

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	23 Primrose St., Chevy Chase	Meeting Date:	7/26/2017
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	7/19/2017
Applicant:	Elizabeth & Kevin McGrann	Public Notice:	7/12/2017
		Tax Credit:	No
Review:	HAWP	Staff:	Michael Kyne
Case Number:	35/13-17Y		
PROPOSAL:	Deck replacement and fencing construction		

STAFF RECOMMENDATION

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

1. The 6' (six foot) tall cedar fence proposed for the left side of the house, forward of the rear wall plan, is not approved. A 48" (four foot) tall cedar fence and gate, forward of the rear wall plan, in the location shown in the plans is approved. Revised plans must be submitted for review and approval with final approval authority delegated to staff.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Chevy Chase District
STYLE: Colonial Revival
DATE: c. 1916 - 1927

PROPOSAL

The applicants propose the following work items at the subject property:

- Replace the existing non-historic rear deck and attached benches with a new deck in the same approximate location.
- Install a 5' section of wooden fencing with gate at the rear/right side of the house.
- Install 57' feet of wooden fencing at the left side property line with a return to the front/left side of the house.

APPLICABLE GUIDELINES

When reviewing alterations and new construction within the Chevy Chase Village Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the historic preservation review guidelines in the approved and adopted amendment for the *Chevy Chase Village Historic District (Guidelines)*, *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 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 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.)

Chevy Chase Village 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:

Decks should be subject to moderate scrutiny if they are visible from the public right-of-way, lenient scrutiny if they are not.

Fences should be subject to strict scrutiny if they detract significantly from the existing open streetscape. Otherwise, fences should be subject to moderate scrutiny if they are visible from the public right-of-way, lenient scrutiny if they are not.

Secretary of the Interior’s Standards for Rehabilitation:

#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.

STAFF DISCUSSION

Deck

The applicants propose to replace the existing non-historic rear deck and attached benches with a new deck in the same approximate location. The existing deck and attached benches are constructed from pressure treated wood and, according to the applicants, are approximately 30-40 years old.

The proposed decking will be constructed from Azek, with the posts, rails, and inset balusters constructed from wood. The proposed deck will be negligibly visible from the public right-of-way, at best, and, in accordance with the *Guidelines*, should be reviewed with lenient scrutiny.

Staff finds that the proposed deck has no potential to detract from the streetscape and, per the *Standards*, the proposed deck replacement will not remove or alter features that characterize the property or surrounding historic district.

Fencing

The applicants propose to install 5' of wooden fencing with gate at the rear/right side of property. The proposed fence/gate will be 6' high with a flat board design to match the existing fencing at the rear and rear/sides of the property. The proposed new fencing will be at the end of the existing driveway adjacent to an existing parking/turnaround area in front of an existing garage. The proposed new fencing at the rear/right side of the property is unlikely to be visible from the public right-of-way, and, in accordance with the *Guidelines*, should be reviewed with lenient scrutiny.

The applicants also propose to install 57' of wooden fencing along the left side property line, with a return to the front/left side of the house. The proposed fencing will be 6' high with a flat board design to match the existing fencing at the rear and rear/sides of the property.

The Commission typically requires fences forward of the rear plane of a house to be no higher than 4' high, preserving the open streetscape, in accordance with the *Guidelines*. Staff suggests that the proposed 6' flat board fence forward of the rear plane of the house has the potential to remove or alter character defining features (in this case, the perceived open streetscape) of the subject property and surrounding historic district, which is inconsistent with the *Standards*.

Staff recommends a condition of approval, stipulating that the proposed 6' high fence at the left side of the house must be lowered to a height of no more than 4' forward of the rear plane of the house, with final approval authority delegated to staff.

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 outlined above.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve with the conditions specified on Circle 1** 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

DPS - #8

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: Scott@Fritzgignoux.com Contact Person: Scott Fritz
Daytime Phone No.: 202-439-3154
Tax Account No.: 07-00455667
Name of Property Owner: Elizabeth & Kevin McGrann Daytime Phone No.: 847-363-1310
Address: 23 Primrose St. Chevy Chase MD 20815
Contractor: Fine Earth Landscapes Inc Phone No.: 301-783-0800
Contractor Registration No.: 9809 - Md
Agent for Owner: Scott Fritz Daytime Phone No.: 202-439-3154

LOCATION OF BUILDING/PREMISE

House Number: 23 Street: Primrose
Town/City: Chevy Chase Nearest Cross Street: Brookville Rd
Lot: Part of Lot 168 Block: 58 Subdivision: Chevy Chase Section 2
Liber: 2 Folio: 106 Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

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: \$ 24,000.00

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 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.

Scott Fritz
Signature of owner or authorized agent

7-3-17
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

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

1. WRITTEN DESCRIPTION OF PROJECT

Deck and Railing

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

The existing deck, benches, planter boxes are composed of pressure treated wood. Currently, the decking is warped and splintering posing a risk to the new homeowners babies and toddler. The existing pressure treated wood deck was constructed approximately 30-40 yrs. ago. It is now dangerous. There are unsightly pressure treat planter boxes and benches around the perimeter of the deck which have rotted. The deck poses a hazard, liability.

