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## STAFF COMMENTS FOR PLANNING COMMISSION

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**MEETING DATE:** January 7, 2009

**SUBJECT:** AFP-08-035

**TITLE:** Lee Property

**REQUEST:** **AMENDMENT TO FINAL PLAN**  
Construction of a 1,416 square foot two-story addition in rear of house

**ADDRESS:** 506 Chestertown Street

**ZONE:** MXD (Mixed Use Development)

**APPLICANT/  
OWNER:** John and Amanda Lee

**BUILDER:** David Merrick, Merrick Design and Build, Inc.

**STAFF LIAISON:** Caroline Seiden, Planner

**Enclosures:**

Staff Comments

Exhibits

Exhibit 1: Aerial map

Exhibit 2: Application and square footage information

Exhibit 3: Kentland Citizens Assembly approval letter, September 8, 2008

Exhibit 4: Property owners notification

Exhibit 5: Site Plan – Sheet A1

Exhibit 6: Floor Plans and Foundation Plans, Sheets A2-A5

Exhibit 7: Side and rear elevations and perspectives, Sheets A6 and A7

## **STAFF COMMENTS**

### **I. BACKGROUND:**

An application has been filed requesting an amendment to an approved final plan to permit a 1,416 square foot, two-story addition in the rear yard (Exhibit 2). The property is located at 506 Chestertown Street (Exhibit 1) in the Kentlands Subdivision in the MXD zone.

The plans indicate that the addition will be used as a family room on the first floor and bedrooms and bathrooms on the second floor. The existing square footage of the house is 2,030 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 69 percent. The size of the addition is larger than what Staff is permitted 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. The proposed addition encroaches two feet into the existing 30-foot setback established by the Kentlands. However, in its letter of approval, the Kentlands Citizens Assembly noted that a 2-foot extension of the setback was warranted based on the architectural merit of the addition, the size of the lot, and because the addition had “no influence on neighboring light” (Exhibit 3). Despite its size, the building addition brings the existing house more in line with the depths of surrounding homes, as seen in the

aerial photograph (Exhibit 1).

### **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 addition will have a gable roof and dormers (Exhibit 7). The roof and siding materials, per the Kentland Historical Trust, are required to meet the existing Kentlands Code. Finishes identified on the plans include Andersen 400 vinyl clad windows and doors and fiber cement siding to match the existing siding. The applicant is aware that the roofing will be changed to a true cedar shake roof (see Condition #1).

A relocated rear deck made of synthetic materials with white rails will be accessible from the first floor.

### **Summary of Findings.**

Staff believes that the proposed addition is 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 Kentlands Historical Trust of the Kentlands Citizens Assembly.

### **IV. CONCLUSION:**

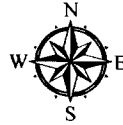
Staff recommends **TO GRANT AFP-08-035, Lee Residence, AMENDMENT TO FINAL PLAN APPROVAL, FINDING IT IN CONFORMANCE WITH §§ 24-170 AND 24-172 OF THE CITY'S ZONING ORDINANCE, WITH ONE (1) CONDITION:**

- 1) In accordance with the Kentlands Historical Trust approval letter, applicant to use true cedar shake roof to match existing.

