

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	4711 Waverly Avenue, Garrett Park	Meeting Date:	4/14/2021
Resource:	Outstanding Resource (Garrett Park Historic District)	Report Date:	4/7/2021
Applicant:	M. Russell Einhorne (Cayce Werts, Agent)	Public Notice:	3/31/2021
Review:	HAWP	Tax Credit:	No
Permit Number:	941559	Staff:	Michael Kyne
PROPOSAL:	Revision for pool 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 Commission approved the following work items (HAWP #934800) at the subject property at the January 6, 2021 HPC meeting: construction of a 30' x 15' inground swimming pool with concrete surround at the northeast (rear/right) side of the property; construction of a 2.5' high retaining wall with stone veneer at the west (left) side of the pool; and installation of a 5' high aluminum picket swimming pool safety fence around the swimming pool.

The applicant proposes the following revisions to the previously approved swimming pool safety fence: the fence will be 48 linear feet (south to north/front to back), as opposed to the previously approved 98'; and the proposed fence on the east (right) side property line will be a 5' high wooden solid board privacy fence, as opposed to the previously approved 5' high aluminum picket fence. The proposed fencing on all other sides (south/front, north/rear, and west/left side) will remain 5' high aluminum picket fencing.

The Garrett Park Historic Preservation Advisory Committee indicated approval of the proposed revisions in an email to staff on March 29, 2021.

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.

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 an electronic set 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# 941559
DATE ASSIGNED _____

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

APPLICANT:

Name: Potomac Fences
Address: 12411 washington ave
Daytime Phone: 301-254-2602

E-mail: potomacfence@aol.com
City: rockville Zip: 20852
Tax Account No.: 52-1371545

AGENT/CONTACT (if applicable):

Name: cayce werts
Address: _____
Daytime Phone: _____

E-mail: potomacfence@aol.com
City: _____ Zip: _____
Contractor Registration No.: _____

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

Is the Property Located within an Historic District? Yes/District Name Garrett park
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: _____ Street: _____

Town/City: _____ Nearest Cross Street: _____

Lot: _____ Block: _____ 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:

- | | | |
|---|--|--|
| <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 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.

cayce werts

2/11/2021

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:

To Install 116' of 5 ft tall black aluminum fence around pool and 48' of 5 foot tall wood fence around pool. They already have a perimeter fence. DPS Moco says we need historic preservation approval for the proposed pool fence. The historic preservation office told me to submit a HAWP application to you. Thanks.

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

To Install 116' of 5 ft tall black aluminum fence around pool and 48' of 5 foot tall wood fence around newly constructed pool.

