

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	5606 Midwood Road, Bethesda	Meeting Date:	4/22/2020
Resource:	Contributing Resource Greenwich Forest Historic District	Report Date:	4/15/2020
Applicant:	Aaron Bartley	Public Notice:	4/8/2020
Review:	HAWP	Tax Credit:	n/a
Case Number:	35/165-20C	Staff:	Dan Bruechert
PROPOSAL:	Fence Replacement		

STAFF RECOMMENDATION:

- ☒ Approve
☐ Approve with conditions

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Contributing Resource within the Greenwich Forest Historic District
STYLE: Colonial Revival
DATE: 1933



Fig. 1: 5606 Midwood Road, Bethesda

PROPOSAL

The applicant proposes to remove the existing rear fence and install 189' (one hundred eighty-nine) linear feet of 6' (six foot) tall alternating board fence in the rear of the property at 5606 Midwood Road. The fence to the house is setback approximately 10' (ten feet) from the front wall plane, exceeding the Greenwich Forest Historic District Design Guideline 3' (three-foot) requirement. Staff recommends the approval of this HAWP.

APPLICABLE GUIDELINES:

Policy On Use of Expedited Staff Reports for Simple HAWP Cases

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.
10. Construction of fences that are compatible with historic site or district in terms of material, height, location, and design. Requests for fences higher than 48" to be located in the front yard of a property will not be reviewed using an Expedited Staff Report.

Greenwich Forest Historic District Design Guidelines

D9. Fences and walls: Fences were not part of the original Greenwich Forest streetscape. No front yard fences have been added since then, though some homeowners have added backyard fences and/or fences along side yard property lines. To preserve the uninterrupted green space adjacent to the public right-of-way, front fences are not allowed. To enable the creation of enclosed yards for residents, fences up to 6'6" tall are permitted in back and side yards. In the case of side yards, fences may extend up to just behind the front plane of the house, preserving at least a 3' setback from the facade. Fence style and material should be in keeping with the architectural style of the house and the forest surroundings. Properties confronting Wilson Lane merit special consideration due to heavy traffic volumes. Construction of fences or walls is permitted on these properties, with review, in order to help ensure the safety and privacy of residents and the safety of drivers and neighbors. The decision-making body is directed to show flexibility in reviewing applications for work permits for such fences and walls.

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 ensure 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
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design significance or for plans involving new construction, unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. (*Ord. No. 9-4, § 1; Ord. No. 11-59.*)

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 relevant *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.
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.

STAFF RECOMMENDATION:

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

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

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.



FOR STAFF ONLY:
HAWP# 909472
DATE ASSIGNED _____

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**
HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Aaron M Barley
Address: 5606 Midwood Road
Daytime Phone: 571-235-1183

E-mail: abartley@gmail.com
City: Bethesda Zip: 20814
Tax Account No.: 00495242

AGENT/CONTACT (if applicable):

Name: A-1Fencing (Cesar Ojeda)
Address: 4306 Pinetree rd
Daytime Phone: _____

E-mail: A1fencing.ojeda@gmail.com
City: Rockville Zip: 20853
Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

Is the Property Located within an Historic District? Yes/District Name Yes/Greenwich For
No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 5606 Street: Midwood Road
Bethesda Overhill Road
Town/City: _____ Nearest Cross Street: _____
15 U
Lot: _____ Block: _____ Subdivision: Greenw Parcel: _____

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

- | | | |
|--|--|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition | <input checked="" type="checkbox"/> Fence | <input type="checkbox"/> Solar |
| <input checked="" type="checkbox"/> Demolition | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof | <input type="checkbox"/> Window/Door |
| | | <input type="checkbox"/> Other: _____ |

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

Cesar Ojeda Cesar Ojeda

March 25, 2020

Signature of owner or authorized agent

Date

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

The style of this house is a free interpretation of Colonial period houses rather than a historically correct replica or adaptation. This is a two-story (in addition to a finished attic and basement), unpainted brick house, rectangular in shape, was constructed in 1936. It features regularly spaced window openings on the first and second floors, 9-over-6 double-hung and 6-over-6 double-hung sash windows on the first floor front and 6-over-6 double-hung sash windows on the second floor and a columned porch. Details that enhance the charm of the house include the wall dormers that interrupt the roofline, the broken pediment with urn above the front door, keystones and paneled aprons on the first-story windows of the facade, and a columned side porch. The nicely planted curved flagstone walkway leading to the front door is a feature of almost all Greenwich Forest properties.

On the interior, the first floor is divided by a hall with a staircase and living and dining rooms to the right and a kitchen and bathroom are located in the rear. The second floor contains three bedrooms and two bathrooms. The attic is finished and the basement is partially finished. The well-chosen elements have

Description of Work Proposed: Please give an overview of the work to be undertaken:

Furnish and install approximately 189 feet of 6 foot high alternate board fence using western red cedar boards (1x4") and 3 cedar (2x4") frame work. Hung on 4x4" pressure treated posts set 30 to 36 inches in the ground with dry packed concrete. Includes the installation of a 4 foot wide single gate.

The existing 6 foot high cedar fence, which has extensive subterranean termite and water damage, rotting boards as well as posts that are in danger of falling over (collapsing whole sections of the fence), will be cleared and hauled away. The existing four foot single gate has rotted off its hinges and will be replaced.

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

Owner's mailing address 5606 Midwood Road Bethesda, MD 20814	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
5602 Midwood Road Bethesda, MD 20814 Adjacent	7827 Hampden Lane Bethesda, MD 20814 Adjacent
7821 Hampden Lane Bethesda, MD 20814 Adjacent	7819 Hampden Lane Bethesda, MD 20814 Adjacent
5605 Midwood Rd Bethesda, MD 20814 Confronting	5609 Midwood Rd Bethesda, MD 20814 Confronting

Fence Work Item 1: _____	
Description of Current Condition:	Proposed Work: Furnish and install approximately 189 feet of 6 foot high alternate board fence using western red cedar boards (1x4") and 3 cedar (2x4") frame work. Hung on 4x4" pressure treated posts set 30 to 36 inches in the ground with dry packed concrete. Includes the installation of a 4 foot wide single gate. Existing fence will be cleared and hauled away.

Work Item 2: _____	
Description of Current Condition:	Proposed Work:

Work Item 3: _____	
Description of Current Condition:	Proposed Work:



