



PLANNING AND CODE ADMINISTRATION

City of Gaithersburg · 31 South Summit Avenue · Gaithersburg, Maryland 20877 · Telephone: (301) 258-6330 · Fax: (301) 258-6336  
plancode@gaitthersburgmd.gov · www.gaithersburgmd.gov

HISTORIC AREA WORK PERMIT APPLICATION

All information must be complete to initiate processing of application

SUBJECT PROPERTY

Street Address 11 RUSSELL AVE GAITHERSBURG, MD 20877

APPLICANT

Name BRENDAN O'NEILL (ONEILL LAND LIC)  
Street Address 11 RUSSELL AVE  
City GAITHERSBURG, MD 20877 State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone Numbers: Work 301-840-9310 Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

PROPERTY OWNER

Name SAME  
Street Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone Numbers: Work \_\_\_\_\_ Cell \_\_\_\_\_ E-mail Address \_\_\_\_\_

TYPE OF WORK (Check All that Apply)

- Work is Visible from the Public Right of Way
- You Intend to Apply for County, State or Federal Tax Credits (see submission requirements)
- There are Deed or Easement Restrictions on the Exterior of the Property (see submission requirements)

WORK DESCRIPTION

STYLE SHED  
1. REPLACE DETERIORATED SHED WITH "POLE" CONSTRUCTED ON 8" X 18" FOUNDATION. SHED CEDAR SIDING, METAL ROOF,  
2. REMOVE 24' DEAD WHITE PINE  
3. CONSTRUCT 129' OF 6' BOARD FENCE

SUBMISSION REQUIREMENTS

- Marked Up Site Plan/Survey Showing Location of Work
- Architectural Evaluations (optional)
- Photograph of Impacted Area (optional)
- Photograph of Exterior Structure (optional)



November 16, 2016

Chris Berger, M.H.P.  
Planner II

Staff Liaison to the Historic District Commission Planning and Code Administration City of Gaithersburg  
31 South Summit Avenue  
Gaithersburg, Maryland 20877

Re: 11 Russell Ave

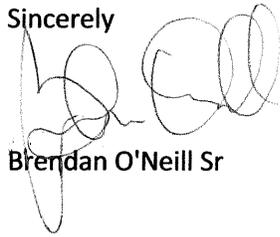
Hi Chris:

I am enclosing the following information that you requested regarding my Application for shed and fence construction and tree removal:

1. A list of work that was completed at 11 Russell Ave.
2. Photos include:
  - a. 2 Photos of the shed
  - b. 2 Photos of the shed showing scale and location on the property
  - c. 3 photos of 11 Russell Ave which support the shed roof design. Please note that we tried to mimic the shed roof on the rear of 11 Russell which is adjacent to the new shed in the rear yard.
  - d. 1 photo of neighbor showing shed roof on historic building
3. Statement on historical significance/justification of shed
4. Copies of notices sent to adjacent property owners
5. Revised Historic Area Work Permit App
6. Staff Approval App
7. Site plan showing shed, tree and fence
8. \$150 check

Please let me know if you need additional information.

Sincerely



Brendan O'Neill Sr

11/16/16

To Whom it may concern:

11 RUSSELL AVE, GAITHERSBURG, MD 20877

1. Fence Added:
  - a. 4" pine board fence w/ 4x4 treated posts, 6' high, left natural to weather, with two 6' gates, 129' total length
  - b. Built by Clinton Fence in 2006
2. Old shed removed:
  - a. 6' lean-to shed built against fence mentioned above w/ no sides and 4x4 posts to house shovels and wheelbarrows etc
  - b. Built approx. 2007
  - c. Demolished 2016
3. New shed replaced:
  - a. Built to replace the old deteriorating shed
  - b. Regarding architectural style of new shed:
    - i. The new shed replaces a shed roof lean to that was there previously,
    - ii. Matches the shed roof on adjacent historic Brewster-Lipscomb House (see pics)
    - iii. Is consistent with other shed roofs in historic Gaithersburg (see sample pic)
  - c. Pole shed built with treated 6x6 posts resting on 8"x 18"x 18" concrete 30" in the ground, open one side, curtain walls on 3 sides with 6" cedar siding, let-in angle braces, metal roof. (See pics)
  - d. Shed is 20' wide by 16' deep (roughly 10% less in square footage than the shed which it replaced); height is 9' +/- in front by 7' +/- in the rear.
4. Tree removed:
  - a. White pine
  - b. 26" diameter
  - c. Tree was essentially dying and threatening our and our neighbor's property and our parking lot.

Respectfully submitted



Brendan O'Neill Sr.

11 RUSSELL AVENUE

STATEMENT ON HISTORICAL SIGNIFICANCE/JUSTIFICATION OF NEW SHED

We have constructed a 20 x16 shed in the rear yard of 11 Russell Ave.

We used the "shed roof" design for its simplicity and function and because it mimicked the shed roof on the rear of the Historic Brewster Lipscomb House which we carefully restored in 2002. (see photographs). Shed roofs were commonplace for outbuildings in 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> century construction. Many period houses used shed wings off of main gable structures for porches or dependencies because they easily flow from and support the main structure.

You will also note from the pictures attached that we used angle braces on the corners, which we carefully mortised into the adjacent posts.

Our intent was to create a simple supporting structure that blended with the main property structure.

And speaking of blending, we left the cedar siding without finish in order to create a weathered look.

Brendan O'Neill Sr

A handwritten signature in black ink, appearing to read "Brendan O'Neill Sr". The signature is written in a cursive style with a large, sweeping loop at the end.

















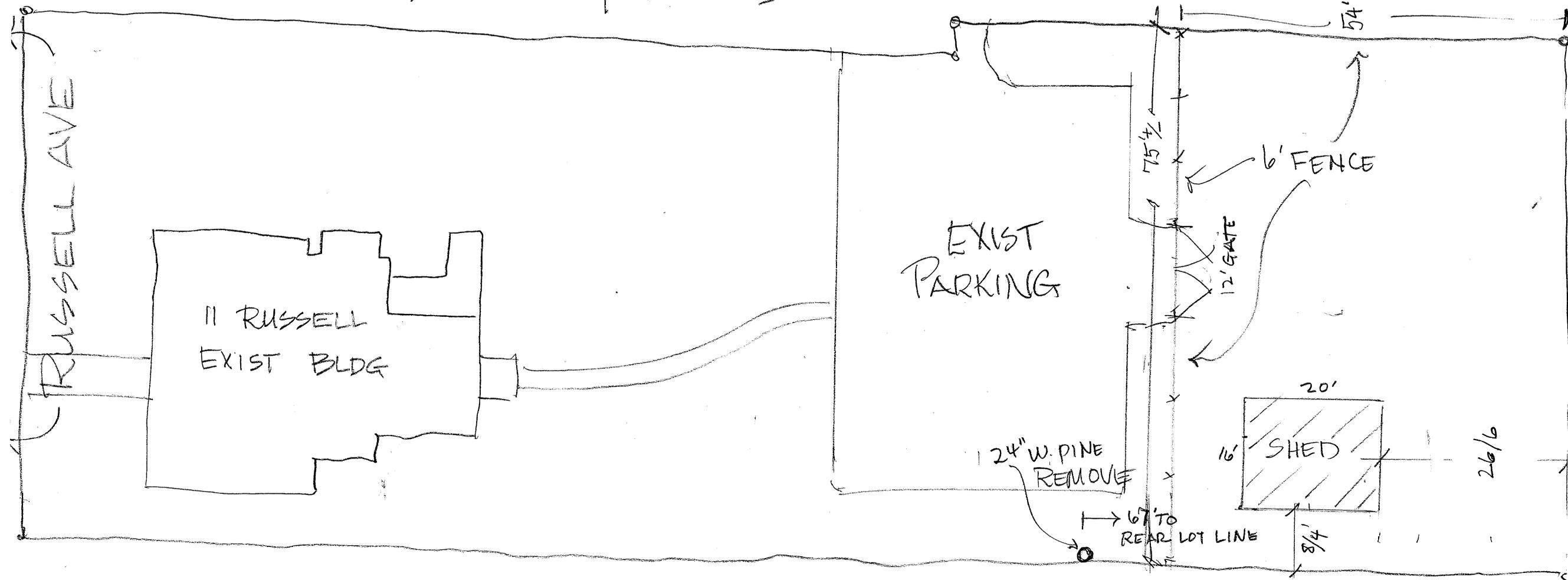
Google

Image capture: Oct 201



Des

← ALLEY →



ONEILL LAND

11 RUSSELL AVE GAITH, MD.

SHED / TREE REM. SITE PLAN



**From:** Brendan O'Neill Sr  
**To:** [Chris Berger](#)  
**Cc:** [Brendan O'Neill Jr](#)  
**Subject:** RE: 11 russell ave  
**Date:** Tuesday, November 22, 2016 5:34:56 PM  
**Attachments:** [IMG\\_20161122\\_0002.pdf](#)  
[russell site plan IMG\\_20161122\\_0001\\_NEW.pdf](#)

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Chris:

Attached is the App for the 3 temp sheds and the site plan requested. Since I am at home currently and leaving early tomorrow morning for Thanksgiving out of town I had to prepare and send these from home to beat your deadline. I hope they are satisfactory. If you have any questions you can reach me by phone or by email. I will be checking both out of town.

I am sorry for all of this and thank you for your patience.

Best

Brendan

-----Original Message-----

From: Chris Berger [<mailto:CBerger@gaithersburgmd.gov>]  
Sent: Tuesday, November 22, 2016 4:35 PM  
To: Brendan O'Neill Sr <[boneillsr@oneilldev.com](mailto:boneillsr@oneilldev.com)>  
Subject: RE: 11 russell ave

Brendan,

No need to start over. We can still go forward with the Historic Area Work Permit application scheduled for Nov. 30 if you can get me ASAP the 1.) updated Site Plan showing all 4 sheds, the tree, and the fence; 2.) provide the dimensions of the 3 sheds; and 3.) an estimate of when they were placed.

For your Staff Approval application, I can then use your updated site plan. No need to send out new notifications to the adjacent property owners.

