


## HISTORIC PRESERVATION COMMISSION

Isiah Leggett<br>County Executive

## Jef Fuller <br> Chairperson

Date: 12/21/07

## MEMORANDUM

| TO: | Carla Reid Joyner, Director <br> Department of Permitting Services |
| :--- | :--- |
| FROM: $\quad$Anne Fothergil <br> Planner Coordinator <br>  <br>  <br>  <br>  <br>  <br> Historic Preservation Section-Planning Department |  |

SUBJECT: Historic Area Work Permit \#471025 - Fencing installation

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was approved with conditions at the December 19, 2007 meeting. The conditions of approval are:

1. The new fencing on the left (south) side will connect to the house behind the rear plane of the historic section of the house.
2. The new fencing forward of the rear plane of the historic section of the house on the left (south) side will not be taller than four feet.
3. The picket fencing adjacent to the left (south) side of the house will not be taller than four feet.
4. The fencing and gate across the driveway on the right (north) side will not be taller than four feet.

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.
$\begin{array}{ll}\text { Applicant: } & \text { Anne and Anthony Mazlish } \\ \text { Address: } & 5706 \text { Surrey Street, Chevy Chase }\end{array}$
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 perahting services



# APPLICATION FOR HISTORIC AREA WORK PERMIT 



1B. Construction cost estimate: $\$ 5,450$,
1C. If this is a revision of a previously approved active permit, see Permit \# $\qquad$
PART TWO: COMPLETEFORNEWCONSTRUCTION AND EXTEND/ADOITIONS
2A. Type of sewage disposal:
01 TT WSSC
$02 \square$ Septic
03 Other:
2B. Type of water supply:
01 [] NSC
02 Well
$03 \square$ Other:
$\qquad$

PART THREE: COMPLETE ONLY FOR FENCE/RETAINNG WALL
3A. Height 6 feet $3^{\circ \prime}$ inches a white Picket to be Co ́riches
3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
Y On party line/property line
4 Partially
$\square$ On public right of way/easement


Edit $6 / 21 / 99$

# THE FOLLOWING ITEMS MUST BE COMPLETED AND THE <br> REOUIRED DOCUMENTS MUST ACCOMPANY THIS APPLICATION. 

## 1. WRITIEN DESCRIPTION OF PRONECT

a. Description of existing structurals) and emvironmental setting, inctuding their historical features and significance:

Existing Cedar stockade fence is in place all along the North Side of the property and along_ parts of the South side. This type of fence is prevalent in the neighborhood and is used around many of the neighborhood's historic Victorian style houses. This house is Victorian. Most of the proposed tence addition is designed lo match the existing Cedar stockade fence.
The design of the white pieket fence on the-South side of the house is meant to reflect thehistoric design of the front porch of the house. The house has mature plantings -all around. Most of the proposed fence will blend in with or be hidden by the planting. The proposed fencing will be hidden from view from the street curb by plantings on the South side of the house and by trees and parked cars on the North side of the house.
b. General description of project and its effect on the historic resource(s), the environmental setting, and, where applicable, the hisstoric district:

## 2. SIIEPLAN - Athacheel

Site and environmental setting, drawn to scale. You may use your plat. Your site plan must include:
a. the scale, north arrow, and date:
b. dimensions of all existing and proposed structures; and
c. site features such as walkways, driveways, tences, ponds, streams, trash dumpsters, mechanical equipment, and landscaping.

