

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

<b>Address:</b>	7340 Westlake Terrace, Bethesda	<b>Meeting Date:</b>	1/8/2020
<b>Resource:</b>	Master Plan Site #29-16 <b>Locust Grove I (Samuel Magruder House)</b>	<b>Report Date:</b>	12/31/2019
<b>Applicant:</b>	1788/CAP 10 MD, LLC	<b>Public Notice:</b>	12/24/2019
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	No
<b>Case No:</b>	<b>29/16-20A</b>	<b>Staff:</b>	Dan Bruechert
<b>PROPOSAL:</b> Demolition and New Construction			

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**RECOMMENDATION**

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

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Individually Listed Master Plan Site #29-16 (*Samuel Magruder House*)  
**STYLE:** Federal  
**DATE:** c.1773 and 1973

*From Places from the Past:*

“Locust Grove was substantially larger than most houses of its era. William Wirt, who later became U.S. Attorney General, was a boarder at Locust Grove in 1783 and described the house as “a mansion,” being “a large two-story brick house.” Five bays wide, the substantial house features Flemish bond brick, a belt course above the first story, and double end chimneys. As originally built, each floor of the center hall plan had four rooms. Most of the interior woodwork dates from 1890s renovations. A massive stone and brick chimney on the kitchen wing may predate the main block.

Samuel Wade Magruder inherited the land in 1751 and built Locust Grove between 1773 and 1781. Magruder was a significant figure in the political life of the county through the late 1700s. He was lieutenant in the colonial militia in the 1750s, and during the Revolution served first as a captain and later a major in the Maryland militia. Magruder was one of the first justices to sit on the County Court, after Montgomery County was formed, serving from 1777 to 1790. Now located near Montgomery Mall, the house has been converted to commercial use. In 1985, a branch of Chevy Chase Savings and Loan opened on site.”

There is a non-historic bank teller building (c. 1973) 200’ from the Magruder House.



*Figure 1: The non-historic bank building is located approximately 200' from the historic Locust Grove house.*

## **BACKGROUND**

The HPC reviewed a preliminary consultation for a proposal to demolish the non-historic bank-teller building and construct a new drive-through building in the same approximate location at the May 7, 2019 HPC meeting.<sup>1</sup>

The HPC signaled their support for the non-historic building demolition, however, the HPC had additional questions and recommendations for the proposed new construction and recommended a second preliminary consultation. This scope of this HAWP only extends to the building demolition.

## **PROPOSAL**

The applicant proposes demolishing the c.1973 drive-through building.

## **APPLICABLE GUIDELINES**

Proposed alterations to individual Master Plan Sites are reviewed under Montgomery County Code Chapter 24A (Chapter 24A) and the Secretary of the Interior's Standards for Rehabilitation. Rehabilitation is defined 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,

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<sup>1</sup> The Staff Report for that hearing can be found here: <https://montgomeryplanning.org/wp-content/uploads/2019/05/III.B-7340-Westlake-Terrace-Bethesda.pdf> and the audio recording of that hearing can be found here: [http://mncppc.granicus.com/MediaPlayer.php?publish\\_id=8aec1013-719b-11e9-a164-0050569183fa](http://mncppc.granicus.com/MediaPlayer.php?publish_id=8aec1013-719b-11e9-a164-0050569183fa).

cultural, or architectural values.

***Montgomery County Code, Chapter 24A Historic Resources Preservation***

(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;

**Secretary of the Interior's Standards for Rehabilitation**

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, space, and spatial relationships that characterize a property will be avoided.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportions, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will 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**

There are two buildings at the subject property, the 1773 Locust Grove/Samuel Magruder House and a c.1973 drive-through bank teller building. The teller building is located at the corner of Westlake Terrace and Westlake Drive, in the northeast corner of the subject lot. The applicant proposes demolishing this building.

Staff finds that this building does not contribute to the historic character of the Master Plan site and is separated from the historic building by 200' (two hundred feet) across a parking lot. The removal of the drive-through building will not detract from the historic character of the site and will actually improve the visibility of the Magruder House from the surrounding area. Staff finds the proposal is compatible with 24A-8(b)(1) and (2) and Standards 2, 9, and 10 and recommends approval of this HAWP.

