

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	15020 Clopper Road, Boyds	Meeting Date:	6/8/2022
Resource:	Secondary Resource <i>Boyds Historic District</i>	Report Date:	6/1/2022
Applicant:	Maria Romer	Public Notice:	5/25/2022
Review:	HAWP	Tax Credit:	N/A
		Staff:	Michael Kyne

Permit Number: 993409 RETROACTIVE

PROPOSAL: Retroactive fence installation

STAFF RECOMMENDATION:

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

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Secondary Resource within the Boyds Historic District
DATE: 2012



Fig. 1: Subject property south of Clopper Road, as marked by the blue star

PROPOSAL:

The applicant proposes retroactive fence installation at the subject property.

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Boyds Historic District, several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include *Montgomery County Code Chapter 24A (Chapter 24A)*, the *Vision of Boyds: A Long-Range Preservation Plan (Vision)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

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.
- (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.

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 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 a Secondary Resource within the Boyds Historic District. The Commission approved the construction of the current house and detached garage with one condition in 2010, when the demolition of the previous house (a c. 1940s 1 ½-story stucco over cement block house) was also approved. The one condition of approval was related to the proposed new garage door, requiring it to be a carriage-style or similar door. The current house and garage were constructed using a mix of traditional and alternative materials, including fiber cement siding, fiberglass doors, and a composite deck at the rear.



Fig. 2: North/northeastern boundaries of the historic district, with the subject property marked by the blue star.

The subject property is directly opposite the Boyds Station MARC Train parking lot to the north, which, along with Hoyles Mill on the other side of the train tracks, define the northern boundary of the historic district. The immediately adjacent house to the east (left, as viewed from the public right-of-way of Clopper Road) is considered a Spatial Resource, as it was constructed in 1989, four years after the historic district was designated to the Master Plan for Historic Preservation. Farther east (left), on the opposite

side of the Spatial Resource and at the northeastern boundary of the historic district, is a c. 1880s Gothic Revival-style Primary Resource. The house immediately adjacent at the west (right) side of the subject property is also a c. 1880s Gothic Revival-style Primary Resource.

The applicant proposes to install a new 96 LF, 6' high wood privacy fence at the south (rear) property line. As noted, this is a retroactive application, and the fence has already been installed. The fence posts are currently 8' high, but they will be reduced to 6' once the HAWP is approved and the work can proceed.

