

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	5912 Cedar Parkway., Chevy Chase	Meeting Date:	8/16/2017
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	8/9/2017
Applicant:	Blake and Sydney Bath (Adele O'Dowd, Agent)	Public Notice:	8/2/2017
Review:	HAWP	Tax Credit:	N/A
Case Number:	35/13-17BB	Staff:	Michael Kyne
PROPOSAL:	Hardscape and landscape alterations		

STAFF RECOMMENDATION:

Staff recommends that the Historic Preservation Commission approve the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource
STYLE: Colonial Revival
DATE: c. 1916 -1927

PROPOSAL:

- Replace the existing paver driveway and concrete parking pad with Belgian block cobble and permeable pea gravel driveway in the same approximate footprint.
- Replace the paver patio set on concrete at the rear of the property with a bluestone patio set on stone dust.
- Rebuild the existing 2'-5" high curved retaining wall at the rear, making it straight.
- Replace the amoeba shaped swimming pool at the rear with a rectangular swimming pool.
- Replace the curved brick walkway and steps from sidewalk at the front of the property with a straight bluestone walkway set on stone dust.

APPLICABLE GUIDELINES:

In accordance with section 1.5 of the Historic Preservation Commission Rules, Guidelines, and Procedures (Regulation No. 27-97) ("Regulations"), in developing its decision when reviewing a Historic Area Work Permit application for an undertaking at a Master Plan site the Commission uses section 24A-8 of the Montgomery County Code ("Chapter 24A"), the *Secretary of the Interior's Standards and Guidelines for Rehabilitation* ("Standards"), and pertinent guidance in applicable master plans. [Note: where guidance in an applicable master plan is inconsistent with the Standards, the master plan guidance **shall** take precedence (section 1.5(b) of the Regulations).] The pertinent information in these documents, incorporated in their entirety by reference herein, is outlined below.

Sec. 24A-8. Same-Criteria for issuance.

- (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; [emphasis added] 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.
- (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*)

Secretary of Interior's Standards for Rehabilitation

The Secretary of the Interior defines rehabilitation 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.” Standards 2, 5, and 6 most directly apply to the application before the commission:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
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.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Chevy Chase Historic District Guidelines

The guidelines break down specific projects into three levels of review – Lenient, Moderate and Strict Scrutiny.

“Lenient Scrutiny” means that the emphasis of the review should be on issues of general massing and scale, and compatibility with the surrounding streetscape, and should allow for a very liberal interpretation of preservation rules. Most changes should be permitted unless there are major problems with massing, scale and compatibility.

“Moderate Scrutiny” involves a higher standard of review than “lenient scrutiny.” Besides issues of massing, scale and compatibility, preserving the integrity of the resource is taken into account. Alterations should be designed so that the altered structure still contributes to the district. Use of compatible new materials, rather than the original building materials, should be permitted. Planned changes should be compatible with the structure’s existing design, but should not be required to replicate its architectural style.

“Strict Scrutiny” means that the planned changes should be reviewed to insure that the integrity of the significant exterior architectural or landscaping features and details is not compromised. However, strict scrutiny should not be “strict in theory but fatal in fact” i.e. it does not mean that there can be no changes but simply that the proposed changes should be reviewed with extra care.

The Guidelines state three basic policies that should be adhered to, including:

Preserving the integrity of the contributing structures in the district. Alterations to contributing structures should be designed in such a way that the altered structure still contributes to the district.

Design review emphasis should be restricted to changes that will be visible from the front or side public right-of-way, or that would be visible in the absence of vegetation or landscaping.

Alterations to the portion of a property that are not visible from the public right-of-way should be subject to very lenient review. Most changes to rear of the properties should be approved as a matter of course.

The Guidelines that pertain to this project are as follows:

Driveways should be subject to strict scrutiny only with regard to their impact on landscaping, particularly mature trees. In all other respects, driveways should be subject to lenient scrutiny. Parking pads and other paving in front yards should be discouraged.

Lot coverage should be subject to strict scrutiny, in view of the critical importance of preserving the Village's open park-like character.

Sidewalks should be subject to strict scrutiny with regard to their impact on landscaping, particularly mature trees. In addition, sidewalks pertaining to outstanding resources should be subject to strict scrutiny. In all other respects, sidewalks should subject to moderate scrutiny.

