

309 Market Street
Brookville M.D.

2010 HAWP



HISTORIC PRESERVATION COMMISSION

Isiah Leggett
County Executive

Thomas Jester
Chairperson

Date: 7/16/10

MEMORANDUM

TO: Carla Reid, Director
Department of Permitting Services

FROM: Anne Fothergill *AF*
Planner Coordinator
Historic Preservation Section-Planning Department
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #540536—retaining wall installation

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP) and this application was **approved** by the HPC on July 14, 2010.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN

Applicant: Sidney Deeds Wells
Address: 309 Market Street, Brookeville

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 to schedule a follow-up site visit.





RETURN TO: DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240/777-6370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Person: OWNER
Daytime Phone No.: BELDK

Tax Account No.: _____
Name of Property Owner: SIDNEY DEEDS WELLS Daytime Phone No.: 301-748-6000
Address: 309 MARKET STREET BROOKVILLE, MD 20833
Street Number City State Zip Code
Contractor: SELF Phone No.: _____
Contractor Registration No.: N/A
Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 311 Street: MARKET STREET
Town/City: BROOKVILLE Nearest Cross Street: HIGH STREET
Lot: ADD Lot 8 Block: _____ Subdivision: TOWN OF BROOKVILLE
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: 14 WOOD ST.
 Construct Extend Alter/Renovate AC Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: RETAINING WALL

1B. Construction cost estimate: \$ #10,000

1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

NOT APPLICABLE

2A. Type of sewage disposal: 01 WSSC 02 Septic 03 Other: _____
2B. Type of water supply: 01 WSSC 02 Well 03 Other: _____

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height _____ feet 29 inches ABOVE FOOTING BASE
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
 On party line/property line Entirely on land of owner On public right of way/easement

I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Sidney Deeds Wells
Signature of owner or authorized agent _____ Date _____

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: 7/16/10
Application/Permit No.: 540536 Date Filed: _____ Date Issued: _____