AFP-08-035

1 inch = 40 feet

506 Chestertown Road



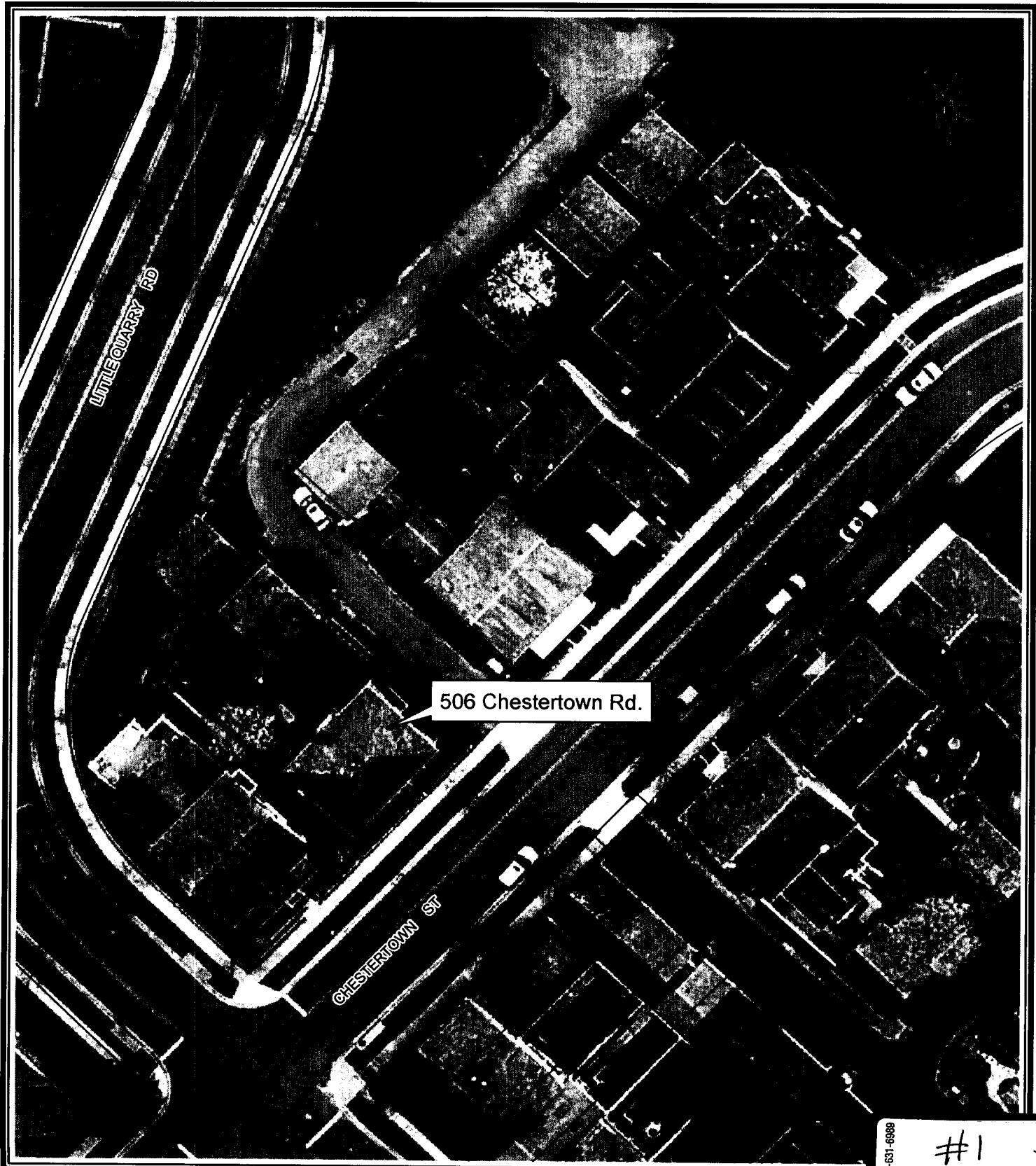
MD State Plane  
HPGN NAD 83/91

TrueOrtho™ image data is copyrighted and licensed from ISTAR Americas, Inc., 2008. www.istar.com Property boundaries and planimetric basemap ©2008 M-NCPPC and City of Gaithersburg All rights reserved. Aerial photo acquired April 2006.



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

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PEN040 800-631-9989

#1

1/7/09

AFP-08-035

# AMENDMENT TO FINAL PLAN APPLICATION

Application #	AFP-08-035
Date Filed	11-26-08
Total Fee	300pd

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

### 1. SUBJECT PROPERTY

Project Name **JOHN & AMANDA LEE**  
 Street Address **506 CHESTERTOWN STREET**  
 Zone \_\_\_\_\_ Historic area designation  Yes  No  
 Lot **2** Block \_\_\_\_\_ Subdivision **KENTLANDS HILL DRIVE**  
 Tax Identification Number (MUST BE FILLED IN) \_\_\_\_\_

### 2. APPLICANT

Name **ABOVE**  
 Street Address \_\_\_\_\_ Suite No. \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Daytime Telephone \_\_\_\_\_

### 3. ARCHITECT/ENGINEER/DEVELOPER

#### Architect's Name

Architect's Maryland Registration Number \_\_\_\_\_ Telephone \_\_\_\_\_  
 Street Address \_\_\_\_\_ Suite Number \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

#### Engineer's Name

Engineer's Maryland Registration Number **14068** Telephone **301-871-3104**  
 Street Address **4208 ASPEN HILL ROAD** Suite Number \_\_\_\_\_  
 City **ROCKVILLE** State **MD** Zip Code **20853**

#### Developer's Name

Street Address \_\_\_\_\_ Telephone \_\_\_\_\_  
 City \_\_\_\_\_ Suite Number \_\_\_\_\_  
 Contact Person \_\_\_\_\_ State \_\_\_\_\_ Zip Code **20878**  
 Telephone \_\_\_\_\_

### 4. PROPERTY OWNER

Name **JOHN & AMANDA LEE**  
 Street Address **506 CHESTERTOWN STREET** Suite No. \_\_\_\_\_  
 City **GAITHERSBURG** State **MD** Zip Code **20878**  
 Daytime Telephone **301-963-4580**

### 5. CITY PROJECT NUMBER

Original Site Plan Number \_\_\_\_\_ Date Approved \_\_\_\_\_  
 Name of previously approved Final Plan \_\_\_\_\_

#2  
 11/27/08  
 AFP-08-035  
 PENGAD 800-631-6889

**6. WORK DESCRIPTION**

Please state clearly changes requested from final approved plan.

ADDITION (2) STORY 1700± SF TO EXISTING HOUSE

**7. PROJECT DETAIL INFORMATION**

a. POPULATION CHANGES ( if any)

Changes in population estimated due to amendment.

Employee estimate: Total number

Total number per shift

Resident estimate: Total number

Total number per dwelling unit

b. PLEASE SUPPLY THE FOLLOWING INFORMATION

DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1.	Site (square feet)		5000
2.	Site Area (acres)		
3.	Total Number of Dwelling Units/Lots		1
4.	Height of Tallest Building		
5.	Green Area (square feet)		
6.	Number of Dwelling Units/Acre		1
7.	Lot Coverage (Percent)		
8.	Green Area (Percent)		
9.	Residential		
a.	Single Family Detached # Units		2048 SF
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) **ROBERT BUNGIORDANO (MERRICK DESIGN & BUILD)**

Applicant's Signature 

Date **11/26/08**

Daytime Telephone **301-254-4237**

The City of Gaithersburg

January 7 @7:30

**To:** C. Seiden

**Re:** The Lee Residence

506 Chestertown Street

Gaithersburg, MD 20878

**Information requested:**

Total square footage of existing first floor (footprint)	1015 sq.feet
Total square footage of existing second floor	1015 sq.feet
Total square footage of existing house	2030 sq. feet

**Additional information:**

Proposed square footage of first floor	708 sq. feet
Proposed square footage of second floor	708 sq. feet
Total proposed square footage	1416 sq. feet
New house footprint	1723 sq. feet
Total square footage of new house	3446 sq. feet

Thanks,

Robert Bongiorno



**Associa®**  
Community Management Corporation

**Kentlands Citizens Assembly  
485 Tschiffely Square Road  
Gaithersburg, MD 20878  
301-948-2071  
301-948-9730 (Fax)**

September 8, 2008

Jonathan Lee  
506 Chestertown St.  
Gaithersburg, MD 20878

Reference: 506 Chestertown St.  
Architectural Control Application # 08-173-A

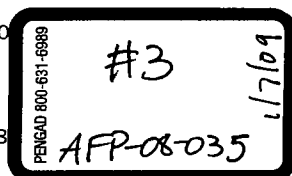
Dear Jonathan Lee:

I am pleased to inform you that the Kentlands Historical Trust of the Kentlands Citizens Assembly has approved your application for the following item(s):

**Two-Story Addition: two-story addition with three additional bedrooms and family room. KHT agrees to a variance on the size of the addition to permit 2 feet extension to parallel edge of back lot line such that setback is 28 feet rather than 30 feet. Variance granted based on overall size of addition, architectural merit and no influence on neighboring light and overall size of lot. New roof shall be true cedar shake to match existing (no simulated cedar shake). Dormer detail approved. Other exterior finishes approved: Andersen 400 vinyl clad windows and doors, fiber cement siding to match existing, Azek or Hardi trim, except deck and deck railing to be submitted for approval separately.**

The approval is contingent upon compliance with the specifications set forth in the approved application. If your change or addition requires a city permit, it must be obtained before construction.

