

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	3804 Bradley Ln., Chevy Chase	Meeting Date:	9/9/2020
Resource:	Contributing Resource Chevy Chase Village Historic District	Report Date:	9/2/2020
Applicant:	Rohit Rao (Anthony Colella, Agent)	Public Notice:	8/26/2020
Review:	HAWP	Tax Credit:	No
Case Number:	35/13-20Z	Staff:	Michael Kyne
PROPOSAL: New fence and retaining wall			

STAFF RECOMMENDATION:

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

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Contributing Resource within the Chevy Chase Village Historic District
STYLE: Craftsman
DATE: 1892-1916

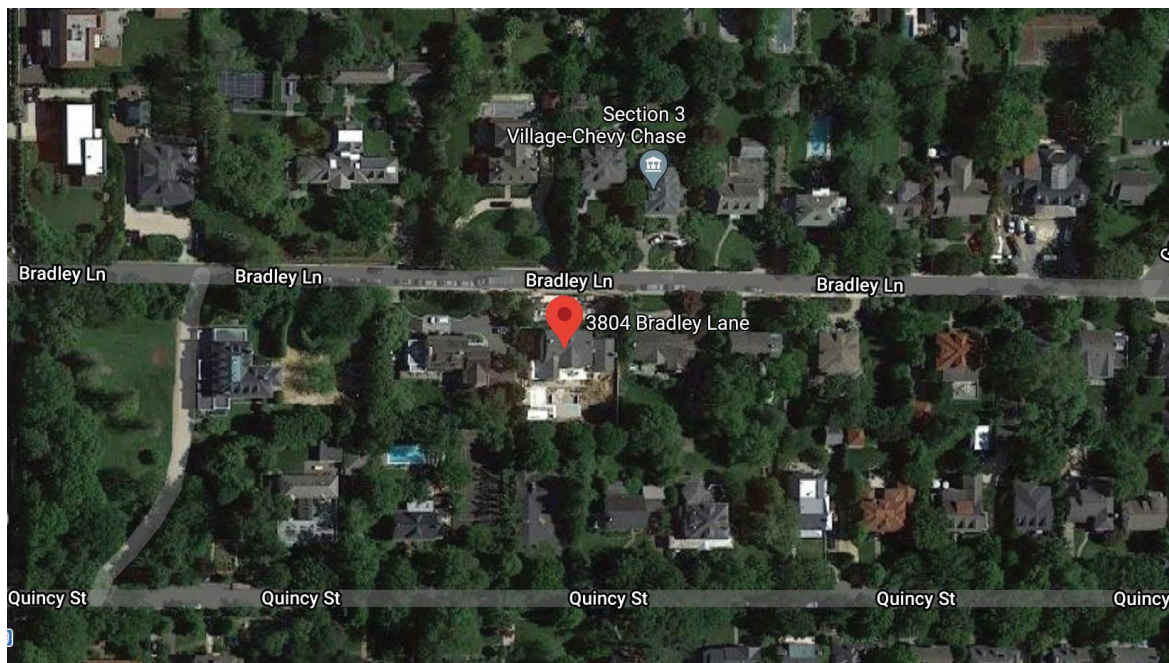


Fig. 1: Subject property.

PROPOSAL:

The applicant proposes to extend an existing solid board wooden fence at the west property line and a timber retaining wall at the east property line.

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Chevy Chase Village Historic District several documents are to be utilized as guidelines to assist the Commission in developing their decision. These documents include the historic preservation review guidelines in the approved and adopted amendment for the *Chevy Chase Village Historic District (Guidelines)*, *Montgomery County Code Chapter 24A (Chapter 24A)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

Chevy Chase Village Historic District Guidelines

The guidelines break down specific projects into three levels of review – Lenient, Moderate and Strict Scrutiny.

“Lenient Scrutiny” means that the emphasis of the review should be on issues of general massing and scale, and compatibility with the surrounding streetscape, and should allow for a very liberal interpretation of preservation rules. Most changes should be permitted unless there are major problems with massing, scale and compatibility.

“Moderate Scrutiny” involves a higher standard of review than “lenient scrutiny.” Besides issues of massing, scale and compatibility, preserving the integrity of the resource is taken into account. Alterations should be designed so that the altered structure still contributes to the district. Use of compatible new materials, rather than the original building materials, should be permitted. Planned changes should be compatible with the structure’s existing design, but should not be required to replicate its architectural style.

