II.B

Preliminary Consultation
MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address: 6124 MacArthur Boulevard, Bethesda
Meeting Date: 8/18/2021

Resource: Master Plan Site #35/47
(Bonfield’s Garage)
Report Date: 8/11/2021

Applicant: William Fuchs
(Christopher M. Ruhlen, Agent)
Public Notice: 8/4/2021

Review: Preliminary Consultation
Staff: Michael Kyne

PROPOSAL: After the fact tree removal, grading, site alteration, new hardscape construction

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: Master Plan Site #35/47, Bonfield’s Garage
STYLE: Automobile Repair Garage
DATE: c. 1927

Excerpt from Places from the Past:

Bonfield’s Garage, one of the last early automobile repair garages, represents the transformation of lower Montgomery County from a farming community into a residential suburb. The Bonfield family opened an auto repair garage here about 1927. For 70 years, Walter Bonfield, inheriting the business from his father, operated the garage and lived in the second-level apartment over the shop. Adjacent to the building are open-air grease pits, predating the hydraulic lifts in today’s service stations. Bonfield expanded his business in 1936, installing gas pumps to supplement the automobile repair service. The 2½-story front-gable structure is a traditional building form used for commercial structures as early as the mid-1800s. In contrast, the metal streamline sign announcing Bonfield’s services was a response to the faster pace of the automobile age.
Fig. 1: Subject property, as marked by the blue star.

**BACKGROUND:**

The applicants previously appeared before the Commission for preliminary consultations for building alterations at the July 24, 2019 and September 11, 2019 HPC meetings. The applicants subsequently submitted a HAWP application (HAWP #897899), which was approved by the Commission at the December 18, 2019 HPC meeting.¹

**PROPOSAL:**

The applicant proposes after the fact tree removal, grading, site alteration, new hardscape construction.

**APPLICABLE GUIDELINES:**

When reviewing alterations and new construction at Master Plan Sites 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) and the Secretary of the Interior’s Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

¹ Link to the audio/video transcript of the July 24, 2019 HPC meeting: http://mncppc.granicus.com/MediaPlayer.php?publish_id=62b8b12f-a0f1-1e9-b703-0050569183fa
Link to the audio/video transcript of the September 11, 2019 HPC meeting: http://mncppc.granicus.com/MediaPlayer.php?publish_id=88b51f16-d56f-1e9-b703-0050569183fa
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 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.

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.

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 a c. 1927 automobile repair garage with c. 1990s rear addition, which projects to the southeast (left side, as viewed from the public right-of-way of MacArthur Boulevard). The applicants previously appeared before the Commission for preliminary consultations for building alterations at the July 24, 2019 and September 11, 2019 HPC meetings. The applicants subsequently submitted a HAWP application (HAWP #897899), which was approved by the Commission at the December 18, 2019 HPC meeting. The previous approval included the following work items:

- Removal of an existing non-historic rear (southwest) deck and construction of a new deck with enclosed refrigeration/storage boxes in its place.
- Construction of a new deck on the west/northwest side of an existing non-historic rear addition and historic building.
- Enclosure of the covered walkway on the front (northeast) side of the existing non-historic rear addition.
- Construction of a balcony/bridge, connecting the parking/proposed delivery area at the front (northeast) side of the property to the proposed refrigeration/storage at the rear.
- Conversion of the non-original fixed windows behind the sliding garage doors on the façade of the historic building to an entry.

In June 2021, historic preservation staff conducted a follow up site visit to the subject property. Upon inspection, staff determined that unpermitted work had occurred at the rear of the property, including:

- Additional site clearing.
- Tree removals.
- Significant regrading.
- Construction of a new retaining wall ranging from approximately 2’ to 6’ in height.

The applicant proposes the to revise their previous approval to address these unpermitted changes. Specifically, the applicant proposes the following:

- Regrating at the southwest side of the property and installation of a new retaining wall (24” to 67” high) constructed from 6” x 6” treated wood timbers to address erosion issues.
  - A small employee parking area defined by retaining wall will be created in the regraded area.
  - The proposed regrading and retaining wall construction is being proposed to address erosion issues caused by the property’s estimated 25% slope to the rear.
- Removal of vegetation, shrubs, and two trees (one boxelder tree and one holly tree) at the southwest side of the property, where the proposed regrading will occur.
  - The applicant has provided a letter from a certified arborist, stating that the boxelder tree is a hazard and recommending immediate removal.
  - The vegetation removal is being proposed to accommodate the proposed regrading, relocation of an existing propane tank, establishment of electrical service, and construction of the previously approved new deck.
  - The holly tree is located within the footprint of the previously approved new deck and conflicts with the approved plan.

