

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

November 3, 2008

CALL TO PODIUM:

Eliza Voigt

RESPONSIBLE STAFF:

Eliza Voigt, Planner

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
x	Historic District Commission
	Consent Item
	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
x	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 OF HAWP 28H

HISTORIC DISTRICT COMMISSION

Applicant: Thomas Blaser, Request for Two Tree Removals at 19 Brookes Avenue.

SUPPORTING BACKGROUND:

The applicant is requesting approval for the removal of two trees: a Golden Rain on the east side of the house and a River Birch in the rear of the property.

At their meeting of October 2, 2008, the Historic Preservation Advisory Committee (HPAC) held a public hearing on this request. There was no public testimony for or against the application.

The HPAC recommended approval, finding the proposed alteration in compliance with the Brookes, Russell, and Walker Historic District Design Guidelines and with the Secretary of Interior's Standard Two, which states: "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". The trees should be removed so that they will not damage the property and affect the historic character of the structure.

The committee vote was 5-0 in favor of approval. The following condition shall apply:

1. The applicant shall plant two replacement trees somewhere on-site within one year.

Staff and the HPAC recommend the HDC make the following motion: **Grant approval of HAWP 28H 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 Interior's Standard Two and the Brookes, Russell, and Walker Historic District Design Guidelines, with one condition.**

DESIRED OUTCOME:

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

STAFF COMMENTS FOR HISTORIC PRESERVATION ADVISORY COMMITTEE

Meeting Date: **October 2, 2008**

Title: **HAWP 28 H**

Request: **Two Tree Removals**

Address: **19 Brookes Avenue**

Historic District: **Brookes, Russell, and Walker**

Applicant: **Thomas Blaser**

Background

19 Brookes Avenue is a contributing resource to the Brookes, Russell, and Walker (BRW) Historic District. The Inventory of the BRW Historic District shows it as a foursquare design with Colonial Revival ornaments/details with a hipped roof and columns.

Discussion of the proposed project

The applicant, Thomas Blaser, is requesting to remove two trees: a Golden Rain on the east side of the house and a River Birch in the rear of the property.

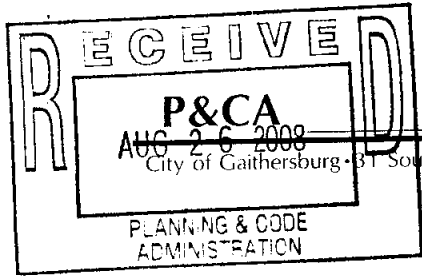
Compliance with Guidelines

The Historic District Tree Inventory was submitted with the application. The Golden Rain is listed on the inventory. It is shown to be in poor condition. The River Birch is not shown on the tree inventory. It is in the rear of the property and is growing very close to the rear addition.

**INDEX OF MEMORANDA
HAWP-28H**

**Applicant: Thomas Blaser
19 Brookes Avenue
Two Tree Removals**

Number	Exhibit
1.	Application
2.	Tree Inventory Data showing location of Trees
3.	Tree Inventory Data
4.	Photographs of tree to be removed
5.	Notice to include legal ad for public hearing in the September 26, 2008, <i>Washington Examiner</i>
6.	Public hearing notice, sent out September 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



BLOCK 1
LOT 10 REB ADD TO
GAITHERSBURG

PLANNING AND CODE ADMINISTRATION

Gaithersburg

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

HISTORIC AREA WORK PERMIT APPLICATION

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

Application Number	28H
Date Filed	8.26.08
Application Completed	9/18/08
HPAC Hearing/Review	10.2.08
HDC Hearing/Review	10/20/08
Decision	
Date of Decision	

1. SUBJECT PROPERTY

Address 19 Brookes Ave., Gaithersburg, MD 20877
Lot 10 Block 1 Subdivision 215
Tax Account Number _____

