

Preliminary Consultation
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	37 West Irving Street, Chevy Chase	Meeting Date:	7/29/2020
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	7/22/2020
		Public Notice:	7/15/2020
Applicant:	Roslyn Mazer and David Holzworth (Jonathan Kuhn, Agent)	Tax Credit:	N/A
Review:	Preliminary Consultation	Staff:	Michael Kyne
Case Number:	N/A		
PROPOSAL:	Building addition		

STAFF RECOMMENDATION:

Staff recommends that the applicant make any revisions based upon the HPC's comments and return with a HAWP application.

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District
STYLE: Colonial Revival
DATE: 1916-1927

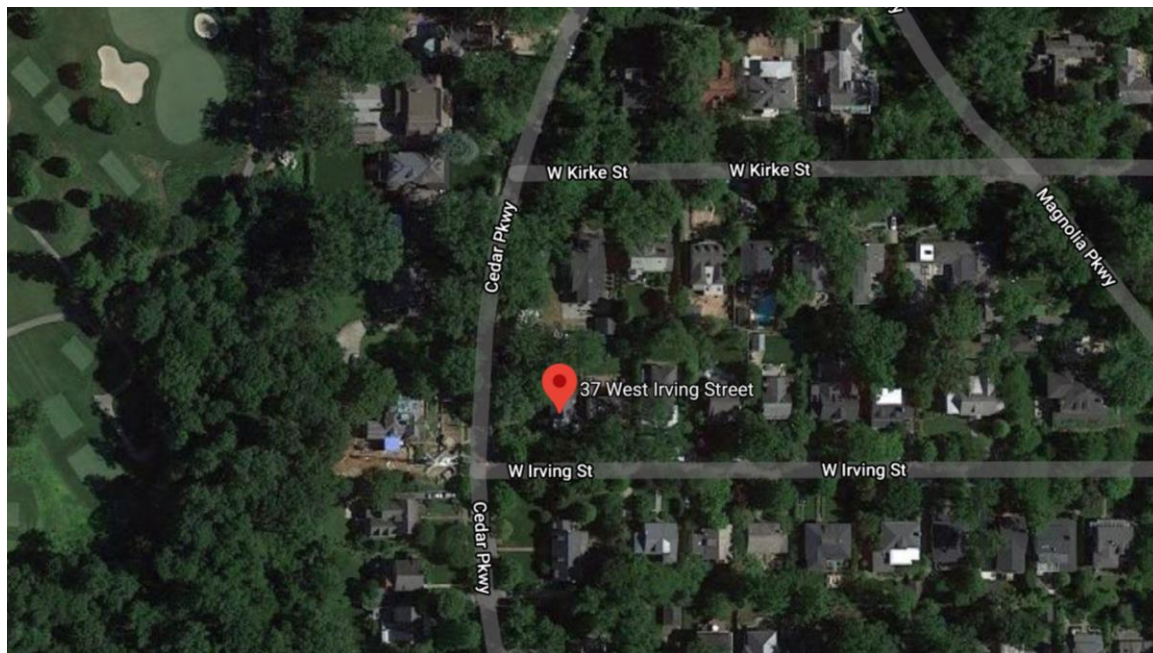


Fig. 1: Subject property.

PROPOSAL:

The applicants propose a building addition 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 *Montgomery County Code Chapter 24A (Chapter 24A)*, the historic preservation review guidelines in the approved and adopted amendment for the *Chevy Chase Village Historic District (Guidelines)*, 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

- (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 an 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.

- (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* state that the following five basic policies should be adhered to:

1. Preserving the integrity of the proposed Chevy Chase Village Historic District. Any alterations should, at a minimum, perpetuate the ability to perceive the sense of time and place portrayed by the district.
2. 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.
3. Maintaining the variety of architectural styles and the tradition of architectural excellence.
4. 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.
5. 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* 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* that pertain to this project are as follows:

Major additions should, where feasible, be placed to the rear of the existing structure so that they are less visible from the public right-of-way. Major additions which substantially alter or obscure the front of the structure should be discouraged but not automatically prohibited. For example, where lot size does not

permit placement to the rear, and the proposed addition is compatible with the street scape, it should be subject to moderate scrutiny for contributing resources, but strict scrutiny for outstanding resources.

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:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
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.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
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 subject property is located on a corner lot, with West Irving Street to the south and Cedar Parkway to the west. The house is addressed on West Irving Street, although its west elevation is experienced as the traditional front from Cedar Parkway. There is an existing non-historic addition at the north side of the

house and an existing non-historic open-air deck at the west side of the addition. The addition and deck are highly visible from the public right-of-way of Cedar Parkway.

The applicants propose to construct a one-story sleeping porch addition at the west side of the existing non-historic addition within the footprint of the existing non-historic deck. The northwest corner of the deck is angled, and the northwest wall of the proposed sleeping porch will follow this angle, resulting in a non-traditional building form.

The *Guidelines* state that “major additions should, where feasible, be placed to the rear of the existing structure so that they are less visible from the public right-of-way. Major additions which substantially alter or obscure the front of the structure should be discouraged but not automatically prohibited. For example, where lot size does not permit placement to the rear, and the proposed addition is compatible with the street scape, it should be subject to moderate scrutiny for contributing resources, but strict scrutiny for outstanding resources.”

