



HISTORIC PRESERVATION COMMISSION

Marc Elrich
County Executive

Robert Sutton
Chairman

Date: October 15, 2024

MEMORANDUM

TO: Rabbiah Sabbakhan
Department of Permitting Services

FROM: Rebeccah Ballo
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit 1075954 - Demolition of shed, stone wall, and tree removal

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **Approved** by HPC at their October 9, 2024 hearing with one condition:

1) The stones from the wall may be deconstructed and stacked, but should not be removed from the property. Future plans for new construction on the property must reuse the stones as part of the new construction.

The HPC staff has reviewed and stamped the attached submission materials.

Applicant: Matthew Keller, Building Solutions LLC
Address: 309 Market Street, Brookeville

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made. Once work is complete the applicant will contact Rebeccah Ballo at 301.543-3404 or rebeccah.ballo@montgomeryplanning.org to schedule a follow-up site visit.





**APPLICATION FOR
HISTORIC AREA WORK PERMIT**
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:
HAWP# 1075954
DATE ASSIGNED _____

APPLICANT:

Name: Matthew Keller (Building Solutions) E-mail: building.solutions.11c@yahoo.com
Address: 8111 Harford Rd City: Parkville Zip: MD 21234
Daytime Phone: 410 459 2764 Tax Account No.: 88-3859171

AGENT/CONTACT (if applicable):

Name: _____ E-mail: _____
Address: _____ City: _____ Zip: _____
Daytime Phone: _____ Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property 23/65

Is the Property Located within an Historic District? Yes/District Name Brookeville HD
No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 309 Street: Market Street
Town/City: Brookeville Nearest Cross Street: _____
Lot: _____ Block: _____ Subdivision: _____ Parcel: _____

APPROVED
Montgomery County
Historic Preservation Commission

Rebecca Ballo

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify for proposed work are submitted with this application. Incomplete applications will not be accepted for review. Check all that apply:

- | | |
|--|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch |
| <input type="checkbox"/> Addition | <input type="checkbox"/> Fence |
| <input checked="" type="checkbox"/> Demolition | <input type="checkbox"/> Hardscape/Landscape |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof |

REVIEWED removal/planting
By Rebecca Ballo at 11:40 am, Oct 15, 2024

I hereby certify that I have the authority to make the foregoing application, that the application is correct and accurate and that the construction will comply with plans reviewed and approved by all necessary agencies and hereby acknowledge and accept this to be a condition for the issuance of this permit.

Signature of owner or authorized agent

Date 7-25-21

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

The lot is vacant.

There is a failing structure (shed) that needs to be torn down.

Description of Work Proposed: Please give an overview of the work to be undertaken:

Remove and take down failing shed (35x12)

Remove stone retaining wall (30 linear ft)

Haul away all materials / debris

* we are NOT rebuilding. *

APPROVED
 Montgomery County
 Historic Preservation Commission




PER HPC CONDITION STONE WALL MAY BE DECONSTRUCTED AND STACKED ON SITE BUT NOT REMOVED.

REVIEWED
 By Rebecca Ballo at 11:40 am, Oct 15, 2024

Work Item 1: <u>Shed</u>	
Description of Current Condition: 35x12 in Dimension In bad condition, currently falling down	Proposed Work: Completely remove NOT re building

Work Item 2: <u>Stone retaining wall</u>	
Description of Current Condition: 30 linear foot stone wall	Proposed Work: Completely remove NOT re building

PER HPC CONDITION, STONE WALL MAY BE DECONSTRUCTED AND STACKED ON SITE BUT NOT REMOVED.