**STAFF RECOMMENDATION**

Staff recommends that the Commission approve the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(1) and (2), having found that the proposal, is consistent with and compatible in character with the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for Rehabilitation #2, 9, and 10;

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 [dan.bruechert@montgomeryplanning.org](mailto:dan.bruechert@montgomeryplanning.org) to schedule a follow-up site visit



**HISTORIC PRESERVATION COMMISSION**  
301/563-3400

DPS-#8 Site Plan #  
819840340

# APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: SZadeh@1788holdings.com Contact Person: Sam Zadeh  
Daytime Phone No.: 703-589-6821  
Tax Account No.: 01804038  
Name of Property Owner: 1788 Capito MD, LLC Daytime Phone No.: 703-589-6821  
Address: 4421 East-West Highway Bethesda MD 20814  
Street Number City State Zip Code  
Contractor: RKS Construction Inc. Phone No.: 240-308-9235  
Contractor Registration No.: \_\_\_\_\_  
Agent for Owner: Sam Zadeh Daytime Phone No.: 703-589-6821

## LOCATION OF BUILDING/REMODEL

House Number: 7340 Street: Westlake Terrace  
Town/City: Bethesda Nearest Cross Street: Westlake Drive  
Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: PAB-N-Lakeview Plat Ref. 12142  
Liber: 56491 Folio: 00389 Parcel: N509

## PART ONE: TYPE OF PERMIT ACTION AND USE

### 1A. CHECK ALL APPLICABLE:

- ☐ Construct ☐ Extend ☐ Alter/Remodel  
☐ 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: demo

1B. Construction cost estimate: \$ 6,800 -

1C. If this is a revision of a previously approved active permit, see Permit # no

## 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.

Sam Zadeh  
Signature of owner or authorized agent

11/25/19  
Date

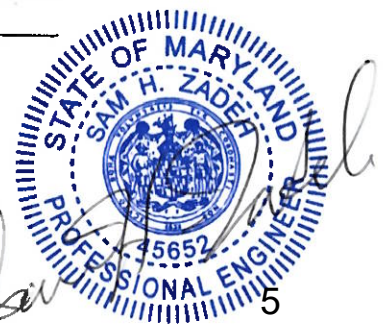
Approved: 898779 For Chairperson, Historic Preservation Commission

Disapproved: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application/Permit No.: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Date Issued: \_\_\_\_\_

Edt 5/21/99

**SEE REVERSE SIDE FOR INSTRUCTIONS**



**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:

*Mazroder House is designated as a Historic Building on this site. In 1980s it was converted to a bank branch and a drive through structure was added on the east corner of the lot.*

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

*The scope of this project is to demolish the drive through structure and remove its building which was added in 1980s.*

**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.

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

**7340 Westlake Terrace Bethesda MD 20817**

**Owner's mailing address**

1788/cap10 MD, LLC  
 4421 East-West Highway  
 Bethesda MD 20814

**Owner's Agent's mailing address**

**Adjacent and confronting Property Owners mailing addresses**

*Terrace*

~~7340 Westlake~~ Condominium  
 Location & Address:

7420 Westlake Terrace  
 Condo Unit B  
 Bethesda MD 20817

Magruder Discovery Development Corp. Confr

10500 Westlake Dr.

Mailing Address:

10400 Detrick Ave.

Kensington MD 20895-2440

Westlake Spring Condo.  
 10320 Westlake Dr.

Mailing Address:

