

MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION
STAFF REPORT

Address:	7835 Hampden Ln., Bethesda	Meeting Date:	9/7/2022
Resource:	Contributing Resource (Greenwich Forest Historic District)	Report Date:	8/31/2022
Applicant:	Bill & Nicole Bien Robert Black, Architect	Public Notice:	8/24/2022
Review:	HAWP	Staff:	Dan Bruechert
Case Number:	Pending	Tax Credit:	Partial

PROPOSAL: Fence Installation, Door and Window Replacement, Skylight Installation, and Grading to accommodate stormwater management.

STAFF RECOMMENDATION

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

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource within the Greenwich Forest Historic District
STYLE: Colonial Revival
DATE: 1929

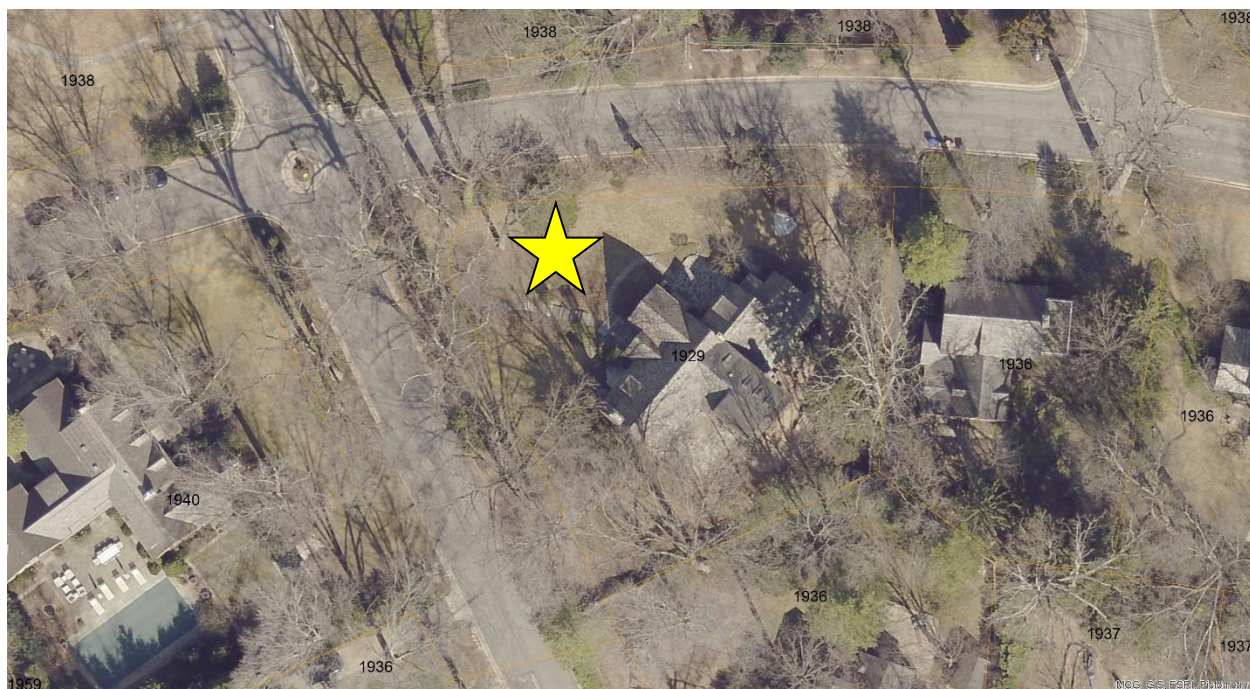


Figure 1: 7835 Hampden Ln, Bethesda.

BACKGROUND

On June 23, 2021, the HPC considered a retroactive HAWP¹ under the property's previous owner for the fence installed at the subject property. On August 18, 2021, the HPC approved the HAWP and added two conditions to the HAWP approval that 1) the fence may not extend beyond the 30' building restriction line and 2) the footers needed to be removed.

The subject property has been subsequently sold and the owner seeks approval for a new fence that conforms to the HPC's approval and additional work.

PROPOSAL

The applicants propose to replace the existing fence, remove and replace an existing door and window, install skylights, replace the gutters and downspouts, and undertake roof repairs.

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.

¹ The Staff Report for the previous HAWP is available here: <https://montgomeryplanning.org/wp-content/uploads/2021/06/II.F-7835-Hampden-Lane-Bethesda.pdf>. The hearing is available here: https://mncppc.granicus.com/MediaPlayer.php?publish_id=a5b90271-d4f9-11eb-bd7e-0050569183fa and the discussion begins at approximately 30:00. The final HAWP Staff Report is available here: <https://montgomeryplanning.org/wp-content/uploads/2021/08/II.F-7835-Hampden-Lane-Bethesda-956484.pdf>.

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

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

B. BALANCING PRESERVATION AND FLEXIBILITY

Greenwich Forest represents a period in the evolution of Montgomery County worthy of preservation, but it has also changed in response to the needs of residents since it was created in the 1930s. These Guidelines seek a reasonable compromise between preservation and the needs of residents in several ways.

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

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

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

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

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

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.

