

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	14820 Kelley Dr., Germantown	Meeting Date:	8/14/2019
Resource:	Master Plan Site #24/21 Pleasant Hills	Report Date:	8/7/2019
Applicant:	Kurtenbach Properties Amy Kurtenbach, Agent	Public Notice:	7/31/2019
Review:	HAWP	Tax Credit:	n/a
Case No.:	24/21-19A	Staff:	Dan Bruechert
Proposal:	Fence and hardscape installation		

RECOMMENDATION

Staff recommends the HPC **approve** the HAWP.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Individually Listed Master Plan Site #24/21 (**Pleasant Hills**)
STYLE: Georgian
DATE: c.1760 w/ c.1870 and c.1918 alterations

From Places from the Past:

“Pleasant Hills, probably built between 1760 and 1765, is one of the earliest brick houses built in Montgomery County. An outstanding example of a Georgian house, Pleasant Hills is representative of late 18th century manor houses built by prosperous families in Maryland and Virginia. Typical of houses of this period, the residence was built with two front façades of equal importance, one facing the driveway and the other facing the garden. Side gables are embellished with glazed black headers. The house was once accessed from Darnestown Road by a long tree-lined drive.

Charles Gassaway built the main block of the house. According to tradition, Gassaway’s slaves made the bricks on site in 1763. In 1799, Gassaway requested a new land patent for 1700 acres, which he called Pleasant Hills. Elizabeth Gassaway, daughter of Charles, married William Darne, who established nearby Darnestown in 1798. Her brothers, Thomas and Charles, managed the Pleasant Hills estate after their father’s death in 1810. The Gassaway family sold the property in 1829.

During the Civil War, the substantial residence attracted Union troops from Massachusetts who established quarters in the house and camped on the grounds. John T. Kelley and his descendants owned and farmed the estate from 1868 throughout most of the 1900s. J. Thomas Kelley was a noted Washington surgeon in the early 1900s. His son, Thomas C. Kelley, was a Washington lawyer, member of the first County Council (1948), and served as chairman of the Upper Montgomery County Planning Commission. The property included 540 acres under the Kelley ownership.

The three-story center section is built of red Flemish bond brick and set on a fieldstone foundation. Notable details include the belt course visually separating the first and second floor, and substantial chimneys that punctuate both gable ends. The first story of the east wing was built c1870 on the site of the original detached kitchen building. The west wing and matching second story of east wing, designed by Washington architect Clarke Waggaman, were constructed c1918. At least one of the wings

is said to have been constructed with bricks from a slave quarter.”¹



Figure 1: Pleasant Hills is an oddly shaped parcel surrounded by large-lot suburban development.

PROPOSAL

The applicant proposes to remove and replace a picket fence and to install a new patio around an existing swimming pool.

APPLICABLE GUIDELINES

Proposed alterations to individual Master Plan Sites are reviewed under Montgomery County Code Chapter 24A (Chapter 24A) and the Secretary of the Interior’s Standards for Rehabilitation. Rehabilitation is defined 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.

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

¹ Only the Georgian house and its wings were identified as significant in the Master Plan amendment. All other buildings on the 10.5-acre property do not contribute to the historic character of the listed site.

this chapter;

- (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied.

Secretary of the Interior's Standards for Rehabilitation

2. 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 will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportions, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will 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 work proposed for this HAWP fall into two categories, the removal and replacement of existing fencing and the replacement of the patio surrounding the pool. Staff finds these alterations will not have a significant impact on the historic character of the house and recommends approval of the HAWP.

Fencing

Currently, there is a 4' (four-foot) tall wood picket fence surrounding the existing swimming pool, with a 3' (three foot) tall section that was recently demolished by a fallen tree. The applicant estimates that the fence was installed with the pool, c.1960. This fence does not meet the current code requirement of 5' (five feet) surrounding a swimming pool. The applicant proposes removing all of the existing picket fencing and replacing it with a new wood fence that meets current code. On the north and south sides of the pool, the applicant proposes constructing a 5' (five foot) alternating board fence with a wood lattice topper. On the north side, the applicant proposes to construct a cedar arbor at the center of the fence to provide access to the pool. On the east elevation, the applicant proposes constructing a 5' tall lattice fence installed on top of a 2' (two foot) tall stone base (photographic examples of the proposed designs are included in the application materials).



