

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



Figure 1: 10922 Montrose Ave.

PROPOSAL

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.



Figure 2: Front elevation of 10922 Montrose Rd. showing the first terrace. The proposed fence may be partially visible on the left side.

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.



Figure 3: Representative example of the fence proposed.

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.

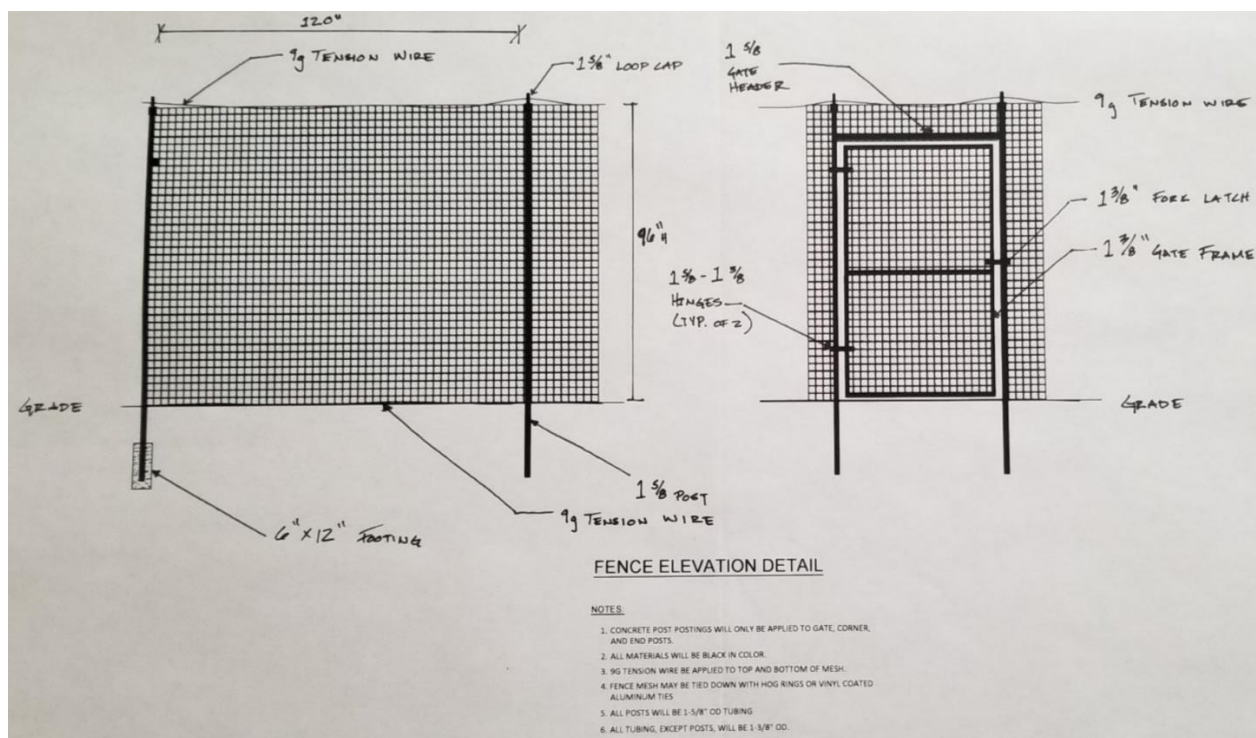


Figure 4: Fence elevation and gate detail.

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 exiting 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

DPS - #8

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: bcjr@msn.com Contact Person: Barbara Jackson
Tax Account No.: 00060333 Daytime Phone No.: 301-962-0614
Name of Property Owner: Barbara Jackson & William Rienstra Daytime Phone No.: 301-962-0614
Address: 10922 Montrose Ave. Garrett Park, MD 20896
Street Number City State Zip Code
Contractor: Masker Fences Phone No.: 301-947-0014
Contractor Registration No.: MHC 88768
Agent for Owner: Peter Linden Daytime Phone No.: 301-667-5628

LOCATION OF BUILDING/PREMISE

House Number: 10922 Street: Montrose Ave.
Town/City: Garrett Park Nearest Cross Street: Strathmore Ave.
Lot: P687 Block: 99 Subdivision: 0003
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF REPAIR/ACT AND USE

1A. CHECK ALL APPLICABLE:

☐ Construct ☐ Extend ☐ Alter/Renovate
☐ Move ☒ Install ☐ Wreck/Raze
☐ Revision ☐ Repair ☐ Revocable

CHECK ALL APPLICABLE:

☐ A/C ☐ Slab ☐ Room Addition ☐ Porch ☐ Deck ☐ Shed
☐ Solar ☐ Fireplace ☐ Woodburning Stove ☐ Single Family
☒ Fence/Wall (complete Section 4) ☐ Other: _____

1B. Construction cost estimate: \$ 4,189.00

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSION/ADDITIONS

2A. Type of sewage disposal: 01 ☐ WSSC 02 ☐ Septic 03 ☐ Other: _____
2B. Type of water supply: 01 ☐ WSSC 02 ☐ Well 03 ☐ Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height 8 feet 0 inches

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/easement

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

11/8/2018
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 857934 Date Filed: 11/8/18 Date Issued: _____
emc

Edit 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

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**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 an 8 ft high deer fence placed 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, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

N/A
You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans 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 resource(s) and the proposed work.
- b. **Elevations (facades)**, with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. 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 effected 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 of 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 ONTO MAILING LABELS.

