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

<table>
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<tr>
<th>Address:</th>
<th>11 E. Kirke St., Chevy Chase</th>
<th>Meeting Date:</th>
<th>1/10/2018</th>
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<tbody>
<tr>
<td>Resource:</td>
<td>Non-Contributing Resource</td>
<td>Report Date:</td>
<td>1/3/2018</td>
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<td>Chevy Chase Village Historic District</td>
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<td>Applicant:</td>
<td>Chris and Kathleen Matthews</td>
<td>Public Notice:</td>
<td>1/28/2017</td>
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<td>Review:</td>
<td>HAWP</td>
<td>Tax Credit:</td>
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<td>Case Number:</td>
<td>35/13-18B</td>
<td>Staff:</td>
<td>Michael Kyne</td>
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<td>PROPOSAL:</td>
<td>Fence installation</td>
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**STAFF RECOMMENDATION:**

Staff recommends that the HPC **approve** the HAWP application.

**ARCHITECTURAL DESCRIPTION**

SIGNIFICANCE: Non-Contributing Resource within the Chevy Chase Village Historic District  
STYLE: Modern  
DATE: c. 1964

**PROPOSAL:**

Installation of a 4' high black aluminum picket fence with gate at the left and right sides 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, archaeological, 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, archaeological, 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 for Non-Contributing/Out-of-Period Resources within the Chevy Chase Village Historic District are as follows:

Non-Contributing/out-of-period resources are either buildings that are of little or no architectural and historical significance to the historic district or newer buildings constructed outside the district’s primary period of historic importance. HAWP applications for exterior alterations, changes, and/or additions to these types of resources should receive the most lenient level of design review.

Most alterations and additions to non-contributing/out-of-period resources should be approved as a matter of course. The only exceptions would be major additions and alterations to the scale and massing of the structure which affect the surrounding streetscape and/or landscape and could impair the character of the district as a whole.

Secretary of the 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.” The Standards are as follows:
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.

STAFF DISCUSSION

The subject property is a c. 1964 Non-Contributing Resource within the Chevy Chase Village Historic District. The property is located on a corner lot at the intersection of East Kirke Street and Brookeville Road at the eastern edge of the historic district. The lot has a deep setback and is heavily landscaped. There is an existing 4’ high black aluminum picket fence along the left property line and a solid board fence along the right property line.

The applicants propose to install a 4’ high black aluminum picket fence with gate at the left and right sides of the house. The proposed fence will be parallel to East Kirke Street and will match the existing fence along the left property line, which will remain in place.

The Chevy Chase Village Historic District Guidelines state:

Non-Contributing/out-of-period resources are either buildings that are of little or no architectural and historical significance to the historic district or newer buildings constructed outside the district’s primary period of historic importance. HAWP applications for exterior alterations, changes, and/or additions to these types of resources should receive the most lenient level of design review.

Most alterations and additions to non-contributing/out-of-period resources should be approved as a matter of course. The only exceptions would be major additions and alterations to the scale and massing of the structure which affect the surrounding streetscape and/or landscape and could impair the character of the district as a whole.
The height and location of the proposed fence is consistent with the Commission’s typical requirements and the picket design will preserve the openness of the streetscape. The proposed fence is unlikely to detract from or impair the character-defining features of the historic district.

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 Chevy Chase Village Historic District Guidelines and with the Secretary of the Interior’s Standards for Rehabilitation 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.
APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Email: mkerry.matthews@gmail.com

Name of Property Owner: Chris and Kathleen Matthews

Address: 11 E. Kirke St, Chevy Chase, MD 20815

Contractor: Bill Gummertsen

Agent for Owner: Daytime Phone No.: 

LOCATION OF BUILDING PROJECT

House Number: 11 E. Kirke St

Street: Chevy Chase

Lot: 5+4 Block: Nearest Cross Street: Brookville

Parcels: 

PART ONE: TYPE OF PERMIT ACTION AND USE

☐ Construct ☑ Alter/Remodel ☐ AC ☐ Slab ☐ Room Addition ☐ Porch ☐ Deck ☐ Shed

☐ Move ☑ Install ☐ Window/Frame ☐ Solar ☐ Fireplace ☐ Woodburning Stove ☐ Single Family

