

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

**September 15, 2008**

**CALL TO PODIUM:**

**Eliza Voigt**

**RESPONSIBLE STAFF:**

**Eliza Voigt, Planner**

**AGENDA ITEM:**

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
<b>x</b>	Historic District Commission
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
<b>x</b>	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-34A** Applicant: Michael Wu and Ellen Stanley  
 21 Walker Avenue, Request for replacement of gutters

**SUPPORTING BACKGROUND:**

At their meeting of September 4, 2008, the HPAC held a public hearing on this application for gutter replacement at 21 Walker Avenue. This is a contributing resource to the Brookes, Russell, and Walker Historic District.

The applicant is requesting to replace the existing half-round gutters on the lower roof of their home with K-style gutters to match the existing gutters on the rest of the house. Although the Brookes, Russell, and Walker design guidelines state that "half-round gutters are preferred", in this case, the house already has the K-style gutters on the upper roof, and there is no evidence to show that these are not the original style of gutter. Many of the houses in the neighborhood have the K-style gutter.

There was no public testimony in favor of, or in opposition to the application.

The motion was made for approval, finding the request to be in compliance with Secretary of the Interior's Standard Number Six, which states, "Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials."

The committee vote was 3-1 in favor of approval. (HPAC Member Arkin voted in opposition).

Staff and the HPAC recommend the HDC make the following motion: **Grant approval of HAWP-34A and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets the Secretary of the Interior's Standards Six.**

**DESIRED OUTCOME:**

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

HPAC Public Hearing – September 4, 2008  
HDC Review – September 15, 2008

**INDEX OF MEMORANDA  
HAWP-34A**

**Applicant: Michael Wu and Ellen Stanley  
21 Walker Avenue  
Gutter Replacement**

<b>Number</b>	<b>Exhibit</b>
1.	Application
2.	House location map
3.	Photographs of the property and neighboring properties' gutter systems
4.	"Rain Gutters/Downspouts," BRW Guidelines
5.	Notice to include legal ad for public hearing in the August 27, 2008, <i>Gaithersburg Gazette</i>
6.	Public hearing notice, sent out August 25, 2008, to the required parties
7.	Mailing List
8.	By Reference: Brookes, Russell, Walker Historic District Guidelines
9.	By Reference: Annotated Code of Maryland, Article 66B, Historic Resources
10.	By Reference: Secretary of Interior Standards for Rehabilitation
11.	By Reference: HD-14 Designation Documents
12.	By Reference: Qualifications of HPAC, HDC, and staff
13.	By Reference: Historic Preservation Ordinance

# HISTORIC AREA WORK PERMIT APPLICATION

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

Application Number	34A
Date Filed	8.1.08
Application Completed	8.1.08
HPAC Hearing/Review	9.4.08
HDC Hearing/Review	9.15.08
Decision	
Date of Decision	

1. SUBJECT PROPERTY

Address 21 Walker Avenue  
 Lot 21 Block \_\_\_\_\_ Subdivision 218  
 Tax Account Number 00846972

2. APPLICANT/OWNER/AUTHORIZED AGENT

Name Michael Wu + Ellen Stanley Telephone 240-246-0636  
 Address 21 Walker Ave, Gaithersburg  
301-520-1045 (w)

3. OWNER OF RECORD (IF NOT APPLICANT)

Name \_\_\_\_\_ Telephone \_\_\_\_\_  
 Address \_\_\_\_\_

2. TYPE OF WORK (CHECK APPROPRIATE)

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

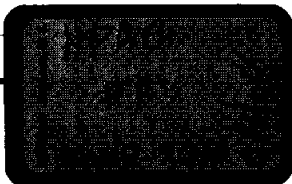
4. DESCRIPTION OF PROPOSED WORK

in-kind roof replacement;  
want to replace 1/2 round gutters on bottom of  
house to K-style, which will then match the  
rest of the house  
(photos attached)

