

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

<b>Address:</b>	19820 White Ground Road, Boyds	<b>Meeting Date:</b>	11/15/2023
<b>Resource:</b>	Non-Contributing Resource <b>Boyds Historic District</b>	<b>Report Date:</b>	11/8/2023
<b>Applicant:</b>	Jaime Garcia	<b>Public Notice:</b>	11/1/2023
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Permit Number:</b>	1046013	<b>Staff:</b>	John Liebertz

**PROPOSAL:** New fence installation.

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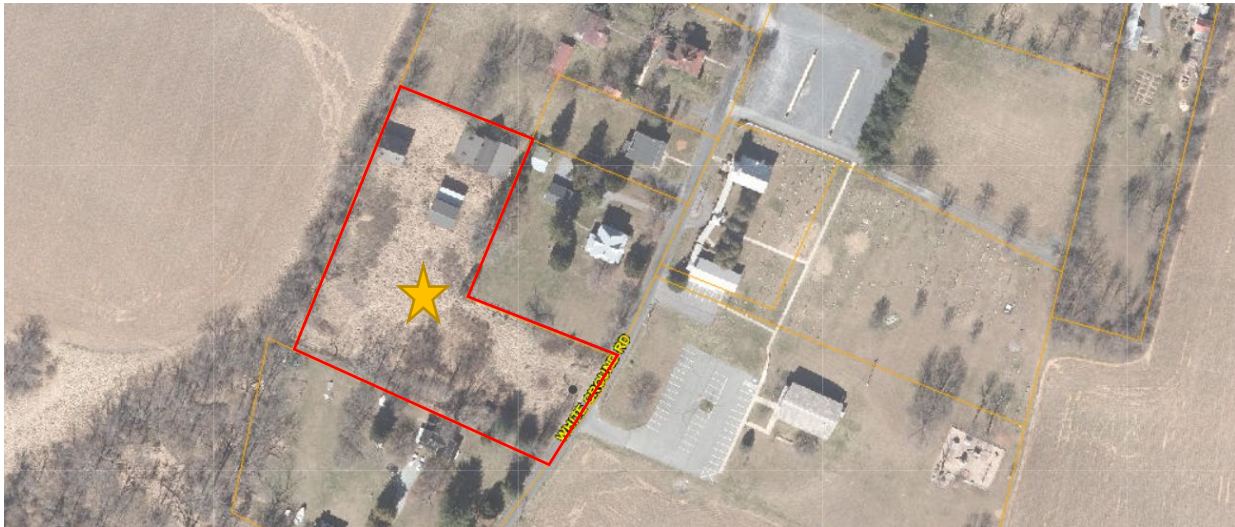
**STAFF RECOMMENDATION**

Staff recommends that the Historic Preservation Commission (HPC) **approve with two (2) conditions** the HAWP application with final approval of all details delegated to staff:

1. The applicant shall paint the fence black.
2. The applicant shall use wood or metal fence post caps (if installed).

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Non-Contributing Resource within the Boyds Historic District  
**STYLE:** N/A  
**DATE:** N/A



*Figure 1: The subject property (noted by the yellow star and red outline) at 19820 White Ground Road is located on the west side of the road.*

## **PROPOSAL**

The applicant requests the following alterations to the property: 1) remove the existing deteriorated wood fence; and 2) install sections of 4' and 6'-tall, wood, post and board fence (double rail) finished with hog wire along the southern, western, and northern extents of the property. Upon receipt of additional information from the applicant, staff determined that all the trees under consideration are either dead or severely deteriorated and dying. These qualify for an administrative letter noting the removals and this request has been deleted from the subject HAWP.

## **APPLICABLE GUIDELINES**

The Historic Preservation Office and Historic Preservation Commission (HPC) consult several documents when reviewing alterations and new construction within the Boyds Historic District. These documents include the *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***

The following guidance which pertains to this project are as follows:

- (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;
- (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 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:

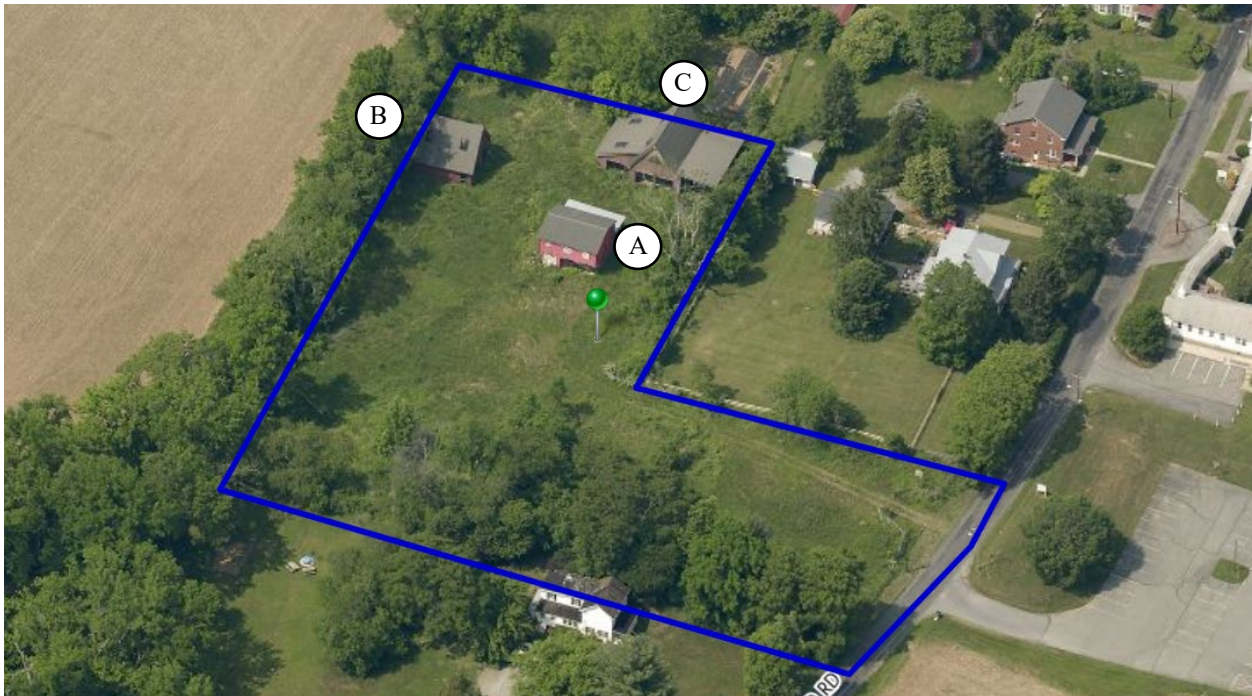
- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
- 9. New additions, exterior alterations, or related new construction shall not destroy 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 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**

### *Background Information*

The subject house is a Non-Contributing Resource in the Boyds Historic District. The applicant owns the 2-acre, L-shaped lot, partially located behind a two-story farmhouse on a separately owned property (Primary Resource). The Historic Preservation Commission (HPC) has approved several permits related to the property. In 2002, the commission approved HAWP #18/08-02A and #18/08-02C. The permits allowed for the construction of a two-and-a-half-story house with a side addition and a two-story barn.<sup>1</sup> The former owner constructed the two-story barn, but never built the house. In 2003, the HPC approved HAWP #18/08-03C that permitted the construction of two outbuildings (*Figure 2*).<sup>2</sup>



**Figure 2: Aerial view of the property outlined in blue. Building A is the two-story barn approved in 2002. Building B and C are the outbuildings approved in 2003.**

**Source: ConnectExplorer.**

Historic Preservation staff regularly approves the removal of trees greater than 6” in diameter (d.b.h.) that are dead, dying, or present an immediate hazard and trees greater than 6” in diameter (d.b.h.) in the rear of the property that will not impact the overall tree canopy of the district or site. In 2023, based on a site visit in late summer and photos submitted by the applicant, staff administratively approved the request to remove dead or dying trees on the property.

<sup>1</sup> For more information, [https://mcatlas.org/tiles/06\\_HistoricPreservation\\_PhotoArchives/Padlock/HAR60640008/Box068/18-08-02C\\_Boyds%20Historic%20District\\_19820%20White%20Ground%20Rd\\_12-05-2002.pdf](https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640008/Box068/18-08-02C_Boyds%20Historic%20District_19820%20White%20Ground%20Rd_12-05-2002.pdf).

<sup>2</sup> For more information, [https://mcatlas.org/tiles/06\\_HistoricPreservation\\_PhotoArchives/Padlock/HAR60640008/Box068/18-08-03C\\_Boyds%20Historic%20District\\_19820%20White%20Ground%20Rd\\_06-25-2003.pdf](https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640008/Box068/18-08-03C_Boyds%20Historic%20District_19820%20White%20Ground%20Rd_06-25-2003.pdf).

