

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	5419 Mohican Rd., Bethesda	Meeting Date:	6/24/2020
Resource:	Master Plan Site 35/29-2 R.A. Charles Castle	Report Date:	6/17/2020
Applicant:	J. Ross McNair	Public Notice:	6/10/2020
Review:	HAWP	Tax Credit:	n/a
Case Number:	35/29-20A	Staff:	Dan Bruechert
Proposal:	New Construction		

STAFF RECOMMENDATION

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

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Individual Master Plan Site (35/29-2)
STYLE: Vacant
DATE: N/A

From *Places from the Past*:

“This residence was built the same years as the more elaborate and larger scale Baltzley Castle, yet was also built of locally quarried stone, continuing the theme envisioned Rhineland on the Potomac. Both residences were built to take advantage of a dramatic view of the Potomac River. With its multi and diamond pane windows, hipped roof and polygonal wing, and turned porch posts, the Charles Castle is essentially a Queen Anne style house sheathed in stone. R.A. Charles, an employee of the Treasury Department, bought land from Edward Baltzley in February 1890 and built the house soon thereafter. The *Manufacture’s Record* of 1891 stated that Mindeleff designed a Glen Echo Heights house for Edwin Baltzley for \$7,000.”



Figure 1: The proposed house will be constructed on the lot to the southeast of the R.A. Charles Castle but within the established environmental setting.

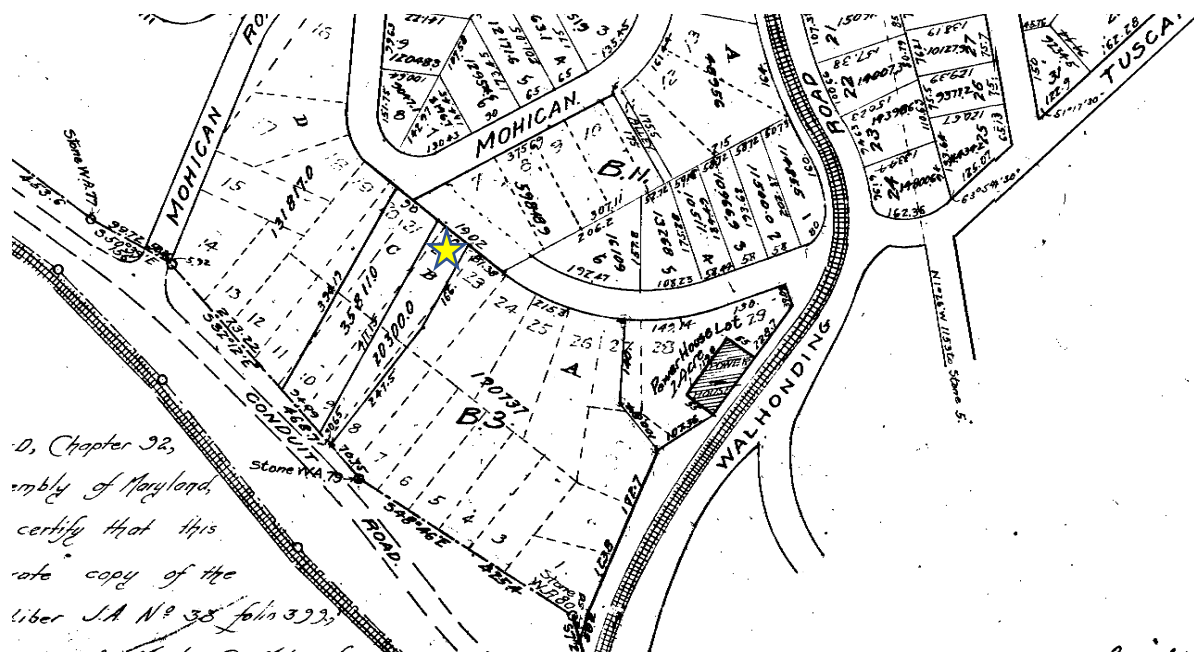


Figure 2: 1892 plat map showing the platted lots for the R.A. Charles Castle and the subject property (starred). Note: the dashed road to the north of the subject property was never constructed.

BACKGROUND

A first preliminary consultation for the proposed construction of a single-family house on this lot was held on May 21, 2019.¹ The questions and comments from the HPC generally focused on the impact the proposed house would have on the R.A. Charles Castle. The HPC requested additional information and perspective views. There were additional questions about the hardscaping/landscaping and the compatibility of the size of the proposed construction compared to the historic house.

Public comments were also provided both in writing and in person at the hearing. The comments were focused on preserving the views of the historic buildings from Mohican, the size of the proposed building and its compatibility with zoning requirements, preservation of the trees on the site, and consideration that the Mohican Rd. elevations are the primary views of the historic house.

A second preliminary consultation was held on August 14, 2019.² The applicant provided additional information, made minor revisions to the house design, and returned for a second preliminary consultation for feedback on the design moving forward. The applicant included updated perspective renderings of the property from both Mohican Rd. and Macarthur Blvd. The HPC's feedback was that the proposal was too large and detracted from the historic character of the R.A. Charles Castle. The HPC also voiced support for breaking up the massing of the proposed new construction to make the proposal more compatible. A staff write-up of the comments made by the HPC is attached to the application materials.

A third preliminary consultation was heard at the September 25, 2019 HPC meeting.³ The proposed construction at that meeting was narrowed by 5' (five feet), lengthened by 5' (five feet), and was relocated 5' (five feet) to the north on the lot. The HPC was virtually uniform in finding that the proposed construction was too large to be compatible with the Master Plan Site and the proposal needed to be revised for a reduction in size and scale.

A fourth preliminary consultation was heard at the December 18, 2019 HPC meeting.⁴ The HPC recommended the building be further reduced in size and mass, that the house should have a one-story massing toward the north elevation rising to two stories to the south, and recommended the house could be lowered further in the ground which would have the effect of lowering the building's overall height.

A HAWP application was submitted for consideration at the February 12, 2020 HPC meeting, however,

¹ The Staff Report from the May 21, 2019 Preliminary Consultation can be found here:

<https://montgomeryplanning.org/wp-content/uploads/2019/05/II.B-5419-Mohican-Road-Bethesda.pdf>. The audio of this hearing can be found here: http://mncppc.granicus.com/MediaPlayer.php?publish_id=b1ece58c-7caa-11e9-a084-0050569183fa.

² The Staff Report from the August 14, 2019 2nd Preliminary Consultation can be found here:

<https://montgomeryplanning.org/wp-content/uploads/2019/08/II.A-5419-Mohican-Road-Bethesda-complete-report.pdf>. Audio of the hearing can be found here: http://mncppc.granicus.com/MediaPlayer.php?publish_id=9a9748eb-bf66-11e9-b703-0050569183fa.

³ The Staff Report from the September 25, 2019 3rd Preliminary consultation can be found here:

<https://montgomeryplanning.org/wp-content/uploads/2019/09/III.B-5419-Mohican-Road-Bethesda.pdf> and the audio recording of the meeting can be found here: http://mncppc.granicus.com/MediaPlayer.php?publish_id=231fd517-e062-11e9-9542-0050569183fa. The hearing begins at 1:32:00

⁴ The Staff Report from the December 18, 2019 HPC meeting can be found here:

<https://montgomeryplanning.org/wp-content/uploads/2019/12/II.B-5419-Mohican-Road-Bethesda.pdf> and the audio recording can be heard here: http://mncppc.granicus.com/MediaPlayer.php?publish_id=d7f65486-2283-11ea-a240-0050569183fa. The hearing begins at 1:21:42.

the applicant withdrew consideration of the proposal prior to the meeting. Following that submission, HP Staff met with the applicant and his architect to discuss alterations that could lead to a successful project.

PROPOSAL

The applicant proposes to construct a new house with a detached garage on the undeveloped Lot B shown in Figure 2 (above). Tree removal and associated site alterations are also proposed.

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 (*Standards*). 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, cultural, or architectural values. The pertinent information in these documents is outlined below.

Montgomery County Code, Chapter 24A Historic Resources Preservation

(a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within a historic district, and to the purposes of this chapter.

(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.

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

The applicant proposes constructing a new house on the existing, narrow, wooded, steeply-sloped lot to the southeast of the R.A. Charles Castle. The Baltzley and R.A. Charles Castles are positioned high on a bluff overlooking the Potomac River.⁵ The proposed construction will also be placed on this bluff to take advantage of this vista, but also so that it does not disrupt the view of the R.A. Charles Castle from MacArthur Blvd. below. This viewshed is likely why the houses were constructed in this location in the first place. The vista is a significant feature of the environmental setting of the Master Plan Site and should be preserved. The historic houses are accessed from Mohican Rd. and have Mohican Rd. addresses; however, the more elaborate, architecturally significant elevations for both historic houses face south, toward the river. While this Staff Report will refer to both the R.A. Charles Castle and the Baltzley Castle, that information is only provided for context. All analysis of the proposed construction discussed in this Report is only undertaken in consideration of the impact to the proposal will have within the environmental setting of the R.A. Charles Castle.

In evaluating infill construction within a Master Plan site many criteria need to be evaluated and weighed. The first is the larger context of the environmental setting. For example, appropriate development in a historic farmstead would utilize different architecture types, sizes, and settlement patterns than new infill construction within an existing suburban development. In almost all cases, the new construction should be designed so that it is subservient to the principle resource; lower in height, smaller in size, with a lesser degree of architectural embellishment. To design a compatible yet differentiated design, the materials and architectural style of the proposed construction could be similar to the primary resource or they could be different, the evaluation and analysis needs to be specific to the identified historic resource. The primary consideration is how well the proposed construction ‘fits’ within the larger context.

In evaluating new construction within the environmental setting of a manor house/mansion, the new building should generally be subservient to the historic house. Frequently, this would result in a building that took the form of a period-appropriate carriage house or some other outbuilding or dependency. An example of an appropriately sized infill construction is the garage reviewed and approved by the HPC at the neighboring Baltzley Castle. The scale and architecture of this garage are larger than what would be considered appropriate in a more suburban setting. Some consideration should be given to the size of the property and how far the proposed construction will be to the historic resource.