5. HISTORIC AREA WORK PERMIT PROCESS AND APPLICATION SUBMISSION REQUIREMENTS (SEE PAGES 2-7)

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

Signature Michael Wu + Ellen Stanley Date 7/31/08



# 21 Walker Avenue

HAWP-34A



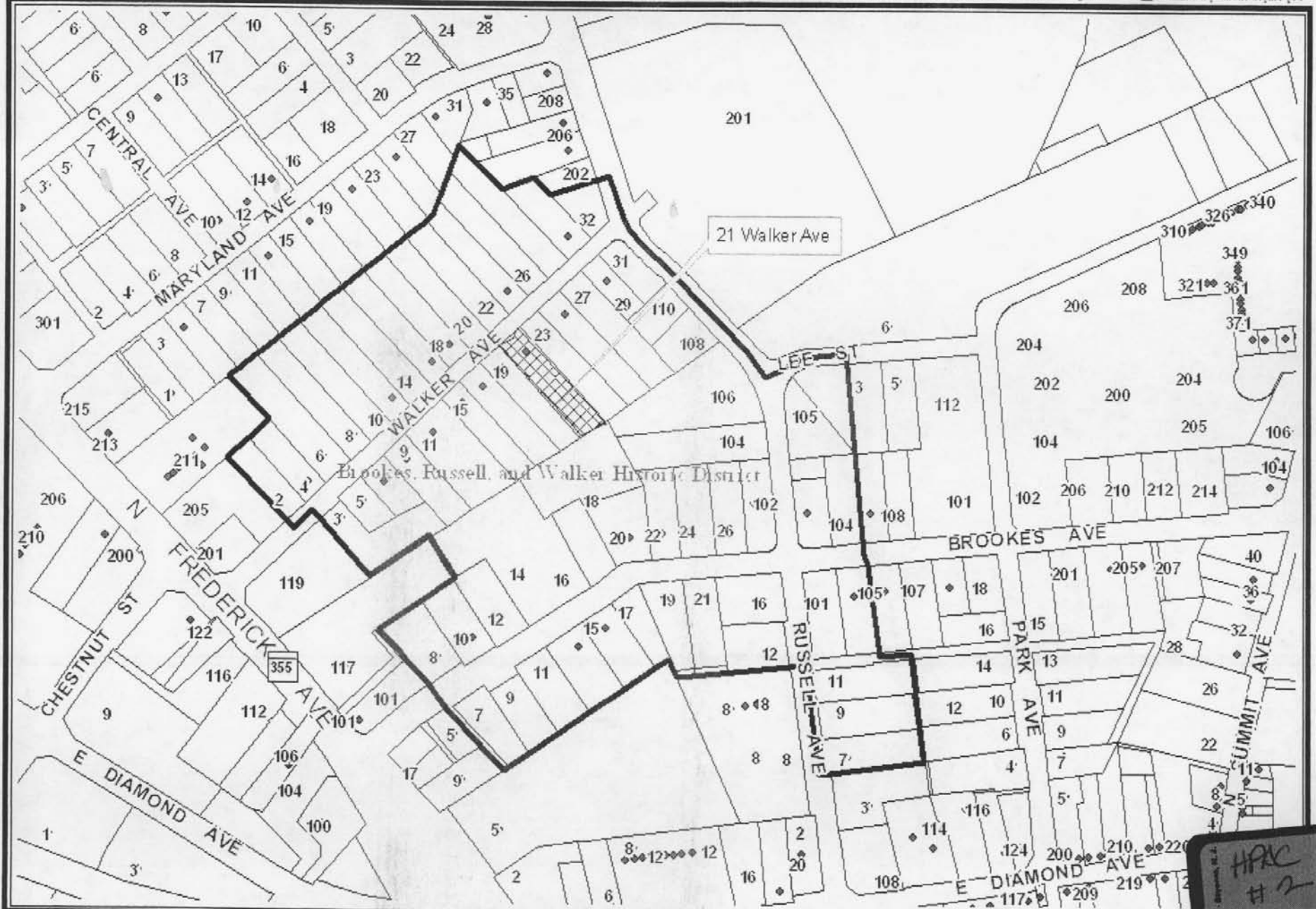
MD State Plane  
HPGN NAD 83/91

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City of Gaithersburg  
Planning and Code Administration  
111 Summit Ave  
Gaithersburg, MD 20877  
(301) 250-6330  
www.gaithersburg.gov