## 3. PLANS ANDELEVATIONS

You must submit 2 copies of plans and elevations in a format no larger than $11^{\prime \prime} \times 17^{\prime \prime}$. Plans on $81 / 2^{\prime \prime} \times 11^{\prime}$ paper are praferred.
a. 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.
b. Elevations (facades), with marked dimensions, clearly indicating proposed work in relation to existing construction and, when appropriste, 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 - Actachecl

General description of materials and manufactured items proposed for incorperation in the work of the project. This information may be included on your design drawings.
5. Photographs - Athaehed
a. Clearly labeled photographic prints of each facade of existing resource, including details of the affected portions. All labets should be placed on the fromt of photographs.
b. Clearly label photographic prints of the resource as viewed from the public right-ot-way and of the adjoining properties. All labets should be placed on the fromt of photographs.
6. tree suavey - $N \backslash A$

If you sre proposing construction adjacent to or within the dripline of any tree $6^{\prime \prime}$ or larger in diameter (at approximately 4 teet above the ground), you must file an accurate tree survey idantifying the size, location, and species of each tree of at least that dimension.
7. ADORESSES OF ADJACENT AND CONFRONTIMG PROPERTY OWNERS - AtHoneheC

For ALL projects, provide an accurate list of adjacent and contronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of ali 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 streethighway fom the parcel in quastion. You can obtain this information from the Department of Assessments and Taxation, 51 Monroe Street, Rockville, (301/279-1355).

PLEASE PRINT (IN BLLE OR BLACK INKK OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.


MS. FOTHERGILL: Thank you for accommodating this change in the agenda. This is an application for 5706 Surrey Street, which is in the Somerset historic district, and the applicants are proposing some additional fencing on this property.

They have existing fencing, and they have recently gotten a puppy and then need to enclose the yard completely. And what they have proposed is taller than what the Commission generally supports. These are aerial shots, but the fencing that they are proposing is on both sides of the house and is taller than four feet.

So staff had recommended, if you look in circle seven, you can get a sense. They have existing stockade fencing, and they are proposing some at the back. All of that staff has supported. But then as you get up towards the front of the house where it remains six feet tall, staff has recommended that it be lowered. And also, on those sections that cross from the side property lines to the house, that those be lowered, and that on the left side, the south side, that that be open. It is picket fencing, but that it may not be taller than four feet.

One -- well, I'll show you the visuals. So as you're driving, this is -- it's not a corner property, but the existing fencing that they have on the right side of the house is visible, as you can see here. And if the car wasn't there, you would see it as you are driving.

And what they are proposing is essentially to match that on the other side. And the Commission generally doesn't support that, as we heard earlier tonight, you know, generally towards the rear plane of the house, the Commission supports four foot fencing, and then it can sort of step up to six feet as you get to the back of the property.

And one possible solution would be, if you are looking, again, at circle seven, where on the left side of the house where that fencing comes in to meet the house at that bay, maybe, perhaps, taller fencing could be allowed to that point, and then it be lowered at that point; some sort of compromise. They are concerned that the dog could jump the fence if it's too low.

So the applicant can explain that to you, but basically, staff's concerns were that this was so tall and so visible.

MR. FULLER: Are there questions for staff?
(No audible response.)
MR. FULLER: Would the applicant like to come forward, please?

MS. ALDERSON: Just one question for staff. I understand the layout of the house. That portion of the house where the fence is now, midway along the side or not quite midway, maybe two-thirds of the way back, is that all the original footprint of the house? Or was part of that an
addition, just out of curiosity?
MS. FOTHERGILL: I believe the house has had an addition, but I think that --

MS. ALDERSON: It would be nice to get clarification on where the original house ends, since we usually do not permit tall fencing forward of the original.

MR. MAZLISH: It is designed to all be rear of the original. So if you look at the, circle --

MS. FOTHERGILL: Seven is probably the most helpful.

MR. MAZLISH: -- seven. The one thing that's odd about seven that we drew slightly incorrectly, if you see the stairs on the side of the porch, and it looks like the fence goes past the stairs. And our intention is actually for the fence to dead end into the stairs, and essentially continue the -- if you look at the way that fence comes -- I don't know what you call it, not a fence, but the railing comes down, it comes down the same way on the back side, and so to just continue that across.

MS. ALDERSON: The entire rear block of the house is an addition?

MR. MAZLISH: Correct.
MS. ALDERSON: So the part that, once you get a little more than halfway back, it's all later construction.

