

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

<b>Address:</b>	104 Water Street, Brookeville	<b>Meeting Date:</b>	5/24/2023
<b>Resource:</b>	Secondary (Post-1940) Resource <b>Brookeville Historic District</b>	<b>Report Date:</b>	5/17/2023
<b>Applicant:</b>	Garrett Anderson	<b>Public Notice:</b>	5/10/2023
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	N/A
<b>Permit Number:</b>	1017737	<b>Staff:</b>	John Liebertz
<b>PROPOSAL:</b>	Construction of rear deck.		

**STAFF RECOMMENDATION**

Staff recommends that the Historic Preservation Commission (HPC) **approve with four (4) conditions** the HAWP application:

1. All materials of the deck including but not limited to the flooring/decking, fascia boards, railings, skirts, balusters, posts, and post caps shall be millable cellular polyvinyl chloride (PVC) with final review and approval delegated to staff.
2. Submit additional specifications (design, materials, and dimensions) for the stair and the landing with final review and approval delegated to staff.
3. Include a site plan, elevation, or annotated photograph that shows the location and dimensions of the deck in relation to the house with final review and approval delegated to staff.
4. Amend the “personalized deck designs” to note that these drawings are illustrative and that no alterations to the fenestration or materials of the house are proposed.

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Secondary (Post-1940) Resource within the Brookeville Historic District  
**STYLE:** New Traditional Dutch Colonial  
**DATE:** 2003



*Figure 1: The subject property at 104 Water Street is located on the south side of Water Street. The red line is the boundary of the Master Plan Historic District and the yellow star is the location of the subject dwelling.*

**PROPOSAL**

The applicant proposes to construct a 15'6 x 14' deck (217 sq. ft.) deck on the rear of the dwelling at the location of the existing stair. The deck would feature: 1) cellular polyvinyl chloride (PVC) flooring/decking and fascia; and 2) composite (polymer and wood fiber) railings, skirts, balusters, post sleeves, and post caps.

**APPLICABLE GUIDELINES**

The Historic Preservation Office and Historic Preservation Commission (HPC) consult several documents when reviewing alterations and new construction within the Brookeville Historic District. These documents approved and adopted Brookeville Historic District Master Plan Amendment (*Amendment*), *Montgomery County Code Chapter 24A (Chapter 24A)*, and *the Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

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

The following guidance which pertains to this project are as follows:

- (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 ensure 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
- (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***

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 applicable *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 shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall 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 subject property is a Secondary (Post-1940) Resource to the Brookeville Historic District and features a non-historic, New Traditional Dutch Colonial-styled house constructed in 2003. The HPC approved several HAWPS in the last several years for this property including: 1) a new fence, replacement of the cedar shingle roof with asphalt shingles, and installation of solar panels in 2020; 2) resurfacing of the driveway in 2021; and 3) installation of a new front door in 2022.<sup>1</sup>



**Figure 2: Aerial view of the subject property (outlined in blue) looking northeast at the rear elevation of the house. Source: ConnectExplorer.**

The applicant proposes to construct a 15'6 x 14' deck near the southwest (rear) corner of the dwelling at the location of the existing stair). The deck would feature: 1) cellular polyvinyl chloride (PVC) flooring/decking and fascia; and 2) composite (polymer and wood fiber) railings, skirts, balusters, post sleeves, and post caps.

Staff recommends approval of the proposal with four (4) conditions.

Staff finds that the design and scale of the proposed deck would be compatible with the non-historic resource and surrounding streetscape. The deck would have limited visibility from the public rights-of-way. The proposal, however, fails to note the precise location for the new deck and references only the existing stair shown in *Figure 3*. Staff requests a site plan, elevation, or annotated photograph that shows

<sup>1</sup> For more information see, [https://mcatlas.org/tiles/06\\_HistoricPreservation\\_PhotoArchives/HAWP/9-9-2020/104%20Water%20Street,%20Brookeville%20-%20Approval%20Letter.pdf](https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/HAWP/9-9-2020/104%20Water%20Street,%20Brookeville%20-%20Approval%20Letter.pdf), [https://mcatlas.org/tiles/06\\_HistoricPreservation\\_PhotoArchives/HAWP/11-17-2021/104%20Water%20Street,%20Brookeville%20-%2020972779%20-%20Letter%20to%20DPS.pdf](https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/HAWP/11-17-2021/104%20Water%20Street,%20Brookeville%20-%2020972779%20-%20Letter%20to%20DPS.pdf), and <https://montgomeryplanning.org/wp-content/uploads/2022/04/I.I-104-Water-Street-Brookeville-988600.pdf>.

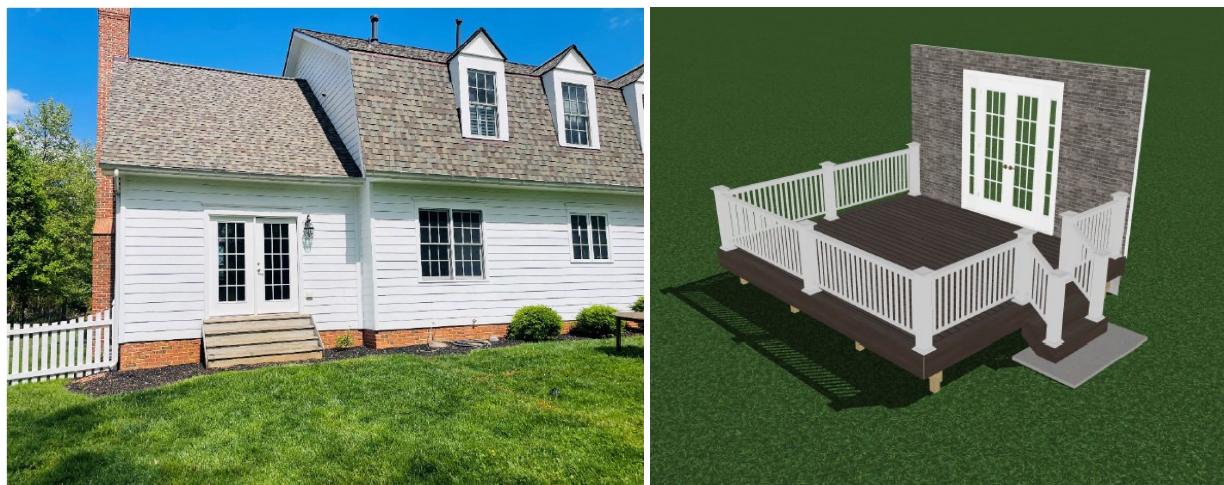
the location and dimensions of the deck on the smaller gable section of the dwelling.

