

HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address:	35 Oxford St., Chevy Chase	Meeting Date:	5/9/18
Resource:	Non-Contributing Resource Chevy Chase Village Historic District	Report Date:	5/2/18
Review:	HAWP	Public Notice:	4/25/18
Case Number:	35/13-18J	Tax Credit:	n/a
Applicant:	Gregory and Alicia Fishbein	Staff:	Dan Bruechert
Proposal:	Window Replacement		

STAFF RECOMMENDATION:

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

PROJECT DESCRIPTION

SIGNIFICANCE: Non-Contributing to the Chevy Chase Village Historic District
STYLE: Colonial Revival
DATE: 2014

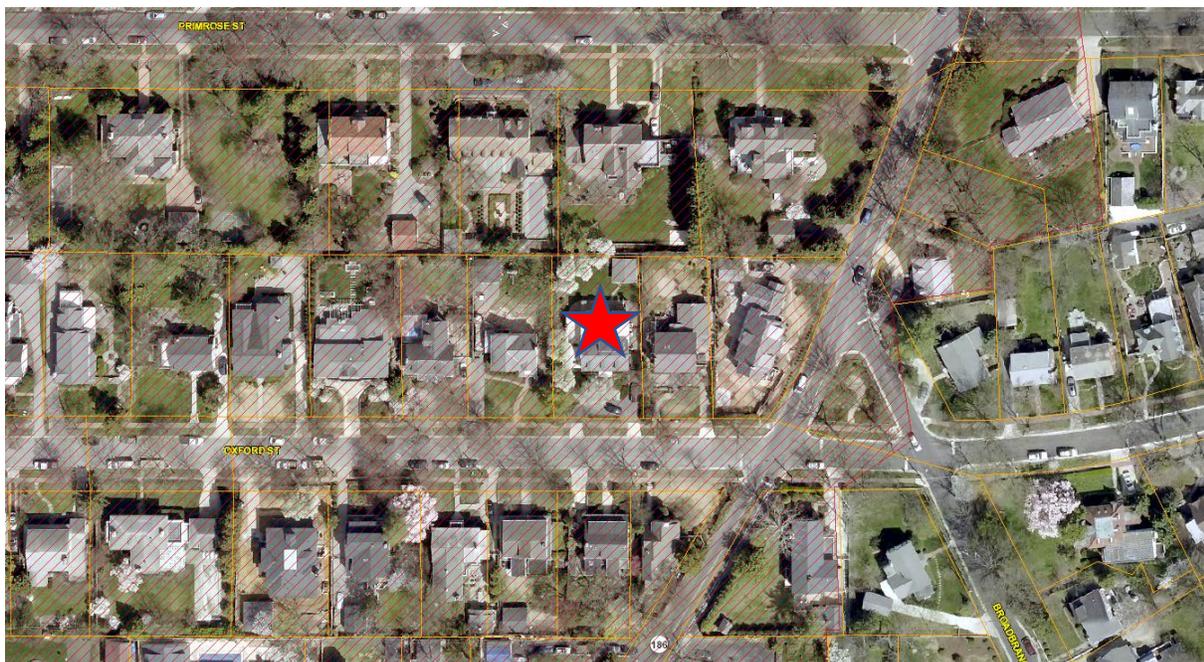


Figure 1: 35 Oxford St.

PROPOSAL:

The applicant proposes to enlarge the existing window well at the front right of the house for egress purposes.

APPLICABLE GUIDELINES

When reviewing alterations and additions or new construction within the Chevy Chase Village Historic District, decisions are guided by the Chevy Chase Village Historic District Design Guidelines (*Guidelines*) and Montgomery County Code Chapter 24A (*Chapter 24A*).

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 or 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.

HAWP applications for exterior alterations, changes, and/or additions to non-contributing/out-of-period resources should receive the most lenient level of review. Most alterations and additions 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.

