EXPEDITED  
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION  
STAFF REPORT

Address:  21500 New Hampshire Avenue, Brookeville  
Meeting Date:  7/10/2019

Resource:  Master Plan Site #23/71  
Report Date:  7/3/2019
(Farview)

Public Notice:  6/26/2019

Applicant:  Victor Cierra  
Tax Credit:  N/A

Review:  HAWP  
Staff:  Michael Kyne

Case Number:  23/71-19A

PROPOSAL:  New pool, fence, and accessory structure

__________________________________________________________

STAFF RECOMMENDATION:

☑ Approve  
☐ Approve with conditions

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE:  Master Plan Site #23/71, Farview  
STYLE:  Modern Construction
DATE:  2006

Fig. 1: Subject property, with subject property marked by the yellow star and the historic resource marked by the blue star.
PROPOSAL:

The Master Plan Historic Site, Farview (#23/17), was subdivided in 1995, and the subject property was constructed in 2006 within the boundaries of the Environmental Setting. The subject property is located more than 1,500’ from the historic resource. The applicant proposes the following:

- Construct an 808 sf swimming pool with 1,177 sf deck at the rear of the subject property.
- Construct 224 gazebo adjacent to the proposed swimming pool and deck.
- Install a swimming pool safety fence around the perimeter of the proposed swimming pool and deck.

APPLICABLE GUIDELINES:

IV. The Expedited Staff Report format may be used on the following type of cases:

2. Modifications to a property, which do not significantly alter its visual character.

Montgomery County Code; Chapter 24A-8

(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; or
4. The proposal is necessary in order that unsafe conditions or health hazards be remedied; or
5. The proposal is necessary in order that the owner of the subject property not be deprived of reasonable use of the property or suffer undue hardship; or
6. In balancing the interests of the public in preserving the historic site or historic resource located within an historic district, with the interests of the public from the use and benefit of the alternative proposal, the general public welfare is better served by granting the permit.

(c) It is not the intent of this chapter to limit new construction, alteration or repairs to any 1 period or architectural style.

Secretary of Interior’s Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation as “the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.” The Standards are as follows:

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
STAFF RECOMMENDATION:

Staff recommends that the Commission approve the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), and (2), having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the Secretary of the Interior’s Standards for Rehabilitation #2;

and with the general condition that the applicant shall present the 3 permit sets of drawings, if applicable to Historic Preservation Commission (HPC) staff for review and stamping prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff’s discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make any alterations to the approved plans.

Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.
HISTORIC PRESERVATION COMMISSION
301/563-3400
APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Victor Cierra
Contact Email: vmcierra@aol.com
Daytime Phone No.: 301-573-3645

Tax Account No.: 03497533
Name of Property Owner: Victor Manuel Cierra
Daytime Phone No.: 301-573-3645
Address: 21500 New Hampshire Ave. Brookeville, MD 20833

Contractor: to be done by owner - Victor Cierra
Contractor Registration No.: by owner

Agent for Owner: N/A
Daytime Phone No.: 301-573-3645

LOCATION OF BUILDING PREMISE
House Number: 21500
Street: New Hampshire Avenue
Town/City: Brookeville
Nearest Cross Street: Rocky Glen Drive Denit Estates Drive
Lot: 8
Block: A
Subdivision: Far view Manor

PART ONE: TYPE OF Construction and Use
1A. CHECK ALL APPLICABLE
   □ Construct □ Extend □ Alter/Remodel □ A/C □ Sub □ Room Addition □ Porch □ Decks □ Shed
   □ Move □ Install □ Work/Raze □ Solar □ Fireplace □ Woodburning Stove □ Single Family
   □ Revision □ Repair □ Renovate □ Fence/Wall (complete Section 4) □ Other Pool and Gazebo

1B. Construction cost estimate: $40,000

1C. If this is a revision of a previously approved active permit, see Permit #: 875390

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSIONS/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: 70 6" 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/assessment
   around the pool area only for protection

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.

[Signature]
6/14/2019

Approved: [Signature] For Chairman, Historic Preservation Commission
Disapproved: [Signature] Date:

Application/Permit No.: [Signature] Date Filed: [Signature] 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:

   The current structure is a single family home of 3 stories build in 2006.

