

EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	35 West Irving Street, Chevy Chase	Meeting Date:	11/13/2019
Resource:	Contributing Resource (Chevy Chase Village Historic District)	Report Date:	11/6/2019
Applicant:	Sasan Jalali	Public Notice:	10/30/2019
Review:	HAWP	Tax Credit:	N/A
Case Number:	35/13-19RR	Staff:	Michael Kyne
PROPOSAL:	Fence replacement		

STAFF RECOMMENDATION:

☒ Approve
☐ Approve with conditions

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District
STYLE: Colonial Revival
DATE: c. 1916-27

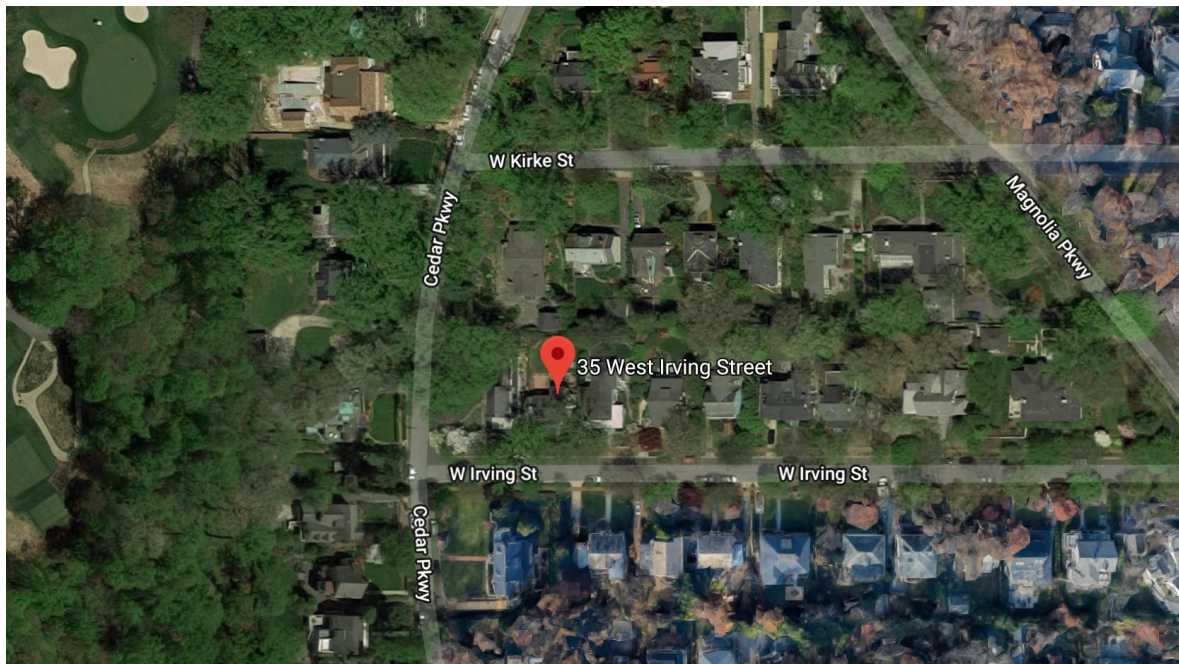


Fig. 1: Subject property.

PROPOSAL:

The applicant proposes to replace the existing privacy fence at the rear/left (west) side of the subject property with a new 6' high wood privacy fence in the same location. The existing trash enclosure at the left (west) side of the house will be removed, and the proposed new fence will be reduced to 4' high in the approximate location of the existing trash enclosure. A 4' high double gate will return to the left (west) side of the house.

APPLICABLE GUIDELINES:

IV. The Expedited Staff Report format may be used on the following type of cases:

10. Construction of fences that are compatible with historic site or district in terms of material, height, location, and design. Requests for fences higher than 48" to be located in the front yard of a property will not be reviewed using an Expedited Staff Report.

