MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 3705 Underwood Street, Chevy Chase Meeting Date: 6/12/2024

Resource: Master Plan Site #35/91 **Report Date:** 6/5/2024

Welsh House

Applicant: Rich and Jacqueline Renz **Public Notice:** 5/29/2024

(Valerie of Capital Fence, agent)

Tax Credit: No

Chris Berger

Staff:

Review: HAWP

Permit Number: 1068796

PROPOSAL: Fence installation.

STAFF RECOMMENDATION

Staff recommends that the Historic Preservation Commission (HPC) <u>approve with two conditions</u> the Historic Area Work Permit (HAWP) application with final approval delegated to staff:

- 1. The fence shall be a 4-foot tall solid board fence with 2 feet of the lattice on top from the original rear wall plane to the front wall plane, a distance of 28 feet. The fence may be a 6-foot tall solid board fence from the rear property corner to the original rear wall plane. The approved fence must confirm to what is shown in *Figure 6* of the staff report.
- 2. Any trees with a 6-inch diameter at breast height or larger to be removed to accommodate the fence installation require a separate HAWP.



Figure 1: The Welsh House Master Plane Site parcel lines are marked in red on the north side of Underwood Street in Chevy Chase.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Master Plan Site #35/91, Welsh House

STYLE: Vernacular DATE: 1897

The house is described follows in *Places From the Past*:

The Welsh House, built in 1897, was the second house built in Otterbourne. The vernacular front gable house bears similarity with folk houses built near Williams Lane in this era. In February 1897, Nicholas J. Welsh acquired Lot 11, Block 3 from investor Eugene B. Clark. The property was assessed with \$700 in improvements the same year. Welsh sold the property in 1905. By 1927, the house had changed hands nine times. The house has narrow clapboard siding, 2/2 sash windows, and a simple front door with transom. The original full width porch has been replaced with a wrap-around porch. The gable fanlight appears to be a later addition.



Figure 2: The front and right-side elevations of 3705 Underwood Street. The proposed fence location at the side property line is indicated with a red arrow.



Figure 3: The rear yard of 3705 Underwood St. The proposed fence location at the side property line is indicated with a red arrow.

BACKGROUND

The HPC provided comment on a Preliminary Consultation for the demolition and new construction and the retroactive review of the roof and porch floor replacements at its April 17, 2024, meeting¹.

The applicant revised the application and returned to the HPC with a HAWP #1064284 at its May 22 meeting for partial demolition, porch infill, and new two-story rear addition and retroactive roof replacement.² The HPC approved the application as part of its consent agenda with the following conditions:

- 1. The applicant shall show any proposed lighting on the elevations and provide specifications.
- 2. The proposed 5-inch lap siding reveal and the existing 2.5 inch lap reveal siding must align where they meet.
- 3. The existing composite decking is not grandfathered, and any proposed replacement of the composite in the future must come to the HPC as a HAWP.

The video and audio for the meeting is available here:

https://mncppc.granicus.com/MediaPlayer.php?publish_id=c7eeeec7-fe55-11ee-b231-0050569183fa

The video and audio for the meeting is available here:

https://mncppc.granicus.com/MediaPlayer.php?publish_id=1649f73a-190b-11ef-b231-0050569183fa

¹ The staff report for the Preliminary Consultation is here: https://montgomeryplanning.org/wp-content/uploads/2024/04/II.B-3705-Underwood-Street-Chevy-Chase.pdf

² The staff report for HAWP #1064284 is here: https://montgomeryplanning.org/wp-content/uploads/2024/05/I.C-3705-Underwood-Street-Chevy-Chase-1064284.pdf

The three conditions remain outstanding.

PROPOSAL

The applicant proposes the installation of 94 linear feet of 6-foot tall Western Red Cedar solid board fence with the finished side on the outside. It will be installed approximately 12.5 feet away from the residence and 2 inches away from the shared property line to the east with 3703 Underwood Street.

