

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

<b>Address:</b>	25811 Frederick Road, Clarksburg	<b>Meeting Date:</b>	4/22/2020
<b>Resource:</b>	Contemporary (1940-70) Resource (Hyattstown Historic District)	<b>Report Date:</b>	4/15/2020
<b>Applicant:</b>	25811 Frederick Road LLC (Ken Padgett, Agent)	<b>Public Notice:</b>	4/8/2020
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	N/A
<b>Case Number:</b>	10/59-20A	<b>Staff:</b>	Michael Kyne
<b>PROPOSAL:</b>	Signage		

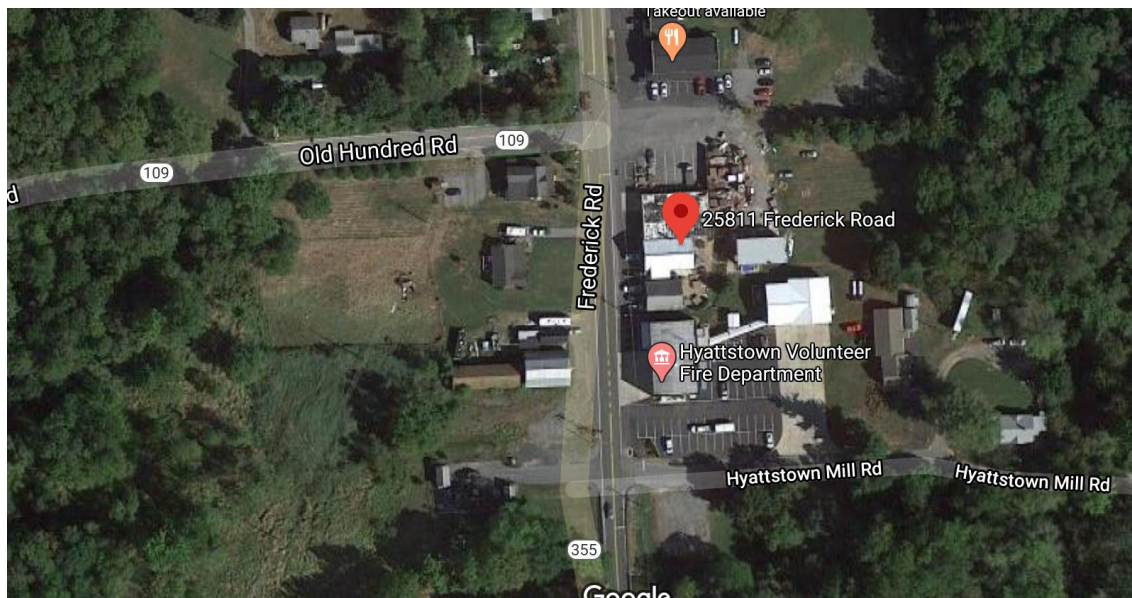
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**STAFF RECOMMENDATION:**

- ☒ Approve  
☐ Approve with conditions

**ARCHITECTURAL DESCRIPTION:**

**SIGNIFICANCE:** Contemporary (1940-70) Resource within the Hyattstown Historic District



**Fig. 1: Subject property.**

**PROPOSAL:**

The applicants propose the following work items at the subject property:

- Installation of one 115 sf illuminated channel letter/raceway sign.
- Installation of one 35 ½ sf illuminated box sign.

**APPLICABLE GUIDELINES:**

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

6. Signs that are in conformance with all other County sign regulations.

**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.
- (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 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.

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 proportion, and massing to protect the integrity of the property and its environment.

**STAFF RECOMMENDATION:**

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

and with the *Secretary of the Interior's Standards for Rehabilitation* #2 and #9;

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 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;

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.