### Proposal - Fence

Staff finds the proposed design of the fence to be consistent with the applicable guidelines and recommends approval with conditions. The Boyds Historic District, a rural village, historically and presently exhibits an eclectic variety of fence materials and styles. Historic images of the village reveal decorative metal picket fence, wood picket fence, wire fence, and post and board fences with wire liners. Presently, the historic district contains chainlink fences, aluminum fences, and privacy fences in addition to the traditional metal and wood picket, post and board (two rail), and post and wire fences. Therefore, staff finds that the design of the proposed wood fence is generally compatible with subject property and with the eclecticism of the district. Also, the HPC approved HAWP #1041891 at 19924 White Ground Road for the installation of a similar post-and-rail (single rail) fence with wire in 2023.<sup>3</sup> Staff recommends a condition of approval that the fence be painted black and any post caps shall be wood or metal (if installed).

Staff finds that the proposed heights of the fence is consistent with the applicable guidelines and recommends approval. The HPC typically requires all fences in front of the rear wall plane of an historic house be less than or equal to 4' tall. Since there is no dwelling on the property presently and the approved house (ca. 2002) would be setback from the road by at least 150', staff discussed with the applicant other potential solutions. The applicant followed staff's recommendation that the 4' fence extend from the road to the rear wall plane of the neighboring house at 19810 White Ground Road (Figure 3). The remainder of the fence would be 6'tall.

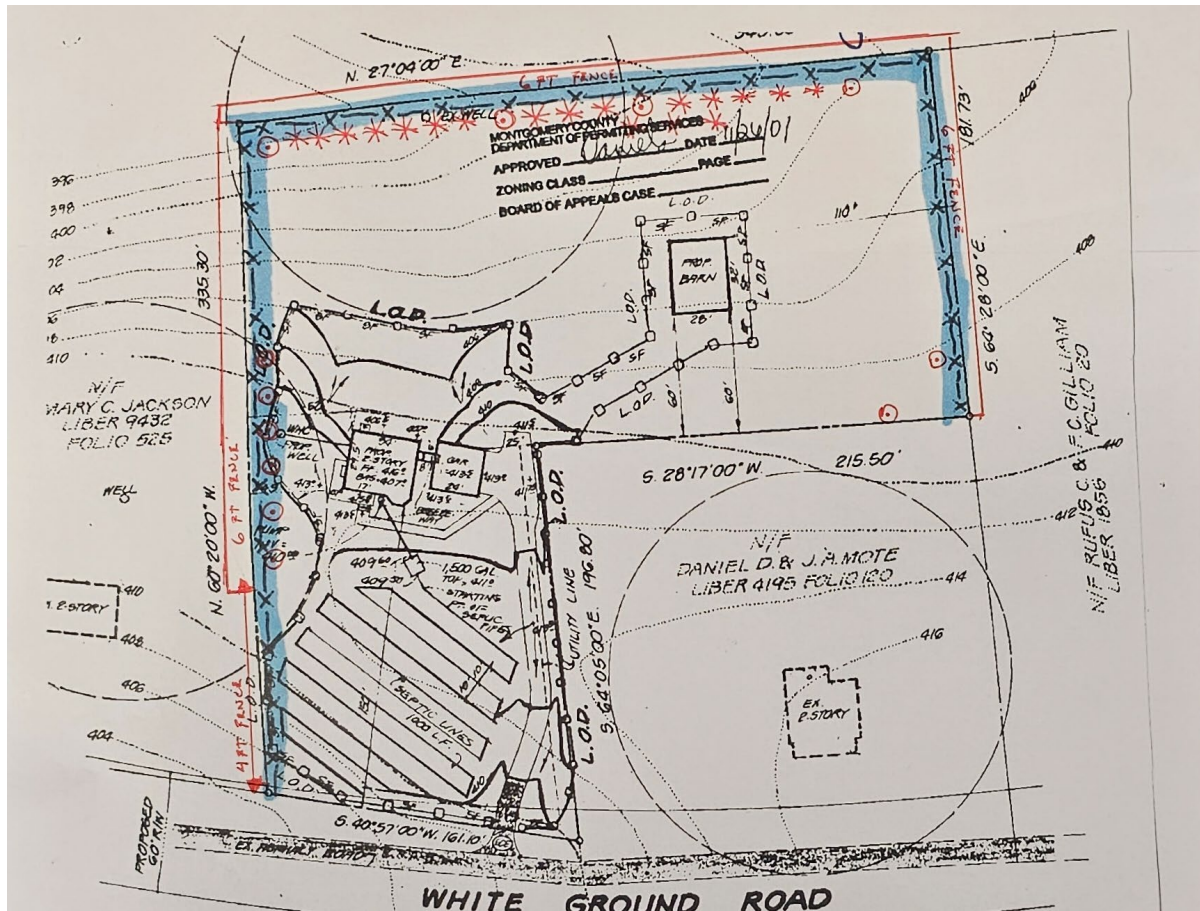


Figure 3: Site plan showing the proposed locations of the 4'-tall and 6'-tall fence, 2023. Source: Applicant.

