

**MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION**  
**STAFF REPORT**

<b>Address:</b>	7823 Overhill Rd., Bethesda	<b>Meeting Date:</b>	1/5/2022
<b>Resource:</b>	Contributing Resource <b>Greenwich Forest Historic District</b>	<b>Report Date:</b>	12/29/2021
<b>Applicant:</b>	Michael Bern & Rachel Roth Luke Olsen, Architect	<b>Public Notice:</b>	12/22/2021
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Permit No.:</b>	967939- Amendment	<b>Staff:</b>	Dan Bruechert
<b>Proposal:</b>	Hardscape, Patio, Modifications to Previously Approved HAWP		

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**STAFF RECOMMENDATION**

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

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Contributing Resource within the Greenwich Forest Historic District  
**STYLE:** Colonial Revival  
**DATE:** 1936

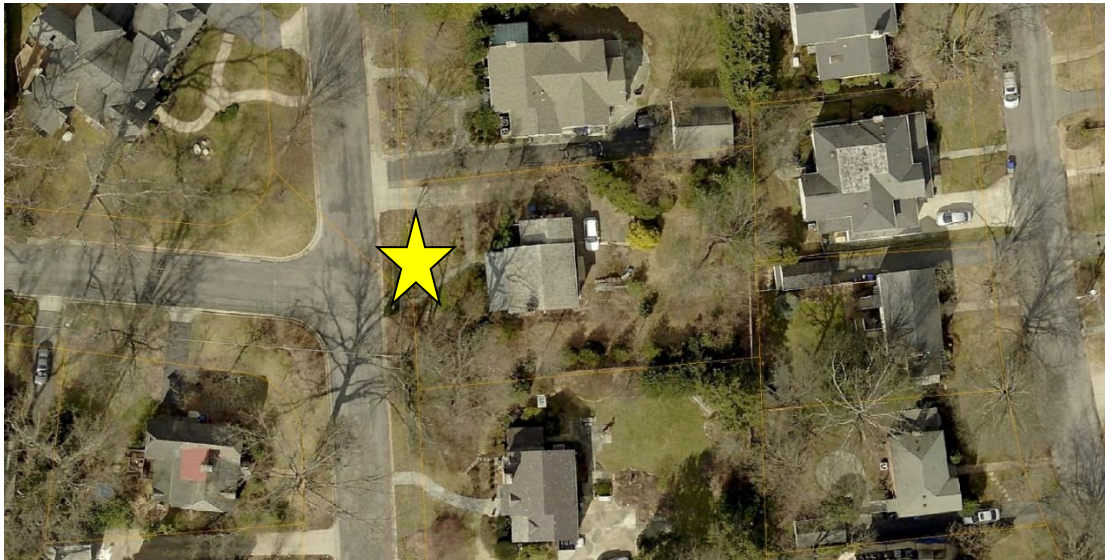


Figure 1: 7823 Overhill Road.

## **BACKGROUND**

The HPC unanimously approved a HAWP with conditions at the October 17, 2021 HPC meeting<sup>1</sup> for a large rear addition. The conditions added to the approval included requiring the applicant to submit hardscape plans and identify how water runoff would be addressed. The applicant provided this information in the application materials and seeks approval for that work.

## **PROPOSAL**

The applicant presents landscape/hardscape plans with material specifications and proposes to replace an approved window opening with a door in the previously approved addition.

## **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:

c. High quality building materials and high level of craftsmanship.

A3. The neighborhood needs to evolve to meet the needs of its residents while maintaining the charm and architectural integrity that have been maintained since the 1930s. Introducing new *architectural styles* that are not already present in the neighborhood will detract from its integrated fabric.

