

+Ordinance No. 31-09

ORDINANCE:

To grant Zoning Map
Amendment Application
MAP2010-00107, Mayor and
Council of Rockville,
Applicant

WHEREAS, the Mayor and Council of Rockville, Maryland, 111 Maryland Avenue, Rockville, Maryland, filed application MAP2010-00107, requesting that the property located at 224 Elizabeth Avenue, Rockville, Maryland, and further identified as Lot 29, Block 6, in the subdivision known as "H.L. England's 2nd Addition to Lincoln Park, containing 9,500 square feet of land, more or less, be placed in the Historic District; and

WHEREAS, the subject property was evaluated for historic, architectural and cultural significance to the City of Rockville, and the Historic District Commission found that the property met the criteria for local historic designation and recommended its placement in the Historic District; and

WHEREAS, the Mayor and Council gave notice that a public hearing on said application would be held by the Mayor and Council of Rockville in the Council Chambers in Rockville on the 12th day of October 2009, at 7:00 p.m., or as soon thereafter as it may be heard, at which parties in interest and citizens would have an opportunity to be heard, which notice was published in accordance with the requirements of Article 66B of the Annotated Code of Maryland; and

WHEREAS, on the 12th day of October 2009, the said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, after consideration of the record on this application, the Mayor and Council has determined that the property located at 224 Elizabeth Avenue, Rockville, Maryland, and

further identified as Lot 29, Block 6, in the subdivision known as "H.L. England's 2nd Addition to Lincoln Park, containing 9,500 square feet of land, more or less, is historically significant to the City and the County. Beginning as a small grocery store, without water service, the building was given away to the Payton family on condition that they move the building. The store was moved with help from the community to its current location, and the house was renovated over time with necessary service, include water and sewer, to serve the needs of the families living there. The changes over time indicate a drive for good housing despite economic hardship.

A core part of the house is associated with The Red Barn, a theatre building constructed by and for African-Americans in the early 1930s, on the north side of Frederick Avenue adjacent to the B&O Railroad tracks.

In 1930, Harrison Ricks and his wife Frances developed the property with a movie theatre for the African-American community. While African-American people could attend the 1939 Milo theatre in downtown Rockville, they were required to enter through a back door and sit upstairs in a segregated area.

In addition to the new theatre, subsequently known as "The Red Barn," Mr. Ricks had a small building on the property that he used as a small grocery. By 1949, the property had accumulated several mortgages, and Mr. Ricks sold it to Oliver W. Madden. For a few years, the property was empty. When Mrs. Letha E. Payton emigrated from Greenville, North Carolina with her mother, and her eight children, she moved into the old theatre building. In 1952, the property was sold to Lenmor Corporation, with Morris Stern of Stern furniture, as Secretary of the company. Mr. Stern gave the small grocery building to Mrs. Payton, on condition that she move the building. Mr. Stern then renovated the old theatre building for rental apartments.

During the survey of Lincoln Park, in conjunction with the development of the latest Lincoln Park Neighborhood Plan, three distinct Periods Of Significance were identified. The subject property falls into the Third Period of Significance (1949 – 1970), which begins with the annexation of Lincoln Park into the City of Rockville from Montgomery County, and concludes with the end of de facto segregation. Therefore, all changes made after 1970 would be deemed outside of the Period of Significance.

This original three-bay, one-story home is considered a vernacular mid-20th century wood frame house. A center door is flanked with paired windows. Each pair has a single fixed shutter with three panels for decoration. Additions include an additional bedroom and bath in the northwest corner, the full-width front porch replacement, and the rear porch. The windows have been replaced. The house has aluminum siding, and asphalt shingle roofing. The house presents changes over time, as the store building was added on to for use as a family residence, and as different families lived in the property.

In 1946, Jack Ernest Hall purchased the subject property from Harrison England (Suburban Properties). Mr. England platted H.L. England's Second Addition to Lincoln Park in 1926, and sold lots as well as built homes for sale. The house at 213 Lincoln Avenue is currently known as "The Hall House" and may be associated with Jack Ernest Hall. In 1954, Mr. Hall, who was unmarried at the time, sold the subject property to Mrs. Payton as a site for her new home. Mrs. Virginia Cooper, her daughter, said that Mrs. Payton had a lot of community help and the building was moved to the site using a tractor. At the time, the address was 222 Elizabeth Avenue. It had three rooms and no running water.

In 1959, Mrs. Payton sold the property to Mr. Robert L. Snowden, and she moved in with a brother in Baltimore. Mr. Snowden enlarged the house, and his daughter, Irene, and her husband, Rupert G. Curry, lived here as a young married couple. In 1963, Mr. Curry purchased the property from Mr. Snowden, and in 1966, he sold the property to Mr. Charles Edmunds. Mr. Rupert Curry was the first African-American to be elected to the City Council, being elected in 1968.

The Edmunds Family has the longest association with 224 Elizabeth Avenue (1966 – 1995). Purchased by Mr. Charles Edmunds, the property became the home of his son, Charles Rudolf Edmunds and wife, Viola Betty Ann Edmunds. According to their great-granddaughter, Betty Edmunds, the Edmunds added a back porch, a back bedroom, a bathroom, and the front porch; and

WHEREAS, the Mayor and Council further finds and determines that it is appropriate to place the property located at 224 Elizabeth Avenue, Rockville, Maryland, and further identified as Lot 29, Block 6, in the subdivision known as “H.L. England’s 2nd Addition to Lincoln Park, containing 9,500 square feet of land, more or less, in the Historic District; and

WHEREAS, the placement of the property located at 224 Elizabeth Avenue in the Historic District Zone will:

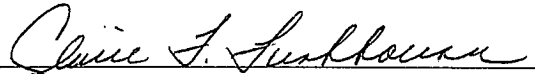
- a. Safeguard the heritage of the City by preserving the structure that reflects elements of the City's cultural, social, economic, political and architectural history;
- b. Stabilize and improve property values in the Historic District;
- c. Foster civic beauty;
- d. Promote the use and preservation of the structure for the education and

pleasure of the residents of Rockville; and

e. Promote the general welfare of the community of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that the application of the Mayor and Council of Rockville, MAP2007-00102, requesting the reclassification of the property located at 224 Elizabeth Avenue, Rockville, Maryland, and further identified as Lot 29, Block 6, in the subdivision known as "H.L. England's 2nd Addition to Lincoln Park, containing 9,500 square feet of land, more or less, and the same is hereby, granted, and the subject property is hereby included in and made a part of the Historic District.

I hereby certify that the foregoing is a true and correct copy
of an Ordinance adopted by the Mayor and Council at its
meeting of December 7, 2009.


Claire F. Funkhouser, CMC, City Clerk