Montgomery County Code; Chapter 24A-8

- (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*)

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." The *Standards* are as follows:

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.
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.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1), (2) & (d) having found that the proposal is consistent with the *Chevy Chase Village Historic District Guidelines*, 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* #2 and #9;

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: sgjalali@gmail.com Contact Person: SASAN Jalali
Daytime Phone No.: 301-335-2329
Tax Account No.: _____
Name of Property Owner: Sasan Jalali Daytime Phone No.: 301-335-2329
Address: 35 W Irving Street Chevy Chase MD 20815
Street Number City State Zip Code
Contractor: Scott Ruete, Fence Builders Phone No.: 703-820-0967
Contractor Registration No.: MD# 127411
Agent for Owner: No agent Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 35 Street: West Irving
Town/City: Chevy Chase village Nearest Cross Street: Cedar Parkway
Lot: 7/8 and 8/9 Block: _____ Subdivision: section 2
Liber: 44014 Folio: 152 Parcel: plat 106

PART ONE: TYPE OF REPAIR/ALTERATION/ADDITION

1A. CHECK ALL APPLICABLE:

☐ Construct ☐ Extend ☐ Alter/Renovate
☐ Move ☐ Install ☐ Wreck/Blaze
☐ Revision ☐ Repair ☐ Revocable

CHECK ALL APPLICABLE:

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

1B. Construction cost estimate: \$ \$3,400

1C. If this is a revision of a previously approved active permit, see Permit # 886467

PART TWO: COMPLETE FOR NEW CONSTRUCTION AND EXTEND/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 6 feet 0 inches (from back edge of house drops to 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 ☒ Entirely on land of owner ☐ On public right of way/easement
Along property line, but 1 inch inside the land of owner

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.

s. jalali

Signature of owner or authorized agent

10/9/2019

Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 893520 Date Filed: _____ Date Issued: _____

Edit 5/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

Applicant: Sasan Jalali

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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:

Existing is a picket Fence and a trash area
Neither fence, nor trash area are historic

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

- 1- Replace existing fence to the side shared with 37 W Irving with new 6 feet fence
- 2- Remove trash area and replace with 4 feet fence and a double gate
- 3- Closely follow boundary lines, but the entire fence to be in our land at least 1 inch
- 4- Finished side of fence facing 35 W Irving

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.

Applicant: Sasan Jalali

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

Owner's mailing address	Owner's Agent's mailing address
35 W Irving Street Chevy Chase MD	No agent
Adjacent and confronting Property Owners mailing addresses	
Roslyn Mazer and David Holzworth 37 W Irving Street Chevy Chase MD	Melissa and Tom Dann 34 West Kirke Street Chevy Chase MD
John Lynham 37 W Irving Street Chevy Chase MD	Phylliss Kass and John Korrigan 33 W Irving Street Chevy Chase MD
Amy Shephard Knight & Edward Knight 32 W Irving Street Chevy Chase MD	Martin Weinstein 5815 Cedar Parkway Chevy Chase MD

Existing Property Condition Photographs (duplicate as needed)



Fig A.1 Existing Fence - Western view looking at 37 W Irving



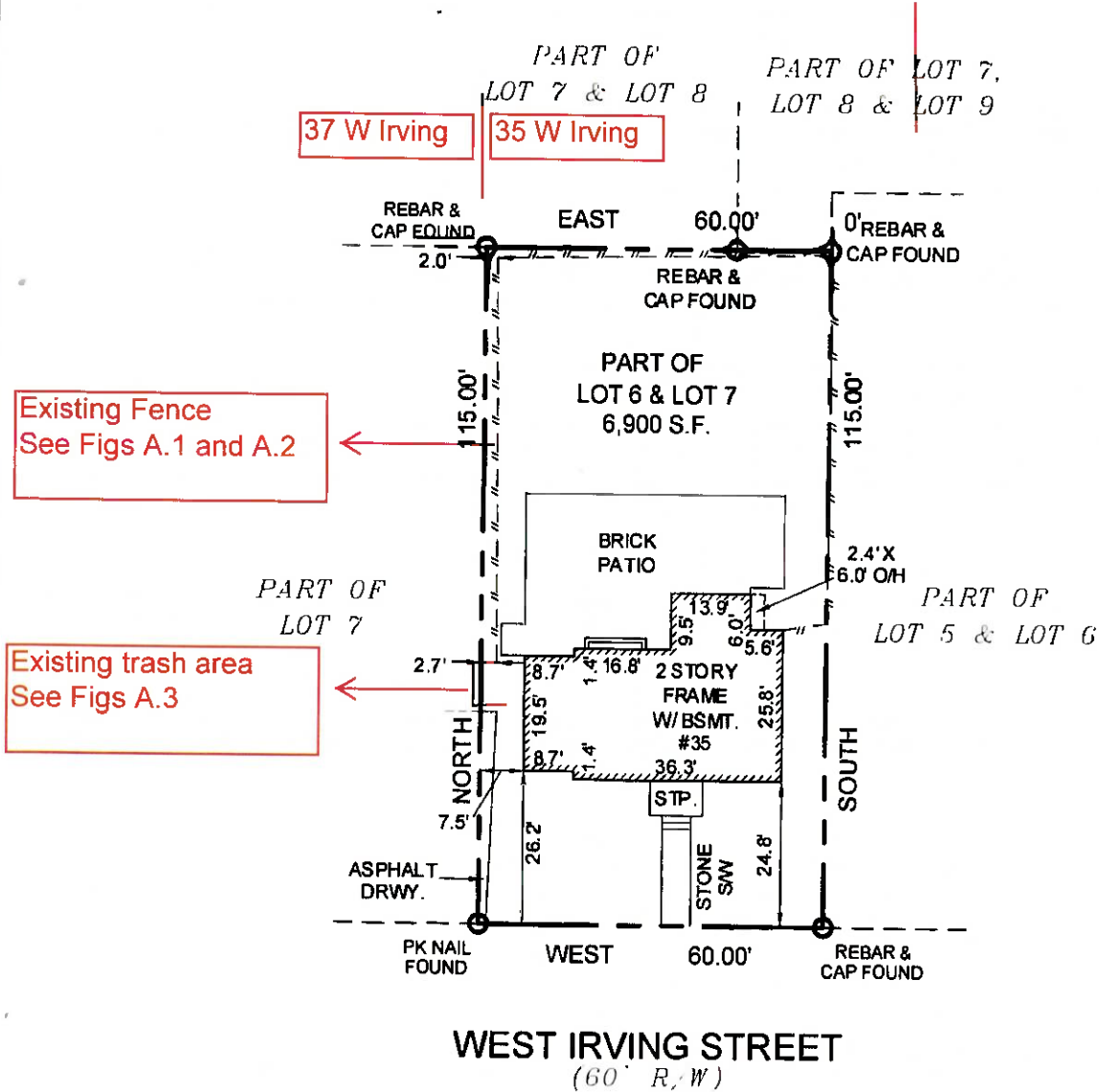
Fig A2. Same as Fig A.1 .. but a closer view and also showing adjacent trash area

