



## **PROPOSAL**

The applicant proposes to apply a lime-based paint to the exterior of the unfinished brick exterior.

## **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**

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.

D4. *Additions*: Additions to *contributing* and *non-contributing houses* are allowed. The style of an *addition* must be compatible and in keeping with the prevailing styles of that house. The style of the *addition* must be compatible with the style of the original house, unless the owner wishes to change the *architectural style* of both the house and addition to another style of a *contributing house* in Greenwich Forest (see Changes to *architectural style*, below). *Additions to contributing houses* must preserve as a recognizable entity the outline of the original house (not including subsequent additions). Side additions to *contributing houses* are allowed, but the limits of the original *façade* must be demarcated by stepping back the front plane of the addition and by a change in the addition's roofline. Rear *additions* to *contributing houses* are allowed within limitations on height and setbacks (see D5).

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.

D17. Windows, dormers, and doors: Door and window replacements are acceptable, as long as the replacements are compatible with the architectural style of the house. Replacement windows with true or simulated divided lights are acceptable, but removable ('snap-in') muntins are not permitted on front-facing windows of contributing houses. Front-facing dormer additions to third floors are permitted on non-contributing houses and on contributing houses, if such additions do not involve raising the main roof ridge line (as specified in D5) and if the addition is compatible in scale, proportion, and architectural style of the original house.

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.

***Sec. 24A-8. Same-Criteria for Issuance***

- (a) The commission shall instruct the director to deny a permit if it finds, based on the evidence and information presented to or before the commission that the alteration for which the permit is sought would be inappropriate, inconsistent with or detrimental to the preservation, enhancement or ultimate protection of the historic site or historic resource within an historic district, and to the purposes of this chapter.
- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to insure conformity with the purposes and requirements of this chapter, if it finds that:
  - (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
  - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
- (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. 94, § 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.



#3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

### **STAFF DISCUSSION**

The subject property is a two-story brick Colonial Revival with a slate gable roof. In the summer of 2021, the applicant submitted a HAWP for a building addition, window replacement, and other alterations.<sup>1</sup> Painting was not included in the submitted scope of work.

The applicant seeks approval to paint the house exterior with a “lime wash styled paint.” Staff was informed the work was taking place in the field; staff investigated and determined that the work had not been included in the previously approved HAWP. Even though this work has been completed, it needs to be reviewed as though it is only proposed.



*Figure 2: 5625 Lambeth Rd.*

The applicant states that the existing brick is “becoming discolored and damaged over the years and will need restoration.” Staff reviewed the photos submitted with the 2021 HAWP application and was unable to effectively evaluate the brick and mortar to verify this condition. Regardless, Staff finds degraded brick condition does not need to factor into the evaluation of whether the painting the exterior brick is consistent with the requisite guidance.

Recently, the HPC has considered two HAWPs for exterior painting of historic brick houses in the

<sup>1</sup> The Staff Report and application for the 2021 HAWP is available here: <https://montgomeryplanning.org/wp-content/uploads/2021/06/IL.E-5625-Lambeth-Road-Bethesda-951716.pdf>.

Greenwich Forest Historic District. One, at 7832 Overhill was denied under Guideline D4 (which governs building additions); the second HAWP was approved after additional research demonstrated several houses in the district were historically painted.<sup>2</sup> Much like the 2022 HAWP at 5633 Lambeth Rd., the proposal before the HPC does not include a building addition, so guideline D4 cannot apply.

Painting an unpainted brick surface is not a recommended historic preservation practice, primarily because it obscures the historic fabric and can rarely be removed in its entirety without damaging the brick. Staff acknowledges that painting the brick would contravene Standard 2, however, the *Greenwich Forest Design Guidelines* provide more flexibility to homeowners; similarly, the HPC's Executive Regulations for 24A require that when there is a conflict between the Standards and local guidelines, the local guidelines control.

