## Preliminary Consultation

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**

**STAFF REPORT**

<table>
<thead>
<tr>
<th>Address:</th>
<th>9 West Kirke Street, Chevy Chase</th>
<th>Meeting Date:</th>
<th>12/16/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource:</td>
<td>Non-Contributing Resource (Chevy Chase Village Historic District)</td>
<td>Report Date:</td>
<td>12/9/2020</td>
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<td>Public Notice:</td>
<td></td>
<td>Public Notice:</td>
<td>12/2/2020</td>
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<tr>
<td>Applicant:</td>
<td>Josh Harrison (Neal Thomson, Architect)</td>
<td>Tax Credit:</td>
<td>N/A</td>
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<tr>
<td>Review:</td>
<td>Preliminary Consultation</td>
<td>Staff:</td>
<td>Michael Kyne</td>
</tr>
<tr>
<td>Case Number:</td>
<td>N/A</td>
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</table>

**PROPOSAL:** Demolition and construction of a new single-family house

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### 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:** Non-Contributing Resource within the Chevy Chase Village Historic District

**STYLE:** Colonial Revival

**DATE:** c. 1892-1916

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*Fig. 1: Subject property.*
PROPOSAL:

The applicant proposes demolition of the existing Non-Contributing house and construction of a new single-family house 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 that pertain to this project are as follows:

**Non-Contributing/Out-of-Period Resources**

Non-contributing/out-of-period resources are either buildings that are of little or no architectural and historical significance to the historic district or newer buildings constructed outside the district's primary period of historical importance. HAWP applications for exterior alterations, changes, and/or additions to these types of resources should receive the most lenient level of design review.

Most alterations and additions to non-contributing/out-of-period resources should be approved as a matter of course. The only exceptions would be major additions and alterations to the scale and massing of the structure which affect the surrounding streetscape and/or landscape and could impair the character of the historic district as a whole.

Demolition of non-contributing/out-of-period resources should be permitted. However, any new building should be reviewed under the guidelines for new construction that follow.

**New Construction**

The goal of new construction within the proposed historic district is to be sympathetic to the traditional street and building patterns in the district, while allowing for creative and new building designs. In addition to the approach of recalling earlier architectural styles in new buildings, it is appropriate for new structures to reflect and represent that period in which they are built. It is not the intention of these guidelines to inhibit or exclude creative design solutions that may be developed for new buildings in the district. Unique designs, reflecting architectural excellence, which do not adhere strictly to traditional
II.B

neighborhood practices, but are sensitive to and compatible with the fabric of the community should be supported.

The key considerations in reviewing new construction should be the two paramount principles identified above -- fostering the Village's shared commitment to evolving eclecticism while maintaining its open park-like character.

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:

Non-Contributing Resource Demolition:

The subject property is designated as a c. 1892-1916 Non-Contributing Resource within the Chevy Chase Village Historic District, and the designation specifically notes that the house was constructed by 1912; however, property tax records suggest that the house was built in 1888. As of this writing, the earliest known photograph of the subject property is from an October 26, 1935 real estate advertisement in The Evening Star.\(^1\) In this photograph, the house appears to have an open/recessed front entryway, as well as an open porch on the east (right, as viewed from the public right-of-way of West Kirke Street) side of the house, with three posts on piers visible in the foreground at the right side of the photograph. Both the open/recessed front entryway and east (right) side porch have since been enclosed, but the 1903-1916 and 1927 Sanborn Fire Insurance Maps provide further evidence that these features were previously open.

![9 WEST KIRKE STREET](image)

**Fig. 2:** Subject property house, as depicted in an October 26, 1935 advertisement in The Evening Star.

It is worth noting that the 1935 photograph also depicts an open automobile garage in the background at the northeast (rear/right) side of the property. The advertisement also mentions the garage, and it is included in the 1927 Sanborn Fire Insurance Map. However, the garage is not present in the 1903-1916 Sanborn Fire Insurance Map. This suggests that the garage was not an original feature, and it was likely constructed decades after the house was built. The garage no longer exists, as it was previously removed from the subject property.

Currently, the house appears nearly identical to a April 7, 1993 photograph, which is available from the Chevy Chase Historical Society. Additionally, the Sanborn Fire Insurance Maps, 2019 ArcGIS aerial

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image, and existing first floor plan indicate that, aside from the open/recessed front entryway and east (right) side porch enclosures, the massing of the house was generally the same in the early 1900s as it is today. It does appear that a one-story rear porch that was present in the 1903-1916 Sanborn Fire Insurance Map was previously removed, and the rear ell was extended with an addition. Also, in comparing the two Sanborn Fire Insurance Maps, it is possible that the east (right) side porch was extended to the rear sometime between 1903-1916 and 1927.

