

18/08-02C 19820 White Ground  
Rd. (Boys Historic District)

18/08-02C - Michele

**California Custom Home Builders, Inc.**


**WEATHERTIGHT SHELL HOMES & FOUNDATIONS**

Paul Christian  
Builder  
RIA Assoc.

P.O. Box 79  
Cabin John MD 20818

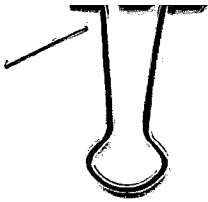
The logo features a central illustration of a two-story house with a gabled roof and a porch. Below the house is a small boat on a rocky shore. The text is arranged around these elements: the company name is arched over the house, the service description is in a banner below the house, and the contact information is at the bottom.

11-7 Monday - Friday 10-3 Sat.

- Md. 301-299-7725
- Va. 703-533-1211
- Fax: 301-299-7720
-  301-520-8300

Toll Free 800-821-9200

E-Mail: [calbdrs@erols.com](mailto:calbdrs@erols.com)



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 6, 2003

Mr. Paul Chretien  
P.O. Box 79  
Cabin John, MD 20818

*Received*

**MAR 13 2003**

*(m)*

Re: 19820 White Ground Road, Boyds

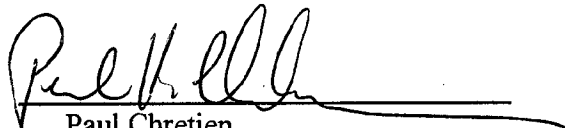
Mr. Chretien:

I am writing you this to communicate to you the Historic Preservation Commission's directives regarding the stop work order and civil citation issued on February 4, 2003 for the above mentioned property located within the Boyds Historic District.

The Commission, with guidance from M-NCPPC's staff arborist, has determined that a re-planting of 10 trees of deciduous and evergreen varieties would be an appropriate mitigation measure for the removal of the trees on the property without your having applied for a Historic Area Work Permit (HAWP). Additionally, the Commission has requested that the enclosed tree planting plan with species list generated by the staff arborist be implemented by the end of May 2003. If this tree planting plan is implemented in full and prior to June 1, 2003, the civil citation will be revoked.

#### STATEMENT OF AGREEMENT

I, Paul Chretien, agrees to implement the attached tree planting plan as illustrated. I understand that once the Commission receives this signed statement of agreement, the stop work order imposed on my property at 19820 White ground road will be lifted. I further understand that M-NCPPC's arborist will be field checking the site on June 1, 2003 and if the tree planting plan has been implemented in its entirety, the civil citation # 3Z33755025 will be revoked.

  
Paul Chretien

Owner of 19820 White Ground Road

*4-10-03*

Date

Please make a copy of this document for your records and return the original to the Historic Preservation Commission. If you have any additional questions, please do not

F311  
7501010001



UNIFORM CIVIL CITATION

WITNESS

3Z33765025

RELATED CITATION →

District Court of Maryland for MONTGOMERY COUNTY

County/Municipality/State of Maryland vs. MONTGOMERY Agency DPS

Defendant's (Last) Name CHRETIEN PAUL First Middle H

Current Street Address 8533 HORSESHOE LANE Apt. No.

City Potomac State MD Zip Code 20854

DOB Height Weight Sex Race Hair Eyes Telephone No. Day Telephone No. Night

Based on  personal knowledge of the undersigned officer  the attached affidavit, the defendant is charged with FAILING TO ABIDE BY THE CONDITIONS OF THE HISTORIC AREA WORK PERMIT

at 430  AM  PM on 2 / 3 / 03  
at 19820 WHITE GROUND RD, BLDGS MD in violation

of:  Md. Ann. Code  Municipal Infraction/County Ordinance/Public Local Law/Local Code  COMAR  
Document/Article 24 Section A Sub Section 11 Paragraph

Each day a violation continues is a separate WSSC infraction subject to an additional citation.

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation.

X Defendant's Signature SENT CERTIFIED MAIL

INSTRUCTIONS

YOU MUST APPEAR IN COURT. A notice of trial date will be mailed to you.

YOU MAY PAY A FINE of \$ 500 - by 2-24-03 to the  District Court  COUNTY ATTORNEY OFFICE at 101 MONROE ST  
ROCKVILLE MD 20850 and AVOID TRIAL.  
This will be deemed an admission of guilt and a trial date will not be set.

YOU MAY ELECT TO STAND TRIAL. DO NOT SEND PAYMENT OF FINE. Notify COUNTY ATTORNEY OFFICE in writing by 2-19-03 at COUNTY ATTORNEY OFFICE, 101 MONROE ST ROCKVILLE MD. The District Court will mail you a notice of your trial date and location. AT TRIAL the Court may impose a fine up to \$ 500 - plus court costs.

IN ADDITION, MONTGOMERY COUNTY is seeking abatement of this infraction. You may be ordered to abate this infraction or be assessed the costs for the abatement, as well as a fine of up to \$1,000, plus court costs.

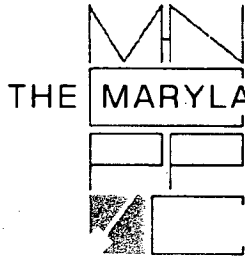
FAILING TO APPEAR OR PAY THE FINE MAY RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.

FAILING TO PAY THE FINE OR REQUEST A TRIAL DATE: will deem you liable for the fine assessed; the fine may be doubled and/or a judgment on affidavit may be entered against you including an order of abatement.

FAILURE TO APPEAR FOR A REQUESTED TRIAL DATE: the fine may be doubled and a judgment on affidavit entered against you.

I solemnly affirm under the penalties of perjury, and based upon personal knowledge or the attached affidavit, that the contents of this citation are true and that I am competent to testify on these matters. The defendant is not now and has not been within the preceding 30 days, in the military service as defined in the Soldier's and Sailor's Civil Relief Act of 1940, as amended.

Pete Hrycak PETE HRYCAK 2-4-03  
Officer's Signature Officer's Printed Name Date  
DPS 178 240-777-5211  
Agency Sub-Agency I.D. No. Phone



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

FAX TRANSMITTAL SHEET

Historic Preservation Office  
Department of Park & Planning

Telephone Number: (301) 563-3400

Fax Number: (301)-563-3412

TO: Paul Chretien FAX NUMBER: 301 299 7726

FROM: Michele Nam

DATE: 4/29/04

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 4

NOTE:

Mr Chretien, Here is the info I have  
I don't think I wrote a formal letter  
to you acknowledging the work was  
done - Attached to the email I  
sent to Pete Hrycek confirming this.  
Let me know if you need an official  
letter -

- Michele.

Pete,

I received a signed Statement of Agreement (original letter attached for your records) from Mr. Chretien today. As per this agreement, the HPC agreed to lift the Stop Work Order (not the civil citation) upon receipt of this signed agreement. Would you please lift the stop work order from the aforementioned property.

Thank you for all your help with this case.

Michele

-----  
Michele Naru  
Historic Preservation Planner  
Maryland-National Capital Park and Planning Commission (M-NCPPC)  
8787 Georgia Avenue  
Silver Spring, Maryland 20910  
(301) 563-3400 (phone)  
(301) 563-3412 (fax)  
michele.naru@mncppc.org



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 6, 2003

**Mr. Paul Chretien**  
P.O. Box 79  
Cabin John, MD 20818

Re: 19820 White Ground Road, Boyds

Mr. Chretien:

I am writing you this to communicate to you the Historic Preservation Commission's directives regarding the stop work order and civil citation issued on February 4, 2003 for the above mentioned property located within the Boyds Historic District.

The Commission, with guidance from M-NCPPC's staff arborist, has determined that a re-planting of 10 trees of deciduous and evergreen varieties would be an appropriate mitigation measure for the removal of the trees on the property without your having applied for a Historic Area Work Permit (HAWP). Additionally, the Commission has requested that the enclosed tree planting plan with species list generated by the staff arborist be implemented by the end of May 2003. If this tree planting plan is implemented in full and prior to June 1, 2003, the civil citation will be revoked.

#### STATEMENT OF AGREEMENT

I, Paul Chretien, agrees to implement the attached tree planting plan as illustrated. I understand that once the Commission receives this signed statement of agreement, the stop work order imposed on my property at 19820 White ground road will be lifted. I further understand that M-NCPPC's arborist will be field checking the site on June 1, 2003 and if the tree planting plan has been implemented in its entirety, the civil citation # 3Z33755025 will be revoked.

---

Paul Chretien  
Owner of 19820 White Ground Road

---

Date

Please make a copy of this document for your records and return the original to the Historic Preservation Commission. If you have any additional questions, please do not



hesitate to contact me. Thank you for your cooperation in this matter.

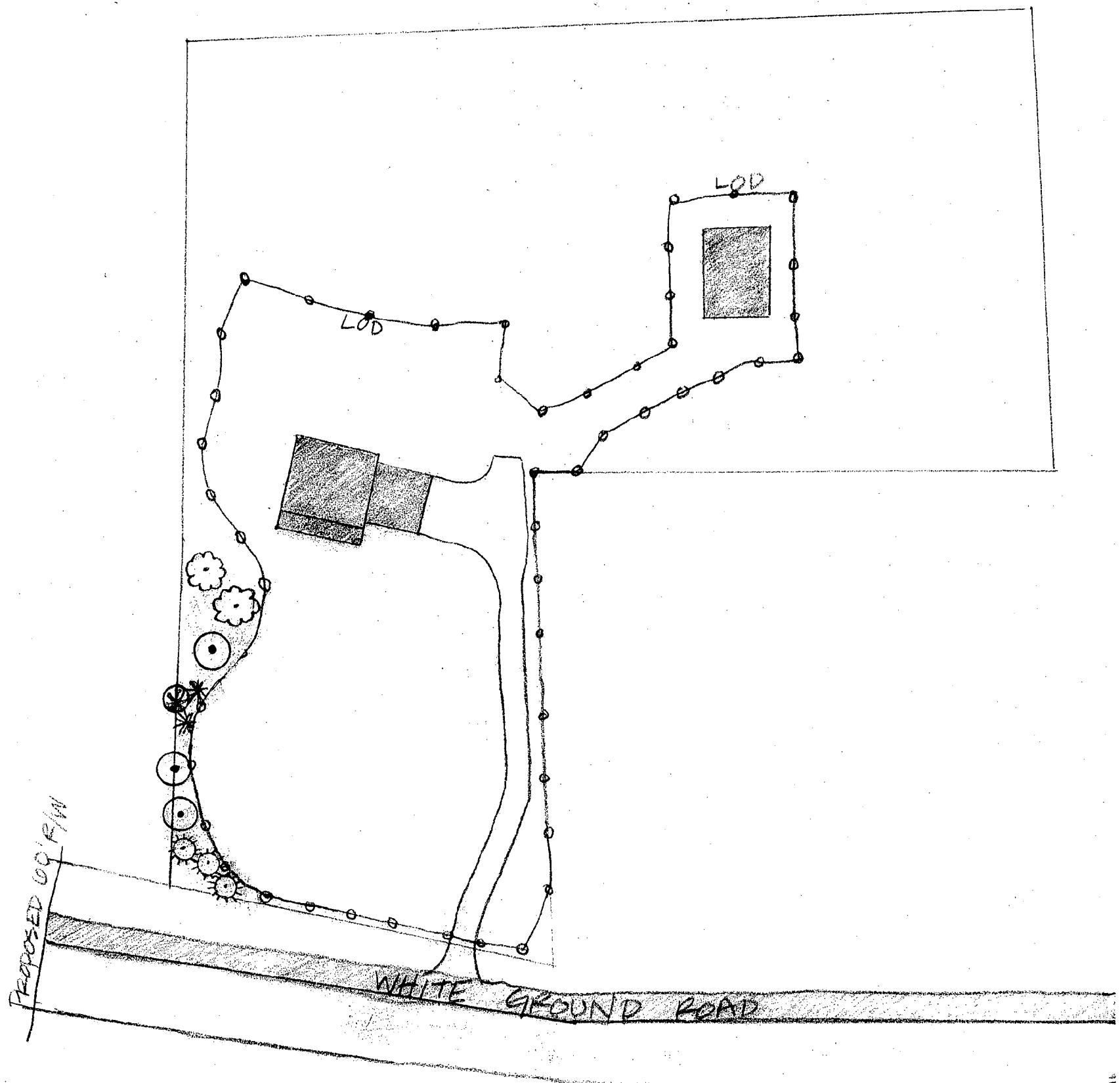
Sincerely,

A handwritten signature in cursive script that reads "Michele Naru".

Michele Naru  
Historic Preservation Planner






Cc: Reggie Jetter, DPS  
Pete Hrycak, DPS Inspector  
Steve Cary, M-NCPPC Arborist  
Vicki Gull, County Attorney

# TREE PLANTING PLAN



## LEGEND

1" = 50'

-  - RED MAPLE - 2" CALIPER
-  - PIN OAK - 6" CALIPER
-  - SPRUCE - 6'-8' HEIGHT
-  - EXISTING SPRUCE
-  - WHITE PINE - 8'-10' HEIGHT



*Historic*

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

**HISTORIC AREA WORK  
PERMIT**

IssueDate: 12/19/2002

Permit No: 294887  
Expires:  
X Ref:  
Rev. No:

**Approved With Conditions**

THIS IS TO CERTIFY THAT:

PAUL GRETIEN  
8533 HORSESHOE LANE  
POTOMAC MD 20895

HAS PERMISSION TO:

CONSTRUCT

PERMIT CONDITIONS:

1. No tree larger than 6" in diameter will be removed. 2. The Right(North) Chimney is not constructed.

PREMISE ADDRESS

19820 WHITE GROUND RD  
BOYDS MD 20841-

LOT NA  
LIBER  
FOLIO  
PERMIT FEE: \$0.00

BLOCK NA  
ELECTION DISTRICT  
SUBDIVISION  
TAX ACCOUNT NO.:

PARCEL  
PLATE  
CLARKSBURG OUTSIDE

ZONE RE01  
GRID

HISTORIC MASTER: N  
HISTORIC ATLAS: N

**HISTORIC APPROVAL ONLY  
BUILDING PERMIT REQUIRED**

Director, Department of Permitting Services



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

RIGHT-OF-WAY CONSTRUCTION  
PERMIT

IssueDate: 8/31/2001 Permit No: 212907  
Expires: 3/4/2003  
ID: AC571130

THIS IS TO CERTIFY THAT: PAUL CHRETIEN  
P.O. BOX 79  
CABIN JOHN MD 20854  
Day Phone : (301)299-7725 x

HAS PERMISSION TO: CONSTRUCT DRIVEWAY

Special Notes: Construct the following type driveway in accordance with Montgomery County Standards and Specifications and the direction of the DPS Inspector. All future maintenance of this apron will be the responsibility of the property owner. No pipe required. Permittee has option of constructing apron from stone. Clear and regrade as directed to sight distance requirements. This driveway is being constructed under the Exceptional Rustic Road Program.

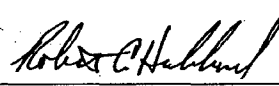
MCDOT Standard: MC 301.03

The proposed work must comply with the conditions of this permit and with the provisions of the Montgomery County Road Construction Code and the "Standards and Specifications" adopted by the County Council for Montgomery County.

**Notify: JOHN LOEVY Field Inspector at (301)370-3689 48 hours before initial start of work, restart of work after 48 hours or more of work stoppage and upon completion of the work for final inspection and bond release.**

PREMISE ADDRESS 19820 WHITE GROUND RD  
BOYDS MD 20841-

LOT NA BLOCK NA PARCEL  
LIBER TAX ACCOUNT NO. PS NUMBER: 7972  
FOLIO SUBDIVISION CLARKSBURG OUTSIDE

  
Director, Department of Permitting Services

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR. Paul Chretien  
P.O. Box 79  
Cabin John, MD  
20818

2. Article Number

(Transfer from service label)

7002 0860 0000 3148 7208

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
Paul Chretien 10/10

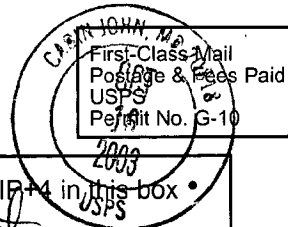
D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

UNITED STATES POSTAL SERVICE



RECEIVED  
OCT 24 2003

• Sender, Please print your name, address, and ZIP+4 in this box •

By *Montgomery County Dept*  
*of Park & Planning*  
*M-NC PPC*  
*8187 Georgia Ave*  
*Silver Spring, MD 20910-3460*

**SENDER: COMPLETE THIS SECTION**

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Mr. Paul Chretien  
Po Box 79  
Cabin John, MD 20818

2. Article Number  
(Transfer from service label) 7002 0860 0000 31487192

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
Paul Chretien 2/20/04

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

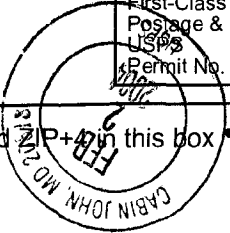
UNITED STATES POSTAL SERVICE



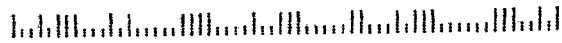
First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Michele Naru  
Historic Preservation Office  
MNCP+PC-MC  
1109 Spring St., Ste 801  
Silver Spring, MD 20910



30







**EASTERN SHORE NURSERIES, INC.**

P.O. BOX 743  
EASTON, MD 21601  
410-822-1320

**F.A. HOBSON LANDSCAPING, INC.**

111 Hobson Nursery Lane  
QUEENSTOWN, MARYLAND 21658  
(410) 827-9614  
1-800-675-9614

Customer's Order No. \_\_\_\_\_ Date \_\_\_\_\_ 20\_\_

Name *California Builders Inc*

Address *PO Box 79  
Chesapeake Md* Phone: \_\_\_\_\_

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
---------	------	--------	--------	----------	--------------	----------

QUAN.	DESCRIPTION	PRICE	AMOUNT
2	Red maple 15% <i>OK</i>	200	400.00 60.00 340.00 17.00 357.00
<i>12/4</i>			

0063712 Received By \_\_\_\_\_

TAX \_\_\_\_\_

TOTAL \_\_\_\_\_

All claims and returned goods MUST be accompanied by this bill.

CUSTOMER'S ORDER NO.	PHONE	DATE				
NAME <i>PAUL Christians</i>						
ADDRESS _____						
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
QTY.	DESCRIPTION	PRICE	AMOUNT			
20	White Pines			<i>Deposit given of \$200.00</i>		
RECEIVED BY _____						TAX
						TOTAL

B PRODUCT 610 All claims and returned goods must be accompanied by this bill.

