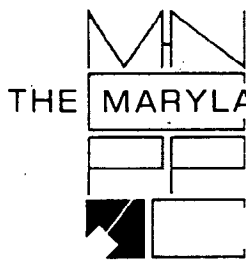


Board of Appeals Case No. A-3082  
HPC Case 22/30-90A



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

March 16, 1992

MEMORANDUM

TO: Robert Hubbard, Div. of Construction Codes Enforcement  
Montgomery County Department of Environmental Protection

FROM: Gwen Marcus, Historic Preservation Coordinator *Gwen Marcus*  
Maryland-National Capital Park and Planning Commission

SUBJECT: Building Permit Application on 15715 Avery Road

---

I am writing in regard to the house at 15715 Avery Road, which is a designated historic site on the Master Plan for Historic Preservation.

An initial Historic Area Work Permit for an attached garage on this property was denied by the Historic Preservation Commission. The owners filed an appeal with the Board of Appeals. The Board of Appeals sent the case back to the Historic Preservation Commission for additional review and resolution.

On January 23, 1991, the matter was officially resolved and a signed consent agreement between the owners of the historic site and the Historic Preservation Commission was sent to the Board of Appeals.

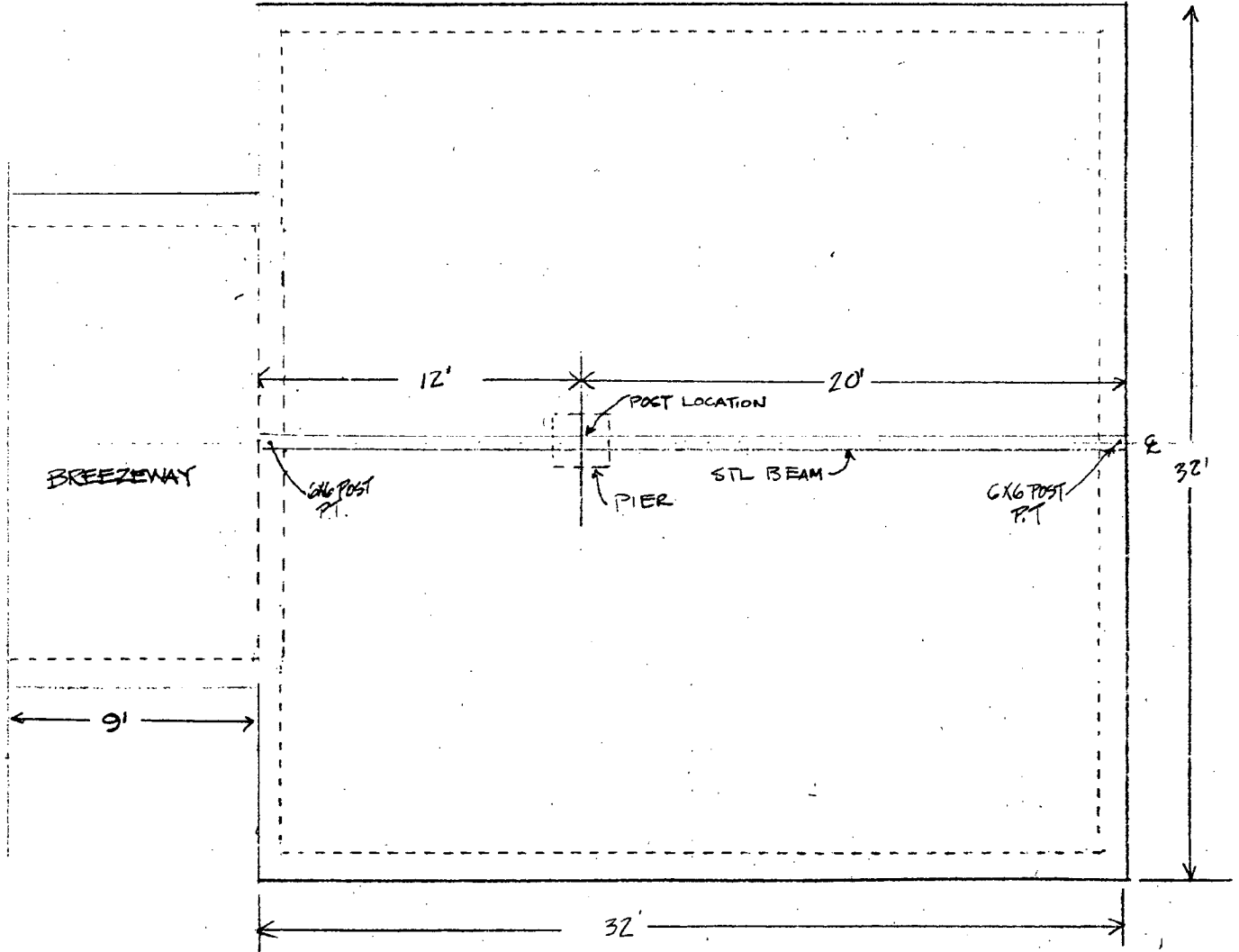
At this time, the owners of the property wish to make minor revisions to the building plans that are the subject of the consent agreement. These revisions include extending the "breezeway" connection from 7' in length to 9' in length, and increasing the depth of the garage from 30' to 32'.

I have reviewed these proposed revisions and find that they do not substantially change the previous agreement and that they are in keeping with the design and historic preservation goals for this particular house.

As I find the proposed revisions acceptable, I recommend that the building permit on this property be issued. Please contact me at 495-4570 if you have any questions on this matter.

TEEN

EX. HOUSE  
→



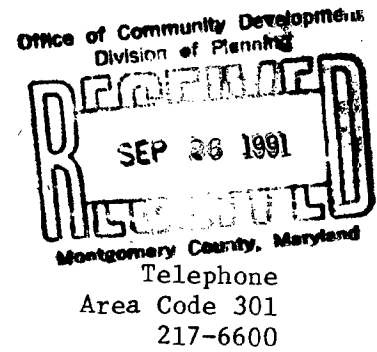
FOUNDATION LAYOUT

SCALE 1/4" = 1'0"

*Amette-  
FJI*

BOARD OF APPEALS  
for  
MONTGOMERY COUNTY

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850



Case No. A-3082

APPEAL OF WILLIAM AND JOAN BANFIELD

RESOLUTION TO DISMISS APPEAL  
(Resolution adopted September 4, 1991)

The Board is in receipt of a letter dated August 23, 1991, from the appellants, which states:

"This is to inform you that we are pleased with the decision of the board and withdraw our appeal."

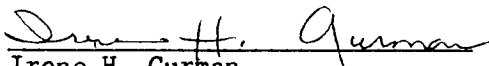
Therefore, based on the foregoing,

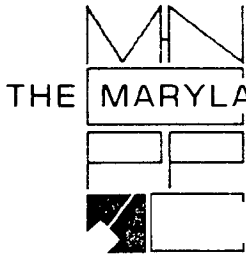
BE IT RESOLVED by the Board of Appeals for Montgomery County, Maryland, that Case No. A-3082, (Administrative) Appeal of William and Joan Banfield, charging error on the part of the Historic Preservation Commission in its denial of a Historic Area Work Permit, shall be and hereby is dismissed.

The subject property is located at 15715 Avery Road, Rockville, Maryland, in the RE-2 Zone.

The foregoing Resolution was proposed by William Green and concurred in by Helen R. Strang, K. Lindsay Raufaste and Judith B. Heimann, Chairman. Howard Jenkins, Jr. was necessarily absent and did not participate in the foregoing Resolution.

Entered in the Minute Book  
of the Board of Appeals for  
Montgomery County, Maryland,  
this 23rd day of September, 1991.

  
Irene H. Gurman  
Clerk to the Board



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

July 30, 1991

MEMORANDUM

TO: Terry Grant  
MC Department of Environmental Protection

FROM: Gwen Marcus, Historic Preservation Coordinator *Gwen*  
M-NCPPC

SUBJECT: Building Permit Application on 15715 Avery Road

---

The house at 15715 Avery Road is a designated historic site on the Master Plan for Historic Preservation.

An initial Historic Area Work Permit for an attached garage on this property was denied by the Historic Preservation Commission. The owners filed an appeal with the Board of Appeals. The Board of Appeals sent the case back to the Historic Preservation Commission for additional review and resolution.

On January 23, 1991, the matter was officially resolved and a signed consent agreement between the owners of the historic site and the Historic Preservation Commission was sent to the Board of Appeals.

It seems that this agreement was not forwarded to the Department of Environmental Protection. Therefore, I am taking this opportunity to forward it and to officially notify your office that a building permit for an attached garage may be issued on the property at 15715 Avery Road, as long as it is in conformance with the plans attached to the consent agreement and with the language in the consent agreement.

If you have any question on this matter, please feel free to call me at 495-4570.

cc: Robert Hubbard  
Mary Quattro  
Dr. and Mrs. William Banfield



## Montgomery County Government

January 9, 1991

Dr. and Mrs. William G. Banfield  
15715 Avery Road  
Rockville, Maryland 20850

RE: Board of Appeals Case No. A-3082

Dear Mr. and Mrs. Banfield:

Please find enclosed the consent agreement between you and the Historic Preservation Commission in regard to Board of Appeals Case No. A-3082 for your review and signature. If the document meets with your approval, please sign and return the entire packet as soon as possible. If you have any questions, please call me at 217-3625. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Laura E. McGrath".

Laura E. McGrath,  
Planning Specialist

Enclosure

2412E

## CONSENT AGREEMENT

between

THE MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION

and

DR. AND MRS. WILLIAM G. BANFIELD

in regard to Board of Appeals Case No. A-3082

### BACKGROUND

On October 31, 1990, the Montgomery County Board of Appeals held a public hearing regarding the appeal of the decision of the Historic Preservation Commission (herein after referred to as the "Commission") to deny an application for an Historic Area Work Permit to construct a garage made by Dr. and Mrs. William G. Banfield (herein after referred to as the "Banfields"), at 15715 Avery Road, Rockville (HPC Case 22/30-90A). At that hearing the Board of Appeals requested that the Commission and the applicants work together to reach an acceptable resolution within 90 days. Subsequently, the applicants submitted revised plans for construction of a garage and met with the HPC at its December 19, 1990, meeting to discuss the revised plans. After some discussion, the Commission voted unanimously in favor of the revised proposal, noting that it does conform with the criteria of Montgomery County Code Chapter 24A, Section 8.

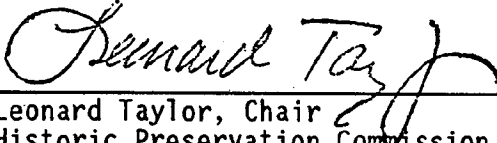
### CONSENT AGREEMENT

Therefore, in an effort to resolve the above-referenced appeal, the Banfields and the Commission have agreed as follows:

1. The Banfields consent to replacing the plans submitted in Application #22/30-90A with the plans submitted to the Commission on December 10, 1990, which are attached to this agreement as Exhibit A. Further, the Banfields agree to be bound by representations made by them on December 19, 1990, at the Commission's discussion of the case and by other descriptive and supportive data submitted in the Banfields' original Historic Area Work Permit application.
- 2: The Banfields agree that the new structure will have the following elements: The garage will be a two-bay, two-story structure with a rear second-story dormer and will be attached to the existing house with an indented, enclosed breezeway with roof line approximately 3 1/2' below the garage roof line. The garage will measure 30' wide X 32' long, with a 7'

wide breezeway. The garage will be set back approximately 15' from the front of the house. The materials of the garage will match the existing house with German clapboard siding and wood trim, double hung windows, metal roof, and wooden shutters. The breezeway will incorporate the metal roof and siding, but with large windows installed on each side.

3. The Commission acknowledges that the revised plans conform with the criteria of Montgomery County Code Chapter 24A, Section 8.
4. The Banfields agree to request that the Board of Appeals dismiss Appeal No. A-3082.
5. The Commission agrees to recommend that the Director of the Department of Environmental Protection issue a Historic Area Work Permit for the project as proposed and described in this agreement and in Exhibit A.
6. The parties represent that this agreement is made in full and final settlement of Appeal No. A-3082.

 _____ Leonard Taylor, Chair Historic Preservation Commission	<u>1-9-91</u> _____ Date
_____ Dr. William G. Banfield	_____ Date
_____ Joan Banfield	_____ Date



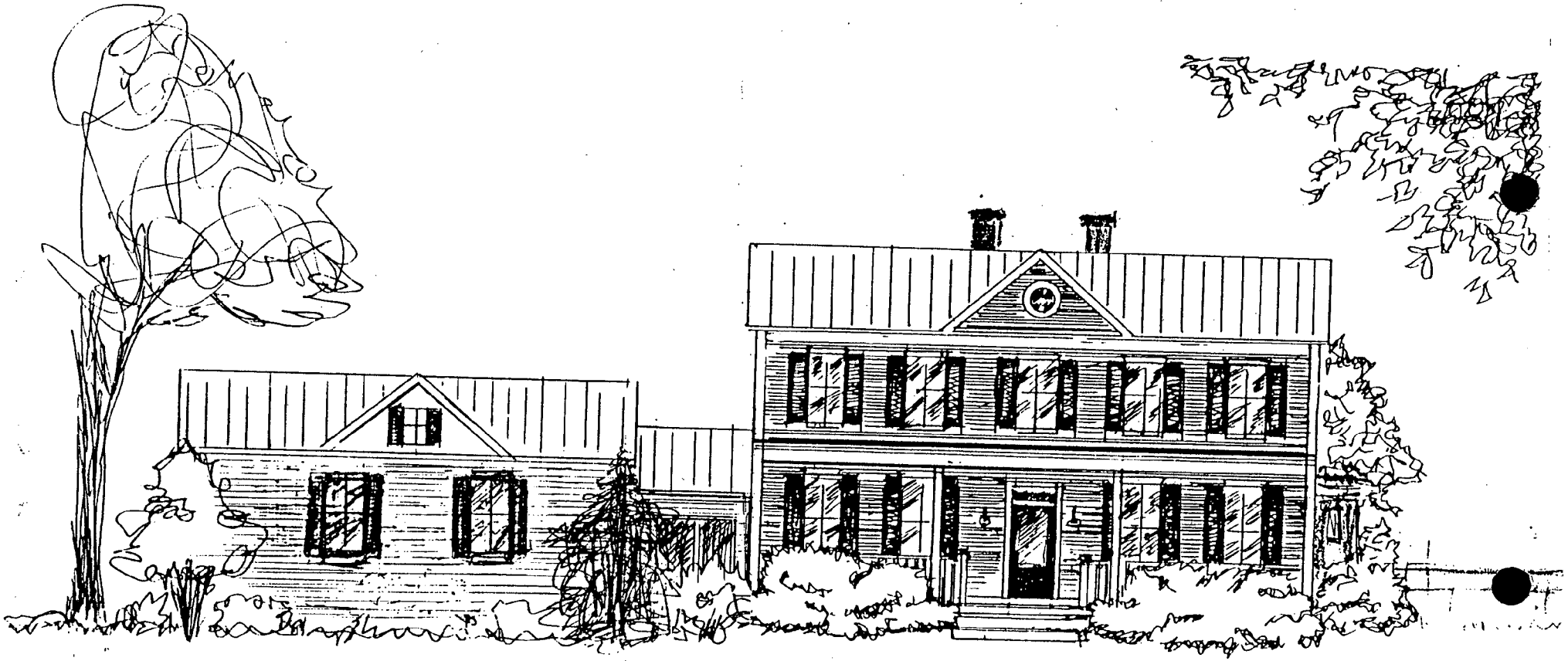


NORTH FACE



EAST FACE

BANFIELD



WEST FACE

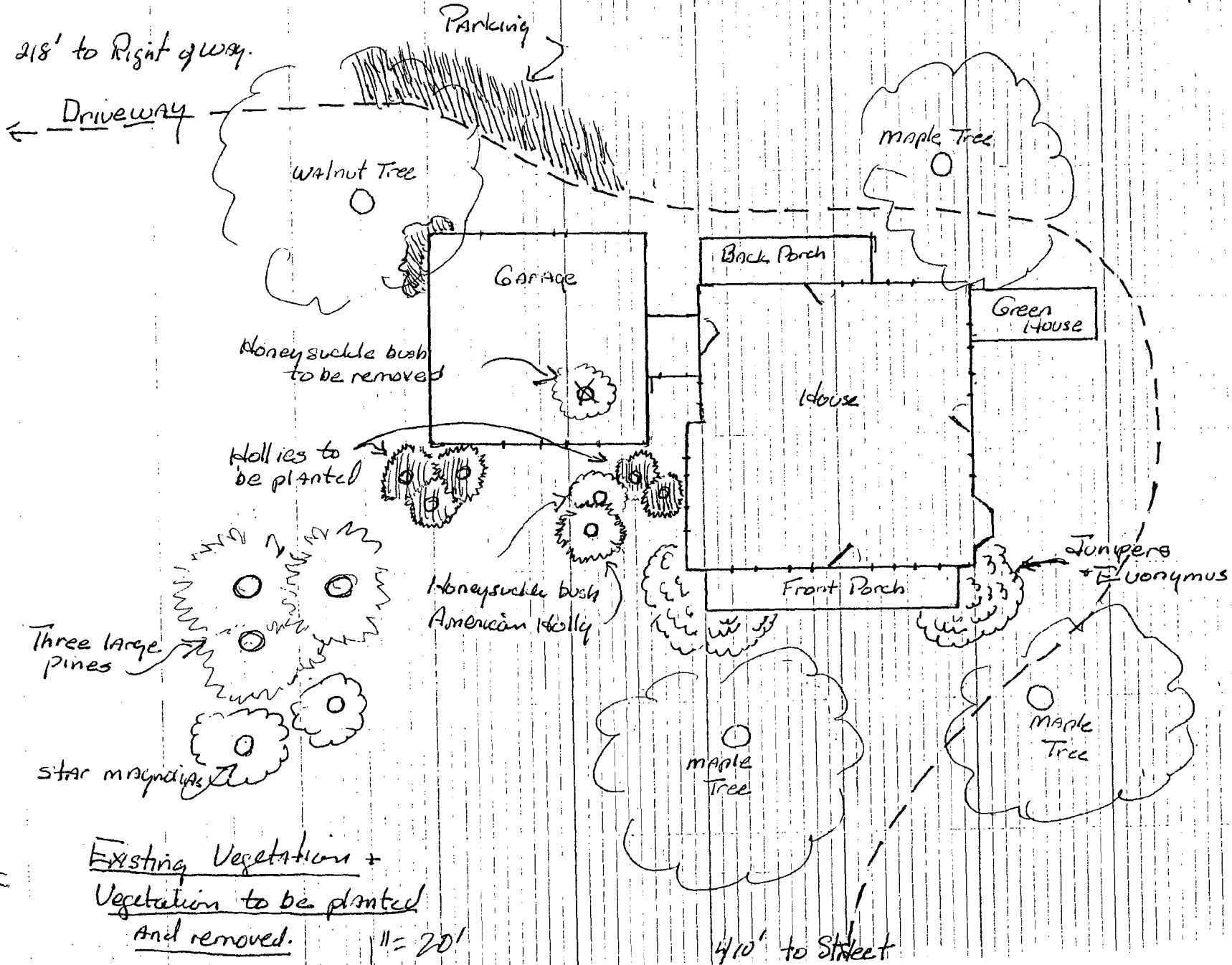
ZANFIELD

EXHIBIT A - SITE PLAN

154' to Property line ↑

The Barnsley House  
Dr. & Mrs. Wm. G. Barnfield  
15715 Avery Rd. Rockville.  
20855

218' to Right of way.  
← Driveway



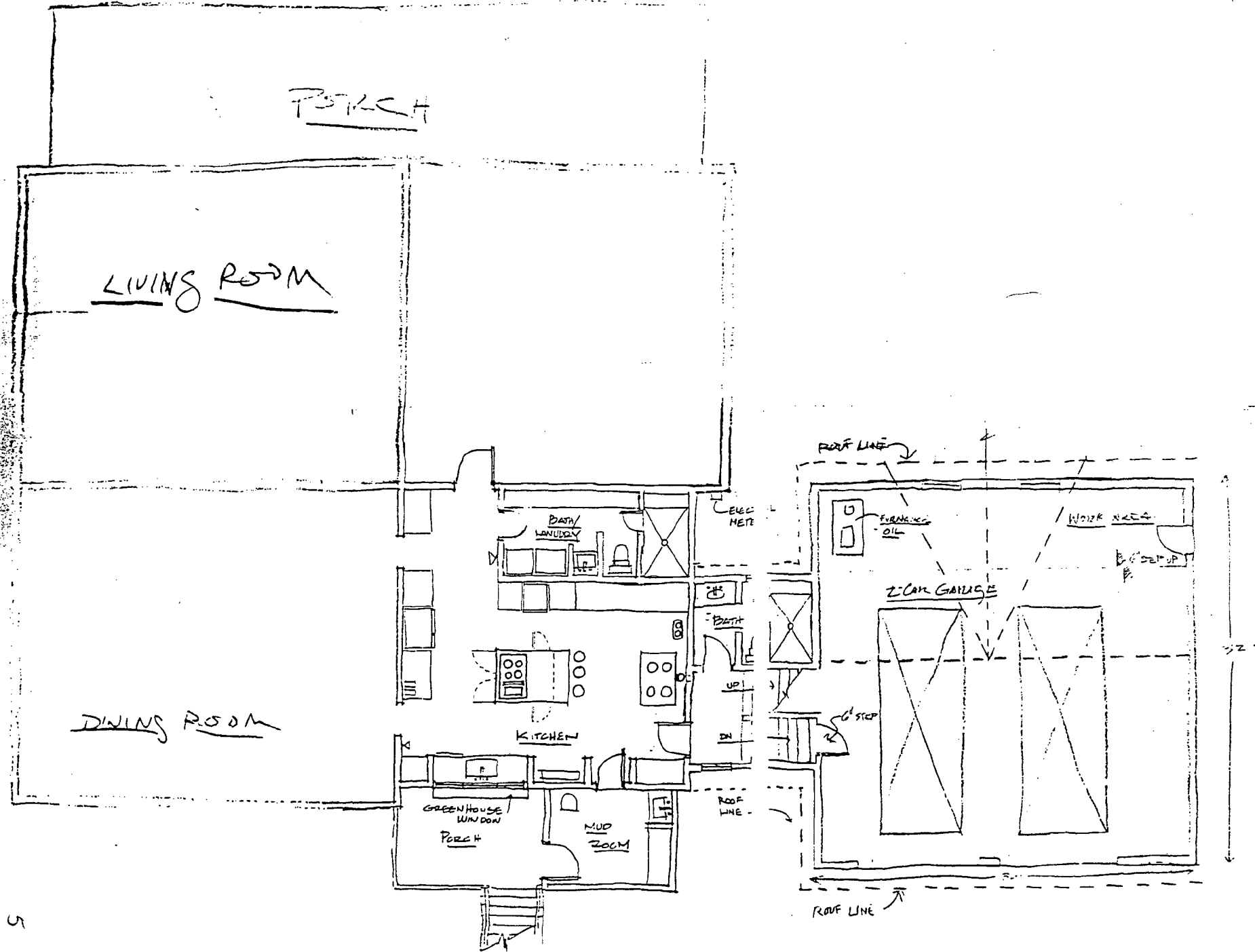
Existing Vegetation +  
Vegetation to be planted  
And removed. 1" = 20'

482' to Property line →

410' to Street ↓

15715 AVERY RD. ROCKVILLE, MD 20855

EXHIBIT A - FLOOR PLAN





# Montgomery County Government

## MEMORANDUM

TO: Judith Heimann, Chair  
Board of Appeals

FROM: Leonard Taylor, Jr., Chair  
Historic Preservation Commission

SUBJECT: Board of Appeals Case No. A-3082

DATE: January 23, 1991

A handwritten signature in cursive script that reads "Leonard Taylor, Jr." is written over the printed name of the sender.

