

10914 Mantrose aux. GARRETT Y&P 30/13-06 H



HISTORIC PRESERVATION COMMISSION


Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

Date: 6/8/2006

MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: Anne Fothergill, Senior Planner 
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #421488, rear pool, decking and wall; retroactive tree removal

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was **Approved** at the 6/7/2006 meeting.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED AND CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HISTORIC AREA WORK PERMIT (HAWP) CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER TOWN GOVERNMENT AGENCY BEFORE WORK CAN COMMENCE.

Applicant: Paul Irvin

Address: 10914 Montrose Ave, Garrett Park

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.





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

MONTGOMERY COUNTY BUILDING
PERMIT FOR SWIMMING POOL
419301

APPLICATION FOR HISTORIC AREA WORK PERMIT

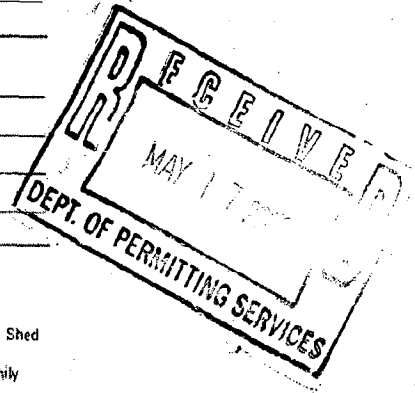
Contact Person: STUART MOON BACKYARD CREATIONS
Daytime Phone No.: 301-748-5302 / OFFICE 301-668-4420

X Tax Account No.: 00057871
Name of Property Owner: PAUL IRVIN
Address: 10914 MONTROSE AVE GARRETT PARK MD 20896
Contractor: BACKYARD CREATIONS INC
Contractor Registration No.: MHC-40139
Agent for Owner: _____

Daytime Phone No.: 240-602-3163 cell phone
301-942-3647
Phone No.: 301-668-4420

LOCATION OF BUILDING/PREMISE

House Number: 10914 Street: MONTROSE AVENUE
Town/City: GARRETT PARK Nearest Cross Street: STRATHMORE
Lot: 2 Block: 99 Subdivision: _____
Liber: _____ Folio: _____ Parcel: _____



PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate A/C 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: INGROUND GROUT POOL
1B. Construction cost estimate: \$ 58,499
1C. If this is a revision of a previously approved active permit, see Permit # _____

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/ADDITIONS

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

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height: 5' feet 0" inches
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.

[Signature]
Signature of owner or authorized agent

5/16/06
Date

Approved: _____ For: Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: [Signature] Date: 6-8-06
Application/Permit No.: 421488 Date Filed: _____ Date Issued: _____

**THE FOLLOWING ITEMS MUST BE COMPLETED AND THE
REQUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION.**

WRITTEN DESCRIPTION OF PROJECT

a. Description of existing structure(s) and environmental setting, including their historical features and significance:

THIS HOME WAS CONSTRUCTED ABOUT 1991. THE GARAGE
WAS CONSTRUCTED IN 1991 ALSO. NO ORIGINAL
STRUCTURES EXIST.

b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the historic district:

INGROUND GUNITE (CONCRETE) SWIMMING POOL -
RETAINING WALL WITH AN STONE CONSTRUCTION

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- site features such as walkways, driveways, fences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

3. PLANS AND ELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than 11" x 17". Plans on 8 1/2" x 11" paper are preferred.

- Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, window and door openings, and other fixed features of both the existing resource(s) and the proposed work.
- Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriate, context. All materials and fixtures proposed for the exterior must be noted on the elevations drawings. An existing and a proposed elevation drawing of each facade affected by the proposed work is required.

4. MATERIALS SPECIFICATIONS

General description of materials and manufactured items proposed for incorporation in the work of the project. This information may be included on your design drawings. CONCRETE, FLAGSTONE, NATURAL FIELD STONE.

5. PHOTOGRAPHS

- Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labels should be placed on the front of photographs.
- Clearly label photographic prints of the resource as viewed from the public right-of-way and of the adjoining properties. All labels should be placed on the front of photographs. CANT BE SEEN FROM PUBLIC RIGHT OF WAY.