The fence will extend from the northeast corner of the parcel to the front corner of the house. This will align with the placement of the existing 5-foot, 4-inch, tall solid board fence located at the adjoining property to the west at 3707 Underwood Street.

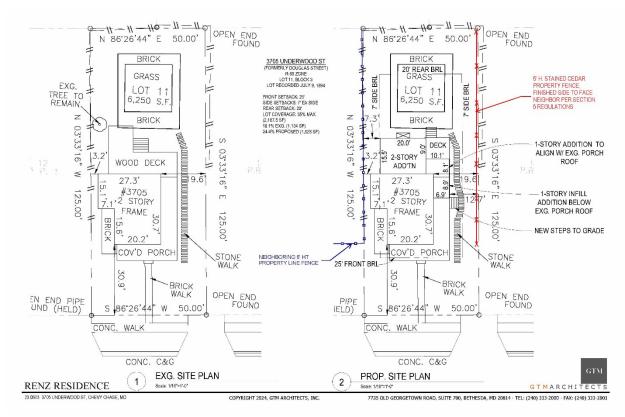


Exhibit 4: The existing site plan, left, and proposed site plan, right, after the fence is installed and approved additions are constructed. The proposed fence is indicated in red on the proposed plan. The existing fence to the west at 3707 Underwood Street is indicated in blue.



Figure 5: The applicant provided these representative photos of the proposed fence.

APPLICABLE GUIDELINES

In accordance with Section 1.5 of the Historic Preservation Commission Rules, Guidelines, and Procedures (Regulation No. 27-97), in developing its decision when reviewing applications for an undertaking at a Master Plan site the Commission uses Chapter 24A-8 of the Montgomery County Code (*Chapter 24A-8*), the Secretary of the Interior's Standards for Rehabilitation (Standards), and pertinent guidance in applicable master plans. The pertinent information in these documents, incorporated in their entirety by reference herein, 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 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.
 - (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.

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 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 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 HPC's longstanding standard is to limit fence heights to 4 feet tall when they extend beyond the rear wall plane of the building's original footprint. This standard seeks to maintain the openness between houses in historic neighborhoods with the position that fences taller than 4-feet located in side yards create visual barriers between properties and can obscure architecturally significant or notable features of the historic house(s). Staff notes that it regularly administratively approves 6-foot tall fences in rear yards and fences less than 4-feet tall in side yards.

The applicant proposes to install a 6-foot tall solid board fence that will extend through the side yard to the front corner of the residence at its east property line, in conflict with the HPC's height limit standard. Staff does not support a solid board fence in the side yard beyond the original footprint of the residence as proposed. Though the property to the east is not a master plan historic site like the subject property, staff argues that the visually imposing fence will create a visual barrier at the historic site in conflict with Chapter 24A-8(b)(1).

However, staff would support a fence with a 4-foot tall solid wood board base and 2-foot tall wood lattice top. A fence with a lattice top will maintain the HPC's goal of visual openness and connectively between buildings while providing the applicant with the height they are seeking. A fence with an open top will not disrupt the relationship between the properties and will be compatible in character with the historic site in accordance with Chapter 24A-8(b)(1). To meet the *Standards*, the historic character of the property will be retained and preserved by a lattice-topped fence, and if removed in the future the essential form and integrity of the historic property and its environment would be unimpaired.

The entire 94-foot long fence segment can have the 4-foot tall solid wood base with 2-foot tall lattice on top, or the applicant can install a 6-foot tall solid board fence in the yard from the back property corner to the original rear wall plane and then transition to the 4-foot tall solid board fence with 2-foot tall lattice on top, a distance of 28 feet that is marked *Figure 6*. This siting aligns with the rear addition at the subject property that was constructed in the 1980s.

