

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

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

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, 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 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. HA WP 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.



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: Mkerrymatthews@gmail.com Contact Person: Michael Matthews
Daytime Phone No.: 3235331215

Tax Account No.: _____

Name of Property Owner: Chris and Kathleen Matthews Daytime Phone No.: 3017177910

Address: 11 E. Kirke St Cherry Chase MD 20815
Street Number City State Zip Code

Contractor: Bill Gunnvitsen Phone No.: 2407314731

Contractor Registration No.: 17KM5097

Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 11 E. Kirke St Street: _____

Town/City: Cherry Chase Nearest Cross Street: Brookville

Lot: S+4 Block: _____ Subdivision: _____

Liber: _____ Folio: _____ Parcel: _____

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

1B. 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 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 4 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/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
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

**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 with The owner resides at the neighboring 9 E. Kirke St. 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 Kirke 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 existing fence and the side of the house, parallel to the sidewalk which is 78 ft away, and continuing on opposite side in the hawk and the property line and Brookville, for 31 ft.

2. **SITE PLAN**

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.

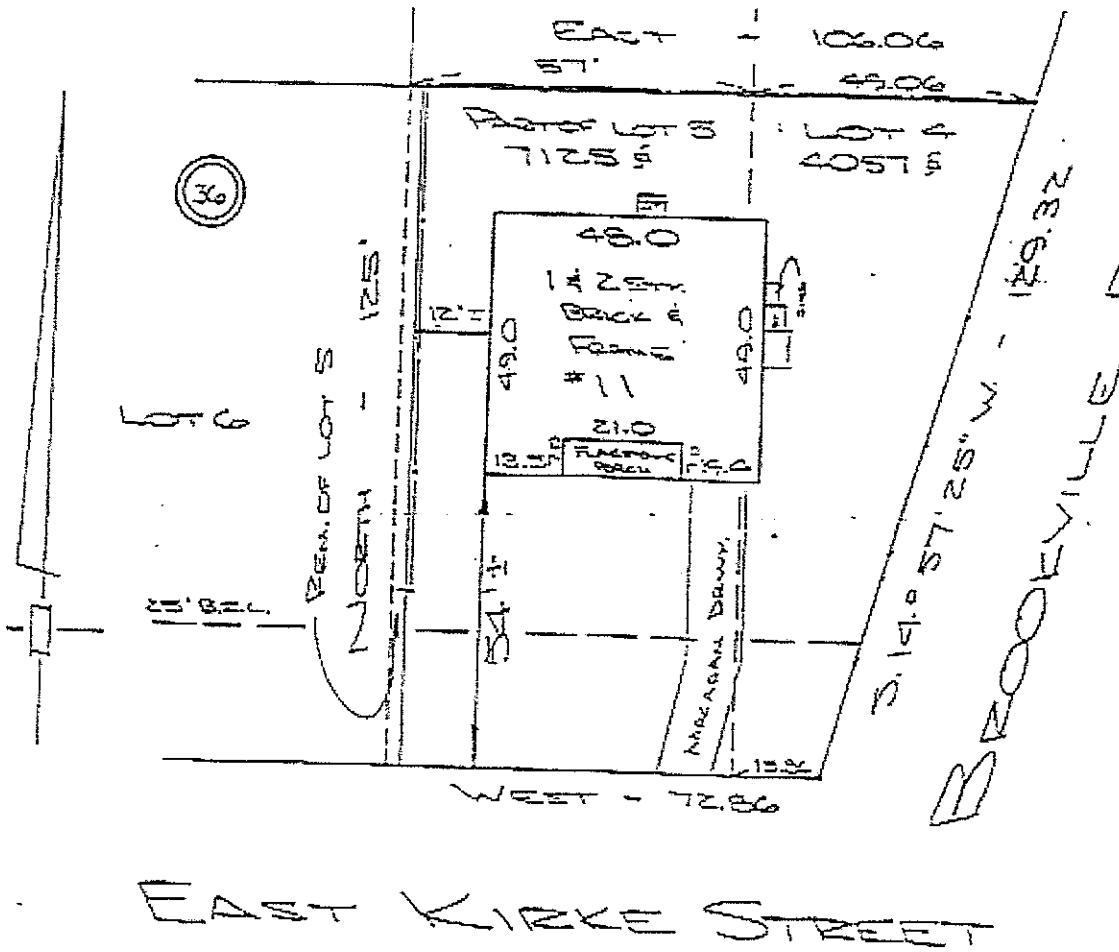
6. **TREE SURVEY**

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**

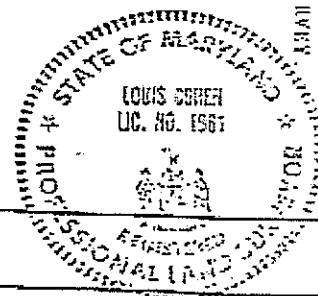
For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly across the street/highway from the parcel in question.

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.



I HEREBY CERTIFY THAT THE ABOVE DESCRIBED IMPROVEMENTS, EXISTING THROUGH JAN. 1, 1990 OF CAPITAL SURVEYS, ARE CORRECTLY LOCATED AND DIMENSIONS OF SAID IMPROVEMENTS ON SAID SURVEY ARE CORRECT AS SHOWN ON SAID SURVEY MAP.
 L. SOHNWALLER
 REGISTERED LAND SURVEYOR
 MONTGOMERY COUNTY, MARYLAND
 No. 1061

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

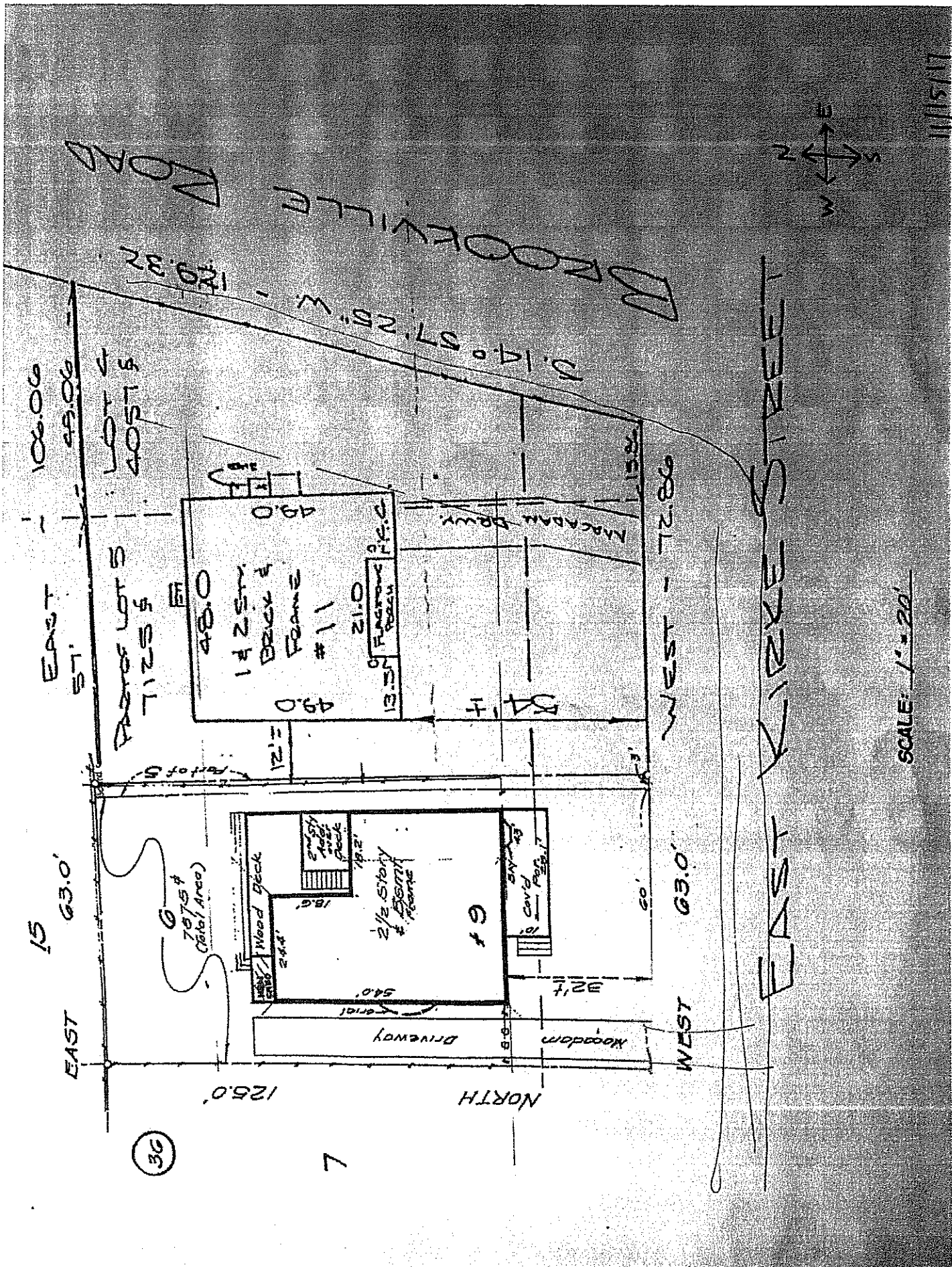
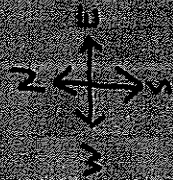
This drawing is not intended to establish property lines or the existence of corner monuments guaranteed. All information hereon taken from the records of the county or city in which the property is located.