2. APPLICANT/OWNER/AUTHORIZED AGENT

Name Thomas Blaser Telephone 202-208-5811 / 301-330-3836
Address 19 Brookes Ave., Gaithersburg, MD 20877

3. OWNER OF RECORD (IF NOT APPLICANT)

Name _____ Telephone _____
Address _____

2. TYPE OF WORK (CHECK APPROPRIATE)

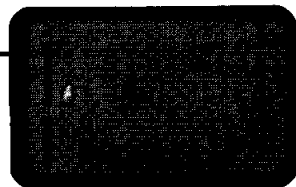
- Visible from public way
- Not visible from public way
- Fence
- Signage
- Parking
- Landscape
- Windows
- Siding
- Roofing
- Accessory Building
- Additions
- Relocation
- Restoration
- Demolition
- New Construction
- In-kind Replacement
- Utilities (meters, cables, etc.)
- Miscellaneous

4. DESCRIPTION OF PROPOSED WORK Removal of two trees (see tree removal permit application).

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 [Signature] Date 8-19-08



6. SUBMISSION REQUIREMENTS

- a. One (1) copy of site plan or house location plat indicating location of tree(s) to be removed.
Note: If tree is part of the approved site plan it must be replaced per staff's instructions.
- b. Photograph of tree(s) to be removed (optional, except for Historic Area Work Permits).
- c. Arborist's reports and/or tree service evaluation, if any, may be required, except for Historic Area Work Permits.
- d. Historic Area Work Permit application, if tree(s) to be removed is/are located on a historically designated site or district.
- e. If applicable, attach Home Owners' Association approval in accordance with community bylaws, declarations or covenants.

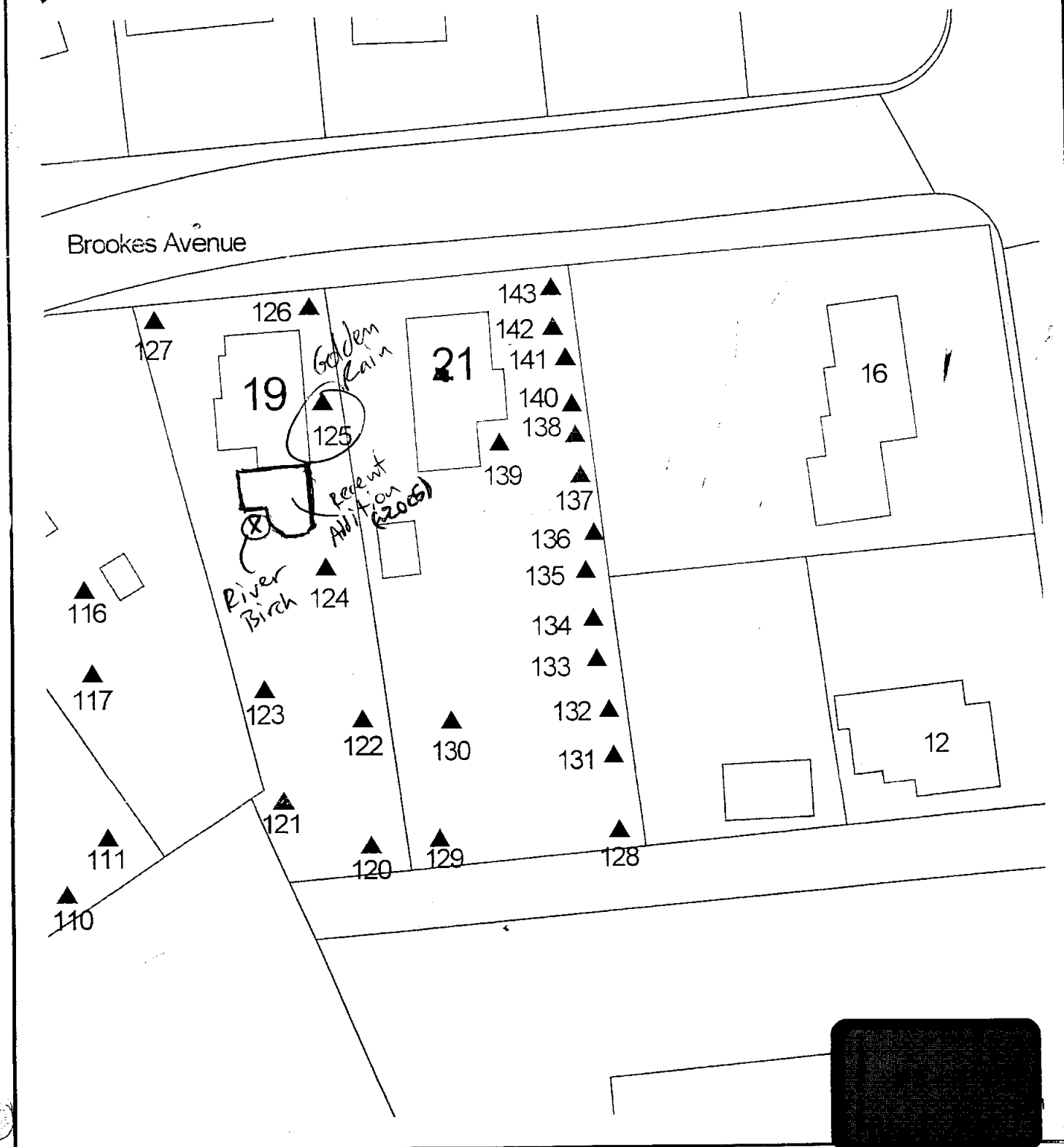
I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Name (*please print*) Thomas Blaser