FRAME STRUCTURE

311 MARKET STREET

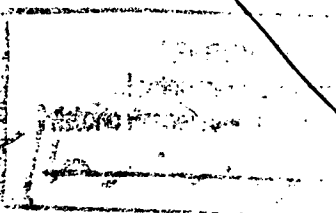
PROPOSED
RETAINING
WALL

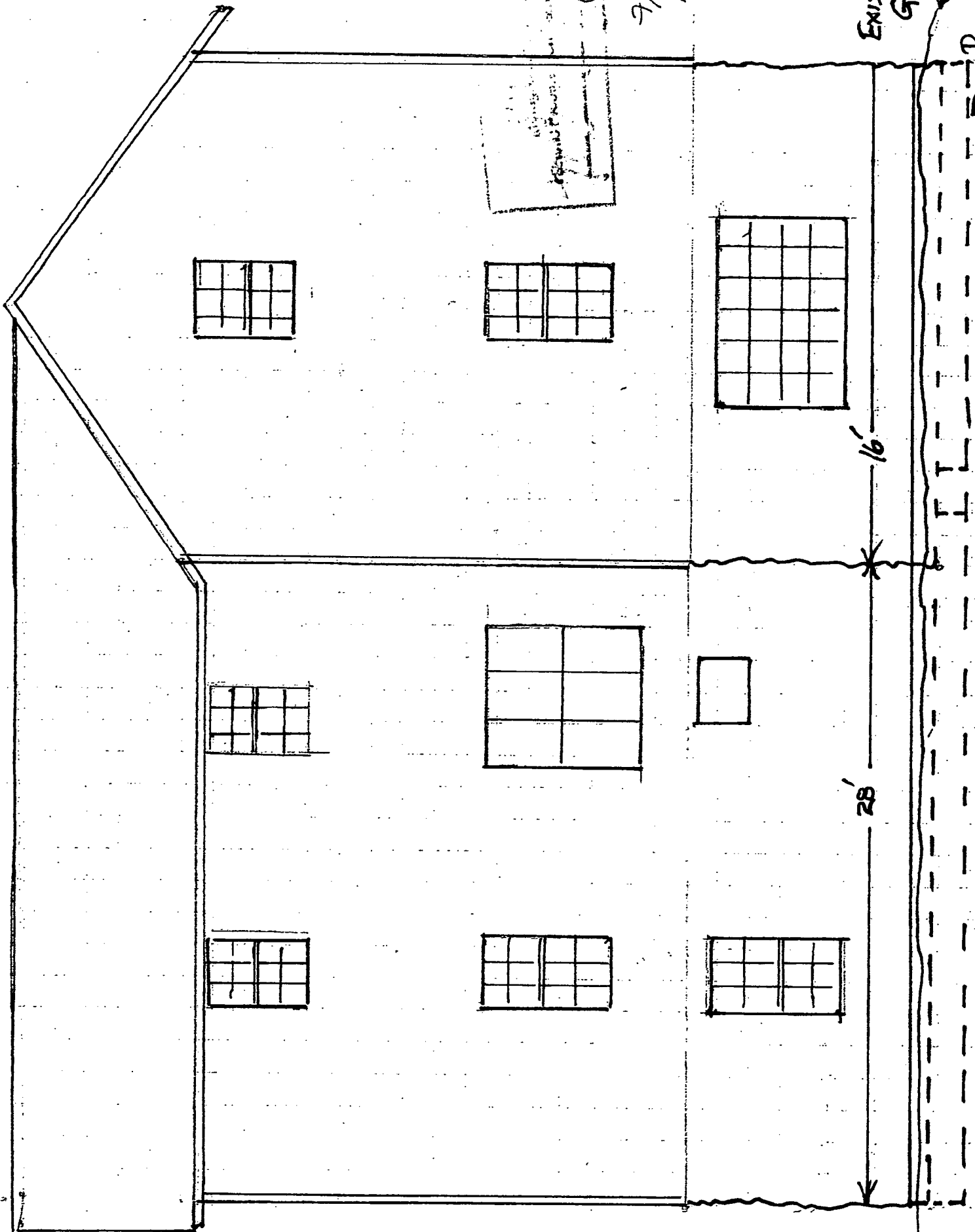
MARKET
STREET

STRUCTURE
309 MARKET
STREET

LOCATION OF WORK

7/16/16





7/16/10
H

EXIST GRADE
Proposed Wall

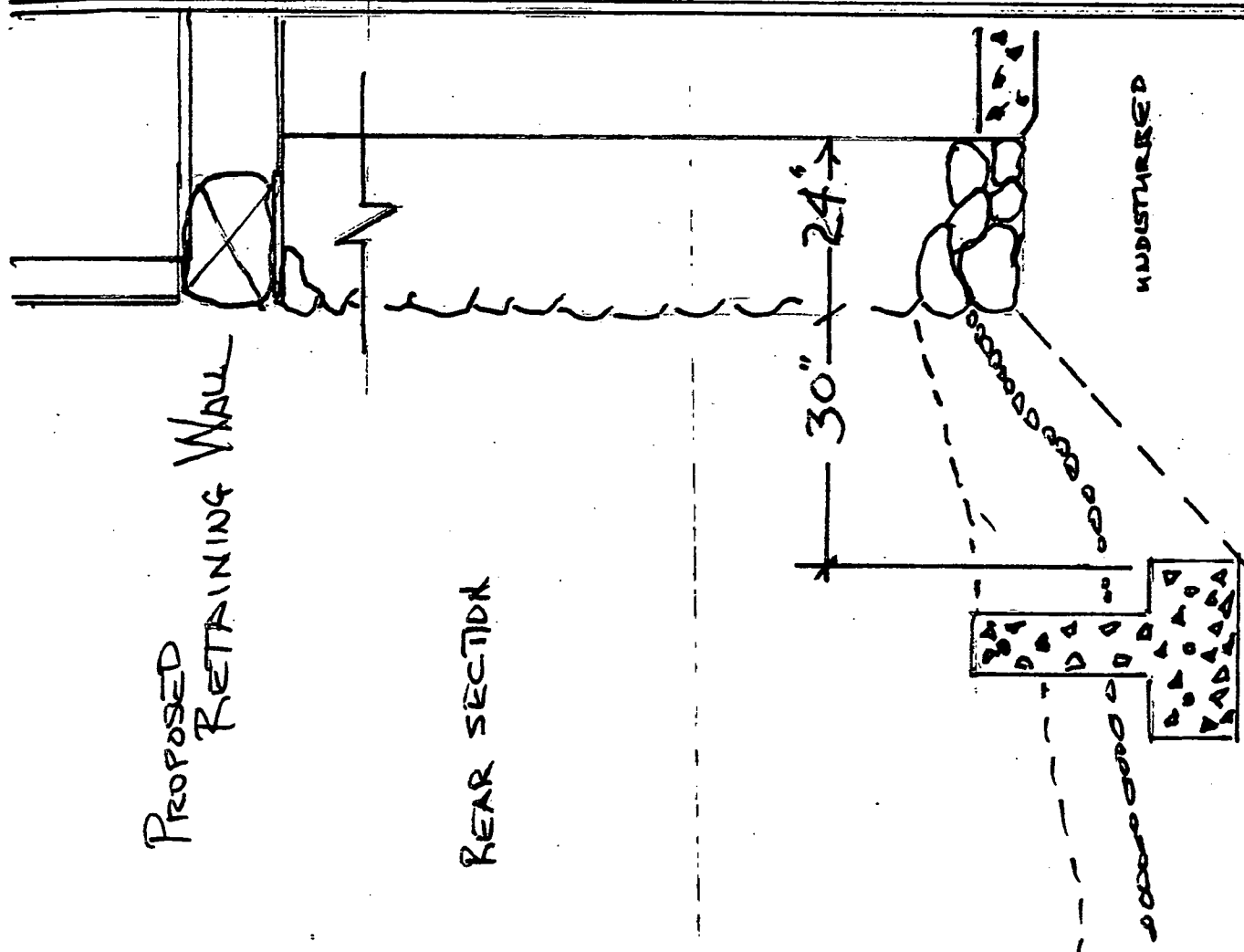
16'

28'

