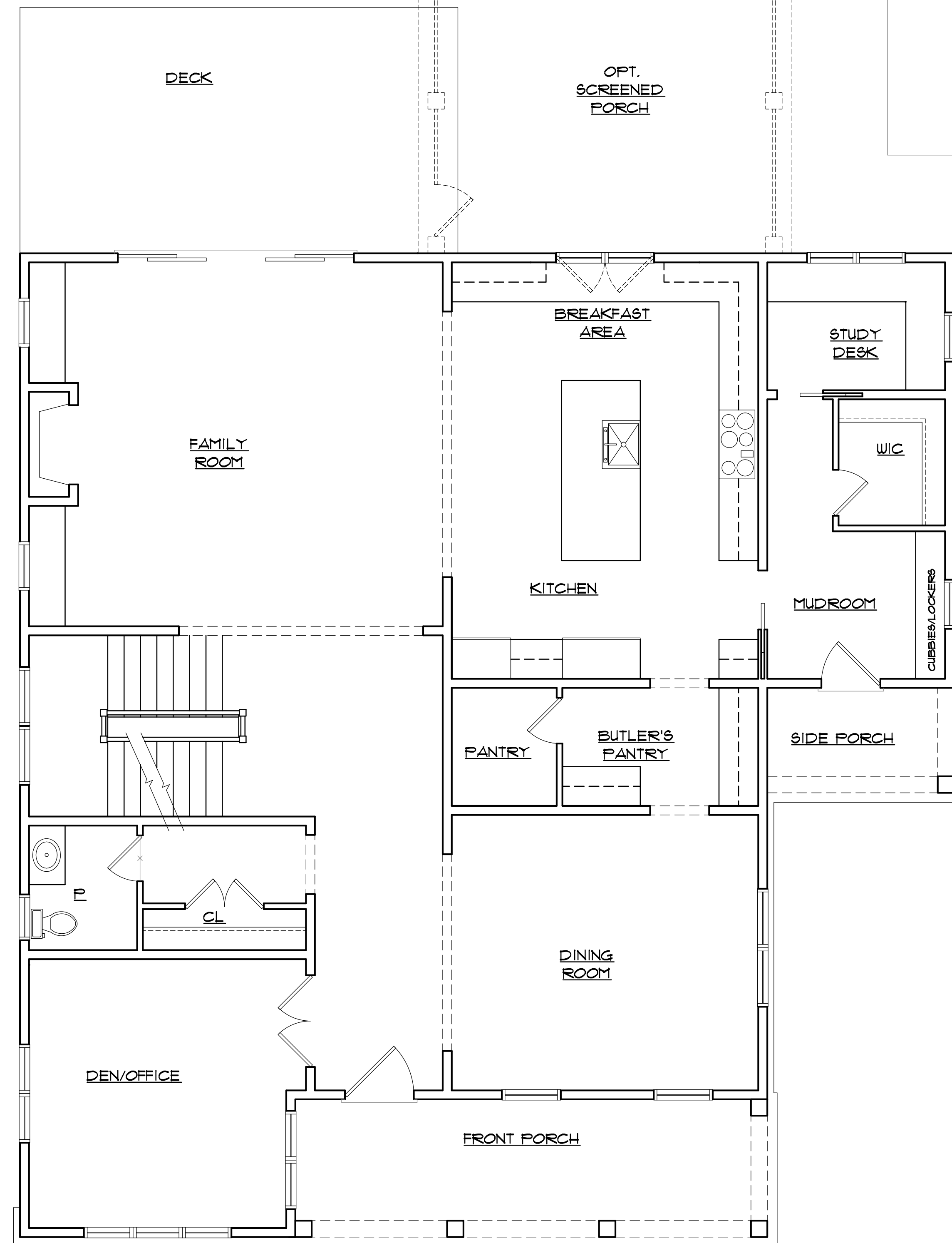
ELECTRONIC CERTIFICATE

DEPOSITION SERVICES, INC., hereby certifies that the foregoing pages represent an accurate transcript of the electronic sound recording of the proceedings before the Montgomery County Historic Preservation Commission.

