

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

April 16, 2007

CALL TO PODIUM:

Jacqueline Marsh

RESPONSIBLE STAFF:

Jacqueline Marsh, Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
<input checked="" type="checkbox"/>	Historic District Commission
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
<input checked="" type="checkbox"/>	Other: Certificate of Approval

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

**HISTORIC DISTRICT COMMISSION
Approval of Certificate of Approval:
HAWP-100A Applicant: Kathryn Schumacher
105 Russell Avenue, Tree Removal**

SUPPORTING BACKGROUND:

At their meeting of April 5, 2007, the HPAC held a public hearing on this application for a tree removal request at 105 Russell Avenue. This is a contributing resource to the Brookes, Russell, Walker Historic District.

The applicant is requesting to remove a large arborvitae that has become a nuisance to the property and has damaged sections of the house.

The HPAC unanimously recommended approval, finding the request to be in compliance with Secretary of Interior Standard One, which states a property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. The tree removal is a minimal change to the characteristics and landscaping of the property. This application is also in conformance with the design guidelines of the Brookes, Russell, Walker Historic District.

Staff and HPAC recommend the HDC make the following motion:

Grant approval of HAWP-100A and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets Secretary of Interior Standard One and the Brookes, Russell, Walker Historic District Guidelines.

DESIRED OUTCOME:

Vote on HAWP-100A.

**INDEX OF MEMORANDA
HAWP-100A**

**Applicant: Kathryn Schumacher
105 Russell Avenue
Tree Removal**

Number	Exhibit
1.	Application
2.	Aerial Location of Site
3.	Tree Inventory Data showing location of Tree
4.	Tree Inventory Data for 105 Russell Avenue
5.	Photographs of tree to be removed
6.	Notice to include legal ad for public hearing in the November 29, 2006, <i>Gaithersburg Gazette</i>
7.	Public hearing notice, sent out November 27, 2006, to the required parties
8.	Mailing List
9.	By Reference: Brookes, Russell, Walker Historic District Guidelines
10.	By Reference: Annotated Code of Maryland, Article 66B, Historic Resources
11.	By Reference: Secretary of Interior Standards for Rehabilitation
12.	By Reference: HD-14 Designation Documents
13.	By Reference: Qualifications of HPAC, HDC, and staff
14.	By Reference: Historic Preservation Ordinance
15.	Notice to include legal ad for public hearing in the March 28, 2007, <i>Gaithersburg Gazette</i>
16.	Public hearing notice, sent out March 26, 2007, to the required parties
17.	Photographs of damage caused by subject tree, submitted by the applicant, received March 8, 2007
18.	Tree Removal permit, submitted October 23, 2006

City of Gaithersburg • 31 South Summit Avenue • Gaithersburg, Maryland 20877 • Telephone: (301) 258-6330 • Fax: (301) 258-6336
plancode@gaitthersburgmd.gov • www.gaitthersburgmd.gov

HISTORIC AREA WORK PERMIT APPLICATION

In accordance with Chapter 24, Article XII of the City Code.

Application Number	<u>HAWP-100A</u>
Date Filed	<u>10/23/06</u>
Application Completed	<u>10.23.06</u>
HPAC Hearing/Review	12-7-06 <u>4.5.07</u>
HDC Hearing/Review	12-18-06
Decision	_____
Date of Decision	_____

1. SUBJECT PROPERTY

Address 105 Russell Avenue, Gaithersburg, MD 20877
 Lot 7 Block 7 Subdivision Russell and Brookes Addition
 Tax Account Number #843843

2. APPLICANT/OWNER/AUTHORIZED AGENT

Name Kathryn Dee Schumacher Telephone 301.258.0987
 Address 105 Russell Avenue, Gaithersburg, MD 20877

3. OWNER OF RECORD (IF NOT APPLICANT)

Name Same as Above Telephone 301.258.0987
 Address _____

2. TYPE OF WORK (CHECK APPROPRIATE)

- Visible from public way
- Not visible from public way

- | | | | |
|------------------------------------|---|--------------------------------------|---|
| <input type="checkbox"/> Fence | <input type="checkbox"/> Windows | <input type="checkbox"/> Additions | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Signage | <input type="checkbox"/> Siding | <input type="checkbox"/> Relocation | <input type="checkbox"/> In-kind Replacement |
| <input type="checkbox"/> Parking | <input type="checkbox"/> Roofing | <input type="checkbox"/> Restoration | <input type="checkbox"/> Utilities (meters, cables, etc.) |
| <input type="checkbox"/> Landscape | <input type="checkbox"/> Accessory Building | <input type="checkbox"/> Demolition | <input type="checkbox"/> Miscellaneous |