⁵ The R.A. Charles Castle and the Baltzley Castle were constructed as part of a larger development scheme called “Rhineland on the Potomac” which was abandoned shortly after these two houses were complete. The two houses are each individually listed Master Plan Sites; and the proposed new construction is within the environmental setting of the R.A. Charles Castle Site (35/29).

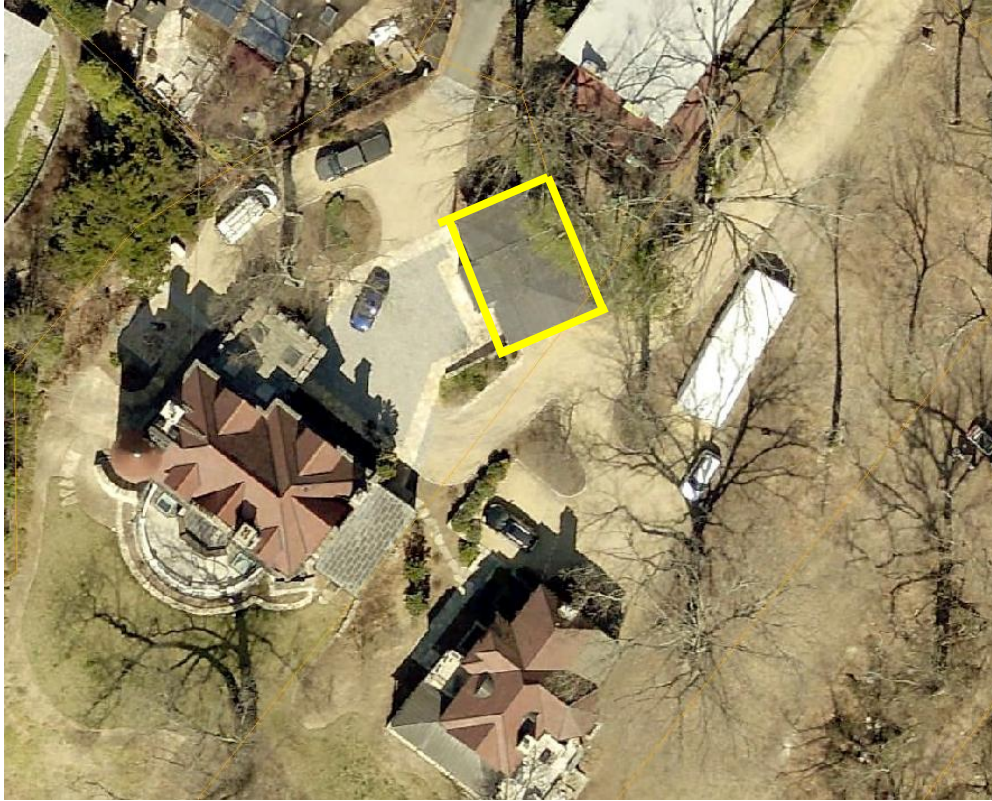


Figure 3: Baltzley Castle (left) with its approved and constructed carriage house (outlined in yellow).

In the unique situation before us, where the lot has been platted as buildable since 1892, Staff has taken the position that construction larger than something evocative of a carriage house or an accessory building would be appropriate. A single-family house on this lot has been contemplated since it was recorded. Also note, Mohican Rd. was designed to extend along the rear property boundary of this lot (see Fig. 2) but never constructed.

The guidance provided by Staff and the HPC to the owner at the previous hearings and meetings was consistent, recommending that the house had to be smaller than what had been proposed to be compatible and in a location that allowed the R.A. Charles Castle to retain its primacy.

The applicant has presented four iterations of design for a house in this location that have been evaluated at prior preliminary consultations. At the December 18, 2019, preliminary hearing the HPC recommended four design revisions to achieve an approvable project:

1. The footprint of the building (above grade) should be further reduced. The Staff report recommended a 25-30% reduction would be appropriate.
2. A further reduction in mass than the previous iteration.
3. The house could have a section of one-story massing to the north with a two-story massing towards the rear (an example of this is shown in Fig. 6, below).
4. The house could be sunk further into the ground so that instead of having a walkout basement, the basement would be 3 or 4 steps below ground level. This would lower the height of the house further without losing occupiable space.

This HAWP proposal has slightly reduced the overall house dimensions, changed some window placement, altered the roof form and introduced a larger roof overhang, and reduced the north porch size. The design changes made are limited in scale and scope.

Staff finds that:

- 1) The applicant has reduced the house width from approximately 50' (fifty feet) in the original proposal to 34' (thirty-four feet) in the current proposal;
- 2) The massing of the design has only seen minimal revisions; and
- 3) That some of the design revisions have created an incongruous, incompatible architectural design.

Staff recommends the HPC deny the HAWP application based on the standards set forth in Chapter 24A and Standards 2 and 9.

House Placement

The house is placed in the same location as the proposal submitted at the previous Preliminary Consultations. The south elevation of the proposed house aligns with the rear wall plane of the R.A. Charles Castle. The house is placed to avoid the large sycamore tree shown on the illustrated elevation drawings. The proposed garage is placed in the northeast corner of the lot.

To reinforce the primacy of the R.A. Charles Castle, Staff recommended that the applicant place the house towards the northern end of the lot to the greatest extent practicable so that the new construction will not visually compete with R.A. Charles Castle from the architecturally significant MacArthur Blvd. vista. This location will help to preserve the historic character of the property (Standard 2) and the viewshed when viewed from MacArthur Blvd. In discussion with Staff and as mentioned at the August 14th HPC meeting, moving the house any further to the north would require the removal of a 50" (fifty-inch) d.b.h. pine tree. While this tree may yet need to be removed to accommodate the construction, Staff finds the house placement to be generally appropriate for infill construction on this lot under 24A-8(b)(2).

In response to questions raised by the HPC at a previous hearing, Staff further finds that the proposed location will not have any impact on the neighboring Mohican Swim Club further down the hill; however, the HPC's purview is limited to impacts on the environmental setting of the Master Plan site and not on properties that have not been designated historic. Other site considerations including erosion and sediment control impacts to adjacent properties are within the purview of the Department of Permitting Services (DPS). While sediment control is the purview of DPS, an approved HAWP is required for regrading on the site. The full extent of regrading on site was not included with the HAWP application. Staff cannot provide a recommendation as to the appropriateness of site regrading.

House Size and Design

House dimensions are dictated by the very long, very narrow lot. Staff and the HPC found the previous designs to be too large to be compatible with and deferential to the R.A. Charles Castle. Because not all iterations of the proposed construction included dimensions, it is challenging for Staff to conduct a thorough analysis as to the amount of square footage reduced or volume that has been eliminated through the design revisions. However, the question before the HPC is not whether the design has been reduced by a dictated percentage; the question the HPC needs to answer is whether or not the proposed construction is compatible in size, design, massing, and materials with the designated environmental setting of the R.A. Charles Castle. Staff finds it is not.

Conducting an analysis for architectural compatibility within a historic context requires an evaluation and consideration of several factors: dimensions of the proposal, massing, design, materials, and any additional site-specific considerations.

Size

The subject property is approximately 410' (four hundred ten feet) long and ranges from approximately 30' – 63' (thirty to sixty-three feet) wide. When required setbacks are considered, this configuration requires a house that is longer than it is narrow. Staff finds on this site, a narrow house is preferable because it allows for more distance between the new construction and the R.A. Charles Castle and allows the R.A. Charles Castle to maintain its primacy on the site. The proposed 34' (thirty-four feet) width of the new construction is approximately 9' (nine feet) narrower than the R.A. Charles Castle, however, R.A. Charles Castle has a large covered south porch making the total construction even wider. The proposed house is 50' (fifty feet) deep with an additional 7' (seven-foot) north porch and 7' (seven-foot) south, first-floor projection. The R.A. Charles Castle is approximately 43' (forty-three feet) deep with several additional feet of depth in the south porch. The proposed building height is 30' (thirty feet) from grade, while the much taller R.A. Charles Castle is 34' (thirty-four feet) tall. Additionally, the grade at the R.A. Charles Castle is approximately 4' (four feet) taller than the proposed building site, resulting in an appearance that is approximately 8' (eight feet) taller than the proposed construction. Staff finds that the size of the house (i.e. length, width, and height) allows the R.A. Charles Castle to retain its primacy and could be determined appropriate depending on the other identified factors.

Massing

The massing of the proposed construction has been a challenge throughout all of its iterations. While the applicant has created a 1:12 slope roof over the western half of the house, the proposed house remains a single rectangular volume. The applicant has created projections to the east and west, a 2' bump out on the east elevation, and a 3' projection that runs approximately half of the west elevation, but these elements do not substantially alter the mass of the proposed construction. At previous Preliminary Consultations, Commissioners encouraged the applicant to “explode the box” and to break up the massing more. Unfortunately, the applicant’s solution was to eliminate half of the roof which does literally reduce the total volume of the proposed construction but results in an unbalanced form that will result in a visual impression that the house is larger than it actually is.

The R.A. Charles Castle is not a small house, but the architect broke up the massing by employing a two-story bay on the east side, a large front porch, and multiple chimneys. The mass of the house is under a single, unifying, complex hipped roof.

Staff finds that the proposed bump-outs do not alter the massing to a sufficient degree and the proposed house form is incompatible with the historic architecture on site and detracts from the historic environmental setting (per 24A-8(a)).

Design

The house design utilizes a contemporary Craftsman vocabulary with battered columns, a hipped roof, and multiple siding configurations; and a low-sloped hipped roof that is evocative of the Prairie style. The roof on the eastern half of the house is presented as two hipped roofs, with the south one slightly taller than the north, with a section of low-sloping metal roofing to separate them. In the northwest corner of the house, there is a section of shed roof above the principal staircase that rises to a very low-sloping shed roof section. The stair hall has three sash windows, with four-lite fixed windows that step up with the interior stairs.