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

Removal of the dangerous, splintering pressure treated wood deck and benches which are a hazard + liability. The new deck details are traditional with cedar porch rail. This will work well with the existing architectural period of the house. The proposed railing and deck are more appropriate than the existing deck and benches. A composite wood deck (Artek) will be used for the deck and will look like real wood.

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

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.

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.

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

1. WRITTEN DESCRIPTION OF PROJECT

Fencing

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

All existing Fencing to stay.

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

1. *Additional fencing along west property line is needed to close in back yard to contain dogs. The fencing will tie into the west side of the house where there will be a gate.*
2. *5' section of fence and gate added to east side of house to contain dogs.*

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.

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- 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.

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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.

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PLEASE STAY WITHIN THE GUIDES OF THE TEMPLATE, AS THIS WILL BE PHOTOCOPIED DIRECTLY ONTO MAILING LABELS.

101 MONROE

251-2660

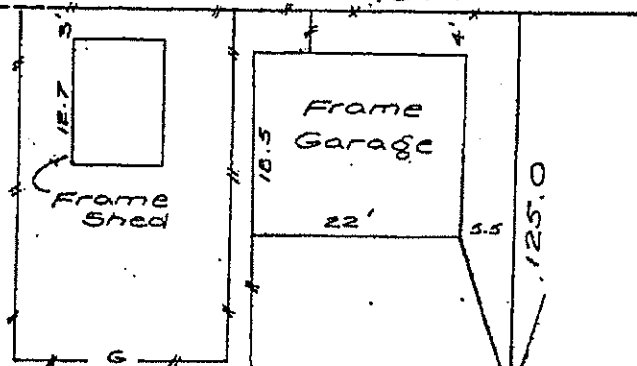
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East

105.0

125.0

PART OF
LOT 10
BLK 58



WOOD
DECK

FAMILY
ROOM
ADDITION

Enclosed
2 Sty
Porch

Screen
Porch

2 Story
Frame
23

25' B.R.L.

27.0

30.6

44.9

45.0

30.6

5.5

6'

9'

Drive

Asphalt

Pt. 10

South

West

105.0

#23 PRIMROSE

STREET

Location of House
PART OF LOT 10
BLOCK 58 Section No. 2
CHEVY CHASE
Montgomery County, Md.



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE POSITION OF ALL THE
IMPROVEMENTS ON THE ABOVE DESCRIBED
PROPERTY HAS BEEN CAREFULLY ESTABLISHED
BY THE USE OF THE MOST ACCURATE
METHODS AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, UNLESS
OTHERWISE SHOWN, THERE ARE NO ENCROACHMENTS.

Harry G. Blanchard
REGISTERED LAND SURVEYOR MD# 7180

REFERENCES

PLAT BK. 2

PLAT NO. 100

LIBER

FOLIO

SNIDER, BLANCHARD, LAUGHLAND & TACK, INC.
SURVEYORS - ENGINEERS
LAND PLANNING CONSULTANTS

10 East Church Street
Frederick, MD 21701
(301) 662-4500

2 Professional Dr., Suite 216
Gaithersburg, MD 20878
948-4100

DATE OF LOCATIONS

WALL CHECK:

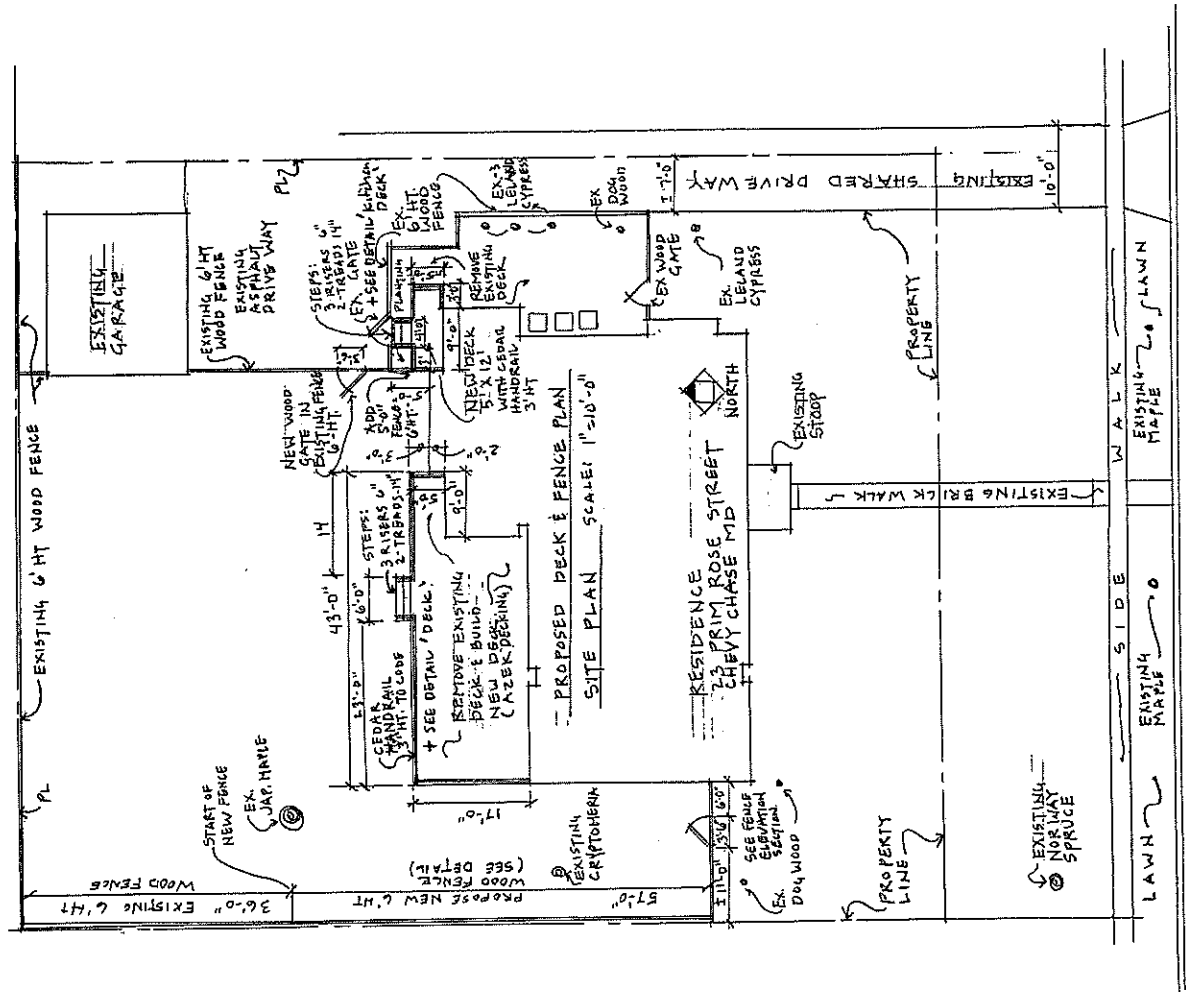
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BOUNDARY:

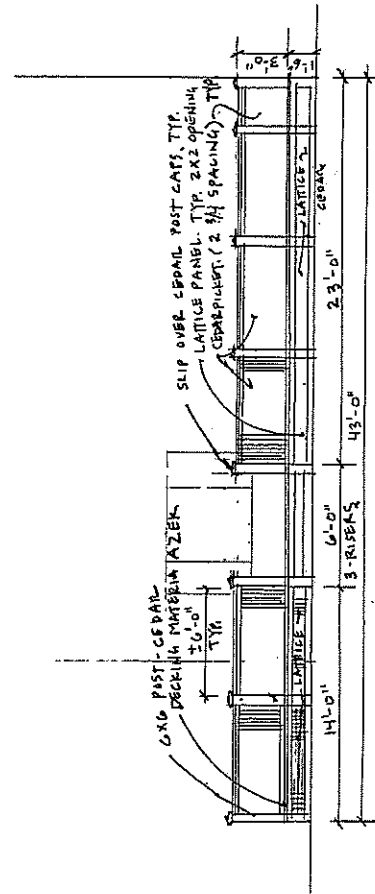
SCALE: 1" = 20'

DRAWN BY: RB

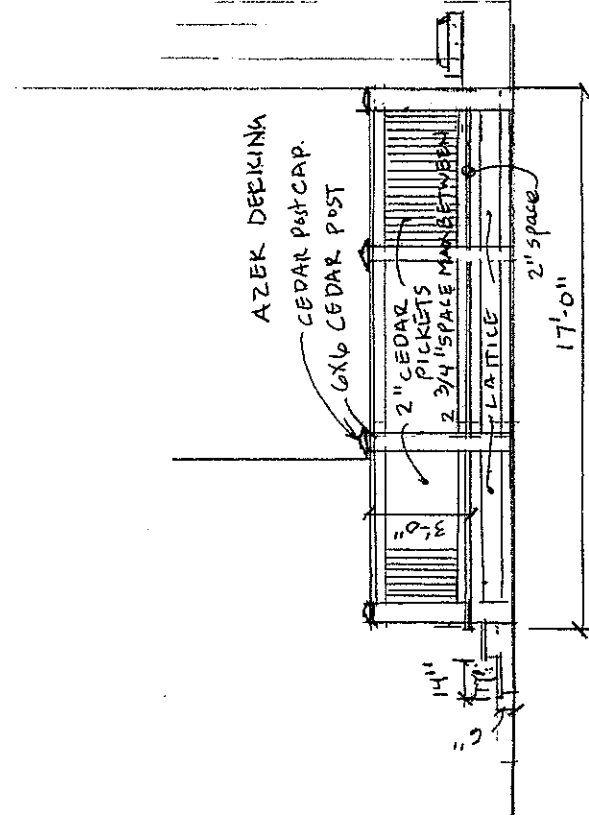
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82/28