Swimming pools should be subject to lenient scrutiny. However, tree removal should be subject to strict scrutiny as noted below.

STAFF DISCUSSION

Driveway

In accordance with the *Guidelines*, driveways should be subject to lenient scrutiny. The proposed driveway will be in the same approximate location as the existing driveway and will result in a reduction of impermeable surface. In accordance with the *Standards*, the proposed driveway replacement will not alter or remove features that characterize the property.

Patio

Staff is supportive of the proposed patio alteration. The patio is at the rear of the property, where it is minimally visible from the public right-of-way, at best. In accordance with the *Standards*, the proposed patio alteration will not alter or remove features that characterize the property.

Retaining Wall

Staff is supportive of the proposed retaining wall alteration. The retaining wall is at the rear of the property, where it is minimally visible from the public right-of-way, at best. In accordance with the *Standards*, the proposed retaining wall alteration will not alter or remove features that characterize the property.

Swimming Pool

In accordance with the *Guidelines*, swimming pools should be subject to lenient. The proposed swimming is at the rear of the property, where it is minimally visible from the public right-of-way, at best, and the proposed swimming pool will be in the same approximate location as the existing swimming pool. In accordance with the *Standards*, the proposed driveway replacement will not alter or remove features that characterize the property.

Walkway

In accordance with the *Guidelines*, sidewalks (and walkways) should be subject to moderate scrutiny. While the proposed work will alter the materials and design of the existing walkway, the proposed

materials and design are entirely consistent with the streetscape of the Chevy Chase Village Historic District. Although the proposed walkway might result in a minimal increase in hardscaping in the front yard of the subject property, there will be a net decrease in impermeable surfaces at the subject property, due to the driveway alteration. The proposed walkway alteration is unlikely to detract from the district's open park-like character, and, in accordance with the *Standards*, the proposed will not alter or remove features that the characterize the property.

After full and fair consideration of the applicant's submission staff finds the proposal 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 Standards for Rehabilitation* #2 and #9, and the *Chevy Chase Village Historic District Guidelines* outlined above.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), having found that the proposal is consistent with the *Chevy Chase Village Historic District Guidelines* identified above, and therefore will not substantially alter the exterior features of the historic resource and is compatible in character with the district 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



HISTORIC PRESERVATION COMMISSION
301/563-3400

DPB-48

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: adele.odowd@gmail.com Contact Person: Adele O'Dowd
Daytime Phone No.: 202-255-0728

Tax Account No.: _____
Name of Property Owner: Blake & Sydney Bath Daytime Phone No.: _____
Address: 7 Hesketh St. Chevy Chase, MD 20815
Street Number City State Zip Code

Contractor: _____ Phone No.: _____

Contractor Registration No.: _____
Agent for Owner: Adele O'Dowd Daytime Phone No.: 202-255-0728

LOCATION OF BUILDING

House Number: 5912 Street: Cedar Parkway
Town/City: Chevy Chase Nearest Cross Street: W Kirke St.
Lot: _____ Block: _____ Subdivision: Chevy Chase Section 2
Elev: _____ Folio: _____ Parcel: _____

PART ONE: TYPE OF CONSTRUCTION

1A. CHECK ALL APPLICABLE:

- ☒ Construct ☐ Extend ☒ Alter/Renovate
☐ Move ☐ Install ☐ Wreck/Remove
☐ Revision ☐ Repair ☐ Revocable

CHECK ALL APPLICABLE:

- ☐ A/C ☐ Slab ☐ Room Addition ☐ Porch ☐ Deck ☐ Shed
☐ Solar ☐ Fireplace ☐ Woodburning Stove ☐ Single Family
☐ Fence/Wall (complete Section 4) ☐ Other: _____

1B. Construction cost estimator: \$ _____

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSION/ADDITION

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 OR FENCIBLE WALL

3A. Height: 2 feet 0.5 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 filed and I hereby acknowledge and accept this to be a condition for the issuance of this permit.

[Signature]
Signature of owner or authorized agent

Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: _____ Date Filed: _____ Date Issued: _____

Edt 6/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

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**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:

2.5 story center hall colonial, circa 1920

Existing curvy brick front walk, impervious paver driveway and concrete pad, impervious rear patio, curvy retaining wall and contemporary "amoeba" style swimming pool.