Attached please find a consent agreement between the Historic Preservation Commission and Mr. and Mrs. William Banfield in regard to Board of Appeals Case Number A-3082. We are pleased that the matter could be resolved in this way and hope that this agreement meets with the Board's approval.

Should you have any questions, please feel free to call me at 986-5222 or Laura McGrath, Historic Preservation staff, at 217-3625.

Attachment

2456E

Historic Preservation Commission

51 Monroe Street, Rockville, Maryland 20850-2419, 301/217-3625

**CONSENT AGREEMENT**

between

**THE MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**

and

**DR. AND MRS. WILLIAM G. BANFIELD**

in regard to Board of Appeals Case No. A-3082

**BACKGROUND**

On October 31, 1990, the Montgomery County Board of Appeals held a public hearing regarding the appeal of the decision of the Historic Preservation Commission (herein after referred to as the "Commission") to deny an application for an Historic Area Work Permit to construct a garage made by Dr. and Mrs. William G. Banfield (herein after referred to as the "Banfields"), at 15715 Avery Road, Rockville (HPC Case 22/30-90A). At that hearing the Board of Appeals requested that the Commission and the applicants work together to reach an acceptable resolution within 90 days. Subsequently, the applicants submitted revised plans for construction of a garage and met with the HPC at its December 19, 1990, meeting to discuss the revised plans. After some discussion, the Commission voted unanimously in favor of the revised proposal, noting that it does conform with the criteria of Montgomery County Code Chapter 24A, Section 8.

**CONSENT AGREEMENT**

Therefore, in an effort to resolve the above-referenced appeal, the Banfields and the Commission have agreed as follows:

1. The Banfields consent to replacing the plans submitted in Application #22/30-90A with the plans submitted to the Commission on December 10, 1990, which are attached to this agreement as Exhibit A. Further, the Banfields agree to be bound by representations made by them on December 19, 1990, at the Commission's discussion of the case and by other descriptive and supportive data submitted in the Banfields' original Historic Area Work Permit application.
2. The Banfields agree that the new structure will have the following elements: The garage will be a two-bay, two-story structure with a rear second-story dormer and will be attached to the existing house with an indented, enclosed breezeway with roof line approximately 3 1/2' below the garage roof line. The garage will measure 30' wide X 32' long, with a 7'

wide breezeway. The garage will be set back approximately 15' from the front of the house. The materials of the garage will match the existing house with German clapboard siding and wood trim, double hung windows, metal roof, and wooden shutters. The breezeway will incorporate the metal roof and siding, but with large windows installed on each side.

3. The Commission acknowledges that the revised plans conform with the criteria of Montgomery County Code Chapter 24A, Section 8.
4. The Banfields agree to request that the Board of Appeals dismiss Appeal No. A-3082.
5. The Commission agrees to recommend that the Director of the Department of Environmental Protection issue a Historic Area Work Permit for the project as proposed and described in this agreement and in Exhibit A.
6. The parties represent that this agreement is made in full and final settlement of Appeal No. A-3082.

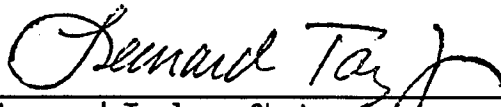


 _____ Leonard Taylor, Chair Historic Preservation Commission	<u>1-9-91</u> Date
 _____ Dr. William G. Banfield	<u>1/21/91</u> Date
 _____ Joan Banfield	<u>1/21/91</u> Date



EXHIBIT A - EAST FACE



EAST FACE

BANFIELD

EXHIBIT A - WEST FACE



WEST FACE

ZANFIELD



NORTH FACE

EXHIBIT A - SITE PLAN

The Branley House  
Dr. Mrs. Wm. G. Branfield  
15715 Avery Rd. Rockville.  
10855

154' to Property line ↑

218' to Right of way ←

Driveway

Parking

Walnut Tree

Maple Tree

Garage

Back Porch

Green House

House

Honeysuckle bush to be removed

Hollies to be planted

482' to Property line →

Honeysuckle bush  
American Holly

Front Porch

Junipers  
Euonymus

Three large Pines

Star magnolia

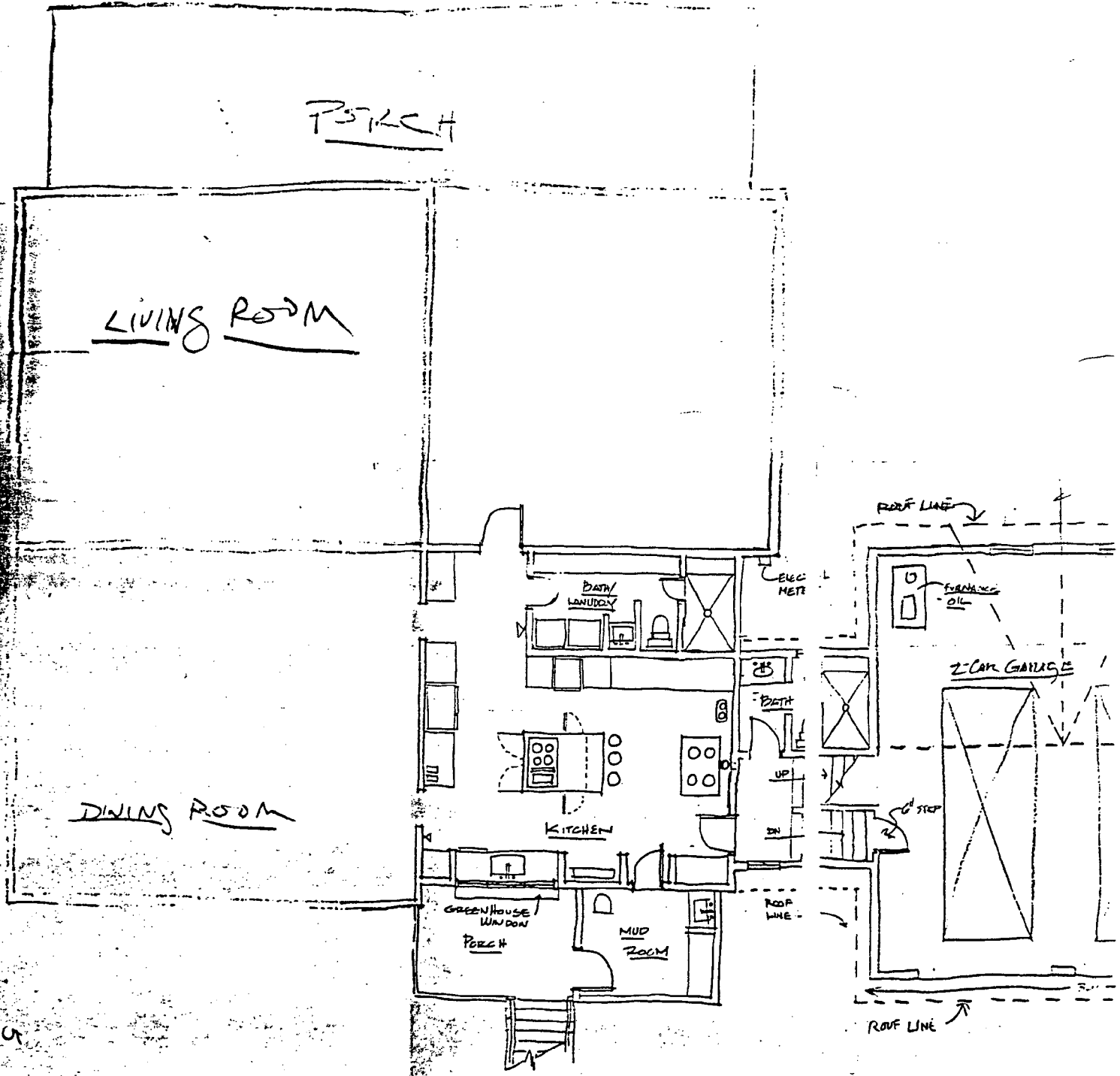
Maple Tree

Maple Tree

Existing Vegetation =  
Vegetation to be planted  
And removed.

11 = 20'

410' to Street



9

HISTORIC PRESERVATION COMMISSION STAFF REPORT

PREPARED BY: Laura McGrath

DATE: December 12, 1990

CASE NUMBER: N/A

TYPE OF REVIEW: N/A

SITE/DISTRICT NAME: Barnesley House

PROPERTY ADDRESS: 15715 Avery Road

TAX CREDIT ELIGIBLE: No

DISCUSSION:

As you may recall, in August, 1990, the Commission denied an application by the applicants requesting approval of construction of an attached garage (HPC Case No. 22/30-90A). The applicants subsequently appealed this decision to the Board of Appeals, which held a public hearing in late October, 1990. At the conclusion of the hearing, the Board detected some collegiality between the Banfields and the HPC and, therefore, directed the applicants and the Commission to work together to reach an acceptable resolution. This resolution should be forwarded to the Board of Appeals in the form of a consent agreement by January 26, 1990. The Board will then close the record and issue a formal decision.

The first application proposed a three-bay, two-story garage/workshop which would be attached to the existing house. The proposed garage measured 36' wide X 32' long and included a 9' wide enclosed breezeway connecting it to the house. Although the breezeway was indented, it shared the same roof line with the garage. All materials would match the existing house, which measures 46 1/2' in length and 45 1/2' in width. (Please see original proposal attached.) The Commission denied the application primarily based on the following: 1) An attached two-story addition would be inappropriate to this style as it would make the existing building mass asymmetrical; and 2) Outbuildings to Gothic Revival style farmhouses in the central eastern United States were not traditionally attached to the main house. A detached garage in the same location as proposed, or one connected to the house with an open breezeway, would be more appropriate to the historic site (Commission Decision attached).

With the present submission, the applicants are proposing to construct a two-bay, two story garage, 16' in height, with rear second-story dormer. The garage would be attached to the existing house with an indented, enclosed breezeway with roof line approximately 3 1/2' below the garage roof line (12 1/2'). The garage would measure 30' wide X 32' long, with a 7' wide breezeway. The garage would be set back approximately 15' from the front of the house. The materials of the garage would match the existing house with German clapboard siding and wood trim, double hung windows, metal roof, and wooden shutters. The breezeway would incorporate the metal roof and siding, but with large windows installed on each side.

The applicants have also submitted a landscaping plan showing existing vegetation and vegetation to be planted. Only one honeysuckle bush will require removal. Hollies will be planted on each end of the garage in the front to further screen the garage and the breezeway.

STAFF RECOMMENDATION:

The applicants have taken several steps with the current proposal to address the original concerns of the Commission. As a result, the width of the garage has decreased, reducing its scale in relation to the existing house. The large windows proposed for the breezeway help to "open up" the breezeway and, along with the lower roof line, helps to further differentiate the breezeway from the garage. This, in turn, helps define the garage as a structure separate from the historic resource. Finally, the proposed plantings should help in screening the garage and "softening" its impact on the house. Staff recommends that the Commission agree with this proposal. This agreement would be based on criterion 24A-8 (b)(1).

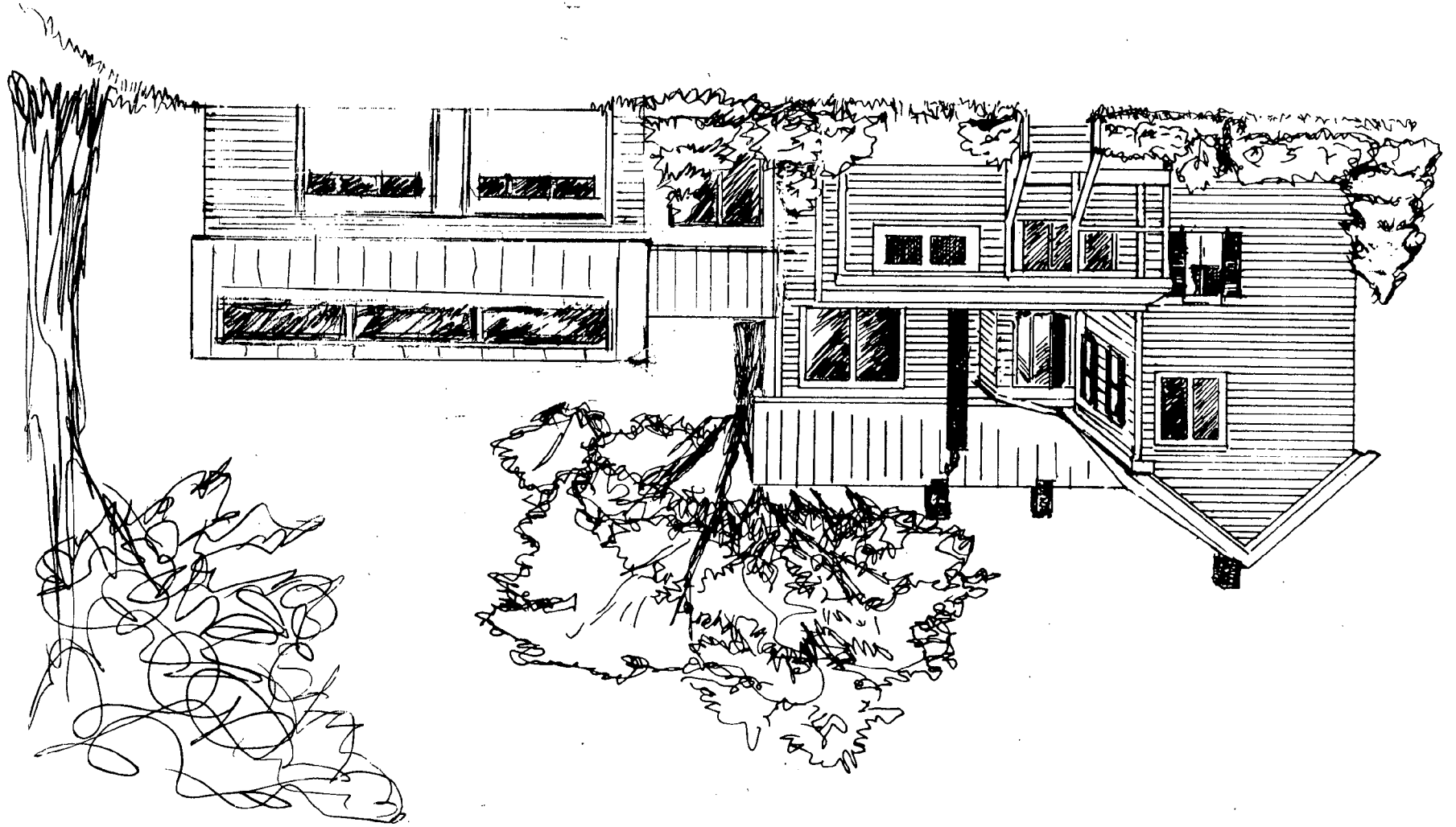
ATTACHMENTS:

1. December 10, 1990 Submission by Applicant
2. August, 1990, HAWP Application and Staff Report
3. Commission Decision on HPC Case No. 22/30-90A

2343E

1" = 10'

EAST FACE





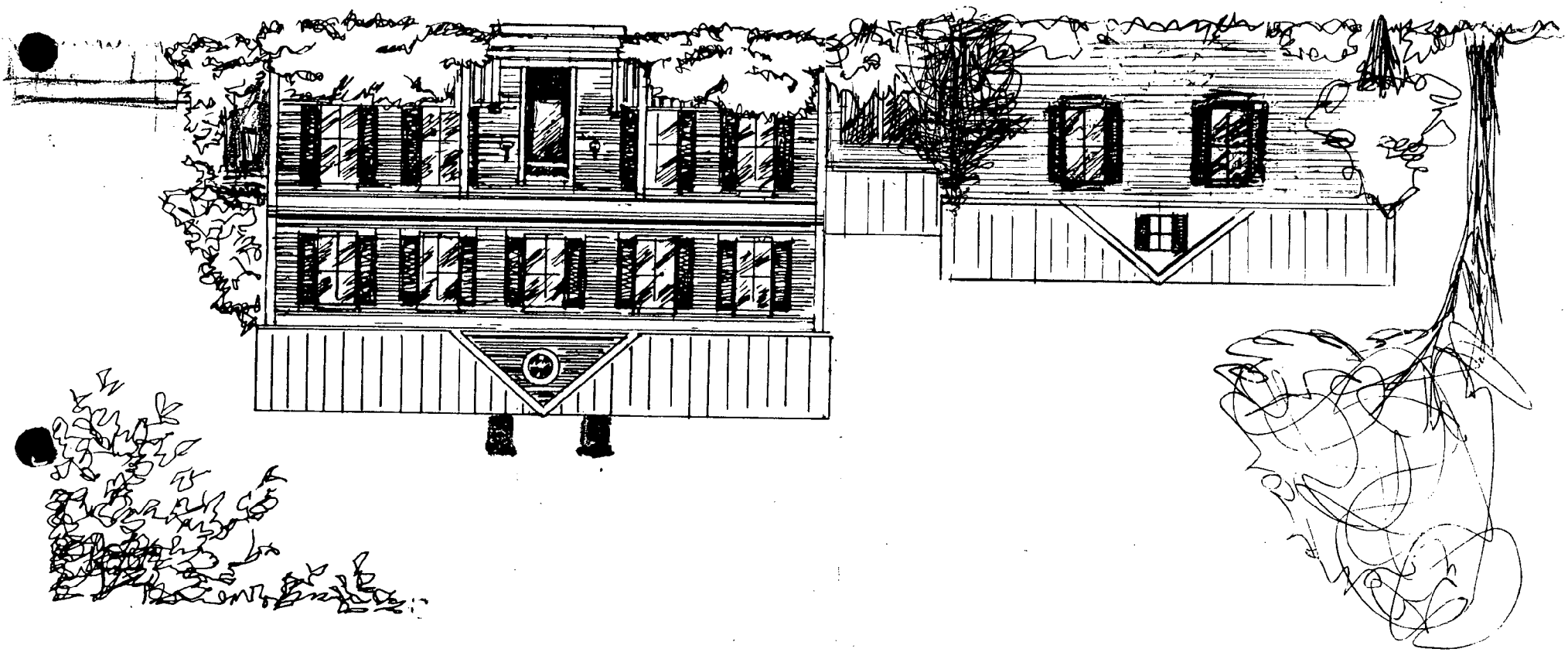
**R** E C E I V E D **D**  
DEC 10 1990  
HISTORIC PRESERVATION  
COMMISSION, MONTG CTY

1" = 10'

MANFIELD

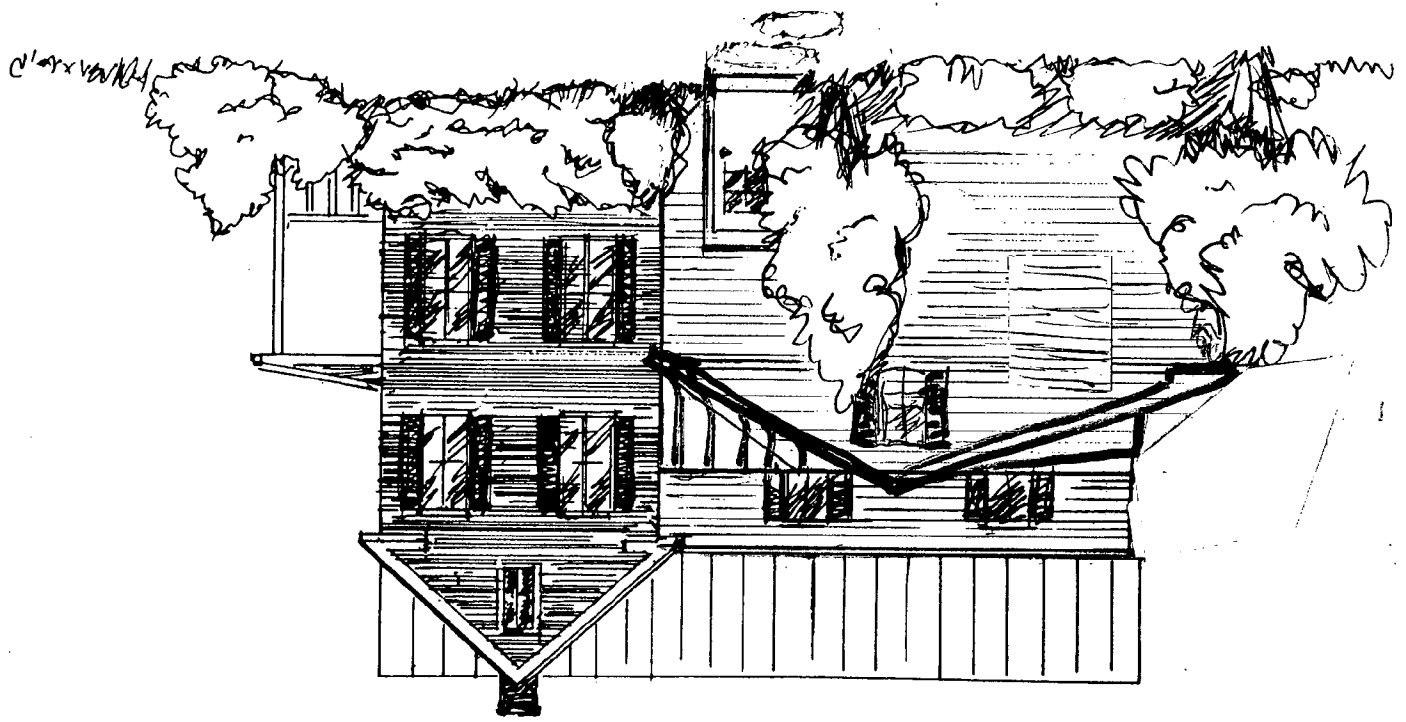
WEST FACE

2



RECEIVED  
DEC 10 1990  
HISTORIC PRESERVATION  
COMMISSION, MONTG CTY

NORTH ELEVATION



HISTORIC PRESERVATION COMMISSION MONTGOMERY  
REC 10 1989  
RECEIVED

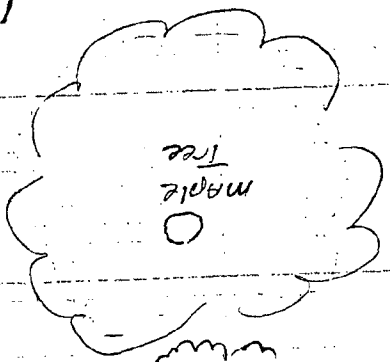
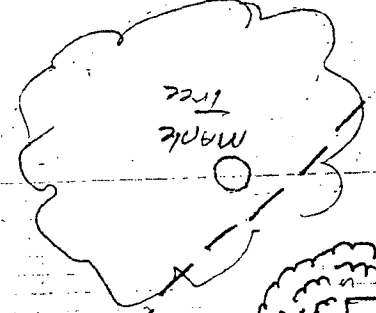
12 24 55

