

Douglass and Catherine Wagner  
Donna and Ken Wagner  
35 and 37 S Summit Ave  
Gaithersburg, MD 20877

Dear Mayor & City Council and Members of the Planning Commission,

RE: Z-8814-2021 Zoning Map Amendment Application

During the recent City Council meeting on April 19, 2021, we presented our application to re-zone the properties at 35 and 37 South Summit Avenue from R-90, Medium Density Residential, to CBD, Central Business District. Councilmembers, Commissioners, and City residents asked questions and raised possible concerns. This letter is in response to those questions and concerns.

Douglass and Catherine Wagner have owned the property at 37 S Summit Ave since 2012 and it is their primary residential address. They are raising a growing family and are engaged members of the Gaithersburg community. Ken and Donna Wagner are Douglass's parents. They purchased 35 S Summit Ave in 2017 to be close to their grandchildren and support their family. The property is their primary residence. Both the older and the younger Wagner families have invested significant time and resources into maintaining the properties and grounds. The Wagner's have no current plans or intention to sell or develop the properties as anything other than their primary residences.

The Wagner's are requesting this zoning map amendment to bring their properties into conformance with zoning rules, as existing structures do not currently conform to R-90 setback requirements. Additionally, the owners desire to align the properties with the City of Gaithersburg Master Plan, which recommends rezoning both properties to CBD.

The Wagner's aim to improve the residential structures to ensure they remain structurally sound, meet the needs of their growing and aging family members, and retain the character and charm of the homes in the East Deer Park neighborhood. The home at 37 S Summit Ave was built in 1942 and the home's orientation on the property and many features existed before the R-90 zone and are considered nonconforming. Desired improvements would not be permitted under the current R-90 zone dimensional restrictions. The application for an amendment to 35 S Summit Ave is necessary to maintain a contiguous CBD zone area as recommended in the Master Plan. There are no current plans to modify the existing structures on that property. Any major site plan modifications to either property will require approval by the City's Planning Commission, which includes the opportunity for additional public comment. The Wagner's intend to preserve the character of the neighborhood while improving their property and home, which is a highly visible landmark in the entry to the Old Towne corridor. The city's master plan addresses the adjacent neighborhood and states "Any redevelopment of these properties should be sensitive to and in scale and visual character with the adjoining residential neighborhood." While rezoning the properties from R-90 to CBD allows for a wider array of possibilities for future redevelopment, the master plan recognizes the need for future uses to be compatible with the surrounding residential neighborhood.

The Wagners understand the residents' concerns about development in the long-established residential neighborhood. The Wagners are sensitive to the character and nature of the neighborhood and are working within the options available to address the nonconformance of their property while improving their older home to better serve the needs of their family.

Sincerely,

Douglass and Catherine Wagner  
Donna and Ken Wagner

**From:** [E J](#)  
**To:** [Planning External Mailing](#)  
**Subject:** Z-8814-2021 Zoning Map Amendment Application  
**Date:** Friday, May 7, 2021 4:13:40 PM

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Hi,

As a Gaithersburg resident living in the Old Towne area (415 Sanders Lane) as well as a parent of 2 St. Martin's School students I have been closely following the proposed Zoning Map Amendment Z-8814-2021 and wanted to share my perspective. The proposed amendment allows the flexibility for existing homes to be able to upgrade and improve their properties which I believe is crucial to maintaining and improving the aesthetics and value of the Old Towne area. I fully support this amendment and hope that it passes.

Thank you for your time,

Emily Molloy  
415 Sanders Lane, Gaithersburg MD  
617-784-1113