Paula Underwood

Paula Underwood

November 28, 2017



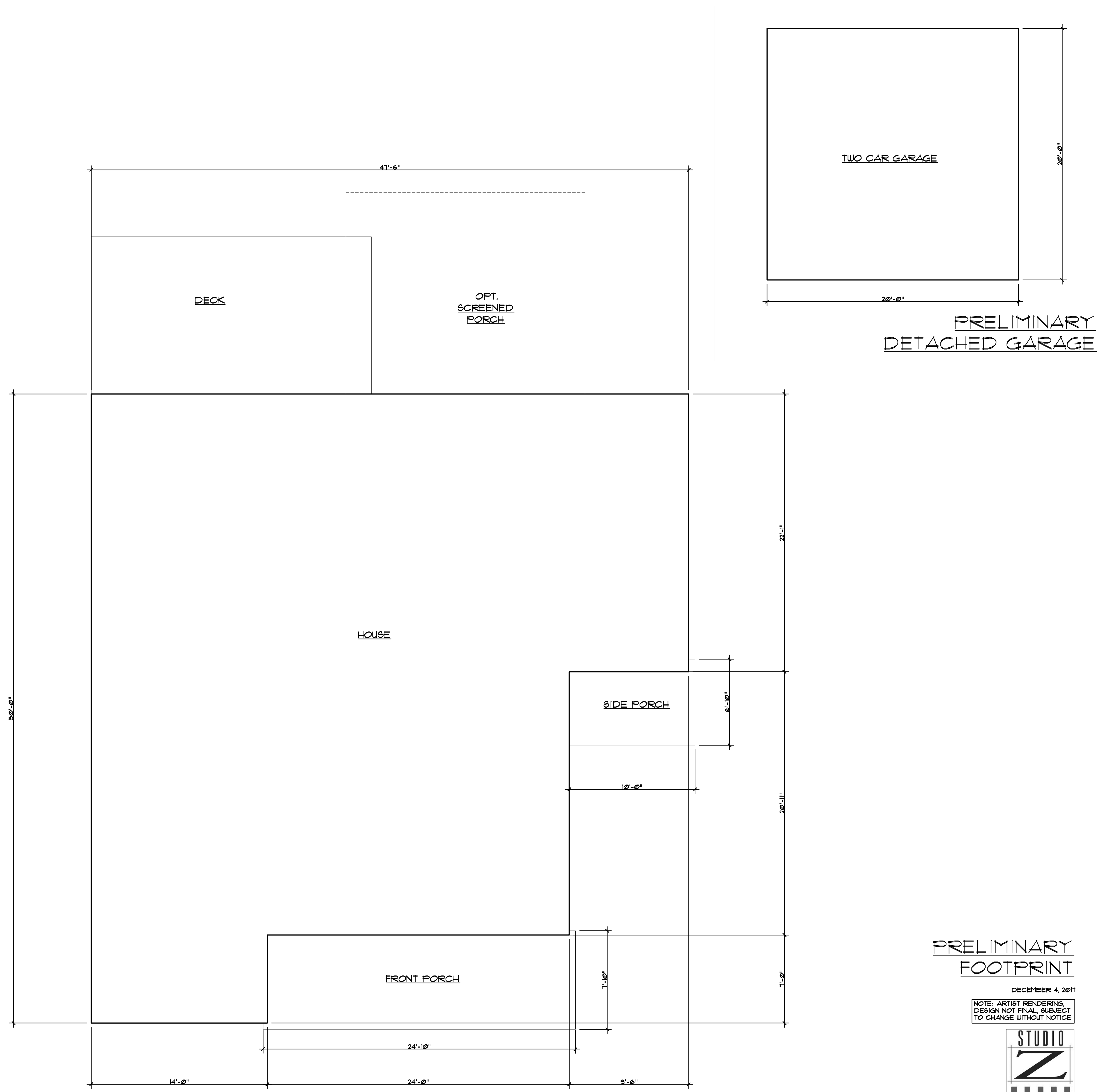
PRELIMINARY
DETACHED GARAGE

PRELIMINARY
FIRST FLOOR PLAN

DECEMBER 4, 2011

NOTE: ARTIST RENDERING,
DESIGN NOT FINAL, SUBJECT
TO CHANGE WITHOUT NOTICE



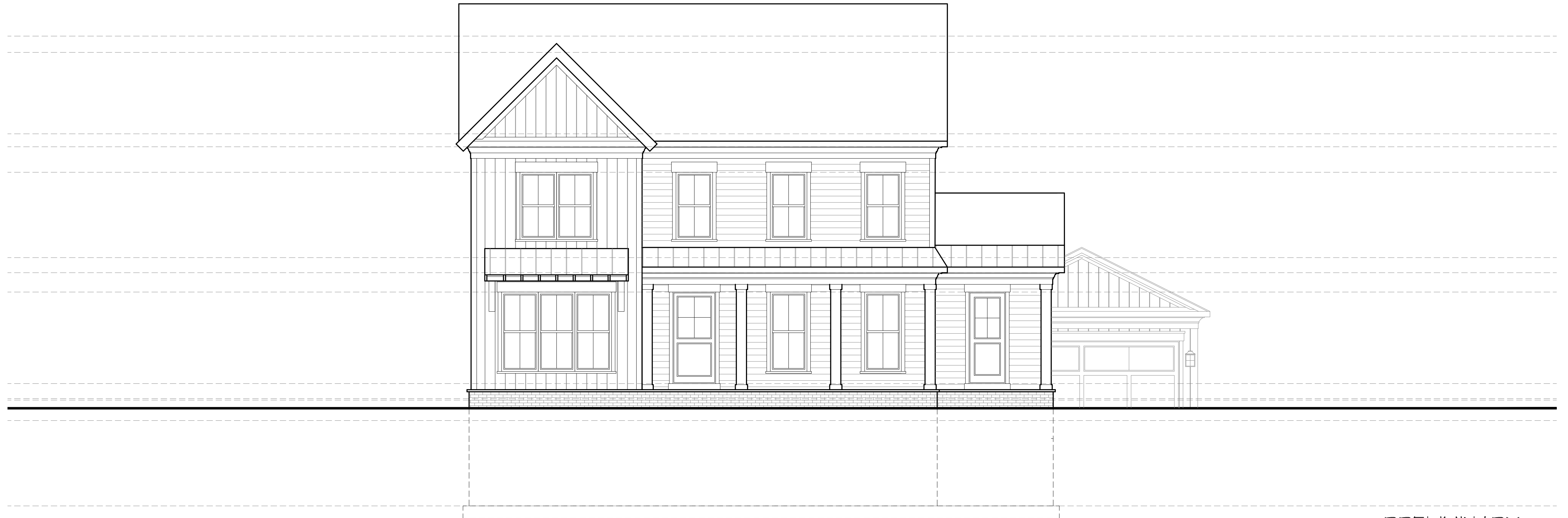


**PRELIMINARY
FOOTPRINT**