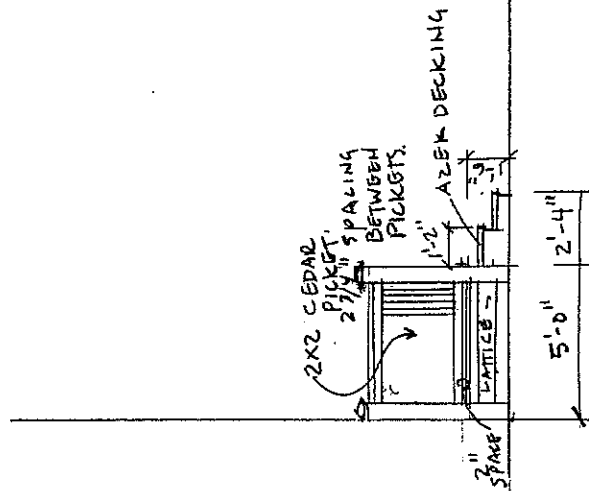


122600 NORTH ELEVATION . VIEW TOWARD REAR OF RESIDENCE
SCALE 1/4" = 1'-0"
23 - PALM ROSE ST.
CHEVY CHASE MD



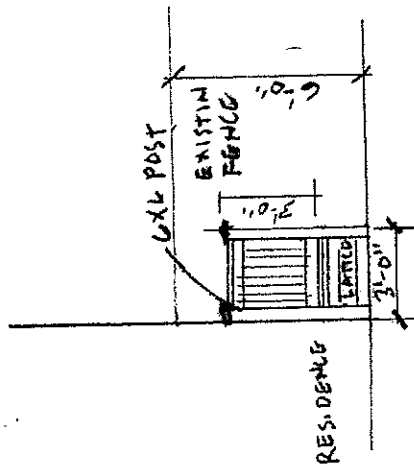
DECK - ELEVATION - WEST FACING

23 PRIM ROSE ST. SCALE 1/4"=1'-0"
CHEVY CHASE, MD

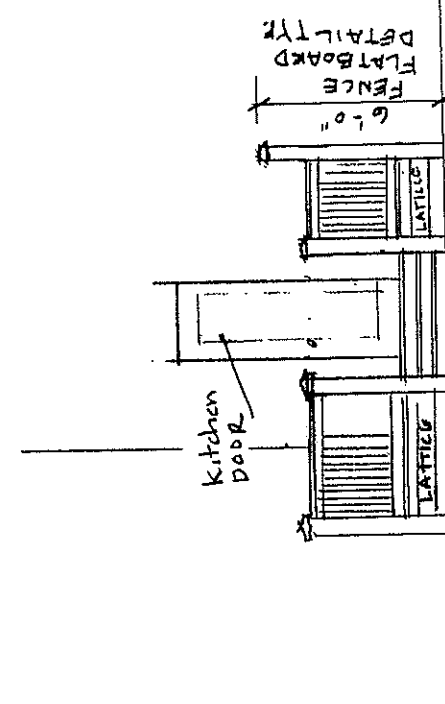


DECK - ELEVATION - EAST FACING

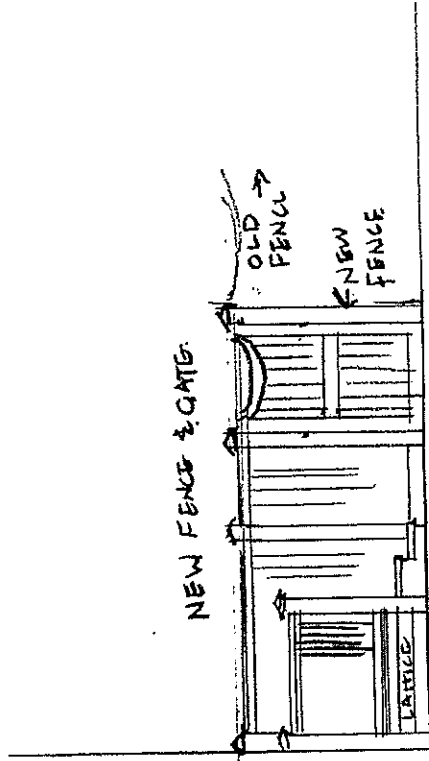
23 PRIM ROSE ST. SCALE 1/4"=1'-0"
CHEVY CHASE MD



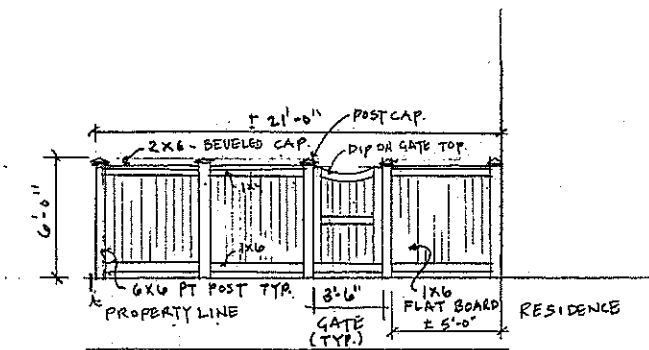
KITCHEN DECK / RAILING
ELEVATION - SOUTH FACING



KITCHEN DECK ELEVATION - NORTH FACING
23 PRIMROSE ST.
CHERRY CHASE, MD.