6585

NEBB To Reorder:

*Thank You*



# WILDFLOWER NURSERY

915 Romancoke Rd.  
STEVENSVILLE, MD 21666  
(410) 604-2121 Fax (410) 604-2411

CUSTOMER'S ORDER NO. \_\_\_\_\_ PHONE \_\_\_\_\_ DATE 5-31-03

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

SOLD BY CASH C.O.D. CHARGE ON ACCT. MDSE. RET'D. PAID OUT

QTY. DESCRIPTION PRICE AMOUNT

1 8-10 white Pine 125.00 125.00

2 6 FOOT White Pine 130.00 260.00

385.00

LOSS 15%

57.75

327.25

2 Red Maple 110.00 220.00

2 EACH

547.25

CHECK # 12843

547.25

547.25

547.25

547.25

547.25

547.25

547.25

547.25

547.25

547.25

547.25

547.25

No Guarantee offered  
on Sale items.

TAX 27.3

TOTAL 574.6

RECEIVED BY

22847

All claims and returned goods MUST be accompanied by this bill.

THANK YOU

# F.A. HOBSON LANDSCAPING, INC.

111 Hobson Nursery Lane  
QUEENSTOWN, MARYLAND 21658  
(410) 827-9614  
1-800-675-9614

CUSTOMER'S ORDER NO. \_\_\_\_\_ PHONE \_\_\_\_\_ DATE \_\_\_\_\_

NAME 301 299-7226 5/31/03

ADDRESS PAUL TIA 7725

CA CALIFORNIA blders

PO BOX 79

SOLD BY CASH C.O.D. CHARGE ON ACCT. MDSE. RET'D. PAID OUT 208.18

QTY. DESCRIPTION PRICE AMOUNT

6 white Pine 6.7 85.00

85.00

85.00

85.00

85.00

85.00

85.00

85.00

85.00

85.00

85.00

85.00

85.00

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85.00

85.00

85.00

85.00

85.00

85.00

85.00

RECEIVED BY

B PRODUCT 610

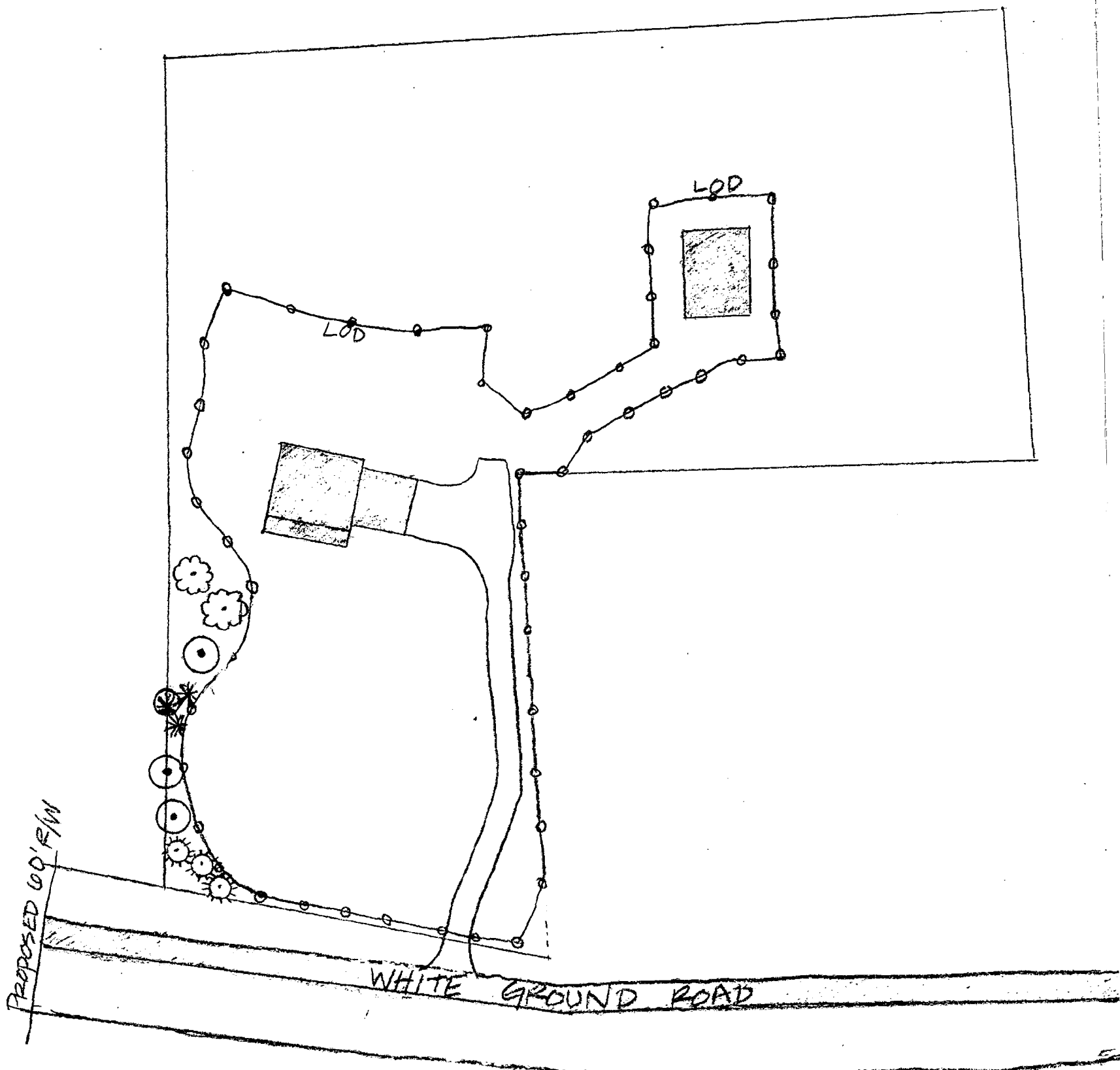
All claims and returned goods must be accompanied by this bill.

6584

To Reorder:






Thank you

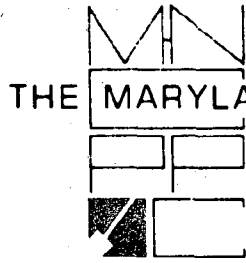
# TREE PLANTING PLAN



## LEGEND

1" = 50'

-  - RED MAPLE - 2" CALIPER
-  - PIN OAK - 6" CALIPER
-  - SPRUCE - 6'-8' HEIGHT
-  - EXISTING SPRUCE
-  - WHITE PINE - 8'-10' HEIGHT



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring Maryland 20910-3760

October 13, 2003

**Mr. Paul Chretien**  
P.O. Box 79  
Cabin John, MD 20818

Re: 19820 White Ground Road, Boyds

Mr. Chretien:

Since our attached June 27<sup>th</sup> letter that outlined actions to be performed in order for the citation on your property to be lifted, staff has made several site visits to the subject property. The last one being September 26, 2003. On these dates, staff has not observed compliance with the abovementioned letter.

At this time, if such compliance is not implemented, the Historic Preservation Office in conjunction with the Department of Permitting Services will be proceeding with the November 4, 2003 hearing on the above violation.

If prior to the abovementioned hearing you perform the requested actions, please contact our office to schedule a site visit to verify that the work has been performed.

Thank you for your attention in this matter. If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Michele Naru  
Historic Preservation Planner

Cc: Steve Cary, M-NCPPC Arborist  
Reggie Jetter, DPS  
Pete Hrycak, DPS Inspector  
Vicki Gull, County Attorney



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

January 23, 2004

**Mr. Paul Chretien**  
P.O. Box 79  
Cabin John, MD 20818

Re: 19820 White Ground Road, Boyds

Mr. Chretien:

This letter is to reiterate the information provided to you at our meeting on Tuesday, January 20<sup>th</sup>, 2004. At your request, Mr. Steve Cary, M-NCPPC's arborist, and myself attended a site visit to your abovementioned property to outline the required landscaping plan. This plan requires that the three, damaged/dead white pines (5' high) be removed and replaced with three, white pines (8'-10' in height) and the damaged spruce tree be replaced with a spruce tree (6'-8' in height). These trees are to be replanted in the approximate locations delineated on the attached tree-planting plan.

To ensure the survivability of these trees, the arborist notes that each of the tree's truck flairs need to be exposed and a mulch ring needs to be established around each truck.

If you have any additional questions, please do not hesitate to contact me. Thank you for your continued cooperation in this matter.

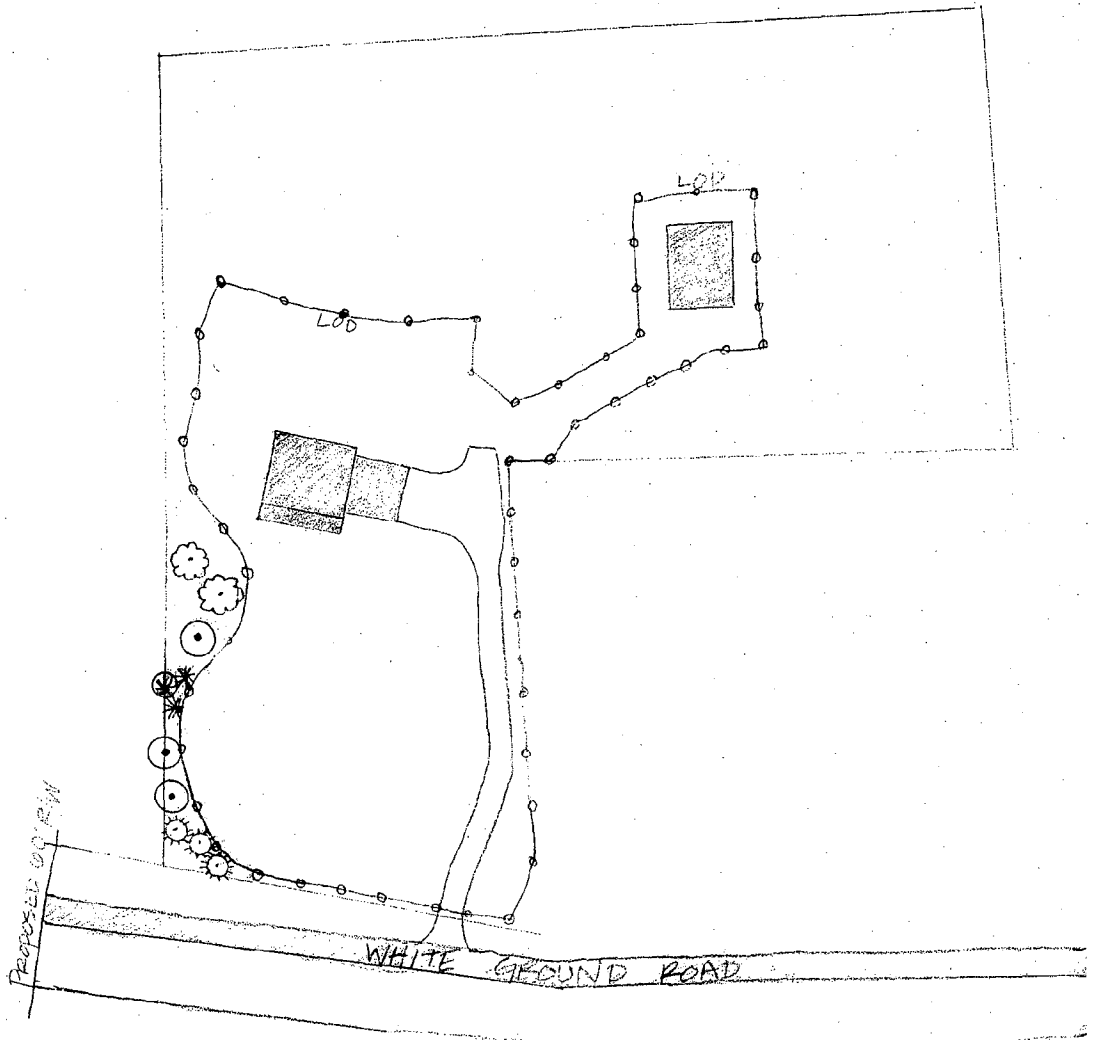
Sincerely,



Michele Naru  
Historic Preservation Planner






Cc: Steve Cary, M-NCPPC's Arborist  
Reggie Jetter, DPS  
Pete Hrycak, DPS Inspector  
Vicki Gull, County Attorney

# TREE PLANTING PLAN



## LEGEND

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-  - PIN OAK - 6" CALIPER
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-  - EXISTING SPRUCE
-  - WHITE PINE - 8'-10' HEIGHT

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MR. Paul Chretien  
Po Box 79  
Cabin John, MD  
20818

2. Article Number  
(Transfer from service label)

Paul Chretien

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

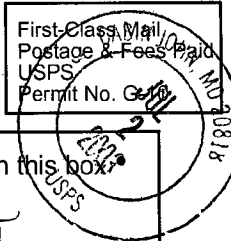
3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

UNITED STATES POSTAL SERVICE



First Class Mail  
Postage & Fees Paid  
USPS  
Permit No. 6070

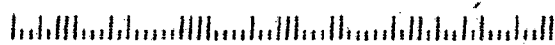


• Sender: Please print your name, address, and ZIP+4 in this box.

Historic Preservation  
1109 Spring St. Ste 801  
Silver Spring, MD 20910

Attn: Michele Narm

30





June 27, 2003

*sent  
certified  
mail  
w/return  
receipt.*

**Mr. Paul Chretien**  
P.O. Box 79  
Cabin John, MD 20818

Re: 19820 White Ground Road, Boyds

Mr. Chretien:

Per the March 6<sup>th</sup> letter, myself and Mr. Steve Cary, M-NCPPC's arborist, performed a site visit to the abovementioned property on June 10, 2003 to determine compliance with the Historic Preservation Commission's directives regarding the stop work order and civil citation issued on February 4, 2003. This directive required three, white pines (8'-10' in height); two, spruce (6'-8' in height); three, pin oaks (6" in caliper) and two, red maples (2" in caliper) be replanted in the locations delineated on the tree planting plan (see attached) prior to June 1, 2003.

The site visit to your property revealed that 11 trees (one, white pine (8'-10' in height); two, spruce (8' in height); two, red maples (2" in caliper); and six, white pines (5' in height) were planted in the area of your property delineated on the aforementioned tree planting plan. Staff notes that the Commission only required the re-planting of the 10 trees of deciduous and evergreen varieties. Due to your inability to locate three, pin oak trees for the re-planting and the installation of a spruce tree with its top broken off, staff is asking that three of the white pines (5' high) be removed and replaced with three, white pines (8'-10' in height) and the subject spruce tree be replaced with a non-damaged spruce tree (6'-8' in height).

Finally, the arborist noted that to ensure the survivability of the trees that were planted as part of this plan, each of the tree's truck flairs need to be exposed and a mulch ring needs to be established around each truck.

If you have any additional questions, please do not hesitate to contact me. Thank you for your continued cooperation in this matter.

Sincerely,

Michele Naru  
Historic Preservation Planner

Cc: Steve Cary, M-NCPPC's Arborist  
Reggie Jetter, DPS  
Pete Hrycak, DPS Inspector  
Vicki Gull, County Attorney

water.

mulch ring

expose flair

replace 3 white pines w/ 8'-10' height

replace spruce w/ top missing  
in kind.

Angela Clark -

240-777-~~6220~~2

26 ~~Assessent~~ Columbia Ave.

Takoma Park.

Report & maintenance of exterior  
feature  
does not require HPC  
review.

Michelo: Cretien  
came in on Monday  
with these trees - It  
looks like he has purchased  
as of Sunday.

Thanks,  
Carri



# EASTERN SHORE NURSERIES, INC.

P.O. BOX 743  
EASTON, MD 21601  
410-822-1320

Customer's Order No. \_\_\_\_\_ Date \_\_\_\_\_ 20\_\_

Name *California Builders Inc*

Address *PO Box 79*

*Calverton Md* Phone: \_\_\_\_\_

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
---------	------	--------	--------	----------	--------------	----------

QUAN.	DESCRIPTION	PRICE	AMOUNT
2	Red maple 15%	200	400.00
			60.00
			340.00
			17.00
			357.00

*PK*  
*1284*

All claims and returned goods MUST be accompanied by this bill.

0063712 Received By \_\_\_\_\_

TAX \_\_\_\_\_

TOTAL \_\_\_\_\_

# F.A. HOBSON LANDSCAPING, INC.

111 Hobson Nursery Lane  
QUEENSTOWN, MARYLAND 21658  
(410) 827-9614  
1-800-675-9614

CUSTOMER'S ORDER NO. \_\_\_\_\_ PHONE \_\_\_\_\_ DATE \_\_\_\_\_

NAME *PAUL Christians*

ADDRESS \_\_\_\_\_

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D.	PAID OUT
---------	------	--------	--------	----------	--------------	----------

QTY.	DESCRIPTION	PRICE	AMOUNT
20	White Pines		

*Deposit given of \$200.00*

RECEIVED BY \_\_\_\_\_

TOTAL \_\_\_\_\_

B PRODUCT 610 All claims and returned goods must be accompanied by this bill.

6585

*Thank You*



# WILDFLOWER NURSERY

915 Romancoke Rd.  
STEVENSVILLE, MD 21666  
(410) 604-2121 Fax (410) 604-2411

CUSTOMER'S ORDER NO. \_\_\_\_\_ PHONE \_\_\_\_\_ DATE 5-31-03

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

SOLD BY \_\_\_\_\_ CASH \_\_\_\_\_ C.O.D. \_\_\_\_\_ CHARGE \_\_\_\_\_ ON ACCT. \_\_\_\_\_ MOSE. RET'D. \_\_\_\_\_ PAID OUT \_\_\_\_\_

QTY	DESCRIPTION	PRICE	AMOUNT
③ 1	8-10 White Pine	125.00	125.00
✓ 2	4 Foot Blue Spruce	130.00	260.00
			385.00
	LOSS 15%		57.7
			327.3
✓ 2	Red Maple 2 Each	110.00	220.00
			547.3
	Check # 12843		
	<b>No Guarantee offered on Sale items.</b>		
		TAX	27.3
RECEIVED BY		<b>TOTAL</b>	<b>574.6</b>

# F.A. HOBSON LANDSCAPING, INC.

111 Hobson Nursery Lane  
QUEENSTOWN, MARYLAND 21658  
(410) 827-9614  
1-800-675-9614

CUSTOMER'S ORDER NO. \_\_\_\_\_ PHONE \_\_\_\_\_ DATE \_\_\_\_\_

NAME 301 299 7000 5/31/03  
PAUL T/A 7725

ADDRESS CALIFORNIA blders  
PO Box 79

SOLD BY CABIN JOHN MD 20818

QTY.	DESCRIPTION	PRICE	AMOUNT
6	White Pine	6-7	85.00
	<u>pd Chedoff</u> <u>12843</u>		
		TAX	510.00
			25.50
RECEIVED BY		<b>TOTAL</b>	<b>535.50</b>

B PRODUCT 610 All claims and returned goods must be accompanied by this bill.