This approval shall expire in six months (April 1, 2009) if the change approved has not been started. You may request an extension of the expiration date from the Kentlands Historical Trust by submitting a request in writing, which will be responded to in writing within fifteen days from the date of receipt of a request.



Please retain this letter in your files. If you should have any questions, please feel free to contact me at the number above.

Sincerely,

*Sandy Al-Nazer*

Sandy Al-Nazer, CMCA®  
Assistant Community Manager

cc: David Merrick  
3923 Plyers Mill Rd.  
Kensington, MD 20895

AFP-08-035 *see p. 6.*

CHRISTOPHER J & MEREDITH M FOGLE  
502 CHESTERTOWN ST  
GAITHERSBURG MD 20878

JONATHAN LEE  
506 CHESTERTOWN ST  
GAITHERSBURG MD 20878

MARK A DEFRIES  
510 CHESTERTOWN ST  
GAITHERSBURG MD 20878

KALMAN RUPP  
KATHRYN SCHIAVONE RUPP  
514 CHESTERTOWN ST  
GAITHERSBURG MD 20878

DONALD B PETERSON  
MARIA GONZALES-PETERSON  
515 CHESTERTOWN ST  
GAITHERSBURG MD 20878

JAMES C & WENDY M TREIGHT  
518 CHESTERTOWN ST  
GAITHERSBURG MD 20878

CLAUDE B COURBOIS  
519 CHESTERTOWN ST  
GAITHERSBURG MD 20878

HARVEY & S S KAYE  
522 CHESTERTOWN ST  
GAITHERSBURG MD 20878

SRINIVAS & MANGALA NAGARAJ  
523 CHESTERTOWN ST  
GAITHERSBURG MD 20878

JAMES C & ANNA E MIFSUD  
419 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

MINDY M STOLER  
422 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

DAVID A & M S MCCLUNG  
PO BOX 1906  
WILSON WY 83014

VINCENT N & K D MORGAN  
426 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

MICHAEL L & M L BECHER  
427 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

ALAN F & PATRICIA A L LAMBERT  
430 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

JANICE R LAHR  
431 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

MARIUSZ & K C SUMLINSKI  
434 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

MARCIA R MAGALONA  
435 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

WILLIAM A & ADRIENNE K GILLEN  
438 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