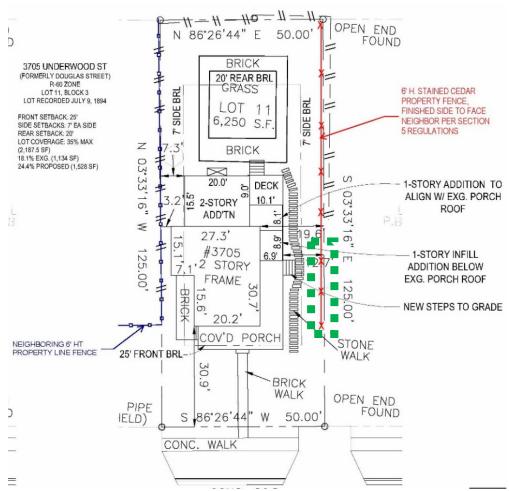


Figure 6: Staff seeks a 4-foot tall wood solid board fence with 2-foot tall wood lattice on top from the original rear wall plane forward, as it indicated with the green dashes. The segment length will be 28 feet.

Finally, the property line between the subject property and its neighbor to the east at 3703 Underwood Street has dense vegetation, so staff recommends a condition that a separate HAWP is submitted prior to the removal of any trees with a 6-inch diameter at breast height or larger. Pruning does not require a HAWP.

STAFF RECOMMENDATION

Staff recommends that the Commission <u>approve with two conditions</u> the HAWP application with final approval delegated to staff:

- 1. The fence shall be a 4-foot tall solid board fence with 2 feet of the lattice on top from the original rear wall plane to the front wall plane, a distance of 28 feet. The fence may be a 6-foot tall solid board fence from the rear property corner to the original rear wall plane. The approved fence must confirm to what is shown in *Figure 6* of the staff report.
- 2. Any trees with a 6-inch diameter at breast height or larger to be removed to accommodate the fence installation require a separate HAWP.

under the Criteria for Issuance in Chapter 24A-8(b)(1), having found that the proposal, as modified by the conditions, is compatible in character with the site and the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for Rehabilitation #2 and 9.

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 301-495-4571 or chris.berger@montgomeryplanning.org to schedule a follow-up site visit.



Valerie Bupp, Capital Fence, Inc.

Signature of owner or authorized agent

APPLICATION FOR HISTORIC AREA WORK PERMIT HISTORIC PRESERVATION COMMISSION

FOR STAFF ONLY: **HAWP#**_1068796 DATE ASSIGNED_

MARYLAND		301.56	53.3400	
APPLICANT:				
Name: Jacque	line &	Rich Renz	E-mail: jackcoussan@	yahoo.com
Address: 3705	Underv	Rich Renz vood Street	E-mail: jackcoussan@ City: Chevy Chase	Zip: 20815
Daytime Phone: 4	40-39	1-2650	Tax Account No.: 0052	27510
AGENT/CONTACT	(if applica	able):		
Name: <u>Valerie, (</u>		-	E-mail: info@cap	italfence.net
Address: 18000 C. Daytime Phone: 3	attail Road	l, P.O. Box 74	city: Poolesville	
Daytime Phone: <u>3</u>	01-97	2-8400	Contractor Registration N	
LOCATION OF BUI	LDING/PF	REMISE: MIHP # of		
Is the Property Loc Is there an Historic map of the easeme Are other Planning	ated withir Preservatient, and do	an Historic District on/Land Trust/Envi cumentation from t aring Examiner App	? X Yes/District Name	perty? If YES, include a this application.
supplemental infor	anance, Re mation.	ecord Plat, etc.?) If Y	'ES, include information on these	e reviews as
Building Number:	705	Street:	Underwood Street	
Fown/City: Che	vy Cha	RSE Neares	t Cross Street: Thornapp	le Place
_ot: 11	Block: 3	Subdivi	0040	
TYPE OF WORK PR or proposed wor oe accepted for re	k are sub	mitted with this ap	on Page 4 to verify that all supplication. Incomplete Application	ations will not
New Constru Addition Demolition Grading/Exc	ction avation	☐ Deck/Porch ☐ Fence ☐ Hardscape/☐ ☐ Roof	Solar Tree remov Landscape Window/Do Other:	oor
and accurate and t	hat the co	nstruction will comp	the foregoing application, that the lightest tha	ne application is correctored by all necessary

agencies and hereby acknowledge and accept this to be a condition for the issuance of this permit.