#### **B. BALANCING PRESERVATION AND FLEXIBILITY**

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<sup>1</sup> The Staff Report for HAWP at the subject property is available here: <https://montgomeryplanning.org/wp-content/uploads/2021/10/I.N-7823-Overhill-Road-Bethesda-967939.pdf> and the recording of the hearing is available here: [http://mncppc.granicus.com/MediaPlayer.php?publish\\_id=f314961f-2cf6-11ec-88a7-0050569183fa](http://mncppc.granicus.com/MediaPlayer.php?publish_id=f314961f-2cf6-11ec-88a7-0050569183fa).

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:

D1. Changes to *architectural style*: Changes to the *façades* of *contributing houses* and additions thereto are permitted if the new *front elevation* (1) is consistent with a style of another *contributing house* (see Appendix 3); and (2) is suitable to and does not significantly alter the original outline, shape and scale of the original structure.

D7. Building materials: Replacement of roofs, siding, and trim with original materials is strongly recommended and is considered maintenance that will not require an application for a work permit. Use of non-original “like materials” such as architectural asphalt shingles requires a work permit to ensure that they match the scale, texture, and detail of the original materials and are consistent with the overall design of the existing house. For example, homeowners wishing to replace slate or tile roofs may use alternative materials that match the scale, texture, and detail of the roof being replaced. If an original slate or tile roof had been replaced with non-original material before July 1, 2011, the homeowner may replace the existing roof in kind or with another material consistent with the architectural style of that house.

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.

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).

According to the *Guidelines*, the three levels of review are as follows:

Limited scrutiny is the least rigorous level of review. With this level, the scope or criteria used in the review of applications for work permits is more limited and emphasizes the overall structure rather than materials and architectural details. The decision-making body should base its review on maintaining compatibility with the design, texture, scale, spacing and placement of surrounding houses and the impact of the proposed change on the streetscape.

Moderate scrutiny is a higher level of review than limited scrutiny and adds consideration of the preservation of the property to the requirements of limited scrutiny. Alterations should be designed so the altered structure does not detract from the fabric of Greenwich Forest while affording homeowners reasonable flexibility. Use of compatible new materials or materials that replicate the original, rather than original building materials, should be permitted. Planned changes should be compatible with the structure's existing architectural designs.

Strict scrutiny is the highest level of review. It adds consideration of the integrity and preservation of significant architectural or landscape features and details to the requirements of the limited and moderate scrutiny levels. Changes may be permitted if, after careful review, they do not significantly compromise the original features of the structure or landscape.

#### Architectural Styles Represented by Contributing Houses in the Greenwich Forest Historic District (Appendix 2)

In Greenwich Forest, most of the houses are designed in Colonial Revival and Tudor Revival styles of architecture, with two houses, one demolished, designed in French Eclectic architecture. All of these houses share common materials, such as slate roofs, and an attention to scale, proportion, and architectural detail that unifies the distinctly different architectural styles. These styles also complement each other through thematic elements, such as dormers breaking the gutter line. The revival styles found in Greenwich Forest were part of a national movement, which revived pure examples of European and colonial architecture.

#### ***Sec. 24A-8. Same-Criteria for issuance.***

(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

(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 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.” Standards 2, 9, and 10 most directly apply to the application before the commission:

#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**

In the approved HAWP at the subject property, Staff found—and the HPC concurred—that there was not sufficient information provided to approve the proposed hardscaping and landscaping. The applicant has provided additional detailed information and seeks approval for the hardscaping on site. This work includes installing an exposed aggregate driveway, stone terrace, retaining walls, and an irregular stone path. In addition to the proposed hardscaping, the applicant proposes to replace a window opening in the southeast corner of the approved addition with a new door. Staff finds the work is consistent with the character of the site and surrounding district and recommends the HPC approve the amended HAWP.

#### **Hardscaping**

The landscape/hardscape information presented with the October 17, 2021, HAWP was largely illustrative. The applicant returns with full landscape/hardscape plans that include:

- An exposed aggregate driveway with enlarged parking area in the rear;
- Two stone-faced retaining walls;
- 400 ft<sup>2</sup> (four hundred square feet) of bluestone terraces covering two levels with a metal railing;
- A bluestone walkway between the garage and the house; and
- Irregular stepping stones.