Staff finds that the proposed use of cellular polyvinyl chloride (PVC) decking to be an appropriate substitute material for a non-historic resource in the Brookeville Historic District. In Brookeville, the HPC approved the use of PVC trim boards and columns on the detached garage and breezeway at 4 North Street (listed as a secondary resource) in 2015, PVC railings on the façade at 209 Market Street (listed as a secondary resource) in 2019, and PVC trim boards for the new addition at 1 High Street (listed as a primary resource) in 2022.<sup>2</sup> Substitute materials for wood should not detract from the individual resource or the surrounding streetscape. Important factors when evaluating alternative materials include the availability of certain dimensions, surface texture, ability to be milled and painted, whether it has a solid core, and does it mimic the feeling of natural wood. In addition, the placement of the PVC decking on the rear corner of the house does not adversely affect the overall character of the streetscape or district.

Staff finds that the proposed use of composite railings would be incompatible with the non-historic resource. Based on available documentation, the HPC has not approved the use of composite railings due to the products appearance and tactile feeling which fails to adequately mimic wood. The HPC, however, has approved the use of cellular polyvinyl chloride (PVC) railing on a non-historic resource at 209 Market Street.<sup>3</sup> Staff recommends that the applicant replace the composite railings with this PVC material.

Staff finds that the design and scale of the proposed stair and landing would be compatible with the non-historic resource and surrounding district. The proposal, however, lacks sufficient information for these elements as shown in *Figure 4*. Staff recommends the applicant include specifications—design, materials, and dimensions—for the proposed stair and landing with final review and approval delegated to staff.

Lastly, the model of the house and deck as shown in *Figure 4* illustrates non-existent conditions such as brick siding and double-leaf doors with side lights. Staff recommends that the applicant includes a note that the building/wall is for illustrative purposes only and does not reflect proposed changes to the design of the house.



**Figures 3 and 4: View of the proposed location of the deck at the existing stair (left) and model/design of the proposed deck and stair (right).**

<sup>2</sup> For more information on HAWP 23/67-15E, <https://mcatlas.org/filetransfer/HistoricPreservation/Temp%20Files/I.K.%20-%204%20North%20Street,%20Brookeville2.pdf>. For more information on HAWP 23/65-19F, <https://montgomeryplanning.org/wp-content/uploads/2019/10/I.L-209-Market-Street-Brookeville.pdf>. For more information on HAWP 1003919, <https://montgomeryplanning.org/wp-content/uploads/2023/01/I.J-1-High-Street-Brookeville-1003919-REVISION.pdf>.

<sup>3</sup> For more information on HAWP 23/65-19F, <https://montgomeryplanning.org/wp-content/uploads/2019/10/I.L-209-Market-Street-Brookeville.pdf>.

After full and fair consideration of the applicant's submission, staff finds the proposal, as modified by the conditions, consistent with the Criteria for Issuance in Chapter 24A-8(b), (1) and (2), and (d), having found the proposal is consistent with the Secretary of the Interior's Standards for Rehabilitation #2, #9, and #10 outlined above.

### **STAFF RECOMMENDATION**

Staff recommends that the Historic Preservation Commission (HPC) **approve with four (4) conditions** the HAWP application with final approval of all details delegated to staff:

1. Include a site plan, elevation, or annotated photograph that shows the location and dimensions of the deck in relation to the house with final review and approval delegated to staff.
2. All materials of the deck including but not limited to the flooring/decking, fascia boards, railings, skirts, balusters, posts, and post caps shall be millable cellular polyvinyl chloride (PVC) with final review and approval delegated to staff.
3. Submit additional specifications for the stair and the landing (material and dimensions) with final review and approval delegated to staff.
4. Amend the "personalized deck designs" to note that these drawings are illustrative and that no alterations to the fenestration or materials of the house are proposed.

under the Criteria for Issuance in Chapter 24A-8(b), (1) and (2), 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, #9, and #10; 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 [john.liebertz@montgomeryplanning.org](mailto:john.liebertz@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# 1017737  
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:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> New Construction   | <input type="checkbox"/> Deck/Porch          | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition           | <input type="checkbox"/> Fence               | <input type="checkbox"/> Solar                           |
| <input type="checkbox"/> Demolition         | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting           |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof                | <input type="checkbox"/> Window/Door                     |
|   |  | <input type="checkbox"/> 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.

*Garrett Anderson*

Signature of owner or authorized agent

Date

**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>
<b>Adjacent and confronting Property Owners mailing addresses</b>	

**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:

**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/Excavation/ Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

## Written Description:

We would like to add a 14 x 15'6" deck to the back of our house where the steps currently are. The deck is not visible from the road.

## Site Plan:

See Deck Design attachment.

## Materials:

Decking: TimberTech Landmark American Walnut® - Standard (5.5")

Railing: TimberTech Classic Composite Series - Premier Railing and Balusters

See attachments for more details.