Staff was initially supportive of the applicant's presentation of a contemporary Craftsman design. This is, in part, because the style accentuates the horizontal lines, in direct contrast to the strong verticality of the R.A. Charles Castle. Additionally, this style can sit in the landscape in a manner that effectively integrates the house to its surrounding environment. Staff also finds the Craftsman style can utilize multiple siding materials, especially wood or fiber cement as a substitute material, that would allow the

rustic stone utilized by the R.A. Castle to remain primary. Unfortunately, the changes that have been made to the design in response to the guidance provided by the HPC and Staff appear to have been considered individually and do not take larger architectural compatibility into consideration and the result is a building form and design that lacks any cohesion.

On February 20, 2020 members of the HP Staff met with the applicant and the project architect to discuss concerns raised by the HPC at the December 18, 2019, Preliminary Consultation that, in HP Staff's estimation, remained unresolved. During this meeting, HP Staff reinforced that the massing and design issues could not be solved in isolation and that altering one element may require additional changes elsewhere to address issues of balance and scale to create a final proposal that is compatible with the historic architecture on site, which would be approvable under 24A-8(b)(2) and Standards 2, 9, and 10. To illustrate the recommendations HP Staff presented a number of contemporary and historic examples of Craftsman and Prairie architecture that included elements that Staff determined would make the proposal more compatible. These recommendations included:

- Introducing substantially deeper roof overhangs,
- Larger projections from the main mass,
- Making the second floor smaller than the first floor so the building tapers as it rises,
- Utilizing horizontal banding in exterior materials.

These alterations were not prescriptive and HP Staff noted that the HPC was restricted from limiting the design of the infill to any one style (under 24A-8(c)), but that these changes would make for a more compatible building within the architectural vocabulary the applicant has selected. HP Staff additionally noted that if the massing was broken up into multiple volumes, that the proposal could gain occupiable square footage while seeming smaller. Several examples shown to the applicant are included below.



Figure 4: A contemporary Prairie-style house with many of the recommended architectural features.



Figure 5: A contemporary Prairie-style house that borrows heavily from the Robie House.



Figure 6: A contemporary Prairie-style house with a more vertical orientation.

Staff recognizes that this very long, very narrow lot creates several design constraints. However, Staff is not recommending that no building be constructed on the site, only one that has a compatible character to the historic architecture on site (per 24A-8(b)(2)).

Materials

The next element of the proposed building under consideration is the materials. The R.A. Charles Castle and the Baltzley Castle are both constructed out of large, rustic, bluestones. Staff recommended to the applicant very early on that a material other than rusticated stone was preferable to avoid any possibility of creating a false sense of history and contravene Standard 9. The proposed house is a contemporary interpretation of a Craftsman-style with Prairie elements. The applicant proposes utilizing modern building materials throughout (i.e. fiber cement siding, Andersen 400-series windows, architectural

shingles, a textured concrete foundation, and stone veneer on the column bases). Staff finds that the materials are appropriate for infill construction and will not be mistaken for historic construction.

Site-Specific Considerations

The subject property is unique in that it is very narrow and extremely deep. Because of the placement of the R.A. Charles Castle, the primary mass of any new construction should not extend beyond the rear wall plane of the historic construction. The placement of the proposed house does this. Additionally, Staff finds that any new construction should be placed as far to the east as possible to create the largest separation between the historic construction and any new construction. The proposed placement of the new construction achieves this as well. Finally, Staff finds that the view from MacArthur Blvd. of any new construction be evaluated with a close level of scrutiny. This is because both the R.A. Charles Castle and Baltzley Castle were designed to be excellent examples of period architecture and highly visible from the surrounding area. Perspective drawings were not submitted with the HAWP materials but will be distributed to the HPC before the hearing.

In balancing considerations of placement, size, design, and massing Staff finds that the proposed new construction results in a design that creates a unitary mass that is incompatible with the historic architect and is incongruous to a degree that it is inappropriate within the setting of the R.A. Charles Castle. Staff and that the project fails to meet the compatibility required in 24A-8(b)(2) and recommends the HPC deny the proposal 24A-8(a) and Standards 2 and 9.

The HPC typically requires a full set of floor plans and a grading plan for a complete application. In this instance, Staff does not feel they are necessary to determine the appropriateness of the proposed building. The primary reason for the HPC to evaluate a basement floor plan to evaluate the placement of windows and doors at the basement level and to understand the function of the spaces in crafting conditions that, if met, would bring the project into conformance with the requisite guidance. Because the proposed house will be built into the steep grade and only has windows and doors on one side, Staff finds that a basement plan is not required to give full consideration of the architectural compatibility. Additionally, the applicant did not include a full grading plan for the site identifying areas that will be re-graded as part of the development of the subject property. This could be because no re-grading is necessary to construct either the house, garage, or the gravel entry court; or it could have been an omission. Again, Staff does not find that consideration of the re-grading of the northern end of the site will have a significant impact on the architectural character of the site and would not change Staff's recommendation. This information is required for permit plan review, so should the HPC disagree with Staff's recommendation, conditions could be added to an approval motion for these features.

Garage and Hardscaping

The applicant proposes to construct a gravel drive edged in cobblestones from the ingress/egress easement at the northern property boundary to the area adjacent to the garage and walkway to the house. This treatment matches the existing drive at the R.A. Charles Castle, which the HPC reviewed and approved, and Staff finds it to be appropriate in this instance as well and recommends approval under 24A-8(b)(1) and (2). The submitted tree survey shows a 24" d.b.h (twenty-four inch) hickory tree in the area of the proposed driveway. In testimony provided by the applicant at the August 14th Preliminary Consultation, this tree will need to be removed as part of the site work associated with the new construction. Staff finds that the site restraints limit the placement of the drive to this location and the tree needs to be removed to provide access to the site. Staff recommends approval for the removal of this tree under 24A-(b)(2) and (6).

The proposed detached garage is a three-bay, hipped roof garage constructed approximately 7' (seven feet) from the east property boundary. The garage will be set back from the north property boundary by

33' (thirty-three feet). The garage will have the same textured concrete foundation, fiber cement clapboard siding, and architectural shingle roof proposed for the new construction. The applicant indicated in discussions with Staff that the placement of the garage was driven, in part, to avoid a 50" d.b.h. (fifty-inch) pine tree to the north of the proposed house site. In prior Preliminary Consultations, the applicant stated that no retaining walls were needed to support the garage. Behind the garage, the applicant proposes installing a section of 6' (six foot) tall, wood, vertical board fence. This enclosure will be used for storage and trash receptacles. Staff additionally finds that the fencing and trash enclosure will not detract from the historic site and much of it will be obscured by the garage and recommends approval under 24A-8(b)(2).

To address stormwater management the applicant proposes installing two dry wells on the site. While these plans are preliminary, one well will be placed to the northeast of the house, between the garage and the house, and the other will be placed south of the house. These features will be below grade and will not have an impact on the visual setting of the Master Plan Site and do not require HPC review and approval.

Staff finds the proposed garage is far enough away from the R.A. Charles Castle to have virtually no visible impact on the historic building either from the right-of-way or from within the site. While the proposed garage is larger than what the HPC would usually consider in many of the County's historic districts, the size is consistent with the non-historic garage constructed to the north of the Baltzley Castle and the approved, but unbuilt garage to the north of the R.A. Charles Castle. Staff recommends approval of the proposed garage and hardscape alterations under 24A-8(b)(2) and Standards 2, 9, and 10.

Tree Impact

The applicant provided a tree survey that was undertaken in August 2013. Updates are notated in green (for planted trees) and red (for trees removed). The tree survey includes a preliminary LOD that will likely be reduced as other building permits are reviewed and approved. Staff has identified two trees that will likely be impacted by the proposed work, an 18" d.b.h. (eighteen inch) hickory in the northwest corner of the lot and a 24" d.b.h. (twenty-four inch) hickory along the western edge of the lot discussed above. Staff supports the removal of these two trees under 24A-8(b)(2) and (5).

In the Staff Report for the August 14th Preliminary Consultation, Staff asserted that the heavily wooded lot was a character-defining feature of the Master Plan site. It has since been brought to Staff's attention that immediately following the construction of the Baltzley and R.A. Charles Castles, the site – at least adjacent to the buildings – had been de-forested, likely to provide maximum views of the river below (see Figure 3, below). In the intervening century and a quarter, a mature tree canopy has grown around these houses and, while not historically significant, Staff finds that trees should be retained to the maximum extent possible and notes that all trees in excess of 6" (six inches) d.b.h. require approved HAWPs before they can be removed. The HPC has the discretion to require additional plantings on the site to mitigate for removal as part of the development.



*Figure 7: Historic photo of the Baltzley Castle, with R.A. Charles Castle in the background (date unknown).
Note: the trees near the house had been removed for a more pastoral, less forested character.*

STAFF RECOMMENDATION

Staff recommends the HPC **deny** the HAWP under 24A-8(a) and for violating Standards 2 and 9.



HISTORIC PRESERVATION COMMISSION
301/563-3400

DPS - #8

APPLICATION FOR HISTORIC AREA WORK PERMIT

Contact Email: RossMcNair1@gmail.com Contact Person: Ross McNair
Daytime Phone No.: 301-219-0380
Tax Account No.: 00508312
Name of Property Owner: J. Ross McNair Daytime Phone No.: 301-219-0380
Address: 5415 MOLLICAN RD Bethesda MD 20816
Street Number City Street Zip Code
Contractor: McNair Builders Phone No.: 301-228-1343
Contractor Registration No.: 4126545
Agent for Owner: _____ Daytime Phone No.: _____

LOCATION OF BUILDING/PREMISE

House Number: 5417 Street: MOLLICAN RD
Town/City: Bethesda Nearest Cross Street: MacArthur Blvd
Lot: PART C Block: 3 Subdivision: Glenn Echo Heights
Liber: 40953 Folio: 265 Parcel: _____

PART ONE: TYPE OF PAINT 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: GARAGE + Fence

1B. Construction cost estimate: \$ 28,000

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 6' feet 0 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.