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

Remove impervious paver driveway and concrete pad and replace with sections of belgian block cobble and permeable pea gravel to match neighbor at 5910. Remove paver patio (currently set entirely on concrete) and replace with traditional bluestone with the lower portion to be set on stone dust instead of concrete and to integrate more planting beds within the patio area and throughout the back and front yard. Low retaining wall to be rebuilt (2' - 0.5") removing curve. Replace contemporary swimming pool with rectangular shape and traditional bluestone coping. Replace curvy brick front walk currently set on concrete with rectilinear bluestone walk set on stone dust. Landscape design to generally better reflect landscape tradition set by Rose Greely in CCV.

2. SITE PLAN

Site and environmental setting, drawn to scale. You may use your plot. 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.

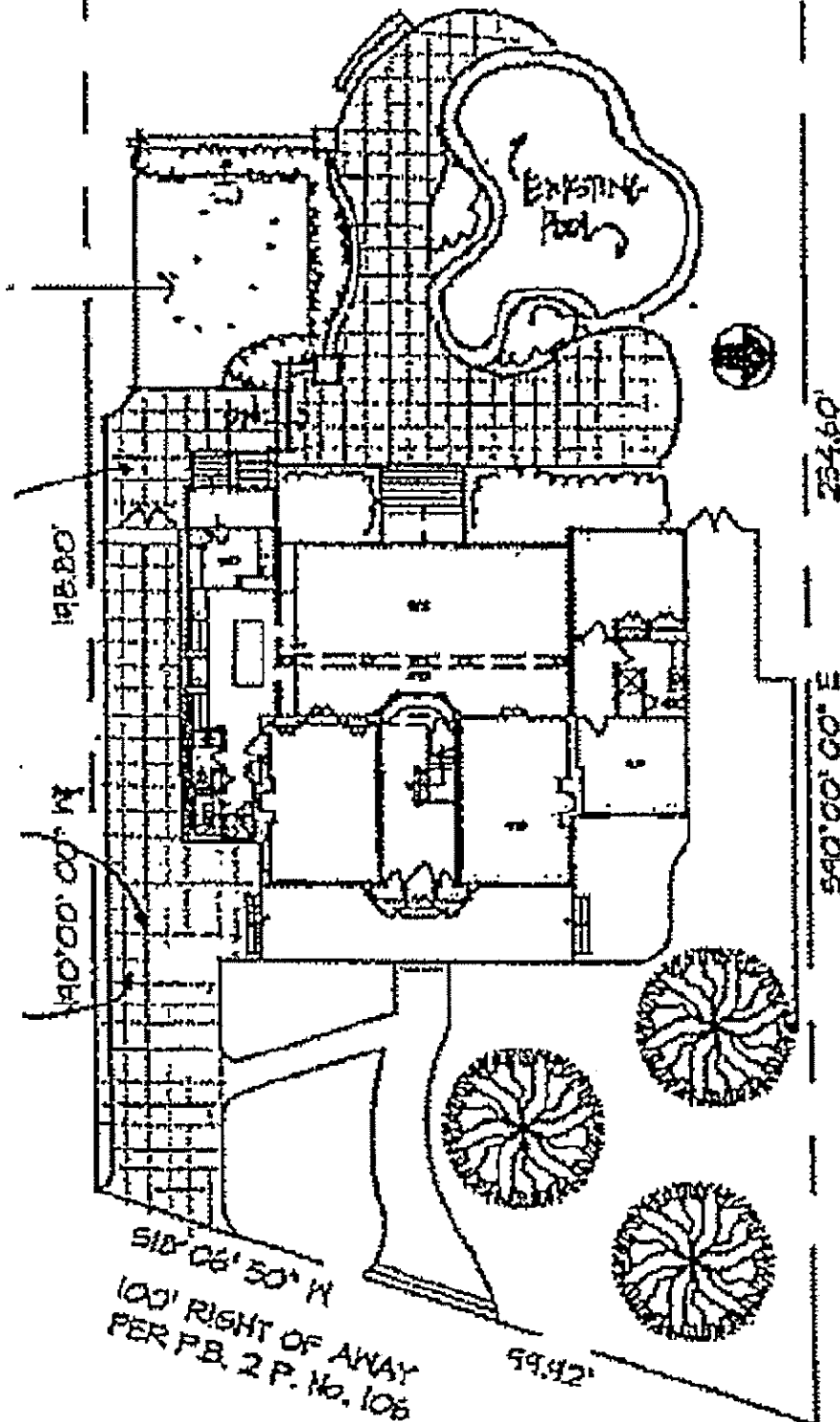
PLEASE PRINT (IN BLUE OR BLACK INK) OR TYPE THIS INFORMATION ON THE FOLLOWING PAGE.
PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