The Ibmstedt House  
Dr. Mrs Wm. G. Ibmstedt  
15715 Avenue Rd. Rockville, MD 20855

15' to property line

48' to property line

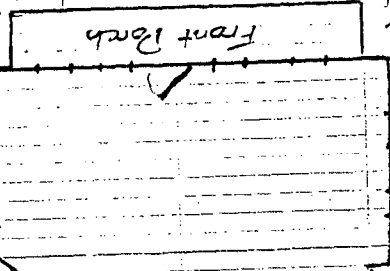
stumpers



Green house

Back porch

porch



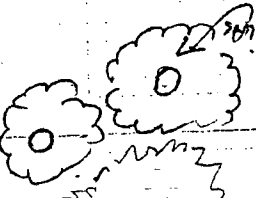
Front porch

Garage

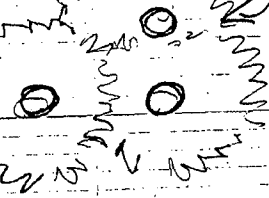
honey suckle bush to be removed

honey suckle bush

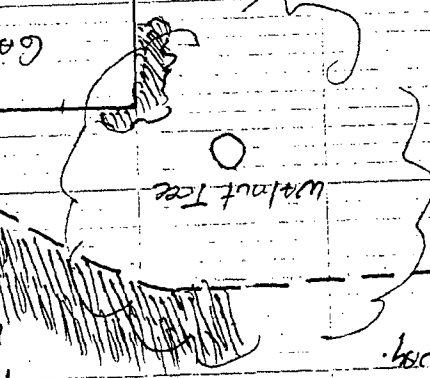
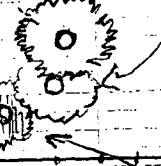
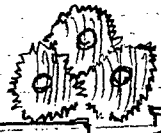
American Holly



three large pines



Koelias to be planted



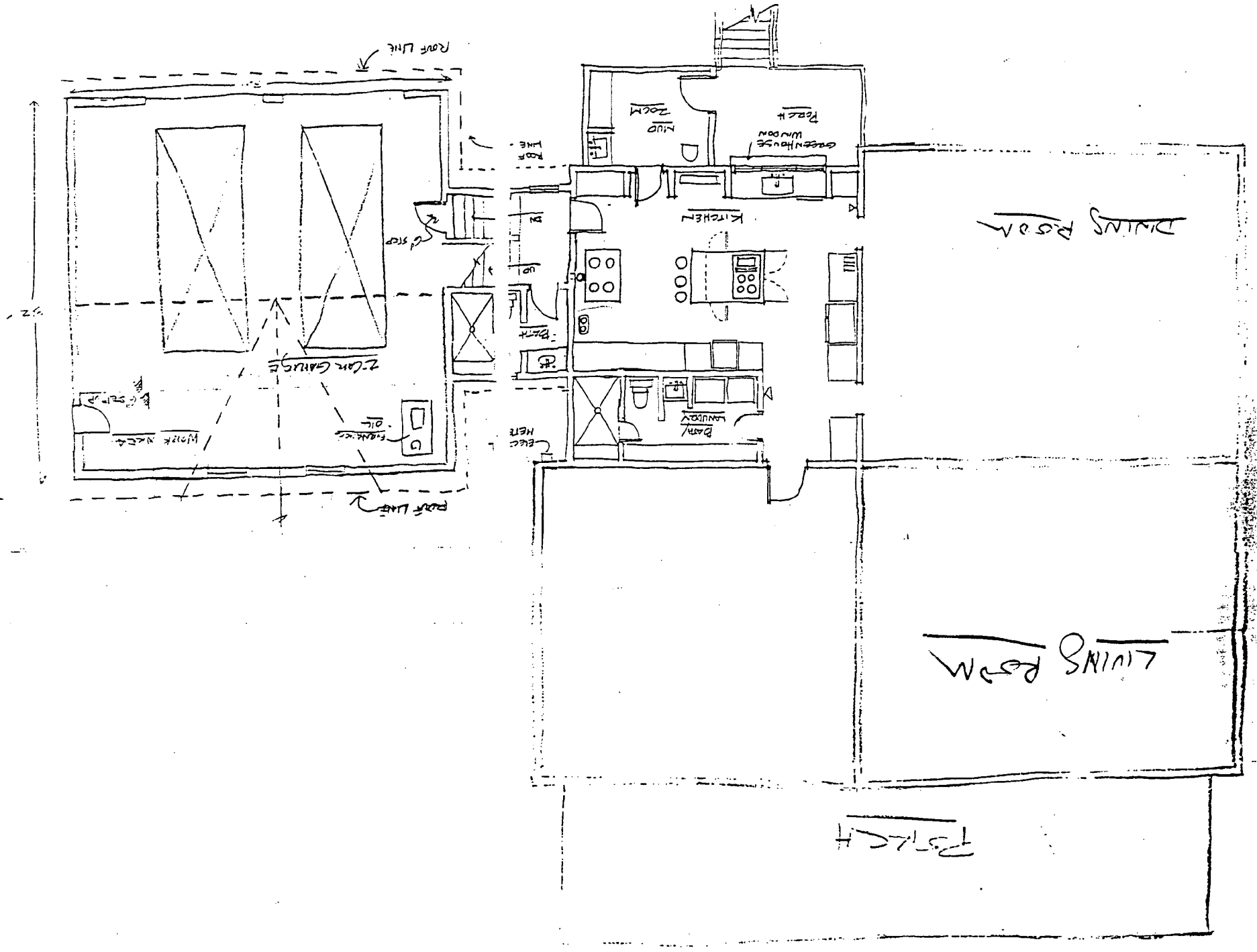
Driveway

218' to right of way

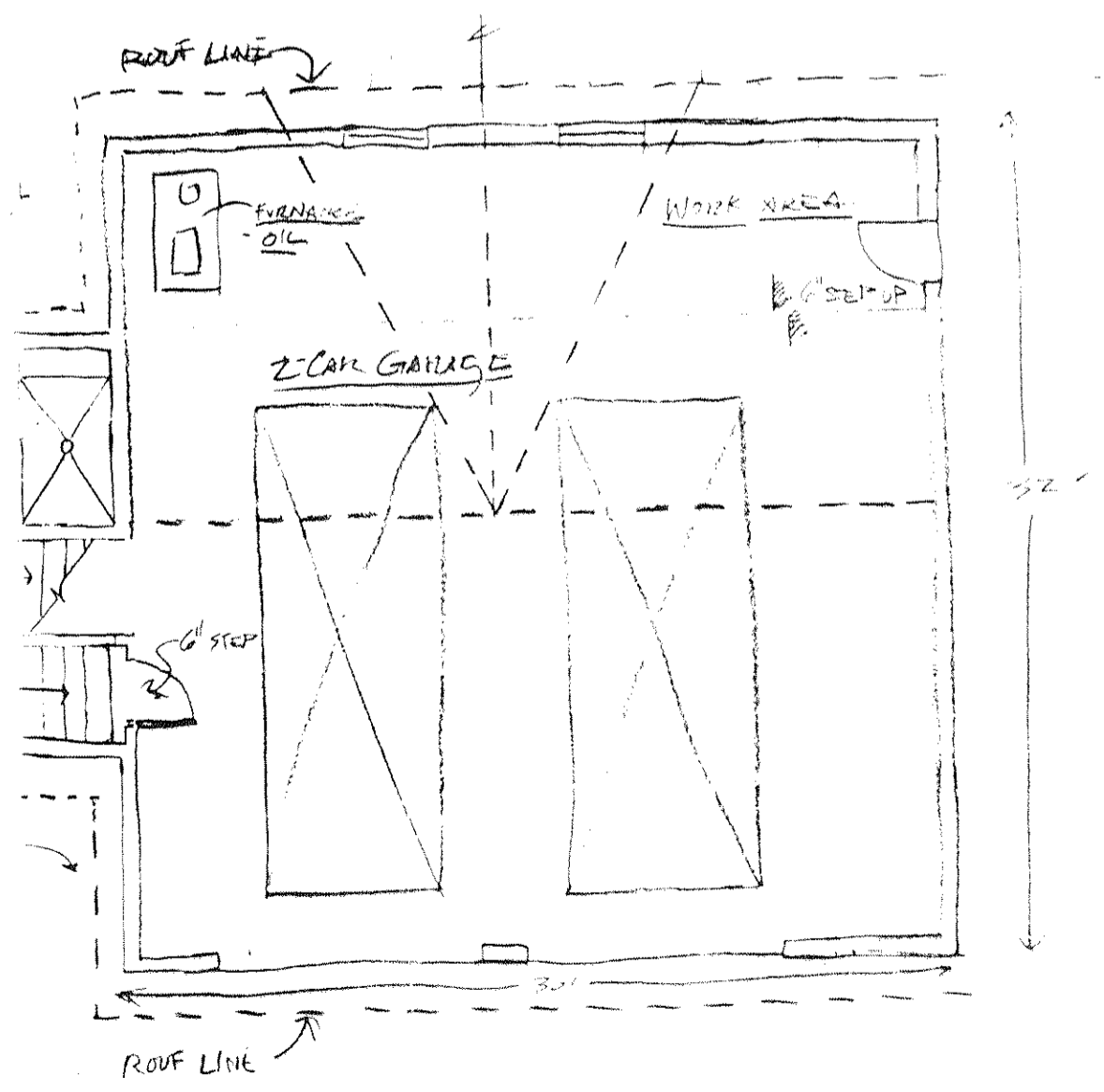
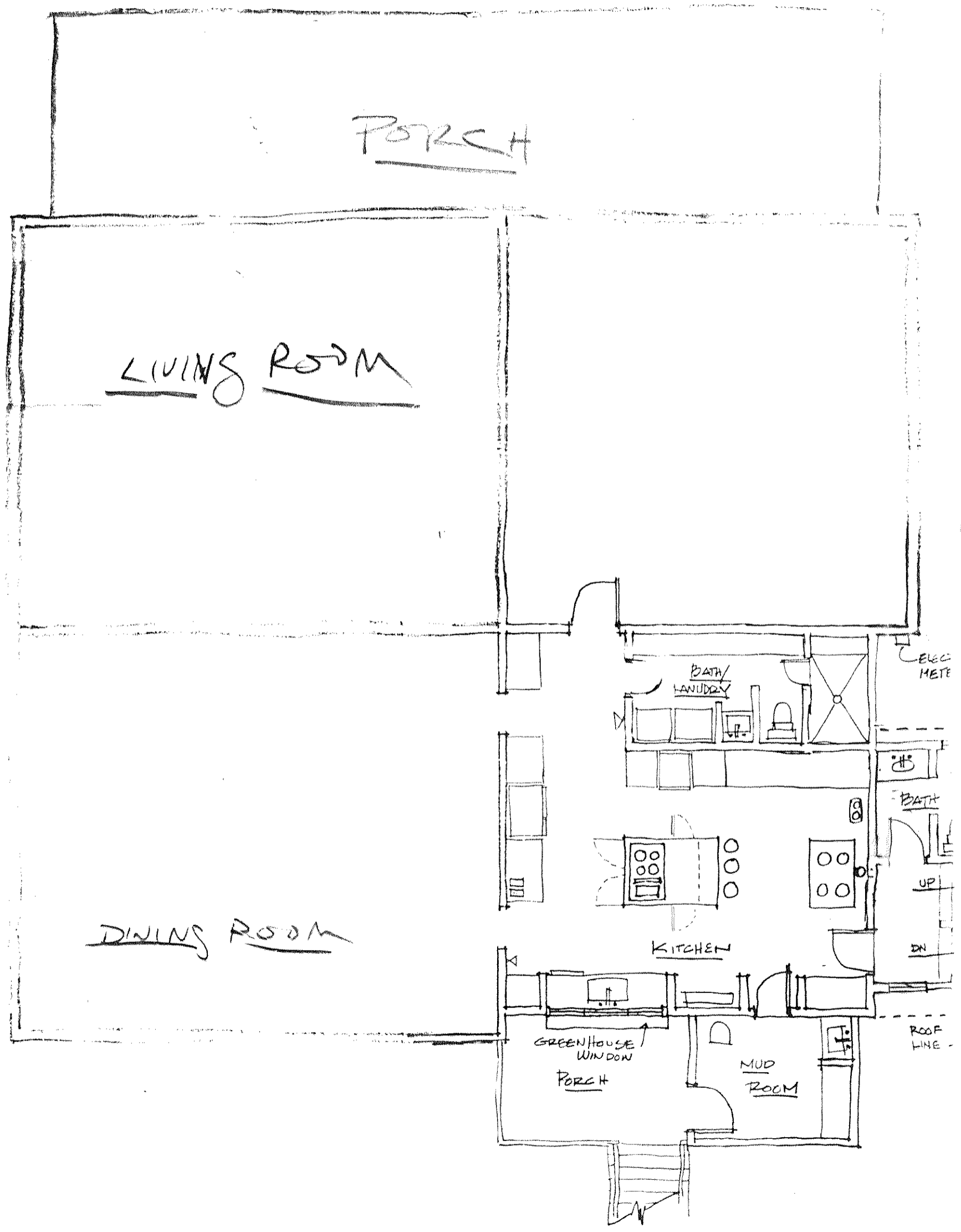
Parking

Existing Vegetation +  
Vegetation to be planted  
and removed. 11 = 20'

410' to street



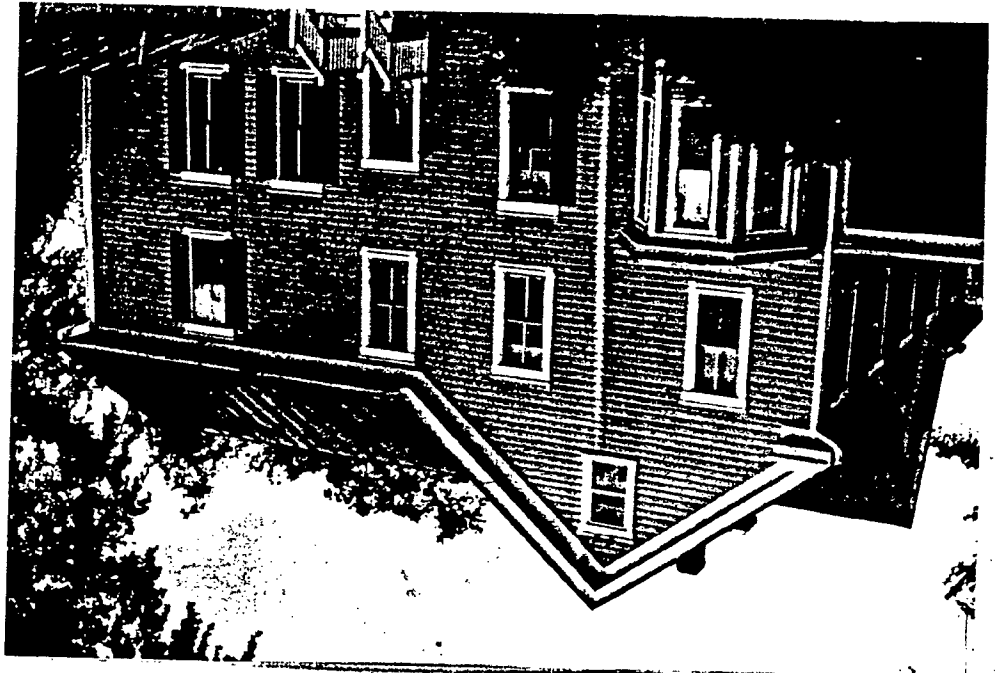
RECEIVED  
DEC 10 1990  
PLANNING DEPARTMENT  
ANN ARBOR, MICHIGAN







NORTH ELEVATION



SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION

HISTORIC PRESERVATION COMMISSION STAFF REPORT

PREPARED BY: Laura McGrath

DATE: August 3, 1990

CASE NUMBER: 22/30-90A

TYPE OF REVIEW: HAWP

SITE/DISTRICT NAME: Barnesley  
House

PROPERTY ADDRESS: 15715 Avery Road

TAX CREDIT ELIGIBLE: No

DISCUSSION:

The applicant is proposing to construct a three-bay, two-story garage/workshop which would be attached to the existing structure. The garage would replace an existing "lean-to" carport and a cinderblock storage shed to the rear of the property.

STAFF RECOMMENDATION:

Staff originally met with the applicant earlier this year and discussed a slightly different garage design. Staff recommended at that point that the design was incompatible with the Barnesley House, which, according to the Master Plan, is a "good example of a well-maintained 19th century Gothic Revival Farmhouse". The basic elements of this style include symmetrically arranged bays under a multi-gabled roof. Staff recommended that, if possible, the garage be built as a separate structure and that the roof style be altered to one more compatible with the house. If, in the opinion of the applicant, the garage had to be attached, staff suggested that the size be reduced, that it be connected to the house with a breezeway or similar "hyphen" structure, and that it be oriented in such a way as to have less visual impact on the front and side elevations of the house.

With the proposal currently under consideration, the applicant has responded to several of staff's earlier concerns by incorporating a gable-style roof, setting the garage back from the front elevation, and attaching the garage to the house with an enclosed breezeway. All materials used will also match those of the house. The width of the proposed garage, however, is almost equal to that of the house. Staff is still of the opinion, therefore, that the proposed garage is not compatible with the existing structure in terms of overall scale. Staff recommends that the record be left open in order to allow the applicant time to explore alternatives to the current proposal in terms of both size and location.

ATTACHMENTS:

1. HAWP Application and Attachments
2. Site Plan
3. Photographs
4. Elevations
5. Floor Plan
6. Master Plan Amendment

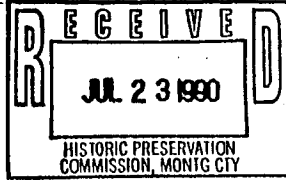
1997E



Historic Preservation Commission

51 Monroe Street, Suite 1001, Rockville, Maryland 20850  
217-3625

22/30-90A



APPLICATION FOR HISTORIC AREA WORK PERMIT

TAX ACCOUNT # 43474  
NAME OF PROPERTY OWNER Dr. Mrs. Wm. G. Barnfield TELEPHONE NO. 301 762-6971  
(Contract/Purchaser) (Include Area Code)  
ADDRESS 15715 Avery Rd. Rockville Maryland 20855  
CITY STATE ZIP  
CONTRACTOR OAK GROVE DESIGNS TELEPHONE NO. 948 6412  
CONTRACTOR REGISTRATION NUMBER 1160  
PLANS PREPARED BY \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_  
(Include Area Code)  
REGISTRATION NUMBER \_\_\_\_\_

LOCATION OF BUILDING/PREMISE

House Number 15715 Street Avery Rd.  
Town/City Rockville Election District 4  
Nearest Cross Street Muncaster Mill Road  
Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision 302  
Liber 2039 Folio 244 Parcel (Boyd's Delay)

- 1A. TYPE OF PERMIT ACTION: (circle one) Circle One: A/C Slab Room Addition  
Construct  Extend/Add Alter/Renovate Repair Porch Deck Fireplace Shed Solar Woodburning Stove  
Wreck/Raze Move Install Revocable Revision Fence/Wall (complete Section 4) Other Garage & Workshop  
1B. CONSTRUCTION COSTS ESTIMATE \$ 35.00  
1C. IF THIS IS A REVISION OF A PREVIOUSLY APPROVED ACTIVE PERMIT SEE PERMIT # \_\_\_\_\_  
1D. INDICATE NAME OF ELECTRIC UTILITY COMPANY Pepeco  
1E. IS THIS PROPERTY A HISTORICAL SITE? YES - MP # 22/30 - Barnesky House

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

- 2A. TYPE OF SEWAGE DISPOSAL 2B. TYPE OF WATER SUPPLY  
01 ( ) WSSC 02  Septic 01 ( ) WSSC 02  Well  
03 ( ) Other \_\_\_\_\_ 03 ( ) Other \_\_\_\_\_

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

- 4A. HEIGHT \_\_\_\_\_ Feet \_\_\_\_\_ Inches  
4B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:  
1. On party line/Property line \_\_\_\_\_  
2. Entirely on land of owner \_\_\_\_\_  
3. On public right of way/easement \_\_\_\_\_ (Revocable Letter Required).

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.

Joan S. Barnfield \_\_\_\_\_ 2/30/90  
William G. Barnfield Signature of owner or authorized agent (agent must have signature notarized on back) Date

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

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

APPLICATION/PERMIT NO: 9007200071 FILING FEE: \$ \_\_\_\_\_  
DATE FILED: \_\_\_\_\_ PERMIT FEE: \$ \_\_\_\_\_  
DATE ISSUED: \_\_\_\_\_ BALANCE \$ \_\_\_\_\_  
OWNERSHIP CODE: \_\_\_\_\_ RECEIPT NO: \_\_\_\_\_ FEE WAIVED: \_\_\_\_\_

SEE REVERSE SIDE FOR INSTRUCTIONS

APPLICATION FOR HISTORIC AREA WORK PERMIT  
REQUIRED ATTACHMENTS

✓ 1. WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s):

Original house is a typical "neo-gothic" Maryland farm house: "L"-shaped, two stories with a porch in front. The angle of the "L" was later filled in with a one story structure. We have added a lean-to type car port and it is this structure that is to be replaced with a permanent garage.

b. General Description of Project:

The lean-to carport is to be replaced with a permanent 3 car garage with a small shop on top and a storage area ~~on~~ at the front (towards the street) of the garage. The garage doors will open on the driveway at the back of the house. WITH a storage area for garden tools, we will be able to turn down a unattractive cinder block shed when they are stored here

2. **SITE PLAN.** For all projects, attach an accurate site plan or property survey, which shall include the following:

- 3
- a. Scale (for example, 1/4" = 1 foot)
  - b. North Arrow
  - c. Location and dimensions of all existing and proposed structures:
  - d. Location of other features such as walks, drives, fences, ponds, streams, dumpsters, mechanical equipment, and major landscaping elements.

