

#4



ATTORNEYS

ROBERT G. BREWER, JR.  
DIRECT 301.657.0165  
RGBREWER@LERCHEARLY.COM

November 3, 2005

RECEIVED  
1721  
NOV 02 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

**By Hand Delivery**

Ms. Rose Krasnow  
Director, Development Review Division  
Maryland-National Capital Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: Clarksburg Town Center: Miller and Smith Building Heights

Dear Ms. Krasnow:

This letter supplements the letters and accompanying submissions of July 21, 2005 and September 2, 2005 from us, as counsel to Miller and Smith, regarding the heights of townhouses constructed by it in the Clarksburg Town Center.

The enclosed revised spreadsheet of Clarksburg Town Center Building Heights shows corrections to the building heights of townhouse units in Block EE. As discussed in our July 21, 2005 and September 2, 2005 letters, retaining walls have been proposed for two groups of Miller and Smith townhouses long before the current controversy over building height. We reported on September 2 that due to poor soil conditions, Miller and Smith was unable to build approved retaining walls for the designated units in Block O, so the measured building heights for those units will remain as reported on July 21. The retaining walls for the Block EE units have now been completed. These units were re-measured in late September, 2005, and the individual measurements of each unit are shown on a separate attachment enclosed.


The enclosed measurements include a terrace credit, depending on the unit, of between 2.8 feet and 3.7 feet, with an average credit of 3.3 feet. The terrace credit was computed in full accordance with the Montgomery County Code and the applicable standards of the Department of Permitting Services. Of the seven townhouses in Block EE with terraces, two are now below 35.0 feet in height, while the other five remain above 35.0 feet, albeit at a lower differential than previously.

Ms. Rose Krasnow  
November 3, 2005  
Page 2

In summary, as of today, 95 of the 124 townhouse units built thus far by Miller and Smith in the Clarksburg Town Center exceed 35.0 feet in height. The figure reported on July 21, 2005 was 104 units in violation of the 35.0 feet standard, and the figure was 97 units in violation of the 35.0 feet standard when reported on September 2, 2005. This figure of 95 units conforms to the projection made in the September 2, 2005 letter.

Please include this correspondence in the Planning Board record. Thank you very much.

Very truly yours,



Robert G. Brewer, Jr.

encl.

cc: Honorable Derick Berlage (By Hand)  
Michele Rosenfeld, Esq. (By Hand)  
Mr. William Mooney (By Hand)  
Charles Stuart, Esq.  
Mr. Charles Ellison  
Ms. Colleen Dwelley  
Stephen Z. Kaufman, Esq. (By Hand)  
Barbara Sears, Esq. (By Hand)  
Todd D. Brown, Esq. (By Hand)  
Timothy Dugan, Esq. (By Hand)  
David W. Brown, Esq. (By Hand)  
Mr. David O'Bryan

Block EE Terrace  
**AS-BUILT ELEVATIONS**

**CLARKSBURG TOWN CENTER**  
**BUILDING HEIGHTS**  
 Miller and Smith

11/1/2005

Block	Lot	Builder	Condition	Centerline	Terrace High	Terrace Low	Terrace Credit	House type	Eave	Ridge	Mid-roof	Height	<35	35.1-37	37.1-40	40.1-45	>45
EE	25	Miller & Smith	3	663.8	668.7	665.2	3.5	MPDU	691.1	706.7	698.9	31.6	1				
EE	26	Miller & Smith	3	664.5	669.4	665.9	3.5	MPDU	692.3	708.1	700.2	32.2	1				
EE	27	Miller & Smith	3	665.2	669.1	666.2	2.9	TH	699.4	713.0	706.2	38.1			1		
EE	28	Miller & Smith	3	666.1	670.6	667.4	3.2	TH	700.7	714.4	707.6	38.2			1		
EE	29	Miller & Smith	3	667.0	671.6	668.2	3.4	TH	702.2	715.6	708.9	38.5			1		
EE	30	Miller & Smith	3	667.9	672.7	669.9	2.8	TH	703.5	716.9	710.2	39.5			1		
EE	31	Miller & Smith	3	668.7	673.8	670.1	3.7	TH	705.5	719.0	712.3	39.9			1		

Height from:

- Condition #1: Street Elevation
- Condition #2: Ground Elevation
- Condition #3: Terrace Applicable

**Clarksburg Town Center Height Calculations by Aerial Photogrammetry  
(9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built**