* Tree causing damage to wall in Florida Room - Amended March 5 2007
both exterior and interior

4. DESCRIPTION OF PROPOSED WORK

- Tree Removal (Arborvitae) at South Side Door
 ① Height prevents use of fireplace
 ② Gutters continually filled; causing leak in South Side Back Bedroom.
 * ③ Safety aspect at side door entry

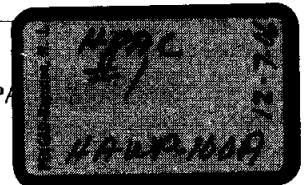
5. HISTORIC AREA WORK PERMIT PROCESS AND APPLICATION SUBMISSION REQUIREMENTS (SEE PA...)

No replanting planned!! K

I have read and understand the attached information regarding process and requirements in obtaining a Historic Area Work Permit.

Signature Kathryn D. Schumacher

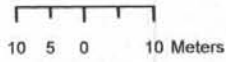
Date Oct. 23, 2006



HAWP-100A

105 Russell Avenue

1 inch equals 84 feet



HAWP-100A December 2006



MD State Plane
HPGN NAD 83/91

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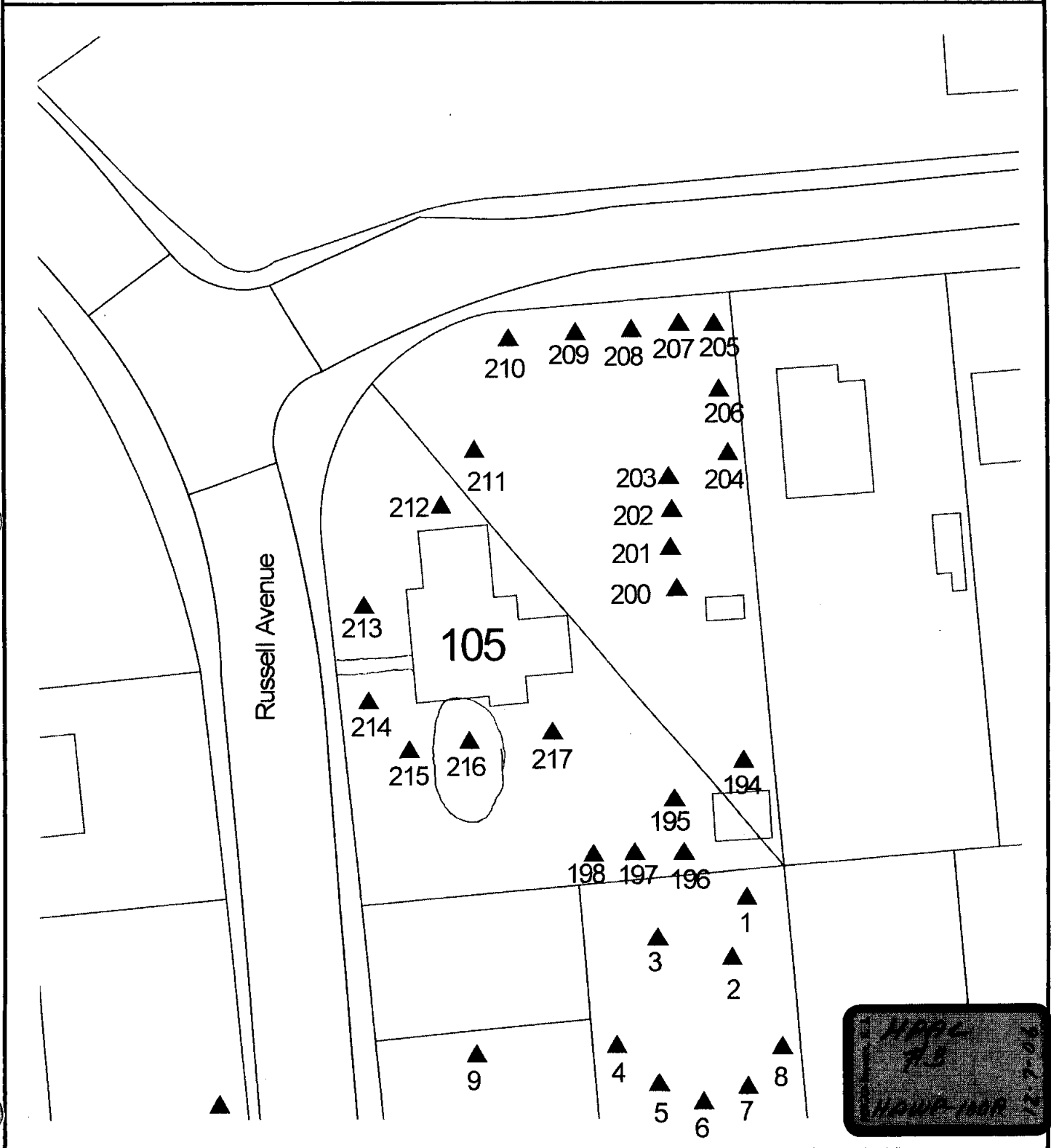
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www.gaithersburgmd.gov