ELIZABETH B KIMMEL  
439 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

ROBERT S & L M TABIT  
442 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

EDWIN C & L L VOTEY  
443 LITTLE QUARRY RD  
GAITHERSBURG MD 20878

ROBERT B SHAVER  
408 RIDGEPOINT PL APT 16  
GAITHERSBURG MD 20878

JOHN K CARLSEN  
408 RIDGEPOINT PL APT 18  
GAITHERSBURG MD 20878

SIAMAK ESFANDIARY  
LEYLA RAHJOU-ESFANDIARY  
408 RIDGEPOINT PL APT 26  
GAITHERSBURG MD 20878

MICHAEL S & MIN C YU  
408 RIDGEPOINT PL #28  
GAITHERSBURG MD 20878

STEVEN T & V STOLLER  
408 RIDGEPOINT PL APT 36  
GAITHERSBURG MD 20878

PEGGY PERRY  
22549 BLUE ELDER TER  
ASHBURN VA 20148

DEBORAH L FALLS  
410 RIDGEPOINT PL #12  
GAITHERSBURG MD 20878

CAROL A WALDROP  
410 RIDGEPOINT PL APT 14  
GAITHERSBURG MD 20878

*tent agenda for 7-Jan-09 PC Mtg.*

#4  
1/7/09  
AFP-08-035

SUSAN L NIKEL  
513 OAK KNOLL DR  
ROCKVILLE MD 20850

JOSEPH & LUCILLE RICE  
410 RIDGEPOINT PL #24  
GAITHERSBURG MD 20878

EARLE D & DIANE B HALES  
14661 SENECA RD  
DARNESTOWN MD 20874

MARSHA J MUI  
410 RIDGEPOINT PL APT 34  
GAITHERSBURG MD 20878

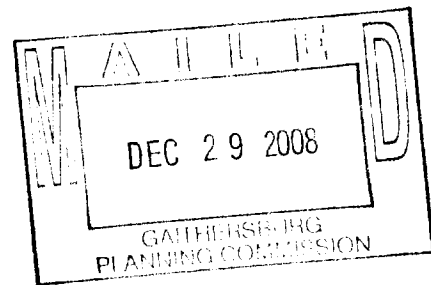
JAMES M PASH  
GENIE L TILLISCH  
308 THAXTON ST  
GAITHERSBURG MD 20878

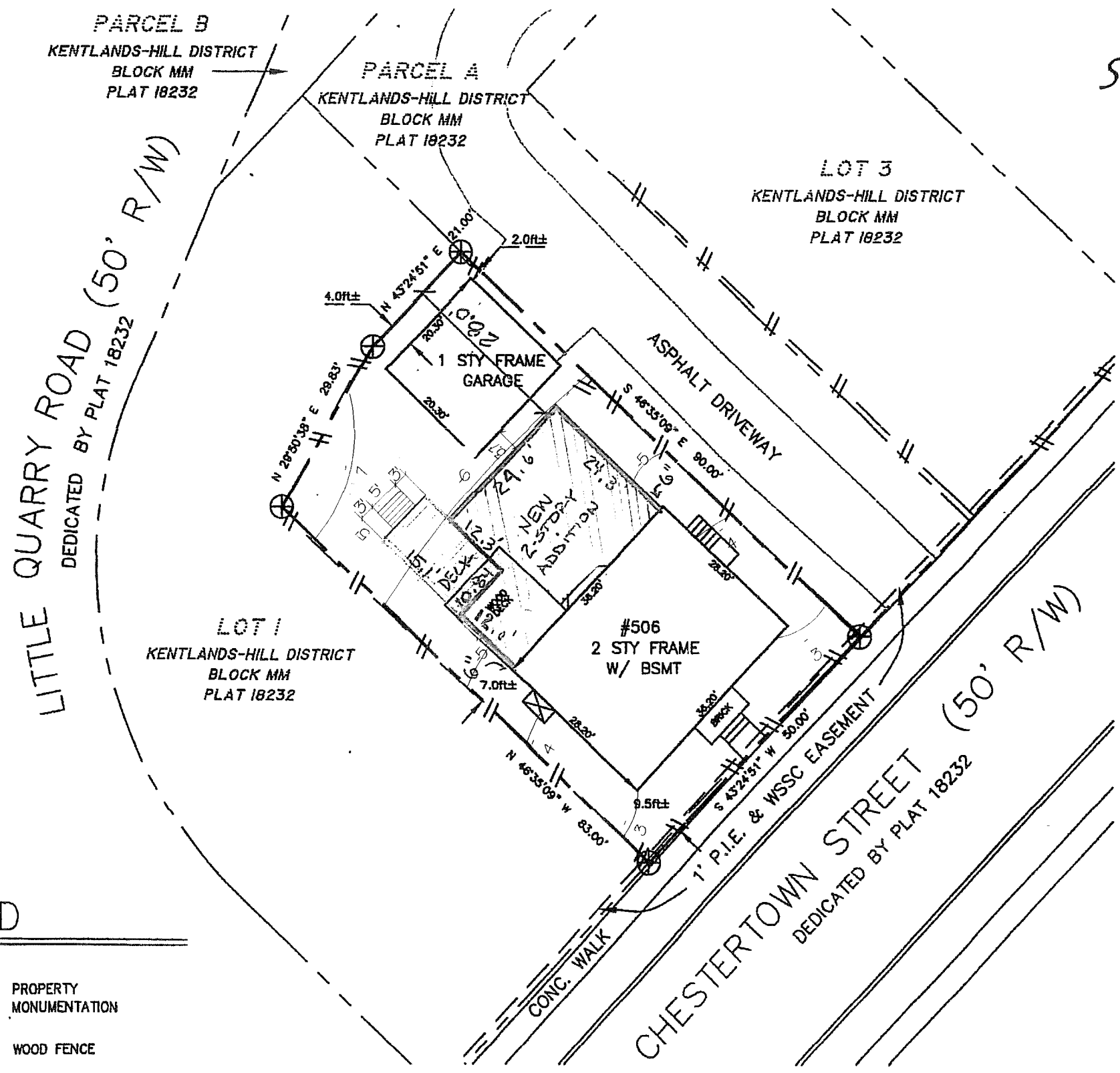
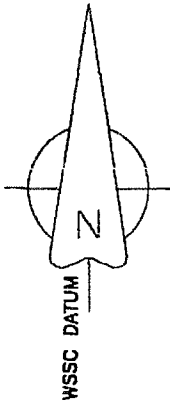
JOEL J & C R SCHAER  
312 THAXTON ST  
GAITHERSBURG MD 20878

KENTLANDS CITIZENS ASSEMBLY INC  
C/O CMC  
485 TSCHIFFELY SQUARE RD  
GAITHERSBURG MD 20878

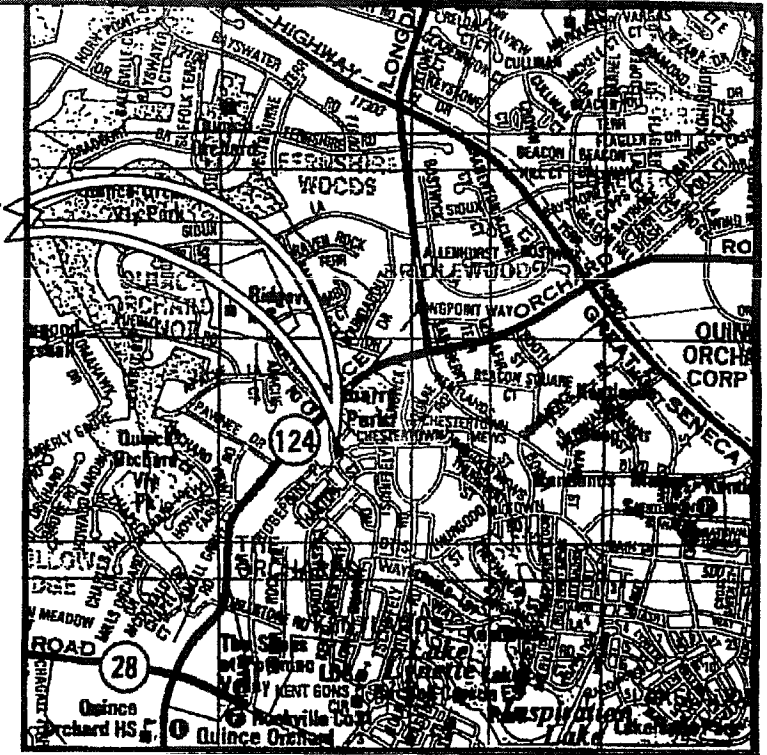
KENTLANDS CITIZENS ASSEMBLY  
INC  
8401 CONNECTICUT AVE  
CHEVY CHASE MD 20815

Merrick Design & Build  
3923 PLYERS MILL ROAD  
KENSINGTON MD 20985





SITE



VICINITY MAP  
SCALE: 1"=2000'  
COPYRIGHT ADC The Map People  
PERMITTED USE NUMBER 20808150

SURVEYOR'S CERTIFICATE

I hereby certify to the best of my knowledge and belief that the property delineated hereon is in accordance with the Plat of Subdivision and/or Deed of Record. No title report has been furnished. The boundary survey was prepared under my responsible charge in accordance with COMAR 09.13.06.03.

