

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	17201 Palomino Ct., Olney	Meeting Date:	4/6/2022
Resource:	Individually Listed Master Plan Site (John D. Berry House #23/103)	Report Date:	3/30/2022
Applicant:	John Kearney	Public Notice:	3/23/2022
Review:	HAWP	Tax Credit:	N/A
Permit Number:	986574	Staff:	Dan Bruechert
Proposal: Demolition of Existing Shed and New Accessory Structure Construction			

STAFF RECOMMENDATION

Staff recommends that the HPC **approve with one (1) condition** the HAWP application:

1. The driveway extension needs to be constructed either out of textured block or asphalt. Final approval authority of the driveway is delegated to Staff to ensure conformance with the condition.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Individually Listed Master Plan Site #23/103 *John D. Berry House*
STYLE: Vernacular
DATE: c.1790 with later additions

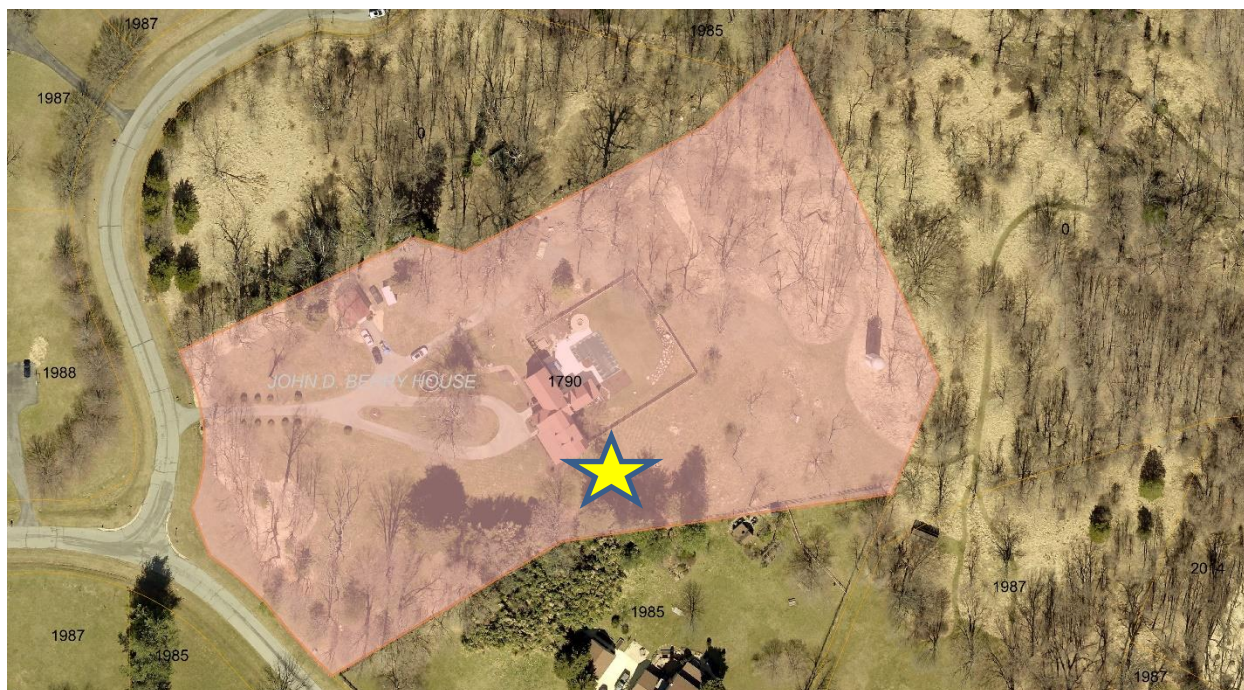


Figure 1: The subject property is near the intersection of Montrose Ave. and Strathmore Ave.

From *Places From the Past*:

“John D. Berry was the grandson of Richard Berry who first acquired property locally in the late 1700s,

and by 1807 owned nearly 1,000 acres. The core of this frame farmhouse was built by John D. Berry in 1863. The present house has four distinct sections, one of which may be of log construction. By 1884, John D. Berry built the bank barn and stone carriage house. According to insurance records, the farmstead was augmented by the smokehouse, built between 1884 and 1888.”

The Master Plan site was designated for its significant rural vernacular house and agricultural setting:

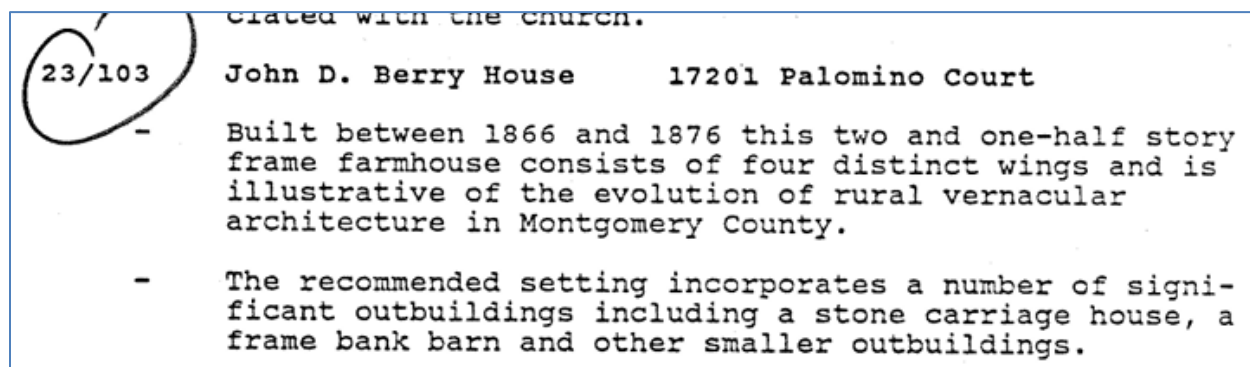


Figure 2: The 1986 Master Plan for Historic Preservation Amendment.

