

25412 Frederick  
10/59-96A 25822 Old Hundred Rd.  
(Hyattstown Historic District)

**HISTORIC PRESERVATION COMMISSION**

of

**MONTGOMERY COUNTY**

**8787 Georgia Avenue  
Silver Spring, Maryland 20910**

**301-495-4570**

Case no.: 10/59-94A REVISION

Received: April 3, 1996

Public Appearance: April 24, 1996

Before the Montgomery County Historic Preservation Commission

Application of Mike Cavanaugh/ Rocco Campanaro  
25912 Frederick Road, Hyattstown

**DECISION AND OPINION OF THE COMMISSION**

Decision of the Commission: DENY the applicant's proposal for revisions to a previously approved design for construction of a new house.

Commission Motion: At the April 24, 1996 meeting of the Historic Preservation Commission (HPC), Commissioner Soderberg presented a motion to deny the application for revisions to a previously approved Historic Area Work Permit at 25912 Frederick Road in Hyattstown. Commissioner Bienenfeld seconded the motion. Commissioners Reed, Eig, Clemmer, Kousoulas, Bienenfeld and Soderberg voted in favor of the motion. Commissioner Lanigan voted against the motion. The motion was passed 6-1. Commissioners Jordan and Trumble were absent.

**BACKGROUND**

The following terms are defined in Section 24A-2 of the Montgomery County Code:

Board: The county board of appeals of Montgomery County, Maryland.

Commission: The historic preservation Commission of Montgomery County, Maryland as described hereinafter.

Exterior features: The architectural style, design and general arrangement of the exterior of an historic resource, including the color, nature and texture of building materials, and

the type or style of all windows, doors, light fixtures, signs or other similar items found on or related to the exterior of an historic resource.

Historic District: A group of historic resources which are significant as a cohesive unit and contribute to the historical, architectural, archeological or cultural values within the Maryland-Washington Regional District and which has been so designated in the master plan for historic preservation.

Historic Resource: A district, site, building, structure or object, including its appurtenances and environmental setting, which is significant in national, state or local history, architecture, archeology or culture. This includes, but is not limited to, all properties on the Locational Atlas and Index of Historic Sites in Montgomery County.

Permit: An historic area work permit issued by the director authorizing work on an historic site or an historic resource located within an historic district.

On April 3, 1996, Mike Cavanaugh, with the approval of the owner, Rocco Campanaro, applied for a Historic Area Work Permit (HAWP) to revise a previously approved permit for construction of a new house at 25912 Frederick Road in the Hyattstown Historic District. The property is in the Hyattstown Historic District.

Hyattstown, founded by Jesse Hyatt, was originally platted in 1798 and is significant as one of the largest cohesive collections of relatively unaltered 19th century buildings in Montgomery County. The town, a rural village, was created to service the needs of travelers and nearby farm families. It is located along a single tree-shaded street and is a fine example of linear development along a major artery, opened about 1750, to connect the tobacco port of Georgetown with the colonial city of Frederick. With the establishment of Washington as the nation's capital, Frederick Road continued as an important artery linking the westward expanding frontier to its new capital city.

Hyattstown appears today much as it did in the 19th Century. Interspersed among modest homes are the many structures essential to 19th century village life including an old school, churches, several shops and offices and a hotel. The majority of the homes in Hyattstown were erected close together on quarter-acre lots and very close to the roadside. The houses, mostly built between 1800 and 1900, are visually important features of Hyattstown's streetscape. The historic district is comprised of approximately 38.6 acres and about 30 structures. There are few architectural intrusions into the feelings of time and place created by the homes and churches. The lots and alleys are situated just as they were back in the 18th and 19th centuries. Included in the district in addition to residential uses are churches, a service station, an auto body shop, a restaurant and the Hyattstown Volunteer Fire Department.

The review of the proposal for new construction at 25912 Frederick Road has a long history. A brief overview of that history is as follows:

At a meeting of the HPC on January 12, 1994, there was a preliminary consultation on this issue. At that time, the Historic Preservation Commission (HPC) offered comments to the applicant and property owner, Rocco Campanaro, on his proposal to construct a new house on Lots 99 and 100 and a 10' wide driveway off Old Hundred Road in Hyattstown. These lots were located behind lots fronting on Frederick Road, north of Old Hundred Road in the Hyattstown Historic District.

On February 23, 1994, the HPC began the formal review of a HAWP for this property. They discussed in detail issues of access and the appropriateness of building behind streetfront lots facing Frederick Road, as presented by the applicant's proposal. Staff reviewed the 35mm slides of the property with the HPC and presented a report. Staff referred the HPC to an earlier comprehensive study of Hyattstown, prepared by a consultant for M-NCPPC in August, 1992. The study focused on various character-defining features of the district which includes setbacks, rhythm and space between buildings, and geographic and landscape features. Staff stated that there is very little departure from the strict linear configuration of houses facing Frederick Road. Two HPC Commissioners were concerned about the establishment of a precedent of approving new buildings to be sited in the backyard of existing homes fronting on Frederick Road. Commissioners felt that the structure should make a gesture to the historic road.

Secondly, Commissioners felt that there was insufficient information available to determine if access off Old Hundred Road, as shown in the applicant's proposal, could be approved. The dedicated public road in this area was platted in 1802 (West Lane) and it was only six feet in width. Commissioners also expressed concerns about additional new construction in the future and felt that the house should straddle Lots #99 and 100 - which would require resubdivision.

The Commissioners also discussed the character of the proposed structure, issues of compatibility raised by the design of the new house and the necessity for landscaping to buffer new construction from the historic road. The HPC suggested that the proposed structure should be modest in size and face Old Hundred Road (West Lane). The structure should be 1 1/2 stories with an adequate tree stand. The tree stand would offer some mitigation to a muddled backyard-frontyard relationship visible from Frederick Road. The HPC deferred action and further comment at that time and HPC staff was requested to work with the applicant to provide additional information to the Commission on the validity of the lot and issues of access.

On March 9, 1994, staff presented a report to the HPC discussing the unresolved issues and the HPC further commented on the proposal. In order for the project to receive HPC approval, the applicant would be required to submit a revised site plan, provide archeological information from the M-NCPPC Parks Department Archeologist on the nature of an existing foundation, and - most importantly - utilize wood trim, wood siding, and wood double-hung windows/doors and traditional porch rail details for a small structure, fairly devoid of ornamentation.

In lieu of re-subdivision to consolidate recorded lots, Mr. Campanaro decided to re-site the house only on Lot 100. The process of re-subdivision to consolidate lots requires filing and noticing of affected property owners. This sixty-day process establishes a record plat required for release of building permits. Re-subdivision to consolidate Lots 99 and 100 would have been required because the house, as shown in the proposal, occupied two lots. A structure can not occupy more than one lot.

Mr. Campanaro decided to re-site the proposed house and not file for re-subdivision. In lieu of lot consolidation, Mr. Campanaro offered to provide a recorded covenant or deed restriction stating that Lot 99 would remain unimproved.

Then on April 27, 1994, the HPC completed the review of the Historic Area Work Permit for this property. The applicant had made all required revisions and a HAWP for new construction of a modest single family house 32' wide by 28' deep was approved for applicant, Rocco Campanaro. A 6' deep back porch, facing Frederick Road, with low railing across the width of the house would be built and a front porch, 8' wide by 5'6" deep facing Old Hundred Road (West Lane) would be constructed on the front facade. It would be an open porch without railing.

On January 23, 1995, a new HAWP was filed by Rocco Campanaro to remove a tree on this property. This proposal was necessary to provide well facilities to service the previously approved new single-family house. The HPC approved the proposal with the condition that the tree should be removed without disturbance to the root systems of other adjacent tree specimens.

A year later, on January 29, 1996, the applicant, Rocco Campanaro, filed another HAWP application to construct a 12' wide gravel driveway in the area of First Alley. First Alley was a public right of way created by a recorded plat for Hyattstown on March 22, 1802.

This 1802 plat created two major streets - Main Street (MD Route 355) and Gay Street (MD Route 109). The plat also created two lanes - East Lane and West Lane, each of which was to be 6 feet wide - and three alleys. The alleys were originally intended to be 24 feet 9 inches wide, but an error occurred in laying out the lots; thus the alleys were reduced to 16 feet 6 inches wide.

The Commission reviewed this proposal on March 13, 1996, after the applicant satisfied noticing requirements. At that meeting, the HPC requested additional information determining the exact location of the driveway and details of its construction. The HPC also wanted expert testimony from the applicant's engineer to address the issue of the most appropriate surfacing material and adequate grading for the proposed driveway. At the applicant's request, this case was continued to provide sufficient time to secure the additional documentation requested.

The applicant provided all requested documentation and additional testimony from his engineer on April 10, 1996. At that meeting, the HPC approved a HAWP proposal to construct a

10' wide asphalt driveway commencing at Frederick Road. As part of the conditions for approval, at the property line the driveway material shall be gravel, and every consideration shall be undertaken to alleviate drainage problems on Lot 45 due to construction on the subject property.

#### EVIDENCE IN THE RECORD

*at April 24<sup>th</sup> meeting, the commission reviewed a REVISION to HAWP*  
~~On April 3, 1996,~~ Mike Cavanaugh (prospective purchaser) with the approval of the owner, Rocco Campanaro, filed a HAWP requesting various revisions to the already approved Historic Area Work Permit. Copies of the applicant's Historic Area Work Permit application and a written report from the Historic Preservation Commission staff were distributed to Commissioners on April 17, 1996. At the HPC meeting of April 24, 1996, HPC staff person Patricia Parker presented the proposal to the HPC for consideration. Because the HPC had recently reviewed a HAWP proposal concerning this property, slides of the property were not shown.

This application proposed several revisions to the approved house design, including: an increase in floor area, an increase in overall building height, a reorientation of the house so that the front door would face Frederick Road instead of Old Hundred Road, a re-design of the second story dormers, re-design of the front and rear porches, a change from using wood siding to using a wood composite for siding, installation of a heat pump at the rear, raising the foundation one foot and installing basement windows with foundation plantings, deletion of the external chimney, adding side and back door porch roofs with simple bracketing, relocating windows and doors; changing the configuration of windows to 1/1 with screens, driveway installation, and adding roof overhang.

Staff testified that the applicant's proposed revisions would mostly affect the facade facing Old Hundred Road (West Lane). This would become the rear of the new house and additional massing would appear on this elevation - appearing as a full two-story house. In addition the house would be taller than previously approved with a new ridge line approximately 2'6" above the approved roofline.

Staff felt it was appropriate for additional massing to face Old Hundred Road (West Lane) which is an area outside the historic district. However, staff did recommend that the proposed new full-width dormer on this side should be indented at least 12" from each side wall so as not to be apparent on the end elevation which would be visible from Frederick Road.

Staff also felt that the full-width porch should be retained on the elevation facing Frederick Road. Staff felt that the proposed revision to raise the foundation one foot would be discernible from the public right-of-way and would add to the apparent height of the house. Staff also felt that if screens were to be approved for 1/1 windows that the screens should align with the meeting rail of each window. Staff did not find other elements of the revised proposal problematic and stated that the HPC had already reviewed a HAWP proposal to construct the new driveway so that review of this element of the application was unnecessary.

The applicant, Mike Cavanaugh, presented his proposal and stated that the proposed alterations were not a major deviation from the previously approved plans. He showed a sample of the composite wood siding that he proposed to use on the exterior of the structure and stated that it would maintain its appearance better and longer than traditional wood siding. He emphasized that he needed to increase the size of the new house as proposed to make the house marketable in today's real estate market.

Karen Keibler, an adjacent property owner, testified that no archeological work had been done on the property and her family had a special interest in the results of such work. She also testified in opposition to the proposed revised proposal. She felt that it would permit construction of a four bedroom/two bath house, which was much larger than the earlier proposal and inconsistent with other resources within the Hyattstown Historic District. She asked the Commission to focus on the costs involved to the historic district if this proposal were to be approved.

Ed Schmidt, also an adjacent property owner, expressed a problem with timely notification of this proposal. He also stated that he felt that the house simply seemed to be getting bigger and bigger and that large, modern houses were incompatible with the historic town. Hyattstown is currently besieged with developer interest due to the forthcoming water and sewer and that the HPC should remain vigilant to protect the character of the historic town.

Julie Fox, an adjacent property owner, submitted comments for the record and felt that this proposal was abusing the land in the interests of developers. She felt that the applicant's documentation to date has been insufficient and that costs have been unnecessarily incurred by adjoining property owners, in an effort to protect their property interests. They have had their properties re-surveyed. She submitted comments to be included as part of the record.

Jeff Gross, an adjacent property owner, asked the HPC to consider the proposed revisions to be inconsistent with the approved and adopted Amendment to the Master Plan for Historic Preservation. Changes, such as artificial siding and deletion of the external chimney are inappropriate and incompatible. All residential buildings within the historic town have a chimney.

Rocco Campanaro, property owner, stated that he bought the property twenty years ago. He has followed the decisions of the Commission and incorporated them in his application. Therefore, he felt that he had a right to build on this property.

Commissioner Reed stated that she could approve a structure one and one-half stories high, but that the proposed revision, adding approximately 700 square feet, was sizable and too large for new construction in this location and within this historic district.

Commissioner Soderberg was opposed to the proposed change in siding material. She reminded the applicant, Mike Cavanaugh, that this structure would be situated in the middle of the historic district and, thus, that she could not support a larger structure in mass or height. She

could however approve the addition of a heat pump facing Old Hundred Road (West Lane) and not visible from Frederick Road.

Commissioner Lanigan felt that the HPC's earlier approval of a large metal building elsewhere within the Hyattstown Historic District was very damaging, and these proposed revisions were much less damaging to the historic character of the area.

Commissioner Bienenfeld apologized to one of the adjacent property owners, Ed Schmidt, for any problems in notification. Staff indicated that it was a secretarial error that he was not given more notice, but that Mr. Schmidt's name and address were a part of our files. She also felt that the revised proposal should be reduced back in size to the original proposal; and that the chimney should not be deleted.

Commissioner Eig was opposed to the revised proposal for many of the reasons stated by other Commissioners.

Commissioner Clemmer could only support the applicant's request for installation of the heat pump facing Old Hundred Road (West Lane) and for additional roof overhang.

Commissioner and Chair George Kousoulas was very concerned about the major expansion of the house as presented by the revised proposal. This proposal would represent a 20-30% increase - a significant modification.

#### **CRITERIA FOR APPROVAL AND FINDINGS OF THE COMMISSION**

The criteria which the Commission must evaluate in determining whether to deny a Historic Area Work Permit application are found in Section 24a-8(a) of the Montgomery County Code, 1984, as amended.

Section 24a-8(a) provides that:

The Commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate or inconsistent with, or detrimental to the preservation, enhancement or ultimate protection of the historic site, or historic resource within an historic district, and to the purposes of this chapter.

In analyzing whether the criteria for issuance of a Historic Area Work Permit have been met, the Commission also evaluates the evidence in the record in light of generally accepted principles of historic preservation, including the Secretary of the Interior's Standards for Rehabilitation and Guidelines, adopted by the Commission on February 5, 1987. In particular, Standard #1, Standard #2 and Standard #9 are applicable in this case:



Standard 1: A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

Standard 2: The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Standard 9: New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.

Based on this, the Commission finds that:

1. As submitted in the HAWP application, the proposed revisions to the previously approved design are not consistent with the preservation and enhancement of the architectural and historic character of the Hyattstown Historic District.
2. As submitted, the proposal includes an increase in floor area achieved by enclosing the open porch, adding a full story of livable space with the change to a dormer across the full-width of the house, and by adding a basement level. In the original proposal, the new house would be constructed to have approximately 1,380 square feet. In the new proposal, the house, excluding the basement, would contain 2,056 square feet. These new features would add approximately 676 square feet to the house excluding the basement.

In evaluating and approving the initial proposal, the Commission approved a modest dwelling appropriate and compatible with other structures in the historic district. Because of its size and massing, the new proposal would be inconsistent with existing residential structures in the Hyattstown Historic District and the defining characteristics of the site and its environment.

3. As submitted, the proposal includes a full-width shed dormer on one facade and a new ridge line 2'6" above the approved roofline. The applicant also proposes to raise the foundation one foot. Although the additional massing would face Old Hundred Road (West Lane), which is outside the historic district, the increased height of the new structure would adversely affect the vista from Frederick Road. The new house would be located on a knoll and, therefore, it would appear even taller from the street because of the rise in topography. This increase in height is not consistent with the architectural character of the historic district.
4. As submitted, the proposal includes a change from wood siding to a wood

composite siding. The Historic Preservation Commission determined that the new structure should be constructed of materials that are appropriate and compatible with existing fabric within the historic district. Composite wood siding is not an authentic or appropriate material.