Staff finds that, because the west elevation is experienced as the front of the house from the public right-of-way, it is within the spirit of the *Guidelines* to review the proposed addition as a front/side addition; however, staff does not find that the proposed addition will substantially alter or obscure the perceived front of the house. Furthermore, staff finds that the lot size and building restriction lines to the north and east (see the applicants’ narrative) make it infeasible to construct the proposed addition elsewhere on the property. Accordingly, staff finds that the proposed addition should be reviewed with moderate scrutiny.

The *Guidelines* define moderate scrutiny as:

...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.

Staff asks for the Commission’s guidance regarding the compatibility of the proposed sleeping porch with the surrounding streetscape. Specifically, staff asks for guidance regarding the angled northwest wall of the proposed addition, which will result in a non-traditional building form, which is generally inconsistent with the symmetrical historic house. Staff also asks the Commission to provide general guidance regarding appropriate and compatible materials for a highly visible addition, which will be experienced as a front/side addition from the public right-of-way.

STAFF RECOMMENDATION:

Staff recommends that the applicant make any revisions based upon the HPC’s comments and return with a HAWP application.



FOR STAFF ONLY:

HAWP# _____

DATE ASSIGNED _____

**APPLICATION FOR
HISTORIC AREA WORK PERMIT**
HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Roslyn Mazer and David Holzworth

E-mail: homeruns@aol.com

Address: 37 W. Irving Street

City: Chevy Chase

Zip: 20815

Daytime Phone: 202-362-3638

Tax Account No.: 00455281

AGENT/CONTACT (if applicable):

Name: Jonathan Kuhn

E-mail: jonathan@kuhnarchitect.com

Address: 1 P Street NW

City: Washington, DC

Zip: 20001

Daytime Phone: 202-494-5061

Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property _____

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: 37 Street: West Irving

Town/City: Chevy Chase Village Nearest Cross Street: Cedar Parkway Lot: 7 Block: 32

Subdivision: Chevy Chase Section II Parcel: 07-009-00455281

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:

☐ New Construction

☐ Deck/Porch Fence

☐ Shed/Garage/Accessory Structure

☒ Addition

☐ Hardscape/Landscape

☐ Solar

☐ Demolition

☐ Roof

☐ Tree removal/planting

☐ Grading/Excavation

☐ Window/Door

☐ Other: _____

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

Date

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

The home sits on a corner lot at the intersection of West Irving Street and Cedar Parkway in the Chevy Chase Village District. The main structure, 2-story plus basement, is of the colonial revival type built in the first quarter of the 20th century. An addition was placed on the north, considered to be the rear of the house, that included a family room with bathroom and storage at the first floor and guest bedroom above. An open-air deck is located along the addition and faces Cedar Parkway with some exposure to Lot 8 to the north. The lot is heavily landscaped including mature tulip poplars to the Cedar Parkway face of the house and in proximity to the existing deck.

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

Please see attached that includes additional notes of the existing and a detailed description of the proposed including a justification for the work.

37 West Irving Street is a corner lot bounded by West Irving Street on the front (south side) and Cedar Parkway on the west side. The house was built in 1920 before the Building Restriction Line (BRL) referenced in Section 8-16(c) of the Chevy Chase Building Regulations was established. As a result, the BRL actually runs through a segment of the original house from the edge of front door steps to the northwest corner of the original house. The western wall of the original house is 50 feet from Cedar Parkway at its farthest point at the southeast corner of the main structure. Because Cedar Parkway curves toward the east as it goes north, the distance between Cedar Parkway and the house decreases by approximately 2 feet at the northwest corner of the house. At the point where the BRL exits Lot 7 to Lot 8, it has moved east by approximately 11 feet. The trajectory of the BRL goes through the house from the front door steps and through the existing at-grade level deck.

The deck has three points of entry from the house: one opens to the deck from the original house through a pair of French doors in the dining room; one opens to the deck from a breakfast alcove; and the third opens through a set of sliding doors from the family room. The last two points of entry are from additions to the house.

The proposed sleeping porch addition would be a first floor extension of an existing condition. It would extend from the western face of the house on the line of the original structure -- within the footprint of the existing at-grade deck -- incorporating or replacing the piers built for the deck. It may be necessary to add additional piers, but they would conform to the geometry of the extended line of the original house and the line of the deck for the portion of the addition that ties into the northern wall of the existing addition. The angled northern wall of the sleeping porch is the only wall on the perimeter of the existing deck. The attached photos show the existing condition from several perspectives, including Cedar Parkway views, which are characterized by dense shrubbery and tall trees.

The proposed addition is designed to (1) fall within the footprint of the existing at-grade deck with the exception of the angled northern wall, (2) conform the materials and geometry of the windows, walls and roof line to the design elements and materials of the original house and previous additions, and (3) limit to the greatest extent possible any disturbance of the root structure of the trees nearest to the deck footprint. This is especially important for the old growth tulip poplar, which accounts for the angled north wall of the proposed addition. This approach will ensure both continuity with the existing structure and compatibility with the streetscape.

