

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

August 20, 2007

CALL TO PODIUM:

Patricia Patula, Planner

RESPONSIBLE STAFF:

Patricia Patula, 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: CERTIFICATE OF APPROVAL HAWP-109

HISTORIC DISTRICT COMMISSION

Applicant: Neang B. Lin, for Hak Srun Lin; Request to Extend Driveway at 24 Chestnut Street

SUPPORTING BACKGROUND:

This request proposes an extension of the existing concrete driveway by nine feet to allow additional parking at the residence at 24 Chestnut Street, which is a non-contributing resource in the Chestnut/Meem Historic District.

At their meeting of June 7, 2007, the Historic Preservation Advisory Committee (HPAC) held a public hearing on this request. Public testimony was presented in support of the extension (reference the attached draft minutes). The HPAC voted unanimously to recommend approval with conditions, finding the proposed alteration in compliance with the Chestnut/Meem Historic District Design Guidelines and with the 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 proposed extension of the driveway is a minimal change following the pattern of the neighborhood.

The conditions are:

- 1) Applicant should keep the outer edge of the new concrete driveway in line with the existing driveway edge.
- 2) The driveway should have a minimum one-half inch per foot slope away from the house.
- 3) The concrete for the extended driveway should have a minimum six-inch thickness.
- 4) The material for the driveway should include a six by six welded wire mesh and be approved by staff prior to installation.

Staff and the HPAC recommend the HDC make the following motion: **Grant approval of HAWP-109, with the four conditions, 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 Standards One and the Chestnut/Meem Historic District Design Guidelines.**

DESIRED OUTCOME:

Vote to approve or deny the issuance of the Certificate of Approval.

3. HAWP-109 Applicant: Neang Lin, for Hak Srun Lin
 24 Chestnut Street
 Expansion of Concrete Driveway

DRAFT

Ms. Patula said this is a public hearing on HAWP-109 and was advertised in the *Gaithersburg Gazette* on July 25, 2007 and the property posted. At the present time there are 18 exhibits in the record file. Ms. Patula added this property is a non-contributing resource in the Chestnut/Meem Historic District. The applicant's family has three vehicles, and since the driveway allows for only one car, the request is for a nine-foot extension of the driveway to allow for a second car. The City Manager has granted a parking permit allowing the third car to be parked on Meem Avenue. This plan was also reviewed by Gaithersburg Residential Examiner, Gregory Dennison, as well as Gaithersburg Site Coordinator, Gregory Ryberg, who recommended several conditions should the plan be approved.

Mr. Neang Lin, 24 Chestnut Street, stated he wishes to extend the concrete driveway, using the same materials, by nine feet as shown on the plan in the HPAC packets, and that he had provided both before and "after" photos of the site to demonstrate how the new portion would look. He explained the parking difficulty his family faces.

Mr. Arkin inquired whether the project could be done in less than a year, to which Mr. Lin replied that it would be done in less than a year.

Mary Jo LaFrance, 105 Chestnut Street, expressed her support of Mr. Lin's plans as long as the driveway did not extend into the backyard. She briefly reviewed the parking permit system on Meem Avenue and added that, until the driveway is completed, there is additional public parking along 101 Chestnut Avenue.

Ms. Patula read the four conditions concerning the construction details of the driveway that were requested by Mr. Ryberg and Mr. Dennison due to the tight quarters of the site. Mr. Lin expressed concurrence.

Member Bernstein expressed approval of the extension of the driveway as opposed to widening it and taking away from the front yard.

Member Drzyzgula reported she had visited the site and had observed that there are a variety of driveway patterns in that area. She finds the proposed change a minimal change and that the proposed driveway reflects an established pattern in the neighborhood.

Motion was made by Member Drzyzgula, seconded by Member Coratola, to close the public hearing record on HAWP-109.

Vote: 4-0

Motion was made by Member Drzyzgula, seconded by Member Bernstein, to recommend conditional approval of HAWP-109, finding that the application is 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” and the Design Guidelines for the Chestnut/Meem Historic District. The proposed change is a minimal change, and the proposed concrete extension of the driveway reflects an established pattern in the neighborhood.

