

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 |
| Review: | HAWP | Tax Credit: | N/A |
| Case Number: | 35/13-20I | Staff: | Michael Kyne |
| PROPOSAL: | Fenestration alterations | | |

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

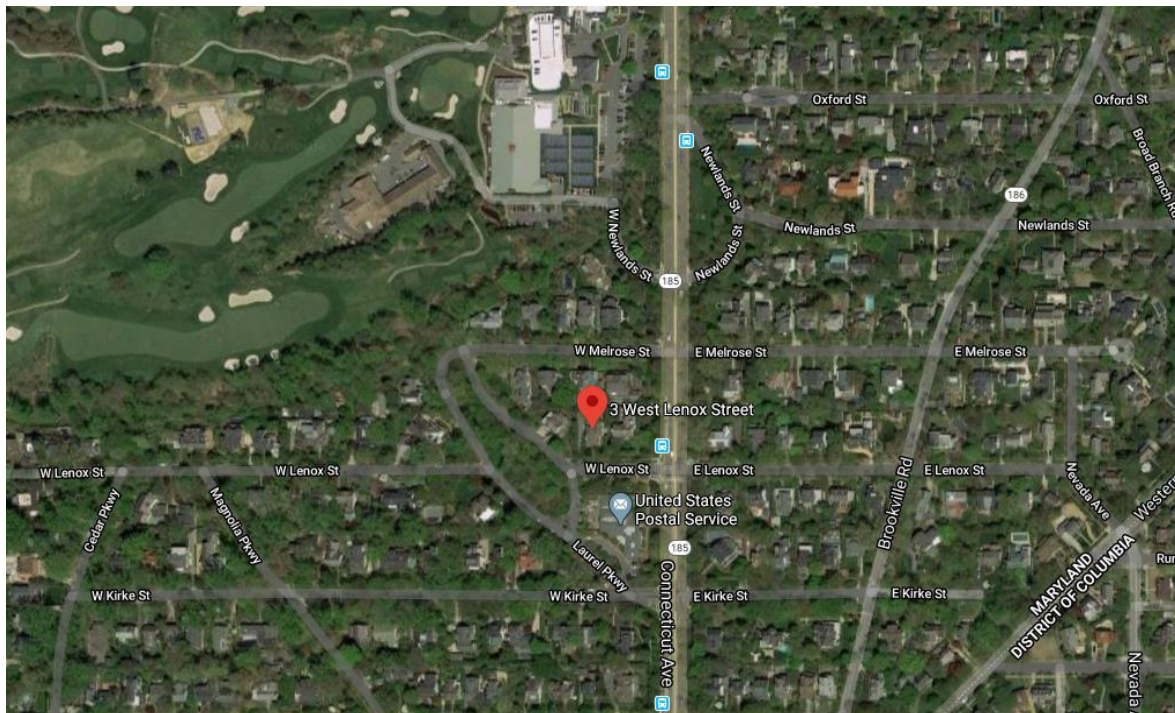


Fig. 1: Subject property.

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 paving 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-8(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@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: KSilverthorne@me.com Contact Person: Katherine Silverthorne
Daytime Phone No.: (202) 744-5143
Tax Account No.: 16 07 00455554
Name of Property Owner: David Lashway, Katherine Silverthorne Daytime Phone No.: (202) 744-5143
Address: 3 W Lenox St. Chevy Chase MD 20815
Street Number City State Zip Code
Contractor: Window & Door Showplace Inc. Phone No.: 703-506-3650
Contractor Registration No.: 128201
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: 2nd part of Block: 43 Subdivision: Section no. 7
Liber: 22944 Folio: 178 Parcel:

PART ONE: TYPE OF PERMIT ACTION AND USE

1A. CHECK ALL APPLICABLE:

- ☐ Construct ☐ Extend ☒ Alter/Renovate
☐ 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:

1B. Construction cost estimate: \$ 8130⁰⁰

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.

Katherine Silverthorne
Signature of owner or authorized agent

2/4/20
Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

Application/Permit No.: 404491 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:

3 W Lenox St is a single family house in Cherry Chase Village. The house is four square style, with pebble 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 push out casement windows with usually similar left 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 plat. Your site plan must include:

- the scale, north arrow, and date;
- dimensions of all existing and proposed structures; and
- 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.

