

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	4711 Waverly Avenue, Garrett Park	Meeting Date:	1/6/2021
Resource:	Outstanding Resource (Garrett Park Historic District)	Report Date:	12/30/2020
Applicant:	M. Russell Eihorne (Karen Rowley, Agent)	Public Notice:	12/23/2020
Review:	HAWP	Tax Credit:	No
Permit Number:	934800	Staff:	Michael Kyne
PROPOSAL: Construction of new pool, walls, and fence			

STAFF RECOMMENDATION:

☒ Approve
☐ Approve with conditions

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Outstanding Resource within the Garrett Park Historic District
DATE: 1889



Fig. 1: Subject property.

PROPOSAL:

The applicant proposes to construct a 30' x 15' inground swimming pool with concrete surround at the northeast (rear/right) side of the property. A 2.5' high retaining wall with stone veneer will be constructed at the west (left) side of the pool, and a 5' high aluminum picket swimming pool safety fence will be installed around the swimming pool. The Garrett Park Land Use Advisory Committee and the Garrett Park Historic Preservation Advisory Committee both approved the proposal as submitted; the approval memo dated October 27, 2020 is attached to the application.

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.
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.
11. Construction or replacement of walkways, parking areas, patios, driveways or other paved areas that are not readily visible from a public right-of-way and/or are compatible in material, location, and design with the visual character of the historic site or district.
12. Construction or repair of retaining walls where the new walls are compatible in material, location, design and height with the visual character of the historic site or district.

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.
- (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 *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 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 proportion, and massing to protect the 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 RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), (2) & (d) 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, #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 michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.



FOR STAFF ONLY:
HAWP# 934800
DATE ASSIGNED _____

APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: M. Russell-Eichorn E-mail: Khkpermits05@yahoo.com
Address: 4711 Waverly Ave City: Garrett Park Zip: 20896
Daytime Phone: _____ Tax Account No.: 04-00057791

AGENT/CONTACT (if applicable):

Name: Karen Rowley E-mail: Khkpermits05@yahoo.com
Address: 8260 Preston Ct City: Jessup Zip: 20794
Daytime Phone: 410 507 7705 Contractor Registration No.: 95872 *Anthony & Sylvan Pools*

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property 4711 Waverly Ave

Is the Property Located within an Historic District? ☒ Yes/District Name _____
☐ 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: 931555 Street: 4711 Waverly Ave Garrett Park MD
Town/City: Garrett Park Nearest Cross Street: _____
Lot: 21 Block: 101 Subdivision: Garrett Park 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 type="checkbox"/> Fence | <input type="checkbox"/> Solar |
| <input 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 checked="" type="checkbox"/> Other: <u>Pool + Fence</u> |

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.

Karen Rowley
Signature of owner or authorized agent

11/30/20
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:

SFD

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

30' x 15' in ground concrete pool, 450sf disturbed area
74.9 cu yds / cut fill
5' high fence to code w/ self latching gate