Applicant's Signature  Date 8-19-08

Daytime Telephone 202-208-5811

Tree Inventory for Brookes, Russell, Walker Historic District



19 and 21 Brookes Avenue



June 1999

City of Gaithersburg Historic District Tree Inventory

Prepared by
the Core of Trees, Inc.

INV#	Location	Street	MHO	PB	APS	No.	of total	Species	dbh	cond	PR	RM	CB	HE	IPM	Wires	SW	Comments
109	Back Right corner	15 Brookes Ave.	No			1	7	Silver maple	40	3-2	2							Thin 20%
110	Back center	"				2	7	Ailanthus	12	3-2								Vines
111	Back left corner	"				3	7	Red mulberry	39	2	2							Deadwood
112	Left side	"				4	7	Norway maple	12	3	3							Clear house
113	Left side	"				5	7	Norway maple	9	3	3							Clear house
114	Left side	"				6	7	Norway maple	10	3								
115	Front center	"				7	7	Norway maple	24	4	3							Clear house, deadwood, clearance
116	Rear left center	17 Brookes Ave.	No			1	4	Silver maple	36	2								Tip dieback, cavities
117	Rear Right side	"				2	4	American elm	37	2					1			Arbotect inject
118	Front left	"				3	4	Black gum	30	5			X					Tip dieback, construction damage to root zone
119	Front Right	"				4	4	Japanese maple	8	2						X		Tip dieback, construction damage to root zone
120	Back left corner	19 Brookes Ave.	No			1	8	Eastern white pine	18	2	2							Hangers, stubs, storm damage
121	Back Right corner	"				2	8	Norway maple	14	4	3							
122	Left side	"				3	8	Hemlock	13	1	1				1			Leaning, mites, wooly adelgid, possible removal
123	Right side	"				4	8	Black birch	16	3	2							Deadwood, leaning
124	Left side	"				5	8	Mountain ash	8	1	1							Declining, drought affected
125	Left side	"				6	8	Golden rain	3	10	3							Deadwood
126	Front	"				7	8	Red maple	8	8	2							Thin 20%
127	Left Front corner	"				8	8	Norway maple	17	2	2					X		Expose root flare, thin weight reduction
128	Right Front corner	21 Brookes Ave.	No			1	16	Boxelder	15	2	2							Thin 20%
129	Back left corner	"				2	16	Sassafrass	16	2	2							Deadwood