DECEMBER 4, 2011

NOTE: ARTIST RENDERING,
DESIGN NOT FINAL, SUBJECT
TO CHANGE WITHOUT NOTICE

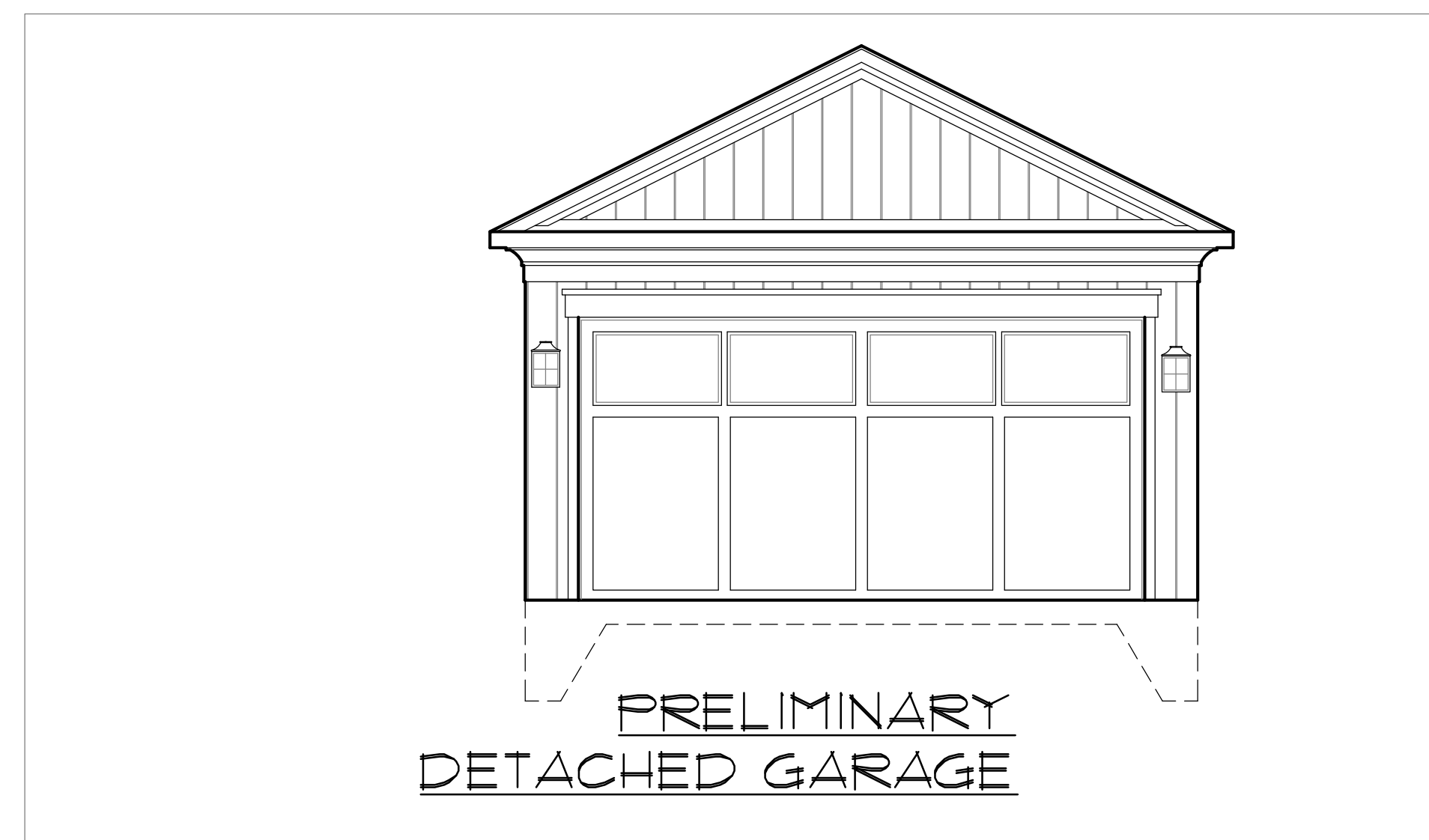




PRELIMINARY
FRONT ELEVATION

DECEMBER 4 2011

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PRELIMINARY
DETACHED GARAGE



PRELIMINARY
LEFT ELEVATION