“Strict Scrutiny” means that the planned changes should be reviewed to insure that the integrity of the significant exterior architectural or landscaping features and details is not compromised. However, strict scrutiny should not be “strict in theory but fatal in fact” i.e. it does not mean that there can be no changes but simply that the proposed changes should be reviewed with extra care.

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

Preserving the integrity of the contributing structures in the district. Alterations to contributing structures should be designed in such a way that the altered structure still contributes to the district.

Design review emphasis should be restricted to changes that will be visible from the front or side public right-of-way, or that would be visible in the absence of vegetation or landscaping.

Alterations to the portion of a property that are not visible from the public right-of-way should be subject to very lenient review. Most changes to rear of the properties should be approved as a matter of course.

The *Guidelines* that pertain to this project are as follows:

Fences should be subject to strict scrutiny if they detract significantly from the existing open streetscape. Otherwise, fences should be subject to moderate scrutiny if they are visible from the public right-of-way, lenient scrutiny if they are not.

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 ensure 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.)

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, spaces, 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 proportion, and massing to protect the 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 a c. 1892-1916 Craftsman-style Contributing Resource within the Chevy Chase Village Historic District. The applicant proposes the following work items at the subject property:

- Extend an existing solid board fence at the west (right, as viewed from the front) property line.
 - The fence will be extended 25'-3 1/16" toward the front of the property.
 - The fence extension will be a minimum of 5' high and a maximum of 6' high, depending on grade.
- Replace in-kind and extend an existing timber retaining wall at the east (left) property line.
 - The retaining wall will be extended toward the rear.
 - The retaining wall will have a maximum height of 20"

Although the proposed fence will be greater than 4' high forward of the rear plane of the historic house, the house has a moderate setback from the street, and the fence is entirely at the side property line. Therefore, staff finds that the fence will not detract from the open streetscape, and, in accordance with the *Guidelines*, should be reviewed with moderate scrutiny. Applying moderate scrutiny, staff finds the fence compatible with the subject property and surrounding historic district.

Staff supports the applicant's proposal, finding that it will not remove or alter character defining features of the subject property, in accordance with *Standards #2* and *#9*. In accordance with *Standard #10*, the alterations can be removed in the future without impairing the essential form and integrity of the historic property and its environment.

After full and fair consideration of the applicant's submission staff finds the proposal, as revised, 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*, and *Chevy Chase Village Historic District Guidelines* outlined above.

STAFF RECOMMENDATION:

Staff recommends that the Commission **approve** the HAWP application only for alterations to the main house under the Criteria for Issuance in Chapter 24A-8(b)(1), (2), and (d), having found that the proposal is consistent with the *Chevy Chase Village Historic District Guidelines* identified above, and therefore will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the Secretary of the Interior's Standards for *Rehabilitation #2, 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# 923926
DATE ASSIGNED _____

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

APPLICANT:

Name: David Wodlinger
Address: 3804 Bradley Lane
Daytime Phone: 202-337-7500

E-mail: phil@cas-dc.com
City: Chevy Chase Zip: 20815
Tax Account No.: 07-02104451

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 _____

Is the Property Located within an Historic District? Yes/District Name _____
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: 3804 Street: Bradley Lane
Town/City: Chevy Chase Nearest Cross Street: Connecticut Avenue
Lot: 35 Block: 61 Subdivision: Chevy Chase SE Section Parcel: n/a

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>landscape timber curb wall</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.

- Agent

08/18/2020

Signature of owner or authorized agent

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:

detached single-family home built circa 1913

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

Extension of existing fencing. Replacement in-kind, and extension of, existing landscaped timber curb wall,



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 8/18/2020

Application No: 923926
AP Type: HISTORIC
Customer No: 1382819

Affidavit Acknowledgement

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

Primary Applicant Information

Address 3804 BRADLEY LN
CHEVY CHASE, MD 20815
Homeowner Wodlinger (Primary)
Othercontact CAS ENGINEERING

Historic Area Work Permit Details

Work Type CONST
Scope of Work Extension of existing fencing. Replacement in-kind, and extension of, existing landscaped timber curb wall,

GENERAL NOTES

- Boundary information and two-foot contour data are based upon surveys performed by C&S Engineering, dated May, 2015.
- Total lot area: Lot 35 = 15,359 sq. ft. (0.353 Acres)
- Property is located on The Map H1041 and W35C 200' Street 208 NW 04.
- Property is located on State Survey Map Number 27.
Soil type(s): 20B, Glenview Urban land complex, H50, 10'
Flood zone "X" per F.E.M.A. Flood Maps, Community Panel Number 24021C0400D.
- Property is located in the Rock Creek Watershed & Potomac River Watershed.
- Water Category - 1, Sewer Category - 1
- Local utilities include:
Water / Sewer - Washington Suburban Sanitary Commission
Electric - NRECC
Telephone - Verizon
Gas - Washington Gas
- This plan was created under the benefit of a title report.