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PENGLIS-BAYENNE, R. J.
HAWP-100A
#2
12-7-06

Tree Inventory for Brookes, Russell, Walker Historic District



1992
R.B.
HAPP-100

105 Russell Avenue



June 1999

City of Gaithersburg Historic District Tree Inventory

Prepared by
the Care of Trees, Inc.

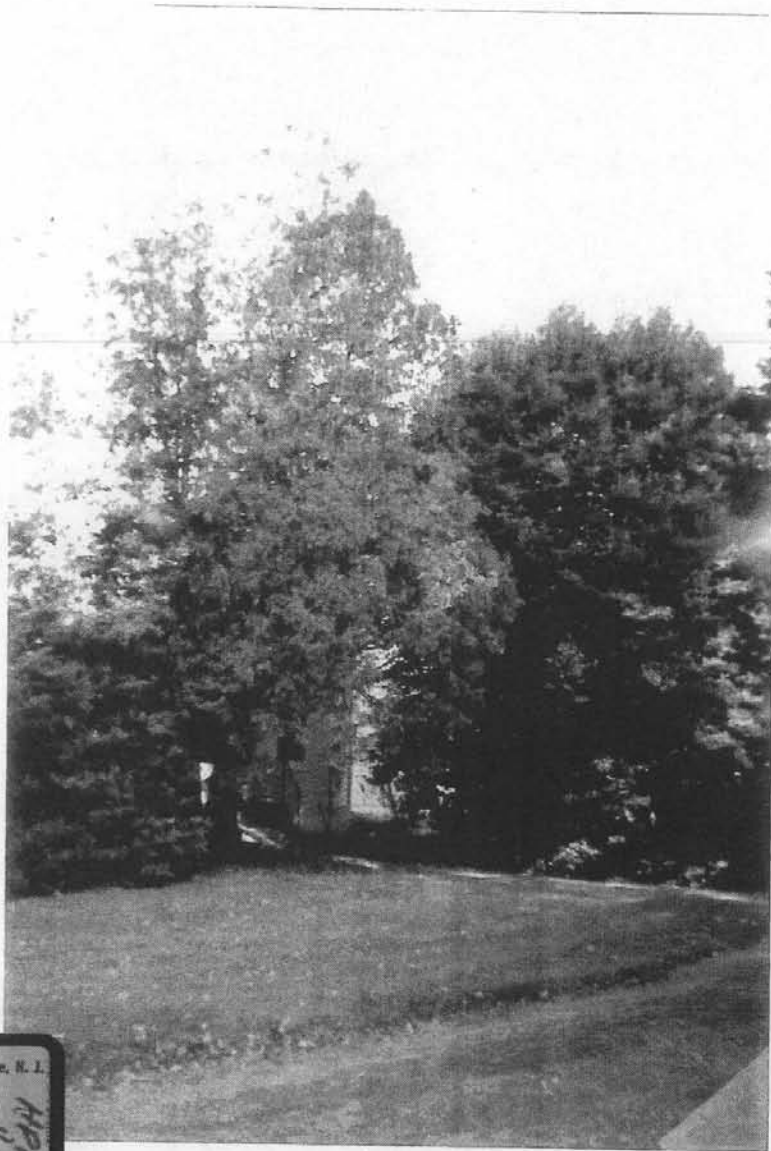
INV#	Location	Street	MHO	PB	APS	No.	of total	Species	dbh	cond	PR	RM	CB	HE	IPM	Wires	SW	Comments
214	Front center	"				21	24	Norway spruce	20	2	2				1	X	X	
215	Front center	"				22	24	Hemlock	22	2	2				1	X		
216	Front Right side	"				23	24	Arborvitae	14/16	3	3				2			
217	Front Right side	"				24	24	American holly	multi stem	3					2			
218	Rear left corner	108 Russell Ave.	No			1	5	Hemlock	10	1	2				2			storm damage
219	Right center	"				2	5	American holly	10	3								
220	Right center	"				3	5	American holly	14	3								
221	Right rear center	"				4	5	Hemlock	11	1	2				2			
222	Front Right corner	"				5	5	Flowering cherry	10	2	2					X		Geotrophic
223	Right center	110 Russell Ave.	Yes			1	4	Silver maple	30	2	2							Topped
224	Right center	"				2	4	Norway maple	24	1		2						
225	Front left corner	"				3	4	Chinese chestnut	32	2	2		2			X	X	Basal decay, epicormic growth
226	Front center	"				4	4	Red maple	18	2	2					X	X	
227	Right left corner	31 Walker Ave.	Yes			1	7	Norway maple	9	2	3							Basal decay
228	Right center	"				2	7	American dogwood	12	3	2				1			Discula anthracnose
229	Right rear corner	"				3	7	Black walnut	18	3	2							
230	Rear center	"				4	7	Red maple	24	2	2							Major deadwood
	Left side	"				5	7	Hemlock	9	2					1			Wooly adelgid
	Left side	"				6	7	Hemlock	9	2					1			Wooly adelgid, sheared
	Front Right corner	"				7	7	Norway maple	36	3	2					X		House clearance, vines
	Right rear corner	27 Walker Ave.	No			1	7	Black locust	18	1	2							Decline