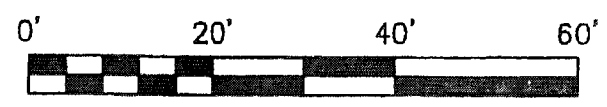
*Jefferson D. Lawrence* 9-16-08  
For: O'Connell & Lawrence, Inc. Date  
Jefferson D. Lawrence  
Professional Land Surveyor  
Maryland No. #5216



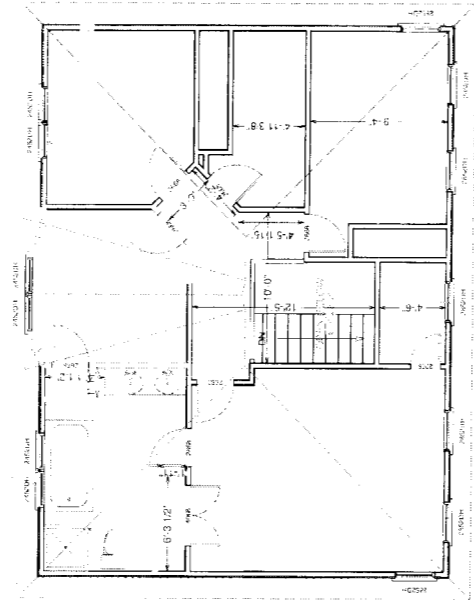
**O'C & L**  
O'Connell & Lawrence, Inc.  
Construction Consultants, Engineers, Surveyors  
17904 Georgia Avenue, Suite 302  
Olney, Maryland 20832  
Tel: (301) 924-4570 \* Fax: (301) 924-5872

**BOUNDARY SURVEY**  
LOT 2, BLOCK MM  
KENTLANDS - HILL DISTRICT  
PLAT 18232  
(9TH) ELECTION DISTRICT  
MONTGOMERY COUNTY, MARYLAND

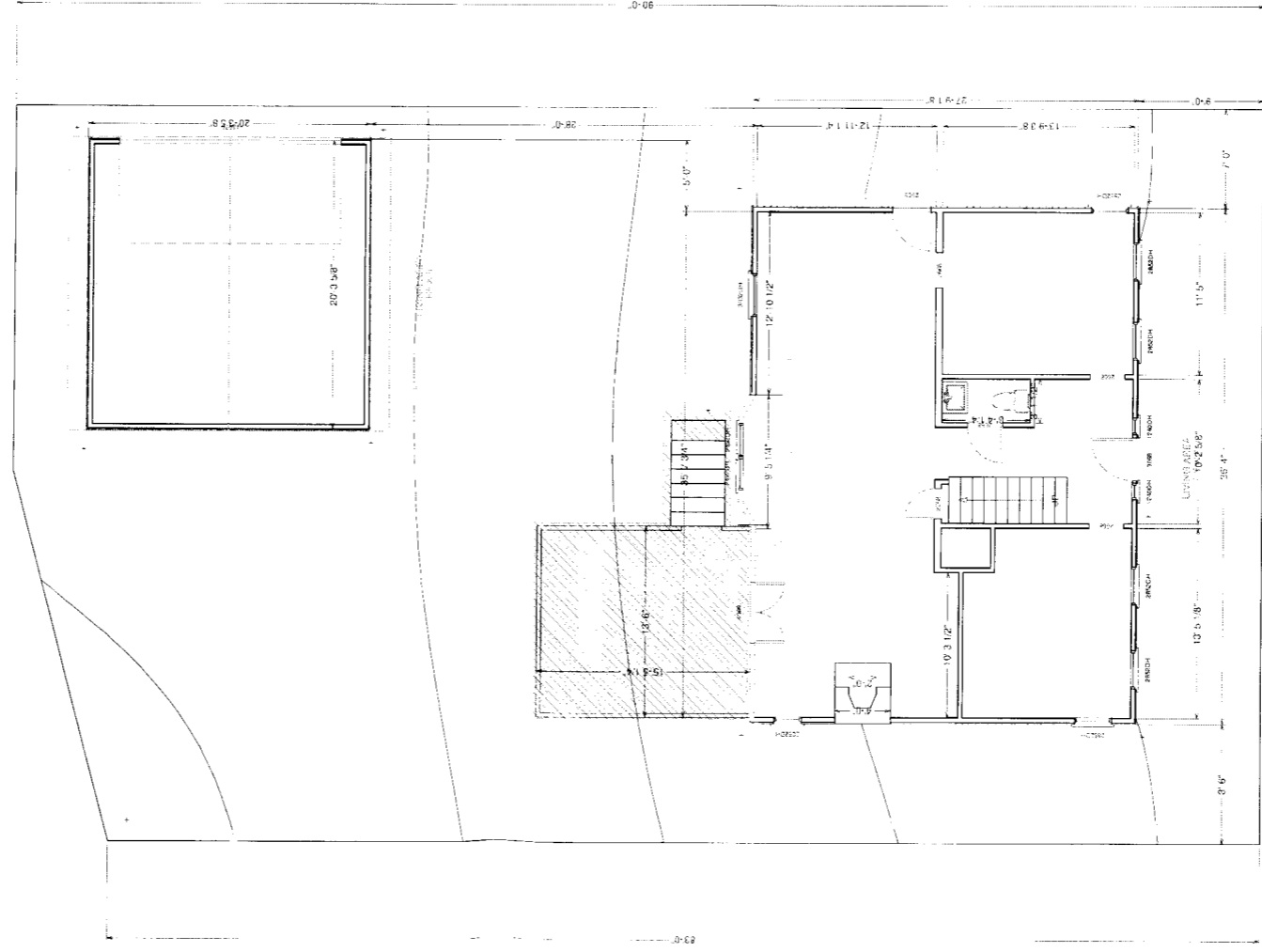
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#5  
AFP-08-035  
1/7/09

