

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	4209 Bradley Ln., Chevy Chase	<b>Meeting Date:</b>	10/10/2018
<b>Resource:</b>	Master Plan Site #35/123 (Latham-Imirie House)	<b>Report Date:</b>	10/3/2018
<b>Applicant:</b>	Carter Brown	<b>Public Notice:</b>	9/26/2018
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case Number:</b>	35/123-18A	<b>Staff:</b>	Michael Kyne
<b>PROPOSAL:</b>	Fence installation		

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**STAFF RECOMMENDATION**

Staff recommends that the HPC **approve with one (1) condition** the HAWP application.

- 1. The proposed fence will be reduced to 4' in height with open design forward of the rear plan of the historic house, with final review and approval delegated to staff.**

**ARCHITECTURAL DESCRIPTION**

SIGNIFICANCE: Master Plan Site  
 STYLE: Neoclassical  
 DATE: 1910

Excerpt from *Places from the Past*:

The Latham-Imirie House is a Neoclassical style residence built in 1910. Unusually fine architectural detailing is found in the pedimented portico supported by two-story classical columns, denticulated cornice, and delicate doorway with transom fanlight. John W. Latham, a Washington lawyer, sold the residence in 1912 to John and Mary Imirie. Born circa 1976, John Imirie was a patent attorney. The Imiries had seven children, born between 1894 and 1911. Son J. Frederick is best known for organizing the National Park Service's Appraisal Branch, which he organized in 1955 and directed until his retirement in 1966. He directed the appraisal of more than \$60 million worth of NPS land. J. Frederick also served as the county's first building inspector (1933-35), after operating his own construction business beginning in 1920. Another son, G. Wady Imirie, established a Bethesda auto parts company with origins in a repair garage that opened in 1916. The G.W. Imirie firm has remained in operation, now known as Auto Parts and Machine, Inc, in Rockville.



**Fig. 1: Subject property (shaded in green).**

**PROPOSAL:**

The applicant proposes to install a fence at the subject property, with the following specifications:

- Installation of a 6’-6” high wooden solid board fence at the east (right) and west (left) side of the subject property.
- Installation of a 4’ high solid board fence with gate at the south/east side (front/right) of the subject.
- Installation of decorative lattice panels on portions of the proposed east (right) side fence and on an existing CMU block wall at the rear (north) and rear corners of the subject property.

**APPLICABLE GUIDELINES**

When reviewing alterations and new construction at Master Plan Sites several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents *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-8**

- (a) 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 1 period or architectural style.  
(Ord. No. 9-4, § 1; Ord. No. 11-59.)

***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.

**STAFF DISCUSSION**

Typically, the HPC requires new fences to have an open design (traditional wooden picket or similar) and to be no higher than 4' forward of the rear plane of a historic house. This preserves the visibility of the property, allowing its character defining features to be experienced from the public right-of-way and ensuring that the fence will not detract from the surrounding streetscape. This is consistent with the *Secretary of the Interior's Standard for Rehabilitation #2*, which states that alterations of features, spaces, and spatial relationships that characterize a property will be avoided.

Staff finds that the proposed fence is generally compatible with the subject property and the surrounding streetscape; however, the proposed fence should be lowered to 4' in height with an open design (traditional wooden picket or similar) in front of the rear plane of the house at the east (right) and west (left) sides of the property. The proposed 4' high fence at the front of the property should also be revised to have an open design. This will ensure that the proposal does not detract from the property's character-defining features, in accordance with *Standard #2*.

After full and fair consideration of the applicant's submission staff finds the proposal, as modified by the condition, as being consistent with the Criteria for Issuance in Chapter 24A-(b) 1 and 2, having found the proposal is consistent with the *Secretary of the Interior's Standard for Rehabilitation #2*.

**STAFF RECOMMENDATION**

Staff recommends that the Commission **approve with the one (1) condition specified on Circle 1** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), (2) & (d) having found that the proposal will not substantially alter the exterior features of the resource and is compatible in character with the resource and the purposes of Chapter 24A;

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;

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 michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.