ZONING DATA

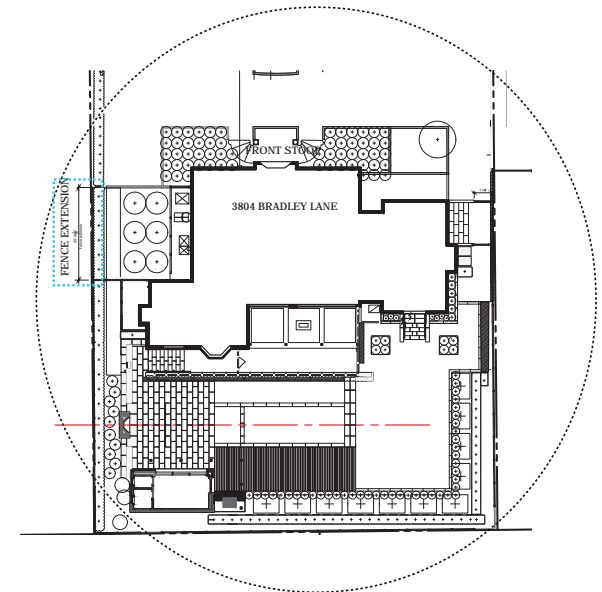
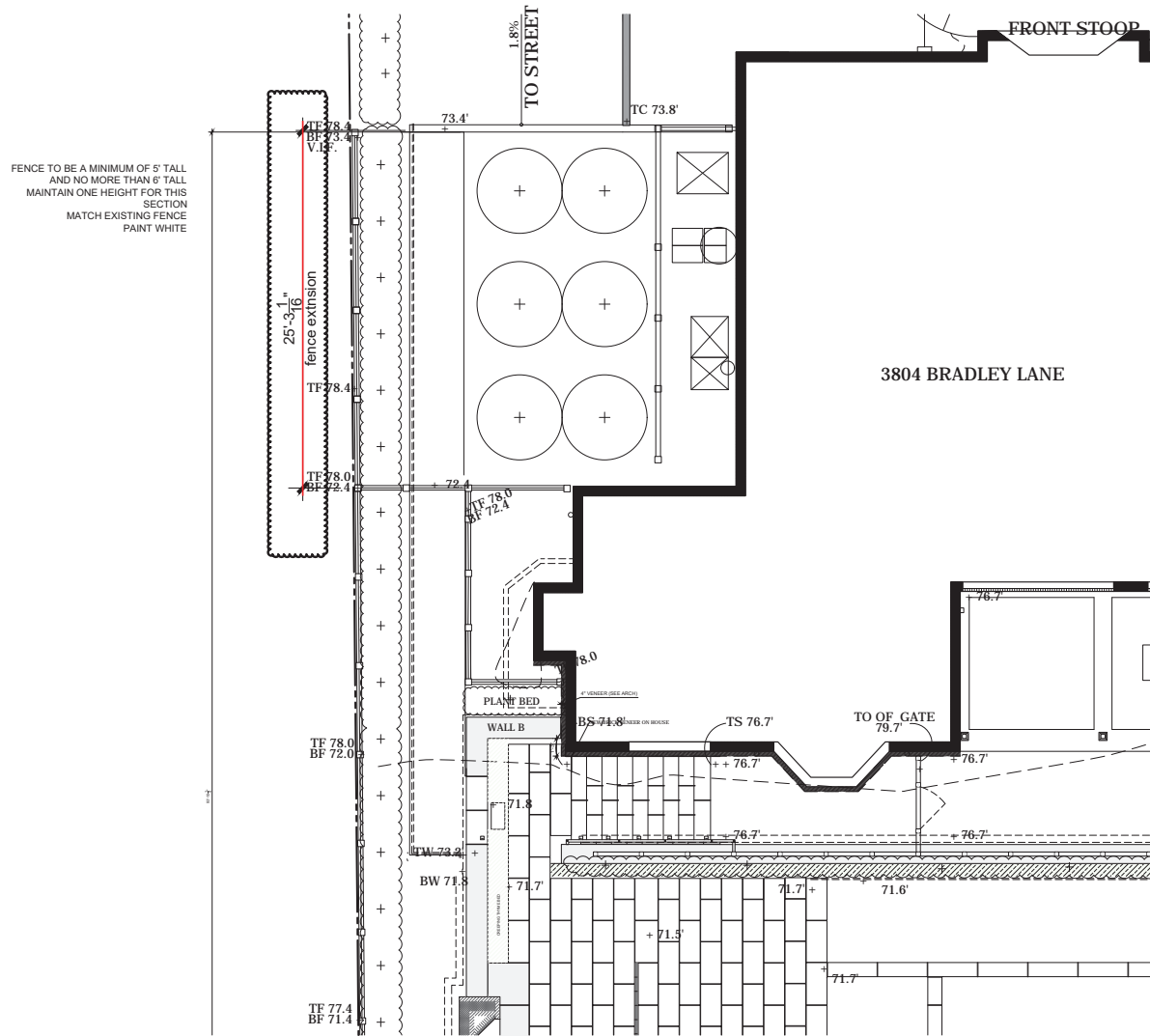
- Zoning: R-80**
Minimum Lot Area: 10,000 sq. ft.
Minimum Lot Width at R/W: 25 ft.
Minimum Lot Width at R.L.: 60 ft.
Front B.R.L. = 6.00 ft. (Per CCV & MACC)
Rear B.R.L. = 20 ft. (Per CCV & MACC)
Side B.R.L. = 8 ft. (Per CCV & MACC)
- Lot Coverage Requirements (Non-lot)**
a) **Verify (Non-lot) lot coverage in accordance with the Zoning Ordinance.**
Coverage is the area of a lot or site occupied by a building, including an accessory building, structured parking, or other related structure such as a porch, patio, deck, or ramp.
Coverage does not include paved areas such as a driveway, a pedestrian walkway, a lay station measuring 10 feet in width in base and that in length is less, an enclosed porch or patio, deck, a swimming pool or pool building.
Allowable Lot Coverage: 35% of total lot area.
Lot 35 = 15,359 sq. ft. (Per MACC)
15,359 x 0.35 = 5,375.65 sq. ft.
Allowable area to be covered by buildings (including acc. buildings) = 5,375.65 sq. ft.
b) **Proposed Combined Area Covered by Buildings = 1,341 sq. ft.**