D9. Fences and walls: Fences were not part of the original Greenwich Forest streetscape. No front yard fences have been added since then, though some homeowners have added backyard fences and/or fences along side yard property lines. To preserve the uninterrupted green space adjacent to the public right-of-way, front fences are not allowed. To enable the creation of enclosed yards for residents, fences up to 6'6" tall are permitted in back and side yards. In the case of side yards, fences may extend up to just behind the front plane of the house, preserving at least a 3' setback from the facade. Fence style and material should be in keeping with the architectural style of the house and the forest surroundings.

Properties confronting Wilson Lane merit special consideration due to heavy traffic volumes.

Construction of fences or walls is permitted on these properties, with review, in order to help ensure the safety and privacy of residents and the safety of drivers and neighbors. The decision-making body is directed to show flexibility in reviewing applications for work permits for such fences and walls.

D13. Skylights on forward-facing roof surfaces are not permitted. Skylights on non-forward-facing roof surfaces are permitted, subject to the decision-making body's review, to ensure that they are not visible from the public right-of-way.

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.

Montgomery County Code; Chapter 24A-8

- (b) The commission shall instruct the director to issue a permit, or issue a permit subject to such conditions as are found to be necessary to ensure conformity with the purposes and requirements of this chapter, if it finds that:
 - (1) The proposal will not substantially alter the exterior features of an historic site or historic resource within an historic district; or
 - (2) The proposal is compatible in character and nature with the historical, archeological, architectural or cultural features of the historic site or the historic district in which an historic resource is located and would not be detrimental thereto or to the achievement of the purposes of this chapter; or
- (d) In the case of an application for work on an historic resource located within an historic district, the commission shall be lenient in its judgment of plans for structures of little historical or design historic or architectural value of surrounding historic resources or would impair the character of the historic district. (Ord. No. 9-4, § 1; Ord. No. 11-59.)

Secretary of the Interior's Standards for Rehabilitation

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

STAFF DISCUSSION

The applicant proposes work in five areas, removing and replacing the existing fence, installing two skylights, removing and replacing a rear door, replacing the copper gutters and downspouts, and making roof repairs. The applicant will also undertake minor re-grading and new planting to manage water runoff and erosion on site. The gutters and roof repairs are in-kind repairs and do not require a HAWP, but are eligible for the County Historic Preservation Tax Credit.

Fence Replacement

The existing fence is a solid board fence, installed with the finished side installed toward the subject property. The southwest section of the fence likely extended into the public right-of-way. The HPC approved the fence with conditions, as discussed on page 2 above. The applicant proposes removing the existing fence and installing a 6' (six foot tall) alternating board fence in the previous fence's approved location—set back 40' (forty feet) from the curb.

Staff finds the proposed fence will be installed in a location the HPC previously determined to be appropriate. Staff additionally finds the alternating board design presents an equal level of finish on both sides, which is the preferred “good neighbor” approach in the Greenwich Forest Historic District. Finally, Staff finds wood is the preferred material in the historic district and recommends the HPC approve the new fence under D9 of the *Design Guidelines* and 24A-8(b)(2) and (d).

Skylight Installation

On the rear elevation of the house, the applicant proposes to install two skylights, each 2' × 4' (two feet by four feet). These skylights will not be visible from the public right-of-way and, under the *Design Guidelines*, are entitled to a limited scrutiny review.

Staff finds the proposed skylights are compatible with the overall structure and will not impact the surrounding streetscape and recommends the HPC approve the skylights under *Guideline* D13 and 24A-8(b)(2).

Staff also notes that the applicant proposes to undertake some roof repairs. The slates removed to install the skylights should be evaluated and retained to replace any damaged slates as part of the roof repair. The labor costs to retain these slates is an eligible cost for the County Historic Preservation Tax Credit.

Door and Window Replacement

Between the breakfast room and the screened-in porch, there is a wood door with a single window. The applicant proposes to remove the window and door and install a three-panel aluminum-clad French Door. The proposed door will only be minimally visible from the public right of way because of the change in grade on the site and because it is obscured by the screen.

The *Design Guidelines* state that window and door replacement is acceptable in Greenwich Forest provided the replacement is compatible with the style of the house. Staff finds the multi-lite aluminum clad wood French doors are compatible with the design of the house and satisfies the requirements of D17 and recommends the HPC approve the new door.

Grading for Stormwater Management

On the west side of the house, the applicant proposes some minor re-grading and installing plants to create a rain garden. This work will help address some runoff and site erosion. The re-grading is a minor change and Staff does not find this will have a significant impact on the character of the site and surrounding district.

STAFF RECOMMENDATION

Staff recommends that the Commission **approve** the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(1) and (d), having found that the proposal is consistent with the *Greenwich Forest Historic District Guidelines* identified above, and therefore will not substantially alter the exterior features of the historic resource and is compatible in character with the district and the purposes of Chapter 24A;

and with the *Secretary of the Interior's Standards for Rehabilitation* #2, #9, and #10;

and with the general condition that the applicant shall present an electronic set of drawings, if applicable, to Historic Preservation Commission (HPC) staff for review and stamping prior to submission for the Montgomery County Department of Permitting Services (DPS) building permits;

and with the general condition that final project design details, not specifically delineated by the Commission, shall be approved by HPC staff or brought back to the Commission as a revised HAWP application at staff's discretion;

and with the general condition that the applicant shall notify the Historic Preservation Staff if they propose to make **any alterations** to the approved plans. Once the work is completed the applicant will contact the staff person assigned to this application at 301-563-3400 or dan.bruechert@montgomeryplanning.org to schedule a follow-up site visit.