- *Exterior trim* (such as moldings on doors and windows) on contributing resources should be subject to moderate scrutiny if it is visible from the public right-of-way, lenient scrutiny if it is not. Exterior trim on Outstanding resources should be subject to strict scrutiny if it is visible from the public right-of-way.
- *Windows* (including window replacement) should be subject to moderate scrutiny if they are visible from the public right-of-way, lenient scrutiny if they are not. Addition of compatible exterior storm windows should be encouraged, whether visible from the public-right-of-way or not. Vinyl and aluminum windows (other than storm windows) should be discouraged.
- The *Guidelines* state five basic policies that should be adhered to, including:
 - Preserving the integrity of the Chevy Chase Village Historic District. Any alterations should, at a minimum, perpetuate the ability to perceive the sense of time and place portrayed by the district.

- Preserving the integrity of contributing structures. Alterations to 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 a very lenient review. Most changes to the rear of the properties should be approved as a matter of course.

Montgomery County Code; Chapter 24A-8(b)

A HAWP permit should be issued if the Commission finds that:

1. The proposal will not substantially alter the exterior features of a historic site or historic resource within a historic district.
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 a historic resource is located and would not be detrimental thereto of to the achievement of the purposes of this chapter.

STAFF DISCUSSION

The applicant proposes expand the existing window well at the front-right corner of the building to accommodate egress needs. Staff finds that this proposal will result in a minimal visual change and will not impact the historic character of the building and recommends approval.

The existing window well is constructed out of concrete with a brick surround. It provides some natural light to the basement, but is only 9” (nine inches) wide and 1’ 7” (one foot, seven inches) deep and is not appropriate for egress purposes. The window in the well is a wood two-lite horizontal casement and is 1’ 9” (one foot, nine inches) high.



Figure 2: Photo of existing window well.



Figure 3: Window well from further down the driveway.

The applicant proposes to expand this window well so that it is appropriate for egress purposes. The existing window well will be widened from its existing 9” (nine inches) to a code-compliant 3’ (three feet). The well will be excavated from its 1’7” (one foot, seven inch) depth to 4’ 6 ¾” (four feet, six and three-quarters inch). In order to allow for egress, the existing window will be replaced with a Marvin wood window that is 6’ (six feet) wide and 4’ 5 ¾” (four feet, five and three-quarters inch) tall. The new window well will have a brick surround that matches the appearance of the existing (this information was not included in the application materials, but Staff has verified this with the applicant).

Staff finds that the only change in appearance to this feature that is visible from the public right-of-way will be the larger brick surround for the enlarged opening. Staff finds that while there are no *Guidelines* directly on point for this issue, the proposal complies with 24A-8(b)(1) in that it does not substantially alter the exterior features of the house. Staff further finds the visible materials of this proposal are compatible with the house surrounding district. Staff finds that the proposed wood window is appropriate per the *Guidelines*. Staff supports approval of the proposed window. The brick surrounding the window well will be the most prominent feature

visible from the public right-of-way. Staff finds that this proposal will have a minimal impact on the character of the historic house or the surrounding district and supports approval.

The applicant is proposing to install a custom metal grate over the enlarged windows well. This feature will provide safety over the new feature, while still allowing for egress. A metal grate is an appropriate material for this feature and as it will be at grade, it will not be visible from the public right-of-way and Staff supports its approval.

STAFF RECOMMENDATION

Staff recommends the HPC **approve** the HAWP application;

and with the general condition applicable to all Historic Area Work Permits that **the applicant will present 3 permit sets of drawings to HPC staff for review and stamping prior to submission for permits (if applicable)**. After issuance of the Montgomery County Department of Permitting Services (DPS) permit, the applicant will arrange for a field inspection by calling the DPS Field Services Office at 240-777-6370 prior to commencement of work and not more than two weeks following completion of work.