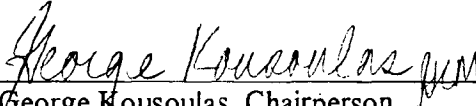
5. As submitted, the proposal includes the deletion of the external chimney. Testimony was offered and the Commission concurs that houses within Hyattstown contain chimneys as an important feature. The Commission decided that this feature should be retained.
6. As submitted, the proposal includes relocating windows and doors. As the Commission felt that the house should remain the same size as originally approved, then the review of relocating windows and doors was determined to be unnecessary.
7. Approval of the proposed Historic Area Permit application would substantially alter the character of the Hyattstown Historic District and would cause the loss of the historic integrity of the district. The proposal to construct a house of the size proposed on a prominent knoll is incompatible with the historicity of the district.

## CONCLUSION

The Commission was guided in its decision by Chapter 24A of the Montgomery County Code and by the Secretary of the Interior's Standards and Guidelines for Rehabilitation.

Having heard and carefully considered all of the testimony and exhibits contained in the record, and based on this evidence and on the Commission's findings, as required by Section 24A-8(a) of the Montgomery County Code, 1984, as amended, it is the decision of the Montgomery County Historic Preservation Commission that the application of Mike Cavanaugh/ Rocco Campanaro for revisions to a previously approved house design in the Hyattstown Historic District be DENIED.

If any party is aggrieved by the decision of the Commission, pursuant to Section 24A-7(h) of the Montgomery County Code, an appeal may be filed within thirty (30) days with the Board of Appeals, which will review the Commission's decision *de novo*. The Board of Appeals has full and exclusive authority to hear and decide all appeals taken from decision of the Commission. The Board of Appeals has the authority to affirm, modify, or reverse the order or decision of the Commission.

  
George Kousoulas, Chairperson  
Montgomery County Historic  
Preservation Commission

  
\_\_\_\_\_  
Date

25912 Fredrick Road  
#10/59-96A HOG 3/13/96

3/26/96-  
See - please notice all others  
+ Edward Schmidt.  
25824 Old Hundred Road  
Dickerson, Md. 20842

(301) 428-6055 (W)

(301) 874-2139 (H)

3/14/96 -  
See - RR. Campana case:  
please notice Edward Schmidt  
+ all others previously noticed.

Edward Schmidt  
25824 Old Hundred Road  
Dickerson, Maryland 20842

Postponed 10/15/96  
until 4/15/96 -  
pk

~~2/2/96~~

wanting on info. ~~Fed.~~

X613

Sum

R. Campman. -

Karen Keibler

25908 Frederick Road

Clarksburg, Md. 20871

831-8767

William Wirts  
Tri-County Surveys, Inc.  
~~(301) 253-3591~~

(301) 831-3655  
stated that he stacked off the  
drawings something you  
providing 25' width for  
drainage access.

See Fall in Addresses  
about Property Address.  
Chang & Campuses.

Environmentally  
gravel DOT specifications -  
dust - base composition -  
maintenance retain small amount  
1st hot mix  
2nd - all round  
used aggregate

Nabil Ghalyani X566



Post-it® Fax Note		7671	Date	4/14/96	# of pages ▶
To	Jeff Guss / Julie Fox		From	PAT PARKER	
Co./Dept.			Co.	M. NCPPC	
Phone #			Phone #	(301) 495-4730	
Fax #	(301) 874-3052		Fax #	(301) 495-1307	

Post-it® Fax Note 7671

Date 4/10/96 # of pages ▶

To Ed Schmitt

From PAT PARKER

Co./Dept.

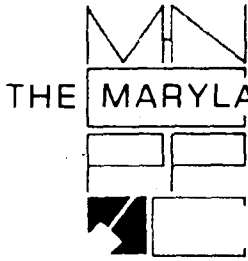
Co. M-NCCPC

Phone #

Phone # (301) 495-4730

Fax # (301) 353-8619

Fax # (301) 495-1307



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

DATE: March 14, 1996

MEMORANDUM

TO: Robert Hubbard, Chief  
Division of Development Services and Regulation  
Department of Environmental Protection (DEP)

FROM: Gwen Marcus, Historic Preservation Coordinator  
Design, Zoning, and Preservation Division  
M-NCPPC

SUBJECT: Historic Area Work Permit

The Montgomery Historic Preservation Commission has reviewed the attached application for a Historic Area Work Permit. The application was:

Approved  Denied

Approved with Conditions: \_\_\_\_\_

- 1.) The new 10' wide asphalt driveway shall commence at Trullerick Road. At the property line the driveway material shall be gravel.
- 2.) Every consideration to alleviate drainage on lot 45 property shall be undertaken.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERANCE TO THE APPROVED HISTORIC AREA WORK PERMIT (HAWP).

Applicant: Rocco Campanero

Property Address: 25912 Trullerick Rd. (changed from 25822 Old Hundred Rd.)

\*\*\*THE APPLICANT MUST ARRANGE FOR A FIELD INSPECTION BY CALLING DEP/FIELD SERVICES (217-6240) FIVE DAYS PRIOR TO COMMENCEMENT OF WORK AND WITHIN TWO WEEKS FOLLOWING COMPLETION OF WORK.

Mailing Address: P.O. Box 185  
Clarksburg, Md. 20871

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 25912 Frederick Road

Meeting Date: 4/10/96

Resource: Hyattstown Historic District

HAWP: Alteration

Case Number: 10/59-96A **CONTINUED**

Tax Credit: No

Public Notice: 3/27/96

Report Date: 4/10/96

Applicant: Rocco Campanaro

Staff: Patricia Parker

PROPOSAL: Construct new driveway

RECOMMEND: Approval  
w/conditions

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BACKGROUND

This proposal was initially discussed by the HPC on March 13, 1996 (staff report attached) and was continued to provide additional information and resolve noticing insufficiencies. Included as part of this report is a drawing requested by the HPC (prepared by the applicant's engineer) indicating the proposed location of the driveway, engineering recommendations for construction of the driveway, and locations of existing structures close to the proposed driveway.

The applicant seeks HPC approval to construct a new driveway to service a previously approved new 28' x 32' one and one-half story frame single-family house. The house will be located on unimproved property, Lots 99 and 100, which are off First Alley (behind lots which front Frederick Road) and north of Old Hundred Road in the Hyattstown Historic District.

On April 27, 1994, the HPC discussed with the applicant issues of openness as they relate to rural historic districts. The HPC expressed concern about further intrusion in areas behind lots fronting on Frederick Road. To address this concern, the applicant, in lieu of lot consolidation has placed a restrictive covenant on Lot 99 to prohibit any future construction. Staff has provided, as part of the staff report, a copy of the restrictive covenant recorded and placed on the property.

The approved house would be located on Lot 100 and the driveway would service the house. As currently approved, the house would face West Lane with a shallower, smaller porch than a proposed porch facing Frederick Road. The house would then make a gesture to Frederick Road.

The proposal for construction of a new single-family house was approved by the HPC on April 27, 1994. Subsequent to that meeting, the applicant submitted an additional HAWP for review to remove a tree for construction of well facilities to service the house. This HAWP application was approved by the HPC on March 8, 1995, with the condition that the tree should be removed without disturbance to the root systems of other adjacent tree specimens.

PROPOSAL

On March 13, 1996, the applicant appeared before the HPC with a proposal to construct a 12' wide gravel driveway with a 15' apron in the area of First Alley. This proposal has been altered substantially and a lot of additional detail has been provided. Now the applicant comes before the

HPC with the current proposal to construct a 10' wide asphalt driveway with swale within the area legally described as First Alley. As indicated on the provided drawing, the 10' wide paved driveway would originate off Frederick Road and become wider as it approached the side elevation of the house, for a turnaround area. There would be a swale constructed that would direct stormwater into an existing yard drain off site (on Lot 45).

Removal of trees are not a part of this proposal.

#### STAFF DISCUSSION

The applicant has provided the additional information requested - an adequate description of the driveway with respect to its location, width and composition. As proposed, the driveway would be 4" asphalt over 3" crushed stone. The asphalt is recommended so as to create a stable driveway surface. The HPC may want to discuss whether they feel asphalt is an appropriate material for this driveway, given the rural character of the Hyattstown Historic District. A 4' wide swale having 4 to 1 slope would be situated parallel to the driveway connecting to an existing yard drain on Lot 45.

Staff has discussed the applicant's proposal with other M-NCPPC staff in environmental planning. They feel that the proposed swale may provide a solution to existing storm water problems presently experienced by the owner of the adjacent property on Frederick Road - Lots 45 and 46. Lots 45 and 46 are located down the hill from the applicant's property.

An additional feature that may be helpful in directing storm water away from Lots 45 and 46 would be the construction of rolled asphalt curbing on the south side of the paved driveway, commencing at the edge of the house until it reached the proposed swale.

One issue that must still be resolved is where the storm water will end up. As currently proposed, the swale directs storm water to an existing yard drain on Lot 45. This is only possible if there is adequate capacity in this drain and if the owner of the property (Lot 45) grants an easement. **If capacity is inadequate and an easement is not given**, then the swale should continue east to Frederick Road and connect to existing roadside drains, pending approval from the State Highway Administration.

#### STAFF RECOMMENDATION

With the following conditions to revise the application, staff recommends that the Commission find the proposal **consistent** with the purposes of Chapter 24A-8(b)5:

The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship;

and with the Secretary of the Interior's Standards for Rehabilitation #1 and 2:

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment; and

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;

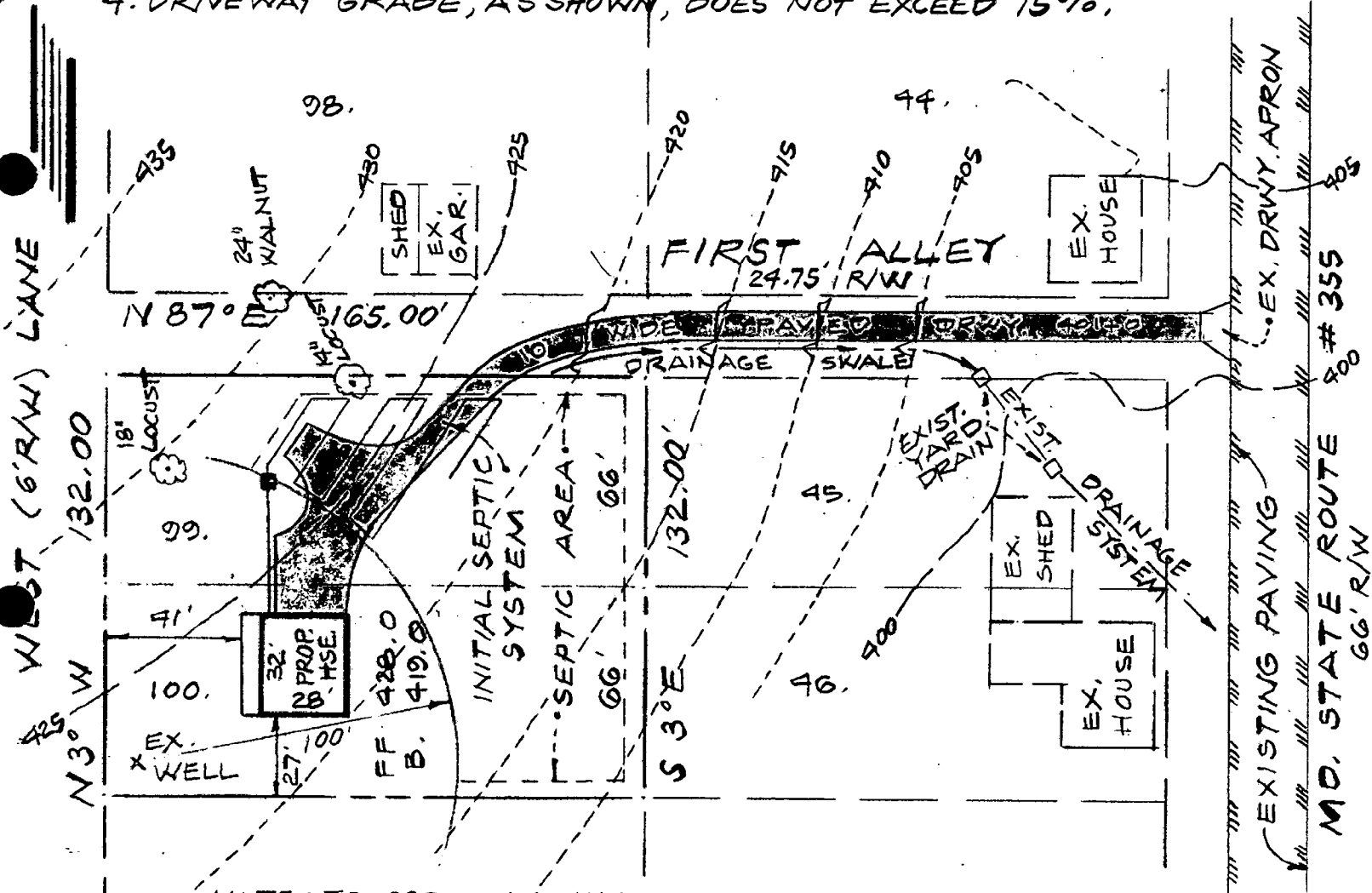
and with the following conditions:

**Conditions:**

- 1) The new 10' wide asphalt driveway shall be constructed with a rolled asphalt curb **only** on the south side of the driveway. It shall commence at the edge of the proposed house and continue to a 4' wide swale.
- 2) The applicant, through his engineer, shall verify that capacity of the existing yard drain on Lot 45 is adequate for this proposal and assure that approval from the property owner of Lot 45 is possible.
- 3) If the capacity of the existing yard drain is inadequate or necessary approvals unobtainable, then the applicant shall continue swale construction until it reaches a drainage facility serving Frederick Road. This may require the approval of the Maryland State Highway Administration.

**GENERAL NOTES**

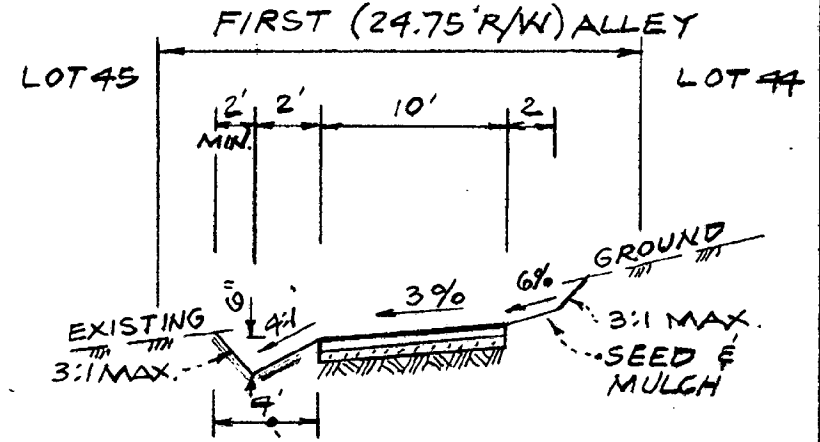
1. PRIOR TO GRADING OR CONSTRUCTION, A PRECONSTRUCTION MEETING MUST BE CONDUCTED ON-SITE WITH THE MCDP SEDIMENT CONTROL INSPECTOR, 217-6301 (48 HOURS NOTICE).
2. WORK SHALL NOT COMMENCE UNTIL PROPER PERMITS HAVE BEEN ISSUED BY MONT. CO. DEPT. OF TRANSPORTATION.
3. REFER TO MD. S.H.A. FOR WORK WITHIN STATE RIGHT OF WAY.
4. DRIVEWAY GRADE, AS SHOWN, DOES NOT EXCEED 15%.



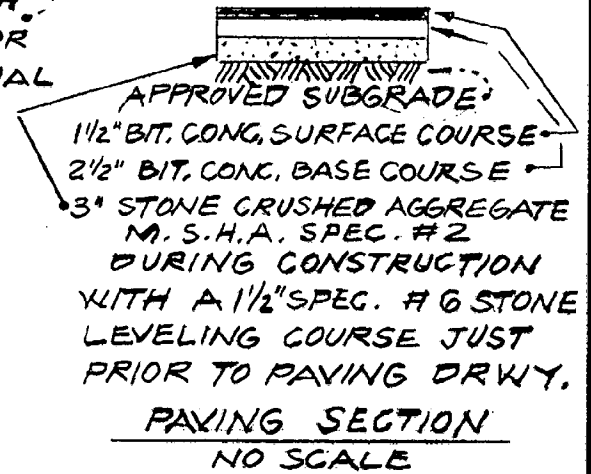
NOTE: TOPOGRAPHY WAS OBTAINED FROM THE M.N.C.P. & P.C.