## Photographs:

Current:

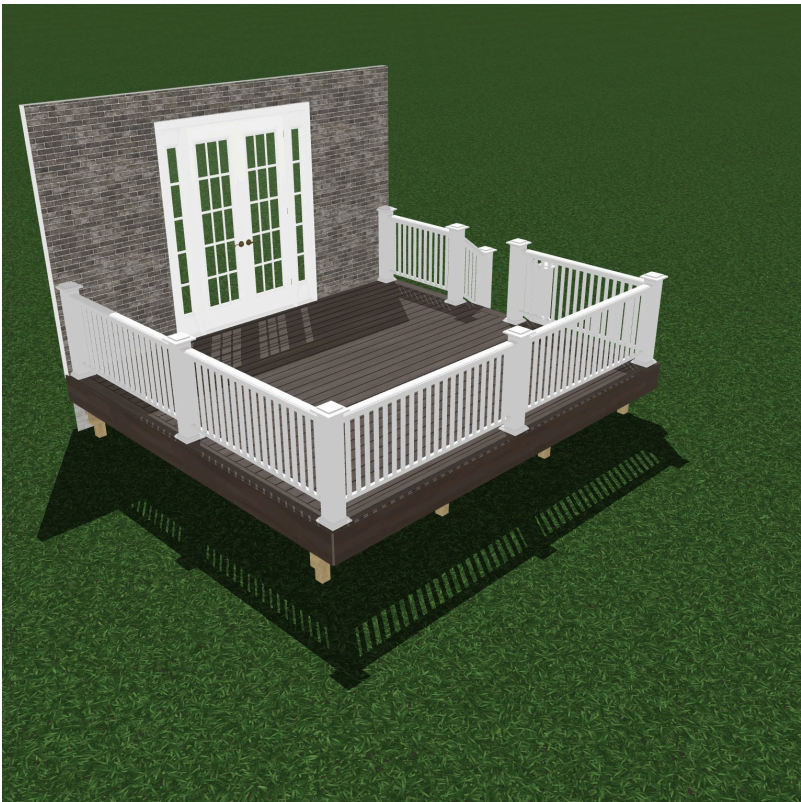
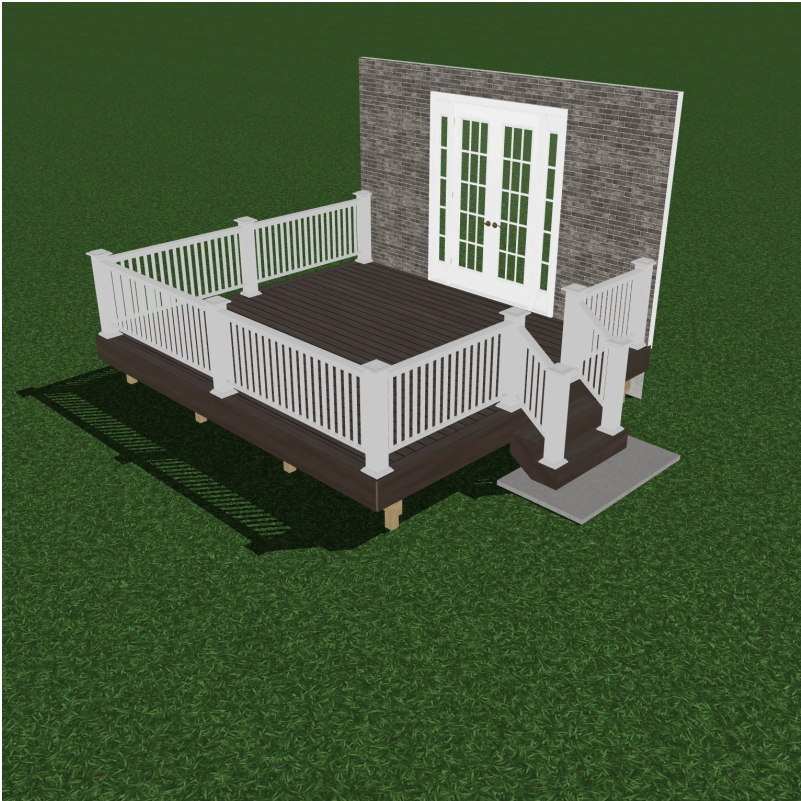


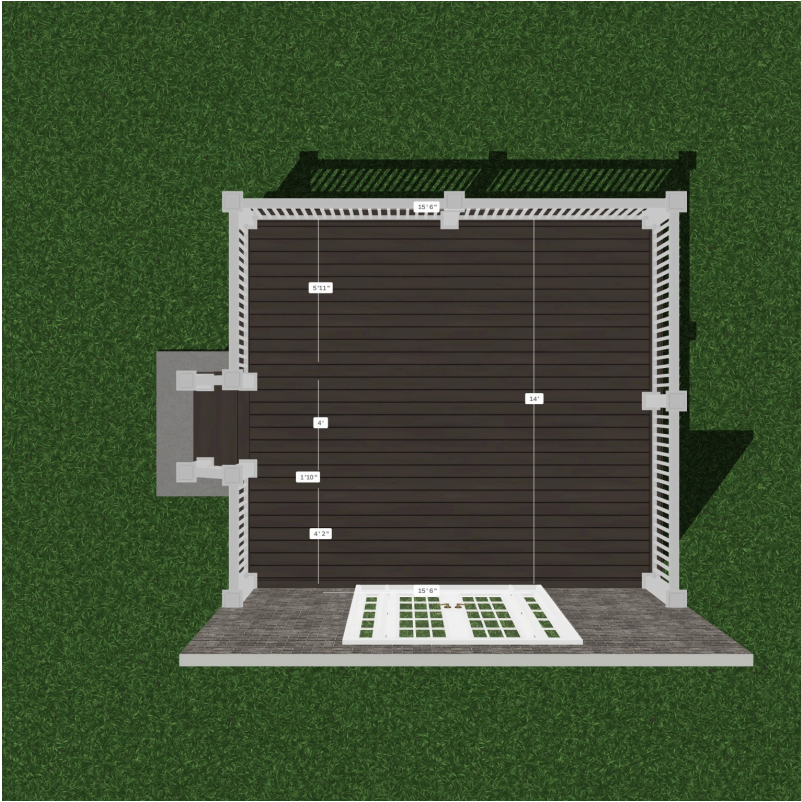
**Tree Survey:**

N/A. No trees will be impacted.

**Property Owner Addresses:**

Included in HAWP application.