HISTORIC PRESERVATION COMMISSION
301/563-3400

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: phil@cas-dc.com Contact Person: Phillip Long - CAS Eng.
Daytime Phone No.: 240-418-3204 / 301-703 2340
Tax Account No.: 07-00457303

Name of Property Owner: Gregory & Alicia Fishbein Daytime Phone No.: _____
Address: 35 Oxford Street Chevy Chase MD 20815
Street Number City Street Zip Code
Contractor: _____ Phone No.: _____
Contractor Registration No.: _____
Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PROJECT

House Number: 35 Street: Oxford Street
Town/City: Chevy Chase Village Nearest Cross Street: Brookville Road
Lot: 1b Block: 57 Subdivision: Chevy Chase Sect. 2
Liber: _____ Folio: _____ Parcel: _____

834319

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE: Construct Extend Alter/Renovate A/C Slab Room Addition Porch Deck Shed
 Move Install Wreck/Raze Solar Fireplace Woodburning Stove Single Family
 Revision Repair Revocable Fence/Wall (complete Section 4) Other: _____
1B. Construction cost estimator: \$ 1,000
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 _____ feet _____ 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.

Gregory Fishbein April 17, 2018
Signature of owner or authorized agent 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:

Detached Single Family Home Built Circa 1925

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

After existing basement window for egress purposes

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

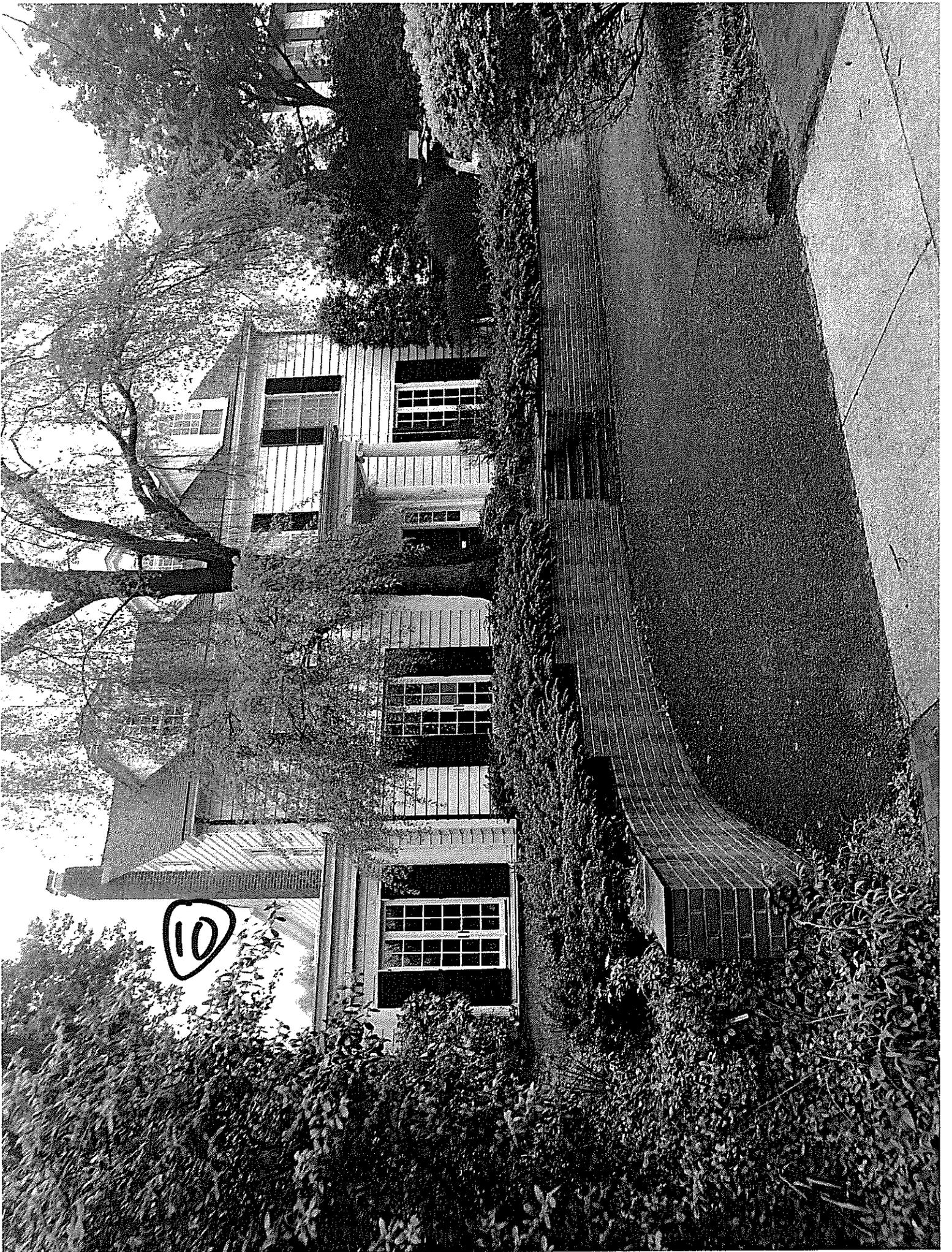
For ALL projects, provide an accurate list of adjacent and confronting property owners (not tenants), including names, addresses, and zip codes. This list should include the owners of all lots or parcels which adjoin the parcel in question, as well as the owner(s) of lot(s) or parcel(s) which lie directly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