J. Ross McNair
Signature of owner or authorized agent

Date

Approved: _____ For Chairperson, Historic Preservation Commission

Disapproved: _____ Signature: _____ Date: _____

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

Edit 5/21/99

SEE REVERSE SIDE FOR INSTRUCTIONS

5419 Mohican Rd Bethesda MD 20816
HAWP for DPS permit application 903209

This HAWP for a new constitution at 5419 Mohican Rd is significantly reduced in footprint, size, appearance and massing from the December 18 preliminary. There was a consensus among the commissioners at the Dec 18th preliminary review that the design changes were an improvement, cleaner and better organized but the overall sized was still too large. The recommendation was to reduce the footprint 25 to 30%

These new drawings are a further improvement in design and significantly reduced in size. The last roof plan measured $41 \times 63 = 2,583$ square feet. The new design is $34 \times 50 = 1,700$ square feet. A significant reduction of $883 \text{ sq ft} = 34\%$

This plan also reflects other suggestions from the commissioners

The house has been lowered into the grade on all 4 sides, the roof lines have been broken up to break up the box. The roof lines on the West elevation - R A Charles side are low pitch flat roofs, designed to make the proposed new construction deferential to the R A Charles house.

We submitted site plans of neighboring houses, photos of the property without leaves on the trees, photos of the 3 contiguous houses, perspective views from MacArthur Blvd and Mohican Rd and a proposed fence at the rear of the garage.

Both Baltzley (5415 Mohican) an R A Charles (5417 Mohican) have HAWP approved detached garages. The proposed garage is a low 1 story design with craftsman style doors. The proposed fence is placed along the east (Pool) side. The fencing creates a screen for trash cans and misc storage

Thank you
Ross McNair

HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING

11/20/2019

OWNER'S MAILING ADDRESS

J. Ross McNair
5417 Mohican Rd
Bethesda Md 20816

HISTORIC SITE ADDRESS

5419 Mohican Rd
Bethesda Md 20816

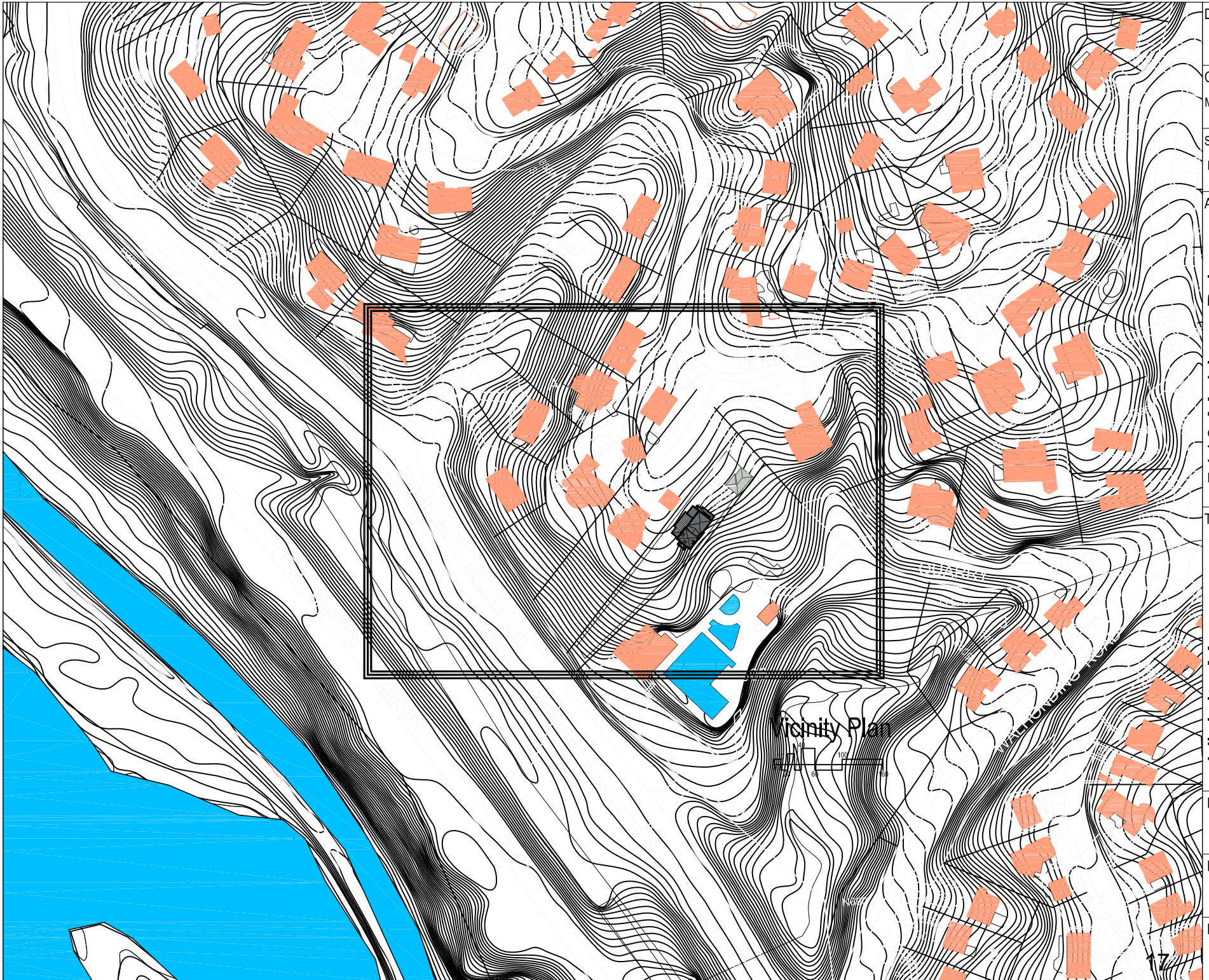
ADJACENT AND CONFRONTING PROPERTY OWNERS MAILING ADDRESSES

Ned Miltenberg
5410 Mohican Rd
Bethesda MD 20816

Patrick Gates
5421 Mohican Rd
Bethesda MD 20816

Jan-Marc Vander Schee
5415 Mohican Rd
Bethesda MD 20816

Miklos Gaal
5407 Mohican Rd
Bethesda MD 20816



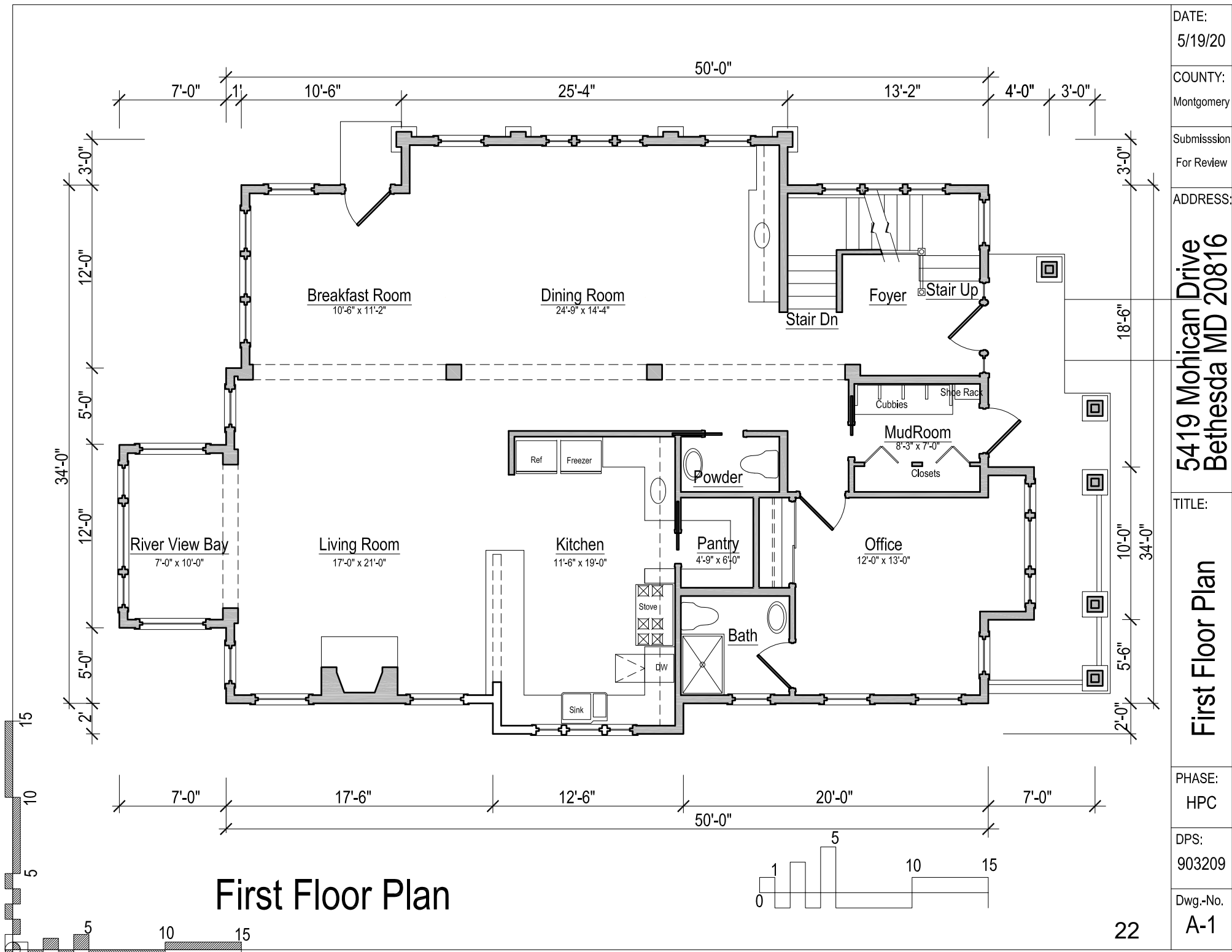
DATE:	6/10/20
COUNTY:	Montgomery
Submission	For Review
ADDRESS:	5419 Mohican Drive Bethesda MD 20816
TITLE:	Vicinity Map
PHASE:	HPC
DPS:	903209
Dwg.-No.	C-1