Key: MHO=met homeowner, PB=public tree; APS=avail planting space; PR=prune; RM=remove; CB=cable; HE=hazard eye; 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



Priority 1 prunes

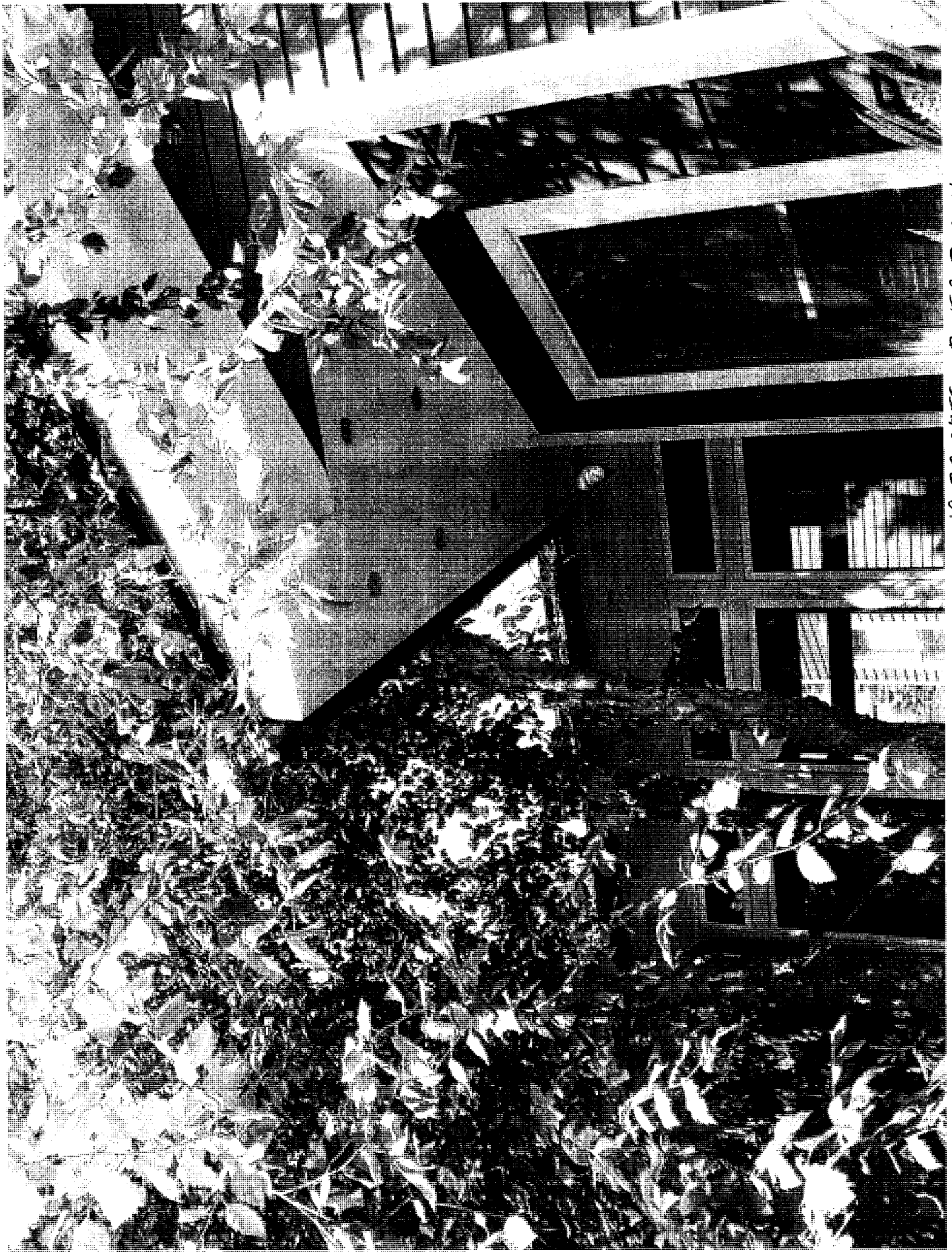
INV#	Location	Street	MHO	PB	APS	No.	of total	Species	dbh	cond	PR	RM	CB	HE	IPM	Wires	SW	Comments
51	Rear center	14/16 Brookes Ave				9	15	Red Mulberry	15	1	1							Deadwood, leaning over church parking lot
60	Left side	12 Brookes Ave.				3	9	Red maple	26	2	1							major deadwood, major decay in trunk possible old storm damage
61	Right side	12 Brookes Ave.				4	9	Silver maple	36	2	1					X		Tip dieback, dead, fall fertilizer.
122	Left side	19 Brookes Ave.				3	8	Hemlock	13	1	1				1			Leaning, mites, wooly adelgid, possible removal
124	Left side Front	19 Brookes Ave.				5	8	Mountain ash	8	1	1							Declining, drought affected
139	Back center	21 Brookes Ave.				12	16	Wild black cherry	14	2	1							Storm damage, deadwood
140	Back left side	21 Brookes Ave.				13	16	Northern red oak	18	2	1							Vines, deadwood, small leaf size
167	Right center	104 Russell Ave.				7	14	Norway maple	31	1	1							Girdling roots, tip dieback, deadwood
168	Right left side	104 Russell Ave.				8	14	Red oak	24	1	1			X				Decline, major deadwood, basal decay, possible removal
173	Front center	104 Russell Ave.				13	14	Hemlock	16	1	1				1			Wooly adelgid, deadwood, possible removal
181	Front left side	106 Russell Ave.				7	19	Silver maple	36	2	1				2			Fall fert, hazard deadwood
187	Right center	106 Russell Ave.				13	19	Sweet gum	26	2-1	1							Decline, possible drought and stress
192	Front center	106 Russell Ave.				18	19	Hemlock	23	1	1				1			Wooly adelgid, storm damage, possible removal
238	Right rear side	27 Walker Ave.				5	7	Red maple	47	1	1		X	X				Possible removal, weight reduction