Per Chevy Chase Village, lot coverage in the portion of a lot which is covered by buildings, accessory buildings, and minor structures, and the combined area of parking, driveway, and deck, cannot exceed approved plans, setbacks, and other rules and regulations. Lot coverage does not include: 1) porches, patios, decks, and ramps; 2) buildings that are not raised such as walkways, patios, terraces, driveway, swimming pools, and landscaping.
Allowable lot coverage 35% of total lot area.
Lot 35 = 15,359 square feet (per MACC)
15,359 x 0.35 = 5,375.65 sq. ft.
c) **Proposed Combined Area Covered by Buildings = 4,181 sq. ft.**
Allowable area to be covered by buildings (including Accessory Buildings) = 5,375.65 sq. ft.
Proposed Combined Area Covered by Buildings = 4,181 sq. ft.
- Building Height Requirements**
Refer to Architectural Plans for Building Height computations.
- Rear Yard Coverage**
a) **Verify accessory rear yard coverage in accordance with the Chevy Chase Village Ordinance, Section 5-20(a).**
No detached garage or other accessory building or structure shall be erected, except in the rear yard of an premises. The combined lot coverage of all accessory buildings shall not exceed twenty (20) percent of the rear yard.
Allowable rear lot coverage 20% of rear yard area.
Lot 35 rear yard area = 5,542 square feet
5,542 x 0.20 = 1,108.4 sq. ft.
Allowable rear yard area to be covered by accessory buildings = 1,108.4 sq. ft.
Proposed Rear Yard Area Covered by Accessory Building = 270 sq. ft.

