

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	10811 Kenilworth Ave., Garrett Park	Meeting Date:	10/23/2019
Resource:	Master Plan Site 30/13 W. Scott MacGill House	Report Date:	10/16/2019
Applicant:	James Wilson	Public Notice:	10/9/2019
Case Number:	30/13-19A	Tax Credit:	n/a
Review:	HAWP	Staff:	Dan Bruechert
Proposal:	Fence Construction		

STAFF RECOMMENDATION

Staff recommends that the HPC **deny** the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Individual Master Plan Site (30/13 W. Scott MacGill House)
 STYLE: Queen Ann
 DATE: c.1894

From *Places from the Past*:

“Prominently located at the intersection of Kenilworth and Strathmore Avenues, this handsom Queen Anne style residence was built about 1894. Its picturesque architecture features stacked polygonal bay windows, an oversized projecting gable, and an Eastlake-influenced porch wrapping around three sides. Residing here was W. Scott MacGill, who was Mayor of Garrett Park from 1920-4.”



Figure 1: Aerial view of the subject property at the intersection of Kenilworth and Strathmore Ave. (note the line of stumps visible along the north and east of the property).

PROPOSAL

The applicant proposes to construct a fence along the north and east property boundaries.

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 (*the Standards*). 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. The pertinent information in these documents is outlined below.

Garrett Park Historic District Amendment (30/13)

The six individual historic sites in Garrett Park are not included on this list [the list categorizing the resources within the district]. They are each designated on the Master Plan for Historic Preservation as individual landmarks and have a high level of review, as is appropriate with an individually-designated site.

Montgomery County Code, Chapter 24A Historic Resources Preservation

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.

(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

(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

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 applicant proposes to construct a 6' (six foot) tall stockade fence around a portion of the property on the north and eastern property boundaries.

The subject property sits at the southeast corner of the intersection of Kenilworth and Strathmore Aves., facing Kenilworth. The left, side lot is enclosed by a 3' (three foot) tall chain link fence. Prior to 2018, there was a row of Leyland cypress trees behind the fence line along the north and northeastern property boundaries. The Leyland cypress are now gone, with only stumps remaining, and the applicant proposes to remove the existing chain link fence and to install a 6' (six foot) tall wood stockade fence in its place. The fence will run from approximately the front wall plane of the house to the eastern property boundary and then along the eastern property boundary until it intersects with the neighboring property's extant fence. The applicant indicated to Staff that the proposed fence would serve two purposes: first, it would alleviate some of the road noise as Strathmore Ave. is a busy road; and second to provide additional privacy for the side yard.

Staff supports the removal of the chain link fence as its materials and design are not consistent with the historic character of the Master Plan site, per 24A-8(b)(1) and Standard 2. Staff additionally finds that wood is an appropriate material for a fence associated with a house of this era, however, the Staff finds the design and height are inappropriate and recommends denial of this HAWP.

Generally, the HPC requires fences in front of the rear wall plane of houses need to be 48" (forty-eight inches) or less with an open design and fences to the rear of the rear wall plane can be 6' tall and may be solid to provide additional privacy. Corner lots, however, have consistently been treated as though they have two 'fronts' for the purposes of fence height and design. This allows for the preservation of the views of the property from the public right-of-way and maintains a more open character for the property.

The proposed 6' (six foot) tall, stockade fence will result in an opaque appearance and interfere with the open character and views of the master plan site from the north and north east (per Standard 9) and is consistent with the grounds identified in 24A-8(a) for denial of a HAWP. In discussion with the applicant, Staff recommended utilizing either the existing fence or a new lower, open picket fence design with natural vegetation as screening to achieve the applicant's identified objectives. The result would be

similar to the appearance prior to the removal of the Leyland cypress shown in the figures below. The applicant indicated that that solution would not meet their needs and has requested consideration by the HPC.

While Staff acknowledges that Strathmore Ave. is a major artery through Garrett Park and is quite busy, Staff does not find that this condition creates a hazard (per 24A-8(b)(4)) nor does Staff find that, absent the proposed fence, the high amount of traffic has denied the applicant reasonable use of their property (per 24A-8(b)(5)). Staff does find that the proposed fence is an incompatible height and design for the subject property in the location proposed (per 24A-8(b)(2) and will alter the appearance of the property when viewed from Strathmore Ave. (per 24A-8(b)(1)). For these reasons, Staff cannot recommend approval of the proposed 6' (six foot) stockade fence along Strathmore Ave. and along the norther section of the east property boundary at 10811 Kenilworth Ave.

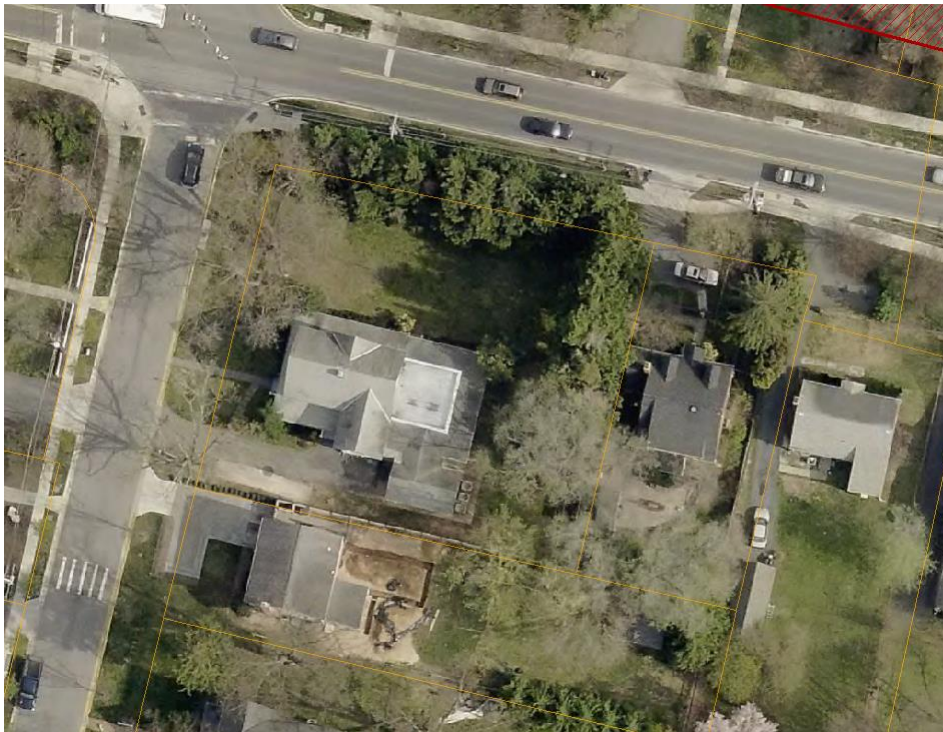


Figure 2: 2015 Aerial photograph, before the Leyland cypress were removed.

On October 7, Staff received comments from the Garrett Park Historic Preservation Committee (GPHPC). The letter from the GPHPC is attached to the application materials. Generally, the GPHPC's comments align with Staff's analysis; finding that fences of this type are not characteristic of the town and detract from "the special sense of shared open space" and are not characteristic of front and side yards in corner lots.



Figure 3: View of the subject property (left) along Strathmore Ave.



Figure 4: July 2018 photo showing Leyland cypress stumps to left of house.

STAFF RECOMMENDATION

Staff recommends the HPC deny the HAWP under 24A-8(a) and for violation of 24A-8(b)(1) and (2) and Standards 2 and 9.



HISTORIC PRESERVATION COMMISSION

301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: W.LSONJ142@Bmail Contact Person: James Wilson
Tax Account No.: 160400061496 Daytime Phone No.: 301 942 8956
Name of Property Owner: James I. Wilson Daytime Phone No.: 301 942 8956
Address: 10811 Kenilworth Ave Groveton Park 20896
Street Number City State Zip Code
Contractor: _____ Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 10811 Street: Kenilworth Ave
Town/City: _____ Nearest Cross Street: _____
Lot: _____ Block: _____ Subdivision: _____
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF ACTION 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: \$ _____

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

1A. Type of structure proposed: 01 ☐ WSSC 02 ☐ Cape/C 03 ☐ Other: _____
2B. Type of water supply: 01 ☐ WSSC 02 ☐ Well 03 ☐ Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet _____ 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.

Signature of owner or authorized agent

Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

887452

**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 affected property is an individually
protected Queen Ann style house built in
1895 or 1897

- b. General description of project and the project site and its natural resources, the environmental setting, and, where applicable, the historic district.