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: Ken@Mid-AtlanticPermits.com Contact Person: Ken Padgett  
Daytime Phone No.: 301-370-2126  
Tax Account No.: Dist: 02 Acct No: 00017545  
Name of Property Owner: 25811 FREDERICK ROAD LLC Daytime Phone No.: 301-514-9331  
Address: 25811 FREDERICK RD. CLARKSBURG, MD 20874  
Street Number City State Zip Code  
Contractor: GRAPHCOM Phone No.: 240-215-4146  
Contractor Registration No.: \_\_\_\_\_  
Agent for Owner: KEN PADGETT Daytime Phone No.: 301-370-2126

## LOCATION OF BUILDING/PREMISE

House Number: 25811 Street: FREDERICK RD.  
Town/City: CLARKSBURG Nearest Cross Street: OLD HUNDRED RD. (ROUTE 109)  
Lot: P3 Block: \_\_\_\_\_ Subdivision: LT 4-5 & 58-59 LOTS IN HYATTSTOWN  
Liber: 19716 Folio: 0553 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: SIGNS

1B. Construction cost estimate: \$ \$5500.00

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

## 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]  
Signature of owner or authorized agent

03/09/2020

Date

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

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

Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

**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:

PROJECT IS THE REPLACEMENT OF SIGNAGE FOR CAPITAL HOT TUBS.

INSTALLATION OF (1) 115 SF ILLUMINATED CHANNEL LETTER SET ON A RACEWAY

TO READ "CAPITAL HOT TUBS SAUNAS SWIM SPAS WITH LOGO BOX" ON MAIN BUILDING

INSTALL (1) 35.3 SF NON-ILLUMINATED BOX SIGN ON FRONT OF SECONDARY BUILDING

- b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:  
SIGN IS ONLY TO BE ILLUMINATED DURING BUSINESS HOURS.

**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.

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

<b>Owner's mailing address</b>		<b>Owner's Agent's mailing address</b>	
25811 FREDERICK ROAD LLC JOE MAHONEY 25811 FREDERICK ROAD CLARKSBURG, MD 20871		KEN PADGETT 6 BAFFINBAY CT. ROCKVILLE, MD 20853	
<b>Adjacent and confronting Property Owners mailing addresses</b>			
1.	VILLEGAS HECTOR A & CARMEN D 77851 BEECHCRAFT AVE SUITE D GERMANTOWN MD 20874-2346	DODSON KEVIN E C/O JOHN F. DOVE PO BOX 3732 GAITHERSBURG MD 20885-	7 & 8
2.	VILLEGAS HECTOR A & CARMEN D 7851 BEECHCRAFT AVE SUITE D GERMANTOWN MD 20874-2346	SUERO CARLOS F JAQUEZ GUZMAN KATTY A 25814 FREDERICK RD CLARKSBURG MD 20871-9757	9.
3.	HILL CLIFTON J SR LIFE ESTATE HILL DORIS I LIFE ESTATE 15015 HYATTSTOWN MILL RD CLARKSBURG MD 20871	LEARY ALAN J 25904 FREDERICK RD HYATTSTOWN MD 20871	10.
4.	HYATTSTOWN VOLUNTEER FIRE DEPARTMENT 25801 FREDERICK RD CLARKSBURG MD 20871-		
5.	HYATTSTOWN VOL FIRE DP INC 258001 FREDERICK RD CLARKSBURG MD 20871		
6.	DOVE JOHN F PO BOX 3732 GAITHERSBURG MD 20885-		