JUSTIFICATION FOR THE ADDITION:

Accommodation for Aging in Place and Senior Living:

We purchased this lovely property in 2017 to live in during our retirement years (we are both retired). One of the most attractive features of the home is a ground level room (now called the Family Room) with en suite bath that is adjacent to the deck on the west side of the property. Currently, the deck may be accessed from the Family Room via a set of sliding doors, from the dining room via a set of French doors, and from a kitchen nook area via a single door (See Photo #7). As we age, we anticipate that one or both of us will eventually need to live on the ground level of the house and will not be able to navigate stairs. Now that we have lived in the house for 2+ years, we appreciate more fully that the Family Room can be usefully converted to a master bedroom with two key modifications: (1) enlarging the current small inaccessible en suite bath (we are proceeding that that project separately), and (2) incorporating the deck into a 4-season room that can be accessed from at least two of the current access points described above.

If we are able to build the addition, the 4-season room would augment and enhance the existing Family Room space. Once built, it would be used now as supplementary space for small casual gatherings, dining, reading, and as a sleeping porch. Once we convert the Family Room into a first floor master bedroom, the room would be used to facilitate ground-level family visits, care giver visits, and to store items needed to support the bedroom.

Infeasibility of Alternate Locations for the Proposed Addition:

As seen in the attached photos, it is not feasible to build an addition adjacent to the Family Room and en suite bathroom in any other location. The following restrictions pertain to the east and north of the current house footprint:

8 To the East: Section 8-16(g) of the Montgomery County Building Code, *Building and Dwellings Regulations*, provides that "no part of any building or structure shall be erected or maintained within seven (7) feet of the side or rear lots, nor within ten (10) feet of the nearest adjacent dwelling..." As shown in Photo #2, ~~the~~ the eastern wall of the house stands a few inches over 7 feet from the lot line, making it infeasible to build an addition there.

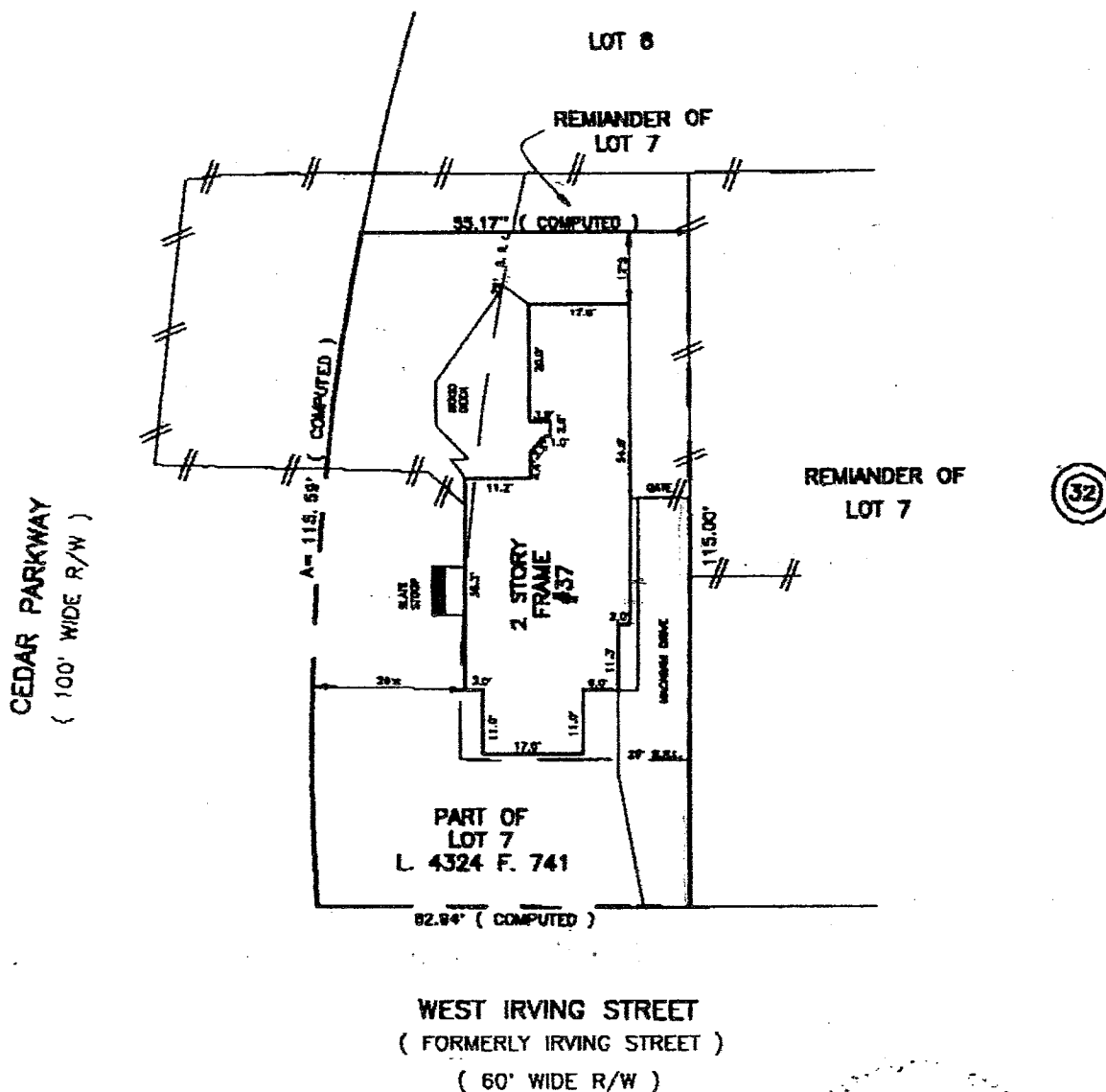
To the North: As shown in Photo # XX and the boundary survey, the northern wall stands 26.22 from the lot line, making it infeasible to build an addition there. Section 16 (h) - "Rear setback for main building. No part of any main building shall be erected within twenty (20) feet of the rear lot line of the property upon which it is located." Furthermore, space between the house and the fence is occupied by another very large tulip poplar. As noted above, our intent is to minimize disturbance of old growth trees.