HOUSE LOCATION
 LOT 4 & Part of LOT 5 BLOCK 36
 OF LOTS SECTION No. 2
CHEVY CHASE
 MONTGOMERY COUNTY, MARYLAND
 Recorded in Plat Book 2 Plat 106 Scale 1" = 30'
 CASE 9126 FILE 35796

I hereby certify that the position of all of the existing improvements on the above described property have been established by a transit tape measurement and that unless otherwise shown there are no visible encroachments.

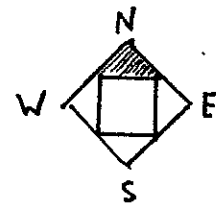
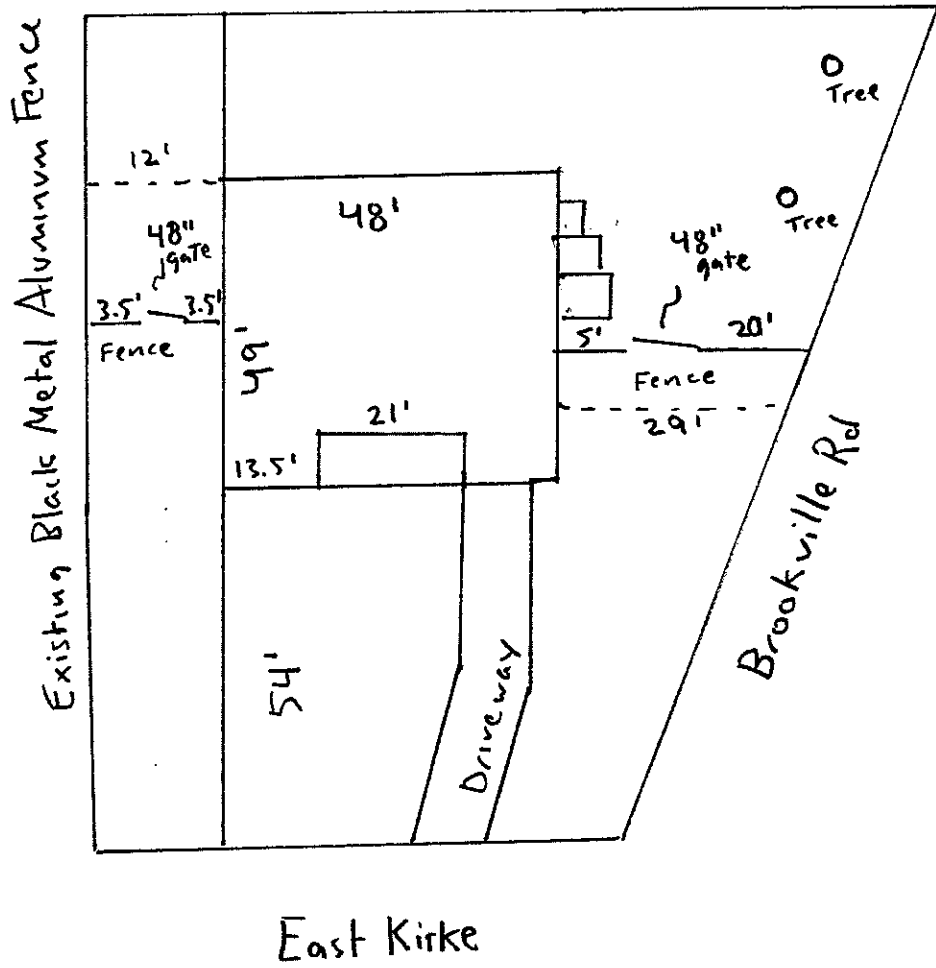
LOUIS COHEN
 Registered Land Surveyor
 Maryland No. 1061