✓ 3. **TREE SURVEY.** If any 6" diameter or larger trees are to be removed, or fall within the construction zone, attach an accurate tree survey. The survey should include the exact location, size, and species of all trees located in the project area, indicating which are to be preserved and which are to be removed.

4

✓ 4. **FLOOR PLANS; CONSTRUCTION PLANS.** For new construction and room additions, attach a complete set of scaled floor plans. For porches and decks, attach scaled drawings showing dimensions, materials, and where and how they will be attached to existing structures. For other types of work, such as outbuildings and fences, attach scaled drawings showing dimensions, materials, construction methods, and design details.

5. **ELEVATION DRAWINGS.** For new construction, including outbuildings, attach scaled drawings of all sides of the proposed structure. For additions, decks, porches, and major exterior alterations, attach scaled drawings of all sides of structure which will be affected by the proposed work.

✓ 6. **MATERIAL SPECIFICATIONS.** For all projects, provide a written description of all exterior materials to be used. If desired, material specifications may also be included as notes on elevation drawings. If available, manufacturer's literature may also be included.

*Materials used will match existing structure: German siding clapboards; metal roof; double hung windows with two lights to each section. Trim around windows, corners of the house & roof will all match existing house. Wooden shutters.*

3

### Tree Survey

Only one tree is near the construction site (see tree with X on the site plan) This is a large black walnut - 99" in circumference. The tree is about 12' out from the corner of the proposed garage, and 3' out from the side. (See floor plan)

The tree will suffer only minor root disturbance during construction of the garage foundation.

2

LOCATION OF IMPROVEMENTS

Wheeler Property  
4th. Election District  
Montgomery County  
Maryland

ROAD

410'

Driveway

2-story  
Frame  
Dw.

Shed

Fences

11.2532 Acres

Stable

Hog pens

N 7° 03' 10" E  
823.98

740.65  
S 2° 27' 51" E

AVERY

"Barnsley Home"

Dr. & Mrs. W. G. Barfield  
15715 Avery Rd.  
Rockville, Md 20865

696.13  
S 87° 32' 09" W

ENGINEER'S CERTIFICATE

I hereby certify that the position of all the existing improvements on the above described property has been carefully established by a transit-tape survey and that unless otherwise shown, there are no encroachments.

Milton M. Price

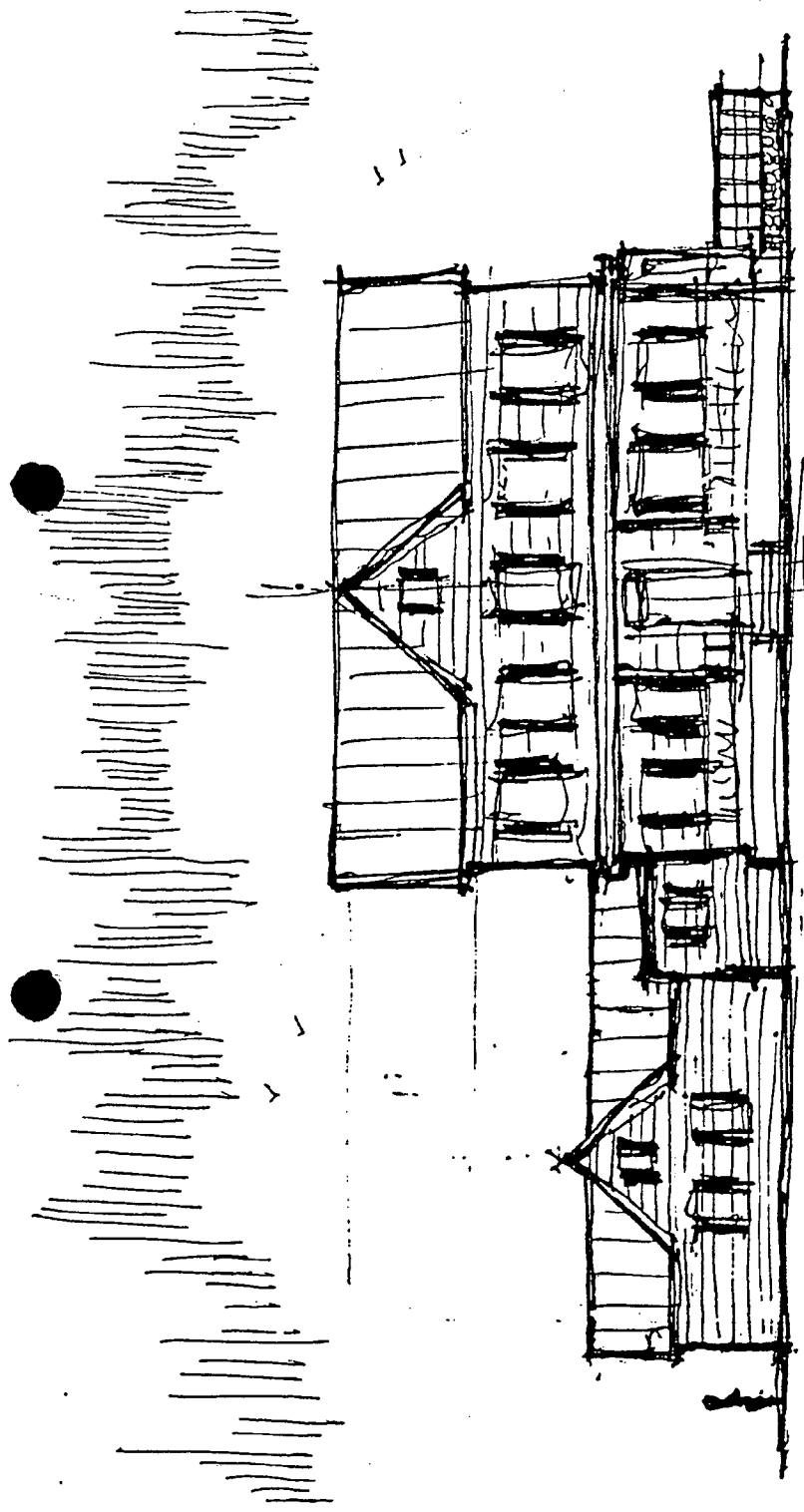
MILTON M. PRICE

Registered  
Engineer & Surveyor  
Bethesda, Maryland

Ol. 4-2243 7240 Wisconsin Ave.

Date: 8-27-54  
Scale: 1" = 100'

Record No.  
J-373HL



6-16-90

DANFIELD RESIDENCE  
FRONT ELEVATION

Site # 22, 52

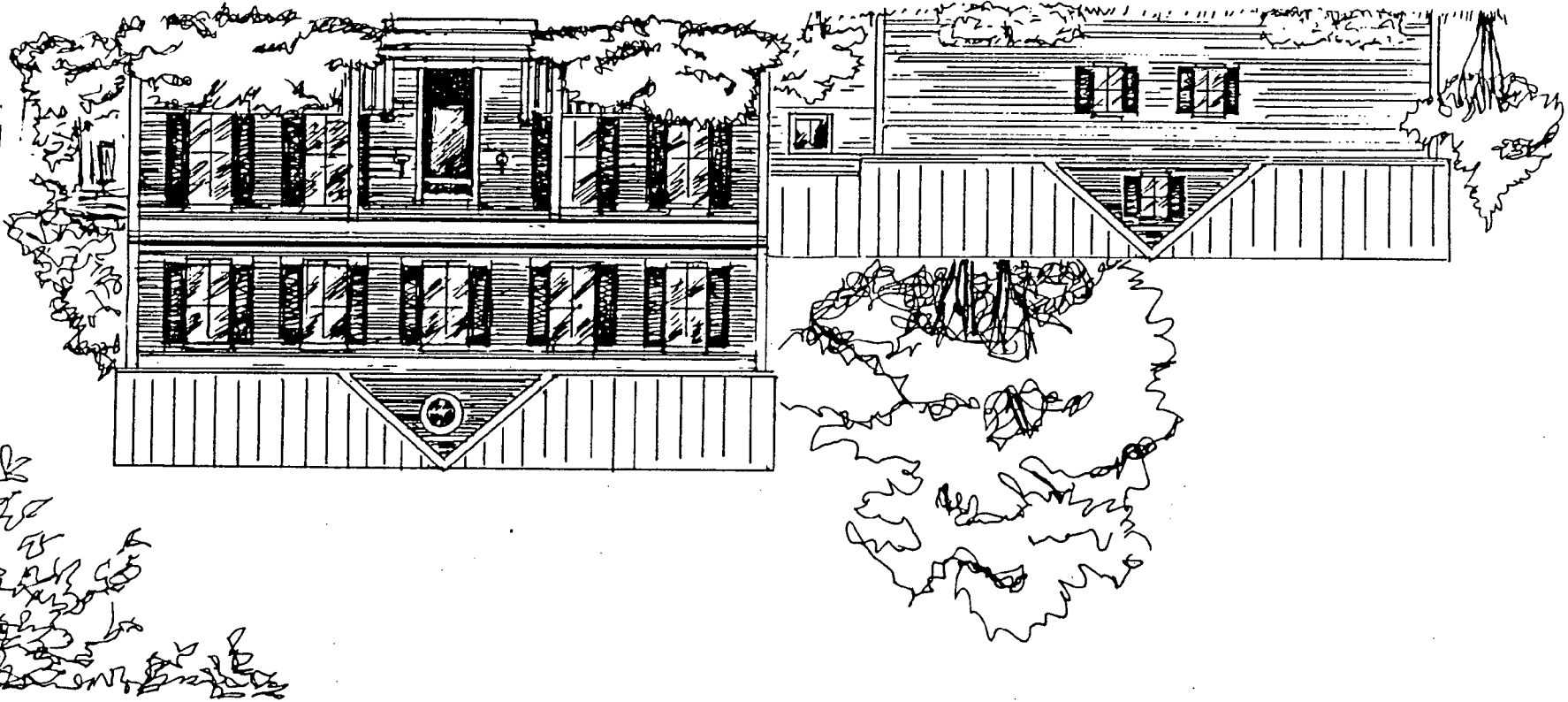
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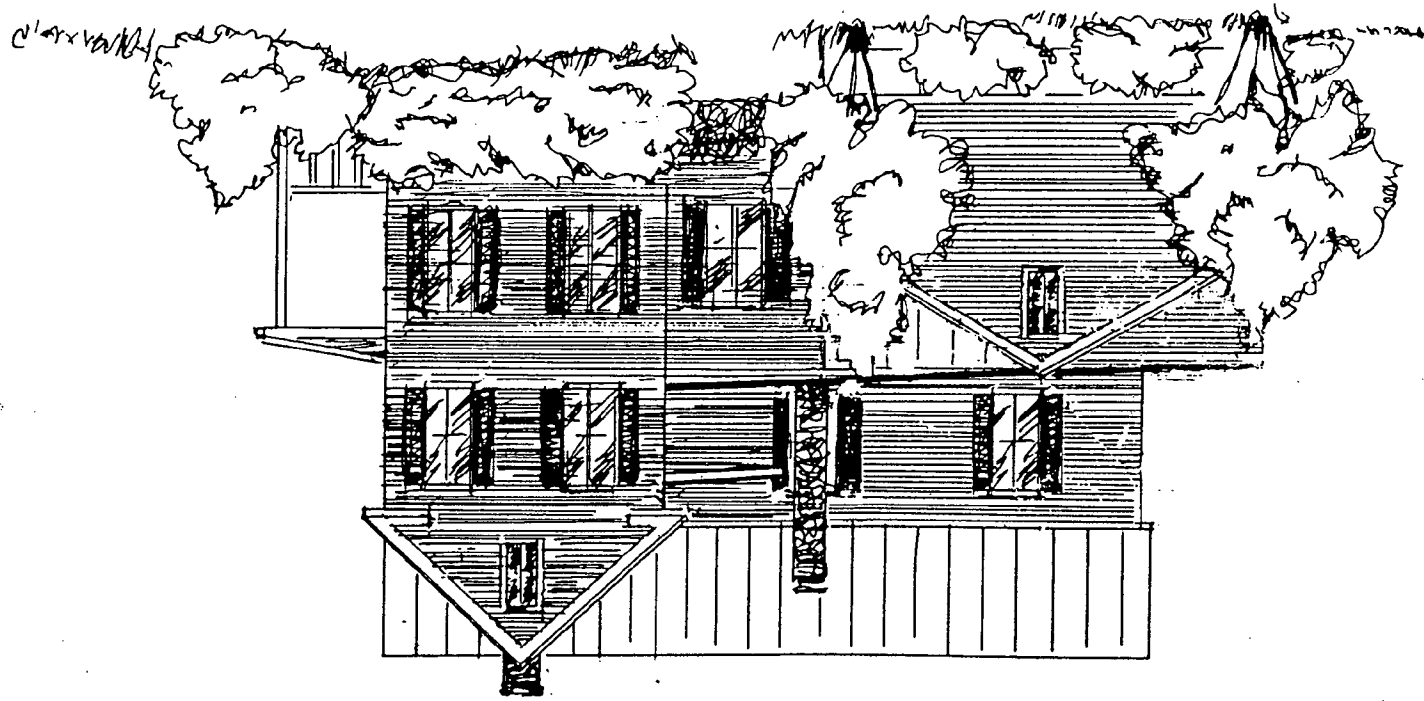
9007200071

BANFIELD

WEST FACE

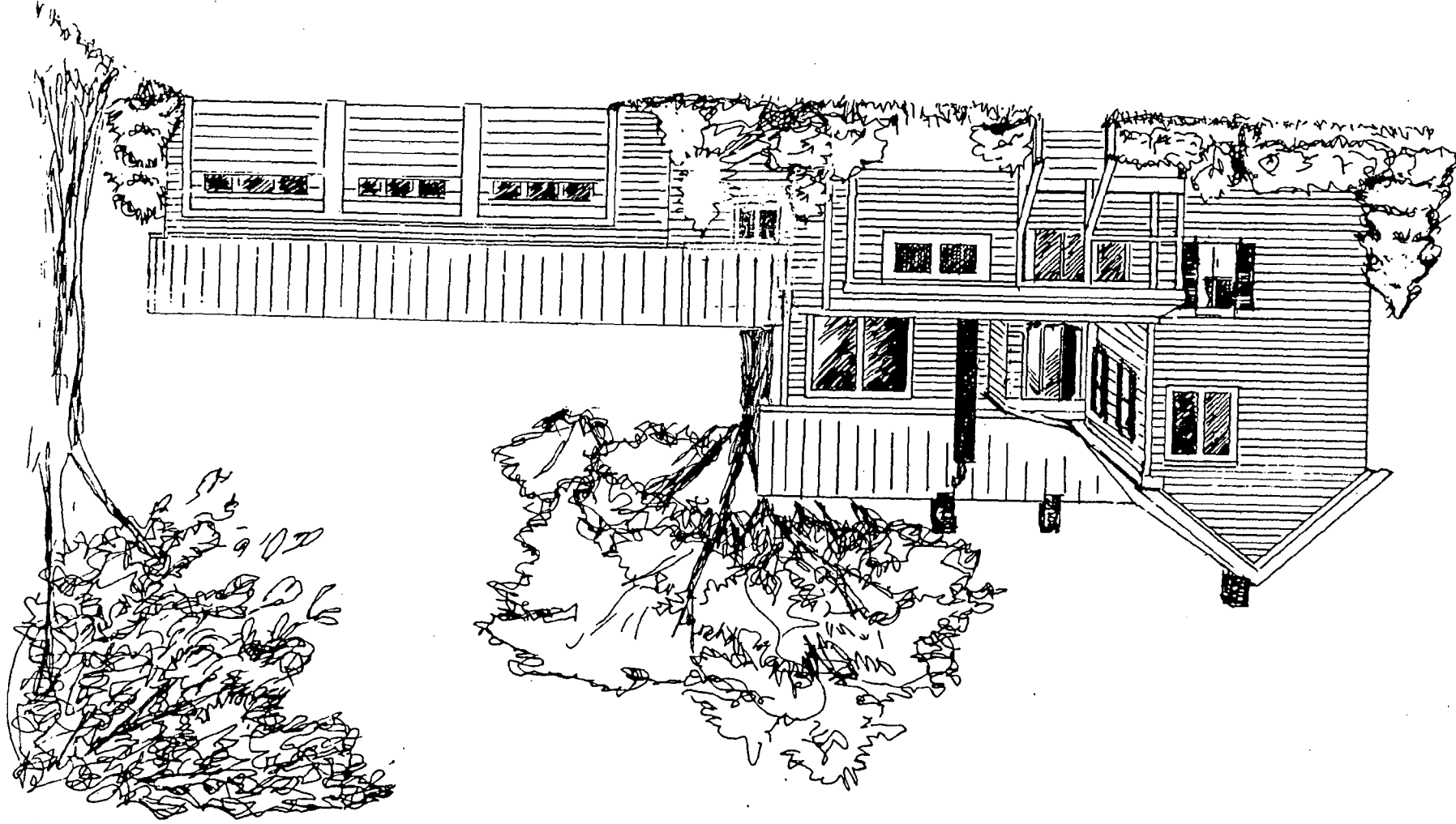


NORTH FACE



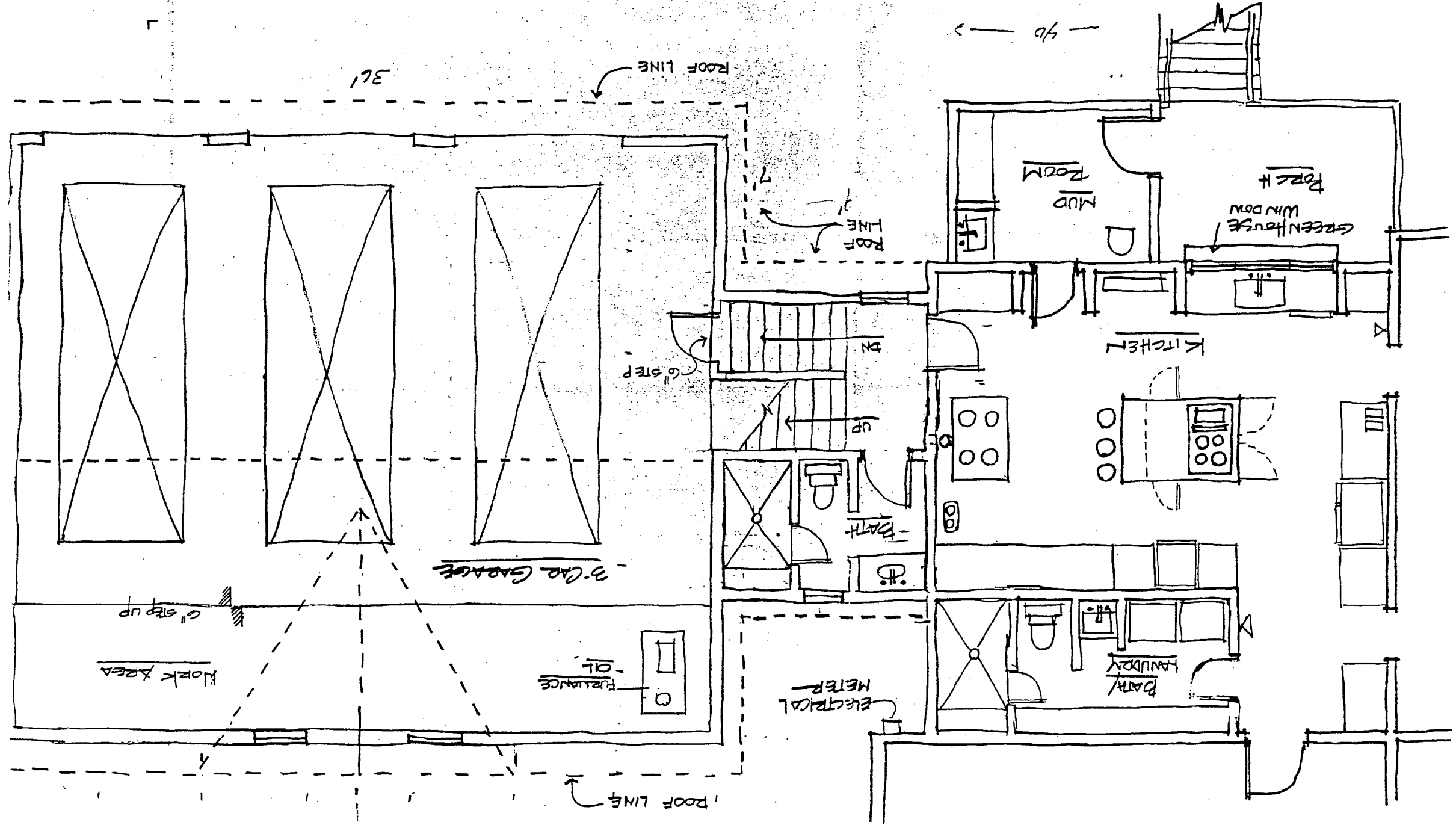
BAUFELD

EAST FACE



9007200071

House is 40' wide



HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

51 Monroe Street, Suite 1001  
Rockville, Maryland 20850

301-217-3625

Case No.: 22/30-90A

Received: July 23, 1990

Before the Montgomery County Historic Preservation Commission

Application of Dr. and Mrs. William G. Banfield

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: Application is DENIED

OPINION OF THE COMMISSION

BACKGROUND

The following term is defined in Section 24A-2 of the Code:

Historic Site: Any individual historic resource that is significant and contributes 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.

The applicant has applied for an Historic Area Work Permit (HAWP) for construction of a two-story garage/workshop at 15715 Avery Road, Rockville, Maryland. The subject property is also known as the "Barnesley House" and was designated an historic site through a resolution amending the Master Plan for Historic Preservation by the Montgomery County Council, sitting as the District Council, on July 8, 1985. The amendment was adopted by the Maryland-National Capital Park and Planning Commission on July 9, 1985.

The Master Plan Amendment for the Barnesley House describes the findings of historical and architectural significance that resulted in the placement of the Barnesley House on the Master Plan.