5/2/24

Date

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

	[Owner, Owner's Agent, Ad	jacent and Confront	ing Property Owners]
3705 Und	mailing address e and Rich Renz erwood Street ase, MD 20815	Owner's Agent Capital Fence, I P.O. Box 74 Poolesville, MD	's mailing address Inc. 20837
	Adjacent and confrontin	g Property Owners	mailing addresses
		g operty Owners	maning addresses
3707 Und	Jill Larrabee erwood Street ase, MD 20815	Joseph and Jer 3703 Underwoo Chevy Chase, M	od Street
3720 Willia	mberg and Janet Robins ams Lane ase, MD 20815		

Description of Propert landscape features, or other	ty: Please describe the building and er significant features of the property	surrounding environment. Include i	nformation on significant structures
6,250 square feet w	vith house on property	Ber-10-1018	
Description of Work Pr	roposed: Please give an overview o	f the work to be undertaken.	
Furnish and install 94	fork Proposed: Please give an overview of the work to be undertaken: tall 94 linear feet of 6 feet hgih cedar solid board fence. Fence to be installed on right , 2 inches inside of property line		

Work Item 1: Fence	
Description of Current Condition: No existing fence on right side	Proposed Work: Install fence on right side of property starting at front corner of house going to rear property line.
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						T
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/Exc avation/Land scaing	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

MD COORDINATE SYSTEM NAD83 (2011) DATUM EXISTING CONDITIONS SURVEY DRAWING
LOT 1, BLOOK 3
AS SHOWN ON A PLAT ENTILED
SUBSTRAWN FILE
BEING A PLAT OF LAND.
MONTGOMER ON COUNTY, AMPRILAND
FEBRUARY, 2024 SCALE: 1"=30' whigh solid board fence SOLO COPEN ENO PIPE SOLO CONTE FOR THE PLANT TO STATE THE PLANT P.B. 1 P. 1 UBER 49109 FOUO 92 A 0237.16, M OPEN END PIPE FOUND (HELD) P.B. 1 P. 1 2. UNDERGROUND UTILITIES ARE APPROXIMATE AND BASED FROM VISUAL OBSERVATION AND OR AVAILABLE RECORDS. CONTRACTOR SHOULD VERIFY LOCATION BEFORE CONSTRUCTION. Vertical Datum is based on the NAVD 88 Datum as projected by NGS 1. TITLE REPORT NOT FURNISHED. PARTIE DE MERCHE MARTE DE MERCHE MARTE DE MERCHE MARTE DE MERCHE MARTE DE MERCHE DE ME

GOODE SURVEYS, LLC
PAR SURVEYS, LLC
PAR SURVEYS
DAMASCIS, WINCLAD 20972
PHONE (201) 380–3703
AND NO. 1344





Over 25 years of Quality Service PO Box 74, Poolesville, MD 20837 (mailing) Fully Licensed and Insured MHIC# 50609 website: www.capitalfence.net

email: info@capitalfence.net

		Date:	April 23, 2024
Proposal and Cont	ract Submitted to:	Home phone:	
Contractee Name:	Jacqueline and Rich Renz	Cell phone:	440-391-2650 - Jacqueline
Address:	3705 Underwood Street	Cell phone:	440-343-0697 - Rich
City/St/Zip:	Chevy Chase, MD 20815	Email:	jackcoussan@yahoo.com
Salesman:	David MacKenzie	Email:	rbrtrader@yahoo.om
We hereby submit	specifications and estimates for the following	TO COMPANY AND	THE PROPERTY OF THE PARTY OF TH

nereby submit specifications and estimates for the following:

ESTIMATE INCLUDES DISCOUNT

Capital Fence, Inc. will furnish and install 94 linear feet of 6 feet high of Western Red Cedar Solid Board Fencing. All boards will be 1x6 inch Western Red Cedar. All Runners will be 2x4 inch Treated. All cap boards to be 1x4 inch Western Red Cedar. All Posts will be 4x4 inch Treated with black vinyl post caps, set 30-36 inches in ground with sand, gravel and cement.