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

<p>Owner's mailing address 37 W Irving Street Chevy Chase Village, MD 20815</p>	<p>Owner's Agent's mailing address</p>
<p align="center">Adjacent and confronting Property Owners mailing addresses</p>	
<p>Sasan Talali/Shadi Pezeshki 35 W Irving Street Chevy Chase Village, MD 20815</p>	<p>David O'Neil/Laura M Billings 5904 Cedar Parkway Chevy Chase Village, MD 20815</p>
<p>Martin J. + Lori Weinstein 5815 Cedar Parkway Chevy Chase Village, MD 20815</p>	<p>John D. + Ellen F. Talbott 5906 Cedar Parkway Chevy Chase Village, MD 20815</p>
<p>Tom + Melissa Dann 34 West Kirke Street Chevy Chase Village, MD 20815</p>	

PA6133

SECTION NO. 2
CHEVY CHASE
PART OF LOT 7 BLOCK 32
MONTGOMERY COUNTY, MARYLAND



PROPERTY ADDRESS: 37 IRVING STREET

THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE C (AREA OF MINIMAL FLOODING) ACCORDING TO NATIONAL FLOOD INSURANCE PROGRAM F.I.R.M. MAP COMMUNITY PANEL NO. 240049 0175 C AS REVISED 06/01/1984.

CERTIFICATE

I HEREBY DECLARE THAT THE POSITION OF ALL THE VISIBLE EXISTING IMPROVEMENTS SHOWN ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN ESTABLISHED BY PROPER FIELD METHODS.

REFERENCES

PLAT BK. 2

FOLIO 106

LIBER 4324

FOLIO 741

CMS

CENTRAL MARYLAND SURVEYORS, INC.

4310 NORTHVIEW DRIVE (301) 262-2500 FAX (301) 262-8678 BOWIE, MD 20718

DATES:

SCALE: 1" = 30'

WALL CHECK:

DRAWN BY: S.D.

HSE. LOC.: 02/20/96

JOB NO.: 0237-98

BOUNDARY:

JERRY BRYON SCHUESSLER

Reg. MARYLAND Property Line Surveyor No. 369

- NOTES: 1) This location drawing is of benefit to a consumer only in so far as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or refinancing.
2) This location drawing is not to be relied upon for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.
3) B.L. Information, if shown was obtained from existing record plat or was provided to CMS, and is not guaranteed by CMS, Inc.
4) Flood Zone Information is subject to the interpretation of the originator.
5) CMS, Inc. does not certify to unknown or unrecorded encroachments or overlaps.
6) Level of accuracy 10'±.

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NO REPRODUCTION
WITHOUT EXPRESSED
WRITTEN PERMISSION
BY CMS, INC.

- Rebar & Cap Set D Deed
- Rebar & Cap Held S Survey
- ⊗ P.K. Nail Held

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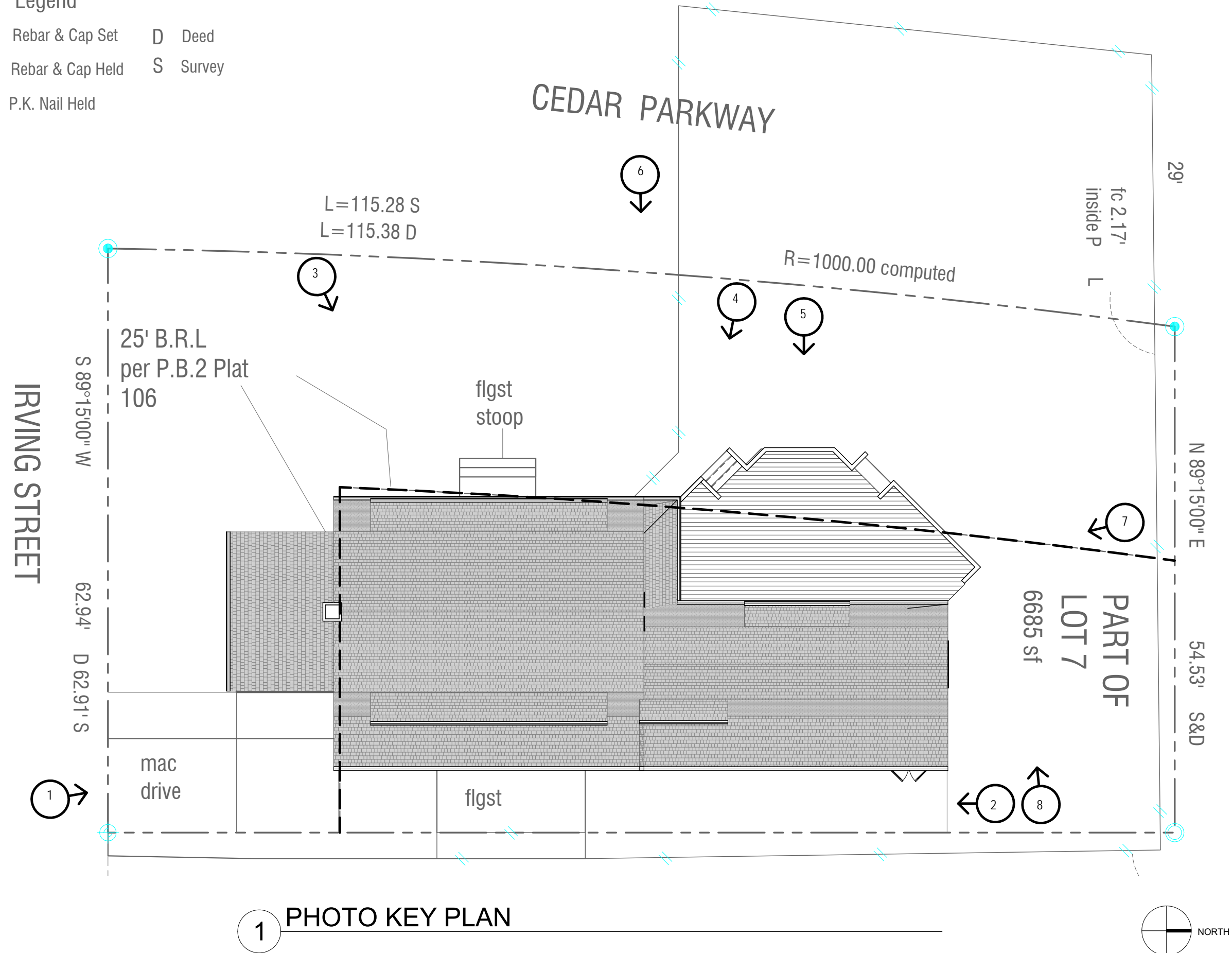
Meridian
Surveys

