

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	9923 Sutherland Rd., Silver Spring	Meeting Date:	1/5/2022
Resource:	Contributing Resource Polychrome Historic District	Report Date:	12/29/2021
Applicant:	Alicia Gilbert	Public Notice:	12/22/2021
Review:	HAWP	Tax Credit:	n/a
Case No.:	977231	Staff:	Dan Bruechert
Proposal:	Patio Construction and Hardscape Alteration		

STAFF RECOMMENDATION

☒ Approve
☐ Approve with conditions

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing resource to the Polychrome Historic District
STYLE: Art Deco
DATE: 1939



Figure 1: The subject property is one of three two-story Polychrome houses in the district.

PROPOSAL

The applicant proposes to remove the existing patio and construct a 15' × 11' (fifteen foot by eleven foot) flagstone patio and stepping stone path along the left (north) side of the house. The patio will be at grade and not visible from the public right-of-way.

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.
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.

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

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.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(1) and (2) 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;

and with the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made;

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.
visit.



FOR STAFF ONLY:
HAWP# 977231
DATE ASSIGNED _____

APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

Tax Account No.: _____

AGENT/CONTACT (if applicable):

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

Contractor Registration No.: _____

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

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: _____ 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:

☐ New Construction

☐ Deck/Porch

☐ Shed/Garage/Accessory Structure

☐ Addition

☐ Fence

☐ Solar

☐ Demolition

☐ Hardscape/Landscape

☐ Tree removal/planting

☐ Grading/Excavation

☐ Roof

☐ Window/Door

☐ 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.

Alicia Gilbert

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:

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

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	*	*	*	*	*		*

HAWP 977231**Attachment 1: Written Description**

9923 Sutherland Road, Silver Spring, MD 20901 is located within the Polychrome Historic District (MHIP # 32-05). It is one of five Art Deco-style single-family detached houses within the district. The house is clad with two-inch-thick precast mosaic concrete panels anchored to a wood frame. The house is two stories with an attached garage situated on a 7360 sq. ft. lot.

This application is for replacing the existing rear concrete/concrete paver patio (15 ft wide x 11 ft deep) with a 25 ft wide x 15 ft deep flagstone patio on a concrete foundation with two stone corner sitting walls and installing a stepping stone pathway on the left side yard from the gate to the new rear flagstone patio.

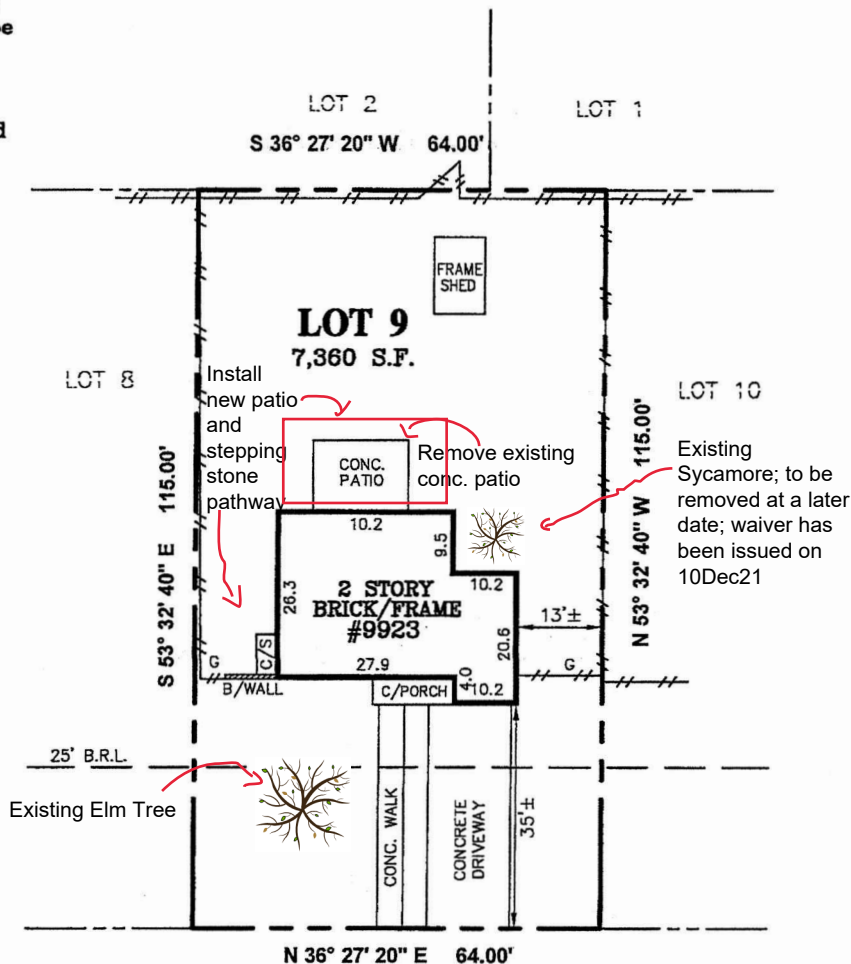
The proposed work will be performed by a landscaping contractor, Woodstone Landscaping. The old concrete landing and concrete pavers will be removed. The new flagstone patio will be installed on a concrete foundation. The flagstones will be one size, a dark gray color, and arranged in a bricklayer pattern. It will be graded such that the rainwater will drain away from the house. Two stone, corner sitting walls will be installed at the outer corners of the patio. Each wall segment will be approximately 2' long x 10-12" wide, 18" high.

