I.

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address: 3 West Lenox St., Chevy Chase

Meeting Date: 3/11/2020

Resource: Contributing Resource
(Chevy Chase Village Historic District)

Report Date: 3/4/2020

Applicant: David Lashway and Katherine Silverthorne

Public Notice: 2/26/2020

Tax Credit: N/A

Review: HAWP

Staff: Michael Kyne

Case Number: 35/13-20I

PROPOSAL: Fenestration alterations

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STAFF RECOMMENDATION

Staff recommends that the HPC approve the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District

STYLE: Colonial Revival

DATE: c. 1892-1916

Fig. 1: Subject property.
PROPOSAL

The applicants propose fenestration alterations at the subject property.

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

(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 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 and 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.

The Guidelines state three basic policies that should be adhered to, including:

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

The Guidelines that pertain to this project are as follows:

**Doors** should be subject to strict scrutiny only with regard to their impact on landscaping, particularly mature trees. In all other respects, driveways should be subject to lenient scrutiny. Parking pads and other pacing front yards should be discouraged.

**Windows** (including window replacement) should be subject to lenient scrutiny if they are visible from the public right-of-way, lenient scrutiny if they are not.

**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:

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 DISCUSSION

The subject property is a c. 1892-1916 Colonial Revival-style Contributing Resource within the Chevy Chase Village Historic District. The applicants propose to replace the existing French doors on the second floor of the rear elevation with new wood casement windows and infill transoms.

Staff supports the applicants’ proposal. The proposed fenestration alterations are at the rear of the property, where they are not visible from the public right-of-way. The Guidelines state that “[a]lterations to the portion of a property that are not visible from the public right-of-way should be subject to very lenient review. Most changes to rear of the properties should be approved as a matter of course.” Additionally, the proposal alterations are designed in such a way that the property still contributes to the historic district. In accordance with Standards #2 and #9, the proposal will not remove or alter character-defining features of the subject property. There is another door which leads onto this balcony, so the area will continue to function as usable space.

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, (c), and (d), having found the proposal is consistent with the Secretary of the Interior’s Standards for Rehabilitation #2 and #9, and Chevy Chase Village Historic District Guidelines outlined above.

STAFF RECOMMENDATION

Staff recommends that the Commission approve the HAWP application only for alterations to the main house under the Criteria for Issuance in Chapter 24A-(b) 1 and 2, (c), and (d), 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 #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@montgomeryplanni.org to schedule a follow-up site visit.
HISTORIC PRESERVATION COMMISSION
301/563-3400
APPLICATION FOR
HISTORIC AREA WORK PERMIT

Contact Email: Ksilverthorne@me.com
Contact Person: Katherine Silverthorne
Daytime Phone No.: (202) 744-5143

Tax Account #: 116 07 00455594
Name of Property Owner: David Laslovy, Katherine Silverthorne
Daytime Phone No.: (202) 744-5143
Address: 3 W Lenox St., Chevy Chase, MD 20815
City: Chevy Chase
Zip Code: 20815

Contractor: Window & Door Shaped Inc.
Phone No.: 703-506-3650
Contractor Registration #: 128701
Agent for Owner: Katherine Silverthorne
Daytime Phone No.: (202) 744-5143

LOCATION OF BUILDING/PREMISE
House Number: 3
Street: (w) Lenox St.
Town/City: Chevy Chase
Nearest Cross Street: Connecticut Ave.
Lot: 43
Subdivision: Section no. 7
Lib.: 22144
Folio: 779
Parcel:

PART 1: TYPE OF PERMIT, ACTION & USE

1A. CHECK ALL APPLICABLE:
☐ Construct ☐ Extend ☐ Alter/Rehab
☐ Move ☐ Install ☐ Wreck/Raze
☐ Revision ☐ Repair ☐ Revocable

1B. Construction cost estimate: $81,300

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

PART 2:擬MATERIALS FOR NEW CONSTRUCTION AND EXISTING ADDITIONS

2A. Type of sewage disposal: ☐ 01 WSSC ☐ 02 Septic ☐ 03 Other:

2B. Type of water supply: ☐ 01 WSSC ☐ 02 Well ☐ 03 Other:

PART 3: COMPUTERIZED SUBSTANTION 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/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.

Katherine Silverthorne
Signature of owner or authorized agent

2/4/20

Date

Approved: ________________
For Chairperson, Historic Preservation Commission

Disapproved: ________________
Signature: __________________
Date: ________________

Applications/Permit No.: 704491

SEE REVERSE SIDE FOR INSTRUCTIONS
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:

   305 Lenox St is a single family house in Cherry Chase Village. The house is four square style, with pedestal, dash, stucco and wood trim. The front facade of the house features a porch with original stone work. The back facade was renovated sometime between 2003-2012. The house faces the back of the Village Hall.

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

   Replace two sets of French doors leading to second floor patio with two sets of patio-out casement windows with usually similar light cuts. Current doors leak moisture and cold air. Doors and deck face rear of the property.