6584

McESS To Reorder.

Thank you

All claims and returned goods MUST be accompanied by this bill.

22247

THANK YOU

WRITTEN DISCUSSION OF MATERIALS  
FOR HOUSE 19820 WHITE GROUND  
BIDS

- ① SIDING - FIBRE-CEMENT LAP  
ROUGH SAWN "CEDAR" GRAIN
- ② SHINGLES - 30 YEAR ARCHITECTURAL  
MAIN BODY OF HOUSE
- ③ METAL ROOF - FRONT PORCH &  
RIGHT WING
- ④ E.I.F.S. - FIREPLACE CHIMNEYS  
FAKE STUCCO
- ⑤ REAR PORCH - P.T. PINE 5/4 x 6
- ⑥ FRONT PORCH - WOOD PAINTED  
COLUMNS - FINISHED GRADE  
WOOD FLOOR - PAINTED  
T & G PINE OR EQUIVALENT

# FAX COVER SHEET

# OF ORIGINALS WITH COVER SHEET: 3

DATE: 11-14-02

TO: ~~THE MICHIELE NASH~~

FROM: Paul Christian

COMPANY: H P C

CALIFORNIA BUILDERS INC.

PHONE: 301-563-3400

(301) 299-7725 (703) 533-1211

FAX #: 301-563-3412

FAX: 301-299-7720

MESSAGE:

P.O. BOX 79, CABIN JOHN, MD 20818

ATTACHED IS THE NEW HPC  
WORK PERMIT APPLICATION &  
THE LIST OF EXTERIOR  
FINISH MATERIALS

REGARDS

Paul





BOARD OF APPEALS  
for  
MONTGOMERY COUNTY

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
240 777-6600  
([www.co.mo.md.us/council/board.html](http://www.co.mo.md.us/council/board.html))

**Case No. A-5758**

**APPEAL OF PAUL CHRETIEN**

OPINION OF THE BOARD

(Public Hearing Date: September 25, 2002)  
(Effective Date of Opinion: November 19, 2002)

Case No. A-5758 is an administrative appeal in which the appellant charges error on the part of the Historic Preservation Commission in its approval of Historic Area Work Permit Number 273163, dated March 28, 2002. Appellant contends that the Historic Preservation Commission "went too far with their authority to reject design..." in imposing conditions on approval of the permit.

Pursuant to Section 59-A-4.11(c) of the Zoning Ordinance, on September 25, 2002, the Board of Appeals held a public hearing on the administrative appeal. Peter Fayne, Esquire appeared on behalf of the appellant, Paul Chretien. Vickie Gaul, Esquire, appeared on behalf of the Historic Preservation Commission, she called as witnesses Gwen Marcus Wright, Historic Preservation Supervisor for the Historic Preservation Commission and Kim Williams, a Commissioner on the Historic Preservation Commission.

Decision of the Board: Administrative Appeal **Granted** in part and **Denied** in part.

**EVIDENCE PRESENTED**

1. The subject property is Parcel 404, located at 19820 White Ground Road, Boyds, Maryland, in the RE01 Zone.
2. On January 29, 2002 Paul Chretien filed an Application Number 18/08-02A for a Historic Area Work Permit for work on the subject property. [Exhibit No. 13(b)].

3. On February 6, 2002 Historic Preservation Commission Staff issued a report recommending approval of Application Number 18/08-02A with the condition that no tree larger than six inches in diameter be removed.
4. On February 13, 2002 the Historic Preservation Commission (HPC) held a hearing on the application and voted to continue the hearing to February 27, 2002, advising Mr. Chretien to re-design the proposed house to change "the exterior design and detailing, including the massing issues, roof height, ...to make the house more compatible" [Exhibit No. 13(d) pp. 54-56].
5. On February 27, 2002, the HPC reconvened the hearing on Mr. Chretien's application. Commissioners expressed concern about the following aspects of the design of the house: massing, particularly relating to the side wing, scaling in terms of building height, hierarchy of the massing design. [Exhibit No. 13(g)]. The HPC voted to defer the case until its next meeting, recommending that the Applicant work with HPC staff on re-designing the house.
6. On March 13, 2002, HPC staff issued a report recommending approval of Application Number 18/08-02A with the following conditions:
  - "1) Barn returns to 1-story building
  - 2) Chimney on right elevation is to be removed from application
  - 3) side wing extension will be reduced in width to no greater than 18'
  - 4) The newly-configured side wing extension's dormer proportions to be reviewed at staff level." [Exhibit No. 13(k)].
7. On March 13, 2002 the HPC voted to approve Application Number 18/08-02A, with the above-listed conditions and allowing staff approval of reconsideration of the number of windows on the side wing.
8. On March 28, 2002, the Department of Permitting Services issued Historic Area Work Permit (HAWP) number 273163, with the conditions enumerated by the HPC.
9. On appeal, Mr. Chretien requests that the barn be allowed to be two stories; so that he can store hay in the second story. He requests approval of the second chimney, for a working fireplace. He requests that the width of side wing be approved at 23 feet. Mr. Fayne stated that the visual impact of the house will be mitigated by the distance the house is set back and by the topography of the subject site. [Transcript, September 25, 2002, p.8].
10. Commissioner Williams testified that the HPC evaluated Mr. Chretien's application with reference to "The Vision of Boyds", a document that sets out criteria for evaluating new construction in the Boyds historic district, and to the Secretary of Interior's Standards and Guidelines for Rehabilitation and New Construction, which the HPC adopted by Resolution in November 1997. [Exhibit No. 13(a), para. n]. She stated that the Commission felt that the proposal was inconsistent with those criteria,

"Primarily...the scale, building height, and massing." [Transcript, September 25, 2002, p. 76-77].

11. She stated that the Commission was lenient in its evaluation of the location of the house on the lot. [Ibid, p.80].

12. She stated that the side wing proposed for the house was incompatible with the character of the historic district, because "There are no historic houses in Boyds with side wings" and it "visually presents the appearance of a two-car side garage wing." [Ibid, p. 83]. She stated that "ideally, the Commission would like to eliminate the side wing altogether, but we were trying to be lenient, and we were hoping to mitigate the overwhelming massing and presence of the side wing by eliminating a five-foot section of it." [Ibid, p.87].

13. Regarding the condition requiring removal of the right chimney, Ms. Williams stated that as proposed with two chimneys, the house "presents the appearance of a very formal late-18<sup>th</sup>/early-19<sup>th</sup> century house. All of the history architecture in Boyds is of a vernacular quality, and this [proposal] goes counter to the vernacular aspect of the existing buildings." [Ibid, p. 84].

14. In response to a Board question regarding the consistency of a two-story barn with the 'Vision of Boyds', Ms. Williams stated, "The applicant has indicated that there are two-story barns. I have no huge objection to that," and "...the fact that he would be continuing agricultural use is an enhancement." [Ibid, p. 89].

## FINDINGS OF THE BOARD

1. Section 59-A-4.3(e) of the Zoning Ordinance authorizes *de novo* appeals to the Board from any action taken by a department of the County government, including the Historic Preservation Commission. Therefore, the HAWP can be appealed, *de novo*, to the Board.

2. As the issuance of the HAWP was heard *de novo*, the Board hearing was an entirely new hearing on the propriety of the HAWP as if no determination had been made by the HPC. *Boehm v. Anne Arundel County*, 54 Md. App. 497, 511, 459 A.2d 590, 599, cert. denied, 297 Md. 108 (1983)

3. The County had the burden of demonstrating that the HAWP was properly conditioned. Since the Board hearing proceeded as an original administrative determination, the burden of proof and burden of persuasion were allocated as with the original determination by the HPC. See, *Lohrman v. Arundel Corp.*, 65 Md. App. 309, 318, 500 A.2d 344, 349 (1985). The *de novo* hearing puts all parties back at square one to begin again just as if the HPC determination appealed from had never occurred. See, *General Motors Corp. v. Bark*, 79 Md. App. 68, 79, 555 A.2d 542, 547 (1989).

4. Based upon Commissioner Williams's testimony and the evidence of record, the Board finds that there are no historic houses in Boyds with side wings, and that the appearance of the house with two chimneys is not consistent with the architecture in the Boyds historic district.

5. Section 24A-8. of the Montgomery County Code provides, pertaining to the criteria for issuance of historic area work permits:

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

\*\*\*\*\*

(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

\*\*\*\*\*

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

6. The Board finds that the side wing of the proposed house, and the chimney on the right side of the house are not compatible with the historical and architectural features of the Boyds historic district, and that they would be detrimental to those features of the historic district. The Board finds that a two-story, working barn will not be detrimental to the Boyds historic district.

7. The Board finds that Mr. Chretien can build a house without the side wing and without the second chimney, and that requiring removal of those features does not deprive him of reasonable use of the property.

Section 24A-8(d) of the Montgomery County Code provides:

In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district.

8. The Board finds that the Historic Preservation Commission exercised leniency in approving a work permit in allowing the 18-foot side wing.

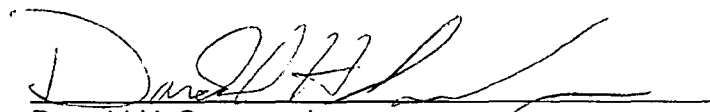
On a motion by Angelo M. Caputo, seconded by Allison Ishihara Fultz, with Donna L. Barron, Louise L. Mayer and Donald H. Spence, Jr., Chairman in agreement:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that condition number 1 of permit number 273163 requiring a one-story barn is **reversed** and the request to build a two-storey barn is **granted**; and

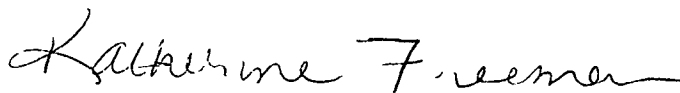
**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County Maryland that condition number 2 of permit number 273163 is **affirmed** and the request to add a chimney on the right side of the house is **denied**; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County Maryland that condition number 3 of permit number 273163 is **affirmed** and the request to build a side wing 23 feet wide is **denied**;

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County Maryland that condition number 4 of permit number 273163 is **affirmed** and that the proportions of the dormers on the side wing will be subject to staff review.

  
Donald H. Spence, Jr.  
Chairman, Montgomery County Board of Appeals

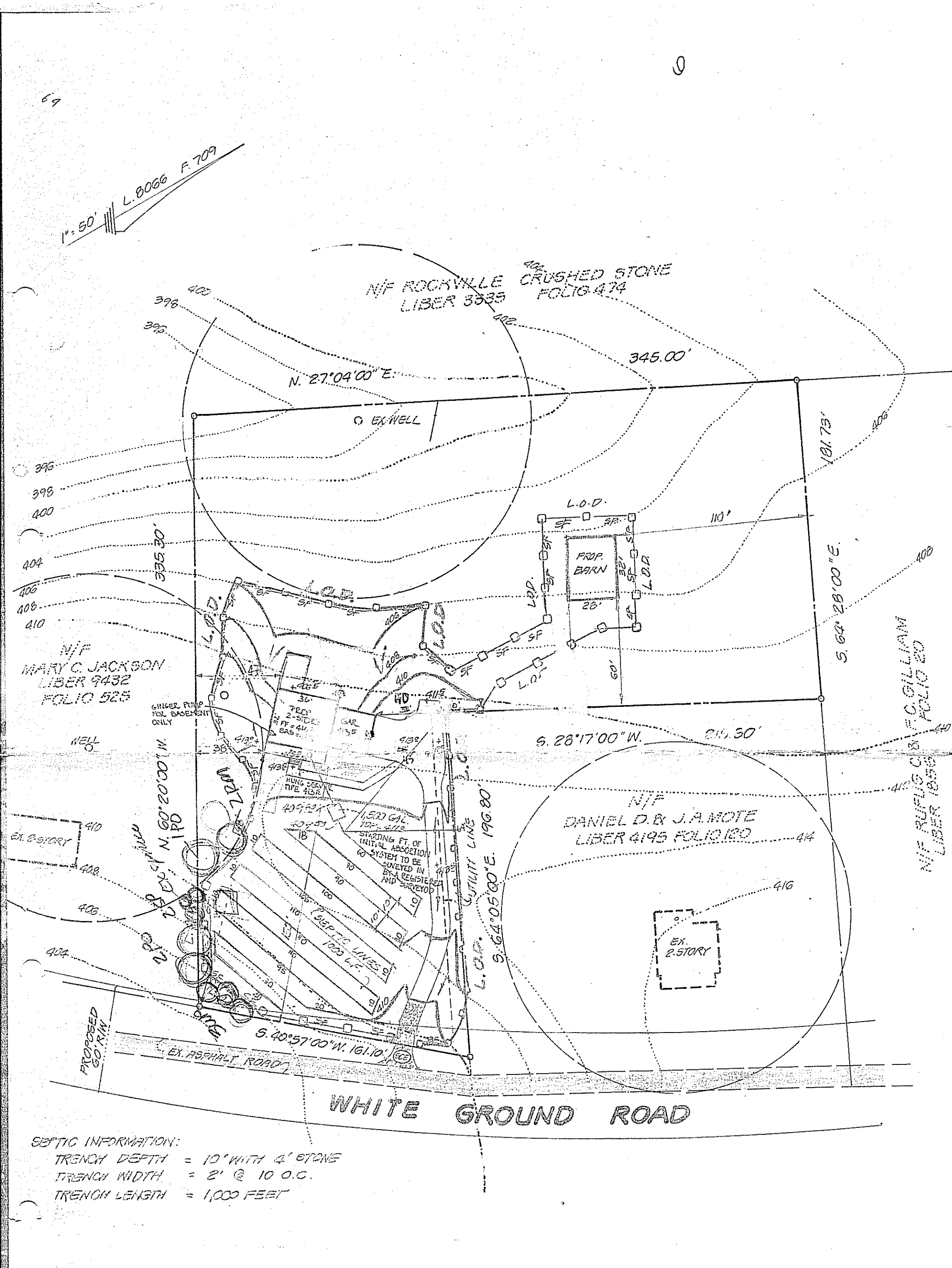
Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 19<sup>th</sup> day of November, 2002.

  
Katherine Freeman  
Executive Secretary to the Board

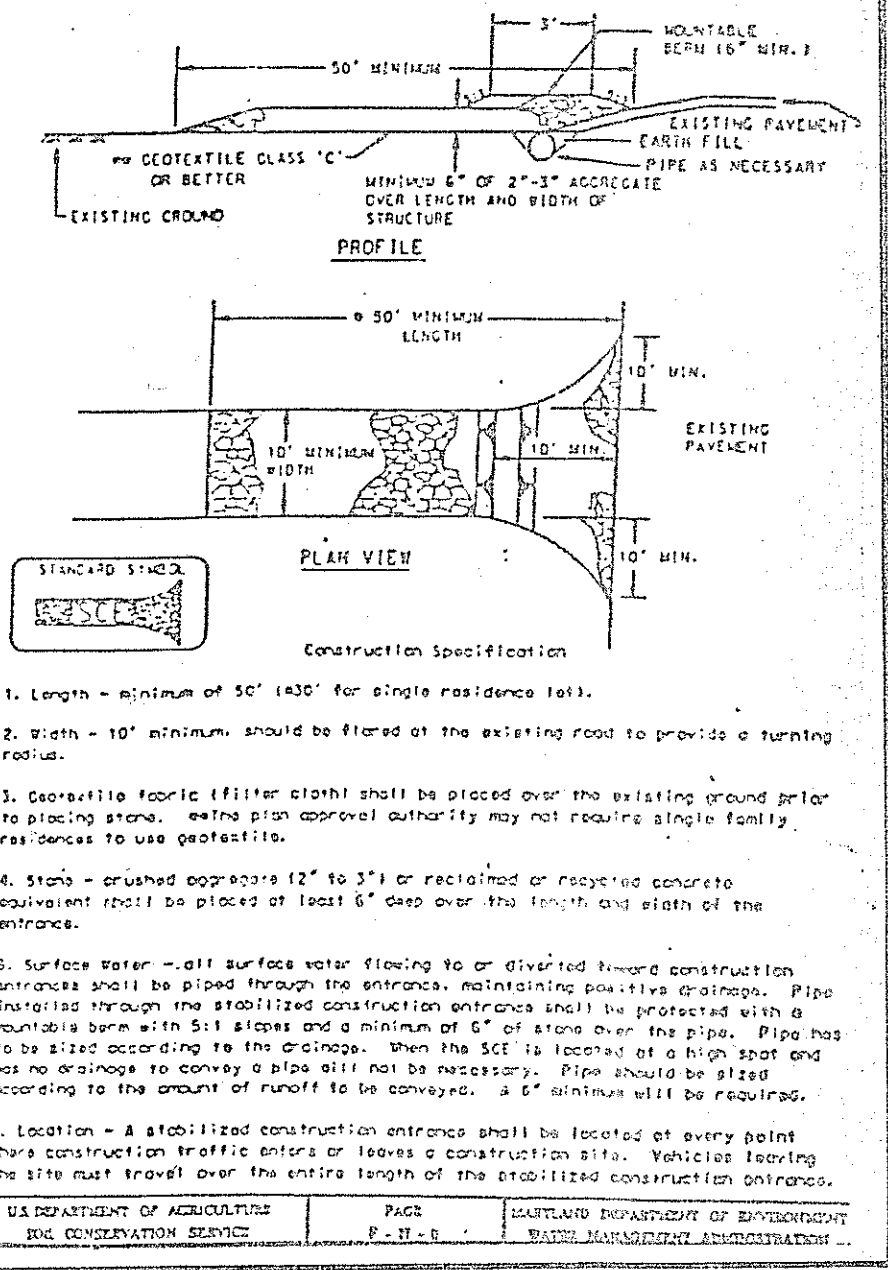
**NOTE:**

Any request for rehearing or reconsideration must be filed within ten (10) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 2-A-10(f) of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