<sup>3</sup> For more information, see <https://montgomeryplanning.org/wp-content/uploads/2023/08/I.G-19924-White-Ground-Road-Boyd-1041891.pdf>.

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

**STAFF RECOMMENDATION**

Staff recommends that the Commission **approve with two (2) conditions** the HAWP application:

1. The applicant shall paint the fence black.
2. The applicant shall use wood or metal fence post caps (if installed).

under the Criteria for Issuance in Chapter 24A-8(b), (1), (2) & (d), having found that the proposal, as modified by the condition 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 [john.liebertz@montgomeryplanning.org](mailto:john.liebertz@montgomeryplanning.org) to schedule a follow-up site visit.



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

FOR STAFF ONLY:  
HAWP# 1046013  
DATE ASSIGNED \_\_\_\_\_

**APPLICANT:**

Name: Jaime Garcia  
Address: 11134 Newport Mill RD  
Daytime Phone: 301-755-4862

E-mail: chiry829@gmail.com  
City: Kensington Zip: 20895  
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 Boyd's  
 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: 19820 Street: White Ground RD  
Town/City: Boyd's Nearest Cross Street: Clopper RD  
Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_ Parcel: 404

**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 checked="" 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.

Jaime Garcia \_\_\_\_\_ OCTOBER 4, 2023  
Signature of owner or authorized agent Date

Work Item 1: Removal of Trees

Description of Current Condition:  
Dead, weed and dry trees

Proposed Work:  
Removal and planting new trees

Work Item 2: Remove old Fence

Description of Current Condition:  
Broken and rotten wooden fence

Proposed Work:  
Replace it with Hogwire Panel Fence.

Work Item 3: \_\_\_\_\_

Description of Current Condition:

Proposed Work:

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

<b>Owner's mailing address</b> 11134 Newport Mill RD Kensington, MD 20895	<b>Owner's Agent's mailing address</b>
<b>Adjacent and confronting Property Owners mailing addresses</b>	
Boyd's Presbyterian Church 19821 White Ground RD Boyd's, MD 20841	Mr & Mrs Shaw 19810 White Ground RD Boyd's, MD 20841
Ms. Elena Shuvalov 19900 White Ground RD Boyd's, MD 20841	Mr. Brian August Skoog 19910 White Ground RD Boyd's, MD 20841