The applicant also proposes to construct a wood trash can enclosure to the north of the historic house massing.

Staff finds the materials selected for the proposed hardscaping are generally consistent with the character of the house and surrounding district. The texture of the exposed aggregate driveway and stone retaining walls provide more texture and an irregular finish which is compatible with the park-like setting of the surrounding district. The other materials including the bluestone paving, metal railing, and stepping stones have all been found to be compatible with other properties in the Greenwich Forest Historic District. In this instance, these materials will not be visible from the public right-of-way, so they are entitled to a very lenient level of review.

Staff finds that the 400 ft<sup>2</sup> (four hundred square foot) of the terrace at the rear does not overwhelm the size of the addition and will not be is compatible with the character of the property and surrounding district. Staff finds that after the proposed work is complete, the subject property may not be able to

accommodate any additional construction without detracting from the character of the surrounding district.

The attached site plan includes the proposed location of four dry wells and some regrading on the property. This information satisfies condition #2 on the October 17<sup>th</sup> HAWP approval.

### **Fenestration Alteration**

On the south elevation of the approved addition, the applicant proposes removing a window and enlarging the opening to accommodate a door that provides direct access to the proposed rear patio. The proposed door is a half-lite wood door that will not be visible from the right-of-way. As this proposal only alters a previously approved opening with a compatible door, not visible from the public, Staff finds it is entitled to a very lenient review and recommends the HPC approve the new door.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission **approve** the HAWP application; under the Criteria for Issuance in Chapter 24A-8(d) and the *Greenwich Forest Historic District Design Guidelines*, having found that the proposal will not substantially alter the exterior features of the historic resource and is compatible in character with the surrounding district and the purposes of Chapter 24A;

and with 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;

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](mailto:dan.bruechert@montgomeryplanning.org) to schedule a follow-up site visit.





FOR STAFF ONLY:  
HAWP# 967939  
DATE ASSIGNED \_\_\_\_\_

# APPLICATION FOR HISTORIC AREA WORK PERMIT

HISTORIC PRESERVATION COMMISSION  
301.563.3400

## APPLICANT:

Name: Michael Bern & Rachel Roth E-mail: michael.e.bern@gmail.com  
RachelR511@gmail.com  
Address: 7823 Overhill Rd City: Bethesda Zip: MD  
Daytime Phone: 617-515-3015 Tax Account No.: 00495264

## AGENT/CONTACT (if applicable):

Name: LUKE OLSON E-mail: LOLSON@GTMARCHITECTS.COM  
Address: 7735 OLD GEORGETOWN RD STE 700 City: BETHESDA Zip: 20814  
Daytime Phone: 240-333-2021 Contractor Registration No.: \_\_\_\_\_

**LOCATION OF BUILDING/PREMISE:** MIHP # of Historic Property \_\_\_\_\_

Is the Property Located within an Historic District? ☒ Yes/District Name Greenwich Forest  
\_\_\_\_\_ 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: 7823 Street: Overhill Rd  
Town/City: Bethesda Nearest Cross Street: Midwood Rd  
Lot: 25 Block: R Subdivision: 0026 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 checked="" type="checkbox"/> Shed/Garage/Accessory Structure
<input checked="" type="checkbox"/> Addition	<input type="checkbox"/> Fence	<input type="checkbox"/> Solar
<input checked="" type="checkbox"/> Demolition	<input checked="" type="checkbox"/> Hardscape/Landscape	<input checked="" type="checkbox"/> Tree removal/planting
<input checked="" type="checkbox"/> Grading/Excavation	<input type="checkbox"/> Roof	<input type="checkbox"/> Window/Door
		<input checked="" type="checkbox"/> Other: <u>DRIVEWAY</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.