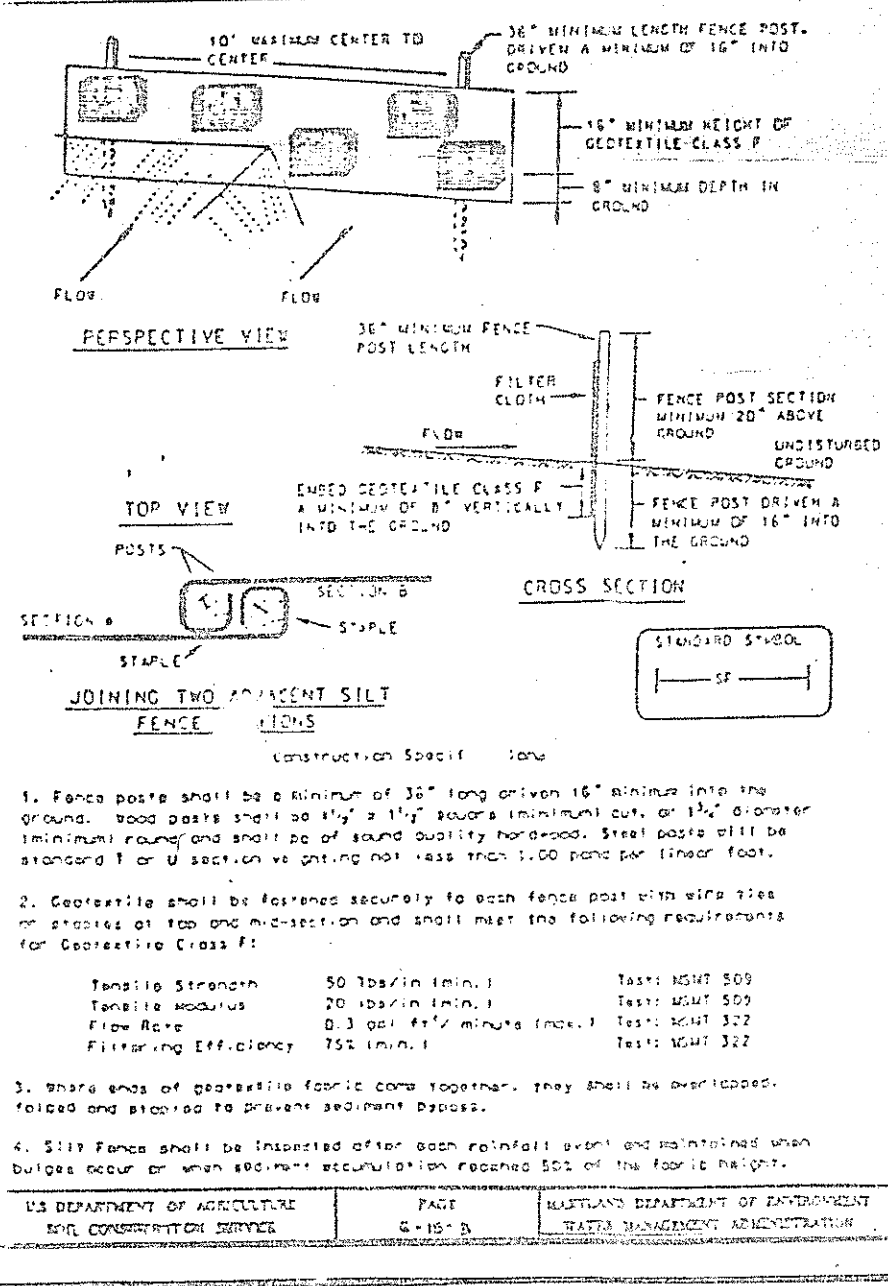
Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure.



**DETAIL 24 - STABILIZED CONSTRUCTION ENTRANCE**



**DETAIL 22 - SILT FENCE**



**GENERAL NOTES**

- This plan was prepared without the benefit of a title report and therefore indicates all existing encumbrances on the property.
- This property is shown on Tax Map No. , Grid as and is currently zoned
- Owners/DEVELOPER: PAUL HENRY CHRETEIN  
P.O. BOX 79 CABIN JOHN  
MARYLAND, 20818  
TEL (703) 533-1211
- Total area of property = square feet of acres.
- This property is located in a minimal flood hazard area, shown as Zone Panel of the current Flood Insurance Rate Map for Prince George's (Maryland) (FIRM No. effective June 18, 1987) as published by the Emergency Management Agency. There is no 100-year flood within limits of this property.
- THE PROPERTY IS LOCATED IN THE LITTLE SENECA CLAYTON COUNTY, MISSISSIPPI.
- PROPERTY BOUNDARIES AND TOPOGRAPHY SHOWN ARE FROM THE RECORDS OF MONTGOMERY COUNTY AND MARYLAND NATIONAL & PARK & PLANNING COMMISSION. CONTOUR INTERVAL 5 FEET.
- AREA TO BE DISTURBED = 37,532 SF. OR 0.8616 AC.

**SITE, GRADING & SEDIMENT CONTROL PLAN**  
L 8066 F 709 WHITE GROUND ROAD  
MOTES' ADDITION TO BOYDS  
BARNESVILLE ELECTION DISTRICT #11  
MONTGOMERY COUNTY, MARYLAND  
SCALE: 1" = 50' MARCH 10, 2021

IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE TO ARRANGE FOR THE ADJUSTMENT OF ALL UTILITIES

CALL "MISS UTILITY" 1-800-257-7777 FOR UTILITY LOCATIONS AT LEAST 48 HOURS BEFORE BEGINNING CONSTRUCTION.

**LEGEND**

Existing contours	----- 100 -----
Proposed contours	———— 100 ————
Existing spot elevation	• 100.0
Proposed spot elevation	• 100 <sup>a</sup>
Limits of disturbance	—○—○—○—○—○—○—
Silt fencing	—SF—SF—

**METAL PROPERTY CORNERS REQUIRED**  
AS OF JANUARY 1, 1982  
PERMITTEE SHALL COMPLY WITH COUNTY CODE SECTION 24-120 PRIOR TO ACCEPTANCE OF STREETS

Montgomery County Government, Department of Environmental Protection  
Division of Water Resources Management  
350 Hungerford Rowville, Mar (301) 517-5304

**Application for Sediment Control Per Small Land Disturbing Activities**

NAME OF PROPERTY OWNER PAUL HENRY CHRETEIN TELEPHONE NO. 126 53  
(Owner/Developer) P.O. BOX 79 CABIN JOHN (Include Area Code)  
MARYLAND, 20818

# Canceled check to Montgomery County (Driveway access fee)

FOR SECURITY PURPOSES, THIS DOCUMENT CONTAINS MICROPRINTING IN THE BORDER AND A CARBON BAND ON THE REVERSE SIDE

<p><b>PAUL H. CHRETIEN</b>  <b>CALIFORNIA BUILDERS, INC.</b>          POST OFFICE BOX 79          CABIN JOHN, MARYLAND 20818          (301) 299-7725</p>	<table border="1" style="width: 100%; height: 100%;"> <tr><td style="text-align: center;">EXPLANATION</td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> </table>	EXPLANATION				<p style="text-align: right;">7-196/520</p> <p style="text-align: right; font-size: large;">11421</p>
EXPLANATION						
<p>PAY <b>THREE THOUSAND FIVE HUNDRED &amp; SEVENTY-TWO</b> <sup><math>\frac{25}{100}</math></sup> DOLLARS</p>						
TO THE ORDER OF	DATE	DESCRIPTION	CHECK NO.	CHECK AMOUNT		
MONTGOMERY COUNTY	8-16-01	(B) TUNNEL	11421	3572.25		
<p style="font-size: large; font-family: cursive;">212907</p>		<p style="font-size: large; font-family: cursive;">Paul H. Chretien</p>				
<p>BANK OF BALTIMORE POTOMAC BRANCH</p>						

⑈01142⑈ ⑆052001963⑆

320527⑈⑈

⑈0000357225⑈



**MONTGOMERY COUNTY**  
Department of Permitting Services  
255 Rockville Pike, Second Floor  
Rockville, Maryland 20850-4166

*Robin/Perry/Michelle  
FYI  
Gwen*

**F A X C O V E R S H E E T**

**DATE:** January 25, 2002      **TIME:** 12:20 PM  
**TO:** Gwen Wright      **PHONE:** 301 563-3410  
   **FAX:** 301 583-3412  
**FROM:** Reginald Jetter      **PHONE:** 240-777-6275  
   **FAX:** 240 777- 6262  
**RE:** 19820 White Ground Road  
**CC:**

Number of pages including cover sheet: 3

**Message**

I have called Mr. Chretien and talked with his mother who will relay this information to him. Pete Hrycak will be going to the property today and posting a do not work order and hand delivering this letter.



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
*County Executive*

Robert C. Hubbard  
*Director*

January 25, 2002

Mr. Paul Chretien  
P. O. Box 79  
Cabin John, Maryland 20854

Subject: Revocation of Building Permit

Reference: Permit Number #253906  
19820 White Ground Road  
Boys, Maryland 20841

Dear Mr. Chretien:

Pursuant to the Montgomery County Code, Chapter 8 Buildings, Section 8-21 Revocation of Permit, I am revoking the following building permits:

building Permit number 253906 issued to you on December 18, 2001, for the purpose of constructing a single family dwelling at 19820 White Ground Road, Boyds, Maryland, and

building Permit number 266660 issued to you on January 9, 2002, for the purpose of putting an addition on a single family dwelling at 19820 White Ground Road, Boyds, Maryland, and

building Permit number 266500 issued to you on December 31, 2001, for the purpose of constructing an accessory structure (barn/shed) 19820 White Ground Road, Boyds, Maryland.

The above mentioned site is a historic resource as described in the Master Plan for Historic Preservation pursuant to the Montgomery County Code, Chapter 24A, Historic Resources Preservation.



Page 2  
Mr. Paul Chretien  
January 25, 2002

According to Montgomery County Code, Section 24A-6(a) Historic area work permits:

*Sec. 24A-6. Historic area work permits – Generally.*

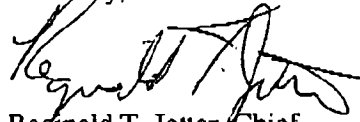
*Required. An historic area work permit for work on public or private property containing an historic resource must be issued pursuant to the provisions of this chapter before:*

- (1) Constructing, reconstructing, moving, relocating, demolishing or any manner modifying, changing or altering the exterior features of any historic site or any historic resource located within any historic district.*
- (2) Performing any grading, excavating, construction or substantially modifying, changing or altering the environment setting of an historic site or an historic resource located within an historic district;*

Prior to performing the work described on the aforementioned building permits, you must have an Historic Area Work Permit (HAWP) issued by the Department of Permitting Services. Therefore, building permit numbers 253906, 266660, and 266500 are invalid and are hereby revoked. Please stop all work until valid building permits have been issued.

I have enclosed an Historic Area work Permit application. If you have any questions, or need additional information, please contact me at 240-777-6275.

Sincerely,

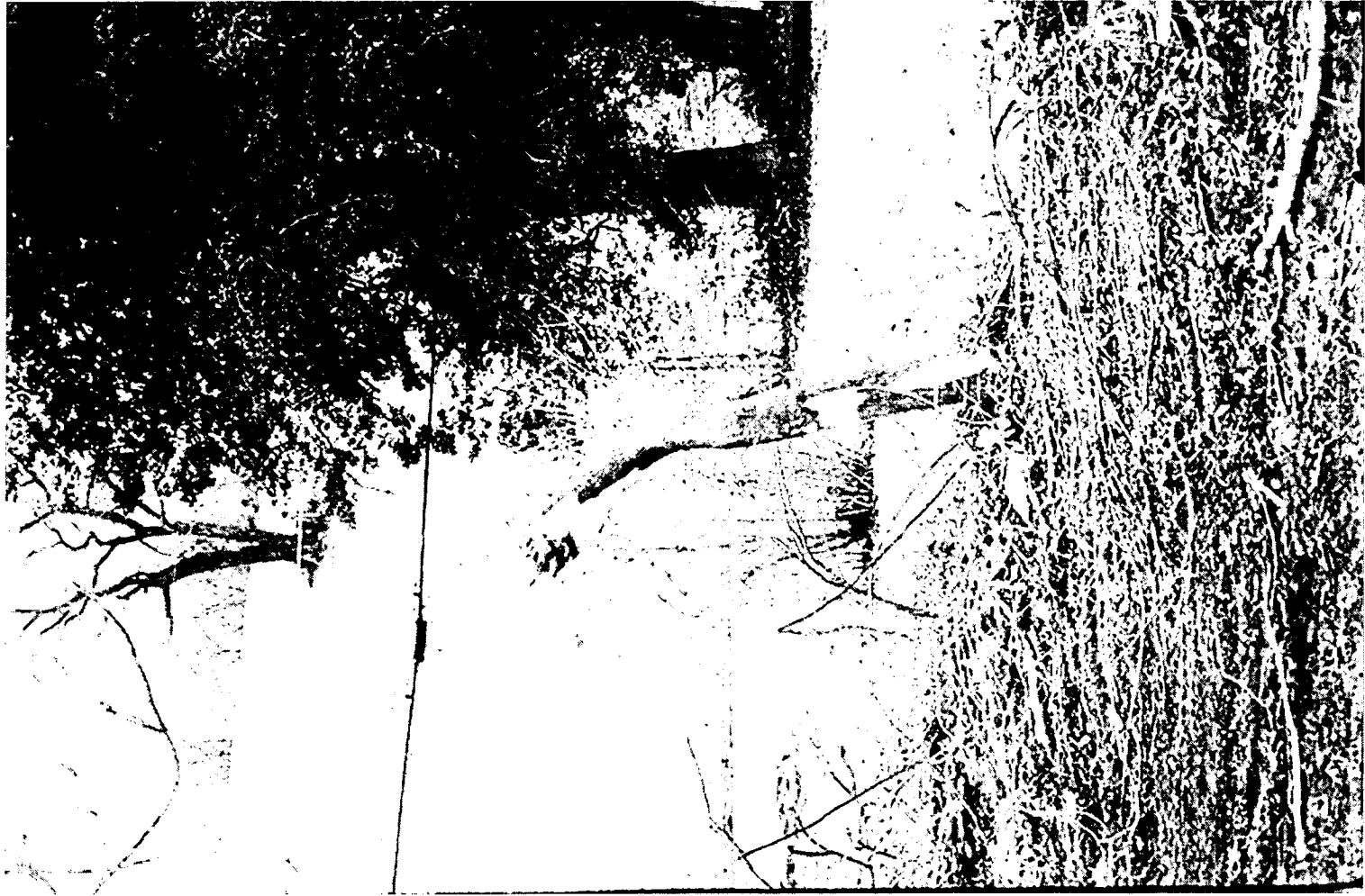


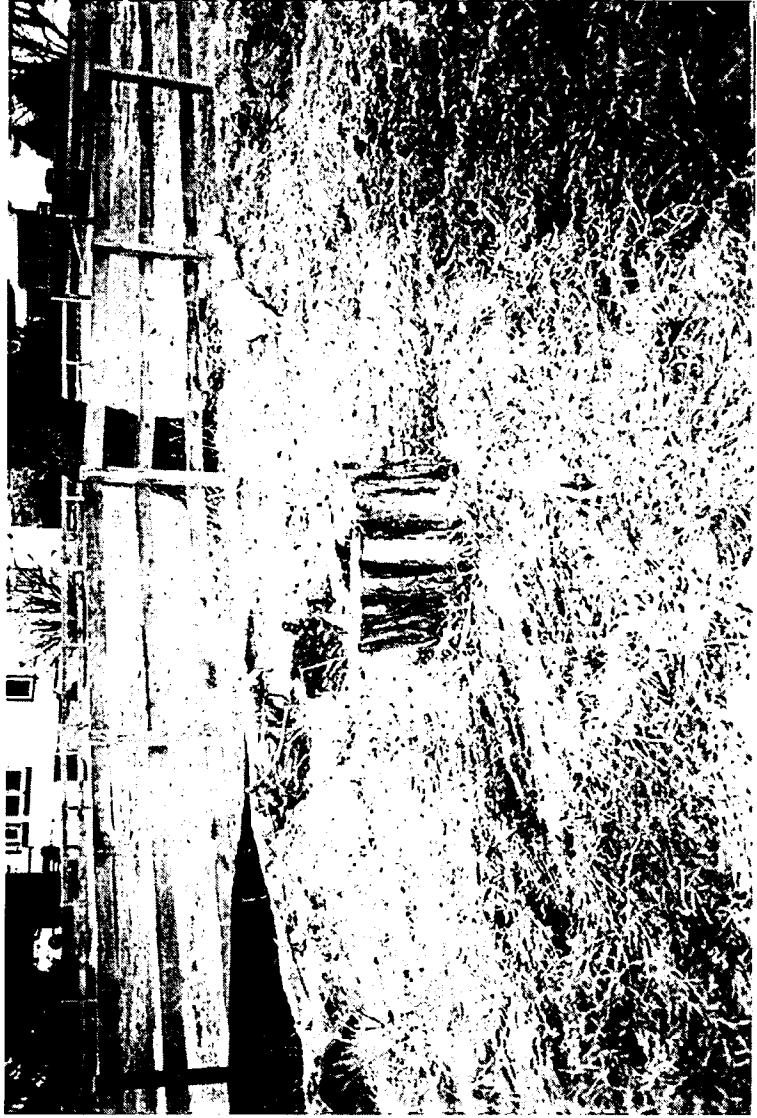
Reginald T. Jetter, Chief  
Division of Casework Management

Enclosures

cc: Shariar Amiri, Chief, Division of Building Construction  
Mac Spicer, Assistant County Attorney  
Sandra Kaiser, Casework Manager  
Rebecca Mason, Permit Technician  
Gwen Wright,

RTJ:spk









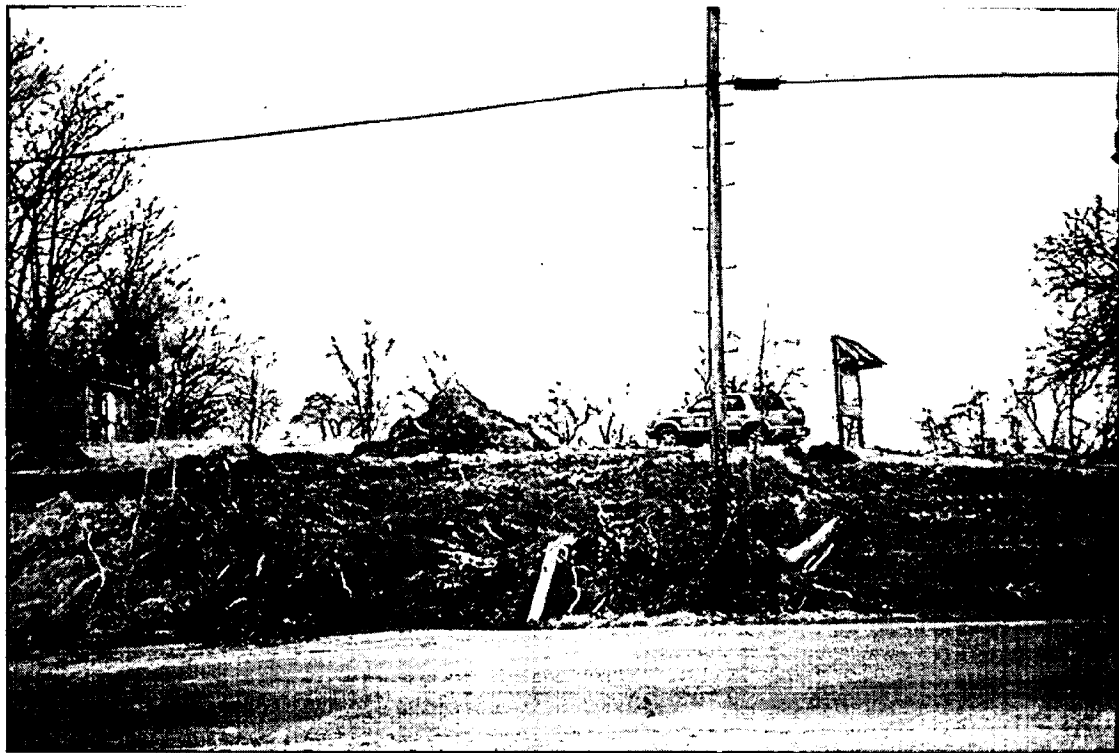
J NAME="Mich Sch...  
@PIL EOJ NAME="NWQS0019"





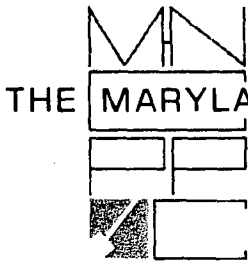












THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Date: 12-05-02

**MEMORANDUM**

TO: Robert Hubbard, Director  
Department of Permitting Services

FROM: Gwen Wright, Coordinator  
Historic Preservation

SUBJECT: Historic Area Work Permit

HPC # 18/08-02C

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

       Approved

X Approved with Conditions: 1. NO TREE LARGER THAN 6" IN  
DIAMETER WILL BE REMOVED. 2. THE RIGHT (NORTH)  
CHIMNEY IS NOT CONSTRUCTED.

and HPC Staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS; and

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

Applicant: PAUL ARETIE

Address: 19820 WHITE GROUND RD. BOYDS, MD

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the Montgomery County DPS Field Services Office at 240-777-6210 or online @ [permits.emontgomery.org](http://permits.emontgomery.org) prior to commencement of work and not more than two weeks following completion of work.