**Existing Property Condition Photographs** (duplicate as needed)

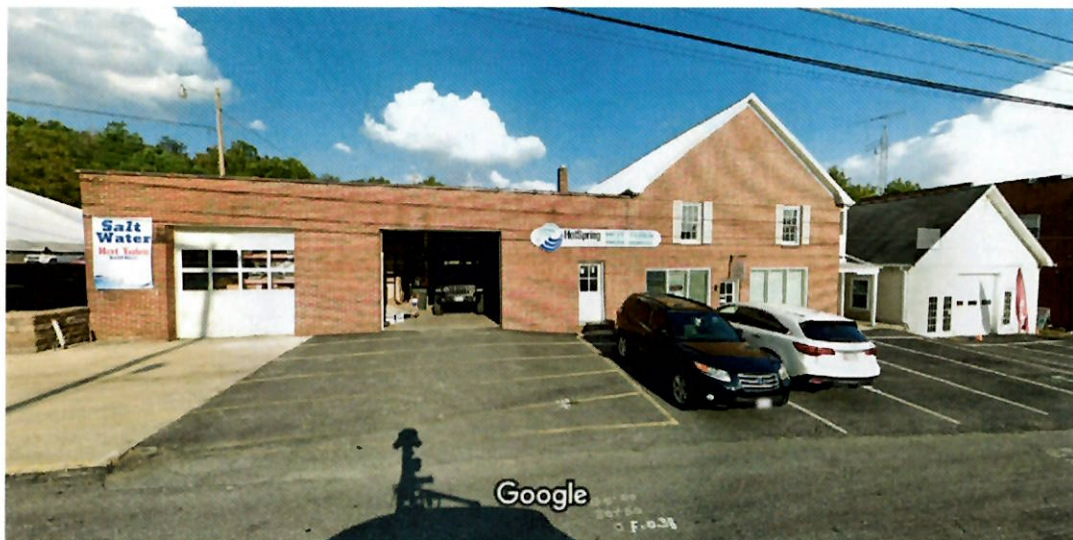


Image capture: Sep 2019 © 2020 Google

Detail: Main Building



Image capture: Sep 2019 © 2020 Google

Detail: Lower Sales Building

Applicant: Ken Padgett

Page: 1

**Existing Property Condition Photographs** (duplicate as needed)



Detail: Hyattstown Fire Department South of Subject Property



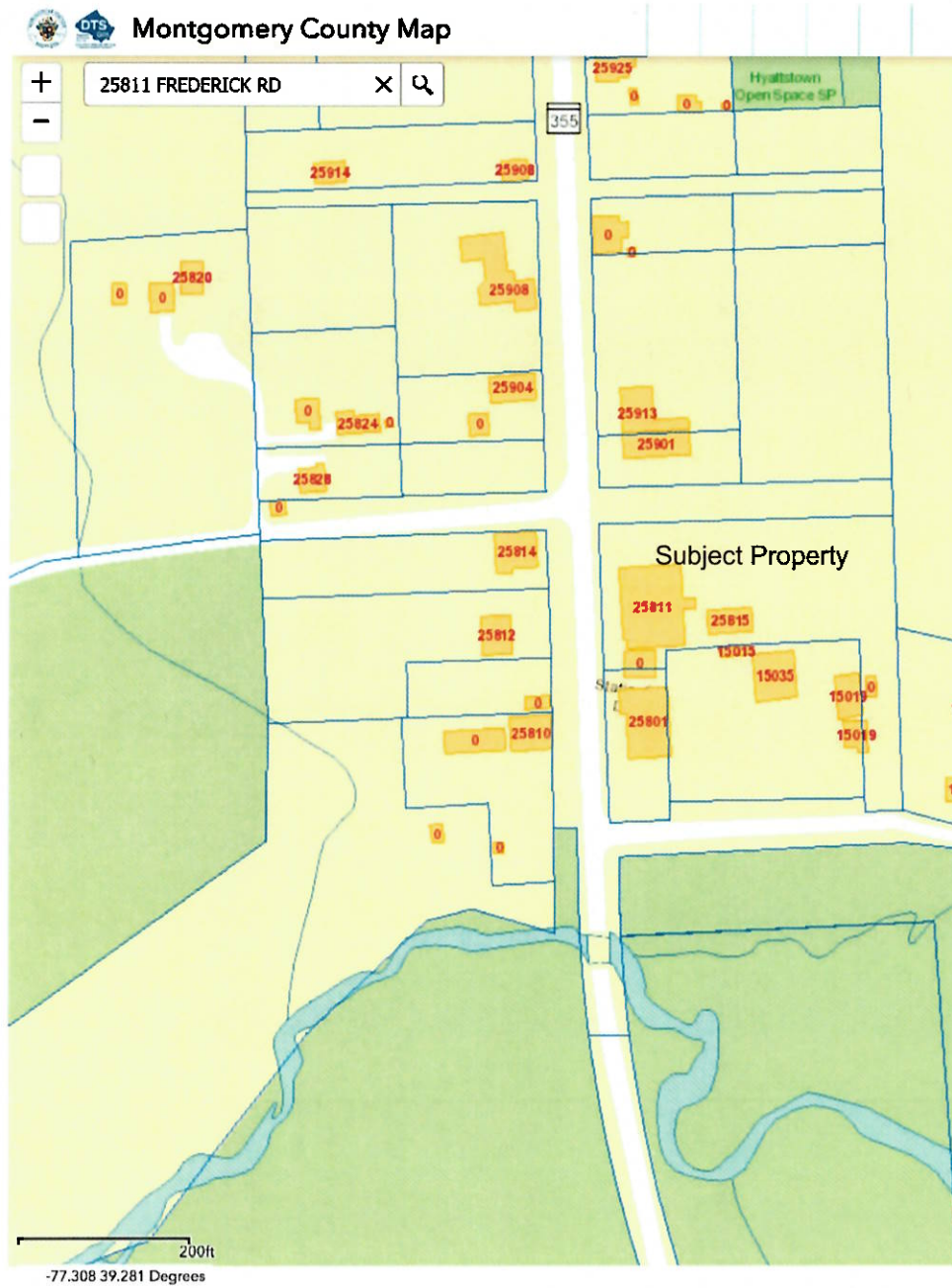
Detail: Properties across the street from subject property.