309 Market Street Elevation

PROPOSED
RETAINING WALL

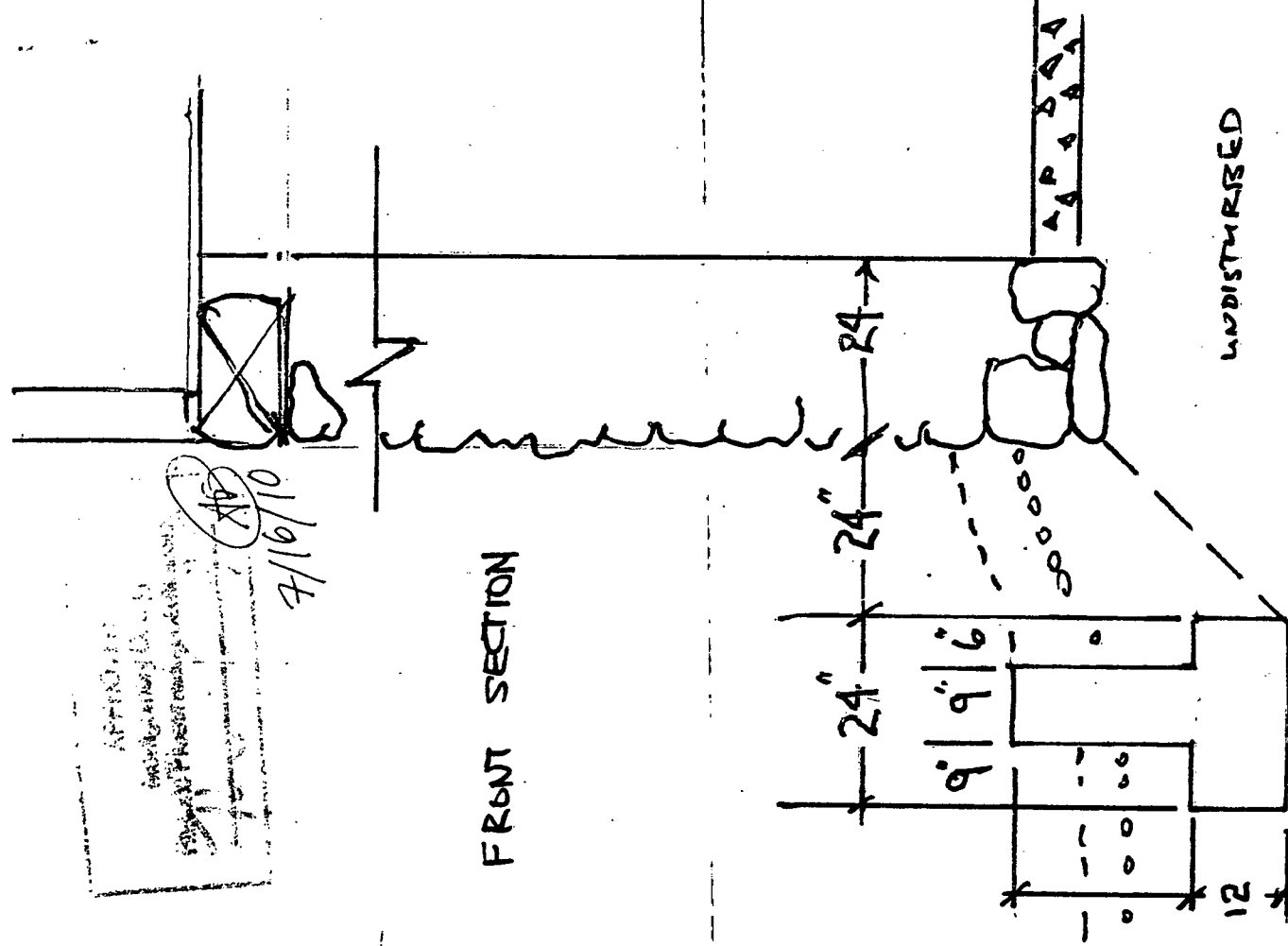
REAR SECTION



--- DO NOT DISTURB LINE
 oooooo CURRENT GRADE
 - - - - - FINISH GRADE

APPROVED
 7/16/10
 [Signature]

FRONT SECTION



--- DO NOT DISTURB LINE
 oooooo CURRENT GRADE
 - - - - - FINISH GRADE

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	311 Market Street, Brookeville	Meeting Date:	7/14/10
Applicant:	Sydney Deeds Wells	Report Date:	7/7/10
Resource:	Outstanding Resource Brookeville Historic District	Public Notice:	6/30/10
Review:	HAWP	Tax Credit:	None
Case Number:	23/65-10D	Staff:	Anne Fothergill
PROPOSAL:	Retaining wall construction		

STAFF RECOMMENDATION

Approval

Approval with conditions

The recommended condition of approval is:

- 1) The concrete wall will be faced with stone or parged.

PROPERTY DESCRIPTION

SIGNIFICANCE: Outstanding Resource
STYLE: Vernacular
DATE: c. 1800

PROPOSAL

The applicants are proposing to construct a concrete retaining wall about 30 inches from the stone foundation of the adjacent house at 309 Market Street (the houses at 309 and 311 are owned by the same owner). The wall will be 44' long, 9" thick, and 29" inches tall. The wall is intended to assist in stabilizing the soil so that foundation issues of the 309 Market Street house can be addressed. The applicant proposes to plant vegetation in front of the wall for screening and hopes to face the wall in stone in the future (but that is not part of this proposal).

APPLICABLE GUIDELINES

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 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 one 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.)

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application as being consistent with Chapter 24A-8(b) (1);

and with the general condition that the applicant shall present the **3 permit sets of drawings 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 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 anne.fothergill@mncppc-mc.org to schedule a follow-up site visit.



RETURN TO DEPARTMENT OF PERMITTING SERVICES
255 ROCKVILLE PIKE, 2ND FLOOR, ROCKVILLE, MD 20850
301-777-1370

DPS - #8

HISTORIC PRESERVATION COMMISSION
301/563-3400

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**

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Daytime Phone No.: BELDK

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Street Number City State Zip Code
Contractor: SELF Phone No.: _____
Contractor Registration No.: N/A
Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 311 Street: MARKET STREET
Town/City: BROOKVILLE Nearest Cross Street: HIGH STREET
Lot: ADD LOT 10 Block: _____ Subdivision: TOWN OF BROOKVILLE
Liber: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: 44 linear ft.
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 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: RETAINING WALL
1B. Construction cost estimate: \$10,000
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I hereby certify that I have the authority to make the foregoing application, that the application is correct, and that the construction will comply with plans approved by all agencies listed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

Sidney Deers Wells
Signature of owner or authorized agent

Date

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: _____
Application/Permit No.: 540536 Date Filed: _____ Date Issued: _____

2

Properties Abutting or Facing 311 Market Street, Brookeville, MD 20833

To northeast:

311 Market Street

S. Deeds Wells

309 Market Street

311 Market Street

Subject property

To south east:

313 Market Street

Across street:

308 Market Street

Leslie and Jo Unglesbee

To the northwest:

104 Water Street (to the rear)

Rebecca Yount

These names were taken from the Records of the State of Maryland Office to Land Records and Assessments, Rockville, MD

(application for Historic Area Work Permit)

Written Description of Project

(to be attached to Application for Historic Area Work Permit)

1.

a. The project is at the edge of lot of 311 Market Street, adjoining 309 Market Street. There is a frame building at 311 Market Street and a frame building (damaged by fire) with a stone foundation at 309 Market Street. Both addresses are in the historic district of Brookeville. The will be not alteration to the environment- streams, trees or other feature, simply a change in grade of the parking area of 311 Market Street. Over a period in excess of thirty years, the stone foundation of the rear portion of 309 Market has tilted outward. If this proposed retaining wall can be built it will serve to stabilize the soil to stop further tilting and to support any efforts to underpin or rebuild the wall that is out of alignment. so the tilting wall can be underpinned or rebuilt.

b. The project entails building what might be thought of as a retaining wall. This reinforced concrete wall will prevent soil under the foundation of the adjoining structure from slipping downward. Further, this 'curb' will protect the stone foundation of the 309 structure from vehicles moving about in the 311 Market Street parking area.

2. Site plans are enclosed in the packet. There is no landscaping in the impacted area nor do any of site features (part c of question 2) apply.

3. There are copies of the plans for the 'retaining wall' and a section of the site plan shows the location.

4. The owner will use 5000 psi concrete with ½ inch rebar (#4) in the construction. Backfill on the 309 Market Street will be compacted in 3 inch lifts as it is backfilled.