Key: MHO=met homeowner; PB=public tree; APS=avail planting space; PR=prune; RM=remove; CB=cable; HE=hazard eval; IPM=plant health care priority level: 1=urgent; 2=medium; 3=low
Condition Key: 5=excellent; 4=very good; 3=good; 2=fair; 1=poor D=dead/dying

12-7-98



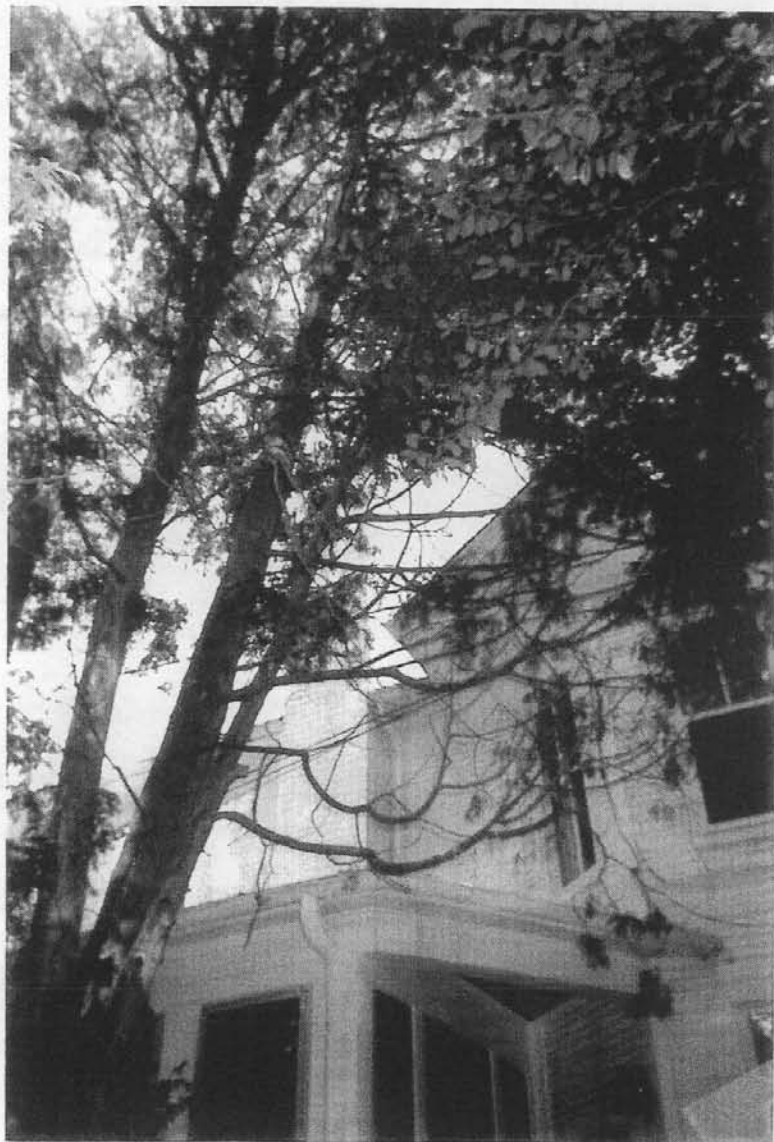
PENGAD-Bayonne, N. J.
HNPAC
ASH
12-7-06



PENGAD-Bayonne, N. J.
HPAC
#58
APWP-100A
12-7-06



PENGAD-Bayonne, N. J.
HPRL
#5C
11 PWP-108A
127-06





Gaithersburg
A CHARACTER COUNTS! CITY

November 17, 2006

Karey Major, Law Section
The Gaithersburg Gazette
P.O. Caller 6006
Gaithersburg, Maryland 20884

Dear Karey:

Please publish the following legal advertisement in the **November 29, 2006**, issue of the *Gaithersburg Gazette*.

