

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	108 Water Street, Brookeville	Meeting Date:	6/12/2024
Resource:	Primary (19 th Century) Resource (Brookeville Historic District)	Report Date:	6/5/2024
Applicant:	Jennifer and Nicholas Roy	Public Notice:	5/29/2024
Review:	HAWP	Tax Credit:	No
Case Number:	1068951	Staff:	Chris Berger
PROPOSAL:	Hardscape alterations.		

STAFF RECOMMENDATION

Staff recommends that the HPC **approve with two conditions** the HAWP application with final approval delegated to staff:

1. The applicant shall determine the material of the infill between the proposed concrete pavers and provide a specification or representative photo.
2. The applicant shall provide a specification or representative photo for the proposed steps.



Figure 1: The subject property at 108 Water Street in the Brookeville Historic District is indicated with a gold star. The district is indicated with red cross hatches.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Primary (19th Century) Resource within the Brookeville Historic District
 STYLE: Vernacular
 DATE: 2004

PROPOSAL

The applicants propose to level the sloping backyard, which is currently covered in brick, stone pavers, and grass, so the patio area immediately behind the home is on at a single grade. The new patio will measure 474 square feet and be sloped 2 percent away from the home. Concrete pavers measuring 4-by-6 feet and spaced a foot apart will be laid. The applicants were undecided whether the area between the pavers will be pebbles or another material.

The replacement 2.5-foot-tall concrete retaining wall will be constructed at the perimeter of the patio on the downslope. It will have 2-inch weep hole drains installed every 10 inches to reduce hydrostatic pressure behind the retaining wall. Filter fabric and stone will be used behind the retaining wall for drainage.

The three steps at the west end of the patio will be concrete covered with stone pavers.



Figure 2: This real estate listing photo shows the rear yard of the subject property. The patio immediately behind the residence will be re-graded and the retaining wall replaced. Source: Bright MLS



Figure 3: The applicants provided this representative photo of the 4-by-6-foot concrete pavers proposed for installation at the leveled patio.

Elongated steps (2' long run, 7" height for each step) going down from the patio into the backyard. No more than 3 risers, no hand rail needed. Concrete base with single large flat stone topped on each riser mortared in place.

Re-grade backyard so patio area is on a single grade matching the existing grade at the base of the steps from the backyard of home and back gate going into the driveway. Will be sloped 2% away from the home towards the backyard

Short concrete retaining wall approximately 2'6" in height along the patio edge facing backyard. Concrete retaining wall to be 8" thick reinforced with #4 rebar every 2' vertically

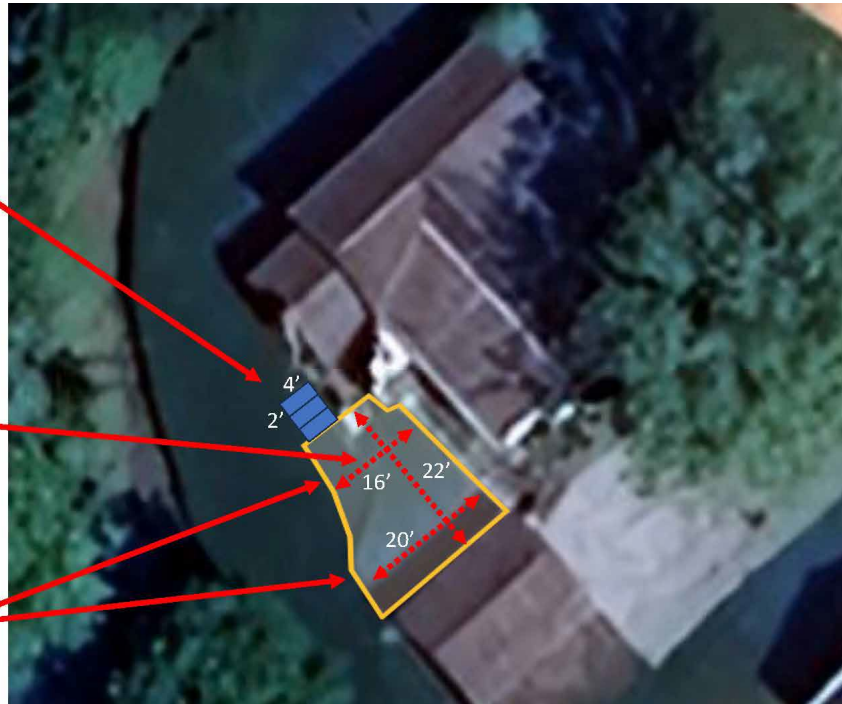


Figure 4: The applicants provided this diagram to show the proposed hardscape alterations.