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

<p>Owner's mailing address Gregory & Alicia Fishbein 35 Oxford St Chevy Chase, MD 20815</p>	<p>Owner's Agent's mailing address Phillip Long CAS Engineering 10 S Bentz St Frederick, MD 21701</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>Scott & Leeann Hodges 33 Oxford St Chevy Chase, MD 20815</p>	<p>Bruce Becker & Natalie Jennings 37 Oxford Street Chevy Chase, MD 20815</p>
<p>Matthew Leggett & Melissa Nap 16 Oxford St Chevy Chase, MD 20815</p>	<p>Gail Feldman 18 Oxford St Chevy Chase, MD 20815</p>
<p>Marc & Lori Gordon 20 Oxford St Chevy Chase, MD 20815</p>	<p>Shamrock Property Trust Agreement 28 Primrose St Chevy Chase, MD 20815</p>

Robert Stillman
 22 Primrose Street
 Chevy Chase, MD 20815

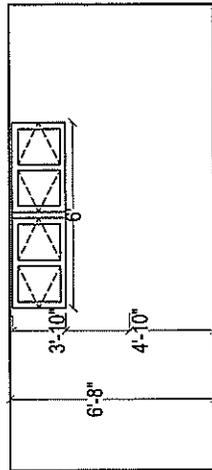




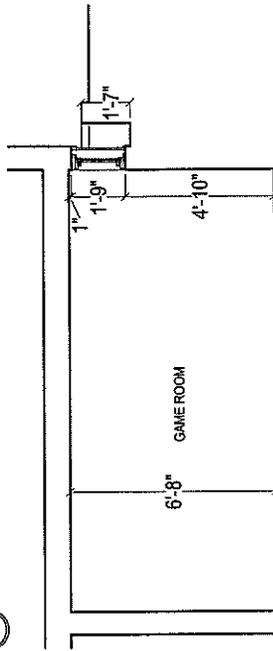


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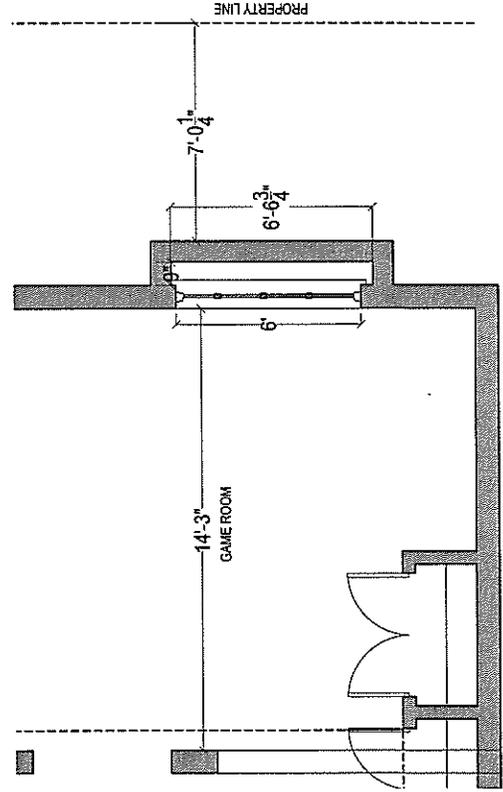
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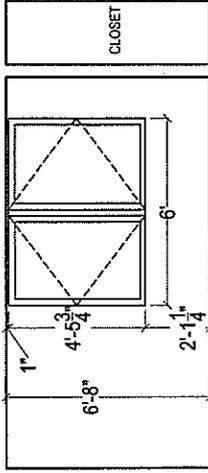
1 EXISTING INTERIOR ELEVATION



