HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 10922 Montrose, Ave., Garrett Park  
Meeting Date: 5/7/2019

Resource: Outstanding Resource  
Garrett Park Historic District  
Report Date: 4/30/2019

Applicant: Barbara Jackson  
Public Notice: 4/23/2019

Review: HAWP  
Tax Credit: n/a

Case Number: 30/13-19A  
Staff: Dan Bruechert

Proposal: Deer Fence

STAFF RECOMMENDATION:

Staff recommends that the HPC approve with one (1) condition the HAWP application:
1. The proposed gate to be installed to the south of the house needs to be eliminated. Permit drawings submitted for final approval need to reflect either continuous fencing or a gap at the exiting wood fence gate.

PROJECT DESCRIPTION

SIGNIFICANCE: Outstanding Resource to the Garrett Park Historic District
STYLE: Craftsman
DATE: 1908
The applicant proposes to enclose the rear yard with a deer fence.

**APPLICABLE GUIDELINES:**

When reviewing alterations and additions for new construction within the Garrett Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the historic preservation review guidelines in the approved and adopted amendments for Comprehensive Amendment to the North Bethesda-Garrett Park Master Plan (1992), the Montgomery County Code Chapter 24A (Chapter 24A), and the Secretary of the Interior’s Standards for Rehabilitation (Standards). The pertinent information in these documents is outlined below.

**Outstanding Resource:** A resource which is of outstanding significance due to its architectural and/or historical features. An outstanding resource may date from any historical period and may be representative of any architectural style. However, it must have special features, architectural details, and/or historical associations that make the resource especially representative of an architectural style, it must be especially important to the historic of the district, and/or it must be especially unique within the context of the district.

**Montgomery County Code, Chapter 24A Historic Resources Preservation**

(b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:
(1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or

(2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or

(3) The proposal would enhance or aid in the protection, preservation and public or private utilization of the historic site or historic resource located within an historic district in a manner compatible with the historical, archeological, architectural or cultural value of the historic site or historic district in which an historic resource is located;

Secretary of the Interior’s Standards for Rehabilitation
1. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space and spatial relationships that characterize a property will be avoided.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The applicant proposes to install a deer fence surrounding the rear of the lot at 10922 Montrose Ave. The subject property a four-square house with Craftsman details. The property is approximately one half-acre and is characterized by significant terracing with a graduated rise from street level. The rear yard at the house is currently enclosed in a 5’ (five foot), unfinished, wood picket fence. The site terracing coupled with the curve in Montrose Ave. make visibility of the rear of the site from the right-of-way minimal.
The applicant proposes to install 267’ (two hundred sixty-seven linear feet) of 8’ (eight foot) tall deer fencing to the interior of the existing fence in the rear yard of the property at 10922 Montrose Ave. The fence will be comprised of a 2” (two inch) mesh supported by 1 5/8” (one and five-eighths inch) black metal posts. The applicant proposes to add a single gate on the east of the rear lot to the south of the house. The posts in the corner and supporting the proposed gate will have concrete footings at a depth of 12” (twelve inches). The remainder of the posts will be driven directly into the ground at 10’ (ten foot) spacing. This is done because supporting the weight of the fence does not require concrete footers and if a deer were to run at the fence, the fence would collapse, rather than injure the animal. The fence will not impact any trees on the site.

Staff was only able to locate one instance of a deer fence approved for a historic resource within the county (at Woodend in 2017), however, Staff supports consideration of this HAWP due to the unique siting and grade at this lot.

Due to the slope of the surrounding area, the proposed fence will not be visible from the public right-of-way from the north, west, or south. The fence will, however, be visible from the southeast. This view is shown in the photo above.
Staff finds that although the proposed fence would not be appropriate in most locations under the purview of the HPC. The height of the fence at 8' (eight feet) would be out of character in a more densely platted district such as Kensington or Takoma Park. However, this section of Garrett Park has half-acre lots with significant setbacks between the houses. In this instance, the house to the south is more than 110’ (one hundred ten feet from the subject property) and while the house to the north is separated by 50’ (fifty feet), the fence will be further and obscured by the detached garage on the subject property. Staff finds that this distance lessens the impact of height of the fence from the adjacent properties.