11/15/17



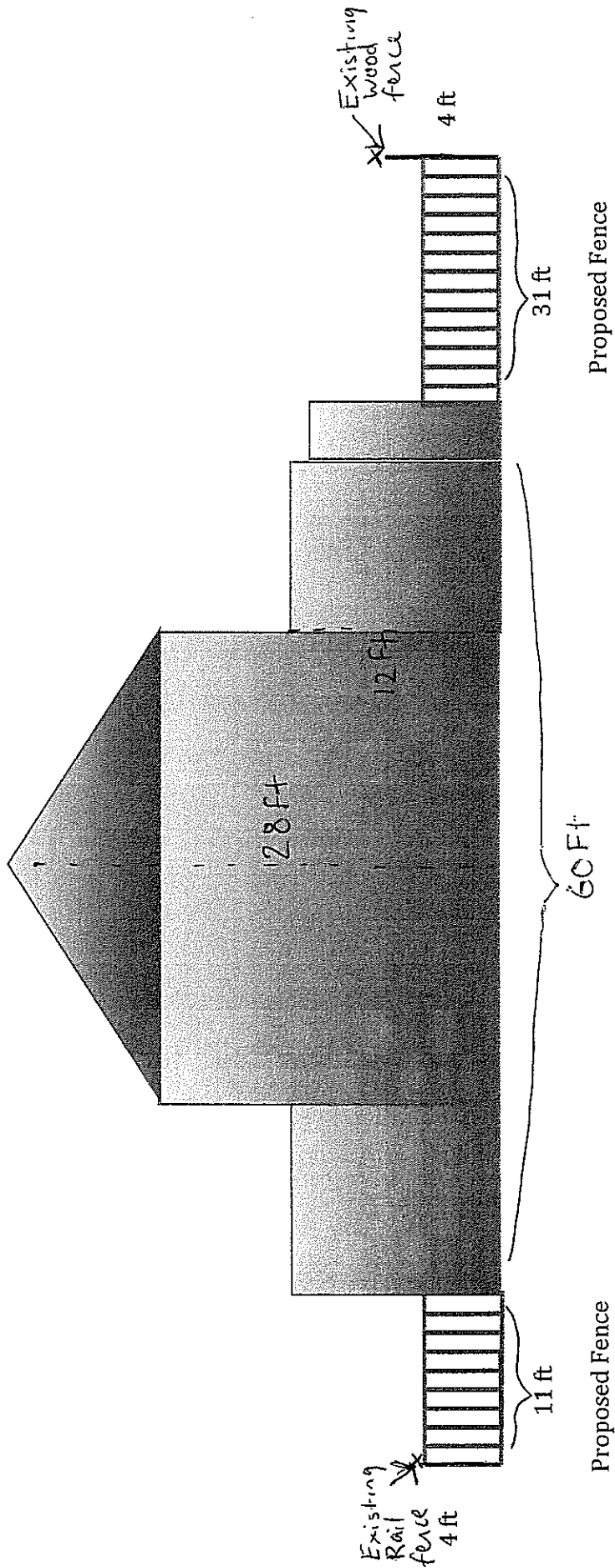
SCALE: 1" = 20'