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	HouseType	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	35 feet or less	HEIGHT RANGE (1 = yes)			
												35.1' to 37'	37.1' to 40'	40.1' to 45'	Greater than 45'
						Mclean	685.0	698.5	691.8	35.6	1				
						Mclean	685.7	699.3	692.5	34.6	1				
						Mclean	687.7	701.3	694.5	34.8	1				
						Mclean	689.1	702.5	695.8	34.7	1				
						Mclean	690.5	704.0	697.3	34.7	1				
						Mclean	692.3	705.9	699.1	34.5	1				
						Annapolis II	689.3	703.1	696.2	39.6		1			
						Annapolis	690.6	703.4	697.0	39.1		1			
						Annapolis	692.4	705.3	698.9	39.6		1			
						Annapolis	694.5	707.2	700.9	40.2			1		
						Annapolis	695.8	708.5	702.2	39.9			1		
						Annapolis	697.2	710.0	703.6	39.7			1		
						ASTOR	679.4	691.8	685.6	30.6	1				
						ASTOR	680.1	692.5	686.3	31.3	1				
						ASTOR	681.9	694.4	688.2	31.6	1				
						ASTOR	683.4	695.8	689.6	31.7	1				
						ASTOR	685.8	698.2	692.0	31.6	1				
						ASTOR	686.4	698.8	692.6	30.6	1				
						ASTOR	688.4	700.9	694.7	30.9	1				
						ASTOR	690.5	702.9	696.7	31.0	1				
						Mclean	697.7	711.1	704.4	29.8	1				
						Mclean	696.3	709.9	703.1	29.1	1				
						Mclean	695.6	709.2	702.4	29.4	1				
						Mclean	694.2	707.9	701.1	29.2	1				
						Mclean	693.6	707.3	700.5	29.5	1				
						Mclean	692.1	705.9	699.0	29.7	1				
						Mclean	691.0	704.5	697.8	29.7	1				
						Mclean	690.1	703.8	697.0	29.9	1				
						Mclean	688.7	702.5	695.6	29.7	1				
						Mclean	688.2	702.0	695.1	30.3	1				
						CARNEGIE	687.4	699.8	693.6	30.2		1			
						CARNEGIE	686.1	698.5	692.3	38.4		1			
						CARNEGIE	684.6	697.2	690.9	38.4		1			
						CARNEGIE	683.4	695.9	689.7	38.7		1			
						CARNEGIE	681.5	693.8	687.7	38.3		1			
						CARNEGIE	679.6	691.9	685.8	37.8		1			
						CARNEGIE	678.2	690.6	684.4	37.9		1			
						CARNEGIE	676.9	689.3	683.1	38.0		1			
						Mclean	699.9	713.2	706.6	31.1	1				
						Mclean	699.6	713.2	706.4	30.5	1				
						Mclean	699.7	713.2	706.5	30.3	1				
						Mclean	699.6	713.2	706.4	29.6	1				
						Mclean	699.7	713.2	706.5	29.4	1				
						Mclean	699.7	713.2	706.5	28.9	1				
						Mclean	700.3	713.9	707.1	29.2	1				
						Mclean	700.3	713.9	707.1	28.0	1				

Height from:  
Condition # 1: Street Elev.  
Condition # 2: Ground Elev.  
Condition # 3: Terrace applicable

**Clarksburg Town Center Height Calculations by Aerial Photogrammetry  
(9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built**

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	Housetype	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	35 feet or less	35.1' to 37'	37.1' to 40'	40.1' to 45'	Greater than 45'
						Olney 2/2 MPDU	707.4	718.5	713.0	35.1	1				
						Fairfax 2/2 MPDU	707.4	718.5	713.0	35.1		1			
						Olney 2/2 MPDU	707.4	718.3	712.9	35.2		1			
						Fairfax 2/2 MPDU	707.4	718.3	712.9	35.2		1			
						Olney 2/2 MPDU	706.8	717.6	712.2	35.2		1			
						Fairfax 2/2 MPDU	706.8	717.6	712.2	35.2		1			
						Annapolis	684.5	697.4	691.0	39.8			1		
						Annapolis II	685.2	699.4	692.3	40.3				1	
						Annapolis II	685.8	700.1	693.0	40.2				1	
						Annapolis II	686.5	700.6	693.6	40.1				1	
						Annapolis	687.2	700.2	693.7	39.6			1		
						Annapolis	687.1	699.9	693.5	38.8			1		
						Annapolis	688.9	701.8	695.4	36.9			1		
						Annapolis II	689.7	703.8	696.8	36.9			1		
						Annapolis	691.0	703.7	697.4	36.5			1		
						Annapolis	691.9	704.4	698.2	36.4			1		
						Annapolis II	693.1	707.1	700.1	37.1			1		
						CARNEGIE-foyer	687.2	699.7	693.5	32.0	1				
						CARNEGIE-foyer	687.2	699.8	693.5	32.4			1		
						CARNEGIE-foyer	686.4	698.7	692.6	31.9			1		
						CARNEGIE-foyer	686.8	698.3	692.1	31.8			1		
						CARNEGIE-foyer	685.7	698.2	692.0	32.4			1		
						CARNEGIE-foyer	685.1	697.6	691.4	32.1			1		
						CARNEGIE-foyer	684.5	697.0	690.8	32.0			1		
						CARNEGIE-foyer	683.9	696.4	690.2	32.1			1		
						CARNEGIE	681.2	693.7	687.5	38.5			1		
						CARNEGIE	679.3	691.7	685.5	37.8			1		
						CARNEGIE	677.9	690.3	684.1	37.9			1		
						CARNEGIE	677.0	689.3	683.2	37.9			1		
						CARNEGIE	670.0	682.9	676.5	36.9			1		
						CARNEGIE	670.6	683.8	677.2	37.3			1		
						CARNEGIE	670.9	683.7	677.3	37.0			1		
						CARNEGIE	671.6	684.2	677.9	37.3			1		
						CARNEGIE	671.7	684.3	678.0	36.9			1		
						CARNEGIE	672.3	684.8	678.6	36.7			1		
						CARNEGIE	673.0	685.5	679.3	37.1			1		
						CARNEGIE	673.5	686.2	679.9	37.2			1		
						Townhouse	678.0	691.5	684.8	38.4			1		
						Townhouse	677.5	691.1	684.4	38.7			1		
						Townhouse	676.9	690.1	683.5	38.2			1		
						MPDU	669.7	685.4	677.6	32.8			1		
						MPDU	669.2	684.8	677.0	32.6			1		
						MPDU	668.5	683.8	676.2	32.2			1		
						Townhouse	675.6	689.0	682.3	38.8			1		
						Townhouse	674.9	688.2	681.6	38.8			1		
						Townhouse	674.3	687.4	680.9	38.6			1		
						Townhouse	673.4	687.2	680.3	38.8			1		
						Townhouse	672.7	686.0	679.4	38.5			1		
						Townhouse	672.1	685.3	678.7	38.3			1		
						MPDU	665.1	680.4	672.8	32.9			1		
						MPDU	664.3	679.9	672.1	32.7			1		
						MPDU	663.7	679.2	671.5	32.7			1		
						Townhouse	670.6	684.2	677.4	39.0			1		
						Townhouse	670.1	683.3	676.7	39.0			1		
						Townhouse	669.5	682.7	676.1	38.9			1		