APPLICABLE GUIDELINES

When reviewing alterations and new construction within the Brookeville Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the Brookeville Historic District Master Plan Amendment (Amendment), Montgomery County Code Chapter 24A-8 (Chapter 24A-8), 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

- (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
- (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 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 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 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

Staff supports the hardscape alterations and recommends approval. The hardscape work will not substantially alter the exterior features of the historic resource, in compliance with Chapter 24A-8(b)(1). It is also compatible with the character of the district, in conformance with Chapter 24A-8(b)(2).

While the property was classified as a Primary (19th Century Resource) in the original designation, this specific parcel was unimproved at the time. The subject dwelling was constructed in 2004.¹ In accordance with Chapter 24A-8(d), the HPC is to be lenient in its judgement of plans for structures of little historical significance unless such plans would seriously impair the historic or architectural value of surrounding historic resources or would impair the character of the historic district. The hardscape alterations are in

¹ The file for HAWP #23-65-04B for the building's construction is available here: https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640011/Box095/23-65-04B_Brookeville%20Historic%20District_108%20Water%20Street_03-10-2004.pdf

the rear yard immediately behind the residence and not visible from the right of way. Further, the property is surrounded by established trees and a 6-foot tall fence. The proposal also meets the applicable *Standards*.

The plans do not provide a detail on the material to be installed between the concrete pavers, so staff recommends a condition that information is provided. Staff also seeks a condition that the specifications or a representative photo is provided of the stone to be installed on top of the concrete steps.

STAFF RECOMMENDATION

Staff recommends that the HPC **approve with two conditions** the HAWP application with final approval delegated to staff:

1. The applicant shall determine the material of the infill between the proposed concrete pavers and provide a specification or representative photo.
2. The applicant shall provide a specification or representative photo for the proposed steps.

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 HPC 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 chris.berger@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#
DATE ASSIGNED

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 Town of Brookeville
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
Addition
Demolition
Grading/Excavation
Deck/Porch
Fence
Hardscape/Landscape
Roof
Shed/Garage/Accessory Structure
Solar
Tree removal/planting
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.

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	*	*	*	*	*		*



TRAEGER
WOOD FIRED GRILLS







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Backyard Patio ✨ Easy & Homemade!



