

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	2130 Spencerville Rd., Silver Spring	Meeting Date:	10/9/2024
Resource:	Individually Listed Master Plan Site (William Phair House #15/75)	Report Date:	10/2/2024
Applicant:	Antonio Escobar	Public Notice:	9/25/2024
Review:	HAWP REVISION	Tax Credit:	n/a
Permit No.:	1077198	Staff:	Dan Bruechert
Proposal:	Fence Installation		

STAFF RECOMMENDATION

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

1. The location and specifications of any gates must be submitted to Staff prior to the release of the final permitting documents. Final approval authority to ensure the gates are compatible with the character of the site is delegated to Staff.
2. The submitted materials do not provide any information about potential impacts to any trees on site. A tree survey must be submitted with the final permitting documents. Any adverse impacts on mature trees at the subject property will require altering the fence location in consultation with HPC Staff to ensure the trees are protected.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Individually Listed Master Plan Site #15/75 *William Phair House*
STYLE: Vernacular
DATE: 1857



Figure 1: The William Phair House is located on a deep, narrow lot in Spencerville.

From *Places from the Past*:

“The Phair House is one of the earliest dwellings in the community of Spencerville, established in 1848 by William A. Spencer as a settlement of Pennsylvanians. Irish nurseryman William H. Phair settled in Spencerville in 1857 and built this one-room deep, center passage log house soon thereafter. Phair operated a stagecoach stop at the house, located along the road connecting the Sandy Spring Ashton area with the Laurel depot. A community leader, Phair was elected postmaster in 1881, and was an officer in the Union Cemetery Association. Hewn log walls are visible on the second floor interior. The logs are connected with V-notches. In the early 1900s, a rear ell was built and in 1987 a kitchen addition infilled the ell.”

BACKGROUND

On July 24, 2024, the HPC held a Preliminary Consultation on a proposed fence at the subject property. The fence installation had begun prior to a HAWP application and was subject to a stop work order from the Department of Permitting Services. The HPC found the proposed fence was too tall and created too solid of an appearance to be compatible with the character of the site. A majority of the HPC recommended a solid fence further from the house and suggested the area immediately adjacent to the house could be enclosed with a split rail fence.

The applicant has modified the proposal based on the HPC’s feedback and has returned for a HAWP.

PROPOSAL

The applicant proposes to enclose the rear of the property with two types of wood fences.

APPLICABLE GUIDELINES

Proposed alterations to individual Master Plan Sites are reviewed under Montgomery County Code Chapter 24A (Chapter 24A) and the *Secretary of the Interior’s Standards for Rehabilitation*. Rehabilitation is defined 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.

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

Secretary of the 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.

STAFF DISCUSSION

The subject property is a two-acre site in Spencerville, with the c.1857 house located close to the road. The original 10-acre property has been reduced to its current 2-acre configuration and Staff finds the site and its surrounding area maintain their rural character. The William Phair House was added to the Master Plan for Historic Preservation in 1997 as an “unusual two-story log, center hall I-house.” The applicant proposes to enclose the rear of the property with two fence types. In the area immediately to the rear of the house, the applicant proposes to install a wood split rail fence that will extend to the rear Drive (see Fig. 3). This fence is consistent with the house’s 2022 appearance (see Fig. 2, below). To the rear of that fence, the applicant proposes to install a 6’ (six foot) tall wood stockade fence that will extend to the rear of the subject property.



Figure 2: Google StreetView image from Nov. 2022, showing the split rail fence.