Height from:  
Condition # 1: Street Elev.  
Condition # 2: Ground Elev.  
Condition # 3: Terrace applicable

# Clarksburg Town Center Height Calculations by Aerial Photogrammetry (9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	House type	Roof Eave	Roof Ridge	Mid-Roof	Building Height ***	35 feet or less	36.1' to 37.1'	37.1' to 40.1'	40.1' to 45'	Greater than 45'
						CARNEGIE	692.7	705.3	699.0	37.4		1			
						CARNEGIE	693.3	705.8	699.6	37.4					
						CARNEGIE	693.8	706.5	700.2	36.7					
						CARNEGIE	695.9	708.5	702.2	36.3					
						CARNEGIE	697.9	710.5	704.2	36.4					
						CARNEGIE	699.9	712.4	706.2	36.7					
						CARNEGIE	701.3	713.7	707.5	36.2					
						CARNEGIE	703.3	715.9	709.6	36.5					
						Townhouse	704.7	718.1	711.4	38.0					
						Townhouse	703.5	716.8	710.2	38.9					
						Townhouse	701.6	714.8	708.2	38.1					
						MPDU	694.6	709.9	702.3	33.4					
						MPDU	693.2	708.5	700.9	33.1					
						MPDU	691.5	707.1	699.3	32.6					
						Townhouse	698.8	712.1	705.5	38.7					
						Townhouse	697.5	710.8	704.2	39.4					
						Townhouse	695.4	708.7	702.1	38.6					
						Townhouse	692.9	706.4	699.7	40.4					
						Townhouse	691.5	705.1	698.3	39.7					
						Townhouse	690.3	703.8	697.1	39.6					
						MPDU	683.0	696.7	690.9	34.3					
						MPDU	681.8	697.6	689.7	33.9					
						MPDU	680.3	696.1	688.2	33.2					
						Townhouse	687.4	701.4	694.4	40.2					
						Townhouse	686.3	699.8	693.1	40.1					
						Townhouse	685.0	698.6	691.8	39.8					
						Annapolis	680.8	693.6	687.2	37.7					
						Annapolis	680.1	693.0	686.6	37.9					
						Annapolis	679.6	692.1	685.9	38.2					
						Annapolis	678.9	691.6	685.3	38.4					
						Annapolis	678.1	691.1	684.6	38.4					
						Annapolis II	678.2	692.3	685.3	38.9					
						CARNEGIE	686.6	699.1	692.9	36.5					
						CARNEGIE	687.2	699.6	693.4	36.6					
						CARNEGIE	687.9	700.4	694.2	37.2					
						CARNEGIE	689.3	701.8	695.6	37.7					
						CARNEGIE	690.5	703.1	696.8	38.1					
						CARNEGIE	695.4	707.9	701.7	39.7					
666.9	666.3	666.6				CARNEGIE	696.0	708.5	702.3	35.7					
669.2	666.9	668.1				CARNEGIE	698.1	710.5	704.3	36.3					
671.0	669.2	670.1				CARNEGIE	700.1	712.5	706.3	36.2					
672.0	671.0	671.5				CARNEGIE	700.9	713.1	707.0	35.5					
						CARNEGIE-foyer	700.2	712.7	706.5	32.4					
						CARNEGIE-foyer	700.2	712.7	706.5	32.4					
						CARNEGIE-foyer	699.8	712.0	705.9	32.7					
						CARNEGIE-foyer	699.5	712.0	705.8	32.9					
						CARNEGIE-foyer	698.8	711.4	705.1	32.6					
						CARNEGIE-foyer	698.8	711.4	705.1	33.1					
						CARNEGIE-foyer	698.0	710.6	704.3	32.7					
						CARNEGIE-foyer	697.6	710.1	703.9	32.7					
						CARNEGIE-foyer	697.4	710.0	703.7	32.8					