PROPOSAL

The applicant proposes to construct a detached garage on the site.

APPLICABLE GUIDELINES

Proposed alterations to individual Master Plan Sites are reviewed under Montgomery County Code Chapter 24A (Chapter 24A) and the *Secretary of the Interior's Standards for Rehabilitation*.

Rehabilitation is defined 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.

Montgomery County Code; Chapter 24A-8

- (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.
- (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.

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 *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 proportions, and massing to protect the integrity of the property and its environment.
- 10. New additions and adjacent or related new construction will 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 a four-and-a-half-acre site that contains the house and several agricultural outbuildings, including a stone carriage house and a frame bank barn. The applicant proposes to demolish a non-historic shed (measuring 14' × 28') to make room for a new accessory building. The proposed garage is three bays wide with a storage area above, approximately 100' (one hundred feet) to the north of the house. The proposed garage measures 36' × 24' (thirty-six feet wide by twenty-four feet deep) and is 19' 10" (nineteen feet, ten inches) tall. The proposed garage has steel carriage-style doors and two shed roof dormers with six-over-six clad windows and wood shutters. The south elevation includes exterior composite stairs to the second-floor door. The proposed garage will be sided with fiber cement clapboards and will have a standing seam metal roof to match the house. The existing driveway will be extended to access the garage. No trees will be impacted by the proposed construction

Staff finds the existing shed is not historic and its demolition will not impact the character of the Master Plan site and should be approved under Standard 2 and 24A-8(b)(1).

In 2018, the HPC reviewed a HAWP at this site to consider a swimming pool and associated fencing and hardscape. Staff found that the open agricultural character of the site had been substantially altered. The

site also lacks the formality typically found in the county's surviving 18th and 19th-century farm sites.

Staff finds that while the proposed garage is large, it is not out of scale with the size and agricultural character of the site. Staff finds the placement of the proposed structure will not visually compete with the primacy of the historic house within the farm landscape. While Staff would prefer wood siding on the proposed building on aesthetic grounds, Staff finds that fiber cement is appropriate in this instance because the garage is far removed from the house and significant historic agricultural buildings. Additionally, synthetic materials are typically allowed on new construction to aid in differentiating new from historic construction, per Standard 9.



Figure 3: Proposed west elevation of the proposed garage.

Staff finds the other proposed materials, including clad multi-lite windows, doors, steel garage doors, and a standing seam metal roof are appropriate for the building and the character of the site and recommends approval under 24A-8(b)(2) and Standards 2, 9, and 10.

Finally, Staff finds that the proposed driveway extension is necessary to access the proposed structure. The application notes "stone driveway extension." Staff finds a textured surface is more in keeping with the character of the site than a smooth asphalt, but that either a textured block or asphalt would be acceptable under 24A-8(b)(2). Staff recommends the HPC add a condition for approval that the driveway extension be either block or asphalt with final approval authority delegated to Staff.

STAFF RECOMMENDATION

Staff recommends that the Commission **approves with one condition** the HAWP application:

1. The driveway extension needs to be constructed either out of textured block or asphalt. Final approval authority of the driveway is delegated to Staff to ensure conformance with the condition; under the Criteria for Issuance in Chapter 24A-8(b)(1) & (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, #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 dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



FOR STAFF ONLY:
HAWP# 986574
DATE ASSIGNED _____

APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: JOHN KEARNEY

E-mail: JKEARNEY@SNYDERKEARNEY.COM

Address: 17201 PALOMINO CT

City: OLNEY Zip: 20832

Daytime Phone: 240-832-0182

Tax Account No.: 02230424

AGENT/CONTACT (if applicable):

Name: JAMES R. IRVINE

E-mail: JIM@IRVINECONSTRUCTION.COM

Address: 506 TIFFAN CT

City: THURMONT Zip: 21788

Daytime Phone: 301-401-5498

Contractor Registration No.: 25379

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property M23-103

Is the Property Located within an Historic District? X Yes/District Name OLNEY
____ 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 checked="" 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 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.

[Signature]
Signature of owner or authorized agent

3-10-22
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:

The John D. Berry House was constructed in several phases resulting in its current appearance. The entirety of the house has clapboard siding, two-over-two wood windows, and a standing seam metal roof. The left wing of the house has a side gable roof and is four bays wide with a door on in the right-most bay. The middle section is a front gable project that appears to have been a later L. The right wing of the house has a gambrel roof with a large covered front porch. The house sits in the middle of a 4.5-acre lot, which contains the foundations of several agricultural outbuildings. The house is well setback from the street with a stand of trees obscuring the view of the house from the public right-of-way.

The home has experienced several previous renovations and repairs. The exterior original siding has been replaced with composite type clapboard and shingle siding materials.