KITCHEN DECK - ELEVATION EAST FACING
SCALE 1/4" = 1'-0"

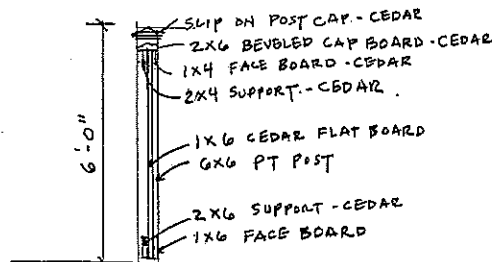


ELEVATION - SOUTH FACING FENCE (FRONT)
TYP. BETWEEN WEST PROPERTY LINE AND HOUSE

NEW FENCE ELEVATION

SCALE 1/4" = 1'-0"

23 PRIM ROSE ST.
CHEVY CHASE MD.



NEW FENCE SECTION

Scale: 1/2" = 1'-0"

23 PRIM ROSE ST.
CHEVY CHASE MD.

27

15

23 TRIMPOSE, VERY SHARP - VIEW LOOKING WEST



Handwritten notes on the right margin, including a circled '5' at the bottom.



1907 BUILDING - R.I. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



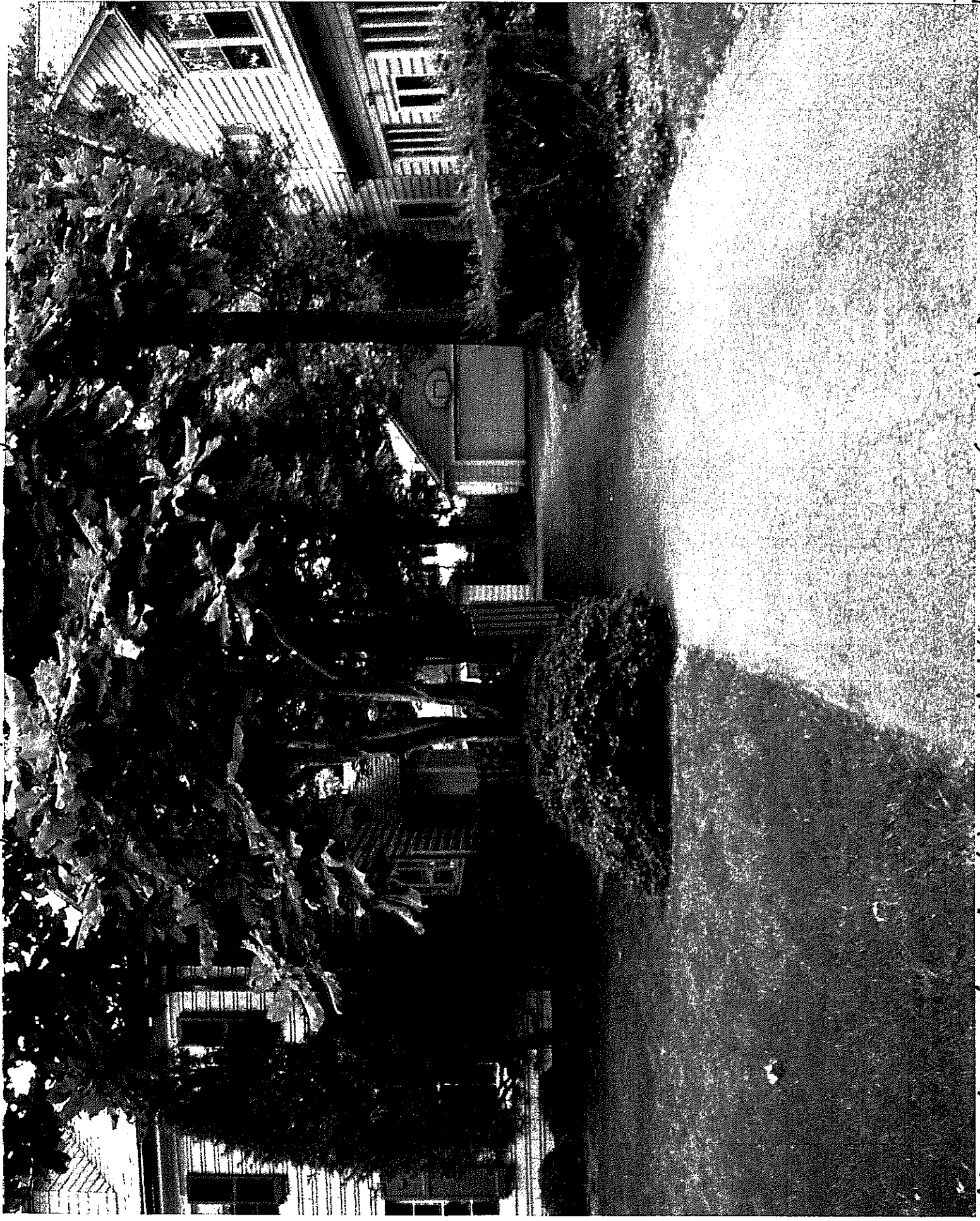
view from the front - view from the front