Staff notes that the proposed work area is adjacent to Winward Place and Leeward Place, which provide access to residential properties located south and west of the subject property.

Staff is generally supportive of a portion of the applicant’s proposal, given the hazardous condition of the
boxelder tree and the need to remove the existing vegetation and regrade the site to accommodate the previously approved new deck and associated utilities. However, staff finds that the proposed new retaining is incompatible with and detracts from the character defining features of the historic c. 1924 automobile garage, contrary to Standards #2 and #9. Although the retaining wall is negligibly visible, at best, from the public right-of-way of MacArthur Boulevard, it is clearly visible from the public rights-of-way of Winward Place and Leeward Place.

Accordingly, staff recommends remediation of the retaining wall, which has already been constructed, and asks for the Commission’s guidance regarding appropriate options. Remediation options include, but are not limited to:

- Reconstructing the retaining, using more appropriate materials (i.e., poured concrete, concrete block, or parged block).
- Applying an appropriate veneer or finish to the already constructed retaining wall, taking visual cues from the historic building.
- Plantings/landscaping in front of the retaining wall to help it blend into the existing environment.

Staff met with the applicant in July 2021 and requested the following information, which has not yet been provided:

- A cross-section, showing the footers for the new deck piers, as-built.
- A narrative, specifically focusing on the technical challenges and site conditions that deteriorated during construction of the new deck.
- Options for the Commission to consider for the retaining wall, including material finishes, regrading, site alterations, tree planting, and landscaping.

The applicant has stated that they intend to provide this information before the August 18, 2021 HPC meeting, in which case it will be sent to the HPC as supplemental materials.

**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: Silber Fuchs LLC c/o William Fuchs
Address: 4845 Massachusetts Ave
Daytime Phone: 202-313-0884
E-mail: bill@wagshals.com
City: Washington
Zip: 20016
Tax Account No.: 07-00418062

AGENT/CONTACT (if applicable):
Name: 
Address: 
Daytime Phone: 
E-mail: 
City: 
Zip: 
Contractor Registration No.: 

LOCATION OF BUILDING/PREMISE: MIHP # of Historic Property 35/47

Is the Property Located within an Historic District? Yes/District Name
☐ No/Individual Site Name Bonfield's Garage

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: 6124 Street: MacArthur Blvd.
Town/City: Bethesda Nearest Cross Street: Windward Place
Lot: 2, Part Lot 1 Block: _______ Subdivision: Bonair Heights 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
☐ Grading/Excavation ☐ Roof ☐ Other: Landscape wall

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 7-14-2021
Description of Property: Please describe the building and surrounding environment. Include information on significant structures, landscape features, or other significant features of the property:

Bonfield’s Garage is a two-story A-frame building with partial basement that originally functioned as an auto repair shop. In the mid 1990s, a side and rear addition were built onto the garage creating an “L” shape plan with a covered walkway at the front of the building. At this time, the building was used by The Wild Bird Center. Later, the building interiors were renovated by Kennet & Kennet law Offices. Most recently, the Montgomery County Historic Preservation Commission approved a HAWP application (#897899) to allow various alterations to the building and site to facilitate the adaptive reuse of the premises for a commercial restaurant and retail (i.e., delicatessen) use. Please refer to the approved HAWP plans attached hereto as Exhibit A for more information.

The site is bounded on the west and south sides by streets, and on the north by land that is owned by the U.S. Army Corps of Engineers and leased to the applicant, beyond which is Macarthur Boulevard. The neighboring property to the east is a surface parking lot. The property is steeply sloping toward the rear and is accessed by MacArthur Boulevard.

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

The proposed work is to amend the existing HAWP #897899 to expand the scope of work to include additional site modifications in the area located to the rear of the southern facade (i.e., south of the enclosed deck approved with HAWP #897899, adjacent to Leeward Place). The additional site modifications include additional site clearing, tree removal, regrading, and the construction of a new landscape wall. as described on the following Page 3 of this application and in the attached Exhibits.
### Work Item 1: Regrading and New Landscape Wall

**Description of Current Condition:**
The property slopes significantly from the face of the building at the eastern corner of the rear yard diagonally to the asphalt, dropping approximately 9' with an estimated slope of 25%. The rear yard has some low herbaceous vegetation and two trees. However, the vegetation does not deter an erosion issue onto a neighboring property and the owner has received complaints about this issue.

**Proposed Work:**
The property's new regrading will eliminate the erosion issue with the installation of a new landscape wall. The landscape wall is constructed using stacked 6" x 6" (nom.) treated wood timbers with concealed treated wood pilings. At the top of the wall, closest to the building will be a flat area for ingress and egress. At the bottom of the wall, there will be limited on-site employee parking.