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

Construction of new 3 car garage, with storage above in keeping with the architectural styling of the home.

Footprint size: 36 ft x 24 ft (plans attached)

Including 2 shed style dormers of similar size and proportion of existing home

Exterior stairs to storage above garage

Foundation: CMU - concrete block with stucco finish above grade

Roof: Standing seam steel to match profile and color of home

Siding: James Hardie brand - beaded lap type to match Hardie siding on existing home

Exterior Trim: James Hardie

Railings to be vinyl wrapped steel type - white color

Garage Doors: "Clopay" white steel carriage style doors

Shutters: wood to match home

Windows: Pella brand SDL (simulated divided lites) white clad exterior

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

Owner's mailing address John Kearney 17201 Palomino Court Olney, MD 20832	Owner's Agent's mailing address James R. Irvine Construction Inc James Irvine 506 Tippin Court Thurmont, MD 21701
Adjacent and confronting Property Owners mailing addresses	
Konstantine K Weld 17211 PALOMINO CT OLNEY MD 20832-2516	James M. Mullen 2813 COVERED WAGON WAY OLNEY MD 20832-2514
James H. Webb 2901 COVERED WAGON WAY OLNEY 20832-0000	

Adjacent and Confronting Properties:

Olney, MD 20832

17211 Palomino Court

17207 Palomino Court

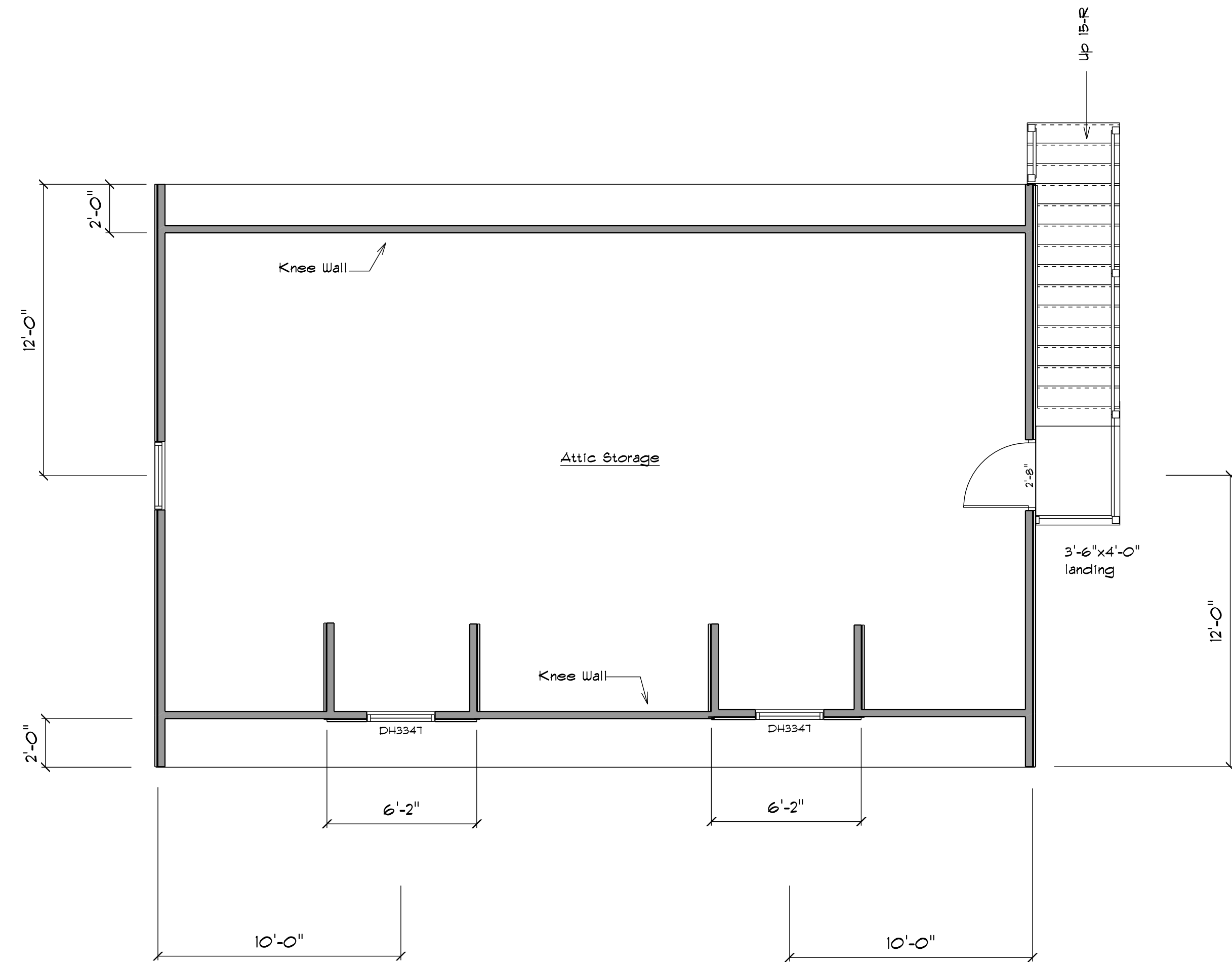
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2813 Covered Wagon Way