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING
 [Owner, Owner's Agent, Adjacent and Confronting Property Owners]

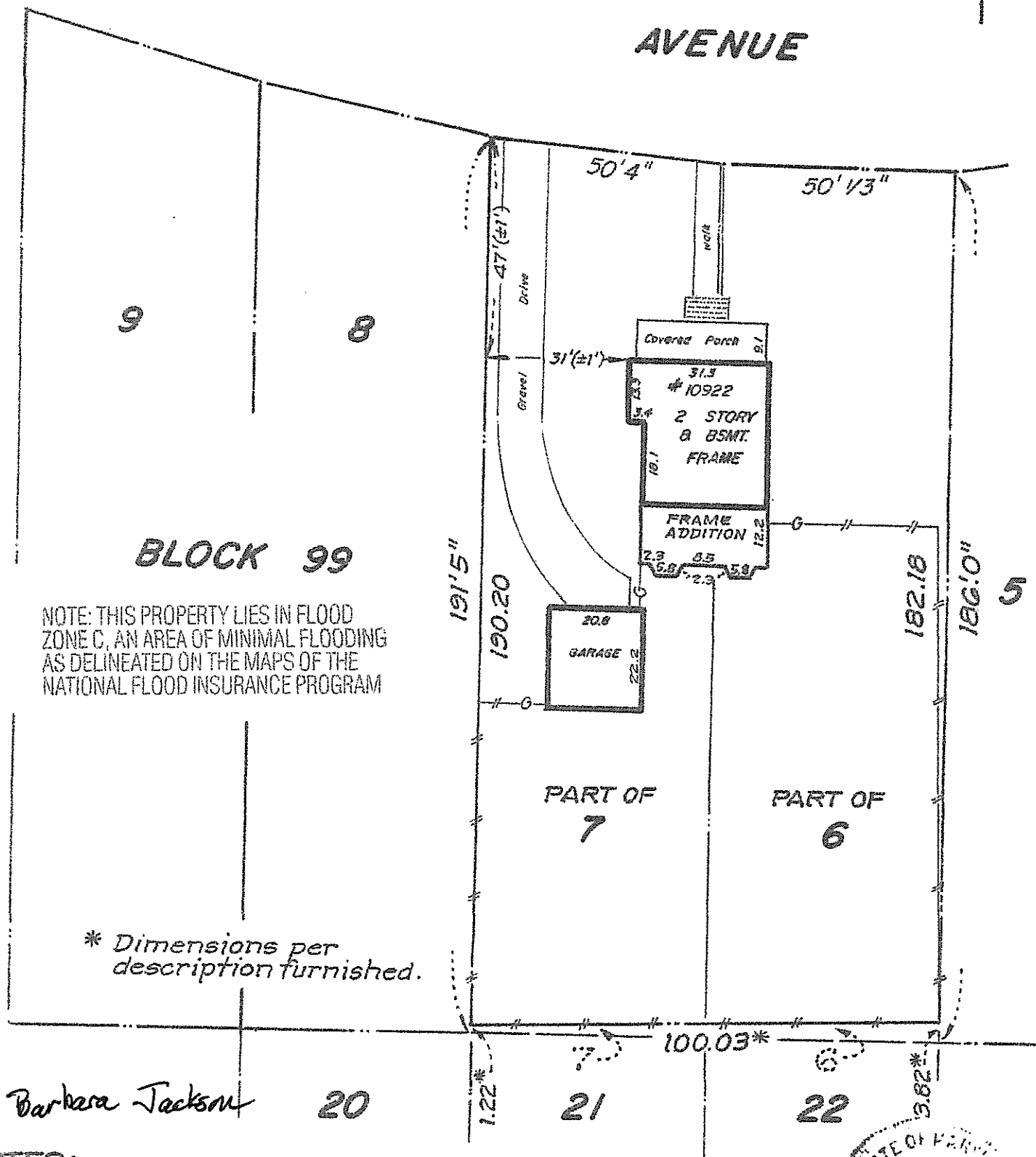
Owner's mailing address Barbara Jackson & William Renda PO Box 378 Garrett Park, MD 20896	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
Barbara Collier, Jonathan Paul and Carol Bullentine PO Box 191 Garrett Park, MD 20896 10923 Montrose	Perry Chapman PO Box 85 Garrett Park, MD 20896 10925 Kenilworth
Martha Sigel & Robert Le Mar PO Box 69 Garrett Park, MD 20896 10926 Montrose	
Susan Procato PO Box 104 Garrett Park, MD 20896 10918 Montrose	