Figs. 3 & 4: April 7, 1993 photograph (left, courtesy of the Chevy Chase Historical Society); Current photograph (right, courtesy of Zillow and Bright MLS, cropped by staff for comparison purposes).²

² Link to Zillow listing with current exterior and interior photographs: https://www.zillow.com/homedetails/9-W-Kirke-St-Chevy-Chase-MD-20815/37168197_zpid/
Figs. 5-8: 1903-1916 Sanborn Fire Insurance Map (top/left); 1927 Sanborn Fire Insurance Map (top/right); 2019 ArcGIS aerial image (bottom/left); Existing first floor plan (bottom/right, provided by the applicant.).
The designation notes that the property was historically owned by “Yellott (Real Estate).” This is supported by notices published in *The Washington Post* and *The Evening Star*, which indicate that the Yellott Family resided at the property between June 15, 1909 and January 6, 1923.³

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Fig. 10 & 11: Washington Post notice, June 15, 1909 (top); Washington Post notice, January 6, 1923 (bottom).
Further research reveals that Robert Edward Lee (R.E.L.) Yellott was “… president and general manager, R.E.L. Yellott and Co., real estate, loans, and insurance.”4 The R.E.L. Yellott and Co. offices were listed as having been located at 1336 New York Avenue, Washington, D.C. in various sources from 1920-19225, and at 1410 H Street, Washington, D.C. in sources from 1910-1911.6 Aside from R.E.L. Yellott and Co., Yellott partnered with T.W. Stubblefield, then president of the Fourteenth Street Savings Bank, to operate the Yellott & Stubblefield, Inc. realty corporation in 1911.7 Yellott also served as the president of the Virginia Democratic Association of the District of Columbia for some time (a September 27, 1906 article in The Evening Star details his re-election).8

Fig. 12: Image of R.E.L. Yellott, January 1, 1894 (courtesy of C.M. Bell Studio Collection, Library of Congress).

Fig. 13: Excerpt from Who’s Who in the Nation’s Capital, 1921-22.

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5 Ibid.
In his memoir titled “Kirke Street Days,” Samuel J. Henry describes living on Kirke Street from approximately 1912-1928. Mr. Henry, who resided at 6 West Kirke Street, includes details of his family’s experiences and friendship with the Yellott family. These details include the names of the Yellott family children (Bobby and Mary Virginia, nicknamed “Jinks”), and Mr. Henry refers to R.E.L. Yellott as
“Bob.” Mr. Henry also anecdotally states that R.E.L. was named after his godfather, General Robert E. Lee.9 As of this writing staff has not corroborated this information.

There is available documentary evidence regarding the history of the house, as well as physical, photographic, and documentary evidence demonstrating that the house largely retains its original massing. The designation suggests that the surveyors were aware of this information in 1998, when the property was designated as a Non-Contributing Resource. As previously noted, the designation includes an approximate date of construction, as well as a reference to Yellott (Real Estate) as the historical owner. The designation does not include justification for the Non-Contributing designation, but it may be due to previous alterations, which were determined to have detracted from the property’s historic and/or architectural integrity. These alterations may include the aforementioned enclosure of the open/recessed front entryway and east (right) side porch, the addition/extension to the rear ell, and the installation of aluminum/vinyl siding, which is noted in the designation.

If the 1888 date of construction was thought to be accurate, the surveyors may have determined that the house is outside the period of significance, as this predates the incorporation of the Chevy Chase Land Company by two years (1890) and the development of the first section of the Chevy Chase planned streetcar suburb (then known as Section 2, and now known as Chevy Chase Village) by four years (1892). This is purely speculative, however, and there is evidence that the 1888 date of construction listed in the property tax records is inaccurate. Specifically, the house is not present on an 1894 map of the vicinity of Washington, D.C.10, and the property deed records suggest that the house was built c. 1894-1895.

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10 Link to 1894 map of the vicinity of Washington, D.C.: [https://www.loc.gov/resource/g3850.ct003624/?r=0.317,0.402,0.09,0.034,0](https://www.loc.gov/resource/g3850.ct003624/?r=0.317,0.402,0.09,0.034,0)
two of the six criteria cited as being consistent with the Historic Preservation Ordinance’s requirements for historic designation include:

- ... [its association] as a prototypical, turn-of-the-century streetcar suburb designed to provide upscale residences in a comprehensively planned environment; and
- ... for its association with Senators Francis G. Newlands and William M. Stewart [founders of the Chevy Chase Land Company].