UTILITY INFORMATION

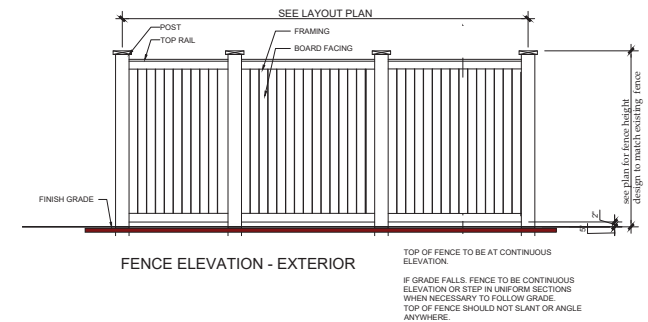
EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED. UTILITY LOCATIONS ARE BASED UPON AVAILABLE RECORDS AND ARE SHOWN TO THE BEST OF OUR ABILITY.

UTILITY	RECORD DATE	BY	INFO. RECEIVED	PLAN/REVISION	CD
WATER	04/20/2015	SM	04/20/2015	04/20/2015	BY
SEWER	04/20/2015	SM	04/20/2015	04/20/2015	BY
POWER	04/20/2015	SM	04/20/2015	04/20/2015	BY
TELEPHONE	04/20/2015	SM	04/20/2015	04/20/2015	BY
WIRELESS	04/20/2015	SM	04/20/2015	04/20/2015	BY
WATER	04/20/2015	SM	04/20/2015	04/20/2015	BY
SEWER	04/20/2015	SM	04/20/2015	04/20/2015	BY
POWER	04/20/2015	SM	04/20/2015	04/20/2015	BY
TELEPHONE	04/20/2015	SM	04/20/2015	04/20/2015	BY
WIRELESS	04/20/2015	SM	04/20/2015	04/20/2015	BY

MISS UTILITY:
PLAN LOCATION OF UTILITY LINES SHALL BE IN ACCORDANCE WITH THE 10' OR 15' OR 20' OR 30' OR 40' OR 50' OR 60' OR 70' OR 80' OR 90' OR 100' OR 110' OR 120' OR 130' OR 140' OR 150' OR 160' OR 170' OR 180' OR 190' OR 200' OR 210' OR 220' OR 230' OR 240' OR 250' OR 260' OR 270' OR 280' OR 290' OR 300' OR 310' OR 320' OR 330' OR 340' OR 350' OR 360' OR 370' OR 380' OR 390' OR 400' OR 410' OR 420' OR 430' OR 440' OR 450' OR 460' OR 470' OR 480' OR 490' OR 500' OR 510' OR 520' OR 530' OR 540' OR 550' OR 560' OR 570' OR 580' OR 590' OR 600' OR 610' OR 620' OR 630' OR 640' OR 650' OR 660' OR 670' OR 680' OR 690' OR 700' OR 710' OR 720' OR 730' OR 740' OR 750' OR 760' OR 770' OR 780' OR 790' OR 800' OR 810' OR 820' OR 830' OR 840' OR 850' OR 860' OR 870' OR 880' OR 890' OR 900' OR 910' OR 920' OR 930' OR 940' OR 950' OR 960' OR 970' OR 980' OR 990' OR 1000' OR 1010' OR 1020' OR 1030' OR 1040' OR 1050' OR 1060' OR 1070' OR 1080' OR 1090' OR 1100' OR 1110' OR 1120' OR 1130' OR 1140' OR 1150' OR 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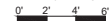
PLAN VIEW PROPERTY
SCALE 1/16" = 1'-00"



LSK-30 FENCE EXTENSION WEST SIDE

WODLINGER 07/25/2020

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



THIS DRAWING HAS BEEN PREPARED, IN SUBSTANTIAL PART, BASED ON INFORMATION AND DOCUMENTED SITE CONDITIONS, FURNISHED BY THE OWNER, ARCHITECT, ENGINEER, CONTRACTOR, AND OTHERS. WHILE THE INFORMATION AND SITE CONDITIONS ARE BELIEVED TO BE RELIABLE, THE LANDSCAPE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THIS DRAWING OR ANY ERRORS OR OMISSIONS THAT HAVE BEEN INCORPORATED INTO IT AS A RESULT OF INCORRECT INFORMATION PROVIDED.