MR. MAZLISH: Correct.
MS. ALDERSON: And how old was that, that addition
was post 1930's, '40's?
MR. MAZLISH: That addition is circa 2000.
MS. ALDERSON: Then it's recent. Okay, but the fence is drawn on the left side. That is intersecting the original house.

MR. MAZLISH: That bay, so there is a picture here that I think is good. If you look at circle 11, and you can see where the stairs come down at an angle, and so the idea is for the fence to come to the edge of the stairs.

The new house, the addition is about four feet behind that where it begins, and the reason we put it up getting into the stairs is because if it went right at the end of the new piece, you essentially have the stairs running into, or emptying out into a fence. So that seems kind of awkward. Does that make sense? But yes, there is that one little bay that is still old house that would be behind the fence.

MR. FULLER: Are there other questions for the applicant?

MS. MILES: What kind of dog is it?
MR. MAZLISH: She is a labradoodle.
MS. MILES: And how large is she expected to grow?
MR. MAZLISH: She's expected to be, our concern is that she will jump, and already does. She's expected to be about 65-70 pounds.

MS. MILES: How long will her legs be, is what I'm
asking you?
MR. MAZLISH: She is shaped more like a poodle than a lab. But she is a female, so she won't be extraordinarily tall.

MS. MILES: Okay. Thank you.
MR. MAZLISH: And if I can, just to clarify a little, going back to circle seven, by the way, sorry I was late. The fence that would extend beyond the fence on that left hand side of the house, is not something that I have, particularly strong feelings about.

MS. FOTHERGILL: What he's referring to is the forward extension that sort of mimics the one on the right side on the left side, this piece here, he's saying they're not wedded to that. And that is, in staff's looking at it, one of the problematic pieces, because it's six feet tall, you know, as you are coming up the block, visible, similar to the one they have on the other side.

MR. MAZLISH: That's probably the most visible.
MS. FOTHERGILL: Yes.
MR. MAZLISH: And then the fence going across, I think our proposal, the way we wrote it is a little confusing, but it's about 52 inches tall, so just over four feet. The fence on the other side of the house in the driveway, because that is always blocked by two cars, and because it is fully at the back part of the house, it seemed like it was, to us it seems aesthetically, to make more
sense, to really make that kind of an enclosure gate, that is a six-foot stockade that matches the side fence that's already there.

MR. FULLER: Any additional questions for the applicant? Thank you very much. Are there some deliberations or discussions you want to have?

MS. MILES: I think the invisible electric fence is a good idea when one has a dog. And I also think that a labradoodle could not fit through a picket fence. So my inclination would not be to support a six-foot stockade fence to that plane, and I would urge you not to put impermeable fence along the sides of your house blocking views of your yard, either. So I would not want to see us violate our usual rule for this purpose.

MR. ROTENSTEIN: Since Commission Miles raised the invisible fence, I'll echo.in on that. We have three basset hounds that walk by invisible fences with labradoodles, retrievers, all sorts of large, active dogs, and the invisible fences work very well.

MR. FULLER: Well, if we're going to have dog stories, my three Dobermans love their invisible fence. It lets the ground hogs in, and they don't go out.

MR. MAZLISH: May I ask a question, as I can sort of tell where we are headed. If we are happy with staff's recommendation, are we okay with that? We would much prefer a fence to an invisible fence, and have had a long very
personal conversation about it in our family. We have to live with a four-foot fence, if the dog grows to the point where she could jump over it, we'll deal with that. But that would be far preferable to us.

MR. FULLER: From my personal perspective, I think the tall fence needs to stop behind the plane of the house. I wouldn't mind seeing the entire fence turn at the back plane of the house and not enclose the side yard. And from my perspective, we could leave it as the staff recommendation, or even leave it a little bit open as it relates to how the fence terminates. But I just don't want to see a high fence coming up past the side of the house. MS. ALDERSON: I concur, and I would not like the fence at any height to be intersecting the side of the house right in the middle of the bay. That's awkward. So it needs to come, get pulled back further into the yard, back yard.