A new stepping stone pathway will be installed on the left rear side yard from the gate to the new patio. The stepping stones, large irregular shaped flagstones, will be embedded in the dirt with a small gravel base underneath. A perforated pipe will be installed underneath to help with rainwater drainage.

1. This plan is a benefit to a consumer insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plan is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
3. This plan does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Building line and/or Flood Zone information is taken from available sources and is subject to interpretation of originator.
5. No Title Report furnished.

Notes:

1. Setback distances as shown to the principal structure from property lines are approximate. The level of accuracy for this drawing should be taken to be no greater than plus or minus 3 feet.
No property corners found.
2. Fences, if shown, have been located by approximate methods.

**SUTHERLAND ROAD**

(50' R/W)

**LOCATION DRAWING
LOT 9, BLOCK A
SECTION TWO
FAIRWAY**

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."

Keith A. Leu
MARYLAND PROPERTY LINE SURVEYOR REG. NO. 592
Expires: 08-30-2021

REFERENCES

PLAT BK. 9
PLAT NO. 657

LIBER
FOLIO



**SNIDER & ASSOCIATES
LAND SURVEYORS**
19544 Amaranth Drive
Germantown, Maryland 20874
301/948-5100 Fax 301/948-1286
WWW.SNIDERSURVEYS.COM

DATE OF LOCATIONS

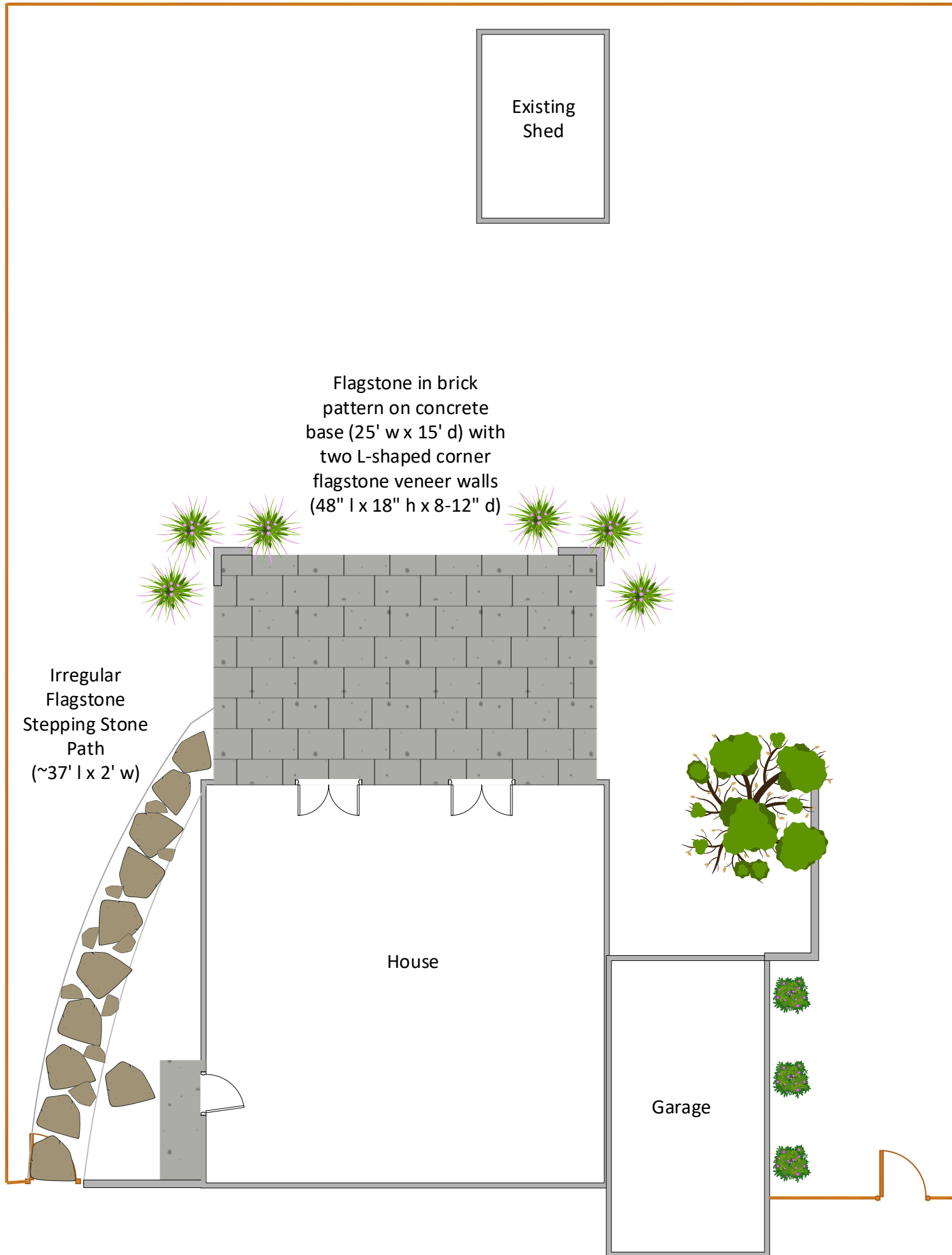
SCALE: 1" = 30'