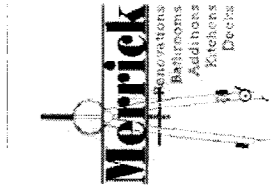


**Existing Second Floor Plan**  
Scale: 1/8" = 1'-0"



**Existing First Floor and Demolition Plan**  
Scale: 1/4" = 1'-0"

**Issued for Permit**



**Design and Build Inc.**  
3925 Pivers Mill Road  
Nationsville, MD 20325

301-946-2306  
301-946-2898 FAX  
dnamid@mbd.us  
MHC: 39984  
DC: 253-39806172

**Project Info**

**John and Amanda Lee**  
506 Chestertown Street  
Cathetersburg, MD 20678

Merrick Project Number  
**378**



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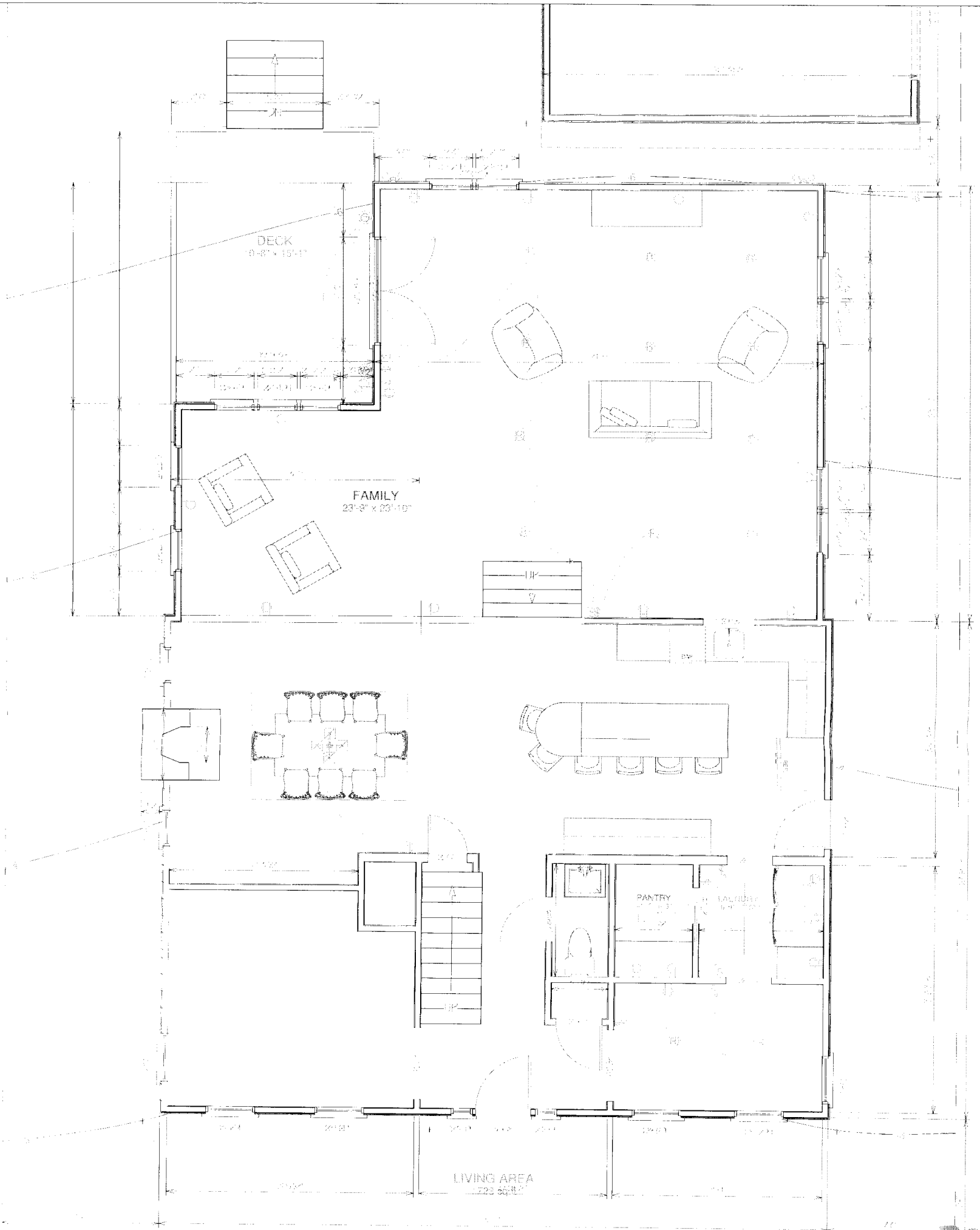
**Issue Dates**

Preliminary Plans	11/31/07
Client Review	12/3/07
Preliminary Review	12/12/07
Client Approval	7/15/08
Visual Change	7/18/08
Permit Plans	11/23/08

Sheet Printed On: 1/8/2008

**A 2**

800-631-6989  
#6  
1/7/09  
A FP-08-035



**First Floor Plan**

Scale: 1/4" = 1'-0"