DECEMBER 4, 2011

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PRELIMINARY
REAR ELEVATION

DECEMBER 4, 2011

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PRELIMINARY
RIGHT ELEVATION

DECEMBER 4, 2011

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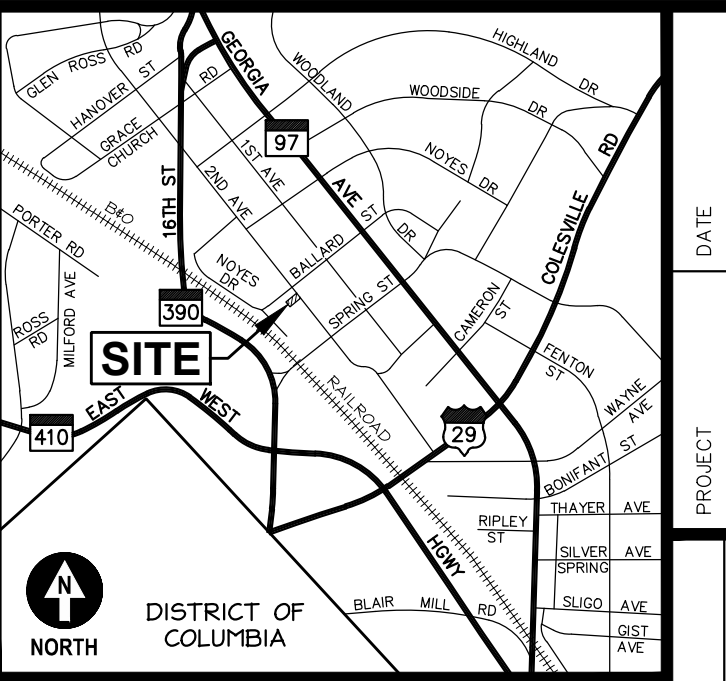