**TYPICAL DRIVEWAY SECTION**

NO SCALE



STABILIZE DITCH WITH CURLEX OR APPROVED EQUAL



**DRIVEWAY PLAN  
LOTS 99 AND 100  
HYATTSTOWN**

CLARKSBURG ELECTION DIST.  
MONTGOMERY COUNTY, MARYLAND

TRI-COUNTY SURVEYS, INC.  
P. O. BOX 55  
DAMASCUS, MD. 20872  
PHONE - 831-3655

## HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 25822 Old Hundred Road  
(changed to 25912 Frederick Road)

Meeting Date: 3/13/96

Resource: Hyattstown Historic District

HAWP: Alteration

Case Number: 10/59-96A

Tax Credit: No

Public Notice: 2/28/96

Report Date: 3/06/96

Applicant: Rocco Campanaro

Staff: Patricia Parker

PROPOSAL: Construct new driveway

RECOMMEND: Approval  
w/conditions

---

The applicant seeks HPC approval to construct a new driveway to service a previously approved new single-family house. The house will be located on unimproved property, Lots 99 and 100, which are off First Alley (behind lots which front Frederick Road) and north of Old Hundred Road in the Hyattstown Historic District.

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Staff has discussed this HAWP proposal with the applicant and the applicant has agreed to provide additional information to provide an adequate description of the driveway with respect to its location, width and composition. Therefore, discussion of this proposal was postponed until such documentation became available. The applicant has now provided additional information which is included as part of this Staff Report.

Prior to the writing of this report, staff has queried the applicant's engineer to find out if a determination has been made to properly locate the driveway in the legally described area of First Alley. The engineer has stated that he positioned stakes 25' apart with no obstruction to construct the driveway.

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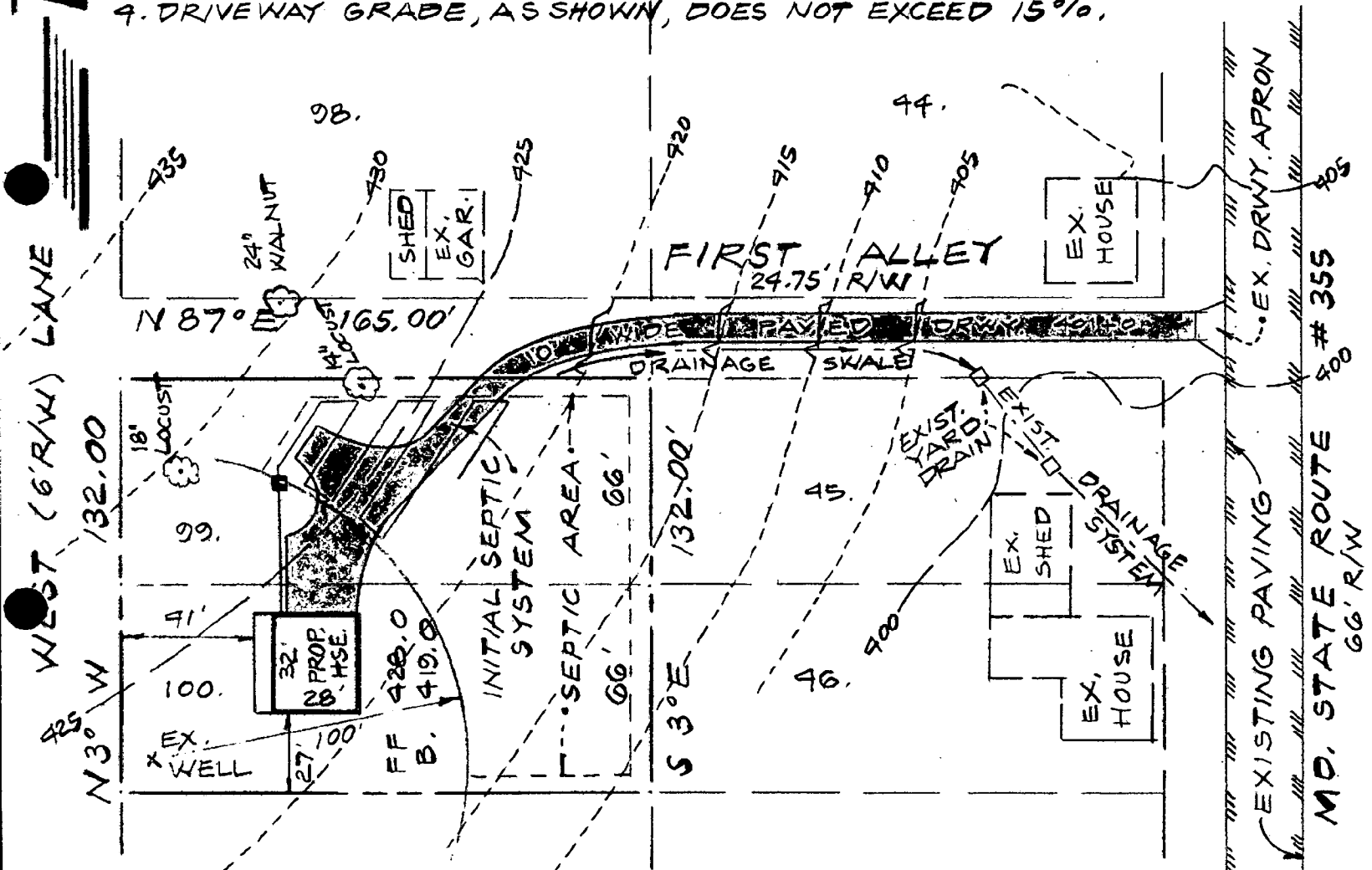
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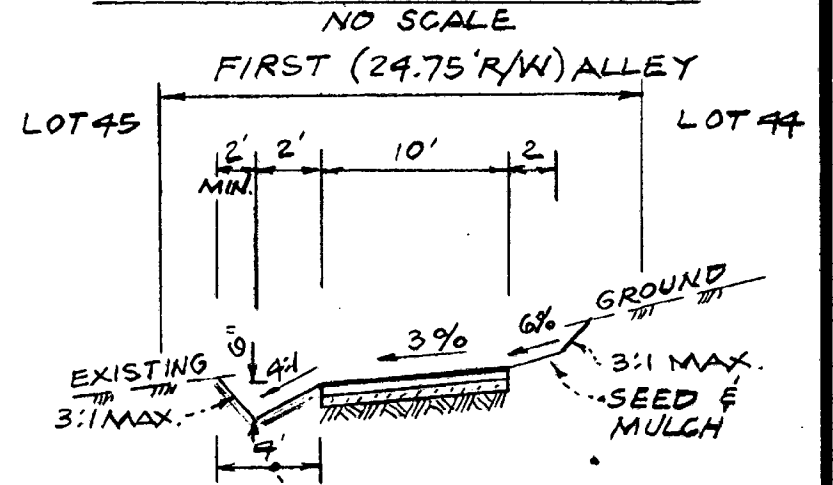
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4. DRIVEWAY GRADE, AS SHOWN, DOES NOT EXCEED 15%.

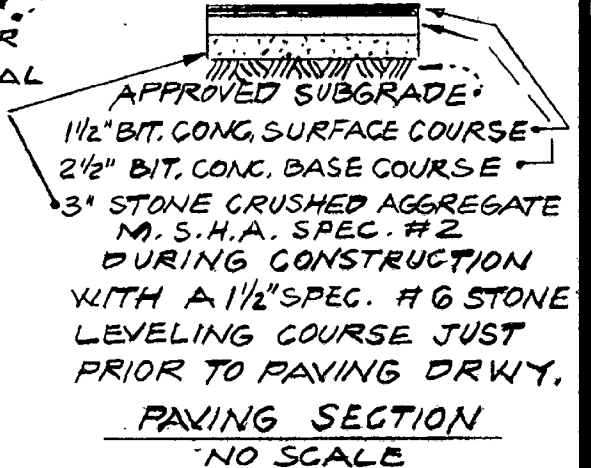


NOTE: TOPOGRAPHY WAS OBTAINED FROM THE M.N.C.P. & P.C.

TYPICAL DRIVEWAY SECTION



STABILIZE DITCH WITH CURLEX OR APPROVED EQUAL



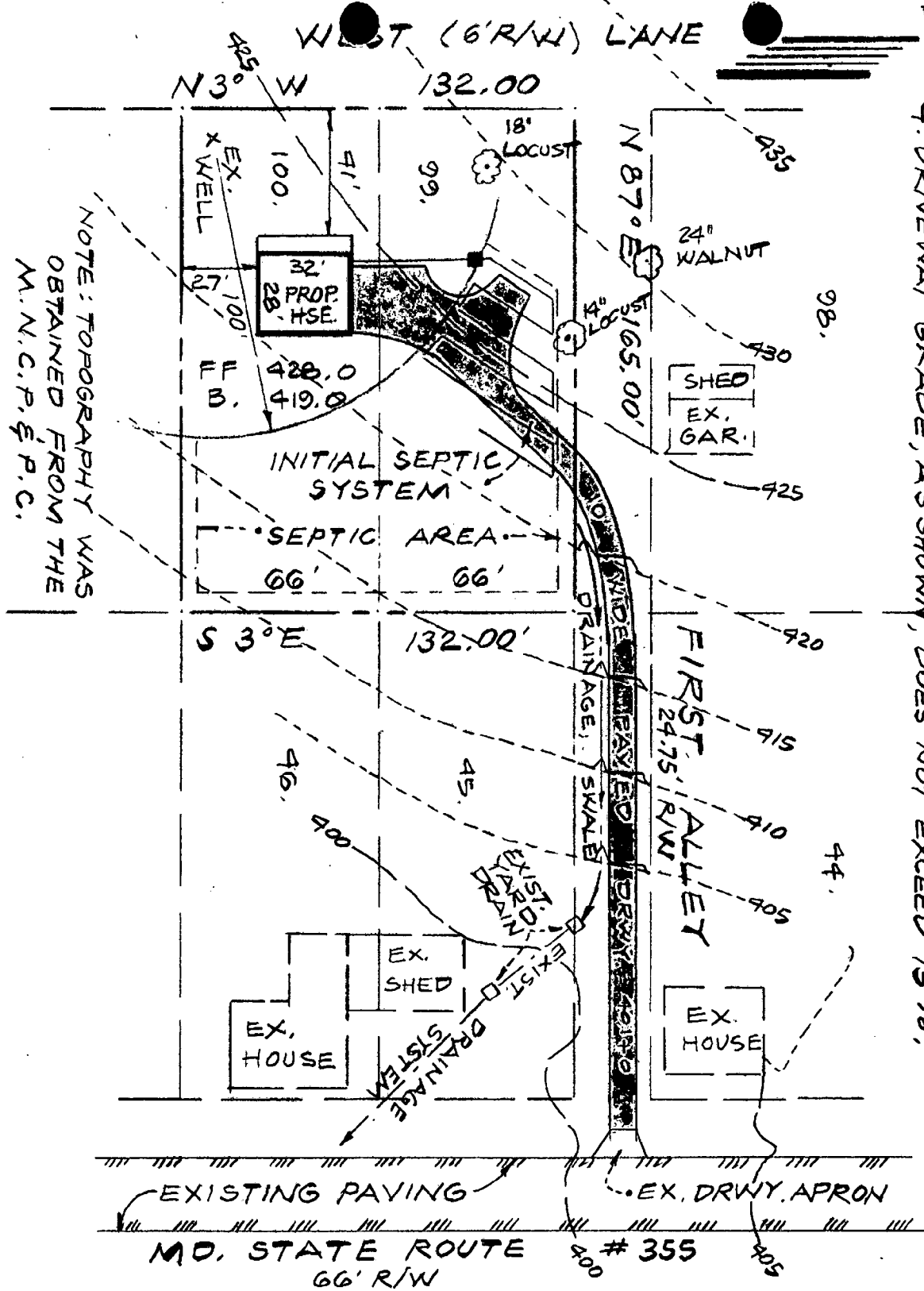
DRIVEWAY PLAN  
LOTS 99 AND 100  
HYATTSTOWN

CLARKSBURG ELECTION DIST.  
MONTGOMERY COUNTY, MARYLAND

TRI-COUNTY SURVEYS, INC.  
P. O. BOX 55  
DAMASCUS, MD. 20872  
PHONE - 831-3655

**GENERAL NOTES**

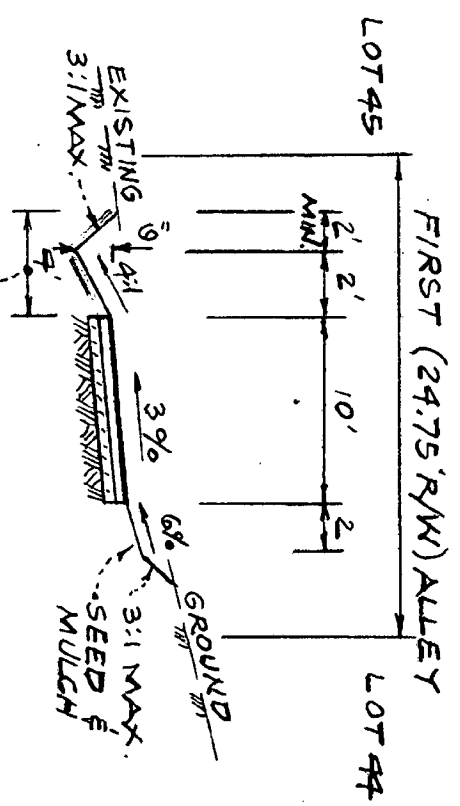
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NO SCALE



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APPROVED SUBGRADE:  
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 2 1/2" BIT CONC. BASE COURSE  
 3" STONE CRUSHED AGGREGATE  
 M. S. H. A. SPEC. #2  
 DURING CONSTRUCTION WITH A 1 1/2" SPEC. #6 STONE LEVELING COURSE JUST PRIOR TO PAVING DRWY.

