

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION

Address:	9923 Sutherland Rd., Silver Spring	Meeting Date:	4/20/2022
Resource:	Contributing Resource Polychrome Historic District	Report Date:	4/13/2022
Applicant:	Alicia Gilbert	Public Notice:	4/6/2022
Review:	HAWP	Tax Credit:	n/a
Case No.:	987654	Staff:	Dan Bruechert
Proposal:	Accessory structure demolition and construction, and hardscape alteration		

RECOMMENDATION

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

PROPERTY DESCRIPTION

SIGNIFICANCE: Contributing Resource to the Polychrome Park Historic District
 STYLE: Art Deco
 DATE: 1935



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

The subject property is a two-story Art Deco styled house with a low-pitched pyramidal roof and concrete walls.

From Places from the Past: “Master craftsman John Joseph Earley (1881-1945) built the five single family dwellings that comprise the Polychrome Historic District in 1934- 5. These unique houses are outstanding examples of the Art Deco style and reflect Earley’s artistry and craftsmanship. Earley developed and patented a process whereby conventional wood frames were clad with prefabricated mosaic concrete panels. The concrete was stripped to expose brilliantly colored aggregate particles, creating an effect similar to impressionist or pointillist painting. In addition to their striking, richly ornamented appearance, these houses represent a relatively rare example of precast concrete panel construction in single-family housing for the time period. Earley’s patented structural system led to widespread use of precast architectural concrete as a major exterior cladding material. The legacy of the Polychrome houses can be seen in thousands of curtain-wall buildings nationwide. In 1996, the historic district was listed on the National Register of Historic Places.

The Polychrome houses are located on contiguous lots with adjoining back yards in a middle class suburban neighborhood in Silver Spring. Polychrome I was the prototype house; I I.B designed in collaboration with Washington architect J. R. Kennedy, and completed in 1934. Located on Colesville Road, Polychrome I (shown below) is a one-story dwelling, with a detached garage. Its immediate neighbor Polychrome II, is also one story yet has an attached garage. The houses on Sutherland Road are two stories tall with attached carports.”

PROPOSAL

The applicant proposes to demolish the non-historic shed, construct a new shed, and to construct a new rear patio. Minor re-grading is also proposed in the rear of the property.

APPLICABLE GUIDELINES

Proposed alterations to buildings in the Polychrome Historic District 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 Historic Resources Preservation

(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 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;

Secretary of the Interior's Standards for Rehabilitation

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space and spatial relationships that characterize a property will be avoided.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

STAFF DISCUSSION

All of the work proposed under this HAWP is at the rear of the subject property. The applicant proposes to demolish the existing shed, construct a new shed in a new location, and demolish and expand the rear patio. Staff finds the proposed work will not substantially alter the character of the site or historic district and recommends the HPC approve the HAWP.

Shed Demolition and Construction

At the rear of the property, there is a non-historic shed built on a CMU block foundation. The applicant proposes to demolish the shed, remove the foundation, and re-grade the area so it can be re-planted. As this feature is not historic and is not visible from the public right-of-way, Staff finds it can be removed under 24A-8(b)(2) and Standard 2. Staff additionally finds the re-grading on site is a de minimis alteration and should be approved as a matter of course.

To the south of the existing shed, the applicant proposes to construct a new cedar shed, measuring 6' × 6' (six feet square). The shed is 8' (eight feet) tall and has a gable roof.



Figure 2: Example of the proposed shed.

Staff finds the proposed shed is appropriate for the house and surrounding district. As an accessory structure, wood is an appropriate material that Staff finds will not detract from the decorative concrete

construction of the houses in the district. Staff additionally finds the size of the proposed shed will not detract from the house and is set back from the street a substantial distance so as not visually compete with the art deco architecture. Staff recommends the HPC approve the shed under 24A-8(b)(2) and Standards 9 and 10.

Patio Construction

At the rear of the garage, there is a small, crushed gravel pad. The applicant proposes to remove the crushed gravel and install a new flagstone patio, measuring 9'8" × 10" (nine feet, eight inches by ten feet) with stepping stones to connect to the rear patio. These changes are at the rear of the garage and are not at all visible from the public right-of-way.

Staff finds the existing gravel pad is not a historic feature that is not visible from the right-of-way, so its removal should be approved as a matter of course. Staff additionally finds the flagstones are a compatible paving material that matches the previously approved rear patio. Staff finds the size of the proposed patio is compatible with the house and the surrounding landscape and will not detract from the surrounding district. Finally, Staff finds the proposed stepping stones (the application indicates there will be one-to-three stones) are consistent with the previously approved path on the north side of the house. Staff recommends the HPC approve the hardscaping work under 24A-8(b)(2) and (d) and Standard 2, 9, and 10.