Applicant: Ken Padgett



# Site Plan

Montgomery County Map



Shade portion to indicate North

Applicant: Ken Padgett



Client:  
Capital Hot Tubs

Location:  
25811 Frederick Road  
Clarksburg, MD 20871

Work Order:  
10519

PAINT / INK COLORS

**graphcom.**   
800.669.1664 [www.graphcom.com](http://www.graphcom.com)  
marketing • printing • creative • signs

PRESENTED BY: Kevin Kelly

DRAWN BY: JC

PROOF VERSION: 1

DATE: 08-20-19

**NOTES:**

One (1) Set of Channel Letters: CAPITAL  
HOT TUBS · SAUNAS · SWIM SPAS with Brick  
color painted Raceway and Black trim cap.  
We will provide PMS color to match.

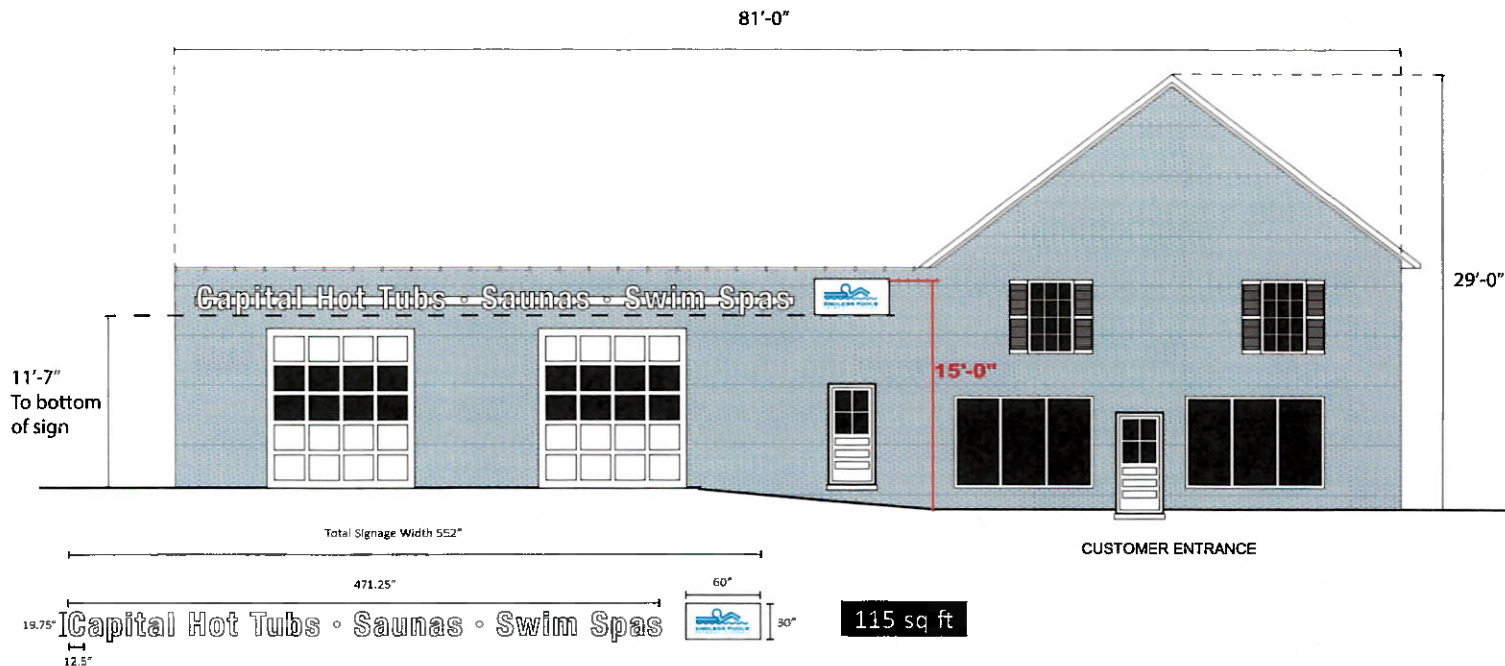
471.25" wide x 19.75" tall x standard depth,  
internally illuminated with LED.