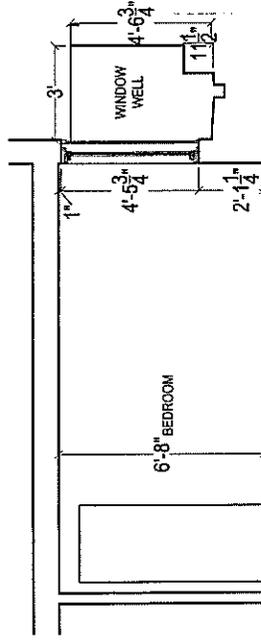
2 EXISTING SECTION



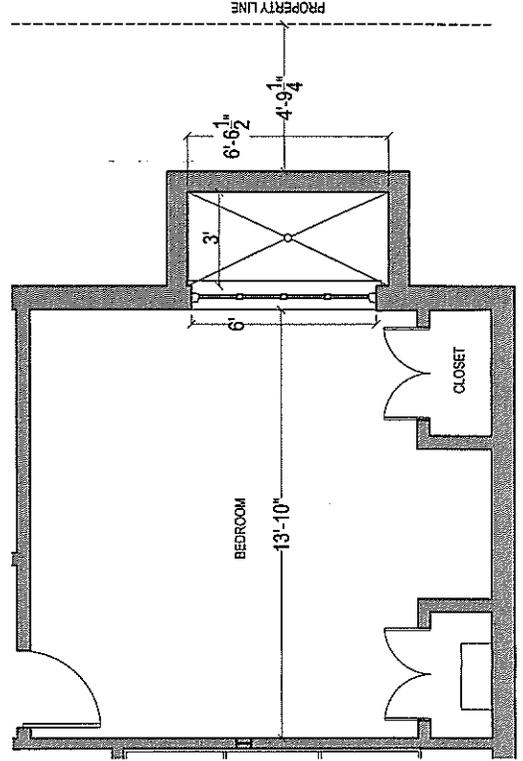
3 EXISTING PLAN



4 PROPOSED INTERIOR ELEVATION



5 PROPOSED SECTION



6 PROPOSED PLAN

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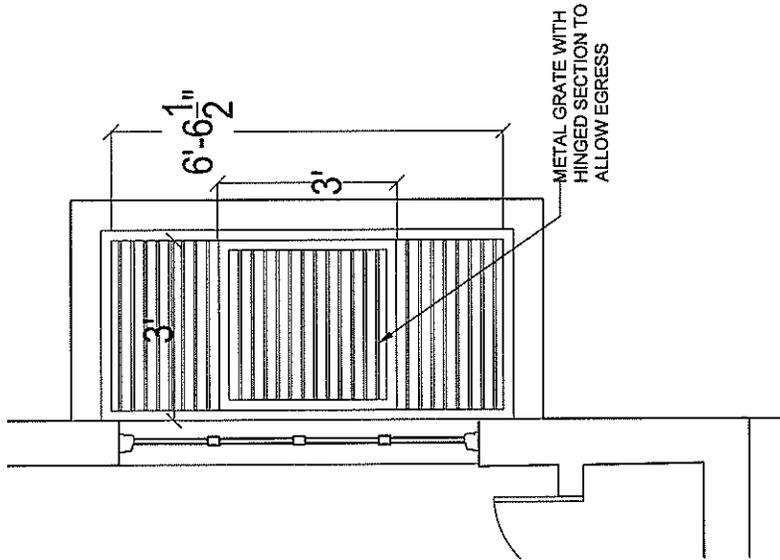
PROJECT:
 FISHERMAN RESIDENCE
 35 OXFORD STREET
 CHEVY CHASE, MD



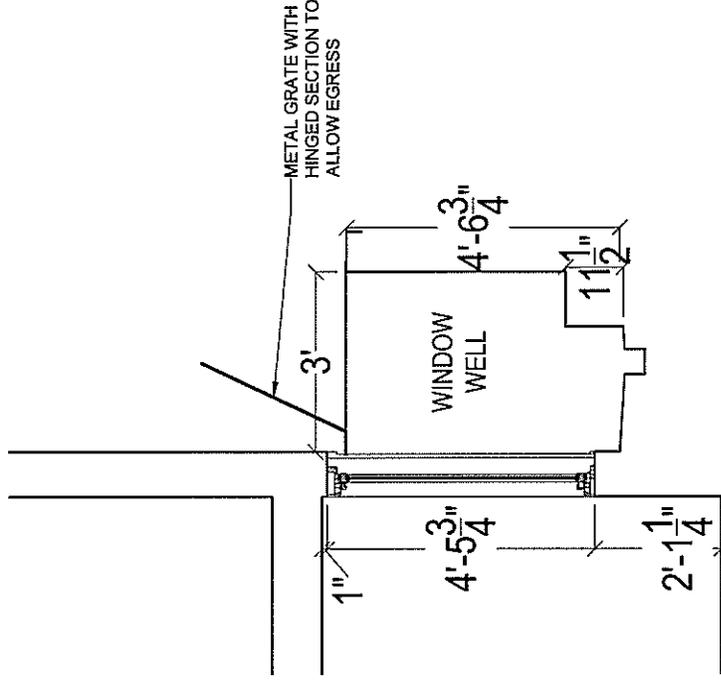
DRAWING TITLE:
 WINDOW WELL
 DETAILS
 TWO PANEL
 OPTION

SUBMISSION:
 PERMIT
 DATE: APRIL 16, 2018
 SCALE: 1/4" = 1'-0"

A010



1 PROPOSED PLAN



2 PROPOSED SECTION

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Bruechert, Dan

From: Phillip D. Long <phil@cas-dc.com>
Sent: Tuesday, May 01, 2018 7:46 AM
To: Bruechert, Dan
Subject: 17-480 : 35 Oxford Street - Follow Up
Attachments: Basement Window Well Cover Detail.pdf

Dan,

I know there was a handful of emails yesterday and just wanted to quickly recap on the couple of questions you had:

1. The proposed window will be the same wood Marvin window type used under the previously approved HAWP for the new second story window
2. The window well will be brick lined so as to match the existing façade
3. The window well cover will be a custom metal hinged grate, detail attached.

Thanks,

Phillip D. Long
Permitting Technician

CAS ENGINEERING – DC, LLC
1001 Connecticut Avenue, NW, Suite 401, Washington, DC 20036
Office: 301-703-2340 | Mobile: 240-418-3204 | Fax: 301-607-8045
Email: phil@cas-dc.com

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