

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	23335 Frederick Road, Clarksburg	Meeting Date:	4/28/2021
Resource:	Contributing Resource (Clarksburg Historic District)	Report Date:	4/21/2021
Applicant:	Aries Investment Group (Clarksburg), LLC	Public Notice:	4/14/2021
Review:	HAWP	Tax Credit:	N/A
Permit Number:	Pending	Staff:	Michael Kyne
PROPOSAL:	New sign		

STAFF RECOMMENDATION:

- Approve
- Approve with conditions

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Clarksburg Historic District
STYLE: Vernacular, side-gable
DATE: c. 1800 (rear ell), 1827-43 (front portion), early 20th century (front porch)

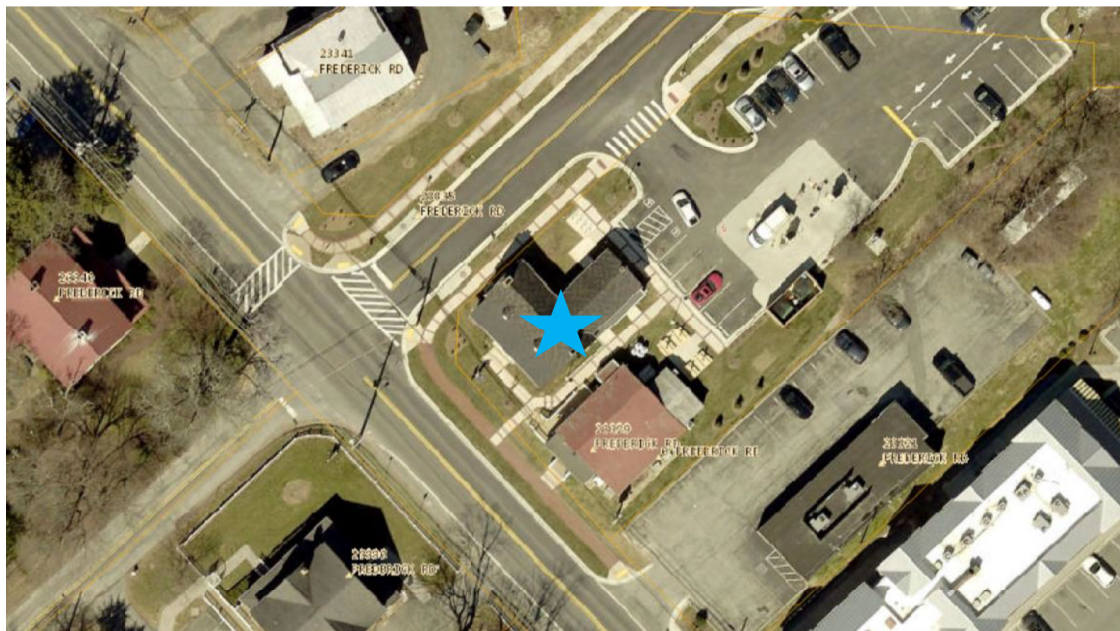


Fig. 1: Subject property, as marked by the blue star.

PROPOSAL:

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

- Install one 36" x 46" non-illuminated, aluminum sign on the north side (left, as viewed from the public right-of-way of Frederick Road) of the historic building.
- Install one 36" x 46" non-illuminated, aluminum sign on the east side (rear) of the rear ell.

APPLICABLE GUIDELINES:

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

2. Modifications to a property, which do not significantly alter its visual character.
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*)

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 an electronic set 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.