PAVING SECTION  
 NO SCALE

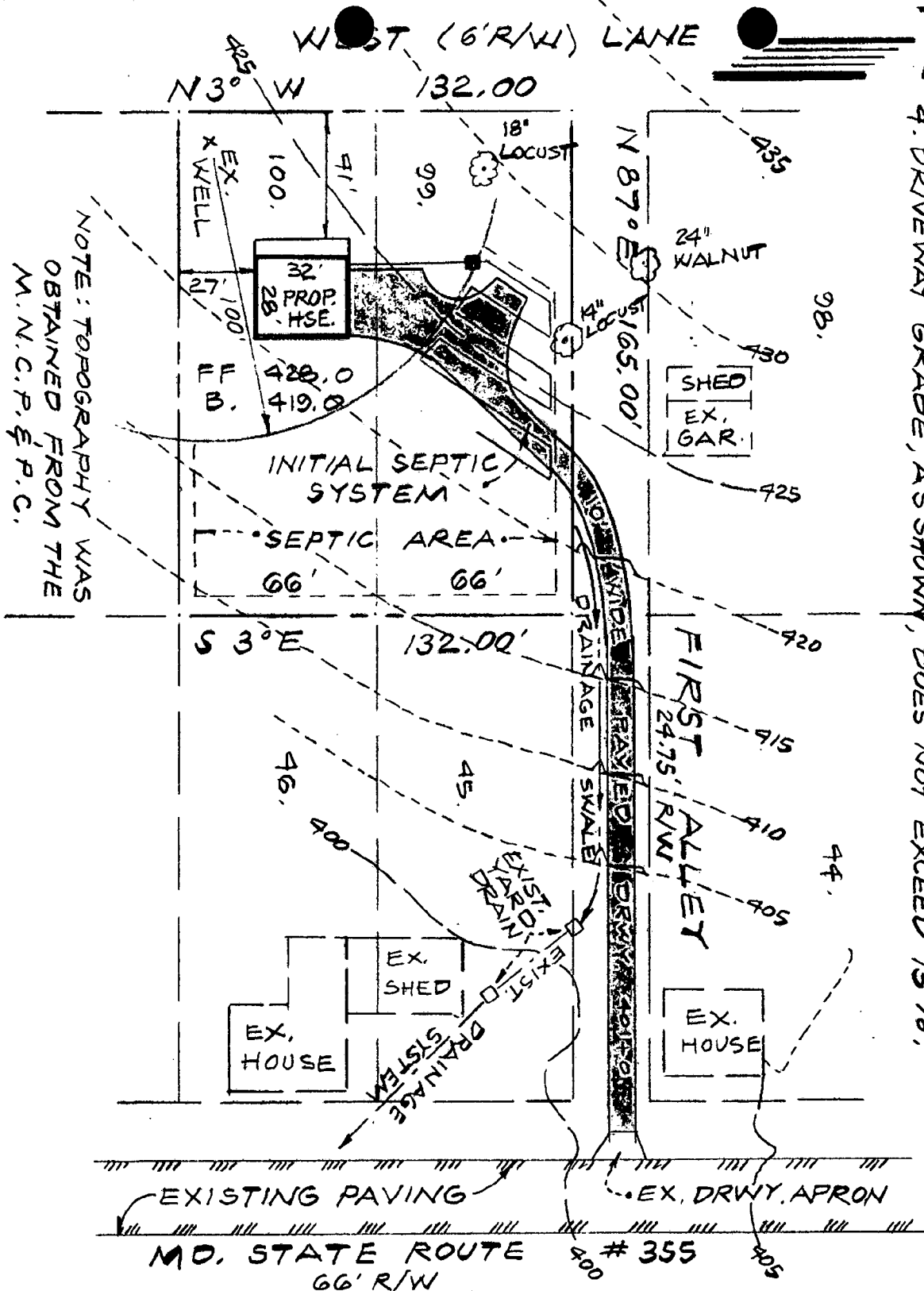
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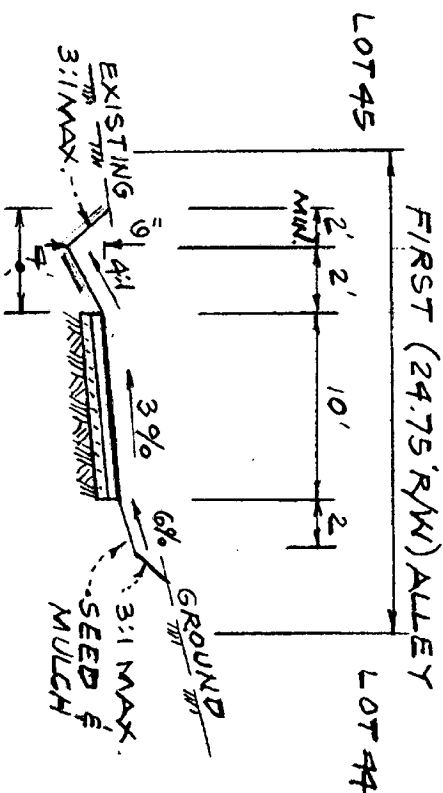
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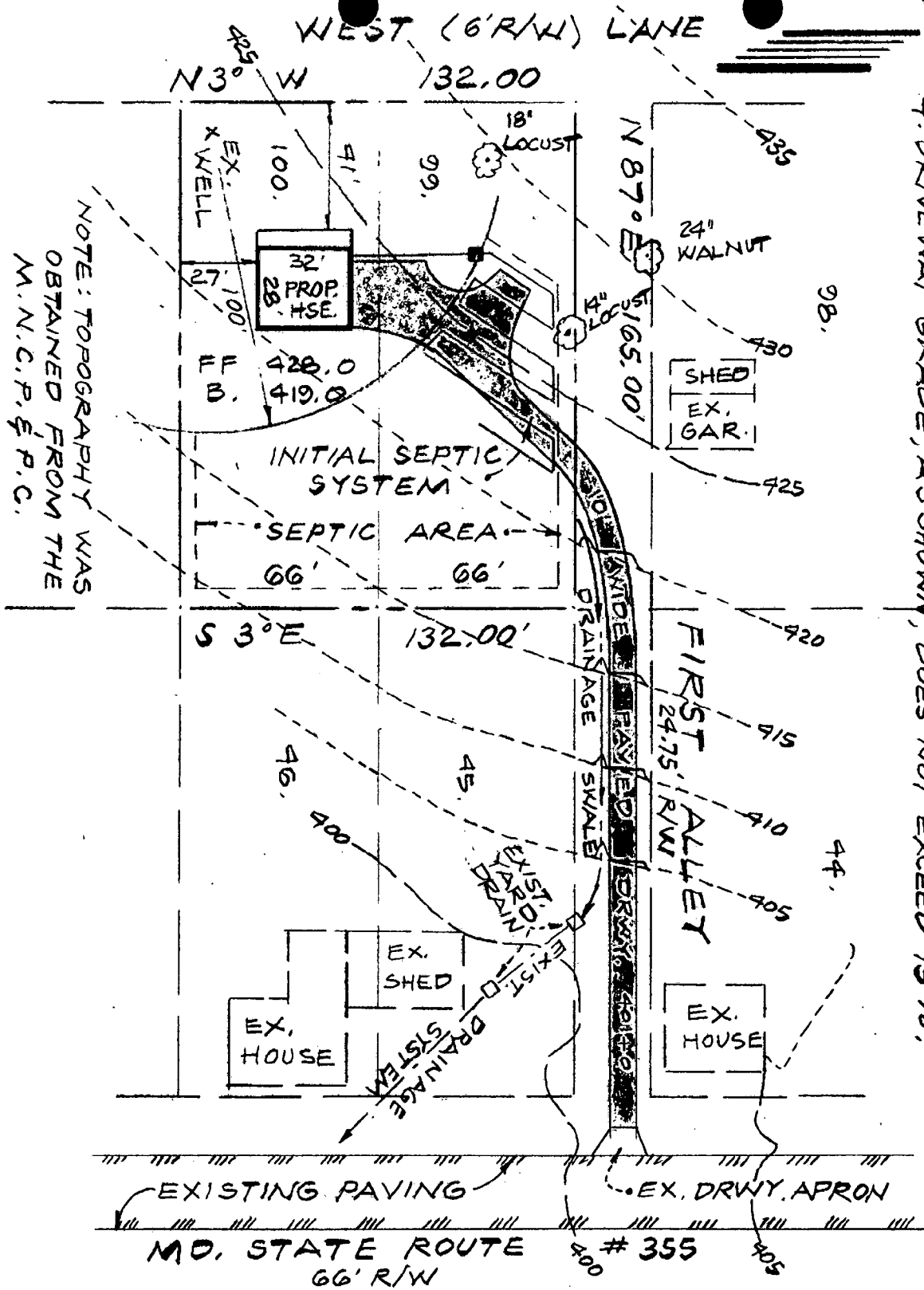
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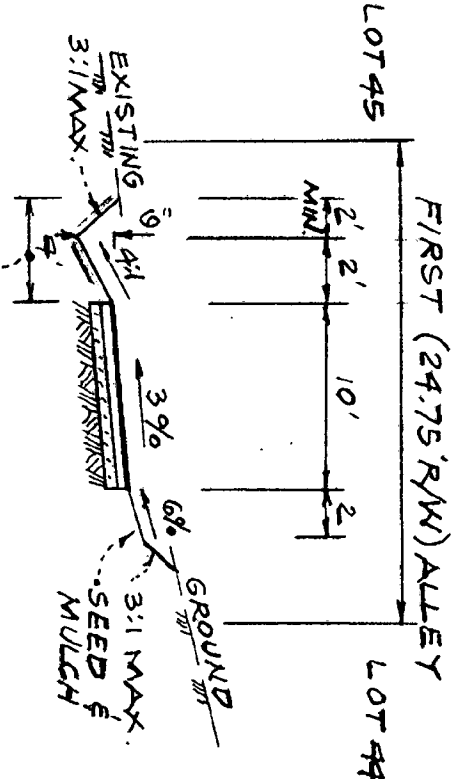
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NO SCALE



PAVING SECTION  
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LOTS 99 AND 100  
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CLARKSBURG ELECTION DIST,  
MONTGOMERY COUNTY, MARYLAND

TRI-COUNTY SURVEYS, INC.  
P. O. BOX 55  
DAMASCUS, MD. 20872  
PHONE - 831-3655

# APPLICATION FOR HISTORIC AREA WORK PERMIT

CONTACT PERSON Rocco Campanaro  
DAYTIME TELEPHONE NO. (301) 831 8416 (TUE-SAT)  
(301) 253 6053 (SUN-MON)

TAX ACCOUNT # 78673182

NAME OF PROPERTY OWNER Rocco Campanaro DAYTIME TELEPHONE NO. (301) 831-8416

ADDRESS PO Box 185, CLARKSBURG, MD 20871  
CITY STATE ZIP CODE

CONTRACTOR \_\_\_\_\_ TELEPHONE NO. ( )

CONTRACTOR REGISTRATION NUMBER \_\_\_\_\_

AGENT FOR OWNER \_\_\_\_\_ DAYTIME TELEPHONE NO. ( )

## LOCATION OF BUILDING/PREMISE

HOUSE NUMBER 25822 STREET OLD HUNDRED ROAD

TOWN/CITY HYATTSTOWN NEAREST CROSS STREET (RT 109) OLD HUNDRED RD AND RT 3

LOT 99100 BLOCK \_\_\_\_\_ SUBDIVISION HYATTSTOWN

LIBER 5323 FOLIO 297 PARCEL \_\_\_\_\_

## PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CIRCLE ALL APPLICABLE: CIRCLE ALL APPLICABLE: A/C Slab Room Addition  
Construct Extend Alter/Renovate Repair Move Porch Deck Fireplace Shed Solar Woodburning Stove  
Wreck/Raze Install Revocable Revision Fence/Wall (complete Section 4) Single Family Other DRIVEWAY

1B. CONSTRUCTION COST ESTIMATE \$ \_\_\_\_\_

1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # \_\_\_\_\_

## PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL 01 ( ) WSSC 02 ( ) SEPTIC 03 ( ) OTHER \_\_\_\_\_

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3A. HEIGHT \_\_\_\_\_ feet \_\_\_\_\_ inches

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On party line/property line \_\_\_\_\_ Entirely on land of owner \_\_\_\_\_ On public right of way/easement \_\_\_\_\_

I HEREBY CERTIFY THAT I HAVE THE AUTHORITY TO MAKE THE FOREGOING APPLICATION, THAT THE APPLICATION IS CORRECT, AND THAT THE CONSTRUCTION WILL COMPLY WITH PLANS APPROVED BY ALL AGENCIES LISTED AND I HEREBY ACKNOWLEDGE AND ACCEPT THIS TO BE A CONDITION FOR THE ISSUANCE OF THIS PERMIT.

Rocco Campanaro  
Signature of owner or authorized agent

JAN 29 96  
Date

APPROVED \_\_\_\_\_ For Chairperson, Historic Preservation Commission

DISAPPROVED \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



ADJACENT & CONFRONTING PROPERTY OWNERS

10/59-96A  
Rocco Campanaro  
P.O. Box 185  
Clarksburg, MD 20871

Karen Keibler  
25908 Frederick Road  
Clarksburg, MD 20871

Alan Leary  
25904 Frederick Road  
Clarksburg, MD 20871

Michael A. Routke  
25914 Frederick Road  
Clarksburg, MD 20871

Julia Fox  
25820 Old Hundred Road  
Dickerson, MD 20871

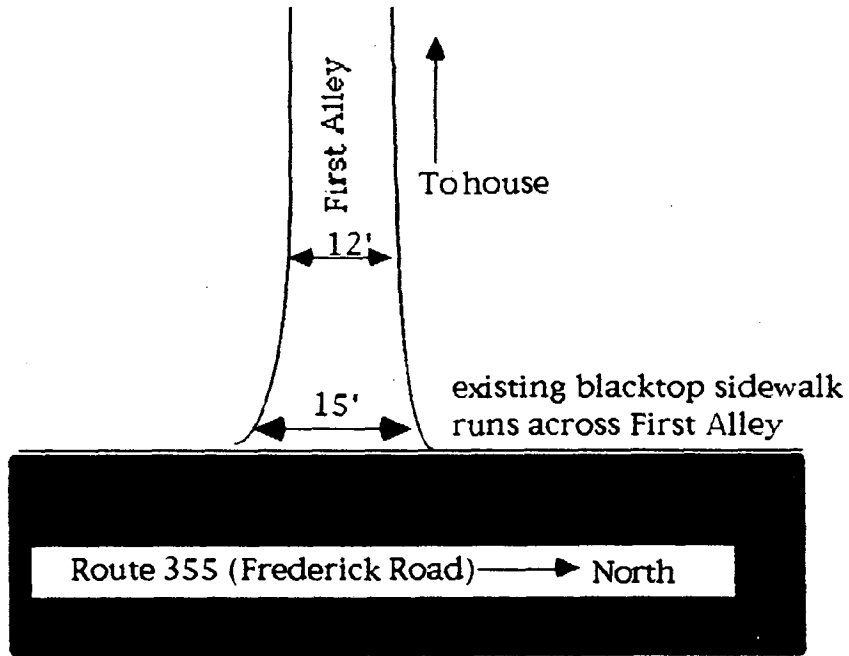
Rick Wagner  
Boys/Clarksburg/Hyattstown  
Historic District  
2111 Slidell Road  
Boys, MD 20841

Jeff Gross  
25820 Old Hundred Road  
Clarksburg, MD 20871  
\*\*\*

Ⓟ

④

Proposed House



Rocco Campanaro  
25901 Frederick Road  
Hyattstown, MD 20871





February 26, 1996

Julia A. Fox  
25820 Old Hundred Road  
Dickerson, Maryland 20842-9631

Robin Ziek  
Historic Preservation Commission  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Re: Rocco Campanaro / HPC Case No. 15/55-95A - Driveway Permit

Dear Ms. Ziek:

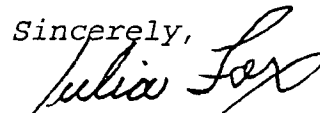
Please note the enclosed copy of your meeting agenda schedule for February 28, 1996. With attention to the entry for the Campanaro permit for driveway construction.

The address that has been assigned to the Campanaro parcel by MNCPPC is not correct. Access to the Campanaro parcel from Old Hundred Road was denied over one year ago. It has been determined and is a matter of record that the old West Lane no longer exists and that the only legal access to the Campanaro parcel is from Frederick Road.

I would plead with the commission to write to Mr. Campanaro and advise him that until such time as he contacts the MNCPPC and requests and is granted a correct address designation, that he can not be granted a permit for construction of a driveway.

Your help would be greatly appreciated.

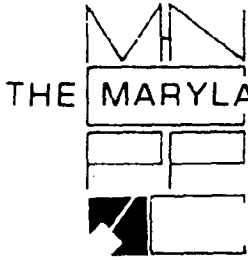
Sincerely,



Julia A. Fox

JAF/  
cc: Campanero File

(F)



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

## FAX TRANSMITTAL SHEET

Design, Zoning, & Preservation Division  
(301)495-4570 (Telephone)

(301)495-1307 (Fax Number)

TO: Ed Schmidt FAX NUMBER: 353-8619

FROM: Sue PHONE NUMBER: 495-4570

DATE: 4/9/96

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 2

NOTE:

Comparano driveway plan

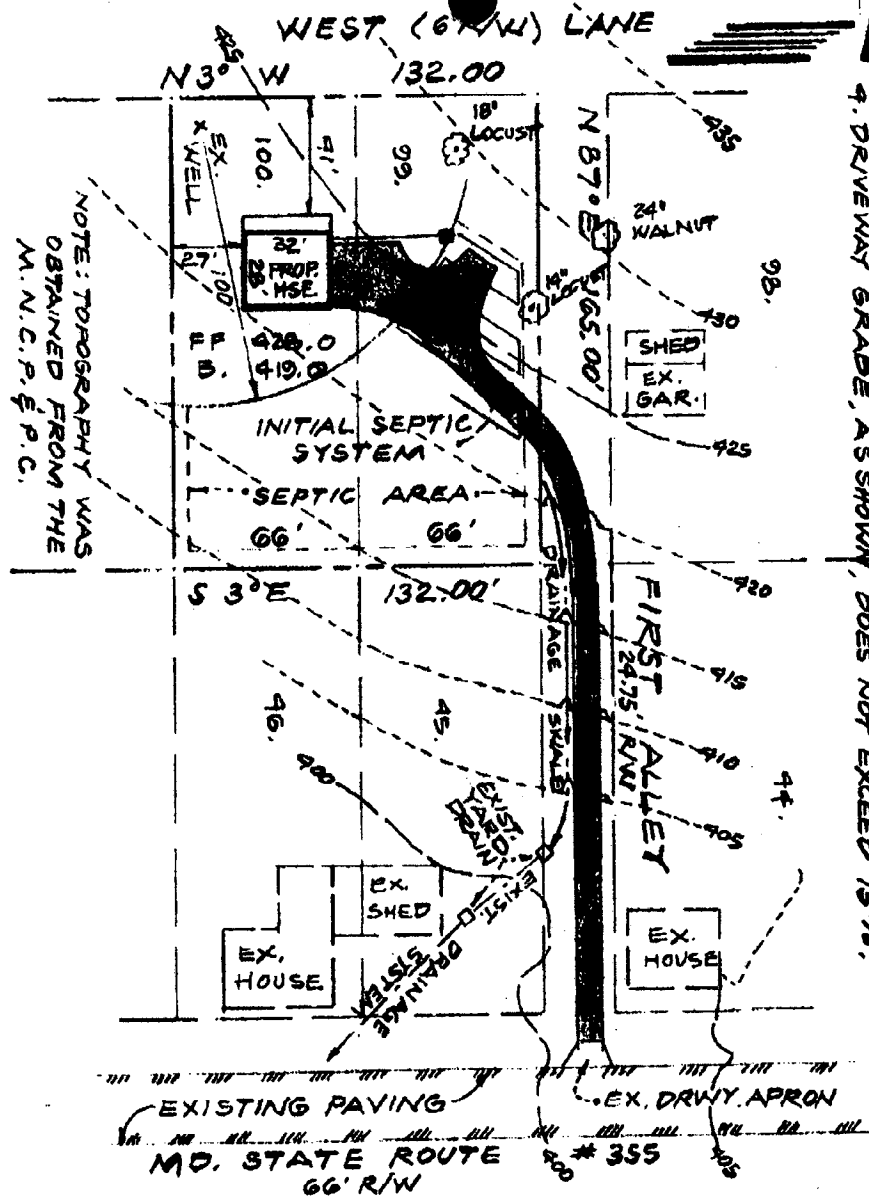
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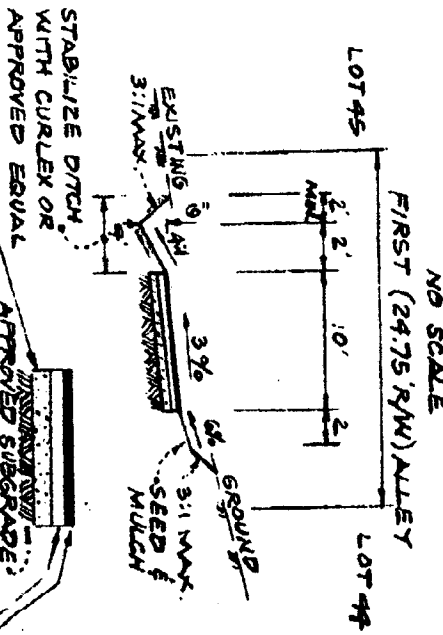


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P. O. BOX 51  
DAMASCUS, MD 20872  
PHONE - 831-3655

922-67



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

DATE: March 14, 1996

MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: Gwen Marcus, Historic Preservation Coordinator  
Design, Zoning, and Preservation Division  
M-NCPPC

SUBJECT: Historic Area Work Permit Application - Approval of  
Application/ Release of Other Required Permits

---

Enclosed is a copy of your Historic Area Work Permit application, approved by the Historic Preservation Commission at its recent meeting, and a transmittal memorandum stating conditions (if any) of approval.