850832



DPS - #8

HISTORIC PRESERVATION COMMISSION  
301/563-3400

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: carterbrown@mac.com Contact Person: Carter Brown  
 Daytime Phone No.: 202-246-1628  
 Tax Account No.: \_\_\_\_\_  
 Name of Property Owner: Carter Brown Daytime Phone No.: 202-246-1628  
 Address: 4209 Bradley Lane Chevy Chase Bradley Lane 20815  
Street Number City Street Zip Code  
 Contractor: TBD Phone No.: TBD  
 Contractor Registration No.: \_\_\_\_\_  
 Agent for Owner: Kathryn Everett Daytime Phone No.: 202-465-5740

**LOCATION OF BUILDING PREMISE**

House Number: 4209 Street: Bradley Lane  
 Town/City: Chevy Chase Nearest Cross Street: Maple  
 Lot: 9, part of 8 & 10 Block: 10 Subdivision: Chevy Chase section 4  
 Liber: 2 Folio: 109 Parcel: N/A

**PART ONE: TYPE OF PERMIT ACTION AND USE**

1A. CHECK ALL APPLICABLE:  Construct  Extend  Alter/Renovate  Move  Install  Wreck/Raze  Revision  Repair  Revocable

CHECK ALL APPLICABLE:  A/C  Stab  Room Addition  Porch  Deck  Shed  Solar  Fireplace  Woodburning Stove  Single Family  Fence/Wall (complete Section 4)  Other: \_\_\_\_\_

1B. Construction cost estimate: \$ TBD

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  WSSC 02  Well 03  Other: \_\_\_\_\_

**PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL**

3A. Height 6 feet 6 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.

Carter Brown Carter Brown 08/07/18 / 08/31/18  
 Signature of owner or authorized agent Date

Approved: \_\_\_\_\_ For Chairperson, Historic Preservation Commission  
 Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Application/Permit No.: 850832 Date Filed: 9/5/18 Date Issued: KAV

SEE REVERSE SIDE FOR INSTRUCTIONS  
SEE REVERSE SIDE FOR INSTRUCTIONS

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

1. **WRITTEN DESCRIPTION OF PROJECT**

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

4' Iron picket fence along East and West side of property line; leaning, corroded, and rusted.

Fence has no historical feature or extensive history to the property.

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

Replace existing 4' iron picket fence on property line of the East and West sides only with a new wood board privacy fence painted green.

The fence will be along the property line but not exactly on the party line.

The new fence will not disturb the existing environment.

The new fence will not exceed the front facade line of the home.

2. **SITE PLAN** (no caps) *Fence to be 6'6" high solid board cedar w/ 6x6 posts and top rail on owners side. Section of fence parallel to face of house is 4' high with single 4' gate.*

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, 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.

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 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.

5. **PHOTOGRAPHS**

a. 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.

b. 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.

6. **TREE SURVEY**

If you are proposing construction adjacent to or within the dripline 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.

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

<p><b>Owner's mailing address</b></p> <p>Dr. and Mrs. C. Coleman Brown 4209 Bradley Lane Chevy Chase, MD 20815</p>	<p><b>Owner's Agent's mailing address</b></p> <p>Kathryn Everett Everett Garden Design 3 Newlands St. Chevy Chase, MD 20815</p>
<p align="center"><b>Adjacent and confronting Property Owners mailing addresses</b></p>	
<p>Mr. and Mrs. Demetrius Albanes 4211 Bradley Lane Chevy Chase Md 20815</p>	<p>Tara and Amir Frydman 4207 Bradley Lane Chevy Chase, MD 20815</p>
<p>Deirdre Maloney 6703 Maple Street Chevy Chase, MD 20815</p>	<p>There is no confronting residential property in front of the home along this portion of Bradley Lane</p>







WEST VIEW

7

**C Coleman Brown**

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**From:** Carter Brown <carterbrown@icloud.com>  
**Sent:** Tuesday, August 07, 2018 11:09 AM  
**To:** Cole Brown  
**Subject:** Will you print and bring home?