PRINT BY: M-NPPC HISTORIC PRESERVATION OFF: 301 563 3412 ;

NOV-14-02 4:12PM;



FOR ROCKVILLE FIRE, 2nd FLOOR, ROCKVILLE, MD 20850  
240777-9370

DPS - 40

HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Name: \_\_\_\_\_

Daytime Phone No.: \_\_\_\_\_

Tax Account No.: 00920805

Name of Property Owner: Paul Christian Daytime Phone No.: 301 299 7725

Address: 8533 Horseshoe Ln Potomac Md 20854  
Street Number City State Zip Code

Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Contractor Registration No.: \_\_\_\_\_

Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

Address: \_\_\_\_\_

### LOCATION OF BUILDING/PREMISE

House Number: 19820 Street: White Ground Rd

Town/City: Boyds Nearest Cross Street: Copper Road

Lot: P404 Block: 1 Subdivision: ELECTION DISTRICT 4

Lot: 4185 Folio: 170 Parcel: 1

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

1A. CHECK ALL APPLICABLE:

- Construct
- Extend
- Alter/Removte
- Move
- Install
- Wreck/Store
- Revision
- Repair
- Revocable

CHECK ALL APPLICABLE:

- A/C
- Slab
- Nonin Addition
- Porch
- Deck
- Shed
- Solar
- Fireplace
- Woodburning Stove
- Single Family
- Fence/Whit (annexate Section 4)
- Other: \_\_\_\_\_

1B. Construction cost estimate: \$ 100,000

1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

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

7A. type of sewage disposal: 01  WSSC 02  Septic 03  Other: \_\_\_\_\_

20. type of water supply: 01  WSSC 02  M. Well 03  Other: \_\_\_\_\_

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

3A. Height \_\_\_\_\_ feet \_\_\_\_\_ inches

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:

- On private line/property line
- Entirely on land of owner
- On public right of way/easement

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

Paul Christian  
Signature of owner or authorized agent

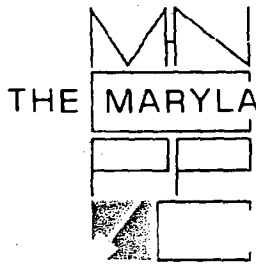
11-14-02  
Date

Approved: X W/CONDITIONS For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: 12/05/02

Application/Permit No.: \_\_\_\_\_ Date Issued: \_\_\_\_\_

SEE REVERSE SIDE FOR INSTRUCTIONS



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

Date: 12-05-02

MEMORANDUM

TO: Historic Area Work Permit Applicants

FROM: Gwen Wright, Coordinator  
Historic Preservation Section

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

HPC # 18/08-02C

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

You may now apply for a county building permit from the Department of Permitting Services (DPS) at 255 Rockville Pike, second floor, in Rockville. Please note that although your work has been approved by the Historic Preservation Commission, it must also be approved by DPS before work can begin.

When you file for your building permit at DPS, you must take with you the enclosed forms, as well as the Historic Area Work Permit that will be mailed to you directly from DPS. These forms are proof that the Historic Preservation Commission has reviewed your project. For further information about filing procedures or materials for your county building permit review, please call DPS at 240-777-6370.

→ If your project changes in any way from the approved plans, either before you apply for your building permit or even after the work has begun, please contact the Historic Preservation Commission staff at 301-563-3400.

Please also note that you must arrange for a field inspection for conformance with your approved HAWP plans. Please inform DPS/Field Services at 240-777-6210 or online @ [permits.emontgomery.org](http://permits.emontgomery.org) of your anticipated work schedule.

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



**HISTORIC PRESERVATION COMMISSION STAFF REPORT**

**Address:** 19820 White Ground Road, Boyds (Parcel 404)      **Meeting Date:** 12/04/02  
**Applicant:** Paul Henry Chretien      **Report Date:** 11/27/02  
**Resource:** Boyds Historic District      **Public Notice:** 11/20/02  
**Review:** HAWP      **Tax Credit:** None  
**Case Number:** 18/08-02C      **Staff:** Michele Naru

**PROPOSAL:** New Construction

**RECOMMEND:** Approve w/conditions

---

**STAFF RECOMMENDATION:**

Staff is recommending that the Commission approve this HAWP with the following conditions:

1. No tree larger than 6" in diameter will be removed.
2. The right (north) chimney is not constructed.

**BACKGROUND:**

This HAWP application is the result of a Board of Appeals hearing on September 25, 2002. The attached HAWP application approval (with conditions) dated 3-13-02 (Circles **20-30**), was the application the Board of Appeals was reviewing at this hearing. The Board's decision was as follows (See also Circles **14-19** for full Opinion of the Board):

1. "...that there are no historic houses in Boyds with side wings, and that the appearance of the house with two chimneys is not consistent with the architecture in the Boyds historic district."
2. "...the side wing of the proposed house and the chimney on the right side of the house are not compatible with the historical and architectural features of the Boyds historic district, and that they would be detrimental to those features of the historic district. The Board finds that a two story, working barn will not be detrimental to the Boyds historic district."
3. "...Mr. Chretien can build a house without a side wing and without the second chimney, and that requiring removal of those features does not deprive him reasonable use of the property."
4. "...the Historic Preservation Commission exercised leniency in approving a work permit in allowing the 18-foot side wing."

## HISTORIC INFORMATION:

Boyd's was originally settled in 1753 on a tract of land named by Thomas Howard "Resurvey of Gum Spring." The area was primarily farmed as tobacco plantations and the first residents were brought as slaves in the mid 1800s. Following the abolition of slavery in 1864, some of the freedmen purchased property adjacent to the plantations and built many of the houses that stand today. The community remained small until approximately 1873, when Colonel James Alexander Boyd, a Scottish contractor for the Metropolitan Branch of the B&O Railroad, completed the section of rail that ran through the area.

In addition to the construction of the railroad, he purchased 1100 acres of land for his own use, on both sides of the track, and proceeded to design and construct a model village. The town continued to grow as the railroad and access to nearby urban markets allowed dairy farming to prosper and made the Ten Mile Creek Area an attractive summer resort for Washington residents.

The design, setting and materials of the structures have not changed significantly since the time of Colonel Boyd. The Boyds Historic District conveys through its remaining resources such as the mill, the churches, and the railroad, a sense of time - circa 1900, and place - a rural Maryland village.

## PROPOSAL:

The applicant is the owner/builder for Parcel 404, 19820 White Ground Road in the Boyds historic district. This parcel is approx. 2.12 acres.

The applicant proposes to construct a house and horse barn on the subject property. The house will be built to face White Ground Road, with the barn to be sited 50' behind and approx. 110' to the north of the rear elevation of the house. The applicant is also proposing a 10' wide gravel driveway with a parking pad to be located adjacent to the north elevation of the house. (Circle **21** ).

The proposed house is a 2-1/2-story, five-bay, frame dwelling with a side gable roof, a full-width front porch and a two-story frame extension measuring 18' x 25' protruding from the north (side) elevation (Circles **7-13** ). The footprint of the proposed house is 1,602 sq. ft. *not including the sq. ft. of the front porch (147 sq. ft.)*. The applicant is also proposing to construct a rear deck, with a footprint of 360 sq. ft. The house will be clad in painted, "hardi-plank" fiber-cement, rough sawn, "cedar" grain, lap siding. The chimney will be finished with E.I.F.S (Exterior Insulation Finish System) stucco finish. The roof of the house's main massing will be 30 year, architectural shingles. The roof of the side extension and the front porch will be standing seam metal. All details including the front porch construction, the front door and the 1/1 windows will be wood and surrounded with wood trim and details.

The applicant also proposes to construct a two-story horse barn on the property (Circles **29-30**). The barn's design was intended to give the appearance of an outbuilding or ancillary structure. The proposed barn is a single-bay, 24' x 30' front gable roof structure with an open, shed roof side "drive-thru" crib (15' x 30'). The barn will also be of frame construction clad in wood. All windows, doors, trim and details will be wood.

Total Lot square footage is 92,347.  
House: 1602 sq. ft.  
Front porch: 147 sq. ft.  
Rear deck: 360 sq. ft.  
Barn: 504 sq. ft.

**STAFF DISCUSSION:**

Historically, Boyds developed, and was designated, as a linear town along White Ground Road. The rear of the lots historically were utilized for important uses, which supported the residents along White Ground Road, such as small barns, sheds or small garden plots. Some small outbuildings remain in town, although many have deteriorated.

Considering the current proposal, staff turned to the *Vision of Boyds: A Long-Range Preservation Plan ("Vision Plan")* which was prepared in 1992 by Tracerics and PMA Associates at the request of the HPC to provide guidance in their consideration of new proposals within the historic district. The project meets the development standards that are outlined in the *Vision Plan*, and would not disrupt the existing pattern of development, which defines the character of this rural village. The new construction proposed by the applicant is consistent with the recommended strategies for preserving the characteristics of the district.

Boyds historic district is dominated by large, impressive trees, which line White Ground Road. The applicant has not given staff any indication that they were removing any trees from the proposed parcel. Since additional excavation needs to occur on this property, staff is recommending that the Commission note that the Historic Preservation Ordinance Chapter 24-A requires Commission to review the removal of any trees larger than 6" in diameter within the boundaries of the Boyds historic district.

In compliance with the decision of the Board of Appeals, staff is recommending that the Commission remove the right (north) chimney from the design of this building.

**STAFF RECOMMENDATION:**

Staff recommends that the Commission **approve with conditions** the HAWP application as being consistent with Chapter 24A-8(b)2:

- The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter,

and with the conditions that:

1. No tree larger than 6" in diameter will be removed.
2. The right (north) chimney is not constructed.

and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits.** After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at (240) 777-6370 or online at [www.permits.emontgomery.org](http://www.permits.emontgomery.org) prior to commencement of work and not more than two weeks following completion of work.

SENT BY: M-NPPC HISTORIC PRESERVATION OFF; 301 563 3412 ;

NOV-14-02 4:12PM;



100 ROCKVILLE PIKE, 3RD FLOOR, ROCKVILLE, MD 20850  
240777-0370

DPS - 40

HISTORIC PRESERVATION COMMISSION

301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Name: \_\_\_\_\_

Daytime Phone No.: \_\_\_\_\_

Tax Account No.: 00420805

Name of Property Owner: Paul Christian Daytime Phone No.: 301 299 7725

Address: 8533 Horseshoe Ln Potomac Md 20854  
Street Number City State Zip Code

Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Contractor Registration No.: \_\_\_\_\_

Agent for Owner: \_\_\_\_\_ Daytime Phone No.: \_\_\_\_\_

Address: \_\_\_\_\_

### LOCATION OF BUILDING/PREMISE

House Number: 19820 Street: White Ground Rd

Town/City: Boyd's Nearest Cross Street: CLOPPER ROAD

Lot: P404 Block: 1 Subdivision: ELECTION DISTRICT 4

Map: 4145 Folio: 170 Parcel: 1

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

- 1A. CHECK ALL APPLICABLE:
- |   |                                  |                                       |  |                                       |  |  |                               |                               |
|---|----------------------------------|---------------------------------------|--|---------------------------------------|--|--|-------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> Construct | <input type="checkbox"/> Extend  | <input type="checkbox"/> Alter/Modify | <input type="checkbox"/> AV                              | <input type="checkbox"/> Stair        | <input type="checkbox"/> Room Addition     | <input type="checkbox"/> Porch         | <input type="checkbox"/> Deck | <input type="checkbox"/> Shed |
| <input type="checkbox"/> Move                 | <input type="checkbox"/> Install | <input type="checkbox"/> Wreck/Reuse  | <input type="checkbox"/> Solar                           | <input type="checkbox"/> Fireplace    | <input type="checkbox"/> Woodburning Stove | <input type="checkbox"/> Single Family |                               |                               |
| <input type="checkbox"/> Revision             | <input type="checkbox"/> Repair  | <input type="checkbox"/> Revocable    | <input type="checkbox"/> Fence/Wall (annex to Section 4) | <input type="checkbox"/> Other: _____ |  |  |                               |                               |

1B. Construction cost estimate: \$ 100,000

1C. If this is a revision of a previously approved active permit, see Permit # \_\_\_\_\_

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

- 2A. Type of sewage disposal: 01  WSSC 02  Septic 03  Other: \_\_\_\_\_
- 2B. Type of water supply: 01  WSSC 02  Well 03  Other: \_\_\_\_\_

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

- 3A. Height \_\_\_\_\_ feet \_\_\_\_\_ inches
- 3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
- On party line/property line     Entirely on land of owner     On public right of way/assessm't

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 having jurisdiction and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Paul Christian  
Signature of owner or authorized agent

11/14/02  
Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

SEE REVERSE SIDE FOR INSTRUCTIONS

4

# HAWP APPLICATION: MAILING ADDRESSES FOR NOTICING

[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

Owner's mailing address

Paul H. CHAETIEN  
19820 White Ground Rd.  
Boyd's, MD 20841

Owner's ~~Agent's~~ mailing address

Paul H. CHAETIEN  
P.O. BOX 79  
Cabin John, MD 20854

Adjacent and confronting Property Owners mailing addresses

Boyd's Presbyterian Church  
19821 White Ground Rd.  
Boyd's, MD 20841

Resident  
19901 White Ground Rd.  
Boyd's, MD 20841

Mr. & Mrs. Shaw  
19810 White Ground Rd.  
Boyd's, MD 20841

Mr. & Mrs. Thomas Zuromskis  
19900 White Ground Rd.  
Boyd's, MD 20841

Resident  
19904 White Ground Rd.  
Boyd's, MD 20841

Mr. & Mrs. Rufus Guilam  
19910 White Ground Rd.  
Boyd's, MD 20841

Ms. Jane Mote  
HPC has address  
on file

19904 White Ground  
→ PLS CALL  
301-972-5717  
TO GET ACCESS.



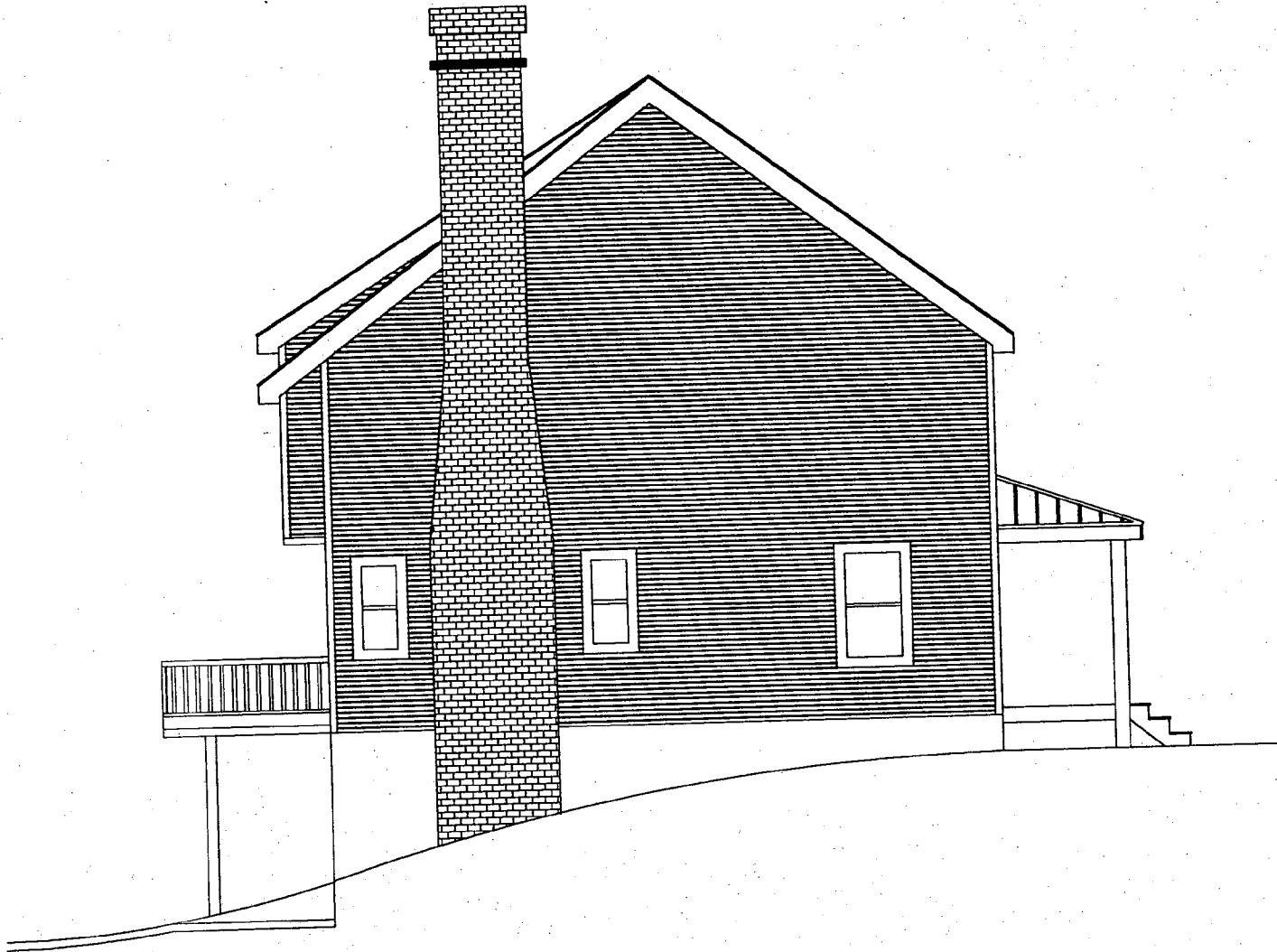
WRITTEN DISCRPTION OF MATERIALS  
FOR HOUSE 19820 WHITE GROUND  
BOARDS

- ① SIDING - FIBRE-CEMENT LAP  
ROUGH SAWN "CEDAR" GRAIN
- ② SHINGLES - 30 YEAR ARCHITECTURAL  
MAIN BODY OF HOUSE
- ③ METAL ROOF - FRONT PORCH &  
RIGHT WING
- ④ E.I.F.S. - FIREPLACE CHASES  
FAKE STUCCO
- ⑤ REAR PORCH - P.T. PINE 5/4 x 6
- ⑥ FRONT PORCH - WOOD PAINTED  
COLUMNS - FINISHED GRADE  
WOOD FLOOR - PAINTED  
T&G PINE OR EQUIVALENT