6. TREE SURVEY NO TREES.

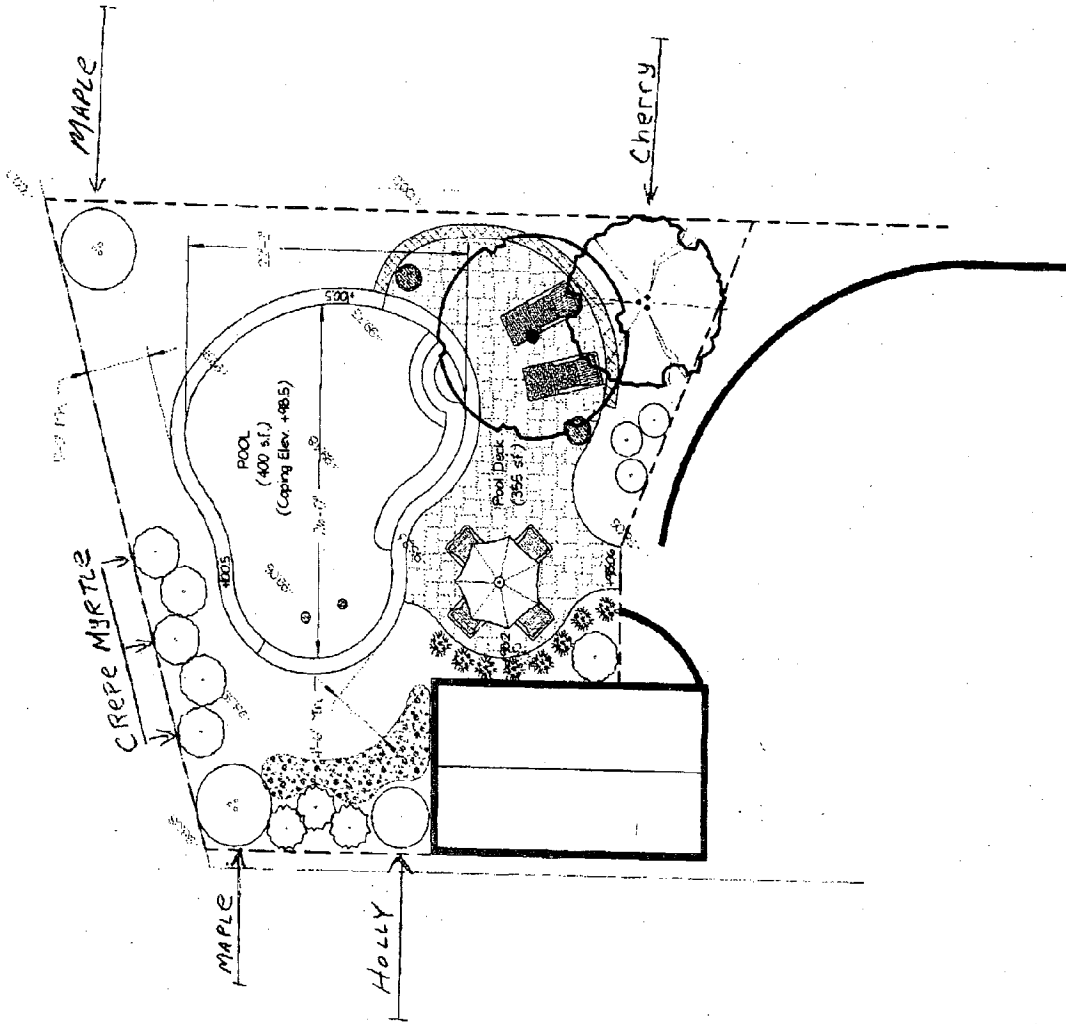
If you are proposing construction adjacent to or within the canopy of any tree 6" or larger in diameter (at approximately 4 feet above the ground), you must file an accurate tree survey identifying the size, location, and species of each tree of at least that dimension.

