

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7835 Hampden Lane, Bethesda	Meeting Date:	6/23/2021
Resource:	Contributing Resource (Greenwich Forest Historic District)	Report Date:	6/16/2021
Applicant:	13 Enterprises, LLC	Public Notice:	6/9/2021
Review:	HAWP	Staff:	Dan Bruechert
Case Number:	Pending	Tax Credit:	N/A
PROPOSAL: RETROACTIVE – Driveway replacement and fence construction			

STAFF RECOMMENDATION:

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

ARCHITECTURAL DESCRIPTION:

SIGNIFICANCE: Contributing Resource within the Greenwich Forest Historic District
STYLE: Colonial Revival
DATE: 1941

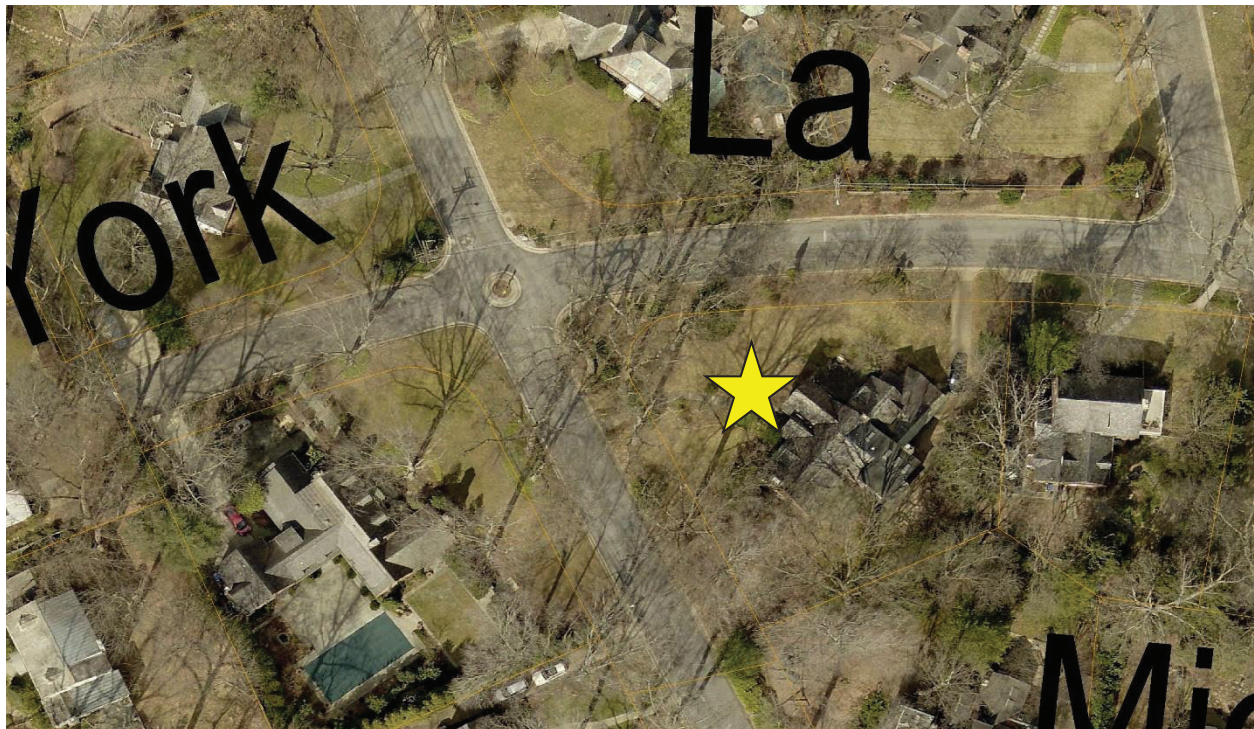


Figure 1: 7835 Hampden Lane, Bethesda

PROPOSAL

The applicants propose to install a new driveway with an expanded parking pad and replace an existing fence. This HAWP seeks retroactive approval for work already completed.

APPLICABLE GUIDELINES:

When reviewing alterations and new construction within the Greenwich Forest 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 *Greenwich Forest 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.

Greenwich Forest Historic District Guidelines

A. PRINCIPLES

The preservation of the following essential elements of Greenwich Forest is the highest priority in making decisions concerning applications for work permits. These Principles are not meant to stop or create unreasonable obstacles to normal maintenance, reasonable modifications, and the evolving needs of residents.