You may now apply for a county building permit from the Department of Environmental Protection (DEP), at 250 Hungerford Drive, Second Floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DEP before work can begin.

When you file for your building permit at DEP, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DEP. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DEP at 217-6370.

If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 495-4570.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DEP/Field Services at 217-6240 of your anticipated work schedule.

Thank you very much for your patience and good luck with your project!

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(301) 253 6053 (SUN-MON)

TAX ACCOUNT # 78673182

NAME OF PROPERTY OWNER Rocco Campanaro DAYTIME TELEPHONE NO. (301) 831-8416

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Signature of owner or authorized agent

JAN 29-96  
Date

APPROVED \_\_\_\_\_ For Chairperson, Historic Preservation Commission

DISAPPROVED \_\_\_\_\_ Signature



ADJACENT & CONFRONTING PROPERTY OWNERS

10/59-96A  
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P.O. Box 185  
Clarksburg, MD 20871

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25908 Frederick Road  
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Clarksburg, MD 20871

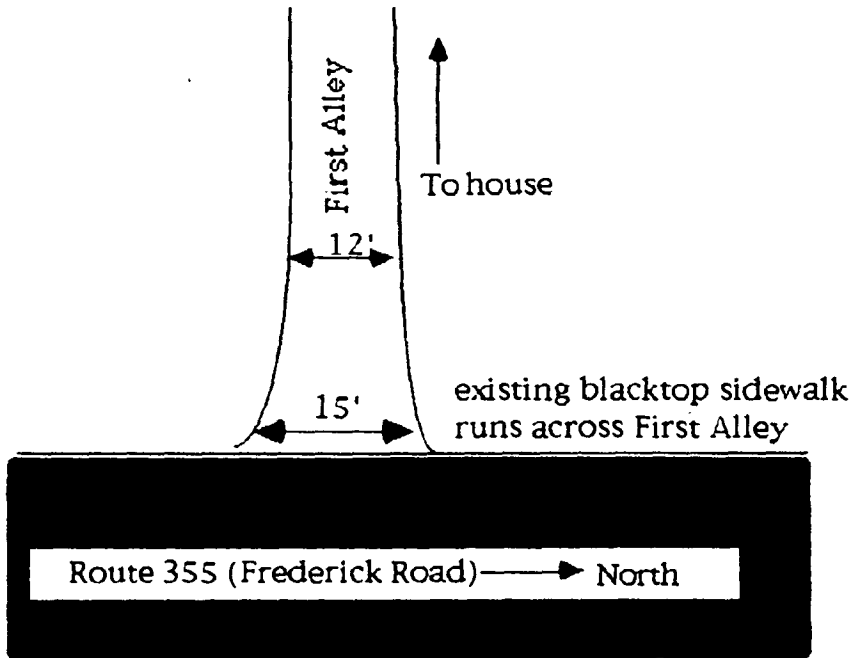
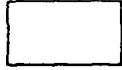
Julia Fox  
25820 Old Hundred Road  
Dickerson, MD 20871

Rick Wagner  
Boys/Clarksburg/Hyattstown  
Historic District  
2111 Slidell Road  
Boys, MD 20841

Jeff Gross  
25820 Old Hundred Road  
Clarksburg, MD 20871  
\*\*\*



Proposed House



Rocco Campanaro  
25901 Frederick Road  
Hyattstown, MD 20871

February 26, 1996

Julia A. Fox  
25820 Old Hundred Road  
Dickerson, Maryland 20842-9631

Robin Ziek  
Historic Preservation Commission  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Re: Rocco Campanaro / HPC Case No. 15/55-95A - Driveway Permit

Dear Ms. Ziek:

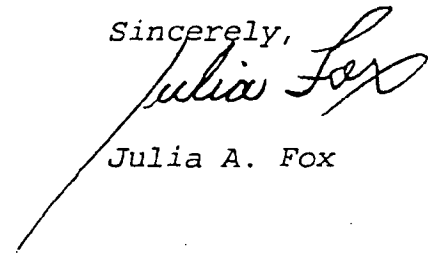
Please note the enclosed copy of your meeting agenda schedule for February 28, 1996. With attention to the entry for the Campanaro permit for driveway construction.

The address that has been assigned to the Campanaro parcel by MNCPPC is not correct. Access to the Campanaro parcel from Old Hundred Road was denied over one year ago. It has been determined and is a matter of record that the old West Lane no longer exists and that the only legal access to the Campanaro parcel is from Frederick Road.

I would plead with the commission to write to Mr. Campanaro and advise him that until such time as he contacts the MNCPPC and requests and is granted a correct address designation, that he can not be granted a permit for construction of a driveway.

Your help would be greatly appreciated.

Sincerely,

  
Julia A. Fox

JAF/  
cc: Campanero File

Ⓢ

**SURVEYOR'S CERTIFICATE**

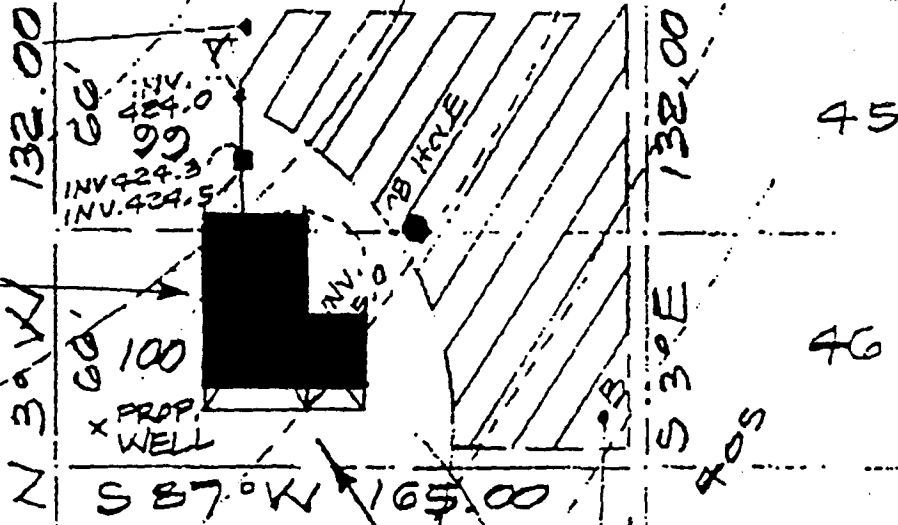
I hereby certify that the configuration on this preliminary plan is in accordance with the description of the following deed: a conveyance to **ROCCO & JANICE F. CAMPANARO** by deed recorded 5.21.79 in Liber 5323 Folio 297 which may be found among the Land Records of Montgomery County, Maryland.

10/17/81 *William L. Wirts*  
**WILLIAM L. WIRTS**  
R.P.L.S. MD. #10721

**FIRST ALLEY**  
N 87° E 1165.00'

WEST GRAY LANE  
N 39° W 132.00'

22 MIN.  
3-12 1/2  
HPC APPROVED LOCATION (APPROX.)  
TO ROUTE #169  
EXXWELL



**PLOT PLAN  
LOTS 99 AND 100  
HYATTSTOWN  
CLARKSBURG DISTRICT  
MONTGOMERY COUNTY, MD.**

5 BEDROOM HOUSE  
AVE. PERC TIME - 1.6 MIN  
DEPTH'S ARE - 3-12 1/2  
LENGTH OF STONE - 4  
TOTAL LENGTH SYSTEM - 239'  
SOIL - MCC2

**SURVEYOR'S CERTIFICATE**

I hereby certify that the position of all existing improvements on the above described property have been carefully established by a transit survey and that unless otherwise shown, there are no encroachments. AND THAT ALL WELLS WITH 100 FEET OF THE PROPERTY HAVE BEEN SHOWN.

10/29/92 *William L. Wirts*  
**WILLIAM L. WIRTS** - Registered Land Surveyor - Maryland No. 10721

**Tri-County Surveys, Inc.**

BOX 38 • DAMASCUS, MARYLAND 20750 (301) 253-3581  
LAND PLANNING CONSULTANTS • SUBDIVISIONS • LOTS & BOUNDARIES

REFERENCE	Drawn by <b>WLW</b>	Checked by
Plat Book <b>K</b>	Date <b>10.17.81</b>	Record No
Plat No. <b>197</b>	Scale <b>1"=50'</b>	<b>79-22.6</b>

NOTE: This drawing is not intended or represented to be a lot stake out survey; no lot corners were set; and is not to be used, or relied upon, for the establishment of any fence, building or other improvements. No responsibility is extended herein to future purchasers.

# Tax Map

COUNTY

LOTS 99 & 100

FREDERICK ROAD

3172 / 164  
179.84 Ac.

Montmott Assoc.  
Ltd. Ptnshp.  
8204/847  
67.51 Ac.  
P 250

G.V. & K.  
Levin  
2382 / 20  
15.28 Ac.

M.N.C.P. & P.C.  
3266 / 601  
126.39 Ac.

## HYATTSTOWN

OLD HUNDRED ROAD  
Montgomery County  
4806 / 138  
14.12 Ac.  
Bennett  
P 464  
P 573  
P 515  
Creek

Montgomery County  
5851 / 632  
37.34 Ac.  
P 777

Clarksburg Research  
Center Ltd. Ptnshp.  
8574 / 687  
47.42 Ac.

Montg. Co.  
4774 / 851  
19.29 Ac.

Montg. Co.  
4091 / 612  
28.89 Ac.

3464 / 196  
P 777

st Co.  
J.A. Jr.  
& E.F. Lynoff  
3512 / 612  
11.48 Ac.

M.N.C.P. & P.C.  
3594 / 638  
35.28.89 Ac.

ROAD

ROUTE

RD.

HYATTSTOWN MILL RD.

P 350

P 150

P 100

P 303

N 420

P 592

P 546

P 473

P 606

P 697  
P 750  
P 800

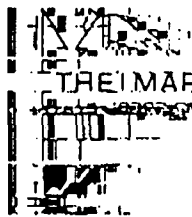
P 888

P 909

P 960

P 47

N 900



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 8, 1996

Rocco Campanaro  
P.O. Box 185  
Clarksburg, Md. 20817

Notice of Address Change

The following address action, made by this office under Article 28, Annotated Code of Maryland, is now in effect unless otherwise noted. Please make all appropriate changes to your records. This official notice should be retained by the property owner and filed with other property documents, deeds, or leases. Local post office, county, and utility company offices will be notified of this action, however, it is the responsibility of the owner/resident to verify that all appropriate agencies are correctly listing their address.

The requirements for the posting of address numbers are a minimum five (5) inches for single family houses and six (6) inches for commercial, industrial or other uses.

Questions concerning this information should be directed to the Property Address Section of this Commission.

Old Address  
25822 Old Hundred Road

New Address  
25912 Frederick Road  
Subdivision: Hyattstown  
Lot: 99,100 Block: Parcel:  
Tax Map: Grid:  
Notes: Tax acct. No. 78673182

Address change due to access relocation

Effective Date  
3-11-96

F. H. Flaharty  
Property Address Section  
(301) 495-4613

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT is made this 5<sup>th</sup> day of December, 1994 by Rocco Campanaro and Janice F. Campanaro, hereinafter referred to a "Grantor;"

WHEREAS, the Grantor owns in fee simple real property located in Montgomery County, Maryland within the Hyattstown Historic District as set forth in the Master Plan for Historic Preservation for Montgomery County and described as Lots 99 and 100, Town of Hyattstown more particularly described in a deed duly recorded among the Land Records of Montgomery County, Maryland at Liber 5323, folio 297 and;

WHEREAS, Grantor applied for an Historic Area Work Permit to construct a single family dwelling on Lot 100; and

WHEREAS, Grantor appeared before the Historic Preservation Commission (the Commission) to testify regarding the permit application; and

WHEREAS, Grantor agreed to place a restrictive covenant on Lot 99 in order to address concerns raised by the Commission regarding the impact of the construction of the dwelling on Lot 100 upon Hyattstown Historic District.

NOW, THEREFORE, THIS DECLARATION OF COVENANT WITNESSETH, that the Grantor does hereby declare that the said Lot 99 is and shall be hereafter forever subject to a covenant and restriction to prevent the construction, erection or placement of any dwelling unit of any size, type or style on the property described as

94 DEC -7 A 6:57.3

FILED  
MOLLY C. RUHL  
CLERKS OFFICE  
MONTGOMERY CO. MD

20

1

Lot 99, Town of Hyattstown as recorded among the Land Records of Montgomery County, Maryland in Liber lettered K at folio 197.

This covenant and restriction shall restrict Grantor, their successors, heirs and assigns in perpetuity and shall run with the land.

WITNESS OUR HANDS AND SEALS this 5<sup>th</sup> day of

December, 1994.

Linda Ann McSpadden

Rocco Campanaro (SEAL)  
ROCCO CAMPANARO

Linda Ann McSpadden

Janice F. Campanaro (SEAL)  
JANICE F. CAMPANARO

STATE OF MARYLAND,  
COUNTY OF Montgomery, to wit:

ON THIS 5<sup>th</sup> day of December, 1994, before me the undersigned officer, personally appeared ROCCO CAMPANARO and JANICE F. CAMPANARO, who is known to me (or satisfactorily proven) to be the person whose names is subscribed to the within instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Linda Ann McSpadden  
NOTARY PUBLIC  
LINDA ANN McSPADDEN

My commission expires: 12-21-97

I, the undersigned, hereby certify that I am an Attorney duly admitted to practice before the Court of Appeals of the State of Maryland, and that the within instrument was prepared under my supervision.

Patricia A. McKenzie  
PATRICIA A. MCKENZIE

After recording return to:

Patricia A. McKenzie, Esquire  
P.O. Box 479  
Damascus, Maryland 20872

Parcel ID No. 2-1-19817

TRI - COUNTY SURVEYS, INC.

-----  
LAND PLANNING CONSULTANTS \* SUBDIVISION \* LOTS & BOUNDARIES  
-----

BOX 55 \* DAMASCUS, MARYLAND 20872 \* PHONE (301) 831-3655

William L. Wirts  
Reg. Land Surveyor  
Md. No. 10721

FAX COVER SHEET

DATE Mar 29 '96

DESTINATION

NAME : PAT PARKER

ORGANIZATION : M. N. C. P. & P. C.

ADDRESS : \_\_\_\_\_

TELEPHONE NUMBER : \_\_\_\_\_

FAX NUMBER : 495 - 1307

NUMBER OF PAGES TO FOLLOW : 1

SPECIAL NOTATIONS: Driveway Plan  
for your review and  
comments, I will send more  
copies the first week of April

QUESTIONS REGARDING THIS TRANSMITTAL SHOULD BE ADDRESSED TO :

Bill Wirts  
TELEFAX OPERATOR

ORIGINATION FAX NO. (301) 831-3655  
Call First



TRI - COUNTY SURVEYS, INC.

LAND PLANNING CONSULTANTS \* SUBDIVISION \* LOTS & BOUNDARIES

BOX 55 \* DAMASCUS, MARYLAND 20872 \* PHONE (301) 831-3855

William L. Wirts  
Reg. Land Surveyor  
Md. No. 10721

FAX COVER SHEET

DATE Mar 29 '96

DESTINATION

NAME : PAT PARKER

ORGANIZATION : M. N. C. P. & P. C.