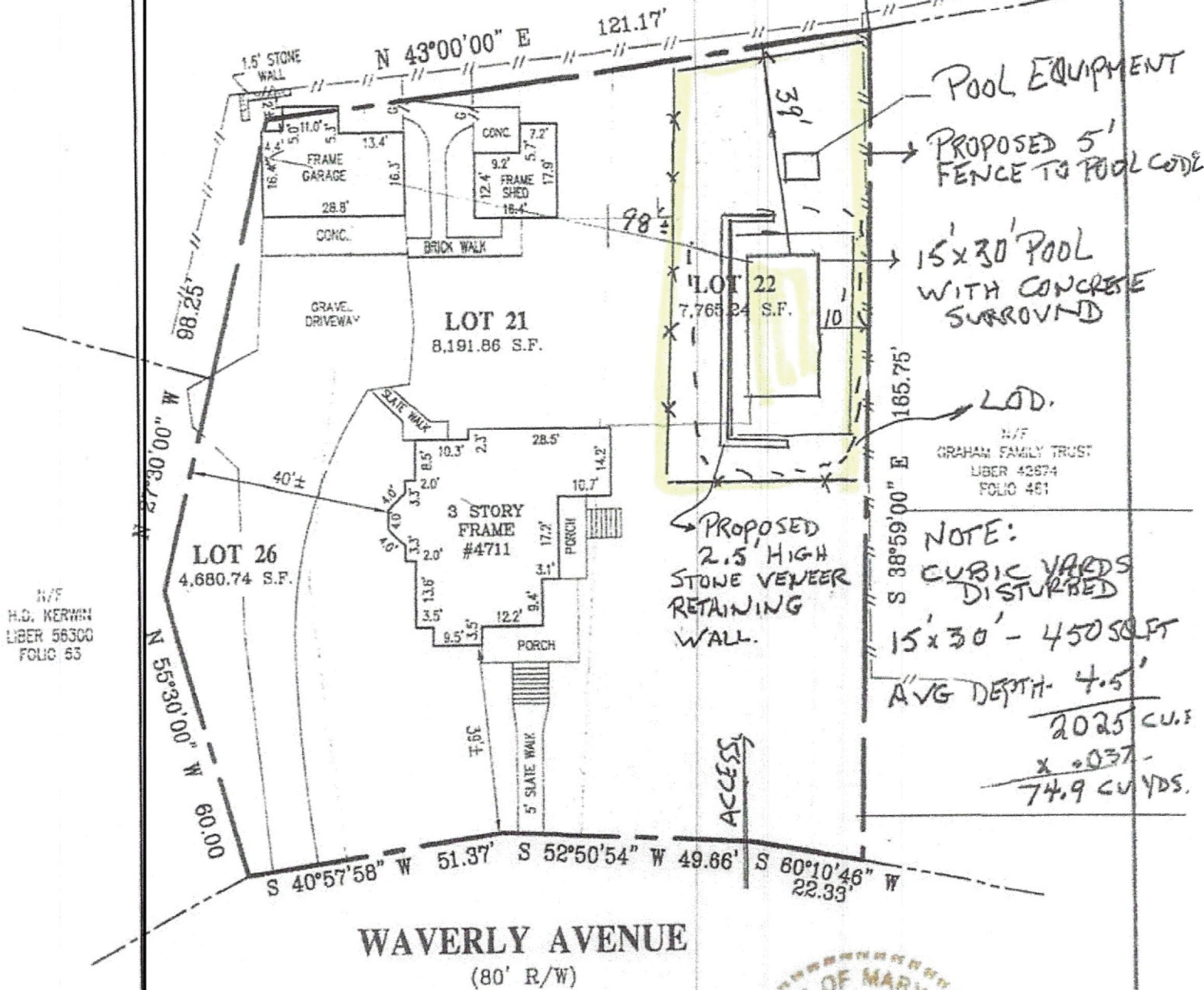
Work Item 1: _____	
Description of Current Condition:	Proposed Work:
Work Item 2: _____	
Description of Current Condition:	Proposed Work:
Work Item 3: _____	
Description of Current Condition:	Proposed Work:

HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	I. 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	*	*	*	*	*	*	*
Driveway/ Parking Area	*	*		*	*	*	*
Grading/Excavation/ Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