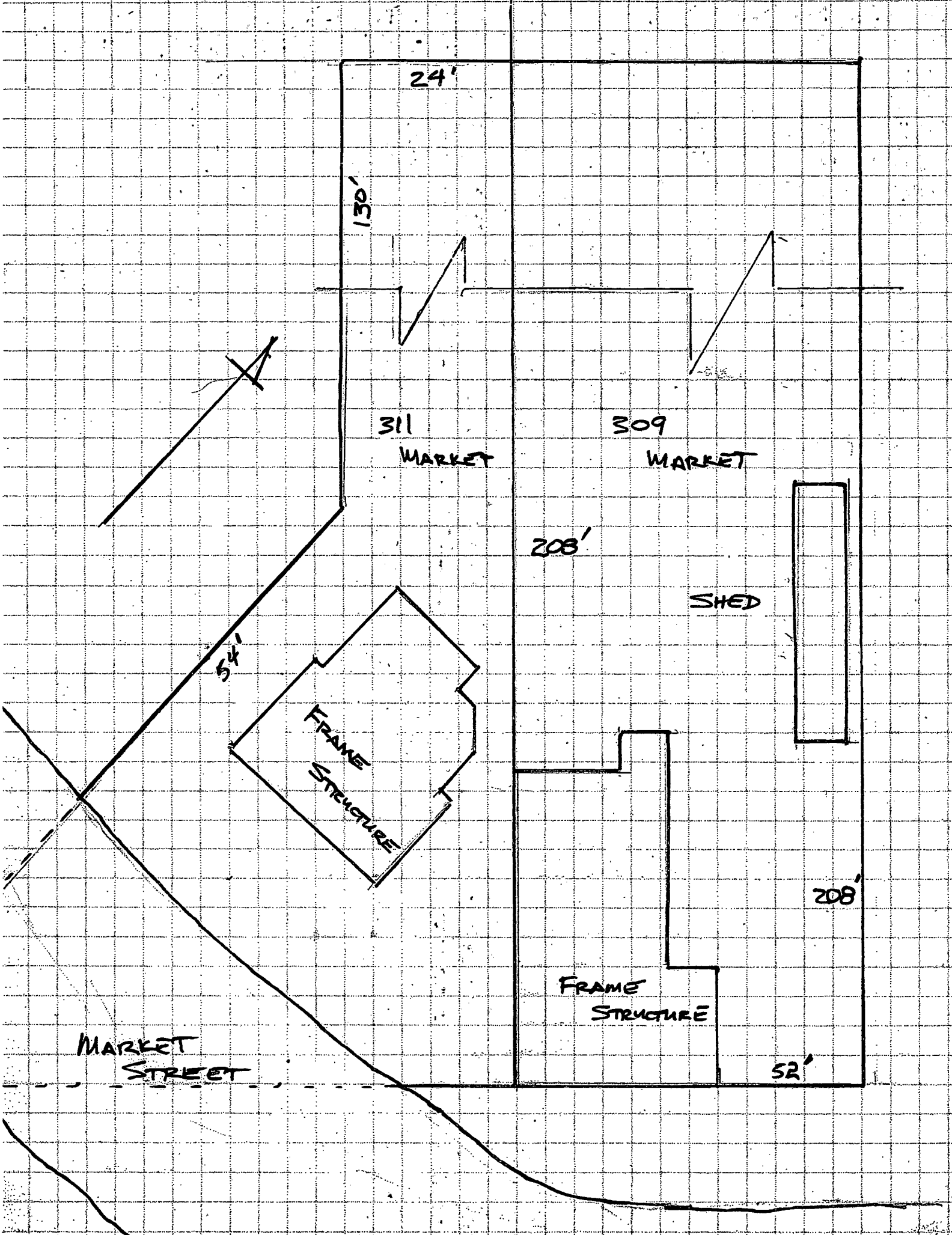
5. See photographs

6. There will be no work impacting the drip line of any tree.

7. Adjoining property owners provided on enclosed list.

Written Description of Project
(to be attached to Application for Historic Area Work Permit)

1. a. The project is at the edge of lot of 311 Market Street adjoining 309 Market Street. There is a frame building at 311 Market Street and a frame building (damaged by fire) with a stone foundation at 309 Market Street. Both addresses are in the historic district of Brooksville. The will be no alteration to the environment - streams, trees or other features simply a change in grade of the parking area of 311 Market Street. Over a period in excess of thirty years, the stone foundation of the rear portion of 309 Market has tilted outward. If this proposed retaining wall can be built it will serve to stabilize the soil to stop further tilting and to support any efforts to underpin or rebuild the wall that is out of alignment, so the tilting wall can be underpinned or rebuilt.
b. The project entails building what might be thought of as a retaining wall. This reinforced concrete wall will prevent soil under the foundation of the adjoining structure from slipping downward. Further, this 'curb' will protect the stone foundation of the 309 structure from vehicles moving about in the 311 Market Street parking area.
2. Site plans are enclosed in the packet. There is no landscaping in the impacted area nor do any of site features (part of question 2) apply.
3. There are copies of the plans for the retaining wall, and a section of the site plan shows the location.
4. The owner will use 2000 psi concrete with 1/2 inch rebar (#4) in the construction. Backfill on the 309 Market Street will be compacted in 3 inch lifts as it is backfilled.
5. See photographs.
6. There will be no work impacting the drip line of any tree.
7. Adjoining property owners provided on enclosed list.