And then we will need a shed permit filed for each of the 3 sheds. No rush on the shed permit applications because they cannot be approved until the HDC approves them first. As you know, Greg Dennison will review those.

Chris Berger, M.H.P.

Planner II

Staff Liaison to the Historic District Commission Planning and Code Administration City of Gaithersburg

31 South Summit Avenue

Gaithersburg, Maryland 20877

Phone: 301-258-6330

Fax: 301-258-6336

City website: [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov)

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-----Original Message-----

From: Brendan O'Neill Sr [<mailto:boneillsr@oneilldev.com>]  
Sent: Tuesday, November 22, 2016 4:24 PM  
To: Chris Berger

Subject: RE: 11 russell ave

Wow, Chris, I was not aware that temp structures needed a permit.

I guess we don't look too good in the City's eyes at this point. Although we really try to keep our building and grounds maintained.

Where do I go from here? I guess start all over again with an application and letters to neighbors and new hearing date.

-----Original Message-----

From: Chris Berger [<mailto:CBerger@gaithersburgmd.gov>]

Sent: Tuesday, November 22, 2016 4:09 PM

To: Brendan O'Neill Sr <[boneillsr@oneilldev.com](mailto:boneillsr@oneilldev.com)>

Subject: RE: 11 russell ave

Brendan,

Sorry, but the sheds require HDC approval and a shed permit for each, no matter how temporary in nature.

Chris Berger, M.H.P.

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-----Original Message-----

From: Brendan O'Neill Sr [<mailto:boneillsr@oneilldev.com>]

Sent: Tuesday, November 22, 2016 3:50 PM

To: Chris Berger

Subject: RE: 11 russell ave

Those are temporary sheds that sit on a few cinder block elevated off the ground. My understanding is that temp shed don't require any approval

-----Original Message-----

From: Chris Berger [<mailto:CBerger@gaithersburgmd.gov>]

Sent: Tuesday, November 22, 2016 3:48 PM

To: Brendan O'Neill Sr <[boneillsr@oneilldev.com](mailto:boneillsr@oneilldev.com)>

Subject: RE: 11 russell ave

Importance: High

Brendan,

I stopped by and took photos today of the property--thank you.

But on my visit I noticed the 3 additional sheds located on the property to the south of the parking lot. I searched our

system, and we do not have records of them, so they too will require retroactive review from the HDC and a shed permit for each. Do you know approximately when the sheds were built? What are the dimensions of each?

What I need from you by first thing tomorrow morning: Indicate on the attached site plan to scale the locations of the 4 sheds, removed tree, and fence and return to me.

Chris Berger, M.H.P.  
Planner II  
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-----Original Message-----

From: Brendan O'Neill Sr [<mailto:boneillsr@oneilldev.com>]  
Sent: Monday, November 21, 2016 3:27 PM  
To: Chris Berger  
Cc: Martin Johnson; Kerri Ford; Brendan O'Neill Jr; Susan Tucker  
Subject: RE: 11 russell ave

Hi Chris:

Feel free to stop by tomorrow and post the sign. You will need a key to our yard in the rear to take photos of the shed. Please come into the office to get the key. I will not be there but the folks in the office will have it.

Brendan, Martin, Kerri or Susan:

Can you all provide Chris, who is a Planner for Gaithersburg, with a key to access tomorrow the yard in back to take photos of the shed for the Historic Hearing?

-----Original Message-----

From: Chris Berger [<mailto:CBerger@gaithersburgmd.gov>]  
Sent: Monday, November 21, 2016 3:21 PM  
To: Brendan O'Neill Sr <[boneillsr@oneilldev.com](mailto:boneillsr@oneilldev.com)>  
Subject: RE: 11 russell ave

Brendan,

I received your supporting materials and Staff Approval application--thank you.

I will be posting a sign in front of your property tomorrow to advertise the meeting. The sign can be thrown away as soon as the meeting ends on Nov. 30.

When I post the sign tomorrow do you mind if I enter your property and take additional photos of the fence and shed?

Chris Berger, M.H.P.  
Planner II  
Staff Liaison to the Historic District Commission Planning and Code Administration City of Gaithersburg

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-----Original Message-----

From: Chris Berger  
Sent: Tuesday, November 08, 2016 4:07 PM  
To: 'Brendan O'Neill Sr'  
Subject: RE: 11 russell ave

Brendan,

1. Yes, provide written information about each alteration listed in parentheses.
2. The HDC is retroactively reviewing the shed, fence, and tree. However, the shed is the only item that will require a retroactive Staff Approval application as well. The tree of course requires a retroactive tree removal permit, and the fence requires a retroactive fence permit.
3. The 1 Historic Area Work Permit application you submitted covers the shed, fence, and tree, and they will all be reviewed at the Nov. 30 Historic District Commission meeting.

Chris Berger, M.H.P.  
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-----Original Message-----

From: Brendan O'Neill Sr [<mailto:boneillsr@oneilldev.com>]  
Sent: Tuesday, November 08, 2016 3:42 PM  
To: Chris Berger  
Subject: RE: 11 russell ave

Thanks Chris. Couple of questions in CAPS below

-----Original Message-----

From: Chris Berger [<mailto:CBerger@gaithersburgmd.gov>]  
Sent: Tuesday, November 08, 2016 3:30 PM  
To: Brendan O'Neill Sr <[boneillsr@oneilldev.com](mailto:boneillsr@oneilldev.com)>  
Subject: RE: 11 russell ave

Brendan,

As discussed today please send me the following:

Description of work that was completed and when it was done (fence added, shed added, shed demolished, new shed built, tree removed) OVER AND ABOVE THE DESCRIPTION IN MY APP YOU WANT ME TO PREPARE A DESCRIPTION OF EACH ITEM IN PARENS?)

More photos of the shed that better show its scale and location on the property

Measurement of fence height

The HDC meeting is Nov. 30 at 7:30 pm in the City Council Chambers.

If the HDC approves the shed, IS THE HDC APPROVING ONLY THE FENCE?  
then you will need to apply for a Staff Approval application.

As part of the application, you need to notify adjacent property owners. I attached the list of adjacent property owners and the form that will need need to be sent to each person. Make a copy of each form before you send and include the copy with your Staff Approval application.

You will also need a retroactive fence permit. IS THERE ANOTHER APP THAT I SUBMIT FOR THIS? DO I NEED TO GO BEFORE THE HDC FOR THIS?

Chris Berger, M.H.P.

Planner II

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-----Original Message-----

From: Brendan O'Neill Sr [<mailto:boneillsr@oneilldev.com>]

Sent: Wednesday, November 02, 2016 12:02 PM

To: Chris Berger

Subject: RE: 11 russell ave

Tuesday at 1 will be fine. Should we meet at City Hall?

-----Original Message-----

From: Chris Berger [<mailto:CBerger@gaithersburgmd.gov>]

Sent: Wednesday, November 02, 2016 12:00 PM

To: Brendan O'Neill Sr <[boneillsr@oneilldev.com](mailto:boneillsr@oneilldev.com)>

Subject: RE: 11 russell ave

I am out on Monday.

We are open Tuesday, Nov. 8. We could meet with you at 1 p.m. that day.

Or we could meet you at 9:30 am or 2:30 p.m. next Wednesday, Nov. 9.

Let me know what works.

Chris Berger, M.H.P.  
Planner II  
Staff Liaison to the Historic District Commission Planning and Code Administration City of Gaithersburg  
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Gaithersburg, Maryland 20877  
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-----Original Message-----

From: Brendan O'Neill Sr [<mailto:boneillsr@oneilldev.com>]  
Sent: Wednesday, November 02, 2016 11:56 AM  
To: Chris Berger  
Subject: RE: 11 russell ave

Thank you. I would be happy to meet with you. I assume you meant next week below. And since I am out of town tomorrow and Friday, Next week would be fine. Is Monday OK? I assume you all are closed Tuesday.

-----Original Message-----

From: Chris Berger [<mailto:CBerger@gaithersburgmd.gov>]  
Sent: Wednesday, November 02, 2016 11:41 AM  
To: Brendan O'Neill Sr <[boneillsr@oneilldev.com](mailto:boneillsr@oneilldev.com)>  
Subject: RE: 11 russell ave

Brendan,

Planning Director Trudy Schwarz, Community Planning Manager Greg Mann, and myself would like to meet with you to discuss 11 Russell. Should the Historic District Commission retroactively approve your shed, we may have a solution that would allow your shed to remain in its current location.

Let me know if you are free tomorrow (Thursday), Friday, or a day next meet to meet us at City Hall.

Chris Berger, M.H.P.  
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-----Original Message-----

From: Chris Berger  
Sent: Tuesday, November 01, 2016 3:47 PM  
To: 'Brendan O'Neill Sr'  
Subject: RE: 11 russell ave

Thank you. I will have an answer for you as soon as possible.