7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

proposed tree replacement

LANDSCAPE PLAN
IRVIN
10914 MONTROSE AVE
GARRETT PARK, MD



APPROVED
Montgomery County
Public Works Department
6-19-06

IRVIN RESIDENCE

Pool Layout & Landscape Plan

SCALE - 1/8" = 1 FOOT

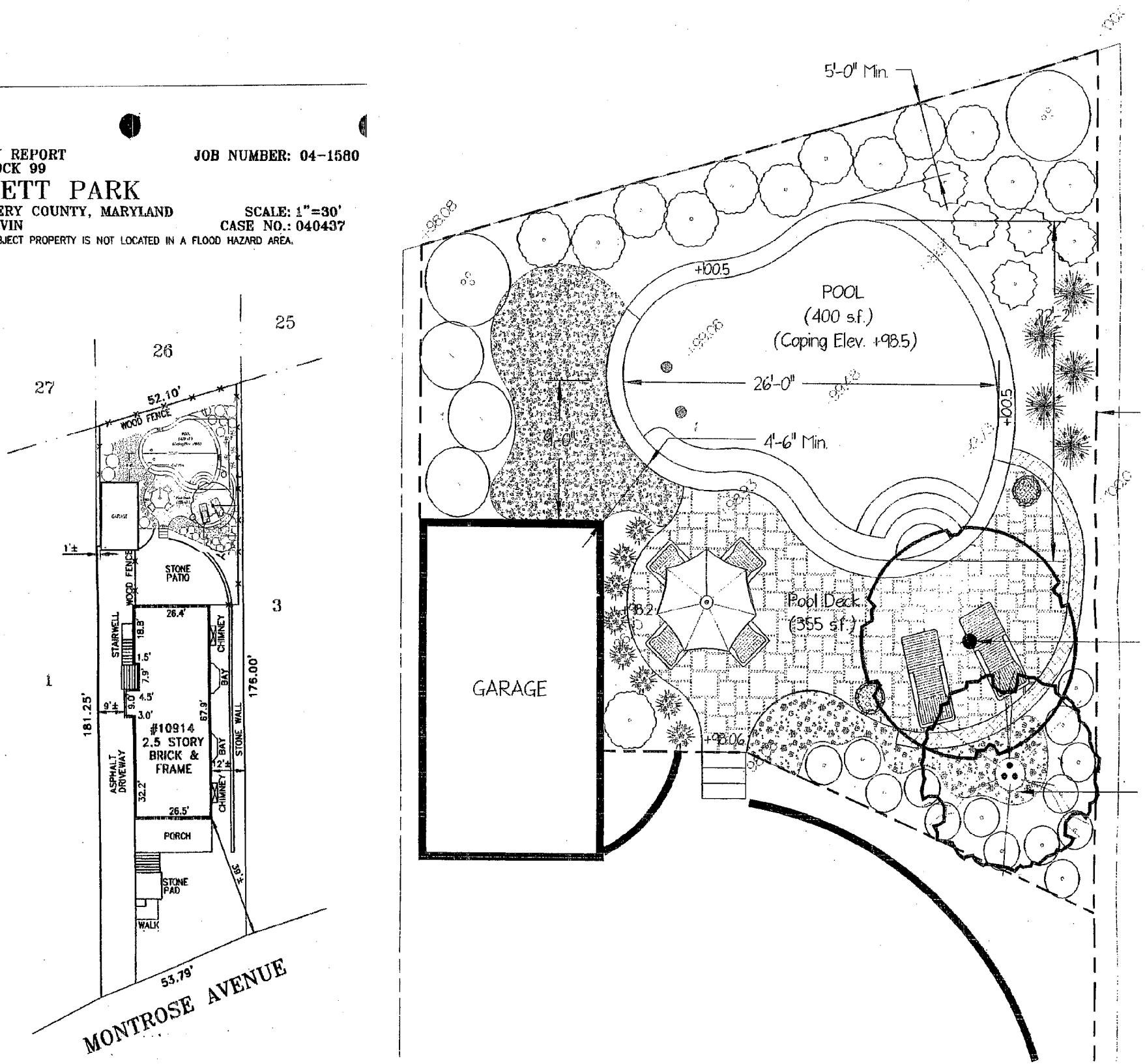
Frederick, MD 21704
www.bycpools.com

PROPERTY REPORT
LOT 2 BLOCK 99
GARRETT PARK
MONTGOMERY COUNTY, MARYLAND
CLIENT: IRVIN

JOB NUMBER: 04-1580

SCALE: 1" = 30'
CASE NO.: 040437

THE SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.



Backyard Creations, Inc.
Paul & Margaret Irvin
10914 Montrose Ave.
Garrett Park, MD 20896
Home: (301)942-3642
MAP: Montgomery 36-A3

APPROVED
Montgomery County
Historic Preservation Commission
Julian D. Malley

6-99-06

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	10914 Montrose Avenue, Garrett Park	Meeting Date:	2/22/2006
Resource:	Non-Contributing Resource Garrett Park Historic District	Report Date:	2/15/2006
Applicant:	Paul Irvin	Public Notice:	2/8/2006
Review:	HAWP	Tax Credit:	None
Case Number:	30/13-06H	Staff:	Anne Fothergill

PROPOSAL: Pool, decking, and retaining wall construction; **retroactive** tree removal

RECOMMENDATION: Approval

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Non-Contributing Resource within the Garrett Park Historic District
DATE: 1991

PROPOSAL

The applicants propose the installation of a 400 SF in-ground swimming pool in their back yard. The pool is set back 37 feet from the back of the house and 5 feet from the rear property line. The pool will have flagstone coping and there will be 355 SF of flagstone decking. There will be natural fieldstone retaining wall approximately 2 feet high on the right side of the yard. The applicants will replace the existing wood fence with a taller 5' wood fence in the same location to meet County Code for the pool. See plans in Circles 6 + 7.

The applicants also propose retroactively to remove four trees: 7" cherry, 12" maple, 15" box elder, and 26" ailanthus (dying). They propose to replace these trees with seven trees: three crape myrtles, two maples, one holly, and one cherry tree (see plan in Circle 9).

The proposed pool and landscape plan have been reviewed and approved by the Town of Garrett Park.

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 *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.

Montgomery County Code; Chapter 24A

- A HAWP permit should be issued if the Commission finds that:
 1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.

2. The proposal is compatible in character and nature with the historical archaeological, architectural or cultural features of the historic site or the historic district in which a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.

In the case of an application for work on a historic resource located within a 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 surrounding historic resources or would impair the character of the historic district.

Secretary of the Interior's Standards for Rehabilitation:

- # 2: The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will 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.

STAFF DISCUSSION

The installation of a pool behind a Non-Contributing Resource within a historic district is a generally approvable alteration if the pool will not adversely impact other historic resources or the streetscape. In this case, the pool is behind the house and not visible from the street, and the proposed materials for the pool, decking, and wall, the siting of the pool, and the overall plan are appropriate for this setting. The pool and decking will not be visible from the street and will not have an adverse impact on streetscape or the historic properties in the district. The proposed change in fencing height is also approvable as the material is appropriate and it will be located in the same location behind the house.

Unfortunately the applicant was not aware that an approved Historic Area Work Permit was needed for their non-historic house. The applicant received approval from the Town of Garrett Park and it only came to the applicant's attention that a HAWP was needed when they applied to DPS for a building permit. At that time, the trees had already been removed. The applicant then applied for a HAWP and proposed a tree replacement plan. While staff and the HPC never like to review a retroactive application, in this case had the applicant applied for the pool construction and tree removal with the proposed tree replacement plan, it most likely would have been approved.