WALL CHECK:

DRAWN BY: D.M.L.

HSE. LOC.: 04-19-21

JOB NO.: 21-01543HL

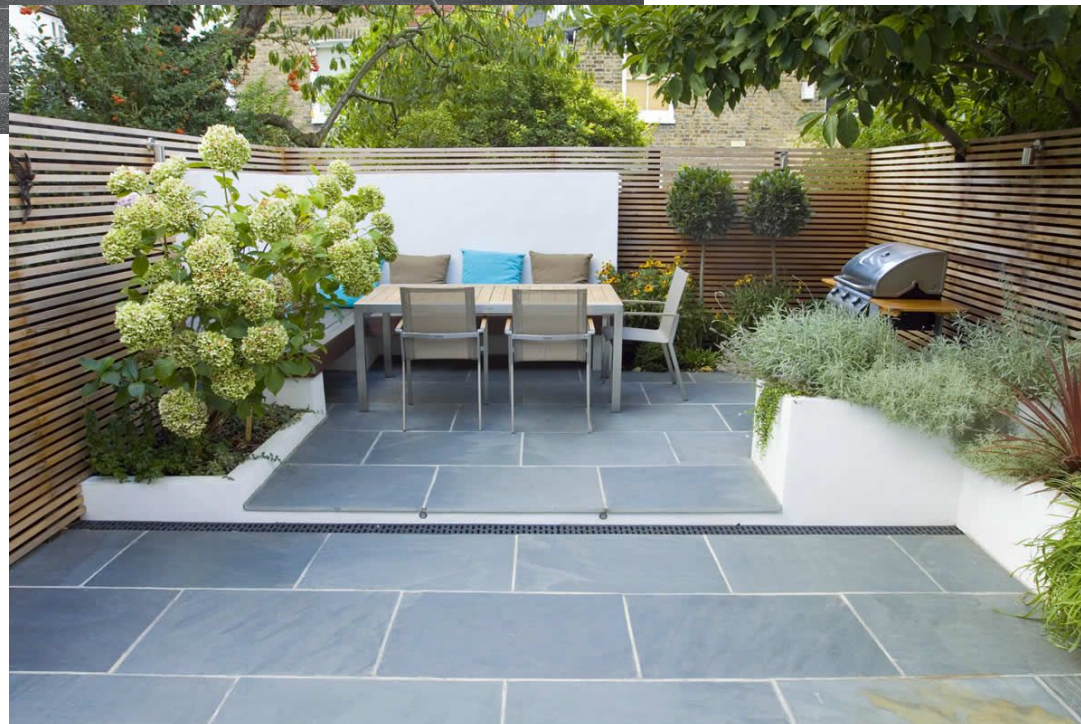


HAWP 977231**Attachment 4: Material Specifications**

The new flagstone patio will be installed on a concrete foundation. The flagstones will be one size, approx. 1' x 2', a dark gray color, and arranged in a bricklayer pattern. The stepping stones for the pathway on the left side yard will be large irregular shaped flagstones.

HAWP 977231**Attachment 5: Photographs****Current Rear Patio****Current Side Yard**

Examples of New Flagstone Patio and Stepping Stone Pathway



HAWP 977231**Attachment 7: Property Owner Addresses**

The property owner lives at 9923 Sutherland Road, Silver Spring, MD 20901.

Nearby residents:

Megen Jean Wulf and Shalima Zalsha
9919 Sutherland Road

Meera Kanhouwa (9925 Sutherland Road)
11108 Willowbrook Dr
Potomac MD 20854

Thomas Bass (9900 Colesville Road)
3730 Nimitz Rd,
Kensington, MD 20895

Jote Menkir
9904 Colesville Rd
Silver Spring, MD 20901

Downs Rachel et al Tr (9908 Colesville Rd)
18825 Eliason Way
Hagerstown, MD 21742

9925 Sutherland Road
Silver Spring, MD 20901

9900 Colesville Road
Silver Spring, MD 20901

9922 Sutherland Road
Silver Spring, MD 20901