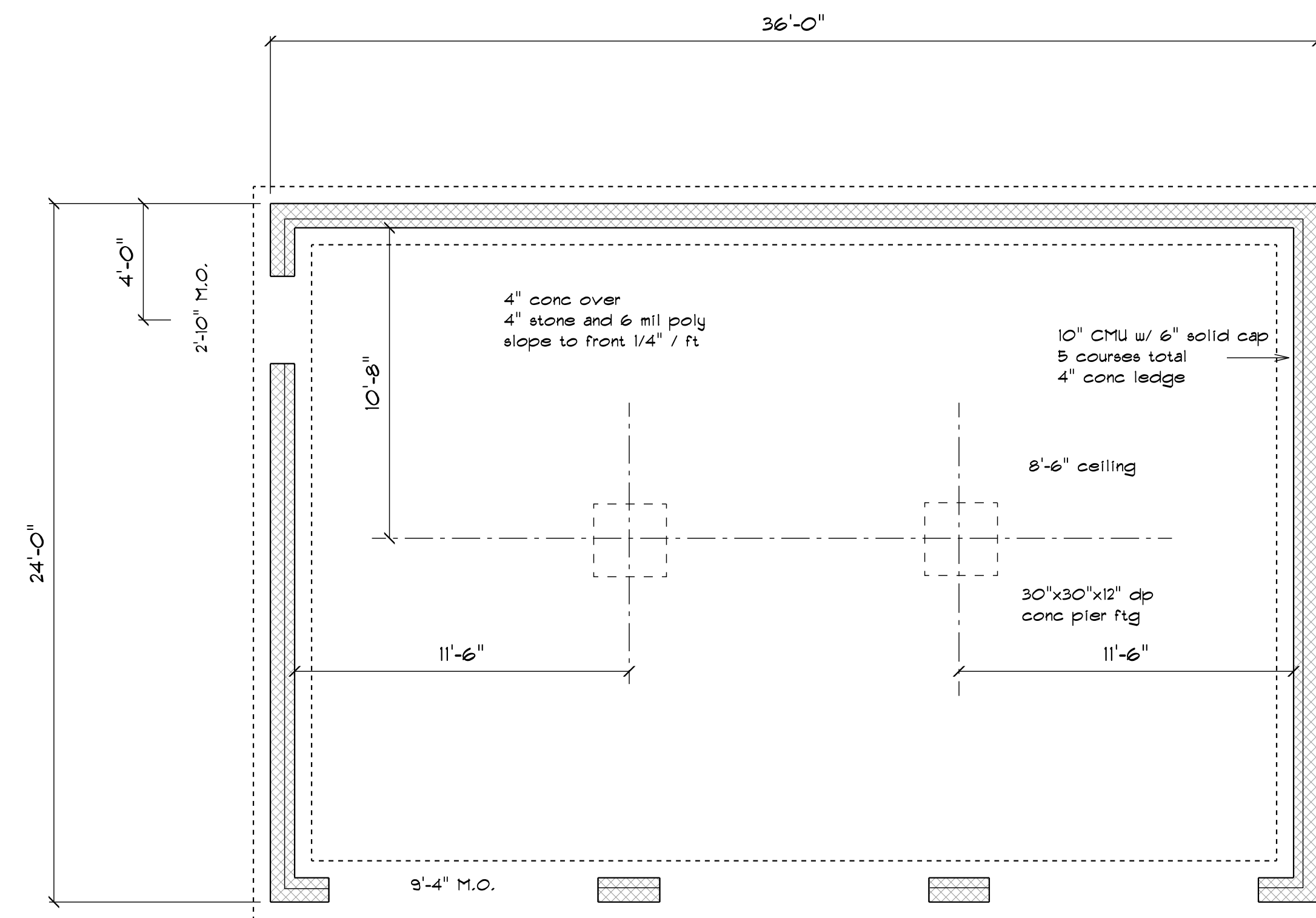
2816 Covered Wagon Way

2900 Covered Wagon Way

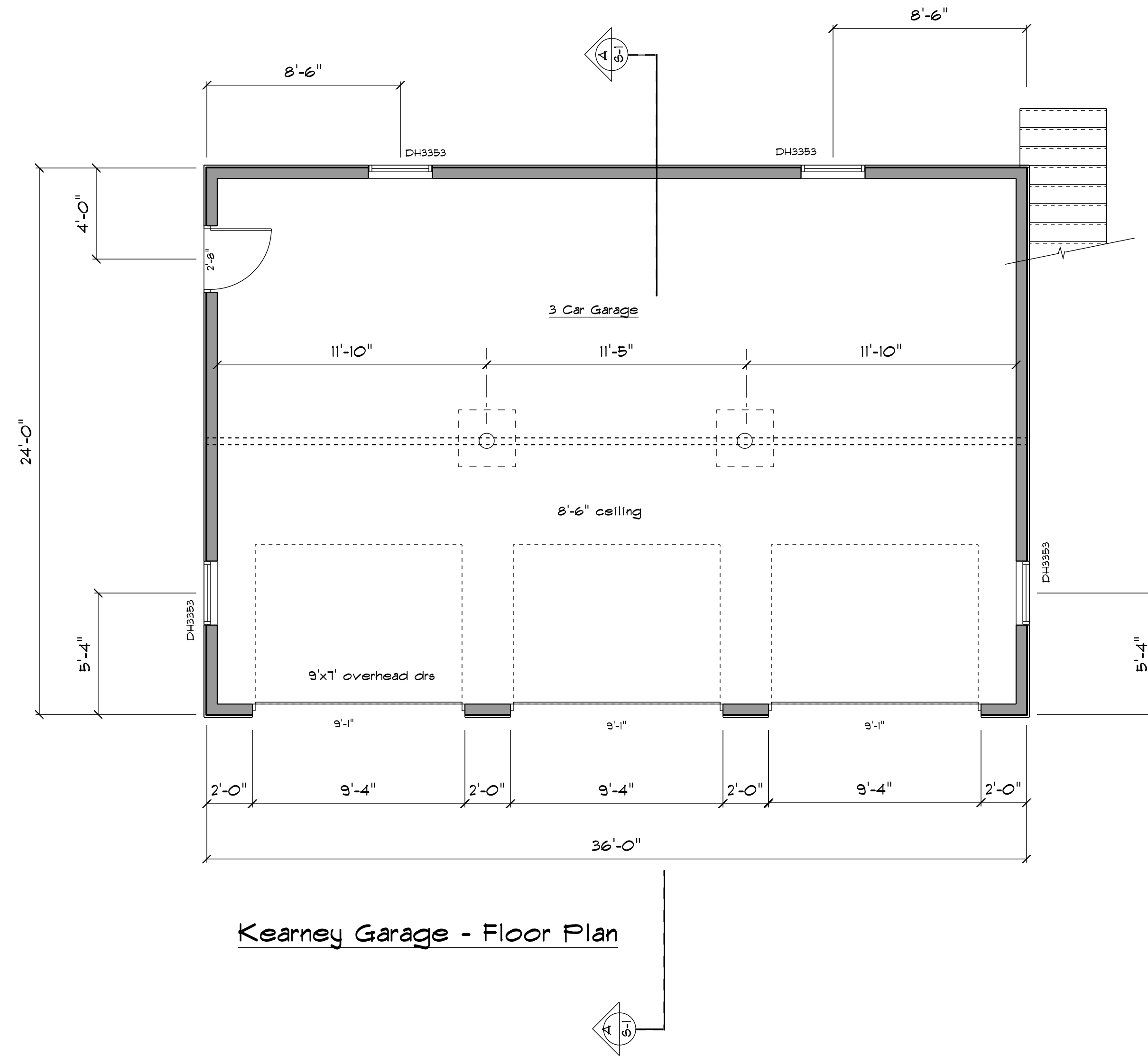
2901 Covered Wagon Way



Kearney Garage - Attic Plan



Kearney Garage - Foundation Plan



Kearney Garage - Floor Plan

Sheet

A - 1

Drawing:

Garage Foundation - Floor Plan - Attic Plan

Project:

John and Paula Kearney
17210 Palomino Court
Olney MD

Date: 3-9-22

Scale: 1/4" = 1'-0"