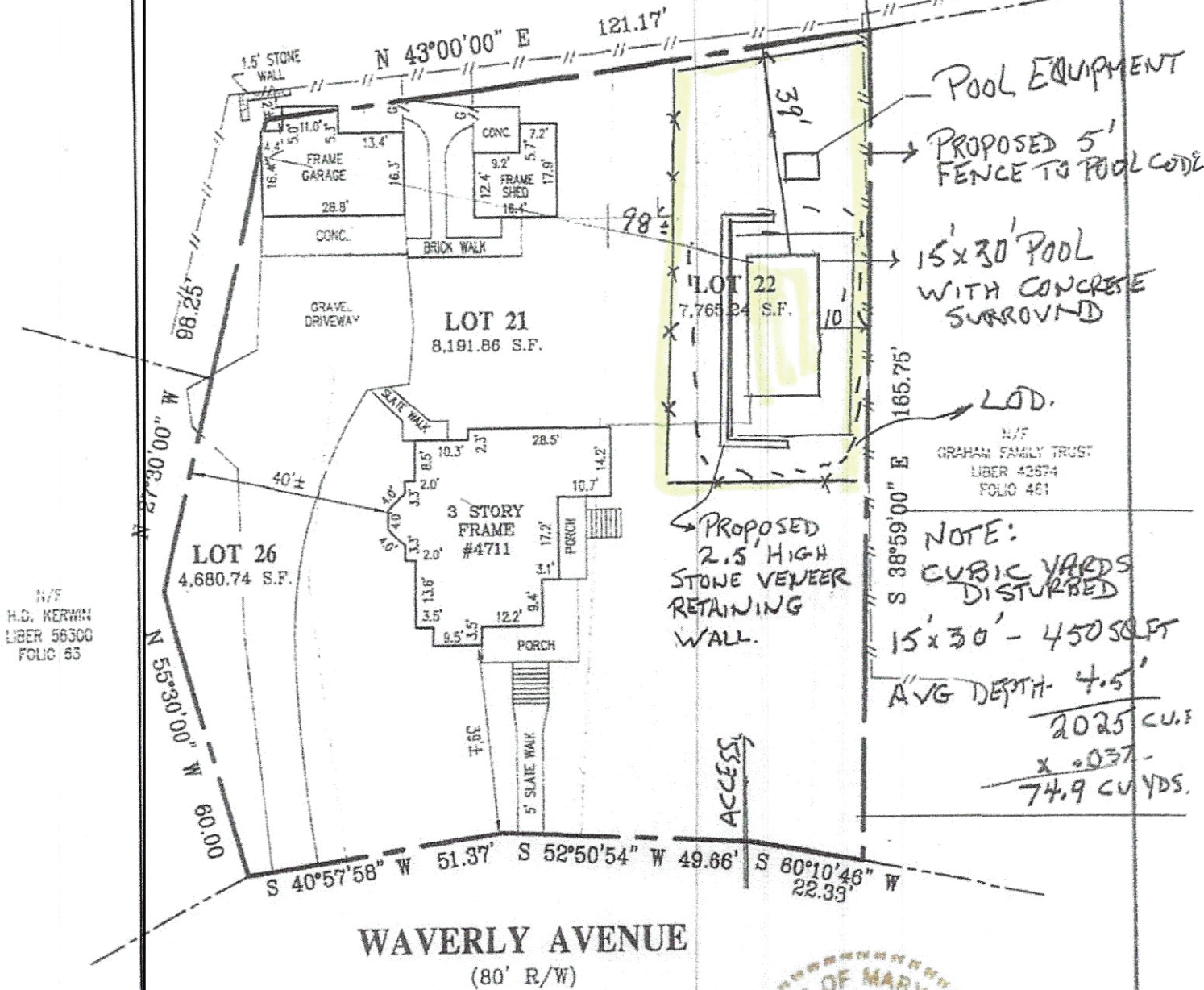
Work Item 1: <u>Pool</u>	
Description of Current Condition: SFD	Proposed Work: In ground pool

Work Item 2: <u>fence</u>	
Description of Current Condition: SFD	Proposed Work: 5' fence to code

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

LOT 27
PLAT 23992

LOT 3



WAVERLY AVENUE
(80' R/W)

LOCATION DRAWING
LOTS 21, 22 & 26, BLOCK 101
GARRETT PARK
MONTGOMERY COUNTY, MARYLAND

SURVEYOR'S CERTIFICATE

"THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED UPON MEASUREMENTS FROM PROPERTY MARKERS FOUND OR FROM EVIDENCE OF LINES OF APPARENT OCCUPATION".

Jeffrey T. Foster
MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587
Expires: 04-02-2021

REFERENCES

PLAT BK. B
PLAT NO. 43

LIBER 48711
FOLIO 389



SNIDER & ASSOCIATES
LAND SURVEYORS

19544 Amaranth Drive
Germantown, Maryland 20874
301/948-5100, Fax 301/948-1286
WWW.SNIDERSURVEYS.COM

DATE OF LOCATIONS	SCALE: 1" = 30'
WALL CHECK:	DRAWN BY: M.PAGAN
HSE. LOC.: 7-11-2019	JOB NO.: 11-02950

(19-02828)

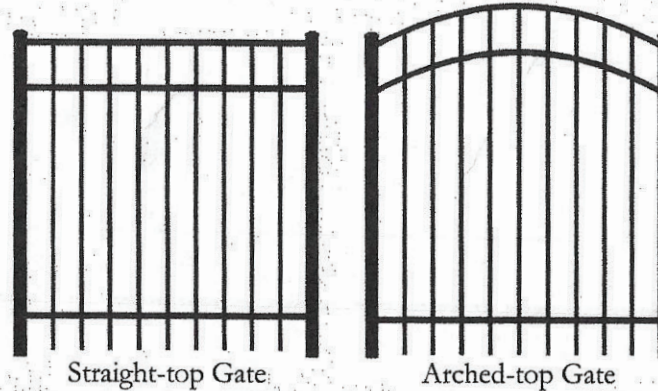
Coastal Aluminum Fence Styles

Matching gates are available for all of Coastal Aluminum Fence styles and grades in single-leaf swing, double-leaf swing, and cantilever with various security options. In addition to straight-top styles, gates are also available as arched-top.

