

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

<b>Address:</b>	34 W. Kirke St., Chevy Chase	<b>Meeting Date:</b>	4/20/2022
<b>Resource:</b>	Contributing Resource <b>Chevy Chase Village Historic District</b>	<b>Report Date:</b>	4/13/2022
<b>Applicant:</b>	Tony and Melissa Dann	<b>Public Notice:</b>	4/6/2022
<b>Review:</b>	HAWP	<b>Tax Credit:</b>	n/a
<b>Case Number:</b>	987580	<b>Staff:</b>	Dan Bruechert
<b>PROPOSAL:</b>	Fence Installation and Porch Railing Installation		

---

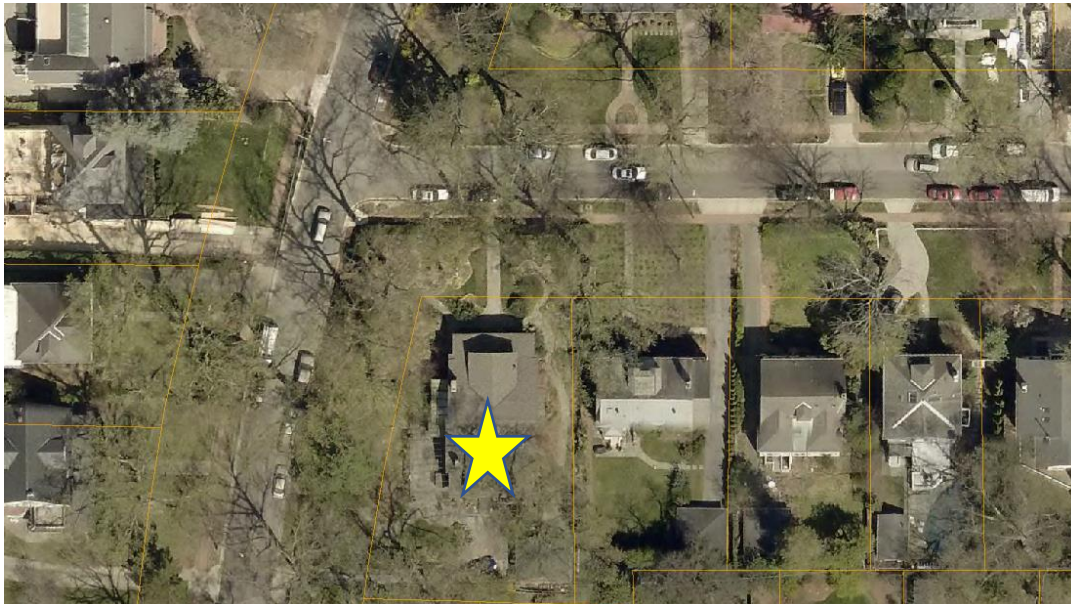
**STAFF RECOMMENDATION**

Staff recommends the HPC **approve with one (1) condition** the HAWP application:

1. Final drawings that show the curve of the railing in relation to the cheekwall need to be submitted to Staff for final review and approval

**ARCHITECTURAL DESCRIPTION**

**SIGNIFICANCE:** Contributing Resource within the Chevy Chase Historic District  
**STYLE:** Craftsman  
**DATE:** c.1915



*Figure 1: 34 W. Kirke is at the intersection of W. Kirke and Cedar Parkway in Chevy Chase Village.*

**PROPOSAL**

The applicant proposes to construct a small fence around an existing garden and install a railing on the front porch.

The application also outlines work proposed to install a new beam to straighten a bow in the roof. Staff determined that this is in-kind repair work which does not require a HAWP. That work is, however, eligible for the County Historic Preservation Tax Credit.

### **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 *Chevy Chase Historic District Design Guidelines (Guidelines)*, and the *Secretary of the Interior's Standards for Rehabilitation (Standards)*. The pertinent information in these documents is outlined below.

#### ***Chevy Chase Village Historic District Guidelines***

The *Guidelines* break down specific projects into three levels of review - Lenient, Moderate and Strict Scrutiny.