As stated in the project description, the applicant proposes demolition of the existing Non-Contributing house and construction of a new single-family house at the subject property. Evidence suggests that the surveyors were generally aware of the house’s history and date of construction when the property was designated a Non-Contributing Resource. Therefore, staff supports the proposed demolition, in accordance with the Guidelines.

Regarding Non-Contributing Resources, the Guidelines state “HAWP applications for exterior alterations, changes, and/or additions to these types of resources should receive the most lenient level of design review.” Further, the Guidelines state that the demolition of Non-Contributing houses should be permitted, but any new/replacement building should be reviewed under the guidelines for new construction.

Staff notes that, according to photographs available via Zillow, the interior of the house retains many of its original and/or historic materials and features. While interior alterations are outside of the Commission’s purview, the Commission may consider asking the applicant to give the Chevy Chase Historical Society the right of first refusal to any building materials and/or objects within the house prior to demolition/removal. Alternatively, if the Historical Society will not accept the materials and/or objects, the Commission could add a condition of approval to the proposed demolition, stipulating that the materials and/or objects be donated to Community Forklift or similar architectural salvage groups. The referenced interior photographs can be viewed at the following link: https://www.zillow.com/homedetails/9-W-Kirke-St-Chevy-Chase-MD-20815/37168197_zpid/

New Single-Family Dwelling Construction

<table>
<thead>
<tr>
<th></th>
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<th>Proposed Setback</th>
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<tr>
<td>West (Left)</td>
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<tr>
<td>East (Right)</td>
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<td>12.5’</td>
<td>10’</td>
</tr>
<tr>
<td>Rear</td>
<td>52.5’</td>
<td>32.5’</td>
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</table>

*Fig. 19: Approximate existing and proposed setbacks and B.R.L.’s, according to the submitted scaled site plans.*

The proposed new house is within the Village’s B.R.L.’s, and staff finds that its setbacks are generally compatible with surrounding streetscape. Staff notes that the existing house appears small in comparison
to the adjacent and confronting houses on West Kirke Street. The scaled existing and proposed site plans indicate that the existing house is approximately 40’ wide (at its widest point) and 52.5’ long (at its longest point), while the proposed house will be approximately 42.5’ wide and 72.5’ long. At 2 ½ stories, the scale and massing of the proposed new house is generally consistent with the adjacent and confronting houses on West Kirke Street. However, to further demonstrate compatibility, staff recommends that the applicant provide a complete list of existing and proposed dimensions, as well as a streetscape study, showing the setbacks and dimensions of the proposed new house in comparison to those of the adjacent and confronting houses.

Staff seeks the Commission’s guidance regarding the following aspects of the proposed new construction:

**Style/Design**

The guidelines for New Construction support new and creative designs, and they do not require new buildings to replicate traditional building styles. However, they also support recalling earlier architectural styles in new buildings and ensuring that they are sensitive to and compatible with the fabric of the community.

Staff finds that the proposed new building expresses a variety of styles/influences, from Shingle and/or Queen Anne (shingle siding, cross gables, arched gable windows, asymmetrical massing) to Colonial Revival (a relatively flat façade, with stacked and mostly symmetrical fenestration). Staff finds that a more cohesive architectural expression/vocabulary would be more in keeping with the character of the historic district and surrounding streetscape, and seeks the Commission’s guidance regarding the balance of traditional architectural styles and creative/new designs.

Please note that, per the Guidelines, “[t]he key considerations in reviewing new construction should be the two paramount principles identified above -- fostering the Village’s shared commitment to evolving eclecticism while maintaining its open park-like character.”

**Materials**

The applicant has listed the following materials for the proposed new house:

- Cedar shingle siding
- Painted wood trim/detailing
- Brick chimneys
- Brick veneer foundation
- Spanish slate or Alaskan yellow cedar roofing
- Painted wood windows and doors

At this time, complete manufacturers’ specifications have not been provided for the proposed materials. Staff notes that, when the applicant submits a formal HAWP application, these specifications will be required. Staff also welcomes the Commission’s guidance regarding the appropriateness of the proposed materials, based upon the information that is currently available.

**STAFF RECOMMENDATION:**

Staff recommends that the applicant make any revisions based upon the HPC’s comments and return with a HAWP application.
APPLICATION FOR
HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

APPLICANT:

Name: Josh Harrison
Address: 9 West Kirke St
Daytime Phone: 202-686-6583

E-mail: joshuharrison@me.com
City: Chevy Chase
Zip: 20815
Tax Account No.: 00457438

AGENT/CONTACT (if applicable):

Name: Neal Thomson
Address: 5155 MacArthur Blvd NW
Daytime Phone: 202-686-6583

E-mail: neal@thomsoncooke.com
City: Washington, DC
Zip: 20016
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: 9 Street: West Kirke St.