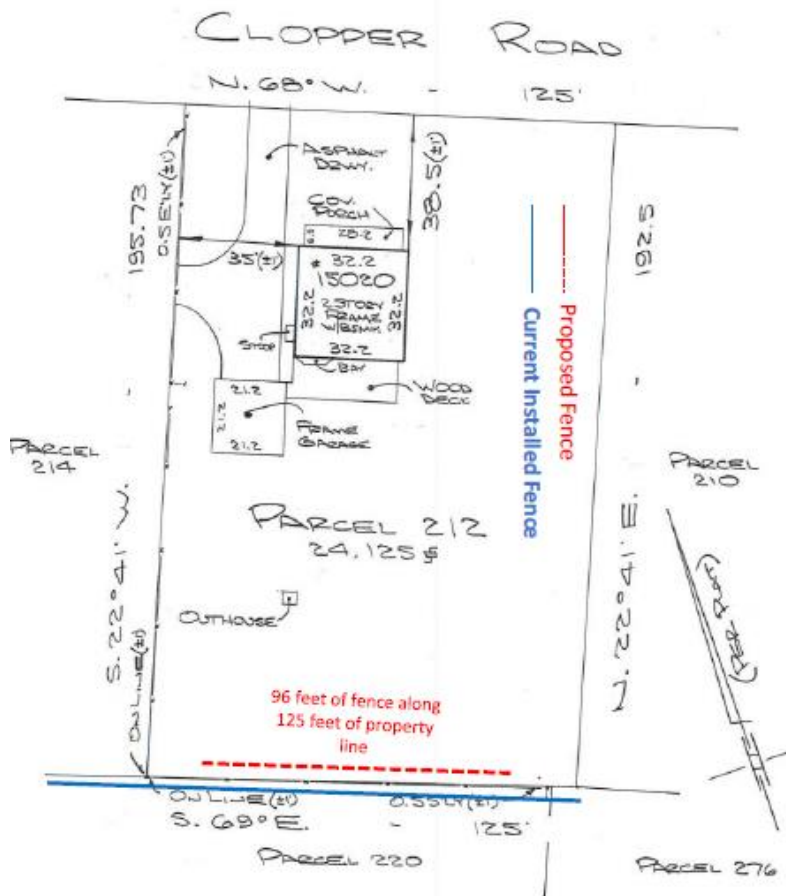


Fig. 3: Proposed fence location, as indicated by the red dashed line; neighbor's existing fence to the south indicated by the solid blue line.

The Commission typically requires fences forward of the rear plane of the historic house to be no higher than 4' and to have an open appearance (i.e., picket), preserving the visibility, interaction, and perceived openness of the properties and streetscape. However, fences behind the rear plane are typically allowed to be as high as 6'-6" high, with a closed (i.e., privacy) appearance. The Commission has taken views of the rural village historic districts into account in a different manner than the residential suburban historic districts when considering the visual impact of privacy fences. This portion of the Boyds district does have a more open aspect between the properties that should also be considered when reviewing the visual impact of the fence.

The historic district exhibits a variety of fence materials and styles (i.e., metal picket, split rail wood, wood picket, and chain link fences), including those at the front and sides of properties. Accordingly, staff finds that the proposed fence is generally compatible with subject property and with the eclecticism of the

surrounding streetscape.

Additionally, staff finds that the proposal will not remove or alter character defining materials, features, or spaces of the subject property or surrounding streetscape, per *Standards # 2 and #9*. The fence could also be removed in the future, leaving the essential form and integrity of the historic property and its environment unimpaired, in accordance with *Standard #10*.

After full and fair consideration of the applicant's submission, staff finds the proposal to be consistent with the Criteria for Issuance in Chapter 24A-8(b), (1), (2), and (d), and with the *Secretary of the Interior's Standards for Rehabilitation #2, #9, and #10*, as 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), and (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# _____

DATE ASSIGNED _____

APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Maria Romero
Address: 15020 Clopper Road
Daytime Phone: 301-996-7203

E-mail: momero8@yahoo.com
City: Boyd Zip: 20841
Tax Account No.: _____

AGENT/CONTACT (if applicable):

Name: _____
Address: _____
Daytime Phone: _____

E-mail: _____
City: _____ Zip: _____
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: 15020 Street: Clopper
Town/City: Boyd 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.

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:

Single family home on parcel 212 with detached garage and installed shed.

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

Install privacy fence at the back property line, next to parcel 220. Fence to be constructed of wood, 6 feet in height.

Work Item 1: **Install Fence**

Description of Current Condition: Property owner of Parcel 220 has a chain link fence in poor condition with wooden boards in places. Neighbor has three large dogs further jump and bark aggressively.

Proposed Work: Install 96 feet of 6 ft pine wood treated fence/dog ears style, to provide privacy along the 125 ft property line. Wood fence is constructed in sections of Height 6' by Width 8' panels connected with 13 4x4" posts. The 10' treated pine wood posts will be buried 2 feet deep into the ground and reinforced with concrete, and top post to be trimmed down to specifications, the fence is to provide visual privacy for yards.

