EXPEDITED
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

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

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.
II.I

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.
APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Person: Sasan Jalali
E-mail: sgialali@gmail.com

Name of Property Owner: Sasan Jalali
Daytime Phone No.: 301-335-2329

Address: 35 W Irving Street  Chevy Chase  MD  20815
Contactor: Scott Ruege, Fence Builders
Contractor Registration No.: MD# 127411

Agent for Owner: No agent

LOCATION OF BUILDING PREMISE

House Number: 35

Town/City: Chevy Chase village
Nearest Cross Street: Cedar Parkway

Lot: 7/8 and 8/9 blocks
Subdivision: section 2
Lib: 44014  Folio: 152  Parcel: plat 106

PART ONE: DESCRIPTION AND USE

1A. CHECK ALL APPLICABLE:

☐ Construct  ☐ Extends  ☐ Alter/Remodel  ☐ A/C  ☐ Slide  ☐ Room Addition  ☐ Porch  ☐ Deck  ☐ Shed
☐ Move  ☐ Yardscale  ☐ Wreck/Remove  ☐ Solar  ☐ Fireplace  ☐ Woodburning Stove  ☐ Single Family
☐ Revision  ☐ Repair  ☐ Renovate  ☐ Yes  ☐ Fence/Wall (complete Section 4)  ☐ Other:

1B. Construction cost estimate: $8,340

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

PART TWO: COMPLETE FOR CONSTRUCTION IN EXISTING ADDITIONS

2A. Type of sewage disposal: O WSSC  02 ☐ Septic  03 ☐ Other:

2B. Type of water supply: O WSSC  02 ☐ Well  03 ☐ 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  ☐ Yes  ☐ Entirely on land of owner  ☐ On public right-of-way/assessment
   Along property line, but 1 inch inside the land of owner

I hereby certify that I have the authority to make this 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 to be a condition for the issuance of this permit.

Sasan Jalali  10/9/2019
Signature of owner or authorized agent  Date

Approved:  For Chairperson, Historic Preservation Commission

Disapproved:  Signature:  Date:

Application/Permit No.: 83520  Data File:  Date Issued:

SEE REVERSE SIDE FOR INSTRUCTIONS

Applicant: Sasan Jalali
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 structure(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 crownline 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 INTO MAILING LABELS.

Applicant: Sasan Jalali
<table>
<thead>
<tr>
<th>Owner’s mailing address</th>
<th>Owner’s Agent’s mailing address</th>
</tr>
</thead>
<tbody>
<tr>
<td>35 W Irving Street</td>
<td>No agent</td>
</tr>
<tr>
<td>Chevy Chase MD</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Adjacent and confronting Property Owners mailing addresses</strong></td>
<td></td>
</tr>
<tr>
<td>Roslyn Mazer and</td>
<td>Melissa and Tom Dann</td>
</tr>
<tr>
<td>David Holzworth</td>
<td></td>
</tr>
<tr>
<td>37 W Irving Street</td>
<td>34 West Kirke Street</td>
</tr>
<tr>
<td>Chevy Chase MD</td>
<td>Chevy Chase MD</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>John Lynham</td>
<td>Phyllis Kass and</td>
</tr>
<tr>
<td></td>
<td>John Korrigan</td>
</tr>
<tr>
<td>37 W Irving Street</td>
<td>33 W Irving Street</td>
</tr>
<tr>
<td>Chevy Chase MD</td>
<td>Chevy Chase MD</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Amy Shephard Knight &amp;</td>
<td>Martin Weinstein</td>
</tr>
<tr>
<td>Edward Knight</td>
<td></td>
</tr>
<tr>
<td>32 w Irving Street</td>
<td>5815 Cedar Parkway</td>
</tr>
<tr>
<td>Chevy Chase MD</td>
<td>Chevy Chase MD</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Fig A.1 Existing Fence - Western view looking at 37 W Irving

Fig A.2. 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.

BOUNDARY SURVEY
PART OF LOT 6 & LOT 7
CHEVY CHASE: SECTION 2
PLAT: #106 / LIBER: 44014 FOLIO: 152
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 80'  DATE: 3/14/9

REAL ESTATE SURVEYORS & DEVELOPERS, LLC
Residential, Commercial, Industrial and Land
WWW: RESDLC.COM
LAUREL LANES EXECUTIVE PARK
8325 CHERRY LANE
LAUREL, MARYLAND 20707
TEL: 301/904-3103 FAX: 301/904-3108

Appraiser: Sasan Jalali  page 6

WEST IRVING STREET
(60' R, W)

EXISTING FENCE
See Figs A.1 and A.2

EXISTING TRASH AREA
See Figs A.3
Figure B.1 - Proposed Fence Plan

Boundary Survey

New 6' fence
see Figure C.1 for fence details
Fence height drops to 4'
at the back edge of the house

Fence height drops to 4' see
Figure C.2 for fence details

New Double gate -
6' wide and 4' in height
Same fence structure, height
and material shown in Figure
C.2 will be used to make the
double gate

NOTES:

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

I HEREBY CERTIFY THAT IMPROVEMENTS ARE
LOCATED AS SHOWN HEIR TO THE BEST
OF MY INFORMATION, SKILL, AND REECON.

Residential, Commercial, Industrial and Land
WWW: RESDILLC.COM
LAUREL LAKES EXECUTIVE PARK
8235 CHERRY LANE
LAUREL, MARYLAND 20707
TEL: 3011804-3105 FAX: 3011804-3108

Advises: Sasan Jalali