24'

130'

311
MARKET

309
MARKET

208'

SHED

54'

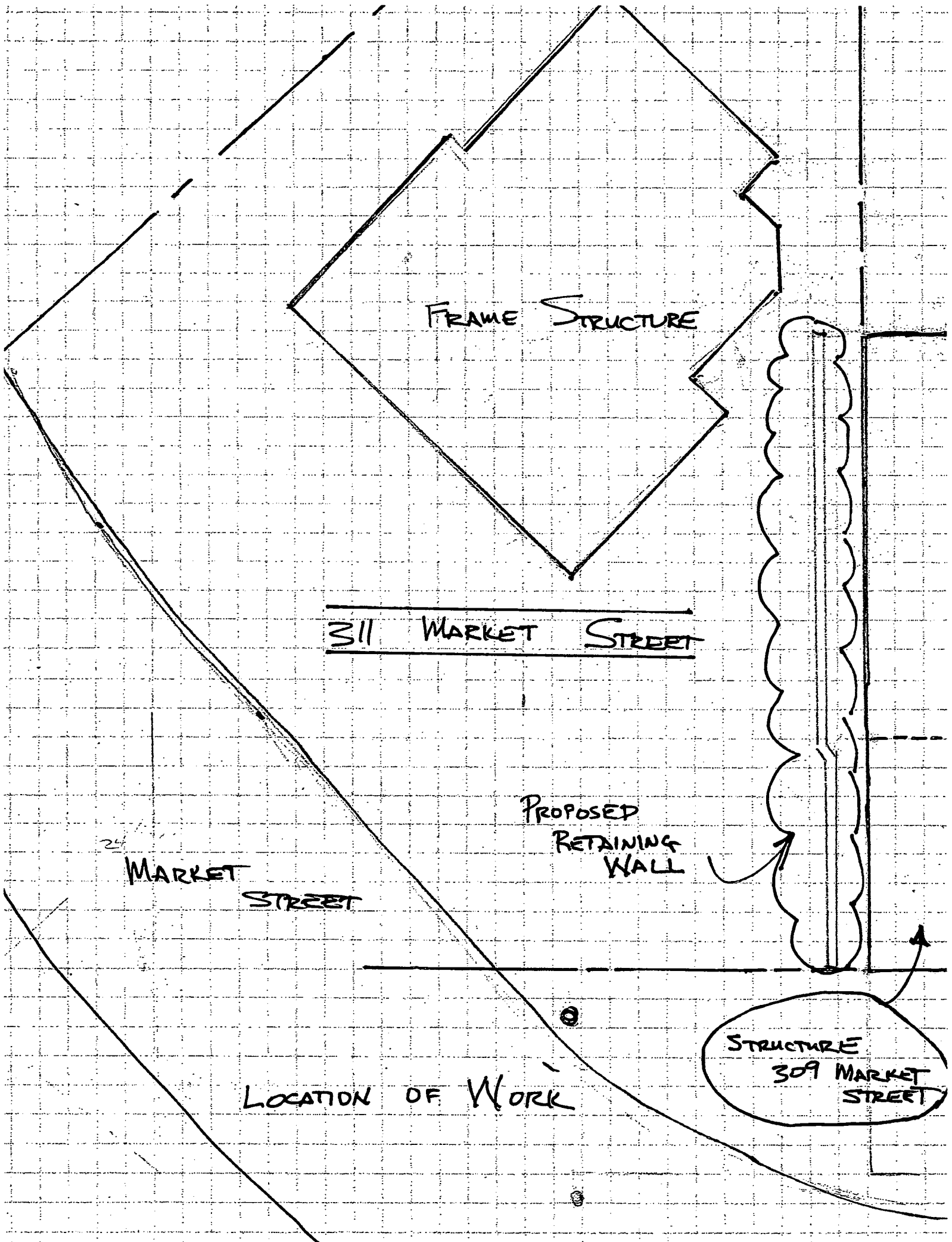
FRAME
STRUCTURE

208'

FRAME
STRUCTURE

MARKET
STREET

52'