\_\_\_\_\_  
Signature of owner or authorized agent

\_\_\_\_\_  
Date

We are filing this permit revision in response to condition #2 of our HAWP approval that requires us to resubmit material specifications, dimensions and runoff mitigation related to the rear patio design for review and approval. Further we are also addressing condition #3 that requests we provide proposed materials to the retaining wall on the north edge of the property. We've provided a landscape plan showing the final size/location and materials of the patio, retaining walls and site features as well as a site plan showing the proposed grading and drywells to deal with stormwater and runoff on the site.

The patio design has been slightly revised from our previous application to include a raised grill patio accessed directly from a new door off of the right side of the breakfast room where we had originally planned for a window. The final dimensions of the patio are 15'-9" x 17'-9" (+/-280 sf) with an additional 7'-4" x 16'-2" grill patio (+/-120 sf). This is consistent with the 400sf patio size we had shown in our original application; we've provided the previously submitted site plan for reference, along with the revised elevations showing the new door and grill patio elevations.

We've also slightly revised the grading to properly redirect site water towards the right of way. This required us to increase the length of the retaining wall on the north edge of the property to the same length that was approved at the 3/24/2021 meeting application (also shown in our previously submitted site plan), which will require the removal of two additional trees. We will account for these trees in the reforestation plan we submit for permit review in accordance with condition #1 of our approval.



Adjacent and Confronting Properties:

Bethesda, MD 20814

7825 Overhill Road

7819 Overhill Road

7820 Mooreland Lane

7818 Mooreland Lane





EXISTING CONDITION PHOTOS  
EXISTING 2-STORY BRICK COLONIAL REVIVAL HOME CIRCA 1936

20.0326 - 7823 OVERHILL RD

7823 OVERHILL RD, BETHESDA, MD 20814 10/13/2021 HAWP SET

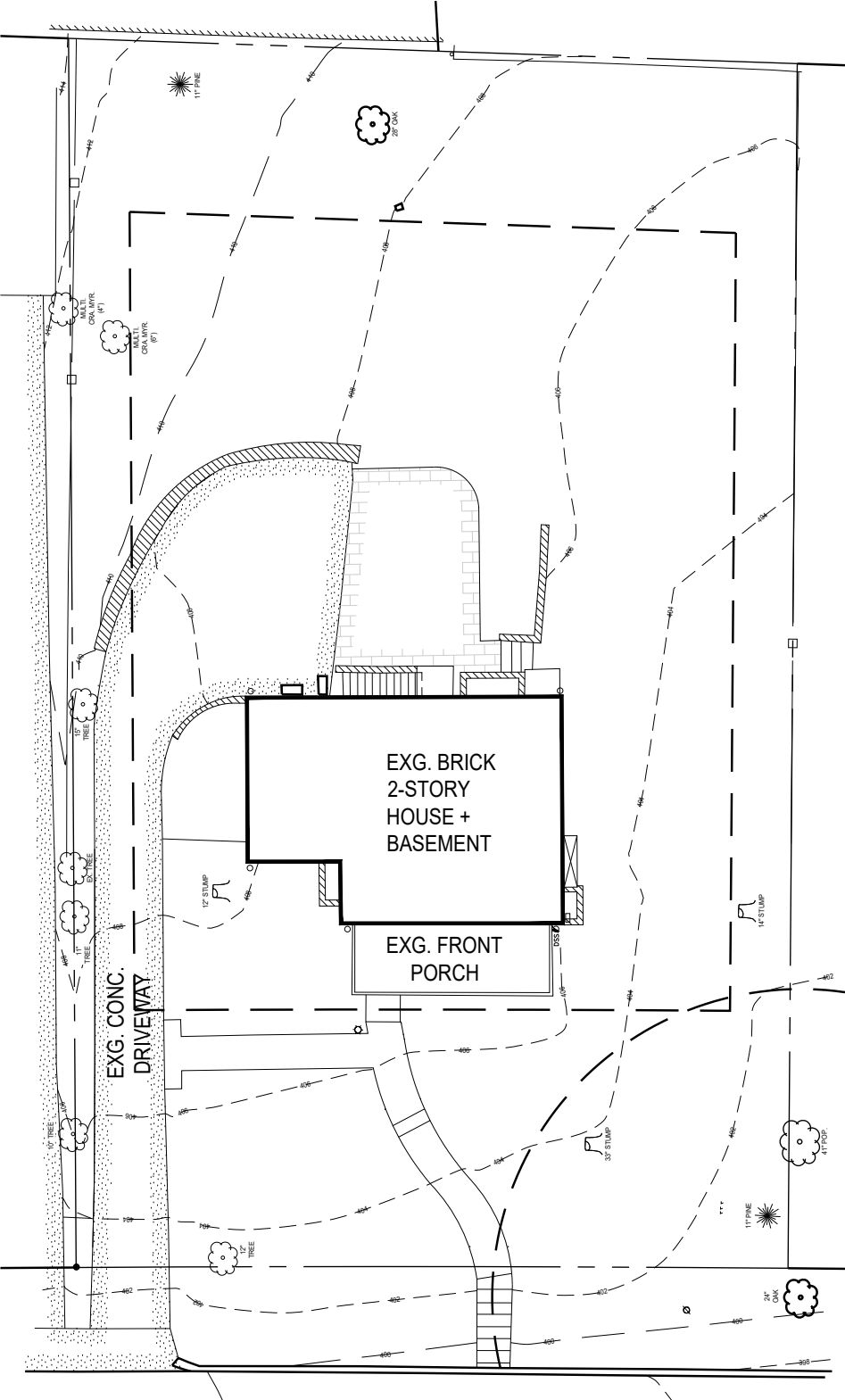
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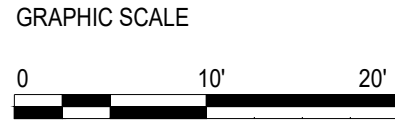
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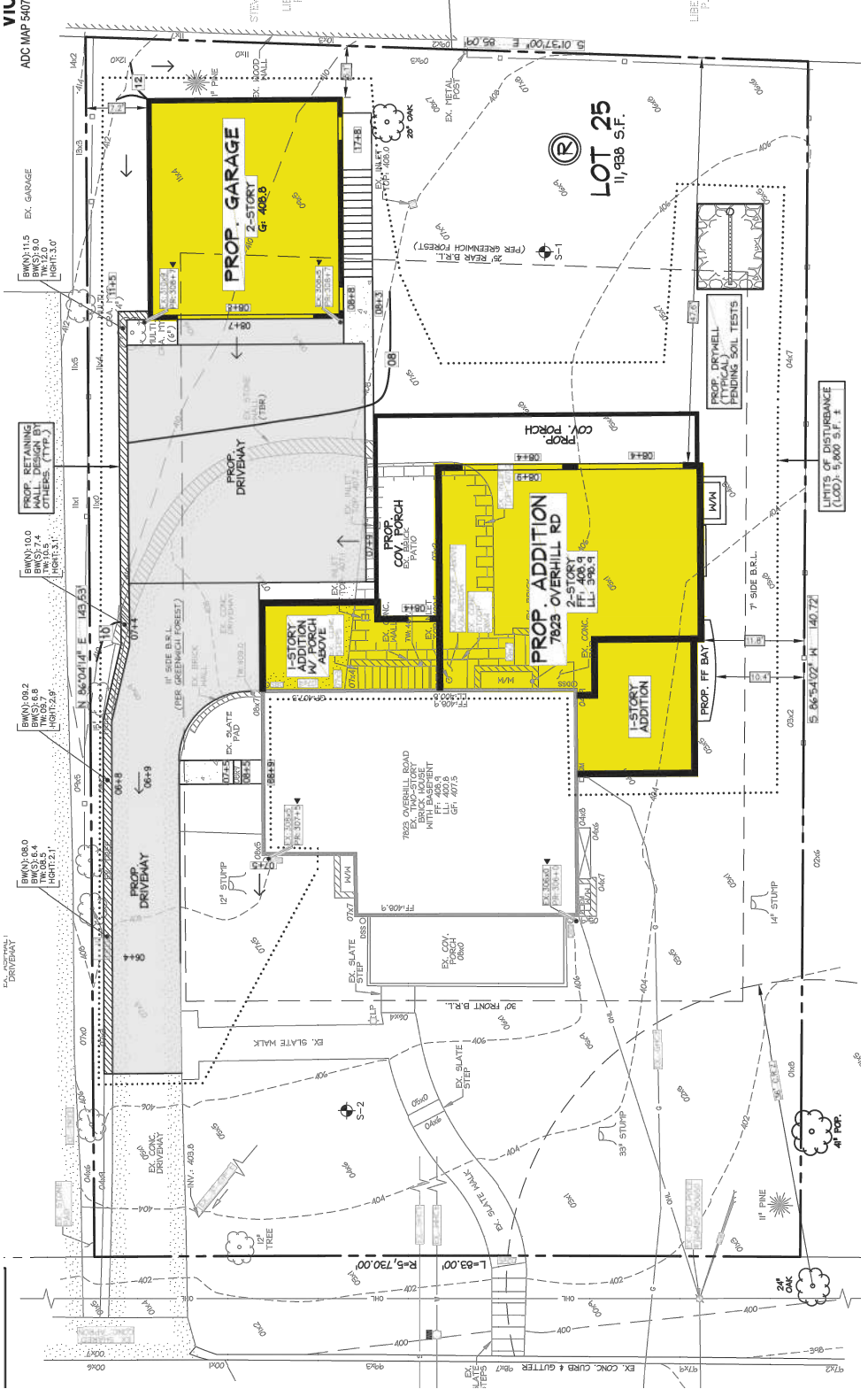