(VINO KAWA IUS ...)



IN ZONKES - (N1 NEA) (2111)



19 BROOKES - RIVER BIRCH



19 BROOKES - RIVER BIRCH



19 BROOKES - RIVER BIRCH



September 24, 2008

To: Hilda
Washington Examiner

Dear Hilda:

Please publish the following legal advertisement in the **September 25 or September 26, 2008** issue of the *Washington Examiner*.

Sincerely,

Eliza Voigt, Planner
Planning and Code Administration

NOTICE OF PUBLIC HEARING

The Historic Preservation Advisory Committee of the City of Gaithersburg will conduct a public hearing on HAWP 28H, filed by Thomas Blaser, on

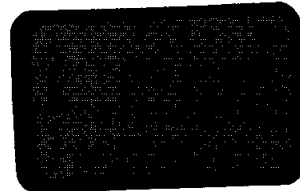
**THURSDAY
OCTOBER 2, 2008
AT 7:30 P.M.**

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 two tree removals at **19 Brookes 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 10 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.

Eliza Voigt, Planner
Planning and Code Administration
EBV
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@gaitthersburgmd.gov • www.gaitthersburgmd.gov

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Sidney A. Katz

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

ACTING CITY MANAGER
James D. Arrault

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Eliza Voigt, Planner
Planning and Code Administration
EBV
Acct# 133649

September 26, 2008

654090



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 28H**
Location: **19 Brookes Avenue**
Lot 10, of the Russell and Brookes Addition to Gaithersburg
Applicant: **Thomas Blaser**
Development: **Brookes, Russell, Walker Historic District**
Day/ Date/Time: **Thursday, October 2, 2008, 7:30 p.m.**
Place: **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL**
31 SOUTH SUMMIT AVENUE

