

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	4609 Waverly Avenue, Garrett Park	Meeting Date:	3/6/2024
Resource:	Outstanding Resource (Garrett Park Historic District)	Report Date:	2/28/2024
Applicant:	Danie Simons & Susan Balamaci Mark Shaffery, Agent	Public Notice:	2/21/2024
Review:	HAWP	Tax Credit:	n/a
Permit Number:	1054048	Staff:	Dan Bruechert
Proposal:	Swimming Pool, Associated Hardscaping, and New Fence Installation		

STAFF RECOMMENDATION

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

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Outstanding Resource within the Garrett Park Historic District
DATE: 1878
STYLE: Eclectic/Queen Anne



Figure 1: The subject property is located at the intersection of Waverly Ave. and Montrose Ave.

PROPOSAL

The applicant proposes to install an in-ground swimming pool, a patio around the pool, and code-compliant fencing on the site.

APPLICABLE GUIDELINES

When reviewing alterations and new construction within the Garrett Park Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the *Comprehensive Amendment to the North Bethesda-Garrett Park Master Plan (Sector Plan)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Garrett Park Historic District

Outstanding Resource: A resource which is of outstanding significance due to its architectural and/or historical features. An outstanding resource may date from any historical period and may be representative of any architectural style, However, it must have special features, architectural details, and/or historical associations that make the resource especially representative of an architectural style, it must be especially important to the history of the district, and/or it must be especially unique within the context of the 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 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; 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. (*Ord. No. 9-4, § 1; Ord. No. 11-59*)

Secretary of Interior's Standards for Rehabilitation

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 proportion, and massing to protect the 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 house is a two-story farmhouse with some Queen Anne architectural elements and a wrap-around porch constructed on a triple-lot property. The applicant proposes to install an in-ground swimming pool and patio in the approximate location of a since-removed swimming pool.¹ The existing code-compliant wood fencing will be replaced in the same location and in a matching design and material. A HAWP is not required for the fence replacement as this is in-kind work. Staff finds the effect of the proposed changes will be minimal when viewed from the public right-of-way and Staff recommends the HPC approve the HAWP. No trees will be impacted by the proposed work.

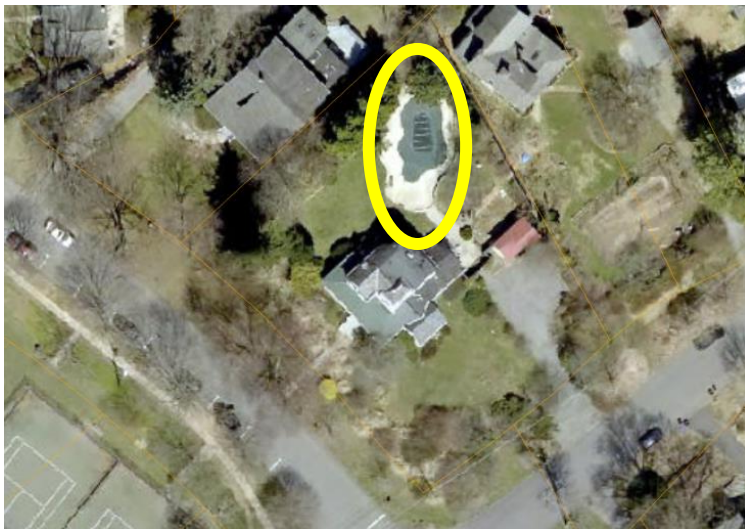


Figure 2: 2015 aerial photograph of the subject property showing the since-removed swimming pool.

Swimming Pool and Patio Construction

In the north corner of the subject property, the applicant proposes to install an 18' × 36' (eighteen feet by thirty-six feet) rectangular swimming pool. The pool will be setback from the western property line by 24' 1" (twenty-four feet, one inch) and from the north property line by 22' 10" (twenty-two feet, ten inches). The applicant proposes to install a bluestone patio to the east and south of the proposed swimming pool that connects to the existing swimming pool. The patio, at its widest, will be

¹ The previously installed swimming pool and fencing was approved by the HPC in 2003. The project file for the swimming pool is available here:

https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640007/Box052/30-13-03B_Garrett%20Park%20Historic%20District_4609%20Waverly%20Ave_11-12-2003.pdf

approximately 10' wide. The pool equipment will be installed behind the garage along the western property boundary.