Chris Berger, M.H.P.  
Planner II  
Staff Liaison to the Historic District Commission Planning and Code Administration City of Gaithersburg  
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Gaithersburg, Maryland 20877  
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-----Original Message-----

From: Brendan O'Neill Sr [<mailto:boneillsr@oneilldev.com>]  
Sent: Tuesday, November 01, 2016 3:37 PM  
To: Chris Berger; Gregory Dennison  
Subject: 11 russell ave

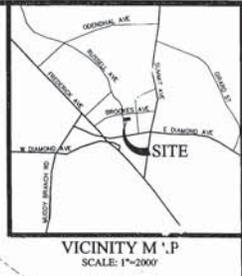
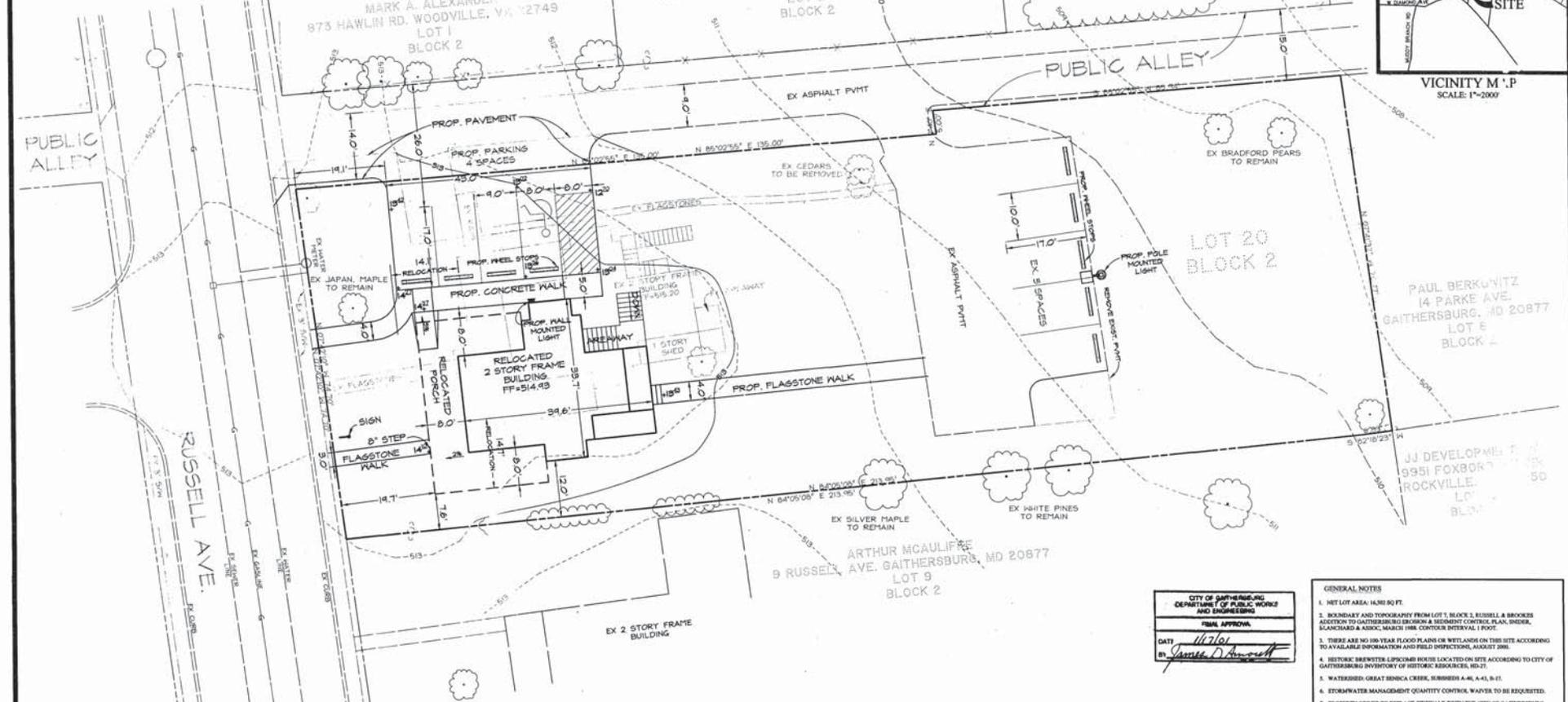
Greg and Chris:

Attached are pics of the shed. Please note several items:

- my superintendent said the 6x6 posts are on 8"x18"x18" concrete footers which are 30" in the ground.
- note the rack bracing throughout the walls.

REVISIONS			
NO.	DESCRIPTION	BY	DATE
1	REV BLDG ELEV, ACCESSIBLE RAMP, WALKS, ALLEY FENCE & SHADING	KDM	08/29/00
2	RELOCATED BUILDING 2 NORTH, ELIMINATED RAMP, REGRADDED ACCORDINGLY	REV	10/02/00
3	MOVED POLE AND FLAGSTONE WALK NORTH, AND ADDED ABEWAY TO BLDG	BCD	09/23/00
4	MOVED BLDG WALK, PARKING NORTH, REV TREES & WALK, ADDED LIGHTS	KDM	09/26/00
5	REVISED NOTES & PAVEMENT & LIGHTING DETAILS PER DOW COMMENTS	KDM	01/04/01

**NOTES**  
 INFORMATION CONCERNING THE PROPOSED UTILITIES WAS OBTAINED FROM THE CITY OF GAITHERSBURG. THE LOCATION AND DEPTH OF UTILITIES IS SHOWN ON THE SITE PLAN. THE LOCATION AND DEPTH OF UTILITIES IS SHOWN BY SYMBOLS. ALL UTILITIES SHOWN ARE TO BE MAINTAINED AT THE DEPTH OF THE PROPOSED UTILITIES. THE UTILITIES ARE TO BE MAINTAINED AT THE DEPTH OF THE PROPOSED UTILITIES. THE UTILITIES ARE TO BE MAINTAINED AT THE DEPTH OF THE PROPOSED UTILITIES.



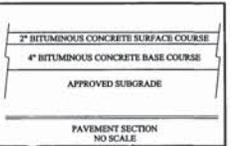
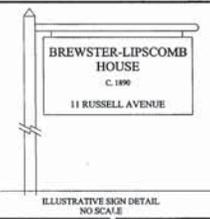
CITY OF GAITHERSBURG  
 DEPARTMENT OF PUBLIC WORKS  
 AND ENGINEERING  
**FINAL APPROVAL**  
 DATE: 1/17/01  
 BY: James D. Amwell

CITY OF GAITHERSBURG  
 HISTORIC DISTRICT COMMISSION  
 81 SOUTH HANBY AVENUE, GAITHERSBURG, MARYLAND 20877  
**APPROVED**  
 AT THE REGULARLY SCHEDULED MEETING OF THE HISTORIC DISTRICT COMMISSION HELD ON 1/17/01 AT 7:00 PM. THE COMMISSION HAS GRANTED conditional approval TO THE SITE PLAN.  
 DATE: 1/17/01 BY: Victoria Stetler  
**NOTE:** ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE HDC.

CITY OF GAITHERSBURG PLANNING COMMISSION  
 81 SOUTH HANBY AVENUE, GAITHERSBURG, MARYLAND 20877  
**SITE PLAN APPROVAL**  
 AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON 1/17/01 APPLICATION NO. 00-00111 WAS GRANTED conditional approval.  
 DATE: 1/17/01 BY: Victoria Stetler  
**NOTE:** ANY REVISIONS TO SIGNED PLANS MUST BE REAPPROVED BY THE PLANNING COMMISSION.

- GENERAL NOTES**
- NET LOT AREA: 14,362 SQ. FT.
  - BOUNDARY AND TOPOGRAPHY FROM LOT 1, BLOCK 1, RUSSELL & BROOKES ADDITION TO GAITHERSBURG BLOCK 2 & RELOCATED CONTROL PLAN, UNDER, BLANCHARD & ARDC, MARCH 1988 CONTROL INTERVAL: 1900.
  - THERE ARE NO 100-YEAR FLOOD PLANS OR WETLANDS ON THIS SITE ACCORDING TO AVAILABLE INFORMATION AND FIELD INSPECTIONS, AUGUST 2000.
  - HISTORIC BREWSTER-LIPSCOMB HOUSE LOCATION ON SITE ACCORDING TO CITY OF GAITHERSBURG DEPARTMENT OF HISTORIC RESOURCES, 10/07.
  - WATERSHED: GREAT SENeca CREEK, SUBWASH A-46, A-41, B-17.
  - STORMWATER MANAGEMENT QUANTITY CONTROL WAIVER TO BE REQUESTED.
  - PROPERTY OWNER TO REPLACE SIDEWALK WHEN THE CITY OF GAITHERSBURG DETERMINES IT NECESSARY PER PLANNING COMMISSION MINUTES, 1/17/01, DATED NOVEMBER 1, 2000.
  - OWNER TO MAINTAIN GRASS SURFACE TO PROVIDE STORM WATER QUALITY CONTROL.

SITE SUMMARY	CRD ZONE	
	REQUIRED	PERMITTED
NET LOT AREA	14,362 SQ. FT.	14,362 SQ. FT.
BUILDING SETBACKS	NOT SPECIFIED	413 FT. MIN. FROM STREET, 413 FT. MIN. FROM REAR
BUILDING HEIGHT	4 STOREYS MAX.	2 STOREYS
PARKING SPACES	1 SPACE/100 SQ. FT. GROSS FLOOR AREA, 6 SPACES MIN. (0.534 SQ. FT./SPACE)	9 SPACES, INCLUDING 1 CONTIGUOUS ACCESSIBLE SPACE.
INTERNAL GREEN AREA	10% MIN. OF PARKING AREA, 121 SQ. FT. REQUIRED ON 1200 SQ. FT. PARKING AREA	10% MIN. OF PARKING AREA, 121 SQ. FT. REQUIRED ON 1200 SQ. FT. PARKING AREA



MARYLAND REGISTERED PROFESSIONAL ENGINEER OF ARCHITECT SEAL AND SIGNATURE ON PLANS WILL BE ACCEPTED AS PRIMA FACIE EVIDENCE THAT PLANS ARE IN COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS.



**Dewberry & Davis LLC**  
 A Dewberry Company  
 Engineers  
 Surveyors  
 Landscape Architects  
 804 West Diamond Avenue, Suite 200  
 Gaithersburg, MD 20878  
 (301) 948-8300 Fax: (301) 258-7607  
 www.dewberry.com

**SITE PLAN**  
**BREWSTER-LIPSCOMB HOUSE**  
**LOT 20, BLOCK 2, RUSSELL & BROOKES ADDITION**  
 CITY OF GAITHERSBURG, MARYLAND

Drawn by: KDM  
 Designed by: KDM  
 Checked by: JRC  
 Date: AUG 2000  
 Scale: 1"=10'  
 Sheet: CBD  
 Computer number: P:\PROJECTS\2000\PLAN\BREWSTER-LIPSCOMB HOUSE\_SIT.PLA  
 File number: SP-548



## CERTIFICATE OF APPROVAL

**Historic Area Work Permit 68B**  
**11 Russell Avenue**  
**Brendan O'Neill**

The City of Gaithersburg Historic District Commission hereby grants approval to Historic Area Work Permit 68B, finding the request to add a flat board, six-foot high fence of pressure treated wood in compliance with Secretary of Interior Standard One which requires minimal change to the environment and Standard Ten, which states that new additions, if removed, retain the integrity of the historic property. The fence will be allowed to age naturally, will have no gate, and will be set approximately six inches inside the property line to protect the tree on the property line, with due care given to the placement of poles and holes for tree root protection.