Work Item 2: _____

Description of Current Condition:

Proposed Work:

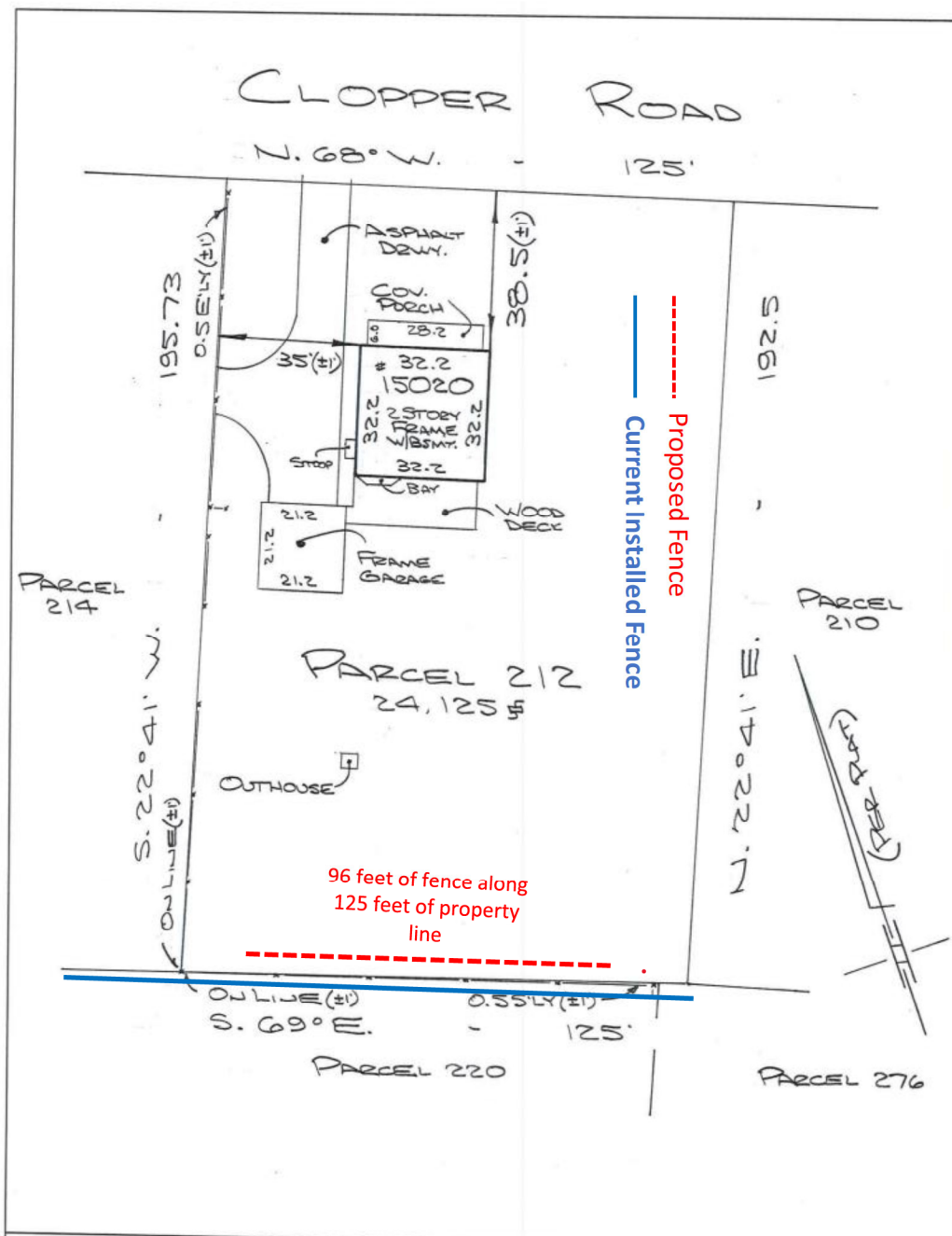
Work Item 3: _____

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	*	*	*	*	*		*



Capitol Surveys, Inc.

10762 Rhode Island Avenue
Beltville, Maryland 20705
Phone 301-931-1350
Fax 301-931-1352

NOTES: Plat is of benefit to a consumer only 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; the plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and the plat 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 refinancing.

LOCATION DRAWING

PARCEL 212
LIBER 40259 Folio 346
MONTGOMERY COUNTY, MARYLAND

Recorded in Plat Book - Plat - Scale 1" = 30'
CASE: 6013-00003 FILE: 96825
DATE: JANUARY 10, 2013

I hereby certify this location drawing was prepared in accordance with the minimum standards of practice for the State of Maryland and is correct to the best of my belief of what can be visually and accessibly observed.

