

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	4600 Waverly Avenue, Garrett Park	<b>Meeting Date:</b>	12/1/2021
<b>Resource:</b>	Outstanding Resource (Garrett Park Historic District)	<b>Report Date:</b>	11/24/2021
<b>Applicant:</b>	Town of Garrett Park (Andrea Fox, Agent)	<b>Public Notice:</b>	11/17/2021
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	N/A
		<b>Staff:</b>	Michael Kyne

**Permit Number:** 973698

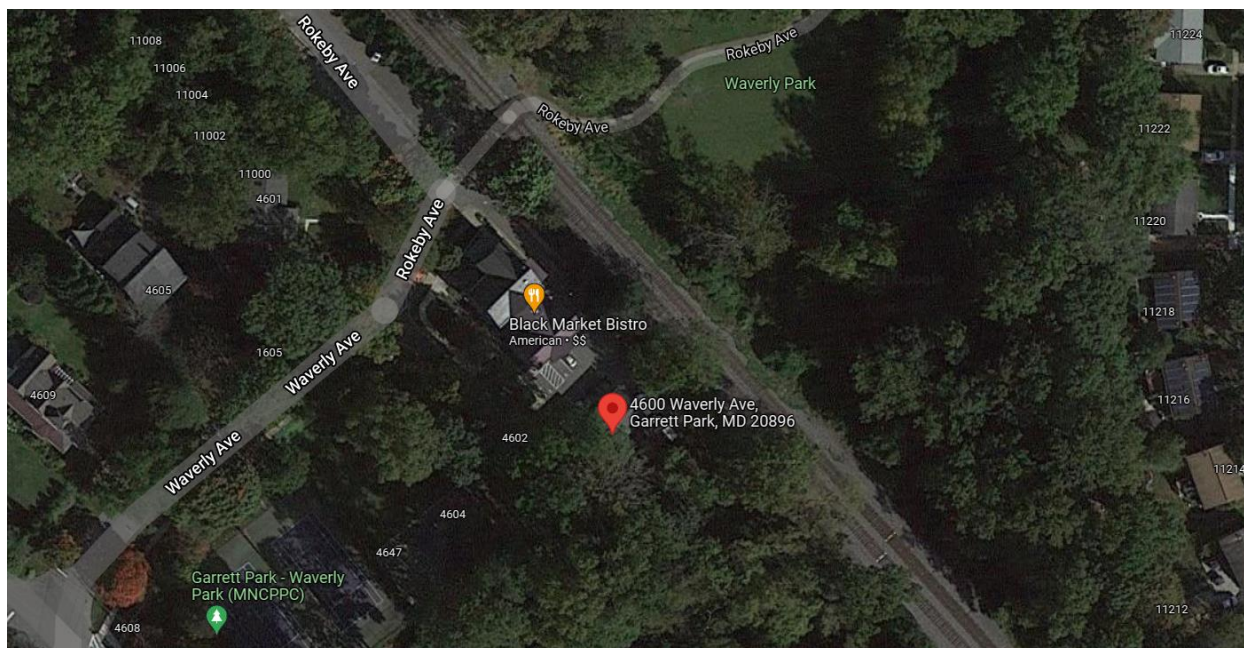
**PROPOSAL:** New porch railing

**STAFF RECOMMENDATION**

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

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Outstanding Resource within the Garrett Park Historic District  
**DATE:** 1894



***Fig. 1: Subject property.***

## **PROPOSAL**

The applicant proposes to install a new porch railing at the subject property.

## **APPLICABLE GUIDELINES**

When reviewing alterations and new construction within the Garrett Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Comprehensive Amendment to the North Bethesda-Garrett Park Master Plan (1992)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and *the Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

### ***Comprehensive Amendment to the North Bethesda-Garrett Park Master Plan (1992)***

**Outstanding Resource:** A resource which is of outstanding significance due to its architectural and/or historical features. An outstanding resource may date from any historical period and may be representative of any architectural style. However, it must have special features, architectural details, and/or historical associations that make the resource especially representative of an architectural style, it must be especially important to the history of the district, and/or it must be especially unique within the context of the 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 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
  - (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 the 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 applicable *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.
- 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 DISCUSSION**

The subject property is an 1894 Outstanding Resource within the Garrett Park Historic District. Known as Penn Place, the building houses a restaurant, a post office on the ground floor, and the Town Office on the third floor. The building has two front porches, the rightmost porch (as viewed from the public right-of-way of Waverly Avenue) has a wood porch railing, while the leftmost porch has no railing and is wrapped with flexible chains. The applicant proposes to install a new wood railing on the leftmost front porch to match that of the rightmost front porch. The leftmost front porch serves as outdoor dining space for the restaurant that operates out of the building, and the proposal seeks to address safety concerns and prevent falls.

As demonstrated by the submitted photographs, the building experienced significant alterations prior to a c. 2004 renovation. These alterations include changes to the roof form and removal of the two front porches. As part of the c. 2004 renovation, the original roof form was restored, and the two front porches were reconstructed. Staff notes that the reconstructed front porches have square posts and decorative post brackets, while the original front porches had turned posts and no brackets.

Although the submitted historic photograph demonstrates that the two front porches originally had no railings, staff finds that the proposed new porch railing for the leftmost front porch is an appropriate alteration, which matches existing features, is compatible with the historic character of the building, and addresses safety concerns. As the porch to be altered is a reconstruction, the proposal will not remove or alter historic materials and/or original character-defining features of the subject property, in accordance with *Standards* #2 and #9. Additionally, the proposed new porch railing could be removed in the future,

leaving the essential form and integrity of the historic property and its environment unimpaired, per *Standard #10*.

