

"Federation Corner" column
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Siegel and Green receive Community Hero award

By Jim Humphrey, Chair, MCCF Planning and Land Use Committee, and
Dan Wilhelm, MCCF President

From time to time, MCCF recognizes groups or individuals who have performed a significant service over a number of years to the citizens of Montgomery County. We give the recipients a certificate that we call the Community Hero Award.

At our Regular Meeting on Monday September 12, MCCF recognized two Bradley Village neighbors, Carol Green and Barbara Siegel, as Community Heroes for their efforts on the issue of building height measurement. More than two years ago, this pair began studying the building permits for single family homes being torn down and rebuilt in their suburban neighborhood. They were convinced that the new building heights being approved by the Department of Permitting Services (DPS) exceeded the zoning ordinance's 35 foot height maximum, resulting in new homes that towered over older, adjacent homes.

Carol Siegel and Barbara Green discovered that a "terrace height exception" clause in the zoning ordinance allows a home to exceed the 35 foot height limit, as measured from the street in front of a property, if the site is on a terrace that rises above the level of the street. Enlisting the aid of a professor of architecture from Catholic University, they found that this exception was being inappropriately granted by DPS in some instances. In addition, some builders were applying for the exception for lots that were previously level with the street on which they then built artificial terraces. DPS officials told Barbara and Carol that this was allowed because the ordinance does not define a terrace as a naturally occurring landscape feature.

Concluding that the problem was an unclear building standard being improperly administered, they set to work drafting legislation to amend the zoning ordinance by instituting a new process for measuring building height. After some changes by sponsoring County Council Member Howard Denis, their legislation - Zoning Text Amendment 03-27 - was introduced in November 2003, where it still awaits a Council vote. During this time, both of the women were also pursuing court cases challenging the issuance of building permits for new house construction near their homes.

In recognition of the years of dedicated effort and considerable financial outlay they have expended in pursuit of a clear and equitable process for measuring building height, a grateful Civic Federation thanks Barbara Siegel and Carol Green and proclaims them Community Heroes.