DATE:	6/10/20
COUNTY:	Montgomery
Submission	For Review
ADDRESS:	5419 Mohican Drive Bethesda MD 20816
TITLE:	Site Plan
PHASE:	HPC
DPS:	903209
Dwg.-No.	C-2

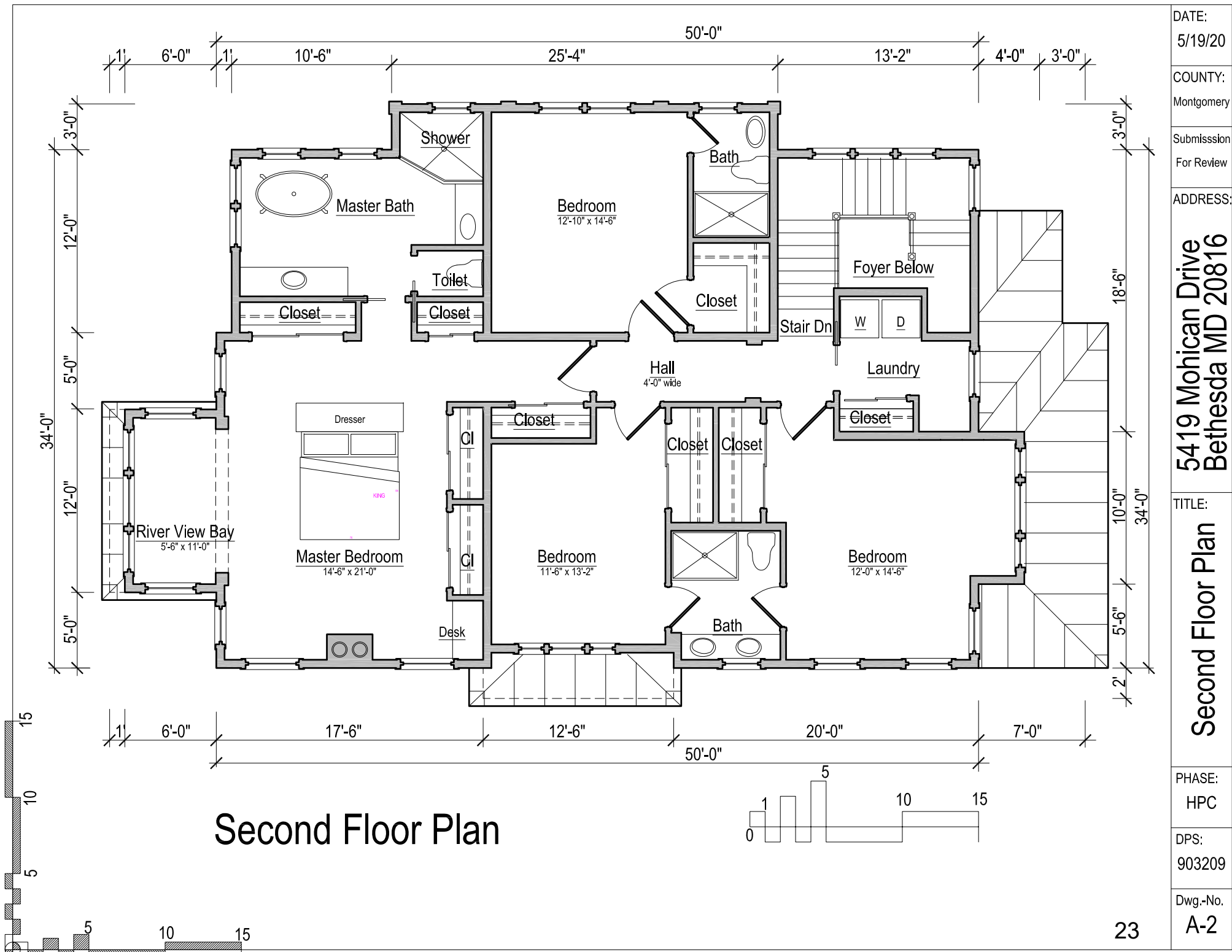




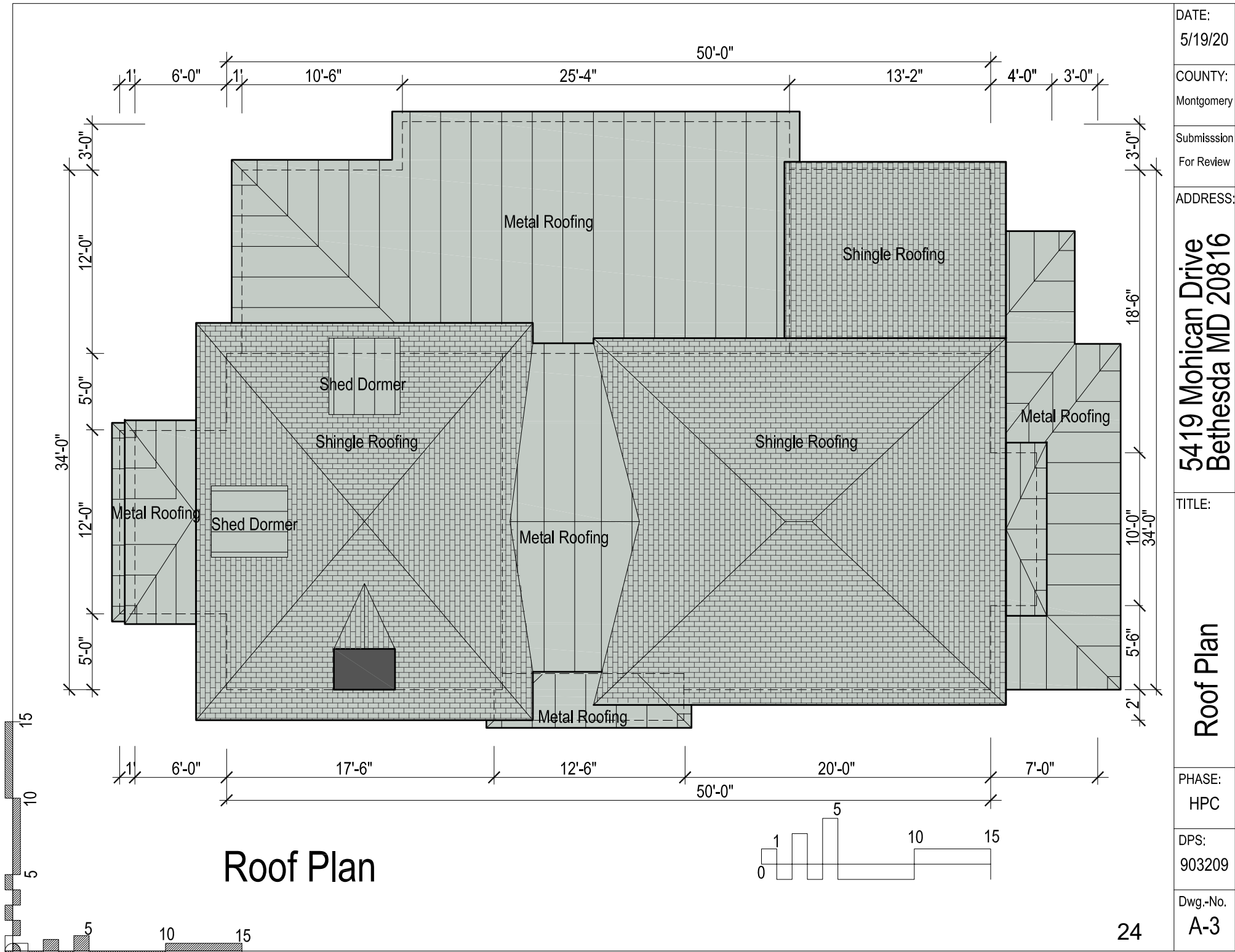


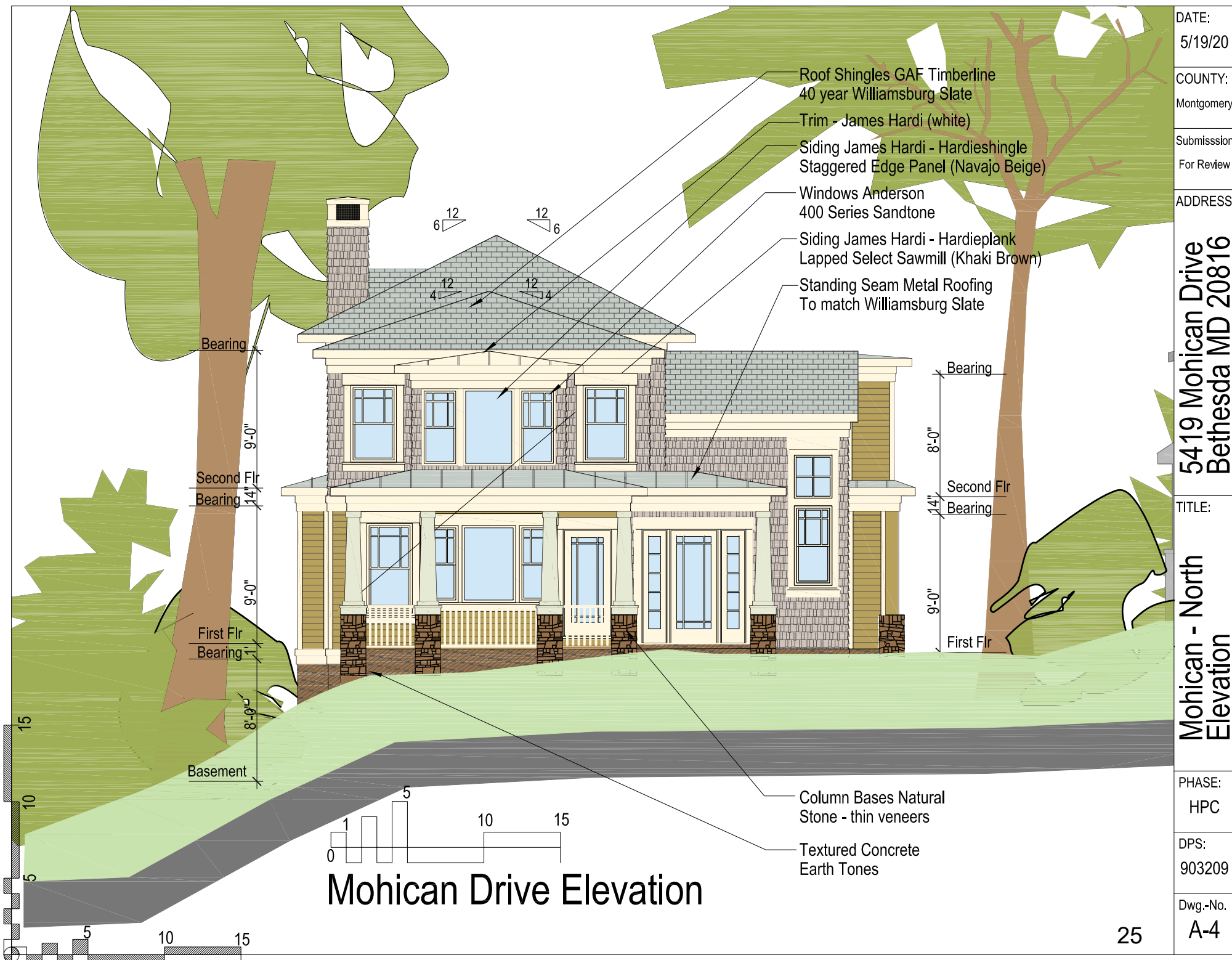
First Floor Plan

DATE:	5/19/20
COUNTY:	Montgomery
Submission	For Review
ADDRESS:	5419 Mohican Drive Bethesda MD 20816
