
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: March 19, 2008

SUBJECT: AFP-08-007

TITLE: Frick Property

REQUEST: **CONSENT APPROVAL
AMENDMENT TO FINAL PLAN**
Construction of a 528 square foot office addition
above an existing two-car detached garage

ADDRESS: 840 Lake Varuna Mews

ZONE: MXD (Mixed Use Development)

APPLICANT: Anvil Homes LLC, Steven Bentzel

OWNER: Brian Frick

STAFF LIAISON: Allen Meyer, Planning Intern

Enclosures:

Staff Comments

Exhibits

Exhibit 1: Site location map

Exhibit 2: Application

Exhibit 3: Lakelands Community Association's Design Review Committee
approval letter (February 6, 2008)

Exhibit 4: Adjacent property owners notification

Exhibit 5: House location plat

Exhibit 6: Photos of existing garage

Exhibit 7: Front, side and rear elevations

Exhibit 8: Floor plan

STAFF COMMENTS

I. BACKGROUND:

An application has been filed requesting an amendment to an approved final plan to permit a 528 square foot addition (reference exhibit number 2). The property is located at 840 Lake Varuna Mews (reference exhibit number 1) in the Lakelands Subdivision in the MXD zone.

The applicant proposes to construct a 528 square foot addition above the existing detached garage. The plans indicate that the addition will be used as an office. The addition will include an open main area, a full bath, and stairs leading up to the third floor storage area (reference exhibit number 8). The existing floor area of the house is 2,921 square feet.

II. SCOPE OF REVIEW:

This is coming before the Planning Commission because it is not a minor revision to a site plan. Section 24-172A(b)(3)(e) states:

"Minor revisions to a single family detached, semi-detached or attached dwelling that do not increase the square footage of a dwelling as originally constructed on any/or all floors by more than fifteen percent (15%) and that have been approved by the homeowners association of the subject property".

This addition will increase the square footage of the floor area by 18.1 percent. The size of the addition is larger than what Staff is allowed to approve and the plan must be reviewed by the Planning Commission.

III. SITE PLAN ANALYSIS AND FINDINGS:

In accordance with §24-171, the Planning Commission has the authority to review and make determinations regarding the proposed plan for the purpose of protecting the public health, safety and welfare. Section 24-170 outlines the findings for the approval of the site plan. Staff provides the following comments and findings for the Planning Commission's consideration:

Site Characteristics

General.

The setbacks in the MXD Zone are established at the time of final site plan approval and are the footprints of the structures. The proposed addition of 528 square feet will not encroach into the existing setbacks and is consistent with the existing buildings heights in the neighborhood.

Surrounding Land Use and Zoning.

The subject and surrounding properties are zoned MXD (Mixed Use Development) and developed primarily with single-family dwellings.

Architectural design.

The 528 square foot (22.2 foot x 22.2 foot) addition will have a gable roof with architectural shingles to match the existing house (reference exhibit number 7). The facade of the new addition will be covered in beaded vinyl that matches the existing house and garage in color and type. The front elevation is to have three double-hung windows to match the existing house and a windowed door. This elevation will also have a 133 square foot covered porch with the post and railings wrapped in vinyl. The left elevation will have a single double hung window and a windowed door. The office space is accessed from this side of the building by a set of stairs with vinyl railings. The rear elevation will have two double hung windows. The left elevation is to have two double-hung windows and a windowed door.

Summary of Findings.

Staff believes that the proposed modifications are consistent with the existing architecture of the main residence and will not adversely affect the character of the surrounding area. This addition has been approved by the Lakelands Community Association's Design Review Committee.

IV. CONCLUSION:

Staff recommends **TO GRANT AFP-08-007, Frick Residence, AMENDMENT TO FINAL PLAN APPROVAL, FINDING IT IN CONFORMANCE WITH §§ 24-170 AND 24-172 OF THE CITY'S ZONING ORDINANCE, WITH NO (0) CONDITIONS.**

AFP-08-007

1 inch equals 122 feet

Frick Residence

125 62.5 0 125 Feet

630 6 Meters



MD State Plane
HPGN NAD 83/91

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City of Gaithersburg
Planning and Code Admin
31 S Summit Ave
Gaithersburg, MD 20877
(301) 258-6330
www.gaithersburgmd.gov

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Frick Residence.mxd • 11-Mar-2008 • AM



PENGAD 800-631-6999
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AFP-08-007 3-19-08

AMENDMENT TO FINAL PLAN APPLICATION

Application # AFP-08-007
Date Filed 2-14-08
Total Fee 300 pd

In accordance with Section 24, Article V of the City Code

1. SUBJECT PROPERTY

Project Name Frick Job
Street Address 840 Lake Varuna Mews, Gaithersburg, MD 20878
Zone _____ Historic area designation Yes No
Lot 14 Block J Subdivision Lakelands
Tax Identification Number (MUST BE FILLED IN) _____