- 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.
- 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

- 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.
- 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.

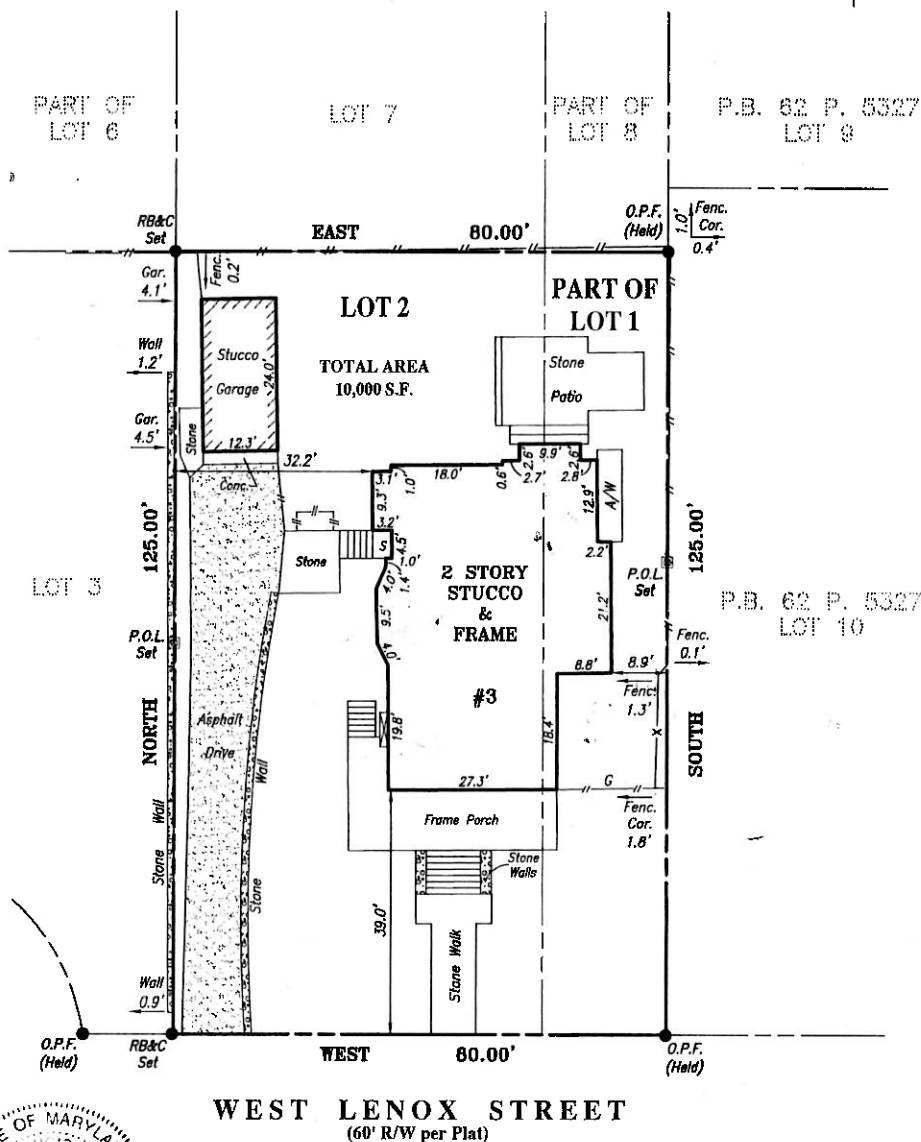
7. ADDRESSES OF ADJACENT AND CONFRONTING PROPERTY OWNERS

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.

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


| | |
|--|--|
| Owner's mailing address David Lashway & Katherine Silverthorne 3 W Lenox St. Chevy Chase, MD 20815 | Owner's Agent's mailing address |
| Adjacent and confronting Property Owners mailing addresses | |
| Maya MacGuiness & Robin Brodes 5 W Lenox St Chevy Chase, MD 20815 | |
| Ed & Mary Bartlett 4 W Melrose St. Chevy Chase, MD 20815 | |
| Jonathan E & Susan H Colby 6000 Connecticut Ave. Chevy Chase, MD 20815 | |

- 1) Property shown in Montgomery County Tax Assessment Map Book page HW-41.
- 2) Property is recorded among the Land Records of Montgomery County, Maryland in Liber 22944 at Folio 778 and is shown on Plat Book 2 Plat 106.
- 3) Premises Address:
3 West Lenox Street
Chevy Chase, Maryland 20815-4266
- 4) The information shown hereon has been prepared without the benefit of a Title Report, therefore may not reflect all 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 found.