FRAME STRUCTURE

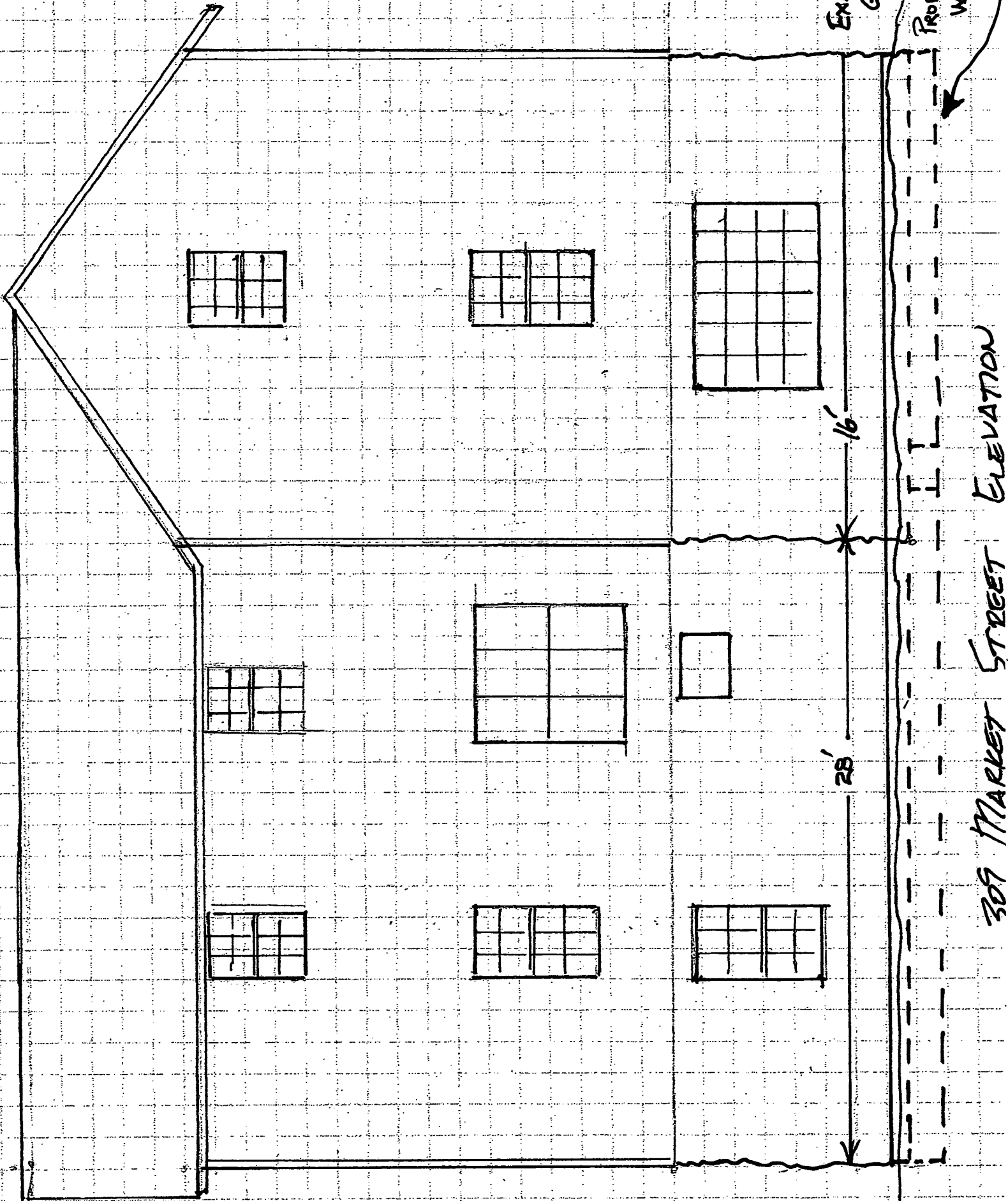
311 MARKET STREET

PROPOSED
RETAINING
WALL

MARKET STREET

LOCATION OF WORK

STRUCTURE
309 MARKET
STREET



EXIST GRADE
PROPOSED WALL

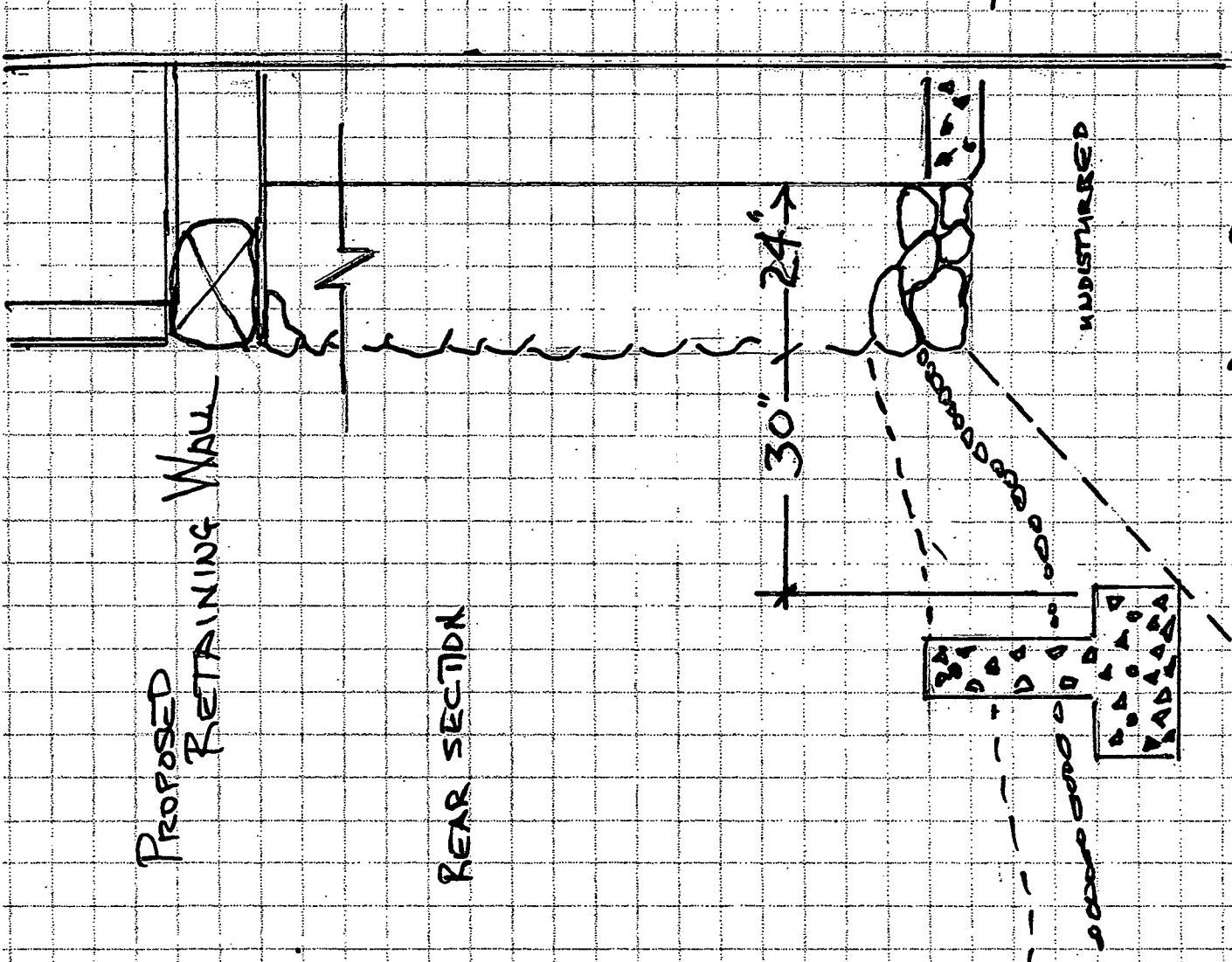
16'

28'