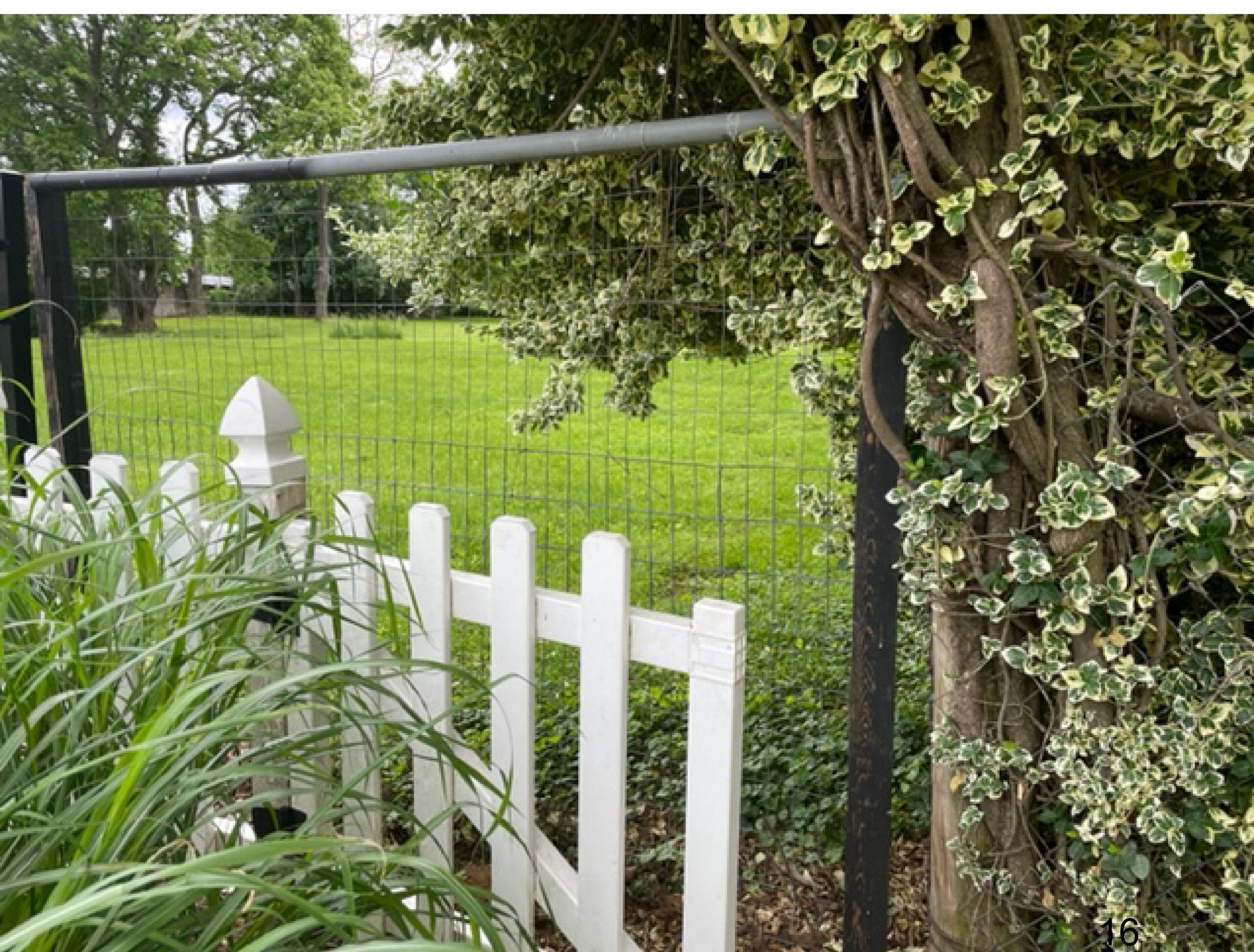
Edward L. Lopez, Jr.
Edward L. Lopez, Jr.
Maryland Property Line Surveyor No. 522
License Current Through February 13, 2013