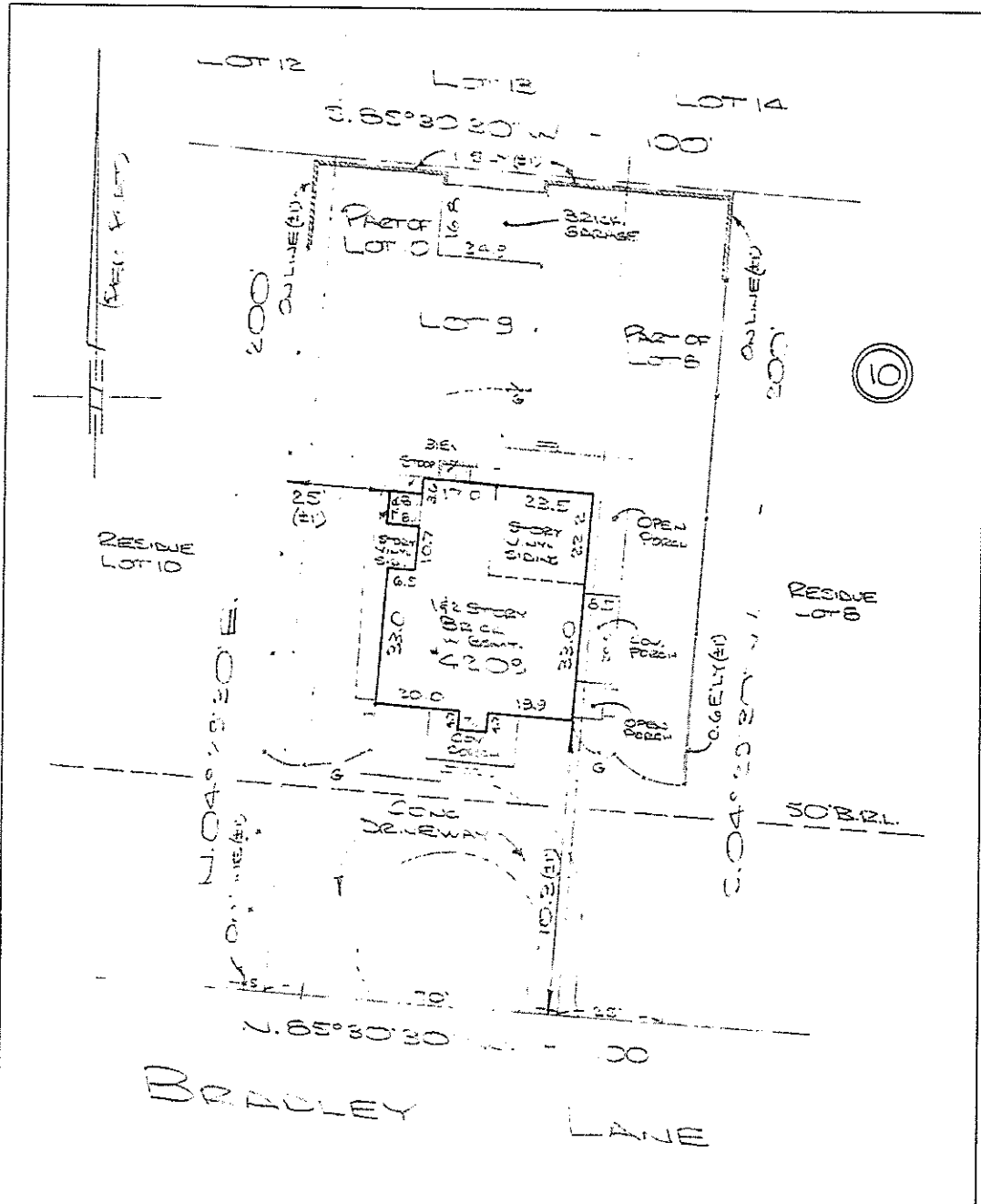
EAST VIEW



WEST VIEW OF NEIGHBOR'S IRON FENCE. NEW FENCE TO BE PLACED INSIDE PROP. LINE



EAST VIEW OF BACK YARD. NEW FENCE TO BE BUILT INSIDE NEIGHBORS' IRON FENCE.