THE LANDSCAPE DESIGNER ACCEPTS NO CLAIMS OR LIES BASED ON THE PROPOSED DRAINAGE, FENCING, STRUCTURAL, RETAINING, AND/OR ASSOCIATED SITE CONDITIONS THAT MAY BE DISCOVERED UPON CONSTRUCTION, INCLUDING BUT NOT LIMITED TO UNDOCUMENTED UTILITY LOCATIONS, SOIL COMPOSITION, BURIED OBJECTS/DEBRIS, DAMAGE TO INFRASTRUCTURE, HYDROLOGICAL FEATURES, FOUNDATIONS, ALL GRADING AND DRAINAGE INFORMATION IS FOR REFERENCE ONLY. REFER TO APPROVED CIVIL AND STRUCTURAL DRAWINGS.

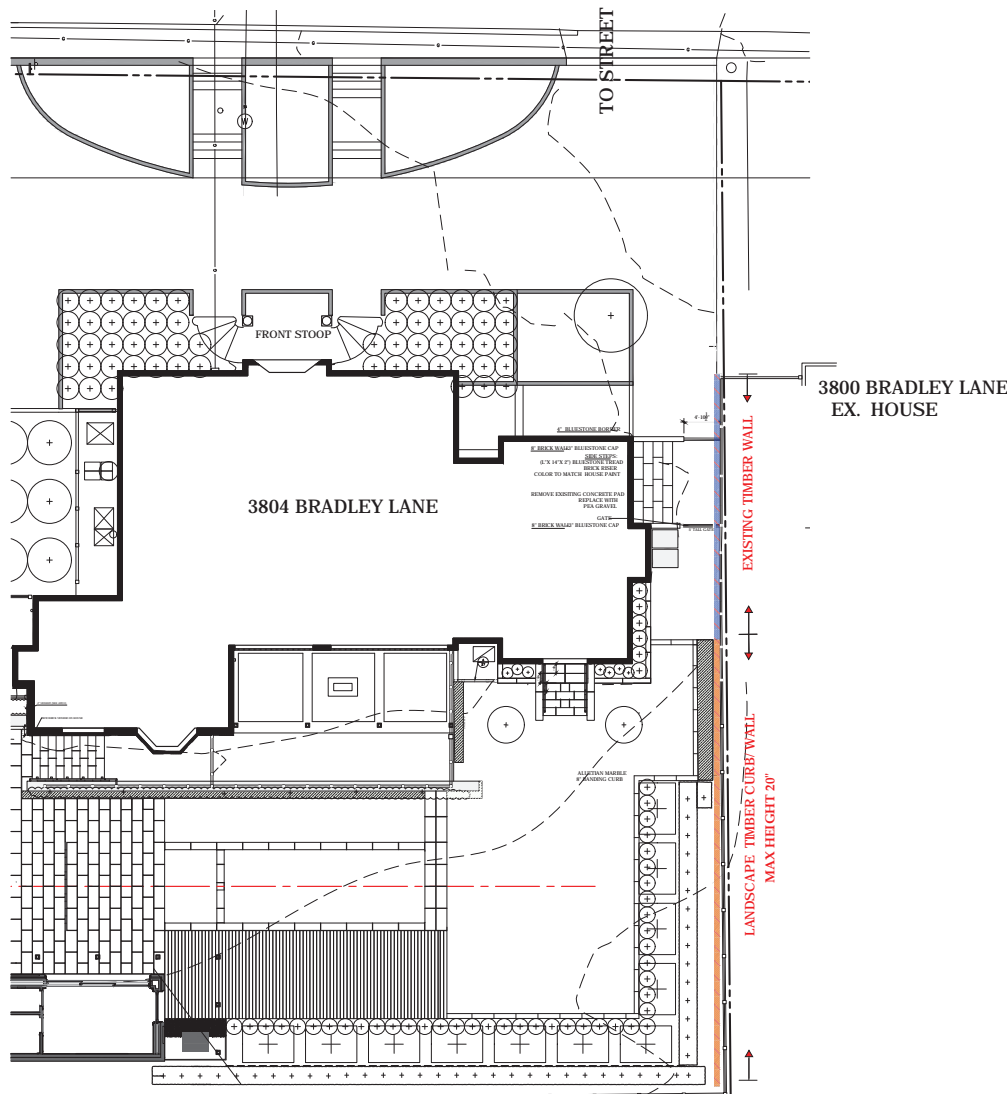
THE INSTALLING CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE CONFORMANCE WITH ALL APPLICABLE CODES AND REGULATIONS. ANY CONFLICT IN THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN TEAM PRIOR TO COMPLETION OF THE FINAL WORK.