SCALE: 1/8" = 1'-0" (1:96)

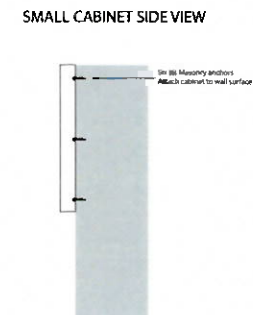
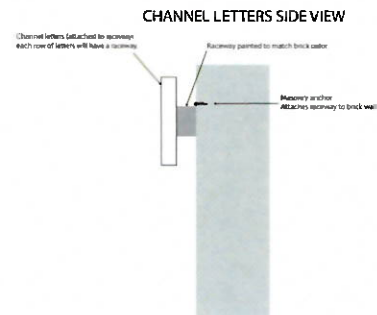
DOCUMENT SIZE: 11" x 17"

SHEET NO.

**02**



SCALE: 1/2" = 1'-0" (1:24)



Client:  
Capital Hot Tubs

Location:  
25811 Frederick Road  
Clarksburg, MD 20871

Work Order:  
10519

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PRESENTED BY: Kevin Kelly

DRAWN BY: JC

PROOF VERSION: 1

DATE: 08-20-19

#### NOTES:

One (1) Set of Channel Letters: CAPITAL  
HOT TUBS • SAUNAS • SWIM SPAS with Brick  
color painted Raceway and Black trim cap  
We will provide PMS color to match.

471.25" wide x 19.75" tall x standard depth,  
internally illuminated with LED.

SCALE: 1/8" = 1'-0" (1:96)

DOCUMENT SIZE: 11" x 17"

SHEET NO.

**01**





Client:  
Capital Hot Tubs

Location:  
25811 Frederick Road  
Clarksburg, MD 20871

Work Order:  
10519

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PRESENTED BY: Kevin Kelly

DRAWN BY: JC

PROOF VERSION: 1

DATE: 08-20-19

NOTES:

One {1} Set of Channel Letters: CAPITAL  
HOT TUBS. SAUNAS. SWIM SPAS with Brick  
color painted Raceway and Black trim cap.  
We will provide PMS color to match.