The property, located at 11 Russell Avenue, is a designated historic site.

Work on an approved project should start within six months of approval and be completed within one year of the date of the issuance of this Certificate, or within other specified time frames, or the Certificate expires.

Deviation from the plan approved on this date shall not be permitted without submission of an amended plan which is subject to the approval of the City of Gaithersburg Historic District Commission. Any such non-compliance shall serve automatically to revoke this historic area work permit approval.

The Certificate does not constitute the right to commence construction or relieve the applicant of City Code requirements, or those of other governmental jurisdictions. The applicant should contact the Department of Planning and Code Administration in City Hall for further information and assistance regarding the City's permit procedures.

City of Gaithersburg Historic District Commission

GERALDINE EDENS, VICE CHAIR

Date of Approval: December 17, 2001

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

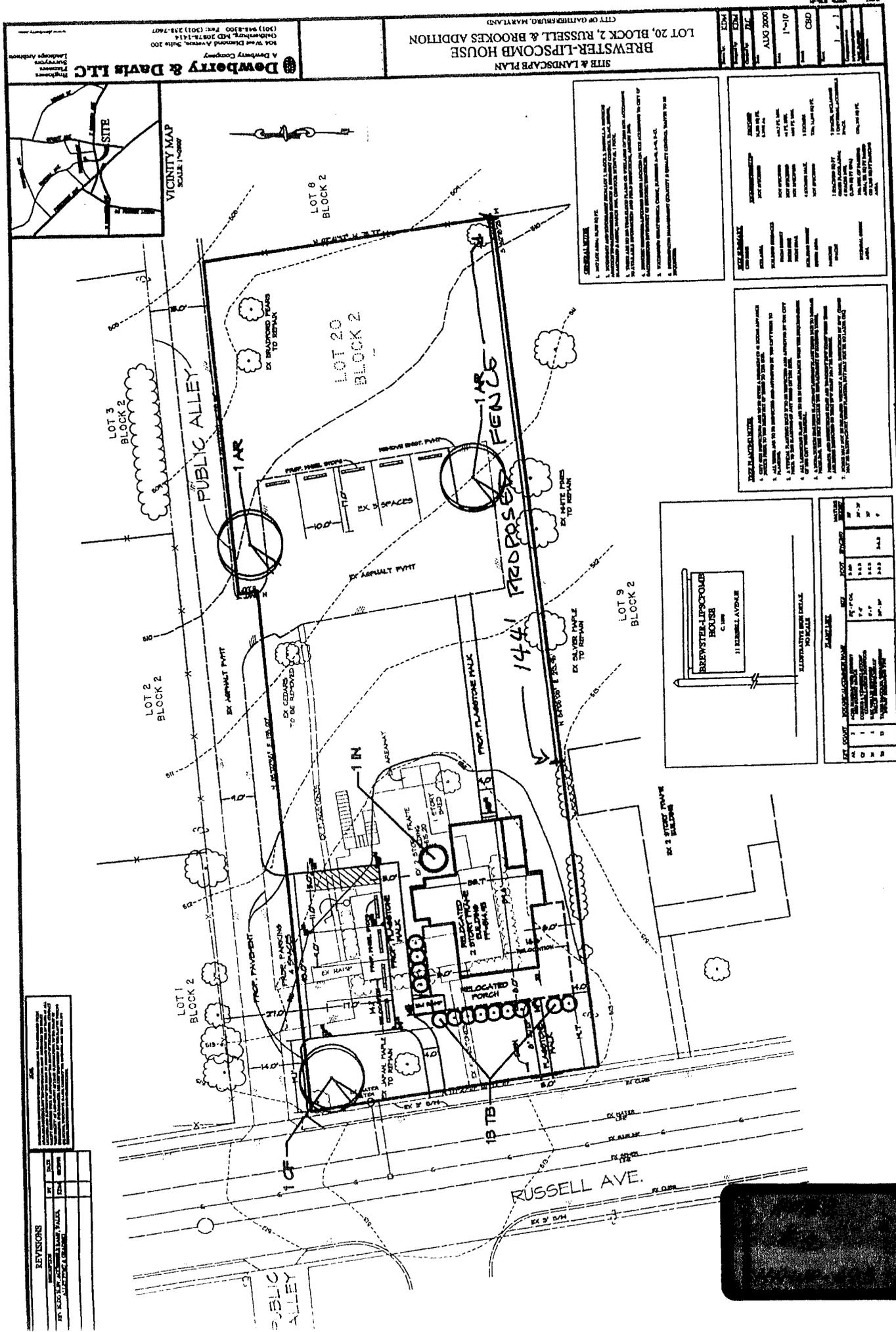
MAYOR  
Sidney A. Katz

COUNCIL MEMBERS  
Stanley J. Alster  
Geraldine E. Edens  
Henry F. Marraffa, Jr.  
John B. Schlichting  
Ann T. Somerset

CITY MANAGER  
David B. Humpton

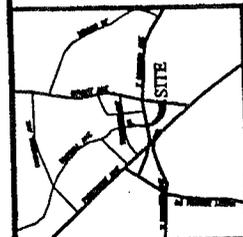
Historic District Commission  
HIST-7453-2016  
Exhibit 5

PROJECT\2000File\Rx798\Deliver\Site\_Plan\Site.dwg Tue Aug 29 11:37:23 2000 1055 BW Kevin



**Dewberry & Davis LLC**  
 A Delaware Company  
 804 West Diamond Avenue, Suite 200  
 Odontowise, MD 20778-1414  
 (301) 948-2300 Fax: (301) 281-7407

**SITE & LANDSCAPE PLAN**  
**BREWSTER-LIPSCOMB HOUSE**  
**LOT 20, BLOCK 2, RUSSELL & BROOKES ADDITION**  
 CITY OF GAITHERSBURG, MARYLAND



**GENERAL NOTES**

1. SEE PLAN FOR ALL NOTES.
2. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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**EXISTING CONDITIONS**

NO.	DESCRIPTION	STATUS
1	EXISTING HOUSE	RELOCATED
2	EXISTING PORCH	RELOCATED
3	EXISTING DRIVE	RELOCATED
4	EXISTING FENCE	RELOCATED
5	EXISTING ASPHALT DRIVE	RELOCATED
6	EXISTING CONCRETE DRIVE	RELOCATED
7	EXISTING WHITE BRICK DRIVE	RELOCATED
8	EXISTING ASPHALT DRIVE	RELOCATED
9	EXISTING CONCRETE DRIVE	RELOCATED
10	EXISTING WHITE BRICK DRIVE	RELOCATED

**PROPOSED CONDITIONS**

NO.	DESCRIPTION	STATUS
1	PROPOSED HOUSE	NEW
2	PROPOSED PORCH	NEW
3	PROPOSED DRIVE	NEW
4	PROPOSED FENCE	NEW
5	PROPOSED ASPHALT DRIVE	NEW
6	PROPOSED CONCRETE DRIVE	NEW
7	PROPOSED WHITE BRICK DRIVE	NEW
8	PROPOSED ASPHALT DRIVE	NEW
9	PROPOSED CONCRETE DRIVE	NEW
10	PROPOSED WHITE BRICK DRIVE	NEW

**REVISIONS**

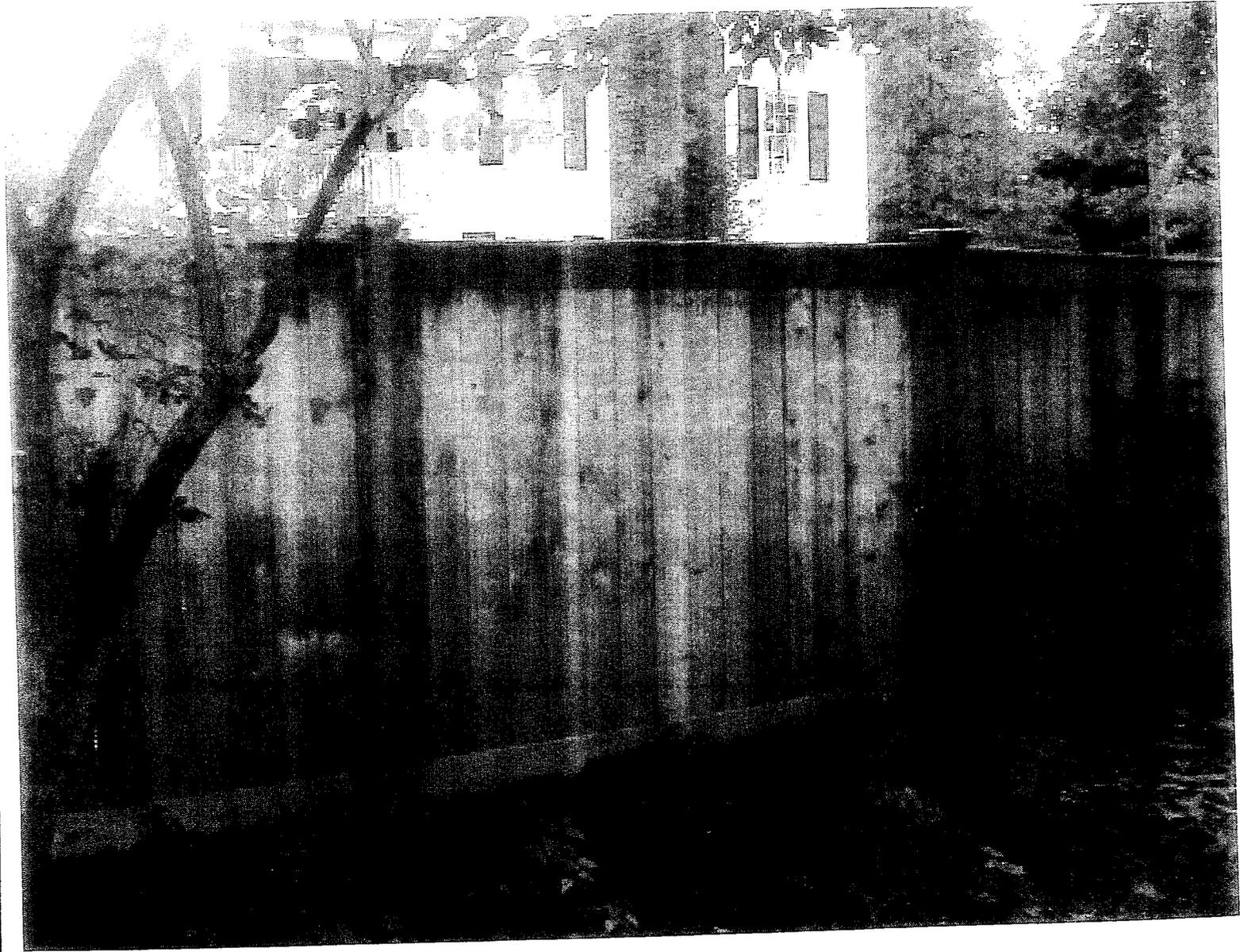
NO.	DATE	DESCRIPTION
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**PROPOSED HOUSE**