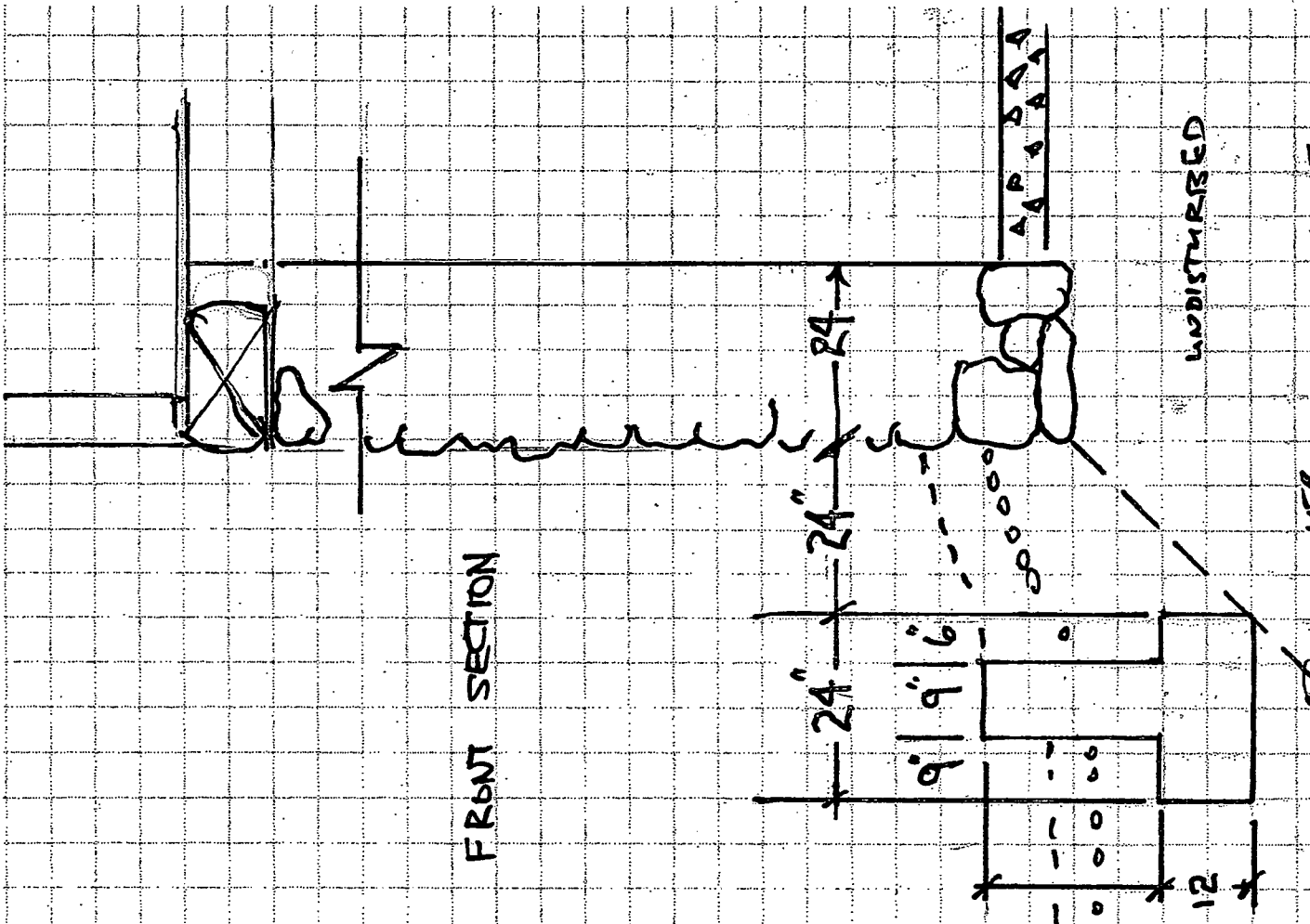
309 MARKET STREET ELEVATION

PROPOSED
RETAINING WALL

REAR SECTION



FRONT SECTION



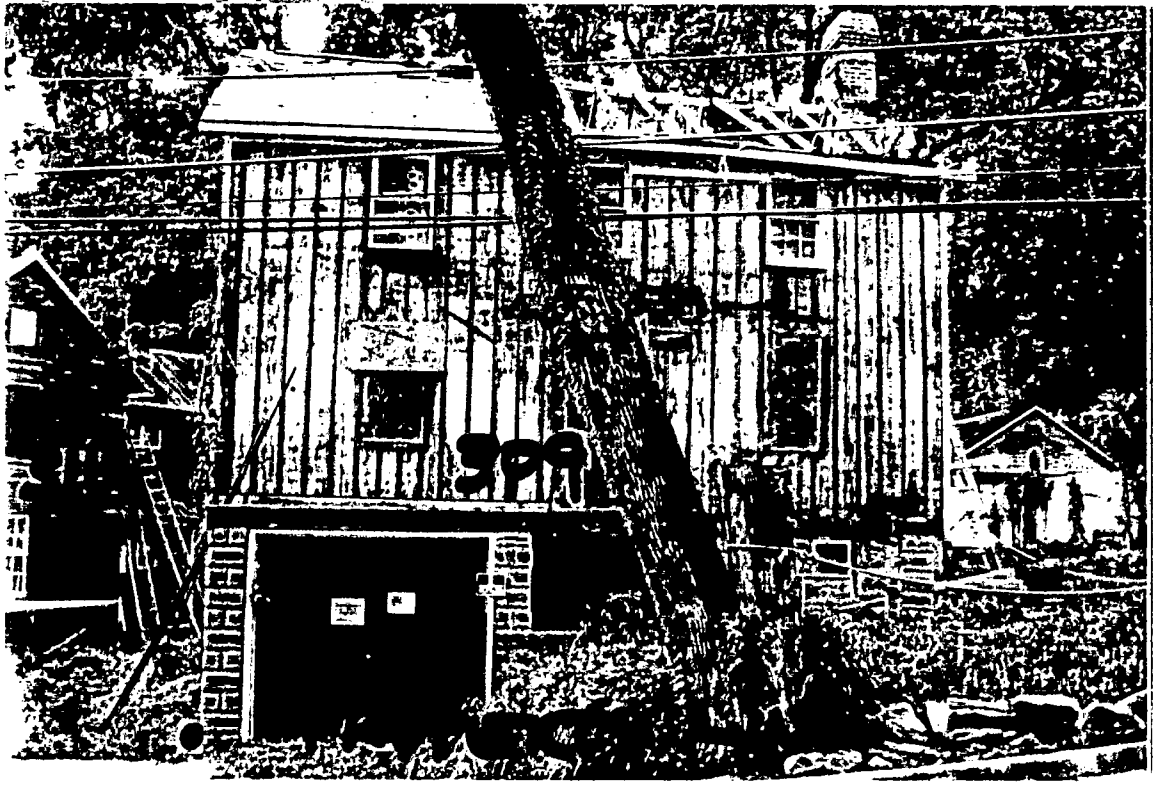
45° OFF SET LINE



SIDE OF 309

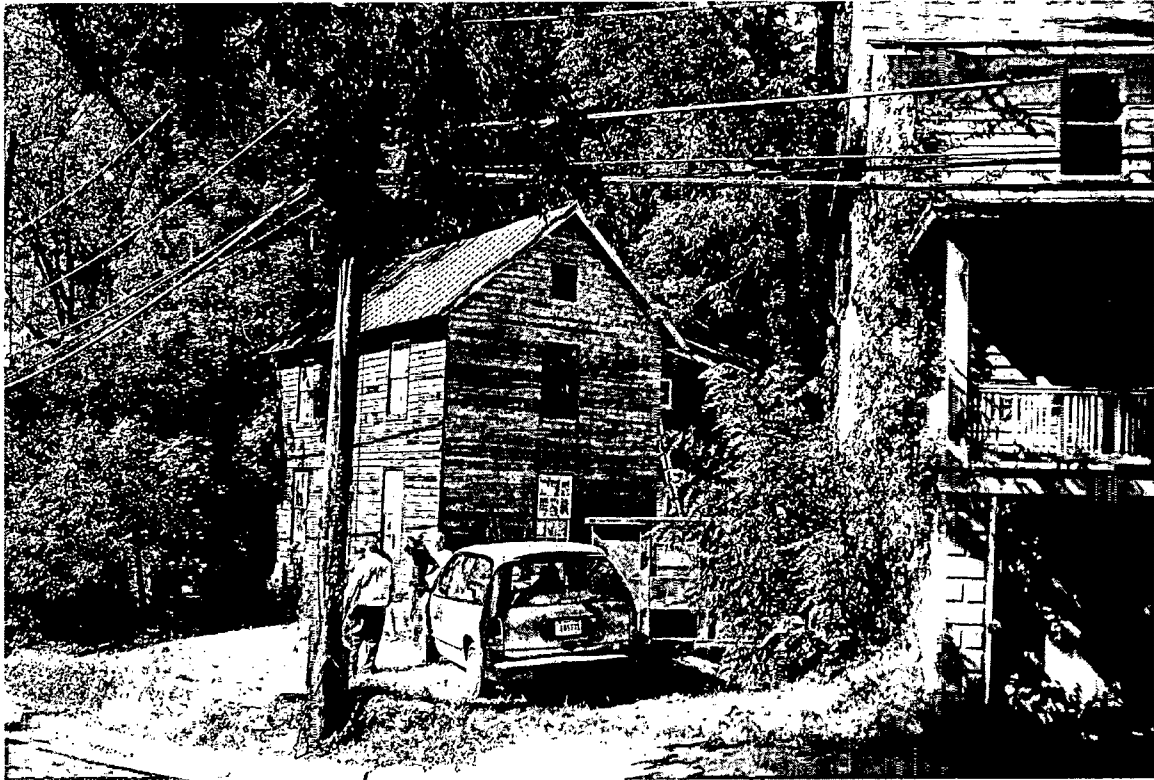


REAR FROM
TILT OF WALL

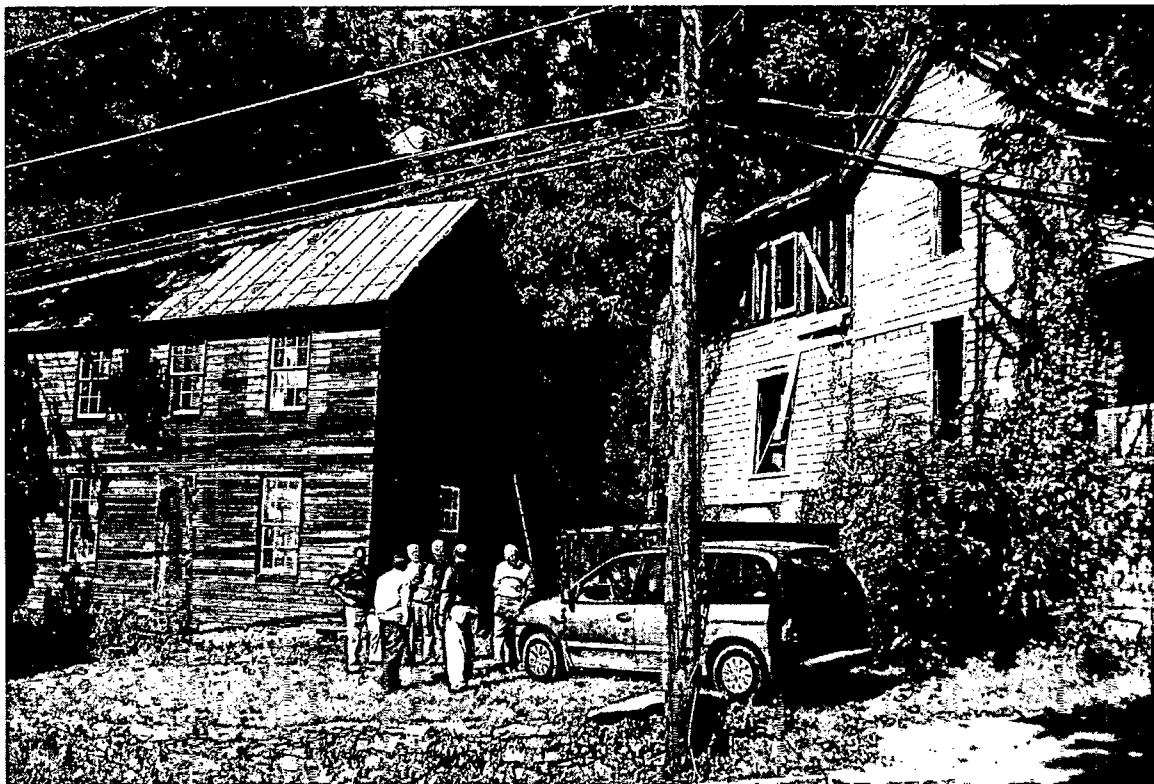


309





walk location



311
→

309
←



Rock
Action



FRONT PORTION





SIDE OF 309



REAR

FRONT

ALT OF WALL



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

July 2, 2010

Sydney Deeds Wells
309 Market Street
Brookeville, MD 20833

Dear Mr. Wells:

I have tried to call you twice this week but your voice mail box at 301-748-6000 is full. Please call me before noon Wednesday July 7, 2010 to discuss your pending Historic Area Work Permit application for 309/311 Market Street. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Fothergill".

Anne Fothergill