MONTGOMERY COUNTY HISTORIC PRESERVATION COMMISSION STAFF REPORT

Address: 7 W Kirke Street., Chevy Chase Meeting Date: 12/07/2022

Resource: Contributing Resource Report Date: 11/29/2022

Chevy Chase Village Historic District

Applicant: Lucy Byrne, Architect **Public Notice:** 11/23/2022

Review: HAWP Tax Credit: n/a

Permit No.: 1012774 Staff: Winnie Cargill

Proposal: Generator Installation

STAFF RECOMMENDATION

Staff recommends the HPC approve the HAWP application.

ARCHITECTURAL DESCRIPTION

SIGNIFICANCE: Contributing Resource to the Chevy Chase Village

STYLE: Colonial Revival DATE: 1892-1916



Figure 1: The subject property is located on a triangle-shaped parcel at the intersection of West Kirke St. and Laurel Pkwy.

PROPOSAL

The applicant proposes to add a 48-kilowatt generator behind the garage.

APPLICABLE GUIDELINES

When reviewing applications within the Chevy Chas Village, 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 *Chevy Chase Village 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.

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 insure 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 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.
- o Preserving the integrity of contributing structures. Alterations to should be designed in such a way that the altered structure still contributes to the district.
- o Maintaining the variety of architectural styles and the tradition of architectural excellence.
- O 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.
- O 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)

- (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 the 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." The applicable *Standards* are as follows:

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

STAFF DISCUSSION

The subject property is a two-story Colonial Revival with wood clapboard siding, oriented towards W. Kirke Ave. In the northwest corner of the lot, there is a non-historic garage. Visibility of the garage from Laurel Pkwy. is limited by a 6' (six foot) solid board privacy fence.

Staff's initial impression at a recent site visit was that the garage was not original to the house. The 1927 Sanborn Fire Insurance Map did not show a garage (typically marked with an "A" for automobile) at the subject property (see below). In 2009 the HPC approved a HAWP to demolish the existing non-historic garage and construct the existing garage.¹

The applicant proposes to add a backup 48-kilowatt generator to the north of the garage. Staff recommends the HPC approve the HAWP with the recommendation identified below.

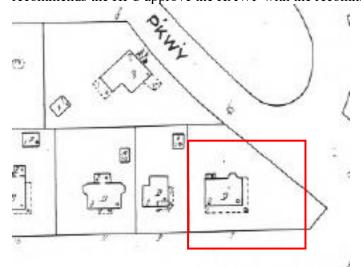


Figure 2: 1916 Sanborn Fire Insurance Map showing the subject property with Laurel Pkwy to the north.

https://mcatlas.org/tiles/06_HistoricPreservation_PhotoArchives/Padlock/HAR60640010/Box088/35-13-09N_Chevy%20Chase%20Historic%20District_7%20West%20Kirke%20St_08-12-2009.pdf.

¹ The 2009 HAWP can be found here:

Adding the generator

The existing garage is approximately 15' (fifteen feet) behind the rear wall plane of the house addition. A 6' (six foot tall) privacy fence runs along Laurel Pkwy. that encloses the rear yard and existing swimming pool area. existing swimming pool.

The applicant proposes to install a 48-kilowatt backup generator on a concrete pad to the north side of the garage, in the location of an existing air conditioning unit and water tank. The proposed generator measures 7.48'. x 2.74'. x 3.875' (seven point four eight feet wide by two point seven four feet by three point eight seventy-five feet tall). The generator will be installed 7' (seven feet) from the left (east) property line and 5.8' (five point eight feet) to the south of the north property line.

Staff finds the generator will not be at all visible from the W. Kirke St. right-of-way, because its view is blocked by the garage. From Lenox Pkwy., views of the generator will be obscured by the existing privacy fence. However, in the absence of that fence and vegetation, the generator would be visible from Lenox Parkway.

Staff finds that the proposed generator is entitled to a very lenient level of scrutiny based on the *Design Guideline* policy for alterations that are not at all visible from the right-of-way. Staff additionally finds the proposed generator is far enough from the adjacent historic houses that it will not have a visual impact on their historic character. Staff finds, the proposed generator is not out of scale with the subject property and surrounding streetscape and should be approved under the *Guidelines* as a matter of course; and 24A-8(d).

Staff further recommends the applicant continue to maintain or expand the greenery surrounding the generator location to mitigate the sound and exhaust when it is in operation. Because the *Guidelines* require HP review in the absence of any vegetation, this is only a recommended course of action and requires no further review by the HPC.



Figure 3: Current photo of the house, currently under rehabilitation.

STAFF RECOMMENDATION

Staff recommends that the Commission <u>approve</u> the HAWP application under the Criteria for Issuance in Chapter 24A-8(b)(2) 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 the *Chevy Chase Village Historic District Guidelines*;

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 301-495-2108 or winnie.cargill@montgomeryplanning.org to schedule a follow-up site visit.