LOT 27
PLAT 23992

LOT 3



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

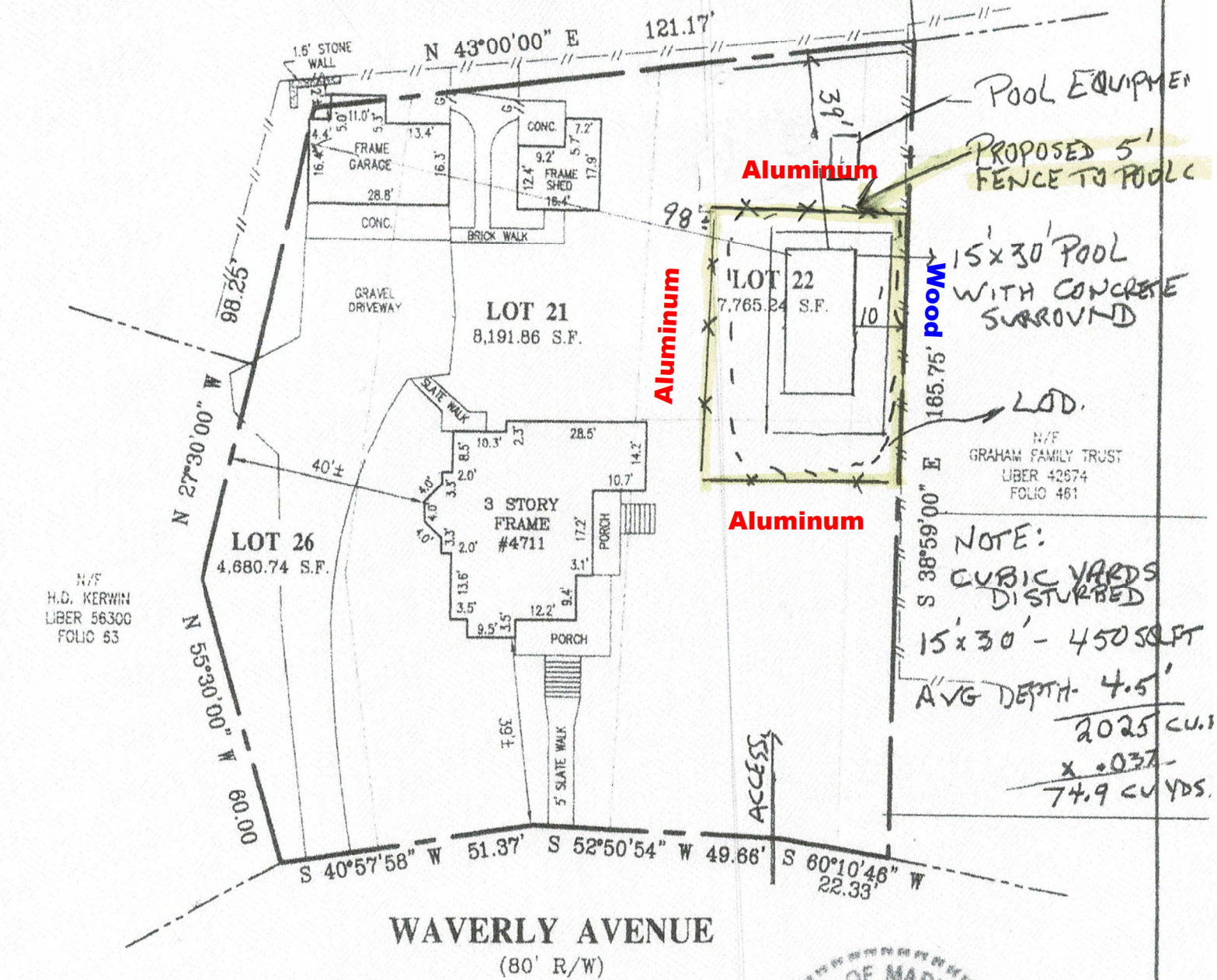


SNIDER & ASSOCIATES
LAND SURVEYORS


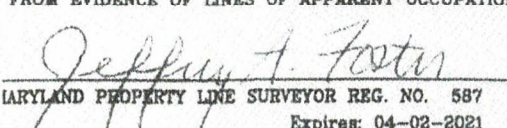
19544 Amaranth Drive
Germantown, Maryland 20874
301/948-5100, Fax 301/948-1288
WWW.SNIDERSURVEYS.COM

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

(19-02828)



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

SURVEYOR'S CERTIFICATE		REFERENCES			SNIDER & ASSOCIATES LAND SURVEYORS 19544 Amaranth Drive Germantown, Maryland 20874 301/948-5100, Fax 301/948-1286 WWW.SNIDERSURVEYS.COM	
THE INFORMATION SHOWN HEREON HAS BEEN BASED ON THE RESULTS OF A FIELD INSPECTION PURSUANT TO THE DEED OR PLAT OF RECORD. EXISTING STRUCTURES SHOWN HAVE BEEN FIELD LOCATED BASED ON MEASUREMENTS FROM PROPERTY MARKERS FOUND ON EVIDENCE OF LINES OF APPARENT OCCUPATION.		PLAT BK.	B		DATE OF LOCATIONS	SCALE: 1" = 30'
		PLAT NO.	43		WALL CHECK:	DRAWN BY: M.PAGAN
 MARYLAND PROPERTY LINE SURVEYOR REG. NO. 587 Expires: 04-02-2021		LIBER	46711	HSE. LOC.:	7-11-2019	JOB NO.: 11-02950
		FOLIO	389			

(19-02828)