✓
MERIDIAN SURVEYS, INC.
PO BOX 549
FREDERICK, MD 21705
(301) 721-9400

12

BOUNDARY SURVEY
PART OF LOT 7, BLOCK 32
SECTION TWO, CHEVY CHASE
AS DESCRIBED IN
LIBER 4324 FOLIO 741

- | | | |
|------------------|---|--------|
| Rebar & Cap Set | D | Deed |
| Rebar & Cap Held | S | Survey |
| P.K. Nail Held | | |

JK_A

JONATHAN KUHN ARCHITECT
ONE P STREET NW
WASHINGTON DC 20001
T: 202.494.5061
JONATHAN@KUHNARCHITECT.COM
WWW.KUHNARCHITECT.COM

Mazer Holzworth Residence
37 West Irving Street, Chevy Chase,
Montgomery County, MD 20815

ISSUE RECORD
06 JULY 2020

ISSUED FOR PERMIT

REAL



I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number **15238**, exp. date of **10.24.21**.

SHEET NAME
PHOTO KEY
PLAN

SCALE: 3/32" = 1'-0"

D-001
13



1 View from W Irving Street



2 Side Yard



3 View from Cedar Parkway



4 View from Cedar Parkway



5 View from Cedar Parkway



6 View from Cedar Parkway



7 view from Lot 8 showing existing deck



8 view of North side of the property

JK_A

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Mazer Holzworth Residence
37 West Irving Street, Chevy Chase,
Montgomery County, MD 20815

ISSUE RECORD
06 JULY 2020

ISSUED FOR PERMIT

SEAL



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SHEET NAME
GENERAL
NOTES AND
KEY PLAN

SCALE: NTS

D-002
14



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Mazer Holzworth Residence
37 West Irving Street, Chevy Chase,
Montgomery County, MD 20815

ISSUE RECORD
06 JULY 2020
ISSUED FOR PERMIT

SEAL

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 15238, exp. date of 10.24.21.

SHEET NAME
EXISTING
RENDERING

SCALE: NTS

D-100
15

Mazer Holzworth Residence
37 West Irving Street, Chevy Chase,
Montgomery County, MD 20815