With the following conditions:

1. Keep outer edge of the new concrete driveway in line with the existing driveway edge;
2. Driveway should have a minimum one-half inch per foot slope away from house;
3. The concrete for the extended driveway should have a minimum six-inch thickness;
4. The material of the driveway should include a six by six welded wire mesh and be approved by staff prior to installation

VOTE: 4-0

**INDEX OF MEMORANDA
HAWP-109**

**Applicant: Neang B Lin, for Hak Srun Lin
24 Chestnut Street
Driveway Extension**

Number	Exhibit
1.	Application
2.	Aerial Location of Site
3.	Picture of Side Yard
4.	Pictures showing existing and proposed extended driveway on house side
5.	Pictures showing existing and proposed extended driveway from Chestnut
6.	Notice to Correct Violation
7.	House Location Plat showing proposed driveway extension prepared by applicant
8.	Notice to include legal ad for public hearing in the July 25, 2007, issue of the <i>Gaithersburg Gazette</i>
9.	Public hearing notice, sent out July 23, 2007, to the required parties
10.	Mailing List
11.	House Location Plat
12.	By Reference: Chestnut/Meem Historic District Guidelines
13.	By Reference: Annotated Code of Maryland, Article 66B, Historic Resources
14.	By Reference: Secretary of Interior Standards for Rehabilitation
15.	By Reference: HD-22 Designation Documents
16.	By Reference: Qualifications of HPAC, HDC, and staff
17.	By Reference: Historic Preservation Ordinance
18.	Certified Legal Ad

HISTORIC AREA WORK PERMIT APPLICATION

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

Application Number	<u>HAWP-109</u>
Date Filed	<u>7-18-07</u>
Application Completed	<u>7-24-07</u>
HPAC Hearing/Review	<u>8-2-07</u>
HDC Hearing/Review	<u>8-20-07</u>
Decision	_____
Date of Decision	_____

1. SUBJECT PROPERTY

Address 24 Chestnut Street, Gaithersburg, MD 20877
Lot 33 Block _____ Subdivision Meem's Addition to Gaithersburg
Tax Account Number _____

2. APPLICANT/OWNER/AUTHORIZED AGENT

Name Neang B Lin Telephone (301) 905 8888
Address 24 Chestnut Street, Gaithersburg, MD 20877

3. OWNER OF RECORD (IF NOT APPLICANT)

Name Hak Srun Lin Telephone (240) 912 5747
Address 24 Chestnut Street Gaithersburg, MD 20877

2. TYPE OF WORK (CHECK APPROPRIATE)

- Visible from public way
- Not visible from public way
- Fence
- Signage
- Parking
- Landscape
- Windows
- Siding
- Roofing
- Accessory Building
- Additions
- Relocation
- Restoration
- Demolition
- New Construction
- In-kind Replacement
- Utilities (meters, cables, etc.)
- Miscellaneous

4. DESCRIPTION OF PROPOSED WORK

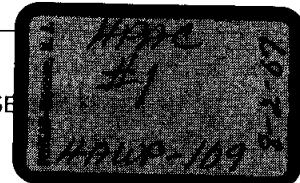
(Concrete) Extend driveway for parking.

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

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

Signature [Handwritten Signature]