The fence will only be visible from the public right-of-way from the area shown in Fig. 2. The fence and proposed gate will be setback approximately 80’ (eighty feet) from the front property boundary and more than 15’ (fifteen feet) above street grade. Staff finds that from this distance the proposed fence will be visible but will not obscure any historic features of the historic site or
surrounding district. Staff finds, however, that the proposed gate and vertical supports will add more visible structure that will visually compete with the surrounding landscape. Staff recommends the HPC include a condition for approval that this HAWP does not include the gate to the south of the house and that permit drawings reflect that condition as identified above. To accommodate this condition, Staff suggest the applicant could either run the fence, uninterrupted, from the southeast corner to the lot to the southwest corner of the house. This would eliminate the use of a gate in this elevation. The other alternative is to leave a gap in the new fencing that would allow access through the existing wood fence. This would create a means of accessing the side yard from the rear but could potentially provide a means of egress for deer. With this added condition, Staff finds that the proposal will not alter the historic features of the house (24A-8(b)(2)) and that the fence will not destroy any historic features (Standard 9).

Staff met with the applicant and their contractor about fence support alternatives in this location. Upon thorough evaluation, Staff did not find that these alternatives were compatible with the existing fencing or the surrounding district. One of the proposals was to use wood supports in place of the metal supports on the street-facing elevation. Due to the added weight of the wood, the supports would be 4” × 4” (four inches square) post laid in concrete. To support the fence, they would be need to be 8’ (eight feet) tall. Staff found that the dimensions would have been out of character with the surrounding fencing and would have drawn more attention to the new fencing in this location.

While Staff finds that the proposed deer fencing is appropriate in this instance, Staff acknowledges that HPC decisions do not create precedent and recommends directing Staff to conduct a thorough evaluation of the proposal upon completion.

STAFF RECOMMENDATION:

Staff recommends that the Commission approve with one (1) condition the HAWP application;

1. The proposed gate to be installed to the south of the house needs to be eliminated. Permit drawings submitted for final approval need to reflect either continuous fencing or a gap at the existing wood fence gate.

as being consistent with Chapter 24A-8 and the Takoma Park Historic District Design Guidelines; and with the general condition applicable to all Historic Area Work Permits that the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable). After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.
HISTORIC PRESERVATION COMMISSION
301/563-3400
APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Email: bejr@msn.com  
Contact Person: Barbara Jackson
Daytime Phone No.: 301-962-0414

Tax Account No.: 000-60333
Name of Property Owner: Barbara Jackson & William Riester
Daytime Phone No.: 301-962-0414
Address: 10922 Montrose Ave, Garrett Park, MD 20896
Street Number: 10922  
City: Garrett Park  
State: MD  
Zip Code: 20896

Contractor: Master Fences  
Contractor Registration No.: MHC 89768
Phone No.: 301-962-0414

Agent for Owner: Peter Linden  
Agent for Owner Daytime Phone No.: 301-667-5628

LOCATION OF BUILDING/PREMISE
House Number: 10922
Town/City: Garrett Park
Nearest Cross Street: Strathmore Ave.
Lot: 8697  
Block: 99  
Subdivision: 0003

PART ONE: TYPE OF PERMIT ACTION AND USE
1A. CHECK ALL APPLICABLE:
- Construct  
- Alter/Renovate  
- Add A/C  
- Renovate  
- Wreck/Raze  
- Solar  
- Install  
- Room Addition  
- Wreck/Raze  
- Revocable  
- Fireplaces  
- Install  
- Woodburning Stove  
- Single Family  
- Fence/Wall (complete Sections 4)  

1B. Construction cost estimate: $ 199,999

1C. If this is a revision of a previously approved permit, see Permit #

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXISTING ADDITIONS
2A. Type of sewage disposal: 01 WSSC  
2B. Type of water supply: 01 WSSC

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL
3A. Height 8 feet  
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
- On party line/property line  
- Entirely on land of owner  
- On public right of way/lease

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Barbara E. Jackson  
Signature of owner or authorized agent  
11/18/2018

Approved: For Chairperson, Historic Preservation Commission
Disapproved:  
Signature:  
Date:  
Application/Permit No.: 857934  
Date Filed: 11/18/18  
Date Issued:  

SEE REVERSE SIDE FOR INSTRUCTIONS
THE FOLLOWING ITEMS MUST BE COMPLETED AND THE REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.

1. WRITTEN DESCRIPTION OF PROJECT
   a. Description of existing structure(s) and environmental setting, including their historical features and significance:

      This project consists of the installation of a 5 ft. high wooden picket fence within the existing 5 ft. high wooden picket fence.

   b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

      This fence falls within the Garrett Park Historic District and will surround the rear of what is considered an Outstanding Resource House. The fence is not generally visible from the street facing the house, it is bordered on all sides by evergreen plantings.