Town/City: Chevy Chase Nearest Cross Street: Laurel Pkwy
Lot: P1 Block: 38 Subdivision: 0009 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:

[ ] New Construction [ ] Deck/Porch [ ] Shed/Garage/Accessory Structure
[ ] Addition [ ] Fence [ ] Solar
[ ] Demolition [ ] Hardscape/Landscape [ ] Tree removal/planting
[ ] Grading/Excavation [ ] Roof [ ] 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

11/23/2020

FOR STAFF only:
HAWP# ________________
DATE ASSIGNED ______
# HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING

[Owner, Owner’s Agent, Adjacent and Confronting Property Owners]

<table>
<thead>
<tr>
<th>Owner’s mailing address</th>
<th>Owner’s Agent’s mailing address</th>
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<tbody>
<tr>
<td>9 West Kirke St</td>
<td>5155 MacArthur Blvd NW</td>
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<tr>
<td>Chevy Chase, MD 20815</td>
<td>Washington, DC 20016</td>
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<th>Adjacent and confronting Property Owners mailing addresses</th>
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<tr>
<td>7 West Kirke St</td>
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<tr>
<td>Chevy Chase, MD 20815</td>
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<td>11 West Kirke St</td>
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<tr>
<td>14 West Kirke St</td>
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<td>Chevy Chase, MD 20815</td>
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Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

Existing single family home with cellar. The existing home has been categorized as a non-contributing resource. The existing home has an asphalt shingle roof, aluminum siding and non original windows and front door.

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

The work includes the raze of the existing non-contributing structure and foundations. The proposed new house at 9 West Kirke will be a 2 story plus basement all new construction with a detached rear garage. Principal materials will be stained cedar shingle and painted wood trim/ detailing. The house will have brick chimneys and brick-faced foundation (where visible) with a Spanish slate roof or potentially Alaskan Yellow cedar shingle. The windows and doors are designed as painted wood. Details are predominantly inspired by the shingle style vernacular influenced by the eclectic nature of the surrounding neighborhood.
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<th>Work Item 1: __________________________</th>
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# HISTORIC AREA WORK PERMIT

## CHECKLIST OF APPLICATION REQUIREMENTS

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<td><strong>Driveway/Parking Area</strong></td>
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<td><strong>Window/Door Changes</strong></td>
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</table>
1. Prior to obtaining a building permit for new construction, a Minor Subdivision Record Plat must be recorded to create a new record lot. Current R-60 zoning standards will be applied to the new lot.

2. Proposed Lot 21 (Parts of Lots 1 & 2) is located in the R-60 zone.

3. Proposed Lot 21 is located in the Chevy Chase Village Historic District.

4. Parts of Lots 1 & 2 were recorded on September 20th, 1939 by deed L. 753 F. 207.

5. Proposed Lot 21 is not located in a Special Protection Area.

6. Proposed Lot 21 is located in the Chevy Chase Village Historic District.

7. A 25' front building restriction line has been indicated. An Established Building Line Survey has not been performed.

8. The maximum lot coverage for new construction on Proposed Lot 21 is 28.5% (2,137.5 S.F.), per Montgomery County.

9. The final building envelope subject to change based on the field survey and the boundary resolution. The dimensions shown hereon should not be used for final design.

10. An FAR of 0.50 per Chevy Chase Village will be applicable.

11. No field survey has been performed. All house locations are based upon available M-NCP&PC topographic data and other aerial imagery.

12. The Chevy Chase Village code/ordinance should be consulted for additional building restrictions, rules, and prohibitions.

NOTES:

CAS Engineering
10 South Bentz Street
Frederick, Maryland 21701
301-607-8031 office
info@casengineering.com
EXISTING HOUSE FOOTPRINT

NEW COVERED PORCH

NEW COVERED ENTRY

NEW SHED

PROJECT ZERO

WEST 60'

NORTH 125'

SOUTH 125'

WEST KIRKE STREET

EAST 60'

T2

Proposed Site Plan

1" = 20'

11/25/20
EXISTING PHOTOS

VIEW FROM WEST KIRKE ST. - FRONT
VIEW FROM WEST KIRKE ST. - RIGHT SIDE
VIEW FROM REAR YARD - RIGHT SIDE
VIEW FROM REAR YARD - REAR ELEVATION
-condition of existing siding

view from rear yard - left side
Front Elevation

Front Elevation of Harrison Residence

Scale: 1/8" = 1'-0"

Date: 11/25/20

Project: A2-1

25'-5" TO MIDPOINT OF ROOF

31'-8 1/8" TO MIDPOINT OF ROOF