2. APPLICANT

Name Anvil Homes LLC / steven Bentzel
Street Address 4552 Cap Stine Rd ~~Frederick~~ Suite No. _____
City Frederick State MD Zip Code 21703
Daytime Telephone 240-405-0368

3. ARCHITECT/ENGINEER/DEVELOPER

Architect's Name _____
Architect's Maryland Registration Number _____ Telephone _____
Street Address N/A Suite Number _____
City _____ State _____ Zip Code _____

Engineer's Name _____
Engineer's Maryland Registration Number _____ Telephone _____
Street Address N/A Suite Number _____
City _____ State _____ Zip Code _____

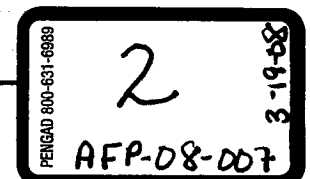
Developer's Name _____ Telephone _____
Street Address N/A Suite Number _____
City _____ State _____ Zip Code _____
Contact Person _____ Telephone _____

4. PROPERTY OWNER

Name Brian Frick
Street Address 840 Lake Varuna Mews Suite No. _____
City Gaithersburg State MD Zip Code 20878
Daytime Telephone 240-454-6188

5. CITY PROJECT NUMBER

Original Site Plan Number Plat no. 20977 Date Approved _____
Name of previously approved Final Plan _____



6. WORK DESCRIPTION

Please state clearly changes requested from final approved plan.

Adding a second Floor to existing garage with bath

7. PROJECT DETAIL INFORMATION

a. POPULATION CHANGES (if any)

Changes in population estimated due to amendment 5

Employee estimate: Total number 5

Resident estimate: Total number NO change

Total number per shift 7-4 hrs (1sh:4)

Total number per dwelling unit NO change

b. PLEASE SUPPLY THE FOLLOWING INFORMATION

DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1.	Site (square feet)		
2.	Site Area (acres)		
3.	Total Number of Dwelling Units/Lots		
4.	Height of Tallest Building		
5.	Green Area (square feet)		
6.	Number of Dwelling Units/Acre		
7.	Lot Coverage (Percent)		
8.	Green Area (Percent)		
9.	Residential		
a.	Single Family Detached	# Units	
b.	Single Family Attached	# Units	
c.	Multi-Family Condo	# Units	
d.	Multi-Family Apartment	# Units	
e.	Other		
10.	Retail/Commercial	Sq. Ft.	
11.	Restaurant Class: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	Sq. Ft.	
12.	Office/Professional	Sq. Ft.	
13.	Warehouse/Storage	Sq. Ft.	
14.	Parking		
15.	Shared Parking/Waiver		
16.	Other		
17.	Total		

SUBMISSION REQUIREMENTS

1. Set of plans per the respective checklist. Plans must be folded to 8 1/2 x 11."
2. Completion of the table above.

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) Steven L Bentzel

Applicant's Signature [Signature]

Date 2/14/08

Daytime Telephone 240-405-10368



Lakelands Community Association
960 Main Street
Gaithersburg, MD 20878
P. 240-631-8338
F. 240-631-8311

February 6, 2008

Brian Frick
840 Lake Varuna Mews
Gaithersburg, MD 20878

Dear Mr. Frick

Please note that the Lakelands Community Association's Design Review Committee has reviewed your recent request for the following exterior additions and/or modifications:

Change(s) Add second floor over garage

Approved with the following stipulation

- **Need list of materials and complete set of drawings to include type of windows**

You may commence construction of the exterior additions/modifications immediately after securing all appropriate permits. Please note in accordance with the Community Constitution and your application, "all work must commence within six (6) months of the date of approval and be substantially complete within twelve (12) months or the approval will be deemed withdrawn."

Upon completion, the change may be inspected by the Committee to insure compliance with the original design submitted; as the attached Association permit must be displayed as required by the Committee.