Staff recommends approval of the proposed and retroactive application.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application as being consistent with Chapter 24A-8(b)(1) & (2);

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

and with the general condition that the applicant shall present the **3 permit sets 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.



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245 ROCKVILLE PIKE, 2nd FLOOR, ROCKVILLE, MD 20850
240/777-6370

DPS - #8

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301/563-3400

MONTGOMERY COUNTY BUILDING
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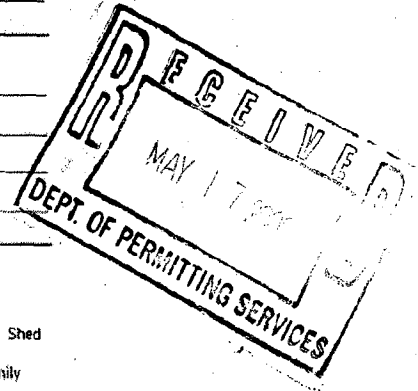
APPLICATION FOR HISTORIC AREA WORK PERMIT

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Daytime Phone No.: 301-748-5302 / OFFICE 301-668-4420

Tax Account No.: 00057871
Name of Property Owner: PAUL IRVIN Daytime Phone No.: 240-602-3163
Address: 10914 MONTROSE AVE GARRETT PARK MD 20896
Street Number City State Zip Code
Contractor: BACKYARD CREATIONS INC Phone No.: 301-668-4420
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LOCATION OF BUILDING/PREMISE

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Liber: _____ Folio: _____ Parcel: _____



PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

<input type="checkbox"/> Construct	<input type="checkbox"/> Extend	<input type="checkbox"/> Alter/Renovate	<input type="checkbox"/> A/C	<input type="checkbox"/> Slab	<input type="checkbox"/> Room Addition	<input type="checkbox"/> Porch	<input type="checkbox"/> Deck	<input type="checkbox"/> Shed
<input type="checkbox"/> Move	<input type="checkbox"/> Install	<input type="checkbox"/> Wreck/Raze	<input type="checkbox"/> Solar	<input type="checkbox"/> Fireplace	<input type="checkbox"/> Woodburning Stove	<input type="checkbox"/> Single Family		
<input type="checkbox"/> Revision	<input type="checkbox"/> Repair	<input type="checkbox"/> Revocable	<input type="checkbox"/> Fence/Wall (complete Section 4)	<input checked="" type="checkbox"/> Other: <u>INGROUND GUNITE POOL</u>				

1B. Construction cost estimate: \$ 58,499

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

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[Signature]
Signature of owner or authorized agent

5/16/06
Date

Approved: _____ For Chairperson, Historic Preservation Commission
Disapproved: _____ Signature: _____ Date: _____
Application/Permit No.: 421488 Date Filed: _____ Date Issued: _____

SEE REVERSE SIDE FOR INSTRUCTIONS

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PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE. AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

HISTORIC APPLICATION - PAUL IRVIN

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING [Owner, Owner's Agent, Adjacent and Confronting Property Owners]	
Owner's mailing address PAUL IRVIN 10914 MONTROSE AVE GARRETT PARK MD 20896 TAX ID 00057871	Owner's Agent's mailing address BACKYARD CREATIONS INC 1560-A TILCO DR FREDERICK MD 21704
Adjacent and confronting Property Owners mailing addresses	
A05- Rita & Jawad Abdul Kader (adjacent) 10912 Montrose Ave Garrett Park, MD 20896	Todd & Dawn Harris (rear) 10909 Kenilworth Ave Garrett Park, MD 20896
Charlene Sussel (adjacent) 10918 Montrose Ave Garrett Park, MD 20896	Robert M. Frost, Jr. (front) 10915 Montrose Ave Garrett Park, MD 20896