STAFF RECOMMENDATIONS

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(2), (d), having found that the proposal, is consistent with and compatible in character with 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 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# 987654
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

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

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	

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 987654**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.

The following landscape/hardscape project is proposed:

- 1) clearing the rear portion of the rear yard of bush, small trees (< 6 in. diameter), razing the existing ~8' x 12' shed, removing a raised flower bed, re-grading and creating a planting bed for future trees and bushes
- 2) build a 6' w x 6' d x 8' h cedar shed on an 8' x 8' x 6" concrete pad with a ~4' setback
- 3) install a new ~10' x 10' flagstone patio in a concrete foundation directly behind the garage

The proposed work will be performed by a landscaping contractor, Woodstone Landscaping. The new cedar shed is a kit from outdoorlivingtoday.com:

<https://outdoorlivingtoday.com/product/wooden-sheds-6x6-maximizer-storage/>

The new flagstone patio at the rear of the garage will match the same style as the new flagstone patio that was approved under HAWP 977231, that is the flagstones will be one size, a dark gray color, and arranged in a bricklayer pattern. A small stepping stone pathway (one to three stones) will connect the two patios.

CONSUMER INFORMATION NOTES:

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.

Clear bush and small trees, raised flower bed, re-grade and create planting bed

FRAME SHED

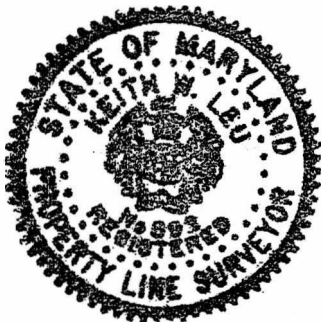
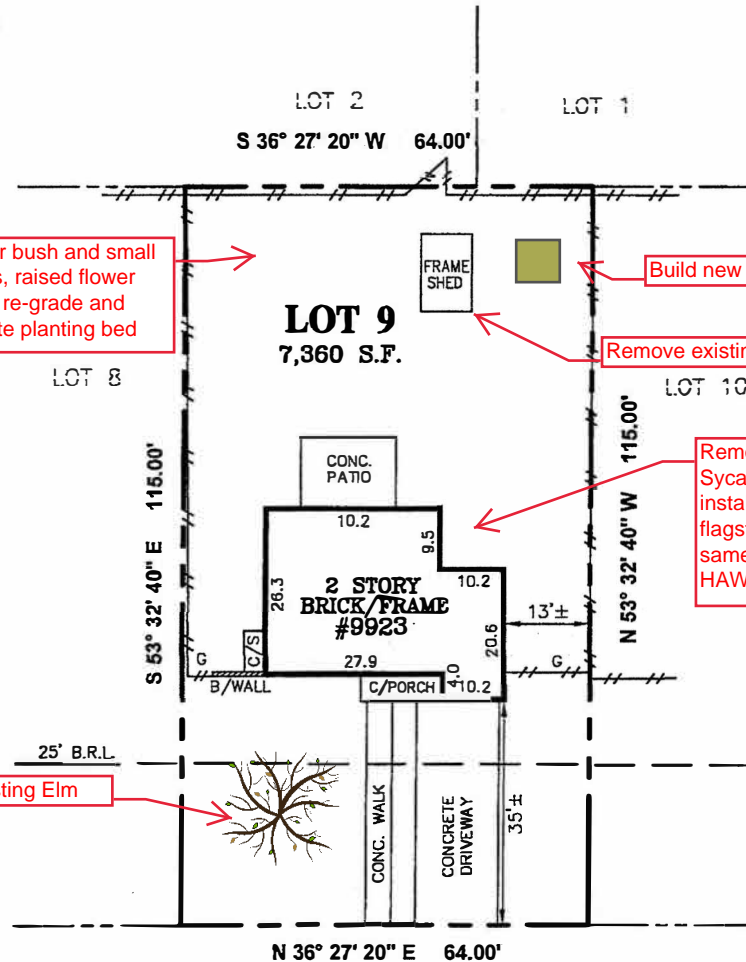
Build new cedar shed

LOT 9
7,360 S.F.

Remove existing shed

Removed existing Sycamore under waiver; install new small flagstone patio to match same style patio under HAWP 977231

Existing Elm



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."