*****IMPORTANT *****

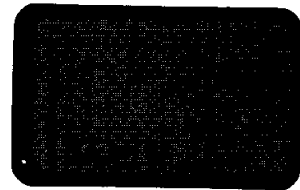
The application requests a certificate of approval from the City's Historic District Commission for two tree removals at **19 Brookes Avenue**. Section 24-228 of the City Code (Zoning Ordinance) requires a historic area work permit for altering exterior features of a historic resource. The subject property, located on Lot 10 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: _____


Eliza Voigt/Planner
Planning and Code Administration

SEE LOCATION MAP ON REVERSE SIDE



OCCUPANT
8 RUSSELL AVE SUITE 106
GAITHERSBURG MD 20877

OCCUPANT
8 RUSSELL AVE SUITE 107
GAITHERSBURG MD 20877

OCCUPANT
5 N FREDERICK AVE
GAITHERSBURG MD 20877

OCCUPANT
8 RUSSELL AVE UNIT 105
GAITHERSBURG MD 20877

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8 RUSSELL AVE UNIT 106
GAITHERSBURG MD 20877

OCCUPANT
8 RUSSELL AVE UNIT 107
GAITHERSBURG MD 20877

OCCUPANT
21 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
13 BROOKES AVE
GAITHERSBURG MD 20877

OCCUPANT
8 RUSSELL AVE UNIT 409
GAITHERSBURG MD 20877

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GAITHERSBURG MD 20877

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12 RUSSELL AVE
GAITHERSBURG MD 20877

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16 RUSSELL AVE
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GAITHERSBURG MD 20877

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8 RUSSELL AVE UNIT 303
GAITHERSBURG MD 20877

OCCUPANT
102 RUSSELL AVE
GAITHERSBURG MD 20877

OCCUPANT
8 RUSSELL AVE
GAITHERSBURG MD 20877

OCCUPANT
14 BROOKES AVE
GAITHERSBURG MD 20877

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GAITHERSBURG MD 20877

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GAITHERSBURG MD 20877

OCCUPANT
8 RUSSELL AVE SUITE 105
GAITHERSBURG MD 20877

HAWP 284

OCCUPANT
8 RUSSELL AVE SUITE 104
GAITHERSBURG MD 20878

HOSANNA KOREAN METH CHURCH
14 BROOKES AVE
GAITHERSBURG MD 20877

VERIZON MARYLAND INC
PO BOX 152206
IRVING TX 75015

JOSEPH Y LIN
8 RUSSELL AVE #101
GAITHERSBURG MD 20877

JOSEPH Y LIN
8 RUSSELL AVE #101
GAITHERSBURG MD 20877

JOSEPH Y LIN
8 RUSSELL AVE #101
GAITHERSBURG MD 20877

ARPIMA L L C
8 RUSSELL AVE # 104
GAITHERSBURG MD 20877

FIGUEREDO & NEDROW PTNSHP
8 RUSSELL AVE #105
GAITHERSBURG MD 20877

JOHN T & D S LEE
107 MIDSUMMER DR
GAITHERSBURG MD 20878

JEB & PATRICIA N HOWARD
C/O LOUGHLIN MNGMT GRP INC
1300 MERCANTILE LN STE 139
LARGO MD 20774

ROBERT D COOKE
C/O ANACY C KEEGAN
3901 CONNECTICUT AVE NW #105
WASHINGTON DC 20008

KIRK M BAUER
3612 FELLS LN
ELLCOTT CITY MD 21043

SUZANNE DES MARAIS
62 S ST NW # A
WASHINGTON DC 20001

HERBERT M CULLIS
BARBARA S KILBY
9208 ROSE ANNE PL
GAITHERSBURG MD 20877

C RANDOLPH PHILIPP
8 RUSSELL AVE #307
GAITHERSBURG MD 20877

EVELYN ADLER
8611 BANYAN CT
TAMARAC FL 33321

JEFFREY D BACIGALUPO
ELIZABETH ANN BACIGALUPO
17624 CHARITY LN
GERMANTOWN MD 20874

MARK T & PATRICIA WILEY
19304 PENROD TER
GERMANTOWN MD 20874

BRIAN L SMITH
8 RUSSELL AVE UNIT 410
GAITHERSBURG MD 20877

GEORGE R WALLRODT
20 BROOKES AVE
GAITHERSBURG MD 20877

GEORGE R WALLRODT
20 BROOKES AVE
GAITHERSBURG MD 20877

HAWP:



SHIFFLETT TREE & LANDSCAPE SERVICE

OVER 30 YEARS EXPERIENCE
7504 JULIA TERRACE
ROCKVILLE, MD 20855
(301) 948 5554

HAWP 28H

Note: added at
HPAC mtg
10/2/08

September 27, 2008

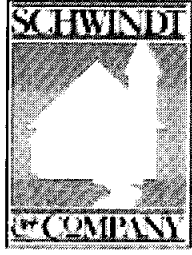
Ref: Mrs. Blazer
19 Brooks Ave.
Gaithersburg, MD 20877

To whom it may concern:

Mr. Shifflett inspected the Rain Tree on the above property on August 1, 2008. He recommends the removal of the Rain Tree because it is split and is dying and could be a hazardous if it would happen to fall. Any questions please feel free to call Mr. Shifflett.

Sincerely yours,

Kim Derry
manager



Schwindt & Company
7714 Carroll Avenue
Takoma Park, Maryland 20912
301 270-3554
email schwindtco@comcast.net
www.schwindtco.net
ASHI, FREA, NEHA Certified

Printed Saturday, May 20, 2006

Inspected By:
Robert Schwindt

Client Information: Record Number 051306.1

Katherine Gates, Tom Blaser
19 Brookes Avenue
Gaithersburg, MD

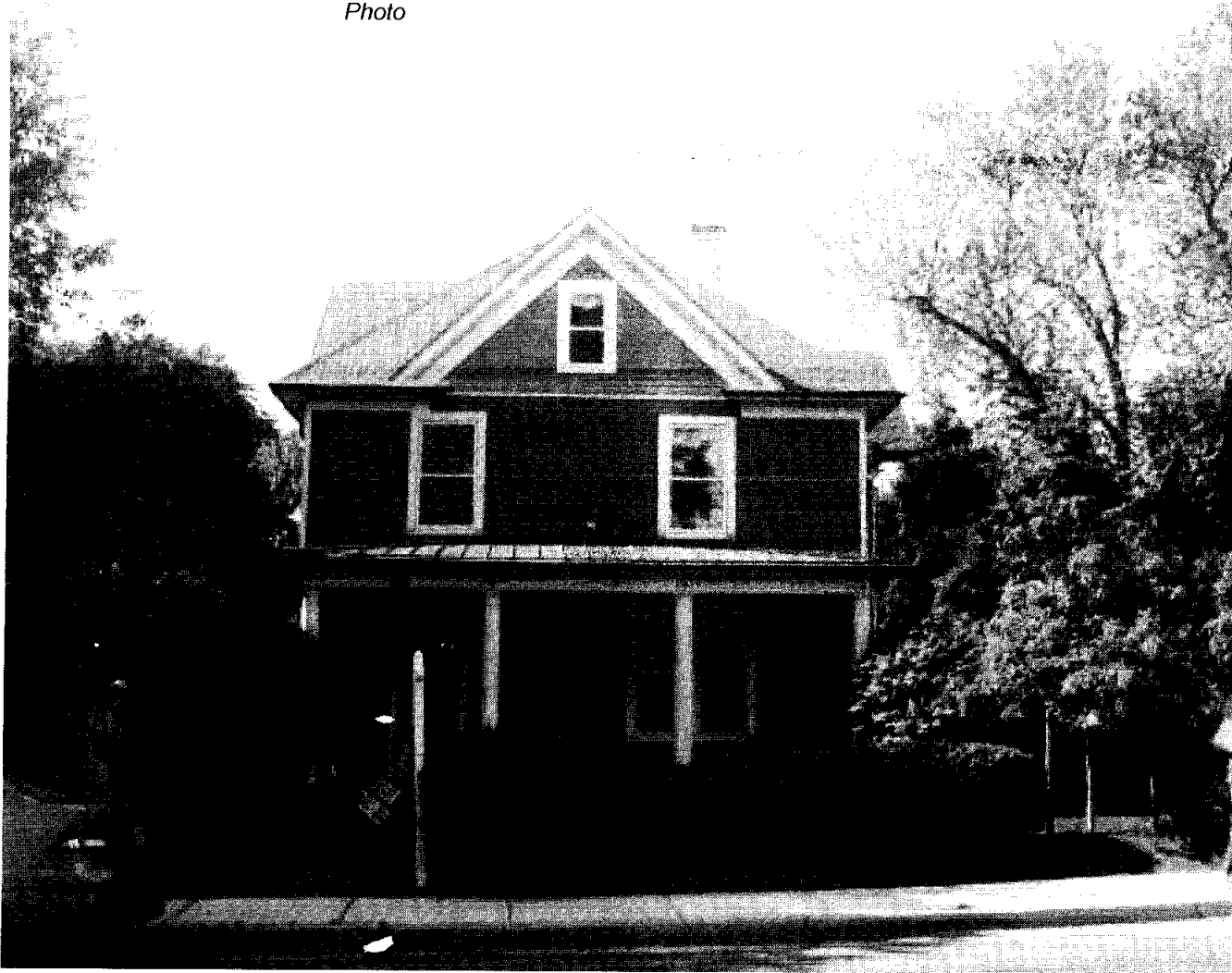