A1. Greenwich Forest was conceived of, built, and to a great degree preserved as a park-like canopied forest with gentle topographic contours, in which the presence of houses and hardscape are understated relative to the natural setting. The removal of mature trees and the significant alteration of topographic contours on private property, the *Greenwich Forest Triangle*, and the public right-of-way in Greenwich Forest should be avoided whenever possible. The Greenwich Forest Citizens Association (GFCA) will continue to support the replacement of trees. In order to protect mature trees and the natural setting of Greenwich Forest, and to limit runoff into the Chesapeake Bay, the creation of extensive new impermeable hardscape surfaces should be avoided whenever possible.

A2. The houses in Greenwich Forest create an integrated fabric well-suited to its forest setting. These Guidelines are intended to preserve this environment by ensuring that approved *work permits* include appropriate safeguards that protect the following three essential elements of this fabric.

- a. An array of revival American *architectural styles* that, taken together, make a significant statement on the evolution of suburban building styles (see Appendix 2).
- b. The *scale and spacing* of houses and their *placement* relative to adjacent houses and the public right-of-way. The original developers made decisions on these three elements to understate the presence of structures relative to the forest. For example, minimum side setbacks at the time were 7' but placement and spacing produced distances between houses that far exceeded the minimum 14'. Additions and new houses have, in almost all cases, preserved generous space between houses and minimized visual crowding with plantings.
- c. High quality building materials and high level of craftsmanship.

B. BALANCING PRESERVATION AND FLEXIBILITY

Greenwich Forest represents a period in the evolution of Montgomery County worthy of preservation, but it has also changed in response to the needs of residents since it was created in the 1930s. These

Guidelines seek a reasonable compromise between preservation and the needs of residents in several ways.

B1. Most of the houses in the Greenwich Forest Historic District are designated “contributing” because they contribute to the architectural and historic nature of the district. Contributing structures are shown in the map of the districts. These Guidelines are more specific for contributing structures.

B2. Other houses in the district are designated non-contributing either because (1) they were built more recently than contributing houses with other architectural styles (see Appendix 3) or (2) their original features have been significantly altered by subsequent modifications. Non-contributing structures are shown on the map of the District. The Guidelines provide greater flexibility for owners of non-contributing houses.

B3. These Guidelines reflect the reality that nearly all houses in Greenwich Forest have been modified since their construction. Owners are not expected to return their houses to their original configurations. The modifications they are permitted to make under these Guidelines are based on the current reality in the neighborhood, provided that those modifications are consistent with the Principles in these Guidelines.

B4. Property owners have additional flexibility under these Guidelines to make more extensive changes to the parts of their houses that are less visible from the public rights-of-way in front of their houses. The Guidelines accomplish this by stipulating different levels of review for specific elements on different parts of houses.

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

D8. Driveways and parking areas: Replacement or minor reconfiguration of existing driveways is permitted without an application for a work permit. Proposals to install new driveways and parking areas require work permits. They should minimize new hardscape areas (see Principle 1) and should not interrupt the setting visible from the public right-of-way. Installation of circular driveways is prohibited.

D9. Fences and walls: Fences were not part of the original Greenwich Forest streetscape. No front yard fences have been added since then, though some homeowners have added backyard fences and/or fences along side yard property lines. To preserve the uninterrupted green space adjacent to the public right-of-way, front fences are not allowed. To enable the creation of enclosed yards for residents, fences up to 6’6” tall are permitted in back and side yards. In the case of side yards, fences may extend up to just behind the front plane of the house, preserving at least a 3’ setback from the facade. Fence style and material should be in keeping with the architectural style of the house and the forest surroundings. Properties confronting Wilson Lane merit special consideration due to heavy traffic volumes. Construction of fences or walls is permitted on these properties, with review, in order to help ensure the safety and privacy of residents and the safety of drivers and neighbors. The decision-making body is directed to show flexibility in reviewing applications for work permits for such fences and walls.

D11. Runoff control: Proposals for work permits should consider rainwater runoff problems that may be created by additions and other property and structural alterations. Solutions to these problems should protect trees and maximize the on-property control of this runoff by drainage fields, installation of permeable rather than impermeable surfaces, and other available means.