**General Deck Info**

PERIMETER	# OF TIERS	DECK AREA	RAIL HEIGHT
58 ft. 12 in.	1	217 sq ft	36 in.

### Decking Selections

#### Primary Decking



**Category**  
**Collection** Landmark  
**Color** American Walnut®  
**Width** Standard (5.5")

#### Primary Decking



**Category**  
**Collection** Landmark  
**Color** American Walnut®  
**Width** Standard (5.5")

#### Picture Framing



**Category**  
**Collection** Landmark  
**Color** American Walnut®  
**Width** Standard (5.5")

#### Fascia



**Category**  
**Collection** Landmark  
**Color** American Walnut®  
**Width** Standard (12")

### Purchasing Options

Deck boards are offered in 3 lengths. Depending on your dimensions and board orientation, choosing certain board lengths will be more efficient. Only select one.

#### BOARD LENGTHS

Board Color - Width	Qty at 12'	Qty at 16'	Qty at 20'
American Walnut® - Standard (5.5")	41	27	27
American Walnut® - Standard (5.5")	2	2	1
American Walnut® - Standard (5.5")	6	4	4

#### FASCIA BOARDS

- 12' Boards: Qty 0

#### DECK INFO

- 217 sq ft
- 180° board rotation

#### OTHER FINISHINGS

- 432 fasteners
- 8 foot blocks

## Railing Selections

### Railing



**Collection** Classic Composite Series - Premier Railing  
**Color** White

### Railing Infill



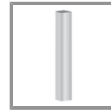
**Type** Composite Balusters  
**Color** White

### Railing Skirts



**Size** 5.5" Post Skirt  
**Color** White

### Post Sleeves



**Size** 5.5" Deck Post Sleeve  
**Color** White

### Post Caps

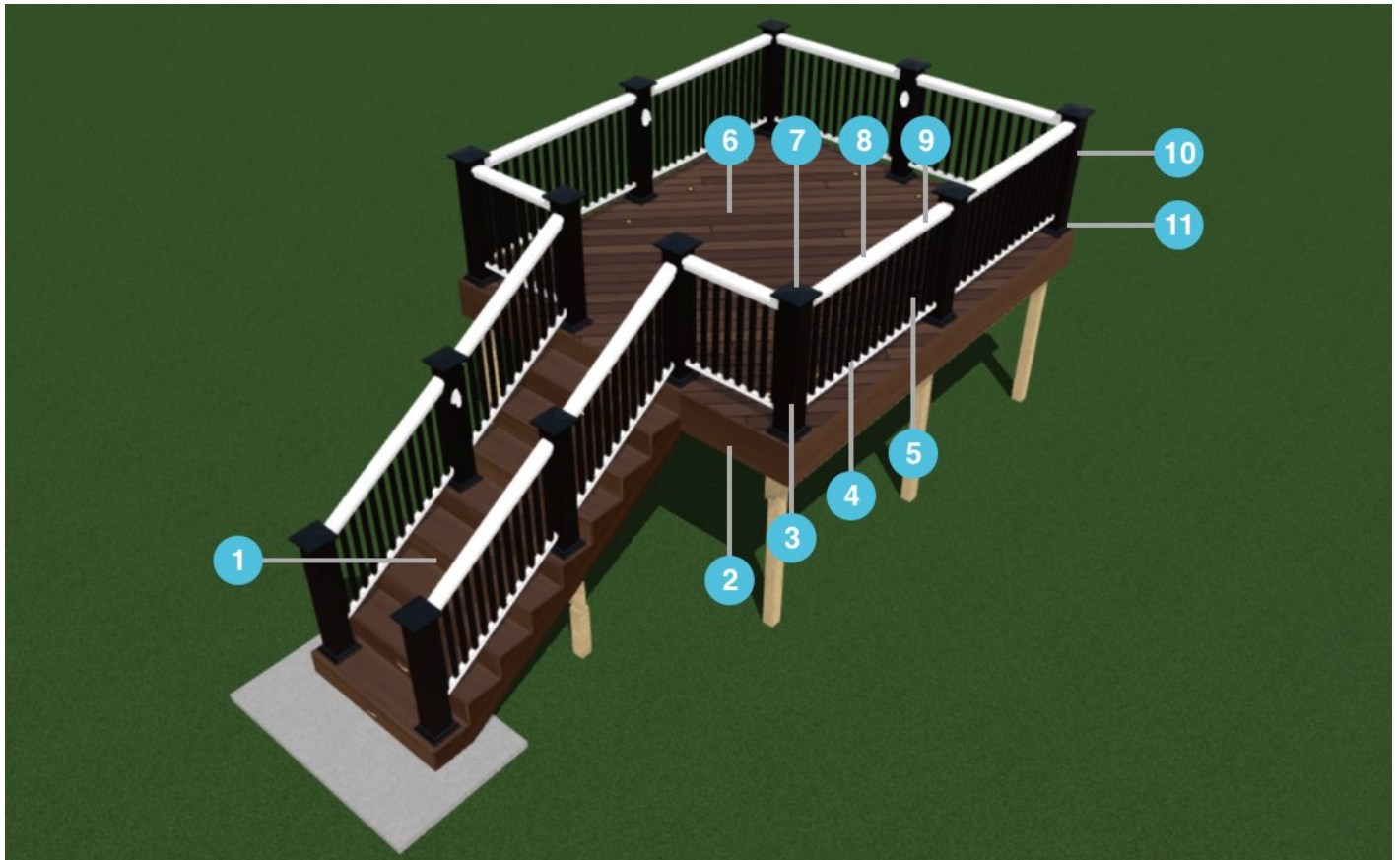


**Size** 5.5"  
**Color** White

## Material Descriptions

These recommendations are for railing with a 4" gap from deck surface to the bottom of the bottom rail. Always refer to your local building codes to determine if other requirements must be met (Canadian requirements may vary).