2. SITE PLAN
   Site and environmental setting, drawn to scale. You may use your plan. 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 resources 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 8" 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 at or 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.
<table>
<thead>
<tr>
<th>Owner's mailing address</th>
<th>Owner's Agent's mailing address</th>
</tr>
</thead>
<tbody>
<tr>
<td>David Lashway &amp; Katherine Silverthorne</td>
<td></td>
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<tr>
<td>3 W. Lenox St.</td>
<td></td>
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<tr>
<td>Chevy Chase, MD 20815</td>
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<table>
<thead>
<tr>
<th>Adjacent and confronting Property Owners mailing addresses</th>
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<tbody>
<tr>
<td>Maya MacGuiness &amp; Robin Brooks</td>
</tr>
<tr>
<td>5 W. Lenox St.</td>
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<tr>
<td>Chevy Chase, MD 20815</td>
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<tbody>
<tr>
<td>Ed &amp; Mary Bartlett</td>
</tr>
<tr>
<td>4 W. Melrose St.</td>
</tr>
<tr>
<td>Chevy Chase, MD 20815</td>
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<tr>
<td>Jonathan E. &amp; Susan H. Colly</td>
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<tr>
<td>G000 Connecticut Ave.</td>
</tr>
<tr>
<td>Chevy Chase, MD 20815</td>
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</tbody>
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GENERAL NOTES:
1) Property shown in Montgomery County Tax Assessment Map Book page 301-41.
2) Property is recorded among the Land Records of Montgomery County, Maryland in Liber 22014 at Folio 778 and is shown on Plat Book 2 Plat 106.
3) Premises Address:
   123 West Lenox Street
   Chevy Chase, Maryland 20815-4266
4) The information shown herein has been prepared without the benefit of a Title Report, therefore may not reflect or easements or encumbrances which may affect the subject property.
5) All property corners have been recovered or set and verified per field survey performed June 14, 2017.
6) P.O.L. indicates a point set on property line.
   O.P.F. indicates an open pipe fence.

WEST LENOX STREET
(60' B/W per Plat)

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREIN HAS BEEN BASED UPON THE RESULTS OF A FIELD SURVEY PERTAINING TO THE BOUNDARY LINE OF THE PROPERTY SHOWN ON THIS PLAN. THE INFORMATION SHOWN ON THIS PLAN IS BASED ON THE BEST INFORMATION TO WHICH I HAVE ACCESS.

PLAT OF SURVEY
BOUNDARY
LOT 2 & PART OF LOT 1
BLOCK 43
SECTION NO. 2
CHEVY CHASE
BETHESDA (716) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

REFERENCES

SNIDER & ASSOCIATES
LAND SURVEYORS
20070 Gaithersburg Rd, Suite 110
Germantown, Maryland 20876
301/496-9100, Fax 301/496-1100

MARYLAND PROFESSIONAL LAND SURVEYOR #7130
Expires 01/01/2020

SNIDER & ASSOCIATES
LAND SURVEYORS
20070 Gaithersburg Rd, Suite 110
Germantown, Maryland 20876
301/496-9100, Fax 301/496-1100

DATE OF LOCATIONS: 06/14/2017
JOB NO.: 17-0173
Construction Plan - 3 W Lenox

NOT TO SCALE

Wood Trim

JELD-WEN Pushout Wood French Casement Windows

Pebble Dash Stucco

Silverthorne & Lashway Home
North Facade – Second Floor Detail
3 W Lenox St, Chevy Chase, MD 20815
Rear Elevation: Renovation Site in Detail

Back Elevation:
Work to replace two doors on patio pictured

Detail:
Patio Doors to be replaced
QUOTE BY: Sean McClellan
SOLD TO: Katherine Silverthorne
3 W. Lenox Street
Bethesda, MD 20815
Phone: 202-744-5143

QUOTE #: JSM101368
SHIP TO: Katherine Silverthorne
3 W. Lenox Street
Bethesda, MD 20815
Phone: 202-744-5143

PROJECT NAME:
REFERENCE:

U-Factor Weighted Average: 0.27
SHGC Weighted Average: 0.26

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<th>LINE NO.</th>
<th>LOCATION SIZE INFO</th>
<th>BOOK CODE DESCRIPTION</th>
<th>QTY</th>
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QQ-2.20.900.3230 cust-049772
Quote Date: 10/22/2019

Page 1 of 2 (Prices are subject to change.)

Drawings are for visual reference only and may not be to exact scale. All orders are subject to review by JELD-WEN

JSM101368 - 2/3/2020 - 2:47 PM
Last Modified: 2/3/2020

11
<table>
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<th>LINE NO.</th>
<th>LOCATION SIZE INFO</th>
<th>BOOK CODE DESCRIPTION</th>
<th>QTY</th>
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<tbody>
<tr>
<td>Line-3</td>
<td></td>
<td>LABOR. MULL TRANSOMS TO WINDOWS. FULL REPLACEMENT UNITS WITH NEW INTERIOR AND EXTERIOR TRIM. TOTAL CHARGE FOR BOTH DOORS (non-taxable)</td>
<td>1</td>
</tr>
</tbody>
</table>

**Total Units:** 5

Protect yourself when you choose JELD-WEN® AuraLast® pine products backed by a limited lifetime warranty against wood rot and termite damage.

Note: For CA Title 24 applications, refer to weighted average U-Factor and SHGC, and discuss with California energy consultant to ensure compliance with code.
Existing Property Condition Photographs (duplicate at needed) – 3 W Lenox St.

Detail: Back Elevation (facing North)

Detail: Patio on 2nd Floor back elevation – doors to be replaced (facing North)

Applicant: Katherine Silverthorne
Existing Property Condition Photographs (duplicate at needed) -- 3 W Lenox St

Detail: Front Elevation (facing South)

View from public right of way

Detail: West Elevation

Applicant: Katherine Silverthorne
Existing Property Condition Photographs (duplicate at needed) – 3 W Lenox St

Detail: East Elevation from Front

Detail: East Elevation from Rear

Applicant: Katherine Silverthorne