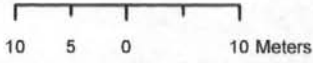
Date 07-18-2007



HAWP-109

24 Chestnut Street

1 inch equals 54 feet



MD State Plane
HPGN NAD 83/91

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Americas, Inc., 2007. www.istar.com Property boundaries and
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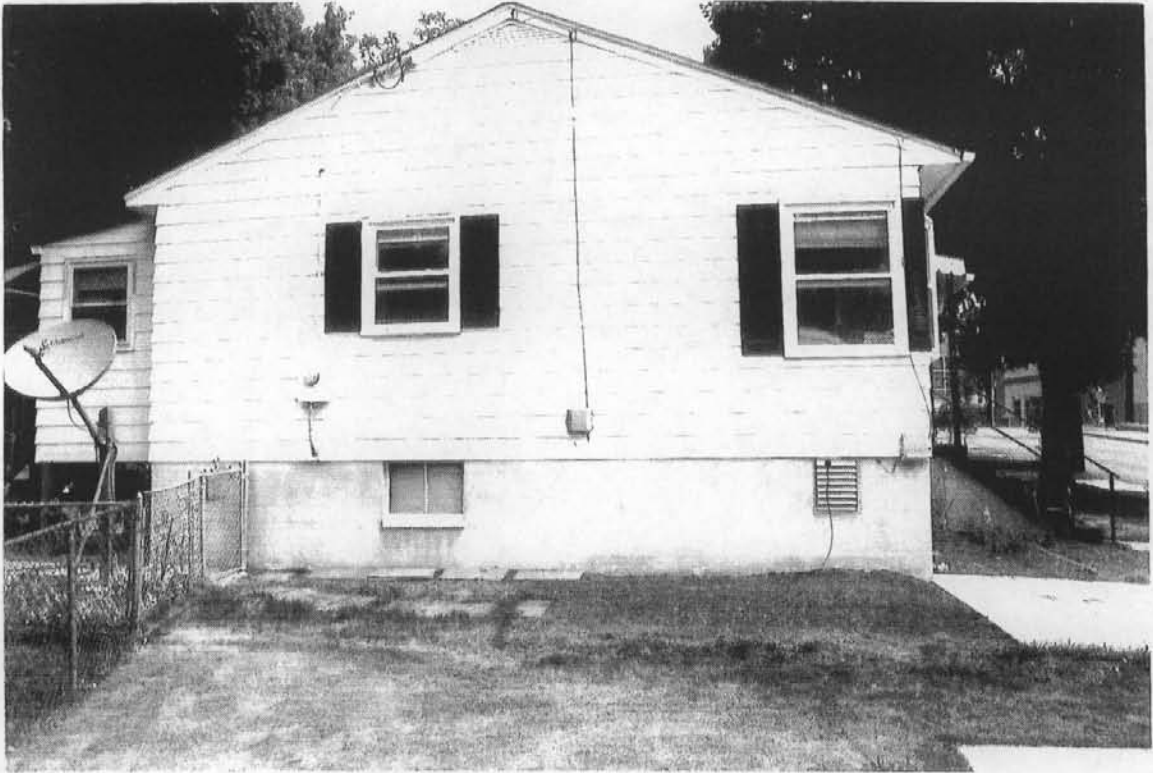
City of Gaithersburg
Planning and Code Admin
31 S Summit Ave
Gaithersburg, MD 20877
(301) 258-6330
www.gaithersburgmd.gov