N02°25' 23" W

95.07'



TAX MAP 14831
TAX PARCEL P675
LIBER 17400 AT FOLIO 64
20550 SQUARE FEET
OR 0.4719 ACRES



Provided by
Steff

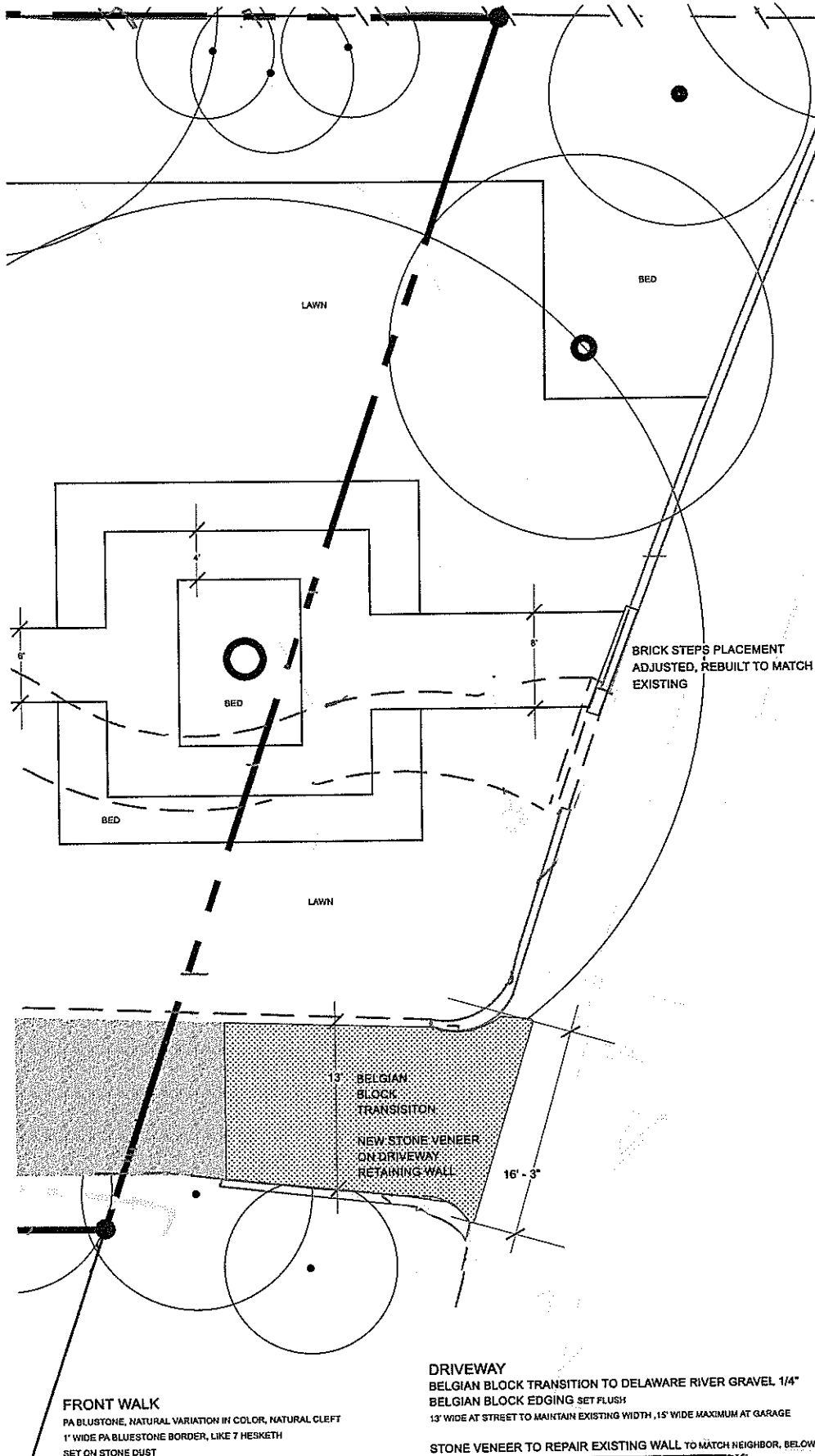
EXISTING SITE PLAN

SCALE: 1"=30'