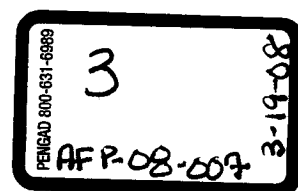
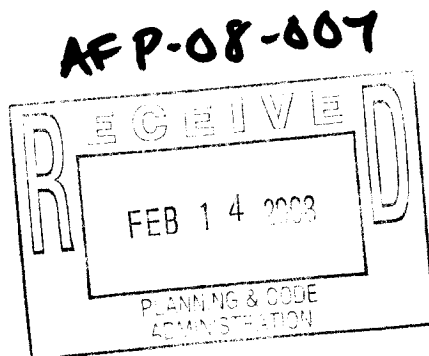
On behalf of the Design Review Committee, let me thank you for your cooperation with, and support of, of the Community Constitution. Should you have any additional questions, feel free to contact this office at the number above or via e-mail at paula@lakelands.org

Sincerely,

Paula Covington

Paula Covington
Community Property Manager
Lakelands Community Association

cc: UNIT FILE



March 5, 00 AM

Lakeland Dr 301-305-309

Gatestone ~~814-818-822~~

Lake Vanna ~~832-848~~

000 news Lake Vannanews

Copy all neighbors copy

on prints Sid-z, Roof-z, train to match

MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 840 Lake Varuna Mews, Gaithersburg
LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second Floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

To Whom It May Concern:

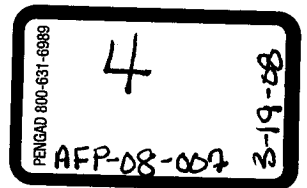
The City of Gaithersburg Planning and Code Administration has received a request for staff approval of a minor amendment to a site plan for the above property. This application was submitted by Anvil Homes LLC [name of applicant/builder] to the City on 2/13/08 [date]. For your reference, a copy of the proposed site plan can be reviewed at City Hall, in the Planning and Code Administration, Monday through Friday, 8 a.m. to 5 p.m.

The Planning and Code Administration staff reviews these applications on a weekly basis. Any comments which you wish to make (oral or written) should be directed the Planning and Code Administration within 7 days of the date of this letter. Please note that those comments which object to the application but do not specifically reference the proposed modifications and any adopted architectural standards will not be considered by staff. Copies of adopted architectural standards are available from the Planning and Code Administration, from 8AM to 5PM, Monday through Friday.

The Planning and Code Administration staff will make every effort to allow input by either phone or mail prior to taking action. However, if a response is not received within 7 days, the application will be processed.

Given to owners of abutting and confronting properties(see Section 24-172(b) of the City Code) on 2/14/08 (date).

Address: 800 Lake Varuna Mews, Gaithersburg
Lot: Block: Subdivision: Lakelands



GAITHERSBURG CITY CODE

Chapter 24, Article V, Section 24 - 172

C. Minor amendment requests.

1. Requests for minor amendments shall be filed with and acted upon by the planning director or his/her designee. Requests for minor amendment include:
 - a. Resiting or relocation of buildings or structures including, but not limited to, garages and accessory structures on not more than three (3) contiguous lots, including moving or rotation of a building or structure's footprint, provided such moving or rotation does not shift a building or structure's footprint more than ten (10) feet in any direction.
 - b. Resiting of a lot with a house type previously approved by the City Planning Commission.
 - c. Approval of retaining walls/fences and other enclosures.
 - d. Minor revisions to building elevation and site plan details which do not add onto buildings or expand footprints of previously approved buildings (other than item b above).
 - e. Minor signage changes or additions.
 - f. Minor landscaping or pedestrian and sidewalk access revisions.
 - g. Addition of easements and parking areas or correction of easement and parking area location.
 - h. Revision to forest conservation plan.
 - i. Revisions or amendments delegated by the City Planning Commission.
2. Public hearings of the Planning Commission are not required for a minor amendment, provided, however, the planning director or his/her designee shall, upon request, meet with the applicant and interested parties or consider written comments on the amendment.
3. A minor amendment can only be granted if:
 - a. The amendment does not violate the development standards of the property's zoning or increase the lawful nonconformity of any lot or building; and
 - b. The amendment is in general harmony with the architectural and site design characteristics of the approved site development plan; and
 - c. The amendment will not substantially impair the intent, purpose or integrity of the neighborhood or the planning documents for the applicable area.
4. The decision of the planning director (or designee) may be appealed to the City Planning Commission if filed with the Planning and Code Administration, in writing, within fifteen (15) days after the decision is mailed by the planning director. The Planning Commission, in its discretion, may hold a public hearing on the decision of the planning director, or order written statements and oral argument in lieu of public hearing. The Planning Commission may approve, approve with modifications, or disapprove the requested amendment(s) and shall state the reasons for its action. (Res. No. R-19-66; Ord. No. O-15-93, 11-1-93)

MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 540 Lake Varuna Mews, Gaithersburg
LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

To Whom It May Concern:

The City of Gaithersburg Planning and Code Administration has received a request for staff approval of a minor amendment to a site plan for the above property. This application was submitted by Anvil Homes LLC *[name of applicant/builder]* to the City on 2/13/08 *[date]*. For your reference, a copy of the proposed site plan can be reviewed at City Hall, in the Planning and Code Administration, Monday through Friday, 8 a.m. to 5 p.m.