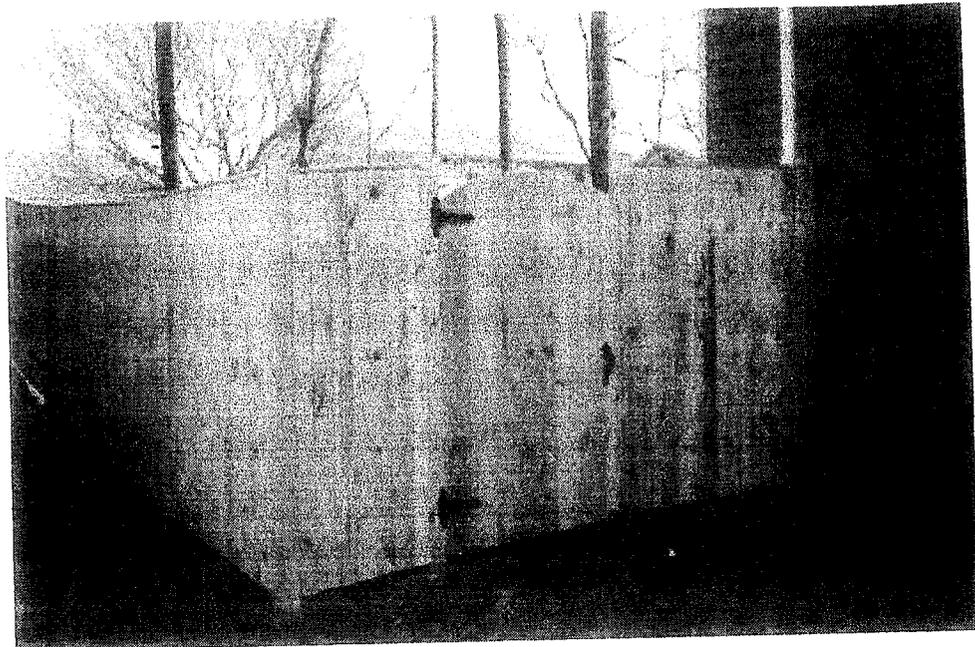
NO.	DESCRIPTION	STATUS
1	PROPOSED HOUSE	NEW
2	PROPOSED PORCH	NEW
3	PROPOSED DRIVE	NEW
4	PROPOSED FENCE	NEW
5	PROPOSED ASPHALT DRIVE	NEW
6	PROPOSED CONCRETE DRIVE	NEW
7	PROPOSED WHITE BRICK DRIVE	NEW
8	PROPOSED ASPHALT DRIVE	NEW
9	PROPOSED CONCRETE DRIVE	NEW
10	PROPOSED WHITE BRICK DRIVE	NEW

**PROPOSED DRIVE**

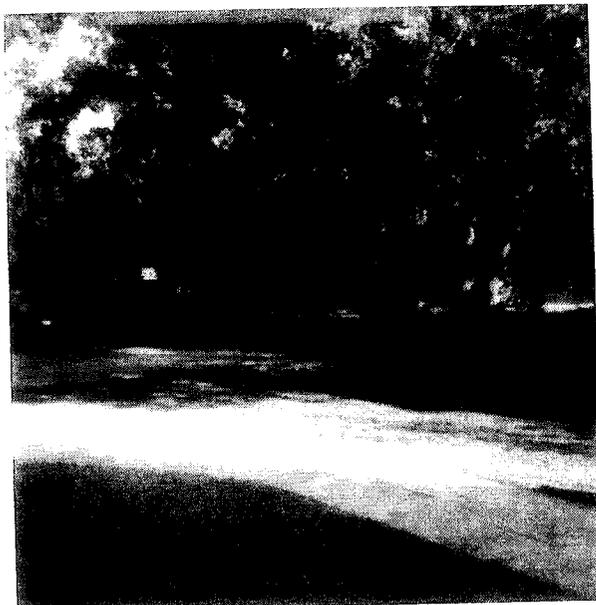
NO.	DESCRIPTION	STATUS
1	PROPOSED DRIVE	NEW
2	PROPOSED ASPHALT DRIVE	NEW
3	PROPOSED CONCRETE DRIVE	NEW
4	PROPOSED WHITE BRICK DRIVE	NEW
5	PROPOSED ASPHALT DRIVE	NEW
6	PROPOSED CONCRETE DRIVE	NEW
7	PROPOSED WHITE BRICK DRIVE	NEW
8	PROPOSED ASPHALT DRIVE	NEW
9	PROPOSED CONCRETE DRIVE	NEW
10	PROPOSED WHITE BRICK DRIVE	NEW



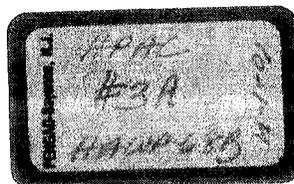
How fence will look from 9 Russell side.



How siding will look from the alley. There will be no gate.



[http://www.expertfence.com/photo\\_3.3.3.jpg](http://www.expertfence.com/photo_3.3.3.jpg)



10/23/2001

JC



# PERMIT

Permit#: PI-B011477  
Fence Permit

Address: 11 RUSSELL AVE GB  
Parcel #:2847204  
Location:Right rear of property

Date Printed: 12/19/2001  
Total Fees: \$30.00  
Fence Height: 6

Lot/Block: 202  
Zone: CBD

Subdivision:  
Historic (Y/N): N

### Contact Information:

Applicant: BRENDAN ONEILL SR

Phone: 301-840-9310

Contractor: CLINTON FENCE COMPANY, INC.  
2630 OLD WASHINGTON ROAD WALDORF MD 20601

Phone: 301-843-1108 License #/Type:1705 /MHIC

Owner: O'NEILL LAND LLC  
11811 GLEN MILL RD POTOMAC MD 20854

Phone:

### Fees Paid:

Fence Fee: \$30.00

### Description of Work/Conditions and Fence Type:

Wooden board on board. Fence to be set in approximately 6 inches from property line to protect trees on property line with due care given to placement of holes and posts to protect tree roots. No gate. Fence will be allowed to age naturally. Call for final inspection (301) 258-6338.

I hereby certify that I have read and examined this permit and that all statements are true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulation construction or the performance of construction.

This permit becomes null and void if work or construction authorized is not commenced within 6 months of issue date, or if construction or work is suspended or abandoned for a period of 120 days at any time after work has commenced. Approved only as noted on plans. Call for all required inspections, (301) 258-6338. All S.D.A. conditions must be met. Fire department access must be maintained at all times.

Applicant

Date

12-20-01

Owner

Approved

Pat Patula (sh)