Figure 2: Existing fence with pool house, left, with the historic house to the rear.

Staff recognizes the need to replace the existing, non-code compliant fence with a taller and code-compliant fence, and therefore supports the removal of this non-historic fencing under 24A-8(b)(4).

Staff finds that the proposed materials, height, and design are all appropriate for a pool in this location. Staff finds that wood is the appropriate material for any fence in this largely agricultural setting. The height of the fence is the lowest that satisfies the code requirement to surround a swimming pool; as the swimming pool is already on the site, Staff finds that the applicants should not be deprived use of this existing amenity. Staff additionally finds that this proposal will not negatively impact the historic character of the site and is a compatible alteration that may be removed, without damage to the historic resources, in the future (per Standards 2, 9, and 10). Finally, Staff finds that the fence design will not detract from the historic character of the house, located nearly 80' (eighty feet) from the north edge of the fence. Staff supports approval of the new fence under 24A-8(b)(1) and 24A-8(b)(4).



Figure 3: Detail of the pool, pool house, and historic house.

Hardscape Alteration

The applicant further proposes to replace the existing patio surrounding the pool and install a new flagstone patio. The patio was constructed using concrete, however, that surface was recently removed to undertake repairs to the swimming pool. Photographs submitted with the application show the condition of the patio before this repair work was done.



Figure 4: Existing condition of the patio surrounding the pool (recently demolished to undertake pool repairs).

Staff finds that the concrete patio was not significant to the character of the site and its removal would not be detrimental to the historic features to the house (per Standard 2). Staff also finds that the proposed flagstone patio is a compatible feature surrounding a non-historic swimming pool, adjacent to a non-historic pool house and this change may be removed in the future without damage to the historic resources (per Standard 10). Staff supports approval of the new patio under 24A-8(b)(2).

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 purposes of *Chapter 24A*;

and with the *Secretary of the Interior's Standards for Rehabilitation* #2, #9, and #10,

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 dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



HISTORIC PRESERVATION COMMISSION
301/563-3400

DPB - #8

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: amyhugo@me.com Contact Person: Amy Kurtenbach
Daytime Phone No.: 240.281.2110
Tax Account No.: _____
Name of Property Owner: Kurtenbach Properties (Steve Kurtenbach) Daytime Phone No.: 605.310.4485
Address: 14820 Kelley Farm Drive Germantown MD 20874
Street Number City State Zip Code
Contractor: Capital Fence Phone No.: 301.972.8400
Contractor Registration No.: MHIC # 50609
Agent for Owner: Amy Kurtenbach Daytime Phone No.: 240.281.2110

LOCATION OF BUILDING/PREMISE

House Number: 14820 Street: Kelley Farm Drive
Town/City: Germantown Nearest Cross Street: Poplar Hill Road
Lot: 56 Block: G Subdivision: 016
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- ☐ Construct ☐ Extend ☐ Alter/Remodel
☐ 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: flagstone patio, replacing existing concrete patio.

1B. Construction cost estimate: \$ 22,000 fence and \$100k flagstone / stone work.

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/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 5 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.

Amy Kurtenbach
Signature of owner or authorized agent

July 15, 2019

Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

**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:

See attached description of property. A small guest house is behind the primary historical house. The guest house is 1 story with a concrete pool in the back. The pool and surrounding concrete patio are estimated to have been added to the property in the 1960s. The pool and patio are in dire shape due to cracks in the concrete and inadequate drainage around the pool. A 3' white picket fence surrounds the pool / patio area and is adjacent to the guest house on either side. The fence extends 68' from the back of the guest house to the property line on the east side of the property. The total fence diameter is 162'. The backside of the fence (the only portion visible to the public can be seen from Poplar Hill Road. That side is 3' old picket fence with chicken wire and is partially collapsed from storm damage. The fence is not compliant with current pool safety requirements.

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

Remove existing fence and replace with 5' high Western Red Cedar Fencing with lattice topper (see attached picture) on North and South sides and 5' high Western Cedar custom lattice fencing with decorative stone base on East side. New fence will go in same place as existing fence. Concrete around pool will be replaced with flagstone.