Height from:  
 Condition # 1: Street Elev.  
 Condition # 2: Ground Elev.  
 Condition # 3: Terrace applicable

# Clarksburg Town Center Height Calculations by Aerial Photogrammetry (9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	House Type	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	HEIGHT RANGE (1 = yes)					
											35 feet or less	35.1' to 37'	37.1' to 40'	40.1' to 45'		
						Townhouse	696.2	709.5	702.9	40.3						
						Townhouse	695.1	708.1	701.6	39.9					1	
						MPDU	687.8	703.3	695.6	34.8	1					
						MPDU	686.3	701.8	694.1	34.1	1					
						Townhouse	693.8	706.9	700.4	41.1					1	
						Townhouse	692.3	705.4	698.9	40.6					1	
					2.2	Clarksburg	665.8	687.8	676.8	35.8						
					2.7	Middleburg	664.7	682.4	673.6	32.4	1					
						Clarksburg	665.0	687.2	676.1	35.0						
					3.3	Clarksburg	664.3	686.5	675.4	34.8	1					
					2.7	Middleburg	662.8	680.5	671.7	32.2	1					
					2.8	Clarksburg	663.2	685.1	674.2	35.3					1	
					2.5	Clarksburg	662.3	684.1	673.2	35.5						
					1.4	Middleburg	660.5	678.2	669.4	33.4	1					
					2.1	Clarksburg	660.8	682.8	671.8	35.8					1	
					1.8	Middleburg	658.4	676.1	667.3	32.1	1					
					1.6	Clarksburg	658.9	680.9	669.9	35.5					1	
						Middleburg	663.3	680.9	672.1	33.0	1					
						Clarksburg	666.3	688.4	677.4	36.1					1	
						Middleburg	667.3	684.9	676.1	32.4	1					
						Clarksburg	671.1	693.0	682.1	35.8					1	
						Middleburg	671.8	689.4	680.6	31.5	1					
						Clarksburg	675.6	697.8	686.7	34.9	1					
						Middleburg	677.3	695.0	686.2	31.9	1					
						Clarksburg	681.0	703.0	692.0	36.1					1	
						McLean	674.8	688.3	681.6	29.0	1					
						McLean	674.8	688.3	681.6	29.0	1					
						McLean	675.3	689.0	682.2	28.4	1					
						McLean	675.3	689.0	682.2	28.4	1					
						McLean	674.6	688.2	681.4	35.7					1	
						McLean	705.2	718.7	712.0	36.7					1	
						McLean	705.8	719.4	712.6	29.1	1					
						McLean	707.2	720.6	713.9	29.3	1					
						McLean	707.8	721.3	714.6	28.9	1					
						McLean	709.1	722.5	715.8	29.9	1					
						McLean	702.4	714.9	708.7	31.2	1					
						Kensington	701.0	713.6	707.3	31.1	1					
						18' MPDU	697.6	708.5	703.1	27.6	1					
						18' MPDU	696.3	707.2	701.8	27.0	1					
						Kensington	698.4	710.9	704.7	31.1	1					
						Kensington	697.1	709.6	703.4	32.6	1					
						Kensington	697.3	708.8	703.1	34.7	1					
						Kensington	696.7	710.0	704.4	31.0	1					
						18' MPDU	697.1	706.0	702.6	27.8	1					
						18' MPDU	697.8	708.8	703.3	27.8	1					
						Kensington	701.9	714.4	708.2	31.7	1					
						Kensington	703.2	715.7	709.5	32.3	1					
					3.5	MPDU	691.1	706.7	698.9	31.6	1					
					3.5	MPDU	692.3	708.1	700.2	32.2	1					
					2.9	Townhouse	699.4	713.0	706.2	36.1					1	
					3.2	Townhouse	700.7	714.4	707.6	36.2	1					
					3.4	Townhouse	702.2	715.6	708.9	36.5	1					
					2.8	Townhouse	703.5	716.9	710.2	39.5	1					
					3.7	Townhouse	705.5	719.0	712.3	39.9	1					

Height from:  
 Condition # 1: Street Elev.  
 Condition # 2: Ground Elev.  
 Condition # 3: Terrace applicable

# Clarksburg Town Center Height Calculations by Aerial Photogrammetry (9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built