D16. Walkways and patios: Reconfiguration and replacement of existing pathways and patios that would not result in a net addition of impermeable hardscape surfaces are considered landscaping and do not require an application for a work permit. The installation of new walkways and patios requires a work

permit and should minimize the creation of new impermeable hardscape surfaces (see Principle 1).

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
- (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 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 shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

STAFF DISCUSSION

The applicant seeks approval for work in two areas: the re-paving and expansion of the driveway and replacing an existing fence. The work proposed has already been completed, however, the HAWP review needs to be undertaken as if no work was done.

The subject property is a two-story, stone and brick Tudor Revival house. The house is located at the corner of Hampden and York Lane and is oriented toward the corner. From Hampden Lane, there is a stone walkway from the street to the house. The driveway is accessed via York Lane. The fence, partially enclosing the rear yard of the house includes a mix of low picket fencing and a taller, alternating board fence. The taller fence appears to be approximately 6' (six feet) tall.

Driveway Replacement and Expansion

The applicant seeks approval to replace the existing driveway and construct a parking pad. The applicant states that the existing driveway was bowed and cracked and needed to be replaced. Using Google Streetview, Staff was able to review the condition of the driveway, which did show some cracking.

Like many of the houses in the Greenwich Forest Historic District, the subject house has been modified so its original attached garage no longer functions as a garage and is now utilized as interior living space. The driveway is wide enough for one car.



Figure 2: 2014 image of the driveway condition at the subject property.

The applicant proposes to replace the driveway with new concrete and construct a 20' × 20' (twenty-foot square) parking pad between the house and the street (see the attached site plan – note, the drawing is not to scale). The new concrete will have a smooth finish in contrast with the exposed aggregate of the original driveway. Several bushes/shrubs, but no trees were removed to accommodate the new parking area.

Guideline D8, states that replacement or minor reconfiguration to existing driveways does not require a HAWP, but installing new parking areas does. This is a more lenient requirement than what is required in all of the other County historic districts. The new driveway/parking area should minimize new hardscape areas and not “interrupt the setting visible from the public right-of-way.”

Staff finds that an exposed aggregate paving material would be more aesthetically pleasing than the smooth concrete proposed in this HAWP, however, the *Guidelines* and the character of the surrounding district do not support requiring that material. Many of the driveways in Greenwich Forest have been replaced with either contemporary concrete or modern asphalt. Staff finds the material proposed is acceptable under the *Design Guidelines* and 24A-8(b)(2).

The parking pad is raised above the street level, so the relatively level concrete will not have a major impact on the setting visible from the right-of-way, per D8. Staff finds, the visibility of this feature could be reduced by additional plantings between the parking pad and the street. Greenwich Forest is the only historic district in the county that includes consideration of plantings as an appropriate mitigation strategy. Staff finds that the *Design Guidelines* provide property owners a sufficient degree of flexibility and recommends the applicant plant additional greenery to minimize the appearance of the parking pad, rather than recommending the HPC condition a HAWP approval.

Finally, Staff notes Guidelines D11 instructs consideration of water runoff problems created by property alterations. While a full storm water management site plan was not included in the application materials, Staff identified drainage grates in the new concrete, adjacent to the house. Those drains should address some of the additional runoff created by the parking pad.

Fence Replacement

The subject property contained a mix of a lower open picket fence and a taller alternating board fence. Staff is unable to verify the exact dimensions of the previous fence, but StreetView images do show the configuration of much of the fence on the site. The application indicates that the fence had deteriorated and needed to be replaced. The application material also states that the fence is being replaced in the “exact same format” and is a replacement “in kind.” Staff disagrees with the assertion that the replacement fence is in-kind, as the design of the fence has changed in some locations. Regardless, the applicant is replacing an existing wood privacy fence with a new one. Because the work has already been completed, Staff is unable to determine definitively that the dimensions of the new fence match the old fence, but can infer they are a close match based on StreetView images.

The *Guidelines* for fences (D9) state that fences were not part of the original streetscape and that there remain no front yard fences. The *Guidelines* allow rear and side yard enclosure with tall privacy fences, provided the fences are setback at least 3’ (three feet) from the façade. This Guideline may be deficient in that it fails to consider the several corner houses in the district that are oriented towards an intersection – all four houses at the intersection of York and Hampden face the traffic circle at the center of the intersection. Staff finds that the proposed fence satisfies the requirements in D9.

