

**EXPEDITED**  
**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	21621 Goshen Oaks Drive, Gaithersburg	<b>Meeting Date:</b>	5/7/2019
<b>Resource:</b>	Master Plan Site #14/55 ( <i>Avalon</i> )	<b>Report Date:</b>	4/30/2019
<b>Applicant:</b>	Dimitri and Marisol Rosenthal	<b>Public Notice:</b>	4/23/2019
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	N/A
<b>Case Number:</b>	14/55-19A	<b>Staff:</b>	Michael Kyne
<b>PROPOSAL:</b>	Deck installation		

**STAFF RECOMMENDATION:**

☒ Approve  
☐ Approve with conditions

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Master Plan Site #14/55, *Avalon*  
**STYLE:** Colonial Revival  
**DATE:** c. 1920



**Fig. 1: Aerial image depicting the c. 1920 house in relation to the subject property house, which was constructed in 1996.**

**PROPOSAL:**

The applicants propose to construct a 656 square foot deck at the rear of the subject property. The subject property house was constructed in 1996 within the environmental setting of the historic resource, after the property was subdivided.

**APPLICABLE GUIDELINES:****Policy On Use of Expedited Staff Reports for Simple HAWP Cases**

IV. The Expedited Staff Report format may be used on the following type of cases:

7. Construction of wooden decks that are at the rear of a structure and are not readily visible from a public right-of-way. This applies to all categories of resources: Outstanding, Contributing, Individually Designated Sites, or Non-contributing.

**Montgomery County Code; Chapter 24A-8**

- (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.

***Secretary of Interior's Standards for Rehabilitation***

The Secretary of the Interior defines rehabilitation 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." The *Standards* are as follows:

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

**STAFF RECOMMENDATION:**

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1) & (2) having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the purposes of Chapter 24A;

and with the *Secretary of the Interior's Standards for Rehabilitation #2*;

and with the general condition that the applicant shall present the **3 permit sets of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping** prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion.

Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.



HISTORIC PRESERVATION COMMISSION  
301/563-3400

DPS - #8

## APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: drosenthal@mgsservices.com Contact Person: Dimitri Rosenthal  
Daytime Phone No.: 240-731-2221  
Tax Account No.: \_\_\_\_\_  
Name of Property Owner: Dimitri & Marisol Rosenthal Daytime Phone No.: 240-731-2221  
Address: 21621 Goshen Oaks RD, Gaithersburg, MD, 20882  
Street Number City State Zip Code  
Contractor: Dimitri Rosenthal Phone No.: 240-731-2221  
Contractor Registration No.: \_\_\_\_\_  
Agent for Owner: Self Daytime Phone No.: 240-731-2221

### LOCATION OF BUILDING/PREMISE

House Number: 21621 Street: Goshen Oaks RD  
Town/City: Gaithersburg Nearest Cross Street: English Meadow Way  
Lot: 72 Block: A Subdivision: 0058  
Liber: 43856 Folio: 0497 Parcel: \_\_\_\_\_

### PART ONE: TYPE OF PERMIT ACTION AND USE

#### 1A. CHECK ALL APPLICABLE:

- ☒ Construct ☐ Extend ☐ Alter/Renovate  
☐ Move ☐ Install ☐ Wreck/Raze  
☐ 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 estimator: \$ 10,500.00

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

869946

### PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/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

Date

4-18-19

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application/Permit No.: 872636 Date Filed: 4/18/19 Date Issued: \_\_\_\_\_

Edit 5/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

**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:

RESIDENTIAL DECK ATTACHED TO  
NON-HISTORIC HOME, CONSTRUCTED ON  
1996

Nothing historic ABOUT MY HOUSE

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

656 SQ FT OF DECK BEHIND A NON-HISTORIC  
HOME.

MY HOUSE WAS BUILT IN 1996, IN LOT 72

THE HISTORIC HOUSE IS IN LOT 68

**2. SITE PLAN**

Site and environmental setting, drawn to scale. You may use your plot. 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]

<b>Owner's mailing address</b> MARISOL & Dimitri Rosenthal 21621 Goshen OAKS RD Gaithersburg, MD. 20882	<b>Owner's Agent's mailing address</b> SAME
<b>Adjacent and confronting Property Owners mailing addresses</b>	
Sabett Randy 9244 English Meadow Way Gaithersburg, MD. 20882	CABANA EDWARD & RENEE 21600 English Meadow PL Gaithersburg, MD. 20882
Kirchoff Deborah & Tim 21611 Goshen OAKS RD Gaithersburg, MD. 20882	Milford Dolores 21620 Goshen OAKS RD Gaithersburg, MD. 20882
Rewega Wayne & Anita 21624 Goshen OAKS RD Gaithersburg, MD. 20882	

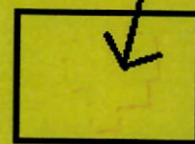


Basemaps



486

Blunt Farmhouse, Avalon Farm,  
built in 1921. This belongs to a  
The Sabett Family