FRONT ELEVATION

7



LEFT ELEVATION

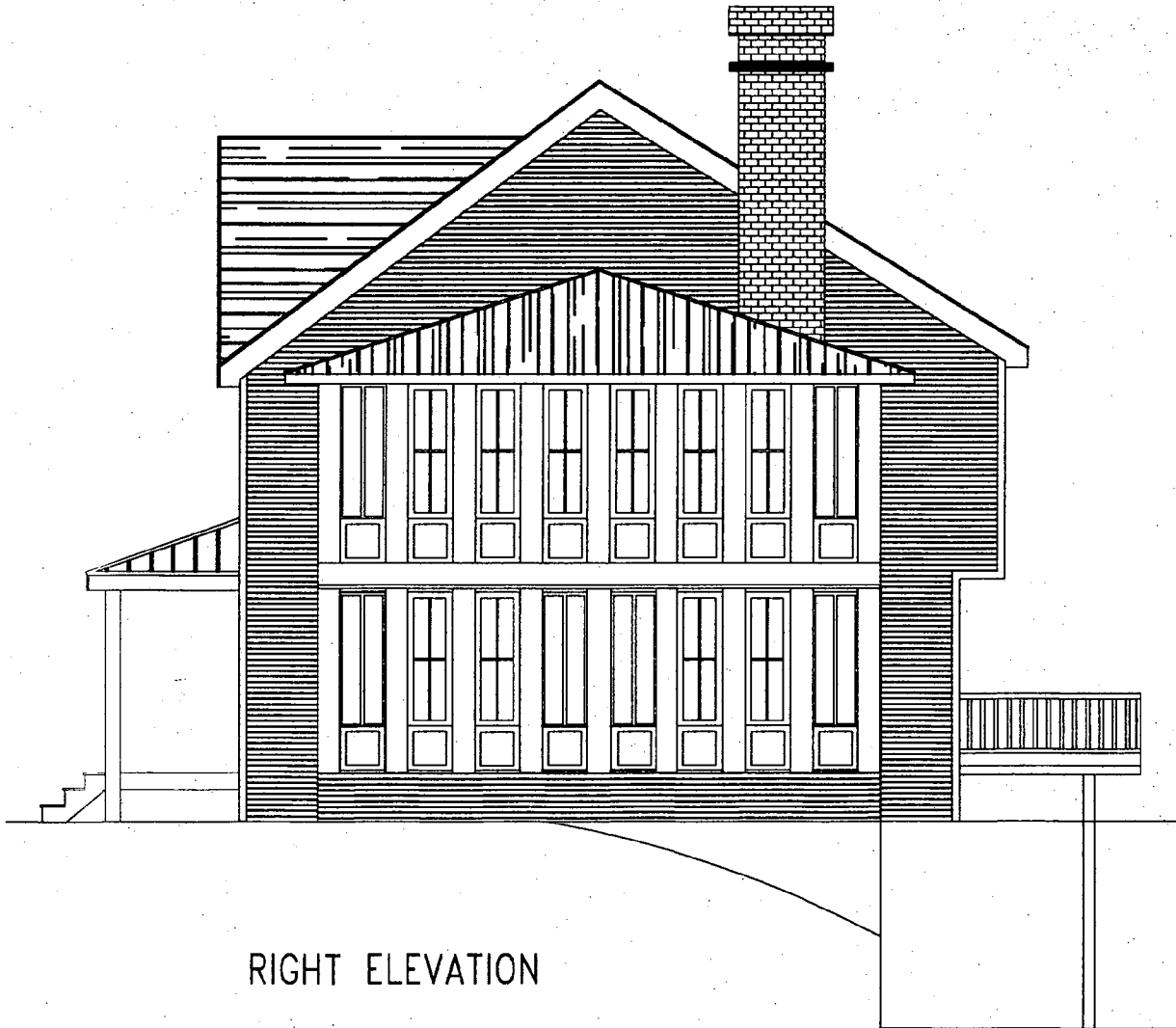
8



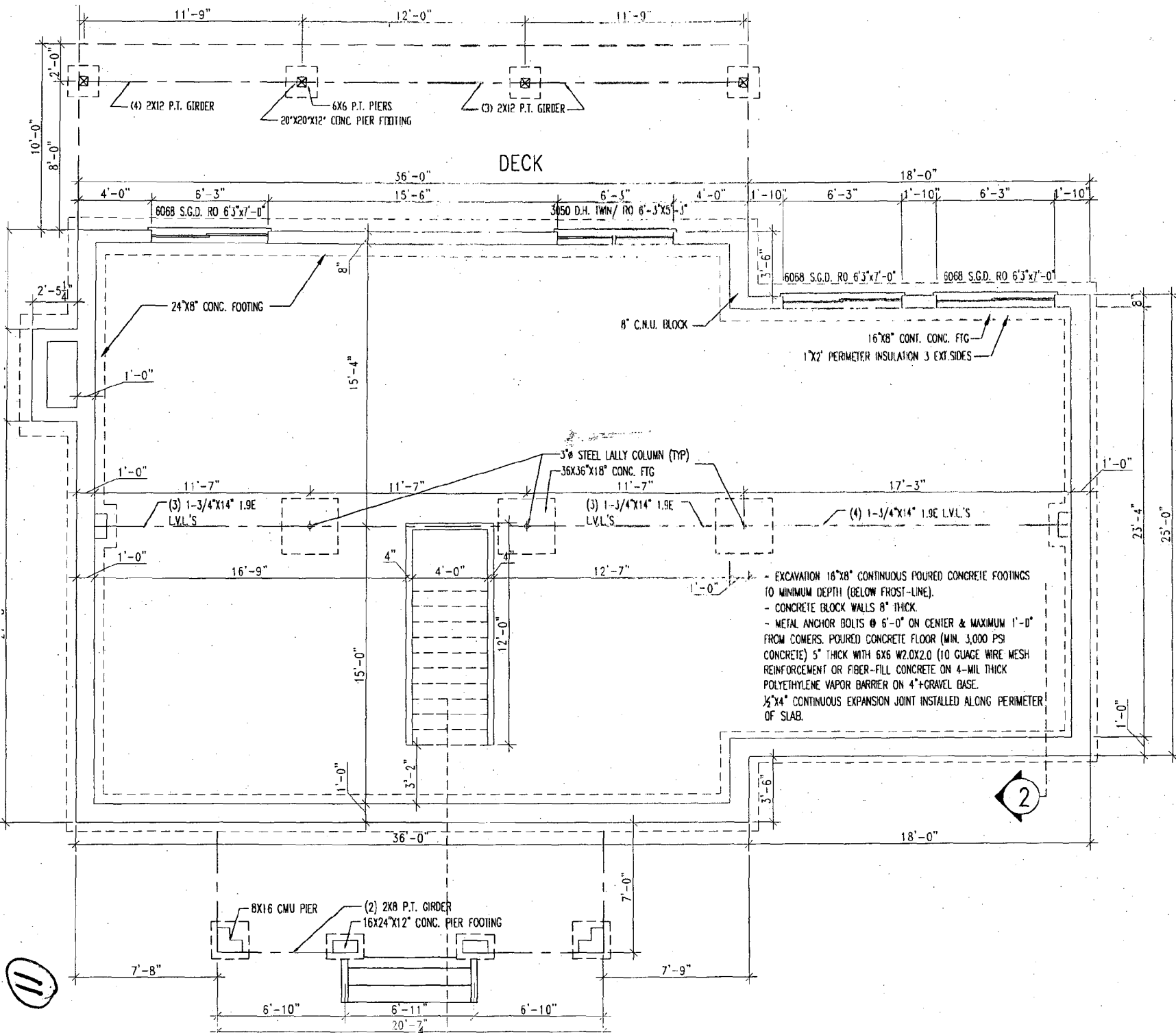


REAR ELEVATION

6

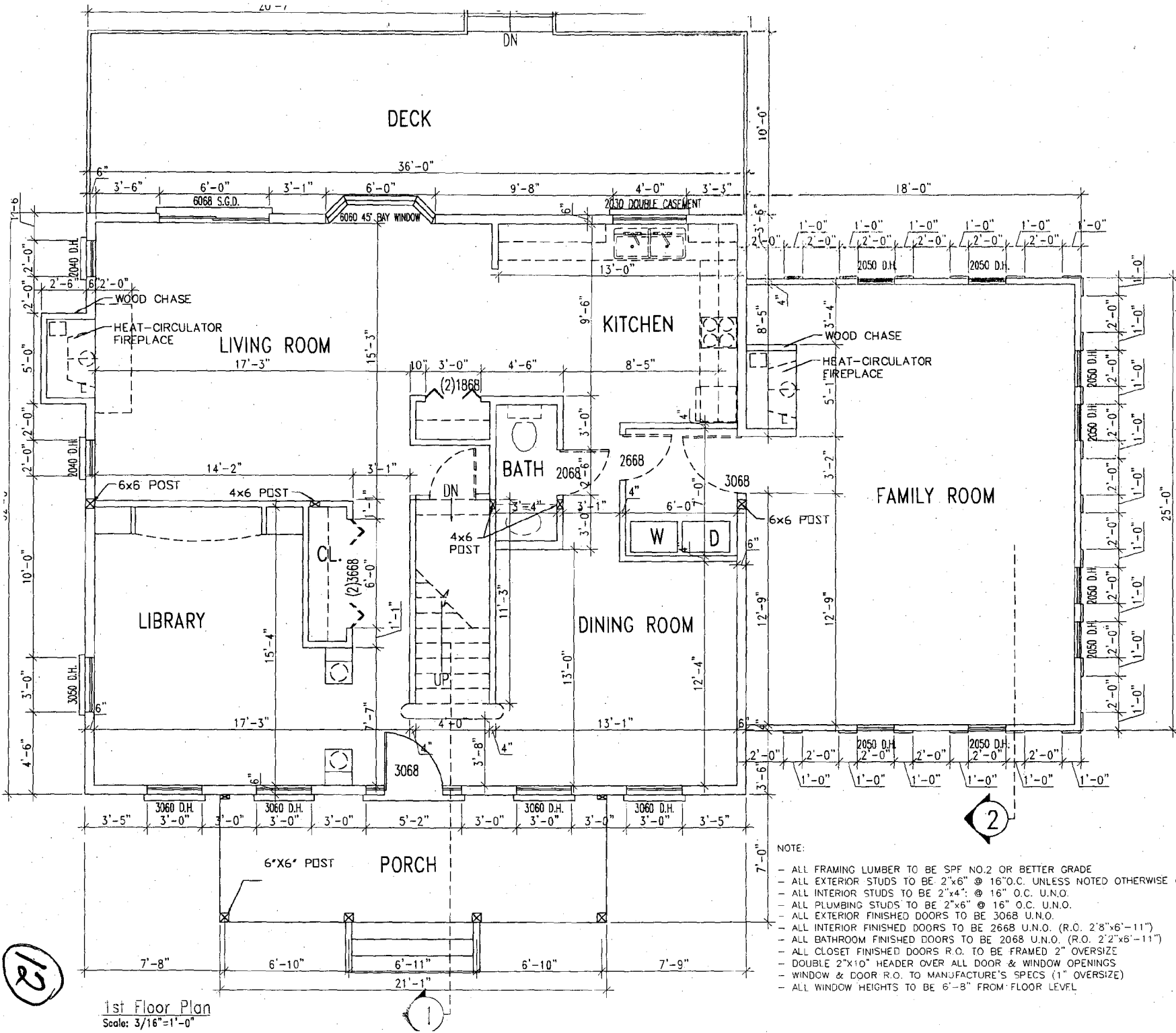


RIGHT ELEVATION



- EXCAVATION 16"x8" CONTINUOUS POURED CONCRETE FOOTINGS TO MINIMUM DEPTH (BELOW FROST-LINE).
- CONCRETE BLOCK WALLS 8" THICK.
- METAL ANCHOR BOLTS @ 6'-0" ON CENTER & MAXIMUM 1'-0" FROM CORNERS. POURED CONCRETE FLOOR (MIN. 3,000 PSI CONCRETE) 5" THICK WITH 6X6 W2.OX2.0 (10 GAUGE WIRE MESH REINFORCEMENT OR FIBER-FILL CONCRETE ON 4-MIL THICK POLYETHYLENE VAPOR BARRIER ON 4"+GRAVEL BASE.
- 1/2"x4" CONTINUOUS EXPANSION JOINT INSTALLED ALONG PERIMETER OF SLAB.

Basement Plan  
Scale: 3/16" = 1'-0"

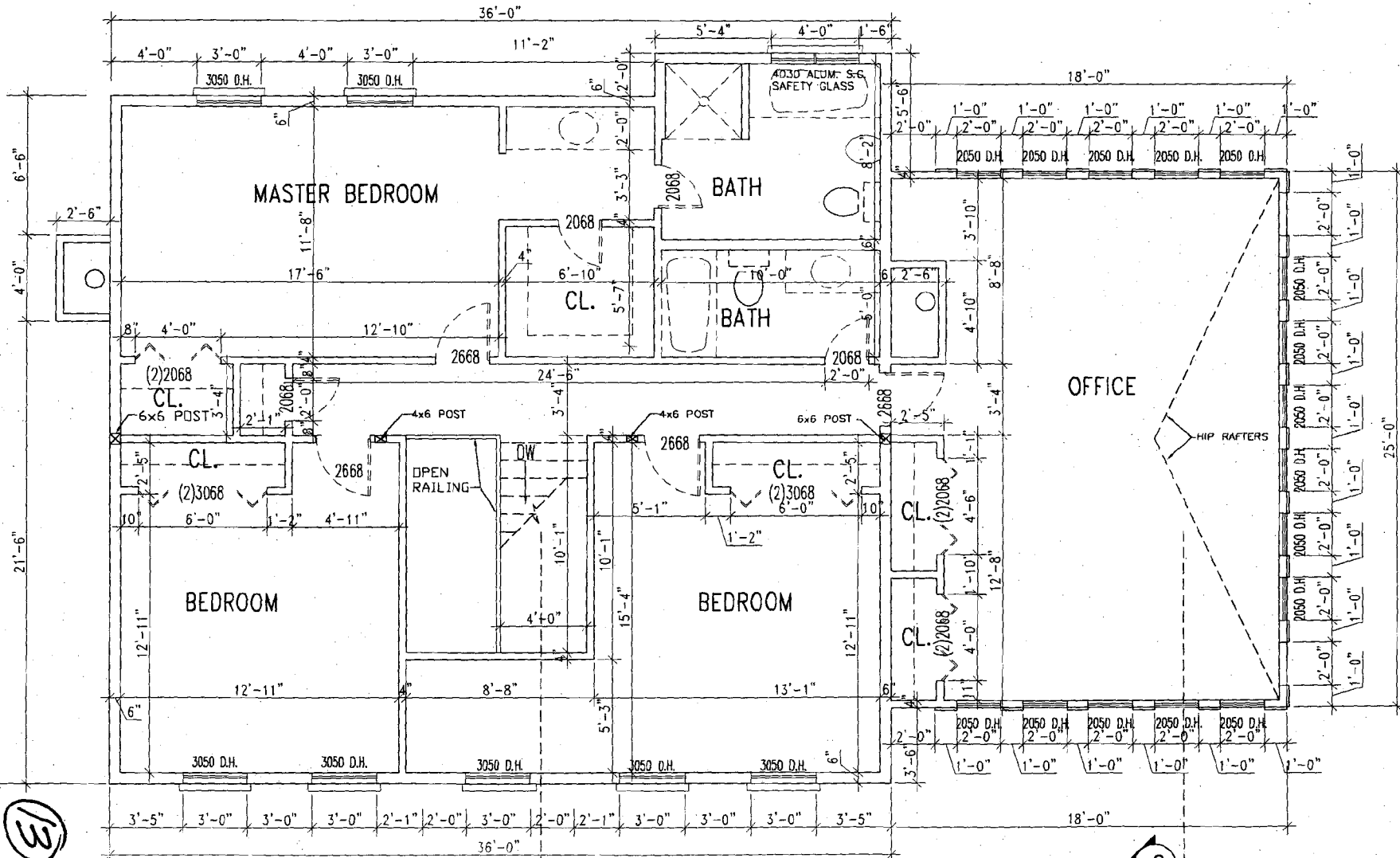


1st Floor Plan  
Scale: 3/16"=1'-0"

- NOTE:
- ALL FRAMING LUMBER TO BE SPF NO.2 OR BETTER GRADE
  - ALL EXTERIOR STUDS TO BE 2"x6" @ 16" O.C. UNLESS NOTED OTHERWISE (LNO)
  - ALL INTERIOR STUDS TO BE 2"x4" @ 16" O.C. U.N.O.
  - ALL PLUMBING STUDS TO BE 2"x6" @ 16" O.C. U.N.O.
  - ALL EXTERIOR FINISHED DOORS TO BE 3068 U.N.O.
  - ALL INTERIOR FINISHED DOORS TO BE 2668 U.N.O. (R.O. 2'8"x6'-11")
  - ALL BATHROOM FINISHED DOORS TO BE 2068 U.N.O. (R.O. 2'2"x6'-11")
  - ALL CLOSET FINISHED DOORS R.O. TO BE FRAMED 2" OVERSIZE
  - DOUBLE 2"x10" HEADER OVER ALL DOOR & WINDOW OPENINGS
  - WINDOW & DOOR R.O. TO MANUFACTURE'S SPECS (1" OVERSIZE)
  - ALL WINDOW HEIGHTS TO BE 6'-8" FROM FLOOR LEVEL

12

2



13

1

2

2nd Floor Plan

BOARD OF APPEALS  
for  
MONTGOMERY COUNTY

Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
240 777-6600  
(www.co.mo.md.us/council/board.html)

**Case No. A-5758**

**APPEAL OF PAUL CHRETIEN**

OPINION OF THE BOARD

(Public Hearing Date: September 25, 2002)  
(Effective Date of Opinion: November 19, 2002)

Case No. A-5758 is an administrative appeal in which the appellant charges error on the part of the Historic Preservation Commission in its approval of Historic Area Work Permit Number 273163, dated March 28, 2002. Appellant contends that the Historic Preservation Commission "went too far with their authority to reject design..." in imposing conditions on approval of the permit.