Site Plan



Applicant Michael Matthews

Elevation for proposed 4'
Piedmont Long Fence extension at
11 East Kirke St, Chevy Chase, MD
20815



Heritage series

Charleston Aluminum

Charleston ornamental 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.



Heritage series

Piedmont Aluminum

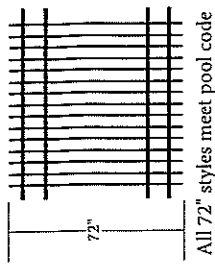
Piedmont ornamental aluminum is a stately and classic fence featuring protruding pressed point pickets and a traditional look that will enhance any home. Available in 48" and 60" heights, 3-rail only. The 60" high fence meets pool enclosure codes. A 72" height is available with the addition of a 4th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



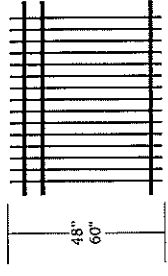
Heritage series

Antietam Aluminum

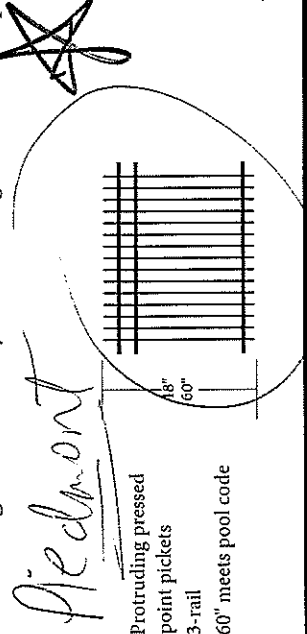
Antietam ornamental aluminum combines the safety of a smooth top rail with the traditional look of alternating pressed point pickets below. Available in 42", 48", 54" and 60" heights, 3-rail only. The Modified Antietam comes only 42" or 54" high and has a flush bottom rail (no pickets protrude below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



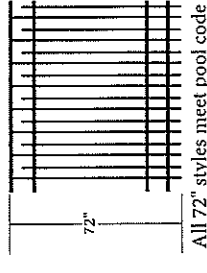
All 72" styles meet pool code



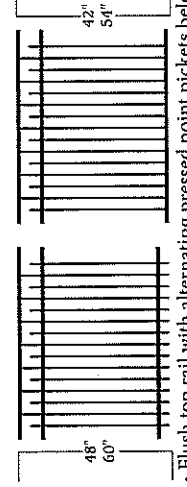
- Capped flat-top protruding pickets
- Decorative finials can be added
- 60" meets pool code