Referral Information
Brooke Fox

*Note: added
at HPAC mtg.
10/2/06*

RE: HAWP 28H

CoverPage

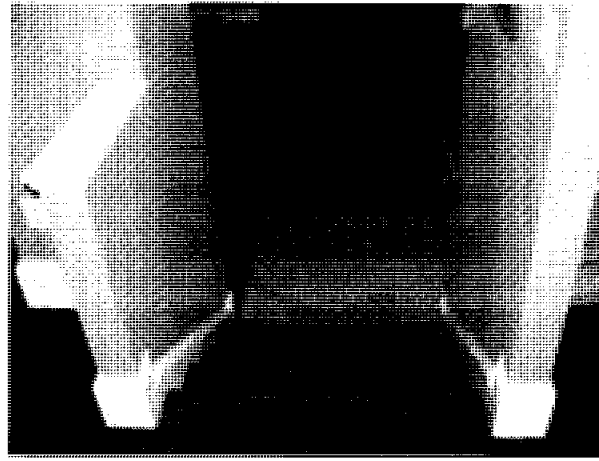
Photo



(LS) LIVING SPACES

Defective/Repair Living Space Stairs/Railings - Inspected, Railings Present

No hand rails on steps down to the family room. (safety)



No hand rails on steps down to the family room. (safety)

(PA) PHOTO ADDENDUM

Comment (PA) PHOTO ADDENDUM - Photo Addendum General Comment

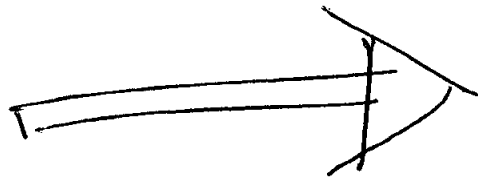
Photo Addendum is used when more than one picture is needed at a given area. Please see that particular area for details about the picture.

Aged or Marginal #1 Photo Addendum - #1 Photo Addendum

HAWP 28H



#1 Photo Addendum: The tree at the house rear is not large but should the tree get much larger the buyer should consider removing the tree



The tree at the house rear is not large but should the tree get much larger the buyer should consider removing the tree