Sincerely,

Jacqueline Marsh
Jacqueline Marsh, Planner
Planning and Code Administration

ASSIGN CODE: HAWP-100A

NOTICE OF PUBLIC HEARING

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP-100A, filed by Kathryn Schumacher, on

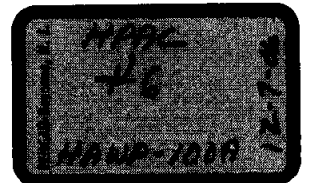
**THURSDAY
DECEMBER 7, 2006
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests a certificate of approval from the City's Historic District Commission for a tree removal request at **105 Russell Avenue**. §24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 7, Block 7, of the Russell and Brookes Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Jacqueline Marsh, Planner
Planning and Code Administration
Acct# 133649



City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitersburgmd.gov • www.gaitersburgmd.gov

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Stanley J. Alster
Geraldine E. Edens
Henry J. Marafia, Jr.
John B. Schlichting
Michael A. Sesma

CITY MANAGER
David B. Humpton



Gaithersburg

A CHARACTER COUNTS! CITY

CITY OF GAITHERSBURG
31 South Summit Avenue
Gaithersburg, Maryland 20877
Telephone: 301-258-6330

NOTICE OF PUBLIC HEARING

The City of Gaithersburg Historic Preservation Advisory Committee will conduct a public hearing at the time and place noted below.

<i>Meeting:</i>	Historic Preservation Advisory Committee
<i>Application Type:</i>	Historic Area Work Permit Request
<i>File Number:</i>	HAWP-100A
<i>Location:</i>	105 Russell Avenue Lot 7, Block 7, of the Russell and Brookes Addition to Gaithersburg
<i>Applicant:</i>	Kathryn Schumacher
<i>Development:</i>	Brookes, Russell, Walker Historic District
<i>Day/ Date/Time:</i>	Thursday, December 7, 2006, 7:30 p.m.
<i>Place:</i>	COUNCIL CHAMBERS, GAITHERSBURG CITY HALL 31 SOUTH SUMMIT AVENUE

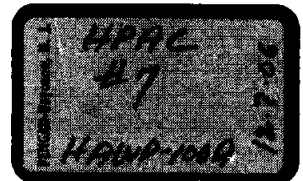
*****IMPORTANT*****

The application requests a certificate of approval from the City's Historic District Commission for a tree removal request **105 Russell Avenue**. Section 24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 7, Block 7, of the Russell and Brookes Addition to Gaithersburg, is a contributing resource to the Brookes, Russell, Walker Historic District. Contact the Planning and Code Administration City Planner (listed below) at (301) 258-6330 if you should have any questions and/or to learn more about this process and your ability to offer testimony and input.

CITY OF GAITHERSBURG

By: Jacqueline Marsh
Jacqueline Marsh, Planner
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



NOTICES SENT THIS 27th DAY OF NOVEMBER, 2006, TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