TITLE:	First Floor Plan
PHASE:	HPC
DPS:	903209
Dwg.-No.	A-1



DATE:	5/19/20
COUNTY:	Montgomery
Submission	For Review
ADDRESS:	5419 Mohican Drive Bethesda MD 20816
TITLE:	Second Floor Plan
PHASE:	HPC
DPS:	903209
Dwg.-No.	A-2





DATE:
5/19/20

COUNTY:
Montgomery

Submission
For Review

ADDRESS:

5419 Mohican Drive
Bethesda MD 20816

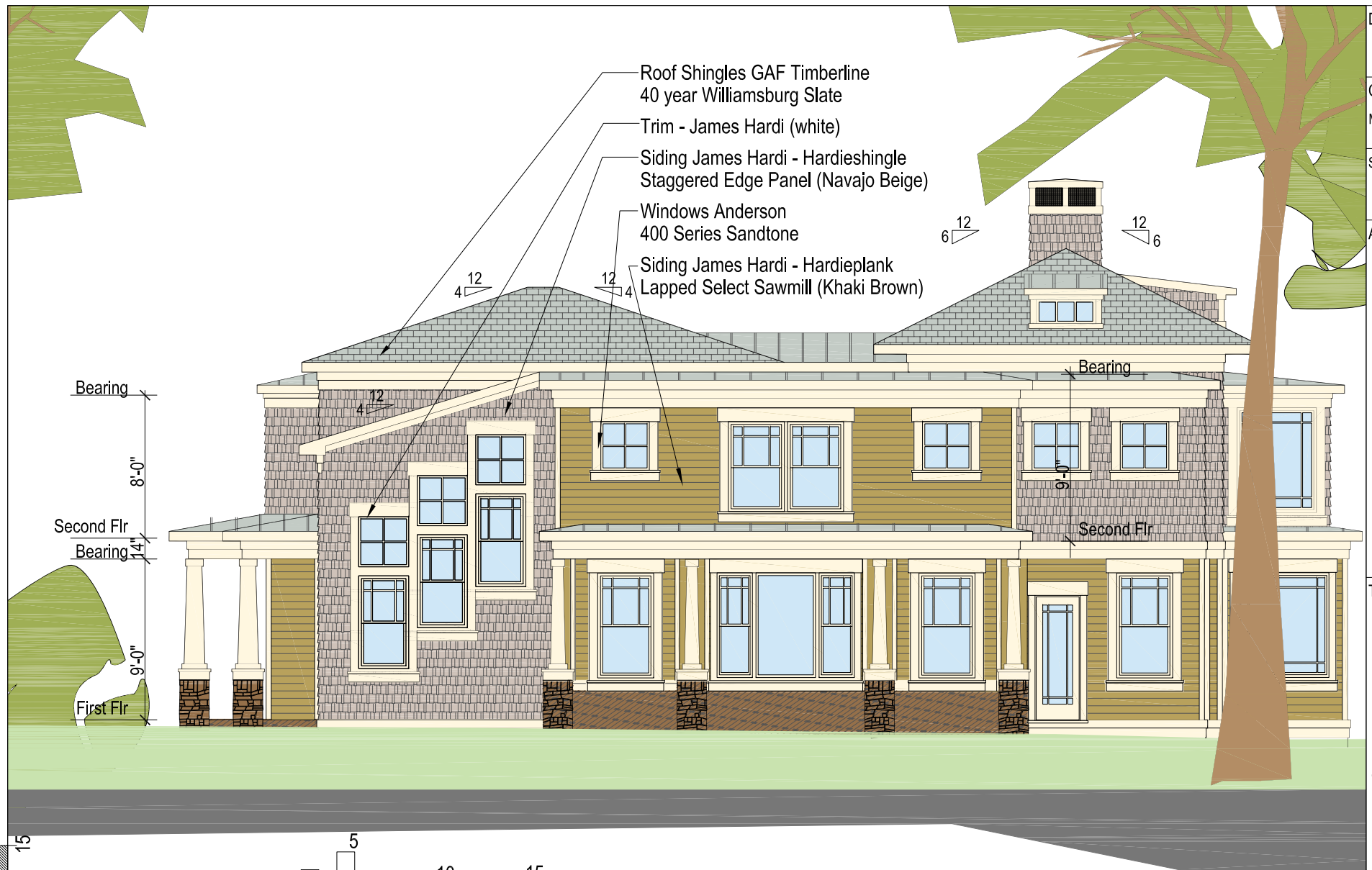
TITLE:

Mohican - North
Elevation

PHASE:
HPC

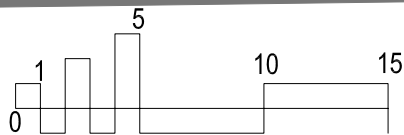
DPS:
903209

Dwg.-No.
A-4

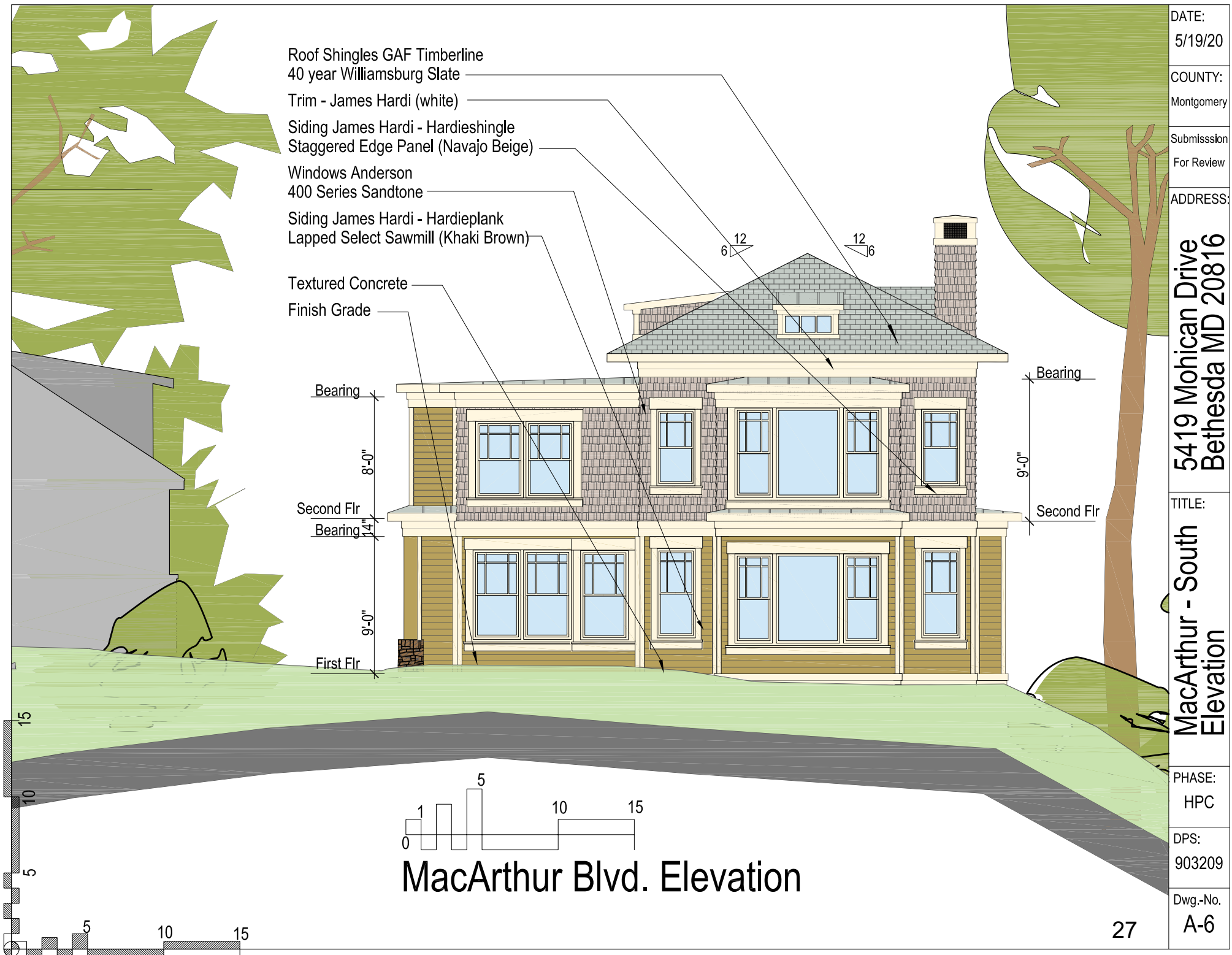


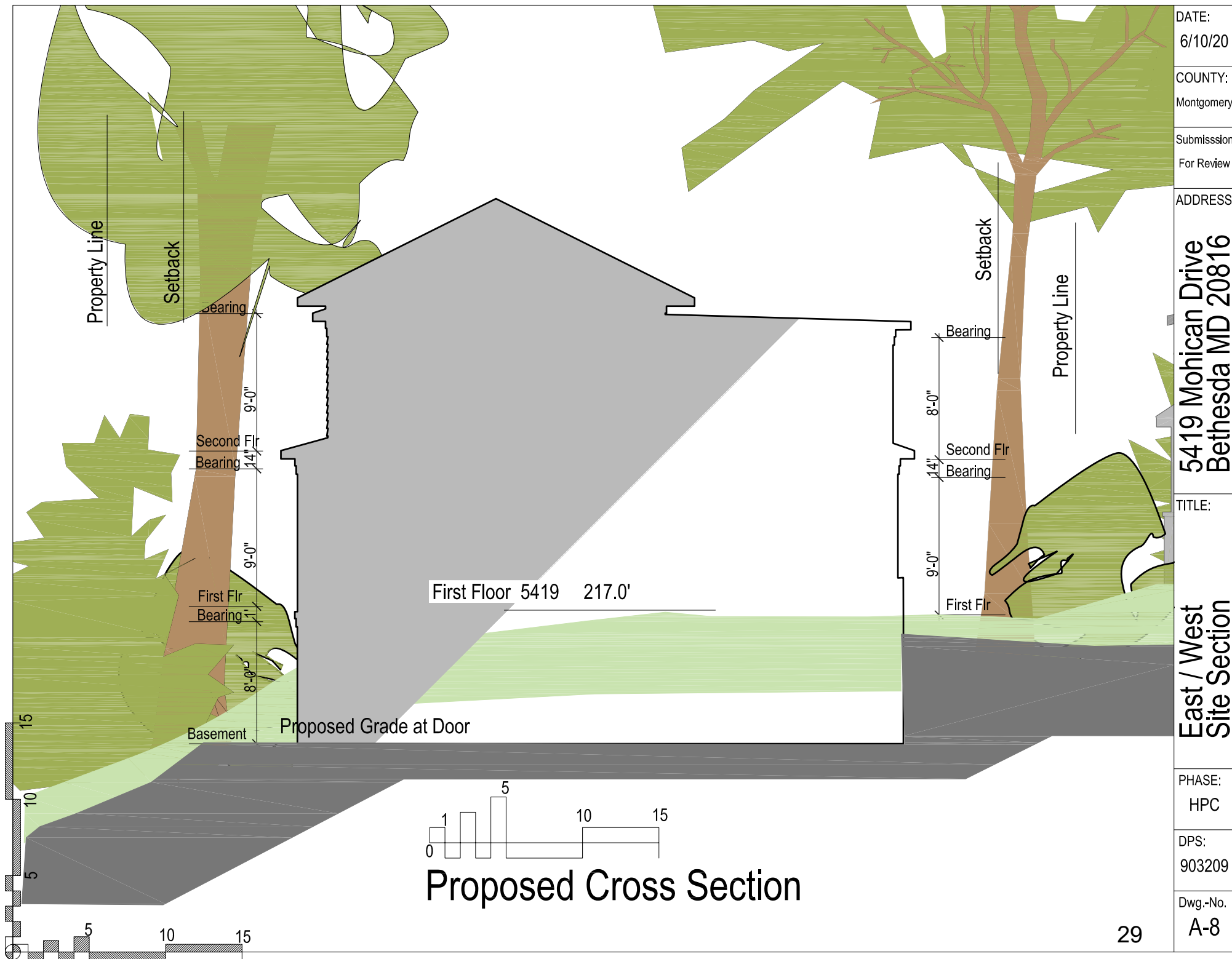
- Roof Shingles GAF Timberline
40 year Williamsburg Slate
- Trim - James Hardi (white)
- Siding James Hardi - Hardieshingle
Staggered Edge Panel (Navajo Beige)
- Windows Anderson
400 Series Sandtone
- Siding James Hardi - Hardieplank
Lapped Select Sawmill (Khaki Brown)

DATE:	5/19/20
COUNTY:	Montgomery
Submission	For Review
ADDRESS:	5419 Mohican Drive Bethesda MD 20816
TITLE:	West Side Elevation
PHASE:	HPC
DPS:	903209
Dwg.-No.	A-5

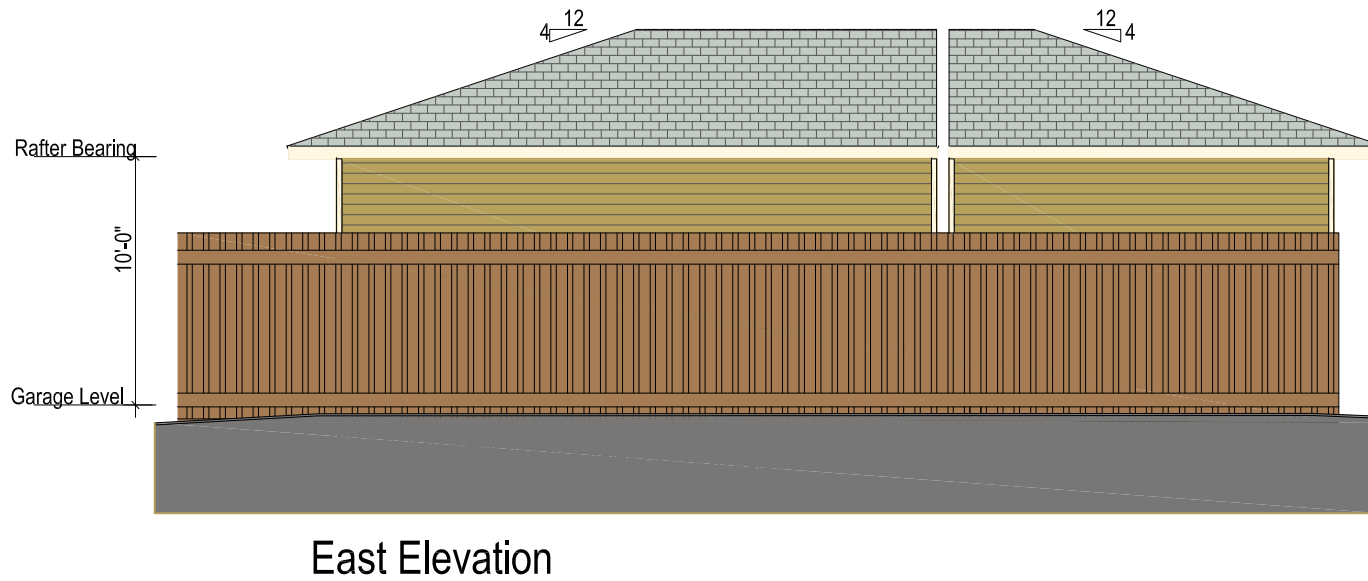
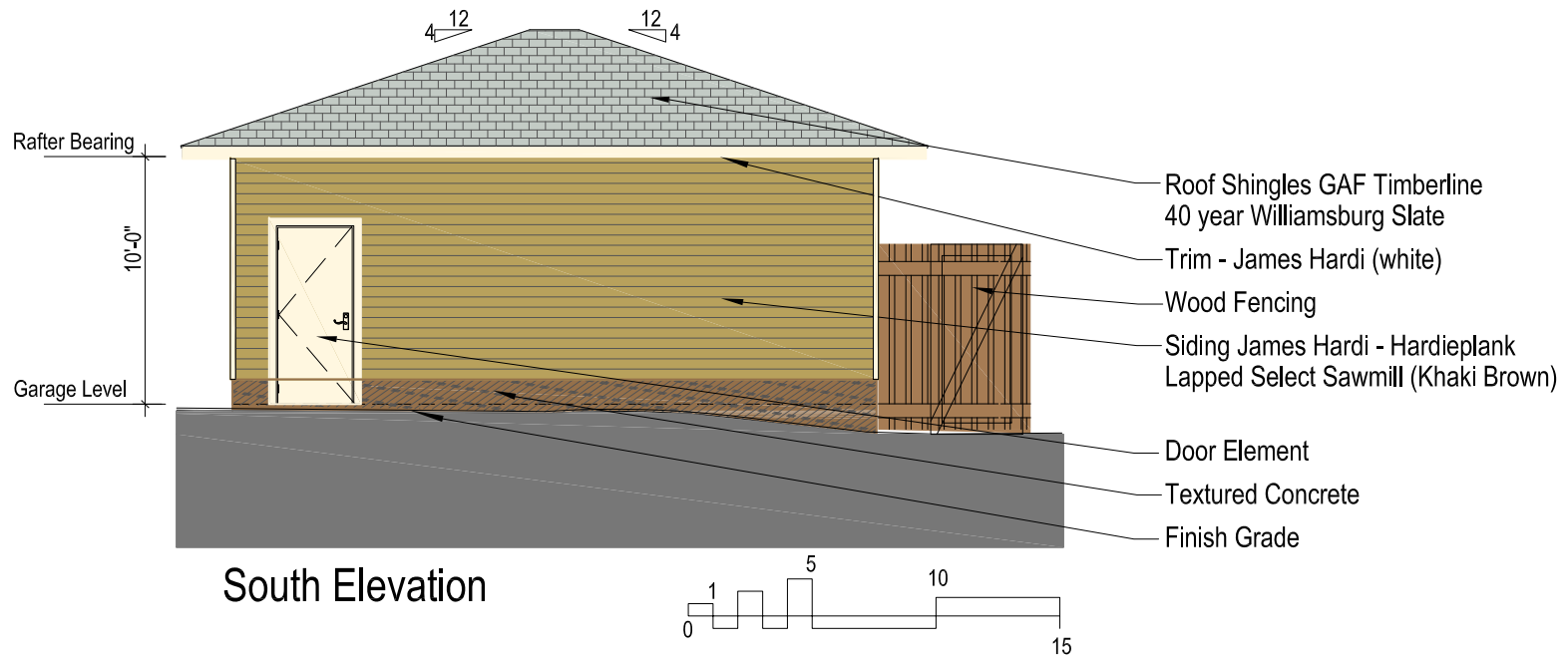