- Protruding pressed point pickets
- 3-rail
- 60" meets pool code



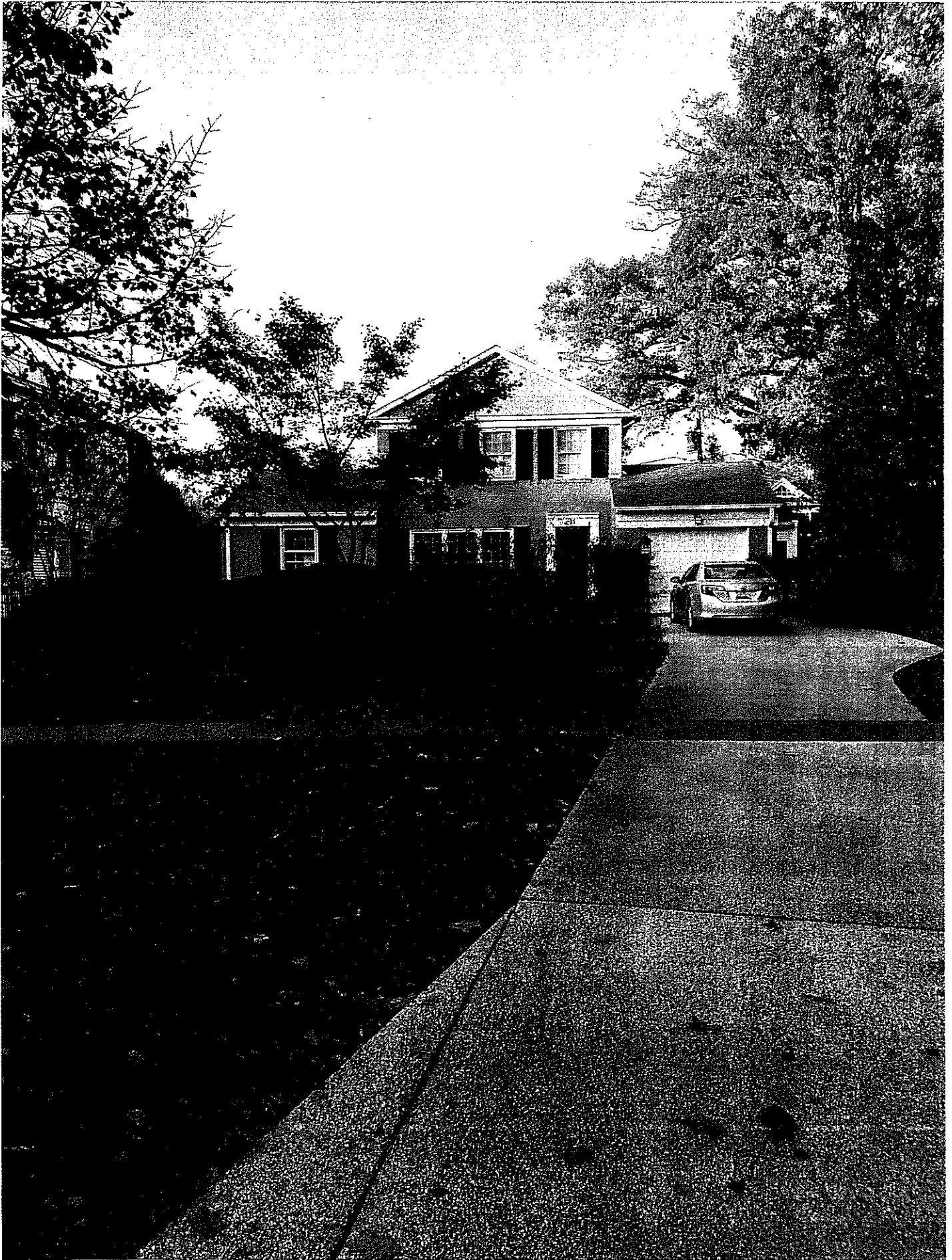
All 72" styles meet pool code



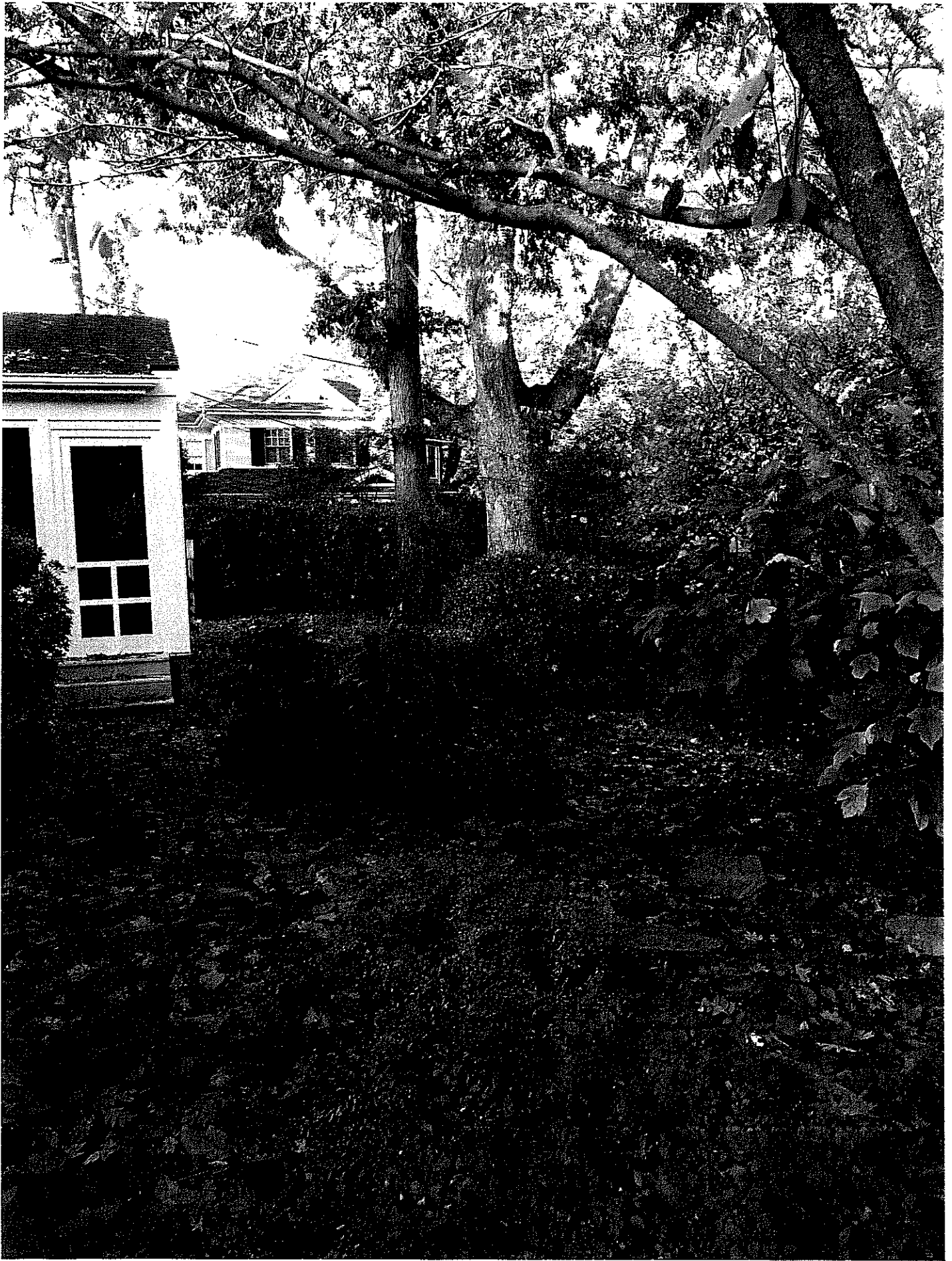
- Flush top rail with alternating pressed point pickets below
- 54" and 60" meet pool code
- 42" & 54" have flush bottom rail

ORNAMENTAL FENCE PRODUCTS











Michael Matthews <mkerrymatthews@gmail.com>

11 East Kirke Street

Sands, Ellen <Ellen.Sands@montgomerycountymd.gov>
To: "mkerrymatthews@gmail.com" <mkerrymatthews@gmail.com>

Tue, Nov 14, 2017 at 2:20 PM

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



(15)

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

Owner's mailing address <i>Chris Matthews</i> 9 E Kirk St Chevy Chase, MD 20815 301 656 7036	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	
<i>Elizabeth Bausch</i> 12 E. LenoX Chevy Chase, MD Alone 20815 301 656 5643	