1. **Riser** - Vertical board that provides a finished look to the front of a stair step.
2. **Fascia** - Vertical board that provides a finished look covering the sides of a deck sub-structure.
3. **Rail Post** - The vertical post connected to the deck framing that supports the railing.
4. **Bottom Rail** - Horizontal rail that connects the bottom of the posts and the infill.
5. **Infill** - Connects between the posts and in between the top rail and bottom rail.
6. **Decking** - The boards used to make the walking surface of the deck.
7. **Post Cap** - Cap on top of the post that is a decorative finish.
8. **Top Rail** - Horizontal rail that connects the top of the posts and support balusters or other infill.
9. **Support Rail** - The horizontal rail at the top of a railing system providing a structural base to the top rail.
10. **Post Sleeve** - Hollow sleeve that fits over a rail post.
11. **Post Skirt** - Finishing piece at the base of the post sleeve that covers any cuts where the decking and railing meet.

## Project Considerations

You've designed the deck of your dreams and are ready to turn that dream into a reality. As you begin planning for the installation of your deck, here are a few factors to consider.

### Obtain a Permit

Check your local building codes and get a permit if needed. This is usually required for any structure, such as a deck, that necessitates the installation of footings. You don't want to receive a note from the city notifying you that your deck isn't up to code. Plus, you'll want to make sure it's safe and secure for loved ones and visitors.

### Consult a Professional or DIY

Before ordering materials, be sure to decide if you want to hire a contractor or do the project yourself. A professional contractor can review your design to help determine the feasibility and review the list of materials for accuracy.

Visit TimberTech.com to [Find a Contractor](#) or [Get DIY Help](#).

### Get More Info

If you are wanting to see examples of completed projects loved by homeowners or looking for advice on color combos, visit our [Decking Design Center](#) or browse the [Design Guide](#).

You can also [Get a Cost Estimate](#) or learn [Where to Buy](#) our products.

### Order Free Samples

Can't decide on which decking color or railing shape is right for you? [Order free samples](#) to see them in person and choose your favorite.

## Designing with Safety in Mind

We want to provide a great deck designing experience that enables you to plan the deck of your dreams. We also want that outdoor space to be safe for you and your guests. Please read the following disclaimer and disclosure carefully. Using our deck designer tool implies you have read this information and agree to its terms and conditions listed below.

## A Note About This Tool

The suggested design is a design guide and is NOT a finished building plan. It is your responsibility to verify its accuracy, completeness, suitability for your particular site conditions, and compliance with local building codes and practices. Please consult your local building codes for requirements for deck lighting, railing, and stairs.

AZEK Building Products and its affiliates assume no responsibility for any damages, including direct or consequential, personal injuries suffered, or property or economic losses incurred as a result of the information published within this Deck Designer, AZEK Building Products and its affiliate websites or Deck Design Detail Report. Before beginning any project, review the instructions carefully. We cannot anticipate all of your working conditions or the characteristics of your materials and tools. For your safety, you should consider your own skill level and use caution, care and good judgment when following the instructions. If you have doubts, concerns or questions, consult local experts, architects, soil engineers or building authorities. Because local zoning and building codes and regulations vary greatly, you should ALWAYS CHECK WITH LOCAL AUTHORITIES TO ENSURE THAT YOUR PROJECT COMPLIES WITH ALL APPLICABLE CODES AND REGULATIONS. Always read and observe instructions and safety precautions provided by any tool or equipment manufacturer, and follow all accepted safety procedures.

You are responsible for ensuring that all measurements are correct. Due to the size, shape, location or other considerations, your design may require supporting structures, such as knee braces and bridging between joists and posts and are not included on the materials list and other information provided. YOU ARE RESPONSIBLE FOR ENSURING THAT YOUR DESIGN IS SAFE AND STRUCTURALLY SOUND FOR ITS SIZE, LOCATION AND ANTICIPATED USE. You are also responsible for verifying that the design and any substitutions or modifications you make meet all local building codes and regulations. Prior to your purchase, AZEK Building Products recommends that you review the full Installation Guidelines on all products for more details regarding installation as well as information on care and maintenance, storage and handling, reference to warranty coverage, and other important product information.

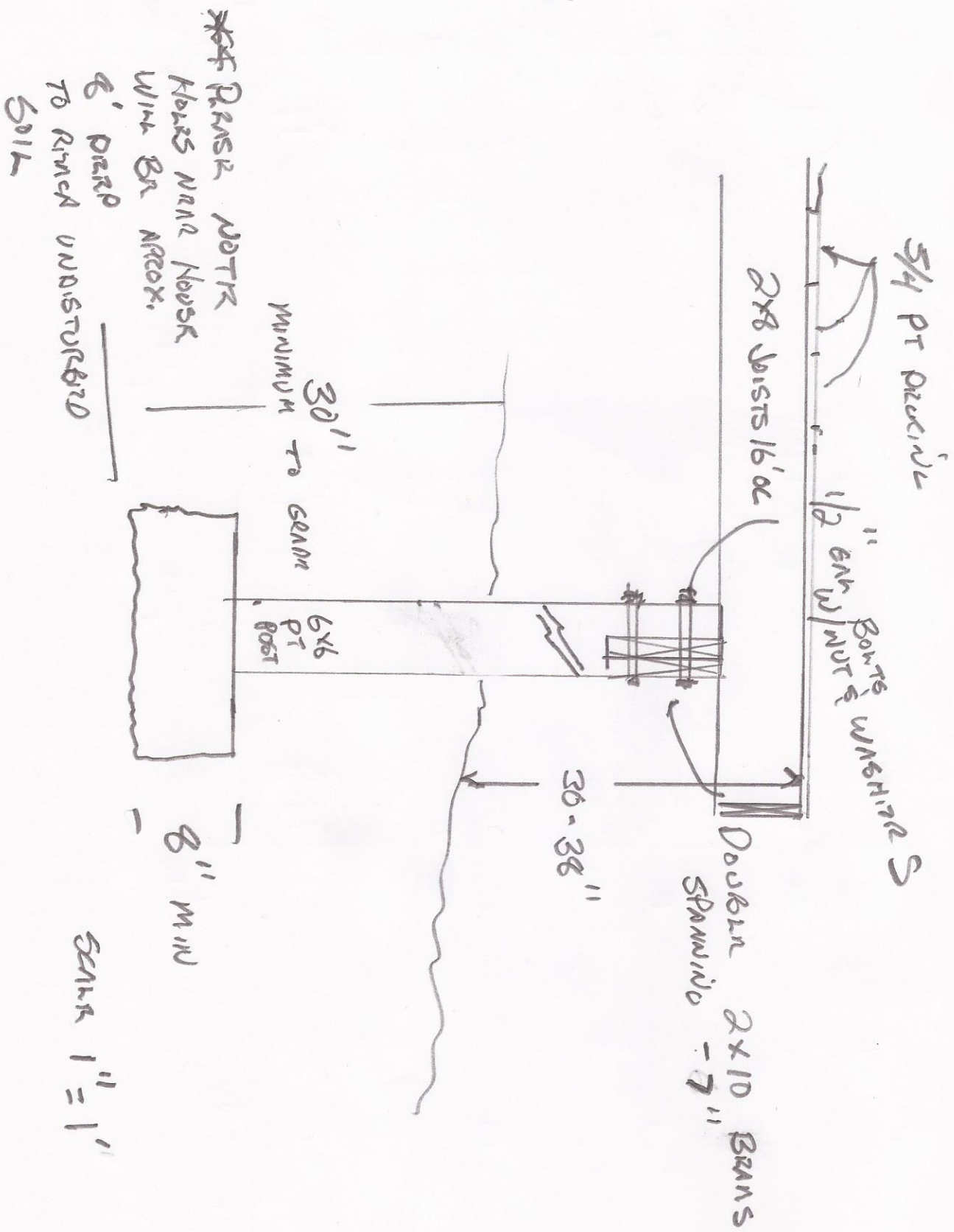
AZEK Building Products and its affiliates assume no liability or responsibility for your design, construction or use of any product supplied by AZEK Building Products.