ADDRESS : \_\_\_\_\_

TELEPHONE NUMBER : \_\_\_\_\_

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SPECIAL NOTATIONS: Driveway Plan  
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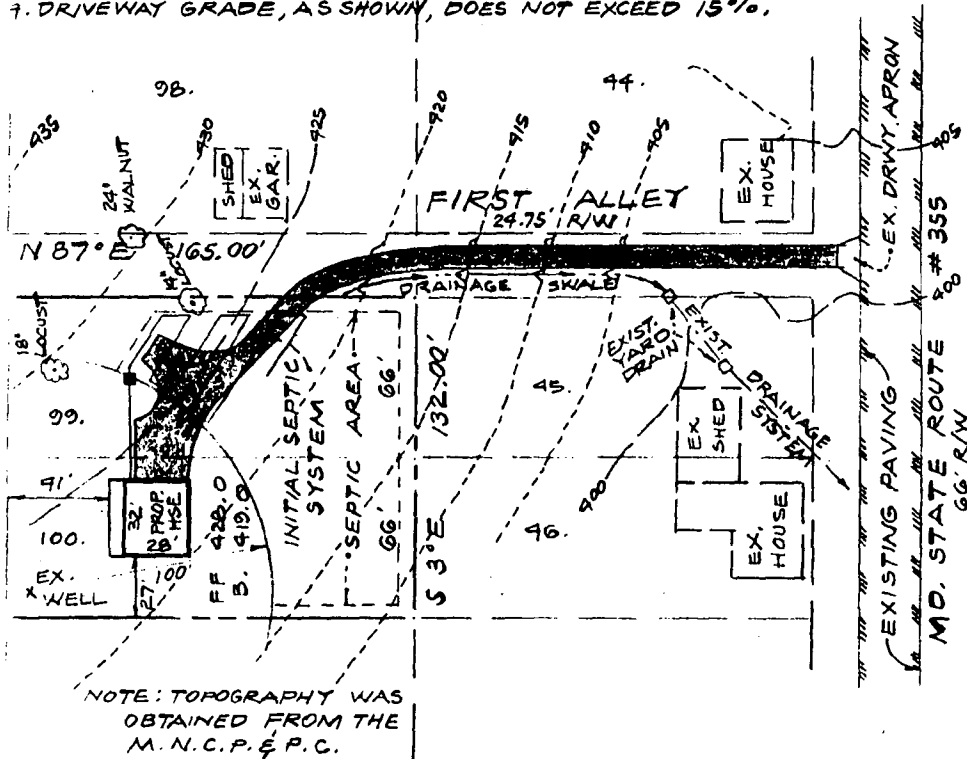
QUESTIONS REGARDING THIS TRANSMITTAL SHOULD BE ADDRESSED TO :

Bill Wirts  
TELEFAX OPERATOR

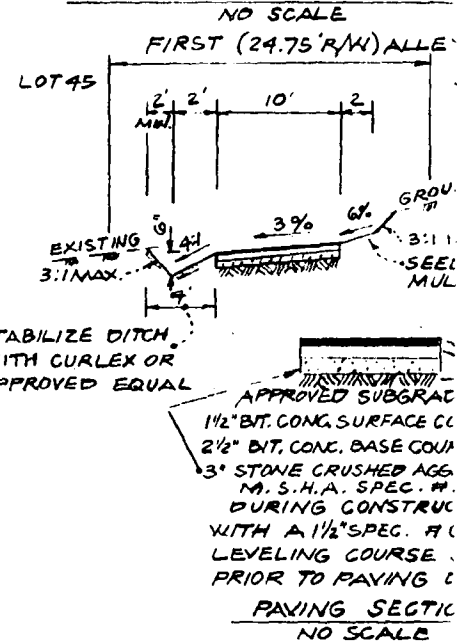
ORIGINATION FAX NO. (301) 831-3855  
Call First

**GENERAL NOTES**

1. PRIOR TO GRADING OR CONSTRUCTION, A PRECONSTRUCTION MEETING MUST BE CONDUCTED ON-SITE WITH THE MCDER SEDIMENT CONTROL INSPECTOR, 217-6301 (48 HOURS NOTICE).
2. WORK SHALL NOT COMMENCE UNTIL PROPER PERMITS HAVE BEEN ISSUED BY MONT. CO. DEPT. OF TRANSPORTATION.
3. REFER TO MD. S.H.A. FOR WORK WITHIN STATE RIGHT OF WAY.
7. DRIVEWAY GRADE, AS SHOWN, DOES NOT EXCEED 15%.

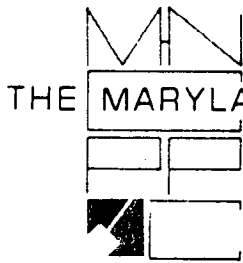


**TYPICAL DRIVEWAY SECTION**



**DRIVEWAY PLAN  
LOTS 99 AND 100  
HYATTSTOWN**

CLARKSBURG ELECTION DIST.  
MONTGOMERY COUNTY, MARYLAN  
TRI-COUNTY SURVEYS, INC.  
P. O. BOX 55  
DAMASCUS, MD 20872  
PHONE - 831-3655



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring Maryland 20910-3760

April 11, 1996

Mr. William Wirts  
Tri-County Surveys, Inc.  
P.O. Box 55  
Damascus, Maryland 20872

Dear Mr. Wirts:

Thank you for providing copies of the deed and original title work on Lots 99 and 100, the property of Mr. Rocco Campanaro, at our last HPC meeting. I have photocopied these documents for our files and I am now returning them to you as an enclosure to this letter.

I have also included a copy of information concerning this property that we received from Mr. Greg Leck. This information was also mentioned in my memo to the Historic Preservation Commission on March 8, 1994. References to this memo were made in last night's HPC meeting.

I hope that this material will provide assistance to you.

Sincerely,

Patricia E. Hayes Parker  
Historic Preservation Planner

cc:file  
encls.

meet 8:30

*TUES.*  
*12/22*  
*10:30*

**SURVEYOR'S CERTIFICATE**

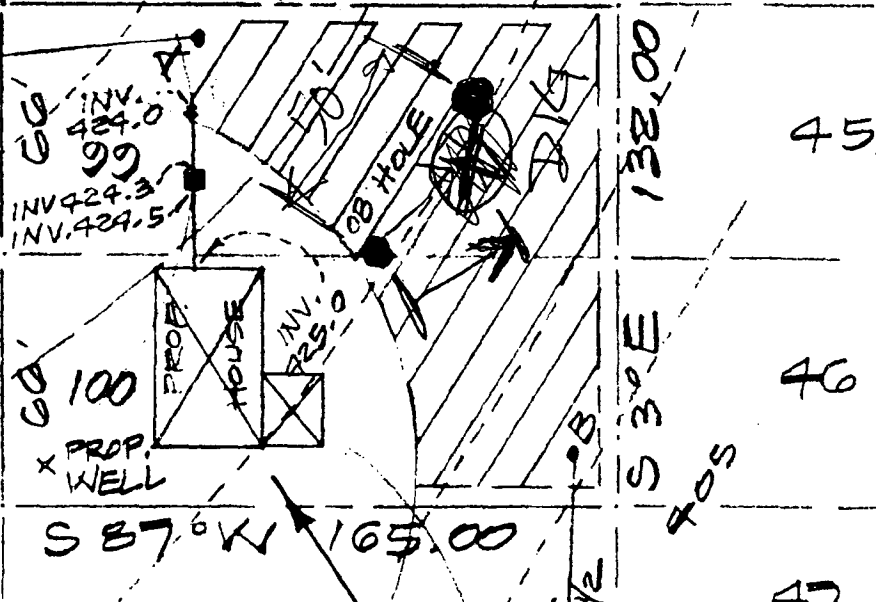
I hereby certify that the configuration on this preliminary plan is in accordance with the description of the following deed, a conveyance to **ROCCO & JANICE F. CAMPANARO** by deed recorded 5-21-79 in Liber 5323 Folio 297 which may be found among the Land Records of Montgomery County, Maryland.

10/17/81 *William L. Wirts*  
**WILLIAM L. WIRTS**  
R.P.L.S. MD. #10721

**FIRST ALLEY**  
N 87° E 1165.00'

22 MIN.  
3-12 1/2

TO ROUTE #109  
WEST G'RW LANE  
N 3° W 132.00'



perc 3/8 x DOWN

**PLOT PLAN  
LOTS 99 AND 100  
HYATTSTOWN  
CLARKSBURG DISTRICT  
MONTGOMERY COUNTY, MD.**

14 MIN.  
3/2-12 1/2  
50' BEDROOM HOUSE  
AVE. PERC TIME - 18 MIN  
DEPTH'S ARE - 3'-12 1/2"  
LENGTH OF STONE (5/2)  
LENGTH INITIAL SYSTEM - 288'  
TOTAL LENGTH SYSTEM - 930'  
SOIL - Mcc2

**SURVEYOR'S CERTIFICATE**

I hereby certify that the position of all existing improvements on the above described property have been carefully established by a transit-tape survey and that unless otherwise shown, there are no encroachments. **AND THAT ALL WELLS WITH 100 FEET OF THE PROPERTY HAVE BEEN SHOWN.**

10/29/92 *William L. Wirts*  
**WILLIAM L. WIRTS** - Registered Land Surveyor - Maryland No. 10721

**Tri-County Surveys, Inc.**

BOX 55 • DAMASCUS, MARYLAND 20750 (301) 253-3591  
LAND PLANNING CONSULTANTS • SUBDIVISIONS • LOTS & BOUNDARIES

REFERENCE	Drawn by <i>W/LW</i>	Checked by
Plat Book	Date 10.17.81	Record No
Plat No. 197	Scale 1"=50'	79-226

NOTE: This drawing is not intended or represented to be a lot stake out survey; no lot corners were set; and is not to be used, or relied upon, for the establishment of any fence, building or other improvements. No responsibility is extended herein to future purchasers.

MAY 21 1973

2-1-19817

5-21-79  
Montgomery County  
Dept. of  
This  
permitted  
original  
periods, not  
satisfaction of encumbrance

~~5000~~ TRANSFER TAX FREE  
MONTGOMERY COUNTY, MARYLAND

*Key*

EXEMPT FROM RECAPTURE TAX.

HEREBY CERTIFIED THAT THE ABOVE HAS BEEN PAID  
TRANSFERRED BY MONTGOMERY COUNTY  
ASSESSMENT BOOKS.

*B. Kent # 19074*

TRANSFER CLERK DIVISION OF ASSESSMENTS  
*2-1 # 19817*

*lots 99 + 100*

1015020111298

Deed

1979 MAY 21 PM 3:57

79

226

THIS DEED made this 21st day of May, 1979, between ROBERT BERKLEY FAWLEY and EILEEN BURDETTE FAWLEY, his wife, hereafter called the Grantors, and ROCCO CAMPANARO and JANICE F. CAMPANARO, his wife, hereafter called the Grantees,

NOW, THEREFORE, THIS DEED WITNESSETH that for and in consideration of the payment to the Grantors by or on behalf of the Grantees of the actual sum of \$5,000.00 for the conveyance to Grantees of the real property described below, receipt of which sum is hereby acknowledged, the said Robert Berkley Fawley and Eileen Burdette Fawley, his wife, do hereby grant, convey, bargain and sell unto Rocco Campanaro and Janice F. Campanaro, his wife, as tenants by the entireties, their heirs and assigns, in fee simple forever, all that piece or parcel of land situate, lying and being in Montgomery County, in the State of Maryland, which is described as follows:

All of those certain two (2) lots and parcels of land situate, lying and being in the Village of Hyattstown, in Montgomery County, Maryland, known and designated as Lots Nos. 99 and 100 in said Town of Hyattstown, as shown on Plat of said Town, of record among the Land Records of said county in Liber lettered K at Page No. 197 and being part of the lands and premises conveyed by deed dated July 13, 1916, from Eugene S. Murphy, et. ux. to John W. Beall, the then husband of Elizabeth M. Harris, which deed is of record among the Land Records of Montgomery County, in Liber 258 at Folio 328.

MAR 21 79 PAID 5989 CLK.G.M.C. DEB--ECK 7.

BEING all of the same property obtained by the Grantors herein by Deed dated September 27, 1965, and recorded October 1, 1965 in Liber 3417 at Folio 280 among said Land Records.

SUBJECT to covenants, easements, restrictions and rights-of-way of record, if any.


MAR 21 79 PAID 5989 CLK.G.M.C. --ST.ECK 25.



TO HAVE AND TO HOLD said lands and premises unto the said Grantees together with all and singular the buildings and improvements thereon, the rights, roads, ways, waters, privileges, easements and advantages thereto belonging or appertaining.

MAR 21 79 PAID 5989 CLK.G.M.C. --RECK 26.

AND the Grantors hereby covenant with the Grantee to warrant specially said property hereby conveyed, and will at any time execute such further and other assurances as may be requisite.

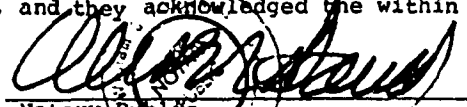
IN TESTIMONY WHEREOF, the Grantors have hereunto set their hands and seals the day and year first hereinabove written.

WITNESSES  
  
 WILLIAM BLANTON McDANALD  
 as to both

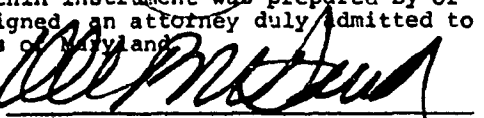
 (SEAL)  
 ROBERT BERKLEY FAWLEY  
 (SEAL)  
 EILEEN BURDETTE FAWLEY

STATE OF MARYLAND )  
 ) ss.  
 COUNTY OF MONTGOMERY )

I HEREBY CERTIFY that on this 21st day of May, 1979, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert Berkley Fawley and Eileen Burdette Fawley known to me, (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and they acknowledged the within Deed to be their act.

  
 Notary Public

THIS IS TO CERTIFY that the within instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

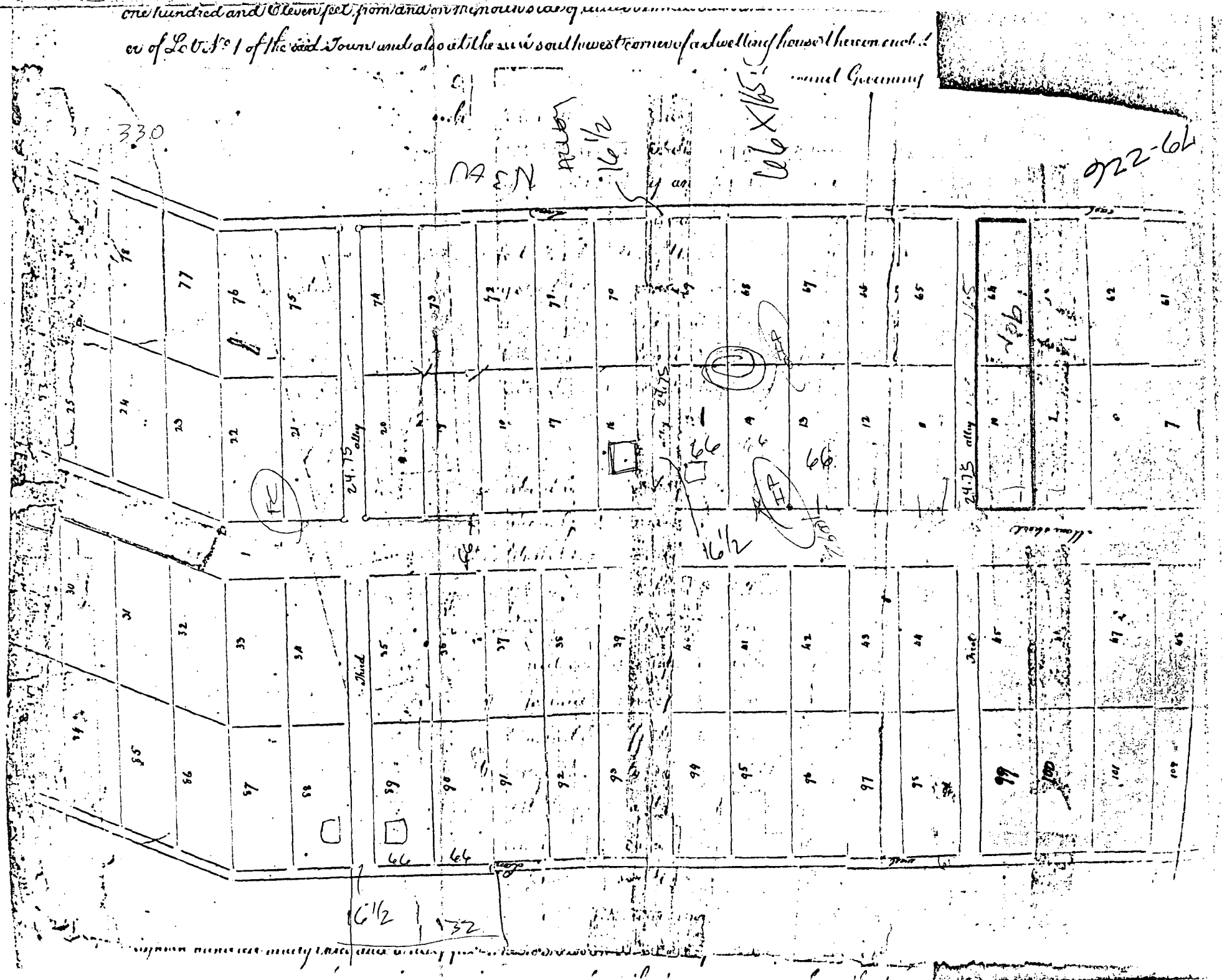
  
 Attorney WILLIAM BLANTON McDANALD

11/11/79

county and state aforesaid did become my purchase of a horse from William C. John Ball and the said William Fields Mark indent did sently and overtly come time in the month of May eighteen hundred and twenty one money to me in hand and I acknowledge and myself fully satisfied and released granted and confirmed and the said William Fields one bay horse about a year and a half old to have and parcel thereof by these presents conveyed and behoof of the said William Fields his heirs and assigns and no other person whatsoever shall and lawfully agreed and intended to be understood for said William C. John Ball the said sum of \$1000.00 to be paid to the tenor thereof and surety and damages in consequence of his security stop when these presents and every clause article thereof shall remain in full force and virtue and I myself the thirtieth day of March next in presence of

John Ball  
 Came John Ball before me the undersigned and acknowledged the foregoing Instrument and described to be the right and true intent and meaning according to the true intent and meaning of the same

one hundred and eleven feet from and on the northern side of the road of the town and also at the south west corner of a dwelling house thereon enclosed



922-66

16 1/2 132

... and ... from and on ...  
 ... about the ...  
 ...