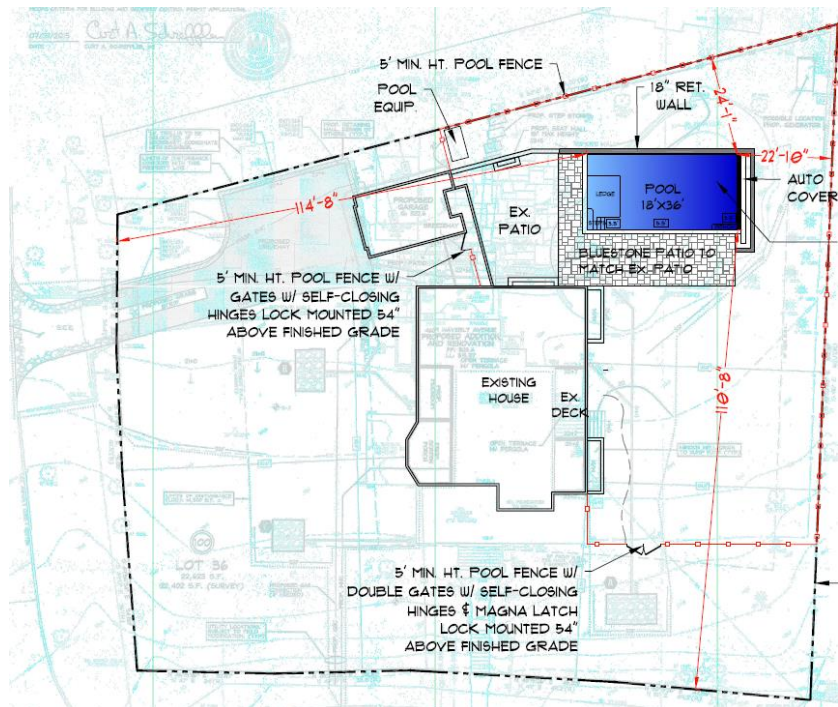


Figure 3: Proposed site plan showing the location of the proposed pool and patio.

The proposed pool would be 128 ft² (one hundred twenty-eight square feet) larger than the pool approved by the HPC in 2003.

Staff finds the overall impact on the character of the site and surrounding district will be minimal. When viewed from Montrose Ave., the view of the pool will be blocked by the existing garage (constructed after 2015). The rise in grade from Waverly Ave. obscures any views of the proposed swimming pool. Staff further finds the proposed bluestone patio is an appropriate material that matches the existing patio. Staff further finds the amount of new hardscaping will not overwhelm the character of the property or negatively impact the surrounding district. Staff recommends the HPC approve the swimming pool and patio under 24A-8(b)(2) and (d) and *Standards* # 2, 9, and 10.

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 dan.bruechert@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# 1054048
DATE ASSIGNED _____

APPLICANT:

Name: DANIE SIMONS/SUSAN BALAMARI E-mail: DAN@FRG.FARM
SUZIE@USAG.COM
Address: 4609 WAVERLY AVE City: Garrett Park Zip: 20896
Daytime Phone: SB-301-915-7800 Tax Account No.: 0403764046

AGENT/CONTACT (if applicable):

Name: MARK SHAFFERY E-mail: MARK@ELITEPOOLS.COM
Address: 8335 Putski Hwy City: ROSEDALE Zip: 21237
Daytime Phone: 410 808 2505 Contractor Registration No.: 71753

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

Is the Property Located within an Historic District? Yes/District Name GARRETT PARK
 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: 4609 Street: WAVERLY AVE
Town/City: GARRETT PARK Nearest Cross Street: MONTROSE AVE.
Lot: 36 Block: 100 Subdivision: 0003 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 checked="" 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 |
| | | 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.