Staff begins the analysis of the proposal by considering the introduction to the *Guidelines*, which states, "Any work permit sought for any situation not specifically covered by these Principles and *Guidelines* shall be deemed to have an insignificant effect on the historic resource and must be approved by the decision making body." Exterior painting and/or exterior finish is not specifically addressed in either the Principles, Major Guidelines, or Guidelines for Specific Elements. Guideline D7 encourages replacing materials in-kind, which does not require a HAWP, but does not address consideration of exterior finishes.

In a broader consideration, Staff looks both to Section A – Principals and Section B – Balancing Preservation and Flexibility, for more general guidance. Both of these sections of the *Guidelines* stress preserving the historic style and setting over specific building materials and support "reasonable modifications" and seek "a reasonable compromise between preservation and the needs of residents." The lack of specificity in the *Guidelines* and the broader theme of a loose application of preservation rules leads Staff to conclude that exterior painting is not covered in the *Guidelines* and the HPC is required to approve the HAWP as stated in the introduction to the *Guidelines*.

Staff finds it is necessary to apply the Principles and Guidelines in a manner that is fair and predictable. As the Principles and Guidelines do not address exterior painting or finish; Staff finds the *Guidelines* lead to a conclusion that the painting of otherwise unremarkable masonry of no particular character should be approved as a matter of course.

In addition to the language of the *Guidelines* Staff also considered the character of the district. Two of the houses directly across the street at 8025 Hampden Ln. and 5620 Lambeth Rd. both have large sections of painted exterior brick, as does the house to the left of the subject property at 5629 Lambeth Rd. (the houses to the west and north of the subject property, while painted, are outside of the boundaries of the historic district). Staff found significant materials regarding the construction of 5625 York Ln., that demonstrated it was painted when it was constructed. Additionally, 8020 Hampden Ln., 8013 Hampden Ln., 8004 Hampden Ln., 7821 Hampden Ln., 7814 Hampden Ln., and 7823 Overhill Rd. are all, like the subject property, Contributing Resources, and have – at a minimum – sections of painted brick. Many of these buildings were painted before the district was established, so no review was required, but Staff finds it illuminating that more than 10% of the contributing resources include painted brick.

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<sup>2</sup> The Staff Report for the HAWP to paint 7823 Overhill Rd. is available here: <https://montgomeryplanning.org/wp-content/uploads/2021/10/I.F-7823-Overhill-Road-Bethesda-967939-REVISION.pdf>. The HPC held a hearing on this case and denied the proposal 8-0 under 24A-8(a) and citing the D4 of the Design Guidelines, because painting the historic brick would not have preserved the historic building as a recognizable entity as part of the proposed addition. The hearing is available here: [http://mncppc.granicus.com/MediaPlayer.php?publish\\_id=c11113dc-3801-11ec-88a7-0050569183fa](http://mncppc.granicus.com/MediaPlayer.php?publish_id=c11113dc-3801-11ec-88a7-0050569183fa). The Staff Report and application to paint 5633 Lambeth Rd., Bethesda is available here: <https://montgomeryplanning.org/wp-content/uploads/2022/03/I.C-5633-Lambeth-Rd.-Bethesda-985601.pdf>. The hearing and presentation begin at the 5:30 mark here: [http://mncppc.granicus.com/MediaPlayer.php?publish\\_id=ae05bd4a-bfe7-11ec-a5da-0050569183fa](http://mncppc.granicus.com/MediaPlayer.php?publish_id=ae05bd4a-bfe7-11ec-a5da-0050569183fa).

While Staff supports approving this HAWP for painted masonry under the *Design Guidelines* for the reasons stated above, Staff also finds that the paint simply appears unfinished. The applicant's stated aesthetic goal is to have a mottled appearance that looks weathered and that will continue to develop a patina. If protecting the historic bricks is really the justification for painting, a consistent even application should be required. Staff finds the painting creates an appearance that is inconsistent with architectural character of the building and violates Standards 3 by attempting to create a false sense of history. Therefore, Staff recommends the HPC add a condition for approval that the building be given an even application of the lime wash to create a uniform appearance.