**APPLICATION FOR
HISTORIC AREA WORK PERMIT**
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:

HAWP# _____

DATE ASSIGNED _____

APPLICANT:

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

Tax Account No.: _____

AGENT/CONTACT (if applicable):

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? Yes/District Name _____

No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: _____ Street: _____

Town/City: _____ Nearest Cross Street: _____

Lot: _____ Block: _____ Subdivision: _____ Parcel: _____

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

New Construction

Deck/Porch

Shed/Garage/Accessory Structure

Addition

Fence

Solar

Demolition

Hardscape/Landscape

Tree removal/planting

Grading/Excavation

Roof

Window/Door

Other: _____

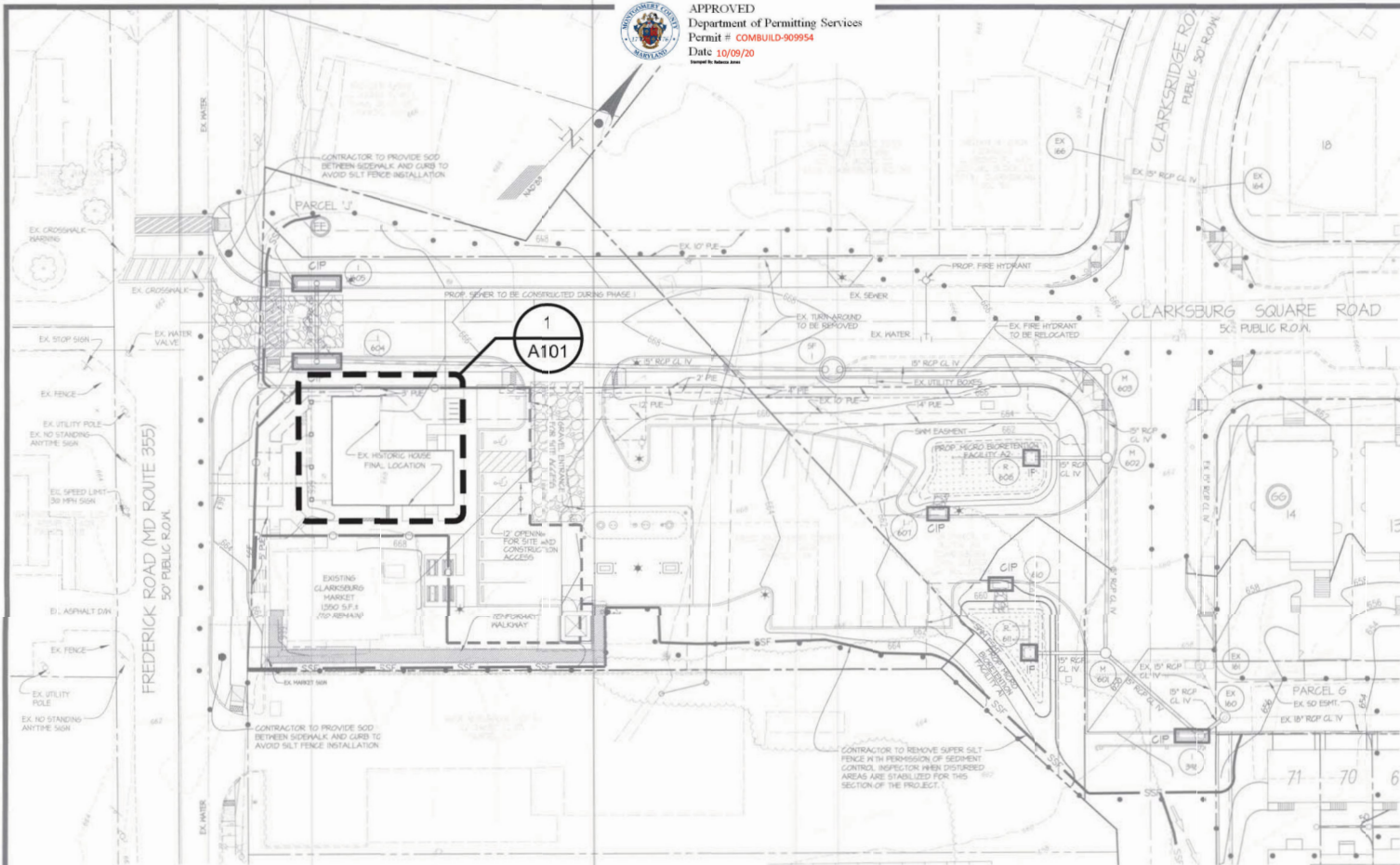
I hereby certify that I have the authority to make the foregoing application, that the application is correct and accurate and that the construction will comply with plans reviewed and approved by all necessary agencies and hereby acknowledge and accept this to be a condition for the issuance of this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