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

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

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

“The following principles are not intended to cover all possible types of exterior alterations, changes, and/or additions. HAWP applications for other types of exterior alterations, changes and/or additions should be reviewed in a manner that is consistent with the two paramount principles identified above – fostering the Village’s shared commitment to evolving eclecticism while maintaining its open park-like character”

- The *Guidelines* state five basic policies that should be adhered to, including:
  - Preserving the integrity of the 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.
  - Preserving the integrity of contributing structures. Alterations to should be designed in such a way that the altered structure still contributes to the district.
  - Maintaining the variety of architectural styles and the tradition of architectural excellence.
  - Design review emphasis should be restricted to changes that will be visible from the front or side public right-of-way, or that would be visible in the absence of vegetation or landscaping.

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

***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 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
  - (4) The proposal is necessary in order that unsafe conditions or health hazards be remedied; 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***

- 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.
- 5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

**STAFF DISCUSSION**

There are two work items proposed under this HAWP, a small fence and a porch railing. Both of these features will be highly visible from the public right-of-way.

**Fence Installation**

The applicant proposes to install a short fence around the garden beds that flank either side of the front porch stairs. The fence will have small pickets, consistent with their front fence and will be approximately 2' (two feet tall). The fence will be painted white to match the existing perimeter fence.

Staff finds the proposed fence is more a landscape feature than a fence. Regardless, Staff finds the proposed fence design and materials are compatible with the house and surrounding district. Additionally, Staff finds the 2' (two-foot) height will not detract from the open park-like character of the district and recommends the HPC approve the fence under the *Design Guidelines* and 24A-8(b)(2).

**Railing Installation**

The front porch stairs of the subject property have a gently curving brick cheekwall. The stairs have flagstone risers and treads. The applicant proposes to install wood railings, stained white, inside the cheek wall, anchored through the stair treads. The proposed railing has 4" (four-inch square) posts, with

1” (one inch) pickets inset between the top and bottom rail at 4” (four-inch) intervals. The applicant has relayed to Staff that the engineered top and bottom rails will curve to match the curve of the cheek walls.

Staff’s initial impression is a metal railing would be preferable to wood, because its thinner profiles would not obscure the cheek wall, and may not require additional vertical members for support. While that metal is Staff’s preference, that fails to address whether the applicant’s proposal is consistent with the requisite guidance.

The *Design Guidelines* do not provide specific guidance on how to evaluate the proposed handrail. Considering the work analogous to either a balcony, or porch, or exterior trim, Staff concludes that the railing should be reviewed under “Moderate Scrutiny” as defined in the *Design Guidelines*. This level of review considers massing, scale, and compatibility; along with the integrity of the resource. Under this review, Staff finds that the proposed railing is consistent with the *Guidelines* and should be approved.

First, Staff finds the dimensions of the railing are appropriate and are generally dictated by building codes. The stained wood matches the house trim, so it avoids introducing a new material to the house. Staff finds by anchoring the posts into the stair risers, that no historic fabric will be penetrated, which is certainly preferable to anchoring the railing to the cheekwalls. Finally, Staff finds that matching the curve of the wall, the railing will preserve one of the subject property’s unique features. Staff also notes that the proposed wood railing installed in this location could easily be removed in the future without any impact on historic fabric. Staff recommends the HPC approve the proposed railing under the *Design Guidelines*, 24A-8(b)(2), (4), and (d), and Standards 2 and 10.

As the drawings do not clearly show the curve to the railing, Staff recommends the HPC add a condition to the approval that final drawings need to clearly show the curve of the railing as it relates to the cheek wall.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission **approve with one condition** the HAWP application:

1. Final drawings that show the curve of the railing in relation to the cheekwall need to be submitted to Staff for final review and approval;  
under the Criteria for Issuance in Chapter 24A-8(b)(2), (4), and (d) having found that the proposal 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 and #10.

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.  
visit.





FOR STAFF ONLY:  
HAWP# 987580  
DATE ASSIGNED \_\_\_\_\_

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

**APPLICANT:**

Name: Tom and Melissa Dann  
Address: 34 W. Kirke Street  
Daytime Phone: 202-489-6201

E-mail: melissasdann@gmail.com  
City: Chevy Chase Zip: 20815  
Tax Account No.: 00457848

**AGENT/CONTACT (if applicable):**

Name: N/A  
Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contractor Registration No.: \_\_\_\_\_

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

Is the Property Located within an Historic District? Chevy Chase Village, Section 2  
Yes/District Name \_\_\_\_\_  
No/Individual Site Name \_\_\_\_\_

Is there an Historic Preservation/Land Trust/Environmental Easement on the Property? If YES, include a map of the easement, and documentation from the Easement Holder supporting this application.