Rosenthal  
Family

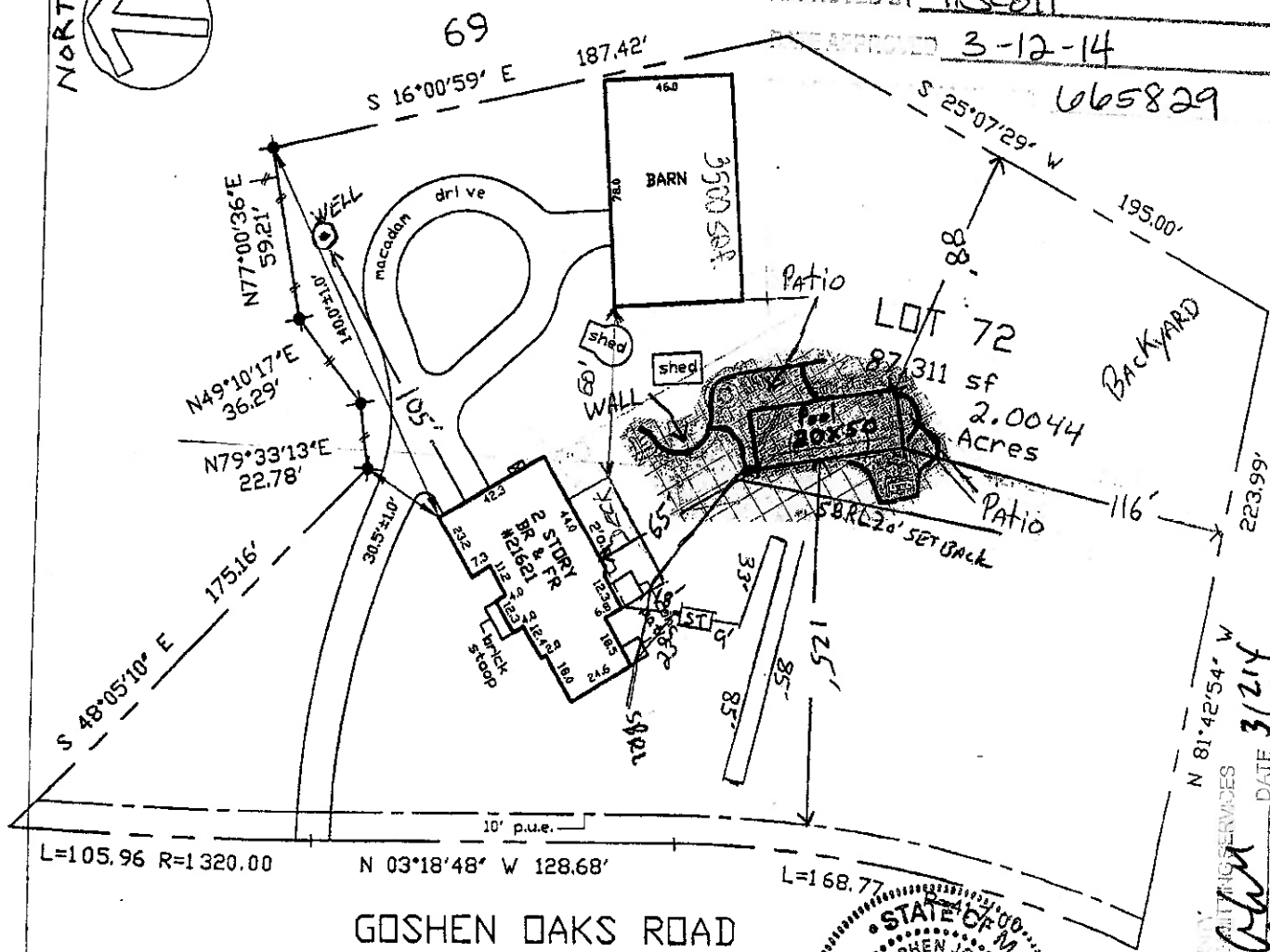
We would like to build a  
deck behind our "non-  
historic" home (built in  
1996)



APPROVED BY H. Scott

DATE APPROVED 3-12-14

065829

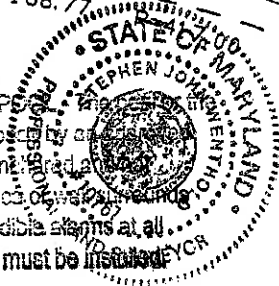


GOSHEN OAKS ROAD

**ENCLOSURE OF OUTDOOR SWIMMING POOL**  
The property surrounding the pool must be enclosed by a fence or wall at least 5 feet high, securely anchored and not easily climbed or penetrated. When the fence or wall surrounds the property, an automatic pool cover, or audible alarms at all doors leading from the dwelling to the pool, must be installed.

*Rosenthal*

No evidence of property corners was found.  
Apparent occupation is shown.



DATE 3/2/14 PAGE 2  
APPROVED R.E.C.  
ZONING CLASS RE-2  
CASE NO. 29090960

*for 1/1/14*

Date: 2-23-12 Scale: 1" = 60' Dm: R.C.d.  
Plat Book: 171  
Plat No.: 18554 NO TITLE REPORT FURNISHED  
Work Order: 12-1091  
Address: 21621 GOSHEN OAKS ROAD  
District: 1  
Jurisdiction: MONTGOMERY COUNTY, MD

LOCATION DRAWING  
LOT 2 & PART OF LOT 1  
BLOCK 8 - LIBER 39955, FOLIO 408  
SECTION No. 1, GLEN-ECHO HEIGHTS

NOTE: This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.

**Surveyor's Certification**  
My License expires on February 10, 2014

I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. Building restriction lines shown are per available information and are subject to the interpretation of the originator.

*[Signature]*

Meridian Surveys, Inc.  
PO BOX 549  
FREDERICK, MD 21705  
(301) 721-9400







An aerial photograph of a large, green lawn. On the left, there is a concrete patio area with a circular fire pit. On the right, a white fence runs along the edge of the property. A yellow rectangular box with the text "Non-Historic home" is positioned in the center of the lawn, with a yellow arrow pointing from the box to the white fence.

**Non-Historic home**



**Historic home**