HPAC  
#2  
9/14/08  
HAWP 34A

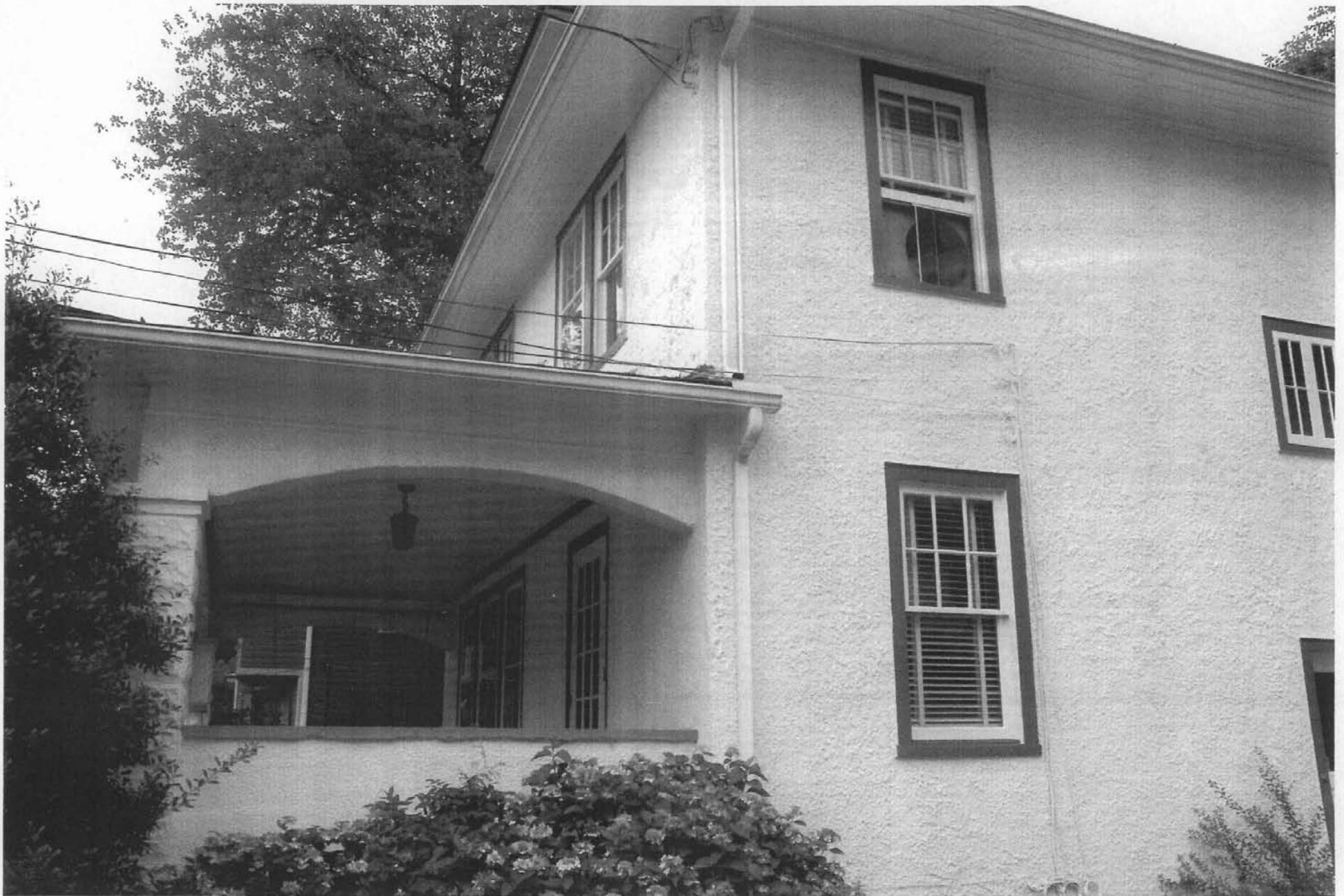
The attached photos include our porch, and a sampling of other porches on Walker Avenue, the majority of which have K-style gutters.