Are other Planning and/or Hearing Examiner Approvals /Reviews Required as part of this Application? (Conditional Use, Variance, Record Plat, etc.?) If YES, include information on these reviews as supplemental information.

Building Number: 34 Street: W. Kirke Street  
Town/City: Chevy Chase Village Nearest Cross Street: Cedar Parkway  
Lot: Pts 7&8 Block: 32 Subdivision: 2 CCV Parcel: Plat 106

**TYPE OF WORK PROPOSED: See the checklist on Page 4 to verify that all supporting items for proposed work are submitted with this application. Incomplete Applications will not be accepted for review. Check all that apply:**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> New Construction   | <input type="checkbox"/> Deck/Porch          | <input type="checkbox"/> Shed/Garage/Accessory Structure                    |
| <input type="checkbox"/> Addition           | <input checked="" type="checkbox"/> Fence    | <input type="checkbox"/> Solar  |
| <input type="checkbox"/> Demolition         | <input type="checkbox"/> Hardscape/Landscape | <input type="checkbox"/> Tree removal/planting                              |
| <input type="checkbox"/> Grading/Excavation | <input checked="" type="checkbox"/> Roof     | <input type="checkbox"/> Window/Door  |
|   |  | <input checked="" type="checkbox"/> Other: <u>Handrails for front steps</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.

Melissa Shackleton Dann

3/23/2022

Signature of owner or authorized agent

Date

**HAWP APPLICATION: MAILING ADDRESSES FOR NOTIFYING**  
[Owner, Owner's Agent, Adjacent and Confronting Property Owners]

<b>Owner's mailing address</b>  Melissa and Tom Dann 34 W. Kirke Street Chevy Chase, MD 20815	<b>Owner's Agent's mailing address</b>  N/A
<b>Adjacent and confronting Property Owners mailing addresses</b>	
Mr. and Mrs. John Lynam 32 W. Kirke Street Chevy Chase, MD 20815	Mr. and Mrs. John Campanella 5910 Cedar Parkway Chevy Chase, MD 20815
Mr. and Mrs. James Dodson 33 W. Kirke Street Chevy Chase, MD 20815	Dr. William Dooley and Mrs. Marion Blakey 31 W. Kirke Street Chevy Chase, MD 20815
Ms. Claire Gilliam 5908 Cedar Parkway Chevy Chase, MD 20815	

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

34 W. Kirke Street is a 1 1/2 story Craftsman bungalow, built c 1915; it has a "main house" and detached garage that was formerly used as servant quarters. The house has undergone renovation over the past few years under HAWP permit #800901. The detached garage is currently being renovated having been reviewed and approved by HPC as part of the larger project under #800901. COVID imposed some delays but the garage project will hopefully be finished by early summer.

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

We would like to undertake the following:

- 1) Install white stained wooden handrails along the brick low wall that flanks the front steps. Currently there are no handrails which has proven to be a hazard for visiting neighbors and for the residents (one who is currently on crutches). We think a wood aesthetic will be more fitting for the style of the house vs. iron. Some images are attached.
- 2) Install a short (2' +/-) white picket fence identical in style to the existing fence in the front of the house, to flank the front steps in a close position to the house behind which we'll plant hydrangeas or other greenery. No trees exist in this area.
- 3) Straighten the bow/sag in the central part of roof at front of the house. This bow existed when we purchased the house but we intended to correct it during the course of the major renovation. It was reviewed by Linton Engineering (see attached), drawn straight by the architect, Thomson & Cooke, and was not executed upon by the contractor. While we don't believe that the structural integrity has been affected, we think that aesthetically the house would look better with a straight roof line! Whether a beam is inserted via the porch roof or it can be done from the interior is unclear. The bottom line is that however it is done, any repairs will be made and the house will be restored to how it looks today, simply without the bow.