2. Site Plan

LANDTECH ASSOCIATES, INC.
7907 BALTIMORE AVENUE SUITE 214
COLLEGE PARK, MARYLAND 20740

MONTROSE

AVENUE



NOTES:

- The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
- The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
- The plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the



LANDTECH ASSOCIATES, INC.
7307 BALTIMORE AVENUE SUITE 214
COLLEGE PARK, MARYLAND 20740

MONTROSE

AVENUE

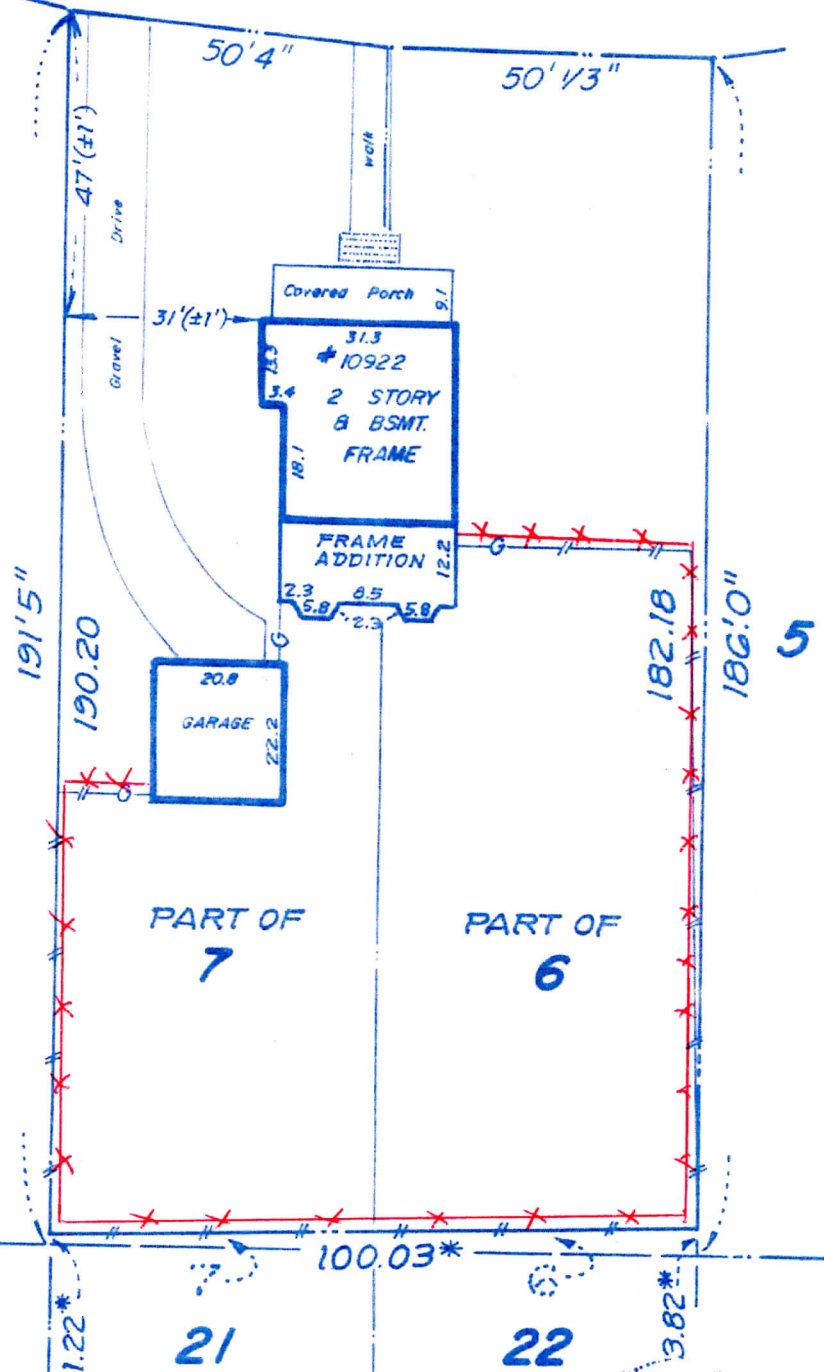


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BLOCK 99

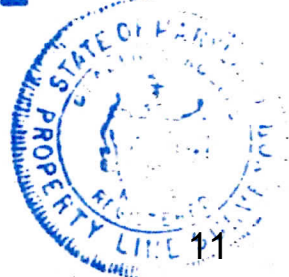
NOTE: THIS PROPERTY LIES IN FLOOD
ZONE C, AN AREA OF MINIMAL FLOODING
AS DELINEATED ON THE MAPS OF THE
NATIONAL FLOOD INSURANCE PROGRAM



* Dimensions per
description furnished.