MR. FULLER: Could we have a motion please?
MR. MAZLISH: I'm very confused. So the staff recommended that if we stick with the four-foot height -- we have a fence, if you see how far that fence comes up, it already comes up into the plane of the house, the six foot stockade on the left side. We're only recommending, I mean, if you look at the picture, it is totally invisible from the road. We have ewes that grow up by the -- and what we're recommending is a picket fence that mirrors the actual
treatment that's already on the porch. If we were to push back to the back yard --

MR. FULLER: We're not talking about going backwards anywhere. We're not talking about taking out something you've already built.

MS. ALDERSON: What I was referring to is the bay. It's very awkward having the fence return to the house in the middle of the bay window.

MR. MAZLISH: It's not the bay window. It comes to the stairs. It dead ends at the stairs, which you can't see behind that tree. The stairs -- so again, if you look at 11, you can see where this, you can see behind these tall hydrangea that the stairs come down at an angle from the house. And we're talking about the fence dead ending into where the stairs finish.

MS. ALDERSON: We'd rather see it behind all that, toward the back of the house. It's too far forward.

MR. MAZLISH: It's behind the original house.
MS. ALDERSON: Yes. It shouldn't be, it shouldn't be running into the historic block. So pull it back to the rear.

MR. MAZLISH: Move to where the new part starts.
MS. ALDERSON: Yes, as it does on the other side.
MR. MAZLISH: That would work. That would be good.

MR. FULLER: Could we have a motion?

MR. DUFFY: Would you like to, Commissioner
Alderson? Some of us are not perfectly clear on it.
MS. ALDERSON: I think what we've settled on, and
I'm going to have to ask someone to correct me so that I'll restate it if necessary. It's that we would approve the application with the staff's conditions adding an additional condition that the fencing should return to the house behind the original house. And I think that covers it, doesn't it.

MR. FULLER: Do we have a second?
MR. DUFFY: I second.
MR. FULLER: Any further discussion? All in
favor?
(A Chorus of ayes was heard.)
MR. FULLER: It passes unanimously. Thank you.

# MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT 

| Address: | 5706 Surrey Street, Chevy Chase | Meeting Date: | 12/19/2007 |
| :--- | :--- | :--- | :--- |
| Resource: | Contributing Resource <br> Somerset Historic District | Report Date: | 12/12/2007 |
| Applicant: | Anne and Anthony Mazlish | Public Notice: | 12/05/2007 |
| Review: | HAWP | Tax Credit: | None |
| Case Number: | $35 / 06-07 \mathrm{~K}$ | Staff: | Anne Fothergill |
| Proposal: | Fencing installation |  |  |

## STAFF RECOMMENDATION

Staff is recommending that the Commission approve this HAWP application with the following conditions:

1. The new fencing forward of the rear plane of the house on the left (south) side will not be taller than four feet.
2. The picket fencing adjacent to the left (south) side of the house will not be taller than four feet.
3. The fencing and gate across the driveway on the right (north) side will not be taller than four feet.

## ARCHITECTURAL DESCRIPTION

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\begin{array}{ll}
\text { SIGNIFICANCE: } & \text { Contributing Resourcc within the Somerset Historic District } \\
\text { STYLE: } & \text { Queen Anne, Four Square } \\
\text { DATE: } & \text { c. } 1908
\end{array}
$$

## HISTORIC CONTEXT

Somerset Heights, established in 1890, was one of Montgomery County's earliest streetcar suburbs. Five U.S. Department of Agriculture scientists formed the Somerset Heights Land Company, together purchasing 50 acres of the Williams Farm just outside of Washington D.C. Founders platted a community with a grid system of streets named after counties in England. Large lots with 30 -foot setbacks sold for prices lower than those in the District of Columbia, were promoted as healthful and free of malaria. Three electric trolley lines and a steam railway (the present Georgetown Branch) were nearby for an easy commute to the District, while low taxes and the ability to vote in Maryland were also attractive selling points.