MARYLAND PROPERTY LINE SURVEYOR REG. NO. 592
Expires: 06-30-2021

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

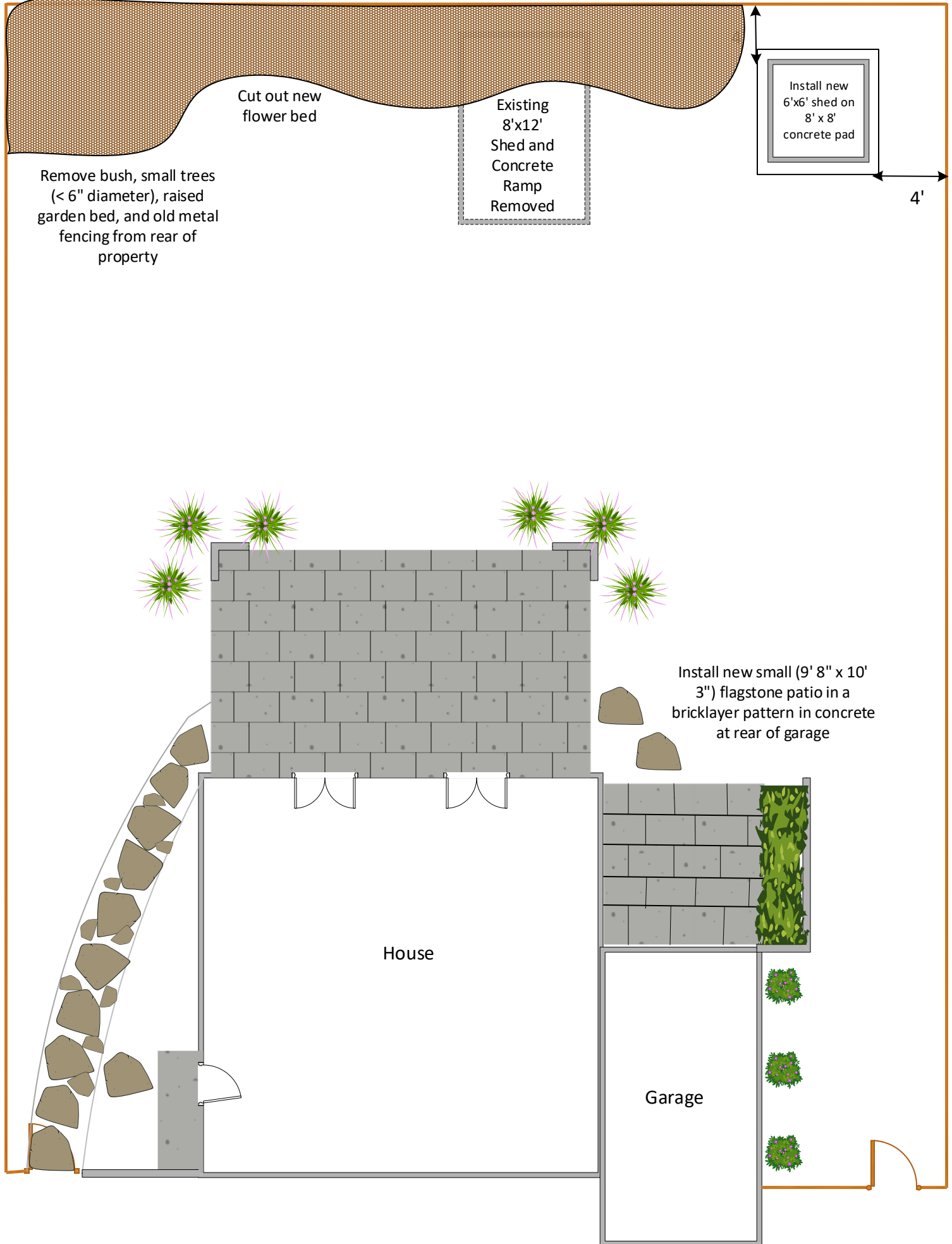
SCALE: 1" = 30'

WALL CHECK:

DRAWN BY: D.M.L.

HSE. LOC.: 04-19-21

JOB NO.: 21-01543HL



HAWP 987654**Attachment 4: Material Specifications**

The rear yard (left and center side), once cleared, will be re-graded and a planting bed created for future trees and bushes.

The new cedar shed (6' x 6' x 8') is a kit from outdoorlivingtoday.com:

<https://outdoorlivingtoday.com/product/wooden-sheds-6x6-maximizer-storage/>

The new flagstone patio will be installed on a concrete foundation at the rear of the garage. 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 connecting the two flagstone patios will be one to three large irregular shaped flagstones.

HAWP 987654
Attachment 5: Photographs

Current Rear Yard



Current Rear Garage Area



HAWP 987654

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