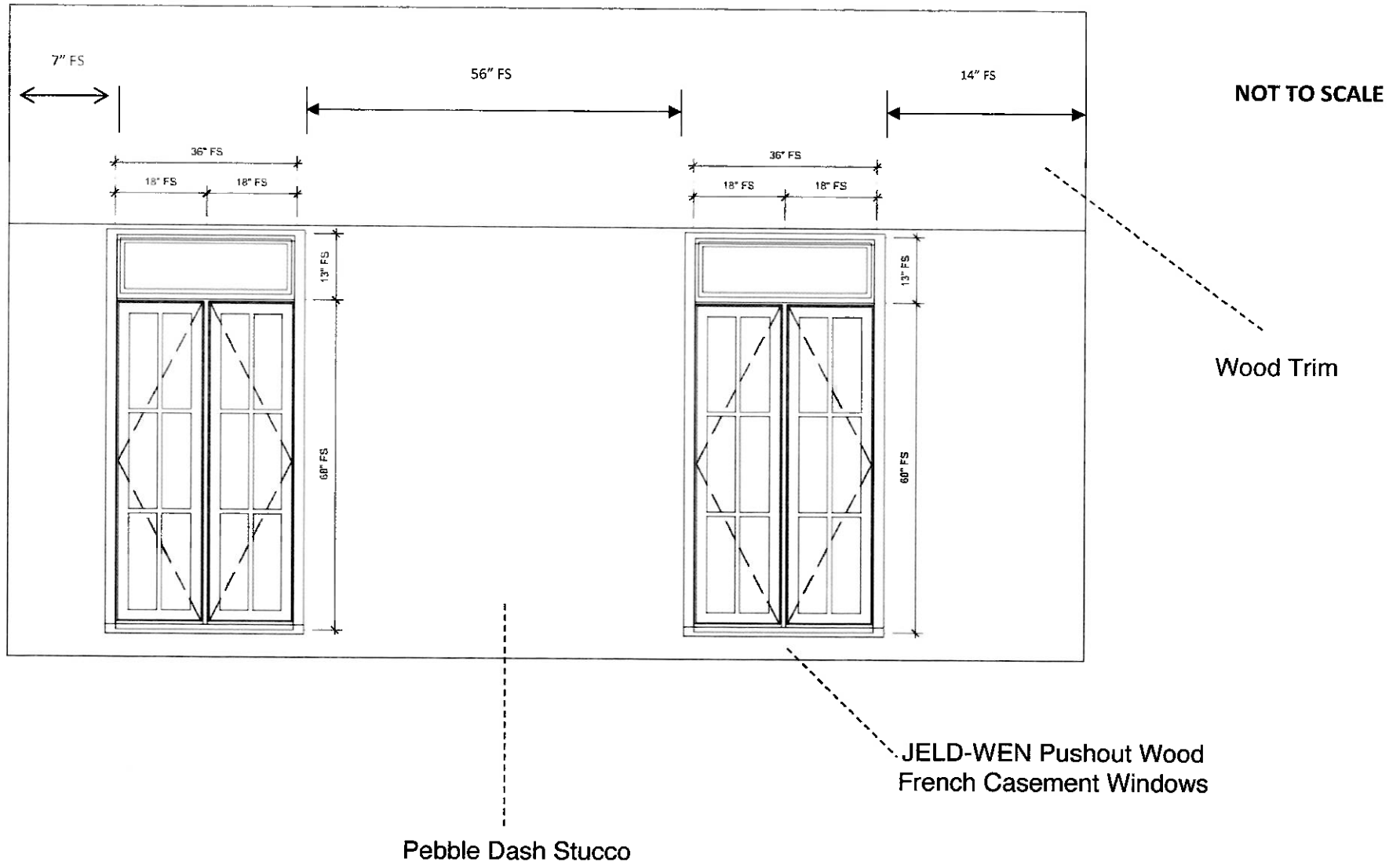


I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON HAS BEEN BASED UPON THE RESULTS OF A FIELD SURVEY PURSUANT TO THE DEED OR PLAT OF RECORD. PROPERTY MARKERS HAVE BEEN RECOVERED OR PLACED IN ACCORDANCE WITH THE INFORMATION SHOWN. THIS PLAT AND THE FIELD SURVEY UPON WHICH IT IS BASED WAS PREPARED UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE REGULATIONS GOVERNING LAND SURVEYING IN THE STATE OF MARYLAND.

**PLAT OF SURVEY
BOUNDARY
LOT 2 & PART OF LOT 1
BLOCK 43
SECTION No. 2
CHEVY CHASE
BETHESDA (7th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND**

| | | | | |
|--------------|--|---|---|-------------------|
| REFERENCES | |  | SNIDER & ASSOCIATES LAND SURVEYORS 20270 Goldenrod Lane, Suite 110 Germantown, Maryland 20876 301/948-6100, Fax 301/948-1255 | |
| PLAT BOOK: 2 | | | | |
| PLAT: 106 | | | | |
| | | | | |
| LIBER 22944 | | DATE OF LOCATIONS | | SCALE: 1" = 20' |
| FOLIO 778 | | HSE. LOC.: N/A | | DRAWN BY: M.N.B. |
| | | PROPERTY CORNERS SET: 08/14/2017 | | JOB NO.: 17-01736 |

Construction Plan - 3 W Lenox



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:

PO#:

REFERENCE:

Ship Via: Ground/Next Truck

U-Factor Weighted Average: 0.27

SHGC Weighted Average: 0.26

| LINE NO. | LOCATION SIZE INFO | BOOK CODE DESCRIPTION | QTY |
|----------|-----------------------|--------------------------|-----|
|----------|-----------------------|--------------------------|-----|

Line-1

RO Size: 36 3/4 X 66 3/4