11-17-08 Finalled



11  
ONEILL  
WALTON

Historic District Commission  
HIST-7453-2016  
Exhibit 6





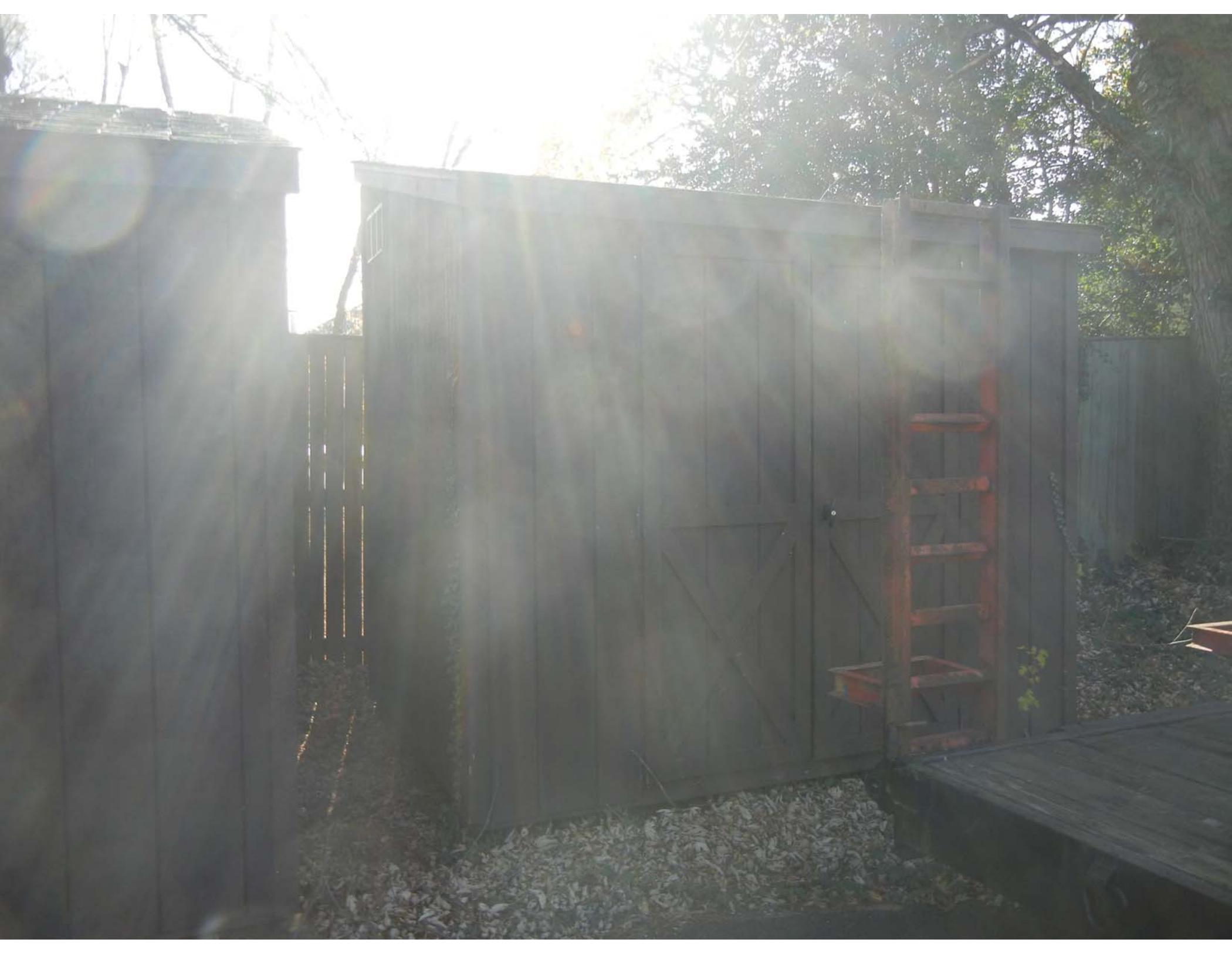














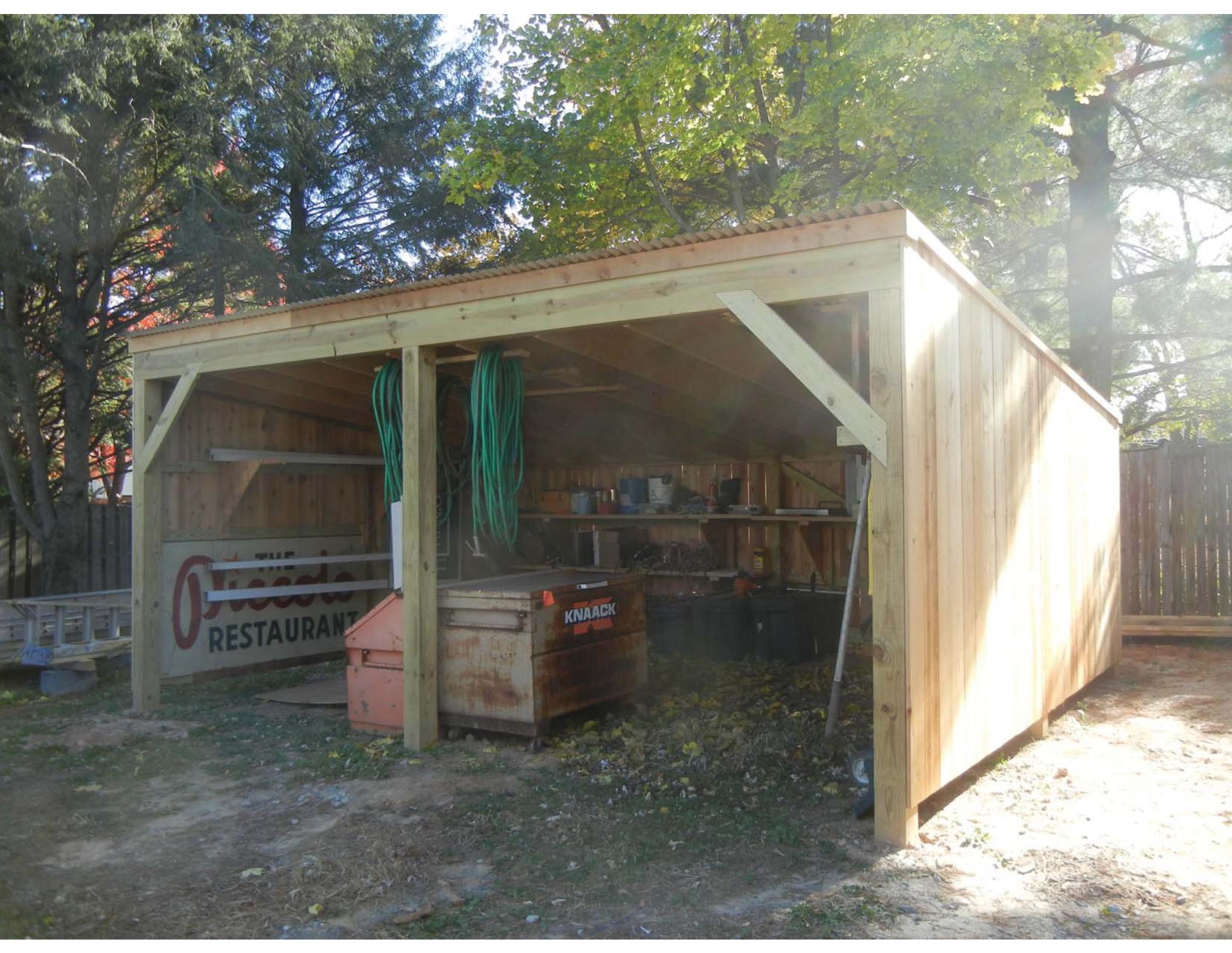






THE  
Needle  
RESTAURANT

KNAACK



THE  
**Piccolo**  
RESTAURANT

**KNAACK**







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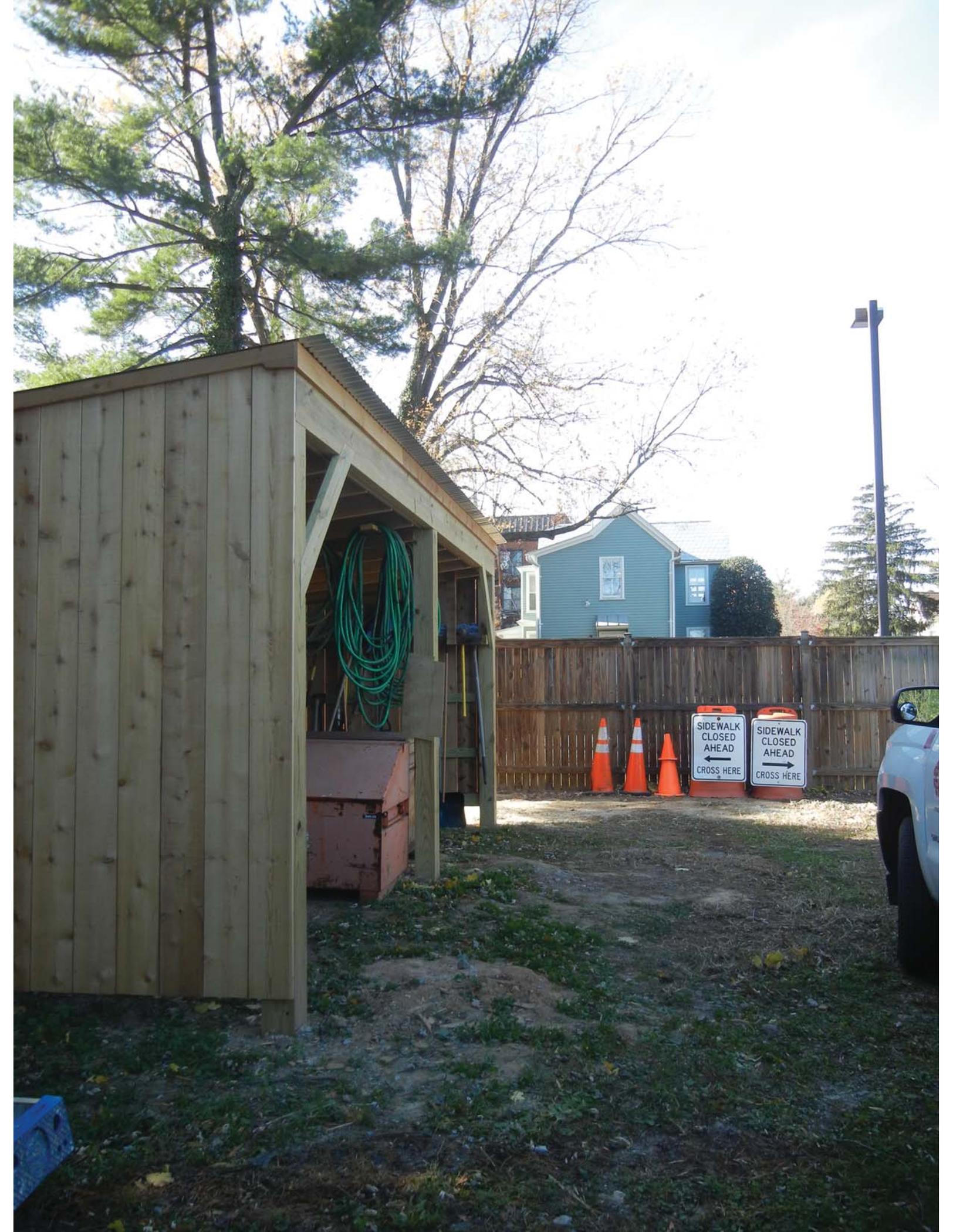
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DILL  
CEMENT  
CORPORATION  
800-555-5555  
840-9510