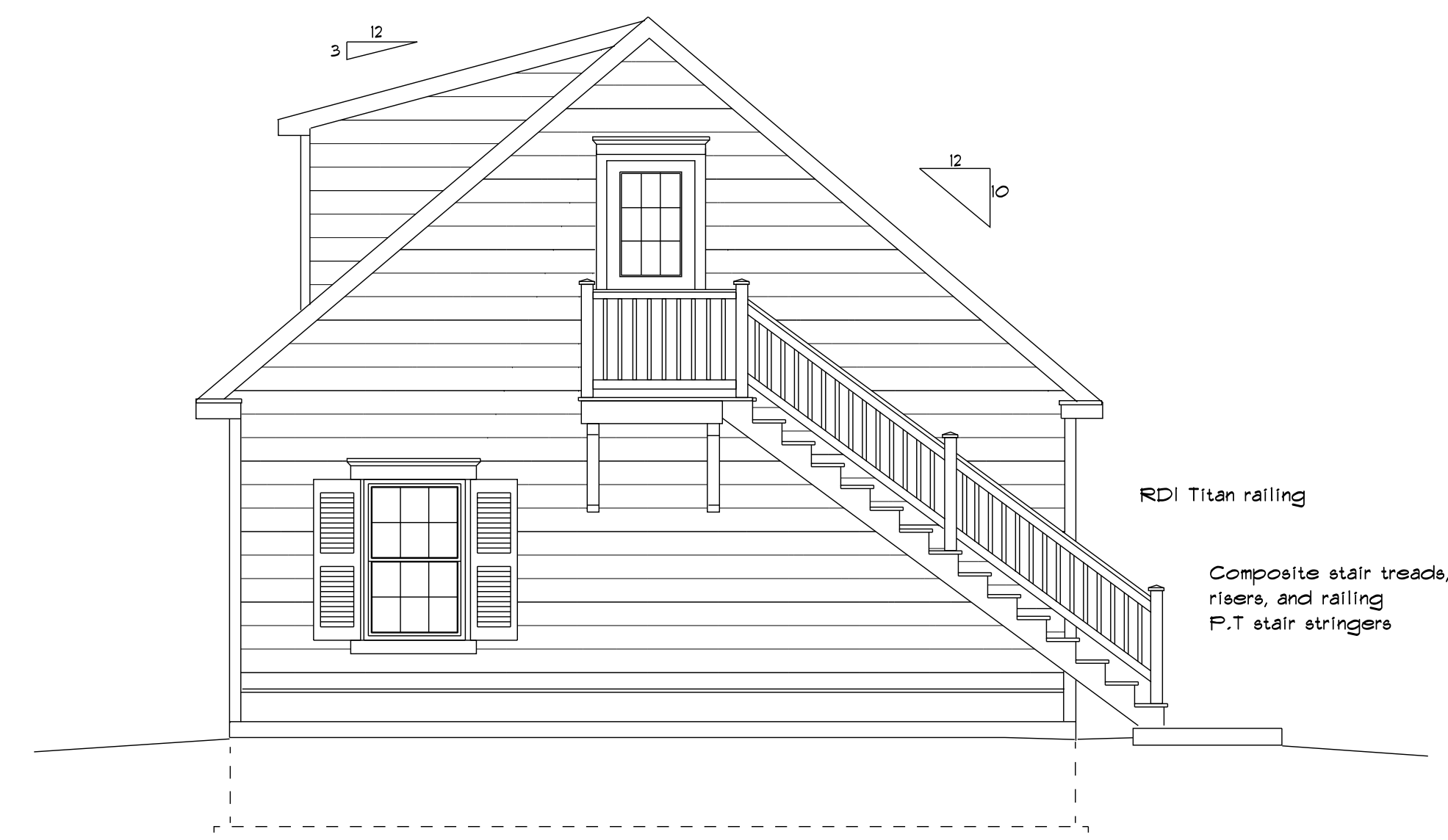
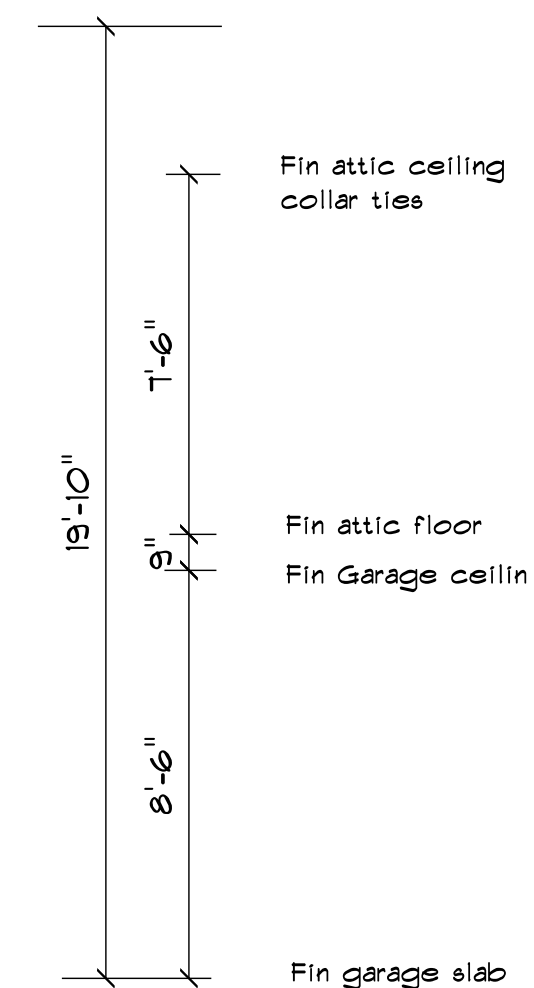
Revisions:

James R. Irvine
Construction Inc