HAWP-109 August 2007

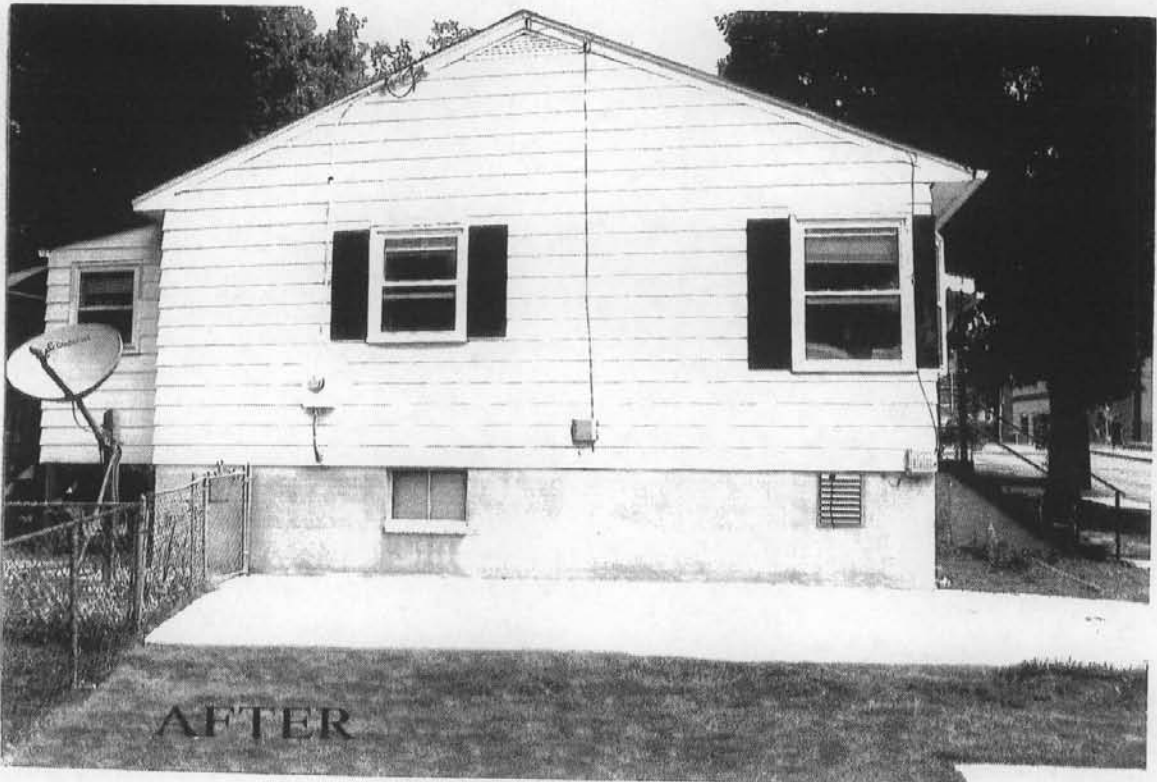




HPAC
#3
HAWP-109
8-2-07
PENNSYLVANIA, N. J.



Existing



Proposed

PENNSYLVANIA, N. J.
HPAC
#4
HAWP-109
8-2-07



Existing



AFTER

Proposed

FENGUO-Bygone, N. J.
HPAC
#5
HAWP-109 8-2-07

NEIGHBORHOOD SERVICES
Telephone: 301-258-6340
Fax: 301-258-6174

OFFICIAL NOTICE TO CORRECT VIOLATIONS

Address: 24 Chestnut Street

Date: 7/13/07

Doris/Deport

(Signature of Person Served)

- Owner
- Agent
- Manager
- Tenant
- Other _____

TYPE OF SERVICE	
<input checked="" type="checkbox"/> Posted	<input type="checkbox"/> Regular and Certified Mail
#	_____
Date: <u>7/13/07</u>	Time: _____
Served By: <u>S. Maxquina</u>	_____

Pursuant to the provisions of the Gaithersburg City Code, you are hereby notified to correct the following violations:

Item No.	Violations to be Corrected	Compliance Date
----------	----------------------------	-----------------

Pursuant to Chapter 17AA of the City Code:

- No person shall store or allow to be stored any dismantled or inoperative motor vehicle or trailer of any kind on any property zoned residential (PM 302.8)
- No person shall store or allow to be stored any vehicle or trailer of any kind with expired registration or any vehicle or trailer of any kind which does not bear current license plates (PM 302.8)
- No person shall store or allow to be stored any vehicle or trailer of any kind in a state of major disassembly, disrepair or in the process of being stripped or dismantled. No vehicle of any type shall undergo major repairs at any time including bodywork unless such work is performed within a completely enclosed garage or approved structure (PM 302.8)
- It shall be unlawful to park or store any vehicle on any residentially zoned property unless the area is permanently stabilized with asphalt, concrete, gravel or other similar material (PM 302.8.1)

Failure to comply will result in a \$100 fine for each violation every day the violation exists.

upon receipt of notice.

