**EXPEDITED**

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**

**STAFF REPORT**

<table>
<thead>
<tr>
<th><strong>Address:</strong></th>
<th>4711 Waverly Avenue, Garrett Park</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Resource:</strong></td>
<td>Outstanding Resource</td>
</tr>
<tr>
<td>(Garrett Park Historic District)</td>
<td></td>
</tr>
<tr>
<td><strong>Applicant:</strong></td>
<td>M. Russell Eihorne</td>
</tr>
<tr>
<td>(Karen Rowley, Agent)</td>
<td></td>
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<tr>
<td><strong>Review:</strong></td>
<td>HAWP</td>
</tr>
<tr>
<td><strong>Permit Number:</strong></td>
<td>934800</td>
</tr>
<tr>
<td><strong>PROPOSAL:</strong></td>
<td>Construction of new pool, walls, and fence</td>
</tr>
</tbody>
</table>

**STAFF RECOMMENDATION:**

- [x] Approve
- [ ] Approve with conditions

**ARCHITECTURAL DESCRIPTION:**

**SIGNIFICANCE:** Outstanding Resource within the Garrett Park Historic District

**DATE:** 1889

![Fig. 1: Subject property.](image-url)
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.
APPLICATION FOR
HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: M. Russell-Ehorne
Address: 4711 Waverly Ave
Daytime Phone: 

E-mail: Khkpermits05@yahoo.com
City: Garrett Park
Zip: 20846
Tax Account No.: 04-00057791

AGENT/CONTACT (If applicable):

Name: Karen Rowley
Address: 8260 Preston Ct
Daytime Phone: 410 507 7705

E-mail: Khkpermits05@yahoo.com
City: Jessup
Zip: 20794
Contractor Registration No.: 95872

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

Town/City: Garrett Park Nearest Cross Street: Garrett Park
Lot: 21 Block: 101 Subdivision: 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:

☐ New Construction ☐ Deck/Porch ☐ Shed/Garage/Accessory Structure
☐ Addition ☐ Fence ☐ Solar
☐ Demolition ☐ Hardscape/Landscape ☐ Tree removal/planting
☐ Grading/Excavation ☐ Roof ☐ Window/Door

☐ Other: Pool + Fence

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.

Signature of owner or authorized agent

Date

11/30/20

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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, 450 sf disturbed area

74.9 cu yds cut fill

5' high fence to code w/ self latching gate
<table>
<thead>
<tr>
<th>Work Item 1: Pool</th>
<th></th>
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<tbody>
<tr>
<td><strong>Description of Current Condition:</strong></td>
<td>SFD</td>
</tr>
<tr>
<td><strong>Proposed Work:</strong></td>
<td>In-ground pool (not visible)</td>
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</tbody>
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<table>
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<tr>
<th>Work Item 2: fence</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description of Current Condition:</strong></td>
<td>SFD</td>
</tr>
<tr>
<td><strong>Proposed Work:</strong></td>
<td>5' fence to code</td>
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</tbody>
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<table>
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<tr>
<th>Work Item 3:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Description of Current Condition:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Proposed Work:</strong></td>
<td></td>
</tr>
</tbody>
</table>
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.
HISTORIC AREA WORK PERMIT APPLICATION
Application Date: 11/30/2020

Mitra Pedoeem
Director

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 Construction in ground pool w/ fence to code Building permit # 931555

2425 Reedie Drive, 7th Floor. Wheaton. MD 20902. (240)777-0311. (240)777-6256 TTY
www.montgomerycountymd.gov/dps
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,

[Signature]
Andrea Fox
Town Manager