EXISTING SITE PLAN



20.0326 - 7823 OVERHILL RD

7823 OVERHILL RD, BETHESDA, MD 20814 10/13/2021 HAWP SET



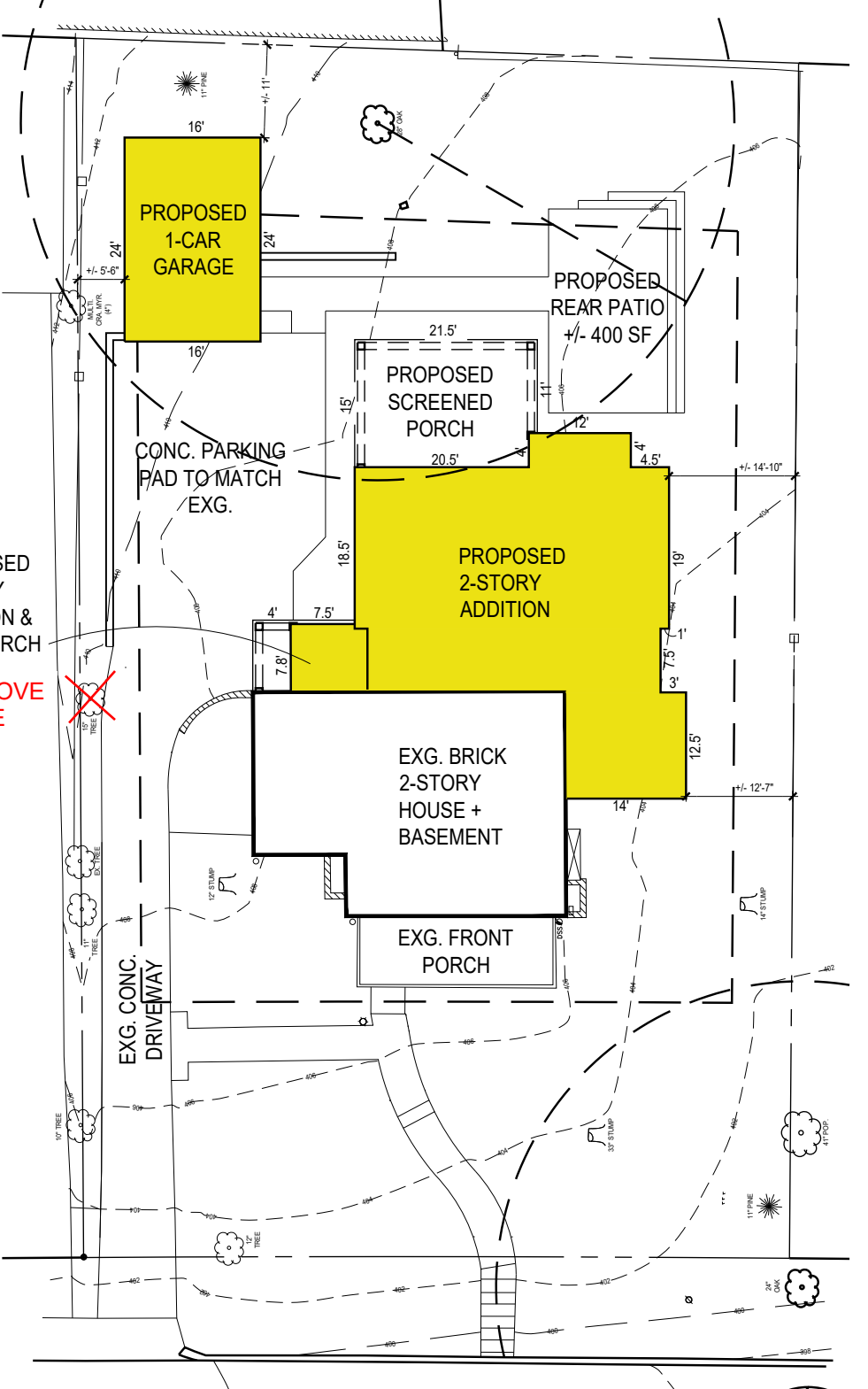
PREVIOUSLY APPROVED SITE PLAN

7823 OVERHILL RD  
LOT SIZE: 11,938 SF  
R-90 ZONE  
FRONT BRL = 30'  
REAR BRL = 25'  
SIDE BRL = 7' MIN, 18' TOTAL

EXG. LOT COVERAGE: 1,107.5 SF = 9.3%

PROPOSED LOT COVERAGE:  
2,716 SF HOUSE = 22.8%  
384 SF GARAGE = 3.2%  
TOTAL = 3,100 SF OR 26 %

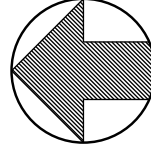
ALLOWABLE LOT COVERAGE  
(MONTGOMERY COUNTY):  
30% OR 3,581.4 SF



PROPOSED SITE PLAN

APPROVED 10/13/2021 NORTH

ALLOWABLE LOT COVERAGE  
(GREENWICH FOREST HISTORIC  
DISTRICT DESIGN GUIDELINES):  
HOUSE = 25% OR 2,984.5 SF  
GARAGE = 5% OR



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- COMPOSITE SLATE SHINGLES @ ADDITION
- PTD. PVC TRIM @ WINDOWS, EAVES & CORNERBOARDS
- ALUMINUM CLAD-WOOD SDL DOUBLE HUNG WINDOWS
- PTD. FIBERCEMENT LAP SIDING, 6" REVEAL
- BRICK WATERTABLE @ BASE OF ADDITION, MATCH EXISTING BRICK SIZE, COURSING, TEXTURE & COLOR

ANY TRIM OR SIDING THAT CANNOT BE REPAIRED IS TO BE REPLACED IN-KIND



PREVIOUSLY APPROVED REAR ELEVATION

NEW GRILL PATIO & STEPS TO GRADE



REVISED REAR ELEVATION

SCALE 1/8"=1'-0"  
0' 4' 8' 16'