36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	
57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77
97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117
118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138

alley  
 Main street  
 alley  
 Main street



aforsaid Town or city by or otherwise by or by the surveyors the surveyors and a half set out  
Instead of twenty four feet more In the said such and also by or by the surveyors the distance from A to  
to be bought hundred ninety three and a half feet whereas is found to be only fifty seven hundred sixty seven  
and a half feet which is according to the true intent and meaning the original location thereof and the  
return of this plot. And whereas by an act of assembly passed at November session one thousand seven  
hundred and eighty six Entitled an act for making and bounding lands It is provided that when any  
persons shall hereafter agree to settle and ascertain the location of their lands and six boundaries to the same  
such settlement and agreement and a plot of the lands so settled may by consent of the parties interested  
be recorded as aforesaid and when recorded shall have the same effect and consequences as if the location  
of such land had been settled by commissioners appointed for that purpose. And whereas the parties being  
desires to settle and adjust their lots and the lot of the said Town in general according the Original  
location thereof in the most equitable and practicable manner, and in order to prevent and avoid dis-  
putes hereafter concerning the location of the streets <sup>alleys</sup> lands and lots of the aforesaid Town called Hyatts  
Town. We the subscribers who have made purchases of lots in the aforesaid Town and have had them  
confirmed to us by deeds do hereby mutually consent and agree to and with each other and with the  
said Jesse Hyatt his heirs and assigns and by their persons or clerks and each of us and each of  
our heirs Executors administrators and assigns to stand to abide by and hold our lots agreeable to  
this present plan plot and certificate of Hyatts Town and the return hereof forever any thing  
contained in any former return or the record thereof notwithstanding And the said Jesse  
Hyatt do hereby for himself his heirs Executors and administrators covenant promise and agree  
to and with the said purchasers who have had their lots confirmed to them by deeds that he will  
not directly or indirectly at any time or times hereafter sell transfer convey or cause to be  
conveyed any lot or lots or any part or parcel of the said Town or in any manner whatsoever give or  
cause to be given any deed or deeds contrary to this present plan plot and certificate and the return  
hereof any thing contained in any former return or plot of Hyatts Town or the record thereof to the con-  
trary notwithstanding And moreover we the subscribers being purchasers of lots in Hyatts  
Town who have had them confirmed to us by deeds and others the purchasers of lots Together with  
the said Jesse Hyatt do covenant and agree that this plot plan and certificate of the Town  
called Hyatts Town Together with this our agreement be retained to the Clerk of the County of  
Montgomery and by him to be recorded among the land records of said County there to remain  
a perpetual testimony of this our covenant and agreement concerning the location of the streets  
alleys lanes and lots of the aforesaid Town called Hyatts Town lying and being in Montgomery  
County as aforesaid In witness whereof we the purchasers of the Lots in Hyatts Town who have had  
them confirmed to us by deed Together with other purchasers concerned and the said Jesse Hyatt  
have hereunto set their hands and seals this eighth day of June In the year of our Lord one  
thousand eight hundred and one. Signed and sealed in the presence of

Hezekiah Heate  
Ely Hyatt

Jesse Hyatt  
Henry Poole  
Lewis Duval

Seal

Seal

Seal

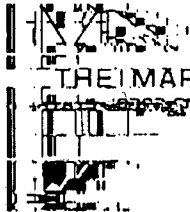
R. 26

Lib. K - 197

11<sup>th</sup> June 1805

At the request of Jesse Hyatt the following plot and certificate was Recorded the 22<sup>nd</sup> day of March 1802 To wit Plan of Hyatts Town laid out by Jesse Hyatt Hyatts Town lying and being in Montgomery County and near to the line dividing Frederick and Montgomery County is laid out and composed of a part of the three tracts of land called the Principal, Hardstrugg and Jay Reach Beginning at a stone set up and fixed in the ground marked A standing about one hundred and eleven feet from and on the north side of Little Bunnells creek and at the southwest corner of Lot No 1 of the said Town and also at the southwest corner of a dwelling house then erected and formerly claimed by Andrew Sewell A B C are stones set up and fixed in the ground governing the course and distance of Main street from A to B the course is north three degrees west of fifteen hundred and sixty seven and a half feet From B to C the course and distance is north twenty degrees East three hundred and thirty feet D E are also stones set up and fixed in the ground governing the course and distance of Hay street from D to E the course and distance is south eighty seven degrees west seven hundred and twenty six feet The breadth of the streets lanes and alleys are as follows to wit Main street sixty six feet Hay street forty one and a quarter feet The alleys twenty four feet nine inches each and the two lanes six feet wide each and each lot of ground in the said Town are laid out to contain sixty six feet in breadth and one hundred and sixty six feet in depth as appears by the plot below written by my hand and seal this eight day of June In the year of our Lord one thousand eight hundred and one.

Witnesses Hephzibah Keatch Ely Hyatt Jesse Hyatt  
 The here is a plan of the aforesaid Town was laid out by Jesse Hyatt about the thirtieth day of January one thousand seven hundred and ninety eight and on the ninth day of March following a plot and certificate thereof was returned to the Clerk of Montgomery County to be recorded and the same day Recorded in Lib. B folio 75 and 76 one of the Land Records for Montgomery County and the said Records will more fully and largely appear and whereas the alleys laid out in the said Town were actually laid out to twenty four feet nine inches each as is expressed in the aforesaid certificate but the former return and certificate by some error committed in copying or making out the return those of the alleys are mentioned to be only sixteen and a half feet wide which is contrary to the original location, and which would alter and change the situation of many of the lots and the situation of the Town in general to the great prejudice of the proprietor and many of the purchasers who have purchased lots and built houses and made other improvements thereon according to the original location and the return of this plot - and moreover we find in the former return of the plan of Hyatts Town the distance mentioned from the stone marked A to the stone marked B on the course governing main street is said to be eight hundred and ninety three and a half feet which is also an error in the former return and certificate the original location of the Town for open determination we find the distance from the stone marked A to the stone marked B of the beginning and end of the course north three degrees west of fifteen hundred and sixty seven and a half feet which is agreeable to the original location and the return of this plot. And whereas it is for the prejudice and recovery of the purchasers to be willing to suffer any disadvantage rather than the probability of waiting to the market any advantage which might arise to them or any of the buyers were errors committed in the former return of the return



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 8, 1996

Rocco Campanaro  
P.O. Box 185  
Clarksburg, Md. 20817

Notice of Address Change

The following address action, made by this office under Article 28, Annotated Code of Maryland, is now in effect unless otherwise noted. Please make all appropriate changes to your records. This official notice should be retained by the property owner and filed with other property documents, deeds, or leases. Local post office, county, and utility company offices will be notified of this action, however, it is the responsibility of the owner/resident to verify that all appropriate agencies are correctly listing their address.

The requirements for the posting of address numbers are a minimum five (5) inches for single family houses and six (6) inches for commercial, industrial or other uses.

Questions concerning this information should be directed to the Property Address Section of this Commission.

Old Address  
25822 Old Hundred Road

New Address  
25912 Frederick Road  
Subdivision: Hyattstown  
Lot: 99,100 Block: Parcel:  
Tax Map: Grid:  
Notes: Tax acct. No. 78673182

Address change due to access relocation

Effective Date  
3-11-96

F. H. Flaharty  
Property Address Section  
(301) 495-4613



HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 25822 Old Hundred Road  
(changed to 25912 Frederick Road)

Meeting Date: 3/13/96

Resource: Hyattstown Historic District

HAWP: Alteration

Case Number: 10/59-96A

Tax Credit: No

Public Notice: 2/28/96

Report Date: 3/06/96

Applicant: Rocco Campanaro

Staff: Patricia Parker

PROPOSAL: Construct new driveway

RECOMMEND: Approval  
w/conditions

---

The applicant seeks HPC approval to construct a new driveway to service a previously approved new single-family house. The house will be located on unimproved property, Lots 99 and 100, which are off First Alley (behind lots which front Frederick Road) and north of Old Hundred Road in the Hyattstown Historic District.

The proposal for construction of a new single-family house was approved by the HPC on April 27, 1994. Subsequent to that meeting, the applicant submitted an additional HAWP for review to remove a tree for construction of well facilities to service the house. This HAWP application was approved by the HPC on March 8, 1995, with the condition that the tree should be removed without disturbance to the root systems of other adjacent tree specimens.

Now the applicant comes before the HPC with a proposal to construct a 12' wide driveway with a 15' apron in the area of First Alley. As proposed, the driveway would intersect Frederick Road and continue west to West Lane.

STAFF DISCUSSION

Staff has discussed this HAWP proposal with the applicant and the applicant has agreed to provide additional information to provide an adequate description of the driveway with respect to its location, width and composition. Therefore, discussion of this proposal was postponed until such documentation became available. The applicant has now provided additional information which is included as part of this Staff Report.

Prior to the writing of this report, staff has queried the applicant's engineer to find out if a determination has been made to properly locate the driveway in the legally described area of First Alley. The engineer has stated that he positioned stakes 25' apart with no obstruction to construct the driveway.

Staff has received information from confronting property owners who raise questions as to the legal sufficiency of the stated address for the new house. Staff has met with M-NCPPC staff with the result that the property address for Lots 99 and 100 will be changed to be 25912 Frederick Road. Access will be via First Alley off Frederick Road; therefore the property address was changed to reflect its entrance.

Staff also met with M-NCPPC staff concerning the effect of asphalt versus gravel with respect to storm water management and other environmental issues. This property sits behind lots

which front Frederick Road and as such, if runoff were to be increased due to the increased amount of impervious surfacing, lots which are in front of the subject lots along Frederick Road and adjacent to the subject property could be adversely impacted. Therefore, the historic district could be negatively impacted. It is the opinion of M-NCPPC environmental staff that with respect to storm water management, gravel is the better material. It will retain some of the run-off - possibly as much as the first half-inch of water. Asphalt will not absorb any of the water. Environmentally, the gravel could cause dusting problems, depending on the amount of use; and maintenance, over time, may be a factor. DOT has specifications which address the construction of public roads and the applicant may want to consider the size of the aggregate and base composition of the road as part of required engineering prior to construction.

#### STAFF RECOMMENDATION

With the following conditions to revise the application, staff recommends that the Commission find the proposal **consistent** with the purposes of Chapter 24A-8(b)5:

The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship;

and with the Secretary of the Interior's Standards for Rehabilitation #1 and 2:

A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment; and

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;

and with the following condition:

#### Condition:

- 1) The new 12' wide driveway with 15' apron shall be constructed using gravel with the required base and shall be engineered to avoid excessive spread of the gravel and to minimize water run-off.
- 2) The property address shall be listed as 25912 Frederick Road.

# APPLICATION FOR HISTORIC AREA WORK PERMIT

CONTACT PERSON Rocco Campanaro  
 DAYTIME TELEPHONE NO. (301) 831 8416 (TUE-SAT)  
(301) 253 6053 (SUN-MON)  
 TAX ACCOUNT # 78673182  
 NAME OF PROPERTY OWNER Rocco Campanaro DAYTIME TELEPHONE NO. (301) 831-8416  
 ADDRESS PO Box 185, CLARKSBURG, MD 20871  
CITY STATE ZIP CODE  
 CONTRACTOR \_\_\_\_\_ TELEPHONE NO. ( ) \_\_\_\_\_  
 CONTRACTOR REGISTRATION NUMBER \_\_\_\_\_  
 AGENT FOR OWNER \_\_\_\_\_ DAYTIME TELEPHONE NO. ( ) \_\_\_\_\_

LOCATION OF BUILDING/PREMISE  
 HOUSE NUMBER 25822 STREET OLD HUNDRED ROAD  
 TOWN/CITY HYATTSTOWN NEAREST CROSS STREET (RT 109) OLD HUNDRED RD AND RT 3  
 LOT 99100 BLOCK \_\_\_\_\_ SUBDIVISION HYATTSTOWN  
 LIBER 5323 FOLIO 297 PARCEL \_\_\_\_\_

### PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CIRCLE ALL APPLICABLE: CIRCLE ALL APPLICABLE: A/C Slab Room Addition  
 Construct Extend Alter/Renovate Repair Move Porch Deck Fireplace Shed Solar Woodburning Stove  
 Wreck/Raze Install Revocable Revision Fence/Wall (complete Section 4) Single Family Other DRIVEWAY

1B. CONSTRUCTION COST ESTIMATE \$ \_\_\_\_\_  
 1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # \_\_\_\_\_

### PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

2A. TYPE OF SEWAGE DISPOSAL 01 ( ) WSSC 02 ( ) SEPTIC 03 ( ) OTHER \_\_\_\_\_  
 2B. TYPE OF WATER SUPPLY 01 ( ) WSSC 02 ( ) WELL 03 ( ) OTHER \_\_\_\_\_

### PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. HEIGHT \_\_\_\_\_ feet \_\_\_\_\_ inches  
 3B. INDICATE WHETHER THE FENCE OR RETAINING WALL IS TO BE CONSTRUCTED ON ONE OF THE FOLLOWING LOCATIONS:  
 On party line/property line \_\_\_\_\_ Entirely on land of owner \_\_\_\_\_ On public right of way/easement \_\_\_\_\_

I HEREBY CERTIFY THAT I HAVE THE AUTHORITY TO MAKE THE FOREGOING APPLICATION, THAT THE APPLICATION IS CORRECT, AND THAT THE CONSTRUCTION WILL COMPLY WITH PLANS APPROVED BY ALL AGENCIES LISTED AND I HEREBY ACKNOWLEDGE AND ACCEPT THIS TO BE A CONDITION FOR THE ISSUANCE OF THIS PERMIT.