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plot. Your site plan must include:

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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

- 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.
- 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.

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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 Steve and Amy Kurtenbach 14820 Kelley Farm Drive Germantown, MD 20874	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
Rengin and Arugun Gorener 15000 Poplar Hill Road Germantown, MD 20874	Bryan and Alexa Renehan 14814 Kelley Farm Drive Germantown, MD 20874
Ahmad Kilani 14900 Poplar Hill Road Germantown, MD 20874	William Roberts 15010 Poplar Hill Road Germantown, MD 20874
John and Sandra Lillywhite 14824 Kelley Farm Drive Germantown, MD 20874	

Existing Property Condition Photographs (duplicate as needed)



Detail: Front of primary residence on property. North fence line can be seen to the left of the house
in this picture but is not visible from the street.



Detail: Guest house and fence - showing proximity to primary house.



HISTORIC PRESERVATION COMMISSION
301/563-3400

DPS - #8

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Signature of owner or authorized agent: _____ Date: July 15, 2019

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

Edt 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

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Existing Property Condition Photographs (duplicate as needed)

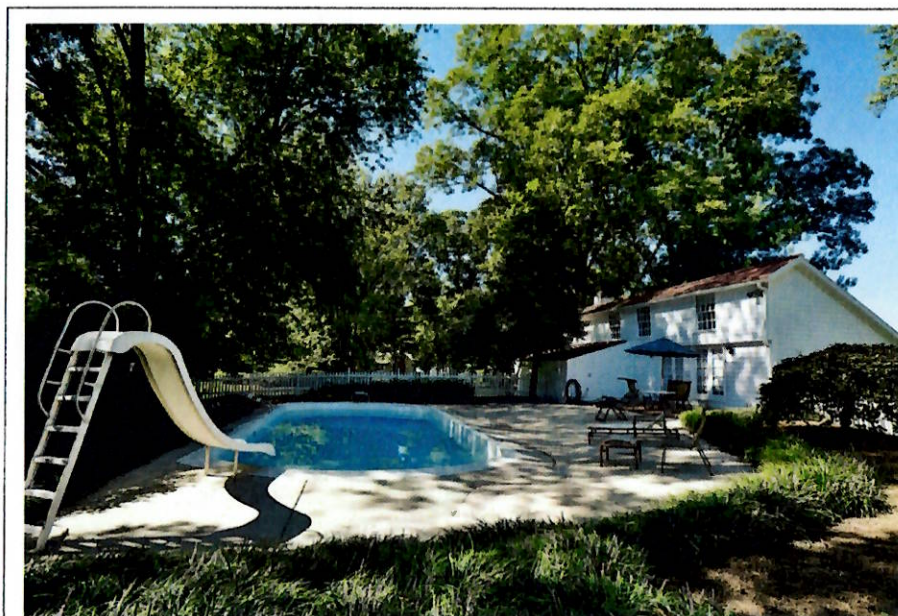


Detail: Front of primary residence on property. North fence line can be seen to the left of the house
in this picture but is not visible from the street.

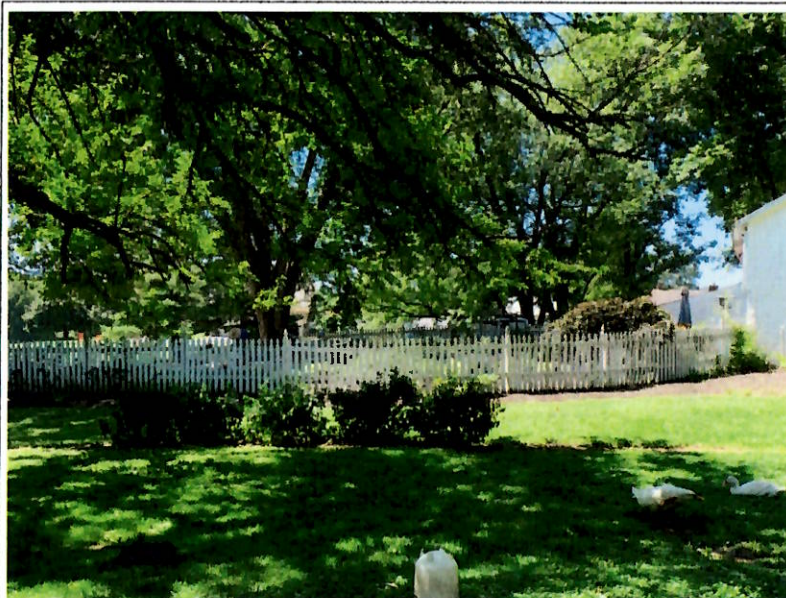


Detail: Guest house and fence - showing proximity to primary house.