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The Planning and Code Administration staff will make every effort to allow input by either phone or mail prior to taking action. However, if a response is not received within 7 days, the application will be processed.

Given to owners of abutting and confronting properties(see Section 24-172(b) of the City Code) on 2/14/08 *(date)*.

Address: 818 Gate Stone Drive, Gaithersburg
Lot: Block: Subdivision: Lakelands

NOTE: Any reproduction of this form **must** include the back side. Forms which are given to adjacent property owners but do not contain Sec. 24-172(c) of the Zoning Ordinance **will not be accepted** as proper notification.

MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 340 Lake Varuna Mews, Gaithersburg
LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

To Whom It May Concern:

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Given to owners of abutting and confronting properties(see Section 24-172(b) of the City Code) on 2/14/08 (date).

Address: 814 Gate Stone Drive, Gaithersburg
Lot: Block: Subdivision: Lakelands

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MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 840 Lake Varuna Mews, Gaithersburg
LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

To Whom It May Concern:

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Given to owners of abutting and confronting properties (see Section 24-172(b) of the City Code) on 2/14/08 (date).

Address: 305 Lakelands Drive, Gaithersburg
Lot: Block: Subdivision: Lakelands

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MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 540 Lake Varuna Mews, Gaithersburg
LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

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Given to owners of abutting and confronting properties(see Section 24-172(b) of the City Code) on 2/14/08 (date).

Address: 301 Lakelands DR, Gaithersburg
Lot: Block: Subdivision: Lakelands

NOTE: Any reproduction of this form **must** include the back side. Forms which are given to adjacent property owners but do not contain Sec. 24-172(c) of the Zoning Ordinance **will not be accepted** as proper notification.



MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 540 Lake Varuna Mews, Gaithersburg
LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second Floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

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Address: 800 Lake Varuna Drive, Gaithersburg
Lot: Block: Subdivision: Lakelands

MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

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[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

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Given to owners of abutting and confronting properties(see Section 24-172(b) of the City Code) on 2/14/08 (date).

Address: 848 Lake Varuna Drive, Gaithersburg
Lot: Block: Subdivision: Lakelands



MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

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LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second Floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

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Given to owners of abutting and confronting properties(see Section 24-172(b) of the City Code) on 2/14/08 (date).
Address: 832 Lake Varuna Drive, Gaithersburg
Lot: Block: Subdivision: Lakelands

MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

To be completed by applicant:

ADDRESS OF SUBJECT SITE 840 Lake Varuna Meadows, Gaithersburg
LOT 14 BLOCK J SUBDIVISION Lakelands
CHANGES REQUESTED Adding a second floor to garage
[see reverse side for appropriate references from Sec. 24-172(c) of the Zoning Ordinance]

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Given to owners of abutting and confronting properties (see Section 24-172(b) of the City Code) on 2/14/08 (date).

Address: 822 Gatestone Drive, Gaithersburg

Lot: Block: Subdivision: Lakelands

MINOR AMENDMENT TO FINAL PLAN
FOR STAFF APPROVAL

ADJACENT PROPERTY OWNERS NOTIFICATION

In accordance with Chapter 24, Article V, Section 24-172 of the City Code

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To Whom It May Concern:

The City of Gaithersburg Planning and Code Administration has received a request for staff approval of a minor amendment to a site plan for the above property. This application was submitted by Anvil Homes LLC [name of applicant/builder] to the City on 2/13/08 [date]. For your reference, a copy of the proposed site plan can be reviewed at City Hall, in the Planning and Code Administration, Monday through Friday, 8 a.m. to 5 p.m.

The Planning and Code Administration staff reviews these applications on a weekly basis. Any comments which you wish to make (oral or written) should be directed the Planning and Code Administration within 7 days of the date of this letter. Please note that those comments which object to the application but do not specifically reference the proposed modifications and any adopted architectural standards will not be considered by staff. Copies of adopted architectural standards are available from the Planning and Code Administration, from 8AM to 5PM, Monday through Friday.

The Planning and Code Administration staff will make every effort to allow input by either phone or mail prior to taking action. However, if a response is not received within 7 days, the application will be processed.

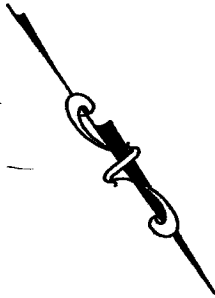
Given to owners of abutting and confronting properties(see Section 24-172(b) of the City Code) on 2/14/08 (date).

Address: 309 Lakelands Drive, Gaithersburg
Lot: Block: Subdivision: Lakelands

NOTE: Any reproduction of this form must include the back side. Forms which are given to adjacent property owners but do not contain Sec. 24-172(c) of the Zoning Ordinance will not be accepted as proper notification.