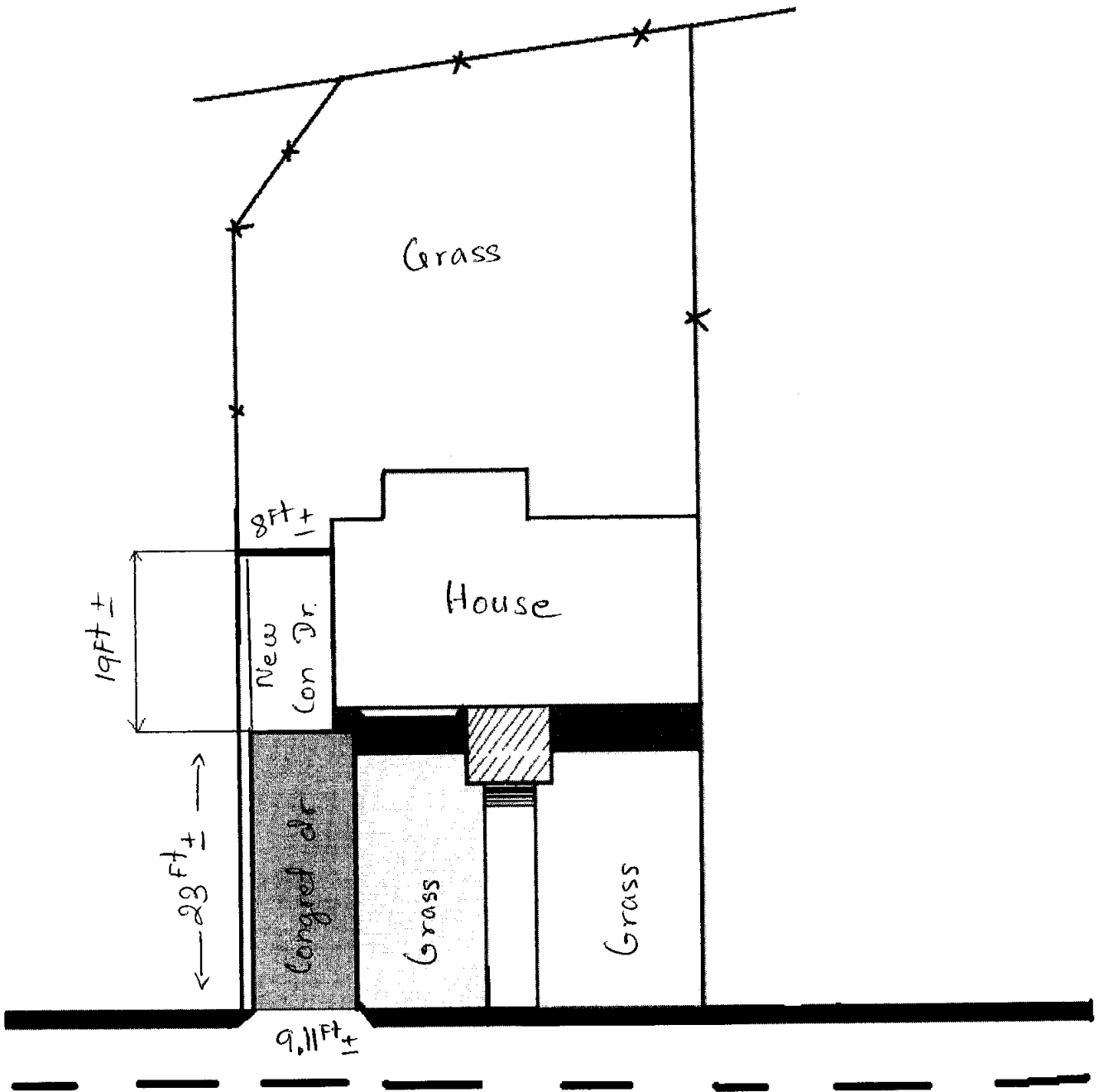
Any request for an extension of time to correct the referenced violations must be submitted in writing to the Planning and Code Administration within 7 days after receipt of this notice.

Failure to comply with this Official Notice by the indicated date/time is a violation of the Gaithersburg City Code and will result in the issuance of fines or other legal action.

BE ADVISED THAT YOU HAVE THE RIGHT TO IMMEDIATELY PETITION THE CITY BOARD OF APPEALS IF YOU BELIEVE THIS NOTICE HAS BEEN ISSUED IN ERROR

Code Official

24 CHESTNUT ST
HOUSE LOCATION DRAWING



APPLICANT
#7
149WP109

July 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 **July 25, 2007**, issue of the *Gaithersburg Gazette*.