GENERAL NOTES

- 1) BOUNDARY INFORMATION AND TWO-FOOT CONTOUR DATA ARE BASED UPON SURVEYS PERFORMED BY CAS ENGINEERING, DATED AUGUST, 2017.
2) TOTAL LOT AREA: LOT 7 = 12,315 SQ. FT. (0.283 ACRES)
3) PROPERTY IS LOCATED ON TAX MAP JN123 AND H53C 2007 SHEET 210 N4 02.
4) PROPERTY IS LOCATED ON MONTGOMERY COUNTY SOILS SURVEY MAP No. 27, SOIL TYPE(S): 2C 4 20B, GLENEGL SILT LOAM 1 GLENEGL-URBAN LAND COMPLEX.
5) PROPERTY IS LOCATED IN HYDROLOGIC SOIL GROUP "B".
6) FLOOD ZONE "X" PER F.E.H.A. FIRM MAPS, COMMUNITY PANEL NUMBER 2409104620.
7) PROPERTY IS LOCATED IN THE ROCK CREEK WATERSHED.
8) WATER CATEGORY - 1 SEWER CATEGORY - 1
9) LOCAL UTILITIES INCLUDE: WATER & SEWER - WASHINGTON SUBURBAN SANITARY COMMISSION; ELECTRIC - PEPCO; TELEPHONE - VERIZON; GAS - WASHINGTON GAS.
10) THIS PLAN CREATED WITHOUT THE BENEFIT OF A TITLE REPORT.

ZONING DATA

- 1) ZONING: R-60
MIN. LOT AREA = 6,000 SQ. FT. FRONT B.R.L. = 25.0 FT. (ESTABLISHED) (102)
MIN. LOT WIDTH AT R/W = 25 FT. REAR B.R.L. = 20 FT.
MIN. LOT WIDTH AT B.R.L. = 40 FT. SIDE B.R.L. = 7 FT. MIN. EACH SIDE (144)
11) PER MONTGOMERY COUNTY CODE SECTION 4.4.1.A.2, THE ESTABLISHED BUILDING LINE HAS BEEN DETERMINED BY AVERAGING THE FRONT SETBACKS OF THE 2 OR MORE DETACHED HOUSES WITHIN 300 FEET OF THE SIDE LOT LINES MEASURED ALONG THE STREET FRONTAGE.
12) PER MONTGOMERY COUNTY CODE SECTION 4.4.1.A.3, THE ESTABLISHED BUILDING LINE DOES NOT APPLY IF MORE THAN ONE OF THE BUILDINGS DESCRIBED IN SECTION 4.4.1.A.2 ARE SET BACK LESS THAN THE THINNESS REQUIRED BY THE ZONE. PER MONTGOMERY COUNTY CODE SECTION 4.4.1.A.4, IF THE ESTABLISHED BUILDING LINE DOES NOT APPLY, THE BUILDING FRONT SETBACK OF THE ZONE, R-60 MINIMUM FRONT B.R.L. IS 25, USE 25'.
13) PER MONTGOMERY COUNTY CODE SECTION 7.1.D.2.C, A DETACHED HOUSE ON A PLATTED LOT, PARCEL, OR PART OF A PREVIOUSLY PLATTED LOT THAT HAS NOT CHANGED IN SIZE OR SHAPED SINCE JUNE 1, 1964, EXCLUSIVE OF CHANGES DUE TO PUBLIC ACQUISITION, THAT BE CONSTRUCTED OR RECONSTRUCTED BY A PLANNER THAT SATISFIES THE MAXIMUM BUILDING HEIGHT, LOT COVERAGE AND ESTABLISHED BUILDING LINE OF THE ZONE WHEN THE BUILDING PERMIT IS SUBMITTED AND THE SIDE, REAR AND FRONT SETBACKS REQUIRED BY ITS PRE-1964 ZONING IN EFFECT WHEN THE LOT, PARCEL OR PART OF A LOT HAS FIRST BEEN CREATED.
14) THIS R-60 LOT WAS CREATED BY PLAT PRIOR TO JANUARY 1, 1964, THEREFORE SIDE SETBACKS OF 7 FEET EACH SIDE ARE FORBIDDEN.
2) VERIFY LOT COVERAGE IN ACCORDANCE WITH SECTION 4.4.1.B.2 OF THE ZONING ORDINANCE. LOT AREA EQUAL TO OR GREATER THAN 6,000 SQUARE FEET BUT LESS THAN 16,000 SQUARE FEET.
LOT COVERAGE: THE MAXIMUM AREA THAT MAY BE COVERED BY ANY BUILDING, INCLUDING ANY ACCESSORY BUILDING AND ANY HEAT-RESISTANT FLOOR AREA ABOVE A PORCH, BUT NOT INCLUDING ANY BAY WINDOW MEASURING 10 FEET IN WIDTH OR LESS AND 3 FEET IN DEPTH OR LESS, CHIMNEY, PORCH, OR UP TO 340 SQUARE FEET OF A DETACHED GARAGE, IF THE GARAGE IS LESS THAN 350 SQUARE FEET OF FLOOR AREA AND LESS THAN 20 FEET IN HEIGHT.
ALLOWABLE LOT COVERAGE 30% OF TOTAL LOT AREA, LESS 0.001 PERCENT FOR EVERY SQUARE FOOT OF LOT AREA EXCEEDING 6,000 SQUARE FEET.
LOT 7 = 12,315 SQUARE FEET (PER PLAT)
12,315 * 0.30 = 3,695 SQUARE FEET
3,695 + 0.001 * 6,315 = 3,696.635
30% = 3,696.635