APPLICATION FOR HISTORIC AREA WORK PERMIT HISTORIC PRESERVATION COMMISSION 301.563.3400

HAWP#_ DATE ASSIGNED____

FOR STAFF ONLY:

APPLICANT:

| | E-mail: | | |
|---|---|--|-----|
| Address: | City: | Zip: | |
| Daytime Phone: | Tax Acco | ount No.: | _ |
| AGENT/CONTACT (if applicable | e): | | |
| Name: | E-mail: _ | | |
| Address: | City: | Zip: | |
| Daytime Phone: | Contracto | or Registration No.: | ı |
| LOCATION OF BUILDING/PRE | MISE: MIHP # of Historic Property | <u> </u> | |
| map of the easement, and docu Are other Planning and/or Heari (Conditional Use, Variance, Reco supplemental information. | mentation from the Easement Ho ng Examiner Approvals /Reviews ord Plat, etc.?) If YES, include info | Required as part of this Application? | |
| | | | _ |
| | Subdivision: P | | _ |
| | tted with this application. Inco | verify that all supporting items complete Applications will not Shed/Garage/Accessory Structor Solar Tree removal/planting Window/Door | ıre |

6

Adjacent and Confronting Properties:

Chevy Chase, MD 20815

9 West Kirke Street

6 West Kirke Street

10 West Kirke Street

4 Laurel Parkway

5908 Connecticut Avenue

| 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: |
| |
| |



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem Director

HISTORIC AREA WORK PERMIT APPLICATION

Application Date: 11/9/2022

Application No: 1012774

AP Type: HISTORIC Customer No: EB2035

Affidavit Acknowledgement

The Contractor is the Primary applicant authorized by the property owner This application does not violate any covenants and deed restrictions