Sincerely,

Patricia Patula

Patricia Patula, Planner
Planning and Code Administration

ASSIGN CODE: HAWP-109

NOTICE OF PUBLIC HEARING

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP-109, filed by Neang Lin for Hak Srun Lin, on

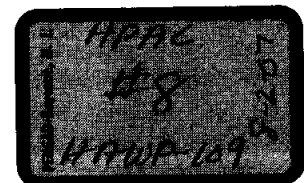
**THURSDAY
AUGUST 2, 2007
AT 7:30 P.M.**

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 the expansion of the concrete driveway at 24 Chestnut Street. §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 33 of Meem's Addition to Gaithersburg, is a non-contributing resource in the Chestnut/Meem 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.

Patricia Patula, Planner
Planning and Code Administration
Acct# 133649





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.

Meeting: **Historic Preservation Advisory Committee**
Application Type: **Historic Area Work Permit Request**
File Number: **HAWP-109**
Location: **24 Chestnut Street**
Lot 33, Meem's Addition to Gaithersburg
Applicant: **Neang Lin, for Hak Srun Lin**
Development: **Chestnut/Meem Historic District**
Day/ Date/Time: **Thursday, August 2, 2007, 7:30 p.m.**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL**
31 SOUTH SUMMIT AVENUE

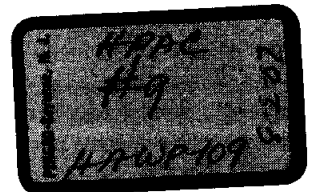
*****IMPORTANT *****

The application requests a certificate of approval from the City's Historic District Commission for driveway expansion at **24 Chestnut Street**. 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 33 of Meem's Addition to Gaithersburg, is a non-contributing resource to the Chestnut/Meem 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: Patricia Patula
Patricia Patula, Planner
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



NOTICES SENT THIS 23RD DAY OF JULY, 2007, 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

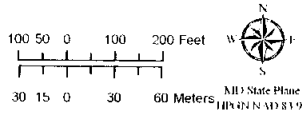
HISTORIC DISTRICT COMMISSION

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

24 Chestnut Street
HAWP-109



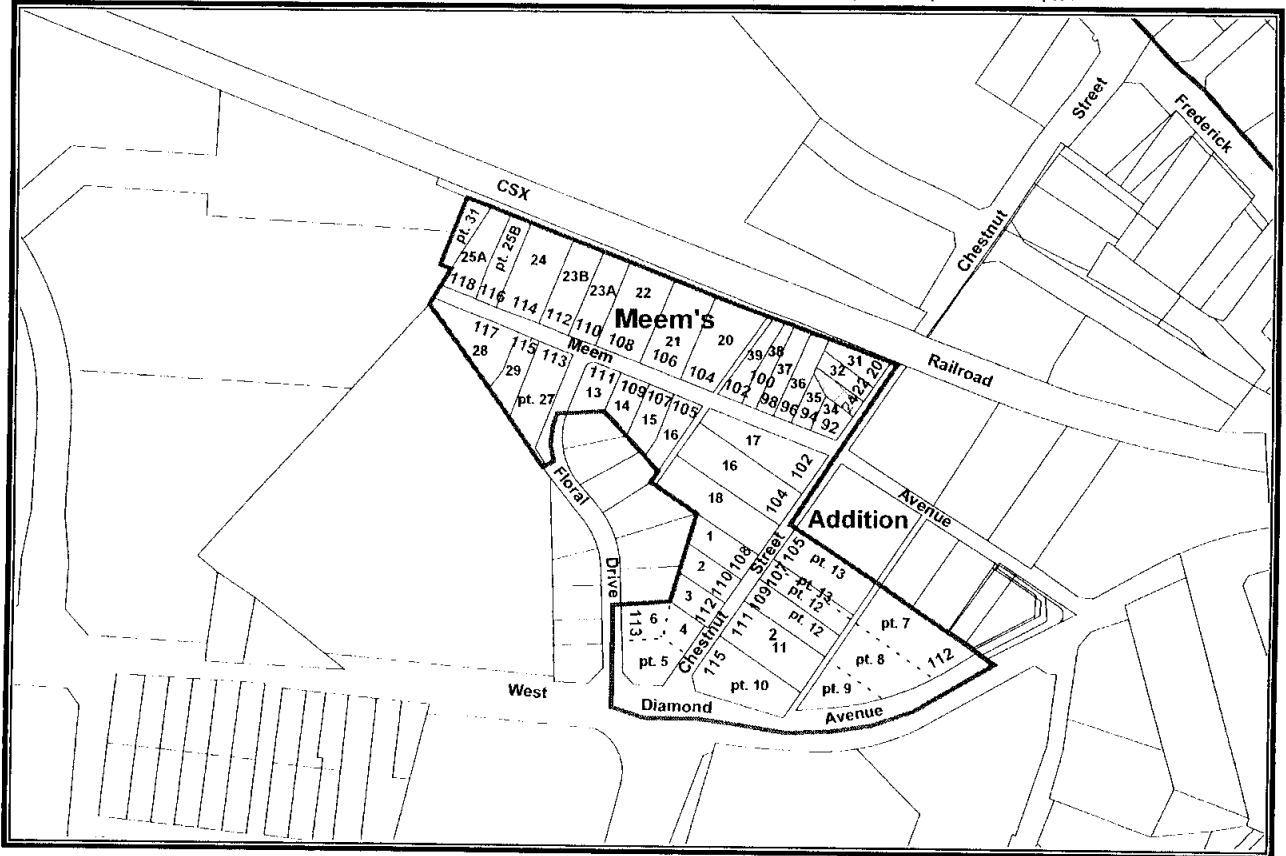
Property boundaries © 2003 MENTEC and City of Gaithersburg