### Work Item 2: Site clearing and Tree removal

**Description of Current Condition:**
The rear yard has some low, spotty herbaceous vegetation and a few perennial shrubs and two trees, including a holly tree and a boxelder. The holly tree is located within the footprint of the enclosed deck approved with HAWP #897899. The boxelder leans significantly, down slope, toward Leeward Place.

**Proposed Work:**
In order to regrade the rear yard to eliminate the erosion issue, allow utilities to relocate an existing propane tank and establish electrical service, and allow for the construction of the new enclosed deck, the area must be cleared of its existing vegetation. The holly tree is located within the footprint of the approved enclosed deck and conflicts with the approved plan. The boxelder was inspected by a certified arborist and was determined to be a potential hazard due to its leaning stance. The arborist recommended immediate removal of the boxelder as its condition would not improve. (Please see arborist's letter included in submission as Exhibit F.)

### Work Item 3:

**Description of Current Condition:**

**Proposed Work:**
## Historic Area Work Permit Checklist of Application Requirements

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Bonfield’s Garage  
6124 MacArthur Blvd.  
Bethesda, Maryland

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<td><strong>Owner’s mailing address:</strong></td>
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<tr>
<td>Silber Fuchs LLC c/o William Fuchs</td>
</tr>
<tr>
<td>4845 Massachusetts Ave.</td>
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<td>Washington, DC 20016</td>
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<td><strong>Owner’s Agent’s mailing address:</strong></td>
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<td><strong>Adjacent and Confronting Property Owners mailing address</strong></td>
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<td>MACARTHUR ASSOC LTD PRTNSHP</td>
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Adjacent and Confronting Properties:

Bethesda, MD 20816

6106 MacArthur Boulevard
6204 MacArthur Boulevard
6206 MacArthur Boulevard
6208 MacArthur Boulevard
4210 Leeward Place
4224 Leeward Place
4230 Leeward Place
6200 Windward Place
6201 Windward Place
6202 Windward Place
6203 Windward Place
6204 Windward Place
6205 Windward Place
6207 Windward Place
4443 Springdale Street NW Washington, DC 20016
Exhibit A

Approved Plans
January 2020
MEMORANDUM

TO: Hadi Mansouri
Department of Permitting Services

FROM: Michael Kyne [MK]
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #897899: Building alterations

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was approved at the December 18, 2019 HPC meeting.

The HPC staff has reviewed and stamped the attached construction drawings.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HAWP CONDITIONS AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER LOCAL OFFICE BEFORE WORK CAN BEGIN.

Applicant: Bill Fuchs (Tom Manion, Architect)
Address: 6124 MacArthur Boulevard, Bethesda

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits, the applicant must contact this Historic Preservation Office if any changes to the approved plan are made. Once work is complete the applicant will contact Michael Kyne at 301.563.3400 or michael.kyne@montgomeryplanning.org to schedule a follow-up site visit.
Wagshal's BBQ and DELI (Bonfield's Garage)

6124 Macarthur Blvd.
Bethesda, Maryland 20816

PROJECT DIRECTORY

LOCATION
4124 Macarthur Blvd.
Bethesda, Maryland 20816

USE GROUP CLASSIFICATION
BASEMENT LEVEL STORAGE
GROUP 5
1ST LEVEL MERCANTILE GROUP M
2ND LEVEL BUSINESS GROUP P

CONSTRUCTION CLASSIFICATION
TYPE V-B

ZONING INFORMATION

LEGAL
SUBMISSION:
B-1, Z-95
LOT:
2.1, Part of 1
BLOCK:
205
PLAT:
2.16
PLAT BOOK:

ABBREVIATIONS

UNIT
Bldg
Lvl
FK
FL
FLMK
PK
Rm
Sec
Sect
SL
Spc
Struct
V
WR
X
Y
Z

SCOPE OF WORK:
Exterior:
New work
Roof:
No new work
Exterior:
New work
Exterior:
No new work

APPLICABLE CODES

BUILDING CODE
International Building Code (IBC) with Local Requirements
ELECTRICAL CODE
National Electrical Code (NEC), 2018
PLUMBING CODE
International Plumbing Code (IPC), 2018
FUEL GAS CODE
International Fuel Gas Code (IFGC), 2018
ACCESSIBILITY CODE
International Building Code (IBC) with Local Requirements
MECHANICAL CODE
International Mechanical Code (IMC), 2018
FIRE CODE
International Fire Code (IFC), 2018
EXISTING BUILDINGS
ABF: 2000

CONSULTANTS

STRUCTURAL ENGINEER
SKY & STRUCTURE CONSULTING, INC.
ANDREW REINHARDT
2000 FILLMORE STREET
BETHESDA, MD 20814
301-530-3030

SITE PLAN

SCALE 1" = 40'
GENERAL DEMOLITION NOTES

ELECTRICAL
- Remove all existing wiring and replace with new, where required.
- Check for potential issues with electrical outlets and circuits.
- Ensure all wiring is properly terminated and covered to prevent damage.