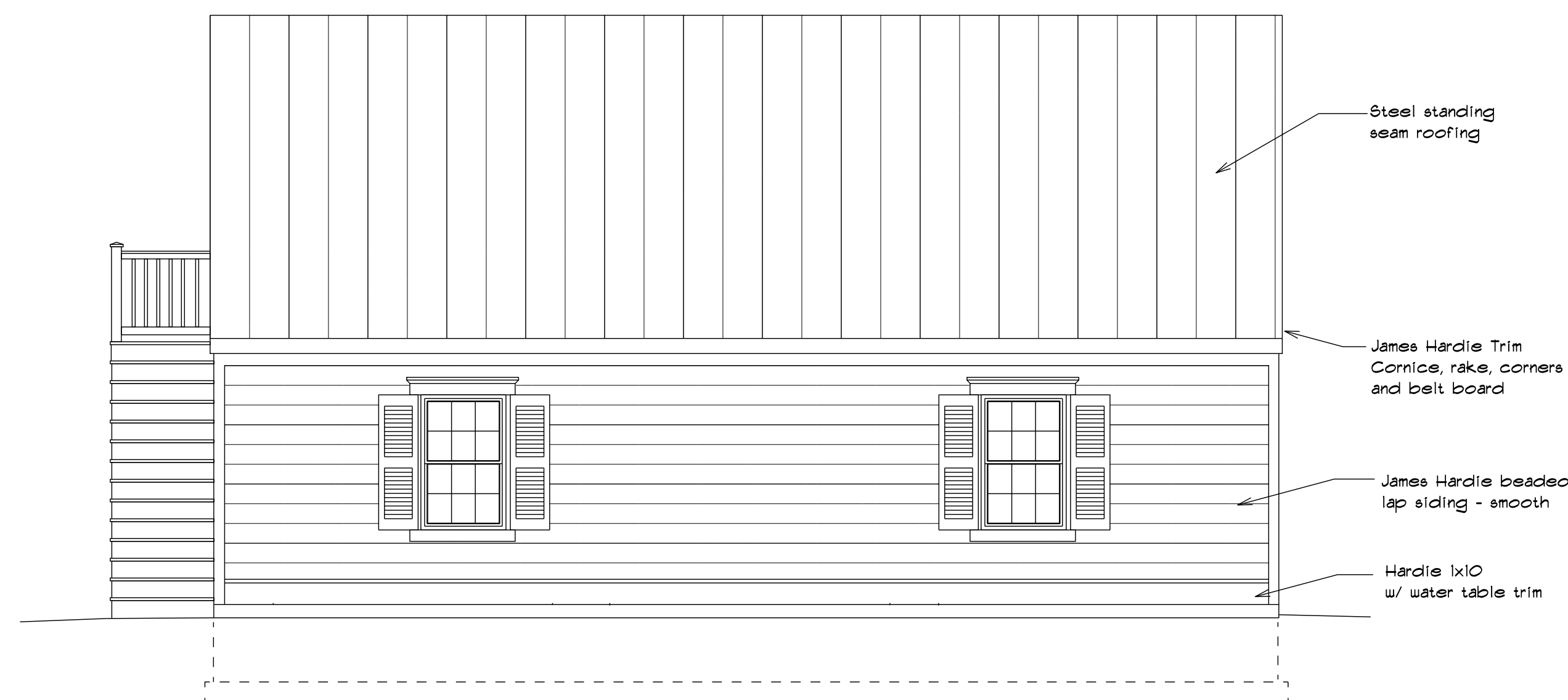
Designer / Builder
506 Tipton Court
301-271-3272 MHC 23379
www.IrvineConstruction.com