Ground High	Ground Low	Ground Avg	Terrace High	Terrace Low	Terrace Amount	HouseType	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	HEIGHT RANGE (1 = yes)							
											35 feet or less	35.1 to 37	37.1 to 40	40.1 to 45	Greater than 45			
						Annapolis II	692.7	706.9	699.8	37.5					1			
						Annapolis II	691.2	705.5	698.4	37.9					1			
						Annapolis	689.8	702.8	696.3	37.3					1			
						Annapolis II	687.8	702.1	695.0	37.8					1			
						Annapolis	685.8	698.7	692.3	36.7					1			
						Annapolis	684.3	697.3	690.8	36.7					1			
						Annapolis	683.3	696.0	689.7	37.4					1			
						Townhouse	680.3	693.7	687.0	41.3					1			
						Townhouse	678.2	691.8	685.0	41.2					1			
						Townhouse	676.1	689.8	683.0	41.1					1			
						Townhouse	674.2	687.7	681.0	40.9					1			
						Townhouse	672.2	685.7	679.0	40.6					1			
						Townhouse	670.2	683.7	677.0	40.3					1			
						Townhouse	668.1	681.7	675.0	39.6					1			
						CARNEGIE	665.5	672.2	665.9	37.5					1			
						CARNEGIE	665.1	671.4	665.1	37.1					1			
						CARNEGIE	662.7	672.6	666.3	37.6					1			
						CARNEGIE	660.1	672.7	666.4	37.0					1			
						CARNEGIE	660.6	673.3	667.0	37.0					1			
						CARNEGIE	661.5	674.5	668.0	37.4					1			
						CARNEGIE	662.0	674.9	668.5	37.5					1			
						CARNEGIE	662.2	674.9	668.6	37.1					1			
						CARNEGIE	662.8	675.5	669.2	37.2					1			
						CARNEGIE	662.7	675.5	669.1	36.8					1			
						CARNEGIE	663.0	675.7	669.4	37.5					1			
						CARNEGIE	662.5	675.2	668.9	37.8					1			
						CARNEGIE	661.8	674.4	668.1	37.4					1			
						CARNEGIE	661.0	673.8	667.4	37.2					1			
						CARNEGIE	661.2	673.6	667.4	37.5					1			
						CARNEGIE	669.7	682.3	676.0	36.7					1			
640.0	638.7	639.4				Annapolis	669.0	681.6	675.3	36.9					1			
638.7	638.0	637.4				Annapolis II	667.7	681.7	674.7	37.4					1			
636.7	635.4	636.1				Annapolis	666.3	679.0	672.7	36.6					1			
635.4	634.5	635.0				Annapolis	665.1	677.7	671.4	36.5					1			
634.5	633.5	634.0				Annapolis II	664.4	678.3	671.4	37.3					1			
						Annapolis	663.1	675.7	669.4	37.9					1			
						CARNEGIE	664.4	676.8	670.6	37.4					1			
						CARNEGIE	665.7	678.1	671.9	35.8					1			
636.8	636.8	637.8				CARNEGIE	666.9	679.5	673.2	35.4					1			
639.2	638.8	639.0				CARNEGIE	668.2	680.8	674.5	36.5					1			
640.8	639.2	640.0				CARNEGIE	669.6	682.2	675.9	35.9					1			
641.4	640.8	641.1				CARNEGIE	670.2	682.8	676.5	35.4					1			
651.5	650.1	650.8				McLean	673.8	687.0	680.4	29.6					1			
651.5	651.2	651.4				McLean	673.0	686.3	679.7	28.3					1			
651.2	649.4	650.3				McLean	672.6	685.7	679.2	28.9					1			
649.4	648.5	649.0				McLean	671.0	684.4	677.7	28.8					1			
648.5	647.8	648.2				McLean	669.8	683.0	677.1	29.0					1			
						McLean	668.8	683.0	676.4	36.3					1			
653.0	652.9	653.0				CARNEGIE	681.3	694.1	687.7	34.8					1			
654.9	653.0	654.0				CARNEGIE	683.6	696.0	689.8	35.8					1			
656.9	654.9	656.9				CARNEGIE	685.6	697.8	689.7	35.8					1			
658.9	656.9	657.9				CARNEGIE	687.5	699.8	693.7	35.8					1			
660.3	658.9	659.6				CARNEGIE	688.7	701.3	695.0	35.4					1			
						CARNEGIE	691.0	703.3	697.2	36.9					1			

Height from:  
Condition # 1: Street Elev.  
Condition # 2: Ground Elev.  
Condition # 3: Terrace applicable



**Clarksburg Town Center Height Calculations by Aerial Photogrammetry  
(9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built**