Staff finds that the proposed fence matches the location, materials, and apparent dimensions of the existing fence. There are minor variations in fence design between the new fence and the proposed, which do not make this an in-kind replacement. Staff finds the impact of the new fence will result in almost no material effect on the resource or surrounding district and recommends the HPC approve the proposed fence.

The appearance of the fence and site may be improved by additional plantings; however, Staff leaves that as a recommendation to the applicant and not as a recommended condition for approval.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(1), (2), and (d), having found that the proposal, as modified by the condition, is consistent with the *Greenwich Forest 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 an electronic set 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 dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



APPLICATION FOR
HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:

HAWP# _____

DATE ASSIGNED _____

APPLICANT:

Name: 13 Enterprises, LLC

Address: 950 Ridgebrook Road

Daytime Phone: 2026963904

E-mail: tdlventures@gmail.com

City: Sparks Glencoe Zip: 21152

Tax Account No.: _____

AGENT/CONTACT (if applicable):

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

Contractor Registration No.: _____

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property 7835 Hampden Lane Bethesda MD 20814

Is the Property Located within an Historic District? Yes/District Name Greenwich Forrest
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: _____ Street: _____

Town/City: _____ Nearest Cross Street: _____

Lot: _____ Block: _____ 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 checked="" 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 type="checkbox"/> 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:

7835 Hampden Lane Bethesda MD 20184 is a single family home, located on the corner of Hampden Lane and York lane, in the neighborhood of Greenwich Forrest. It sits on a piece of property that is just under 1/2 of an acre. It has beautiful trees throughout the property that have been there for many many years as they exceed 100 feet high. The front door of the property faces Hampden lane while the driveway sits on the side of the home off of York Lane.

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

The work is to replace the existing fence that separates this home from the next door neighbor. The old fence has been in existence since 2000 or before. It has many broken or rotted parts to it and is weathered and has become an eye sore on the property. The fence is being replaced in the exact same format. Same amount of panels, same height. It is literally just a replacement in kind. It will look beautiful and be a wonderful replacement of the old fence.

On the driveway which comes off of your road there was an area right as you drive up that was just dirt and rock. In addition the old driveway was cracked and bowed via water damage all around the entire driveway. In addition the drainage was backed up and the water was pooling creating a problem against the house via water damage. The work being done is full removal of the old driveway, replace drainage lines and complete driveway with in kind cement as well as add a 400ft parking pad where the dirt existed to create additional parking off street so that cars no longer need to park tandem.

Work Item 1: <u>Driveway</u>	
Description of Current Condition: completed	Proposed Work: None it has been completed

Work Item 2: <u>Fence</u>	
Description of Current Condition: completed	Proposed Work: None it has been completed

Work Item 3: _____	
Description of Current Condition:	Proposed Work:

HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	1. Written Description	2. Site Plan	3. Plans/Elevations	4. Material Specifications	5. Photographs	6. Tree Survey	7. Property Owner Addresses
New Construction	*	*	*	*	*	*	*
Additions/Alterations	*	*	*	*	*	*	*
Demolition	*	*	*		*		*
Deck/Porch	*	*	*	*	*	*	*
Fence/Wall	*	*	*	*	*	*	*
Driveway/Parking Area	*	*		*	*	*	*
Grading/Excavation/Landscaping	*	*		*	*	*	*
Tree Removal	*	*		*	*	*	*
Siding/ Roof Changes	*	*	*	*	*		*
Window/ Door Changes	*	*	*	*	*		*
Masonry Repair/ Repoint	*	*	*	*	*		*
Signs	*	*	*	*	*		*