Existing Property Condition Photographs (duplicate as needed)



Fig A.3 Existing trash area - Western view looking at 37 W Irving

Figure B.1 - Existing Condition
Boundary Survey



NOTES:

1. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
2. SUBJECT TO ALL EASEMENTS ON RECORD.

DRAWN BY: DS
FILE: #85 IRVING STREET

I HEREBY CERTIFY THAT IMPROVEMENTS ARE LOCATED AS SHOWN HEREON AND TO THE BEST OF MY INFORMATION, PROFESSIONAL KNOWLEDGE AND BELIEF THERE ARE NO ENCROACHMENTS



FITZROY J. BERTRAND

3/7/2019

Applicant: Sasan Jalali

BOUNDARY SURVEY
PART OF LOT 6 & LOT 7
CHEVY CHASE: SECTION 2

PLAT: #106 / LIBER: 44014 FOLIO: 152
MONTGOMERY COUNTY, MARYLAND

SCALE: 1" = 30' DATE: 3/7/19

REAL ESTATE SURVEYORS & DEVELOPERS, LLC

Residential, Commercial, Industrial and Land

WWW.RESDLLC.COM
LAUREL LAKES EXECUTIVE PARK

8325 CHERRY LANE
LAUREL, MARYLAND 20707
TEL: (301)604-3105 FAX: (301)604-3108

Figure B.1 - Proposed Fence Plan
Boundary Survey

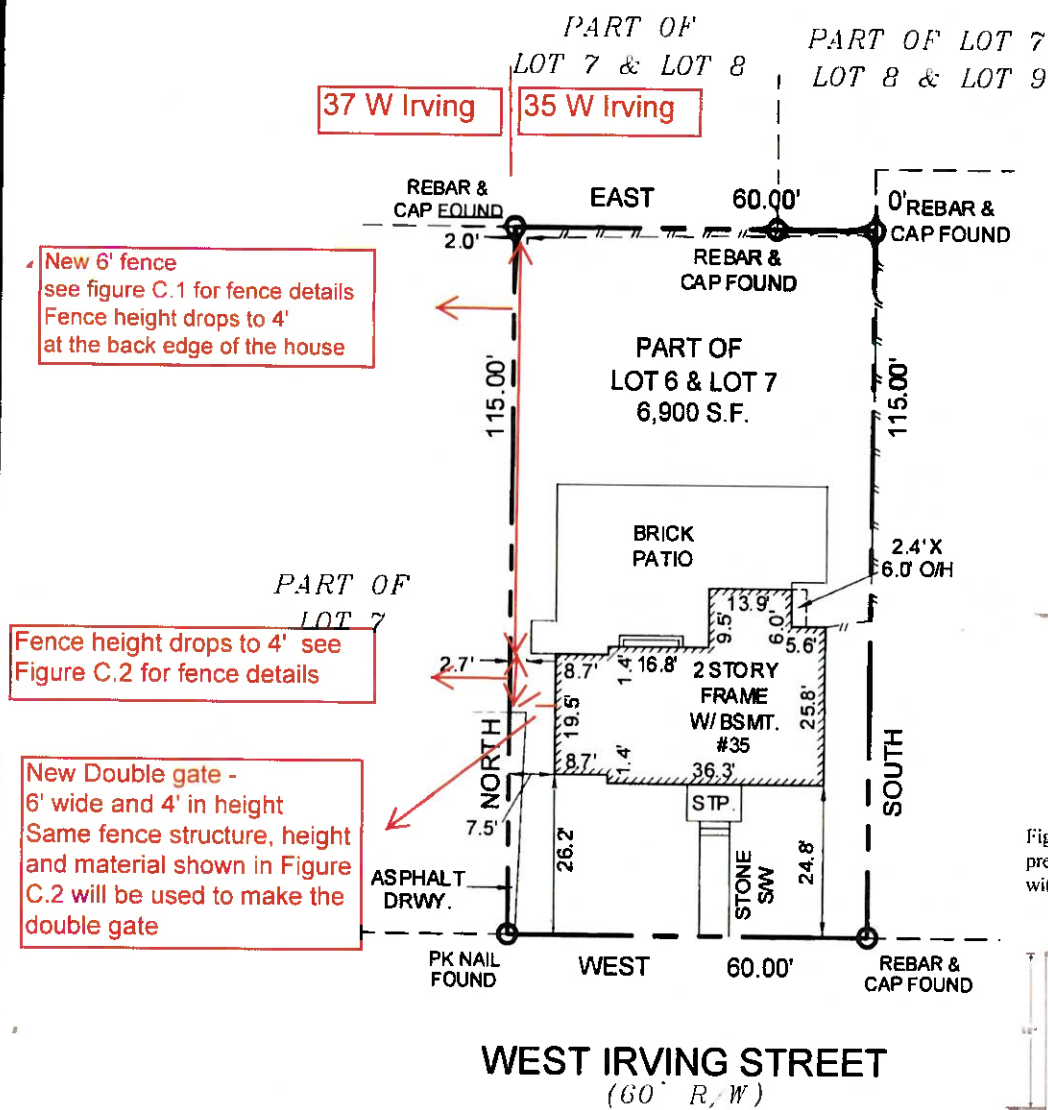