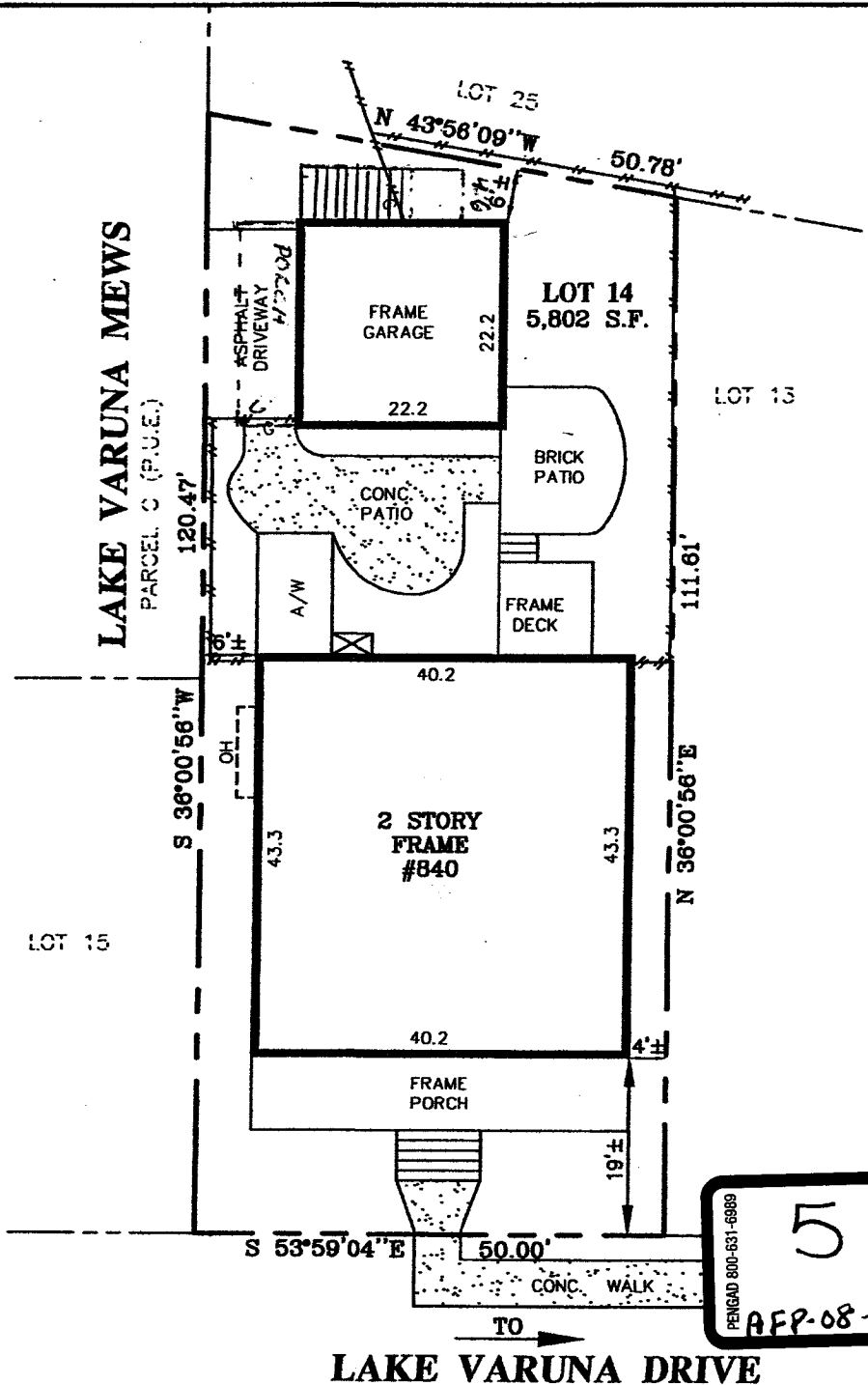
CONSUMER INFORMATION NOTES:

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
5. No Title Report furnished.



Notes

1. Flood zone "X" per H.U.D. panel No. 0326D.
2. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 1 foot.
Fences, if shown, have been located by approximate methods.



LOCATION DRAWING
LOT 14, BLOCK J
PLAT 26
SECTION 2, PHASE 1
LAKELANDS
 CITY OF GAITHERSBURG
 MONTGOMERY COUNTY, MARYLAND

5
 APR-08-007
 3-19-08
 PENCAD 800-631-6889

SURVEYOR'S CERTIFICATE
 THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION.