ISSUE RECORD

06 JULY 2020

ISSUED FOR PERMIT

SEAL



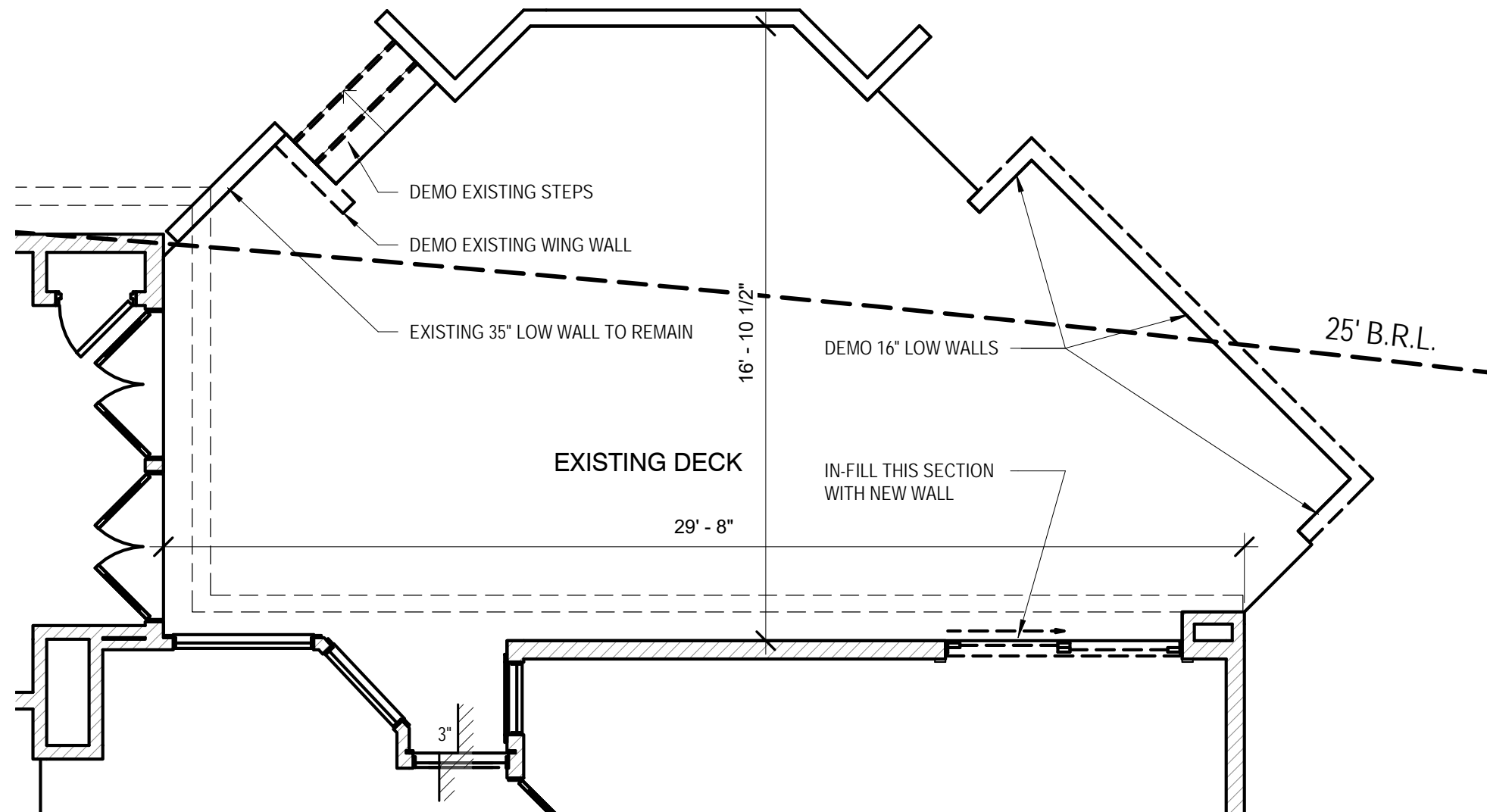
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SHEET NAME

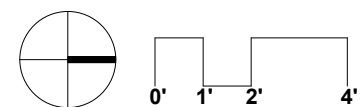
EXISTING DECK
PLAN

SCALE: 1/4" = 1'-0"

D-101
16



1 EXISTING FIRST FLOOR_(PARTIAL)
1/4" = 1'-0"





Mazer Holzworth Residence
37 West Irving Street, Chevy Chase,
Montgomery County, MD 20815

ISSUE RECORD
06 JULY 2020
ISSUED FOR PERMIT



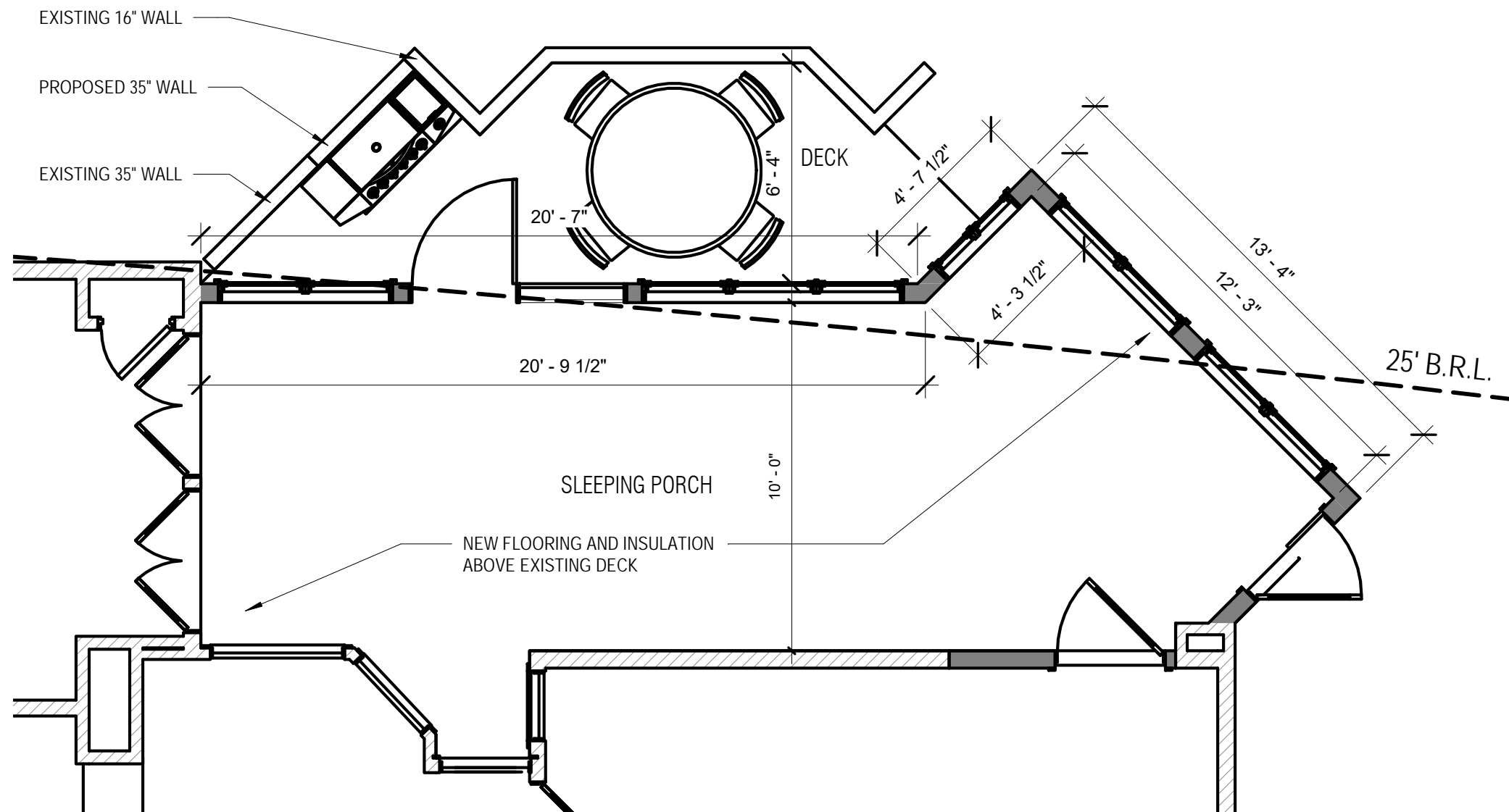
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 15238, exp. date of 10.24.21.