Primary Applicant Information

Address 7 W Kirke ST

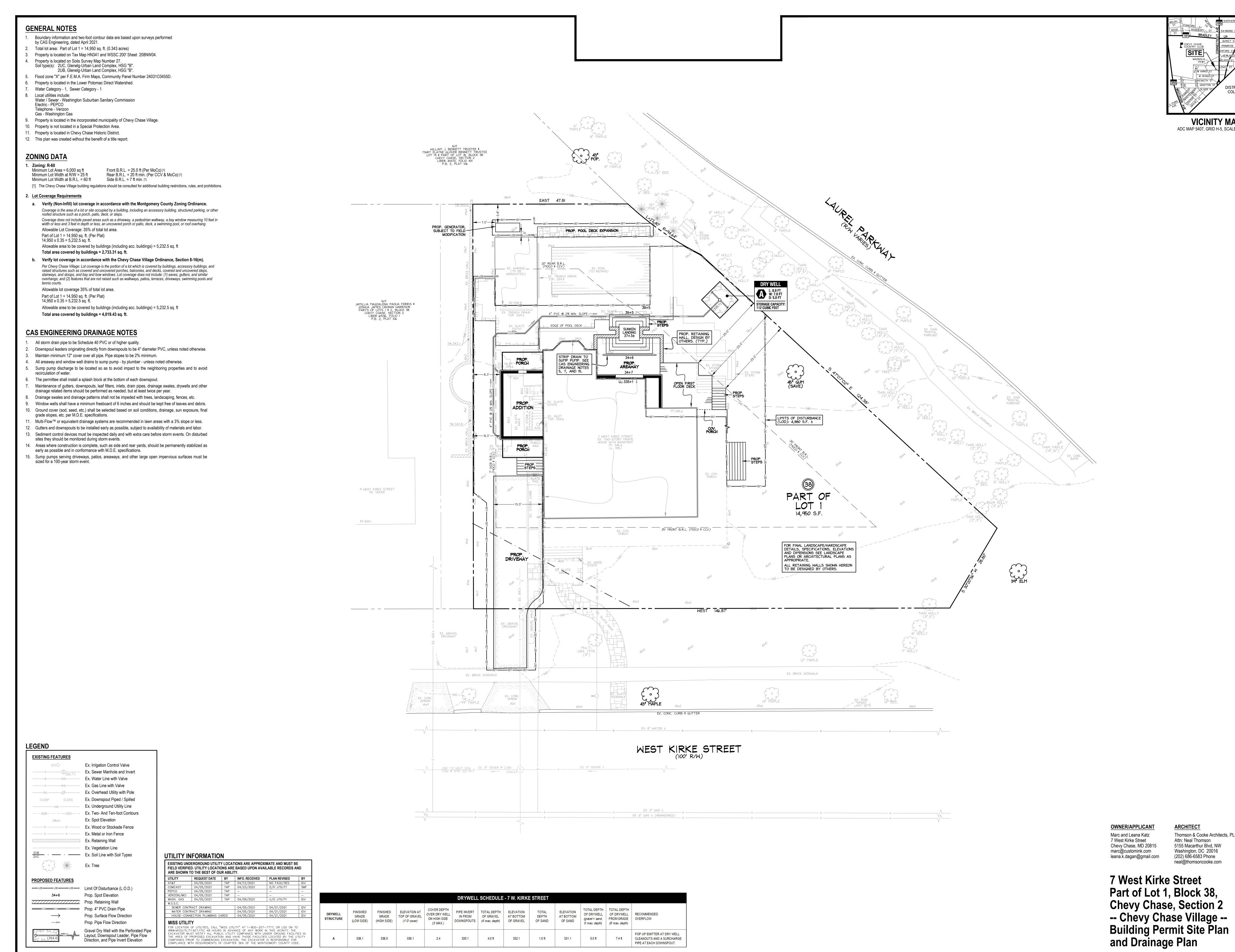
Chevy Chase, MD 20815

Othercontact ECHO ELECTRIC CO INC (Primary)

Historic Area Work Permit Details

Work Type ADD

Scope of Work Install 48 KW back up Generator behind garage



DRYWELL SCHEDULE - 7 W. KIRKE STREET

COVER DEPTH
OVER DRY WELL
ON HIGH SIDE

4.0 ft

DOWNSPOUTS (4' max. depth) OF GRAVEL OF SAND OF SAND

1.0 ft

OF DRYWELL OF DRYWELL RECOMMENDED

POP UP EMITTER AT DRY WELL

CLEANOUTS AND A SURCHARGE

PIPE AT EACH DOWNSPOUT.

(gravel + sand, FROM GRADE OVERFLOW

5.0 ft

FINISHED | FINISHED | ELEVATION AT

(LOW SIDE) (HIGH SIDE) (1'-3' cover)

338.5

GRADE TOP OF GRAVEL

ON HIGH SIDE

(3' MAX.)

GRADE

STRUCTURE

Prop. Spot Elevation

Prop. Surface Flow Direction

Gravel Dry Well with the Perforated Pipe

Layout, Downspout Leader, Pipe Flow

Direction, and Pipe Invert Elevation

MISS UTILITY

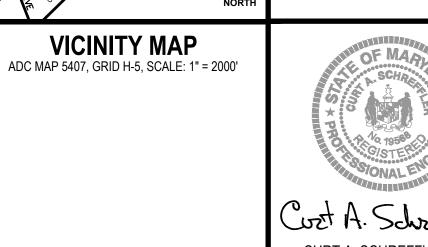
FOR LOCATION OF UTILITIES, CALL "MISS UTILITY" AT 1-800-257-7777, OR LOG ON TO WWW.MISSUTILITY.NET/ITIC 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY. THE EXCAVATOR MUST NOTIFY ALL PUBLIC UTILITY COMPANIES WITH UNDER GROUND FACILITIES IN THE AREA OF PROPOSED EXCAVATION AND HAVE THOSE FACILITIES LOCATED BY THE UTILITY COMPANIES PRIOR TO COMMENCING EXCAVATION. THE EXCAVATOR IS RESPONSIBLE FOR COMPLIANCE WITH REQUIREMENTS OF CHAPTER 36A OF THE MONTGOMERY COUNTY CODE.

Prop. Pipe Flow Direction

Prop. Retaining Wall

Prop. 4" PVC Drain Pipe

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DATE REVISION

IND - Building Permit Site Plan Base

Sheet to Client and Architect.

11/10/21 PDL - BPSP+DP Uploaded to ePlans for Initial Review.

04/28/21 JMO - Building Restriction Lines Added to the Plan.

10/24/22 SMF- BPSP revised to include

CURT A. SCHREFFLER, PE

PROFESSIONAL ENGINEER CERTIFICATION: I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 19568, expiration date 3/8/2024, and that this plan meets MCDPS criteria for building and sediment control permit applications.

Che

CAS ENGINEERING-MD 10 South Bentz Street Frederick, Maryland 21701 301-607-8031 Phone info@casengineering.com www.casengineering.com

CAS ENGINEERING-DC, LLC 1001 Connecticut Avenue, NW, Suite 401 Washington, DC 20036 202-393-7200 Phone info@cas-dc.com

www.cas-dc.com

SCALE: 1 INCH = 10 FEET SHEET TITLE:

Building Permit Site Plan and Drainage Plan

1 of 2

P:\2000-2009\2009\09052__7 W. Kirke Street\6 drawings\09052D_BPSP+DP_Phase II.dwg, 10/24/2022 10:32:36 AM, smf, © 2022 CAS Engineering and CAS Engineering-DC, LLC

ARCHITECT

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Thomson & Cooke Architects, PLLC