APPLICATION FOR
HISTORIC AREA WORK PERMIT
HISTORIC PRESERVATION COMMISSION
301.563.3400

FOR STAFF ONLY:

HAWP# _____

DATE ASSIGNED _____

APPLICANT:

Name: _____

E-mail: _____

Address: _____

City: _____ Zip: _____

Daytime Phone: _____

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 _____

☐ No/Individual Site Name _____

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

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

Building Number: _____ Street: _____

Town/City: _____ Nearest Cross Street: _____

Lot: _____ Block: _____ Subdivision: _____ Parcel: _____

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

☐ New Construction

☐ Deck/Porch

☐ Shed/Garage/Accessory Structure

☐ Addition

☐ Fence

☐ Solar

☐ Demolition

☐ Hardscape/Landscape

☐ Tree removal/planting

☐ Grading/Excavation

☐ Roof

☐ Window/Door

☐ 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

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

Owner's mailing address	Owner's Agent's mailing address
Adjacent and confronting Property Owners mailing addresses	

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

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

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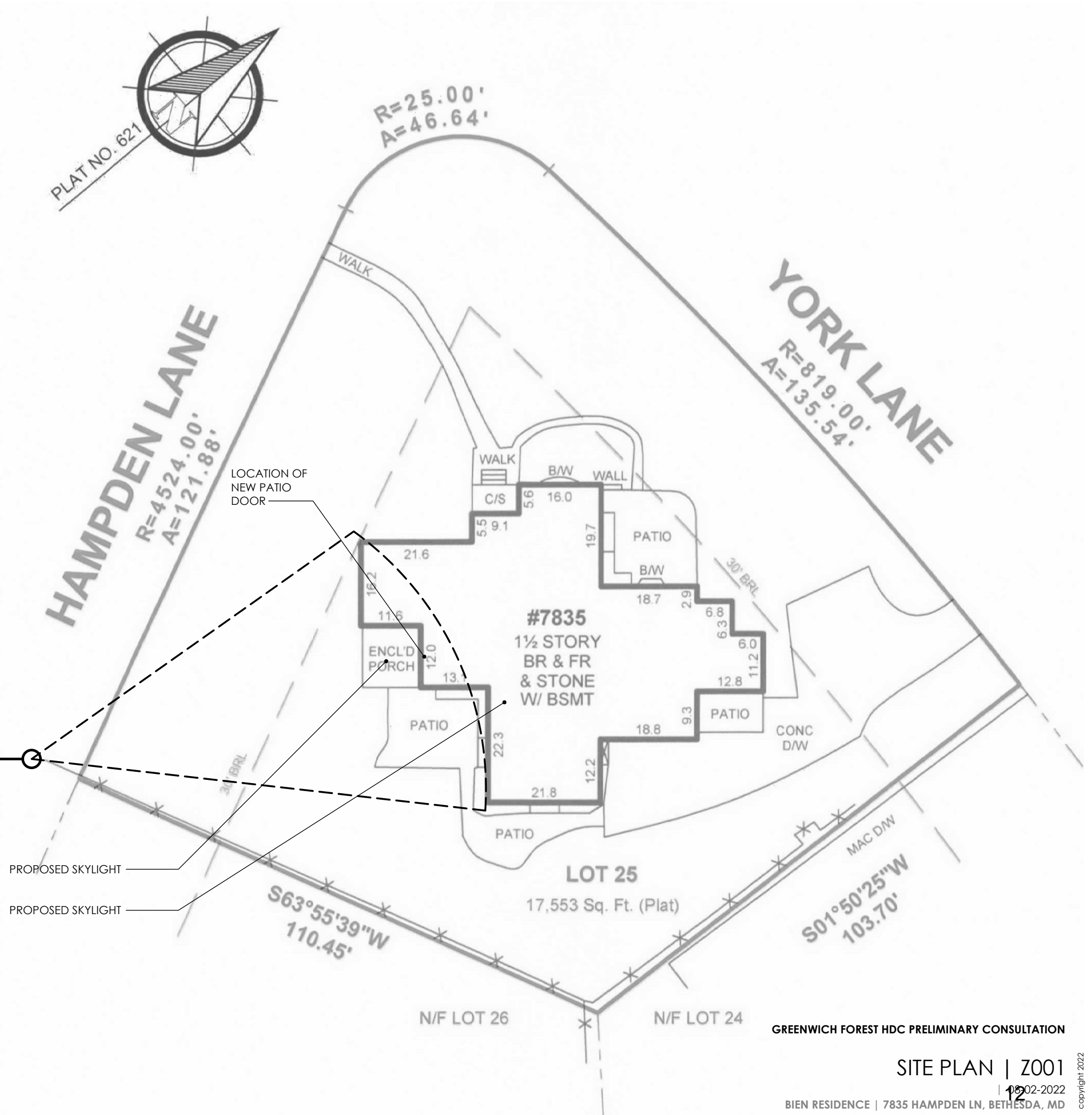
Work Item 1: _____	
Description of Current Condition:	Proposed Work:

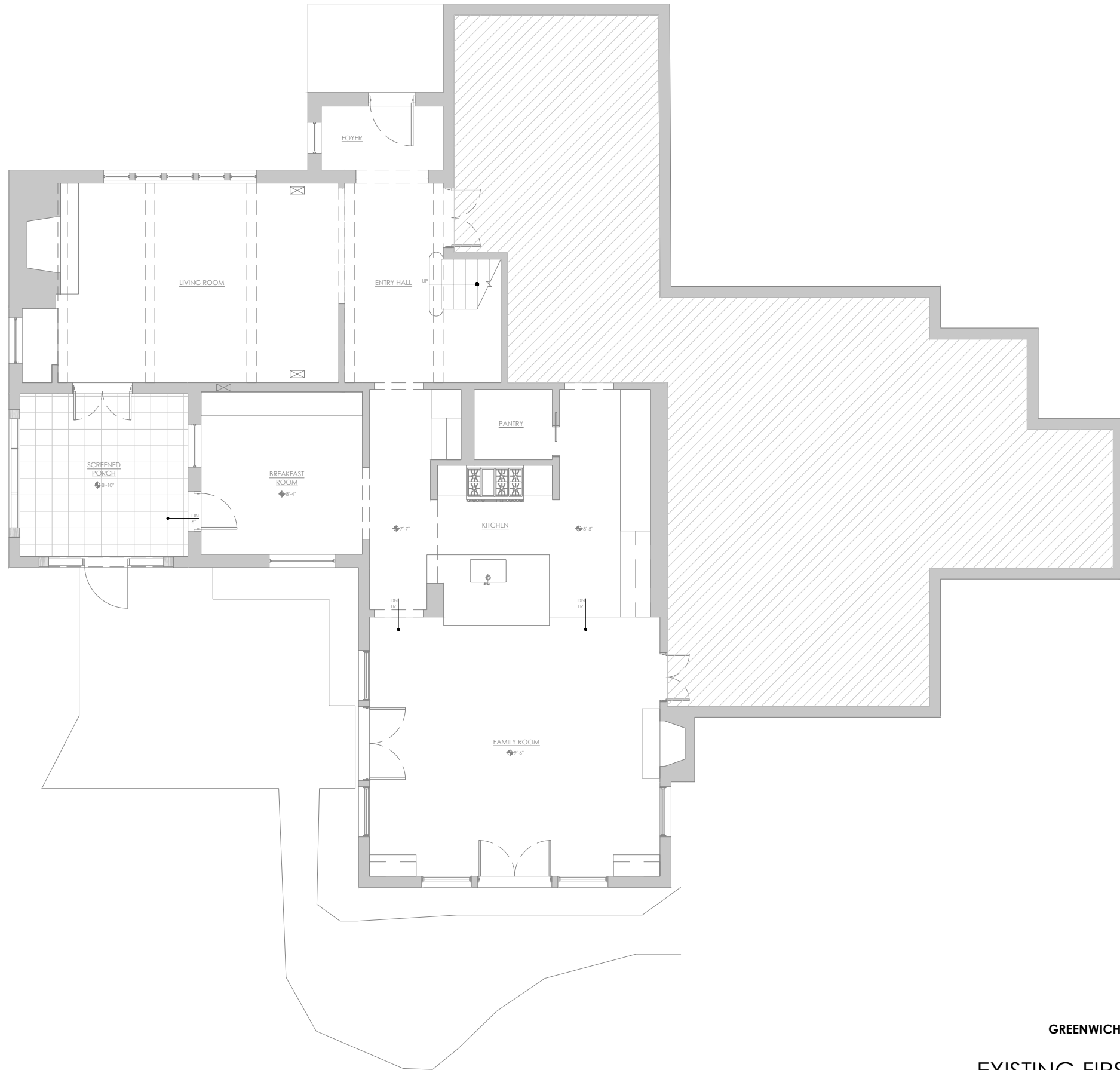
Work Item 2: _____	
Description of Current Condition:	Proposed Work:

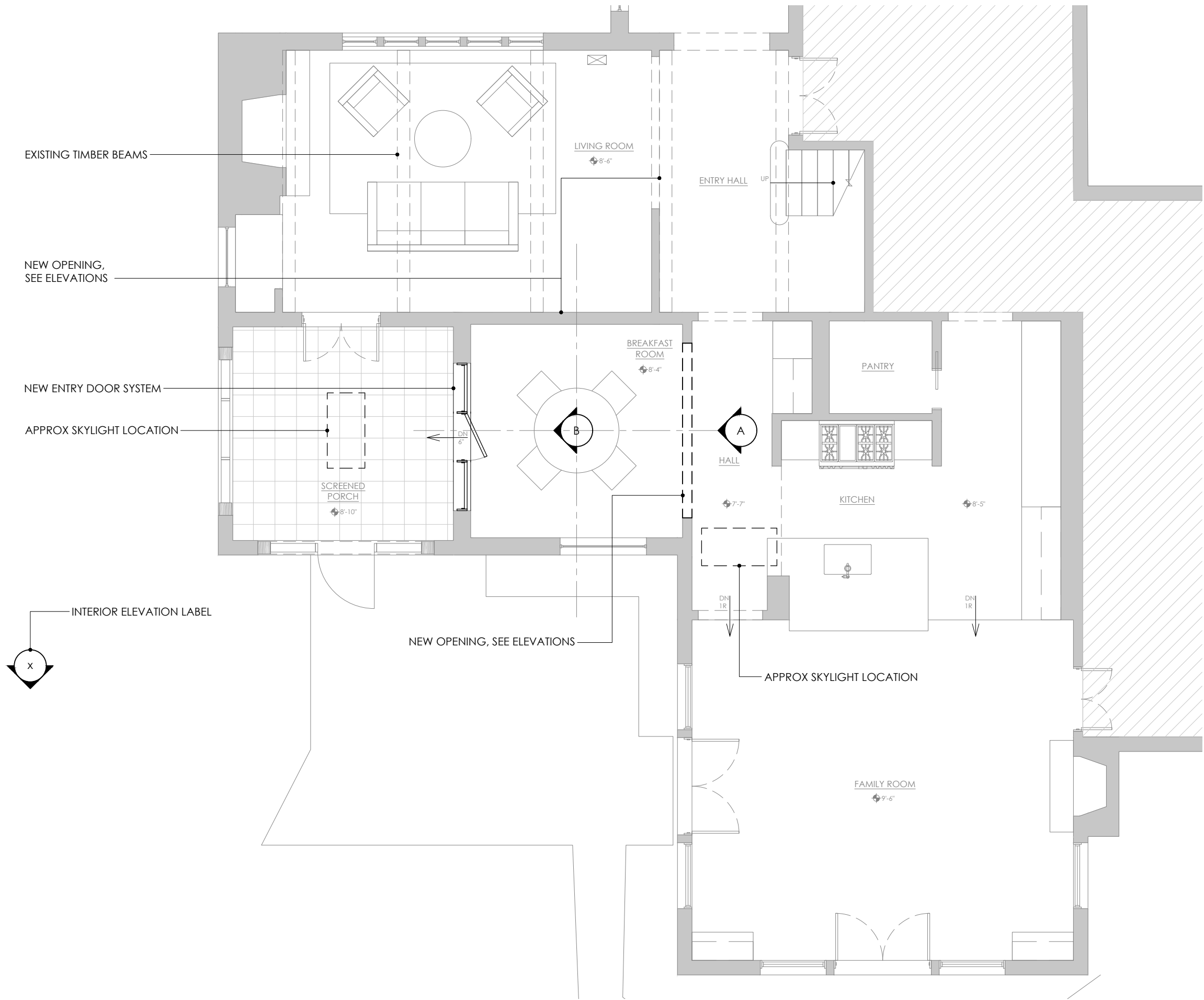
Work Item 3: _____	
Description of Current Condition:	Proposed Work:

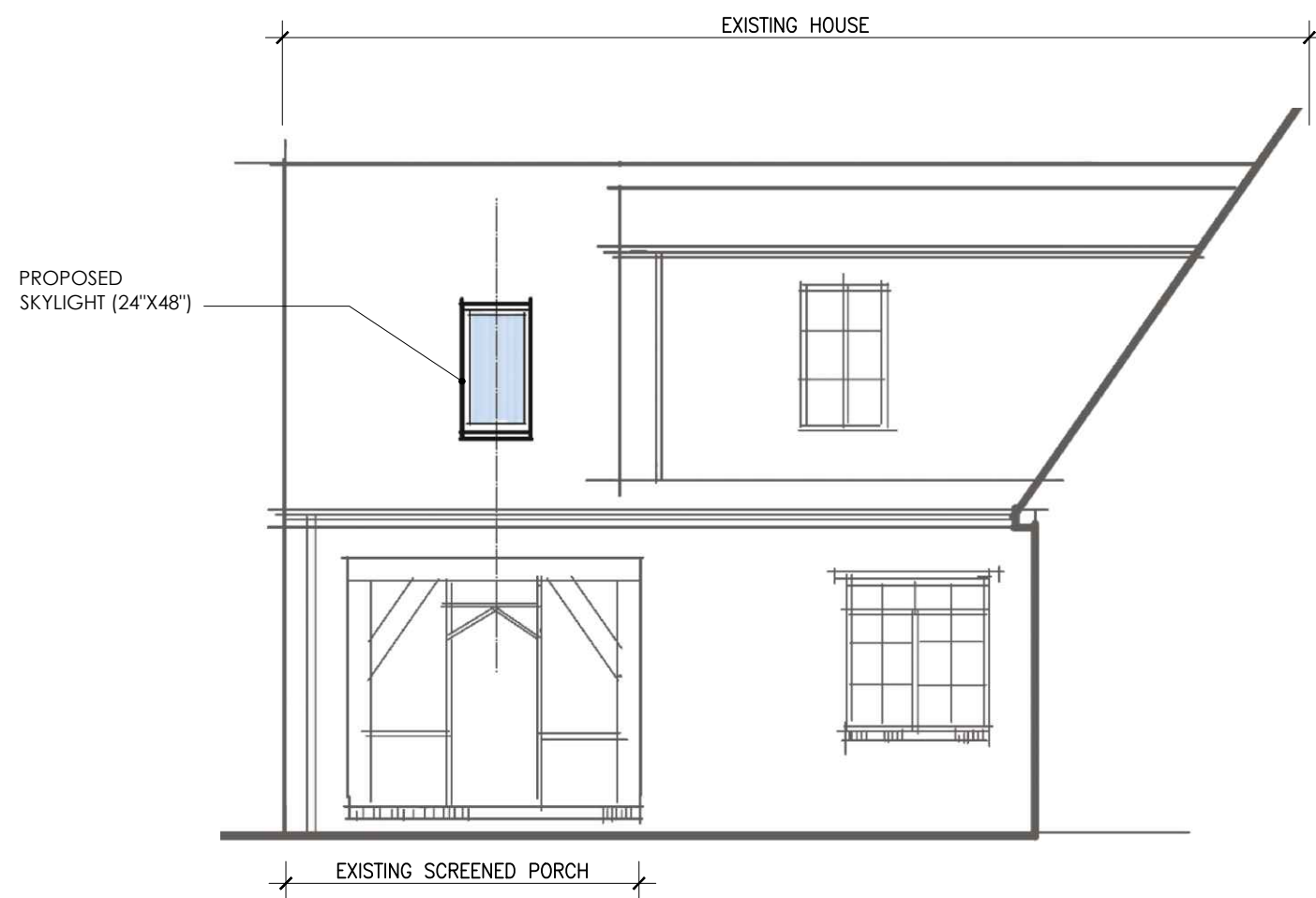


VIEW FROM HAMPDEN LANE

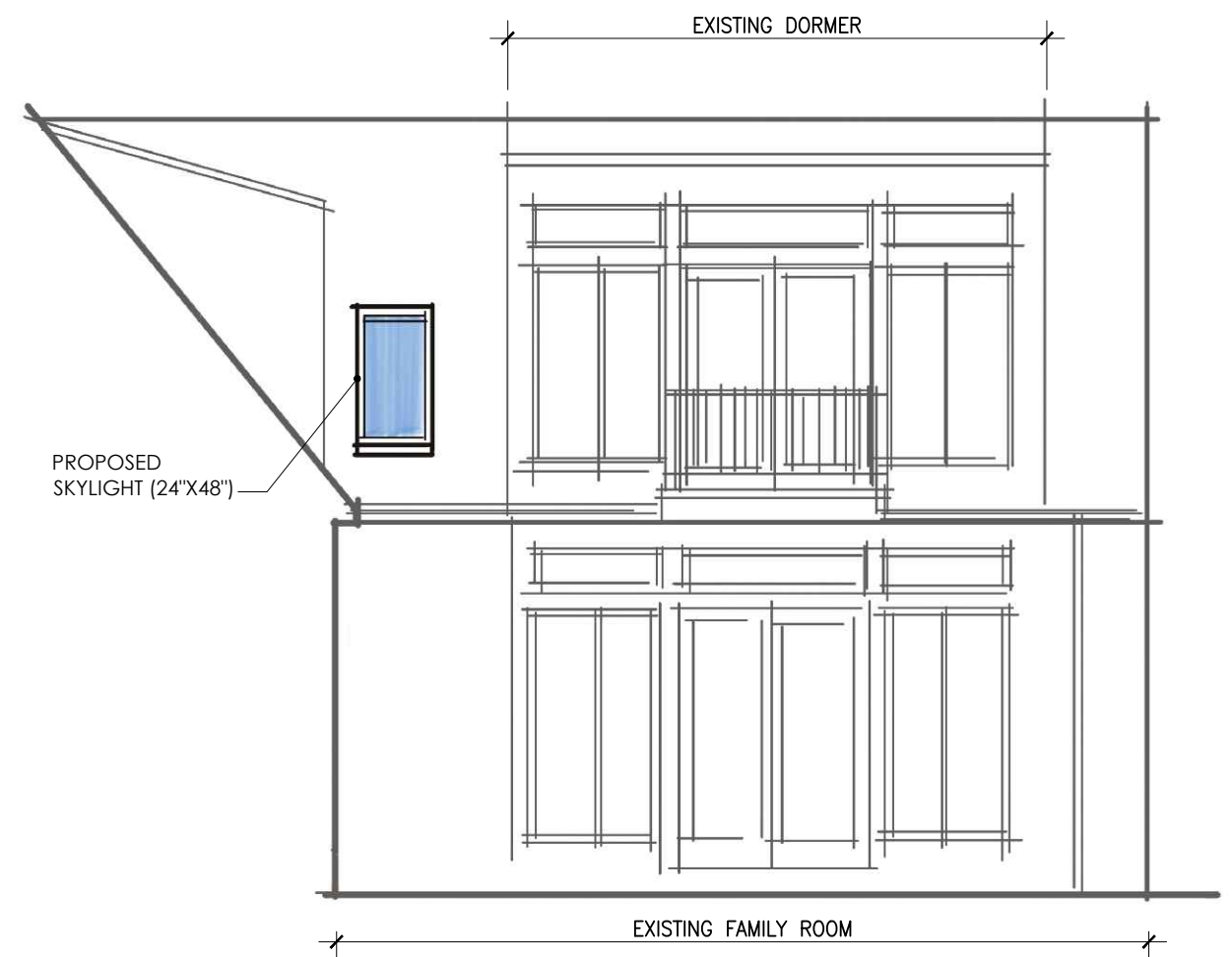








SOUTH EAST ELEVATION



SOUTH WEST ELEVATION

LOCATION OF SKYLIGHT



VIEW 2