This project will Replace an existing
chain Link Fence with a 6' wooden
Stockade Fence. The old and new fences
are/will be approximately 50' from the
house

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. and 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, 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 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 adjacent, fronting and confronting lots 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.

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

Owner's mailing address James I. Wilson P.O. Box 115 Barnett Park, Md 20896	Owner's Agent's mailing address N/A
Adjacent and confronting Property Owners mailing addresses	
Quentin R. Lide 4710 Strathmore Ave Barnett Park, MD 20896	
Jason Paige 10903 Kenilworth Ave Barnett Park, MD 20896	
Bridget M. Milin 4709 Strathmore Ave P.O. Box 232 Barnett Park, MD 20895	

HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	1. Written Description	2. Site Plan	3. Plans/ Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/ Alterations	*	*	*	*	*		*
Demolition	*	*			*		*
Deck/Porch	*	*	*	*	*		*
Fence/Wall	* ✓	* ✓	*	* ✓	* ✓	* N/A	* ✓
Driveway/ Parking Area	*	*		*	*	*	*
Major Landscaping/ Grading	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

PLEASE SEE INSTRUCTIONS ON DPS' HAWP APPLICATION FOR FURTHER DETAILS REGARDING APPLICATION REQUIREMENTS.

NOTE: Historic Area Work Permits are not required for ordinary maintenance projects, such as painting, gutter repair, roof repair with duplicate materials, and window repairs. All replacement materials must match the original exactly and be of the same dimensions.

**ALL HAWPS MUST BE FILED AT DPS:
255 ROCKVILLE PIKE,
ROCKVILLE, MARYLAND, 20850.**

NORTH
S.R.C.

STRATHMORE AVENUE

L. 540 - F. 113 (CONTRACT M-172)

Remove & replace S.R.C.