PROPERTY REPORT
LOT 2 BLOCK 99

JOB NUMBER: 04-1580

GARRETT PARK

MONTGOMERY COUNTY, MARYLAND
CLIENT: IRVIN

SCALE: 1"=30'
CASE NO.: 040437

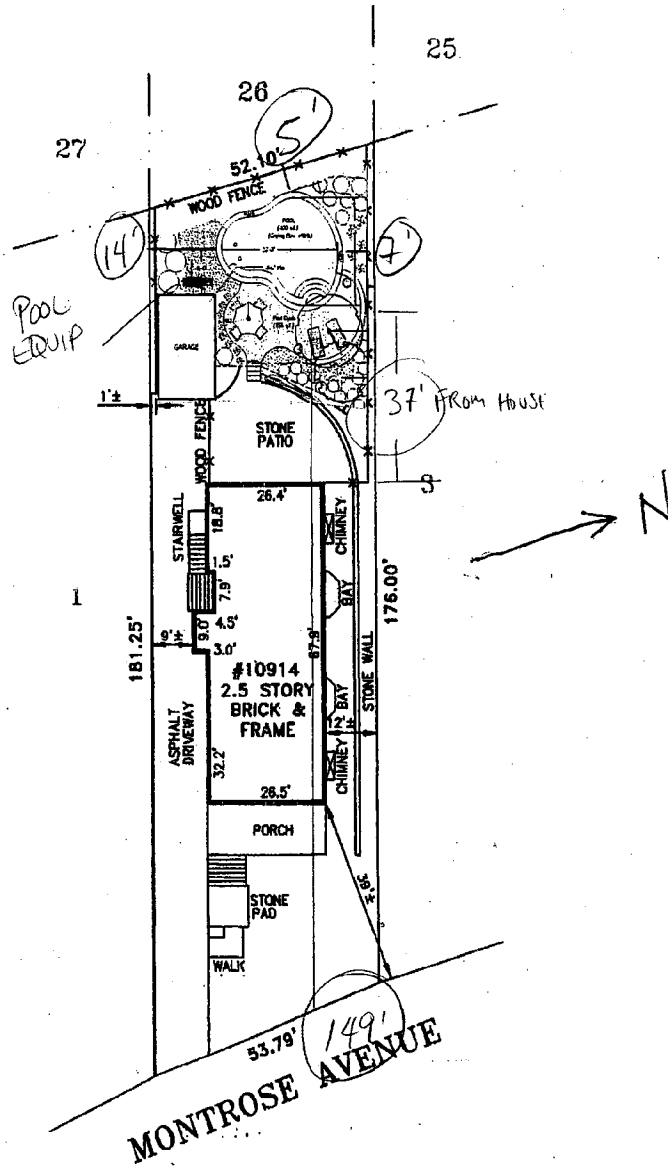
THE SUBJECT PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.

**FEDERAL TITLE
& ESCROW COMPANY**
Smart Solutions, Simple Settlements

Chevy Chase Pavilion
5335 Wisconsin Ave., NW
Suite 700
Washington DC 20015

Office: 202-362-1500
Fax: 202-362-5901

www.FederalTitle.com



This plat has been provided for a transaction on or about the date of this survey. This certification is limited to the parties of this transaction. This plat is furnished for informational purposes in the issuance of title insurance and is not to be used for any design or construction or to set property corners. The settlement agent has requested this survey pursuant to the terms of a contract of sale or in conjunction with a re-finance of the subject property at the owner's, prospective purchaser's, and/or lender's direction. The settlement agent has requested that only that information required for title insurance purposes be shown and does not certify to the accuracy of any of the information shown hereon. No title report has been furnished.

This plat is subject to restrictions and easements of record. IPF indicates monuments used for location purposes. If no monuments were found the existing improvements were located from the occupation of existing features.

Any reproduction of this document that does not bear an original signature is an unauthorized copy and may violate U.S. copyright laws.

I hereby certify that survey shown hereon is correct to the best of my knowledge and that, unless otherwise shown, it has been prepared utilizing description of record. This survey is not a boundary survey and the location or existence of property corners is neither guaranteed nor implied. Fence, lines, if shown, are approximate in location. This property does not lie within a 100 year flood plain according to FEMA insurance maps unless otherwise shown hereon. Building restriction lines shown as per available information.

Backyard Creations, Inc.
Paul & Margaret Irvin
10914 Montrose Ave.
Garrett Park, MD 20896
Home: (301)942-3642
MAP: Montgomery 36-A3



Surveyor:
**CERTIFIED
REAL ESTATE
SERVICES, Ltd.**
1831 WIEHLE AVE.
SUITE 105
RESTON, VA. 20190
PHONE: 703.742.9105
FAX: 703.742.9104
Email: estell@survey@aol.com

COPYRIGHT CERTIFIED REAL ESTATE SERVICES, LLC
2003-2005



5-4-2004

6

Fothergill, Anne

From: Irvin, Paul L. [Paul_L_Irvin@mcpsmd.org]
Sent: Friday, May 26, 2006 8:26 AM
To: Fothergill, Anne
Subject: 10914 Montrose Ave - Garrett Park

Dear Ms. Fothergill –

Here's a summary of the situation with our trees:

Removed –

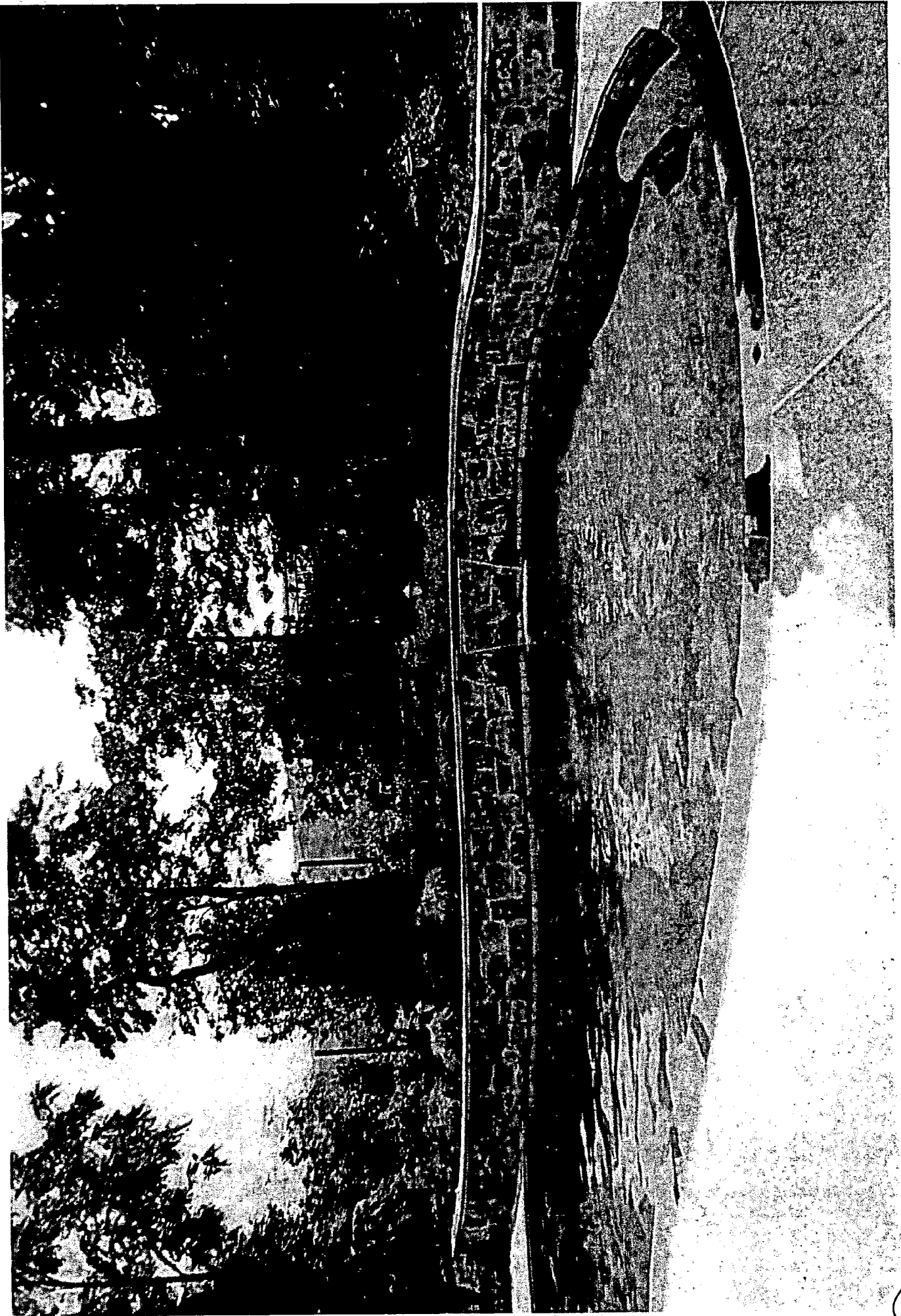
Cherry	7 ¼" diameter
Maple	12 ½" diameter
Box Elder	15" dia.
Ailanthus	26" dia (note: dying/decayed)