[The Barnesley House is] A good example of a well-maintained 19th Century Gothic Revival farmhouse, once so ubiquitous in Montgomery County. Because this house retains its original/historic setting, the entire 11.25 acre parcel is recommended as the environmental setting in order to provide architectural review of any future development under the Preservation Ordinance. Designation of the site does not preclude subdivision under the development standards of the RE-2 Zone. Inclusion of the entire parcel in the environmental setting does, however, require architectural review of any additional development on the site prior to the issuance of building permits. Once developed, the environmental setting to be required in perpetuity under the Ordinance could be reduced to the size of the lot retained for the historic structure.

#### EVIDENCE

The following testimony was presented at the hearing:

##### Commission Staff

Staff reported that the applicant proposed to construct a three-bay, two-story garage/workshop which would be attached to the Barnesley House. The proposed garage would replace an existing "lean-to" carport (consisting of a metal roof supported by poles). The applicant also proposed to remove a cinderblock storage shed located to the rear of the property. Staff noted a meeting with the applicant earlier in the year, at which time staff recommended that the garage be built as a separate structure and that the roof style of the garage be made compatible to the 19th Century Gothic Revival style of the Barnesley House. This style is characterized by symmetrically arranged bays under a multi-gabled roof. At that time, staff also advised that if, in the opinion of the applicant, the garage had to be attached to the house, its size should be reduced, it should be connected with an open breezeway or similar "hyphenated" structure without walls, and that it be oriented in such a way as to have less visual impact on the front and side elevations of the house.

Staff reported that the applicant had responded to a few of staff's suggestions by incorporating a gable-style roof for the garage and setting it back from the front elevation. All proposed materials would match the existing house. The drawings for the garage show it attached to the house by a hyphenated structure, but this structure is completely enclosed, contrary to staff's recommendation. Staff also noted that the width of the proposed garage, exclusive of the enclosed connecting structure, was almost equal to that of the house, rendering the proposed garage incompatible with the existing structure in terms of overall scale. Staff recommended that the record be left open to allow the applicant time to explore alternatives to the current proposal in terms of both size and location.

## Applicant

The applicant, Mrs. Banfield, testified that the garage is needed for her family's three automobiles, a tractor, and an end loader. She stated that the existing house is located on a rise and that only the second story of the proposed addition will be visible from the road, thereby having little visual impact from the public right-of-way. A detached garage in the back yard would ruin the view from the house into the back yard space.

In response to a question raised by Commissioner Taylor on whether the applicant had considered the possibility of constructing a detached garage in the same location or connecting it with a breezeway, open on both sides, the applicant replied that she considered the side of the house where the garage would be attached the "nothing" side of the house and that she did not see the reason for detaching the garage from the house. The proposed location is also the most convenient location because the driveway already leads there, she added. Commissioner Taylor explained that outbuildings to Gothic Revival style farmhouses in the central eastern United States were traditionally constructed as separate structures. He stated that structures are rarely built as appendages to this style of farm house.

Commissioner Cantelon stated that the proposed garage and enclosed breezeway would add 45 feet to the existing 40 foot wide house, noting that a separate garage would be more consistent with the style of this house. He also stated that if the garage were to be attached to the house, it should be attached by an open breezeway or similar structure.

There were no opponents to the application from the public.

## FINDINGS

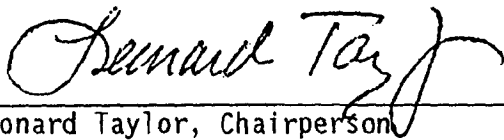
Based on the testimony presented to the Commission and other evidence in the record, the Commission makes the following findings:

1. The Barnesley House, at 15715 Avery Road, Rockville, is a historic site under the Master Plan for Historic Preservation and the definition in Section 24A-2 of Chapter 24A of the Montgomery County Code, and is a valuable example of a well-maintained 19th Century Gothic Revival Farmhouse.
2. The applicant's proposed alteration is inconsistent with two characteristics of 19th Century Gothic Revival Farmhouses. First, the Gothic Revival style is characterized by symmetrically arranged bays under a multi-gabled roof. An attached two-story addition would be inappropriate to this style as it would make the existing building mass asymmetrical. Second, outbuildings to Gothic Revival style farmhouses in the central eastern United States were not traditionally attached to the main house. A detached garage in the same location as proposed, or one connected to the house with an open breezeway, would be more appropriate to the historic site.

Accordingly, the Commission finds that the application does not meet any of the criteria for approval in Section 24A-8, and, that the alteration proposed by the Banfield's would be inappropriate and inconsistent with the preservation of the Barnesley House. Therefore, under Section 24A-8(a), the Commission must deny the application.

Based on these facts and findings, and having heard and carefully considered all of the testimony and exhibits contained in the record, it is the decision of the Montgomery County Historic Preservation Commission that the application by Dr. and Mrs. William G. Banfield for an Historic Area Work Permit for construction of a garage/workshop at 15715 Avery Road, Rockville, is 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 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 decisions of the Commission. The Board of Appeals has the authority to affirm, modify, or reverse the order or decision of the Commission.



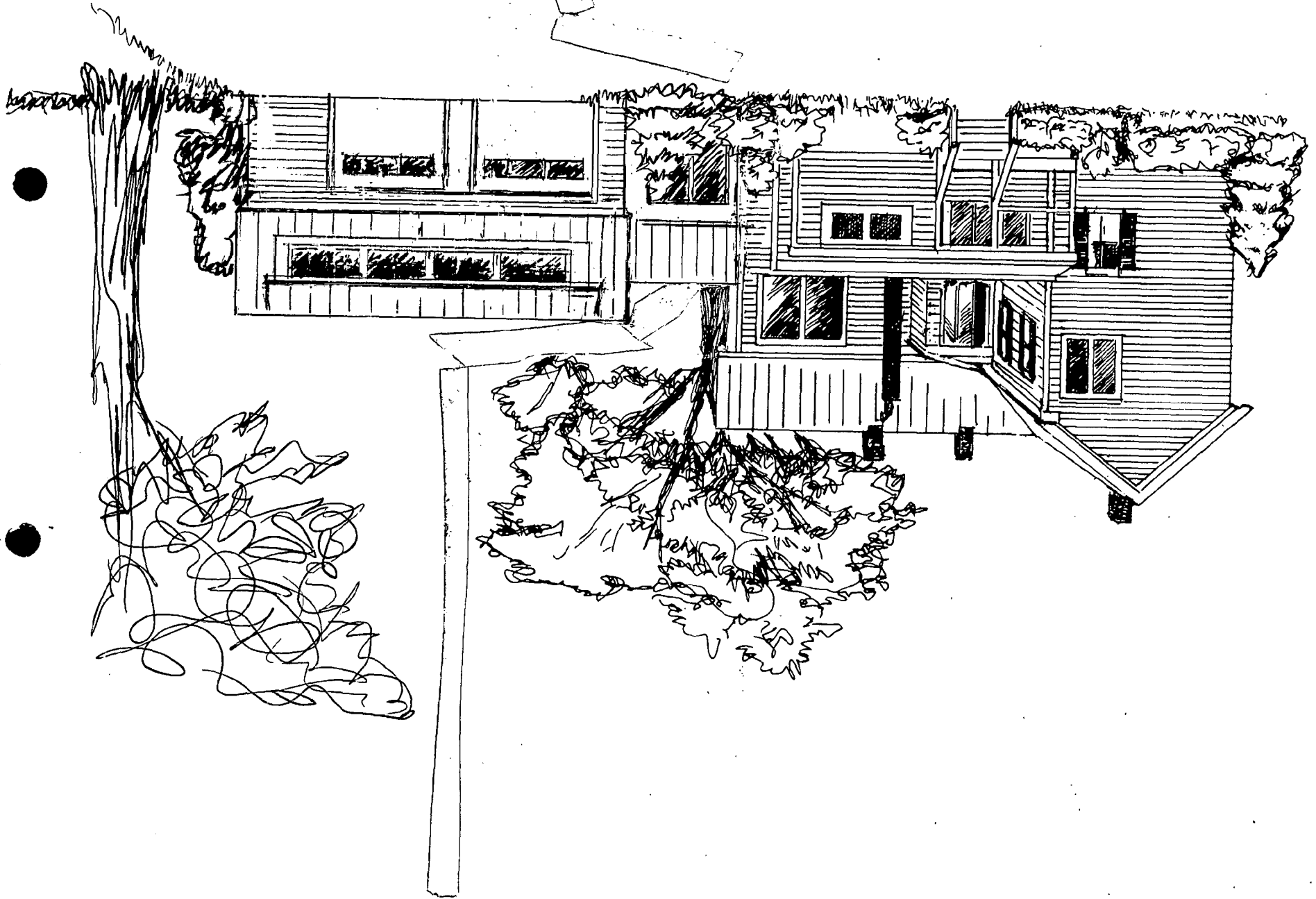
Leonard Taylor, Chairperson  
Montgomery County Historic Preservation Commission

August 24, 1990  
Date



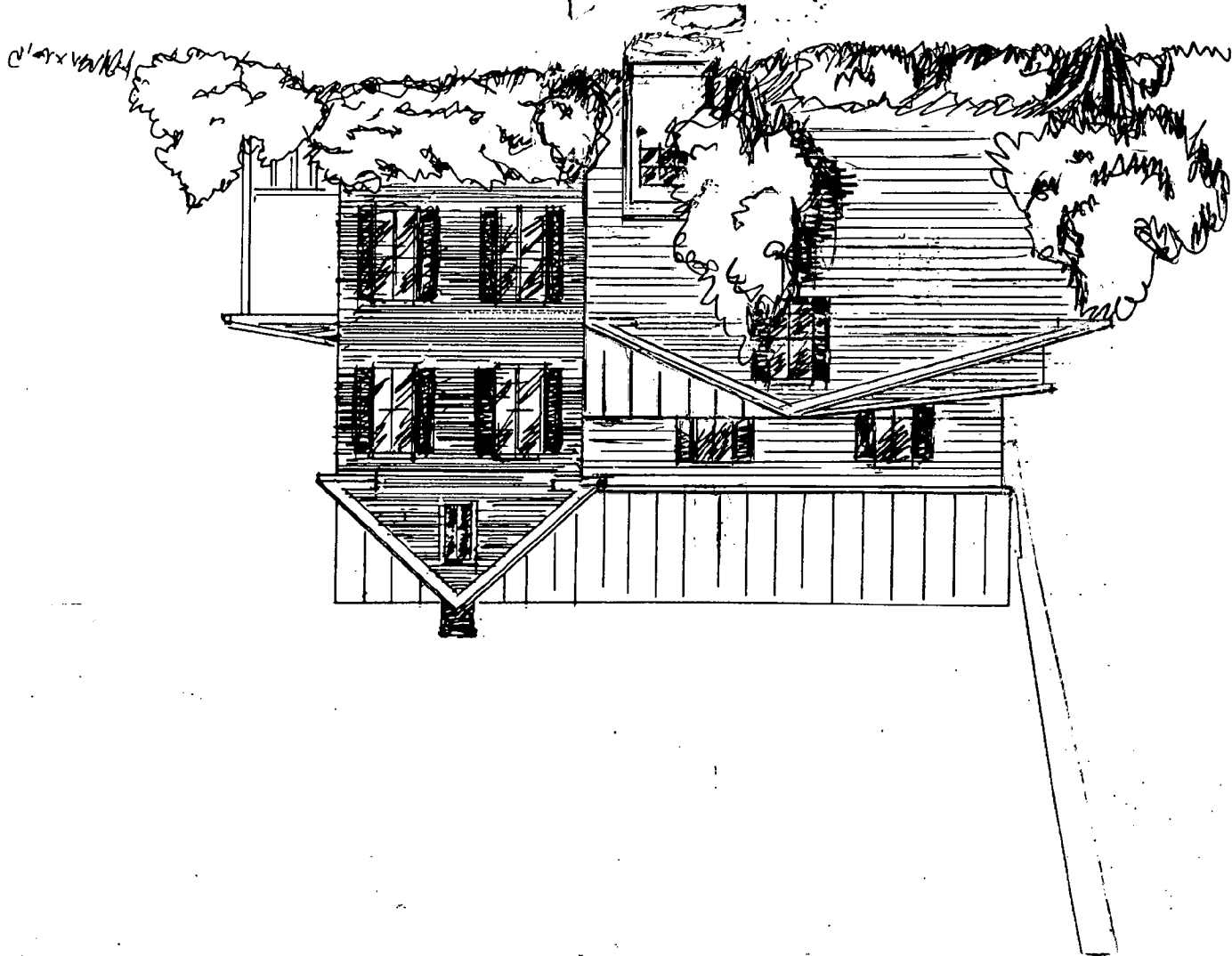
BANFIELD

EAST. FACE



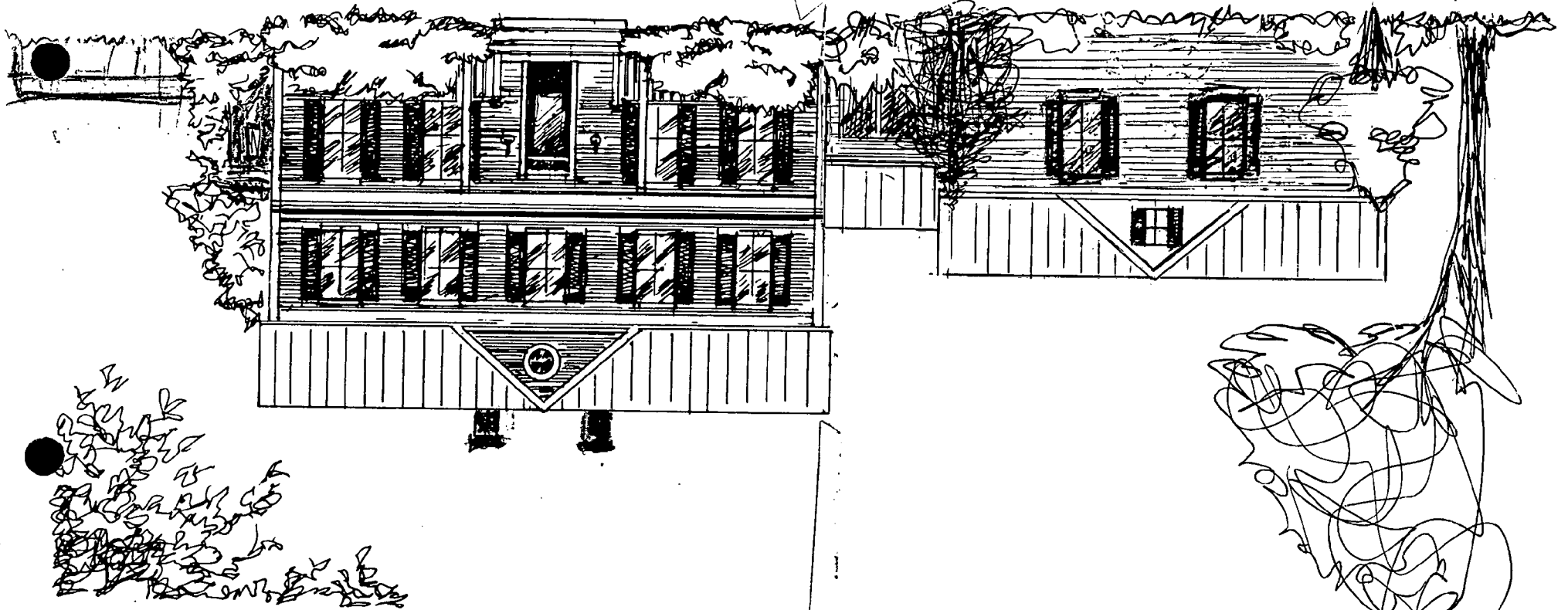
BANKFIELD

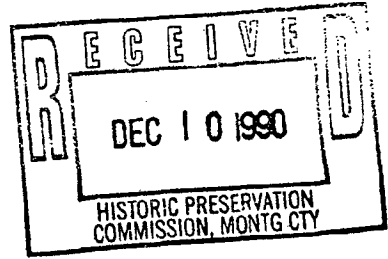
NORTH SIDE



BANFIELD

WEST FACE





12/4/90

William G. Banfield  
15715 Avery Road  
Rockville MD  
20855-1718

Leonard Taylor, Chairman  
Historic Preservation Commission  
51 Monroe Street  
Suit 1001  
Rockville Maryland 20850

Dear Mr. Taylor:

We very much regret that we were unable to get together all the information you asked for by Dec 3. We hope that this does not inconvenience the Commission. We do believe that we will be able to do it by the 10th, however, and Ms. McGrath tells us that we will then be rescheduled for your Dec 19th meeting.

Again, our apologies and thank you for your patience.

Sincerely,

A handwritten signature in cursive script that reads "William G. Banfield".

William G. Banfield

A handwritten signature in cursive script that reads "Joan S. Banfield".

Joan S. Banfield

Notice of 12/12 meeting set 11/29/90

A-3082  
Dr. & Mrs. William Banfield  
15715 Avery Road  
Rockville, MD 20855

A-3082  
Esther Finder  
5700 Lake Christopher Drive  
Rockville, Maryland 20855

A-3082  
M/M Brody  
5917 Bethlehem Court  
Rockville, Maryland 20855

A-3082  
M/M Stephen Bradicich  
5913 Bethlehem Court  
Rockville, Maryland 20855

A-3082  
M/M Paul Hubanks  
15801 Avery Road  
Rockville, Maryland 20855

A-3082  
M/M Herberg  
5934 Serenity Lane  
Rockville, Maryland 20855

A-3082  
M/M Rotolone  
5930 Serenity Lane  
Rockville, Maryland 20855

A-3082  
M/M Woronka  
5926 Serenity Lane  
Rockville, Maryland 20855

A-3082  
M/M Gene Yocum  
15701 Amelung Lane  
Rockville, Maryland 20855

A-3082  
M/M Wontman  
15609 Amelung Lane  
Rockville, Maryland 20855

A-3082  
Mr. Burnett  
15605 Amelung Lane  
Rockville, Maryland 20855

A-3082  
Mr. Tom Brewster  
15809 Amelung Lane  
Rockville, Maryland 20855

A-3082  
M/M James Curry  
6000 Warm Springs Drive  
Rockville, Maryland 20855

A-3082  
Historic Preservation Comm  
c/o DHCD Rm 1000/51 Monroe St  
Attn: Laura McGrath/INTEROFFICE

A-3082  
Alan Wright, Sr. Co. Atty.  
EOB - 3rd Floor  
INTEROFFICE MAIL

A-3082  
Dr. & Mrs. William Banfield  
15715 Avery Road  
Rockville, MD 20855

A-3082  
Esther Finder  
5700 Lake Christopher Drive  
Rockville, Maryland 20855

A-3082  
M/M Brody  
5917 Bethlehem Court  
Rockville, Maryland 20855

A-3082  
M/M Stephen Bradicich  
5913 Bethlehem Court  
Rockville, Maryland 20855

A-3082  
M/M Paul Hubanks  
15801 Avery Road  
Rockville, Maryland 20855

A-3082  
M/M Herberg  
5934 Serenity Lane  
Rockville, Maryland 20855

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M/M Rotolone  
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15809 Amelung Lane  
Rockville, Maryland 20855

A-3082  
M/M James Curry  
6000 Warm Springs Drive  
Rockville, Maryland 20855

A-3082  
Historic Preservation Comm  
DHCD Rm 1000 - 51 Monroe Street  
Attn: Laura McGrath/INTEROFFICE

A-3082  
Alan Wright, Sr. Co Atty  
EOB - 3rd floor  
INTEROFFICE MAIL



## Montgomery County Government

November 19, 1990

Dr. and Mrs. William G. Banfield  
15715 Avery Road  
Rockville, Maryland 20850

RE: Board of Appeals Case No. A-3082

Dear Dr. and Mrs. Banfield:

As you know, at its October 31, 1990, public hearing regarding your appeal of the decision of the Historic Preservation Commission denying your request for approval of construction of a garage on your property, the Montgomery County Board of Appeals requested that you and the Commission work together to reach an acceptable resolution. The Board of Appeals will close the record on January 26, 1991 and will issue a decision after that time. The Commission proposes the following procedure:

1. Please submit your revised plans for the proposed garage to the Commission by Monday, December 3, 1990. Your submission should include a revised site plan, elevations drawn to scale, including elevations showing the proposed garage in the context of the existing house, description and specification of design features and proposed materials, and a description and/or drawings of all vegetation to be removed or planted.
2. Staff will inform you if additional information is necessary. All information submitted will be distributed to the Commissioners for consideration and discussion at the December 12, 1990, HPC meeting. Adjacent property owners, as well as any parties notified of the Board of Appeals hearing, will be notified that your proposal will be considered at the December 12 meeting.
3. The HPC will discuss your revised submission at its December 12, 1990, meeting and will evaluate your proposal in terms of the criteria listed in Chapter 24A of the Montgomery County Code. If an agreement is reached accepting the revised submission, the HPC will approve a motion noting this decision. A formal consent agreement will be subsequently drawn up to be signed by you and the Commission. The consent agreement will then be transmitted to the Board of Appeals. If the Commission cannot come to agreement over the revised submission, the issue will be continued and taken up at the December 19, 1990, meeting of the HPC.

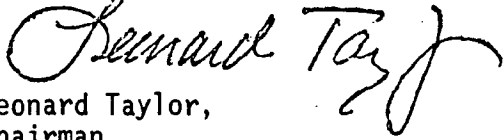
Historic Preservation Commission

51 Monroe Street, Rockville, Maryland 20850-2419, 301/217-3625

Dr. and Mrs. William G. Banfield  
Page 2

If you cannot submit revised plans by December 3, please inform Laura McGrath, staff, at 217-3625. Your cooperation and assistance in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Leonard Taylor". The signature is written in dark ink and is positioned to the right of the typed name.

Leonard Taylor,  
Chairman

cc: Historic Preservation Commission  
Christopher Hitchens, Assistant County Attorney  
Anthony Shore, Assistant County Attorney  
Tedi Zweig, Board of Appeals

2279E

MEMORANDUM

November 15, 1990

TO: Leonard Taylor, Chairman  
Historic Preservation Commission

FROM: Christopher Hitchens, Assistant County Attorney (W)

SUBJECT: Scheduled meeting with Tedi Zweig at the Board of Appeals  
re: Banfield Appeal

I have discussed the meeting with Tedi Zweig scheduled for tomorrow with my supervisor, Kathy Hart. Kathy and I believe that the propriety of such a meeting is questionable, primarily because the Banfields will not be in attendance. By way of analogy, the Commission would likely be indignant if, given the Board's directive to the parties to settle the appeal, Mrs. Banfield was to meet with the Board, through its staff, without a representative from the Commission present. Unilateral contact with the Board or its members, is referred to as ex parte contact, and is expressly forbidden in the Board's rules. This applies even to a procedural discussion, because the procedure can be used to one party's advantage, and there is no guarantee that substantive issues will not be discussed.