Existing Property Condition Photographs (duplicate as needed)



Detail: Inside pool area - showing fence on south side.



Detail: Fence around pool as seen from backyard of primary house.

Applicant: Kurtenbach

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Materials to be Used:

Existing Property Condition Photographs (duplicate as needed)



Detail: Fence to be used on North and South sides



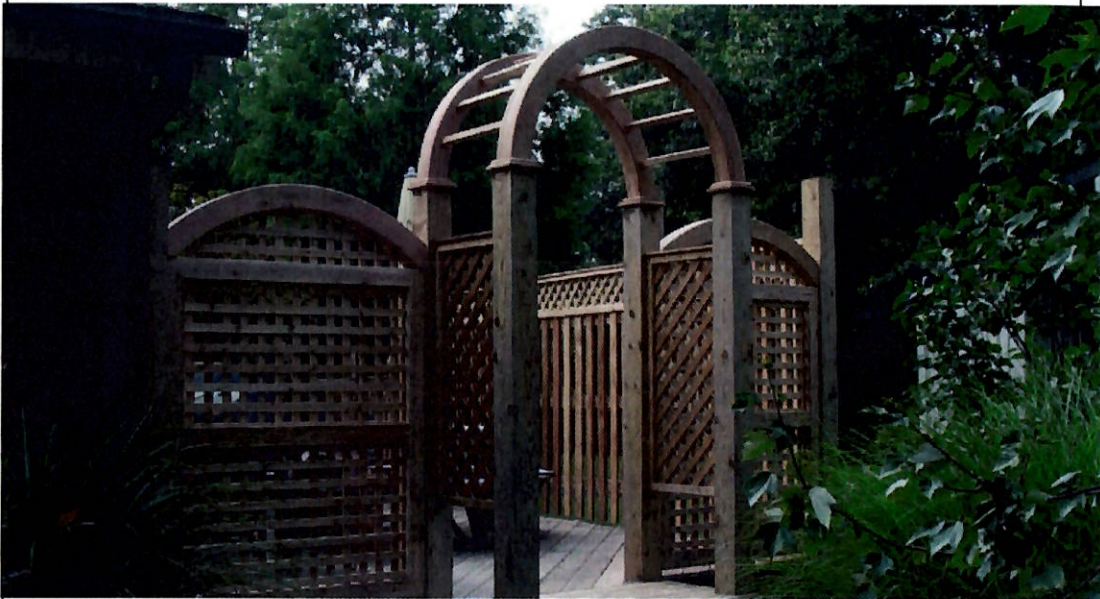
Detail: Fence to be used on East side

Applicant: Kurtenbach

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Materials to be Used:

Existing Property Condition Photographs (duplicate as needed)



Detail: Arbor Entrance to pool area to be centered on North fence line.