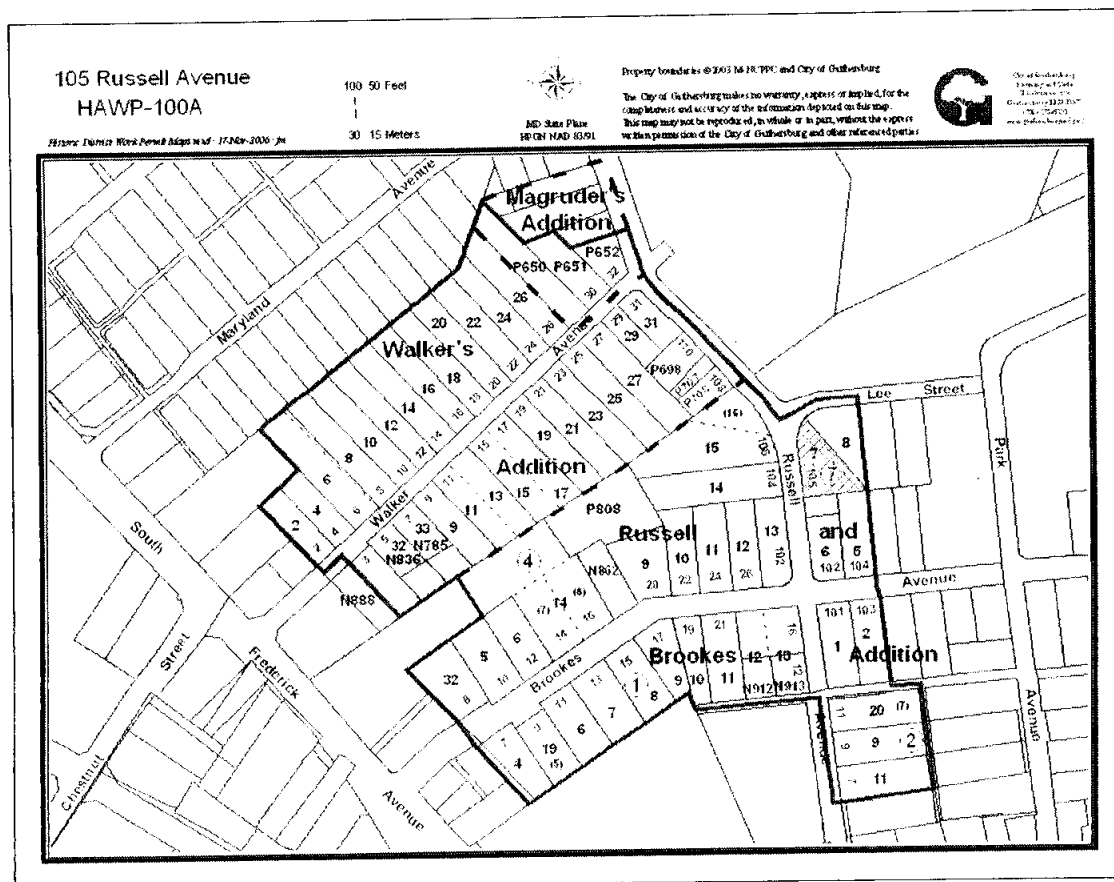
HISTORIC PRESERVATION ADVISORY COMMITTEE

HISTORIC DISTRICT COMMISSION

CITY STAFF

David B. Humpton, City Manager
Frederick J. Felton, Assistant City Manager
Tony Tomasello, Assistant City Manager
Cathy Borten, City Attorney
Britta Monaco, Public Information Director
Doris Stokes, Administrative Assistant
Jeff Baldwin, City Web Administrator (via email)

LOCATION MAP



HAWP-100A

ASBURY METHODIST HOME INC
OR CURRENT OCCUPANT
301 RUSSELL AVE
GAITHERSBURG MD 20877

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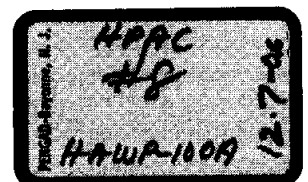
MARK C & E M ENGLISH
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GAITHERSBURG MD 20877





March 20, 2007

Ashby Tanner, Law Section
The Gaithersburg Gazette
P.O. Caller 6006
Gaithersburg, Maryland 20884

Dear Ashby:

Please publish the following legal advertisement in the **March 28, 2007**, issue of the *Gaithersburg Gazette*.

Sincerely,

Jacqueline Marsh, Planner
Planning and Code Administration

ASSIGN CODE: HAWP-100A

NOTICE OF PUBLIC HEARING

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**THURSDAY
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AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

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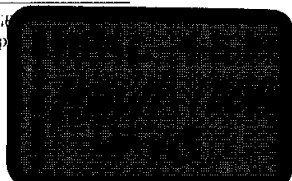
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NOTICE OF PUBLIC HEARING

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Meeting: **Historic Preservation Advisory Committee**
Application Type: **Historic Area Work Permit Request**
File Number: **HAWP-100A**
Location: **105 Russell Avenue**
Lot 7, Block 7, of the Russell and Brookes Addition to Gaithersburg

Applicant: **Kathryn Schumacher**
Development: **Brookes, Russell, Walker Historic District**
Day/ Date/Time: **Thursday, April 5, 2007, 7:30 p.m.**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL**
31 SOUTH SUMMIT AVENUE

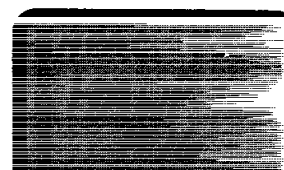
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CITY OF GAITHERSBURG

By: *Jacqueline Marsh*
 Jacqueline Marsh, Planner
 Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



NOTICES SENT THIS 26th DAY OF MARCH, 2007, TO:

APPLICANT AND INTERESTED PARTIES

(A list of interested parties and agencies is available in the file in the Planning and Code Administration.)