Sections along neighboring fence to be pre-fabricated.

Capital will clear & haul existing fence?

No

Note: Fence is to follow grade unless otherwise specified.

All fence and gate workmanship is guaranteed for ONE year. Our crews do excellent work!

This estimate is based on Check/Cash Transaction. If using Credit Card, an additional 3% fee would apply. *If needed, please have fence line clear of any brush/debris prior to installation.

More materials	Total Contract Rate for Both Options	\$4,074.00
other than amount contracted for will	1/3 Deposit Due With Order	\$1,358.00
be debited at the current rate.	1/3 due Day of Initial Installation	\$1,358.00
	Due on Day of Substantial Completion	\$1,358.00

Capital Fence is not responsible for unmarked underground pipes, lines, sprinklers, etc.

Customer is to show foreman fence and gate(s) placement and give 2nd payment day of initial installation.

Survey stakes are in? Yes □ No D

Capital Fence will obtain county permit? Yes \square No D

If yes, add \$100.00 to initial deposit amount. Customer is to provide plat for permit. Customer is responsible for fence placement and property lines.

The Estimated date of commencement of the work is 3-5 weeks after Contract is signed, permit, HOA (if required) and deposit are received. This is all weather permitting.

ACCEPTANCE OF PROPOSAL AND CONTRACT

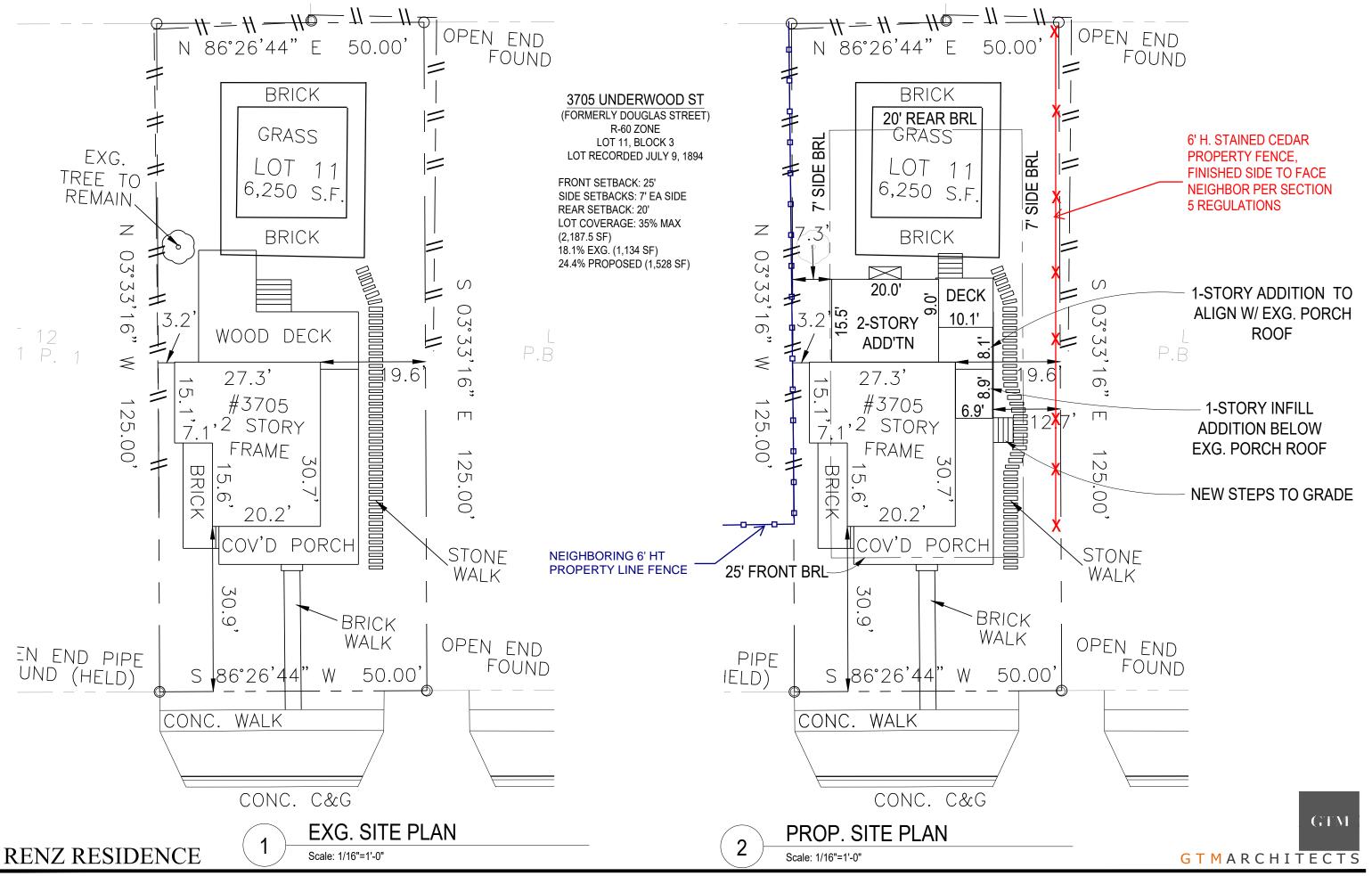
The above prices, specifications and conditions are satisfactory and hereby accepted. I have read, understand, and except the Terms and Conditions as presented on page 3 of this PROPOSAL AND CONTRACT.