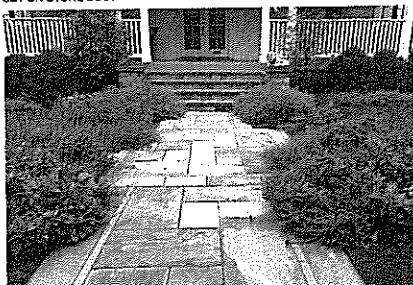
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LANDSCAPE
LAYOUT
PLAN

SYDNEY BATH
5912 CEDAR PARKWAY
CHEVY CHASE, MD 20815

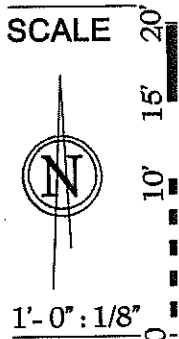


FRONT WALK
PA BLUESTONE, NATURAL VARIATION IN COLOR, NATURAL CLEFT
1" WIDE PA BLUESTONE BORDER, LIKE 7 HESKETH
SET ON STONE DUST



DRIVEWAY
BELGIAN BLOCK TRANSITION TO DELAWARE RIVER GRAVEL 1/4"
BELGIAN BLOCK EDGING SET FLUSH
13' WIDE AT STREET TO MAINTAIN EXISTING WIDTH, 15' WIDE MAXIMUM AT GARAGE

STONE VENEER TO REPAIR EXISTING WALL TO MATCH NEIGHBOR, BELOW

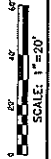
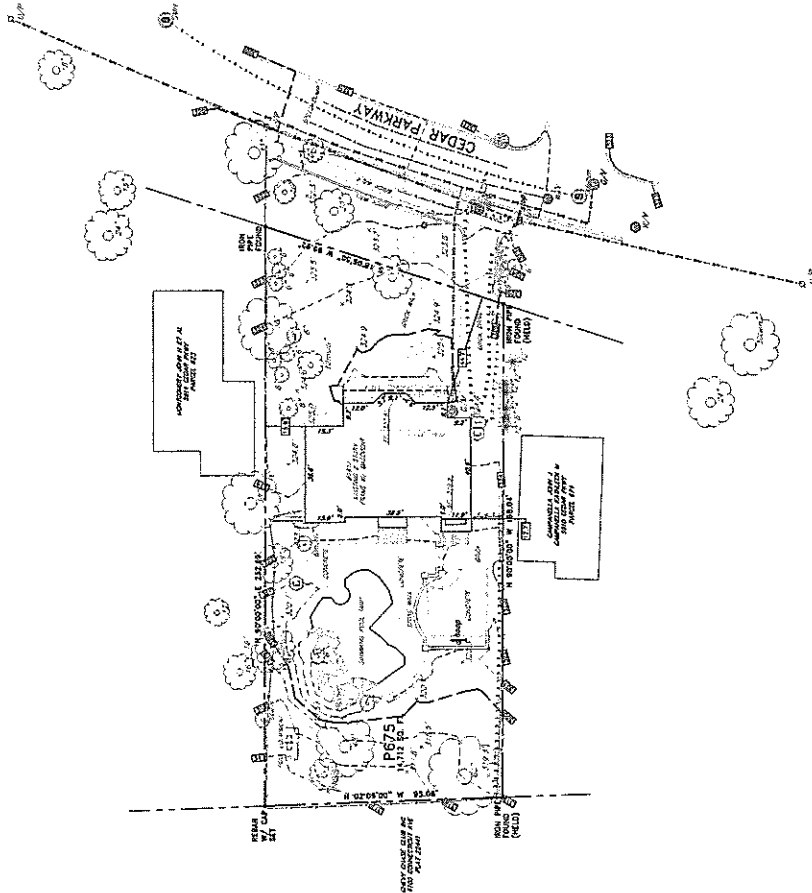