LOCATION OF SKYLIGHT



VIEW 4

LOCATION OF SKYLIGHT

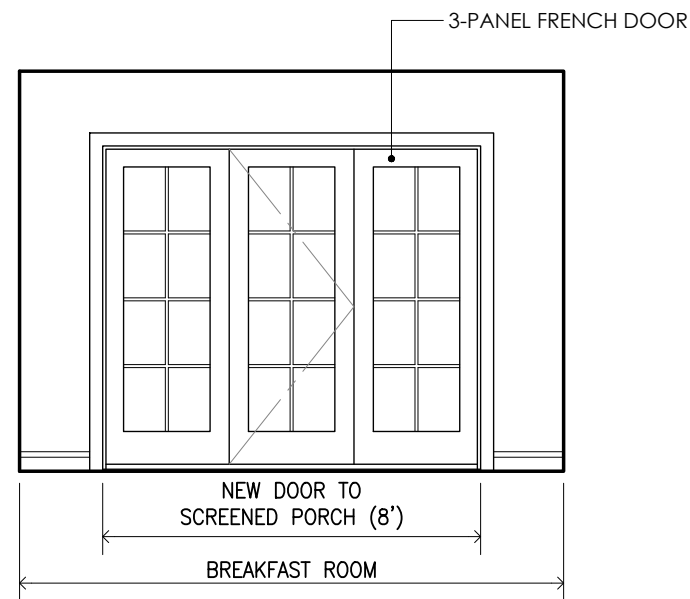


VIEW 1

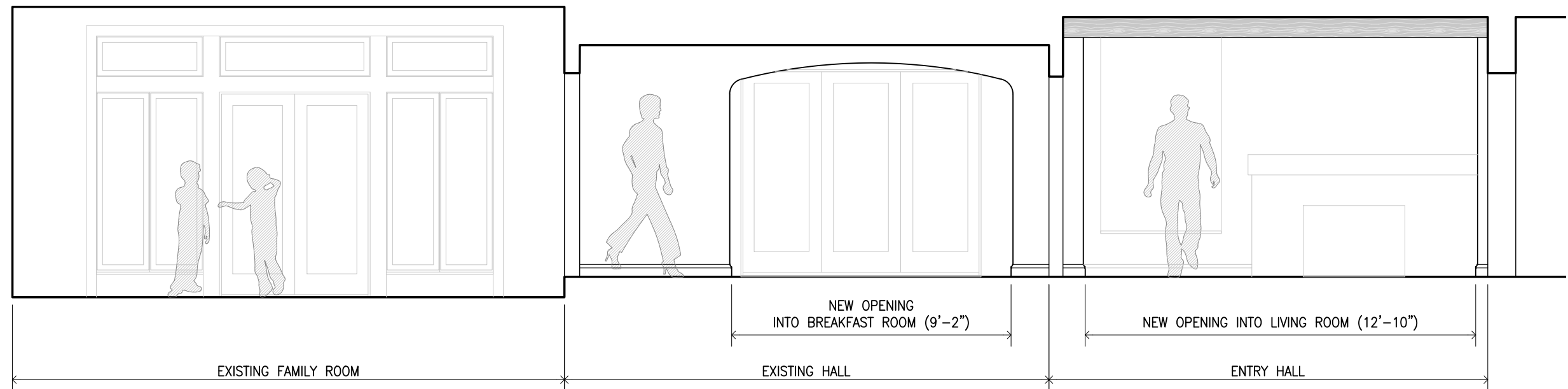
LOCATION OF SKYLIGHT



VIEW 3



ELEVATION B (VIEW FROM INTERIOR)