SHEET NAME
PROPOSED
RENDERING

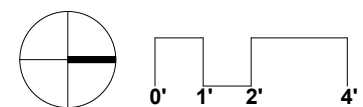
SCALE: NTS



I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 15238, exp. date of 10.24.21.

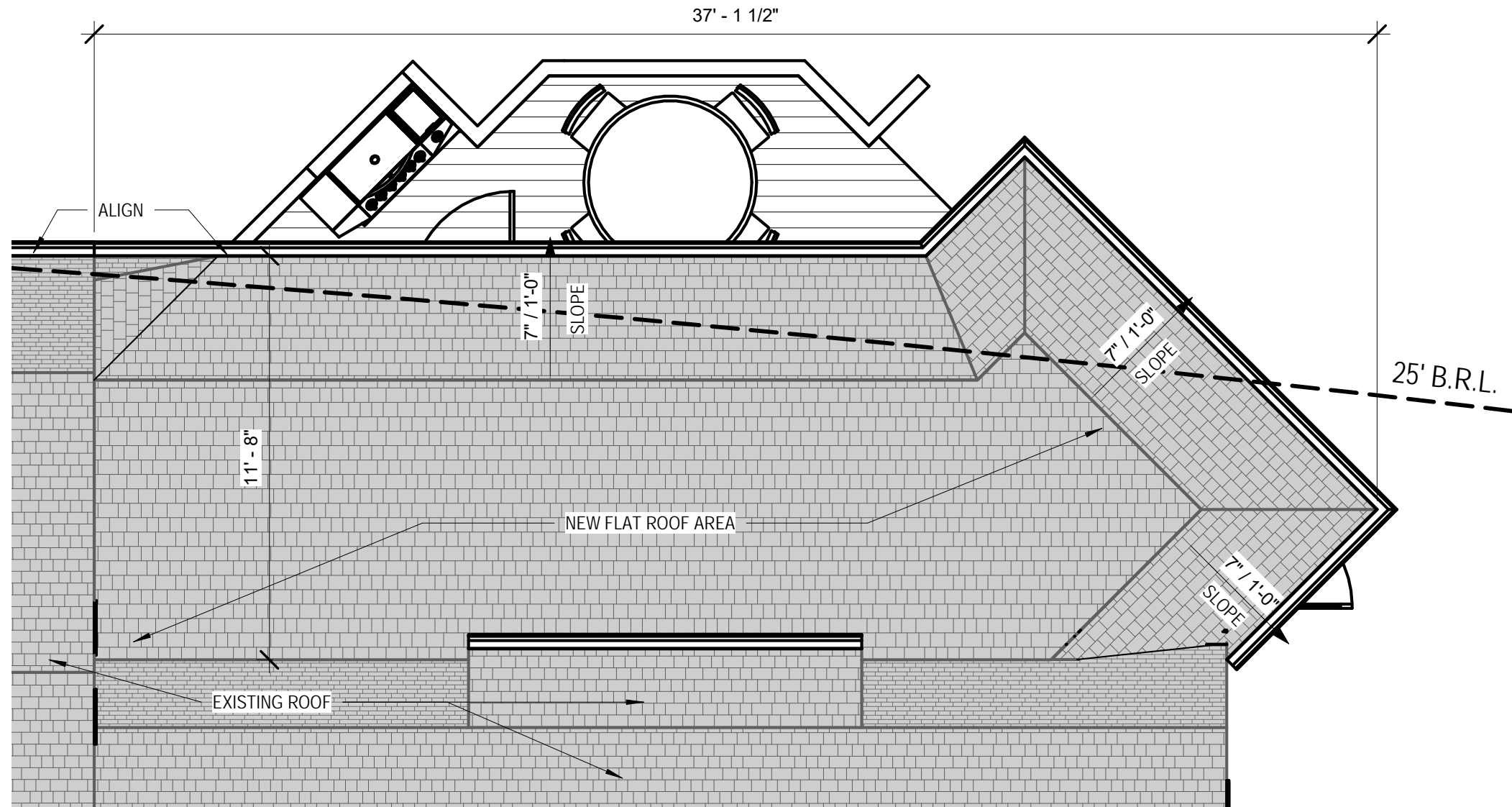


1 PROPOSED FIRST FLOOR_ (PARTIAL)
1/4" = 1'-0"

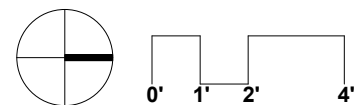




I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 15238, exp. date of 10.24.21.