WATER HEATING
- Replace all existing water heaters, as required.
- Ensure all new water lines are properly connected and tested for leaks.

FURNACE
- Replace all existing furnaces, as required.
- Ensure all new furnace lines are properly connected and tested for leaks.

BASEMENT FLOOR DEMO

REMOVAL OF EXISTING STRUCTURAL WALLS AND REPLACEMENT WITH NEW STRUCTURAL WALLS.

REMOVING EXISTING FLOORING.

REMOVING EXISTING MOLDING AND REINSTALL NEW.

REMOVING EXISTING CABINETS AND APPLIANCES.

REMOVING EXISTING WINDOWS AND REINSTALL NEW.

REMOVING EXISTING DOORS AND REINSTALL NEW.

REMOVING EXISTING FLOORING AND REPLACE WITH NEW.

REMOVING EXISTING PLUMBING AND INSTALL NEW.

REMOVING EXISTING ELECTRICAL AND INSTALL NEW.

REMOVING EXISTING WATER HEATING SYSTEM AND INSTALL NEW.

REMOVING EXISTING FURNACE SYSTEM AND INSTALL NEW.

REMOVING EXISTING BASEMENT FLOOR AND REPLACE WITH NEW.
### Door Schedule

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**DOOR GENERAL NOTES:**

1. DOOR SCHEDULES LIST ALL DOORS OPENING WHERE DOOR SCHEDULE NAME AND NOTIFICATION PRIOR TO ORDERING DOORS. IF UNORDERED WILL BECOME SUBJECT TO ARCHITECT’S DIRECTION.
2. CHECK DRAWINGS FOR DESIGNER AND LOCATION.
3. PROVIDE ALL SPECIAL ORDERED MATERIALS FOR DOORS, SASH, HARDWARE, AND SILL COMPLIANCE WITH MANUFACTURER AND ARCHITECT’S SPECIFICATION.
4. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
5. ALL DOORS IN WALLS WHICH ARE NOT DECK WALLS SHALL BE APPROPRIATELY DESIGNER APPROVED.
6. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
7. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
8. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
9. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
10. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.

### Window Schedule - North Central Climate Zone

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<th>Story</th>
<th>Mark</th>
<th>Model #</th>
<th>Site (Frame)</th>
<th>Width</th>
<th>Height</th>
<th>Material</th>
<th>Type</th>
<th>Egress</th>
<th>GLAZING THICKNESS</th>
<th>U - VALUE MAX. 0.40 OR LESS</th>
<th>SHGC - VALUE MIN. 0.40 OR LESS</th>
<th>Manufacturer</th>
<th>Color</th>
<th>Notes</th>
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**WINDOW GENERAL NOTES:**

1. WINDOW SCHEDULE WILL BE ARCHITECT APPROVED. ALL SCHEDULED WINDOWS, INCLUDING THOSE THAT ARE TO BE SHADED, WILL BE SHADED PRIOR TO ORDERING WINDOWS. IF UNORDERED WILL BECOME SUBJECT TO ARCHITECT’S DIRECTION.
2. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
3. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
4. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
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10. PROVIDE SHEET SCHEDULE FOR DESIGNER AND LOCATION.
Exhibit B

Updated Site Plan
July 2021
Exhibit C

Landscape Wall Details
6” x 6” (nom.) treated wood timbers (typ.)

Dimensions indicate height above surrounding grade
Exhibit D

Pre-Construction Site Photographs
Exhibit E

Current Site Photographs
Exhibit F

Arborist Letter
June 10, 2019

Manion & Associates
7307 Macarthur Boulevard
Suite 216
Bethesda, MD 20816

RE: 6124 Macarthur Boulevard – 16” Boxelder Tree

Dear Tom,

I have inspected the Boxelder tree at the South side of the above referenced address that is concerning you. This tree has virtually no root flair and is growing at a severe angle and I believe it could fail at any time. When it does fail it will likely cause damage to the neighbor’s property and car. I recommend immediate removal as this trees condition will never improve, only worsen in time.

Please feel free to call me if you have any questions.

Sincerely,

[Signature]

Edward Mulheron
ISA Certified Arborist MA-0518
MD Tree Expert License #715
ISA Certified Utility Specialist
ISA Certified Tree Risk Assessor #1072
MDA Certified Compost Operator
Certified Treecare Safety Professional #2405

[ISA Certified Arborist Stamp]

[Member TCIA Stamp]