View

Saved






Click points on the map to measure area

Perimeter
90 ft

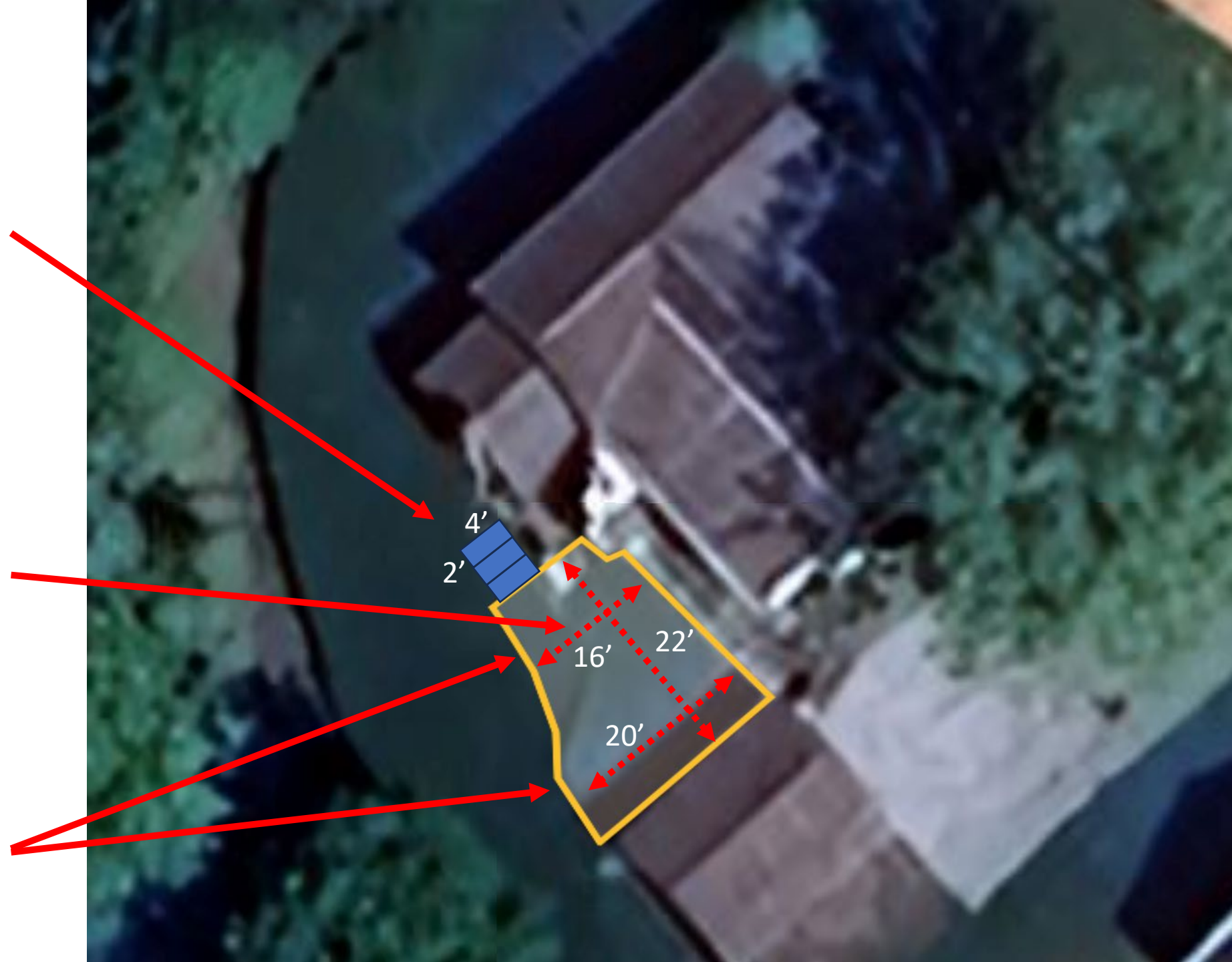
Area
474 ft²

 Save to project

Elongated steps (2' long run, 7" height for each step) going down from the patio into the backyard. No more than 3 risers, no hand rail needed. Concrete base with single large flat stone topped on each riser mortared in place.

Re-grade backyard so patio area is on a single grade matching the existing grade at the base of the steps from the backyard of home and back gate going into the driveway. Will be sloped 2% away from the home towards the backyard

Short concrete retaining wall approximately 2'6" in height along the patio edge facing backyard. Concrete retaining wall to be 8" thick reinforced with #4 rebar every 2' vertically



Details

- Patio will be large 4'x6' rectangles with 1' space in between for hardscape stone or other feature desired by homeowner
- Concrete sections will be level with one another for an even appearance across the patio area.
- Retaining wall will stop at the new grade and not rise above. Will have 2" weep hole drains installed every 10' to reduce hydrostatic pressure behind the retaining wall. Filter fabric and stone will be used behind the retaining wall to support proper drainage. Concrete retaining wall will be 8" thick reinforced with rebar every 2' on center vertically.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 5/1/2024

Application No: 1068951
AP Type: HISTORIC
Customer No: 1423466

Affidavit Acknowledgement

The Homeowner is the Primary applicant
This application does not violate any covenants and deed restrictions

Primary Applicant Information

Location 108 water ST 108 water st brookeville, MD 20833
Homeowner roy (Primary)

Historic Area Work Permit Details

Work Type ALTER
Scope of Work We are submitting this HAWP to redo an existing patio and a failing retaining wall.