page

22 FRIMLOSE DR., VINEY GROVE, MO - VIEW LOOKING EAST



20



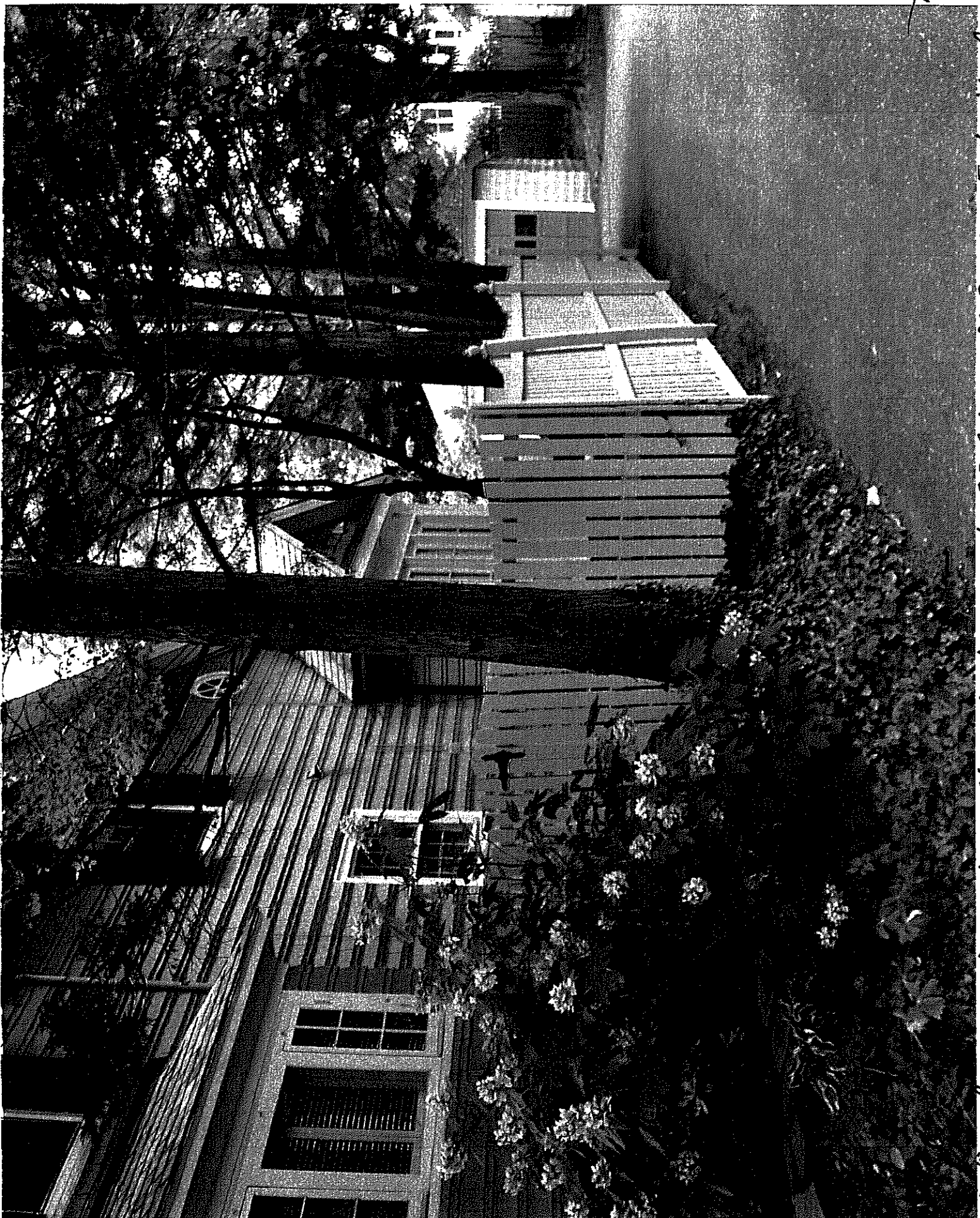
72 Elmrose St. Chevy Chase, Md - View looking North