0.7' FENCE N 76° 09' W - 200.10

140.07

NEW FENCE

PART OF LOT 1

PART OF LOT 1

PART OF LOT 2

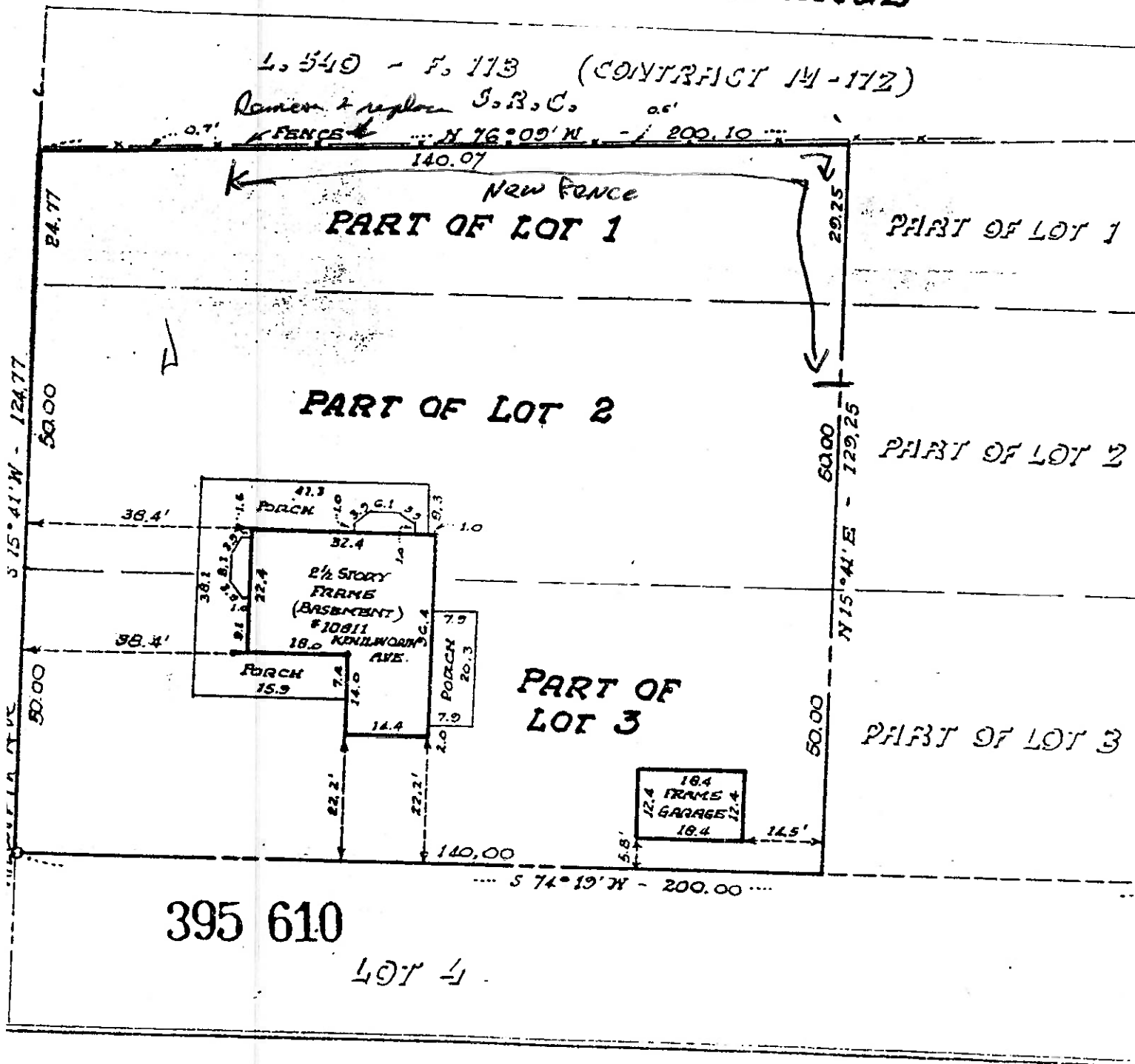
PART OF LOT 2


PART OF LOT 3

PART OF LOT 3

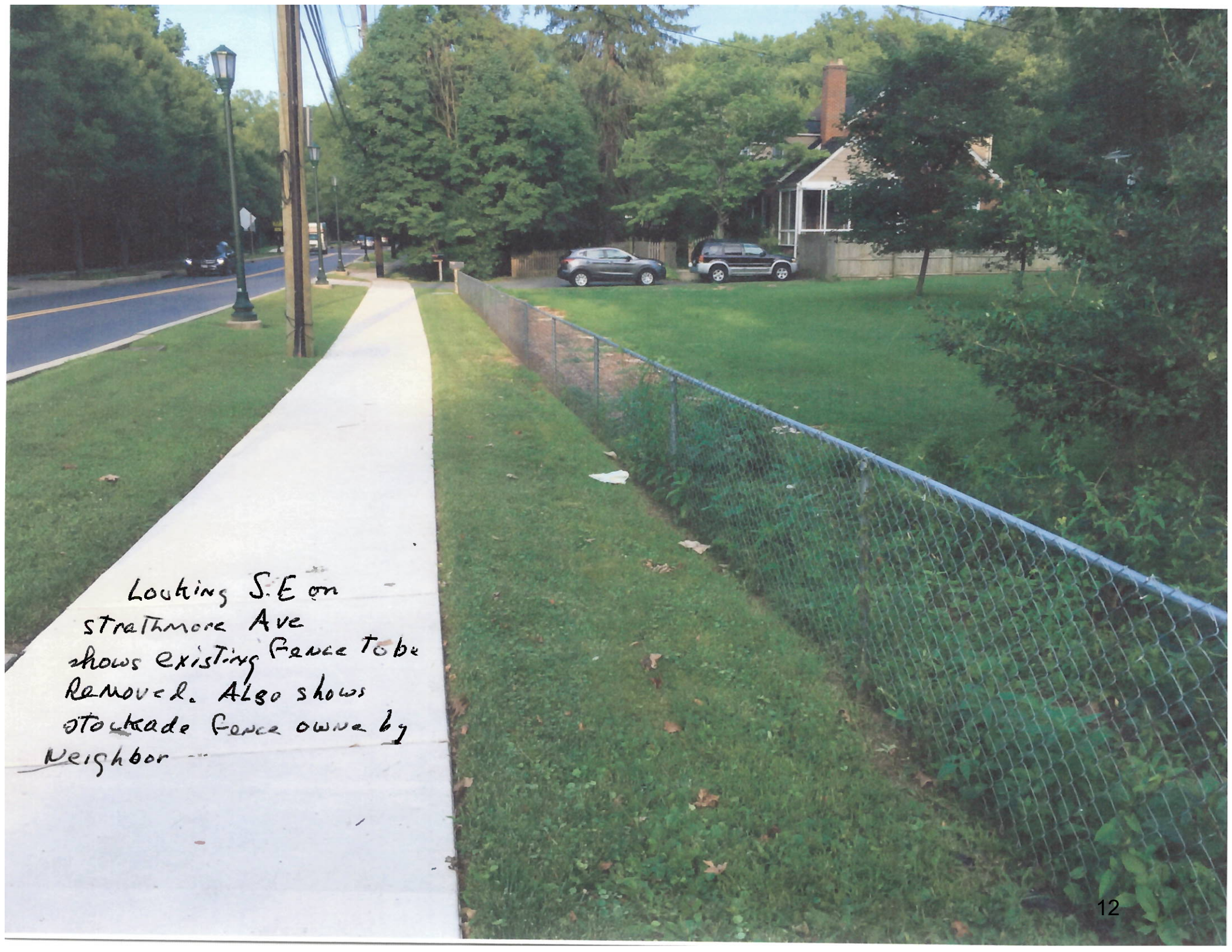
395 610

LOT 4





Chain Link Fence To be removed
Wooden 6' Stockade Fence Installed



Looking S.E. on
Strathmore Ave
shows existing Fence to be
Removed. Also shows
stockade Fence owned by
Neighbor ---



Example of proposed stockade fence (from Fredrick
Fence Co.'s website)



**Montgomery County Historic Preservation Office
8787 Georgia Avenue, Room 204
Silver Spring, MD 20910**

Regarding: 10811 Kenilworth Avenue, Garrett Park, MD 20896

Statement of the Town of Garrett Park Historic Preservation Committee

The applicants, owners of 10811 Kenilworth Avenue in Garrett Park, seek a Historic Area Work Permit (HAWP) for an addition of a stockade fence from Strathmore Avenue. The home is a Queen Anne style house built between 1895 and 1897 and is situated across the street from Garrett Park Town Hall, originally St. James Chapel built in 1897. The fence is proposed to be erected on the north and east border of this property that is individually listed in the county master plan.

The Montgomery County Historic Preservation Commission requested the Garrett Park Historic Preservation Committee's (GPHPC) comments on the HAWP application for the fence that the owners of this property are seeking.

The GPHPC has reviewed the HAWP application and supporting materials. The residents of 108011 Kenilworth Avenue propose a kind of opaque "privacy" fencing (stockade) that is common in the more recent suburbs. This is not a fence that the GPHPC can encourage as in keeping with the neighborhood.

Our opinion is that fences are not typically characteristic of Garrett Park and detract from the special sense of shared open space. Fences are also not characteristic of the front yards, or of front and side yards in the case of corner lots, in Garrett Park where houses are open to the curving streets. We recommend that one should still be able to see the beauty of a resident's home and yard and encourage them to maintain the sweeping open spaces that are unique to Garrett Park.