### **STAFF RECOMMENDATION**

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

1. The house needs to have an even application of paint on the exterior so that no brick faces remain unpainted;  
under the Criteria for Issuance in Chapter 24A-8(b)(2) and (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.





APPLICATION FOR  
HISTORIC AREA WORK PERMIT  
HISTORIC PRESERVATION COMMISSION  
301.563.3400

FOR STAFF ONLY:

HAWP# 951716

DATE ASSIGNED

APPLICANT:

Name: Yalda Ghamarian

E-mail: yalda.ghamarian@gmail.com

Address: 5625 Lambeth Road

City: Bethesda Zip: 20814

Daytime Phone: 240-462-2332

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

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: 5625 Street: Lambeth Road

Town/City: Bethesda Nearest Cross Street: Westover Road

Lot: 9 Block: H Subdivision: Parcel:

(enclosed survey)

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 checked="" type="checkbox"/> Addition (minor) | <input 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 type="checkbox"/> Roof                | <input checked="" 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



Adjacent and Confronting Properties:

Bethesda, MD 20817

5601 Lambeth Road

5620 Lambeth Road

5629 Lambeth Road

5602 Huntington Parkway

5604 Huntington Parkway



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Mitra Pedoeem  
Director

# HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 5/18/2022

Application No: 993839  
AP Type: HISTORIC  
Customer No: 1405946

## Affidavit Acknowledgement

The Homeowner is the Primary applicant  
This application does not violate any covenants and deed restrictions

## Primary Applicant Information

Address 5625 LAMBETH RD  
BETHESDA, MD 20814

Homeowner Ghamarian (Primary)

## Historic Area Work Permit Details

Work Type RESREP

Good afternoon, I am writing to apply for a washed/weathered white paint to be applied to our house on 5625 Lambeth Road. Our original brick is becoming discolored and damaged over the years and will need a restoration. We want to preserve the historic nature and aesthetic of our home and neighborhood and carefully spent time and resources to find a lime wash styled paint that intentionally exposes the natural brick. This paint has a more weathered look which also ties into the fabric of the neighborhood and many of the houses that have the weathered white or fully painted masonry. This paint will also wash and weather over time and we don't intend to touch up the paint as that happens, rather keep the weathered look as it naturally weathers to maintain the historic look of our home. Ultimately, we hope you understand that we have been careful in the paint style selection in light of the historic and hope that this application is received well. Thank you, Yalda Ghamarian Howell 5625 Lambeth Road C: 240-462-2332

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

<b>Owner's mailing address</b> Yalda Ghamarian 5625 Lambeth Rd. Bethesda, MD 20814	<b>Owner's Agent's mailing address</b>
<b>Adjacent and confronting Property Owners mailing addresses</b>	
5609 Lambeth Rd. Bethesda, MD (Lot 10) Carolyn + Matthew Miller	5601 Lambeth Rd. Bethesda, MD (Lot 8) Norma Alicia + David J. Beasley
5620 Lambeth Rd. Bethesda, MD (Lot 7) Michael Hertzberg	5510 Lambeth Rd. Bethesda, MD (Lot 5) Eric + Mura Lightfoot



