

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	9 Chevy Chase Circle, Chevy Chase	Meeting Date:	6/24/2020
Resource:	Master Plan Site #35/13-001A Newlands-Corby Mansion	Report Date:	6/17/2020
Applicant:	Adrienne Arsht Revocable Trust (Phillip Long, Architect)	Public Notice:	6/10/2020
Review:	HAWP	Tax Credit:	N/A
Case Number:	35/13-001A-20B	Staff:	Michael Kyne
PROPOSAL:	Tennis court construction		

STAFF RECOMMENDATION:

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

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Master Plan Site #35/13-001A, Newlands-Corby Mansion
STYLE: Tudor Revival
DATE: c. 1893, w/ c. 1909-1914 renovations



Fig. 1: Subject property.

The Newlands-Corby Mansion is one of the first houses built by the Chevy Chase Land Company. The house was designed by architect Leon E. Dessez (best known for designing the Naval Observatory) for Francis G. Newlands, congressman and senator from Nevada, organizer and first president of the Chevy Chase Club, and one of the Chevy Chase Land Company's developers. The original house is thought to

have been a collaboration by nationally renowned Philadelphia architect, Lindley Johnson, and the noted Washington architect, Leon Dessez, who also designed the Vice President's mansion in Washington. Newlands lived in the house from 1893 to 1898.

In 1909, the house was sold to William S. Corby, who was one of the heirs to the Corby "Mother's Bread" fortune. Corby renamed the house Ishpiming, which is a Chippewa word meaning high ground. Corby hired Arthur Heaton, the first supervising architect of Washington National Cathedral, to renovate the house. The renovations, which occurred between 1911 and 1914, included gutting the center of the house to create a 30' high hall with an Aeolian Duo-Art Organ. Heaton's plans for the house are now housed at the Library of Congress. In 1915, Corby purchased an adjacent lot, expanding the property to nearly two acres.

This property was designated as an Individual Master Plan site separate from the Chevy Chase Historic District in 1989 in recognition of its extraordinary architectural and historical significance. The Corby Mansion is historically significant as one of the first houses built in Chevy Chase and because of its association with Senator Francis B. Newlands and William Corby. It also derives architectural importance from its classic Tudor Revival styling and its prominence as a focal point of entry into the County from Washington, DC at Chevy Chase Circle. The relationship of the architecture and landscape design of the house and the Chevy Chase Circle is particularly significant and views to the property are an important character defining aspect of this historic site.

The designation, as approved by the HPC, Planning Board, and County Council states that, "The environmental setting includes the entire parcel of 83,399 sq.ft., including both Lots 1 and 2. Special attention should be given to the preservation of the mature trees, the landscaping, and the stone wall and gateway along Connecticut Avenue. Any new construction should be designed so as to preserve views of the main house from Connecticut Avenue and Brookville Road."¹

PROPOSAL:

The applicants propose to construct a tennis court at the subject property.

APPLICABLE GUIDELINES:

In accordance with section 1.5 of the Historic Preservation Commission Rules, Guidelines, and Procedures (Regulation No. 27-97) ("Regulations"), in developing its decision when reviewing a Historic Area Work Permit application for an undertaking at a Master Plan site the Commission uses section 24A-8 of the Montgomery County Code ("Chapter 24A"), *the Secretary of the Interior's Standards for Rehabilitation* ("Standards"), and pertinent guidance in applicable master plans. The pertinent information in these documents, incorporated in their entirety by reference herein, is outline 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

¹ See full text on attached Page ??.

- (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:

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.” Because the property is a Master Plan Site, the Commission’s focus in reviewing the proposal should be the Secretary of the Interior’s Standards for Rehabilitation. The applicable 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.
- 10. New additions and adjacent or related new construction shall 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 applicants propose to construct a 16,875-sf tennis court on Lot 2 in the northwest corner of the subject property. The proposed tennis court construction will require the removal of one 34” dbh specimen tree. A 6’-6” high matte black vinyl-coated chain link fence will be installed at the perimeter of the proposed tennis court. Arborvitae trees, measuring 10’ to 12’ in height, are also proposed around the tennis court for screening.