I realize that this meeting was intended not to take advantage of the Banfields and that it had broader implications, but given that the Banfields appeal is extant, I think the meeting has at least the appearance of impropriety. I would not be opposed to a brain storming session to include advisors other than the Board of Appeals.

We also note that the Board directed the parties to settle the appeal and left the procedure to the parties, not to the Board. The settlement procedure should therefore be in the context of the appeal, and not in the context of a Commission procedure such as the HAWP application process.

Kathy also notes, as did Tedi Zweig, that the Commission may be prohibited from accepting a new historic area work permit application while the first one is being appealed. The code expressly lists building permits as covered by this principle. An exception would be if the application presented a significantly different proposal from that initially considered. We both agree that the Commission has no authority to compel the Banfields to submit a new application.

In summary I would advise you to cancel the meeting with Tedi Zweig and to use a procedure as outlined to you in Annette's memo of November 7, 1990.



Mr. Taylor  
November 15, 1990  
Page two

I plan to call Tedi Zweig after 3:00 this afternoon to let her know that I do not believe this meeting is proper and will not be attending. Please contact me as soon as possible if you have information you realize will change my mind, my extension is 217-3619.


CH/rap:2529B


cc: Kathy Hart  
Annette Van Hilst ✓

M E M O R A N D U M

November 7, 1990

TO: Leonard Taylor, Chairperson  
Historic Preservation Commission

VIA: Christopher Hitchens, Assistant County Attorney   
Department of Housing and Community Development

FROM: Annette G. van Hilst, Chief   
Division of Community Planning and Development  
Department of Housing and Community Development

SUBJECT: Banfield HPC Case - Board of Appeals

The Board of Appeals has left the record open on the subject case and requested that HPC and the Banfields work together to reach a resolution on the HAWP application.

As a consequence, both the HPC and the Banfields have been directed by the Board of Appeals to provide additional information. The Board of Appeals will at the end of the 90 day period review the additional information, and on that basis reach a decision regarding the Banfields appeal.

Since this case probably sets precedent for how a case like this should be handled, discussions were held with Christopher Hitchens, who gives legal advise to the HPC. Christopher also sought the advice of Karen Federman Henry, Associate County Attorney, who has extensive experience with the Board of Appeals procedures.

Based on these discussions, I propose that the HPC follow the procedures outlined below:

1. The Banfields should submit their additional information showing their revised plans to the Board of Appeals with a copy to the HPC.
2. Staff will circulate the information provided by the Banfields along with a background briefing discussing the appearance before the Board of Appeals to all HPC Commissioners.
3. HPC Commissioners will be requested to provide written comments to the Chairperson by a certain date. Based on the written comments, the Chairperson with staff assistance will draft a consensus document (which if he deems it necessary, he will circulate to the HPC Commissioners for review and approval).

4. Once consensus has been reached it should be noted in the HPC minutes, and the consensus document signed by the Banfields and the HPC Chairperson.
5. The HPC then transmits a copy of this document to the Board of Appeals prior to January 29, 1991.
6. The Board of Appeals may then close the record and if it agrees with the consensus document approve the HAWP subject to the modifications noted in the document.

The above allows the HPC to use an informal process to review the Banfields suggested changes. The Board of Appeals receives the information it requested and is able to issue a decision based on the record. It is fairly straight forward and should be completed within a few weeks of the Banfields submitting their documentation to the Board of Appeals. Since it is important that the Banfields know what direction to proceed in, unless we hear differently from you we will implement the procedures next week.

cc: Victor R. Brescia, Deputy Director, DHCD  
Laura McGrath, HPC Specialist, DHCD  
Tedi Zweig, Executive Secretary to the Board of Appeals

AGVH/rm  
1290i

(3)

Please contact me as soon as possible  
with your thoughts on this.

Thanks.

Chris -

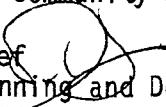
I favor the approach which I suggested to the Board and which you and I discussed, i.e. having the Banfield's compromise submitted in the form of a new application for a HAWP to the HPC. If the application is acceptable, the Banfields would then dismiss their appeal. This approach appears to be procedurally correct and does not require monkeying with the rules of procedure of either the HPC or the Board of Appeals. I do not see how this would in any way "invalidate" the appeal procedure. Rather, it offers the parties an excellent opportunity to reach a compromise (which, in my opinion, should have been explored prior to the rejection of the application by the HPC) while at the same time preserving the procedural integrity of the right of appeal from the HPC to the Board of Appeals. I agree with Annette that applicants should not be put through the time and expense of a B-Rule appeal - isn't this solution the most expeditious if not the least costly? It keeps the applicants from having to make unnecessary contact with the Board of Appeals, one extra level of bureaucracy.

- Tony

M E M O R A N D U M

November 2, 1990

TO: Christopher Hitchens, Assistant County Attorney  
Department of Housing and Community Development

FROM: Annette G. van Hilst, Chief   
Division of Community Planning and Development  
Department of Housing and Community Development

SUBJECT: Bannefield HPC Case - Board of Appeals

The Board of Appeals has left the record open on the subject case for the HPC and the Bannefields to work together to reach a resolution on the HAWP application.

Since the Board of Appeals hears the original application "di nova" and is essentially sitting as the HPC, it appears to me that the HPC in order to reach a resolution with the Bannefields should do the following:

1. Set up a consultation with the Bannefields at the next available meeting, probably November 28, 1990.
2. Request the Bannefields to bring in proposed changes, alternatives, etc. in time for the changes to be included in the packets for the meeting, approximate date being November 20.
3. Using the preliminary consultation process as a guideline, reach a consensus with the Bannefields as to the appropriate design for the three car garage.
4. After having reached consensus and noting in the HPC record, the HPC staff should draft a consensus document to be signed by both the Bannefields and the HPC Chair.
5. The HPC then transmits a copy of this document to the Board of Appeals prior to January 29, 1991.
6. The Board of Appeals may then close the record and if it agrees with the consensus document, approve the HAWP subject to the modifications noted in the document.

The above allows the HPC to use an informal process to reach consensus. The Bannefields do not need to file for a new HAWP which itself could be subject to appeal, and the Board of Appeals completes the appeals process, and actually fulfills its role as contemplated in the law.

For your information, I note that prior to mid-1989, any appeals to a decision by the HPC on a HAWP went to Circuit Court where it was reviewed based on the record. Due to the expense and lengthy process involved in appealing to the Circuit Court applicants were in certain cases held hostage to conditions placed on HAWPs by the HPC. The change to the Board of Appeals was to allow for a shorter and simpler method for persons to appeal HAWP decisions when they felt that the HAWP was incorrectly denied or that conditions placed on a HAWP were onerous.

I would appreciate your reviewing this proposed scenario as soon as possible with your supervisor, so that the HPC may be instructed as how to proceed by either you or DHCD.

cc: Victor R. Brescia, Deputy Director, DHCD

AGVH/rm  
1290i

2nd Floor  
Windows



6-16-90

FIELD RESIDENCE  
FRONT ELEVATION

## Rockville's new bed and breakfast

Couple's farm becomes turn-of-the-century lodging

by Vincent Leclair

**L**ife on William and Joan Banfield's farm may soon change. The Rockville couple plans to convert their turn-of-the-century farmhouse into a bed and breakfast, while holding on to the farm life they chose nearly four decades ago.

The Banfields are the first county residents to take advantage of a two-year-old law that allows residents to set up bed and breakfast operations in their homes. For the Banfields, who have lived on the farm since 1954, it is an opportunity to defray the high cost of upkeep. For their future guests, it's a chance to spend a few nights on a farm just 10 minutes from the Rockville Metro Station.

Last month, the county's Board of Appeals approved the Banfield's request to allow up to five rooms to be used for paying guests. When complete, it will be the county's largest bed and breakfast, which were allowed on a more limited basis prior to 1988 under a zoning ordinance allowing guest rooms in single-family homes.

Turn left out of the Banfield's long drive and Redgate Golf Course is five minutes away. Turn right and Needwood Golf Course is just as close. Not much further away is an industrial center, and the second largest city in Maryland. Stay on the farm and nothing but hills and trees block your view. Somehow, development missed the Banfields' corner of the world.

Their old house has all the charm of rural Maryland. The rooms are equipped to hold wood burning stoves. The floors are made of oak or large pine boards. The ceilings are high and the rooms are large and simple.

"I just call it an old Maryland farmhouse," says Joan Banfield.

Outside, broad-reaching trees, including a black walnut, stand by the house. The barn houses a herd of sheep on the lower level and a workshop on the first floor, where the Banfields are overhauling their vintage Ford tractor. A partially disassembled cherry red 1959 Cadillac convertible, another project, sits to one side of the workshop.

The farm itself is a collection of finished projects and projects waiting to be done, from the electrified fence

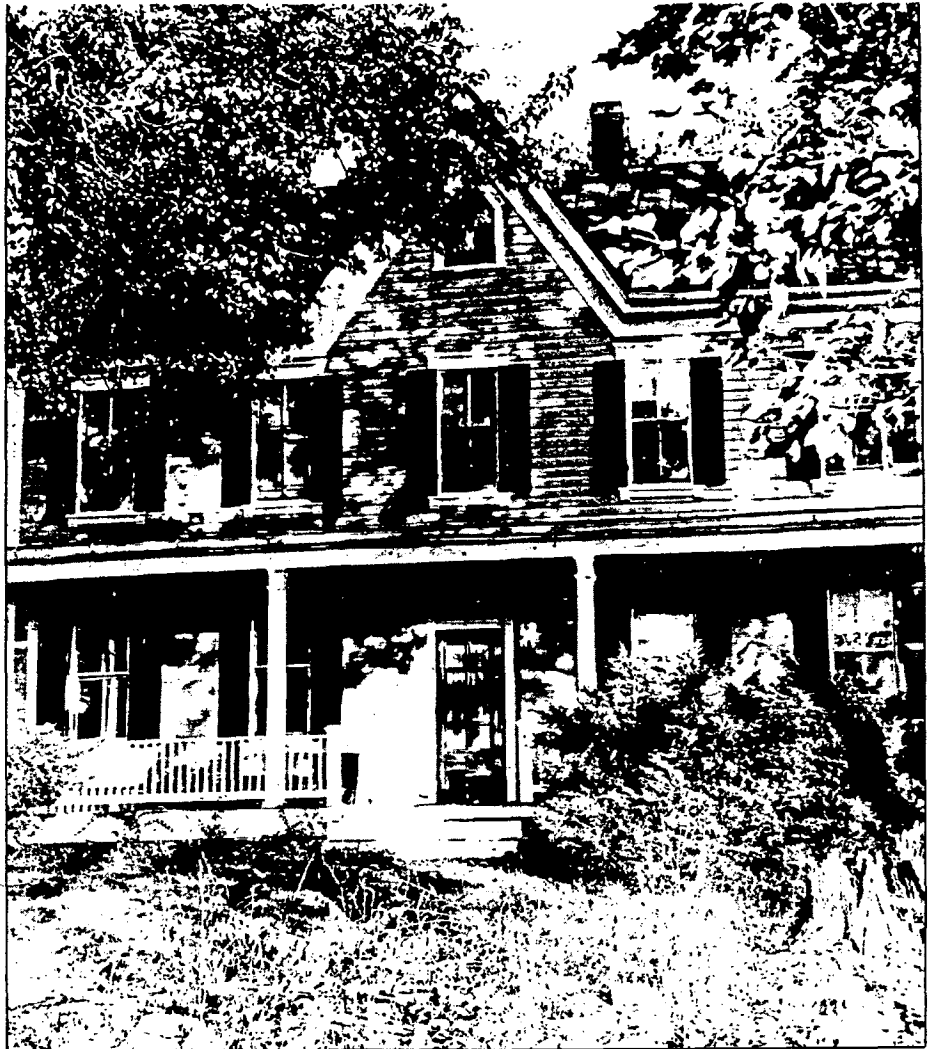


Photo by Brian Lewis

William and Joan Banfield's farmhouse will soon be opened as a bed and breakfast in Rockville.

the Banfields put up to keep dogs away from the sheep, to the carport waiting to be rebuilt. One room in the house is devoted to shop tools, because they do just about everything themselves. For them, farming still means work.

The sheep notice a stranger with Joan and cower to the barn yard. Joan says she and William both work with the 23 sheep they keep. "He does 90 percent, I do 10 percent," she says.

The work has subsided a bit since the days when they kept 50 sheep, which they bred for slaughter. Joan remembers when work meant "getting

up all night every night for six weeks while the ewes are lambing."

Now they raise sheep for a local research firm, which studies ways to cure human maladies.

The farmhouse is listed in the county's Master Plan for Historic Preservation. Joan said previous owners include several

farmers and a school teacher, who disassembled the original post-and-beam barn and used the wood to build a house

down the road. Joan believes the current farmhouse was built around the turn of the century after the first house on the site

burned to the ground.

(Please see BED, B-23)

The Banfields are ready to bring about the biggest change to their farm since they rebuilt the barn and moved the sheep in.



## Bed

(Continued from page B-1)

Now, with the help of their daughter Sarah and her husband Ronald Frisbie, the Banfields are ready to bring about the biggest change to their farm since they rebuilt the barn and moved the sheep in. The county bed and breakfast law came along at a good time for the Banfields, since the sheep aren't bringing in enough money to defray the cost of upkeep.

"Keeping up a house of this kind takes a lot of effort and money," says Joan, who added that all their equity is tied up in the house and the property.

"To get anything out of it we would have to sell it," she says.

The Banfields plan to use four or five rooms in the house to accommodate guests, up to 10 at one time. They plan to serve breakfast in the first floor dining room, which is equipped with a wood burning stove.

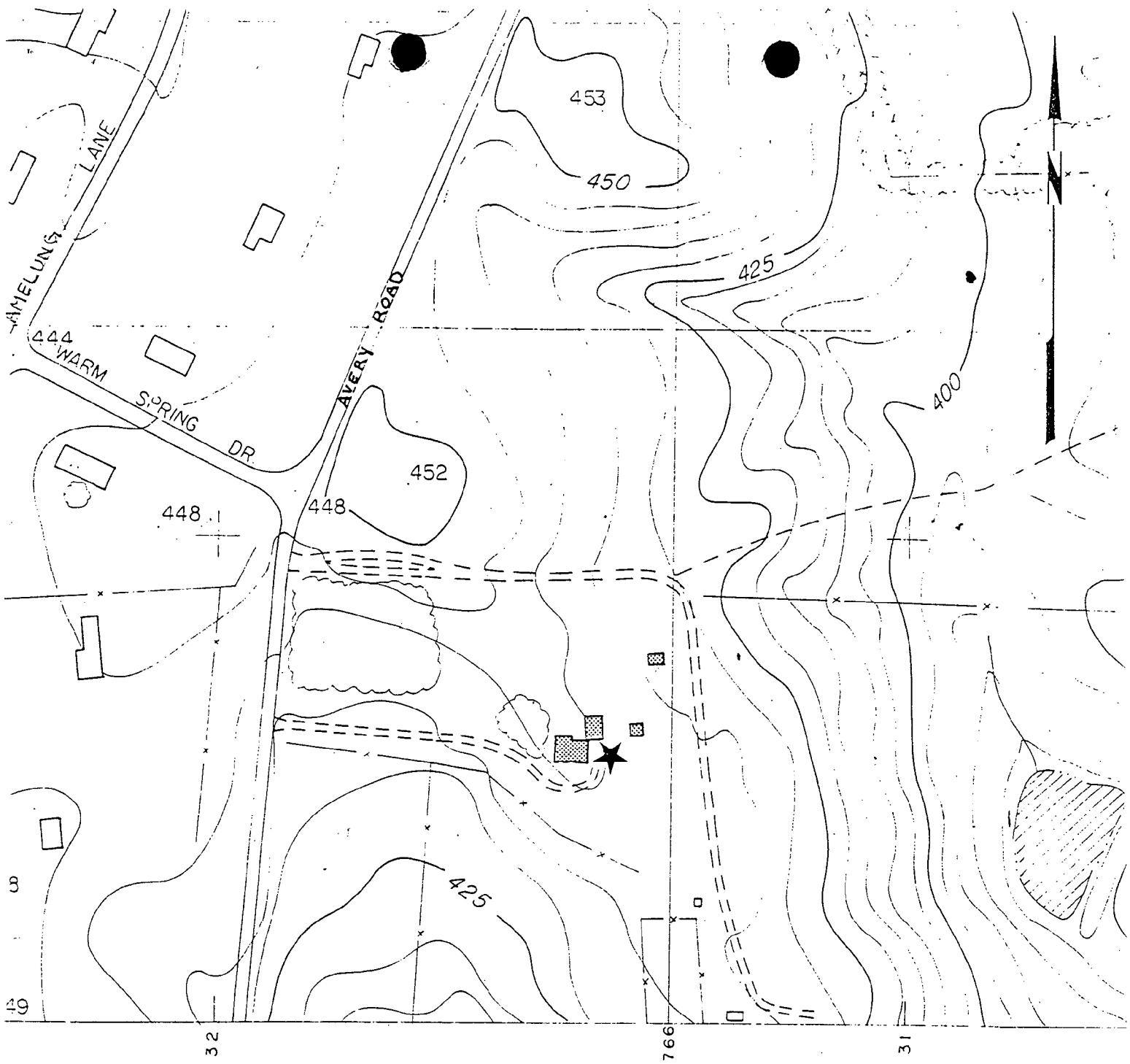
The Banfields are clearing up some details now before beginning work on the conversion. They recently went before the Board of Appeals to get permission to replace a lean-to garage which has seen better days. Then there is the question of financing. Joan said the house needs to be renovated, and the Banfields plan to build another house in the south field to live in if the bed and breakfast plan ever comes together. She said they have to find the right kind of financing to pay for all the work, much of which they plan to do themselves. The work includes expanding the kitchen, building a three-car garage, adding a bathroom and restoring all of the rooms.

"I hope we can be (open for business) by next fall if we can do it at all," says Joan.

Info. Submitted  
to BOA.

by HPL.

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*C. ...*

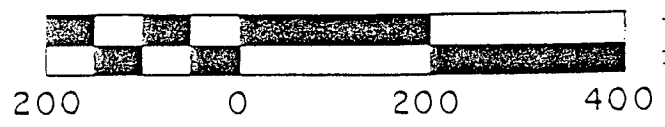
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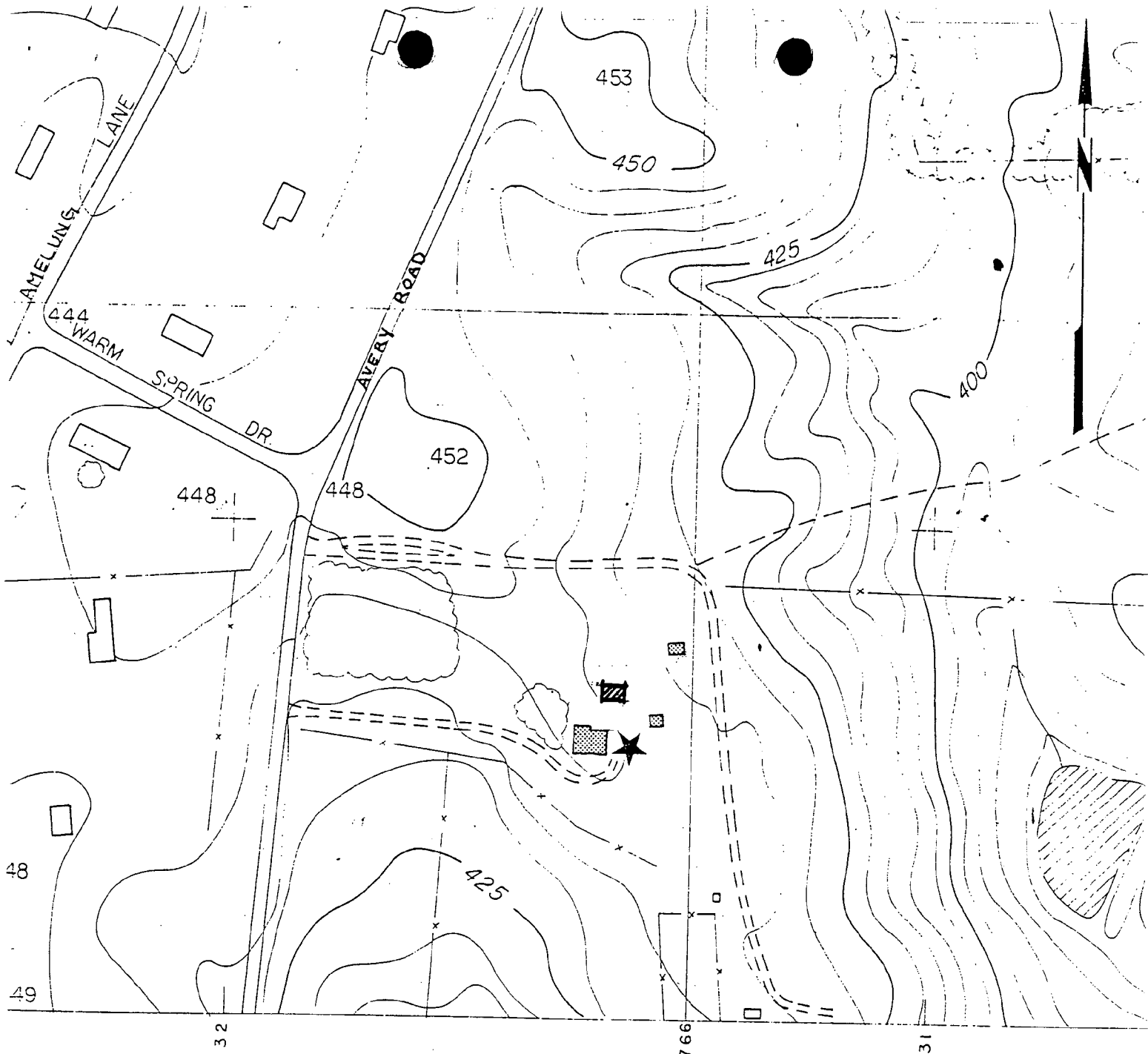
The

**BARNESLEY HOUSE**  
 SITE 22/30

15715 Avery Rd.  
 Rockville, MD 20855

Scale: 1"=200'