YOU ASSUME TOTAL RESPONSIBILITY AND RISK FOR YOUR USE OF THE AZEK BUILDING PRODUCTS DESIGNER TOOL, THE AZEK BUILDING PRODUCTS WEBSITE AND SUPPLIED DECK DESIGN DETAIL REPORT. AZEK BUILDING PRODUCTS PROVIDES THIS WEB-BASED TOOL, ALL INFORMATION, PRODUCTS, AND SERVICES 'AS IS' AND DOES NOT MAKE EXPRESS OR IMPLIED WARRANTIES, REPRESENTATIONS, OR ENDORSEMENTS OF ANY KIND WHATSOEVER (INCLUDING WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE).

## **Homeowners**

Please be advised that TimberTech, AZEK, The AZEK Company and AZEK Building Products (hereinafter "AZEK") make no representations or warranties regarding the service, installation or business ethics of any installer or remodeler located on or obtained through the use of any AZEK or TimberTech website. The installers/remodelers are not employees or agents of AZEK, and it is ultimately up to the homeowner to make an individual assessment regarding the use of any installer/remodeler. Your rights are governed by the terms of the contract you enter into with the installer/remodeler you select. AZEK makes no guarantees, representations or warranties, and disclaims any damages, regarding the outcome and quality of the job that they may perform if you elect to retain their services.

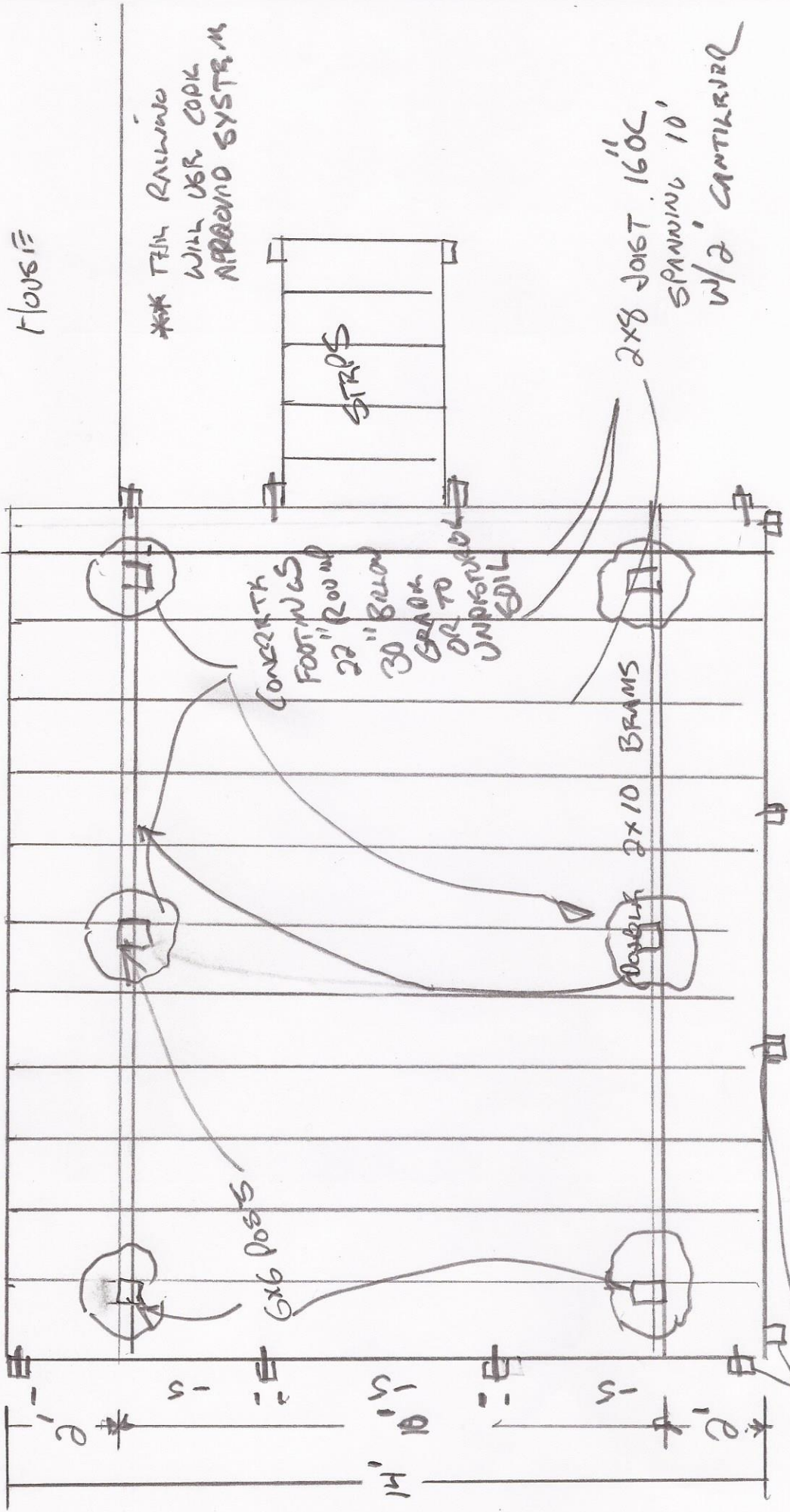
CROSS SECTION  
OF DECK FOOTINGS  
& BEAM