Mark Shaffery
Signature of owner or authorized agent

JAN 11, 2024
Date

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

<p>Owner's mailing address</p> <p>4609 WAVERLY AVE. GARRETT PARK, MD 20896</p>	<p>Owner's Agent's mailing address</p> <p>8335 Pulaski Hwy ROSEDALE, MD 21237</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>BARRY & TRACY LINDEN 4605 WAVERLY AVE GARRETT PARK, MD 20896</p>	<p>LESLIE OGUS 4701 WAVERLY AVE GARRETT PARK, MD 20896</p>
<p>NEIL & MELANIE DANBERG 11009 MONTROSE AVE GARRETT PARK, MD 20896</p>	<p>SHEPARD & TARA SMITH P.O. BOX 36 GARRETT PARK, MD 20896</p> <p>-11011 MONTROSE AVE</p>
<p>11005 Montrose Avenue, Garrett Park MD 20896</p> <p>4701 Waverly Avenue, Garrett Park MD 20896</p> <p>11004 Montrose Avenue, Garrett Park MD 20896</p>	

Work Item 1: INGROUND SWIMMING POOL

Description of Current Condition:

- GRASS COVERED
- PREVIOUS INGROUND POOL LOCATION.

Proposed Work:

CONSTRUCT 18'X36' (648 SF) INGROUND CONCRETE SWIMMING POOL, AUTO MATIC COVER.

Work Item 2: POOL PATIO

Description of Current Condition:

GRASS COVERED

Proposed Work:

INSTALL APPROX 750 SF OF BLUESTONE AROUND SWIMMING POOL. MATCH EXISTING STONE PATIO

Work Item 3: _____

Description of Current Condition:

Proposed Work:

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

SFD. GRASS AREA IN REAR OF HOUSE. LANDSCAPED AREAS. LARGE TREES LINE BACKYARD.