LAYOUT NOTES:

1. The proposed plans are based on survey information provided by the Owner and are not verified for accuracy.
2. Contractor shall take field measurements and verify field conditions and shall carefully compare such field measurements and conditions with the drawings before commencing work. Should any discrepancies, omissions, ambiguities, or conflicts emerge in or among the contract documents, or be in doubt as to their meaning, Contractor shall bring these items to the attention of the Landscape Designer for clarification and direction prior to proceeding with work.
3. Contractor shall contact MISS UTILITY, a minimum of 72 hours prior to any excavation, to determine the exact location of all existing utilities, and shall be fully responsible for any and all damages which may result by the Contractor's failure to locate and preserve any and all existing utilities.
4. Any new work shall meet and match existing alignment of features and finished grades at existing pavement or other facilities that are to remain. Contractor shall make any necessary minor adjustments in the proposed work to meet the intent of the plans and to provide smooth transitions between existing conditions and all new work.
5. For layout purposes, all angles are understood to be 90° unless otherwise noted.
6. Contractor shall stake the alignment of all steel edging in the field and shall receive approval of the layout by the LA prior to installation.

NOTES:

1. ALL FEATURES TO BE SQUARE TO HOUSE.
2. MEET ALL MIN. OFFSETS FROM P.L. PER JURISDICTION'S CODE REQUIREMENTS. VERIFY IN FIELD ALL MIN. SETBACKS ARE MET.



LSK-31 RETAINING TIMBER LANDSCAPE WALL (LOCATION OF REPLACEMENT OF EXISTING + EXTENSION)

WODLINGER 08/13/2020

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

0' 2' 4' 6'

THIS DRAWING HAS BEEN PREPARED, IN SUBSTANTIAL PART, BASED ON INFORMATION AND DOCUMENTED SITE CONDITIONS, FURNISHED BY THE OWNER, ARCHITECT, ENGINEER, CONTRACTOR, AND OTHERS. MAKE THIS INFORMATION AND SITE CONDITIONS AVAILABLE TO THE FIELD PERSONNEL OF THE LANDSCAPE DESIGNER. THE LANDSCAPE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THIS DRAWING FOR ANY PURPOSE OR UNDERSIGNED THAT HAVE BEEN INCORPORATED INTO IT AS A RESULT OF INCORRECT INFORMATION PROVIDED. THE LANDSCAPE DESIGNER ACCEPTS NO CLAIMS OR DAMAGES BASED ON THE PROPOSED DRAINAGE, EXISTING, STRUCTURAL, RETAINMENT, AND/OR ASSOCIATED SITE CONDITIONS THAT MAY BE DISCOVERED UPON CONSTRUCTION, INCLUDING BUT NOT LIMITED TO UNDOCUMENTED UTILITY LOCATIONS, SOIL COMPOSITION, BURIED OBJECTS/DEBRIS, DAMAGE REPAIRS/STRUCTURAL, HYDROLOGICAL FEATURES, FOUNDATIONS. ALL GRADING AND DRAINAGE INFORMATION IS FOR REFERENCE ONLY. REFER TO APPROVED CIVIL AND STRUCTURAL DRAWINGS. THE INSTALLING CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE CONFORMANCE WITH ALL APPLICABLE CODES AND REGULATIONS. ANY CONFLICT IN THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN TEAM PRIOR TO COMPLETION OF THE FINAL WORK.

LAYOUT NOTES:

1. The proposed plans are based on survey information provided by the Owner and are not verified for accuracy.
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NOTES:

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2. MEET ALL MIN. OFFSETS FROM P.L. PER JURISDICTION'S CODE REQUIREMENTS. VERIFY IN FIELD ALL MIN. SETBACKS ARE MET.

GRADING

1. DUE TO 7" SHIFT NORTH, ALL PROPOSED GRADES HAVE CONCURRENTLY SHIFTED NORTH. THIS HAS IMPACTED THE PROPOSED RELATIONSHIPS IN THE GRADING PLAN, THUS FINISH GRADES WILL NEED TO BE ADJUSTED AND WORKED OUT ON SITE BY CONTRACTOR.
2. ALERT LANDSCAPE DESIGNER IF ANY DISCREPANCIES OCCUR.