Thank you for your time and consideration.  
Michael Wu and Ellen Stanley





21 Walker Avenue



neighboring home



neighboring home

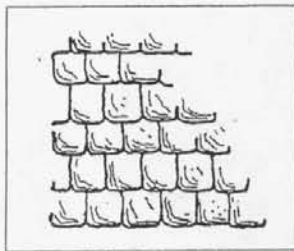


Neighboring home

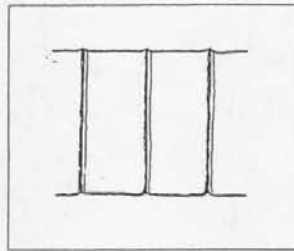
## ROOFING

In the Brookes, Russell, and Walker District there are few examples of original roofing materials remaining. These were of pressed or standing seam tin, wood shake shingles, slate or patterned composition. Care should be exercised prior to replacing these with modern materials.

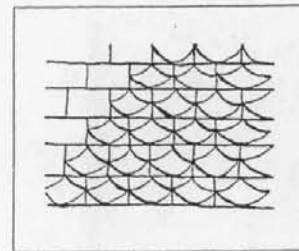
- ♦ Original materials should be retained/matched/restored, if possible.
- ♦ The size, shape, and texture of the original materials should be matched, if possible.



Slate



Standing seam tin



Pressed tin shingles

### Reference:

Preservation Brief 4: "Roofing for Historic Buildings." National Park Service, Department of the Interior, Washington, D.C.

Preservation Brief 17: "Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving Their Character." National Park Service, Department of the Interior, Washington, D.C.

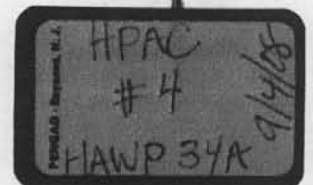
Note: This brief also contains a checklist and questionnaire.

## RAIN GUTTERS/DOWNSPOUTS

- ♦ Half-round metal gutters are preferred as they are historically in keeping with the District. The gutters should harmonize and blend in with the house colors.
- ♦ Hoses or other types of downspout extensions should be discreetly placed in the yard and should not interfere with the ambience of the historic neighborhood.
- ♦ Gutters should be well maintained. Proper maintenance of gutters and downspouts is of vital importance to preserving a historic house.

### Reference:

Preservation Brief 4: "Roofing for Historic Buildings." National Park Service, Department of the Interior, Washington, D.C.





Gaithersburg  
A CHARACTER COUNTS! CITY

August 19, 2008

Bonnie Geiger  
Law Section  
The Gazette Newspaper  
2-A North Market Street  
Frederick, Maryland 21701

Dear Ms. Geiger:

Please publish the following legal advertisement in the **August 27, 2008**, issue of the *Gaithersburg Gazette*.

Sincerely,

Eliza Voigt, Planner  
Planning and Code Administration

ASSIGN CODE: **HAWP-34A** - Acct# 133649

**NOTICE OF PUBLIC HEARING**

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP-34A, filed by Michael Wu and Ellen Stanley, on

**THURSDAY  
SEPTEMBER 4, 2008  
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 gutter replacement request at **21 Walker Avenue**. Sec. 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 21 of the Walkers 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.

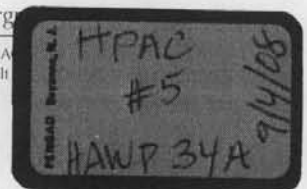
Eliza Voigt, Planner  
Planning and Code Administration  
EBV

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

MAYOR  
Sidney A. Katz

COUNCIL MEMBERS  
Jud Ashman  
Cathy C. Drzyzgula  
Henry F. Marraffa, Jr.  
Ryan Spiegel  
Michael A. Sesma

ACTING CITY MANAGER  
James D. Arnoult





*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-34A**  
*Location:* **21 Walker Avenue**  
**Lot 21, of the Walkers Addition to Gaithersburg**  
*Applicant:* **Michael Wu and Ellen Stanley**  
*Development:* **Brookes, Russell, Walker Historic District**  
*Day/ Date/Time:* **Thursday, September 4, 2008, 7:30 p.m.**  
*Place:* **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL**  
**31 SOUTH SUMMIT AVENUE**