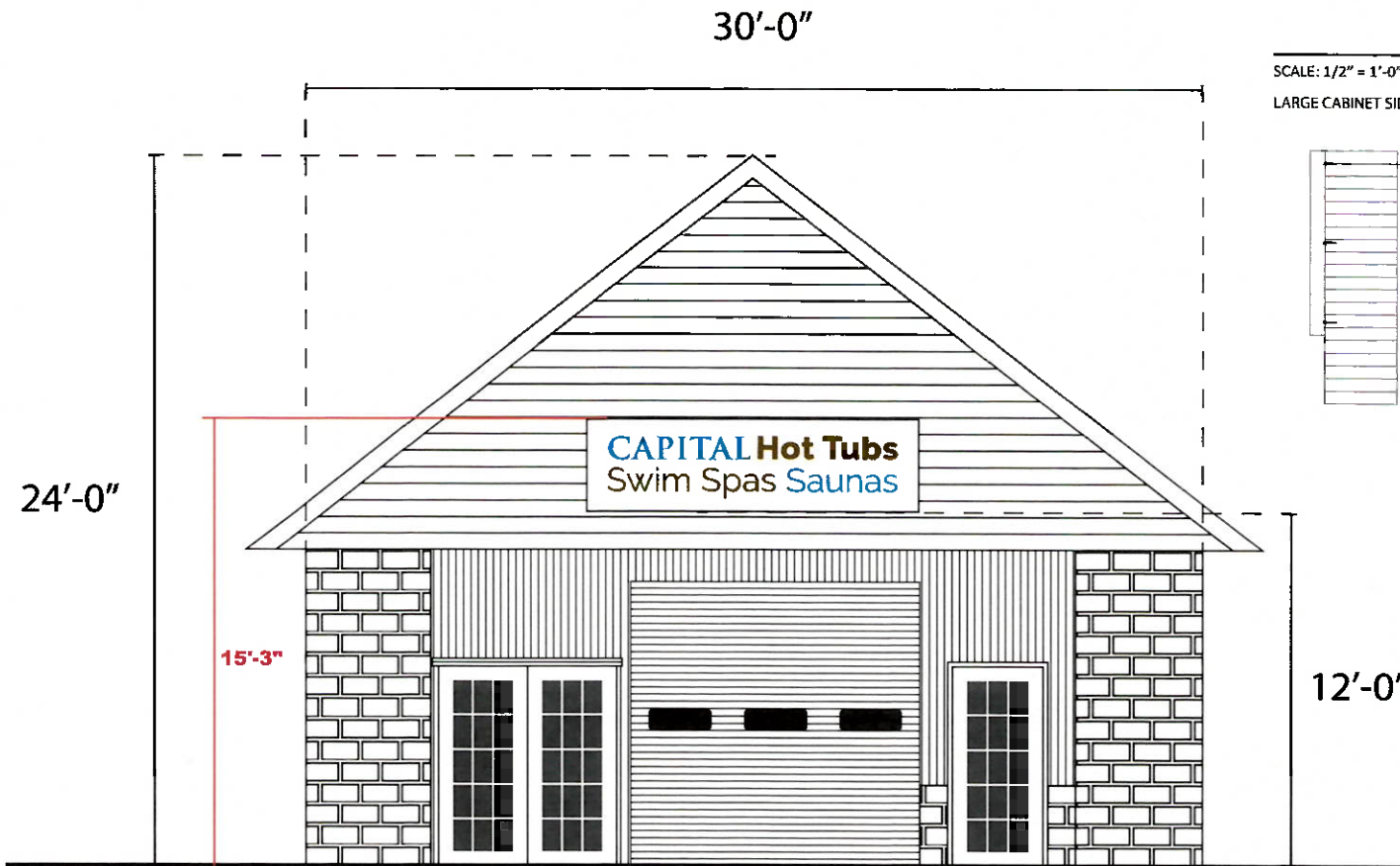
471.25" wide x 19.75" tall x standard depth,  
internally illuminated with LED.

SCALE: 1/4" = 1'-0" (1:48)

DOCUMENT SIZE: 11" x 17"

SHEET NO.

**04**



Client:  
Capital Hot Tubs

Location:  
25811 Frederick Road  
Clarksburg, MD 20671

Work Order:  
10519

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PRESENTED BY: Kevin Kelly

DRAWN BY: JC

PROOF VERSION: 1

DATE: 08-20-19

**NOTES:**

One (1) Set of Channel Letters: CAPITAL  
HOT TUBS . SAUNAS . SWIM SPAS with Brick  
color painted Raceway and Black trim cap.  
We will provide PMS color to match.

471.25" wide x 19.75" tall x standard depth,  
internally illuminated with LED.