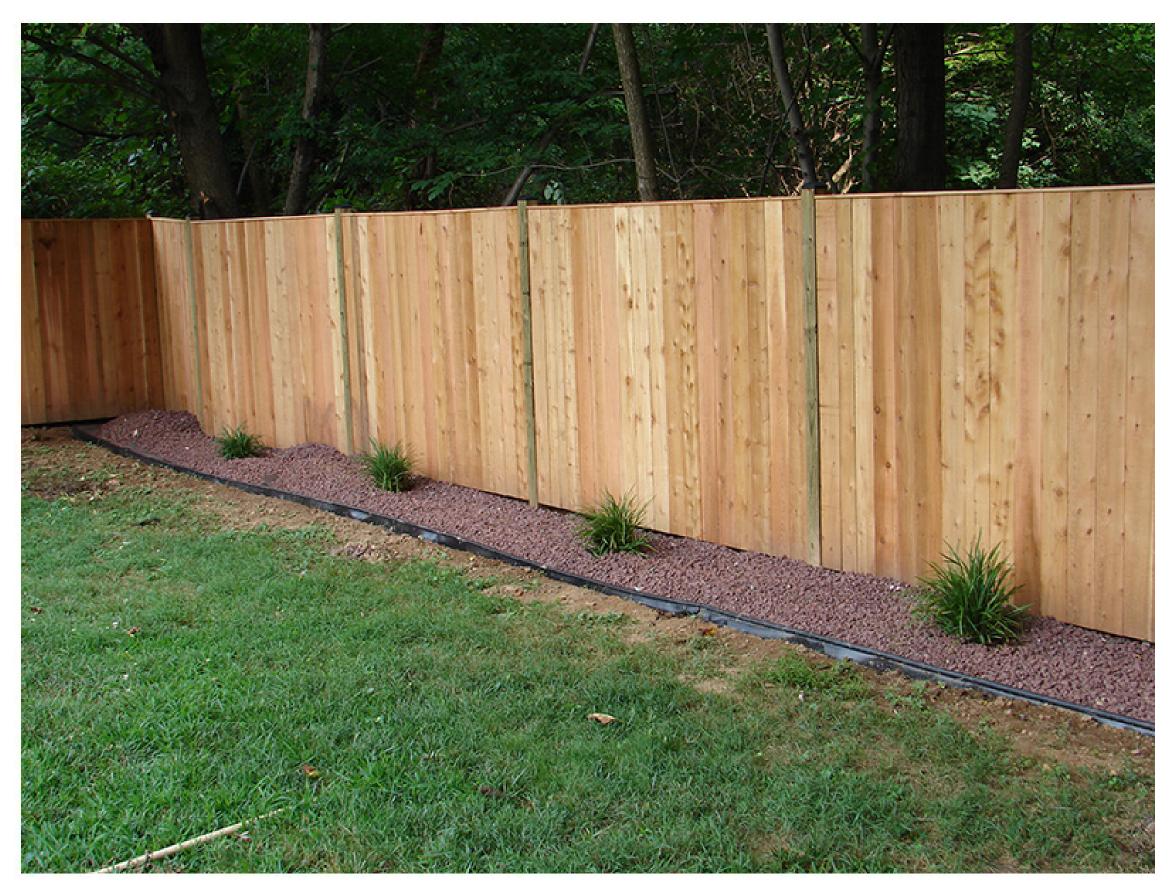
Prices are good for 30 days. Contractee's Signature

