



**Committee:** Joint  
**Committee Review:** At a future date  
**Staff:** Naeem M. Mia, Legislative Analyst  
**Purpose:** Final action – vote expected  
**Keywords:** Property Disposition, Town of Kensington, M-NCPPC

AGENDA ITEM #20D  
December 14, 2021  
**Action**

## SUBJECT

Extension of the Deadline for the Declaration of No Further Need – Disposition via Sale and Renovation of a Portion of Warner Circle Special Park, 10231 Carroll Place, Kensington, Maryland 20895.

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS

- None – introduction and action only.
- A joint GO/PHED Committee worksession is tentatively scheduled for February 10, 2022.

## DESCRIPTION/ISSUE

On October 27, 2021, the County Executive requested Council approval of a Declaration of No Further Need (DNFN), contained in Executive Order 078-21, to dispose of a portion of the County-owned (and M-NCPPC-managed) of Warner Circle Special Park, totaling 4.5 acres, located at 10231 Carroll Place, Kensington, Maryland 20895. M-NCPPC has managed and maintained the property since 1979 under an agreement with the County. The property is 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.

The DNFN was introduced at Council on November 9, 2021 with public hearing on November 30, 2021. One speaker testified in opposition to the proposed disposition. As the disposition was transmitted on October 27, the 60-day deadline for Council to act expires on December 27. Under the County's disposition regulations, "if the 60-day deadline falls during the month of August or during the period of December 15 through December 31, the deadline is automatically extended until the next scheduled Council session."

Staff recommends a Committee worksession to review the proposed disposition. As the next earliest Committee review would occur on February 10, 2022, Council staff proposes approving this resolution to extend the deadline for action until February 22, 2022.

### **This report contains:**

1. Resolution Approving Extension

© 1-2

**Alternative format requests for people with disabilities.** If you need assistance accessing this report you may \_ to the ADA Compliance Manager. The ADA Compliance Manager can also be reached at 240-777-6197 (TTY 240-777-6196) or at [adacompliance@montgomerycountymd.gov](mailto:adacompliance@montgomerycountymd.gov)

Resolution No: \_\_\_\_\_  
Introduced: December 14, 2021  
Adopted: \_\_\_\_\_

COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND

---

Lead Sponsor: County Council

---

**SUBJECT:** Resolution to Extend the Deadline for the Disposition 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. The Council must act on the Declaration of No Further Need within 60 days of receiving the Declaration or it is automatically approved. The Council may extend the 60-day deadline by resolution if the Council President has informed the Executive, within 30 days of receiving the proposed action, that the Council has not received all information necessary to review the proposed action. If the 60-day deadline falls during the month of August or during the period of December 15 through December 31, the deadline is automatically extended until the next scheduled Council session.
4. On October 27, 2021, the Executive transmitted the Declaration of No Further Need for the proposed disposition. The Executive recommended the sale of the 4.5-acre County-owned property known as Warner Circle Special Park, 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.

5. The property has been managed by the Maryland-National Capital Park and Planning Commission (“Commission”) since 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.
6. 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 (15) for-sale, condominium residences and a public use space. The County and Commission will continue to own and manage the park grounds, respectively.
7. Public hearing on this disposition took place on November 30, 2021.

**Action**

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

The time for Council action on the Declaration of No Further Need contained in Executive Order 078-21, Disposition via Sale and Renovation of a Portion of Warner Circle Special Park, 10231 Carroll Place, Kensington, Maryland 20895 is extended to February 22, 2022.

This is a correct copy of Council action.

---

Selena Mendy Singleton, Esq.  
Clerk of the Council