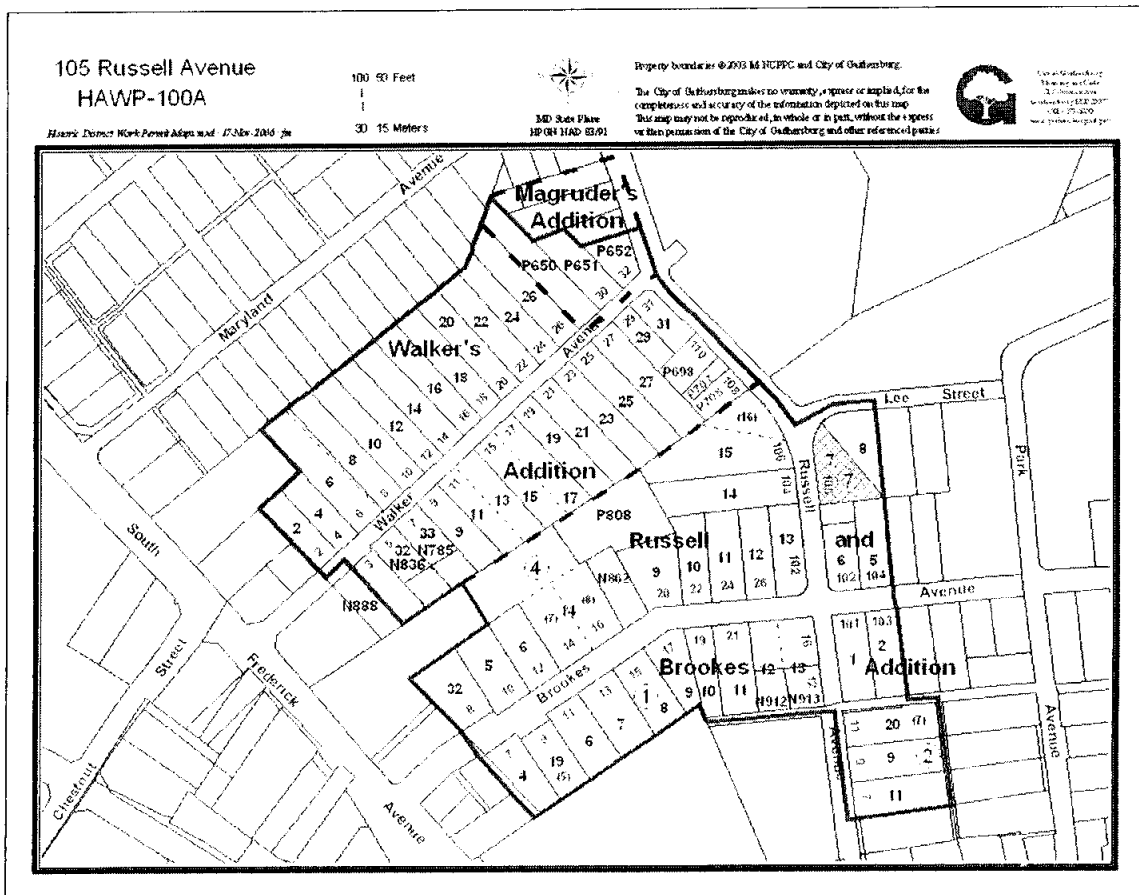
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LOCATION MAP