David MacKenzie 4/23/24

Contractor's Signature Date Buyers Right to Cancel: You, the buyer, may cancel this transaction at any time prior to midnight of the 3rd business day after the date of this transaction. See the accompanying notice of cancellation for any explanation of this right. If you cancel within the time period noted above, the seller may not keep any of your cash deposit.







SAMPLE IMAGE OF FENCE

3705 UNDERWOOD FENCE NARRATIVE

We're proposing to install a 6' ht std. Wood solid board privacy fence on the right-side property line as shown in the submitted site plan. The following document contains photos of various historic properties in chevy chase, md with fences in the front & side yard at heights taller than 4'. We provide these photos as evidence that this condition is common to local historic resources, including several master plan individual sites in the immediate vicinity, and should be allowed given. The following do not represent all such examples but are merely several we were able to identify during a quick tour of the neighborhood and while visiting job sites on West Irving and Grafton streets.

Based on previous HAWP staff reports, it's worth noting that the HPC's standard requirement that fences in front of the rear wall plane can be no more than 4' tall is based on the primary concern that fences in excess of 4' will create a visual division between properties that detracts from the visual relationship between the houses and the patterns of the historic district (referenced from the staff report (case # 31/06-19a reviewed and approved 01/09/19 with a 6' ht fence) that concern is unwarranted here given the neighboring properties are not historic and do not contribute to the patterns of a specific historic district. Further, the neighboring properties were allowed to build fences over 4' in height extending forward of the rear wall plane of the houses, so if anything, the existing development patterns would encourage a taller fence to be consistent.

As later development and neighboring fence construction have already altered the relationship of the properties, the proposed fence will not disrupt the relationship between the houses or adversely impact the resource itself. Since the fence we are proposing sits exclusively on the right-side property line and does not extend over to the resource itself, it will not obstruct the public view of the resource and does not adversely impact the character of the house. Several of the sample photos show this exact condition, and it is our opinion that these property line fences have no significant impact on the resource.