20.0326 - 7823 OVERHILL RD



NEW DORMERS @ ATTIC W/ PTD. PVC TRIM, PTD. FIBERCEMENT LAP SIDING, CLAD-WOOD SDL CASEMENT WINDOWS, CENTER ON WINDOWS BELOW, WINDOW SIZE TO BE SMALLEST THAT MEETS EGRESS REQUIREMENTS

ANY TRIM OR SIDING THAT CANNOT BE REPAIRED IS TO BE REPLACED IN-KIND

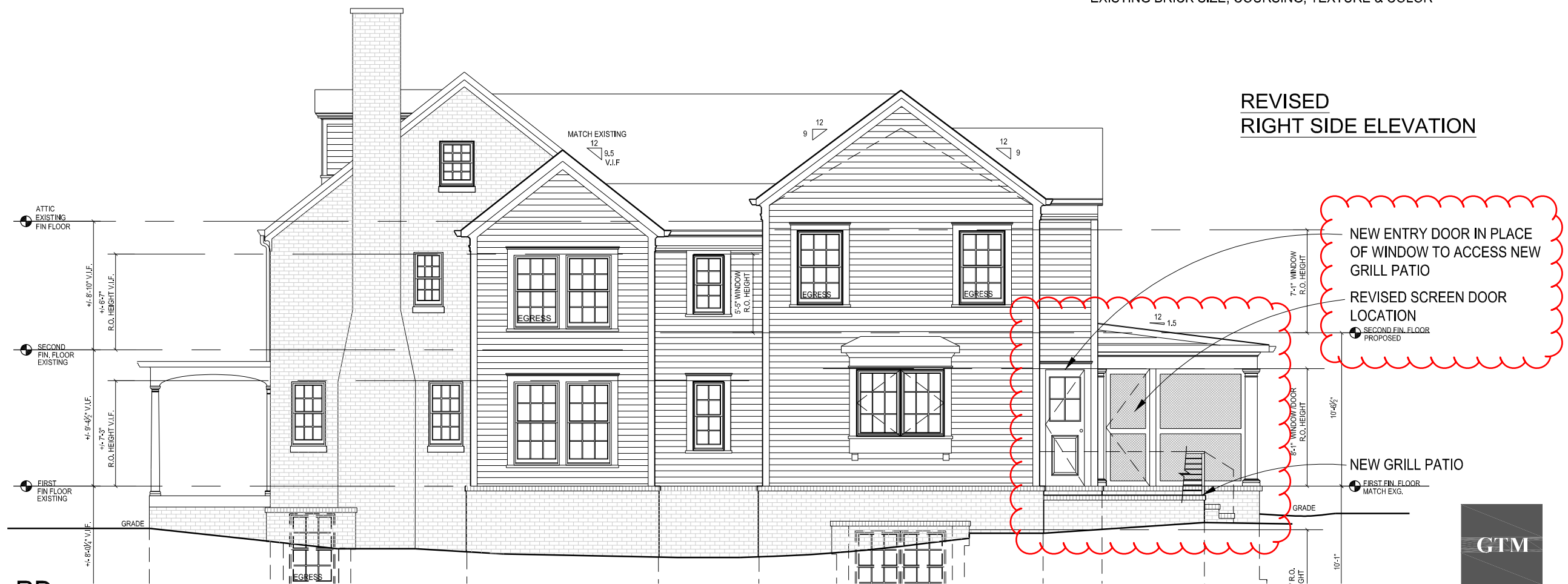
EXG. TRIM TO BE SCRAPPED/ REPAIRED AS REQ'D. & PAINTED

ENLARGE EXISTING WINDOW OPENING HEIGHT & WINDOW WELL TO PROVIDE NEW EGRESS WINDOW IN BASEMENT,

**PREVIOUSLY APPROVED  
RIGHT SIDE ELEVATION**



**REVISED  
RIGHT SIDE ELEVATION**



SCALE 1/8"=1'-0"  
0' 4' 8' 16'

20.0326 - 7823 OVERHILL RD