Work Item 3: _____	
Description of Current Condition: 	Proposed Work: _____

APPROVED
Montgomery County
Historic Preservation Commission


REVIEWED
By Rebecca Ballo at 11:40 am, Oct 15, 2024



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

May 7, 2024

Scott Bruton
Director

FNA DZ LLC
201 W LAKE STREET
CHICAGO, IL 60606

PROPERTY: 309 MARKET ST
CASE NUMBER: 184422

DEAR Sir &/or Madam FNA DZ LLC:

You are hereby notified that your property referenced above has become a visual blight, and therefore constitutes a public nuisance, as defined in Section 26-2 of the Montgomery County Code (the 'Code').

Pursuant to Section 26-9(a)(12) of the Code, you must bring your property into compliance within 10 days of this notice by removing all conditions which contribute to or are creating a visual blight in a manner that will prevent the conditions from reoccurring.

The Director of the Department of Housing and Community Affairs ('DHCA') has determined that immediate action is required to bring your property into compliance in order to protect adjacent properties, as well as the public's health and safety.

For that reason, failure to comply with this notice of violation will result in the County entering your property pursuant to Sections 26-15(a) and (b) of the Code as needed throughout the growing season to remove all conditions creating the visual blight. You will be billed for the entire cost of all removals, and this debt will be collected in any way legally available for the collection of debts owed to the County.

If you have brought the property into compliance, or wish to discuss this matter, please call me at the number below. Your cooperation in complying with this notice is greatly appreciated

Sincerely,

Ivey Quarles
Housing Code Inspector III
(240) 777-3738
Ivey.Quarles@montgomerycountymd.gov

Enclosure(s)

Division of Community Development

Code Enforcement Common Ownership Communities Landlord-Tenant Affairs

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3701 FAX • www.montgomerycountymd.gov/dhca



ADDENDUM

Case Number: 184422

Property: 309 MARKET ST

Location	Item	Condition	Action	ID
Exterior	Tree/ Tree Limbs/ Shrubbery	General Condition	Remove dead tree - standing	660118
26-9(b)(5) Severity: High Comments: This applies to all standing dead trees on your premises. (CITATION ISSUED).				
Exterior	Accessory Structure	General Condition	Repair or replace or remove	660119
26-9(a)(1) Severity: Medium Comments: Attached Storage Shed—Demolish/remove dilapidated storage structure with damaged to walls/siding, windows, gutters, and roof that is attached to rear of existing shed. Also, please note this dilapidated structure has been enclosed within a chain link fence area to eliminate unauthorized casual entry. (CITATION ISSUED).				
Exterior	Retaining Wall	General Condition	Repair/Replace	660155
26-9(a)(1) Severity: Medium Comments: The damaged walls remaining of fire damaged house and garage. (CITATION ISSUED).				
Exterior	Yard	Grass and Weeds	Cut within 10 days and maintain	664679
26-9(b)(5) Severity: Medium Comments: New item: Per County Violation Notice posted on 5/6/24, cut/trim/maintain overgrown grass, weeds, and yard throughout the remainder of this growing season. 10-day correction required by 5/16/24.				
Exterior	Shed	General Condition	Repair or replace or remove	660117
26-9(a)(1) Severity: Low Comments: Repair, replace, or remove the original shed structure with damaged to siding, doors, roof, gutters, and windows. Then, clean or power wash to removed excessive algae and peeling/flaking; then scrape, seal, and repaint entire structure--walls, doors, windows, and trim work. (CITATION ISSUED).				
Exterior	Solid Waste	General Condition	Remove and maintain grounds	660120
26-9(a)(8) Severity: Low Comments: This includes but is not limited to pieces of lumber, sheets of plywood, rusted metal cart, wheelbarrow, pile of brush, and any other miscellaneous debris on grounds of this premises. (CITATION ISSUED).				

Important notice:

The Montgomery County Code establishes minimum requirements for building and maintenance standards that contain clear and specific provisions. All repairs, maintenance work, alterations or installations shall be executed in a workmanlike manner and in compliance with all applicable codes. In addition, it is the responsibility of the property owner (or agent) to obtain any required permits through the Montgomery County Department of Permitting Services and/or the Montgomery County Historic Preservation Commission where applicable.