2. SITE PLAN
   Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:
   a. the scale, north arrow, and date;
   b. dimensions of all existing and proposed structures; and
   c. site features such as walkways, driveways, fences, pools, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS
   You must submit 2 copies of plans and elevations in a format no larger than 11” x 17”. Plots on 8 1/2” x 11” paper are preferred.
   a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resources and the proposed work.
   b. Elevations (facade), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, conten. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS
   General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings.

5. PHOTOGRAPHS
   a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
   b. Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs.

6. TREE SURVEY
   If you are proposing construction adjacent to or within the dripline of any tree 6” or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS
   For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY INTO MAILING LABELS.
# HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING

[Owner, Owner’s Agent, Adjacent and Confronting Property Owners]

<table>
<thead>
<tr>
<th>Owner’s mailing address</th>
<th>Owner’s Agent’s mailing address</th>
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<tbody>
<tr>
<td>Barbara Jackson, William Rentera</td>
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<tr>
<td>P.O. Box 378</td>
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<td>Garrett Park, MD 20896</td>
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<td></td>
<td>Perry Chapman</td>
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<td>Barbara Collier, Jonathan Paul and Carol Ballentine</td>
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<td>10423 Montrose</td>
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<td>Martha Siegel &amp; Robert LeMar</td>
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NOTE: This property lies in flood zone C, an area of minimal flooding as delineated on the maps of the National Flood Insurance Program.
NOTE: THIS PROPERTY LIES IN FLOOD ZONE C, AN AREA OF MINIMAL FLOODING AS DELINEATED ON THE MAPS OF THE NATIONAL FLOOD INSURANCE PROGRAM

* Dimensions per description furnished.
4. Materials Specifications

The deer fence to be installed will be located entirely within the existing 5’ picket fence on the owner’s property. Two 5’ tall picket gates will be replaced with deer gates. One gate by the garage will be replaced as well as one east facing the street. The picket fence between the house and garage will remain as is.

Master Fences will furnish and install approximately 267’ of 8’ tall deer fence. The mesh is 8’ tall high tensile strength black plastic. Install top and bottom black vinyl coated tension wire to hold deer mesh in place. The posts are 2” by 10’ long black vinyl coated used also for chain link. Posts are set in ground in dry packed cement. All gates include hardware.
Existing Property Condition Photographs (duplicate as needed)

Detail: View of fence that runs in side yard

View of fence on south side of backyard

Applicant: Barbara Jackson 11/8/2018
Existing Property Condition Photographs (duplicate as needed)

Detail: 10822 Montrose Ave. view from street

Detail: 10822 Montrose Ave. Street view of south side of house

Applicant: Barbara Jackson 11/8/2018
Existing Property Condition Photographs (duplicate as needed)

Detail: View of fence on south side of back yard

View of SW corner of back yard

Applicant: Barbara Jackson 11/8/2018
Existing Property Condition Photographs (duplicate as needed)

Detail: West fence along back yard

Detail: West fence along back yard

Applicant: Barbara Jackson 11/8/2018
Existing Property Condition Photographs (duplicate as needed)

Detail: N/W Fence in back yard

Detail: North side of fence in back yard

Applicant: Barbara Jackson  4/1/2018
Existing Property Condition Photographs (duplicate as needed)

Detail: North side of fence in back yard

Detail: N/E corner of house in back yard

Applicant: Barbara Jackson 6/18/2018
Existing Property Condition Photographs (duplicate as needed)

Street view of N/E fence corner

Detail:

Applicant:  

Page:___
**LOCATION PLAT OF:**
10922 MONTROSE AVENUE
Montgomery County, Maryland
SUBDIVISION

**GARRETT PARK**

**LOT:** PART OF G & 7
**PLAT BOOK:** A
**DATE:** 1-27-03
**CASE NO:** Jackson

**BLOCK:** 99
**PLAT NO:** 24
**SCALE:** 1" = 30'
**FILE NO:** MSC203035

**CERTIFICATION:** I hereby certify that the position of the significant visible improvements on the above described property has been carefully established in compliance with the "Minimum Standards of Practice" for the State of Maryland.

[Signature]

GRADE A. ROGERS - PROP. L.S. MD. LIC. NO. 119

(Not to be used for Permit Applications)