-NO TREES WILL BE REMOVED

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

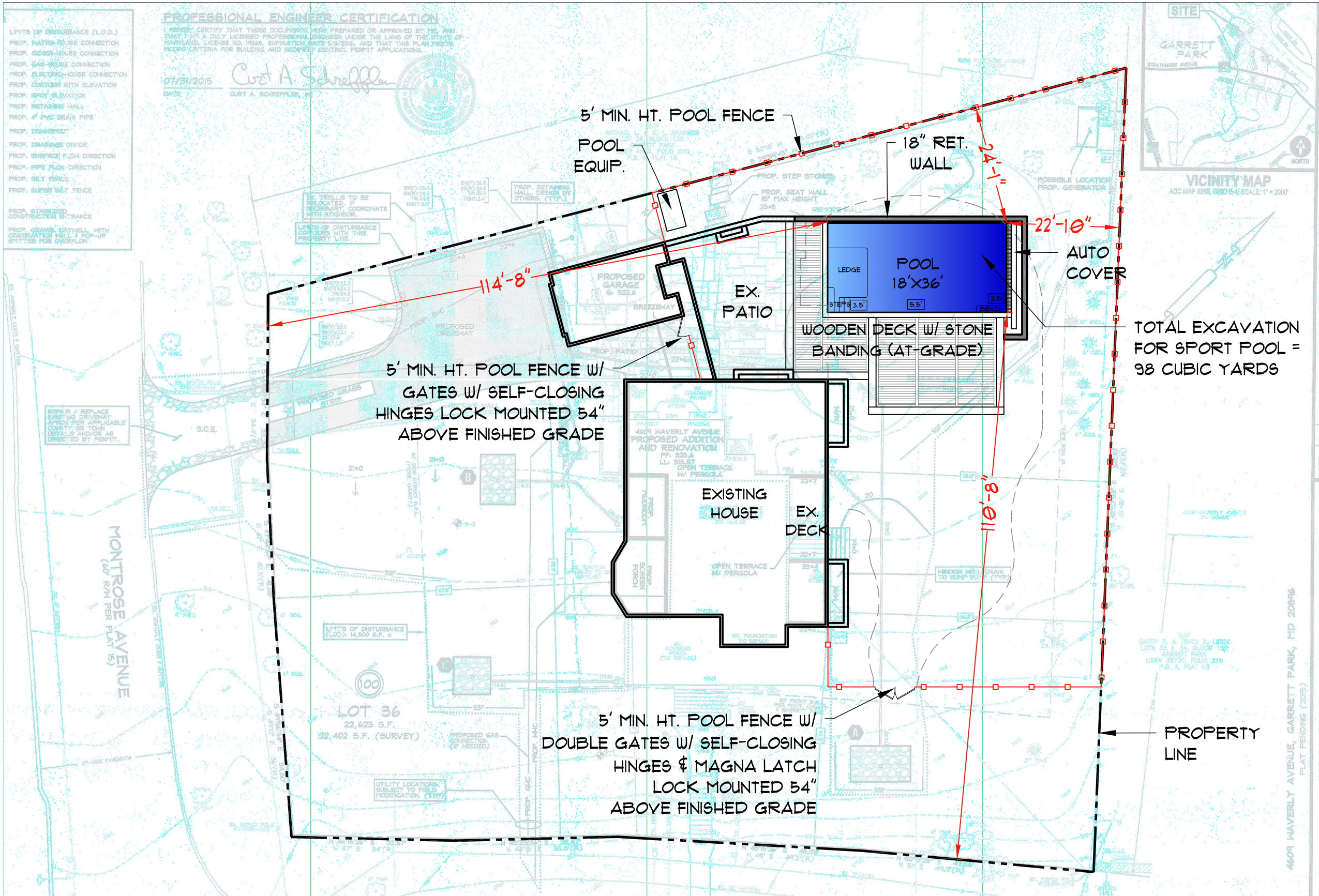
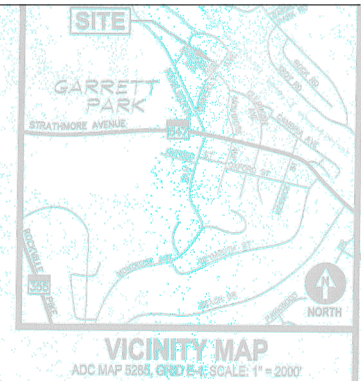
CONSTRUCT 18'X36' INGROUND CONCRETE SWIMMING POOL. AUTOMATIC COVER. SMALL RAISED POOL WALL WILL BE TILE/STONE FACED ON POOL. BLUE STONE PATIO AROUND POOL TO COMPLIMENT EXISTING PATIO STONES.

- LIMITS OF DISTURBANCE (L.O.D.)
- PROP. NATURAL-GAS CONNECTION
- PROP. SEWER-GAS CONNECTION
- PROP. GAS-WATER CONNECTION
- PROP. ELECTRIC-WATER CONNECTION
- PROP. ZEROCUR WITH ELEVATION
- PROP. SPOT ELEVATION
- PROP. RETAINING WALL
- PROP. 4" PVC DRAIN PIPE
- PROP. DOWNSPOUT
- PROP. DRAINAGE DIVIDE
- PROP. SURFACE FLOW DIRECTION
- PROP. PIPE FLOW DIRECTION
- PROP. SILT FENCE
- PROP. SURF. SILT FENCE
- PROP. STABILIZED CONSTRUCTION ENTRANCE
- PROP. GRAVE DRYWELL WITH OBSERVATION WELL & POP-UP STRUTTER FOR OVERFLOW

PROFESSIONAL ENGINEER CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 15846, EXPIRATION DATE 3/31/2016, AND THAT THIS PLAN MEETS MDPS CRITERIA FOR BUILDING AND SEWER/STORM CONTROL PERMIT APPLICATIONS.

07/31/2015
 DATE
 Curt A. Schreffler
 CURT A. SCHREFFLER, P.E.



Elite Pools

400 EAST PRATT STREET, SUITE 800
 BALTIMORE, MARYLAND 21202
 410-494-1346 OFFICE
 WWW.ELITEPOOLS.COM

BALAMACI RESIDENCE

4609 WAVERLY AVENUE
 GARRETT PARK, MD

PERMIT

DATE: 12/18/2023
 SCALE: 1"=20'

SHEET:

P1

NO. REVISIONS DATE

















The renderings that follow are shown for illustrative purposes only.