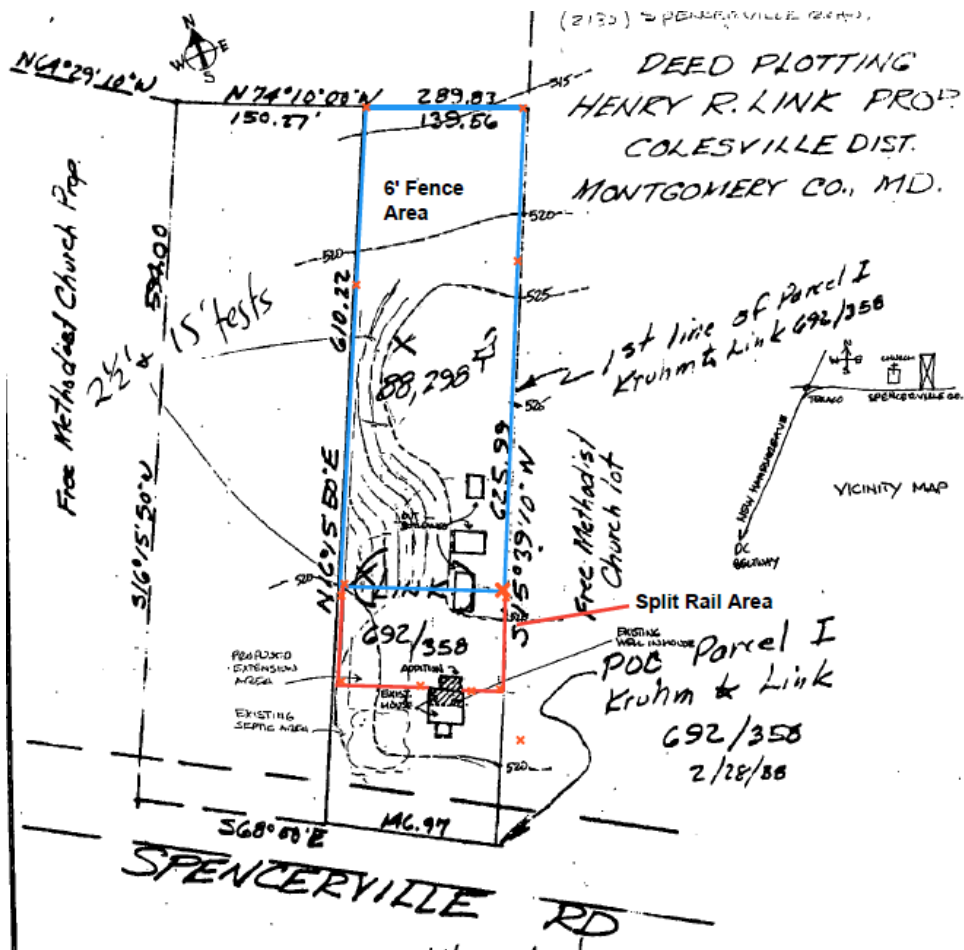


Figure 3: Proposed site plan showing the split rail fence (in red) and stockade fence (in blue).

The open nature of the environmental setting allows the farmhouse to be read as part of the larger semi-rural landscape of Spencerville even though the acreage of the historic farmstead has been much reduced. A great deal of the character of the site is also the ability of the house and yard to be easily seen on the approaches from Spencerville Road. Staff found a solid fence adjacent to the house would obstruct this view and at the Preliminary Consultation a majority of the HPC agreed with Staff's finding.

In the Staff Report for the Preliminary Consultation, Staff recommended that a large portion of the rear of the property could be enclosed without detracting from the character of the property. Relying on the existing site conditions, Staff recommended an area behind the existing rear drive (see Fig. 4, below). The HPC generally concurred with this location. This location is approximately 130' (one hundred thirty feet) behind the house. A majority of the HPC agreed with this recommendation and voiced their support for a fence in this location.



Figure 4: The proposed location for the 6' (six foot) stockade fence is shown in red.

Staff finds the proposed split rail fence is an appropriate feature for the rural character of the house. Its design and materials are appropriate for the period and design of the resource and will return the property to its pre-2022 appearance. Staff supports the split rail fence under 24A-8(b)(2) and Standard 2.

Additionally, Staff finds the proposed wood stockade fence is far enough removed from the house that it will not detract from the character of the house. Staff finds the materials are appropriate, as wood is a traditional fence material, and the wood's unfinished appearance will dull over time blending into the landscape. Staff finds the proposal for the stockade fence is appropriate under 24A-8(b)(2) and Standard 2.

The submitted application does not include information regarding any gates installed in the fences. Because the proposal will enclose the rear of the property, Staff assumes gates will be a necessary part of the installation. Staff recommends the HPC include a condition to the approval of this HAWP that requires the location and specifications of any fences be included in the final permitting documents before Staff can release them. Final approval authority to ensure the gates are compatible with the historic character of the property can be delegated to Staff.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve with two conditions** the HAWP application;

1. The location and specifications of any gates must be submitted to Staff prior to the release of the final permitting documents. Final approval authority to ensure the gates are compatible with the character of the site is delegated to Staff.
2. The submitted materials do not provide any information about potential impacts to any trees on site. A tree survey must be submitted with the final permitting documents. Any adverse impacts on mature trees at the subject property will require altering the fence location in consultation with HPC Staff to ensure the trees are protected;

under the Criteria for Issuance in Chapter 24A-8(b)(2) having found that the proposal is compatible in character with the Master Plan site and the purposes of Chapter 24A;

and with the *Secretary of the Interior's Standards for Rehabilitation #2*;

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# _____
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 _____
 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:

- | | | |
|---|--|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input 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 |
| | | <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

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:

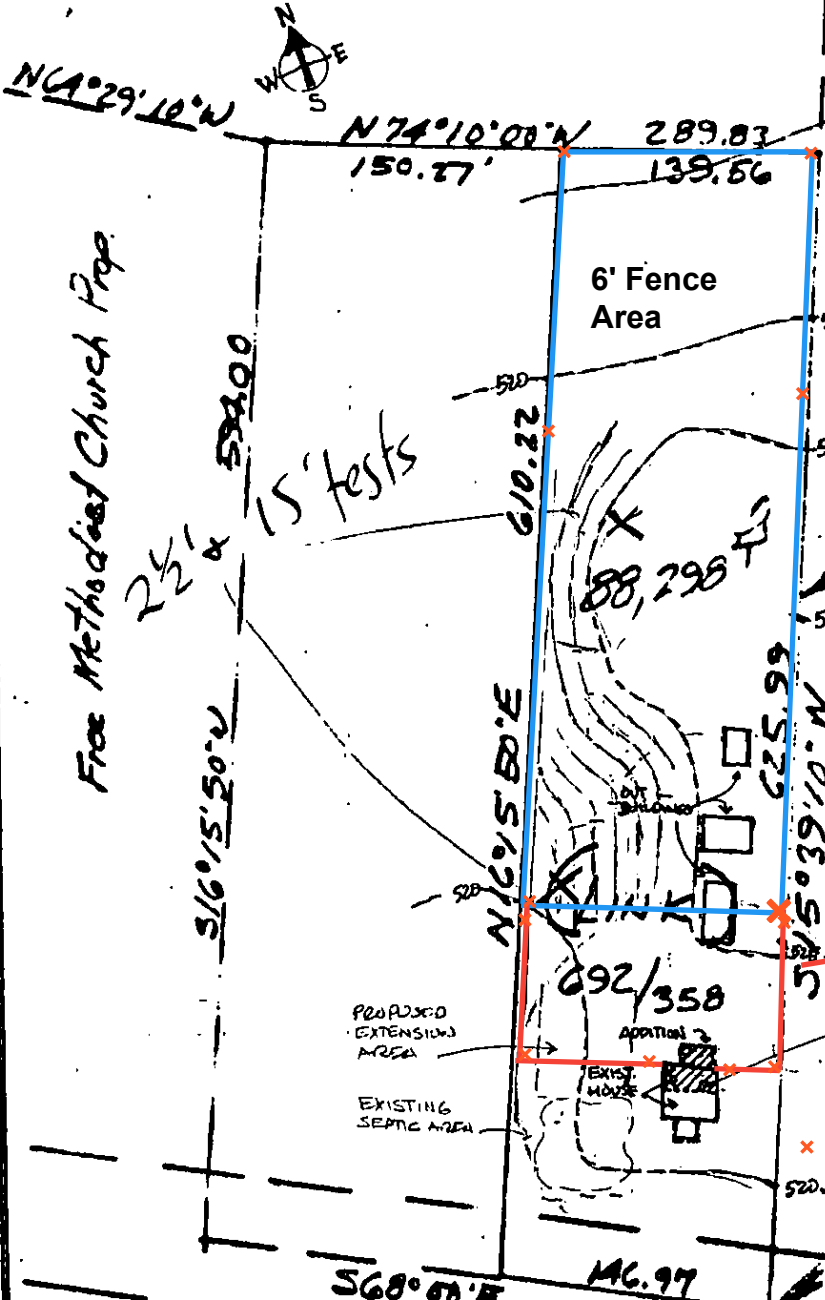
**HISTORIC AREA WORK PERMIT
CHECKLIST OF
APPLICATION REQUIREMENTS**

	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	*	*	*	*	*		*

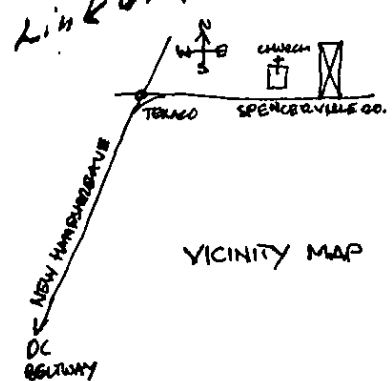
ANNA LOU FLETCHER

(2135) = PENNERSVILLE (2044)

DEED PLOTTING
HENRY R. LINK PROP.
COLESVILLE DIST.
MONTGOMERY CO., MD.



1st line of Parcel I
Kruhm & Link 692/358



Free Methodist Church lot

POB Parcel I
Kruhm & Link
692/358
2/28/88

SPENCERVILLE RD

X = 2 1/2' 15 tests

SURVEYOR'S CERTIFICATE

I hereby certify that the position of all existing improvements on the above described property have been carefully established by a transit-tape survey and that unless otherwise shown, there are no encroachments.

ELWOOD L. RENN
Registered Land Surveyor
Maryland No. 3283

RENN SURVEYS, INC.

BOX 88 • DAMASCUS, MARYLAND 20788 (301) 253-3891
LAND PLANNING CONSULTANTS • SUBDIVISIONS • LOTS & BOUNDARIES

REFERENCE	Drawn by <i>CFR</i>	Checked by
Box 692	Date 10-2-78	Record No.
Plot 358	Scale 1" = 100'	

NOTE: This drawing is not intended to establish property lines nor the existence of corner markers guaranteed. All information shown herein taken from the land records of the county in which the property is located.





Outdoor Essentials

6'X8' PT SPF 4" Pressure-Treated Spruce Moulded Stockade Fence Panel

★★★★★ (171) Questions & Answers (37)

♡ 488



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- Privacy style stockade fence panel provides safety and security
- Fence panel is paintable or stainable for customization
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Delivering to 20707

Pickup

Today
8 in stock
FREE

Delivery

Tomorrow
1,197 available



Get it as soon as tomorrow. Schedule your delivery in checkout.



Get Expert Fence Installation

A local pro will take care of the job for you

Request a free consultation

🕒 [What to Expect](#)