SCALE: 1/4" = 1'-0" (1:48)

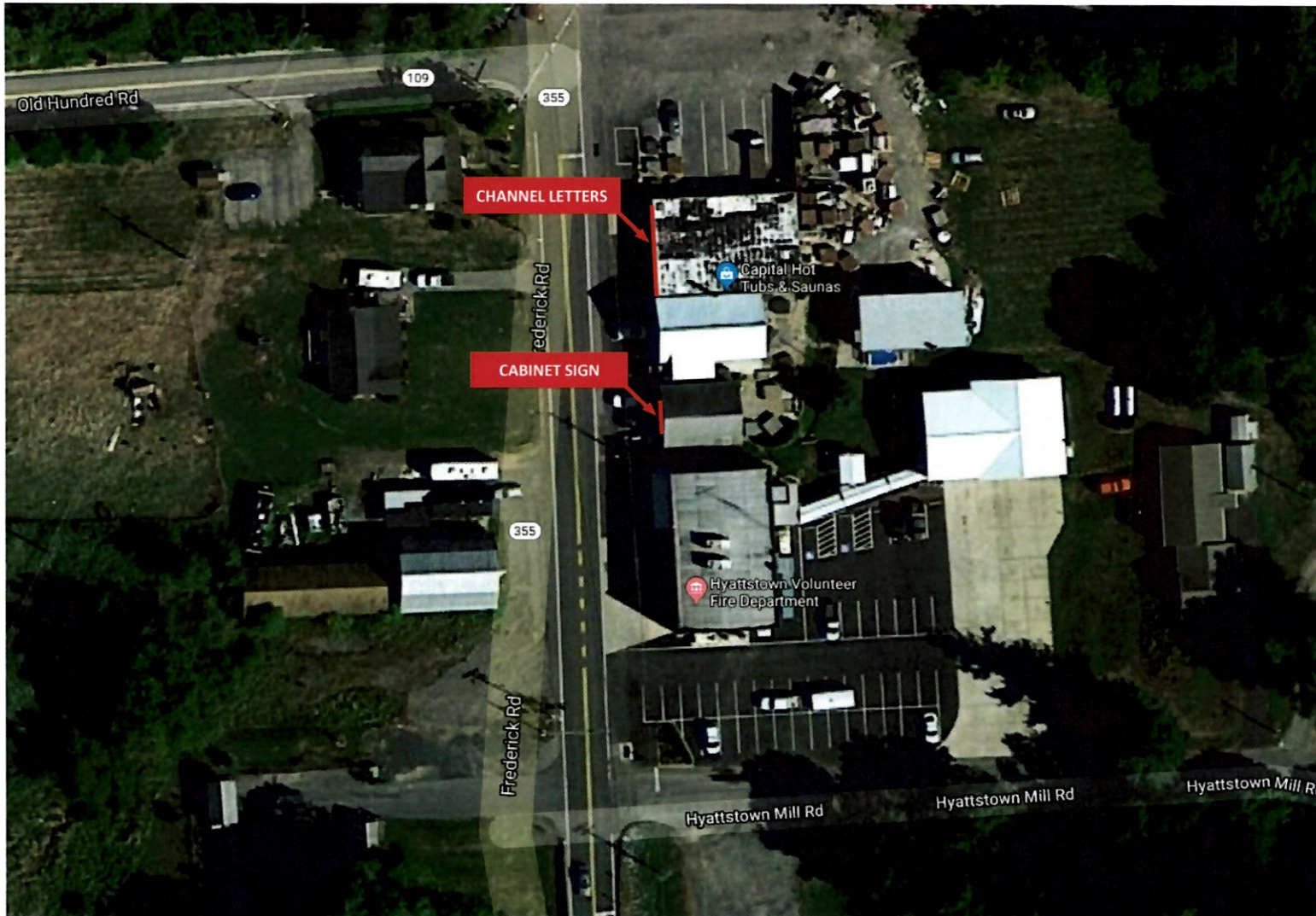
DOCUMENT SIZE: 11" x 17"

SHEET NO.

**03**

**CAPITAL Hot Tubs**  
Swim Spas Saunas





Client:  
Capital Hot Tubs

Location:  
25811 Frederick Road  
Clarksburg, MD 20871

Work Order:  
10519

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PRESENTED BY: Kevin Kelly

DRAWN BY: JC

PROOF VERSION: 1

DATE: 08-20-19

NOTES:

SCALE: 1" = 50'-0" (1:600)

DOCUMENT SIZE: 11" x 17"

SHEET NO.

**05**