Rocco Campanaro Signature of owner or authorized agent JAN 29-96 Date

APPROVED \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
 DISAPPROVED \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

ADJACENT & CONFRONTING PROPERTY OWNERS

10/59-96A  
Rocco Campanaro  
P.O. Box 185  
Clarksburg, MD 20871

Karen Keibler  
25908 Frederick Road  
Clarksburg, MD 20871

Alan Leary  
25904 Frederick Road  
Clarksburg, MD 20871

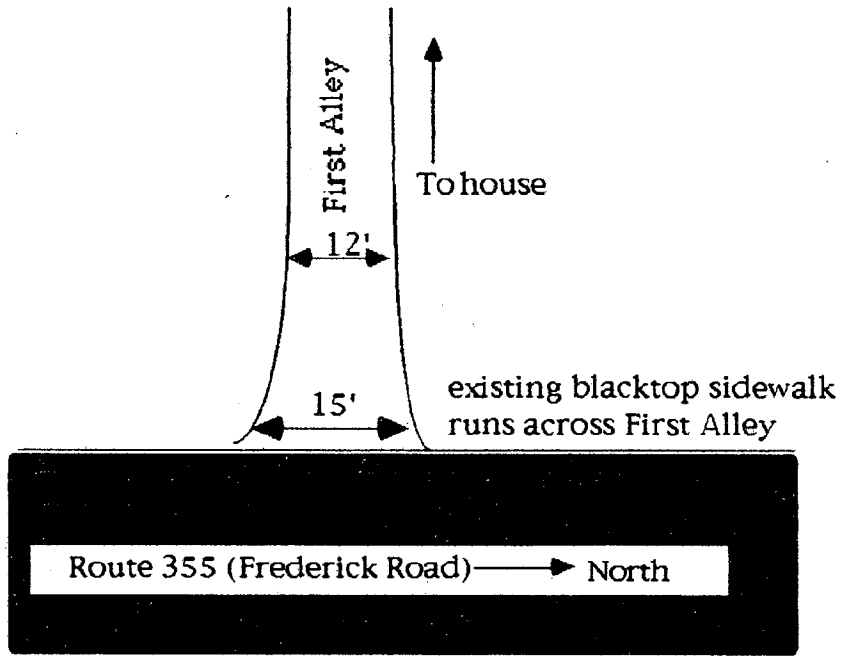
Michael A. Routke  
25914 Frederick Road  
Clarksburg, MD 20871

Julia Fox  
25820 Old Hundred Road  
Dickerson, MD 20871

Rick Wagner  
Boys/Clarksburg/Hyattstown  
Historic District  
2111 Slidell Road  
Boys, MD 20841

Jeff Gross  
25820 Old Hundred Road  
Clarksburg, MD 20871  
\*\*\*

Proposed House



Rocco Campanaro  
25901 Frederick Road  
Hyattstown, MD 20871



February 26, 1996

Julia A. Fox  
25820 Old Hundred Road  
Dickerson, Maryland 20842-9631

Robin Ziek  
Historic Preservation Commission  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Re: Rocco Campanaro / HPC Case No. 15/55-95A - Driveway Permit

Dear Ms. Ziek:

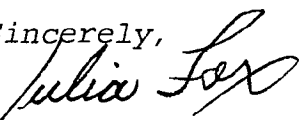
Please note the enclosed copy of your meeting agenda schedule for February 28, 1996. With attention to the entry for the Campanaro permit for driveway construction.

The address that has been assigned to the Campanaro parcel by MNCPPC is not correct. Access to the Campanaro parcel from Old Hundred Road was denied over one year ago. It has been determined and is a matter of record that the old West Lane no longer exists and that the only legal access to the Campanaro parcel is from Frederick Road.

I would plead with the commission to write to Mr. Campanaro and advise him that until such time as he contacts the MNCPPC and requests and is granted a correct address designation, that he can not be granted a permit for construction of a driveway.

Your help would be greatly appreciated.

Sincerely,



Julia A. Fox

JAF/  
cc: Campanero File

SURVEYOR'S CERTIFICATE

I hereby certify that the configuration on this preliminary plan is in accordance with the description of the following deed: a conveyance to **ROCCO & JANICE F. CAMPANARO** by deed recorded **5-21-79** is Liber **5323** Folio **297** which may be found among the Land Records of Montgomery County, Maryland.

10/17/81 *William L. Wirts*  
**WILLIAM L. WIRTS**  
R.P.L.S. MD. #10721

**FIRST ALLEY**  
N 87° E 1165.00'

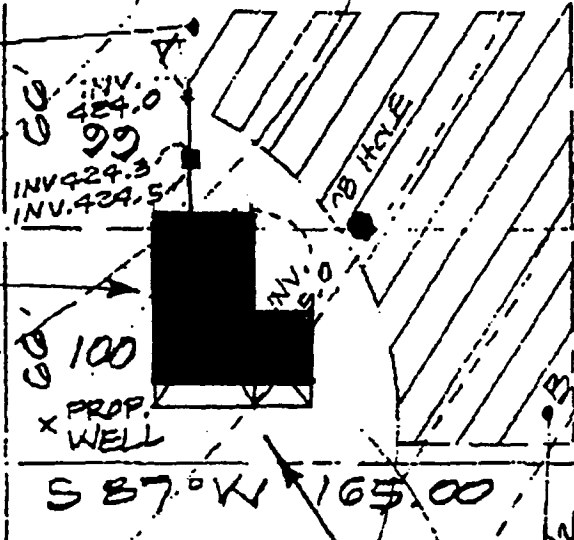
WEST GRAY LANE

22 MIN.  
3-12 1/2

HPC APPROVED LOCATION (APPROX.)

TO ROUTE 100 EXXWELL

N 39° W 132.00'



45

46

47

**PLOT PLAN**  
**LOTS 99 AND 100**  
**HYATTSTOWN**  
**CLARKSBURG DISTRICT**  
**MONTGOMERY COUNTY, MD.**

5 BEDROOM HOUSE  
AVE. PERC TIME - 1.6 MIN  
DEPTH OF STONE - 4  
LENGTH INITIAL SYSTEM - 239  
TOTAL LENGTH SYSTEM 430  
SOIL - M2C2

**SURVEYOR'S CERTIFICATE**

I hereby certify that the position of all existing improvements on the above described property have been carefully established by a transit-tape survey and that unless otherwise shown, there are no encroachments. AND THAT ALL WELLS WITH 100 FEET OF THE PROPERTY HAVE BEEN SHOWN.

10/29/92 *William L. Wirts*  
**WILLIAM L. WIRTS** - Registered Land Surveyor - Maryland No. 10721

**Tri-County Surveys, Inc.**

BOX 35 • DAMASCUS, MARYLAND 20750 (301) 263-3581  
LAND PLANNING CONSULTANTS • SUBDIVISIONS • LOTS & BOUNDARIES

REFERENCE	Drawn by <b>WLV</b>	Checked by
Plat Book <b>K</b>	Date <b>10.17.81</b>	Record No
Plat No. <b>197</b>	Scale <b>1 1/2" = 50'</b>	<b>79-226</b>

NOTE: This drawing is not intended or represented to be a lot stake out survey; no lot corners were set; and is not to be used, or relied upon, for the establishment of any fence, building or other improvements. No responsibility is assumed herein to future purchasers.

Tax Map

COUNTY

LOTS 99 & 100

FREDERICK ROAD

3172 / 164  
179.84 Ac.

Montmott Assoc.  
Ltd. Ptnshp.  
8204 / 847  
67.51 Ac.  
P 250

HYATTSTOWN

P911	26 78
P967	25 78
P970	24 78
P971	23 77
P972	22 76
P973	21 75
P974	20 74
P975	19 73
P976	18 72
P977	17 71
P978	16 70
P979	15 69
P980	14 68
P981	13 67
P982	12 66
P983	11 65
P984	10 64
P985	9 63
P986	8 62
P987	7 61
P988	6 60
P989	5 59
P990	4 58
P991	3 57
P992	2 56
P993	1 55
P994	101 47
P995	102 46
P996	103 45
P997	104 39
P998	105 38
P999	106 37
P1000	107 33
P1001	108 34

G.V. & K.  
Levin  
2382 / 20  
15.28 Ac.  
P 100

M.N.C.P. & P.C.  
3266 / 601  
126.39 Ac.

P 350

P 150

P 303

OLD HUNDRED ROAD  
Montgomery County  
4806 / 138  
14.12 Ac.  
P 464  
Bennett  
P 573  
P 515  
Creek

P 440

N 420

P 473

Montgomery County  
5851 / 632  
37.34 Ac.  
P 777

Montg. Co.  
4774 / 851  
19.29 Ac.  
P 592  
P 546  
P 606  
P 697  
P 750  
P 800

HYATTSTOWN 2 MILL RD.  
12.74 Ac.  
3464 / 196  
P 777

Clarksburg Research  
Center Ltd. Ptnshp.  
8574 / 687  
47.42 Ac.  
P 909

Montg. Co.  
4091 / 612  
28.89 Ac.  
N 900

P 888

P 47  
7.99 Ac.

M.N.C.P. & P.C.  
3594 / 638  
28.89 Ac.

Trust Co.  
J.A. Jr.  
& E.F. Lynott  
3512 / 612  
11.48 Ac.  
P 130

INTERS

Pt. of 305.96 Ac.



**From:**

**Rocco Campanaro  
25901 Frederick Road  
Hyattstown, MD 20871**

**To:**

**QuickSend**

**Fax Phone Number:**

**1(301)2536053**

**Fax Phone Number:**

**1(301)495-1307**

**Voice Phone Number:**

**1(301)2536053**

**Voice Phone Number:****Number of Pages:**

**2**

**Date:**

**2/26/96-5:01:59 PM**

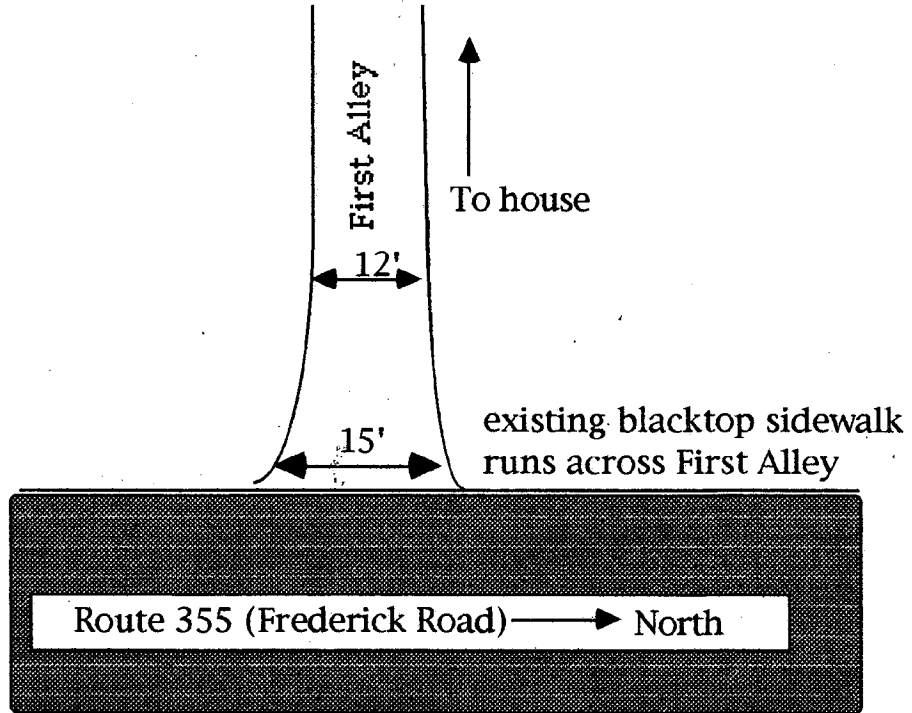
**Subject:**

**WordTemp-2**

**Notes:**

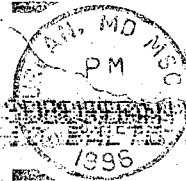
**ATTN: Pat Parker: Here is the diagram of the proposed driveway for Rocco Campanaro. Any questions, please call or fax us. Thank you for your assistance. J. Campanaro**

Proposed House



Not to Scale

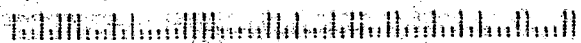
**BRUCHEY BUILDERS, INC.**  
7104 Kehne Road  
Frederick, Md. 21702



*PAT*

Ms. Robin Ziek  
c/o Historic Preservation Commission  
Maryland National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

20910-3760 BC



# Tax Map

COUNTY

LOTS 99 & 100

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3172 / 164  
179.84 Ac.

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8204 / 847  
67.51 Ac.  
P 250

P932	P911
P969	P967
P970	P910
P971	P8
82 24	26 28
83 29	25 79
84 30	24 78
85 31	23 77
86 32	22 76
87 33	21 75
88 34	20 74
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90 36	18 72
91 37	17 71
92 38	16 70
93 39	15 69
94 40	14 68
95 41	13 67
96 42	12 66
97 43	11 65
98 44	10 64
99 45	9 63
100 46	8 62
101 47	7 61
102 48	6 60
103 49	5 59
104 50	4 58
P350	P440
P351	N 420
P352	P473
P353	P473
P354	P473
P355	P473
P356	P473
P357	P473
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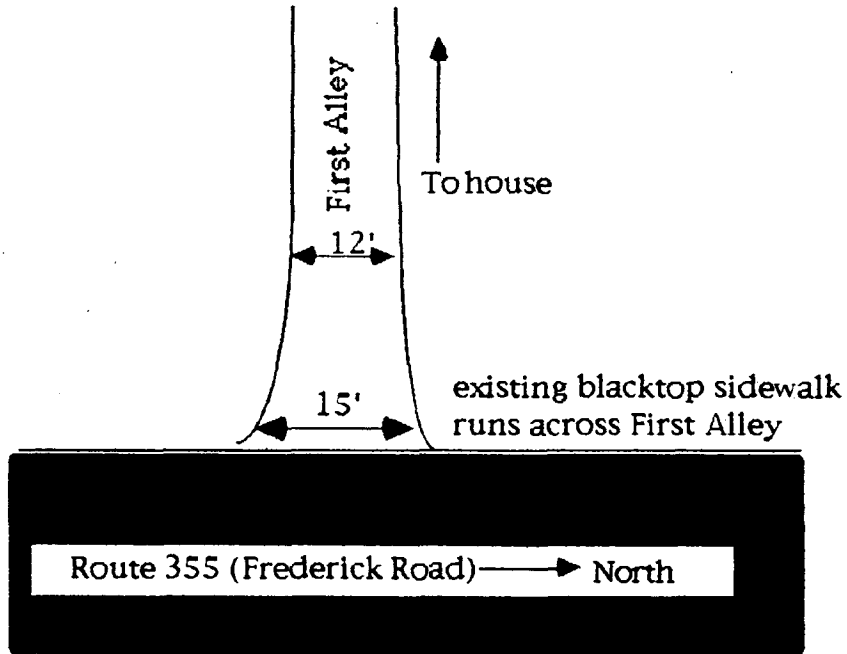
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RD.

INTE

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February 26, 1996

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Historic Preservation Commission  
Maryland National Capital Park and Planning Commission  
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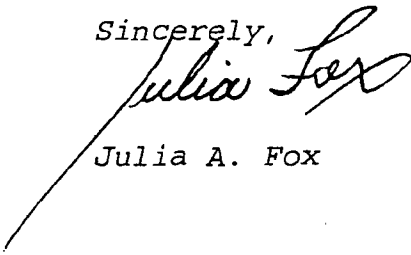
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JAF/  
cc: Campanero File

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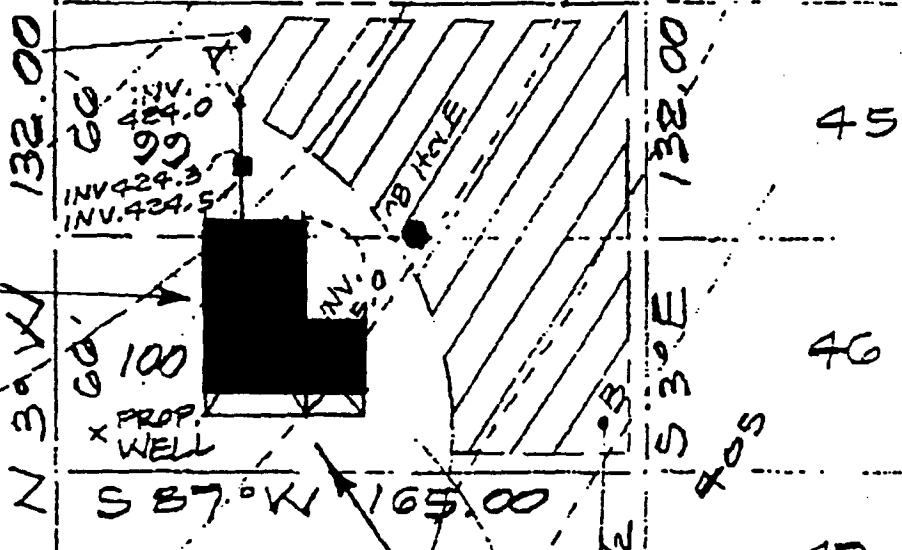
10/17/81 *William L. Wirtz*  
WILLIAM L. WIRTZ  
R.P.L.S. MD. #10721

**FIRST ALLEY**  
N 87° E 1165.00'

WEST GRAY LANE  
N 39° W 132.00'

22 MIN.  
3-12 1/2

HPC APPROVED LOCATION (APPROX.)  
TO ROUTE #100  
EXH. WELL



**PLOT PLAN  
LOTS 99 AND 100  
HYATTSTOWN  
CLARKSBURG DISTRICT  
MONTGOMERY COUNTY, MD.**

14 MIN. 3/2-12/2  
5 BEDROOM HOUSE  
AVE. PERC TIME - 16 MIN  
DEPTH OF STONE - 3-12/2  
LENGTH INITIAL SYSTEM - 4  
TOTAL LENGTH SYSTEM - 239  
930'  
SOIL - M2C2

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10/29/92 *William L. Wirtz*  
WILLIAM L. WIRTZ - Registered Land Surveyor - Maryland No. 10721

**Tri-County Surveys, Inc.**

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Plot No. 197	Scale 11"=50'	79-226

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