Here's a list of replacement trees –

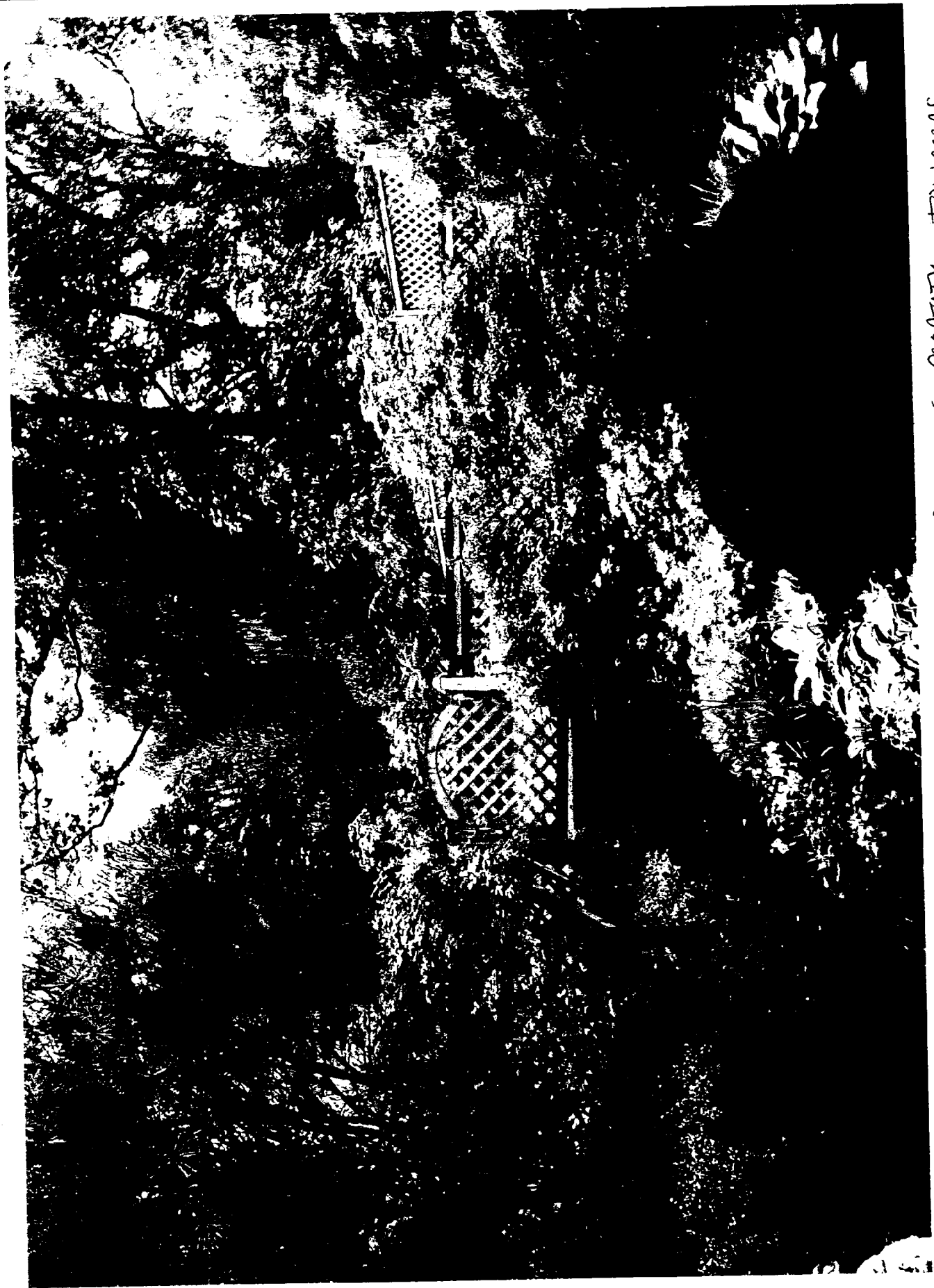
Cherry
Maple
Holly
Crepe Myrtle

Please let me know if you need these drawn into a landscape plan – which I could fax to you Tuesday morning. If necessary, please provide your fax number again. Thanks!