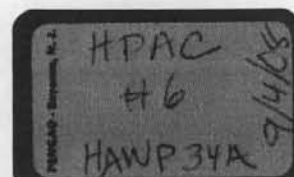
**\*\*\*IMPORTANT\*\*\***

The application requests a certificate of approval from the City's Historic District Commission for a gutter replacement request at **21 Walker 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 21 Walkers 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: Eliza Voigt  
 Eliza Voigt, Planner  
 Planning and Code Administration

**SEE LOCATION MAP ON REVERSE SIDE**



**NOTICES SENT THIS 25<sup>th</sup> DAY OF AUGUST, 2008, 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**

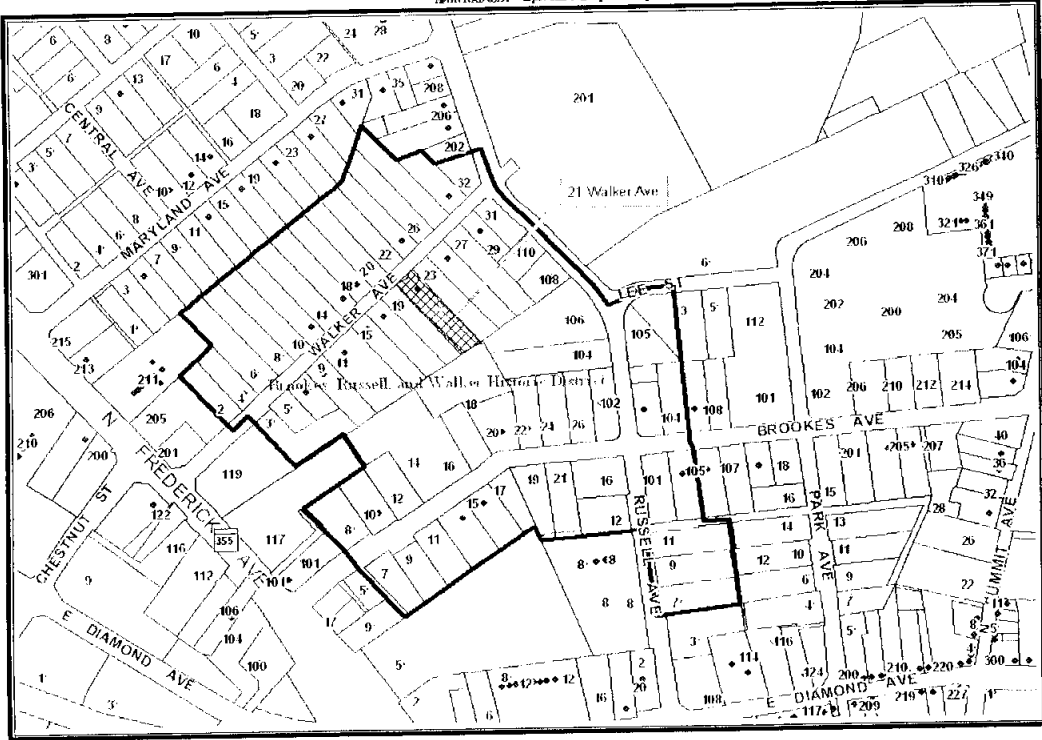
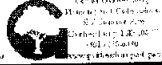
- Jim Arnoult, Acting City Manager
- Frederick J. Felton, Assistant City Manager
- Tony Tomasello, Assistant City Manager
- N. Lynn Board, City Attorney
- Britta Monaco, Public Information Director
- Doris Stokes, Administrative Assistant
- Jeff Baldwin, City Web Administrator (via email)

**LOCATION MAP**

21 Walker Avenue  
HAWP-34A



This data was prepared and derived from ESRI ArcView, Inc. 2005  
with the use of Project Information System (PIS) and ESRI ArcView and  
the following data sources: 1. 2005 Census of the City of Frederick  
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99. 2005 Census of the City of Frederick  
100. 2005 Census of the City of Frederick



OCCUPANT  
16 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
18 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
20 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
22 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
24 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
104 RUSSELL AVE  
GAITHERSBURG MD 20877