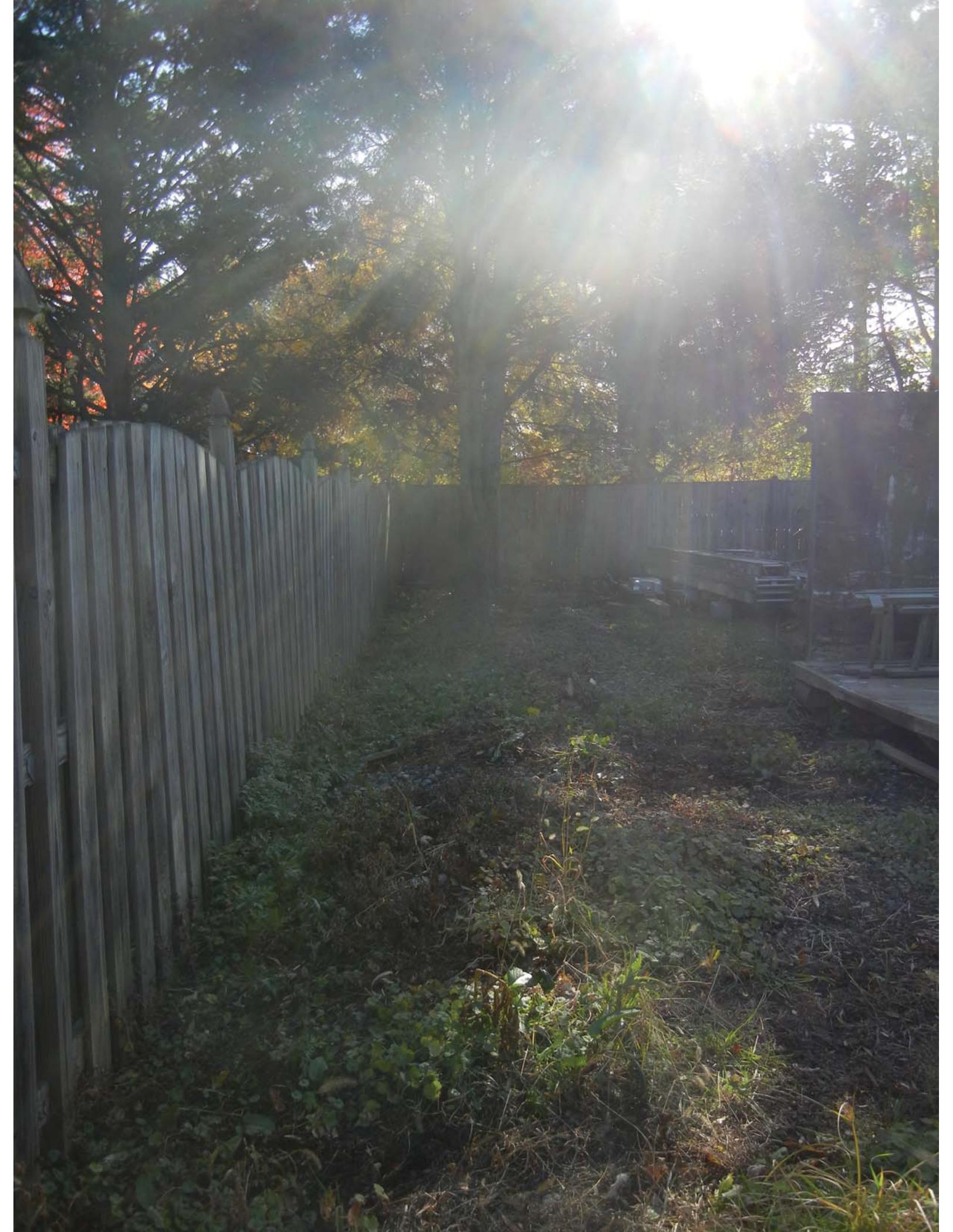


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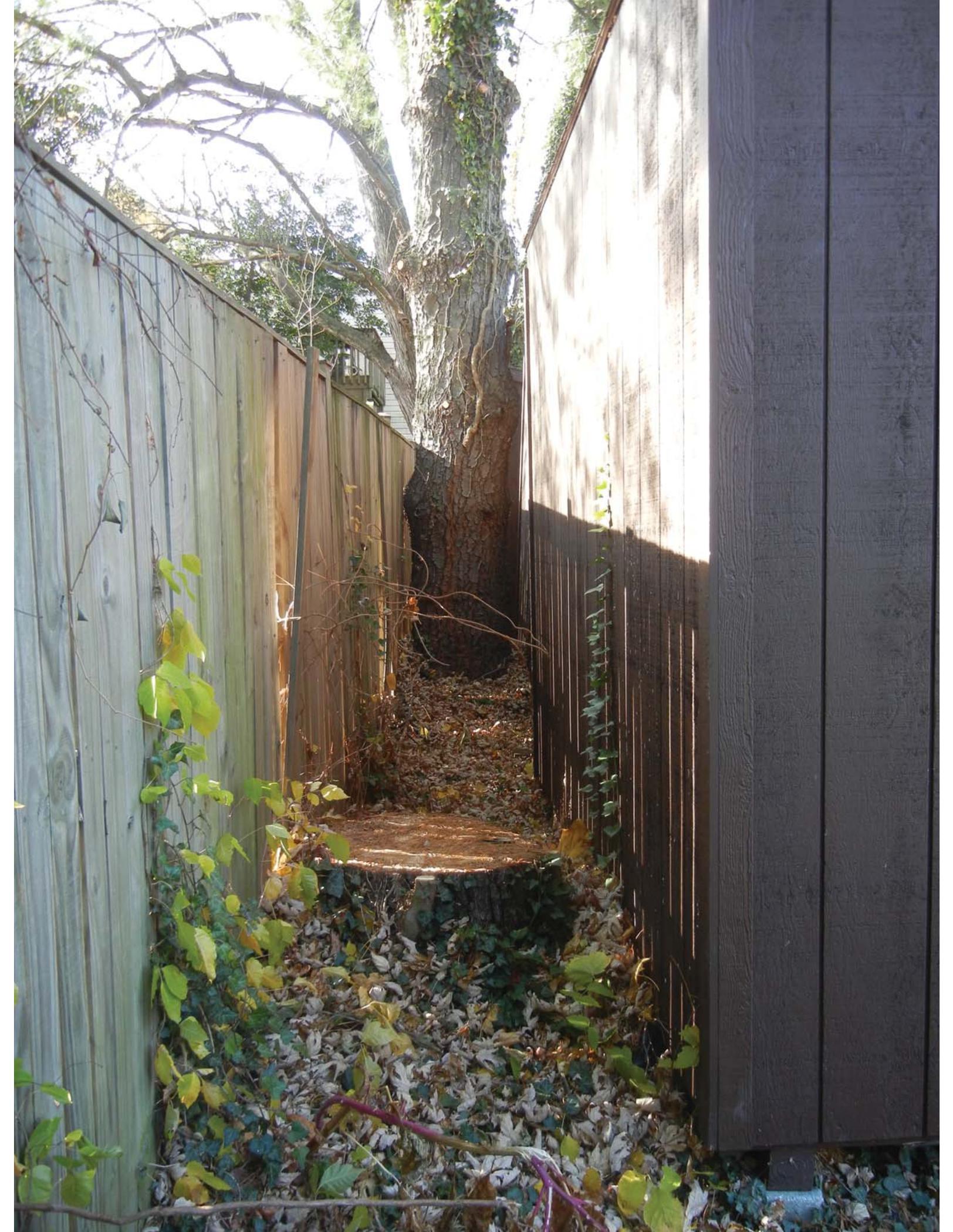


RESTAURANT

KNAACK

7E6777







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**STAFF COMMENTS FOR HISTORIC DISTRICT COMMISSION**

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**Meeting Date:** Wednesday, March 26, 2014

**Title:** Historic Area Work Permit Application:

**HIST-4605-2014**

**Removal of Two Sheds Located in Rear Yard.**

**Request:** **CONDUCT REVIEW OF HISTORIC AREA WORK PERMIT APPLICATION**

**Address:** 19 Walker Avenue, Gaithersburg, MD 20877

**Historic District:** HD-14, *Brookes, Russell, and Walker Historic District*  
(Contributing Resource)

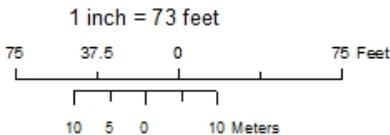
**Applicant:** Ann S. Ferguson

**Owner:** Ann S. Ferguson

**Enclosures:**

- Exhibit #1: Location Aerial*
- Exhibit #2: Application with Photographs*
- Exhibit #3: Location of Sheds in Rear Yard*
- Exhibit #4: Notes from Applicant*
- Exhibit #5: Paid Check from Applicant*
- Exhibit #6: Email from Karyn and Mark Ryan*
- Exhibit #7: Notification Postcard*
- Exhibit #8: Guidelines for the Brookes, Russell, and Walker Historic District*

**LOCATION AERIAL**



## **STAFF COMMENTS**

### **I. Purpose and Objective**

The purpose and objective of this agenda item is for the Historic District Commission (HDC) of the City of Gaithersburg to conduct a review of Historic Area Work Permit Application (HAWP): HIST-4605-2014, removal of two sheds (accessory structures) located in rear yard.

***View of 19 Walker Avenue from Public-Right-of-Way***



*Alternate View of 19 Walker Avenue from Public-Right-of-Way*



## II. Scope of Review

In accordance with Section 24-227(a) of *The City Code* a HAWP is required for work on public or private property which would affect the historic, archaeological, or architectural significance of a designated historic resource, any portion of which is visible or intended to be visible from the public-right-of-way.