Elite Pools

BALAMACI RESIDENCE
CONCEPTUAL RENDERINGS



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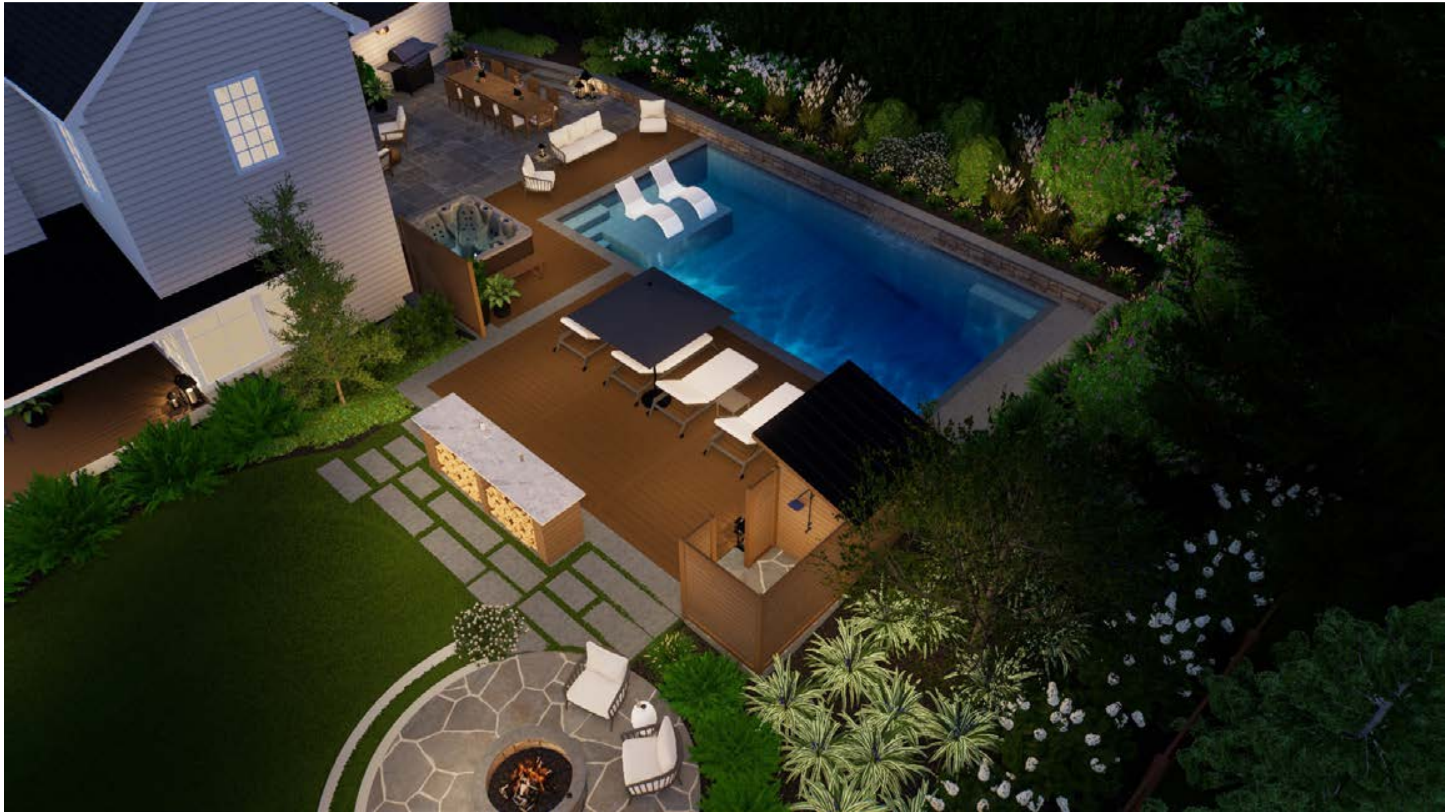
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