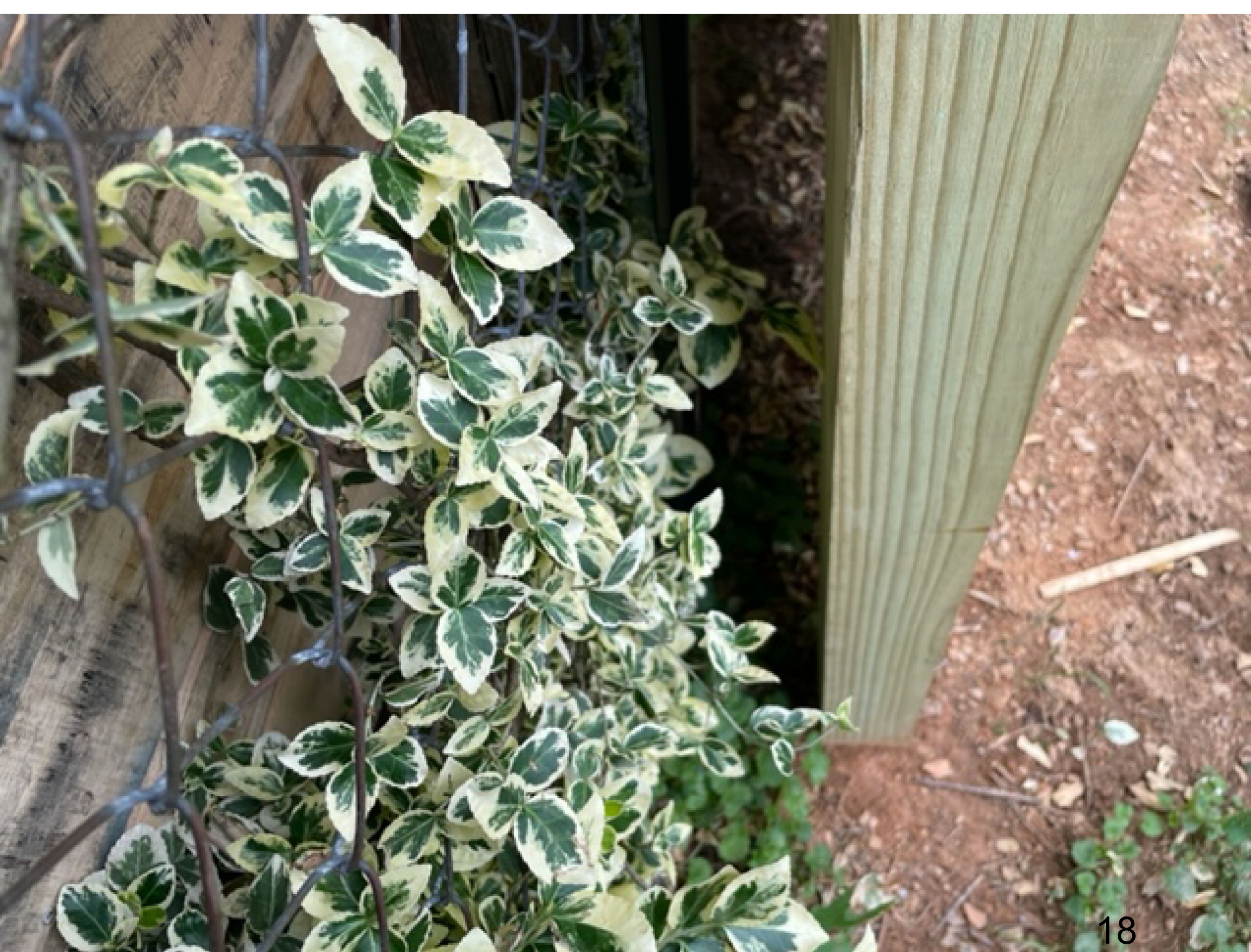












Staff's Site Visit Photos



