DATE SIGN-C

06/19/2017
07/12/2017
07/19/2017

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1. LOCATION OF UTILITY BASED ON MONTEGOMERY COUNTY DEED USER
 RECORD FOR 2017
 2. TOPOGRAHY BASED ON HAZARD
 3. TOPOGRAHY BASED ON FIELD RUN TOPO PERFORMED FEBRUARY 2017.
 4. PROPERTY LINES ON THIS PLAN ARE SHOWN BEST FIT TO SURVEY
 5. THE PROPERTY LINES ON THIS PLAN ARE SHOWN BEST FIT TO SURVEY
 6. SURVEY SHOULD BE PERFORMED TO NUDGE ENCROACHMENTS INTO THE
 7. BUILDING RESTRICTION LINES DO NOT OCCUR.
 8. NO TITLE REPORT WAS FURNISHED FOR THIS PLAN
 9. THE LOCATION OF UTILITIES AS SHOWN HEREON WERE PLOTTED BY
 USING ABOVE GROUND ANCHORS. MONTGOMERY VALLEY SURVEYS, LLC
 HAS NOT CLARIFIED THAT THE UTILITIES SHOWN HEREON
 COULD BE ALL SUBUTILITIES IN THE AREA, OTHERS IN PLACE OR
 UNADVISED.



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Existing Property Condition Photographs (duplicate as needed)



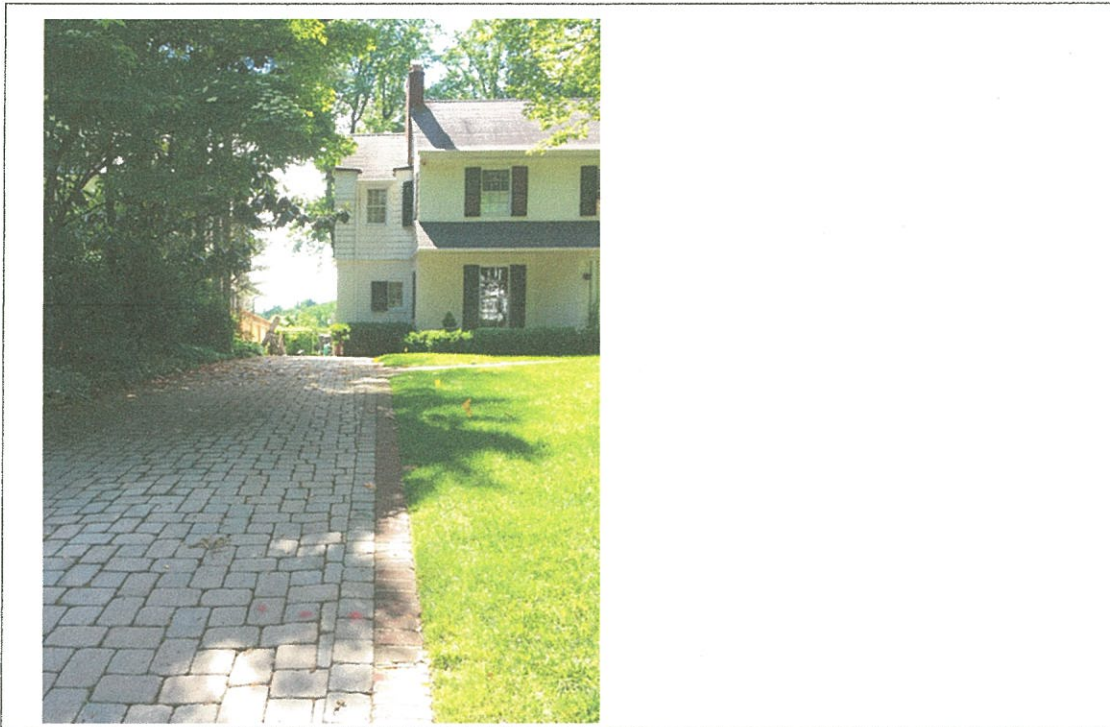
Detail: IMPERVIOUS FRONT WALK SET IN CONCRETE TO BE REPLACED WITH PA BLUESTONE
SET ON DUST



Detail: BRICK STEPS TO BE REBUILT IN LINE WITH STRAIGHT BLUESTONE FRONT WALK

Applicant: Sydney Bath (Agent Adele O'Dowd)
5912 Cedar Pkwy

Existing Property Condition Photographs (duplicate as needed)



Detail: EXISTING IMPERVIOUS PAVER DRIVEWAY



Detail: EXISTING IMPERVIOUS DRIVEWAY AND FRONT WALK SET ON CONCRETE

Applicant: Sydney Bath (agent Adele O'Dowd)
5912 Cedar Pkwy

Existing Property Condition Photographs (duplicate as needed)