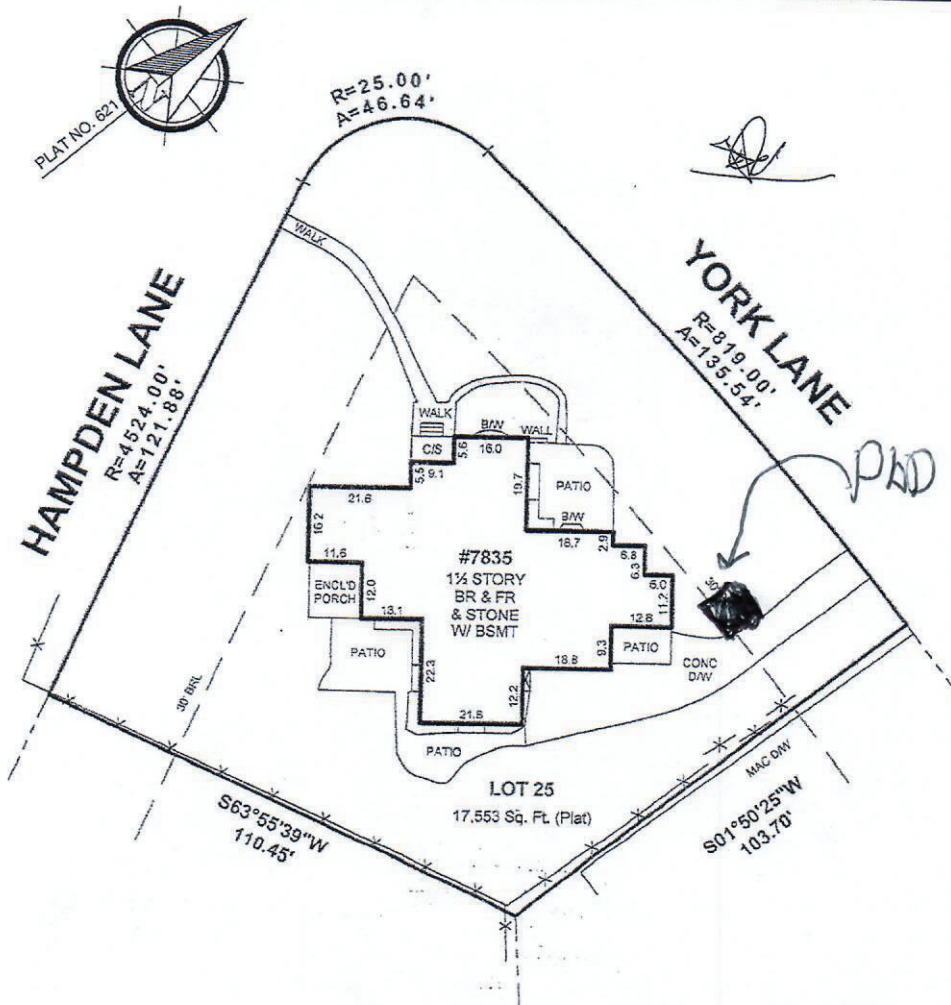
THIS DOCUMENT IS CERTIFIED TO:

CROWN TITLE
INCORPORATION

CASE #: 108485-20



Roberto Zani
4500 Pond Way
Woodbridge, VA 22192
240-498-7118



LOCATION DRAWING OF:

#7835 HAMPDEN LANE
LOT 25 BLOCK Q
PLAT OF ADDITION TO
GREENWICH FOREST
PLAT NO. 621

MONTGOMERY COUNTY, MARYLAND

SCALE: 1"=30' DATE: 08-20-2020

DRAWN BY: SM FILE #: 207904-165

LEGEND:

— FENCE
B/E - BASEMENT ENTRANCE
B/W - BAY WINDOW
BR - BRICK
B/L - B/LD. RESTRICTION LINE
B/MT - BASEMENT
C/S - CONCRETE STOOP
C/NC - CONCRETE
C/W - DRIVEWAY
EX - EXISTING
FR - FRAME
MAC - MACADAM
G - GRATE
O/H - OVERHANG
P/UE - PUBLIC UTILITY E/MT.
P/IE - PUBLIC IMPROVEMENT E/MT.

COLOR KEY:

(RED) - RECORD INFORMATION
(BLUE) - IMPROVEMENTS
(GREEN) - E/MTS & RESTRICTION LINES

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DULEY & ASSOC.

WILL GIVE YOU A 100%
FULL CREDIT TOWARDS
UPGRADING THIS
SURVEY TO A
"BOUNDARY/STAKE"
SURVEY FOR ONE
YEAR FROM THE DATE
OF THIS SURVEY.

(EXCLUDING D.C. & BALT. CITY)













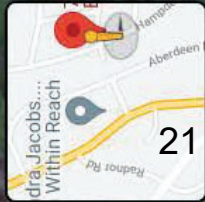




7834 Hampden Ln
Bethesda, Maryland

Google

Street View



Google