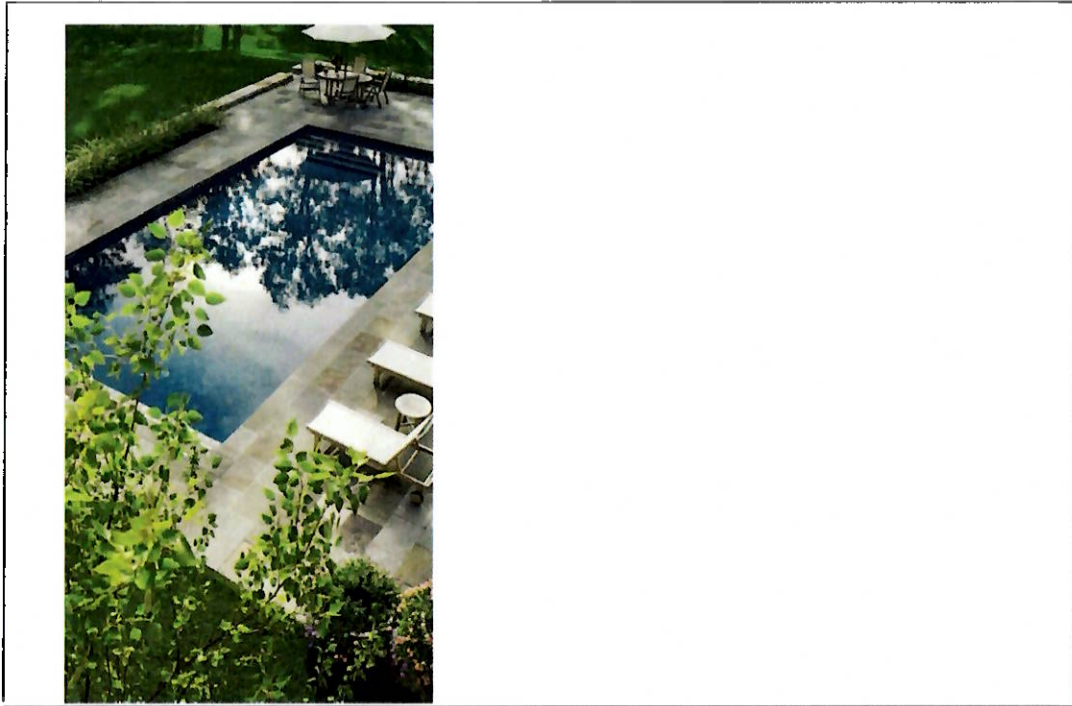


Detail: 2' stone base (without pillars) on East fence line to adjust for lower elevation.

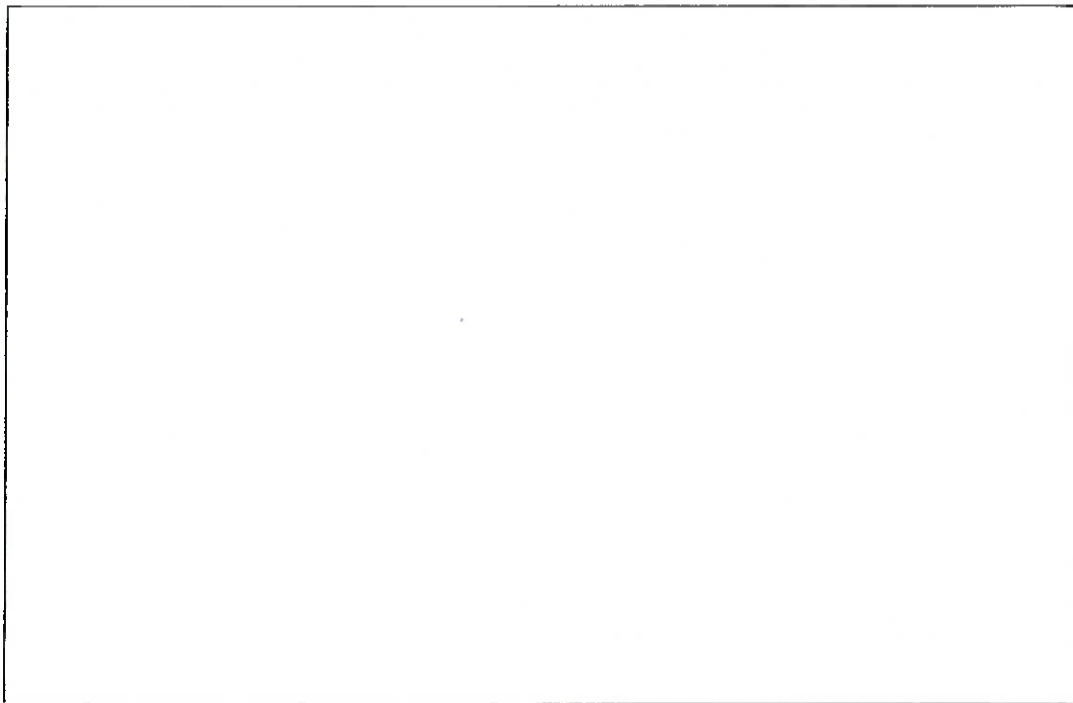
Applicant: Kurtenbach

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Materials to be Used:
Existing Property Condition Photographs (duplicate as needed)