Work Item 1: <u>Install Front steps handrail</u>	
Description of Current Condition: <div>There is a curved low brick wall flanking the stairs, not tall enough to hold on to for safety. There are no handrails.</div>	Proposed Work: See attached drawing; Install: 1) 3.5" 4x4 posts bolted to top brick column; 2) top rail pattern wm 8841; 3) 1x1 pickets in between rails; 4" on center
Work Item 2: <u>Install Short picket fence</u>	
Description of Current Condition: <div>Flagstone aree with some plants against the house.</div>	Proposed Work: Install a short (2') tall fence identical to the front fence in style in area flanking steps. We intend to plant hydrangeas or other greenery behind it.
Work Item 3: <u>Straighten bow in roof</u>	
Description of Current Condition: <div>The front of the roof is bowed or sagging in the center.</div>	Proposed Work: According to the engineer, we most likley need a beam that can straighten the dip. See Engineer's drawing. We don't know if we will need to go in through the porch ceiling or internally through the room adjacent to this part of the roof. Either way, the property will be restored.

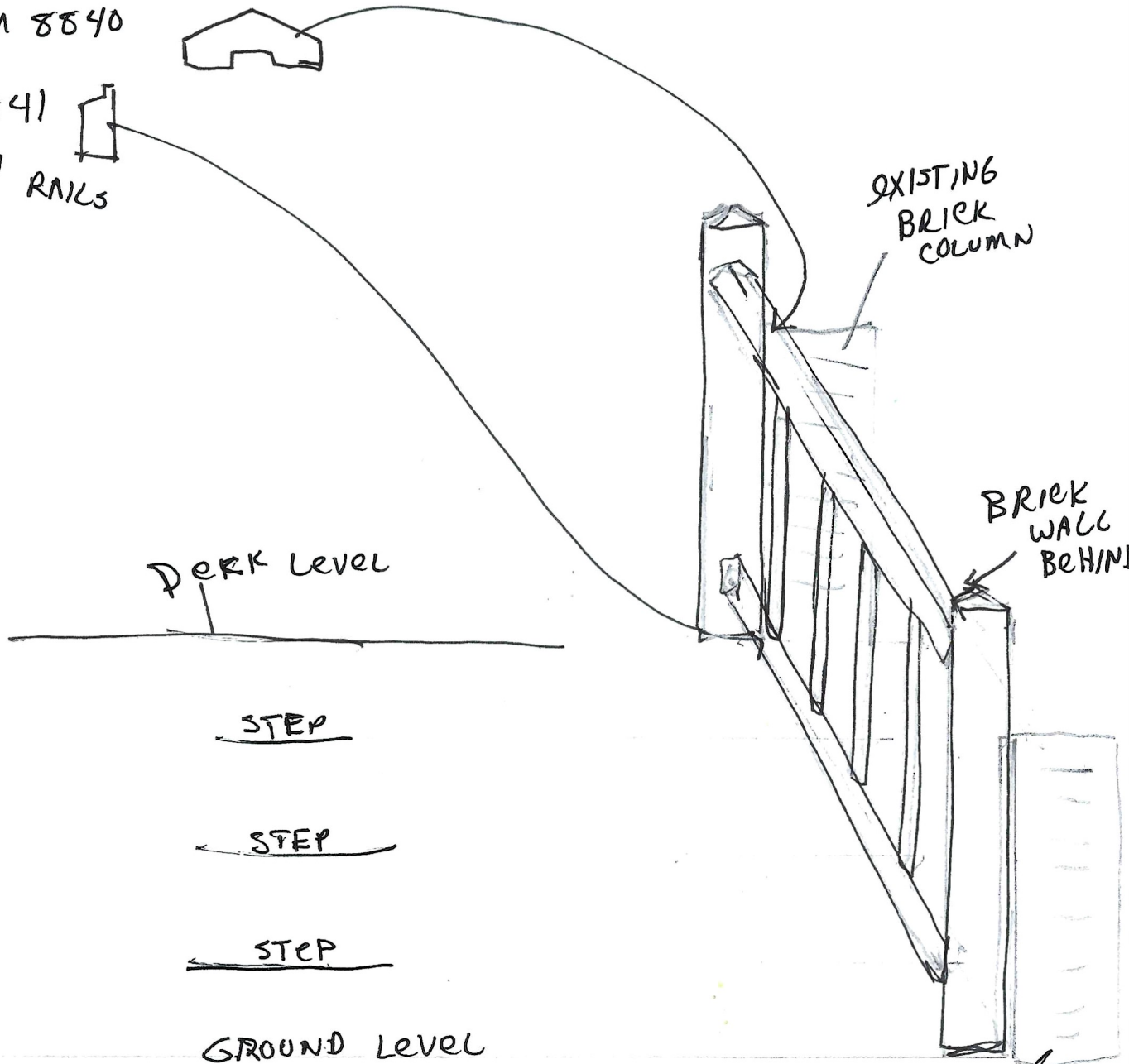
# HISTORIC AREA WORK PERMIT CHECKLIST OF APPLICATION REQUIREMENTS

	Required Attachments						
Proposed Work	I. 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	*	*	*	*	*		*