*GARAGE FOOTPRINT AS SEPARATE STRUCTURE*

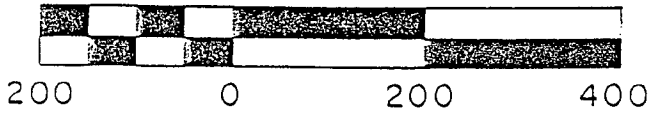
MC

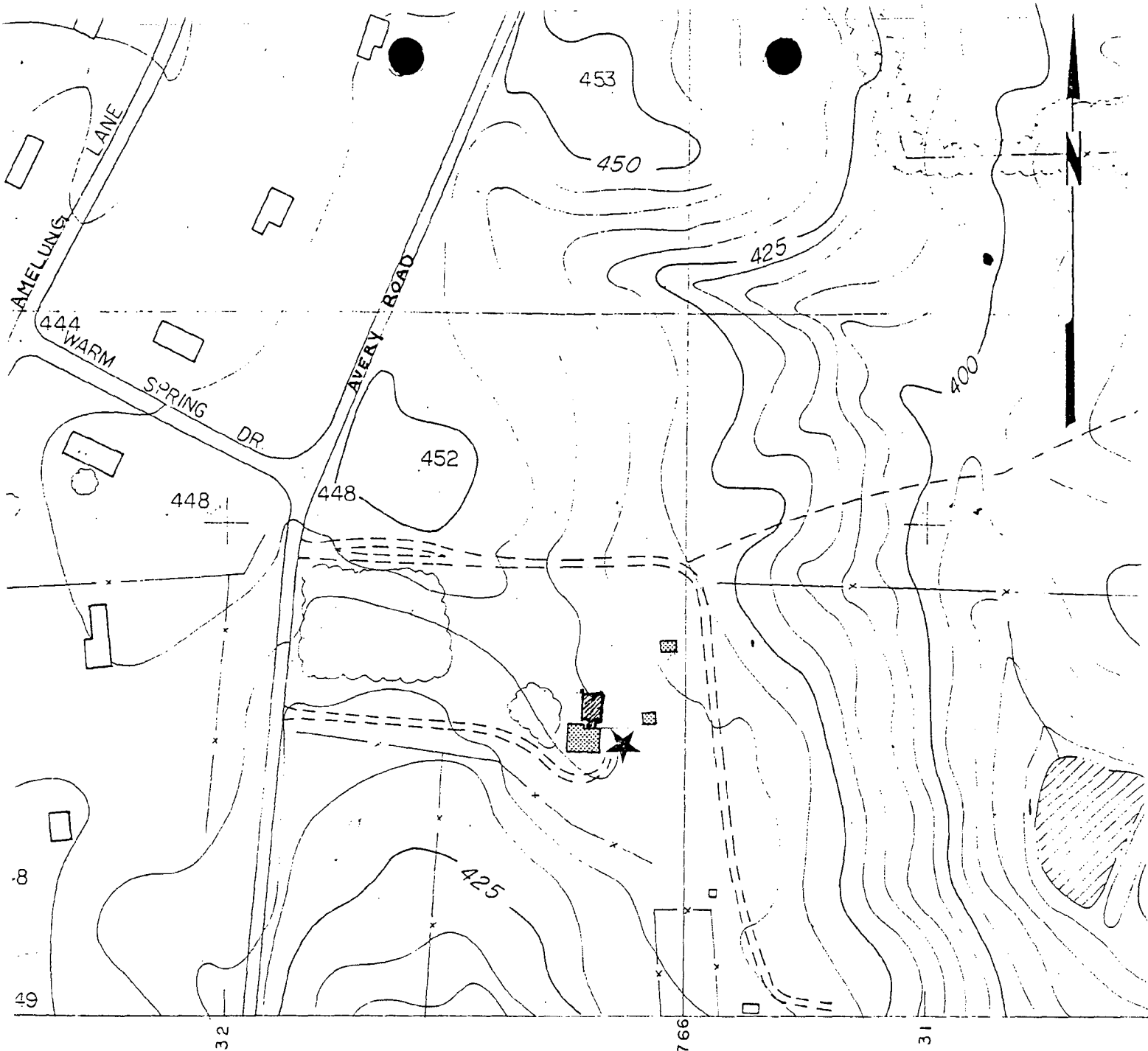
The

BARNESLEY HOUSE  
SITE 22/30

15715 Avery Rd.  
Rockville, MD 20855

Scale: 1"=200'





*GARAGE FOOTPRINT AS PROPOSED OR W/ OPEN BREEZE WAY*

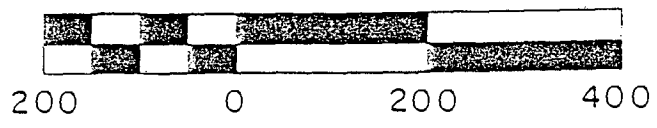
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The

**BARNESLEY HOUSE  
SITE 22/30**

15715 Avery Rd.  
Rockville, MD 20855

Scale: 1"=200'

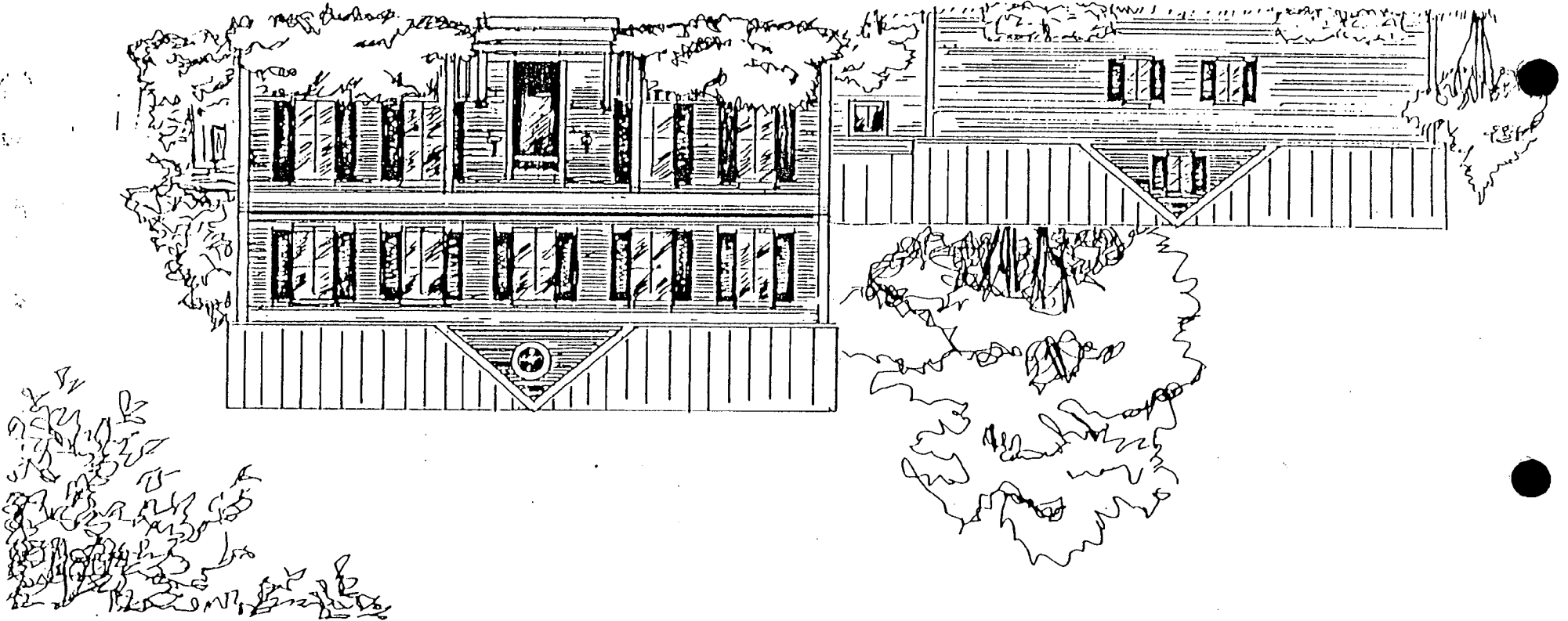


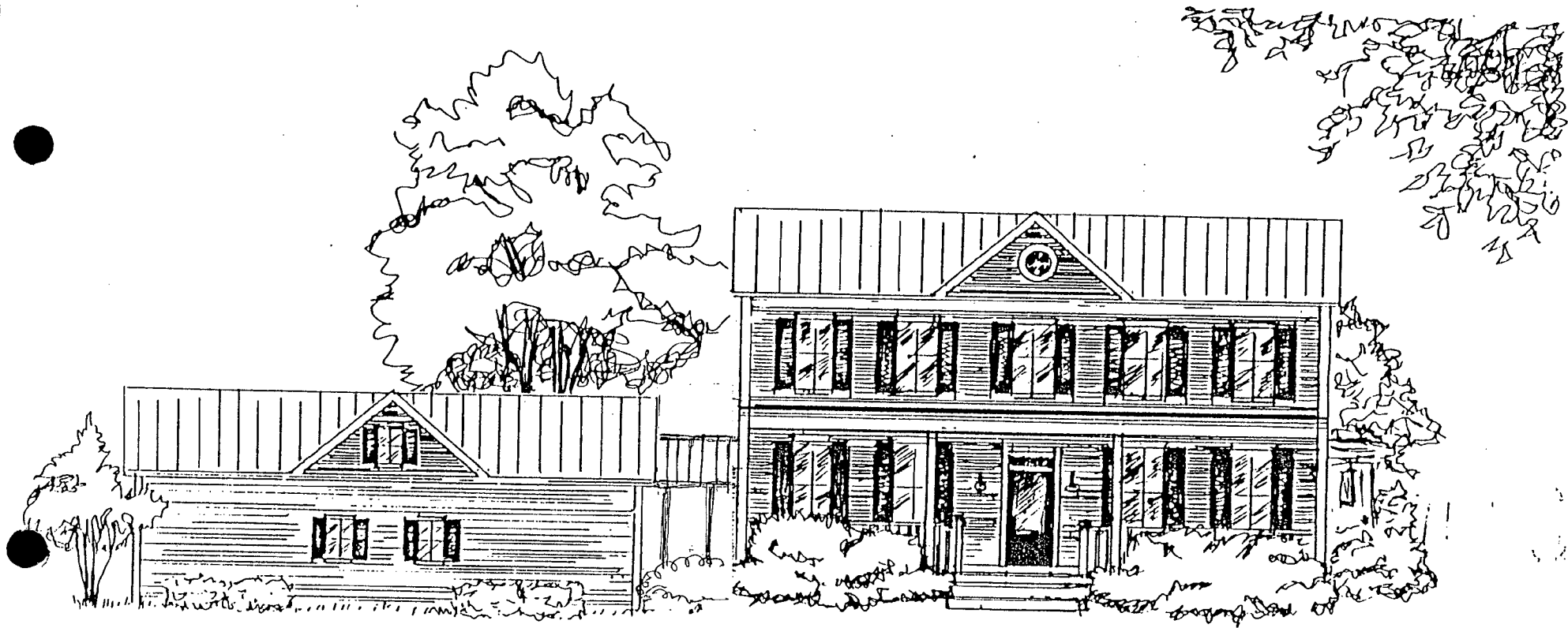
9007 9000 71

BANKFIELD

WEST FACE

PROPOSED DESIGN





HOUSE W/ OPEN BREEZEWAY

WEST FACE

9007 2000 71

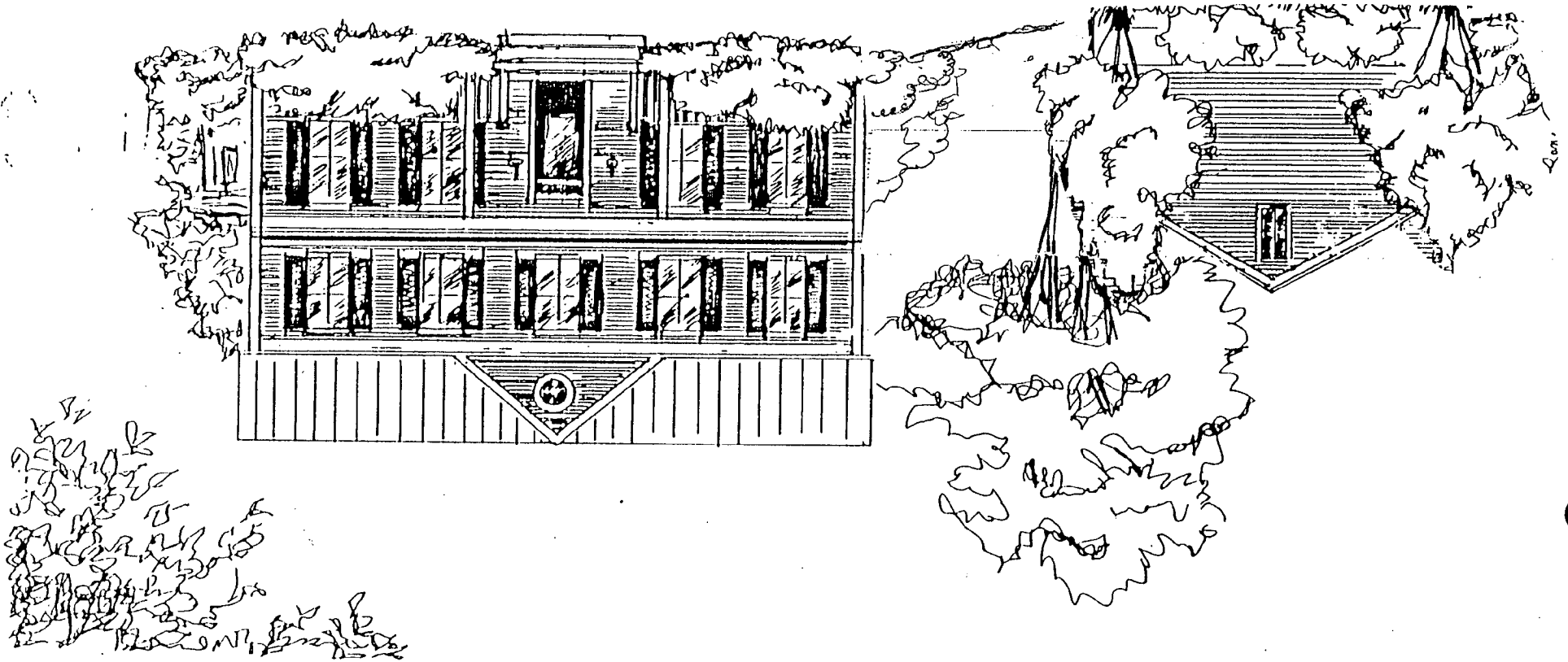
BANFIELD

9007 9000 71

MANFIELD

WEST FACE

HOUSE W/ SEPARATE GARAGE



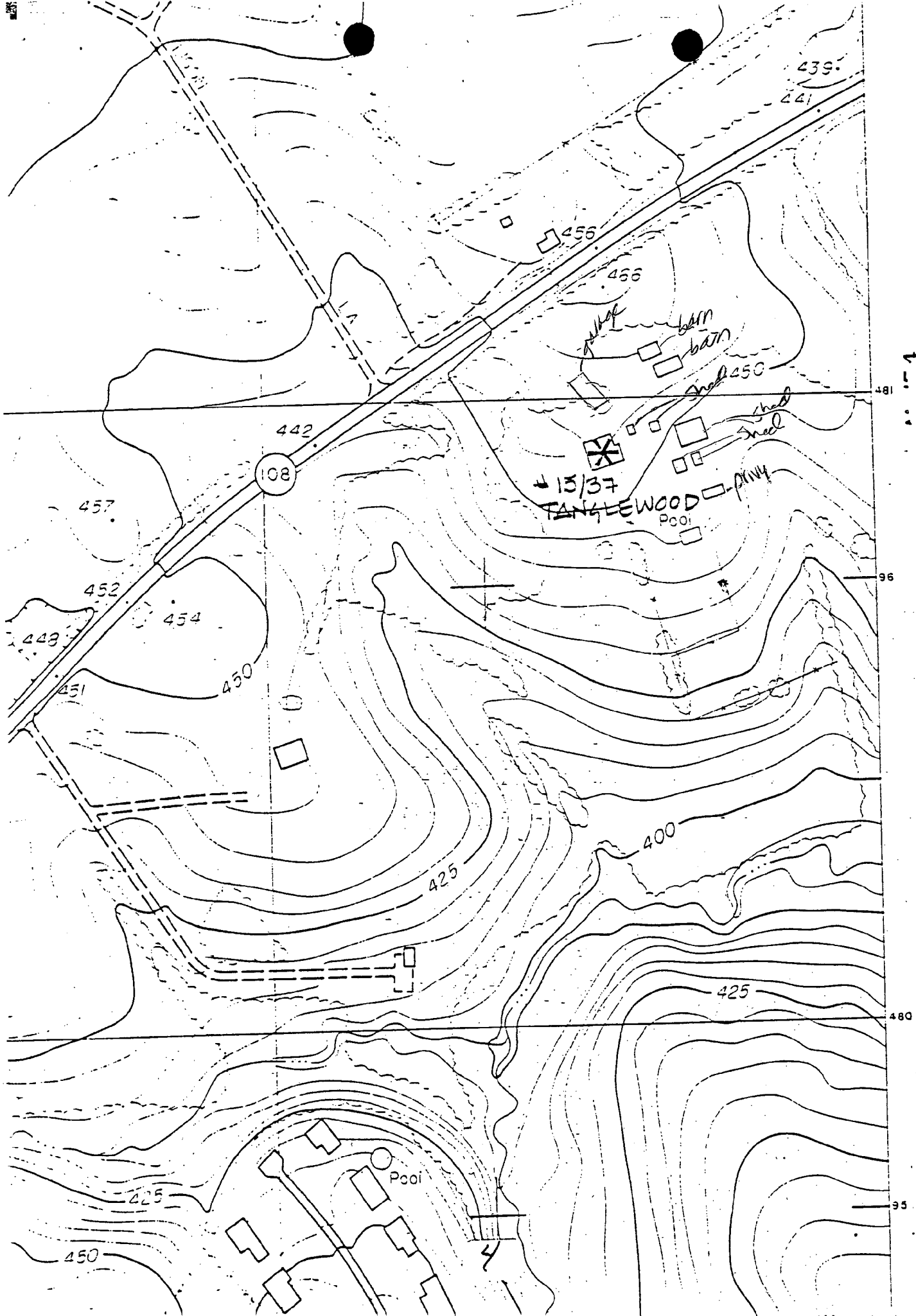


6-8-88

THE AMENDMENT

The purpose of this amendment is to designate the following sites on the Master Plan for Historic Preservation thereby extending to them the protection of the County's Historic Preservation Ordinance, Chapter 24A of the Montgomery County Code.

<u>Atlas #</u>	<u>Site</u>	<u>Location</u>	<u>Associated Acreage</u>
15/37	Tanglewood	315 Ashton Road (Route 108)	21.74
-	Tanglewood, built in 1871, is a handsome example of Gothic Revival architecture with a central gable, gabled dormers, and 6/6 light windows.		
-	Associated with the Thomas family, including Alban G. Thomas, who was prominent in the Sandy Spring community and served as President of the Sandy Spring Savings Institution and the First National Bank of Sandy Spring.		
-	The entire 21.74-acre parcel is included in the environmental setting. After appropriate review by the Historic Preservation Commission, the environmental setting may be reduced if the property owner seeks to develop in accordance to the provision of the governing zone. In the event of development, the refined setting should maintain the existing driveway, mature trees surrounding the house, and the Victorian outbuildings.		
23/93	Sharon	1630 Hickory Knoll Road	43.97
-	The original section of the house is a 2-story log dwelling built circa 1794 by Isaac Briggs. Later additions include a 1 1/2-story frame section to the east and a 1-story section to the south.		
-	Isaac Briggs, the original owner, was a manufacturer, publisher, engineer, noted agriculturalist, and friend of Thomas Jefferson. His major accomplishments include surveyance of the Erie Canal, the C&O Canal, the Louisiana Purchase, and the Nation's Capitol. He also initiated the formation of the American Board of Agriculture in 1803, a forerunner to the Department of Agriculture.		
-	The reduced 3-acre environmental setting surrounding the house includes the outbuildings on the site. This setting is sufficient to protect the visual integrity of the resource from Hickory Knoll Road.		



481  
96  
480  
95

108

13/37

TANGLEWOOD

Pool

Porch

barn

barn

shed

shed

shed

425

400

425

425

Pool

450

457

452

454

450

442

443

451

439

441

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456

481

96

480

95

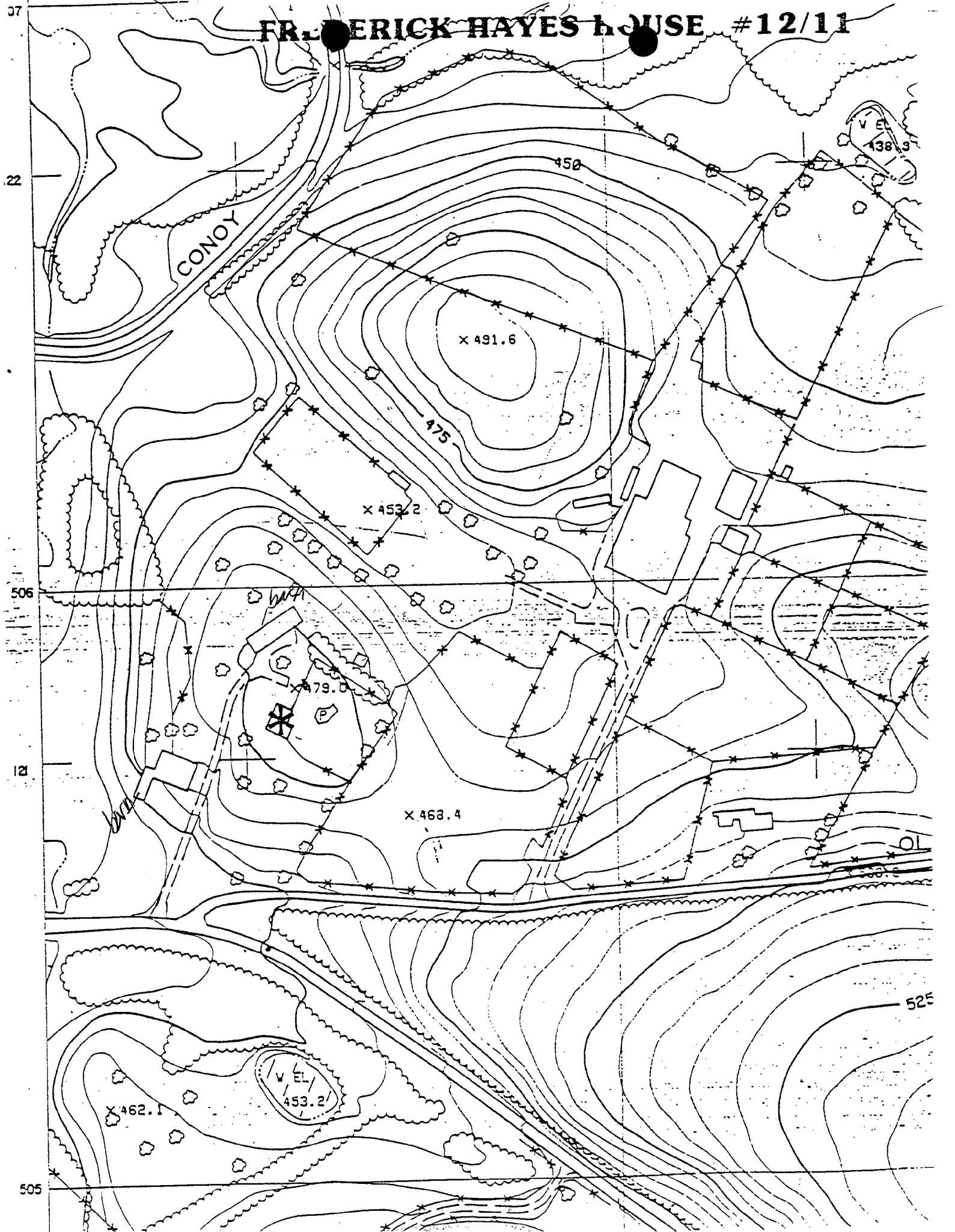
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<u>Atlas #</u>	<u>Site</u>	<u>Location</u>	<u>Associated Acreage</u>
12/11	Frederick Hayes House	17501 Barnesville Rd. Barnesville	13.19

- The Frederick Hayes House was built c. 1850 and is a two-story Gothic Revival structure with a five bay principal facade. This structure derives its architectural significance from particularly notable details, including the unusual rounded porch pediment and the bargeboards at the central gable. There is a bank barn adjacent to the house, and a modern tool shed at the rear.
- The Hayes House is important for its association with the Hayes family who settled in the area in 1747 and were prominent in nearby Barnesville. Frederick Hayes inherited the farm from his father, Leonard Hayes, in 1864.
- The environmental setting is the entire 13.19-acre parcel, to include the house and bank barn. The tool shed is specifically excluded from the designation and may be altered or removed without review.