Pursuant to Section 59-A-4.11(c) of the Zoning Ordinance, on September 25, 2002, the Board of Appeals held a public hearing on the administrative appeal. Peter Fayne, Esquire appeared on behalf of the appellant, Paul Chretien. Vickie Gaul, Esquire, appeared on behalf of the Historic Preservation Commission, she called as witnesses Gwen Marcus Wright, Historic Preservation Supervisor for the Historic Preservation Commission and Kim Williams, a Commissioner on the Historic Preservation Commission.

Decision of the Board: Administrative Appeal **Granted** in part and **Denied** in part.

**EVIDENCE PRESENTED**

1. The subject property is Parcel 404, located at 19820 White Ground Road, Boyds, Maryland, in the RE01 Zone.
2. On January 29, 2002 Paul Chretien filed an Application Number 18/08-02A for a Historic Area Work Permit for work on the subject property. [Exhibit No. 13(b)].

3. On February 6, 2002 Historic Preservation Commission Staff issued a report recommending approval of Application Number 18/08-02A with the condition that no tree larger than six inches in diameter be removed.

4. On February 13, 2002 the Historic Preservation Commission (HPC) held a hearing on the application and voted to continue the hearing to February 27, 2002, advising Mr. Chretien to re-design the proposed house to change "the exterior design and detailing, including the massing issues, roof height, ...to make the house more compatible" [Exhibit No. 13(d) pp. 54-56].

5. On February 27, 2002, the HPC reconvened the hearing on Mr. Chretien's application. Commissioners expressed concern about the following aspects of the design of the house: massing, particularly relating to the side wing, scaling in terms of building height, hierarchy of the massing design. [Exhibit No. 13(g)]. The HPC voted to defer the case until its next meeting, recommending that the Applicant work with HPC staff on re-designing the house.

6. On March 13, 2002, HPC staff issued a report recommending approval of Application Number 18/08-02A with the following conditions:

"1) Barn returns to 1-story building  
2) Chimney on right elevation is to be removed from application  
3) side wing extension will be reduced in width to no greater than 18'  
4) The newly-configured side wing extension's dormer proportions to be reviewed at staff level." [Exhibit No. 13(k)].

7. On March 13, 2002 the HPC voted to approve Application Number 18/08-02A, with the above-listed conditions and allowing staff approval of reconsideration of the number of windows on the side wing.

8. On March 28, 2002, the Department of Permitting Services issued Historic Area Work Permit (HAWP) number 273163, with the conditions enumerated by the HPC.

9. On appeal, Mr. Chretien requests that the barn be allowed to be two stories; so that he can store hay in the second story. He requests approval of the second chimney, for a working fireplace. He requests that the width of side wing be approved at 23 feet. Mr. Fayne stated that the visual impact of the house will be mitigated by the distance the house is set back and by the topography of the subject site. [Transcript, September 25, 2002, p.8].

10. Commissioner Williams testified that the HPC evaluated Mr. Chretien's application with reference to "The Vision of Boyds", a document that sets out criteria for evaluating new construction in the Boyds historic district, and to the Secretary of Interior's Standards and Guidelines for Rehabilitation and New Construction, which the HPC adopted by Resolution in November 1997. [Exhibit No. 13(a), para. n]. She stated that the Commission felt that the proposal was inconsistent with those criteria,

"Primarily...the scale, building height, and massing." [Transcript, September 25, 2002, p. 76-77].

11. She stated that the Commission was lenient in its evaluation of the location of the house on the lot. [Ibid, p.80].

12. She stated that the side wing proposed for the house was incompatible with the character of the historic district, because "There are no historic houses in Boyds with side wings" and it "visually presents the appearance of a two-car side garage wing." [Ibid, p. 83]. She stated that "ideally, the Commission would like to eliminate the side wing altogether, but we were trying to be lenient, and we were hoping to mitigate the overwhelming massing and presence of the side wing by eliminating a five-foot section of it." [Ibid, p.87].

13. Regarding the condition requiring removal of the right chimney, Ms. Williams stated that as proposed with two chimneys, the house "presents the appearance of a very formal late-18<sup>th</sup>/early-19<sup>th</sup> century house. All of the history architecture in Boyds is of a vernacular quality, and this [proposal] goes counter to the vernacular aspect of the existing buildings." [Ibid, p. 84].

14. In response to a Board question regarding the consistency of a two-story barn with the 'Vision of Boyds', Ms. Williams stated, "The applicant has indicated that there are two-story barns. I have no huge objection to that," and "...the fact that he would be continuing agricultural use is an enhancement." [Ibid, p. 89].

#### FINDINGS OF THE BOARD

1. Section 59-A-4.3(e) of the Zoning Ordinance authorizes *de novo* appeals to the Board from any action taken by a department of the County government, including the Historic Preservation Commission. Therefore, the HAWP can be appealed, *de novo*, to the Board.

2. As the issuance of the HAWP was heard *de novo*, the Board hearing was an entirely new hearing on the propriety of the HAWP as if no determination had been made by the HPC. *Boehm v. Anne Arundel County*, 54 Md. App. 497, 511, 459 A.2d 590, 599, cert. denied, 297 Md. 108 (1983)

3. The County had the burden of demonstrating that the HAWP was properly conditioned. Since the Board hearing proceeded as an original administrative determination, the burden of proof and burden of persuasion were allocated as with the original determination by the HPC. See, *Lohrman v. Arundel Corp.*, 65 Md. App. 309, 318, 500 A.2d 344, 349 (1985). The *de novo* hearing puts all parties back at square one to begin again just as if the HPC determination appealed from had never occurred. See, *General Motors Corp. v. Bark*, 79 Md. App. 68, 79, 555 A.2d 542, 547 (1989).



4. Based upon Commissioner Williams's testimony and the evidence of record, the Board finds that there are no historic houses in Boyds with side wings, and that the appearance of the house with two chimneys is not consistent with the architecture in the Boyds historic district.

5. Section 24A-8. of the Montgomery County Code provides, pertaining to the criteria for issuance of historic area work permits:

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:

\*\*\*\*\*

(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

\*\*\*\*\*

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

6. The Board finds that the side wing of the proposed house, and the chimney on the right side of the house are not compatible with the historical and architectural features of the Boyds historic district, and that they would be detrimental to those features of the historic district. The Board finds that a two-story, working barn will not be detrimental to the Boyds historic district.

7. The Board finds that Mr. Chretien can build a house without the side wing and without the second chimney, and that requiring removal of those features does not deprive him of reasonable use of the property.

Section 24A-8(d) of the Montgomery County Code provides:

In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district.

8. The Board finds that the Historic Preservation Commission exercised leniency in approving a work permit in allowing the 18-foot side wing.

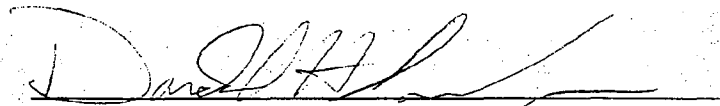
On a motion by Angelo M. Caputo, seconded by Allison Ishihara Fultz, with Donna L. Barron, Louise L. Mayer and Donald H. Spence, Jr., Chairman in agreement:

**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that condition number 1 of permit number 273163 requiring a one-story barn is **reversed** and the request to build a two-storey barn is **granted**; and

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County Maryland that condition number 2 of permit number 273163 is **affirmed** and the request to add a chimney on the right side of the house is **denied**; and

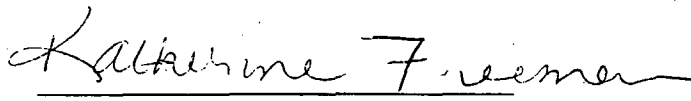
**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County Maryland that condition number 3 of permit number 273163 is **affirmed** and the request to build a side wing 23 feet wide is **denied**;

**BE IT FURTHER RESOLVED** by the Board of Appeals for Montgomery County Maryland that condition number 4 of permit number 273163 is **affirmed** and that the proportions of the dormers on the side wing will be subject to staff review.



Donald H. Spence, Jr.  
Chairman, Montgomery County Board of Appeals

Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 19<sup>th</sup> day of November, 2002.

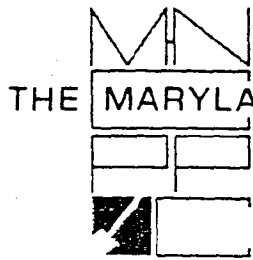


Katherine Freeman  
Executive Secretary to the Board

**NOTE:**

Any request for rehearing or reconsideration must be filed within ten (10) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 2-A-10(f) of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure.



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

Date: 3-13-02

MEMORANDUM

TO: Robert Hubbard, Director  
Department of Permitting Services

FROM: Gwen Wright, Coordinator  
Historic Preservation

SUBJECT: Historic Area Work Permit HPC# 18/8-02A

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

           Approved

X Approved with Conditions: (1) DORMER RETURNS TO 1-STORY BUILDING AS PREVIOUSLY PROPOSED AT FEB 13TH & 27TH MEETINGS. (2) CHIMNEY ON RIGHT ELEVATION IS TO BE REMOVED FROM APPLICATION. (3) SIDE WING EXTENSION WILL BE REDUCED IN WIDTH TO NO GREATER THAN 18'. (4) THE NEWLY CONFIGURED SIDE WING EXTENSION'S DORMER PROPORTIONS TO BE REVIEWED AT STAFF LEVEL.

and HPC Staff will review and stamp the construction drawings prior to the applicant's applying for a building permit with DPS; and

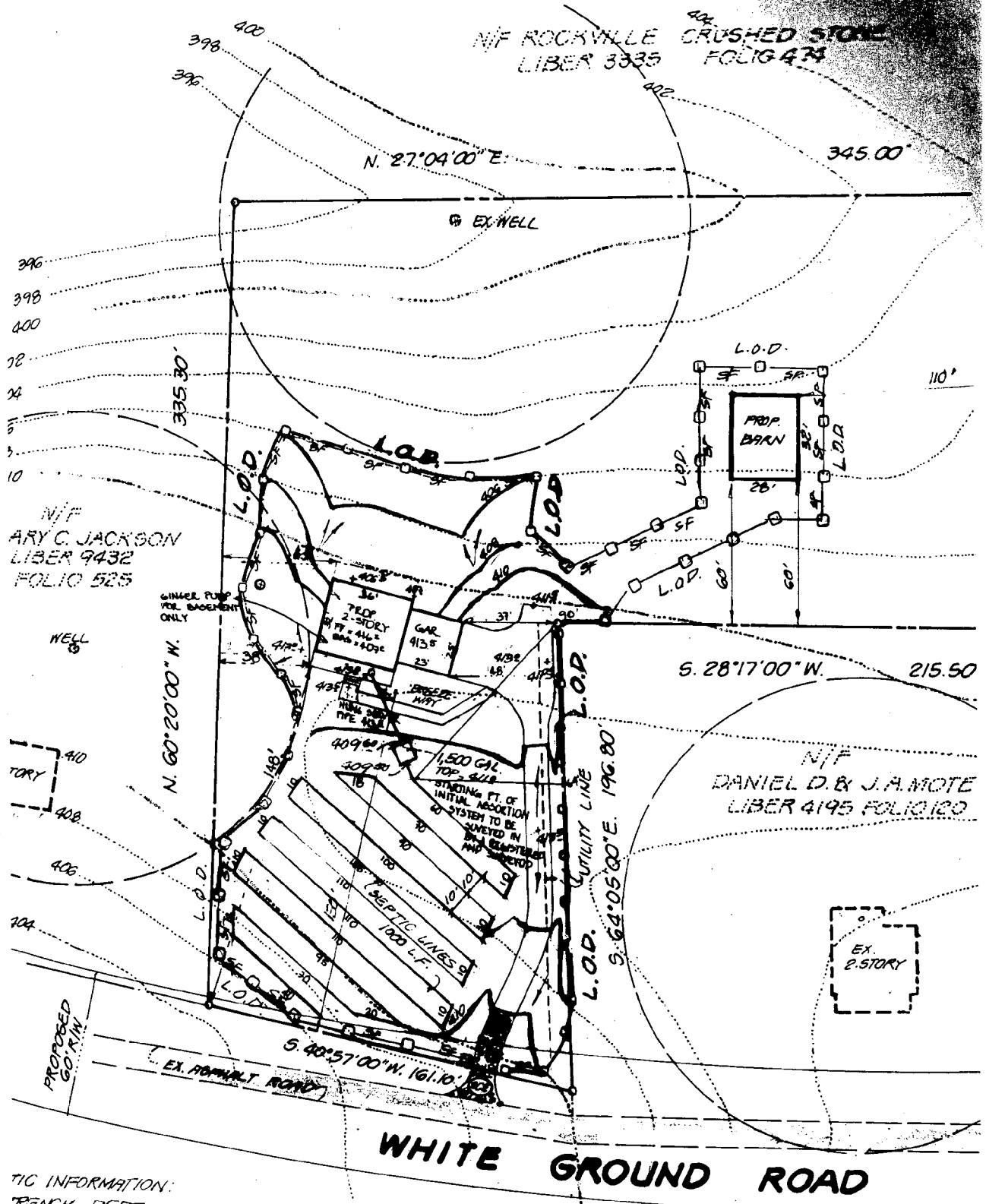
PLS MAKE APPT. FOR THESE DWGS TO BE STAMPED

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

Applicant: MR. PAUL CHRETIEN

Address: 19820 WHITE GROUND RD, BOYDS, MD

and subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant arrange for a field inspection by calling the Montgomery County DPS Field Services Office at 240-777-6210 or online @ [permits.emontgomery.org](http://permits.emontgomery.org) prior to commencement of work and not more than two weeks following completion of work.



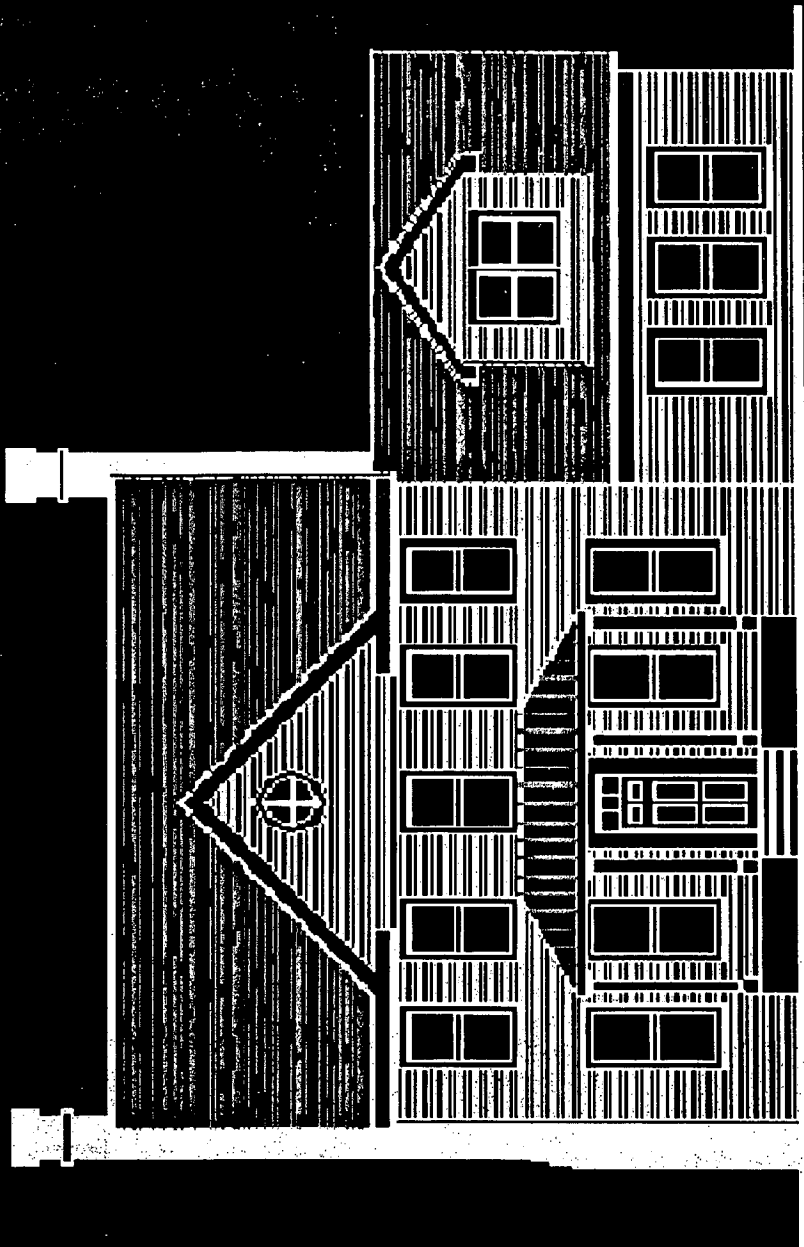
N/F ROCKVILLE CRUSHED STONE  
LIBER 3335 FOLIO 473