Visit <https://www.montgomerycountymd.gov/DPS/divisions/residential/index.html> for more details regarding required permits. For more information about the Housing Code Enforcement process, visit <https://www.montgomerycountymd.gov/DHCA/community/code/index.html>.



NOTICE OF VIOLATION / SEVERE CONDITIONS

Case Number: 184422 Date: 5/6/24
Owner's Name: FNA DZ LLC Premise Address: 309 MARKET STREET
Owner's Address: 201 W. LAKE STREET City / State / Zip: BROOKVILLE, MD 20833
City / State / Zip: CHICAGO, IL 60606

For Montgomery County, Maryland, the undersigned issuer, being duly sworn upon his/her oath, states that on the 6th Day of MAY, 2024 an inspection of the above referenced property shows the following severe violation(s) of Chapter 26 of the Montgomery County Code, which affect neighboring properties, the health or safety of the occupants, or the public and therefore, pursuant to Section 26-15, require(s) immediate action:

SECTION 26-9 Remove all Solid Waste To Include: _____

SECTION 26-9 * Cut All Weeds and Generalized Plant Growth: CUT/TREM/MAINTAIN OVERGROWN YARD GRASS WEEDS ON YOUR LOT. LOT MUST BE MAINTAINED THROUGHOUT THE REMAINDER OF THIS GROWING SEASON.

SECTION 26-13 Must Secure Structure from Unauthorized Entry: _____

Other Violations: 26-9 (5) PREVIOUSLY CITED VIOLATIONS PER 4/2/24 VIOLATION LETTER WILL HAVE CITATIONS ISSUED.

The owner/occupant is hereby put on notice to correct the noted violations within 10 days / hours, or be subject to a fine of \$ 500- for the first day and \$ 500- for each day thereafter the violation exists.

Further, if the violations have not been corrected by the date indicated, the County may enter the property and eliminate the unsafe and severe conditions by removing all solid waste, cutting all weeds and generalized plant growth, securing the structure, or otherwise eliminating the unsafe severe conditions. You will be billed for any costs associated with abating the unsafe and severe conditions and the costs shall constitute a debt owed the County and may be placed on the tax bill as a lien on the property and collected as ordinary taxes are collected, or collected as any other debt in accordance with Chapter 26-15(c).

Signature of Issuing Officer / Phone Number: [Signature] (240) 777-3738

ID Number: TVEY QUARLES

Signature of Recipient: NOTICE POSTED 5/6/24

Printed Name of Recipient: NOTICE POSTED 5/6/24

Signing this Notice is NOT an admission of guilt.

September 17, 2024

To Whom It May Concern:

Building Solutions LLC, MHIC #103284 -01

RE: 309 Market St. Baltimore, MD 21212



SHED/ TREE INSPECTION

The structure is found to be completely deteriorated. Many sections have already collapsed, others are on the verge of collapsing. We found a lot of rot due to weather and water leaking for so many years. There is extensive termite and insect damage to the wood. The sill plate (board the structure sits on) is completely deteriorated and can give in completely. Many rafters have collapsed along with structural framing due to insects and water damage.

It's our opinion as a structural framing company that not only would it be cost prohibited, due to the fact 70- 80% of the structure shows signs of damage. It would be very hazardous as the building cannot be shored properly. There is a large sink hole on the left side of the structure that the county has put a fence around. Its origins are unknown.

On the front left corner there is a large tree pushing against the structure. It could very well be holding the structure in its place. The tree is completely rotten and appears as if it may fall at any time.

There is an old foundation wall which was likely part of the razing permit years ago, it's failing extensively. The mortar is beyond its useful life. The wall is tilting, and individual stones are falling out.

We conclude the structure, the wall, and tree should all be removed, and not salvageable.

Please feel free to reach Mick Maroney at 443-695-7005 should you have any questions.

Building Solutions LLC