Staff fully supports the proposed tennis court construction, finding that the proposal will not remove or

alter character-defining features of the subject property, in accordance with *Standards #2 and 9*. As stipulated by the historic designation, the proposed fencing and screening will not obscure views of the main house from the public rights-of-way of Connecticut Avenue or Brookville Road. Although the historic designation states that special attention should be paid to the preservation of mature trees and landscaping, the applicants have indicated that alternative locations would result in the removal of more mature trees (or more significant mature trees, such as 73" dbh specimen tree on Lot 1), or the relocation of the main entrance gateway on Connecticut Avenue, which the designation also states should be preserved.

Additionally, staff finds that, if the proposed tennis court, fencing, and screening trees are removed in the future, the essential form and integrity of the subject property will be unimpaired, in accordance with *Standard #10*.

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, having found the proposal is consistent with the *Secretary of the Interior's Standards for Rehabilitation #2, 9, and 10* outlined above.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b), (1) & (2), having found that the proposal 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, 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 michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.



FOR STAFF ONLY:
HAWP# _____
DATE ASSIGNED _____

APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Adrienne Arsht Revocable Trust
Address: 9 Chevy Chase Circle
Daytime Phone: _____

E-mail: _____
City: Chevy Chase Zip: 20815
Tax Account No.: 00454971

AGENT/CONTACT (if applicable):

Name: Phillip Long
Address: 10 S. Bentz Street
Daytime Phone: 240-418-3204

E-mail: phil@cas-dc.com
City: Frederick Zip: 21701
Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property M: 35-13-1

Is the Property Located within an Historic District? ☒ Yes/District Name Chevy Chase Village
_____ No/Individual Site Name _____

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 9 Street: Chevy Chase Circle
Town/City: Chevy Chase Nearest Cross Street: Connecticut Avenue
Lot: 1 Block: 28 Subdivision: _____ Parcel: _____

TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:

- | | | |
|---|--|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Deck/Porch | <input type="checkbox"/> Shed/Garage/Accessory Structure |
| <input type="checkbox"/> Addition | <input checked="" type="checkbox"/> Fence | <input type="checkbox"/> Solar |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting |
| <input type="checkbox"/> Grading/Excavation | <input type="checkbox"/> Roof | <input type="checkbox"/> Window/Door |
| | | <input checked="" type="checkbox"/> Other: <u>tennis court, tree screening</u> |

I hereby certify that I have the authority to make the foregoing application, that the application is correct and accurate and that the construction will comply with plans reviewed and approved by all necessary agencies and hereby acknowledge and accept this to be a condition for the issuance of this permit.

Signature of owner or authorized agent

06/20/2020

Date

5

Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

9 Chevy Chase Circle, consists of Lot 1 and Lot 2. The primary lot, Lot 1, contains the historic main house, a detached accessory structure, driveway, several specimen trees including a 73" Specimen Tree (See Photo A, Page 2 of the accompanying exhibit), a reflecting pool, and other associated improvements.

Lot 2, as shown on Page 1 of the accompanying exhibit, is somewhat isolated from the main portion the property largely due to the location of the main entrance from Connecticut Avenue and two large trees. Lot 2 is currently vacant except for a metal gazebo, three large specimen trees (33" DBH, 34" DBH, and 42" DBH), various smaller trees, a small portion of the driveway, and a stone wall along both public rights-of-ways. The metal gazebo will be removed. The stone wall will remain.

Description of Work Proposed: Please give an overview of the work to be undertaken:

This submission is for the construction of a tennis court, a minimal amount of fencing around the court, and screening trees along Connecticut Avenue, East Irving Street, and the property line shared with Lot 3 (4 East Irving Street).