36" 4x4 POSTS BOLTED TO COLUMNS  
TOP RAIL PATTERN WM 8840  
BOTTOM RAIL WM 8841  
1x1 PICKETS IN BETWEEN RAILS  
4" ON CENTER



EXISTING



DECK LEVEL

STEP

STEP

STEP

GROUND LEVEL

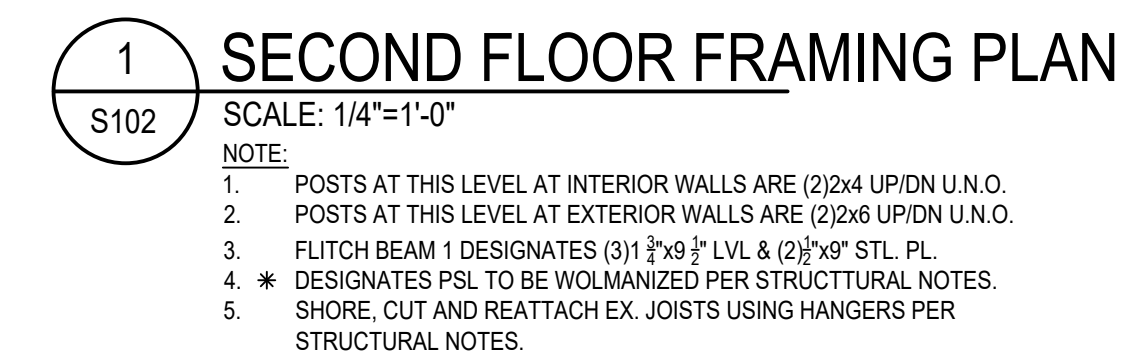
EXISTING  
BRICK  
COLUMN

BRICK  
WALL  
BEHIND

EXISTING  
BRICK  
COLUMN  
10

DANN RESIDENCE PROPOSED  
RAILS @ FRONT STEPS





S102

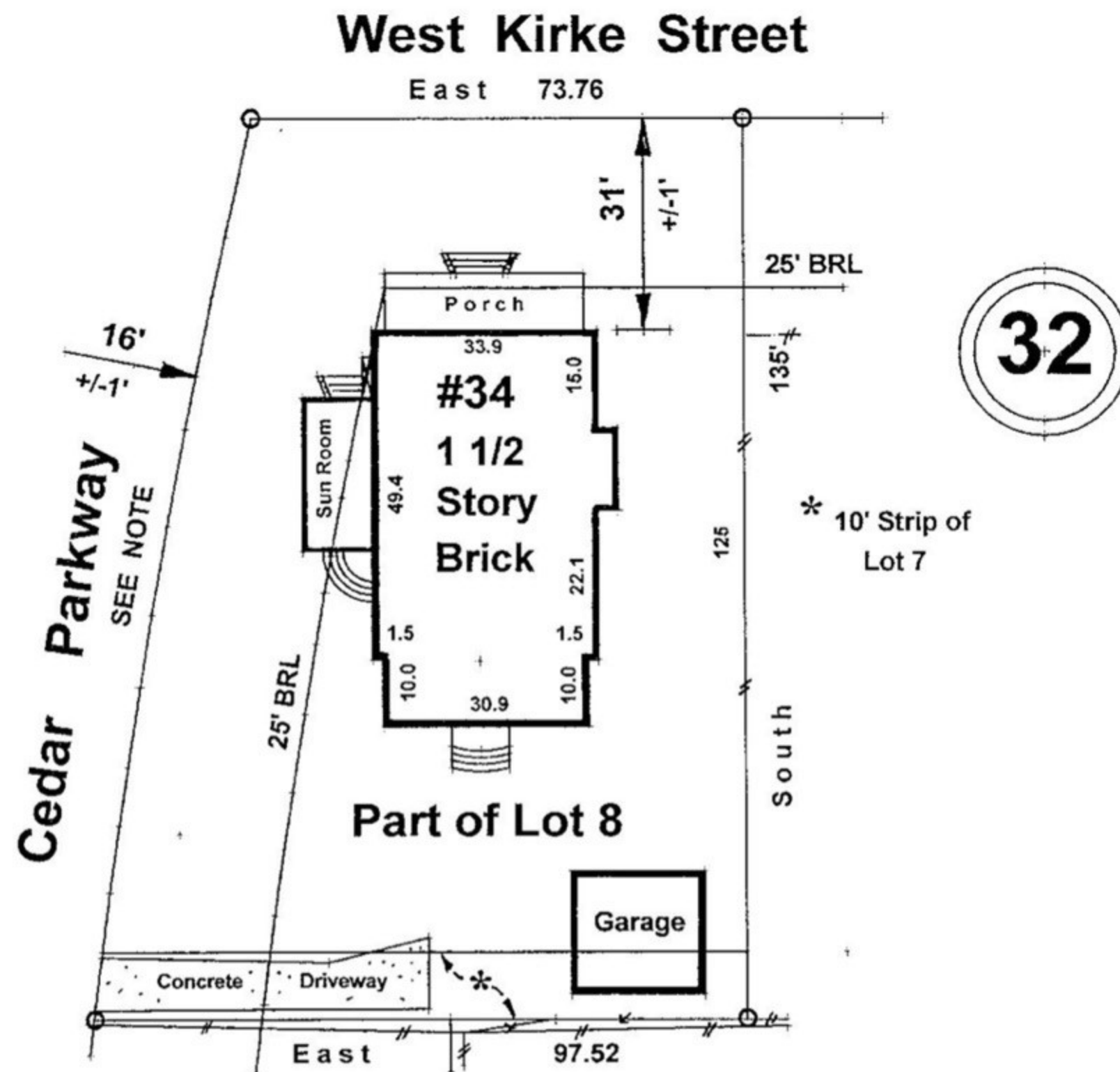


# Landtech Associates Inc.

10260 Old Columbia Road Rivers Center-Suite J  
Columbia, MD 21046

Phone: 410-290-8099 Fax: 410-290-8299

NOTE: NOT TO BE USED FOR ISSUANCE OF PERMITS



## NOTE:

Curved Line has no Radius/Arc of Record  
Radius = 1230.69 per P.B. 3 P. 273  
Approximate Arc = 137' +/-



Location Survey of:	LOT: Pts. 7 & 8	BLOCK: 32
#34 West Kirke Street	PLAT BK: 2	PLAT #: 106
Section 2	DATE: 4-20-16	SCALE: 1"= 30'
<b>Chevy Chase</b>	CASE NUMBER: 160438-PM	
Montgomery Co., MD	FILE NUMBER: LT-2160626	

## NOTES:

1. This plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
2. This plat is not to be relied upon for the establishment or location of fences, garages, buildings or other existing or future improvements.
3. This plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
4. Property line survey recommended to determine the exact location of improvements and/or encroachments, if any.
5. Property subject to any/all rights-of-way, easements, and/or covenants of record and/or imposed by law.





Low white picket — 2' tall, similar in style to the front fence, flanking brick steps

Handrails along this low brick wall







This is the “look”  
we’re aiming for — a  
short white picket  
that would flank the  
steps at the front of  
the house.







# APPLICATION FOR HISTORIC WORK PERMIT

Supplemental Information for

HAWP #987580

34 W. Kirke Street  
Chevy Chase, MD 20815

Additional information for Work Item #1

Width of each Front steps – bottom to top:

(See attached picture with markings)

Bottom step: 113" (9'4")

Next: 101" (8'4")

Next: 92" (7'6")

Top: 86" (7'1")

Bottom brick column at base of wing wall: 26 1/4" tall

Top brick column of wing wall (porch level): 24" tall

There are many other houses with wood railings. Just a sampling on West Kirke Street include:

#31 (built 1913)

#19 (built 1911)

#15 (built 1908)

#7 (built 1905)





24" tall

26 1/4" tall

86"

92"

101"

113"

34 W. Kirke Street  
Chevy Chase, MD