N/F  
ARY C. JACKSON  
LIBER 9432  
FOLIO 525

N/F  
DANIEL D. & J.A. MOTE  
LIBER 4195 FOLIO 120

# WHITE GROUND ROAD

TIC INFORMATION:  
 TRENCH DEPTH = 10' WITH 4' STONE  
 TRENCH WIDTH = 2' @ 10 O.C.  
 TRENCH LENGTH = 1,000 FEET



FRONT ELEVATION



RIGHT ELEVATION

23

74

REAR ELEVATION





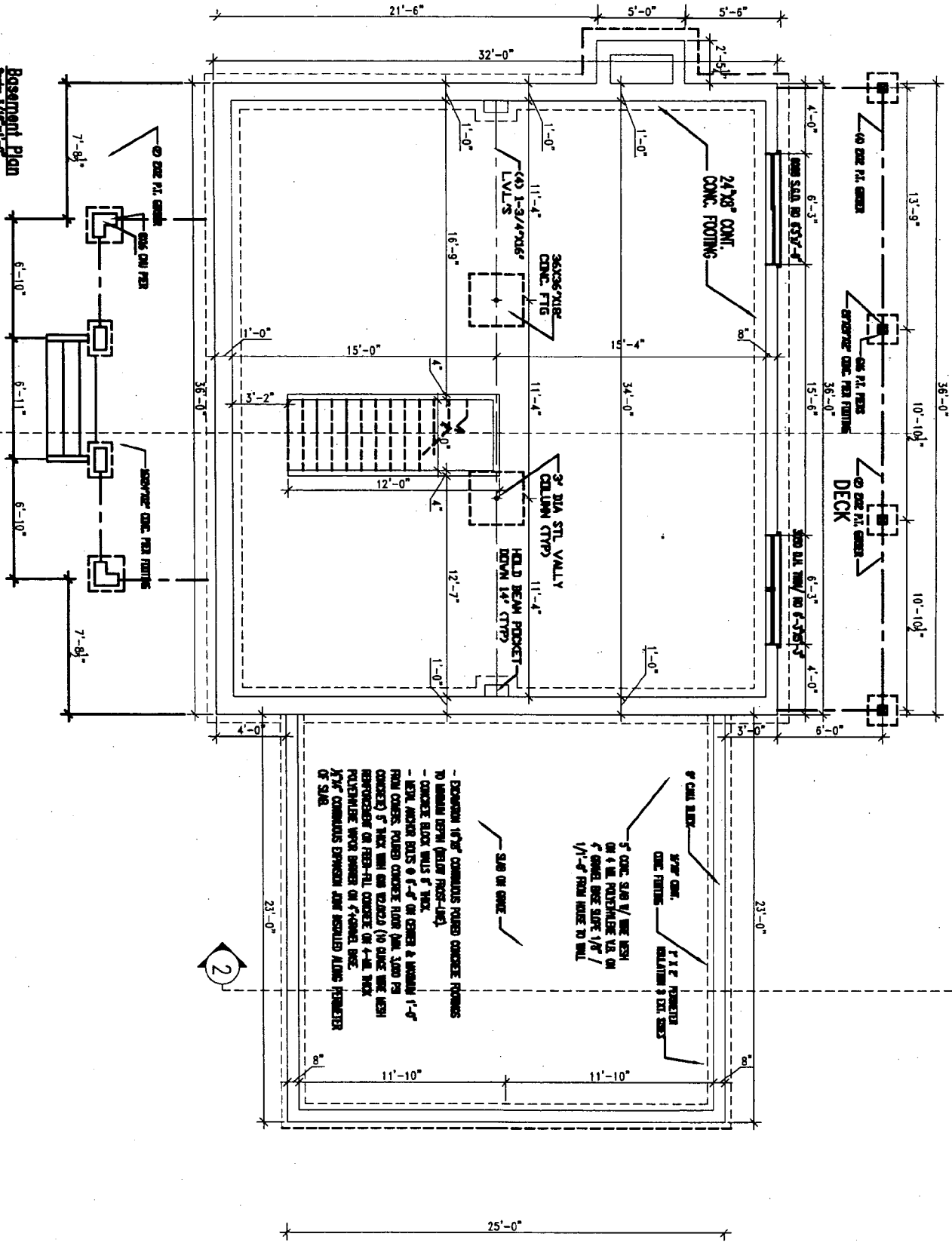


LEFT ELEVATION

25

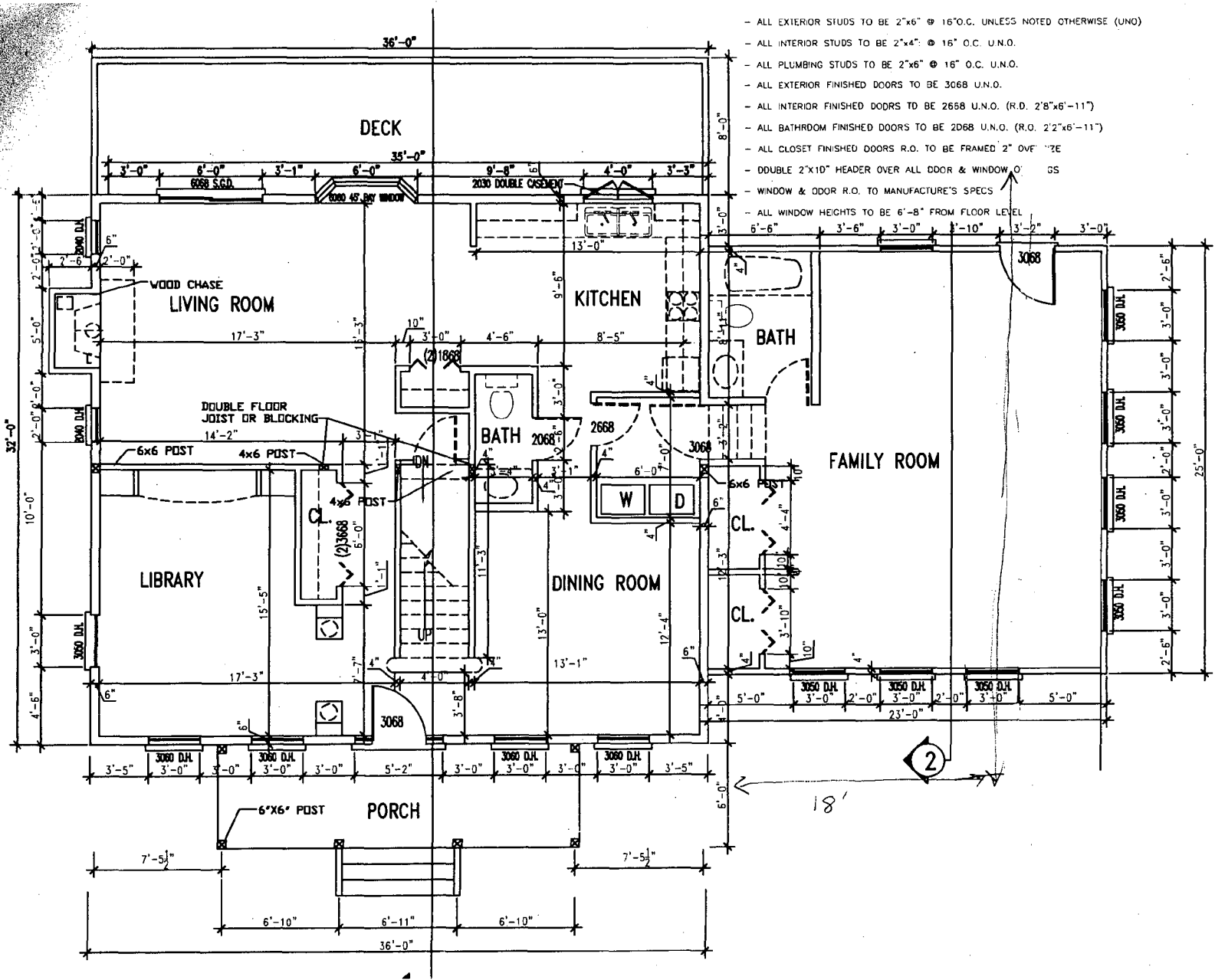
20

**Basement Plan**  
Scale 1/8"=1'-0"

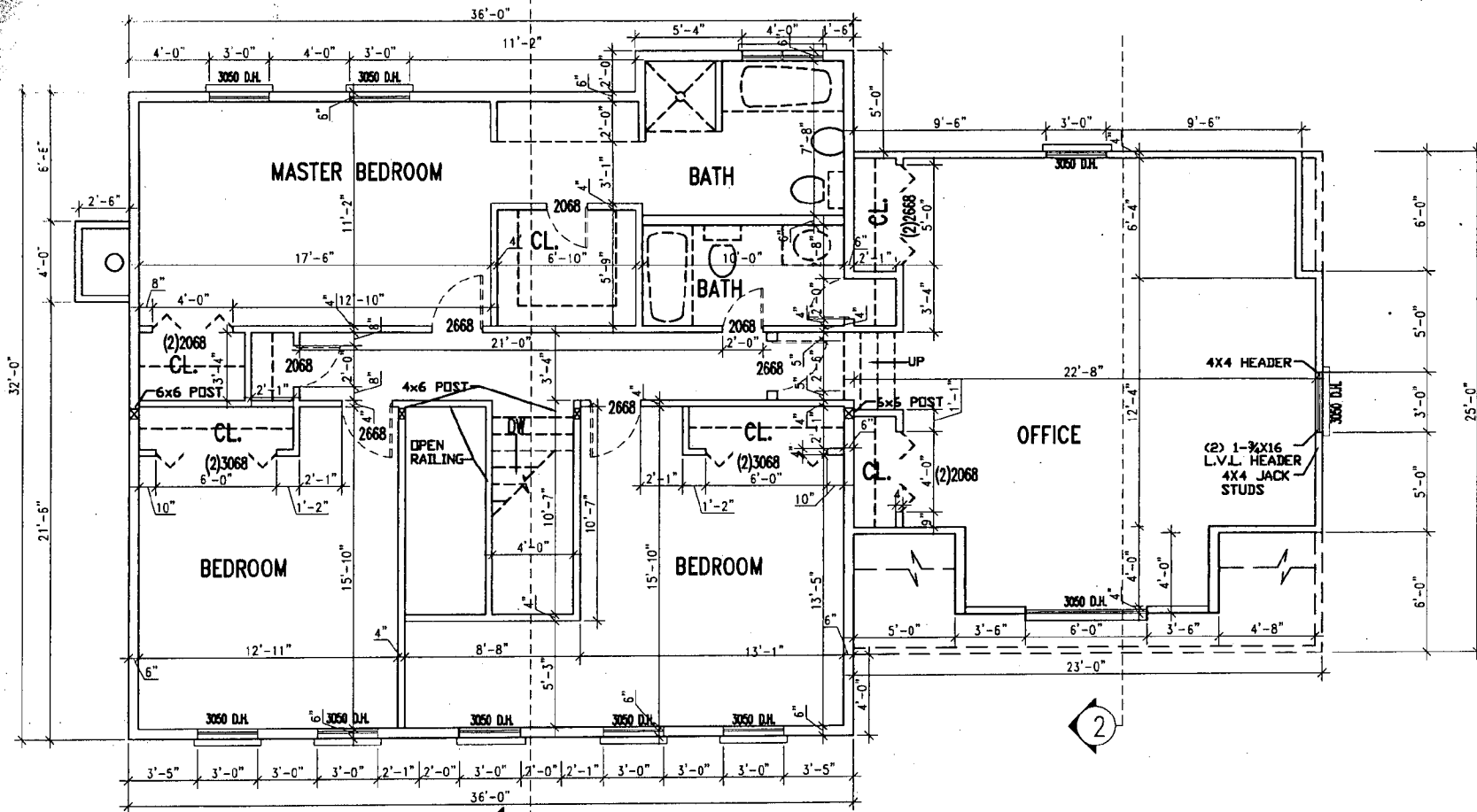


- EXPANDED 16" COMPACTED FULLED CONCRETE FORMS TO MINIMUM DEPTH (BELOW FLOOR-LEVEL)  
 - CONCRETE BLOCK WALLS 8" THICK  
 - 16"X16" ANCHOR BOLTS @ 6'-0" ON CENTER & MINIMUM 1'-0" FROM CORNER FULLED CONCRETE FLOOR (MIN. 3.000 PSI CONCRETE) 5" THICK MIN. (OR 2.000 PSI) (9) SINCE THE NEW REINFORCEMENT OR FRESH-FILL CONCRETE OR 4" MIN. THICK POLYSTYRENE WOOD BRANES OR 4" CORNER BRK.  
 16" COMPACTED DEBRIS AND REINFORCED ALONG PERIMETER OF SLAB.

- ALL EXTERIOR STUDS TO BE 2"x6" @ 16" O.C. UNLESS NOTED OTHERWISE (UNO)
- ALL INTERIOR STUDS TO BE 2"x4" @ 16" O.C. U.N.O.
- ALL PLUMBING STUDS TO BE 2"x6" @ 16" O.C. U.N.O.
- ALL EXTERIOR FINISHED DOORS TO BE 3068 U.N.O.
- ALL INTERIOR FINISHED DOORS TO BE 2668 U.N.O. (R.O. 2'8"x6'-11")
- ALL BATHROOM FINISHED DOORS TO BE 2068 U.N.O. (R.O. 2'2"x6'-11")
- ALL CLOSET FINISHED DOORS R.O. TO BE FRAMED 2" OVER SIZE
- DOUBLE 2"x10" HEADER OVER ALL DOOR & WINDOW OPENINGS
- WINDOW & DOOR R.O. TO MANUFACTURE'S SPECS
- ALL WINDOW HEIGHTS TO BE 6'-8" FROM FLOOR LEVEL



27

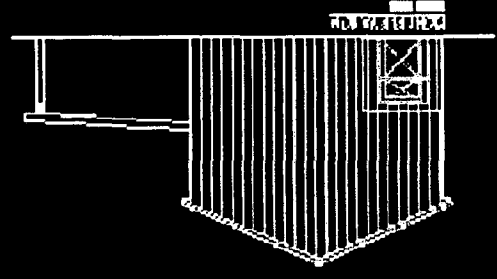
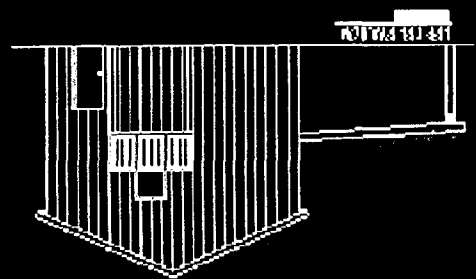
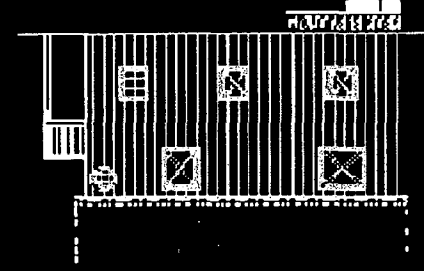
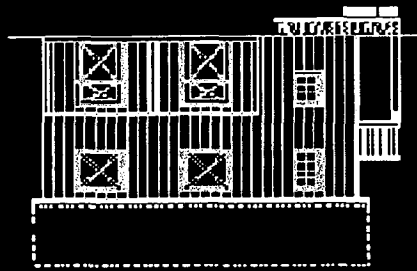


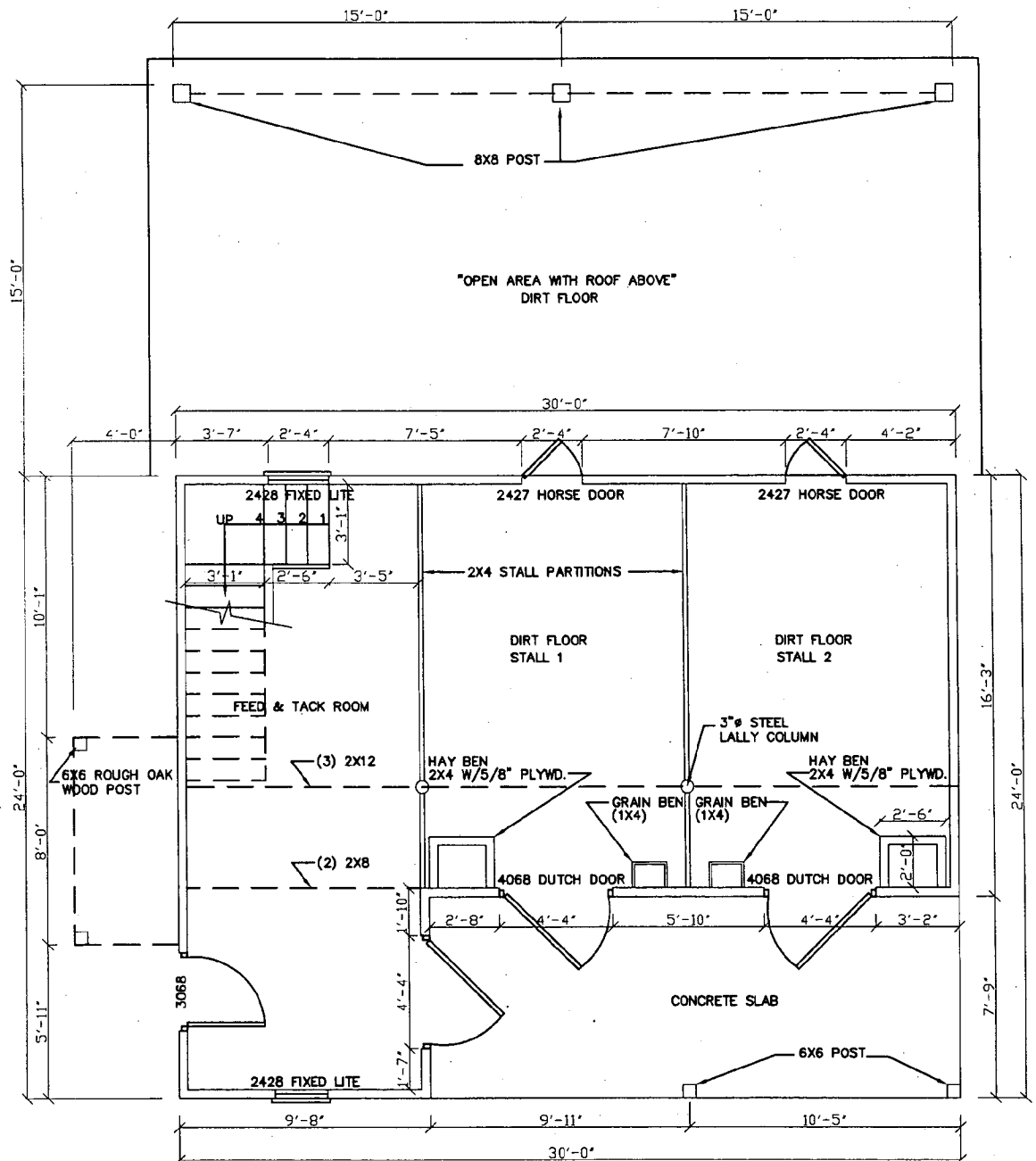
**2nd Floor Plan**  
 Scale: 1/4"=1'-0"

1

2

28





FIRST FLOOR PLAN

1/4" = 1'-0"

30