NOTES:

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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.

Barbara Jackson

5.

Existing Property Condition Photographs (duplicate as needed)



Detail: View of fence that runs N/S in side yard



View of fence on south side of backyard

Applicant: Barbara Jackson 11/8/2018

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Existing Property Condition Photographs (duplicate as needed)



Detail: 10922 Montrose Ave view from street



Detail: 10922 Montrose Ave. Street view of south side of house

Applicant: Barbara Jackson 11/8/2018

Page:

Existing Property Condition Photographs (duplicate as needed)



Detail: View of fence on south side of back yard



View of S/W corner of back yard

Applicant: Barbara Jackson 11/8/2018

Page:

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

Page:

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 4/8/2018

Page:

Existing Property Condition Photographs (duplicate as needed)



Detail: North side of fence in back yard



Detail: N/E corner of fence in back yard

Applicant: Barbara Jackson 10/8/2018

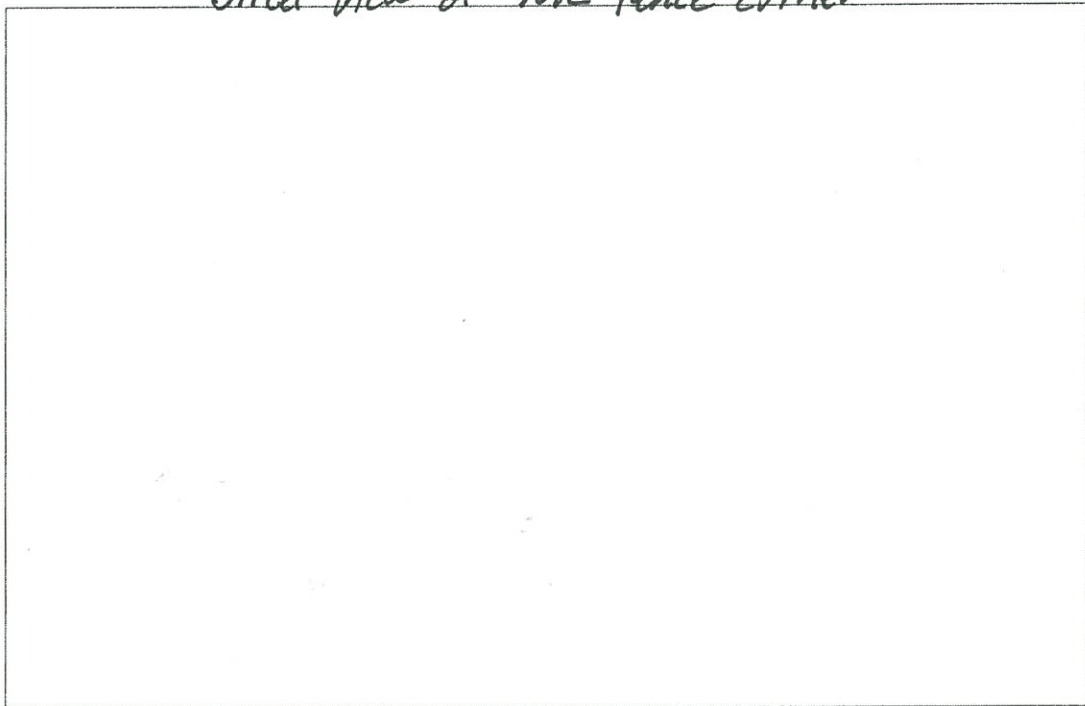
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Existing Property Condition Photographs (duplicate as needed)



Street view of N/E fence corner



Detail: _____

Applicant: Barbara Jackson 11/8/2018

Page: __

6. Tree Survey

BLOCK 99

NOTE: THIS PROPERTY LIES IN FLOOD ZONE C, AN AREA OF MINIMAL FLOODING AS DELINEATED ON THE MAPS OF THE NATIONAL FLOOD INSURANCE PROGRAM

Blue Spruce

* Dimensions per description furnished.

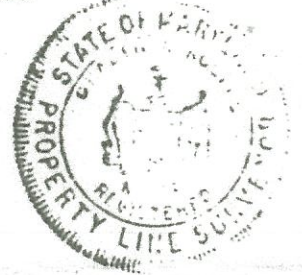
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NOTES:

1. The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. The plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.



NO TITLE REPORT FURNISHED

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.

GRADEN A. ROGERS ~ PROP. L.S. MD. LIC. NO. 119

Not to be used for Permit Applications)