Jeffrey A. Foster 5/17

REFERENCES	
PLAT BK.	192
PLAT NO.	20977
LIBER	
FOLIO	

SNIDER & ASSOCIATES
 SURVEYORS - ENGINEERS
 LAND PLANNING CONSULTANTS
 20270 Goldenrod Lane, Suite 110
 Germantown, Maryland 20878
 301/948-5100, Fax 301/948-1286

DATE OF LOCATIONS	SCALE: 1" = 20'
WALL CHECK:	DRAWN BY: P.Y.

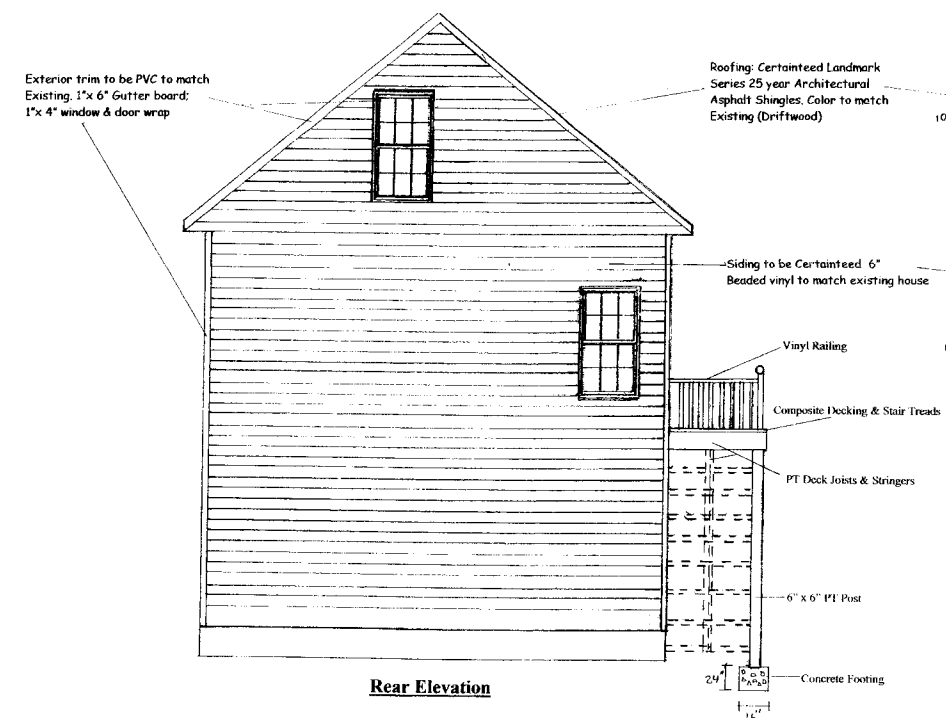