HAWP.100A

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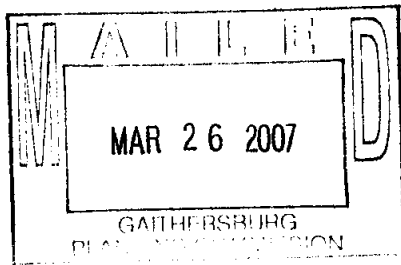
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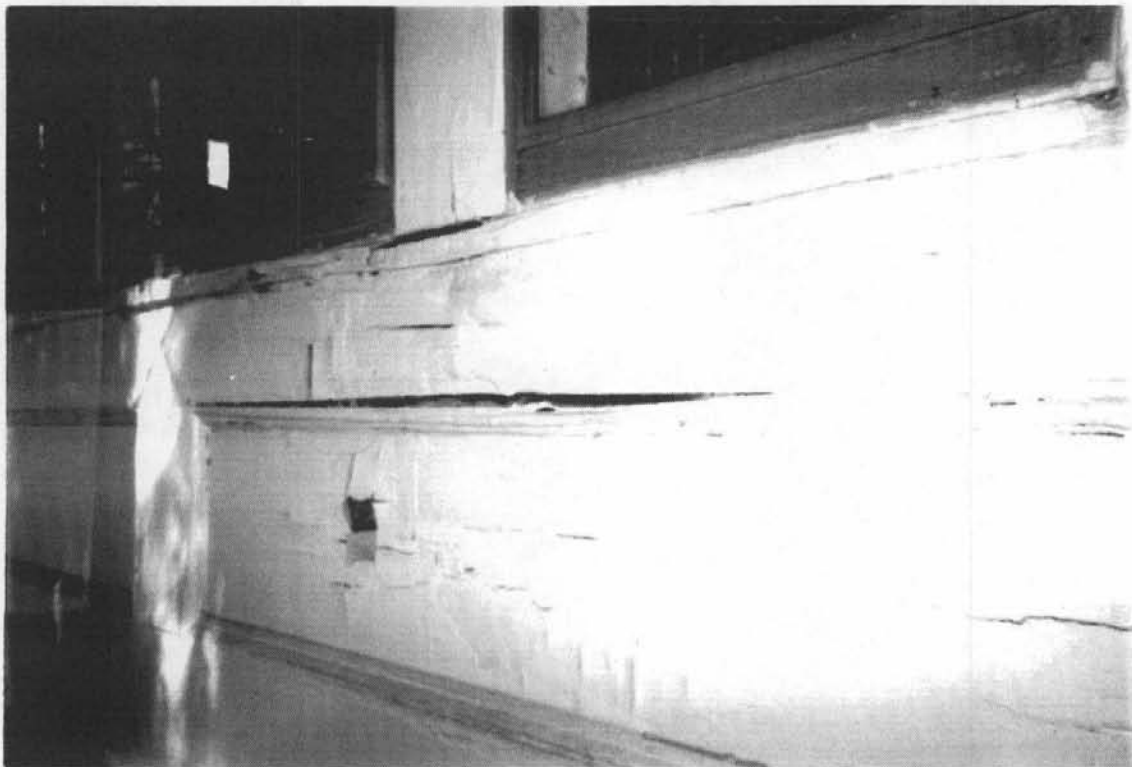
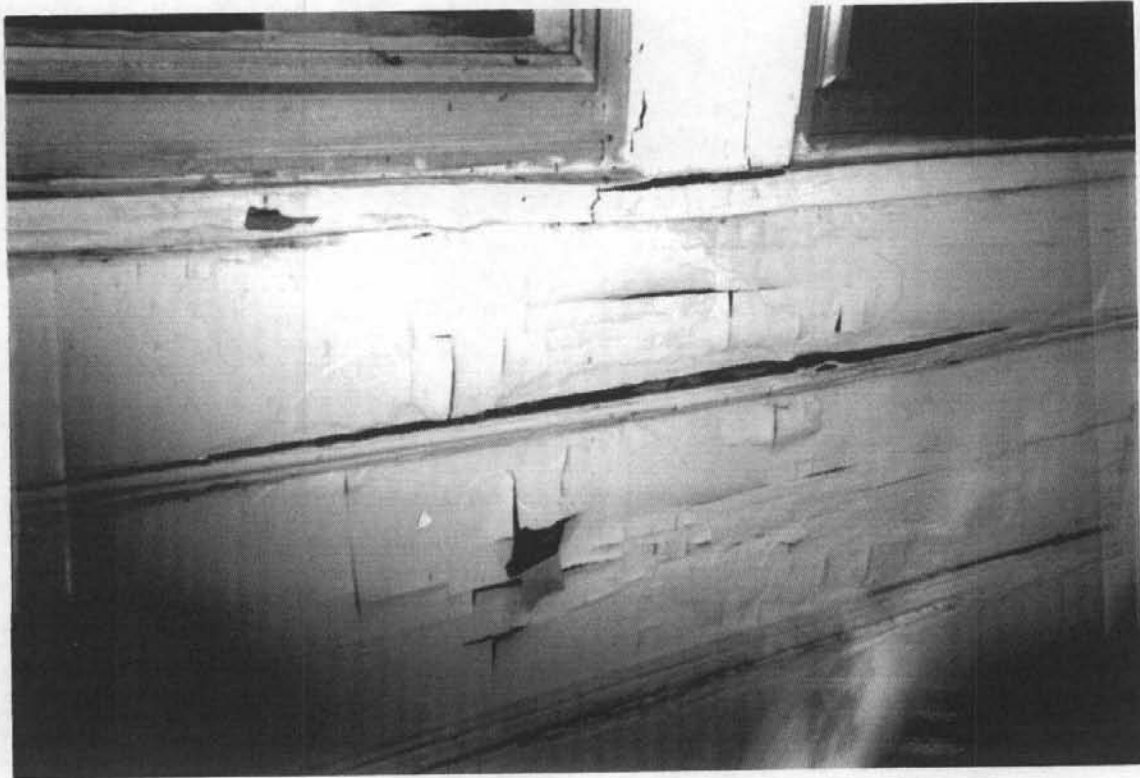
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Tree Removal - 105 Russell Ave.



HPAC 4-5-07
HAWP-100A
#17



Tree Removal
105 Russell Ave