The Somerset Heights Land Company provided only minimal amenities to early residents. The company installed rudimentary water and sewer service. Though it promised improved roads, thoroughfares were muddy streets for many years. In addition, sewer problems, roaming farm animals, frozen water pipes, and lack of local schools and fire rescue were conditions plaguing early residents. In 1905, there were 35 families living in Somerset. Citizens successfully petitioned for a State Charter to incorporate as a town government and elected a mayor on May 7, 1906. The town council greatly improved the community's
quality of life, upgrading roads, repairing pipes, providing adequate water service, and contracting for fire service.

Most of the houses in Somerset were not architect-designed showplaces but builder's versions of planbook designs. Residents were solidly middle class, many of who worked for the USDA. Resident community founders did not construct high-style architectural gems, as in Chevy Chase's Section 2 or Otterbourne. If their houses, the first built in the community, set a tone for subsequent residences it was one of unassuming comfort.

Today, the mature trees, landscaping, and original grid system of streets complement the visual streetscape established a century ago. Other important features enhancing the historic character of the Somerset community include: the spacing and rhythm of the buildings, the uniform scale of the existing houses, the relationship of houses to the street, the ample-sized lots and patterns of open space in the neighborhood.

## PROPOSAL

The applicants are proposing to install 119 feet of additional fencing to connect to their existing 6' wood stockade fencing that is on both sides of the house. The proposed fencing along the rear property line is $6^{\prime}$ tall wood stockade fencing with a gate. Across the driveway on the right (north) side will be a 10 ' span of $6^{\prime}$ tall wood stockade fencing and a double gate. Along the left (south) side will be 52 ' of 6 ' tall wood stockade fencing extending from the existing fencing to the front line of the front porch. From this new left side fencing to the house will be a 15 ' section of $60^{\prime \prime}$ tall (or $52^{\prime \prime}$ as stated elsewhere in application) wood open picket fencing with a gate.

## APPLICABLE GUIDELINES

When reviewing alterations and new construction within the Somerset Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the 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:
The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.

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.

## 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 alterations 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 proportions, and massing to protect the integrity of the property and its environment.

## STAFF DISCUSSION

The Commission generally approves 6' tall privacy fencing behind the rear plane of the house. Forward of the rear plane, the Commission generally supports 4 ' tall fencing and in front of the house the Commission supports a more open style of fencing like pickets. In this case, there is an existing condition with privacy fencing on the right side of the house up to the front porch of the house. The applicants want to match that height on the left side. However, as can be seen in the photo, this tall fence will be visible as you approach the house and therefore staff would recommend that any new fencing should be lowered to be in keeping with the general policies of the Commission. One possible solution would be to allow the 6 ' tall fencing along the left side up until the bay where the fencing will connect to the house and from that point forward it would be reduced to no taller than 4 feet. On the right side, the new fencing and gate across the driveway should also be lowered.

Staff recommends approval with three conditions.

## STAFF RECOMMENDATION

Staff recommends that the Commission approve the HAWP application with the conditions specified on Circle 1 as being consistent with Chapter 24A-8(b) (1)\& (2);
and with the Secretary of the Interior's Standards for Rehabilitation,

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 applicable Montgomery County Department of Permitting Services (DPS) building permits.

This HAWP approval is subject to the general condition that, after issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will contact the Historic Preservation Office if any alterations to the approve plans are made prior to the implementation of such changes to the project.



## 4. Materials and Specifications

Rear, south side and across the driveway of home will have 6 foot cedar stockade fencing to match existing fence and will total approximately 119 feet.

The south side going across the property attaching to the 6 foot cedar stockade will be approximately 15 feet of 60 inch high Williamsburg Picket $w /$ one -4 foot wide single gate. Caps for this fence will be cedar ball cap type. Vertical pickets are pointed 2"x 2".







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