PENGAD 800-631-6989
AFP-D8-002
6
3-19-08

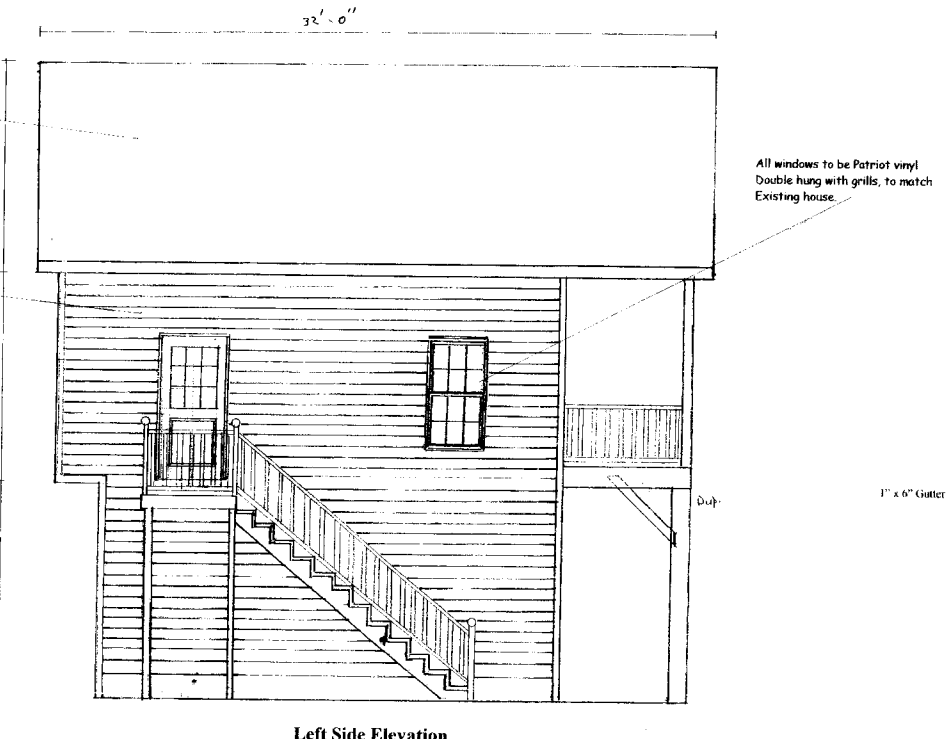




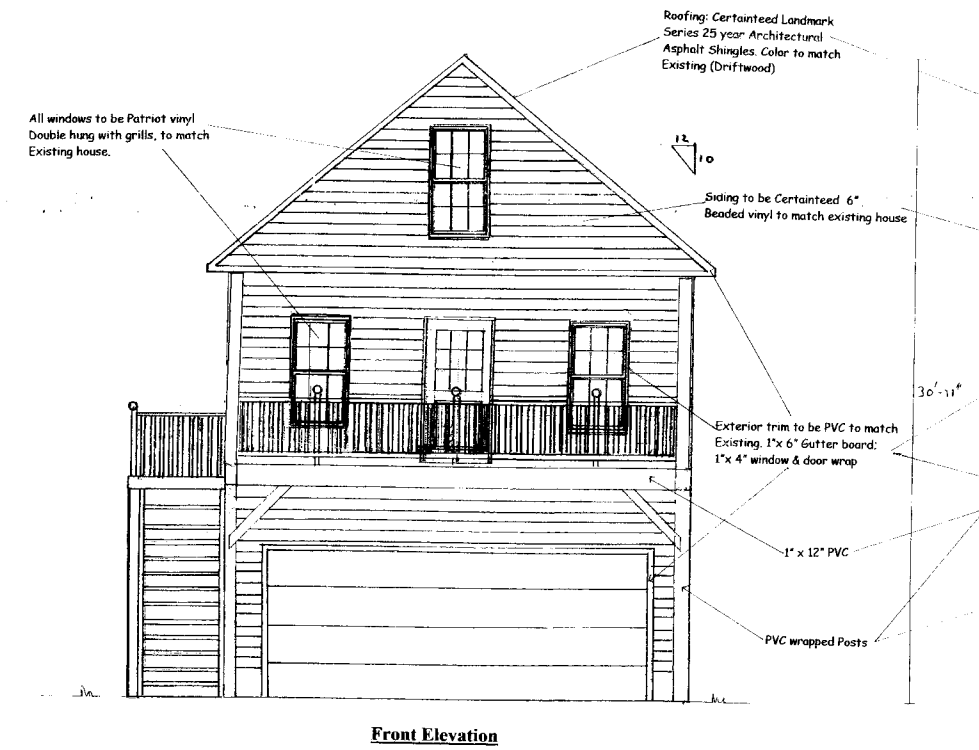
General Construction Notes
 All work shall conform to all Local and National Ordinances & Building Codes applicable to this project, But not limited to IRC 2003 and Montgomery County Regulation 36-01