   

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

   The projects consist of a new 20'x40' swimming pool and a 14'x16' gazebo. Please check design plan attached. The reason of the pool is for my special need daughter to enjoy the pool in our backyard. Public pools are over crowded for her to enjoy and she tends to swallow water constantly.

2. SITE PLAN
   Site and environmental setting, drawn to scale. You may use your plat. 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
   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, where 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 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 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 lots or parcels(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.
<table>
<thead>
<tr>
<th>Owner's mailing address</th>
<th>Owner's Agent's mailing address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Adjacent and confronting Property Owners mailing addresses**

<table>
<thead>
<tr>
<th>Front neighbor line</th>
<th>Right Neighbor:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agnelo Gonzalves and Maria G</td>
<td>Jude Nyambi and Marielline A.</td>
</tr>
<tr>
<td>21516 New Hampshire Ave.</td>
<td>21504 New Hampshire Ave</td>
</tr>
<tr>
<td>Brookeville, MD 20833</td>
<td>Brookeville, MD 20833</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rear neighbor line.</th>
<th>No left neighbor because it's the street</th>
</tr>
</thead>
<tbody>
<tr>
<td>21400 New Hampshire Ave.</td>
<td></td>
</tr>
<tr>
<td>Brookeville, MD 20833</td>
<td></td>
</tr>
</tbody>
</table>
Existing Property Condition Photographs (duplicate as needed)

Detail: Back line neighbor to back of house

Detail: From back house looking to back neighbor line
Existing Property Condition Photographs (duplicate as needed)

Detail: Looking from left side of the house to the right side neighbor

Detail: Looking from right side neighbor towards New Hampshire Avenue
No evidence of property corners was found.
Apparent occupation shown.

DATE: 4-03-19  Scale: 1' = 50'  Dm: R.c.d.
Plat Book: 23216  NO TITLE REPORT FURNISHED
Plat No.: Work Order: 19-1128
Address: 21500 NEW HAMPSHIRE AVENUE
District: 08
Jurisdiction: MONTGOMERY COUNTY, MARYLAND

LOCATION DRAWING
LOT 8
BLOCK A
FAR VIEW MANOR

NOTE: This 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 refinancing. This plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements. This 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 refinancing.

Surveyor's Certification
My License expires February 10, 2020
I hereby certify that the survey shown hereon is correct to the best of my knowledge and that, unless noted otherwise, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence lines, if shown, are approximate in location. Building restriction lines shown are per available information and are subject to the interpretation of the originator.

[Signature]

MERIDIAN SURVEYS, INC.
PO BOX 549
FREDERICK, MD 21705
(301) 721-9400
No evidence of property corners was found.  
Apparent occupation shown.

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are subject to the interpretation of the originator.

[Signature]

MERIDIAN SURVEYS, INC.
PO BOX 549
FREDERICK, MD 21705
(301) 721-9400
**DECK PLAN**

**SCALE: 3/16"=1'-0"**

**DECK NOTES:**
1. FOR NEW POOL, ELEVATION NOT SHOWN.
2. ALL NEW DECK TO BE 4" CONCRETE CANDY SLAB.
3. DECK IN AREA WHERE DECK-ON-A GRAVEL (TYPICAL).
4. ※iek ALL AREAS WITH CONTROL GRANULAR.
5. DECK TO SLIDE AT A MIN. 4'/10" PER FOOT, MIN. 4'/10" PER FOOT TO DRAW.
6. POOL DECK, GAZEBOS, PATIOS AND BRICK TO BE A GRAVEL (TYPICAL).
7. ALL AREAS TO BE A 4" CONCRETE CANDY SLAB.
8. ≥/6' MINIMU M DECK TO DRAW.
9. DECK TO BE A GRAVEL (TYPICAL).
10. POOL TO DRAW.
11. DECK TO DRAW.
12. POOL TO DRAW.

**DESIGN DATA**

- **DATE:** 5/26/2019
- **SCALE:** AS NOTED
- **SHEET:** A-6.0