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	House type	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	35 feet or less	35.1' to 37'	37.1' to 40'	40.1' to 45'	Greater than 45'
670.0	669.7	669.9				Condominium	705.3	724.5	714.9	44.4				1	
						Condominium	700.7	720.9	710.8	40.9				1	
						Condominium	705.5	724.8	715.2	53.4					1
						Condominium	696.7	717.0	706.9	43.1				1	
						Annapolis II	699.0	703.1	696.1	37.7				1	
						Annapolis II	690.3	704.5	697.4	38.6				1	
						Annapolis	690.8	703.6	697.2	37.7				1	
						Annapolis	691.6	704.3	698.0	37.6				1	
						Annapolis	692.9	705.7	699.3	38.1				1	
						Annapolis	694.3	707.1	700.7	38.7				1	
						Annapolis II	695.8	708.4	702.1	39.3				1	
						Annapolis II	697.4	711.5	704.5	40.4				1	
						Annapolis	698.8	715.5	705.2	40.2				1	
						Annapolis	699.3	712.2	705.8	40.0				1	
						Annapolis	700.7	713.6	707.2	40.7				1	
						Annapolis	701.9	714.8	708.4	40.9				1	
						Annapolis II	702.7	716.8	709.8	41.5				1	
						Townhouse	687.3	700.9	694.1	41.5				1	
						Townhouse	686.1	699.5	692.8	40.9				1	
						MPDU	678.9	694.5	686.7	35.2		1			
						MPDU	677.6	693.1	685.4	34.2					
						Townhouse	684.5	697.9	691.2	40.4				1	
						Townhouse	683.9	697.4	690.7	39.8				1	
						Townhouse	685.1	698.7	691.9	40.6				1	
						Townhouse	686.4	700.1	693.3	41.6				1	
						MPDU	679.3	695.2	687.3	35.3		1			
						MPDU	680.7	696.5	688.6	36.3				1	
						Townhouse	687.7	701.4	694.6	41.8				1	
						Townhouse	689.7	703.5	696.6	43.5				1	
						CARNEGIE	684.5	696.9	690.7	38.4				1	
						CARNEGIE	685.2	697.6	691.4	38.3				1	
						CARNEGIE	685.8	698.1	692.0	38.2				1	
						CARNEGIE	685.8	698.7	692.3	37.6				1	
						Townhouse	699.2	712.9	706.1	40.3				1	
						Townhouse	700.5	714.2	707.4	41.2				1	
						MPDU	693.5	709.3	701.4	34.6				1	
						Townhouse	700.6	714.2	707.4	39.9				1	
						Townhouse	701.8	715.5	708.7	40.4				1	
						Townhouse	704.2	717.8	711.0	41.4				1	
						MPDU	697.1	713.0	705.1	34.8				1	
						Townhouse	704.2	717.9	711.1	39.9				1	
						Townhouse	705.4	719.3	712.4	40.4				1	
						Townhouse	701.7	715.4	708.6	38.1				1	
						Townhouse	700.4	714.2	707.3	38.2				1	
						Townhouse	699.2	713.2	706.2	38.5				1	
						Townhouse	697.8	711.5	704.7	38.4				1	
						Townhouse	696.4	710.0	703.2	38.1				1	

Height from:  
 Condition # 1: Street Elev.  
 Condition # 2: Ground Elev.  
 Condition # 3: Terrace applicable

**Clarksburg Town Center Height Calculations by Aerial Photogrammetry  
(9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built**

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	House type	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	HEIGHT RANGE ( ± yrs )					
											35 feet or less	37 to 37'	37.1 to 40'	40.1 to 45'		
						McLean	707.5	720.9	714.2	30.8	1					
						McLean	708.2	721.5	714.9	30.7	1					
						McLean	708.8	722.3	715.6	30.6	1					
						McLean	709.5	723.0	716.3	30.6	1					
						McLean	710.2	723.6	716.9	30.7	1					
						McLean	710.8	724.4	717.6	30.9	1					
						McLean	711.5	725.1	718.3	31.1	1					
						McLean	711.1	724.5	717.8	30.3	1					
						McLean	711.1	724.5	717.8	30.6	1					
						McLean	711.8	725.4	718.6	31.6	1					
						McLean	711.2	724.5	717.9	31.2	1					
						McLean	710.4	723.7	717.1	30.8	1					
						Townhouse	716.6	729.8	723.2	38.7	1					
						Townhouse	715.7	729.2	722.5	38.8	1					
						Townhouse	714.4	727.8	721.1	38.3	1					
						Townhouse	713.9	727.1	720.5	38.8	1					
						Annapolis	701.6	714.6	708.1	37.4	1					
						Annapolis	701.0	713.8	707.4	37.6	1					
						Annapolis	700.3	713.3	706.8	37.7	1					
						Annapolis	695.7	712.7	706.2	37.9	1					
						Annapolis	698.9	711.9	705.4	37.7	1					
						Annapolis	698.3	711.2	704.8	37.8	1					
						Condominium	715.8	730.0	722.9	43.1	1					1
						Townhouse	735.7	749.2	742.5	38.7	1					
						Townhouse	735.5	749.2	742.4	38.4	1					
						Townhouse	735.7	749.2	742.5	38.5	1					
						MPDU	728.6	744.3	736.5	32.8	1					
						MPDU	727.4	743.2	735.3	31.8	1					
						Townhouse	734.4	748.0	741.2	38.4	1					
						Townhouse	733.6	747.1	740.4	38.4	1					
						Townhouse	730.6	744.1	737.4	38.9	1					
						Townhouse	729.3	742.8	736.1	38.4	1					
						MPDU	722.3	738.0	730.2	33.4	1					
						MPDU	721.0	736.5	728.8	32.9	1					
						Townhouse	727.9	741.4	734.7	39.6	1					
						Townhouse	717.6	731.0	724.3	39.3	1					
						MPDU	710.3	725.8	718.1	32.1	1					
						MPDU	711.9	727.3	719.6	33.5	1					
						Townhouse	719.0	732.2	725.6	39.2	1					
						Townhouse	720.1	733.5	726.8	39.4	1					
						Annapolis II	720.5	734.8	727.7	36.8	1					
						Annapolis	721.7	734.8	728.3	36.6	1					
						Annapolis	723.3	736.1	729.7	36.8	1					
						Annapolis	723.9	736.8	730.4	36.6	1					
						Townhouse	726.3	739.9	733.1	38.6	1					
						Townhouse	724.0	737.5	730.8	37.8	1					
						Townhouse	722.6	736.4	729.5	38.3	1					
						McLean	713.4	726.8	720.1	29.5	1					
						McLean	713.4	726.8	720.2	29.3	1					
						McLean	712.7	726.1	719.4	29.0	1					
						McLean	712.0	725.5	718.8	28.9	1					
						McLean	711.3	724.9	718.1	28.9	1					
						McLean	711.3	724.9	718.1	29.6	1					