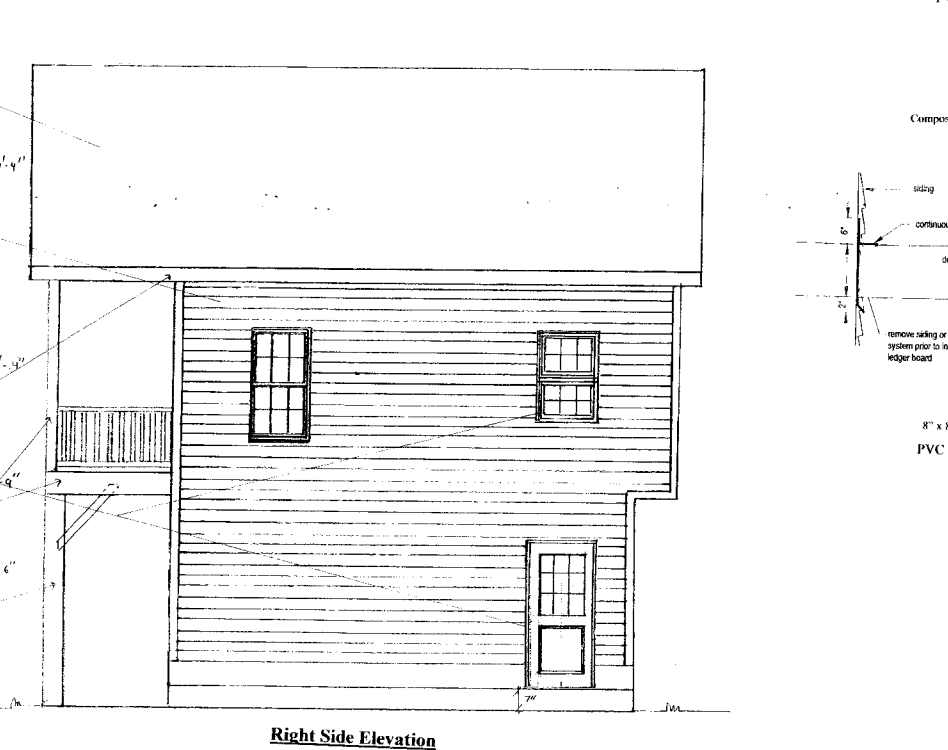
Rear Elevation



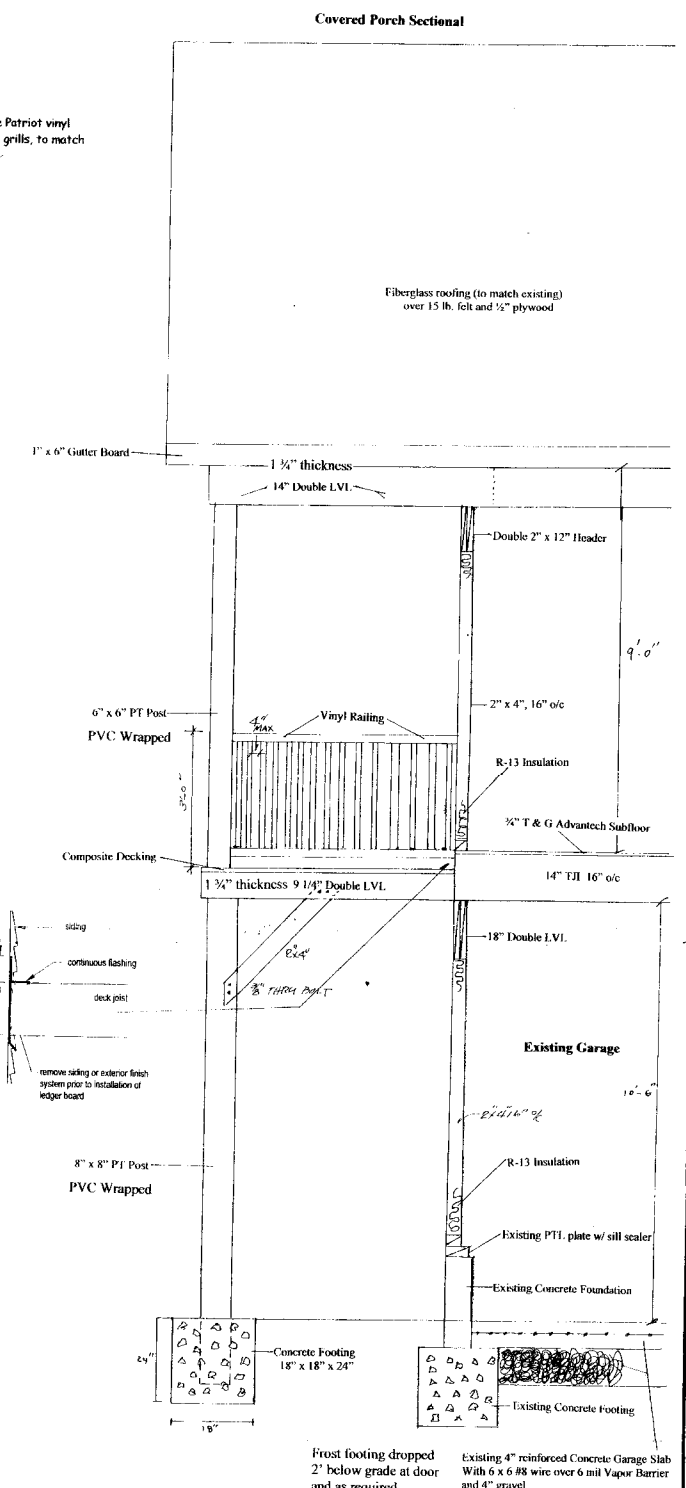
Left Side Elevation



Front Elevation



Right Side Elevation



Frost footing dropped 2' below grade at door and as required. Existing 4" reinforced Concrete Garage Slab With 6 x 6 #8 wire over 6 mil Vapor Barrier and 4" gravel

Plan Preparation
 WMH Custom Homes LLC
 719 Lake Varuna Drive
 Gaithersburg, MD 20878
 240 848 2045

Legal
 Lot # 14
 Block J
 Section - 2 Phase - 1
 Subdivision Lakelands

Contractor
 Anvil Homes LLC
 MHIC #91344

Owner
 Mr. & Mrs. Brian Frick
 840 Lake Varuna Mews
 Gaithersburg, MD 20878

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 PERIGAD 800-631-6889
 AFP-08-007
 3-19-08