**CONSUMER INFORMATION NOTES:**

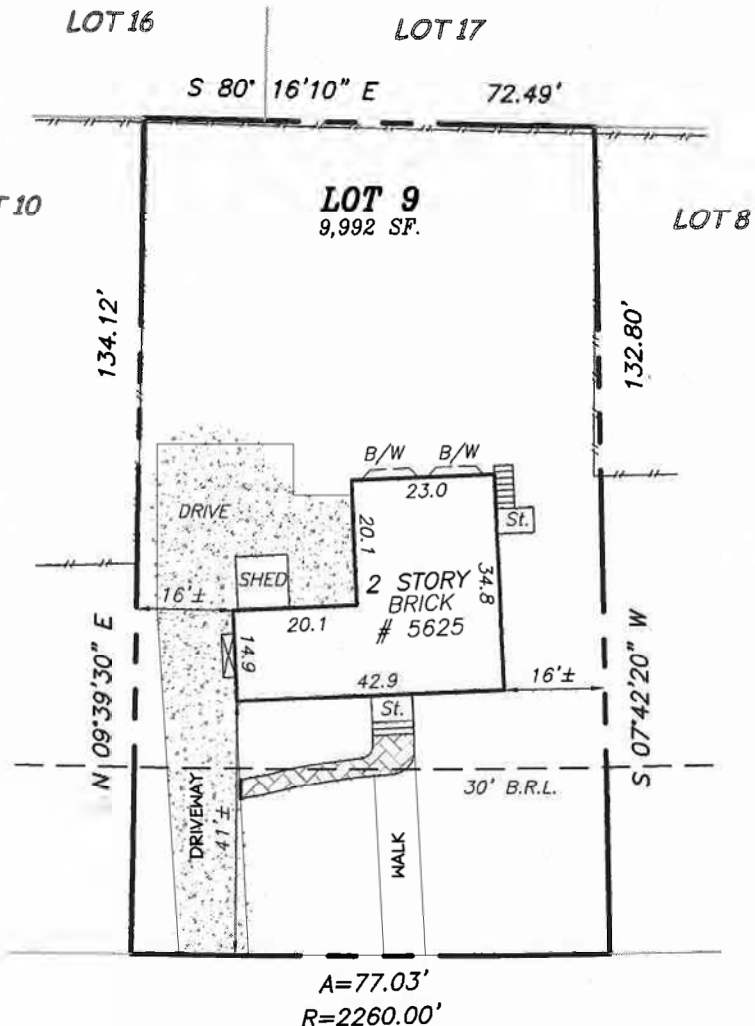
- 1). This drawing is a benefit to a consumer only insofar as it may be required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing;
- 2). This drawing is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements;
- 3). This drawing does not provide for the accurate identification of property boundary lines, but such identification may not be required for transfer of title or securing financing or refinancing.
- 4). The level of accuracy and accuracy of apparent setback distances is four feet, more or less.
- 5). THIS LOCATION DRAWING IS NOT TO BE USED IN CONNECTION WITH ANY TYPE OF PERMIT APPLICATION.
- 6). This location drawing was prepared without the benefit of a title report.

**LEGEND**

St.	Stoop
SW.	Sidewalk
B/W	Bay Window
Wood/Vinyl Fence	
Brick Area	
Rough Asphalt	



LOCATION DRAWING  
LOT 9, BLOCK H  
**GREENWICH FOREST**  
MONTGOMERY COUNTY, MARYLAND



**LAMBETH ROAD**  
(50' R/W)

**SURVEYOR'S CERTIFICATE**

This location drawing and the surveying work reflected in it were prepared by the surveyor or the surveyor was in responsible charge over its preparation, all in compliance with requirements set forth in COMAR Regulation 09.13.06.12.

*F. Alimo* 4/20/2021  
By: Fred Alimo Date  
MD Professional Land Surveyor #21382  
Expires 02-03-2022

**REFERENCES**

PLAT BK. 10  
PLAT NO. 722

LIBER  
FOLIO

**ALIMO & ASSOCIATES LLC**

LAND SURVEYORS  
404 Blue Flax Place  
Gaithersburg, MD 20878  
Tele.: (240) 888-7631 e-Fax: (240) 390-2445

DATE OF LOCATIONS	SCALE: 1"=30'
WALL CHECK:	DRAWN BY: F.A.
HSE. LOC.: 04-20-2021	JOB NO.: 2021-066