ELEVATION A

GREENWICH FOREST HDC PRELIMINARY CONSULTATION

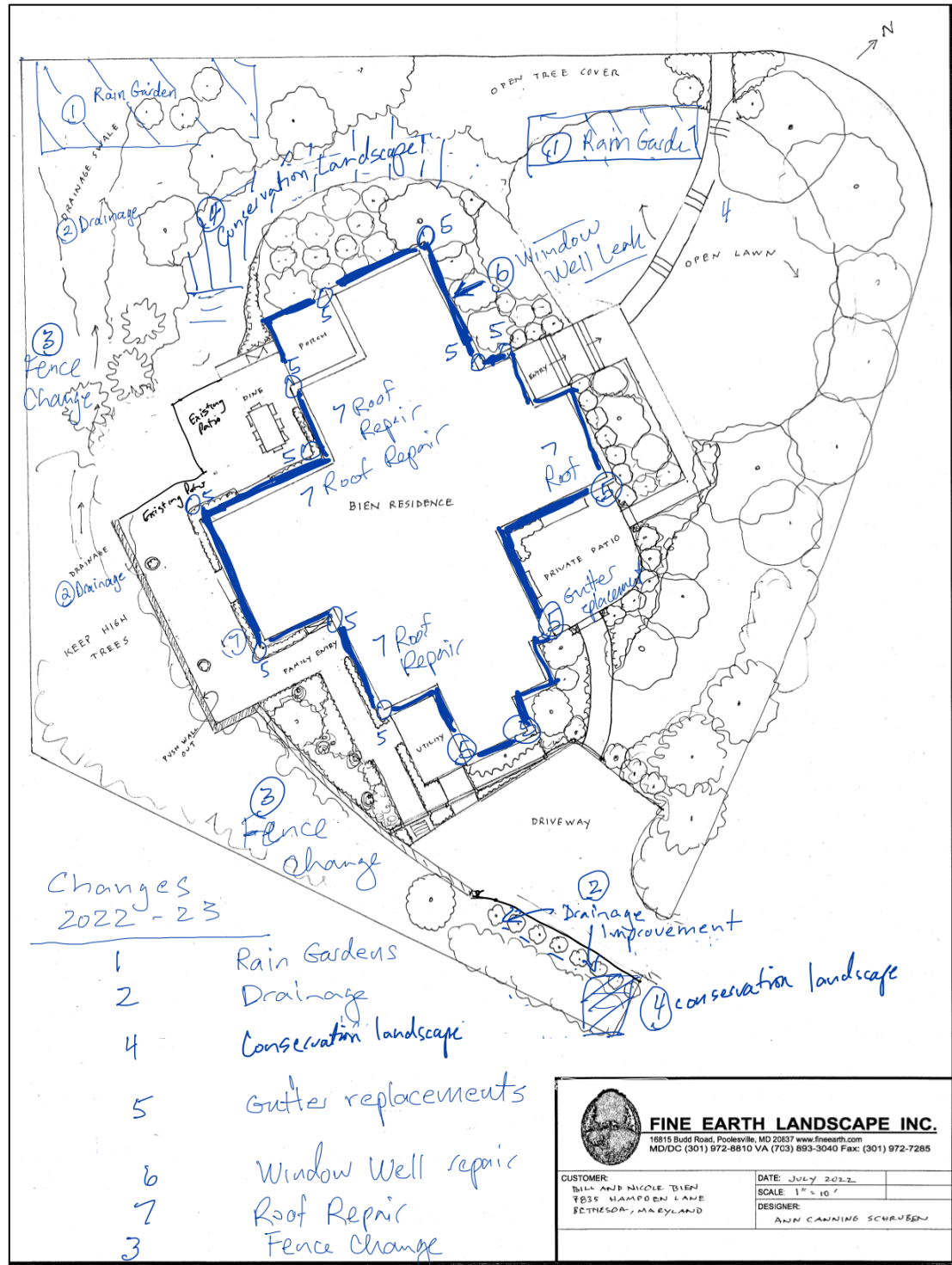
PROPOSED INTERIOR ELEVATIONS | A400

08-02-2022

BIEN RESIDENCE | 7835 HAMPDEN LN, BETHESDA, MD

7835 Hampden Lane Gutter and Fence Application Supplemental Information
 August 16, 2022
 William Bien

Exhibit 1: illustration of intended changes



Supplementary Information for Proposed Changes:

1. Gutter replacements – current water damage within house



Figure 1 - 2nd Story Water Damage



Figure 2 - 2nd Story Bathroom Water Damage from Gutters/Roof



Figure 3: Bathroom water damage from roof & gutters



Figure 4: Water damage from roof and gutters - 2nd story

2. Gutter replacements – current gutter position and condition



Figure 5 - Gutter at Front Entry Way (side view)



Figure 7 - Gutter outside front living room



Figure 6 - Bent Gutter leading to water ingress



Figure 9 - Gutter at Front Door



Figure 8 - Gutters Outside Front Office



Figure 11 - Gutters Back Bedroom Above Utility Area



Figure 12 - Bent Gutter at Utility Area



Figure 10 - Out of Code Downspout next to utility area



Figure 14 - back patio gutter & downspouts



Figure 13 - bent gutters



Figure 16 - downspout with hole



Figure 15 - downspout damage

3. Replacement Gutter Specifications



Figure 17- 6" Seamless Half Round Reverse Bead 16OZ gutter



Figure 18 - 4" Plain Round Downspouts (10' sections)



Figure 19 - Classic Hanger with Spring Clip

4. Fence Specifications

- Tear down of existing non-compliant fence 194'
- Construct 154' of new, neighbor friendly double-sided board fence
- New fence will be set back 40' feet from Hampden Lane
- Specifications: 6' high board on board fence. All 2" x "4" runners and 1" x 4" x 8" will be press treated and will be stained to match surrounding fence (after installation)
- All sections will have 3 runners and all boards are double nailed to runners