AREA = 20,000 sq

**Capitol Surveys, Inc.**  
 10762 Rhode Island Avenue  
 Beltsville, Maryland 20705  
 Phone 301-931-1350  
 Fax 301-931-1352

NOTES: Plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing; the plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements; and the plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title and securing financing or refinancing.

LOCATION DRAWING  
 LOT 9 & 10 BLOCK 10  
 CHEVY CHASE  
 SECTION 4  
 MONTGOMERY COUNTY, MARYLAND

Recorded in Plat Book 2 Plat 103 Scale 1" = 30'

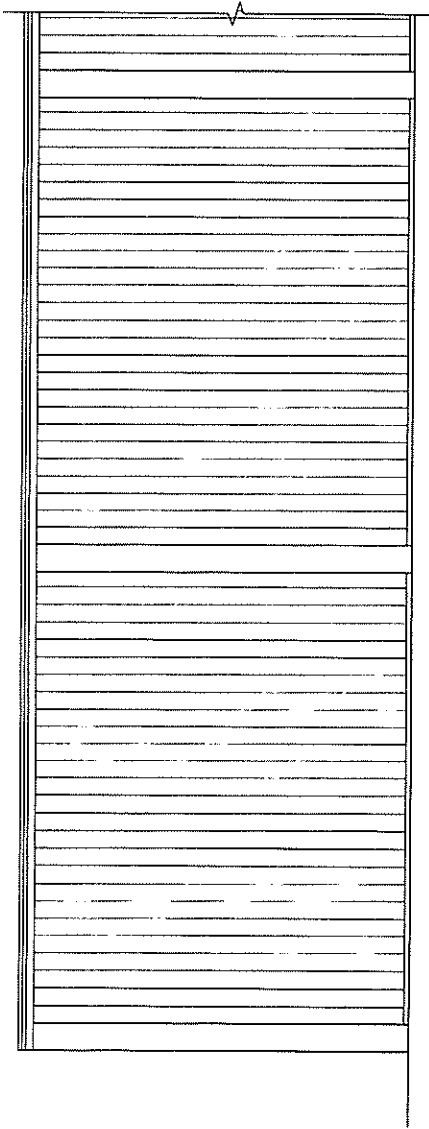
CASE: 147-16 FILE: 103571

DATE: JULY 6, 2016

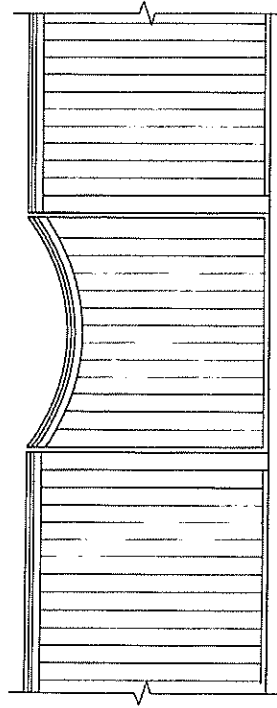
I hereby certify this location drawing was prepared in accordance with the minimum standards of practice for the State of Maryland and is correct to the best of my belief of what can be visually and accessibly observed.

*Edward L. Lopez, Jr.*  
 Edward L. Lopez, Jr.  
 Maryland Property Line Surveyor No. 522  
 License Current Through February 13, 2017