West Side Elevation





DATE:	6/10/20
COUNTY:	Montgomery
Submission	For Review
ADDRESS:	5419 Mohican Drive Bethesda MD 20816
TITLE:	East / West Site Section
PHASE:	HPC
DPS:	903209
Dwg.-No.	A-8



DATE:
6/10/20

COUNTY:
Montgomery

Submission
For Review

ADDRESS:

5419 Mohican Drive
Bethesda MD 20816

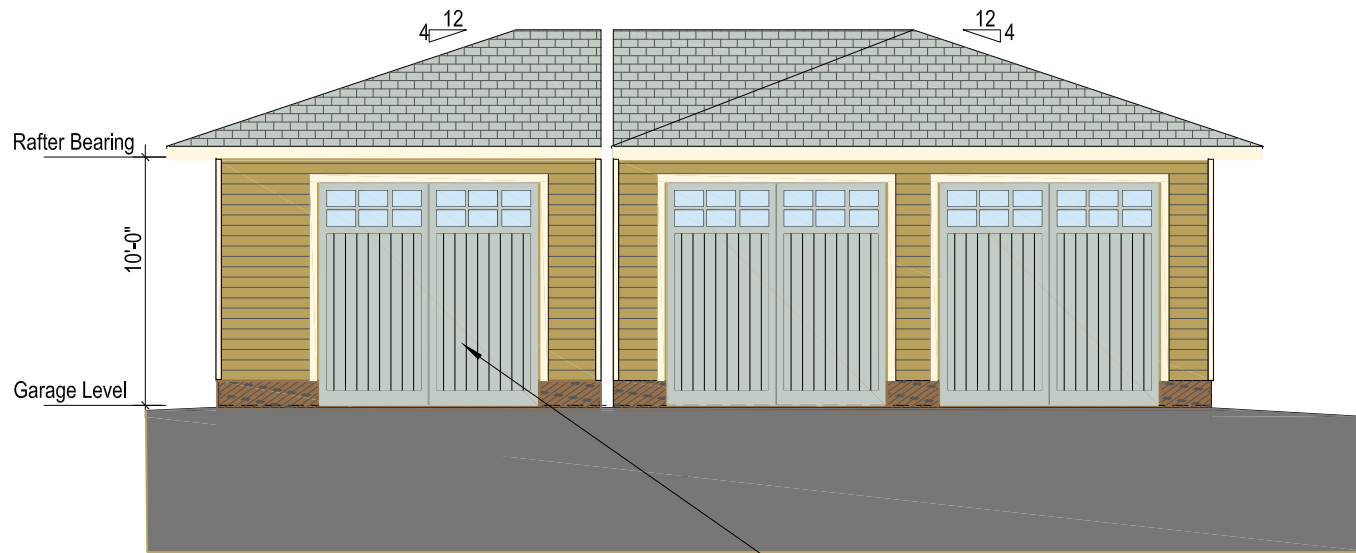
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Garage Elevations

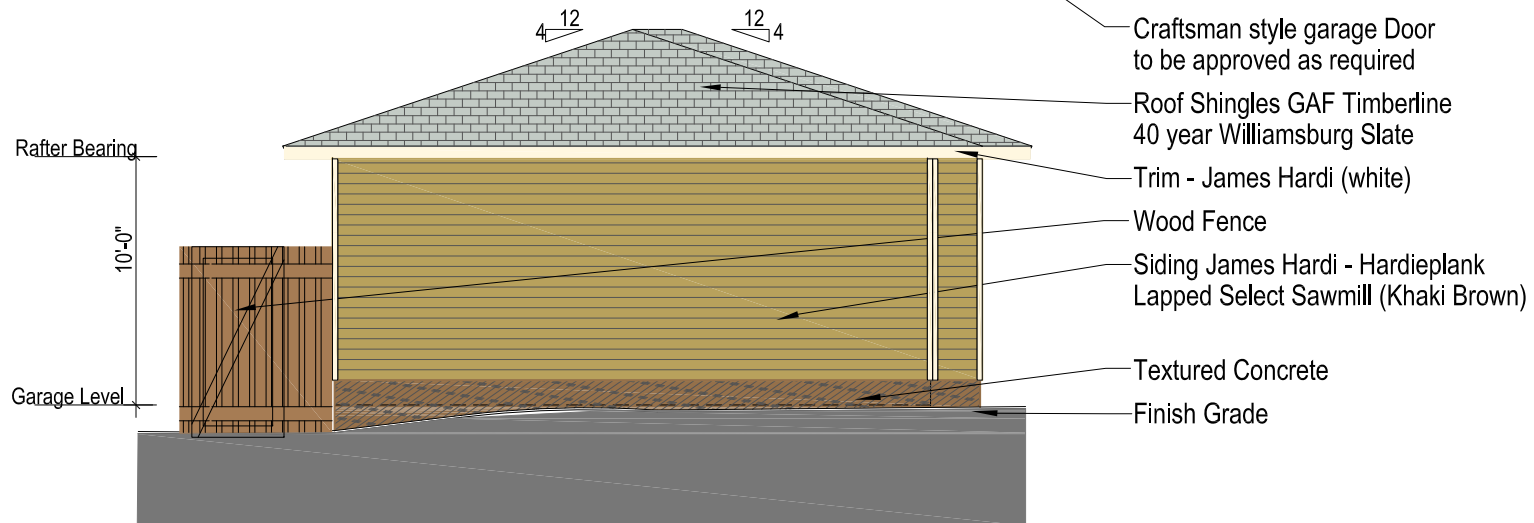
PHASE:
HPC

DPS:
903209

Dwg.-No.
G-3



West Elevation



North Elevation

DATE:
6/10/20

COUNTY:
Montgomery

Submission
For Review

ADDRESS:

5419 Mohican Drive
Bethesda MD 20816

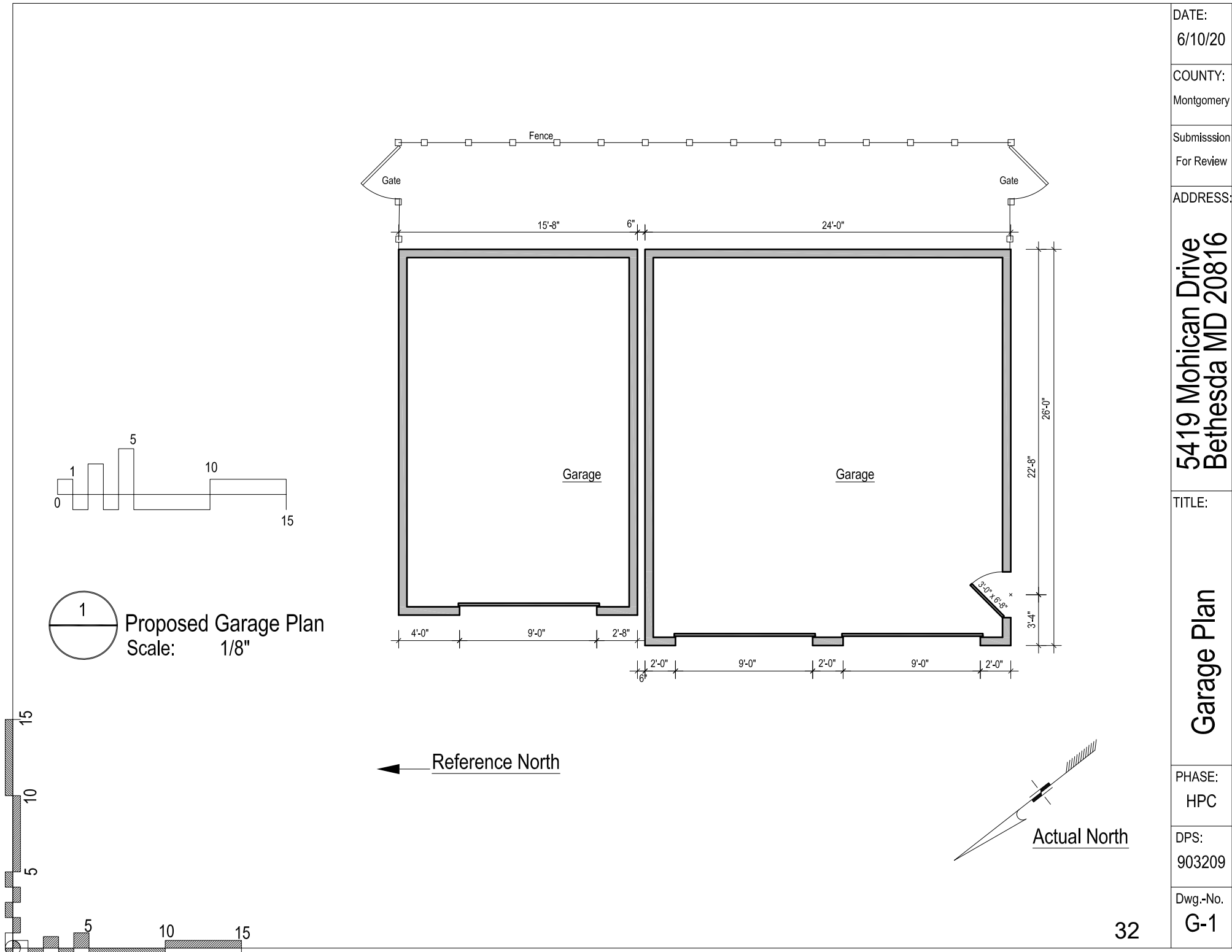
TITLE:

Garage Elevations

PHASE:
HPC

DPS:
903209

Dwg.-No.
G-2



DATE:	6/10/20
COUNTY:	Montgomery
Submission	For Review
ADDRESS:	5419 Mohican Drive Bethesda MD 20816
TITLE:	Garage Plan
PHASE:	HPC
DPS:	903209
Dwg.-No.	G-1