/Paul Irvin

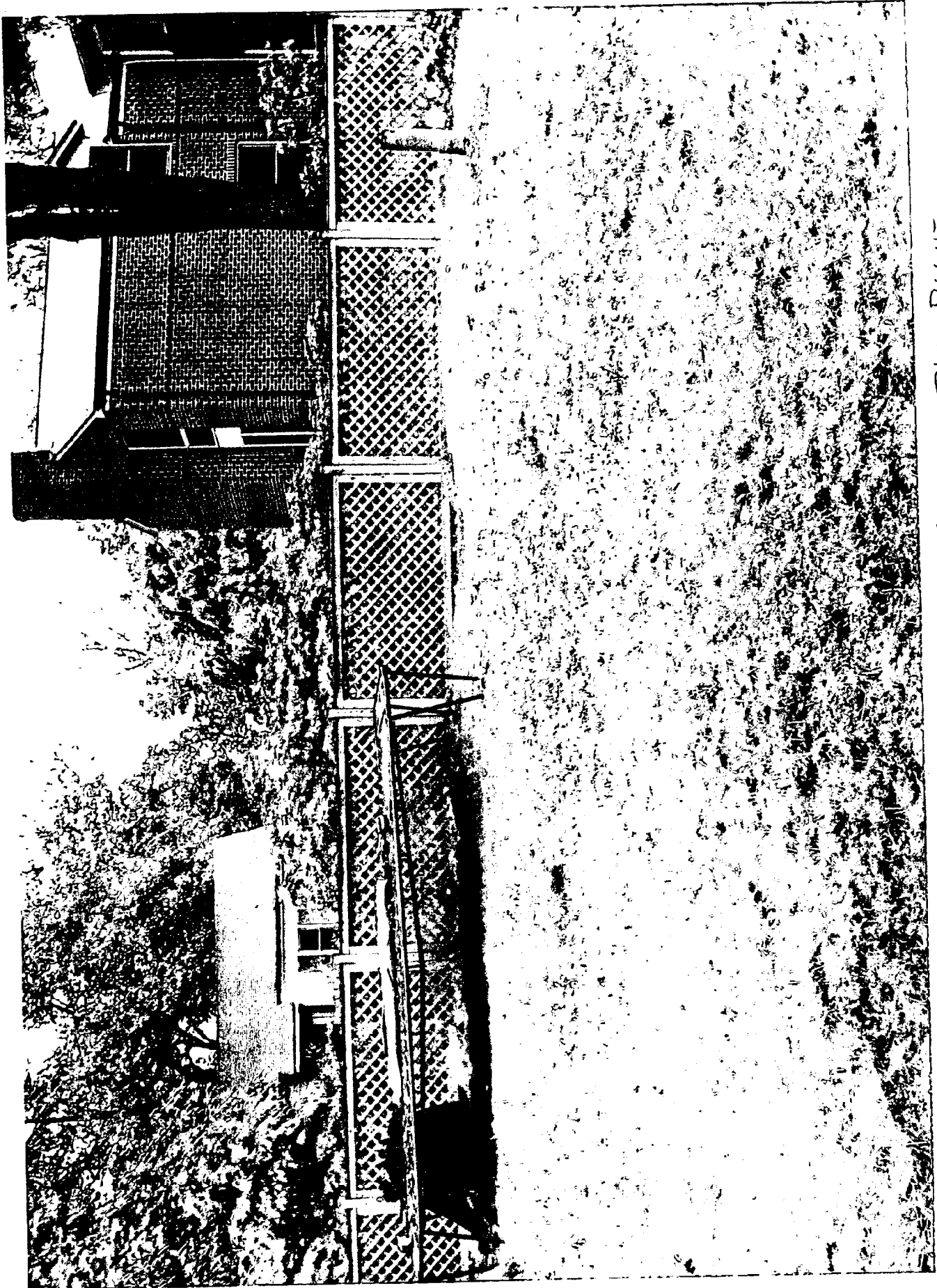


⑩ TWIN - ACCURATE EXAMPLE OF HOW FINISHED PRODUCT WILL LOOK

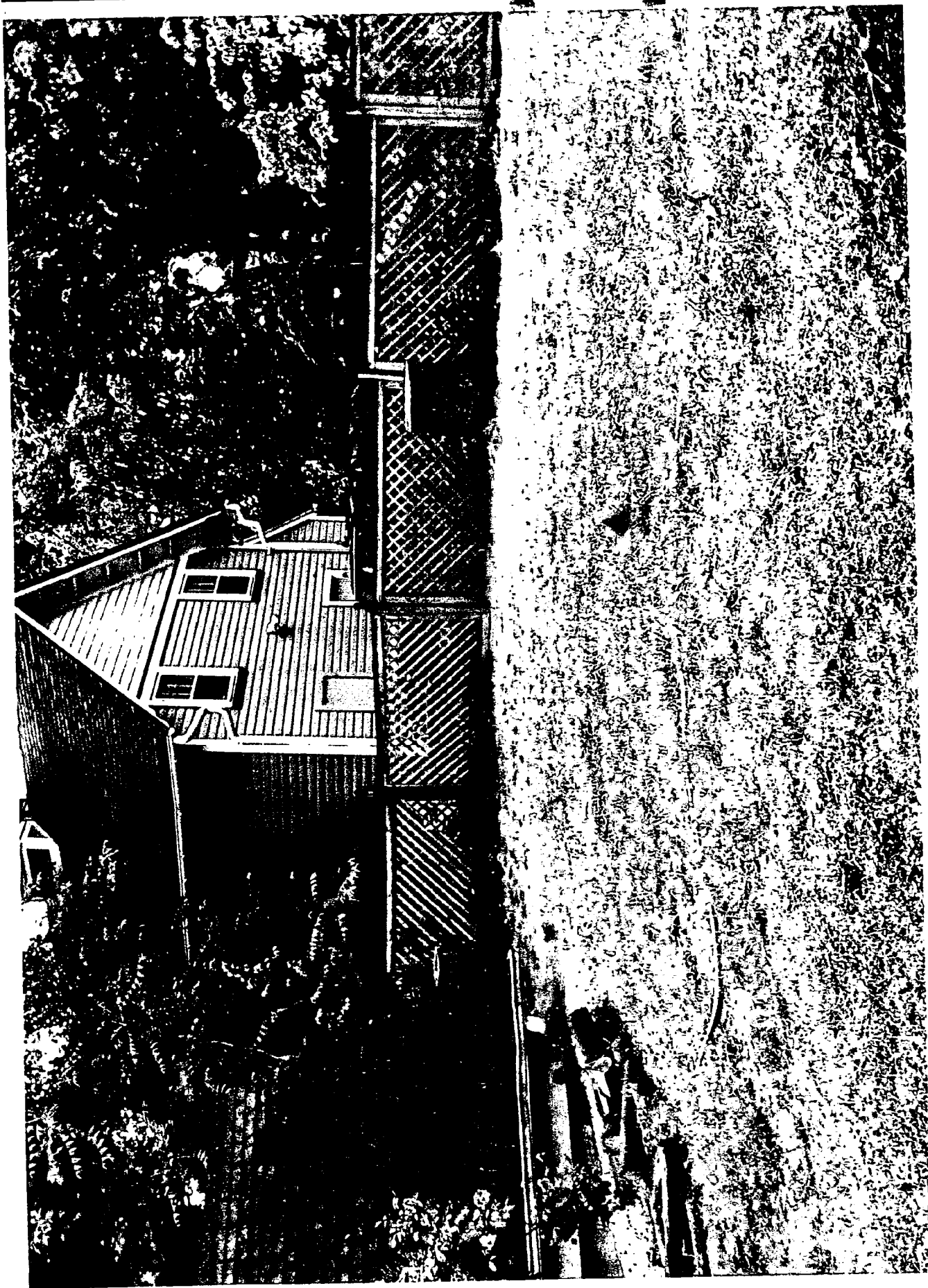


(=)
IILWIN
419731

LOOKING FROM BACK DOOR TOWARDS NEAR OF PROPERTY TOWARDS
THE AREA THE POOL WILL BE IN.



12 TWIN
STANDING BY GARAGE LOOKING TOWARDS THE RIGHT
MAY 1955



IRVIN - STANDING AT TOP OF STEPS LOOKING BACK AT IRVIN PROPERTY LINE
419301 AND NEIGHBORS GARAGE.



(5)

INQUIRY
4/19/30

STANDING AT REAR PROPERTY LINE LOOKING BACK AT HOUSE

10914 Montrose



lower level of back yard and steps to upper level (pool to be in upper level)



proposed pool location

