

Resolution No: 19-1166
Introduced: November 9, 2021
Adopted: February 15, 2022

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: County Council

SUBJECT: Approval of Disposition via Sale and Renovation of a Portion of Warner Circle Special Park, 10231 Carroll Place, Kensington, Maryland 20895

Background

1. Montgomery County Code §11B-45 requires the Council to approve a Declaration of No Further Need before the Executive can dispose of real property that has more than nominal value. Prior to seeking Council approval of a Declaration of No Further Need, the Executive must:
 - (a) submit all material terms of the proposed disposition and any appraisal the Executive relied on in setting the property's market value to the Council; and
 - (b) publish a declaration in the County Register and post a notice on the County website that the County has no further need for the property.If the Council, by resolution, approves the Executive's Declaration of No Further Need, the Executive may dispose of the property for fair market value.
2. Montgomery County Code §11B-45 defines a disposition as "a sale, a lease or license for a term of 2 years or longer, or a lease or other document which includes an option to buy. If a license or lease for an initial term of less than 2 years is extended or renewed beyond 2 years, that extension or renewal is a disposition."
3. On September 17, 2021, the Executive transmitted the material terms of the proposed disposition. The Executive recommended the sale of the buildings within Warner Circle Special Park via a condominium regime, located at 10231 Carroll Place, Kensington, Maryland 20895 to a buyer, Karl Voglmayr. The buyer proposed to renovate the structures on the property into fifteen (15) for-sale, condominium residences and a public use space.
4. The property has been managed by the Maryland-National Capital Park and Planning Commission ("Commission") since 2005 under a 1979 agreement with the County. The property contains the park and two structures, including an 1893-1914 Queen Anne House and a 1914 carriage house. Both structures are protected under a historical preservation

easement within the Kensington Historic District and is listed on both the Montgomery County Master Plan for Historic Preservation and the National Register of Historic Places.

5. On September 17, 2021 Executive Order 078-21 was published in the County Register to give notice of the County's intent to proceed with disposition to Karl Voglmayr to renovate the structures on the property into fifteen to nineteen for-sale, condominium residences and a public use space. The County and Commission will continue to own and manage the park grounds, respectively.
6. The Council will schedule for a virtual public hearing and action on this recommended disposition at a future date.

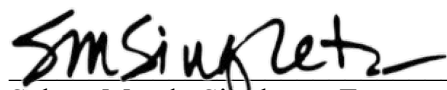
Action

The County Council for Montgomery County, Maryland, approves the following action:

The Declaration of No Further Need for a portion of the County property located at 10231 Carroll Place, Kensington, Maryland 20895 is approved and the property may be disposed of as described in the material terms provided to the Council on September 17, 2021, the memorandum dated October 27, 2021, and in Executive Order 078-21 as published in the County Register on September 17, 2021.

The County Council waives the requirement that the disposition be a fair market value transaction.

This is a correct copy of Council action.

A handwritten signature in black ink, appearing to read "Sm Singleton", written over a horizontal line.

Selena Mendy Singleton, Esq.
Clerk of the Council