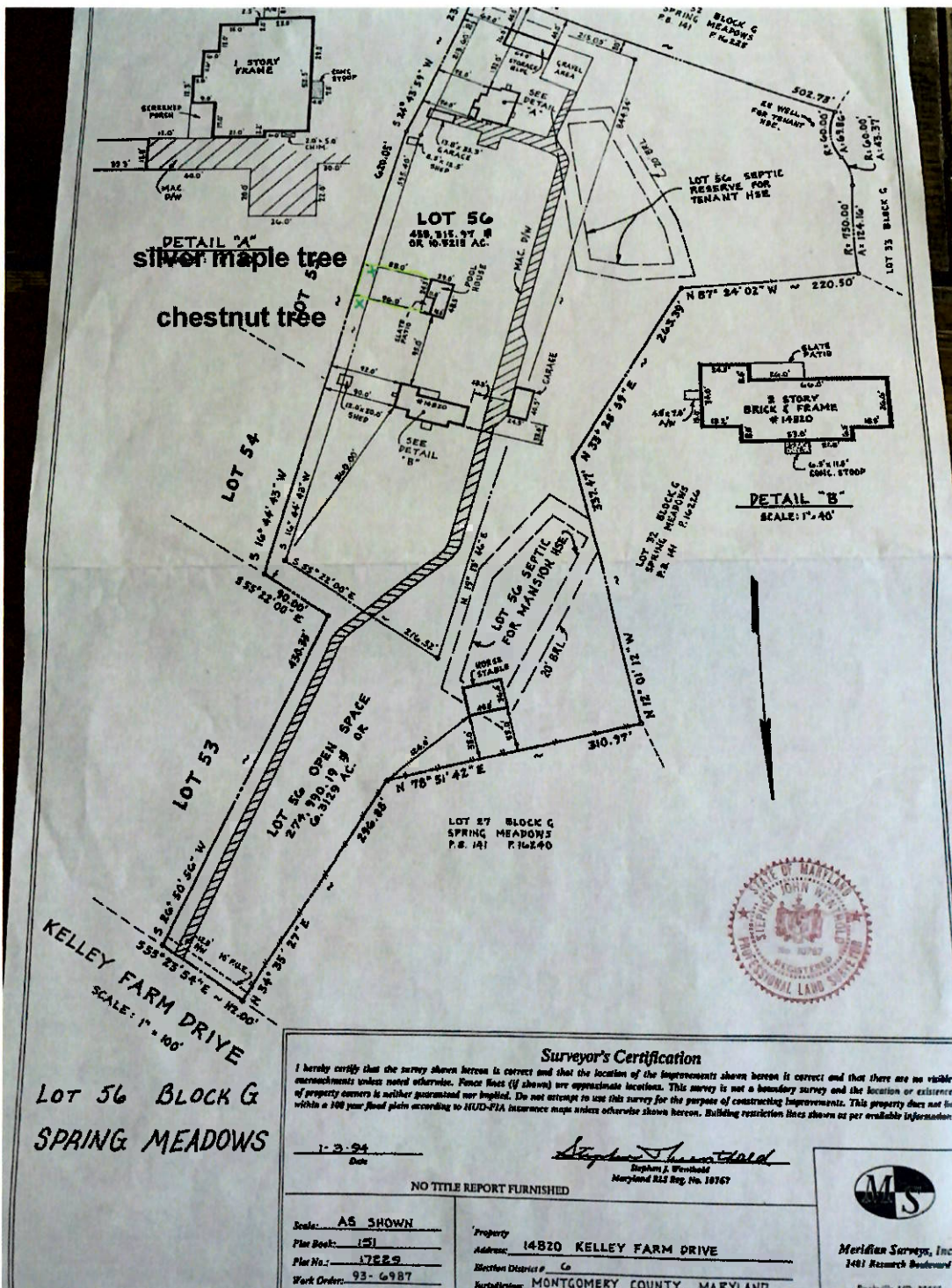
Detail: Example of flagstone to be used around pool.