OCCUPANT  
106 RUSSELL AVE  
GAITHERSBURG MD 20877

OCCUPANT  
108 RUSSELL AVE  
GAITHERSBURG MD 20877

OCCUPANT  
110 RUSSELL AVE  
GAITHERSBURG MD 20877

OCCUPANT  
11 WALKER AVE  
GAITHERSBURG MD 20877

OCCUPANT  
15 WALKER AVE  
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25 WALKER AVE  
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27 WALKER AVE  
GAITHERSBURG MD 20877

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29 WALKER AVE APT A  
GAITHERSBURG MD 20877

OCCUPANT  
29 WALKER AVE APT B  
GAITHERSBURG MD 20877

OCCUPANT  
14 BROOKES AVE  
GAITHERSBURG MD 20877

OCCUPANT  
14 WALKER AVE  
GAITHERSBURG MD 20877

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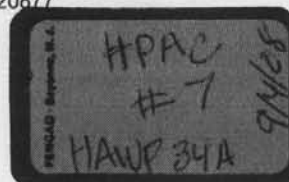
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26 WALKER AVE  
GAITHERSBURG MD 20877

OCCUPANT  
30 WALKER AVE  
GAITHERSBURG MD 20877

HOSANNA KOREAN METH CHURCH  
14 BROOKES AVE  
GAITHERSBURG MD 20877

ELIZABETH B WITZGALL  
20 WALKER AVE  
GAITHERSBURG MD 20877

34A



ASBURY METHODIST HOME INC  
301 RUSSELL AVE  
GAITHERSBURG MD 20877

GEORGE R WALLRODT  
20 BROOKES AVE  
GAITHERSBURG MD 20877

GEORGE R WALLRODT  
20 BROOKES AVE  
GAITHERSBURG MD 20877

JOSEPH F & L SCHULER  
30 WALKER AVE  
GAITHERSBURG MD 20877

CITY OF GAITHERSBURG  
31 South Summit Avenue  
Gaithersburg, Maryland 20877

**MINUTES OF THE  
HISTORIC PRESERVATION ADVISORY COMMITTEE  
JUNE 2, 2005**

The meeting was called to order at 7:30 p.m. Members present: Richard Arkin, Chairperson; Cathy Drzyzgula, First Vice Chair; and Committee Members Joe Coratola and Deanna Lyter. Absent: Erin Moyer. Staff present: Patricia Patula, Planner, Jacqueline Marsh, Associate Planner, Greg Dennison, Senior Plans Examiner, and Karen Jordan, Recording Secretary.

I. APPROVAL OF MINUTES

Chairperson Richard Arkin requested that the exhibit number be referenced regarding the standard oval gazebo discussed during the public hearing for HAWP-50G.

Motion was made by Member Coratola, seconded by Member Drzyzgula, that the minutes of the May 5, 2005, Historic Preservation Advisory Committee meeting be approved, as corrected.

VOTE: 4-0

II. PUBLIC HEARINGS

1. HAWP-42B Applicant: Edward Richley  
14 Walker Avenue  
Request: Replacement of gutters

Member Cathy Drzyzgula disclosed that the applicant was her neighbor and previous discussions with him had included locating information on gutters which was prior to the application for a permit. There was no objection to Member Drzyzgula participating during the public hearing.

Associate Planner Jacqueline Marsh stated that the public hearing was advertised in the May 25, 2005, issue of the *Gaithersburg Gazette*, the property posted, and 15 exhibits were in the record file. The property is a contributing resource to the Brookes/Russell/Walker Historic District.

*Mr. Edward Richley, applicant,* will be replacing the existing galvanized gutters with copper O-gee hanging gutters. Chairperson Arkin said that one issue is whether the replacement gutters would be in compliance with the guidelines for the historic district which recommends half-round gutters. Mr. Richley did not know when the gutters were installed, but noted that through extensive research on gutters in the early part of the century, there were a variety of gutters used including galvanized steel, iron, and copper O-gee style from 1910 forward. He provided

documentation that O-gee gutters had been used in earlier years and an exhibit from the Grand Rapids historic district where K-style gutters (another name for O-gee) were used in the 1910's.