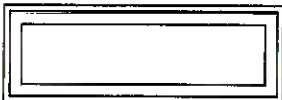
Viewed from Exterior. Scale: 1/4" = 1'

CWPOCFR3666
Frame Size : 36 X 66
(Outside Casing Size: 36 X 66)
Custom Push Out Wood Casement, Auralast Pine, French Casement
Primed Exterior,
Primed Interior,
No Exterior Trim,
4 9/16 Jamb,
Stationary,
Insulated Low-E Tempered Glass, Neat, Protective Film, Black Spacer,
Argon Filled, Traditional Glz Bd,
Primed Wood SDL, 7/8" Bead SDL w/Perm Wood Trad'l. Bead Int
BAR, Light Bronze Shadow Bar, Colonial 2 Wide 3 High
Contemporary Screen Stop
Product Warranty Covers Accidental Glass Breakage,
U-Factor: 0.27, SHGC: 0.25, VLT: 0.48, Energy Rating: 21.00, CPD:
JEL-N-711-02052-00001
PEV 2019.4.0.2804/PDV 6.376 (12/06/19) PW

2

Line-2

RO Size: 36 3/4 X 13 1/4



Viewed from Exterior. Scale: 1/2" = 1'

Frame Size : 36 X 12 1/2
(Outside Casing Size: 36 X 12 1/2)
Custom Wood Geometric, Auralast Pine, Direct Set Rectangle,
Primed Exterior,
Primed Interior,
No Exterior Trim,
4 9/16 Jamb,
Jamb alignment to match Casement/Awning ,
US National-WDMA/ASTM, PG 35,
Insulated Low-E Annealed Glass, Neat, Protective Film, Black Spacer,
Argon Filled,
Contemporary Screen Stop
Product Warranty Covers Accidental Glass Breakage,
U-Factor: 0.26, SHGC: 0.32, VLT: 0.60, Energy Rating: 26.00, CPD:
JEL-N-679-03691-00001
PEV 2019.4.0.2804/PDV 6.376 (12/06/19) PW

2

| LINE NO. | LOCATION SIZE INFO | BOOK CODE DESCRIPTION | QTY |
|----------|-----------------------|--------------------------|-----|
|----------|-----------------------|--------------------------|-----|