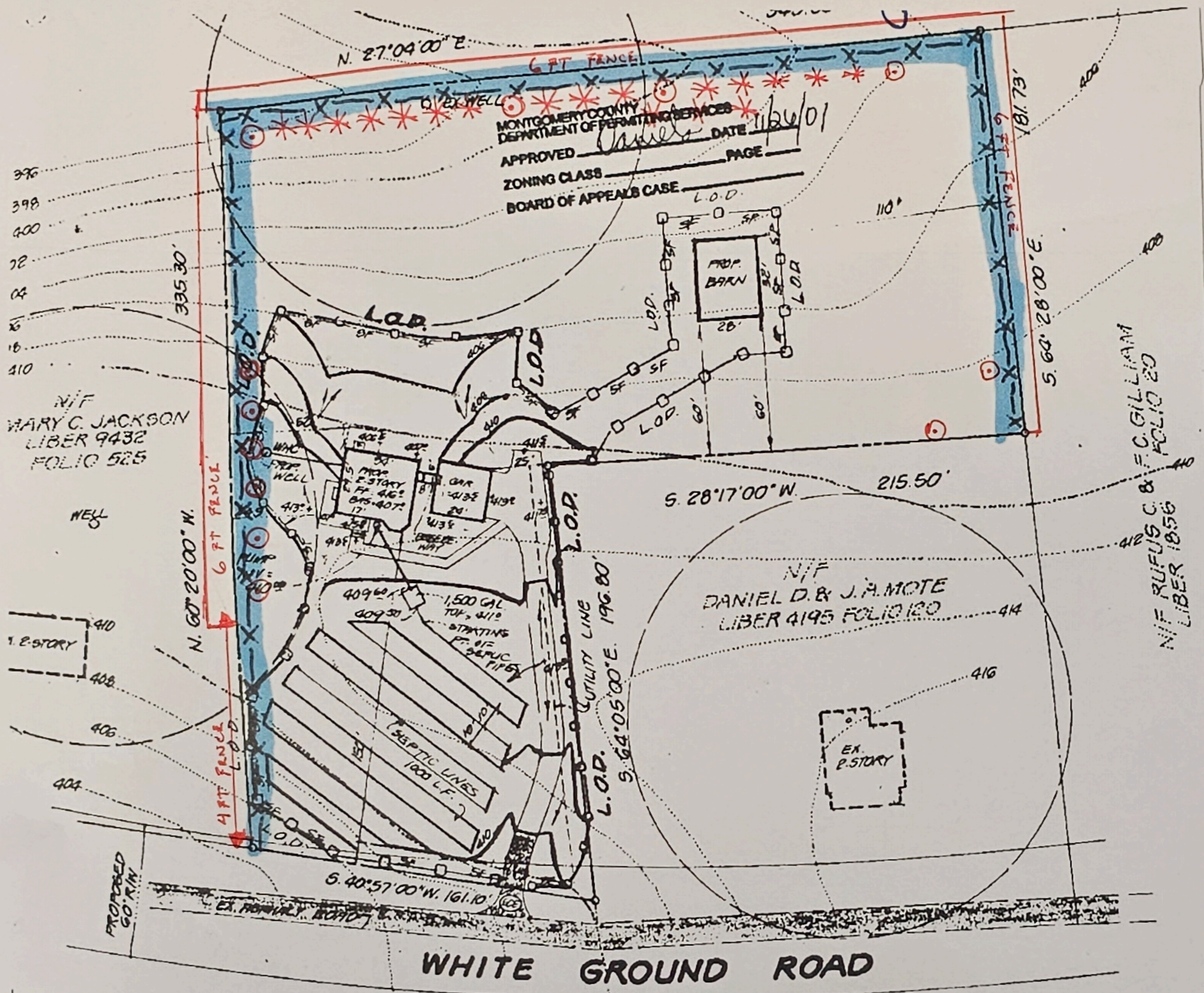


Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

**2 acres lot with 3 barns**

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

**Remove dead trees and replace them with new red maple and cherry blossom trees.  
Remove existing broken and rotten wooden fence and replace it with Hogwire Panel Fence.**



MONTGOMERY COUNTY  
 DEPARTMENT OF PERMITTING SERVICES  
 APPROVED *[Signature]* DATE 11/24/01  
 ZONING CLASS \_\_\_\_\_ PAGE \_\_\_\_\_  
 BOARD OF APPEALS CASE \_\_\_\_\_

N/F  
 WARY C. JACKSON  
 LIBER 9432  
 FOLIO 525

N/F  
 DANIEL D. & J. A. MOTE  
 LIBER 4195 FOLIO 120

N/F  
 RUFUS C. & F. C. GILLIAM  
 LIBER 1856

**WHITE GROUND ROAD**

SEPTIC INFORMATION:  
 TRENCH DEPTH = 10" WITH 2' STONE  
 TRENCH WIDTH = 2' @ 10 O.C.  
 TRENCH LENGTH = 1,000 FEET

<p>IT SHALL BE THE RESPONSIBILITY OF THE PERMITTEE TO ARRANGE FOR THE ADJUSTMENT OF ALL UTILITIES</p>	<p><b>LEGEND</b></p> <p>Existing contours ----- 100 -----</p> <p>Proposed contours ----- 100 -----</p> <p>Existing spot elevation • 100.0</p> <p>Proposed spot elevation • 100<sup>B</sup></p> <p>Limits of disturbance ---○---</p> <p>Silt fencing ---SF---</p>	<p><b>METAL PROPERTY CORNERS REQUIRED</b></p> <p>AS OF JANUARY 1, 1982 PERMITTEE SHALL COMPLY WITH COUNTY CODE SECTION 24-120 PRIOR TO ACCEPTANCE OF STREETS</p>
<p>CALL "MISS UTILITY" 1-800-257-7777 FOR UTILITY LOCATIONS AT LEAST 48 HOURS BEFORE BEGINNING CONSTRUCTION.</p>		

Legend  
 ⊙ Weed  
 \* Dead

Fence will be located entirely in owner's land and not in property line as selected on application

## NEW FENCE

We are planning to remove the old broken and rotten fence and replace it with a hog wire fence feature intersecting metal rods that are welded together and hot-dip galvanized for corrosion protection. Hog wire fence panels originated for farm use to keep hogs and other animals in the pen. And for that reason, these panels are very strong.

We will use these materials to build the new fence 6ft tall;

2x4x8 Boards

2x6x8 Boards

4x4x8 Post

16ftx5ft wire panels

3.5 #9 Outdoor deck screws

**FENCE WILL BE WOOD**

Attached are picture that how a hog wire fence looks.











Adjacent and Confronting Properties:

Boys, MD 20841

19900 White Ground Road

19810 White Ground Road

19821 White Ground Road

19910 White Ground Road