☐ Revision ☑ Repair ☐ Invocable. ☑ Fence/Wall (complete Section 4) ☐ Other:

☑  Construction cost estimate: $2250

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

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTENSION/ADDITIONS

2A. Type of sewage disposal: ☐ WSSC ☐ Septic ☐ Other:

2B. Type of water supply: ☐ WSSC ☐ Well ☐ Other:

PART THREE: COMPLETE ONLY FOR FENCE/RETAINING WALL

3A. Height of fence or retaining wall: 4 feet

3B. Indicate whether the fence or retaining wall is to be constructed on one of the following locations:
☐ On party line/property line ☑ On public right of way/assessment

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.

Kathleen Matthews

Signature of owner or authorized agent

11-15-17

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:

      The house was built in 1964. We will be extending (would like to extend) the 4 ft high black rail fence that is currently on the property line running from the backyard to the porch at 9 E. Kirk St.

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

      Fence will match 4 ft black aluminum rail fence currently separating two properties. Extension will run 12 ft in line with the side of the house, parallel to the sidewalk which is 7 ft away and continuing on opposite side in the back and the property line and Brookville, for 31 ft.

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 0.5" x 11" paper are preferred.

   a. Schematic construction plans, with marked dimensions, indicating location, size and general type of walls, windows 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 features 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 drip line of any tree 8" 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.
Note: This property does not lie within the limits of a flood hazard area as delineated on the maps of the national flood insurance program.

CAPITOL SURVEYS

HOUSE LOCATION
LOT 4, BLOCK 30
SECTION NO. 2
CHEVY CHASE
MONTGOMERY COUNTY, MARYLAND

Recorded in Plat Book 2, Page 106, Scale 1" = 20'

 Filed 2-12-1980

LOUIS CREEH
LICENSED LAND SURVEYOR

I hereby certify that the position of all of the existing improvements on the acreage described property have been established by a transit side measurement and that un- less otherwise shown, there are no visible encroachments.

LOUIS CREEH
Registered Land Surveyor
Maryland No. 1261
Site Plan

Existing Black Metal Aluminum Fence

48" gate
3.5' x 3.5' Fence
12'

East Kirke

Driveway

48" gate
5'

Fence 2.9'

Brookville Rd

0 Tree

0 Tree

 Applicant Michael Matthews
**Heritage series**

Charleston Aluminum offers protruding flat topped pickets that are capped with a black cap. However, decorative finials can be added in place of the caps to create an ornate look that adds beauty and sophistication. The Charleston is offered in 48” and 60” heights, 3-rail only. The 60” high fence meets pool enclosure codes. The 72” high fence is available only with a 4th horizontal rail.

**Piedmont series**

Piedmont ornamental aluminum is a stately and classic fence featuring protruding pressed point pickets for enhanced security and a traditional look that will enhance any home. Available in 48” and 60” heights, 3-rail only. The 60” high fence meets pool enclosure codes. A 72” height is available with the addition of a 4th rail.

**Antietam series**

Antietam ornamental aluminum combines the safety of a smooth top rail with the traditional look of alternating pressed point pickets below. Available in 42”, 48”, 54” and 60” heights, 3-rail only. The Modified Antietam comes only 42” or 54” high and has a flush bottom rail (no pickets protrude below the bottom rail). The 54” and 60” meet pool enclosure codes. The 72” height comes in a 4-rail only.

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**ORNAMENTAL FENCE PRODUCTS**
Mr. Matthews,

Regarding tress at the above referenced property, the proposed fence as depicted on your plat would not adversely impact any trees on the subject property. This should satisfy the Historic Preservation Commission's HAWP application requirement. If you need something additional please let me know.

Ellen Sands
Municipal Operations Coordinator
Chevy Chase Village
Tele. 301-654-7300
FAX 301-907-9721

ccvpermitting@montgomerycountymd.gov
www.chevychasevillagemd.gov
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<th>Owner's Agent's mailing address</th>
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<td>Chris Matthews</td>
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<td>9 E Ku Ke St</td>
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<td>Chevy Chase, MD</td>
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<td>Adjacent and confronting Property Owners mailing addresses</td>
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