Acting in accordance with Section 24-227.2 of *The City Code* the HDC in evaluating a HAWP shall consider and render its decision based on the following factors:

*“(a) The historic district commission, in evaluating an application for a historic area work permit, shall consider and render its decision based on the following factors:*

- (1) The preservation of the historic, archaeological, or architectural significance of the site or structure and its relationship to the historic, archaeological or architectural significance of the surrounding area;*
- (2) Guidelines for rehabilitation and new construction design for designated sites, structures, and districts adopted by resolution of the mayor and city council, including criteria for construction, alteration, reconstruction, moving and demolition which are consistent with the Secretary of the Interior's Standards for Rehabilitation;*
- (3) The relationship of the exterior architectural features of the structure to the remainder of the structure and surrounding area;*
- (4) The general compatibility of the exterior design, scale, proportion, arrangement, texture and materials proposed to be used; and*
- (5) Any other factors, including aesthetic factors, which the commission deems pertinent.*

*(b) In the case of an application for work on a historic resource, the commission shall be lenient in its judgment on plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural significance of surrounding historic resources. The historic district commission shall be strict in its judgment of plans for site or structures determined by research to be of historic, architectural or archaeological significance.”*

### III. Guidelines and Project Design

The proposed work must follow the guidance provided within the *Design Guidelines for the Brookes, Russell, and Walker Historic District*. Pages 40 of The Guidelines note the following with regard to accessory structures:

*“Accessory structures are important to the site and context of the neighborhood as is the main house and should be well maintained. These include outdoor storage sheds, trash receptacles (screened or concealed), and children’s play equipment.*

*Accessory structures shall follow the requirements in Section 24-163 of the City Code, as may be amended from time to time.*

*Accessory structures shall be located only in the rear yard*

*A residential improvement permit is required to install an accessory structure, e.g., a shed.”*

The applicant, Ann S. Ferguson, intends on removing both of the sheds from the property in their entirety. The applicant notes (**Exhibit #3**) that the two sheds *“are harboring wild animals and in disrepair, they are beginning to fall on ground due to constant digging underneath by the animals.”* They go on to note that when the City provided a service for trapped animals to be relocated, they called upon the City approximately to relocate a variety of animals (nearly one hundred in total) including: ground hogs, raccoons, opossum, and foxes. The applicant notes that the City no longer provides this service and the cost of hiring a private animal control specialist to relocate one trapped animal is approximately \$375.00, as shown on the paid check dated April 3, 2013 (**Exhibit #4**).

Furthermore, the applicant notes that the remains of dead animals are problem and, most importantly of all, the threat posed to the young children who live nearby by the foxes, who are very protective of their young, is very real. Karyn and Mark Ryan note that *“even when were on our enclosed screen porch the adult fox came through the fence into our yard, snarled and barked at us in effort to protect the den”* (**Exhibit #5**).

#### IV. Existing Architecture

19 Walker Avenue is a contributing resource to the Brookes, Russell, and Walker Historic District. The historical name of the property/house is the “Magruder” property/house. It is a two-and-one-half-story Foursquare with Colonial Revival stylistic details constructed circa 1923. It features a full-width front porch with Tuscan porch supports, nine light side passage door, paired double-hung sash windows, hipped dormer, and hipped roof.

The applicant is seeking to remove two sheds located in the rear yard of the property. The applicant believes that both of the sheds are over fifty-years-old and were probably constructed sometime shortly after the main house was constructed (which was circa 1923). Both sheds feature brick foundations, German siding, and shed roofs clad with corrugated metal.

***Two Sheds Located in Rear Yard of 19 Walker Avenue Photograph #1***



***Two Sheds Located in Rear Yard of 19 Walker Avenue Photograph #2***



***Two Sheds Located in Rear Yard of 19 Walker Avenue Photograph #3***



***Two Sheds Located in Rear Yard of 19 Walker Avenue Photograph #4***



***Two Sheds Located in Rear Yard of 19 Walker Avenue Photograph #5***



***Two Sheds Located in Rear Yard of 19 Walker Avenue Photograph #6***



***Two Sheds Located in Rear Yard of 19 Walker Avenue Photograph #7***



## **V. Conclusion**

Staff respectfully recommends that the Historic District Commission:

- 1. CONDUCT A REVIEW OF THE PROPOSED WORK (HIST-4605-2014) AT 19 WALKER AVENUE, A CONTRIBUTING RESOURCE TO THE BROOKES, RUSSELL, AND WALKER HISTORIC DISTRICT.**

**AND**

- 2. APPROVE, BY MOTION, THE PROPOSED WORK - REMOVAL OF TWO SHEDS LOCATED IN REAR YARD OF 19 WALKER AVENUE.**

**AND**

- 3. FINDING THE PROPOSED WORK TO BE IN COMPLIANCE WITH SECTION 24-227.2 OF THE CITY CODE. IN PARTICULAR, SECTION 24-227.2 (a)(5) OF THE CITY CODE, WHICH ALLOWS THE HISTORIC DISTRICT COMMISSION TO BASE ITS DECISION ON:**

***“ON ANY OTHER FACTORS, INCLUDING AESTHETIC FACTORS, WHICH THE COMMISSION DEEMS PERTINENT.”***

**AND**

- 4. FINDING THAT THE PROPOSED WORK IS A NECESSARY STEP IN ALLEVIATING THE THREAT POSED BY THE ANIMALS THAT ARE HARBORING WITHIN THE SHEDS TO THE PROPERTY OWNER/APPLICANT AND OTHER RESIDENTS LIVING IN THE BROOKES, RUSSELL, AND WALKER HISTORIC DISTRICT.**



*Gaithersburg*

City of Gaithersburg  
31 S. Summit Ave.  
Gaithersburg, MD 20877

**NOTICE OF PUBLIC MEETING  
CITY HISTORIC DISTRICT COMMISSION  
WEDNESDAY, NOVEMBER 30, 2016, at 7:30 P.M.  
City Hall Council Chambers  
31 S. Summit Ave., Gaithersburg, MD 20877**

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You are receiving this postcard to inform you of a proposal for change within 200 feet of your property, or you have expressed an interest in the subject plan(s).

<b>APPLICATION TYPE:</b>	Historic Area Work Permit
<b>FILE NUMBERS:</b>	HIST-7453-2016
<b>LOCATION:</b>	11 Russell Ave.
<b>PROPOSAL:</b>	Retroactive review of fence and shed construction and removal of tree

For additional information, you may review the project file at the Planning and Code Administration offices located at City Hall, 31 S. Summit Ave., Gaithersburg, Maryland, from 8 a.m. to 5 p.m., Monday through Friday. You may also refer to the City website at [www.gaithersburgmd.gov](http://www.gaithersburgmd.gov) or contact us via telephone at 301-258-6330.

owner_name_line_1	owner_name_line_2	owner_address_line_1	owner_address_line_2	owner_address_city	owner_adc	owner_address_zip_code
REYES MARIA D		18 PARK AVENUE		GAITHERSBURG	MD	20877
HURTADO FELIPA G		109 BROOKES AVE		GAITHERSBURG	MD	20877
WILSON ROBERT W ET AL		107 BROOKES AVE		GAITHERSBURG	MD	20877
ZHU XUGUANG		105 BROOKES AVE		GAITHERSBURG	MD	20877
BLALOCK JAMES A. 3RD	BLALOCK LYNN A.	627 AZALEA DR #1		ROCKVILLE	MD	20850
ALEXANDER LYLE A		152 LIZZIE MILLS RD		CASTLETON	VA	22716
BARRETT MATTHEW T	BARRETT AMELIA S	16 PARK AVE		GAITHERSBURG	MD	20877
GLINSMANN MATTHEW & MARIA		12 RUSSELL AVE		GAITHERSBURG	MD	20877
BERKOWITZ PAUL ET AL		14 PARK AVE		GAITHERSBURG	MD	20877
GLINSMANN MATTHEW & MARIA		12 RUSSELL AVE		GAITHERSBURG	MD	20877
AMARO GUSTAVO M & MARY S		30 STEELE AVE		ANNAPOLIS	MD	21401
MCAULIFFE ARTHUR L 3RD		9 RUSSELL AVE		GAITHERSBURG	MD	20877
I&M INVESTMENTS LLC		6 PARK AVE		GAITHERSBURG	MD	20877
NIESEN PAUL R & CANDACE		7 RUSSELL AVE		GAITHERSBURG	MD	20877
HERITAGE PTNSHP		8501 GARFIELD DR		GAITHERSBURG	MD	20882
COVELL CHARLES L JR ET AL TR		5828 WINEGROVE CT		DERWOOD	MD	20855
HOWELL PETER B JR &	CATHERINE A RIMMER	21 BROOKES AVE		GAITHERSBURG	MD	20877
SHARP FREEMAN S & N P		C/O KARA M KARR	463 WEST WATER ST	HARRISONBURG	VA	22801
No. 8 Russell Avenue Condominiums	Jim Koss	3583 Hamlet Place		Chevy Chase	MD	20815



*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's Historic District Commission will conduct a public hearing at the time and place noted below.

*Meeting:* **HISTORIC DISTRICT COMMISSION**  
*Application Type:* **HISTORIC AREA WORK PERMIT**  
*File Number:* **HIST-7453-2016**  
*Location:* **11 RUSSELL AVENUE**  
*Applicant:* **O'NEILL LAND, LLC**  
*Day/ Date/Time:* **WEDNESDAY, NOVEMBER 30, 2016, 7:30 P.M.**  
*Place:* **COUNCIL CHAMBERS, GAITHERSBURG CITY HALL  
31 SOUTH SUMMIT AVENUE**

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

The applicant requests that the City of Gaithersburg, Historic District Commission, grant a Certificate of Approval for the retroactive review of the construction of a fence and shed and removal of a tree. Section 24-227(a) of the *City of Gaithersburg Code* requires applicants to submit a Historic Area Work Permit application for work on public or private property that would affect the historic, archaeological, or architectural significance of a designated historic resource, any portion of which is visible or intended to be visible from the public-right-of-way. Contact the Planning and Code Administration at 301-258-6330 should have you any questions and/or to learn more about this process and your ability to offer testimony and input.

CITY OF GAITHERSBURG

Chris Berger, Planner  
Planning and Code Administration

**SEE LOCATION MAP ON REVERSE SIDE**



LOCATION MAP



Gaithersburg  
A CHARACTER COUNTY CITY

**HISTORIC DISTRICT COMMISSION**

HIST-7453  
-2016

FILE NUMBER

RETROACTIVE SHED,  
FENCE AND TREE

TITLE

**HISTORIC AREA WORK PERMIT**

APPLICATION TYPE

WEDNESDAY

DAY

11/30/2016

DATE

**7:30 P.M.**

GAITHERSBURG CITY HALL  
31 SOUTH SUMMIT AVENUE

\*SUBJECT TO CHANGE  
CALL 301-258-6330  
[www.gaithersburgmd.gov](http://www.gaithersburgmd.gov)