This section of Barnesville Road is classified as arterial road A-8. The master plan right-of-way width is 80 feet. When the decision is made to construct Barnesville Road to its master plan standards, the environmental setting may need to be reduced to accommodate the ultimate right-of-way.

# FREDERICK HAYES HOUSE #12/11

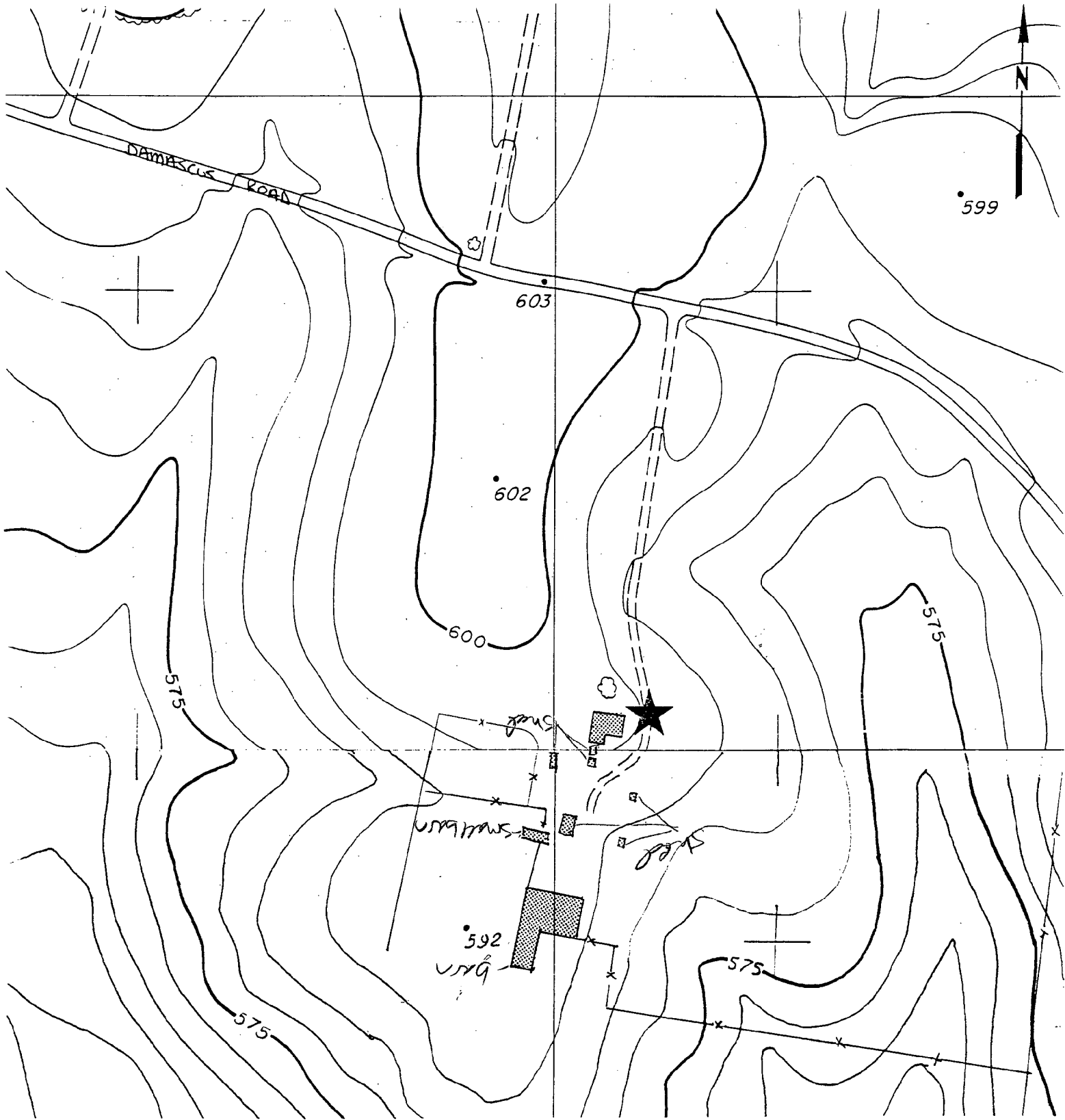


THE AMENDMENT

1-13-88

The purpose of this Amendment is to designate the following sites on the Master Plan for Historic Preservation thereby extending to them the protection of the County's Historic Preservation Ordinance, Chapter 24A of the Montgomery County Code.

<u>Atlas #</u>	<u>Site</u>	<u>Location</u>	<u>Associated Acreage</u>
23/5	Israel Griffith House	5900 Damascus Road	86.29 Acres
	<ul style="list-style-type: none"> <li>- Circa 1880 -- Good example of Gothic Revival architecture exhibiting such characteristics of the style as the center gable, turned porch posts, porch brackets, and corbelled chimneys.</li> <li>- The environmental setting is the entire 86.29-acre parcel including the small board and batten shed, the frame meat house and the frame corncrib associated with the site.</li> <li>- The acreage of this resource's environmental setting exceeds the minimum acreage per dwelling unit permitted by the current zoning of the property as reflected in the 1980 Olney Master Plan and Sectional Map Amendment. The environmental setting of this resource may be reduced in accordance with the provisions of the Historic Preservation Ordinance.</li> </ul>		
23/9	Elton	3801 Elton Farm Road	15.25 Acres
	<ul style="list-style-type: none"> <li>- Handsome Federal style fieldstone farmhouse dating from 1780.</li> <li>- Associated with Henry Griffith, early settler of the eastern part of the County.</li> <li>- The 15.25-acre environmental setting includes the stone meat house, the dairy, and the cemetery, resting place of Colonel Ridgely Brown, local Civil War hero.</li> </ul>		



ISRAEL GRIFFITH HOUSE  
SITE 23/5

Scale: 1"=200'



5900 Damascus Road  
Gaithersburg, MD 20879

BEFORE THE BOARD OF APPEALS OF MONTGOMERY COUNTY, MARYLAND

APPEAL OF

WILLIAM AND JOAN BANFIELD

\*  
\*  
\*

Case No. A-3082

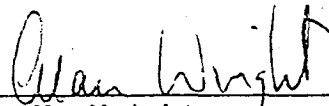
MOTION FOR EXTENSION OF TIME FOR  
MONTGOMERY COUNTY TO FILE PRE-HEARING SUBMISSION

Appellee, Montgomery County, Maryland, by and through its undersigned attorneys, and pursuant to §2A-7(a)(4) of the Montgomery County Code, moves for an extension of time to file pre-hearing submissions, and for reasons states:

1. The public hearing in the above-captioned appeal is scheduled for October 31, 1990.
2. The undersigned counsel received this case on or about October 9, 1990.
3. Counsel for Appellee has been unable to meet with representatives of the Historic Preservation Commission until recently in order to review exhibits and testimony.
4. Appellee, Montgomery County, Maryland's pre-hearing submission is attached hereto.

WHEREFORE, Appellee Montgomery County respectfully requests an extension of time to file pre-hearing submission.

CLYDE H. SORRELL  
COUNTY ATTORNEY

  
\_\_\_\_\_  
Alan M. Wright  
Senior Assistant County Attorney

Anthony M. Shore  
Anthony M. Shore  
Assistant County Attorney

Attorneys for Appellee,  
Montgomery County, Maryland

Executive Office Building  
101 Monroe Street - Third Floor  
Rockville, Maryland 20850  
(301) 217-2600

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16<sup>th</sup> day of October,  
1990, a copy of the foregoing Motion was mailed, first-class  
mail, postage prepaid to:

William and Joan Banfield  
15715 Avery Road  
Rockville, Maryland 20855

Anthony M. Shore  
Anthony M. Shore  
Assistant County Attorney

0205.AMS:90.07432



BEFORE THE BOARD OF APPEALS OF MONTGOMERY COUNTY, MARYLAND

APPEAL OF

\*

Case No. A-3082

WILLIAM AND JOAN BANFIELD

\*

\*

PRE-HEARING SUBMISSION

Appellee, Montgomery County, Maryland, by and through its undersigned attorneys, hereby submits this Pre-Hearing Submission pursuant to §2A-7 of the Montgomery County Code:

I. Documents:

- (a) Chapter 24A, Montgomery County Code
- (b) Secretary of the Interior's Standards and Guidelines for Rehabilitation
- (c) Application for Historic Area Work permit and supporting documentation
- (d) Photographs of the subject property\*
- (e) Site plans for the subject property\*\*
- (f) Historic Preservation Commission Staff Report
- (g) Amendment to Master Plan for Historic Preservation
- (h) Photographs and drawings of similarly situated structures\*\*
- (i) Minutes of meetings of the Historic Preservation Commission (August 16, 1984; March 5, 1987 and August 15, 1990)
- (j) Alternate elevations\*\*

\* Original photographs have been retained in order to develop 8 x 10 copies.

\*\* These documents are being compiled and will be submitted as soon as possible.

II. Prospective Witnesses:

- (a) Leonard Taylor, Chairperson, Historic Preservation Commission of Montgomery County, 51 Monroe Street, Suite 1001, Rockville, Maryland 20850. Mr. Taylor will testify as to the standard and method of review applied to the application for a Historic Area Work Permit filed by Appellants and the reasons for its denial by the Historic Preservation Commission.

III. Persons Requested to be Summoned:

- (a) Leonard Taylor, Chairperson, Historic Preservation Commission of Montgomery County, 51 Monroe Street, Suite 1001, Rockville, Maryland 20850.

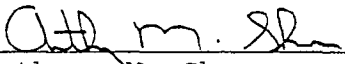
IV. Estimated Time to Present Appellee Montgomery County's Case:

Approximately one hour.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16<sup>th</sup> day of October, 1990, a copy of the foregoing Pre-Hearing Submission was mailed, by first-class mail, postage prepaid to:

William and Joan Banfield  
15715 Avery Road  
Rockville, Maryland 20855

  
\_\_\_\_\_  
Anthony M. Shore  
Assistant County Attorney

0206.AMS:90.07432

Record open to §1 1/29/91 -

warrant w/ HPC

→ not binding the HPC

BOARD OF APPEALS  
for  
MONTGOMERY COUNTY

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850

Telephone  
Area Code 301  
217-6600

Case No. A-3082

APPEAL OF WILLIAM AND JOAN BANFIELD

Notice is hereby given that a public hearing will be held by the Board of Appeals for Montgomery County, Maryland, in the Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland, in the Second Floor Davidson Memorial Hearing Room, on the 3rd day of October, 1990, at 2:00 p.m., or as soon thereafter as this matter can be heard, on the application filed pursuant to Section 2-112 of the Montgomery County Code.

The appellant charges administrative error on the part of the Historic Preservation Commission in its denial of a Historic Area Work Permit dated August 15, 1990, contending that Sections 24A-7(h) and 24A-6 of the Montgomery County Code was misinterpreted. In accordance with Chapter 2A, Administrative Procedures Act, a copy of the "charging document" (appeal) is attached to this notice.

The subject property is located at 15715 Avery Road, Rockville, Maryland in an RE-2 Zone.

Notices forwarded this 30th day of August, 1990, to:

William and Joan Banfield  
County Attorney  
Historic Preservation Commission  
Members, Board of Appeals  
Contiguous and confronting property owners  
Needwood Lake Homeowners Association  
Twin Lakes Homeowners Association

County Board of Appeals

By *Alma Harney*  
for Irene H. Gurman  
Clerk to the Board

COUNTY BOARD OF APPEALS  
FOR  
MONTGOMERY COUNTY

Application No. A-3082  
Date Filed 8-28-90  
Hearing Date 10-3-90 2pm

APPEAL CHARGING ERROR  
IN ADMINISTRATIVE RULING OR ACTION  
PLEASE NOTE INSTRUCTIONS ON REVERSE SIDE.  
ATTACH ADDITIONAL SHEETS IF REQUIRED FOR ANSWERS.

Appeal is hereby made pursuant to Section 2-112 of the Montgomery County Code 1984, as amended, from the decision or other action of an official or agency of Montgomery County specified below which Appellant contends was erroneous.

Official or agency from whose ruling or action this appeal is made: Historic Preservation Commission

Brief description of ruling or action from which this appeal is made (Attach duplicate copy of ruling or document indicating such action): Denial of Historic Area Work Permit

Date of that ruling or action: August 15, 1990

Brief description of what, in appellant's view, the ruling or action should have been: Issue the permit as requested.

Number of section, and subsection if any, of the Montgomery County Code 1984, as amended, or citation of other statutory provision, which appellant contends was misinterpreted: Section 24A-6 and 24A-7

Error of fact, if any, involved in the ruling or action from which this appeal is made: Out-buildings have often been connected to the main house by "hyphens." Out-building not as long as commission stated.

Error of law, if any, involved in the ruling or action from which this appeal is made: Commission should instruct director to issue the permit; it is a reasonable & practical request + refusal would cause undue hardship on owner

Question(s) of fact, if any, presented to the Board by this appeal: would not alter the integrity of the resource

Question(s) of law, if any, presented to the Board by this appeal: Montgomery County Code does not intend to limit new construction to any one style.

Description of real property, if any, involved in this appeal: 166 Liber 2039, Folio 244, Block  
Subdivision 502, Town \_\_\_\_\_, Street and Number 15715 Avery Rd. Rockville.  
Zone Classification RE-2

Appellant's present legal interest in above property, if any:  Owner (including joint ownership).  Lessee.  
 Contract to lease or rent.  Contract to purchase.  Other (describe) \_\_\_\_\_

Description of taxicab or other personal property, if any, involved in this appeal: \_\_\_\_\_

Statement of appellant's interest, i.e., manner in which appellant is aggrieved by the ruling or action complained of (as property owner or otherwise): Applicant has made every reasonable effort to design the out-building to compliment the main house. Denial of permit to build the "hyphen" to connect the out-building (garage) to the house does not take into consideration our convenience or comfort, or any hardship it might cause us.

Further comments, if any: We feel that our plan will enhance the use of our property & will not destroy the integrity of the house.

I hereby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

SIGNATURE OF ATTORNEY

PHONE NUMBER

Address

(OVER)

SIGNATURE OF APPELLANT(S)

ADDRESS OF APPELLANT(S)

TELEPHONE

Jean S. Danfield  
William S. Danfield  
15715 Avery Rd. Rockville, 20855

762-6771

HISTORIC PRESERVATION COMMISSION

of

MONTGOMERY COUNTY

51 Monroe Street, Suite 1001  
Rockville, Maryland 20850

301-217-3625

Case No.: 22/30-90A

Received: July 23, 1990

Before the Montgomery County Historic Preservation Commission

Application of Dr. and Mrs. William G. Banfield

DECISION AND OPINION OF THE COMMISSION

Decision of the Commission: Application is DENIED

OPINION OF THE COMMISSION

BACKGROUND

The following term is defined in Section 24A-2 of the Code:

Historic Site: Any individual historic resource that is significant and contributes 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.

The applicant has applied for an Historic Area Work Permit (HAWP) for construction of a two-story garage/workshop at 15715 Avery Road, Rockville, Maryland. The subject property is also known as the "Barnesley House" and was designated an historic site through a resolution amending the Master Plan for Historic Preservation by the Montgomery County Council, sitting as the District Council, on July 8, 1985. The amendment was adopted by the Maryland-National Capital Park and Planning Commission on July 9, 1985.

The Master Plan Amendment for the Barnesley House describes the findings of historical and architectural significance that resulted in the placement of the Barnesley House on the Master Plan.

[The Barnesley House is] A good example of a well-maintained 19th Century Gothic Revival farmhouse, once so ubiquitous in Montgomery County. Because this house retains its original/historic setting, the entire 11.25 acre parcel is recommended as the environmental setting in order to provide architectural review of any future development under the Preservation Ordinance. Designation of the site does not preclude subdivision under the development standards of the RE-2 Zone. Inclusion of the entire parcel in the environmental setting does, however, require architectural review of any additional development on the site prior to the issuance of building permits. Once developed, the environmental setting to be required in perpetuity under the Ordinance could be reduced to the size of the lot retained for the historic structure.

## EVIDENCE

The following testimony was presented at the hearing:

### Commission Staff

Staff reported that the applicant proposed to construct a three-bay, two-story garage/workshop which would be attached to the Barnesley House. The proposed garage would replace an existing "lean-to" carport (consisting of a metal roof supported by poles). The applicant also proposed to remove a cinderblock storage shed located to the rear of the property. Staff noted a meeting with the applicant earlier in the year, at which time staff recommended that the garage be built as a separate structure and that the roof style of the garage be made compatible to the 19th Century Gothic Revival style of the Barnesley House. This style is characterized by symmetrically arranged bays under a multi-gabled roof. At that time, staff also advised that if, in the opinion of the applicant, the garage had to be attached to the house, its size should be reduced, it should be connected with an open breezeway or similar "hyphenated" structure without walls, and that it be oriented in such a way as to have less visual impact on the front and side elevations of the house.

Staff reported that the applicant had responded to a few of staff's suggestions by incorporating a gable-style roof for the garage and setting it back from the front elevation. All proposed materials would match the existing house. The drawings for the garage show it attached to the house by a hyphenated structure, but this structure is completely enclosed, contrary to staff's recommendation. Staff also noted that the width of the proposed garage, exclusive of the enclosed connecting structure, was almost equal to that of the house, rendering the proposed garage incompatible with the existing structure in terms of overall scale. Staff recommended that the record be left open to allow the applicant time to explore alternatives to the current proposal in terms of both size and location.

## Applicant

The applicant, Mrs. Banfield, testified that the garage is needed for her family's three automobiles, a tractor, and an end loader. She stated that the existing house is located on a rise and that only the second story of the proposed addition will be visible from the road, thereby having little visual impact from the public right-of-way. A detached garage in the back yard would ruin the view from the house into the back yard space.

In response to a question raised by Commissioner Taylor on whether the applicant had considered the possibility of constructing a detached garage in the same location or connecting it with a breezeway, open on both sides, the applicant replied that she considered the side of the house where the garage would be attached the "nothing" side of the house and that she did not see the reason for detaching the garage from the house. The proposed location is also the most convenient location because the driveway already leads there, she added. Commissioner Taylor explained that outbuildings to Gothic Revival style farmhouses in the central eastern United States were traditionally constructed as separate structures. He stated that structures are rarely built as appendages to this style of farm house.

Commissioner Cantelon stated that the proposed garage and enclosed breezeway would add 45 feet to the existing 40 foot wide house, noting that a separate garage would be more consistent with the style of this house. He also stated that if the garage were to be attached to the house, it should be attached by an open breezeway or similar structure.

There were no opponents to the application from the public.

## FINDINGS

Based on the testimony presented to the Commission and other evidence in the record, the Commission makes the following findings:

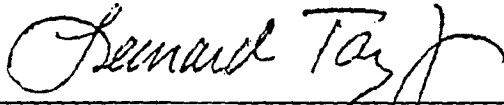
1. The Barnesley House, at 15715 Avery Road, Rockville, is a historic site under the Master Plan for Historic Preservation and the definition in Section 24A-2 of Chapter 24A of the Montgomery County Code, and is a valuable example of a well-maintained 19th Century Gothic Revival Farmhouse.
2. The applicant's proposed alteration is inconsistent with two characteristics of 19th Century Gothic Revival Farmhouses. First, the Gothic Revival style is characterized by symmetrically arranged bays under a multi-gabled roof. An attached two-story addition would be inappropriate to this style as it would make the existing building mass asymmetrical. Second, outbuildings to Gothic Revival style farmhouses in the central eastern United States were not traditionally attached to the main house. A detached garage in the same location as proposed, or one connected to the house with an open breezeway, would be more appropriate to the historic site.



Accordingly, the Commission finds that the application does not meet any of the criteria for approval in Section 24A-8, and, that the alteration proposed by the Banfield's would be inappropriate and inconsistent with the preservation of the Barnesley House. Therefore, under Section 24A-8(a), the Commission must deny the application.

Based on these facts and findings, and having heard and carefully considered all of the testimony and exhibits contained in the record, it is the decision of the Montgomery County Historic Preservation Commission that the application by Dr. and Mrs. William G. Banfield for an Historic Area Work Permit for construction of a garage/workshop at 15715 Avery Road, Rockville, is 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 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 decisions of the Commission. The Board of Appeals has the authority to affirm, modify, or reverse the order or decision of the Commission.



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Leonard Taylor, Chairperson  
Montgomery County Historic Preservation Commission

August 24, 1990  
Date