Detail: _____

Applicant: Kurtenbach

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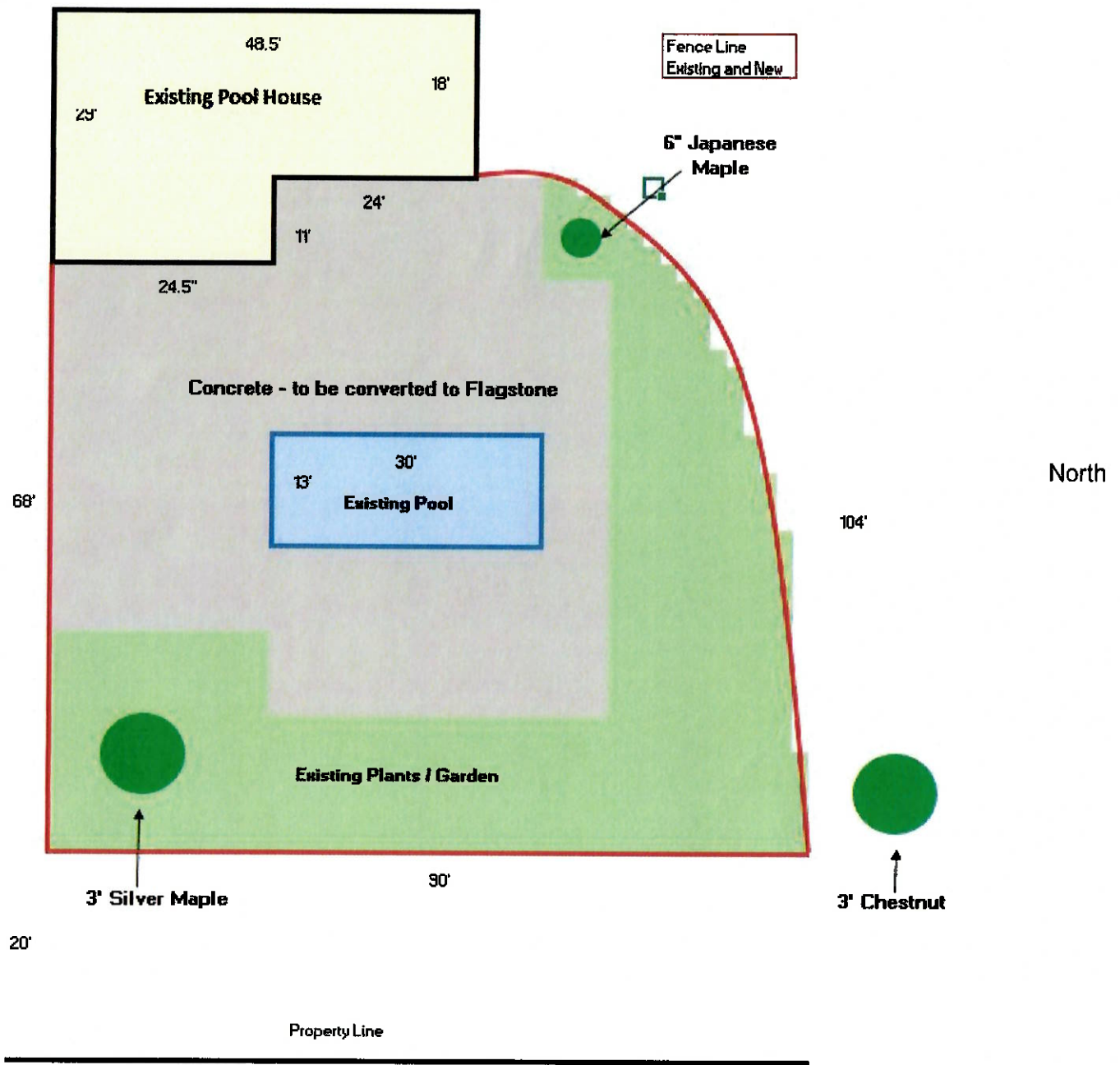


Shade portion to indicate North

Applicant: Kurtenbach

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Site Plan



Shade portion to indicate North