7420 Westlake Terrace  
 Bethesda MD 20817

Montgomery Mall, LLC

10301 Westlake Dr.

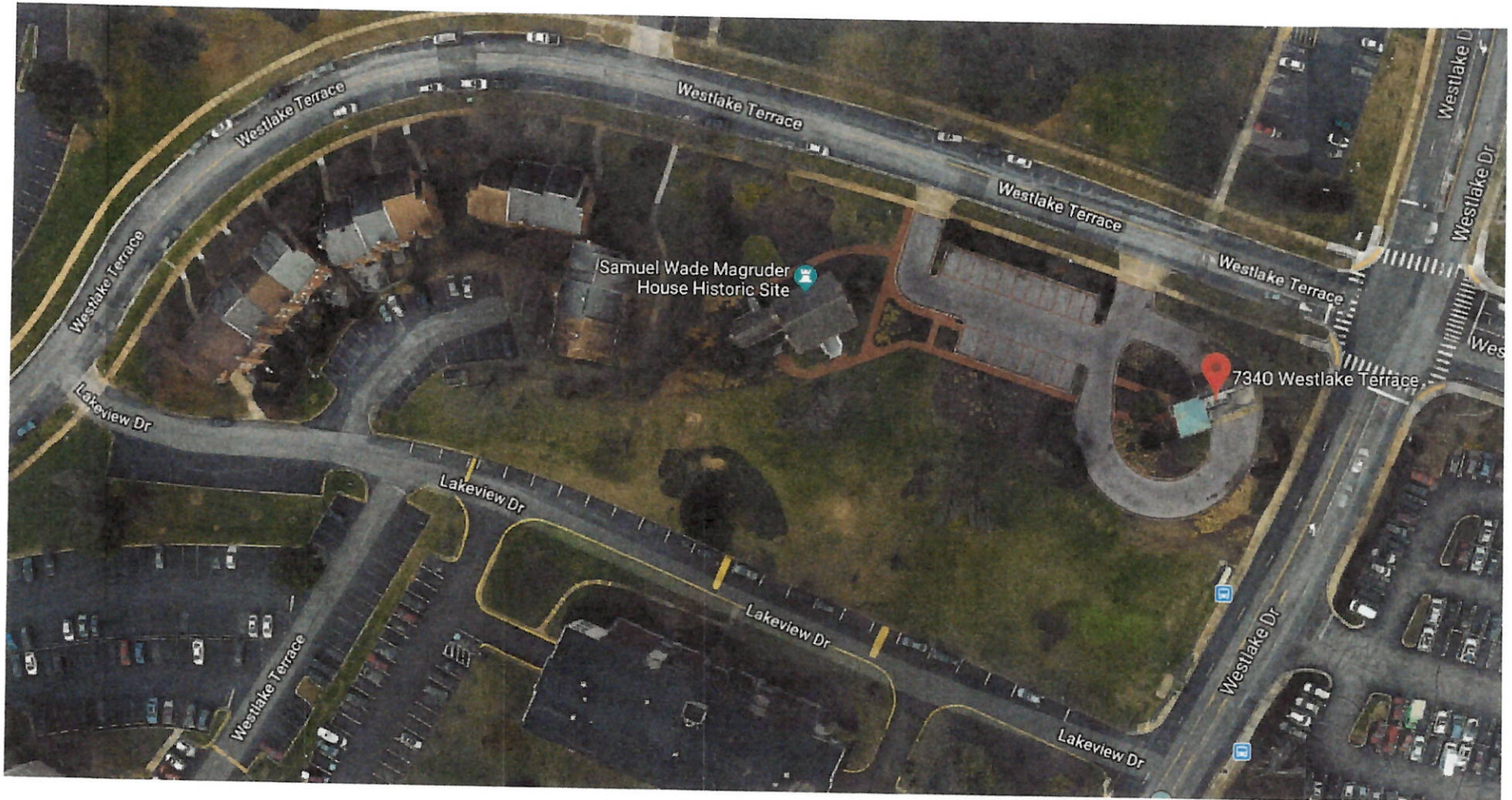
Mailing Address:

910 Westfield Prop. Tax Dept

P.O. Box 130940

Carlsbad, CA 92013-0940





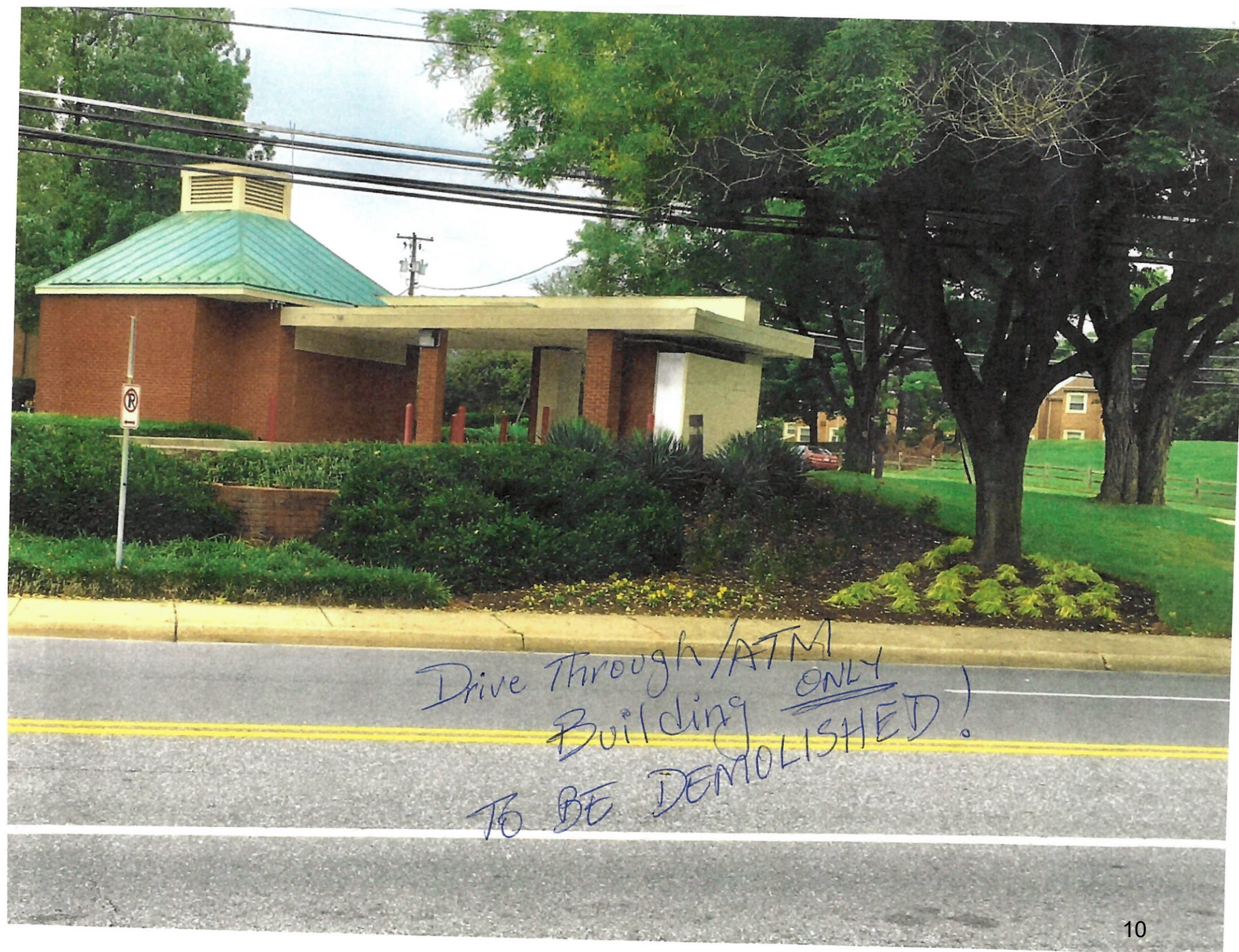




ONLY  
Drive Thru  
Structure  
To Be Demolished

Historic  
House  
TO REMAIN!









4421 East West Highway  
Bethesda, MD 20814  
1788holdings.com

December 2, 2019

To Whom it May Concern:

Please accept this letter as evidence that Sam H. Zadeh is authorized to execute the Application for Historic Area Work Permit associated with the project located at 7340 Westlake Terrace in Bethesda, Maryland.

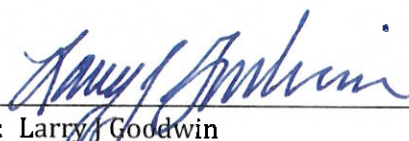
By:


1788/CAP 10 MD, LLC  
a Delaware limited liability company

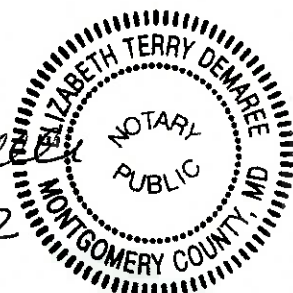
1788/CAP 10 Holdings, LLC  
a Delaware limited liability company, its sole member

By: 1788/CAP 10 GP, LLC, a Delaware limited  
liability company, its managing member

By: 1788 Holdings, L.L.C., a Delaware limited  
liability company, its managing member

By:   
Name: Larry J. Godwin  
Title: Sole Member

Signature:   
Commission expires: 5/18/22

A circular notary seal for Elizabeth Terry Demaree, a Notary Public in Montgomery County, MD. The seal features her name around the perimeter and "NOTARY PUBLIC" in the center.

# ***STATE OF MARYLAND***

## ***Department of Assessments and Taxation***

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I, MICHAEL L. HIGGS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO LIMITED LIABILITY COMPANIES, OR THE RIGHTS OF LIMITED LIABILITY COMPANIES TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT 1788/CAP 10 MD, LLC (Z18752113), REGISTERED APRIL 17, 2018, IS A LIMITED LIABILITY COMPANY EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF DELAWARE, AND THAT THE LIMITED LIABILITY COMPANY IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING TO TRANSACT BUSINESS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS DECEMBER 03, 2019.



Michael L. Higgs  
Director



*301 West Preston Street, Baltimore, Maryland 21201*  
*Telephone Baltimore Metro (410) 767-1340 / Outside Baltimore Metro (888) 246-5941*  
*MRS (Maryland Relay Service) (800) 735-2258 TT/Voice*

Online Certificate Authentication Code: A25TBcOShkygzb8PcofAmA  
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