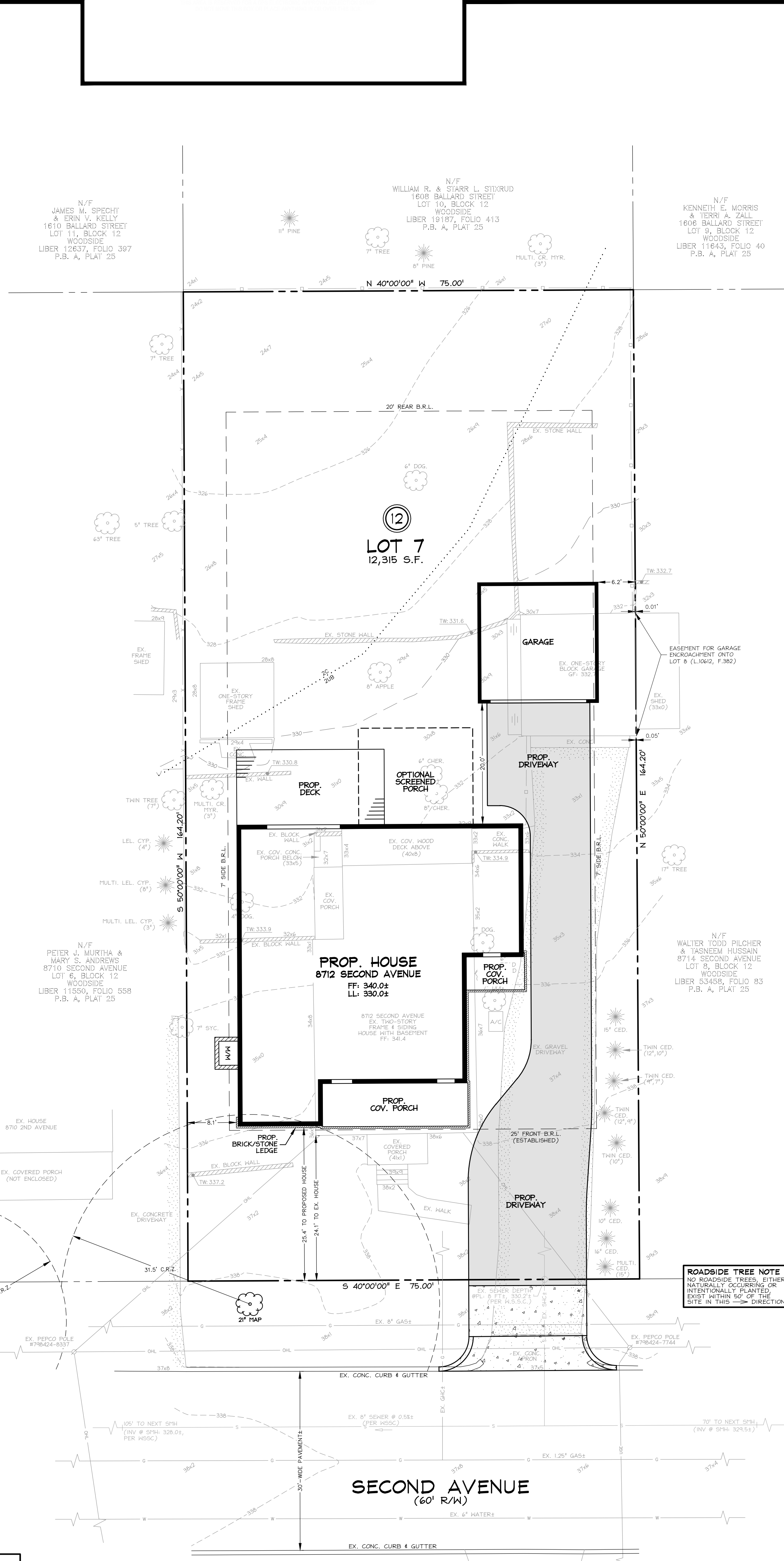
VICINITY MAP
ADC MAP 5408, GRID E-1, SCALE: 1" = 2000'