**Issued for Permit**

5026 West Park Circle, Rockville, MD 20850



**Design and Build Inc.**  
35925 Pipers Mill Road  
Farmington, MD 20926

301-946-2306  
301-946-2998 FAX

dmcmid@mbus

MHC 39924  
DC 20339806172

Project Info

**John and Amanda Lee**

506 Chestertown Street  
Catherburg, MD 20878

Merid Project Number

**378**



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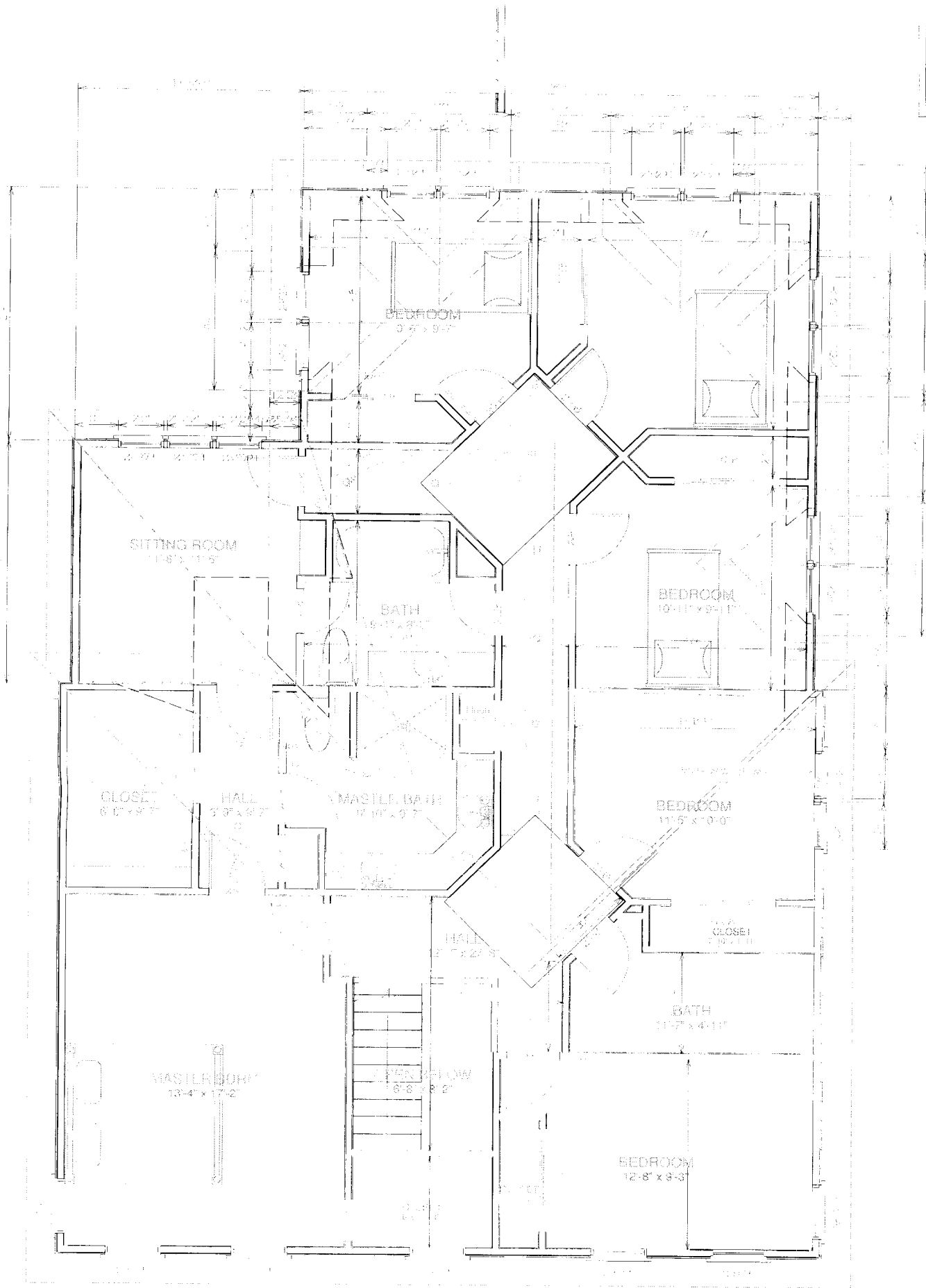
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**Issue Dates**  
Preliminary Plans 11/31/07  
Client Review 12/5/07  
Preliminary Review 2/12/08  
Client Approval 7/15/08  
Visual Change 7/18/08  
Permit Plans 11/23/08

Sheet Number

**A 3**

Sheet Printed On: 12/8/08



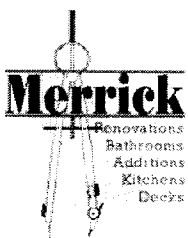
**Second Floor Plan**

Scale: 1/4" = 1'-0"

**Issued for Permit**

5200 York Rd., Gaithersburg, MD 20878

Sheet Number



**Design and Build Inc.**  
3025 Plyers Mill Road  
Burrington, MD 20846

301-946-2306  
301-946-2898 FAX

dmcrcd@mbius

MHC 38984  
DC 253-39806172

Project Info:

**John and Amanda Lee**

500 Chestertown Street  
Gaithersburg, MD 20878

Merck Project Number

**378**



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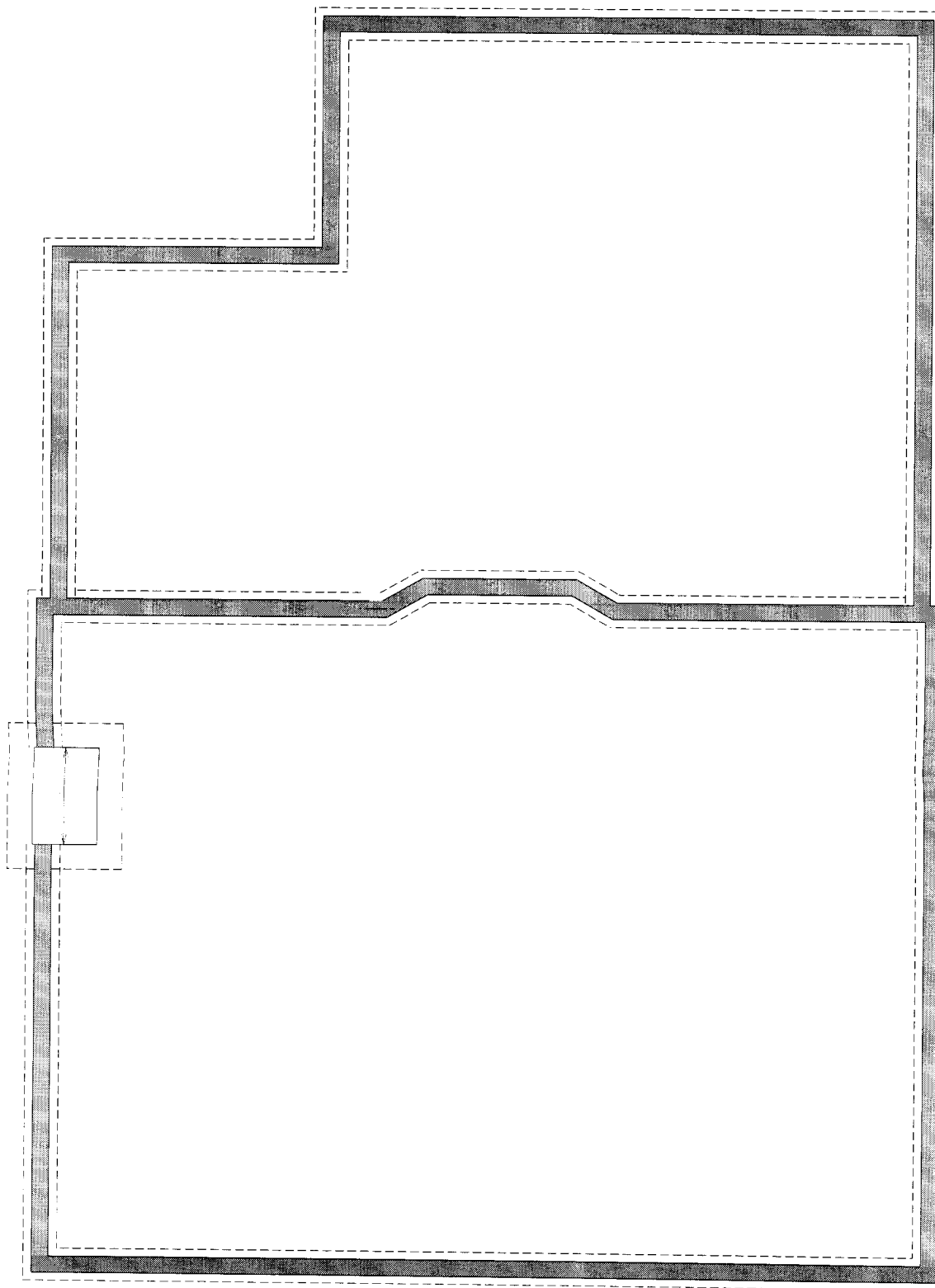
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Issue Dates