Figure C.1 - Proposed new 6' fence - High pressure treated 1 x6x4' vertical board fence with cap and top trim boards. Fence is to be run to grade with finished side facing 35 W Irving.

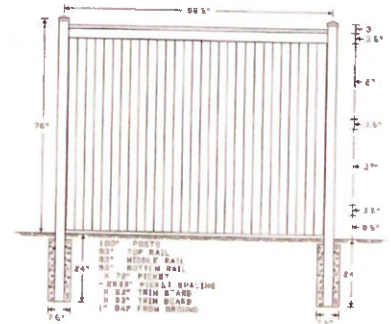
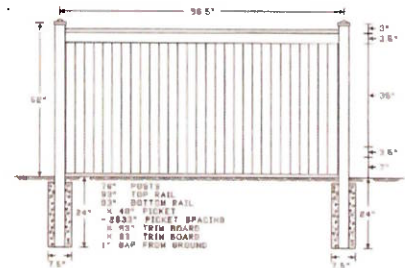


Figure C.2 - Proposed new 4' fence - High pressure treated 1 x4x4' vertical board fence with cap and top trim boards.



NOTES:

1. THIS PLAT WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
2. SUBJECT TO ALL EASEMENTS ON RECORD.

DRAWN BY: DS
FILE: #35 IRVING STREET

I HEREBY CERTIFY THAT IMPROVEMENTS ARE LOCATED AS SHOWN HEREON AND TO THE BEST OF MY INFORMATION, PROFESSIONAL KNOWLEDGE AND BELIEF THERE ARE NO ENCROACHMENTS



FITZROY J. BERTRAND
Surveyor

3/7/2019

Applicant: Sasan Jalali

BOUNDARY SURVEY
PART OF LOT 6 & LOT 7
CHEVY CHASE: SECTION 2
PLAT: #106 / LIBER: 44014 FOLIO: 152
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SCALE: 1" = 30' DATE: 3/7/19
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