22 PRIMROSE ST. CHERRY GROVE, MD - VIEW LOOKING NORTHWEST



CHERRY GROVE, MD - VIEW LOOKING NORTHWEST

73 Primrose St. - very close, Mo - View looking North - Northwest

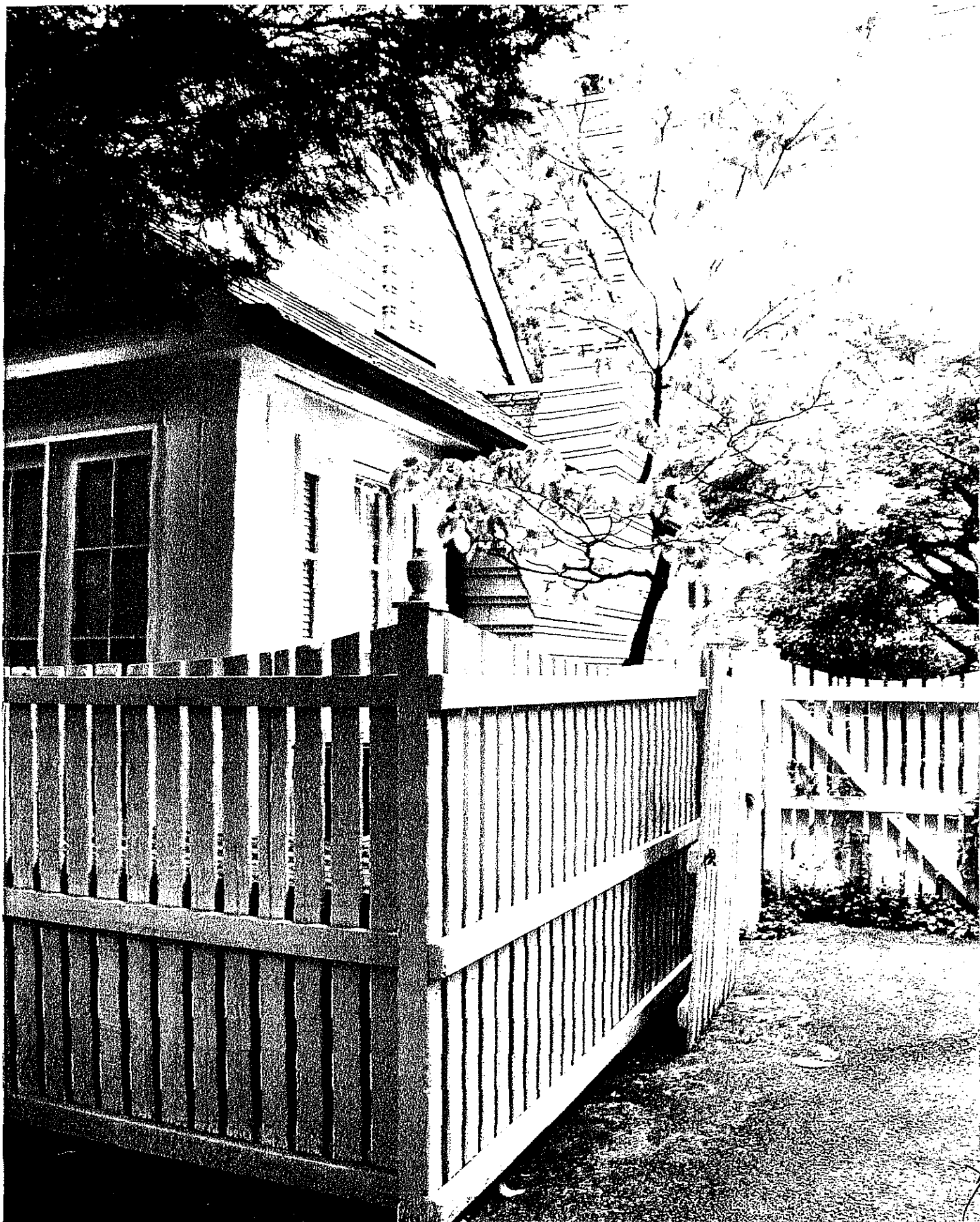


A high-contrast, black and white photograph of a two-story house with a porch, heavily overgrown with dense foliage and trees. The image is oriented horizontally on the page. The house features a prominent porch with a railing and a large window above it. The surrounding vegetation is thick and dark, creating a stark contrast with the lighter-colored building. The overall composition is grainy and dramatic, emphasizing the textures of the wood and the leaves.

(23)

1. in, have shared dimensions. $\text{Nail} - \text{left} - \text{right} - \text{width} / \text{height}$
 2. in, have shared dimensions. $\text{Nail} - \text{left} - \text{right} - \text{width} / \text{height}$

23 Primrose St., Chevy Chase, Md. - View looking West



Existing fencing and gate in rear garden between yard and driveway.