Preliminary Plans 11/31/07  
Client Review 12/5/07  
Preliminary Review 2/12/08  
Client Approval 7/15/08  
Visual Change 7/18/08  
Permit Plans 11/23/08

Sheet Printed On: 12/18/2008

**A4**



Foundation Plan

Scale 1/4" = 1'-0"

**Issued for Permit**

3-DATA\Merrick Projects\Lee\Permit Layout\A5\Permit.dwg



**Design and Build Inc.**  
3925 Pipers Mill Road  
Farmington, MD 20926

301-946-2226  
301-946-2999 FAX

dmcmcd@mbd.us

MHC 38984  
DC 2333920672

Project Info

**John and Amanda Lee**

506 Chestertown Street  
Cathersburg, MD 20278

Merrick Project Number

**378**



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Issue Dates  
Preliminary Plans 11/31/07  
Client Preview 12/5/07  
Preliminary Review 2/12/08  
Client Approval 7/15/08  
Visual Change 7/18/08  
Permit Plans 11/23/08

Sheet Number

**A 5**

Sheet Printed On: 12/8/2008



Right Side Elevation (Alley)

Scale 1/8" = 1'-0"

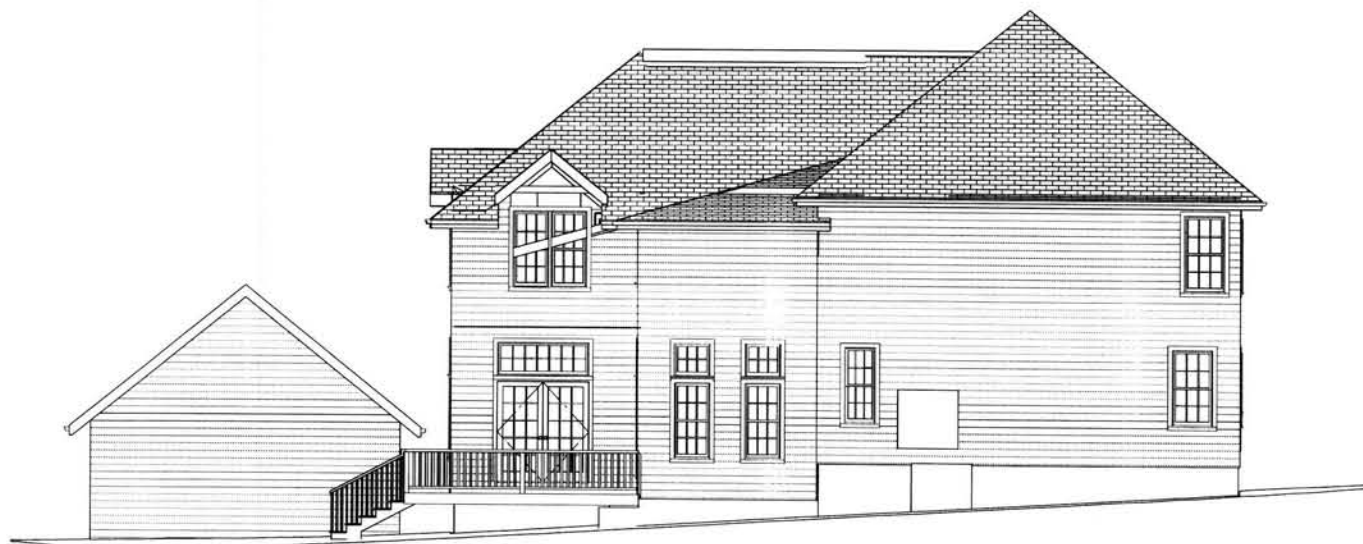
Exterior Finishes

Siding James Hardi Fiber Cement, match existing lap dimension  
 Trim Azek or Hardi Trim, match existing dimensions and details  
 Roofing Certainteed, 30 year, match existing style and color  
 Windows Anderson Series 400 vinyl clad  
 Doors Anderson Frenchwood  
 Foundation cement block with parged smooth finish, painted to match existing  
 Deck PT SYP structure with synthetic decking and white rails



Rear Elevation (Garage not shown)

Scale 1/8" = 1'-0"



Left Side Elevation

Scale 1/8" = 1'-0"

**Issued for Permit**

S:\Data\Merrick Plan Files\Lee Lee Portrait Layout 1x22\permitset layout



**Design and Build Inc.**  
 3923 Pipers Mill Road  
 Kensington, MD 20986  
 301-946-2306  
 301-946-2898 FAX  
 dmerrid@mbi.us  
 MHC 38984  
 DC 253 39806172

Project Info  
**John and Amanda Lee**  
 506 Chestertown Street  
 Gaithersburg, MD 20878  
 Merrick Project Number  
**378**



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Issue Dates  
 Preliminary Plans 11/31/07  
 Client Review 12/5/07  
 Preliminary Review 2/12/07  
 Client Approval 7/15/08  
 Visual Change 7/18/08  
 Permit Plans 11/23/08

Sheet Printed On: 12/8/2008

Sheet Number

**A 6**

PENGAD 800-631-6989  
 # 7  
 AFR-08-035  
 11/7/09



View From Chestertown Street

Not to Scale



View From Rear Yard

Not to Scale

**Issued for Permit**

S:\Data\Merrick Plan Files\Lee Lee Porrait Layout\1\A22\permset.layout



**Design and Build Inc.**  
3925 Pipers Mill Road  
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**Issue Dates**  
Preliminary Plans 11/31/07  
Client Review 12/5/07  
Preliminary Review 2/12/07  
Client Approval 7/15/08  
Visual Change 7/18/08  
Permit Plans 11/23/08

Sheet Printed On: 12/8/2008

Sheet Number

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