20 WEST IRVING ST FENCE+/- 5'-8" HT. EXTENDS UP TO FRONT PLANE OF HOUSE ON EACH SIDE

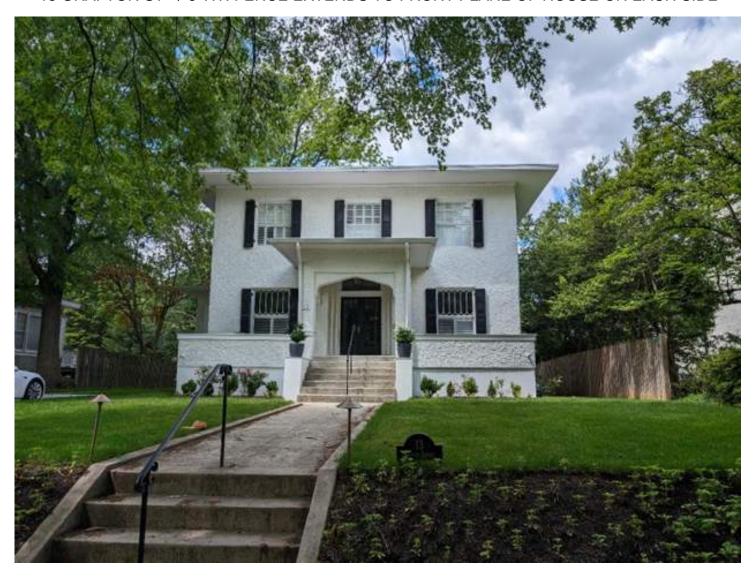




5910 CEDAR PKWY +/- 6' HT. IN FRONT OF HOUSE



13 GRAFTON ST +/-6' HT. FENCE EXTENDS TO FRONT PLANE OF HOUSE ON EACH SIDE



15 GRAFTON ST +/-6' HT. FENCE EXTENDS TO FRONT PLANE OF HOUSE



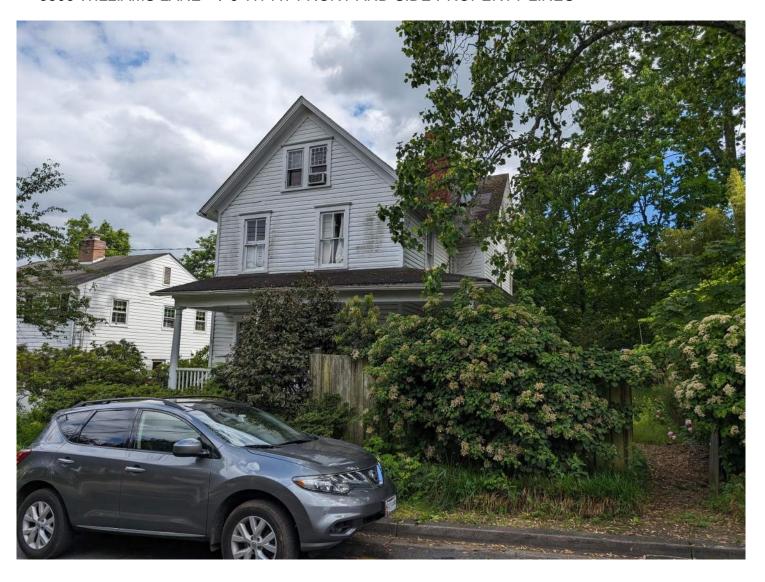
21 GRAFTON ST +/-6' HT. FENCE EXTENDS TO FRONT PLANE OF HOUSE



3815 BRADLEY LANE 4'-5' AT FRONT PROPERTY LINE, +/- 6' AT SIDE PROPERTY LINE



3806 WILLIAMS LANE +/-6' HT AT FRONT AND SIDE PROPERTY LINES



3706 & 3708 THORNAPPLE 5'-6' HT. FENCE EXTENDS TO FRONT PLANE OF HOUSES



3600 UNDERWOOD +/-6' HT. FENCE EXTENDS TO FRONT PLANE OF HOUSE



3606 UNDERWOOD +/-5' HT. FENCE EXTENDS TO FRONT PLANE OF HOUSE



3705 UNDERWOOD NEIGHBORING PROPERTY TO LEFT HAS 6' HT FENCE EXTENDING TO FRONT WALL OF HOUSE, NEIGHBIORING PROPERTY TO RIGHT HAS +/- 5'-4" HT FENCE EXTENDING UP SIDE LOT LINE TO MID-POINT OF HOUSE