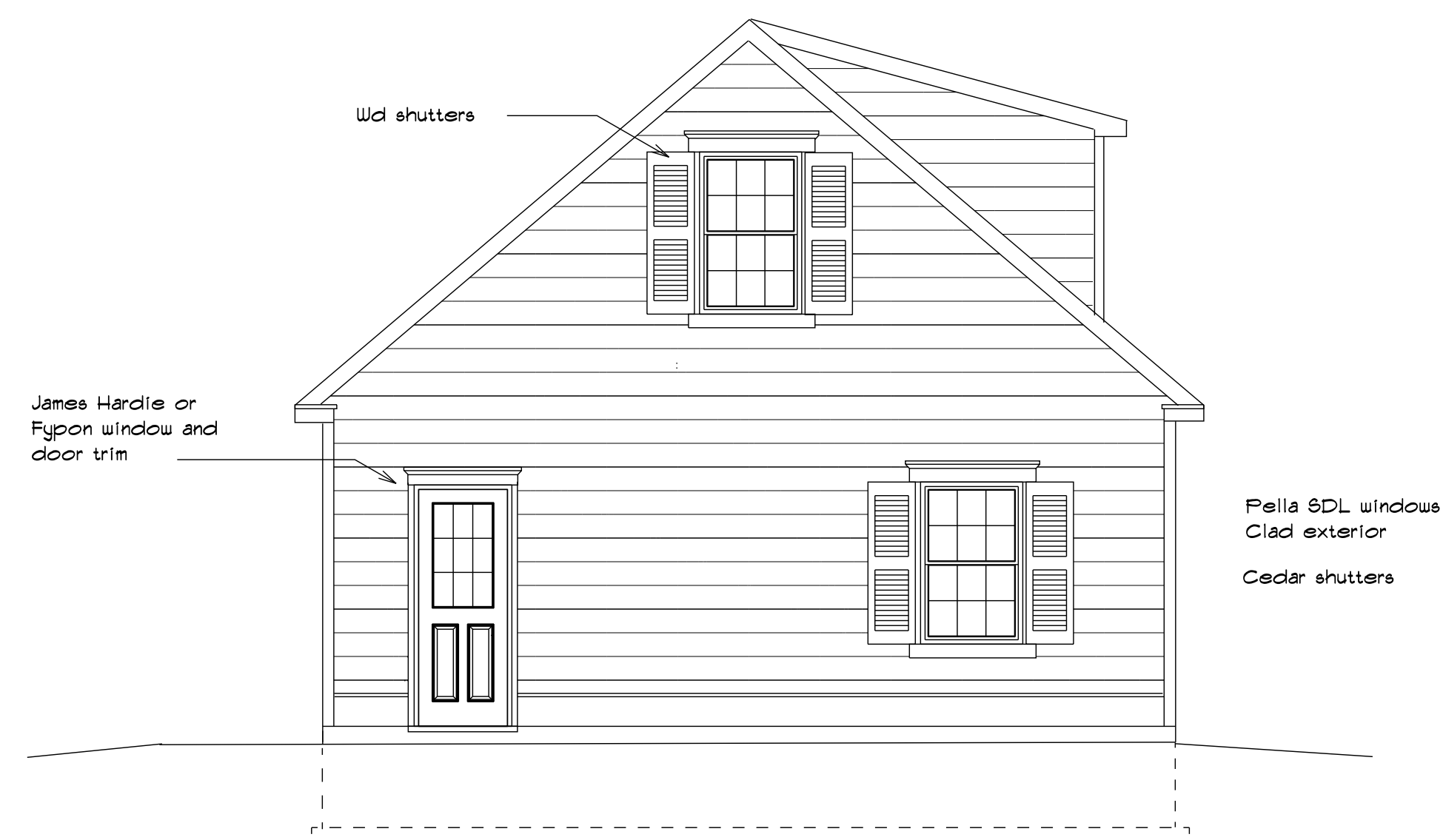
Kearney Garage - West Elevation



Kearney Garage - South Elevation



Kearney Garage - East Elevation



Kearney Garage - North Elevation

James R. Irvine Construction Inc



Photographs – Kearney Residence – Existing Home and Proposed Garage Building Site



Figure 1 - Existing House



Figure 2 - Existing House Rear



Figure 3 - Garage building site



Figure 4 - Garage Building Site -West



o: 301.670.2812
f: 301.670.2827
www.rqstitle.com



SURVEY NUMBER: MD1606.2204

REVISION HISTORY: (REV.1 6/30/2016)

14'x28'
SHED
O.G.