Responding to whether he would use half-round gutters, Mr. Richley explained that they require a certain amount of overhang and since his roof replacement to asphalt, he was not sure if there was sufficient overhang. Member Joe Coratola said that during a site visit he observed rotting wood from water entering behind the gutters. He suggested the extension of a drip edge underneath the shingles to direct water into the gutter. Member Drzyzgula said that if there is a lack of evidence that the house ever had half-round gutters, it should not be a requirement noting that the historic guidelines provide a basic general guideline. Mr. Richley said that if he had replaced the gutters with galvanized O-gee, a permit would not have been required. In speaking with gutter experts, he had determined that copper was a more durable material.

*Ms. Peggy Murray, 4 Walker Avenue, neighbor,* said that since no proof exists that the house ever had half-rounds gutters, the aesthetics should be more of a factor.

Chairperson Arkin noted that the guidelines were established based on what was thought to be accurate history but that the evidence provided by the applicant should be considered. Member Coratola, who had toured the neighborhood, noted that a majority of the homes have the O-gee style gutter. Member Deanna Lyter said that since there was no proof of half-round gutters being used, the applicant has made a case that O-gee gutters would be an appropriate gutter. Member Drzyzgula also agreed and noted that the information provided by the applicant does document that O-gee gutters were available. (K style)

There was no other testimony presented in favor of or in opposition to the application.

Motion was made by Member Coratola, seconded by Member Lyter, that the record on HAWP-42B be closed.

VOTE: 4-0

Motion was made by Member Drzyzgula, seconded by Member Coratola, that HAWP-42B be recommended for approval finding it in compliance with Secretary of Interior Standards #4 which states that most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved. Since it cannot be determined whether the house had half-round gutters as recommended in the guidelines it would be more appropriate to continue with the same style of gutter than to apply one that may not have been used on this particular house. The request is also in compliance with Secretary of Interior Standards #3 which states that each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. There has not been any information provided that suggests that the

house had half-round gutters and there is information which supports the use of K-style gutters. The application merits an exception to the Guidelines for the Brookes/Russell/Walker Historic District.

VOTE: 4-0

2. ~~HAWP-44B Applicant: Jeff and Rose Buck  
17 Brookes Avenue  
Request: Addition of Fencing~~

Associate Planner Marsh stated that the public hearing was advertised in the May 25, 2005, issue of the *Gaithersburg Gazette*, the property posted, and 13 exhibits were in the record file. The property is a contributing resource to the Brookes/Russell/Walker Historic District.

*Ms. Rose Buck, applicant*, is requesting to erect a five-foot high, picket-style staggered-top fence for both its aesthetics as well as functionality. *Mr. Jeff Buck, applicant*, added that the style of picket fence proposed is similar to a fence erected in 1883 used at a bed and breakfast in California.

Responding to questions, Ms. Buck said that two gates would be included and that the pickets would be flat and painted white. Member Drzyzgula suggested sufficient space be left between the fence and the neighbor's fence for future access for maintenance and lawn care. She added that the guidelines call for a three-foot fence facing toward the street.

*Mr. David Ciofalo, 15 Brookes Avenue, neighbor*, supported the fence and noted that the proper height would help to contain the dogs within the yard. He added that the proposed style is aesthetically pleasing and would add to the value of the view.

*Ms. Elizabeth Johnson, 104 Chestnut Street*, suggested the applicant might consider a shared fence with the neighbors or invisible fencing to contain the pets.

Members Coratola and Lyter had no problem with the fence height. Chairperson Arkin said that since the fence is further to the rear of the property he did not have a problem with the five-foot staggered fence as it offers visual variety. He also noted that the applicants have presented compelling reasons as to why the five-foot fence was desirable. Member Drzyzgula had no problem with the staggered fence but does not support the five-foot height along the front. Member Coratola said that the fence should be installed at the same height around the entire yard. Chairperson Arkin noted that the section of the fence facing the street is setback further and would be situated completely behind the house. Planner Patula asked the applicants to indicate on the site plan where the gates would be located. Mr. Buck explained that one gate would be located along the sidewalk in the rear and the other would be a double-gate to allow for access for mowing.

There was no other testimony presented in favor of or in opposition to the application.