Table with columns: DATE, PROJECT, SCALE, APPROVAL. Values: 10/2017, 17-367, JMO, CAS.

Table with columns: DATE, BY, REV/BOOK, PROJECT. Values: 10/2017, JMO, 17-367, PRELIMINARY HAWP PLAN REVISED PER UPDATED ARCH PLANS.

B.F. LEIGHTONS' ADDITION TO WOODSIDE PRELIMINARY (HAWP) SITE PLAN

10 South Bentz Street
Bethesda, Maryland 20814
Phone: 301-807-8045 fax
www.casengineering.com
info@casengineering.com
CIVIL • SURVEYING • LAND PLANNING



PRELIMINARY BUILDING PERMIT SITE PLAN

LEGEND

Legend table with columns: EXISTING FEATURES, PROPOSED FEATURES. Includes symbols for storm drain, sewer line, gas line, etc.

RELATED REQUIRED PERMITS table with columns: TYPE OF PERMIT, REQ'D, NOT REQ'D, PERMIT NUMBER, EXPIRATION DATE, WORK RESTRICTION DATES.

CONSTRUCTION INSPECTION CHECK-OFF LIST FOR DRY WELL/RECHARGE CHAMBER table with columns: MANDATORY, INITIALS/DATE, OWNER/DEVELOPER.

NON-ROOFTOP DISCONNECTION table with columns: DEMAND/DEVELOPER SIGNATURE, DATE.

ROOFTOP DISCONNECTION table with columns: DEMAND/DEVELOPER SIGNATURE, DATE.

RECORD DRAWING CERTIFICATION table with columns: DEMAND/DEVELOPER SIGNATURE, DATE.

ROADSIDE TREE REQUIREMENTS

TO BE COMPLETED BY THE CONSULTANT AND PLACED ON THE FIRST SHEET OF THE SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN SET FOR ALL PROJECTS.
of Street Trees Removed: 0
of Street Trees Planted: 0
Total Fees Required: \$0.00

TREE CANOPY REQUIREMENTS

TO BE COMPLETED BY THE CONSULTANT AND PLACED ON THE FIRST SHEET OF THE SEDIMENT CONTROL/STORMWATER MANAGEMENT PLAN SET FOR ALL PROJECTS.
EXEMPT: YES [] NO [X]
If exempt under Section 55-5 of the code, please check the applicable exemption category below.

Table with columns: Total Property Area, Total Disturbed Area, Shade Trees Required, Shade Trees Proposed.

AREA OF THE LIMITS OF DISTURBANCE (SQUARE FEET)
FROM TO NUMBER OF SHADE TREES REQUIRED

UTILITY INFORMATION

EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.
UTILITY CO. REQUEST DATE BY INFO RECEIVED PLAN REVISED BY
AT&T 05/15/2017 KAM 05/15/2017 NO FACILITIES RES
COMCAST 05/15/2017 KAM 05/15/2017 NO FACILITIES RES
MCI 05/15/2017 KAM - - - - -
PEPCO 05/15/2017 KAM - - - - -
VERIZON 05/15/2017 KAM - - - - -
WASH. GAS 05/15/2017 KAM 07/09/2017 08/03/2017 BCB
W.S.C. 05/15/2017 08/03/2017 BCB
SEWER CONTRACT DRAWING 05/15/2017 08/03/2017 BCB
WATER CONTRACT DRAWING 05/15/2017 08/03/2017 BCB
HOUSE-CONNECTION PLUMBING CAMPS 05/15/2017 08/03/2017 BCB

8712 SECOND AVENUE, SILVER SPRING, MD 20910
PLAT BOOK A, PLAT 25, CIRCA 1994