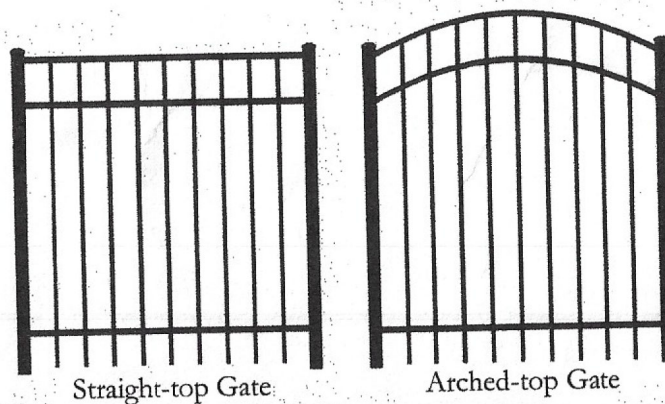
Coastal Aluminum Fence Styles

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

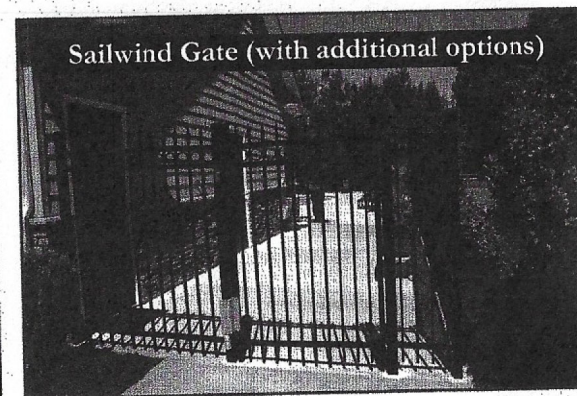
Arched-top Gate

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

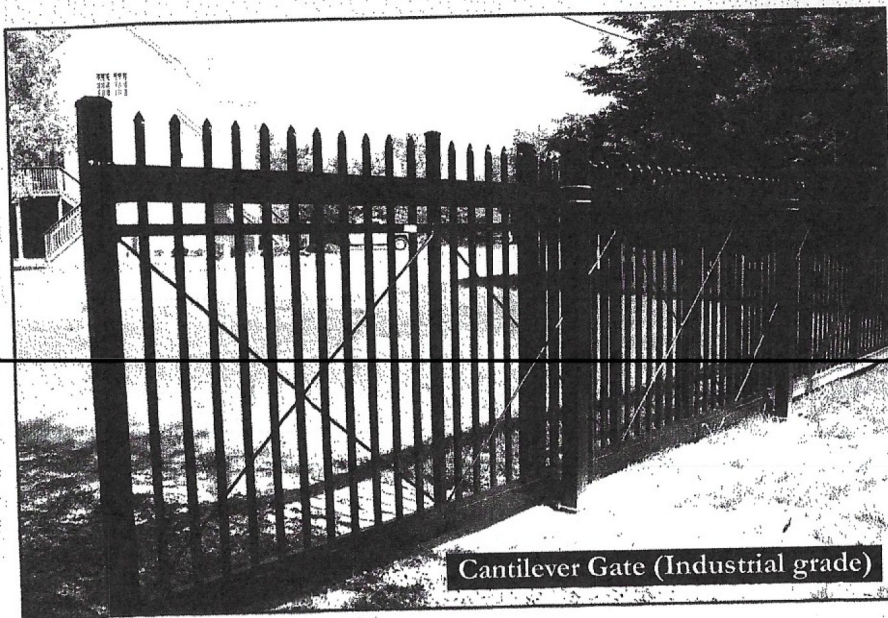
Double gates include two gate leaves, four standard self-closing hinges, one standard gravity latch, and one drop-rod.



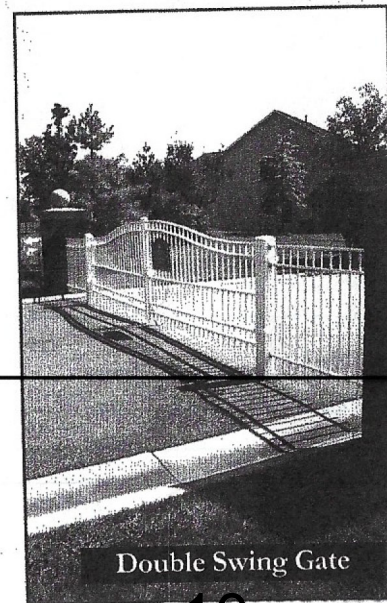
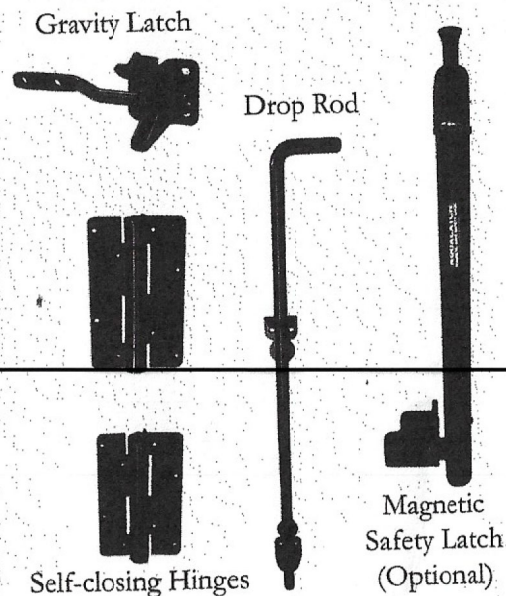
Bay Breeze Arched Gate



Sailwind Gate (with additional options)



Cantilever Gate (Industrial grade)



Double Swing Gate

48 inches

5' High Aluminum Picket



**Front, Rear,
and Left Side**



5' High Wood Solid Board

Right Side