1 PROPOSED ROOF PLAN_(PARTIAL)
1/4" = 1'-0"

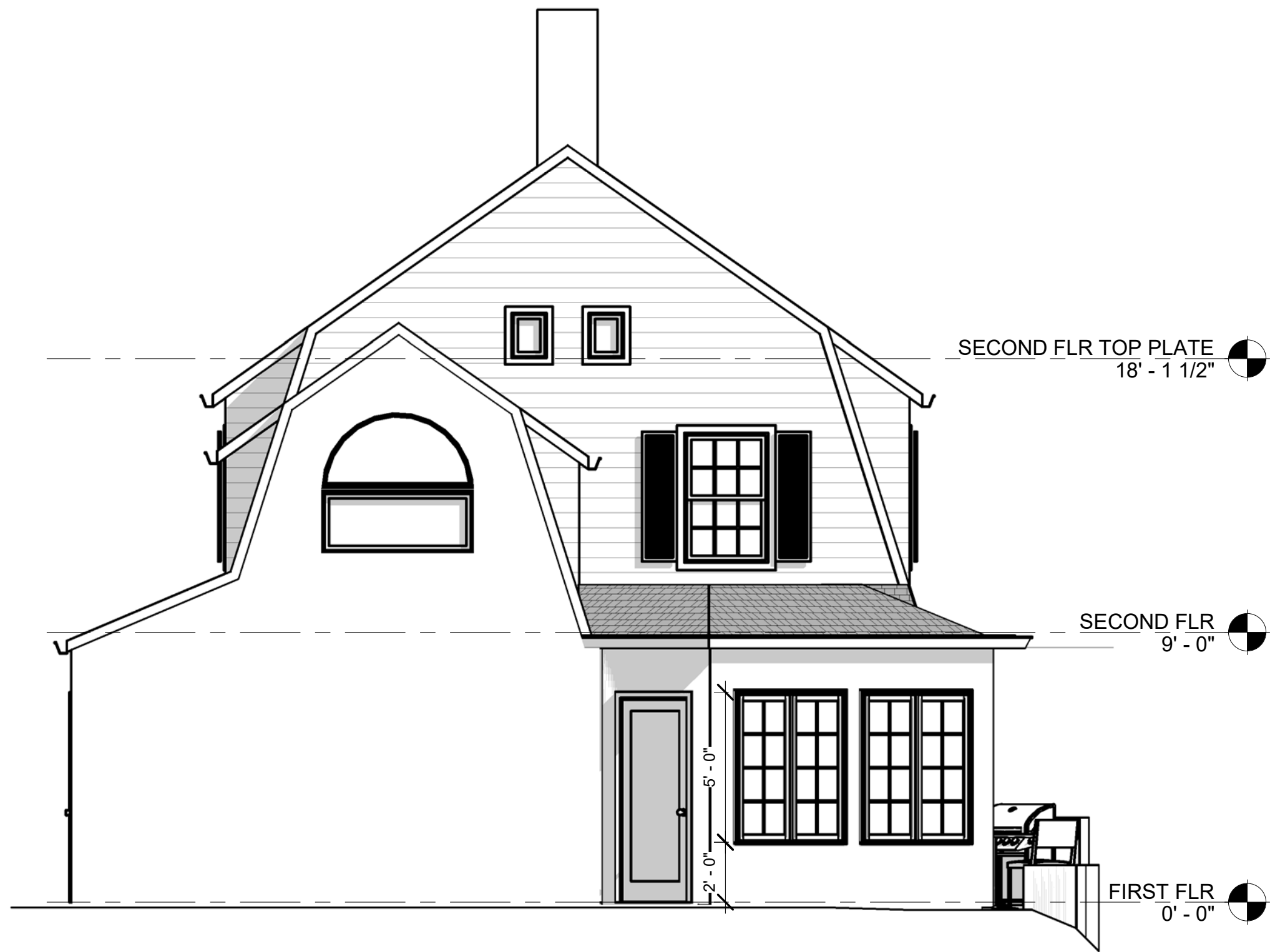




1 PROPOSED WEST ELEVATION
1/4" = 1'-0"



I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed architect under the laws of the State of Maryland, license number 15238, exp. date of 10.24.21.



1 PROPOSED NORTH ELEVATION
1/4" = 1'-0"