PLANK FOR DECK AT  
 104 WATER ST  
 BROOKVILLE MD  
 20833

FERR STANDING DECK

HOUSE



HOUSE

\*\* TERN RAILING  
 WILL USE COPIC  
 APPROVED SYSTEMS

STAIRS

2x8 JOIST 16"  
 SPACING 10'  
 w/ 2' CANTILEVER

CONCRETE  
 FOOTINGS  
 22" ROUND  
 30" BELOW  
 GRADE  
 OR TO  
 UNFINISHED  
 EDIL

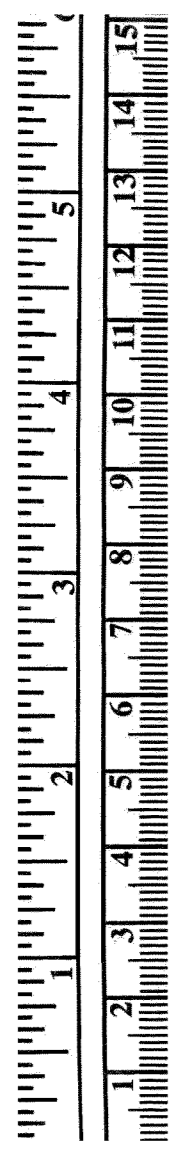
2x10 BEAMS

6x6 POSTS



BRAND & BRAND  
 AS PER CODE

SCALE 3/8" = 1'



**OWNER'S CERTIFICATION**

I, Sidney Isadore Rotter, owner of the property shown hereon, hereby adopt this plan of subdivision, grant an area of dedication along Water Street for the public use, and further grant a Public Utilities Easement (10' P.U.E.) as shown hereon to the parties named in a document entitled "Terms and Provisions of Public Utility Easements" as recorded in Liber 3834 at Folio 457 among the Land Records of Montgomery County, Maryland, subject to all current and applicable regulations of all federal, state, and local governing agencies, and further grant a Conservation Easement as shown hereon to the parties named in a document entitled "Conservation Easement Agreement, Category I" as recorded in Liber 13178 at Folio 412 among the Land Records of Montgomery County, Maryland, subject to the terms set forth therein. I also grant an access easement as shown hereon, for the use and benefit of the owners of Lots 60, 14-18, and properties described as P535 and P537, their successors and assigns.

There are no suits, liens, mortgages, or trusts, affecting the property including in this plat of subdivision, except for a certain lien and the party interest thereto has hereon indated their assent.

By: Sidney Isadore Rotter 5/30/02 Date  
Witness: Gary Weitman, Substitute Trustee for Mary Marcello, formerly Mary Rotter 9/19/02 Date  
Witness: [Signature] 9/19/02 Date