Detail: CONCRETE PAD PREVIOUSLY APPROVED FOR REMOVAL :
HPC CASE NO. 35/13-17B AND IT WAS APPROVED AT THE 1/25/17 HPC MEETING



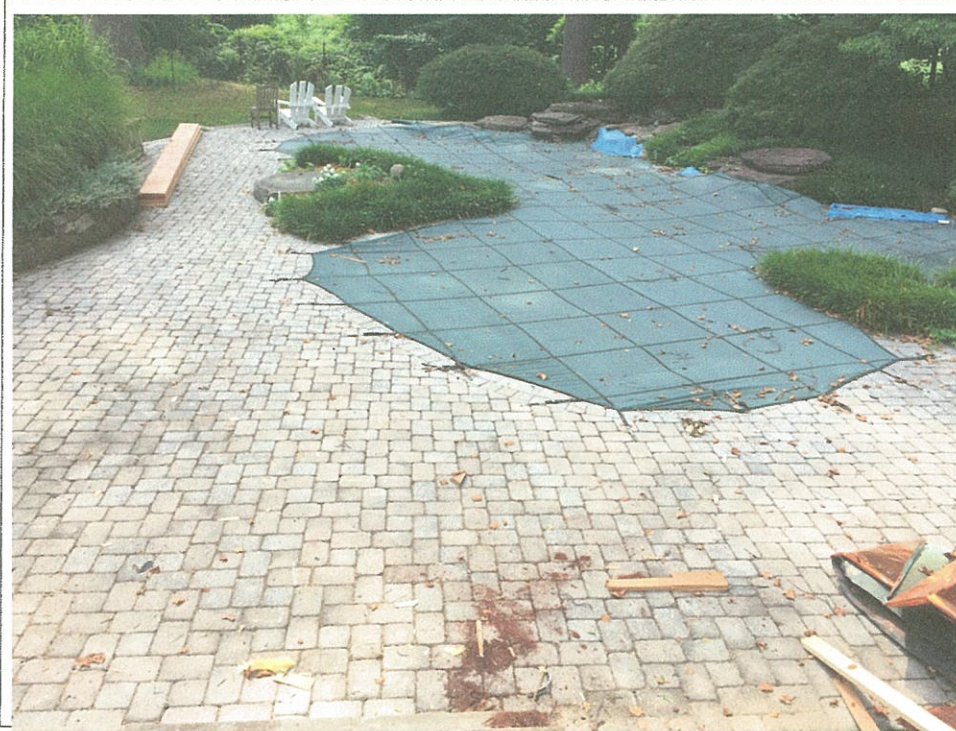
EXISTING IMPERVIOUS PAVER DRIVEWAY TO BE REMOVED AND REPLACED WITH SECTIONS OF
Detail: COBBLE AND PERMEABLE GRAVEL, HISTORICALLY APPROPRIATE

Applicant: Sydney Bath (agent Adele O'Dowd)
5912 Cedar Pkwy

Page: 3

(14)

Existing Property Condition Photographs (duplicate as needed)



Detail: EXISTING AMOEBA STYLE POOL WITH IMPERVIOUS BRICK PAVER PATIO TO BE REPLACED
ON LOWER PATIO WITH HISTORICALLY APPROPRIATE BLUESTONE SET ON DUST



Detail: EXISTING IMPERVIOUS PAVER PATIO, AMOEBA STYLE POOL, INVASSIVE GRASSES
NEW POOL COPING WILL BE BLUESTONE

Applicant: Sydney Bath (agent Adde O'Dowd)
5912 Cedar Pkwy

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

Owner's mailing address Blake and Sydney Bath 7 Hesketh Street Chevy Chase, MD 20815	Owner's Agent's mailing address Adele O'Dowd 4628 Hunt Ave Chevy Chase, MD 20815
Adjacent and confronting Property Owners mailing addresses	
Charles Hobbs 33 West Kirke Street Chevy Chase, MD 20815	John and Kathleen Campanella 5910 Cedar Pkwy Chevy Chase, MD 20815
Melissa and Tom Dann 34 West Kirke Street Chevy Chase, MD 20815	John Montgomery 5914 Cedar Pkwy Chevy Chase, MD 20815
Chevy Chase Club, Inc 6100 Connecticut Ave Chevy Chase, MD 20815	