Swing gates are offered to fit standard single-leaf openings of 3', 4', 5' and 6' as well as double-leaf openings of 6', 8', 10' and 12'.

Cantilever gates are well-suited for wide openings from 8' to 20' and can accommodate up to a maximum of 40' with a double-cantilever configuration.

Coastal Aluminum takes pride in offering superior customer service for any fencing gate need; whether your project requires standard sized or custom-built gates for all three grades -- residential, commercial, or industrial.



Straight-top Gate

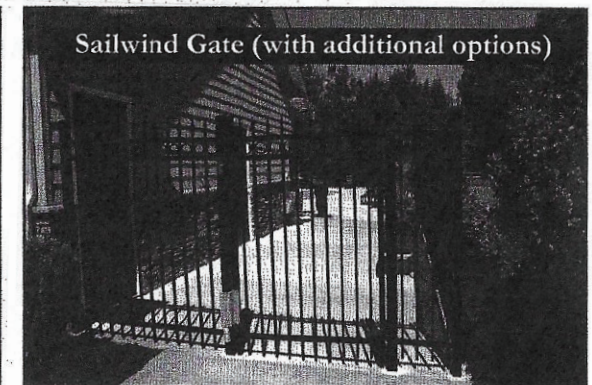
Arched-top Gate

Single gates include one gate leaf, two standard self-closing hinges, and one standard gravity latch.

Double gates include two gate leaves, four standard self-closing hinges, one standard gravity latch, and one drop-rod.



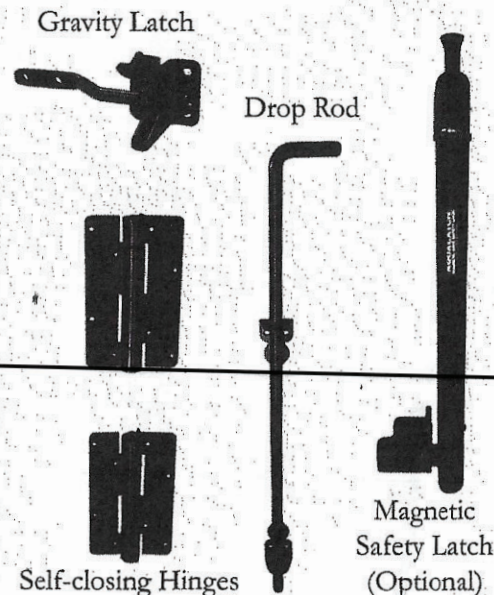
Bay Breeze Arched Gate



Sailwind Gate (with additional options)



Cantilever Gate (Industrial grade)

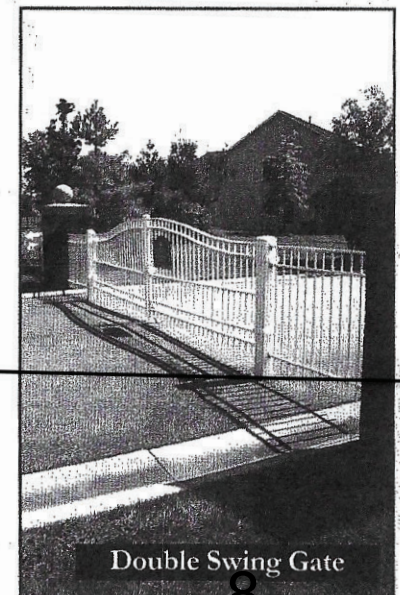


Gravity Latch

Drop Rod

Self-closing Hinges

Magnetic Safety Latch (Optional)



Double Swing Gate

48 inches



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 11/30/2020

Application No: 934800
AP Type: HISTORIC
Customer No: AC1120649

Comments

City of Garrett Park has approved it.

Affidavit Acknowledgement

The Contractor is the Primary applicant authorized by the property owner
This application does not violate any covenants and deed restrictions

Primary Applicant Information

Location 4711 WAVERLY AVE 293 Soutland Ct Garrett Park, MD 20896
Othercontact Rowley
Othercontact ANTHONY & SYLVAN POOLS (Primary)

Historic Area Work Permit Details

Work Type CONST
Scope of Work Construct an in ground pool w/ fence to code Building permit # 931555



October 27, 2020

Michele and Malcolm Russell-Einhorn
P.O. Box 409
4711 Waverly Avenue
Garrett Park, MD 20896

Dear Michele and Malcolm,

I'm pleased to inform you that after reviewing your application and plans for an in-ground swimming pool on your property, both the Garrett Park Land Use Advisory Committee and the Garrett Park Historic Preservation Advisory Committee have approved your request.

Please submit this letter with your application and plans to Montgomery County when applying for their permit.

Sincerely,


Andrea Fox
Town Manager