**SURVEYOR'S CERTIFICATION**

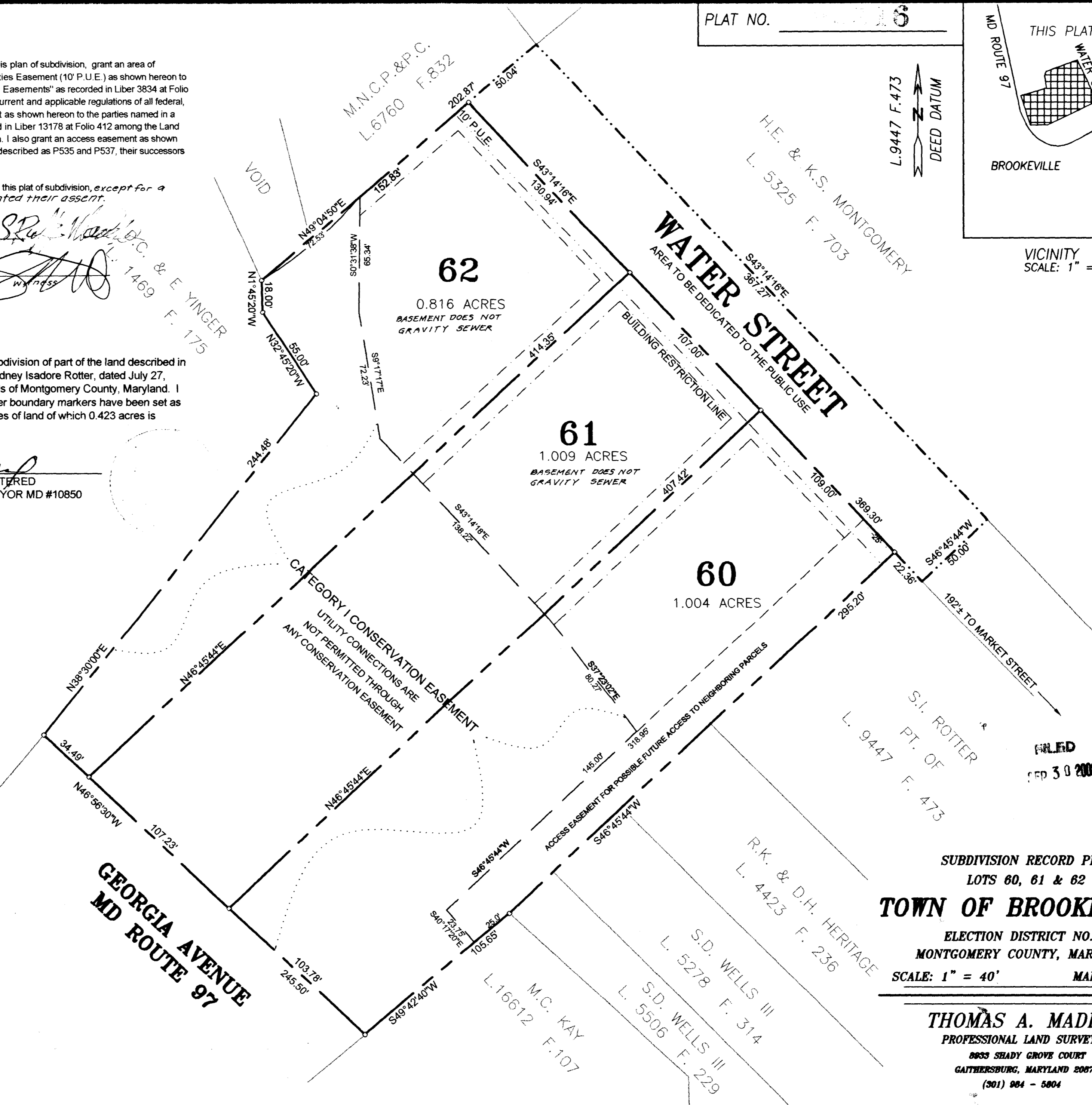
I hereby certify that the plat shown hereon is correct; that it is a subdivision of part of the land described in a deed from Sidney Isadore Rotter and Mary Elizabeth Rotter to Sidney Isadore Rotter, dated July 27, 1990 and recorded Liber 9447 at Folio 473, among the land records of Montgomery County, Maryland. I further certify that all monuments and all property markers and other boundary markers have been set as delineated hereon. The total area included on this plat is 3.252 acres of land of which 0.423 acres is dedication to public use.

DATE: 5/30/02  
[Signature]  
THOMAS A. MADDOX - REGISTERED  
PROFESSIONAL LAND SURVEYOR MD #10850

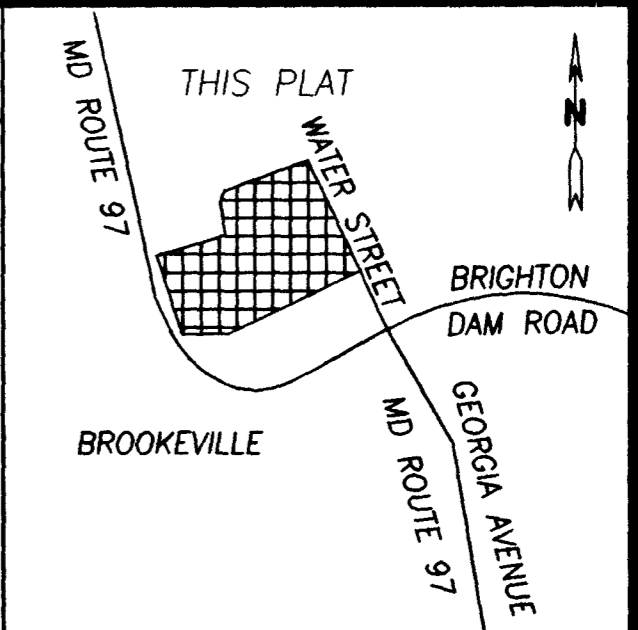
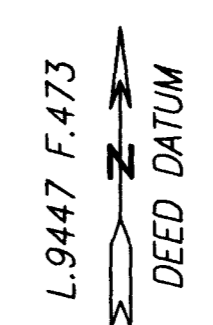
**NOTES**

- ZONING PER TOWN OF BROOKEVILLE ZONING ORDINANCE, CHAPTER 10: HVR, HISTORIC VILLAGE RESIDENTIAL  
BUILDING HEIGHT NOT TO EXCEED 35'  
BUILDING RESTRICTION LINES  
15' FRONT YARD  
8' SIDE YARD  
40' REAR YARD  
ACCESSORY BUILDINGS MUST BE BUILT A MINIMUM OF 2' FROM PROPERTY LINES.
- APPROVAL OF THIS PLAT PREDICATED ON THE AVAILABILITY OF PUBLIC WATER AND SEWER. CATEGORIES S-3, W-3.
- THIS PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING OR RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- PROPERTY FOUND ON MONTGOMERY COUNTY TAX MAP HU562.
- THIS PROPERTY DOES NOT LIE WITHIN A FLOOD PLAIN AS SHOWN ON TOWN OF BROOKEVILLE, MONTGOMERY COUNTY, MARYLAND, FEMA COMMUNITY PANEL NO. 240166 0001A, DATED JUNE 19, 1989.

FOR PUBLIC WATER AND SEWER SYSTEMS  
TOWN OF BROOKEVILLE PLANNING COMMISSION  
[Signature] 9/27/2002  
CHAIRMAN DATE  
CHRISTOPHER T. SCANLON



PLAT NO. 13



VICINITY MAP  
SCALE: 1" = 2000'

FILED  
SEP 30 2002

SUBDIVISION RECORD PLAT  
LOTS 60, 61 & 62  
**TOWN OF BROOKEVILLE**  
ELECTION DISTRICT NO. 8  
MONTGOMERY COUNTY, MARYLAND  
SCALE: 1" = 40' MARCH 2002

**THOMAS A. MADDOX**  
PROFESSIONAL LAND SURVEYOR  
8833 SHADY GROVE COURT  
GAITHERSBURG, MARYLAND 20877  
(301) 984 - 5804

64617 MSA SSU 1247-28188