Several other locations were considered for the tennis court however the currently proposed location makes the best use of Lot 2 and preserves more specimen trees than any other location. Alternate locations would either require the removal of three or more specimen trees, the relocation of the main entrance from Connecticut Avenue, or considerable disturbance to critical root zone of the stately 73" specimen tree on Lot 1 (See Photo A).

The 6'-6" tall fencing around the court will be matte black vinyl-coated chain link. (See Photo B, Page 2 of the accompanying exhibit).

To reduce visibility of the tennis court fencing from the rights-of-ways and the property at 4 East Irving Street, this plan submission proposes screening the property with arborvitae trees along the perimeter of Lot 2. At planting, the trees will measure roughly 10-12 feet in height. (See Photos C and D, Page 2 of the accompanying exhibit).

Work Item 1: <u>see attached plan</u>	
Description of Current Condition:	Proposed Work:
Work Item 2: _____	
Description of Current Condition:	Proposed Work:
Work Item 3: _____	
Description of Current Condition:	Proposed Work:

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

Owner's mailing address Adrienne Arsht Revocable Trust 9 Chevy Chase Circle Chevy Chase, MD 20815	Owner's Agent's mailing address Phillip Long CAS Engineering 10 S. Bentz Street Frederick, MD 21701
Adjacent and confronting Property Owners mailing addresses	
Robert and Kathryn Fulton 4 E Irving Street Chevy Chase, MD 20815	
Christopher Niemczewski 6 E Irving Street Chevy Chase, MD 20815	
Dana Beyer 8 E Irving Street Chevy Chase: MD 20815	



Experience you can build on.

corporate office
10 south bentz street
frederick, maryland 21701
office 301.607.8031
info@casengineering.com
www.casengineering.com

civil • surveying • land planning

Dear Members of the Board,

This submission is for the construction of a regulation tennis court on Lot 2 at the corner of Connecticut Avenue and East Irving Street, Chevy Chase.

Existing Conditions

The subject property, 9 Chevy Chase Circle, consists of Lot 1 and Lot 2. The primary lot, Lot 1, contains the historic main house, a detached accessory structure, driveway, several specimen trees including a 73" Specimen Tree (*See Photo A, Page 2 of the accompanying exhibit*), a reflecting pool, and other associated improvements.

Lot 2, as shown on Page 1 of the accompanying exhibit, is somewhat isolated from the main portion the property largely due to the location of the main entrance from Connecticut Avenue and two large trees. Lot 2 is currently vacant except for a metal gazebo, three large specimen trees (33" DBH, 34" DBH, and 42" DBH), various smaller trees, a small portion of the driveway, and a stone wall along both public rights-of-ways. The metal gazebo will be removed. The stone wall will remain.