Signature of owner or authorized agent

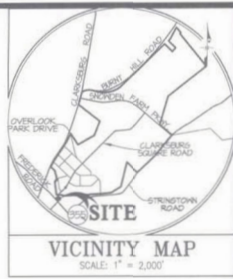
Date



APPROVED
 Department of Permitting Services
 Permit # COMBUILD-909954
 Date 10/09/20



48 Hours
 Before You Dig
 Call
 "MISS UTILITY"
 Service Protection Center
 MEMBER
 ONE CALL SYSTEMS INTERNATIONAL
 CALL TOLL FREE
 1-800-257-7777



LEGEND

- EXISTING TREE LINE
- PROPOSED TREE LINE
- FLOORPLAN
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING CURB
- EXISTING EDGE OF PAVING
- PROPOSED CURB
- EXISTING WATER
- EXISTING SEWER
- PROPOSED WATER
- PROPOSED STORM DRAIN
- LINE OF DISTURBANCE
- EXISTING STREAM
- EXISTING BUILDING
- PROPOSED BUILDING
- SSF
- PROPOSED SUPER SILT FENCE
- CIP
- IP
- PROPOSED INLET PROTECTION
- PROPOSED STABILIZED CONSTRUCTION ENTRANCE
- PROPOSED JERSEY WALL BARRIERS
- PROPOSED GRASS LINK CONSTRUCTION FENCE

INLET PROTECTION NOTE:
 INLET PROTECTION AT STRUCTURES 1-398, 1-604, 1-605, 1-607, R-608, 1-610 AND R-611 MAY BE REMOVED (WITH PERMISSION OF THE SEDIMENT CONTROL INSPECTOR) ONCE THESE AREAS HAVE BASE PAVEMENT INSTALLED AND STABILIZATION IS ACHIEVED IN LANDSCAPED AREAS IMMEDIATELY ADJACENT TO THESE STRUCTURES.



MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES APPROVED FOR:			NOTE: MCDPS APPROVAL DOES NOT NEGATE THE NEED OF A MCDPS ACCESS PERMIT!
Stormwater Management: ONSITE	Sediment Control Technical Requirements: <i>Thomas Warden 3/22/16</i>	Administrative Requirements: <i>Thomas Warden 3/22/16</i>	Reviewed Date: 281463
<i>Thomas Warden 3/22/16</i>	Reviewed Date: 3/11/16	Approved Date: 3/11/16	SEDIMENT CONTROL PERMIT NO.: TEW Home 11/16/17
Reviewed Date: 258336	SM FILE #		MCDPS APPROVAL OF THIS PLAN WILL EXPIRE TWO YEARS FROM THE DATE OF APPROVAL, IF THE PROJECT HAS NOT BEEN STARTED.

DIS approval of a sediment control or stormwater management plan is for demonstrated compliance with minimum environmental runoff treatment standards and does not create or imply any right to divert or concentrate runoff into any adjacent property without the property owner's permission. It does not relieve the design engineer or other responsible person of professional liability or ethical responsibility for the adequacy of the drainage design as it affects uphill or downhill properties.

SEDIMENT AND EROSION CONTROL PLAN - PHASE 2				G. L. W. FILE No.
CLARKSBURG TOWN CENTER CLARKSBURG SQUARE ROAD EXTENSION STA. 0+00 TO STA. 3+75.26	SCALE: 1" = 20'	ZONING: C-1, R-200 RMX-2	TAX MAP - GRID: EW - 42	13042
CLARKSBURG ELECTION DISTRICT No. 02				SHEET: 4 OF 14

GLWGutschick Little & Weber, P.A.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS, LANDSCAPE ARCHITECTS
 3009 NATIONAL BOULEVARD, SUITE 200 • BETHESDA, MARYLAND 20814
 TEL: 301-421-4241 FAX: 301-421-4242

PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 27854
 EXPIRATION DATE: JANUARY 20, 2018