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City of Gaithersburg
Planning and Code
325 Cornwell Ave.
Gaithersburg, MD 20878
(301) 286-4300
www.gaithersburgmd.gov

Historic District Work Permit Map.mxd 11-Nov-2006 .jnu



OCCUPANT
12 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
101 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
92 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
94 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
96 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
98 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
100 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
102 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
104 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
25 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
12 MEEM AVE
GAITHERSBURG MD 20877

OCCUPANT
1 E DIAMOND AVE
GAITHERSBURG MD 20877

OCCUPANT
102 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
16A CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
20 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
22 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
24 CHESTNUT ST
GAITHERSBURG MD 20877

OCCUPANT
101 CHESTNUT ST SUITE 230-2
GAITHERSBURG MD 20877

OCCUPANT
17 CHESTNUT ST FLOOR 1
GAITHERSBURG MD 20877

MONTGOMERY COUNTY
AGRICULTURAL CENTER INC
16 CHESTNUT ST
GAITHERSBURG MD 20877

ZION AVISSAR
9316 WOODEN BRIDGE RD
POTOMAC MD 20854

25 CHESTNUT STREET LLC
25 CHESTNUT ST STE B
GAITHERSBURG MD 20877

VICTOR J PEEKE
PO BOX 489
CLARKSBURG MD 20871

B&L LIMITED PTNSHP
101 CHESTNUT ST #125
GAITHERSBURG MD 20877

G F ENTERPRISES LLC
101 CHESTNUT ST STE 130
GAITHERSBURG MD 20877

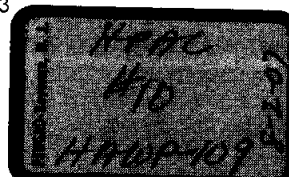
FARID BAKHADJ
900 WHITE PINE PL
POTOMAC MD 20854

ROCKVILLE FUEL&FEED CO INC
PO BOX 1707
ROCKVILLE MD 20849

DEBRA L RANDALL
GLEN L MATOTT
92 MEEM AVE
GAITHERSBURG MD 20877

JOHN PTRUST ARAVANIS
15216 WILD ROSE LN
ROCKVILLE MD 20853

CATALINA SANCHEZ
100 MEEM AVE
GAITHERSBURG MD 20877



CSXTRUSTANSPORTATION INC
500 WATER ST
JACKSONVILLE FL 32202

OCCUPANT
104 CHESTNUT STREET
GAITHERSBURG MD 20877