Height from:  
Condition # 1: Street Elev.  
Condition # 2: Ground Elev.  
Condition # 3: Terrace applicable

**Clarksburg Town Center Height Calculations by Aerial Photogrammetry  
(9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built**

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	House type	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	35 feet or less	35.1' to 37'	37.1' to 40'	40.1' to 45'	Greater than 45'
						CARNegie	718.3	730.9	724.6	36.8		1			
						CARNegie	720.1	732.7	726.4	37.1			1		
						CARNegie	722.2	734.9	728.6	37.4			1		
						CARNegie	723.7	736.2	730.0	37.2			1		
						CARNegie	725.0	737.5	731.3	37.2			1		
						CARNegie	726.3	739.0	732.7	37.2			1		
						CARNegie	701.0	713.5	707.3	35.7			1		
						CARNegie	702.2	714.6	708.4	37.3			1		
			674.0	671.7	2.3	CARNegie	702.7	715.2	709.0	36.2			1		
			675.3	671.6	3.7	CARNegie	703.9	716.5	710.2	36.7			1		
			676.3	672.1	4.2	CARNegie	705.4	717.9	711.7	37.8			1		
						ASTOR-foyer	704.2	716.8	710.5	33.8	1				
						ASTOR-foyer	705.5	718.0	711.8	33.4	1				
						ASTOR-foyer	707.0	719.4	713.2	33.4	1				
						ASTOR-foyer	708.3	720.8	714.6	33.1	1				
						ASTOR-foyer	710.4	722.9	716.7	33.6	1				
						ASTOR-foyer	711.6	724.1	717.9	33.2	1				
						ASTOR-foyer	713.6	726.1	719.9	33.6	1				
						ASTOR-foyer	715.6	728.2	721.9	33.9	1				
						ASTOR	718.6	731.1	724.9	28.4	1				
						ASTOR	717.9	730.4	724.2	29.9	1				
						ASTOR	716.5	729.2	722.9	29.9	1				
						ASTOR	715.1	727.8	721.5	29.8	1				
						ASTOR	713.1	725.9	719.5	29.4	1				
						ASTOR	712.0	724.5	718.3	29.8	1				
						ASTOR	709.9	722.5	716.2	29.3	1				
						ASTOR	707.7	720.2	714.0	29.2	1				
						ASTOR	706.4	719.0	712.7	29.6	1				
						ASTOR	705.1	717.6	711.4	29.8	1				
						ASTOR	703.8	716.2	710.0	30.1	1				
						ASTOR	702.4	714.9	708.7	30.4	1				
						ASTOR	701.9	714.1	708.0	30.5	1				
						Annapolis II	704.9	718.7	711.8	41.8				1	
						Annapolis	704.1	716.9	710.5	41.3				1	
						Annapolis II	702.9	716.8	709.9	41.9				1	
						Annapolis	702.2	714.9	708.6	41.7				1	
						Annapolis	700.8	713.7	707.3	41.8				1	
						Annapolis II	700.2	714.2	707.2	42.6				1	
						Annapolis II	698.8	712.9	705.9	42.6				1	
						Kensington	690.2	702.6	696.4	35.4			1		
						Kensington	689.7	702.0	695.9	35.8			1		
						18' MPDU	685.5	696.3	690.9	31.9			1		
						18' MPDU	683.5	694.4	689.0	31.1			1		
						Kensington	685.3	697.9	691.6	34.8			1		
						Kensington	684.6	697.1	690.9	35.4			1		
						Kensington	682.1	695.5	688.8	34.9			1		
						Kensington	682.1	694.2	688.2	35.7			1		
						18' MPDU	678.2	688.6	683.4	31.9			1		
						18' MPDU	676.8	687.5	682.2	31.4			1		
						Kensington	678.3	690.3	684.3	34.9			1		
						Kensington	676.7	689.0	682.9	34.8			1		

Height from:  
Condition # 1: Street Elev.  
Condition # 2: Ground Elev.  
Condition # 3: Terrace applicable

**Clarksburg Town Center Height Calculations by Aerial Photogrammetry  
(9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built**