Line-3

LABOR. MULL TRANSOMS TO WINDOWS. FULL REPLACEMENT
UNITS WITH NEW INTERIOR AND EXTERIOR TRIM. TOTAL CHARGE
FOR BOTH DOORS
(non-taxable)

1

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) *View from 4 W Melrose St*



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



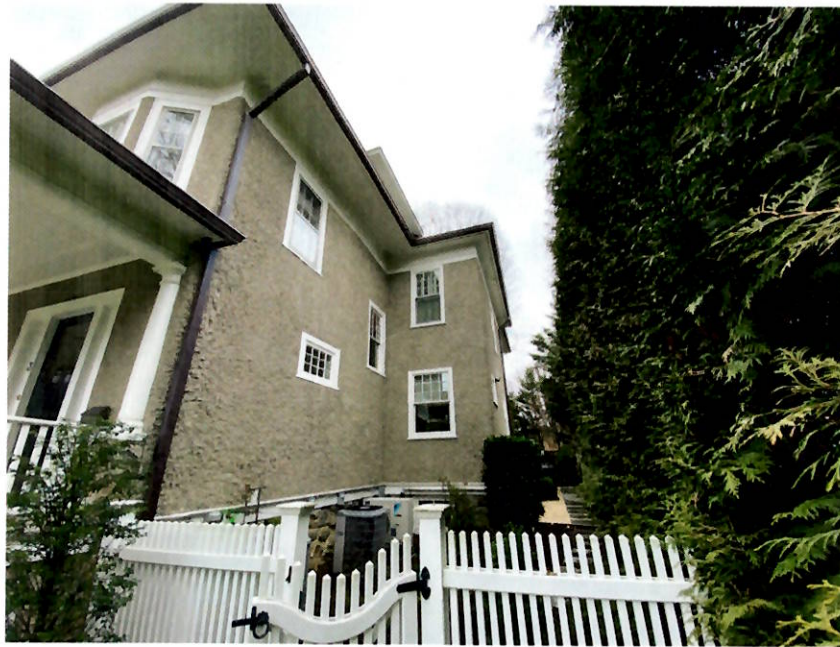
Detail: Front Elevation (facing South)

View from public Right of Way

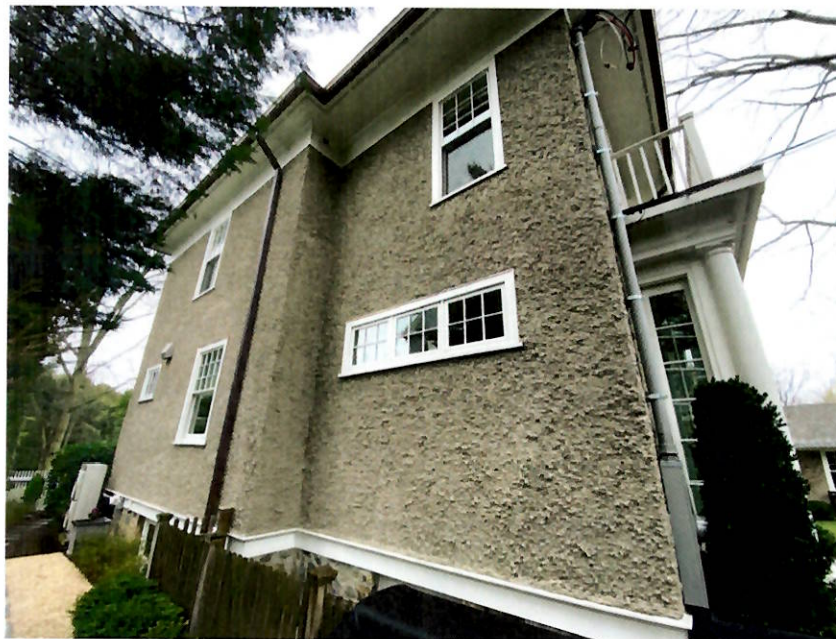


Detail: West Elevation

Existing Property Condition Photographs (duplicate at needed) – 3 W Lenox St



Detail: East Elevation from Front



Detail: East Elevation from Rear

Applicant: Katherine Silverthorne

Page: 3/3