4211 IMPROVE ST. VIEW CHASE, W.C. - VIEW LOOKING SW



view - front and side - lower left part of house to be removed

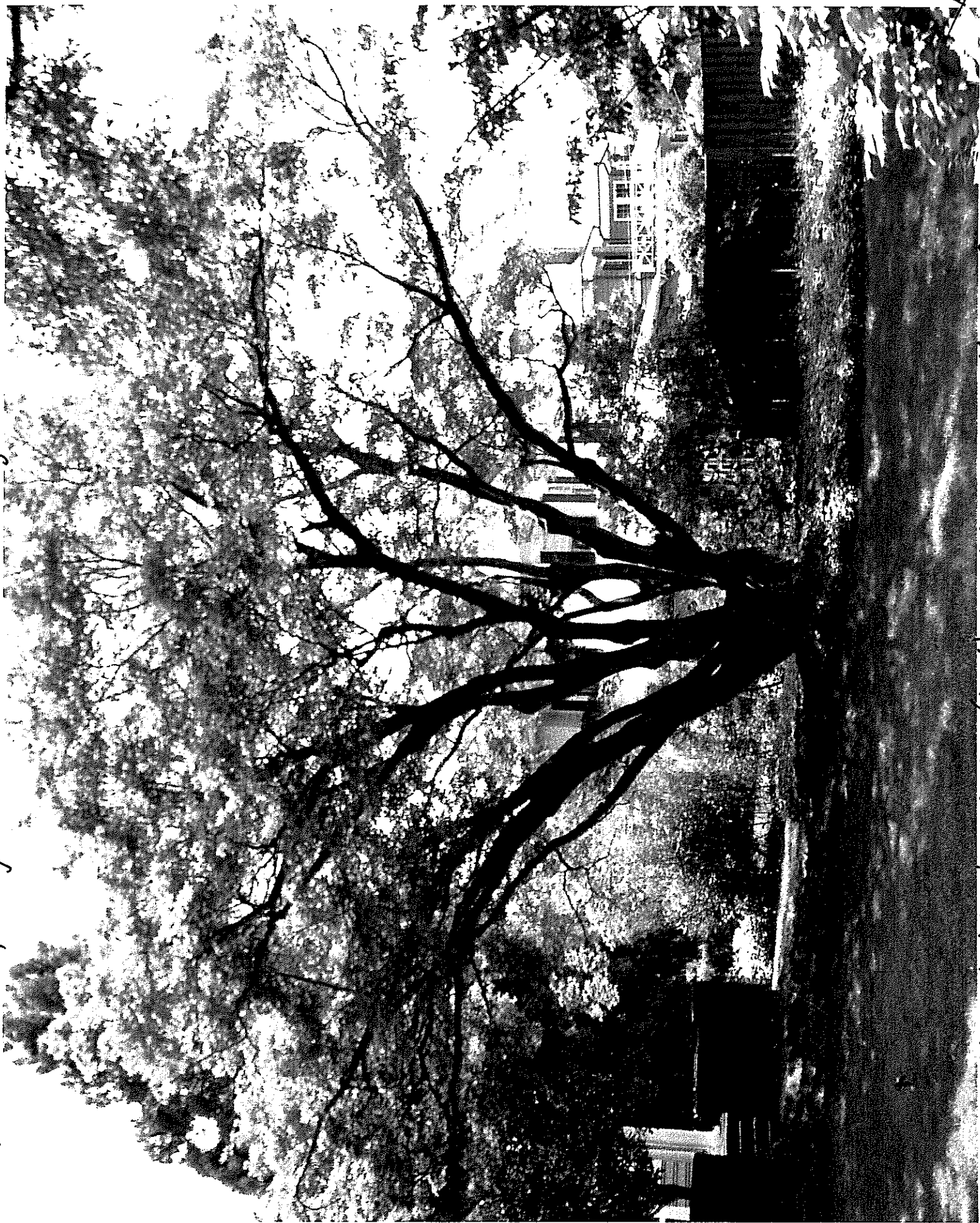
page 25

20 Primrose St. - view north, 190 - view looking north



page 116

23 PRIMROSE ST., NEWY - view - view - view rooming west



23 Primrose St., Chevy Chase, Md - View looking north



A m. s. - house. 2. house. East side of 1.



new house is very nice, no view coming west

This is a high-contrast, black-and-white photograph of a residential street, oriented horizontally but appearing to be a vertical shot rotated 90 degrees clockwise. The image shows a row of houses with varying siding: horizontal siding on the left, vertical siding in the center, and dark siding on the right. Large, leafy trees are on the left side of the image, casting shadows. The right side is dominated by a bright, overexposed area, possibly a lawn or a very bright sky, with some dark, indistinct shapes.

~~237.~~

...the ...

23 PRIMROSE ST., Cherryvale, Mo. - NEW YORK WORLD



22

25 Primrose St. Chevy Chase, Md - View looking east



(2)



23 PRINCE ST. CHERRY CREEK, MD - VIEW LOOKING SOUTH

A high-contrast, black and white photograph of a modern building with a glass facade, heavily shadowed by large, leafy trees. The building's structure is partially visible through the dense foliage.

LOS PRIM ROSE ST, CHADY CHASE, MO - VIEW LOOKING WEST



Front Porch and driveway view across front yard and driveway



Front Porch and driveway view across front yard and driveway

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

Owner's mailing address Elizabeth McGrann 23 Primrose St. Chevy Chase MD 20815	Owner's Agent's mailing address Scott Fritz 4436 Kingle St NW Washington DC 20016
Adjacent and confronting Property Owners mailing addresses	
Mr. & Mrs Robert Toth 21 Primrose St.	Mr. & Mrs Chip Lindsay 28 Primrose St.
Mr & Mrs. Scott Faley 25 Primrose St	Mr & Mrs. Michael Meers 24 Quincy St.
Mr. & Mrs Robert Stillman 22 Primrose St.	Ms. Kim Hetherington Mr Henry Goldberg 26 Quincy St.