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	House type	Roof Eave	Roof Ridge	Mid Roof	Building Height ***	35 feet or less	35.1' to 37'	37.1' to 40'	40.1' to 45'	Greater than 45'
						Madison	687.5	686.2						51.5	1
						Jefferson	687.5	686.2						51.5	1
						Madison	688.8	689.2						51.4	1
						Jefferson	688.8	689.2						51.4	1
						Madison	690.3	700.6						51.6	1
						Jefferson	690.3	700.6						51.6	1
						Madison	691.5	701.9						51.3	1
						Jefferson	691.5	701.9						51.3	1
						Madison	682.9	701.3						45.3	1
						Jefferson	682.9	701.3						45.3	1
						Townhouse	693.7	707.2						42.0	1
						Townhouse	694.4	707.8						42.1	1
						Townhouse	695.0	708.5						42.4	1
						MPDU	688.0	703.6						35.8	1
						MPDU	689.2	704.9						36.8	1
						MPDU	690.6	706.2						37.8	1
						Townhouse	697.6	711.1						43.4	1
						Townhouse	698.3	711.8						43.4	1
						Townhouse	698.9	712.4						43.4	1
						CARNEGIE	693.9	706.4						37.1	1
						CARNEGIE	694.6	707.1						37.1	1
						CARNEGIE	695.4	707.9						37.6	1
						CARNEGIE	694.7	707.2						36.7	1
						CARNEGIE	694.6	707.2						36.8	1
						CARNEGIE	694.0	706.5						36.6	1
						CARNEGIE	693.3	705.8						36.3	1
						CARNEGIE	681.2	693.9						36.2	1
						CARNEGIE	681.8	694.7						36.7	1
						CARNEGIE	681.1	693.8						35.9	1
						CARNEGIE	679.8	692.6						35.1	1
						CARNEGIE	679.3	692.0						37.7	1
						CARNEGIE	678.4	691.6						37.7	1
						CARNEGIE	677.8	690.9						37.8	1
						CARNEGIE	676.4	689.5						37.7	1
						Townhouse	681.9	695.5						36.3	1
						Townhouse	683.4	696.8						36.8	1
						MPDU	677.4	692.8						32.6	1
						MPDU	679.0	694.0						33.1	1
						Townhouse	687.0	700.3						39.1	1
						Townhouse	688.3	702.1						39.7	1
						MPDU	682.4	697.3						35.1	1
						MPDU	683.3	698.8						33.2	1
						Townhouse	691.7	705.2						39.5	1
						Townhouse	692.9	706.5						39.6	1
						Jeff/ Madison	688.7	699.3						48.3	1
						Jeff/ Madison	688.7	699.3						48.3	1
						Jeff/ Madison	687.0	697.6						48.2	1
						Jeff/ Madison	687.0	697.6						48.2	1
						Jeff/ Madison	675.8	696.2						43.3	1
						Jeff/ Madison	675.8	696.2						43.3	1
						Jeff/ Madison	684.5	694.8						48.1	1
						Jeff/ Madison	684.5	694.8						48.1	1
						Jeff/ Madison	683.2	693.6						48.3	1
						Jeff/ Madison	683.2	693.6						48.3	1

Height from:  
 Condition # 1: Street Elev.  
 Condition # 2: Ground Elev.  
 Condition # 3: Terrace applicable

# Clarksburg Town Center Height Calculations by Aerial Photogrammetry (9/7/05 Original) REVISED 10/31/05 to include Miller and Smith Retaining Wall Block EE as-built

Ground High	Ground Low	Ground Avg.	Terrace High	Terrace Low	Terrace Amount	House type	Roof Eave	Roof Ridge	Mid Roof	BUILDING HEIGHT ***	HEIGHT RANGE (1 = yes)		
											35 feet or less	37' to 40'	40.1' to 45'
WALLS WERE NOT COMPLETE WHEN THE AERIAL PHOTOGRAMMETRY WAS DONE.													
TERRACE AND/OR SITE PLAN INFORMATION.													
							First Floor	FF to Md-Rf					
						Condominium	653.8	40.0	693.8	44.8		1	
							First Floor	FF to Md-Rf					
						Madison	686.7	45.7	732.3	50.9			1
						Jefferson	686.7	45.7	732.3	50.9			1
						Madison	688.0	45.7	733.7	51.0			1
						Jefferson	688.0	45.7	733.7	51.0			1
						Madison	689.3	45.7	735.0	50.7			1
						Jefferson	689.3	45.7	735.0	50.7			1
						Madison	690.7	45.7	736.3	50.3			1
						Jefferson	690.7	45.7	736.3	50.3			1
						Madison	692.0	45.7	737.7	50.0			1
						Jefferson	692.0	45.7	737.7	50.0			1
						Madison	693.3	45.7	739.0	49.8			1
						Jefferson	693.3	45.7	739.0	49.8			1
						Madison	694.7	45.7	740.3	49.7			1
						Jefferson	694.7	45.7	740.3	49.7			1
						Madison	696.0	45.7	741.7	49.6			1
						Jefferson	696.0	45.7	741.7	49.6			1
							First Floor	FF to Md-Rf					
						Townhouse	639.3	33.6	672.9	33.9	1		
						MFDU	641.3	29.0	670.3	29.7	1		
						Townhouse	642.0	33.6	675.6	34.7	1		
						Townhouse	643.6	33.6	677.2	34.7	1		
						MFDU	645.0	29.0	674.0	30.5	1		
						MFDU	645.6	29.0	674.6	30.1	1		
						Townhouse	646.3	33.6	679.9	34.6	1		
						Townhouse	647.3	33.6	680.9	34.4	1		
						MFDU	648.7	29.0	677.7	29.9	1		
						Townhouse	648.7	33.6	682.3	34.8	1		
						STANDARD TOWNHOUSE UNITS			173	75	156	46	0
						2-OVER-2 UNITS			0	6	0	2	34
						MULTI-FAMILY BUILDINGS #1,2,3,4,7,9			0	0	0	5	1

Height from:  
 Condition # 1: Street Elev.  
 Condition # 2: Ground Elev.  
 Condition # 3: Terrace applicable