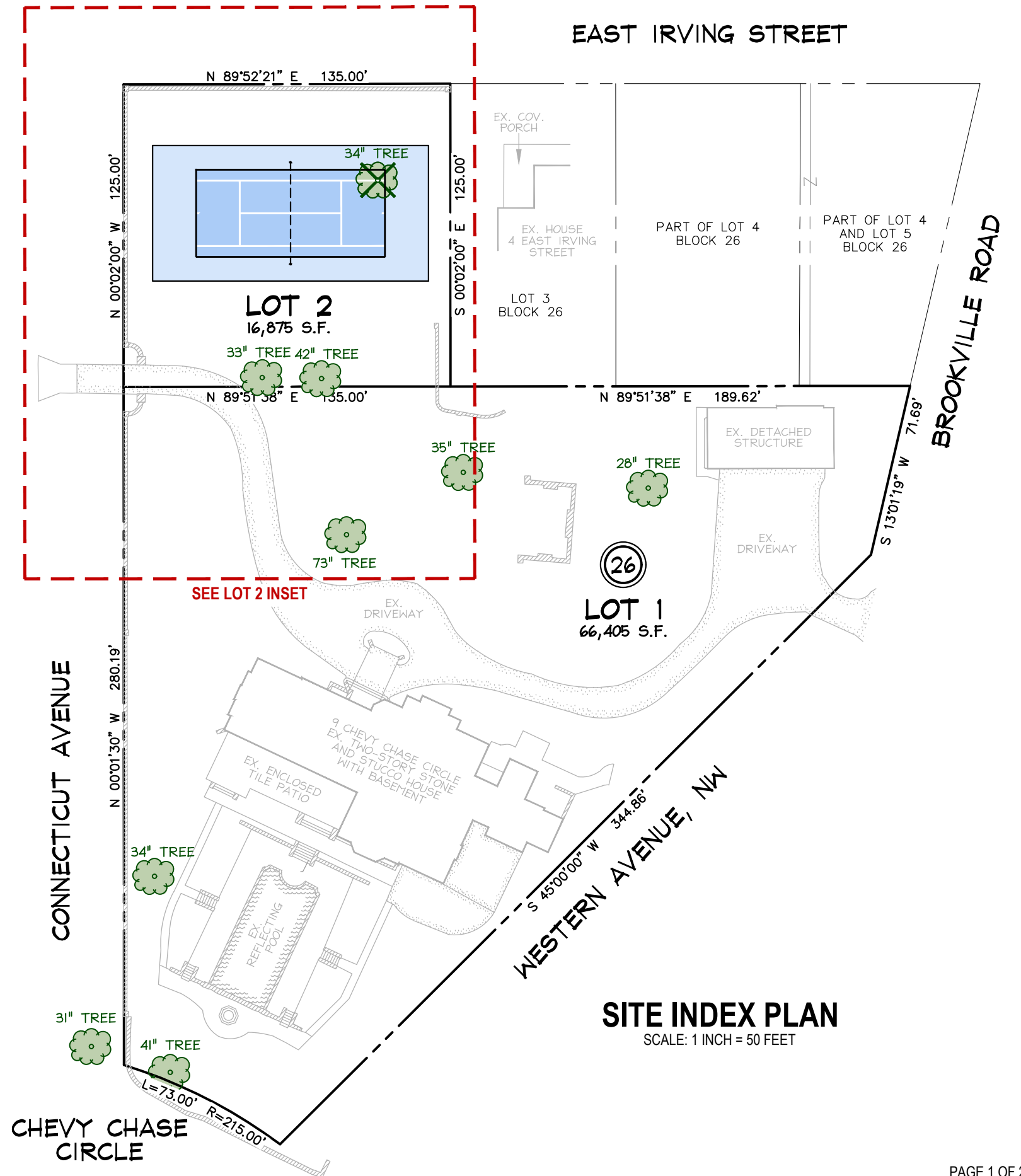