The GPHPC does take into consideration that this house is situated at a prominent intersection (Kenilworth/Strathmore Avenue) in a historic neighborhood. The GPHPC encourages the residents to pursue a solution that better preserves the historic streetscape of the town, while supporting and understanding the desire for a fence/screening at the north (street-facing) and east sides of this property. What the residents are proposing in their application is stockade fencing that is common in the more recent suburbs. This is not a fence that the GPHPC can support in keeping with the

neighborhood. Options listed below suggested by GPHPC:

Option 1 - and GPHPC's preferred alternative) Trees aligning the property where the fence is proposed to be installed. For example, Arborvitaes or Hollies, this may also help with traffic noise.

Option 2) A picket type fence that allows open space in between each slat to provide a more transparent view. (see example below)

The three photos below indicate the southeast corner of Strathmore and Kenilworth where the proposed fence would go:



The overall historic character of Garrett Park is set not only by the presence of distinguished architecture but also by the tree canopy and open spaces. The Committee viewing this from a broader historic preservation standpoint, encourages the residents to pursue adding trees or picket-type fencing to their property. The GPHPC notes that this would be most desirable at this prominent intersection in the historic Garrett Park neighborhood.

If you have questions about the Committee or this letter, please do not hesitate to contact me at suzi@vsag.com

On behalf of the committee,

A handwritten signature in black ink, appearing to read 'Suzi Balamaci'.

Suzi Balamaci, Chair
Garrett Park Historic Preservation Committee