Staff notes that the Garrett Park Historic Preservation Committee (GPHPC) recommended approval of the proposal, in consultation with the restaurant tenant and Town Manager.

After full and fair consideration of the applicant's submission staff finds the proposal as being consistent with the Criteria for Issuance in Chapter 24A-(b) 1 and 2, having found the proposal is consistent with the *Secretary of the Interior's Standards for Rehabilitation #2, #9, and #10* outlined above.

**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 **permit 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](mailto:michael.kyne@montgomeryplanning.org) to schedule a follow-up site visit.



FOR STAFF ONLY:  
HAWP# 973698  
DATE ASSIGNED \_\_\_\_\_

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

**APPLICANT:**

Name: Andrea Fox, Town Manager, Town of Garrett Park E-mail: managerandrea@garrettparkmd.gov  
Address: 4600 Waverly Ave, 3rd Flr City: Garrett Park Zip: 20896  
Daytime Phone: 301-933-7488 Tax Account No.: 52-6012503

**AGENT/CONTACT (if applicable):**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Contractor Registration No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE:** MIHP # of Historic Property Penn Place, 4600 Waverly Ave, Garrett Park  
Inventory No.: M-30-13

Is the Property Located within an Historic District? ☒ Yes/District Name Garrett Park Historic District  
☐ 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.  
Yes

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? No  
(Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information. No

Building Number: 4600 Street: Waverly Ave

Town/City: Garrett Park Nearest Cross Street: Rokeby St

Lot: 1 Block: 97 Subdivision: Sect. 2 Parcel: 04-00059857

**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>Railing on porch</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.

Andrea Fox

11/9/21

Signature of owner or authorized agent

Date

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

<b>Owner's mailing address</b> Town of Garrett Park 4600 Waverly Ave, 3rd Flr PO Box 84 Garrett Park, MD 20896	<b>Owner's Agent's mailing address</b>
<b>Adjacent and confronting Property Owners mailing addresses</b>	
4601 Waverly Avenue PO Box 54 Garrett Park, MD 20896	



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

Penn Place, built in the late 1800s, is an "outstanding resource" within the Historic District that has served many functions over the years. The Black Market Bistro has been operating out of the building since 2004. There is an open porch used for outdoor dining by the Black Market Bistro. The building has a post office on the ground floor, and the Town Office on the third floor. Adjacent to the building are train tracks, and nearby is the Garrett-Waverly neighborhood park.

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

The Town of Garrett Park seeks a Historic Area Work Permit (HAWP) for installation of a railing on the front porch of Penn Place at 4600 Waverly Avenue. The open porch is used for outdoor dining by the Black Market Bistro, a restaurant that has operated in the building since the building was renovated and its porches restored in 2004. Penn Place, built in the late 1800s, is an "outstanding resource" within the Historic District that has served many functions over the years. Originally a general store, it now houses the Post Office, Town offices, the Art at Penn Place gallery, and the restaurant.

An urgent safety concern was recently brought to the Town's attention after a restaurant customer fell off the porch while dining. Instead of a secure railing, the porch has had a set of flexible chains wrapping it, which did not prevent the customer from falling. The restaurant seeks to add a more secure railing as soon as possible.

The Garrett Park Historic Preservation Committee (GPHPC) recommends that the Town install a wood picket railing to match the one on the adjacent smaller porch. GPHPC finds this style of railing visually pleasing and appropriate to the historic building. GPHPC has consulted with the Black Market Bistro representative as well as the Town Manager and both are satisfied with this choice. Our committee strongly supports this HAWP. If you have any further questions, please do not hesitate to contact Nancy Walz, or Stephen Paczkowski, Garrett Park Councilmember, who is the liaison with our committee.

GPHPC has consulted with the Black Market Bistro representative as well as the Town Manager and both are satisfied with these options. GPHPC strongly supports this HAWP.

Work Item 1: <u>Railing</u>	
Description of Current Condition: The Penn Place Building has an open porch that is not safe to use for outdoor dining because there is no railing.	Proposed Work: Install a railing.
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	*	*	*	*	*		*

***Town of Garrett Park Historic Preservation Committee***  
**Statement on Penn Place at 4600 Waverly Avenue**  
**Revised November 19, 2021**

To: Kevin Manarolla  
[mcp-historic@mncppc-mc.org](mailto:mcp-historic@mncppc-mc.org)  
Montgomery County Historic Preservation Office

**Regarding: HAWP for Penn Place at 4600 Waverly Avenue, Garrett Park**

The Town of Garrett Park seeks a Historic Area Work Permit (HAWP) for installation of a railing on the front porch of Penn Place at 4600 Waverly Avenue. The open porch is used for outdoor dining by the Black Market Bistro, a restaurant that has operated in the building since the building was renovated and its porches restored in 2004. Penn Place, built in the late 1800s, is an "outstanding resource" within the Historic District that has served many functions over the years. Originally a general store, it now houses the Post Office, Town offices, the Art at Penn Place gallery, and the restaurant.

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If you have any further questions, please do not hesitate to contact me, or Stephen Paczkowski, Garrett Park Councilmember, who is the liaison with our committee.

On behalf of the committee,

Nancy Walz, Chair  
Garrett Park Historic Preservation Committee

[nancywalz@gmail.com](mailto:nancywalz@gmail.com)  
[councilstephen@garrettparkmd.gov](mailto:councilstephen@garrettparkmd.gov)



Existing chains around porch



Picket railing to match the smaller porch on right side



Penn Place in the late 1800s



Penn Place before the 2004 renovation (date unknown)