SCALE: 1"=40'

SCALE: 1"=40'

16.3'

32.3'

28.0'

30.3'

STONE PATIO

19.4'

29.9'

2 STORY
FRAME RES.
17201

32.0'

20.2'

32.2'

8.0'

13.1'

16.5'

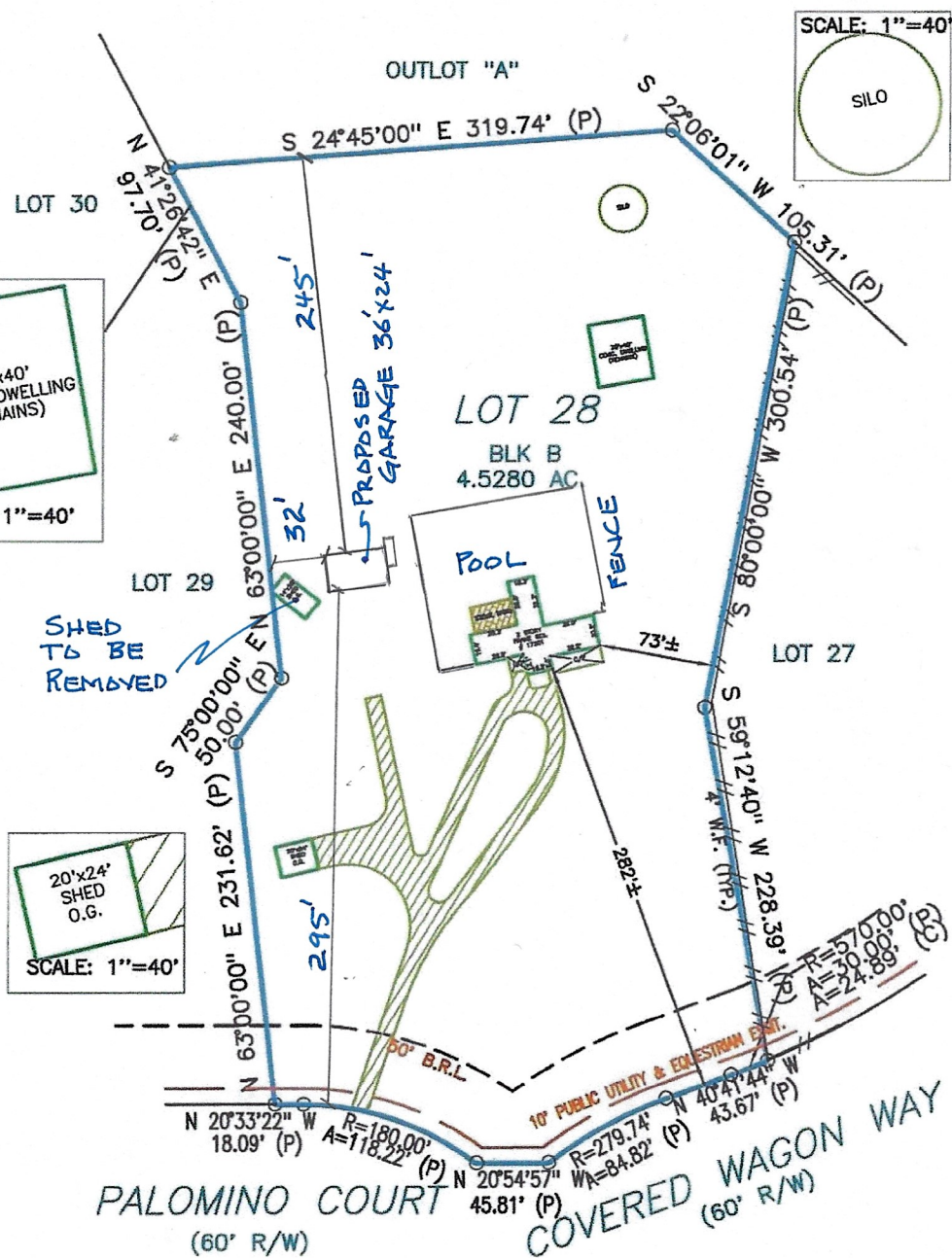
C/P

S/P

This House Location Drawing is for informational purposes only. Per Maryland State Code it may not be relied upon to determine property boundaries and may not be used for building permits or construction.



WILLIAM H. L. S.
EXPIRES 1-15-2017


$$1 \text{ inch} = 120' \text{ ft.}$$

ACCURACY=3'±

Tree Survey

Kearney Property
17201 Palomino Court
Olney, MD

Prepared By:
James R. Irvine Construction Inc

Scale: 1'-0" - 20' Date: 3-15-22