CARTER BROWN  
FENCE ELEVATIONS  
EVERETT GARDEN DESIGNS  
2018/08/24

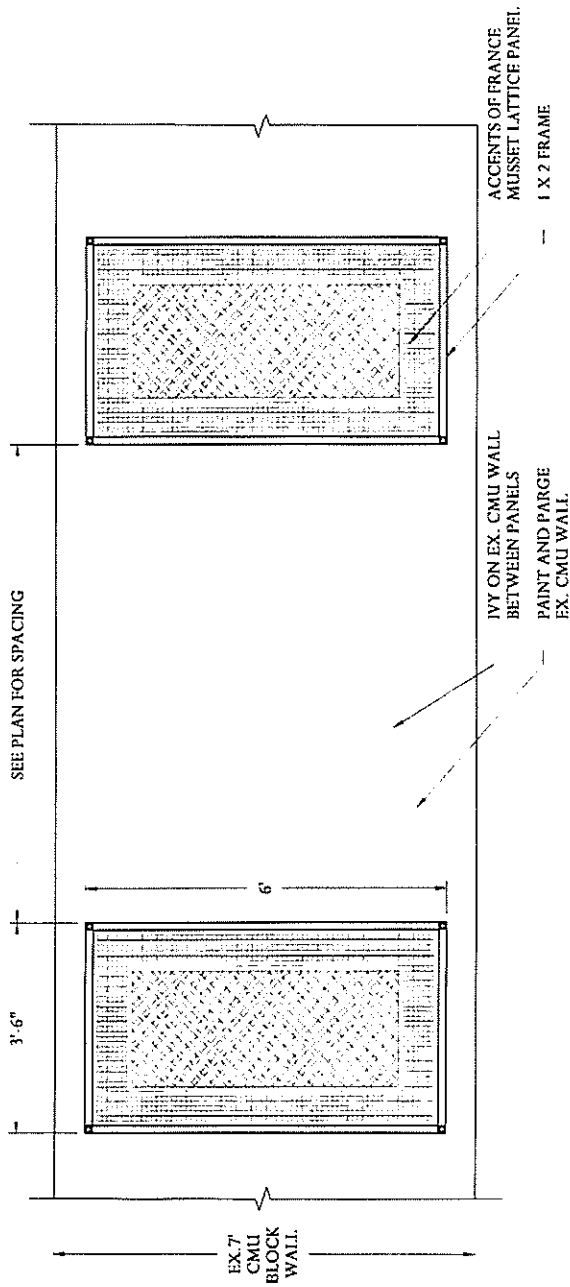


SIX FOOT FENCE  
1/2" = 1'-0"

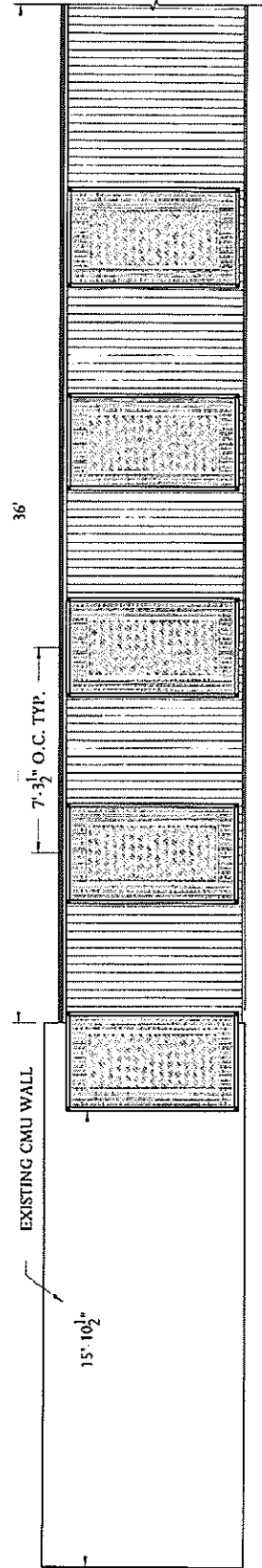


FOUR FOOT FENCE AND GATE  
1/2" = 1'-0"

**CARTER BROWN**  
**FENCE ELEVATIONS 2**  
 EVERETT GARDEN DESIGNS  
 2018/08/21



LATTICE PANELS ON EX. WALL- ELEVATION  
 1/2" = 1'-0"



SIX FOOT FENCE WITH LATTICE PANELS- PANEL SPACING  
 1/4" = 1'-0"