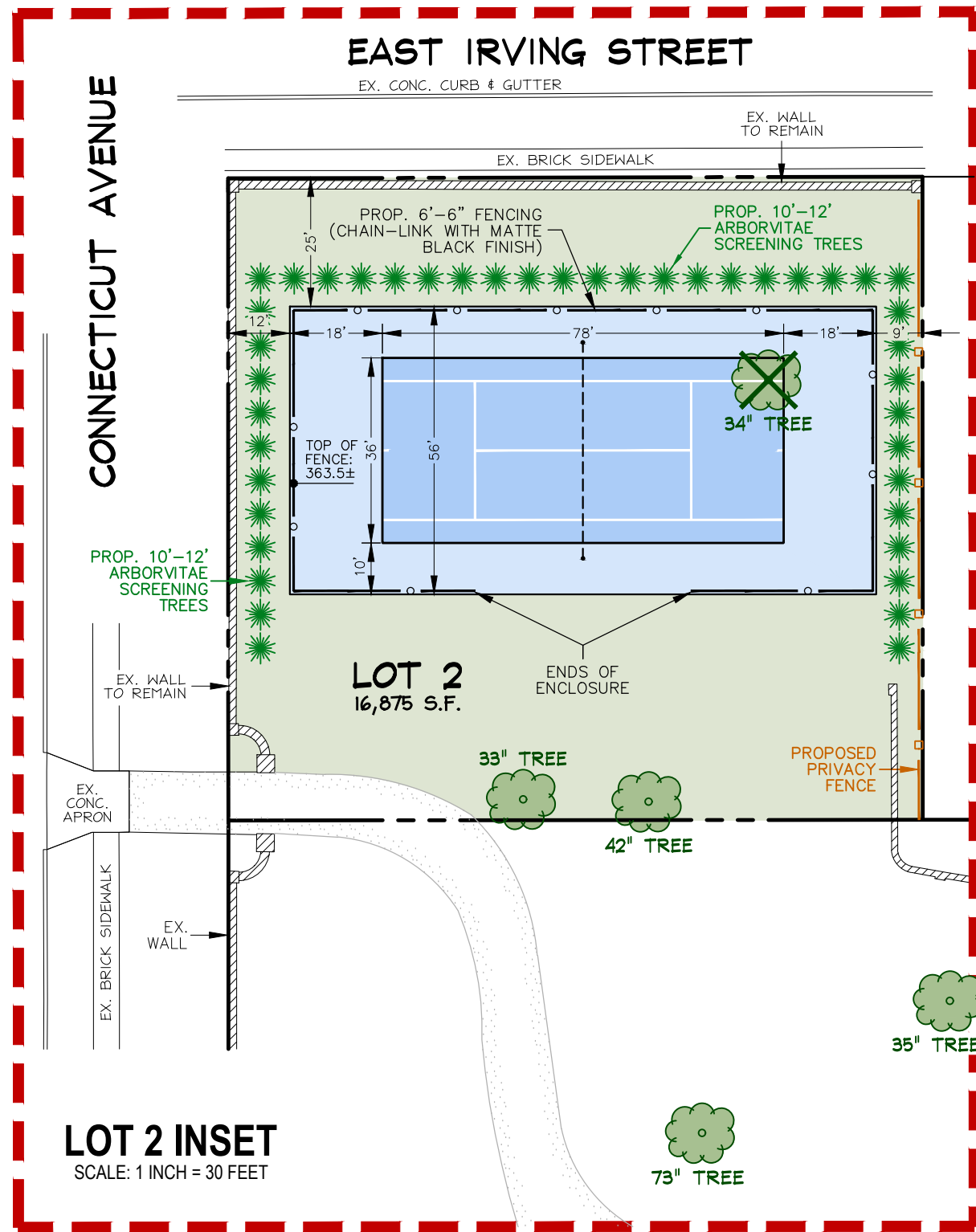
Proposed Improvements