PREPARED FOR:
 THIRD TRY, L.C.
 674 ELM STREET DEVELOPMENT
 1355 BURVELLY ROAD, SUITE 240
 McLEAN, VIRGINIA 22101
 ATTN: KATHRYN L. KUBIST
 TEL: 703-734-9730

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

<p>Owner's mailing address</p> <p>Aries Investment Group, LLC 23329 Frederick Rd. Clarksburg, MD 20871</p>	<p>Owner's Agent's mailing address</p> <p>Ward Bucher Encore Sustainable Design, LLC 31 Light St. Suite 500 Baltimore, MD 21202</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>13139 Clarksburg Square Rd.</p> <p>Gregg & Teresa Zolkiewicz 13139 Clarksburg Square Rd. Clarksburg, MD 20871</p>	<p>13130 Clarksburg Square Rd.</p> <p>Laurenti & Crystal Ngutter 13130 Clarksburg Square Rd. Clarksburg, MD 20871</p>
<p>13137 Clarksburg Square Rd.</p> <p>Meisam & Julia Izadjoo 13137 Clarksburg Square Rd. Clarksburg, MD 20871</p>	<p>23341 Frederick Rd.</p> <p>Joseph Njaju 23450 Tailor Shop Pl. Clarksburg, MD 20871</p>
<p>23330 Frederick Rd.</p> <p>Gardner House LLC 1862 Brothers Rd. Vienna VA, 22182</p>	<p>23321 Frederick Rd.</p> <p>Amir H Et Al Modjarrad 22222 Creekview Dr. Gaithersburg, MD 20882</p>

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

Description of Work Proposed: Please give an overview of the work to be undertaken:

Work Item 1: _____	
Description of Current Condition:	Proposed Work:

Work Item 2: _____	
Description of Current Condition:	Proposed Work:

Work Item 3: _____	
Description of Current Condition:	Proposed Work:

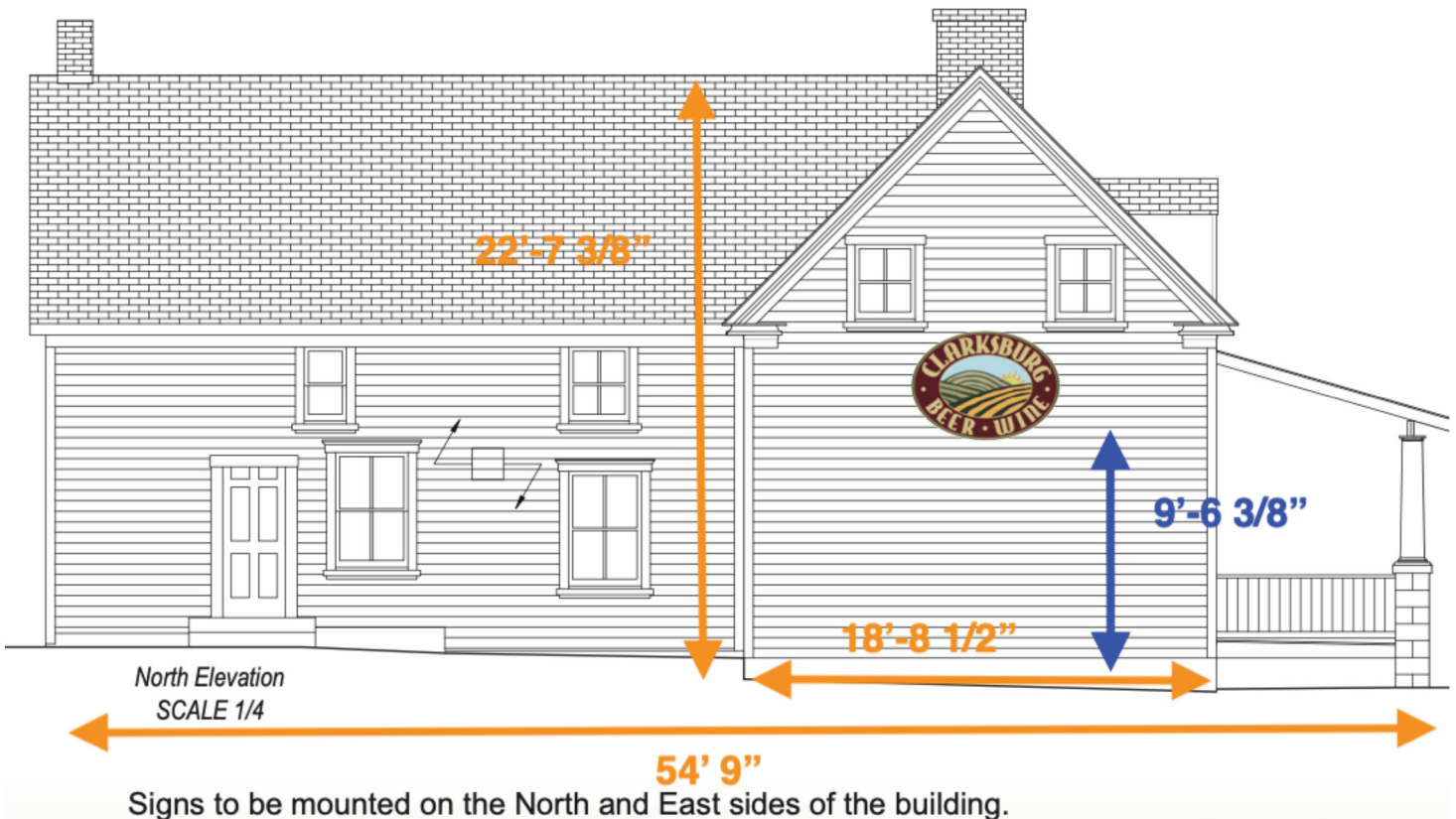


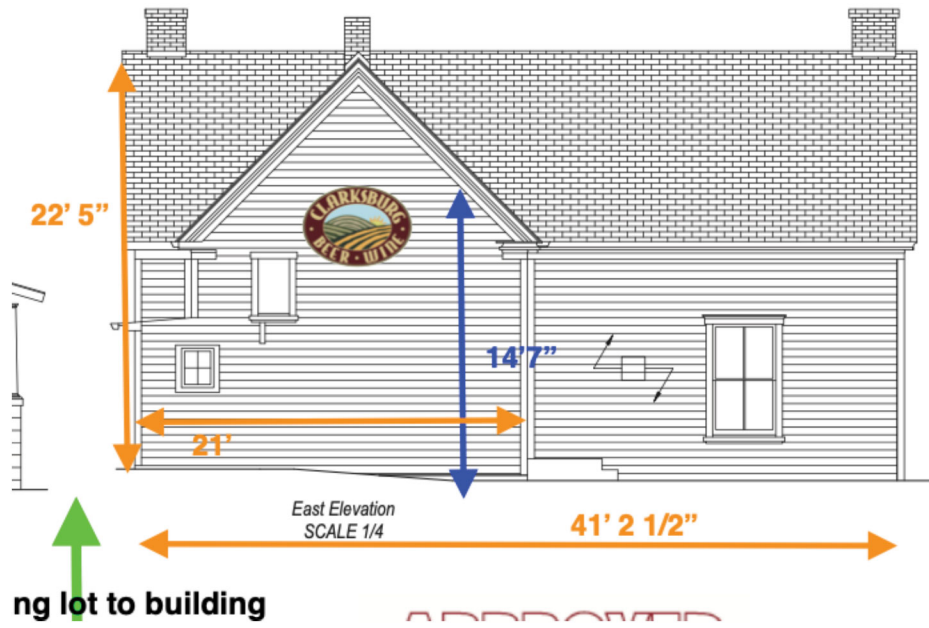




6 mil ACM Aluminum sign (34" x 46") Qty 2

*Comments: Non- Illuminated with applied vinyl,
.008" Aluminum sides with a solid polyethylene core.*





**HISTORIC AREA WORK PERMIT
CHECKLIST OF
APPLICATION REQUIREMENTS**

	Required Attachments						
Proposed Work	I. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Exc avation/Land scaing	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*