This submission is for the construction of a tennis court, a minimal amount of fencing around the court, and screening trees along Connecticut Avenue, East Irving Street, and the property line shared with Lot 3 (*4 East Irving Street*).

Several other locations were considered for the tennis court however the currently proposed location makes the best use of Lot 2 and preserves more specimen trees than any other location. Alternate locations would either require the removal of three or more specimen trees, the relocation of the main entrance from Connecticut Avenue, or considerable disturbance to the critical root zone of the stately 73" specimen tree on Lot 1 (*See Photo A*).

The 6'-6" tall fencing around the court will be matte black vinyl-coated chain link. (*See Photo B, Page 2 of the accompanying exhibit*).

To reduce visibility of the tennis court fencing from the rights-of-ways and the property at 4 East Irving Street, this plan submission proposes screening the property with arborvitae trees along the perimeter of Lot 2. At planting, the trees will measure roughly 10-12 feet in height. (*See Photos C and D, Page 2 of the accompanying exhibit*).



CAS Engineering
10 South Bentz Street
Frederick, Maryland 21701

301-607-8031 office
info@casengineering.com



PHOTO A

Photo A - Existing 73" Specimen Tree on Lot 1. (Photo by HomeVisit)



PHOTO C

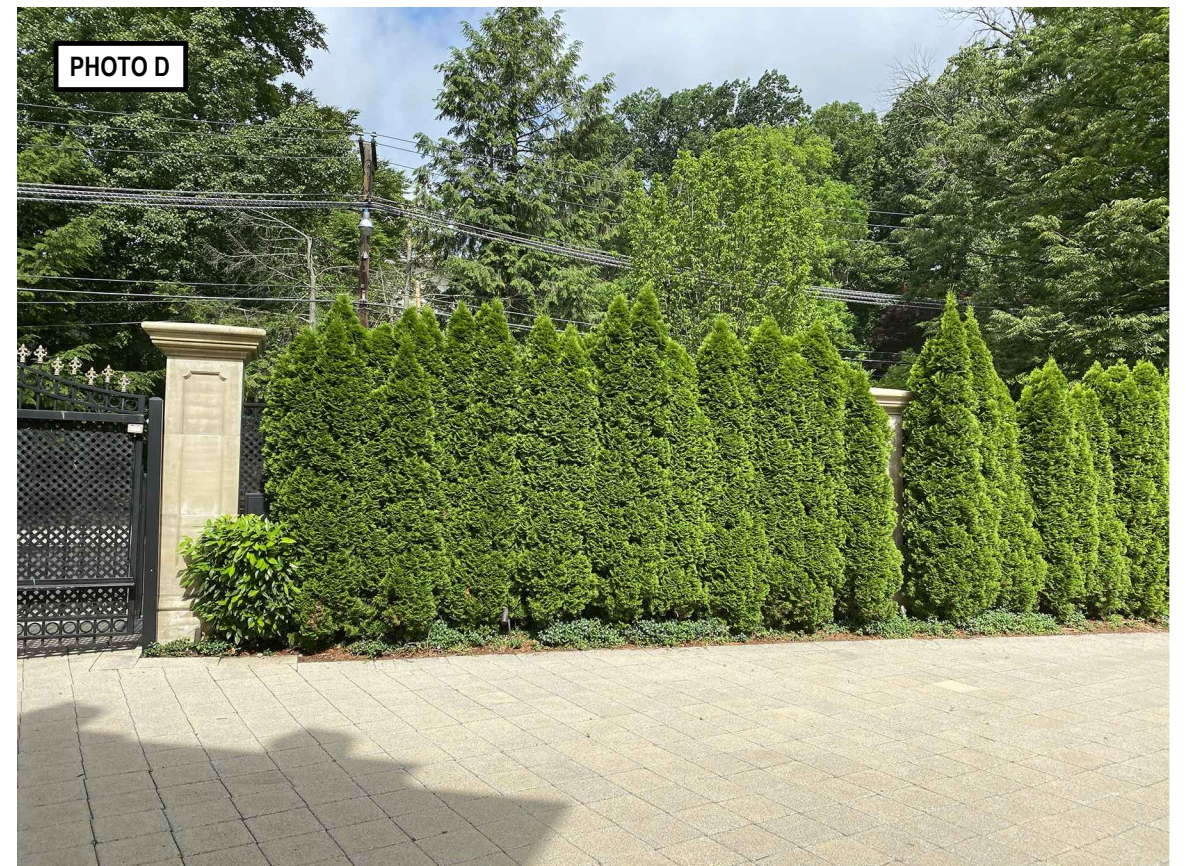


PHOTO D

Photos C and D - Proposed Arborvitae screening trees. Photos taken at the homeowner's DC property.



PHOTO B

Photo B - Black chain link fence.



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10 South Bentz Street
Frederick, Maryland 21701

301-607-8031 office
info@casengineering.com



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

HAWP APPLICATION

Application Date: 6/2/2020

Application No: 915234
AP Type: HISTORIC
Customer No: 1374354

Affidavit Acknowledgement

The Homeowner is the Primary applicant
This application does not violate any covenants and deed restrictions

Primary Applicant Information

Address 9 CHEVY CHASE CIR
CHEVY CHASE, MD 20815
Homeowner Adrienne Arsht Revocable Trust (Primary)
Othercontact CAS ENGINEERING

Historic Area Work Permit Details

Work Type CONST
Scope of Work construction of a tennis court, fencing around the court, and screening trees